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PROCEEDINGS AND DEBATES OF THE 112th CONGRESS, SECOND SESSION

HOUSE OF REPRESENTATIVES—Thursday, August 2, 2012

The House met at 9 a.m. and was called to order by the Speaker pro tempore (Mr. WOMACK).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,

August 2, 2012.

I hereby appoint the Honorable STEVE WOMACK to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,

Speaker of the House of Representatives.

PRAYER

Imam Nayyar Imam, Suffolk County Police Department, Yaphank, New York, offered the following prayer:

We beseech God Almighty, calling upon Him by the most noble of His characteristics. We bear witness in testimony that He is the sovereign, the omnipotent, the exalted, the all knowing.

God Almighty, we ask that You bestow upon all of our elected officials guidance and patience required to carry out the solemn task of legislation before them. Grant them commitment to serve before being served, a sense of fraternity before partisanship, and dedication to the interests of our country before the interests of even their own selves.

The final prophet of God, Muhammad, peace be upon him, stated:

The leaders of a people are a representation of their deeds.

We ask God Almighty that He make our elected officials true representatives of honesty, equality, and the values that represent the uniqueness of our Nation.

We ask You, Almighty God, that You look to us with glance of mercy, regardless of gender, ethnicity, religion, or political party. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the

last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Virginia (Mr. WITTMAN) come forward and lead the House in the Pledge of Allegiance.

Mr. WITTMAN led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to five requests for 1-minute speeches on each side of the aisle.

PROCRASTINATION IN WASHINGTON

(Mr. WITTMAN asked and was given permission to address the House for 1 minute.)

Mr. WITTMAN. Mr. Speaker, after today, Congress completes its business until September without finishing critical items, leaving many sectors across this country uncertain about their fiscal future. Looming defense cuts, or sequestration, still hang over the Congress as unfinished business.

I'm extremely disappointed that Congress is leaving town without addressing such pressing issues and with so little time scheduled in the rest of this legislative year. Many Americans in America's First District are frustrated with Washington's lack of action and accomplishments as this country struggles to rebound from these tough economic times. Virginians, and all Americans, have the right to be upset with such irresponsible procrastination.

Sequestration threatens our country's national security and sends the

wrong message to the American people and to the world about our commitment to defend this great Nation in the future. Congress should stay in Washington to finish the business of the people. I am prepared to stay in Washington as long as it takes. These issues are too important to wait.

THE INNOVATION PROMOTION ACT

(Ms. SCHWARTZ asked and was given permission to address the House for 1 minute.)

Ms. SCHWARTZ. To strengthen our economic competitiveness in a global economy, we must create the right environment for private sector growth in cutting-edge industries. As we work to reform our corporate Tax Code, it's critical that we consider policies that reflect our 21st century economy, an innovation economy, and promote new domestic manufacturing based on the best ideas developed right here in America.

Today, I will introduce a plan to incentivize manufacturing, innovation, and research and development right here in the United States. The Innovation Promotion Act keeps American businesses competitive by reducing their tax rate on patented products by more than half to 10 percent.

This lower tax rate is a major incentive to keep production here in the United States and will better ensure American companies that choose to stay in the U.S. can compete with foreign competitors, expand to new markets, and hire new workers.

I urge my colleagues to join me in supporting American entrepreneurship, American innovation, and American jobs. Sign on to the Innovation Promotion Act to build America's economic leadership in the world and promote job creation right here at home.

WE HAVE A JOB TO DO

(Mr. HULTGREN asked and was given permission to address the House for 1 minute.)

Mr. HULTGREN. Mr. Speaker, traditionally, Members of Congress return

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

to their districts during the month of August to avoid the hottest, muggiest month of the Washington year, but given our current circumstances and the invention of air conditioning, I think we should break that tradition.

Senate Democrats have passed the President's plan to raise taxes. A family of four earning \$50,000 a year will see their taxes increase by more than \$2,000 per year. House Republicans have passed the only plan in Washington to stop the tax hike in its entirety.

A new report finds the tax hike will cost more than 700,000 American jobs. I stand by the House leadership who stated this week that if the Senate takes action to address these threats, the House will be in Washington in August for the purpose of sending solutions to the President's desk.

We have a job to do, and 23 million unemployed Americans are waiting.

GUN SAFETY

(Mr. MCGOVERN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MCGOVERN. Mr. Speaker, I rise today to call attention to the need for stronger gun safety laws in our country. This Congress has not only failed to address the issue of gun violence in the United States, it has actually weakened gun safety laws.

I am proud that my home State of Massachusetts is a leader in gun violence prevention and has the lowest firearm fatality rate per 100,000 population of any urban industrialized State.

I am proud of the work being done by antigun violence advocates across the Commonwealth, including Boston's mayor, Tom Menino, and John Rosenthal, founder of the organization, Stop Handgun Violence. Today, Stop Handgun Violence is hosting a rally in Boston calling on Congress to pass stronger gun safety legislation. I applaud their work and the efforts of other organizations like the Brady Campaign as they continue to educate and advocate for sensible legislation.

What more will it take for this Congress to bring commonsense gun control measures to the floor? How many more tragedies? Silence is no longer acceptable.

TAXES

(Mr. PALAZZO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PALAZZO. Mr. Speaker, I'm a CPA by trade. I've spent many years in my former life wading through volumes of Tax Code trying to ensure my clients followed every last letter of the law while also trying to ensure they don't get stuck paying more taxes than

they owe. But the American people and the people of south Mississippi don't need a CPA to tell them that we need a simpler, fairer, and flatter Tax Code.

Last week, the U.S. Senate sent a strong message when it voted to raise taxes on small businesses and families. In south Mississippi alone, the proposed tax hikes would increase taxes by an average of \$2,200 per family. That's a total of more than \$723 million more that south Mississippians would have to pay.

In addition to that extra tax burden, a recent study from Ernst & Young shows that we could lose as many as 710,000 jobs, and wages could decrease by almost 2 percent.

Now, I'm no rocket scientist, but I'm pretty sure that the American people and the people of south Mississippi don't need a rocket scientist to tell them that these tax hikes are the last thing we need right now. That's why the House stepped forward yesterday and passed legislation to stop the tax hike, and that's why we're committed to continue working on tax reform to make our Tax Code simpler, fairer, and flatter for all Americans.

THANKING ERNIE ALLEN FOR A JOB WELL DONE

(Mr. BARROW asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BARROW. Mr. Speaker, I rise to pay my respects to a tireless crusader in the quest to protect America's children from violence and exploitation.

Ernie Allen recently retired as the president and chief executive officer of the National Center for Missing & Exploited Children, where his mission was to protect our Nation's children.

Under Ernie's leadership, the National Center for Missing & Exploited Children played a crucial role in recovering some 74,000 children. With Ernie at the helm, they saw their recovery rate for missing children climb from 62 percent in 1990 to 94 percent today.

While there's no official record book of what Ernie has accomplished over the years, his record lives on in the lives he has saved and the families he has reunited.

I know I speak for my colleagues in the Congressional Missing, Exploited and Runaway Children's Caucus and for thousands of grateful families all across the Nation in thanking Ernie Allen for a job well done.

□ 0910

LET'S INVEST IN THE AMERICAN PEOPLE

(Mr. HIGGINS asked and was given permission to address the House for 1 minute.)

Mr. HIGGINS. Mr. Speaker, our economic problems are eminently solv-

able. They just require confidence in the American people. But the American people have lost confidence in Congress, and it's easy to see why.

Exhibit A: the inability to reach a deal on a grand bargain on debt reduction. Last year, the Speaker and the President negotiated a plan to reduce the debt by \$4 trillion through a mix of spending cuts and revenue increases, revenues that would come, not from raising taxes, but closing special deals, institutionalized corruption.

That plan represented a balanced and bipartisan approach. The economy today would be performing much better had that deal been enacted. But the Tea Party-controlled Republican House rejected the deal.

Exhibit B: the refusal to act boldly to create jobs and rebuild the infrastructure of America. We just spent \$89 billion rebuilding the roads of Afghanistan. Last week we passed a bill to spend just \$52 billion a year in rebuilding roads and bridges right here in America. That's a weak plan. In fact, it's pathetically weak. That is why the American people have lost confidence in Congress.

The best tax policy is to invest in America and the American people and to bring lost taxpayers back to work.

OBAMA CARES AND YOU SHOULD, TOO

(Ms. WILSON of Florida asked and was given permission to address the House for 1 minute.)

Ms. WILSON of Florida. Mr. Speaker, Obama cares, and you should, too.

ObamaCare provides access to much-needed contraceptives for women.

First of all, it's my body, not yours. I alone bear the burden, pain, and joy that it brings. Please stop trying to regulate my reproductive organs. They belong to me.

Have you ever had a menstrual period? Have you ever felt unbearable pain in every bone of your body during childbirth?

Will you be there for a mother when she needs prenatal care, formula, diapers? Will you support the Head Start program? Will you focus on creating good public schools again? Will you reform foster care and stop greasing the prison pipeline with unwanted children?

There are grandmothers living in trailer parks and public housing, singlehandedly raising millions of grandchildren. Where are you when Grandmother is trying to feed Jerome, Shaquita, Pedro, Heather, and John?

The only time I see you is on the floor of the House trying to take away Grandma's Social Security and attacking her Medicare and food stamps.

Grandma doesn't have a car so she has no ID so she can't vote.

For some reason, you care about a baby right up until the minute it is

born into the world, and then you disappear and desert the children you claim to protect and love. Shame on you.

Stop the cradle-to-grave neglect and abuse. Let's create jobs, jobs, jobs for the American people. Obama cares, and so should you.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded to heed the gavel.

IN THE MATTER OF REPRESENTATIVE LAURA RICHARDSON OF CALIFORNIA

Mr. BONNER. Mr. Speaker, by direction of the Committee on Ethics, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 755

Resolved, That the House adopt the Report of the Committee on Ethics dated August 1, 2012, in the Matter of Representative Laura Richardson.

The SPEAKER pro tempore. The gentleman from Alabama is recognized for 1 hour.

Mr. BONNER. Mr. Speaker, I yield an equal amount of time in this debate to a lady with whom I am honored to serve, the gentlewoman from California (Ms. SÁNCHEZ), the ranking member of the Committee on Ethics, for purposes of debate only, and I ask unanimous consent that she be permitted to control that time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. BONNER. Mr. Speaker, I yield myself such time as I may consume.

As chairman of the Committee on Ethics, I rise in support of a resolution before us today which calls for a reprimand for Representative LAURA RICHARDSON of California.

Article I of the Constitution gives Congress the responsibility for punishing Members of our body for disorderly behavior. And in the House, it is the Committee on Ethics, the only evenly divided committee, made up of five Democrats and five Republicans, and served by a completely nonpartisan, professional staff, that has been entrusted with the responsibility to enforce the rules of the House and recommend actions such as that before us today, when a Member or staff acts in a manner that violates the spirit of public trust.

The obligation, therefore, falls to this committee to review those allegations that a Member has violated ethical standards that the American people expect and deserve from those of us who are privileged enough to work for them, men and women who wear the title of Representative of this great Nation.

This unfortunate story begins in October of 2010 when the committee, dur-

ing the 111th Congress, first began to receive complaints from several members of Representative RICHARDSON's staff, both in the Washington, D.C., and Long Beach, California, offices, that Representative RICHARDSON required her staff to perform campaign work.

The committee began an initial inquiry based on these complaints, as well as from media reports consistent with those complaints.

On November 3, 2011, the committee, now in the 112th Congress, empanelled an investigative subcommittee and appointed Representative CHARLES DENT of Pennsylvania and Representative JOHN YARMUTH of Kentucky to lead this bipartisan subcommittee in reviewing the allegations against Representative RICHARDSON. Joining Mr. DENT and Mr. YARMUTH were two Members pulled from a pool of Members who assist the committee when needed. In this case, they are Representative ROB BISHOP of Utah and Representative BEN RAY LUJÁN of New Mexico.

These four Members, two Democrats and two Republicans, served on the investigative subcommittee and, over the past 9 months, led an extensive investigation, supported by the committee's dedicated, nonpartisan, professional staff, delving deep into this matter.

In a minute, Mr. DENT, who served as chairman of the investigative subcommittee, will detail the volume of work that the investigative team undertook during this period.

Ultimately, the subcommittee unanimously agreed to a Statement of Alleged Violation against Representative RICHARDSON.

Mr. Speaker, while the full committee report, the investigative subcommittee report, Representative RICHARDSON's responsive views, and all exhibits were filed by the ranking member and me yesterday morning, and have been available to the House and to the American people since that time, here now, in summary, are the seven counts of violation:

First, Representative RICHARDSON violated the Purpose Law, title 31, section 1301, United States Code, by using official resources of the House for campaign, political, personal, and other nonofficial purposes.

Second, Representative RICHARDSON violated House rule XXIII by retaining a full-time employee in her district office who did not perform duties commensurate with their compensation.

Third, Representative RICHARDSON violated House rule XXIII by behaving in a manner that did not reflect credibly upon this House when she unlawfully used House resources for nonofficial purposes.

Fourth, Representative RICHARDSON violated House rule XXIII by behaving in a manner that did not reflect credibly upon the House when she improperly compelled members of her official staff to do campaign work by

threatening, attempting to intimidate, directing or otherwise pressuring them to do such work.

Fifth, Representative RICHARDSON violated House rule XXIII by behaving in a manner that did not reflect credibly upon the House when she obstructed and attempted to obstruct the investigation of this committee into these allegations.

Sixth, Representative RICHARDSON violated clause 2 of the Code of Ethics for Government Service by failing to uphold the laws and legal regulations discussed above and being a party to their evasion.

□ 0920

Seventh, Representative RICHARDSON violated House rule XXIII by failing to abide by the letter and spirit of House and committee rules.

The record should note that anytime a Member is confronted with a Statement of Alleged Violation, he or she has the option of challenging those allegations with a public hearing of an adjudicatory subcommittee or, in the case of Representative RICHARDSON, negotiating a resolution with the investigative subcommittee.

In this instance, Representative RICHARDSON negotiated a resolution in which she admitted to all seven counts in the Statement of Alleged Violation and has waived her rights to any additional process in this matter, including waiving her right to an adjudicatory hearing. Representative RICHARDSON has also agreed to accept a reprimand by the House as well as a \$10,000 fine to be paid out of personal funds to the U.S. Treasury no later than December 1, 2012.

In the history of our country, five Members have been expelled from Congress; 23 Members have been censured; and eight Members have been reprimanded. Representative RICHARDSON negotiated—and we recommend—the sanction of reprimand.

The investigative subcommittee unanimously adopted a report recommending a resolution including these terms to the full committee, and on July 31, 2012, the full committee adopted the recommendations of the subcommittee.

Mr. Speaker, at this time, I am pleased to reserve the balance of my time so the distinguished ranking member of the Ethics Committee, the gentlewoman from California (Ms. LINDA T. SÁNCHEZ), may make any comments she may have.

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, I yield myself such time as I may consume.

I want to thank the chairman for his work in this matter. He has addressed in his opening comments some important aspects of this particular matter.

Representatives CHARLES DENT and JOHN YARMUTH, who led the investigative subcommittee, will speak in greater detail about the facts of this matter

and how and why the committee reached the recommendation for sanction that comes before the House today.

I would like to briefly remind our colleagues why we are discussing this matter on the floor today and the importance of the ethics process to the integrity of the House.

As noted before, the Ethics Committee is unique in that its membership is evenly divided between Democrats and Republicans. In that bipartisan spirit, I would like to cite the observations of two former chairmen of this committee about the role of the Ethics Committee and the role that it has in overseeing the House.

A former Republican chairman of the committee once said that the ethics process is not a "trial." Instead, it is a "peer review process." In that same vein, a former Democratic chair of the committee said, "The purpose of the ethics process is not punishment but accountability and credibility: accountability for the respondent and credibility for the House, itself."

The committee followed these important principles in assessing the conduct of our colleague, Representative LAURA RICHARDSON. The recommendation for sanction we present today will ensure that Representative RICHARDSON is held accountable for her conduct. It will also reaffirm the credibility of the House by demonstrating our commitment to upholding and enforcing the ethics standards that apply to all of us equally. How the committee conducted the investigation in this matter reinforces the goals of accountability and credibility.

This matter was begun by the committee at its own initiative in the last Congress. The members of the subcommittee did not prejudice the outcome of this matter nor did the members of the full committee.

Out of fairness to all House Members and staff, it is important to point out that the mere fact that an individual is the subject of an investigation doesn't mean that a violation has actually occurred. The existence of an investigation doesn't reflect a judgment by the committee on the allegations. This is true whether the investigation has been publicly acknowledged by the committee or whether it remains confidential.

The committee conducted a thorough and fair investigation. Representative RICHARDSON was represented by counsel throughout the committee's investigation. She was provided with copies of materials gathered by the subcommittee. Representative RICHARDSON also chose to waive certain procedural rights and steps in the investigative process that were available to her. The subcommittee listened to her views and interpretations of the facts of the investigation as well as appropriate sanctions. The full committee also took into account her views.

Ultimately, a dozen Members of the House of both parties weighed the allegations regarding Representative RICHARDSON, and based on the facts, concluded that her conduct did not meet the ethical standards that apply to all of us in a number of respects. That conclusion was bipartisan and it was unanimous. The misconduct in this matter was serious, and in accordance with House precedent it merits the serious sanction of reprimand. Representative RICHARDSON has agreed to accept the sanction of reprimand for her conduct.

Usually, it is the committee's work in investigative matters like this one that receives public attention, but the committee's nonpartisan staff provides advice and education to Members and staff every day. The report issued by the committee in this matter serves both purposes.

If you have not already taken the opportunity to do so, I urge my colleagues and House staff to carefully read the committee's report.

As the report says, the boundaries between our official, political, and personal roles are sometimes clear, and sometimes they are complicated. This matter illustrates the consequences of failing to heed those boundaries.

Finally, I wish to acknowledge and thank my colleagues Representatives CHARLIE DENT, JOHN YARMUTH, ROB BISHOP, and BEN RAY LUJÁN for their hard work on the investigative subcommittee.

In addition, I want to thank all of our committee staff. Although we are a bipartisan committee, we have a professional nonpartisan staff. All of the members of the committee appreciate their continuing hard work and service to the House.

I reserve the balance of my time.

Mr. BONNER. Mr. Speaker, I am now pleased to yield such time as he may consume to the gentleman from Pennsylvania (Mr. DENT), who ably served as chairman of the investigative subcommittee, for any comments he may have.

Mr. DENT. I want to thank the gentleman from Alabama and the gentleman from California for their leadership of the committee.

As a member of the Committee on Ethics and as the chairman of the investigative subcommittee, or ISC, in this matter, I do rise in support of the resolution, which calls for the adoption of this committee's report and will serve as a reprimand of Representative LAURA RICHARDSON for her conduct and will impose upon her a \$10,000 fine.

I do not relish speaking under these circumstances. This is, indeed, a solemn moment—when the House must consider punishing one of its own Members.

As the chairman stated, over the last 9 months, as members of the investigative subcommittee, my colleagues Mr. YARMUTH from Kentucky, Mr. BISHOP

of Utah, Mr. LUJÁN of New Mexico, and I conducted an extensive investigation into the allegations regarding Representative LAURA RICHARDSON. The subcommittee met on over 20 occasions. In total, the ISC and staff conducted 12 interviews during this phase of the inquiry and reviewed the transcripts of the 17 interviews conducted during the committee's earlier phase of its inquiry. The subcommittee also reviewed thousands of pages of documents.

I appreciate the hard work of each of the subcommittee members, especially of the ranking member, Mr. YARMUTH of Kentucky. He is a pleasure to work with. I would also like to thank the nonpartisan professional staff of the Ethics Committee who conducted the investigation with dignity and professionalism at all times—Deborah Mayer, Cliff Stoddard, Sheria Clarke, Chris Tate, and Brittany Bohren.

At the conclusion of a thorough investigation, the subcommittee unanimously concluded that there was substantial reason to believe that Representative RICHARDSON had violated the Code of Official Conduct and other laws, rules, or standards of conduct. The chairman outlined the seven counts in the Statement of Alleged Violation, which was unanimously adopted by the investigative subcommittee.

Here is a summary of the findings of the report and why the committee recommends that Representative RICHARDSON be reprimanded by the House for her conduct.

As discussed fully in the investigative subcommittee report, fundamentally, Representative RICHARDSON failed to acknowledge the boundaries between the official and political realms. On page 59 of the ISC report, it reads in part:

This case is about boundaries. The House entrusts Members with a great deal of discretion over a large amount of taxpayer resources . . . This constructive trust requires Members to delineate between the official, the political, and the personal in ways that are at times quite tidy and at others tangled . . . Representative Richardson did not acknowledge these boundaries. She acted to consume the resources endowed to her as a Member for whatever purpose suited her whims at the moment, be they official acts, her reelection, or her personal needs . . . The ISC discovered significant evidence suggesting that her wrongdoing continued even after learning that the committee was investigating her.

□ 0930

If the committee fails to exact a steep price for such conduct, the message is one of a set of rules with a toothless enforcement mechanism.

Representative RICHARDSON's misconduct included that, first, she improperly compelled or coerced members of her staff to do campaign work. Representative RICHARDSON required the staff of her district office in Long

Beach, California, to perform campaign work each weeknight from approximately 6:30 p.m. through 9 p.m. during at least the 2 months prior to the 2010 primary and general elections. This practice alone accounted for hundreds of hours of conscripted campaign work by public servants who did not wish to perform it and may not be forced to do so. She also required her district staff to perform additional campaign work on the weekends. Representative RICHARDSON applied the same philosophy to her Capitol Hill staff. This demonstrates a blatant disregard for the boundaries between official events and campaign events.

Second, Representative RICHARDSON used official resources of the House for campaign and nonofficial purposes. While the report has a detailed exposition of many of the resources used by Representative RICHARDSON, some of the more significant improper uses of resources included the use of staff time during the official work day to conduct campaign activities, repeated use of the House email system to conduct campaign business, use of the MRA to lease a car, which she parked at her house and used as her only mode of transportation in the district, regardless as to whether her destination was official, campaign, or personal in nature.

Third, Representative RICHARDSON paid her deputy district director as a full-time House employee, but for months before the 2010 elections she directed this employee to conduct campaign work for a significant portion of each day. Additionally, in 2011, nearly a year after Representative RICHARDSON received notice of the committee's investigation into misuse of House resources, Representative RICHARDSON hired a new district director, who, with Representative RICHARDSON's knowledge and approval, spent much of his time performing campaign work.

Taken together, a theme emerges. Representative RICHARDSON used her staff as she saw fit. The evidence does not demonstrate isolated incidents of compelled campaign work. If that were, in fact, the case, we would not likely be here today. It demonstrates a constant effort by Representative RICHARDSON to direct and pressure her official employees to perform as much campaign work as possible, regardless of whether or not they wanted to volunteer.

The environment Representative RICHARDSON cultivated in her office was so poor that one of her employees, a detailee from the Wounded Warrior's program, wrote in her letter of resignation:

As a service-connected disabled veteran, it is sad to say that I would rather be at war in Afghanistan than work under people that are morally corrupt.

Just as concerning as the substantive violations, if not more so, was the sig-

nificant evidence that Representative RICHARDSON obstructed and attempted to obstruct the investigation. To fulfill our constitutional duty, the House must take action against any Member who improperly attempts to frustrate a committee investigation. The investigative subcommittee concluded that Representative RICHARDSON obstructed and attempted to obstruct the investigation into these allegations. Specifically, Representative RICHARDSON directed her staff to testify that their campaign work had been voluntary, even in cases where staff had not volunteered. She also attempted to obstruct the committee's investigation by altering or destroying evidence.

Finally, Representative RICHARDSON obstructed the investigation by failing to provide materials responsive to a subpoena issued by the investigative subcommittee. The investigative subcommittee served Representative RICHARDSON with that subpoena only after months had passed with Representative RICHARDSON ignoring numerous requests from the ISC that she provide responsive documents. Even then, the investigative subcommittee discovered documents that Representative RICHARDSON had in her possession, custody, or control and, nevertheless, failed to produce.

Based on these conclusions, the investigative subcommittee found that Representative RICHARDSON committed seven different violations of the Code of Official Conduct or other laws, rules, or standards of conduct.

Throughout this process, Representative RICHARDSON has been afforded every opportunity to defend herself. Ultimately, she initiated a negotiated resolution and admitted to the seven counts in the Statement of Alleged Violation. She received a copy of the investigative subcommittee report 5 days prior to its adoption and was given an opportunity to provide her views to be considered by the committee.

Through her misconduct, Representative LAURA RICHARDSON has violated the public trust. While no Member wants to sit in judgment of a colleague, it is our duty to protect the integrity of the House. Accordingly, on behalf of the committee, Mr. Speaker, I recommend that the House adopt the committee's unanimous report and that the report serve as a reprimand of Representative LAURA RICHARDSON for her misconduct.

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, at this time, I yield as much time as he may consume to the gentleman from Kentucky (Mr. YARMUTH), a member of the Ethics Committee.

Mr. YARMUTH. I thank the gentleman from California for yielding.

As a member of the Committee on Ethics and as the ranking member of the investigative subcommittee in this

matter, I rise in support of the resolution that calls for the adoption of this committee's report and will serve as a reprimand of Representative RICHARDSON for her conduct and will impose upon her a \$10,000 fine.

After the investigative subcommittee unanimously concluded that there was substantial reason to believe that Representative RICHARDSON had committed these violations, Representative RICHARDSON initiated formal discussions regarding a negotiated resolution of her matter, which would avoid an adjudicatory hearing.

The investigative subcommittee engaged Representative RICHARDSON in good faith during these discussions, delaying its vote on a Statement of Alleged Violation by more than a week to continue negotiating. On July 18, 2012, Representative RICHARDSON agreed to the terms of a negotiated resolution with the investigative subcommittee. As a part of that resolution, Representative RICHARDSON has admitted to the seven counts in the Statement of Alleged Violation. There is no longer a factual dispute regarding whether these violations have been proven.

On July 26, 2012, the investigative subcommittee unanimously adopted its report and transmitted it to the full committee. Representative RICHARDSON was provided a copy of the report. Pursuant to the terms of the negotiated resolution, she was given 5 days to submit her views. On July 25, 2012, Representative RICHARDSON submitted her views on the report in writing. Those views were transmitted, along with the investigative subcommittee report, and considered by the full committee. As noted in the committee's report, the members were not persuaded by Representative RICHARDSON's submission.

Some of the terms in the negotiated resolution require action only by the Ethics Committee or Representative RICHARDSON, but there are terms that have been brought before the House today, Mr. Speaker, and that is the need for the House to impose the punishment that all parties agree is an acceptable sanction for Representative RICHARDSON's misconduct: a reprimand by the House of Representatives and the imposition of a \$10,000 fine.

It is important for all Members to understand that it is our responsibility to ensure that if our staffs wish to work on our campaigns, they must do it on their own time, outside of their office, and without the use of any official resources. A staffer is free to volunteer, but a Member cannot compel them to do so.

Mr. Speaker, it became clear during the investigation that Representative RICHARDSON did not believe that she was compelling her official staff to work on her campaign. It was equally clear, after hearing from members of her staff, that they believed they were being compelled to do so.

There are examples of Representative RICHARDSON providing explicit directions to her staff to work on her campaign. There are more numerous examples when Representative RICHARDSON's actions would lead any reasonable staffer to believe that they were required to do campaign work or face retribution.

The way Members treat and manage their staffs is often as important and significant an influence on employee understanding and actions as any words a Member may use. Ultimately, it is also the Member's responsibility to know and manage what is being asked of their staff and what isn't. As this case shows, when these rules are broken, Members are not only responsible, they will be held accountable.

□ 0940

Mr. Speaker, I, once again, support the approval of the Ethics Committee report and the sanctions imposed on Ms. RICHARDSON.

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, at this time, I would like to yield 2 minutes to the gentleman from Missouri, the chairman of the Congressional Black Caucus.

Mr. CLEAVER. Mr. Speaker, the committee has examined the case and reached a conclusion. The subject of the investigation has agreed to accept responsibility and, in fact, has affixed her name to the findings as a confirmation of such.

As a supporter and colleague of the subject of the investigation, I know that she regrets the violations and hopes that the reprimand by the House will allow both her and the House to move on to address the great issues facing the Nation.

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, I reserve the balance of my time.

Mr. BONNER. Mr. Speaker, I am prepared to close unless there are any further requests for time.

Ms. RICHARDSON. Yes, Mr. Speaker, I am requesting time to speak.

Mr. BONNER. Mr. Speaker, I am happy, on the part of the committee, to yield 5 minutes to Representative RICHARDSON.

Ms. RICHARDSON. Mr. Speaker, I thank the chairman for yielding time, and it's my understanding I will be provided additional time, if needed.

I had no desire or intent to prolong the debate on this report. But given what has now been stated during this debate, which is contrary to what I understood to be agreed to, I want to make sure that my colleagues are aware of several issues critical to understanding the full context of this resolution.

First, I want to assure my colleagues that contrary to the inflammatory suggestions in the full committee report, I do take these findings very seriously

and do accept the responsibility for the specific conduct set out in the Statement of Alleged Violations.

Second, I set forth in my statement of views, included in the committee report, several significant concerns about the manner in which the committee conducted this investigation. I find it was interesting that the ranking member stated in the initial discussion that the subject of an investigation does not mean that an individual or a violation has occurred. Well, in fact, in this investigation, there are seven areas where I feel that there has been a violation—prejudgment and improper influence of witnesses by the Ethics Committee, the very matter that the ranking member just mentioned. And I'll state for the record what specifically was stated in the statement of views.

During the rule 18(a) inquiry at the outset of the committee's process, the committee counsel improperly influenced witnesses by telling them a year before any such decision had been made by the Ethics Committee that the Ethics Committee was likely to impanel an investigative subcommittee, thereby clearly signaling that the Ethics Committee staff at least already believed that I, Representative RICHARDSON, was guilty of misconduct and, given the staff discussions, clearly influenced staff testimony.

For example, during their interview of Angel Macias, a key staff witness, Ethics counsel told Ms. Macias:

It's completely up to the full committee on what they want to do. They make the final decision, which could be anything from dismiss the matter entirely to investigate it by impaneling an investigative subcommittee.

Counsel continued:

If that happens, you will be called. You will be placed under oath. So that is the process. Chances are

—this is important—

Chances are, they are going to want to impanel.

This is according to Macias' transcript on page number 34.

Committee counsel told former district director Eric Boyd during his first interview that "the chances are very likely that you are going to be interviewed again. If you are interviewed again, it will be under oath; and it will be in front of members of the committee. My recommendations could be anywhere from dismiss the matter as being, you know, not a violation or not impanel an investigative subcommittee. I think you probably know which way at this point we are looking?"

Eric Boyd's transcript, page 83 and 84.

Committee counsel told district staffer Candace Yamagawa: The committee choices in this matter are to dismiss the matter because the information received lacks merit or lacks sufficient information to believe a violation occurred; or we recommend that an investigative subcommittee be impaneled.

You actually won't hear back from us until such time we decide to interview you again. And the reason is that, as I said, everything is done confidentially. I expect that we

would not be able to impanel an investigative subcommittee until the beginning of the 112th Congress because there is insufficient time left in this Congress to do so. So more than likely, it would be in January we would impanel and begin doing any additional work.

And, finally:

The committee counsel told Kenneth Miller during his first rule 18(a) interview in November 2010 that, "When I present the findings to the Members, I will give them a full briefing on what I believe was violated, be it House rules, campaign law, or Federal criminal statutes."

Miller testimony, page 47.

During these interviews with my staff, the committee attorneys made clear to staff witnesses that the Ethics Committee staff had already determined that I had committed violations at the very first stages of the preliminary inquiry. Committee staff explicitly requested that my staff not speak with my own counsel, a recognized form of prosecutorial misconduct, which effectively deprived me of an opportunity to actually learn of the specific allegations against me until the final stages of this investigation. And after the resolution had been negotiated, new and additional allegations appeared in the investigative subcommittee report supported by two attorney proffers that I still, to this date, have never seen.

The full committee report takes issue with my raising these concerns, stating that in the resolution of the matter I waived all my procedural rights and that the time for lodging these objections had passed. These concerns should have been taken seriously by the committee, as I brought them forward.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. BONNER. Mr. Speaker, I would inquire of the gentlelady from California how much additional time does she intend to seek because, as I have heard her comments, respectfully, it sounds like those were all contained in her response which was included in the report submitted to the House.

So I would ask, how much additional time would you be seeking to conclude your comments?

Ms. RICHARDSON. Well, I was told that I would be allowed to continue to request additional time to complete my presentation.

I would say approximately, I think, less than 5 minutes.

Mr. BONNER. Mr. Speaker, I will yield the gentlelady 5 additional minutes.

Ms. RICHARDSON. Thank you, Mr. Chairman.

The purpose of me standing today—and I had no intentions of speaking because I believe we had agreed to a certain format of what would have occurred. But the most important issue that I bring forward is the comments of Mr. DENT.

Third, with respect to the count charging obstruction of the committee investigation, I want to make clear that the Statement of Alleged Violations does not assert anywhere that I deliberately failed to produce documents in response to requests for information and a subpoena, as referenced in yesterday's public statement by the chair and the ranking member. I did not admit to this conduct, and I certainly do deny it. And it's my understanding that the committee is aware that, in fact, it was not included.

With respect to the conduct to which I did admit, my statement of views explains that my office calendars were adjusted retroactively but only to accurately reflect the history of the time worked by my deputy district director. Discussions about that adjustment, in fact, took place before the committee commenced its inquiry.

I did at the very beginning of the committee's preliminary inquiry suggest—and, Mr. Chairman, I think this is very important—I acknowledge the Statement of Alleged Violations. In fact, much of what has been said today has been, in fact, true.

But what I want to make emphatically clear and what I want to emphasize is that I have never taken or threatened any action against any staffer who did not volunteer to work on my campaign.

There is no doubt that a number of staff felt compelled or coerced to do so. That was not my intent, and I deeply regret that this occurred. And because I want to make sure it is very clear to the committee, I will repeat that statement. There is no doubt that a number of staff felt compelled or coerced to do so, and that was not my intent, and I deeply do regret that this occurred. I never told any staff member that they would be out of a job if they did not work on the campaign. And it is undisputed that I was not present at the staff meeting at which time the statement was made.

With that context and these clarifications, Mr. Speaker, I respectfully ask that my colleagues refer, as was stated by the committee, to my public reference to this matter, my statement of views, which are included in the report.

As I conclude, Mr. Chairman and Ranking Member, I look forward to the resolution of this matter. In fact, I have sought the resolution of this matter for well over a year.

□ 0950

And I have agreed to the items that were set forward; however, some of the details that were said in the language that was said today was not what had been discussed. And so, for the record, I wanted to clarify that.

With that, I reserve the balance of my time.

The SPEAKER pro tempore. The gentlewoman may not reserve her time.

The time is controlled by the gentleman from Alabama.

Ms. LINDA T. SANCHEZ of California. Mr. Speaker, I yield myself such time as I may consume.

I just feel it is important to point out several important issues that were raised by Ms. RICHARDSON in her comments on the floor today.

Much of what she has stated on the floor today was included in the views that she filed after reviewing the report that was issued. She raised these points in her views of the report. And I feel compelled to add that the committee took those views very seriously, and they responded and refuted those points in its response to her views, which is all included in the report which has been made publicly available.

Everything that has been stated on the floor today by any Member, but most especially Mr. DENT, are statements that are already included in the report to which Representative RICHARDSON has responded. And again, many of the points that she raised we investigated, took very seriously, and included in response to those views.

I don't think that there is anything further to add other than she has been given an opportunity to voice her concerns at every step of the process, and we have scrupulously adhered to a process to try to take her views and her suggestions into account and we have arrived at the report which is unanimously agreed on by all of the committee members.

I reserve the balance of my time.

Mr. BONNER. Mr. Speaker, I'm prepared to close if the ranking member has no further speakers.

Ms. LINDA T. SANCHEZ of California. I yield back the balance of my time.

Mr. BONNER. Mr. Speaker, in closing, I want to once again thank members of the committee, as well as members of the pool, for their tremendous service that they render to this institution. And on behalf of the entire House, I want to again thank the nonpartisan, professional committee staff for their extraordinary hard work and commitment to the House of Representatives and to the American people that we all serve.

As it is often noted on the floor, especially during somber moments like this, public office is a public trust. And for the vast majority of Members who have been honored with the opportunity, the privilege to serve in this, the people's House, there is an unspoken duty to hold ourselves up to a higher standard.

Unfortunately, as Representative RICHARDSON has admitted, she did not live up to that higher standard. And as such, she did a disservice to her staff, to her colleagues. And while it is ultimately up to her constituents in California to be the final judge of her ac-

tions, I think it is safe to say she did a disservice to the hardworking taxpayers from all corners of this country who expect and deserve more from their elected leaders.

Throughout the course of this matter, the investigative subcommittee heard desperate, sometimes emotional pleas for help from members of Representative RICHARDSON's staff. Representative DENT has shared at least one of the stories with the body today. And even since word first broke yesterday of this resolution this morning, the committee has received calls from other staffers thanking us for bringing this matter to a public resolution.

As a former Hill staffer myself, I have great respect for those staffers who were willing to come to the Ethics Committee with their stories and heartfelt concerns. That is not an easy thing to do against a Member of Congress, particularly when that person claims to be your boss and you're made to feel that your job is in jeopardy. At the end of the day, however, we must remember and never forget that the real employer for us all are the American people.

I was particularly moved by one of Representative RICHARDSON's former staffers who testified:

This certainly should not be an example as to the way an elected official for this country should conduct themselves under any circumstance.

And, Mr. Speaker, I am simply haunted by the statement of another staffer that Mr. DENT referenced, a lady who was part of the Wounded Warrior program, someone who was willing to risk her life in service to her country, and ended up coming home a disabled veteran. She told the committee, and it bears repeating:

It is sad to say that I would rather be at war in Afghanistan than work under people who are morally corrupt.

Mr. Speaker, while some might prefer a harsher sentence, perhaps a few might even think a reprimand is too severe, I urge my colleagues to support the unanimous recommendation of the only evenly divided committee in this House of Representatives.

And with that, I yield back the balance of my time.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. BONNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H. Res. 755.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendment bills of the House of the following titles.

H.R. 1369. An act to designate the facility of the United States Postal Service located at 1021 Pennsylvania Avenue in Hartshorne, Oklahoma, as the "Warren Lindley Post Office".

H.R. 1560. An act to amend the Ysleta del Sur Pueblo and Alabama and Coushatta Indian Tribes of Texas Restoration Act to allow the Ysleta del Sur Pueblo Tribe to determine blood quantum requirement for membership in that tribe.

H.R. 3276. An act to designate the facility of the United States Postal Service located at 2810 East Hillsborough Avenue in Tampa, Florida, as the "Reverend Abe Brown Post Office Building".

H.R. 3412. An act to designate the facility of the United States Postal Service located at 1421 Veterans Memorial Drive in Abbeville, Louisiana, as the "Sergeant Richard Franklin Abshire Post Office Building".

H.R. 3501. An act to designate the facility of the United States Postal Service located at 125 Kerr Avenue in Rome City, Indiana, as the "SPC Nicholas Scott Hartge Post Office".

H.R. 3772. An act to designate the facility of the United States Postal Service located at 150 South Union Street in Canton, Mississippi, as the "First Sergeant Landres Cheeks Post Office Building".

The message also announced that the Senate has passed a bill and agreed to a joint resolution of the following titles in which the concurrence of the House is requested:

S. 1409. An act to intensify efforts to identify, prevent, and recover payment error, waste, fraud, and abuse within Federal spending.

S.J. Res. 49. Joint resolution providing for the appointment of Barbara Barrett as a citizen regent of the Board of Regents of the Smithsonian Institution.

The message also announced that the Senate agreed to the amendment of the House to the amendment of the Senate to the bill (H.R. 1905) "An Act to strengthen Iran sanctions laws for the purpose of compelling Iran to abandon its pursuit of nuclear weapons and other threatening activities, and for other purposes."

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess for a period less than 15 minutes.

Accordingly (at 9 o'clock and 56 minutes a.m.), the House stood in recess.

□ 1005

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. WOMACK) at 10 o'clock and 5 minutes a.m.

ANNOUNCEMENT BY THE SPEAKER
PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

EXTENDING CERTAIN TRADE
PROGRAMS

Mr. CAMP. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5986) to amend the African Growth and Opportunity Act to extend the third-country fabric program and to add South Sudan to the list of countries eligible for designation under that Act, to make technical corrections to the Harmonized Tariff Schedule of the United States relating to the textile and apparel rules of origin for the Dominican Republic-Central America-United States Free Trade Agreement, to approve the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5986

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. AMENDMENTS TO AFRICAN GROWTH
AND OPPORTUNITY ACT.

(a) EXTENSION OF THIRD-COUNTRY FABRIC PROGRAM.—Section 112(c)(1) of the African Growth and Opportunity Act (19 U.S.C. 3721(c)(1)) is amended—

(1) in the paragraph heading, by striking "2012" and inserting "2015";

(2) in subparagraph (A), by striking "2012" and inserting "2015"; and

(3) in subparagraph (B)(ii), by striking "2012" and inserting "2015".

(b) ADDITION OF SOUTH SUDAN.—Section 107 of that Act (19 U.S.C. 3706) is amended by inserting after "Republic of South Africa (South Africa)," the following:

"Republic of South Sudan (South Sudan)."

(c) CONFORMING AMENDMENT.—Section 102(2) of that Act (19 U.S.C. 3701(2)) is amended by striking "48".

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

SEC. 2. MODIFICATIONS TO TEXTILE AND AP-
PAREL RULES OF ORIGIN FOR THE
DOMINICAN REPUBLIC-CENTRAL
AMERICA-UNITED STATES FREE
TRADE AGREEMENT.

(a) DEFINITIONS.—In this section:

(1) AGREEMENT.—The term "Agreement" has the meaning given the term in section 3(1) of the Dominican Republic-Central America-United States Free Trade Agreement Implementation Act (Public Law 109-53; 19 U.S.C. 4002(1)).

(2) CAFTA-DR COUNTRY.—The term "CAFTA-DR country" has the meaning given the term in section 3(2) of the Dominican Republic-Central America-United States

Free Trade Agreement Implementation Act (Public Law 109-53; 19 U.S.C. 4002(2)).

(3) HTS.—The term "HTS" means the Harmonized Tariff Schedule of the United States.

(4) TRADE REPRESENTATIVE.—The term "Trade Representative" means the United States Trade Representative.

(b) MODIFICATIONS TO THE TEXTILE AND APPAREL RULES OF ORIGIN.—

(1) INTERPRETATION AND APPLICATION OF RULES OF ORIGIN.—Subdivision (m)(viii) of general note 29 of the HTS is amended as follows:

(A) The matter following subdivision (A)(2) is amended by striking the second sentence and inserting the following: "Any elastomeric yarn (except latex) contained in the originating yarns referred to in subdivision (A)(2) must be formed in the territory of one or more of the parties to the Agreement."

(B) Subdivision (B) is amended—

(i) in the matter preceding subdivision (B)(1), by striking "exclusive of collars and cuffs where applicable," and inserting "exclusive of collars, cuffs and ribbed waistbands (only if the ribbed waistband is present in combination with cuffs and identical in fabric construction to the cuffs) where applicable";

(ii) in subdivision (B)(2), by inserting "or knit to shape components" after "one or more fabrics";

(iii) by amending subdivision (B)(3) to read as follows:

"(3) any combination of the fabrics referred to in subdivision (B)(1), the fabrics or knit to shape components referred to in subdivision (B)(2), or one or more fabrics or knit to shape components originating under this note.";

(iv) in the matter following subdivision (B)(3), by striking the last sentence and inserting the following: "Any elastomeric yarn (except latex) contained in an originating fabric or knit to shape component referred to in subdivision (B)(3) must be formed in the territory of one or more of the parties to the Agreement."

(C) Subdivision (C) is amended—

(i) in subdivision (C)(2), by inserting "or knit to shape components" after "one or more fabrics";

(ii) by amending subdivision (C)(3) to read as follows:

"(3) any combination of the fabrics referred to in subdivision (C)(1), the fabrics or knit to shape components referred to in subdivision (C)(2) or one or more fabrics or knit to shape components originating under this note.";

(iii) in the matter following subdivision (C)(3), by striking the second sentence and inserting the following: "Any elastomeric yarn (except latex) contained in an originating fabric or knit to shape component referred to in subdivision (C)(3) must be formed in the territory of one or more of the parties to the Agreement."

(2) CHANGE IN TARIFF CLASSIFICATION RULES.—Subdivision (n) of general note 29 of the HTS is amended as follows:

(A) Chapter rule 4 to chapter 61 is amended—

(i) by striking "5401 or 5508" and inserting "5401, or 5508 or yarn of heading 5402 used as sewing thread,";

(ii) by inserting "or yarn" after "only if such sewing thread".

(B) The chapter rules to chapter 61 are amended by inserting after chapter rule 5 the following:

"Chapter rule 6: Notwithstanding chapter rules 1, 3, 4 or 5 to this chapter, an apparel

good of chapter 61 shall be considered originating regardless of the origin of any visible lining fabric described in chapter rule 1 to this chapter, narrow elastic fabrics as described in chapter rule 3 to this chapter, sewing thread or yarn of heading 5402 used as sewing thread described in chapter rule 4 to this chapter or pocket bag fabric described in chapter rule 5 to this chapter, provided such material is listed in U.S. note 20 to subchapter XXII of chapter 98 and the good meets all other applicable requirements for preferential tariff treatment under this note.”.

(C) Chapter rules 3, 4, and 5 to chapter 62 are each amended by striking “nightwear” each place it appears and inserting “sleepwear”.

(D) Chapter rule 4 to chapter 62 is amended—

(i) by striking “5401 or 5508” and inserting “5401, or 5508 or yarn of heading 5402 used as sewing thread,”; and

(ii) by inserting “or yarn” after “only if such sewing thread”.

(E) The chapter rules to chapter 62 are amended by inserting after chapter rule 5 the following:

“Chapter rule 6: Notwithstanding chapter rules 1, 3, 4 or 5 to this chapter, an apparel good of chapter 62 shall be considered originating regardless of the origin of any visible lining fabric described in chapter rule 1 to this chapter, narrow elastic fabrics as described in chapter rule 3 to this chapter, sewing thread or yarn of heading 5402 used as sewing thread described in chapter rule 4 to this chapter or pocket bag fabric described in chapter rule 5, provided such material is listed in U.S. note 20 to subchapter XXII of chapter 98 and the good meets all other applicable requirements for preferential tariff treatment under this note.”.

(F) Tariff classification rule 33 to chapter 62 is amended to read as follows:

“33. A change to pajamas and sleepwear of subheadings 6207.21 or 6207.22, tariff items 6207.91.30 or 6207.92.40, subheadings 6208.21 or 6208.22 or tariff items 6208.91.30, 6208.92.00 or 6208.99.20 from any other chapter, provided that the good is cut or knit to shape, or both, and sewn or otherwise assembled in the territory of one or more of the parties to the Agreement.”.

(G) Chapter rule 2 to chapter 63 is amended—

(i) by striking “5401 or 5508” and inserting “5401, or 5508 or yarn of heading 5402 used as sewing thread,”; and

(ii) by inserting “or yarn” after “only if such sewing thread”.

(H) The chapter rules to chapter 63 are amended by inserting after chapter rule 2 the following:

“Chapter rule 3: Notwithstanding chapter rule 2 to this chapter, a good of this chapter shall be considered originating regardless of the origin of sewing thread or yarn of heading 5402 used as sewing thread described in chapter rule 2 to this chapter, provided the thread or yarn is listed in U.S. note 20 to subchapter XXII of chapter 98 and the good meets all other applicable requirements for preferential tariff treatment under this note.”.

(3) EFFECTIVE DATE.—

(A) IN GENERAL.—The amendments made by this subsection apply to goods of a CAFTA-DR country that are entered, or withdrawn from warehouse for consumption, on or after the date that the Trade Representative determines is the first date on which the equivalent amendments to the rules of origin of the Agreement have entered into force in all CAFTA-DR countries.

(B) PUBLICATION OF DETERMINATION.—The Trade Representative shall promptly publish notice of the determination under subparagraph (A) in the Federal Register.

SEC. 3. EXTENSION OF AND RENEWAL OF IMPORT RESTRICTIONS UNDER BURMESE FREEDOM AND DEMOCRACY ACT OF 2003.

(a) EXTENSION OF BURMESE FREEDOM AND DEMOCRACY ACT OF 2003.—Section 9(b)(3) of the Burmese Freedom and Democracy Act of 2003 (Public Law 108-61; 50 U.S.C. 1701 note) is amended by striking “nine years” and inserting “twelve years”.

(b) RENEWAL OF IMPORT RESTRICTIONS.—

(1) IN GENERAL.—Congress approves the renewal of the import restrictions contained in section 3(a)(1) and section 3A(b)(1) and (c)(1) of the Burmese Freedom and Democracy Act of 2003.

(2) RULE OF CONSTRUCTION.—This section shall be deemed to be a “renewal resolution” for purposes of section 9 of the Burmese Freedom and Democracy Act of 2003.

(c) EFFECTIVE DATE.—This section and the amendment made by this section shall take effect on the date of the enactment of this Act or July 26, 2012, whichever occurs first.

SEC. 4. TIME FOR PAYMENT OF CORPORATE ESTIMATED TAXES.

Notwithstanding section 6655 of the Internal Revenue Code of 1986—

(1) in the case of a corporation with assets of not less than \$1,000,000,000 (determined as of the end of the preceding taxable year), the amount of any required installment of corporate estimated tax which is otherwise due in July, August, or September of 2017 shall be 100.25 percent of such amount; and

(2) the amount of the next required installment after an installment referred to in paragraph (1) shall be appropriately reduced to reflect the amount of the increase by reason of such paragraph.

SEC. 5. EXTENSION OF CUSTOMS USER FEES.

Section 13031(j)(3) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(j)(3)) is amended—

(1) in subparagraph (A), by striking “August 2, 2021” and inserting “October 22, 2021”;

(2) in subparagraph (B)(i), by striking “December 8, 2020” and inserting “October 29, 2021”; and

(3) by striking subparagraphs (C) and (D).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. CAMP) and the gentleman from Washington (Mr. McDERMOTT) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

Mr. CAMP. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CAMP. I yield myself such time as I may consume.

Mr. Speaker, I urge passage of this legislation to strengthen trade and investment ties with Africa and the CAFTA-DR countries and support well-paying jobs in the United States. The

legislation also extends the President's authority to impose the import ban on products from Burma for an additional 3 years and reauthorizes the actual imposition of the import sanctions for 1 year. The legislation has broad bipartisan support and is supported by all stakeholders.

AGOA has succeeded in deepening trade and investment ties with sub-Saharan Africa and underscoring U.S. commitment to the region. The apparel industry has been a major driver of employment growth in Africa under AGOA. In Lesotho alone, jobs in the textile and apparel industry have more than doubled—growing from 19,000 to 45,000—because of AGOA. This bill extends the third-country fabric provisions which are vital to ensuring the continued success of the AGOA program and ensures that the new Republic of South Sudan is eligible to benefit from AGOA.

Under the CAFTA-DR trade agreement, trade has grown substantially. And since the implementation of this agreement, the trade deficit the United States previously had with these countries has turned into a trade surplus. Today's legislation builds upon that success by further improving the agreement's textile rules of origin. These changes encourage greater use of U.S. inputs in the CAFTA-DR countries, which supports U.S. jobs and improves trade integration in our hemisphere.

In 2003, Congress passed the Burmese Freedom and Democracy Act, which included an import ban on products of Burma renewable once a year for a total of 3 years. The law has been extended twice. This legislation extends the President's authority to impose the import ban for an additional 3 years and reauthorizes the actual import sanctions for 1 year.

Now, I want to acknowledge the positive developments in Burma over the last year, but much work remains ahead with respect to political and economic reforms, human rights, the release of political prisoners, freedom of speech, press, association, as well as religion, and the treatment of ethnic groups within the country—all factors required for full termination of the import sanctions and other restrictions in the 2003 law.

I encourage the Burmese Government to continue its current reforms and commence others to fully address the concerns that led Congress to pass the 2003 law. For all of these reasons, we urgently need to pass this important legislation. I urge all of my colleagues to support this bipartisan legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. McDERMOTT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of this bill, which extends expiring provisions of the African Growth and Opportunity

Act, adds the country of South Sudan to a list of countries eligible for trade preferences, implements technical fixes for the CAFTA agreement, and renews the Burma sanctions.

The expiring third-country fabric provision is the cornerstone of AGOA and one of the most valuable parts of our trading relationship with Africa. Tens of thousands of workers and hundreds of companies depend on this provision.

□ 1010

It is critical that we extend it now before it expires next month. We have delayed this extension for a year, and this unnecessary delay has cost thousands of jobs and millions in investment. It has hurt progress in Africa. We could have avoided these senseless job losses here and in Africa.

I introduced this legislation to extend third-country fabric and add South Sudan over a year ago. The delay was just politics. We are, unfortunately, in an era when commonsense things can't get done. As usual, the political games accomplished nothing.

AGOA itself was truly bipartisan. We all worked together to compromise it and get a good thing done. That was a different era. At least today's vote will reflect some of the bipartisanship that has been a hallmark of AGOA from the start.

The bill also adds South Sudan to the list of AGOA-eligible countries. South Sudan deserves every opportunity and every vote of confidence we can muster.

This package also contains important technical fixes for CAFTA textiles—that's from Central America—the fixes that businesses and workers have been waiting for since February of last year.

I also am pleased that we are renewing our evolving policy on Burma. Burma has made important steps in the last 18 months, but there's still a long way to go.

I'm particularly pleased with the investment transparency measures that the State Department has put forward. They are innovative, common sense, and exactly what investors and the American public need and expect.

I reserve the balance of my time.

Mr. CAMP. Mr. Speaker, I yield such time as he may consume to the distinguished chairman of the Trade Subcommittee, the gentleman from Texas (Mr. BRADY).

Mr. BRADY of Texas. Mr. Speaker, I join my colleagues in strongly supporting passage of this important bipartisan legislation to deepen trade ties with sub-Saharan Africa and the Central American-Dominican Republic countries and renew sanctions on Burma. As Chairman CAMP pointed out, this legislation is strongly supported by America's textile industry and will help build more integrated supply

chains between the United States and both Africa and Central America, maximizing the benefits of the agreements we describe as AGOA and CAFTA-DR.

These provisions support well-paying U.S. jobs and jobs in sub-Saharan Africa and Central America.

I was honored to help lead with Chairman CAMP the effort to pass CAFTA-DR, and I'm pleased now to see this successful agreement be further improved through the legislation we are considering today.

This bill also extends the President's authority to continue the import ban under the 2003 Burmese Freedom and Democracy Act. I am not normally a fan of unilateral sanctions, but I believe these programs must be evaluated carefully to determine their effectiveness and implications for America's economy, and this does. I also recognize that as the sole remaining superpower, we have the responsibility to show our disapproval of rogue states and human rights abusers. The sanctions regime under the 2003 law is a model in this regard, and I can say that recent developments in Burma confirm the need for continuous evaluation.

Although the Burmese Government has taken many positive steps, these reforms must continue and grow so the citizens of Burma can gain true political and economic freedom—the goals very much at the heart of the original 2003 law. For that reason, I believe we should continue the current sanctions regime as the international community keeps a watchful eye on developments.

At the end of the day, this is a jobs bill, and a bipartisan one at that. I urge my colleagues to support this essential legislation.

Mr. McDERMOTT. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from New York (Mr. RANGEL).

Mr. RANGEL. Thank you so much. It was such a pleasure hearing the word knocked around here, "bipartisanship," and well there should be. I hope we can explain what it means to some of the newer Members.

As I was talking with JIM McDERMOTT, whose ideas first created this legislation, some on the other side were Mr. Crane from Illinois, who was the cosponsor; Speaker Gingrich who was the first witness for this bill as I introduced it; and, of course, President Clinton, who took a bipartisan group of Members to Africa not only to help these African countries but to help American industry and the textile industry. But more importantly than anything, the United States became a symbol of being able to help people not just by handouts but by teaching them exactly what has to be done.

Oh, yes, JIM McDERMOTT is right that when it comes to picking up the pieces and moving forward in terms of expiration dates and people not knowing how

to invest. But let's face it, JIM, in today's climate, this is some sort of legislative miracle.

And it was completed with the help of KAREN BASS, who came here and she worked the devil out of people on the other side of the aisle. They got so annoyed with her that I had to come in and to let the committee members know that she's new here, but when she gets involved in something, that the Senate, the other body, doesn't mean that much. I got a call from BOB MENENDEZ saying it was his idea all along to get this thing through. And we have done it.

I do hope, Chairman CAMP, that we might snatch what this means in bipartisanship. It may be long and difficult before this session ends to find something else. But I know that those who played a role in this over a decade ago and see that we are moving forward in that bipartisan way with the Foreign Affairs Committee, the Ways and Means Committee, that we all leave here as better legislators.

Mr. CAMP. Mr. Speaker, I just have one remaining speaker, so I'm going to reserve. But before I do that, I just want to acknowledge Mr. RANGEL's remarks and acknowledge his leadership on this issue over many years. He was at the forefront of making this AGOA agreement a reality, and I want to thank him for that and for all of his hard work over a very long period of time.

At this time, I reserve the balance of my time.

Mr. McDERMOTT. Mr. Speaker, I yield 2 minutes to the gentleman from New York, JOE CROWLEY.

Mr. CROWLEY. I thank my friend and colleague from Washington for yielding his time, and I want to thank all those involved in bringing this important legislation to the floor and doing it, albeit maybe a little late in some components, but getting it here all the same. And I understand it was not necessarily the House of Representatives that was the reason for the hold-up, but I am very pleased to be here today.

I also want to make note of the baby steps we may be taking here in terms of bipartisanship, Chairman CAMP, as well as my colleagues on my side of the aisle. I think those watching today may see a little glimmer of hope that more can be accomplished in the weeks to come before the elections. I, for one, am not necessarily holding my breath, but I want to make the offer that I'm interested in seeing that happen. But even though they are baby steps, it should not diminish the importance of the legislation that we have before us today.

Mr. Speaker, I rise in strong support of this bipartisan measure. Part of the legislation is a provision that I introduced to maintain the ban on imports from Burma for 1 additional year. Its

passage will demonstrate America's ongoing commitment to the advancement of human rights.

When I traveled to Burma last January, I was the first Member of Congress to officially travel to that country in 12 years. I saw the possibilities for change with my own eyes. I saw the families of political prisoners hoping for a genuine and permanent freedom. I saw ethnic minority leaders expressing the belief that reconciliation was possible. And I saw the tremendous courage of Aung San Suu Kyi, a leader so dedicated to her people that she was undeterred for nearly two decades of house arrest.

No, she did not demand that this bill be passed into law. In fact, Aung San Suu Kyi has urged a decrease in international pressure.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. McDERMOTT. I yield the gentleman an additional 30 seconds.

Mr. CROWLEY. Aung San Suu Kyi has urged a decrease in international pressure on Burma. But by renewing this bill today and keeping this measure on the books even as we are open to new flexibilities, we will help send a strong signal to those in Burma that the United States will continue to focus on the need for the immediate release of all political prisoners and prisoners of conscience, an end to violence against all minorities, including the Kachin and the Rohingya, and the adoption of genuine democratic reform in Burma.

□ 1020

I stand in strong support of this bill, and I urge its immediate adoption.

Mr. CAMP. At this time I yield such time as he may consume to the distinguished gentleman from California (Mr. ROYCE).

Mr. ROYCE. Mr. Speaker, I was one of the original authors of this measure, along with JIM McDERMOTT and CHARLIE RANGEL, and I know how much work over the last week has gone into this in terms of the work by Chairman DAVE CAMP, by KAREN BASS, and by others who have worked to get this bill out of the Senate.

I wanted to make a few observations on this measure and the impact it has had. I chaired the Africa Subcommittee when we passed the African Growth and Opportunity Act. It was bipartisan. It was historic.

Before, Africa policy was just aid policy. With AGOA, we created a trade policy for Africa. With AGOA, we have seen exports and imports double into sub-Saharan Africa. And I have had the opportunity to see this program's benefits, hundreds of thousands of jobs, most held by women, created in the apparel sector, boosting very poor countries in Africa.

And AGOA has also strengthened the rule of law in Africa because that's one

of the conditions, that when we wrote this bill and marked it up, we put that conditionality on, that eligibility criteria.

And I just wanted to remind the Members for a minute, and this is testimony from Jas Bedi, chairman of the African Cotton and Textile Industry Federation, the eligibility criteria of AGOA compelled most African countries to embrace the rule of law, to allow for political pluralism, and respect democracy and basic human rights. Those were requirements. And the move toward independent judges and independent judicial systems separate of the government in order to enforce the rule of law was very, very important across the continent.

And if we didn't act today, because today is the last day to extend the third-country provision, these jobs would have shifted to Asia. And that's what we were told in the hearings that we held on both the House and Senate sides on this issue. Already, a number of jobs have been lost to Asia because of uncertainty over whether Congress would act.

There's a second provision that I think is very important, and that's the South Sudan eligibility. South Sudan became an independent country in July of 2011. And for those of us who have visited South Sudan and have been in Sudan to see the situation, it's very important that South Sudan get this opportunity.

Prior to its independence, exporters in South Sudan were eligible for AGOA benefits as part of Sudan, and this legislation ensures that these exporters continue to be eligible for AGOA benefits, very important to the new economy in that new country.

Both bodies must act today. Both bodies must do this so that we can put this bill on the President's desk. We have worked, over the years, our coalition, with both President Clinton and President Bush. We have traveled to Africa with the former President in order to help sell him on this idea and to sell our colleagues on this concept.

Today, with the changes that we're seeing, with the economic growth that we're seeing across sub-Saharan Africa, I think we can be jointly proud of this bipartisan effort. So I think it is a lesson in doing the right thing.

And I, again, want to congratulate Chairman DAVE CAMP and his staff and our friends on the other side of the aisle, especially KAREN BASS, for the flurry of activity over the last 72 hours with our meetings with our Senate colleagues in order to get this done.

Mr. McDERMOTT. Mr. Speaker, I yield as much time as she may consume to the gentlewoman from California, (Ms. BASS).

Ms. BASS of California. I want to thank the gentleman from Washington State (Mr. McDERMOTT) for his leadership, and I also want to acknowledge

Congressman RANGEL for his historic commitment to AGOA.

But, in addition, I want to thank, as I stand here next to two men who I consider giants in the House of Representatives, I want to thank them for their patience and their guidance with me as a new Member here. It's been pretty amazing to work with my colleagues on both sides of the aisle—Mr. ROYCE, Mr. CAMP, Mr. McDERMOTT, Mr. RANGEL—as they all worked with me to make sure that we were able to be here this moment and pass AGOA.

Mr. Speaker, I rise today in support of African growth and opportunity legislation, H.R. 5986. Passage of today's legislation comes as a result of strong and widespread bipartisan and bicameral support. It's been a pleasure to work alongside Mr. ROYCE in this bipartisan effort, and I also want to thank my friend from the Senate, Senator COONS, who has been a stalwart advocate.

I want to acknowledge the African Diplomatic Corps. Thousands, if not hundreds of thousands, of African jobs will be saved as a result of your efforts.

Mr. Speaker, Africa is on the rise. Today, six of the world's fastest growing economies are in Africa. Opportunities abound, and we see increased political stability.

Today's House vote on the extension of AGOA's fabric provision is, by all measures, a success for the U.S. and Africa alike. But we must not stop here. Let us take a moment to acknowledge this accomplishment, but also prepare ourselves for AGOA's reauthorization in 2015.

Africa, a continent of opportunity, for too long has been overshadowed and ignored. While humanitarian, governance, and health challenges remain, we are the observers of remarkable growth and stability across the continent that exemplify positive strides that Africans themselves have made.

Africa, and its many nations, stand on the critical precipice of extraordinary change. Increasingly, Africa's resource mineral wealth attracts investments by countries like China, Brazil, and India. We must, in the United States, increase our investment. We cannot allow our Nation to be left behind.

Mr. CAMP. Mr. Speaker, I yield as much time as he may consume to the gentleman from California (Mr. DREIER), the distinguished chairman of the Rules Committee, who's been active in trade issues his entire career in Congress.

Mr. DREIER. Mr. Speaker, many of us have enjoyed saying over the past several years that if we don't shape the global economy, we will be shaped by it. And we also have, as we all know, so much attention focused on divisions that exist in this institution. We know that the media like to cover pictures, mistakes and conflict. And, obviously,

conflict here is something that the media like to focus attention on.

Well, here we are, Democrats and Republicans, coming together under the great leadership of my friend DAVE CAMP, the chairman of the Ways and Means Committee, we have the ranking member of the Trade Subcommittee, Mr. BRADY, was here earlier, the chairman of the Trade Subcommittee, working to focus on this notion of our shaping the global economy.

As I look over and see my friend from New York, Mr. RANGEL, I'm reminded of December 1999. He and I were with President Clinton in Seattle, Washington, at the ministerial meeting of the World Trade Organization. You know, that meeting itself turned out to be an abject failure. The meeting itself was an abject failure.

In fact, I'll never forget, the week after that ministerial meeting in 1999, the cover of the Economist magazine said: "Who Lost in Seattle?" And the photograph was a starving baby in Bangladesh.

But the good thing that did emerge from that meeting in Seattle that we attended back in 1999 was the fact that we were vigorously pursuing the Africa Growth and Opportunity Act; and we had laid the groundwork, again, working in a bipartisan way, to say that pursuing trade, not aid, was the best thing for everyone.

□ 1030

Now, Mr. CAMP was testifying before the Rules Committee the other day, and we were talking about this issue of a zero sum game when it comes to taxes. We also have to recognize, when it comes to the issue of trade, it is not a zero sum game. It is a win-win for us if you look at all of the issues covered in this measure—whether it's the African Growth and Opportunity Act, whether it's focusing on our great friends to the south, the Central American countries and the Dominican Republic, whether it's looking at the area where I'm going to be next week.

Next week, I'm headed to Burma, and I'm so enthused about the changes that are taking place. We need to encourage that, and I believe that the actions we are taking here can play a role in continuing to encourage the positive reforms that we are seeing take place in Burma. We're not there yet—that's why we need to take this action—but we are moving in the right direction.

My fellow Californian Mr. ROYCE mentioned South Sudan—the newest country in the world. Last month, I was there when they marked their first anniversary of existence. This is a country that is seeking to get its sea legs. I was pleased to be there with my colleague Mr. PRICE, who cochairs our House Democracy Partnership. We are looking at the idea of possibly putting together a partnership between this new parliament, with a very impressive

speaker, in South Sudan and the United States House of Representatives. The idea of incorporating South Sudan as part of the African Growth and Opportunity Act is again an indication that we very much want to strengthen ties with new and re-emerging democracies around the world, not just politically but commercially as well.

Mr. Speaker, I strongly support this effort, and I congratulate my friends on both sides of the aisle who are making it happen. I especially express appreciation to my very, very good friend Mr. CAMP, who has championed this and so many other important issues. He and I will be together again this afternoon when we get to, I hope, put together a strong bipartisan effort to implement the notion of bringing about real meaningful tax reform.

Mr. McDERMOTT. May I inquire as to how much time remains.

The SPEAKER pro tempore (Mr. MARCHANT). The gentleman from Washington has 10½ minutes remaining. The gentleman from Michigan has 6½ minutes remaining.

Mr. McDERMOTT. Does the gentleman from Michigan have any more speakers?

Mr. CAMP. I have no further requests for time.

Mr. McDERMOTT. I yield myself the balance of my time.

Mr. Speaker, many people played a part in all of this. Nothing in Congress ever gets done by one person. Nothing ever gets done by one side or the other, and the good things that happen here always happen on a bipartisan basis. I'm sorry ED ROYCE left, because ED ROYCE and I worked together.

One day, he called me. He said, JIM, I'm going out to Africa to look at some of the places in which the AGOA Act is working. Will you go with me?

I said, Why?

Well, he said, I need a Democrat on the trip.

That kind of relationship is rare around here, unfortunately, and I think that people need to recognize that it is still going on—that this place runs on trust.

Very early on in this session, I said to DAVE CAMP, When are you going to bring up the AGOA Act?

He said, It's going to come up.

I've asked him many times since, and he has said it's going to come up. So I told all of my African friends, It's going to come up because DAVE CAMP said it's going to come up.

I'm really pleased to acknowledge that he kept his word, because what this place runs on is trust. If you don't trust somebody in here, then you don't do business with him. If you trust him, even if it takes him a long time and you have to poke him a bunch of times, you know that ultimately he's going to do what he said he was going to do. I want to acknowledge Chairman CAMP

for that because I think it is reflective of what can make it possible for us to do tax reform in this House.

It is something that took a long time the last time they did it, but it was built on the trust between Reagan and Rostenkowski and Tip O'Neill. It took a bit of time, but it will happen again if we learn to act on the behalf of the American people.

I yield back the balance of my time.

Mr. CAMP. I yield myself such time as I may consume.

I want to thank the ranking member of the Trade Subcommittee for his kind comments and for his leadership as well over the years. This really was a team effort. A lot of people on both sides of the aisle came together to make this a reality.

I'll just briefly say that this is bipartisan legislation that does deepen our trade and investment ties with Africa and with the CAFTA-DR countries. It also supports well-paying jobs here in the United States as well as in other countries, as Mr. DREIER stated. This is not a zero sum game. This will help both of our nations as well as Africa. Also, this legislation reauthorizes the import ban on Burmese products.

I urge its passage, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. CAMP) that the House suspend the rules and pass the bill, H.R. 5986.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 6233, AGRICULTURAL DISASTER ASSISTANCE ACT OF 2012

Ms. FOXX. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 752 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 752

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 6233) to make supplemental agricultural disaster assistance available for fiscal year 2012 with the costs of such assistance offset by changes to certain conservation programs, and for other purposes. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on the bill and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Agriculture; and (2) one motion to recommit.

The SPEAKER pro tempore. The gentlewoman from North Carolina is recognized for 1 hour.

Ms. FOXX. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Colorado (Mr. POLIS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Ms. FOXX. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Ms. FOXX. House Resolution 752 is a closed rule providing for the consideration of H.R. 6233, the Agricultural Disaster Assistance Act of 2012.

As a lifelong farmer myself, including operating a nursery and being a beekeeper, I can certainly empathize with being vulnerable to Mother Nature and the plight caused by unpredictable weather.

Without a doubt, the good Lord has blessed this country with an abundance of natural gifts, and I am very thankful for America's farmers, who work to utilize and protect these blessings to help feed our country and others throughout the world. Unfortunately, the drought devastating so much of the United States this year has yielded a tremendous amount of financial hardships not only for these farmers but also for those throughout the rest of the economy that depend on their products.

Mr. Speaker, it's important to remember that it is not just farmers affected by this drought. The consequences of this disaster impact all Americans, from those living in the biggest cities to those living in the most remote areas of this country. Not only does drought aggravate the risk of wildfires that have raged throughout the West, but it compromises our crops, which are used to feed our livestock and even fuel our cars.

□ 1040

The effects will last long after rain brings much-needed relief. With the price of corn jumping 50 percent since June, grocery costs continue to climb. The Department of Agriculture now estimates food prices could climb between 2.5 percent and 3.5 percent this year, and between 3 percent and 4 percent next year.

Also of consequence to price-conscious energy consumers is how the drought impacts the price of gasoline. Federal law provides that 10 percent of gasoline be composed of ethanol. The increasing price has led some ethanol refineries to cut production, which, in turn, increases what drivers pay at the pump.

While many will suffer from inflated costs of staples they use every day,

there are millions of Americans who live in communities throughout this country that are economically dependent on agriculture activity. Many of those living in sparsely populated regions work in businesses that thrive on the income associated with agricultural sales.

If anything positive is to come from this drought, my hope is that Americans gain a renewed appreciation for all the different ways agricultural productivity touches everyone's lives every day.

With that, Mr. Speaker, I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I thank the gentlewoman for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

Mr. Speaker, I rise in opposition to the rule and the underlying bill, H.R. 6233, the supplemental agriculture disaster assistance.

Look, weather impacts our lives. I'm going to talk a little bit about climate change and some of the driving factors that are causing more severe weather conditions, be they droughts or floods. Yes, they affect businesses, but the solution is not another Republican Big Government government bailout of yet another industry. The Republicans have bailed out Wall Street. The Republicans have bailed out the banks. Now the Republicans are seeking to bail out cows. Yes, Mr. Speaker, another Big Government solution to another problem, in part, of their own creation by refusing to take up action and reducing our carbon emissions for climate change.

Where does this all end, when it's too cloudy? The solar industry might suffer. Are we going to bail them out? When it's not windy enough, the wind industry might suffer. Are we going to bail them out? We have restaurants on Pearl Street Mall in Boulder that have rooftop lounges. When it's too hot, less people go up to the rooftop lounges. We've had a drought in May and June and not enough people went to rooftop lounges. I would like to ask my colleague, Ms. FOXX, if there could be government bailout money for those rooftop lounges.

I yield to the gentlelady from North Carolina.

Ms. FOXX. I'm sorry. I don't understand the analogy that you're making.

Mr. POLIS. Reclaiming my time, there's just a particular sector. Maybe they have a lot of lobbyists. Maybe they're a big special interest, they own cows. We're going to bail them out because the price of hay has gone up. That's what we're talking about here today.

We're talking about a closed rule. We're talking about a closed process. This is nothing new, this lack of transparency, this limited debate, pushing through a Big Government Republican bailout on short notice without even

giving Members enough time to offer improvements to the bill, to change the bill. The first time that Republicans and Democrats even saw this bill was late Tuesday night, and here we are on the floor of the House without a single hearing, without a single markup, pushing through this bill, shutting out opportunities for Democrats or Republicans to offer improvements to this bill.

This is one of the worst and widest droughts we've seen in decades. I see that firsthand in Colorado. We have had devastating fires this summer coupled with extreme heat in the West. This is indicative of a need to address the true culprit: climate change. The evidence that recent droughts and heat waves are linked to climate change is growing suddenly and represents the strong scientific consensus.

We need the very conservation programs in the farm bill that are being gutted for this Big Government bailout of cows. The very programs cut by this bill are needed to help farmers and ranchers conserve soil, conserve water to make their farms and ranches more resilient to the devastating impacts we see from climate change and to mitigate that impact.

Look, American farmers, ranchers, and environmentalists have all been waiting for months to see a farm bill come to the floor. To the disappointment of many, instead of a farm bill, which I understand for at least 5 weeks we're not going to see in the House of Representatives, we're presented with a cow bailout, which is yet another Republican Big Government bailout of an American industry.

When the Senate passed their farm bill over a month ago, the House majority couldn't even manage to bring a package to the floor for Members to debate. Earlier this week, the Republicans were looking at a 1-year extension of the farm bill and have now decided to pull that 1-year extension in favor of a cow bailout.

Let me once again stress that our severe concerns around droughts in the West and across the country are critical, but we mustn't gut programs that are some of the very programs that can help prevent the impact of droughts in seeking to bail out a particular industry. When we look at drought assistance funding, we need to have a bipartisan discussion about how we're going to structure it and where it's going to come from and why certain industries are going to be favored over others.

Why is there going to be a cow bailout instead of a rooftop terrace bailout? When it's too hot, businesses suffer. If you're going to have a big Republican bailout, why don't you discuss who it goes to and not just give it to who has the most lobbyists here or who gives the most campaign contributions.

Furthermore, the conservation provisions that are cut by this bill do have

strong bipartisan support in both Chambers. Both the Senate and the House Agriculture Committees understand the importance of the farm bill's conservation title. Both farm bills retain funding for the conservation title because many folks on both sides of the aisle agree that conservation practices are critical to protect our soil, the future production of our agriculture, water, and wildlife resources. That's yet another reason to consider a comprehensive bill, to help ensure the strength of agriculture and protect American jobs, rather than another Republican bailout.

Instead of voting on the underlying bill, instead of even talking about a 5-year extension of the agriculture bill, here we are today gutting critical programs with bipartisan support to bail out yet another industry with a centrally planned Big Government solution.

With that, I reserve the balance of my time.

Ms. FOXX. Mr. Speaker, again, we all grieve for the people in this country who are willing to farm, who are willing to deal with the vicissitudes of mother nature and do their best to provide food and other products for the American people and people all around the world.

We obviously don't have a lot of control over the weather. We have no control over the weather. We have no control over the climate, basically, but we need to respond to our fellow human beings, our fellow Americans when there is a need to do that.

The drought would not be as exacerbated and the effects would not be so exacerbated were it not for the overall job climate in this country. We are really suffering from the effects of our colleagues having been in charge of the Congress for 4 years and an administration that is totally out of touch with what is happening, not only in this country, but around the world, in terms of our economic situation. We have record unemployment in this country, Mr. Speaker. We have record deficits. We have record debts. It seems like everybody recognizes that except for our liberal colleagues across the aisle.

We know there's something wrong with the American job climate in this country. Whereas most people recognize the government should not wall off entrepreneurship with oppressive taxes, a costly, overcomplicated, and unnecessarily burdensome regulatory apparatus, we have a liberal President who is so out of touch that he said:

If you've got a business, you didn't build that. Somebody else made that happen.

It would be bad enough if that were the first Freudian slip from liberal leaders here in Washington, but this comes on the heels of both President Obama and Senate Majority Leader HARRY REID decreeing on separate oc-

casions that the private sector is doing just fine. Apparently, the two highest ranking Democrats in the country are trying to convince themselves of an alternative reality where unemployment would no longer be a problem if only more Americans worked for the government. Fortunately, we still have a lot of Americans working out there trying to produce food for all of us.

□ 1050

I recognize there are many government workers, teachers, police officers, firefighters, who provide critical services to this country. But to suggest that the unemployment problem in this country can be solved by continuing an unending, demonstrably failed liberal spending spree ignores the reality that it's the private sector that generates the wealth which provides revenue for government to work through an increasing seizure of personal earnings, as was displayed on the floor yesterday.

Liberal elites would have us all believe that the only way to promote job growth is through a perpetual expansion of special handouts and concessions to government employee unions and politically favored industries.

Less we forget that a centrally planned government-sponsored green jobs revolution was the only solution for unemployment worries during the height of the recent recession, I want to remind my colleague of the Solyndra loans and the many loans in that area that were made that have created crony capitalism in our country. The liberal Democrats promised to solve these problems by ramming through a \$1 trillion stimulus bill, financed exclusively by our posterity through deficit spending and quickly shifted their focus on other crises vulnerable to exploitation, such as a new \$800 billion energy tax that sought to crush millions of jobs while sending hundreds of billions overseas as well as the now-infamous government takeover of health care, otherwise known as ObamaCare.

We're actually fortunate for these striking statements which reveal a peek into the mystifying mindset of liberal elites who apparently believe that government dependence is a necessary condition for economic health.

Well, here's a news flash for the liberals who remain stubbornly unaware of the hardships that continue to grip Americans: the results are in, and everyone else knows that Big Government cannot simply prescribe economic prosperity and have it be so.

With that, Mr. Speaker, I reserve the balance of my time.

Mr. POLIS. I yield myself such time as I may consume.

I listened very carefully to the gentlety from North Carolina. I didn't hear her defend this bovine bailout that the Republicans are proposing

here today. Now, I'm going to take a few minutes and address some of the mischaracterizations of the President of the United States that were in some of those comments, but then I do want to bring it back to this Big Government bovine bailout that the Republicans are proposing here before us today.

Look, the President understands and I understand, as somebody who started several businesses before I got here—I created several hundred jobs—that of course I didn't do it alone. If we didn't have roads so that employees could get to work, I wouldn't have been able to start a company. I wouldn't have been able to have any employees to get to work. If we didn't have schools that help prepare programmers and technicians to work technology companies—tech companies that I started that hired programmers, that were good-paying jobs—I wouldn't have been able to start a company. If we didn't have investors and shareholders and the right level of securities regulation to prevent fraud and to give them the confidence to invest in the companies that I started, we wouldn't have capital formation and venture capital flowing to the companies that needed it.

If we didn't have the rule of law, if we didn't fund our courts, if we didn't invest in basic research, if the government hadn't provided the funding to start the Internet, I wouldn't have been able to start a single company.

And most of my friends who are entrepreneurs, who have started companies, who are corporate executives agree. Yes, the entrepreneur is critical. And the President's Jobs Council recognizes that, and this President has been more friendly to entrepreneurship and to business than any President in my lifetime, working to ensure that small businesses have the opportunity to succeed and grow and create jobs in the private sector.

But without that basic infrastructure, we have to ask ourselves what separates the United States of America from a country like Somalia or even a centrally planned country like North Korea. A lot separates us. But a big part of that is this collaboration of a public sector role that enables entrepreneurship, enables success in the private sector, enables people to create fortunes, enables people to create jobs. That's the proper role of government.

Government doesn't stand in the way of job creation. The government's policy framework, courts people can trust, roads for people to get to work, good public schools, good health care—that's what enables success. As somebody who reached some degree of success in the private sector before I got here, I agree completely with President Obama that I couldn't have achieved that degree of success without the public infrastructure that played a role in

allowing me and so many other entrepreneurs to succeed.

Now, moving back to the topic, the topic of the bovine bailout that the Republicans have proposed here today. The gentlelady from North Carolina said, We have no control over climate, basically. That was the quote that she just said. Well, the vast majority of scientific consensus and agreement would indicate otherwise.

We don't control weather. But climate is different than weather. And, yes, humans are contributing to climate change through carbon emissions and emissions of other greenhouse gases. The global climate has warmed. The average climate in Colorado now is two to three degrees warmer than it was a century ago, and it continues to accelerate. Now, that doesn't cause a drought or a flood in any one particular year, but it causes an increased incidence of severe weather patterns that cost us all money, which is why we're even talking about a bovine bailout here today.

Now, look, I wish this had come to the floor under an open process. I would have offered an amendment just to talk about it to say, why don't you bail out rooftop restaurants, rooftop terraces?

Look, we're talking about the role of the government, the role of the private sector. I find it ironic and to the point of being bizarre—almost like I'm in an alternative universe—that in the very same remarks that the gentlelady from North Carolina railed against a President who dares to say that the public sector has a role in creating the landscape for private businesses to succeed, at the same time, she is advocating for a bovine bailout of a particular industry.

Now why this particular industry? Why not rooftop terraces? Why not solar, if it's too cloudy? Why not wind, if it's not windy enough? Many, many, many businesses are affected by weather. Retail stores are affected when it snows too much. Should they be coming to Washington, clamoring for a bailout?

Look, both sides respect the role of the private sector. And when you have government preempting the private sector by picking out a particular industry and elevating it above all others, by giving it government subsidies and a big bailout, you are upsetting the very market forces that the gentlelady from North Carolina espoused support of in another context.

This bill today gives us a terrible choice between drought assistance and conservation. Now, both might be worthy; but disproportionate cuts to conservation programs that are used to fund this bill undermine the continued success of conservation programs that have bipartisan support and are helping farmers mitigate the impact of climate change in their businesses.

There are so many other issues of relevance for farmers that this House could be taking up. Why aren't we talking about the estate tax, which affects small farmers across this country? If we don't act by December 31, the estate tax will go to a 55 percent tax above \$1 million in assets, forcing many small farmers out of business and preventing them from being passed down from one generation to the next.

Are we going to leave it until the last minute? Is that a plan for the lame duck session? Are the Republicans scared to take on the estate tax before the election?

I would advocate that we get down to work and start addressing issues that actually affect farmers. We should be voting to provide for the success of American agriculture, opening new markets, investing in basic research, helping to ensure that families have access to healthy food and nutrition.

We need to make sure that farmers' and ranchers' needs are addressed. And if we don't address the fundamental drivers of climate change, we're only going to be faced with more and more difficulties, more and more requests for bailouts. It may be cows this time. It may be chickens next time. It may be corn the next time. There are always going to be folks here in Washington, hat in hand, coming to Republicans, saying, Give us a Big Government solution.

And the question will come to this Congress, Are we going to do something about the underlying problem? And whether that approach is through a cap-and-trade system or a carbon tax or incentives for renewables, what are we going to do to prevent farmers in this country from being driven out of business? This bill does nothing.

Sure, you can hand them government money. You can hand them taxpayer money, if that's the lack of regard that you have for taxpayer money, you want to hand it out to whoever comes to town and begs for it. Go right ahead. And I have some rooftop terrace restaurant owners in my district. Give them some while you are at it.

□ 1100

That's not a solution. That's what got us into this budget deficit. That's what got us into this hole. Let's address the underlying issue of climate change in a scientific manner, have the real political discussions that are necessary to negotiate a bipartisan solution that reduces our carbon emissions, reduces the impact of climate change on American farmers, reduces the incidence and severity of droughts across the United States of America, and also be the global leaders that we need to be on this critical issue.

I reserve the balance of my time.

Ms. FOXX. Mr. Speaker, I would like to inquire of my colleague if he has any more speakers or if he is ready to close.

Mr. POLIS. I am the only remaining speaker, and I am prepared to close.

Ms. FOXX. Mr. Speaker, I will close after the gentleman closes.

Mr. POLIS. Mr. Speaker, if we defeat the previous question, I will offer an amendment to the rule to make in order an amendment which proposes that Congress will not adjourn until the President signs middle class tax cuts into law.

Mr. Speaker, I ask unanimous consent to insert the text of my amendment into the RECORD along with extraneous material immediately prior to the vote on the previous question.

The SPEAKER pro tempore (Mr. BASS of New Hampshire). Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. POLIS. Mr. Speaker, I urge my colleagues to vote "no" and defeat the previous question. This will give us the opportunity to renew middle class tax cuts. When we talk about job creation, when we talk about growing our economy, the need to make sure that we don't increase taxes on the middle class during a recess is something economists from both sides of the aisle agree on, something Democrats agree on. I hope Republicans agree, too, that we shouldn't raise taxes on at least 98 percent of Americans.

Then let's have the discussion about the other 2 percent. But let's agree on what we agree on. Let's not raise taxes on 98 percent of American families before Congress goes on break. Before the Republicans send us all home to enjoy our summers, let's do something about jobs. Let's do something about the economy, and let's demand that we give middle class families across America the surety and the security to know that they're not going to need to pay an additional \$1,000 a year in taxes, an additional \$2,000 a year in taxes.

I think it is critical, and I call upon my colleagues on both sides of the aisle to vote "no" and defeat the previous question so that we can bring forward this critical amendment to provide the certainty that America needs to grow our economy and create jobs.

I urge a "no" vote on the rule, and I yield back the balance of my time.

Ms. FOXX. Mr. Speaker, I would just say to my colleague across the aisle, I don't understand why our friends can't take yes for an answer. We want to extend the tax cuts that were begun over 10 years ago to everyone in this country. We agree with that, and that's what we're doing. We don't want to raise taxes on anyone.

I would also like to commend to my colleague across the aisle, who represents a group of people who only ask for bipartisan cooperation when they're in the minority, a book by Australian geologist Ian Plimer who wrote a book called "Heaven and Earth," which I think really does do a scientific presentation of what is happening in terms of climate change.

Last, Mr. Speaker, I would like to say that my colleague is trying to deal with a chicken and egg issue relative to infrastructure and how does infrastructure get funded. He wants to say that this all comes from the benevolent government, but he conveniently leaves out the fact that the government doesn't create wealth. All our government does is spend wealth, and in many cases waste the fruits of hardworking Americans by doing things often very inefficiently. Public infrastructure is funded by the taxes that we take away from hardworking Americans.

Entrepreneurs predated the government in our country. And we all know that the Constitution was written to try to establish a limited government in our country so that the entrepreneurial spirit could thrive, as it has in most cases. My colleague talks about the government enabling entrepreneurs. Excuse me, I don't believe the government does a lot to enable the private sector. What most people in the private sector will tell you is just get the government out of my way. Get the foot of the government off my neck, and I will do just fine.

I know my colleague has been in the private sector and created a lot of wealth for himself, and I applaud him for doing that. But most of the people that I know, Mr. Speaker, who are in the private sector would simply say the government isn't enabling me at all. Leave me alone, and I'll do just fine.

Mr. Speaker, talk about taking the President's words out of context, as I think my colleague knows, when you put the President's words in context, they are even more disturbing than outside of context. I do believe that our President does believe that the government is the solution, and most of us think the government is the problem. I urge my colleagues to support this rule.

The material previously referred to by Mr. POLIS is as follows:

AN AMENDMENT TO H. RES. 752 OFFERED BY
MR. POLIS OF COLORADO

At the end of the resolution, add the following new section:

Sec. 2. Immediately upon adoption of this resolution, the House shall proceed to the consideration of the resolution (H. Res. 746) prohibiting the consideration of a concurrent resolution providing for adjournment or adjournment sine die unless a law is enacted to provide for the extension of certain expired or expiring tax provisions that apply to middle-income taxpayers if called up by Representative Slaughter of New York or her designee. All points of order against the resolution and against its consideration are waived.

(The information contained herein was provided by the Republican Minority on multiple occasions throughout the 110th and 111th Congresses.)

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT
REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not

merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308-311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

Because the vote today may look bad for the Republican majority they will say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Ms. FOXX. With that, Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. POLIS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adoption of the resolution.

The vote was taken by electronic device, and there were—yeas 236, nays 182, not voting 12, as follows:

[Roll No. 548]

YEAS—236

Adams	Gardner	McHenry
Aderholt	Garrett	McIntyre
Alexander	Gerlach	McKeon
Amash	Gibbs	McKinley
Amodei	Gibson	McMorris
Austria	Gingrey (GA)	Rodgers
Bachmann	Gohmert	Meehan
Bachus	Goodlatte	Mica
Barletta	Gosar	Miller (FL)
Bartlett	Gowdy	Miller (MI)
Barton (TX)	Granger	Miller, Gary
Bass (NH)	Graves (GA)	Mulvaney
Benishek	Griffin (AR)	Murphy (PA)
Berg	Griffith (VA)	Myrick
Biggart	Grimm	Neugebauer
Billbray	Guinta	Noem
Bilirakis	Guthrie	Nugent
Bishop (UT)	Hall	Nunes
Blackburn	Hanna	Nunnelee
Bonner	Harper	Olson
Bono Mack	Harris	Palazzo
Boustany	Hartzler	Paul
Brady (TX)	Hastings (WA)	Paulsen
Brooks	Hayworth	Pearce
Broun (GA)	Heck	Pence
Buchanan	Hensarling	Petri
Bucshon	Herger	Pitts
Buerkle	Herrera Beutler	Platts
Burgess	Huelskamp	Poe (TX)
Calvert	Huizenga (MI)	Pompeo
Camp	Hultgren	Posey
Campbell	Hunter	Price (GA)
Canseco	Hurt	Quayle
Cantor	Issa	Reed
Capito	Jenkins	Rehberg
Carter	Johnson (IL)	Reichert
Cassidy	Johnson (OH)	Renacci
Chabot	Johnson, Sam	Ribble
Chaffetz	Jones	Rigell
Coble	Jordan	Rivera
Coffman (CO)	Kelly	Roby
Cole	King (IA)	Roe (TN)
Conaway	King (NY)	Rogers (AL)
Cravaack	Kingston	Rogers (KY)
Crawford	Kinzinger (IL)	Rogers (MI)
Crenshaw	Kline	Rohrabacher
Culberson	Labrador	Rokita
Denham	Lamborn	Rooney
Dent	Lance	Ros-Lehtinen
DesJarlais	Landry	Roskam
Diaz-Balart	Lankford	Ross (FL)
Dold	Latham	Royce
Dreier	LaTourette	Runyan
Duffy	Latta	Ryan (WI)
Duncan (SC)	Lewis (CA)	Scallise
Duncan (TN)	LoBiondo	Schilling
Ellmers	Long	Schmidt
Emerson	Lucas	Schock
Farenthold	Luetkemeyer	Schweikert
Fincher	Lummis	Scott (SC)
Fitzpatrick	Lungren, Daniel	Scott, Austin
Flake	E.	Sensenbrenner
Fleming	Mack	Sessions
Flores	Manzullo	Shimkus
Forbes	Marchant	Shuler
Fortenberry	Marino	Shuster
Foxx	Matheson	Simpson
Franks (AZ)	McCarthy (CA)	Smith (NE)
Frelinghuysen	McCaul	Smith (NJ)
Galleghy	McClintock	Smith (TX)

Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton

NAYS—182

Ackerman
Altmire
Andrews
Baca
Baldwin
Barber
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleave
Clyburn
Connolly (VA)
Conyers
Cooper
Costa
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner

NOT VOTING—12

Akin
Black
Burton (IN)
Cardoza
Cohen

□ 1132

Ms. LINDA T. SÁNCHEZ of California and Mr. GENE GREEN of Texas changed their vote from “yea” to “nay.”

Mr. PETRI changed his vote from “nay” to “yea.”

So the previous question was ordered.

The result of the vote was announced as above recorded.

Wilson (SC)
Wittman
Upton
Womack
Woodall
Young (AK)
Young (FL)
Young (IN)

Pallone
Pascarelli
Pastor (AZ)
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

Jackson Lee
(TX)
Johnson (GA)
Yoder

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. POLIS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 235, noes 181, not voting 14, as follows:

[Roll No. 549]

AYES—235

Adams
Aderholt
Alexander
Amash
Amodei
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishke
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach

Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris
Rodgers
Meehan
Mica
Miller (FL)

Walberg
Walden
Walsh (IL)
Webster
West

Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf

NOES—181

Ackerman
Altmire
Andrews
Baca
Baldwin
Barber
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleave
Clyburn
Connolly (VA)
Conyers
Cooper
Costa
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)

Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Israel
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebach
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Oliver

Owens
Pallone
Pascarelli
Pastor (AZ)
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NOT VOTING—14

Akin
Black
Burton (IN)
Butterfield
Cardoza

Cohen
Costello
Fleischmann
Graves (MO)
Jackson (IL)

Jackson Lee
(TX)
Johnson (GA)
Kissell
Yoder

□ 1140

Mr. MCINTYRE changed his vote from “aye” to “no.”

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

AUTHORIZING THE ARCHITECT OF THE CAPITOL TO ESTABLISH BATTERY RECHARGING STATIONS UNDER JURISDICTION OF SENATE

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 739) to authorize the Architect of the Capitol to establish battery recharging stations for privately owned vehicles in parking areas under the jurisdiction of the Senate at no net cost to the Federal Government, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The text of the bill is as follows:

S. 739

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. BATTERY RECHARGING STATIONS FOR PRIVATELY OWNED VEHICLES IN PARKING AREAS UNDER THE JURISDICTION OF THE SENATE AT NO NET COST TO THE FEDERAL GOVERNMENT.

(a) DEFINITION.—In this Act, the term “covered employee” means—

(1) an employee whose pay is disbursed by the Secretary of the Senate; or

(2) any other individual who is authorized to park in any parking area under the jurisdiction of the Senate on Capitol Grounds.

(b) AUTHORITY.—

(1) IN GENERAL.—Subject to paragraph (3), funds appropriated to the Architect of the Capitol under the heading “CAPITOL POWER PLANT” under the heading “ARCHITECT OF THE CAPITOL” in any fiscal year are available to construct, operate, and maintain on a reimbursable basis battery recharging stations in parking areas under the jurisdiction of the Senate on Capitol Grounds for use by privately owned vehicles used by Senators or covered employees.

(2) VENDORS AUTHORIZED.—In carrying out paragraph (1), the Architect of the Capitol may use 1 or more vendors on a commission basis.

(3) APPROVAL OF CONSTRUCTION.—The Architect of the Capitol may construct or direct the construction of battery recharging stations described under paragraph (1) after—

(A) submission of written notice detailing the numbers and locations of the battery recharging stations to the Committee on Rules and Administration of the Senate; and

(B) approval by that Committee.

(c) FEES AND CHARGES.—

(1) IN GENERAL.—Subject to paragraph (2), the Architect of the Capitol shall charge fees or charges for electricity provided to Senators and covered employees sufficient to cover the costs to the Architect of the Capitol to carry out this section, including costs to any vendors or other costs associated with maintaining the battery recharging stations.

(2) APPROVAL OF FEES OR CHARGES.—The Architect of the Capitol may establish and adjust fees or charges under paragraph (1) after—

(A) submission of written notice detailing the amount of the fee or charge to be established or adjusted to the Committee on Rules and Administration of the Senate; and

(B) approval by that Committee.

(d) DEPOSIT AND AVAILABILITY OF FEES, CHARGES, AND COMMISSIONS.—Any fees, charges, or commissions collected by the Architect of the Capitol under this section shall be—

(1) deposited in the Treasury to the credit of the appropriations account described under subsection (b); and

(2) available for obligation without further appropriation during—

(A) the fiscal year collected; and

(B) the fiscal year following the fiscal year collected.

(e) REPORTS.—

(1) IN GENERAL.—Not later than 30 days after the end of each fiscal year, the Architect of the Capitol shall submit a report on the financial administration and cost recovery of activities under this section with respect to that fiscal year to the Committee on Rules and Administration of the Senate.

(2) AVOIDING SUBSIDY.—

(A) DETERMINATION.—Not later than 3 years after the date of enactment of this Act and every 3 years thereafter, the Architect of the Capitol shall submit a report to the Committee on Rules and Administration of the Senate determining whether Senators and covered employees using battery charging stations as authorized by this Act are receiving a subsidy from the taxpayers.

(B) MODIFICATION OF RATES AND FEES.—If a determination is made under subparagraph (A) that a subsidy is being received, the Architect of the Capitol shall submit a plan to the Committee on Rules and Administration of the Senate on how to update the program to ensure no subsidy is being received. If the committee does not act on the plan within 60 days, the Architect of the Capitol shall take appropriate steps to increase rates or fees to ensure reimbursement for the cost of the program consistent with an appropriate schedule for amortization, to be charged to those using the charging stations.

(f) EFFECTIVE DATE.—This Act shall apply with respect to fiscal year 2011 and each fiscal year thereafter.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING THE ARCHITECT OF THE CAPITOL TO ESTABLISH BATTERY RECHARGING STATIONS UNDER JURISDICTION OF HOUSE

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 1402) to authorize the Architect of the Capitol to establish battery recharging stations for privately owned vehicles in parking areas under the jurisdiction of the House of Representatives at no net cost to the Federal Government, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The text of the bill is as follows:

H.R. 1402

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. BATTERY RECHARGING STATIONS FOR PRIVATELY OWNED VEHICLES IN PARKING AREAS UNDER THE JURISDICTION OF THE HOUSE OF REPRESENTATIVES AT NO NET COST TO THE FEDERAL GOVERNMENT.

(a) DEFINITION.—In this Act, the term “covered employee” means—

(1) an employee whose pay is disbursed by the Chief Administrative Officer of the House of Representatives; or

(2) any other individual who is authorized to park in any parking area under the jurisdiction of the House of Representatives on Capitol Grounds.

(b) AUTHORITY.—

(1) IN GENERAL.—Subject to paragraph (3), funds appropriated to the Architect of the Capitol under the heading “CAPITOL POWER PLANT” under the heading “ARCHITECT OF THE CAPITOL” in any fiscal year are available to construct, operate, and maintain on a reimbursable basis battery recharging stations in parking areas under the jurisdiction of the House of Representatives on Capitol Grounds for use by privately owned vehicles used by Members of the House of Representatives (including the Delegates or Resident Commissioner to the Congress) or covered employees.

(2) VENDORS AUTHORIZED.—In carrying out paragraph (1), the Architect of the Capitol may use 1 or more vendors on a commission basis.

(3) APPROVAL OF CONSTRUCTION.—The Architect of the Capitol may construct or direct the construction of battery recharging stations described under paragraph (1) after—

(A) submission of written notice detailing the numbers and locations of the battery recharging stations to the Committee on House Administration of the House of Representatives; and

(B) approval by that Committee.

(c) FEES AND CHARGES.—

(1) IN GENERAL.—Subject to paragraph (2), the Architect of the Capitol shall charge fees or charges for electricity provided to Members and covered employees sufficient to cover the costs to the Architect of the Capitol to carry out this section, including costs to any vendors or other costs associated with maintaining the battery recharging stations.

(2) APPROVAL OF FEES OR CHARGES.—The Architect of the Capitol may establish and adjust fees or charges under paragraph (1) after—

(A) submission of written notice detailing the amount of the fee or charge to be established or adjusted to the Committee on House Administration of the House of Representatives; and

(B) approval by that Committee.

(d) DEPOSIT AND AVAILABILITY OF FEES, CHARGES, AND COMMISSIONS.—Any fees, charges, or commissions collected by the Architect of the Capitol under this section shall be—

(1) deposited in the Treasury to the credit of the appropriations account described under subsection (b); and

(2) available for obligation without further appropriation during—

(A) the fiscal year collected; and

(B) the fiscal year following the fiscal year collected.

(e) ANNUAL REPORTS.—Not later than 30 days after the end of each fiscal year, the Architect of the Capitol shall submit a report on the financial administration and cost recovery of activities under this section with respect to that fiscal year to the Committee on House Administration of the House of Representatives.

(f) **EFFECTIVE DATE.**—This Act shall apply with respect to fiscal year 2011 and each fiscal year thereafter.

AMENDMENT OFFERED BY MR. DANIEL E. LUNGREN OF CALIFORNIA

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I have an amendment to the bill at the desk.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Amend section 1(e) to read as follows:

Mr. DANIEL E. LUNGREN of California (during the reading). Mr. Speaker, I ask unanimous consent that the reading of the amendment be dispensed with.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AGRICULTURAL DISASTER ASSISTANCE ACT OF 2012

Mr. LUCAS. Mr. Speaker, pursuant to House Resolution 752, I call up the bill (H.R. 6233) to make supplemental agricultural disaster assistance available for fiscal year 2012 with the costs of such assistance offset by changes to certain conservation programs, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6233

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Agricultural Disaster Assistance Act of 2012".

SEC. 2. SUPPLEMENTAL AGRICULTURAL DISASTER ASSISTANCE.

(a) **DEFINITIONS.**—In this section:

(1) **ELIGIBLE PRODUCER ON A FARM.**—

(A) **IN GENERAL.**—The term "eligible producer on a farm" means an individual or entity described in subparagraph (B) that, as determined by the Secretary, assumes the production and market risks associated with the agricultural production of crops or livestock.

(B) **DESCRIPTION.**—An individual or entity referred to in subparagraph (A) is—

- (i) a citizen of the United States;
- (ii) a resident alien;
- (iii) a partnership of citizens of the United States; or
- (iv) a corporation, limited liability corporation, or other farm organizational structure organized under State law.

(2) **FARM-RAISED FISH.**—The term "farm-raised fish" means any aquatic species that is propagated and reared in a controlled environment.

(3) **LIVESTOCK.**—The term "livestock" includes—

- (A) cattle (including dairy cattle);
- (B) bison;
- (C) poultry;
- (D) sheep;

(E) swine;

(F) horses; and

(G) other livestock, as determined by the Secretary.

(4) **SECRETARY.**—The term "Secretary" means the Secretary of Agriculture.

(b) **LIVESTOCK INDEMNITY PAYMENTS.**—

(1) **PAYMENTS.**—For fiscal year 2012, the Secretary shall use such sums as are necessary of the funds of the Commodity Credit Corporation to make livestock indemnity payments to eligible producers on farms that have incurred livestock death losses in excess of the normal mortality, as determined by the Secretary, due to—

(A) attacks by animals reintroduced into the wild by the Federal Government or protected by Federal law, including wolves and avian predators; or

(B) adverse weather, as determined by the Secretary, during the calendar year, including losses due to hurricanes, floods, blizzards, disease, wildfires, extreme heat, and extreme cold.

(2) **PAYMENT RATES.**—Indemnity payments to an eligible producer on a farm under paragraph (1) shall be made at a rate of 75 percent of the market value of the applicable livestock on the day before the date of death of the livestock, as determined by the Secretary.

(3) **SPECIAL RULE FOR PAYMENTS MADE DUE TO DISEASE.**—The Secretary shall ensure that payments made to an eligible producer under paragraph (1) are not made for the same livestock losses for which compensation is provided pursuant to section 10407(d) of the Animal Health Protection Act (7 U.S.C. 8306(d)).

(c) **LIVESTOCK FORAGE DISASTER PROGRAM.**—

(1) **DEFINITIONS.**—In this subsection:

(A) **COVERED LIVESTOCK.**—

(i) **IN GENERAL.**—Except as provided in clause (ii), the term "covered livestock" means livestock of an eligible livestock producer that, during the 60 days prior to the beginning date of a qualifying drought or fire condition, as determined by the Secretary, the eligible livestock producer—

- (I) owned;
- (II) leased;
- (III) purchased;
- (IV) entered into a contract to purchase;
- (V) is a contract grower; or
- (VI) sold or otherwise disposed of due to qualifying drought conditions during—

- (aa) the current production year; or
- (bb) subject to paragraph (3)(B)(ii), 1 or both of the 2 production years immediately preceding the current production year.

(ii) **EXCLUSION.**—The term "covered livestock" does not include livestock that were or would have been in a feedlot, on the beginning date of the qualifying drought or fire condition, as a part of the normal business operation of the eligible livestock producer, as determined by the Secretary.

(B) **DROUGHT MONITOR.**—The term "drought monitor" means a system for classifying drought severity according to a range of abnormally dry to exceptional drought, as defined by the Secretary.

(C) **ELIGIBLE LIVESTOCK PRODUCER.**—

(i) **IN GENERAL.**—The term "eligible livestock producer" means an eligible producer on a farm that—

(I) is an owner, cash or share lessee, or contract grower of covered livestock that provides the pastureland or grazing land, including cash-leased pastureland or grazing land, for the livestock;

(II) provides the pastureland or grazing land for covered livestock, including cash-leased pastureland or grazing land that is

physically located in a county affected by drought;

(III) certifies grazing loss; and

(IV) meets all other eligibility requirements established under this subsection.

(ii) **EXCLUSION.**—The term "eligible livestock producer" does not include an owner, cash or share lessee, or contract grower of livestock that rents or leases pastureland or grazing land owned by another person on a rate-of-gain basis.

(D) **NORMAL CARRYING CAPACITY.**—The term "normal carrying capacity", with respect to each type of grazing land or pastureland in a county, means the normal carrying capacity, as determined under paragraph (3)(D)(i), that would be expected from the grazing land or pastureland for livestock during the normal grazing period, in the absence of a drought or fire that diminishes the production of the grazing land or pastureland.

(E) **NORMAL GRAZING PERIOD.**—The term "normal grazing period", with respect to a county, means the normal grazing period during the calendar year for the county, as determined under paragraph (3)(D)(i).

(2) **PROGRAM.**—For fiscal year 2012, the Secretary shall use such sums as are necessary of the funds of the Commodity Credit Corporation to provide compensation for losses to eligible livestock producers due to grazing losses for covered livestock due to—

(A) a drought condition, as described in paragraph (3); or

(B) fire, as described in paragraph (4).

(3) **ASSISTANCE FOR LOSSES DUE TO DROUGHT CONDITIONS.**—

(A) **ELIGIBLE LOSSES.**—

(i) **IN GENERAL.**—An eligible livestock producer may receive assistance under this subsection only for grazing losses for covered livestock that occur on land that—

(I) is native or improved pastureland with permanent vegetative cover; or

(II) is planted to a crop planted specifically for the purpose of providing grazing for covered livestock.

(ii) **EXCLUSIONS.**—An eligible livestock producer may not receive assistance under this subsection for grazing losses that occur on land used for haying or grazing under the conservation reserve program established under subchapter B of chapter 1 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 8331 et seq.).

(B) **MONTHLY PAYMENT RATE.**—

(i) **IN GENERAL.**—Except as provided in clause (ii), the payment rate for assistance under this paragraph for 1 month shall, in the case of drought, be equal to 60 percent of the lesser of—

(I) the monthly feed cost for all covered livestock owned or leased by the eligible livestock producer, as determined under subparagraph (C); or

(II) the monthly feed cost calculated by using the normal carrying capacity of the eligible grazing land of the eligible livestock producer.

(ii) **PARTIAL COMPENSATION.**—In the case of an eligible livestock producer that sold or otherwise disposed of covered livestock due to drought conditions in 1 or both of the 2 production years immediately preceding the current production year, as determined by the Secretary, the payment rate shall be 80 percent of the payment rate otherwise calculated in accordance with clause (i).

(C) **MONTHLY FEED COST.**—

(i) **IN GENERAL.**—The monthly feed cost shall equal the product obtained by multiplying—

(I) 30 days;

(II) a payment quantity that is equal to the feed grain equivalent, as determined under clause (i); and

(III) a payment rate that is equal to the corn price per pound, as determined under clause (iii).

(ii) FEED GRAIN EQUIVALENT.—For purposes of clause (i)(II), the feed grain equivalent shall equal—

(I) in the case of an adult beef cow, 15.7 pounds of corn per day; or

(II) in the case of any other type of weight of livestock, an amount determined by the Secretary that represents the average number of pounds of corn per day necessary to feed the livestock.

(iii) CORN PRICE PER POUND.—For purposes of clause (i)(III), the corn price per pound shall equal the quotient obtained by dividing—

(I) the higher of—

(aa) the national average corn price per bushel for the 12-month period immediately preceding March 1 of the year for which the disaster assistance is calculated; or

(bb) the national average corn price per bushel for the 24-month period immediately preceding that March 1; by

(II) 56.

(D) NORMAL GRAZING PERIOD AND DROUGHT MONITOR INTENSITY.—

(i) FSA COUNTY COMMITTEE DETERMINATIONS.—

(I) IN GENERAL.—The Secretary shall determine the normal carrying capacity and normal grazing period for each type of grazing land or pastureland in the county served by the applicable committee.

(II) CHANGES.—No change to the normal carrying capacity or normal grazing period established for a county under subclause (I) shall be made unless the change is requested by the appropriate State and county Farm Service Agency committees.

(ii) DROUGHT INTENSITY.—

(I) D2.—An eligible livestock producer that owns or leases grazing land or pastureland that is physically located in a county that is rated by the U.S. Drought Monitor as having a D2 (severe drought) intensity in any area of the county for at least 8 consecutive weeks during the normal grazing period for the county, as determined by the Secretary, shall be eligible to receive assistance under this paragraph in an amount equal to 1 monthly payment using the monthly payment rate determined under subparagraph (B).

(II) D3.—An eligible livestock producer that owns or leases grazing land or pastureland that is physically located in a county that is rated by the U.S. Drought Monitor as having at least a D3 (extreme drought) intensity in any area of the county at any time during the normal grazing period for the county, as determined by the Secretary, shall be eligible to receive assistance under this paragraph—

(aa) in an amount equal to 2 monthly payments using the monthly payment rate determined under subparagraph (B); or

(bb) if the county is rated as having a D3 (extreme drought) intensity in any area of the county for at least 4 weeks during the normal grazing period for the county, or is rated as having a D4 (exceptional drought) intensity in any area of the county at any time during the normal grazing period, in an amount equal to 3 monthly payments using the monthly payment rate determined under subparagraph (B).

(4) ASSISTANCE FOR LOSSES DUE TO FIRE ON PUBLIC MANAGED LAND.—

(A) IN GENERAL.—An eligible livestock producer may receive assistance under this paragraph only if—

(i) the grazing losses occur on rangeland that is managed by a Federal agency; and

(ii) the eligible livestock producer is prohibited by the Federal agency from grazing the normal permitted livestock on the managed rangeland due to a fire.

(B) PAYMENT RATE.—The payment rate for assistance under this paragraph shall be equal to 50 percent of the monthly feed cost for the total number of livestock covered by the Federal lease of the eligible livestock producer, as determined under paragraph (3)(C).

(C) PAYMENT DURATION.—

(I) IN GENERAL.—Subject to clause (ii), an eligible livestock producer shall be eligible to receive assistance under this paragraph for the period—

(i) beginning on the date on which the Federal agency excludes the eligible livestock producer from using the managed rangeland for grazing; and

(ii) ending on the last day of the Federal lease of the eligible livestock producer.

(ii) LIMITATION.—An eligible livestock producer may only receive assistance under this paragraph for losses that occur on not more than 180 days per year.

(5) NO DUPLICATIVE PAYMENTS.—An eligible livestock producer may elect to receive assistance for grazing or pasture feed losses due to drought conditions under paragraph (3) or fire under paragraph (4), but not both for the same loss, as determined by the Secretary.

(d) EMERGENCY ASSISTANCE FOR LIVESTOCK, HONEY BEES, AND FARM-RAISED FISH.—

(1) IN GENERAL.—For fiscal year 2012, the Secretary shall use not more than \$20,000,000 of the funds of the Commodity Credit Corporation to provide emergency relief to eligible producers of livestock, honey bees, and farm-raised fish to aid in the reduction of losses due to disease (including cattle tick fever), adverse weather, or other conditions, such as blizzards and wildfires, as determined by the Secretary, that are not covered under subsection (b) or (c).

(2) USE OF FUNDS.—Funds made available under this subsection shall be used to reduce losses caused by feed or water shortages, disease, or other factors as determined by the Secretary.

(3) AVAILABILITY OF FUNDS.—Any funds made available under this subsection shall remain available until expended.

(e) TREE ASSISTANCE PROGRAM.—

(1) DEFINITIONS.—In this subsection:

(A) ELIGIBLE ORCHARDIST.—The term “eligible orchardist” means a person that produces annual crops from trees for commercial purposes.

(B) NATURAL DISASTER.—The term “natural disaster” means plant disease, insect infestation, drought, fire, freeze, flood, earthquake, lightning, or other occurrence, as determined by the Secretary.

(C) NURSERY TREE GROWER.—The term “nursery tree grower” means a person who produces nursery, ornamental, fruit, nut, or Christmas trees for commercial sale, as determined by the Secretary.

(D) TREE.—The term “tree” includes a tree, bush, and vine.

(2) ELIGIBILITY.—

(A) LOSS.—Subject to subparagraph (B), for fiscal year 2012, the Secretary shall use such sums as are necessary of the funds of the Commodity Credit Corporation to provide assistance—

(i) under paragraph (3) to eligible orchardists and nursery tree growers that planted

trees for commercial purposes but lost the trees as a result of a natural disaster, as determined by the Secretary; and

(ii) under paragraph (3)(B) to eligible orchardists and nursery tree growers that have a production history for commercial purposes on planted or existing trees but lost the trees as a result of a natural disaster, as determined by the Secretary.

(B) LIMITATION.—An eligible orchardist or nursery tree grower shall qualify for assistance under subparagraph (A) only if the tree mortality of the eligible orchardist or nursery tree grower, as a result of damaging weather or related condition, exceeds 15 percent (adjusted for normal mortality).

(3) ASSISTANCE.—Subject to paragraph (4), the assistance provided by the Secretary to eligible orchardists and nursery tree growers for losses described in paragraph (2) shall consist of—

(A)(i) reimbursement of 70 percent of the cost of replanting trees lost due to a natural disaster, as determined by the Secretary, in excess of 15 percent mortality (adjusted for normal mortality); or

(ii) at the option of the Secretary, sufficient seedlings to reestablish a stand; and

(B) reimbursement of 50 percent of the cost of pruning, removal, and other costs incurred by an eligible orchardist or nursery tree grower to salvage existing trees or, in the case of tree mortality, to prepare the land to replant trees as a result of damage or tree mortality due to a natural disaster, as determined by the Secretary, in excess of 15 percent damage or mortality (adjusted for normal tree damage and mortality).

(4) LIMITATIONS ON ASSISTANCE.—

(A) DEFINITIONS OF LEGAL ENTITY AND PERSON.—In this paragraph, the terms “legal entity” and “person” have the meaning given those terms in section 1001(a) of the Food Security Act of 1985 (7 U.S.C. 1308(a)).

(B) AMOUNT.—The total amount of payments received, directly or indirectly, by a person or legal entity (excluding a joint venture or general partnership) under this subsection may not exceed \$100,000 for any crop year, or an equivalent value in tree seedlings.

(C) ACRES.—The total quantity of acres planted to trees or tree seedlings for which a person or legal entity shall be entitled to receive payments under this subsection may not exceed 500 acres.

(f) PAYMENT LIMITATIONS.—

(1) DEFINITIONS OF LEGAL ENTITY AND PERSON.—In this subsection, the terms “legal entity” and “person” have the meaning given those terms in section 1001(a) of the Food Security Act of 1985 (7 U.S.C. 1308(a)).

(2) AMOUNT.—The total amount of disaster assistance payments received, directly or indirectly, by a person or legal entity (excluding a joint venture or general partnership) under this section (excluding payments received under subsection (e)) may not exceed \$100,000 for any crop year.

(3) AGI LIMITATION.—Section 1001D of the Food Security Act of 1985 (7 U.S.C. 1308-3a) or any successor provision shall apply with respect to assistance provided under this section.

(4) DIRECT ATTRIBUTION.—Subsections (e) and (f) of section 1001 of the Food Security Act of 1985 (7 U.S.C. 1308) or any successor provisions relating to direct attribution shall apply with respect to assistance provided under this section.

(g) APPLICATION.—This section shall take effect as of October 1, 2011, and apply to losses that are incurred as the result of a disaster, adverse weather, or other environmental condition that occurs on or before

September 30, 2012, as determined by the Secretary.

(h) DETERMINATIONS BY SECRETARY.—A determination made by the Secretary under this section shall be final and conclusive.

(i) REGULATIONS.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, not later than 90 days after the date of enactment of this Act, the Secretary and the Commodity Credit Corporation, as appropriate, shall promulgate such regulations as are necessary to implement this section.

(2) PROCEDURE.—The promulgation of the regulations and administration of this section shall be made without regard to—

(A) the notice and comment provisions of section 553 of title 5, United States Code;

(B) chapter 35 of title 44, United States Code (commonly known as the “Paperwork Reduction Act”); and

(C) the Statement of Policy of the Secretary of Agriculture effective July 24, 1971 (36 Fed. Reg. 13804), relating to notices of proposed rulemaking and public participation in rulemaking.

(3) CONGRESSIONAL REVIEW OF AGENCY RULEMAKING.—In carrying out this subsection, the Secretary shall use the authority provided under section 808 of title 5, United States Code.

SEC. 3. MODIFICATION OF CERTAIN CONSERVATION PROGRAMS.

(a) CONSERVATION STEWARDSHIP PROGRAM.—Section 1238G(d)(1) of the Food Security Act of 1985 (16 U.S.C. 3838g(d)(1)) is amended by inserting “(except that for fiscal year 2013, the Secretary shall, to the maximum extent practicable, enroll in the program an additional 11,000,000 acres)” before the semicolon.

(b) ENVIRONMENTAL QUALITY INCENTIVES PROGRAM.—Section 1241(a)(6) of the Food Security Act of 1985 (16 U.S.C. 3841(a)(6)) is amended—

(1) in subparagraph (D), by striking “; and” and inserting a semicolon; and

(2) by striking subparagraph (E) and inserting the following:

“(E) \$1,750,000,000 in fiscal year 2012;

“(F) \$1,400,000,000 in fiscal year 2013; and

“(G) \$1,750,000,000 in fiscal year 2014.”.

The SPEAKER pro tempore. Pursuant to House Resolution 752, the gentleman from Oklahoma (Mr. LUCAS) and the gentleman from Minnesota (Mr. PETERSON) each will control 30 minutes.

The Chair recognizes the gentleman from Oklahoma.

Mr. LUCAS. Mr. Speaker, I yield myself such time as I may consume.

I rise today in support of H.R. 6233, which provides disaster aid to livestock and other producers.

I am sure all of my colleagues are keenly aware of what is happening all across this great country. A drought of epic proportions is gripping a large majority of the Nation, and it is endangering vast areas of agriculturally productive land. The map behind me illustrates just how widespread and how bad this drought really is. Just yesterday, in my home State of Oklahoma, we had temperatures topping out at 115 degrees. Vast areas of productive pastureland are burning up, and our ranchers are in dire need.

But also let's be very clear as to why we are here on the floor today. In 2008,

Congress passed a farm bill that did not provide a final year of disaster assistance. I have heard people call this “extending disaster assistance by a year.” No. What we are doing is fixing a problem. We are backfilling a hole—or fixing a deficiency.

I'm not here to point fingers. I was elected to fix problems. We have a drought. We don't have a disaster program, and I am here to provide a solution. Now, in past years, we might just wave our hands and declare this to be emergency spending, but we tend not to do that anymore, thank goodness. This bill pays for itself. Not only does it pay for itself, but it gives more than \$250 million to deficit reduction. To me, that sounds like fixing a problem.

Amazingly, that's not the end of the story.

Some people do not like how we paid for the bill. Quite frankly, I don't either. I was the subcommittee chairman for conservation programs in 2002 when we gave an extra \$17 billion to conservation programs. I am a proponent of voluntary, incentive-based conservation programs, but let me give you a little history on EQIP funding.

Ten years ago, in fiscal year 2002, we authorized \$200 million in EQIP spending. In fiscal year 2009, we authorized \$1.34 billion, and for fiscal year 2013, we authorized \$1.75 billion. Yes, we are cutting real dollars: \$350 million will not go to our farmers and ranchers to help comply with the enormous regulations facing them. But, at the end of the day, this will still be the largest amount of money ever spent on the EQIP program, seven times what we spent in 2002.

The other offset is the CSP program, which was vastly, I might note for the record, improved in 2008. For those of you here in 2008 who voted for the farm bill, the CSP program in the House bill had zero dollars when it left the House. In the just-passed Ag Committee farm bill, we limited CSP to 9 million acres. I greatly respect the conservation community, but to hear them say we are destroying conservation programs could not be farther from the truth.

You will also hear people complain that this isn't the full farm bill. My priority remains to get a 5-year farm bill on the books and to put those policies into place.

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But the most pressing business before us today is to provide disaster assistance to those producers impacted by drought conditions who are currently exposed. It is as simple as that. There is a problem out there. Let's fix it.

Let me address the farm bill that my colleagues seem to either love or hate or love to hate or hate to love. The bill is not perfect. No legislation is. We can spend our time trying to chip away at the Federal deficit \$1 million at a time, coming down to the floor on every ap-

propriations bill, or we can spend our time writing opinion pieces for The Wall Street Journal, or we can do something about it. The farm bill that passed out of my committee, the Agriculture Committee, saves \$35 billion. Let me repeat that: \$35 billion.

Tell me another piece of legislation that has bipartisan support and a chance to pass the United States Senate that saves that much money. My friends on my side of the aisle will say we don't cut enough while, my friends on the other side of the aisle will say we cut too much. This is the perfect case of letting the perfect be the enemy of the good. I believe in the legislative process. I believe in letting the House work its will. We did it in the House Agriculture Committee, and we can do it here, too.

Mr. Speaker, let me say again: I am committed to giving certainty to our farmers. I plan to work towards the goal when we get back in September, but we are here today to fix a problem. Let's do it without partisan bickering. There's a disaster happening out there. Let's give the tools to our ranchers who are the most exposed. The bill is paid for. Let's do what the American people sent us here to do: fix problems. I urge my colleagues to join me in voting for H.R. 6233.

With that, I reserve the balance of my time.

Mr. PETERSON. Mr. Speaker, I yield myself such time as I may consume.

Today is the last session before the August recess, and once again the House will adjourn without finishing its work. It's no wonder nobody likes Congress anymore. Members will now have to explain to their constituents why the House did not even try to consider a new 5-year farm bill. Frankly, we're in this position because the House leadership has refused to bring the 5-year farm bill to the floor.

Working in a bipartisan tradition on the Agriculture Committee, Chairman LUCAS and I have crafted a new 5-year farm bill making many important and needed reforms. I appreciate the efforts of the chairman in trying to enact a long-term policy, and I know that if he had his way, as he just said, we would have already passed a farm bill. The chairman and I were ready to mark up our bill at the end of June, but the Republican leadership stepped in and said that they wanted us to consider the ag appropriations bill. So we held off for a couple of weeks, and then they didn't even bring the ag appropriations bill to the floor. The committee completed their work then on July 11, passing a new bill, a 5-year bill, 35-11 in a bipartisan vote. But rather than bring this bill to the floor, the House instead focused on messaging bills that are going nowhere.

I understand that this is an election year and the majority wants to promote their message, and I've even voted for some of these bills. You

would think that after delaying us for 2 weeks, the leadership could have found 2 days on the House calendar to consider the committee's farm bill before the August recess.

Instead of bringing up the 5-year farm bill, the Republican leadership last week put forth a 1-year farm bill extension hoping to delay action until the next Congress, with hopes, for some people, that they're going to dismantle the farm and food safety nets. Fortunately, under intense opposition from those in agriculture and others, the leadership had to pull the bill. This brings us to today's consideration of H.R. 6233. This measure will provide some assistance to a few livestock producers affected by drought conditions across the country. Providing assistance to livestock producers, primarily cattle and sheep, is necessary and important, but this is not a comprehensive disaster package. Dairy and specialty crop producers are going to be left hurting, and there's no assistance for pork and poultry producers.

The Ag Committee's farm bill not only includes the livestock provision we're considering today, it also strengthens the farm safety net on a wide-ranging list of commodities. The 5-year farm bill will do a better job of providing certainty for American agriculture and assistance during this period of drought.

Additionally, I have concerns about the conservation cuts that are used to pay for this assistance. I don't think cutting conservation programs to offset the cost of disaster is the right approach. If there was more time, maybe we could find a better way to do this. But in the rush of putting this bill together, it didn't give us the necessary time to explore all of the options. This is yet another reason that I think bringing up a 5-year bill makes more sense.

It's just mystifying to me why House leaders can't take "yes" for an answer. I don't know how many times I've heard from the other side complaints about the Senate not being able to get our bills passed. We passed a lot of bills, most of which I supported, that are over in the Senate and they never took them up. Now the Senate has passed a bill, and this may be the only time that we will ever be able to get a farm bill through the Senate. They passed it on a bipartisan basis. We passed it on a bipartisan basis. Now the leadership doesn't want to bring it up. I don't understand it.

The farm economy is the one part of the economy that is actually working, doing well, has been solid for the last few years. This is due in part, I believe, to the strong farm bill that we passed in '08. Weathering a natural disaster without the certainty of a 5-year bill could jeopardize one of the bright spots we have in this economy.

With all that said, I do recognize the effects the drought is having on our

farmers, and I will vote in favor of H.R. 6233. However, this bill is a sad substitute for what is really needed—a long-term farm policy. So I'll continue to urge my colleagues to bring up the House agriculture 5-year farm bill and to ensure that all producers will have necessary assistance during these times of disaster.

With that, I reserve the balance of my time.

Mr. LUCAS. Mr. Speaker, I yield 2 minutes to the gentlelady from South Dakota (Mrs. NOEM).

Mrs. NOEM. I thank the gentleman for yielding.

Mr. Speaker, today I rise in support of H.R. 6233, the supplemental agriculture disaster assistance bill.

As we look across the United States, many areas, including South Dakota, are facing a serious drought. While many of our producers are covered by crop insurance, our livestock producers don't have the same safety net in place to weather this drought. That's why the livestock disaster programs are so important.

The last farm bill was in place for 5 years, while the livestock disaster programs were only put into place for 4. That's why back in April I introduced legislation that would reauthorize those programs and retroactively look at 2012, recognizing that it was a dereliction of our duty, and to make sure that there was a safety net for our livestock producers, as well. The 2008 farm bill did not extend that disaster coverage for this year, but today we have the chance to make that right.

This House should not go home while literally hanging our ranchers out to dry without a safety net to get through this drought. This need is immediate, which is why we need to get this done. Beyond this, I'm going to continue to advocate for a 5-year farm bill, knowing it's the right thing to do, making sure that these programs are put into place for the lifetime of that farm bill so that we can avoid situations like this.

The full 5-year farm bill is the best way to get a long-term safety net for our livestock producers, and for our commodity producers, as well. We can't wait another day with this drought going on without giving our ranchers some needed certainty. That's why I'm going to urge all of my colleagues to vote "yes" today, and to continue to work to get a 5-year farm bill.

Mr. PETERSON. Mr. Speaker, I am now pleased to yield 4 minutes to the distinguished gentleman from Iowa, one of our ranking members, Mr. BOSWELL.

□ 1200

Mr. BOSWELL. Mr. Speaker, I rise today on behalf of farmers and producers in Iowa and in my district and across the country. And I want to thank you, Chairman LUCAS, and you,

Ranking Member PETERSON, for working together to try to resolve the need for the farm bill. As you know, we are suffering because of the drought that continues to beat down on our land and our livestock.

While I'm not 100 percent pleased with this bill, I will vote today to move it forward on behalf of my producers in need. And for those who have been grappling for hay and have begun to liquidate cattle, I will support this disaster aid bill. However, I do it with a heavy heart, yet with the eternal optimism of a farmer, as you are, Mr. Chairman and Mr. PETERSON.

As a cow-calf producer myself, I can tell you exactly what our farmers and ranchers across America want. They want a farm bill, a 5-year farm bill that will provide long-term certainty in a changing market with an uncontrollable climate.

Producers in my State want a farm bill that invests in expansions and research for insurance programs, like the provisions we worked on in the House committee for livestock insurance and for specialty crops. They want to see a bill that will help them beyond 2012 and 2013, a bill that shows what we know: not only must we react to this drought, but we must prepare for the future.

Since July 11, I have expressed my support for a farm bill every chance I have had. I hope for a conference the same way I hope for rain. However, the Republican leadership has taken every chance they get to block debate on the 5-year farm bill.

It is clear this is not a perfect bill; but these happen to be imperfect times, and I believe we must respond to the drought that is impacting more than half of our Nation, as was depicted by the chairman a few moments ago.

I have reservations regarding the cuts to conservation, particularly since conservation programs have been one option to help feed the cattle under our current drought. Furthermore, if we could bring the farm bill to the floor, we could respond to drought issues, we could debate issues that are critical to all Americans, and we could advance a bill that saves tens of billions of dollars.

It is imperative that we pass a comprehensive, long-term farm bill. Farmers and ranchers always face decisions that carry very serious financial ramifications, such as planting a crop, buying land, upgrading machinery, building a herd. And we know that if we don't have a farm bill, that there are going to be a lot of ramifications on those out there that depend on the agriculture economy for a lot more than producing cattle or corn and beans or wheat or whatever. The machinery is a big part of it.

Both the Senate and the House Agriculture Committees have produced reform-minded, bipartisan bills that address plenty of the core principles that

are important, such as strengthening crop insurance and ensuring strong agricultural research and development.

We have heard time and again in this House how uncertainty in the marketplace hinders job creation and economic growth. Not passing a long-term farm bill is bringing uncertainty to family farmers across Iowa, across the Nation, and this uncertainty must end.

We must pass a 5-year farm bill as soon as possible. Therefore, I remain hopeful—my eternal optimism, as I stated—that after providing relief to our producers impacted by this drought, that when we return from the August work period, that Speaker BOEHNER will welcome us back with a farm bill on the floor.

I support this resolution.

Mr. PETERSON. I reserve the balance of my time.

Mr. LUCAS. I yield 2 minutes to the gentleman from Virginia (Mr. GOODLATTE), one of the most experienced and knowledgeable members of the Ag Committee.

Mr. GOODLATTE. I thank Chairman LUCAS for his leadership on this issue and Ranking Member PETERSON for his support of this effort to take action to help livestock producers who are being devastated by the drought. Livestock farmers in the Sixth District of Virginia have been hit hard by the heat and the derecho that swept through the Shenandoah Valley last month.

This disaster relief was included in the 2008 farm bill but, unfortunately, did not last the full length of the farm bill. I am pleased that the Congress has found a way to provide relief for these livestock farmers; and not only do we provide the relief, but we pay for it. And not only do we pay for it, but we also achieve additional savings that are applied to the deficit. If every bill passed by the Congress reduced spending overall, we would be in much better fiscal condition in the Federal Government.

While the Congress is taking an important first step in providing relief for drought-stricken livestock farmers, the administration has at hand a tool that they should use right now to provide drought relief as well.

The Obama administration has at its disposal an easy relief valve that would provide drought relief, if only temporarily—a reduction in the government-mandated Renewable Fuel Standard. I have long been a critic of the RFS that has increased food and feed stocks being diverted into fuel, leading to diminished supplies for livestock and food producers. In fact, last year, 40 percent of the U.S. corn crop was used for ethanol production. There is no doubt that this policy has driven up the price of corn, which today is hovering around \$8 a bushel. This, in turn, drives up the cost of food.

Unfortunately, because of the drought, we no longer have the luxury

of being just worried about the price. This drought is so devastating that we have to be increasingly worried we do not have a large enough corn supply to meet all of our competing demands.

As we confront the reality of the tightening corn supplies, there are real concerns about having enough to satisfy the RFS and the needs of our food producers. We should not be in a position where we are choosing between fuel and food. In fact, the government has chosen: they've chosen fuel over food with a policy that mandates a certain amount of corn production going to ethanol production each year.

As the drought further shrinks the corn supply, we are unfortunately also going to see livestock herds shrink. This shrinking herd will affect consumers' grocery bills, resulting in consumers having to spend more in the grocery store. Rural communities that depend on livestock will be hit hard as producers affected by both the availability and high price of corn are being forced to limit their production or are being squeezed out of business.

The law allows the Administrator of the EPA to reduce the required volume of renewable fuels in any year based on severe harm to the economy or environment of a state, a region or the United States, or in the event of inadequate domestic supply of renewable fuel. This drought and the shrinking corn crop are causing severe economic harm in the countryside and on grocery store shelves.

The Administrator of the EPA has already received a petition to waive the RFS for a year. Today, over 150 bipartisan members, from coast to coast, joined in calling for Administrator Jackson to waive the RFS. The Congress is acting today to help drought stricken livestock farmers, but now the Obama Administration must act to use their authority to help these same farmers. This relief is not only desperately needed, but I believe is required by the law.

I urge all members to join today in supporting this bill to help provide much needed drought relief, and I urge the Administration to join the Congress in acting to provide drought relief by waiving the RFS.

I urge my colleagues to support this legislation. It is a first start toward addressing a longer-term problem that requires other action.

Mr. PETERSON. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from California (Mr. COSTA).

Mr. COSTA. Mr. Speaker, I rise to reluctantly oppose this measure—not because drought relief is not desperately needed in many parts of this country, but because we have a far better vehicle to do this in the form of the farm bill that Chairman LUCAS and Ranking Member PETERSON have worked so tirelessly to produce, a good, good 5-year farm policy on behalf of American agriculture.

We need to do the job that we were sent here to do. The drought relief package that we are voting on today, I believe, is sadly more about giving the Republican leadership relief when they go back to their districts in August

than helping our Nation's farmers, ranchers, and dairymen.

There is no denying that action is needed to offer relief, and we must do that; and hopefully we'll come to an agreement in September. But the best action, I believe, is passing the bipartisan farm bill.

If we were serious about helping agriculture make it through this drought, we would have brought up the bipartisan farm bill, which came out of the United States Senate, passed the House Agriculture Committee by a vote of 35-11, and followed regular order.

The fact is that instead of working on a conference committee, as we should be doing at this time because we certainly have had enough time to do that, we are voting on a patchwork measure that, in my opinion, is more about politics than policy and, more likely than not, will go nowhere in the United States Senate.

The dairymen, poultry producers, and cattle feeders in my district have seen their feed prices skyrocket 30 to 35 percent in the last 6 to 8 weeks. And, yes, we ought to provide relief through the Renewable Fuel Standard.

Bankruptcies are increasing at an alarming rate among the dairy industry in California. When these businesses are already struggling to stay afloat, they look to Congress for leadership. They look to Congress for real action to produce a 5-year farm bill. Drought relief alone is not enough. Lord knows we dealt with a drought in California that was devastating in 2009 and 2010.

Passing a farm bill would give farmers, ranchers, and dairymen the certainty that they need for the next 5 years in a part of the economy that has been doing, generally speaking, fairly well over the last several years. This includes long-term authority for disaster assistance along with all the other support from a farm bill that helps them do their work in the conservation programs, in the EQUIP programs, market-access programs, and in research that is vital to American agriculture.

This bill, sadly, would pit disaster relief against the conservation programs that farmers in my district rely on.

We need real solutions; and that solution, in my opinion, is passing a farm bill—not half-hearted actions to protect our political interests.

My colleagues, we have the time. Let's go to a conference committee and produce a bipartisan farm bill. It's traditionally the most bipartisan thing we do in this Congress.

Mr. LUCAS. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. NEUGEBAUER) who's been dealing with drought issues for 2 years in a row now.

□ 1210

Mr. NEUGEBAUER. Mr. Speaker, I rise today in support of H.R. 6233. Like

the chairman and the ranking member, I wish we were here debating the 5-year farm bill that was passed out of the House Ag Committee, which would have brought certainty and reform and would have saved the American taxpayers over \$35 billion.

But the truth is we have a drought across this country. Over 75 percent of the areas that produce agriculture in this country are reporting either abnormally dry or worse conditions. That doesn't just impact farmers and ranchers; that impacts Americans who consume food products all across this country, driving food costs up.

So what we are doing today is doing something we should have done when we wrote the previous farm bill, and that is making sure that this program is extended for an additional year, and doing it in a way that is very fiscally responsible. In fact, we're going to save the American taxpayers \$256 million by making some shifts, moving some money around and making sure that these farmers and ranchers that are going through this tremendous drought have the resources they need to continue and to help somewhat mitigate the increased cost of food for our country.

I hope that my colleagues will vote for this; but also, I hope in the future we will be back down on this floor debating a very important farm policy for American consumers and American farmers and ranchers.

Mr. PETERSON. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. DAVID SCOTT).

Mr. DAVID SCOTT of Georgia. Mr. Speaker, first of all, I want to commend the bipartisan leadership on this committee, Chairman LUCAS and the ranking member, Mr. PETERSON, for the hard work they have done and the leadership they've provided.

We are faced with sort of a dilemma here. The right thing for us to do, that we should be doing right now, that we should have been doing 2 or 3 days ago, was dealing with the 5-year extension of the farm bill. That is exactly what we need to be doing. It gives consistency. It will give uniformity to our very vital food industry. I might add, Mr. Speaker, that it is needed very desperately at this time.

But at the same time, we are faced with a very serious drought situation that is pummeling our country, the likes of which we haven't seen in over 60 years. So the immediate and responsible thing for us to do is to respond to this drought crisis and pass this bill immediately and then resolve that the first order of business we will do when we return is take up the 5-year farm bill.

Might I add that while we have this disaster facing us, which is the drought, we have another, and that is the food issue in this country, especially the issue of the SNAP program,

what we refer to as the food stamp program, if we do not come together with a good conference committee report that looks at this issue with the necessity that the problem presents.

Under the current bill on the House side passed by the Agriculture Committee, according to CBO, there will be over 300,000 children who will go without food. There will be 155,000 veterans who will go without food, and nearly 200,000 of our seniors. What I'm saying is we have not just a drought crisis, which we are going to respond to today, but we have got to come back and deal with this other crisis as we work to put together a very effective 5-year farm bill.

Mr. LUCAS. Mr. Speaker, I yield 2 minutes to the gentleman from Nebraska (Mr. FORTENBERRY), one of the most active members of the committee.

Mr. FORTENBERRY. Mr. Speaker, I would like to thank the leader of the Ag Committee for his important leadership on this issue and many, many others.

Mr. Speaker, just like in Nebraska where we're hoping for rain, I'm actually hoping for a long-term farm bill. Agriculture remains the only bright spot in the American economy, and it is critical that we build a multi-year farm bill that is built upon our strengths and provides certainty for our Nation's agriculture producers.

Last month, with bipartisan support, the House Agriculture Committee, under Chairman LUCAS's leadership, approved such a bill. The House should act on it before the current farm bill expires this September.

While the 5-year proposal is not perfect, it provides adequate protections for farmers and ranchers. It supports young and beginning farmers and embraces new market opportunities domestically and internationally while also reducing spending. The proposal charts a new way forward for America's farmers and ranchers while respecting the Federal Government's severe budgetary constraints.

Mr. Speaker, agricultural policy is essential to America's food security. But agriculture is also critical to our energy policy, environmental policy, even our national security policy. A new farm bill is imperative for the future of the agriculture sector, but also for the well-being of our country.

While I'm disappointed that we are not acting on a long-term bill, it is important that we consider this legislation, and I support its passage. Drought conditions are affecting many parts of the Nation. This bill reinstates past legislative provisions—there's nothing new here—and it gives relief to livestock producers. The measure is paid for and actually reduces spending, while attempting to remain appropriately sensitive to important conservation programs. I urge its passage.

Mr. PETERSON. Mr. Speaker, I reserve the balance of my time.

Mr. LUCAS. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. CONAWAY), one of my lead subcommittee chairmen who put a tremendous amount of effort into this farm bill process.

Mr. CONAWAY. Mr. Speaker, I thank the chairman, and I rise today in strong support of this disaster relief bill. To fully appreciate the need for this legislation—and it's going to pass the House today, we hope, and be signed into law by the President this week—just turn on your television or look at the front page of any newspaper to see the details of the drought gripping our countryside today.

As a west Texan from cattle country, I know a little bit about droughts. The record-breaking drought that we faced last year in Texas, that's still being felt this year, by the way, was heart breaking for all of us, especially those who make their living raising livestock and growing crops that feed and clothe our Nation.

I'm sometimes called upon to explain how good can come out of a bad situation. Maybe this is one of those times. I hope my colleagues who doubt the need for farm policy might think a little bit about what our country's farmers and ranchers are going through right now, and then imagine what many of them are going through without crop insurance, which is the one and only reason why we are not in here today debating a multi-billion dollar disaster package. In other words, an ounce of prevention is worth a pound of cure.

Unfortunately, our livestock producers do not have crop insurance. They have to depend on disaster programs instead. Regrettably, the authority for this disaster relief has expired and must be renewed in order for livestock producers to receive relief, and that's what this bill does.

But the need for farm policy goes beyond addressing droughts and whatever else Mother Nature might throw at us. It also is responding to high foreign tariffs and subsidies that are climbing higher and higher, breaking records, while funding for U.S. farm policy is at an all-time low. Agriculture matters to our economy, to our balance of trade, to U.S. jobs, and to our national security.

Importantly, the bill before us is fully paid for so it doesn't increase the deficit. We offset the costs of using dollars from two conservation accounts that have never been spent on the conservation purposes that they were intended for. So there is zero impact on conservation programs, but it'll be helping farmers and ranchers.

I know many of my colleagues say we should be passing a 5-year farm bill instead of disaster relief. No one is more committed to enacting long-term farm

policy than I am. I will continue to work that way. We passed a good one in the House Agriculture Committee under the leadership of Chairman LUCAS, but I think everyone appreciates the time it will take to pass this House and get to conference. That is extensive, and something our producers don't have the time.

I'm disappointed in some of our farm groups that they've objected to the various ways the House is working and attempting to advance our Nation's farm policy. A number of these groups are the very same groups that insisted on dragging out this debate by trying to advance farm policy that only works, if at all, for one region of the country, or only for a couple of crops. Our livestock producers need help now, and that's what the House is about to do, I hope, and that is always respond in times of natural disaster. I urge my colleagues to vote for this bill.

Mr. LUCAS. Mr. Speaker, I yield 2 minutes to the gentleman from Iowa (Mr. LATHAM) who does very important work for agriculture on the Appropriations Committee.

Mr. LATHAM. Mr. Speaker, I thank the chairman for allowing me the time here to speak, and I rise in support today of H.R. 6233, the Agricultural Disaster Assistance Act. As we all know, farmers and ranchers are really suffering from one of the worst and most widespread droughts to have occurred in decades.

□ 1220

While over half of Iowa has been designated as a disaster area because of the drought, farmers at home are really hurting and really feeling the pain of the drought.

While the forecasts are not good for the future as far as rain and the conditions appear to be worsening every day out there—the temperatures near 100 degrees—we're at a critical point. Congress can't legislate rain like we'd like to, but we can certainly provide farmers the certainty that they need to address the disaster, which is the worst in decades.

Unfortunately, Mr. Speaker, the livestock producers have no safety net to fall back on because the disaster programs expired last year. Extending these programs to the end of fiscal year 2012 will give farmers the confidence and the certainty to prepare for what's going to be a very difficult year.

We're all pushing as hard as we can, doing everything possible to get a new farm bill done, and I would encourage everyone to work to that end. In the meantime, this is what we have to do. We need to do this immediately to give certainty to those livestock producers all over the country that are facing a very, very difficult situation with the drought.

So again, Mr. Speaker, I would urge my colleagues to support H.R. 6233.

Let's move this today and then get on to a new farm bill.

Mr. LUCAS. Mr. Speaker, I would like to yield 2 minutes to the gentlelady from Missouri (Mrs. EMERSON), a tireless voice for rural American production of agriculture.

Mrs. EMERSON. Mr. Speaker, the drought which is devastating U.S. producers of agriculture throughout the Nation poses a serious, serious threat to every American family who plans on visiting the grocery store this year. American farmers and ranchers are on the ropes right now, and this legislation is desperately needed.

I can't tell you how important the leadership and cooperation of Chairman LUCAS and Ranking Member PETERSON has been on this issue because, statistically speaking, this is the worst drought since the 1950s. The forage situation for livestock is the worst since 1933.

In southern Missouri, the drought is breaking the life's work of dairy farmers like Stacey McCallister, who wrote this to me:

I've been talking to some farmers, and the feed prices are going to put us out of business. Milk isn't coming up at all on price and feed costs are doubling in cases. The sorriest hay that you could feed a heifer is at \$200 a ton; I used to buy it at \$30 a ton. I feel like my heart is in my stomach right now.

This picture of his farm tells the heartbreaking story. According to Stacey, even if you want to sell off part of your herd, you're out of luck. There's no more room for cows at the sale barn where they hold livestock auctions. There is about one penny of profit margin on the milk he's selling today. Our response to this disaster must begin with this effort to reinstate the emergency programs which were allowed to expire last October. We've paid for the reauthorization of these four programs in this legislation, and there's no reason not to renew them.

These programs are a safety net for our livestock producers in free fall. They need this assistance, and we need to give it to them or else risk losing the heart and soul of the agricultural backbone of this Nation, the families who literally put food on our tables.

I urge support for this legislation at a crucial hour of need for America's livestock producers.

Mr. PETERSON. Mr. Speaker, I'm going to support this bill. It's better than nothing, but it's not what we should be doing.

People need to understand that this is not going to solve any problems for anybody over August, other than the political problem that they have where they go home and can't point to anything that got done, so they'll be able to say they voted for a bill.

This bill is not going anywhere in the other body. They have passed through the other body a bipartisan bill that has a better disaster provision in it

than what we're considering here today. Their position is my position, and that is that we should be moving this bill and getting it enacted into law.

So, out of my friendship and respect for the chairman, I am supporting this bill. But I think he'll probably agree with me that we need to get this bill to conference. We need to get it moved. We need to get it done so we can get it in place by September 30, so producers can get what they really need out of this bill, and that is a long-term policy they know they can count on.

So I ask my colleagues to support this legislation, and I yield back the balance of my time.

Mr. LUCAS. Mr. Speaker, I yield myself the remainder of my time.

Mr. Speaker and my colleagues, I think the bill we address today is very straightforward. We are going to help a group of producers who, when the '08 farm bill passed, thought they had something they could depend on, but because of budget issues, the 5th year is not funded. We need to help them by fulfilling our commitment that what we said would be there will be there. We do it in a responsible way. We do it in a way that does not truly affect the dollars going to additional conservation programs, based on recent years.

But my colleague's right. This addresses an issue that matters to producers who, for the last 10 months and for the next approximately 2 months, are not able to use a program they thought would be there. But the underlying issue still is passing a comprehensive 5-year farm bill; a farm bill that is such that all commodities and all regions can participate; a farm bill that will provide certainty; a farm bill that will make sure that the food and fiber that meet the needs of American consumers and, yes, consumers around the world can be on the books.

My friend and I have worked very hard, and we have made more progress this year than many pundits would have ever given us credit for, but we're not quite there yet. We may not exactly agree on every footstep to get there, but we agree we have to get there. Let's take care of the folks who are hurting today, and let's work to get that farm bill process completed.

With that, Mr. Speaker, I urge my colleagues to pass H.R. 6233, and I yield back the balance of my time.

Mr. VAN HOLLEN. Mr. Speaker, I rise today in opposition to H.R. 6233, the Agricultural Disaster Assistance Act. I agree that we must take steps to assist farmer and rancher families affected by extreme drought conditions, but doing so at the expense of national conservation programs is a shortsighted approach. Conservation programs help preserve farms and ranchlands, improve water quality, and enhance soil conservation, air quality, and wildlife habitats. These funds have been essential to Maryland farmers in protecting the quality of the Chesapeake Bay. Maintaining

funding for these programs and providing farmers and ranchers with the opportunity to do long-term conservation planning is one of the best investments we can make to mitigate the impact of future droughts and disasters. Instead of pitting disaster assistance against conservation programs, let's focus on our efforts on reauthorizing a five-year farm bill. Farmers in my district and across the Nation agree that a farm bill reauthorization will give them the clarity and economic certainty they really need to plan for their futures. I urge my colleagues to reject today's bill and move forward with passing comprehensive reauthorization.

Mr. FORBES. Mr. Speaker, we are in the midst of a devastating drought—impacting the viability of our nation's crops and the livelihood of farmers in 65% of the country, including Virginia. In response today, I supported the Agriculture Disaster Assistance Act, reauthorizing disaster assistance programs, and allowing producers to effectively manage risk, while providing certainty to producers who are generally ineligible for crop insurance.

This assistance does not come without a cost—one that is absorbed by some of our nation's agriculture conservation programs. These programs have been instrumental in aiding Virginia's agricultural community, and I support their efforts to protect our rivers, streams and waterways that make up the important Chesapeake Bay watershed.

I believe that we must work to ensure the stability and future of our economy, including our nation's food sources. However as we do, we must remain mindful of the need to conserve our natural resources which are critical for agricultural production throughout the country. It is my hope Congress can move to pass a comprehensive Farm Bill which will support our nation's rich agricultural heritage while giving our farmers the tools they need to protect our vital natural resources.

Ms. KAPTUR. Mr. Speaker, I rise in opposition to the so-called Agricultural Disaster Assistance Act.

This bill is anything but disaster assistance agriculture. It is a bill by Republican leadership to provide cover for not bringing up a real farm bill.

Farmers and ranchers do not need a temporary disaster bill—they need a farm bill that provides disaster assistance but so farmers and ranchers can make sound future business decisions.

Republicans often say uncertainty about "regulation" is harming the economy.

Yet here we are considering a temporary measure when American agriculture needs certainty.

It is ironic we are here considering a temporary measure that creates uncertainty because about a year ago the United States' credit rating was downgraded. Why? Republicans created uncertainty in the financial markets during the debt ceiling debacle.

By taking up temporary disaster aid and not a farm bill, Republicans must want to downgrade American agriculture.

This bill kicks the can down the road, as Republicans have done far too often.

The House should stay and do the people's work instead of running off on a recess.

We won't stay though, because Republicans refuse to compromise with Democrats on pay-

ing the bills due and now the farm bill languishes.

This refusal shows us that Republicans are not serious about a farm bill or deficit reduction, creating jobs and growing our economy.

If Republicans were serious about deficit reduction, they would bring up one of two farm bills that are out there.

While neither bill is perfect, the Senate farm bill would reduce the deficit by \$23 billion and the House farm bill cut spending by \$35 billion.

If Republicans were serious about creating jobs and growing the economy, they would bring up a farm bill.

Just one Title of the farm bill, the energy title, has the potential to generate \$88.5 billion in economic activity and create nearly 700,000 jobs.

Finally, I oppose this temporary disaster bill not only because it shows lack of leadership in passing a farm bill but because of its shortsightedness in slashing conservation programs.

I represent Lake Erie, which is part of the Great Lakes region that is responsible for more than 1.5 million jobs and generates \$62 billion in wages.

Lake Erie is under assault by a massive bloom of algae that is turning the water into a bright green pea soup.

The substance is enough to kill a pet dog, and makes people seriously ill. As the summer goes on, the stench will drive tens of thousands of tourists and local residents inside with closed windows.

The Environmental Quality Incentives Program and Conservation Stewardship Program are two of the most effective programs in helping farmers and ranchers do their part to help reduce nutrient runoff fueling the algae bloom.

Cutting these programs are penny wise and pound-foolish.

I urge my colleagues to oppose this bill. Let's pass a real farm bill.

Mr. KING of Iowa. Mr. Speaker, I want to thank the Chairman for his relentless leadership to get some relief to America's farmers and ranchers who are dealing with this drought. In my home state of Iowa we now have 42 counties that have been declared by the United States Department of Agriculture (USDA) as primary natural disaster areas.

The latest crop conditions report in Iowa has 18 percent of the corn declared as "very poor." Only one percent is rated as "excellent." Soybeans are in a very similar situation.

Our pasture lands are in terrible condition with 55 percent of pasture being "very poor." While lands in the Conservation Reserve Program (CRP) are being opened today for haying and grazing, it really isn't going to amount to much.

As a result of these conditions, our livestock producers are going to have a really hard time getting feed. I appreciate that this disaster package will bring some relief, especially to those who have lost animals due to the extreme heat.

However, let us not forget that we have work to do on a real farm bill. We need to get the 2012 farm bill done and in proper order, so that we do not have to do ad hoc disaster assistance packages and so that farmers can plan for the future. I appreciate the Chairman

and Ranking Member's work on this bipartisan bill that we reported out of Committee and look forward to us finishing our work and bringing the Federal Agriculture Reform and Risk Management (FARRM) Act to the House Floor.

The SPEAKER pro tempore (Mr. SIMPSON). All time for debate has expired.

Pursuant to House Resolution 752, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. Pursuant to clause 1(c) of rule XIX, further consideration of H.R. 6233 is postponed.

PATHWAY TO JOB CREATION THROUGH A SIMPLER, FAIRER TAX CODE ACT OF 2012

Mr. DREIER. Mr. Speaker, pursuant to House Resolution 747, I call up the bill (H.R. 6169) to provide for expedited consideration of a bill providing for comprehensive tax reform, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 747, the bill is considered read.

The text of the bill is as follows:

H.R. 6169

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Pathway to Job Creation through a Simpler, Fairer Tax Code Act of 2012".

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that the following problems exist with the Internal Revenue Code of 1986 (in this section referred to as the "tax code"):

(1) The tax code is unfair, containing hundreds of provisions that only benefit certain special interests, resulting in a system of winners and losers.

(2) The tax code violates the fundamental principle of equal justice by subjecting families in similar circumstances to significantly different tax bills.

(3)(A) Many tax preferences, sometimes referred to as "tax expenditures," are similar to government spending—instead of markets directing economic resources to their most efficient uses, the Government directs resources to other uses, creating a drag on economic growth and job creation.

(B) The exclusions, deductions, credits, and special rules that make up such tax expenditures amount to over \$1 trillion per year, nearly matching the total amount of annual revenue that is generated from the income tax itself.

(C) In some cases, tax subsidies can literally take the form of spending through the tax code, redistributing taxes paid by some Americans to individuals and businesses who do not pay any income taxes at all.

(4) The failure to adopt a permanent tax code with stable statutory tax policy has created greater economic uncertainty. Tax rates have been scheduled to increase sharply in 3 of the last 5 years, requiring the enactment of repeated temporary extensions.

Additionally, approximately 70 other, more targeted tax provisions expired in 2011 or are currently scheduled to expire by the end of 2012.

(5) Since 2001, there have been nearly 4,500 changes made to the tax code, averaging more than one each day over the past decade.

(6) The tax code's complexity leads nearly nine out of ten families either to hire tax preparers (60 percent) or purchase software (29 percent) to file their taxes, while 71 percent of unincorporated businesses are forced to pay someone else to prepare their taxes.

(7) The cost of complying with the tax code is too burdensome, forcing individuals, families, and employers to spend over six billion hours and over \$160 billion per year trying to comply with the law and pay the actual tax owed.

(8) Compliance with the current tax code is a financial hardship for employers that falls disproportionately on small businesses, which spend an average of \$74 per hour on tax-related compliance, making it the most expensive paperwork burden they encounter.

(9) Small businesses have been responsible for two-thirds of the jobs created in the United States over the past 15 years, and approximately half of small-business profits are taxed at the current top 2 individual rates.

(10) The historic range for tax revenues collected by the Federal government has averaged 18 to 19 percent of Gross Domestic Product (GDP), but will rise to 21.2 percent of GDP under current law—a level never reached, let alone sustained, in the Nation's history.

(11) The current tax code is highly punitive, with a top Federal individual income tax rate of 35 percent (which is set to climb to over 40 percent in 2013 when taking into account certain hidden rates), meaning some Americans could face a combined local, State and Federal tax rate of 50 percent.

(12) The tax code contains harmful provisions, such as the Alternative Minimum Tax (AMT), which was initially designed to affect only the very highest-income taxpayers but now threatens more than 30 million middle-class households because of a flawed design.

(13) As of April 1, 2012, the United States achieved the dubious distinction of having the highest corporate tax rate (39.2 percent for Federal and State combined) in the developed world.

(14) The United States corporate tax rate is more than 50 percent higher than the average rate of member states of the Organization for Economic Cooperation and Development (OECD)—a factor that discourages employers and investors from locating jobs and investments in the United States.

(15) The United States has become an outlier in that it still uses a “worldwide” system of taxation—one that has not been substantially reformed in 50 years, when the United States accounted for nearly half of global economic output and had no serious competitors around the world.

(16) The combination of the highest corporate tax rate with an antiquated “worldwide” system subjects American companies to double taxation when they attempt to compete with foreign companies in overseas markets and then reinvest their earnings in the United States.

(17) The Nation's outdated tax code has contributed to the fact that the world's largest companies are more likely to be headquartered overseas today than at any point in the last 50 years: In 1960, 17 of the world's 20 largest companies were based in

the United States; by 2010, that number sank to a mere six out of 20.

(18) The United States has one of the highest levels of taxation on capital—taxing it once at the corporate level and then again at the individual level—with integrated tax rates on certain investment income already reaching roughly 50 percent (and scheduled to reach nearly 70 percent in 2013).

(19) The United States' overall taxation of capital is higher than all but four of the 38 countries that make up the OECD and the BRIC (Brazil, Russia, India and China).

(b) PURPOSES.—It is the purpose of this Act to provide for enactment of comprehensive tax reform in 2013 that—

(1) protects taxpayers by creating a fairer, simpler, flatter tax code for individuals and families by—

(A) lowering marginal tax rates and broadening the tax base;

(B) eliminating special interest loopholes;

(C) reducing complexity in the tax code, making tax compliance easier and less costly;

(D) repealing the Alternative Minimum Tax;

(E) maintaining modern levels of progressivity so as to not overburden any one group or further erode the tax base;

(F) making it easier for Americans to save; and

(G) reducing the tax burdens imposed on married couples and families;

(2) is comprehensive (addressing both individual and corporate rates), so as to have the maximum economic impact by benefitting employers and their employees regardless of how a business is structured;

(3) results in tax revenue consistent with historical norms;

(4) spurs greater investment, innovation and job creation, and therefore increases economic activity and the size of the economy on a dynamic basis as compared to the current tax code; and

(5) makes American workers and businesses more competitive by—

(A) creating a stable, predictable tax code under which families and employers are best able to plan for the future;

(B) keeping taxes on small businesses low;

(C) reducing America's corporate tax rate, which is currently the highest in the industrialized world;

(D) maintaining a level of parity between individual and corporate rates to reduce economic distortions;

(E) promoting innovation in the United States;

(F) transitioning to a globally competitive territorial tax system;

(G) minimizing the double taxation of investment and capital; and

(H) reducing the impact of taxes on business decision-making to allow such decisions to be driven by their economic potential.

SEC. 3. EXPEDITED CONSIDERATION OF A MEASURE PROVIDING FOR COMPREHENSIVE TAX REFORM.

(a) DEFINITION.—For purposes of this section, the term “tax reform bill” means a bill of the 113th Congress—

(1) introduced in the House of Representatives by the chair of the Committee on Ways and Means not later than April 30, 2013, or the first legislative day thereafter if the House is not in session on that day, the title of which is as follows: “A bill to provide for comprehensive tax reform.”; and

(2) which is the subject of a certification under subsection (b).

(b) CERTIFICATION.—The chair of the Joint Committee on Taxation shall notify the

House and Senate in writing whenever the chair of the Joint Committee determines that an introduced bill described in subsection (a)(1) contains at least each of the following proposals:

(1) a consolidation of the current 6 individual income tax brackets into not more than two brackets of 10 and not more than 25 percent;

(2) a reduction in the corporate tax rate to not greater than 25 percent;

(3) a repeal of the Alternative Minimum Tax;

(4) a broadening of the tax base to maintain revenue between 18 and 19 percent of the economy; and

(5) a change from a “worldwide” to a “territorial” system of taxation.

(c) EXPEDITED CONSIDERATION IN THE HOUSE OF REPRESENTATIVES.—

(1) Any committee of the House of Representatives to which the tax reform bill is referred shall report it to the House not later than 20 calendar days after the date of its introduction. If a committee fails to report the tax reform bill within that period, such committee shall be automatically discharged from further consideration of the bill.

(2) If the House has not otherwise proceeded to the consideration of the tax reform bill upon the expiration of 15 legislative days after the bill has been placed on the Union Calendar, it shall be in order for the Majority Leader or a designee (or, after the expiration of an additional 2 legislative days, any Member), to offer one motion that the House resolve into the Committee of the Whole House on the state of the Union for the consideration of the tax reform bill. The previous question shall be considered as ordered on the motion to its adoption without intervening motion except 20 minutes of debate equally divided and controlled by the proponent and an opponent. If such a motion is adopted, consideration shall proceed in accordance with paragraph (3). A motion to reconsider the vote by which the motion is disposed of shall not be in order.

(3) The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and shall not exceed 4 hours, equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means. At the conclusion of general debate, the bill shall be read for amendment under the five-minute rule. Any committee amendment shall be considered as read. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to reconsider with or without instructions. A motion to reconsider the vote on passage of the bill shall not be in order.

(d) EXPEDITED CONSIDERATION IN THE SENATE.—

(1) COMMITTEE CONSIDERATION.—A tax reform bill, as defined in subsection (a), received in the Senate shall be referred to the Committee on Finance. The Committee shall report the bill not later than 15 calendar days after receipt of the bill in the Senate. If the Committee fails to report the bill within that period, that committee shall be discharged from consideration of the bill, and the bill shall be placed on the calendar.

(2) MOTION TO PROCEED.—Notwithstanding rule XXII of the Standing Rules of the Senate, it is in order, not later than 2 days of

session after the date on which the tax reform bill is reported or discharged from committee, for the majority leader of the Senate or the majority leader's designee to move to proceed to the consideration of the tax reform bill. It shall also be in order for any Member of the Senate to move to proceed to the consideration of the tax reform bill at any time after the conclusion of such 2-day period. A motion to proceed is in order even though a previous motion to the same effect has been disagreed to. All points of order against the motion to proceed to the tax reform bill are waived. The motion to proceed is not debatable. The motion is not subject to a motion to postpone.

(3) **CONSIDERATION.**—No motion to recommend shall be in order and debate on any motion or appeal shall be limited to one hour, to be divided in the usual form.

(4) **AMENDMENTS.**—All amendments must be relevant to the bill and debate on any amendment shall be limited to 2 hours to be equally divided in the usual form between the opponents and proponents of the amendment. Debate on any amendment to an amendment, debatable motion, or appeal shall be limited to 1 hour to be equally divided in the usual form between the opponents and proponents of the amendment.

(5) **VOTE ON PASSAGE.**—If the Senate has proceeded to the bill, and following the conclusion of all debate, the Senate shall proceed to a vote on passage of the bill as amended, if amended.

(e) **CONFERENCE IN THE HOUSE.**—If the House receives a message that the Senate has passed the tax reform bill with an amendment or amendments, it shall be in order for the chair of the Committee on Ways and Means or a designee, without intervention of any point of order, to offer any motion specified in clause 1 of rule XXII.

(f) **CONFERENCE IN THE SENATE.**—If the Senate receives from the House a message to accompany the tax reform bill, as defined in subsection (a), then no later than two session days after its receipt—

(1) the Chair shall lay the message before the Senate;

(2) the motion to insist on the Senate amendment or disagree to the House amendment or amendments to the Senate amendment, the request for a conference with the House or the motion to agree to the request of the House for a conference, and the motion to authorize the Chair to appoint conferees on the part of the Senate shall be agreed to; and

(3) the Chair shall then be authorized to appoint conferees on the part of the Senate without intervening motion, with a ratio agreed to with the concurrence of both leaders.

(g) **RULEMAKING.**—This section is enacted by the Congress as an exercise of the rule-making power of the House of Representatives and Senate, respectively, and as such is deemed a part of the rules of each House, respectively, or of that House to which they specifically apply, and such procedures supersede other rules only to the extent that they are inconsistent with such rules; and with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedures of that House) at any time, in the same manner, and to the same extent as any other rule of that House.

The SPEAKER pro tempore. The bill shall be debatable for 3 hours, with 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on Rules, and 2

hours on the subject of reforming the Internal Revenue Code of 1986 equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means.

After debate, it shall be in order to consider the amendment in the nature of a substitute printed in part A of House Report 112-641, if offered by the gentlewoman from New York (Ms. SLAUGHTER) or her designee, which shall be considered read and shall be separately debatable for 20 minutes equally divided and controlled by the proponent and an opponent.

The Chair recognizes the gentleman from California (Mr. DREIER).

□ 1230

GENERAL LEAVE

Mr. DREIER. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks on H.R. 6169.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DREIER. Mr. Speaker, I yield myself such time as I may consume.

An exorbitant amount of ink has been spilled chronicling the many divisions here in the United States Congress. I was just speaking a couple of hours ago in the well about the bipartisan consensus we were able to put together on the trade issue. And I've got to say that the differences of opinions between and within the Democratic and Republican Parties are extraordinarily well documented, and too little attention is focused on the kind of bipartisanship that we've had on issues like the one that we were debating earlier today. But, having said that, even though it doesn't get much attention, there are a number of issues, Mr. Speaker, on which we can all agree.

We all agree, for example, that dramatic reform of our budget process is needed. We may diverge significantly on the kinds of reforms and the manner in which they should be implemented, but none of us looks at our skyrocketing deficit, anemic economic growth rate, or persistent unemployment and thinks that the status quo, when it comes to the Federal budget process, is acceptable.

I, personally, believe very strongly in the notion of our going to a 2-year budget cycle so that we could have both the Appropriations Committee and the other authorizing committees expend time, energy, and effort meeting their constitutional responsibility of oversight.

So again, there are a wide range of views as to how we deal with the issue of budget process reform, but there is a consensus. Democrats and Republicans alike believe that it is necessary.

We also all understand that budget challenges must be addressed within

two specific areas: both taxing and spending. Again, we disagree greatly on the level and the structure of both, but we agree that it needs to be addressed. We know that meaningful budget reform must consist of both reform of the budget process, itself, as well as reform of the tax structure.

Mr. Speaker, the exponential rise in spending in recent years infused our reform agenda with a great sense of urgency, which is why we, as Republicans, have focused so intently on reversing that trend and bringing about meaningful spending cuts. In fact, when I announced that I would be leaving here at the end of this year, one of the things that I had wanted to accomplish was that I made the choice, even though I wasn't originally planning to run again—this was 2 years ago. One of the things I said we had to do was reverse that trend we'd been on with an 82 percent increase in non-defense discretionary spending that we'd seen the years before. Well, I'm happy to say that we have been able to at least begin the process of reversing that trend.

Now we face a new level of urgency on the tax side of the equation. As we face the prospect of stark tax increases at the end of this year, while unemployment is stuck, as we've had pointed out to us by the chairman of the Ways and Means Committee, Mr. CAMP, an unemployment rate in excess of 8 percent, which has gone on for more than 40 months—and we've just gotten the report at the end of last week that our GDP growth rate was revised downward from 1.9 to 1.5 percent. Tomorrow we're due to get these unemployment numbers. We all hope and pray that we will see improvement. But even if we do see some improvement, we know that the length of this challenging economic period is something that needs to be dealt with, and one of the best ways to deal with it is meaningful tax reform.

The legislation that we have before us, H.R. 6169, represents one-half of our two-pronged approach for preventing the enactment of catastrophic tax increases that would further paralyze our economy. The first step that we must take, Mr. Speaker, is to put a stop to the tax increases looming at the end of this year, which is precisely what this institution, the House of Representatives, did yesterday with the passage of H.R. 8. That bill will keep in place our current tax rates, as we all know, for 1 additional year. Now, that's an essential step.

The President of the United States has said increasing taxes during difficult economic times is bad policy. In fact, not just President Obama, but even the traditional Keynesian economists will argue that the notion of increasing taxes during slow economic growth is a prescription to exacerbate the economic downturn.

So it's very important that we do that. Again, that's one very important step. But on its own, it's just a stopgap solution, what we have done yesterday, here, for that one period of time.

Mr. Speaker, the second part of our two-pronged approach creates a pathway to a long-term solution. Now, this legislation puts in place a structure that will facilitate consideration and passage of meaningful, comprehensive tax reform.

Again, Democrats and Republicans alike regularly say they are for meaningful tax reform. We have talk from both sides of the aisle about it. What we're doing here with this compromise that we have is putting into place a structure that can lay the groundwork to have action taken rather than, simply, simply talk.

Now, Mr. Speaker, we all know that our Tax Code is not working for the American people. I think that it's another point on which we can all agree. I would say to my friend from Worcester, he knows very well that the Tax Code that we have today is not working. We believe on our side that the Tax Code we have today is not working. It's unfair, and it is Byzantine in its complexity. And we all know, too, that the Tax Code that we have, Mr. Speaker, is clearly a drain on our economy.

I'd like to make a couple of points on this.

Since 2001, that's basically a decade plus a year, a little over a decade, there have been nearly 4,500 changes made to the U.S. Tax Code, so within that decade, 4,500 changes made to the Tax Code. Now, Mr. Speaker, that works out to one change a day, one change a day over that 10-year period of time. Now, the resulting complexity leads nearly 9 out of 10 families to seek assistance in filing their Federal income taxes. And at the same time, Mr. Speaker, the majority of small business owners, small business men and women in this country, 71 percent, 71 percent of all unincorporated businesses are forced to pay someone else to prepare their taxes.

Now, dealing with the Tax Code under these circumstances forces individuals, families, and employers in this country to spend—are you ready for this, Mr. Speaker?—over 6 billion—6 billion—hours, costing over \$160 billion every single year in an effort to faithfully comply with the burdensome and complicated Federal tax system.

Now, Mr. Speaker, I've talked to tax attorneys and accountants—tax attorneys and accountants—and they acknowledge that these wasted resources are a drain on economic growth and on our shared bipartisan quest for job creation.

Furthermore, the current system is injecting a great deal of uncertainty in our economy. Many of us like to point to the fact that uncertainty is the enemy of prosperity.

Now, Mr. Speaker, let's look at the uncertainty that has existed over the past several years. Tax rates have been scheduled to increase sharply in 3 of the last 5 years, requiring the enactment of repeated temporary extensions. What does that create for job creators and for investors out there? It creates that uncertainty. And that uncertainty, again, is the enemy of prosperity.

Now, Mr. Speaker, as you know, dozens of other major tax provisions expired in 2011 or are currently scheduled to expire by the end of this year. Working families and small business owners are not able to plan for the future or make rational business decisions, including hiring decisions, in this extraordinary environment of uncertainty.

Now, Mr. Speaker, all of these challenges argue forcefully for comprehensive reform. Unfortunately—unfortunately—real results in this quest have proved, so far, to be elusive. We are all aware of the challenges of moving comprehensive legislation through the Senate. Here in the House, we have, as we all know, a majoritarian body where a simple majority is able to work its will.

□ 1240

The nature of the Senate is fundamentally different, far slower, far slower, by design. Frustrating though its inactions may often be, I do believe that the Framers of our Constitution were actually right to structure these two bodies differently.

However, at times throughout our Nation's history, we've recognized the need to come together, the two institutions to come together to facilitate decisive action on critical matters. And, Mr. Speaker, that's exactly what we are doing here today, recognizing that the imperative for tax reform, something that has been discussed for literally decades, is going to be able to have something other than just talk, but action. And we're going to facilitate that with this effort here.

This legislation, Mr. Speaker, lays out a roadmap for reform and helps to ensure its timely consideration in both the House and the Senate. It provides for consideration of a bill that is introduced by the chairman of the Ways and Means Committee by April 30 of next year, and then incorporates five key pillars of comprehensive reform.

First, the reform package should provide individual filers with much needed clarity and simplicity by consolidating the current individual income tax rates into no more than two brackets, 10 and 25 percent.

Second, it should spur job creation and growth by limiting the corporate tax rate to no more than 25 percent. And again, focusing on the bipartisan nature of this, I've regularly said that I appreciate the fact that President

Obama has come forward and called for a reduction in the top rate on corporations in this country.

Third, it should protect middle class families by repealing the alternative minimum tax. We all know how onerous that has been, and we all know that more and more Americans have, unfortunately, been drawn into this alternative minimum tax, which was designed to focus on very, very few people.

And fourth, Mr. Speaker, it should broaden the tax base to maintain revenue between 18 and 19 percent of our gross domestic product. And so, as we look at our economy, the goal of 18 and 19 percent.

And finally, one of the things, again, I was talking about earlier is our global leadership role. We need to make sure that we shift from a worldwide to a territorial system of taxation to have greater equity, to allow for those who want to invest and participate to be able to do so on a global basis.

These are broad outlines of the tax reform agenda, Mr. Speaker, and they're an outline that I think will lay the groundwork, again, for the details to be put into place. The legislation provides for expedited procedures in the House and the Senate, so that comprehensive reform can receive its due consideration.

Now, Mr. Speaker, in the House, under this structure, any committee that receives a referral on the tax reform bill must report the legislation to the House within 20 calendar days. Failure to do so within that time period will result in an automatic discharge of that legislation. Our Rules Committee will then have 15 legislative days to provide a special order for consideration of the bill before the majority leader is automatically empowered to offer a motion to proceed with floor action.

Now, Mr. Speaker, to underscore how important the right of every member of this institution is, after 2 days, any Member of the House will be able to do so if action has not been taken by the majority leadership. These procedures will help to ensure that no committee or Member has the power to prevent or indefinitely delay consideration of comprehensive tax reform.

Now, Mr. Speaker, in the Senate, which is where this is really needed because, of course, we have a Rules Committee here in the House and so it's not absolutely essential that we do this. But in the Senate, where this is really needed, the bill, tax reform bill must be referred to the Committee on Finance, understandably, which will then have 15 calendar days to consider and report the bill before the legislation is automatically discharged.

Mr. Speaker, in the Senate, the Majority Leader can then offer a motion to proceed to the bill. After two more days, any Senator will be empowered

to do so, again, ensuring that people will not be able to stand in the way of moving ahead with tax reform. Now, that motion will not be debatable, and cloture is not required before a vote on a motion to proceed; basically meaning, Mr. Speaker, that a super majority will not be necessary to allow to move ahead on the debate on tax reform in the Senate.

Now, each amendment will be limited to 2 hours of debate in the Senate, and cloture will also not be required before votes on individual amendments. However, cloture, a very important power that does exist in the Senate, cloture on the underlying bill may still be required prior to the vote on passage of the bill.

So what this does, Mr. Speaker, these procedures ensure timely consideration in the Senate, while maintaining that last hurdle of a potential cloture vote on to final passage.

I believe very strongly, Mr. Speaker, that this agreement strikes the right balance between facilitating action while preserving the very core nature of the Senate process. The magnitude and the urgency of our current economic challenges demand that we create this clear pathway to comprehensive tax reform.

Our proposal provides a real solution to the uncertainty, the complexity, and the burdensome nature of our Tax Code. And, Mr. Speaker, it unleashes a powerful source of new revenues.

Now, you know this very well, Mr. Speaker. There is a common misperception out there, and you hear it reported from people in the media, and I don't believe that it's normally meant as a pejorative, but what they say is, Republicans don't want to increase revenues. Republicans don't want new revenues to the Federal Treasury. We hear this drumbeat over and over again.

I'm here to say, Mr. Speaker, nothing could be further from the truth. Republicans want new revenues to the Federal Treasury. We absolutely must find a way to bring greater revenue. We've got to find a way to bring revenue into the Federal Treasury. We all decry the \$15-plus trillion national debt that we have and the massive deficit spending. We've got to have greater revenue to the Federal Treasury.

Where we diverge, between the two political parties, my colleagues on the other side of the aisle, in the manner in which we see these new revenues actually achieved.

Rather than raising tax rates on any one set of individuals or businesses, we want to raise revenues through greater gross domestic product growth. We want to expand the overall size of our economy, creating opportunity for all Americans. We've done this as a Nation many times in the past.

I always like to point to President John F. Kennedy, who pioneered this

approach by cutting marginal tax rates and growing revenues as a result. Now, I acknowledge the marginal tax rates when President Kennedy did this were significantly higher than they are today, when he was able to reduce marginal rates for individuals and reduce capital gains. But we still can put into place pro-growth tax policy.

Mr. Speaker, President Reagan did the same thing 20 years after John F. Kennedy did it, and we all know what happened. We all know what happened, Mr. Speaker, when President Reagan, with the support of many Democrats, through what was known as the Conable-Hance tax package, it was a Democrat and a Republican, a then-Democrat and Republican. Mr. Hance has since seen the light and become a Republican, but he was a Democrat at the time. He offered this measure that brought about major marginal rate reduction. And what did that do?

During the decade of the 1980s, contrary to so many reports, we saw a nearly doubling, a nearly doubling of the flow of revenues to the Federal Treasury, bringing even greater results than we saw following President Kennedy's cuts. So, Mr. Speaker, we want to follow the Kennedy-Reagan tradition of expanding the Federal Treasury by implementing pro-growth tax reform.

Now, we all know that our friends on the other side of the aisle do take a different point of view. I wish that they would follow President Kennedy's great example on this. But, unfortunately, the leadership on the other side of the aisle does take a different point of view, which brings me to the final point on which we all agree.

The Democratic approach to the considerable economic challenge we face is to raise taxes. I mean, we all agree that that's what our friends on the other side of the aisle are arguing. I've been watching television ads with President Obama on there talking about increasing taxes on working Americans. Yes, they're in the upper income, but these are people who are creating jobs and investing, and he wants to increase the tax burden on those people.

□ 1250

They readily admit that their solution is to allow a large portion of the tax increases to proceed. They want the tax increases that are scheduled to go into place in January to succeed.

So I come back to my points on the fact that uncertainty is the enemy of prosperity, and the statements of President Barack Obama, who as we all know has in the past agreed to an extension of these tax cuts to keep the economy growing. We also know that Keynesian economists have again made it clear that increasing taxes during a slow economy is a prescription for disaster.

So this is where the disagreement lies.

Democrats and Republicans alike recognize that Democrats want to increase marginal tax rates and that we as Republicans want to grow the economy to enhance the flow of revenues to the Federal Treasury. We as Republicans argue that making the Tax Code more burdensome for some and more complicated for all is not the solution. Raising taxes when our economy and our job market are flagging is not the solution. The only way for us to create opportunity for all Americans is to reignite our engines of economic growth, but we cannot spark new growth without addressing both the immediate crisis of impending tax increases and the long-term need for comprehensive tax reform.

So, Mr. Speaker, I urge my colleagues to support this very, very critical legislation.

With that, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

It is true that Democrats believe that we need comprehensive tax reform. There is no doubt about that.

But I want to say to my good friend from California, when he used words like "bipartisan," "consensus," and "compromise" in the context of describing this piece of legislation, I have to respectfully disagree with him. It couldn't be farther from the truth. Those words do not apply to what we are talking about here today.

This is a very, very partisan bill. This bill was referred exclusively to the Rules Committee. I am a member of the Rules Committee. I don't recall the gentleman ever reaching out and asking my opinion on what a bill like this should be about. Perhaps my invitation to join the discussion was lost in the mail. If that's the case, I certainly will give the gentleman a pass, but I'm willing to bet that Ranking Member SLAUGHTER was never consulted, that Mr. HASTINGS from Florida was never consulted, that Mr. POLIS from Colorado was never consulted. In fact, this bill was given to us less than 48 hours before we considered it in the House Rules Committee, and every single amendment the Democrats had to try to influence this bill was defeated on a strictly partisan vote—every single one of them.

So this is not in any way shape or form about bipartisanship or consensus or compromise. This is a very partisan bill. I regret that very much because we do need tax reform in this country, but this approach of shutting out the minority party entirely, I think, is the wrong way to go.

Mr. Speaker, I rise in strong opposition to this very partisan Republican bill. Actually, I use the term "bill" very loosely here because this isn't

really much of a bill. It's a press release masquerading as a meaningful piece of legislation.

H.R. 6169 would create expedited procedures for the Republican version of comprehensive tax reform. It lays out a whole bunch of criteria that tax reform has to meet in order to get fast-track protection in both the House and the Senate. It's sort of like reconciliation, but my Republican friends don't like to admit that. There are two very big problems with the Republican approach here.

First, there is nothing—nothing—in this bill that would prevent their version of “comprehensive tax reform” from containing anything else they want to do: Turn Medicare into a voucher program or eliminate Medicare altogether? That would be allowed. Repeal patient protections under the Affordable Care Act? Yes, they could do that, too. Eliminate the Department of Education? Sure, that would get special treatment. Or they might want to privatize Social Security—one of their oldies but goodies. It is absolutely outrageous.

The second big problem is that, under this bill, the Republican author of the tax passage, as the chairman of Ways and Means and as the person who is supposed to certify that the package is eligible for expedited process as chair of the Joint Committee on Taxation, can and likely will be the very same person. Now, I like Chairman CAMP—I think he's a terrific guy—but I do not believe he should be allowed to serve as prosecutor, judge, and jury on the issue of tax reform. You don't put the fox in charge of guarding the henhouse.

But this debate is about much more than the terrible process outlined in this bill. This debate is about priorities. The choices here are very simple, and the contrasts are very clear.

Democrats want to give every American family a tax break. On the first \$250,000 of income, everybody—including Donald Trump and including all of those friends of my colleagues on the other side of the aisle who give millions and millions to Super PACs—gets a tax break on the first \$250,000 of income. The problem is the Republican approach to tax reform is to raise taxes on millions of American middle class families—raise them.

Democrats want the wealthy to keep some of their tax cuts, but we believe during this time of budgetary crisis that we all have to sacrifice, including the millionaires and the billionaires. So we are asking them to contribute just a little bit. Everybody else is contributing. They should, too. Republicans say, no, that they want to protect those tax breaks for the wealthiest individuals and increase the deficit—in order to protect, again, the 2 percent wealthiest Americans in this country.

Democrats want to pass a tax cut bill that has already passed the Senate.

That's the one I was talking about, the one that gives everybody a tax break on the first \$250,000 of income. We want to pass that. It could be on the President's desk at the end of the week, and we could actually have done something for the American people. Republicans want to hold that bill hostage. There is an old saying that you don't have to agree on everything to agree on something. I mean, it seems to me—again, if I am to believe the rhetoric on the other side of the aisle—that there is no objection to protecting tax breaks on the first \$250,000 of someone's income.

If there is consensus on that, then we ought to get that done, and then we could have the other fight about whether or not Donald Trump and Sheldon Adelson and all those other guys get tax breaks. We could have that debate later, but we could actually do something before we recess for August that would actually help people in this country. What a radical idea in this Republican Congress to do something to help somebody—to help middle-income families. We could do that, but they are saying no. We all agree that the economy continues to struggle. Of course the Republican strategy of rejecting President Obama's jobs bill and manufacturing a debt ceiling crisis contributed greatly to this economic crisis that we are in right now.

My Republican friends like to talk about tough choices, about how there needs to be sacrifice in order to get our fiscal house in order. But why is it, time and time and time again, that their tough choices always seem to hurt the most vulnerable Americans? Why does their idea of sacrifice always mean poor people getting less food, or students getting less help with their tuition, or States getting less help with their roads and their bridges? It takes no political courage—zero—to say to the very wealthy, You can keep all of your tax cuts, all of your special tax breaks, and we're going to protect all of those loopholes. It takes no courage. It takes no guts to help out millionaire hedge fund traders who write giant checks to shadowy Super PACs.

Mr. Speaker, this is a debate about fairness. That's what this debate should be about. It's about standing with the middle class instead of always standing with the millionaires and the billionaires.

If my Republican friends were so certain about the rightness of their priorities, they would put the so-called “principles” in this bill into legislative language and bring it to the floor. I think the American people would cringe once they saw what those numbers would mean, but they have the ability to do that. I should remind them—and I regret this very much—but they're in charge, they run the House right now. The chairman of the Ways and Means Committee could come up with a comprehensive tax re-

form bill—he could have at any time the Republicans have been in control and brought it to this floor. My friends on the other side of the aisle have enough votes to pass anything. They could have done it. If they did, and if it were clear what the priorities of this Republican majority really were, and if it were there in print, I think the American people, quite frankly, would be horrified.

□ 1300

Democrats stand ready, willing, and able to work with Republicans and all of our colleagues to enact meaningful, fair tax reform. This bill doesn't get us an inch closer to that goal. If my friends on the other side were sincere about achieving comprehensive tax reform, they would reach out to us in the drafting of a bill like this. They would have consulted with us. As I said, this legislation before us was referred exclusively to the House Rules Committee. Not a single Democrat on the House Rules Committee was consulted about this bill. My guess is not a single Democrat on the Ways and Means Committee was consulted about this bill. We will go through this exercise today. My friends on the other side of the aisle have the votes to pass it. But I'm going to tell you, Mr. Speaker, this is much ado about nothing because this is not meaningful tax reform. This is a very partisan approach to this issue, and I regret that very much.

With that, I reserve the balance of my time.

Mr. DREIER. Mr. Speaker, I have no further requests for time, and I'm prepared to close. If my friend has speakers, I'd certainly sit here patiently and look forward to hearing any thoughtful comments that they might make.

Mr. MCGOVERN. Mr. Speaker, at this time I yield 3 minutes to the gentleman from Rhode Island (Mr. LANGEVIN).

Mr. LANGEVIN. I thank the gentleman from Massachusetts for yielding.

Mr. Speaker, today we have the opportunity to talk about our vision for the future and the path our country must set upon in order to remain competitive in the global economy and also to get our fiscal house in order.

The tax reform proposals that we are debating today could not be in starker contrast. Today, I will vote against the Republican plan that is before us, and instead I will vote for the Democratic plan which I believe is a balanced approach to move our country forward. It gives everyone the opportunity to succeed.

Mr. Speaker, this debate is about choices. The Republicans want to give more tax cuts to the wealthy, quite frankly, at the expense of everyone else. Democrats, on the other hand, propose a balanced plan that asks the wealthiest to sacrifice just a little bit

more so that we can provide tax relief for the middle class taxpayers, we can bring our debt down, and invest in economic growth. We will protect our most vulnerable. We will repeal the alternative minimum tax. We will discourage tax haven abuse and eliminate the tax breaks that ship jobs and profits overseas.

Far too many of us, Mr. Speaker, have experienced the hardship and loss of employers shuttering their operations in our districts, and we know that when a business closes, it's not just direct jobs that are lost. It is an entire community which is affected. The grocery store has less business, people don't go to the movies, they're not going out to eat at the local diner, they postpone home repairs, and they don't buy that new car. This is as a result of Republican tax policies that have, quite frankly, incentivized companies moving jobs overseas.

Democrats propose to change that. That's why we've made promoting domestic manufacturing such a top priority. We want to rewrite the Tax Code in such a way that it incentivizes job creation here or bringing jobs back from overseas. That means that not only are we going to create jobs in that particular business that comes back to America or that starts up here in our country, but also the ancillary jobs that are created as a result that filter out into the community. Some estimate that for every one job that is created in manufacturing, for example, there's at least four or five jobs that are created in other industries.

We all agree that comprehensive tax reform is urgently needed. Where Democrats and Republicans fundamentally disagree is how we get there. I urge my colleagues to vote against the Republican plan that is before us and vote for the Democratic substitute to reduce our debt, protect the middle class, promote American products that are made by American workers, and invest in our national priorities: infrastructure, education, research, and security. Let's keep America competitive and create jobs the right way, right here at home.

With that, I thank the gentleman for yielding.

Mr. MCGOVERN. Mr. Speaker, if the gentleman has no more speakers, I will close.

Let me repeat some of what I said in my opening statement, because I think it's important for my colleagues to understand this.

The Republican pathway to this tax reform is a path, as I said, for the chairman of the Ways and Means Committee to draft and to certify a bill that would receive extraordinary fast-track procedures with virtually no limit on what can be contained in it. Republicans have promised that its fast-track bill would contain at least four proposals based on the Ryan bud-

et, in addition to the repeal of the AMT. Together, these four provisions would shift the tax burden from the wealthiest to the middle class, and it would ship jobs overseas.

Let me just read one of the proposals in this bill. The Republican proposal is "a consolidation of the current six individual income tax brackets into not more than two brackets of 10 and not more than 25 percent." What does this mean? It means that the average millionaire would lock in an annual \$331,000 tax cut under the Ryan plan. To pay for these tax cuts, the Ryan plan would potentially eliminate provisions that are vital to the middle class, including tax deductions for mortgage interest, State and local taxes, and charitable contributions, as well as the tax exclusions for employer-sponsored health insurance and contributions to 401(k) plans. The source of this is the Joint Economic Committee. And the plan would necessarily have to raise taxes on middle class families by approximately \$4,500.

Another proposal in this bill is "a reduction in the corporate tax rate to not greater than 25 percent." What does this mean? It means eliminating every corporate tax credit and deduction would generate only enough savings to reduce the corporate tax rate to 28 percent. To get to even 28 percent, the Republican tax plan would require wiping out every provision in the Tax Code that encourages domestic job creation, investment, and innovation. In order to raise additional revenues for a corporate tax cut, the Republicans will go after individuals or small businesses.

Mr. Speaker, my friends on the other side of the aisle have made their priorities known in the budget that they all voted for. I think it's a radical approach to our economy. It's an approach that I believe and my colleagues on the Democratic side believe will be devastating to middle-income Americans. It is really unfortunate that we are here not in the spirit of bipartisanship, not in the spirit of compromise or trying to find consensus, but in a very partisan way moving this bill forward. At the end of the day, we're leaving here really doing nothing for the American people.

I was listening to the debate on the drought relief and listening to Democrats and Republicans both lament that there's no farm bill. We're going on vacation, and there's no farm bill. There's no jobs bill, no jobs agenda, no tax cuts for the middle class. We all agree that we should preserve the tax breaks on people earning up to \$250,000. We seem to agree on that. My Republican friends are saying, No, we're going to hold that hostage until you make sure that Donald Trump and the people that give these exorbitant amounts to super PACs, they get their tax breaks. We could agree on that. We

could actually do something for the American people, and we're leaving. No farm bill, as I mentioned, no Violence Against Women Act, no cybersecurity plan, no bipartisan plan to prevent sequester.

I hear my friends on the other side of the aisle complaining about the sequester which, by the way, they caused that terrible idea to be a reality when they brought this economy almost to a collapse during the debt ceiling debate. But we're leaving. We're leaving town today to give away tomorrow. We're leaving town with all this unfinished business. We're leaving town not doing anything meaningful for the American people, especially for those in the middle and those struggling to get into the middle.

This has to be one of the least effective, least productive Congresses, I think, in the history of our country. When you read these public opinion polls, there's a reason why Congress is held in such low esteem. It's because people are watching what we're doing here and wondering why we're not on their side. People who are struggling to hold on to their jobs or to get jobs are wondering why aren't we moving forward with a jobs agenda, why aren't we passing a middle class tax cut. Instead, we are here basically to pass a press release that says that at some point we're going to do tax reform, and they don't want to tell you the details of the tax reform because they think that would be very unpopular and would frighten a lot of people in this country when they see the devastating impact on the middle class.

□ 1310

So having said that, Mr. Speaker, I urge my colleagues to vote "no" on this bill.

And with that, I yield back the balance of my time.

Mr. DREIER. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I want to congratulate my distinguished Rules Committee colleague for his very thoughtful, warm, and loving mischaracterization of where we stand on this issue.

This is not about Donald Trump. This is not about Donald Trump at all. We continue to hear the two words "Donald Trump" invoked in the tax debate.

What this is about, Mr. Speaker, is the 253,484 women-owned small businesses in this country who are seeking to ensure that they can continue to have the ability to hire people and grow their businesses. This is about the potential of losing 710,000 jobs, based on the Ernst & Young report that has come forward. This is about ensuring that we turn the corner on our economy.

Now, Mr. Speaker, when I came here in 1981, one of the first bills that I introduced was a bill calling for a flat rate tax. People talked about that all

the time. I mean, there was a standard joke out there. It was, well, the simple tax form asks, How much did you earn last year? The second line was, Send it to Washington. I mean, those are the kinds of things that people have said might be in the direction of tax reform. But what we need to do is we need to recognize that everyone has talked about the problem of taxes. Famously, the former chairman of the Senate Finance Committee, Senator Long, would say, Don't tax you. Don't tax me. Tax the guy behind the tree.

We all know, Democrats and Republicans alike, that there is a desire to make this happen. There is always talk from Democrats and Republicans. Again, President Obama has said we need to bring about tax reform. President Obama has said we need to reduce the top corporate rate from that 35 percent level. I congratulate him for acknowledging that we have the highest corporate tax rate of any nation on the face of the Earth, now that Japan has lowered theirs, Mr. Speaker.

Everybody talks about it, but the question is: How do we actually get it done? Now, my friend said that if we really wanted to do it, we could have done it. Well, there are specifics in this measure. There are specifics. We have five of them. Included among them: ensuring that we repeal the alternative minimum tax, and everyone acknowledges how terrible that is; ensuring that we have two rates of not more than 10 and 25 percent; and, yes, doing what President Obama has said we need to do, and that is reducing the top corporate rate, this calls for 35 to not more than 25 percent; and then also dealing with the global aspect.

This has specifics in it. And what it has, Mr. Speaker, at the end of the day is: Let's get the job done. Action, action, action. We can continue to hear all kinds of talk—press releases and all this sort of stuff, talk about what this is. This is about actually doing what Democrats and Republicans say needs to be done.

I think that by working with our colleagues in the Senate—we ensured, by the way, under this structure that no Democrat is denied the opportunity to offer amendments. My friend said that we don't have this great bipartisan-ship. Well, we're pursuing a bipartisan goal of comprehensive tax reform and the structure to make that happen. But as this process begins, we will have, clearly, amendments in both the House and the Senate offered by any Member who wants to participate in this process at the committee level as it goes through.

I see we have the ranking Democratic member of the Ways and Means Committee, my very dear friend, the gentleman from Michigan (Mr. LEVIN), here on the floor. I'm sure that as we proceed with tax reform under this structure that Mr. LEVIN will be offer-

ing many thoughtful amendments to this measure. His right is guaranteed under these expedited procedures.

So what we're arguing, Mr. Speaker, is that we need to make sure that, rather than simply talking, we get things done. And I think we've got a chance to do that now.

Mr. Speaker, I urge my colleagues to support this measure. We're going to go into a debate now with our friends on the Ways and Means Committee; and from there, we will have a vote on the substitute, which I'm happy to say that we made in order, that will be offered by the distinguished ranking minority member of the Committee on Rules; and then we will proceed with a vote on this measure.

So I urge my colleagues to support action, action, action over talk, talk, talk when it comes to the imperative of growing our economy and reforming taxes.

With that, I yield back the balance of my time.

Mr. CAMP. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 6169, the Pathway to Job Creation through a Simpler, Fairer Tax Code Act of 2012.

Yesterday, House Republicans, joined by 19 House Democrats, voted to extend current tax policies through the end of next year. That was an important, responsible step to provide Congress the time to pass and enact comprehensive tax reform without risking further damage to a fragile economy.

The failure to stop the tax hike that's looming at the end of the year could push us over a jobs cliff. I know many Democrats want to raise taxes, but an independent study by Ernst & Young shows the Democrat tax hike would eliminate over 700,000 jobs. We can't afford to lose more jobs in the United States, and that is why we voted to extend the current tax policy.

Instead of raising taxes on small businesses and making it harder to create jobs, as the Democrat plan did, Republicans are focused on creating jobs, reforming the Tax Code to make it simpler and fairer for all Americans, and strengthening our economy. The bill before us today provides a pathway to that goal.

This bill forces Congress to do its job, something I think all Americans will support. It provides a specific time line for the House and the Senate to act next year on a comprehensive tax reform bill. It also ensures an open process. A bill is introduced and then the appropriate committees may amend it. Democrats and Republicans, alike, will have an opportunity to debate and offer changes.

And this bill tells the American people exactly where we want the debate to start. We say that tax reform should: eliminate special interest loopholes to reduce rates for families and

employers, reducing the current six tax brackets down to just two (10 and 25 percent); help America be competitive in the global economy by setting a corporate rate of 25 percent and updating a 50-year-old international tax code to a modern and more competitive territorial system; and get rid of the alternative minimum tax that's currently looming over 31 million middle class families.

We also don't think we should ask taxpayers to bail out Washington's wasteful spending. Tax reform should not result in the Federal Government taking more out of the economy and more out of taxpayer pockets than the tax system historically has.

□ 1320

Tax reform is not about making the government bigger, it's about creating jobs. That's why this bill says Federal tax revenues should remain within historic norms of 18-19 percent of gross domestic product.

Independent economists have noted, when paired with appropriate government spending cuts, comprehensive tax reform that includes these policies could lead to the creation of 1 million Americans jobs in the first year alone.

Compare that to the Democrat plan offered yesterday—a tax hike that would eliminate over 700,000 American jobs. The choice could not be clearer. Do we want and does America need Democrat tax hikes that destroy jobs? Or do we want, and does America need, Republican-backed tax reform that creates a simpler, fairer code and 1 million jobs in the first year alone?

Today, my colleagues on the other side of the aisle have one more opportunity to stand with families and job creators by joining House Republicans to demonstrate their commitment to passing and enacting comprehensive tax reform next year. We can and should work together to revive our economy and get the unemployed back to work.

Mr. Speaker, I urge all of my colleagues on both sides of the aisle to vote in favor of this legislation. And in doing so, take an important step to creating a simpler, fairer Tax Code and more jobs for American families.

I reserve the balance of my time.

Mr. LEVIN. Mr. Speaker, I yield myself such time as I may consume.

Yesterday, Republicans voted to make tax cuts for millionaires their priority over giving 114 million middle class Americans certainty.

Today, they are doubling down on that agenda. The so-called principles laid out in this bill would rig tax reform to shift the burden of taxes further onto the middle class and ship jobs overseas.

The Joint Economic Committee analysis—it's described here—found that the average millionaire would get another \$331,000 in tax cuts, while middle

class families making less than \$200,000 would see their taxes go up by an average of \$4,500. For millionaires, a tax break of \$331,000; for middle class families, a tax increase of more at \$4,500. That's the Joint Economic Committee's analysis.

Why? Because the only way to finance these massive tax cuts for the highest earners is to eliminate or significantly curtail provisions that support the middle class. These are not loopholes. These are policies that in many cases help made the middle class of this country. Seventy percent of the benefit of the mortgage interest deduction, for example, goes to those who make less than \$200,000. And 82 percent of the benefit of the exclusion for employer-provided health insurance goes to those making less than \$200,000. And likewise, the provisions relating, for example, to education.

Republicans like to say they will eliminate loopholes—and we just heard that language—and special interest provisions to pay for lower rates. But the provisions I mentioned are not loopholes. They are the policies that helped to build the middle class of America. They are basically middle class provisions, and now they are on the chopping block under this Republican plan. One way, among other ways to describe it, H.R. 6169 is Grover Norquist on steroids.

We need tax reform, but not as a tactic to sock it to the middle class and help the very wealthy. Yet that is exactly what Republicans in Congress want to do.

We recently received an analysis of the plan of Governor Romney. It's also a plan highly offensive to the middle class. A report from the nonpartisan Tax Policy Center yesterday made no bones about what it would do to the middle class. They wrote that it is not mathematically possible to write a plan like the one drafted by Governor Romney "that does not result in a net tax cut for high-income taxpayers and a net tax increase for lower- and/or middle-income taxpayers."

The House Republican plan to lower the corporate rate to 25 percent would require eliminating every provision that encourages American manufacturing—the R&D credit, accelerated depreciation, and the manufacturing deduction. Every one of those.

And, the Joint Committee on Taxation has found that even if you eliminated everything, you could only lower the rate to 28 percent on a revenue-neutral basis.

We need tax reform—indeed, we do—but not a tax rewrite that discourages companies from making it in America and that would move us to a territorial system that taxes no businesses' off-shore income and helps to ship jobs overseas.

Well, surely a plan this radical—and that's really what it is, a radical Re-

publican proposal—should be subject to the full scrutiny of regular order and full debate. But not under this bill. Under this bill, the pathway Republicans are setting up is really a railroad to shift the tax burden onto the middle class and ship jobs overseas.

It creates a tax czar, and I'm opposed to any of us being a tax czar, Republican or Democrat, Mr. CAMP, myself, or anybody else. It would be a tax czar who creates the plan and then certifies their plan, that it achieves their goals. It would allow him or her to add any other proposal to this high-speed train through Congress. Social Security privatization, that could become part, not of this fast track, but this railroad. Repeal of health reform, or anything else.

We should reject that path and adopt the Slaughter substitute, which would articulate principles for tax reform that would strengthen the middle class, create jobs in the U.S., and reduce the deficit.

You know, we continue to hear about small businesses. 97 percent would receive the full tax benefit under what was rejected yesterday and that we put forth. And in terms of this report about 700,000 jobs, every fact checker has said it's essentially bogus. And I think that's how bankrupt the majority is.

Coming forth, I'd like them to answer the Joint Economic analysis.

I'd like them to answer the study that came out from three people about Governor Romney's proposal. One of the Romney spokespersons said: It's a liberal think tank that analyzed it that way. Oh, no; two of the three authors served in Republican administrations. It's not a partisan analysis, it's a bipartisan analysis, and it shows essentially what's being proposed here, and what Governor Romney is proposing, is, sock it to middle class America in order to help the very, very wealthiest. That isn't the America that we want.

I reserve the balance of my time.

□ 1330

Mr. CAMP. I yield myself 15 seconds.

I would just say to my friend that I don't know whose plan that is. Somebody made that up because that's not our plan. A plan that increases middle class taxes isn't something that I could agree with.

What we envision is an open process that Republicans and Democrats can offer amendments on. But the point is this: comprehensive tax reform that creates jobs and gets the economy moving and gets us back on track can be accomplished.

I yield 3 minutes to the distinguished chairman of the Trade Subcommittee, the gentleman from Texas (Mr. BRADY).

Mr. BRADY of Texas. Mr. Chairman, as vice chairman of the Joint Economic Committee, I would point out that that was a partisan report—very partisan report on the Republican tax proposal developed by the Ways and

Means Committee and included in the Republican budget.

But let me ask you this, because here's the real question: As hardworking Americans, when you open the mailbox and see a letter from the IRS, what do you think? How frightened are you? If you're a small business owner and you get a call from the IRS saying it's time to audit you, how fearful are you?

The truth of the matter is, Americans are frightened of their own tax law, of their own Tax Code. They know it's unfair; they know it's too complicated. They know if they make a mistake, who knows how damaging it would be for them.

We now have one full of special loopholes so complicated the best tax lawyers in America—including the IRS—don't quite understand it. And now we've gone from first to worst in the world. America's tax rates are the worst among our competitors. So this is why jobs are going overseas. And you will hear Members of Congress, you will hear the President, you will hear candidates for Congress say we need to fix this Tax Code, but they don't do it. House Republicans are going to act to fix this broken Tax Code.

The chairman of the Ways and Means Committee, DAVE CAMP, has held 24 very thoughtful, very solid hearings to find ways to move forward on tax reform. Today, the House has the opportunity to lay out principles for a far more simple Tax Code, a far more fair Tax Code, one that doesn't frighten us to death and one that doesn't frighten our jobs overseas.

More importantly, in this bill is a simple provision that says: Congress, you also have to do your job. It sets up a timetable for the House and Senate next year to have a guaranteed up-or-down vote on comprehensive tax reform.

So no more stalling, no more delaying, no more talking about the need to fix this Tax Code. In the House today we will act to guarantee that Congress must take this up. And it's about time because we are losing jobs, we're dragging our own economy down, we're frightening hardworking taxpayers who are just trying to live by the law, but no one actually understands this Tax Code. We're determined to act; and when we do act, both today and next year, at fundamental reform that is lower and fairer and simpler, our economy is going to grow, this Nation is going to grow, and we're going to be back on top of the world when it comes to the best business climate and strongest economy in the world. But today we first have to act.

I strongly support this bill, and I encourage Members of this House to do so as well.

Mr. LEVIN. I yield myself 30 seconds.

The gentleman from Texas talks about loopholes. Is the mortgage interest deduction a loophole? Is the charitable contribution deduction a loophole? State and local taxes a loophole? Municipal bonds a loophole? The health care provision a loophole? You keep using that word, I think, demagogically.

I now yield 4 minutes to another distinguished member of our committee, the gentleman from Washington (Mr. McDERMOTT).

Mr. McDERMOTT. Mr. Speaker, the House of Representatives is a wonderful body. It's one of the most amazing places in the whole world. It's where we make decisions for 300 million people, and we make them for a lot of other places that we're going to influence around the world. And every once in a while you sort of come here and say, I think I've seen everything, and then we've got one more.

Here we are today, the last day of the session, with no debate whatsoever on this bill—anywhere. It's just brought out here *de novo*. I guess it came from God, or from the Speaker's Office, or someplace. I don't have any idea where it came from. But it seems to me that the House of Representatives is working hard to forget every positive lesson we have learned in the history of governing this country about how to get things—big things—done for the American people.

Today's bill sets up a process to ram through whatever bill Congressman LEVIN writes in 2013, because he'll be chairman of the Ways and Means Committee. He will sit in a closed room, using arbitrary rates, with no input and no debate. It will be a disaster. Did I say LEVIN? I meant CAMP. What am I talking about?

It would be a disaster to have one person sit somewhere in a room and decide what the bill is and bring it out. And this power grab will destroy any attempt that we have or any chance we have of having tax reform. We used to know better.

I got here in 1988—that was 2 years after the tax reform of 1986. Now, roll back the clock a little further. In 1980, Ronald Reagan won, 44-State mandate. He was in power. But there were also strong majorities on the Democratic side in the Congress, just like today.

In 1980, just like today, the government was divided. And just like today, both sides wanted to get tax reform done. It wasn't any different in 1980 when President Reagan came in. But today we're debating a power grab bill where it's introduced by one Republican Member—I guess he didn't have time to get anybody else to sign it before he had to drop it in to bring it out here and discuss it—scored by one Member and given an up-or-down vote by one Member. In every case, unfortunately, the lot falls to Mr. CAMP.

I don't think Mr. CAMP did this. This isn't Mr. CAMP. I know him. This isn't

the kind of bill he would sit down and write, because we've seen him when he writes bills. This was written somewhere, and this is how we're going to ram through the House of Representatives, and the point of the sword is Mr. CAMP.

Now, this appalling breach of procedure is the worst try to get anything done in the House of Representatives. I can't be more clear: comprehensive tax reform simply will not happen if the process and the bill are autocratic and rabidly partisan. That's the end of it right there.

Back in the 1980s, both the Republicans and the Democrats knew that this was true. Tip O'Neill sat up here, he was Democratic Speaker of the House, and Ronald Reagan sat down at the end of Pennsylvania as the President. They fiercely disagreed with each other on just about everything when they started, but they knew that they had to find areas of agreement and compromise to get anything done as big as tax reform.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. LEVIN. I yield an additional 2 minutes to the gentleman.

Mr. McDERMOTT. These two were not cut from the same piece of cloth. Tip O'Neill was a working class Irishman. He was passionate about fairness, knew how to get things done, and, well, he liked to have a glass of whiskey now and then. Ronald Reagan believed in a pure sense of individualism. To Ronald Reagan, tax reform was about lowering taxes. He also liked to tell jokes and occasionally have a glass of whiskey. They both liked to play golf.

Then there was Rostenkowski. He was the chairman of the Ways and Means Committee. He also played golf, and he liked a glass of whiskey occasionally. They all got to know each other. They pulled other people in. They discussed issues in detail. It was bipartisan. It was not done on one side or the other or simply by one person—wouldn't, couldn't, never would have happened in those days. They did the people's business that way.

Now, lots of voters are angry these days. They don't think Washington works. Well, it doesn't work when you get this kind of legislation brought out here.

□ 1340

If people from both sides can't sit down—it took Ronald Reagan and Tip O'Neill and Rostenkowski 6 years, from 1980 to 1986, talking about this issue by the time they finally got it all done. And here we have a bill that, I guess this could pass by—well, when we get back from Labor Day I suppose it will be a couple days and then it will be through the House.

That's not going to happen. You know it's not going to happen, and I know it's not going to happen. And the

public is angry about this because Washington is not dysfunctional because Members of Congress aren't extreme enough. They're not getting things done because we're not working together.

To do tax reform well, to do it right, in fact, to do it at all, we will have to work together. It will take time, it will take debate, and it will take thoughtful consideration. There is no other way.

This bill we are considering today guarantees failure. It's bad for America. I ask Members to vote "no."

Mr. CAMP. At this time, I yield 3 minutes to a distinguished members of the Ways and Means Committee and chairman of the Budget Committee, the gentleman from Wisconsin (Mr. RYAN).

Mr. RYAN of Wisconsin. I thank the Chair for yielding. And I enjoyed listening to the stories of lore from my colleagues who hearken back to the good old days when we had smoke-filled backroom deals where laws were written. That's not what we are interested in achieving here. What we want to achieve is a process done in plain view, transparent to the public, that maximizes the opportunity for Congress to actually fix the mess that has become the United States Tax Code.

At the end of the day, Mr. Speaker, I think there's a difference in philosophy here. One side likes to think of the idea of everybody sending their money to Washington, then we go into a backroom and we slice up the money and then we send it out to favored groups, favored constituents, and people that we want to be as winners versus those who might be losers.

We've got to get out of the game of Washington picking winners and losers in the Tax Code. Because what we do is we stifle that entrepreneur who has an idea, who might not have connections, but can actually have an idea and make a business grow. We want to remove those barriers to opportunity. We want to remove those barriers to upward mobility. We want a system of entrepreneurialism where we have true entrepreneurial capitalism, not this crony capitalism.

Mr. Speaker, both political parties are guilty of this. Republicans and Democrats for decades were party to the process of tucking into the Tax Code all these various special interest loopholes which end up rewarding a few while raising tax rates on the many. Well, we've got to get through those days, because if we haven't noticed, we're in global competition. Ninety-seven percent of the world's consumers live in other countries. If we want to have a good, strong growing entrepreneurial economy, we need to make things here in America and sell things overseas. But if we keep taxing our successful small businesses, our businesses all around at much higher tax

rates than our foreign competitors tax theirs, they win and we lose.

I come from Wisconsin. We're a manufacturing State. That's how we survive. We grow things, and we make things in Wisconsin. Our chief competitors right over Lake Superior are the Canadians. Canada just lowered their tax rate for all of their businesses to 15 percent last January. Well, the substitute that the gentleman brought to the floor, the substitute that the President is asking for, will bring the effective top tax rate for those most successful small businesses in Wisconsin to as high as 44.8 percent.

Mr. Speaker, how on Earth are our businesses, our manufacturers, our successful small businesses going to compete when we're taxing them at a Federal level almost as high as 45 percent and our competitors are at 25 or 15 or lower? We won't. That's why we want to reform the tax system.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. CAMP. Mr. Speaker, I yield the gentleman 1 additional minute.

Mr. RYAN of Wisconsin. The difference in philosophy is this. Some here like the idea of bringing more money out of people's paychecks, more money out of our successful small businesses, and then parceling it out in favors. We prefer the opposite. Let people, let families and let businesses keep their money in the first place so they can decide what they want to do with it.

By having high tax rates with lots of loopholes, all we end up doing is we say, you can have some of your money back if you do what we approve of in Washington. Even with the best of intentions behind such ideas, it gets corrupt. The powerful and the connected are the ones who call the shots.

So, yes, we need to clear the brush out. And, yes, there are popular provisions in the Tax Code, and that is why we want to have a process in front to debate those things. There will be fiscal space left for things like charities and such the like. Let's have a clear—in public, not a backroom—process where we debate just how best to go forward. And what we want is a clean up-and-down vote so that we can get this country going again, we can get this economy back on track, and we can look at our children and know that we left them better off.

Mr. LEVIN. I yield myself 15 seconds.

The Republican bill indeed picks winners and losers. The winners are the very wealthy, and the losers are the middle class Americans of this country.

I now, with pleasure, yield 5 minutes to the gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK of Massachusetts. Mr. Speaker, first, I note that the chairman of the Budget Committee said that we want to get this out of the

backrooms. Then I reread the bill, and the bill says that one person, the chairman of the Ways and Means Committee, will draft this bill, certify it, and present it to the Congress with very limited time to debate. So it is true. They do want to replace the backroom, but with a telephone booth. Now, that's hard to do because there aren't that many phone booths left. But there will apparently be one in which the chairman of Ways and Means will single-handedly draft this bill without a great deal of input.

What is it they're going to draft? What we're told is it will include reductions in the rates paid by the wealthiest, and it alludes in the most—not even close to specific terms—to getting rid of some loopholes. But we don't know what those are. This great courageous effort to deal with the special interests begins by ignoring it, by promising goodies to the wealthiest people will reduce your taxes, and we'll somehow make it up in a vague way. With how they don't know, because they don't want to say.

Procedurally and substantively, the bill is a disaster. That's the bad news. The good news is that no one thinks it is a serious legislative effort. This is one more bumper sticker from the gang that cannot legislate. We are here today with the Republican leadership having backed down on passing a bill that the Agriculture Committee came forward with.

Now, it's popular on the Republican side to talk about the Senate. Oh, the Democrats run the Senate, and they're choking everything off. Exactly the opposite is the case. The Senate passed a transportation bill. The House couldn't. The House couldn't even take one up because there is such division within the Republican Party. So here, in a procedural maneuver that smacks of a very undemocratic way, they sneaked into conference—a conference report came with the Senate transportation bill, the only bill that passed either House, and then Members obediently passed an omnibus bill, including a transportation bill, that this House never got to concede.

But even that looks good compared to postal issues. The Postal Service is now in default. Yeah, it is de fault—it's de fault of de Republicans, who are, again, so ideologically driven, so unable to deal with the basics of government because of their dominance by a faction that does not understand the role of our coming together to do things in a society, and the post office, that's a pretty controversial one. That radical George Washington set it up. It's a great unifier in this country, and it continues to be. One of the things we do here, people scoff at it, we name post offices. But those are great symbols of the community. And I've got to say, with all of the new communications, no one has ever asked me to

name an iPod after anybody. We use the post offices.

But what happened? The Senate passed a postal bill. This House can't take one up, once again, because this Republican Party is so divided between their extremist wing and other people that—so we got transportation, we have postal, they can't do a postal bill, and the Postal Service is now in default while we debate this bill that no one takes seriously, that the chairman of Ways and Means will single-handedly put on his cape and fly down here with this bill that will help the rich, and it will do some unmentioned things regarding popular tax breaks, because they don't want to mention them. And then we have the agriculture bill.

□ 1350

So on the fundamental functions of government, an agriculture bill, a transportation bill, and a postal bill, the party that couldn't legislate didn't legislate, again, because they cannot get people on their own side to understand what we need in this society.

We need a postal service. We need transportation. We need an agriculture bill; although, I'd like to see one different than the one the committee brought out. But we didn't even get a chance to vote on them. Instead, we get a bumper sticker. Oh, we're going to cut taxes for the wealthy.

And I did notice, too, they said they're going to get the taxes to be 18 or 19 percent of the GDP. We have Mr. Romney committing that we will spend 4 percent of the GDP on the military, whether that's what's needed or not, whether we go to more wars or not.

So look at what's left. Take what they want to put in taxes, take what Romney wants to commit to the military, and there's no room for anything else. There's not much room for a good Medicare program. Social Security gets squeezed, the environment, clean water, transportation.

That's why they can't legislate, because they're locked into an ideological mindset that reduces, they say, the revenues and increases the military beyond what is needed and leaves us unable to do those things which a civilized society wants to come together to do.

So, yeah, the bad news is that this is a crazy bill, but the good news is that after today's bumper sticker waving, no one will pay attention to it.

Mr. CAMP. Mr. Speaker, at this time I yield 3 minutes to the distinguished gentleman from Texas (Mr. HENSARLING).

Mr. HENSARLING. I thank the gentleman for yielding.

Mr. Speaker, every single day we see more proof of the President's failed economic policies. We just have heard that last quarter's GDP was revised down. It's probably two-thirds of what

it ought to be. Forty-one straight months of 8 percent-plus unemployment. Millions can't find jobs; millions more only can find part-time work. Real disposable income of working families down under this President's failed policies.

And because his policies have failed, he resorts to the politics of diversion, division, and envy. Change the subject. Let's talk about taxes. Let's divide Americans into smaller groups and make them envious of each other.

So the President comes and says, Let's increase taxes. Let's increase taxes on a million small businesses.

Fact: Ernst & Young has said this will cost our economy 700,000 jobs.

Fact: Small businesses now say, for the first time in almost 4 years, the greatest threat is not lack of sales; it's taxes. And that's why House Republicans voted yesterday to stop the tax increases. Stop the tax increases.

Today we take the next step, and that is to create a process for a fair, flatter, simpler, and more competitive Tax Code, one that will assure that the family budget doesn't go broke paying for the Federal budget, one that ensures that the success of working families depends on how hard they work in their hometowns and not the size of their tax loopholes in Washington, D.C.

Now, my friends from the other side of the aisle, Mr. Speaker, they have great theories that we're going to tax our way into economic growth. If only we will tax small businesses more, then somehow they'll create more jobs. Beatings will continue until morale improves is their theory.

Well, we have history. We have history. Go to the Coolidge administration, the Kennedy administration, the Reagan administration, the Bush administration. Every time we have lowered marginal rates, every time that we have simplified the Tax Code, not only have we ignited economic growth, but we've actually received more tax revenues.

And yet my friends from the other side of the aisle and the President, they want to defend the status quo, only more so. And now I wake up this morning to discover that, as they defend the global system, that even our Olympians are going to be taxed on their Olympic medals. So we've had a President who told every small business man in America, every small business woman, You didn't build that, by defending this global system, they now tell our Olympians, You didn't win that. That belongs to the Internal Revenue system.

This is what it is about today: less taxes and more jobs; more taxes, fewer jobs.

Mr. LEVIN. I yield 4 minutes to the gentleman from California (Mr. THOMPSON), a distinguished member of our committee.

Mr. THOMPSON of California. I thank the gentleman for yielding.

I rise in opposition to this bill.

It's interesting. Today's the 1-year anniversary of the enactment of the Budget Control Act, and that came about and left us with this impending sequestration. So let's remember why we passed the Budget Control Act.

We passed it because it was a compromise reached in order to raise the debt ceiling, which the House majority was refusing to allow to be raised. They were refusing to raise the debt ceiling because they said that they were concerned and they cared about our Nation's debt.

But just yesterday, that same House majority passed a bill that will add over \$400 billion to our national debt in just 1 year, a bill that continues tax cuts that added \$3 trillion to our debt over the last decade and that history has shown didn't help economic growth. Now we have this bill on the floor to mandate strict parameters of tax reform.

I want to do tax reform, Mr. Speaker. There isn't any one of us who doesn't want to do tax reform, but this is the wrong way to go about it. Locking in certain rates and certain rules is not how tax reform is done and can lead to very serious unintended consequences, like exploding our national debt.

Yesterday, the Tax Policy Center released a review of Mitt Romney's tax plan, which is not dissimilar to the principles in this underlying bill. The study found, and I quote:

It is not mathematically possible to design a revenue-neutral plan that preserves current incentives for savings and investment and that does not result in a net tax cut for the highest-income taxpayers and a net tax increase for lower- and middle-income taxpayers.

The Joint Economic Committee confirmed today that the plan in this bill would mean that people who make under \$200,000 a year would see their taxes raised, in this case, by about \$4,500, while millionaires would see tax breaks of over—hold on to your hat—\$300,000. And there's nothing in this bill that says that tax reform will not increase our debt.

We should do tax reform, and we should do it in a deliberative, thoughtful way, rather than by passing bills saying that we should do tax reform. For this reason, I strongly urge everyone to vote "no" on this piece of legislation.

Mr. CAMP. I would just yield myself 15 seconds and say that the plan the gentleman refers to is a made-up plan. What we're looking at is the model set up in the Bowles-Simpson Commission, which has been endorsed in a bipartisan way, that will be an open process that will allow amendments so we can debate these ideas in that process, not this made-up bill that they went and are discussing on the floor today.

At this time, I yield 3 minutes to the gentleman from California (Mr. HER-

GER), the distinguished chairman of the Health Subcommittee.

Mr. HERGER. Yesterday, this House voted to stop the job-destroying tax hike that threatens to hit every American taxpayer at midnight on December 31. Today, we have an opportunity to build on that. We have an opportunity not only to do the right thing for jobs and job creators in the short-term, but to begin building the foundation for a more stable and prosperous economy in the future.

Few would argue that our current Tax Code is ideal. It's far too complicated, with taxpayers spending over \$160 billion each year just to figure out what they owe. Even the Commissioner of the IRS has acknowledged that he hires a professional tax preparer to do his own taxes.

It's often unfair, with some taxpayers enjoying the benefits of narrow tax breaks that are not available to others. It has increasingly become a patchwork of temporary rules that fail to provide America's small businesses and job creators with the certainty they need to plan for the future.

□ 1400

Many of its features actually penalize the work, investment, and savings that are necessary to economic growth. Furthermore, an outdated international tax system, combined with the highest corporate tax rate in the developed world, places American companies at a disadvantage against their competitors based in Europe and China.

The bill before us lays out a pathway to a simpler, fairer, and more pro-growth Tax Code. With the right kind of tax reform, our Tax Code can become a means to support job creation rather than an obstacle standing in the way. In fact, it has been estimated that the tax reform would free up American businesses to create as many as 1 million new jobs in the first year alone.

I want to commend Chairman CAMP for his outstanding leadership on this issue and for making it clear that House Republicans are serious about tax reform. Today's vote will send a strong message that tax reform is moving forward. I urge all Members to vote "yes."

Mr. LEVIN. I now yield 5 minutes to a veteran of negotiations on taxes and tax reform, the gentleman from New York (Mr. RANGEL).

Mr. RANGEL. First, let me thank Ranking Member LEVIN for giving me this opportunity, and let me thank the chairman for bringing up the idea that this Congress is concerned about taxes. I say that because some of us will go home, and our friends and constituents will say, Well, how long are you going to be home? I guess we have to say for close to a month.

They say, Do you mean that Thursday, today, was the last day for over a month?

Yes.

So what were you doing?

I'll say, We were doing taxes.

Oh. What were you doing about taxes? Were you talking about reforming it?

I would say, I heard the word "reform" being used, but no. We are being asked by the Republican majority to vote for a pathway to reform.

I wish I had some of the Republican statements on this floor stapled to my press release so that I could explain what the heck is a "pathway to reform."

Since 1986, what we had thought "reform" was was to cut out from that Tax Code obscene provisions—some shouldn't have been in there, and certainly there is no reason for them to be in there now—to save trillions of dollars and to take that savings by reducing the high rate that we pay corporations and so that we can be competitive in the international market; but someone outside of the Congress said that to close these loopholes and to raise revenue are the wrong things to do. I don't know where this wiggly path is to reform, but I know one thing—we're not going to be dealing with this path in August or in September. It's hard for me to believe that we're going to do it this year.

So what the heck do we need a path for when the American people are jobless and looking for a way to some type of relief and when the only thing they believe is that, somewhere along the line, the Republicans want to get rid of Obama and don't care how they get rid of him? The Republicans don't care whether it's jobs, education, science, air pollution. Don't let the Congress be cooperative and be involved with anything that's good for the country as long as the President gets a chance to sign it for the United States of America.

Now, how in the heck can we be on a path to reform when basically what we're talking about is that tax reductions that were supposed to be temporary expire at the end of this year? What reform is there for those people who see a dramatic increase in their taxes in order for liberals and conservatives to say, We don't want that to happen? If we don't want that to happen, why don't we do something about it today so that they and businesses will know what tomorrow is going to look like beyond today, which for all practical purposes is the end of our legislative session?

It is my understanding that 98 percent of the people will get dramatic increases under this pathway, this roadway. Their taxes will go up. Now, we have to admit there are some wealthy people who belong to the less than 2 percent. It's abundantly clear, if the reason they have to hold hostage the 98 percent is that they have created all of the jobs, well, they certainly haven't

proved it in the past; they aren't proving it now; and very few of them hold small businesses so that they will be adversely affected. I would assume that that is the controversial 2 percent. I would assume that that's what we should fight about.

I would hate to be a Republican who has to go back home to his district and explain that the reason 98 percent of hardworking taxpayers are going to get an increase in their taxes is that we felt so strongly about the top wealthiest people that we said, The heck with them. We're not giving that up until we make certain that you are protected.

Wow. Sometimes the party asks too much of its members, and I really hope that somewhere along the line the hatred and animosity for this President at least will be reduced to the voting booths and not to the country.

The SPEAKER pro tempore (Mr. CHAFFETZ). The time of the gentleman has expired.

Mr. LEVIN. I yield the gentleman an additional 30 seconds.

Mr. RANGEL. Someone once said that the goal of the Republican Party is to get rid of Obama and to make him a first-term President.

I understood that. I started saying these things about Nixon and Bush—all of those things—but I never dreamed that it meant having the country go down with the captain. I never dreamed that it meant that you don't let the President increase the debt ceiling. I never dreamed that it included millions of jobs and tax relief for people as it seems that they mean. I hope things change in September.

Mr. CAMP. Mr. Speaker, I yield 3 minutes to a distinguished member of the Ways and Means Committee, the gentleman from Illinois (Mr. ROSKAM).

Mr. ROSKAM. I thank the gentleman for yielding.

I was listening to the gentleman from New York, and I sincerely appreciate his warm, heartfelt advice for the Republican Party.

I am amazed at the characterization of being in opposition to a President's policies as somehow being in opposition to the country. I fundamentally reject that. I think that that is a gross characterization. I think, on behalf of everybody on the GOP side, that that is an absurd argument.

I want to pick up on a thread and a subtext of what we heard from our friends on the other side of the aisle. It's a very interesting thing, and I'm not being sarcastic. It is a very hopeful thing, which is this, Mr. Speaker:

Did you notice today that there is nobody who is defending the status quo of our current Tax Code? Nobody. We will not hear any voice from our friends on the other side defending the current Tax Code. We will hear no voice today on this side or on the other side among all of those Members—and I

haven't listened to our friends on the other side of the dome, but I'm hunching that there is nobody—who is defending the status quo.

So what does that mean for us today?

That means there is an unbelievable opportunity. There is an opportunity that is born of recognition of a failed system. Some characterize it as "crony capitalism," which is, if you're connected, if you're somebody of means, if you're able to come into this town and with a sharp elbow insert something into the Tax Code and manipulate it, then you get an economic win at the expense of everybody else.

The gentleman from New York asked a rhetorical question a couple of minutes ago, and I jotted it down. He asked: What do we need a path for?

We need a path to get out of this. That's what we need a path for. With all due respect to the President, the President is not leading on a pathway that shows us how to get out of this.

So what do you have the chairman of the committee and the GOP in the House doing right now?

They're saying, look, let's not defend the status quo. Let's instead completely transform this debate, and let's focus in on one word, and that is the word "competitiveness." How do we create in this country the most competitive tax jurisdiction in the world?

□ 1410

Could you imagine how great it could be? Could you imagine what it would be like if our Tax Code were a foundation upon which—what could happen? You could have entrepreneurs who are willing to take risks because there is a possibility of reward in the future. Right now, they're being told from this town that if you built it, you didn't really build it, and we don't want to have you take credit for it. That's ridiculous. That's absurd. That's a world view that we should shun and reject and move away from.

We need to pass this. We need to pass this urgently, and I urge an "aye" vote.

Mr. LEVIN. I now yield 4 minutes to another distinguished member of our committee, Mr. NEAL of Massachusetts.

Mr. NEAL. In quick reference to the previous speaker, I don't know how you can say how do we get out of this, and then simultaneously embrace the Romney tax plan, which is \$5 trillion more of tax cuts and propose at the same time the extension of the Bush tax cuts. That's a \$7 trillion tax cut proposal. Has anybody heard about those million new veterans we have, the 45,000 that have been wounded? What's going to happen to the veterans system for years to come? It's a \$4 trillion cost of the war in Iraq when you factor all of that together.

We've had some really good hearings this year on both sides. We've talked

fundamentally about the best path forward to tax reform, and we all agree that the current system is creaking of its own weight. But that's contrary to the idea of fast-tracking, what needs to be a deliberative procedure for understanding what the elimination of some of these expenditures really means.

Despite the talk here today, I'll bet you a year from now that we will not have eliminated the homeowner deduction, and a year from now we will not have eliminated employer-based health insurance, and we will not have eliminated the tax expenditure for charitable deductions. The question is: What's the framework that we're taking up today? The response to that is: not much.

Let me start by saying that what's striking about this proposal is that we all acknowledge that over 6 billion hours a year and \$160 billion is too much in trying to comply with the current system. My favorite target is the alternative minimum tax. I've proposed eliminating that tax for a decade and actually have come up with pay-fors for addressing it, by shutting down some of the off-shoring accounts that currently companies who decide to expatriate and give up their American address take advantage of. They are not former citizens of the United States. They are current citizens of the United States. Sophisticated tax avoidance should be addressed.

The AMT, it was enacted in response to—by the way, there were only two Republicans in Congress who voted against it. It was a bipartisan assault on AMT when first addressed; 155 high-income individuals weren't paying any taxes, so Congress responded. President Reagan also embraced the idea that people ought to pay something. Today, 30 million middle class families are caught in the alternative minimum tax, and we patch it each year.

Here's where the American people really should get upset. Since 2001, this is what the patch has meant. I want you to listen to this number. We have spent \$400 billion patching alternative minimum tax. The Romney proposal, coupled with the Republican proposal to extend the Bush tax cuts, will take us in 2012 and 2013, when surely we're going to patch this again, to \$600 billion of patches for a \$1.2 trillion problem. We've spent \$50 billion of patching it. You know what that's like? That's like taking a credit card and saying you're only going to make the minimum payment every month and trying to figure out why the principal has not been reduced.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. LEVIN. I yield the gentleman from Massachusetts an additional 1 minute.

Mr. NEAL. The point here is that if we all agree that tax reform needs to take place and we need to assess what

current expenditures mean in the system, but also have some enthusiasm for taking up the off-shoring issue, and taking up those that willfully hide money overseas in bank accounts and they don't want the IRS to know what they've set aside, that's part of fundamental tax reform.

There's an opportunity here to do something similar to what Ronald Reagan and Speaker O'Neill did in 1986 in a bipartisan fashion with both sides getting together in an effort to figure out what to do about building a tax system that keeps America, as the former speaker noted, "competitive going forward." This is not the procedure, Mr. Speaker, to undertake that sort of initiative.

Mr. Speaker, I rise today in support of the Democrats' middle class tax cut substitute that would extend tax cuts for 98 percent of Americans—and in opposition to the Republicans' legislation that would extend all of the Bush tax cuts.

Congress has a responsibility to protect middle class Americans from getting hit with a big tax hike next year—a tax hike of \$2,200 for the typical family. Last week, the Senate passed a bill that would extend for one year the Bush tax cuts for 98 percent of Americans. And now it's up to us in the House to provide certainty to middle class Americans that their taxes will not go up next year.

But instead of doing what's right for middle class families and extending the Bush tax cuts for 98 percent of Americans, the Republicans are holding these tax cuts hostage until we extend tax cuts for the wealthiest 2 percent of Americans. If the middle class tax cuts expire, it would result in a tax hike for over 100 million American families, including 2.5 million families in Massachusetts. Let's not let that happen.

Even more troubling, the Republican tax package ends President Obama's tax cuts that make college more affordable and help working families with children. So not only are our Republican colleagues holding the middle class tax cuts hostage to extending tax cuts for the wealthiest, the Republicans would actually raise taxes on 25 million families with an average tax increase of \$1,000.

I introduced legislation last week that would extend these enhancements to the child tax credit and earned income tax credit. But the Republicans' tax package fails to include many of the enhancements in my bill and, therefore, would raise taxes on millions of low and moderate-income families next year. Even though the Republicans tell us that they're against raising taxes, what they really mean is they're against raising taxes on the wealthy. I ask the American people—does this seem fair to you?

I urge my colleagues to learn from past experiences. We tried the Republicans' approach to taxes for 8 years during the Bush years and it didn't work. Let's stand up for middle class Americans and pass the Senate-passed tax extension bill. We all agree that we should extend the middle class tax cuts—so let's put aside politics and pass this important bill and provide certainty for American families.

I'd like to close by talking about one final issue that's very important to Massachusetts—

the AMT. I've been a long time advocate of addressing the problems with the AMT. The first AMT was enacted in 1982 to ensure that the wealthiest Americans paid their fair share. However, because the Bush Tax Cuts decreased tax rates without making corresponding changes to the AMT, millions of Americans become subject to the AMT each year even though they do not make a lot of money. To avoid this result, for the past few years, Congress has enacted an "AMT patch" that prevents these higher taxes from hitting middle income families.

Unfortunately, the most recent AMT patch expired at the end of last year. And so millions of middle class families could pay thousands more in taxes when they file their returns in April 2013 if we don't enact an AMT patch for 2012.

This is a huge deal for my home State of Massachusetts. About 975,000 families in Massachusetts, including about 80,000 in my district, will be hit with the AMT if we don't enact a patch for 2012. This includes about 785,000 middle income families who make less than \$200,000 a year.

To address this issue, both the Democratic and Republican tax bills include AMT patches. But we need to move beyond the patches and really address the problems with the AMT. Since 2001, we've spent about \$407 billion on AMT patches—and if we pass a two year AMT patch for 2012 and 2013, we'll have spent about \$600 billion on patches. Repealing the AMT would cost about 1.2 trillion—so for the amount of money Congress has spent on patches over the past few years, we could have paid for half the cost of repealing the AMT. I call on my Republican colleagues to work with me on a bipartisan basis to address the AMT problem.

Mr. CAMP. At this time, Mr. Speaker, I yield 1 minute to the distinguished gentleman from Virginia, the majority leader of the House.

Mr. CANTOR. I thank the gentleman from Michigan.

Mr. Speaker, the choice before us is very clear. The priority for all of us is jobs, and the choice of how to best create an environment to create jobs is are we going to have taxes go up or not. Mr. Speaker, the House Republicans have put forward solutions to stop the tax hike so we can help create jobs for small businesses and beyond.

Given that economic growth has stalled under President Obama's policies, it is downright puzzling that he and our colleagues on the other side of the aisle would push for raising taxes on working families and small business owners. Nearly 2 years ago, President Obama opposed the same small business tax hike he now supports. Back then, he acknowledged that raising taxes was the wrong thing to do if you want to bring about job creation in a tough economy.

This raises the question: Does the President actually think that the economy is doing so well that we should now tax job creators? Our Democratic colleagues offered their own tax proposal. Instead of offering a plan that

would spur economic growth, the minority put forward the President's small business tax hike. As we saw, Mr. Speaker, the only plan with bipartisan support that passed this House this week was the plan to ensure that taxes do not go up on any American.

As many on both sides of the aisle have made clear, the last thing small businesses need right now is a tax hike. There's no mystery as to how small business owners will respond when faced with higher taxes from Washington. They're rational actors, Mr. Speaker. And when something costs more, you get less of it. With less money to the bottom line, small businesses won't be able to grow as much, and they will not be able to expand as easily.

As was said before by my colleagues from Michigan and Illinois, I think all of us agree on both sides of the aisle and on both sides of the Capitol that we need tax reform. This bill before us paves the way for pro-growth tax reform. This measure puts us on a path toward a simpler, flatter, fairer Tax Code. If you support comprehensive tax reform that will spur economic growth and make this country more competitive, you will vote for the bill. It's that simple.

Mr. Speaker, I want to thank the gentleman from Michigan and for his leadership this week and in many others in his shepherding the movement for tax reform in this body. Ultimately, today's vote on this bill should be the easiest vote we take all year. Do we believe small business owners are the backbone of our economy? Do we want them to grow their businesses and create jobs? If the answer is "yes," then you will support this bill.

□ 1420

Mr. LEVIN. I yield myself 30 seconds.

The majority leader continues to use a tool of propaganda, grabbing small business as his mantra. I want to repeat a fact given to us by Joint Tax: under our bill, 97 percent of small businesses would keep all of their tax cuts—97 percent.

I now yield 4 minutes to the gentleman from Texas (Mr. DOGGETT), a member of our committee.

Mr. DOGGETT. Reviewing this Republican bill before us, I found that there were many of its findings and purposes with which I fully agree. "The Tax Code is unfair." . . . "The Tax Code violates fundamental principles of equal justice." . . . "Exclusions, deductions, credits, and special rules make up tax expenditures that amount to over \$1 trillion per year. . . ."

And then I reflected on who has been in charge of this Tax Code for 14 of the last 18 years, and it is the very people who offer us this bill today. And of the other 4 years, in 2 of those, President Bush was "the decider." So they've had ample opportunity to correct these de-

ficiencies in our Tax Code. But the problem is that rarely over the course of the last couple of decades have they met a lobbyist peddling a loophole to whom they could say "no."

They talk to us about a fast track. Well, that would, indeed, be a new track for them because they've had almost two decades to put in place a Tax Code that would resolve the problems about which they complain today, and they've been inactive through that period.

Oh, yes, there was a time when Republicans controlled essentially all three branches of the American Government, and they flirted with a flat tax. It had great appeal to the Flat Earth Society that dominates the Republican caucus on most issues, but they couldn't make it work.

Then they said they wanted a Fair Tax, and a fair tax sounded like something all of us could support. The only problem was that it would hike the cost of just about everything we buy—from food to a car to a home—by over 20 percent. And when you really get into the details, it wasn't all that fair, except to those at the top who have already benefited so much from the existing Tax Code.

So Republicans have been in charge now for another year and a half in this Congress. They've had an opportunity to come forward not with a pathway to something they would do after the election but with a specific plan of how they would reform our Tax Code. And instead of that specific plan for this Tax Code that has grown by hundreds, if not thousands, of pages under Republican rule of complexity and with exceptions for those lobbyists who were powerful enough to have their voice heard and acted upon in this Capitol. Instead, they come forward with this flimsy little bill, principles with which most Americans could agree; it's just the action that counts. And they say, We want to go on a fast track, but we'd rather wait until after the election to start the track. Well, haven't we heard that story before when they were talking "fair," when they were talking "flat"? Today they're just talking about what they might do in the future.

So we have to look for clues within this flimsy little bill of what, in fact, they would do if they were in the majority with President Romney, heaven forbid. And we got clue number one yesterday when they approved a bill to extend all of the tax breaks that President Bush approved for the very most privileged people in our society. And the effect of what they proposed and the approach they took was that those who were sitting comfortably on top of the economic ladder, they would gain. If they were a millionaire, they'd gain by more in their tax break than a police officer or a nurse or a small business owner in San Marcos or Schertz or

New Braunfels or Lockhart—more than they make in a whole year, these privileged few would get for themselves in lower taxes.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. LEVIN. I yield an additional 2 minutes to the eloquent gentleman from Texas.

Mr. DOGGETT. But the marine corporal, the single mom who is trying to get her daughter or son through college, they would actually see their taxes go up under this simplified fast-track Republican approach.

So those who are trying to get their foothold, their foothold into the first or second rung of that economic ladder, they end up having to pay for more tax breaks for those at the top.

And now today, through this bill, we see that what Mitt Romney was a part of in exporting jobs abroad, he was really just getting started because what they propose is a "territorial" tax system. What is that? A territorial tax system is when you create jobs in somebody else's territory.

Here's how it works. Here's the plan that they're talking about: you are a manufacturer, and you are trying to decide, where will I create my new plant and locate it? I could locate it in San Antonio, Texas. I could locate it in Shanghai. Under their territorial plan, if you locate it in Shanghai, it's tax free.

Guess where the incentive is under their plan to create new jobs? It's not in Texas. It's not in America. It's someplace else. That's what the territorial tax system is all about. But of course with all the loopholes that their lobbyists have been able to get through the decades, many, many corporations aren't paying the 35 percent statutory tax rate.

Many of our largest corporations, like General Electric, they're not only paying a lower tax rate than the hardware store in Lockhart or in Austin that's selling their products, but they're paying a lower tax rate than the cleaning crew that cleaned up the board room at General Electric. Because they found all these loopholes, we have hundreds of large no-tax corporations that are paying next to nothing in terms of their taxes already. They would simply expand that with great inequity.

Mr. CAMP. I yield myself 30 seconds.

I would just say that the gentleman from Texas just described current law as long as you don't bring it back. So what we're looking for is really—we are in a crossroads. I agree with him on that. We really have a choice. Do we follow their path of a tax hike that costs us 700,000 jobs, or do we follow our path of comprehensive tax reform that grows our economy and creates up to 1 million jobs?

At this time, I will yield 2 minutes to the distinguished gentleman from Nebraska (Mr. SMITH), a member of the Ways and Means Committee.

And I also ask unanimous consent that the gentleman from Ohio (Mr. TIBERI) be permitted to control the balance of my time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. SMITH of Nebraska. I thank the gentleman for yielding.

I rise today in support of the underlying bill. And I think that the American people expect us to have a debate here in Washington that is about better policy and not one-upmanship and various 30-second sound bites.

But we know that there are many barriers in our economy. There are barriers to moving our economy again and going forward, and we know that comprehensive tax reform is one of the most important issues we need to face. It isn't always the most popular issue. It is not always the most tangible issue. But we know, whether it's farmers or ranchers—incidentally, from my district, small businesses everywhere, or anything relating to the economy—we know we have work to do.

We know that our current Tax Code, as we have heard most recently, is very costly, confusing, and complicated. The current Tax Code is comprised of more than 10,000 pages of ever-changing laws and regulations. It is a patchwork of various credits, deductions, exemptions, tax hikes, and expiring provisions. This makes responsible business and financial planning next to impossible.

The cost of compliance is obviously a burden. Compliance costs with the current Tax Code falls disproportionately on small businesses, which spend an average of \$74 per hour on tax-related compliance, making it the most expensive paperwork burden they will encounter.

Additionally, our onerous, excessive system is a system with an out-of-control spending addiction that has dominated Washington for far too long under both parties, I would add. It is time for a system which lowers the rate, broadens the base, and addresses global competitiveness.

□ 1430

The Ways and Means Committee has held a series of hearings soliciting input on tax reform, and we will continue in that direction toward fundamental tax reform. The bill before us today provides an important path forward to ensure Congress acts in a timely manner to reform this convoluted Tax Code, and it outlines a framework for comprehensive reform. I urge my colleagues to support the Pathway to Job Creation Act.

Mr. LEVIN. Mr. Speaker, it is now my real pleasure to yield 4 minutes to the gentleman from Massachusetts (Mr. MARKEY), a veteran of many battles on this floor.

Mr. MARKEY. I thank the gentleman.

As Americans watch their Olympic favorites this week, House Republicans are handing out gold medals to all their favorites right out here on the House floor.

In London, speed, agility, and strength determines who gets the gold. But in the Republican-controlled House, it's the wealthiest Americans and the most profitable corporations who secure all of the gold medals.

Two weeks ago, Republicans awarded the gold to America's defense contractors by actually increasing defense spending. Despite sequestration, despite our ballooning deficit, despite the looming fiscal cliff, they increased defense spending.

Then last week, oil companies scored a gold medal by securing new drilling rights off of America's coastline, off of our beaches in California and New England and Maryland to drill. And the Republicans refused yet again, even though Big Oil's margin of victory was enormous on that issue, Republicans refused to end \$4 billion in annual tax breaks to the oil companies we cannot afford, despite the fact that the oil companies made \$137 billion in profits last year, the most profitable industry in the history of the planet.

And today, it's millionaires and billionaires who will cross the finish line and secure the biggest gold medal of all, as the Republicans double down on the Bush tax cuts by rewriting the Tax Code to include \$331,000 in additional tax cuts for the average millionaire in this country, a tax break they do not need and America cannot afford.

House Republicans are setting a world record in rigging the tax system for the ultra-rich while cutting middle class priorities like education and investing in good American jobs. The big losers in the Republican Olympics: the middle class, whose taxes will go up. The middle class, where the Medicare guarantee for millions of seniors will ultimately be destroyed. The big losers: investment in finding cures for Alzheimer's and cancer and Parkinson's, which will have to be drastically cut so the Republicans can crown billionaires, Big Oil, and nuclear bomb builders the big gold medal winners. The losers: the American people, and their families' health and well-being.

Vote "no" on this fixed Republican Olympics. Vote "no" to take care of the billionaires in our country as ordinary families suffer. Nostalgia for a past that never existed has overtaken the idealism which should animate our debates here on the House floor. For the poor, the sick, and the elderly, the past is just a memory and the future is their hard reality. And this Republican budget makes that future all the more difficult for the middle class in our country. Vote "no" on this fixed Republican Olympics.

Mr. TIBERI. I yield 2 minutes to the gentlelady from Kansas (Ms. JENKINS).

Ms. JENKINS. I thank the gentleman for yielding.

Tax reform may not be as exciting as watching Team USA win a gold medal, but for a CPA who specialized in tax, comprehensive tax reform is the Olympics, and we want to win a gold medal for the American taxpayers.

Our Tax Code is a disaster. At around 15,000 pages, it's too long, it's too complicated, and it's chock-full of loopholes favoring some taxpayers at the expense of others. Temporary tax provisions alone have increased from 14 in 1986 to 132 today. U.S. taxpayers and businesses spend 7.6 billion hours simply complying with the code. Tax compliance as an industry is one of the country's largest, requiring 3.8 million workers. That's just too much.

We need a code that is more fair, equitable, and efficient. We need to broaden the base, lower rates, and ignore special interests who fight to block reform, reform that will save us billions of dollars and create a million jobs.

Our friends across the aisle believe increasing the top rate will restore fairness. But how can further complicating the code with more exclusions for certain folks while making it more complicated for others make it more fair?

We have the means and the tools to reduce the tax rates here, and we need to get busy. Overhauling the entire Tax Code is the only way to restore fairness. What we've learned from the 1986 reforms is that broadening the base, eliminating loopholes, and lowering the rates will grow the economy and raise revenues.

This bill not only supports comprehensive tax reform, but it lays out a plan to ensure that it actually happens. Tax reform is a no-brainer. It's a win/win for the economy, our businesses, and our hardworking American families.

Mr. LEVIN. It's now my real pleasure to yield 4 minutes to the gentleman from Maryland (Mr. VAN HOLLEN), the ranking member of the Budget Committee.

Mr. VAN HOLLEN. Mr. Speaker, I thank Mr. LEVIN for all of his good work here.

Mr. Speaker, let's start with a point of agreement. We should simplify the Tax Code. We should reform the Tax Code. It's an overly complicated mess, and it needs to be streamlined and reformed. We could start with some really simple things like getting rid of the special tax breaks and giveaways to Big Oil companies, but our Republican colleagues on this House floor have voted time and again against that.

What we should not do is what we are hearing from a lot of our colleagues today, which is use the language of tax reform as a Trojan horse to provide another huge windfall to the wealthiest

Americans at the expense of the rest of America, and yet that is exactly the direction that this bill takes us in.

The main principle enshrined in this bill is the old Republican principle of trickle-down economics, the failed idea that we need to give more tax cuts to the folks at the very, very top, and somehow those benefits are going to trickle-down to everybody else.

The problem, Mr. Speaker, is the American people have seen this movie before. That's no longer a theoretical idea. We ran a real-world experiment on that idea. It was called the 8 years of the Bush administration. We had tax cuts that disproportionately benefited the very wealthy in 2001 and 2003. At the end of those 8 years, what was the state of the economy? Net loss of private sector jobs, less than zero.

The one number that did go up, it wasn't jobs, it was the deficit. That number went through the roof, and the rest of the country is left to pick up the tab. And that's what the American people are beginning to focus on, Mr. Speaker: that these tax cuts for the wealthy are not a free lunch for the rest of the country but that they come at the expense of everyone and everything else. Because the math is pretty simple. If you refuse to ask the wealthiest Americans to pay one penny more for the purpose of deficit reduction, for everybody else it gets harder. Seniors on Medicare have to pay more even though their median income is under \$23,000. It means deep cuts to investments in our economy and our kids' education, in science and research, and in infrastructure.

Now with today's bill, our Republican colleagues, as Mr. LEVIN said, are doubling down on an idea that we know does not work.

□ 1440

They're providing another round of tax cuts to millionaires and directly asking middle class taxpayers to pick up the tab.

Let's do the math. Let's do the math—that's what we try and do in the Budget Committee. When you drop the top tax rate from 35 percent to 25 percent, first of all, you provide huge breaks to the folks at the very top, but that loses \$4 trillion over 10 years, in other words, the deficit grows by \$4 trillion.

Now, our Republican colleagues say, Oh, no, we don't want to do that. We really care about the deficit. We're going to make up those \$4 trillion through tax reform. Of course they won't tell us one thing about what they would do in tax reform.

But the good news is the Tax Policy Center, an independent group here in Washington, has told us what the Romney plan would do, a plan very similar to this plan. What they make clear is that when you start removing all those deductions and all the benefits, for ex-

ample, for health plans or for mortgage interest deduction, what you end up doing is providing a big tax increase to middle-income taxpayers, financing tax breaks for the folks at the top by increasing the burden on—

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. LEVIN. I yield the gentleman an additional 2 minutes.

Mr. VAN HOLLEN. That's the simple math of the situation.

Now, I know that we've heard from the Romney campaign that that's a liberal think tank. Well, here's what the Romney campaign spokesman said about an earlier analysis from the same Tax Policy Center when they liked the results. Then they called it an "objective third-party analysis"—Romney spokesman of an earlier Tax Policy Center analysis.

That, ladies and gentlemen, is a group here in Washington that does good, nonpartisan work, and that is the result that they found. And it makes common sense; you're trying to make up \$4 trillion or \$5 trillion through tax reform, you're going to switch that burden.

Now, we've also heard that this is somehow going to help "make it in America," that this is going to incentivize companies to do more business here in America. The reality is just the opposite in this bill. You move to a pure territorial system, your slogan might as well be "Make It Overseas: Offshore American Jobs."

Again, let's just look to the analysis done by another nonpartisan group. Mr. LEVIN has talked about the Joint Committee on Taxation analysis. They've already said that if you move to a pure territorial system, "you will erode our domestic tax base and increase our deficits."

Why will you erode our domestic tax base? Because more companies will ship their investments and operations overseas. That means more American jobs overseas.

In fact, another nonpartisan study found that this particular proposal, Republican proposal, which Mr. Romney also supports, would create 800,000 jobs. The problem is they found it would create 800,000 jobs overseas, not here in America, by setting up companies in places like the Cayman Islands and Switzerland.

The SPEAKER pro tempore. The time of the gentleman has again expired.

Mr. LEVIN. I yield the gentleman 1 additional minute.

Mr. VAN HOLLEN. Mr. Speaker, let me just say: Let us come up with a tax reform plan that works for all of the American people. Let's come up with a plan that will help grow our economy from the middle out, not this failed idea of trickle-down economics from the top down. That is what this debate is all about. Because what we want to

do through tax reform is empower the middle class and empower small business men and women.

You do not empower the middle class by creating a situation where, by giving tax breaks to the wealthy, you increase the deficit for the rest of the country. Because when you increase the deficit, you're asking everybody else to pay for those breaks at the very top. And people will pay by fewer investments in education, fewer investments in science and research, fewer investments that are important to empower our economy. And everybody else will be left to pick up this deficit tab while folks at the very top get another break. Let's not do that.

Mr. TIBERI. I yield myself 30 seconds.

Mr. Speaker, the gentleman from Maryland is attacking two Republican plans that are not our plans. The gentleman knows that, for instance, the proposed territorial system that we have proposed is not a pure territorial system, for instance; it has anti-abuse rules. And we can broaden the base by getting rid of deductions and credits without impacting middle class taxpayers.

I yield, with that, Mr. Speaker, 2 minutes to the gentleman from Minnesota (Mr. PAULSEN), the new acting chairman of the Income Security Subcommittee of the Ways and Means Committee.

Mr. PAULSEN. Mr. Speaker, that little word "tax" that we've been talking about today is really, in reality, 3.8 million words that make up the entire U.S. Tax Code. Over the past 10 years alone, Congress has made over 4,428 changes to the Tax Code, averaging about one change each and every single day. It's time, Mr. Speaker, that we find consensus and provide a simpler, fairer, and more competitive Tax Code for everyone.

Over the past 2 years, the Ways and Means Committee has held over 20 hearings laying the groundwork for comprehensive tax reform. We've had meetings jointly with the Senate as well. This legislation that we will vote on today now gives us a path forward that will allow small businesses and all American families the opportunity to have a simpler, fairer, and more competitive Tax Code, not one that actually picks only winners and losers.

We need to close loopholes. We need to eliminate and reduce the number of expenditures and deductions and exemptions that bestow preferential treatment for varying interest groups and primarily only benefit a few.

Business leaders and economists across the country agree that, in order to create more jobs, we've got to make sure that America stays globally competitive, but the complexity of the Tax Code has put America at a disadvantage.

Back in 1960, 85 percent of all the top 20 world firms were in the United

States; by 1985, there were only 13; by the year 2010, this number was cut in half again to a meager six. Putting it simply, Mr. Speaker, the Tax Code's antiquated features have diminished the attractiveness for the United States to become the premier country in which to locate and found and start a business. This means fewer small businesses, it means less manufacturing, and it means fewer jobs.

Today's vote shows that we are serious about moving forward on tax reform to help get our economy back on track. Let's make the United States the number one destination for entrepreneurs, for innovators, and job creators. Let's put this motion in place to pass this measure.

Mr. LEVIN. I reserve the balance of my time.

Mr. TIBERI. I yield 2 minutes to the gentleman from North Dakota (Mr. BERG), a member of the Ways and Means Committee and a distinguished member of the Select Revenue Subcommittee.

Mr. BERG. I thank the gentleman for yielding.

Mr. Speaker, I rise to support this critical piece of legislation to stop the tax hike.

We have a choice to make here: We can support job creators like small business men, farmers, and ranchers that have made North Dakota's economy so strong, or we can abandon them and allow our Nation to go over the so-called "fiscal cliff."

I have to remind my friends on the other side, this is something we talked about in a recent Ways and Means hearing. Small businesses are not "the wealthy." They are not pocketing huge profits. They are trying to grow their businesses by reinvesting back into their business. That's what's creating jobs.

At a time like this, we need to create jobs. We can't afford the Democrat plan which will increase taxes and decrease over 700,000 jobs. We need stability. We need certainty. And we need to pass this legislation so we can provide stability and certainty to our job creators until we complete comprehensive tax review.

Mr. LEVIN. I reserve the balance of my time.

Mr. TIBERI. Mr. Speaker, could I ask how much time each side has remaining?

The SPEAKER pro tempore. The gentleman from Ohio has 30½ minutes, while the gentleman from Michigan has 9 minutes.

Mr. TIBERI. With that, Mr. Speaker, I'd like to yield 3 minutes to another distinguished member of the Ways and Means Committee and a member of the Select Revenue Subcommittee, the gentleman from New York (Mr. REED).

□ 1450

Mr. REED. Thank you, Mr. Chairman, for yielding the time.

Mr. Speaker, I rise today to stand in strong support of the proposed legislation before us this afternoon. The reason why is we have to stop with the rhetoric down here in Washington, D.C.

Hardworking taxpayers across America demand that we get this right and we get the business of the people done. We need to listen to our fellow Americans that our Tax Code that we both, on each side of this aisle, have argued for the last hour, have agreed is broken. It's time to set a path forward.

I have a picture here, Mr. Speaker, that I would like to display for all of us in this Chamber and across America. There's a clear path forward that we need to go down. And it is a path to go forward on a Republican plan that sets forth comprehensive tax reform in an open and honest fashion and makes sure that we get the comprehensive tax reform done in the upcoming year and do it in a way that brings the American people into the debate and we listen to the American people.

We no longer can pick winners and losers in our Tax Code. We need to focus on a Tax Code that is simple, that is fair, and that is competitive because, like it or not, we live in a world economy in which our hardworking Americans have to compete. Our Tax Code needs to be updated to make sure that we put our individuals and our corporations in the most competitive position possible so that when they go out on the world economic stage that they can compete and win, and that we stand with them rather than engage in the bitter rhetoric and partisan divide that is on display, in my opinion, today.

So, Mr. Speaker, with that, I ask support for the underlying legislation, and I ask my colleagues to join us and join hands and engage in a substantive spirited debate, but at the end of the day come up with a comprehensive tax reform package that is going to protect Americans and preserve America for generations to come.

Mr. TIBERI. Mr. Speaker, with that, I would like to yield 3 minutes to the gentleman from Illinois (Mr. SCHOCK), a distinguished member of the Ways and Means Committee.

Mr. SCHOCK. Mr. Speaker, here we are 20 months removed from December 2010 when we last had this debate, 20 months removed from when the President, 91 current House Democrat Members, and 39 sitting Democratic Senators all agreed that our economy couldn't survive a new round of tax increases; 20 months removed from unemployment of 8.9 percent that has continued, quarterly GDP growth of just 2½ percent; and 20 months from a President who proclaimed it wasn't wise policy to raise taxes during a recession.

Well, what has changed, Mr. Speaker? Not much. Unemployment is still over 8 percent, GDP growth has actu-

ally worsened to 1.5 percent, and politicians and Presidents from both sides of the aisle are, once again, saying it is not wise economic policy to increase taxes.

Yet one thing has changed. Earlier this summer, the President reversed his decision, decided our economy had undergone some sort of significant improvement and called for massive tax increases on American small businesses, a call which Senate Democrats responded to and which, according to independent analysis, would shrink our economy by 1.3 percent.

The rhetoric used to advocate for increasing taxes by the other side is the same populist grandstanding we have been hearing for years: everyone needs to pay their fair share.

We need to increase taxes on those millionaires and billionaires.

Only 3 percent of America's job creators will be affected.

Well, the late Senator Daniel Patrick Moynihan once famously said:

Everyone is entitled to their own opinion, but everyone is not entitled to their own facts.

Just like before, none of the claims made by my friends on the other side are supported by fact but, instead, only by campaign commercial-made opinion.

Here are the facts by independent analysis. According to the independent Joint Committee on Taxation, 900,000 small businesses will be subject to these higher taxes, 53 percent of small business income would be hit by these tax increases, 710,000 fewer jobs in America if this tax increase is implemented. And investments, many of which senior citizens live on, dividend income, will increase by as high as 40 percent with this tax increase.

Simply put, there is no bigger "pants on fire" argument than that being put forward by our President proclaiming that these proposed tax increases would only affect 3 percent of our Nation's small businesses.

Now, look, the decision is very clear. We can vote "no" on both of the proposals, H.R. 8 and H.R. 6169, to follow the President and the Senate Democrats towards a vision that has been proven to cost our economy jobs and growth, or we can alternatively vote "yes" on these two proposals which will ensure that the Bush-Obama tax rates stay in effect for a year and we get the comprehensive tax reform we're looking for.

The SPEAKER pro tempore. Without objection, the gentleman from Michigan will control the balance of the time.

There was no objection.

Mr. CAMP. At this time, I yield to the gentleman from Georgia for the purposes of a colloquy.

Mr. WOODALL. I thank the chairman for yielding.

I want to say to you, as I said to you in the Rules Committee yesterday, how

much I appreciate your leadership on fundamental tax reform.

I've been watching this body for 20 years, and I think some of the criticisms of my friends on the Democratic side were right on target. A lot of lip service has been paid to doing it, but the action has not happened. But what you have been able to accomplish in your committee in 18 months truly makes me believe that fundamental tax reform is now right around the corner for all Americans, and I'm grateful to you for your work there.

I had two questions about the bill that's before us today, this expedited procedures bill. It does lay out a framework, but it seems to me to lay out a framework that is broad enough that we will have a robust discussion about how to bring and what to bring in terms of fundamental tax reform to the floor.

Do you view this framework as one that is broad enough to have a full discussion on fundamental tax reform?

Mr. CAMP. I do, Mr. WOODALL. I envision with this framework an open debate, as I've said on the floor, one that will entertain a variety of proposals and one that will include amendments so that we can move forward as a Congress on enacting comprehensive and bipartisan reform.

Mr. WOODALL. I thank the chairman. And I know that in the Ways and Means Committee you will always have a robust debate. As you know, I'm a big fan of the Fair Tax proposal. I thank my colleagues on the Democratic side of the aisle for mentioning it earlier. I hope it made it out across the airwaves. But even if we can't all win in terms of our different ideas, America will win in the end if fundamental tax reform is passed. But lots of those competing ideas, even as only one idea, can be certified within this framework to begin in your committee, you view even after that introduction, that certification by the Joint Tax Committee, a full and robust discussion that would include ideas like consumption taxes in your committee.

Mr. CAMP. Absolutely, there will be a full and robust discussion because, as I said, there will be amendments in committee, and there will be an opportunity for Members to weigh in. And, obviously, this will be a national debate. So this is about getting us on that path and moving forward. Because as we know, the alternative is, do we have taxes go up and cost us 700,000 jobs, or do we try to get us on a path of reform that will create the million jobs that we need to get this country moving again? So absolutely.

Mr. WOODALL. I thank the chairman. I appreciated my colleagues' chart down there of that path of two futures. There is no question that our future is in good hands with our chairman on the Ways and Means Committee.

Mr. CAMP. At this time, I yield 2 minutes to the distinguished gentleman from Virginia (Mr. HURT).

Mr. HURT. Mr. Chairman, I thank you for your leadership on this issue.

Mr. Speaker, I rise today in support of the House plan to stop this massive tax hike on the American people that is set to take place at the end of this year.

The people of central and Southside Virginia know that our economic outlook is bleak. Spending is on the increase, unemployment is high, high fuel prices have left lasting damage to our economy, and the government take-over of health care is raiding our pocketbooks at a time when we can least afford it.

And now, Mr. Speaker, they want more. Now the President and the Senate say that they want to raise taxes and dig deeper into the pockets of the hardworking American people.

I have said time and again that we have a spending problem in D.C. We don't have a "we don't tax people enough" problem. This is now more clear than ever as our national debt ticks upward towards \$16 trillion.

□ 1500

Now is not the time to raise taxes on anyone. It will only lead to more job loss and more spending at a time when the American people are counting on us to get our economy back on track. And while we have addressed this tax issue in the House for today, it is equally pressing that we address the issue of our long-term prosperity.

This country has long needed comprehensive tax reform. History has shown that temporary tax extensions will not fix the problem; they simply apply a Band-Aid. That is why the House plan has taken a thoughtful approach to stopping the impending tax hike and laying out our framework for reforming the Tax Code in a way that will make it simpler and fairer.

The House plan also puts in place expedited procedures to insure that Congress does its job once and for all and addresses the dire need for comprehensive tax reform.

I was proud to support the legislation yesterday to stop the massive year-end tax hike, and I am proud to support this bill today to reform our Tax Code. It's the right thing to do for our country, and it's the right thing to do for our children and grandchildren.

Mr. CAMP. Mr. Speaker, we just have one final speaker to close, so I reserve the balance of my time.

Mr. LEVIN. Mr. Speaker, I yield myself the balance of my time.

I can be very brief, in part, because so many of us have come forth on the Democratic side with real conviction, with real passion, and not basically reading from prepared speeches that simply go over and over the same themes, but really talking about

what's at stake for this country and why this proposal is worse than flawed; it's flagrant.

I bring back that chart. No one has refuted it. It's based on the work of the Joint Economic Committee.

Essentially, what this bill would do is to say to America, if you're very wealthy, you get a \$331,000 tax cut. But for the typical family, it's a \$4,500 tax increase. And so tax cuts for the very wealthy is, essentially, this Republican plan.

Tax increases for the middle class, more and more deficits, jobs overseas instead of making it in America, this is the Republican plan and, essentially, it's Governor Romney's plan. It's, as I said, worse than misguided. It would be a terrible mistake for this House to adopt it, and even a worse mistake for the American people to embrace it.

I don't have confidence in the House Republicans. I have confidence that the American people will say "no." Vote "no" here today.

I yield back the balance of my time.

Mr. CAMP. At this time, I yield such time as he may consume to the gentleman from Ohio (Mr. TIBERI), a distinguished member of the Ways and Means Committee.

Mr. TIBERI. Mr. Chairman, thank you for your leadership. You have done more to advance the cause for comprehensive tax reform and stopping tax increases on Americans than anyone in America, and we certainly appreciate your leadership.

Mr. Speaker, the gentleman from Illinois reminded us that after the election in 2010, the President of the United States said, in this economy, we cannot let tax rates go up for any American because the economy was too weak.

Well, today, ladies and gentlemen, the economy is weaker than it was in December of 2010. In fact, it's been weaker the last 4 months than it was, with little hope that it will get better soon.

Ladies and gentlemen, Americans are long overdue in having comprehensive tax reform. They want it, 9 out of 10 Americans. Nine out of 10 Americans now use a tax preparer. My father, a retired steelworker, my mother, a retired seamstress, use a tax preparer.

And ironically, Mr. Speaker, my father came to America, my mother came to America for a better life. And when I got my first job, my first job at McDonald's, when I was 16 years old, my dad said, Son, we have a really crazy Tax Code that doesn't encourage you to save, that doesn't encourage you to invest. And you know what? You're going to save a little bit of that paycheck because it's the right thing to do, even though we have a crazy Tax Code.

Well, my immigrant dad today thinks we have even a crazier Tax Code than we did back in the early 1980s, and

it's time that we change that. The process in this bill will force people in this town to do what we haven't done for over 25 years, and that's fix the Code.

There's been talk on this floor about small business owners. I was a realtor. I had small business income. I didn't employ anybody. I'm proud of what I did.

But there's a guy that I know. His name is R.J. He's a small business owner. He would be impacted tremendously, and so would his 50 employees, if we allowed his taxes to go up on January 1.

Or William, a small retailer who hires people. He would see his taxes go up.

Ladies and gentlemen, House Republicans believe that jobs are created not in Washington, D.C., but by entrepreneurs and risk takers throughout America. And there are two roads that we can choose to go down. And this chart couldn't be better in showing everybody out there those two roads. One road leads to danger. One road leads to a failing and falling economy with 700,000 jobs to be lost. We don't want to go down that road. We've seen too much misery already.

No, Mr. Speaker, the road that we want to go down, led by our chairman of our committee, is the one to the right, now hiring, in green, with a million new jobs, not created in Washington, but created by people like R.J. and William, entrepreneurs, risk takers and, ladies and gentlemen, people like my dad who came to America with nothing, who understand that hard work and risk taking should be rewarded, not penalized.

That's why, today, the process that this bill puts in this motion will lead us finally to say to the American people, yes, we heard you, loud and clear, and we're going to simplify our Tax Code. We're going to simplify it for every American taxpayer so we can have an economy that creates jobs, doesn't pick winners and losers, and, ladies and gentlemen, gets us to a place where we have a Tax Code that people like my mom and dad don't have to go hire a tax preparer to do their taxes.

With that, Mr. Speaker, I urge passage of this bill.

Mr. CAMP. I yield back the balance of my time.

Mr. BLUMENAUER. Mr. Speaker, I oppose H.R. 6169, a partisan bill that would put in place a contrived and expedited procedure for tax reform, a challenging issue that would benefit from a full and robust debate.

Tax reform is a very complicated, very difficult endeavor. This bill, which attempts to limit debate in both the House and the Senate, will not become law. It wastes time that the House could better apply to the multitude of challenges facing our country.

Over the past several years, taxes have been lower than at any time since the 1950s. Yet the United States—with military commit-

ments around the world, a badly underfunded commitment to domestic infrastructure, and growing obligations to the Baby Boomer generation—also faces a substantial budget deficit. We are also grappling with a yawning gap between our wealthiest and our neediest. Tax expenditures have grown faster than the rate of inflation and now give away nearly half of all income that the income tax would otherwise collect.

It is imperative that Congress begin the difficult work of tax reform in earnest. This bill represents a failure to have an honest conversation about tax reform and for that reason, I oppose this legislation and had I been present, I would have voted no.

Ms. RICHARDSON. Mr. Speaker, I rise in opposition to H.R. 6169, the Pathway to Job Creation through a Simpler, Fairer Tax Code Act. This bill will allow for expedited consideration of a bill that lays out tax reform.

Mr. Speaker, this bill lays out a schedule for an early introduction and swift markup and consideration of a tax reform bill in the 113th Congress. While this would be effective in ensuring that a bill gets passed in a reasonable amount of time, the expedited consideration provided in H.R. 6169 only applies to tax reform bills that contain certain key components.

One requirement for this tax reform bill is that it consolidates the current six individual tax brackets into two brackets of 10 and 25 percent. This provision would allow for an additional \$331,000 tax cut for the average millionaire, while American families earning less than \$200,000 would see their taxes increase by an average of \$4,500. For the sake of reducing rates for the wealthy, this tax reform bill would vastly curtail tax provisions that benefit the middle class.

Another required component of the future tax reform bill is a reduction of the corporate tax rate to 25 percent. In order to achieve such a significant reduction, this plan would require eliminating every provision in our current tax code that encourages domestic job creation, investment, and innovation.

My Republican colleagues assert that this component of the legislation will create jobs by allowing corporations to hold onto a larger portion of their profit. However, this new tax code would provide no incentive to purely domestic businesses or investors, and would result in an increase in the off-shoring of jobs and income. This will stifle our country's economic recovery, and contribute to a continually high unemployment rate.

Mr. Speaker, not only will the proposed requirements of this future tax reform bill unfairly benefit wealthy households and corporations, it will plunge the United States deeper into a budget deficit. If my colleagues across the aisle are so committed to reducing our nation's debt, they should be working on bipartisan legislation to promote progressive and productive tax reform. Instead, they have introduced a H.R. 6169, which expedites future handouts to corporations and the wealthy under the guise of tax reform.

Mr. Speaker, I look forward to getting the opportunity to vote for true, progressive tax reform when it is brought to the House floor. Until then, I urge my colleagues to join me in continuing to oppose attempts to unfairly burden America's working class, now and in the future.

Thank you. I yield the balance of my time.

Mr. PAUL. Mr. Speaker, supporters of low taxes and limited government should enthusiastically embrace most of the principles of tax reform laid out in H.R. 6169. However, one tax reform principle contained in this bill contradicts the goal we all share, namely lowering the American people's tax burden. I'm referring to the bill's finding that seems to imply tax reform should aim to maintain federal tax revenue at 18–19% of Gross Domestic Product (GDP).

The historical average of tax rates as a percentage of GDP in the post World War Two era is 17.7%. Thus, the current tax bill says that the total amount the federal government takes from the American people should be higher than the amount the government took during the time when the federal government was fighting the Cold War and establishing the programs of the so-called Great Society! Of course, this is reasonable only if one assumes Congress will never, or should never, consider reducing the federal government's size and scope.

H.R. 6169 is thus further proof that if one is serious about reducing taxes one must be willing to reduce federal spending in all areas. Instead of trying to ensure that the federal tax collection is set at a level to ensure a perpetual stream of revenue for the welfare-warfare state, Congress should stop spending trillions on an interventionist foreign policy, shut down unconstitutional federal bureaucracies, and begin to wind down federal welfare and entitlement programs.

While the ultimate goal of supporters of liberty is to reduce the federal government to constitutional size, the fact is that Congress need not shut down the entire welfare-warfare state to achieve meaningful tax reduction. In fact, the federal government could eliminate income taxes on individuals and still fund all of its current functions simply by reducing federal spending to Clinton-era levels!

Unfortunately, the sad fact is that neither party truly wants to cut spending consistently. Anyone who doubts my analysis should examine the hysteria over the relatively minuscule "cuts"—which are merely reductions in projected rates of spending—contained in the sequester legislation scheduled to go into effect this January. One party screams that a failure to increase military spending enough will leave America vulnerable to her enemies, while the other party cries that even minimal reductions in the rate of growth of welfare spending will create poverty of Dickensian proportions. Until this mindset changes, any efforts to reduce or eliminate federal income and other taxes will remain an effort in futility.

Mr. MARCHANT. Mr. Speaker, I rise today to support H.R. 6169, the Pathway to Job Creation through a Simpler, Fairer Tax Code Act of 2012. This bill serves as the bridge to tax simplification in 2013.

As families and businesses across America know all too well, our tax code discourages work, burdens entrepreneurship, deters savings and investment, and distorts the allocation of capital. The best growth agenda for America is not a short-term policy fix. What America needs is a clear, long-term policy path that minimizes economic uncertainty and delivers results.

H.R. 6169 does just that. This bill provides for the enactment of comprehensive tax reform next year. Taxpayers deserve a tax code that is simpler, flatter, fairer and easier. This bill isn't just a nice gesture—it's a common sense solution that, according to some economists, will create 1 million jobs in the first year.

I am proud to support, and urge my colleagues on both sides of the aisle to support, this bill that bridges tax reform for our country.

The SPEAKER pro tempore. All time for debate has expired.

AMENDMENT IN THE NATURE OF A SUBSTITUTE
OFFERED BY MS. SLAUGHTER

Ms. SLAUGHTER. Mr. Speaker, I have an amendment at the desk.

The SPEAKER pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. FINDINGS REGARDING COMPREHENSIVE TAX REFORM.

Congress finds that—

(1) legislation to reform the Internal Revenue Code of 1986 is both necessary and desirable, and

(2) the House of Representatives and the Senate should move quickly under regular order to proceed with a bill which—

(A) identifies revenue sources that in conjunction with targeted spending reductions will provide the long-term means to reduce the national debt significantly and make investments in national priorities such as infrastructure, education, research, and defense that are critical to future American competitiveness and job growth,

(B) adopts a rate structure that distributes the tax burden in a more progressive manner,

(C) discourages tax avoidance, including tax avoidance accomplished using entities or accounts in tax haven jurisdictions,

(D) preserves and improves those provisions of the Internal Revenue Code of 1986 that support middle class home ownership, education, retirement savings, and healthcare,

(E) repeals the alternative minimum tax (commonly known as the AMT),

(F) retains and improves refundable tax credits that encourage work and education while lifting millions of Americans out of poverty,

(G) eliminates tax breaks for businesses that move jobs and profits overseas in combination with a reduction in tax rates for American manufacturers, which are vital to innovation and job growth, and

(H) preserves and improves incentives for small business investment and growth.

The SPEAKER pro tempore. Pursuant to House Resolution 747, the gentlewoman from New York (Ms. SLAUGHTER) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentlewoman from New York.

□ 1510

Ms. SLAUGHTER. Mr. Speaker, I yield myself such time as I may consume.

We all agree that the Tax Code needs to be updated and reformed—and my Democrat colleagues and I are ready to work in a bipartisan manner to accom-

plish that goal—but the flawed and entirely partisan priorities reflected in this majority's bill make a very bad start. Their principles seem to point in one direction: less fairness and less of the burden shouldered by the people who have the most; fewer brackets, lower top rates, lower corporate taxes, less revenue, and higher deficits.

My Democrat colleagues and I have a different vision for tax reform, a vision that is reflected in our alternative proposal today. My amendment would replace the principles found in the majority's bill with a different set of priorities for a fairer and simpler Tax Code. I would like to take a minute to outline these priorities.

First, we must identify sources of revenue that, in combination with smart and targeted spending reductions, will provide the long-term means to reduce the national debt significantly while making investments in national priorities such as infrastructure, education, research, and defense, which are critical to the future of American competitiveness and job growth.

I would note that nothing in the Republican bill says tax reform needs to lower the deficit or to even hold it level. On the contrary, there are indications that Republican tax reform would make the deficit worse. I think that they believe, along with Vice President Cheney, who memorably said, "Deficits don't matter." My Democrat colleagues and I disagree with that approach.

Second, we believe that there should be a rate structure that distributes the tax burden in a more progressive manner. We support a Tax Code that discourages tax avoidance, including the use of entities and accounts in tax haven jurisdictions, such as Swiss bank accounts or assets hidden in Bermuda or the Cayman Islands, all done simply to avoid paying United States taxes.

We believe in preserving and improving the provisions of the Tax Code that support middle class homeownership, education, retirement savings, and health care. In addition, we agree that the time has come to repeal the alternative minimum tax, and we want to retain and improve refundable tax credits that encourage work and education while lifting millions of Americans out of poverty.

We support eliminating tax breaks for businesses that move jobs and profits overseas in combination with a reduction in tax rates for American manufacturers, which are vital to innovation and job growth—in other words, reward the people who stay here.

Finally, we want to preserve and improve incentives for small business investment and growth. These businesses are the engine of job creation, and we must do all we can to support their success.

Mr. Speaker, this Republican bill can be explained in one sentence: House Re-

publicans want special procedures that allow them to force their rightwing legislative agenda through the Senate.

Why are we wasting time in trying to change the rules of the Senate—trying to force the other body to accept partisan Republican priorities—rather than just sitting down together and working out a bipartisan path forward?

It's a major question, I think, in this congressional term that, like others have said, is the most poorly productive in history. Our amendment would remove the flawed expedited procedures and misguided Republican principles, and it would replace them with the principles that I have laid out.

Let me end by expressing my utter disbelief at how difficult House Republicans are making it to pass the middle class tax cuts right now. They make clear they intend to hold the middle class tax cuts hostage to the tax cuts for the top 2 percent of Americans, though we agree that earnings of \$250,000 and below should not see any tax increases.

Yesterday, I offered a simple amendment that would say we would delay our departure for the August break until we got this proposal signed into law. It was defeated. Cutting taxes should not be that hard, and I hope my colleagues will join me to support my amendment and to help in our effort to create a fair and simple Tax Code that works for all Americans.

I reserve the balance of my time.

Mr. DREIER. Mr. Speaker, I rise to claim the time in opposition to the gentlewoman's amendment.

The SPEAKER pro tempore. The gentleman from California is recognized for 10 minutes.

Mr. DREIER. Mr. Speaker, I would like to begin by extending my congratulations and to associate myself with the very thoughtful remarks of my dear friend from Rochester, the distinguished ranking minority member of the Committee on Rules. As she at the beginning said, Democrats and Republicans alike agree on the need for comprehensive tax reform.

She is right on target when she says that, Mr. Speaker, and that's exactly what we're doing. The problem that we have is that the amendment that she is proposing undermines the ability for us to get that done.

Now, as I think about this issue that is before us, we have virtually everyone talking about the need to get this done. We have Democrats talking about it, and we have Republicans talking about it. We have the President of the United States talking about it. In fact, it's very interesting. As I heard my friend characterize the "misguided principles" set forth by the Republicans, I am struck by the fact that at least one of those principles has been called for by President Barack Obama. President Obama has said that we need to reduce the top corporate rate from

35 percent. He acknowledges the fact that we have the highest corporate tax rate of any nation on the face of the Earth now that Japan has very wisely reduced its top corporate rate. So what my friend from Rochester describes as “misguided” is actually one of the proposals submitted by President Obama.

So, again, talk is great. I’ve talked about tax reform myself for the three decades that I’ve been privileged to serve here. My friend has just talked about the need for tax reform, but there is a time, Mr. Speaker, when we need to step up to the plate and take action.

The Framers put into place a very, very good structure, a differentiation between the rules and operations of the House and the Senate. We know that the House of Representatives is the coffee cup into which the coffee simmers. As President Washington said so eloquently to Thomas Jefferson as they were sitting down at the Willard Hotel and were describing the Senate—Jefferson was the really smart guy, but it was Washington who was describing to Jefferson what that “saucer” is. It’s where the simmering of the coffee takes place, and he said that that’s what the Senate is. That was a great vision put forth by our Framers, Mr. Speaker, but there comes a time on some important issues when we need to streamline operations, expedite procedures, and that’s what we’re doing.

What my friend from Rochester said is absolutely right. We need to put into place comprehensive tax reform. I totally agree with that. Now let’s get it done. Yes, we put forth some guidelines. We say two rates, no more than 10 or 25 percent. I mean, let’s deal with the globalization issue by shifting from a worldwide to a territorial tax system. Let’s do what we can to obliterate the alternative minimum tax, which we all know has impacted so many of our fellow working Americans who are struggling to make ends meet. It was never designed to do that. And as President Obama has said, let’s reduce that top corporate rate.

Mr. Speaker, as we look at this issue, we can talk about tax reform until we are blue in the face, but this structure is one that’s going to actually get it done. I say very sadly that this measure that is being proposed by my friend is a measure which simply extends the talking, and it undermines the ability for us to actually take action.

Let’s move ahead. Obviously, we need to make sure that we maintain the tax structure for everyone, the tax cuts for all. We did that yesterday. There is this notion of saying let’s just proceed with what we all agree on, which is that we all agree on keeping taxes low for those in the middle class. Well, if we do what it is that they’re saying, what we would end up doing is actually imposing a massive tax increase on job creators. So we can’t come to an agree-

ment on that because, as President Obama again has said, increasing taxes during difficult economic times is bad public policy.

So, Mr. Speaker, I urge my colleagues to vote against this measure.

With that, I reserve the balance of my time.

□ 1520

Ms. SLAUGHTER. Mr. Speaker, this afternoon, all this discussion is about priorities. As I said, we all agree the Tax Code has to be reformed, but the majority has not come to the floor today with a serious proposal to get us there.

My amendment would put us all on record in favor of the priorities of the middle class: more fairness, a simpler Tax Code, a lower deficit, and incentives to keep jobs here in the United States. I ask my colleagues to support my amendment, and I yield back the balance of my time.

Mr. DREIER. Mr. Speaker, I yield myself the balance of my time to say that I’ve said it all.

With that, I urge a “no” vote on my dear friend’s amendment, and I yield back the balance of my time.

The SPEAKER pro tempore. Pursuant to the rule, the previous question is ordered on the bill and on the amendment offered by the gentlewoman from New York (Ms. SLAUGHTER).

The question is on the amendment offered by the gentlewoman from New York.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Ms. SLAUGHTER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 176, noes 246, not voting 8, as follows:

[Roll No. 550]

AYES—176

Ackerman	Cielline	Farr
Altman	Clarke (MI)	Fattah
Andrews	Clarke (NY)	Filner
Baca	Clay	Frank (MA)
Baldwin	Cleaver	Fudge
Barber	Clyburn	Garamendi
Barrow	Connolly (VA)	Gonzalez
Bass (CA)	Conyers	Green, Al
Becerra	Costello	Green, Gene
Berkley	Courtney	Grijalva
Berman	Critz	Gutierrez
Bishop (GA)	Crowley	Hahn
Bishop (NY)	Cuellar	Hanabusa
Blumenauer	Cummings	Hastings (FL)
Bonamici	Davis (CA)	Heinrich
Boswell	Davis (IL)	Higgins
Brady (PA)	DeFazio	Himes
Brown (IA)	DeGette	Hinchey
Brown (FL)	DeLauro	Hinojosa
Butterfield	Deutch	Hirono
Capps	Dicks	Hochul
Capuano	Dingell	Holden
Carmahan	Doggett	Holt
Carney	Doyle	Honda
Carson (IN)	Edwards	Hoyer
Castor (FL)	Ellison	Israel
Chandler	Engel	Johnson (GA)
Chu	Eshoo	Johnson, E. B.

Kaptur	Napolitano	Schwartz
Keating	Neal	Scott (VA)
Kildee	Oliver	Scott, David
Kind	Owens	Serrano
Kucinich	Pallone	Sewell
Langevin	Pascarelli	Sherman
Larsen (WA)	Pastor (AZ)	Sires
Larson (CT)	Pelosi	Slaughter
Lee (CA)	Perlmutter	Smith (WA)
Levin	Peters	Speier
Lewis (GA)	Peterson	Stark
Loeback	Pingree (ME)	Sutton
Lofgren, Zoe	Polis	Thompson (CA)
Lowe	Price (NC)	Thompson (MS)
Lujan	Quigley	Tierney
Lynch	Rahall	Tonko
Maloney	Rangel	Towns
Markey	Reyes	Tsongas
Matsui	Richardson	Van Hollen
McCarthy (NY)	Richmond	Velázquez
McCollum	Ross (AR)	Visclosky
McDermott	Rothman (NJ)	Walz (MN)
McGovern	Roybal-Allard	Wasserman
McNerney	Ruppersberger	Schultz
Meeks	Rush	Waters
Michaud	Ryan (OH)	Watt
Miller (NC)	Sánchez, Linda	Welch
Miller, George	T.	Wilson (FL)
Moore	Sanchez, Loretta	Woolsey
Moran	Sarbanes	Yarmuth
Murphy (CT)	Schakowsky	
Nadler	Schrader	

NOES—246

Adams	Ellmers	Kline
Aderholt	Emerson	Labrador
Alexander	Farenthold	Lamborn
Amash	Fincher	Lance
Amodei	Fitzpatrick	Landry
Austria	Flake	Lankford
Bachmann	Fleming	Latham
Bachus	Flores	LaTourette
Barletta	Forbes	Latta
Bartlett	Fortenberry	Lewis (CA)
Barton (TX)	Fox	Lipinski
Bass (NH)	Franks (AZ)	LoBiondo
Benish	Frelinghuysen	Long
Berg	Gallegly	Lucas
Biggart	Gardner	Luetkemeyer
Billbray	Garrett	Lummis
Bilirakis	Gerlach	Lungren, Daniel
Bishop (UT)	Gibbs	E.
Blackburn	Gibson	Mack
Bonner	Gingrey (GA)	Manzullo
Bono Mack	Gohmert	Marchant
Boren	Goodlatte	Marino
Boustany	Gosar	Matheson
Brady (TX)	Gowdy	McCarthy (CA)
Brooks	Granger	McCauley
Brown (GA)	Graves (GA)	McClintock
Buchanan	Graves (MO)	McHenry
Bucshon	Griffin (AR)	McIntyre
Buerkle	Griffith (VA)	McKeon
Burgess	Grimm	McKinley
Burton (IN)	Guinta	McMorris
Calvert	Guthrie	Rodgers
Camp	Hall	Meehan
Campbell	Hanna	Mica
Canseco	Harper	Miller (FL)
Cantor	Harris	Miller (MI)
Capito	Hartzler	Miller, Gary
Carter	Hastings (WA)	Mulvaney
Cassidy	Hayworth	Murphy (PA)
Chabot	Heck	Myrick
Chaffetz	Hensarling	Neugebauer
Coble	Herger	Noem
Coffman (CO)	Herrera Beutler	Nugent
Cole	Huelskamp	Nunes
Conaway	Huizenga (MI)	Nunnelee
Cooper	Hultgren	Olson
Costa	Hunter	Palazzo
Cravaack	Hurt	Paul
Crawford	Issa	Paulsen
Crenshaw	Jenkins	Pearce
Culberson	Johnson (IL)	Pence
Denham	Johnson (OH)	Petri
Dent	Johnson, Sam	Pitts
DesJarlais	Jones	Platts
Diaz-Balart	Jordan	Poe (TX)
Dold	Kelly	Pompeo
Donnelly (IN)	King (IA)	Posey
Dreier	King (NY)	Price (GA)
Duffy	Kingston	Quayle
Duncan (SC)	Kinzinger (IL)	Reed
Duncan (TN)	Kissell	Rehberg

Reichert	Schmidt	Tiberi
Renacci	Schock	Tipton
Ribble	Schweikert	Turner (NY)
Rigell	Scott (SC)	Turner (OH)
Rivera	Scott, Austin	Upton
Roby	Sensenbrenner	Walberg
Roe (TN)	Sessions	Walden
Rogers (AL)	Shimkus	Walsh (IL)
Rogers (KY)	Shuler	Webster
Rogers (MI)	Shuster	West
Rohrabacher	Simpson	Westmoreland
Rokita	Smith (NE)	Whitfield
Rooney	Smith (NJ)	Wilson (SC)
Ros-Lehtinen	Smith (TX)	Wittman
Roskam	Southerland	Wolf
Ross (FL)	Stearns	Womack
Royce	Stivers	Woodall
Runyan	Stutzman	Yoder
Ryan (WI)	Sullivan	Young (AK)
Scalise	Terry	Young (FL)
Schiff	Thompson (PA)	Young (IN)
Schilling	Thornberry	

NOT VOTING—8

Akin	Cohen	Jackson Lee
Black	Fleischmann	(TX)
Cardoza	Jackson (IL)	Waxman

□ 1546

Mr. LABRADOR, Mrs. SCHMIDT, Ms. HAYWORTH, Ms. GRANGER, Messrs. ROONEY, CULBERSON, and COSTA changed their vote from “aye” to “no.”

Mr. TOWNS changed his vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. BISHOP of New York. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. BISHOP of New York. In its current form, I am.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Bishop of New York moves to recommit the bill H.R. 6169 to the Committee on Ways and Means with instructions to report the same back to the House forthwith with the following amendment:

In section 3(a), strike “and” at the end of paragraph (1), strike the period at the end of paragraph (2) and insert “; and”, and add at the end the following:

(3) which does not repeal, reduce, or otherwise eliminate the existing deductions for mortgage interest or charitable contributions.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

□ 1550

Mr. BISHOP of New York. Mr. Speaker, this is the final amendment to H.R. 6169. It will not kill the bill nor will it send it back to committee. If adopted, H.R. 6169 will immediately proceed to final passage, as amended.

My amendment is simple and straightforward and is a reasonable, additional parameter to a bill, the pur-

pose of which is to set the parameters for tax reform during the 113th Congress.

Mr. Speaker, my amendment simply preserves two of the most important, popular, and widely supported deductions in a future tax reform package to be considered under expedited procedures in the House: the mortgage interest tax deduction and the charitable contribution tax deduction.

The mortgage interest tax deduction helps millions of American families achieve that most celebrated and sought-after part of the American Dream: homeownership. Nearly every Member of this body benefited from this deduction and nearly every homeowner in our districts has utilized this critical tax deduction to buy a home for their family and become part of the larger community. In fact, 199 Members, including 114 Republicans, are cosponsors of H. Res. 25, a resolution expressing the sense of Congress that the mortgage interest tax deduction should not be restricted in any way.

I will submit for the RECORD a list of the cosponsors of H. Res. 25.

As we head home for the August work period, I urge every Member who votes against this amendment, especially those Members who are cosponsors of H. Res. 25, to return to their districts and tell their constituents, many of whom still struggle to pay their bills or to put a child through college, why they oppose protecting the mortgage interest tax deduction.

As Chairman CAMP recently suggested, it is critical that we do nothing to undermine the housing market as our economy marches toward recovery. Because the value of the mortgage interest deduction is capitalized into the price of housing, curtailing or eliminating it would reduce the value of housing across the United States, put more homeowners underwater, and take the wind out of recovery. Simply put, this Congress should not be throwing up obstacles to the American Dream.

Mr. Speaker, my amendment also seeks to preserve the charitable contribution deduction that is essential to the economic viability of thousands of organizations, both large and small, national and local, to advance important causes or provide critically needed services to our most vulnerable constituents. From the neighborhood church to the local food pantry to international organizations like the Red Cross and the Salvation Army, these organizations play a crucial role in the lives of millions of Americans as well as the international community.

We've heard many times from our Republican colleagues how charitable organizations can and should relieve the Federal Government of some of its responsibilities, especially those responsibilities of assisting the most vulnerable Americans. With thousands of

families slowly regaining their footing after the housing crisis, now is not the time for Congress to make it more difficult for charitable organizations to provide meals, clothing, job training, temporary shelter, and other vital aid to our struggling neighbors.

Repealing the charitable tax contribution could result in a loss of as much as \$150 billion, or 69 percent, of annual charitable giving. By one report, private giving must already multiply more than tenfold by 2016 just to keep up with the proposed House Republican budget cuts.

If a Member votes against my amendment, I would urge that Member to go home to his or her district and visit a local food pantry or place of worship and tell their volunteers why they will need to slash their programs and reduce their outreach to the community.

Our Republican colleagues have proposed deep cuts to SNAP, to childhood nutrition programs, affordable housing, and job training. Will they now vote to create another obstacle for organizations that, by their own reckoning, should fill the void of reduced Federal investment for social programs?

My Republican colleagues can't have it both ways. The Republican budget claims that it will lower everyone's taxes in a revenue-neutral fashion by closing loopholes and capping or eliminating deductions. However, when pressed for details about which deductions they plan to cap or eliminate, they refuse to give specifics. Now is the time for specifics.

The underlying bill establishes the parameters of the upcoming tax reform debate. Will my Republican colleagues protect homeowners and the Nation's most vulnerable, or will the richest Americans enjoy another tax cut at the expense of the middle class? There is one way to find out. A vote for my amendment is a vote for protecting the middle class.

I yield back the balance of my time.

BILL SUMMARY AND STATUS

H. RES. 25

Latest Title: Expressing the sense of the Congress that the current Federal income tax deduction for interest paid on debt secured by a first or second home should not be further restricted.

Sponsor: Rep Miller, Gary G. [R-CA-42] (introduced 1/6/2011)

Cosponsors: 199

Committees: House Ways and Means

Latest Major Action: 1/6/2011 Referred to House committee. Status: Referred to the House Committee on Ways and Means.

Cosponsors, By Party [* = original cosponsor]:

Cosponsor Statistics: 199 current (includes 5 original)

Rep Andrews, Robert E. [D-NJ-1]—4/6/2011; Rep Baca, Joe [D-CA-4-3]—1/6/2011*; Rep Barrow, John [D-GA-12]—6/23/2011; Rep Bishop, Sanford D., Jr. [D-GA-2]—1/18/2011; Rep Bordallo, Madeleine Z. [D-GU]—4/4/2011; Rep Boswell, Leonard L. [D-IA-3]—7/6/2011; Rep Braley, Bruce L. [D-IA-1]—3/31/2011; Rep

Brown, Corrine [D-FL-3]—2/10/2011; Rep Capps, Lois [D-CA-23]—4/1/2011; Rep Cardoza, Dennis A. [D-CA-18]—2/10/2011; Rep Carnahan, Russ [D-MO-3]—3/3/2011; Rep Chandler, Ben [D-KY-6]—5/12/2011; Rep Christensen, Donna M. [D-VI]—5/2/2011; Rep Cicilline, David N. [D-RI-1]—2/13/2012; Rep Clay, Wm. Lacy [D-MO-1]—7/18/2012; Rep Cleaver, Emanuel [D-MO-5]—5/3/2011; Rep Connolly, Gerald E. “Gerry” [D-VA-11]—3/29/2011; Rep Costa, Jim [D-CA-20]—2/14/2011; Rep Courtney, Joe [D-CT-2]—5/23/2011.

Rep Cuellar, Henry [D-TX-28]—5/23/2011; Rep Cummings, Elijah E. [D-MD-7]—2/14/2011; Rep DeFazio, Peter A. [D-OR-4]—2/10/2011; Rep Donnelly, Joe [D-IN-2]—5/16/2012; Rep Engel, Eliot L. [D-NY-17]—5/25/2011; Rep Eshoo, Anna G. [D-CA-14]—3/31/2011; Rep Farr, Sam [D-CA-17]—2/10/2011; Rep Filner, Bob [D-CA-51]—2/10/2011; Rep Green, Al [D-TX-9]—1/12/2011; Rep Green, Gene [D-TX-29]—3/3/2011; Rep Hahn, Janice [D-CA-36]—2/28/2012; Rep Hanabusa, Colleen W. [D-HI-1]—4/6/2011; Rep Hastings, Alcee L. [D-FL-23]—5/23/2011; Rep Heinrich, Martin [D-NM-1]—5/10/2011; Rep Higgins, Brian [D-NY-27]—4/4/2011; Rep Hinchey, Maurice D. [D-NY-22]—5/12/2011; Rep Hinojosa, Rubén [D-TX-15]—1/6/2011*; Rep Hirono, Mazie K. [D-HI-2]—5/10/2011; Rep Hochul, Kathleen C. [D-NY-26]—6/20/2012; Rep Holden, Tim [D-PA-17]—6/14/2011.

Rep Holt, Rush D. [D-NJ-12]—5/2/2011; Rep Honda, Michael M. [D-CA-15]—3/29/2011; Rep Inslee, Jay [D-WA-1]—5/31/2011; Rep Israel, Steve [D-NY-2]—5/23/2011; Rep Jackson Lee, Sheila [D-TX-18]—2/10/2011; Rep Johnson, Eddie Bernice [D-TX-30]—5/23/2011; Rep Johnson, Henry C. “Hank,” Jr. [D-GA-4]—3/3/2011; Rep Keating, William R. [D-MA-10]—5/23/2011; Rep Kildee, Dale E. [D-MI-5]—5/12/2011; Rep Langevin, James R. [D-RI-2]—1/24/2012; Rep Larsen, Rick [D-WA-2]—5/10/2011; Rep Lewis, John [D-GA-5]—3/29/2011; Rep Loeb sack, David [D-IA-2]—3/20/2012; Rep Lofgren, Zoe [D-CA-16]—5/12/2011; Rep Luján, Ben Ray [D-NM-3]—2/2/2012; Rep Matheson, Jim [D-UT-2]—5/16/2012; Rep McCarthy, Carolyn [D-NY-4]—5/3/2011; Rep McGovern, James P. [D-MA-3]—6/14/2011; Rep McIntyre, Mike [D-NC-7]—3/3/2011; Rep McNerney, Jerry [D-CA-11]—2/18/2011.

Rep Meeks, Gregory W. [D-NY-6]—1/6/2011*; Rep Miller, Brad [D-NC-13]—5/23/2011; Rep Napolitano, Grace F. [D-CA-38]—2/14/2011; Rep Norton, Eleanor Holmes [D-DC]—5/2/2011; Rep Owens, William L. [D-NY-23]—12/6/2011; Rep Pallone, Frank, Jr. [D-NJ-6]—3/11/2011; Rep Pascarella, Bill, Jr. [D-NJ-8]—2/29/2012; Rep Payne, Donald M. [D-NJ-10]—5/2/2011; Rep Perlmutter, Ed [D-CO-7]—5/25/2011; Rep Rahall, Nick J., II [D-WV-3]—3/31/2011; Rep Reyes, Silvestre [D-TX-16]—5/23/2011; Rep Richardson, Laura [D-CA-37]—2/10/2011; Rep Ross, Mike [D-AR-4]—2/14/2011; Rep Roybal-Allard, Lucille [D-CA-34]—5/12/2011; Rep Rush, Bobby L. [D-IL-1]—5/23/2011; Rep Sánchez, Linda T. [D-CA-39]—3/7/2012; Rep Sanchez, Loretta [D-CA-47]—1/31/2012; Rep Schiff, Adam B. [D-CA-29]—5/10/2011; Rep Scott, David [D-GA-13]—2/10/2011; Rep Sherman, Brad [D-CA-27]—2/10/2011.

Rep Sires, Albio [D-NJ-13]—3/3/2011; Rep Slaughter, Louise McIntosh [D-NY-28]—5/23/2011; Rep Tonko, Paul [D-NY-21]—3/11/2011; Rep Towns, Edolphus [D-NY-10]—5/23/2011; Rep Waters, Maxine [D-CA-35]—3/3/2011; Rep Wou, David [D-OR-1]—4/8/2011; Rep Akin, W. Todd [R-MO-2]—5/2/2011; Rep Amodei, Mark E. [R-NV-2]—12/5/2011; Rep Austria, Steve [R-OH-7]—2/14/2011; Rep Barletta, Lou [R-PA-11]—3/3/2011; Rep Bartlett, Roscoe G. [R-MD-6]—2/10/2011; Rep Barton, Joe [R-TX-6]—4/8/2011; Rep Biggert, Judy [R-IL-13]—7/8/2011; Rep Bilbray, Brian P. [R-CA-50]—1/18/2011;

Rep Bilirakis, Gus M. [R-FL-9]—9/13/2011; Rep Bishop, Rob [R-UT-1]—5/3/2011; Rep Blackburn, Marsha [R-TN-7]—4/4/2011; Rep Brooks, Mo [R-AL-5]—5/3/2011; Rep Brown, Paul C. [R-GA-10]—11/14/2011; Rep Burgess, Michael C. [R-TX-26]—8/1/2011.

Rep Burton, Dan [R-IN-5]—3/16/2011; Rep Calvert, Ken [R-CA-44]—1/6/2011*; Rep Capito, Shelley Moore [R-WV-2]—5/23/2011; Rep Chabot, Steve [R-OH-1]—7/8/2011; Rep Chaffetz, Jason [R-UT-3]—2/10/2011; Rep Coble, Howard [R-NC-6]—4/8/2011; Rep Coffman, Mike [R-CO-6]—3/29/2011; Rep Conaway, K. Michael [R-TX-1]—2/18/2011; Rep Crawford, Eric A. “Rick” [R-AR-1]—6/14/2011; Rep Crenshaw, Ander [R-FL-4]—6/23/2011; Rep Culberson, John Abney [R-TX-7]—5/12/2011; Rep Denham, Jeff [R-CA-19]—3/31/2011; Rep Dent, Charles W. [R-PA-15]—3/31/2011; Rep Duncan, Jeff [R-SC-3]—11/2/2011; Rep Fincher, Stephen Lee [R-TN-8]—5/23/2011; Rep Fitzpatrick, Michael G. [R-PA-8]—3/16/2011; Rep Fleischmann, Charles J. “Chuck” [R-TN-3]—5/10/2011; Rep Frelinghuysen, Rodney P. [R-NJ-11]—7/6/2011; Rep Gallegly, Elton [R-CA-24]—1/12/2011; Rep Gardner, Cory [R-CO-4]—5/31/2011.

Gerlach, Jim [R-PA-6]—5/23/2011; Rep Gibbs, Bob [R-OH-18]—7/28/2011; Rep Gibson, Christopher P. [R-NY-20]—5/23/2011; Rep Gingrey, Phil [R-GA-11]—3/3/2011; Rep Gohmert, Louie [R-TX-1]—6/22/2011; Rep Granger, Kay [R-TX-12]—4/6/2011; Rep Graves, Sam [R-MO-6]—5/10/2011; Rep Graves, Tom [R-GA-9]—9/8/2011; Rep Griffin Tim [R-AR-2]—2/14/2011; Rep Grimm, Michael G. [R-NY-13]—3/16/2011; Rep Guthrie, Brett [R-KY-2]—5/10/2011; Rep Hall, Ralph M. [R-TX-4]—5/23/2011; Rep Heck, Joseph J. [R-NV-3]—2/18/2011; Rep Herrera Beutler, Jaime [R-WA-3]—4/15/2011; Rep Huizenga, Bill [R-MI-2]—5/12/2011; Rep Hultgren, Randy [R-IL-14]—4/15/2011; Rep Hunter, Duncan D. [R-CA-52]—2/10/2011; Rep Johnson, Bill [R-OH-6]—5/23/2011; Rep Johnson, Timothy V. [R-IL-15]—11/14/2011; Rep King, Peter T. [R-NY-3]—4/25/2012.

Rep Kinzinger, Adam [R-IL-11]—5/23/2011; Rep Lance, Leonard [R-NJ-7]—5/23/2011; Rep Latham, Tom [R-IA-4]—8/9/2011; Rep LaTourette, Steven C. [R-OH-14]—3/3/2011; Rep LoBiondo, Frank A. [R-NJ-2]—2/10/2011; Rep Long, Billy [R-MO-7]—2/14/2011; Rep Luetkemeyer, Blaine [R-MO-9]—2/10/2011; Rep Manzullo, Donald A. [R-IL-16]—1/6/2011*; Rep Marino, Tom [R-PA-10]—5/12/2011; Rep McClintock, Tom [R-CA-4]—6/21/2011; Rep McKeon, Howard P. “Buck” [R-CA-25]—3/7/2012; Rep McKinley, David B. [R-WV-1]—1/12/2011; Rep McMorris Rodgers, Cathy [R-WA-5]—5/23/2011; Rep Meehan, Patrick [R-PA-7]—5/23/2011; Rep Miller, Jeff [R-FL-1]—1/20/2011; Rep Murphy, Tim [R-PA-18]—4/8/2011; Rep Myrick, Sue Wilkins [R-NC-9]—4/1/2011; Rep Noem, Kristi L. [R-SD]—3/31/2011; Rep Nugent, Richard [R-FL-5]—1/19/2011; Rep Nunnelee, Alan [R-MS-1]—5/23/2011.

Rep Palazzo, Steven M. [R-MS-4]—5/23/2011; Rep Paul, Ron [R-TX-14]—3/31/2011; Rep Pearce, Stevan [R-NM-2]—7/11/2011; Rep Petri, Thomas E. [R-WI-6]—5/31/2011; Rep Poe, Ted [R-TX-2]—5/10/2011; Rep Posey, Bill [R-FL-15]—1/18/2011; Rep Rehberg, Denny [R-MT]—5/12/2011; Rep Rivera, David [R-FL-25]—5/17/2012; Rep Roe, David P. [R-TN-1]—5/12/2011; Rep Rogers, Mike D. [R-AL-3]—4/6/2011; Rep Rogers, Mike J. [R-MI-8]—3/7/2012; Rep Ros-Lehtinen, Ileana [R-FL-18]—5/23/2011; Rep Ross, Dennis [R-FL-12]—2/10/2011; Rep Royce, Edward R. [R-CA-40]—9/8/2011; Rep Runyan, Jon [R-NJ-3]—3/16/2011; Rep Scalise, Steve [R-LA-1]—5/10/2011; Rep Schilling, Robert T. [R-IL-17]—5/31/2011; Rep Schmidt, Jean [R-OH-2]—7/6/2011; Rep Scott, Austin [R-GA-8]—3/16/2011; Rep Scott, Tim [R-SC-1]—3/29/2011.

Rep Sensenbrenner, F. James, Jr. [R-WI-5]—4/6/2011; Rep Sessions, Pete [R-TX-32]—5/23/2011; Rep Shuster, Bill [R-PA-9]—5/2/2011; Rep Smith, Christopher H. [R-NJ-4]—3/29/2011; Rep Southerland, Steve [R-FL-2]—6/14/2011; Rep Stivers, Steve [R-OH-15]—3/3/2011; Rep Terry, Lee [R-NE-2]—2/14/2011; Rep Tipton, Scott [R-CO-3]—5/10/2011; Rep Turner, Michael R. [R-OH-3]—3/3/2011; Rep Upton, Fred [R-MI-6]—5/2/2011; Rep Walberg, Tim [R-MI-7]—6/2/2011; Rep Walden, Greg [R-OR-2]—5/2/2011; Rep Walsh, Joe [R-IL-8]—5/3/2011; Rep West, Allen B. [R-FL-22]—4/6/2011; Rep Westmoreland, Lynn A. [R-GA-3]—4/15/2011; Rep Whitfield, Ed [R-KY-1]—5/23/2011; Rep Wilson, Joe [R-SC-2]—1/25/2011; Rep Wittman, Robert J. [R-VA-1]—5/31/2011; Rep Young, C.W. Bill [R-FL-10]—1/25/2011; Rep Young, Don [R-AK]—3/11/2011.

Mr. DREIER. Mr. Speaker, I rise in opposition to the motion.

The SPEAKER pro tempore. The gentleman from California is recognized for 5 minutes.

Mr. DREIER. Mr. Speaker, nice try. Let's not be drawn in by this kind of gimmick. Vote “no” on the gentleman's amendment.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. BISHOP of New York. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—ayes 188, noes 235, not voting 7, as follows:

[Roll No. 551]

AYES—188

Ackerman	Clarke (NY)	Farr
Altmire	Clay	Fattah
Andrews	Cleaver	Filner
Baca	Clyburn	Frank (MA)
Baldwin	Connolly (VA)	Fudge
Barber	Conyers	Garamendi
Barrow	Cooper	Gonzalez
Bass (CA)	Costa	Green, Al
Becerra	Costello	Green, Gene
Berkley	Courtney	Grijalva
Berman	Critz	Gutierrez
Bishop (GA)	Crowley	Hahn
Bishop (NY)	Cuellar	Hanabusa
Bonamici	Cummings	Hastings (FL)
Boren	Davis (CA)	Heinrich
Boswell	Davis (IL)	Higgins
Brady (PA)	DeFazio	Hinchey
Braley (IA)	DeGette	Hinojosa
Brown (FL)	DeLauro	Hirono
Butterfield	Deutch	Hochul
Capps	Dicks	Holden
Capuano	Dingell	Holt
Carnahan	Doggett	Honda
Carney	Donnelly (IN)	Hoyer
Carson (IN)	Doyle	Israel
Castor (FL)	Duncan (TN)	Johnson (GA)
Chandler	Edwards	Johnson, E. B.
Chu	Ellison	Jones
Cicilline	Engel	Kaptur
Clarke (MI)	Eshoo	Keating

Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loeb sack
Lofgren, Zoe
Lowey
Lujan
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler

Napolitano
Neal
Oliver
Owens
Pallone
Pascarell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schmidt
Schrader

Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NOES—235

Adams
Aderholt
Alexander
Amash
Amodei
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggart
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blumenauer
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Ellmers
Emerson

Farenthold
Fincher
Fitzpatrick
Flake
Fleming
Flores
Forbes
Fortenberry
Fox
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Himes
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline

Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris
Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci

Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schock

Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi

Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—7

Akin
Black
Cardoza

Cohen
Fleischmann
Jackson (IL)

Jackson Lee
(TX)

□ 1612

Messrs. BOREN and SHULER and Ms. HAHN changed their vote from “no” to “aye.”

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. HASTINGS of Florida. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 232, noes 189, not voting 9, as follows:

[Roll No. 552]

AYES—232

Adams
Aderholt
Alexander
Amash
Amodei
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggart
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy

Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleming
Flores
Forbes
Fortenberry
Fox
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs

Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (IA)

King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris
Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer

Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt

Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOES—189

Ackerman
Altmire
Andrews
Baca
Baldwin
Barber
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Bonamici
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Ciilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell

Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Gibson
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Israel
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loeb sack
Lofgren, Zoe

Lowey
Lujan
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Oliver
Owens
Pallone
Pascarell
Pastor (AZ)
Paul
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes

Schakowsky	Smith (WA)	Visclosky
Schiff	Speier	Walz (MN)
Schrader	Stark	Wasserman
Schwartz	Sutton	Schultz
Scott (VA)	Thompson (CA)	Waters
Scott, David	Thompson (MS)	Watt
Serrano	Tierney	Waxman
Sewell	Tonko	Welch
Sherman	Towns	Wilson (FL)
Shuler	Tsongas	Woolsey
Sires	Van Hollen	Yarmuth
Slaughter	Velázquez	

NOT VOTING—9

Akin	Cardoza	Jackson Lee
Black	Cohen	(TX)
Blumenauer	Fleischmann	
Campbell	Jackson (IL)	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1620

Mr. BUTTERFIELD changed his vote from “aye” to “no.”

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mrs. BLACK. Mr. Speaker, on rollcall No. 552 for final passage of H.R. 6169, I am not recorded because I was unavoidably detained. Had I been present, I would have voted “aye.”

The SPEAKER pro tempore. Pursuant to section 10 of House Resolution 747, H.R. 6169 is laid on the table.

AGRICULTURAL DISASTER ASSISTANCE ACT OF 2012

GENERAL LEAVE

Mr. WOODALL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on H.R. 6233.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The SPEAKER pro tempore. Pursuant to clause 1(c) of rule XIX, further consideration of the bill (H.R. 6233) to make supplemental agricultural disaster assistance available for fiscal year 2012 with the costs of such assistance offset by changes to certain conservation programs, and for other purposes, will now resume.

The Clerk read the title of the bill.

MOTION TO RECOMMIT

Mr. COSTA. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore (Mr. DENHAM). Is the gentleman opposed to the bill?

Mr. COSTA. I am opposed to this legislation in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Costa moves to recommit the bill H.R. 6233 to the Committee on Agriculture with instructions to report the same back to the

House forthwith with the following amendments:

Page 1, beginning line 3, strike section 1 and insert the following new section:

SECTION 1. SHORT TITLE; FINDINGS, AND SENSE OF THE HOUSE OF REPRESENTATIVES.

(a) SHORT TITLE.—This Act may be cited as the “Agricultural Disaster Assistance Act of 2012”.

(b) FINDINGS.—The House of Representatives makes the following findings:

(1) Family farms and livestock producers are suffering from the worst drought facing the United States since the 1950s, and this drought affects almost every State.

(2) This Act does not help pork or poultry producers and provides only limited assistance for dairy producers.

(3) Many producers of fruits and vegetables may not have crop insurance available to them as a risk management tool, and they too need some type of help, which this Act does not provide.

(4) Most of the disaster-related provisions of the widely popular Food, Conservation, and Energy Act of 2008 (the current farm bill, Public Law 110–246) have expired.

(c) SENSE OF THE HOUSE.—In light of the findings expressed in subsection (b), it is the sense of the House of Representatives that a five-year farm-safety net will provide greater certainty and stability for America’s farm families than legislation extending farm policy for only one year or authorizing short-term disaster assistance.

Page 20, after line 12, insert the following new paragraph:

(5) FOREIGN CORPORATIONS.—Section 1001C of the Food Security Act of 1985 (7 U.S.C. 1308–3) or any successor provisions shall apply with respect to assistance provided under this section.

Page 21, after line 19, insert the following new subsection:

(j) NO DUPLICATIVE PAYMENTS.—In implementing any other program which makes disaster assistance payments (except for indemnities made under subtitle A of the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) and section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333)), the Secretary shall prevent duplicative payments with respect to the same loss for which a person receives a payment under subsections (b), (c), (d), or (e).

Mr. COSTA (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

Mr. LUCAS. Mr. Speaker, I object at the present time.

The SPEAKER pro tempore. Objection is heard.

The Clerk will read.

The Clerk continued to read.

Mr. LUCAS. Mr. Speaker, I reserve a point of order.

The SPEAKER pro tempore. A point of order is reserved.

Pursuant to the rule, the gentleman from California (Mr. COSTA) is recognized for 5 minutes in support of his motion.

Mr. COSTA. This is the final amendment to the bill. It will not kill the bill or send it back to committee. I repeat—it will not kill the bill nor will it send it back to committee. If adopted,

however, the bill will immediately be amended and proceed under final passage.

In the Republicans’ rush to legislate, they have missed some important pieces that the motion to recommit would address.

First, the bill, H.R. 6233, the Agricultural Disaster Assistance Act of 2012, allows disaster payments to go to corporations incorporated under State law, but there is nothing in the bill to prevent these corporations from being wholly-owned subsidiaries of foreign corporations.

Under current law, for much of the farm safety net, foreign corporations—defined under current law as to where more than 10 percent of the beneficial ownership is held by a non-U.S. citizen—cannot receive farm payments. This bill fails to do that.

The farm bill we passed in committee addressed the current law. It passed by a bipartisan vote of 35–11. It includes the same provisions that are in this disaster package. It also ensures that payments do not go to foreign corporations.

This motion to recommit fixes that.

Additionally, under current law, there is a provision to prevent duplicative payments from being made to producers under disaster programs, in other words, double-dipping. This provision was included to prevent producers from collecting payments from multiple programs for the same disaster. We want to treat those people fairly under this disaster, but we don’t want people receiving double-dipping payments.

Again, in the Republicans’ rush to legislate, the provision that ensures against duplicative payments and double-dipping somehow missed the boat.

This motion to recommit fixes that oversight as well.

Finally and more importantly, the motion to recommit also gives every Member here an opportunity to take a position on what ironically, I think, could be called the elephant in the room, and that is whether or not the House is going to consider a 5-year farm bill to provide certainty and security to rural America and its agriculture economy.

The motion to recommit expresses the sense of the House that a 5-year farm safety net is far better for certainty and security for farmers and farm families than this bill or even a short-term extension is. After all, the farm bill is traditionally one of the most bipartisan things we do around here.

In a statement regarding the underlying bill, a broad-based coalition of farm organizations said that they would:

support finding a path forward to reaching an agreement on a new 5-year farm bill before current program authorities expire on September 30.

They go on to say:

We are disappointed that the House Republican leadership has decided to not move forward with the House Agriculture Committee's bill before adjourning for the August recess. The bill would provide the disaster relief for our farm and ranch families needed at this time.

Those organizations among them are the American Farm Bureau Federation, the National Corn Growers Association, the National Farmers Union, the National Milk Producers Federation, the United Fresh Produce Association, and Western Growers, to mention but a few.

□ 1630

Members, we have a chance to take a stand. Are you for regular order, or for political messaging? Are you for doing our work, or kicking the can down the road? Should we take up a comprehensive farm bill before September 30, or add this to the growing list of unfinished business to be considered in a lame duck session? I hope not.

All in all, the motion to recommit makes important fixes in the underlying bill, making it consistent with current law regarding the treatment of foreign corporations and protections against duplicative payments, otherwise known as double-dipping. It puts the House on record that we need to consider a 5-year farm bill before the current one expires on September 30. I urge my colleagues to support the motion to recommit.

Traditionally, the farm bill is one of the most bipartisan pieces of legislation that we act on. The bipartisan support was in the Senate and the bipartisan support was in the House Agriculture Committee by a vote of 35–11. We have a crisis, and we ought to properly respond.

With that, I yield back the balance of my time.

Mr. LUCAS. Mr. Speaker, I withdraw my reservation, and rise in opposition.

The SPEAKER pro tempore. The reservation is withdrawn.

The gentleman from Oklahoma is recognized for 5 minutes.

Mr. LUCAS. Mr. Speaker, I think everyone in this room knows that I and my colleague, the ranking member, Mr. PETERSON, and all members of the Agriculture Committee, have worked very aggressively to try to move the process forward to craft a comprehensive 5-year farm bill, a farm bill that addresses all commodity groups, addresses all regions, meets the needs of all of our producers so we can, as farmers and ranchers, meet the needs of the great American consumer.

One of the key points in the motion to recommit before us addresses the question of doing a 5-year farm bill. That's a sense of Congress. I happen to think that that already is the sense of Congress. I would suggest to all of you that if you want, as badly as I want, a comprehensive 5-year farm bill, then

the process here is to take these points—they may be valid—but to take these points and bear them in mind. Go home and see your constituents for the next 5 weeks. Go home and discuss the drought in that 65 percent of the United States that's suffering. Go home and explain to them why, from the livestock producers' perspective, there's no assistance in a bill that was promised when it was put together in '08, or they thought they would have access to.

Go home and explain that, and build the momentum to come back here and do the farm bill. Then in regular order, on the floor—I know it's kind of a strange concept—we'll debate these and many more amendments, and we'll make refinements to what the committee has done. But right now, let's reject this motion, and let's go home and prepare for a farm bill debate when we come back. Most importantly, let's just go home.

With that, I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. COSTA. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by 5-minute votes on passage of the bill, if ordered, and the motion to suspend the rules with regard to House Concurrent Resolution 127.

The vote was taken by electronic device, and there were—ayes 189, noes 232, not voting 9, as follows:

[Roll No. 553]

AYES—189

Ackerman	Castor (FL)	Dingell
Altmire	Chandler	Doggett
Andrews	Chu	Donnelly (IN)
Baca	Cicilline	Doyle
Baldwin	Clarke (MI)	Edwards
Barber	Clarke (NY)	Ellison
Barrow	Clay	Engel
Bass (CA)	Cleaver	Eshoo
Becerra	Clyburn	Farr
Berkley	Connolly (VA)	Fattah
Berman	Conyers	Filner
Bishop (GA)	Cooper	Frank (MA)
Bishop (NY)	Costa	Fudge
Blumenauer	Costello	Garamendi
Bonamici	Courtney	Gonzalez
Boren	Critz	Green, Al
Boswell	Crowley	Green, Gene
Brady (PA)	Cuellar	Grijalva
Braley (IA)	Cummings	Gutierrez
Brown (FL)	Davis (CA)	Hahn
Butterfield	Davis (IL)	Hanabusa
Capps	DeFazio	Hastings (FL)
Capuano	DeGette	Heinrich
Carnahan	DeLauro	Higgins
Carney	Deutch	Himes
Carson (IN)	Dicks	Hinches

Hinojosa	McIntyre	Sanchez, Loretta
Hirono	McNerney	Sarbanes
Hochul	Meeks	Schakowsky
Holden	Michaud	Schiff
Holt	Miller (NC)	Schraeder
Honda	Miller, George	Schwartz
Hoyer	Moore	Scott (VA)
Israel	Moran	Scott, David
Johnson (GA)	Murphy (CT)	Serrano
Johnson, E. B.	Nadler	Sewell
Jones	Napolitano	Sherman
Kaptur	Neal	Shuler
Keating	Oliver	Sires
Kildee	Owens	Slaughter
Kind	Pallone	Smith (WA)
Kissell	Pascarella	Speier
Kucinich	Pastor (AZ)	Stark
Langevin	Pelosi	Sutton
Larsen (WA)	Perlmutter	Thompson (CA)
Larson (CT)	Peters	Thompson (MS)
Latham	Peterson	Tierney
Lee (CA)	Pingree (ME)	Tonko
Levin	Polis	Towns
Lewis (GA)	Price (NC)	Tsongas
Lipinski	Quigley	Van Hollen
Loebach	Rahall	Velázquez
Lofgren, Zoe	Rangel	Visclosky
Lowe	Reyes	Walz (MN)
Luján	Richardson	Wasserman
Lynch	Richmond	Schultz
Maloney	Ross (AR)	Waters
Markey	Rothman (NJ)	Watt
Matheson	Roybal-Allard	Waxman
Matsui	Ruppersberger	Welch
McCarthy (NY)	Rush	Wilson (FL)
McCollum	Ryan (OH)	Woolsey
McDermott	Sánchez, Linda	Yarmuth
McGovern	T.	

NOES—232

Adams	Ellmers	King (IA)
Aderholt	Emerson	King (NY)
Alexander	Farenthold	Kingston
Amash	Fincher	Kinzinger (IL)
Amodel	Fitzpatrick	Kline
Austria	Flake	Labrador
Bachmann	Fleming	Lamborn
Bachus	Flores	Lance
Barletta	Forbes	Landry
Bartlett	Fortenberry	Lankford
Barton (TX)	Fox	LaTourette
Bass (NH)	Franks (AZ)	Latta
Benish	Frelinghuysen	Lewis (CA)
Berg	Gallely	LoBiondo
Biggart	Gardner	Long
Billray	Garrett	Lucas
Bilirakis	Gerlach	Luetkemeyer
Bishop (UT)	Gibbs	Lummis
Blackburn	Gibson	Lungren, Daniel
Bonner	Gingrey (GA)	E.
Bono Mack	Gohmert	Mack
Boustany	Goodlatte	Manzullo
Brady (TX)	Gosar	Marchant
Brooks	Gowdy	Marino
Brown (GA)	Granger	McCarthy (CA)
Buchanan	Graves (GA)	McCauley
Bucshon	Graves (MO)	McClintock
Buerkle	Griffin (AR)	McHenry
Burgess	Griffith (VA)	McKeon
Calvert	Grimm	McKinley
Camp	Guinta	McMorris
Canseco	Guthrie	Rodgers
Cantor	Hall	Meehan
Capito	Hanna	Mica
Carter	Harper	Miller (FL)
Cassidy	Harris	Miller (MI)
Chabot	Hartzler	Miller, Gary
Chaffetz	Hastings (WA)	Mulvaney
Coble	Hayworth	Murphy (PA)
Coffman (CO)	Heck	Myrick
Cole	Hensarling	Neugebauer
Conaway	Herger	Noem
Cravaack	Herrera Beutler	Nugent
Crawford	Huelskamp	Nunes
Crenshaw	Huizenga (MI)	Nunnelee
Culberson	Hultgren	Olson
Denham	Hunter	Palazzo
Dent	Hurt	Paul
DesJarlais	Issa	Paulsen
Diaz-Balart	Jenkins	Pearce
Dold	Johnson (IL)	Pence
Dreier	Johnson (OH)	Petri
Duffy	Johnson, Sam	Pitts
Duncan (SC)	Jordan	Platts
Duncan (TN)	Kelly	Poe (TX)

Pompeo Runyan
Posey Ryan (WI)
Price (GA) Scalise
Quayle Schilling
Reed Schmidt
Rehberg Schock
Reichert Schweikert
Renacci Scott (SC)
Ribble Scott, Austin
Ribell Sensenbrenner
Rivera Sessions
Rohrabacher Shimkus
Rokita Shuster
Rooney Simpson
Ros-Lehtinen Smith (NE)
Roskam Smith (NJ)
Ross (FL) Smith (TX)
Royce Southerland

NOT VOTING—9

Akin Cardoza Jackson Lee
Black Cohen (TX)
Burton (IN) Fleischmann
Campbell Jackson (IL)

□ 1649

Mr. PENCE changed his vote from “aye” to “no.”

Mr. GARAMENDI changed his vote from “no” to “aye.”

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Ms. PINGREE of Maine. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 223, noes 197, not voting 10, as follows:

[Roll No. 554]

AYES—223

Adams Camp Duncan (SC)
Aderholt Canseco Duncan (TN)
Alexander Cantor Ellmers
Altmire Capito Emerson
Amodei Carson (IN)
Austria Carter Fincher
Bachus Cassidy Fitzpatrick
Barletta Chaffetz Flores
Barrow Chandler Forbes
Barton (TX) Clarke (NY)
Berg Clay Fudge
Berkley Cleaver Gallegly
Biggart Clyburn Gardner
Blibray Coble Gerlach
Bilirakis Coffman (CO) Gibbs
Bishop (GA) Cole Gingrey (GA)
Bishop (UT) Conaway Goodlatte
Blackburn Costello Gowdy
Bonner Cravaack Granger
Bono Mack Crawford Griffin (AR)
Boren Crenshaw Griffith (VA)
Boswell Critz Grimm
Boustany Cuellar Guthrie
Brady (TX) Culberson Hall
Braley (IA) Davis (IL)
Brown (FL) Denham
Buchanan Dent Hartzler
Bucshon DesJarlais Hastings (WA)
Buerkle Diaz-Balart Hayworth
Burgess Donnelly (IN) Heck
Burton (IN) Dreier Hensarling
Calvert Duffy Herger

Thompson (PA) Herrera Beutler
Thornberry Hirono
Tiberi Holden
Tipton Huelskamp
Turner (NY) Hultgren
Turner (OH) Hunter
Upton Hurt
Walberg Issa
Walden Jenkins
Walsh (IL) Johnson (IL)
Webster Johnson (OH)
West Johnson, Sam
Westmoreland Kelly
Whitfield Kildee
Smith (NE) King (IA)
Wittman King (NY)
Wolf Kingston
Womack Kinzinger (IL)
Woodall Kissell
Yoder Kline
Young (AK) Labrador
Young (FL) Lamborn
Young (IN) Landry
Lankford Latham
LaTourette Latta
Lewis (CA) Lewis
Loeb sack Reed
Long Rehberg
Lucas Reichert
Luetkemeyer Renacci
Lummis Ribble
Lungren, Daniel Richmond
E. Rivera
Mack Roby
Manzullo Roe (TN)
Marchant Rogers (AL)
Marino Rogers (KY)
McCarthy (CA) Rogers (MI)
McCaul Rohrabacher
McHenry Rokita
McIntyre Rooney

NOES—197

Ackerman Farr
Amash Fattah
Andrews Filner
Baca Flake
Bachmann Fleming
Baldwin Foxx
Barber Frank (MA)
Bartlett Franks (AZ)
Bass (CA) Frelinghuysen
Bass (NH) Garamendi
Becerra Garrett
Benishek Gibson
Berman Gohmert
Bishop (NY) Gonzalez
Blumenauer Gosar
Bonamici Graves (GA)
Brady (PA) Green, Al
Brooks Green, Gene
Broun (GA) Grijalva
Butterfield Guinta
Capps Gutierrez
Capuano Hahn
Carnahan Hanabusa
Carney Harris
Castor (FL) Hastings (FL)
Chabot Heinrich
Chu Higgins
Cicilline Himes
Clarke (MI) Hinchey
Connolly (VA) Hinojosa
Conyers Hochul
Cooper Holt
Costa Honda
Courtney Hoyer
Crowley Huizenga (MI)
Cummings Israel
Davis (CA) Johnson, E. B.
DeFazio Jones
DeGette Jordan
DeLauro Kaptur
Dent Keating
Dicks Kind
Dingell Kucinich
Doggett Lance
Dold Langevin
Doyle Larsen (WA)
Edwards Larson (CT)
Ellison Lee (CA)
Engel Levin
Eshoo Lewis (GA)

Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Ryan (WI)
Schilling
Schick
Scott (SC)
Scott, Austin
Scott, David
Sessions
Sewell
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (TX)
Southerland
Stivers
Stutzman
Sullivan
Terry
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Reed
Turner (NY)
Turner (OH)
Upton
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Womack
Woodall
Young (AK)
Young (FL)
Young (IN)

Runyan
Ruppersberger
Rush
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schmidt
Schrader
Schwartz
Schweikert
Scott (VA)
Sensenbrenner
Serrano
Sherman
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Stark
Stearns
Sutton
Thompson (CA)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velazquez

NOT VOTING—10

Akin Cohen Jackson Lee
Black Fleischmann (TX)
Campbell Graves (MO)
Cardoza Jackson (IL)

□ 1657

Mr. FRANK of Massachusetts changed his vote from “aye” to “no.”

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. GRAVES of Missouri. Mr. Speaker, today, August 2, I missed a rollcall vote. Had I been present, I would have voted “aye” on No. 554.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendment a bill of the House of the following title:

H.R. 5986. An act to amend the African Growth and Opportunity Act to extend the third-country fabric program and to add South Sudan to the list of countries eligible for designation under that Act, to make technical corrections to the Harmonized Tariff Schedule of the United States relating to the textile and apparel rules of origin for the Dominican Republic-Central America-United States Free Trade Agreement, to approve the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, and for other purposes.

The message also announced that the Senate has passed a bill and concurrent resolution of the following titles in which the concurrence of the House is requested:

S. 3510. An act to prevent harm to the national security or endangering the military officers and civilian employees to whom internet publication of certain information applies, and for other purposes.

S. Con. Res. 56. Concurrent resolution providing for a conditional adjournment or recess of the Senate and an adjournment of the House of Representatives.

LEGISLATIVE PROGRAM

(Mr. HOYER asked and was given permission to address the House for 1 minute.)

Mr. HOYER. Mr. Speaker, I understand the adjournment resolution has arrived from the Senate, and I just

want to advise not only my Members but all Members that there will be a vote following the next vote, which was scheduled to be the last vote, but because the adjournment resolution is now here, I want to advise my Members and obviously other Members as well. I've talked to Mr. CANTOR, the leader, who has been helpful on this effort as well, that there will be another vote following this vote.

□ 1700

EXPRESSING SENSE OF CONGRESS ON GOVERNANCE OF THE INTER- NET

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the concurrent resolution (H. Con. Res. 127) expressing the sense of Congress regarding actions to preserve and advance the multistakeholder governance model under which the Internet has thrived, on which the yeas and nays were ordered.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Oregon (Mr. WALDEN) that the House suspend the rules and agree to the concurrent resolution. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 414, nays 0, not voting 16, as follows:

[Roll No. 555]

YEAS—414

Ackerman	Boustany	Cole
Adams	Brady (PA)	Conaway
Aderholt	Brady (TX)	Connolly (VA)
Alexander	Braley (IA)	Conyers
Altmire	Brooks	Cooper
Amash	Broun (GA)	Costa
Amodei	Brown (FL)	Costello
Andrews	Buchanan	Courtney
Austria	Bucshon	Cravaack
Baca	Buerkle	Crawford
Bachmann	Burgess	Crenshaw
Bachus	Burton (IN)	Critz
Baldwin	Butterfield	Crowley
Barber	Calvert	Cuellar
Barletta	Camp	Culberson
Barrow	Canseco	Cummings
Bartlett	Cantor	Davis (CA)
Bass (CA)	Capito	Davis (IL)
Bass (NH)	Capps	DeFazio
Becerra	Capuano	DeGette
Benishek	Carnahan	DeLauro
Berg	Carney	Denham
Berkley	Carson (IN)	Dent
Berman	Carter	DesJarlais
Biggert	Cassidy	Deutch
Bilbray	Castor (FL)	Diaz-Balart
Bilirakis	Chabot	Dicks
Bishop (GA)	Chaffetz	Dingell
Bishop (NY)	Chandler	Doggett
Bishop (UT)	Chu	Dold
Blackburn	Cicilline	Donnelly (IN)
Blumenauer	Clarke (MI)	Doyle
Bonamici	Clarke (NY)	Dreier
Bonner	Clay	Duncan (SC)
Bono Mack	Clyburn	Duncan (TN)
Boren	Coble	Edwards
Boswell	Coffman (CO)	Ellison

Elmerson	Labrador	Price (NC)
Emerson	Lamborn	Quayle
Engel	Lance	Quigley
Eshoo	Landry	Rahall
Farenthold	Langevin	Rangel
Farr	Lankford	Reed
Fattah	Larsen (WA)	Rehberg
Filner	Larson (CT)	Reichert
Fitzpatrick	Latham	Renacci
Flake	LaTourette	Reyes
Fleming	Latta	Ribble
Flores	Lee (CA)	Richmond
Forbes	Levin	Rivera
Fortenberry	Lewis (CA)	Roby
Fox	Lewis (GA)	Roe (TN)
Frank (MA)	Lipinski	Rogers (AL)
Franks (AZ)	LoBiondo	Rogers (KY)
Frelinghuysen	Loeb	Rogers (MI)
Fudge	Lofgren, Zoe	Rohrabacher
Gallegly	Long	Rokita
Garamendi	Lowey	Rooney
Gardner	Lucas	Ros-Lehtinen
Garrett	Luetkemeyer	Roskam
Gerlach	Lujan	Ross (AR)
Gibbs	Lummis	Ross (FL)
Gibson	Lungren, Daniel E.	Rothman (NJ)
Gingrey (GA)	Lynch	Roybal-Allard
Gohmert	Mack	Royce
Gonzalez	Maloney	Runyan
Goodlatte	Manzullo	Ruppersberger
Gosar	Marchant	Rush
Gowdy	Marino	Ryan (OH)
Granger	Markey	Ryan (WI)
Graves (GA)	Matheson	Sanchez, Linda T.
Graves (MO)	Matsui	Sanchez, Loretta
Green, Al	McCarthy (CA)	Sarbanes
Green, Gene	McCarthy (NY)	Scalise
Griffin (AR)	McCauley	Schakowsky
Griffith (VA)	McClintock	Schiff
Grijalva	McCollum	Schilling
Grimm	McDermott	Schmidt
Guinta	McGovern	Schock
Guthrie	McHenry	Schrader
Gutierrez	McIntyre	Schwartz
Hahn	McKeon	Schweikert
Hall	McKinley	Scott (SC)
Hanabusa	McMorris	Scott (NJ)
Hanna	Rodgers	Scott (TX)
Harper	McNerney	Scott (WA)
Harris	Meehan	Scott, Austin
Hartzer	Meeks	Scott, David
Hastings (FL)	Mica	Sensenbrenner
Hastings (WA)	Michaud	Serrano
Hayworth	Miller (FL)	Sessions
Heck	Miller (MI)	Sewell
Heinrich	Miller (NC)	Sherman
Hensarling	Miller, Gary	Shimkus
Herger	Miller, George	Shuler
Herrera Beutler	Moore	Shuster
Higgins	Moran	Simpson
Himes	Mulvaney	Sires
Hinche	Murphy (CT)	Slaughter
Hinojosa	Myrick	Smith (NE)
Hirono	Nader	Smith (NJ)
Hochul	Napolitano	Smith (TX)
Holden	Neal	Smith (WA)
Holt	Neugebauer	Southerland
Honda	Noem	Speier
Hoyer	Nugent	Stark
Huelskamp	Nunes	Stearns
Huizenga (MI)	Nunnelee	Stivers
Hultgren	Olson	Stutzman
Hunter	Oliver	Sutton
Hurt	Owens	Terry
Israel	Palazzo	Thompson (CA)
Issa	Pallone	Thompson (MS)
Jenkins	Pascarella	Thompson (PA)
Johnson (GA)	Pastor (AZ)	Thornberry
Johnson (IL)	Paul	Tiberi
Johnson (OH)	Paulsen	Tierney
Johnson, E. B.	Pearce	Tipton
Johnson, Sam	Pelosi	Tonko
Jones	Pence	Towns
Jordan	Perlmutter	Tsongas
Kaptur	Peters	Turner (NY)
Keating	Peterson	Turner (OH)
Kelly	Petri	Upton
Kildee	Pingree (ME)	Van Hollen
Kind	Pitts	Velázquez
King (IA)	Platts	Visclosky
King (NY)	Poe (TX)	Walberg
Kingston	Polis	Walden
Kinzinger (IL)	Pompeo	Walsh (IL)
Kissell	Posey	Walz (MN)
Kline	Price (GA)	Wasserman
Kucinich		Schultz
		Waters

Watt	Wilson (FL)	Yarmuth
Waxman	Wilson (SC)	Yoder
Webster	Wittman	Young (AK)
Welch	Wolf	Young (FL)
West	Womack	Young (IN)
Westmoreland	Woodall	
Whitfield	Woolsey	

NOT VOTING—16

Akin	Cohen	Jackson Lee
Barton (TX)	Duffy	(TX)
Black	Fincher	Murphy (PA)
Campbell	Fleischmann	Richardson
Cardoza	Jackson (IL)	Rigell
Cleaver		Sullivan

□ 1706

So (two-thirds being in the affirmative) the rules were suspended and the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. MURPHY of Pennsylvania. Mr. Speaker, on rollcall No. 555, I was unavoidably detained. Had I been present, I would have voted "yea."

PROVIDING FOR A CONDITIONAL ADJOURNMENT OR RECESS OF THE SENATE AND AN ADJOURN- MENT OF THE HOUSE OF REP- RESENTATIVES

The SPEAKER pro tempore laid before the House the following privileged concurrent resolution:

S. CON. RES. 56

Resolved by the Senate (the House of Representatives concurring), That when the Senate recesses or adjourns on any day from Thursday, August 2, 2012, through Monday, August 6, 2012, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until 12:00 noon on Monday, September 10, 2012, or such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the House adjourns on any legislative day from Thursday, August 2, 2012, through Monday, August 6, 2012, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2:00 p.m. on Monday, September 10, 2012, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Majority Leader of the Senate and the Speaker of the House, or their respective designees, acting jointly after consultation with the Minority Leader of the Senate and the Minority Leader of the House, shall notify the Members of the Senate and House, respectively, to reassemble at such place and time as they may designate if, in their opinion, the public interest shall warrant it.

The SPEAKER pro tempore. The question is on the concurrent resolution.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. ROSKAM. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 150, noes 265, not voting 15, as follows:

[Roll No. 556]

AYES—150

Alexander	Harper	Petri
Austria	Hartzler	Platts
Bachus	Hastings (WA)	Pompeo
Barletta	Hayworth	Price (GA)
Bartlett	Hensarling	Quayle
Bass (NH)	Herger	Rehberg
Benishak	Huelskamp	Reichert
Biggert	Hunter	Renacci
Bilirakis	Issa	Ribble
Bishop (UT)	Johnson (IL)	Rivera
Blackburn	Johnson (OH)	Roby
Brady (TX)	Johnson, Sam	Roe (TN)
Broun (GA)	Jones	Rogers (AL)
Buchson	Kelly	Rogers (KY)
Buerkle	King (NY)	Rohrabacher
Calvert	Kingston	Rokita
Camp	Kinzinger (IL)	Rooney
Cantor	Kline	Ros-Lehtinen
Capito	Lamborn	Roskam
Carter	Lance	Royce
Chabot	Landry	Runyan
Chaffetz	Latham	Ryan (WI)
Coble	LaTourette	Schock
Cole	Lewis (CA)	Schweikert
Conaway	Long	Scott (SC)
Cravaack	Lucas	Scott, Austin
Crawford	Luetkemeyer	Sensenbrenner
Crenshaw	Lummis	Sessions
Dent	Lungren, Daniel	Shimkus
Diaz-Balart	E.	Shuster
Dreier	Manzullo	Simpson
Ellmers	Marchant	Smith (NE)
Flake	Marino	Smith (NJ)
Forbes	McCarthy (CA)	Smith (TX)
Fortenberry	McClintock	Stivers
Fox	McHenry	Thompson (PA)
Franks (AZ)	McKeon	Thornberry
Gallagher	McMorris	Tiberi
Gardner	Rodgers	Turner (NY)
Garrett	Mica	Walden
Gerlach	Miller, Gary	Walsh (IL)
Gibbs	Murphy (PA)	Whitfield
Gingrey (GA)	Myrick	Wilson (SC)
Gowdy	Neugebauer	Wolf
Granger	Nunes	Womack
Graves (MO)	Nunnelee	Woodall
Griffin (AR)	Olson	Yoder
Grimm	Palazzo	Young (AK)
Guinta	Paul	Young (FL)
Guthrie	Paulsen	Young (IN)
Hanna	Pence	

NOES—265

Ackerman	Capps	Deutch
Adams	Capuano	Dicks
Aderholt	Carnahan	Dingell
Altmire	Carney	Doggett
Amash	Carson (IN)	Dold
Amodei	Cassidy	Donnelly (IN)
Andrews	Castor (FL)	Doyle
Baca	Chandler	Duncan (SC)
Bachmann	Chu	Duncan (TN)
Baldwin	Cicilline	Edwards
Barber	Clarke (MI)	Ellison
Barrow	Clarke (NY)	Emerson
Bass (CA)	Clay	Engel
Becerra	Cleaver	Eshoo
Berg	Clyburn	Farenthold
Berkley	Coffman (CO)	Farr
Berman	Connolly (VA)	Fattah
Bilbray	Conyers	Filner
Bishop (GA)	Cooper	Fitzpatrick
Bishop (NY)	Costa	Fleming
Blumenauer	Costello	Flores
Bonamici	Courtney	Frank (MA)
Bonner	Critz	Frelinghuysen
Bono Mack	Crowley	Fudge
Boren	Cuellar	Garamendi
Boswell	Culberson	Gibson
Boustany	Cummings	Gohmert
Brady (PA)	Davis (CA)	Gonzalez
Braley (IA)	Davis (IL)	Goodlatte
Brooks	DeFazio	Gosar
Brown (FL)	DeGette	Graves (GA)
Burgess	DeLauro	Green, Al
Butterfield	Denham	Green, Gene
Canseco	DesJarlais	Griffith (VA)

Grijalva	Matsui	Ryan (OH)
Gutierrez	McCarthy (NY)	Sánchez, Linda
Hahn	McCaul	T.
Hall	McCollum	Sanchez, Loretta
Hanabusa	McDermott	Sarbanes
Harris	McGovern	Scalise
Hastings (FL)	McIntyre	Schakowsky
Heck	McKinley	Schiff
Heinrich	McNerney	Schilling
Herrera Beutler	Meehan	Schmidt
Higgins	Meeks	Schrader
Himes	Michaud	Schwartz
Hinchey	Miller (FL)	Scott (VA)
Hinojosa	Miller (MI)	Scott, David
Hirono	Miller (NC)	Serrano
Hochul	Miller, George	Sewell
Holden	Moore	Sherman
Holt	Moran	Shuler
Honda	Mulvaney	Sires
Hoyer	Murphy (CT)	Slaughter
Huizenga (MI)	Nadler	Smith (WA)
Hultgren	Napolitano	Southerland
Hurt	Neal	Speier
Israel	Noem	Stark
Jenkins	Nugent	Stearns
Johnson (GA)	Oliver	Stutzman
Johnson, E. B.	Owens	Sutton
Jordan	Pallone	Terry
Kapture	Pascarell	Thompson (CA)
Keating	Pastor (AZ)	Thompson (MS)
Kildee	Pearce	Tierney
Kind	Pelosi	Tipton
King (IA)	Perlmutter	Tonko
Kissell	Peters	Towns
Kucinich	Peterson	Tsongas
Labrador	Pingree (ME)	Turner (OH)
Langevin	Poe (TX)	Upton
Lankford	Polis	Van Hollen
Larsen (WA)	Posey	Velázquez
Larson (CT)	Price (NC)	Visclosky
Latta	Quigley	Walberg
Lee (CA)	Rahall	Walz (MN)
Levin	Rangel	Wasserman
Lewis (GA)	Reed	Schultz
Lipinski	Reyes	Waters
LoBiondo	Richardson	Watt
Loebach	Richmond	Waxman
Lofgren, Zoe	Rigell	Webster
Lowe	Rogers (MI)	Welch
Lujan	Ross (AR)	West
Lynch	Ross (FL)	Westmoreland
Mack	Rothman (NJ)	Wilson (FL)
Maloney	Roybal-Allard	Wittman
Markey	Ruppersberger	Woolsey
Matheson	Rush	Yarmuth

NOT VOTING—15

Akin	Cardoza	Jackson Lee
Barton (TX)	Cohen	(TX)
Black	Duffy	Pitts
Buchanan	Fincher	Sullivan
Burton (IN)	Fleischmann	
Campbell	Jackson (IL)	

□ 1724

Messrs. CANSECO, TURNER, and GOSAR changed their vote from “aye” to “no.”

So the concurrent resolution was not concurred in.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

STOCK ACT AMENDMENTS

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 3510) to prevent harm to the national security or endangering the military officers and civilian employees to whom internet publication of certain information applies, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. JOHNSON of Ohio). Is there objection to

the request of the gentleman from California?

There was no objection.

The text of the bill is as follows:

S. 3510

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. EFFECTIVE DATE DELAY.

The STOCK Act (Public Law 112-105) is amended—

(1) in section 8(a)(1), by striking “August 31, 2012” and inserting “September 30, 2012”; and

(2) in section 11(a)(1), by striking “August 31, 2012” and inserting “September 30, 2012”.

SEC. 2. IMPLEMENTATION OF PTR REQUIREMENTS UNDER STOCK ACT.

Effective September 30, 2012, for purposes of implementing subsection (l) of section 103 of the Ethics in Government Act of 1978 (as added by section 6 of the STOCK Act, Public Law 112-105) for reporting individuals whose reports under section 101 of such Act (5 U.S.C. App. 101) are required to be filed with the Clerk of the House of Representatives, section 102(e) of such Act (5 U.S.C. App. 102(e)) shall apply as if the report under such subsection (l) were a report under such section 101 but only with respect to the transaction information required under such subsection (l).

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WHAT THE AMERICAN PEOPLE WANT

(Ms. PELOSI asked and was given permission to address the House for 1 minute.)

Ms. PELOSI. Mr. Speaker, this Republican majority is prepared to adjourn the House of Representatives to leave for the August district work period without accomplishing what the American people have sent us here to do. They want us to create jobs. They want us to reduce the deficit, and they want us to give a middle-income tax cut, which the President has suggested and the American people overwhelmingly support.

Instead, we have no jobs agenda, no tax cuts for the middle class, no farm bill, no Violence Against Women Act, no cybersecurity strategy, no balanced, bipartisan plan to prevent the sequester.

The only thing the Republicans have done is to increase the uncertainty that threatens another debt crisis and undermines our economic growth. Now they want to head out of town to campaign, when Congress should stay in session to address the most pressing challenges facing our Nation: job creation, growth in our economy, and strengthening the middle class.

Mr. Speaker, Democrats want us to get our job done. When we go home to meet with our constituents, we want to say what we have accomplished and what results we can bring that have been worked out in a fair, bipartisan, balanced way.

In spite of this, the Republican obstruction at every turn is preventing that.

Let's get to work. Let's do the job our constituents elected us to do: to create jobs with them and to relieve the uncertainty in their lives.

□ 1730

HOUR OF MEETING ON TOMORROW

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 10 a.m. tomorrow.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

JULY IN REVIEW

(Mr. HOYER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HOYER. Mr. Speaker, we are now at some point in time going to conclude 4 weeks in session with little to show for it.

Over the past month, the Republican do-nothing Congress has continued its relentless pursuit of message over substance. Not only have they failed to address job creation or deficit reduction in any serious way, they have also refused to work with us to pass bills that the Senate approved with bipartisan support: Violence Against Women Reauthorization Act—critically important to women and to families; postal reform—absolutely essential; a farm bill.

Their approach has been confrontation, unfortunately, not compromise. As a result, House Republicans have been unable to govern.

This week, in the most brazen abandonment of responsibility we've seen yet, Republicans chose to adjourn for the summer, which we prevented, without a middle class tax cut extension signed into law.

We ought not to adjourn, ladies and gentlemen of this House, until we pass a middle class tax cut.

PARLIAMENTARY INQUIRY

Mr. GOHMERT. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman from Texas will state his inquiry.

Mr. GOHMERT. Isn't this the point at which Speaker PELOSI 4 years ago turned off the lights and microphones and wouldn't let us make speeches? I'm just curious.

The SPEAKER pro tempore. The gentleman has not stated a parliamentary inquiry.

SECURING ONLINE PRIVACY

(Mr. JOHNSON of Georgia asked and was given permission to address the House for 1 minute.)

Mr. JOHNSON of Georgia. I've got a cell phone somewhere around here. Here it is. I'm going to ask:

Is this a tracking device or is there somebody in this device who is taking my photographs? my videos? my treasured personal stuff like that—my address book?

What is this?

It is something that we need to be smart about. Smart government policies should ensure our data isn't improperly collected, sold, and exploited; but what we've learned from SOPA is that we tried to shove legislation down the public's throat, and we failed. We learned we'd better consult the folks who use the Internet before we regulate it.

That's why, last week, I launched AppRights.us. Using the Web and social media, we are asking what smart policy looks like before we write a bill. We are using the Internet to make sure we don't break the Internet.

Mr. Speaker, I encourage my colleagues and the public to visit AppRights.us and to send their thoughts and concerns. Tell Congress how we can do a better job of securing your privacy.

TAXMAN GRABS A PIECE OF THE GOLD MEDAL

(Mr. POE of Texas asked and was given permission to address the House for 1 minute.)

Mr. POE of Texas. Mr. Speaker, Team USA's Fierce Five became the second American women's gymnastics team ever to win the gold medal. These teenagers will also be awarded \$25,000 each for being the best in the Olympic world—but what they've earned they're not going to be able to keep because part of the medal and the prize will be confiscated by our government, so sayeth Uncle Sam.

That's right, Mr. Speaker. Each one of the Fierce Five has to pay a medal tax of up to \$236. Then they also have to pay a prize tax on their cash award that could be up to \$8,750. So that brings the total up to about \$9,000 that they could owe the taxman. Leave it to our government to punish Team USA for their success on behalf of all Americans.

Yesterday, Senator RUBIO introduced a bill to exempt Olympic medalists from paying taxes on their medals and their prizes. I am a cosponsor of a similar bill in this House. The long arm of the internal taxman reaches far across the seas to grab a piece of the gold from kids that it neither earned nor deserves.

And that's just the way it is.

ON THE ATTEMPT TO ADJOURN

(Mr. BARBER asked and was given permission to address the House for 1 minute.)

Mr. BARBER. Mr. Speaker, I rise today to express my opposition to this body's attempt to adjourn until September 10.

The people of southern Arizona sent me here to work on their behalf, and while it is essential that all of us go back home from time to time to hear from our constituents, we attempt to leave here today with many critical issues unresolved.

We have done nothing about sequestration. We are facing \$1.2 trillion in across-the-board cuts in defense and domestic programs. These arbitrary cuts will harm the people of my district.

Yet we took a vote to leave Washington.

We have done nothing about the postal service, which is bleeding billions of dollars because of congressional mandates; and it is wrongfully planning to shut down a crucial processing facility in my district.

Yet we took a vote to leave Washington.

We have done nothing to approve budgets to maintain vital programs that assist veterans, seniors, and children.

Yet we took a vote to leave Washington.

Mr. Speaker, I urge my colleagues to stay here and work.

ERIN CAFARO, WINNING THE GOLD

(Mr. DENHAM asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DENHAM. I rise today to honor Modesto native, two-time Olympian, and five-time U.S. National Team member Erin Cafaro, who this morning successfully defended, along with her teammates of the United States women's eight rowing team, the gold medal they won at the 2008 Beijing Olympics.

Erin's victory today is the culmination of years of training, and it is an example of how personal dedication to a goal is the cornerstone of success.

The London games are Erin's second Olympics, having first represented the team in the 2008 Beijing Olympics. In 2008, Erin and the women's eight rowing team were the first to bring home a gold medal to the United States in this event. In this morning's race, faced with strong competition from Canada and the Netherlands, Team USA won in a time of 6 minutes, 10.59 seconds.

Erin Cafaro, you and your teammates have made Modesto, the State of California, and the Nation proud. Please accept my sincere congratulations on a gold medal today.

RESTORING CONFIDENCE IN OUR DEMOCRACY ACT

(Mr. DINGELL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DINGELL. Citizens United v. FEC is one of the most destructive Supreme Court decisions in the history of this country.

It unleashed the floodgates for unlimited expenditures on elections; ignored factual records; disregarded congressional intent; and opened up the floodgates of crime, misbehavior, and scandal. In addition to that, people are going to be spending money without knowing who is having it spent, why, or for how much or by whom.

That is why, today, I, along with a number of my colleagues, will be introducing the Restoring Confidence in Our Democracy Act. This legislation makes findings of fact about the negative effects of unlimited spending which the Court cannot ignore. It reinstates the law that was in place on the day before Citizens United was adopted by the Court. It prohibits corporate spending in elections, and it subjects super PACs to \$5,000 contribution limits.

Don't wait for a constitutional amendment to undo Citizens United. Support the Restoring Confidence in Our Democracy Act, and let us do it by an enactment of Congress preceded by the necessary findings pointing out the evils of this scandal. We will be back in less than 30 days, and we are going to find out after the primary elections and after the general election what an outrage this is.

□ 1740

ROSALIND FRANKLIN UNIVERSITY OF MEDICINE AND SCIENCE

(Mr. DOLD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DOLD. Mr. Speaker, I rise today to recognize Rosalind Franklin University of Medicine and Science for 100 years of educating and training physicians and health care providers.

Since they opened their doors in 1912, Rosalind Franklin has had a non-discrimination policy in place and has embraced a diverse student body. These students have gone on to treat patients throughout the world and contribute to vital research.

At Rosalind Franklin University of Medicine and Science, their focus is on interprofessional education, where students are encouraged to learn and share experiences with members of the health care team outside of their chosen profession. This provides a strong foundation for graduates of the program and enriches their clinical practice. The president, Dr. Michael Welch, has received numerous accolades for

his leadership, including winning the 10th District Congressional Leadership Award for education this year.

I want to congratulate Rosalind Franklin University of Medicine and Science for an impressive 100 years of educating some of our best and brightest health care providers, and for giving back to the community and working to better the world around them.

REPUBLICAN HOUSE FIDDLES WHILE AMERICA BURNS

(Ms. BROWN of Florida asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. BROWN of Florida. Mr. Speaker, I rise in opposition to the Republican do-nothing congress. With all the problems we're having in our Nation's transportation and infrastructure, we had a full committee meeting today on Amtrak food and beverage service. We could have been talking about critical rail issues that we left out of the surface transportation bill, like positive train control, the railroad rehabilitation improvement financing program, or the freight congestion plans. Or we could have been talking about real debt restructuring of Amtrak. We could even have gotten crazy and talked about how we were going to finance future transportation bills or hold a markup on a Water Resource Development Act. And if we really want to talk about food, we could have had a hearing on the repeated instances of needles being placed in airplane sandwiches. Most importantly, we could have had a hearing on the near fatal plane collision that happened just 2 days ago at Washington National Airport.

Once again, the Republican House fiddles while America is burning.

HOUSE STANDS READY TO WORK

(Mr. HARRIS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HARRIS. Mr. Speaker, it is a shame that the Democrat controlled Senate voted today to adjourn for over a month, and they haven't even voted on a budget for 1,191 days.

Mr. Speaker, this is a \$3.5 trillion enterprise, and the Democrat-controlled Senate, led by Majority Leader REID, voted to adjourn for over a month so that when they come back it will be 1,240 days since they haven't voted on a budget.

Mr. Speaker, the House did what it had to do. It voted on a budget. It voted to extend the current tax rates to all citizens, and we are here ready to work. We ask the Senate to reconsider the decision, Mr. Speaker. That's what we ought to do. We ask them to come back in and work with us to finally pass a budget.

A CALL FOR BIPARTISANSHIP

(Mr. PALLONE asked and was given permission to address the House for 1 minute.)

Mr. PALLONE. Mr. Speaker, I listened to my Republican colleague in disbelief because the fact of the matter is that the Republican House has now adjourned, or at least is trying to adjourn, and go home for 5 weeks, as far as I can tell.

The fact of the matter is that when you go home and you talk to your constituents, they talk about jobs, they talk about the economy. When the gentleman says, Oh, we already passed a bill and why doesn't the Senate take it up, he knows very well that in order to accomplish anything here in terms of tax cuts and extending tax cuts for the middle class, that we have to get together on a bipartisan basis with the Democrats. That's simply not happening here.

The Senate has passed bills that seek to create jobs, larger infrastructure bills, bills that would actually send money back to the States so that we can rehire some of our public employees, our police, our firemen, and our teachers.

The fact of the matter is that the House Republicans really do not want to do anything to create jobs, whether it's in the public sector or it's in the private sector. We see no action here on the House side under the Republican leadership that would do anything to stimulate the economy or create jobs.

ARMY PRIVATE FIRST CLASS JULIAN L. COLVIN

(Ms. SEWELL asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. SEWELL. Mr. Speaker, I rise today to honor and pay tribute to the life and service of Alabama's own fallen soldier, Army Private First Class Julian L. Colvin, a courageous soldier, loving son, an American hero.

PFC Colvin was a dedicated soldier assigned to the 508th Special Troops Battalion, 4th Brigade Combat Team, 82nd Airborne Division from Fort Bragg, North Carolina. PFC Colvin lost his life at the age of 21 on July 22 while supporting Operation Enduring Freedom in Kandahar, Afghanistan.

PFC Colvin, a Birmingham native, proudly joined the United States Army on March 9, 2011 as a combat engineer. As a remarkable paratrooper and outstanding engineer, he was considered a shining example of excellence in our military service.

Born on March 2, 1991 in Birmingham, Alabama, PFC Colvin was the loving son of Carla and Alfred Colvin. As a young man, PFC Colvin dutifully answered the highest call to duty for this country. PFC Colvin was a selfless servant leader who bravely

sacrificed for the love of his country. During his brief military career, PFC Colvin earned numerous honors, including the distinguished Bronze Star Medal, the Purple Heart, and the Army Commendation Medal.

The Seventh Congressional District in the State of Alabama and this Nation have suffered a tremendous loss. Our Nation is eternally grateful for PFC Julius Colvin and his dedicated service and patriotism. I ask those present today to join me in honoring the life and legacy of this heroic soldier, PFC Colvin.

GENERAL LEAVE

Ms. SEWELL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the subject of my 1-minute speech.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. BACHUS. Mr. Speaker, thank you for allowing the U.S. House to honor Army Private First Class Julian Colvin of Birmingham, who lost his life in Kandahar Province, Afghanistan on July 22, 2012, in the defense of his country.

Pfc. Colvin was a dedicated paratrooper and combat engineer assigned to the 82nd Airborne Division, Fort Bragg, North Carolina.

Although just 21 years of age and on his first deployment, Pfc. Colvin was highly decorated for his service, with awards including the Bronze Star Medal, the Purple Heart, the Army Commendation Medal, the National Defense Service Medal, the Afghanistan Campaign Medal, the Global War on Terrorism Service Medal, the Army Service Ribbon, the Overseas Ribbon, the Combat Action Badge, and the Basic Parachutist Badge.

But perhaps the highest honors have come from the innumerable testimonials to his high character.

Pfc. Colvin was, according to Lt. Col. Peter Levola, commander of the 508th Brigade Special Troops Battalion, "a shining example of the inspiration and promise of our young, remarkable Paratroopers—a selfless hero who willingly took on one of the most difficult jobs in the Brigade by leading patrols with a mine detector."

Services for Pfc. Colvin will be held at the 6th Avenue Baptist Church in Birmingham on Saturday, August 4. Our thoughts and prayers are with his family and loved ones during this difficult time.

We will always remember Pfc. Colvin as a young patriot and hero to us all and it is appropriate for our nation to remember his service today.

As the senior member of the Alabama delegation, we join with Congresswoman TERRI SEWELL in her tribute to our Alabama hero, Army Private First Class Julian Colvin.

HONORING THE LIFE OF JON TIBBETTS

(Mr. LUJÁN asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. LUJÁN. Mr. Speaker, I rise today to honor the life of Jon Tibbetts, who died last week in a car accident. This tragic accident cut short the life of a man who had devoted his career to helping others as a first responder.

Jon Tibbetts served as fire chief of the Sandoval County Fire Department for the past 8 years. Earlier in his career, he was a paramedic in San Juan County. I had the pleasure of working with Chief Tibbetts during my time on the Public Regulatory Commission, and I saw first hand his commitment to the firefighters he commanded, as well as to the people of New Mexico that he helped protect.

Thanks to his hard work and determination, Chief Tibbetts improved the way that emergency medical services and firefighters responded to better serve the community. Because of his dedication, there is no doubt that more people in New Mexico are safer.

My thoughts and prayers are with the Tibbetts' family during this difficult time, especially his wife Connie and his daughters Natasha and Amy.

We'll miss you Chief Tibbetts.

END THE POLITICAL GAMESMANSHIP

(Mr. CICILLINE asked and was given permission to address the House for 1 minute.)

Mr. CICILLINE. Mr. Speaker, the American people expect Congress to work to get our economy back on track, to promote economic growth, and to provide families and small businesses with some certainty when it comes to their taxes.

The Senate passed legislation to ensure that middle class families do not see a tax increase at the end of the year. Yesterday, House Democrats offered the identical bill, one that the President would sign, yet our Republican friends passed a plan that will raise taxes on 25 million middle class families by preserving tax breaks for the wealthiest among us.

We need to end this kind of political gamesmanship that has held our economy back. Against this backdrop, my colleagues on the other side of the aisle have decided to leave town for almost 40 days with a long list of unfinished business: postal reform, the Violence Against Women reauthorization, the farm bill, comprehensive jobs legislation, the Make It in America agenda, a balanced and big plan to solve our deficit, and tax cuts for the middle class.

We should remain here and do the work the American people sent us to do.

□ 1750

JOBS.GOP.GOV

(Mr. SHIMKUS asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. SHIMKUS. I have come down to the floor just to remind my colleagues and you, Mr. Speaker, that if you go to jobs.gop.gov you will see a list of 25 bills that have been passed in this Chamber to do a couple of things: to boost competitiveness in the manufacturing sector; encouraging entrepreneurship in government; to help pay down our debt; and my favorite is maximizing American energy production. Yes, using American energy and our resources to create jobs, like the Keystone XL pipeline. We passed numerous bills to move the Keystone XL pipeline, 20,000 immediate jobs.

Mr. Speaker, you can go to jobs.gop.gov to check the 25 different bills that we have passed in this Chamber. We have done our work. We will continue to do our work. Obviously, we need the other Chamber to be somewhat functional and at least consider these bills and then move to conference, which is how a bill becomes a law.

NO TAX CUT FOR THE MIDDLE CLASS

(Ms. HANABUSA asked and was given permission to address the House for 1 minute.)

Ms. HANABUSA. Mr. Speaker, you have controlled the House for 19 months. The Republican majority has simply failed to lead. And more importantly, you are incapable of governing for the middle class—the middle class, the people who help build this great Nation. This week we had the opportunity to provide a tax cut for 100 percent of these Americans, those individuals earning less than \$200,000 and less than \$250,000 for a family. But once again, the Republican majority wanted it their way.

And what was your way? You wanted to pass tax breaks for millionaires and billionaires, your friends. And what does that do? It adds \$1 trillion to our deficit and debt over the next 10 years. How many times has the majority said time and time again about the deficit and debt. And what do you do? You pass the tax cuts that are going to add \$1 trillion.

Mr. Speaker, it's about time that we step back and we realize that we are here to serve and the fact that we must take care of the majority, the wonderful middle class.

NEVADA'S SALES TAX

(Ms. BERKLEY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. BERKLEY. Mr. Speaker, Congress must do right by Nevada's middle class families and make permanent the sales tax deduction, a measure that

benefits so many middle class families in Nevada. Over 300,000 Nevadans claimed \$456 million in deductions for State and local sales tax in 2009 alone. Nevada is one of only nine States that has no State income tax and, instead, revenue is raised through a sales tax.

Nevadans should be able to deduct their sales tax from their Federal income tax, just as citizens from income tax States do now. The sales tax deduction helps families across Nevada by leaving more money in their pockets. This creates jobs, stimulates economic growth, and keeps money in their pockets.

It's a matter of priority, Mr. Speaker. We must make the sales tax deduction permanent in order to give middle tax families the certainty of knowing they will have extra money in their pockets to put food on their table, gas in their cars, and be able to pay the mortgage on their family home.

RAISING TAXES ON MILITARY FAMILIES

(Mrs. DAVIS of California asked and was given permission to address the House for 1 minute.)

Mrs. DAVIS of California. Mr. Speaker, yesterday the House unfortunately passed a tax bill that will raise taxes on 25 million families, including many military families. And that is, in a word, outrageous. We see strenuous objections from the majority to fairly tax the superwealthy; but we don't hear a peep about placing an extra tax burden on our middle class families, including members of our military whose families are actually struggling in this economy.

Under the majority's tax bill, an E-1 sailor in the Navy with 2 years' service with a spouse and three young children at home would see a tax increase of \$1,096. A private in the U.S. Army in her first year of service who is married with an infant child would see a \$273 tax increase.

As the ranking member of the House Military Personnel Subcommittee, I want to know why we are asking those who have given so much for our country to give even more while we ask the wealthiest Americans to sacrifice nothing. Our military families deserve much better than that, and so do the American people.

THE DO-NOTHING REPUBLICAN CONGRESS

(Ms. EDWARDS asked and was given permission to address the House for 1 minute.)

Ms. EDWARDS. Mr. Speaker, can you believe it—Republicans are on their planes, trains, and automobiles headed out of Washington for a month when they haven't provided tax cuts for middle class Americans and for small businesses. That's right, Mr. Speaker: ab-

sent without cause, AWOL, while the American people wait.

And here they are, we had a chance to provide tax cuts for middle-income families. We had a chance to make sure that middle-income families aren't stretched in this economy; but, instead, they've added nearly \$1 trillion to our deficit and debt over the next 10 years because they are interested in protecting millionaires and billionaires. And now they're high-tailing it out of Washington.

Well, I can't believe it. Republicans are leaving with the postal service in default; the Violence Against Women Act not reauthorized, leaving domestic violence victims in limbo; jobs legislation undone, leaving Americans who want to work out of work.

Well, Jiminy Cricket, Mr. Speaker, what is going on with this do-nothing Congress, with this do-nothing Republican Congress? The American people deserve more, and it's time to get back to work.

APPOINTMENT TO BOARD OF TRUSTEES OF AMERICAN FOLKLIFE CENTER

The SPEAKER pro tempore. The Chair announces the Speaker's reappointment, pursuant to 20 U.S.C. 2103(b), and the order of the House of January 5, 2011, of the following individual from private life to the Board of Trustees of the American Folklife Center in the Library of Congress on the part of the House for a term of 6 years: Mr. C. Kurt Dewhurst, Michigan

IT'S A SPENDING PROBLEM, NOT A REVENUE PROBLEM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from Georgia (Mr. WOODALL) is recognized for 60 minutes as the designee of the majority leader.

Mr. WOODALL. Mr. Speaker, I would like to yield to my good friend from Virginia.

REMEMBERING THE FALLEN OF AUGUST 6, 2011

Mr. RIGELL. I thank my friend for yielding.

Mr. Speaker, I rise to pay tribute, to honor, and to remember and celebrate the lives of American heroes. We're approaching a most sobering anniversary, August 6. This is the day 1 year ago when a Chinook helicopter was shot down in Afghanistan, taking with it the lives of so many, including five soldiers, three airmen, and 24 SEALs. It marks the most serious and heaviest loss of life for our SEAL community in their illustrious service to our country. Families across our Nation are hurting and will hurt not only on the anniversary but just as they remember their loved one.

So it is with great humility and just deep appreciation to the families of the

fallen, our Gold Star families, to pause for a moment to rise and to honor their loved one.

Our colleague from Iowa, STEVE KING, entered into the CONGRESSIONAL RECORD a poem that was written specifically for this occasion. And I appreciate my colleague yielding just for the few minutes it will take to read the poem.

□ 1800

It is with a grateful heart that I read this poem, and I thank my colleague, Mr. KING, for entering it into the CONGRESSIONAL RECORD. This is written from the vantage point of the following:

WE STOOD!

We!

WE STOOD!

WE STOOD, so you can sleep!

While, out across our Nation our Mothers now so weep!

WE FOUGHT, so you can live!

All in such blessed peace—that which our most selfless sacrifice so gives!

As all in such pain and heartache our families must now so live!

WE STOOD, so you could sleep!

Upon that Bed of Freedom so very sweet!

As to all of you, our promises WE Did So Keep!

As it was all for you, our bodies Now So Sleep!

So Sleep, all in such cold dark quiet graves so very deep!

WE GAVE!

All of Our Most Precious Lives!

While, all of our Brothers In Arms did so weep . . . and not ask why!

As WE so raised our hands so way up high!

And so swore to pledge our most precious lives!

To Make A Stand!

To Make A Difference With It All!

As WE so gave That Last Full Measure While Standing Tall!

As WE died and bled!

To so keep all of our most solemn vows of honor, said!

As why out across our Nation Our FAMILIES Now So Weep!

All But For The Greater Good, WE so gave all we could!

AS WE STOOD!

As WE pray now to our Lord their fine souls to so keep!

For THEY So Stood For What Was Right!

All with their most brilliant souls so burning bright!

As THEY died, all for that Old Red White and Blue this sight!

As into that face of evil, THEY so marched off casting their most heroic lights!

To so go forth, all in such a most brilliant force to fight!

For THEY'D, MUCH RATHER HAVE DIED FOR SOMETHING!

THAN TO HAVE LIVED FOR NOTHING AT ALL!

FOR STRENGTH IN HONOR!

Was but THEIR most sacred battle cry . . . call!

Because, moments . . . are all that WE so have!

To Make A Difference!

To Hear That Call!

To Change The World!

To go off so boldly with flags unfurled!

Troops mount up, as Heaven calls!

Move on! Move out!

As there are 30 more new Angels, In The
Army of Our Lord . . .
To fight that battle, who shall not pause!
To so watch over us all!
And then there comes a gentle rain, their
tears will wash down upon us so to remain!
To ease our pain, so we won't have to cry
anymore!
As forever in our hearts YOUR most sacred
names,
WE will carry ALL!
Because, YOU died so WE can sleep!
Upon, That Bed of Freedom . . . YOUR Gift
of Peace!
As now WE LAY YOUR FINE BODIES down
to rest, to sleep!
BECAUSE YOU STOOD!
Amen!

Mr. Speaker, this very special poem is entered into the CONGRESSIONAL RECORD, and it was written by Albert Carey Caswell. I have the privilege of representing a wonderful district, Mr. Speaker, home of a lot of heroes. These are good men, and you'd never know how they serve and what they do. We are deeply grateful for their service and for all servicemembers across this great land.

We stand with the families of the fallen, our Gold Star families, and we ask God to give them a special measure of comfort and peace on this anniversary.

I thank the gentleman from Georgia for yielding to me.

Mr. WOODALL. Mr. Speaker, I appreciate you being with us this afternoon and giving me the opportunity to come down here and talk about where we have been this week on Capitol Hill trying to find a pathway forward.

Now, as with every decision we make, Mr. Speaker, as you know, you and I have been here for 18 months with a voting card in hand, trying to make those decisions for our constituents back home, trying to bring their voice to be heard on Capitol Hill, and we're facing one of those choices right here today.

Which lane will we choose, Mr. Speaker?

We proposed, passed today here in the House in a bipartisan way a proposal that will create 1 million new jobs. Now, I'm going to go on and bring out some other studies and where those jobs are coming from. But one of the folks we're going to hear from that's going to confirm the job-creation opportunities that exist in this proposal is going to be President Barack Obama because he will have stood about 10 feet behind me in a State of the Union address just 18 short months ago and advocated in favor of this job-creation proposal.

I don't know what has changed in 18 months, Mr. Speaker, but what we saw here on the floor of the House today is our Democratic colleagues advocating for a different choice. A choice that Ernst & Young in an independent analysis of legislative proposals said will destroy 710,000 jobs. It will lose the op-

portunity to employ 710,000 Americans. As we are hearing what is unquestionably the worst recession in my lifetime, and when presented with a choice between creating a million new jobs or losing 710,000 others, we are faced with a choice.

The House made the right choice today, Mr. Speaker. The House chose to create 1 million new jobs. But just in the last 7 days, the Senate made the wrong choice. The Senate chose a path that study after study after study shows us results in failure. Why is that, Mr. Speaker? Why is that?

What I have here, Mr. Speaker, is a chart you'll remember from our budget debate. I'm just so proud, I serve on the Budget Committee here in the House, Mr. Speaker. And, you know, we've brought two budgets to the floor. In the short 18 months that I've served here in Congress, we've brought two budgets to the floor that made tough decisions. Tough decisions.

When you're running \$1.4 trillion deficits, Mr. Speaker, and when you're trying to create jobs for a Nation that's hurting, when you're trying to prevent job-killing tax hikes from being imposed on American job creators, there're no easy decisions. They're tough decisions, and they have consequences.

But this is what I learned in our budget debate. What I have here is a chart that shows tax revenue from 1947, just after World War II, all of the way out to 2077, about 130 years of tax revenue. And what we'll see, Mr. Speaker, is tax revenue that's actually come in represented by this green line, and then the tax revenue that's projected to come in. You'll see that's a flat line. It's taxes as a percent of GDP, and what we see is whether we operated America with some of the highest tax rates in history, and we've had 90 percent income tax rates in this country—90 percent income tax rates—or whether we operate America with the lowest income tax rates in this Nation's history, we bring in about the same amount of money either way.

I know that's not intuitive. I could bring up chart after chart after chart that shows how it's true. I can show what happened in the Kennedy years when he cut those top marginal rates and more revenue came in. We can look at what happened in the Reagan years when we cut those top marginal rates and more revenue came in. And we can look at what happened in the Bush years when we cut those marginal rates and more revenue came in, over and over and over again.

But rather than dwell on those charts, Mr. Speaker, I just want you to see that over time, revenue is relatively constant. Americans are willing to give the Federal Government about 18 percent of the size of the economy. And if the government asks for more than that, Americans change

their behavior so they don't have to give it.

But the red line, Mr. Speaker, represents spending in this country, spending going back to just after World War II, going out to where we are here today and a projection forward based on current law. Based on current law, Mr. Speaker. Folks look at this chart and they see this giant red line, government spending as a percent of GDP as it threatens to consume all of American GDP, and they think: Golly, what in the world. Who are the crazy people proposing that we do that? Who are they?

□ 1810

Mr. Speaker, that's what happens if we do nothing. If we fail to proactively offer a solution, if we fail to confront the challenges that are facing this country with respect to spending, if we do not act, this is what we get. No President need sign a law to create this dangerous circumstance; the laws have already been signed.

The question is: What are we going to do about it, Mr. Speaker? We don't have a taxation problem in this country in terms of needing to tax Americans more; we have a spending problem in this country in terms of the Federal Government needing to spend less.

And just to put that in sharp relief, Mr. Speaker, I've reflected here in this green the path to prosperity. This is debt as a share of the economy. This is America's debt as a share of the economy.

You remember when we had all hands on deck in World War II, when we were literally fighting for the future of the world, debt crested 100 percent of GDP. We borrowed an amount equal to the entire size of the United States economy. Well, we're right back there today, Mr. Speaker, we will be over the next decade. And if we do nothing again, that spending will create a debt pattern that will completely consume not just all of the revenue, it will consume all of the wealth of this country.

If we took everything from everybody, Mr. Speaker, if we confiscated every stock and every bond, if we confiscated every small business and every large business, if we took everybody's bank account and took everything out from under their mattress, if we sold everyone's car, everyone's home, we still wouldn't have enough money to pay for the promises that previous Congresses have made to America.

It's a spending problem; it's not a revenue problem. But this green line, Mr. Speaker, represents the budget that you and I and our colleagues on the other side of the aisle came together to pass. It's not about blaming folks. Did all of this red line come from previous Congresses before I got here? You better believe it. But it's not about finding out who was to blame in those previous 5 years, 10 years, 15

years, 20 years; it's about finding out who's going to offer the solution to get us out of this mess. And you know who it is, Mr. Speaker? It's this freshman class that you and I have the great fortune of being a part of. It's the conservatives who have served in this Congress, calling out in the wilderness time and time again, the senior leaders of this conference, and this Congress who are going to come together and provide solutions.

This green line represents not just a proposal that one man wrote, not just an idea that maybe 10 or 15 people agree on. This green line, this solution represents the budget that passed this United States House of Representatives in a bipartisan fashion.

Don't let folks tell you it's hopeless, Mr. Speaker. Is it dire? Yes, it is. But we have proffered solutions, we have debated solutions, and we have passed, on the floor of this House, solutions. The problem is not that taxes are too low in this country; the problem is that spending is too high in this country, and we have offered solutions to that. That's been the debate on the floor of the House this week.

Before I get into the debate that we've actually had this week, Mr. Speaker, I've brought a chart of who benefits from tax loopholes. Who benefits from tax loopholes? We talk a lot about tax loopholes.

I'm a cosponsor of the Fair Tax, Mr. Speaker. I'm a big believer in the Fair Tax, the fundamental tax reform proposal. It has more sponsors than any other fundamental tax proposal in the House or in the Senate. It's H.R. 25 here in the House. It proposes that we turn our tax system on its head, to stop punishing people for what they've earned and begin to tax people based on what they spend.

If you're going out and you're buying a brand new Mercedes, I don't care what kind of job you have, you can afford to pay the tax. If you're driving a used Ford Festiva, I don't care how much money you earn, you're plowing that money back into the economy instead of taking it out.

This is what we see. Who benefits from tax loopholes? The bottom 20 percent, Mr. Speaker, get next to nothing from tax loopholes. The bottom 40 percent, Mr. Speaker, you see, get nothing from tax loopholes. The bottom 60 percent, the bottom 80 percent get next to nothing in terms of tax loopholes. The top 20 percent, Mr. Speaker, that finally starts to show up on the chart. But it's the top 1 percent of all income earners who benefit the most from all the tax loopholes. In this case, it's just over \$250,000 each.

Now, why is that? I'm not picking on our top 1 percent. The top 1 percent pays about 40 percent of all the income taxes in this country. The top 1 percent pays 40 percent of all the income taxes. The bottom 50 percent pays zero. If the

bottom 50 percent is paying zero, that means the top 50 percent has to pick up the whole tab. We pay more on the top 1 percent. So it only makes sense that if you have a complicated Tax Code that allows for lots of loopholes, exemptions, deductions, and carve-outs, those loopholes, exemptions, deductions, and carve-outs are going to benefit the people who are paying all the tax—top 1 percent paying all the tax, and so top 1 percent benefiting from all the loopholes.

Why am I talking about those folks in the top 1 percent? Because I'm not picking on them. I admire them. I just want to make that clear. I admire them. I'm not one of them, but I aspire to be. I hope I come up with that next great idea like Bill Gates, like Steve Jobs. I hope that I do something that makes a difference for America. I hope that I'm one of those folks who owns a business back home that provides jobs for families, jobs for my neighbors, income that supports people's families. I want to be one of those guys. I don't demonize the 1 percent. I admire folks who have gone from nothing but the power of their ideas and the sweat of their brow and created something. Golly, that's what America is to me. That's what it is.

But there are some in this Congress, there are some down at 1600 Pennsylvania Avenue, Mr. Speaker, who are intent on demonizing that 1 percent. And what they have now today, this week on the floor of the House, has been a proposal to raise taxes on all of those job creators there in that category. Fully 50 percent of all of the income generated by small businesses is what my colleagues in the Senate, my colleagues here on the Democratic side of the House have proposed to raise taxes on. Those 50 percent of small business owners who are providing all the jobs, that's where my colleagues believe a major tax increase should be levied.

Mr. Speaker, we have put forth a proposal—I'm just so proud—that says, rather than raising taxes on job creators, killing jobs—I showed my choice of two futures—why not introduce fundamental tax reform that eliminates those deductions and loopholes, those carve-outs and exemptions that all of America knows are in the Tax Code, that all of America would like to see eliminated. And if we know that eliminating those has the greatest impact on the highest of our income earners, why do we need a class warfare that's going on down here on the floor of the House?

I say to my colleagues who want to demonize the top 1 percent, join me in eliminating deductions and carve-outs and loopholes and exemptions and you will raise taxes on that community, because those are the folks who benefit because those are the folks who pay the taxes.

There's a better way. Mr. Speaker, that's not just some hardcore freshman

Republican who is the sponsor of a fundamental tax reform bill talking.

□ 1820

The President of the United States, this President of the United States, stood not 10 feet behind me at this podium at that microphone right behind me, and he said these words in January of 2011:

Over the years, a parade of lobbyists has rigged the Tax Code to benefit particular companies and industries. Those with accountants and lawyers to work the system can end up paying no taxes at all, but the rest are hit with one of the highest corporate tax rates in the world.

President Obama said that, and he followed it with this:

It makes no sense, and it has to change.

Hitting job creators in America with the highest tax rate in the world “makes no sense, and it has to change.”

This was January of 2011, 1 month after December, 2010, when the President signed the tax package for 2 years that the House passed today. I ask the Speaker, where is the contention today? This is the same proposal that was passed 2 years ago when the President acknowledged the challenges facing our job creators and said “it has to change.”

We have a bigger plan for fundamental reform that changes the debate in Washington forever, but right now, we are about the business of stopping the largest tax increase in American history from destroying jobs in this country beginning in January of next year. The President acknowledges it and said it had to change.

Right here behind me in January, 2011, he says this:

So tonight, I'm asking Democrats and Republicans to simplify the system, get rid of the loopholes, level the playing field, and use the savings to lower the corporate tax rate for the first time in 25 years without adding to our deficit. It can be done.

It can be done, says President Obama—and he's right. Our Ways and Means Committee has held more hearings on fundamental tax reform than any other Ways and Means Committee in my lifetime. We are talking about those fundamental reforms that the President has asked to talk about. And this week, this week, Mr. Speaker, we passed a framework that gives expedited procedures.

We all know how things get slowed down in Washington, D.C. We all know how easy it is for somebody to latch on to something and stop it from passing because they want to stand in the way of progress. We passed expedited procedures to do exactly what the President has asked us to do. This is not Republican politics. This is not partisan politics. This is folks coming together to try to save what is a fragile economy today. Is it the strongest economy in the world? You'd better believe it. Is

tomorrow going to be brighter than today in America? You'd better believe it. But not by holding our tongues, not by sitting on our hands, and not by fighting amongst ourselves about who gets the credit.

Mr. Speaker, I don't care. I've got a fundamental tax reform bill that I believe solves this problem. You can call it anything you want to. Call it the Democratic plan to save America. It doesn't matter to me. We don't care who gets the credit. We care about solving the problem. And that's what our President charged us to do.

He goes on, January, 2011, 10 feet behind me:

We measure progress by the success of our people, by the jobs they can find and the quality of those jobs, by the prospects of a small businessowner who dreams of turning a good idea into a thriving enterprise.

My colleagues here are trying to raise taxes on 50 percent of all the income those small businessowners make. The job creators in this country are faced with the largest tax increase in American history. Our President has asked us not to do that. He goes on to say this:

By the opportunities for a better life that we pass on to our children, that's the project the American people want us to get to work on together.

And we did. We passed our plan for fundamental tax reform together in a bipartisan way this week.

Talking about the agreement that the President passed and signed in December of 2010, the very same agreement that we're trying to pass today, he said this:

We did that in December. Thanks to the tax cuts we passed, Americans' paychecks are bigger, and these steps taken by Republicans and Democrats will grow the economy and add to more than 1 million private sector jobs this year.

Did you remember my saying the President was going to back up, that this proposal was going to create 1 million private sector jobs? He said it in January, add to more than 1 million private sector jobs created last year.

I'll close with this, Mr. Speaker. That was 10 feet behind me January 2011. Ten feet behind me January 20, 2012, the President said this:

We have a huge opportunity at this moment to bring manufacturing back to America, but we have to seize it. We have to seize it.

I bolded this so everybody could see it, Mr. Speaker. We should start with our Tax Code. Right now, companies get tax breaks for moving jobs and profits overseas, meanwhile companies that choose to stay in America get hit with one of the highest tax rates in the world. It makes no sense. Everyone knows it. So let's change it.

Mr. Speaker, that's the bill the House passed this week. The bill the Senate passed this week continues to punish those small businessowners and

continues to reward those companies that do their businesses overseas.

Don't let an election year get in the way of doing what's right. The President called for it, the Ways and Means Committee delivered it, the House has passed it, and we can do it. I call on my colleagues on the other side of the aisle to believe as I believe, that tomorrow can be better than today.

With that, Mr. Speaker, I yield back the balance of my time.

IRAN'S NUCLEAR AMBITIONS

The SPEAKER pro tempore (Mr. KELLY). Under the Speaker's announced policy of January 5, 2011, the gentleman from Arizona (Mr. FRANKS) is recognized for 32 minutes as the designee of the majority leader.

Mr. FRANKS of Arizona. Mr. Speaker, I thank the previous gentleman here. His comments were very compelling to me.

Mr. Speaker, before I begin my comments tonight, let me just sincerely say that I hold in my heart this privilege of being a Member of the American family and this United States Congress to be a priceless gift of God. And I would ask that my comments tonight would be heard in that context, and I would even dare to hope, Mr. Speaker, that you and the Members of this body might grant me a modicum of understanding befitting the conviction and the gravity that give impulse to the statements that I make tonight.

Mr. Speaker, the very first responsibility of human government is to protect its people. Many times during the nearly 4 years of the Obama administration, I have stood on this floor and have called upon this administration to address the grave threat posed by Iran's nuclear program.

When I first began calling for Iran to be referred to the Security Council, they possessed only 157 centrifuges, Mr. Speaker. But tonight, Iran possesses more than 9,000. And tonight I stand here with such a sense of urgency that I find it difficult to articulate, Mr. Speaker. I believe we may be facing the very last window this world will ever have before it becomes too late to prevent jihad from becoming armed with nuclear weapons and shattering the peace and security of human freedom as we have known it.

Because this administration has delayed and sent ambiguous messages to Iran and the world, as of approximately 3 months ago, Iran reached the point where it now possesses all the components necessary to become a nuclear-armed nation.

Mr. Speaker, Iran has the knowledge, the technical expertise, the equipment, everything necessary to build a nuclear warhead. They need no new technology, no new personnel, no new parts or resources of any kind from anyone. All they need now is time and lack of intervention.

Mr. Speaker, if Iran is allowed to gain nuclear weapons, it will unequivocally transform the landscape of human freedom as we have known it throughout the world. The world's primary financier of terrorism will be armed with nuclear warheads. A desperate arms race will rage across the entire Middle East. Israel will be in range of nuclear missiles in the hands of a jihadist enemy who despises them, is dedicated to their complete annihilation and capable of obliterating their entire nation in 15 minutes.

□ 1830

America and our allies will then face an enemy with the ultimate asymmetric capability of a nuclear-generated high-altitude electromagnetic pulse potentially capable of devastating our electric grid and the civilizational architecture it sustains.

Jihadists the world over will have access to nuclear weapons, and the world's children, Mr. Speaker, will have forever etched in their memory that moment in history when this government allowed the hellish shadow of nuclear jihad to fall across their future.

For almost 4 years, Mr. Speaker, we have witnessed the same weakness, naivete, vacillation, ambiguity, and delusional policy toward radical jihadists in Iran that once allowed them to hold 56 American hostages for 444 days during the Carter administration. That failed approach, that failed understanding now saturates nearly every policy corner of the Obama administration as Iran seeks to gain a nuclear grip on America's throat.

As always, any credible threat should be evaluated by whether an enemy possesses both the intention and the capacity to inflict harm. The despotic regime now governing Iran has been explicitly clear in its intention toward the United States. Official military parades in Iran have, for years, routinely featured a litany of slogans calling for death to Israel, death to America.

President Ahmadinejad was speaking to the whole world when he said:

And you, for your part, if you would like to have good relations with the Iranian nation in the future, recognize the Iranian nation's greatness and bow down before the greatness of the Iranian nation and surrender. If you don't accept to do this, the Iranian nation will later force you to surrender and bow down.

Does that sound like someone who thinks he knows something that we don't?

Ahmadinejad also said:

Israel is about to die and will soon be erased from the geographical season.

Then he added:

The time for the fall of the satanic power of the United States has come, and the countdown to the annihilation of the emperor of power and wealth has started.

Iranian Basij Commander Naqdi said:

As long as America exists, we will not rest. We must create the environment for the destruction of America.

Mahmoud Ahmadinejad has consistently denied the existence of the Holocaust, Mr. Speaker, calling it a myth or a fabrication. And in the same breath, he threatens to make it happen again by repeatedly calling for the destruction of the Jewish State, for Israel to be “wiped off the map.” He has said, point blank:

The wave of the Islamist revolution will soon reach the entire world. Anybody who recognizes Israel will burn in the fire of the Islamic nation's fury.

And just today, Mr. Speaker, just today, Ahmadinejad called for the annihilation of Israel again.

Mr. Speaker, the Pentagon estimates that hundreds of U.S. soldiers have died, as many as three and four of our casualties, as a result of Iran supplying terrorists in Iraq with weapons such as highly sophisticated explosive form penetrators designed to destroy American armor and vehicles. What possesses us to believe that they would not do the same with nuclear weapons?

Former Joint Chief of Staff Admiral Mike Mullen said:

My worst nightmare is terrorists with nuclear weapons. Not only do I know that they are trying to get them, but I know they will use them.

Israeli Prime Minister Benjamin Netanyahu called Iran:

the major terrorist-sponsoring state of our time. Tehran could give those nuclear weapons to terrorists, or give them a nuclear umbrella that would bring terrorism beyond our wildest dreams.

Mr. Speaker, can we allow a man like Ahmadinejad, leading the world's most dangerous regime, to be able to disseminate nuclear weapons to terrorists and to have his finger on the button that could launch nuclear missiles targeting our families and our children?

And how do we negotiate with a nuclear Iran, as Senator Obama suggested, when their jihadist ideology considers Armageddon a good thing?

Mr. Speaker, even without nuclear weapons, the Iranian regime has remained relentless and undeterred in its efforts to harm America, Israel, and Western interests. In October of last year, our intelligence interdicted an Iranian plot to assassinate the Saudi Arabian Ambassador and to detonate bombs at both the Saudi Arabian and the Israeli Embassies right here in Washington, D.C. Tapes in American possession show that the Iranians were unconcerned with “collateral damage.” Now, Mr. Speaker, translated, that means dead Americans. It also means that Iran has no fear whatsoever of the Obama administration.

And now, in recent days, we have learned that Iran was behind another barbaric attack, a terrorist attack on innocent civilians, when its terrorist proxy, Hezbollah, bombed a Bulgarian

bus, killing five innocent Israeli citizens and killing a pregnant woman and including dozens more. Imagine how emboldened Iran will become if they are allowed to come into possession of nuclear weapons.

Specifically, Mr. Speaker, imagine for a moment the scenario of Hezbollah, one of Iran's terrorist proxies, gaining possession of just two nuclear warheads and bringing them across the border into the United States concealed, say, in bales of marijuana—this shows you that they can get them in—when transporting them into the heart of two different crowded unnamed cities and then calling and telling the White House exactly when and where the first one will be detonated, and then following through 60 seconds later.

Then imagine them, Mr. Speaker, calling the White House back and making demands, which, if they're not met, would mean that the second warhead would also be detonated in a different unnamed American city. The entire United States would be held hostage by terrorist monsters, Mr. Speaker.

Or imagine if those same terrorists acquired two small cargo ships carrying mobile launchers with SCUD missiles from Iran's existing arsenal and used them to launch those two warheads in a coordinated and devastating high-altitude electromagnetic pulse attack over the homeland of the United States.

Well, the fact is, Mr. Speaker, that Iran is pursuing the means whereby they could assist groups like Hezbollah to do exactly these kinds of horrifying things. The only components they lack to proceed are the nuclear warheads.

Mr. Speaker, there is no longer a single rational defense for the argument that Iran is not pursuing nuclear weapons capability.

So let me say this, and pray that the Members of this body and pray that the President and this Nation understand. If Iran gains nuclear weapons, they will give them to terrorists the world over. And still, as the centrifuges in Iran are spinning, the Obama administration is fiddling, and many of the Members of this body stand by and contemplate.

Have we lost our minds?

Mr. Speaker, President Obama has allowed Iran to rope-a-dope this administration in so-called peace talks that have burned the clock for nearly 4 years of his Presidency. The President has made stern warnings and then backed down every time. We've endured five rounds of peace talks, five different proposals, six different United Nations resolutions, and more than a dozen sets of economic sanctions.

The House just voted yesterday on another Iran sanctions bill that was so weakened and watered down by Mr. Obama and his supporters in the Senate that it is now barely worth the paper it's written upon. The adminis-

tration's focus has been on sanctions, and weak sanctions at that, Mr. Speaker. And even then, Mr. Obama has granted waivers to further weaken the sanctions already in place.

Now, I wonder if this administration has considered the fact that we have had economic sanctions against North Korea for over 60 years, and in recent decades we have sanctioned them nearly into starvation. And yet during that time, they have tested nuclear warheads twice. And it's a genie that we cannot put back in the bottle, Mr. Speaker.

President Ahmadinejad has said of economic sanctions:

If they want to continue with that path of sanctions, we will not be harmed. They can issue resolutions for 100 years.

Supreme Leader Ayatollah Khamenei said Iran's nuclear policies would not change, no matter the pressure. He said:

With God's help, and without paying attention to propaganda, Iran's nuclear course should continually remain firmly and seriously. Pressures, sanctions, and assassinations will bear no fruit. No obstacles can stop Iran's nuclear work.

□ 1840

Mr. Obama's own Director of National Intelligence was asked by the Senate Intelligence Committee whether sanctions had any effect on the course of Iran's nuclear program. The answer was simple, Mr. Speaker, “No, none whatsoever.”

I've said many times, starting long ago, that we should have pursued truly effective sanctions, dissident support, regime change, and political pressures to prevent Iran from becoming a nuclear-armed state. But without the conviction in the minds of the Iranian leadership that military intervention will occur if they continue to develop nuclear weapons, none of these other approaches will change their minds. Our greatest hope to prevent military action against Iran was to make sure their leaders understood that the free world would respond militarily before we allowed them to threaten it with nuclear weapons.

Unfortunately, Iran's radical leaders concluded that Barack Obama simply lacked the understanding or the resolve to use military action to prevent their nuclear weapons development. And why would they conclude anything else, Mr. Speaker? Even now, the stated goal of the Obama sanctions policy is simply to get Iran back to the negotiating table where they can waste even more time and gain even more valuable advances. And if we do get them back to the negotiating table, Mr. Speaker, what compromise can we seek—maybe that Iran keeps only a small number of nuclear weapons? No, Mr. Speaker. If Iran is hell-bent on getting nuclear weapons, there is no diplomatic solution.

In the popular revolt in Iran in 2009, the President could have assisted the

dissidents and the peace-loving, decent people of Iran, of which there are so many, to overthrow their oppressors in the Iranian regime—or at least he could have spoken up on their behalf when they were out dying in the streets to try to bring about regime change, which, if they had been successful, could have changed all of this equation. But the President left them twisting in the wind.

To call Mr. Obama a bystander in all of this is to be charitable. The truth is, Mr. Speaker, he has been nowhere to be found. Many congressional Republicans have written and pleaded with this President numerous times on this vital issue to absolutely no avail.

The truth is that this President has waited too long. He has waited so long that the equation now before us has no good answer. His policies have only helped Iran accelerate their nuclear program. Iran is now tripling its uranium output, moving enrichment facilities deep under a mountain near Qom and restraining the IAEA from even inspecting weaponization facilities.

Maybe now it is becoming clear why Israel is so very concerned, because for them, a nuclear Iran is not just an academic question—it calls into question their very survival—and the Obama administration has now placed Israel into an almost impossible circumstance. Israel has watched this President resist an Israeli strike on nuclear facilities in Iran more than he has resisted a nuclear Iran. Israel has listened to Mr. Obama openly criticize Israel more for building homes in their capital city than he has openly criticized Mahmoud Ahmadinejad for building nuclear weapons with which to threaten the entire free world. In fact, they have watched this administration systematically scrub references that Jerusalem is even the capital of Israel.

Consequently, I believe Israel has known for some time that they can no longer trust the Obama administration to act in their best interest.

They know that Mr. Obama has waited so long that if Israel acts now to defend their own nation—and all of us incidentally—that they will suffer a far more damaging response from the radical regimes that surround them than they otherwise would have. Israel knows that, if they wait much longer to attack, the Iranian nuclear facilities may well be beyond their conventional military capability. Israel desperately needs America and her greater ability to attack heavily fortified targets. They need us, Mr. Speaker, but they will act without us if they must.

Israeli Prime Minister Benjamin Netanyahu said simply and clearly, “One thing I’ll never compromise on, and that is Israel’s security . . . When it comes to Israel’s survival, we must always remain the masters of our fate.”

So what is this administration’s present strategy? “We’re trying to make the decision to attack as hard as possible for Israel.” The most disgraceful part of it is President Obama’s threat to withhold resupply from Israel to pressure them into his brand of inaction.

So let me just see if I have this straight, Mr. Speaker. The President says, according to his own State Department, that the world’s greatest supporter of terrorism, a self-avowed enemy of America, with an advancing nuclear weapons program, has committed to destroy us and Israel and that the President’s goal is to prevent Israel—our best and most committed friend and national ally on this Earth—from defending themselves. Did I get that right?

Mr. Speaker, that’s why Israel will never trust this President with their national survival.

You see, Israel knows the very inconvenient truth that, when it comes to a nuclear Iran, if we are to prevent, we must preempt. They know that the choice with Iran is no longer a choice between the way the world is now and the way the world might be after a military strike to prevent them from gaining nuclear weapons. Rather, the choice now is between what the world will be like after a preventative military strike on Iran or what the world will be like after Iran gains nuclear weapons.

So, Mr. Speaker, we should not deceive ourselves. When the head of Israeli intelligence tells the prime minister that Iran is entering into that “zone of immunity” where Israel will no longer have the conventional capacity to prevent Iran from gaining nuclear weapons, Israel will act.

They will act knowing that many in the world will condemn them. They will act knowing that they will be blamed for any radiation releases from Iran’s nuclear facilities that might result. They will act knowing that thousands of Iranian, Hamas, and Hezbollah rockets and missiles will fall upon the cities of their tiny nation in retaliation. They will act knowing that it is now extremely difficult for them to succeed.

But, Mr. Speaker, Israel will act because they are students of history, and they will not be made to walk silently into the gas chambers again.

They will act because they know that whatever the consequences for their actions will be that they will pale in significance compared to what the consequences would be for them and for the whole world if the jihadist Government of Iran were to gain nuclear weapons.

And, if and when they do act, the Obama administration will owe an apology to the whole world for ignoring this grave reality for so long, but Israel will especially deserve an apology—an

apology from this administration for leaving them with no choice but to act on behalf of all of us.

Mr. Speaker, now, with all of the things I’ve said tonight, there seems to be a profound new irony upon us. This administration finally seems to recognize that they have, indeed, waited too long. This administration is finally realizing that Israel can no longer stand around and wait. It is also beginning to understand if Israel is forced to strike Iran’s nuclear facilities alone or if Iran tests a nuclear weapon before the November 6 election, that the American people and the world will damn the Obama administration for their breath-taking vacillation. Under such scenarios, the administration very likely sees the chances for Mr. Obama to be reelected as virtually zero.

So it has occurred to me, Mr. Speaker, that the Obama administration may have at last found sufficient rationale to move decisively against Iran’s nuclear weapons program. The President knows that, in times of military action, the American people often rally around their President. Consequently, in spite of the fact that it has blatantly ignored the national security implications of Iran’s nuclear program, it will now not surprise me at all if this administration launches an attack on Iran’s nuclear facilities before the November elections to protect itself politically, even if it is done in concert with Israel to make it appear less politically motivated.

While I believe the American people will see such an action for what it is, if a Presidential campaign will finally motivate this administration to get serious about our national security and Iran’s nuclear program, then so be it, Mr. Speaker. It would still be far better for the administration to do that than to stand idly by and force the tiny state of Israel, our closest friend and ally on this Earth, to undertake such a monumental task alone, with all the odds against them and facing such crushing consequences whether they succeed or fail.

But it didn’t have to be this way. There was a time when Iran’s nuclear weapons ambitions could have been arrested with far less cost.

□ 1850

The President has waited too long.

Mr. Speaker, President Ronald Reagan gave an address in 1983 when the world faced a similar threat in the growing strength and nuclear ambition of the Soviet Union. Mr. Reagan said:

I urge you to beware the temptation to ignore the facts of history and the aggressive impulses of an evil empire, to simply call the arms race a giant misunderstanding and thereby remove yourself from the struggle between right and wrong, good and evil.

Mr. Speaker, there were those in 1938 who deemed the ambitions of Adolf Hitler and the Third Reich a giant misunderstanding. The free nations of the

world once had opportunity to address the insidious rise of the Nazi ideology in its formative years when it could have been dispatched without great cost, but they delayed, and the result was atomic bombs falling on cities, 50 million people dead worldwide, and the swastika shadow nearly plunging the planet into Cimmerian night.

Mr. Speaker, let the world's free people resolve once and for all, for the sake of our children and for future generations, that we of this generation will not stand by and watch a similar dark chapter of history be repeated on our watch.

God help this administration to wake up, and God help us all as Americans to be awake in this destiny year for our beloved country.

Mr. Speaker, I yield back the balance of my time.

THE FISCAL PATH FORWARD

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from North Carolina (Mr. PRICE) is recognized for 60 minutes as the designee of the minority leader.

Mr. PRICE of North Carolina. Mr. Speaker, in recent weeks, every Member of Congress has heard from a broad range of interests: education leaders, State and local officials, defense contractors, small businesses, people concerned about the devastating impact of the looming sequestration spending cuts. Each of these groups, indeed, all of our constituents, deserve an honest accounting. How did we get in this predicament, and how can we get out of it in a way that accelerates our economic recovery and restores our fiscal health?

Our situation results from the failure of the so-called "supercommittee" established in the wake of the debt ceiling crisis manufactured by Republicans last summer to come up with a deficit reduction plan. Instead, we're faced with across-the-board cuts that would indiscriminately slash more than 8 percent from every national security and domestic account. Cutting with a meat axe instead of a scalpel is the most dangerous way imaginable to set fiscal policy. These cuts would come on top of the more targeted, but nonetheless significant, \$917 billion in cuts and spending caps that the administration and Congress have already locked in.

In the case of defense spending, these earlier cuts were a result of a careful, strategic review by the administration, and they'll save nearly half a trillion dollars over the next 10 years. As for domestic investments in education, infrastructure, research, and innovation, these cuts have already gone too far, slowing the recovery, and putting at risk our ability to compete in the global marketplace.

The House Republicans' first order of business in the 112th Congress was to

precipitate an unnecessary, confidence-shaking, government shutdown crisis to extract domestic spending cuts. From there, they moved to the needless months-long debt ceiling crisis, during much of which consumer confidence plummeted, and the economy posted 2011's four slowest months of job growth.

By undermining confidence in the economy and withholding countercyclical investments that would boost the recovery and prompt future growth, Republicans have provided a case study in how not to make macroeconomic policy. Yet they want to do more of the same. According to the Economic Policy Institute, House Republicans approved a 2013 budget that would put 4.1 million people out of work by cutting investments in our future.

At root, Republicans are proposing a brand of European-style austerity, the same policy that has tipped many economies back into recession. Interestingly, with sequestration now looming and pressure from defense contractors mounting, a substantial portion of the Republican caucus on both sides of the Capitol has belatedly become aware of the concept of macroeconomics. All of the sudden, they're talking macroeconomics. You might call it "defense Keynesianism," the belief that only defense spending creates jobs, and that cutting it would result in job losses. In fact, the same argument applies equally to domestic investments in education and research and infrastructure, a truth Republicans have found it convenient to ignore.

The Republicans, by the way, can only thank themselves for the deep defense cuts in sequestration. One can easily imagine an alternative sequestration approach, triggering a tax surcharge, in addition to less severe cuts to defense and domestic spending. But as was the case during these repeated unnecessary crises, Republican dogmatism kept revenue off the table.

It's clear sequestration would devastate our defense, education, infrastructure, and research sectors, undermining our economy over the near and long term. It would also hobble critical functions from air traffic control to meat inspection and Social Security claims processing. It can't be resolved in isolation or through half measures. Yet Republicans are now proposing staving off the impact of sequestration on defense alone, and they pay for it by again targeting health care for low-income women and children, food and nutrition assistance, and other safety net programs for the poorest Americans, in addition to locking in a 2 percent Medicare cut. Their plan would victimize the most vulnerable, it would hinder job creation, and jeopardize our ability to compete.

Mr. Speaker, there's a better way. The impending fiscal cliff, which in-

cludes both sequestration and the expiration of the Bush tax cuts, offers an opportunity for all Members of Congress to set the talking points aside and act in our country's best interest. I know we can chart a course to fiscal balance because we've done it before. In the budget agreements of 1990 and 1993, which set the stage for 4 years of budget surpluses, the formula was fiscal discipline on all fronts.

No area of spending can be sacrosanct. We should focus our limited dollars on boosting the recovery and making critical investments in our future because the most effective means of deficit reduction is a growing economy. As in the 1990s, revenue must be part of the solution. The President has already proposed a sensible plan allowing the Bush-era tax breaks to expire on income over \$250,000 a year. Extravagant tax breaks for various special interests must be ended. The revenue raised could be used to pay down the deficit and to help fund the investments in education, research, infrastructure, and innovation that are critical to economic growth.

Most Americans agree with this comprehensive approach, but most Republicans still hide behind their anti-tax pledges. Their insistence that no additional revenue ever be raised, for example, by ending tax loopholes for oil companies or asking millionaires to return to their Clinton-era tax rates, is still the largest obstacle to a sensible budget compromise in Washington. As we approach the fiscal cliff, that fever has got to break. We must find our way to the comprehensive balanced approach that will enable our country and all of our people to prosper.

I yield back the balance of my time.

□ 1900

UNITED STATES-AFRICA TRADE RELATIONS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from Illinois (Mr. RUSH) is recognized for the remainder of the hour as the designee of the minority leader.

Mr. RUSH. Mr. Speaker, I rise today to commend my fellow colleagues in the House for their leadership, for their vision, and for their votes today to strengthen the U.S.-Africa economic and trade relations. Passage of H.R. 5986 will also solidify the U.S. long-term investment in Africa.

I want to commend my colleagues for voting to extend AGOA, the African Growth and Opportunity Act. And I would also like to applaud all of those advocates who worked tirelessly to pass H.R. 5986, the long overdue extension of the African Growth and Opportunity Act, AGOA, including the third-country fabric provision as a part of AGOA.

This third-country fabric provision will enable eligible countries in sub-Saharan Africa to ship thousands of goods to the United States without paying import duties. This provision, which has been set to expire this September, on September 30, waives the duties on clothing from most AGOA countries, even if the yarn or fabric is made in a "third country," such as China, South Korea, or Vietnam. With passage of this important legislation, sewing jobs for hundreds of thousands of African workers will be protected and also created.

The first beneficiaries for this bill will be the women of Africa, because about 70 to 80 percent of the workers in these burgeoning apparel and textile industries are women. Mr. Speaker, when women are working, families are fed and stability is a result.

I am so pleased, Mr. Speaker, that once again AGOA will become the law and that the President will sign this law in the near future.

THE DEATH OF GHANAIAN PRESIDENT JOHN ATTA MILLS

Next, Mr. Speaker, I stand in the House well today to send my deepest sympathies, the sympathies of the people of the First Congressional District of Illinois, and to send our prayers to the Ghanaian people and to the family of the recently departed President John Atta Mills, the late president of Ghana. His death is a terrible loss not only for Ghana and its people, but for the entire world.

Mr. Speaker, President Atta Mills was a tremendous leader. He solidified the foundation for peace and prosperity in the nation of Ghana, creating confidence in the Ghanaian political, socioeconomic system that led to massive foreign direct investments in Ghana, which resulted in the creation of millions of jobs for the Ghanaian people. He will be greatly missed.

I also want to congratulate His Excellency, Mr. John Dramani Mahama, the new leader of Ghana.

Mr. Speaker, the peaceful transition of power in Ghana clearly demonstrates that Ghana has embarked into an unwavering path and process for democracy and the democratic principles we all hold near and dear. Within hours of the passing away of the President, late President John Atta Mills, the Vice President was sworn in as the new President.

The political violence that we witnessed after the passing of President Umaru Yar'Adua of Nigeria and President Bingu wa Mutharika of Malawi simply did not occur. This, Mr. Speaker, is evidence, sheer evidence that Ghana's democratic institutions are viable and are getting much stronger day by day.

This just did not happen. It took strong leadership from previous Presidents of Ghana in order to lay the right foundation for this smooth transition

of power in Ghana over the last week. People like former President Jerry Rawlings, who was elected in 1996. And lest we not forget Mr. Rawlings' party lost with a narrow margin, but he didn't try to fight and hold back the willful decision of the Ghanaian people. He conceded the election without any controversy.

I also commend former President John Kufuor for his strong stance in support of the Ghanaian democratic march, the principles, and the democratic values that we cherish here in the United States.

It is for these reasons that I stand here today to commend the Ghanaian people, the Ghanaian leadership, and the Ghanaian institutions for their stable, forward-thinking, and mature leadership. I commend them all this evening.

NIGER DELTA CRISIS

Mr. Speaker, on my final note before this body, I rise today to also urge this Congress to pass H. Con. Res. 121, a resolution to save the Niger Delta region, which is located in Nigeria. Over the last few years and months, a lot has been said and a lot has been written about the Niger Delta crisis that is occurring right now in Nigeria as we speak.

□ 1910

Just about a year ago, the United Nations Environment Program released a report, a startling report, a report calling for an urgent response to reverse the environmental destruction and devastation in the Ogoniland region of the Niger Delta wetlands. That report again was startling, intense, and accurate. It also called for the establishment of a \$1 billion cleanup fund to finance the restoration and the cleanup of the Niger Delta region.

Mr. Speaker, to give you some perspective on the scope of the destruction and on the devastation, it is estimated that the cleanup of the Niger Delta could take as many as 30 years to complete. Of course, Mr. Speaker, strong voices have begun to emerge and strong actions have taken place to do more to publicize these environmental atrocities.

Just recently, I watched a movie directed by a brilliant Nigerian-born filmmaker whose name is Jeta Amata. It was a movie titled "Black November: Struggle for the Niger Delta." This movie raises the awareness of the tragedy of the Niger Delta and the Niger region. "Black November," the movie, is based upon the true story of the people of the Niger Delta, the communities in the Niger Delta that suffer extreme environmental degradation and extreme poverty in this oil-rich Niger Delta region.

Mr. Speaker, the people of this Nation, we cannot, the American people cannot remain indifferent to the struggle of the people of the Niger region,

the Niger Delta, as they struggle to clean up the pollution created by mostly American and other Western oil and petroleum companies. Most of the Niger Delta's 31 million people live on less than \$1 a day, although this region is the very backbone of Nigeria's economy, with oil and gas extraction accounting for over 97 percent of Nigeria's foreign exchange revenues.

The Niger Delta region, which consists of nine states, makes up about 12 percent of Nigeria's total land mass, and it is one of the world's 10 most important wetlands and coastal marine ecosystems.

Mr. Speaker, the social unrest, the criminality, illegal oil trade, the bunkering, and the general corruption have hindered oil and gas investment and production, as well as the Niger Delta region's development.

Mr. Speaker, these numbers are alarming. The World Conservation Union and the representatives from the Nigerian federal government and the Nigerian Conservation Foundation calculated in 2006 that up to 1.5 million tons of oil had been spilled in the Niger Delta over the last 50 years—1.5 million tons. That is 50 times, that's right, 50 times, Mr. Speaker, the pollution released in the Exxon Valdez tanker disaster in Alaska a few years ago.

This pollution, this oil spill, this devastation has severely limited the local inhabitants' access to clean water and has largely destroyed the fishing stock that the majority of the delta inhabitants depended on to make their daily living. A result also has been that illegal oil and gas refineries have become a source of income for these poor people who have unfortunately diverted their activities from fisheries destroyed by the oil spills. Illicit oil trade and illegal refineries are booming, and they are consequently threatening the economy, the security, and the environment of this very vital region in the world.

Mr. Speaker, more importantly or just as importantly, in too many of the communities in the Niger region, people drink water from wells that are contaminated with benzene, which is a known carcinogen.

□ 1920

They drink this water, which has been estimated to be 900 times above the level that the World Health Organization uses as its guideline, 900 times above the standards set by the World Health Organization.

Since 2010, Nigeria has become one of our main strategic partners on the continent of Africa. This nation, Nigeria, is our Nation's second-leading trading partner behind Great Britain. Mr. Speaker, these and other facts mean that the struggle of the people of the Niger Delta—the struggle of the Nigerian people—is also the struggle of the American people.

Mr. Speaker, the destiny of the two economies, the Nigerian economy and the American economy, are interconnected, interrelated, and intertwined. We cannot, and I emphasize, this Nation cannot afford to stay indifferent to the struggles of the people of the Niger Delta and the cleanup of the pollution that has been devastating this region for over the past 50 years. The struggle of the people of the Niger Delta is indeed our struggle, the struggle of the American people.

I have led, and with cosigners, have introduced H. Con. Res 121 to urge all the stakeholders in the Niger oil and gas industry to come together, to work together, to collaborate together, and to address collectively the environmental impact of the oil and gas production in the Niger Delta.

I must say, Mr. Speaker, that we should commend this Congress—and I certainly commend President Goodluck Jonathan for presenting the new Petroleum Industry Bill, the PIB, to the Nigerian Parliament, which has the support of all the stakeholders and has the input of all of the stakeholders.

I also want to commend President Goodluck Jonathan for announcing the creation of the Hydro-Carbon Pollution Restoration Project, HYPREP, to look into the Ogoni land degradation, destruction, and devastation from the aforementioned oil spills. I applaud President Goodluck Jonathan for taking these initiatives. These are very important, critical first steps. It is my hope that all of the affected stakeholders will again come and meet again soon and collaborate strongly together to make the cleanup and rebuilding of the Niger region become a success story that the world will admire and that the world will celebrate.

The new energy regulatory framework that's being created must be fair, it must be transparent, and it must create an appropriate avenue for the economic empowerment for local Niger Delta communities affected by the industry, including the women and the youth.

Mr. Speaker, we cannot stand by. We must assist in this effort. The clock is ticking. We must support the people of the Niger Delta.

With that, Mr. Speaker, I yield back the balance of my time.

RECOGNIZING CHABAD

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from California (Mr. SHERMAN) is recognized for the remainder of the hour as the designee of the minority leader.

Mr. SHERMAN. Mr. Speaker, I rise today to recognize the unique and essential work being done by Chabad. Chabad is known by many for its annual telethon. Where else on the TV dial can one go to see dancing rabbis

once a year? Chabad is better known for meeting the spiritual needs of millions, for meeting the economic and counseling needs of thousands who are faced with destitution or faced with the scourge of substance abuse.

I would like to extend my regards to Rabbi Cunin and the entire Cunin family for their tireless efforts on behalf of Chabad and Yiddishkeit everywhere.

For decades, I've had a chance to work with Rabbi Mordy Einbinder and Rabbi Joshua Gordon, and all of the rabbis of Chabad in the San Fernando Valley, an organization that has grown from one storefront to now 25 centers of vibrant communities dedicated to worship and to study across the San Fernando Valley.

Chabad does hugely important work for the local community. They have taken a commercial-grade kitchen and turned it into a one-stop social service center to feed and care for thousands. And Chabad's drug prevention and treatment program, PRIDE, reaches thousands of at-risk youth in the San Fernando Valley and across the Los Angeles area.

For the last decade, I've worked with Chabad to achieve something very important to the Jewish people, the return from Russia of the Rebbe's papers. The Schneerson Library and Archives are of such important sacredness to Chabad and to many others, and yet they are still held in Moscow by the Russian regime.

This Congress passed Jackson-Vanik. There's discussion of us changing that important law to allow for Russian goods to be sold in the United States more freely, but Jackson-Vanik's purpose was to force Russia to let our people go. That process will not, in my mind, be complete until Russia lets the Rebbe's papers go as well.

So I look forward to Russia releasing those spiritually important documents. And I look forward to working with all the Chabad rabbis on issues from Moscow to the San Fernando Valley.

IMPORTANT ISSUES FACING AMERICA AND THE WORLD

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the Chair recognizes the gentleman from Illinois (Mr. SHIMKUS) for 30 minutes.

Mr. SHIMKUS. Mr. Speaker, I appreciate the time yielded to me to really cover a couple different issues and areas that have been pending either in the District or in our Nation—or even internationally—and using this opportunity to place into the RECORD and also speak to you—in essence, speaking to the Nation—on the importance of these issues.

□ 1930

First what I would like to do is really commend Chairman LUCAS and Rank-

ing Member PETERSON for passing an ag bill out of their committee.

Now, what my producers are asking is to pass a full ag bill on the floor sooner rather than later. In fact, I've seen, and I'm sure you've seen, an ag bill now. But we were successful today in helping mitigate a flaw in the last ag bill in ensuring that the livestock provisions and the insurance portion of the ag bill of 5 years ago, it wasn't funded for this last year.

As everyone knows, this is a very challenging year for the agricultural sector. I was able to visit a dairy farm in my district last Friday, the Timmerman family, and there I was able to meet with my producers, both commodity, livestock and dairy, and in my part of the State, sometimes they are doing all of the above.

So I brought down—actually, they brought to me and I brought back to Washington to give an example of the challenges we're under. Here is a good ear of corn that has been irrigated and is what we would expect to see almost every year in southern Illinois. This was what came off of a stalk on the Timmerman dairy farm. And so this gives you, Mr. Speaker, an opportunity to understand the challenges that are faced.

Now, in a dairy operation, like a beef operation, they're growing the corn to feed their livestock. So if this is what's supposed to feed their livestock, they're used to getting this, you can understand why passing this disaster relief portion to fully fund the ag bill to help them out is very, very important.

Another producer brought this, which is the stalk and even a worse—well, it's not even an ear of corn. It's decayed, it hasn't formed, and that's what a lot of our producers are seeing in Illinois during this time.

Now, our agriculture producers are a healthy stock, and they understand that the world is changing and that there are spending and fiscal challenges and difficulties. They're asking for a simple premise. They just want to be able to have an ag insurance product that they can rely on, that they can choose to buy into or not. They don't want to be placed in a position of having no ag insurance and then depending upon if there's a drought on disaster payments from the national government, as has happened in the past before we really had a safety net and an ag insurance program and plan.

They know that other provisions of the ag bill are going by the wayside. They know that direct payments are going to go by the wayside. So they are just very concerned, as they should be, that this is the end of the authorization of a current farm bill. The important thing is to get the next farm bill reauthorized so that, when they start buying the seed and planning which field they're going to plant what crop,

they can then make a decision whether they want to insure that crop, and they will have some expectation that if they have another bad year they will at least be able to survive to the next year.

Giving a last story about my ag producers, I was up in another part of central Illinois. I was talking to one of the producers, and he projected—and I didn't know for sure that his loss of his crop was about \$400,000, which is a pretty big loss. With ag insurance, his loss is only going to be \$200,000.

Now, I know you, Mr. Speaker, come from a business background, but I think it's very important to let the American public know that these producers are still going to have a loss even with an ag insurance product out there. They're not going to make them whole. But what they will do is allow them to give it another go the next year and get back into the field. That's the importance of an ag bill.

Again, I really salute Chairman LUCAS and Ranking Member PETERSON, and I look forward to talking to my colleagues on the importance of having an ag bill, a long ag bill, a 5-year ag bill, so that our producers have some certainty when, as this year has shown, there could be uncertain times that they are powerless to control. If there were a private sector option, maybe we could have that debate of whether there should be ag insurance at all.

But the reality is the only insurance product available is that in which the Federal Government will help offset some of the cost, let the producers have some skin in the game, and then let's manage these risks so that we could still have the safest, least expensive food supply in the world.

Mr. Speaker, I'm going to turn my attention now to some problem statements coming out from the majority leader of the other body, Mr. REID, on a commissioner of the United States Nuclear Regulatory Commission. I pulled from the Web site the values statement and the principles of good regulation which is on the Nuclear Regulatory Commission site. And one of the first things on here, it says:

Independence: Nothing but the highest possible standards of ethical performance and professionalism should influence regulation.

Now, as we have learned from press reports on Monday, Senate Majority Leader HARRY REID got angry, and for once, it wasn't directed at Republicans. He directed his tirade at Bill Magwood, a commissioner at the Nuclear Regulatory Commission.

Why did he focus such venom and energy at a little known public official at an independent agency? He thought he had successfully strong-armed an independent commissioner to vote the way he wanted to. In fact, the majority leader is acting—we all hate bullies, Mr. Speaker, and to have the majority leader of the Senate be a bully to a

commissioner duly appointed being independent is egregious.

According to one article:

Reid said he was assured by Pete Rouse, a senior White House official, that Magwood would also oppose Yucca.

Now, REID thinks Magwood worked against the effort to shut down Yucca. For that, REID says Magwood is "one of the most unethical, prevaricating, incompetent people I've ever dealt with."

Now, this is the majority leader of the Senate besmirching a duly appointed commissioner confirmed by the Senate because the leader of the Senate has believed he had this person's vote versus the principles of the United States Nuclear Regulatory Commission. Nothing but the highest possible standards of ethical performance and professionalism should influence regulation.

Magwood unethical? I think the majority leader has got it backwards. Isn't it unethical for Members of Congress to pressure government officials to vote a certain way on adjudications? Now Senator REID is on a tirade because he thinks his intimidation wasn't successful in convincing Commissioner Magwood to ignore the law.

Senator REID wasn't embarrassed, though. He threw a party for his former employee, who is now the ex-commissioner. That's the kind of behavior that the public has had concerns with. This is publicly documented in the record. These are quotes by the majority leader of the Senate. It's not debatable that Commissioner Magwood is a duly appointed and confirmed commissioner of the Nuclear Regulatory Commission confirmed by the Senate and appointed by the President.

Mr. Speaker, now I will go to the other part.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind Members to refrain from engaging in personalities toward the Senate or its Members.

Mr. SHIMKUS. Mr. Speaker, I will just read the Senator's quote that's quoted in the story:

Reid said he was assured by Pete Rouse, a senior White House official, that Magwood would also oppose Yucca. "I met with him because Pete Rouse asked me to meet with him. I said, 'Is he okay on Yucca Mountain?' Pete said, 'Yeah.'"

□ 1940

The story continues:

Reid said that Magwood's behind-the-scenes maneuvering was unforgivable. "He's a first-class rat. He lied to Rouse, he lied to me, and he had a plan."

Mr. Speaker, I'm not making this up. This is quotes. I'm not assuming what the majority leader's intentions were. I'm just reading quotes in a recently published newspaper about the majority leader of the Senate's position to a duly appointed and confirmed member of an independent regulatory commis-

sion. I think the leader owes Commissioner Magwood an apology.

With that, Mr. Speaker, as I said in my opening comments, this gives me an opportunity to cover farm bill issues, national nuclear regulatory issues, some international issues.

I've been concerned about democracy in Eastern European countries for many years, so let me come to the floor to you to talk about Ukraine and the former Prime Minister. Ms. Tymoshenko continues to serve a 7-year sentence in Kharkiv, while being prosecuted in multiple criminal cases amid international outcry from the United States and the European Union.

The trial against Ms. Tymoshenko in the gas case was described as "selective justice" and "political persecution" in statements by the U.S. and the EU. The court found Ms. Tymoshenko guilty of abuse of her power, sentenced her to 7 years in prison, and ordered her to pay the state 188 million.

On October 24, 2011, Ms. Tymoshenko filed an appeal against the sentence, which was rejected on December 23, 2011. On December 30, 2011, Ms. Tymoshenko was transferred to a penal colony in Kharkiv, where her health has significantly deteriorated. The doctors who were allowed to examine her this past February stated that she was ill, in constant pain, and required significant care.

Ms. Tymoshenko went on a hunger strike from April 20 to May 9 in protest of what has happened to Ukrainian democracy and what is happening to her in prison.

I support my colleague, CHRIS SMITH's resolution, House Resolution 730, calling on Ukrainian authorities to release political opposition leaders and hold free and fair elections. The resolution calls for denying U.S. visas to Ukrainian officials involved in serious human rights abuses, anti-democratic actions, such as electoral fraud, or corruption, including officials involved in selective prosecution, persecution of political opponent.

I call on Ukrainian officials to immediately free Ms. Tymoshenko.

Also, Mr. Speaker, I spend time following, as I said, democracy issues in Eastern European areas, former captive nations, and I come to the floor also to talk about democracy in Belarus.

I continue to be gravely concerned about the condition of political prisoners in Belarus and serious violations by Belarus of its commitments to respect human rights, fundamental freedoms, and the rule of law.

Despite the release of two political prisoners, former presidential candidate Andrei Sannikov and his associate, Dmitry Bondarenko, the fundamentals of President Lukashenka's dictatorial rule have not changed. Thirteen political prisoners remain in prison, including Mikalai Statkevich,

Ales Bialiatiski, Syarhei Kavalenka, Zmitser Dashkevich, Pavel Seviarynets, Mikalai Autukhovich, Eduard Lobov and Mikalai Dziadok.

While journalist Andrzej Poczobut has been released pending trial, we believe that his arrest for illegally defaming the president was politically motivated and that the conditions imposed on his release are designed to further limit his ability to exercise his human rights. Moreover, recent days have seen the surge of the offices of the Union of Poles and the confiscation of equipment supposedly related to Mr. Poczobut's case.

We also recently have seen the arrest and detention and the release of journalist Pavel Sverdlov of the European Radio for Belarus for "using foul language." Maybe we should consider that here sometimes. Such arrests and short-term detentions are becoming an ever-more common means to silence dissent in Belarus.

Increased restrictions on Alex Bialyatski and the court order issued July 4 for seizure of the offices of the Vyasna Human Rights Center are very disturbing.

Belarus, which already has applied travel restrictions on members of the opposition and human rights activists, recently has taken another step to restrict the fundamental freedom of movement, the right to leave one's country and return to it.

On July 12, the Belarusian authorities denied the right of Victor Kornienko, cochairman of the Initiative for Fair and Free Elections, to travel to Vienna to participate in the week's Supplementary Human Dimension Meeting. This restriction of Mr. Kornienko's freedom of movement calls into question Belarus' sincerity and commitment to change. The U.S. must protest this latest disregard of fundamental freedoms by Belarus.

The U.S. must call on Belarus to release all political prisoners immediately and unconditionally, to restore their full political and civil rights, and to stop the ongoing harassment of political activists, civil society representatives, human rights activists, and independent journalists.

Mr. Speaker, can I ask how much time I have remaining.

The SPEAKER pro tempore. The gentleman has 14 minutes remaining.

Mr. SHIMKUS. Mr. Speaker, last but not least, what I've done on a weekly basis is raise the issue of concern and address the high-level nuclear waste storage site in issue in this country. And so I really—since we're very close to the end of the session, very few working days here left in Washington before the elections, I'm not sure how many more days I'll have available to come down to the floor—I'm finishing where I started over a year ago, going through the country and comparing nuclear waste sites to where they're at

and where they should be. And why would I do this?

Well, I would do this to help educate you, Speaker, on the fact that we have high-level nuclear waste stored throughout this country. And a lot of people do not know that we tried to address this in 1982 with passage of a law called the Nuclear Waste Policy Act. And in 1987, and I wasn't here then, but this Chamber, this body, this country said, not only do we want to find a way to store our high-level nuclear waste, but we want it placed in a mountain, underneath a mountain in a desert. And that place is called Yucca Mountain.

Now, since that time we've spent about \$15 billion over 30 years investigating, doing the scientific studies to see if Yucca Mountain, again, a mountain in a desert, is a suitable place to put high-level nuclear waste. I believe it is, but I'm not a scientist.

So what this Chamber did a couple of week ago is, in our appropriation bill, we asked our colleagues should we, as a national government, commit the final dollars to do the final scientific study to come to a final conclusion of whether Yucca Mountain is safe. Over about 326 of my colleagues on both sides of the aisle, both Republicans and Democrats, from rural areas to urban areas, said let's keep going with the current public policy. Let's finish the study so we know if Yucca Mountain is indeed safe, and let's move to address our high-level nuclear waste and concerns throughout this country.

Why is that important?

Well, let's go to one site. Now, for you, Mr. Speaker, I've done this almost at least every month, probably every week we've been in session, going around the country at different locations from Tennessee to Illinois to Maryland, but where I started first is a very telling and educational location, and it's called Hanford.

□ 1950

Now, Hanford. I have a lot of colleagues and a lot of the new observers of our process here in Washington who sometimes think they should just shut down all government—stop spending, and don't have a Department of Energy. Sometimes you have to have a Department, and Hanford is a perfect example. Hanford is a legacy World War II nuclear waste site. We are still paying for winning World War II, and we are still paying for developing the nuclear weapons that stopped the war, especially in Asia. Obviously, the bombs dropped in Japan. And how are we paying for it? Well, we still have Hanford. I'll tell you that Hanford is right in the central, deep southern part of Washington State. This is the Columbia River.

So what do we have in Hanford?

At Hanford, we have 53 million gallons of nuclear waste on site. Now, this

is not spent nuclear fuel. This is the chemical sludge—highly toxic and very nasty stuff—that was used to help, kind of refine uranium into the fuel needed to have nuclear weapons. There are 53 million gallons. If you've ever been by a refinery and if you've seen a tank farm with crude oil—you'll see these great big tanks where some might be 750,000 gallons and some might be a million gallons—that's what's at Hanford, but they're all buried underground. In these tanks are the 53 million gallons of this toxic sludge, and as I point to it here, some of it is leaking. Now, the waste is stored 10 feet underground because it's buried underground. It is 250 feet above the water table. Remember, some of this is leaking, and it's 1 mile from the Columbia River.

So I ask the question: Is there a better site?

I think the government, over the years, has said there is a better place to put this stuff. In fact, this stuff is being processed and placed into canisters to go to one location, and that location is Yucca Mountain.

Now, Yucca Mountain should have been opened years ago. What do we have at this site at Yucca Mountain?

Right now, there is no nuclear waste on site. The waste will be stored 1,000 feet underground versus 10 feet. The waste would be 1,000 feet above the water table versus 250 feet. The waste would be 100 miles from the Colorado River versus 1 mile from the Columbia River.

So I think the choice is fairly clear. Our promise to Washington State, like our promise to the nuclear utilities, was that, as they created this mess, we as a Nation—national government—would take it over and that we would safely store it in a single repository. That repository is here. However, we're not there yet.

The question is: Why aren't we there?

Because we have a Senate that is blocking the ability to have the final votes and to pay for the final scientific study to get this moving. And who is the majority leader of the Senate? Senator HARRY REID. But let's look at the Senators from the region. Where are they at on this issue? Who are the Senators who border the Columbia River? Well, it's pretty telling.

Senator MURRAY has voted "yes" for Yucca Mountain. Senator WYDEN from Oregon has voted "yes." Senator MERKLEY has a "no stated position." We don't know where he's at, although I think it would be a very important issue for that area. Senator CANTWELL voted "no" on moving the high-level nuclear waste from Hanford to Yucca Mountain.

Why is looking at individual Senators and where they're at on this position important?

Because there are 100 Senators. With the way the rules in the other Chamber

work, they really have to have 60 to really move a bill on the floor, so I've been trying to do a tally of where these Senators are. Either in public statements or in having cast votes either in their Chamber or as former Members of the House, 55 say, yes, Yucca Mountain should be our long-term geological repository and that we should be taking all our nuclear waste and putting it in a safe, secure cave in a mountain in a desert. For 22, we don't know their positions, and that's a lot of Senators. For 23, we have "nays." So, if Senator CANTWELL would move from a "nay" to a "yea," you're at 56. Then you really need only four more Senators, and there is a whole boatload. Some of them are up for reelection, and they haven't had a chance to make a public statement or to have a position on nuclear waste in 6 years.

What I find very confusing is that, in these 6 years, a lot of them come from States that have nuclear waste. Again, I like to talk about Hanford because this is Department of Defense waste that was created in developing the atomic bombs to win the Cold War—not the Cold War. Well, actually, they won the Cold War, too. They will say: a mutual assured destruction, an ability to have nuclear weapons to help protect Western Europe and to, really, protect the world. A lot of those weapons were created and developed right here at Hanford, but we still have the waste remaining. So we are looking for five more U.S. Senators to be able to move the bill on the floor and to pay for the final scientific study so as to keep our promise to the American people and to those who sacrificed land and location like Hanford.

The U.S. Government just kind of swooped in and said, We need this place. I think the story goes, We're going to do hydroelectric power. It's going to be cheap fuel because we're going to need a lot of energy. They displaced farmers. They took over the land, and we've left 53 million gallons of nuclear waste on site. We owe it to them to get it to a safe, secure location.

The Federal Government realized that in 1982 by passing a law called the Nuclear Waste Policy Act. The Federal Government then amended that law in 1987. In the years following, we moved diligently to finalize the preparations so that we could move forward. Then we hit a roadblock, and that roadblock was the election of President Obama, who made a promise to the majority leader of the Senate that we'll stop movement on Yucca Mountain—after 30 years, \$15 billion, and no solution in sight. Now there is talk about, well, maybe we can do something else. I can guarantee you, if we do something else, it's going to take—what?—30 more years, and it's going to take \$15 billion. At the end of that, we're going to come to the same conclusion where we're not going to have a solution.

So, when you hear people talk about interim storage, we have interim storage. Guess where it's at? It's around our major metropolitan areas. It's around Chicago. It's around Boston, Massachusetts. It's around Los Angeles. We have interim storage, and that's our nuclear utilities. Now we have interim storage in Hanford, Washington.

It is time for us as a body to man up—to accept our responsibilities, to finish the scientific study, and to have a long-term geological repository underneath a mountain in a desert so that we keep our promises and so that we protect this land for future generations.

Mr. Speaker, I appreciate the time and the diligence. With that, I yield back the balance of my time.

□ 2000

TROUBLING TIMES

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the Chair recognizes the gentleman from Texas (Mr. GOHMERT) for 30 minutes.

Mr. GOHMERT. Mr. Speaker, these are interesting times we live in, and it's nice to follow my friend, Mr. SHIMKUS, a graduate of the United States Military Academy, a servant of this country in the military, and still a servant in this country. It's good to call him friend. Hopefully he calls me friend, as well.

These are troubling times. When the name Justice Department depicts something other than justice, it's a very troubling time. Some of us are extremely familiar with the prosecution of what most would consider the most significant, largest prosecution of terrorism support and funding in the United States history, which occurred in Federal district court in Dallas, Texas. It was begun under the Bush Justice Department, all part of the aftermath of 9/11 because, as President Bush indicated, we can't just go after the people that actually plotted and carried out the events of 9/11, who plotted and carried out other terrorist attacks against the United States. It's not enough. We've got to go after those who have supported those efforts at terrorism, have supported the killing of innocent people around the world. And particularly, we have to protect Americans. And for those who have supported terrorism and continue to support terrorism, the United States must step forward in order to protect itself.

The Justice Department in November of 2008, I believe, got convictions of the individuals they had prosecuted in the Holy Land Foundation trial. Not only did they get convictions, they got over 100 different counts in which they got convictions. Through that, there were

names of coconspirators who were named and set forward in the pleadings, and evidence was introduced, admitted into evidence at trial that showed there were groups and individuals in the United States that were supporting terrorism, and there was significant evidence to support that.

In fact, two of those groups, CAIR and the Islamic Society of North America, ISNA, had moved that their names be stricken from the pleadings as named coconspirators in supporting terrorism. At that time, the acting U.S. Attorney did a very good job not only in the prosecution, but also in the pleading to the Federal district court there before Judge Solis, and he established plenty of evidence so that Judge Solis found there was plenty of evidence to support the coconspirators continuing to have their names in the pleading, and they were not satisfied with the ruling of the Federal district court. They appealed to the Fifth Circuit Court of Appeals. The Fifth Circuit Court of Appeals ended up ruling that, yes, there was plenty of evidence to support the fact that CAIR, ISNA, and others were supporting terrorism, so their names would not be stricken from the pleadings, they would be kept in the pleadings as named coconspirators of terrorism.

After that very successful prosecution that was in conformity with President Bush's promise that if you're not with us, you're with them, and those who support terrorism would be made to account, that began the first stage of the prosecution of supporters of terrorism. Those were people and individual cases, those were organizations right here in America that were supporting terrorism, funding terrorism. Yes, they were supporting charities. Yes, they were giving money to good causes. That acted as a cover for them also funding terrorism, funding known terrorist organizations who had actually killed people and destroyed things, committing acts of war.

Then, the Attorney General became Eric Holder. The President, the Commander in Chief, became Barack Hussein Obama. We know it's okay to use the President's full name, because he proudly uses it when he goes to Muslim nations. In fact, the first nations the President went to and apologized for America's arrogance and divisiveness, dismissiveness were Muslim nations. In fact, going to Cairo, he snubbed America's ally, Israel's ally, Mubarak, who is not a fine, upstanding wonderful man but a man who had managed to keep some peace along the Israel border, a man who had agreements with this government just as this government had agreements with Qadhafi, despite the blood on his hands from terrorist involvement himself. In fact, I've read of reports of people even from our own Senate who have been over there, one who had tweeted that he had

met with Colonel Qadhafi: "He was an interesting man. I met with him at his ranch." I understand that Senator now says that tweet didn't come from him.

But there were Americans from this government negotiating with Qadhafi, working out agreements, and then they turned their backs on people with whom they had worked agreements: Mubarak, Qadhafi. I don't think we should have worked agreements with Qadhafi because of the blood on his hands, American blood on his hands. But it had been done, and yet this Nation turned its back on allies. It was no surprise to me to read that the King of Jordan—another person with whom we have a relatively good relationship—had sought an appointment with Ahmadinejad in Iran once he saw the way this administration not only turned its back on allies, but also would contribute to bombing to get them out of office. It's an amazing thing.

Then, being part of the Judiciary Committee here in Washington, some of us became very troubled that despite all of this substantive evidence—I've got a stack of it in my office from that Holy Land Foundation trial—substantiating allegations, at least to the satisfaction of the Fifth Circuit Court of Appeals and the district court, that CAIR and ISNA and others should be named coconspirators, this Justice Department chose not to prosecute anyone else. Once again, using the old tactic, Well, the Bush administration didn't prosecute them. They did stage one, they got the initial prosecutions, and if those were successful, they intended to continue looking and pursuing all those who were implicated and could have cases proved, especially where there was substantial evidence, as there was with CAIR and ISNA.

Instead of prosecuting CAIR and ISNA, this administration—and there's no question about this—despite the fussing and nay-saying of some once proud journalists of some once proud journalistic television networks, once proud newspapers, despite their failure to do their homework, despite their taking the easy road and simply asking opinions, Well, what do you think about these terrible accusations, and getting opinions instead of simply digging and looking at the facts and presenting the fact, they sought opinions on things that people had not even read. They asked opinions about letters that people had not read. They asked opinions about general tenor without actually showing people the tenor of the letters.

□ 2010

And, unfortunately, some are always willing to respond without having read or reviewed the matter before them which they are being questioned about.

But the facts are the facts. On the White House's own Web site, last time

I checked, there were references to ISNA. There are references to ISNA's president, Imam Magid, who, as I understand, has now written a letter wanting condemnation of me and others who simply set out factual recitations to five different departments and then asked the question, Would you please investigate to see the extent of Muslim Brotherhood influence in this administration in this department.

We know there's Muslim Brotherhood influence. The question is how much influence is there?

When the White House's own Web site was carrying compliments, such as those spoken by Denis McDonough, the number two person in our National Security Agency, complimenting Imam Magid for the wonderful prayers he had given inside the sanctity of the White House itself, for the White House's iftar celebration during Ramadan. Compliments to Imam Magid, the president of the main coconspirator, for the wonderful introduction he gave the number two person in the National Security Agency.

And within the FBI itself—it took until 2009 for the FBI to finally write a letter saying, Gee, because of all this evidence that came out about CAIR supporting terrorism in the Holy Land Foundation trial in 2008, we have suspended our relationship with them. At one place in the letter, they referred to it as a "partner" or a "partnership."

So there's no question there is Muslim Brotherhood influence in this administration. Anybody that says otherwise will likely find that they will end up at the lowest level of Nielsen ratings in their history, or at least in 20 years or so, because they simply are not doing their homework. It's much easier to bash the messenger than it is to actually do homework. And in fairness, I know there have been lots of budget cuts. It's tough for some entities, some networks to do the research they once did when they were much more popular. But, nonetheless, the truth is the truth. Facts are facts.

The question remains: Just how extensive is the influence of the Muslim Brotherhood in this administration? We know that the ACLU and CAIR have been demanding documentation of what trainees have been taught in our Justice Department, in other departments, making FOIA, Freedom of Information Act, requests trying to get information on what we are training our undercover agents, if any we have.

Apparently, this administration has no problem outing people we have undercover in dangerous situations. At least somebody who has information about the very inner workings of this administration has leaked classified information. It remains to be found out who it is, but it is somebody that has access to some of the most important classified inner workings.

Yet you've got CAIR and the ACLU demanding information about the in-

formation that was used to train these people. And the facts are that if you ever disclose that—and as I understand, our Justice Department was preparing to provide all that information to CAIR and to ACLU—and if they provide all of the information on exactly how people who have been undercover in radical Islamic situations, it will be easy for those individuals to be outed and killed because they'll know what their training is and their approach to radical Islam. They'll know the methods and means of our undercover, of our intelligence. And yet this administration continues to cater to such requests to accommodate complaints about CAIR.

CAIR individuals can call the White House, as apparently was written up in material in the media after last August. They were complaining about people who were going to give a seminar to hundreds of law enforcement individuals. CAIR makes one call, as it was reported at least, makes a call to the White House. The seminar gets canceled. Hundreds of law enforcement individuals do not end up being taught about the inner workings of those who want to kill and destroy our way of life. And CAIR is happy.

Just how far does the influence of the Muslim Brotherhood go? We know from the evidence in the Holy Land Foundation trial that ISNA is the largest Muslim Brotherhood front organization in America. And President Obama has had President Imam Magid in the inner sanctum of the State Department to listen to the speech that he gave, trying to upstage Prime Minister Netanyahu when he was on his way over here in May of last year.

The report was that Imam Magid had actually given him advice on what he should say. Who knows, perhaps what Imam Magid said was, Oh, yes, Israel has agreed to go back to the 1967 boundary lines, so you can include that in your speech. Who knows.

We wanted an Inspector General investigation to find out in the State Department, Defense Department, intelligence department, in these five departments just how extensive is the Muslim Brotherhood influence. We know it's there. Most Americans know it's there. There are some that still drink the Kool-Aid and refuse to acknowledge the facts that have been proven in court.

There are facts that actually the prosecutor of the 1993 World Trade Center bombings has pointed out in his article—that's Andrew McCarthy—he has pointed out, We proved to New York jurors, wonderful New York jurors, beyond a reasonable doubt that there was this radical Islamic presence in America; and they did want to take over our country, that there is a civilization jihad. Some want to do it radically with violence. Some want to take over from inside our own governmental and

civic organizations, and they're working toward that goal.

There's no question about so many of these things. The question is, How far does the influence go? That's what we need to know.

So we asked the question, and we had Attorney General Holder before our committee last year. And he was asked the question, Did you or did politics have any consideration in the refusal to prosecute any of the other named coconspirators about which the Fifth Circuit said there is plenty of evidence to support their involvement? Was there political involvement in that decision?

Well, we didn't know it at the time; but since then, more recently, in the last couple of months, we've had the Attorney General testify before our committee that there are political aspects to justice, from his standpoint, which fly in the face of everything that any good law school, any legitimate law school has ever taught its law students.

Justice is supposed to be blind. That's why the statue that depicts justice, holding the scales of justice, is blinded, is wearing a blindfold. Because justice is blind if it's real justice. And if justice is not blind, if we're looking to who it is and politically what the consequences will be, it's not justice. There are no political aspects to justice—or it's not true justice. And I'm afraid that's where we've gotten to in this so-called Justice Department.

So we had the Attorney General say, Oh, no, no, no. There is no political involvement. In fact, I said to my friend TRENT FRANKS, Gee, in fact, the U.S. Attorney handling that—I believe it was quoted in a newspaper—I believe it was the Dallas News—he said there was no politics involved in those dismissals because there was just no case there. There was no evidence to support it.

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Well, I happened to have read that Dallas Morning News report, and I happen to have read the quotes from that acting U.S. Attorney. And yes, he did say it was local; politics weren't involved. But that is not what he said. He says no, the evidence wasn't there, which is entirely different since he was not under penalty of potential jail when he spoke to a reporter, but he was under potential penalty of jail. If you ever commit a fraud upon a court by not giving all of the information or misrepresenting to a judge or tricking a judge by not being truthful, you can be looking at jail time. Lawyers before me knew that. I didn't care about politics, but I cared about truth.

I cared about it in the Bush administration. So when we found out there were abuses of the National Security Letter, I was furious. And I grilled the Bush director of the FBI at that time. I was surprised there weren't more

Democrats that were nearly as outraged as I was because that was so offensive. It was so improper. It was so unjust. I don't care who the President is; justice is justice. And for our Attorney General to act like oh, no, no, there wasn't anything. And then I know. I read the pleadings of that U.S. Attorney where he said there's plenty of evidence to support the name of CAIR and others being in here. And he convinced the Fifth Circuit of the same thing. So he was either lying to the courts or he was lying to the paper about the evidence.

And now, after having had the head of civil rights of this Justice Department, Mr. Perez, testify that gee, there was no political aspect in the decision not to pursue the New Black Panther Party for what they did at a polling place in Pennsylvania, and now we have found out this week, Human Events has a great article, "Federal judge rules political appointees interfered with voter intimidation case." That's from August 2, posted at 2:12 p.m.

There's one from the American Spectator about the fact that Thomas Perez, assistant attorney general, is one of the most destructive forces against the rule of law in this Nation, including being the man responsible for the DOJ dropping charges against the New Black Panthers for voter intimidation in Philadelphia during the last Presidential election. It goes on to talk about he appeared before the House of Representatives Subcommittee on Constitution, which is a subcommittee of the Judiciary Committee, and it goes on to say that he questioned Assistant Attorney General Perez over the administration's commitment to First Amendment rights. His questions were prompted by a Daily Caller article from late last year in which Perez was quoted as warmly embracing the proposals of Islamist advocates in a meeting at George Washington University, among them a request for a legal declaration that U.S. citizens' criticism of Islam constitutes racial discrimination.

Well, we know that one of the 10-year goals of the Muslim Brotherhood is to subvert the U.S. Constitution to sharia law. And once they convince enough people that it should be a crime to burn a Koran or to criticize Islam, then they can check that box.

I believe in the Bible. My eternity is based on belief of the Bible. But I also know under the U.S. Constitution, you can burn a Bible. I took a pledge and was willing to lay down my life, my 4 years in the Army, for our flag, but I also understand it's constitutional to burn a flag. And yet we have people in this injustice department saying they want to make it a crime to criticize Islam. No wonder they're purging their training materials, eliminating references to Islam.

As one intelligence officer of this government told me, we are blinding our ability to see our enemy, and that can and will have dangerous consequences if we don't turn it around.

Mr. Speaker, wrapping up here before we take this August recess that isn't a recess because we will be in pro forma session, we're willing, most of us, Republicans are willing to come back. All we have to know is that the Senate is finally doing something to pass some of the jobs bills we've sent their way. And in fairness, what we need is Republican leadership that will say okay, Senate, you want this bill, then you are going to have to pass some of the economic and jobs bills that will get this economy going, but we haven't used the leverage Republicans in the House have. And, unfortunately, with all of the talk about agreeing to another CR, it just means that we'll have finished out 2 years without cutting anything significant, as we promised 2 years ago after the biggest wave election in American history since the 1930s.

It's time for Americans to make clear you want Congress to do what was promised when the Congressmen got elected. And if we do that, it doesn't matter how obstructive the Senate is, it will make it even more clear if we use our leverage and say: Hey, people, the government is shut down on weekends, you seem to live okay. Let's get back to just essential needs of the government. Allow a shutdown of other things. Pass my bill that will make sure our military gets paid during a shutdown, we know Social Security recipients will still get their payments in the event of a shutdown, and keep the government shut down until everybody understands we're going to start living within our means as a Congress, like all Americans have to do, or declare bankruptcy. They have to do that. We can't afford to declare bankruptcy. We must get this government under control. I hope that constituents across the country during this month will make that clear, and we'll replace the Senators who are standing in the way of getting this economy going, that we'll replace the administration who is creating injustice and allowing radical Islamic jihadists to have any influence at all.

The Secretary of Homeland Security sat there and told me that it did absolutely not happen, that a member of a terrorist organization had been allowed in the White House; 6 days later, she not only admits to the Senate that it did happen after she told me absolutely not, but she said: Oh, but it's okay; we vetted him three times.

It's time for a government that is more considerate and concerned about providing for the common defense, of getting out of the way and letting the economy grow than they are about playing favorites, playing to their cronies, and playing against religious freedom.

And with that, Mr. Speaker, I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. JACKSON LEE of Texas (at the request of Ms. PELOSI) for today on account of attending a memorial service for her first chief of staff in Houston, Texas.

SENATE BILL AND A JOINT RESOLUTION REFERRED

A bill and a joint resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1409. An act to intensify efforts to identify, prevent, and recover payment error, waste, fraud, and abuse within Federal spending; to the Committee on Oversight and Government Reform.

S.J. Res. 49. Joint resolution providing for the appointment of Barbara Barrett as a citizen regent of the Board of Regents of the Smithsonian Institution; to the Committee on House Administration.

ENROLLED BILLS SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 1369. An act to designate the facility of the United States Postal Service located at 1021 Pennsylvania Avenue in Hartshorne, Oklahoma, as the "Warren Lindley Post Office".

H.R. 1560. An act to amend the Ysleta del Sur Pueblo and Alabama and Coushatta Indian Tribes of Texas Restoration Act to allow the Ysleta del Sur Pueblo Tribe to determine blood quantum requirement for membership in that tribe.

H.R. 1627. An act to amend title 38, United States Code, to furnish hospital care and medical services to veterans who were stationed at Camp Lejeune, North Carolina, while the water was contaminated at Camp Lejeune, to improve the provision of housing assistance to veterans and their families, and for other purposes.

H.R. 1905. An act to strengthen Iran sanctions laws for the purpose of compelling Iran to abandon its pursuit of nuclear weapons and other threatening activities and for other purposes.

H.R. 3276. An act to designate the facility of the United States Postal Service located at 2810 East Hillsborough Avenue in Tampa, Florida, as the "Reverend Abe Brown Post Office Building".

H.R. 3412. An act to designate the facility of the United States Postal Service located at 1421 Veterans Memorial Drive in Abbeville, Louisiana, as the "Sergeant Richard Franklin Abshire Post Office Building".

H.R. 3501. An act to designate the facility of the United States Postal Service located at 125 Kerr Avenue in Rome City, Indiana, as the "SPC Nicholas Scott Hartge Post Office".

H.R. 3772. An act to designate the facility of the United States Postal Service located at 150 South Union Street in Canton, Mis-

issippi, as the "First Sergeant Landres Cheeks Post Office Building".

H.R. 5986. An act to amend the African Growth and Opportunity Act to extend the third-country fabric program and to add South Sudan to the list of countries eligible for designation under that Act, to make technical corrections to the Harmonized Tariff Schedule of the United States relating to the textile and apparel rules of origin for the Dominican Republic-Central America-United States Free Trade Agreement, to approve the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, and for other purposes.

SENATE ENROLLED BILLS SIGNED

The Speaker announced his signature to enrolled bills of the Senate of the following titles:

S. 270. An act to direct the Secretary of the Interior to convey certain Federal land to Deschutes County, Oregon.

S. 271. An act to require the Secretary of Agriculture to enter into a property conveyance with the city of Wallowa, Oregon, and for other purposes.

S. 739. An act to authorize the Architect of the Capitol to establish battery recharging stations for privately owned vehicles in parking areas under the jurisdiction of the Senate at no net cost to the Federal Government.

S. 3363. An act to provide for the use of National Infantry Museum and Soldier Center Commemorative Coin surcharges, and for other purposes.

ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 29 minutes p.m.), under its previous order, the House adjourned until tomorrow, Friday, August 3, 2012, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

7167. A letter from the Assistant Secretary for Export Administration, Department of Commerce, transmitting the Department's final rule — Export and Reexport Controls to Rwanda and United Nations Sanctions under the Export Administration Regulations [Docket No.: 110725414-1480-01] (RIN: 0694-AF31) received July 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

7168. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 03849; Amdt. No. 3485] received July 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7169. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Livingston, MT [Docket No.: FAA-2012-0139; Airspace Docket No. 12-

ANM-3] received July 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7170. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class D Airspace; Pontiac, MI [Docket No.: FAA-2011-1142; Airspace Docket No. 11-AGL-22] received July 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7171. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Memphis, TN [Docket No.: FAA-2011-1211; Airspace Docket No. 11-ASO-40] received July 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7172. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Revocation of Class D Airspace; Andalusia, AL and Amendment of Class E Airspace; Fort Rucker, AL [Docket No.: FAA-2011-1457; Airspace Docket No. 11-ASO-47] received July 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7173. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class D and Class E Airspace; Lakehurst, NJ [Docket No.: FAA-2012-0456; Airspace Docket No. 12-AEA-9] received July 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7174. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Area Navigation (RNAV) Routes; Southwestern United States [Docket No.: FAA-2012-0286; Airspace Docket No. 11-AWP-22] (RIN: 2120-AA66) received July 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7175. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Fairfield, CA [Docket No.: FAA-2012-0196; Airspace Docket No. 12-AWP-2] received July 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7176. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Eureka, NV [Docket No.: FAA-2011-1333; Airspace Docket No. 11-AWP-19] received July 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7177. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Woodland, CA [Docket No.: FAA-2012-0354; Airspace Docket No. 12-AWP-3] received July 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7178. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30851; Amdt. No. 3486] received July 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7179. A letter from the SLSDC Chief Counsel, Department of Transportation, transmitting the Department's final rule — Seaway Regulations and Rules: Periodic Update,

Various Categories [Docket No.: SLSDC-2012-0001] (RIN: 2135-AA30) received July 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7180. A letter from the Assistant Secretary, Army, Civil Works, Department of Defense, transmitting recommended modifications of the project authorization to increase the authorized cost of the Little Calumet River, Indiana, Local Flood Control and Recreation Project; (H. Doc. No. 112-131); to the Committee on Transportation and Infrastructure and ordered to be printed.

7181. A letter from the Assistant Secretary, Army, Civil Works, Department of Defense, transmitting the Corps Final Feasibility Report and Environmental Impact Statement; (H. Doc. No. 112-130); to the Committee on Transportation and Infrastructure and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SMITH of Texas: Committee on the Judiciary. H.R. 5949. A bill to extend the FISA Amendments Act of 2008 for five years; with an amendment (Rept. 112-645, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. ROGERS of Michigan: Permanent Select Committee on Intelligence. H.R. 5949. A bill to extend the FISA Amendments Act of 2008 for five years; with an amendment (Rept. 112-645, Pt. 2). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. MARKEY (for himself, Mr. WAXMAN, Ms. DELAUNO, and Ms. SCHAKOWSKY):

H.R. 6272. A bill to amend title IV of the Public Health Service Act to expand the clinical trial registry data bank, and for other purposes; to the Committee on Energy and Commerce.

By Mr. POLIS (for himself, Mr. BISHOP of New York, and Ms. SCHWARTZ):

H.R. 6273. A bill to amend the Truth in Lending Act and the Higher Education Act of 1965 to require certain creditors to obtain certifications from institutions of higher education, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RAHALL:

H.R. 6274. A bill to amend the Indian Arts and Crafts Act to clarify the definition of Indian and Indian organization for the purposes of that Act; to the Committee on Natural Resources, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FILNER (for himself, Mr. HINCHAY, Mr. KUCINICH, Mr. CICILLINE, Mr. QUIGLEY, Mr. CARNAHAN, Mr. CLAY, Ms. PINGREE of Maine, Mr. CARSON of Indiana, Mr. JOHNSON of Georgia, and Mr. ROTHMAN of New Jersey):

H.R. 6275. A bill to promote the domestic development and deployment of clean energy technologies required for the 21st century; to the Committee on Ways and Means, and in addition to the Committees on Energy and Commerce, Science, Space, and Technology, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LANDRY:

H.R. 6276. A bill to amend the Internal Revenue Code of 1986 to provide for Commercial Fishing, Farm, and Ranch Risk Management Accounts, and for other purposes; to the Committee on Ways and Means.

By Ms. SLAUGHTER:

H.R. 6277. A bill to prohibit the Secretary of Defense and the Secretary of Homeland Security from purchasing equipment or military aircraft containing electronic components that are not manufactured in the United States; to the Committee on Armed Services, and in addition to the Committees on Transportation and Infrastructure, and Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CONNOLLY of Virginia:

H.R. 6278. A bill to optimize Federal data center usage and efficiency; to the Committee on Oversight and Government Reform.

By Mr. GRIFFIN of Arkansas:

H.R. 6279. A bill to repeal the Federal estate and gift taxes; to the Committee on Ways and Means.

By Mr. MACK (for himself, Mr. CUELLAR, Mr. MCCAUL, Mr. BARBER, Mr. CANSECO, Mr. BILIRAKIS, and Mr. WESTMORELAND):

H.R. 6280. A bill to apply a Whole-of-Government Plan that integrates the full capabilities and authorities of each Federal department and agency, in coordination with the Government of Mexico, to combat Mexican-based transnational criminal organizations, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on Homeland Security, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FITZPATRICK (for himself, Mr. PETERS, Mr. GERLACH, Mr. KEATING, Mr. RANGEL, Mr. KING of New York, Mr. GRIMM, Mr. PLATTS, Mr. NUGENT, Ms. SCHWARTZ, Ms. NORTON, and Mr. MEHAN):

H.R. 6281. A bill to increase Federal Pell Grants for the children of fallen police officers, firefighters, and other public safety officers; to the Committee on Education and the Workforce.

By Mr. AMODEI:

H.R. 6282. A bill to direct the Secretary of the Interior, acting through the Bureau of Land Management, to convey to the City of Carlin, Nevada, in exchange for consideration, all right, title, and interest of the United States, to any Federal land within that city that is under the jurisdiction of

that agency, and for other purposes; to the Committee on Natural Resources.

By Mr. BURGESS (for himself, Mr. SESSIONS, Mr. BARTON of Texas, and Mr. DANIEL E. LUNGREN of California):

H.R. 6283. A bill to enable States to establish reinsurance programs or high risk pools to ensure that high risk individuals are able to access health insurance; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. RICHARDSON (for herself and Ms. NORTON):

H.R. 6284. A bill to establish a grant program for nebulizers in elementary and secondary schools; to the Committee on Education and the Workforce, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. THOMPSON of Pennsylvania (for himself and Mr. MARINO):

H.R. 6285. A bill to provide for the conveyance of the former Mifflin County Army Reserve Center in Lewistown, Pennsylvania; to the Committee on Armed Services.

By Mr. FARR:

H.R. 6286. A bill to establish the Clear Creek National Recreation Area in the State of California, and for other purposes; to the Committee on Natural Resources.

By Ms. RICHARDSON:

H.R. 6287. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income any prizes or awards won in competition in the Olympic Games and Paralympic Games; to the Committee on Ways and Means.

By Mr. BILBRAY (for himself, Mr. GRIFFITH of Virginia, Mr. HUNTER, Mr. BOREN, and Mrs. SCHMIDT):

H.R. 6288. A bill to amend chapter V of the Federal Food, Drug, and Cosmetic Act to permit provisional approval of fast track products; to the Committee on Energy and Commerce.

By Mr. GARDNER (for himself, Mrs. MYRICK, Mr. PAUL, Mr. GRIFFIN of Arkansas, Mr. KELLY, Mr. POLIS, and Mr. LONG):

H.R. 6289. A bill to amend the Internal Revenue Code of 1986 to expand access to Coverdell education savings accounts; to the Committee on Ways and Means.

By Mr. KUCINICH (for himself and Mr. YOUNG of Alaska):

H.R. 6290. A bill to prohibit the deployment of a unit or individual of the United States Armed Forces or element of the intelligence community in support of a North Atlantic Treaty Organization military operation absent express prior statutory authorization from Congress for such deployment; to the Committee on Foreign Affairs, and in addition to the Committees on Armed Services, and Intelligence (Permanent Select), for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. YOUNG of Alaska (for himself, Mr. GRIJALVA, Mr. RANGEL, Mr. DUNCAN of Tennessee, Ms. CHU, Mr. VAN HOLLEN, Mrs. CAPPS, Mr. PETERSON, Mr. CLEAVER, Ms. ROS-LEHTINEN, Ms. BORDALLO, Mr. DICKS, Mr. BOSWELL,

Mr. FILNER, Mr. GUTHRIE, Mr. LIPINSKI, and Mr. DANIEL E. LUNGREN of California):

H.R. 6291. A bill to acknowledge donor contributions at the Vietnam Veterans Memorial Visitor Center, and for other purposes; to the Committee on Natural Resources.

By Mr. SMITH of New Jersey (for himself, Ms. BUERKLE, Mr. TURNER of New York, Mr. WOLF, and Mr. ENGEL):

H.R. 6292. A bill to deny entry into the United States of officials of any foreign government, including their immediate family members, who commit or who fail to rectify fundamental due process and human rights violations of imprisoned United States citizens, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GARAMENDI (for himself, Mr. RANGEL, Mr. MCGOVERN, Mr. CARSON of Indiana, and Ms. CLARKE of New York):

H.R. 6293. A bill to amend the Servicemembers Civil Relief Act and title 38, United States Code, to improve the provision of civil relief to members of the uniformed services and to improve the enforcement of employment and reemployment rights of such members, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. FALEOMAVAEGA (for himself, Mrs. CHRISTENSEN, and Mr. SABLAN):

H.R. 6294. A bill to amend titles 10, 32, and 37 of the United States Code to authorize the establishment of units of the National Guard in American Samoa; to the Committee on Armed Services.

By Mr. BACA:

H.R. 6295. A bill to amend the Internal Revenue Code of 1986 to encourage the building of housing for moderate income seniors; to the Committee on Ways and Means.

By Mr. BARLETTA (for himself, Ms. HAHN, Mr. HOLDEN, and Ms. CHU):

H.R. 6296. A bill to amend the Small Business Act to provide the interest rate for certain disaster related loans, and for other purposes; to the Committee on Small Business.

By Mr. BENISHEK:

H.R. 6297. A bill to amend title 38, United States Code, to establish a presumption of service connection for certain veterans with tinnitus or hearing loss, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. BLACK (for herself and Mr. PAUL):

H.R. 6298. A bill to terminate the authority of the Secretary of Housing and Urban Development to provide assistance under the Tenant Resource Network Program; to the Committee on Financial Services.

By Mrs. BLACK (for herself, Mr. ROSKAM, Mrs. BLACKBURN, Mrs. ELLMERS, Mr. KELLY, Mr. SCOTT of South Carolina, Mr. SCHOCK, and Mr. TERRY):

H.R. 6299. A bill to repeal the Federally subsidized loan program for non-profit health insurance, to provide for association health plans, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Education and the Workforce, for

a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BOUSTANY (for himself, Mr. GINGREY of Georgia, Mrs. BLACKBURN, Mr. TIBERI, and Mr. WESTMORELAND):

H.R. 6300. A bill to provide adequate technical assistance and other support to States for long-term care partnership programs, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. BROWN of Florida:

H.R. 6301. A bill to amend title 39, United States Code, to provide that the United States Postal Service shall maintain the number of officers and employees necessary to meet its homeland security and natural disaster assistance responsibilities, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. CAPUANO:

H.R. 6302. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to prohibit funding under the Edward Byrne Memorial Justice Assistance grant program and the Public Safety and Community Policing grant program to be provided to law enforcement agencies that use license plate readers unless certain conditions are met; to the Committee on the Judiciary.

By Mr. CARNAHAN (for himself, Mr. MORAN, Mr. HOLT, and Mr. LIPINSKI):

H.R. 6303. A bill to establish the Global Science Program for Security, Competitiveness, and Diplomacy, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CLAY (for himself, Mr. FORTENBERRY, Mr. SERRANO, and Mrs. NOEM):

H.R. 6304. A bill to designate the North American bison as the national mammal of the United States; to the Committee on Oversight and Government Reform.

By Mr. CONNOLLY of Virginia (for himself and Mr. PLATTS):

H.R. 6305. A bill to improve the efficiency of Federal Executive Boards to enhance the coordination, economy, and effectiveness of Federal agency activities, including emergency preparedness and continuity of operations, in geographic areas outside the Washington, D.C., metropolitan area; to the Committee on Oversight and Government Reform.

By Mr. CONNOLLY of Virginia (for himself and Mr. MORAN):

H.R. 6306. A bill to provide authorities for the appropriate conversion of temporary seasonal wildland firefighters and other temporary seasonal employees in Federal land management agencies who perform regularly recurring seasonal work to permanent seasonal positions; to the Committee on Oversight and Government Reform.

By Mr. CRENSHAW (for himself and Mr. SMITH of Nebraska):

H.R. 6307. A bill to make certain luggage and travel articles eligible for duty-free treatment under the Generalized System of Preferences, and for other purposes; to the Committee on Ways and Means.

By Mrs. DAVIS of California (for herself, Mr. MORAN, Mr. DEFAZIO, and Mr. CAMPBELL):

H.R. 6308. A bill to direct the Secretary of Agriculture, acting through the Animal and Plant Health Inspection Service, to submit to Congress, and make available to the public on the Internet, a report on the animals killed under the Wildlife Services program of the Animal and Plant Health Inspection Service; to the Committee on Agriculture.

By Ms. DEGETTE (for herself, Mr. WHITFIELD, Mr. REED, and Mr. BECERRA):

H.R. 6309. A bill to amend the Public Health Service Act to reauthorize the special diabetes programs for Type I diabetes and Indians under that Act; to the Committee on Energy and Commerce.

By Mr. DINGELL (for himself, Mr. CONYERS, Mr. ANDREWS, Mrs. MALONEY, Mr. MCGOVERN, Mr. BRADY of Pennsylvania, Ms. DEGETTE, Mr. VAN HOLLEN, Mr. ELLISON, Ms. EDWARDS, Mr. FRANK of Massachusetts, Mr. SARBANES, Mr. COURTNEY, Mr. PETERS, Ms. ESHOO, Mr. SHERMAN, and Mr. HOYER):

H.R. 6310. A bill to amend the Federal Election Campaign Act of 1971 to reassert the authority of Congress to restrict spending by corporations and labor organizations on campaigns for elections for Federal office, and for other purposes; to the Committee on House Administration.

By Ms. EDWARDS (for herself, Mrs.

BONO MACK, Ms. NORTON, Ms. LEE of California, Mr. GRIJALVA, Ms. SCHAKOWSKY, Mrs. NAPOLITANO, Mr. LYNCH, Ms. BROWN of Florida, Mr. BLUMENAUER, Mr. BUCHANAN, Mr. CARNAHAN, Mr. CARSON of Indiana, Mr. TOWNS, Mr. MORAN, Mr. KEATING, Ms. RICHARDSON, Ms. WILSON of Florida, Mr. OLIVER, Mr. HINCHEY, Mr. CONYERS, Ms. WASSERMAN SCHULTZ, Mr. DAVIS of Illinois, Mr. TIERNEY, Mr. LEWIS of Georgia, Mrs. CAPITO, Ms. BASS of California, and Mr. RUSH):

H.R. 6311. A bill to prevent deaths occurring from drug overdoses; to the Committee on Energy and Commerce.

By Mrs. EMERSON:

H.R. 6312. A bill to amend the Controlled Substances Act to place certain synthetic drugs in Schedule I; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FALEOMAVAEGA (for himself and Ms. ROS-LEHTINEN):

H.R. 6313. A bill to promote peaceful and collaborative resolution of maritime territorial disputes in the South China Sea and its environs and other maritime areas adjacent to the East Asian mainland; to the Committee on Foreign Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FATTAH:

H.R. 6314. A bill to enable the Department of Energy and a Commission on Energy Independence and Domestic Refining Capacity the ability to study, recommend, and implement Federal incentive packages that would sustain and increase domestic refining capacity; to the Committee on Energy and Commerce.

By Mr. FLEMING:

H.R. 6315. A bill to establish a commission to conduct a comprehensive review of Federal agencies and programs and to recommend the elimination or realignment of duplicative, wasteful, or outdated functions, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committees on Rules, and Appropriations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FRANK of Massachusetts:

H.R. 6316. A bill to amend the Internal Revenue Code of 1986 to exclude from income and employment taxes real property tax abatements for seniors and disabled individuals in exchange for services; to the Committee on Ways and Means.

By Mr. GARRETT:

H.R. 6317. A bill to amend the Financial Stability Act of 2010 to repeal certain designation authority of the Financial Stability Oversight Council, to repeal the Payment, Clearing, and Settlement Supervision Act of 2010, and for other purposes; to the Committee on Financial Services.

By Mr. GARRETT (for himself, Mr. ANDREWS, Mr. LOBIONDO, Mr. RUNYAN, Mr. SMITH of New Jersey, Mr. PAL-LONE, Mr. LANCE, Mr. PASCRELL, Mr. ROTHMAN of New Jersey, Mr. FRELINGHUYSEN, Mr. HOLT, and Mr. SIRS):

H.R. 6318. A bill to designate the facility of the United States Postal Service located at 1 Walter Hammond Place in Waldwick, New Jersey, as the "Staff Sergeant Joseph D'Augustine Post Office Building"; to the Committee on Oversight and Government Reform.

By Mr. GERLACH (for himself and Ms. ZOE LOFGREN of California):

H.R. 6319. A bill to amend the Internal Revenue Code of 1986 to provide for startup businesses to use a portion of the research and development credit to offset payroll taxes; to the Committee on Ways and Means.

By Mr. GINGREY of Georgia (for himself, Mr. BOUSTANY, Mr. BROUN of Georgia, Mr. BUCSHON, Mr. BURGESS, Mr. CASSIDY, Mr. DESJARLAIS, Mrs. ELLMERS, Mr. FLEMING, Mr. GOSAR, Mr. HARRIS, Mr. HECK, Mr. PAUL, Mr. ROE of Tennessee, and Mr. PRICE of Georgia):

H.R. 6320. A bill to amend the Patient Protection and Affordable Care Act so as to eliminate the authority of the Secretary of Health and Human Services to limit the ability of medical providers to conduct lawful business, and for other purposes; to the Committee on Energy and Commerce.

By Mr. GOSAR:

H.R. 6321. A bill to terminate the Christopher Columbus Fellowship Foundation, and for other purposes; to the Committee on Science, Space, and Technology, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GRIFFIN of Arkansas:

H.R. 6322. A bill to require labor organizations to provide the notice to employees related to fees collection required pursuant to the Supreme Court cases *Teachers Local No. 1 v. Hudson* and *Knox v. Service Employees International Union*; to the Committee on Education and the Workforce.

By Ms. HAHN:

H.R. 6323. A bill to amend the Internal Revenue Code of 1986 to increase the credit limitation for new qualified plug-in electric drive motor vehicles; to the Committee on Ways and Means.

By Mr. HANNA (for himself and Mr. BARROW):

H.R. 6324. A bill to reduce the number of nonessential vehicles purchased and leased by the Federal Government, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. HANNA:

H.R. 6325. A bill to amend the Internal Revenue Code of 1986 to allow a deduction for higher education expenses in a program of study in science, technology, engineering, or mathematics; to the Committee on Ways and Means.

By Mr. HARPER (for himself, Mr. THOMPSON of Mississippi, and Mr. PALAZZO):

H.R. 6326. A bill to amend title XVIII of the Social Security Act to permit direct payment to pharmacies for certain compounded drugs that are prepared by the pharmacies for a specific beneficiary for use through an implanted infusion pump; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HASTINGS of Florida:

H.R. 6327. A bill to amend the Patient Protection and Affordable Care Act to improve eligibility requirements for uninsured individuals with a preexisting condition for coverage under the Preexisting Condition Insurance Program (PCIP); to the Committee on Energy and Commerce.

By Ms. HOCHUL:

H.R. 6328. A bill to amend title 49, United States Code, to direct the Assistant Secretary of Homeland Security (Transportation Security Administration) to transfer unclaimed clothing recovered at airport security checkpoints to local veterans organizations and other local charitable organizations, and for other purposes; to the Committee on Homeland Security.

By Ms. HOCHUL:

H.R. 6329. A bill to amend the Internal Revenue Code of 1986 to make the research credit permanent, to increase the research credit for businesses manufacturing in the United States, and to make the research credit refundable for small businesses; to the Committee on Ways and Means.

By Ms. HOCHUL:

H.R. 6330. A bill to amend title 18, United States Code, to provide for sentencing enhancements for certain identity theft offenses victimizing the elderly, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HONDA:

H.R. 6331. A bill to require the Secretary of the Treasury to mint coins in commemoration of the centennial of the Panama-Pacific International Exposition and the Panama Canal; to the Committee on Financial Services.

By Mr. ISRAEL:

H.R. 6332. A bill to establish a grant program to provide States with funds to detect fraud, waste, and abuse in the State Med-

icaid programs under title XIX of the Social Security Act and to recover improper payments resulting from such fraud, waste, and abuse; to the Committee on Energy and Commerce.

By Mr. KING of Iowa:

H.R. 6333. A bill to amend chapter 8 of title 5, United States Code, to provide for Congressional oversight of agency rulemaking, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LABRADOR (for himself, Mr. SENSENBRENNER, Mr. ROE of Tennessee, Ms. BUEKLE, and Mr. BARTLETT):

H.R. 6334. A bill to provide that the individual mandate under the Patient Protection and Affordable Care Act shall not be construed as a tax; to the Committee on Ways and Means.

By Ms. LEE of California (for herself, Mr. POLIS, Mr. FARR, Mr. STARK, Mr. HINCHAY, Mr. BLUMENAUER, Mr. HONDA, Mr. FRANK of Massachusetts, and Mr. MCGOVERN):

H.R. 6335. A bill to amend the Controlled Substances Act so as to exempt real property from civil forfeiture due to medical-marijuana-related conduct that is authorized by State law; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DANIEL E. LUNGREN of California (for himself and Ms. NORTON):

H.R. 6336. A bill to direct the Joint Committee on the Library to accept a statue depicting Frederick Douglass from the District of Columbia and to provide for the permanent display of the statue in Emancipation Hall of the Capitol Visitor Center; to the Committee on House Administration.

By Mrs. MALONEY (for herself, Mr. MCHENRY, Mr. NADLER, and Mr. GRIMM):

H.R. 6337. A bill to amend the Interstate Land Sales Full Disclosure Act to clarify how the Act applies to condominiums; to the Committee on Financial Services.

By Mr. MCDERMOTT (for himself, Mr. BLUMENAUER, Mr. STARK, Mr. LARSON of Connecticut, and Mr. RANGEL):

H.R. 6338. A bill to amend the Internal Revenue Code of 1986 to reduce greenhouse gas emissions by requiring a Federal emission permit for the sale or use of covered substances, reduce the deficit, and return funds to the American people; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. NADLER (for himself and Mr. CONYERS):

H.R. 6339. A bill to amend title 18, United States Code, regarding access to stored communications and customer records, and for other purposes; to the Committee on the Judiciary.

By Mr. NUGENT:

H.R. 6340. A bill to revoke a requirement of Executive Order 13618 with respect to the use of privately owned communications resources by the Secretary of Homeland Security, and for other purposes; to the Committee on Energy and Commerce.

By Mr. PALAZZO:

H.R. 6341. A bill to amend the Internal Revenue Code of 1986 to allow a partial exclusion under section 911 for foreign earned income of employees of United States Government contractors who do not fulfill their foreign country residency requirements by reason of an Armed Forces troop reduction or similar cause beyond the employer's control; to the Committee on Ways and Means.

By Mr. PAUL (for himself, Mr. BROWN of Georgia, and Mr. HANNA):

H.R. 6342. A bill to allow the importation, distribution, and sale of investigational drugs and devices intended for use by terminally ill patients who execute an informed consent document; to the Committee on Energy and Commerce.

By Mr. PEARCE:

H.R. 6343. A bill to transfer certain facilities, easements, and rights-of-way to Fort Sumner Irrigation District, New Mexico; to the Committee on Natural Resources.

By Mr. PEARCE:

H.R. 6344. A bill to direct the Secretary of Agriculture to convey lands of the former Fort Bayard Military Reservation in Grant County, New Mexico, to the village of Santa Clara, the city of Bayard, or the county of Grant in that State, in tracts of not less than 40 acres, and at market price at its present state of use as agricultural grazing lands as determined by the Secretary, for business and community development, and for other purposes; to the Committee on Agriculture, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POMPEO (for himself and Mr. TERRY):

H.R. 6345. A bill to amend section 112(r) of the Clean Air Act (relating to prevention of accidental releases); to the Committee on Energy and Commerce.

By Mr. REHBERG (for himself, Mr. HASTINGS of Florida, and Mr. BONNER):

H.R. 6346. A bill to amend the Fair Labor Standards Act of 1938 to provide a specific limited exemption from the overtime pay requirements of such Act for work related to insurance claims adjustment after a major disaster; to the Committee on Education and the Workforce.

By Mr. REHBERG:

H.R. 6347. A bill to amend the Congressional Budget Act of 1974 to require 20-year Congressional Budget Office cost estimates for bills or joint resolutions; to the Committee on Rules, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROGERS of Michigan (for himself, Mr. HUIZENGA of Michigan, Mr. CONYERS, Mrs. MILLER of Michigan, Mr. WALBERG, Mr. UPTON, and Mr. BENISHEK):

H.R. 6348. A bill to direct the Secretary of the Army to prevent the spread of Asian carp in the Great Lakes and the tributaries of the Great Lakes, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. ROSS of Florida (for himself, Mr. COBLE, and Mr. JOHNSON of Georgia):

H.R. 6349. A bill to amend title 11 of the United States Code to increase the maximum

amount that may be paid to trustees for services rendered; to repeal provisions relating the trustee administration of certain employee pension plans; and for other purposes; to the Committee on the Judiciary.

By Mr. RUNYAN (for himself, Mr. SOUTHERLAND, Mr. RIVERA, Mr. LOBIONDO, Ms. ROS-LEHTINEN, and Mr. GUINTA):

H.R. 6350. A bill to amend the Magnuson-Stevens Fishery Conservation and Management Act to provide additional flexibility for fishery managers, additional transparency for fishermen, a referendum for catch shares, and additional sources for fishery survey funding, and for other purposes; to the Committee on Natural Resources.

By Ms. LINDA T. SANCHEZ of California (for herself, Mr. CONYERS, Mr. CARSON of Indiana, and Ms. SCHAKOWSKY):

H.R. 6351. A bill to amend chapter 1 of title 9 of United States Code with respect to arbitration; to the Committee on the Judiciary.

By Mr. SCHOCK (for himself and Ms. SCHWARTZ):

H.R. 6352. A bill to amend title XVIII of the Social Security Act to provide for the distribution of additional residency positions, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SCHWARTZ (for herself and Mr. BOUSTANY):

H.R. 6353. A bill to amend the Internal Revenue Code of 1986 to allow a deduction for patent box profit from the use of United States patents; to the Committee on Ways and Means.

By Mr. SOUTHERLAND:

H.R. 6354. A bill to correct the boundaries of the John H. Chafee Coastal Barrier Resources System Unit P-31P; to the Committee on Natural Resources.

By Mr. TURNER of New York (for himself and Ms. ROS-LEHTINEN):

H.R. 6355. A bill to amend the International Religious Freedom Act of 1998 to include the desecration of cemeteries among the many forms of violations of the right to religious freedom; to the Committee on Foreign Affairs.

By Mr. WOLF:

H.R. 6356. A bill to amend title 49, United States Code, to change the membership of the Metropolitan Airports Authority Board of Directors, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MALONEY (for herself, Mr. HONDA, Ms. CHU, Mr. ELLISON, Mr. OLIVER, Ms. MCCOLLUM, Mr. SERRANO, Ms. RICHARDSON, Mr. BLUMENAUER, Mr. STARK, Mr. LEWIS of Georgia, Mr. FRANK of Massachusetts, and Mr. GRIJALVA):

H. Con. Res. 136. Concurrent resolution expressing the sense of Congress that the census surveys and the information derived from those surveys are crucial to the national welfare; to the Committee on Oversight and Government Reform.

By Mr. BONNER:

H. Res. 755. A resolution in the matter of Representative Laura Richardson; considered and agreed to.

By Mr. POLIS (for himself, Mr. ROE of Tennessee, Mr. HINOJOSA, Mr. LARSEN of Washington, Ms. NORTON, Mr. MICHAUD, Ms. ROYBAL-ALLARD, Mr. YARMUTH, Mr. MORAN, Mr. GRIJALVA, Mr. SARBANES, Mr. DOYLE, Mr. RUPERSBERGER, Mr. KUCINICH, Mr. BARROW, and Mr. HOLT):

H. Res. 756. A resolution expressing support for designation of the week of September 10, 2012, as National Adult Education and Family Literacy Week; to the Committee on Education and the Workforce.

By Mr. LIPINSKI (for himself, Mrs. EMERSON, Mr. AMODEI, and Mrs. MCCARTHY of New York):

H. Res. 757. A resolution expressing the sense of the House of Representatives that Members of Congress should support and promote the respectful and dignified disposal of worn and tattered American flags; to the Committee on the Judiciary.

By Mr. CONYERS (for himself, Mr. HOYER, Mr. CLYBURN, Mr. BRADY of Pennsylvania, Mr. NADLER, Mr. LARSON of Connecticut, Ms. CHU, Mr. BISHOP of Georgia, Mr. BROWN of Florida, Mr. BUTTERFIELD, Mr. CARSON of Indiana, Mr. CLARKE of Michigan, Ms. CLARKE of New York, Mr. COHEN, Mrs. DAVIS of California, Mr. DEUTCH, Mr. FILNER, Ms. FUDGE, Mr. GENE GREEN of Texas, Mr. GUTIERREZ, Ms. HAHN, Mr. HONDA, Mr. HOLT, Mr. ISRAEL, Ms. JACKSON LEE of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSON of Georgia, Mr. LEWIS of Georgia, Ms. ZOE LOFGREN of California, Mr. MCGOVERN, Ms. MOORE, Mr. PETERS, Ms. PINGREE of Maine, Ms. RICHARDSON, Mr. RUSH, Ms. LINDA T. SANCHEZ of California, Ms. SCHWARTZ, Mr. SCOTT of Virginia, Mr. SERRANO, Ms. SLAUGHTER, Mr. SMITH of Washington, Mr. TOWNS, Ms. WASSERMAN SCHULTZ, Ms. WILSON of Florida, and Mr. GRIJALVA):

H. Res. 758. A resolution designating a "National Month of Voter Registration"; to the Committee on Oversight and Government Reform.

By Ms. SCHAKOWSKY (for herself, Mr. GEORGE MILLER of California, Ms. MATSUI, Ms. LINDA T. SANCHEZ of California, and Mr. GUTIERREZ):

H. Res. 759. A resolution expressing the sense of the House of Representatives that supporting seniors and individuals with disabilities is an important responsibility of the United States, and that a comprehensive approach to expanding and supporting a strong home care workforce and making long-term services and supports affordable and accessible in communities is necessary to uphold the right of seniors and individuals with disabilities in the United States to a dignified quality of life; to the Committee on Energy and Commerce.

By Mr. MCGOVERN (for himself, Mr. GEORGE MILLER of California, Ms. DELAUNO, and Ms. FUDGE):

H. Res. 760. A resolution expressing the sense of the House of Representatives that the Congress should reject the provisions of H.R. 6083, as ordered reported by the Committee on Agriculture of the House of Representatives, that reduce the availability or amount of benefits provided under the supplemental nutrition assistance program (SNAP) in effect under the Food and Nutrition Act of 2008; to the Committee on Agriculture.

By Mr. BARLETTA:

H. Res. 761. A resolution expressing the sense of the House of Representatives regarding the practice of gassing stray cats and dogs; to the Committee on Agriculture.

By Mr. BARTLETT (for himself, Mr. FRANKS of Arizona, Ms. CLARKE of New York, and Mr. JOHNSON of Georgia):

H. Res. 762. A resolution expressing the sense of the House of Representatives regarding community-based civil defense and power generation; to the Committee on Transportation and Infrastructure.

By Mr. BILIRAKIS (for himself, Mr. SHULER, Mr. FRANKS of Arizona, Mr. WOLF, and Mr. WEST):

H. Res. 763. A resolution condemning the targeted violence of vulnerable minority faith communities in Syria and calling on the United States Government to prioritize the safety and security of these communities; to the Committee on Foreign Affairs.

By Ms. CLARKE of New York (for herself, Mr. RANGEL, Mrs. CHRISTENSEN, Mr. ENGEL, Ms. RICHARDSON, Mr. MEEKS, Ms. FUDGE, Mr. DAVIS of Illinois, Mr. LEWIS of Georgia, Mr. JACKSON of Illinois, Mr. WEST, Mr. RUSH, Ms. WILSON of Florida, Ms. LEE of California, and Mr. TOWNS):

H. Res. 764. A resolution recognizing and celebrating the 50th anniversary of Jamaica's independence; to the Committee on Foreign Affairs.

By Ms. CLARKE of New York (for herself, Mr. RANGEL, Mrs. CHRISTENSEN, Mr. ENGEL, Ms. RICHARDSON, Mr. MEEKS, Ms. FUDGE, Mr. DAVIS of Illinois, Mr. LEWIS of Georgia, Mr. JACKSON of Illinois, Mr. WEST, Mr. RUSH, Ms. WILSON of Florida, Ms. LEE of California, and Mr. TOWNS):

H. Res. 765. A resolution recognizing the significance of the 50th anniversary of Trinidad and Tobago's independence to the people of Trinidad and Tobago and supporting the goals and ideals of Trinidad and Tobago's Independence Day; to the Committee on Foreign Affairs.

By Mr. DEUTCH:

H. Res. 766. A resolution expressing the sense of the House of Representatives on the restitution of or compensation for property seized during the Nazi and Communist eras; to the Committee on Foreign Affairs.

By Mr. JONES:

H. Res. 767. A resolution expressing the sense of the House of Representatives relating to increased transparency in the negotiations of the Trans-Pacific Partnership (TPP) Agreement, and for other purposes; to the Committee on Ways and Means.

By Ms. MCCOLLUM:

H. Res. 768. A resolution amending the Rules of the House of Representatives to expand the jurisdiction of the Committee on Small Business to include nonprofit organizations; to the Committee on Rules.

By Ms. NORTON:

H. Res. 769. A resolution expressing support for Lunchtime Music on the Mall in Washington, DC, and honoring the public service of the performers and sponsors; to the Committee on Natural Resources.

By Mr. PEARCE:

H. Res. 770. A resolution expressing the sense of the House of Representatives that President Barack Obama should request authorization before sending the United States Armed Forces into Syria; to the Committee on Foreign Affairs.

By Mr. ROTHMAN of New Jersey:

H. Res. 771. A resolution expressing support for the designation of February 14th as Na-

tional Solidarity Day for Compassionate Patient Care to promote national awareness of the importance of compassionate and respectful relationships between health care professionals and their patients as reflected in attitudes that are sensitive to the values, autonomy, cultural, and ethnic backgrounds of patients and families; to the Committee on Energy and Commerce.

By Mr. WHITFIELD (for himself and Mr. HASTINGS of Florida):

H. Res. 772. A resolution condemning the Kurdistan Workers' Party and supporting a peaceful dialogue with Turkey; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

262. The SPEAKER presented a memorial of the Senate of the State of Louisiana, relative to Senate Concurrent Resolution No. 136 requesting the Federal Energy Commission to immediately reject any requests for a rehearing regarding Cheniere Energy's Sabine Pass Liquefaction Project; to the Committee on Energy and Commerce.

263. Also, a memorial of the Senate of the State of Louisiana, relative to Senate Resolution No. 149 urging the government to take all necessary steps to formally recognize the Louisiana Precinct of the Southern Bend of the Cherokee Nation; to the Committee on Natural Resources.

264. Also, a memorial of the Senate of the State of Louisiana, relative to Senate Concurrent Resolution No. 46 approving the comprehensive master plan for integrated coastal protection; to the Committee on Transportation and Infrastructure.

265. Also, a memorial of the Senate of the State of Louisiana, relative to Senate Concurrent Resolution No. 31 supporting the comments of the Louisiana Department of Natural Resources, calling for the USACE-NO District to implement changes to the Modified Charleston Method; to the Committee on Transportation and Infrastructure.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. MARKEY:

H.R. 6272.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. POLIS:

H.R. 6273.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 (relating to the power of Congress to provide for the general welfare of the United States) and Clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress)

Article IV, Section 3, Clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).

By Mr. RAHALL:

H.R. 6274.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. FILNER:

H.R. 6275.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, Section 8 of the United States Constitution (clauses 1, 2, and 18), which grant Congress the power to provide for the general welfare of the United States; to borrow money on the credit of the United States; and to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers.

By Mr. LANDRY:

H.R. 6276.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I of the United States Constitution and Amendment XVI of the United States Constitution.

By Ms. SLAUGHTER:

H.R. 6277.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of Section 8 of Article I of the Constitution.

By Mr. CONNOLLY of Virginia:

H.R. 6278.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of section 8 of article I of the Constitution, and clause 18 of section 8 of article I of the Constitution.

By Mr. GRIFFIN of Arkansas:

H.R. 6279.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. MACK:

H.R. 6280.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 and Article 1, Section 8, Clause 1 of the United States Constitution.

By Mr. FITZPATRICK:

H.R. 6281.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mr. AMODEI:

H.R. 6282.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to make rules for the government and regulation of the land and naval forces, as enumerated in Article I, Section 8, Clause 14 of the United States Constitution.

By Mr. BURGESS:

H.R. 6283.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises

shall be uniform throughout the United States.

By Ms. RICHARDSON:

H.R. 6284.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clauses 1 and 18 of the United States Constitution.

By Mr. THOMPSON of Pennsylvania:

H.R. 6285.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 14 of the United States Constitution which gives Congress the power "to make Rules for the Government and Regulation of the land and naval Forces."

By Mr. FARR:

H.R. 6286.

Congress has the power to enact this legislation pursuant to the following:

Art. 1, Sec. 8

By Ms. RICHARDSON:

H.R. 6287.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8 Clause 3

By Mr. BILBRAY:

H.R. 6288.

Congress has the power to enact this legislation pursuant to the following:

Under Article 1, Section 8 Congress has the power To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof.

By Mr. GARDNER:

H.R. 6289.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8.

Clause 1: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

Clause 18: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. KUCINICH:

H.R. 6290.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is Article I, Section 8, which enumerates the power of Congress to make rules for the government and regulation of the land and naval forces. The bill will assert Congress' constitutionally granted authority to decide whether America enters into war, continues a war, or otherwise introduces armed forces or materiel into hostilities.

By Mr. YOUNG of Alaska:

H.R. 6291.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

By Mr. SMITH of New Jersey:

H.R. 6292.

Congress has the power to enact this legislation pursuant to the following:

Article 1, section 8 of the Constitution

By Mr. GARAMENDI:

H.R. 6293.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8:

The Congress shall have power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

To borrow Money on the credit of the United States;

To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

To establish a uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States;

To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;

To provide for the Punishment of counterfeiting the Securities and current coin of the United States;

To establish Post Offices and post Roads;

To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries;

To constitute Tribunals inferior to the Supreme Court;

To define and punish Piracies and Felonies committed on the high Seas, and Offenses against the Law of Nations;

To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water;

To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years;

To provide and maintain a Navy;

To make Rules for the Government and Regulation of the land and naval Forces;

To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions;

To provide for organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress;

To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the Acceptance of Congress, become the Seat of the Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings;—And

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. FALEOMAVAEGA:

H.R. 6294.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clauses 14—to make Rules for the Government and Regulation of the land and naval Forces.

Article I, Section 8, Clause 16—the Congress shall have Power To provide for organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress.

Article I, Section 8, Clause 15—the Congress shall have Power To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions.

Article IV, Section 3, Clause 2—the Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

By Mr. BACA:

H.R. 6295.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mr. BARLETTA:

H.R. 6296.

Congress has the power to enact this legislation pursuant to the following:

This bill makes changes to existing law relating to "Article 1 Section 8 of the U.S. Constitution Clause 18."

By Mr. BENISHEK:

H.R. 6297.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 14

"To make Rules for the Government and Regulation of the land and naval Forces"

And;

Article I, Section 8, Clause 18

"To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof."

By Mrs. BLACK:

H.R. 6298.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mrs. BLACK:

H.R. 6299.

Congress has the power to enact this legislation pursuant to the following:

Bankruptcy Regulation

Article I, Section 8, Clause 4

The Congress shall have Power *** To establish a uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States.

Business Regulation

Article I, Section 8, Clause 3

The Congress shall have Power *** To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. BOUSTANY:

H.R. 6300.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clauses 1 and 18

By Ms. BROWN of Florida:

H.R. 6301.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section VIII, Clause 7. To establish Post offices and Post roads.

By Mr. CAPUANO:

H.R. 6302.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Article I, Section 8, Clause 1; and Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. CARNAHAN:

H.R. 6303.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 1. "All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and a House of Representatives."

By Mr. CLAY:

H.R. 6304.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mr. CONNOLLY of Virginia:

H.R. 6305.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of section 8 of article I of the Constitution, and clause 18 of section 8 of article I of the Constitution.

By Mr. CONNOLLY of Virginia:

H.R. 6306.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of section 8 of article I of the Constitution, and clause 18 of section 8 of article I of the Constitution.

By Mr. CRENSHAW:

H.R. 6307.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the U.S. Constitution, commonly referred to as the Commerce Clause. The Commerce Clause states that the Congress shall have power to regulate Commerce with foreign Nations, and among the several States, and with the Indian tribes. This bill changes U.S. trade

By Mrs. DAVIS of California:

H.R. 6308.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Ms. DEGETTE:

H.R. 6309.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution and Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. DINGELL:

H.R. 6310.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section IV.

By Ms. EDWARDS:

H.R. 6311.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 1.

All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

By Mrs. EMERSON:

H.R. 6312.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mr. FALEOMAVAEGA:

H.R. 6313.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8 of the Constitution

By Mr. FATTAH:

H.R. 6314.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I Section 8 Clause 3 of the United States Constitution, which states the United States Congress shall have power "To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes".

By Mr. FLEMING:

H.R. 6315.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the United States Constitution

By Mr. FRANK of Massachusetts:

H.R. 6316.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of section 8 of article I of the Constitution; clause 18 of section 8 of article I of the Constitution; section 5 of Amendment XIV to the Constitution.

By Mr. GARRETT:

H.R. 6317.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clauses 1 ("The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States"), 3 ("To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes"), and 18 ("To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof").

By Mr. GARRETT:

H.R. 6318.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 7 (To establish Post Offices and post Roads) and Article I, Section 8, Clause 18 (To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof).

By Mr. GERLACH:

H.R. 6319.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. GINGREY of Georgia:

H.R. 6320.

Congress has the power to enact this legislation pursuant to the following:

The Constitutional authority on which this legislation is based is found in Article I, Section 8, Clause 18 of the Constitution, as it is necessary and proper to protect patients and the doctor/patient relationship.

By Mr. GOSAR:

H.R. 6321.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the U.S. Constitution. Article I, Section 8, Clause 2 of the U.S. Constitution provides Congress with the power to tax, and to spend those taxes to provide for the common defense and general welfare of the United States. Thus, Congress can choose to reallocate funds from one priority to another should it deem it appropriate.

By Mr. GRIFFIN of Arkansas:

H.R. 6322.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3: The Congress shall have Power To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Ms. HAHN:

H.R. 6323.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clauses 1 and 18 of the United States Constitution.

By Mr. HANNA:

H.R. 6324.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof

By Mr. HANNA:

H.R. 6325.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. HARPER:

H.R. 6326.

Congress has the power to enact this legislation pursuant to the following:

Clause 18 of section 8 of article 1 of the Constitution.

By Mr. HASTINGS of Florida:

H.R. 6327.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of Article 1 of the Constitution

By Ms. HOCHUL:

H.R. 6328.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States.

By Ms. HOCHUL:

H.R. 6329.

Congress has the power to enact this legislation pursuant to the following:

Article I of the Constitution of the United States.

By Ms. HOCHUL:

H.R. 6330.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States.

By Mr. HONDA:

H.R. 6331.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 6 of the Constitution—"To coin Money . . ."

By Mr. ISRAEL:

H.R. 6332.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. KING of Iowa:

H.R. 6333.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Congress' powers granted under article I of the United States Constitution, including the power granted to Congress under article I, section 8, clause 18, of the United States Constitution, and the power granted to each House of Congress under article I, section 5, clause 2, of the United States Constitution.

By Mr. LABRADOR:

H.R. 6334.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1

By Ms. LEE of California:

H.R. 6335.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. DANIEL E. LUNGREN of California:

H.R. 6336.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to exercise exclusive legislation, in all cases whatsoever, over the District of Columbia as described in Section 8 of Article I of the Constitution of the United States of America.

By Mrs. MALONEY:

H.R. 6337.

Congress has the power to enact this legislation pursuant to the following:

The Commerce Clause, Article I, Section 8 clause 3.

By Mr. McDERMOTT:

H.R. 6338.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article 1 of the United States Constitution

By Mr. NADLER:

H.R. 6339.

Congress has the power to enact this legislation pursuant to the following:

Clauses 3, 9 and 18 of Section 8 of Article I of the Constitution.

By Mr. NUGENT:

H.R. 6340.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. PALAZZO:

H.R. 6341.

Congress has the power to enact this legislation pursuant to the following:

The powers granted through Article 1 Section 8, and Amendment XVI to the Constitution of the United States of America

By Mr. PAUL:

H.R. 6342.

Congress has the power to enact this legislation pursuant to the following:

This legislation is authorized by Article I, Section 8 of The Constitution:

"To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States."

This includes the power to require federal the Food and Drug Administration (FDA) to allow terminally-ill patients to use non-approved drugs when the patient's physician certifies they have no other options and the patient executes written informed consent that they are aware of any potential risks give small business a grace period to correct any violations of federal regulations before imposing job-destroying fines and other sanctions on the business.

By Mr. PEARCE:

H.R. 6343.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2 of the Constitution of the United States grants Congress the power to enact this law.

By Mr. PEARCE:

H.R. 6344.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2 of the Constitution of the United States grants Congress the power to enact this law.

By Mr. POMPEO:

H.R. 6345.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. REHBERG:

H.R. 6346.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. REHBERG:

H.R. 6347.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 9, Clause 7

By Mr. ROGERS of Michigan:

H.R. 6348.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3.

By Mr. ROSS of Florida:

H.R. 6349.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 4 of the Constitution. "Congress shall have the power to establish a uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States."

By Mr. RUNYAN:

H.R. 6350.

Congress has the power to enact this legislation pursuant to the following:

The Commerce Clause, Article 1, Section 8, Clause 3 of the Constitution

By Ms. LINDA T. SANCHEZ of California:

H.R. 6351.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2.

By Mr. SCHOCK:

H.R. 6352.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress as stated in Article I, Section 8, Clause 1 of the United States Constitution.

By Ms. SCHWARTZ:

H.R. 6353.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

The Congress shall have power to lay and collect taxes, duties, imposts and excises

By Mr. SOUTHERLAND:

H.R. 6354.

Congress has the power to enact this legislation pursuant to the following:

Article IV, section 3 of the Constitution of the United States grants Congress the authority to enact this bill.

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

By Mr. TURNER of New York:

H.R. 6355.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. WOLF:

H.R. 6356.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, clause three, to regulate commerce with foreign nations, and among the several states, and with the Indian tribes;

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 59: Mr. SMITH of Texas.

H.R. 111: Mr. SMITH of New Jersey.

H.R. 139: Mr. CUMMINGS.

H.R. 178: Mr. GARAMENDI, Mr. DENT, and Mrs. BONO MACK.

H.R. 181: Mr. MURPHY of Pennsylvania, Mr. MARCHANT, and Mr. KLINE.

H.R. 186: Mr. MARCHANT and Mr. KLINE.

H.R. 273: Mr. RIBBLE.

H.R. 288: Mr. CARSON of Indiana, Ms. TSONGAS, Mr. POLIS, Mr. KILDEE, and Mr. LEVIN.

H.R. 289: Mr. MARKEY, Mr. HONDA, Ms. TSONGAS, Mr. BOSWELL, and Mrs. DAVIS of California.

H.R. 303: Mrs. BIGGERT, Mr. DENT, and Mr. MEEHAN.

H.R. 333: Mr. MEEHAN and Mrs. BONO MACK.

H.R. 458: Ms. BONAMICI and Ms. TSONGAS.

H.R. 591: Mr. DEUTCH.

H.R. 664: Mr. FITZPATRICK.

H.R. 687: Mr. MEEHAN and Mr. JOHNSON of Ohio.

H.R. 694: Mr. BLUMENAUER.

H.R. 718: Ms. PINGREE of Maine.

H.R. 719: Mr. CRENSHAW and Mrs. LOWEY.

H.R. 751: Mr. CARSON of Indiana and Mr. COURTNEY.

H.R. 797: Ms. EDWARDS.

H.R. 808: Ms. BASS of California, Ms. CHU, Ms. EDWARDS, Ms. FUDGE, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. MARKEY, Mr. MORAN, Mr. RICHMOND, Mr. RUSH, Ms. WATERS, and Mr. SMITH of Washington.

H.R. 835: Ms. CLARKE of New York.

H.R. 860: Mr. PALLONE.

H.R. 891: Mr. GRIFFITH of Virginia.

H.R. 898: Mr. SCHOCK.

H.R. 905: Mr. KINZINGER of Illinois, Mr. LATHAM, Mr. GRIFFITH of Virginia, and Ms. JENKINS.

H.R. 942: Mr. KIND and Mr. CICILLINE.

H.R. 948: Ms. HANABUSA.

H.R. 965: Ms. WASSERMAN SCHULTZ.

H.R. 998: Mr. PRICE of North Carolina and Mr. BECERRA.

H.R. 1005: Mr. KISSELL.

H.R. 1063: Mr. WESTMORELAND, Mr. BENISHEK, Mrs. BIGGERT, and Mr. BILIRAKIS.

H.R. 1085: Mr. BLUMENAUER.

H.R. 1086: Mrs. ELLMERS.

H.R. 1106: Mr. DAVIS of Illinois, Mr. STARK, Mr. PLATTS, Mr. ELLISON, and Mrs. DAVIS of California.

H.R. 1167: Mr. STUTZMAN.

H.R. 1206: Mr. GRIMM.

H.R. 1219: Mr. BISHOP of New York.

H.R. 1244: Mr. CASSIDY, Mr. REED, and Mr. TURNER of Ohio.

H.R. 1259: Mr. GRIFFITH of Virginia.

H.R. 1265: Mr. MCCLINTOCK.

H.R. 1311: Mr. ELLISON.

H.R. 1344: Mr. CICILLINE.

H.R. 1348: Mr. MEEHAN.

H.R. 1370: Mr. ALTMIRE, Mr. CARTER, and Mr. LONG.

H.R. 1375: Mr. FARR and Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 1386: Mr. CICILLINE.

- H.R. 1394: Mr. SMITH of New Jersey and Mr. HOLT.
- H.R. 1417: Mr. CONYERS.
- H.R. 1464: Mr. BROOKS.
- H.R. 1489: Mr. ROTHMAN of New Jersey.
- H.R. 1533: Mr. BENISHEK.
- H.R. 1543: Mr. BOSWELL and Mr. CARSON of Indiana.
- H.R. 1549: Mr. GARY G. MILLER of California.
- H.R. 1564: Mr. CONYERS.
- H.R. 1580: Mr. BASS of New Hampshire, Mr. RICHMOND, and Mr. GRIMM.
- H.R. 1614: Mr. LANCE and Mr. MARCHANT.
- H.R. 1621: Mr. STIVERS and Mr. MARINO.
- H.R. 1639: Mr. ACKERMAN, Mr. RUNYAN, and Mr. PRICE of Georgia.
- H.R. 1648: Mr. THOMPSON of Mississippi, Mr. COSTA, and Mr. BARBER.
- H.R. 1653: Ms. LINDA T. SÁNCHEZ of California and Mr. ROGERS of Alabama.
- H.R. 1675: Mr. WELCH, Mr. MCNERNEY, Mr. McDERMOTT, Mr. REYES, and Ms. WOOLSEY.
- H.R. 1697: Mr. GARY G. MILLER of California.
- H.R. 1700: Mr. KELLY, Mr. FRANKS of Arizona, Mr. MULVANEY, and Ms. BUERKLE.
- H.R. 1703: Mr. CICILLINE.
- H.R. 1711: Mr. MEEKS.
- H.R. 1757: Ms. HOCHUL.
- H.R. 1775: Mr. BASS of New Hampshire.
- H.R. 1781: Mr. SCHIFF.
- H.R. 1802: Mr. SCHOCK.
- H.R. 1842: Mr. MCGOVERN.
- H.R. 1897: Mr. BERG and Mr. LYNCH.
- H.R. 1936: Mr. GOODLATTE, Mrs. ELLMERS, Mr. GRIFFITH of Virginia, and Mr. SCHIFF.
- H.R. 1946: Mr. BOSWELL.
- H.R. 1947: Mr. SCHOCK.
- H.R. 1971: Mr. BOSWELL and Mr. BARLETTA.
- H.R. 2009: Mr. NUNES.
- H.R. 2020: Ms. WOOLSEY.
- H.R. 2051: Mr. CICILLINE.
- H.R. 2077: Mr. ROSKAM, Mr. YODER, Mr. TURNER of New York, and Mr. AUSTRIA.
- H.R. 2085: Mr. MILLER of North Carolina.
- H.R. 2086: Mr. COSTELLO.
- H.R. 2110: Mr. TONKO.
- H.R. 2159: Mr. SMITH of New Jersey.
- H.R. 2194: Ms. PINGREE of Maine.
- H.R. 2198: Mr. CLEAVER.
- H.R. 2256: Mr. MARKEY, Mrs. DAVIS of California, and Mr. GIBSON.
- H.R. 2267: Ms. JENKINS and Mr. HIMES.
- H.R. 2382: Mr. CLEAVER, Mr. COURTNEY, and Mr. TONKO.
- H.R. 2387: Mr. FRELINGHUYSEN and Mrs. LOWEY.
- H.R. 2402: Mr. WOODALL.
- H.R. 2448: Mr. GRIJALVA, Mr. CLAY, and Ms. LEE of California.
- H.R. 2466: Mr. HALL.
- H.R. 2479: Mr. CLARKE of Michigan and Ms. KAPTUR.
- H.R. 2492: Mr. MANZULLO, Mr. VAN HOLLEN, Mr. YOUNG of Florida, and Ms. CLARKE of New York.
- H.R. 2499: Mr. BOSWELL, Mr. HUIZENGA of Michigan, and Ms. BALDWIN.
- H.R. 2507: Mr. LAMBORN.
- H.R. 2524: Mr. DOGGETT and Mr. ROTHMAN of New Jersey.
- H.R. 2547: Mr. THOMPSON of California.
- H.R. 2554: Mr. DEUTCH.
- H.R. 2557: Mr. PAULSEN and Mr. GOODLATTE.
- H.R. 2563: Mr. JOHNSON of Georgia, Mr. ALTMIRE and Mr. MARINO.
- H.R. 2569: Mr. BILBRAY.
- H.R. 2600: Mr. SULLIVAN, Mr. SCHILLING, Mr. BOSWELL, Ms. WILSON of Florida, and Mr. BERG.
- H.R. 2655: Mr. RIBBLE.
- H.R. 2695: Mr. SMITH of New Jersey and Mr. BOSWELL.
- H.R. 2697: Mrs. SCHMIDT and Mr. RIVERA.
- H.R. 2705: Mr. MILLER of North Carolina, Mr. RANGEL, and Mr. GENE GREEN of Texas.
- H.R. 2721: Mr. BILBRAY and Ms. HAHN.
- H.R. 2741: Mr. COURTNEY and Mr. TONKO.
- H.R. 2746: Mr. LYNCH and Mr. TONKO.
- H.R. 2794: Mr. TIERNEY, Mrs. DAVIS of California, Mr. COHEN, Mr. GRIJALVA, Mr. HINOJOSA, Mr. BILBRAY, Ms. WOOLSEY, Mr. BOSWELL, Mr. SCHRADER, Mr. FATTAH, Ms. MOORE, Ms. MCCOLLUM, and Ms. HANABUSA.
- H.R. 2866: Mr. GRAVES of Missouri.
- H.R. 2925: Mr. SCHILLING, Mr. ROGERS of Michigan, Mrs. BIGGERT, Mr. WHITFIELD, and Mr. SCHOCK.
- H.R. 2950: Mr. BISHOP of New York.
- H.R. 2962: Mr. WALSH of Illinois and Mr. CRITZ.
- H.R. 2985: Ms. HAYWORTH.
- H.R. 3007: Mr. BISHOP of New York.
- H.R. 3030: Mr. HONDA.
- H.R. 3032: Mr. NUNNELEE.
- H.R. 3053: Mr. TONKO.
- H.R. 3067: Mr. MURPHY of Pennsylvania.
- H.R. 3144: Mr. HOLT.
- H.R. 3151: Mr. SABLAN.
- H.R. 3179: Mr. KISSELL and Mr. GRIFFITH of Virginia.
- H.R. 3238: Mr. HEINRICH, Mr. FATTAH, Mr. CLARKE of Michigan, Ms. TSONGAS, Mr. POLIS, and Ms. CLARKE of New York.
- H.R. 3274: Mr. MCINTYRE.
- H.R. 3307: Mr. HOLT.
- H.R. 3308: Mr. STUTZMAN.
- H.R. 3337: Mr. ROTHMAN of New Jersey.
- H.R. 3423: Mr. LUETKEMEYER and Mr. SARBANES.
- H.R. 3435: Mr. FATTAH, Ms. VELÁZQUEZ, Mr. LYNCH, Mr. QUIGLEY Mrs. MCCARTHY of New York, Mr. RAHALL, Mr. HOLDEN, and Ms. BONAMICI.
- H.R. 3458: Mr. SHIMKUS and Mrs. ELLMERS.
- H.R. 3481: Mr. WALBERG.
- H.R. 3497: Mr. BACA, Mr. DONNELLY of Indiana, Mr. ROKITA, Mr. ELLISON, and Ms. WOOLSEY.
- H.R. 3506: Mr. COURTNEY, Ms. WOOLSEY, Mr. BOSWELL, and Mr. LUJÁN.
- H.R. 3510: Mr. SCHOCK.
- H.R. 3522: Ms. LEE of California.
- H.R. 3553: Mr. TIERNEY.
- H.R. 3612: Mr. YOUNG of Indiana and Mr. KISSELL.
- H.R. 3627: Mrs. BLACK.
- H.R. 3634: Mrs. BIGGERT.
- H.R. 3677: Mrs. MALONEY, Ms. SCHAKOWSKY, and Mr. MICHAUD.
- H.R. 3683: Mrs. ELLMERS.
- H.R. 3713: Mr. CRAVAACK.
- H.R. 3717: Mr. TONKO.
- H.R. 3728: Mr. PAUL and Mr. KING of Iowa.
- H.R. 3760: Mr. SMITH of New Jersey.
- H.R. 3790: Mr. CARSON of Indiana and Mr. HOLT.
- H.R. 3798: Ms. VELÁZQUEZ, Ms. WASSERMAN SCHULTZ, Mr. VAN HOLLEN, Mr. NEAL, Mr. DOYLE, Ms. HAYWORTH, Mr. PRICE of North Carolina, Mr. YARMUTH, Mrs. LOWEY, Mr. SIREs, and Mr. PLATTs.
- H.R. 3825: Mr. BOSWELL.
- H.R. 3841: Ms. WOOLSEY, Mr. RUSH, Ms. MOORE, Mr. CARSON of Indiana, and Ms. KAPTUR.
- H.R. 3861: Mr. CONYERS.
- H.R. 3895: Ms. HIRONO.
- H.R. 4049: Mr. TIERNEY.
- H.R. 4062: Mr. MCCARTHY of California, Mr. LEWIS of California, and Mr. FARR.
- H.R. 4066: Mr. JOHNSON of Ohio, Mr. CONNOLLY of Virginia, Mr. GRIFFIN of Arkansas, Mr. BERG, and Mr. TERRY.
- H.R. 4087: Mr. COURTNEY.
- H.R. 4091: Mr. COURTNEY.
- H.R. 4100: Mr. THOMPSON of California.
- H.R. 4111: Mr. POE of Texas.
- H.R. 4120: Mr. HOLT.
- H.R. 4122: Mr. PASCRELL.
- H.R. 4123: Ms. DeGETTE.
- H.R. 4153: Mr. GRIFFITH of Virginia.
- H.R. 4164: Mr. DeFAZIO, Ms. HANABUSA, and Mr. MICHAUD.
- H.R. 4165: Mrs. LUMMIS.
- H.R. 4173: Ms. NORTON.
- H.R. 4180: Mr. LONG.
- H.R. 4202: Mr. BACA and Ms. KAPTUR.
- H.R. 4212: Mr. GRIFFITH of Virginia.
- H.R. 4215: Mr. BOSWELL and Mr. GRIFFITH of Virginia.
- H.R. 4235: Mr. SCHRADER.
- H.R. 4238: Mr. HOLT and Mr. COURTNEY.
- H.R. 4252: Mr. BISHOP of New York.
- H.R. 4280: Mr. SABLAN.
- H.R. 4287: Mr. CONNOLLY of Virginia and Mr. YOUNG of Alaska.
- H.R. 4336: Mr. YOUNG of Indiana.
- H.R. 4341: Mr. TIBERI.
- H.R. 4342: Mr. BONNER.
- H.R. 4350: Mr. GIBSON, Mrs. LOWEY, Ms. HIRONO, and Mr. CRITZ.
- H.R. 4369: Mr. SENSENBRENNER.
- H.R. 4378: Mr. JOHNSON of Georgia, Mr. BRALEY of Iowa, Mr. COURTNEY, Mr. CONNOLLY of Virginia, and Ms. MOORE.
- H.R. 4385: Mr. STIVERS, Mr. BURTON of Indiana, Mr. KING of Iowa, Mr. BARLETTA, Mr. POMPEO, and Mr. POSEY.
- H.R. 4405: Mr. HIGGINS, Mr. PALLONE, and Mrs. MALONEY.
- H.R. 4467: Mr. GARY G. MILLER of California.
- H.R. 4605: Mr. SCHOCK.
- H.R. 4818: Mr. TIPTON and Mr. LOEBSACK.
- H.R. 4965: Mr. GRIFFITH of Virginia and Ms. HOCHUL.
- H.R. 4978: Mr. GARAMENDI.
- H.R. 5044: Mr. BRADY of Texas and Mr. SAM JOHNSON of Texas.
- H.R. 5194: Mr. BOSWELL.
- H.R. 5381: Mr. WESTMORELAND and Mr. CHAFFETZ.
- H.R. 5542: Mr. FARR and Mrs. LOWEY.
- H.R. 5684: Mr. CLARKE of Michigan and Ms. BONAMICI.
- H.R. 5708: Mr. BONNER.
- H.R. 5746: Ms. SCHWARTZ and Mr. SESSIONS.
- H.R. 5749: Mr. RANGEL and Mr. CARSON of Indiana.
- H.R. 5796: Ms. EDWARDS.
- H.R. 5817: Mrs. EMERSON, Mr. BACA, Mr. MILLER of Florida, and Ms. HAYWORTH.
- H.R. 5835: Mr. BISHOP of New York.
- H.R. 5840: Mr. FALEOMAVAEGA, Mr. CLAY, Mr. RANGEL, Ms. NORTON, Mr. KEATING, Mr. SMITH of Washington, and Mr. SHULER.
- H.R. 5864: Mr. MCNERNEY and Ms. HOCHUL.
- H.R. 5865: Mr. CICILLINE.
- H.R. 5879: Mr. JOHNSON of Illinois.
- H.R. 5894: Mrs. LUMMIS.
- H.R. 5903: Mr. ALTMIRE.
- H.R. 5910: Mr. BOUSTANY.
- H.R. 5911: Mr. GUTHRIE.
- H.R. 5914: Mr. YOUNG of Alaska.
- H.R. 5925: Mr. LONG.
- H.R. 5932: Mr. BISHOP of Utah.
- H.R. 5934: Ms. CHU and Mr. PIERLUISI.
- H.R. 5942: Mr. LARSON of Connecticut, Mr. BARTON of Texas, Mr. BERG, Ms. JENKINS, and Mr. KISSELL.
- H.R. 5943: Mr. FILNER, Mrs. CAPITO, Mr. KIND, and Mr. NEAL.
- H.R. 5959: Mr. STARK.
- H.R. 5969: Mr. PAUL.
- H.R. 5970: Mr. PAUL.
- H.R. 5977: Mr. BOUSTANY.
- H.R. 5978: Mr. MCNERNEY.
- H.R. 5989: Mr. COURTNEY and Mr. CLAY.
- H.R. 5996: Mr. CLAY, Mr. GRIJALVA, Mr. POLIS, and Mr. CARSON of Indiana.

H.R. 6021: Mr. PETERS.
 H.R. 6025: Mr. CULBERSON.
 H.R. 6043: Mr. TIERNEY and Mr. QUIGLEY.
 H.R. 6048: Mr. BARROW.
 H.R. 6050: Ms. SCHAKOWSKY.
 H.R. 6061: Mr. SERRANO and Mr. PASTOR of Arizona.
 H.R. 6077: Mr. FARR.
 H.R. 6081: Mr. TONKO and Mr. MCNERNEY.
 H.R. 6087: Mr. ELLISON, Mr. MURPHY of Connecticut, Mr. FARR, Mr. GRIJALVA, and Mr. LEWIS of Georgia.
 H.R. 6095: Ms. NORTON, Mr. CICILLINE, Mr. CONNOLLY of Virginia, Mr. HIGGINS, Ms. HOCHUL, Mr. COHEN, Mr. FARR, Mr. WELCH, Mr. TONKO, Mr. QUIGLEY, Ms. SUTTON, Mr. BECERRA, Mr. POSEY, Mr. ANDREWS, Ms. ROSELEHTINEN, Ms. MATSUI, Mr. MCNERNEY, Mr. CROWLEY, Mr. BARROW, Mrs. SCHMIDT, Mr. CHANDLER, Mr. KISSELL, Mr. BOREN, Mr. SULLIVAN, Mr. ALTMIRE, Mr. RIVERA, Mr. CUELLAR, Mr. CONYERS, Mr. TIERNEY, Ms. ZOE LOFGREN of California, Mr. SHULER, Mr. GUTIERREZ, Mr. GARAMENDI, Mr. ROTHMAN of New Jersey, Mr. PALLONE, and Ms. ESHOO.
 H.R. 6097: Mr. SMITH of Texas.
 H.R. 6099: Mr. KIND and Mr. GRIJALVA.
 H.R. 6101: Ms. NORTON, Ms. WATERS, and Mr. LIPINSKI.
 H.R. 6107: Mr. RUSH.
 H.R. 6113: Mr. CRITZ.
 H.R. 6118: Mr. STIVERS.
 H.R. 6121: Mr. MICHAUD.
 H.R. 6124: Mr. RANGEL.
 H.R. 6135: Ms. WOOLSEY.
 H.R. 6136: Mr. MARINO.
 H.R. 6138: Mr. CLARKE of Michigan.
 H.R. 6140: Mr. GARY G. MILLER of California, Mr. LONG, Mr. MILLER of Florida, Ms. HAYWORTH, and Mr. GRIFFITH of Virginia.
 H.R. 6150: Mr. TONKO, Mr. BOSWELL, and Ms. CLARKE of New York.
 H.R. 6159: Mr. SCHIFF, Mr. CLARKE of Michigan, Mr. TIERNEY, Ms. HOCHUL, and Ms. LORETTA SANCHEZ of California.
 H.R. 6160: Mr. BUCHANAN, Ms. HANABUSA, and Mr. ROONEY.
 H.R. 6164: Mr. LATTA.
 H.R. 6165: Mr. KLINE.
 H.R. 6170: Mr. PINGREE of Maine, Mr. WITTMAN, Mr. COBLE, Mr. RUPPERSBERGER, Mr. PASTOR of Arizona, Mr. MCNERNEY, Ms. HERRERA BEUTLER, Mr. KISSELL, Mr. DUNCAN of Tennessee, Mr. LEVIN, Mr. YOUNG of Alaska, and Mr. MCINTYRE.

H.R. 6172: Mr. LATTA and Mr. CRITZ.
 H.R. 6173: Mr. LIPINSKI.
 H.R. 6174: Mr. ROGERS of Michigan and Mr. LATHAM.
 H.R. 6176: Mrs. ELLMERS.
 H.R. 6187: Ms. CASTOR of Florida.
 H.R. 6199: Mrs. ELLMERS.
 H.R. 6200: Mr. GUINTA.
 H.R. 6207: Ms. ROYBAL-ALLARD and Mr. QUIGLEY.
 H.R. 6211: Mr. GENE GREEN of Texas, Mr. BACA, Mr. NADLER, and Mr. BRALEY of Iowa.
 H.R. 6213: Mr. BENISHEK.
 H.R. 6216: Mr. RYAN of Ohio.
 H.R. 6218: Ms. HERRERA BEUTLER.
 H.R. 6220: Mr. RUSH and Mr. CONYERS.
 H.R. 6246: Mr. LEWIS of Georgia, Mr. CARSON of Indiana, and Ms. RICHARDSON.
 H.R. 6248: Mr. ROYCE, Mr. ROHRBACHER, and Mr. DREIER.
 H.R. 6250: Mr. LATHAM, Mr. HUIZENGA of Michigan, and Mr. HALL.
 H.R. 6251: Ms. ESHOO and Mr. YOUNG of Alaska.
 H.R. 6252: Mr. MCKINLEY.
 H.R. 6255: Mr. MCDERMOTT.
 H.R. 6256: Mr. TOWNS.
 H.R. 6261: Mr. LATTA, Mr. HULTGREN, and Mr. NUNNELEE.
 H.R. 6262: Ms. HOCHUL.
 H.R. 6267: Mr. WILSON of South Carolina, Mr. NUGENT, Mr. YODER, Mr. LAMBORN, Mr. BARROW, Mr. HUIZENGA of Michigan, Mr. HINOJOSA, Mr. LATHAM, Mr. THOMPSON of Mississippi, Mr. JONES, Ms. HERRERA BEUTLER, Mr. BOSWELL, Mr. LEWIS of California, Mr. MATHESON, Mr. TURNER of Ohio, Mr. ROSS of Florida, Mr. SMITH of New Jersey, Mr. KING of Iowa, Mr. TOWNS, Mr. REICHERT, Mr. LOBIONDO, Mr. PAUL, Mr. ENGEL, Mr. WESTMORELAND, Mr. BURTON of Indiana, Mr. AMODEI, Mr. FORBES, Mrs. MYRICK, Mr. GRIFFITH of Virginia, Ms. BERKLEY, and Mr. DIAZ-BALART.
 H.J. Res. 8: Mr. SARBANES.
 H.J. Res. 47: Ms. SUTTON and Mr. ISRAEL.
 H.J. Res. 88: Mr. SARBANES.
 H.J. Res. 97: Mr. SARBANES.
 H.J. Res. 100: Mr. RANGEL, Mr. CUMMINGS, Mr. DAVIS of Illinois, and Mr. STARK.
 H.J. Res. 112: Mr. GOODLATTE and Mrs. ELLMERS.
 H. Con. Res. 82: Mr. RIGELL, Mr. WALSH of Illinois, Mr. FLORES, and Mr. TURNER of New York.

H. Con. Res. 109: Mr. BROOKS.
 H. Con. Res. 129: Ms. HAYWORTH and Mr. MARINO.
 H. Res. 134: Mr. MULVANEY and Mrs. DAVIS of California.
 H. Res. 298: Mr. TONKO, Mr. DUNCAN of Tennessee, Mr. NUNNELEE, Ms. JENKINS, and Mr. RAHALL.
 H. Res. 341: Mrs. MALONEY.
 H. Res. 609: Mr. COURTNEY and Mr. MURPHY of Connecticut.
 H. Res. 624: Mr. JOHNSON of Ohio and Mr. WITTMAN.
 H. Res. 672: Ms. SPEIER.
 H. Res. 676: Mr. DIAZ-BALART, Mr. BERMAN, Mr. GENE GREEN of Texas, Mr. SHERMAN, Mr. MCGOVERN, Mr. COSTA, Mr. LANGEVIN, and Mr. LOBIONDO.
 H. Res. 682: Mr. KUCINICH, Ms. MOORE, Ms. BASS of California, Mr. BISHOP of Georgia, Ms. BROWN of Florida, Mr. BUTTERFIELD, Mr. CARSON of Indiana, Mrs. CHRISTENSEN, Ms. CLARKE of New York, Mr. CLYBURN, Mr. DAVIS of Illinois, Mr. CUMMINGS, Ms. FUDGE, Mr. HASTINGS of Florida, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. LEE of California, Ms. JACKSON LEE of Texas, Mr. MEEKS, Mr. RANGEL, Mr. RUSH, Mr. SCOTT of Virginia, Ms. SEWELL, and Mr. WATT.
 H. Res. 704: Mr. CARSON of Indiana and Mr. COOPER.
 H. Res. 730: Mr. ANDREWS, Ms. KAPTUR and Mr. LEVIN.
 H. Res. 734: Ms. SCHAKOWSKY, Mr. MILLER of North Carolina, Mr. SMITH of Washington, Mr. LEVIN, Mr. DOLD, Mr. ROTHMAN of New Jersey, Mr. DOGETT, Mr. GENE GREEN of Texas, and Mr. SERRANO.
 H. Res. 748: Mr. FARR, Ms. BALDWIN, Ms. HERRERA BEUTLER, Mr. BRADY of Pennsylvania, Mr. CONNOLLY of Virginia, Mr. LYNCH, Ms. NORTON, Ms. MOORE, Mr. MORAN, Mr. TONKO, and Mrs. MALONEY.

PETITIONS, ETC.

Under clause 3 of rule XII,

51. The SPEAKER presented a petition of Ingham County, Michigan, relative to Resolution No. 12-196 expressing support for access to preventive health care services; which was referred to the Committee on Energy and Commerce.

SENATE—Thursday, August 2, 2012

The Senate met at 9:30 a.m. and was called to order by the Honorable TOM UDALL, a Senator from the State of New Mexico.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Lord, You have given us a world full of rich resources. Make us responsible stewards of Your generous gifts. Help us to remember that to whom much is given, much is expected.

May our accountability to You guide the choices our lawmakers make as they seek to serve You and country today. Lord, fill their minds with wisdom and their hearts with hope so they will believe all things are possible with You. Open their minds to the inflow of Your spirit to prepare them for the decisions they must make this day.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable TOM UDALL led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUE).

The assistant legislative clerk read as follows:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, August 2, 2012.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TOM UDALL, a Senator from the State of New Mexico, to perform the duties of the Chair.

DANIEL K. INOUE,
President pro tempore.

Mr. UDALL of New Mexico thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

VETERANS JOBS CORPS ACT OF 2012—MOTION TO PROCEED

Mr. REID. Mr. President, I now move to proceed to Calendar No. 476, S. 3457, which is the Veterans Jobs Corps Act.

The ACTING PRESIDENT pro tempore. The clerk will report the motion.

The assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 476, S. 3457, a bill to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes.

The ACTING PRESIDENT pro tempore. The majority leader.

SCHEDULE

Mr. REID. Mr. President, the next half hour will be for debate on the Coburn amendment on the AGOA-Burma sanctions bill. Following that debate, the time until 11 a.m. will be equally divided and controlled between the two leaders or their designees. At 11 a.m. there will be two votes. The first vote will be a cloture vote on the cyber security bill, followed by a vote in relation to the Coburn amendment to the AGOA-Burma sanctions bill. The filing deadline for second-degree amendments to the cyber security bill is 10 a.m. today. Additional votes are possible today, and we will notify Senators when and if they are scheduled. We will vote at 11 o'clock, so those people debating the cloture motion may not get the full hour. They should understand that.

RECOGNITION OF THE REPUBLICAN LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

CYBER SECURITY

Mr. MCCONNELL. Mr. President, I would like to start this morning with a word about cyber security. No one doubts the need to strengthen our Nation's cyber security defenses. Open source reporting clearly shows that our defense industrial base, financial sector, and government networks are all under attack by nation states as well as independent hackers. The U.S. Cyber Command, the NSA, and the FBI are working hard to counter these threats. So we all recognize the problem. That is really not the issue. The issue is the manner in which the Democratic leadership has tried to steamroll a bill that would address it.

Members on both sides of the aisle have recommendations for improving our cyber defenses, and some of them thought this bill would provide an opportunity to propose those ideas through amendments, especially since Democrats did not allow for an opportunity to do so in committee. Yet, despite preventing Members from amending the bill in committee, the anticipated open amendment process, once this new bill got to the Senate floor, never happened. It just never happened. Despite being on the bill now for the

third day, no Senator from either party has been allowed to vote on any amendment.

Look, this is a big, complicated, far-reaching bill that involves several committees of jurisdiction. Democratic leaders have not allowed any of those committees to improve the bill or even vote on it. Frankly, I was a little surprised the majority leader decided to file cloture and end debate before it even started. An issue of this importance deserves serious consideration and open debate. Instead, the majority leader waited until the last week before August to even take it up. Rather than give this issue the time and attention it deserves, Democratic leaders brought it up with only 3 days left before recess and then tried to jam something through without any chance for amendment.

The few days the bill was on the floor, the majority limited its consideration to debate only and then filled the tree and filed cloture. But, of course, that is kind of par for the course around here. This is the 65th time the majority leader has filled the amendment tree and filed cloture—the 65th time. Just to give a point of comparison, the last 6 party leaders did it 40 times combined. The last 6 party leaders did it 40 times combined. So the majority leader has set a historic pace for blocking amendments. No amendments in committee, no amendments on the floor—take it or leave it. That is the story of the Senate under the current leadership.

The notion that we should just roll over and wave through these bills without having a chance to improve them and that Democratic Senators would be willing to be rolled in such a way is ridiculous, especially on a bill of this significance. I remind my Democratic friends, none of you were able to offer or have a vote on your amendments. By filing cloture and filling the tree, your amendments were blocked as well. The senior Senator from Missouri authored three amendments and cosponsored three others. None of those will get votes if cloture is invoked. The senior Senator from Arkansas has two amendments and cosponsored another. None of those will get votes if cloture is invoked. The senior Senator from Louisiana has authored two amendments and cosponsored one more. None of those will get votes if cloture is invoked. As of this morning, 29 Democratic Senators have filed 74 amendments, not counting the ones used to fill the tree. That is a lot of amendments. They will not get any votes. I may not support all of these amendments. In fact, I am sure there are

many I will probably oppose. But that doesn't mean the Senators who proposed them should not be entitled to have a chance to make their case.

Instead of just being rubberstamps for the majority leader, I encourage these Senators to stand up for themselves and their constituents and demand to be heard. After all, the majority leader himself said earlier this year that given the complex nature of this subject, it was essential to have a thorough and open amendment process and even committed to ensuring it.

Let me read what the majority leader committed to on this bill in February of this year. The majority leader said:

Given the complexity and significance of the legislation, it is essential that we have a thorough and open debate on the Senate floor, including consideration of amendments to perfect the legislation, insert additional provisions where the majority of the Senate supports them, and remove provisions if such support does not exist. For that reason, I have committed to my colleagues that we will have an amendment process that will be fair and reasonable . . . this legislation will have been subject to as fair, thorough, and open a process as is conceivable.

That was the majority leader in February of this year.

There is widespread agreement that a cyber security bill should eventually pass. We need to improve information sharing between the private and public sectors. And there is a clear indication that we will need to responsibly debate this matter in the very near future. If cloture is not invoked today, I suggest we work in a bipartisan fashion to complete the bill, and I suggest that the next time we take it up, we allow the Senate to be the Senate. Let Senators have their proposals considered on the floor, especially if the Democratic leadership is not going to allow them to be considered in committee.

Mr. President, on another matter—

Mr. MCCAIN. Will the Senator yield for a question?

Mr. MCCONNELL. I yield to the Senator from Arizona for a question.

Mr. MCCAIN. I see the majority leader wants to speak, but my question is, isn't it true that there has been a series of meetings including the sponsors of the bill, those of us who believed significant modifications needed to be made, and large numbers of Senators have at least tentatively come to some agreement that we think could move this legislation forward in a fashion that recognizes the importance of the issue and yet dramatically, in our view, improves the legislation? I hope the Republican leader and majority leader would not interpret this vote—which clearly cloture will not be invoked—as an impediment to the process that I think was moving on a path where we could have reached some agreement and addressed this issue and this legislation conclusively.

Mr. MCCONNELL. Yes, I say to my friend from Arizona, he is entirely cor-

rect. A vote not to finish the bill today is a vote to actually have amendments and an opportunity to modify the bill, as we all know is necessary, including my friend the majority leader, who indicated as much back in February.

I know the majority leader is on his feet and wants to discuss the matter further. I know he may have time commitments, but I do as well. I have two other issues I wish to address, and then I will be happy to yield the floor.

THE ECONOMY

Two years ago tomorrow, Treasury Secretary Tim Geithner declared in a now-infamous New York Times op-ed entitled "Welcome to the Recovery" that because of the actions taken by the Obama administration during its first 1½ years, the U.S. economy was, as he put it, "on the road to recovery." I think it is pretty obvious that the Treasury Secretary jumped the gun on that one. Far from putting us on a path to recovery, it is now obvious that President Obama's policies have made a bad situation worse.

Secretary Geithner was right to say that the President's policies were having an effect on the economy. He was clearly wrong to conclude that they were anything approaching a lasting, positive effect on the economy. On the contrary, we can see that the policies of the President's first 2 years in office put us decidedly on the wrong path.

Two years after Secretary Geithner's op-ed, 23 million Americans are either unemployed, underemployed, or have given up looking for work altogether. Half of the college graduates cannot find a decent job, and with little or no income, many have decided to move back home with mom and dad. Two years after Secretary Geithner all but declared victory, GDP growth is still at an anemic 1.5 percent. Foreclosures are still quite common. More Americans than ever are on food stamps. Two years after Secretary Geithner welcomed Americans to the recovery, more Americans are signing up for disability than are finding jobs. More Americans are signing up for disability than are finding jobs. All of this after the President and a Democrat-led Congress passed his major policy initiatives.

In the face of all these things, you would think the administration would change course, go in a different direction. After all, if it claimed credit then for what it thought was a recovery, it would have to claim credit for what we actually see, now—not exactly apparent.

As it turns out, the administration is happy to claim credit when it thinks things are going well but even happier to cast blame when it thinks things are not going well. So 2 years after touting the impact the President's policies were having on our economy, the administration now acts as though they have been irrelevant. They act as

though an additional \$5 trillion in debt isn't affecting people's anxiety about the Nation's future. They act as though a \$1 trillion health care bill that hammers the private sector isn't affecting business activity.

They act as though the President's perpetual threats to raise taxes aren't impacting investment. They act as though somehow the President's attacks on free enterprise aren't putting a chill on risk-taking. They act as though a barrage of new regulations isn't keeping businesses from hiring and expanding. They say it is Bush's fault, it is headwinds from Europe, it is the Tsunami, and it is the Republicans.

The President can't have it both ways. He can't be responsible for the economy when he thinks it is going well and disavow responsibility when it clearly isn't. He is either responsible for it or he isn't.

The Treasury Secretary had it right 2 years ago when he said: The President's policies have had a big impact on the economy. What he got wrong was the fact that the impact was actually negative. If we were to ask ourselves whether Americans are better off now than they were 2 years ago, the answer would be obvious. The President's policies have clearly made it harder for Americans to find jobs and to keep those jobs.

If the President wants to cast blame for the economic mess we are in, he should look no further than his own policies. If he is more concerned about the future of the country than his own reelection, he would work with us to go in a different direction. For 3½ years, Republicans stood ready to work with him on the kind of policies that would empower the private sector to lift us out of this recovery once and for all. Comprehensive tax reform, an all-of-the-above energy policy, eliminating burdensome regulations, these are the kinds of things we can do together. We are ready whenever he is.

Finally, on one other subject, and I apologize to my friend the majority leader for delaying him further.

TRIBUTE TO CARL KAELIN

Mr. President, I wish to congratulate my old friend Carl Kaelin of Leitchfield, KY. Carl was recently appointed national inspector general of the Veterans of Foreign Wars of the United States at the national convention in Nevada. Carl is the first Kentuckian to become VFW's national inspector general, one of the highest positions in that organization.

Carl has a long history of serving his country, the Commonwealth of Kentucky, his community and veterans across the State and, indeed, the Nation. He served in the U.S. Army as a crew chief of an OV-1 Mohawk aircraft in Vietnam in 1968 and 1969. Upon his return in 1969, he joined VFW Post 1170 in Middletown, KY, becoming a VFW life member.

Carl has served the VFW in a number of positions over the years, including as post and district commander and, at the age of 33, as Kentucky's youngest State commander.

In these capacities and on the VFW National Council of Administration, Carl worked tirelessly on behalf of America's heroes, our Nation's veterans. In addition to his selfless work with the VFW, Carl has also been active with Kentucky's Joint Executive Council of Veterans Organizations and served as mayor and city councilman of the city of Lynnview, KY.

Over the years, I have had the great fortune of working with Carl on a number of issues to ensure our Nation's veterans receive the care and the benefits they deserve.

I congratulate Carl Kaelin and his wife Linda on his new position and thank him for his military service and tireless dedication to our Nation's veterans. I also thank him for his friendship over the years.

I yield the floor.

The ACTING PRESIDENT pro tempore. The majority leader.

ORDER OF BUSINESS

Mr. REID. Mr. President, I wasn't planning on making a statement today. I felt we should leave the time for the vote we are having at 11. It is my understanding that under the rule, Senator COBURN and others will have a half hour to debate the Burma sanctions; is that right?

The ACTING PRESIDENT pro tempore. The Senator is correct.

Mr. REID. The time left over will be whatever time is left over for the debate on the motion to proceed to the cloture vote; is that right?

The ACTING PRESIDENT pro tempore. That is correct.

TAX PLANNING

Mr. REID. I will talk about cyber security in 1 minute. Let's talk about the minority leader's continual harangue against the President of the United States. Underscore all of this with what my friend the Republican leader said at the beginning of this Congress: The No. 1 issue for him in this Congress is defeating President Obama, and that is how the Republicans have acted. To talk about a Republican tax plan would have to bring a smile to one's face. Yesterday, an organization called the Tax Policy Center—now remember last year Mitt Romney called the Tax Policy Center “an objective third party” and cited one of their studies to bash Rick Perry in the Republican primary. So this objective third party said yesterday about Romney's tax plan that my friend the Republican leader wants the American people to grab. The only people to be grabbing that are very rich people.

The vast majority of Mitt Romney's tax plan would go to people just like him, people making millions of dollars every year. Under Romney's plan, folks

making more than \$3 million a year would get a tax break of almost \$250,000 per year. So how will he pay for this massive handout to the top 1 percent? He will hand the bill to 95 percent of the American people. Under his plan, my friend the Republican leader wants—I hope everyone within the sound of my voice listens to this because the Republican plan would require the average middle-class family with children to pay \$2,000 more in taxes to take care of the millionaires. Ninety-five percent of families in this country would be asked to pay more so people such as Mitt Romney can get a tax break. Now, that is a great program, a wonderful program.

Last year, I repeat, Mitt Romney called this Tax Policy Center an objective third party when he was once again changing his position during the Republican debates leading up to his nomination. Now that the group has exposed his plan to hike taxes for 95 percent of the American families while handing out more giveaways to millionaires, the Tax Policy Center is suddenly too liberal, his spokespeople say, to be trusted. I would suggest, when we are talking about trust, we need to look no further than the person my friend the Republican leader wants to be President of the United States.

As we know, he has refused to release his tax returns. If a person coming before this body wanted to be a Cabinet officer, he couldn't be if he had the same refusal Mitt Romney does about tax returns. So the word is out that he has not paid any taxes for 10 years. Let him prove he has paid taxes because he has not. We already know from one partial tax return he gave us he has money hidden in Bermuda, the Cayman Islands, and a Swiss bank account. I am not making that up. Mitt Romney makes more money in a single day than an average middle-class family makes in 2 years or more.

So let's not talk about this great plan the Republicans have to create jobs. The No. 1 goal in this body by the Republicans has been to damage the President of the United States. They have refused to work with us in creating jobs.

CYBER SECURITY

Let's talk a little bit about cyber security. We have people coming over here saying: We almost have a deal. I have been hearing that for 3 years. We have been working on cyber security for 3 years. They are over here today asking why we don't have more meetings. This is a bill that has had meetings after meeting. Chairman LIEBERMAN, Chairman ROCKEFELLER, and Chairman FEINSTEIN have had plenty of meetings. They have had meetings with the Republicans, meetings with Independents, and meetings with business groups. So don't come and lecture us over here about how my Senators should vote. We know how important

this legislation is. We believe this legislation is more important than getting a pat on the back from the Chamber of Commerce.

The Chamber of Commerce does not support this legislation. That is why the Republicans are running like scared cats, because the Republicans will not endorse doing something that is good for our country and that is protecting us against cyber attacks.

The statements made by the Republican leader speak volumes. This is another filibuster that could have been prevented by their work to get a list of relevant amendments to show how serious the Republican leader is about cyber security. Let's just take a few days from this week. We have been stalled and stalled in months past trying to get a bill. We could never get the Republican leader to endorse a bill. We worked with the White House, and they came aboard. We begged and pleaded to do a bill together. No, no; because the Chamber of Commerce does not want a bill.

The first thing we hear about cyber security, to show how serious they are, is an amendment where they want to repeal ObamaCare. They did that on the last day of the month of July, when on the first day of August all these great benefits for women kick in.

The Republican leader was standing here and said, I want to vote on ObamaCare. Then he walks out there a few hours later, standing by the famous Ohio clock, and says, cyber security, we should do it. It will take a lot longer to do than the time we have. If cloture is not invoked today, it is for reasons I have just enumerated but principally because of the Chamber of Commerce. They are opposed to the initial bill because it was mandatory that these companies do something to protect America from these attacks from bad people.

So Senators LIEBERMAN and COLLINS, the two managers of this bill from the Homeland Security Committee, said: OK. We don't think this is the right thing to do, but we will not make the provisions mandatory anymore. That is still not good enough for the Chamber of Commerce. A voluntary alternative is still something opposed by the Chamber of Commerce.

I have and numerous other people have come to the floor and talked about how important this bill is. The bill that is before this body now that we are going to vote cloture on would be a wonderful step forward. No, it doesn't do everything everyone wants, but it is a good bill. It is to protect our country. The leaders of the security of this Nation, including General Patraeus, General Dempsey, and the people working in NSA say this bill is more important than Iran, Afghanistan, Pakistan, and North Korea. But the Chamber of Commerce has now interjected themselves in the security

of this Nation. They think they know more than Patraeus, Dempsey, and all the leaders of this country. They are telling the Republicans to vote against this, believing they will get something better later on. Maybe they will, but right now here is what we have. I think it sends a very bad message to the country that Republicans are not willing to support this legislation.

To show how serious the Republicans are to get this bill done, they filed an amendment on a right-to-work law and they filed an amendment on repealing Dodd-Frank. That is just some of the beginning volleys they shot over here. My friend, the Senior Senator from Arizona, steps in and says: We are working on a list.

So I am disappointed, perplexed, and somewhat confused about how the Republicans want to proceed. It is obvious—it is obvious—until they get a signoff from the Chamber of Commerce that nothing will happen on one of the most important security interests this country has faced in generations.

So I would suggest that the Republican leader, rather than trying to denigrate this legislation that has been done with the best interests of the country at heart—including one of his most valued Senators, Ms. COLLINS—do a conference call with the Chamber of Commerce. Have them come down here and tell them what they want, and maybe, with what the Chamber of Commerce wants, we can work something out, because they are ruling the place now as far as this legislation goes.

The Chamber of Commerce, I will repeat, for the first time that I am aware of in the history of this country, has now become the protector of our Nation's security interests. That says it all, Mr. President.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

AFRICAN GROWTH AND OPPORTUNITY AMENDMENT ACT

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to the consideration of S. 3326, which the clerk will report.

The assistant legislative clerk read as follows:

A bill, (S. 3326), to amend the African Growth and Opportunity Act to extend the third-country fabric program and to add South Sudan to the list of countries eligible for designation under that Act, to make technical corrections to the Harmonized Tariff Schedule of the United States relating to the textile and apparel rules of origin for the Dominican Republic-Central America-United States Free Trade Agreement, to approve the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, and for other purposes.

The ACTING PRESIDENT pro tempore. The Senator from Oklahoma.

Mr. COBURN. Mr. President, first of all, I wish to say I appreciate the leadership for working to ensure a vote on this package. This package was slowed down not because anybody is truly opposed to what we are trying to do, but the package was slowed down because of the way we are paying for it. We are going to see that coming over from the House as well. It is not a Republican or a Democratic problem; it is a problem of all of us because there is going to be an emergency farm bill, a disaster bill, coming over that is going to spend almost \$400 million, and it is paid for over 5 years. That has to stop. It has to stop.

Right now, in this country, every man, woman, and child is on the hook for \$53,000 of debt. So the typical American family is on the hook for 212,000 bucks right now because of what we have done. So my objection was not with the AGOA package, it is not with Myanmar, it is not with any of that. Those are great policy things. My objection is we are addicted to not fulfilling our responsibilities and delaying.

So this is a very simple, straightforward message and amendment that does two things: One, it recognizes the recommendation of the Obama administration in terms of duplication and the need for consolidation. That is how we are eventually going to get out of the hole. We have \$130 trillion in unfunded liabilities, and we have \$16 trillion in debt. It was a good recommendation. We totally ignored it. We have ignored it. Nothing has happened on what they have recommended. There have been no hearings on what the Obama administration recommended in terms of combining some of the departments at OMB.

So this is just a step toward trying to meet in the middle with what the Obama administration has recommended and us actually paying the \$200 million in costs over 2 years, with \$200 million worth of savings in 2 years.

The bill, as it presently stands, takes 10 years to pay for \$200 million. We have a \$3.7 trillion budget—or CR—and we can't find—it is less than one-hundredth of 1 percent, and we can't find it. So what this does is delay the cost—the payment—for this bill over a period of years, all the way out to 2023. No family who is broke gets to operate that way—and we are. Nobody who has maxed out their credit cards gets to do that, and we have maxed them out. So what we are saying is there is a ton of money that is available that we can use.

We have had three amendments on this floor that everybody who is going to be in opposition to this have voted for to eliminate duplication. The vast majority of my colleagues on the other

side have voted for it, and the vast majority of my colleagues on my side have voted for it. So we are going to use that same skill where we know there is waste and we know there is inefficiency. We have tons of GAO reports, tons of IG, and tons of oversight of the Homeland Security Committee in the Senate that shows where the duplication is. All we are asking is, let's pay for it. Let's pay for it.

This place is so manipulated, I couldn't get a score until yesterday because somebody was telling them don't give him a score. Then when we changed the amendment, all of a sudden, because we want to know what the amendment says, CBO says: Well, wait a minute. That might not work. The fact is CBO didn't read our amendment right, and they know they didn't. So OMB was consulted. They said this amendment is implementable, and it fits with what the President was recommending in terms of consolidation of programs.

So what it says is let's make this a start today. Let's actually start paying for things in the years in which we are going to spend the money, and let's not kick the can down the road. Let's not charge it to our kids because the history is we take 10 years to pay for something, we come back next year and we will change it. We will change it. So what was paid for this year all of a sudden is not paid for anymore, and it is smoke and mirrors for the American people.

So this is very straightforward. It is a clean pay-for. It uses two mechanisms to get there which have been scored that will accomplish it.

I fully support the AGOA. I am sorry we got delayed. I am actually sorry it took—because there has already been some damage done, than had we passed it when it came here. That was never my intent, but we can right that today. What I agreed to is if I lose the amendment, fine. But to not try to pay for things, to not create a discipline to get back where we should be—we are going to do this. We may not do this today, but I promise my colleagues the international financial community, in a very short period of time, is going to make us do this. So let's start doing it on our own under our own terms rather than what some foreign bondholder or the Chinese want to do.

The other objection that might be there is, well, if we do this, it will have to go back to the House. That is right. This passed on suspension. There was very little opposition to it. It will go back modified; they will pass it. I have talked to the Speaker. They haven't passed the other one first because they are waiting on us to act. We will hold ours at the desk because it has a revenue problem; they will modify theirs; they will do exactly what we did. I would just appreciate us standing up to the real problems in front of us.

It is a great goal to want to help these areas. It is a great goal to put the sanctions back on Myanmar so that they can be adjusted and used to create freedom. Those are great goals. But there is a greater goal because none of those things are going to matter if our financial system, our way of life, crashes around us because we are not responsible here.

I reserve the remainder of my time.

The ACTING PRESIDENT pro tempore. Does the Senator wish to call up his amendment?

Mr. COBURN. I do. I thank the Chair.

AMENDMENT NO. 2771

The ACTING PRESIDENT pro tempore. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Oklahoma [Mr. COBURN] proposes an amendment numbered 2771.

Mr. COBURN. I ask unanimous consent that the reading of the amendment be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

SECTION 1. AMENDMENTS TO AFRICAN GROWTH AND OPPORTUNITY ACT.

(a) EXTENSION OF THIRD-COUNTRY FABRIC PROGRAM.—Section 112(c)(1) of the African Growth and Opportunity Act (19 U.S.C. 3721(c)(1)) is amended—

(1) in the paragraph heading, by striking “2012” and inserting “2015”;

(2) in subparagraph (A), by striking “2012” and inserting “2015”; and

(3) in subparagraph (B)(ii), by striking “2012” and inserting “2015”.

(b) ADDITION OF SOUTH SUDAN.—Section 107 of that Act (19 U.S.C. 3706) is amended by inserting after “Republic of South Africa (South Africa).” the following:

“Republic of South Sudan (South Sudan).”.

(c) CONFORMING AMENDMENT.—Section 102(2) of that Act (19 U.S.C. 3701(2)) is amended by striking “48”.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

SEC. 2. ELIMINATION OF UNNECESSARY DUPLICATION, REDUNDANCY, AND OVERLAP OF FEDERAL TRADE PROGRAMS.

Notwithstanding any other provision of law, the Director of the Office of Management and Budget shall coordinate with the heads of the relevant Federal agencies—

(1) to, not later than 60 days after the date of the enactment of this Act, eliminate, consolidate, or streamline Federal programs and Federal agencies with duplicative or overlapping missions relating to trade;

(2) to, not later than September 30, 2012, rescind the unobligated balances of all amounts made available for fiscal year 2012 for programs relating to trade for the Department of Commerce, the Small Business Administration, the Export-Import Bank of the United States, the Overseas Private Investment Corporation, and the Trade and Development Agency, with the amounts rescinded to be deposited in the general fund of the Treasury for purposes of deficit reduction;

(3) to reduce spending on programs described in paragraph (2) by not less than \$192,000,000 in fiscal years 2012 and 2013 (including the amounts rescinded pursuant to paragraph (2)); and

(4) to report to Congress not later than 180 days after the date of the enactment of this Act with recommendations for any legislative changes required to further eliminate, consolidate, or streamline Federal programs and Federal agencies with duplicative or overlapping trade missions.

The ACTING PRESIDENT pro tempore. Who yields time?

The Senator from Delaware.

Mr. COONS. Mr. President, I rise today to speak both in favor of the passage of the bill, S. 3326, and to speak against the Coburn amendment.

I, first, wish to thank Leaders REID and MCCONNELL, as well as Senators BAUCUS and HATCH, for working together diligently to find a path forward for passing this bill. I wish to recognize Senator COBURN and Senator MENENDEZ for being willing to work with us to get to today.

I say with some regret that I stand to speak against the Coburn amendment because I respect and recognize Senator COBURN's determination to hold this body accountable and to find pathways forward to deal with our record deficit and debt. In that broader objective, I look forward to working with him on finding responsible pay-fors in future bills and in finding ways that we can steadily partner to reduce the deficit and to find and root out waste and abuse in Federal spending. But I have to say in this particular case, on this amendment, on this day, if we change the pay-for, we kill the bill.

We have heard clearly from the Republican chairman of the House Ways and Means Committee, Mr. CAMP, and from his ranking minority member, Congressman LEVIN, that they will not take up this bill if amended in this form, if broken and reassembled, or if sent over in any other way. The pressure of today and the pressure of the value, the importance of this bill is what I choose to speak to. I may at some point reserve time to speak to other issues embedded in the amendment, but I first wanted to speak to the underlying bill.

I am the chairman of the African Affairs Subcommittee of the Senate Foreign Relations Committee, and it is, in some ways, my special honor and challenge to help this body grasp why the African Growth and Opportunity Act is important for us to reauthorize today. Specifically what I am speaking to is the third-country fabric provision which expires in September. This Chamber is about to go out of session later today, and every day we delay in the reauthorization of this critical provision costs jobs, costs opportunity, and costs the future. Let me speak to that for a few minutes, if I might.

Creating American jobs and fueling our economic recovery is my top pri-

ority, and I know it is for many Members of this body. That is why I am here to talk about what we can do to strengthen our economic security. It may surprise my colleagues, but the truth is one of the best ways to look for that future opportunity is one that was considered among the least likely just a few years ago in Sub-Saharan Africa.

Access to emerging markets is critical to America's health and growth, and increased political stability and rising wages in an emerging middle class across Africa makes it the most promising continent for countries willing to invest in long-term partnerships with the United States. In AGOA—the African Growth and Opportunity Act—and its third-country fabric provision, the United States has seized this opportunity to pursue broad and mutually beneficial economic relationships that give American consumers and businesses economic security by allowing eligible countries to export apparel from Africa that is more affordable to the American consumer and, in so doing, create jobs in Africa that otherwise would be elsewhere in the world.

This key provision, as I have said, expires in September. Our delay in moving forward with reauthorization that has earned strong bipartisan support is already disrupting production for American apparel companies along with the supply chain on which their customers depend. In my view, we cannot wait to take action. America can't afford to turn its back on African markets, and Congress can't afford to turn its back on extending this provision.

Every 3 years since 2000, Congress has unanimously passed the reauthorization of this provision without controversy, and it is, in my view, time to do so again.

I respect Senator COBURN's concern that we must change business as usual in this Chamber, but the timing of this amendment and the timing of this concern is, to me, not wise.

Today Secretary Clinton is in the middle of a continent-wide tour of African countries. She is engaging with countries for strong emerging middle classes, and that offers us great opportunity: future economic partnership and very real political partnerships. From Ghana to Ethiopia to Tanzania to a half dozen other countries, some of the fastest growing economies in the world are in Sub-Saharan Africa. The seven countries that are the fastest growing economies in Sub-Saharan Africa are home to 350 million potential consumers of our products. In my view, that is why I am urging my colleagues to vote against the Coburn amendment and to allow us to pass this critically important bill today. Failing to do so, in my view, is bad for Africa and for America.

Reauthorizing this provision supports the poorest African workers, the

vast majority of them women. Senator ISAKSON, who is my capable and talented ranking minority member on the African Affairs Subcommittee, joined with Congressman SMITH and Congresswoman BASS, who are our counterparts in the House, in hosting a meeting 3 months and 6 months ago with roughly 35 Ambassadors from all over the continent who pleaded with us to reauthorize this critical provision.

The economic benefits of a strong middle class in Africa are obvious—a pool of new consumers hungry for American products; potential partners for us. And countries with flourishing middle classes are more likely to have strong democratic institutions, good governance, and low corruption. They are more likely to be stable and bulwarks against instability in Africa, a region that I think is vital to our future.

In short, then, reauthorizing this provision and continuing our strong bipartisan support of tradition for AGOA is where the United States can continue to differentiate itself from competitors such as China, which recently surpassed the United States as Africa's No. 1 trading partner. The United States has exports to Sub-Saharan Africa that exceeded \$21 billion last year, growing at a pace that exceeds our exports to the rest of the world.

Africans want to partner with us. They want to work with us, and they seek opportunity. This sort of bipartisanship that in the past has allowed this AGOA third country fabric provision to be reauthorized without controversy is one that I think we should embrace again today. So let's end the delays and reauthorize this provision.

Mr. President, I yield 3 minutes of my time, if I might, to the Senator from Georgia, who would like to speak to the issue of the value of the African Growth and Opportunity Act.

Mr. ISAKSON. Mr. President, may I inquire of the Chair how much of the proponents' time would that 3 minutes leave?

The ACTING PRESIDENT pro tempore. Five minutes.

Mr. ISAKSON. Thank you, Mr. President.

The ACTING PRESIDENT pro tempore. The Senator from Georgia is recognized.

Mr. ISAKSON. Mr. President, I rise for just a moment to do two things. First of all, I spent 33 years selling houses. I have dealt with honest brokers, and I have dealt with brokers who were hard to deal with and whom I would never categorize as honest. Senator COBURN from Oklahoma is the most honest broker I have ever dealt with in politics or in selling houses. I wish to acknowledge for just a second exactly what he said about the process, his support for the AGOA provisions but his concern about the pay-for, but the fact that he never tried to scuttle

this piece of legislation, he only tried to get his day in court. I respect that, and I want him to know that. If we all acted a little bit more like that, we would have a lot more debate on the floor and a lot fewer problems in terms of running our country.

As far as AGOA, I want to say this. As the chairman and ranking member, as Senator COONS and I are, of the African Affairs Subcommittee, we travel to that continent quite a bit. One of my trips was to the Sudan, to Darfur, and to the South Sudan, when the comprehensive peace agreement was being negotiated. As this body knows, the South Sudan had their revolution peacefully. South Sudan became the newest country on the face of this Earth, and South Sudan will become, if AGOA passes today, one of the parties to this agreement, which is critical to the developing economy of the South Sudan as an independent nation. Further, the other nations that are included are nations that depend on this legislation to raise a middle class in Africa that will become the customers of the United States of America and our businesses.

I say often in my speeches about Africa that if it is true that Europe was the continent of the 20th century in the first 50 years and if it is true that Asia was the most important continent in the last 50 years of the 20th century, Africa is the continent of the 21st century. This is an agreement that is important to our relationship with Africa, it is important to our economy, it is important to American textiles, and it is important to jobs in Africa.

I commend Senator COONS for his hard work, and I intend to support the AGOA bill and ask all of my fellow colleagues to do the same.

I yield back.

The ACTING PRESIDENT pro tempore. The Senator from Oklahoma is recognized.

Mr. COBURN. Mr. President, it is intriguing to me. We heard the Senator from Delaware absolutely assure us that if we defy this, the House is not going to do the right thing. My conversation with Chairman CAMP was different from that. I do not know what the timing was between our conversations. But it is never the right time in Washington to fix our problems.

We do a lot of great things. You want to talk about job creation? Job creation has decreased by 1 million jobs a year in this country simply because we continue to add to our debt. And this bill adds to our debt. It is not paid for. It has another trick in there that actually charges more in corporate taxes just to get around pay-go.

So the point is—and I will not have any more to say on this bill so we can go on and get to the other—the point is, if we stood and did the right thing and led this country by actually paying for something at the time, the House

would change it—just for the very reasons the Senator from Delaware said. It is important. If we had a strong vote that said: Yes, it is important, but, by dingy, we are not going to keep doing the same thing that has been bankrupting this country—but now we use an excuse to say: Well, here is our reason why we cannot do what is right.

America should spit us out of their mouth. We never find the right time to actually have the fiscal discipline that will solve our country's problems and create a viable future for our children, let alone African children.

So that is a real choice today. I do not expect to win this because this place is not going to change until the people who are here decide that the future of our country is more important than anything else and we start acting like it. And we can do good things internationally, but we can do them the right way that will not put our children at risk. Our debt level is such that our GDP is decreased by 1 percent right now—it is proven—just because of the amount of debt we have.

So we are going to pass a bill with great intentions, with which I agree. It will have a great result; I agree with that. We can do both. We can actually do better. But it is because there is not the spine in the Senate to stand up and make the hard choice. This country is full of people outside of Washington who are used to making hard choices, and they are doing it in this tough economic time all the time. They are making hard choices. We lack the intestinal fortitude to do that. We should have them here and us home because they know how to get it done.

So what we are going to do is we are going to do the same thing we have always done. We are not going to make the hard choice. We are not going to do the best we can do. We are going to settle for second best because we have an excuse not to make the hard choice. The excuse right now is that the House will not move. Well, I will guarantee you, if it as important as Senator COONS and Senator ISAKSON say it is, and Representative SMITH, and we sit here and say our position is that it is paid for within 2 years, I will bet you by tomorrow it will be paid for within 2 years. But we will not ever do that because we lack the courage to do the hard thing, the right thing. What has that gotten us? It has gotten us deeper in debt, a depressed economy, an anxious American citizenry that has no confidence about the future, which is so self-fulfilling in terms of driving the economy down even further.

It is time for us to lead. This is a small issue, but if we cannot even pay for \$200 million over 2 years, we do not deserve to be here, we do not deserve it, because what we are really doing—we are helping people in Africa, we are helping the freedom in Burma, but what we are really doing is taking just

a little bit of freedom away from our kids. That is the real vote here. It is really not about money; it is about destroying the future prospects of this country because we refuse to make a hard choice.

There can be a lot of flowery speeches about it. We can say we are going to do something good. I will tell you that well-intentioned desires by the Members of this body are what has us \$16 trillion in debt.

I will not spend any more time. I have the greatest respect for the Senator from Delaware. I know he believes in this cause. He is bigger than this. He can make this tough vote. He knows how big the problems are. If we are not going to do it now, when are we going to do it? If we are not going to do it on something small, when are we going to do it?

We are not going to do it, and that is what the American people get. That is why there is an uprising in this country to get back to the basics of the Constitution. That is why there are people who are interested—because we have mismanaged it because we will not do the hard part.

Mr. President, I yield back my time.

I will ask for the yeas and nays at the appropriate time.

The ACTING PRESIDENT pro tempore. The Senator from Delaware is recognized.

Mr. COONS. Mr. President, I wish to thank my colleague from Oklahoma for his remarks.

If I might just conclude my comments on this amendment by speaking in a little detail on the amendment and its substance.

The Senator from Oklahoma essentially directs the administration to find \$192 million in reductions in spending in the following agencies: the Department of Commerce, the Small Business Administration, the Export-Import Bank, the Overseas Private Investment Corporation, and the Trade and Development Agency.

In my role as the chair of the African Affairs Subcommittee, we recently held a hearing on expanding U.S. trade opportunities in Africa for exactly the reasons I elucidated previously: that there is enormous growth, there are great opportunities across the continent. Our competitors from all over the world—not just China but Brazil, Russia, and other European countries—are expanding their investment and their seizure of these opportunities in a way that we are not.

The structure of this amendment would simply declare that there is \$200 million of waste and duplication at several important trade agencies and direct the administration to slash their budgets for that amount and then hope for the best.

That is what Senator COBURN's proposed offset would do. These are agencies that promote and finance U.S. ex-

ports and help small and large U.S. businesses export and compete in a global market. In my view, exports, particularly to this market, mean jobs. So I am not convinced that now is the time to blindly slash our ability to export. I think we should instead be encouraging exports.

In the context of the Federal budget, \$192 million is a very, very small amount of money. I look forward to working with Senator COBURN to find other places where we can find reductions of this size. But this amendment, at this time, on this day, would kill the broader and more important objective of reauthorizing the African Growth and Opportunity Act third-party fabric provision, of moving forward with relevant Burma sanctions, and of moving forward with an important technical fix to CFTA.

This is a carefully crafted compromise bill that the House will pass once we pass it. I urge my colleagues to vote against the Coburn amendment and to move forward with passage of this vital bill.

Mr. President, I yield back the remainder of my time and yield the floor.

CYBERSECURITY ACT OF 2012

The ACTING PRESIDENT pro tempore. Under the previous order, the time until 11 a.m. will be equally divided and controlled between the two leaders or their designees.

The Senator from Maine is recognized.

Ms. COLLINS. Mr. President, later this morning we will vote on whether to invoke cloture on a major cyber security bill. In the past 3 days we have received letters from GEN Keith Alexander, who is the head of Cyber Command as well as the chief of the National Security Agency, from the Secretary of Homeland Security, and from the Chairman of the Joint Chiefs of Staff, urging us to act immediately on this important legislation. Let me read briefly from all three of these letters.

General Alexander said the following:

I am writing to express my strong support for passage of a comprehensive bipartisan cyber security bill by the Senate this week. The cyber threat facing the Nation is real and demands immediate action. The time to act is now; we simply cannot afford further delay.

That is what General Alexander has told us.

Secretary Napolitano wrote to us:

I am writing to express my strong support for S. 3414, the Cybersecurity Act of 2012. I can think of no more pressing legislative need in our current threat environment.

The Chairman of the Joint Chiefs of Staff, General Dempsey, wrote the following:

I am writing to add my voice to General Alexander's and urge immediate passage of comprehensive cyber security legislation. We must act now.

How many more implorings do we need from our Nation's top homeland

and military officials to act on what many believe to be the greatest threat that is facing our Nation? A cyber attack with catastrophic consequences is a threat to our national security, our economic prosperity and, indeed, to our very way of life. Our adversaries have the means to launch a cyber attack that would be devastating to our country. All the experts tell us, it is not a matter of if a cyber attack is going to be launched, it is when it is going to occur.

So I find it incredible and indeed irresponsible that this body is unable to reach an agreement to allow us to move forward on this important legislation. It is astonishing to me that irrelevant, nongermane amendments have been filed to this important bill on both sides of the aisle. It is unacceptable that we have worked hard and have come up with a list of relevant and germane amendments, and yet we cannot seem to reach an agreement to proceed.

American officials—our government officials—have already documented that our businesses are losing billions of dollars annually and millions of jobs due to cyber attacks, attacks that are happening on our government and business computers and individual computers each and every day.

Yet our defenses are not there. General Alexander, who knows more about the cyber threat than any individual in this country, was asked to rank our preparedness for a large-scale cyber attack on a scale of 1 to 10. Do you know what he said? He deemed us to be at a 3. Is a 3 adequate to protect this country from what we know is coming, that is only a matter of time?

There have been all sorts of suggestions for improving this bill. We have adopted many of those suggestions. Indeed, we have made major changes to make this bill more acceptable to those on my side of the aisle. And what has been our reward? To be criticized for making changes in the bill, for having Members on our side of the aisle, my side of the aisle, say, well, now it is a different bill.

Well, it is a different bill because we took their suggestions, and we took the suggestions of a bipartisan group acting in good faith headed by Senator KYL and Senator WHITEHOUSE. There is much more I want to say on this issue. I see the chairman has arrived on the floor. I know opponents to the bill such as Senator HUTCHISON wish to speak and should certainly be given the right to do so. But let me say that rarely have I been so disappointed in the Senate's failure to come to grips with a threat to our country that all of these officials have warned us over and over again is urgent and must be addressed now. Not maybe in September; not probably by the end of the year; not in the next Congress, but now.

The ACTING PRESIDENT pro tempore. The Senator from Texas is recognized.

Mrs. HUTCHISON. Mr. President, I wanted to get the time for our side and the time for the bill sponsor's side and clarify that the people on our side would have 15 minutes. Is that correct?

The ACTING PRESIDENT pro tempore. The time is divided between the two leaders or their designees. The Republican side has approximately 9 minutes, and the majority side has 16 minutes.

Mrs. HUTCHISON. I wanted to clarify that there would be time for the opposition side. I did not know if Senator COLLINS is speaking for the majority side then or the minority side. I am trying to clarify to assure that the opposition is getting some equal amount of time or close to equal.

Mr. LIEBERMAN. Mr. President, I understand the time is divided between the two leaders. But I think there is 15 minutes for the proponents and for those opposed. I would ask unanimous consent that that be the case.

The ACTING PRESIDENT pro tempore. Is there objection?

Ms. COLLINS. Reserving the right to object, it is my understanding that I am managing the time on the Republican side. I, of course, want to make sure that the Senator from Texas is treated fairly and is given an opportunity to present her views. But it was my understanding that the 15 minutes is allocated to me to dole out or to allocate on our side.

Mrs. HUTCHISON. Then how much time would the proponents have with Senator COLLINS and Senator LIEBERMAN on the proponents' side?

The ACTING PRESIDENT pro tempore. The time is divided between the two sides, not between the proponents and opponents.

Mrs. HUTCHISON. How much, then, would be left on the Republican side?

The ACTING PRESIDENT pro tempore. There is 7 minutes left on the Republican side. The majority side has 15.

Mrs. HUTCHISON. Mr. President, I would ask unanimous consent that the opponents have at least 10 minutes.

Ms. COLLINS. I have no objection.

Mr. LIEBERMAN. Nor do I.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The Senator from Texas.

Mrs. HUTCHISON. Mr. President, I wish to be notified when I have 5 minutes left, because Senator MCCAIN is expected on the floor, and if Senator CHAMBLISS or others come, I would like to have the time.

The PRESIDING OFFICER. The Chair will do so.

Mrs. HUTCHISON. Mr. President, I rise to express my disappointment that we are taking a vote that is very premature. Not that we have not been discussing this bill for over a year. I have

certainly been one of the first to say that we should vote on a cyber security bill. This is a complicated bill. It is a bill that did not get marked up in committee.

In our discussions, we are talking about amendments. I want to say that the proponents of the bill before us have certainly been willing to talk and adjust and try to make changes in the bill. It is not there yet even though we have been meeting pretty much constantly. There are three different groups that have a very strong interest. All of us are interested in getting a cyber security bill, but none of us likes what is before us—well, obviously the proponents of the bill like what is before us.

But two other groups are very concerned about further needs in the bill. Let me say that we have an alternative called SECURE IT. It is cosponsored by eight of the ranking members of committees and subcommittees that have jurisdiction over cyber security. Senators MCCAIN, myself, CHAMBLISS, GRASSLEY, MURKOWSKI, COATS, BURR, and JOHNSON are cosponsoring a bill that could pass the House and go to the President.

My concern with S. 3414, on which we are voting on cloture, is on the process, because we have not had a chance to amend this bill. The majority leader is attempting to invoke cloture and fill the tree so that we are not able to put any amendments on this bill at all. It is a bill that will not get 41 votes for sure. And there are many others who are very concerned about the substance of the bill.

You cannot have a bill with no amendments that is this important and this technical. Let me state some of my concerns on the bill before us. First, it will actually undermine the current information sharing between the government and the private sector. The biggest priority we have is to get the private sector to the table and to make sure they have the ability to not only give information to the government but get information from the government. Furthermore, they must be able to share among the other industries, if they see a cyber threat, on an expedited basis.

No. 2, the Department of Homeland Security would be granted authority over standard setting for private sector systems. That is unacceptable in the private sector and most certainly is not going to produce what is a consensus for getting the information we need. It assumes that government must take the adversarial role against private network owners in order to get cooperation when, in fact, both the government and the private sector share the same goals of increased cyber security.

Let me read from a couple of letters we have received with concerns about this bill. The American Bankers Association,

the Financial Services Roundtable, the Consumer Bankers Association, and 6 other organizations say: This legislation threatens to undermine important cyber security protections already in place for our customers and institutions. It misses an opportunity to substantially improve cyber threat information sharing between the Federal Government and the private sector.

The National Association of Manufacturers says: The creation of a new government-administered program in an agency yet to be named forces unnecessary regulatory uncertainty on the private sector.

The defense industry groups are very concerned about not having direct access to the National Security Agency with whom they deal now, and this bill would take that away from their capabilities.

The ACTING PRESIDENT pro tempore. The Senator has 5 minutes remaining.

Mrs. HUTCHISON. Let me ask my colleagues, I have reserved the 5 minutes that I have for opponents. Is that going to change, Senator LIEBERMAN? If not, I will give 2½ minutes each to Senator MCCAIN and Senator CHAMBLISS of my 5 minutes.

Mr. LIEBERMAN. Mr. President, I think that is the situation we are in, because the vote is set to go off in a little more than 15 minutes. I have not spoken yet.

Mrs. HUTCHISON. I will ask my colleagues, Senator MCCAIN—I can give you 2½ minutes to you and Senator CHAMBLISS. While they are going to their microphones, I want to say that they have been instrumental in trying to get a consensus bill. And they, like myself, are very disappointed that we are prematurely voting on a cloture motion when we have had no ability to amend the bill.

I yield 2½ minutes to Senator MCCAIN.

The ACTING PRESIDENT pro tempore. The Senator from Arizona is recognized.

Mr. MCCAIN. Well, Mr. President, I want to again thank Senator LIEBERMAN and Senator COLLINS for their willingness to negotiate seriously. I want to thank also Senator CHAMBLISS as well as Senator HUTCHISON and many others, Senator KYL and others.

We have had large meetings, small meetings, medium-sized meetings. We have had discussions among various groups. I believe we sort of had the outlines of a framework that we could have had a certain number of amendments that we all agreed to that would be voted on. At the same time, we could prevail upon some of our colleagues not to have nongermane amendments.

Unfortunately, the first amendment proposed by the majority leader has to do with tax cuts. Look, I say to my colleagues that I think we have developed

a framework where we can move forward with a certain number of germane amendments. All of us appreciate how important this issue is.

I don't see the need for this vote. Cloture will not be invoked. All it will do is embed people in their previously held positions. What we should be doing is continuing productive negotiations and discussions that we had all during yesterday, put off this cloture vote, and try to come to some agreement in recognition that cyber security is a vital national security issue. We all recognize that. We started out very much poles apart. I think there have been some agreements made which I view as significant progress.

I regret, I say to Senator LIEBERMAN, Senator COLLINS, and all my colleagues, that we are taking this vote when we should be spending our time—at least the rest of the day—setting up a framework that we can address cyber security during the first week we are back in September. But it is what it is.

I thank Senators LIEBERMAN and COLLINS for their willingness to sit down and negotiate. We still have significant differences, but I think those could have been resolved. I hope this vote doesn't have a chilling effect on what I think was progress that was being made.

The ACTING PRESIDENT pro tempore. The Senator's time has expired.

Mr. MCCAIN. On issues of transparency and information sharing and others, there are still differences, but they have been narrowed. Again, I thank my colleagues for their hard work.

The ACTING PRESIDENT pro tempore. The Senator from Georgia.

Mr. CHAMBLISS. Mr. President, let me add to what Senator MCCAIN has said. We have been working very hard with the sponsors of the bill, Senators LIEBERMAN and COLLINS, who have been receptive and open to our dialog over the last several days and weeks. It is an indication, No. 1, that everybody in this body recognizes the seriousness of this issue, but it is also a recognition of the complexity of this issue. There are about four or five committees of jurisdiction that have a piece of the issue of cyber security and, unfortunately, we didn't go through the regular order of giving all those committees the opportunity to go through the regular markup process. That may or may not have solved some of the issues we are now dealing with. But we are down to the final minutes before a cloture vote.

Unfortunately, I will vote against cloture and I recommend that my colleagues do likewise and that we continue over this break to negotiate on the remaining issues we have. They have been narrowed in number and scope. Both sides are negotiating in good faith because we all understand this is an issue of such critical importance.

The basic philosophical difference we have is that we all seek to protect the private sector from cyber attacks that may have a huge impact on life or on our economy. The issue is, primarily, does the government know better how to do that or does the private sector know better how to protect itself, as we think it does. While we understand the government has a role to play, we have capabilities and capacities within the Federal Government that the private sector doesn't have, and we recognize that. That is why we have been negotiating in good faith to try to find that common ground between the government and the private sector to ensure the protection of the basic critical infrastructure in this country.

I thank the Chair and yield the floor.

Mrs. HUTCHISON. Mr. President, I ask unanimous consent to have printed in the RECORD the two letters from which I read in my statement and an article from the Wall Street Journal this morning on this issue.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

AUGUST 1, 2012.

Hon. HARRY REID,
Majority Leader, U.S. Senate,
U.S. Capitol, Washington, DC.
Hon. MITCH MCCONNELL,
Republican Leader, U.S. Senate,
U.S. Capitol, Washington, DC.

DEAR MAJORITY LEADER REID AND REPUBLICAN LEADER MCCONNELL: The financial services industry, represented by the undersigned organizations, opposes the Cybersecurity Act of 2012 (S. 3414) in its current form. While we strongly support efforts to protect the nation's critical infrastructure from cyber-attacks, this legislation threatens to undermine important cybersecurity protections already in place for our customers and institutions, and misses an opportunity to substantially improve cyber threat information-sharing between the federal government and the private sector.

Our sector recognizes the very real and ongoing threat of cyber-attacks and works very hard to prevent those attacks by constantly updating, and investing heavily in our security systems. We work tirelessly, day and night, to block cyber-attacks, including working with the federal government and other private sectors to share information and design effective ways to mitigate cyber threats. Given this, we believe any legislation passed by the Senate, and eventually enacted into law, must take a balanced approach that builds upon, but does not duplicate or undermine what is already in place and working well in the financial sector. At the same time, it should enhance Cybersecurity protections in areas where they are most needed.

There are several issues and questions raised by the technical language included in the revised bill. For instance, while the sponsors of the legislation have attempted to design a voluntary framework for the designation of "critical infrastructure," the text of the bill would likely create a mandatory regulatory regime that could displace robust efforts already being made in the financial sector to combat the risk of cyber-attacks. Additionally, the government agency "Council" created in Title I of the bill to conduct risk assessments, and set best practices for

protecting critical infrastructure does not provide a meaningful role for sector-specific agencies that oversee financial institutions. The bill does not recognize the existing security standards and regulations to which financial institutions are subject, including the Gramm-Leach-Bliley Act, nor the regular oversight and examinations conducted by financial regulatory agencies. This opens the door for inconsistent and potentially duplicative regulations that are more than likely to become mandatory for our industry.

Further, the process for designating financial systems as covered critical infrastructure does not provide for meaningful input of financial agencies or the private sector, and this is crucially important for determining what is, in fact, critical and what is not. Finally, we are concerned that the changes made to the Title VII information sharing provisions could actually restrict some forms of important information sharing between the government and private sectors, as well as decrease the current level of information sharing between private entities.

As the Senate considers S. 3414, a legislative proposal we support could be considered as an amendment on the Senate floor; specifically, Amendment #2581 offered by Senators Hutchison and McCain, which encompasses the SECURE IT Act of 2012 (S. 3342). This amendment would provide necessary updates and clarifications to current law that will facilitate and increase cyber intelligence information sharing within the private and public sectors, as well as update the federal information security policy, encourage research and development, and increase criminal penalties. We encourage you to support this amendment, which builds upon our existing regulatory structure, better protecting financial institutions and our customers.

We recognize that more needs to be done to encourage high levels of cybersecurity protection across all sectors deemed critical infrastructure. We would like to continue to work with you and your colleagues in the Senate to pass legislation that accomplishes this goal, while utilizing existing regulatory requirements and ensuring a central role for sector-specific agencies; this would bolster the ongoing efforts of the financial services industry as we continue to improve the effectiveness of our cybersecurity.

We look forward to working with you and your colleagues on this important issue.

American Bankers Association, American Council of Life Insurers, The Clearing House Association, Consumer Bankers Association, Electronic Funds Transfer Association.

Financial Services Information Sharing and Analysis Center (FS-ISAC), The Financial Services Roundtable, NACHA-The Electronic Payments Association, Securities Industry and Financial Markets Association (SIFMA).

—
NATIONAL ASSOCIATION
OF MANUFACTURERS,
July 25, 2012.

Hon. HARRY REID,
U.S. Senate, Hart Senate Office Building,
Washington, DC.

Hon. MITCH MCCONNELL,
U.S. Senate, Russell Senate Office Building,
Washington, DC.

DEAR MAJORITY LEADER REID AND MINORITY LEADER MCCONNELL: On behalf of the 12,000 members of the National Association of Manufacturers (NAM), the largest manufacturing association in the United States representing manufacturers in every industrial sector and in all 50 states, I am writing

to express the NAM's concern with S. 3414, the Cybersecurity Act of 2012 scheduled to be considered by the Senate this week and reiterate our support for S. 3342, the SECURE IT Act, cybersecurity legislation that includes consensus-based provisions supported by manufacturers.

As currently written, S. 3414 raises significant concerns for our members. While we support increasing information sharing and reducing companies' liability, the legislation unfortunately does not allow manufacturers to share information among themselves and also receive liability protection. It requires companies to share that same information jointly with a new government entity created in the legislation to receive the benefit of liability protection. The creation of a new government-administered program in an agency yet-to-be-named forces unnecessary regulatory uncertainty on the private sector, creates a system that allows for new, overly prescriptive regulations, and is a disincentive to share information.

NAM members are also concerned that owners and operators of critical infrastructure would be subject to cybersecurity assessments by third-party auditors who are granted unfettered access to company information. This provision creates economic uncertainty as manufacturers are concerned that the release of proprietary information to third parties could actually create new security risks. Manufacturers are already subject to agency and sector-specific regulations and requirements. They have well-developed compliance processes to improve their systems. More government mandates are unnecessary and would quickly become obsolete.

Manufacturers through their comprehensive and connected relationships with customers, vendors, suppliers, and governments are entrusted with vast amounts of data. They hold the responsibility of securing this data, the networks on which it runs, and the facilities and machinery they control at the highest priority level. Manufacturers know the economic security of the United States is directly related to our cybersecurity. The NAM and all manufacturers remain intensely committed to securing our nation's cyberinfrastructure and we look forward to working with you toward this goal.

Sincerely,

DOROTHY COLEMAN,
Vice President,
Tax and Domestic Economic Policy.

[From the Wall Street Journal, Aug. 1, 2012]

CYBER HILL BATTLE

SEARCHING FOR A COMMON SENSE DEFENSE AGAINST A "DIGITAL PEARL HARBOR"

Every Washington politician and his favorite lobbyist claim to want to shore up America's cyber-defenses. So naturally Congress is mucking up efforts to protect financial systems and power grids from hackers, terrorists or rogue states.

The Senate is due to take up cybersecurity legislation this week before its summer recess. The goal ought to be to find common ground with a modest, bipartisan bill passed by the House of Representatives in May. In this instance a delay to work out a compromise in the autumn is preferable to a hasty vote.

The Senate debate so far hasn't been encouraging. The White House supports legislation from Joe Lieberman, the Connecticut Independent, and Maine Republican Susan Collins. Their Cybersecurity Act of 2012 expands government oversight of private networks. Without further substantial changes,

the bill has little shot of getting through a House-Senate conference.

John McCain, the Arizona Republican, has offered better alternatives. He wants to give companies a legal avenue to draw on the government's cyber expertise or share information about cyber threats with the FBI or National Security Agency. As in the House's Cyber Intelligence Sharing and Protection Act, this cooperation would be voluntary.

The Lieberman bill brings government compulsion. The Department of Homeland Security—that nimble bureaucracy—would draw up and enforce new “minimum” cybersecurity standards for private business. This mandate adds costs for government and the private economy. The same folks who give you invasive airport screening will now poke around IT departments. No wonder the Chamber of Commerce wants Homeland Security to keep its hands off “our junk,” so to speak.

Mr. Lieberman has softened some provisions. He dropped a mandate for private facilities to upgrade their cyber-security as prescribed by government. He took out a “kill switch” that lets the President shut down the Internet in an emergency. Yet he isn't going to win bipartisan support in both houses as long as any new standards for privately owned technology aren't voluntary.

Heeding the ACLU, the White House and Mr. Lieberman want strict limits on how government agencies can use intelligence garnered through the information-sharing program. Such artificial walls were in place before 9/11, which was why the CIA couldn't tell the FBI about suspected terrorists enrolled in American flight-training schools. The House and McCain versions allow the feds to act on information about, say, Iran's cyber-terror plans.

The White House cited privacy grounds in threatening to veto the House bill. Call us naive, but we don't see how the voluntary sharing of selective data related to legally defined cyber threats constitutes an Orwellian surveillance program.

The House and McCain cyber-security proposals offer limited solutions to guard against a “digital Pearl Harbor.” In a world of fast-changing technology, less is better policy, and in this case it stands a far better chance of becoming the law of the land.

Mr. KYL. Mr. President, all of us recognize the need to strengthen our cyber security defense to protect our defense industrial base, financial sector, and government networks from nation states and independent hackers. GEN Keith Alexander, commander of the U.S. Cyber Command, said that he rates U.S. preparedness at 3 on a scale of 1 to 10. So it is important that Congress act responsibly to get this right.

I voted against invoking cloture on the cyber security bill because I believe cloture was filed too early. This is vast, far-reaching legislation that requires ample consideration time. Two days isn't enough. Moreover, Senators weren't even given a chance to offer amendments to improve the legislation, and the legislation wasn't marked up by a relevant committee.

I believe we can ultimately come together to find enough common ground so that we can pass a bill that can get through a House-Senate conference committee.

We have come a long way since talks began, and the negotiators have spent

an enormous amount of time working on two key issues: critical infrastructure and information sharing between the government and the private sector. I am confident the good will exists to work out these differences.

To that end, it is my hope that we who are involved in the bipartisan negotiations can use the month of August to continue. Cyber security isn't a Republican or a Democratic issue. Let's work together to pass a bipartisan bill that the President can sign into law.

Ms. SNOWE. Mr. President, I rise today to express my strong support for finding a path to legislation that will at long last confront our Nation's 21st-century vulnerability to cyber crime, global cyber espionage, and cyber attacks. This legislation has been a long time in the making, and over the last several years I have been privileged to work with colleagues on the Senate Intelligence and Commerce Committees to address some of these consequential matters, including Senator ROCKEFELLER, whom I collaborated with closely on cyber security legislation that passed the Commerce Committee unanimously in 2010; Senator HUTCHISON, who has worked tirelessly with us on these issues as ranking member on the Commerce Committee; Senators MIKULSKI and WHITEHOUSE, with whom I served on the Intelligence Committee's Cyber Security Task Force; Senator WARNER, who has joined me in underscoring the urgency of considering cyber security legislation in a transparent and nonpartisan manner; and Senators LIEBERMAN and COLLINS, who have led the effort to craft this revised cyber security bill.

Nothing less than the very foundation of our national and economic security is at risk, and it is essential that we be prepared to defend against cyber activity that could cause catastrophic damage and loss of life in this country.

Still, some of my colleagues will undoubtedly make poignant and convincing arguments for why this Chamber should delay consideration of a comprehensive cyber security bill—stressing the complexity of the questions involved, the competing jurisdictions, and the many unknowns associated with a medium where innovation in functionality will continue to outpace innovation in security.

However, last fall the National Counterintelligence Executive warned that the rapidly accelerating rate of change in information technology and communications is likely to “disrupt security procedures and provide new openings for collection of sensitive U.S. economic and technology information.” In fact, the counterintelligence report cited Cisco Systems studies predicting that the number of devices such as smartphones and laptops in operation worldwide will increase from about 12.5 billion in 2010 to 25 billion in 2015.

Thus, as a result of this proliferation in the number of operating systems

connected to the Internet, the Counterintelligence Executive has assessed that “the growing complexity and density of cyber space will provide more cover for remote cyber intruders and make it even harder than today to establish attribution for these incidents.”

So as I said during the Senate Commerce Committee’s bipartisan, unanimous markup of the Rockefeller-Snowe cyber security legislation over 2 years ago in early 2010, when it comes to the threat we face in cyber space, time is not on our side, and this is further evidence of that irrefutable fact.

This Congress could spend another 2 years debating the merits of various approaches and continuing to operate based on a reactive hodgepodge of government directives and bureaucratic confusion. But at the end of the day, the only way to begin preparing our Nation to defend against this emerging threat is to allow the Senate to work its will in a full and unrestrained debate.

In June, Senator WARNER and I urged the Senate’s leadership to reach an agreement ensuring cyber security legislation receives an open debate on the Senate floor during the July work period. In calling for a fair amendment process, we in fact were simply repeating the cyber security debate commitment made by the majority leader at the start of the year when he said that “it is essential that we have a thorough and open debate on the Senate floor, including consideration of amendments to perfect the legislation, insert additional provisions where the majority of the Senate supports them, and remove provisions if such support does not exist.”

So I welcomed the majority leader’s commitment to allow an open amendment process, and I joined my colleagues in voting to invoke cloture on the motion to proceed to the bill. As I have said repeatedly, only a bipartisan agreement will achieve our shared goal of passing cyber security legislation to prevent a devastating cyber attack.

That process must begin now, and as one who has served on the Select Committee on Intelligence for the last decade, I believe it is essential to begin by elucidating the nature of the indisputable threat we now face.

In June 2010, the Intelligence Committee’s Cyber Security Task Force, on which I served along with Senators WHITEHOUSE and MIKULSKI, delivered its classified final report illustrating the myriad of challenges to the security of our physical, economic, and social systems in cyber space. I urge my colleagues to review this classified report.

As for some examples we can discuss in an open forum such as this, I encourage my colleagues to read the National Counterintelligence Executive’s unclassified report to Congress entitled

“Foreign Spies Stealing U.S. Economic Secrets in Cyberspace.” The Counterintelligence Executive’s report, which was released last fall, is truly the authoritative document when it comes to portraying in detail the nature of the threat and its ramifications on our lives and—increasingly—our livelihoods.

The report is incredibly eye-opening and represents the first time in which our government has explicitly named China and Russia as the primary points of origin for much of the malicious cyber activity targeting U.S. interests. In fact, the report states that the Governments of China and Russia “remain aggressive and capable collectors of sensitive U.S. economic information and technologies, particularly in cyberspace” and it links much of the recent onslaught of computer network intrusions as originating from Internet Protocol addresses in these two countries.

For example, the Counterintelligence Executive’s report cites a February 2011 study attributing an intrusion set called “Night Dragon” to an IP address located in China. According to the report, these cyber intruders were able to exfiltrate data from computer systems of global oil, energy, and petrochemical companies with the goal of obtaining information on “sensitive competitive proprietary operations and on financing of oil and gas field bids.” As the report notes, such activity on behalf of our economic rivals undermines the U.S. economy’s ability to “create jobs, generate revenues, foster innovation, and lay the economic foundation for prosperity and national security.” And the report estimates that our losses from economic espionage range from “\$2 billion to \$400 billion or more a year,” reflecting the scarcity of data and underscoring how little we currently understand about the total effect these malicious cyber intrusions have on our economic future.

In addition to the threat posed to our Nation’s prosperity, the Counterintelligence Executive’s report noted that foreign collectors are stealing information “on the full array of U.S. military technologies in use or under development,” including marine systems, aerospace and aeronautics technologies used in intelligence gathering and kinetic operations, such as UAVs, and dual-use technologies used for generating energy.

In April, James Lewis of the Center for Strategic and International Studies testified in an unclassified Senate hearing that the delays and cost overruns in the F-35 program may be the result of cyber espionage, which in turn could be linked to the rapid development of China’s J-20 stealth fighter. He went on to note that Iran has also been pursuing the acquisition of cyber attack capabilities, noting that FBI Director Mueller has testified that Iran

appears increasingly willing to carry out such attacks against the United States and its allies.

As Director of National Intelligence James Clapper remarked during his unclassified testimony to the Select Committee on Intelligence in January, we are observing an “increased breadth and sophistication of computer network operations by both state and nonstate actors” and despite our best efforts “cyber intruders continue to explore new means to circumvent defensive measures.” To illustrate this point, Director Clapper cited the well-publicized intrusions into the NASDAQ networks and the breach of computer security firm RSA in March 2011, which led to the exfiltration of data on the algorithms used in its authentication system and, subsequently, access to the systems of a U.S. defense contractor.

Consequently, as Director Clapper put it, one of our greatest strategic challenges in the coming years will be “providing timely, actionable warning of cyber threats and incidents, such as identifying past or present security breaches, definitively attributing them, and accurately distinguishing between cyber espionage intrusions and potentially disruptive cyber attacks.”

As I listened to Director Clapper’s assessment of the cyber threat at the Intelligence Committee’s annual unclassified worldwide threat hearing this past January, I was reminded of similar statements by several of his predecessors. In fact, on February 2, 2010, then DNI Dennis Blair provided the following cautionary warning:

This cyber domain is exponentially expanding our ability to create and share knowledge, but it is also enabling those who would steal, corrupt, harm or destroy the public and private assets vital to our national interests. The recent intrusions reported by Google are a stark reminder of the importance of these cyber assets, and a wake-up call to those who have not taken this problem seriously.

Similarly, the preceding year, on February 12, 2009, Director Blair said:

Over the past year, cyber exploitation activity has grown more sophisticated, more targeted, and more serious. The Intelligence Community expects these trends to continue in the coming year.

As far back as February 5, 2008, then-DNI Michael McConnell warned:

It is no longer sufficient for the US Government to discover cyber intrusions in its networks, clean up the damage, and take legal or political steps to deter further intrusions. We must take proactive measures to detect and prevent intrusions from whatever source, as they happen, and before they can do significant damage.

It was in response to this cavalcade of wake-up calls and threat briefings that Senator ROCKEFELLER and I, in our role as crossover members of both the Intelligence and Commerce committees, initiated a series of hearings before the Commerce Committee to

begin considering proposals for collaborating with the private sector to prevent and defend against attacks in cyber space.

On April 1, 2009, Senator ROCKEFELLER and I introduced one of the first bills aimed at tackling some of our Nation's most vexing challenges when it comes to this issue. Our legislation, the Cybersecurity Act of 2010, was meant to focus the Senate's efforts on several key priorities, including conducting risk assessments to identify and evaluate cyber threats and vulnerabilities, clarifying the responsibilities of government and private sector stakeholders by creating a public-private information sharing clearinghouse, and investing in cyber research and development to expand activities in critical fields like secure coding, which is indispensable in minimizing our vulnerability to cyber intrusions. Our bill also sought to expand efforts to recruit the next generation of "cyber warriors" to implement these defenses through the creation of a cyber scholarship-for-service program.

Our cyber security bill was one of the first attempts to confront our vulnerabilities in cyber space, and with approximately 90 percent of the Nation's digital infrastructure controlled by private industry, we made a concerted effort to collaborate with businesses and ensure our bill incorporated input from experts covering the complete spectrum of this issue. Along the way Senator ROCKEFELLER and I have worked together closely, holding meetings with the White House Cyber Security Coordinator, conducting hearings at the Commerce Committee with experts like James Lewis of the Center for Strategic and International Studies and former Director of National Intelligence Mike McConnell, and collaborating on a Wall Street Journal op-ed entitled "Now Is the Time to Prepare for Cyberwar."

As a result, our legislation was marked up in a unanimous, bipartisan effort by the Commerce Committee in 2010. Moreover, our proposal received praise from a major telecommunications industry leader who said our 2009 bill "puts the nation on a much stronger footing" to confront the cyber threat and a leading telecom association, which said that "passage of the Rockefeller-Snowe Cybersecurity Act is a necessary and important step in protecting our national infrastructure."

Additionally, in February 2011, following the Egyptian Government's attempt to quell public protests by denying access to the Internet, I pledged to oppose so-called "Internet kill switch" authority here in the United States. Consequently, I was pleased when earlier this year Senators on both sides of the aisle joined me in protecting critical first amendment rights by agreeing to reject any provisions that could

be construed as giving our government new authority to restrict access to the Internet.

Thus, although I am not a cosponsor of the legislation before the Senate, I recognize that this proposal reflects many of the core ideas first offered by Senator ROCKEFELLER and I in 2009, and I commend my colleagues for working with us over the last few years to ensure that these essential provisions were made part of the revised cyber security legislation.

Specifically, I support steps taken in the revised bill that require collaboration between the government and the private sector to share information about cyber threats and identify vulnerabilities to protect networks. Such information sharing and sector-by-sector cyber risk assessments were a fundamental part of the Rockefeller-Snowe bill in 2009. Likewise, I support provisions establishing an industry-led—rather than government-led—process for identifying best practices, standards, and guidelines to effectively remediate or mitigate cyber risks, with civil liability protection for those owners and operators of critical infrastructure who have implemented these standards. And I support the cyber outreach, awareness, recruitment, and workforce development provisions that were an essential component of our original bill.

That being said, the private sector is rightly concerned about the prospect of over-regulation by the Federal Government. Specifically, many of my colleagues on the Republican side of the aisle have expressed concerns that passage of a comprehensive cyber security bill could lead to more government redtape, stifling innovation and impeding growth.

Yet I firmly believe these are not insurmountable challenges, and I am optimistic that there is tremendous potential for the Senate to forge a viable solution that incentivizes private sector participation and collaboration.

Although the revised bill takes steps to incentivize the adoption of voluntary cyber security practices, many continue to voice concerns when it comes to the provisions governing "covered critical infrastructure," or in other words, those information systems for our transportation, first responders, airports, hospitals, electric utilities, water systems, and financial networks whose disruption would interrupt life-sustaining services, cause catastrophic economic damage, or severely degrade national security.

I support an effort to raise the bar when it comes to cyber security standards for our most critical, life-sustaining systems. Yet in order to pass a bill that has the momentum to become law, we absolutely must find some middle ground with those who have raised valid concerns about the potential of over-regulation by the Federal Government.

For example, I have heard concerns from the private sector that subsection 103(g) of the revised bill may cause confusion and has led many to believe that the voluntary rules will eventually be forced upon companies who may already have strong security practices in place. Specifically, this subsection mandates that all Federal agencies with responsibilities for regulating critical infrastructure must submit an annual report justifying why they have not acted to make the voluntary standards proposed through this legislation mandatory within their jurisdiction. To remove any confusion about the intent of the bill, I am working with Senator WARNER and several of my colleagues on straightforward language to clarify that nothing in the bill should be construed to increase, decrease, or otherwise alter the existing authority of any Federal agency when it comes to the security of critical cyber infrastructure.

Likewise, I share some of my colleagues' concerns that provisions designed to bolster the Department of Homeland Security's role in managing efforts to secure and protect critical infrastructure networks could lead to an unsustainable DHS bureaucracy. Such provisions were not part of the original Rockefeller-Snowe bill, which took a different approach by creating a Senate-confirmed National Cybersecurity Advisory within the Executive Office of the President.

Yet, again, this hurdle is not insurmountable—and I welcome the establishment of the National Cybersecurity Council in the revised bill as an inter-agency body with members from the Departments of Commerce, Defense, Justice, the Intelligence Community, and other appropriate Federal agencies—in addition to DHS—to assess risks and ensure the primary regulators for each critical system are involved in any final decision.

Furthermore, I remain concerned that the bill lacks specific provisions to assist small businesses in complying with any new cyber security standards adopted by Federal agencies with responsibilities for regulating the security of critical infrastructure. Small businesses remain the primary job creators in this country, responsible for more than two-thirds of all new jobs created. As ranking member of the Senate Committee on Small Business and Entrepreneurship, I have advocated tirelessly for targeted regulatory reform because there is no doubt that regulations are stifling small business. Small firms with fewer than 20 employees bear a disproportionate burden of complying with Federal regulations. These small firms pay an annual regulatory cost of \$10,585 per employee, which is 36 percent higher than the regulatory cost facing larger firms.

In response, I have proposed several amendments to ensure the Small Business Administration and other constructive stakeholders are involved in analyzing the implications of cyber security performance standards on small businesses and recommending options for mitigating any costs or unnecessary burdens. And I have filed an amendment that would identify the challenges that prevent the Federal Government from leveraging the capabilities of small businesses to perform classified cyber security work and to develop security-cleared cyber workers.

I have also filed amendments that ensure sector specific regulators have the technical resources and staffing to adequately address cyber threats facing their industry and that focus research efforts on promising technologies that will secure our wireless infrastructure. Additionally, I have joined my colleague, Senator TOOMEY, in offering an amendment that would implement a national data security breach standard to simplify compliance for businesses and notifications to consumers to reduce undue burden and confusion. More than 540 million records have been reported breached since 2005 according to the Privacy Rights Clearinghouse, and research from Symantec estimates the average organizational cost of a breach is approximately \$5.5 million.

Finally, I have filed an amendment to prohibit our government from signing new trade agreements with countries that have been identified by the National Counterintelligence Executive as using cyber tools to steal our trade secrets and threaten our economic security. It is time to send the message that these malicious activities will come with a price, and I view this as a sound and practical means of deterrence.

So again let me reiterate the imperative fact that time is not on our side. As former Secretary of Homeland Security Michael Chertoff and several of his intelligence community and defense colleagues recently wrote in a letter to our Senate leadership, the risk of failing to act on comprehensive cyber security legislation is “simply too great considering the reality of our interconnected and interdependent world, and the impact that can result from the failure of even one part of the network across a wide range of physical, economic and social systems.”

Therefore, as I wrote in a letter to the majority and minority leaders in June, “given the nature of the threat we face . . . it is essential that we not miss an opportunity to consider cyber security legislation in a non-partisan manner and pass a bill that has the momentum to become law.”

Now is the moment to prove that the Senate is capable of forging a viable solution to address what Director Clapper called “a critical national and eco-

nomic security concern.” I welcome this debate on what I view as one of the defining national security challenges of our generation, and I urge my colleagues to join me in working for passage of comprehensive cyber security legislation.

Mr. AKAKA. Mr. President, today I wish to urge my colleagues to allow an up-or-down vote on the Cybersecurity Act of 2012, S. 3414, and to support my amendment to further strengthen the privacy safeguards in this important legislation.

National security experts from both parties have warned us about the very serious danger of a major cyber attack. It is not a matter of if, but when it will occur. As someone who witnessed the attack on Pearl Harbor and was in Washington, DC, on September 11, 2001, it is frightening to know that in our modern world where much of our critical infrastructure and security systems are controlled by computers, a successful attack on a critical system could lead to more loss of life, injury, and damage than those terrible events. We have a moral duty to act immediately. That is why I urge my colleagues to put partisan differences aside and pass the Cybersecurity Act of 2012 for the safety of our Nation.

As a senior member of the Senate Homeland Security and Governmental Affairs Committee, I know that Chairman LIEBERMAN and Ranking Member COLLINS have been working diligently for several years to get this bill to the floor for a vote. Commerce Committee Chairman ROCKEFELLER and Intelligence Committee Chairman FEINSTEIN have also been working tirelessly to advance this legislation. While I continue to support the even stronger critical infrastructure protections in the original cyber security bill introduced in February, I accept the revisions the bill sponsors have made to accommodate concerns raised by several of my colleagues.

I want to thank the bill sponsors for working with me during this lengthy process to make improvements to the legislation. In order for our country to have robust cyber security capabilities, we must have a talented and well-trained cyber workforce. I am pleased that the bill incorporates my recommendations to strengthen title IV of the bill, which provide the necessary tools to build a first-class cyber workforce while maintaining employee and whistleblower protections. Furthermore, these workforce provisions establish a supervisory training program that will help managers properly evaluate their cyber employees.

I also want to commend the sponsors for the marked improvement of the underlying privacy and civil liberties protections in the bill. I collaborated with Senators FRANKEN, DURBIN, WYDEN, SANDERS, COONS, and BLUMENTHAL to strengthen protections in the informa-

tion-sharing provisions of the bill, which allow companies to share cyber security information with each other and the government. We worked with privacy and civil liberties groups from across the political spectrum on a series of recommendations, most of which were accepted by the bill's sponsors.

With these changes, the privacy and civil liberties protections in the Cybersecurity Act are much better than the protections contained in the Cyber Intelligence Sharing and Protection Act that recently passed the House, and the SECURE IT Act that has been introduced in the Senate. However, I am still pushing for further improvements to enhance the privacy and civil liberties protections in the Cybersecurity Act.

I have offered an amendment that seeks to strengthen the underlying legal framework protecting Americans' personal information held in the computer systems that the Cybersecurity Act seeks to protect. My amendment will close loopholes in Federal privacy requirements, centralize Federal oversight of existing privacy protections, and reinstate basic remedies for privacy violations. My amendment, which reflects input from the bill's sponsors, would make four small changes that would have significant benefits to American's privacy and data security.

First, my amendment would address Federal agencies' uneven implementation of Office of Management Budget, OMB, guidance on preventing breaches of private information and notifying affected individuals when they do occur. In testimony this week before the Oversight of Government Management Subcommittee that I chair, we learned that the agency that oversees the Thrift Savings Plan, TSP, had no breach notification plan in place at the time of the recent breach involving 123,000 participating Federal employees. Specifically, my amendment would strengthen data breach notification requirements for Federal agencies by directing OMB to establish requirements for agencies to provide timely notification to individuals whose personal information was compromised. It would require agency heads to comply with the policies, and mandate that OMB report to Congress annually on agencies' compliance.

Second, my amendment would provide basic transparency when agencies rely on commercial databases. Agencies frequently use private sector databases for law enforcement and other purposes that affect individuals' rights, but this is not covered by Federal privacy laws. My amendment would require agencies to conduct privacy impact assessments on agencies' use of commercial sources of Americans' private information so that individuals have appropriate protections such as access, notice, correction, and purpose limitations.

Third, my amendment would fill a hole in the government's privacy leadership. Despite OMB's mandate to oversee privacy policies government-wide, it lacks a chief privacy officer. As a result, responsibility for protecting privacy is fragmented and agencies' compliance with privacy-related statutes and regulations is inconsistent. Furthermore, the administration lacks a representative on international privacy issues. My amendment would direct OMB to designate a central officer within OMB who would have authority over privacy across the government. This officer would also be responsible for assessing the privacy impact of the new information-sharing provisions in the cyber security bill.

Finally, it would address the Supreme Court's ruling restricting Privacy Act remedies earlier this year that has by many experts' accounts rendered the Privacy Act toothless. In *Federal Aviation Administration v. Cooper*, the Social Security Administration violated the Privacy Act by sharing the plaintiff's HIV status with other Federal agencies. The Court concluded that the plaintiff could not recover damages for emotional distress because Privacy Act damages are limited to economic harm. My amendment would heed the call of scholars across the political spectrum to amend the Privacy Act and fix this decision. It would also clarify that in the event of a Federal violation in the information-sharing title of the bill, a victim would be entitled to recovery for the same types of noneconomic harms.

My amendment will further strengthen the privacy and civil liberties protections in the cyber security bill while enhancing the security of personal information held by the Federal Government. I urge my colleagues to allow an up-or-down vote on the Cybersecurity Act, which is so critical to our Nation's safety, and to support my amendment.

Mr. LEAHY. Mr. President, today, the Senate will conclude debate on the Cybersecurity Act of 2012, S. 3414. Developing a comprehensive strategy for cybersecurity is one of the most pressing challenges facing our Nation. I commend President Obama for his commitment to addressing this national security issue. I also commend the majority leader and the bill's sponsors for their work on this pressing matter.

I share the President's view that updates to our laws are urgently needed to keep pace with the many threats that Americans face in cyberspace. For that reason, I will support the motion for cloture on this bill. But, I do so with major reservations about the bill in its current form because this legislation does not address many of the key priorities that must be a part of our national strategy for cybersecurity.

A legislative response to the growing threat of cyber crime must be a part of

our debate about cyber security. Protecting American consumers and businesses from cyber crime and other threats in cyber space is a top priority of the Judiciary Committee. That is why I filed an amendment to the bill to strengthen our Nation's cyber crime laws, which takes several important steps to combat cyber crime. The amendment, among other things, updates the Federal RICO statute to add violations of the Computer Fraud and Abuse Act to the definition of racketeering activity; strengthens the legal tools available to law enforcement to protect our Nation's critical infrastructure by making it a felony to damage a computer that manages or controls national defense or other critical infrastructure information; and streamlines and enhances the penalty structure under the Computer Fraud and Abuse Act. This cyber crime amendment incorporates many of the proposals that were recommended in the cyber security proposal that President Obama delivered to Congress last May. The Judiciary Committee favorably reported these proposals in September as part of my Personal Data Privacy and Security Act. These updates to our criminal laws are urgently needed to keep pace with the cunning of cyber thieves and the many emerging threats to American's safety in cyber space. These measures must be included in any cyber security legislation the Senate considers.

In the digital age, we must also update our digital privacy laws so that Americans will have better safeguards for their electronic communications. That is why I filed an amendment to the bill that makes commonsense updates to two vital digital privacy laws that I authored several years ago—the Video Privacy Protection Act, VPPA, and the Electronic Communications Privacy Act, ECPA. The amendment would update the Video Privacy Protection Act to permit consumers to provide a one-time consent for video service providers to share their video viewing information with third parties via the Internet. This update will help the VPPA keep pace with how most Americans view and share videos today—on the Internet—while also requiring that video service providers provide clear and conspicuous notice that the consent to share video viewing information can be withdrawn at any time. The amendment also updates the Electronic Communications Privacy Act to prohibit service providers from voluntarily disclosing the contents of Americans' e-mails or other electronic communications to the Government, unless the Government obtains a search warrant based on probable cause. There are appropriate exceptions to this prohibition under current law, including when a customer provides consent or when disclosure to law enforcement is necessary to address

certain criminal activity. I am also mindful of the need to ensure that law enforcement can do their jobs effectively. The safeguards and exceptions in this provision were designed to ensure that appropriate privacy protections do not undermine the ability of law enforcement to keep us safe.

I also filed a bipartisan amendment to promote cyber research and development in Vermont and elsewhere across the Nation. This amendment improves section 301 of the bill by clarifying that the White House's Office of Science and Technology Policy's new test bed program should build upon existing work on cybersecurity test beds by the Department of Homeland Security in its Science and Technology Directorate. The amendment also expands the proposed test beds program to include funding for the military academies and senior military colleges to participate. Senator HOEVEN joined me in proposing this improvement to the bill, and we both believe that it is important for these institutions, which have such a prominent role in cultivating the next generation of security leaders, to develop tools to combat the next generation's security threats.

Comprehensive cyber security legislation must also respond to the alarming number of data security breaches that threaten the privacy and security of American consumers and businesses today. The troubling data breaches at Sony, Epsilon, and Lockheed are recent reminders that new tools are needed to protect us from the growing threats of data breaches and identity theft. In May 2011, the Obama administration submitted a data breach proposal that adopted the carefully balanced framework of data privacy and security legislation that I have introduced—and that this Judiciary Committee has favorably reported—several times. My data breach amendment would establish a single nationwide standard for data breach notification. My data security amendment would require that companies that maintain databases with Americans' sensitive personal information establish and implement data privacy and security programs, so that data breaches do not occur in the first place. I filed these amendments because Congress must address the threat of data security breaches and make these long overdue privacy protections available to American consumers and businesses.

The threats to our privacy and security in cyber space are real, and these threats will not go away simply because the Congress fails to act. I lament the fact that a long-overdue debate on cybersecurity legislation has become embroiled in a partisan stalemate. While there are legitimate differences on how we must confront this threat, Democrats, Republicans, and Independents alike are put at risk if we do not do so. We must find a way to

work together to confront this national challenge. I hope we will see more progress on overcoming differences on this issue in the weeks ahead. I also hope the sponsors of this bill will include the priorities I have outlined as part of any future comprehensive cyber security bill. Again, I commend the President and all Senators on both sides of the aisle who have worked to address this important issue. I also thank the many privacy, civil liberties, and technology organizations that have supported my amendments to this bill.

I ask that a copy of three letters I have received in support of several of my amendments to the bill be printed in the RECORD following my full remarks.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Hon. HARRY REID,
Senate Majority Leader.

Hon. MITCH MCCONNELL,
Senate Minority Leader.

DEAR LEADER REID AND LEADER MCCONNELL: as the Senate considers cybersecurity legislation, we urge you to make in order and to support an amendment that Chairman Leahy has introduced that would update a key privacy law that is critical to business, government investigators and ordinary citizens.

Chairman Leahy's amendment #2580 addresses the Electronic Communications Privacy Act (ECPA), a law that Chairman Leahy himself wrote and guided through the Senate in 1986. ECPA was a forward-looking statute when enacted. However, technology has advanced dramatically since 1986, and ECPA has been outpaced.

As a result, ECPA is a patchwork of confusing standards that have been interpreted inconsistently by the courts, creating uncertainty for service providers, for law enforcement agencies, and for the hundreds of millions of Americans who use mobile phones and the Internet. Moreover, the Sixth Circuit Court of Appeals has held that a provision of ECPA is unconstitutional because it allows the government to compel a service provider to disclose the content of private communications without a warrant.

Chairman Leahy's amendment would make it clear that, except in emergencies, or under other existing exceptions, the government must use a warrant in order to compel a service provider to disclose the content of emails, texts or other private material stored by the service provider on behalf of its users.

Chairman Leahy's amendment would create a more level playing field for technology. It would cure the constitutional defect identified by the Sixth Circuit. It would provide clarity and certainty to law enforcement agencies at all levels, to business and entrepreneurs, and to individuals who rely on online services to create, communicate and store personal and proprietary data. These protections for content are consistent with an ECPA reform principle advanced by the Digital Due Process coalition, www.digitaldueprocess.org, a broad-based coalition of companies, privacy groups, think tanks, and academics.

For Internet and communications companies competing in a global marketplace, and for citizens who have woven these tech-

nologies into their daily lives, as well as for government agencies that rely on electronic evidence, the protections for content in the Leahy amendment would represent an important step forward for privacy protection and legal clarity.

While the signatories to this letter have very diverse views on the cybersecurity legislation, and some take no position on the legislation, we urge you to make the Leahy amendment #2580 in order and to support it when offered.

Sincerely,

Adobe; American Booksellers Foundation for Free Expression; Americans for Tax Reform; Association for Competitive Technology; American Library Association; Association of Research Libraries; Bill of Rights Defense Committee; Business Software Alliance; CAUCE North America; Center for Democracy & Technology; Center for Financial Privacy and Human Rights; Center for National Security Studies; Citizens Against Government Waste; Competitive Enterprise Institute; Computer and Communications Industry Association; The Constitution Project; Data Foundry; Distributed Computing Industry Association; eBay; EDUCAUSE; Engine Advocacy; FreedomWorks; Liberty Coalition; Newspaper Association of America; Microsoft; Neustar; Personal; Salesforce; Sonic.net; SpiderOak; Symantec; TechFreedom; TechAmerica; TRUSTe; U.S. Policy Council of the Association for Computing Machinery.

SEPTEMBER 21, 2011.

Hon. PATRICK LEAHY,
Chairman, Committee on the Judiciary,
U.S. Senate, Washington, DC.

Hon. CHARLES GRASSLEY,
Ranking Member, Committee on the Judiciary,
U.S. Senate, Washington, DC.

DEAR SENATORS LEAHY AND GRASSLEY: The undersigned individuals and organizations wrote last month in support of making changes to the Computer Fraud and Abuse Act to ensure that it is both strong and properly focused. We mentioned that while the CFAA is an important tool in the fight against cybercrime, its current language is both overbroad and vague. It can be read to encompass not only the hackers and identity thieves the law was intended to cover, but also actors who have not engaged in any activity that can or should be considered a "computer crime." We write again today to express our appreciation for recent action taken by the Committee on the Judiciary to address our concerns.

Last week, at a markup of Chairman Leahy's Personal Data Privacy and Security Act of 2011 (S. 1151), Senator Grassley, with the co-sponsorship of Senators Franken and Lee, introduced an amendment that would fix a large part of the overbreadth problem in the CFAA. In particular, the amendment would remove the possibility that the statute could be interpreted to allow felony prosecutions of "access in violation of a contractual obligation or agreement, such as an acceptable use policy or terms of service agreement, with an Internet service provider, Internet website, or non-government employer, if such violation constitutes the sole basis for determining that access to a protected computer is unauthorized." The amendment passed with bipartisan support, including that of Chairman Leahy himself.

As we noted in our previous letter, our concerns about overbroad interpretations of the existing language are far from hypothetical. Three federal circuit courts have agreed that an employee who exceeds an employer's net-

work acceptable use policies can be prosecuted under the CFAA. At least one federal prosecutor has brought criminal charges against a user of a social network who signed up under a pseudonym in violation of terms of service.

These activities should not be "computer crimes" any more than they are crimes in the physical world. If, for example, an employee photocopies an employer's document to give to a friend without that employer's permission, there is no federal crime (though there may be, for example, a contractual violation). However, if an employee emails that document, there may be a CFAA violation. If a person assumes a fictitious identity at a party, there is no federal crime. Yet if they assume that imaginary identity on a social network that prohibits pseudonyms, there may again be a CFAA violation. This is a gross misuse of federal criminal law. The CFAA should focus on malicious hacking and identity theft and not on criminalizing any behavior that happens to take place online in violation of terms of service or an acceptable use policy.

We believe that the Grassley/Franken/Lee amendment is an important step forward for both security and civil liberties. We commend the Ranking Member for introducing the amendment and the Chairman for supporting it. We would also support further changes to the language in the bill to ensure that government employees are given the same protections from criminal prosecution as their private sector counterparts. Changes such as these will strengthen the law and focus the justice system on the malicious hackers and online criminals who invade others' computers and networks to steal sensitive information and undermine the privacy of those whose information is stolen.

Sincerely,

Laura W. Murphy, Director, Washington Legislative Office, American Civil Liberties Union; Kelly William Cobb, Executive Director, Americans for Tax Reform's Digital Liberty; Leslie Harris, President and CEO, Center for Democracy & Technology; Fred L. Smith, President, Competitive Enterprise Institute; Marcia Hofmann, Senior Staff Attorney, Electronic Frontier Foundation; Charles H. Kennedy, Partner, Wilkinson, Barker, Knauer, LLP; Wayne T. Brough, Ph.D., Chief Economist and Vice President, Research, FreedomWorks Foundation; Orin S. Kerr, Professor of Law, George Washington University; Paul Rosenzweig, Visiting Fellow, The Heritage Foundation; Berin Szoka, President, TechFreedom.

TECHAMERICA,

Washington, DC, July 30 2012.

Re U.S. Senate Proposed Cybersecurity Legislation

Hon. HARRY REID,
Majority Leader, U.S. Senate, Washington, DC.

Hon. MITCH A. MCCONNELL,
Minority Leader, U.S. Senate, Washington, DC.

DEAR MAJORITY LEADER REID AND MINORITY LEADER MCCONNELL: On behalf of TechAmerica, thank you for your leadership in making cybersecurity a national priority. We share your goal of enhancing our nation's cybersecurity posture in response to growing cyber threats. TechAmerica believes that any final bi-partisan agreement should both preserve the vitality of innovation and promote the Information & Communication Technology sector's ability to respond to constantly evolving cyber threats. With these goals in mind, we are writing to provide our insights on S. 3414, the Cybersecurity Act of 2012, and additional elements for

the Senate's consideration as part of a final cybersecurity package designed to help meet our national security challenges.

TechAmerica and its members are dedicated to maintaining and expanding the partnership between the private sector and the government to address our nation's cybersecurity preparedness. We have spent much time over the last six years focusing on these critical issues, working closely with Congress and the Administration on addressing threats to our nation's cybersecurity. Any final cybersecurity measure passed by the Senate must be firmly grounded in a strong public private partnership.

We believe that legislation, if not done carefully, could do more harm than good. Specific mandates generally do not adapt as quickly as threat and technology landscapes change, so they can actually hinder industry's ability to innovate and effectively mitigate threats. Mandates affect industry's ability to design, develop and deploy technology. S. 3414 represents a clear step forward towards a workable framework that strikes the right balance by prioritizing our nation's cybersecurity with an outcome based approach of voluntary incentives rather than through prescriptive regulatory mandates.

As the Senate prepares to consider S. 3414, The Cybersecurity Act of 2012, as the underlying bill to comprehensive cybersecurity legislation, we wish to convey our strong support of several critical components that would immediately enhance our cybersecurity posture. Specifically, TechAmerica endorses the following provisions of S. 3414 to address our country's critical cybersecurity priorities:

Title—Federal Information Security Management Act (FISMA) Reform: The paper-based, compliance regime that exists under the current FISMA framework is time consuming and costly. This outdated system has not demonstrated a requisite increase in security of government systems. In response to a rapidly evolving threat environment, our federal information security practices must be updated to reflect a risk-based and continuous monitoring approach as proposed by Senator Carper in Title II of S. 3414.

Title III—Research and Development: Investing in research and development (R&D) is essential to protecting critical systems and enhancing the cybersecurity for both the government and the private sector. We support Title II, which would create a national cybersecurity R&D plan to help develop game-changing technologies that will neutralize attacks on the cyber systems of today and lay the foundation to meet the challenges of securing the cyber systems of tomorrow.

Title IV—Education, Workforce, and Awareness: Industry and government must work together to plan for the future by investing in cybersecurity education to develop the next generation of cybersecurity workers. We support Title IV, which encourages cybersecurity professional development and improving public awareness of cybersecurity risks from identity theft to cyber predators and fraudsters.

Title V—Federal Acquisition Risk Management Strategy: We support Title V, which calls for a comprehensive acquisition risk management strategy to address risks and threats to the information technology products and services in the federal government supply chain. This strategy will allow agencies to make informed decisions when purchasing IT products and services. Importantly, the bill requires specific and much

needed training for the federal acquisition workforce to enhance the security of federal networks.

Title VI—International Cooperation: Cybercrimes are borderless, and we must work with our international partners to combat this threat. Title VI will help provide for enhanced cyber response capacity in countries currently without adequate resources to combat cybercrime, as well as use of existing legal mechanisms to further international cooperation. We support Title VI, which includes S. 1469, The International Cybercrime Reporting and Cooperation Act, sponsored by Senators Hatch and Gillibrand.

TechAmerica is confident that these core components alone would immediately and substantially improve America's cybersecurity posture. Congress cannot afford to delay any longer on the passage of these critical provisions considering the potential risk of falling behind our cyber adversaries.

In an effort to provide the Senate with our collective expertise, we are also compelled to outline for you those aspects of the legislation that we believe require further refinement in order for it to receive our overall support as a final cybersecurity proposal. These provisions include:

Title I—Public Private Partnership to Protect Critical Infrastructure: Rather than mandating that critical infrastructure organizations comply with a DHS cybersecurity framework, the newly introduced bill offers a vast, important improvement by providing incentives to organizations that voluntarily comply with cybersecurity best practices. While we commend this positive direction, TechAmerica recommends further refining the following provisions of Title I.

National Cybersecurity Council—In the spirit of a true public-private partnership, industry should be represented by the Sector Coordinating Councils (SCCs) in an official capacity on the National Cybersecurity Council. Best practices and voluntary standards should be industry driven and developed in conjunction with NIST. The Council should not have the ability to unilaterally overrule the SCCs proposed best practices. Alternatively, we therefore propose a conciliatory dispute resolution process.

Inventory of Critical Infrastructure—We recommend that each sector be differentiated and recognized for current cybersecurity best practices employed in securing critical infrastructure. Information technology is not only a specific sector, but an underlying component of multiple industry sectors. For this reason, we strongly support preserving the current back-end limitation on commercial information technology products.

Voluntary Cybersecurity Best Practices—We urge the sponsors to strike any reference to the term "mandatory" in the text to ensure this framework is truly voluntary in nature and not a precursor to future regulatory action.

Voluntary Cybersecurity Program for Critical Infrastructure—TechAmerica requests inserting liability protection language that will prevent compensatory damages, a cap on damages for vicarious liability, and bar punitive damages.

Protection of Information—While we strongly support the protection of information found in Section 106, we are concerned by some of the additional, extraneous mechanisms introduced as part of that protection. Such elements of the proposal act as a clear disincentive to private companies joining a voluntary system in good faith out of concern for future audit and investigation.

Title VII—Information Sharing: The inability to share information is one of the greatest challenges to collective efforts toward improving our cybersecurity, and we appreciate the efforts by the sponsors of S. 3414 to remove those barriers in order to foster better information sharing between the government and the private sector. We believe that information sharing is a fundamental component of S. 3414, as it will better enable collaboration in defense of cyberattacks while ensuring strong privacy protections. TechAmerica recommends refining the following provisions of S. 3414 in Title VII.

Affirmative Authority to Monitor and Defend Against Cybersecurity Threats—S. 3414 significantly narrows the scope of "monitoring" activities permissible under previous bill iterations to the scrutiny of a specific list of "cyber threat indicators." Previously proposed language had allowed companies to monitor for cybersecurity threats, which were defined more generally as unauthorized access or exfiltration, manipulation, or impairment to the network or data. It isn't clear that industry's standard monitoring systems can be tailored enough to fit within the parameters of the more specific list as some threats are not categorized until after they are detected through system alerts. In addition, Title VII in its current form limits how an entity may use cyber threat information that it obtains from its own monitoring. This is a significant limitation to put on entities and does not seem justified. The laundry list approach used to define cyber threat indicators potentially limits the use of some techniques tailored to protect networks. It is problematic that this definition is linked to monitoring authority. Finally, we believe that the definition of countermeasures should be narrowed.

Voluntary Disclosure of Cybersecurity Threat Indicators Among Private Entities—Business to business information sharing is an important practice in preventing cyber threats. We recommend striking the reasonably likely standard provision in this Title. It is a difficult test to meet and one that will only discourage private information sharing. Also, we believe that more business to business information sharing would be possible with the inclusion of the same limited liability protection that a private entity would receive when sharing information with the newly created government exchange.

In closing, TechAmerica urges the Senate to act on and pass the following legislative measures which may possibly be offered as amendments to S. 3414, The Cybersecurity Act of 2012:

Cybercrime: TechAmerica urges the Senate to pass S. 2111, The Cyber Crime Protection Security Act, sponsored by Senator Leahy. This measure will provide the government with new tools to prosecute more effectively organized criminal activity involving computer fraud. The legislation will also streamline and enhance the criminal penalties for computer fraud, and address cybercrime involving the trafficking of consumers' online passwords.

Electronic Communications Privacy: TechAmerica supports, S. 1011, The Electronic Communications Privacy Amendments Act, sponsored by Senator Leahy which would update the 1986 ECPA statute to give information stored in the cloud the same level of protection afforded to information stored locally.

Data Breach Notification: TechAmerica has long supported passage of a strong, national data breach notification law and has endorsed S. 1207, the Data Security and

Breach Notification Act, sponsored by Senators Rockefeller and Pryor as the approach consistent with our principles on data breach notification. Establishing a national framework to promote on-going data security measures and consistent breach notification standards will provide much needed guidance, predictability, and certainty for consumers, consumer protection authorities, and businesses, and will replace the complex patchwork of state data breach laws with a uniform national standard.

As you and your colleagues attempt to find bi-partisan consensus on a final cybersecurity agreement, we urge you to carefully consider sustaining the innovative capacity of our information and communications systems and all the myriad activities that they enable, and to thus observe the important axiom, "first, do no harm." Cybersecurity is a multi-faceted and complex ecosystem with profound interdependencies; thus even well intended legislation in this area often has the potential to produce many unintended consequences. Without such rigorous review and consultation, legislation could possibly potentially violate this cardinal principle and risk setting us back in our collective efforts to bolster our nation's cybersecurity.

Thank you again for considering our views and for your continued efforts to enhance our nation's cybersecurity. As representatives of the nation's leading information and communications technology firms, TechAmerica remains strong in our resolve to continue working together with the Senate and the House to improve the security of our shared cyberspace.

Sincerely,

SHAWN OSBOURNE,
President and CEO.

Mr. MCCAIN. Mr. President, I rise today to oppose cloture on the Cybersecurity Act of 2012.

Are any of us surprised that we find ourselves in this situation—again? Is this the "open amendment" process we were all promised? As I said earlier this year, a bill as complex as cyber security legislation can only be achieved if it goes through the regular committee process. Had this bill been subjected to the proper committee process, instead of relying on Senate rule XIV, I believe we would have had a much stronger legislative product that would have attracted broader support. Instead, the blame game, which is the first sign of a stalled legislative process, is in full swing.

As of yesterday afternoon it was my understanding that we would continue to work throughout August to find a compromise on this legislation. As a backstop to prepare for the possibility that an agreement would not be reached during that time, we requested a tranche of 10 to 15 placeholder amendments be set aside to address a defined set of issue areas we had with the current bill. In exchange for these process concessions, our group was willing to support cloture.

The unfortunate reality is that we had time to conduct proper legislative hearings and hold committee markups. But rather than choose the customary process, which forces us to defend our points of view, build consensus around

ideas and, admittedly, requires more planning and hard work, a less transparent approach was taken. That approach, while at the time may have seemed more legislatively convenient, resulted in hurried, last-minute negotiations that have been doomed from the outset. Rarely does anything good get accomplished under these circumstances, which lack transparency and scrutiny. This should serve as a warning to both sides of the aisle and future congresses that attempts to side-step the legislative process are risky, often unproductive, and do not bypass the criticism they seek to avoid.

And while all of us recognize the importance of cyber security, we should not confuse opposition to this deeply flawed bill as a sign of somehow being unwilling to address the issue. It has been my experience that when dealing with matters of national security and domestic policy, and in this bill is at the nexus of both, it is more important to work to get something done right than just work to get something done. And while both efforts may result in enough material to create a headline, only one fulfills our purpose for being here in this body.

Time and again, we have heard from experts about the importance of maximizing our Nation's ability to effectively prevent and respond to cyber threats. We have all listened to these accounts. This cyber threat and the risk of an attack only increased when the Stuxnet leaks began recklessly coming out of this administration. And while this threat and others persist, the most important piece of legislation which the congress can pass when it comes to ensuring our national security, the National Defense Authorization Act, which includes cyber security elements, remains unfinished. This entire process feels more like a ploy to advance the fiction that we are focused on national security, while avoiding the fulfillment of one of the Congress's most important national security responsibilities—the passage of the National Defense Authorization Act.

The point is that debating a controversial and flawed bill—a bill of such significance that it has languished for over 5 months at the Homeland Security and Government Affairs Committee, with no committee markup or normal committee process—should not have taken precedence over a bill which was vetted over a period of 4 months by the Senate Armed Services Committee and reported to the floor with the unanimous support of all 26 members. Unfortunately, our current trajectory will likely leave us without a cyber security bill or the National Defense Authorization Act.

As I have said time and time again, the threat we face in the cyber domain is among the most significant and challenging threats of 21st-century warfare.

But this bill unfortunately takes us in the wrong direction and establishes a new national security precedent which fails to recognize the gravity of the threats we face in cyber space. I agree that we must take appropriate steps to ensure that civil liberties are protected and believe we could have appropriately done so without removing the only institutions capable of protecting the United States from a cyber attack from countries like China, Russia, and Iran—from the front lines. Making these entities more reliant on their less capable civilian counterparts is an unacceptable, precedent setting approach, which fails to recognize the unique real-time requirements for understanding the threat environment, anticipating attacks, and responding when necessary.

Additionally, what is not being discussed enough are the likely implications of the new cyber security stovepipes being proposed in this bill. The recreation of the very walls and information sharing barriers that the 9/11 Commission attributed as being responsible for one of our greatest intelligence failures is very unwise.

In addition to the problems with the information sharing provisions, the critical infrastructure language grants too much authority to the government, failing to consider the innovative potential of the private sector. I continue to believe that this title would force those who own or operate critical assets to place more emphasis on compliance attorneys, rather than utilize the world-class engineering capabilities employed by our private sector. This is why the primary objective of our bill is to enter into a cooperative information sharing relationship with the private sector, rather than an adversarial relationship rooted in mandates used to dictate technological solutions to industry.

The SECURE IT Act is a serious response to the growing cyber threat facing our country, and it is an alternative approach to the overly bureaucratic and regulatory bill before us. Our amendment seeks to utilize the world-class engineers employed by our private sector, not compliance attorneys in law firms. This is why the primary objective of our bill is to enter into a cooperative information-sharing relationship with the private sector, rather than an adversarial relationship rooted in mandates used to dictate technological solutions to industry.

The centerpiece of the SECURE IT Act continues to be a legal framework to provide for voluntary information sharing. Our amendment provides specific authorities relating to the voluntary sharing of cyber threat information among private entities and the government, and in doing so, we do not create any new bureaucracy. This bill at the very least deserved a vote.

As I stated earlier, it has been my experience that when dealing with matters of national security and domestic policy, it is more important to work to get something done right than just work to get something done. For these reasons, and because of the closed process put forth by the majority, we should all oppose cloture.

Mr. REID. Mr. President, nearly 3 years ago, I called the chairmen of the Senate's national security committees—Senators LIEBERMAN, ROCKEFELLER, FEINSTEIN, LEAHY, and LEVIN—together to discuss what, even then, was one of the most urgent priorities for our national security: defending our Nation against cyber attack.

I asked them to begin working together, across committee jurisdictions and across party lines, to develop comprehensive cyber security legislation to protect our Nation, our security, and our economy from this growing threat. Many of the Senators present had already begun work on their own legislation, but they committed that day to join their efforts in common cause.

Since that time, their committees have painstakingly worked to break down artificial jurisdictional boundaries and to resolve differences across party lines. They have also sought to include a remarkably wide array of stakeholders—including cybersecurity experts, the private sector, academia, the intelligence community, military leaders, law enforcement, think tanks, State and local governments, and many more—in an open, transparent, and cooperative process.

The process has been nearly unprecedented in its scope, its thoroughness, and its transparency. Since the Senate began its work on cyber security legislation in 2009, committees have held more than 20 hearings across at least seven different committees specifically on cyber security and related legislation, and addressed critical questions relating to cyber security in dozens of additional hearings. They have held numerous briefings for Senators and staff on cyber security, including a simulated cyberattack exercise for all Senators conducted by senior administration officials. They have organized several other forums for Senators to examine cyber security issues, including cross-committee working groups designed to develop comprehensive legislation, as well as the Intelligence Committee's 2010 Cyber Security Task Force. They have considered nearly 20 separate cyber security bills and numerous cyber security-related amendments. And they have held markups of cyber security legislation in five separate committees, each of which occurred under each committee's rules for regular order.

The result has been legislation that addresses the equities of these diverse stakeholders as fairly and thoroughly

as one could imagine, while preserving the authorities necessary to boost our Nation's cyber defenses.

As ranking member of the Homeland Security Committee, Senator COLLINS has been heroic in her efforts to ensure the bipartisan nature of this process. Yet, despite her best efforts, Republicans have made it clear throughout the last 3 years that they were simply unwilling to participate.

They refused to participate in working groups designed to draft the legislation, despite the fact that these groups were established with Leader MCCONNELL's full agreement. They refused to propose changes to draft legislation, or to participate in negotiations with bill sponsors. When, after 3 years of painstaking work and broad outreach the legislation came to the floor, my Republican colleagues refused to allow the Senate to consider a single amendment to improve the bill, despite my continuous pleading for their agreement on a list of amendments for consideration. And, as today's cloture vote has demonstrated, they have refused to allow us to continue to debate the legislation.

Why this obstinate refusal to participate? How can these Senators, who have received the same entreaties from our military and intelligence leaders about the urgency of this legislation, obstruct Senate action to confront one of the leading threats to our Nation? These questions are all the more perplexing when one considers what our national security leaders have said about the seriousness of the threat we face.

According to General Keith Alexander, Commander of U.S. Cyber Command, "The cyber threat facing the Nation is real and demands immediate action. The time to act is now; we simply cannot avoid further delay."

General Martin Dempsey, Chairman of the Joint Chiefs of Staff, noted, "The uncomfortable reality of our world today is that bits and bytes can be as threatening as bullets and bombs. Not only will military systems be targeted by tools that can cause physical destruction, but adversaries will increasingly attempt to hold our Nation's core critical infrastructure at risk."

Similarly, Secretary of Defense Leon Panetta stated, "We talk about nuclear. We talk about conventional warfare. We don't spend enough time talking about the threat of cyberwar. There's a strong likelihood that the next Pearl Harbor that we confront could very well be a cyberattack."

And Director of National Intelligence James Clapper called cyberattack "A profound threat to this country, to its future, its economy and its very being."

Simply put, there is unanimity across the national security community that malicious cyber activity is an

urgent, growing, and imminently dangerous threat that our Nation must confront immediately. But this unanimity is not limited to the current administration. Countless national security officials appointed under Republican administrations—including former Director of National Intelligence Mike McConnell, former Secretary of Homeland Security Michael Chertoff, former Deputy Secretary of Defense Paul Wolfowitz, former Chairman of the Joint Chiefs of Staff Mike Mullen, former Director of the Central Intelligence Agency Michael Hayden, and many others—have echoed the urgency of our current administration's call for action, as well as their support for the legislation we have considered today.

Yet, today Republicans were nearly unanimous in their opposition to this legislation. Why?

It is no secret that Republicans are taking their marching orders from the Chamber of Commerce. And the Chamber has made no secret that it is opposed to any effort to secure America's cyber networks; in fact, it has gone so far as to oppose even voluntary cybersecurity standards. In other words, the position of the Chamber of Commerce is that the owners and operators of the most critical infrastructure of our Nation—the electricity grid, telecommunications lines, air traffic control systems, and the like—should not even be asked to take steps, on a strictly voluntary basis, to improve our Nation's security. That position is hard to believe, and it is seriously out of step with the patriotism of the owners and employees of the American businesses it claims to represent.

As a result, my Republican colleagues have ignored the urgent calls of some of America's most respected national security leaders in order to pander to the Chamber of Commerce—an organization that appears more concerned with corporate bottom lines than with the American lives this legislation seeks to defend.

It seems that the only people who have not yet awakened to the threat facing our Nation are Senate Republicans. What has become clear in this debate is that Republicans are willing to prioritize partisan politics and slavish defense of corporate interests over our Nation's security. And that is simply unacceptable.

I hope that my colleagues across the aisle will wake up and recognize the threat facing our country before it is too late—before the "cyber 9/11" of which leaders like Secretary Panetta have warned us arrives. I hope that they can join us, as we have asked them to do for the last 3 years, and work on a bipartisan basis for the good of our country. And if they choose to do so, we will be ready to work quickly to pass this much-needed legislation.

But the more they delay, the more the risk to our Nation's security and economy grows. Time is running short.

The ACTING PRESIDENT pro tempore. The Senator from Connecticut is recognized.

Mr. LIEBERMAN. Mr. President, I rise to speak on the vote we will have in about 10 minutes. I am going to be real personal in my statement.

This is one of those days when I fear for our country, and I am not proud of the Senate. We have a crisis, one we all acknowledge. It is not just that there is a theoretical or speculative threat of cyber attack against our country—it is real and happening now. Most people don't know it because a lot of people who are attacked don't want to announce it because they are embarrassed.

A lot of companies are attacked that control critical cyber infrastructure and have, in fact, what I called yesterday secret cyber attack cells planted in their system to control the kind of systems we depend on for the quality of our life and, in some ways, for our lives.

GEN Keith Alexander, Director of Cyber Command at the Pentagon, said the other day that when it comes to cyber war, we are today where we were in 1993 in our war with Islamist terrorism after they blew up the truck bomb in the parking garage at the World Trade Center. We were attacked. It shook us up for a while, but then people forgot about it. At least in that case we knew we had been attacked. Now we are attacked every day and most people don't know it. Maybe there is a story in the paper one day and they read it and it is on TV and then they forget about it.

Are we going to act before we get to the cyber 9/11, as we obviously did in the attacks in a war we were in without acknowledging it with Islamist terrorism? We pretty much all agree on that. Yet we have descended once again to gridlock, to partisan attack and counterattack. The end result of that is a lot of sound and fury that will accomplish nothing, and we will leave our country vulnerable.

The fact is that as the majority leader announced earlier in the week, we have been on this for a long time. Senator COLLINS and I have tried to be flexible. We have been open to compromise, not of principle and how much we thought we could get passed through the Senate, but because the threat is so urgent, we cannot afford to insist on everything we thought was in our best interest. We made a mandatory system voluntary, but that has not been enough. Senator REID said if there was an agreement on a finite list of amendments, and they are germane and relevant to the bill—not taking your favorite political shot through the bill or a political message opportunity—then he would take it up in

September. As soon as we come back, we would have limited time on it and go to final passage and the Senate would work its will.

Unfortunately, we haven't been able to agree on such a list. There are still nongermane, irrelevant amendments on the list. Our friends in the Republican caucus have whittled the list down to 58. Frankly, I don't worry about the number as much as the majority leader was right that this bill and the threat of cyber attack and cyber theft is too important to use as a vehicle for political shots at one another.

We are approaching a cloture vote, and now it looks like it is going to lose. I hope not. Hope springs eternal for at least 25 minutes more. I say to my friends, if they believe we are in a cyber war and we are inadequately defended—particularly the part of our cyber infrastructure controlled by the private sector—then vote for cloture. It is the only way we are going to get to this bill. Vote for cloture.

Remember something. We are just one of two Chambers of the Congress of the United States. Whatever passes the Senate still has to go to a conference with the House. The House's approach on this is very different, and we are going to have to do even more negotiating and give-and-take. I appeal to my colleagues, make a principles vote and vote in a way that says to the country and to your constituents two things: One, you recognize we are in a cyber war now and we are inadequately defended. Second, by voting for cloture, which means we will take up the bill, you are saying we are willing to work together across party lines to try to get something done.

In my opinion, it is the only way we are going to get to this bill. If cloture is not granted, as disappointed and angry as I am going to be, I will not be petulant. I will be open today, tomorrow, and as long as we have an opportunity in this session, to work with my colleagues to try to reach an agreement that will help us improve our cyber defenses.

Sometimes in moments of disappointment, I go back to the great Winston Churchill. I will just read a few comments from him. These were all in the 1930s when he was in the House of Commons and was concerned that England and the world faced a threat which they were not acknowledging, the rise of Nazi Germany. First, he said this—and I hate to say it, but it relates to where we are today. He said this about those who refused to act decisively to counter the clear and growing threat of a resurgent and re-armed Nazi Germany during the 1930s: "They go on in strange paradox, decided only to be undecided, resolved to be irresolute, adamant for drift, solid for fluidity."

I am afraid that is the message we are going to send to the country and to

our enemies if we don't get together and pass a cyber security bill in this session. Churchill said he was staggered, after his long parliamentary experience with the debates he had gone through on this question during the 1930s, by two things: "The first has been the dangers that have so swiftly come upon us in a few years, and have been transforming our position and the whole outlook of the world."

That is where we are with regard to cyber war, although most people don't understand that. We do. He said:

Secondly, I have been staggered by the failure of the House of Commons to react effectively against those dangers. That, I am bound to say, I never expected. I say that unless the House [finds its resolve] we will have committed an act of abdication of duty.

I end with those words. I think it is that serious. If we don't find a way either by voting for cloture today to get on the bill so we can negotiate or continuing to negotiate if cloture fails, it will be quite simply a colossal abdication of duty to the people of the United States and their security.

Mr. COATS. Will my friend yield me some time?

Mr. LIEBERMAN. Yes; I yield to my friend from Indiana.

Mr. COATS. Mr. President, first of all, I commend all the Republicans and Democrats who have worked so hard together—nearly one-fifth of us in this Congress—hour after hour, meeting after meeting, and flexibility has been provided to both sides by Senator LIEBERMAN, Senator COLLINS and their bill and Senators CHAMBLISS, MCCAIN, HUTCHISON, and others in terms of trying to reach a consensus. Those who listened to the Senator from Maryland yesterday know we are given the unclassified version of the nature of this threat. Add to that the classified version, and it is truly a threat that needs to be addressed.

It is despicable that the majority leader of the Senate, when we were so close to putting together something to bring joint support of what everybody knows we need to do and want to do—so close with agreements from Democrats and Republicans, ranking members and chairmen of the relevant committees, and presenting a package which would grant limited time and limited germane amendments—to deny us that opportunity.

Yet here we are faced with a dilemma of an imminent threat facing the people of the United States of America and a vote whether to continue the process, continue to work with something that potentially could kill this for the rest of the session and maybe even next year or something that grants to the White House an abuse of executive power to mandate things through executive order, which we have seen on a number of other occasions. Maybe that is the motive, maybe it is not; I don't know.

Nevertheless, we are faced with a critical choice in terms of an imminent threat to the security of the United States and the American people. I hope my colleagues will take that into consideration when we decide what to do. I thank people on both sides for their tremendous efforts, and we should not point fingers of blame at each other.

That is a real effort to join and address this very serious threat to the United States.

I thank my friend and yield back to him.

The PRESIDING OFFICER. The Senator from Connecticut.

CLOTURE MOTION

The PRESIDING OFFICER (Mr. BROWN of Ohio). All time has expired. The clerk will report the motion to invoke cloture.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on S. 3414, a bill to enhance the security and resiliency of the cyber and communications infrastructure of the United States.

Harry Reid, Joseph I. Lieberman, Barbara A. Mikulski, Thomas R. Carper, Richard J. Durbin, Christopher A. Coons, Mark Udall, Ben Nelson, Jeanne Shaheen, Tom Udall, Daniel K. Inouye, Carl Levin, John D. Rockefeller IV, Charles E. Schumer, Sheldon Whitehouse, John F. Kerry, Michael F. Bennet.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call is waived.

The question is, Is it the sense of the Senate that debate on S. 3414, a bill to enhance the security and resiliency of the cyber and communications infrastructure of the United States, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. KYL. The following Senators are necessarily absent: the Senator from Illinois (Mr. KIRK) and the Senator from Florida (Mr. RUBIO).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 52, nays 46, as follows:

[Rollcall Vote No. 187 Leg.]

YEAS—52

Akaka	Collins	Kohl
Begich	Conrad	Landrieu
Bennet	Coons	Lautenberg
Bingaman	Durbin	Leahy
Blumenthal	Feinstein	Levin
Boxer	Franken	Lieberman
Brown (MA)	Gillibrand	Lugar
Brown (OH)	Hagan	Manchin
Cantwell	Harkin	McCaskill
Cardin	Inouye	Menendez
Carper	Johnson (SD)	Mikulski
Casey	Kerry	Murray
Coats	Klobuchar	Nelson (NE)

Nelson (FL)
Reed
Rockefeller
Sanders
Schumer

Shaheen
Snowe
Stabenow
Udall (CO)
Udall (NM)

NAYS—46

Alexander
Ayotte
Barrasso
Baucus
Blunt
Boozman
Burr
Chambliss
Coburn
Cochran
Corker
Cornyn
Crapo
DeMint
Enzi
Graham

Grassley
Hatch
Heller
Hoeven
Hutchison
Inhofe
Isakson
Johanns
Johnson (WI)
Kyl
Lee
McCain
McConnell
Merkley
Moran
Muskowski

Warner
Webb
Whitehouse

Paul
Portman
Pryor
Reid
Risch
Roberts
Sessions
Shelby
Tester
Thune
Toomey
Vitter
Wicker
Wyden

DeMint
Enzi
Graham
Grassley
Hoeven
Hutchison
Inhofe
Isakson
Johnson (WI)
Kyl

Lee
Manchin
McCaill
McCaskill
McConnell
Moran
Murkowski
Paul
Portman
Risch

Roberts
Sessions
Shelby
Thune
Toomey
Vitter
Webb
Wicker

NAYS—58

Akaka
Baucus
Begich
Bennet
Bingaman
Blumenthal
Boxer
Brown (MA)
Brown (OH)
Cantwell
Cardin
Carper
Casey
Cochran
Collins
Conrad
Coons
Durbin
Feinstein
Franken

Gillibrand
Hagan
Harkin
Hatch
Heller
Inouye
Johanns
Johnson (SD)
Kerry
Klobuchar
Kohl
Landrieu
Lautenberg
Leahy
Levin
Lieberman
Lugar
Menendez
Merkley
Mikulski

Murray
Nelson (NE)
Nelson (FL)
Pryor
Reed
Reid
Rockefeller
Sanders
Schumer
Shaheen
Snowe
Stabenow
Tester
Udall (CO)
Udall (NM)
Warner
Whitehouse
Wyden

NOT VOTING—2

Kirk

Rubio

The PRESIDING OFFICER. On this vote the yeas are 52, the nays are 46. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The majority leader is recognized. The Senate will be in order.

Mr. REID. I enter a motion to reconsider the vote by which cloture was not invoked.

The PRESIDING OFFICER. The motion is entered.

The majority leader is recognized.

Mr. REID. Mr. President, we expect one more vote today. I have not had a chance to discuss it in detail with Senator MCCONNELL yet, but we hope to have a vote on a judge. We hope to have it at 2 o'clock today, so people should make their schedules accordingly.

AFRICAN GROWTH AND OPPORTUNITY ACT—Continued

The PRESIDING OFFICER. Under the previous order, the question is on agreeing to amendment No. 2771 offered by the Senator from Oklahoma.

Mr. COBURN. I ask for the yeas and nays and yield back whatever time I had.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. KYL. The following Senators are necessarily absent: the Senator from Illinois (Mr. KIRK) and the Senator from Florida (Mr. RUBIO).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 40, nays 58, as follows:

[Rollcall Vote No. 188 Leg.]

YEAS—40

Alexander
Ayotte
Barrasso
Blunt

Boozman
Burr
Chambliss
Coats

Coburn
Corker
Cornyn
Crapo

NOT VOTING—2

Kirk

Rubio

The amendment was rejected.

Mr. REID. Mr. President, I move to reconsider the vote.

I move to lay that motion on the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. Under the previous order, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. Under the previous order, the bill is passed.

The bill (S. 3326) was passed, as follows:

S. 3326

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. AMENDMENTS TO AFRICAN GROWTH AND OPPORTUNITY ACT.

(a) EXTENSION OF THIRD-COUNTRY FABRIC PROGRAM.—Section 112(c)(1) of the African Growth and Opportunity Act (19 U.S.C. 3721(c)(1)) is amended—

(1) in the paragraph heading, by striking “2012” and inserting “2015”;

(2) in subparagraph (A), by striking “2012” and inserting “2015”; and

(3) in subparagraph (B)(ii), by striking “2012” and inserting “2015”.

(b) ADDITION OF SOUTH SUDAN.—Section 107 of that Act (19 U.S.C. 3706) is amended by inserting after “Republic of South Africa (South Africa).” the following: “Republic of South Sudan (South Sudan).”.

(c) CONFORMING AMENDMENT.—Section 102(2) of that Act (19 U.S.C. 3701(2)) is amended by striking “48”.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

SEC. 2. MODIFICATIONS TO TEXTILE AND APPAREL RULES OF ORIGIN FOR THE DOMINICAN REPUBLIC-CENTRAL AMERICA-UNITED STATES FREE TRADE AGREEMENT.

(a) **DEFINITIONS.**—In this section:

(1) **AGREEMENT.**—The term “Agreement” has the meaning given the term in section 3(1) of the Dominican Republic-Central America-United States Free Trade Agreement Implementation Act (Public Law 109-53; 19 U.S.C. 4002(1)).

(2) **CAFTA-DR COUNTRY.**—The term “CAFTA-DR country” has the meaning given the term in section 3(2) of the Dominican Republic-Central America-United States Free Trade Agreement Implementation Act (Public Law 109-53; 19 U.S.C. 4002(2)).

(3) **HTS.**—The term “HTS” means the Harmonized Tariff Schedule of the United States.

(4) **TRADE REPRESENTATIVE.**—The term “Trade Representative” means the United States Trade Representative.

(b) **MODIFICATIONS TO THE TEXTILE AND APPAREL RULES OF ORIGIN.**—

(1) **INTERPRETATION AND APPLICATION OF RULES OF ORIGIN.**—Subdivision (m)(viii) of general note 29 of the HTS is amended as follows:

(A) The matter following subdivision (A)(2) is amended by striking the second sentence and inserting the following: “Any elastomeric yarn (except latex) contained in the originating yarns referred to in subdivision (A)(2) must be formed in the territory of one or more of the parties to the Agreement.”.

(B) Subdivision (B) is amended—

(i) in the matter preceding subdivision (B)(1), by striking “exclusive of collars and cuffs where applicable,” and inserting “exclusive of collars, cuffs and ribbed waistbands (only if the ribbed waistband is present in combination with cuffs and identical in fabric construction to the cuffs) where applicable.”;

(ii) in subdivision (B)(2), by inserting “or knit to shape components” after “one or more fabrics”;

(iii) by amending subdivision (B)(3) to read as follows:

“(3) any combination of the fabrics referred to in subdivision (B)(1), the fabrics or knit to shape components referred to in subdivision (B)(2), or one or more fabrics or knit to shape components originating under this note.”; and

(iv) in the matter following subdivision (B)(3), by striking the last sentence and inserting the following: “Any elastomeric yarn (except latex) contained in an originating fabric or knit to shape component referred to in subdivision (B)(3) must be formed in the territory of one or more of the parties to the Agreement.”.

(C) Subdivision (C) is amended—

(i) in subdivision (C)(2), by inserting “or knit to shape components” after “one or more fabrics”;

(ii) by amending subdivision (C)(3) to read as follows:

“(3) any combination of the fabrics referred to in subdivision (C)(1), the fabrics or knit to shape components referred to in subdivision (C)(2) or one or more fabrics or knit to shape components originating under this note.”; and

(iii) in the matter following subdivision (C)(3), by striking the second sentence and inserting the following: “Any elastomeric yarn (except latex) contained in an originating fabric or knit to shape component referred to in subdivision (C)(3) must be formed in the territory of one or more of the parties to the Agreement.”.

(2) **CHANGE IN TARIFF CLASSIFICATION RULES.**—Subdivision (n) of general note 29 of the HTS is amended as follows:

(A) Chapter rule 4 to chapter 61 is amended—

(i) by striking “5401 or 5508” and inserting “5401, or 5508 or yarn of heading 5402 used as sewing thread.”; and

(ii) by inserting “or yarn” after “only if such sewing thread”.

(B) The chapter rules to chapter 61 are amended by inserting after chapter rule 5 the following:

“Chapter rule 6: Notwithstanding chapter rules 1, 3, 4 or 5 to this chapter, an apparel good of chapter 61 shall be considered originating regardless of the origin of any visible lining fabric described in chapter rule 1 to this chapter, narrow elastic fabrics as described in chapter rule 3 to this chapter, sewing thread or yarn of heading 5402 used as sewing thread described in chapter rule 4 to this chapter or pocket bag fabric described in chapter rule 5 to this chapter, provided such material is listed in U.S. note 20 to subchapter XXII of chapter 98 and the good meets all other applicable requirements for preferential tariff treatment under this note.”.

(C) Chapter rules 3, 4, and 5 to chapter 62 are each amended by striking “nightwear” each place it appears and inserting “sleepwear”.

(D) Chapter rule 4 to chapter 62 is amended—

(i) by striking “5401 or 5508” and inserting “5401, or 5508 or yarn of heading 5402 used as sewing thread.”; and

(ii) by inserting “or yarn” after “only if such sewing thread”.

(E) The chapter rules to chapter 62 are amended by inserting after chapter rule 5 the following:

“Chapter rule 6: Notwithstanding chapter rules 1, 3, 4 or 5 to this chapter, an apparel good of chapter 62 shall be considered originating regardless of the origin of any visible lining fabric described in chapter rule 1 to this chapter, narrow elastic fabrics as described in chapter rule 3 to this chapter, sewing thread or yarn of heading 5402 used as sewing thread described in chapter rule 4 to this chapter or pocket bag fabric described in chapter rule 5, provided such material is listed in U.S. note 20 to subchapter XXII of chapter 98 and the good meets all other applicable requirements for preferential tariff treatment under this note.”.

(F) Tariff classification rule 33 to chapter 62 is amended to read as follows:

“33. A change to pajamas and sleepwear of subheadings 6207.21 or 6207.22, tariff items 6207.91.30 or 6207.92.40, subheadings 6208.21 or 6208.22 or tariff items 6208.91.30, 6208.92.00 or 6208.99.20 from any other chapter, provided that the good is cut or knit to shape, or both, and sewn or otherwise assembled in the territory of one or more of the parties to the Agreement.”.

(G) Chapter rule 2 to chapter 63 is amended—

(i) by striking “5401 or 5508” and inserting “5401, or 5508 or yarn of heading 5402 used as sewing thread.”; and

(ii) by inserting “or yarn” after “only if such sewing thread”.

(H) The chapter rules to chapter 63 are amended by inserting after chapter rule 2 the following:

“Chapter rule 3: Notwithstanding chapter rule 2 to this chapter, a good of this chapter shall be considered originating regardless of the origin of sewing thread or yarn of heading 5402 used as sewing thread described in

chapter rule 2 to this chapter, provided the thread or yarn is listed in U.S. note 20 to subchapter XXII of chapter 98 and the good meets all other applicable requirements for preferential tariff treatment under this note.”.

(3) **EFFECTIVE DATE.**—

(A) **IN GENERAL.**—The amendments made by this subsection apply to goods of a CAFTA-DR country that are entered, or withdrawn from warehouse for consumption, on or after the date that the Trade Representative determines is the first date on which the equivalent amendments to the rules of origin of the Agreement have entered into force in all CAFTA-DR countries.

(B) **PUBLICATION OF DETERMINATION.**—The Trade Representative shall promptly publish notice of the determination under subparagraph (A) in the Federal Register.

SEC. 3. EXTENSION OF AND RENEWAL OF IMPORT RESTRICTIONS UNDER BURMESE FREEDOM AND DEMOCRACY ACT OF 2003.

(a) **EXTENSION OF BURMESE FREEDOM AND DEMOCRACY ACT OF 2003.**—Section 9(b)(3) of the Burmese Freedom and Democracy Act of 2003 (Public Law 108-61; 50 U.S.C. 1701 note) is amended by striking “nine years” and inserting “twelve years”.

(b) **RENEWAL OF IMPORT RESTRICTIONS.**—

(1) **IN GENERAL.**—Congress approves the renewal of the import restrictions contained in section 3(a)(1) and section 3A(b)(1) and (c)(1) of the Burmese Freedom and Democracy Act of 2003.

(2) **RULE OF CONSTRUCTION.**—This section shall be deemed to be a “renewal resolution” for purposes of section 9 of the Burmese Freedom and Democracy Act of 2003.

(c) **EFFECTIVE DATE.**—This section and the amendment made by this section shall take effect on the date of the enactment of this Act or July 26, 2012, whichever occurs first.

SEC. 4. TIME FOR PAYMENT OF CORPORATE ESTIMATED TAXES.

Notwithstanding section 6655 of the Internal Revenue Code of 1986—

(1) in the case of a corporation with assets of not less than \$1,000,000,000 (determined as of the end of the preceding taxable year), the amount of any required installment of corporate estimated tax which is otherwise due in July, August, or September of 2017 shall be 100.25 percent of such amount; and

(2) the amount of the next required installment after an installment referred to in paragraph (1) shall be appropriately reduced to reflect the amount of the increase by reason of such paragraph.

SEC. 5. EXTENSION OF CUSTOMS USER FEES.

Section 13031(j)(3) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(j)(3)) is amended—

(1) in subparagraph (A), by striking “August 2, 2021” and inserting “October 22, 2021”;

(2) in subparagraph (B)(i), by striking “December 8, 2020” and inserting “October 29, 2021”; and

(3) by striking subparagraphs (C) and (D).

The **PRESIDING OFFICER**. The majority leader is recognized.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that at 12:50 p.m. today, the Senate proceed to executive session to consider Calendar No. 651; that there be an hour of debate equally divided in the usual form; that upon the use or

yielding back of that time, the Senate proceed to vote with no intervening action or debate on Calendar No. 651, Judge Drain of Michigan, at least a judge-to-be in Michigan.

The PRESIDING OFFICER. Without objection, it is so ordered.

VETERANS JOBS CORPS ACT OF 2012—MOTION TO PROCEED—Continued

Mr. LIEBERMAN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER (Mrs. HAGAN). The Senator from Ohio.

Mr. BROWN of Ohio. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWN of Ohio. Madam President, I ask unanimous consent to speak as in morning business for up to 20 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

WALL STREET REFORM

Mr. BROWN of Ohio. Madam President, I rise to discuss the troubling state of our financial system and the unfinished business of Wall Street reform. I am here to talk specifically about too-big-to-fail banks.

Decades of deregulation and laissez faire economic policies helped the six largest U.S. banks grow from 18 percent of gross domestic product only 25 years ago to 68 percent of gross domestic product in 2009. So it went from 18 percent in the mid-1990s to 68 percent of GDP in 2009.

We know what happened next. During the financial crisis, these six megabanks collected \$1.2 trillion—just to understand that figure, if we can—\$1.2 trillion is \$1,200 billion and \$1 billion is \$1,000 million. The six megabanks collected \$1.2 trillion in Federal taxpayer-funded support from the Treasury, from the FDIC, and from the Federal Reserve.

Two years after we passed the Dodd-Frank Wall Street Reform Act—and I supported it because it took many important steps—I am concerned we are not seeing reform, nearly sufficient enough reform, in the financial sector. As we uncover more and more risky, fraudulent, and illegal activities, it seems far too clear that the American people absolutely see this and believe Wall Street is back to business as usual.

Since 2010, we have learned about a number of things. I am just going to rattle off seven or eight significant, serious problems. Some are illegal, some are accusations, some are alleging significant systemic problems—all troubling issues that have happened just in

the last couple years: Investor lawsuits and SEC enforcement actions over mortgage-backed securities; municipalities being sold overpriced credit derivatives, bankrupting some of those municipalities, and think of the hardship that causes these communities; the forging of foreclosure documents and mortgage securities legal documents by five of the Nation's largest servicers, leading to \$25 billion in penalties—\$25 billion in penalties—from these servicers forging foreclosure documents and mortgage security legal documents—\$25 billion in penalties; the Nation's largest bank halting all consumer debt collection lawsuits due to concerns about poorly maintained and inaccurate paperwork; the Nation's largest bank losing \$5.8 billion so far—so far—on large, complex derivative trades that regulators either missed or didn't understand or ignored; suspicions that 16 global banks, including the three largest U.S. banks, manipulated LIBOR—the London Interbank Overnight Rate—that is used as a benchmark for mortgages, credit cards, student loans, and even for derivatives—financial instruments that affect almost everybody in our country.

Continuing with the list of problems since 2010: a criminal bid-rigging trial exposing illegal practices by many Wall Street banks in arranging bids so banks could underpay for municipal bonds; former employees of the Nation's largest bank alleging the company urged them to steer clients to their own mutual funds because they were more profitable to the bank, even though they paid investors lower returns than other funds, while their clients presumably were trusting them to act in their best interests; the Federal Energy Regulatory Commission investigating whether the biggest U.S. bank manipulated prices in the energy markets, forcing consumers to pay more; a \$175 million settlement by the Nation's fourth largest bank for discriminatory lending practices in housing markets that include Cleveland and many other cities. One can walk through these neighborhoods and see what foreclosures have done to them, see what rigging, what other dysfunctional servicers' behavior or illegal activities have done to these communities and to these families.

Putting the numbers aside and the political speech aside, imagine for a moment that a parent of 12- and 13-year-old daughters has to sit down with them and say: Sorry, but dad lost his job a few months ago and now we are losing our home.

Where are we going to move, Mom?

I don't know.

What school am I going to go to?

I don't know yet. We have to figure that out.

Imagine the personal hurt and hardship caused by a lot of these things to a whole lot of families in Cleveland and Mansfield and Cincinnati and Dayton.

More problems since 2010: Regulators are investigating whether the rate that establishes municipal bond prices is susceptible to manipulation.

These are just 11 examples, all of them huge separately and in the aggregate devastating, potentially—certainly devastating to many individuals and potentially devastating in a huge way to our economy as a whole. The list goes on and on and on.

Some experts say we can't—when we talk about potentially forcing these banks to divest themselves because of their size, some experts say our banks need to compete. They say: No, our banks need to compete with the banks in other countries. But then does anyone truly believe—do any of these bankers on Wall Street or bankers in my State who have acted, frankly, more responsibly—the community banks and the credit unions and the regional banks—does anybody truly believe we should follow the European model where never-ending bank bailouts have become the norm?

We know the world's largest bank, HSBC, at \$2.55 trillion, helped launder money from Mexican drug traffickers and Middle Eastern terrorists. As we know by now—all over the newspapers—the eighth largest bank in the world, the \$2.4 trillion Barclays—the city where the Olympics are being held—was the first bank caught manipulating the LIBOR rate, not exactly models we should emulate.

Financial reform is supposed to reduce industry concentration. It is supposed to end too big to fail. But the financial sector is even more concentrated now than it was before the financial crisis.

My colleagues will remember what I said at the outset. In 1995, 18 percent of GDP was the assets of these banks. The six largest banks had 18 percent of GDP in 1995. By 2009, it was 68 percent, and it is even worse today—the top 10 banks' assets, 6 percent in 2006, now 77 percent at the end of 2010 and growing, presumably, as a result of mergers during the financial crisis. Three of the four largest megabanks have grown by an average of more than \$500 billion—grown by an average of more than \$500 billion. They are in the vicinity of \$800 billion and \$1 trillion and \$1.5 trillion and \$2 trillion in assets.

The six biggest U.S. banks have combined assets that are twice as large as the rest of the top 50 U.S. banks put together. Think about that. The six largest U.S. banks, their assets total this; and the next largest 50 U.S. banks—big banks, to be sure; hundreds of billions in assets—total even less than the six largest.

According to Robert Wilmsers, the CEO of M&T Bank, the six biggest banks in the United States account for 35 percent of all U.S. deposits, 53 percent of U.S. banking assets, 56 percent of all mortgages, and 93 percent—93 percent—of trading revenues.

This is just six banks that wield such immense power in our economy. The message to the markets is clear: These trillion-dollar megabanks are too big to manage, they are too big to regulate, and they continue to be too big to fail. We still have work to do.

For all of its benefits—including a new consumer protection agency and oversight of derivatives—the Dodd-Frank legislation relies upon regulators to get it right this time.

But given their track record—sometimes being too close to the people they regulate, so-called regulatory capture; sometimes there just are not enough of them; other times they may not have the expertise to be able to chase around some of the smartest, best educated, most experienced banking executives who know how to game the system. Also, as I said, as to these regulators, we simply do not have enough of them.

That is why I am skeptical. That is why we need to go beyond the central provisions of Dodd-Frank that increase capital, that establish living wills, that establish a process for orderly liquidations. Those are all good things. But, clearly—I just mentioned these 10 or 11 or 12 problems; those are just the biggest ones—clearly, those are not enough.

Members of Congress in both political parties agree that banks need to have much more capital to cover their losses—much more of a financial capital cushion. We agree institutions should issue more stock, should restrict dividends, should retain their earnings to build bigger buffers. But while countries such as Switzerland are considering 19 percent capital requirements—a ratio of about 5 to 1—U.S. regulators are staying within the Basel III international capital standards, which FDIC Director Tom Hoenig has said simply will not prevent another financial crisis.

There is also a living will process that is intended to make it easier to resolve large, complex institutions. We talked a lot about that in Dodd-Frank.

Institutions are supposed to tell regulators how they can be dismantled to protect the financial system as a whole and to protect Middle America when they get into financial trouble. But the proof will be in the results.

So far regulators have yet to begin a process of simplifying the six largest banks that have a combined 14,420 subsidiaries. Six banks have 14,420 subsidiaries.

I mention that number because, Madam President, as you think about every look at these six banks, every quantifying number I try to give, every observation of these six banks, every delineation of what these six banks do and what they are, this speaks of these huge, these behemoth banks that are too big to fail—these six banks. They are too big to regulate, and they are too big to manage.

There is title II Orderly Liquidation Authority. I have heard my colleagues, including the ranking member on my subcommittee, Senator CORKER from Tennessee, who coauthored title II, note that the FDIC and Treasury could keep failing banks on life support rather than liquidate them. Is that what we want when we think of too big to fail, too big to manage, too big to regulate?

I have talked to regulators who have privately told me and told Graham Steele of my staff that they believe our banks are still too big to be allowed to fail because the collapse of banks that size could potentially crush the economy.

We remember the fear in the voices of some of the top people in the Bush administration when they talked to us in the fall of 2008 about what was happening to our financial system. I do not think we have answered those fears nearly well enough.

This is not capitalism the way it should be. It is not right. Some of my colleagues think the answer to too big to fail requires repeal of Dodd-Frank—this is about as silly as it gets—and a return to the same unfettered free market approach that Alan Greenspan championed for decades and that led us into this mess—except Alan Greenspan does not even think we should have that again, even though he was the No. 1 cheerleader, he and the Wall Street Journal editorial board, for an unfettered, unregulated Wall Street. He is, to his credit—and I do not give him credit for much in most of the last 10 years—but, to his credit, he has acknowledged that, yes, indeed, he was wrong; that this unfettered, unregulated Wall Street capitalism simply did not work for our country. He acknowledges doing that again would be a recipe for financial crises and bailouts as far as the eye could see.

Instead, we must face the reality that too big to fail is simply too big, and we must enact the SAFE Banking Act because too big to fail and too big to manage and too big to regulate has become the norm, especially among these large six behemoth institutions.

The SAFE Banking Act, my legislation, would place reasonable limits on the share of deposits and the volatile nondeposit liabilities that any one institution could take on. It would require the largest financial companies to fund themselves with more of their own shareholders' equity and less leverage. It would put an end to the government's implicit and explicit support for megabanks—specifically, the six largest Wall Street institutions that, as I spelled out earlier, are in a class by themselves.

Remember those numbers. The six largest banks: 35 percent of all deposits, 53 percent of all U.S. banking assets, 56 percent of all mortgages, 93 percent of trading revenues. Those six institutions have that kind of power in

the economic marketplace in large part because of actions here.

Regulators and banking leaders are increasingly voicing support for this bill.

Former Federal Reserve Chairman Paul Volcker recently said the J.P.Morgan episode might be an illustration that these banks are too big to manage.

Former FDIC Chairman Sheila Bair says shareholders and regulators could force banks to break up, but this legislation would be the most direct way to do it.

Richard Fisher, the president of the Federal Reserve Bank of Dallas, and James Bullard, president of the Federal Reserve Bank of St. Louis, agree that more needs to be done to address the problem of too-big-to-fail banks.

Last week, the architect of the too-big-to-fail banking model, former Citigroup CEO Sandy Weill, said the biggest banks should be broken up.

Increasingly, this is not a partisan issue. The ranking member of the Banking Committee, Republican Senator SHELBY from Alabama, supported the SAFE Banking Act when it was a floor amendment, when it was the Brown-Kaufman floor amendment.

I have heard from more and more of my colleagues on both sides of the aisle that they might have voted against it a couple years ago as a floor amendment, but things have gotten worse. The idea is sounding better and better to them.

This legislation would protect taxpayers by putting megabank shareholders on the hook for losses and ending bailouts for good.

At a time of increasing fiscal restraint, our Nation can ill-afford to waste precious taxpayer dollars bailing out our largest banks in their recklessness.

My legislation would benefit the community banks that are at an unfair competitive disadvantage because megabanks have access to cheaper funding based upon the perception that the government stands behind them.

Studies estimate this support gives megabanks a 70 to 80 basis point funding advantage. Madam President, 70 to 80 basis points means three-fourths, four-fifths of a percent on interest advantage, if you will—a subsidy encouraged, provided, for that matter, by the expectation of taxpayer support of up to \$60 billion per year.

So if you are one of the six big banks, you can borrow money in capital markets at a lower cost than if you are a community bank in Carey, OH, or a community bank in Sandusky or a mid-sized bank in Columbus or Akron, OH, because the market knows we will not let those six biggest banks fail. So their lending is a little less expensive because there is a lot less risk.

My legislation will benefit investors, as many experts agree that the sum of

the parts of the largest megabanks is more valuable than the banks as a whole. So under our legislation, when they begin—these six megabanks, with assets from \$800 billion to \$2.2 trillion—when they begin to divest themselves, there is a reasonably good chance they will be worth more in the aggregate than they were in the whole.

It will benefit Main Street families and businesses because increased competition will result in better prices, and fraudsters will be punished with the full force of the law. Just about the only people who will not benefit from my plan are a few Wall Street executives who, frankly, have done just fine in the last 10 years.

We simply cannot wait any longer for regulators to act. Wall Street has been allowed to run wild for years. Their watchdogs are either not up to the job or, in some cases, complicit in their activities.

How many more scandals will it take before we acknowledge that we cannot rely on regulators to prevent subprime lending, dangerous derivatives, risky proprietary trading, and even fraud and manipulation?

Even if the regulators wanted to do the job—and I think they do—it would require 70,000 examiners to examine a trillion-dollar bank with the same level of scrutiny as a community bank.

The regulation of the community banks is plenty, but when it comes to the six largest banks, we are not even close. Again, they are too big to fail, they are too big to manage—look at what has happened, those examples I gave—and they are too big to regulate.

We cannot rely on the market to fix itself. The six largest Wall Street megabanks are essentially an oligopoly and a cartel, making true competition impossible.

Megabanks' shareholders and creditors have no incentive to end too big to fail because they get paid out when banks are bailed out. They get paid out when banks are bailed out. And banking laws prevent meaningful management shakeups because any hostile takeover effort would require Federal Reserve approval.

That is why it is time for Congress to act in the interests of the American public. It is time to restore the public's confidence in our financial markets. It is not there now, to be sure. It is time to put an end to Wall Street welfare and government subsidies. We have seen far too much of that. It is time to enact the SAFE Banking Act.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Madam President, I see the Senator from North Dakota on the Senate floor, and I wonder if he seeks recognition. He is my chairman on the Budget Committee. I am inclined to give him precedence.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Madam President, through the Chair, I would say to my colleague, I do have a matter that is a parliamentary inquiry that is a matter that is important for us to resolve. I do not want to intrude on the Senator's time.

Mr. WHITEHOUSE. Madam President, may I suggest that the Senator proceed, and it would be helpful to me if he could give me an indication, first, of how long he might be and, second, that we enter into a unanimous consent agreement that I be recognized following his remarks.

Mr. CONRAD. No more than 4 minutes.

Mr. WHITEHOUSE. Perfect.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WHITEHOUSE. I thank the Senator.

The PRESIDING OFFICER. The Senator from North Dakota.

PARLIAMENTARY INQUIRY—FISCAL YEAR 2013
BCA SEQUESTRATION

Mr. CONRAD. Madam President, I come to the floor today to clear up some confusion with respect to the Budget Control Act of 2011. Some have suggested that the Budget Control Act indirectly authorized the Senate to use a fast-track process to modify the across-the-board cuts scheduled to go into effect next year due to failure of the Joint Select Committee on Deficit Reduction.

Madam President, if that claim were true, it would result in a fundamental change in Senate procedures and prerogatives. However, it is clear in looking at both the statutory language and Congress's intent in passing the Budget Control Act that this claim is completely without merit.

First, let's look at what the law actually says. The key provision at issue is section 258A of the Deficit Control Act of 1985. Section 258A would allow the majority leader to introduce a joint resolution to modify or provide an alternative to a sequestration order—and I quote—“issued under Section 254.” That joint resolution could not be filibustered and would pass the Senate with a simple majority vote. The sequestration orders under section 254 were put in place two decades ago to enforce deficit targets and discretionary spending limits that have long since expired.

A sequestration order under the Budget Control Act is not an order issued under section 254. The Budget Control Act created a new sequestration process under a completely different section of the law: section 251A. Section 251A explicitly authorized a new set of Presidential sequestration orders in fiscal year 2013 for both discretionary and direct spending, and did so without any reference at all to the old section 258A procedures. The statutory language is clear, therefore, that these old procedures do not apply to se-

questration under the Budget Control Act.

It is also clear that Congress never intended for section 258A procedures to apply. There was no discussion of this issue on the floor of either House. There was no discussion of this in the Budget Control Act negotiations between congressional Republicans and the White House, and there was no discussion of this among Democratic Senators. Moreover, the Budget Control Act and the Deficit Control Act of 1985 are completely separate budget enforcement mechanisms enacted 26 years apart and under entirely different circumstances.

Simply put, there is zero evidence of any congressional attempt to apply the 258A procedures to the Budget Control Act sequestration. In order to confirm this for the RECORD, I would like to pose a parliamentary inquiry to the Presiding Officer.

Madam President, is it correct that section 258A of the Deficit Control Act of 1985 does not apply to the fiscal year 2013 sequestration?

The PRESIDING OFFICER. The Senator is correct.

Mr. CONRAD. I thank the Chair. I think it is an important decision to get affirmed publicly so that we might proceed and not be engaged in distractions.

I thank the Chair.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

NIH FUNDING

Mr. WHITEHOUSE. Madam President, last spring Cathy Hutchison picked up a cup of coffee and took a sip. Now, why have I come to the floor of the Senate to talk about Cathy Hutchison picking up a cup of coffee last spring and taking a sip? Because 15 years earlier, Cathy Hutchison was working in her garden when she suffered a stroke that left her paralyzed.

Cathy did not just lose the ability to use her arms and legs, she also lost the ability to speak. I am sorry to say this condition is not unique to Cathy. It happens regularly enough that there is a medical term for it, locked-in syndrome. That is how Cathy lived for nearly 15 years: alert and mentally sharp but unable to move or speak, a prisoner in her own body.

All of this changed last spring when, for the first time in nearly 15 years, Cathy picked up that cup of coffee and took a sip. Cathy Hutchison is a patient enrolled in a clinical trial at Brown University in Providence, RI. They are testing a neural interface device known as BrainGate.

BrainGate works by placing a small sensor on the brain. The sensor is connected to a computer that interprets the brain's signals to control a specially designed robotic arm. The university researchers asked Cathy to imagine that she was moving her arm

in different directions. Then they monitored which neurons fired for those corresponding movements, all in her imagination.

Using this brain wave information, researchers attached a robotic arm to the computer. The computer translated the electrical impulses detected by the sensor in Cathy's brain back into commands to tell the arm what to do.

Cathy communicates through a device that allows her to type using the movement of her eyes, and she typed that she was "ecstatic" about the new technology and hopes it can be expanded to one day allow her to walk again.

The BrainGate team is also working to determine if this technology can ultimately be used to help individuals paralyzed by stroke or injury to regain greater independence. BrainGate is an example of what is possible when the best minds in science and engineering come together for the common good.

Researchers from Brown University, the Department of Veterans Affairs, Massachusetts General Hospital, and the German Aerospace Center collaborated on this project. Their efforts were supported by a grant from the National Institutes of Health, as well as funding from the Veterans' Administration, and several private foundations. BrainGate is just one of the most recent in a long list of medical breakthroughs that are made possible by our National Institutes of Health. The NIH is the cornerstone of our commitment to medical research for the benefit of humanity.

Research supported by the NIH has led to medical advances that have saved and improved countless lives while making America the world leader in discovery and innovation. More than 80 Nobel prizes have been awarded for research supported by the National Institutes of Health.

In Rhode Island, Brown University has received NIH grants to support cutting-edge research on a multitude of diseases, including cancer, dementia, and muscular dystrophy. In fact, the scope of projects at Brown that receive NIH support is so diverse that the university describes its NIH-backed research as covering everything from autism to Alzheimer's. Yet there are those in Congress who have suggested cutting the NIH's budget.

Let's be clear about what cutting the NIH's budget means. It means cutting off funding for research that has provided Cathy Hutchison her first taste of physical independence in 15 years. It means telling the millions of Americans suffering from cancer that they have to wait longer for lifesaving research. It means suffocating a vibrant area of innovation and job creation.

Cutting the NIH budget has ripple effects far beyond just one Federal agency. Quite simply, it will hurt job growth. Medical research is one of the

fastest growing fields nationwide. In Rhode Island and across the country, cities are undergoing a renaissance sparked by the growth of high-paying careers in medical research.

I have heard friends on the other side of the aisle talk at length about how we need to do more to create jobs. Well, I could not agree more. Now is no time to put jobs at risk by cutting back on the research funding that makes them possible. I know the Appropriations Committee recently reported a bill to the floor that would increase the NIH budget by \$100 million for the coming fiscal year. I applaud my colleagues on the Appropriations Committee for their commitment to this vital agency, and I hope we will soon be able to vote on their measure. But there is something looming on the horizon that will render this \$100 million increase all but meaningless. I am talking, of course, about sequestration, under which it is estimated that NIH will face not a \$100 million increase but a \$2.4 billion cut.

I know a lot of my colleagues have discussed the effect that the sequester will have on defense spending, but it is important to remember that 50 cents out of every dollar of cuts that will occur under sequester will come out of nondefense spending, including specifically the NIH.

"Devastating" is the word that keeps being used when people are asked how sequester would affect our National Institutes of Health. That is how NIH Director Dr. Francis Collins described the effect of a nearly 8-percent cut to the agency's budget. Those who are familiar with science know how important it is in ongoing experiments that there be a consistent data set through the period of the research.

When we interrupt research for financial reasons, we can damage the value of research conducted in other years. I agree with my colleagues that we must reduce our long-term deficit, but when we cut funding that creates jobs and leads to lifesaving medical breakthroughs we are pursuing policies that are the epitome of penny-wise but pound-foolish.

I hope we in the Senate can work together to find sensible solutions that reduce the deficit while maintaining our longstanding commitment to medical research and innovation. We owe that much to Cathy and to the millions of Americans whose futures will be brighter thanks to the research and jobs made possible by our American National Institutes of Health. When Cathy Hutchison interacts with the BrainGate program, it is hard not to get the sense that we are looking into the future, a future where people like Cathy will know that disease or injury will not transform their bodies into a prison.

It was Arthur C. Clarke who said "any sufficiently advanced technology

is indistinguishable from magic." For Cathy, for the BrainGate research team, and indeed for anyone who may one day benefit from this remarkable technology, that sip of coffee last spring taken by Cathy Hutchison was a moment of magic. Let's commit ourselves to providing Cathy, the BrainGate team, and all of those who are relying on us in this body to provide the support they need to keep making magical moments like this possible.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

PRODUCTION TAX CREDIT

Mr. UDALL of Colorado. Madam President, I am here again on the Senate floor, as I have been on 14 previous occasions, to urge all of us, to urge my colleagues in the Senate and, of course, our colleagues down through the Rotunda in the House to extend the production tax credit for wind. It is also known by its shorthand as the PTC.

The reason I am here on the floor, as I have said many times before, this is about jobs. If we do not extend the production tax credit as soon as possible, we will lose good-paying American jobs. It is that simple. It is that straightforward.

I am going to keep speaking on the floor of the Senate until my colleagues decide to act, until Congress decides to take the necessary action to extend the production tax credit and protect American jobs. I want to underline that. We are going to protect American jobs and help secure our energy future in the 21st century where clean energy will be a dominant part of the mix.

It has been a treat to come to the floor to do this on one hand because I am touring the country. I focus on a State when I come to the floor. Today I want to focus on the great State of Oregon, where the wind industry is a major part of their economy, and where the PTC's positive ripple effects have been felt statewide.

In short, Oregon is a national leader in wind power. I want to share some of the statistics to make the case. According to the American Wind Energy Association, Oregon ranks sixth in power derived from wind. The wind energy industry supports roughly 3,000 jobs in Oregon. That number is poised to grow but only if we extend the production tax credit.

As we look at the map of Oregon, we can see that Oregon has installed extensive wind power projects along the Colombia River Valley in the northern part of the State. The Colombia basically delineates the State of Oregon from the State of Washington on the right here along its northern boundary. There are enough projects there producing enough power so that 700,000 homes would have electricity from those wind-power projects.

The Biglow Canyon Wind Farm is the ninth largest wind farm in the Nation.

And Oregon's Second Congressional District, which is a very big district, much like the Western Slope district, Colorado's Third District, ranks fourth in the United States for installed wind capacity. Over the last decade, one county alone, a relatively small county, Sherman County, has seen over \$18 million in revenues coming into that county due to the simple presence of the wind energy industry.

That money has helped Sherman County do impressive things. They have created jobs and improved their infrastructure, including building a new public school and library, supporting the Sherman County History Museum, and installing solar panels on county property. A hybrid system is in use using renewable energy with those solar panels. Those are impressive achievements.

Oregon's wind energy potential is tremendous. Currently there are plans to more than triple the amount of power that Oregon gets from wind.

That would mean a total of 9,000 megawatts of electricity. That would power over 2 million homes. Moreover, such a move, such an investment, would create thousands of jobs.

I want to go back to my main point. The wind production tax credit has been a major driver of this growth in the last decade, encouraging some wind energy producers to invest in Oregon and the rest of our country. The PTC has encouraged American innovation, and innovation is how we will grow our economy. It has supported American companies in the wind energy sector. I know the Presiding Officer knows this—and I look forward to the opportunity to talk about her State of North Carolina in the future. The PTC has enticed foreign companies to bring their operations—jobs—to the United States. Because of the PTC, these companies are building factories and offices in the United States.

I want to talk about Vestas, a Danish company that has a significant manufacturing presence in Colorado—four different plants. Last Saturday, I was at a Vestas plant in Pueblo. They support many jobs in Colorado. Vestas also has a strong presence in Oregon. In fact, their U.S. headquarters is located in one of the most livable cities in the world, that being Portland. Vestas has made a real statement about the potential here in the United States.

Again, the point I am making is it is clear to me and a large, growing, and bipartisan group of colleagues in both Houses of Congress, including both of my colleagues from Oregon, Senators MERKLEY and WYDEN, that extending the production tax credit is the right thing to do. It is the right thing to do for our future, for our economy, and for our environment. Without the PTC—if you look at the other side of this success story—the sustained growth of the wind industry in recent years will

slow—it already has—and possibly halt, and we actually may see good-paying American jobs being lost to China and other countries. Why would we want that to happen? We cannot let that happen. The continued uncertainty is not right and not fair when it comes to our U.S. wind industry and the people who work in that sector.

Last Saturday, I heard from the workers at the Vestas plant in Pueblo that they didn't know whether they were going to have jobs in a few months. The looks on their faces alone should motivate all of us to get the wind production tax credit extended. This is also an opportunity for us in Congress to show the American public that we are not as dysfunctional as a Congress as the public believes. This is a chance to support economic growth and American manufacturing right here in our country. The American people expect us to produce results, and we can only do so by working together.

I fear that the wind production tax credit has become a political football. We have a chance to show the American public, who are sick of campaign year rhetoric and politics, business as usual and partisanship, that we can rise above that. I reiterate that this is a perfect opportunity for us because this is not a partisan issue. It has widespread support from both parties across our country. I have been highlighting that fact over the last few weeks.

What can we do? We ought to understand that the production tax credit equals jobs. We ought to pass it as soon as possible. As I wind down, I note that the Senate Finance Committee is meeting right now to consider a tax extenders package. I know many colleagues on the Senate Finance Committee, including Oregon's senior Senator RON WYDEN, are working to include the PTC in the package. I add my voice to those who are already in place, urging the Finance Committee to pass an extension of the PTC today as a part of the tax extenders package, and then let's move the full Senate to the point where we can pass the PTC as soon as possible. Why? Because we are protecting American jobs and we are preparing the ground for additional job creation that is crucial, growing, and exciting in the 21st century to the wind energy industry.

I thank the Chair for what her State is doing for wind power. I look forward to talking about North Carolina.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Madam President, I am delighted to follow the distinguished Senator from Colorado and commend him for his persistence and his passion on preserving the wind production tax credit. We have, as he will recall from our previous discussions together on the floor, facilities that we hope to have going up offshore of

Rhode Island very soon that will provide a local source of energy for us, reduce our reliance on imported oil, and create significant and well-paying jobs at home. So I am glad to be his wingman in this pursuit and thank him for his leadership.

CLIMATE CHANGE

Madam President, yesterday marked the end of what is expected to be one of the top five warmest months on record. The USDA recently declared nearly 1,400 counties in 31 States, including, I am sure, many in Colorado, disaster areas as a result of the ongoing drought. NASA and NOAA declared the last decade the warmest on record. In 2011, we faced 14 weather-related disasters that totaled more than \$1 billion in damage each. We already have several more that have occurred in 2012.

I have come to the floor today to discuss the science of climate change. Virtually all respected scientific and academic institutions have agreed that climate change is happening, and that human activities are the driving cause of this change. A letter to Congress from a great number of those institutions in October 2009 stated that:

Observations throughout the world make it clear that climate change is occurring, and rigorous scientific research demonstrates that the greenhouse gases emitted by human activities are the primary driver. These conclusions are based on multiple independent lines of evidence, and contrary assertions are inconsistent with an objective assessment of the vast body of peer-reviewed science.

If I were to translate that last phrase into layman's terms, it would basically mean if you are saying anything different, we should be looking for your motives.

This letter was signed by the heads of the following organizations: the American Association for the Advancement of Science, American Chemical Society, American Geophysical Union, American Institute of Biological Sciences, American Meteorological Society, American Society of Agronomy, American Society of Plant Biologists, American Statistical Association, Association of Ecosystem Research Centers, Botanical Society of America, Crop Science Society of America, and a great many others.

These are highly esteemed scientific organizations, and they don't think the jury is still out on climate change. They recognize that, in reality, the verdict is in, and it is time to act.

Over the weekend, Dr. Richard Muller, professor of physics at the University of California-Berkeley, and also director of the Berkeley Earth Surface Temperature Project, and a former MacArthur Foundation Fellow—a so-called genius grant award winner—revealed in a New York Times op-ed how he has become a converted climate skeptic. He cites findings from his research, which ironically was partially funded by the Koch brothers, that the

Earth's land temperature has increased by 2½ degrees Fahrenheit in the past 250 years and 1½ degrees over the past 50 years. He states:

Moreover, it appears likely that essentially all of this increase results from the human emission of greenhouse gases.

Unfortunately, human emission of greenhouse gases is on the rise. In 2011, the famed Mauna Loa Observatory documented the biggest annual jump yet in carbon dioxide. A monitoring station in the Arctic this year measured carbon dioxide at 400 parts per million for the first time, which is 50 parts per million higher than the maximum concentration at which scientists predict a stable climate. Of course, 400 parts per million is way outside the 170 to 300 parts per million bandwidth that has existed on this planet for the past 8,000 centuries. For 800,000 years, we have been between 170 and 300 parts per million, and now in the bellwether leading-edge Arctic area, we cracked 400 in our climate.

A 2012 report by the IPCC concludes that climate change increases the risk of heavy precipitation. Rhode Islanders are no stranger to heavy precipitation. In 2010, we saw flooding that exceeded anything we have seen since the 1870s, when Rhode Island first started keeping records. At the height of the rains, streets in many Rhode Island cities and towns looked more like rivers than roads. Local emergency workers sailed down Providence Street, a main road in West Warwick, by boat and jet skis—down a main road on boats and jet skis—in order to assist residents trapped by the floodwaters. Of course, we cannot link that exact storm to climate change, but we know that climate change is increasing the risk of extreme weather events like this one. It is loading the dice for more and worse storms.

As a New Englander, I was concerned by a report released this week by Environment America, titled “When It Rains, It Pours.” The report found that in New England “intense rainstorms and snowstorms [are] happening 85 percent more often than in 1948. The frequency of intense rain or snowstorms nearly doubled in Vermont and Rhode Island, and more than doubled in New Hampshire.” Not only are these inundations happening more often, but the largest events are actually dumping more precipitation—around 10 percent more on average—across the country. For States such as mine, these storms are dangerous, expensive, and cause lasting damage.

We are moving down a troublesome and unknown path. The best we can do now is to prepare for dramatic environmental shifts. We must look to science and scientists and use the best available data to protect and prepare both our natural and built environments, which sustain us and our economy. Ensuring the integrity of our infrastruc-

ture in the face of a rapidly changing climate is essential. I want to focus for a minute on that infrastructure. Coastal States face a particularly unique set of challenges, so the infrastructure challenge for Rhode Island is worse than many places. We face what I call a triple whammy, as we must adapt not only to extreme temperatures and unusual weather but also to sea level rise.

As average global temperatures rise, less water will be stored in snowpack and on the ice sheets of Antarctica and Greenland. We also know that at higher temperatures water expands to greater volume, so that leads to a sea level rise, which is predicted to range from 20 to 39 inches by 2100, with recent studies showing that the numbers could be even higher due to greater than expected melting of glaciers and ice sheets. This is not a theory. We are into the realm of measurement.

Long-term data from tide gauges in the historic sailing capital of Newport, RI, show an increase in average sea level of nearly 10 inches since 1930. At these same tide gauges, measurements show that the rate of sea level rise has increased in the past two decades compared to the rate over the last century. This is consistent with reports that since 1990 sea level has been rising faster than the rate predicted by models used to generate IPCC estimates.

Sea level rise is one thing, and the increase in storm surges that will accompany it is even worse and promises to bring devastation to our doorsteps. Critical infrastructure in at-risk coastal areas—roads, powerplants, wastewater treatment plants—will need to be reinforced or relocated. Additionally, our estuaries, marshes, and the barrier islands that act as natural filtration systems and buffers against storms will be inundated, with little time or space to retreat and move inland as they have in the past. The oncoming weather is coming on too fast.

One consequence of rising sea levels is that local erosion rates in Rhode Island have doubled from 1990 to 2006, and some freshwater wetlands near the coast are transitioning to salt marsh. Increased sea level and erosion puts critical public infrastructure at risk. In one example, we have a small but vibrant coastal community, Matunuck, where beaches have eroded 20 feet over the past 12 years. The town has to face difficult decisions as the only road connecting about 1600 residents and several restaurants and businesses is protected now by less than a dozen feet of sand from the ocean. This road, which provides access for emergency vehicles and lies on top of a water main, must be protected. But what are the costs of protecting this piece of road for areas nearby or farther down the shore? Often when you protect one area of beach from erosion by hardening or altering the shoreline, you do so to the sacrifice of other areas. It takes

science and data to sort out how to do that right.

These are not easy decisions for communities. To best protect infrastructure and the communities and families who live in these at-risk areas, we have to, as a nation, plan ahead. We have to use the best and most reliable science, and we have to be able to prioritize adaptation efforts.

In North Carolina, the State legislature considered a measure that would have severely restricted the ability of their Coastal Resources Commission to employ scientific estimates of future sea level rise. That is the ultimate case of the ostrich burying its head in the sand—in this case, the beach sand. This type of thinking will cost money and lives in the future.

In Rhode Island, we are taking a different approach.

We have to if we want to protect public health and safety. Rhode Island has 19 “high hazard” dams that have been deemed “unsafe” by our Department of Environmental Management. We have 6,000 onsite waste water treatment systems located near the coast, several landfills that may be susceptible to coastal erosion and evacuation routes that could be underwater as sea levels rise.

In 2008, our Coastal Resources Management Council adopted a climate change and sea level rise policy to protect public and private property, infrastructure, and economically valuable coastal ecosystems. The policy states the following:

The Council will integrate climate change and sea-level rise scenarios into its operations to prepare Rhode Island for these new, evolving conditions and make our coastal areas more resilient.

It is the Council's policy to accommodate a base rate of expected 3-5 foot rise in sea level by the year 2100 in the siting, design, and implementation of public and private coastal activities and to insure proactive stewardship of coastal ecosystems under these changing conditions. It should be noted that the 3-5 foot rate of sea-level rise assumption embedded in this policy is relatively narrow and low. The Council recognizes that the lower the sea level rise estimate used, the greater the risk that policies and efforts to adapt sea-level rise and climate change will prove to be inadequate.

This policy is already helping the State make smart decisions. For example, when a new pump station was needed at a sewage treatment plant, CRMC looked at sea-level rise models before determining where it should go, avoiding future relocation costs or malfunction in the face of flash flooding and sea level rise.

In 2010, our general assembly created the Rhode Island Climate Change Commission to study the projected impacts of climate change on the State, develop strategies to adapt to those impacts, and determine mechanisms to incorporate climate adaptation into existing state and municipal programs. A draft progress report from the Commission

lists many ways the state is planning to adapt to climate change, including: Creating a "Structural Concept and Contingency Plan to Inundation of the Ferry Terminals and Island Roadway Systems"; creating the "Central Land-fill Disaster Preparedness Plan"; national grid, our electricity and natural gas utility, undertaking a "Statewide Substation Flooding Assessment"; the Army Corps of Engineers, FEMA, and the Rhode Island Emergency Management Agency conducting a "Hurricane and Flooding Evacuation Study"; and the list goes on and on.

In the town of North Kingston, RI, they have taken the best elevation data available, and modeled 1, 3, and 5 feet of sea-level rise, as well as 1 foot of sea-level rise plus 3 feet of storm surge. By overlaying these inundation models on top of maps identifying critical infrastructure such as roads, emergency routes, railroads, water treatment plans, and estuaries, the town will be able to prioritize transportation, conservation, and relocation projects. They are also able to quantify the costs of sea-level rise. In one small area of the town, 1 foot of sea-level rise would put two buildings, valued at \$1.3 million, underwater. Five feet of sea-level rise, however, jeopardizes 116 buildings valued at \$91 million.

Similarly, by modeling how sea-level rise will impact estuaries, towns can preserve areas that will stay wetlands or undeveloped areas that will become wetlands in the future, as opposed to areas that will be lost. Estuaries act as nurseries for our hugely valuable fisheries, and protect our homes, buildings and communities from storm surge. There is already limited funding to protect these important ecosystems and this kind of planning promotes efficiency in spending.

Let me close by saying that it is now well past time for us as a country to start making policy that helps us adapt to the emerging scientific reality that our actions indeed do affect our environment. For those of us who are ocean States, the state of our oceans and coastlines is particularly significant, and I urge my colleagues to support our National Endowment for the Oceans, which got all the way into the conference committee on the highway bill before it was taken out in an unfortunate, unwise, and, frankly, unfair maneuver.

We are at a place now where nature could not be giving us clearer warnings. Whatever higher power there is—and we each have our own beliefs on that—that higher power that gave us our advanced human capacity for perception, for calculation, for analysis, for deduction, and for foresight has laid out before us more than enough information for us to make the right decisions. Only a wild and reckless greed or a fatal hubris could blind us to the distress signals coming from our oceans,

our atmosphere, and our world. Fortunately, these human capacities still provide us everything we need to act responsibly but only if we will.

I thank the Presiding Officer, and I yield the floor.

EXECUTIVE SESSION

NOMINATION OF GERSHWIN A. DRAIN TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF MICHIGAN

The PRESIDING OFFICER (Mrs. MCCASKILL). Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The assistant bill clerk read the nomination of Gershwin A. Drain, of Michigan, to be United States District Judge for the Eastern District of Michigan.

The PRESIDING OFFICER. There will be 1 hour of debate equally divided.

Mr. LEAHY. Mr. President, earlier this week, Senate Republicans followed through on their partisan opposition to the President by slamming the door on a highly qualified, consensus circuit court nominee with bipartisan support. It was the first time in history that a circuit court nominee reported with bipartisan support from the Judiciary Committee was successfully filibustered. Judge Robert Bacharach, who was nominated to the Tenth Circuit Court of Appeals, had had the strong support of his Republican home State Senators, Senator COBURN and Senator INHOFE. Unfortunately, they chose not to vote to end the unprecedented filibuster of his nomination and cloture fell just short. This deprived the people of Oklahoma and the Tenth Circuit of an outstanding judge who could today be serving the American people as an appellate judge. The Bacharach nomination is one of the many judicial nominees ready for final action by the Senate but being delayed by Republican opposition.

There was an article in the Washington Post this morning entitled "A Bench with Plenty of Room" about the judicial vacancies being perpetuated by partisanship all to the detriment of those seeking justice in our Federal courts. It notes that a lower percentage of President Obama's nominees have been confirmed than had been during the Bush administration and that at this point during the Bush Presidency there were only 28 judicial vacancies. It observes that "Obama, with 78 vacancies, may be the first president in decades to end his first term with more judicial vacancies than when he began." We can change that if Senate Republicans will cooperate in the consideration of the 23 judicial nominees on the Senate Executive Calendar awaiting a final, up-or-down con-

firmation vote. I ask that a copy of that article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Aug. 1, 2012]

A BENCH WITH PLENTY OF ROOM

The Senate's rejection Monday of Oklahoma Magistrate Judge Robert Bacharach for a U.S. Court of Appeals seat sent a clear message to the three other appellate nominees hoping for a vote on the Senate floor:

Fuhgeddaboutit.

Ditto for 16 U.S. District Court nominees also pending in committee. The odds of judicial confirmations after this August recess are exceptionally slim—at best. The Cubs will win the pennant before you'll be putting on the black robes.

No nominees were confirmed after the August recess when President Bill Clinton was running for reelection in 1996 and only three when President George W. Bush was running for a second term in 2004—although five got in during the lame-duck session.

Still, a whopping 13 George H.W. Bush nominees, including two for appellate seats, were confirmed after the August recess in 1992, according to Senate Judiciary Committee statistics.

Four Clinton judicial picks were confirmed after the recess in 2000, when Bush II and Al Gore were running, and 10 Bush judges were confirmed during the race between Barack Obama and John McCain, the committee reports.

So with the numbers pretty much set, let's recap.

President Barack Obama, who started off slowly in getting nominations up to the Senate, never fully caught up. He's nominated fewer judges (200) than either Bush (228) or Clinton (245) on Aug. 1 of their fourth year in office, according to committee statistics.

At the same time, the Senate has confirmed a smaller percentage of Obama nominees than Clinton nominees—78 percent, compared with 80.8 percent—and a much smaller percentage than in the Bush administration (86.4).

As a result, Obama, with 78 vacancies, may be the first president in decades to end his first term with more judicial vacancies than when he started.

At this point in their first terms, Clinton had 58 judicial vacancies and Bush had 28. (The latter figure is pretty much full employment.)

Liberals have criticized Obama for not having pushed harder for his nominees, noting that Bush issued a lengthy statement at a 2002 news conference blasting "a handful" of Senate Democrats for holding up his judicial nominees because they "fear the outcome of a fair vote in the full Senate."

"The Senate has an obligation to provide fair hearings and prompt votes to all nominees," Bush said, "no matter who controls the Senate or who controls the White House." Obama did, however, mention Senate delays in a State of the Union address and in a Saturday radio address, we were told. And Senate Judiciary Chairman Patrick Leahy (D-Vt.) intends to keep moving nominees this fall. Well, who knows? Deals are always possible.

But, after those recess appointments of the consumer finance watchdog and some labor folks in January, furious Republicans are not feeling particularly cooperative on appointments.

Mr. LEAHY. The Senate Republicans who took the floor earlier this week relied on their distorted application of

the Thurmond rule in seeking to justify their unprecedented filibuster of Judge Bacharach's nomination. The truth is that Senate Republicans are trying to find an excuse for their partisan inaction that is stalling almost two dozen judicial nominees.

We now have a President who has worked with home State Senators to select moderate, superbly qualified judicial nominees. Yet Republicans who support these nominees will not vote to end filibusters against them and will not stand up to the partisan obstruction. I am proud of my record of working to lower vacancies and to move nominations whether there is a Republican or Democratic President and of my role ensuring that nominees are treated fairly and that the rights of every Senator are protected in the Judiciary Committee. But this is not about me. This is about the American people. This is about ensuring that they have functioning courts so they have access to justice.

With our Federal courts still severely overburdened, I hope that Senate Republicans will consider the needs of the American people. We need to do better, filling vacancies to ensure a functioning democracy, functioning courts, and do our job for the American people.

There are currently 19 district court nominees who have been reported favorably by the Judiciary Committee who can be voted on right now, almost all of them completely noncontroversial with significant bipartisan support. Of the 19 district court nominees currently pending on the floor, 16 were supported by nearly all Republicans on the committee. All have the support of their home State Senators, including eight with Republican home State Senators.

The reason for this extensive backlog of nominees is that Senate Republicans have allowed for votes on just one district court nominee per week for the last 7 weeks. We cannot allow this slow pace of confirmations to continue with the judicial vacancy crisis that we face. There are currently 78 vacancies. Judicial vacancies during the last few years have been at historically high levels and have remained near or above 80 for 3½ years. Nearly 1 out of every 11 Federal judgeships is currently vacant. Vacancies on the Federal courts are more than 2½ times as many as they were on this date during the first term of President Bush.

In contrast to the dramatic reduction in judicial vacancies during President Bush's first term, judicial vacancies are higher than they were when President Obama came into office—another sad first.

We have heard lots of excuses from Senate Republicans, who have tried to shift the blame for the judicial vacancy crisis to the President. They claim that the President has not made enough nominations. However, there

are 19 outstanding district court nominees who can be confirmed right now who are being stalled. Let's act on them. Let's vote them up or down.

The Senate should proceed to confirm all 19 district court nominees who are ready for final confirmation votes. I know we can do this because we have done this before. On November 14, 2002, the Senate proceeded to confirm 18 judicial nominees on 1 day, and vacancies went down to 60 throughout the country. If we confirm the 19 district nominees ready for final Senate action today, we can reduce vacancies down to 60 as well. I hope that Senate Republicans will not extend their wrong-headed Thurmond rule shutdown to the confirmation of consensus, well-qualified district court nominees. Given our overburdened Federal courts and the need to provide all Americans with prompt justice, we should all be working in a bipartisan fashion to confirm these nominees.

Today, the Senate will vote on the nomination of Gershwin Drain to fill a judicial emergency vacancy in the U.S. District Court for the Eastern District of Michigan. Judge Drain has the strong support of his home State Senators, Senator LEVIN and Senator STABENOW. His nomination was reported favorably by the Judiciary Committee 4 months ago.

Judge Drain has been a State and local trial court judge in Michigan for over 25 years, with jurisdiction over both civil and criminal matters. In that time, he has presided over approximately 600 cases that have gone to verdict or judgment after trial. The ABA Standing Committee on the Federal Judiciary has unanimously rated Judge Drain as "qualified" to serve on the U.S. district court.

Currently a trial judge on the third Circuit Court of Michigan, where he has been presiding since 1997, Judge Drain has also served on the Recorder's Court for the City of Detroit for a decade. Prior to that, he served briefly as a judge for the 36th District Court of Michigan. Before becoming a judge, he was a trial attorney for the Federal Defenders Office for nearly a dozen years, where he tried over 140 cases to verdict or judgment. Judge Drain's vast experience as both a judge and a litigator makes him well prepared to take the Federal bench.

There are some Senators who have expressed concerns about Judge Drain's views based on a few isolated public statements that Judge Drain made more than a decade ago. However, Judge Drain's 25 years on the bench demonstrate that he is more than capable of being a fair and neutral judge who faithfully applies the law. His experience presiding over 600 civil and criminal matters provides further assurance that he makes his decision based on the law and nothing more.

Mr. GRASSLEY. Mr. President, I rise in opposition to the nomination of

Gershwin A. Drain, to be U.S. district judge for the Eastern District of Michigan. Judge Drain, currently serving as a Michigan State court judge, was reported out of committee on a 10 to 8 vote. He could hardly be described as a consensus nominee.

Even as we turn to the 155th nominee of this President to be confirmed to the district and circuit courts, we continue to hear unsubstantiated charges of obstructionism. The fact is, we have confirmed over 80 percent of President Obama's District nominees. That exceeds the percentage for President Bush at this stage in his Presidency.

During the last Presidential election year, 2008, the Senate confirmed a total of 28 judges—24 district and 4 circuit. This Presidential election year we have already exceeded those numbers. We have confirmed 5 circuit nominees, and Judge Drain would be the 28th district judge confirmed. That is a total of 33 judges this year versus 28 in the last Presidential election year. Again, there is no credible basis to argue that this President is being treated differently.

With regard to Judge Drain, I will not take the time to mention every aspect of his record that I find troubling, but I do want to highlight some of my concerns.

In 1994, Judge Drain wrote an article that was published in the Michigan Chronicle concerning the second amendment and the right of American citizens to own and possess firearms. Judge Drain wrote that he "envision[s] a day when the National Rifle Association with its lobby will not be feared, and that legislators and congressman will stand up strong against them instead of bowing down to them." He also wrote that he "looks forward to the time when a person with a gun will be viewed as a coward or a chicken."

I would note that it is not as if Judge Drain was a young and inexperienced lawyer when he took this view. On the contrary, he wrote this article after he had been serving as a judge for approximately 7 years. I recognize that Judge Drain told Senator LEE at his hearing that, if confirmed, he would follow the precedent in McDonald and Heller. But, I also know that when individual has such strong and well-established views on a particular subject, it can be very difficult for them to set aside those strongly held views.

Judge Drain also has very strong views regarding his opposition to the death penalty. In an article he authored in the Detroit News, he referred to the death penalty as a "primitive punishment that is brutal and barbaric." He also said that deterrence was "the only reasonably legitimate argument for killing the convicted," but he said deterrence was actually a "myth." Now, at his hearing, Judge Drain said that he wrote that article many years ago and he no longer holds to that position. But again, given how

Judge Drain appears to have held very strong views on this issue, I am concerned that he would not be able to completely set those views aside.

His views on criminal sentencing concern me as well. Judge Drain has been strident in his opposition to mandatory sentences. He once wrote that, as a judge, "one of my unpleasant tasks on occasion is to impose mandatory sentences." On another occasion, he expressed admiration for judges who refuse to hear drug cases where the law would require them to impose mandatory sentences. He called the judges who refuse such cases "courageous." In my view, judges should accept the cases that are assigned to them, and it is their duty to do what the law requires of them. If they are unable to do that, then they should not be a judge.

At the State level, he urged his legislature to eliminate mandatory sentencing. At the Federal level, he criticized President Clinton's "three strikes and you're out" legislation.

At his hearing, I asked him about his views on sentencing. I appreciate that he acknowledged that his obligation is to follow the law. And then he added, "The fact that I wrote some side comments about [sentencing], really shouldn't have anything to do with my decision-making, and is really kind of irrelevant or unimportant to me."

However, Judge Drain's articles and comments are not irrelevant. As I evaluate the nominee, I have to be comfortable that he will be able to set aside his strongly held personal views and do what the law requires. Unfortunately, I am unable to reach that conclusion. I am sure Judge Drain is an admirable man, but I am unable to support him for the Federal bench.

Judge Drain received his B.S. from Western Michigan University in 1970 and his J.D. from the University of Michigan Law School in 1972. Upon graduation, he clerked for the Michigan Third Circuit Court judges. In 1973, Judge Drain worked as an attorney for a year in the department of transportation in Detroit. There, he handled property damage and minor personal injury cases. From 1974 to 1986, he worked as a Federal public defender in Detroit on felony cases. He handled cases where defendants were charged with a variety of crimes, including drug violations, bank robberies, counterfeiting, mail theft, interstate transportation of stolen property, and gun charges.

In 1986, Judge Drain was appointed to the 36th District Court for the city of Detroit. There, he had jurisdiction over traffic violations, landlord-tenant disputes, misdemeanors, and civil cases where the amount in controversy was less than \$25,000. In 1987, he was appointed to the Recorder's Court for the city of Detroit, where he presided over felony prosecutions.

Judge Drain was elected to the Third Circuit Court of Michigan in 1997,

where he presided over felony prosecutions in Wayne County until 2000. In 2000, he became a civil judge in the Third Circuit and presides over State civil cases where the amount in controversy exceeds \$25,000.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BLUNT. Madam President, I don't intend to talk about the nomination, but I have talked to my friend from Michigan about this, and I would ask unanimous consent that my time come from the Republican time on the nomination discussion.

The PRESIDING OFFICER. Without objection, it is so ordered.

CYBER SECURITY

Mr. BLUNT. I rise today on two topics. One, I want to say that while I don't agree with everything my good friend from Rhode Island just said about the issue he was talking about, the two of us have worked all this year to try to bring people together on the issue we failed to deal with today on cyber security.

Senator WHITEHOUSE and I, along with Senators KYL and MIKULSKI, at the very first of the year began to create opportunities for Senators to sit down together and talk about the threat we face and talk about what we need to do to deal with it. I am convinced and I believe all the people I just mentioned are equally convinced that two things will happen: No. 1, we will eventually have a cyber attack on our country that will be successful in some way that many Americans will understand the danger we face from the cyber threat and, No. 2, that we will eventually pass a bill. My strong belief is that will be a better bill if we pass it before that event rather than after that event.

Mr. WHITEHOUSE. Madam President, may I simply interject, with the Senator's permission, to say how much of a pleasure it has been to work with him on this issue and to say that I think a great number of Senators on both sides of the aisle have worked in very good faith to get to a point where we can pass a bill. And I pledge to him, despite the unfortunate outcome of today's cloture vote, that I am committed to continuing to work with him, Senator KYL, Senator GRAHAM, Senator MCCAIN, and others—I guess Senator CHAMBLISS—on the other side of the aisle so we can indeed take the necessary steps to protect our Nation from this threat. But I say this with a strong consciousness of the very good will and the very hard work Senator BLUNT put into this effort and with great appreciation to him personally.

I yield the floor.

Mr. BLUNT. I thank my friend from Rhode Island, and I think we can move forward. I think there is good faith.

As I said, we started—the four of us—beginning to get people together. That group was quickly joined by Senators

COLLINS and LIEBERMAN, so then six of us began to get people together. There were any number of meetings this week with about two dozen Senators, about equally divided between both parties, trying to find a way forward. I didn't think we found that in the cloture motion today. The motion said: Here is how we are going to proceed to finish the bill, and so we didn't move forward today. But I hope we can continue to work with Senator REID and others to create the sense that Senator WHITEHOUSE just expressed, that there is great bipartisan effort being made to find a solution that not only would pass a Senate bill but would wind up with a bill on the President's desk sometime this year.

You don't have to look very far to find people who will say that the greatest threat we face at this moment is the threat of some kind of cyber attack. At the highest levels of our military structure, of our intelligence structure, they quickly come to that conclusion. And leaving here for the work period in August that Congress has had since the beginning of Congresses without having this done on the Senate side is disappointing to me.

On the other hand, there wouldn't have been a bill even if we had passed a bill today because we have to work with the House to have a bill that winds up with a piece of paper on the President's desk—a relatively small stack of paper—that he can sign and that then becomes the law that allows us to either minimize or hopefully avoid the current certainty that someone will eventually begin to get to our critical infrastructure in a way that makes it hard for the country to get water, to get electricity, to communicate, or to address the financial network. You know, 3 or 4 days anywhere in the country where the electricity is out, suddenly you begin to see all of the things that are dependent on just the electrical grid alone.

Hopefully we can do this. I know work is being done. I will be involved in some of it later today. As I said, I am disappointed we didn't get this done, but it has to be done. We can't leave here this year with the House saying "we passed a bill" and the Senate saying either "we didn't pass a bill because one side didn't want to work with the other" or "we passed a bill, but the House wouldn't agree to it." This is not a problem that we just need to have a political answer to; this is a problem we need to have a real answer to.

IRAN SANCTIONS

What I also came to the floor to talk about today is something we actually managed to get done just a few days ago when the Senate passed the House-passed Iran Threat Reduction and Syria Human Rights Act. This is one thing people who don't agree on much of anything else in the House and Senate can figure out how to agree on.

This bill, while I think it could have been a little stronger, was still a strong effort to reach a conclusion that hopefully the President will sign as soon as possible and send the right message to Iran that even amid our vigorous disagreements on all these other issues, including something as important as cyber security, Congress stands united against Iran developing nuclear capacity.

Let me give some of the highlights of the bill. This would create strong new measures on any entity that invests in Iran's petroleum, petrochemical, or natural gas sector, strong measures against any entity that provides goods, services, and infrastructure or technology to Iran's oil and natural gas and any entity that provides refined petroleum products to Iran.

Iran is an economic basket case. They have all this oil, but they can't turn enough of it into gasoline for their own country because of the kind of government under which they are suffering.

Again, this bill would create new, strong measures against any company or entity that insures or reinsures investments in Iran's oil sector; that engages in joint ventures with the National Iranian Oil Company; that provides insurance or reinsurance to the National Iranian Oil Company or the National Iranian Tanker Company; that helps Iran evade oil sanctions through reflagging or some effort that tries to hide the real source of oil coming from Iran; that sells or leases or otherwise provides tankers to Iran; that transports crude oil from Iran concealing the origin of Iranian crude in any way. These are good measures that strengthen what we have been doing, and what we have been doing is having some impact. I believe we need to have more impact because the result would be so unacceptable if Iran successfully gets a nuclear weapon.

The bill prevents Iran from bringing money back when it sells oil in other countries. Now, 80 percent of their hard currency comes into the country that way. So we would say that can't happen. And 50 percent of all the money that runs the government comes in that way. When the President signs this bill, we are saying this shouldn't be allowed to happen. It also prevents the purchasing of Iranian sovereign debt.

I have been working on this issue for a long time. In 2006 I worked with my colleagues in the House and Senate and the administration to secure the first Iran Freedom Support Act, which updated the Iran sanctions law and put into law many of the things we have been doing. This bill, along with that bill, addresses problems we need to be concerned about as a country.

Late last year the Senate passed an amendment to the Defense bill, 100 to 0, to block Iran's access to global cap-

ital markets. Foreign banks that do business with Iran's banks won't be able to do business with the U.S. financial system.

Nobody disputes what a nuclear Iran would mean to the world. Iran is currently led by a man who has called for the destruction of our ally Israel. Iran's government funds and supports terrorist organizations and regimes all over the Middle East that threaten American allies and interests and American citizens. The Iranian regime is dangerous, it is undemocratic, it treats its own people brutally, and it associates itself with other countries that do the same thing. North Korea, Venezuela, and Syria are allies of Iran. What does that tell us? We can sometimes tell a lot about a country by the few friends it has left in the world. Iran bankrolls Hezbollah and has strong financial ties with Hamas. Remember, this is a country that can't even produce their own gasoline, even though they send oil out every day, because they are focusing on nuclear activities when they have so many other needs. So there is no reason to believe a nuclear Iran would not be a threat to the United States.

Some of our country partners in that region, such as Turkey, feel they have to develop nuclear programs if Iran does.

The Iranian people, many of whom advocate for freedom and demonstrated their bravery in the 2009 uprisings, are not our enemies. This government, however, is our enemy, and this government should not be allowed to have a nuclear weapon.

We are going to have to work together to more vigorously persuade countries such as Russia and China that their ties with Iran aren't in the best interest of the world. We have to work to encourage our European allies to accept some further risk as they also continue on the path they are on to make these sanctions work better.

I understand there is some risk here, but the Senate—which doesn't agree on a lot of things—agrees that an unacceptable conclusion to what is going on in Iran right now would be a nuclear Iran.

I urge the President to sign this bill to implement the provisions as quickly as possible and to work with other countries in the world to see that we all advance the interests of peace by insisting that Iran not continue on the course it is on.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Madam President, I am very pleased that the Senate is now taking up the nomination of Gershwine Drain to be a judge on the Eastern District Court of Michigan.

Judge Drain has an impressive legal career. He graduated from the University of Michigan Law School and then

went on to earn a master's of judicial studies degree in 1991. He has served with distinction as a trial judge for over two decades in all three of our trial courts, from the lowest court, which is a so-called district court, to the recorder's court and the circuit court.

He has demonstrated a career-long dedication to helping the people understand how our legal system works. As a longtime columnist for the Michigan Chronicle newspaper, he has explained often-complex legal issues in language accessible to lay readers, broadening understanding of and appreciation for our courts. Beyond his writing, Judge Drain has been very active in the community, including membership on the education committee of the Southfield Christian School Board.

It is important to note that the confirmation of Judge Drain would help to remedy the judicial emergency in the Eastern District of Michigan. Vacancies and caseloads in the Eastern District meet the Federal judicial system's definition of an emergency. These judicial emergencies lead to delays and, even worse, to the risk of rushed judgments that could deprive Americans of the impartial justice that is so much a necessary component of our democratic system of government.

Judge Drain was asked about some of his past writings and statements during his confirmation hearing at the Judiciary Committee on such issues as capital punishment and mandatory minimum sentences. He indicated that some of those views—some of them decades ago—have evolved. He was candid in saying where they have changed. I don't agree with everything Judge Drain said 20 years ago, but nonetheless, without the slightest hesitancy, Senator STABENOW and I have recommended him to be a judge on the Eastern District Court for Michigan.

The test of his fairness has been shown by the fact that he has served with distinction for over two decades on trial courts. Another test of his fairness is how the legal community feels about Judge Drain.

Senator STABENOW and I have appointed a judicial advisory commission to make recommendations to us for the judicial positions we have on the Federal district courts. His nomination was the result of an examination by and consideration of a host of people interested in being Federal court judges in the Eastern District. His competition was great. There are literally dozens of qualified people whom we considered—more accurately, our judicial advisory commission considered—to recommend to the President for nomination. He was one of the persons they recommended. This is a commission we have appointed in order to remove the nominees whom we recommend to the President, as much as we can, from partisan politics and to

put them instead under consideration to be a judge with great objectivity. We have a broadly based commission. I think the best test of his fairness and objectivity and his ability to judge people not based on anything other than the merits of the case in front of him is testified more than anything to by the fact that the broadly based judicial advisory commission recommended his nomination to us as one of the people to be considered, and we recommended him to the President.

The American Bar Association has also spoken on this issue. He has been recommended unanimously as qualified for the Federal bench by the Standing Committee on the Federal Judiciary of the American Bar Association.

So we are in a position here where we have a judicial emergency on the Eastern District Court. We have a situation where the delays that result deprive Americans of what they are entitled to. We have a nominee who has been recommended by a broadly based commission that Senator STABENOW and I have appointed. He has been given a unanimous rating of "qualified" by the American Bar Association. And I think his commitment has been shown not just by his decades of service as a trial judge but by the way he answered the questions in his confirmation hearing. He said—and he has shown this in practice—that "my personal beliefs, both past and present, have no bearing on the decisions I make in court." The notion that he would insert his own personal judgment in place of the law is contradicted by not just his testimony but by a record of decisions that indicate he abides by the concept of judge as impartial arbiter.

Senator STABENOW and I strongly urge our colleagues to confirm Judge Drain. We hope that can happen in the next hour.

Madam President, I yield the floor and ask that the time between now and the time for voting be equally divided between the majority and the minority.

The PRESIDING OFFICER. Without objection, it is so ordered. The quorum call will be equally divided.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. LAUTENBERG. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

POLITICIZING ISRAEL

Mr. LAUTENBERG. Madam President, I rise today out of disbelief with the rhetoric coming from Republicans and their Presidential candidate concerning the U.S. relationship with Israel. Frankly, it pains me to see that a political trip to Israel is carried with a message to scare the Israelis that

President Obama and this administration are not as fast and as complete as they are.

I have had numerous trips to Israel. One was the 6-day war in 1967, when the Israelis had battled with the Egyptians, and I got there shortly after the guns stopped shooting. I went to the Sinai Desert and watched the Israelis on guard while the Egyptian soldiers were carrying necessary items, such as water and food, for their people. I was reminded then that the Israelis always have to be on guard. They are never free to go about their domestic interests and problems without having one eye open to make certain the rockets that are being aimed at them aren't going to tear their people apart again, as their people have experienced—the worst of human relations, a blight on mankind which can never be forgotten, and the Israelis remember it very clearly.

Unfortunately, Republicans want to use our relationship with Israel as a political game, which is terrible for America's national security and bad for Israel. The implication that we are weak in our support for Israel is foul play and encourages Israel's enemies to look and say: Well, maybe America is not as solid on its support of Israel, because Mr. Romney, when asked the question about what he would do differently with Israel, says he would do just the opposite of what President Obama has done.

We have built a relationship between our countries that is firm and unshakable since 1948. To try to clumsily interfere with that is shameful. Republicans are distorting the state of U.S.-Israel relations for political gain and sending the wrong signal to the rest of the world.

When you listen to the Republicans—especially their Presidential candidate, Mitt Romney discuss Israel, reality is often replaced with distortion and fantasy. Mitt Romney says President Obama has not been a friend of Israel. That couldn't be any further from the truth. When we examine the record, it is clear that President Obama shares my convictions about the enduring bond between Israel and the United States. It is clear that there is no greater friend to Israel than this President.

But you don't have to take my word for it. Here is a chart that carries a message from a distinguished leader in Israel, the Israeli Defense Minister, Ehud Barak. He says very clearly:

[T]his administration under President Obama is doing in regard to our security more than anything that I can remember in the past.

He made certain that it is quite understood that the relationship with Israel and America is solid and well-balanced. This is coming from, as I said, a distinguished, decorated military leader. He helped plan the historic

raid on Entebbe to rescue Israelis who were held in a grounded airplane. He understands Israel's security.

Israeli Prime Minister Benjamin Netanyahu has called the Obama administration's security policy for Israel "unprecedented." But if you listen to Republicans over here in the United States, they say we have all but abandoned Israel's security. They are encouraging hostile neighbors with their misrepresentations. Shame on them.

Governor Romney in particular has demonstrated frightening ignorance about Israel and its security needs. The prime example of this behavior is the Republican Presidential nominee's complete inability to articulate what exactly he would do differently than President Obama. When asked about what his policy regarding Israel would be, and I have to quote him here, he said: "I'd look at the things the President has done and do the opposite."

What a threatening statement that is. He said he wants to do the opposite of President Obama. So let's look at what that would mean. Obama blocked Palestinian statehood when it was brought up in the U.N. He had a big fight on his hands to keep that from happening. So that means Romney, as President, would allow Palestinian statehood in the U.N. He said he is going to do the opposite.

Record high U.S. aid for Israel? Romney is going to do the opposite. That means he has to lower the U.S. aid for Israel.

Obama says all options on the table for dealing with Iran are there. That means that Mitt Romney, if President, would only use "containment" of a nuclear Iran as his yardstick for dealing with this incredible problem.

So, everybody, beware. Israelis, beware. Don't be taken in by this and don't let people in America be taken in by this. They know that Israel is America's best friend.

Last September, when the Palestinian Authority aggressively pursued a U.N. vote on statehood, that is when President Obama stood strong and blocked it. If we are to believe Mitt Romney, however, as indicated here, he would have allowed this unilateral action on Palestinian statehood to proceed.

Just a few days ago, President Obama signed into law a new bill that will strengthen U.S. security with Israel even further. But again, if we are to believe Mitt Romney, he would have lowered Israeli aid and weakened, thusly, Israel's defenses against the threats it constantly faces.

And last, President Obama has stood absolutely firm in his call to stop Iran from development of a nuclear weapon. The Obama administration has been clear that all options are on the table to prevent Iran from becoming a nuclear threat to its neighbors. President

Obama has put in place the strongest sanctions ever against Iran, sanctions that have punished and isolated Iran more than ever before. If we are to believe Mitt Romney here as well, under President Romney America's policy toward Iran would be one of accepting a nuclear-armed Iran that threatens Israel's—and the world's—very existence.

The bottom line is this: These are not simple problems and they will require real leadership to tackle. We cannot play games with America's best friend. Israel continues to be threatened by rockets launched by Hamas from the Gaza Strip. Iran appears intent on developing a nuclear weapon and is the foremost state sponsor of terror. But instead of approaching these issues with the careful consideration they deserve, the Republicans seem intent on twisting reality for political gain.

We see it on the domestic front, too. The Republican leader said—he said it here—his party's top priority is to make President Obama a one-term President, and they are using any pretense they can to establish that. Their top priorities, then, clearly do not include helping everyday Americans by creating jobs, improving our schools, or strengthening our health care system. If we take Mitt Romney at his word, they are certainly not aimed at doing what is in Israel's best interest. And when they simply wish for our President's failure, they are hurting America's chance for success.

When they fail to put forth any ideas of their own, they show themselves to be unfit to govern, unable to lead. Their mission, their primary mission is to bring down the record that President Obama has established. We have recaptured a lot of jobs. Still, we have a long way to go to get our economy in better motion than it is, but everybody knows we are working on it. We have seen remarkable growth in jobs in the automobile industry, which looked as though it might have ended up being unable to function in this country of ours.

The whole world knows that America's leadership depends on its domestic strength and not on casual political rhetoric that challenges America's loyalty to its friends.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Ms. STABENOW. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Michigan.

Ms. STABENOW. Madam President, I rise today to strongly urge my colleagues to support the nomination of

an outstanding judge, Gershwin Drain, to the United States District Court for the Eastern District of Michigan. We will have an opportunity to vote in a few minutes. Senator LEVIN and I join together in the strongest possible recommendation to our colleagues on this nomination. I have known Judge Drain for many years. I can tell you he is a very impressive individual with a long record of excellent public service. He has served in the district court, the Detroit Recorder's Court and the Wayne County Circuit Court.

He is active in the community. When I am in the community and have the opportunity to be at events that are important for people, for families, for communities, for children, for economic development, Judge Drain is always there, supporting the efforts of Detroit and of Michigan.

He is of course dedicated to his incredible family, who I know is very proud of him, as we are. But don't take my word for it. The American Bar Association Standing Committee on the Federal Judiciary unanimously rated Judge Drain "qualified" to serve on the District Court. He was named a "Man Of Excellence" by the Michigan Chronicle newspaper, and the Detroit News named him "Michiganian of the Year"—both very prestigious recognitions in Michigan.

This is a very important judgeship that has been vacant for more than 2 years. It is important for people in Michigan and throughout the eastern district to be able to have the full measure of justice they expect and deserve when coming before the court. It is very important that we fill this vacancy.

I am appreciative and proud that the President of the United States has nominated him. I appreciate the support of the Judiciary Committee in bringing this nomination forward and the agreement to allow us to vote on this nominee.

Judge Drain has the qualifications, the experience, and the temperament for this very important position. I strongly urge my colleagues to support his nomination and to vote yes when it comes before us in the next few minutes.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LEVIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is, Will the Senate advise and consent to the nomination of Gershwin A. Drain, of Michigan, to be United States District Judge for the Eastern District of Michigan?

Mr. LEVIN. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. KYL. The following Senators are necessarily absent: the Senator from Illinois (Mr. KIRK), the Senator from Kansas (Mr. MORAN), the Senator from Florida (Mr. RUBIO), and the Senator from Louisiana (Mr. VITTER).

The PRESIDING OFFICER (Mr. SANDERS). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 55, nays 41, as follows:

[Rollcall Vote No. 189 Ex.]

YEAS—55

Akaka	Gillibrand	Nelson (FL)
Baucus	Hagan	Pryor
Begich	Harkin	Reed
Bennet	Inouye	Reid
Bingaman	Johnson (SD)	Rockefeller
Blumenthal	Kerry	Sanders
Boxer	Klobuchar	Schumer
Brown (MA)	Kohl	Sessions
Brown (OH)	Landrieu	Shaheen
Cantwell	Lautenberg	Stabenow
Cardin	Leahy	Tester
Carper	Levin	Udall (CO)
Casey	Lieberman	Udall (NM)
Coats	Manchin	Warner
Conrad	McCaskill	Webb
Coons	Menendez	Whitehouse
Durbin	Merkley	Wyden
Feinstein	Mikulski	
Franken	Murray	

NAYS—41

Alexander	Enzi	McCain
Ayotte	Graham	McConnell
Barrasso	Grassley	Murkowski
Blunt	Hatch	Nelson (NE)
Boozman	Heller	Paul
Burr	Hoehn	Portman
Chambliss	Hutchison	Risch
Coburn	Inhofe	Roberts
Cochran	Isakson	Shelby
Collins	Johanns	Snowe
Corker	Johnson (WI)	Thune
Cornyn	Kyl	Toomey
Crapo	Lee	Wicker
DeMint	Lugar	

NOT VOTING—4

Kirk	Rubio
Moran	Vitter

The nomination was confirmed.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, I ask unanimous consent that the motion to reconsider be considered made and laid upon the table, that the President be immediately notified of the Senate's action, and the Senate resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

BURMESE FREEDOM AND DEMOCRACY ACT

Mrs. FEINSTEIN. Mr. President, I rise today to express my support for S. 3326, a trade package that includes legislation sponsored by myself and Senator MCCONNELL to renew the import ban on Burma for another year.

I have been involved in the struggle for freedom and democracy in Burma for 15 years.

In 1997, former Senator William Cohen and I authored legislation requiring the President to ban new U.S.

investment in Burma if he determined that the Government of Burma had physically harmed, rearrested or exiled Aung San Suu Kyi or committed large-scale repression or violence against the democratic opposition.

President Clinton issued the ban in a 1997 Executive order.

In 2003, after the regime attempted to assassinate Aung San Suu Kyi, Senator McConnell and I introduced the Burmese Freedom and Democracy Act of 2003, which placed a complete ban on imports from Burma. It allowed that ban to be renewed one year at a time.

It was signed into law and has been renewed annually since then.

It expired on July 26 which is why this legislation is before us today.

In past years, the debate on renewing the import ban on Burma has focused on more than two decades of violence, oppression, and human rights abuses by the ruling Burmese military.

They annulled the last free parliamentary elections won by Aung San Suu Kyi and the National League for Democracy.

They kept Suu Kyi in prison or under house arrest, detained hundreds of political prisoners, and ignored democracy, human rights, and the rule of law.

They drafted a new constitution that maintained the military's grip on power and prevented Suu Kyi and her party from participating in the political process.

But, I am pleased to report that this year is different. We have seen some remarkable changes in Burma over the past year which appear to have put Burma on the path of reform and rejoining the international community.

Hundreds of political prisoners have been released.

New legislation broadening the rights of political and civic associations has been enacted; and negotiations with ethnic minority groups have begun and some cease-fires have taken effect.

In addition, Suu Kyi and her National League for Democracy, NLD, were allowed to compete in by-elections for 45 open seats in the new parliament in April 2012.

Suu Kyi and the NLD won 43 of the 44 seats they contested.

For those of us who have been inspired by her courage, her dedication to peace and her tireless efforts for freedom and democracy, it was a thrilling and deeply moving event. Years of sacrifice and hard work had shown results—the people of Burma had spoken with a clear voice in support of freedom and democracy.

The United States has responded to this reform process in a number of ways.

Secretary Clinton traveled to Burma last December and met with Suu Kyi and President Thein Sein.

The United States and Burma resumed full diplomatic relations, with

Ambassador Derek Mitchell becoming the first U.S. ambassador to Burma in 22 years.

Earlier this month, the administration announced that it was suspending U.S. sanctions on providing financial services to Burma and investing in Burma.

I supported these actions. It is entirely appropriate to acknowledge the steps Burma has already taken and encourage additional reforms.

Some may ask then: why stop there? Given the reforms, why renew the import ban?

The fact of the matter is, the reforms are not irreversible and the Government of Burma still needs to do more to respond to the legitimate concerns of the people of Burma and the international community.

First, it must address the dominant role of the military in Burma under the new constitution.

The military is guaranteed 25 percent of the seats without elections and remains independent of any civilian oversight.

In addition, the commander in chief of the military has the authority to dismiss the government and rule the country under martial law.

It goes without saying that such powers are incompatible with a truly democratic government.

Second, Burma must stop all violence against ethnic minorities. I am particularly concerned about reports that the Burmese military is continuing attacks in Kachin State, displacing thousands of civilians and killing others.

Third, the government must release all political prisoners.

I applaud the decision of the Government of Burma to release hundreds of political prisoners, including a number of high-profile democracy and human rights activists.

Yet, according to the State Department, hundreds more remain in detention.

Unfortunately, the Government of Burma maintains there are no more political prisoners. We must keep the pressure on Burma until all democracy and human rights activists are free and able to resume their lives and careers.

I believe that renewing this ban will help keep Burma on the path to full democratization and national reconciliation and support the work of Suu Kyi, the democratic opposition, and the reformists in the ruling government.

It will give the administration additional leverage to convince Burma to stay on the right path.

And the administration will still have the authority to waive or suspend the import ban—as it has suspended sanctions on investment and financial services—if the Government of Burma took the appropriate actions.

If we do not renew the import ban, however, and Burma backslides on reform and democratization, we would

have to pass a new law to reimpose the ban.

By passing this legislation, we ensure that the administration has the flexibility it needs to respond to events in Burma as it has done so with financial services and investment.

Suu Kyi herself has argued that “sanctions have been effective in persuading the government to go for change.”

I think renewing the import ban will push it to go further.

I urge my colleagues to support this bill.

Mrs. HAGAN. Mr. President, I ask unanimous consent that the quorum call be dispensed with.

Mr. President, the bill we are considering this morning—the AGOA-CAFTA-Burma sanctions package—has several parts, but I want to focus on the very real impact that one provision will have on jobs in my home State of North Carolina.

This provision would make non-controversial technical fixes to the Dominican Republic-Central American Free Trade Agreement.

When the DR-CAFTA was first negotiated nearly a decade ago, the intention of all the parties was to preserve the benefits of tariff reductions on yarn for the countries at the negotiating table.

That is how the United States has traditionally negotiated the textile chapter of its free-trade agreements.

But when the DR-CAFTA was agreed to in 2005 an out-of-date definition for sewing thread was used that inadvertently allowed non-CAFTA nations to export a certain kind of yarn into the CAFTA region duty free.

Textile manufacturers in countries like China began exploiting this loophole to substitute their yarn for U.S.-produced yarn, and this action severely damaged textile manufacturers in North Carolina and the rest of the United States.

Let me give you one example.

Unifi is a textile manufacturing company headquartered in Greensboro, NC, with plants throughout the State. Half of their employees tied to the thread business have lost their jobs since 2006 when CAFTA took effect and the yarn loophole was exposed.

Unifi is not alone.

There are nearly 2,000 jobs in the United States that are directly affected by the exploitation of this loophole.

Creating jobs in North Carolina is my No. 1 priority.

Now I am proud of North Carolina's historic textile industry. It continues to innovate its way through advanced manufacturing and investments in research and development.

But times are tough enough as it is for the American textile industry.

We simply cannot afford to lose good-paying manufacturing jobs in North Carolina's textile industry because foreign countries are exploiting drafting errors and Congress delays fixing them.

We should be looking for ways to allow our textile companies to compete with their foreign counterparts on a level playing field. This bill is a step in that direction.

The corrections in this bill were brought to the attention of other CAFTA countries by the United States, were agreed to in February 2011 and have since been enacted by all the other CAFTA countries.

I am glad that we overcame this hurdle to ally ensure the integrity of the textile provisions of the Central American Free Trade Agreement.

This fix is long overdue.

I want to express my deep appreciation to Chairman BAUCUS for his leadership in moving this bill forward.

Mr. MCCONNELL. Mr. President, I rise today to applaud Senate passage of the Burmese Freedom and Democracy Act. The measure extends for another year the import ban with regard to Burma.

I would like to clarify two issues that have prompted some confusion regarding this legislation.

First, the measure we are passing renews import sanctions for 1 year and 1 year only. I emphasize this point because it has been misreported that this bill renews sanctions for 3 years. That is not accurate; the bill renews them only for 1.

Second, enactment of this bill does not overturn the easing of investment and financial sanctions that the administration unveiled earlier this year. In fact, this year's bill, as in years past, provides authority for the administration to waive the import sanctions should it determine that certain conditions have been met. Before deciding whether to waive import sanctions, I would strongly urge the administration not only to consider the changes occurring within Burma but also to consult closely with Nobel Peace Prize laureate Daw Aung San Suu Kyi and the National League for Democracy.

This year's legislation comes at a time of historic changes on the ground in Burma. Daw Aung San Suu Kyi, long a political prisoner in the country, is now a member of Parliament. The National League for Democracy, once a banned organization, now actively participates in the political life of Burma.

For these reasons, the administration has taken a number of actions to acknowledge the impressive reforms that President Thein Sein and his government have instituted. The United States has responded by sending an ambassador to Burma for the first time in two decades. The administration also largely waived the investment ban and financial restrictions, permitting U.S. businesses to begin investing again in Burma.

For my part, I want to see investment in the "new" Burma. I want to see Burmese reformers empowered accordingly, and I want to see greater

economic development come to this underdeveloped country. And, frankly, during challenging economic times here at home, I want American businesses to be able to compete in Burma now that sanctions have been removed by other Western governments.

That said, high standards for accountability in American business operations in Burma are important going forward. This seems particularly acute with regard to transactions involving Myanmar Oil and Gas Enterprise. I would urge U.S. businesses to show the Burmese people and the world the positive effects that American investment prompts. I am confident that, as they do elsewhere around the world, U.S. enterprises in Burma will set the standard for ethical and transparent business practices and lead the way for others to follow.

I would be remiss if I did not note the significant challenges in Burma that lie ahead. Ongoing violence in Kachin State and sectarian tensions in Arakan State reflect the long-term challenge of national reconciliation. Hundreds of political prisoners remain behind bars. The constitution still has a number of undemocratic elements. And the regime's relationship with North Korea, especially when it comes to arms sales with Pyongyang, remains an issue of grave concern.

Even with these challenges, however, I am greatly encouraged by the progress that has been made over the past year and a half in Burma. My colleagues and I in the Senate will continue to monitor developments in the country with great interest and with hope for the future.

AFRICAN GROWTH AND OPPORTUNITY AMENDMENT ACT

The PRESIDING OFFICER. Under the previous order, H.R. 5986 having been received from the House of Representatives, and its text being identical to the text of S. 3326, the Senate will proceed to the immediate consideration of the measure, which the clerk will report.

The bill clerk read as follows:

A bill (H.R. 5986) to amend the African Growth and Opportunity Act to extend the third-country fabric program and to add South Sudan to the list of countries eligible for designation under that Act, to make technical corrections to the Harmonized Tariff Schedule of the United States relating to the textile and apparel rules of origin for the Dominican Republic-Central America-United States Free Trade Agreement, to approve the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2008, and for other purposes.

The PRESIDING OFFICER. Under the previous order, the clerk will read the bill for the third time.

The bill was read the third time.

The PRESIDING OFFICER. Under the previous order, the bill (H.R. 5986) is passed.

VETERANS JOBS CORPS ACT OF 2012—MOTION TO PROCEED—Continued

Ms. STABENOW. Mr. President, I would suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. WHITEHOUSE). Without objection, it is so ordered.

SYRIA

Mr. MCCAIN. Mr. President, at this late hour of our session, until September, I think it is important we continue to pay attention to and be concerned about the situation in Syria. Today, Kofi Annan, the former Secretary General of the United Nations, announced the failure of his mission. If there is anything about the conflict in Syria that did not surprise most of us, it is the fact that Kofi Annan's mission was a failure. It was doomed to failure from the beginning. It was based on the premise that somehow Bashar Assad would be motivated to stop the massacre of his people. It was motivated on the premise that somehow U.N. observers could come in and stand between the two fighting forces but totally ignore the fundamentals of this conflict.

The fundamentals of this conflict are simple: It is the Syrian people attempting to assert their God-given rights and throw off the yoke of a brutal and unconscionable dictator, and on the other side of the equation Bashar Assad's commitment to doing whatever is necessary, including massacring now as many as 20,000 of his own people in his desperate quest to remain in power in Syria.

Let's not forget that one of the reasons we have seen heavy Russian involvement in the form of supplies of arms and equipment and continued Russian veto of resolutions in the U.N. Security Council that would have imposed even the mildest sanctions on Bashar Assad is what seems to be some kind of nostalgia on President Putin's part for the old Russian empire and the maintenance of their one base on the Mediterranean port in Syria.

The Russians' behavior in this throughout, as they continue to block one resolution after another, of course, is revealing of the true nature of the Putin regime, the autocracy and kleptocracy that has now asserted its full power and weight in Russia. In addition to that, of course, we have the Chinese joining Russia in their sustaining of vetoes in the U.N. Security Council.

It is hard to overstate the damage these actions by Russia and China have done to them, but it is also hard to overstate the damage that has been

done to the Syrian people, with Russian equipment being supplied constantly, Iranian boots on the ground helping to set up torture centers, and continued encouragement of Bashar Assad to remain in power.

I am not here to again critique this administration's abysmal record, but isn't it ludicrous—isn't it ludicrous—to base your entire policy toward Syria on the belief that somehow the Russians would convince Bashar Assad that he should leave Syria? Isn't it foolish to somehow base your policy and nonintervention on the belief that somehow the mission of a former Secretary General of the United Nations would succeed when it was clear the Syrian people were not going to be satisfied with the continuous barbarous regime of Bashar Assad, and certainly Bashar Assad was not going to give up?

It is clear through Iran's actions that its rulers are playing for keeps in Syria, and they will stop at nothing to prevent the fall of Bashar Assad. Why are the Iranians so committed and involved? The words of General Mattis, the Commander of U.S. Central Command, described it before the Senate Armed Services Committee when he said that the fall of Bashar Assad would be "the greatest blow to Iran in 25 years."

So the United States does have more than a humanitarian interest in what happens in Syria. In fact, if Bashar Assad falls, Syria loses its position as far as Lebanon is concerned, the Lebanese people have an opportunity to lose their client status of Syria, and Hezbollah absorbs a serious blow because they lose their patron in Syria.

So the fall of Bashar Assad is not only a victory for the force of democracy and freedom, but it would also mean a significant—a significant—advance in our interest in the region as our major concern today remains the Iranian continued development of nuclear weapons. The path they are on sooner or later may provoke an attack by either Israel and/or the United States of America.

I say that with some authority because the President of the United States, President Obama, has appropriately said it would be unacceptable for Iran to acquire nuclear weapons.

I have been, along with my friend JOE LIEBERMAN, to a refugee camp in Turkey on the Syrian border. There have now been thousands and thousands of additional residents there who have had to flee the brutality of Bashar Assad inside Syria. I met young men who were freshly wounded. I met defectors from the Syrian Army who described how they are instructed—they are instructed and indoctrinated to rape, to murder, and to torture. I met individuals who have watched their children murdered before their very eyes, and I met a group of young women who had been gang raped.

I wish every American could have had the opportunity to see these people whose only reason—only reason—to rise up is because they want to achieve their God-given rights.

What is going on now in Syria is very important, because the longer the conflict drags out, the more jihadists and foreign fighters and extremists come into the fight.

Every day that goes by that Bashar al-Assad is in power is another day which will make it more difficult once he leaves—and he will leave, but the question is when—but how difficult it will be for Syria to knit their country back together and become a functioning democracy.

There is also a very serious issue of chemical weapons. It is well known, and for the first time recently, the Syrian government acknowledged that they have stores of chemical weapons. These chemical weapons pose a great threat in a very unstable region. There are various scenarios that we should be deeply concerned about. One of them is that if chemical weapons fall into the hands or shift to Hezbollah, what kind of a threat does that pose to Israel? I remind my colleagues that Hezbollah has committed to the extinction of the State of Israel, as has Iran.

So what happens with these chemical weapons is a very important issue. The more chaos and the more disorder and the more frustration and anger that is displayed on both sides, the more likely it is that these chemical weapons can fall into the wrong hands, and they are not located in one place.

So there is a great deal at stake. There is one thing I hope we could all agree on; that is, the longer it lasts, the greater the danger, the greater the chaos, the more killing, the more rapes, the more murders.

Today we have information that the President of the United States has made a decision—and I am not sure of the details because I only know the media reports, but the best way to describe, as I understand it is—to facilitate the flow of weapons to the Syrian resistance fighters. I don't know how that is done. I don't know how that is accomplished, but I do know this, that they also need a sanctuary. They need an area that is secure, the same way the Libyans needed Benghazi, so they can train, equip, and establish a government.

The resistance, as we all know, is fractured. The best way to join them together is to have a central council they can answer to and that can make sure the weapons go to the right place. That is a vital component that should happen sooner rather than later.

None of us seeks to put American boots on the ground for a whole lot of reasons. I know the American people are war-weary and focused on our own domestic challenges. Both of these sentiments are genuine and legitimate.

But what has unfolded in Syria over the past 1½ years not only offends the conscience of our country, it also poses real and growing risk to our national security interests and to those of some of our closest allies.

I don't believe Bashar Assad can last, even under current conditions. But I do know for sure America's national security interests in Syria will remain long after Assad's fall. In many ways, they could become more precarious because of our inaction, because of the failure of the President of the United States to speak up for these people. Why doesn't the President of the United States speak up for them? I have never understood that.

Because of our inaction, the people who will inherit the country in Syria will remember that in their hour of greatest need, when the bravest among them were fighting and dying for their freedom in a grossly unfair fight, America stood idly by and refused to help.

As the sister of a fallen opposition fighter in Syria recently remarked, "When we control Syria, we won't forget that you forgot about us." Millions of her fellow Syrians share that sentiment.

If we continue on this path of inaction, mass atrocities will continue to unfold in Aleppo and other places in Syria. We have the power to prevent this needless death and advance our strategic interests in the Middle East at the same time. If we don't, if we continue this shameful behavior, our failure of leadership will haunt us for a long period to come.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE DREAM ACT

Mr. BLUMENTHAL. Mr. President, I hope that many of my colleagues, in returning to their home States for the August recess, may have an opportunity to attend a citizenship ceremony. I do so regularly when I go home. During the July 4th break, I had the wonderful opportunity to attend several. These ceremonies can occur in courthouses or in townhalls. They swear the oath and are newly made citizens. They are accompanied by families and friends. It is a uniquely joyous and proud day in their lives. Many have waited years to become U.S. citizens, and they do so not only willingly but joyfully. There are tears in many of their eyes, and there are tears in my eyes as well because it recalls to me the day many years ago, decades ago, when I first attended such a ceremony, which in turn recalls for me the stories

of my own relatives who came to this country from other shores. So did many of the parents or grandparents—forebears of we who serve in this body.

The meaning of citizenship of the United States and the value of those rights that come with citizenship are often forgotten or unappreciated by many of us who were born in this country. We sometimes, unfortunately, take them for granted. But there is a tremendous value placed on those rights and liberties by people who come to the United States.

Today I wish to talk about people who come to the United States or more precisely are brought to the United States as young people, as infants or children, many under 4 or 5 years old, and this country becomes the only one they have known. The history of this country is their history. They may not even know the language of the country from which they came. The language of this country is the only one they know, and they have no memories or scant recollections of the countries where they were born. These young people are here, and they were brought here perhaps by parents who came illegally, but they are here through no fault of their own.

Many of them have achieved remarkably and have contributed extraordinarily. Their promise of future achievement is staggering, extraordinarily impressive in its potential contribution to the lives of their communities—to teaching, to giving back to their communities—their contributions in terms of scientific or literary accomplishments.

One such young person is Muller Gomes. I am going to tell his story today much as Senator DURBIN has told other stories on the floor of this Chamber in his steadfast and energetic advocacy of a measure called the DREAM Act. I want to follow him in engaging this Chamber in this effort. I thank distinguished colleagues, such as Senator DURBIN, who have been tireless advocates for the passage of the DREAM Act.

The DREAM Act, called by its full name, “Development, Relief, and Education for Alien Minors,” should be a top priority for this Congress. States such as Connecticut have passed their versions of it, but a national and uniform effort is essential. Much as we hope and I support that we will have comprehensive immigration law reform, I also believe the DREAM Act is an idea whose time has more than come. We should be adopting it as soon as possible in this Chamber to provide the kind of certainty and promise that is so important to young people like Muller Gomes.

Muller Gomes was brought to this country from Brazil when he was 5 years old. He came with a tourist visa in 1995. The tourist visa expired a year later, in 1996, so he has been here with-

out proper documentation since then. He has been through the Bridgeport public schools, Central High School in Bridgeport, and then he went to Fairfield University.

This is this young man at his graduation from Fairfield University—his graduation summa cum laude. He was a member of Phi Beta Kappa, Pi Mu Epsilon and Sigma Xi. He won the American Chemical Society Outstanding Senior Chemistry Major Award, and he has been accepted at the University of California at Berkeley’s physical chemistry Ph.D. program.

All that he lacked was a student visa to pursue his studies at UC Berkeley. He lacks a student visa, and if he returns to Brazil to seek one, he will be denied it because he has been undocumented in this country.

If there were ever a catch-22, Muller Gomes is its poster child under our current immigration law. Under current law, that student visa will be denied him. Fortunately, on June 15, 2012, the Obama administration made a very strong statement of support for young men and women like Muller Gomes. They issued a regulation or a directive that will permit him to remain in this country. That directive is lacking in a number of respects compared to the DREAM Act. It will be temporary—only for a couple of years. It is not a path to citizenship, as the DREAM Act would provide. It does not make him eligible for the kind of financial aid he would need. Most importantly, it requires him to go through the stress and uncertainty of applying again for deferred action. It is only a deferral of deportation.

So the DREAM Act remains a vitally important measure for literally thousands of young people—between 11,000 and 20,000 young people living in Connecticut who would benefit from the DREAM Act and 2 million young people nationwide. Under the DREAM Act, they would comply with rigorous standards and requirements—lack of criminal record, criminal history, and they would in effect be provided this pathway to citizenship because of their promise and their potential for contributing to this country—in Muller Gomes’ case, the potential for contributing to this country as a scientist who would make new discoveries, perhaps breakthrough discoveries that would benefit the entire country. We laud young people like him who are motivated and smart and dedicated to this country.

I am committed to comprehensive immigration reform achieved through bipartisan congressional action. That ought to be one of our immediate goals so that young people like Muller Gomes, brought to this country as children through no fault of their own, will have the opportunity to contribute to this Nation and be part of their communities, as the DREAM Act would

provide and as comprehensive immigration reform would also achieve. But in the meantime, let’s pass the DREAM Act so these dreamers, such as Muller Gomes, will have the basic guarantees and certainty that they can remain in this country and that the promise of the greatest Nation in the history of the world will be truly theirs and irrevocable. This country will be theirs regardless of religion, race, gender, or any of the arbitrary labels we say consistently and constantly should have no place in our judgments about human beings.

Our Nation will be better because Muller Gomes will be with us and our Nation would be better still if the millions like him have the security and certainty of a path toward citizenship—a path that will benefit them and benefit the greatest Nation in the history of the world.

I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER (Mrs. SHAHEEN). The Senator from Rhode Island.

Mr. REED. Madam President, I ask unanimous consent that the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CYBER SECURITY

Mr. REED. Madam President, first, let me express my disappointment that my colleagues on the other side of the aisle blocked consideration of vitally important cyber security legislation. The Secretary of Defense, when asked about a potential threat to the United States, declares emphatically that his biggest concern is that the next Pearl Harbor will be a cyber attack upon the United States and if we cannot at least fully debate, amend the bill, and pass the bill, then I think we are not performing up to the expectations of the American people.

So I am very disappointed that we were not able to complete this legislation in a timely fashion this week and give the necessary tools to our national leadership to protect the country against potential cyber threats.

FEDERAL HOUSING FINANCE AGENCY

Having said that, I also want to rise today to express my profound disappointment in the Federal Housing Finance Agency’s decision to prohibit the use of principal reduction by Fannie Mae and Freddie Mac as one more tool to avoid foreclosure under the HAMP Principal Reduction Alternative (PRA).

As conservator, the acting FHFA Director, Mr. DeMarco, has a duty to not only carry on the business of both Fannie Mae and Freddie Mac but also to preserve and conserve the assets of both, which FHFA has stated repeatedly requires them to minimize losses.

At the same time he has other statutory responsibilities. Under section 110 of the Emergency Economic Stabilization Act, there is a requirement that FHFA "implement a plan that seeks to maximize assistance for homeowners and use its authority to encourage the servicers of the underlying mortgages, and considering net present value to the taxpayer, to take advantage of . . . available programs to minimize foreclosures."

So there is a clear statutory direction to do all that he can to minimize foreclosures while he is also balancing the portfolio and minimizing losses to Fannie and Freddie.

To boil all of this down, FHFA has to minimize Freddie Mac and Fannie Mae losses, and pursuant to the Emergency Economic Stabilization Act, which passed this Chamber on a strong bipartisan vote of 74 to 25, this requirement to protect homes from foreclosure or the people from the threat of foreclosure is a strong bipartisan objective. FHFA was directed by Congress to throw its weight in favor of avoiding foreclosures, especially in those instances in which a policy decision may be a close call. I believe that is the plain meaning of "maximize assistance" to "minimize foreclosures." Maximize assistance—not provide assistance but to maximize assistance to avoid foreclosure. I would further note that section 110 of the Emergency Economic Stabilization Act explicitly permits "reduction of loan principal."

So we consciously gave the Acting FHFA Director the specific tool of principal reduction and the specific directive to maximize assistance to minimize foreclosure. We did that in the context of the overall mission to try to minimize losses of the Fannie and Freddie portfolio. But to turn essentially a blind eye to the thousands of Americans who are facing foreclosure is to ignore a vital responsibility and a vital authority which he has been given.

After reading FHFA's July 31, 2012, letter to Members of Congress, my impression is that FHFA has done exactly the opposite of what we have asked them to do. Indeed, the letter contradicts itself in arriving at its conclusion. FHFA states in one part of the letter that it will not allow principal reductions under the PRA program. But in another part of the letter, FHFA goes on to write,

Short sales and deeds-in-lieu, which the Enterprises offer, result in principal forgiveness as part of exiting the house.

In other words, it seems, in their view, principal reduction is acceptable in some cases, especially if the owners leave their home.

Now, I think there are thousands of Americans who are facing huge challenges to stay in their homes. It is ironic that FHFA will reduce the principal, only after the person actually

loses their home. But if it, through PRA, allows a person to keep their home, and avoid foreclosure, then FHFA will not do it.

In the same letter FHFA also states that:

Forgiving debt owed pursuant to a lawful, valid contract risks creating a longer-term view by investors that the mortgage contract is less secure than ever before. Longer-term, this view could lead to higher mortgage rates, a constriction in mortgage credit lending or both, outcomes that would be inconsistent with FHFA's mandate to promote stability and liquidity in mortgage markets and access to mortgage credit.

So forgiving debt is inconsistent with FHFA's mandate, but FHFA admits to allowing principal forgiveness in certain cases? Again, let me repeat their own words.

Short sales and deeds-in-lieu, which the Enterprises offer, result in principal forgiveness as part of exiting the house.

But FHFA also states:

Forgiving debt owed pursuant to a lawful, valid contract risks creating a longer-term view by investors that the mortgage contract is less secure than ever before.

Well, how does this make any real common sense? We will forgive principal if homeowners are going to get kicked out of their house, which presumably upsets the long-term perspective of investors and bonds that support those mortgages. But if homeowners are staying in their house, we will not reduce principal through PRA.

Turning to the point of moral hazard, which is implicit in all that has been discussed by FHFA, and given that FHFA has blessed principal forgiveness in these two instances of short sales and deeds-in-lieu, and additionally permits principal reduction as part of the Hardest Hit Fund, which also utilizes Treasury incentives, I can only assume that FHFA must have found a way to control and avoid moral hazard when they want to and use moral hazard as an excuse when they don't want to do something.

Either it is an issue that must be consistently addressed, which they don't do, or it is an after-the-fact rationalization for failure to pursue a policy which for other reasons they don't want to do.

Having made these points, let me give FHFA the benefit of the doubt here and assume for the sake of argument that FHFA wants greater certainty and assurances. I think they said as much when they wrote:

FHFA weighed these potential benefits and costs, recognizing the inherent uncertainties associated with these estimates, and concluded that the potential benefit was too small and uncertain relative to known and unknown costs and risks to warrant the dedication of additional taxpayer resources to Fannie Mae and Freddie Mac to implement HAMP PRA.

I have heard a couple of my Republican colleagues talk about how what FHFA should be doing is what the pri-

vate sector is doing, looking to the business men and women, who protect their shareholders. In fact, I think that is a good place to look for some direction. But what is the private sector doing when it comes to principal reduction?

For one, Laurie Goodman, Senior Managing Director at the Amherst Securities Group, a broker/dealer specializing in the trading of residential and commercial mortgage-backed securities that performs extensive, data-intensive studies to keep its clients informed of critical trends in the residential mortgage-backed securities market, has testified before the Senate Banking Committee that principal reductions are, in her words, "the most effective type of modification."

Next, John DiIorio of 1st Alliance Lending, whose clients consist of major banks, investment banks, and sophisticated financial counterparties, has stated that his clients are in favor of principal reduction "not out of a sense of charity, but because they believe it is in their best financial interest to do so." In other words, there is a very strong business case for principal reduction—a business argument, apparently, that FHFA has ignored or totally rejected.

Finally, when we look at the newest data from the Office of the Comptroller of the Currency, we see that banks have granted principal reductions on 28.9 percent of the loans they hold, which is up from 11.5 percent a year earlier. By the way, they also have lower default rates than Fannie Mae and Freddie Mac.

So when we look at the private sector, what they are doing appears to be different; indeed, perhaps the opposite, of what FHFA is doing. They are going through their portfolios and, in appropriate ways, reducing principal not because they want to provide charity, but because it is the best way to preserve their portfolio and generate value for their shareholders. That is what their business is doing. In fact, they have a fiduciary duty to do that.

So it would appear the private sector seems not only completely comfortable with principal reduction, but they, in fact, are doing it because it is good for their bottom line.

Yet, we have FHFA essentially saying, well, we can't do PRA. I think this is one of those examples where they just don't get it, frankly.

If principal reduction provides greater value than foreclosure to a private investor, such as these banks I cited, and on top of that keeps a family in their home, aren't these the types of decisions we should make and we should support?

The real moral hazard, if there is one, is that FHFA is inexplicably choosing not to use every available tool, especially one the private sector is already using extensively to help

homeowners and investors time and time again.

There are people in this Chamber on both sides of the aisle who say we have to run this government more like a business. Well, guess what. The businesses are using principal reduction, and FHFA is saying they can't do PRA. This is shortsighted and it is wrong. I urge the FHFA to reconsider and, in the meanwhile, I am going to continue my efforts to do what I can do to help these homeowners who are facing foreclosure.

It is very difficult—and I know it is for my colleague from New Hampshire and my colleague from Utah—to go back home and see a homeowner who is struggling with a mortgage that might be 5 percent or 6 percent, knowing that banks can borrow at less than 1 percent, and this homeowner has difficulty getting access to a better mortgage rate because he or she is underwater.

I hope we adopt some of the smarter business practices around here and that FHFA leads the way, and I am going to do all I can to ensure that outcome becomes a reality.

With that, I yield the floor, and I thank my colleague from Utah for his consideration in letting me speak.

The PRESIDING OFFICER (Mr. BLUMENTHAL). The Senator from Utah.

Mr. HATCH. I thank my colleague. He is always gracious and a very fine man, and I enjoy serving with him very much.

CYBER SECURITY

Mr. President, I was very disappointed that we were not able to proceed with the cyber security bill today. This side had the votes against cloture. The reason is because the Senate is not being run as an open Senate anymore.

This is such an important bill. It is not some itty-bitty bill that we can call up and foreclose any amendments. In fact, most bills are not that are brought to the floor. I think if it were the other way around and the Republicans were in the majority and they started doing what we have been going through lately—I don't blame Senator REID for this; I know it comes from his caucus. If we were pulling the same type of thing, I have to say the Democrats would be in orbit.

Usually in the Senate we never build a procedural pyramid until after there has been a reasonable time for debate and open amendments. That is the way it is usually done. In recent months—frankly, over the last few years—they call up a bill, file cloture as though we are filibustering when we are not, and then tie up the parliamentary tree so we can't have amendments, in the greatest deliberative body in the world, supposedly. That has been very irritating to people on our side.

I would caution my friends on the other side: This is getting to the point where it is becoming a matter of grave

concern to everybody and irritation to everybody as well. I think we ought to get back to being the Senate that we all know works better if we respect both sides and their ability to come up and say what they need to and bring the amendments up that they feel are good amendments.

But be that as it may, that is the way it is right now. We have to do the cyber security bill. Everybody knows that. The fact that cloture was not invoked does not mean we shouldn't return to that bill and put the time into it and make sure we resolve the conflicts that have arisen, some of which are very important suggestions, and allow the type of proceeding that the Senate has always been known for.

VALUE-ADDED TAX

I wish to change the subject. Recently, there has been some commentary about the lack of substance in our political debates. This concern, that Washington has failed to confront our deepest political challenges, which are, in large part, fiscal challenges, is not without some merit. But I would add one caveat to this analysis. It is not for lack of trying on the part of Republicans to have a grownup debate about our Nation's fiscal and economic future. Republicans are putting forward real ideas about tax and entitlement reform with real numbers attached. However, I would submit that only one side has put a team on the field for this debate. When it comes to putting forward solutions to our nearly \$16 trillion of debt and our archaic Tax Code, the President and his Democratic allies have largely stayed on the sideline. Instead of offering up bold proposals to bring down the debt that has ballooned, given the President's commitment to ever larger and more active government, they have determined to give the American people talking points that attack the wealthy and successful small businesses in the name of equality.

Given the fiscal cliff threatening America's families and businesses, this decision to put politics above solutions is madness. But there is a method to it. The fact is the President and his liberal allies are not able to put forward serious solutions because they are between a rock and a hard place. The rock is their base—a liberal minority that refuses any meaningful reforms of the spending programs that are bankrupting our country. The hard place is the vast majority of the American people who flatly object to the massive tax increases, and especially those 940,000 small businesses that would be hit the hardest. Of course, those massive tax increases would be required to finance on a permanent basis the President's commitment to larger government.

The bottom line is that the President is unable to come clean. He cannot tell the American people what the true tax bill would be for his expansion of gov-

ernment. He suggests that our books can be balanced by taxing the rich. We all know that is poppycock. Hence his commitment to the Buffett tax and other redistributionist schemes that have been pursued by the Senate's Democratic leadership over the past 2 years as though they are serious. Give me a break. No serious person believes the Obama administration's government can be financed simply by going after the so-called wealthy. The only way to do it is by going after all Americans and raising taxes on all citizens. That is the silent plan the President will not discuss on the campaign trail. That is the Democrats' phantom budget. And that is what I want to discuss today.

When it comes to addressing our deficits and debt, only one party in Washington has been willing to put its cards on the table. Only one party has been willing to acknowledge the difficult choices that have to be made. The other side has refused to provide any concrete solutions of their own, while demonizing anyone who has had the temerity to propose anything resembling a workable solution.

A case in point. It has been more than 3 years—3 years—since the Senate, which has been under Democratic control the entire time—passed a budget resolution. Those budget resolutions are mandatory. Yet they blindly ignore it. Three years—three years—without a budget. Four years ago, if someone wrote a novel or a screenplay about a Senate majority that refused to pass a budget for 3 years, people in both parties would have laughed and called it absurd. Yet here we are 3 years later.

In fact, the only budget proposals from the Democrats have come from the White House and they have been anything but serious. According to the CBO, the President's most recent budget would keep the United States on the same unsustainable path, with an ever-widening gap between revenues and spending, varying from 8.7 percent to 2.5 percent of GDP, and averaging 3.2 percent of GDP.

We should keep this in mind when we hear the President and his allies suggest we can get our debt under control simply by raising taxes on the wealthy. The President raises plenty of taxes on upper income individuals and small businesses in his budget. Yet under the President's budget, debt held by the public would still reach 76.3 percent of GDP by the end of the budget window.

Even the President's budget, which raises taxes significantly, comes in with a debt limit that is well above what leading economists such as Kenneth Rogoff and Carmen Reinhart consider the danger zone of 70 percent. The President claimed a few weeks ago that his biggest failing over the last 3 years was that he cared too darn much about policy. If only that were true. But the fact is he ignores the policy experts

and their warnings when it comes to the debt.

Consider what CBO Director Elmen-dorf wrote to House Budget Committee Chairman PAUL RYAN regarding the debt earlier this year. I have to say, Mr. Elmendorf is a Democrat, but I found him to be extremely trustworthy and honest. Here is what he wrote:

Budgetary policies affect the economy in a variety of ways . . . All else being equal, scenarios with higher debt tend to imply lower output and income in the long run than do scenarios with lower debt, because increased government borrowing generally crowds out private investment in productive capital, leading to a smaller stock of capital than would otherwise be the case.

Director Elmendorf continues:

Moreover, that same crowding out leads to increases in interest rates, raising the government's interest payments and therefore further boosting government deficits and debt. A perpetually rising path of debt relative to GDP is unsustainable.

That is what our CBO Director, a Democrat, says. Again, I will vouch for the fact that he is a very good economist who, as far as I have seen over all of these years I have worked with him in Washington and watched him help our committees, is totally honest.

No one can legitimately dispute that our entitlement programs—Medicare, Medicaid, and Social Security, in particular—are the major forces driving our future national debt. No one can dispute that.

This chart I have in the Chamber, produced by the Bipartisan Policy Center, shows the cannibalization of the budget and ultimately the American economy if we go with the status quo on health care entitlements.

Look at this blue line on the chart: health care spending. Under the questioning by Members of Congress, leading Obama administration economic policy officials, such as Treasury Secretary Geithner, basically demur on dealing with the runaway entitlement spending. You can see, it is running away.

In February, Secretary Geithner identified to House Republicans that the administration was putting forth no plan to reform entitlements, but, as he said: "we know we don't like yours."

The only official proposals we receive from the President and his administration would simply maintain the status quo—a status quo that is so unacceptable that not one Member of the House or the Senate supported the President's budget, not one in either body.

So what proposals do Senate Democrats support?

Keep in mind, this blue line on the chart is the health care spending line. The red line shows Social Security, which is relatively flat. It goes up a little bit. That is the Social Security line. The green line happens to be discretionary spending, which has gradually come down—or will come down

from 2012 to 2052, according to what we are trying to do. Other mandatory programs are pretty much even. But health care spending is running out of control. That is Medicaid and Medicare and all the other health care spending—but especially Medicaid and Medicare.

What proposals do the Senate Democrats support?

On that, they prefer to keep the American people guessing. Perhaps the President will keep the American people in the dark until he possibly gets "more flexibility."

Democrats have not been willing to put their vision down on paper. By comparison, there is the budget put forward by PAUL RYAN. Unlike the Democrats who are hiding the ball from the American people, Republicans have not been afraid to talk about the Ryan budget.

This is a comparison of budgets on this chart. The Ryan budget constrains Federal spending and keeps it close to its historic average at 21 percent of GDP. Here is the House Ryan budget, as shown on this chart in the red. By exercising that spending discipline, the budget pulls the deficit down to 1.7 percent of GDP.

By comparison, President Obama's budget deficits are at 3.2 percent of GDP, on average—nearly double those of the Ryan budget.

When you boil it down, there is \$3.5 trillion more in deficit reduction in the Ryan budget than in the President's budget, which is represented by the blue line on the chart. There is a \$3.5 trillion difference between these two. That is how much the Federal Government currently spends in 1 year.

Because of the President's failure to tackle runaway entitlement spending, that yawning fiscal gap between the two plans only gets much bigger in the outyears.

As you can see right here on this chart, look at how health care spending is going up in these outyears, from 2012 all the way to 2052. As you can see, it is constantly going up from 2012.

Whether we are debating the budget or the debt ceiling or Taxmageddon, one thing is clear: The President and the Democrats in Congress do not like to talk in specific numbers. Instead, they want the American people to measure specific Republican alternatives like the Ryan plan against a series of campaign speeches and attack ads.

The current fiscal debate is between the Ryan budget and a phantom Democratic budget. Apparently, the Chicago campaign sharpies have determined it is safer to wait until after the election to finally unveil the details of the phantom budget, which just in health care spending is going to go forever up and eat our country alive. And their advice has been heeded by the Democrats.

If your proposals are never written down, no one can check your math. We do not know the actual fiscal position of my friends on the other side of the aisle, but we can fill in some blanks.

We know by their vicious attacks on the spending restraints in the Ryan budget and other Republican proposals that the President and his allies in Congress have no interest—zero; no interest—in reducing spending.

We know their income tax proposals do not add up to much in terms of revenue. Even if they let the entirety of the current tax relief expire—which is a distinct possibility given the game of chicken they are currently playing with the fiscal cliff—there probably is not enough money to be found in the income tax to pay for the coming explosion in entitlement spending. You can see it right there on this chart in health care alone.

So where does the Democrats' phantom budget find the fiscal juice to fill its structural hole? The answer is simple: a European-style value-added tax, the VAT, or its green cousin, a carbon tax.

I am quite certain my colleagues on the other side of the aisle will write this off as fear-mongering and fabrication. But what other conclusions are left to draw?

Without significant reductions in spending or reforms in our entitlement system—neither of which we can expect from this President or the Democrats currently in Congress—there is not enough money to be found in traditional revenue streams to cover the President's spending bill. A VAT, a value-added tax—or some other euphemized form of a VAT—appears to be the only option left to our friends on the other side of the aisle if they want to continue spending at current projections.

Many prominent Democrats have expressed some level of support for the value-added tax in the past. In 2009, during an appearance on the Charlie Rose show, then-House Speaker NANCY PELOSI said that a VAT was "on the table."

A year later, President Obama, in a CNBC interview, expressed a willingness to consider a VAT to address the deficit.

Countless high-profile Democratic strategists and advisors—people such as John Podesta and Paul Volcker—have unapologetically suggested implementing a VAT in the United States.

Ezra Klein, a writer with real cache among liberal Democrats, expressed similar views in the Washington Post in 2009. Here is a revealing quote from Mr. Klein's article:

First, a simple fact: Tax rates will rise over the next decade. Even with painful spending cuts, tax rates will rise. At some point, taxes have to come further into line with spending, and that means the direction they will travel is up. But—and this isn't a

fact—they won't rise within the current system. People don't trust the current tax system. It feels opaque and unfair, largely because it is. An increase in revenues will have to come alongside a change in the tax system. And the change in the tax system that most economists prefer and that most other countries use is a value-added tax.

I agree with Mr. Klein that our current tax system is a mess. But while he and other liberals see that as an opportunity to seek larger pots of tax revenue elsewhere, my fellow Republicans and I see it as a call to reform the Tax Code.

And we disagree on the fundamental assumption behind Mr. Klein's arguments. Like most of my friends on the other side, Mr. Klein takes at face value the benefits of future spending. Notice how he uses the phrase "taxes will have to come further into line with spending."

His focus is almost entirely on the revenue side, with only a passing reference to the possibility of reducing spending.

A VAT would increase Federal revenues, but it would also effectively be a tax hike on every American, including those who currently pay no income tax. If a VAT were imposed on top of our existing income tax system, it would likely cripple our economy by imposing new costs on virtually every purchase of goods and services in the United States. It would hamper manufacturing and kill entire retail sectors. Worst of all, it would be the most regressive tax ever imposed on the American people, disproportionately impacting families with lower incomes who spend a higher percentage of their wages on necessities.

Simply put, a VAT would be bad policy in a strong economy. But in the midst of a slow economic recovery, it would be tantamount to economic suicide. It would be jet fuel for larger and larger government.

Numerous studies, including a 2010 study by former CBO Director Douglas Holtz-Eakin, have demonstrated that in virtually every instance, the implementation of a VAT in other industrialized countries inexorably led to increased spending and an expansion of government.

Make no mistake, the current administration and my Democrat friends know only one way of engaging in fiscal reform—broaden the base. And every middle-income family in America should know that they will get hit with higher taxes to pay for the Democratic goal of ever-expanding government control over our economy, over our lives, and over your paychecks.

The contention that implementing a VAT would make our government more fiscally responsible is a dog that just won't hunt. The purpose of a VAT would not be to shore up deficits and pay down debts, but to expand the government into new areas backed by an all-new source of funding.

Once again, I am quite certain that virtually all of my Democratic colleagues would publicly deny that their phantom budget includes a VAT. For now, they want us to ignore the VAT behind the curtain and instead listen as the Great and Powerful Oz proclaims that every government program can be funded and every budget balanced simply by eliminating the so-called tax cuts for the rich.

But the American people are not so easily duped. And they are showing up at Emerald City looking for real leadership and real answers, not just talking points.

That is the real choice facing the American people today. They can choose the fiscal leadership of those such as Chairman RYAN who have put forth actual, real-world proposals to bring about reasonable restraints on entitlement spending and maintain taxation at its historic levels, or they can choose the President's impersonation of fiscal leadership, which is built on a phantom budget and large-scale attacks on anyone, such as Chairman RYAN, who offers a real, verifiable alternative.

But let's be clear. The phantom budget simply cannot translate into reality without collecting taxes that go far beyond those the President and congressional Democrats publicly support. Given the limitations on existing revenue streams, a value-added tax, even with all of its many drawbacks, is one of very few logical alternatives left to the other side. If they do not plan on instituting a VAT, they need to come clean with the American people and let everyone know how they plan to pay for their outsized spending.

Regardless of who wins this election, Congress will have to do more than just click its heels and wish for enough money to pay all our bills. Therefore, I think it is fair to assume that, in lieu of a line item for ruby slippers, the Democrats' phantom budget includes levels and forms of taxation heretofore unseen in the United States. You can be sure that if it is not a VAT, it will be something equally damaging to our economy.

Let me end with one other thought; that is, that we all know, according to the Joint Committee on Taxation, of which I am a member—but it is a non-partisan committee run by very good economists—the bottom 51 percent of all households—not just people; all households—do not pay a dime of income tax.

We have brought that about out of compassion for them, I have to say, but it means the upper 49 percent are paying for just about everything. Well, my friend Treasury Secretary Geithner pointed out: But, yes, they pay payroll taxes. Well, we all do. That is Social Security. They do not pay a dime of income taxes. I was quick to point out to Mr. Geithner that 23 million of them,

approximately, get refundable tax credits from the government that are more than they pay in payroll taxes, so they are really not paying payroll taxes. Almost 16 million of them get refundable tax credits from all of us others out there, from the government itself, which is more than they and their employers pay in payroll taxes.

The fact is, I fail to understand why my friends on the other side are looking for ways to spread the base to an unsuspecting 51 percent who currently do not pay any real income taxes. I think there has to be a better way of spreading the base than doing it through a VAT, which in Europe has proven to be a ready way for politicians to increase spending over and over without really any inhibition or any real inhibition.

So if what I am talking about today is prophetic, it means without question that our friends on the other side want to keep spending. They want the Federal Government to keep growing, all at a cost to individuals, and they want to do it because that is what has kept them in power all of these years, taking all of your money out there and claiming that they are compassionate with your money when they are unwilling to be compassionate enough to keep living within our means.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Maryland.

PROVIDING FOR A CONDITIONAL ADJOURNMENT OR RECESS OF THE SENATE AND AN ADJOURNMENT OF THE HOUSE OF REPRESENTATIVES

Mr. CARDIN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Con. Res. 56, submitted earlier today.

THE PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 56) providing for a conditional adjournment or recess of the Senate and an adjournment of the House of Representatives.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. CARDIN. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to, the motion to reconsider be laid upon the table, with no intervening action or debate, and that any statements related to the matter be printed in the RECORD as if read.

THE PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (S. Con. Res. 56) was agreed to, as follows:

S. CON. RES. 56

(Providing for a conditional adjournment or recess of the Senate and an adjournment of the House of Representatives)

Resolved by the Senate (the House of Representatives concurring), That when the Senate recesses or adjourns on any day from Thursday, August 2, 2012, through Monday, August 6, 2012, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until 12:00 noon on Monday, September 10, 2012, or such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the House adjourns on any legislative day from Thursday, August 2, 2012, through Monday, August 6, 2012, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2:00 p.m. on Monday, September 10, 2012, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Majority Leader of the Senate and the Speaker of the House, or their respective designees, acting jointly after consultation with the Minority Leader of the Senate and the Minority Leader of the House, shall notify the Members of the Senate and House, respectively, to reassemble at such place and time as they may designate if, in their opinion, the public interest shall warrant it.

STOCK ACT AMENDMENTS

Mr. CARDIN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 3510, introduced earlier today.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 3510) to prevent harm to the national security or endangering the military officers and civilian employees to whom internet publication of certain information applies, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. CARDIN. Mr. President, I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 3510) was ordered to a third reading, read the third time, and passed, as follows:

S. 3510

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. EFFECTIVE DATE DELAY.

The STOCK Act (Public Law 112-105) is amended—

(1) in section 8(a)(1), by striking “August 31, 2012” and inserting “September 30, 2012”; and

(2) in section 11(a)(1), by striking “August 31, 2012” and inserting “September 30, 2012”.

SEC. 2. IMPLEMENTATION OF PTR REQUIREMENTS UNDER STOCK ACT.

Effective September 30, 2012, for purposes of implementing subsection (1) of section 103 of the Ethics in Government Act of 1978 (as added by section 6 of the STOCK Act, Public Law 112-105) for reporting individuals whose reports under section 101 of such Act (5 U.S.C. App. 101) are required to be filed with the Clerk of the House of Representatives, section 102(e) of such Act (5 U.S.C. App. 102(e)) shall apply as if the report under such subsection (1) were a report under such section 101 but only with respect to the transaction information required under such subsection (1).

Mr. CARDIN. Mr. President, I ask unanimous consent to speak for up to 10 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

VETERANS JOBS CORPS ACT OF 2012 MOTION TO PROCEED—continued

MINERAL INDUSTRY TRANSPARENCY

Mr. CARDIN. Mr. President, it has been 2 years since Congress passed legislation that provided for transparency in the mineral industry. It was a provision that was included in the Dodd-Frank bill. It was included as an amendment on which Senator LUGAR and I worked. I wish to thank Senator LUGAR for his incredible leadership on this issue—transparency—as well as so many other issues that affect the security of not only America but global security.

The provision is something we worked on to provide transparency in developing countries. It provided a visible sign of U.S. leadership, that we are going to do everything we can to promote good governance around the world; to demonstrate that we understand that for the stability of America, we need countries that have good governance.

The United States spends more money than any other country in the world on our national security budget. In fact, we spend more than most of the other countries combined spend on national defense. We have the ability to use our military for our national defense, but it is much better if we can develop stable countries around the world. The way to develop stable countries is to help them build a stable economy, to help them build wealth, and to help them have good governance.

It is impossible to see the type of progress we want in the developing countries unless they have good governance. I might say that the more we can help in this regard, the more we promote good governance and economic growth, the better off we will be. Our direct security burdens will be reduced, and we will have new markets, which will create economic opportunities for America.

As the Presiding Officer knows, this is the guiding principle of the Organi-

zation for Security and Cooperation in Europe. We used the Helsinki Commission as our implementing arm. The Helsinki Accords that were signed in 1975 between Europe—all of the countries of Europe—the United States, and Canada recognized that it was in our national security interests to support stable countries that respect human rights and have good governance.

This is the reason the Cardin-Lugar amendment was so important in the Dodd-Frank Wall Street reform legislation. Let me explain what it does. It requires mineral companies to list the payments they make to extract the minerals they take out of a country. Whether we are talking about gas or oil, whether it is diamonds or copper—the companies need to divulge their individual payments to foreign countries in their reports to the Securities and Exchange Commission, SEC.

We did that for many reasons.

One reason, quite frankly, is that although many countries in the world have vast sums of mineral wealth, these are some of the poorest countries in the world. We call it the “resource curse” because the natural resource wealth of the country isn’t just being denied to the people for their economic growth, it is being used to fuel corruption within their own country. So one of the reasons for the provision we incorporated in the Dodd-Frank bill was to provide transparency so that the people of the country, along with the international community, will know exactly where payments are being made for the extraction of mineral wealth in a country.

Senator LUGAR and I also thought that such information would be important for U.S. investors, too. If someone is going to invest in a mineral company, he or she has a right to know where that company is signing contracts and paying money for access to the natural resource(s).

It is also important for U.S. interests. We need stable mineral reserves. As the Presiding Officer knows, we have gone to war over the need for oil. We need stable markets so that we do not jeopardize our own economic progress.

So the Cardin-Lugar provision gives us a chance to follow the money, as the saying goes, in a particular country.

For all of these reasons, Mr. President, we passed a provision as part of the Dodd-Frank legislation that requires every company that is involved in extracting minerals to list those payments specifically by project in their SEC filings.

It was pretty clear as to what needed to be done. We gave the authority to the SEC to issue the necessary regulations. Well, we have been waiting 2 years for these regulations—2 years. We are now well beyond the time limit that was spelled out in the legislation for the SEC to issue its regulations.

Yet the SEC still hasn't issued final regulations.

I have read the statute over and over again. I helped write the statute. Senator LUGAR has read the statute. We do not understand the difficulty. It was not a complicated provision. It said exactly what the companies have to do. So we are somewhat puzzled why it has taken this length of time for the SEC to issue its final regulations. In the meantime, we are being denied the benefit of this law. We are being denied the opportunity to protect our investors. We are being denied the opportunity to follow the money, to help promote good governance abroad. All that has been delayed as a result of the SEC's failure to issue regulations.

I must say that it also jeopardizes U.S. leadership. Yes, there are other countries interested in following what the United States is doing. We have heard from Europe, and we have heard from Asia. They want to adopt similar laws. They do not know what to pass because they are still waiting for the SEC to act. So the failure to act isn't just affecting our ability; it is also affecting other countries. Collectively, between Asia, Europe, and the United States, we can pretty much cover all of the international extractive companies and therefore have a real, major impact on transparency on this issue.

I might say that one of the criticisms I have heard is about why we have a separate bill. We already have what is known as the Extractive Industries Transparency Initiative, or EITI. There is an international organization that is voluntary. Countries can join. The United States has participated in the EITI. EITI participants help countries with best practices for developing the governance to deal with how they handle their mineral wealth. EITI is an important program. It is a voluntary program. It works well.

The Cardin-Lugar provision in the Dodd-Frank legislation complement the EITI. The two work together. Between the two, the EITI and our legislation, there's a way that we can really require companies to make the information available in an open way. The EITI gives developing countries the technical assistance they need to manage their mineral wealth in the most effective way for the benefit of their own people, to elevate their wealth and to have a more sustainable economy.

This delay has caused a great deal of concern to many of us. Quite frankly, Oxfam, for example, has filed suit against the SEC for its failure to issue regulations, and I am very sympathetic to that lawsuit.

I wish to inform Senators that we have now been told the SEC will finally issue its regulations on August 22, in just a few weeks. SEC officials have formally responded to the Oxfam lawsuit, saying the agency will issue regulations on August 22. I have received a

letter from the SEC indicating the same thing. It is long overdue.

I am looking forward to seeing the regulations from the SEC. I hope the SEC follows the letter and spirit of the legislation. It is up to Congress to pass the laws. SEC needs to implement the laws under direction and guidance from Congress. We have made it clear that we want openness and transparency. I know some oil companies may not like that, but they do not write the laws, we do. It is up to the SEC now to promulgate the regulations that carry out the intent of our law and help us move forward so that the resource wealth of countries in the developing world become a real asset, a real benefit, as they develop sustainable economies and good governance, which helps global stability and helps the global economy.

We will be watching the SEC. I know we will be in recess on the 22nd, but we will be watching the SEC. I hope that Congress and the SEC will be working together and that the United States will continue exercising its leadership, so that we will see other countries follow suit where we really can make a difference in the wealth and growth of countries around the world that for too long have been suffering even though they have enormous mineral wealth.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. MURKOWSKI. Mr. President, we have had a great deal of conversation these past several days regarding cyber security. There is no question that we all agree it is a critical issue. I am sure every Member of this body shares the concern that our Nation is vulnerable to cyber attacks, and those attacks could have severe economic and national security ramifications.

We saw just this week over 180 amendments filed to the cyber legislation. I think it is pretty clear that a lot of us have ideas on how best to protect our critical infrastructure. I think that is just one of the reasons I was disappointed that the amendment tree was filled and cloture was filed on the cyber measure.

I don't think that was the process we were promised when the Senate overwhelmingly agreed to consider the cyber security bill. Because Members were denied the opportunity to have a thoughtful and complete debate, the cloture vote failed on a bipartisan basis this morning.

We have heard a lot about the electric grid during this debate and how legislation is needed to protect our Na-

tion's transmission systems from cyber attack. What perhaps has been missing from this debate and discussion is a recognition that Congress had already moved to protect our grid system, and they did so 7 years ago. They enacted the bipartisan Energy Policy Act of 2005.

I am the ranking member on the committee of jurisdiction. I reassure my colleagues that we already have mandatory cyber security standards in place for our electric grid. In the 2005 Energy Policy Act, Congress directed the Federal Energy Regulatory Commission, FERC, the grid's regulator, to set mandatory enforceable reliability standards, including standards for cyber security. And because these standards can be very technical—extremely complex—Congress decided they should be developed through a consensus-driven stakeholder process that is overseen by the Electric Reliability Organization—an organization that we call NERC.

We thought this was so important back in 2005 that we even expanded FERC's traditional jurisdiction to include municipal and cooperatively owned utility systems under these grid reliability standards. Now, it might surprise some to learn that the FERC-NERC mandatory cyber security regime currently regulates over 1,900 different entities and that the electric power sector is already subject to Federal penalties, and these penalties are serious—up to \$1 million per day for noncompliance. So there is teeth attached to these standards.

In fact, one of our own government entities—the Southwestern Power Administration—was recently fined by the grid regulators for violating two mandatory cyber standards.

The point is the electric power sector and our grid regulators have been working extremely hard these past 7 years to develop and to implement these cyber standards. We have already taken substantial measures to safeguard our electric utility systems. We have identified our critical assets and established security management controls, performed risk assessments, and trained personnel. We have established sabotage reporting and mandated disaster recovery plans. These are all processes and procedures that have been put in place.

Also, it might surprise some to learn the Nuclear Regulatory Commission—the NRC—has already taken action to protect the Nation's nuclear facilities from cyber attack. The nuclear industry developed a cyber security program for critical assets over a decade ago. The NRC now mandates cyber security plans for nuclear plants, including the identification of critical cyber assets and required contingency and incident response plans. Failure to comply with the NRC cyber requirements also can result in fines and even an order to shut down the nuclear reactor.

So, again, there are standards that have been put in place with compliance requirements and penalties that are attached for failure to comply.

One concern was that the cyber bill was brought to the floor via rule XIV. A concern with this was that it would undermine the existing mandatory framework that Congress has already established within the electric utility grid. By establishing a competing regime—even if that regime was truly voluntary—the Cybersecurity Act the Senate just rejected could duplicate, conflict with, and even supercede the hard work that has already been put in over these past several years to safeguard both our grid and our nuclear facilities.

One of the amendments I had filed to the bill, and I had hoped we would have an opportunity to discuss, was a strong savings clause—a savings clause that would maintain the mandatory protections that are in place. Two competing systems are not workable and could, in fact, make the Nation's grid and nuclear facilities even more vulnerable to cyber attack.

One thing we have learned in the Energy Committee, in overseeing our mandatory cyber practices, is not everything necessarily needs to rise to the level of a foundational standard. But with cyber threats and vulnerabilities that are constantly emerging and constantly changing, I think the one thing we would agree on is that we always need more information.

I think we can also all agree the Federal Government needs to form a partnership with the private sector. The government and the private sector share the same goals—to keep our computer systems and our Nation safe from cyber intrusions. We need the private companies to be talking with each other and with the government about the cyber problems they face as well as potential strategies and the solutions to combat them. We also need our government to provide timely and actionable information to the private sector. It has to go both ways.

So as we go off to our respective States and discuss with our constituents back home the many issues that are out there, I would encourage Members to take a look at what has been introduced by the ranking members—the SECURE IT cyber legislation. Take a look at what has been offered as an alternative. It is a commonsense approach to addressing our ever-increasing cyber threats.

Our bill focuses on four areas where we believe we can reach bipartisan support and which will result in legislation that can get enacted, even given the politics of an election year. The four areas we focus on are information sharing, FISMA reform, criminal penalties, as well as additional research.

Mr. President, I want to close with just some observations quickly about

the process. Back in 2005, when the Senate passed the bipartisan Energy Policy Act, it passed by a considerable margin. It was 85 to 12. But we spent a full 2 weeks on the floor considering amendments at that time. We had earlier spent 2 weeks marking up the bill in committee. So what I would like to leave folks with is just the reminder that process really does matter. That is how strong bipartisan pieces of legislation are enacted.

When you forego that process, you don't do that hard work in committee and send an ever-changing bill directly to the floor via rule XIV and then fill the amendment tree, the legislation just doesn't work. It is bound to fail, and that is what we saw today.

A few months ago I came to the floor to advocate for cyber legislation and to express my concern that the all-or-nothing approach to cyber security could result in nothing. After today's vote, that is where we are. That is what we have. I do remain hopeful we can find a path forward on the cyber issue that will result in a truly bipartisan and effective—effective—piece of legislation that will help our Nation's critical infrastructure.

With that, Mr. President, I see my colleague from Louisiana is here, and I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

EDUCATION REFORM

Ms. LANDRIEU. Mr. President, as Congress prepares to adjourn for the August State work period, nearly 50 million students are preparing to head back to approximately 100,000 elementary and secondary public schools across the country. What a great responsibility it is for us in Congress and our partners at the State and local levels to engage with parents and teachers to ensure that these 50 million students are well educated. When I travel back to Louisiana this month, I will be visiting students and schools throughout the State, from Lafayette to New Orleans to Bogalusa. I am looking forward to watching stimulating lessons, meeting enthusiastic students and teachers, and learning more about the successes and challenges of Louisiana's schools.

The National Center for Education Statistics estimates that \$544.3 billion will be spent in public education this upcoming school year. That is an estimated \$11,000 per student. Are we making the most of those dollars? In Congress, we perennially debate the amount of Federal funds we should invest in our public school students. We recognize that many of our States' education systems are underpreparing young people for the changing workforce and increasing global competition. Yet we cannot agree on the appropriate amounts to invest at the Federal level to ensure that all students receive the opportunity for an excellent

education. All too often, the debate has been about "How much?" rather than about "How to get better results?" with existing resources.

Over the last several years, Federal, State, and local governments have taken helpful steps to change the way taxpayer dollars are invested to ensure that our limited resources are driven toward high-impact solutions in education. Mayors and governors across the country are increasingly using data and evidence to steer public dollars to more effectively address the educational needs of their communities and States. At the Federal level, innovation funds have been created to invest in and scale proven solutions. Some of these Federal programs, such as the Social Innovation Fund, Investing in Innovation, and the High-Quality Charter Schools Replication and Expansion Program, provide competitive grants to nonprofit organizations in order to grow promising, evidence-based solutions.

The Social Innovation Fund in particular focuses on three priority areas: economic opportunity, healthy futures, and youth development. Its unique Federal funding model requires all grantees and subgrantees to match Federal resources 1:1, thereby increasing the return on taxpayer dollars and strengthening local support. This program relies on outstanding existing grant-making "intermediaries" to select high-impact community organizations rather than building new government infrastructures. Additionally, it emphasizes rigorous evaluations of program results.

In my home State of Louisiana, the Social Innovation Fund recently provided the Capital Area United Way with \$2 million to replicate and expand effective early childhood development programs to increase school readiness among children in low-income and rural parishes within the Greater Baton Rouge area. We know that education does not begin in kindergarten, education begins in a child's earliest years of life. New Profit, Inc., received a Social Innovation Fund grant of \$15 million over 3 years to collaborate with innovative youth-focused, nonprofit organizations in helping young people navigate the increasingly complex path from high school to college and productive employment. The project will expand the reach of these nonprofits to improve the lives of nearly 8,000 young people in low-income communities throughout the country.

Another program investing in what works is the Investing in Innovation Fund, commonly known as the i3 Program. This program provides competitive grants to local school districts and nonprofit organizations with records of success to help them leverage public-private partnerships to implement education practices that have demonstrated positive impacts on student

achievement. Since 2010, the U.S. Department of Education has awarded competitive i3 grants to 72 local school districts and nonprofit organizations in 26 States and Washington, DC.

I am proud that New Schools for New Orleans, in partnership with the Louisiana Recovery School District and Tennessee Achievement School District, received \$28 million in i3 funds in 2010 to significantly increase the number of high-quality charter schools in New Orleans and ultimately improve education outcomes for New Orleans' students. With these funds, New Schools for New Orleans is replicating Sci Academy, a high-performing charter high school that New Schools for New Orleans incubated four years ago. Sci Academy just graduated its first class of seniors—with 96 percent matriculating to 4-year colleges. Two new high schools modeled after Sci Academy will open this fall. With the i3 grant, New Schools for New Orleans is also funding the turnaround of a K-8 school, Craig Elementary School in the Tremé neighborhood. Dr. Doris Hicks, who runs the very successful Dr. Martin Luther King Charter School in the Lower Ninth Ward, will be overseeing the turnaround of Craig Elementary School, lending her expertise and community credibility to the effort.

The High-Quality Charter Schools Replication and Expansion Program provides competitive grants to successful nonprofit charter management organizations to allow them to increase enrollment at existing charter schools or open one or more new charter schools based on their successful model. Both Rocketship Education out of California and KIPP, Knowledge is Power Program, out of Houston, TX, have received critical funds from this competition in order to expand their reach and serve more students. Both of these well-known and highly popular charter management organizations are opening and operating charter schools in Louisiana and other States across the United States.

On May 18, 2012, the Office of Management and Budget issued a "Memorandum to Heads of Executive Departments and Agencies" asking them to demonstrate the use of evidence throughout their fiscal year 2014 budget submissions. This is exactly the right kind of directive—one which taxpayers will be happy to hear. In particular, I am enthusiastic about the potential impact of the provisions in the memo that urge agencies to propose new types of evaluations and consider how evidence can be used in both formula and competitive grant-making programs.

For the Federal Government to make this shift toward requiring more evidence of impact and prioritizing the investment of taxpayer dollars in proven programs, I recognize that there are a number of challenges to address, in-

cluding a lack of agreement about what constitutes "evidence" of impact; the difficulty of measuring certain kinds of interventions or their desired outcomes; the resources it takes to conduct the most rigorous evaluations; a concern that those communities most in need will be unable to compete and, therefore, fall further behind; and a concern that many well-intentioned organizations will lose public funding because they do not currently have the evidence necessary to prove their impact. These are very valid concerns, and I encourage the Office of Management and Budget and all Federal departments and agencies to address them through a thoughtful design of policy approaches.

I strongly encourage my colleagues in the Senate to visit a variety of public schools in their home States this month. Talk with students, parents, teachers, and school leaders. Learn more about their successes and challenges, and consider this question: What is truly working in education and how can the Federal Government be more strategic about investing in evidence-based solutions in our classrooms?

We need to be smarter about how we invest in education if we are going to close the achievement gap, prepare students for the 21st century workforce, and compete in the global arena. Joel Klein, Condoleezza Rice, and a Council on Foreign Relations-sponsored task force recently produced a report called "U.S. Education Reform and National Security." According to the report, "Educational failure puts the United States' future economic prosperity, global position, and physical safety at risk. Leaving large swaths of the population unprepared also threatens to divide Americans and undermine the country's cohesion, confidence, and ability to serve as a global leader. . . . The United States will not be able to keep pace—much less lead—globally unless it moves to fix the problems it has allowed to fester for too long."

I yield the floor.

The PRESIDING OFFICER (Mr. FRANKEN). The Senator from Michigan. Ms. STABENOW. Mr. President, I thank the Senator from North Dakota for allowing me to take a few moments to speak when he was waiting his turn.

I wish to also say Senator HOEVEN has been a terrific member of our Agriculture Committee, coming in, in his first term, and has made a significant difference. He and our chairman of the Budget Committee, Senator CONRAD, have been terrific powerhouses, and they never let me forget that 90 percent of the land in North Dakota is farmland. I thank him for allowing me to take a moment.

AGRICULTURE AND THE DROUGHT

Ms. STABENOW. Mr. President, I am not sure the House has completed the vote yet on a partial disaster assist-

ance program, but I am rising to urge colleagues in the House to join with us in passing the Agricultural Reform Food and Jobs Act, commonly known as the farm bill.

I wish to commend the chairman and ranking member in the House for doing what we did in Senate, which is to work together on a bipartisan basis. They worked very hard with their committee and reported out a bill. We have some differences with that bill, but they worked very hard together, and I know we can come to agreement on something that is a compromise between the House and the Senate. I commend them for doing that.

I am very concerned and very disappointed that the Speaker and the House leadership did not support their efforts to bring this to the floor in July. I was on the Agriculture Committee in the House. This is my fourth farm bill. I have never heard of a situation where there was a bipartisan farm bill reported out of committee and not taken up on the floor. It is very concerning. But nonetheless, I support the chairman and ranking member in the House and look forward to working with them to actually get this done.

My colleagues, of course, remember the long and intense debate we had on this bill, both in committee and on the floor, with more than 70 amendments. I wish to again greatly thank our majority leader for understanding the significance of this bill to the economy and to rural America and to jobs across the country. The majority leader and the Republican leader both allowed us the time to do that, and I very much appreciate that.

We passed the bill, as we all know, with an overwhelming bipartisan vote, 64 to 35. The Senate came together and did what the Senate is supposed to do, and we worked very hard together to be able to get that done.

Especially given the drought and the disaster farmers are dealing with—not just drought but other disasters—it is critical the House follow our lead and both pass a comprehensive disaster assistance program but in the context of real reform and a 5-year farm bill.

The House Agriculture Committee passed their bill. I am anxious and I am, frankly, disappointed they did not have the support they needed to be able to bring it up, bring to the Senate, and put us in a situation where we are able to go to a formal conference committee, which I would like very much to do to resolve differences.

But we do intend to begin that process, speaking together, listening to each other, negotiating in the next few weeks to see if we can't come together informally, to be able to offer a compromise bill to the House and the Senate for consideration.

I wish to remind my colleagues that the farm bill is a jobs bill. Sixteen million people work in our country because of our agricultural economy and

our food industry. We have the safest, most affordable food supply in the world. The bright spot is agriculture. Export surplus is in agriculture. We should be doing everything possible to support agriculture, our farmers, our ranchers, both in the short term for disaster assistance but also looking down the road on a 5-year farm bill.

Second, the farm bill expires on September 30, less than 2 months away. We need to get it done. We are racing against the clock right now.

We also know that this year our Nation is experiencing the worst drought in a generation. You turn on the news, and you see serious wildfires in Colorado, Nebraska, Utah, Oklahoma, Arizona, and Montana, among others. You look in Michigan and you see a fruit disaster that relates from warmth and then freeze. We have more than half of the counties in the United States that have been declared disaster areas not just because of drought, which is what the House has addressed partially, but because of weather disasters. That is 1,584 counties across the country, 82 of them in Michigan. We have only one county in Michigan that has not been declared a disaster area. Eighty percent of the country is now experiencing abnormally dry, moderate, or extreme drought, 22 percent of the country is facing extreme doubt, and so on.

As an emergency measure, USDA has opened 3.2 acres of conservation land for grazing and haying, but we know there is a lot more to be done. That is what I want to speak about because when we look at this, all the disasters—and we understand we have to address drought. We have to address what is happening to livestock. I am very proud of what we have done in the Senate, what we passed, which is a stronger Livestock Disaster Assistance Program. It is permanent—not just for a couple of months, it is permanent. But we also understood that there are other kinds of disasters. For those fruit growers and cherry growers in Michigan who have no access to crop insurance—it is not available to them—we made sure there was support for them. For apple growers, for sweet cherries, for juice grapes, for others across the country, we have put in place provisions in the Senate bill.

Frankly, I believe we need to do more and can do more as we look at how this has developed. We need to have the next few weeks to fully look at all that has happened, whether it is livestock in the drought, whether it is wildfires, whether it is what is happening to fruit growers, and put together a comprehensive effort in the context of passing a 5-year farm bill.

But when we look at all this, these are the disaster areas, but most of Michigan is not helped by what the House is doing because it does not include the efforts to help those who currently do not have crop insurance, the

fruit growers. Michigan is not helped. The Northeast, again, with fruit, or Florida with fruit, or out West, whether it is California or Oregon or in this whole area—not helped by what the House is doing. I appreciate the first step, and I certainly understand that the agriculture leadership in the House is trying to do whatever they can to take a step, and I commend them for that. But it does not cover this. It covers a good share, but it does not cover every kind of disaster we have before us. And frankly, it doesn't cover disasters waiting to happen because of inaction on a 5-year farm bill.

Let me go through the differences right now between what the House and the Senate have done. We passed a comprehensive 5-year farm bill as well as a comprehensive disaster assistance bill. I will underscore again that I believe that after looking through the next few weeks and looking at everything that has happened, we ought to be looking at what else we can do—not less, as the House did, but potentially more.

Both the House and the Senate have extended the livestock disaster program to 2012. We extend it permanently.

On tree assistance, if you lose the entire tree in an orchard, you are helped—not if you just lose the food, like most of our growers, but the entire tree. These things are the same, so we have sort of disaster-lite up here.

Then, in the Senate bill, we increase payments for livestock producers facing severe drought, so we actually have a stronger payment system and safety net for our livestock producers.

As I said before, we help fruit growers impacted by frost and freeze. We create new crop insurance options so that, going forward, we don't have to be back here every year because we strengthen crop insurance and create opportunities for fruit growers who do not have insurance now to be able to have crop insurance—which, by the way, producers pay into, and there is no payout unless you have a loss.

We also address urgently needed dairy reforms to save dairies from bankruptcy. In 2009, under the current dairy policy, we lost farms across the country. If we do not act in a 5-year farm bill, in the area of dairy, of milk producers, it is a disaster waiting to happen. So we need to have a comprehensive farm bill that deals with dairy reforms because that is part of avoiding the next disaster.

There is permanent funding, as I said, for livestock disaster assistance and conservation efforts to prevent another dust bowl. One of the reasons we don't have a dust Bowl in many areas where the drought has been horrible, just horrible, is because of conservation efforts that we put in place that have worked. We need to strengthen those.

We give the Forest Service tools to protect and improve forest health and deal with another disaster not dealt with here, which is forest fires all across the country.

We improve crop insurance to protect against disasters, and finally, we provide farmers and ranchers with long-term certainty. They want to know going forward not only what help they will receive this year—and they need it, and we will make sure that happens—but they want to make sure going forward that they have long-term certainty.

I appreciate in my own home State that the commodity growers are very concerned—strongly supportive of the Senate bill, want to support the Senate disaster assistance efforts. In fact, the Michigan Farm Bureau came out today opposing what the House is doing because, from a Michigan perspective, it just doesn't cut it. It is just not enough.

We have gone through efforts that, in fact, will allow us to solve the problem long term and to also address the short term. What we need, after hearing from farmers and ranchers across the country, is a bipartisan farm bill that gives producers long-term certainty so they can make business decisions without worrying about risk-management provisions that are going to expire on September 30—which, by the way, is just 58 days away.

I would like all my colleagues to know that we have really a dual strategy right now, knowing how important this issue is all across the country to rural America and really to everybody—everybody who eats. I think that is everybody. We all have a stake in having a strong agricultural policy, nutrition policy, conservation policy that maintains our position as the world leader in access to safe, affordable food. With or without official conferees and so on, it is our intent to have conversations to see if we might come together on something that would bridge the differences between House and Senate agricultural perspectives.

We know there are things we need to work on together. We are proud of the fact that we passed a farm bill on a strong bipartisan basis, but we understand we need to work with our colleagues and listen. It is our goal to do one of two things: to either have the opportunity to come together in September and offer something that would be a compromise with the House and the Senate that we could offer and look for an opportunity to pass—that is the best thing. It includes comprehensive disaster assistance as part of that. That is far and away what we are hearing from farm country and what we are hearing from those across the country whose livelihood depends on agricultural production in the food economy.

If for some reason we are not able to succeed, we need to assess all of what

has to happen in the next 4 weeks and come back together and do what we need to do in September to pass a very strong, comprehensive disaster assistance program—not just for livestock, as important as that is, but for all of our communities in every State where there has, in fact, been a disaster.

We will work with colleagues. We will be offering a bipartisan effort. I am extremely hopeful that we can come together around what really needs to get done, which is a 5-year farm bill. If not, we certainly will make sure that in September we have the opportunity to work together.

As I close, let me just indicate the reason—what happens if we do not do the whole farm bill. We lose deficit reduction. The only thing we voted on in a bipartisan way with deficit reduction, we passed here together. I see colleagues of mine who played a tremendous role in this. The former head of the Department of Agriculture, the Secretary of Agriculture from Nebraska, the distinguished Senator from South Dakota—North Dakota—we did this on a bipartisan basis, \$23 billion deficit reduction. We repealed subsidies that we all agreed from a taxpayers perspective we should not be doing anymore. We made some difficult decisions on that. We want to make sure we support farmers for what they grow but not give a payment for what they don't grow. And the number of reforms we did around payment limits and other things, including going through every part of this bill and doing what everybody says we ought to do, some of which is look for duplication, what doesn't work, what ought to be eliminated—and we actually eliminated more than 100 programs and authorizations.

If we don't do a real farm bill, all of this goes away. I suppose you can say the folks who do not want reform would be trying to stop us from passing a 5-year farm bill—certainly the Senate bill—people who do not want reform, people who would like to keep status quo and would like to continue with a system that has not worked for many growers and ranchers. We in the Senate have come together, and we think that is not the right way to go.

I am committed to working with my colleague, the ranking member from Kansas, who I know cares deeply as well about what is happening to livestock producers in his State. We have talked. I know how committed he is to making sure we have the right help to be able to support them. We are committed to doing that. But let's not do half a disaster assistance bill. Let's not do something short term that is less than what producers across the country are counting on us to do. They have sent a loud message. They want us to get it done. There is no reason we cannot. We did it here in the Senate. I believe that if we work in good faith, if

we listen to each other, if we trust each other, we can get the whole thing done in September and have, really, something to celebrate and to offer to all of those in rural America, all of those who count on us, every one of the 16 million people who have a job because of agriculture and our food industry.

Mr. President, I yield the floor. My colleague from North Dakota has been extremely patient, and I am very much appreciative of his willingness to allow me to speak.

Mr. HOEVEN. I thank the Senator from Michigan, and actually I am going to yield to the good Senator from South Dakota. I know he has a commitment. He will be brief, so I yield to my colleague from South Dakota.

The PRESIDING OFFICER. The Senator from South Dakota.

EUROPEAN UNION EMISSIONS TRADING SCHEME PROHIBITION ACT

Mr. THUNE. I know it is very confusing, and I thank my colleague from North Dakota for yielding to his colleague from the South.

I hoped to come down and to ask unanimous consent to pass S. 1956 with a committee-reported amendment. My understanding is there is an objection on the other side. I am disappointed about that. I had hoped we would be able to get unanimous consent today to pass what is a very bipartisan bill. It is the European Union Emissions Trading Scheme Prohibition Act. It is a bill that passed by voice vote earlier this week from the Commerce Committee, and a similar measure was passed earlier this year in the House of Representatives by a voice vote. The aviation industry, the administration, consumers, the U.S. Chamber of Commerce, just about everyone believes that the EU must be reined in and it must happen quickly.

In fact, just this week at the Commerce Committee markup Senator BOXER, who is the chairwoman of the Environmental and Public Works Committee, and also a member of the Commerce Committee, said, referring to my bill:

I think moving it fast is critical because I think it will send a message to the international organization we are trying to nudge forward and know this is the way this is going to be dealt with.

I could not agree more. In 2005, the European Union began their emissions trading scheme which attempts to cap emissions of carbon dioxide from stationary sources within the European Union. Starting in 2012, in January of this year, aviation operators departing from or landing in Europe began to be included in this emissions scheme. Under this program, any airline, including non-European airlines, flying into and out of Europe will be required to pay for EU emissions allowances. Allowances will be collected for the entirety of the flight including portions in U.S. and international airspace.

This is a great example of this unfair application that is happening right now. We have Olympic athletes flying to and from the London games by air. One such Olympian is from my home State of South Dakota, Paige McPherson, and she is competing in Taekwondo next week. She arrived in London last week and the final leg took her from Newark Airport to Heathrow Airport. During this flight, approximately 555 miles of the 3,500 miles flown, or 16 percent, was actually in EU airspace, but her flight was taxed as if 100 percent of it was in EU airspace. Obviously, this unilateral imposition of the EU ETS on U.S. aviation operators is arbitrary, unfair, and a clear violation of international law. Plus it is being done without any guarantee for environmental improvements and at a huge cost to the aviation industry and constituents we serve.

Let me be clear that no one in Congress is against the EU implementing this European trading scheme within their boundaries. That is obviously their prerogative; that is their jurisdiction. However, I believe any system that includes international and other non-EU airspace must be addressed through the International Civil Aviation Organization, known as ICAO, of which the United States and 190 countries, including all of the EU member states, are members. That is why I introduced this simple bipartisan bill. It gives the Secretary of Transportation the authority to take the necessary steps to ensure America's aviation operators are not penalized by any system unilaterally imposed by the European Union.

The bill also requires the Secretary of Transportation, the Administrator of the FAA, and other senior U.S. officials to use their authority to conduct international negotiations and take other actions necessary to ensure that U.S. operators are held harmless from the actions of the European Union.

It is time for the Senate to join the House of Representatives and the administration in voicing our strong opposition to application of the European Union's emission trading scheme system to American operators. I am sorry that it couldn't be done today because, as I said, this was unanimously reported out of the Commerce Committee earlier this week. We have broad bipartisan support. Democrats and Republicans agree this is an issue that needs to be addressed.

Frankly, it is one that I think could be addressed in a very timely way. The longer we wait, the longer we have American air carriers and therefore American travelers paying into a system where is no guarantee it is going to be used for any kind of environmental improvements in Europe. It is, in effect, a tax on American travelers that would fund European governments. If we want to put it in a crass

way, we could say that the American public is being taxed to bail out European nations. That is as simply as I can put this. It is a violation of international law; it is a violation of American sovereignty. It is unfair, unjust, and an illegal tax. It needs to be stopped. This legislation would allow that to happen.

It is unfortunate that we have an objection on the other side to prevent that from happening tonight. I intend to work with my colleagues to get a vote on this when we return in September.

I want to thank my colleague from North Dakota for his graciousness in allowing me to make that statement.

I yield the floor.

Mr. BLUNT. Mr. President, does the Senator from North Dakota have the floor?

Mr. HOEVEN. Mr. President, I rise on another issue, but I yield at least temporarily to see what the good Senator from Missouri has to say.

The PRESIDING OFFICER. The Senator from Missouri.

AGRICULTURE DISASTER

Mr. BLUNT. Mr. President, I am concerned that we are going to go home without an agriculture disaster bill farm families can rely on. This disaster is real. The disaster programs for livestock ran out a year ago, September 30 of last year. We have a chance to do something about that, and I wish to see us do something about that.

The idea that we would decide we could put this off another month, that we can put those families in jeopardy for another month not knowing what their solution seems to me is totally unacceptable.

I will yield the floor to my friend from North Dakota, but I intend to do everything that I can to see we solve this problem with a real solution, not just another Washington excuse as to why we can't do what needs to be done.

The agriculture industry is a key economic driver for our country, supporting approximately 16 million jobs nationwide. The families that own and run these farms and ranches represent less than 2 percent of America's population, but they raise enough food and fiber to feed the nation. These producers have been greatly impacted by the worst and widest reaching drought to grip the United States in decades, which continues to get worse with no signs of slowing down as we head into one of the warmest months of the year.

On Wednesday the USDA added 218 counties from 12 drought-stricken States to its list of natural disaster areas—bringing the overall total to 1,584 counties in 32 States. That's more than half of all U.S. counties. As of the end of last month, the entire State of Missouri was designated a State of severe to exceptional drought—the worst level of drought possible.

For a State like Missouri, which is heavily reliant on agriculture revenue,

this drought has been devastating. Missouri has more than 100,000 individual farms—the second highest number of farms of any state in the nation. Missouri also ranks No. 2 in the Nation in cow calf operations.

Nationwide, 48 percent of our corn crop is now in poor to very poor condition, compared to 45 percent one week ago. Last year, only 14 percent was poor to very poor, while 62 percent was rated good to excellent. Among the hardest hit States, Missouri tops this list with 83 percent of our corn crop rated at poor to very poor. Based off the most recent data, approximately 73 percent of the domestic cattle inventory in the country is within an area experiencing drought. Meanwhile, 57 percent of American pasture and rangeland is in poor to very poor condition this week, compared to 55 percent last week and 36 percent a year ago.

I have talked to many livestock producers who are being forced to decide whether to continue to feed their livestock or whether to liquidate otherwise productive livestock and dairy herds. For the few that have been able to put up hay, they are already taking it back out of the barn to feed—well before the normal feeding time in the winter months. A dairy producer and good friend of mine, Larry Purdom, said just the other day: "Some are just giving up. Yesterday I saw three dairy herds sell out at the Springfield livestock auction and two more herds were ready to go. I think we could lose up to a third of our dairy cow numbers in Missouri."

Undoubtedly, the best solution to assist our farmers and ranchers would be for Congress to pass a long term farm bill that includes funding for these disaster programs. I voted for the Senate farm bill, and I still believe we need a long-term bill to provide certainty to our producers. Many of these disaster programs have lapsed, leaving American producers with very few options to make it through this drought. While USDA has granted a primary disaster designation to every county in Missouri, qualifying them for emergency loan—this only gets our producers so far. It's time we step up and take further action. We have an obligation to our nation's producers to act immediately.

The House has passed and sent us a targeted disaster aid bill. This bill is fully offset, and it immediately helps those farmers and ranchers who are facing the worst drought in decades. But instead of moving forward and providing our producers with the assistance they need, the majority has decided to play politics with drought relief.

Now, the Democrats want to send the House the same bill that has already passed Senate, with no immediate disaster assistance attached. As we head into the August work period with no

sign of relief in sight, it is unacceptable for the Majority to stand in the way of helping our producers.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. HOEVEN. Mr. President, I wish to thank my esteemed colleague, the Senator from Missouri. I appreciate working with him on many issues, including agriculture, and I share his concern.

I have been on the floor of the Senate this week and past weeks, expressing my desire to pass a farm bill, including agriculture assistance. I believe we can do that. We passed a farm bill here in the Senate. The Agriculture Committee has come forward with a product. We absolutely need to come together, House and Senate, on the farm bill for the good of our farmers and ranchers, including drought assistance and for the good of the country.

(The remarks of Mr. HOEVEN pertaining to the introduction of S. 3512 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. HOEVEN. Thank you, Mr. President. I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TERRORIST DETAINMENT

Mr. SESSIONS. Mr. President, it was reported today that Iraq has denied the request of the United States to extradite senior Hezbollah field commander and confessed terrorist Ali Mussa Daqduq, who was recently ordered released by the Iraqi court after our government turned him over to Iraqi custody when our troops left the country.

The administration had years to transfer Daqduq to our detention facility at Guantanamo Bay, but because the President seemed to lack the political will to do so—I think because of campaign promises he improbably made—one of the most dangerous, reprehensible terrorists ever in our custody will likely be allowed to go free. We should never have been in this position.

I and others saw this coming and we pleaded with the administration not to allow it to happen. Sadly, our warnings fell on deaf ears and, sadly, we were proven correct. Daqduq is responsible for the torture and murder of five American servicemen in Karbala, Iraq, including PVT Jonathan Millican of Locust Fork, AL, who was posthumously awarded the Silver Star for gallantry in action as he attempted to protect his comrades from Daqduq's

terrorist actions outside the rules of war. Daqduq and his followers wore American uniforms—an action that he directed. His actions were clearly against the laws of war and he can be held not only as a prisoner of war but as a violator of the rules of war and can be tried and should have been tried before an American military commission.

When U.S. forces captured Daqduq, then the most senior Hezbollah figure in U.S. custody, he provided detailed testimony about the support and training provided by Iran to Iraqi insurgents and admitted to violating the laws of war. He is not a criminal defendant. He is not a member of an organized crime syndicate or some drug dealer. He is a confessed terrorist who committed atrocities against American soldiers during a war duly authorized by Congress. That makes him an unlawful enemy combatant who may be detained until the conclusion of the war or subjected to trial by a military commission. He could be imprisoned for up to life or he could be executed.

Once the military determined he was no longer of use for intelligence purposes when he was in Iraq, he should have been brought to Guantanamo Bay. That was the perfect place for him to be detained. This should have been an open-and-shut case. But President Obama and Attorney General Holder have obstinately clung to the failed law enforcement approach to counterterrorism. They just have. It has been a dispute all the way through the campaign and since they took office. They believe in treating foreign enemy combatants as normal criminal defendants entitled to U.S. constitutional protections and civilian trials. This is contrary to history and contrary to the laws of war. It is contrary to our treaty obligations. Other nations don't do this.

The problem began when, upon taking office, the President decided to ban any new additions to the prisoner population at Guantanamo Bay. We remember that. He didn't like Guantanamo Bay. He thought that was some bad place. So if he transferred Daqduq, or anyone else, for that matter, to Gitmo, he would anger certain of his supporters and violate some of his improvident campaign promises, one of which was to the effect that Gitmo was a cause of terrorism, not a way to prevent terrorism and prevent terrorists from murdering innocent civilians and attacking our military.

So when the report surfaced that the administration planned to transfer Daqduq to the United States for a civilian trial—that was the first report, that he would be brought here for a civilian trial—my colleagues and I wrote to the Attorney General urging him to reconsider and try him before a military commission. For a time, the Attorney General appeared to have re-

lented. But a few months later, it was reported that instead of transferring him to Gitmo, the administration decided to release Daqduq to Iraqi custody.

This time, we wrote to Secretary of Defense Panetta asking him to reconsider that decision. We warned that the Iraqi Government previously had released terrorists who later returned to the battlefield to kill American servicemen. Yet as the deadline for the United States withdrawal from Iraq approached, it became clear the President had no intention of removing Daqduq from Iraq.

The President then struck a deal with Prime Minister al-Maliki to charge Daqduq before an Iraqi criminal court for his acts of terrorism, forgery, and illegal entry, and other offenses.

Now the Iraqi court has had a trial and ordered him released, in spite of the volume of evidence turned over by the United States to be used in the trial, including his uncoerced confessions detailing his role in training the insurgents and his role in the Karbala massacre that I referred to. It appears that it is only a matter of time before he will now be set free.

Recent press reports indicate that the Iraqi authorities are trying to find a way to release Daqduq without angering the White House or embarrassing the President ahead of the election. Well, no one should be surprised that Iraq will not turn him over. We were concerned from the beginning that this would happen.

The administration knew well before it handed over Daqduq that its decision was an abdication of its responsibility to prosecute a terrorist for war crimes against American soldiers—the murder of American soldiers. The administration knew if the Iraqi courts failed to bring him to justice, we may never get a second chance. That was known. And they knew that Iraq would not agree to an extradition request. That has been their policy. So the fact of the matter is we wouldn't be in this position if we had prosecuted Daqduq when we had the opportunity. But now, not only is justice perverted, but he could be returned to the battlefield to kill more Americans, Iraqis, and others.

Unfortunately, Daqduq was not the first, nor will he be the last, example of this administration's unwillingness to confront dangerous terrorists effectively and to process them effectively.

In July of 2009, Senator JON KYL and I wrote President Obama urging him to adhere to this Nation's longstanding policy of not negotiating with terrorists and not to release the Khazali brothers—two of the top Iraqi terrorists trained by Daqduq who were complicit in the Karbala massacre in 2009; but they went forward—in exchange for the release of British hostages held by the terrorist organization called the League of the Righteous.

President Obama authorized the Khazalis' release as part of what the Iraqi Government called its "reconciliation efforts" with insurgent groups. But in reality, this release was a thinly veiled ploy to use Iraq as a middleman in a terrorist-for-hostage exchange in direct violation of President Reagan's policy not to negotiate with terrorists. In fact, there was an Executive order he issued to that effect.

When Iraq released the Khazalis to the League of the Righteous, the terrorist group responded by releasing five British hostages, but, sadly, four of them had already been executed. Qais Khazali immediately, upon his release, resumed his position as leader of the terrorist group and orchestrated the kidnapping of a U.S. civilian contractor in Baghdad less than a month after his release, and Abdul Reza Shahlai, an Iranian Quds Force officer now in Iraq—the Quds Force is one of the most loyal and vicious parts of the Iranian regime—helped Khazali and Daqduq plan the Karbala massacre and helped coordinate the attempt to assassinate the Saudi Arabian Ambassador to the United States on U.S. soil. Do you remember that? That is the same guy.

Despite this alarming track record and the obvious lessons to be learned from its previous mistakes, the administration recently insisted on engaging in negotiations with the Taliban to release five terrorist detainees from Guantanamo Bay—detainees who were categorized previously as "too dangerous to transfer" by the administration's own Guantanamo Review Task Force—and they were to be released in exchange for the Taliban's promise in Afghanistan to "begin" talks with the Afghan Government.

Negotiating, I suggest, with terrorists is not a profitable enterprise, and in effect that is what that was. Three of the five have ties to al-Qaida. Another met with Iranian officials on behalf of the Taliban immediately following 9/11 to discuss Iran's offer of weapons and support to attack U.S. forces in Afghanistan. Another detainee then under consideration, Mohammad Fazl, is a close friend of the supreme Taliban commander, Mullah Omar, who is accused of killing thousands of Afghan Shiites, and who was responsible for the prison revolt that claimed the life of CIA Officer Johnny Michael Spann, the first American killed in Afghanistan and, incidentally, another brave Alabamian.

As time has passed, it has become clear that the policy of not negotiating with terrorists is sound and essential, and the administration's actions in violation of that policy have failed and they are dangerous.

Indeed, the administration's failed terrorist detention policies appear to have led to a policy that favors killing rather than capture and interrogation

of enemy combatants. It is an odd event, but it does appear to have some truth to it.

So today we face a situation in Afghanistan that is similar to that which we faced in Iraq in 2009. Parwan Prison currently houses roughly 2,000 to 3,000 individuals, including high-value detainees.

In August 2011, the Washington Post—last August—reported:

U.S. officials say that giving Afghans control over the fates of suspected insurgents would allow dangerous Taliban fighters to slip through the cracks of an undeveloped legal system.

I will tell you what that means. It means they will not be able to keep them in those jails. History shows that. They will get their way out of there—through violence, through bribery, through threats, or some other mechanism, and that is what is continuing to happen. It is a big concern of the military. As a Federal prosecutor, who observed this particular issue over the years in Iraq and Afghanistan, it has been a source of concern to me.

In March of this year, the administration agreed to a gradual transfer of control of the prison to the Afghan Government over a period of 6 months, with the United States holding veto power over the release of certain prisoners. However, the Washington Post reported in May—just May of this year—that the administration has been secretly releasing high-value detainees held in Afghanistan in exchange for certain “promises of support” from leaders of insurgent groups.

Now, how long do you think that will last? Once we release the prisoner, they are out, but the promises by some Taliban or some terrorists are not going to be honored. Not only do some of these prisoners have ties to Iran or al-Qaida and other terrorist organizations that continue to attack our troops, but their release is not even conditioned on them severing their contact with the insurgent groups.

According to the Washington Post, the administration has approved these releases in part because they do not require congressional approval. That is what they report. It also has been reported that the administration is attempting to repatriate some of the 50 most dangerous militants over which the United States currently retains custody to Pakistan and other Arab countries—this in the face of reports from the Director of National Intelligence that nearly 28 percent of former Gitmo detainees are either confirmed or suspected to have returned to the battlefield to attack America and our allies. That is 28 percent. How many are doing so and we have not yet proven that they have been in the game? I suspect many more than that 28 percent.

So the question inevitably arises: When American detention operations

in Afghanistan come to an end, where will the administration take those 50 or so dangerous prisoners, assuming it has not already negotiated with other insurgent groups for their release? If they are not going to release them, what are they going to do with them?

Once again, the administration has kicked the can down the road, just as it did in Iraq, which eventually culminated in the Daquq mess.

The country cannot afford to continue down this dangerous path, especially in light of the impending withdrawal of our troops from Afghanistan and the administration's agreement to transfer detainees in U.S. custody to the Kabul Government. The same unacceptable result will surely occur.

The President is the Commander in Chief. He has serious responsibilities, and one is to defend the honor, the dignity, and the credibility of the United States. I do not believe we are doing so when we are dealing with terrorists who double-cross us at every turn. He has a duty to those magnificent troops who have answered his call to go into harm's way to execute U.S. policy.

Part of that duty is not to give away what they have fought and bled for, not to give it away after they fought and bled for it, and captured these people. That includes not giving up prisoners whom these soldiers, at great risk and effort, have captured—terrorists who seek to destroy what we have, terrorists we have worked so hard to capture, terrorists who may return to kill more Americans and more Afghans.

This policy cannot be defended. It has to end. So I urge the President and his team to act forcefully now. It may not be too late. With strong action we may be able to ensure that Daquq is not released, that he is able to be tried for the murders he committed and the American soldiers he killed.

I thank the Presiding Officer and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CHAMBLISS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BEGICH). Without objection, it is so ordered.

Mr. CHAMBLISS. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

GEORGIA PEANUT COMMISSION ANNIVERSARY

Mr. CHAMBLISS. Mr. President, I rise to commemorate the 50th anniversary of the Georgia Peanut Commission. In 1961, Georgia peanut farmers came together to form a commission that would promote their industry, perform research, educate the community, and conduct outreach around the State. Thus, the Georgia Peanut Commission was born.

We have come a long ways since 1961. As we celebrate this 50th anniversary, it is important to note that Georgia peanut farmers in 1961 harvested 475,000 acres of peanuts with an average yield of 1,200 pounds per acre. But thanks to the evolution of technology and techniques and the hard work and the innovation of Georgia's peanut farmers, farmers in 2011 in Georgia harvested the same amount of land with a yield of more than 3,500 pounds per acre.

Agricultural producers face a combination of challenges, including unpredictable weather and market volatility that determine profit or loss in any given year. Through the Georgia Peanut Commission, Georgia peanut farmers have persevered through the hardships. Georgia leads the Nation in peanut production, producing nearly 50 percent of our Nation's annual crop.

Anyone who has ever stopped by a congressional office on Capitol Hill and taste-tested the complimentary peanuts we offer can thank the Georgia Peanut Commission. Those little red bags are recognized by hungry constituents and staffers alike as a symbol of Georgia agriculture.

Annually, the commission distributes 2 million of those little red bags. The peanut industry is vital to Georgia's economy, contributing some \$2 billion annually, and creating nearly 50,000 jobs across the sector. In the past 50 years, peanut farmers with the help of the commission have reduced production costs through research and have worked to stimulate and increase consumption.

Last year, the Georgia Peanut Commission broke ground at the site for its new headquarters in Tifton, GA, which will be the first net-zero energy building affiliated with State government in Georgia. There are many changes happening in rural America. The facade of these rural towns may look different year after year, but the challenges confronting our small towns and communities have not changed. The Georgia Peanut Commission has been critical to the foundation of not just rural Georgia but our entire State's economy.

I am proud to recognize the work the Georgia Peanut Commission has done for our State and congratulations to them on their 50th anniversary.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT REQUEST—H.R. 6079

Mr. MCCONNELL. Mr. President, earlier this week, the majority leader and a number of his colleagues took to the

floor to defend the President's health care law and to tout provisions they believed to be popular with the public. What they didn't do was allow a vote on the entirety of the bill, which proves to be even more of a disaster with each passing day and which the majority of Americans continue to vigorously oppose.

Put another way, Senate Democrats spent nearly an entire day talking about parts—parts—of ObamaCare that polled well but refused to spend 15 minutes being caught on camera voting to uphold the entire law. What are they afraid of? Why will they not allow a vote?

When the health care bill was working its way through Congress, you will recall, former Speaker of the House PELOSI famously said: We need to pass the bill to find out what is in it. Now that we have had some time to study its consequences, I can't think of any reason why Senators wouldn't want to stand and be counted with a vote on the floor either for or against repeal.

Does ObamaCare get a passing grade or not? That is all I asked for on Tuesday, a vote to either reaffirm or repudiate the votes we all took on ObamaCare based on everything we know about it now that we didn't know back then.

It has been clear, in my view, that the Democratic health care law is making things worse and should be repealed in full. A week doesn't seem to pass that we don't learn about some problem this law creates or doesn't solve.

There is a headline in the Wall Street Journal today: "Small Firms See Pain in Health Law." And just yesterday we learned it will increase Federal spending and subsidies on health care by \$580 billion, which means even after you count the more than \$700 billion it takes out of Medicare, it still increases Federal health spending and subsidies by more than one-half of \$1 trillion.

So let's have a vote. Let's have a vote: Is ObamaCare making things better or worse? Let's show the American people where we stand. It is what the American people want. It is a vote they deserve.

When my friends on the other side are represented on the floor, I will ask consent for a vote that would follow the completion of cyber security, so I will defer on asking that consent until the majority leader or one of his representatives comes to the floor.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCONNELL. Mr. President, I would say to my friend, the majority

leader, I have already made some comments about why I will be propounding the consent agreement I now propound with him here on the floor.

I ask unanimous consent that immediately following the disposition of the pending cyber security bill, but no later than September 28, the Senate proceed to the consideration of Calendar No. 451, H.R. 6079, an act to repeal the President's health care bill or the so-called ObamaCare; further, that there be 1 hour of debate on the bill, no amendments be in order to the measure, and following that debate the bill be read a third time and the Senate proceed to the vote on passage, with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Mr. President, reserving the right to object, there is no other way to say this than my Republican friends are hopelessly stuck in the past. They continue to want to fight battles that are already over.

At the beginning of this Congress, when we were trying to pass an air transportation bill, the Republican leader offered an amendment to repeal the Affordable Care Act. On February 2 of last year, the Senate voted that amendment down. It was defeated.

In March of this year, when we considered the highway jobs bill, Republicans insisted on voting on stopping women from getting contraceptive coverage—part of the Affordable Care Act. On March 1, the Senate voted that amendment down.

Just this week, when we have been considering a bill to protect our country from cyber attack, the Republican leader gave notice that he wanted once again to offer an amendment to repeal the Affordable Care Act. Remember, the House has already voted 34 times to repeal the Affordable Care Act. I repeat, they are hopelessly stuck in the past.

They are stuck in the past when before the Affordable Care Act, insurance companies didn't have to pay for preventive care. They are stuck in the past when before the Affordable Care Act, there was a gap in coverage for seniors' prescription drugs. That is the doughnut hole that we are filling. Republicans are stuck in the past when before the Affordable Care Act passed, insurance companies didn't have to allow young adults up to age 26 to stay on their parents' health insurance.

I have spoken here at least a half a dozen times about my friend from Searchlight, NV, who, at 22 years old, went off his parents' insurance. The time ran out. Within weeks, he was diagnosed with testicular cancer. It about broke his parents. He had no insurance and had two surgeries. That will not happen in the future. This young man was in college. That is what this is to protect.

They are stuck in the past when before this act passed, insurance compa-

nies could deny coverage to people because of preexisting conditions. And, by the way, one of those conditions was being a woman; or diabetes; or if a woman had been a victim of domestic abuse. They are stuck in the past when insurance companies could charge women more than men. Republicans are stuck in the past when women didn't have access to the services they need. They are stuck in the past when insurance companies could drop your coverage when you got sick or set some arbitrary limit on how much insurance would pay.

I have talked about a man in Las Vegas who was badly injured, living a pretty decent life even though he was paralyzed—and suddenly he finds he has no insurance, which led him into an awful situation.

Republicans are stuck in the past when insurance companies could use premium dollars for bonuses for the bosses rather than health care. All around America this month there will be hundreds of thousands of people who will be getting a rebate because insurance companies weren't spending enough money on them but, rather, on their own salaries. We set a limit: You have to spend 80 percent of a premium to help people get well. They are stuck in the past and they want to return to when insurance companies were king. They are hopelessly stuck in the past.

But there was a vote that we should all focus on, on the Affordable Care Act. It was a 5-4 vote that upheld that bill. The Supreme Court of the United States did that. But I guess they didn't get the news. The Supreme Court ruled the act is constitutional. It is the law of the land now.

We need to move on. They need to catch up on the fact that people want us to work to create jobs, whether it is in Alaska, Nevada, Kentucky—any of the States. But they want us to vote on repealing the Affordable Care Act.

On July 19, they blocked us from voting on a bill to prevent outsourcing jobs—which, by the way, their Presidential nominee is very good at doing. Now they want us to vote on repealing the Affordable Care Act.

On July 12, they blocked passage of the small business jobs bill that would have helped small businesses all over this country. They wanted to vote on repealing the Affordable Care Act.

But on March 29, they blocked a bill to promote renewable energy.

On March 13, they blocked Senator STABENOW's amendment to extend expiring energy tax credits.

They wanted to vote on the Affordable Care Act, and they stopped us from proceeding to put workers back on the job building and modernizing America, and that was done on November 3.

On October 20, they blocked the motion to proceed to a bill to keep teachers and first responders on the job.

They so badly want to go back and fight these old battles that they blocked a motion to proceed to the American Jobs Act.

They blocked us on a bill to reauthorize the Economic Development Administration, something that has been done as a matter of fact in the past, creating thousands of jobs in America. They wanted us to vote on repealing the Affordable Care Act.

One day last year, after weeks of debate, they blocked the bill to improve small business innovation. That, by the way, is one of the programs that has done so many interesting things, including inventing the electric toothbrush.

Republicans are hopelessly stuck in the past. They need to stop trying to repeal a law enacted 3 years ago. The Supreme Court has declared it constitutional. Let's move on to try to get jobs for people.

So I object.

The PRESIDING OFFICER. Objection is heard.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, I believe we are now on a motion to proceed to S. 3457; is that correct?

The PRESIDING OFFICER. That is correct.

CLOTURE MOTION

Mr. REID. I have a cloture motion at the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to Calendar No. 476, S. 3457, a bill to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes.

Harry Reid, John F. Kerry, Bernard Sanders, Kent Conrad, Al Franken, Tom Udall, Christopher A. Coons, Mark Begich, Patty Murray, Bill Nelson, Amy Klobuchar, Thomas R. Carper, Robert Menendez, Jim Webb, Kirsten E. Gillibrand, Jeff Merkley, Jack Reed.

Mr. REID. I ask unanimous consent that the mandatory quorum under rule XXII be waived and that the vote with respect to this motion occur at 2:15 on Tuesday, September 11.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROCKEFELLER. Mr. President, I would like to thank Chairman MURRAY

for her work on the Veterans Jobs Corps Act.

The unemployment rate for our young, returning veterans is higher than that national average, and this is a travesty. This important bill would invest \$1 billion in creating a Veterans Jobs Corps to help our veterans transition into civilian life and get job placements in important areas of law enforcement, first responders positions, or positions in parks and forests involving restoration and protection of our public lands.

The bill makes other strategic investments to improve our infrastructure to help veterans with their job search. Veterans deserve access to Internet at one-stop job centers, as well as qualified outreach specialists to help disabled veterans seek employment. It is designed to help ensure that veterans get the credit they deserve for their training and military experiences when they seek civilian certification and licenses.

I would also like to thank Leader REID and Chairman MURRAY and their staffs for working with me to find an acceptable offset for this legislation, which would have had an impact on the National Energy Technology Laboratory, NETL, located in West Virginia. NETL does critically important research on improving the safety and environmental sustainability of offshore oil and gas development and importantly for my State they are working on identifying measures that can be taken to reduce the environmental impact and improve the safety of shale gas production. I am pleased that we will be able to switch out the objectionable offset and move this bill forward quickly as soon as we return from recess.

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators allowed to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

DISABILITIES CONVENTION

Mr. REID. Mr. President, the Disabilities Convention enjoys strong bipartisan support in the Senate, with Senators McCain, Durbin, Kerry, Barroso, Coons, Tom Udall, Moran, and Harkin leading the charge to ratify the Convention. With their help, I hope we will be able to move this treaty forward in the future.

Twenty-two years ago, Congress passed the Americans with Disabilities Act to lift the barriers Americans with disabilities faced in everyday life. And ever since the passage of that law, the United States has been a leader in expanding disability rights across the globe.

We have led, other countries have followed, and persons with disabilities have found ever greater opportunities to succeed. Now we are presented with an opportunity to strengthen our leadership on disability rights around the world by joining the Convention on the Rights of Persons with Disabilities.

This convention is another step towards ensuring that all people with a disability, in any country, are treated with dignity and given the right to achieve to their full potential.

Let me read part of a recent statement to the Foreign Relations Committee from one of my esteemed predecessors, former Senate Majority Leader Bob Dole, recipient of two Purple Hearts and a Bronze Star for heroic achievement, who was wounded fighting for our country in World War II.

U.S. ratification of the [Convention] will improve physical, technological and communication access outside the U.S., thereby helping to ensure that Americans—particularly, many thousands of disabled American veterans—have equal opportunities to live, work, and travel abroad. . . . An active U.S. presence in implementation of global disability rights will promote the market for devices such as wheelchairs, smart phones, and other new technologies engineered, made, and sold by U.S. corporations.

This convention will help U.S. citizens and veterans abroad, and U.S. businesses here at home. And it won't cost us anything. It won't require any changes to existing U.S. law and or new contributions to the United Nations.

As we watch the Olympics this week and admire the incredible feats of all of the athletes, we are reminded of what each of us can achieve.

Just look at Oscar Pistorius from South Africa—also known as the—"Blade Runner," who this Saturday will run the 400-meter sprint in the Olympics on carbon-fiber legs.

Or watch Jessica Long, an American gold-medal bilateral amputee swimmer, participate in her third Paralympics Games at the age of 20.

This convention will help make the path smoother for Olympians such as Oscar and Jessica.

It has the support of veterans group and disability groups from around the Nation. It has the strong backing of a bipartisan group of Senators as well as leading Republicans such as President George H.W. Bush and Senator Dole.

Just like passing the Americans with Disabilities Act, ratifying this Convention is, quite simply, the right thing to do.

REMEMBERING PHILIP PENDLETON ARDERY

Mr. McCONNELL. Mr. President, I rise today to pay tribute to an honored Kentuckian and a man of great accomplishment who leaves behind a towering legacy of service with his passing. Mr. Philip Pendleton Arderly of

Louisville, KY, passed away on July 26, 2012, at his home. He was 98 years old.

Mr. Ardery's life story reads like a well-written novel of action, suspense, and drama or several novels, given how much living he packed into his 98 years. A war hero, philanthropist, author, public servant, and committed flag bearer of New Deal liberalism, he made such a profound impact on my hometown of Louisville, the Commonwealth of Kentucky, and our Nation that I feel compelled to come to the floor and say a few words about his passing.

I have great admiration and respect for Phil and his remarkable life. That may surprise some, given that he and I did not have a lot in common with respect to our political or ideological views. I am certain that much of what I have done in my career in public life did not please him one bit. Having said that, every American, no matter where you stand on the political spectrum, has to recognize the extent of Philip Ardery's commitment to service. Service was the watchword of his life, be it service to State, Nation, or those less well off than himself.

Phil was born in 1914 in Lexington, KY, the son of William Breckinridge and Julia Hoge Spencer Ardery. Later in life, he moved to a farm on the Paris-Lexington Pike. His youth in Bourbon County forever left an imprint on him, and he loved to share his love for the area with others.

Phil graduated Phi Beta Kappa from the University of Kentucky in 1935 and graduated from Harvard Law School in 1938. Also in his Harvard Law class was Phil's boyhood friend from Bourbon County, Edward F. Prichard, Jr.

After law school, Phil joined the Army Air Corps, and during World War II he became a B-24 squadron commander. Phil flew a full combat tour of 25 missions, dropping bombs on Norway, Austria, Crete, Italy, France, Belgium, and Holland. He then volunteered for one more mission on D-day and commanded a division of about 200 pilots. For his bravery in uniform, Phil was awarded the Silver Star, the Distinguished Flying Cross, and the French Croix de Guerre. He later wrote a book about his war exploits, called "Bomber Pilot: A Memoir of World War II."

While still training as a pilot in Texas, Phil met the woman who would become his wife, Anne Stuyvesant Tweedy. Together they had four children. They married on December 6, 1941, the day before the attack on Pearl Harbor.

After the war, Phil practiced law with a focus on representing the electric cooperatives bringing power and lights to rural Kentucky. A loyalist of Franklin D. Roosevelt's, he would remain committed to the ideals of New Deal liberalism for the rest of his life. He ran for office a few times, including

in the Democratic primary for a Senate seat in 1946 and in the general election for the House of Representatives seat from Kentucky's Third District in 1956. He lost both those races, but did win a race for Jefferson County Fiscal Court in 1958.

Meanwhile, Phil's longtime friend and Harvard Law School classmate Edward F. Prichard, Jr., was having quite the political career in President Roosevelt's administration. Known in Kentucky as "the boy wonder," it was a near certainty that Prichard would run for Governor or Senator someday, and almost surely win.

But a dramatic twist that would ruin the two men's friendship caused that not to be. Prichard came to Phil and confessed to him that he had participated in a crime. Phil took Prichard to Phil's father, who was a Bourbon County circuit judge at the time, to relate his story. This chain of events eventually led to Prichard's conviction of stuffing the ballot box in the State's 1946 election. He was sentenced to 2 years in Federal prison.

In yet another book Phil wrote, a memoir titled "Heroes and Horses: Tales of the Bluegrass," Phil wrote that it was not Edward's crime in and of itself that created the rift between the two friends, but his public denial of wrongdoing. "That put [him] in the position of making my father appear to be a liar," Phil wrote. "So Prichard and I had to be enemies."

This story does, however, have a happy ending. Although friction remained between the Ardery and Prichard families, in 1976, Prichard finally admitted his guilt in a newspaper interview. In 1984, Ardery reached out to his old friend, who was by then blind due to diabetes. Phil paid the expenses for the two men to visit Harvard for a celebration of the 100th anniversary of the birth of their former law professor, Supreme Court Justice Felix Frankfurter.

After watching a friend's son struggle with schizophrenia, Phil helped found what has become Wellspring, a network of 19 facilities that provides housing and rehabilitation to people with severe and persistent mental illness. Wellspring has helped more than 6,000 people over its 30 years in existence, thanks in large part to millions of dollars raised by Phil.

Phil also helped found the Brain & Behavior Research Foundation, a national mental health research group that has awarded roughly \$300 million in grants to scientists around the world in the past 25 years.

Phil served as the first commander of the Kentucky Air National Guard, and led it during the Korean War in England, where he served as a NATO wing base station commander. He retired with the rank of major general in 1965. As a pilot in London, he met and befriended famous names like Edward R. Murrow and T.S. Eliot.

Phil's many philanthropic activities also include service as director and president of the Frazier Rehab Center, as a director of the Jewish Hospital Health Care Systems, and as a member of the Kentucky Horse Park Foundation, the Kentucky Humanities Council, and the executive committee of the Kentucky Historical Society. He was the chairman of the American Heart Association and the Kentucky Heart Association.

I know several members of the Ardery family well, and I want to convey my and Elaine's deepest condolences to all those who knew and loved Philip Ardery. We are particularly thinking today of his wife, Anne; his son and daughter-in-law Joseph and Anne; his son and daughter-in-law Philip and Cecilia; his daughter and son-in-law Julia and William; several grandchildren; and many other beloved family members and friends. Phil was preceded in death by his son Peter.

As I hope I have made clear, Philip Ardery packed an amazing amount of success and accomplishment in his long and rich life. We can be grateful that such a devoted public servant was granted so much life on this Earth to do his good works. There is no doubt that thousands of people—from the rural Kentuckian who needed electricity, to the beneficiaries of his charitable work, to the many whose lives were saved thanks to his service in uniform—have reason to be thankful for Mr. Ardery.

I would ask my Senate colleagues to join me in commemorating his commitment to service and in extending sympathies to the Ardery family. The Commonwealth of Kentucky will be proud to remember the life and deeds of Mr. Philip Pendleton Ardery.

REMEMBERING JANIE CATRON

Mr. McCONNELL. Mr. President, today I rise in memory of Janie Catron of Corbin, KY. Elaine and I mourn the passing of our dear friend Janie, who served as my field representative in eastern Kentucky for many years when I was first elected to the Senate. She was a great friend and she will be missed. Elaine and I send our condolences to Janie's family and to all those who knew her.

Born on July 2, 1940, in Eubank, KY, to Jesse and Pauline Griffin, Janie was a registered nurse by trade. She was ordained in the Sacred Order of Deacons with the Episcopal Diocese of Lexington and began serving as Chaplain of St. Agnes House. She also was my eastern Kentucky field representative for 10 years.

Always interested in politics, Janie was active her whole life in civic service to the Commonwealth of Kentucky. In 1977, she was named the Fifth District governor of the Kentucky Federation of Empowered Women. She, besides aiding me in eastern Kentucky,

was active in the State central committee and even became secretary of the committee. In recognition of her dedication to Kentucky and the Republican Party, in 1995, she was inducted into the Fifth District Lincoln Hall of Fame, which honors Kentuckians who have committed to promoting the values of the Republican Party.

Yet, Janie's legacy is greater than her career and political recognitions. As a pastor, she will be remembered as a woman who aided those around her and helped improve their lives. As a mother, she will be remembered as a selfless woman who always loved her children. As a friend, I will forever admire how hard she worked for the people she loved and the causes in which she believed.

Today, I ask my colleagues in the Senate to join me in extending condolences to Janie Catron's children, family, and friends. The Times Tribune, a publication from Whitley County, KY, published an obituary that highlighted Janie's life achievements. Mr. President, I ask unanimous consent that said article appear in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Times Tribune, July 10, 2012]

JANIE CATRON

Reverend Janie G. Catron, 72, of Lexington, passed away Sunday, July 8, 2012, at the University of Kentucky Chandler Medical Center in Lexington.

Janie was born on July 2, 1940, in Eubank, daughter of the late Jesse and Pauline Griffin. She was a member of the Episcopal Church of the Good Shepherd in Lexington. Janie was ordained in the Sacred Order of Deacons with The Episcopal Diocese of Lexington, where she served as a chaplain of St. Agnes House. She was very devout to her calling and held a particular interest in pastoral care. She was selfless and giving in her actions, words, and deeds, and genuinely enjoyed helping to improve the lives of those around her. A registered nurse by profession, she also enjoyed Kentucky politics and worked for 10 years as the eastern Kentucky field representative for U.S. Sen. Mitch McConnell. She will be fondly missed by all who knew her.

Janie is survived by her children, Frances Catron Cadle (Ron), Lexington; Reba Catron Beirise (Tim), Lexington; Dr. Charles Paul Catron (Nicky), Vidalia, Ga.; and James Catron (Lillian), London; a sister, Kay Denham (Jackson), Somerset; a brother, Jeff Griffin (Sue), Eubank; one daughter-in-law, Sharon Wagers, Rome, Ga.; grandchildren, Matthew Alexander, Caneyville; Laura Catron, Lexington; Frank Thomas, Frankfort; Frank H. "Hank" Catron III, Rome, Ga.; Takoda and Emily Hacker, London; Mary Lauren and Julia Catron, Vidalia, Ga.; and one great-grandchild, Collin Alexander, Southshore; along with a host of family and friends.

She has preceded in death by her son Frank H. "Casey" Catron Jr.

Visitation will be held today (Tuesday, July 10, 2012) at Kerr Brothers Funeral Home, 3421 Harrodsburg Rd., Lexington, Ky. from 5 to 8 p.m.

A celebration of Janie's life will be held on Wednesday, July 11, 2012, at 10 a.m. at The

Church of the Good Shepherd, 533 E. Main St., Lexington, Ky.

A visitation will be held on Thursday, July 12, 2012, in her longtime home of Corbin at O'Neil Funeral Home, 201 N. Kentucky St., Corbin, Ky., from 10 a.m. to 1 p.m. with a second celebration of life following at 1 p.m.

In lieu of flowers, memorial gifts may be sent to the St. Agnes House, 635 Maxwellton Court, Lexington, Ky. 40508, or to the ALS Association, Development Department, 27001 Agoura Rd., Suite 250, Calabasas Hills, Calif. 91301.

TRIBUTE TO MORGAN FRENCH

Mr. MCCONNELL. Mr. President, I rise today to honor the life of Mr. Morgan French, of Radcliff, KY, who passed away in February 2012 at the age of 92. The U.S. Army's Warrior Transition Battalion at Fort Knox will soon be honoring Morgan by naming its barracks after him. Today, I would like to pay tribute to this American hero.

Originally from Perryville, KY, Morgan was a military veteran who personified the "greatest generation." He served in the U.S. Army with the renowned "Harrodsburg Tankers," Company D of the 192nd Tank Battalion. The Harrodsburg Tankers—including Morgan and his brother, Edward—were in the Philippines' Bataan Peninsula in the spring of 1942 and came under heavy attack by Japanese forces. Morgan's brother, Edward, was killed and Morgan was taken as a prisoner of war, POW, by Japanese troops. He spent nearly three-and-a-half years of his life as a POW, enduring extreme conditions and harsh treatment. This brave Kentuckian maintained hope and courage throughout these hardships and was finally liberated by Allied Forces in September 1945. Morgan's military service did not end with World War II, however. Following his nearly three-and-a-half years as a POW, he returned to active duty, served two tours in the Korean War, and became a member of the Kentucky National Guard. Morgan retired from the military in 1962 after 23 years of service. He continued to work selflessly as a civilian, teaching at the U.S. Army Armor School at Fort Knox until 1984.

Morgan and his wife, Maxine—who preceded him in death—made Radcliff their home for almost half a century. I can't think of a more fitting tribute than for the U.S. Army to name the Warrior Transition Battalion barracks at Fort Knox after Morgan French, an American hero.

STOCK ACT

Mr. MCCONNELL. Mr. President, S. 3510 addresses the concerns raised by 14 of the most highly respected folks in the national security field, from Michael Chertoff to Mike McConnell to Michael Mukasey, all of whom wrote with serious concerns about the application of one provision of the STOCK

Act requiring online posting of financial data which would potentially impact the national security and the personal safety of national security and law enforcement professionals and their families. These are very serious concerns they have raised, and given that we are on the eve of the August district work period, we do not have time to adequately address those concerns. Thus, this very short bill adopts their joint recommendation to delay implementation until the national security and personal safety implications can be fully evaluated. Not one change has been made to what is required to be reported, and there is no change to the longstanding requirement that all these reports are already available in person. It is for the safety and security of our brave men and women that we need to ensure they are protected which is exactly what this bill does.

Mr. President, I ask unanimous consent to have a letter dated July 19, 2012, addressed to congressional leaders printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

JULY 19, 2012.

Re Application of Section 11 of the STOCK Act to National Security Officials.

Hon. HARRY REID,
Majority Leader,
United States Senate,
Hon. ERIC CANTOR,
Majority Leader,
House of Representatives,
Hon. MITCH MCCONNELL,
Minority Leader,
United States Senate,
Hon. NANCY PELOSI,
Minority Leader,
House of Representatives,
Hon. CARL LEVIN,
Chairman of the Senate Committee on Armed Services, United States Senate,
Hon. BUCK McKEON,
Chairman of the House Committee on Armed Services, House of Representatives,
Hon. JOHN McCain,
Ranking Member of the Senate Committee on Armed Services, United States Senate,
Hon. ADAM SMITH,
Ranking Member of the House Committee on Armed Services, House of Representatives,
Hon. JOHN KERRY,
Chairman of the Senate Committee on Foreign Relations, United States Senate,
Hon. ILEANA ROS-LEHTINEN,
Chairman of the House Committee on Foreign Affairs, House of Representatives,
Hon. RICHARD LUGAR,
Ranking Member of the Senate Committee on Foreign Relations, United States Senate,
Hon. HOWARD BERMAN,
Ranking Member of the House Committee on Foreign Affairs, House of Representatives,
Hon. JOE LIEBERMAN,
Chairman of the Senate Committee on Homeland Security and Governmental Affairs, United States Senate,
Hon. PETER KING,
Chairman of the House Committee on Homeland Security, House of Representatives,

Hon. SUSAN COLLINS,
*Ranking Member of the Senate Committee on
Homeland Security and Governmental Af-
fairs, United States Senate,*

Hon. BENNIE THOMPSON,
*Ranking Member of the House Committee on
Homeland Security, House of Representa-
tives,*

Hon. DIANNE FEINSTEIN,
*Chairman of the Senate Select Committee on In-
telligence, United States Senate,*

Hon. MIKE ROGERS,
*Chairman of the House Permanent Select Com-
mittee on Intelligence, House of Representa-
tives,*

Hon. SAXBY CHAMBLISS,
*Ranking Member of the Senate Select Committee
on Intelligence, United States Senate,*

Hon. DUTCH RUPPERSBERGER,
*Ranking Member of the House Permanent Select
Committee on Intelligence, House of Rep-
resentatives,*

Hon. PATRICK LEAHY,
*Chairman of the Senate Committee on the Judi-
ciary, United States Senate,*

Hon. LAMAR SMITH,
*Chairman of the House Committee on the Judici-
ary, House of Representatives,*

Hon. CHUCK GRASSLEY,
*Ranking Member of the Senate Committee on
the Judiciary, United States Senate,*

Hon. JOHN CONYERS, JR.,
*Ranking Member of the House Committee on the
Judiciary, House of Representatives.*

DEAR CONGRESSIONAL LEADERS: We are writing to express concern about section 11 of the Stop Trading in Congressional Knowledge Act (the STOCK Act), which requires that the financial disclosure forms of senior executive branch officials be posted on the Internet by August 31. While we agree that the government should have access to the financial information of its senior officials to ensure the integrity of government decision making, we strongly urge that Congress immediately pass legislation allowing an exception from the Internet posting requirement for certain executive branch officials, in order to protect the national security and the personal safety of these officials and their families.

The STOCK Act was intended to stop insider trading by Members of Congress. However, section 11 of the Act, which was added without any public hearings or consideration of national security or personnel safety implications, requires that financial data of over 28,000 executive branch officials throughout the U.S. government, including members of the U.S. military and career diplomats, law enforcement officials, and officials in sensitive national security jobs in the Defense Department, State Department and other agencies, be posted on their agency websites.

It is not clear what public purpose is served by inclusion of Section 11. We are not aware that any transparency concerns have been raised about the adequacy of the existing review process for executive branch officials, most of whom have devoted their careers to public service. For several decades, executive branch officials have prepared and submitted SF-278 financial disclosure forms to their employing agencies. The completed forms and the extensive financial data they contain are carefully reviewed by agency ethics officers in light of the specific responsibilities of the officials submitting them in order to identify and eliminate potential conflicts of interest. Although the forms may be requested by members of the public, they are not published in hard-copy or on the Internet. Moreover, individuals requesting

copies of the forms must provide their names, occupation, and contact information. Agencies generally notify the filing officials about who has requested their personal financial information.

In contrast, Section 11 of the STOCK Act would require that the financial disclosure forms of executive branch officials be posted on each agency's website and that a government-wide database be created containing the SF-278s that would be searchable and sortable without the use of a login or any other screening process to control or monitor access to this personal information.

We believe that this new uncontrolled disclosure scheme for executive branch officials will create significant threats to the national security and to the personal safety and financial security of executive branch officials and their families, especially career employees. Placing complete personal financial information of all senior officials on the Internet would be a jackpot for enemies of the United States intent on finding security vulnerabilities they can exploit. SF-278 forms include a treasure trove of personal financial information: the location and value of employees' savings and checking accounts and certificates of deposit; a full valuation and listing of their investment portfolio; a listing of real estate assets and their value; a listing of debts, debt amounts, and creditors; and the signatures of the filers. SF-278s include financial information not only about the filing employee, but also about the employee's spouse and dependent children.

Posting this detailed financial information on the Internet will jeopardize the safety of executive branch officials—including military, diplomatic, law enforcement, and potentially intelligence officials—and their families who are posted or travel in dangerous areas, especially in certain countries in Asia, Africa, and Latin America. Embassy and military security officers already advise these officials to post no personal identifying information on the Internet. Publishing the financial assets of these officials will allow foreign governments, and terrorist or criminal groups to specifically target these officials or their families for kidnapping, harassment, manipulation of financial assets, and other abuse.

Equally important, the detailed personal financial information—particularly detailed information about debts and creditors—contained in the SF-278s of senior officials is precisely the information that foreign intelligence services and other adversaries spend billions of dollars every year to uncover as they look for information that can be used to harass, intimidate and blackmail those in the government with access to classified information. Yet under the STOCK Act, these SF-278s will be placed on the Internet for any foreign government or group to access without disclosing their identity or purpose and with no notice to the employees or their agencies. We should not hand on a silver platter to foreign intelligence services information that could be used to compromise or harass career public servants who have access to the most sensitive information held by the U.S. government.

Section 11 could also jeopardize the safety and security of other executive branch officials, such as federal prosecutors and others who are tracking down and bringing to justice domestic organized crime gangs and foreign terrorists. Crime gangs could easily target the families of prosecutors with substantial assets or debts for physical attacks or threats.

Finally, publishing detailed banking and brokerage information of executive branch

officials, especially with their signatures, is likely to invite hacking, financial attacks, and identity theft of these officials and their families, particularly by groups or individuals who may be affected by their governmental work.

Given these inevitable adverse national security consequences, we urge you to amend the STOCK Act to protect U.S. national security interests and the safety of executive branch officials by creating an exception from the requirements of Section 11 for senior executive branch officials with security clearances. The exception should also apply to other officials based on a determination by an agency head that an exception is necessary to protect the safety of the official or the official's family. At the very minimum, Congress should act to delay implementation of Section 11 until the national security and personal safety implications can be fully evaluated.

If the financial disclosure forms of senior executive officials are actually posted on the Internet in August, there will be irreparable damage to U.S. national security interests, and many senior executives and their families may be placed in danger. This issue is too important to be trapped in partisan politics. We urge Congress to act swiftly, before the Congress goes on its summer recess on August 6.

Sincerely,

Richard Armitage, Deputy Secretary of State, 2001–2005; John B. Bellinger III, Partner, Arnold & Porter LLP; Legal Adviser, U.S. Department of State, 2005–2009; Legal Adviser, National Security Council, The White House, 2001–2005; Joel Brenner, National Counterintelligence Executive, 2006–2009; Inspector General, National Security Agency, 2002–2006; Michael Chertoff, Secretary of Homeland Security, 2005–2009; Jamie Gorelick, Deputy Attorney General, 1994–1997; General Counsel, Department of Defense, 1993–1994; John Hamre, Deputy Secretary of Defense, 1997–2000; Michael Hayden, General USAF (RET); Director of the Central Intelligence Agency 2006–2009; Director of the National Security Agency 1999–2006; Mike McConnell, Vice Admiral USN (RET); Director of National Intelligence, 2007–2009; Director of the National Security Agency, 1992–1996; Michael B. Mukasey, Partner, Debevoise & Plimpton; Attorney General, 2007–2009; U.S. District Judge, Southern District of New York, 1988–2006; John Negroponte, Deputy Secretary of State, 2007–2009; Director of National Intelligence, 2005–2007; Thomas Pickering, Under Secretary of State for Political Affairs, 1997–2000; Former U.S. Ambassador; Frances Townsend, Assistant to the President for Homeland Security and Counterterrorism, 2004–2008; Kenneth L. Wainstein, Assistant to the President for Homeland Security and Counterterrorism, 2008–2009; Assistant Attorney General for National Security, Department of Justice, 2006–2008; Juan Zarate, Deputy National Security Advisor, Combating Terrorism, 2005–2009; Assistant Secretary of the Treasury, Terrorist Financing and Financial Crimes, 2004–2005.

PRO FORMA SESSION APPOINTMENTS

Mr. McCONNELL. Mr. President, in January of this year the President of the United States made several appointments without obtaining the Senate's advice and consent. He asserted that the Recess Appointments Clause of the Constitution authorized these

appointments, even though the Senate was conducting a series of pro forma sessions at the time of the appointments. According to the administration, these pro forma sessions had no legal effect on the President's authority under this Clause because pro forma sessions do not allow the Senate to perform its constitutional functions or conduct business. The Congressional Research Service has found, however, that pro forma sessions, such as the ones occurring during the time of these so-called recess appointments, have satisfied—and continue to satisfy—numerous Constitutional, statutory, and legislative requirements, and that the Senate, in fact, has conducted business during such sessions. The Congressional Research Service also has found that the administration has repeatedly recognized the legal validity of pro forma sessions for purposes of satisfying these various requirements. I ask unanimous consent that the analysis of the Congressional Research Service from March 8, 2012 entitled “Certain Questions Related to Pro Forma Sessions of the Senate” be printed in the RECORD following this statement.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CONGRESSIONAL RESEARCH SERVICE,
March 8, 2012.

MEMORANDUM

To: Senate Minority Leader
From: Christopher M. Davis, Analyst on Congress and the Legislative Process, 7-0656
Subject: Certain Questions Related to Pro Forma Sessions of the Senate

This memorandum responds to your request for information about certain pro forma sessions of the Senate. Specifically, you asked CRS to identify instances in which a pro forma session of the Senate might be interpreted as accomplishing some further end in addition to meeting the constitutional requirement that neither chamber recess or adjourn for extended periods without the permission of the other.

PRO FORMA SESSIONS OF CONGRESS GENERALLY

Under Article I, Section 5, Clause 4 of the Constitution, neither chamber of Congress may adjourn or recess for more than three days without the consent of the other. In calculating such a three day period, either the day of adjourning or the day of convening must be included. Sundays are excluded from the calculation, being considered a dies non under longstanding parliamentary law.

A chamber can adjourn within the three day limit, for example, from Thursday to Monday, or from Friday to Tuesday, by simply adopting a motion. Should a chamber wish to leave for a longer period, however, the other chamber must consent to the absence. Historically, for such purposes, the two houses have most often adopted a concurrent resolution through which each consents to the absence of the other for a specified period.

In the normal course of business, party leaders in one or both chambers may wish to schedule periods of absence that exceed the three day constitutional limit by only a short period, perhaps by as little as one day. It is not uncommon, for example, for the House or Senate to adjourn from Thursday to Tuesday, or from Friday to Wednesday. In

instances of this type, the chambers have evolved a practice of holding a short session sometime during the absence to comply with the constitutional limit described above. Such “pro forma” sessions, or sessions held for the sake of formality, allow a chamber to comply with the Constitution but not expend the time or trouble of acting on an adjournment resolution. In most cases, little or no business is conducted during such sessions because it is generally understood that few Members are present, and that the primary purpose of the meeting is to obviate the need to agree to an adjournment resolution. The Senate often adopts an order by unanimous consent which specifies that such a meeting or series of meetings is to be pro forma and that no legislative business is to be conducted on such days.

It is important to note that the term pro forma describes the reason for holding the session, it does not distinguish the nature of the session itself. In common congressional usage, Members and staff often use the term pro forma as being synonymous with a session at which no business will be conducted. While the primary purpose of a pro forma session of the Senate may be to comply with the constitutional strictures on adjournment, a pro forma session is not materially different from other Senate sessions. While, as noted above, the Senate has customarily agreed not to conduct business during pro forma sessions, no rule or constitutional provision imposes this restriction. Should the Senate choose to conduct legislative or executive business at a pro forma session, it could, providing it could assemble the necessary quorum or gain the consent of all Senators to act. The House of Representatives, which is bound by the same constitutional requirements as the Senate, regularly permits business on pro forma days, including the introduction and referral of legislation, the filing of committee reports and cosponsorship forms, and the receipt and referral of executive communications and Presidential messages. Even in cases in which the Senate has agreed not to conduct business at a pro forma session, it could subsequently adopt a second consent agreement which would permit them to do so.

OTHER MOTIVATIONS OR PURPOSES FOR PRO FORMA SESSIONS OF THE SENATE

While the primary purpose of a pro forma session of the Senate has been to comply with the constitutional limits on adjournments and recesses, it is possible that such meetings, being sessions of the Senate, may have additional purposes as well. At your request, CRS examined pro forma sessions of the Senate which occurred between the 109th Congress (2005–2006) and the present as well as the opening day of each Senate session between 1934 and the present, in order to identify sessions which may have satisfied some other purpose in addition to compliance with Article I, Section 5, Clause 4 of the Constitution. On the basis of these data, CRS identified two pro forma sessions at which legislative business was conducted, three periods of pro forma sessions that allowed the Senate to avoid returning nominations to the President, and six pro forma days that satisfied the constitutional or statutory requirement that the Senate convene a new session. In addition, both the Senate and the Executive Branch take pro forma sessions into account in calculating various required time periods pursuant to expedited procedure statutes. The following sections discuss each of these categories in turn.

The instances cited in this memorandum cannot be said to be exhaustive, but are in-

tended to underscore the idea that pro forma Senate sessions may be motivated by factors other than complying with the constitutional limit on adjournments, and may satisfy the requirements of other procedural authorities, including other provisions of the Constitution, Senate rules, and statutes.

PRO FORMA SESSIONS AT WHICH LEGISLATIVE BUSINESS WAS CONDUCTED

Using information from the Legislative Information System of the U.S. Congress (LIS) and relevant issues of the daily Congressional Record and Senate Calendar of Business, CRS identified 114 pro forma sessions of the Senate which occurred between January 4, 2005 and March 8, 2012. These pro forma sessions are identified in Table 1.

Of these 114 pro forma meetings of the Senate, CRS identified two at which legislative business appears to have been conducted. On both of these occasions, the two houses had agreed to no adjournment resolution, so that the Senate was required to meet in order to avoid violating the constitutional prohibition on absences of more than three days length. The days in question are:

December 23, 2011: On this day, the Senate adopted an order by unanimous consent which provided for Senate passage of a H.R. 3765, a House measure extending the, “payroll tax, unemployment insurance, TANF, and the Medicare payment fix.” The consent order further provided that upon receiving a message from the House of Representatives requesting a conference with the Senate on H.R. 3630, the Middle Class Tax Relief and Job Creation Act of 2012, the Senate agree to the request, and the Senate presiding officer be authorized to appoint Senate conferees with a party ratio of 4-3. An enrolled measure was also signed on this day by Sen. Reid, serving as Acting President Pro Tempore.

August 5, 2011: On this day, the Senate, by unanimous consent, passed H.R. 2553, a measure to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund and to amend title 49, United States Code, to extend the airport improvement program.

In the first instance cited above, the previous meeting of the Senate had occurred on Tuesday, December 20, 2011. In the second instance, the Senate had most recently met on Tuesday, August 2, 2011. At both of these pro forma sessions, pursuant to unanimous consent orders adopted by the Senate, no legislative or executive business was to be conducted. The Senate subsequently, however, decided to conduct business during the session.

PRO FORMA SESSIONS WHICH SATISFIED SENATE RULES GOVERNING THE RETURN OF PRESIDENTIAL NOMINATIONS

CRS also identified three distinct periods of recent pro forma Senate session which, in addition to satisfying the constitutional limits on recesses and adjournments discussed above, also seemed to satisfy provisions of the Senate's standing rules related to the consideration of presidential nominations. Paragraph 6 of Senate Rule XXXI, states in part:

... if the Senate shall adjourn or take a recess for more than thirty days, all nominations pending and not finally acted upon at the time of taking such adjournment or recess shall be returned by the Secretary to the President, and shall not again be considered unless they shall again be made to the Senate by the President.

In short, unless the Senate takes action (such as adopting a unanimous consent request) to override the provisions of Rule

XXXI, the Senate Executive Clerk is supposed to return all nominations to the President at the outset of any period in which the Senate is to be absent for more than thirty calendar days.

In the three instances identified, the Senate held only pro forma meetings during periods in excess of thirty days. In each period, however, nominations were not returned to the President pursuant to Rule XXXI. It seems apparent that the Senate viewed its occasional pro forma meetings as a means of preventing a recess of more than thirty days for purposes of these requirements of its rules. Arguably, the Executive Branch, not having had its nominations returned to it as would be the well-established practice, was also at least aware of the Senate's understanding in this regard. The three periods in question identified are:

August 2–September 6, 2011: The Senate held pro forma sessions during this 34-day period of recess. No unanimous consent agreement was identified to hold pending nominations in status quo and they were not returned to the President.

September 29–November 15, 2010: The Senate held pro forma sessions during this 47-day period of recess. No unanimous consent agreement was identified as being adopted prior to the recess to hold pending nominations in status quo and they were not returned to the President.

2008–2009: The Senate held pro forma sessions during three relevant periods of recess in 2008–2009: August 1–September 8, 2008 (31 days); October 2–November 17, 2008 (46 days); and November 20, 2008–January 3, 2009, the balance of the 110th Congress (43 days). Consequently, although no unanimous agreement was identified as having been adopted in 2008 to hold pending nominations in status quo, they were not returned to the President until the sine die adjournment of the Congress.

PRO FORMA SESSIONS OF THE SENATE WHICH SATISFIED THE 20TH AMENDMENT

CRS also identified six pro forma meetings of the Senate which satisfied the provisions of Clause 2 of the 20th Amendment to the Constitution.

Clause two of the 20th amendment to the Constitution states:

The Congress shall assemble at least once in every year, and such meeting shall begin at noon on the 3d day of January, unless they shall by law appoint a different day.

At your request, CRS examined the opening day session of each regular and special session of the Senate held between 1934 and the present, the period coinciding with the period that paragraph 2 of the 20th Amendment has been in force. CRS identified six Senate pro forma opening day sessions which satisfied the constitutional requirements for convening its session on the prescribed date. These opening day pro forma sessions were:

January 3, 1980
January 3, 1992
January 3, 2006
January 3, 2008
January 5, 2010
January 3, 2012

With one exception, the January 3, 1980 session, each of these meetings was pro forma in nature, with no legislative or organizational business conducted. In the case of the January 3, 1980 session, the Senate referred a previously-received message from President Jimmy Carter transmitting his veto of S. 2096, a bill to provide for a study by the Secretary of Health, Education, and Welfare of the long-term health effects in humans of exposure to dioxins. In addition,

five Senators inserted undelivered remarks in the Congressional Record on this day. The approximate duration of the January 3, 1980 session of the Senate was two minutes.

PRO FORMA SESSIONS COUNT FOR PURPOSES OF COMPUTING CERTAIN STATUTORY TIME PERIODS

Finally, CRS has identified several rules enacted in statute under which pro forma sessions are treated as sessions of the Senate like any other for purposes of computing certain time periods related to actions taken by Congress and the President. Pro forma Senate sessions satisfy not only the limits on recesses and adjournments contained in Article I, Section 5, Clause 4, but also the provisions of each of these statutory rules in the eyes of both the Executive and Legislative Branches.

Congress sometimes chooses to include in law provisions which delegate to the President or another Executive Branch official the authority to issue a regulation or take some other specified action. As part of this delegation of authority, Congress often reserves the right in the law to pass its own judgment on the proposed regulation or action, typically by passing a joint resolution to approve or disapprove it before it takes effect. To facilitate action on such a joint resolution, Congress often writes into law special parliamentary procedures for considering the measure, including strict time periods for the introduction, committee action, and floor consideration of such a joint resolution. Such statutory procedures are often colloquially referred to as “fast track” procedures because they expedite the consideration of specified legislation in one or both chambers.

Time periods under such statutory rules are usually calculated in one of two ways. The first way marks time by counting days of “House/Senate session.” Under such a mechanism, any day which the House or Senate meets counts toward the deadline established by the law. Under the terms of the Congressional Review Act, for example, the Senate has 60 days of “Senate session” to act under fast track procedures on a joint resolution which would disapprove a proposed rule promulgated by the Executive Branch. Both branches understand and have agreed to this time period for expedited action before a proposed agency rule can enter into force. When calculating time periods under statutory rules of this type, pro forma sessions of the Senate count as days of Senate session; that is, they are viewed as a session of the Senate like any other.

The second way of counting time which is common in such statutory rules is known as counting “days of continuous session.” This way of calculating time periods takes into account the differing schedules of the House and Senate. When counting days of continuous session, every calendar day is counted, including Sundays and holidays, and the count pauses only when either the House or Senate (or both) have adjourned for more than three days pursuant to an adjournment resolution. For example, under the terms of the Defense Base Closure and Realignment Act of 1990, the Secretary of Defense may not close or realign any of the specified military installations until 45 “days of continuous session” have elapsed after a base closure plan is submitted to the House and Senate. As with the Congressional Review Act described above, both the Legislative and Executive Branch understand and have agreed to be bound by this manner of counting.

As with days of Senate session, pro forma meetings of the Senate are also taken into account by both branches when calculating

“days of continuous session” for purposes of such statutory rules. Should the Senate meet in a series of pro forma sessions, a statutory “days of continuous session” clock would continue to run not only on the days of the pro forma sessions themselves, but also during the intervals of three or fewer days between the pro forma sessions, when the Senate was absent but formally in recess.

CRS has identified 22 statutory legislative procedures now in law which calculate time periods in either or both of the ways discussed above and which take pro forma days of Senate session into account in conducting a specific calculation. These statutory rules are:

Executive Reorganization Authority (5 U.S.C. 902–912). (Days of continuous session); District of Columbia Home Rule Act, 303(b), 602(c), 604. (Days of continuous session);

Title X of the Congressional Budget and Impoundment Control Act of 1974, 1011–13, 1017. (Days of continuous session);

Multiemployer Guarantees, Revised Schedules [Employee Retirement Income Security Act of 1974, 4022A (29 U.S.C. 1322a)]. (Days of continuous session);

Atomic Energy Act Provisions on Nuclear Non-Proliferation [42 U.S.C. 2153–60]. (Days of continuous session);

Trade Act of 1974, Procedures for Trade Implementing Bills and Resolutions of Disapproval [19 U.S.C. 2191–2192]. (Days of continuous session);

Energy Policy and Conservation Act [42 U.S.C. 6421]. (Days of continuous session);

Nuclear Waste Fund Fees [42 U.S.C. 10222]. (Days of continuous session);

The Atomic Energy Act of 1954, As Amended (22 U.S.C. 2776(b)). (Days of continuous session);

Federal Election Commission Regulations, 311(d) [2 U.S.C. 438(d)] (Days of Senate session);

Crude Oil Transportation Systems, [43 U.S.C. 2008]. (Days of continuous session);

Alaska National Interest Lands Conservation Act [16 U.S.C. 3232–3233]. (Days of continuous session);

Federal Lands Policy and Management Act of 1976 [43 U.S.C. 1701]. (Days of continuous session);

Marine Fisheries Conservation Act [16 U.S.C. 1823]. (Days of continuous session);

Nuclear Waste Policy Act of 1982 [42 U.S.C. 10101]. (Days of continuous session);

Defense Base Closure and Realignment of 1990, as amended [10 U.S.C. 2687 note]. (Days of continuous session);

Congressional Accountability Act of 1995 [2 U.S.C. 1384]. (Days of continuous session);

Congressional Review of Agency Rule-making [5 U.S.C. 801, 802, 804]. (Days of continuous session and days of Senate session);

Balanced Budget and Emergency Deficit Control Act 258 [2 U.S.C. 904(i), 907a–907d]. (Days of continuous session);

Medicare Cost Containment, Medicare Prescription Drug, Improvement, and Modernization Act of 2003 [31 U.S.C. 1105 note]. (Days of Senate session);

Minimum Standards for Identification of Documents; Intelligence Reform and Terrorism Prevention Act of 2004 [49 U.S.C. 44901 note]. (Days of Senate session); and

Independent Payment Advisory Board [42 U.S.C. 1395kkk]. (Days of continuous session).

TABLE I. PRO FORMA SESSIONS OF THE U.S. SENATE: 2005–2012

[As of March 8, 2012]

Congress & Years	Pro forma Day
112th (2011–2012)	

TABLE I. PRO FORMA SESSIONS OF THE U.S. SENATE:
2005–2012—Continued
[As of March 8, 2012]

Congress & Years	Pro forma Day
	02/24/2012
	02/21/2012
	01/20/2012
	01/17/2012
	01/13/2012
	01/10/2012
	01/06/2012
	01/03/2012
	12/30/2011
	12/27/2011
	12/23/2011
	12/20/2011
	11/25/2011
	11/22/2011
	10/27/2011
	10/24/2011
	10/07/2011
	09/29/2011
	09/02/2011
	08/30/2011
	08/26/2011
	08/23/2011
	08/19/2011
	08/16/2011
	08/12/2011
	08/09/2011
	08/05/2011
	06/03/2011
	05/31/2011
111th (2009–2010)	11/12/2010
	11/10/2010
	11/08/2010
	11/04/2010
	11/01/2010
	10/29/2010
	10/26/2010
	10/22/2010
	10/19/2010
	10/15/2010
	10/12/2010
	10/08/2010
	10/05/2010
	10/01/2010
	01/19/2010
	01/05/2010
	10/09/2009
	08/10/2010
110th (2007–2008)	12/30/2008
	12/26/2008
	12/23/2008
	12/19/2008
	12/16/2008
	12/12/2008
	12/05/2008
	12/02/2008
	11/29/2008
	11/26/2008
	11/24/2008
	11/13/2008
	11/10/2008
	11/06/2008
	11/03/2008
	10/30/2008
	10/27/2008
	10/23/2008
	10/20/2008
	10/16/2008
	10/14/2008
	10/10/2008
	10/07/2008
	10/06/2008
	09/05/2008
	09/02/2008
	08/29/2008
	08/26/2008
	08/22/2008
	08/19/2008
	08/15/2008
	08/12/2008
	08/08/2008
	08/05/2008
	07/27/2008
	06/30/2008
	05/29/2008
	05/27/2008
	05/23/2008
	03/27/2008
	03/24/2008
	03/21/2008
	03/18/2008
	02/22/2008
	02/19/2008
	02/15/2008
	01/18/2008
	01/15/2008
	01/11/2008
	01/09/2008
	01/07/2008
	01/03/2008
	12/31/2007
	12/28/2007
	12/26/2007
	12/23/2007
	12/21/2007

TABLE I. PRO FORMA SESSIONS OF THE U.S. SENATE:
2005–2012—Continued
[As of March 8, 2012]

Congress & Years	Pro forma Day
	11/29/2007
	11/27/2007
	11/23/2007
	11/20/2007
	11/09/2007
	10/05/2007
	09/14/2007
109th (2005–2006)	01/24/2006
	01/20/2006
	01/03/2006

Source: CRS analysis of relevant issues of the Congressional Record, Senate Calendar of Business, and data from the Legislative Information System of the U.S. Congress (LIS).

I trust that this information meets your needs. If I can be of any additional help, please do not hesitate to contact me at 7–0656 or cmdavis@crs.loc.gov.

DROUGHT

Mr. DURBIN. About 2 weeks ago, I visited a farm near my home town of Springfield, IL to see the impact of the ongoing drought.

From the road, I couldn't tell there was anything wrong with the crop.

But as we went into the field, it quickly became clear that the crop was in poor shape.

Following that visit, I met with the Illinois corn growers and the soybean growers and farmers from across the state.

The message I heard was straightforward; it is as bad or worse than it has been in decades.

Since that visit to a Springfield farm, drought conditions have only gotten worse.

100 percent of Illinois and 64 percent of the country is facing severe or harsher drought conditions.

Today, USDA announced 66 additional Illinois counties as primary disaster counties.

With this announcement, all but four counties, Will, Cook, Kane, DuPage—in Illinois qualify for disaster assistance

Very little rain, combined with abnormally high temperatures, is decimating many of the primary crop-growing areas of the country.

71 percent of the corn crop and 56 percent of the soybean crop in Illinois is rated as poor or very poor.

This is in a State that regularly ranks as a top producer for both of these commodities.

That means feed prices for livestock and eventually food prices for the rest of us are increasing.

Everyone is going to feel the impact of this historic drought.

In response to conditions on the ground, Governor Quinn created a multi-agency drought task force in Illinois.

The task force is coordinating State and Federal resources to ensure producers and communities are receiving the timely assistance.

President Obama and Secretary Vilsack have done a commendable job

of taking steps to help provide assistance to impacted producers and communities.

They have sped up the disaster declaration process helping producers more quickly gain access to the limited disaster programs currently available.

They have reduced interest rates on emergency loans.

They have made it easier for land that is in conservation to open earlier for haying and grazing for livestock producers.

And the administration is working with crop insurance companies to try to give producers more time to make premium payments.

But we can do more.

And since we can't make rain, the single most important step Congress can take is to pass a farm bill.

Most farmers will tell you they can survive one bad year.

But right now farmers can't even plan for future years.

More than a month ago, the Senate passed the Local Food, Farms, and Jobs Act, more commonly known as the farm bill, with a 64–35 bipartisan vote.

The bill would reauthorize several expired disaster programs to immediately help producers.

Equally, if not more important, the bill would provide certainty for producers—allowing them to make long-term plans for getting through this drought and recovering from a bad year.

Unfortunately the House has failed to act.

In the roughly 40 days since the Senate passed a bill, the House has not even brought a companion measure to the House floor. During those 40 days another 20 percent of the country has developed drought conditions. During those 40 days, 98 of 102 counties in Illinois qualified for disaster assistance. During those 40 days, many farmers in Illinois have lost their crops.

It is well past time for the House to take up and pass a farm bill that includes robust disaster assistance paired with the long-term policy farmers need.

I will repeat something I said 2 weeks ago.

Our producers and rural America already face a natural disaster. I don't think it is too much that we spare them a manmade disaster by failing to pass a farm bill.

DEATH OF OSWALDO PAYÁ

Mr. DURBIN. Mr. President, some of you may have seen in the press last week that an inspiring Cuban citizen who tirelessly fought for a peaceful transition to democracy recently died in a tragic car accident on that island.

Oswaldo Payá was a modest man. A brave man. A hero. A Cuban patriot.

And he was also very wise.

He realized that one of the best ways to change the cruel and repressive Cuban regime was to work from within.

He used a provision in Cuba's constitution to seek peaceful political change and openness.

More specifically, he and his team created the Varela Project to gather more than 11,000 signatures of Cuban citizens on a petition that called for a more open political system.

Keep in mind that putting one's name on a petition to the Cuban Government is a courageous thing to do on that island. It puts that person and his or her family at great risk.

Nonetheless, in May 2002, he bravely presented the petition to the Cuban National Assembly for action exactly as allowed for in the Cuban Constitution.

What did the Cuban Government do in response to a heroic and reasonable call for change allowed for under the country's own laws?

It harassed Payá and his followers. It began its own referendum that made the island's socialist system "irrevocable," even after an additional 14,000 signatures were added to the Varela Project petition.

A year later many of Payá's allies were arrested in a crackdown that sent many dissidents, writers, and even librarians to prison.

Can you believe this craven response?

The Cuban Government couldn't blame this Cuban-born effort on the United States, on other outside forces, on any of the usual suspects on which it blames all the island's woes.

Thousands of brave Cubans asking for political reform within the bounds of their own constitution were simply belittled, ignored, and harassed.

Payá was a modest man. I had hoped to meet him on my trip to the island earlier this year, but we were unable to visit—you see, the Cuban government doesn't want outsiders to visit people like Payá.

His peaceful and tireless efforts for peaceful change earned him the European Parliament's Sakarof Prize for Freedom of Thought in 2002, the National Democratic Institute's W. Averell Harriman Democracy Award in 2003, and a nomination for the Nobel Peace Prize from Václav Havel in 2005.

Payá's daughter Rosa Maria said amid her loss and tears last week that her father never gave up hope that the country could be changed from within and that "he just wanted for Cubans to have their rights . . . that's all he ever wanted."

Tragically the Cuban Government even arrested almost 50 Cubans who showed up to pay their respects at Payá's funeral.

Can you imagine—arresting people at a peaceful memorial service?

My colleagues, Senators BILL NELSON, MENENDEZ, and RUBIO, have intro-

duced a Senate resolution recognizing his work and calling for the peaceful democratic changes in Cuba that Payá spent his life pursuing. I am pleased to be a cosponsor of that resolution and was happy to see that it passed the Senate just yesterday.

Lastly, let me note that Payá was often concerned for his safety—sadly, given the Cuban Government's treatment of those wanting political freedom, not an unwarranted fear.

So I want to emphasize an important point in the Senate resolution on Mr. Payá. Specifically, I call on the Cuban Government to conduct a credible and transparent investigation into the auto accident that caused his death.

The Cuban Government owes this Cuban patriot and the Cuban people nothing less than a full accounting of his death. It also owes them the basic freedoms he tirelessly stood for.

Mr. President, I want to also take this opportunity to talk about another tragedy that continues day after day in Cuba—that of the detention of American citizen Alan Gross.

Alan was arrested more than 2½ years ago while trying to help the Cuban people have greater ability to communicate with one another.

When you go to Cuba, you realize the Castro regime not only blames the United States for all its woes but cynically makes it difficult for everyday Cubans to communicate or connect to the outside world using the Internet.

That is why thousands upon thousands of Cubans use a free Internet library every year at the U.S. Interests Section in Havana.

Alan Gross was arrested initially as a spy and eventually sentenced to 15 years in prison.

That is right—15 years.

Mr. Gross apologized for his actions and has asked for Cuban compassion to allow him to visit his 90-year old mother suffering from inoperable lung cancer in the United States. The United States recently let a former Cuban detainee who was out on supervised release in the United States visit his ailing brother in Cuba, but the Cuban Government has shown no such decency in return.

I met Alan in January in Cuba, and I am appreciative of the Cuban Government for allowing me that visit. He tried to remain in good spirits, but it wasn't easy. He has lost more than 100 pounds since his incarceration. He struggles to keep busy and healthy in jail, but it is not easy. Quite simply, he has been separated from his family for far too long.

Alan Gross is a kind, decent man. He is no spy. He is no threat to anyone. In fact, despite all that has happened, he noted to me how deeply he still cares for the Cuban people.

Let me say this as clear as I can: Alan Gross should no longer be a pawn of the Cuban Government in its disagreements with the United States.

The Cuban Government has made its point. It will get nothing but international shame from holding Alan any longer.

Let me also note that I do not support the failed U.S. embargo against Cuba and think the best way to see change on the island is to flood it with American ideas and people.

But I will have to think long and hard before I do anything further to ease our relations while Alan remains so cruelly behind bars.

To Oswaldo Payá's family and brave colleagues and to Alan Gross, please know that you are not forgotten here in the Senate and around the world.

TRIBUTE TO REPRESENTATIVE PAUL FINDLEY

Mr. DURBIN. Mr. President, today I wish to honor former Congressman Paul Findley—a great American who served his country in war and in the hallowed halls of Congress, a son of Illinois, a prolific writer and Lincoln scholar, a former political adversary, and my now friend.

Paul Findley was born in Jacksonville, Illinois, on June 23, 1921. And at 91 years of age, today Paul is as active and involved as he has ever been. Paul earned a bachelor's degree from his beloved Illinois College in his hometown in 1943, where he was inducted into the prestigious Phi Beta Kappa society. After college, Paul served as a lieutenant in the Navy in the Pacific Theater from 1943 to 1946. His honorable service and that of the dwindling number of living Americans who served during World War II—one of the most difficult periods in our country's history is something we should all take time to reflect on and thank them for.

After the war, Paul became president of Pike Press, Inc., in Pittsfield. He spent several years as editor of this small town weekly newspaper. In 1952, Findley lost a bid for the Republican nomination for State senator—something he and I have in common, having lost our first campaigns for public office—but it didn't stop either of us.

In 1960 Paul Findley was elected to the U.S. House of Representatives representing the 20th Congressional District of Illinois. He served in the House honorably for more than 20 years, until in 1982 a young lawyer from Springfield and a long shot to win surprised a lot of people, including many of his supporters, by unseating the incumbent Findley. Though Paul Findley and I were opponents in that campaign, I always respected him and his public service. Notwithstanding what is often a bitter and rancorous climate of partisan politics, I am proud to call Paul Findley my friend.

One of Paul Findley's greatest accomplishments during his long and distinguished congressional career was his dogged, ultimately successful effort to

preserve a great American treasure—the Springfield home of our beloved son of Illinois, Abraham Lincoln. Strolling today through this historic neighborhood at the heart of Springfield, as thousands of visitors do each year, it would be almost inconceivable that preserving Lincoln's home was ever a matter of debate. But it once was. Back in the 1950s, the site visitors see today looked very different.

Where now-restored historic homes line a gravel street in a stately and peaceful neighborhood, then stood souvenir shops surrounded by a neighborhood that Paul Findley would later recall was, "rundown and decaying in all directions." The Lincoln home itself—what Lincoln's own private secretary once called "the precious heirloom of the republic"—was then the property of the State of Illinois.

For years, developers had tried to encroach on the historic site with the goal of exploiting the area for commercial opportunities. Some wanted a theme park. Others tried to build wax museums or hotels or buffet restaurants in close proximity. Still others had been trying unsuccessfully to ensure the home's restoration and the preservation of the historical integrity of the surrounding area. In Congressman Paul Findley, those who wanted to honor this piece of history found their champion.

Findley traces his own interest in this project back to a presentation at a meeting of the Pittsfield Chamber of Commerce in 1955 well before he held elected office. At the meeting, a Springfield resident presented a case for preserving the Lincoln Home and developing the site commercially. While the plan for development never got off the ground, the presenter did make a point that Findley never forgot—that the Lincoln Home had largely been neglected compared to other Presidential homes. This, Findley regarded as "shameful, awful, scandalous." It was in 1967, as the congressman representing the district that encompassed the Lincoln site that Findley became directly involved and took up the mantle of this effort. After years of lining up local, state, and national support, Congressman Findley announced in 1969 at a Springfield dinner that he would introduce legislation in Congress to make the site part of the National Park System. At that dinner was New York Governor Nelson Rockefeller, whom Findley had successfully enlisted in the effort.

The late Senators Charles Percy and Everett Dirksen introduced companion legislation in the Senate. The bills had the support of every member of the Illinois congressional delegation. But even with all this support, as those of us who have been around here long enough know, the fight wasn't over. Money, as always, was an issue. People began trying to raise private funds.

Congressman Findley worked tirelessly to get the attention of the relevant committee and subcommittee chairs—Democrats held the majorities in both Chambers at the time. Among other things, he invited key members to Springfield to tour the site after which they usually agreed to support his efforts.

I have no doubt that the commitments of these members to support his bill had as much to do with Findley's tenacity, passion, and determination as it did the power of seeing the Lincoln Home in person.

Then the Nixon administration threw its support behind Findley, and even asked that the bill be amended to fully authorize the appropriation required for the site—so the private fundraising was unnecessary. The House passed the bill first, and it enjoyed, as Findley says, "swift approval" in the Senate we can't say that about too many matters around here anymore. On August 18, 1971, years of efforts culminated in a ceremony in the Old State Capitol in Springfield, just blocks away from the Lincoln Home. With Congressman Findley looking on, President Richard Nixon signed the Findley bill authorizing the establishment of the Lincoln Home National Historic Site.

Think about it, this was an effort championed by a Republican Congressman, passed by a Congress controlled by Democrats, and signed by a Republican President. It was a different time. One year after the signing ceremony, then-President of the Illinois State Senate, Paul Simon, signed legislation transferring the title for the Lincoln home to the National Park Service.

Thanks to the leadership of Congressman Paul Findley and the many local supporters of his efforts—including then-Springfield Mayor Nelson Howarth, the first superintendent of the Lincoln Home National Historic Site Albert Banton, the architect of the Lincoln Home Visitor Center and early supporter of preservation efforts Wally Henderson, and countless others—visitors to the site today can stroll the street Lincoln once strolled and take in the neighborhood in much the same way it would have looked to him more than 150 years ago.

The experience of visiting the Abraham Lincoln National Historic Site will undoubtedly inspire generations of young Americans to serve their country, just as Paul Findley has and as Abraham Lincoln did.

This is Paul Findley's legacy.

It is a legacy that forever will be intertwined with President Lincoln—an honor that Paul richly deserves.

Throughout his 91 years on this Earth, my friend and this great American, Paul Findley, has made an indelible mark on our State of Illinois and our country—and he has not done yet.

CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES

Mr. DURBIN. Mr. President, last week, the Senate Foreign Relations Committee reported out the Convention on the Rights of Persons with Disabilities.

How fitting that this treaty was considered and passed by the Senate Foreign Relations Committee on the 22nd anniversary of the enactment of Americans with Disabilities Act.

If anyone questions how important this treaty is to the millions of Americans living with disabilities, all they needed to do was look around the room at the hearing earlier this month. The hearing room was filled to capacity—standing room only—with people urging the Senate to ratify this important document.

The United States has led the world in creating the legal framework, building the infrastructure, and designing facilities that ensure inclusion and opportunity for those living with disabilities. We celebrated the 22nd anniversary of the Americans with Disabilities Act—"ADA"—by reporting the treaty out of the Foreign Relations Committee on a strong bipartisan basis. I thank Sen. KERRY for holding that hearing and moving the treaty through the committee process.

As the majority leader has made clear, the Convention on the Rights of Persons with Disabilities will soon be considered on the Senate floor. The Members of this body will have an opportunity to affirm our Nation's leadership on disability issues by ratifying this important treaty. I hope that we will do so. And I hope we will ratify this treaty with the strong bipartisan support that has always characterized the Senate's work on disability issues.

For the 54 million Americans living with a disability, laws like the ADA have provided an opportunity to learn, travel, work, and live independently. Perhaps no one knows that better than Ann Ford of Springfield, Illinois. Ann had polio as a child and for many years she commuted on crutches. This challenging and energy-consuming task required Ann to meticulously plan every trip. At the grocery store, Ann would purchase all she needed in 20 minutes, in order to be home before becoming exhausted.

After the ADA was enacted, the store manager invited Ann to use a recently purchased electric scooter. Ann remembers that day clearly, in part because she shopped for an hour and a half going up and down every aisle in the store.

Most of us don't give a second thought to buying groceries. But for Ann and millions like her, our Nation's commitment to removing physical barriers has expended their world. Now, we have an opportunity to demonstrate our commitment and advance disability rights around the world by ratifying this treaty.

The support for this treaty is broad and bipartisan. I thank my friend, Senator JOHN MCCAIN, for leading this effort with me. He is a great ally and without him we would not have made such great progress.

I also thank Senators BARRASSO, HARKIN, TOM UDALL, MORAN, and COONS for their bipartisan support and dedication to the ratification effort.

This treaty is supported by 165 disability organizations, including the United States International Council on Disabilities, the American Association of People with Disabilities, Disability Rights Education & Defense Fund, and the National Disability Rights Network, and 21 veterans groups, including the Wounded Warrior Project, the American Legion, Disabled American Veterans, and Veterans of Foreign Wars are also calling on us to ratify this treaty. President George H.W. Bush, who signed the ADA into law, and former Senator Bob Dole, a lifelong advocate for disability rights, are strong proponents of this treaty.

The Convention on the Rights of Persons with Disabilities is a human-rights treaty that seeks to ensure that people living with disabilities are afforded the same opportunities available to others. Thanks to the ADA and similar laws, the United States has been so successful providing opportunities, increasing accessibility, and protecting the rights of those living with disabilities that our Nation is already in full compliance with all terms of the treaty.

Before transmitting this treaty, the Obama administration conducted an exhaustive comparison of the treaty's requirements to current U.S. law. It concluded that the United States does not need to pass any new laws or regulations in order to meet the terms of the treaty. The fact that we already meet or exceed the treaty's requirements is a testament to our nation's commitment to equality and opportunity for those living with disabilities. There are, nevertheless, very important reasons to ratify this treaty.

Disabled Veterans and Other Americans Traveling Abroad—There are more than 5.5 million veterans living with disabilities. They and thousands of other Americans living with disabilities travel, study, work, and serve overseas, often with their families. Ratifying the treaty will ensure they enjoy the same accessibility and opportunity abroad that they have here at home.

Accessibility in Other Countries—ratifying this treaty will give the United States a seat at the international table, so that the U.S. can provide its guidance and expertise to other countries working to adopt laws, upgrade infrastructure, and modernize facilities to meet the very high standards we have set.

Leveling the Playing Field for American Businesses—American businesses

have invested time and resources to comply with the ADA. Businesses in some countries are not required to comply with similar standards. Compliance with the treaty levels the playing field by requiring foreign businesses to meet accessibility standards similar to those in the U.S.

New Markets for American Businesses—we lead the world in developing accessible products and technology. As other countries comply with the treaty, American businesses will be able to export their expertise and products to the new markets serving the more than 1 billion people living with disabilities around the world.

While this treaty will ensure inclusion and access for those living with disabilities, it is also important that we note what the treaty will not do.

The treaty will not change any U.S. law or compromise U.S. sovereignty in any way.

The treaty will not lead to new law suits because its terms do not create any new rights and it cannot be enforced in any U.S. Court.

For families that choose to educate their children at home, the treaty will not change any current rights or obligations.

The treaty will not require the U.S. to appropriate any new funding or resources to comply with its terms—not a single dime.

Leading pro life groups, like the National Right to Life Committee, confirm that the treaty does not promote, expand access, or create a right to an abortion.

Thanks to decades of bipartisan cooperation, our country embodies the worldwide gold standard for those living with disabilities.

When the Senate ratifies the Convention on the Rights of Persons with Disabilities, we can be proud that our co-workers, friends, family members, and courageous veterans will soon enjoy the same access and opportunity when they travel abroad that they have come to expect here at home.

REMEMBERING SHELBY HARRIS

Mr. DURBIN. Mr. President, I rise today to celebrate the life of Mr. Shelby Harris, from Rock Island, IL. When he passed away on July 25, 2012, at the age of 111, he was the oldest man in the country and the third oldest man in the world.

Mr. Harris was born in Indiana on March 31, 1901. That same year President William McKinley was assassinated and Vice President Theodore Roosevelt took over the White House, there were only 45 stars on the American flag, and the life expectancy in this country was just 47 years of age.

Throughout his 111 years, Mr. Harris lived a varied and rich life. In Indiana, he worked at a coal mine. He moved to the Quad Cities in 1942 where he en-

listed in the Army during World War II. He also worked for the former Union Malleable and the John Deere Foundry in East Moline. He outlived two wives and three daughters. His oldest grandchild is 57 years old, and he was a great-great-great-great grandfather. Mr. Harris was a lifelong Democrat and credited his longevity to his faith in God.

Age did not slow him down. Mr. Harris served as a deacon of Second Baptist Church until he was 102 years old and had a bucket list that included getting remarried and playing baseball. A month after his 111th birthday, Mr. Harris was able to cross baseball off his list after he threw out the first pitch at a Quad Cities River Bandits minor league baseball game.

Living beyond the age of 110 made Mr. Harris a supercentenarian. This designation is particularly rare for a man because women typically live the longest all over the world. The oldest person in the world today is a woman who has reached age 115.

Mr. Harris will be missed by the staff at the Rock Island Nursing and Rehabilitation Center where he lived since he was 105 years of age. For the past 5 years the nursing home has thrown a big party on his birthday, and the staff there plan to hold a remembrance for him next year on the date.

It is my honor to recognize the long and full life of Mr. Shelby Harris.

LIBOR

Mr. DURBIN. Mr. President, It was recently revealed that at least one bank—Barclays Bank of Great Britain—attempted to manipulate LIBOR over a 4-year period beginning in 2005.

LIBOR stands for the London Inter-Bank Offered Rate. This rate is a benchmark used by industries all over the world to set interest rates for nearly \$800 trillion worth of financial instruments.

LIBOR determines how much people across the world pay for student loans, mortgages, and credit card fees. The higher LIBOR is, the more it costs a college student to borrow money for school or a business to obtain a line of credit.

This means that people across the world with student loans, mortgages and credit cards, and municipalities selling bonds may have paid more to borrow money because of Barclays' actions.

Barclays settled with U.S. and British authorities and paid over \$450 million in penalties to the Commodity Futures Trading Commission, the U.S. Department of Justice, and British regulators.

Now, as many as 20 megabanks, including several U.S. banks, are under investigation or named in lawsuits alleging they also rigged LIBOR.

Over the next several weeks and months we will learn more details about exactly what happened.

But it seems clear we are facing a scenario that is all too familiar: the largest banks have once again put greed and profit above the best interests of their customers and the economies of at least six nations, including the United States.

At the same time—nearly 4 years after the worst financial crisis in our lifetime and 2 years since the Democratic-majority Congress passed Wall Street reform—my Republican colleagues continue to undermine the financial regulators by cutting their funding and spending countless hours in the House of Representatives debating and passing bills to roll back the Dodd-Frank Wall Street Reform Act.

This is not good for our financial system and it certainly isn't good for the American people.

But let me back up. What is LIBOR? It is a benchmark used by industries all over the world to set interest rates.

LIBOR impacts—directly or indirectly—nearly every person in the world.

Here is how it works.

LIBOR is calculated for 10 currencies and 15 maturities. For example, one of the most important LIBOR rates is the 3-month dollar LIBOR.

A select panel of 18 major banks report how much they believe it would cost to borrow money in dollars for 3 months at 11 a.m. on a particular day.

The top four estimates and bottom four estimates are discarded, and the remaining rates are averaged to calculate LIBOR. LIBOR is published every day at 11 a.m., and companies across the world use this rate to set interest rates for consumers.

So why would the major banks want to manipulate LIBOR?

The simple answer is profit. And greed.

Many of the major banks that help set LIBOR stand to lose or gain millions of dollars each day based on the smallest change in LIBOR.

As the leading trader of derivatives in 2007, it has been estimated that Barclays stood to lose or gain \$40 million per day.

The settlement between regulators and Barclays lays bare a scenario where traders not only regularly attempted to manipulate LIBOR, but they didn't even try to hide it.

Once the financial crisis hit in 2008, manipulating LIBOR was also about survival.

Banks were under intense scrutiny. If it cost a bank more to borrow money, it could be an indicator that other banks thought lending to the bank was risky.

In Barclays' settlement with regulators the bank admitted that it underreported the cost of borrowing during the financial crisis to mislead regulators and the public about the true financial health of the firm.

Unfortunately, it seems as if the Barclays settlement is just the tip of the iceberg.

Lawsuits worth billions of dollars have been filed against banks alleging wrongdoing. Regulators in the U.S., Canada, Japan, EU, Switzerland, and Britain are reportedly investigating.

U.S. regulators should be fully engaged in investigating the LIBOR process and any wrongdoing by U.S. banks.

However, U.S. financial regulators can't conduct the necessary investigations into claims of wrongdoing or enforce new laws meant to rein in Wall Street if they don't have the people, software, and resources necessary to do the work.

Congress passed Wall Street reform because the largest financial institutions in this country took advantage of loopholes and the unregulated swap markets.

They drove our country into the worst economic recession in our lifetime.

In the aftermath, we said we are not going down that road again. No more too big to fail, no more bailouts. We are going to have transparency and accountability when it comes to swaps.

We gave the job to the Commodity Futures Trading Commission and the Securities and Exchange Commission.

With the recent approval of final rules defining swaps, the CFTC and the SEC have now triggered the implementation of an array of other rules to finally bring the swaps market out of the shadows and into the light.

This is a huge step forward.

But now, just when the financial regulators have the rules in place to oversee the \$300 trillion market that nearly destroyed our economy, the Republicans are trying to cut the agencies off at the knees.

Their philosophy is if you can't repeal reforms by passing legislation, you can undermine the agency's ability to enforce the law.

Let me put this in perspective. The \$37 trillion futures market has historically been policed by the CFTC. That is an enormous market to oversee, by anyone's calculation.

But it pales in comparison to the complex and previously unregulated \$300 trillion swaps market now under CFTC's purview because of Dodd-Frank. That is eight times the size of the futures markets.

Common sense tells you that it is impossible for an agency to increase its responsibility eight-fold while its resources are cut by 41 percent.

Yet, that hasn't stopped the Republicans in the House. They recently reported out of Committee a bill that cuts funding requested in the President's fiscal 2013 budget by \$195 million for the SEC and \$128 million for the CFTC.

That's a 41 percent cut for the CFTC and a 12 percent cut for the SEC—from the President's request.

Keep in mind that while Congress sets the level of funding for the SEC, it

is largely funded through fees on trading volumes. So the cuts to the SEC aren't about concern for saving taxpayer dollars—it is simply a way to remove the regulators' ability to properly function.

When financial tragedies befall people—think of missing customer funds at MF Global or Peregrine—we want investigators to find out what happened and seek recovery of money to the families and farmers who trusted those companies. Those are the jobs the Republicans want to cut.

This tells firms such as Peregrine that while we have laws on the books they must follow, we aren't going to give the regulators the resources to enforce them.

The funding levels for the CFTC and SEC reported out of the House promises we will face another situation like MF Global or Peregrine in the future because we won't have enough cops on the beat.

A mere 4 years after the worst financial crisis in our lifetime and just several weeks after the latest scandal where farmers lost their hard earned money, this is simply irresponsible.

We are still struggling to dig our way out of a recession that resulted in millions of jobs lost and \$17 trillion of lost retirement, personal and household wealth.

Yet, instead of working together to ensure that never happens again, Republicans are doing everything they can to stop the regulators from implementing laws that would have prevented that crisis and could prevent the next crisis.

DODD-FRANK ANNIVERSARY

Mr. DURBIN. Mr. President, on July 21, we marked the 2-year anniversary of the Dodd-Frank Wall Street Reform and Consumer Protection Act.

This landmark law has taken important steps to rein in the Wall Street abuses that nearly drove our economy off the cliff in 2008.

Two of its reforms were particularly important to me. One was the creation of the Consumer Financial Protection Bureau—the only agency in the Federal Government solely dedicated to looking out for consumers' financial interests.

This agency has already been a game-changer when it comes to curbing the tricks in consumer financial products. It is bringing transparency and fairness to mortgages, private student loans, and credit cards.

Last week, the CFPB announced its first ever enforcement action. It directed Capital One to pay about \$150 million to more than 2 million consumers who had purchased deceptively marketed add-on products to their credit cards.

This is a big step forward. It shows there is a real cop on the beat when it comes to consumer protection.

I am proud of what this agency has accomplished so far, and I look forward to seeing it continue its important work for years to come.

Another important provision in the Wall Street Reform bill was the provision I drafted to reform debit card swipe fees.

The swipe fee is a fee that a bank receives from a merchant when the merchant accepts a credit or debit card that the bank issued. This fee is taken as a cut of the transaction amount.

Now, the vast majority of bank fees are set in a transparent and competitive market environment, with each bank setting their own fee rate and competing over them. That is not the case with swipe fees.

With swipe fees, the big banks decided they would designate the two giant card companies, Visa and MasterCard, to set fees for all of them. That way each bank could get the same high fee on a card transaction without having to worry about competition.

And swipe fees are anything but transparent. Most consumers and even most merchants have no idea what kind of swipe fee is being charged when they use a debit or credit card.

The swipe fee system became an enormous money-maker for Visa, MasterCard, and the banks. They were collecting an estimated \$16 billion in debit swipe fees and \$30 billion in credit fees each year.

Those billions are paid by every merchant, charity, university, and government agency that accepts payment by card, and the costs are passed on to American consumers in the form of higher prices.

By 2010, the U.S. swipe fee system was growing out of control with no end in sight. U.S. swipe fee rates had become the highest in the world—far exceeding the actual costs of conducting a debit or credit transaction.

And there were no market forces serving to keep fees at a reasonable level. Merchants and their customers were being forced to subsidize billions in windfall fees to the big banks.

I stepped in and introduced an amendment to the Wall Street reform bill that for the first time placed reasonable regulation over debit swipe fees.

My amendment said that if the Nation's biggest banks are going to let Visa and MasterCard fix swipe fee rates for them, then the rates must be reasonable and proportional to the cost of processing a transaction. No more unreasonably high debit swipe fees for big banks.

The regulatory steps that my amendment proposed were modest. Most other countries have gone much further in regulating swipe fees.

But the banks and the card companies screamed bloody murder.

My amendment passed the Senate with 64 votes, and it was signed into

law with the rest of Wall Street reform. And the swipe fee reforms took effect last October.

As it turns out, debit swipe fee reform is working pretty well.

So far, reform has led to an estimated \$7 billion to \$8 billion in annual debit swipe fee savings for merchants.

That savings is a real shot in the arm for American businesses that have been crushed by ever-rising swipe fees.

Consumers are also benefiting as savings are passed along from merchants through competition.

After reform took effect in October, we saw a massive level of retailer discounting that extended beyond the usual holiday season discounts.

And according to a USA TODAY article from May 11, a number of individual merchants are offering debit card discounts for items such as gas, furniture, and clothing. This trend is expected to continue and to grow.

Furthermore, the banking industry had claimed that small banks and credit unions would be hurt by debit swipe reform— even though all institutions under \$10 billion in assets were exempted from fee regulation.

As it turns out, small banks and credit unions have thrived since reform took effect.

Why? Because under my amendment, small banks and credit unions can continue to receive the same high interchange rates from Visa and MasterCard far higher than the rates that their big bank competitors receive.

In May, the Federal Reserve confirmed that exempted banks and credit unions were receiving the same average interchange rates they had gotten before reform.

The American Banker newspaper has noted that the “Small Banks’ Durbin Shield Worked” and prominent card industry analyst Andrew Kahr noted that the “Durbin Doomsday Never Came.”

Credit unions in particular are doing well after swipe reform. Last year 1.3 million Americans opened new credit union accounts, up from about 600,000 the year before. And credit unions now have a record number of members—almost 92 million overall.

Now, it is important to note that there should be even more savings from swipe fee reform to merchants and consumers.

When the Federal Reserve was writing its final rule, the banks lobbied them to weaken the final rule and raise the debit swipe cap from 12 to 24 cents. Then Visa and MasterCard promptly jacked up any swipe fee rates that were below 24 cents so that this 24 cent ceiling became a floor.

Basically, the banks and card companies lobbied the Fed for a loophole, and when they got one, they ran through it.

This needs to be fixed going forward, and I am confident it will be fixed.

The bottom line, though, is that the swipe fee reform that Congress enacted

in 2010 has gotten off to a good start. It is working, and it is laying a solid foundation for further reforms to improve the credit and debit systems.

I am afraid, however, that while swipe fee reform has made important strides in Congress, the big banks and card companies are trying to undercut that reform in the courts.

Recently a proposed settlement was announced in a long-running class action lawsuit. This lawsuit had been filed back in 2005 by a number of merchants against Visa, MasterCard, and the big banks that issue most of their credit cards.

The lawsuit was over credit card interchange fees and the associated rules that Visa and MasterCard impose on merchants. The suit alleged that these fees and rules violate the antitrust laws in the way that they are set.

This lawsuit had the potential to bring about important changes to the credit card system that would have promoted transparency, enhanced competition, and helped consumers.

But the proposed settlement does not do that. In fact, I believe this proposed settlement represents a capitulation to the Wall Street banks and credit card giants. It is a sweetheart deal for them and a bad deal for merchants and for consumers.

The settlement was negotiated in secret between Visa, MasterCard, the big banks, and the attorneys representing a small number of merchants. The vast majority of merchants had no idea what was in the proposed settlement until it was unveiled.

The terms of the settlement include a \$6 billion dollar payout from Visa, MasterCard and the banks to the plaintiff merchants. That is a large number it is nearly twice as much as the previous record payout in an antitrust case. And it is a clear sign that the card companies knew that their fees were unreasonably high.

But, \$6 billion is only 2 months worth of credit card interchange fees. And the settlement does not prevent Visa and MasterCard from simply jacking up their fees even higher than before.

The settlement does nothing to change the anticompetitive fee-fixing that Visa and MasterCard do on behalf of their member banks. In fact, it gives Visa and MasterCard broad and permanent legal immunity to continue doing exactly that in the future.

Also, the settlement not only binds the merchants who are parties to it, but it also binds every single American merchant, charity, university, and State or local agency that accepts a Visa or a MasterCard today or in the future.

It bars all of them from ever bringing a legal claim in the future against Visa, MasterCard, or the big banks relating to any swipe fee, other merchant fee, or network rule, no matter how unfair or unreasonable the fees or rules may be.

And this settlement gives Visa and MasterCard legal immunity not just for credit cards, but also for debit cards, and prepaid cards and mobile payment systems.

The extent of the free pass Visa and MasterCard would get under this proposed settlement is breathtaking. No wonder the banks and cards were so quick to come out in favor of this settlement. And no wonder Visa's stock hit an alltime high the next business day.

Now, the proposed settlement would make some temporary changes to Visa's and MasterCard's rules. But in my view, these proposed changes will be ineffective in reining in Visa and MasterCard's unreasonable fees.

The bottom line is that this proposed settlement does not make our credit card system better.

Instead, it gives Visa and MasterCard free reign to carry on their anti-competitive swipe fee system with no real constraints and no legal accountability to the millions of American businesses that are forced to pay their fees.

This is a stunning giveaway to Visa and MasterCard, all for a payout of a mere 2 months worth of swipe fees.

This is a bad deal, but it is not a done deal. The merchant plaintiffs still have to decide if they will support it, and the court must approve it. Several plaintiffs—the National Association of Convenience Stores, the National Grocers Association and the National Community Pharmacists Association—have already rejected the deal.

Now, I am not a party to this lawsuit, but I care deeply about making the credit and debit card systems in this country more transparent, more competitive, and more fair.

I have worked hard over the years to make sure that merchants and consumers do not get nickled and dimed to death with hidden and unreasonable fees from Visa and MasterCard, and we have made great strides.

That is why I am speaking out about my concerns with this proposed settlement. I know that Visa, MasterCard, and the banks are thrilled with this settlement, but this is not a settlement I would agree to.

I hope that the remaining merchant plaintiffs will review the proposed settlement carefully and think hard about whether it will be good for the future of our credit and debit card systems. They should not be anxious to sign away that future and settle for a bad deal.

TRIBUTE TO JOE MATAL

Mr. KYL. Mr. President, I want to take a moment to recognize the service of one of my longtime legal counsels on the Judiciary Committee, Joe Matal. Joe will be leaving the Senate in a few weeks after 12 years of Senate service,

and I wanted to say a few words of thanks.

Joe is well-known on Capitol Hill as a sharp, tenacious, and principled lawyer who fights hard for principle and the public good. It is frankly remarkable to reflect on the breadth of issues where Joe has played a major role in his years of service, but I will list a few.

Joe was intimately involved in our efforts to grapple with post-9/11 realities, in particular through the Military Commissions Act and the Detainee Treatment Act and the reauthorizations of the USA Patriot Act.

Joe has been instrumental in efforts to ensure appropriate DNA testing of criminals and to ensure that the rape-kit backlogs are cleared. He worked on the Adam Walsh Act and the Internet SAFETY Act. He is a go-to lawyer on criminal sentencing issues. Very recently, he has been an essential adviser on negotiations relating to the cybersecurity legislation.

I could go on and on. Joe has worked on the animal crush video law I sponsored, on False Claims Act amendments, on open government laws, and on legal reform bills such as asbestos litigation reform, the Class Action Fairness Act, and Bankruptcy Reform. He is also an expert on Indian Law and has been an indispensable counsel on my work that relates to Indian Country in Arizona, but also on Indian policy nationwide.

Finally, and most obviously, in recent years Joe has justly earned the respect of the legal and policy community nationwide as a major force in the development of the patent reform bill that Congress passed a year ago. In fact, when Joe leaves my office, he will remain in government service and begin work as an assistant solicitor in the U.S. Patent and Trademark Office. Joe's service there will be essential given that the agency is continuing to implement the patent reform bill that Joe did so much to create.

I would be remiss if I did not also note that some of Joe's important service has been in the bills he helped ensure did not become law. Our job as legislators is not to jump at every shadow, but to exercise caution when others seek to rush ill-considered legislation through the body. Joe's counsel and his strategic guidance have been essential in protecting the Nation from many, many bills that would have been contrary to good public policy.

So I want to thank Joe and wish him the best as he leaves for the PTO. I also want to thank his wife, Maren, and his three children, John, Liddy, and Margaret, for supporting him in these years of public service. I appreciate Joe's hard work and patriotic service and wish him the best in his new position.

CULTURE DOES MATTER

Mr. KYL. Mr. President, Governor Romney suggested on a recent trip to Israel that the culture of a society plays a role in its prosperity. Some took offense to these remarks, and others disagreed with his premise. During the last few days, a debate has ensued about how culture promotes prosperity.

I believe Governor Romney made an important point. In a National Review piece entitled, "Culture Does Matter," he asks, "What exactly accounts for prosperity if not culture?"

After all, U.S. culture emphasizes freedom, equality, hard work, meritocratic excellence, upward mobility, the rule of law, and a devotion to family, education, and a purpose higher than oneself. These cultural values, and others, have made America the world's leading superpower—a beacon of prosperity, freedom, and strength. Millions of people have left their homes over the centuries to come to America and be part of our way of life.

As Governor Romney writes, Israel is also a telling example of the role of culture and prosperity. Like the United States, Israel's culture is based on freedom and the rule of law. He writes that Israel's embrace of political and economic freedom:

... has created conditions that have enabled innovators and entrepreneurs to make the desert bloom. ... In the face of improbable odds, Israel today is a world leader in fields ranging from medicine to information technology.

Of course other factors, such as economic policies, contribute to a country's prosperity. But the evidence shows that the role of culture shouldn't be marginalized or dismissed.

I ask unanimous consent that Governor Romney's entire article, "Culture Does Matter," be printed in the RECORD. I urge my colleagues to read it.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the National Review Online, July 31, 2012]

CULTURE DOES MATTER

(By Mitt Romney)

During my recent trip to Israel, I had suggested that the choices a society makes about its culture play a role in creating prosperity, and that the significant disparity between Israeli and Palestinian living standards was powerfully influenced by it. In some quarters, that comment became the subject of controversy.

But what exactly accounts for prosperity if not culture? In the case of the United States, it is a particular kind of culture that has made us the greatest economic power in the history of the earth. Many significant features come to mind: our work ethic, our appreciation for education, our willingness to take risks, our commitment to honor and oath, our family orientation, our devotion to a purpose greater than ourselves, our patriotism. But one feature of our culture that propels the American economy stands out

above all others: freedom. The American economy is fueled by freedom. Free people and their free enterprises are what drive our economic vitality.

The Founding Fathers wrote that we are endowed by our Creator with the freedom to pursue happiness. In the America they designed, we would have economic freedom, just as we would have political and religious freedom. Here, we would not be limited by the circumstance of birth nor directed by the supposedly informed hand of government. We would be free to pursue happiness as we wish. Economic freedom is the only force that has consistently succeeded in lifting people out of poverty. It is the only principle that has ever created sustained prosperity. It is why our economy rose to rival those of the world's leading powers—and has long since surpassed them all.

The linkage between freedom and economic development has a universal applicability. One only has to look at the contrast between East and West Germany, and between North and South Korea for the starkest demonstrations of the meaning of freedom and the absence of freedom.

Israel is also a telling example. Like the United States, the state of Israel has a culture that is based upon individual freedom and the rule of law. It is a democracy that has embraced liberty, both political and economic. This embrace has created conditions that have enabled innovators and entrepreneurs to make the desert bloom. In the face of improbable odds, Israel today is a world leader in fields ranging from medicine to information technology.

As the case of Israel makes plain, building a free society is not a simple task. Rather, it is struggle demanding constant courage and sacrifice. Even here in the United States, which from our inception as a nation has been blessed with freedom, we faced monumental challenges in harmonizing our ideals with our institutions. We fought a bloody civil war against slavery and it took a non-violent civil-rights movement to bring political and social equality to all Americans. In these epic struggles we changed our "culture" and vastly improved it.

I have just returned from a trip abroad. I visited three lands—Israel, Poland, and Great Britain—which are defined by their respective struggles for freedom. I met with some of the greatest heroes of those struggles. I am always glad to return to American soil. On this occasion, I am only strengthened in my conviction that the pursuit of happiness is not an American right alone. Israelis, Palestinians, Poles, Russians, Iranians, Americans, all human beings deserve to enjoy the blessings of a culture of freedom and opportunity.

AUTOPILOT

Mr. LEAHY. Mr. President, I am disappointed that Congress has agreed to put government funding decisions on autopilot for the first 6 months of fiscal year 2013 through another continuing resolution. This means, in effect, that a half year's worth of hearings, briefings, and drafting of a dozen appropriations bills will have been for naught.

I recognize there are many factors at play this year as the clock ticks toward the end of a fiscal year and toward November. But continuing resolutions are no way to run a government,

and the consequences for the American people's priorities, and for the agencies and the dedicated workers who implement our policies, will be dramatic.

The world does not stand still, and time does not stand still. Circumstances that should be reflected in our budget decisions are changing all the time. Budgets are about choices. Budgets are about setting priorities. Doing this carefully and thoughtfully through hearings, through fact-finding and through negotiations among the people's representatives in Congress is not an easy process, but it was not meant to be easy. Setting the process on autopilot is anathema to making the right decisions for our country.

As the veteran reporter David Rogers put it today in *Politico*:

Continuing resolutions do only one thing well: 'continue.' They don't allow for new starts and typically set funding at the current rate enjoyed by an agency—with no room for new ideas.

In fact, it is worse than that. As chairman of the State and Foreign Operations Subcommittee I am particularly mindful of changes that have occurred around the world in the past year. The situation in the Middle East and North Africa is one of many examples. Our posture in Iraq and Afghanistan is changing significantly. Humanitarian crises in Syria and South Sudan are far greater than anyone envisioned 1 year ago. At a time when the Chinese are ratcheting up their strategic investments across the globe to advance their national interests, the United States is stuck in neutral.

I sympathize with the chairman and vice chairman of the Appropriations Committee and all the committee staff, who have worked hard to draft and report bipartisan bills. The State and Foreign Operations bill was reported on May 24 by a nearly unanimous, bipartisan vote. It has the strong support of Ranking Member GRAHAM, who worked closely with me in drafting it, as well as minority leader Senator MCCONNELL. With a day or so of floor time we could pass it and go to conference. That is the way it should be. Yet continuing resolutions are becoming increasingly common because they are a convenient and temptingly easy way to avoid hard decisions. Unfortunately, the American people lose, the country loses, and a great deal of time, effort and money are wasted.

FREEDOM OF EXPRESSION IN ECUADOR

Mr. LEAHY. Mr. President, several weeks ago I spoke in this Chamber about the assault on freedom of expression in Ecuador, where President Correa has sought to silence his critics including the Special Rapporteur for Freedom of Expression at the Organization of American States.

Last week, these attacks on legitimate expression reached a new height

when, according to press reports, Ecuador's Secretariat of Pueblos, Mireya Cardenas, said the government is investigating Fundamedios to determine if the support it receives from the U.S. Agency for International Development—USAID—is being used to interfere in "internal political affairs". She specifically criticized Fundamedios for lodging complaints at the Inter-American Human Rights Commission. She also attacked USAID for supporting sustainable forestry, civil society organizations, and the development of local productive enterprises, which are designed to protect the environment and improve the livelihoods of the Ecuadorian people.

Mr. President, Fundamedios is a respected Ecuadorian nonpartisan organization that seeks to defend freedom of the press at a time when journalists and media organizations in that country are being vilified and threatened by officials of the very government that should be protecting them. It is similar to the conduct we have seen in Russia, Egypt, Azerbaijan, Venezuela, and other countries whose governments mistakenly equate legitimate advocacy by civil society organizations with unlawful political activity, as if Ecuador's political affairs are the sole province of those who the government approves of.

It is also important to reaffirm the indispensable role of the Inter-American human rights system, which has recently been targeted not only by President Correa, but also by the leaders of other Latin countries with weak and corrupt judicial systems who, in the name of "reform", seek to limit access to alternative fora for its citizens to obtain justice for abuses by government security forces. It is interesting that these same governments welcome the support of the OAS when it suits them, but campaign to weaken its mandate when it does not.

To make a bad situation worse, President Correa again recently attacked one of Ecuador's most respected newspapers. A few weeks ago, he said on TV that an editor with *El Universo* was "sinister." And on July 28, he suggested that the editor of *El Comercio* was "mentally ill" and "unethical", for what appear to be nothing more than public comments made on the paper's website by readers who questioned presidential decisions.

On July 31, members of the police and the labor ministry, reportedly without a warrant, seized several items and information from the offices of the magazine *Vanguardia* for allegedly violating labor laws. The magazine's director, Juan Carlos Calderón, said the incident is an attempt to silence the independent press in Ecuador.

For those of us who want closer relations between the United States and other countries in the hemisphere, including Ecuador, and who believe it is

everyone's responsibility to stand up for universal human rights of which freedom of expression is the most cherished, it is disappointing to see the path the Correa government is taking.

This is not about competing political philosophies, party affiliation, or national sovereignty. It is about protecting the right of Ecuadoran journalists and Fundamedios to be free of government interference, and of defending the constitutional rights of all of Ecuador's citizens. The country's first constitution, written in 1830, stipulated that "every citizen can express their thoughts and publish them freely through the press." Its current constitution, just 4 years old, protects each citizen's right "to voice one's opinion and express one's thinking freely and in all of its forms and manifestations."

The people of Ecuador have a right to receive uncensored information. Sometimes that information is accurate, sometimes it is not. Everyone in public office knows that. Personal attacks and inflammatory charges by top officials weaken democratic discourse and have no place in a country with a long commitment to civil liberties.

HONORING OUR ARMED FORCES

CAPTAIN SCOTT PATRICK PACE

Mr. HATCH. Mr. President, today I rise to pay tribute to CPT Scott Patrick Pace, United States Army. Captain Pace returned with honor to his heavenly home on June 6, 2012. By all accounts, he lived a life of service, hard work, and faith.

While learning about Captain Pace's life, I was struck by the description of those closest to him. They repeatedly described the Captain as someone who "strived to do well." As a youth, he faced obstacles which would keep many from pursuing athletics. However, as a testament to his character, Captain Pace pushed himself and overcame this hurdle by becoming an accomplished athlete in basketball and swimming. His coaches described him as someone who "took responsibility for himself and the team but never blamed his teammates. He's the type of player every coach wants . . . in fact ever coach wants five of him . . . Scott was a coach's dream and a leader. He'll be missed dearly in this community."

In addition, to his accomplishments in athletics, Captain Pace excelled in academics. He was at the top of his class in High School. He initially attended Brigham Young University, before being called to a mission for the Church of Jesus Christ of Latter-day Saints in Cordoba, Argentina. After his mission, he was accepted to the United States Military Academy at West Point.

At West Point, Captain Pace continued to set the example by not only graduating with a major in nuclear en-

gineering, but continuing his love of athletics by playing varsity basketball, sprint football, and was a member of West Point's intercollegiate handball team. In fact, Captain Pace was named the most valuable player when West Point's Handball Team won the Division II National Championship.

Upon graduating West Point, at the same time as his brother, Rick, Captain Pace chose aviation and became a OH-58 Kiowa Warrior helicopter pilot and a platoon leader. He then served two back-to-back deployments, for a total of 20 months, in Iraq.

When he returned in 2009, Captain Pace was assigned to Fort Huachuca, AZ. There he completed the Captain's Career Course and intelligence training. After completing his studies, he was assigned to Fort Bragg, where he became the commander of Fox Troop, 1st Squadron, 17th Cavalry Regiment, 82nd Airborne Division. It was in this leadership role, when his helicopter was shot down while engaging the enemy in Ghazni Province, Afghanistan.

I was also quite taken by the comments of Captain Pace's teammates, fellow servicemembers, and friends who stated he always motivated them, not only to do their best, but to be their best, even when no one else was watching.

Captain Scott Patrick Pace was an outstanding young man. He was among the best our Nation has to offer. I know I am joined by the entire Senate in extending our heartfelt condolences to Captain Pace's family. Elaine and I will always keep them in our prayers.

WILDFIRE SUPPRESSION AIRCRAFT TRANSFER ACT OF 2012

Mr. MCCAIN. Mr. President, as Members depart Capitol Hill for August recess, wildfires will be raging across much of the Nation perhaps in their home States. Over 1.3 million acres have burned this summer, and historic drought conditions will continue to fan the flames. Last year, my home State of Arizona experienced the largest wildfire in State history, the Wallow Fire, which consumed over 500,000 acres. This year has been particularly distressing for States like Colorado, where the Waldo Canyon Fire near Colorado Springs forced the evacuation of thousands of residents, destroyed more than 350 homes, threatened the U.S. Air Force Academy, and became the most expensive fire in that State's history. Currently, there are 29 large uncontained wildfire burning across the Nation, according to the National Interagency Fire Center.

Wildfires like these underscore the urgent need to start modernizing our antiquated Forest Service airtanker fleet. Airtankers are a vital tool capable of rapidly altering the paths of major fires and providing immediate

protection to ground personnel. Many of the core aircraft operated by the Forest Service are Korean-era DC-3s and P-2Vs that are rapidly failing. Just last month, a P-2V built in 1962 crashed in Utah, tragically killing the pilot and co-pilot. These are but a few examples in long list of terrible accidents where worn out aircraft are being operated far beyond their intended service lives, the perfect recipe for future accidents.

That is why Senator BILL NELSON, Senator DIANNE FEINSTEIN, Senator MIKE JOHANNIS, and I have introduced S. 3441, the Wildfire Suppression Aircraft Transfer Act of 2012. Our bill would transfer fourteen excess C-27J aircraft from the U.S. Air Force to the Forest Service to help recapitalize their airtanker fleet. These are nearly new aircraft that will greatly enhance the mission flexibility and lifespan of the Forest Service fleet. This legislation is supported by the Forest Service as well as certain stakeholder groups like the International Association of Fire Chiefs.

My colleagues and I attempted to pass this legislation before the Senate adjourned for August recess. Regrettably, there are several members with an interest in keeping these aircraft operating who objected to our bill, even though the Pentagon wants to retire them. This is disappointing because our legislation would not interfere with the Congressional prerogative to approve or reject the Department of Defense force structure plan for Fiscal Year 2013. Clearly, there are differing opinions over divesting the C-27J, and I respect the right of Senators who want to address that issue in the context of the National Defense Authorization Act. Our legislation is intended as a post-divestment authority to ensure that the C-27J is put to good use fighting wildfires instead of being mothballed. Over the August recess, I hope to work with the Members who have objected to S. 3441 because I believe these platforms can be utilized to save lives and property.

THE CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES

Mr. KERRY. Mr. President, I want to say a few words about the Convention on the Rights of Persons with Disabilities.

I am pleased to report that the Foreign Relations Committee approved this Treaty on July 26, the 22nd anniversary of the Americans with Disabilities Act. I am also pleased that, like the ADA, the Disabilities Convention has strong bipartisan backing.

This treaty is personal to so many of us. I am deeply grateful to our committee members for their thoughtful input on the treaty and the resolution of advice consent, and to Senator MCCAIN and former Majority Leader Dole, who are as deeply committed to

this cause as Senator Kennedy was to the original Americans with Disabilities Act.

Passing this treaty isn't just the right thing to do. It is also the smart thing to do. It will extend essential protections to millions of disabled Americans, including our disabled service men and women and veterans, when they travel, study, work, and live abroad. In addition to enshrining the principles of the ADA on the international level, the convention will provide us with a critical tool as we advocate for the adoption of its standards globally standards to which all of us should aspire. By joining, we put ourselves in a stronger position to advance the goals of equality of opportunity, independent living, economic self-sufficiency, and full participation for individuals with disabilities.

The Disabilities Convention is a reflection of our values as a nation. It is who we are from the Civil Rights Act to the Voting Rights Act to the ADA. We saw how America responded to horrifying civil rights images—our country met collectively to right a wrong at home and break the back of Jim Crow. Now is the time to step up and meet collectively to help make it right for the millions of Americans with disabilities when they are overseas and for the hundreds of millions of disabled individuals throughout the world.

This is one of those moments the Senate was intended to live up to—and it calls on all of us to provide leadership and find the common ground. The winners of this treaty will not be defined by party or ideology. The winners will be the American people.

I look forward to working with my colleagues on both sides of the aisle to ensure that the Senate approves the Disabilities Convention during the 112th Congress.

NOMINATIONS

Mr. GRASSLEY. Mr. President, a few weeks ago the president of the ABA a—purportedly nonpartisan organization—wrote a letter to the majority and Republican leaders regarding nominations and the Leahy-Thurmond rule. I noticed that my good friend the chairman of the Judiciary Committee entered a copy of that letter in the RECORD.

That letter failed to mention quite a few pertinent facts. The Republican leader and I sent the ABA a letter which highlighted some of those facts. I ask unanimous consent that this letter be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

OFFICE OF THE REPUBLICAN LEADER,
U.S. SENATE,
Washington, DC, June 25, 2012.

Mr. WILLIAM T. (BILL) ROBINSON III,
President, American Bar Association, 321 North
Clark Street, Chicago, IL.

DEAR MR. ROBINSON: We were surprised to receive your letter of June 20, 2012 urging, for the first time, confirmation of particular circuit court nominees despite the existence of the Leahy-Thurmond Rule. By any objective measure—overall circuit court vacancy rate, vacancies on the respective circuit courts, or judicial emergency designation—our appellate courts are doing, at least as well, and in most respects much better, now than when our democratic colleagues invoked the Rule both times during the last administration. Given this exceptionally fair treatment of President Obama's judicial nominees, it is curious that your organization would choose now to urge the Senate not to follow its practice of suspending the processing of circuit court nominations in the months preceding a presidential election. This unprecedented action raises questions about the American Bar Association's objectivity and neutrality.

While the circuit court vacancy rate in June 2008 was the same as it is now, there were twice as many judicial emergencies in the circuit courts at that time. The Fourth Circuit Court of Appeals, in fact, was in crisis. Fully one-fourth of its seats were empty, even though the prior administration had nominated outstanding individuals to fill them. Despite the crisis facing the Fourth Circuit in June of 2008, our democratic colleagues refused to process any of President George W. Bush's four, well qualified nominees.

For instance, the Senate twice had unanimously confirmed Judge Robert Conrad to the important positions of United States Attorney and federal district court judge. By this time in June of 2008, his nomination to the Fourth Circuit had been pending for 344 days. Our democratic colleagues refused to process his nomination, notwithstanding support from home state senators, a unanimous well qualified rating from your organization, and—in contradistinction to any of the three nominees mentioned in your letter—the Administrative Office of the U.S. Courts had declared the vacancy to which he was nominated to be a judicial emergency.

Senate democrats refused to process three other qualified nominees to the Fourth Circuit. Steve Matthews had support from home state senators, and by this time in 2008, had been pending for 293 days. Judge Glen Conrad had been confirmed to the district court in 2003 by the unanimous vote of 89-0. Both home state senators, one republican and one democrat, strongly supported his nomination. Rod Rosenstein, the then and current U.S. Attorney for Maryland, also would have filled a judicial emergency on the Fourth Circuit. Nonetheless, democrat home state Senators blocked his nomination—incredibly—for the reason that he was doing a “good job” as U.S. Attorney and “that’s where [they] need him.”

Our democratic colleagues’ record with respect to these nominees was so abysmal that even the Washington Post editorial board called them to task, writing, “[T]he Senate should act in good faith to fill vacancies—not as a favor to the president but out of respect for the residents, businesses, defendants and victims of crime in the region the 4th Circuit covers.” The ABA, by contrast, said nothing when Senate democrats invoked the Leahy-Thurmond Rule and stopped proc-

essing circuit court nominations in June of 2008. These outstanding nominees, along with others like Peter Keisler—who by this date in June of 2008 had been bottled up in committee for an astonishing 727 days—did not merit any special consideration by the ABA in the months preceding the last presidential election.

The situation on our circuit courts was equally dismal in June of 2004 when President Bush was concluding his first term in office. The overall vacancy rate on our circuit courts was much higher than it is now. And the Sixth Circuit, like the Fourth Circuit in 2008, was in crisis, with fully one-fourth of its seats empty, even though the prior administration had nominated qualified individuals to fill those vacancies as well. And as in 2008, the ABA said nothing when our democratic colleagues cited the Leahy-Thurmond Rule—this time to justify filibustering several circuit court nominees in the months preceding the 2004 presidential election.

The ABA presents itself to the public as a non-partisan, professional organization. However, it has chosen to advocate for this Administration's circuit court nominees in the few remaining months before this presidential election, when it chose not to do so before either of the last two presidential elections despite much more compelling circumstances. This sort of selective advocacy is precisely why so many people question the ABA's professed neutrality.

We will continue to work with the senate majority to process judicial nominations, consistent with the practices of the Senate—practices strongly defended by our Democratic colleagues during the previous administration and about which the ABA said nothing. Indeed, the Senate will vote on another judicial nomination tomorrow. If confirmed, that will be the 151st lower court confirmation already for this Administration, in addition to two Supreme Court nominations—a confirmation total far greater than what was achieved under comparable circumstances during the last administration. We hope that in the future the ABA will take a balanced approach to assessing the judicial confirmation process in the Senate.

Sincerely,

MITCH MCCONNELL,
Republican Leader,
U.S. Senate.
CHUCK GRASSLEY,
Ranking Member, Judiciary Committee
U.S. Senate.

RECOGNIZING THE SISTERS OF ST. JOSEPH OF BRENTWOOD, NY

Mr. SCHUMER. Mr. President, We rise today to honor three great American heroes and their devoted organization. In Long Island, NY there are three American nuns that have been working to ease the burden of the poor and the sick and educate our youth for the past 80 years.

Sister Francis Gerard Kress, Sister Edward Joseph Murphy and Sister Alice Francis Young are all nuns with the Sisters of St. Joseph of Brentwood, NY and have given this order and their community over 80 years of service.

Mrs. GILLIBRAND. The Sisters of St. Joseph first came to the United States

to Carondelet, MO in 1836, and established a school dedicated to the education of deaf children. Mother Austin Kean, accompanied by Sister Baptista Hanson and Sister Theodosia Hegeman, came to Brooklyn in 1856 to found what is now, the Sisters of St. Joseph of Brentwood, NY. The goal of the Sisters of St. Joseph continues to be to foster love, unity and reconciliation among all people and with this earth. For over 150 years, the Sisters of St. Joseph of Brentwood, NY have been faithful in their vision to serve the world and its people. Since the creation of the Sisters of St. Joseph of Brentwood order in 1856, there has been over 2,500 Sisters to serve, and currently there are 588 serving or in retirement throughout the United States.

There is not enough time in this Congress to fully describe the work and accomplishments of the Sisters of St. Joseph. But I would like to highlight some of the work of these three remarkable nuns.

Sister Alice Francis Young joined the Convent of the Sisters of St. Joseph in 1932, and since then has proven to be a pioneer and integral force in early childhood education. Sister Young's career milestones include helping to start the first Head Start program in New York, working as a master teacher at St. Joseph's College in Brooklyn for 20 years, and being a professor of child study at St. Joseph's for over 40 years. She has helped educate thousands of children and given them the ability to reach their potential.

Sister Francis Gerard Kress has been a Sister of St. Josephs for 80 years, working on community activism and being a champion for health care and environmental protection. In September 1982, Sister Kress testified before the U.S. House of Representatives Subcommittee on Water Resources and in doing so shed light on her work around the environmental dangers that existed near Newton Creek in Williamsburg, Brooklyn, NY. Her work has since helped to protect a community from these dangers and enlighten the Nation to the importance of the Clean Water Act.

Sister Edward Joseph Murphy is 99 years old and joined the Order of the Sisters of St. Joseph in 1932. She spent her life educating at the primary and secondary levels, helping children throughout this Nation improve their lives through education and community service, as well as help new arrivals to this Nation with English by way of her Orders' English as a Second Language programs. Sister Murphy also spent over 20 years caring for the community and residents of Merrick, Long Island, NY by visiting homes, nursing homes and hospitals, bringing food and toys, and assisting in times of crisis.

For the past 80 years, Sister Francis Gerard Kress, Sister Edward Joseph Murphy and Sister Alice Francis

Young have dedicated their lives for the betterment of others in New York, the United States and around the world. We are humbled to have the opportunity to recognize the life and service of these amazing women and everlasting mark they left on so many.

Mr. SCHUMER. Mr. President, we would like the United States Senate to recognize and honor the work of the Sisters of St. Joseph of Brentwood, NY; and the lifelong dedication of Sisters Francis Gerard Kress, Edward Joseph Murphy and Alice Francis Young for their 80 years of service to their religion, professions and country.

REMEMBERING GORE VIDAL

Mrs. BOXER. Mr. President, today I rise to pay tribute to the great talents and accomplishments of Gore Vidal, the extraordinary American writer who died this week at age 86 in California, where he spent the last 9 years of his life.

Gore Vidal was a child of the Senate—or more precisely, a grandchild of the Senate. His maternal grandfather was Senator Thomas Pryor Gore of Oklahoma, and the writer's happiest childhood memories were of the times he lived at Senator Gore's Washington home. According to Vidal's New York Times obituary, "He loved to read to his grandfather, who was blind, and sometimes accompanied him onto the Senate floor." Vidal himself later said, "At something like 13 or 14, I wanted to be a politician, but knew that I was a writer. . . ."

This change of career path worked out best for everyone. Gore Vidal's prose was elegant and crystal clear, and his range as a writer has seldom been equaled. His essays, perhaps his greatest triumph, utilized and displayed his wide-ranging interests, encyclopedic learning, and dazzling wit. He also wrote more than two dozen novels including a series on American political history that is widely read and admired on both sides of the aisle—as well as plays, screenplays, television dramas, and two volumes of memoirs.

Gore Vidal twice ran for office, losing a 1960 run for Congress in upstate New York and a 1982 Senate primary in California. Despite these political setbacks, he remained convinced that "There is no human problem which could not be solved if people would simply do as I advise." He dispensed his advice with great wit and intelligence for more than 60 years, and America is far the richer for it.

DROUGHT IMPACT

Mr. CARDIN. Mr. President, I rise today to speak about the devastating impact the drought gripping nearly 80 percent of the country is having on food producers.

Fewer natural occurrences are more devastating to agricultural production

than extreme drought. The drought conditions the United States is facing today are considered the worst the country has seen in more than 50 years.

Data computed in the Palmer Drought Severity Index indicate that the severity of the current drought is on par with the Dust Bowl of the 1930s.

USDA has determined that more than 1,000 counties in 26 States, encompassing more than two-thirds of the lower 48, are experiencing drought conditions. Drought conditions stretch from coast to coast and encompass nearly every State south of 42nd parallel west of the Mississippi River while also including nearly all of Florida, Alabama, Georgia and South Carolina. It is also worth noting that farmers on Delmarva peninsula are coping with a drought of their own as well as record high temperatures.

While these conditions undoubtedly present challenges for commodity growers, agricultural science, modern farming techniques and a series of financial support programs help commodity growers cope with increasingly difficult growing conditions.

These advances in farming, combined with robust grower supports like commodity direct payments and federally subsidized crop insurance premiums, along with a high market price for corn, driven by increased demand for corn from a variety of sectors, including ethanol producers who must meet government mandates to produce 15.2 billion gallons of ethanol this year, all help U.S. grain growers survive this difficult growing season.

Our national farm support programs are centered on assuring the financial security of commodity growers. However, there is little to no assurances on the availability and affordability of corn feed for livestock and poultry and for food production broadly.

This issue hits very close to home for me as Maryland's poultry industry continues to struggle tremendously during this drought because there is so little corn feed available. What feed is available is extremely expensive.

Feed accounts for more than 75 percent of the cost of raising poultry. Corn futures project the price of corn hitting \$9 dollars a bushel by the end of the summer. As the price of feed continues to rise, feed costs will make up an even greater percentage of the cost to grow birds to market weight.

And unlike raising hogs and cattle, which ruminant species that can eat other types of feed like soybeans or hay, chickens can only eat grains—in other words corn.

To understand how important the availability of affordable corn is let's take a look at chicken by the numbers:

As of today, the price per bushel of corn is \$8.20.

One bushel of corn equals 56 pounds of shelled corn.

On average, it takes 7 weeks and 13½ pounds of corn to raise a single chicken to market weight.

Market weight for a single chicken is approximately six pounds, although the weight of the bird that is actually meat is probably somewhere closer to three or four pounds.

Approximately four birds can be raised, from egg to slaughter, on a bushel of shelled corn—or, a little more than \$2 worth of corn.

The retail price for a whole three pound chicken at a popular Maryland supermarket chain is \$6 (at \$2 per lb).

That means that the retail price of a pound of chicken is equal to the price of corn feed. And corn is just one input cost to raising poultry.

Clearly market conditions like this are not sustainable for maintaining a viable domestic poultry industry.

Domestic poultry, beef, and pork producers operate without the safety nets commodity growers have. Those domestic producers that are still owned by U.S.-based companies are at an even greater disadvantage, because many of the foreign owned meat and poultry companies in the U.S. can afford to operate at a loss for extended periods of time because they have financial backing from state-run banks overseas.

Our meat and poultry producers are in dire need of relief if they are going to survive into the future. One way to provide some relief for poultry and livestock growers would be to modify the Renewable Fuel Standard's ethanol production mandate for corn ethanol so as to provide our farmers better access to the corn stocks they need.

Food producers—including livestock and poultry producers, who use tremendous amounts of corn to raise their livestock and produce food—do not have the luxury of a mandated market for their products.

I understand the important role domestic ethanol production will play in helping our Nation achieve greater energy security. However, the nurturing and growth of our domestic biofuels industry must not come at the expense of our domestic food supply. In other words, we cannot sacrifice U.S. food security for energy security. That is why I do not support the use of food based feedstocks like sugar and corn to be commercially produced into ethanol.

Domestic food production is reaching a state of crisis driven by the increasing cost of inputs, like corn, that the food producers have to unfairly compete with industries that are operating with under government production mandates.

That is why Senators BOOZMAN, MIKULSKI and I introduced legislation making a simple change to the Renewable Fuel Standard to help provide domestic food producers access to corn.

This legislation will link the amount of corn ethanol required for the RFS to the amount of U.S. corn supplies. This legislation sets up a process so that when the USDA reports on U.S. corn supplies towards the end of each year,

based upon the ratio of corn stocks to expected use, there could be a reduction made to the RFS mandate for corn ethanol. This is a commonsense solution to make sure that we have enough corn supplies to meet all of our corn demands.

Once a year, the administrator of the Environmental Protection Agency will review the current corn crop year's ratio of U.S. corn stocks-to-use ratio in making a determination of the RFS.

Another way to deliver some of this needed relief would be for the House to immediately pass the Senate Farm Bill that passed with bipartisan support in the Senate in June.

The livestock disaster provisions originally enacted in the 2008 Farm bill expired in 2011, leaving producers without disaster assistance for the current crop year. The Senate bill strengthens these programs and makes them retroactive to address the current drought of 2012.

As of July 17, approximately 73 percent of cattle producing areas were affected by moderate or more intense drought.

As I mentioned earlier, the Delmarva peninsula, where a fair amount of the corn is raised for feed for Delmarva poultry, is in a state of drought, as are the regions of the country where the rest of the corn Delmarva poultry uses is shipped in from.

Livestock disaster programs are critical as farmers and ranchers experience losses in livestock and grazing land due to extreme heat, drought, and fire. The 2012 Farm Bill provides permanent funding and authority for the Livestock Disaster Programs.

Beyond helping livestock and poultry growers, the 2012 Farm Bill also provides much needed assistance to fruit and vegetable growers, too, by expanding crop insurance coverage to these farmers. The bill also allows the Risk Management Agency to conduct research and development on new crop insurance products to expand access to index-based weather insurance products for fruit and vegetable growers.

The House appears poised to just kick the can for a year. The House is likely to consider a measure to merely extend the 2008 Farm Bill for a year, while also offering some drought assistance—paid for from cuts to conservation programs.

This is a plan that the American Farm Bureau opposes, and demonstrates both the dysfunction of the House—in that they won't simply do what's easiest and best for farmers by taking up and passing the Senate bill—while also ignoring how vital farm conservation is to preventing agricultural disasters.

The Senate Farm Bill preserves USDA conservation programs. The Natural Resource Conservation Service, formerly known as the Soil Conservation Service, was born out of the tragedy of the Dust Bowl.

The disastrous droughts of the 1930s taught us the lesson that we need to do more to protect water and soil resources so that we do not repeat the mistakes of the past.

The 2012 Senate Farm bill conservation programs are critical for keeping America's farmers and ranchers doing what they do best—growing and producing a safe and stable food supply. Crops need healthy soil and plentiful water to grow, and natural disasters like drought have a long-term impact on soil and water quality.

The Farm bill's conservation title provides farmers and ranchers access to the tools they need to conserve and keep our Nation's natural resources as resilient as possible, even in the face of drought and other natural disasters.

For the good of American agriculture and the American consumer, I urge the House leadership to take advantage of this last opportunity before the August recess to do what is right and pass the Senate Farm bill. My hope is that House leadership will realize that it behooves us, when we go home to our districts during the summer recess and attend State and county fairs, to be able to tell our farming communities that we sent a Farm bill to the President with meaningful reforms and essential disaster relief to help them through these difficult times.

Personally, I want to be able to tell my poultry growers that Washington hears their plight. That is why, in addition to urging House passage of the Senate Farm bill, I would also like to see further relief for poultry growers in the form of improved access to corn feed.

For decades, America's corn growers were outproducing demand for corn from food producers. While consumers may have benefitted from relatively low corn prices, American corn and grain growers were hurting badly.

Since 2007, the tides have been turning significantly. National demand for corn is at an all-time high and corn is likely to reach \$9 a bushel in the near future. A growing and hungry Nation, combined with new demands for corn that are the result of technological innovations, have created new uses for corn in the form of ethanol as both a motor fuel additive and in plastics. These new uses, combined with expanded traditional uses, have fueled the upward spike in corn prices.

The effects of the 2012 drought are obviously a catastrophe that we cannot legislate away. However, there are actions that the USDA and EPA could take to help improve market access to the corn stocks food producers need to keep feeding America.

Senators HAGAN, CHAMBLISS, PRYOR, BOOZMAN, and I have authored a letter to the EPA administrator calling for the waiver of the Renewable Fuel Standard's conventional ethanol production mandate for this year. Doing

so would allow food producers to compete fairly with ethanol producers for corn.

While ethanol production is down, due to high corn prices ethanol producers are sitting on roughly 2.5 billion production credits, known as RINs, Renewable Identification Numbers, that they could cash in and further reduce the perceived demand for corn and increase the supply available to food producers.

I understand the important role domestic ethanol production will play in helping our Nation achieve greater energy security. However, the growth of our domestic biofuels industry must not come at the expense of our domestic food supply. We cannot sacrifice U.S. food security for energy security. That is why I do not support the use of food based feedstocks like sugar and corn to be commercially produced into ethanol.

I believe the future of biofuels must be in the development and production of cellulosic and advanced biofuels that are not derived from feedstocks that are part of essential food sources.

Because of corn's many uses, it has become a commodity that is in high demand. Assuring our domestic food producers' access to this valuable and increasingly scarce crop is so important to controlling the cost of food in America and maintaining the economic viability of our U.S. food companies.

I urge my colleagues to join Senators HAGAN, BOOZMAN, PRYOR, CHAMBLISS and I in calling on EPA to waive the RFS corn ethanol production mandate and call on the House to pass the Senate's Farm bill.

BRUMIDI GOLD MEDAL CEREMONY

Mr. ENZI. Mr. President, I ask unanimous consent that the remarks I deliver on July 11 at the Brumidi Gold Medal Ceremony be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

STATEMENT ON S. 254

A BILL TO AWARD POSTHUMOUSLY A CONGRESSIONAL GOLD MEDAL TO CONSTANTINO BRUMIDI, CONSTANTINO BRUMIDI GOLD MEDAL CEREMONY, RAYBURN ROOM, DELIVERED JULY 11, 2012—11 AM

Mr. Speaker, Leaders, Mr. Ambassador, fellow Italians—and friends of Italy. This is a process that started about five years ago, and it's the first one that one hundred Senators ever sponsored. It's taken 5 years but for Constantino Brumidi, there was no greater honor than being called an American citizen. It was a title he sought and then signed with pride on the best of his work.

For my own family and for many of you, it wasn't long after Constantino Brumidi left for America, that my own ancestors heard the call for freedom and came here as well. Just like Constantino Brumidi they left the beauty of Italy—its mountains and its sunny shores—to come and be a part of the great adventure called the United States.

And I swear that if you walk through these halls late at night you can almost hear the whispers of the past and the hushed echoes of the voices of our Founding Fathers, past Senators and Representatives as they debated and discussed the issues of the day. And perhaps Constantino, as he talks about the art.

The history books tell us that Constantino Brumidi was born in Rome of Italian and Greek heritage, and he had a great talent for painting that revealed itself at an early age. After he came to the United States and one day, after completing a commission, he stopped in Washington, DC, to visit the Capitol on his way home, and looking at its tall, blank walls and empty corridors, he must have felt the excitement and inspiration only an artist facing an empty canvas can know. On that day he began what was more than an assignment for him—it was a labor of love—as he brought to life the great moments in American history for all of us to see on the walls and ceilings. His efforts were destined to earn him the title of "America's Michelangelo."

Liberty is the philosophy that guided Constantino Brumidi's hand as it fired his imagination and inspired his creations in our nation's Capital. Imagine what he would think if he could walk these corridors today. He would see that his beautiful work has stood the test of time, especially after being cleaned up after the accumulated lamp smoke. He would know of the appreciation and admiration of countless visitors from our shores and around the world. He would see that his art continues to thrill the millions who flock here every year. I believe he would be both proud and humbled to be the center of such attention.

Throughout the Capitol, each careful stroke of Brumidi's brush will continue to remind us that we are blessed and truly fortunate to live in this land of promise and opportunity.

Now it is only fitting that the Congress of the United States of America should bestow on Constantino Brumidi the nation's highest civilian honor—the Congressional Gold Medal—which incidentally is to be permanently displayed in the Capitol. It will be the only one displayed in the Capitol, and will give people an opportunity to see what a Congressional Gold medal looks like.

And now I would like to introduce my colleague and fellow Italian-American, Senator Pat Leahy of Vermont, who served since 1974, and if you check his left lapel, he is wearing one of the highest awards that Italy can give to a son of Italy. He was one of the original sponsors on my Senate Constantino Brumidi bill and helped me gather every single signature to support this bill. Senator Leahy is the Chairman of the Senate Judiciary Committee, and is a senior member of both the Agriculture and Appropriations Committee. I give you my fellow Italian, Senator Pat Leahy.

CPSIA ANNIVERSARY

Ms. KLOBUCHAR. Mr. President, few states appreciate the importance of outdoor recreation the way we do in Minnesota—whether it is cross-country skiing, snowmobiling, fishing, hiking or off-roading, these activities are more than just hobbies for us—they are a way of life and they are woven into the fabric of our economy. That is why today I rise to commemorate the 1-year anniversary of the passage of the

lead standard exemptions for youth all-terrain vehicles.

Minnesota is home to many strong recreational product manufacturers that provide jobs and have helped move our economy forward during these difficult times. Our economy doesn't hinge on churning money around Wall Street, it hinges on building things and the motorcycle and all-terrain vehicle industry is a shining example of that. This industry is not just about recreation—it is about jobs, it is about manufacturing, and it is about preserving a key part of our culture and economy.

I supported the Consumer Product Safety Improvement Act when it passed in 2008 because it addressed serious safety concerns about lead in children's toys. But when we have legislation as detailed and sweeping as the Consumer Product Safety Improvement Act, certain adjustments and clarifications sometimes need to be made, as we saw with the lead limits for youth all-terrain vehicles. Simply put, children's off-road vehicles were never supposed to be subject to requirements in the Consumer Product Safety Improvement Act.

The law was designed to protect our kids, but by banning youth-sized all-terrain vehicles children were put at risk because they started riding oversized adult vehicles that don't take the same considerations as a model meant to accommodate children. Once it became clear that the Consumer Product Safety Commission was going to hold youth all-terrain vehicles to the new lead requirements, I began working to find a solution to the problem.

That is why I pushed to pass the amendments to the Consumer Product Safety Improvement Act last year to exempt youth all-terrain vehicles from lead standards. August 12th will be the 1-year anniversary of enactment of these amendments to Consumer Product Safety Improvement Act into law.

I would like to commemorate the 1-year anniversary of passage of these amendments to Consumer Product Safety Improvement Act that help protect our children and ensure they enjoy the outdoors for many years to come.

TRIBUTE TO TOM SULLIVAN

Ms. KLOBUCHAR. Mr. President, I rise today to recognize the exceptional leadership and dedication of my deputy chief of staff Tom Sullivan, who has been with me since my first days in the Senate and will soon be leaving to accept a senior adviser role at the U.S. State Department.

To say that Tom will be missed would be an understatement. Over the last 6 years, he has distinguished himself as an invaluable member of my staff, rising through the ranks and filling many key roles along the way. He started out as a legislative assistant, but it wasn't long before he was serving as my deputy legislative director

and, eventually, my deputy chief of staff.

In many ways you could call Tom the nerve center of my office—the utility player who can step in and perform virtually any task that is asked of him, regardless of whether it is press strategy or scheduling or legislative analysis. No policy was ever too complex for him, no assignment too daunting, no challenge too thorny.

Tom's versatility is especially apparent in his knowledge of policy, which spans the full spectrum of State and Federal issues. He came to my office with a background in foreign relations but quickly became an expert in everything from energy to technology to health care, mastering and remembering even the most minute of details without losing sight of the forest for the trees. That is a rare talent, and Tom has it in spades.

Mr. President, as you know, Senate offices often become like their own little family units. In the last 6 years, Tom Sullivan has become an esteemed member of the Klobuchar family, and he will be sorely missed—not just for his skill and expertise but for his composure, kindness, and unflappable good nature. We wish Tom well in his new position at the State Department and know that we can expect to see great things from him as he begins a new and exciting journey in public service.

VIOLENCE AGAINST WOMEN ACT

Mrs. SHAHEEN. Mr. President, I rise today to talk about the importance of passing the Violence Against Women Act, and reauthorizing this critical funding for survivors of domestic violence. We have heard about the protections the Senate version offers that the House does not, to women on college campuses, to women on tribal lands, to LGBT victims, and to immigrants. It is important to remember all of the other programs supported by this important legislation.

On this day, when preventive health care finally becomes available to 47 million women, including free domestic violence screening and counseling, it is worth taking a look at how domestic violence impacts healthcare for women and families in this country.

According to a study by the Centers for Disease Control, the average cost of health care services for women is more than twice the average cost for men, and this is largely due to the costs and impact of domestic violence.

The CDC estimates the direct health care costs associated with domestic violence to be around \$4.1 billion every year. And we know this is a conservative estimate, because many victims never come forward.

But we have a proven tool in this fight, and that is the protections in the Violence Against Women Act. Since

the bill first went into effect in 1994, reporting has increased by 51 percent according to the Department of Justice. The FBI reports that the number of women killed by an intimate partner has decreased by 34 percent. And VAWA saved \$12.6 billion in its first 7 years alone.

It is not just that women are safer because of VAWA, our economy also improves when domestic violence is successfully prevented, because fewer women are going to the emergency rooms, missing work, or deciding they cannot care for their children.

I have had a chance to visit several crisis centers in New Hampshire who benefit directly from VAWA funding. Most recently, I visited the Monadnock Center for Violence Prevention in Keene, and had a chance to speak with caseworkers and survivors. I spoke with two women who told me that when they decided it was time to leave their abuser, they had no place else to go.

And I asked them, "What would have happened if this center wasn't here?"

"My husband would have killed me," replied one woman.

This is why we need to reauthorize the Violence Against Women Act. This is about women who are in danger, and desperately need our help.

I also had a chance to meet some children who were staying at the center. And I would like to take a moment to talk about how important this bill is for them, both children who witness domestic violence, or are victims themselves.

Centers all over New Hampshire and the United States have child advocacy programs that offer support groups for children. Dawn Reams, Director of the Bridges Crisis Center in Nashua, NH, described that they have a full-time child advocate who receives funding from VAWA. We know that children are particularly vulnerable and ill-equipped to deal with trauma.

And this trauma affects them for their entire lives. A study by the World Health Organization found that children raised in households where domestic violence occurred are more likely to have behavioral problems, drop out of school early, and experience juvenile delinquency. A child who witnesses domestic violence between his or her parents is more likely to view violence as an acceptable method of conflict resolution. Boys who witness domestic violence are more likely to become abusers, and girls who witness domestic violence are more likely to become victims of domestic violence as adults.

The advocate at Bridges does her best to prevent this cycle by providing safety planning for the children, teaching them that they can live a life free of violence. There is free preventive care for children.

She told the story of one young boy, Brian, who was nervous about return-

ing to school. He was supposed to bring with him a story about something fun he had done over the summer. Brian was staying at Bridges with his mother, and it had not been a fun summer. So the child advocate organized a barbeque in a park across the street from the crisis center.

This is the type of healing we need more of, and we can start by reauthorizing the Violence Against Women Act. I urge all of my colleagues in the House to pass the Senate VAWA, for women, for children, for all survivors and for those that have not yet come forward.

REMEMBERING GAETANO "TOM" MAZZARELLA

Mr. BLUMENTHAL. Mr. President, I rise today to pay tribute to the life of Gaetano "Tom" Mazzarella, an admired Connecticut constituent and Norwich resident, military hero, and beloved member of our veterans community.

I had the privilege and honor of knowing Tom, who truly was extraordinary in dedication to country, drive to service, and passionate loyalty to his fellow veterans. He was rich in personality and so warm and generous to me that I feel the loss almost as a family member.

The Nation will be forever indebted to Tom for his military service as a U.S. Marine and a member of the Connecticut Army National Guard. For extraordinary bravery and sacrifice in the Pacific Theater during World War II, he was decorated with the Silver Star and Purple Heart. He also served courageously in the Korean war. But these honors reflected only part of the significance of his service.

The city of Norwich will never forget Tom's good-spirited dedication to community, gracious sense of humor, and engaging smile. He worked part-time at both the Norwich Ice Rink and the Norwich Golf Course. He also gave years of devoted, hard work to Electric Boat.

Throughout his lifetime, his service to his country never ebbed or ended. Dressed in his Marine Corps dress blues, he inspired current military members, veterans, and citizens of Connecticut as a representative of "the greatest generation." He and his brothers would visit local groups, telling stories and sharing memories that displayed their genuine pride of their military service for a country that they loved deeply. He was an eloquent, moving speaker, who instilled national loyalty, civic duty, and the importance of public service at many parades, military ceremonies, and veterans organizations with memories of American bravery and sacrifice.

Through my moving conversations with Tom—most recently at the ribbon cutting for Jewett City, Connecticut's housing for homeless veterans—I came

to know why he was a hero to so many. He inspired all to aspire to a life of valor and patriotism and to understand the true importance of working for the greater good.

I ask my colleagues to join me in honoring Tom—a national hero and a hero for all who adored and knew him in daily life. He will live on through the love of country, strength, friendship, and comradeship that he instilled, and continues to instill to this day on the floor of the Senate.

ADDITIONAL STATEMENTS

FROSTBURG, MARYLAND

• Mr. CARDIN. Mr. President, I wish to recognize the 200th anniversary of the city of Frostburg in western Maryland. Frostburg is located in the mountainous terrain of Alleghany County and sits on the eastern slope of Big Savage Mountain. Frostburg's first settlers arrived during the construction of the National Road in 1811; the first permanent residents settled there a year later, in 1812, which is the bicentennial we are observing September 14–16, 2012. The town was formally incorporated in 1816. It was originally called Mount Pleasant but the name was changed to Frostburg, after Josiah and Meshach Frost. Meshach Frost built the city's first house which later became home to the Stockton Stagecoach Company and prompted the construction of other hotels and accommodations for travelers on the National Road. This traffic along the road contributed to the growth of the town as it became a regular stopping point.

Although coal had been discovered near the town as early as 1782, difficulties in transportation made mining in western Maryland impractical. But with the local development of the Baltimore & Ohio Railroad and the Chesapeake & Ohio Canal in the 1840s, coal mining began to flourish, providing tremendous economic opportunities for Frostburg. In 1846, Meshach Frost opened the Frostburg Coal Company and began to send the first large shipments of coal to the east. Only 4 years later, numerous other companies became active in the area, including the Allegany Coal Company, the Maryland Coal Company, and the Washington Coal Company. By 1863, the economy of Frostburg and the surrounding area was firmly tied to the increasingly profitable coal industry. Another industry to develop during this period was the manufacturing of fire bricks from high grade clays found in the area. In 1902, the Big Savage Fire Brick Company was formed and to this day is one of the major manufacturers of fire bricks on the east coast.

Frostburg State University, founded in 1898, was donated to the State by the citizens of Frostburg and was intended

to train teachers for Maryland's public schools. The school grew slowly from an original enrollment of 91 students and has expanded to serve over 6,000 students today. The University has become a major economic engine for the community and a hub for academic and cultural activity.

I ask my colleagues to join me in congratulating Mayor W. Robert Flanigan and the residents of the city of Frostburg on its bicentennial birthday and 200 years of industry and ingenuity.●

TRIBUTE TO DR. ROBIN W. MORGAN

• Mr. COONS. Mr. President, it is with great pleasure that I wish to honor the exemplary service of Dr. Robin W. Morgan as the dean of the College of Agriculture and Natural Resources at the University of Delaware. For the past 10 years, Dr. Morgan has played an instrumental role in the expansion of agricultural research in her department and the development of higher education in our State. As she steps down from her position as dean to rejoin the University of Delaware's faculty, I give my most sincere thanks to her and her staff for their diligent and enduring efforts to maintain the College of Agriculture and Natural Resources' reputation as one of the best in the Nation.

Throughout her tenure as dean, Dr. Morgan conducted many studies that highlighted the substantial contribution of agriculture to Delaware's economy. Through her research and professional leadership, she has relentlessly supported agriculture in Delaware and has emphasized its importance to the financial well-being of our State. Dr. Morgan has always taken great pride in her faculty, which brings new skills, ideas, and innovation in various fields to the future of agriculture and natural resources. Over the past decade, under Dean Morgan's guidance, the number of undergraduate applications to the College of Agriculture and Natural Resources has doubled. The high caliber of hired faculty and Dr. Morgan's persistence in rebuilding several University of Delaware greenhouses has been pivotal to the growth of the program.

I wholeheartedly thank Dr. Robin W. Morgan for her service as dean of the College of Agriculture and Natural Resources at the University of Delaware. Her model leadership and dedication improved the quality of education and research offered within her department. I wish her the best of luck as she steps down to pursue other research and teaching endeavors at the University of Delaware.●

TRIBUTE TO SUSAN MARTINOVICH

• Mr. HELLER. Mr. President, today I wish to recognize a native Nevadan for her accomplished career and lifelong

commitment to the Silver State. Susan Martinovich, director of the Nevada Department of Transportation, NDOT, will be retiring this summer after 28 years with the agency. As an incredible leader in recognizing and addressing the transportation needs of my home State for nearly three decades, Susan's talent will be difficult to replace.

Susan started her career at NDOT as a rotation engineer where she became familiar with the inner workings of the department. Shortly thereafter, she was promoted to the bridge division and was responsible for the design of several structures in the State. Over the next decade, Susan worked her way up through the agency and contributed to the development of several major freeway projects. In 2007, she was appointed as the first female director of NDOT, where she assumed the role of managing the agency of more than 1,800 individuals. As director, Susan continuously advocated for a solid and comprehensive transportation plan, focused on creating jobs for Nevadans.

In 2011, she was named the first female president of the American Association of State Highway Transportation Officials, AASHTO, a national organization representing highway and transportation departments across the country. As president, she supported AASHTO's mission of promoting the development, operation, and maintenance of a cohesive national transportation system.

I wish Susan the best of luck in her future endeavors and look forward to what she will accomplish next. Today, I ask my colleagues to join me in recognizing her indelible service to the great State of Nevada.●

RECOGNIZING TIMBERLINE LODGE

• Mr. MERKLEY. Mr. President, today I wish to celebrate the 75th anniversary of Timberline Lodge.

Since being constructed in 1937 under President Roosevelt's Works Project Administration, Timberline Lodge has served as a beacon for those looking to enjoy year-round recreational activities on one of the Nation's most magnificent mountainsides—Oregon's Mount Hood.

Overcoming a series of challenges in the first part of the 20th century that threatened to close this lodge, Oregon's Timberline Lodge was declared a National Historic Landmark by the U.S. Department of the Interior on December 22, 1977. Without the tireless work of those who have cared for Timberline Lodge over the years, specifically Richard L. Kohnstamm and the Friends of Timberline, the legacy of this national treasure would not have endured.

Today, over 1.9 million people visit Timberline Lodge every year. This includes the U.S. Ski Team, which trains at Timberline every summer.

Part of Timberline's rich history is its role in many films. Most notably,

visuals of the exterior of the lodge were used to depict the Overlook hotel in "The Shining."

As President Roosevelt said in 1937 when he dedicated this lodge: "The people of the United States are singularly fortunate in having such great areas of the outdoors in the permanent possession of the people themselves—permanently available for many different forms of use."

It is my honor to celebrate the 75th anniversary of Timberline Lodge, a landmark that Oregon, and the Nation, is lucky to have.●

CONGRATULATIONS BIRDIE SACHS

● Mrs. McCASKILL. Mr. President, today I wish to lead the Senate in congratulating Mrs. Birdie Elise Davidson on reaching her 100th birthday on September 7 of this year.

Birdie Elise Davidson was born in Muskogee, OK, to Essie and Max Davidson and grew up with three brothers. Birdie moved to St. Louis when she married Mr. Louis Sachs and has three children, seven grandchildren, and six great granddaughters. Her daughter, Marjorie, is married to Mr. Louis Susman, the U.S. Ambassador to the Court of St. James in the United Kingdom. Her daughter, Nancy Wall, lives in Highland Park, IL. Her son Louis Sachs, Jr., lives in San Diego, CA.

After retiring with her husband to Key Biscayne, FL, Birdie earned recognition for her philanthropic activities. She is best known for her work for the American Cancer Society.

The social and technological developments that Birdie has witnessed in her lifetime are truly incredible. She has lived through two world wars, the rise and fall of the Soviet Union, and the Great Depression. She has experienced the birth of the Internet, humanity's journey into space, and the eradication of polio and smallpox. Birdie was born before women had the right to vote, but ninety-six years later, she supported President Obama's 2008 Presidential campaign. Upon meeting then-candidate Obama, she told him: "Young man, I have been alive through 17 Presidents and I am counting on you being the 18th—don't disappoint me!" She urged President Obama to set new records and to challenge conventional wisdom because she knows the scope and speed of change possible in American life as few others do.

Today, I join with my colleagues in the Senate in congratulating Birdie Sachs and her family on this amazing occasion, and wishing her good health and happiness.●

KANSAS STATE FIRE FIGHTER'S ASSOCIATION

● Mr. ROBERTS. Mr. President, this August the Kansas State Firefighters Association will commemorate 125

years of providing the great State of Kansas with the safety, resources, and preparedness it takes to ensure our firefighters are able to protect our citizens. On August 3, 1887, five service leaders met and organized the Kansas State Volunteer Firemen's Association. Today, that organization is known as the Kansas State Firefighters Association and has grown to 518 member fire departments. In 125 years, the Kansas State Firefighters Association has never faulted on its motto: Dedicated to the safety and education of the Kansas firefighter.

We all know this summer has been hot and dry. We have seen the deadly destruction fire can cause often with little warning. In times like these, fires created by heavy drought have the potential to get out of control quickly. Our courageous firefighters stand ready to battle the flames whether naturally created or man-made. The Kansas Fire Fighter's Association makes certain these selfless, dedicated men and women have the proper tools and resources to battle whatever they face.

With that in mind, it is with great pride that I ask the Senate to recognize the Kansas Fire Fighter's Association for all it has done over the past 125 years and for the crucial work the members continue to do to protect us.●

RECOGNIZING THE RUN TO HOME PROGRAM

● Mr. BROWN of Massachusetts. Mr. President, I rise today to highlight the groundbreaking work that some extraordinary citizens from Massachusetts are doing to help veterans of the wars in Iraq and Afghanistan. After a decade of conflict, tens of thousands of servicemen and women are returning home with invisible wounds. They and their families are struggling to cope with the effects of deployment-related stress and traumatic brain injury. In New England alone, an estimated 50,000 Iraq and Afghanistan veterans experience invisible wounds related to combat, often requiring rigorous, individualized care.

The Department of Veterans' Affairs plans to hire an additional 1,900 mental health staffers across the country. This is a promising start, but the increasing demand for mental health services, delays in mental health treatment and appointments, and the growing divide between mental health specialists and veterans requires that we do more.

Thankfully, in New England, concerned citizens are not standing on the sideline waiting for the VA to solve the problem. They are coming together around our veterans and their families right now to provide them with the support they need.

The Run to Home Base Program offers our heroes and their families a place to turn. Developed through a collaborative effort of The Red Sox Foun-

dation and Massachusetts General Hospital, veterans have an opportunity to receive the compassionate support they deserve from trained mental health caregivers. The Run to Home Base Program is a perfect example of the kind of unique partnerships and innovative approaches that are sure to provide our newest generation of veterans with the world-class care that their selfless sacrifices deserve.

I have been proud to participate for the past 2 years in the Run-Walk to Home Base at Fenway Park in Boston. This year's event in May raised over \$7 million for the cause, a remarkable showing of support for our Nation's heroes. Imagine what could be done for other veterans and their families around our country if this inspiring model were to spread. We have an obligation to honor our veterans and their families through timely, predictable and effective care and compensation. Thanks to the Run to Home Program, many in New England are making a difference to better serve our veterans today.●

REMEMBERING MARY LOUISE RASMUSON

● Ms. MURKOWSKI. Mr. President, today I wish to honor Mary Louise Rasmuson, who passed away on July 30, 2012, in Anchorage, AK. She was an Alaskan pioneer in every sense of the word—as a trailblazer in Alaska soon after statehood, to serving in the military, creating pathways for Alaskan access to better health and living conditions, and as an advocate of stronger education and culture. I have known Mary Louise my entire life. She was a warm, gracious woman with a boundless capacity to give herself and energy to causes that impact every one of us.

Mary Louise was born in East Pittsburgh, PA, on April 11, 1911. Her father, George Milligan, died when she was 12. Her mother, Alice, emigrated from France at the age of 16. Mary Louise remained close to her mother and her brothers, George and Malcolm, for the rest of their lives. She enrolled in the Margaret Morrison Carnegie College, graduating with a bachelor's degree in education, and later earned a master's in school administration from the University of Pittsburgh. Mary Louise also received an honorary doctor of laws degree from the Carnegie Institute of Technology. She was one of the first two women to receive this degree.

In 1942, as the United States entered World War II, Mary Louise left her job as an assistant principal in a school district near Pittsburgh and became a member of the first class of the new Women's Army Corp. She rose quickly through the ranks, and in 1957 became the fifth Commandant, a position she occupied for 6 years as an appointee of President Eisenhower and President Kennedy. During her 20 years of service, she was awarded multiple medals

and honors. As director of the Women's Army Corp unit, military historians credit her with major achievements, including increasing the Women's Army Corp's strength, insisting on effectiveness in command, working with Congress to amend laws that deprived women of service credit and benefits, and expanding the range of military opportunities open to women. At one event honoring her, former U.S. Secretary of Defense William Perry said, "When you hear about women seizing new opportunities to serve, remember that they march behind Colonel Rasmuson."

On November 4, 1961, she married Elmer E. Rasmuson, chairman of the National Bank of Alaska and a civilian aide in Alaska to the Secretary of Defense. She announced that she would retire from the Women's Army Corp as of July 31, 1962. In 1962, a civilian once more, Mary Louise Rasmuson moved to Anchorage with her husband. The city had perhaps 50,000 residents at the time. She quickly became active in civic affairs, and together Mary Louise and Elmer formed a dynamic team that was influential in the developing State. Mary Louise quickly adapted to life in Alaska and became active in community groups. She was a member of the Veterans of Foreign Wars and several other military organizations, the American Association of University Women, Zonta, Rotary Wives, Pioneers of Alaska, Anchorage Women's Club, League of Women Voters, Anchorage Republican Women's Club, Alaska Native Sisterhood, and National Association for the Advancement of Colored People, among other groups.

In 1967, Mary Louise began what would become 45 years of service on the board of the Rasmuson Foundation, a board whose mission is to support Alaskan nonprofit organizations to help them become more efficient and effective in improving the quality of life for Alaskans. She maintained an active role in the affairs of the foundation and regularly attended board meetings until her late nineties. In addition to helping direct millions of dollars in grants to Alaska nonprofit organizations through the foundation, she expressed her own philanthropy to institutions like Providence Healthcare in Alaska, Brother Francis Shelter, and the Alaska Native Heritage Center.

Perhaps her most visible impact on Alaska came from her service as head of the Municipality of Anchorage Historical and Fine Arts Commission and later as chair of the Anchorage Museum Foundation. Her vision, passion, and personal effort led to the creation of the Anchorage Museum of Art and History in 1968.

Mary Louise was intelligent, diplomatic, principled, ethical, gentle, and firm. She spent her life breaking barriers, challenging conventions, and seeking to improve opportunities for

those around her. Her impact can be felt virtually everywhere in Alaska, whether improving the position of families, founding a world-class museum, enhancing health care research, or advancing education of Alaska Native cultures on a national stage. Her contributions have reached every corner of Alaska.

I join all Alaskans in paying my respects and honoring the extraordinary life of Mary Louise Rasmuson and know that for generations to come, everyone who walks into the Anchorage Museum bearing her name will be doing the same. May she rest in peace.●

RECOGNIZING SHUCKS MAINE LOBSTER

● Ms. SNOWE. Mr. President, my home State has a worldwide reputation of excellence in the seafood industry. The natural blessings of our rich, rugged coast coupled with our fishermen's hard work and commitment to quality is a recipe for success. Maine's seafood industry has blossomed to prestige and is known for its superior product. This reputation has been cultivated by Maine's industry leaders through years of careful quality control and efforts to foster brand recognition. I rise today to commend one such company—Shucks Maine Lobster of Richmond, ME that exhibits the ingenuity and innovative spirit so characteristic of the small businesses in Maine.

Founded in 2007 by CEO John Hathaway, Shucks Maine Lobster is a seafood processing company with an inventive solution to the most common predicament with lobster—extracting the meat is so much work. Buying wild-caught lobster straight from local fishermen, Shucks then processes the whole lobster using highly pressurized water to loosen the shell from the meat. The lobsters are then carefully shucked by hand and packaged in a vacuum-sealed container for freshness and extended refrigerator shelf life. This allows for the lobster meat to be extracted whole—no easy feat, I assure you. This unique method yields fresh, never cooked, preshucked lobster meat that is now available on a large commercial scale.

It is through the exceptional effort of companies such as Shucks Maine Lobster that Maine's seafood industry has garnered its world renowned reputation for premium quality products. The worldwide acclaim Shucks Maine Lobster continues to receive at international food shows and chef competitions adds to the long tradition of Maine's superior seafood. Their well-deserved accolades also promote Maine as a brand. By producing such a delicious and more user-friendly way to enjoy Maine's fresh lobster, Shucks introduces and expands to new markets and furthers the positive reputation of all Maine seafood.

The creativity, dedication, and can-do spirit, so characteristic of Maine entrepreneurs, can be seen at Shucks Maine Lobster in abundance. From a small lobster shack in Kennebunkport to a leader in the frozen lobster industry, Shucks has seen both the challenges and rewards of seeing an opportunity and sailing towards it. I commend Shucks Maine Lobster for all their success and wish them well in the future.●

TRIBUTE TO JUDGE HOWARD A. DAWSON, JR.

● Mr. PRYOR. Mr. President, today I wish to pay tribute to Howard A. Dawson, Jr., a native son of the State of Arkansas, and his lifetime of exemplary service to our Nation.

On August 21, 2012, Judge Dawson will celebrate the 50th anniversary of his appointment to the U.S. Tax Court. He is the longest serving judge in the history of the court, and one of only four Federal judges appointed by President Kennedy who continue to serve on the bench today. His longevity is remarkable, but his achievements are even more so.

Judge Dawson hails from Okolona, AR, and comes from a long line of educators—parents, uncles, and grandparents—who made their mark in Arkansas as teachers, school superintendents, and State Education Department officials.

Judge Dawson's earliest Federal service had some ups and downs. Senator Hattie Caraway—the first woman Senator from Arkansas and the first woman in the country elected to serve a full term as a Senator—facilitated his appointment as an elevator operator in what is now the Russell Senate Office Building. Since then, however, Judge Dawson's career has been "all ups."

As a young captain in the U.S. Army in World War II, Judge Dawson served in France and Germany. After graduation from law school in 1949 and a brief stint in private practice, Judge Dawson joined the Internal Revenue Service Office of Chief Counsel and held a series of increasingly responsible positions, rising to assistant chief counsel, administration, at the time of his appointment to the Tax Court bench in 1962.

At the court in the late 1960s, Judge Dawson worked with his mentor, fellow Arkansan, and chairman of the powerful House Committee on Ways and Means, Congressman Wilbur D. Mills, to help shape legislation that reformed the Tax Code and the U.S. Tax Court. Judge Dawson also worked to establish the small tax case procedure, which has made the arcane world of tax litigation accessible to self-represented taxpayers, and he became the first judge in charge of the small tax case division.

During his five decades of service to the Tax Court, Judge Dawson's colleagues have three times chosen him as their chief judge. His work ethic is legendary, and he has authored some 1,200 opinions. But his contributions go far beyond his legal opinions, for with kindness, patience, and humor he has made his mark on the lives and careers of many at the court as colleague, mentor, and friend.

Judge Dawson has been supported in this work by his wife of more than 66 years, Marianne Dawson. Judge Dawson exemplifies the very best qualities of both a jurist and a public servant, and it is with great pleasure that I rise to salute him today.●

TRIBUTE TO JUDGE HOWARD A. DAWSON, JR.

● Mr. BOOZMAN. Mr. President, today I wish to honor the longest serving judge in the history of the U.S. Tax Court—Judge Howard A. Dawson, Jr.—who will mark his 50th year as a Federal judge on August 21, 2012.

Judge Dawson, a native of Okolona, AR, comes from a family of Arkansas educators. Because of his groundbreaking work to unify many rural schools in Arkansas, Judge Dawson's father was dubbed "Dr. Rural Education." That reputation earned Judge Dawson's father a position within the Department of Interior and the family relocated to Washington, DC.

Judge Dawson started his Federal service right here at the U.S. Capitol complex. A fellow Arkansan, Hattie Caraway—the first woman to win election to the U.S. Senate—helped Judge Dawson get a job as an elevator operator in what is now the Russell Senate Office Building.

During World War II, Judge Dawson served as a captain in the U.S. Army, where he was stationed in France and Germany. After the war, he earned his law degree at George Washington University School of Law. Judge Dawson eventually joined the Internal Revenue Service Office as chief of counsel after a brief time working in private practice. In 1962, Judge Dawson was appointed to the Tax Court bench by President John F. Kennedy.

Well respected among his peers, Judge Dawson was chosen to be chief judge three times during his five-decade tenure. He has authored over 1,200 opinions, but he is also known for contributions that extend beyond his legal writings.

As a judge, Dawson worked with fellow Arkansan, Wilbur Mills, to help shape the legislation that created today's U.S. Tax Court as an independent judicial body under article I of the Constitution.

In order to help self-represented taxpayers, Judge Dawson worked to establish the small tax case procedure to simplify and allow tax litigation to be

more accessible. He became the first judge in charge of the small tax case division.

I would like to recognize Judge Howard A. Dawson, Jr., for his commendable service as a Federal judge. I am proud of his contribution to our Nation and to the Natural State.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 12:03 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 5986. An act to amend the African Growth and Opportunity Act to extend the third-country fabric program and to add South Sudan to the list of countries eligible for designation under that Act, to make technical corrections to the Harmonized Tariff Schedule of the United States relating to the textile and apparel rules of origin for the Dominican Republic-Central America-United States Free Trade Agreement, to approve the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, and for other purposes.

ENROLLED BILLS SIGNED

The President pro tempore (Mr. INOUE) reported that he had signed the following enrolled bills, previously signed by the Speaker of the House:

S. 679. An act to reduce the number of executive positions subject to Senate confirmation.

S. 1959. An act to require a report on the designation of the Haqqani Network as a foreign terrorist organization and for other purposes.

At 2:52 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 897. An act to provide authority and sanction for the granting and issuance of programs for residential and commuter toll, user fee and fare discounts by States, municipalities, other localities, and all related agencies and departments, and for other purposes.

H.R. 1171. An act to reauthorize and amend the Marine Debris Research, Prevention, and Reduction Act.

H.R. 1402. An act to authorize the Architect of the Capitol to establish battery recharging stations for privately owned vehicles in parking areas under the jurisdiction of the House of Representatives at no net cost to the Federal Government.

H.R. 1550. An act to direct the Attorney General to give priority in the allocation of Federal law enforcement personnel and resources to States and local jurisdictions that have a high incidence of homicide or other violent crime.

H.R. 1950. An act to enact title 54, United States Code, "National Park System", as positive law.

H.R. 2446. An act to clarify the treatment of homeowner warranties under current law, and for other purposes.

H.R. 3120. An act to amend the Immigration and Nationality Act to require accreditation of certain educational institutions for purposes of a nonimmigrant student visa, and for other purposes.

H.R. 3158. An act to direct the Administrator of the Environmental Protection Agency to change the Spill Prevention, Control, and Countermeasure rule with respect to certain farms.

H.R. 3187. An act to require the Secretary of the Treasury to mint coins in recognition and celebration of the 75th anniversary of the establishment of the March of Dimes Foundation.

H.R. 3706. An act to create the Office of Chief Financial Officer of the Government of the Virgin Islands, and for other purposes.

H.R. 3796. An act to reauthorize certain programs established by the Adam Walsh Child Protection and Safety Act of 2006.

H.R. 4073. An act to authorize the Secretary of Agriculture to accept the quitclaim, disclaimer, and relinquishment of a railroad right of way within and adjacent to Pike National Forest in El Paso County, Colorado, originally granted to the Mt. Manitou Park and Incline Railway Company pursuant to the Act of March 3, 1875.

H.R. 4104. An act to require the Secretary of the Treasury to mint coins in recognition and celebration of the Pro Football Hall of Fame

H.R. 4273. An act to clarify that compliance with an emergency order under section 202(c) of the Federal Power Act may not be considered a violation of any Federal, State, or local environmental law or regulation, and for other purposes.

H.R. 4362. An act to provide effective criminal prosecutions for certain identity thefts, and for other purposes.

H.R. 4365. An act to amend title 5, United States Code, to make clear that accounts in the Thrift Savings Fund are subject to certain Federal tax levies.

H.R. 5797. An act to exempt the owners and operators of vessels operating on Mille Lacs Lake, Minnesota, from certain Federal requirements.

H.R. 6029. An act to amend title 18, United States Code, to provide for increased penalties for foreign and economic espionage, and for other purposes.

H.R. 6062. An act to reauthorize the Edward Byrne Memorial Justice Assistance Grant Program through fiscal year 2017.

H.R. 6063. An act to amend title 18, United States Code, with respect to child pornography and child exploitation offenses.

The message also announced that the House has passed the following bills, without amendment:

S. 270. An act to direct the Secretary of the Interior to convey certain Federal land to Deschutes County, Oregon.

S. 271. An act to require the Secretary of Agriculture to enter into a property conveyance with the city of Wallowa, Oregon, and for other purposes.

S. 739. An act to authorize the Architect of the Capitol to establish battery recharging stations for privately owned vehicles in parking areas under the jurisdiction of the Senate at no net cost to the Federal Government.

S. 3363. An act to provide for the use of National Infantry Museum and Soldier Center Commemorative Coin surcharges, and for other purposes.

The message further announced that the house passed the following act, with an amendment, in which it requests the concurrence of the Senate:

S. 300. An act to prevent abuse of Government charge cards.

The message also announced that the House agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 135. Concurrent resolution authorizing the use of the rotunda of the Capitol for the presentation of the Congressional Gold Medal to Daw Aung San Suu Kyi, in recognition of her leadership and perseverance in the struggle for freedom and democracy in Burma.

ENROLLED BILLS SIGNED

At 5:52 p.m., a message from the House of Representatives, delivered by Mr. Novotny, announced that the Speaker has signed the following enrolled bills:

S. 270. An act to direct the Secretary of the Interior to convey certain Federal land to Deschutes County, Oregon.

S. 271. An act to require the Secretary of Agriculture to enter into a property conveyance with the city of Wallowa, Oregon, and for other purposes.

S. 739. An act to authorize the Architect of the Capitol to establish battery recharging stations for privately owned vehicles in parking areas under the jurisdiction of the Senate at no net cost to the Federal Government.

S. 3363. An act to provide for the use of National Infantry Museum and Soldier Center Commemorative Coin surcharges, and for other purposes.

H. R. 1369. An act to designate the facility of the United States Postal Service located at 1021 Pennsylvania Avenue in Hartshorne, Oklahoma, as the "Warren Lindley Post Office".

H.R. 1560. An act to amend the Ysleta del Sur Pueblo and Alabama and Coushatta Indian Tribes of Texas Restoration Act to allow the Ysleta de Sur Pueblo Tribe to determine blood quantum requirement for membership in that tribe.

H.R. 1627. An act to amend title 38, United States Code, to furnish hospital care and medical services to veterans who were stationed at Camp Lejeune, North Carolina, while the water was contaminated at Camp Lejeune, to improve the provision of housing assistance to veterans and their families, and for other purposes.

H.R. 1905. An act to strengthen Iran sanctions laws for the purpose of compelling Iran to abandon its pursuit of nuclear weapons and other threatening activities, and for other purposes.

H.R. 3276. An act to designate the facility of the United States Postal Service located at 2810 East Hillsborough Avenue in Tampa,

Florida, as the "Reverend Abe Brown Post Office Building".

H.R. 3412. An act to designate the facility of the United States Postal Service located at 1421 Veterans Memorial Drive in Abbeville, Louisiana, as the "Sergeant Richard Franklin Abshire Post Office Building".

H.R. 3501. An act to designate the facility of the United States Postal Service located at 125 Kerr Avenue in Rome City, Indiana, as the "SPC Nicholas Scott Hartge Post Office".

H.R. 3772. An act to designate the facility of the United States Postal Service located at 150 South Union Street in Canton, Mississippi, as the "First Sergeant Landres Cheeks Post Office Building".

The enrolled bills were subsequently signed by the President pro tempore (Mr. INOUE).

ENROLLED BILL SIGNED

At 5:52 p.m., a message from the House of Representatives, delivered by Mrs. Cole, announced that the Speaker has signed the following enrolled bill:

H.R. 5986. An act to amend the African Growth and Opportunity Act to extend the third-country fabric program and to add South Sudan to the list of countries eligible for designation under that Act, to make technical corrections to the Harmonized Tariff Schedule of the United States relating to the textile and apparel rules of origin for the Dominican Republic-Central America-United States Free Trade Agreement, to approve the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, and for other purposes.

The enrolled bill was subsequently signed by the President pro tempore (Mr. INOUE).

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 897. An act to provide authority and sanction for the granting and issuance of programs for residential and commuter toll, user fee and fare discounts by States, municipalities, other localities, and all related agencies and departments, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 1171. An act to reauthorize and amend the Marine Debris Research, Prevention, and Reduction Act; to the Committee on Commerce, Science, and Transportation.

H.R. 1550. An act to direct the Attorney General to give priority in the allocation of Federal law enforcement personnel and resources to States and local jurisdictions that have a high incidence of homicide or other violent crime; to the Committee on the Judiciary.

H.R. 1950. An act to enact title 54, United States Code, "National Park System", as positive law; to the Committee on the Judiciary.

H.R. 2446. An act to clarify the treatment of homeowner warranties under current law, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 3120. An act to amend the Immigration and Nationality Act to require accreditation of certain educational institutions for purposes of a nonimmigrant student visa, and for other purposes; to the Committee on the Judiciary.

H.R. 3158. An act to direct the Administrator of the Environmental Protection

Agency to change the Spill Prevention, Control, and Countermeasure rule with respect to certain farms; to the Committee on Environment and Public Works.

H.R. 3706. An act to create the Office of Chief Financial Officer of the Government of the Virgin Islands, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 3796. An act to reauthorize certain programs established by the Adam Walsh Child Protection and Safety Act of 2006; to the Committee on the Judiciary.

H.R. 4273. An act to clarify that compliance with an emergency order under section 202(c) of the Federal Power Act may not be considered a violation of any Federal, State, or local environmental law or regulation, and for other purposes; to the Committee on Environment and Public Works.

H.R. 4362. An act to provide effective criminal prosecutions for certain identity thefts, and for other purposes; to the Committee on the Judiciary.

H.R. 4365. An act to amend title 5, United States Code, to make clear that accounts in the Thrift Savings Fund are subject to certain Federal tax levies; to the Committee on Homeland Security and Governmental Affairs.

H.R. 5797. An act to amend title 46, United States Code, with respect to Mille Lacs Lake, Minnesota, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 6062. An act to reauthorize the Edward Byrne Memorial Justice Assistance Grant Program through fiscal year 2017; to the Committee on the Judiciary.

H.R. 6063. An act to amend title 18, United States Code, with respect to child pornography and child exploitation offenses; to the Committee on the Judiciary.

MEASURES PLACED ON THE CALENDAR

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 6029. An act to amend title 18, United States Code, to provide for increased penalties for foreign and economic espionage, and for other purposes.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 3519. A bill to require sponsoring Senators to pay the printing costs of ceremonial and commemorative Senate resolutions.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, August 2, 2012, she had presented to the President of the United States the following enrolled bills:

S. 679. An Act to reduce the number of executive positions subject to Senate confirmation.

S. 1959. An Act to require a report on the designation of the Haqqani Network as a foreign terrorist organization and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with

accompanying papers, reports, and documents, and were referred as indicated:

EC-7101. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Air Traffic Service Routes; Southwestern United States" ((RIN2120-AA66) (Docket No. FAA-2012-0287)) received in the Office of the President of the Senate on July 31, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7102. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class D Airspace and Amendment of Class E Airspace; East Hampton, NY" ((RIN2120-AA66) (Docket No. FAA-2012-0217)) received in the Office of the President of the Senate on July 31, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7103. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Area Navigation (RNAV) Routes; Southwestern United States" ((RIN2120-AA66) (Docket No. FAA-2012-0286)) received in the Office of the President of the Senate on July 31, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7104. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc. Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-0271)) received in the Office of the President of the Senate on July 31, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7105. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Eurocopter Deutschland GmbH Helicopters" ((RIN2120-AA64) (Docket No. FAA-2012-0704)) received in the Office of the President of the Senate on July 31, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7106. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Turbomeca S.A. Turboshaft Engines" ((RIN2120-AA64) (Docket No. FAA-2012-0057)) received in the Office of the President of the Senate on July 31, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7107. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Various Transport Category Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-0102)) received in the Office of the President of the Senate on July 31, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7108. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; PZL Swidnik S.A. Helicopters" ((RIN2120-AA64) (Docket No. FAA-2012-0703)) received in the Office of the President of the Senate on July 31, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7109. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; BAE SYSTEMS (OPERATIONS) LIMITED Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-0189)) received in the Office of the President of the Senate on July 31, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7110. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Boeing Vertol (Type Certificate Currently Held by Columbia Helicopters, Inc. (CHI)) and Kawasaki Heavy Industries, Limited Helicopters (Kawasaki)" ((RIN2120-AA64) (Docket No. FAA-2012-0730)) received in the Office of the President of the Senate on July 31, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7111. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2011-0304)) received in the Office of the President of the Senate on July 31, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7112. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-0149)) received in the Office of the President of the Senate on July 31, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7113. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-0104)) received in the Office of the President of the Senate on July 31, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7114. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulation for Marine Events; Temporary Change of Dates for Recurring Marine Events in the Fifth Coast Guard District, Ocean City Maryland Offshore Grand Prix, Ocean City, MD" ((RIN1625-AA08) (Docket No. USCG-2012-0046)) received in the Office of the President of the Senate on August 1, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7115. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Restricted Areas R-5402, R-5403A, R-5403B, R-5403C, R-5403D, R-5403E, and R-5403F; Devils Lake, ND" ((RIN2120-AA66) (Docket No. FAA-2011-0117)) received in the Office of the President of the Senate on July 31, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7116. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United

States; Atlantic Mackerel, Squid, and Butterfish Fisheries; Closure of the 2012 Tri-mester 2 Directed Longfin Squid Fishery" ((RIN0648-XC098) received in the Office of the President of the Senate on August 1, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7117. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pelagic Shelf Rockfish in the Western Regulatory Area of the Gulf of Alaska" ((RIN0648-XC093) received in the Office of the President of the Senate on August 1, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7118. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Marine Recreational Fisheries of the United States; National Saltwater Angler Registry and State Exemption Program" ((RIN0648-BB49) received in the Office of the President of the Senate on August 1, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7119. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the Western Regulatory Area of the Gulf of Alaska" ((RIN0648-XC109) received in the Office of the President of the Senate on August 1, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7120. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Northern Rockfish in the Western Regulatory Area of the Gulf of Alaska" ((RIN0648-XC094) received in the Office of the President of the Senate on August 1, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7121. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Arrowtooth Flounder, Flathead Sole, Rex Sole, Deep-Water Flatfish, and Shallow-Water Flatfish in the Gulf of Alaska Management Area" ((RIN0648-XC110) received in the Office of the President of the Senate on August 1, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7122. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Adjustment of Georges Bank Yellowtail Flounder Annual Catch Limits" ((RIN0648-X077) received in the Office of the President of the Senate on August 1, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7123. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Shallow-Water Species Fishery by Vessels Using Trawl Gear in the Gulf of Alaska" ((RIN0648-XC112) received in the Office of the President of the Senate on August 1, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7124. A joint communication from the Vice Chairman of the Joint Chiefs of Staff and the Under Secretary of Defense (Intelligence), transmitting, pursuant to law, a report relative to maintaining the EP-3E Airborne Reconnaissance Integrated Electronic System II and the Special Projects Aircraft platform in a manner that meets the intelligence, surveillance and reconnaissance requirements of the Commanders of the Combatant Commands; to the Committee on Armed Services.

EC-7125. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Changes in Flood Elevation Determinations" ((44 CFR Part 65) (Docket No. FEMA-2012-0003)) received in the Office of the President of the Senate on August 1, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC-7126. A communication from the Acting Secretary of Commerce, transmitting, pursuant to law, a report relative to the export to the People's Republic of China of an item not detrimental to the U.S. space launch industry; to the Committee on Foreign Relations.

EC-7127. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2012-0085—2012-0096); to the Committee on Foreign Relations.

EC-7128. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program; Hospital Inpatient Prospective Payment Systems for Acute Care Hospitals and the Long-Term Care Hospital Prospective Payment System and Fiscal Year 2013 Rates; Hospitals' Resident Caps for Graduate Medical Education Payment Purposes; Quality Reporting Requirements for Specific Providers and for Ambulatory Surgical Centers" (RIN0938-AR12) received in the Office of the President of the Senate on August 31, 2012; to the Committee on Finance.

EC-7129. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-399, "Walter Reed Army Medical Center Base Realignment and Closure Homeless Assistance Submission Approval Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-7130. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-400, "Heat Wave Safety Temporary Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-7131. A joint communication from the Deputy Secretary, Department of Veterans Affairs, and the Acting Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, a report relative to the activities and accomplishments of the Department of Veterans Affairs and Department of Defense Joint Executive Council for fiscal year 2011; to the Committee on Veterans' Affairs.

EC-7132. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Changes in Flood Elevation Determinations" ((44 CFR Part 65) (Docket

No. FEMA-2012-0003)) received in the Office of the President of the Senate on August 1, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC-7133. A communication from the Director of Legislative Affairs, Legal Office, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the report of a rule entitled "Permissible Investments for Federal and State Savings Associations: Corporate Debt Securities" (RIN3064-AD88) received in the Office of the President of the Senate on August 1, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC-7134. A communication from the Acting Director, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a notification of the President's intent to exempt all military personnel accounts from sequester for fiscal year 2013, if sequester is necessary; to the Committee on the Budget.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-129. A concurrent resolution adopted by the General Assembly of the State of Ohio designating Central State University as Ohio's 1890 land grant university and requesting that the United States Congress pass legislation and the United States Department of Agriculture take steps to recognize that designation and provide the institution with all of the benefits of the designation; to the Committee on Agriculture, Nutrition, and Forestry.

SENATE CONCURRENT RESOLUTION No. 30

Whereas, the United States Congress enacted and the President of the United States signed into law the Morrill Act of 1862 permitting each state to designate at least one institution as a "land grant" college or university where the leading object is the teaching of agriculture and the mechanic arts, initially endowing such institution with a grant of land or scrip for the receiving state to sell and invest on behalf of the institution; and

Whereas, the United States Congress enacted and the President of the United States signed into law the Second Morrill Act of 1890 to extend access to higher education by providing sustained federal support for all land grant institutions and to expand and enhance educational opportunities in agriculture and the mechanic arts for Black Americans; and

Whereas, the State of Ohio established The Ohio State University as the state's land grant university under the Morrill Act of 1862 in order to provide excellent educational opportunities to all Ohioans; and

Whereas, the State of Ohio, in 1887, created the Combined Normal and Industrial Department of Wilberforce University to provide teacher training and vocational education open to all qualified applicants of good and moral character; and

Whereas, Central State University is the successor of that institution and continues to provide baccalaureate and graduate educational opportunities in a wide variety of agriculture-related disciplines; and

Whereas, Central State University is Ohio's only public historically Black college or university; and

Whereas, Central State University and its predecessor institutions have made the same extraordinary contributions to the education

of African Americans in the State of Ohio as other 1890 universities have made in their respective states; and

Whereas, the Ohio General Assembly desires to designate Central State University as an 1890 land grant university under the Second Morrill Act; therefore be it

Resolved, That we, the members of the 129th General Assembly of Ohio, in adopting this Resolution, designate Central State University as a land grant university under the Second Morrill Act of 1890 and request that the United States Congress pass legislation, and the United States Department of Agriculture take the necessary steps, to recognize that designation and to provide Central State University with all of the benefits of such designation; and be it further

Resolved, That the Clerk of the Senate transmit a duly authenticated copy of this Resolution to the Secretary of the United States Department of Agriculture, the Speaker, Majority Leader, and Minority Leader of the United States House of Representatives, and the President Pro Tempore, Majority Leader, and Minority Leader of the United States Senate.

POM-130. A resolution adopted by the House of Representatives of the State of Illinois urging the President and Congress to begin an expedited withdrawal of forces from Afghanistan; to the Committee on Armed Services.

HOUSE RESOLUTION No. 824

Whereas, the United States of America was attacked in a well-coordinated operation by a group of terrorists on September 11, 2001; and

Whereas, almost 3,000 innocent men, women, and children were killed as a result of the airplanes that were hijacked by the terrorists and subsequently crashed into the World Trade Center, the Pentagon, and an open field in Shanksville, Pennsylvania; and

Whereas, the terrorists were proven to be members of the terrorist organization known as al-Qaeda, which was led by Osama bin Laden; and

Whereas, the al-Qaeda terrorist organization had operated for years from sanctuary locations based in Afghanistan; the group conducted numerous acts of terror over the years against U.S. targets both on the U.S. mainland and in other locations throughout the world, which had been planned in those sanctuary locations; and

Whereas, in order to disrupt and destroy the al-Qaeda terrorist organization and capture or eliminate its leaders, it was necessary to attack the organization's sanctuary bases; and

Whereas, in October of 2001, the United States military, acting under orders issued by Commander-in-Chief President George W. Bush, attacked al-Qaeda sanctuary bases in Afghanistan in conjunction with local Afghan forces opposed to the terrorist organization operating in their country; and

Whereas, the United States military, in the finest traditions of America's fighting forces, had great success in disrupting, dispersing, and destroying al-Qaeda operations and eliminating many of its senior leaders; and

Whereas, President Barack Obama, succeeding President Bush as Commander-in-Chief, did continue and strengthen the efforts to completely destroy al-Qaeda; such efforts resulted in the killing of Osama bin Laden, the leader of al-Qaeda, bringing the world's leading terrorist to justice for the many acts of murder which he and his organization carried out; and

Whereas, the United States, having joined forces with nations from around the world, led an effort to stabilize Afghanistan by supporting infrastructure projects beneficial to all Afghans and by helping the Afghans understand the positive benefits of equal rights for all, judicial due process, and the rule of law; and

Whereas, after more than a decade of extended military operations to enhance security and with contributions of hundreds of billions of dollars of nation-building resources having been put into the country to foster development, much progress has been made toward the goals of a free and secure society within Afghanistan; and

Whereas, while this progress has come at a high financial cost, it has also cost the lives of more than 1,500 brave American service members and dozens of fighting forces of other nations, all of whom made the ultimate sacrifice in service to their country; and

Whereas, despite this progress, it appears from recent events involving all the International Security Assistance Forces (ISAF) that the presence of the United States military and that of other countries, as well as the civilian consultants that are working to help the Afghan people, has not been accepted by a broad spectrum of the Afghanistan population; and

Whereas, this lack of acceptance places all foreign military and civilian consultant personnel in grave danger, which results in an inability for those personnel to properly conduct the types of operations in which they are engaged; and

Whereas, there is already in place a plan to withdraw most forces from Afghanistan in the 2014 time frame; therefore, be it

Resolved, by the House of Representatives of the Ninety-Seventh General Assembly of the State of Illinois, That we urge the President and Congress to begin an expedited withdrawal of forces from Afghanistan, to the fullest extent possible consistent with strategic military objectives, thus accelerating the current withdrawal plan set in place; and be it further

Resolved, That suitable copies of this resolution be sent to the President, the Speaker of the United States House of Representatives, and the President pro tempore of the United States Senate.

POM-131. A resolution adopted by the Pecos River Commission requesting that Congress fully fund the National Streamflow Information Program (NSIP) gages associated with the Pecos River Basin and the U.S. Geological Survey place a priority on funding these gages under NSIP; to the Committee on Environment and Public Works.

POM-132. A resolution adopted by the Pecos River Commission requesting that Congress reauthorize the Water Resources Development Act of 2007, Section 5056, and to appropriate sufficient funds to carry out work related to that legislation; to the Committee on Environment and Public Works.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. ROCKEFELLER, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 1956. A bill to prohibit operators of civil aircraft of the United States from participating in the European Union's emissions

trading scheme, and for other purposes (Rept. No. 112-195).

By Mr. INOUE, from the Committee on Appropriations, with an amendment in the nature of a substitute:

H.R. 5856. A bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2013, and for other purposes (Rept. No. 112-196).

By Mr. NELSON of Nebraska, from the Committee on Appropriations, with an amendment in the nature of a substitute:

H.R. 5882. A bill making appropriations for the Legislative Branch for the fiscal year ending September 30, 2013, and for other purposes (Rept. No. 112-197).

By Mr. AKAKA, from the Committee on Indian Affairs, without amendment:

S. 546. A bill to extend the Federal recognition to the Little Shell Tribe of Chippewa Indians of Montana, and for other purposes (Rept. No. 112-198).

By Mr. AKAKA, from the Committee on Indian Affairs, with an amendment in the nature of a substitute:

S. 1065. A bill to settle land claims within the Fort Hall Reservation (Rept. No. 112-199).

By Mr. AKAKA, from the Committee on Indian Affairs, without amendment:

S. 1218. A bill to provide for the recognition of the Lumbee Tribe of North Carolina, and for other purposes (Rept. No. 112-200).

S. 379. A bill to extend Federal recognition to the Chickahominy Indian Tribe, the Chickahominy Indian Tribe—Eastern Division, the Upper Mattaponi Tribe, the Rappahannock Tribe, Inc., the Monacan Indian Nation, and the Nansemond Indian Tribe (Rept. No. 112-201).

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, with an amendment:

S. 772. A bill to protect Federal employees and visitors, improve the security of Federal facilities and authorize and modernize the Federal Protective Service (Rept. No. 112-202).

By Mr. LEAHY, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 225. A bill to permit the disclosure of certain information for the purpose of missing child investigations.

By Mr. LEAHY, from the Committee on the Judiciary, without amendment:

S.J. Res. 44. A joint resolution granting the consent of Congress to the State and Province Emergency Management Assistance Memorandum of Understanding.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. LEAHY for the Committee on the Judiciary.

Thomas M. Durkin, of Illinois, to be United States District Judge for the Northern District of Illinois.

William H. Orrick, III, of the District of Columbia, to be United States District Judge for the Northern District of California.

Jon S. Tigar, of California, to be United States District Judge for the Northern District of California.

By Mrs. MURRAY for the Committee on Veterans' Affairs.

*Thomas Skerik Sowers II, of Missouri, to be an Assistant Secretary of Veterans Affairs (Public and Intergovernmental Affairs).

*Nomination was reported with recommendation that it be confirmed sub-

ject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mrs. MCCASKILL (for herself and Ms. AYOTTE):

S. 3481. A bill to appropriately limit the authority to award bonuses to employees and to require approval of high cost Government conferences and reporting regarding Government conferences; to the Committee on Homeland Security and Governmental Affairs.

By Mr. LEE (for himself, Mr. PAUL, Mr. DEMINT, Mr. COBURN, Mr. BLUNT, Mr. RISCH, Mr. TOOMEY, Mr. GRAHAM, Mr. ISAKSON, Mr. VITTER, Mr. RUBIO, Mr. CORNYN, Mr. CRAPO, Mr. JOHNSON of Wisconsin, Mr. ALEXANDER, Mr. CHAMBLISS, Mr. BARRASSO, Mr. HATCH, Mr. THUNE, Mr. BOOZMAN, Mr. INHOFE, Mr. WICKER, and Mr. PORTMAN):

S. 3482. A bill to cut, cap, and balance the Federal budget; to the Committee on the Budget.

By Mr. MERKLEY (for himself and Mr. WYDEN):

S. 3483. A bill to amend the Wild and Scenic Rivers Act to adjust the Crooked River boundary, to provide water certainty for the City of Prineville, Oregon, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BROWN of Ohio:

S. 3484. A bill to amend the S.A.F.E. Mortgage Licensing Act of 2008 to provide an exception from the definition of loan originator for certain loans made with respect to manufactured homes, to amend the Truth in Lending Act to modify the definition of a high-cost mortgage, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BROWN of Ohio:

S. 3485. A bill to limit the authority of States to tax certain income of employees for employment duties performed in other States; to the Committee on Finance.

By Mr. LEAHY (for himself and Mr. GRASSLEY):

S. 3486. A bill to implement the provisions of the Hague Agreement and the Patent Law Treaty; to the Committee on the Judiciary.

By Mr. COBURN (for himself, Mr. MANCHIN, Ms. AYOTTE, Mrs. MCCASKILL, Mr. CORNYN, Mr. GRASSLEY, Mr. JOHNSON of Wisconsin, and Mr. PAUL):

S. 3487. A bill to provide for auditable financial statements for the Department of Defense, and for other purposes; to the Committee on Armed Services.

By Mr. BROWN of Ohio:

S. 3488. A bill to amend title 38, United States Code, to provide additional educational assistance under Post-9/11 Educational Assistance to veterans pursuing a degree in science, technology, engineering, or math, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BROWN of Massachusetts:

S. 3489. A bill to protect senior citizens, disabled persons, veterans, and other beneficiaries and customers of the Social Security Administration by performing the process for closure of field offices; to the Committee on Finance.

By Mr. BROWN of Massachusetts (for himself and Mr. LIEBERMAN):

S. 3490. A bill to dedicate funds from the Crime Victims Fund to victims of elder abuse, and for other purposes; to the Committee on the Judiciary.

By Ms. STABENOW:

S. 3491. A bill to cut taxes for innovative businesses that produce renewable chemicals; to the Committee on Finance.

By Mr. TOOMEY (for himself, Mr. CARPER, Mr. MORAN, and Mrs. MCCASKILL):

S. 3492. A bill to provide for exemptions from municipal advisor registration requirements; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. KYL:

S. 3493. A bill to protect first amendment rights of journalists and internet service providers by preventing States and the United States from allowing meritless lawsuits arising from acts in furtherance of those rights, commonly called "Strategic Lawsuits Against Public Participation" or "SLAPPs", and for other purposes; to the Committee on the Judiciary.

By Mr. FRANKEN (for himself, Mrs. MURRAY, and Mr. MENENDEZ):

S. 3494. A bill to amend the Internal Revenue Code of 1986 to qualify formerly homeless individuals who are full-time students for purposes of low income housing tax credit; to the Committee on Finance.

By Mr. ISAKSON (for himself and Mr. RUBIO):

S. 3495. A bill to direct the President to establish an interagency mechanism to coordinate United States development programs and private sector investment activities, and for other purposes; to the Committee on Foreign Relations.

By Mr. COCHRAN (for himself and Mr. WICKER):

S. 3496. A bill to amend title XVIII of the Social Security Act to permit direct payment to pharmacies for certain compounded drugs that are prepared by the pharmacies for a specific beneficiary for use through an implanted infusion pump; to the Committee on Finance.

By Mr. VITTER:

S. 3497. A bill to amend the Financial Stability Act of 2010 to repeal certain designation authority of the Financial Stability Oversight Council, to repeal the Payment, Clearing, and Settlement Supervision Act of 2010, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. CASEY:

S. 3498. A bill to provide humanitarian assistance and support a democratic transition in Syria, and for other purposes; to the Committee on Foreign Relations.

By Mr. SCHUMER (for himself and Mrs. GILLIBRAND):

S. 3499. A bill to amend the Interstate Land Sales Full Disclosure Act to clarify how the Act applies to condominiums; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. CORNYN (for himself, Mr. BARASSO, Mr. COBURN, Mr. INHOFE, Mr. LEE, Ms. MURKOWSKI, Mr. ROBERTS, Mr. VITTER, and Mr. WICKER):

S. 3500. A bill to amend the Endangered Species Act of 1973 to establish a procedure

for approval of certain settlements; to the Committee on Environment and Public Works.

By Mr. WYDEN (for himself, Mr. PAUL, Mr. MERKLEY, and Mr. SANDERS):

S. 3501. A bill to amend the Controlled Substances Act to exclude industrial hemp from the definition of marihuana, and for other purposes; to the Committee on the Judiciary.

By Mrs. BOXER (for herself and Mrs. FEINSTEIN):

S. 3502. A bill to amend title 49, United States Code, to prohibit rental of motor vehicles under a safety recall because of a defect related to motor vehicle safety or non-compliance with an applicable motor vehicle safety standard until the defect or non-compliance is remedied, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BROWN of Ohio (for himself and Mr. WYDEN):

S. 3503. A bill to amend title 38, United States Code, to improve the provision of work-study allowances by the Secretary of Veterans Affairs to individuals who are pursuing programs of rehabilitation, education, or training under laws administered by the Secretary, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BENNET (for himself, Mr. UDALL of Colorado, Mr. FRANKEN, Mr. AKAKA, Mr. BEGICH, and Ms. KLOBUCHAR):

S. 3504. A bill to help fulfill the Federal mandate to provide higher educational opportunities for Native Americans; to the Committee on Indian Affairs.

By Mrs. SHAHEEN (for herself and Mr. RISCH):

S. 3505. A bill to ensure the efficient use of taxpayer dollars in construction-related contracts for reconstruction efforts in Afghanistan by requiring reporting to Congress by Federal agencies that refuse to implement, or only partially concur with, SIGAR recommendations to seek reimbursement for failure by a contractor or subcontractor to successfully complete a contract due to poor contractor performance, cost overruns, or other reasons; to the Committee on Homeland Security and Governmental Affairs.

By Mr. SANDERS:

S. 3506. A bill to eliminate requirements to undertake duplicative clinical testing of new pharmaceutical drugs, vaccines, biological products, or medical devices, when such duplication is inconsistent with relevant ethical norms; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. HAGAN:

S. 3507. A bill to renew the temporary suspension of duty on ceiling fans for permanent installation; to the Committee on Finance.

By Ms. LANDRIEU (for herself, Mrs. SHAHEEN, and Mr. COONS):

S. 3508. A bill to strengthen resources for entrepreneurs by improving the SCORE program, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Mr. NELSON of Florida:

S. 3509. A bill to amend the Water Resources Development Act of 2000 to provide for expedited project implementation relating to the comprehensive Everglades restoration plan; to the Committee on Environment and Public Works.

By Mr. REID (for himself and Mr. MCCONNELL):

S. 3510. A bill to prevent harm to the national security or endangering the military

officers and civilian employees to whom internet publication of certain information applies, and for other purposes; considered and passed.

By Mr. TESTER (for himself, Mr. BEGICH, and Mr. BROWN of Ohio):

S. 3511. A bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to transport individuals to and from facilities of the Department of Veterans Affairs in connection with rehabilitation, counseling, examination, treatment, and care, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. HOEVEN (for himself, Mr. CONRAD, Mr. BAUCUS, Mr. MCCONNELL, Mr. KOHL, Mr. PORTMAN, Ms. LANDRIEU, Mr. BOOZMAN, Mr. MANCHIN, Mr. BLUNT, Mr. WARNER, Mr. JOHNSON of Wisconsin, Mr. PRYOR, Mr. MORAN, Mrs. MCCASKILL, Mr. ALEXANDER, Mr. NELSON of Nebraska, Mr. TOOMEY, Mr. NELSON of Florida, Mr. GRAHAM, Mr. CASEY, Mr. THUNE, Mr. WEBB, and Mr. HATCH):

S. 3512. A bill to amend subtitle D of the Solid Waste Disposal Act to facilitate recovery and beneficial use, and provide for the proper management and disposal, of materials generated by the combustion of coal and other fossil fuels; to the Committee on Environment and Public Works.

By Mr. REED:

S. 3513. A bill to promote the development of local strategies to coordinate use of assistance under sections 8 and 9 of the United States Housing Act of 1937 with public and private resources, to enable eligible families to achieve economic independence and self-sufficiency, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. ENZI (for himself, Mr. BARASSO, Mr. ROCKEFELLER, Mr. CASEY, and Mr. MANCHIN):

S. 3514. A bill to repeal a limitation on annual payments under the Surface Mining Control and Reclamation Act of 1977; to the Committee on Energy and Natural Resources.

By Mr. MERKLEY (for himself, Mr. WYDEN, and Mr. TESTER):

S. 3515. A bill to amend the Foreign Intelligence Surveillance Act of 1978 to provide additional protections for privacy and for other purposes; to the Committee on the Judiciary.

By Ms. SNOWE:

S. 3516. A bill to encourage spectrum licenses to make unused spectrum available for use by rural and smaller carriers in order to expand wireless coverage; to the Committee on Commerce, Science, and Transportation.

By Mrs. FEINSTEIN (for herself and Mrs. BOXER):

S. 3517. A bill to require the Secretary of the Treasury to mint coins in commemoration of the centennial of the Panama-Pacific International Exposition and the Panama Canal; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. WYDEN:

S. 3518. A bill to make it a principal negotiating objective of the United States in trade negotiations to eliminate government fisheries subsidies, and for other purposes; to the Committee on Finance.

By Mr. DEMINT (for himself, Mr. COBURN, Mr. CORKER, Mr. JOHNSON of Wisconsin, Mr. LEE, Mrs. MCCASKILL, Mr. PAUL, Mr. RISCH, Mr. SESSIONS, and Mr. TOOMEY):

S. 3519. A bill to require sponsoring Senators to pay the printing costs of ceremonial

and commemorative Senate resolutions; read the first time.

By Mr. MERKLEY (for himself, Mr. AKAKA, Mr. BEGICH, Mr. BLUMENTHAL, Mr. FRANKEN, Ms. LANDRIEU, Mr. LAUTENBERG, and Mr. LEVIN):

S. 3520. A bill to require a portion of closing costs to be paid by the enterprises with respect to certain refinanced mortgage loans, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. CORNYN (for himself, Mrs. BOXER, Mr. BOOZMAN, and Mr. DURBIN):

S. Res. 541. A resolution condemning the Government of Vietnam for human rights violations; to the Committee on Foreign Relations.

By Ms. MURKOWSKI (for herself and Mr. BEGICH):

S. Res. 542. A resolution expressing the sense of the Senate that the United States Government should continue to support democracy and human rights in Taiwan following the January 2012 presidential and legislative elections in Taiwan; to the Committee on Foreign Relations.

By Mrs. BOXER (for herself, Mr. LAUTENBERG, Mr. KERRY, Mr. LUGAR, Mr. INHOFE, Mr. CARDIN, Ms. MIKULSKI, Mrs. FEINSTEIN, Mrs. GILLIBRAND, Ms. LANDRIEU, Mr. MERKLEY, Mrs. MURRAY, Mr. RUBIO, Mr. LEAHY, and Mr. KIRK):

S. Res. 543. A resolution to express the sense of the Senate on international parental child abduction; to the Committee on Foreign Relations.

By Mr. MANCHIN (for himself and Mr. COBURN):

S. Res. 544. A resolution congratulating the Navy Dental Corps on its 100th anniversary; considered and agreed to.

By Mr. JOHANNES (for himself and Mr. NELSON of Nebraska):

S. Res. 545. A resolution commemorating the 75th Anniversary of Air Force Weather; considered and agreed to.

By Mrs. MURRAY (for herself, Mr. ALEXANDER, Mr. SANDERS, Mr. WEBB, Mr. WHITEHOUSE, Mr. CARDIN, Mr. JOHNSON of South Dakota, Ms. MURKOWSKI, and Mr. ENZI):

S. Res. 546. A resolution designating the week of September 10, 2012, as "National Adult Education and Family Literacy Week"; considered and agreed to.

By Mrs. BOXER (for herself, Mrs. FEINSTEIN, Ms. SNOWE, Ms. MIKULSKI, Mr. ROCKEFELLER, Mr. NELSON of Florida, Mrs. HUTCHISON, Mr. BOOZMAN, and Mr. COONS):

S. Res. 547. A resolution honoring the life of pioneering astronaut Dr. Sally Ride and expressing the condolences of the Senate on her death; considered and agreed to.

By Mr. REID (for himself and Mr. MCCONNELL):

S. Con. Res. 56. A concurrent resolution providing for a conditional adjournment or recess of the Senate and an adjournment of the House of Representatives; considered and agreed to.

By Mr. ROCKEFELLER:

S. Con. Res. 57. A concurrent resolution expressing the sense of Congress that the cen-

sus surveys and the information derived from those surveys are crucial to the national welfare; to the Committee on Homeland Security and Governmental Affairs.

By Mr. KERRY:

S. Con. Res. 58. A concurrent resolution directing the Clerk of the House of Representatives to make a correction in the enrollment of H.R. 4240; considered and agreed to.

By Mr. REID (for himself and Mr. MCCONNELL):

S. Con. Res. 59. A concurrent resolution providing for a conditional adjournment or recess of the Senate and an adjournment of the House of Representatives; considered and agreed to.

ADDITIONAL COSPONSORS

S. 202

At the request of Mr. PAUL, the names of the Senator from Alabama (Mr. SHELBY) and the Senator from Wyoming (Mr. ENZI) were added as cosponsors of S. 202, a bill to require a full audit of the Board of Governors of the Federal Reserve System and the Federal reserve banks by the Comptroller General of the United States before the end of 2012, and for other purposes.

S. 225

At the request of Ms. KLOBUCHAR, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 225, a bill to permit the disclosure of certain information for the purpose of missing child investigations.

S. 227

At the request of Ms. COLLINS, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 227, a bill to amend title XVIII of the Social Security Act to ensure more timely access to home health services for Medicare beneficiaries under the Medicare program.

S. 645

At the request of Mr. SCHUMER, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 645, a bill to amend the National Child Protection Act of 1993 to establish a permanent background check system.

S. 672

At the request of Mr. ROCKEFELLER, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 672, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

S. 847

At the request of Mr. LAUTENBERG, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 847, a bill to amend the Toxic Substances Control Act to ensure that risks from chemicals are adequately understood and managed, and for other purposes.

S. 1045

At the request of Ms. LANDRIEU, the name of the Senator from New York

(Mrs. GILLIBRAND) was added as a cosponsor of S. 1045, a bill to amend the Public Health Service Act, the Employee Retirement Income Security Act of 1974, and the Internal Revenue Code of 1986 to require that group and individual health insurance coverage and group health plans provide coverage for treatment of a minor child's congenital or developmental deformity or disorder due to trauma, burns, infection, tumor, or disease.

S. 1061

At the request of Mr. BARRASSO, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 1061, a bill to amend title 5 and 28, United States Code, with respect to the award of fees and other expenses in cases brought against agencies of the United States, to require the Administrative Conference of the United States to compile, and make publically available, certain data relating to the Equal Access to Justice Act, and for other purposes.

S. 1265

At the request of Mr. BINGAMAN, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 1265, a bill to amend the Land and Water Conservation Fund Act of 1965 to provide consistent and reliable authority for, and for the funding of, the land and water conservation fund to maximize the effectiveness of the fund for future generations, and for other purposes.

S. 1385

At the request of Mr. VITTER, the names of the Senator from Kansas (Mr. MORAN) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of S. 1385, a bill to terminate the \$1 presidential coin program.

S. 1454

At the request of Mr. DURBIN, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1454, a bill to amend title XVIII of the Social Security Act to provide for extended months of Medicare coverage of immunosuppressive drugs for kidney transplant patients and other renal dialysis provisions.

S. 1526

At the request of Mrs. GILLIBRAND, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 1526, a bill to amend the Internal Revenue Code of 1986 to provide a tax incentive for the installation and maintenance of mechanical insulation property.

S. 1775

At the request of Mr. TESTER, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 1775, a bill to promote the development of renewable energy on public lands and for other purposes.

S. 1880

At the request of Mr. BARRASSO, the name of the Senator from Arkansas

(Mr. BOOZMAN) was added as a cosponsor of S. 1880, a bill to repeal the health care law's job-killing health insurance tax.

S. 1981

At the request of Mr. HELLER, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 1981, a bill to provide that Members of Congress may not receive pay after October 1 of any fiscal year in which Congress has not approved a concurrent resolution on the budget and passed the regular appropriations bills.

S. 1993

At the request of Mr. NELSON of Florida, the names of the Senator from Alaska (Mr. BEGICH), the Senator from Hawaii (Mr. INOUE), the Senator from Michigan (Ms. STABENOW), the Senator from California (Mrs. FEINSTEIN) and the Senator from Massachusetts (Mr. KERRY) were added as cosponsors of S. 1993, a bill to posthumously award a Congressional Gold Medal to Lena Horne in recognition of her achievements and contributions to American culture and the civil rights movement.

S. 2123

At the request of Mr. MENENDEZ, the name of the Senator from Hawaii (Mr. INOUE) was added as a cosponsor of S. 2123, a bill to amend title V of the Social Security Act to extend funding for family-to-family health information centers to help families of children with disabilities or special health care needs make informed choices about health care for their children.

S. 2151

At the request of Mr. MCCAIN, the name of the Senator from Kentucky (Mr. McCONNELL) was added as a cosponsor of S. 2151, a bill to improve information security, and for other purposes.

S. 2272

At the request of Ms. MURKOWSKI, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 2272, a bill to designate a mountain in the State of Alaska as Mount Denali.

S. 2347

At the request of Mr. CARDIN, the names of the Senator from Nevada (Mr. HELLER) and the Senator from Louisiana (Ms. LANDRIEU) were added as cosponsors of S. 2347, a bill to amend title XVIII of the Social Security Act to ensure the continued access of Medicare beneficiaries to diagnostic imaging services.

S. 2374

At the request of Mr. BINGAMAN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 2374, a bill to amend the Helium Act to ensure the expedient and responsible draw-down of the Federal Helium Reserve in a manner that protects the interests of private industry, the scientific, medical, and industrial communities, commercial users, and Federal agencies, and for other purposes.

S. 2620

At the request of Mr. SCHUMER, the name of the Senator from Hawaii (Mr. INOUE) was added as a cosponsor of S. 2620, a bill to amend title XVIII of the Social Security Act to provide for an extension of the Medicare-dependent hospital (MDH) program and the increased payments under the Medicare low-volume hospital program.

S. 3204

At the request of Mr. JOHANNES, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 3204, a bill to address fee disclosure requirements under the Electronic Fund Transfer Act, and for other purposes.

S. 3245

At the request of Mr. LEAHY, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 3245, a bill to extend by 3 years the authorization of the EB-5 Regional Center Program, the E-Verify Program, the Special Immigrant Nonminister Religious Worker Program, and the Conrad State 30 J-1 Visa Waiver Program.

S. 3318

At the request of Mrs. BOXER, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 3318, a bill to amend title 38, United States Code, to prohibit the use of the phrases GI Bill and Post-9/11 GI Bill to give a false impression of approval or endorsement by the Department of Veterans Affairs, and for other purposes.

S. 3325

At the request of Mr. BEGICH, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 3325, a bill to authorize the Secretary of Health and Human Services, acting through the Administrator of the Substance Abuse and Mental Health Services Administration, in coordination with the Secretary of Education, to carry out a 5-year demonstration program to fund mental health first aid training programs at 10 institutions of higher education to improve student mental health.

S. 3332

At the request of Mr. BEGICH, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. 3332, a bill to provide for the establishment of nationally uniform and environmentally sound standards governing discharges incidental to the normal operation of a vessel in the navigable waters of the United States.

S. 3342

At the request of Mr. McCONNELL, his name was added as a cosponsor of S. 3342, a bill to improve information security, and for other purposes.

S. 3370

At the request of Mr. UDALL of New Mexico, the name of the Senator from New Mexico (Mr. BINGAMAN) was added

as a cosponsor of S. 3370, a bill to authorize the Administrator of General Services to convey a parcel of real property in Albuquerque, New Mexico, to the Amy Biehl High School Foundation.

S. 3382

At the request of Mr. GRASSLEY, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 3382, a bill to impose certain limitations on consent decrees and settlement agreements by agencies that require the agencies to take regulatory action in accordance with the terms thereof, and for other purposes.

S. 3394

At the request of Mr. JOHNSON of South Dakota, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 3394, a bill to address fee disclosure requirements under the Electronic Fund Transfer Act, to amend the Federal Deposit Insurance Act with respect to information provided to the Bureau of Consumer Financial Protection, and for other purposes.

S. 3397

At the request of Mr. HATCH, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 3397, a bill to prohibit waivers relating to compliance with the work requirements for the program of block grants to States for temporary assistance for needy families, and for other purposes.

S. 3415

At the request of Mr. INHOFE, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of S. 3415, a bill to require the disclosure of all payments made under the Equal Access to Justice Act.

S. 3456

At the request of Mr. BLUMENTHAL, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 3456, a bill to amend title 18, United States Code, with respect to child pornography and child exploitation offenses.

S. 3457

At the request of Mr. NELSON of Florida, the names of the Senator from Oregon (Mr. WYDEN) and the Senator from New York (Mrs. GILLIBRAND) were added as cosponsors of S. 3457, a bill to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes.

S. 3463

At the request of Mr. FRANKEN, the names of the Senator from Alaska (Mr. BEGICH) and the Senator from Massachusetts (Mr. KERRY) were added as cosponsors of S. 3463, a bill to amend title XVIII of the Social Security Act to reduce the incidence of diabetes among Medicare beneficiaries.

S. 3471

At the request of Mr. RUBIO, the names of the Senator from Tennessee

(Mr. ALEXANDER), the Senator from Georgia (Mr. ISAKSON), the Senator from Louisiana (Mr. VITTER), the Senator from Utah (Mr. LEE) and the Senator from Arkansas (Mr. BOOZMAN) were added as cosponsors of S. 3471, a bill to amend the Internal Revenue Code of 1986 to eliminate the tax on Olympic medals won by United States athletes.

S. 3474

At the request of Mr. MERKLEY, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 3474, a bill to provide consumer protection for students.

S. 3480

At the request of Mr. JOHANNIS, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 3480, a bill to provide end user exemptions from certain provisions of the Commodity Exchange Act and the Securities Exchange Act of 1934.

S.J. RES. 29

At the request of Mr. UDALL of New Mexico, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S.J. Res. 29, a joint resolution proposing an amendment to the Constitution of the United States relating to contributions and expenditures intended to affect elections.

S. CON. RES. 47

At the request of Mr. MENENDEZ, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. Con. Res. 47, a concurrent resolution expressing the sense of Congress on the sovereignty of the Republic of Cyprus over all of the territory of the island of Cypress.

S. CON. RES. 50

At the request of Mr. RUBIO, the name of the Senator from Idaho (Mr. RISCHE) was added as a cosponsor of S. Con. Res. 50, a concurrent resolution expressing the sense of Congress regarding actions to preserve and advance the multistakeholder governance model under which the Internet has thrived.

S. RES. 392

At the request of Mrs. FEINSTEIN, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. Res. 392, a resolution urging the Republic of Turkey to safeguard its Christian heritage and to return confiscated church properties.

AMENDMENT NO. 2653

At the request of Mr. GRAHAM, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of amendment No. 2653 intended to be proposed to S. 3414, a bill to enhance the security and resiliency of the cyber and communications infrastructure of the United States.

AMENDMENT NO. 2732

At the request of Mr. FRANKEN, the names of the Senator from Kentucky

(Mr. PAUL), the Senator from Oregon (Mr. WYDEN), the Senator from New York (Mr. SCHUMER), the Senator from Hawaii (Mr. AKAKA), the Senator from Delaware (Mr. COONS), the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Vermont (Mr. SANDERS), the Senator from New Mexico (Mr. UDALL), the Senator from Oregon (Mr. MERKLEY), the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from Washington (Ms. CANTWELL), the Senator from Alaska (Mr. BEGICH), the Senator from Iowa (Mr. HARKIN), the Senator from Illinois (Mr. DURBIN), the Senator from Montana (Mr. TESTER), the Senator from Virginia (Mr. WEBB) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of amendment No. 2732 proposed to S. 3414, a bill to enhance the security and resiliency of the cyber and communications infrastructure of the United States.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. LEAHY (for himself and Mr. GRASSLEY):

S. 3486. A bill to implement the provisions of the Hague Agreement and the Patent Law Treaty; to the Committee on the Judiciary.

Mr. LEAHY. Mr. President, I am pleased to introduce today legislation that will help American businesses and inventors by reducing obstacles for obtaining patent protection overseas. This bipartisan measure implements two patent law treaties that were signed under President Clinton and submitted for the Senate's advice and consent by President George W. Bush. The Senate voted to ratify the treaties in 2007 without a single Senator in dissent. With this implementing legislation, Congress will complete its work so that the treaties at last can be ratified and go into effect.

Our patent system plays a key role in encouraging innovation and bringing new products to market. The discoveries made by American inventors and research institutions, commercialized by our companies, and protected and promoted by our patent laws, have made our system the envy of the world. But in this global economy, it is not enough to have an effective domestic patent system; we must also help American inventors and businesses to protect their inventions and thrive in markets around the world. Consistent with last year's landmark patent reform legislation, the Leahy-Smith America Invents Act, this legislation will benefit American inventors by implementing two measures to reduce application barriers around the world.

The Hague Agreement Concerning International Registration of Industrial Designs provides a simplified application system for U.S. creators of industrial designs who, by filing a sin-

gle standardized application for a design patent at the U.S. Patent and Trademark Office, can apply for design protection in each country that has ratified the Treaty. American design patent applicants who previously had to file separate applications in numerous countries may now file a single, English-language application at the U.S. Patent Office, reducing the costs and burdens of obtaining international protections. The U.S. Patent Office may also receive applications that have been filed internationally, but its substantive examination process remains unchanged. The standard for obtaining a design patent is not affected. By simplifying the process for American businesses to obtain design patents overseas, the Hague Agreement will reduce barriers for small and mid-size companies to expand into foreign markets.

The Patent Law Treaty also streamlines the process for American businesses seeking patent protection overseas. It limits the formalities different countries can require in patent applications, which are often used to disadvantage American applications in foreign jurisdictions. American businesses and inventors will benefit from harmonized applications, reducing the cost of doing business and encouraging U.S. innovators to protect and export their products internationally.

In June, Director Kappos of the U.S. Patent and Trademark Office testified before the Judiciary Committee about the important need for this implementing legislation, stating that the treaties are "pro-American innovation, pro-global innovation, pro-jobs, pro-opportunity." I agree. I urge the Senate to act quickly on this final step so that the treaties can at last be ratified, and American innovators and businesses can benefit from them as U.S. products continue to thrive on the global stage.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 3486

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Patent Law Treaties Implementation Act of 2012".

TITLE I—HAGUE AGREEMENT CONCERNING INTERNATIONAL REGISTRATION OF INDUSTRIAL DESIGNS

SEC. 101. THE HAGUE AGREEMENT CONCERNING INTERNATIONAL REGISTRATION OF INDUSTRIAL DESIGNS.

(a) IN GENERAL.—Title 35, United States Code, is amended by adding at the end the following:

"PART V—THE HAGUE AGREEMENT CONCERNING INTERNATIONAL REGISTRATION OF INDUSTRIAL DESIGNS

"CHAPTER Sec.
"38. International design applications 381.

“CHAPTER 38—INTERNATIONAL DESIGN APPLICATIONS

“Sec.

“381. Definitions.

“382. Filing international design applications.

“383. International design application.

“384. Filing date.

“385. Effect of international design application.

“386. Right of priority.

“387. Relief from prescribed time limits.

“388. Withdrawn or abandoned international design application.

“389. Examination of international design application.

“390. Publication of international design application.

“§ 381. Definitions

“(a) IN GENERAL.—When used in this part, unless the context otherwise indicates—

“(1) the term ‘treaty’ means the Geneva Act of the Hague Agreement Concerning the International Registration of Industrial Designs adopted at Geneva on July 2, 1999;

“(2) the term ‘regulations’—

“(A) when capitalized, means the Common Regulations under the treaty; and

“(B) when not capitalized, means the regulations established by the Director under this title;

“(3) the term ‘designation’ means a request that an international registration have effect in a Contracting Party to the treaty;

“(4) the term ‘International Bureau’ means the international intergovernmental organization that is recognized as the coordinating body under the treaty and the Regulations;

“(5) the term ‘effective registration date’ means the date of international registration indicated by the International Bureau under the treaty;

“(6) the term ‘international design application’ means an application for international registration; and

“(7) the term ‘international registration’ means the international registration of an industrial design filed under the treaty.

“(b) RULE OF CONSTRUCTION.—Terms and expressions not defined in this part are to be taken in the sense indicated by the treaty and the Regulations.

“§ 382. Filing international design applications

“(a) IN GENERAL.—Any person who is a national of the United States, or has a domicile, a habitual residence, or a real and effective industrial or commercial establishment in the United States, may file an international design application by submitting to the Patent and Trademark Office an application in such form, together with such fees, as may be prescribed by the Director.

“(b) REQUIRED ACTION.—The Patent and Trademark Office shall perform all acts connected with the discharge of its duties under the treaty, including the collection of international fees and transmittal thereof to the International Bureau. Subject to chapter 17 of this title, international design applications shall be forwarded by the Patent and Trademark Office to the International Bureau, upon payment of a transmittal fee.

“(c) APPLICABILITY OF CHAPTER 16.—Except as otherwise provided in this chapter, the provisions of chapter 16 of this title shall apply.

“(d) APPLICATION FILED IN ANOTHER COUNTRY.—An international design application on an industrial design made in this country shall be considered to constitute the filing of an application in a foreign country within the meaning of chapter 17 of this title if the international design application is filed—

“(1) in a country other than the United States;

“(2) at the International Bureau; or

“(3) with an intergovernmental organization.

“§ 383. International design application

“In addition to any requirements pursuant to chapter 16 of this title, the international design application shall contain—

“(1) a request for international registration under the treaty;

“(2) an indication of the designated Contracting Parties;

“(3) data concerning the applicant as prescribed in the treaty and the Regulations;

“(4) copies of a reproduction or, at the choice of the applicant, of several different reproductions of the industrial design that is the subject of the international application, presented in the number and manner prescribed in the treaty and the Regulations;

“(5) an indication of the product or products which constitute the industrial design or in relation to which the industrial design is to be used, as prescribed in the treaty and the Regulations;

“(6) the fees prescribed in the treaty and the Regulations; and

“(7) any other particulars prescribed in the Regulations.

“§ 384. Filing date

“(a) IN GENERAL.—Subject to subsection (b), the filing date of an international design application in the United States shall be the effective registration date. Notwithstanding the provisions of this part, any international design application designating the United States that otherwise meets the requirements of chapter 16 of this title may be treated as a design application under chapter 16 of this title.

“(b) REVIEW.—An applicant may request review by the Director of the filing date of the international design application in the United States. The Director may determine that the filing date of the international design application in the United States is a date other than the effective registration date. The Director may establish procedures, including the payment of a surcharge, to review the filing date under this section. Such review may result in a determination that the application has a filing date in the United States other than the effective registration date.

“§ 385. Effect of international design application

“An international design application designating the United States shall have the effect, for all purposes, from its filing date determined in accordance with section 384 of this part, of an application for patent filed in the Patent and Trademark Office pursuant to chapter 16 of this title.

“§ 386. Right of priority

“(a) NATIONAL APPLICATION.—In accordance with the conditions and requirements of subsections (a) through (d) of section 119 of this title and section 172 of this title, a national application shall be entitled to the right of priority based on a prior international design application which designated at least one country other than the United States.

“(b) PRIOR FOREIGN APPLICATION.—In accordance with the conditions and requirements of subsections (a) through (d) of section 119 of this title and section 172 of this title and the treaty and the Regulations, an international design application designating the United States shall be entitled to the right of priority based on a prior foreign ap-

plication, a prior international application as defined in section 351(c) of this title designating at least one country other than the United States, or a prior international design application designating at least one country other than the United States.

“(c) PRIOR NATIONAL APPLICATION.—In accordance with the conditions and requirements of section 120 of this title, an international design application designating the United States shall be entitled to the benefit of the filing date of a prior national application, a prior international application as defined in section 351(c) of this title designating the United States, or a prior international design application designating the United States, and a national application shall be entitled to the benefit of the filing date of a prior international design application designating the United States. If any claim for the benefit of an earlier filing date is based on a prior international application as defined in section 351(c) of this title which designated but did not originate in the United States or a prior international design application which designated but did not originate in the United States, the Director may require the filing in the Patent and Trademark Office of a certified copy of such application together with a translation thereof into the English language, if it was filed in another language.

“§ 387. Relief from prescribed time limits

“An applicant’s failure to act within prescribed time limits in connection with requirements pertaining to an international design application may be excused as to the United States upon a showing satisfactory to the Director of unintentional delay and under such conditions, including a requirement for payment of the fee specified in section 41(a)(7) of this title, as may be prescribed by the Director.

“§ 388. Withdrawn or abandoned international design application

“Subject to sections 384 and 387 of this part, if an international design application designating the United States is withdrawn, renounced or canceled or considered withdrawn or abandoned, either generally or as to the United States, under the conditions of the treaty and the Regulations, the designation of the United States shall have no effect after the date of withdrawal, renunciation, cancellation, or abandonment and shall be considered as not having been made, unless a claim for benefit of a prior filing date under section 386(c) of this part was made in a national application, or an international design application designating the United States, or a claim for benefit under section 365(c) was made in an international application designating the United States, filed before the date of such withdrawal, renunciation, cancellation, or abandonment. However, such withdrawn, renounced, canceled, or abandoned international design application may serve as the basis for a claim of priority under subsections (a) and (b) of section 386, or under subsection (a) or (b) of section 365, if it designated a country other than the United States.

“§ 389. Examination of international design application

“(a) IN GENERAL.—The Director shall cause an examination pursuant to this title of an international design application designating the United States.

“(b) APPLICABILITY OF CHAPTER 16.—All questions of substance, and, unless otherwise required by the treaty and Regulations, procedures regarding an international design application designating the United States

shall be determined as in the case of applications filed under chapter 16 of this title.

“(c) FEES.—The Director may prescribe fees for filing international design applications, for designating the United States, and for any other processing, services, or materials relating to international design applications, and may provide for later payment of such fees, including surcharges for later submission of fees.

“(d) ISSUANCE OF PATENT.—The Director may issue a patent based on an international design application designating the United States, in accordance with the provisions of this title. Such patent shall have the force and effect of a patent issued on an application filed under chapter 16 of this title.

“§ 390. Publication of international design application

“The publication under the treaty defined in section 381(a)(1) of an international design application designating the United States shall be deemed a publication under section 122(b).”

(b) CONFORMING AMENDMENT.—The table of parts at the beginning of title 35, United States Code, is amended by adding at the end the following:

“V. The Hague Agreement concerning international registration of industrial designs 401”.

SEC. 102. CONFORMING AMENDMENTS.

Title 35, United States Code, is amended—

(1) in section 100(i)(1)(B), by striking “right of priority under section 119, 365(a), or 365(b)” or to the benefit of an earlier filing date under section 120, 121, or 365(c)” and inserting “right of priority under section 119, 365(a), 365(b), 386(a), or 386(b) or to the benefit of an earlier filing date under section 120, 121, 365(c), or 386(c)”;

(2) in section 102(d)(2), by striking “to claim a right of priority under section 119, 365(a), or 365(b), or to claim the benefit of an earlier filing date under section 120, 121, or 365(c)” and inserting “to claim a right of priority under section 119, 365(a), 365(b), 386(a), or 386(b), or to claim the benefit of an earlier filing date under section 120, 121, 365(c), or 386(c)”;

(3) in section 111(b)(7)—

(A) by striking “section 119 or 365(a)” and inserting “section 119, 365(a), or 386(a)”;

(B) by striking “section 120, 121, or 365(c)” and inserting “section 120, 121, 365(c), or 386(c)”;

(4) in section 115(g)(1), by striking “section 120, 121, or 365(c)” and inserting “section 120, 121, 365(c), or 386(c)”;

(5) in section 120, in the first sentence, by striking “section 363” and inserting “section 363 or 385”;

(6) in section 154—

(A) in subsection (a)—

(i) in paragraph (2), by striking “section 120, 121, or 365(c)” and inserting “section 120, 121, 365(c), or 386(c)”;

(ii) in paragraph (3), by striking “section 119, 365(a), or 365(b)” and inserting “section 119, 365(a), 365(b), 386(a), or 386(b)”;

(B) in subsection (d)(1), by inserting “or an international design application filed under the treaty defined in section 381(a)(1) designating the United States under Article 5 of such treaty” after “Article 21(2)(a) of such treaty”;

(7) in section 173, by striking “fourteen years” and inserting “15 years”;

(8) in section 365(c)—

(A) in the first sentence, by striking “or a prior international application designating the United States” and inserting “, a prior international application designating the

United States, or a prior international design application as defined in section 381(a)(6) of this title designating the United States”; and

(B) in the second sentence, by inserting “or a prior international design application as defined in section 381(a)(6) of this title which designated but did not originate in the United States” after “did not originate in the United States”; and

(9) in section 366—

(A) in the first sentence, by striking “unless a claim” and all that follows through “withdrawal.” and inserting “unless a claim for benefit of a prior filing date under section 365(c) of this section was made in a national application, or an international application designating the United States, or a claim for benefit under section 386(c) was made in an international design application designating the United States, filed before the date of such withdrawal.”; and

(B) by striking the second sentence and inserting the following: “However, such withdrawn international application may serve as the basis for a claim of priority under section 365 (a) and (b) of this part, or under section 386 (a) or (b), if it designated a country other than the United States.”.

SEC. 103. EFFECTIVE DATE.

(a) IN GENERAL.—The amendments made by this title shall be effective on the later of—

(1) the date that is 1 year after the date of enactment of this Act, or

(2) the date of entry into force of the treaty, as defined in section 381 of title 35, as amended by this Act, with respect to the United States.

(b) APPLICABILITY OF AMENDMENTS.—

(1) IN GENERAL.—Subject to paragraph (2), the amendments made by this title shall apply only to international design applications, international applications as defined in section 351(c) of title 35, United States Code, and national applications filed on and after the effective date set forth in subsection (a), and patents issuing thereon.

(2) EXCEPTION.—Sections 100(i) and 102(d) of title 35, United States Code, as amended by this title, shall not apply to an application, or any patent issuing thereon, unless it is described in section 3(n)(1) of the Leahy-Smith America Invents Act (35 U.S.C. 100 note).

TITLE II—PATENT LAW TREATY IMPLEMENTATION

SEC. 201. PROVISIONS TO IMPLEMENT THE PATENT LAW TREATY.

(a) APPLICATION FILING DATE.—Section 111 of title 35, United States Code, is amended—

(1) in subsection (a), by striking paragraphs (3) and (4) and inserting the following:

“(3) FEE, OATH OR DECLARATION, AND CLAIMS.—The application shall be accompanied by the fee required by law. The fee, oath or declaration, and 1 or more claims may be submitted after the filing date of the application, within such period and under such conditions, including the payment of a surcharge, as may be prescribed by the Director. Upon failure to submit the fee, oath or declaration, and 1 or more claims within such prescribed period, the application shall be regarded as abandoned.

“(4) FILING DATE.—The filing date of an application shall be the date on which a specification, with or without claims, is received in the United States Patent and Trademark Office.”;

(2) in subsection (b), by striking paragraphs (3) and (4) and inserting the following:

“(3) FEE.—The application shall be accompanied by the fee required by law. The fee may be submitted after the filing date of the application, within such period and under

such conditions, including the payment of a surcharge, as may be prescribed by the Director. Upon failure to submit the fee within such prescribed period, the application shall be regarded as abandoned.

“(4) FILING DATE.—The filing date of a provisional application shall be the date on which a specification, with or without claims, is received in the United States Patent and Trademark Office.”; and

(3) by adding at the end the following:

“(c) PRIOR FILED APPLICATION.—The Director may prescribe the conditions, including the payment of a surcharge, under which a reference made upon the filing of an application under subsection (a) to a previously filed application, specifying the previously filed application by application number and the intellectual property authority or country in which the application was filed, shall constitute the specification and any drawings of the subsequent application for purposes of a filing date. A copy of the specification and any drawings of the previously filed application shall be submitted within such period and under such conditions as may be prescribed by the Director. A failure to submit the copy of the specification and any drawings of the previously filed application within the prescribed period shall result in application being regarded as abandoned and treated as having never been filed.”.

(b) RELIEF IN RESPECT OF TIME LIMITS AND REINSTATEMENT OF RIGHTS.—

(1) IN GENERAL.—Chapter 2 of title 35, United States Code, is amended by adding at the end the following:

“§ 27. Revival of applications; reinstatement of reexamination proceedings

“(a) IN GENERAL.—The Director may establish procedures, including the requirement for payment of the fee specified in section 41(a)(7), to revive an unintentionally abandoned application for patent, accept an unintentionally delayed payment of the fee for issuing each patent, or accept an unintentionally delayed response by the patent owner in a reexamination proceeding, upon petition by the applicant for patent or patent owner.”.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 2 of title 35, United States Code, is amended by adding at the end the following:

“27. Revival of applications; reinstatement of reexamination proceedings.”.

(c) RESTORATION OF PRIORITY RIGHT.—Title 35, United States Code, is amended—

(1) in section 119—

(A) in subsection (a), by adding at the end the following: “The Director may prescribe regulations, including the requirement for payment of the fee specified in section 41(a)(7), pursuant to which the 12-month period set forth in this subsection may be extended by an additional 2 months if the delay in filing the application in this country within the 12-month period was unintentional.”; and

(B) in subsection (e)—

(i) in paragraph (1)—

(I) by inserting after the first sentence the following: “The Director may prescribe regulations, including the requirement for payment of the fee specified in section 41(a)(7), pursuant to which the 12-month period set forth in this subsection may be extended by an additional 2 months if the delay in filing the application under section 111(a) or section 363 within the 12-month period was unintentional.”; and

(II) in the last sentence—

(aa) by striking “including the payment of a surcharge” and inserting “including the

payment of the fee specified in section 41(a)(7)"; and

(bb) by striking "during the pendency of the application"; and

(ii) in paragraph (3), by adding at the end the following: "For an application for patent filed under section 363 in a foreign Receiving Office, the 12-month and additional 2 month period set forth in this subsection shall be extended as provided under the treaty and Regulations as defined in section 351."; and

(2) in section 365(b), by adding at the end the following: "The Director may establish procedures, including the requirement for payment of the fee specified in section 41(a)(7), to accept an unintentionally delayed claim for priority under the treaty and the Regulations, and to accept a priority claim where such priority claim pertains to an application that was not filed within the priority period specified in the treaty and Regulations, but was filed within the additional 2-month period specified under section 119(a) or the treaty and Regulations.".

(d) RECORDATION OF OWNERSHIP INTERESTS.—Section 261 of title 35, United States Code, is amended—

(1) in the first undesignated paragraph by adding at the end the following: "The Patent and Trademark Office shall maintain a register of interests in applications for patents and patents and shall record any document related thereto upon request, and may require a fee therefor."; and

(2) in the fourth undesignated paragraph by striking "An assignment" and inserting "An interest that constitutes an assignment".

SEC. 202. CONFORMING AMENDMENTS.

(a) IN GENERAL.—Section 171 of title 35, United States Code, is amended by adding at the end the following:

"The filing date of an application for patent for design shall be the date on which the specification as prescribed by section 112 and any required drawings are filed.".

(b) RELIEF IN RESPECT OF TIME LIMITS AND REINSTATEMENT OF RIGHT.—Title 35, United States Code, is amended—

(1) in section 41—

(A) in subsection (a), by striking subsection (7) and inserting the following:

"(7) REVIVAL FEES.—On filing each petition for the revival of an abandoned application for a patent, for the delayed payment of the fee for issuing each patent, for the delayed response by the patent owner in any reexamination proceeding, for the delayed payment of the fee for maintaining a patent in force, for the delayed submission of a priority or benefit claim, or for the extension of the 12-month period for filing a subsequent application, \$1,700.00. The Director may refund any part of the fee specified in this paragraph, in exceptional circumstances as determined by the Director"; and

(B) in subsection (c), by striking paragraph (1) and inserting the following:

"(1) ACCEPTANCE.—The Director may accept the payment of any maintenance fee required by subsection (b) after the 6-month grace period if the delay is shown to the satisfaction of the Director to have been unintentional. The Director may require the payment of the fee specified in paragraph (a)(7) as a condition of accepting payment of any maintenance fee after the 6-month grace period. If the Director accepts payment of a maintenance fee after the 6-month grace period, the patent shall be considered as not having expired at the end of the grace period.".

(2) in section 119(b)(2), in the second sentence, by striking "including the payment of

a surcharge" and inserting "including the requirement for payment of the fee specified in section 41(a)(7)";

(3) in section 120, in the fourth sentence, by striking "including the payment of a surcharge" and inserting "including the requirement for payment of the fee specified in section 41(a)(7)";

(4) in section 122(b)(2)(B)(iii), in the second sentence, by striking ", unless it is shown" and all that follows through "unintentional";

(5) in section 133, by striking ", unless it be shown" and all that follows through "unavoidable";

(6) by striking section 151 and inserting the following:

"§ 151. Issue of patent

"If it appears that applicant is entitled to a patent under the law, a written notice of allowance of the application shall be given or mailed to the applicant. The notice shall specify a sum, constituting the issue fee and any required publication fee, which shall be paid within 3 months thereafter.

"Upon payment of this sum the patent may issue, but if payment is not timely made, the application shall be regarded as abandoned.".

(7) in section 361, by striking subsection (c) and inserting the following:

"(c) International applications filed in the Patent and Trademark Office shall be filed in the English language, or an English translation shall be filed within such later time as may be fixed by the Director.".

(8) in section 364, by striking subsection (b) and inserting the following:

"(b) An applicant's failure to act within prescribed time limits in connection with requirements pertaining to an international application may be excused as provided in the treaty and the Regulations."; and

(9) in section 371(d), in the third sentence, by striking ", unless it be shown to the satisfaction of the Director that such failure to comply was unavoidable".

SEC. 203. EFFECTIVE DATE.

(a) IN GENERAL.—Except as provided in subsection (b), the amendments made by this title shall be effective on the date that is 1 year after the date of enactment of this Act and shall apply to all patents and to all applications for patent pending on or filed after the date that is 1 year after the date of enactment of this Act.

(b) EXCEPTIONS.—

(1) SECTION 201(A).—The amendments made by section 201(a) shall apply only to applications filed on or after the date that is 1 year after the date of enactment of this Act.

(2) PATENT THAT IS SUBJECT OF LITIGATION.—The amendments made by this title shall have no effect with respect to any patent that is the subject of litigation in an action commenced before the date that is 1 year after the date of enactment of this Act.

By Mr. KYL:

S. 3493. A bill to protect first amendment rights of journalists and internet service providers by preventing States and the United States from allowing meritless lawsuits arising from acts in furtherance of those rights, commonly called "Strategic Lawsuits Against Public Participation" or "SLAPPs", and for other purposes; to the Committee on the Judiciary.

Mr. KYL. Mr. President, I rise today to introduce the Free Press Act. The FPA would create a Federal anti-

SLAPP statute for journalists, bloggers, and other news media, authorizing them to bring a special motion to dismiss lawsuits brought against them that arise out of their speech on public issues. Once the special motion to dismiss is brought, the nonmoving party must present a prima facie case supporting the lawsuit; if the nonmovant fails to do so, the lawsuit is dismissed and fees and costs are awarded to the movant.

Anti-SLAPP laws effectively make it impossible for frivolous or marginal libel lawsuits arising out of protected speech to advance beyond an initial stage of litigation. Such laws thereby protect journalists and bloggers from the financial impact of defending against such suits. Approximately 30 States have anti-SLAPP laws, though their coverage varies. There is no federal law. The FPA would create a federal anti-SLAPP law, and allow parties to remove some state SLAPP claims to Federal court.

At the conclusion of my remarks today, I will submit for the record a section-by-section summary of the FPA. I will first, however, comment on several features of the bill, including the meaning of some of the language that is used, and Congress' authority to enact such legislation.

The FPA's special motion to dismiss requires the plaintiff to present "prima facie evidence" supporting his cause of action. The standard definition of "prima facie evidence," which is employed by the FPA, is that given by Justice Story in his opinion for the court in *Kelly v. Jackson*, 31 U.S. 622, 632, 1832: "What is prima facie evidence of a fact? It is such as, in judgment of law, is sufficient to establish a fact; and, if not rebutted, remains sufficient for that purpose." For similar statements, see *Bailey v. Alabama*, 219 S.Ct. 219, 234, 1911, quoting *Kelly v. Jackson*; and *Neely v. United States*, 150 F.2d 977, 978, D.C. Cir. 1945, which notes "Justice Story's often quoted definition of prima facie evidence."

This definition is also employed by Black's Law Dictionary, which defines "prima facie evidence" as:

Such evidence as, in the judgment of the law, is sufficient to establish a given fact and which if not rebutted or contradicted, will remain sufficient. [Prima facie evidence], if unexplained or uncontradicted, is sufficient to sustain a judgment in favor of the issue which it supports, but [it] may be contradicted by other evidence.

In a recent concurring and dissenting opinion, Justice Scalia went so far as to describe this definition of "prima facie evidence" as "canonical." He also stated:

The established meaning in Virginia, then, of the term "prima facie evidence" appears to be perfectly orthodox: It is evidence that suffices, on its own, to establish a particular fact. But it is hornbook law that this is true only to the extent that the evidence goes unrebutted. "Prima facie evidence of a fact

is such evidence as, in judgment of law, is sufficient to establish the fact; and, if not rebutted, remains sufficient for the purpose.” 7B Michie’s Jurisprudence of Virginia and West Virginia § 32, 1998, (emphasis added).

Virginia v. Black, 538 U.S. 343, 369–70, 2003, Scalia, J., concurring in part, concurring in judgment in part, and dissenting in part.

Other Federal courts continue to use this definition of “prima facie evidence:”

“A prima facie showing simply means evidence of such nature as is sufficient to establish a fact and which, if unrebutted, remains sufficient for that purpose.” *Cumulus Media, Inc. v. Clear Channel Communications, Inc.*, 304 F.3d 1167, 1176 n.13, 11th Cir. 2002.

“Under [the prima facie evidence] standard, it is plaintiff’s burden to demonstrate the existence of every fact required to satisfy both the forum’s long-arm statute and the Due Process Clause of the Constitution. The prima facie showing must be based upon evidence of specific facts set forth in the record. To meet this requirement, the plaintiff must go beyond the pleadings and make affirmative proof. However, in evaluating whether the prima facie standard has been satisfied, the district court is not acting as a factfinder; rather, it accepts properly supported proffers of evidence by a plaintiff as true and makes its ruling as a matter of law. When the district court employs the prima facie standard appellate review is de novo.” *United States v. Swiss American Bank, Ltd.*, 274 F.3d 610, 618–19, 1st Cir. 2001, citations and quotations omitted.

“Prima facie evidence consists of specific factual information which, in the absence of rebuttal, is sufficient to show that a fairness doctrine violation exists. * * * In general terms, prima facie evidence is evidence which is sufficient in law to sustain a finding in favor of a claim, but which may be contradicted.” *American Security Council Education Foundation v. F.C.C.*, 607 F.2d 438, 445–46 & n.24, D.C. Cir. 1979.

“A prima facie case is established by evidence adduced by the plaintiff in support of his case up to the time such evidence stands unexplained and uncontradicted. The words ‘prima facie,’ when used to describe evidence, *ex vi termini* imply that such evidence may be rebutted by competent testimony. The term prima facie evidence implies evidence which may be rebutted and overcome, and simply means that in the absence of explanatory or contradictory evidence the finding shall be in accordance with the proof establishing the prima facie case.” *In re Chicago Rys. Co.*, 175 F.2d 282, 289–90, 7th Cir. 1949, citations and quotations omitted.

“The term prima facie evidence means * * * [e]vidence good and sufficient on its face; such evidence as, in the judgment of the law, is sufficient to establish a given fact, or the group or chain of facts constituting the party’s claim or defense, and which if not rebutted or contradicted, will remain sufficient. Prima facie evidence is evidence which, if unexplained or uncontradicted, is sufficient to sustain a judgment in favor of the issue which it supports, but which may be contradicted by other evidence.” *Gibson v. Zant*, 547 F.Supp. 1270, 1276, M.D. Ga. 1982, quoting Black’s Law Dictionary, 5th Edition.

‘Prima facie evidence’ is evidence which, if unrebutted or unexplained, is sufficient to establish the fact to which it is related. It proves the fact until other proof contradicts or overcomes the factual hypothesis initially set up by the presumption.” *DAL Int’l Trad-*

ing Co. v. The SS Milton J. Foreman, 171 F.Supp. 794, 798, E.D.N.Y. 1959.

The FPA makes its special motion to dismiss available in cases arising out of speech on matters of public concern. It bears emphasis that “matters of public concern” include commentary on consumer products. As the Pennsylvania intermediate court of appeals recently noted, in *American Future Systems, Inc. v. Better Business Bureau of Eastern Pennsylvania*, 872 A.2d 1202, 1211, Pa. Super. 2005, a “statement regarding the effectiveness of a consumer product addresses a matter of public concern.” Similarly, the U.S. Court of Appeals for the Ninth Circuit, in *Unelko Corp. v. Rooney*, 912 F.2d 1049, 1056, 9th Cir. 1990, concluded that “statements about product effectiveness” address matters of public concern. And the Second Circuit, in *Flamm v. American Assoc. of University Women*, 201 F.3d 144, 150, 2d Cir. 2000, has held that a negative evaluation of an attorney’s services, directed to potential customers, addresses a matter of public concern.

The following quotation from a New Jersey Supreme Court opinion, citing other courts’ decisions, illustrates the breadth of support for the proposition that commentary on products or services offered to consumers is a matter of public concern. That court noted, in *Dairy Stores, Inc. v. Sentinel Publishing Co., Inc.*, 104 N.J. 125, 144–45, 516 A.2d 220, 230, 1986, that:

Some courts have developed criteria for determining whether the activities and products of corporations constitute matters of public interest. As previously indicated, matters of public interest include such essentials of life as food and water. See *Steaks Unlimited, Inc. v. Deaner*, supra, 623 F.2d 264; *All Diet Foods Distribs., Inc. v. Time, Inc.*, supra, 56 Misc.2d 821, 290 N.Y.S.2d 445; *Exner v. American Medical Ass’n*, supra, 12 Wash.App. 215, 529 P.2d 863. Widespread effects of a product are yet another indicator that statements about the product are in the public interest. *Robinson v. American Broadcasting Cos.*, 441 F.2d 1396 (6th Cir.1971) (possible causes of cancer are a matter of public concern); *Lewis v. Reader’s Digest Ass’n*, supra, 366 F.Supp. at 156, article on an arthritis cure is in public interest because significant portion of population is afflicted with arthritis; *American Broadcasting Cos., Inc. v. Smith Cabinet Mfg. Co., Inc.*, 160 Ind.App. 367, —, 312 N.E.2d 85, 90, 1974, flammability of 25,000 baby cribs held to be matter of public interest; *Krebiozen Research Found. v. Beacon Press, Inc.*, 334 Mass. 86, —, 134 N.E.2d 1, 6–9, cert. denied, 352 U.S. 848, 77 S.Ct. 65, 1 L.Ed.2d 58, 1956, possible cures for cancer are matter of public concern. Still another criterion is substantial government regulation of business activities and products.

The FPA thus protects speech consisting of consumer commentary that focuses solely on the quality, reliability, or effectiveness of a consumer product, regardless of whether such commentary addresses broader social issues. The quality of goods and services offered to the public is itself a matter of public concern. The FPA pro-

tections the dissemination of any information about a product that would be of interest to potential consumers.

Finally, the FPA allows removal to Federal court to be sought by a defendant. Although current law only allows removal when the Federal question appears on the face of a well-pleaded complaint, this rule is only statutory. Congress is well within its power to allow removal of cases that raise a colorable Federal defense.

Two current Federal statutes clearly allow removal by defendants based only on the assertion of a Federal defense. One is 28 U.S.C. § 1442(a), which allows Federal officers, among others, to remove a state civil action or prosecution to federal court. The other is 9 U.S.C. § 205, which allows removal of disputes that appear to be covered by an international arbitration agreement.

Although such a limitation is not stated on the face of section 1442, the Supreme Court has long held that “federal officer removal must be predicated on the allegation of a colorable federal defense.” *Mesa v. California*, 489 U.S. 121, 129, 1989. See also *id.* at 133–34, which notes that “an unbroken line of this Court’s decisions extending back nearly a century and a quarter have understood all the various incarnations of the federal officer removal statute to require the averment of a federal defense.”

The most recent Supreme Court pronouncements confirm that “Article III ‘arising under’ jurisdiction is broader than federal question jurisdiction under § 1331,” *Verlinden B.V. v. Central Bank of Nigeria*, 461 U.S. 480, 495 (1983), and note that Article III federal-question jurisdiction “has been construed as permitting Congress to extend federal jurisdiction to any case of which federal law potentially forms an ingredient,” *Franchise Tax Board v. Construction Laborers Vacation Trust*, 463 U.S. 1, 8 n.8 (quoting *Osborn v. Bank of the United States*, 9 What. 738, 823 (1824)).

In *Martin v. Hunter’s Lessee*, 1 Wheat. 304, 348–49, 1816, the Supreme Court also noted that

“[t]he judicial power * * * was not to be exercised exclusively for the benefit of parties who might be plaintiffs, and would elect the national forum, but also for the protection of defendants who might be entitled to try their rights, or assert their privileges, in the same forum,” and further noting that “we are referred to the power which it is admitted congress possess to remove suits from state courts to the national courts.”

The Federal-defense-based removal authorized by the FPA is thus well within Congress’s constitutional authority.

Mr. President, I ask unanimous consent that the text of the bill and a section-by-section summary be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD as follows:

S. 3493

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Free Press Act of 2012”.

SEC. 2. SPECIAL MOTION TO DISMISS.

Part VI of title 28, United States Code, is amended by adding at the end the following:

“CHAPTER 182—SPECIAL MOTION TO DISMISS

“Sec.

“4201. Special motion to dismiss.

“4202. Stay of discovery.

“4203. Exceptions for governmental litigation and commercial speech.

“4204. Interlocutory appeal.

“4205. Special motion to quash.

“4206. Removal.

“4207. Fees, costs, and sanctions.

“§ 4201. Special motion to dismiss

“(a) IN GENERAL.—A representative of the news media (as defined in section 552(a)(4) of title 5) may file a special motion to dismiss any claim asserted against the representative of the news media in a civil action if the claim arises in whole or in part from an oral or written statement or other expression that is on a matter of public concern or that relates to a public official or figure.

“(b) TIME LIMIT.—Unless the court grants an extension, a special motion to dismiss under this section shall be filed—

“(1) not later than 45 days after the date of service of the claim, if the claim is filed in Federal court; or

“(2) not later than 30 days after the date of removal, if the claim is removed to Federal court under section 4206.

“(c) AMENDMENTS.—If a special motion to dismiss is filed under this section as to a claim, the claim may not be amended or supplemented until a final and unappealable order is entered denying the special motion to dismiss.

“(d) BURDENS OF PROOF.—

“(1) MOVING PARTY.—A representative of the news media filing a special motion to dismiss under this section as to a claim shall have the burden of making a prima facie showing that the claim is a claim described in subsection (a).

“(2) NONMOVING PARTY.—If the movant meets the burden described in paragraph (1) for a claim, the party asserting the claim shall bear the burden of proving that the claim is—

“(A) legally sufficient; and

“(B) supported by a prima facie showing, based on admissible evidence, of facts sufficient to sustain a favorable judgment.

“(3) FAILURE TO MEET BURDEN.—If the non-moving party fails to meet the burden required for a claim under paragraph (2), the claim shall be dismissed with prejudice.

“§ 4202. Stay of discovery

“(a) IN GENERAL.—Except as provided in subsection (b), upon the filing of a special motion to dismiss under section 4201, discovery proceedings in the action shall be stayed until a final and unappealable order is entered on the special motion to dismiss.

“(b) LIMITATION AND EXCEPTION.—

“(1) LIMITATION.—A stay issued under subsection (a) based on the filing of a special motion to dismiss that only seeks dismissal of a third-party claim or a cross claim asserted by a defendant shall only stay discovery that—

“(A) is requested by the party asserting the third-party claim or cross claim; or

“(B) relates solely to the third-party claim or cross claim.

“(2) EXCEPTION.—Upon motion and for good cause shown, a court may order that specified discovery be conducted.

“§ 4203. Exceptions for governmental litigation and commercial speech

“A special motion to dismiss under section 4201 may not be filed as to a claim that—

“(1) is brought by the Federal Government or the attorney general of a State; or

“(2) arises out of a statement offering or promoting the sale of the goods or services of the person making the statement.

“§ 4204. Interlocutory appeal

“An aggrieved party may take an immediate interlocutory appeal from an order granting or denying in whole or in part a special motion to dismiss under section 4201.

“§ 4205. Special motion to quash

“(a) IN GENERAL.—A person whose personally identifying information is sought in connection with a claim that arises in whole or in part from an oral or written statement or other expression that is on a matter of public concern or that relates to a public official or figure, or a person from whom such information is sought in connection with such a claim, may file a special motion to quash the request or order to produce the information.

“(b) BURDENS OF PROOF.—

“(1) MOVING PARTY.—A person filing a special motion to quash a request or order under this section shall have the burden of making a prima facie showing that the request or order is a request or order described in subsection (a).

“(2) NONMOVING PARTY.—If the movant meets the burden described in paragraph (1), the party who made the request or sought the order shall bear the burden of showing that the claim described in subsection (a) is—

“(A) legally sufficient; and

“(B) supported by a prima facie showing, based on admissible evidence, of facts sufficient to sustain a favorable judgment.

“(3) FAILURE TO MEET BURDEN.—If the non-moving party fails to meet the burden required for a claim under paragraph (2), the request or order to produce the personally identifying information shall be quashed.

“§ 4206. Removal

“(a) SPECIAL MOTION TO DISMISS.—

“(1) IN GENERAL.—Except as provided in paragraph (2), a civil action in a State court that raises a claim that colorably appears to be a claim described in section 4201(a) may be removed to the district court of the United States for the district and division embracing the place where the civil action is pending by a party who may file and who seeks to file a special motion to dismiss under section 4201 that asserts a colorable defense based on the Constitution or laws of the United States.

“(2) EXCEPTION.—Removal may not be requested under paragraph (1) on the basis of a third-party claim or a cross claim asserted by a defendant.

“(3) REMAND.—If a civil action is removed under paragraph (1), and a final and unappealable order is entered denying the special motion to dismiss filed under section 4201, the court may remand the remaining claims to the State court from which the civil action was removed.

“(b) SPECIAL MOTION TO QUASH.—

“(1) IN GENERAL.—A proceeding in a State court in which a request or order that colorably appears to be a request or order de-

scribed in section 4205(a) is sought, issued, or sought to be enforced may be removed to the district court of the United States for the district and division embracing the place where the civil action is pending by a person who may file and who seeks to file a special motion to quash under section 4205 that asserts a colorable defense based on the Constitution or laws of the United States.

“(2) LIMITATION.—If removal is requested under paragraph (1) for a proceeding in which a request or order described in section 4205(a) is sought, issued, or sought to be enforced, and there is no basis for removal of the remainder of the civil action in connection with which the proceeding is brought, or no party has requested removal of the remainder of the civil action, only the proceeding in which the request or order described is section 4205(a) is sought, issued, or sought to be enforced may be removed.

“§ 4207. Fees, costs, and sanctions

“(a) ATTORNEY’S FEES AND COSTS.—Except as provided in subsection (c), a court shall award a person who files and prevails on a special motion to dismiss under section 4201 or a special motion to quash under section 4205 litigation costs, expert witness fees, and reasonable attorney’s fees.

“(b) FRIVOLOUS MOTIONS OR PETITIONS.—Except as provided in subsection (c)(1), if a court finds that a special motion to dismiss under section 4201, a special motion to quash under section 4205, or a notice of removal under section 4206 is frivolous or is solely intended to cause unnecessary delay, the court may award litigation costs, expert witness fees, and reasonable attorney’s fees to the party that responded to the motion or notice.

“(c) EXCEPTIONS.—

“(1) GOVERNMENTAL ENTITIES.—The Federal Government and the government of a State, or political subdivision thereof, may not recover litigation costs, expert witness fees, or attorney’s fees under this section.

“(2) NOVEL LEGAL QUESTIONS.—A court may not award litigation costs, expert witness fees, or attorney’s fees under subsection (a) if the grant of the special motion to dismiss under section 4201 or the special motion to quash under section 4205 depended on the resolution of a novel or unsettled legal question in favor of the movant.”.

SEC. 3. RELATIONSHIP TO OTHER LAWS.

Nothing in this Act or the amendments made by this Act shall preempt or supersede any Federal or State statutory, constitutional, case, or common law that provides the equivalent or greater protection for persons engaging in activities protected by the First Amendment to the Constitution of the United States.

SEC. 4. TECHNICAL AND CONFORMING AMENDMENTS.

(a) TABLE OF CHAPTERS.—The table of chapters for part VI of title 28, United States Code, is amended by adding at the end the following:

“182. Special motion to dismiss 4201”.

(b) INTERLOCUTORY APPEALS.—Section 1292(a) of title 28, United States Code, is amended—

(1) in paragraph (3), by striking the period at the end and inserting “; and”; and

(2) by adding at the end the following:

“(4) Interlocutory orders granting or denying in whole or in part special motions to dismiss under section 4201.”.

(c) NONDISCHARGABILITY OF FEES AND COSTS.—Section 523(a) of title 11, United States Code, is amended—

(1) in paragraph (18), by striking “or” at the end;

(2) in paragraph (19), by striking the period at the end and inserting “; or”; and

(3) by inserting after paragraph (19) the following:

“(20) for litigation costs, expert witness fees, or reasonable attorney’s fees awarded by a court under chapter 182 of title 28 or under comparable State laws.”.

SEC. 5. EFFECTIVE DATE; APPLICABILITY.

(a) EFFECTIVE DATE.—Except as provided in subsection (b), this Act and the amendments made by this Act shall—

(1) take effect on the date of enactment of this Act; and

(2) apply to a claim filed on or after the date of enactment of this Act.

(b) CLAIMS FILED BEFORE ENACTMENT.—For a claim that was filed before and is pending on the date of enactment of this Act—

(1) this Act and the amendments made by this Act shall apply to the claim if the court with original jurisdiction of the claim has not entered a judgment on the merits as to the claim as of the date of enactment of this Act; and

(2) for a claim described in paragraph (1), the periods under sections 4201 and 1446 of title 28, United States Code, as amended by this Act, shall begin on the date of enactment of this Act.

FREE PRESS ACT: SECTION-BY-SECTION SUMMARY

Section 4201. Special Motion to Dismiss. A “representative of the news media” (as defined in FOIA) may file a special motion to dismiss a legal claim arising out of speech on a matter of public concern or that relates a public official or figure. Once the motion is properly brought, the nonmovant must show that the lawsuit is supported by a prima facie showing of facts sufficient to sustain a favorable judgment. If the nonmovant fails to meet this burden, the lawsuit is dismissed with prejudice.

Section 4202. Stay of Discovery. Upon filing of the special motion to dismiss, discovery is stayed absent good cause shown. If the motion is filed with respect to a cross claim or third-party claim, discovery is stayed only with respect to that claim. (This exception is made to prevent defendants from using the special motion to dismiss to affect litigation in which the complaint does not assert claims arising out of speech on public issues.)

Section 4203. Governmental Litigation and Commercial Speech Exceptions. A special motion to dismiss may not be brought against a claim that is brought by the Federal government or a State Attorney General, or that arises out of speech offering or promoting the sale of the speaker’s goods or services.

Section 4204. Interlocutory Appeal. Either side may bring an immediate appeal of the denial or grant of a special motion to dismiss.

Section 4205. Special Motion to Quash. A party may move to quash a request to obtain the personally identifying information of a person that is made in relation to a legal claim arising out of speech on public issues. (E.g., a company seeks discovery from an ISP of the identity of persons posting unfavorable comments about the company’s goods or services on a blog.) If the motion to quash is properly brought, the nonmovant must show that the legal claim is supported by a prima facie showing of facts sufficient to sustain a favorable judgment. If the nonmovant fails to meet this burden, the request for personally identifying information is quashed.

Section 4206. Removal. A state-court claim arising out of speech on public issues may be removed to federal court by a party that intends to file a special motion to dismiss the claim. Removal may not be requested on the basis of a cross claim or third-party claim. (This exception is made to prevent defendants from removing cases in which the complaint does not assert claims arising out of speech on public issues.) A proceeding to enforce discovery requesting personally identifying information may also be removed, but removal is limited to the discovery-enforcement proceeding.

Section 4207. Fees, Costs, and Sanctions. A party that prevails on a special motion to dismiss or quash shall be entitled to reasonable attorneys fees and costs. Frivolous motions to dismiss or quash or remove shall be subject to sanctions. Fees may not be recovered by the government, or in cases that turn on the resolution of a novel legal question.

By Mr. COCHRAN (for himself and Mr. WICKER):

S. 3496. A bill to amend title XVIII of the Social Security Act to permit direct payment to pharmacies for certain compounded drugs that are prepared by the pharmacies for a specific beneficiary for use through an implanted infusion pump; to the Committee on Finance.

Mr. COCHRAN. Mr. President, on May 13, 2011, the Centers for Medicare and Medicaid Services issued Change Request 7397 to stop compounding pharmacies that prepare medications used in implanted infusion pumps from billing Medicare directly for these services. This was an attempt to reverse a policy that has been permissible in several States for over 20 years. Since then, I have worked with Senator WICKER and other Members of Congress to delay the implementation of this change until its effects have been fully considered.

This policy change has been met with opposition from pharmacies, physicians, and patients. In Mississippi, pharmacies are prohibited from selling infused pain medications to physicians, which would result in decreased access to effective treatments for chronic pain disorders. While this is a particular issue in my State, this policy change will have serious implications across the Nation.

The Centers for Medicare and Medicaid Services has worked with us over the past year to delay this policy change and to propose a rule that is now receiving comments. However, CMS officials have continued to demonstrate a lack of understanding about the potential consequences of changing payment policy. We should protect practices that have been effective in treating patients and support those who supply drugs necessary for the well-being of patients. This bill would explicitly allow compounding pharmacies to bill Medicare directly for their services in the interest of helping patients continue to receive the quality care they deserve.

By Mr. REID (for himself and Mr. MCCONNELL):

S. 3510. A bill to prevent harm to the national security or endangering the military officers and civilian employees to whom internet publication of certain information applies, and for other purposes; considered and passed.

Mr. REID. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD as follows:

S. 3510

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. EFFECTIVE DATE DELAY.

The STOCK Act (Public Law 112-105) is amended—

(1) in section 8(a)(1), by striking “August 31, 2012” and inserting “September 30, 2012”; and

(2) in section 11(a)(1), by striking “August 31, 2012” and inserting “September 30, 2012”.

SEC. 2. IMPLEMENTATION OF PTR REQUIREMENTS UNDER STOCK ACT.

Effective September 30, 2012, for purposes of implementing subsection (1) of section 103 of the Ethics in Government Act of 1978 (as added by section 6 of the STOCK Act, Public Law 112-105) for reporting individuals whose reports under section 101 of such Act (5 U.S.C. App. 101) are required to be filed with the Clerk of the House of Representatives, section 102(e) of such Act (5 U.S.C. App. 102(e)) shall apply as if the report under such subsection (1) were a report under such section 101 but only with respect to the transaction information required under such subsection (1).

By Mr. HOEVEN (for himself, Mr. CONRAD, Mr. BAUCUS, Mr. MCCONNELL, Mr. KOHL, Mr. PORTMAN, Ms. LANDRIEU, Mr. BOOZMAN, Mr. MANCHIN, Mr. BLUNT, Mr. WARNER, Mr. JOHNSON of Wisconsin, Mr. PRYOR, Mr. MORAN, Mrs. McCASKILL, Mr. ALEXANDER, Mr. NELSON of Nebraska, Mr. TOOMEY, Mr. NELSON of Florida, Mr. GRAHAM, Mr. CASEY, Mr. THUNE, Mr. WEBB, and Mr. HATCH):

S. 3512. A bill to amend subtitle D of the Solid Waste Disposal Act to facilitate recovery and beneficial use, and provide for the proper management and disposal, of materials generated by the combustion of coal and other fossil fuels; to the Committee on Environment and Public Works.

Mr. HOEVEN. Mr. President, I rise today to introduce legislation on another matter, important energy legislation for our country. I am today introducing the Hoeven-Conrad-Baucus Coal Ash Recycling and Oversight Act of 2012.

In my home State of North Dakota there is a large powerplant just north of the State capital in Bismarck. It is a coal creek power station. Now this power station generates 1,100 megawatts of electricity every year. There are two 550 megawatt plants. It

has the latest, greatest technology emission control and clean coal technology. They capture the steam that was formally exhausted from the plant. They capture that steam and use it to run an ethanol plant. They produce transportation fuel with steam, a by-product of the electric generation process.

One of the other things they do, instead of land filling the coal ash, fly ash, or coal residuals, they recycle. So, in essence, they take that coal ash—they work with a natural resource company, Headwaters, based out of Utah, and they turn the coal ash into a concrete product, FlexCrete. It is used to make roads, bridges, buildings, and also products like shingles. They make building materials.

So whereas they used to take about 600,000 tons a year of coal residuals and coal ash flash and landfill it, and it costs \$6 a ton or so to landfill it, now they take that 600,000 tons a year of fly ash and residuals and turn it into building products.

The difference instead of paying to dispose of something and now being paid to recycle something is about a \$16 million a year revenue item for that plant. That means lower cost for electricity for businesses in States such as the great State of North Dakota and the great State of Minnesota and other States as well. It truly benefits our consumers, our families, and our economy. It benefits small businesses throughout the upper Midwest. So it is truly a great example of American ingenuity and innovation.

In fact, I have a picture right here. This is the North Dakota Heritage Center. Right now there is a \$50 million expansion being constructed in that Heritage Center which is located on the capital grounds in Bismarck. It is a \$50 million expansion. They are using building materials made of coal ash for this facility. That is what it is going to look like after they do this \$50 million expansion.

Let me give another example. This is the National Energy Center of Excellence at Bismarck State College. It is a 2-year college that trains people for the energy industry. It is located right above the Missouri River. This beautiful window overlooks the Missouri River. Again this is a building constructed with building materials made of fly ash. We can see how this product is being used and how effectively this is being used.

As a matter of fact, if we look nationwide, by recycling coal ash we reduce energy consumption by 162 trillion Btus every year. That is the amount of energy we would use to 1.7 million homes in a year. It is pretty substantial energy savings. Or measure it in terms of water use. By recycling coal ash, we reduce water usage by 32 billion gallons annually. That is about one-third of the total amount of water

that the State of California uses in a year.

Why do I tell the story? Because right now the EPA is looking at changing the regulation of coal ash. They are looking at changing the regulation of coal ash to doing it under subtitle C of the Resource Conservation and Recovery Act. The problem is that is the hazardous waste section. Right now coal ash is regulated under subtitle D of the Resource Conservation and Recovery Act, which is the nonhazardous waste section. The EPA is looking at making that change in spite of the fact that the Department of Energy, the Federal Highway Administration, State regulatory agencies, and the EPA itself have done studies, and those studies have shown that is not a toxic waste.

The EPA first proposed this new regulation in June of 2010. This regulation would truly undermine the industry, drive up costs, and eliminate jobs when our economy can least afford it. In fact, according to industry estimates, it would increase electricity costs by up to almost \$50 billion annually and eliminate 300,000 American jobs.

Let me elaborate. Meeting the regulatory disposal requirements under the EPA's subtitle C proposal would cost between \$250 and \$450 per ton as opposed to about \$100 per ton under the current system. That would translate into \$47 billion in terms of burden on electricity generators that use coal and, of course, most importantly, their customers who would see their bills increased. As I said, overall it would cost about 300,000 American jobs for our economy.

That is why I am introducing the Hoeven-Conrad-Baucus Recycling and Oversight Act, which is S. 3512, and it has very strong bipartisan support. It is truly a bipartisan bill, including 12 Republican sponsors and 12 Democratic sponsors. The Republican sponsors include myself, Senator McCONNELL, Senator PORTMAN, Senator BOOZMAN, Senator BLUNT, Senator RON JOHNSON, Senator MORAN, Senator ALEXANDER, Senator TOOMEY, Senator GRAHAM, Senator THUNE, and Senator HATCH. The Democratic cosponsors include Senator CONRAD, Senator BAUCUS, Senator KOHL, Senator LANDRIEU, Senator MANCHIN, Senator WARNER, Senator PRYOR, Senator MCCASKILL, Senator BEN NELSON, Senator BILL NELSON, Senator CASEY, and Senator WEBB. I wish to thank them for their willingness to join together in a bipartisan way—12 Republicans, 12 Democrats—coming together to provide the kind of energy legislation that is going to truly help move this country forward, empowering not only more energy development but better environmental stewardship.

This legislation is similar to H.R. 2273, which was sponsored by Representative DAVID MCKINLEY of West Virginia in the House, and it passed the

House with strong bipartisan support. This legislation is very similar. We have made some enhancements, but it is very similar.

The bill not only preserves coal ash recycling by preventing these by-products from being treated as hazardous, it also establishes—and this is important because it is also about good environmental stewardship—it also establishes comprehensive Federal standards for coal ash disposal. Under this legislation, States can set up their own permitting program for the management and the disposal of coal ash. These programs would be required to be based on existing EPA regulations that protect human health and the environment. If a State does not implement an acceptable permitting program, then EPA regulates the program for the State. As a result, States and industry will know where they stand under the bill, since the benchmarks for what constitutes a successful State program will be set in statute. EPA can say yes, the State does meet those standards, or no, it does not, but the EPA cannot move the goalposts.

This is a States-first approach that provides regulatory certainty. Let me repeat that. This is a States-first approach that provides regulatory certainty, and it is that regulatory certainty we need to stimulate private investment that will deploy the new technologies that will not only produce more energy but will produce better environmental stewardship.

What is certain is that under this bill, coal ash disposal sites will be required to meet established standards. Those established standards include groundwater detection and monitoring, liners, corrective action when environmental damage occurs, structural stability criteria, and the financial assurance and recordkeeping needed to protect the public.

This legislation is needed to protect jobs and help reduce the cost of homes and roads as well as to help reduce electric bills.

I wish to thank both Republicans and Democrats who have taken a leadership role in this effort as original sponsors of the legislation. I especially wish to express thanks to my fellow Senator from North Dakota, Mr. CONRAD, as well as Senator BAUCUS of Montana and their staffs for the hard work that has gone into this legislation. I urge our colleagues to join us in this important energy legislation.

By Mr. REED:

S. 3513. A bill to promote the development of local strategies to coordinate use of assistance under sections 8 and 9 of the United States Housing Act of 1937 with public and private resources, to enable eligible families to achieve economic independence and self-sufficiency, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. REED. Mr. President, today I introduce the Family Self-Sufficiency Act.

The Family Self Sufficiency, FSS, program is an existing employment and savings incentive initiative for families that have section 8 vouchers or live in public housing. The FSS program provides two key tools for its participants: first, it provides access to the resources and training that help participants pursue employment opportunities and meet financial goals, and second, it encourages FSS families to save by establishing an interest-bearing escrow account for them. Upon graduation from the FSS program, the family can use these savings to pay for job-related expenses, such as the purchase or maintenance of a car or for additional workforce training.

My legislation seeks to enhance the FSS program by streamlining the administration of this program, by broadening the supportive services that can be provided to a participant, and by extending the FSS program to tenants who live in privately-owned properties with project-based assistance.

First, to streamline the FSS program, my bill would combine the two separate FSS programs into one. Currently, HUD operates one FSS program for those families being served by the Housing Choice Voucher Program and another for those families being served by the Public Housing program, even though the core purpose of each FSS program, to increase economic independence and self-sufficiency, is the same for both. As a result, Public Housing Agencies, PHAs, have to operate essentially two programs to achieve the same goal. With my bill, PHAs would be relieved of this unnecessary burden.

Second, my legislation broadens the scope of the supportive services that may be offered to include attainment of a GED, education in pursuit of a post-secondary degree or certification, and training in financial literacy. Providing families in need with affordable rental housing is critical, but coupling it with the support and services to help families get ahead is more effective. This legislation makes it easier for FSS participants to obtain the training necessary to secure employment and the education to make prudent financial decisions to better safeguard their earnings.

Lastly, this bill opens up the FSS program to families who live in privately-owned properties subsidized with project-based rental assistance. It shouldn't matter what kind of housing assistance a family gets, and families seeking to achieve self-sufficiency shouldn't be held back by this sort of technicality.

I urge my colleagues to support this bill, which will help give those receiving housing assistance a better chance to build their skills and achieve economic independence.

By Ms. SNOWE:

S. 3516. A bill to encourage spectrum licenses to make unused spectrum available for use by rural and smaller carriers in order to expand wireless coverage; to the Committee on Commerce, Science, and Transportation.

Ms. SNOWE. Mr. President, I rise today to introduce legislation to help expand wireless broadband to rural areas. Specifically, the Rural Spectrum Accessibility Act would direct the Federal Communications Commission, FCC, establish a program that would provide an incentive, a three year extension to a spectrum license, to wireless carriers that make available, through partitioning and disaggregation, unused spectrum to smaller carriers or carriers serving rural areas.

As the FCC National Broadband Plan reports "most areas without mobile broadband coverage are in rural or remote areas." This legislation would provide an additional incentive to increase wireless broadband to these areas and make more spectrum available to smaller and rural wireless carriers through secondary market mechanisms.

This bill is loosely based on a wireless carrier's existing program, which creates a partnership with rural carriers to build and operate Long Term Evolution, LTE, wireless networks in rural areas. Through the cooperation the carrier provides spectrum and core network equipment and the rural carrier supplies the cell towers and backhaul.

The Rural Spectrum Accessibility Act is an effort to get other large carriers to implement similar initiatives to create more opportunities for the smaller and rural carriers. It should be noted the FCC actually already has partitioning and disaggregation rules, see 47 CFR 22.948, this legislative proposal just provides a simple but attractive incentive for carriers to utilize them.

The main goal of this legislation is to provide another catalyst to expand next generation, 4G. Wireless broadband service to rural areas, which will mean more reliable service, more innovation, and more choice to rural consumers and businesses.

The increasing importance of wireless communications and broadband has a direct correlation to our Nation's competitiveness, economy, and national security. We must reform existing spectrum policy and management to ensure that all Americans continue to realize the boundless benefits of wireless broadband. Congress has taken some steps but more can and must be done. That is why I sincerely hope that my colleagues join me in supporting this important legislation.

By Mr. WYDEN:

S. 3518. A bill to make it a principal negotiating objective of the United

States in trade negotiations to eliminate government fisheries subsidies, and for other purposes; to the Committee on Finance.

Mr. WYDEN. Mr. President, I rise today to introduce the Fair Trade in Seafood Act.

Right now, our country is proud to be a world leader in the fishing and seafood processing industries. We rank among the world's top five exporters of seafood, and its largest importer. However, the U.S. seafood industry faces many challenges on the global stage from unfair competition. The Congress should be doing everything it can to make sure we retain our status as global leader. That is why I am introducing the Fair Trade in Seafood Act. This bill will establish this issue as a Principal Negotiating Objective of the United States in the ongoing Trans-Pacific Partnership and World Trade Organization talks.

Why is this bill important? According to the United Nations Food and Agricultural Organization, 85 percent of the world's fisheries are fully exploited, overexploited, depleted, or recovering from depletion—the highest percentage since the Food and Agricultural Organization began keeping records.

Many governments continue to provide significant subsidies that push their fleets to fish longer, more intensively, and farther away than otherwise would be possible. These destructive fisheries subsidies are estimated to be at least \$16 billion annually, an amount equivalent to approximately 20 percent of the value of the world catch. The detrimental effects of these illegal subsidies are so significant that eliminating them is the single greatest action that can be taken to protect the world's oceans.

In contrast to these nefarious actors, the U.S. does not just talk about the importance of sustainable fishing practices and marine conservation. We are practicing what we preach. That means enforcing regulations and changing old, counterproductive, destructive habits. Our seafood industry is stronger because of it. At the same time, our market is open. In my view, this is the way every country ought to run its seafood industry. Our foreign trading partners, as I mentioned, often support practices that can cause long-term harm to marine habitat. In addition, our trading partners put up trade barriers that prevent sustainably caught U.S. seafood from reaching foreign consumers. These are practices that skew the playing field in a competitive marketplace. They skew the playing field against American fishers and give foreign competitors a huge advantage in an industry that depends on global trade. Forty percent of global fishery products are traded internationally, and seafood is more globally sourced than coffee, rice, and tea combined.

These harmful foreign trade barriers and practices that encourage overfishing are top priorities that need to be addressed. These foreign trade barriers harm our country's ability to create good-paying jobs. Preserving the wealth of the world's marine environment is of paramount importance. The U.S. seafood industry represents a major portion of our economy, employing over 1.5 million workers in the commercial sector alone. The commercial seafood industry has a significant presence in over 23 States and is an industry and, in fact, a way of life, a way of life that binds communities and stitches together the regions of our country. The seafood sector employs more people than the mining or oil industries.

It is also a foundation of our economy because, without fish, there are no jobs. Preserving the wealth of our oceans and rivers is an economic imperative as much as a moral one. That is why I urge my colleagues to cosponsor the Fair Trade in Seafood Act.

In short, this Act will codify an official trade negotiating objective of the United States with respect to government fisheries subsidies. More specifically, the negotiating objective will be to eliminate fisheries subsidies provided by governments that unfairly destroy markets to the detriment of the United States commercial fishing interests and that perpetuate unsustainable fishing practices. The bill aims to ensure that any commitments with respect to such subsidies are enforceable under appropriate trade laws. This negotiating objective will apply to any trade agreement that includes any negotiations relating to the elimination or reduction of government fisheries subsidies.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 3518

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Fair Trade in Seafood Act".

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) According to the Food and Agriculture Organization of the United Nations, 85 percent of the world's fisheries are overexploited, fully exploited, significantly depleted, or recovering from overexploitation, the highest percentage ever on record.

(2) A primary reason for the global fisheries crisis is government subsidies that create perverse incentives for continued fishing in the face of declining catches.

(3) Despite the dire conditions of the world's marine resources, some of the countries that engage in the most fishing continue to provide significant subsidies to their fishing fleets.

(4) Fisheries subsidies are estimated to be approximately 20 percent of the value of the

world catch and have helped create a global fishing fleet that is up to 250 percent larger than that needed to fish sustainably.

(5) Many long-range foreign fleets are supported by government subsidies for fuel, other operational expenses, and vessel construction that allow their fleets to fish longer, at greater distances, and more intensively than is commercially or environmentally warranted. Those fleets would not be viable without the support of government subsidies.

(6) Many developing countries are particularly affected by fisheries subsidies provided by other governments because the developing countries are unable to compete against subsidized industrial fleets.

(7) Fisheries subsidies offered by the governments of other countries give the fleets of those countries an unfair advantage over United States fishermen by reducing the costs of operations and increasing the number, size, and power of vessels competing for fish. Foreign fisheries subsidies also undermine opportunities for United States fishermen in potential export markets.

(8) Without committed global leadership to reduce "overfishing subsidies", there is a significant risk that the oceans will become too depleted to fish, resulting in a catastrophic blow to the world economy and environment.

(9) As one of the world's largest importers of seafood and one of the top five exporters of seafood, the United States has a particular responsibility to lead trade negotiations to address fisheries subsidies and make the establishment of strong new rules on fisheries subsidies a core priority in United States trade negotiations.

(10) Paragraphs 28 and 31 of the Ministerial Declaration of the World Trade Organization adopted at Doha November 14, 2001, which launched the Doha Development Agenda, called for negotiations to clarify and improve disciplines on trade-distorting government fisheries subsidies.

(11) Paragraphs 9 through 11 of Annex D of the Ministerial Declaration of the World Trade Organization adopted at Hong Kong December 18, 2005, reinforced the Doha fisheries subsidies mandate, noting that "there is broad agreement that the Group should strengthen disciplines on subsidies in the fisheries sector, including through the prohibition of certain forms of fisheries subsidies that contribute to overcapacity and overfishing" and calling on "Participants promptly to undertake further detailed work to, *inter alia*, establish the nature and extent of those disciplines, including transparency and enforceability".

(12) The negotiations on fisheries subsidies in the World Trade Organization and negotiations for the Trans-Pacific Partnership Agreement are two of the most important, and promising, international efforts to stop global overfishing and represent meaningful efforts to directly address a key environmental issue that directly impacts international trade.

(13) On November 12, 2011, the leaders of the 9 countries in negotiations for the Trans-Pacific Partnership Agreement—Australia, Brunei Darussalam, Chile, Malaysia, New Zealand, Peru, Singapore, Vietnam, and the United States—announced the achievement of the broad outlines of an ambitious, 21st-century agreement. According to a statement released by those leaders, the agreed outline calls for "[a] meaningful outcome on environment [that] will ensure that the agreement appropriately addresses important trade and environment challenges and enhances the mutual supportiveness of trade

and environment. The TPP countries share the view that the environment text should include effective provisions on trade-related issues that would help to reinforce environmental protection and are discussing an effective institutional arrangement to oversee implementation and a specific cooperation framework for addressing capacity building needs." Various proposals, including a proposal by the United States, to bring disciplines to government-subsidized fishing are under active discussion as part of the negotiations on the environment chapter of the Trans-Pacific Partnership Agreement.

(14) The United States continues to make achievement of an agreement on disciplines on government fisheries subsidies a priority in negotiations in the World Trade Organization and for the Trans-Pacific Partnership Agreement. On December 16, 2011, at the Eighth Ministerial Conference of the World Trade Organization in Geneva, the United States Trade Representative issued a statement urging "continued work toward an ambitious outcome on fisheries subsidies under the WTO". Noting the acute impact of declining catches on developing countries, the Trade Representative further stated, "We stand ready to explore new negotiating approaches that can move us towards the elimination of harmful subsidies that contribute to overcapacity and overfishing. . . . WTO Members have a duty to address one of the root causes of overfishing and overcapacity—the fisheries subsidies that encourage fishing enterprises to fish longer, harder, and farther than would otherwise be sustainable without subsidy aid. . . . The United States is ready to continue this work in the WTO and in other appropriate fora—including free trade agreements such as the Trans-Pacific Partnership and other bilateral, regional and multilateral initiatives."

(15) A strong fisheries subsidies agreement by the World Trade Organization and in the Trans-Pacific Partnership Agreement would set an historic precedent by showing that international trade can directly benefit the environment while promoting exports and open markets.

SEC. 3. TRADE NEGOTIATING OBJECTIVES OF THE UNITED STATES WITH RESPECT TO GOVERNMENT FISHERIES SUBSIDIES.

It shall be a principal negotiating objective of the United States in negotiations for a trade agreement—

(1) to eliminate fisheries subsidies provided by governments that unfairly distort markets to the detriment of United States commercial fishing interests and that perpetuate unsustainable fishing practices; and

(2) to ensure that any commitments with respect to such subsidies are enforceable under appropriate trade laws.

SEC. 4. EFFECTIVE DATE.

This Act takes effect on the date of the enactment of this Act and applies with respect to negotiations for a trade agreement that—

(1) include any negotiations relating to the elimination or reduction of government fisheries subsidies; and

(2) are entered into—

(A) on or after such date of enactment; or

(B) before such date of enactment if the negotiations continue on or after such date of enactment.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 541—CON-DEMNING THE GOVERNMENT OF VIETNAM FOR HUMAN RIGHTS VIOLATIONS

Mr. CORNYN (for himself, Mrs. BOXER, Mr. BOOZMAN, and Mr. DURBIN) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 541

Whereas Vietnam is an authoritarian state ruled by the Communist Party of Vietnam, which continues to deny the right of the people of Vietnam to participate in free and fair elections;

Whereas, according to the 2012 annual report of the United States Commission on International Religious Freedom, "Vietnam's overall human rights record remains poor, and has deteriorated since Vietnam was removed from the CPC [countries of particular concern] list and joined the World Trade Organization in 2007.";

Whereas, according to the Department of State's most recent Country Reports on Human Rights Practices, published on May 24, 2012 (in this resolution, the "DOS Human Rights Report"), the most significant human rights issues in Vietnam "were severe government restrictions on citizens' political rights, particularly their right to change their government; increased measures to limit citizens' civil liberties; and corruption in the judicial system and police";

Whereas, according to the DOS Human Rights Report, the Government of Vietnam "reportedly held more than 100 political detainees at year's end, although some international observers claimed there were more. . . Diplomatic sources reported the existence of four reeducation centers in the country holding approximately 4,000 prisoners";

Whereas, according to the DOS Human Rights Report, Vietnam's Ministry of Public Security "maintains a system of household registration and block wardens to monitor the population," while "credible reports suggested that local police used 'contract thugs' and 'citizen brigades' to harass and beat political activists and others, including religious worshippers, perceived as undesirable or a threat to public security";

Whereas, on April 8, 2006, the pro-democracy movement Bloc 8406 was founded in Vietnam, and it has since attracted thousands of supporters calling for respect for basic human rights, the establishment of a multiparty political system, and guarantees of freedom of religion and political association;

Whereas, according to the DOS Human Rights Report, the Government of Vietnam "continued to restrict public debate and criticism severely. No public challenge to the legitimacy of the one-party state was permitted," and "the government continued to crack down on the small, opposition political groups established in 2006, and group members faced arrests and arbitrary detentions";

Whereas, according to the DOS Human Rights Report, "[t]here continued to be credible reports that authorities pressured defense lawyers not to take as clients any religious or democracy activists facing trial. Human rights lawyers were restricted, harassed, arrested, disbarred, and in some cases detained for representing political activists," while "given their previous convic-

tions, lawyers Le Tran Luat, Le Thi Cong Nhan, and Le Quoc Quan were not permitted to practice law";

Whereas, on April 4, 2011, the Hanoi People's Court sentenced attorney Cu Huy Ha Vu to seven years in prison for defending victims of land confiscation and abuse of power, including the Catholic villagers of Con Dau who refused to sell or vacate land, including a 135-year-old religious burial site, and in August and November 2011, Vu's appeals were unsuccessful;

Whereas, although the constitution of Vietnam provides for freedom of religion, Vietnamese law requires official recognition or registration for religious groups, which has been used to monitor and restrict the operations of religious organizations;

Whereas the 2012 Annual Report of the United States Commission on International Religious Freedom (USCIRF) lists Vietnam as one of the "world's worst religious freedom violators," recommending that the Secretary of State name Vietnam a "country of particular concern" with respect to religious freedom, noting that "the Government of Vietnam continues to control all religious communities, restrict and penalize independent religious practice severely, and repress individuals and groups viewed as challenging its authority" and that "individuals continue to be imprisoned or detained for reasons relating to their religious activity or religious freedom advocacy" while "independent religious activity remains illegal";

Whereas, according to the USCIRF report, between April 2011 and February 2012, "as many as 27 individuals were arrested or disappeared in Vietnam for their religious affiliations, religious activities, or peaceful protest of religious freedom restrictions, among them Hoa Hao Buddhists, Catholics, Protestants, and Falun Gong practitioners";

Whereas hundreds of Montagnard Protestants arrested after 2001 and 2004 demonstrations for religious freedom and land rights remain in detention in Vietnam's Central Highlands, while, according to Human Rights Watch, in 2010, as many as 70 additional people were detained in the Central Highlands for conducting "illegal" religious services;

Whereas the Unified Buddhist Church of Vietnam is the country's largest religious organization, yet according to the USCIRF, it "has faced decades of harassment and repression for seeking independent status and for appealing to the government to respect religious freedom and related human rights";

Whereas, in July 2011, Father Nguyen Van Ly, who has been imprisoned numerous times for his religious freedom and human rights advocacy, but had been granted medical parole in March 2010 after suffering several strokes in prison that left him partially paralyzed, was returned to prison to serve the remainder of his eight-year sentence;

Whereas on January 6, 2011, Christian Marchant, a United States diplomat at the United States Embassy in Hanoi, was beaten by Vietnamese police when he went to visit Father Ly, who was then under house arrest;

Whereas, according to the USCIRF report, over a dozen religious leaders are being held under long-term house arrest orders, including Unified Buddhist Church of Vietnam (UBCV) leader Thich Quang Do and other UBCV leaders, Catholic Father Phan Van Loi, Hoa Hao leader Le Quang Liem, Protestants Nguyen Van Dai and Le Thi Cong Nhan, and Mennonite Leader Nguyen Thi Hong;

Whereas Reporters Without Borders' 2011-2012 Press Freedom Index ranks Vietnam last

in Southeast Asia with regard to freedom of the press, and 172 out of 179 countries overall;

Whereas, in September 2007, Vietnamese bloggers established the Club of Free Journalists to promote freedom of expression and independent journalism and were quickly faced with harassment, intimidation, and detention by authorities in Vietnam, beginning with the arrest of Nguyen Van Hai in April 2008;

Whereas, on October 30, 2010, while in Hanoi, Vietnam, Secretary of State Hillary Clinton said, "[T]he United States remains concerned about the arrest and conviction of people for peaceful dissent, the attacks on religious groups, the curbs on Internet freedom, including of bloggers. Vietnam has so much potential, and we believe that political reform and respect for human rights are an essential part of realizing that potential.";

Whereas, on November 10, 2011, Secretary of State Clinton stated, "We support not only open economies but open societies . . . we have made it clear to Vietnam that if we are to develop a strategic partnership, as both nations desire, Vietnam must do more to respect and protect its citizens' rights"; and

Whereas, on February 2, 2012, Assistant Secretary of State Kurt M. Campbell stated that "for the United States and Vietnam to go to the next level it will require some significant steps on the part of Vietnam to address . . . human rights concerns . . . but also more systematic challenges associated with freedom of expression, freedom of organization," explaining that "progress in these areas will be essential to have the appropriate level of support in the United States that will sustain a deeper engagement between our two countries": Now, therefore, be it

Resolved, That the Senate—

(1) reaffirms the commitment of the United States to democracy, human rights, civil liberties, and rule of law, including the universal rights of freedom of assembly, freedom of speech, freedom of religion, and freedom of association;

(2) strongly condemns the ongoing and egregious human rights violations committed by the Government of Vietnam against the Vietnamese people;

(3) urges the President, Secretary of State, and all other appropriate United States Government officials to ensure that relations between the United States and Vietnam continue to include robust discussion on the troubling human rights record of the Government of Vietnam;

(4) encourages the Secretary of State to place Vietnam on the list of "Countries of Particular Concern" with regard to religious freedom pursuant to section 402(b) of the International Religious Freedom Act of 1998 (22 U.S.C. 6442(b)) in order to highlight abuses of religious freedom in Vietnam and encourage improvement in the respect for human rights in Vietnam; and

(5) urges the President, Secretary of State, and other world leaders to publicly support the human rights of the people of Vietnam and to call on the President of Vietnam to—

(A) release all political and religious prisoners, including all those imprisoned or detained on account of their advocacy for democracy, religious freedom, and other human rights;

(B) revise or repeal ordinances and decrees that limit freedom of expression, assembly, association, or religion; and

(C) implement all necessary legal and political reforms to protect these rights.

SENATE RESOLUTION 542—EXPRESSING THE SENSE OF THE SENATE THAT THE UNITED STATES GOVERNMENT SHOULD CONTINUE TO SUPPORT DEMOCRACY AND HUMAN RIGHTS IN TAIWAN FOLLOWING THE JANUARY 2012 PRESIDENTIAL AND LEGISLATIVE ELECTIONS IN TAIWAN

Ms. MURKOWSKI (for herself and Mr. BEGICH) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 542

Whereas, for many years, Taiwan has been a strong and cooperative partner of the United States;

Whereas the 1979 Taiwan Relations Act (22 U.S.C. 3301 et seq.), the cornerstone of United States-Taiwan relations, declares that "the preservation and enhancement of the human rights of all the people of Taiwan are hereby reaffirmed as objectives of the United States";

Whereas, since the lifting of martial law in 1987, the people of Taiwan have amply demonstrated their desire for democratic governance, as well as their commitment to human rights, civil liberties, and the rule of law;

Whereas, since their first democratic presidential election in 1996, the people of Taiwan have conducted four more presidential elections, as well as successive elections for members of their national legislature, numerous local elections, and two national referendums;

Whereas Taiwan conducted its latest presidential and legislative elections on January 14, 2012;

Whereas, on January 14, 2012, Mr. Ma Ying-jeou, the incumbent and the nominee of the Chinese Nationalist Party (KMT), was re-elected as the President of Taiwan with 51.6 percent of the vote, while in the 113-member legislature the KMT won 64 seats, the Democratic Progressive Party (DPP) won 40 seats, and the People's First Party (PFP), the Taiwan Solidarity Union (TSU), and other non-partisan independent candidates each won 3 seats;

Whereas an international election observation mission made up of 19 observers from 8 countries, invited by the International Committee for Fair Elections in Taiwan (ICFET), observed the January 14, 2012, elections in Taiwan;

Whereas the final report of the mission, made up of observers from Australia, Canada, Denmark, France, Japan, Sweden, the Netherlands, and the United States, was recently presented in Taiwan;

Whereas the final report of the mission included—

(1) a finding that the elections were mostly free but only partly fair;

(2) a finding that the date selected for the election made it more convenient for Taiwan businessmen in China to return for the vote, but made it more difficult for students to return to their home towns to vote, and a recommendation that the household registration system should be changed to allow people to vote where they actually work or study in Taiwan, ending the need to travel long distances to vote;

(3) a finding that vote buying and vote betting remains an issue of concern, and recommendations that stiffer penalties be put in place for candidates who buy votes, such as disqualification from running in future elections, and that the political parties do

more to prevent individual candidates from engaging in vote buying;

(4) a finding that major violations of principles of administrative neutrality during the elections by government officials occurred, and a recommendation that civil service and non-elected offices need to be further de-politicized;

(5) a finding that verified data does not exist on campaign financial resources and expenditures and it seemed likely that campaign spending exceeded campaign finance limits, and recommendations that enforcement and public promotion of campaign spending laws be strengthened and loopholes closed and that the longstanding issue of KMT party assets, including their source, use, and investments be resolved;

(6) a finding that the Government of the People's Republic of China attempted to influence the elections by sending agricultural purchasing missions to southern Taiwan as a sign of support for the sitting President, reducing the number of tourist groups allowed to travel to Taiwan to signal the ability to reduce tourism if the "wrong candidate" won, and by discounting flights from China to Taiwan to make it easier for Taiwanese businessmen living in China to return to Taiwan to vote;

(7) a finding that actions and statements by the United States Government and its officials might have influenced the elections, noting that in the three months preceding the election, there were more visits by high-level United States officials to Taipei than during any calendar year in recent history; less than one month before the elections, the Department of State announced Taiwan's candidacy for participation in the visa waiver program; and a senior United States official stated anonymously through the Financial Times that the DPP's presidential candidate Tsai "left us with distinct doubts about whether she is both willing and able to continue the stability in cross-strait relations the region has enjoyed in recent years"; and

(8) a finding that media outlets gave preferential treatment to a particular party or candidate based on the outlet's political affiliation;

Whereas Taiwan's native-grown democratic experience serves as a model for countries in the region and around the world aspiring to establish democratic rule;

Whereas Taiwan's free and open society plays a stabilizing role in the Asia Pacific region and is thus conducive to the interests of states of the region, including the United States, in furthering peace, prosperity and stability; and

Whereas the United States remains committed to the continued strengthening and development of democratic institutions in Taiwan, and to ensuring the ability of the people of Taiwan to determine their own future free from outside interference or coercion: Now, therefore, be it

Resolved, That the Senate—

(1) applauds the progress made by the people of Taiwan toward the consolidation of democracy over the past two decades, and commends their enduring commitment to the values of democracy, rule of law, and the protection of human rights;

(2) encourages the people and the Government of Taiwan to take steps to continue to strengthen the protection of democratic values and human rights in their country, including freedom of speech, freedom of assembly, and freedom of the press;

(3) encourages the people and the Government of Taiwan to take into consideration

the conclusions and recommendations of international election monitoring missions, including the final International Election Observation Mission (IEOM) report, as they seek to strengthen their democratic practices and human rights protections;

(4) urges the President and Government of the United States to continue to support democracy and human rights in Taiwan;

(5) encourages all outside parties to remain neutral in Taiwan's elections; and

(6) affirms that the future of Taiwan should be resolved peacefully, in accordance with democratic principles, and with the assent of the people of Taiwan.

Ms. MURKOWSKI. Mr. President, I rise to submit a resolution relating to the January 2012, presidential and legislative elections held in Taiwan. On January 14, 2012, Mr. Ma Ying-jeou, the nominee of the Chinese Nationalist Party, KMT, was re-elected as President of Taiwan with 51.6 percent of the vote. The KMT also won 64 seats of the 113-member Legislative Yuan, while the Democratic Progressive Party, DPP, won 40 seats.

Former United States Senator Frank Murkowski participated in an international election observation mission made up of 19 observers from 8 countries. Recently, the mission submitted its final report on the elections, concluding that they were mostly free but only partly fair.

The resolution I am submitting takes note of the mission's final report, and urges the people and government of Taiwan to take the report's findings and recommendations into consideration as they continue their commitment to the values of democracy, the rule of law, and human rights.

SENATE RESOLUTION 543—TO EXPRESS THE SENSE OF THE SENATE ON INTERNATIONAL PARENTAL CHILD ABDUCTION

Mrs. BOXER (for herself, Mr. LAUTENBERG, Mr. KERRY, Mr. LUGAR, Mr. INHOFE, Mr. CARDIN, Ms. MIKULSKI, Mrs. FEINSTEIN, Mrs. GILLIBRAND, Ms. LANDRIEU, Mr. MERKLEY, Mrs. MURRAY, Mr. RUBIO, Mr. LEAHY, and Mr. KIRK) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 543

Whereas international parental child abduction is a tragic and common occurrence;

Whereas the abduction of a child by one parent is a heartbreaking loss for the left-behind parent and deprives the child of a relationship with 2 loving parents;

Whereas, according to the Report on Compliance with the Hague Convention on the Civil Aspects of International Child Abduction of the United States Department of State from April 2010, research shows that abducted children are at risk of significant short- and long-term problems, including "anxiety, eating problems, nightmares, mood swings, sleep disturbances, [and] aggressive behavior";

Whereas, according to that report, left-behind parents may also experience substantial psychological and emotional issues, including feelings of "betrayal, sadness over the

loss of their children or the end of their marriage, anger toward the other parent, anxiety, sleeplessness, and severe depression", as well as financial strain while fighting for the return of a child;

Whereas, since 1988, the United States, which has a treaty relationship under the Convention on the Civil Aspects of International Child Abduction, done at The Hague October 25, 1980 (TIAS 11670) (referred to in this preamble as the "Hague Abduction Convention") with 69 other countries, has agreed with its treaty partners to follow the terms of the Hague Abduction Convention;

Whereas the Hague Abduction Convention provides a legal framework for securing the prompt return of wrongfully removed or retained children to the countries of their habitual residence where competent courts can make decisions on issues of custody and the best interests of the children;

Whereas, according to the United States Department of State, the number of new cases of international child abduction from the United States increased from 579 in 2006 to 941 in 2011;

Whereas, in 2011, those 941 cases involved 1,367 children who were reported abducted from the United States by a parent and taken to a foreign country;

Whereas, in 2011, more than 660 children who were abducted from the United States and taken to a foreign country were returned to the United States;

Whereas 7 of the top 10 countries to which children from the United States were most frequently abducted in 2011 are parties to the Hague Abduction Convention, including Mexico, Canada, the United Kingdom, Germany, Ecuador, Brazil, and Colombia;

Whereas Japan, India, and Egypt are not parties to the Hague Abduction Convention and were also among the top 10 countries to which children in the United States were most frequently abducted in 2011;

Whereas, in many countries, such as Japan and India, international parental child abduction is not considered a crime, and custody rulings made by courts in the United States are not typically recognized by courts in those countries; and

Whereas Japan is the only member of the Group of 7 major industrialized countries that has not ratified the Hague Abduction Convention: Now, therefore, be it

Resolved, That—

(1) the Senate—

(A) condemns the unlawful international abduction of all children;

(B) urges countries identified by the United States Department of State as non-compliant or demonstrating patterns of non-compliance with the Convention on the Civil Aspects of International Child Abduction, done at The Hague October 25, 1980 (TIAS 11670) (referred to in this resolution as the "Hague Abduction Convention") to fulfill their commitment under international law to expeditiously implement the provisions of the Hague Abduction Convention;

(C) calls on all countries to accede to or ratify the Hague Abduction Convention and to promptly institute measures to equitably and transparently address cases of international parental child abduction; and

(D) calls on all countries that have not acceded to or ratified the Hague Abduction Convention to develop a mechanism for the resolution of current and future cases of international parental child abduction that occur before those countries accede to or ratify the Hague Abduction Convention in order to facilitate the prompt return of children abducted to those countries to the children's countries of habitual residence; and

(2) it is the sense of the Senate that the United States should—

(A) aggressively pursue the return of each child abducted by a parent from the United States to another country through all appropriate means, consistent with the Hague Abduction Convention, and through extradition, when appropriate, and facilitate access by the left-behind parent if the child is not returned;

(B) take all appropriate measures to ensure that a child abducted to a country that is a party to the Hague Abduction Convention is returned to the country of habitual residence of the child in compliance with the provisions of the Hague Abduction Convention;

(C) continue to use diplomacy to encourage other countries to accede to or ratify the Hague Abduction Convention and to take the necessary steps to effectively fulfill their responsibilities under the Hague Abduction Convention;

(D) use diplomacy to encourage countries that have not acceded to or ratified the Hague Abduction Convention to develop an institutionalized mechanism to transparently and expeditiously resolve current and future cases of international child abduction that occur before those countries accede to or ratify the Hague Abduction Convention; and

(E) review the advisory services made available to United States citizens by the United States Department of State, the United States Department of Justice, and other United States Government agencies—

(i) to improve the prevention of international parental child abduction from the United States; and

(ii) to ensure that effective and timely assistance is provided to United States citizens who are parents of children abducted from the United States and taken to foreign countries.

SENATE RESOLUTION 544—CONGRATULATING THE NAVY DENTAL CORPS ON ITS 100TH ANNIVERSARY

Mr. MANCHIN (for himself and Mr. COBURN) submitted the following resolution; which was considered and agreed to:

S. RES. 544

Whereas on August 22, 1912, Congress passed an Act recognizing Navy dentistry as a distinct branch among naval medical professions;

Whereas in the last century, the Navy Dental Corps has supported the Navy by sustaining Sailor and Marine readiness and providing routine and emergency dental care, ashore and afloat, in peace and in war;

Whereas the Navy Dental Corps works continuously to improve the health of Sailors, Marines, and their families by supporting individual and community prevention initiatives, good oral hygiene practices, and treatment;

Whereas the Navy Dental Corps endeavors to improve oral health worldwide by participating in the spectrum of military combat, peacekeeping, and humanitarian operations and exercises;

Whereas the Navy Dental Corps, in collaboration with national and international dental organizations, promotes dental professionalism and quality of care;

Whereas the Navy Dental Corps supports the mission of the Federal dental research program and endorses improved dental tech-

nologies and therapies through research and adherence to sound scientific principles; and

Whereas the Navy Dental Corps recognizes the importance of continuing professional dental education, requiring and supporting specialty dental education and postgraduate residencies and fellowships for its members: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the Navy Dental Corps on its 100th anniversary;

(2) commends the Navy Dental Corps for working to sustain the dental readiness and the oral health of a superb fighting force; and

(3) recognizes the thousands of dentists who have served in the Navy Dental Corps over the last 100 years, providing dental care to millions of members of the Armed Forces and their families.

SENATE RESOLUTION 545—COMMEMORATING THE 75TH ANNIVERSARY OF AIR FORCE WEATHER

Mr. JOHANNIS (for himself and Mr. NELSON of Nebraska) submitted the following resolution; which was considered and agreed to:

S. RES. 545

Whereas the United States Army Air Corps assumed responsibility for military weather services on July 1, 1937, beginning a legacy of superior service to Army and Air Force commanders for the next 75 years;

Whereas the United States Army Air Forces activated the Weather Wing on April 14, 1943, in time to provide General Dwight D. Eisenhower with reports and forecasts vital to the success of Operation Overlord, the reentry of the Allies into Europe against resistance from German occupation forces, and subsequent operations in Europe and the Pacific;

Whereas 68 personnel from the Weather Wing lost their lives in World War II;

Whereas the Weather Wing was redesignated as the Army Air Forces Weather Service in 1945, and the Air Weather Service in 1946;

Whereas, in July of 1947, the Air Weather Service became a part of the newly formed United States Air Force with a mission to support both the Army and Air Force;

Whereas, in 1948, the Air Weather Service issued its first tornado warning;

Whereas the Air Weather Service provided critical reports and forecasts to commanders, planners, and aircrews in support of the Berlin Airlift, enabling the successful efforts to stare down Premier of the Soviet Union Joseph Stalin in the first major confrontation of the Cold War;

Whereas the Air Weather Service has participated in every military operation from operations in Vietnam to Iraq and Afghanistan;

Whereas the Air Weather Service was reorganized into a field operating agency on April 1, 1991, reporting directly to the Air Staff;

Whereas, on October 15, 1997, the Air Weather Service was redesignated as the Air Force Weather Agency and subsequently headquartered at Offutt Air Force Base, Nebraska;

Whereas, in June 2008, construction was completed on a new 188,000-square-foot headquarters building for the Air Force Weather Agency at Offutt Air Force Base;

Whereas the civilian community surrounding Offutt Air Force Base fully recognizes the tremendous dedication and contributions of the personnel stationed at Offutt Air Force Base to the global fighting force, and likewise, base personnel express constant praise and appreciation to the civilian community for its outstanding support;

Whereas, in close cooperation with the National Weather Service, Air Force Weather has supported a wide variety of missions from its base in Nebraska, including space launches and solar observation; and

Whereas Air Force Weather has continued to produce timely, accurate, and continuous weather information to locate targets in any battle around the world or in space: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the 75th anniversary of Air Force Weather and its prominent role in national security;

(2) remembers the immeasurable contributions of Air Force Weather in protecting the lives of members of the Armed Forces and citizens of the United States through timely and accurate reporting and forecasting; and

(3) honors the 1,200 personnel who currently serve within Air Force Weather and those who have carried on its tradition of excellence through their continued service at Offutt Air Force Base in Nebraska.

SENATE RESOLUTION 546—DESIGNATING THE WEEK OF SEPTEMBER 10, 2012, AS “NATIONAL ADULT EDUCATION AND FAMILY LITERACY WEEK”

Mrs. MURRAY (for herself, Mr. ALEXANDER, Mr. SANDERS, Mr. WEBB, Mr. WHITEHOUSE, Mr. CARDIN, Mr. JOHNSON of South Dakota, Ms. MURKOWSKI, and Mr. ENZI) submitted the following resolution; which was considered and agreed to:

S. RES. 546

Whereas the National Assessment of Adult Literacy reports that 90,000,000 adults lack the literacy, numeracy, or English-language skills necessary to succeed at home, in the workplace, and in society;

Whereas the literacy of the people of the United States is essential for the economic and societal well-being of the United States;

Whereas the United States reaps the economic benefits of individuals who improve their literacy, numeracy, and English-language skills;

Whereas literacy and educational skills are necessary for individuals to fully benefit from the range of opportunities available in the United States;

Whereas the United States' economy and position in the world marketplace depend on having a literate, skilled population;

Whereas the unemployment rate in the United States is highest among those without a high school diploma or an equivalent credential, demonstrating that education is important to economic recovery;

Whereas the educational skills of a child's parents and the practice of reading to a child have a direct impact on the educational success of the child;

Whereas parental involvement in a child's education is a key predictor of a child's success, and the level of parental involvement in a child's education increases as the educational level of the parent increases;

Whereas parents who participate in family literacy programs become more involved in

their children's education and gain the tools necessary to obtain a job or find better employment;

Whereas, as a result of family literacy programs, the lives of children become more stable, and their success in the classroom and in future endeavors becomes more likely;

Whereas adults need to be part of a long-term solution to the educational challenges of the United States;

Whereas many older people in the United States lack the reading, math, or English skills necessary to read a prescription and follow medical instructions, which endangers their lives and the lives of their loved ones;

Whereas many individuals who are unemployed, underemployed, or receive public assistance lack the literacy skills necessary to obtain and keep a job to provide for their families, to continue their education, or to participate in job training programs;

Whereas many high school dropouts do not have the literacy skills necessary to complete their education, transition to postsecondary education or career and technical training, or obtain a job;

Whereas a large portion of individuals in prison have low educational skills, and prisoners without educational skills are more likely to return to prison once released;

Whereas many immigrants in the United States do not have the literacy skills necessary to succeed in the United States; and

Whereas National Adult Education and Family Literacy Week highlights the need to ensure each and every citizen has the literacy skills necessary to succeed at home, at work, and in society: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week of September 10, 2012 as “National Adult Education and Family Literacy Week” to raise public awareness about the importance of adult education, workforce skills, and family literacy;

(2) encourages people across the United States to support programs to assist those in need of adult education, workforce skills, and family literacy programs;

(3) recognizes the importance of adult education, workforce skills, and family literacy programs; and

(4) calls upon public, private, and nonprofit entities to support increased access to adult education and family literacy programs to ensure a literate society.

SENATE RESOLUTION 547—HONORING THE LIFE OF PIONEERING ASTRONAUT DR. SALLY RIDE AND EXPRESSING THE CONDOLENCES OF THE SENATE ON HER DEATH

Mrs. BOXER (for herself, Mrs. FEINSTEIN, Ms. SNOWE, Ms. MIKULSKI, Mr. ROCKEFELLER, Mr. NELSON of Florida, Mrs. HUTCHISON, Mr. BOOZMAN, and Mr. COONS) submitted the following resolution; which was considered and agreed to:

S. RES. 547

Whereas Dr. Sally Ride was born on May 26, 1951, in Los Angeles, California;

Whereas Dr. Ride graduated high school from Westlake School for Girls in Los Angeles in 1968, and received from Stanford University a Bachelor of Science in Physics and a Bachelor of Arts in English in 1973, a Master of Science in 1975, and a doctorate degree in physics in 1978;

Whereas the National Aeronautics and Space Administration (referred to in this

preamble as “NASA”) selected Dr. Ride as an astronaut candidate in January of 1978;

Whereas Dr. Ride worked on the ground as a communications officer for the second and third NASA space shuttle missions (STS-2 and STS-3) and helped develop the robot arm used by shuttle crews;

Whereas, on June 18, 1983, Dr. Ride became the first woman from the United States to travel in space when she served as a mission specialist for space shuttle mission STS-7;

Whereas Dr. Ride also served as a mission specialist on space shuttle mission STS 41-G, which launched into space from the Kennedy Space Center in Florida, on October 5, 1984;

Whereas, in June of 1985, Dr. Ride was assigned to the crew of STS 61-M for which mission training terminated in January of 1986, following the space shuttle Challenger accident;

Whereas Dr. Ride served as a member of the Presidential Commission investigating the space shuttle Challenger accident and, upon completing that investigation, was assigned to NASA Headquarters as a Special Assistant to the Administrator for long-range and strategic planning;

Whereas, in 1989, Dr. Ride joined the faculty at the University of California, San Diego, as a Professor of Physics and Director of the California Space Institute, a research unit at the University of California;

Whereas, following her passion of motivating girls and young women to pursue careers in science, math, and technology, Dr. Ride founded her own company, known as Sally Ride Science, in 2001, to create entertaining science programs and publications for upper elementary and middle school students, as well as their parents and teachers;

Whereas, as a long-time advocate for improved science education, Dr. Ride initiated and directed education projects designed to fuel the fascination of middle school students with science and wrote 5 science books for children, entitled: *To Space and Back*, *The Mystery of Mars*, *Voyager: An Adventure to the Edge of the Solar System*, *Exploring Our Solar System*, and *The Third Planet: Exploring the Earth from Space*;

Whereas Dr. Ride served as a member of the President's Counsel of Advisors on Science and Technology, the Space Studies Board, and the Pacific Council on International Policy;

Whereas Dr. Ride was a fellow of the American Physical Society and also served on the boards of the Office of Technology Assessment, the Carnegie Institution of Washington, the National Collegiate Athletic Association Foundation, the Aerospace Corporation, and the California Institute of Technology;

Whereas Dr. Ride was the only person to have served on commissions investigating both the space shuttle Challenger and Columbia accidents; and

Whereas Dr. Ride has received numerous honors and awards, including induction into the National Women's Hall of Fame and the Astronaut Hall of Fame, the Jefferson Award for Public Service, the Wernher von Braun Memorial Award of the National Space Society, the Lindbergh Eagle Award, the Theodore Roosevelt Award of the National Collegiate Athletic Association, and 2 NASA Space Flight Medals: Now, therefore, be it

Resolved, That the Senate—

(1) expresses its deepest condolences to the family and friends of Dr. Sally Ride on her death;

(2) mourns the loss of Dr. Ride, a trailblazing pioneer who inspired millions of individuals, especially women and girls, to reach for the stars; and

(3) appreciates all of the contributions of Dr. Ride to science, physics, education, and human spaceflight.

Mr. ROCKEFELLER. Mr. President, today I rise to introduce a resolution on the importance of quality data from the Census Bureau, including the American Community Survey. I am proud to introduce this resolution as a companion to the similar House legislation by my distinguished colleague, Congresswoman CAROLYN MALONEY. The Congresswoman has shown real leadership on this issue and I am eager to work with her to highlight the importance and significance of quality data for good government oversight and management, as well as helping American businesses.

Each year, more than \$400 billion Federal dollars are distributed to local communities based on the data from the American Community Survey. This survey is the largest data set of its kind, and helps strategically target federal funding for a broad range of programs for health care, transportation and education. The American Community Survey has improved data for the Child Health Insurance Program, CHIP, that means so much to vulnerable children. Another specific and compelling example is how law enforcement uses the data to predict criminal activities like methamphetamine production. Local communities use the survey to choose locations for new schools, hospitals, and fire stations.

The survey is also important to American business. The U.S. Chamber of Commerce, the National Retail Federation, and the National Association of Home Builders support investments in this survey. It is the only source of small area estimates on social and demographic characteristics. Manufacturers and service sector firms use the survey to identify the income, education, and occupational skills of local labor markets they serve. Retail businesses use the survey to understand the characteristics of the neighborhoods in which they locate their stores. Homebuilders and realtors understand the housing characteristics and the markets in their communities, thanks to the American Community Survey.

Such a survey of American households has existed in some form since 1850, either as a longer version of or richer supplement to the basic decennial census. The newer American Community Survey provides more timely data. The Census Bureau estimates the ACS is sent to 2.5 percent of homes each year, requiring an average of 38 minutes per household to review instructions and answer questions. At this rate, the typical American would respond to the survey about twice in their lifetime. Census workers are sworn to protect confidentiality, facing prison sentences up to five years for disclosing any personal information

and there has no employees are known to have violated the provisions so the privacy questions are unfounded.

In closing, I would like to share a statement by Mr. Lawrence Yun, the Chief Economist of the National Association of Realtors: "Without the data, the nation would essentially be flying blind in relation to important housing market conditions and business decisions. Accurate economic and demographic data inspire business confidence that is so critical to the free enterprise system. We would not be able to provide an accurate estimate of many housing metrics if they cannot be benchmarked against the American Community Survey data."

SENATE CONCURRENT RESOLUTION 56—PROVIDING FOR A CONDITIONAL ADJOURNMENT OR RECESS OF THE SENATE AND AN ADJOURNMENT OF THE HOUSE OF REPRESENTATIVES

Mr. REID (for himself and Mr. McCONNELL) submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 56

Resolved by the Senate (the House of Representatives concurring), That when the Senate recesses or adjourns on any day from Thursday, August 2, 2012, through Monday, August 6, 2012, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until 12:00 noon on Monday, September 10, 2012, or such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the House adjourns on any legislative day from Thursday, August 2, 2012, through Monday, August 6, 2012, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2:00 p.m. on Monday, September 10, 2012, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Majority Leader of the Senate and the Speaker of the House, or their respective designees, acting jointly after consultation with the Minority Leader of the Senate and the Minority Leader of the House, shall notify the Members of the Senate and House, respectively, to reassemble at such place and time as they may designate if, in their opinion, the public interest shall warrant it.

SENATE CONCURRENT RESOLUTION 57—EXPRESSING THE SENSE OF CONGRESS THAT THE CENSUS SURVEYS AND THE INFORMATION DERIVED FROM THOSE SURVEYS ARE CRUCIAL TO THE NATIONAL WELFARE

Mr. ROCKEFELLER submitted the following concurrent resolution; which was referred to the Committee on Homeland Security and Governmental Affairs:

S. CON. RES. 57

Whereas the American Community Survey (referred to in this preamble as the "ACS") was launched in 2005 during the Administration of President George W. Bush and has since been funded by Congress as an innovation that the Bureau of the Census has been able to use in place of the decennial census long form;

Whereas the ACS provides the United States, States, counties, cities, towns, neighborhoods, and other areas with annual data that was formerly available only once every 10 years;

Whereas the Federal Government relies on the ACS—

(1) to produce annual population estimates for the United States, States, metropolitan areas, counties, cities, and other areas;

(2) to produce annual measures of total personal income and per capita income for the United States, States, metropolitan areas, and counties;

(3) to define metropolitan areas;

(4) to determine compliance with the Voting Rights Act of 1965 (42 U.S.C. 1973 et seq.); and

(5) to fairly distribute more than \$450,000,000,000 in Federal domestic assistance to States and other areas, including through the setting of the formulas for Federal reimbursement to States for Medicaid expenditures;

Whereas the ACS is the only source of rural and small-area economic and demographic data of sufficient reliability to allow entrepreneurs, business owners, and local government planners, among others, to make informed decisions on where to invest, build, create jobs, and maintain or improve infrastructure;

Whereas Congress requires the information collected through the ACS in order to provide adequate oversight of a substantial number of executive departments, agencies, and programs;

Whereas the citizens of the United States require the information collected through the ACS for each State and congressional district in order to hold their Members of Congress accountable;

Whereas, since the founding of the United States, Congress has recognized the value and mandated the use of the decennial census as a means to gather information that informs public policy and measures the progress of the United States;

Whereas the congressional tradition of the decennial census was initiated by the efforts of United States Representative James Madison, the "Father of the Constitution", who argued on the floor of the House of Representatives that Congress, in considering the Act entitled "An Act providing for the enumeration of the Inhabitants of the United States" (commonly known as the "Census Act of 1790"; 1 Stat. 101, chapter 2), "had now an opportunity of obtaining the most useful information for those who should hereafter be called upon to legislate for their country if this bill was extended so as to embrace some other objects besides the bare enumeration of the inhabitants; it would enable them to adapt the public measures to the particular circumstances of the community. In order to know the various interests of the United States, it was necessary that the description of the several classes into which the community was divided, should be accurately known; on this knowledge the legislature might proceed to make a proper provision for the agricultural, commercial and manufacturing interests . . . in due proportion";

Whereas Representative James Madison also said, “This kind of information all legislatures had wished for; but this kind of information had never been obtained in any country”; that he wished, therefore, “to avail himself of the present opportunity of accomplishing so valuable a purpose”; and “[i]f the plan was pursued in taking every future census, it would give [Congress] an opportunity of marking the progress of the society, and distinguishing the growth of every interest.”;

Whereas Vice President Thomas Jefferson, the “Father of the Declaration of Independence”, wrote Congress as president of the American Philosophical Society that the consideration by Congress of the Act entitled “An Act providing for the second Census or enumeration of the Inhabitants of the United States” (commonly known as the “Census Act of 1800”; 2 Stat. 11, chapter 12) offered “an occasion of great value, and not otherwise to be obtained, of ascertaining sundry facts highly important to society . . . [and] presenting a more detailed view of the inhabitants of the United States, under several different aspects,” including age (so as to be able to measure life expectancy), citizenship (so as to be able to determine the relative contributions of births and immigration to population growth), and the occupation of free males (so as to be able “to ascertain more completely the causes which influence life and health, and furnish a curious and useful document of the distribution of society in these States, and of the conditions and vocations of our fellow-citizens . . .”);

Whereas diverse presidents throughout the 19th and 20th centuries, such as John Quincy Adams, Martin Van Buren, William McKinley, Herbert Hoover, and Franklin Roosevelt, asked for and received from Congress permission to expand the scope of census questions unrelated to enumeration;

Whereas the Economic Census is required by law to be conducted every 5 years, provides the most authoritative and comprehensive data about United States businesses, and provides the foundation for key economic indicators, such as the gross domestic product;

Whereas, in response to the recommendations of the Intensive Review Committee (also known as the “Watkins Commission”), Congress enacted the recommendations into law in 1954, thereby providing for quinquennial censuses of manufacturing, mineral industries, and other businesses;

Whereas the finding of the Watkins Commission that “[w]ithout these census records, it would not be possible to construct or interpret this system of economic indicators. Business executives, farmers, labor leaders, professional men, scholars, scientists, government officials, and administrators in all phases of our society are dependent on census records or on economic indicators based on census records.” is as true today as it was in 1954;

Whereas the Economic Census—

(1) provides the foundation for key annual, quarterly, and monthly Federal economic indicators, including the gross domestic product, industrial production, labor productivity, manufacturing and services industry activity, producer price indices, research and development expenditures, commodity flows, and employer-sponsored health insurance coverage;

(2) provides the basis for Federal macroeconomic and budget projections; and

(3) informs Federal trade, competitiveness, and entrepreneurship policies;

Whereas single firms rely on the Economic Census to compare their operations to indus-

try averages, identify markets, and inform decisions on business location, capital investment, product research and development, and marketing strategies;

Whereas the information collected through the Economic Census affords the private and public sectors the ability to make good decisions and use resources in a way such that the entire country is more efficient and better able to compete in the world economy, thereby allowing the United States to maintain a high standard of living;

Whereas what is today called the Economic Census began as the “census of manufactures” in 1810;

Whereas the census of manufactures (as well as the census of agriculture) became a regular feature of census taking in 1840 and has remained such ever since;

Whereas household and business responses to census surveys allow national, State, and local officials to make informed decisions, just as James Madison envisioned, providing timely and accurate statistics even for small localities;

Whereas, historically, Congress has followed the precedent set by all previous Congresses in supporting and directing the collection of a range of information in the ACS and the Economic Census to guide its own deliberations and consideration of policies;

Whereas Federal courts have consistently upheld the constitutionality of including questions unrelated to enumeration in the decennial census and requiring answers to such questions; and

Whereas Congress has mandated and the Department of Commerce has successfully implemented strict protection of the confidentiality of responses: Now, therefore be it

Resolved by the Senate (the House of Representatives concurring), That Congress—

(1) encourages the people of the United States to fulfill their civic duty and follow the law by responding to all census surveys conducted by the Bureau of the Census; and

(2) strongly encourages the Bureau of the Census—

(A) to provide United States households and businesses with information regarding the community, economic, and fiscal benefits to be gained from participation in the American Community Survey and the Economic Census;

(B) to use the most current methodologies and technologies to reduce any burden of responding to the American Community Survey and the Economic Census; and

(C) to continue, as the Bureau of the Census has done throughout its history, to innovate its methods, processes, and products, and thus maintain the world-class standards that have made the Bureau of the Census an international leader among statistical agencies.

SENATE CONCURRENT RESOLUTION 58—DIRECTING THE CLERK OF THE HOUSE OF REPRESENTATIVES TO MAKE A CORRECTION IN THE ENROLLMENT OF H.R. 4240

Mr. KERRY submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 58

Resolved by the Senate (the House of Representatives concurring), That, in the enrollment of the bill (H.R. 4240) an Act to reauthorize the North Korean Human Rights Act of 2004, and for other purposes, the Clerk of

the House of Representatives shall make the following correction: in section 7, insert “is amended” before “by striking”.

SENATE CONCURRENT RESOLUTION 59—PROVIDING FOR A CONDITIONAL ADJOURNMENT OR RECESS OF THE SENATE AND AN ADJOURNMENT OF THE HOUSE OF REPRESENTATIVES

Mr. REID (for himself and Mr. McCONNELL) submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 59

Resolved by the Senate (the House of Representatives concurring), That when the Senate recesses or adjourns on any day from Thursday, August 2, 2012, through Tuesday, August 7, 2012, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee motion to recess or adjourn, or until 2:00 noon on Monday, September 10, 2012, or such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the House adjourns on any legislative day from Thursday, August 2, 2012, through Tuesday, August 7, 2012, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2:00 p.m. on Monday, September 10, 2012, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Majority Leader of the Senate and the Speaker of the House, or their respective designees, acting jointly after consultation with the Minority Leader of the Senate and the Minority Leader of the House, shall notify the Members of the Senate and House, respectively, to reassemble at such place and time as they may designate if, in their opinion, the public interest shall warrant it.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2771. Mr. COBURN proposed an amendment to the bill S. 3326, to amend the African Growth and Opportunity Act to extend the third-country fabric program and to add South Sudan to the list of countries eligible for designation under that Act, to make technical corrections to the Harmonized Tariff Schedule of the United States relating to the textile and apparel rules of origin for the Dominican Republic-Central America-United States Free Trade Agreement, to approve the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, and for other purposes.

SA 2772. Mrs. SHAHEEN (for herself and Mr. PORTMAN) submitted an amendment intended to be proposed by her to the bill S. 3326, supra; which was ordered to lie on the table.

SA 2773. Mr. REID (for Mr. LEAHY (for himself, Mr. GRASSLEY, Mr. PAUL, and Mr. HATCH)) proposed an amendment to the bill S. 3245, to extend by 3 years the authorization of the EB-5 Regional Center Program, the E-Verify Program, the Special Immigrant Nonminister Religious Worker Program, and the Conrad State 30 J-1 Visa Waiver Program.

SA 2774. Mr. REID (for Mr. LEAHY (for himself and Mr. GRASSLEY)) proposed an amendment to the bill S. 3245, *supra*.

SA 2775. Mr. REID (for Mr. COONS) proposed an amendment to the resolution S. Res. 402, condemning Joseph Kony and the Lord's Resistance Army for committing crimes against humanity and mass atrocities, and supporting ongoing efforts by the United States Government and governments in central Africa to remove Joseph Kony and Lord's Resistance Army commanders from the battlefield.

SA 2776. Mr. REID (for Mr. BROWN of Ohio) proposed an amendment to the resolution S. Res. 418, amend the title so as to read: "Commemorating the 70th anniversary and commending the brave men of the 17th Bombardment Group (Medium) who became known as the "Doolittle Tokyo Raiders" for outstanding heroism, valor, skill, and service to the United States in conducting the bombing of Tokyo on April 18, 1942."

SA 2777. Mr. REID (for Mr. BROWN of Ohio) proposed an amendment to the resolution S. Res. 418, *supra*.

SA 2778. Mr. REID (for Mr. BROWN of Ohio) proposed an amendment to the resolution S. Res. 418, *supra*.

SA 2779. Mr. REID (for Mr. WEBB (for himself, Mr. KERRY, Mr. LUGAR, Mr. INHOFE, Mr. LIEBERMAN, Mr. MCCAIN, and Mr. LEVIN)) proposed an amendment to the resolution S. Res. 524, reaffirming the strong support of the United States for the 2002 declaration of conduct of parties in the South China Sea among the member states of ASEAN and the People's Republic of China, and for other purposes.

TEXT OF AMENDMENTS

SA 2771. Mr. COBURN proposed an amendment to the bill S. 3326, to amend the African Growth and Opportunity Act to extend the third-country fabric program and to add South Sudan to the list of countries eligible for designation under that Act, to make technical corrections to the Harmonized Tariff Schedule of the United States relating to the textile and apparel rules of origin for the Dominican Republic-Central America-United States Free Trade Agreement, to approve the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. AMENDMENTS TO AFRICAN GROWTH AND OPPORTUNITY ACT.

(a) **EXTENSION OF THIRD-COUNTRY FABRIC PROGRAM.**—Section 112(c)(1) of the African Growth and Opportunity Act (19 U.S.C. 3721(c)(1)) is amended—

(1) in the paragraph heading, by striking "2012" and inserting "2015";

(2) in subparagraph (A), by striking "2012" and inserting "2015"; and

(3) in subparagraph (B)(ii), by striking "2012" and inserting "2015".

(b) **ADDITION OF SOUTH SUDAN.**—Section 107 of that Act (19 U.S.C. 3706) is amended by inserting after "Republic of South Africa (South Africa)." the following:

"Republic of South Sudan (South Sudan)."

(c) **CONFORMING AMENDMENT.**—Section 102(2) of that Act (19 U.S.C. 3701(2)) is amended by striking "48".

(d) **EFFECTIVE DATE.**—The amendments made by this section shall take effect on the date of the enactment of this Act.

SEC. 2. ELIMINATION OF UNNECESSARY DUPLICATION, REDUNDANCY, AND OVERLAP OF FEDERAL TRADE PROGRAMS.

Notwithstanding any other provision of law, the Director of the Office of Management and Budget shall coordinate with the heads of the relevant Federal agencies—

(1) to, not later than 60 days after the date of the enactment of this Act, eliminate, consolidate, or streamline Federal programs and Federal agencies with duplicative or overlapping missions relating to trade;

(2) to, not later than September 30, 2012, rescind the unobligated balances of all amounts made available for fiscal year 2012 for programs relating to trade for the Department of Commerce, the Small Business Administration, the Export-Import Bank of the United States, the Overseas Private Investment Corporation, and the Trade and Development Agency, with the amounts rescinded to be deposited in the general fund of the Treasury for purposes of deficit reduction;

(3) to reduce spending on programs described in paragraph (2) by not less than \$192,000,000 in fiscal years 2012 and 2013 (including the amounts rescinded pursuant to paragraph (2)); and

(4) to report to Congress not later than 180 days after the date of the enactment of this Act with recommendations for any legislative changes required to further eliminate, consolidate, or streamline Federal programs and Federal agencies with duplicative or overlapping trade missions.

SA 2772. Mrs. SHAHEEN (for herself and Mr. PORTMAN) submitted an amendment intended to be proposed by her to the bill S. 3326, to amend the African Growth and Opportunity Act to extend the third-country fabric program and to add South Sudan to the list of countries eligible for designation under that Act, to make technical corrections to the Harmonized Tariff Schedule of the United States relating to the textile and apparel rules of origin for the Dominican Republic-Central America-United States Free Trade Agreement, to approve the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

TITLE II—ENERGY SAVINGS AND INDUSTRIAL COMPETITIVENESS

SEC. 201. SHORT TITLE.

This title may be cited as the "Energy Savings and Industrial Competitiveness Act of 2012".

Subtitle A—Buildings

PART I—BUILDING ENERGY CODES

SEC. 211. GREATER ENERGY EFFICIENCY IN BUILDING CODES.

(a) **DEFINITIONS.**—Section 303 of the Energy Conservation and Production Act (42 U.S.C. 6832) is amended—

(1) by striking paragraph (14) and inserting the following:

"(14) **MODEL BUILDING ENERGY CODE.**—The term 'model building energy code' means a voluntary building energy code and standards developed and updated through a consensus process among interested persons, such as the IECC or the code used by—

"(A) the Council of American Building Officials;

"(B) the American Society of Heating, Refrigerating, and Air-Conditioning Engineers; or

"(C) other appropriate organizations."; and

(2) by adding at the end the following:

"(17) **IECC.**—The term 'IECC' means the International Energy Conservation Code.

"(18) **INDIAN TRIBE.**—The term 'Indian tribe' has the meaning given the term in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103)."

(b) **STATE BUILDING ENERGY EFFICIENCY CODES.**—Section 304 of the Energy Conservation and Production Act (42 U.S.C. 6833) is amended to read as follows:

"SEC. 304. UPDATING STATE BUILDING ENERGY EFFICIENCY CODES.

"(a) **IN GENERAL.**—The Secretary shall—

"(1) encourage and support the adoption of building energy codes by States, Indian tribes, and, as appropriate, by local governments that meet or exceed the model building energy codes, or achieve equivalent or greater energy savings; and

"(2) support full compliance with the State and local codes.

"(b) **STATE AND INDIAN TRIBE CERTIFICATION OF BUILDING ENERGY CODE UPDATES.**—

"(1) **REVIEW AND UPDATING OF CODES BY EACH STATE AND INDIAN TRIBE.**—

"(A) **IN GENERAL.**—Not later than 2 years after the date on which a model building energy code is updated, each State or Indian tribe shall certify whether or not the State or Indian tribe, respectively, has reviewed and updated the energy provisions of the building code of the State or Indian tribe, respectively.

"(B) **DEMONSTRATION.**—The certification shall include a demonstration of whether or not the energy savings for the code provisions that are in effect throughout the State or Indian tribal territory meet or exceed—

"(i) the energy savings of the updated model building energy code; or

"(ii) the targets established under section 307(b)(2).

"(C) **NO MODEL BUILDING ENERGY CODE UPDATE.**—If a model building energy code is not updated by a target date established under section 307(b)(2)(D), each State or Indian tribe shall, not later than 2 years after the specified date, certify whether or not the State or Indian tribe, respectively, has reviewed and updated the energy provisions of the building code of the State or Indian tribe, respectively, to meet or exceed the target in section 307(b)(2).

"(2) **VALIDATION BY SECRETARY.**—Not later than 90 days after a State or Indian tribe certification under paragraph (1), the Secretary shall—

"(A) determine whether the code provisions of the State or Indian tribe, respectively, meet the criteria specified in paragraph (1); and

"(B) if the determination is positive, validate the certification.

"(c) **IMPROVEMENTS IN COMPLIANCE WITH BUILDING ENERGY CODES.**—

"(1) **REQUIREMENT.**—

"(A) **IN GENERAL.**—Not later than 3 years after the date of a certification under subsection (b), each State and Indian tribe shall certify whether or not the State and Indian tribe, respectively, has—

"(i) achieved full compliance under paragraph (3) with the applicable certified State and Indian tribe building energy code or with

the associated model building energy code; or

“(ii) made significant progress under paragraph (4) toward achieving compliance with the applicable certified State and Indian tribe building energy code or with the associated model building energy code.

“(B) REPEAT CERTIFICATIONS.—If the State or Indian tribe certifies progress toward achieving compliance, the State or Indian tribe shall repeat the certification until the State or Indian tribe certifies that the State or Indian tribe has achieved full compliance, respectively.

“(2) MEASUREMENT OF COMPLIANCE.—A certification under paragraph (1) shall include documentation of the rate of compliance based on—

“(A) independent inspections of a random sample of the buildings covered by the code in the preceding year; or

“(B) an alternative method that yields an accurate measure of compliance.

“(3) ACHIEVEMENT OF COMPLIANCE.—A State or Indian tribe shall be considered to achieve full compliance under paragraph (1) if—

“(A) at least 90 percent of building space covered by the code in the preceding year substantially meets all the requirements of the applicable code specified in paragraph (1), or achieves equivalent or greater energy savings level; or

“(B) the estimated excess energy use of buildings that did not meet the applicable code specified in paragraph (1) in the preceding year, compared to a baseline of comparable buildings that meet this code, is not more than 5 percent of the estimated energy use of all buildings covered by this code during the preceding year.

“(4) SIGNIFICANT PROGRESS TOWARD ACHIEVEMENT OF COMPLIANCE.—A State or Indian tribe shall be considered to have made significant progress toward achieving compliance for purposes of paragraph (1) if the State or Indian tribe—

“(A) has developed and is implementing a plan for achieving compliance during the 8-year-period beginning on the date of enactment of this paragraph, including annual targets for compliance and active training and enforcement programs; and

“(B) has met the most recent target under subparagraph (A).

“(5) VALIDATION BY SECRETARY.—Not later than 90 days after a State or Indian tribe certification under paragraph (1), the Secretary shall—

“(A) determine whether the State or Indian tribe has demonstrated meeting the criteria of this subsection, including accurate measurement of compliance; and

“(B) if the determination is positive, validate the certification.

“(d) STATES OR INDIAN TRIBES THAT DO NOT ACHIEVE COMPLIANCE.—

“(1) REPORTING.—A State or Indian tribe that has not made a certification required under subsection (b) or (c) by the applicable deadline shall submit to the Secretary a report on—

“(A) the status of the State or Indian tribe with respect to meeting the requirements and submitting the certification; and

“(B) a plan for meeting the requirements and submitting the certification.

“(2) FEDERAL SUPPORT.—For any State or Indian tribe for which the Secretary has not validated a certification by a deadline under subsection (b) or (c), the lack of the certification may be a consideration for Federal support authorized under this section for code adoption and compliance activities.

“(3) LOCAL GOVERNMENT.—In any State or Indian tribe for which the Secretary has not

validated a certification under subsection (b) or (c), a local government may be eligible for Federal support by meeting the certification requirements of subsections (b) and (c).

“(4) ANNUAL REPORTS BY SECRETARY.—

“(A) IN GENERAL.—The Secretary shall annually submit to Congress, and publish in the Federal Register, a report on—

“(i) the status of model building energy codes;

“(ii) the status of code adoption and compliance in the States and Indian tribes;

“(iii) implementation of this section; and

“(iv) improvements in energy savings over time as result of the targets established under section 307(b)(2).

“(B) IMPACTS.—The report shall include estimates of impacts of past action under this section, and potential impacts of further action, on—

“(i) upfront financial and construction costs, cost benefits and returns (using investment analysis), and lifetime energy use for buildings;

“(ii) resulting energy costs to individuals and businesses; and

“(iii) resulting overall annual building ownership and operating costs.

“(e) TECHNICAL ASSISTANCE TO STATES AND INDIAN TRIBES.—The Secretary shall provide technical assistance to States and Indian tribes to implement the goals and requirements of this section, including procedures and technical analysis for States and Indian tribes—

“(1) to improve and implement State residential and commercial building energy codes;

“(2) to demonstrate that the code provisions of the States and Indian tribes achieve equivalent or greater energy savings than the model building energy codes and targets;

“(3) to document the rate of compliance with a building energy code; and

“(4) to otherwise promote the design and construction of energy efficient buildings.

“(f) AVAILABILITY OF INCENTIVE FUNDING.—

“(1) IN GENERAL.—The Secretary shall provide incentive funding to States and Indian tribes—

“(A) to implement the requirements of this section;

“(B) to improve and implement residential and commercial building energy codes, including increasing and verifying compliance with the codes and training of State, tribal, and local building code officials to implement and enforce the codes; and

“(C) to promote building energy efficiency through the use of the codes.

“(2) ADDITIONAL FUNDING.—Additional funding shall be provided under this subsection for implementation of a plan to achieve and document full compliance with residential and commercial building energy codes under subsection (c)—

“(A) to a State or Indian tribe for which the Secretary has validated a certification under subsection (b) or (c); and

“(B) in a State or Indian tribe that is not eligible under subparagraph (A), to a local government that is eligible under this section.

“(3) TRAINING.—Of the amounts made available under this subsection, the State may use amounts required, but not to exceed \$750,000 for a State, to train State and local building code officials to implement and enforce codes described in paragraph (2).

“(4) LOCAL GOVERNMENTS.—States may share grants under this subsection with local governments that implement and enforce the codes.

“(g) STRETCH CODES AND ADVANCED STANDARDS.—

“(1) IN GENERAL.—The Secretary shall provide technical and financial support for the development of stretch codes and advanced standards for residential and commercial buildings for use as—

“(A) an option for adoption as a building energy code by local, tribal, or State governments; and

“(B) guidelines for energy-efficient building design.

“(2) TARGETS.—The stretch codes and advanced standards shall be designed—

“(A) to achieve substantial energy savings compared to the model building energy codes; and

“(B) to meet targets under section 307(b), if available, at least 3 to 6 years in advance of the target years.

“(h) STUDIES.—The Secretary, in consultation with building science experts from the National Laboratories and institutions of higher education, designers and builders of energy-efficient residential and commercial buildings, code officials, and other stakeholders, shall undertake a study of the feasibility, impact, economics, and merit of—

“(1) code improvements that would require that buildings be designed, sited, and constructed in a manner that makes the buildings more adaptable in the future to become zero-net-energy after initial construction, as advances are achieved in energy-saving technologies;

“(2) code procedures to incorporate measured lifetimes, not just first-year energy use, in trade-offs and performance calculations; and

“(3) legislative options for increasing energy savings from building energy codes, including additional incentives for effective State and local action, and verification of compliance with and enforcement of a code other than by a State or local government.

“(i) EFFECT ON OTHER LAWS.—Nothing in this section or section 307 supersedes or modifies the application of sections 321 through 346 of the Energy Policy and Conservation Act (42 U.S.C. 6291 et seq.).

“(j) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section and section 307 \$200,000,000, to remain available until expended.”.

(c) FEDERAL BUILDING ENERGY EFFICIENCY STANDARDS.—Section 305 of the Energy Conservation and Production Act (42 U.S.C. 6834) is amended by striking “voluntary building energy code” each place it appears in subsections (a)(2)(B) and (b) and inserting “model building energy code”.

(d) MODEL BUILDING ENERGY CODES.—Section 307 of the Energy Conservation and Production Act (42 U.S.C. 6836) is amended to read as follows:

“SEC. 307. SUPPORT FOR MODEL BUILDING ENERGY CODES.

“(a) IN GENERAL.—The Secretary shall support the updating of model building energy codes.

“(b) TARGETS.—

“(1) IN GENERAL.—The Secretary shall support the updating of the model building energy codes to enable the achievement of aggregate energy savings targets established under paragraph (2).

“(2) TARGETS.—

“(A) IN GENERAL.—The Secretary shall work with State, Indian tribes, local governments, nationally recognized code and standards developers, and other interested parties to support the updating of model building energy codes by establishing 1 or more aggregate energy savings targets to achieve the purposes of this section.

“(B) SEPARATE TARGETS.—The Secretary may establish separate targets for commercial and residential buildings.

“(C) BASELINES.—The baseline for updating model building energy codes shall be the 2009 IECC for residential buildings and ASHRAE Standard 90.1-2010 for commercial buildings.

“(D) SPECIFIC YEARS.—

“(i) IN GENERAL.—Targets for specific years shall be established and revised by the Secretary through rulemaking and coordinated with nationally recognized code and standards developers at a level that—

“(I) is at the maximum level of energy efficiency that is technologically feasible and life-cycle cost effective, while accounting for the economic considerations under paragraph (4);

“(II) is higher than the preceding target; and

“(III) promotes the achievement of commercial and residential high-performance buildings through high performance energy efficiency (within the meaning of section 401 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17061)).

“(ii) INITIAL TARGETS.—Not later than 1 year after the date of enactment of this clause, the Secretary shall establish initial targets under this subparagraph.

“(iii) DIFFERENT TARGET YEARS.—Subject to clause (i), prior to the applicable year, the Secretary may set a later target year for any of the model building energy codes described in subparagraph (A) if the Secretary determines that a target cannot be met.

“(iv) SMALL BUSINESS.—When establishing targets under this paragraph through rulemaking, the Secretary shall ensure compliance with the Small Business Regulatory Enforcement Fairness Act of 1996 (5 U.S.C. 601 note; Public Law 104-121).

“(3) APPLIANCE STANDARDS AND OTHER FACTORS AFFECTING BUILDING ENERGY USE.—In establishing building code targets under paragraph (2), the Secretary shall develop and adjust the targets in recognition of potential savings and costs relating to—

“(A) efficiency gains made in appliances, lighting, windows, insulation, and building envelope sealing;

“(B) advancement of distributed generation and on-site renewable power generation technologies;

“(C) equipment improvements for heating, cooling, and ventilation systems;

“(D) building management systems and SmartGrid technologies to reduce energy use; and

“(E) other technologies, practices, and building systems that the Secretary considers appropriate regarding building plug load and other energy uses.

“(4) ECONOMIC CONSIDERATIONS.—In establishing and revising building code targets under paragraph (2), the Secretary shall consider the economic feasibility of achieving the proposed targets established under this section and the potential costs and savings for consumers and building owners, including a return on investment analysis.

“(C) TECHNICAL ASSISTANCE TO MODEL BUILDING ENERGY CODE-SETTING AND STANDARD DEVELOPMENT ORGANIZATIONS.—

“(1) IN GENERAL.—The Secretary shall, on a timely basis, provide technical assistance to model building energy code-setting and standard development organizations consistent with the goals of this section.

“(2) ASSISTANCE.—The assistance shall include, as requested by the organizations, technical assistance in—

“(A) evaluating code or standards proposals or revisions;

“(B) building energy analysis and design tools;

“(C) building demonstrations;

“(D) developing definitions of energy use intensity and building types for use in model building energy codes to evaluate the efficiency impacts of the model building energy codes;

“(E) performance-based standards;

“(F) evaluating economic considerations under subsection (b)(4); and

“(G) developing model building energy codes by Indian tribes in accordance with tribal law.

“(3) AMENDMENT PROPOSALS.—The Secretary may submit timely model building energy code amendment proposals to the model building energy code-setting and standard development organizations, with supporting evidence, sufficient to enable the model building energy codes to meet the targets established under subsection (b)(2).

“(4) ANALYSIS METHODOLOGY.—The Secretary shall make publicly available the entire calculation methodology (including input assumptions and data) used by the Secretary to estimate the energy savings of code or standard proposals and revisions.

“(d) DETERMINATION.—

“(1) REVISION OF MODEL BUILDING ENERGY CODES.—If the provisions of the IECC or ASHRAE Standard 90.1 regarding building energy use are revised, the Secretary shall make a preliminary determination not later than 90 days after the date of the revision, and a final determination not later than 15 months after the date of the revision, on whether or not the revision will—

“(A) improve energy efficiency in buildings compared to the existing model building energy code; and

“(B) meet the applicable targets under subsection (b)(2).

“(2) CODES OR STANDARDS NOT MEETING TARGETS.—

“(A) IN GENERAL.—If the Secretary makes a preliminary determination under paragraph (1)(B) that a code or standard does not meet the targets established under subsection (b)(2), the Secretary may at the same time provide the model building energy code or standard developer with proposed changes that would result in a model building energy code that meets the targets and with supporting evidence, taking into consideration—

“(i) whether the modified code is technically feasible and life-cycle cost effective;

“(ii) available appliances, technologies, materials, and construction practices; and

“(iii) the economic considerations under subsection (b)(4).

“(B) INCORPORATION OF CHANGES.—

“(i) IN GENERAL.—On receipt of the proposed changes, the model building energy code or standard developer shall have an additional 270 days to accept or reject the proposed changes of the Secretary to the model building energy code or standard for the Secretary to make a final determination.

“(ii) FINAL DETERMINATION.—A final determination under paragraph (1) shall be on the modified model building energy code or standard.

“(e) ADMINISTRATION.—In carrying out this section, the Secretary shall—

“(1) publish notice of targets and supporting analysis and determinations under this section in the Federal Register to provide an explanation of and the basis for such actions, including any supporting modeling, data, assumptions, protocols, and cost-benefit analysis, including return on investment; and

“(2) provide an opportunity for public comment on targets and supporting analysis and determinations under this section.

“(f) VOLUNTARY CODES AND STANDARDS.—Notwithstanding any other provision of this section, any model building code or standard established under this section shall not be binding on a State, local government, or Indian tribe as a matter of Federal law.”.

PART II—WORKER TRAINING AND CAPACITY BUILDING

SEC. 221. BUILDING TRAINING AND ASSESSMENT CENTERS.

(a) IN GENERAL.—The Secretary of Energy shall provide grants to institutions of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)) and Tribal Colleges or Universities (as defined in section 316(b) of that Act (20 U.S.C. 1059c(b))) to establish building training and assessment centers—

(1) to identify opportunities for optimizing energy efficiency and environmental performance in buildings;

(2) to promote the application of emerging concepts and technologies in commercial and institutional buildings;

(3) to train engineers, architects, building scientists, building energy permitting and enforcement officials, and building technicians in energy-efficient design and operation;

(4) to assist institutions of higher education and Tribal Colleges or Universities in training building technicians;

(5) to promote research and development for the use of alternative energy sources and distributed generation to supply heat and power for buildings, particularly energy-intensive buildings; and

(6) to coordinate with and assist State-accredited technical training centers, community colleges, Tribal Colleges or Universities, and local offices of the National Institute of Food and Agriculture and ensure appropriate services are provided under this section to each region of the United States.

(b) COORDINATION AND NONDUPLICATION.—

(1) IN GENERAL.—The Secretary shall coordinate the program with the Industrial Assessment Centers program and with other Federal programs to avoid duplication of effort.

(2) COLLOCATION.—To the maximum extent practicable, building, training, and assessment centers established under this section shall be collocated with Industrial Assessment Centers.

Subtitle B—Building Efficiency Finance

SEC. 231. LOAN PROGRAM FOR ENERGY EFFICIENCY UPGRADES TO EXISTING BUILDINGS.

Title XVII of the Energy Policy Act of 2005 (42 U.S.C. 16511 et seq.) is amended by adding at the end the following:

“SEC. 1706. BUILDING RETROFIT FINANCING PROGRAM.

“(a) DEFINITIONS.—In this section:

“(1) CREDIT SUPPORT.—The term ‘credit support’ means a guarantee or commitment to issue a guarantee or other forms of credit enhancement to ameliorate risks for efficiency obligations.

“(2) EFFICIENCY OBLIGATION.—The term ‘efficiency obligation’ means a debt or repayment obligation incurred in connection with financing a project, or a portfolio of such debt or payment obligations.

“(3) PROJECT.—The term ‘project’ means the installation and implementation of efficiency, advanced metering, distributed generation, or renewable energy technologies and measures in a building (or in multiple

buildings on a given property) that are expected to increase the energy efficiency of the building (including fixtures) in accordance with criteria established by the Secretary.

“(b) ELIGIBLE PROJECTS.—

“(1) IN GENERAL.—Notwithstanding sections 1703 and 1705, the Secretary may provide credit support under this section, in accordance with section 1702.

“(2) INCLUSIONS.—Buildings eligible for credit support under this section include commercial, multifamily residential, industrial, municipal, government, institution of higher education, school, and hospital facilities that satisfy criteria established by the Secretary.

“(c) GUIDELINES.—

“(1) IN GENERAL.—Not later than 180 days after the date of enactment of this section, the Secretary shall—

“(A) establish guidelines for credit support provided under this section; and

“(B) publish the guidelines in the Federal Register; and

“(C) provide for an opportunity for public comment on the guidelines.

“(2) REQUIREMENTS.—The guidelines established by the Secretary under this subsection shall include—

“(A) standards for assessing the energy savings that could reasonably be expected to result from a project;

“(B) examples of financing mechanisms (and portfolios of such financing mechanisms) that qualify as efficiency obligations;

“(C) the threshold levels of energy savings that a project, at the time of issuance of credit support, shall be reasonably expected to achieve to be eligible for credit support;

“(D) the eligibility criteria the Secretary determines to be necessary for making credit support available under this section; and

“(E) notwithstanding subsections (d)(3) and (g)(2)(B) of section 1702, any lien priority requirements that the Secretary determines to be necessary, in consultation with the Director of the Office of Management and Budget, which may include—

“(i) requirements to preserve priority lien status of secured lenders and creditors in buildings eligible for credit support;

“(ii) remedies available to the Secretary under chapter 176 of title 28, United States Code, in the event of default on the efficiency obligation by the borrower; and

“(iii) measures to limit the exposure of the Secretary to financial risk in the event of default, such as—

“(I) the collection of a credit subsidy fee from the borrower as a loan loss reserve, taking into account the limitation on credit support under subsection (d);

“(II) minimum debt-to-income levels of the borrower;

“(III) minimum levels of value relative to outstanding mortgage or other debt on a building eligible for credit support;

“(IV) allowable thresholds for the percent of the efficiency obligation relative to the amount of any mortgage or other debt on an eligible building;

“(V) analysis of historic and anticipated occupancy levels and rental income of an eligible building;

“(VI) requirements of third-party contractors to guarantee energy savings that will result from a retrofit project, and whether financing on the efficiency obligation will amortize from the energy savings;

“(VII) requirements that the retrofit project incorporate protocols to measure and verify energy savings; and

“(VIII) recovery of payments equally by the Secretary and the retrofit.

“(3) EFFICIENCY OBLIGATIONS.—The financing mechanisms qualified by the Secretary under paragraph (2)(B) may include—

“(A) loans, including loans made by the Federal Financing Bank;

“(B) power purchase agreements, including energy efficiency power purchase agreements;

“(C) energy services agreements, including energy performance contracts;

“(D) property assessed clean energy bonds and other tax assessment-based financing mechanisms;

“(E) aggregate on-meter agreements that finance retrofit projects; and

“(F) any other efficiency obligations the Secretary determines to be appropriate.

“(4) PRIORITIES.—In carrying out this section, the Secretary shall prioritize—

“(A) the maximization of energy savings with the available credit support funding;

“(B) the establishment of a clear application and approval process that allows private building owners, lenders, and investors to reasonably expect to receive credit support for projects that conform to guidelines;

“(C) the distribution of projects receiving credit support under this section across States or geographical regions of the United States; and

“(D) projects designed to achieve whole-building retrofits.

“(d) LIMITATION.—Notwithstanding section 1702(c), the Secretary shall not issue credit support under this section in an amount that exceeds—

“(1) 90 percent of the principal amount of the efficiency obligation that is the subject of the credit support; or

“(2) \$10,000,000 for any single project.

“(e) AGGREGATION OF PROJECTS.—To the extent provided in the guidelines developed in accordance with subsection (c), the Secretary may issue credit support on a portfolio, or pool of projects, that are not required to be geographically contiguous, if each efficiency obligation in the pool fulfills the requirements described in this section.

“(f) APPLICATION.—

“(1) IN GENERAL.—To be eligible to receive credit support under this section, the applicant shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary determines to be necessary.

“(2) CONTENTS.—An application submitted under this section shall include assurances by the applicant that—

“(A) each contractor carrying out the project meets minimum experience level criteria, including local retrofit experience, as determined by the Secretary;

“(B) the project is reasonably expected to achieve energy savings, as set forth in the application using any methodology that meets the standards described in the program guidelines;

“(C) the project meets any technical criteria described in the program guidelines;

“(D) the recipient of the credit support and the parties to the efficiency obligation will provide the Secretary with—

“(i) any information the Secretary requests to assess the energy savings that result from the project, including historical energy usage data, a simulation-based benchmark, and detailed descriptions of the building work, as described in the program guidelines; and

“(ii) permission to access information relating to building operations and usage for the period described in the program guidelines; and

“(E) any other assurances that the Secretary determines to be necessary.

“(3) DETERMINATION.—Not later than 90 days after receiving an application, the Secretary shall make a final determination on the application, which may include requests for additional information.

“(g) FEES.—

“(1) IN GENERAL.—In addition to the fees required by section 1702(h)(1), the Secretary may charge reasonable fees for credit support provided under this section.

“(2) AVAILABILITY.—Fees collected under this section shall be subject to section 1702(h)(2).

“(h) UNDERWRITING.—The Secretary may delegate the underwriting activities under this section to 1 or more entities that the Secretary determines to be qualified.

“(i) REPORT.—Not later than 1 year after commencement of the program, the Secretary shall submit to the appropriate committees of Congress a report that describes in reasonable detail—

“(1) the manner in which this section is being carried out;

“(2) the number and type of projects supported;

“(3) the types of funding mechanisms used to provide credit support to projects;

“(4) the energy savings expected to result from projects supported by this section;

“(5) any tracking efforts the Secretary is using to calculate the actual energy savings produced by the projects; and

“(6) any plans to improve the tracking efforts described in paragraph (5).

“(j) FUNDING.—

“(1) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section \$400,000,000 for the period of fiscal years 2012 through 2021, to remain available until expended.

“(2) ADMINISTRATIVE COSTS.—Not more than 1 percent of any amounts made available to the Secretary under paragraph (1) may be used by the Secretary for administrative costs incurred in carrying out this section.”.

Subtitle C—Industrial Efficiency and Competitiveness

PART I—MANUFACTURING ENERGY EFFICIENCY

SEC. 241. STATE PARTNERSHIP INDUSTRIAL ENERGY EFFICIENCY REVOLVING LOAN PROGRAM.

Section 399A of the Energy Policy and Conservation Act (42 U.S.C. 6371h-1) is amended—

(1) in the section heading, by inserting “AND INDUSTRY” before the period at the end;

(2) by redesignating subsections (h) and (i) as subsections (i) and (j), respectively; and

(3) by inserting after subsection (g) the following:

“(h) STATE PARTNERSHIP INDUSTRIAL ENERGY EFFICIENCY REVOLVING LOAN PROGRAM.—

“(1) IN GENERAL.—The Secretary shall carry out a program under which the Secretary shall provide grants to eligible lenders to pay the Federal share of creating a revolving loan program under which loans are provided to commercial and industrial manufacturers to implement commercially available technologies or processes that significantly—

“(A) reduce systems energy intensity, including the use of energy-intensive feedstocks; and

“(B) improve the industrial competitiveness of the United States.

“(2) ELIGIBLE LENDERS.—To be eligible to receive cost-matched Federal funds under this subsection, a lender shall—

“(A) be a community and economic development lender that the Secretary certifies meets the requirements of this subsection;

“(B) lead a partnership that includes participation by, at a minimum—

“(i) a State government agency; and

“(ii) a private financial institution or other provider of loan capital;

“(C) submit an application to the Secretary, and receive the approval of the Secretary, for cost-matched Federal funds to carry out a loan program described in paragraph (1); and

“(D) ensure that non-Federal funds are provided to match, on at least a dollar-for-dollar basis, the amount of Federal funds that are provided to carry out a revolving loan program described in paragraph (1).

“(3) AWARD.—The amount of cost-matched Federal funds provided to an eligible lender shall not exceed \$100,000,000 for any fiscal year.

“(4) RECAPTURE OF AWARDS.—

“(A) IN GENERAL.—An eligible lender that receives an award under paragraph (1) shall be required to repay to the Secretary an amount of cost-match Federal funds, as determined by the Secretary under subparagraph (B), if the eligible lender is unable or unwilling to operate a program described in this subsection for a period of not less than 10 years beginning on the date on which the eligible lender first receives funds made available through the award.

“(B) DETERMINATION BY SECRETARY.—The Secretary shall determine the amount of cost-match Federal funds that an eligible lender shall be required to repay to the Secretary under subparagraph (A) based on the consideration by the Secretary of—

“(i) the amount of non-Federal funds matched by the eligible lender;

“(ii) the amount of loan losses incurred by the revolving loan program described in paragraph (1); and

“(iii) any other appropriate factor, as determined by the Secretary.

“(C) USE OF RECAPTURED COST-MATCH FEDERAL FUNDS.—The Secretary may distribute to eligible lenders under this subsection each amount received by the Secretary under this paragraph.

“(5) ELIGIBLE PROJECTS.—A program for which cost-matched Federal funds are provided under this subsection shall be designed to accelerate the implementation of industrial and commercial applications of technologies or processes (including distributed generation, applications or technologies that use sensors, meters, software, and information networks, controls, and drives or that have been installed pursuant to an energy savings performance contract, project, or strategy) that—

“(A) improve energy efficiency, including improvements in efficiency and use of water, power factor, or load management;

“(B) enhance the industrial competitiveness of the United States; and

“(C) achieve such other goals as the Secretary determines to be appropriate.

“(6) EVALUATION.—The Secretary shall evaluate applications for cost-matched Federal funds under this subsection on the basis of—

“(A) the description of the program to be carried out with the cost-matched Federal funds;

“(B) the commitment to provide non-Federal funds in accordance with paragraph (2)(D);

“(C) program sustainability over a 10-year period;

“(D) the capability of the applicant;

“(E) the quantity of energy savings or energy feedstock minimization;

“(F) the advancement of the goal under this Act of 25-percent energy avoidance;

“(G) the ability to fund energy efficient projects not later than 120 days after the date of the grant award; and

“(H) such other factors as the Secretary determines appropriate.

“(7) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this subsection, \$400,000,000 for the period of fiscal years 2012 through 2021.”

SEC. 242. COORDINATION OF RESEARCH AND DEVELOPMENT OF ENERGY EFFICIENT TECHNOLOGIES FOR INDUSTRY.

(a) IN GENERAL.—As part of the research and development activities of the Industrial Technologies Program of the Department of Energy, the Secretary shall establish, as appropriate, collaborative research and development partnerships with other programs within the Office of Energy Efficiency and Renewable Energy (including the Building Technologies Program), the Office of Electricity Delivery and Energy Reliability, and the Office of Science that—

(1) leverage the research and development expertise of those programs to promote early stage energy efficiency technology development;

(2) support the use of innovative manufacturing processes and applied research for development, demonstration, and commercialization of new technologies and processes to improve efficiency (including improvements in efficient use of water), reduce emissions, reduce industrial waste, and improve industrial cost-competitiveness; and

(3) apply the knowledge and expertise of the Industrial Technologies Program to help achieve the program goals of the other programs.

(b) REPORTS.—Not later than 2 years after the date of enactment of this Act and biennially thereafter, the Secretary shall submit to Congress a report that describes actions taken to carry out subsection (a) and the results of those actions.

SEC. 243. REDUCING BARRIERS TO THE DEPLOYMENT OF INDUSTRIAL ENERGY EFFICIENCY.

(a) DEFINITIONS.—In this section:

(1) INDUSTRIAL ENERGY EFFICIENCY.—The term “industrial energy efficiency” means the energy efficiency derived from commercial technologies and measures to improve energy efficiency or to generate or transmit electric power and heat, including electric motor efficiency improvements, demand response, direct or indirect combined heat and power, and waste heat recovery.

(2) INDUSTRIAL SECTOR.—The term “industrial sector” means any subsector of the manufacturing sector (as defined in North American Industry Classification System codes 31-33 (as in effect on the date of enactment of this Act)) establishments of which have, or could have, thermal host facilities with electricity requirements met in whole, or in part, by onsite electricity generation, including direct and indirect combined heat and power or waste recovery.

(3) SECRETARY.—The term “Secretary” means the Secretary of Energy.

(b) REPORT ON THE DEPLOYMENT OF INDUSTRIAL ENERGY EFFICIENCY.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report describing—

(A) the results of the study conducted under paragraph (2); and

(B) recommendations and guidance developed under paragraph (3).

(2) STUDY.—The Secretary, in coordination with the industrial sector, shall conduct a study of the following:

(A) The legal, regulatory, and economic barriers to the deployment of industrial energy efficiency in all electricity markets (including organized wholesale electricity markets, and regulated electricity markets), including, as applicable, the following:

(i) Transmission and distribution interconnection requirements.

(ii) Standby, back-up, and maintenance fees (including demand ratchets).

(iii) Exit fees.

(iv) Life of contract demand ratchets.

(v) Net metering.

(vi) Calculation of avoided cost rates.

(vii) Power purchase agreements.

(viii) Energy market structures.

(ix) Capacity market structures.

(x) Other barriers as may be identified by the Secretary, in coordination with the industrial sector.

(B) Examples of —

(i) successful State and Federal policies that resulted in greater use of industrial energy efficiency;

(ii) successful private initiatives that resulted in greater use of industrial energy efficiency; and

(iii) cost-effective policies used by foreign countries to foster industrial energy efficiency.

(C) The estimated economic benefits to the national economy of providing the industrial sector with Federal energy efficiency matching grants of \$5,000,000,000 for 5- and 10-year periods, including benefits relating to—

(i) estimated energy and emission reductions;

(ii) direct and indirect jobs saved or created;

(iii) direct and indirect capital investment;

(iv) the gross domestic product; and

(v) trade balance impacts.

(D) The estimated energy savings available from increased use of recycled material in energy-intensive manufacturing processes.

(3) RECOMMENDATIONS AND GUIDANCE.—The Secretary, in coordination with the industrial sector, shall develop policy recommendations regarding the deployment of industrial energy efficiency, including proposed regulatory guidance to States and relevant Federal agencies to address barriers to deployment.

SEC. 244. FUTURE OF INDUSTRY PROGRAM.

(a) IN GENERAL.—Section 452 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17111) is amended by striking the section heading and inserting the following: “FUTURE OF INDUSTRY PROGRAM”.

(b) DEFINITION OF ENERGY SERVICE PROVIDER.—Section 452(a) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17111(a)) is amended—

(1) by redesignating paragraphs (3) through (5) as paragraphs (4) through (6), respectively; and

(2) by inserting after paragraph (3):

“(5) ENERGY SERVICE PROVIDER.—The term ‘energy service provider’ means any private company or similar entity providing technology or services to improve energy efficiency in an energy-intensive industry.”.

(c) INDUSTRIAL RESEARCH AND ASSESSMENT CENTERS.—

(1) IN GENERAL.—Section 452(e) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17111(e)) is amended—

(A) by redesignating paragraphs (1) through (5) as subparagraphs (A) through (E), respectively, and indenting appropriately;

(B) by striking "The Secretary" and inserting the following:

"(1) IN GENERAL.—The Secretary";

(C) in subparagraph (A) (as redesignated by subparagraph (A)), by inserting before the semicolon at the end the following: ", including assessments of sustainable manufacturing goals and the implementation of information technology advancements for supply chain analysis, logistics, system monitoring, industrial and manufacturing processes, and other purposes"; and

(D) by adding at the end the following:

"(2) CENTERS OF EXCELLENCE.—

"(A) IN GENERAL.—The Secretary shall establish a Center of Excellence at up to 10 of the highest performing industrial research and assessment centers, as determined by the Secretary.

"(B) DUTIES.—A Center of Excellence shall coordinate with and advise the industrial research and assessment centers located in the region of the Center of Excellence.

"(C) FUNDING.—Subject to the availability of appropriations, of the funds made available under subsection (f), the Secretary shall use to support each Center of Excellence not less than \$500,000 for fiscal year 2012 and each fiscal year thereafter, as determined by the Secretary.

"(3) EXPANSION OF CENTERS.—The Secretary shall provide funding to establish additional industrial research and assessment centers at institutions of higher education that do not have industrial research and assessment centers established under paragraph (1), taking into account the size of, and potential energy efficiency savings for, the manufacturing base within the region of the proposed center.

"(4) COORDINATION.—

"(A) IN GENERAL.—To increase the value and capabilities of the industrial research and assessment centers, the centers shall—

"(i) coordinate with Manufacturing Extension Partnership Centers of the National Institute of Standards and Technology;

"(ii) coordinate with the Building Technologies Program of the Department of Energy to provide building assessment services to manufacturers;

"(iii) increase partnerships with the National Laboratories of the Department of Energy to leverage the expertise and technologies of the National Laboratories for national industrial and manufacturing needs;

"(iv) increase partnerships with energy service providers and technology providers to leverage private sector expertise and accelerate deployment of new and existing technologies and processes for energy efficiency, power factor, and load management;

"(v) identify opportunities for reducing greenhouse gas emissions; and

"(vi) promote sustainable manufacturing practices for small- and medium-sized manufacturers.

"(5) OUTREACH.—The Secretary shall provide funding for—

"(A) outreach activities by the industrial research and assessment centers to inform small- and medium-sized manufacturers of the information, technologies, and services available; and

"(B) a full-time equivalent employee at each center of excellence whose primary mission shall be to coordinate and leverage the efforts of the center with—

"(i) Federal and State efforts;

"(ii) the efforts of utilities and energy service providers;

"(iii) the efforts of regional energy efficiency organizations; and

"(iv) the efforts of other centers in the region of the center of excellence.

"(6) WORKFORCE TRAINING.—

"(A) IN GENERAL.—The Secretary shall pay the Federal share of associated internship programs under which students work with or for industries, manufacturers, and energy service providers to implement the recommendations of industrial research and assessment centers.

"(B) FEDERAL SHARE.—The Federal share of the cost of carrying out internship programs described in subparagraph (A) shall be 50 percent.

"(C) FUNDING.—Subject to the availability of appropriations, of the funds made available under subsection (f), the Secretary shall use to carry out this paragraph not less than \$5,000,000 for fiscal year 2012 and each fiscal year thereafter.

"(7) SMALL BUSINESS LOANS.—The Administrator of the Small Business Administration shall, to the maximum practicable, expedite consideration of applications from eligible small business concerns for loans under the Small Business Act (15 U.S.C. 631 et seq.) to implement recommendations of industrial research and assessment centers established under paragraph (1)."

SEC. 245. SUSTAINABLE MANUFACTURING INITIATIVE.

(a) IN GENERAL.—Part E of title III of the Energy Policy and Conservation Act (42 U.S.C. 6341) is amended by adding at the end the following:

"SEC. 376. SUSTAINABLE MANUFACTURING INITIATIVE.

"(a) IN GENERAL.—As part of the Industrial Technologies Program of the Department of Energy, the Secretary shall carry out a sustainable manufacturing initiative under which the Secretary, on the request of a manufacturer, shall conduct onsite technical assessments to identify opportunities for—

"(1) maximizing the energy efficiency of industrial processes and cross-cutting systems;

"(2) preventing pollution and minimizing waste;

"(3) improving efficient use of water in manufacturing processes;

"(4) conserving natural resources; and

"(5) achieving such other goals as the Secretary determines to be appropriate.

"(b) COORDINATION.—The Secretary shall carry out the initiative in coordination with the private sector and appropriate agencies, including the National Institute of Standards and Technology to accelerate adoption of new and existing technologies or processes that improve energy efficiency.

"(c) RESEARCH AND DEVELOPMENT PROGRAM FOR SUSTAINABLE MANUFACTURING AND INDUSTRIAL TECHNOLOGIES AND PROCESSES.—As part of the Industrial Technologies Program of the Department of Energy, the Secretary shall carry out a joint industry-government partnership program to research, develop, and demonstrate new sustainable manufacturing and industrial technologies and processes that maximize the energy efficiency of industrial systems, reduce pollution, and conserve natural resources.

"(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be to carry out this section \$10,000,000 for the period of fiscal years 2012 through 2021."

(b) TABLE OF CONTENTS.—The table of contents of the Energy Policy and Conservation Act (42 U.S.C. prec. 6201) is amended by adding at the end of the items relating to part E of title III the following:

"Sec. 376. Sustainable manufacturing initiative."

SEC. 246. STUDY OF ADVANCED ENERGY TECHNOLOGY MANUFACTURING CAPABILITIES IN THE UNITED STATES.

(a) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, the Secretary shall enter into an arrangement with the National Academy of Sciences under which the Academy shall conduct a study of the development of advanced manufacturing capabilities for various energy technologies, including—

(1) an assessment of the manufacturing supply chains of established and emerging industries;

(2) an analysis of—

(A) the manner in which supply chains have changed over the 25-year period ending on the date of enactment of this Act;

(B) current trends in supply chains; and

(C) the energy intensity of each part of the supply chain and opportunities for improvement;

(3) for each technology or manufacturing sector, an analysis of which sections of the supply chain are critical for the United States to retain or develop to be competitive in the manufacturing of the technology;

(4) an assessment of which emerging energy technologies the United States should focus on to create or enhance manufacturing capabilities; and

(5) recommendations on leveraging the expertise of energy efficiency and renewable energy user facilities so that best materials and manufacturing practices are designed and implemented.

(b) REPORT.—Not later than 2 years after the date on which the Secretary enters into the agreement with the Academy described in subsection (a), the Academy shall submit to the Committee on Energy and Natural Resources of the Senate, the Committee on Energy and Commerce of the House of Representatives, and the Secretary a report describing the results of the study required under this section, including any findings and recommendations.

SEC. 247. INDUSTRIAL TECHNOLOGIES STEERING COMMITTEE.

The Secretary shall establish an advisory steering committee that includes national trade associations representing energy-intensive industries or energy service providers to provide recommendations to the Secretary on planning and implementation of the Industrial Technologies Program of the Department of Energy.

PART II—SUPPLY STAR

SEC. 251. SUPPLY STAR.

Part B of title III of the Energy Policy and Conservation Act (42 U.S.C. 6291) is amended by inserting after section 324A (42 U.S.C. 6294a) the following:

"SEC. 324B. SUPPLY STAR PROGRAM.

"(a) IN GENERAL.—There is established within the Department of Energy a Supply Star program to identify and promote practices, recognize companies, and, as appropriate, recognize products that use highly efficient supply chains in a manner that conserves energy, water, and other resources.

"(b) COORDINATION.—In carrying out the program described in subsection (a), the Secretary shall—

"(1) consult with other appropriate agencies; and

"(2) coordinate efforts with the Energy Star program established under section 324A.

"(c) DUTIES.—In carrying out the Supply Star program described in subsection (a), the Secretary shall—

“(1) promote practices, recognize companies, and, as appropriate, recognize products that comply with the Supply Star program as the preferred practices, companies, and products in the marketplace for maximizing supply chain efficiency;

“(2) work to enhance industry and public awareness of the Supply Star program;

“(3) collect and disseminate data on supply chain energy resource consumption;

“(4) develop and disseminate metrics, processes, and analytical tools (including software) for evaluating supply chain energy resource use;

“(5) develop guidance at the sector level for improving supply chain efficiency;

“(6) work with domestic and international organizations to harmonize approaches to analyzing supply chain efficiency, including the development of a consistent set of tools, templates, calculators, and databases; and

“(7) work with industry, including small businesses, to improve supply chain efficiency through activities that include—

“(A) developing and sharing best practices; and

“(B) providing opportunities to benchmark supply chain efficiency.

“(d) EVALUATION.—In any evaluation of supply chain efficiency carried out by the Secretary with respect to a specific product, the Secretary shall consider energy consumption and resource use throughout the entire lifecycle of a product, including production, transport, packaging, use, and disposal.

“(e) GRANTS AND INCENTIVES.—

“(1) IN GENERAL.—The Secretary may award grants or other forms of incentives on a competitive basis to eligible entities, as determined by the Secretary, for the purposes of—

“(A) studying supply chain energy resource efficiency; and

“(B) demonstrating and achieving reductions in the energy resource consumption of commercial products through changes and improvements to the production supply and distribution chain of the products.

“(2) USE OF INFORMATION.—Any information or data generated as a result of the grants or incentives described in paragraph (1) shall be used to inform the development of the Supply Star Program.

“(f) TRAINING.—The Secretary shall use funds to support professional training programs to develop and communicate methods, practices, and tools for improving supply chain efficiency.

“(g) EFFECT OF IMPACT ON CLIMATE CHANGE.—For purposes of this section, the impact on climate change shall not be a factor in determining supply chain efficiency.

“(h) EFFECT OF OUTSOURCING OF AMERICAN JOBS.—For purposes of this section, the outsourcing of American jobs in the production of a product shall not count as a positive factor in determining supply chain efficiency.

“(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section \$10,000,000 for the period of fiscal years 2012 through 2021.”

PART III—ELECTRIC MOTOR REBATE PROGRAM

SEC. 261. ENERGY SAVING MOTOR CONTROL REBATE PROGRAM.

(a) ESTABLISHMENT.—Not later than January 1, 2012, the Secretary of Energy (referred to in this section as the “Secretary”) shall establish a program to provide rebates for expenditures made by entities for the purchase and installation of a new constant speed electric motor control that reduces motor energy use by not less than 5 percent.

(b) REQUIREMENTS.—

(1) APPLICATION.—To be eligible to receive a rebate under this section, an entity shall submit to the Secretary an application in such form, at such time, and containing such information as the Secretary may require, including—

(A) demonstrated evidence that the entity purchased a constant speed electric motor control that reduces motor energy use by not less than 5 percent; and

(B) the physical nameplate of the installed motor of the entity to which the energy saving motor control is attached.

(2) AUTHORIZED AMOUNT OF REBATE.—The Secretary may provide to an entity that meets the requirements of paragraph (1) a rebate the amount of which shall be equal to the product obtained by multiplying—

(A) the nameplate horsepower of the electric motor to which the energy saving motor control is attached; and

(B) \$25.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$5,000,000 for each of fiscal years 2012 and 2013, to remain available until expended.

PART IV—TRANSFORMER REBATE PROGRAM

SEC. 271. ENERGY EFFICIENT TRANSFORMER REBATE PROGRAM.

(a) DEFINITION OF QUALIFIED TRANSFORMER.—In this section, the term “qualified transformer” means a transformer that meets or exceeds the National Electrical Manufacturers Association (NEMA) Premium Efficiency designation, calculated to 2 decimal points, as having 30 percent fewer losses than the NEMA TP-1-2002 efficiency standard for a transformer of the same number of phases and capacity, as measured in kilovolt-amperes.

(b) ESTABLISHMENT.—Not later than January 1, 2012, the Secretary of Energy (referred to in this section as the “Secretary”) shall establish a program to provide rebates for expenditures made by owners of commercial buildings and multifamily residential buildings for the purchase and installation of a new energy efficient transformers.

(c) REQUIREMENTS.—

(1) APPLICATION.—To be eligible to receive a rebate under this section, an owner shall submit to the Secretary an application in such form, at such time, and containing such information as the Secretary may require, including demonstrated evidence that the owner purchased a qualified transformer.

(2) AUTHORIZED AMOUNT OF REBATE.—For qualified transformers, rebates, in dollars per kilovolt-ampere (referred to in this paragraph as “kVA”) shall be—

(A) for 3-phase transformers—

(i) with a capacity of not greater than 10 kVA, \$15;

(ii) with a capacity of not less than 10 kVA and not greater than 100 kVA, the difference between 15 and the quotient obtained by dividing—

(I) the difference between—

(aa) the capacity of the transformer in kVA; and

(bb) 10; by

(II) 9; and

(iii) with a capacity greater than or equal to 100 kVA, \$5; and

(B) for single-phase transformers, 75 percent of the rebate for a 3-phase transformer of the same capacity.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$5,000,000 for each of fiscal years 2012 and 2013, to remain available until expended.

Subtitle D—Federal Agency Energy Efficiency

SEC. 281. ADOPTION OF PERSONAL COMPUTER POWER SAVINGS TECHNIQUES BY FEDERAL AGENCIES.

(a) IN GENERAL.—Not later than 360 days after the date of enactment of this Act, the Secretary of Energy, in consultation with the Secretary of Defense, the Secretary of Veterans Affairs, and the Administrator of General Services, shall issue guidance for Federal agencies to employ advanced tools allowing energy savings through the use of computer hardware, energy efficiency software, and power management tools.

(b) REPORTS ON PLANS AND SAVINGS.—Not later than 180 days after the date of the issuance of the guidance under subsection (a), each Federal agency shall submit to the Secretary of Energy a report that describes—

(1) the plan of the agency for implementing the guidance within the agency; and

(2) estimated energy and financial savings from employing the tools described in subsection (a).

SEC. 282. AVAILABILITY OF FUNDS FOR DESIGN UPDATES.

Section 3307 of title 40, United States Code, is amended—

(1) by redesignating subsections (d) through (h) as subsections (e) through (i), respectively; and

(2) by inserting after subsection (c) the following:

“(d) AVAILABILITY OF FUNDS FOR DESIGN UPDATES.—

“(1) IN GENERAL.—Subject to paragraph (2), for any project for which congressional approval is received under subsection (a) and for which the design has been substantially completed but construction has not begun, the Administrator of General Services may use appropriated funds to update the project design to meet applicable Federal building energy efficiency standards established under section 305 of the Energy Conservation and Production Act (42 U.S.C. 6834) and other requirements established under section 3312.

“(2) LIMITATION.—The use of funds under paragraph (1) shall not exceed 125 percent of the estimated energy or other cost savings associated with the updates as determined by a life-cycle cost analysis under section 544 of the National Energy Conservation Policy Act (42 U.S.C. 8254).”

SEC. 283. BEST PRACTICES FOR ADVANCED METERING.

Section 543(e) of the National Energy Conservation Policy Act (42 U.S.C. 8253(e)) is amended by striking paragraph (3) and inserting the following:

“(3) PLAN.—

“(A) IN GENERAL.—Not later than 180 days after the date on which guidelines are established under paragraph (2), in a report submitted by the agency under section 548(a), each agency shall submit to the Secretary a plan describing the manner in which the agency will implement the requirements of paragraph (1), including—

“(i) how the agency will designate personnel primarily responsible for achieving the requirements; and

“(ii) a demonstration by the agency, complete with documentation, of any finding that advanced meters or advanced metering devices (as those terms are used in paragraph (1)), are not practicable.

“(B) UPDATES.—Reports submitted under subparagraph (A) shall be updated annually.

“(4) BEST PRACTICES REPORT.—

“(A) IN GENERAL.—Not later than 180 days after the date of enactment of the Energy Savings and Industrial Competitiveness Act

of 2012, the Secretary of Energy, in consultation with the Secretary of Defense and the Administrator of General Services, shall develop, and issue a report on, best practices for the use of advanced metering of energy use in Federal facilities, buildings, and equipment by Federal agencies.

“(B) UPDATING.—The report described under subparagraph (A) shall be updated annually.

“(C) COMPONENTS.—The report shall include, at a minimum—

“(i) summaries and analysis of the reports by agencies under paragraph (3);

“(ii) recommendations on standard requirements or guidelines for automated energy management systems, including—

“(I) potential common communications standards to allow data sharing and reporting;

“(II) means of facilitating continuous commissioning of buildings and evidence-based maintenance of buildings and building systems; and

“(III) standards for sufficient levels of security and protection against cyber threats to ensure systems cannot be controlled by unauthorized persons; and

“(iii) an analysis of—

“(I) the types of advanced metering and monitoring systems being piloted, tested, or installed in Federal buildings; and

“(II) existing techniques used within the private sector or other non-Federal government buildings.”.

SEC. 284. FEDERAL ENERGY MANAGEMENT AND DATA COLLECTION STANDARD.

Section 543 of the National Energy Conservation Policy Act (42 U.S.C. 8253) is amended—

(1) by redesignating the second subsection (f) as added by section 434(a) of Public Law 110-140 (121 Stat. 1614) as subsection (g); and

(2) in subsection (f)(7), by striking subparagraph (A) and inserting the following:

“(A) IN GENERAL.—For each facility that meets the criteria established by the Secretary under paragraph (2)(B), the energy manager shall use the web-based tracking system under subparagraph (B)—

“(i) to certify compliance with the requirements for—

“(I) energy and water evaluations under paragraph (3);

“(II) implementation of identified energy and water measures under paragraph (4); and

“(III) follow-up on implemented measures under paragraph (5); and

“(ii) to publish energy and water consumption data on an individual facility basis.”.

SEC. 285. ELECTRIC VEHICLE CHARGING INFRASTRUCTURE.

Section 804(4) of the National Energy Conservation Policy Act (42 U.S.C. 8287c(4)) is amended—

(1) in subparagraph (A), by striking “or” after the semicolon;

(2) in subparagraph (B), by striking the period at the end and inserting “; or”; and

(3) by adding at the end the following:

“(C) a measure to support the use of electric vehicles or the fueling or charging infrastructure necessary for electric vehicles.”.

SEC. 286. FEDERAL PURCHASE REQUIREMENT.

Section 203 of the Energy Policy Act of 2005 (42 U.S.C. 15852) is amended—

(1) in subsections (a) and (b)(2), by striking “electric energy” each place it appears and inserting “electric, direct, and thermal energy”;

(2) in subsection (b)(2)—

(A) by inserting “, or avoided by,” after “generated from”; and

(B) by inserting “(including ground-source, reclaimed, and ground water)” after “geothermal”;

(3) by redesignating subsection (d) as subsection (e); and

(4) by inserting after subsection (c) the following:

“(d) SEPARATE CALCULATION.—Renewable energy produced at a Federal facility, on Federal land, or on Indian land (as defined in section 2601 of the Energy Policy Act of 1992 (25 U.S.C. 3501))—

“(1) shall be calculated (on a BTU-equivalent basis) separately from renewable energy used; and

“(2) may be used individually or in combination to comply with subsection (a).”.

SEC. 287. STUDY ON FEDERAL DATA CENTER CONSOLIDATION.

(a) IN GENERAL.—The Secretary of Energy shall conduct a study on the feasibility of a government-wide data center consolidation, with an overall Federal target of a minimum of 800 Federal data center closures by October 1, 2015.

(b) COORDINATION.—In conducting the study, the Secretary shall coordinate with Federal data center program managers, facilities managers, and sustainability officers.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to Congress a report that describes the results of the study, including a description of agency best practices in data center consolidation.

Subtitle E—Miscellaneous

SEC. 291. OFFSETS.

(a) ZERO-NET ENERGY COMMERCIAL BUILDINGS INITIATIVE.—Section 422(f) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17082(f)) is amended by striking paragraphs (2) through (4) and inserting the following:

“(2) \$50,000,000 for each of fiscal years 2009 through 2012;

“(3) \$100,000,000 for fiscal year 2013; and

“(4) \$200,000,000 for each of fiscal years 2014 through 2018.”.

(b) ENERGY SUSTAINABILITY AND EFFICIENCY GRANTS AND LOANS FOR INSTITUTIONS.—Subsection (j) of section 399A of the Energy Policy and Conservation Act (42 U.S.C. 6371h-1) (as redesignated by section 241(2)) is amended—

(1) in paragraph (1), by striking “through 2013” and inserting “and 2010, \$100,000,000 for each of fiscal years 2011 and 2012, and \$250,000,000 for fiscal year 2013”; and

(2) in paragraph (2), by striking “through 2013” and inserting “and 2010, \$100,000,000 for each of fiscal years 2011 and 2012, and \$425,000,000 for fiscal year 2013”.

(c) WASTE ENERGY RECOVERY INCENTIVE PROGRAM.—Section 373(f)(1) of the Energy Policy and Conservation Act (42 U.S.C. 6343(f)(1)) is amended—

(1) by redesignating subparagraph (B) as subparagraph (D); and

(2) by striking subparagraph (A) and inserting the following:

“(A) \$100,000,000 for fiscal year 2008;

“(B) \$200,000,000 for each of fiscal years 2009 and 2010;

“(C) \$100,000,000 for each of fiscal years 2011 and 2012; and”.

(d) ENERGY-INTENSIVE INDUSTRIES PROGRAM.—Section 452(f)(1) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17111(f)(1)) is amended—

(1) in subparagraph (D), by striking “\$202,000,000” and inserting “\$102,000,000”; and

(2) in subparagraph (E), by striking “\$208,000,000” and inserting “\$108,000,000”.

SEC. 292. ADVANCE APPROPRIATIONS REQUIRED.

The authorization of amounts under this title and the amendments made by this title shall be effective for any fiscal year only to the extent and in the amount provided in advance in appropriations Acts.

SA 2773. Mr. REID (for Mr. LEAHY (for himself, Mr. GRASSLEY, Mr. PAUL, and Mr. HATCH)) proposed an amendment to the bill S. 3245, to extend by 3 years the authorization of the EB-5 Regional Center Program, the E-Verify Program, the Special Immigrant Nonminister Religious Worker Program, and the Conrad State 30 J-1 Visa Waiver Program; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. REAUTHORIZATION OF EB-5 REGIONAL CENTER PROGRAM.

Section 610 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1993 (8 U.S.C. 1153 note) is amended—

(1) by striking “pilot” each place such term appears; and

(2) in subsection (b), by striking “September 30, 2012” and inserting “September 30, 2015”.

SEC. 2. REAUTHORIZATION OF E-VERIFY.

Section 401(b) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note) is amended by striking “September 30, 2012” and inserting “September 30, 2015”.

SEC. 3. REAUTHORIZATION OF SPECIAL IMMIGRANT NONMINISTER RELIGIOUS WORKER PROGRAM.

Section 101(a)(27)(C)(ii) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(27)(C)(ii)) is amended—

(1) in subclause (II), by striking “September 30, 2012” and inserting “September 30, 2015”; and

(2) in subclause (III), by striking “September 30, 2012” and inserting “September 30, 2015”.

SEC. 4. REAUTHORIZATION OF CONRAD STATE 30 J-1 VISA WAIVER PROGRAM.

Section 220(c) of the Immigration and Nationality Technical Corrections Act of 1994 (8 U.S.C. 1182 note) is amended by striking “September 30, 2012” and inserting “September 30, 2015”.

SEC. 5. NO AUTHORITY FOR NATIONAL IDENTIFICATION CARD.

Nothing in this Act may be construed to authorize the planning, testing, piloting, or development of a national identification card.

SA 2774. Mr. REID (for Mr. LEAHY (for himself and Mr. GRASSLEY)) proposed an amendment to the bill S. 3245, to extend by 3 years the authorization of the EB-5 Regional Center Program, the E-Verify Program, the Special Immigrant Nonminister Religious Worker Program, and the Conrad State 30 J-1 Visa Waiver Program; as follows:

Amend the title so as to read: “A bill to extend by 3 years the authorization of the EB-5 Regional Center Program, the E-Verify Program, the Special Immigrant Nonminister Religious Worker Program, and the Conrad State 30 J-1 Visa Waiver Program.”.

SA 2775. Mr. REID (for Mr. COONS) proposed an amendment to the resolution S. Res. 402, condemning Joseph

Kony and the Lord's Resistance Army for committing crimes against humanity and mass atrocities, and supporting ongoing efforts by the United States Government and governments in central Africa to remove Joseph Kony and Lord's Resistance Army commanders from the battlefield; as follows:

Strike all after the resolving clause and insert the following: "That the Senate—

(1) condemns Joseph Kony and the Lord's Resistance Army for committing crimes against humanity and mass atrocities, and supports ongoing efforts by the United States and countries in central Africa to remove Joseph Kony and Lord's Resistance Army commanders from the battlefield;

(2) commends continued efforts by the Governments of Uganda, the Democratic Republic of Congo, the Republic of South Sudan, the Central African Republic, and other countries in the region, as well as the African Union and United Nations, to end the threat posed by the Lord's Resistance Army;

(3) welcomes the ongoing efforts of the United States Government to assist regional governments to bring Joseph Kony to justice and end atrocities perpetuated by the Lord's Resistance Army, pursuant to the comprehensive strategy required by the Lord's Resistance Army Disarmament and Northern Uganda Recovery Act of 2009;

(4) calls on the President to keep Congress fully informed of the efforts of the United States Government and to work closely with Congress to identify and address critical gaps in the United States Government's strategy to support the efforts of the regional governments to counter the Lord's Resistance Army;

(5) commends the Department of Defense, United States Africa Command (U.S. AFRICOM), and members of the United States Armed Forces currently deployed to serve as advisors to the national militaries in the region seeking to protect local communities and pursuing Joseph Kony and top Lord's Resistance Army commanders;

(6) commends the African Union for committing to enhance troop deployments in order to fortify the military response to the Lord's Resistance Army, in coordination with the Governments of Uganda, the Central African Republic, the Democratic Republic of Congo, and the Republic of South Sudan, and in order to strengthen ongoing efforts to apprehend Joseph Kony and senior commanders of the Lord's Resistance Army or remove them from the battlefield;

(7) supports increased collaboration and coordination between the African Union and the Governments of Uganda, the Central African Republic, the Democratic Republic of Congo, and the Republic of South Sudan in order to apprehend Joseph Kony or remove him from the battlefield;

(8) supports continued efforts by the Secretary of State and representatives of the United States to work with partner nations and the international community—

(A) to strengthen the capabilities of regional military forces deployed to protect civilians and pursue commanders of the Lord's Resistance Army;

(B) to enhance cooperation and cross-border coordination among regional governments;

(C) to promote increased contributions from donor nations for regional efforts to address the Lord's Resistance Army; and

(D) to enhance overall efforts to increase civilian protection to populations affected by the Lord's Resistance Army;

(9) calls on the Secretary of State, the Secretary of Defense, the Administrator of the United States Agency for International Development, and the heads of other relevant government agencies to utilize existing funds for ongoing programs—

(A) to enhance mobility, intelligence, and logistical capabilities for regional partner forces engaged in efforts to protect civilians and apprehend or remove Joseph Kony and his top commanders from the battlefield;

(B) to expand physical access and telecommunications infrastructure to facilitate the timely flow of information and access for humanitarian and protection actors;

(C) to support programs to encourage and help non-indicted Lord's Resistance Army commanders, fighters, abductees, and associated noncombatants to safely defect from the group, including through radio and community programs; and

(D) to support regionally-led rehabilitation programs for children and youth affected by war that are tailored to address the specific trauma and physical and mental abuse these children and youth may have experienced as a result of indoctrination by the Lord's Resistance Army and to serve to reconnect them with their families and communities;

(10) calls on the President to place restrictions on any individuals or governments found to be providing training, supplies, financing, or support of any kind to Joseph Kony or the Lord's Resistance Army;

(11) urges that civilian protection and early-warning programs led by regional militaries and the United States Agency for International Development continue to be prioritized in areas affected by the Lord's Resistance Army and that steps be taken to inform potentially vulnerable communities about known Lord's Resistance Army movements and threats;

(12) welcomes the recent defections of men, women, and children from the ranks of the Lord's Resistance Army, and calls on governments in the region and the international community to continue to support safe return, demobilization, rehabilitation, and reintegration efforts; and

(13) urges the Governments of Uganda, the Democratic Republic of Congo, the Republic of South Sudan, the Republic of Sudan, and the Central African Republic to work together to address the ongoing threat posed by the Lord's Resistance Army.

SA 2776. Mr. REID (for Mr. BROWN of Ohio) proposed an amendment to the resolution S. Res. 418, amend the title so as to read: "Commemorating the 70th anniversary and commending the brave men of the 17th Bombardment Group (Medium) who became known as the 'Doolittle Tokyo Raiders' for outstanding heroism, valor, skill, and service to the United States in conducting the bombing of Tokyo on April 18, 1942."; as follows:

Strike all after the resolving clause and insert the following:
That the Senate—

(1) recognizes the valor, skill, and courage of the Raiders that proved invaluable to the eventual defeat of Japan during the Second World War;

(2) acknowledges that the actions of the Raiders helped to forge an enduring example of heroism in the face of uncertainty for the Army Air Force of the Second World War, the future of the Air Force, and the United States as a whole; and

(3) commends the 5 living members and 80 original members of the Doolittle Tokyo Raiders for their participation in the Tokyo bombing raid of April 18, 1942.

SA 2777. Mr. REID (for Mr. BROWN of Ohio) proposed an amendment to the resolution S. Res. 418, amend the title so as to read: "Commemorating the 70th anniversary and commending the brave men of the 17th Bombardment Group (Medium) who became known as the 'Doolittle Tokyo Raiders' for outstanding heroism, valor, skill, and service to the United States in conducting the bombing of Tokyo on April 18, 1942."; as follows:

Strike the preamble and insert the following:

Whereas brave American aircraft crewmen, led by Lieutenant Colonel James Doolittle, volunteered for an "extremely hazardous mission" without knowing the target, location, or assignment and willingly put their lives in harm's way, risking death, capture, and torture;

Whereas the conducting of medium bomber operations from a Navy aircraft carrier under combat conditions had never before been attempted;

Whereas after the discovery of the USS Hornet by Japanese picket ships 170 miles further away from the prearranged launch point, the Raiders proceeded to take off 670 miles from the coast of Japan;

Whereas by launching more than 100 miles beyond the distance considered to be minimally safe for the mission, the Raiders deliberately accepted the risk that the B-25s might not have enough fuel to reach the designated airfields in China;

Whereas the additional launch distance greatly increased the risk of crash landing in Japanese occupied China, exposing the crews to higher probability of death, injury, or capture;

Whereas because of that deliberate choice, after bombing their targets in Japan, low on fuel and in setting night and deteriorating weather, none of the 16 airplanes reached the prearranged Chinese airfields;

Whereas of the 80 Raiders who launched on the raid, 8 were captured, 2 died in the crash, and 70 returned to the United States; and

Whereas of the 8 captured, 3 were executed and 1 died of disease: Now, therefore, be it

SA 2778. Mr. REID (for Mr. BROWN of Ohio) proposed an amendment to the resolution S. Res. 418, amend the title so as to read: "Commemorating the 70th anniversary and commending the brave men of the 17th Bombardment Group (Medium) who became known as the 'Doolittle Tokyo Raiders' for outstanding heroism, valor, skill, and service to the United States in conducting the bombing of Tokyo on April 18, 1942."; as follows:

Amend the title so as to read "Commemorating the 70th anniversary and commending the brave men of the 17th Bombardment Group (Medium) who became known as the 'Doolittle Tokyo Raiders' for outstanding heroism, valor, skill, and service to the United States in conducting the bombing of Tokyo on April 18, 1942."

SA 2779. Mr. REID (for Mr. WEBB (for himself, Mr. KERRY, Mr. LUGAR, Mr. INHOFE, Mr. LIEBERMAN, Mr. MCCAIN,

and Mr. LEVIN)) proposed an amendment to the resolution S. Res. 524, reaffirming the strong support of the United States for the 2002 declaration of conduct of parties in the South China Sea among the member states of ASEAN and the People's Republic of China, and for other purposes; as follows:

In the preamble, strike the 6th whereas clause and all that follows through the end and insert the following:

Whereas ASEAN plays an important role, in partnership with others in the regional and international community, in addressing maritime security issues in the Asia-Pacific region and into the Indian Ocean, including open access to the maritime domain of Asia;

Whereas the South China Sea is a vital part of the maritime domain of Asia, including critical sea lanes of communication and commerce between the Pacific and Indian oceans;

Whereas, in the declaration on the conduct of parties in the South China Sea, the governments of the member states of ASEAN and the Government of the People's Republic of China have affirmed "that the adoption of a code of conduct in the South China Sea would further promote peace and stability in the region" and have agreed to work towards the attainment of a code of conduct;

Whereas, pending the peaceful settlement of territorial and jurisdictional disputes, the member states of ASEAN and the People's Republic of China have committed to "exercise self-restraint in the conduct of activities that would complicate or escalate disputes and stability, including, among others, refraining from action of inhabiting presently uninhabited islands, reefs, shoals, and other features and to handle their differences in a constructive manner";

Whereas, pending the peaceful settlement of territorial and jurisdictional disputes, the member states of ASEAN and the People's Republic of China affirmed their commitment "to the freedom of navigation in and overflight of the South China Sea provided for by the universally recognized principles of international law, including the 1982 UN Convention on the Law of the Sea";

Whereas, although not a party to these disputes, the United States has national interests in freedom of navigation, the maintenance of peace and stability, respect for international law, and unimpeded lawful commerce;

Whereas the Government of the People's Republic of China has recently taken unilateral steps to declare the Paracel and Spratly Islands, and their adjacent waters to be a prefectural-level city, and has identified government leaders to assert administrative control over 200 islets, sandbanks, and reefs and 2,000,000 square kilometers of water;

Whereas the Central Military Commission in China also announced the deployment of a garrison of soldiers to this area; and

Whereas these steps are contrary to agreed upon principles with regard to resolving disputes and impede a peaceful resolution of the sovereignty disputes in the South China Sea: Now, therefore, be it

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON FINANCE

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during

the session of the Senate on August 2, 2012, at 10 a.m., in room 215 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. REID. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on August 2, 2012, at 10 a.m., in SD-226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. REID. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on August 2, 2012, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON SECURITY, INSURANCE, AND INVESTMENT

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs Subcommittee on Securities, Insurance, and Investment be authorized to meet during the session of the Senate on August 2, 2012, at 9 a.m., to conduct a hearing entitled "Examining the IPO Process: Is It Working for Ordinary Investors?"

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. REID. Mr. President, I ask unanimous consent that the following staff of the Finance Committee be allowed on the Senate floor for the duration of today's session: Dan West, Micah Scudder, and Heather Sykes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. REID. I ask unanimous consent that on Monday, September 10, 2012, at 5 p.m., the Senate proceed to executive session to consider the following nomination: Calendar No. 664; that there be 30 minutes for debate equally divided in the usual form; that upon the use or yielding back of time, the Senate proceed to vote without intervening action or debate on the nomination; that the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order; that any related statements be printed in the RECORD; that President Obama be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. REID. I ask unanimous consent that the Senate proceed to executive session to consider the following nominations: Calendar No. 450, 609, 709, 718, 719, 720, 723, 825, 826, 827, 831, 837, 838, 841, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 872, 874, and all nominations placed on the Secretary's desk in the Foreign Service; that the nominations be confirmed en bloc; that the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to any of the nominations; that any related statements be printed in the RECORD; that President Obama be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed en bloc are as follows:

NOMINATIONS

HARRY S TRUMAN SCHOLARSHIP FOUNDATION

Laura A. Cordero, of the District of Columbia, to be a Member of the Board of Trustees of the Harry S Truman Scholarship Foundation for a term expiring December 15, 2015.

Steven H. Cohen, of Illinois, to be a Member of the Board of Trustees of the Harry S Truman Scholarship Foundation for a term expiring December 10, 2013.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

Paul W. Hodes, of New Hampshire, to be a Member of the National Council on the Arts for a term expiring September 3, 2016.

PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD

James Xavier Dempsey, of California, to be a Member of the Privacy and Civil Liberties Oversight Board for a term expiring January 29, 2016.

Elisabeth Collins Cook, of Illinois, to be a Member of the Privacy and Civil Liberties Oversight Board for a term expiring January 29, 2014.

Rachel L. Brand, of Iowa, to be a Member of the Privacy and Civil Liberties Oversight Board for a term expiring January 29, 2017.

Patricia M. Wald, of the District of Columbia, to be a Member of the Privacy and Civil Liberties Oversight Board for a term expiring January 29, 2013.

DEPARTMENT OF THE TREASURY

Matthew S. Rutherford, of Illinois, to be an Assistant Secretary of the Treasury.

UNITED STATES INTERNATIONAL TRADE COMMISSION

Meredith M. Broadbent, of Virginia, to be a Member of the United States International Trade Commission for a term expiring June 16, 2017.

DEPARTMENT OF THE TREASURY

Mark J. Mazur, of New Jersey, to be an Assistant Secretary of the Treasury.

DEPARTMENT OF JUSTICE

Danny Chappelle Williams, Sr., of Oklahoma, to be United States Attorney for the Northern District of Oklahoma for the term of four years.

MISSISSIPPI RIVER COMMISSION

Major General John Peabody, United States Army, to be a Member and President of the Mississippi River Commission.

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

Sean Sullivan, of Connecticut, to be a Member of the Defense Nuclear Facilities Safety Board for a term expiring October 18, 2015.

IN THE AIR FORCE

The following named officer for appointment as Chief of Staff, United States Air Force, and appointment to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., sections 8033 and 601:

To be general

Gen. Mark A. Welsh, III

DEPARTMENT OF STATE

Gene Allan Cretz, of New York, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Ghana.

Deborah Ruth Malac, of Virginia, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Liberia.

Thomas Hart Armbruster, of New York, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of the Marshall Islands.

David Bruce Wharton, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Zimbabwe.

Greta Christine Holtz, of Maryland, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Sultanate of Oman.

Alexander Mark Laskaris, of Maryland, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Guinea.

Marcie B. Ries, of the District of Columbia, a Career Member of the Senior Foreign Service, Class of Career-Minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Bulgaria.

John M. Koenig, of Washington, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Cyprus.

Michael David Kirby, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Serbia.

NATIONAL OCEANIC AND ATMOSPHERIC
ADMINISTRATION

Subject to qualifications provided by law, the following for temporary appointment to the grade indicated in the National Oceanic and Atmospheric Administration.

To be real admiral (lower half)

Gerd F. Glang

Subject to qualifications provided by law, the following for temporary appointment to the grade indicated in the National Oceanic and Atmospheric Administration.

To be real admiral

Michael S. Devany

Subject to qualifications provided by law, the following for temporary appointment to the grade indicated in the National Oceanic and Atmospheric Administration.

To be rear admiral (lower hall)

David A. Score

EXECUTIVE OFFICE OF THE PRESIDENT

Patricia K. Falcone, of California, to be an Associate Director of the Office of Science and Technology Policy.

DEPARTMENT OF VETERANS AFFAIRS

Thomas Skerik Sowers II, of Missouri, to be an Assistant Secretary of Veterans Affairs (Public and Intergovernmental Affairs).

FOREIGN SERVICE

PN1705 FOREIGN SERVICE nominations (47) beginning Narendran Chanmugam, and ending Jana S. Wooden, which nominations were received by the Senate and appeared in the Congressional Record of June 7, 2012.

PN1776 FOREIGN SERVICE nominations (23) beginning Thomas J. Brennan, and ending Thomas Pepe, which nominations were received by the Senate and appeared in the Congressional Record of June 20, 2012.

PRIVILEGED NOMINATIONS

Mr. REID. Mr. President, I ask unanimous consent that the following nominations under the Privileged section of the Executive Calendar be considered: Presidential Nomination 1513, who is Ingrid A. Gregg, of Michigan, to be on the board of trustees of the Harry S Truman Scholarship Foundation, and Presidential Nomination 1514, James L. Henderson, of Kentucky, to be on the board of trustees of the Harry S Truman Scholarship Foundation; that the nominations be confirmed, the motion to reconsider be considered made and laid upon the table, there be no intervening action or debate; that no further motions be in order to the nomination; that any related statements be printed in the RECORD, and that President Obama be immediately notified of the Senate's action.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed are as follows:

HARRY S TRUMAN SCHOLARSHIP FOUNDATION

Ingrid A. Gregg, of Michigan to be a Member of the Board of Trustees of the Harry S Truman Scholarship Foundation for a term expiring December 10, 2017.

James L. Henderson, of Kentucky, to be a Member of the Board of Trustees of the Harry S Truman Scholarship Foundation for a term expiring December 10, 2017.

NOMINATIONS DISCHARGED

Mr. REID. Mr. President, I ask unanimous consent that the Homeland Security and Governmental Affairs Committee be discharged from further consideration of PN 1731, Kimberley Sherri Knowles to be an associate judge of the Superior Court of the District of Columbia; that the nomination be confirmed, the motion to reconsider be considered made and laid upon the table, with no intervening action or de-

bate; that no further motions be in order to the nomination; that any related statements be printed in the RECORD, and the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nomination considered and confirmed is as follows:

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA

Kimberley Sherri Knowles, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

Mr. REID. Mr. President, I ask unanimous consent that the Foreign Relations Committee be discharged from further consideration of PN 1826, James B. Cunningham, of New York, to be Ambassador to the Islamic Republic of Afghanistan; that the nomination be confirmed, the motion to reconsider be considered made and laid upon the table, there be no intervening action or debate; that no further motions be in order to the nomination; that any related statements be printed in the RECORD; that President Obama be immediately notified of the Senate's action, and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nomination considered and confirmed is as follows:

DEPARTMENT OF STATE

James B. Cunningham, of New York, a Career Member of the Senior Foreign Service, Class of Career-Minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Islamic Republic of Afghanistan.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now resume legislative session.

NOMINATIONS IN STATUS QUO

Mr. REID. Mr. President, as in executive session, if the Senate adjourns under S. Con. Res. 59, I ask unanimous consent that all the nominations received by the Senate during the 112th Congress, second session, remain in status quo, notwithstanding the provisions of rule XXXI, paragraph 6, of the Standing Rules of the Senate, with the following exception: PN 1727.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMBASSADOR JAMES R. LILLEY AND CONGRESSMAN STEPHEN J. SOLARZ NORTH KOREA HUMAN RIGHTS REAUTHORIZATION ACT OF 2012

Mr. REID. Mr. President, I ask unanimous consent the Senate proceed to Calendar No. 458.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill, (H.R. 4240) to reauthorize the North Korean Human Rights Act of 2004, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. REID. Mr. President, I ask that the bill be read a third time and the Senate proceed to vote on passage of this bill.

The bill was read the third time.

The PRESIDING OFFICER. The question is on passage of the bill.

The bill (H.R. 4240) was passed.

CORRECTING THE ENROLLMENT OF H.R. 4240

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to S. Con. Res. 58, a concurrent resolution to correct the enrollment of H.R. 4240, submitted earlier today by Senator KERRY; that the concurrent resolution be agreed to, the motion to reconsider be made and laid upon the table with no intervening action or debate, and any statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Con. Res. 58) was agreed to, as follows:

S. CON. RES. 58

Resolved by the Senate (the House of Representatives concurring). That, in the enrollment of the bill (H.R. 4240) an Act to reauthorize the North Korean Human Rights Act of 2004, and for other purposes, the Clerk of the House of Representatives shall make the following correction: in section 7, insert "is amended" before "by striking".

REAUTHORIZING CERTAIN VISA PROGRAMS

Mr. REID. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. 3245 and that the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative read as follows:

A bill (S. 3245) to permanently reauthorize the EB-5 Regional Center Program, the E-Verify Program, the Special Immigrant Non-minister Religious Worker Program, and the Conrad State 30 J-1 Visa Waiver Program.

Without objection, the Senate proceeded to consider the bill.

Mr. LEAHY. Mr. President, today, the Senate worked together to advance bipartisan legislation that Senator GRASSLEY and I introduced, and I thank all Senators for their support. I am very pleased that the Senate has agreed to pass this important legislation as it has been amended. I especially commend Senator GRASSLEY, Senator HATCH, Senator CONRAD, and Senator SCHUMER for their collabora-

tion. And I thank Senator MENENDEZ for working with us to get this done in the Senate.

This legislation contains extensions for four long-standing immigration programs for another 3 years. These programs, last authorized in the fiscal year 2010 Homeland Security Appropriations law, are set to expire on September 30, 2012. Today's actions are a step toward avoiding that result, and maintaining the progress and benefits that these programs provide to many American communities and constituencies.

A program that I have long supported with Senators on both sides of aisle, the EB-5 Regional Center Program, has brought tens of thousands of jobs and billions in capital investment to communities across the United States at no cost to the taxpayer. This program represents one small corner of our overall immigration system, yet it results in enormous benefits for so many communities, including Vermont, where our Governors across administrations and business leaders have put it to use to make Vermont a better place for its citizens. The economic transformation we have seen in some Vermont communities as the direct result of this program is profound. Over the last several years, Vermonters who might have been out of work in a struggling economy found themselves working to build up Vermont companies, building Vermont products, and supporting economic activity in their communities. And so today, business leaders and entrepreneurs in Vermont, along with Vermont's Governor Peter Shumlin and his economic development team will continue to have this tool to help raise the capital Vermont needs to continue its innovation and economic growth.

Job creation and capital investment in America is something I know we can all support, and today I am proud to say we have done just that. I want to give my thanks to the Association to Invest in the U.S.A., the American Immigration Lawyers Association, and all of the entrepreneurs and businesses large and small across the United States that have realized the economic benefits of this program and that have so strongly supported my efforts.

The bill we pass today also continues programs important to Senator HATCH and Senator CONRAD. Today we take a step toward carrying on Senator CONRAD's program to encourage foreign doctors trained in the United States to practice medicine in medically underserved rural areas. And today we move to continue Senator HATCH's program to give United States religious institutions the ability to invite foreign citizens of shared faith to their communities to carry out good works and to help others.

And this legislation reauthorizes the E-Verify work authorization program,

which I know is very important to the Judiciary Committee's ranking member and other Senators. This program gives American employers a tool to ensure that those they hire are legally authorized to work in the United States. Yet it maintains its status as a voluntary program for employers, and maintains that choice for our businesses large and small to participate if they choose.

I regret that it has been such a long road for us to get to this point today. These measures should be the easy ones. The politics of immigration continue to make our progress difficult not only on the broader measures that America needs, but on the smaller ones that Congress has supported for many years. So I am pleased the Senate has acted in support of all of these programs today. I would have liked to see these programs made permanent after the many years they have been in existence they should be. But I also understand that with permanence, the Senate should look at ways to improve them where possible so that they are more secure and more effective. I am prepared to do that.

Though we take a small step forward today with these reauthorizations, I remain as committed today to tackle comprehensive immigration reform as I was when I supported President Bush in 2006 and 2007 in his efforts to make real change in our laws. I expect we will be there again soon and I look forward to the day we will once again begin the effort to strengthen and protect our entire immigration system.

Mr. REID. Mr. President, I ask unanimous consent that a Leahy-Grassley substitute amendment, which is at the desk, be agreed to; the bill, as amended, be read a third time and passed; that a Leahy-Grassley amendment to the title, which is also at the desk, be agreed to; the motions to reconsider be laid upon the table with no intervening action or debate; and any statements related to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 2773) was agreed to as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

SECTION 1. REAUTHORIZATION OF EB-5 REGIONAL CENTER PROGRAM.

Section 610 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1993 (8 U.S.C. 1153 note) is amended—

(1) by striking "pilot" each place such term appears; and

(2) in subsection (b), by striking "September 30, 2012" and inserting "September 30, 2015".

SEC. 2. REAUTHORIZATION OF E-VERIFY.

Section 401(b) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note) is amended by striking "September 30, 2012" and inserting "September 30, 2015".

SEC. 3. REAUTHORIZATION OF SPECIAL IMMIGRANT NONMINISTER RELIGIOUS WORKER PROGRAM.

Section 101(a)(27)(C)(ii) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(27)(C)(ii)) is amended—

(1) in subclause (II), by striking “September 30, 2012” and inserting “September 30, 2015”; and

(2) in subclause (III), by striking “September 30, 2012” and inserting “September 30, 2015”.

SEC. 4. REAUTHORIZATION OF CONRAD STATE 30 J-1 VISA WAIVER PROGRAM.

Section 220(c) of the Immigration and Nationality Technical Corrections Act of 1994 (8 U.S.C. 1182 note) is amended by striking “September 30, 2012” and inserting “September 30, 2015”.

SEC. 5. NO AUTHORITY FOR NATIONAL IDENTIFICATION CARD.

Nothing in this Act may be construed to authorize the planning, testing, piloting, or development of a national identification card.

The amendment (No. 2774) was agreed to, as follows:

(Purpose: To amend the title)

Amend the title so as to read: “A bill to extend by 3 years the authorization of the EB-5 Regional Center Program, the E-Verify Program, the Special Immigrant Nonminister Religious Worker Program, and the Conrad State 30 J-1 Visa Waiver Program.”.

The bill (S. 3245) was ordered to be engrossed for a third reading, was read the third time, and passed.

AUTHORIZING THE ARCHITECT OF THE CAPITOL TO ESTABLISH BATTERY RECHARGING STATIONS

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to H.R. 1402.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 1402) to authorize the Architect of the Capitol to establish battery recharging stations for privately owned vehicles in parking areas under the jurisdiction of the House of Representatives at no net cost to the Federal Government.

There being no objection, the Senate proceeded to consider the bill.

Mr. REID. Mr. President, I ask unanimous consent the bill be read three times and passed, the motion to reconsider be laid on the table, with no intervening action or debate, and any statement related to this matter be printed in the RECORD at the appropriate place.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 1402) was ordered to a third reading, was read the third time, and passed.

REQUIRING TSA TO COMPLY WITH THE UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT

Mr. REID. Mr. President, I ask unanimous consent that the Commerce

Committee be discharged from further consideration of H.R. 3670, and the Senate proceed to its consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 3670) to require the Transportation Security Administration to comply with the Uniformed Service Employment and Reemployment Rights Act.

There being no objection, the Senate proceeded to consider the bill.

Mr. REID. Mr. President, I ask unanimous consent that the bill be read the third time and passed, the motion to reconsider be laid upon the table, with no intervening action or debate, and that any statements related to the measure be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 3670) was read the third time and passed.

CONDEMNING JOSEPH KONY AND THE LORD'S RESISTANCE ARMY

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 432, S. Res. 402.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The assistant legislative clerk read as follows:

A bill (S. Res. 402) condemning Joseph Kony and the Lord's Resistance Army for committing crimes against humanity and mass atrocities, and supporting ongoing efforts by the United States Government and governments in central Africa to remove Joseph Kony and Lord's Resistance Army commanders from the battlefield.

There being no objection, the Senate proceeded to consider the resolution, which had been reported from the Committee on Foreign Relations, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

(Strike out all after the resolving clause and insert the part printed in italic.)

(Strike the preamble and insert the part printed in italic.)

S. RES. 402

Whereas the Lord's Resistance Army (LRA) wreaked havoc in northern Uganda for two decades, during which time the World Bank estimates that they abducted some 66,000 youth and forced them to serve as child soldiers and sex slaves and commit terrible acts;

Whereas, under increasing pressure, Joseph Kony ordered the Lord's Resistance Army in 2005 and 2006 to withdraw from Uganda and to move west into the border region of the Democratic Republic of the Congo, the Central African Republic, and what would become the Republic of South Sudan;

Whereas, since September 2008, Joseph Kony has directed the Lord's Resistance Army to commit systematic, large-scale attacks against innocent civilians in the Democratic Republic of Congo, the Central African Republic, and the

Republic of South Sudan that have destabilized the region and resulted in the deliberate killing of at least 2,400 civilians, many of whom were targeted in schools and churches; the rape and brutal mutilation of an unknown number of men, women, and children; the abduction of over 3,400 civilians, including at least 1,500 children, many of them forced to become child soldiers or sex slaves; and the reported displacement of more than 465,000 civilians from their homes, many of whom do not have access to essential humanitarian assistance;

Whereas insecurity caused by the Lord's Resistance Army has undermined efforts by the governments in the region, which have been supported by the assistance of the United States and the international community, to consolidate peace and stability in each of the countries affected by the Lord's Resistance Army;

Whereas, since December 2001, the Department of State has included the Lord's Resistance Army on its "Terrorist Exclusion List" and in August 2008, Lord's Resistance Army leader Joseph Kony was designated a "Specially Designated Global Terrorist" by President George W. Bush pursuant to Executive Order 13224;

Whereas, on October 6, 2005, the International Criminal Court issued arrest warrants against Joseph Kony and four of his top commanders for war crimes and crimes against humanity, yet they remain at large;

Whereas, in May 2010, Congress passed and President Barack Obama signed into law the Lord's Resistance Army Disarmament and Northern Uganda Recovery Act of 2009 (Public Law 111-172), which made it the policy of the United States to work with regional governments toward a comprehensive and lasting resolution to the conflict in northern Uganda and other affected areas by providing political, economic, military, and intelligence support for viable multilateral efforts to protect civilians from the Lord's Resistance Army, to apprehend or remove Joseph Kony and his top commanders from the battlefield, and to disarm and demobilize the remaining Lord's Resistance Army fighters;

Whereas, on November 24, 2010, as mandated by the Lord's Resistance Army Disarmament and Northern Uganda Recovery Act of 2009, President Obama issued the Strategy to Support the Disarmament of the Lord's Resistance Army, which provides a comprehensive strategy for supporting regional efforts to mitigate and eliminate the threat to civilians and regional stability posed by the Lord's Resistance Army;

Whereas, on October 14, 2011, President Obama notified Congress that he had authorized approximately 100 combat-equipped members of the Armed Forces to deploy to central Africa to provide assistance to regional forces that are working toward the removal of Joseph Kony and senior leadership of the Lord's Resistance Army from the battlefield;

Whereas section 1206 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 22 U.S.C. 2151 note) authorized the Secretary of Defense, with the concurrence of the Secretary of State, to provide logistical support, supplies, and services for foreign forces participating in operations to mitigate and eliminate the threat of the Lord's Resistance Army;

Whereas that section provides that no United States Armed Forces personnel, United States civilian employees, or United States civilian contractor personnel may participate in combat operations in connection with the provision of support for foreign forces participating in operations to mitigate and eliminate the threat posed by the Lord's Resistance Army, except for the purpose of acting in self-defense or of rescuing any United States citizen (including any member of the United States Armed Forces, any

United States civilian employee, or any United States civilian contractor);

Whereas the Consolidated Appropriations Act, 2012 (Public Law 112-74) directed the President to support increased peace and security efforts in areas affected by the Lord's Resistance Army, including programs to improve physical access, telecommunications infrastructure, and early-warning mechanisms and to support the disarmament, demobilization, and reintegration of former Lord's Resistance Army combatants, especially child soldiers;

Whereas the United Nations and African Union, acting with encouragement and support from the United States Government, have renewed their efforts to help governments in the region address the threat posed by the Lord's Resistance Army, and on November 22, 2011, the African Union designated the Lord's Resistance Army as a terrorist group and authorized a new initiative to help strengthen the coordination among the affected governments in the fight against the Lord's Resistance Army;

Whereas, on March 24, 2012, the African Union formally announced the intent to deploy up to 5,000 troops to advance regional efforts to counter the Lord's Resistance Army, and the next day formally inaugurated the Headquarters of the Regional Task Force in the Republic of South Sudan to coordinate efforts to capture Joseph Kony and neutralize the Lord's Resistance Army; and

Whereas targeted United States assistance and leadership can help prevent further mass atrocities and curtail humanitarian suffering in central Africa: Now, therefore, be it

Resolved, That the Senate—

(1) condemns Joseph Kony and the Lord's Resistance Army for committing crimes against humanity and mass atrocities, and supports ongoing efforts by the United States and countries in central Africa to remove Joseph Kony and Lord's Resistance Army commanders from the battlefield;

(2) commends continued efforts by the Governments of Uganda, the Democratic Republic of Congo, the Republic of South Sudan, the Central African Republic, and other countries in the region, as well as the African Union and United Nations, to end the threat posed by the Lord's Resistance Army;

(3) welcomes the ongoing efforts of the United States Government to implement a comprehensive strategy to counter the Lord's Resistance Army, pursuant to the Lord's Resistance Army Disarmament and Northern Uganda Recovery Act of 2009, and to assist governments in the region to bring Joseph Kony to justice and end atrocities perpetuated by the Lord's Resistance Army;

(4) calls on the President to keep Congress fully informed of the efforts of the United States Government and to work closely with Congress to identify and address critical gaps and enhance United States support for the regional effort to counter the Lord's Resistance Army;

(5) commends the Department of Defense, United States Africa Command (U.S. AFRICOM), and members of the United States Armed Forces currently deployed to serve as advisors to the national militaries in the region seeking to protect local communities and pursuing Joseph Kony and top Lord's Resistance Army commanders;

(6) commends the African Union for committing to enhance troop deployments in order to fortify the military response to the Lord's Resistance Army, in coordination with the Governments of Uganda, the Central African Republic, the Democratic Republic of Congo, and the Republic of South Sudan, and in order to strengthen ongoing efforts to apprehend Joseph Kony and senior commanders of the Lord's Resistance Army or remove them from the battlefield;

(7) supports increased collaboration and coordination between the African Union and the Governments of Uganda, the Central African Republic, the Democratic Republic of Congo, and the Republic of South Sudan in order to apprehend Joseph Kony or remove him from the battlefield;

(8) supports continued efforts by the Secretary of State and representatives of the United States to work with partner nations and the international community—

(A) to strengthen the capabilities of regional military forces deployed to protect civilians and pursue commanders of the Lord's Resistance Army;

(B) to enhance cooperation and cross-border coordination among regional governments;

(C) to promote increased contributions from donor nations for regional efforts to address the Lord's Resistance Army; and

(D) to enhance overall efforts to increase civilian protection and provide assistance to populations affected by the Lord's Resistance Army;

(9) calls on the Secretary of State, the Secretary of Defense, the Administrator of the United States Agency for International Development, and the heads of other relevant government agencies to utilize existing funds for ongoing programs—

(A) to enhance mobility, intelligence, and logistical capabilities for partner forces engaged in efforts to protect civilians and apprehend or remove Joseph Kony and his top commanders from the battlefield;

(B) to expand physical access and telecommunications infrastructure to facilitate the timely flow of information and access for humanitarian and protection actors;

(C) to support programs to encourage and help non-indicted Lord's Resistance Army commanders, fighters, abductees, and associated noncombatants to safely defect from the group, including through radio and community programs; and

(D) to rehabilitate children and youth affected by war, through programs that are tailored to address the specific trauma and physical and mental abuse they may have experienced as a result of indoctrination by the Lord's Resistance Army, and serve to reconnect these children and youth with their families and communities;

(10) calls on the President to place restrictions on any individuals or governments found to be providing training, supplies, financing, or support of any kind to Joseph Kony or the Lord's Resistance Army;

(11) urges that civilian protection continue to be prioritized in areas affected by the Lord's Resistance Army and that steps be taken to inform potentially vulnerable communities about known Lord's Resistance Army movements and threats;

(12) welcomes the recent defections of men, women, and children from the ranks of the Lord's Resistance Army, and calls on governments in the region and the international community to continue to support safe return, demobilization, rehabilitation, and reintegration efforts; and

(13) urges the Governments of Uganda, the Democratic Republic of Congo, the Republic of South Sudan, the Republic of Sudan, and the Central African Republic to work together to address the ongoing threat posed by the Lord's Resistance Army.

Amend the title so as to read: "Condemning Joseph Kony and the Lord's Resistance Army for committing crimes against humanity and mass atrocities, and supporting ongoing efforts by the United States Government and governments and regional organizations in central Africa to remove Joseph Kony and Lord's Resistance Army commanders from the battlefield."

Mr. REID. Mr. President, I ask unanimous consent that the Committee-reported amendment be withdrawn; that the Coons substitute amendment, which is at the desk, be agreed to, the resolution, as amended, be agreed to; that the committee-reported amendment to the preamble be agreed to, the preamble, as amended, be agreed to; that the committee-reported amendment to the title be agreed to, the motion to reconsider be laid upon the table with no intervening action or debate, and that any statements relating to this measure be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 2775) was agreed to, as follows:

(Purpose: To provide a complete substitute)

Strike all after the resolving clause and insert the following: "That the Senate—

(1) condemns Joseph Kony and the Lord's Resistance Army for committing crimes against humanity and mass atrocities, and supports ongoing efforts by the United States and countries in central Africa to remove Joseph Kony and Lord's Resistance Army commanders from the battlefield;

(2) commends continued efforts by the Governments of Uganda, the Democratic Republic of Congo, the Republic of South Sudan, the Central African Republic, and other countries in the region, as well as the African Union and United Nations, to end the threat posed by the Lord's Resistance Army;

(3) welcomes the ongoing efforts of the United States Government to assist regional governments to bring Joseph Kony to justice and end atrocities perpetuated by the Lord's Resistance Army, pursuant to the comprehensive strategy required by the Lord's Resistance Army Disarmament and Northern Uganda Recovery Act of 2009;

(4) calls on the President to keep Congress fully informed of the efforts of the United States Government and to work closely with Congress to identify and address critical gaps in the United States Government's strategy to support the efforts of the regional governments to counter the Lord's Resistance Army;

(5) commends the Department of Defense, United States Africa Command (U.S. AFRICOM), and members of the United States Armed Forces currently deployed to serve as advisors to the national militaries in the region seeking to protect local communities and pursuing Joseph Kony and top Lord's Resistance Army commanders;

(6) commends the African Union for committing to enhance troop deployments in order to fortify the military response to the Lord's Resistance Army, in coordination with the Governments of Uganda, the Central African Republic, the Democratic Republic of Congo, and the Republic of South Sudan, and in order to strengthen ongoing efforts to apprehend Joseph Kony and senior commanders of the Lord's Resistance Army or remove them from the battlefield;

(7) supports increased collaboration and coordination between the African Union and the Governments of Uganda, the Central African Republic, the Democratic Republic of Congo, and the Republic of South Sudan in order to apprehend Joseph Kony or remove him from the battlefield;

(8) supports continued efforts by the Secretary of State and representatives of the

United States to work with partner nations and the international community—

(A) to strengthen the capabilities of regional military forces deployed to protect civilians and pursue commanders of the Lord's Resistance Army;

(B) to enhance cooperation and cross-border coordination among regional governments;

(C) to promote increased contributions from donor nations for regional efforts to address the Lord's Resistance Army; and

(D) to enhance overall efforts to increase civilian protection to populations affected by the Lord's Resistance Army;

(9) calls on the Secretary of State, the Secretary of Defense, the Administrator of the United States Agency for International Development, and the heads of other relevant government agencies to utilize existing funds for ongoing programs—

(A) to enhance mobility, intelligence, and logistical capabilities for regional partner forces engaged in efforts to protect civilians and apprehend or remove Joseph Kony and his top commanders from the battlefield;

(B) to expand physical access and telecommunications infrastructure to facilitate the timely flow of information and access for humanitarian and protection actors;

(C) to support programs to encourage and help non-indicted Lord's Resistance Army commanders, fighters, abductees, and associated noncombatants to safely defect from the group, including through radio and community programs; and

(D) to support regionally-led rehabilitation programs for children and youth affected by war that are tailored to address the specific trauma and physical and mental abuse these children and youth may have experienced as a result of indoctrination by the Lord's Resistance Army and to serve to reconnect them with their families and communities;

(10) calls on the President to place restrictions on any individuals or governments found to be providing training, supplies, financing, or support of any kind to Joseph Kony or the Lord's Resistance Army;

(11) urges that civilian protection and early-warning programs led by regional militaries and the United States Agency for International Development continue to be prioritized in areas affected by the Lord's Resistance Army and that steps be taken to inform potentially vulnerable communities about known Lord's Resistance Army movements and threats;

(12) welcomes the recent defections of men, women, and children from the ranks of the Lord's Resistance Army, and calls on governments in the region and the international community to continue to support safe return, demobilization, rehabilitation, and reintegration efforts; and

(13) urges the Governments of Uganda, the Democratic Republic of Congo, the Republic of South Sudan, the Republic of Sudan, and the Central African Republic to work together to address the ongoing threat posed by the Lord's Resistance Army.

The resolution (S. Res. 402), as amended, was agreed to.

The committee-reported amendment to the preamble was agreed to.

The preamble, as amended, was agreed to.

The committee-reported amendment to the title was agreed to.

The resolution as amended, with its preamble, as amended, reads as follows:

S. RES. 402

Whereas the Lord's Resistance Army (LRA) wreaked havoc in northern Uganda for two decades, during which time the World Bank estimates that they abducted some 66,000 youth and forced them to serve as child soldiers and sex slaves and commit terrible acts;

Whereas under increasing pressure, Joseph Kony ordered the Lord's Resistance Army in 2005 and 2006 to withdraw from Uganda and to move west into the border region of the Democratic Republic of the Congo, the Central African Republic, and what would become the Republic of South Sudan;

Whereas, since September 2008, Joseph Kony has directed the Lord's Resistance Army to commit systematic, large-scale attacks against innocent civilians in the Democratic Republic of Congo, the Central African Republic, and the Republic of South Sudan that have destabilized the region and resulted in the deliberate killing of at least 2,400 civilians, many of whom were targeted in schools and churches; the rape and brutal mutilation of an unknown number of men, women, and children; the abduction of over 3,400 civilians, including at least 1,500 children, many of them forced to become child soldiers or sex slaves; and the reported displacement of more than 465,000 civilians from their homes, many of whom do not have access to essential humanitarian assistance;

Whereas insecurity caused by the Lord's Resistance Army has undermined efforts by the governments in the region, which have been supported by the assistance of the United States and the international community, to consolidate peace and stability in each of the countries affected by the Lord's Resistance Army;

Whereas, since December 2001, the Department of State has included the Lord's Resistance Army on its "Terrorist Exclusion List" and in August 2008, Lord's Resistance Army leader Joseph Kony was designated a "Specially Designated Global Terrorist" by President George W. Bush pursuant to Executive Order 13224;

Whereas, on October 6, 2005, the International Criminal Court issued arrest warrants against Joseph Kony and four of his top commanders for war crimes and crimes against humanity, yet they remain at large;

Whereas, in May 2010, Congress passed and President Barack Obama signed into law the Lord's Resistance Army Disarmament and Northern Uganda Recovery Act of 2009 (Public Law 111-172), which made it the policy of the United States to work with regional governments toward a comprehensive and lasting resolution to the conflict in northern Uganda and other affected areas by providing political, economic, military, and intelligence support for viable multilateral efforts to protect civilians from the Lord's Resistance Army, to apprehend or remove Joseph Kony and his top commanders from the battlefield, and to disarm and demobilize the remaining Lord's Resistance Army fighters;

Whereas, on November 24, 2010, as mandated by the Lord's Resistance Army Disarmament and Northern Uganda Recovery Act of 2009, President Obama issued the Strategy to Support the Disarmament of the Lord's Resistance Army, which provides a comprehensive strategy for supporting regional efforts to mitigate and eliminate the threat to civilians and regional stability posed by the Lord's Resistance Army;

Whereas, on October 14, 2011, President Obama notified Congress that he had authorized approximately 100 combat-equipped members of the Armed Forces to deploy to

central Africa to provide assistance to regional forces that are working toward the removal of Joseph Kony and senior leadership of the Lord's Resistance Army from the battlefield;

Whereas section 1206 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 22 U.S.C. 2151 note) authorized the Secretary of Defense, with the concurrence of the Secretary of State, to provide logistical support, supplies, and services for foreign forces participating in operations to mitigate and eliminate the threat of the Lord's Resistance Army;

Whereas that section provides that no United States Armed Forces personnel, United States civilian employees, or United States civilian contractor personnel may participate in combat operations in connection with the provision of support for foreign forces participating in operations to mitigate and eliminate the threat posed by the Lord's Resistance Army, except for the purpose of acting in self-defense or of rescuing any United States citizen (including any member of the United States Armed Forces, any United States civilian employee, or any United States civilian contractor);

Whereas the Consolidated Appropriations Act, 2012 (Public Law 112-74) directed the President to support increased peace and security efforts in areas affected by the Lord's Resistance Army, including programs to improve physical access, telecommunications infrastructure, and early-warning mechanisms and to support the disarmament, demobilization, and reintegration of former Lord's Resistance Army combatants, especially child soldiers;

Whereas the United Nations and African Union, acting with encouragement and support from the United States Government, have renewed their efforts to help governments in the region address the threat posed by the Lord's Resistance Army, and on November 22, 2011, the African Union designated the Lord's Resistance Army as a terrorist group and authorized a new initiative to help strengthen the coordination among the affected governments in the fight against the Lord's Resistance Army;

Whereas, on March 24, 2012, the African Union formally announced the intent to deploy up to 5,000 troops to advance regional efforts to counter the Lord's Resistance Army, and the next day formally inaugurated the Headquarters of the Regional Task Force in the Republic of South Sudan to coordinate efforts to capture Joseph Kony and neutralize the Lord's Resistance Army; and

Whereas targeted United States assistance and leadership can help prevent further mass atrocities and curtail humanitarian suffering in central Africa: Now, therefore, be it

Resolved, That the Senate—

(1) condemns Joseph Kony and the Lord's Resistance Army for committing crimes against humanity and mass atrocities, and supports ongoing efforts by the United States and countries in central Africa to remove Joseph Kony and Lord's Resistance Army commanders from the battlefield;

(2) commends continued efforts by the Governments of Uganda, the Democratic Republic of Congo, the Republic of South Sudan, the Central African Republic, and other countries in the region, as well as the African Union and United Nations, to end the threat posed by the Lord's Resistance Army;

(3) welcomes the ongoing efforts of the United States Government to assist regional governments to bring Joseph Kony to justice and end atrocities perpetuated by the Lord's Resistance Army, pursuant to the comprehensive strategy required by the Lord's

Resistance Army Disarmament and Northern Uganda Recovery Act of 2009;

(4) calls on the President to keep Congress fully informed of the efforts of the United States Government and to work closely with Congress to identify and address critical gaps in the United States Government's strategy to support the efforts of the regional governments to counter the Lord's Resistance Army;

(5) commends the Department of Defense, United States Africa Command (U.S. AFRICOM), and members of the United States Armed Forces currently deployed to serve as advisors to the national militaries in the region seeking to protect local communities and pursuing Joseph Kony and top Lord's Resistance Army commanders;

(6) commends the African Union for committing to enhance troop deployments in order to fortify the military response to the Lord's Resistance Army, in coordination with the Governments of Uganda, the Central African Republic, the Democratic Republic of Congo, and the Republic of South Sudan, and in order to strengthen ongoing efforts to apprehend Joseph Kony and senior commanders of the Lord's Resistance Army or remove them from the battlefield;

(7) supports increased collaboration and coordination between the African Union and the Governments of Uganda, the Central African Republic, the Democratic Republic of Congo, and the Republic of South Sudan in order to apprehend Joseph Kony or remove him from the battlefield;

(8) supports continued efforts by the Secretary of State and representatives of the United States to work with partner nations and the international community—

(A) to strengthen the capabilities of regional military forces deployed to protect civilians and pursue commanders of the Lord's Resistance Army;

(B) to enhance cooperation and cross-border coordination among regional governments;

(C) to promote increased contributions from donor nations for regional efforts to address the Lord's Resistance Army; and

(D) to enhance overall efforts to increase civilian protection to populations affected by the Lord's Resistance Army;

(9) calls on the Secretary of State, the Secretary of Defense, the Administrator of the United States Agency for International Development, and the heads of other relevant government agencies to utilize existing funds for ongoing programs—

(A) to enhance mobility, intelligence, and logistical capabilities for regional partner forces engaged in efforts to protect civilians and apprehend or remove Joseph Kony and his top commanders from the battlefield;

(B) to expand physical access and telecommunications infrastructure to facilitate the timely flow of information and access for humanitarian and protection actors;

(C) to support programs to encourage and help non-indicted Lord's Resistance Army commanders, fighters, abductees, and associated noncombatants to safely defect from the group, including through radio and community programs; and

(D) to support regionally-led rehabilitation programs for children and youth affected by war that are tailored to address the specific trauma and physical and mental abuse these children and youth may have experienced as a result of indoctrination by the Lord's Resistance Army and to serve to reconnect them with their families and communities;

(10) calls on the President to place restrictions on any individuals or governments

found to be providing training, supplies, financing, or support of any kind to Joseph Kony or the Lord's Resistance Army;

(11) urges that civilian protection and early-warning programs led by regional militaries and the United States Agency for International Development continue to be prioritized in areas affected by the Lord's Resistance Army and that steps be taken to inform potentially vulnerable communities about known Lord's Resistance Army movements and threats;

(12) welcomes the recent defections of men, women, and children from the ranks of the Lord's Resistance Army, and calls on governments in the region and the international community to continue to support safe return, demobilization, rehabilitation, and reintegration efforts; and

(13) urges the Governments of Uganda, the Democratic Republic of Congo, the Republic of South Sudan, the Republic of Sudan, and the Central African Republic to work together to address the ongoing threat posed by the Lord's Resistance Army.

COMMENDING THE "DOOLITTLE TOKYO RAIDERS"

Mr. REID. Mr. President, I ask unanimous consent that the Armed Services Committee be discharged from further consideration of S. Res. 418, and the Senate proceed to its consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 418) commending the 80 brave men who became known as the "Doolittle Tokyo Raiders" for outstanding heroism, valor, skill, and service to the United States during the bombing of Tokyo and 5 other targets on the island of Honshu on April 18, 1942, during the Second World War.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Mr. President, I ask unanimous consent that the Brown of Ohio substitute amendment, which is at the desk, be agreed to; the resolution, as amended, be agreed to; the Brown of Ohio amendment to the preamble be agreed to; the Brown of Ohio title amendment, which is at the desk, be agreed to; the motions to reconsider be laid upon the table with no intervening action or debate, and that any statements be printed in the RECORD, as if read.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 2776) was agreed to, as follows:

(Purpose: In the nature of a substitute)

Strike all after the resolving clause and insert the following:
That the Senate—

(1) recognizes the valor, skill, and courage of the Raiders that proved invaluable to the eventual defeat of Japan during the Second World War;

(2) acknowledges that the actions of the Raiders helped to forge an enduring example of heroism in the face of uncertainty for the Army Air Force of the Second World War,

the future of the Air Force, and the United States as a whole; and

(3) commends the 5 living members and 80 original members of the Doolittle Tokyo Raiders for their participation in the Tokyo bombing raid of April 18, 1942.

The resolution (S. Res. 418), as amended, was agreed to.

The amendment (No. 2777) was agreed to, as follows:

Strike the preamble and insert the following:

Whereas brave American aircraft crewmen, led by Lieutenant Colonel James Doolittle, volunteered for an "extremely hazardous mission" without knowing the target, location, or assignment and willingly put their lives in harm's way, risking death, capture, and torture;

Whereas the conducting of medium bomber operations from a Navy aircraft carrier under combat conditions had never before been attempted;

Whereas after the discovery of the USS Hornet by Japanese picket ships 170 miles further away from the prearranged launch point, the Raiders proceeded to take off 670 miles from the coast of Japan;

Whereas by launching more than 100 miles beyond the distance considered to be minimally safe for the mission, the Raiders deliberately accepted the risk that the B-25s might not have enough fuel to reach the designated airfields in China;

Whereas the additional launch distance greatly increased the risk of crash landing in Japanese occupied China, exposing the crews to higher probability of death, injury, or capture;

Whereas because of that deliberate choice, after bombing their targets in Japan, low on fuel and in setting night and deteriorating weather, none of the 16 airplanes reached the prearranged Chinese airfields;

Whereas of the 80 Raiders who launched on the raid, 8 were captured, 2 died in the crash, and 70 returned to the United States; and

Whereas of the 8 captured, 3 were executed and 1 died of disease: Now, therefore, be it

The preamble, as amended, was agreed to.

The amendment (No. 2778) was agreed to, as follows:

(Purpose: To amend the title)

Amend the title so as to read "Commemorating the 70th anniversary and commending the brave men of the 17th Bombardment Group (Medium) who became known as the "Doolittle Tokyo Raiders" for outstanding heroism, valor, skill, and service to the United States in conducting the bombing of Tokyo on April 18, 1942."

The resolution, as amended, with its preamble, as amended, reads as follows:

S. RES. 418

Whereas brave American aircraft crewmen, led by Lieutenant Colonel James Doolittle, volunteered for an "extremely hazardous mission" without knowing the target, location, or assignment and willingly put their lives in harm's way, risking death, capture, and torture;

Whereas the conducting of medium bomber operations from a Navy aircraft carrier under combat conditions had never before been attempted;

Whereas after the discovery of the USS Hornet by Japanese picket ships 170 miles further away from the prearranged launch point, the Raiders proceeded to take off 670 miles from the coast of Japan;

Whereas by launching more than 100 miles beyond the distance considered to be minimally safe for the mission, the Raiders deliberately accepted the risk that the B-25s might not have enough fuel to reach the designated air-fields in China;

Whereas the additional launch distance greatly increased the risk of crash landing in Japanese occupied China, exposing the crews to higher probability of death, injury, or capture;

Whereas because of that deliberate choice, after bombing their targets in Japan, low on fuel and in setting night and deteriorating weather, none of the 16 airplanes reached the prearranged Chinese airfields;

Whereas of the 80 Raiders who launched on the raid, 8 were captured, 2 died in the crash, and 70 returned to the United States; and

Whereas of the 8 captured, 3 were executed and 1 died of disease: Now, therefore, be it
Resolved, That the Senate—

(1) recognizes the valor, skill, and courage of the Raiders that proved invaluable to the eventual defeat of Japan during the Second World War;

(2) acknowledges that the actions of the Raiders helped to forge an enduring example of heroism in the face of uncertainty for the Army Air Force of the Second World War, the future of the Air Force, and the United States as a whole; and

(3) commends the 5 living members and 80 original members of the Doolittle Tokyo Raiders for their participation in the Tokyo bombing raid of April 18, 1942.

REAFFIRMING STRONG SUPPORT OF THE UNITED STATES OF THE PARTIES IN THE SOUTH CHINA SEA

Mr. REID. Mr. President, I ask unanimous consent that the Foreign Relations Committee be discharged from further consideration of S. Res. 524, and the Senate proceed to its consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 524) reaffirming the strong support of the United States for the 2002 declaration of conduct of parties in the South China Sea among the member states of ASEAN and the People's Republic of China, and for other purposes.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Mr. President, I ask unanimous consent that the resolution be agreed to, the Webb amendment to the preamble be agreed to, the preamble, as amended, be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any related statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 524) was agreed to.

The amendment (No. 2779) was agreed to, as follows:

(Purpose: To amend the preamble)

In the preamble, strike the 6th *whereas* clause and all that follows through the end and insert the following:

Whereas ASEAN plays an important role, in partnership with others in the regional and international community, in addressing maritime security issues in the Asia-Pacific region and into the Indian Ocean, including open access to the maritime domain of Asia;

Whereas the South China Sea is a vital part of the maritime domain of Asia, including critical sea lanes of communication and commerce between the Pacific and Indian oceans;

Whereas, in the declaration on the conduct of parties in the South China Sea, the governments of the member states of ASEAN and the Government of the People's Republic of China have affirmed "that the adoption of a code of conduct in the South China Sea would further promote peace and stability in the region" and have agreed to work towards the attainment of a code of conduct;

Whereas, pending the peaceful settlement of territorial and jurisdictional disputes, the member states of ASEAN and the People's Republic of China have committed to "exercise self-restraint in the conduct of activities that would complicate or escalate disputes and stability, including, among others, refraining from action of inhabiting presently uninhabited islands, reefs, shoals, and other features and to handle their differences in a constructive manner";

Whereas, pending the peaceful settlement of territorial and jurisdictional disputes, the member states of ASEAN and the People's Republic of China affirmed their commitment "to the freedom of navigation in and overflight of the South China Sea provided for by the universally recognized principles of international law, including the 1982 UN Convention on the Law of the Sea";

Whereas, although not a party to these disputes, the United States has national interests in freedom of navigation, the maintenance of peace and stability, respect for international law, and unimpeded lawful commerce;

Whereas the Government of the People's Republic of China has recently taken unilateral steps to declare the Paracel and Spratly Islands, and their adjacent waters to be a prefectural-level city, and has identified government leaders to assert administrative control over 200 islets, sandbanks, and reefs and 2,000,000 square kilometers of water;

Whereas the Central Military Commission in China also announced the deployment of a garrison of soldiers to this area; and

Whereas these steps are contrary to agreed upon principles with regard to resolving disputes and impede a peaceful resolution of the sovereignty disputes in the South China Sea: Now, therefore, be it

The preamble, as amended, was agreed to.

The resolution with its preamble as amended, reads as follows:

S. RES. 524

Whereas the Association of Southeast Asian Nations (ASEAN) plays a key role in strengthening and contributing to peace, stability, and prosperity in the Asia-Pacific region;

Whereas the vision of the ASEAN Leaders in their goals set out in the ASEAN Charter to integrate ASEAN economically, politically, and culturally furthers regional peace, stability, and prosperity;

Whereas the United States Government recognizes the importance of a strong, cohesive, and integrated ASEAN as a foundation for effective regional frameworks to promote peace and security and economic growth and to ensure that the Asia-Pacific community

develops according to rules and norms agreed upon by all of its members;

Whereas the United States is enhancing political, security and economic cooperation in Southeast Asia through ASEAN, and seeks to continue to enhance its role in partnership with ASEAN and others in the region in addressing transnational issues ranging from climate change to maritime security;

Whereas the United States Government welcomes the development of a peaceful and prosperous China which respects international norms, international laws, international institutions, and international rules, and enhances security and peace, and seeks to advance a "cooperative partnership" between the United States and China;

Whereas ASEAN plays an important role, in partnership with others in the regional and international community, in addressing maritime security issues in the Asia-Pacific region and into the Indian Ocean, including open access to the maritime domain of Asia;

Whereas the South China Sea is a vital part of the maritime domain of Asia, including critical sea lanes of communication and commerce between the Pacific and Indian oceans;

Whereas in the declaration on the conduct of parties in the South China Sea, the governments of the member states of ASEAN and the Government of the People's Republic of China have affirmed "that the adoption of a code of conduct in the South China Sea would further promote peace and stability in the region" and have agreed to work towards the attainment of a code of conduct;

Whereas pending the peaceful settlement of territorial and jurisdictional disputes, the member states of ASEAN and the People's Republic of China have committed to "exercise self-restraint in the conduct of activities that would complicate or escalate disputes and stability, including, among others, refraining from action of inhabiting presently uninhabited islands, reefs, shoals, and other features and to handle their differences in a constructive manner";

Whereas pending the peaceful settlement of territorial and jurisdictional disputes, the member states of ASEAN and the People's Republic of China affirmed their commitment "to the freedom of navigation in and overflight of the South China Sea provided for by the universally recognized principles of international law, including the 1982 UN Convention on the Law of the Sea";

Whereas although not a party to these disputes, the United States has national interests in freedom of navigation, the maintenance of peace and stability, respect for international law, and unimpeded lawful commerce;

Whereas the Government of the People's Republic of China has recently taken unilateral steps to declare the Paracel and Spratly Islands, and their adjacent waters to be a prefectural-level city, and has identified government leaders to assert administrative control over 200 islets, sandbanks, and reefs and 2,000,000 square kilometers of water;

Whereas the Central Military Commission in China also announced the deployment of a garrison of soldiers to this area; and

Whereas these steps are contrary to agreed upon principles with regard to resolving disputes and impede a peaceful resolution of the sovereignty disputes in the South China Sea: Now, therefore, be it

Resolved, That the Senate—

(1) reaffirms the strong support of the United States for the 2002 declaration of conduct of parties in the South China Sea among the member states of ASEAN and the People's Republic of China;

(2) supports the member states of ASEAN, and the Government of the People's Republic of China, as they seek to adopt a legally binding code of conduct of parties in the South China Sea, and urges all countries to substantively support ASEAN in its efforts in this regard;

(3) strongly urges that, pending adoption of a code of conduct, all parties, consistent with commitments under the declaration of conduct, "exercise self-restraint in the conduct of activities that would complicate or escalate disputes and stability, including, among others, refraining from action of inhabiting presently uninhabited islands, reefs, shoals and other features and to handle their differences in a constructive manner";

(4) supports a collaborative diplomatic process by all claimants for resolving outstanding territorial and jurisdictional disputes, allowing parties to peacefully settle claims and disputes using international law;

(5) reaffirms the United States commitment—

(A) to assist the nations of Southeast Asia to remain strong and independent;

(B) to help ensure each nation enjoys peace and stability;

(C) to broaden and deepen economic, political, diplomatic, security, social, and cultural partnership with ASEAN and its member states; and

(D) to promote the institutions of emerging regional architecture and prosperity; and

(6) supports enhanced operations by the United States armed forces in the Western Pacific, including in the South China Sea, including in partnership with the armed forces of others countries in the region, in support of freedom of navigation, the maintenance of peace and stability, respect for international law, including the peaceful resolution of issues of sovereignty, and unimpeded lawful commerce.

RESOLUTIONS SUBMITTED TODAY

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed en bloc to the following resolutions: S. Res. 544, S. Res. 545, S. Res. 546, and S. Res. 547.

There being no objection, the Senate proceeded to consider the resolutions en bloc.

Mr. REID. I ask unanimous consent that the resolutions be agreed to, the preambles be agreed to, the motions to reconsider be laid upon the table en bloc, with no intervening action or debate and any statements relating to the resolutions be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolutions were agreed to.

The preambles were agreed to.

The resolutions, with their preambles, read as follows:

S. RES. 544

(Congratulating the Navy Dental Corps on its 100th anniversary)

Whereas on August 22, 1912, Congress passed an Act recognizing Navy dentistry as a distinct branch among naval medical professions;

Whereas in the last century, the Navy Dental Corps has supported the Navy by sustaining Sailor and Marine readiness and providing routine and emergency dental care, ashore and afloat, in peace and in war;

Whereas the Navy Dental Corps works continuously to improve the health of Sailors, Marines, and their families by supporting individual and community prevention initiatives, good oral hygiene practices, and treatment;

Whereas the Navy Dental Corps endeavors to improve oral health worldwide by participating in the spectrum of military combat, peacekeeping, and humanitarian operations and exercises;

Whereas the Navy Dental Corps, in collaboration with national and international dental organizations, promotes dental professionalism and quality of care;

Whereas the Navy Dental Corps supports the mission of the Federal dental research program and endorses improved dental technologies and therapies through research and adherence to sound scientific principles; and

Whereas the Navy Dental Corps recognizes the importance of continuing professional dental education, requiring and supporting specialty dental education and postgraduate residencies and fellowships for its members: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the Navy Dental Corps on its 100th anniversary;

(2) commends the Navy Dental Corps for working to sustain the dental readiness and the oral health of a superb fighting force; and

(3) recognizes the thousands of dentists who have served in the Navy Dental Corps over the last 100 years, providing dental care to millions of members of the Armed Forces and their families.

S. RES. 545

(Commemorating the 75th Anniversary of Air Force Weather)

Whereas the United States Army Air Corps assumed responsibility for military weather services on July 1, 1937, beginning a legacy of superior service to Army and Air Force commanders for the next 75 years;

Whereas the United States Army Air Forces activated the Weather Wing on April 14, 1943, in time to provide General Dwight D. Eisenhower with reports and forecasts vital to the success of Operation Overlord, the reentry of the Allies into Europe against resistance from German occupation forces, and subsequent operations in Europe and the Pacific;

Whereas 68 personnel from the Weather Wing lost their lives in World War II;

Whereas the Weather Wing was redesignated as the Army Air Forces Weather Service in 1945, and the Air Weather Service in 1946;

Whereas, in July of 1947, the Air Weather Service became a part of the newly formed United States Air Force with a mission to support both the Army and Air Force;

Whereas, in 1948, the Air Weather Service issued its first tornado warning;

Whereas the Air Weather Service provided critical reports and forecasts to commanders, planners, and aircrews in support of the Berlin Airlift, enabling the successful efforts to stare down Premier of the Soviet Union Joseph Stalin in the first major confrontation of the Cold War;

Whereas the Air Weather Service has participated in every military operation from operations in Vietnam to Iraq and Afghanistan;

Whereas the Air Weather Service was reorganized into a field operating agency on April 1, 1991, reporting directly to the Air Staff;

Whereas, on October 15, 1997, the Air Weather Service was redesignated as the Air

Force Weather Agency and subsequently headquartered at Offutt Air Force Base, Nebraska;

Whereas, in June 2008, construction was completed on a new 188,000-square-foot headquarters building for the Air Force Weather Agency at Offutt Air Force Base;

Whereas the civilian community surrounding Offutt Air Force Base fully recognizes the tremendous dedication and contributions of the personnel stationed at Offutt Air Force Base to the global fighting force, and likewise, base personnel express constant praise and appreciation to the civilian community for its outstanding support;

Whereas, in close cooperation with the National Weather Service, Air Force Weather has supported a wide variety of missions from its base in Nebraska, including space launches and solar observation; and

Whereas Air Force Weather has continued to produce timely, accurate, and continuous weather information to locate targets in any battle around the world or in space: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the 75th anniversary of Air Force Weather and its prominent role in national security;

(2) remembers the immeasurable contributions of Air Force Weather in protecting the lives of members of the Armed Forces and citizens of the United States through timely and accurate reporting and forecasting; and

(3) honors the 1,200 personnel who currently serve within Air Force Weather and those who have carried on its tradition of excellence through their continued service at Offutt Air Force Base in Nebraska.

S. RES. 546

(Designating the week of September 10, 2012, as "National Adult Education and Family Literacy Week")

Whereas the National Assessment of Adult Literacy reports that 90,000,000 adults lack the literacy, numeracy, or English-language skills necessary to succeed at home, in the workplace, and in society;

Whereas the literacy of the people of the United States is essential for the economic and societal well-being of the United States;

Whereas the United States reaps the economic benefits of individuals who improve their literacy, numeracy, and English-language skills;

Whereas literacy and educational skills are necessary for individuals to fully benefit from the range of opportunities available in the United States;

Whereas the United States' economy and position in the world marketplace depend on having a literate, skilled population;

Whereas the unemployment rate in the United States is highest among those without a high school diploma or an equivalent credential, demonstrating that education is important to economic recovery;

Whereas the educational skills of a child's parents and the practice of reading to a child have a direct impact on the educational success of the child;

Whereas parental involvement in a child's education is a key predictor of a child's success, and the level of parental involvement in a child's education increases as the educational level of the parent increases;

Whereas parents who participate in family literacy programs become more involved in their children's education and gain the tools necessary to obtain a job or find better employment;

Whereas, as a result of family literacy programs, the lives of children become more stable, and their success in the classroom

and in future endeavors becomes more likely;

Whereas adults need to be part of a long-term solution to the educational challenges of the United States;

Whereas many older people in the United States lack the reading, math, or English skills necessary to read a prescription and follow medical instructions, which endangers their lives and the lives of their loved ones;

Whereas many individuals who are unemployed, underemployed, or receive public assistance lack the literacy skills necessary to obtain and keep a job to provide for their families, to continue their education, or to participate in job training programs;

Whereas many high school dropouts do not have the literacy skills necessary to complete their education, transition to postsecondary education or career and technical training, or obtain a job;

Whereas a large portion of individuals in prison have low educational skills, and prisoners without educational skills are more likely to return to prison once released;

Whereas many immigrants in the United States do not have the literacy skills necessary to succeed in the United States; and

Whereas National Adult Education and Family Literacy Week highlights the need to ensure each and every citizen has the literacy skills necessary to succeed at home, at work, and in society: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week of September 10, 2012 as “National Adult Education and Family Literacy Week” to raise public awareness about the importance of adult education, workforce skills, and family literacy;

(2) encourages people across the United States to support programs to assist those in need of adult education, workforce skills, and family literacy programs;

(3) recognizes the importance of adult education, workforce skills, and family literacy programs; and

(4) calls upon public, private, and nonprofit entities to support increased access to adult education and family literacy programs to ensure a literate society.

S. RES. 547

(Honoring the life of pioneering astronaut Dr. Sally Ride and expressing the condolences of the Senate on her death)

Whereas Dr. Sally Ride was born on May 26, 1951, in Los Angeles, California;

Whereas Dr. Ride graduated high school from Westlake School for Girls in Los Angeles in 1968, and received from Stanford University a Bachelor of Science in Physics and a Bachelor of Arts in English in 1973, a Master of Science in 1975, and a doctorate degree in physics in 1978;

Whereas the National Aeronautics and Space Administration (referred to in this preamble as “NASA”) selected Dr. Ride as an astronaut candidate in January of 1978;

Whereas Dr. Ride worked on the ground as a communications officer for the second and third NASA space shuttle missions (STS-2 and STS-3) and helped develop the robot arm used by shuttle crews;

Whereas, on June 18, 1983, Dr. Ride became the first woman from the United States to travel in space when she served as a mission specialist for space shuttle mission STS-7;

Whereas Dr. Ride also served as a mission specialist on space shuttle mission STS 41-G, which launched into space from the Kennedy Space Center in Florida, on October 5, 1984;

Whereas, in June of 1985, Dr. Ride was assigned to the crew of STS 61-M for which mission training terminated in January of

1986, following the space shuttle *Challenger* accident;

Whereas Dr. Ride served as a member of the Presidential Commission investigating the space shuttle *Challenger* accident and, upon completing that investigation, was assigned to NASA Headquarters as a Special Assistant to the Administrator for long-range and strategic planning;

Whereas, in 1989, Dr. Ride joined the faculty at the University of California, San Diego, as a Professor of Physics and Director of the California Space Institute, a research unit at the University of California;

Whereas, following her passion of motivating girls and young women to pursue careers in science, math, and technology, Dr. Ride founded her own company, known as Sally Ride Science, in 2001, to create entertaining science programs and publications for upper elementary and middle school students, as well as their parents and teachers;

Whereas, as a long-time advocate for improved science education, Dr. Ride initiated and directed education projects designed to fuel the fascination of middle school students with science and wrote 5 science books for children, entitled: *To Space and Back*, *The Mystery of Mars*, *Voyager: An Adventure to the Edge of the Solar System*, *Exploring Our Solar System*, and *The Third Planet: Exploring the Earth from Space*;

Whereas Dr. Ride served as a member of the President’s Counsel of Advisors on Science and Technology, the Space Studies Board, and the Pacific Council on International Policy;

Whereas Dr. Ride was a fellow of the American Physical Society and also served on the boards of the Office of Technology Assessment, the Carnegie Institution of Washington, the National Collegiate Athletic Association Foundation, the Aerospace Corporation, and the California Institute of Technology;

Whereas Dr. Ride was the only person to have served on commissions investigating both the space shuttle *Challenger* and *Columbia* accidents; and

Whereas Dr. Ride has received numerous honors and awards, including induction into the National Women’s Hall of Fame and the Astronaut Hall of Fame, the Jefferson Award for Public Service, the Wernher von Braun Memorial Award of the National Space Society, the Lindbergh Eagle Award, the Theodore Roosevelt Award of the National Collegiate Athletic Association, and 2 NASA Space Flight Medals: Now, therefore, be it

Resolved, That the Senate—

(1) expresses its deepest condolences to the family and friends of Dr. Sally Ride on her death;

(2) mourns the loss of Dr. Ride, a trail-blazing pioneer who inspired millions of individuals, especially women and girls, to reach for the stars; and

(3) appreciates all of the contributions of Dr. Ride to science, physics, education, and human spaceflight.

AUTHORIZING USE OF THE CAPITOL ROTUNDA

Mr. REID. I ask unanimous consent that the Senate proceed to the consideration of H. Con. Res. 135.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The assistant legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 135) authorizing the use of the rotunda of the Capitol for the presentation of the Congressional Gold Medal to Daw Aung San Suu Kyi, in recognition of her leadership and perseverance in the struggle for freedom and democracy in Burma.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. REID. I ask unanimous consent that the concurrent resolution be agreed to and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (H. Con. Res. 135) was agreed to.

PROVIDING FOR A CONDITIONAL ADJOURNMENT OR RECESS OF THE SENATE AND AN ADJOURNMENT OF THE HOUSE OF REPRESENTATIVES

Mr. REID. I ask unanimous consent that the Senate proceed to the consideration of S. Con. Res. 59.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 59) providing for a conditional adjournment or recess of the Senate and an adjournment of the House of Representatives.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. REID. I ask unanimous consent that the concurrent resolution be agreed to, the motion to reconsider be laid upon the table, with no intervening action or debate, and any statements related to the concurrent resolution be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (S. Con. Res. 59) was agreed to, as follows:

S. CON. RES. 59

Resolved by the Senate (the House of Representatives concurring), That when the Senate recesses or adjourns on any day from Thursday, August 2, 2012, through Tuesday, August 7, 2012, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until 12:00 noon on Monday, September 10, 2012, or such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the House adjourns on any legislative day from Thursday, August 2, 2012, through Tuesday, August 7, 2012, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2:00 p.m. on Monday, September 10, 2012, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Majority Leader of the Senate and the Speaker of the House, or their respective designees, acting jointly after consultation with the Minority Leader of the

Senate and the Minority Leader of the House, shall notify the Members of the Senate and House, respectively, to reassemble at such place and time as they may designate if, in their opinion, the public interest shall warrant it.

MEASURE READ THE FIRST TIME—S. 3519

Mr. REID. Mr. President, I understand there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will report the bill by title for the first time.

The assistant legislative clerk read as follows:

A bill (S. 3519) to require sponsoring Senators to pay the printing cost of ceremonial and commemorative Senate resolutions.

Mr. REID. I now ask for a second reading, but in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection is heard. The legislation will be read for the second time on the next legislative day.

APPOINTMENTS AUTHORITY

Mr. REID. I ask unanimous consent that notwithstanding the upcoming recess or adjournment of the Senate, the President of the Senate, the President pro tempore, and the majority and minority leaders be authorized to make appointments to commissions, committees, boards, conferences, or inter-parliamentary conferences authorized by law, by concurrent action of the two Houses, or by order of the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORITY FOR COMMITTEES TO REPORT

Mr. REID. Mr. President, I ask unanimous consent that notwithstanding the Senate's recess, committees be authorized to report legislative and executive matters on Tuesday, August 28, from 12 noon to 2 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SIGNING AUTHORITY

Mr. REID. Mr. President, I ask unanimous consent that from Thursday, August 2, to Monday, September 10, the majority leader and Senators WEBB, REED of Rhode Island, CONRAD, and CARDIN be authorized to sign duly enrolled bills or joint resolutions.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO ASHLEY MESSICK

Mr. REID. Mr. President, I wish to take a minute and express my appreciation—and I speak for all Senators—

to Ashley Messick, who sits right here in front of us and has for 7 years. Honestly, it seems she just came yesterday. I really mean that. She has added a lot of vibrancy to this body, she is always pleasant, and she has always been available to me, even though she sits on the Republican side, and to everyone else.

So I am happy for her in one way: She is leaving because she fell in love and is getting married, and I am very happy for her. But we are really a small group of people at this front desk who do so much to make this place run properly. And even though she has been here 7 years, this is something I am confident will be with her the rest of her life. I am grateful to her for her attitude and her professionalism, and I wish her the very best.

ACKNOWLEDGING THE SENATE PAGES

Mr. REID. Mr. President, we have had a wonderful group of summer pages. I am so glad we have these young men and women. As I have said a number of times and I repeat tonight, two of my grandchildren have been pages. It was a wonderful, life-altering experience for them. I now have had another—my grandson—as one of the summer pages, and he has had a great time. So I am glad we have the page program. They are helpful to us, and I wish them the very best. I hope their experiences are as good as my three grandchildren's experiences.

ORDERS FOR FRIDAY, AUGUST 3, 2012, THROUGH MONDAY, SEPTEMBER 10, 2012

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn and convene for pro forma sessions only, with no business conducted, on the following dates and times, and that following each pro forma session, the Senate adjourn until the next pro forma session: Friday, August 3, at 10:15 a.m.; Tuesday, August 7, at 11 a.m.; Friday, August 10, at 11 a.m.; Tuesday, August 14, at 2:30 p.m.; Friday, August 17, at 11:30 a.m.; Tuesday, August 21, at 10 a.m.; Friday, August 24, at 10 a.m.; Tuesday, August 28, at 2:30 p.m.; Friday, August 31, at 11:30 a.m.; Tuesday, September 4, at 11:30 a.m.; and Friday, September 7, at 12 noon; and that the Senate adjourn on Friday, September 7, until 2 p.m. on Monday, September 10, unless the Senate has received a message from the House that it has adopted S. Con. Res. 59, which is the adjournment resolution, and that if the Senate has received such a message, the Senate adjourn until Monday, September 10, at 2 p.m., under the provisions of S. Con. Res. 59; that following the prayer and pledge, the Journal be approved to

date, the morning hour be deemed expired and the time for the two leaders be reserved for their use later in the day; that the majority leader be recognized and Senators be permitted to speak for up to 10 minutes each; and that at 5 p.m. the Senate proceed to executive session under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. REID. Mr. President, if pro forma sessions are necessary—and it appears they are; the House turned down the adjournment resolution—Senators should be aware that starting Tuesday, August 7, the pro forma sessions will be held in Hart 216 while repairs are made in the Senate Chamber.

The next rollcall vote will be at 5:30 p.m. on Monday, September 10, on confirmation of the Rose nomination.

Additionally, this evening cloture was filed on the motion to proceed to S. 3457, the Veterans Jobs Corps Act. That vote will be at 2:15 p.m. on Tuesday, September 11.

ADJOURNMENT UNTIL 10:15 A.M. TOMORROW

Mr. REID. If there is no further business to come before the Senate, I ask unanimous consent it adjourn under the previous order.

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 10:15 a.m. tomorrow, unless the Senate receives a message from the House that it has adopted S. Con. Res. 59, in which case the Senate stands adjourned until 2 p.m. on Monday, September 10, 2012, under the provisions of S. Con. Res. 59.

Thereupon, the Senate, at 8:31 p.m., adjourned until Friday, August 3, 2012, at 10:15 a.m.

NOMINATIONS

Executive nominations received by the Senate:

THE JUDICIARY

PAMELA KI MAI CHEN, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF NEW YORK, VICE RAYMOND J. DEARIE, RETIRED.

DEPARTMENT OF THE TREASURY

CHRISTOPHER J. MEADE, OF NEW YORK, TO BE GENERAL COUNSEL FOR THE DEPARTMENT OF THE TREASURY, VICE GEORGE WHEELER MADISON, RESIGNED.

AFRICAN DEVELOPMENT FOUNDATION

IQBAL PAROO, OF FLORIDA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE AFRICAN DEVELOPMENT FOUNDATION FOR A TERM EXPIRING SEPTEMBER 22, 2017, VICE JULIUS E. COLES, TERM EXPIRED.

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

WILLIAM J. MIELKE, OF WISCONSIN, TO BE A MEMBER OF THE ADVISORY BOARD OF THE SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION, VICE GEORGE D. MILIDRAG.

ARTHUR H. SULZER, OF PENNSYLVANIA, TO BE A MEMBER OF THE ADVISORY BOARD OF THE SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION, VICE CHARLES E. DORKEY III.

DEPARTMENT OF DEFENSE

ERIC KENNETH FANNING, OF THE DISTRICT OF COLUMBIA, TO BE UNDER SECRETARY OF THE AIR FORCE, VICE ERIN C. CONATON, RESIGNED.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. CHRISTOPHER C. BOGDAN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. JON A. WEEKS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIG. GEN. ANDREW M. MUELLER

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

MICHAEL ENE A. KLOSTER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. GARRETT S. YEE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. MARION GARCIA

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be major general

BRIG. GEN. DEBORAH A. ASHENHURST

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be major general

BRIG. GEN. JUDD H. LYONS

BRIG. GEN. LEE E. TAFANELLI

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADES INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be major general

BRIG. GEN. KENDALL W. PENN

To be brigadier general

COL. KEITH A. KLEMMER

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. (LH) JAMES D. SYRING

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTIONS 531 AND 716:

To be major

MICHAEL F. WENDELKEN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

MICHAEL M. HOWARD

PATRICK E. KNOESTER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADES INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant colonel

KARYN J. AYERS

JOEL B. SOLOMON

To be major

JOHN M. TUDELA

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADES INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

KIMBERLY A. DALE

BENJAMIN H. MCMATH III

To be major

JAMES B. SMITH

CHRISTOPHER B. VOGLER

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTIONS 531:

To be major

GREGORY S. ULMA

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTIONS 531:

To be major

PATRICK P. METKE

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

DREW D. DUKETT

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be lieutenant colonel

DAVID A. CORTESE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR ARMY CHAPLAINS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

JEFFREY T. WHORTON

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

CHARLES J. ROMERO

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR ARMY JUDGE ADVOCATE GENERAL'S CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

TANASHA N. BENNETT

REIES M. FLORES

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

BRAD D. BEKKEDAHL

ROBERT D. BURKE

GEORGE L. CHARFAUROS

ERIC S. KOHL

SCOTT J. MCATEE

DONALD D. PEREZ, JR.

DANIEL R. WATERS

BERNARD E. WILLIFORD

WILLIAM L. ZANA

IN THE NAVY

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant commander

ALAN T. WAKEFIELD

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant commander

TASSOS J. SFONDOURIS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

GLEN CABARCAS

BRYCE W. DONOVAN

RICARDO A. FERRA

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

CHUCK J. BROWDER
FRANCIS J. CARMODY III
MICHAEL J. HARRIS
STEVEN C. MALVIG
BRIAN D. MCKEON
JENNIFER M. MCNITT
DOUGLAS W. PEARMAN
SCOTT A. SPILKER
CHRISTOPHER K. TUGGLE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

DANIEL ARANDA
LUCAS G. BARLOW
BEATA I. GONZALES
ERIC A. GUTTMANN
RANDALL D. JONES
JONATHAN D. LOHN
ANDREW C. OCONNOR
WILLIAM J. PARISH
FRANCISCO RIVERA
CHAD J. STUEWE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

MATTHEW R. ALLEN
LARA R. BOLLINGER
KATHARINE M. CERREZO
EDWARD A. EARLY
GREGORY L. FLORES
JESSICA L. GANDY
COURTNEY L. HILLSON
KARL J. LETTOW
REANN S. MOMMSEN
REBECCA L. REBARICH
JOE M. VASQUEZ
BRIAN T. WIERZBICKI

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

WILLIAM E. BLANKS
DANIEL E. BROWN
NATHANIAL R. CANNISTRA
JAMES G. GABRIEL
MIMI H. GAFFNEY
CHRISTOPHER E. HOGGARD
COLLIN D. KORENEK
STEVEN D. MCKENDRY
RYAN J. OCONNELL
JODY G. POUNDS
JASON T. RITCHIE
JOSEPH R. RUCK
OBIE I. SHABAZZ
JEREMY J. WAGNER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

BRADLEY H. ABRAMOWITZ
SCOTT D. BLUE
CHRISTOPHER G. CARR
MICHAEL S. CURTIS
DAMIEN A. DODGE
DEREK J. DYE
JAMES A. GRANT
MATTHEW E. HAGSTETTE
JAMES L. HAMMERSLA III
RANDALE J. HONAKER
EDGAR W. JATHO III
DUSTIN M. JOHNS
COLIN G. LARKINS
STEVEN C. LAYFIELD
CORNELIUS L. MASON
JOSEPH A. MAXWELL
JORDAN A. MCCAULEY
MICHAEL K. MEADOR
DAVID C. PEREZ
ROBERT J. TURCIC
ERIC A. WEISS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

CHARITY A. BREIDENBACH
CHARLES M. CASTEVENS
CALVIN J. CUNNINGHAM, SR.
DENNIS P. DAVIO
TAMMY L. FARNWORTH
STEPHEN E. GARDIPEE
ERIC C. GLOVER
WILLIAM J. GRAY
BRIAN J. HAWKINS
EDWARD U. HOOD
DANIEL T. JONES
TROY W. MASK
ALEJANDRO PALOMINO
ERIC L. QUARLES
LANCE A. ROBERTS
KRISTYNA H. SHUDY

WILLIAM E. SIDDLE, JR.
JOSEPH E. STIERWALT
PAUL E. THOMAS
NICHOLAS T. WALKER
DAVID A. YOUNG
PHILLIP A. ZAMARRIPA

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES NAVY
UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

HENRY L. BUSH
BRIAN P. CAMPBELL
TIMOTHY M. CARMON
DALTON H. CLARKE
SCOTT F. COLE
ROBERT B. CONNER
JOSHUA B. DAILY
STEVEN J. DEBICH
ANTHONY E. DOBSON
VANESSA I. FORREST
JACOB P. GALBREATH
CALVIN B. GATES
CRAIG M. GILKEY
STEPHEN C. GRAY
ANTHEUS D. HEBBERT
JUSTIN R. HENDRIX
ZHIVAGO S. JOHNSON
BLAKE W. LAFEVER
MICHAEL R. LARAYA
DALE R. LISKEY
XINYANG F. LIU
WILLIAM L. OREE
TRACEY L. RHONE
SHELDON L. SNYDER
STANLEY C. WARE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES NAVY
UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

KYLE R. ALCOCK
MARK D. ANDERSON
KRISTOPHER M. BRAZIL
EDWARD A. CARLTON
CHRISTOPHER J. CARMICHAEL
ANDREA M. CASSIDY
MARTIN F. FAJARDO
BENJAMIN W. FISCHER
CHRISTINE L. FLETCHER
MICHAEL P. GUMINA
CHARLES R. HARMON
MICHAEL J. KEPPEN
JOSHUA B. KINGSTON
NATHALIE C. KOCIS
DAVID B. KOFF
MATTHEW S. LARKIN
NICHOLAS LONG
QUINTRELL L. MCCREARY
BRANDI S. MCGEHEE
JASON L. MCNEAR
CHRISTOPHER R. MILES
DANIEL A. NELSON
ROGER D. PHELPS, JR.
DONALD A. ROBERTS
AARON SANCHEZ
TIFFONEY L. SAWYER
SAVANNA S. STEFFEN
CLARENCE D. WASHINGTON
SHEREE T. WILLIAMS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES NAVY
UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

JEREMIAH P. ANDERSON
TRAVIS J. ANDERSON
BRIAN M. AUTRY
JOSHUA A. BEAUVAIS
MOLLIE A. BILY
ROBERT D. BLANCHARD
STEPHEN T. BLEVINS
CARL K. BODIN
ERIC P. BOERNKE
JOHN F. BOSEMAN
DAVID T. BURGGRAFF
JAMIE E. COOK
NATHANIEL S. COSTELLO
RICHARD L. DULDULAO
JASON T. DUNNAHOO
JAMES M. FLETCHER
ASHLEY E. FULLER
WILLIAM A. GIBSON
JUSTIN C. HLAVIN
BENJAMIN A. KNEISEL
SHAWN M. KOCIS
ANTHONY G. LARSON
SUNNY G. LAU
CHARLES K. LE
NICHOLAS D. LEVINE
BENSON W. LO
MATTHEW J. MALINOWSKI
MELANIE J. MCDUGALL
COLIN S. MONK
PAUL W. MURCH
KRISTOPHER D. NETEMEYER
DANIEL T. NEVEROSKY
THOMAS C. PARKER
ROBERT E. PETERSON
ANDREW J. PRIVETTE

MICHAEL J. PUTNAM
JAMES W. ROCHELLE
BRIAN K. RYGLOWSKI
JONATHAN F. SCHIEL
JENNIFER L. SHAFER
BARTHOLOMEW J. SIEVENPIPER
ZACHARIAH H. STILES
PHILIP N. STUBBLEFIELD
NADIA A. TEPPER
CORWIN J. WAGNER
JEREMY R. WOODY
AARON L. WOOLSEY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES NAVY
UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

MARK J. AID, JR.
DEAN J. ALEXA
EDWARD ALEXANDER
FREDERIC L. ALSTON
KEVIN J. ALTEMARA
MARVIN R. ATKINS
DONOVAN J. AYER
JAMES W. BAKER
MICHAEL J. BALDWIN
DEMPSEY L. BARNES
BRIAN D. BARTH
PATRICK A. BATISTE
HOWARD M. BELL IV
BRIAN J. BENSON
MITCHELL L. BOLTZ
FRANK T. BORREGO
ADAM G. BORSMAN
JAMES C. BOSTICK
JERRY C. BREWER, JR.
JASON D. BRISTLIN
ANTHONY D. BROWN
ELTON J. BROWN
SATONYA A. BROWN
SCOTT A. BROWN
BARRY W. BUDWELL
KEITH C. BURDICK
SHAWN L. BURMEISTER
CHRISTOPHER C. BURNETT
ERIC S. BUSIG
WILLIAM T. BYERS
DAVID E. BYRNE
KEVIN P. CAIN
CHRISTOPHER M. CALHOUN
STEVEN C. CARLSON
CHRISTOPHER D. CATON
LOUIE CEDILLOS
CURT W. CHAFFINCH
JAMES L. CLARK III
LISA A. CLARK
MATT CLARK
RICHARD L. CLIFFORD
MARK K. CORBLISS
JOHN A. COURTIAL
CHRISTOPHER E. CRAVEN
BENJAMIN F. I. CREHORE
MARCUS A. CREIGHTON
SCOTT B. CROLY
GREGORY A. CURL
CARLITO S. DACOCO
DANIEL G. DAVIGNON
KENT L. DAVIS
MARY C. DECKER
RONALD L. DELGADO
DONALD F. DEVINE, JR.
MICHAEL J. DEVITO, JR.
THOMAS M. DOANE
GREGORY C. DOIRON
PAUL G. DOUVIER
JOHN P. DOYLE
EARL D. DREY, JR.
SHANE D. DUDLEY
MARK A. DUNNING
TODD L. DUPREE
MICHAEL G. DYER
LONNIE A. EASTER
MICHAEL B. EDQUIST
JEFFREY S. EIDENBERGER
GERALD W. ELDER
RODNEY J. ELISH
RICHARD R. EMERSON
MATTHEW J. FINNERAN
JUAN C. FLORES
KEITH R. FORIS
PAUL G. FRANKLIN
MICHAEL E. FROST
BRENT W. FULTON
PETER H. FURMAN
LEONARD J. GAMBLE
LOUIS GASCA, JR.
MAJOR A. GOODEN
JOEL C. GORNY
EDWARD E. GOSLEE
SHAMAR D. GRAY
MICHAEL D. GREENBERG
JOE N. GROESBECK
JOHN C. GROVES
GEORGE GROVNER III
JASON L. GUTTERREZ
OMAR A. HAIR
JEFFREY L. HALL
DAVID A. HAMILTON
JEFFREY A. HARRIS
ZACHARY D. HARRY
JEFFREY P. HARVEY
TODD R. HASTINGS

BRIAN C. HELLMANN
HOMER F. HENSY
DARRYL L. HERRMANN
DANIEL L. HESS
LARRY J. HEUSER
JEFFREY A. HEXTELL
GREGORY D. HILL
MARIAN D. HILL
CURT HILLEARY
KEITH E. HILLSBERY
SCOTT T. HODGKINSON
ANDREW M. HOFFMAN
ROGER D. HORNE
ALLAN A. HOWARD
JAMES A. HOWARD
BRIAN C. HOWELL
ANTHONY G. HUTTON
VINCENT O. IRELAND III
PATRICK B. ISOM
THOMAS C. JACOBSON
FORREST B. JAMES III
VERN A. JENSEN, JR.
ERIK R. JOHNSON
STEVEN B. JOHNSON
DAREN L. JONES
MICHELLE M. JONES
KEVIN V. KELLNER
DONALD P. KELSEY
KATHERINE C. KEPLER
TRAVIS N. KING
KARL M. KINGSBURY
KEVIN D. KITCHIN
MICHAEL J. KLAPHAKE
MICHAEL J. KLAUER
ROBERT G. KNAPP
JOSEPH A. KOCHERA
DAVID J. KRUG
KURTIS J. KRUG
BRYAN J. KUPYAR
ERIC M. LAETTNER
KENNETH M. LANE
CAROL A. LANDSDOWN
RANDALL J. LAVERN
JOHN O. LEE
LANCE R. LINDLEY
RONALD T. LOFTON
TODD G. LOMBARD
MICHAEL E. LOVELACE
KEITH R. LUCKETT
NICHOLAS D. LUTES
WILLARD E. LYLES II
CRAIG H. MACDONALD
TRACY L. MACKKEY
JADE K. MAGUIGAD
TIMOTHY D. MAGUIRE
RICHARD MARTINEZ
PETER J. MARTINO III
MICHAEL A. MASONER
CARL A. MATTEUCCI
GEORGE E. MAYES
WILLIAM C. MCBRIDE
RONALD W. MCCALLISTER
JEFFREY B. MCCOULSKEY
JEFFREY B. MCCRADY
ARRON M. MCGRATH
CATINA N. MCINTOSH
DESTROY L. MCKENZIE
MICHAEL S. MCPHERSON
GERONIMO M. MENDOZA
SAMUEL B. MERRITT
JON A. MILLER
SCOTT O. MILLER
DERRICK L. MITCHELL
JEFFREY A. MOEN
GREGORY R. MOILES
MICHAEL D. MONROE
DAVID C. MOORE
JOHNATHAN R. MOORE
JOHN C. MORRIS
JEFFREY A. MOTICHKA
RICKY W. MUNSON
THOMAS C. MURDOCK
DAVID E. NAGY
JIMMY D. NAVARRO
DAVID NAVAS
MICHAEL D. NEHRING
JIMMIE L. NELSON
TODD M. NENNICH
CHRISTOPHER J. OLEARY
JOHNNY D. PAGE
PETER J. PALLAS
RICHARD L. PARSON
DESMOND B. PENROSE
DENVER L. PETERS
IAN A. PETERSON
JAY D. PONTON II
MARK A. POWELL
TIMOTHY M. PRATT
GREGORY B. PRICE
MICHAEL A. PRINCE
PATRICK K. PRUITT
EDWARD D. QUINONESDOYLE
JOHN W. RAINES
RICHARD L. RANCOUR
BRIAN R. RATKOVICH
RICHARD D. RAY
MARK W. REID
MICHAEL S. RICKETT
ERIC P. RION
RAY T. ROGERS
DERRICK W. ROLLAND
JAIME I. ROMAN

TROY E. ROSE
DALE R. ROSS
JOSEPH J. SABOL
DAVID P. SALANTY, JR.
MANUEL SANCHEZ
VINCENT SANCHEZ III
MARK R. SANDERS
CHAD E. SANER
JUSTIN M. SANTOS
JOSEPH A. SAVOCA
DEAN S. SCHOENROCK
DEVIN J. SCHOLLARS
SCOTT P. SEDDON
ROBERT J. SEMRAU, JR.
JASON J. SHARON
STEPHEN R. SHETLER
MICHAEL A. SHINE
JIMMY D. SHORT
JOSHUA SIMS
JOSEPH D. SINGER
BRADLY W. SLAUGHTER, JR.
WILBUR F. SLUSSER III
BILLY J. SMITH
RAYMOND SNYDER III
ROGER R. SOMERO, JR.
ROBERT W. SPARKMAN
MARK D. STANLEY
REYNALDO A. STANLEY, JR.
NICHOLAS H. STEGING, JR.
ARTHUR G. STEWART II
MELVIN STRINGFELLOW
RANDY L. STROMAN
ERICK C. STROUD
DAMON R. SUMERALL
DAVID S. SWEET
ERIK M. SWEET
SHAWN D. TEASLEY
RICHARD K. THOMAS
ADAM D. THOMPSON
WALTER D. TIMBERLAKE, JR.
GREGORY L. TINER
JERIAHMI L. L. TINSLEY
ALEX N. TORRES
STEPHEN A. TURNER
DANIEL E. UHLIR
CRISALDO D. VELASQUEZ
CLETTIS S. WALKER
QUITMAN A. WARD III
THOMAS M. WEBB
GEORGE W. WESSON II
RICHARD L. WHIPPLE
HARVEY L. WICKER, JR.
WILLIAM L. WILLIAMS, JR.
LAWRENCE H. WILSON, JR.
MICHAEL A. WOODCOCK
ROBERT J. WRENN
TREAVER J. WRIGHT
BRIAN L. ZIMMERMAN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES NAVY
UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

BRYCE D. ABBOTT
SARAH E. ABBOTT
PHILLIP J. ABERNATHY
THEODORE L. ACHIMASI, JR.
CODY J. ACUNA
JUSTIN M. ADCOCK
ERIC J. ADLER
KYLE A. ADUSKEVICH
JOSHUA M. ALES
COLIN S. ALLEN
MARK B. ALLEN
JAMES V. ALLENBURG
JEFFERY C. ALLEY
JASON A. ALTHOUSE
LEE M. AMERINE
CHRISTOPHER M. AMIS
BRADLEY M. AMOS
BENJAMIN M. ANDERSON
BJORN A. ANDERSON
GEOFFREY D. ANDERSON
ROBERT J. ANDREA
LARRY J. ARBUCKLE
STACY J. G. ARENSTEIN
ALEXANDER P. ARMATAS
TODD A. ARNOLD
DAVID K. ASHBY
STEPHEN K. AUGUSTYN
VICTOR H. AVILA
ANDRES J. AVILES
JOHN P. BABICK
VERNON C. BACHMANN
KATHRYN T. BAEHR
MARK E. BAIR
JEREMIAH C. BALDWIN
CHAD E. BARKLEY
ANDREW K. BARNETT
MEGAN M. BARNETT
KENNETH J. BARNHART
RAYMOND T. BARR, JR.
TIMOTHY J. BARRY
NATHAN S. BARTON
GUY M. BATCHELDER
JARED A. BATTANI
TIMOTHY K. BATTLES
CALEB A. BAUER
MATTHEW H. BEACH
CHADRICK J. BEIDALAH
MICHAEL A. BENDER
JEANINE F. BENJAMIN

DANIEL R. BERGSTROM
CHAD M. BERMAN
COLIN J. BERNARD
JOSEPH P. BERNIER
CHRISTOPHER S. BERNOTAVICIUS
DAVID C. BERRY II
JASON M. BERWANGER
MATTHEW B. BILLINGS
DEREK W. BINTZ
GREG A. BISCHOFF
ETHAN R. BITTER
ERIC S. BLACKBURN
JASON B. BLACKMON
WILLIAM F. BLANTON
MEGHAN L. BODNAR
MICHAEL P. J. BOETTCHER
DUANE S. BOGATKO
BRANDON M. BOOHER
PATRICK B. BOOKEY
KEVIN M. BOUTWELL
MARK S. BOVEE II
BRANDON P. BOYCE
TOLIN B. BOYD
VICTOR J. BOZA
BRADLEY C. BOZIN
ESTHER E. BRADLEY
GREGORY F. BRANT
CARICE J. BRANTLEY
THOMAS L. BRAYDEN
JONATHAN M. BRENNER
MICHAEL M. BREWER
RONALD W. BROOKS
JERMAINE B. BROOMS
KURTIS J. BROUWER
MICHAEL E. BROWN
PHILIP L. BROWN
ZACHARY R. BROWN
KEVIN M. BRUYETTE
DANIEL M. BRYAN
RUSSELL L. BRYANT
KEITH R. BUCKINGHAM
THOMAS W. BULLOCK
RICARDO J. BURNS
MATTHEW D. BUTT
THOMAS R. BUTTS, JR.
MATTHEW H. BUYSKE
JOHN M. CADY
FREDERICK B. CALALANG
JESSICA E. CALDWELL
JOHN K. CALDWELL
DAVID L. CALHOUN
TYLER J. CAMERON
ALEXANDER T. CAMPBELL
JOHN A. CAMPIGOTTO
RYAN G. CAMPOAMOR
LAURIE A. CANTER
JONATHAN B. CANTOR
ANDREW P. CAPRARI
AARON J. CARLSON
KLINTON L. CARPENTER
CHRISTOPHER M. CARREON
ALICIA C. CARTER
MELISSA J. CARULLI
JOSEPH W. CASE
PHILLIP R. CASHA
PAUL W. CASSUTTI
JOSEPH R. CASTLEMAN
JAMES C. CATALINE
BRALYN E. CATHEY
DAVID J. CATTERALL
GERARD L. CAZEAULT
MICHAEL E. CERTO
KEVIN M. CHAMBLEY
ROBERT H. CHANDLER
BLAKE A. CHANEY
GREGORY R. CHAPMAN
PATRICK M. CHAPMAN
RYAN A. CHAPPELL
WILLIAM F. CHARD
TIMOTHY C. CHARLEBOIS
WILEY J. CHILDERS
JOSHUA A. CHISHOLM
MICHAEL S. CHOE
CHAD D. CHRISTENSEN
BRYAN J. CHRISTIANSEN
RICHARD M. CHRISTOFF
JOHN W. CHUMA III
RYAN F. CLARKE
BROOKS T. CLEVELAND
CHARLES H. CLINE
KEVIN C. CLOPPER
GAVIN H. CLOUGH
JUSTIN M. COBB
STEVEN J. COBOS
JOHN S. COCCA
MARK D. COCHRAN, JR.
MICHAEL P. CODINGTON
TERENCE A. COLEMAN
CHRISTOPHER S. COLLINS
MARK D. COLLINS
JORGE R. COLON
STEVEN J. COLWELL
ZACHARY J. CONLEY
BENJAMIN J. COOPER
CHAD J. COOPER
JUSTIN P. COOPER
LLOYD L. COORE
JOSHUA P. CORBIN
CHARLES C. CORNELY
JAMES L. CORREIA
VICTOR D. COSTELLO
AARON D. COUDRAY

ANSEL J. COX
CHELSEA R. CREEKMUIR
GREGORY M. CRESCENZO
DAVID M. CRESCITELLI
JEREMY D. CRESTETTO
RYAN D. CRISMAN
GREGORY J. CROSBY
JOHN G. CULPEPPER
NICHOLAS F. CUNNINGHAM
BRYAN S. DAHLQUIST
DAVID A. DAIGLE
GLEN K. DAKAN
RICHARD P. DALY
ANDREW F. DAMBROSIO, JR.
BRIAN W. DANIEL
CHARLES J. DANIEL
ROBERT E. DANIELSON
CHON B. DAREING
BRADLEY P. DAVENPORT
ROGER A. DAVIS
KATHRYN J. DAWLEY
STEVEN A. DAWLEY
JEFFREY W. DAY
JOHN K. DAY
BRYAN R. DEAROLF
DAVID L. DEATON
DEREK B. DEBOER
JEREMY A. DEBONS
GEORGE DEGENNARO
CHRISTOPHER T. DEITZ
AMANDA R. DELANEY
LANCE M. DENHAM
MICHAEL P. DESMOND
DAVID M. DESROCHERS
JAMES R. J. DIEFENDERFER
MARK S. DIETER
MICHAEL R. DILLON
DUSTIN D. DINOLA
CHRISTOPHER P. DIRKSCHNEIDER
DAVID P. DIZ
RAUL S. DOMINGUEZ
MICHAEL P. DONOVAN
KELLY J. DOSSENBACK
RONALD A. DRAKE
JAMES L. DRUMGOLE
DAVID M. DUCAZAU
JASON D. DUFFIE
JEFFREY R. DUNDON, JR.
GABRIEL R. DUNSTON
KEVIN P. DURKIN
JAMES P. DUVAL
WILLIAM T. DVORAK
VICTOR EBERLE
STEPHEN P. ECKHART
BRANDON R. EDGE
TERREANCE L. ELLIS
JAMES M. ELMORE II
JOEL P. ELY
DONALD W. EMERSON
JORDAN D. ENETE
RODNEY C. ERLER, JR.
SETH J. ERVIN
CARLOS A. ESQUIVEL
ADAM W. ESTES
CARLOS J. EVANS
HARRY C. EVANS III
CHRISTIAN O. EZE
CHAD S. FAES
JONATHAN J. FARACO
JONATHAN D. FARLEY
JEREMIAH W. FARWELL
CHARLES E. FATORA
MATTHEW A. FAY
BLAINE S. FELLONEY
JEFFREY M. FELLOWS
WILLIAM A. FENSTERER
JULIA M. FEYS
BRIAN W. FICHTER
JAVIER A. FIGUEROA
CHAD W. FISCHER
MATTHEW G. FISHER
WAYNE T. FITTS
SARAH M. FLAHERTY
SEAN C. FLANAGAN
SHELLINE S. FLOYD
KEVIN T. FLYNN
MARC E. FOREMAN
BRIAN A. FORSTER
ROBERT L. FRANKLIN III
JAMES E. FULKS
CHRISTOPHER A. GAHL
CHARLES C. GALLAGHER III
MARK P. GALLAGHER
JAMIE S. GALUS
RAYMOND H. GAMBEL, JR.
STEVEN N. GANGLER
MATTHEW K. GARCIA
OMAR J. GARCIA
DAVID A. GARRETT
JOHN K. GARRETT
NOMER I. GATCHALIAN
JUSTIN F. GERLE
ALI H. GHAFARI
JONATHAN T. GIBSON
BRADLEY L. GILBERTSON
PRESTON W. GILMORE
JASON N. GLAB
JOHN Q. GODBEHERE
SCOTT R. GOLICH
ANDRE M. GOMEZ
JOSEPH P. GORGOL
LORA M. GORSKY

RONALD D. GRAMLISCH
CHRISTOPHER GRANDE
BENJAMIN P. GRANT
MITCHELL P. GRANT
RICHARD B. GRANT
BRENDAN T. GRAY
SEAN P. GRAY
ADAM B. GREEN
TERRELL R. GROPP
JESSIE L. GROVE
DANIEL GROVER II
JAMERSON I. GROVES
MINDIE N. GUERRERO
NICHOLAS E. GURLEY
KEVIN R. HAGAN
JAMES C. HAGERTY
DAVID Y. HAILE
BENTLEY T. HALL
JAMES M. HALL
JON S. HALL
SCOTT A. HALVORSEN
ALISHA E. HAMILTON
MICHAEL G. HANNER, JR.
KRISTEN M. HANSEN
JONATHAN S. HARDING
JOSEPH M. HARMON
BRIAN H. HARRINGTON
CHARLES A. HARRIS II
ISAAC A. HARRIS
JACK A. HARRISON III
BENJAMIN R. HARTMAN
DAVID K. HARTMAN
RUDOLF A. HAWKINS
ANDREW S. HAYES
STEPHEN P. HEALY
JOEL D. HEFFENTRAGER
RYAN C. HEINEMAN
BRANDON J. HEIRONIMUS
ANDREAS R. HELCHINGER
BRADLEY P. HENDERSON
MICHAEL HENDERSON
ERIC D. HICKS
KERRY P. HICKS
NICHOLAS S. HILL
ROBERT B. HINES
WILBUR R. HINES, JR.
GREGORY A. HINKLE
RYAN L. HINZ
SAMUEL HOARD
MATTHEW L. HOBERT
QUINCY W. HOCHARD
JUSTIN J. HOFF
CALEB J. HOGG
COURTNEY L. HOLLAND
GREGORY S. HOLLEY
MATHEW E. HOLLINGER
DAVID C. HOLLON
KENNETH C. HOLLON
JOEL I. HOLWITT
JASON R. HORNING
SHANE M. HOSIER
PHILIP J. HOUGHTON
BRANDON J. HOUSE
JOHN P. HOUSTON
JOHN J. HOY
JOSEPH J. HUBLEY
JENNIFER A. HUCK
FRANKLIN L. HUEBEL
CHRISTOPHER J. HUEBNER
VICTOR A. HUERTA
ERIC C. HUI
JESSE H. HUMPHRIES
BRADLEY N. HUNSAKER
BRANDON C. HUNTER
JACOB D. HURT
SCOTT J. HUSSAR
BARCLAY C. IMLE
DOUGLAS J. IVANAC
DILLON C. JACKSON
KRISTAFAER Y. JARBOE
DEREK C. JASKOWIAK
BRANDON L. JENKINS
GREGORY A. JENKINS
ELAINE M. JENSEN
THOMAS G. JILLSON
BRIAN N. JINDRA
JOSEPH J. JOHANSEN
DAVID A. JOHNS
CLAY I. JOHNSON
DAVID L. JOHNSON
JADA E. JOHNSON
JEREMY M. JOHNSTON
DANIEL A. JONES
LUCAS M. JUNG
LINDSAY A. KAISER
JONATHAN J. KALBACH
JASON E. KALMAN
CHAD T. KALOCINSKI
JUSTIN M. KAPER
EREK A. KASSE
JAMES W. KAUBER
ERICK M. KEARNS
TODD M. KEITH
CHRISTOPHER S. KELLEY
COLIN K. KENNEDY
JUSTIN J. KENNEDY
MARK E. KENNEDY
CHRISTOPHER P. KENT
SHAWN P. KIERNAN
THOMAS Y. KIM
MICHAEL G. KING
RORY M. KIPPER

MICHAEL S. KISER
BLAKE A. KLINEDINST
BRYAN F. KOEHLER
THOMAS G. KOLWICZ, JR.
ANDREW J. KOPACZ
BENJAMIN J. KOSTKA
KEVIN A. KRAEMER
STEPHEN C. KRATOVIL, JR.
MATTHEW I. KRULL
ANDREW J. LABERGE
JOSEPH M. LAHER
KYLE P. LAMBERT
JOSE M. LAMBERTY
STEPHEN V. LAMOURE
ALEXANDER R. LANE
JONATHAN W. LANG
RICHARD W. LANG III
GREGORY A. LANGSTON
MICHAEL M. LANZILLO
ADAM C. LAREAU
MICHAEL W. LAROW
DAVID R. LASH
DAVID J. LATTA
CHRISTOPHER LAUFMAN
JEFFREY B. LAVERY
JIMMY L. LAWTON
MICHAEL B. LEE
JONATHAN D. LEEWARNER
GREGORY E. LEVEQUE
MARK J. LEVIN
ROBERT P. LEWIS
MARK T. LICKTEIG
CASEY K. LIGGETT
ANTHONY W. LIKE
RICHARD B. LITCHFIELD
PETE S. LOGSDON
JOSHUA J. LOSTETTER
REBECCA G. LOUREIRO
JAMES E. LOW
JOHNNY R. LYKINS, JR.
STEVEN A. MACGILLIS
ANDREW D. MACK
ROBERT A. MACK
ADAM M. MADSON
JACOB E. MAGAN
RYAN E. MAGEE
LAWRENCE J. MAHAN
PETER A. MALLORY, JR.
KYLE P. MALONE
LAWRENCE D. MALONE
KRISTA R. MANN
ABRAHAM B. MARCELO
ROBERT B. MARCUM II
ALAN T. MARDEGIAN
JEFFREY D. MARGALUS
GREGORY A. MARK
RYAN J. MARKEY
SCOTT G. MARSH
STUART S. MARSHALL
CHAD C. MARTIN
THOMAS J. MASHUDA
LABRISHA A. MASON
JACOB S. MATTHEISEN
RYAN T. MATTSOON
CHRISTOPHER L. MAURER
JASON A. MAYS
RYAN R. MCALLISTER
NEVIN A. MCCHESENEY
JAMES R. MCCLURE III
BARRY N. MCCONNELL
KEVIN S. MCCORMICK, JR.
TAMMY S. MCCREARY
SEAN H. MCCRINK
ROBERT J. MCDOWELL, JR.
JOHN K. MCGEE
MICHAEL S. MCGINNIS
MITCHELL D. MCGUFFIE
DEREK W. MCHANAY
RICHARD P. MCINNIS
MICHAEL M. MCLEAN
ROBERT J. MCMILLAN
RICHARD W. MCMUNN
DANIEL J. MCNAB
ROBERT E. MCNAMARA
SUSAN P. MENDEHALL
ROBERT B. MERRITT
NICHOLAS A. MEYERS
JACOB G. MILLER
RYAN P. MILLER
SCOTT T. MILLER
TIMOTHY L. MILLER
COREY L. MILLIS
DENNIS J. MILSOM, JR.
JOHNNY L. MINCEY
MICHAEL V. MINERVINI
RODRIGO D. MIRANDA
RICHARD C. MOEBIUS, JR.
SEAN D. MOLLAHAN
MATTHEW C. MONNIG
CURTIS V. MONTANO
DANIEL S. MONTGOMERY, JR.
FRANCIS R. MONTOJO
TRAVIS A. MONTPLAISIR
TROY A. MOONEN
PHILLIP J. MOORE
CHRISTOPHER W. MORRIS
RICHARD J. MORRISSEY
JOHN S. MULLEN
MICHAEL E. MULLEN
JEFFERY J. MURAWSKI
PETER J. MURPHY
WILLIAM F. MURPHY

THOMAS J. MURRAY III
PETER J. MUSCHKE
BRIAN L. MUSFELDT
STEPHANIE E. MUSKOVAC
ALLEN G. MUSSER
ANDREW H. MYERS
STEVEN J. MYERS
KONSTANTINOS T. NAKOS
KELECHI R. NDUKWE
MATTHEW R. NEWMAN
PAUL W. NICKELL
JULIO A. NILSSON
WAYNE R. NIMMO
MATTHEW W. NOLAND
DREW T. NORMAN
CHRISTOPHER M. NORRIS
NICHOLAS C. NORRIS
JUSTIN M. NOVAK
MICHAEL F. NUNZIATO
JEREMY L. NUTTALL
DANIEL J. OBERLANDER, JR.
COREY D. ODOM
MISTY W. ODOM
MICHAEL OLIVER
VJ OMUNDSON
PATRICK C. ONEILL
JESSE A. OREBAUGH
KARL S. ORTHNER
CARLOS A. OTERO
JARED M. OTT
JUSTIN R. OTT
DAVID R. OWENS
ADAM C. PACE
LEWIS J. PATTERSON
CHRISTOPHER R. PEACE
JOHN H. PERRY
JOSHUA J. PETERS
GEORGE S. I. PETERSEN
JEREMIAH N. PETERSEN
BRENT M. PETERSON
JOHN C. PETRASANTA
TODD M. PETRIE
CHRISTOPHER W. PETRO
JOSEPH A. I. PETRUCELLI
ERIK D. PHELPS
CHARLES W. PHILLIPS
MATTHEW D. W. PHILLIPS
RICHARD G. PHILLIPS
WILLIAM R. PHILLIPS
ERIC N. PIDEK
JOSEPH J. PISONI
SHAWANNA M. POARCH
JONATHAN R. POHNEL
JOSHUA M. POLLAK
WILLIAM F. POLLAK IV
RORY E. POLSON
JESS D. POMEROY
ERIC M. PONSART
DYLAN G. PORTER
THOMAS D. PORTER
KIRK T. PRESCOTT
REGINALD N. PRESTON
NICHOLAS R. PRICE
ROBERT A. PRINCE
JAMES T. PROSEK
SCOTT J. PURCELL
JOHN P. QUALTERS
DEREK A. RADER
JARED S. RAFTERY
JEREMIAH N. RAGADIO
DOUGLAS E. RAINEAULT
GARY L. RAMSEY
DEREK A. RANDALL, JR.
COURTNEY L. RANK
IAN T. RASMUSSEN
SCOTT D. RATHKE
JOHN K. RAUSCHENBERGER
ERIC A. REARDON
RANDOLPH W. REED II
DAREN P. REINKE
BRIAN J. REITTER
JAMES J. REYNOLDS
WALTER A. REYNOLDS
BRIAN M. RHODES
JOSHUA E. RICH
NOAH S. RICH
GRANT H. RIEDL
DARIN R. RIGGS
DAVID P. RILEY
KEVIN F. RILEY
PATRICK L. RIST
CLAYTON V. ROBERTS
COLIN M. ROBERTS
MATTHEW J. ROBERTS
SPENCER A. ROBERTS
LATISHA R. ROBINSON
MATTHEW J. ROMERO
PATRICK H. RONAN
CALEB B. ROREX
LORI E. ROSE
SCOTT J. ROSE
MATTHEW B. ROY
EMILY Y. ROYSE
GARY J. ROZNOVSKY
ROBERT S. RUBY
RONALD H. RUMFELT
SETH A. RUMLER
JOHN P. RUMMEL IV
MATTHEW D. RUNZEL
EDISON C. RUSH
DAVID E. RUTTER
ROBERT J. RUZICKA II

AMY V. SADEGHZADEH
JOSEPH W. SALLEE
JARED W. SAMUELSON
FRANK C. SANCHEZ
WILLIAM P. SANDERS
DAVID C. SANDOMIR
HOUSSAIN T. SAREINI
MICHAEL J. SARRAILLE
PHILLIP J. SAUTTER
NATHAN R. SCHNAIBLE
BRENNAN L. SCHNARS
BRYAN W. SCHNEIDER
JACOB P. SCHOFIELD
KRISTOPHER J. SCHULTE
JEFFREY R. SCHWAB
SAMUEL M. SCOVILL
BRYAN D. SCULLIN
JAMIS M. SEALS
MARCUS H. SEEGER
CHRISTOPHER M. SEGUINE
JEFFREY T. SERVELLO
TIMOTHY F. SHANLEY
PATRICK K. SHANNON
JAMES S. SHARROW III
DAVID B. SHAULIS
BRADLEY E. SHEMLUCK
PHILLIP J. SHERIDAN
JAMES W. SHEY
MICHAEL S. SILVER
JON P. SILVERBERG
RODRIGO B. SIMOES
JASON M. SIMON
WESLEY A. SIMON
ANDREW J. SIMONS
PAOLO J. S. SINGH
VARUN SINGH
JOHN S. SKINNER
PATRICK W. SKORA
RICHARD B. SLADE
JONATHAN J. SLAGER
LEE M. SMALLWOOD
BENJAMIN M. SMITH
BRIAN C. SMITH
JAMES L. SMITH
JUSTIN R. SMITH
LANCE SMITH
MOSES SMITH
NICHOLAS H. SMITH
NICKLAUS G. SMITH
SCOTT J. SMITH
STEPHEN M. SMITH
STEVEN R. SMITH
JOHN W. SOKOL
JOHN P. SORESENSEN
ADAM C. SOUKUP
ANDREW H. SPARKS
GARY W. SPIER
NATHAN D. STAFF
BARCLAY W. STAMEY
PETER STAVRIDES
PAMELA M. STEFANSKI
SEAN A. STEIN
JAMES E. STEWART
SCOTT N. STEWART
KATE S. STOCKTON
GARTH W. STORZ
NICHOLAS M. STRELCHUK
JAMES R. STRUCK
EPIPHANIOS C. STYLIANOS
TIMOTHY S. SULICK
JESSICA SWANSON
MATTHEW A. SWARTZWELDER
DANIEL J. SWEATMAN
STEPHEN J. SWEENEY
BRANDY V. SWINKO
ICAH T. SYBOR
CHRISTOPHER M. TABERT
JOSEPH D. TANNER
DONALD TAYLOR
CHRISTOPHER T. TERZIAN
TIMOTHY A. TETI
DANIEL J. THOMAS
DARRIEN THOMAS
JEFFREY W. THOMAS
JAMES R. THOMPSON
ANDREW W. TOLL
BRADFORD C. TONDER
CHRISTOPHER P. TURMEL
JAMES G. TUTHILL III
DANIEL V. TYLER
HECTOR G. UBINAS
PHILIP S. UJIE
MATTHEW R. VANCE
JAMIE E. VANDYKE
THOMAS H. VANHOOPER III
DAVID A. VANKAMPEN
JOSHUA A. VANNYHUIS
ANTHONY J. VESPA
JAMES E. VIK
ROBERT W. VILLANUEVA
BENJAMIN F. VISGER
JOEL R. VOSS
GORDON D. WALKER
ROBERT A. WALLS
MATTHEW W. WALTERS
BRET A. WALTHER
ROBERT W. WARD
SEAN C. WASHINGTON
JEREMY L. WATKINS
CLINTON W. WATT
CHRISTOPHER D. WEAVER
WILLIAM L. WEBB

DAVID I. WEINMAN
SEAN M. WELCH
MATTHIAS H. WELLES
JASON C. WENZEL
CHARLES R. WEYDERT
BLAKE T. WHETSTONE
JOHN R. WHITEHEAD
SEAN E. WHITEMAN
LUKE R. WHITMORE
ADAM R. WHITT
STEVEN S. WHITWORTH
JUSTIN R. WIESEN
NICHOLAS A. WILLET
RYAN S. WILLETTE
WALTER G. WILLIAMS, JR.
JAMES M. WILLIS
ANTHONY M. WILSON
CAMILLE C. WILSON
JOSEPH A. WILSON
KEVIN W. WILSON
DERICK W. WINGLER
BRANDON R. WINTERS
MICHAEL K. WINTERS
KEAGAN J. WISDOM
MICHAEL A. WITHERILL
JOSHUA P. WOLF
CHRISTOPHER W. WOLFF
GARICK D. WOOD
ROBERT E. WOODARDS
RICHARD H. WOODWARD
ANDREW J. WOOLLEY
JOSHUA R. WOTEN
ALEXANDER L. WRIGHT
EVAN P. WRIGHT
GRANVILLE C. WRIGHT, JR.
COBURN F. YEARIAN
MARK E. YEDLOWSKI
CRISTOBAL YERA
DAVID A. YOKERS
DAVID C. YOON
DEREK W. YOUNG
EVAN T. YOUNG
NEAL A. YOUNG
WARREN L. ZELAYA
JOSHUA P. ZELFER
DAVID F. ZERDA
SHANE M. ZIMMERMAN
MAXWELL V. ZUJEWSKI

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

JENNY R. YANG, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION FOR A TERM EXPIRING JULY 1, 2017, VICE STUART ISHIMARU, RESIGNED.

UNITED NATIONS

JOHN HARDY ISAKSON, OF GEORGIA, TO BE A REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SIXTY-SEVENTH SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS.

PATRICK J. LEAHY, OF VERMONT, TO BE A REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SIXTY-SEVENTH SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS.

DEPARTMENT OF THE INTERIOR

KEVIN K. WASHBURN, OF NEW MEXICO, TO BE AN ASSISTANT SECRETARY OF THE INTERIOR, VICE LARRY J. ECHO HAWK, RESIGNED.

DISCHARGED NOMINATIONS

The Senate Committee on Foreign Relations was discharged from further consideration of the following nomination by unanimous consent and the nomination was confirmed:

JAMES B. CUNNINGHAM, OF NEW YORK, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER-MINISTER, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE ISLAMIC REPUBLIC OF AFGHANISTAN.

The Senate Committee on Homeland Security and Governmental Affairs was discharged from further consideration of the following nomination by unanimous consent and the nomination was confirmed:

KIMBERLEY SHERRI KNOWLES, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF FIFTEEN YEARS.

CONFIRMATIONS

Executive nominations confirmed by the Senate August 2, 2012:

HARRY S TRUMAN SCHOLARSHIP FOUNDATION

LAURA A. CORDERO, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE

HARRY S TRUMAN SCHOLARSHIP FOUNDATION FOR A TERM EXPIRING DECEMBER 15, 2015.

STEVEN H. COHEN, OF ILLINOIS, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE HARRY S TRUMAN SCHOLARSHIP FOUNDATION FOR A TERM EXPIRING DECEMBER 10, 2013.

THE JUDICIARY

GERSHWIN A. DRAIN, OF MICHIGAN, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF MICHIGAN.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

PAUL W. HODES, OF NEW HAMPSHIRE, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE ARTS FOR A TERM EXPIRING SEPTEMBER 3, 2016.

PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD

JAMES XAVIER DEMPSEY, OF CALIFORNIA, TO BE A MEMBER OF THE PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD FOR A TERM EXPIRING JANUARY 29, 2016.

ELISEBETH COLLINS COOK, OF ILLINOIS, TO BE A MEMBER OF THE PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD FOR A TERM EXPIRING JANUARY 29, 2014.

RACHEL L. BRAND, OF IOWA, TO BE A MEMBER OF THE PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD FOR A TERM EXPIRING JANUARY 29, 2017.

PATRICIA M. WALD, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD FOR A TERM EXPIRING JANUARY 29, 2013.

DEPARTMENT OF THE TREASURY

MATTHEW S. RUTHERFORD, OF ILLINOIS, TO BE AN ASSISTANT SECRETARY OF THE TREASURY.

UNITED STATES INTERNATIONAL TRADE COMMISSION

MEREDITH M. BROADBENT, OF VIRGINIA, TO BE A MEMBER OF THE UNITED STATES INTERNATIONAL TRADE COMMISSION FOR A TERM EXPIRING JUNE 16, 2017.

DEPARTMENT OF THE TREASURY

MARK J. MAZUR, OF NEW JERSEY, TO BE AN ASSISTANT SECRETARY OF THE TREASURY.

DEPARTMENT OF JUSTICE

DANNY CHAPPELLE WILLIAMS, SR., OF OKLAHOMA, TO BE UNITED STATES ATTORNEY FOR THE NORTHERN DISTRICT OF OKLAHOMA FOR THE TERM OF FOUR YEARS.

MISSISSIPPI RIVER COMMISSION

MAJOR GENERAL JOHN PEABODY, UNITED STATES ARMY, TO BE A MEMBER AND PRESIDENT OF THE MISSISSIPPI RIVER COMMISSION.

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

SEAN SULLIVAN, OF CONNECTICUT, TO BE A MEMBER OF THE DEFENSE NUCLEAR FACILITIES SAFETY BOARD FOR A TERM EXPIRING OCTOBER 18, 2015.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS CHIEF OF STAFF, UNITED STATES AIR FORCE, AND APPOINTMENT TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 8033 AND 601:

To be general

GEN. MARK A. WELSH III

DEPARTMENT OF STATE

GENE ALLAN CRETZ, OF NEW YORK, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER—COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF GHANA.

DEBORAH RUTH MALAC, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF LIBERIA.

THOMAS HART ARMBRUSTER, OF NEW YORK, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF THE MARSHALL ISLANDS.

DAVID BRUCE WHARTON, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER—COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF ZIMBABWE.

GRETA CHRISTINE HOLTZ, OF MARYLAND, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER—COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE SULTANATE OF OMAN.

ALEXANDER MARK LASKARIS, OF MARYLAND, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF GUINEA.

MARCIE B. RIES, OF THE DISTRICT OF COLUMBIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER—MINISTER, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF BULGARIA.

JOHN M. KOENIG, OF WASHINGTON, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER—COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF CYPRUS.

MICHAEL DAVID KIRBY, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER—COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF SERBIA.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

SUBJECT TO QUALIFICATIONS PROVIDED BY LAW, THE FOLLOWING FOR TEMPORARY APPOINTMENT TO THE GRADE INDICATED IN THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.

To be rear admiral (lower half)

GERD F. GLANG

SUBJECT TO QUALIFICATIONS PROVIDED BY LAW, THE FOLLOWING FOR TEMPORARY APPOINTMENT TO THE GRADE INDICATED IN THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.

To be rear admiral

MICHAEL S. DEVANY

SUBJECT TO QUALIFICATIONS PROVIDED BY LAW, THE FOLLOWING FOR TEMPORARY APPOINTMENT TO THE GRADE INDICATED IN THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.

To be rear admiral (lower half)

DAVID A. SCORE

EXECUTIVE OFFICE OF THE PRESIDENT

PATRICIA K. FALCONE, OF CALIFORNIA, TO BE AN ASSOCIATE DIRECTOR OF THE OFFICE OF SCIENCE AND TECHNOLOGY POLICY.

DEPARTMENT OF VETERANS AFFAIRS

THOMAS SKERIK SOWERS II, OF MISSOURI, TO BE AN ASSISTANT SECRETARY OF VETERANS AFFAIRS (PUBLIC AND INTERGOVERNMENTAL AFFAIRS).

FOREIGN SERVICE

FOREIGN SERVICE NOMINATIONS BEGINNING WITH NARENDRAN CHANMUGAM AND ENDING WITH JANA S. WOODEN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 7, 2012.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH THOMAS J. BRENNAN AND ENDING WITH THOMAS PEPE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE

AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 20, 2012.

HARRY S TRUMAN SCHOLARSHIP FOUNDATION

INGRID A. GREGG, OF MICHIGAN, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE HARRY S TRUMAN SCHOLARSHIP FOUNDATION FOR A TERM EXPIRING DECEMBER 10, 2017.

JAMES L. HENDERSON, OF KENTUCKY, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE HARRY S TRUMAN SCHOLARSHIP FOUNDATION FOR A TERM EXPIRING DECEMBER 10, 2017.

DEPARTMENT OF STATE

JAMES B. CUNNINGHAM, OF NEW YORK, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER—MINISTER, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE ISLAMIC REPUBLIC OF AFGHANISTAN.

THE JUDICIARY

KIMBERLEY SHERRI KNOWLES, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF FIFTEEN YEARS.

EXTENSIONS OF REMARKS

HONORING METRO CHICAGO

HON. MIKE QUIGLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. QUIGLEY. Mr. Speaker, thirty years ago, in August of 1982, a little-known band from Georgia took the stage at a new music venue at 3730 North Clark Street in Chicago.

Five hundred tickets were sold for 5 dollars each, and Chicagoans gathered in "the big room" to watch R.E.M.

The show was a huge success, and the Metro Chicago has been an influential music venue ever since.

Celebrating their 30th anniversary this month, the Metro continues to hold an important place in the Chicago music and performing arts scene.

There is a long list of memorable moments, including performances by music legends like James Brown, Bob Dylan, the Ramones, Smashing Pumpkins, and my personal favorite, Poi Dog Pondering.

The Metro has always been a venue that has provided a platform for new music talent to start their careers the old fashioned way, by sending in a demo and booking a slot.

Their dedication to independent music comes from the enthusiasm of owner Joe Shanahan, a south side Chicago native.

In the late 1970s, looking to better connect the music community of his home town, Joe started hosting parties for performing artists out of his loft apartment in the city.

It was not long until his musical gatherings outgrew his small space.

He eventually converted an old community center into a venue, and he has been bringing Chicago the best local and national talent ever since.

Shanahan, an icon in independent music promotion, stays involved in the community as well by serving on the boards of the Chicago Children's Choir and Rock for Kids, a charity that provides music education to underserved children in Chicago.

Without a doubt, the Metro and Shanahan's influence on the Chicago music scene is beyond measure.

Music before money always has been the message, and because of this commitment, the Metro has helped shape Chicago's cultural landscape.

For 30 years the Metro has contributed to the music scene in Chicago, and for 30 years fans have flocked to it.

Congratulations on three decades of rock.

We'll be lining up for thirty more years of great music to come.

RESOLUTION OF DISAGREEMENTS
ABOUT CYPRUS

HON. VIRGINIA FOXX

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Ms. FOXX. Mr. Speaker, there is a need to respond to recent comments that have been made by some of my colleagues involving issues of concern to Cyprus.

We all agree that a comprehensive and sustainable resolution of disagreements about Cyprus is long overdue. Such a solution must allow both the Greek and Turkish Cypriot communities to participate in all aspects of the island's national life and government while respecting the rights and political equality of all Cypriots preserved in a renewed partnership state.

Of concern to me are statements by some that Turkish Cypriots, and the Republic of Turkey itself, are obstacles to any forward progress.

Without rehashing the history that brought about the current situation on Cyprus, it should be made clear that the Turkish government has, on multiple occasions, welcomed the resolution of these issues which guarantees the equal rights of the Turkish Cypriot community. Turkish Cypriots voted overwhelmingly in favor of the U.N. Comprehensive Peace Plan (known as Annan Plan) in 2004, demonstrating their sincere desire to move beyond the painful past. Despite this genuine determination to incorporate, not only within the life of the island, but within the wider European and global communities, the U.N. proposal was overwhelmingly rejected by the Greek Cypriot side. Incredibly, one week after missing one of the most significant opportunities to reach a comprehensive solution to these longstanding problems, the Greek Cypriots were awarded with membership in the European Union.

As a result, the Greek Cypriot community, as the Republic of Cyprus, now enjoys full membership status in the European Union including all associated rights and privileges as well as membership in the wider, global community. It is time to end the isolation and embargoes imposed upon the Turkish Cypriot community and secure a negotiated political settlement, agreed to by both parties, that allows all Cypriots to build a common future together.

RECOGNIZING THE 100TH
ANNIVERSARY OF DEVEREUX

HON. JIM GERLACH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. GERLACH. Mr. Speaker, I rise today to congratulate Devereux on its upcoming 100-year anniversary.

An outstanding non-profit behavioral health organization, Devereux's year-long centennial celebration will culminate in a 100th Anniversary Gala Celebration on the steps of the Philadelphia Museum of Art on November 10, 2012. The organization was founded by Helena Trafford Devereux, a schoolteacher in the great city of Philadelphia in the dawn of the Twentieth Century. At that time, children with special needs were held back, ostracized by their peers, written off as hopeless or sent to mental institutions.

Miss Devereux had other ideas for these children. She passionately believed that each individual has his or her own innate abilities, distinctive potential and unique needs that, through individualized care grounded in positive supports, could be a contributing and valued member of their community.

With innovative teaching methods, individualized instruction and materials designed by Miss Devereux, her students began to thrive. School administration took notice of her success and began to officially refer students with special needs to her room. In 1912, Miss Devereux was offered by the Philadelphia Board of Education the position of the district's first Director of Special Education.

She turned down the offer, believing in the importance of educating the whole child through a then non-traditional curriculum that included life-skills, recreation and vocational activities. Instead she struck out on her own to establish a private school in her own home. With all of her savings and borrowed funds, which totaled \$100, she rented a home in Devon to house her growing school, which then numbered 12 students. Through perseverance and persuasion, she stewarded the growth of Devereux for decades, creating one of the Nation's largest and most well-respected nonprofit providers of behavioral healthcare.

This year, 6,000 staff has provided services to tens of thousands of children, adolescents and adults in eleven states, all abiding by Miss Devereux's legacy of the "Philosophy of Care": individualized services, positive approaches and effective and accountable service delivery. In addition, Devereux's work in building the social and emotional health of schoolchildren through public education and prevention programs has impacted millions of children and their families in every state in the union.

Mr. Speaker, I ask that my colleagues join me today in congratulating Devereux on 100

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

years of service to countless children, adolescents and adults and their families, the Commonwealth of Pennsylvania, and our Nation.

THE RECENT TRAGEDY IN THE
COMMUNITY OF PENDLETON, IN-
DIANA

HON. MIKE PENCE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. PENCE. Mr. Speaker, it is with a profound sense of sadness that I rise to mark a tragedy in the community of Pendleton, Indiana that has taken the life of an innocent resident and a K-9 police dog and injured two police officers.

On the evening of July 26, 2012, John Neal Shull, Jr. of Pendleton, lost his life in a shooting incident. According to Pendleton Police Chief Marc Farrer, Shull was simply in the wrong place at the wrong time. Mr. Shull was a business owner in Pendleton and a member of the local Kiwanis Club.

He will be remembered for his sense of humor and fondness for classic cars, but those who knew him best will remember John Neal Shull, Jr. as a devoted family man and friend. I want to offer my sincere condolences to his wife Noelle, their children and to his extended family.

Also lost during this terrible tragedy was one of Anderson's finest—K-9 police dog Kilo. Kilo and his handler, 11-year veteran police officer Marty Dulworth, were assisting Pendleton police with responding to the shooting. Officer Dulworth had been partnered with Kilo since 2010. The two have been responsible for several successful drug arrests and earned a number of awards during the K-9 Olympics. During the course of the incident, Officer Dulworth was wounded after suffering gunshots to his legs. Pendleton Police Sergeant Shane Issacs was also wounded while responding to the incident after being grazed by an assailant's bullet.

Mr. Speaker, I have always believed that we owe a debt of gratitude to those first responders who, like in Pendleton, rushed to the scene and put themselves in harm's way to ensure our protection. To choose the life of a police officer is to choose to make certain sacrifices for the good of the public. These men and women do so on each traffic stop, each knock on a door and each time they stand watch over a public event. For that, Mr. Speaker, we will be eternally grateful.

Let us keep the family of John Neal Shull, Jr. in our thoughts and prayers during this difficult time. We also pray for the full recovery of Officer Marty Dulworth and Sergeant Shane Issacs. Finally, as a dog owner, I feel for the loss suffered by Officer Dulworth and the Anderson Police Department, and on behalf of the Sixth District of Indiana, I want to express condolences and gratitude for the service of Kilo, the police dog.

KANSAS STATE FIREFIGHTERS
ASSOCIATION 125TH ANNIVERSARY

HON. TIM HUELSKAMP

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. HUELSKAMP. Mr. Speaker, I rise today to congratulate the Kansas State Firefighters Association as they celebrate their 125th anniversary this year. This organization was founded in the wonderful Kansas community of Minneapolis on August 13, 1887, and it continues to thrive over a century later.

This group came together to accomplish a very important mission, to assist local fire departments in establishing and maintaining safety, professionalism and preparedness. With that mission in mind, the Association has worked tirelessly to assist local departments any way they can to make sure they are ready to save lives in their communities. As a farmer in Fowler, Kansas, I understand the importance of having an educated and well-prepared local fire department.

For the past 125 years the Association has worked to accomplish this goal, and I hope they continue to do so for another century and beyond. Words cannot express how grateful I am to these men and women who tirelessly work to ensure our fire departments have the educational resources they need to protect their local communities.

IN MEMORY OF MR. PETER E.
MALLORY

HON. SANDY ADAMS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mrs. ADAMS. Mr. Speaker, I would like to recognize Mr. Peter E. Mallory, of New Smyrna Beach, Florida, who recently passed away after a long and exemplary record of service to Volusia County, Florida.

Mr. Mallory was a family man, an entrepreneur, and an award-winning writer, but more than that, he believed in his community. Moving to Florida with his family from Ohio at a young age, Mr. Mallory graduated from New Smyrna Beach High, and had served on the board of trustees for Daytona State College and the Utilities Commission of New Smyrna Beach. His true passion would lay in writing, as his friend Henry Frederick has said, "All Peter ever wanted to do was write his own column, on his own terms, free of the bias of the liberal media."

In 2007 Mr. Mallory helped finance and began writing a column for NSBnews.net, New Smyrna's first 24/7 Internet newspaper. The newspaper has come a long way since 2007 and none of its success would have been possible were it not for the contributions and hard work of Peter Mallory. In addition to his journalistic endeavors, Mr. Mallory taught in the local high school and volunteered as a coach for several athletic teams.

Mr. Speaker, Mr. Mallory passed away at the end of June, but his work and his passion for unbridled news remains as an example for others to follow.

Volusia County will miss the writings and community work of Mr. Peter E. Mallory and we salute his memory.

HONORING JOAQUIN JACKSON'S IN-
DUCTION INTO THE TEXAS HE-
ROES HALL OF HONOR

HON. FRANCISCO "QUICO" CANSECO

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. CANSECO. Mr. Speaker, I rise today to recognize Joaquin Jackson's induction into the Texas Heroes Hall of Honor. Haynie Joaquin Jackson was born in Anton, Texas and served as a Texas Ranger from 1966 to 1993. During his career, Joaquin was committed to protecting our border communities and ensuring justice was served to those who broke the law. Also during his time, he saw the Rangers transition into the modern law enforcement agency it is today.

After being featured on a 1994 cover of Texas Monthly magazine, the retired Ranger became personified as the modern Texas Ranger. Joaquin appeared in several movies, including: The Good Old Boys with Tommy Lee Jones, Rough Riders and the Streets of Laredo, Palo Pinto Gold and Poodle Dog Lounge.

As a constituent of mine in Alpine, Texas, I am proud to congratulate Mr. Jackson on his outstanding life achievements and induction into the Texas Heroes Hall of Honor.

GADSDEN, ALABAMA POLICE OFFI-
CERS AWARDED MEDAL OF
VALOR

HON. ROBERT B. ADERHOLT

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. ADERHOLT. Mr. Speaker, today I would like to honor Sergeant Scott Entekin; Clark Thompson; Colt Gregory; Jeff Hopper; Jordan Harwood; Stephen Hill; Sergeant Gary Pierce; and Mitch James, of the City of Gadsden Police Department in receiving the Gadsden Police Department's Medal of Valor on July 10, 2012. These fine officers should be applauded for their harrowing actions and professionalism in defusing a dangerous situation this past January in Alabama City, Alabama. These men truly embody bravery and a devotion to serving their community.

As an armed man fled from police through an Alabama City neighborhood, he began to fire at all of the officers. Many of the officers that responded are on the department's Joint Special Operations Group and are trained in tactical SWAT operations. Using their training, the officers worked to contain the situation without opening fire in order to prevent cross-fire in the residential area. In a team effort, including assistance from an Etowah County sheriff's deputy and a crisis negotiator, they were able to corner the shooter and convince him to surrender.

These courageous men were able to take the suspect into custody without any injuries

that morning. This is a great testament to not only their professionalism, but also their restraint. The tremendous leadership shown by these officers is an example of their dedication to protect their community, as well as fellow officers.

Mr. Speaker, it is indeed a great privilege to honor these eight men: Sergeant Scott Entreklin; Clark Thompson; Colt Gregory; Jeff Hopper; Jordan Harwood; Stephen Hill; Sergeant Gary Pierce; and Mitch James, for earning Gadsden Police Department's Medal of Valor for their heroic actions in keeping our community safe. I join their family, friends, and colleagues in congratulating them on receiving this distinguished honor.

SEEKING A RESOLUTION TO THE DISPUTE ON CYPRUS

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. BURTON of Indiana. Mr. Speaker, I once again come to this Floor to urge my colleagues to support efforts to achieve a resolution to the dispute on Cyprus. Tragically, I find myself here once again as yet another year has gone by with no end to the conflict.

While the Cyprus dispute is most directly between Greek Cypriots and Turkish Cypriots, it has larger implications for regional security and prosperity. Over the past few decades this dispute has involved not only the Cypriot communities, but also Turkey, Greece, the United Kingdom, the United States, the United Nations, and the European Union. Moreover, Turkey's membership to the European Union, which the United States enthusiastically supports, is unfortunately being impacted because of the impasse over Cyprus.

In 2003, it looked like we were on the cusp of a resolution when Cypriots voted on the United Nations backed Annan Plan which would have created the United Cyprus Republic, as a loose confederation of two component states—the Greek Cypriot State and the Turkish Cypriot State.

That plan provided a strong framework for a bi-zonal, bi-communal unified Cyprus; and the U.S. House of Representatives strongly endorsed the plan by unanimously approving a Sense of the House to that effect. Regrettably, the Annan Plan did not succeed when put to a referendum.

Ultimately, the Cypriots themselves are the ones who must make the tough decisions that will ensure a peaceful future for their island. Nevertheless, I urge the administration to work with all stakeholders to ensure that a future unified Cyprus is a Cyprus that respects human rights and the fundamental freedoms for all Cypriots. Any unnatural or unnecessary artificial limitations imposed on either community are a recipe for future disaster.

Mr. Speaker, I truly believe that a lasting, fair and comprehensive solution to the conflict on Cyprus is possible. If we avoid inflammatory rhetoric and political statements and instead work in unison to bolster the efforts of the Greek Cypriots and the Turkish Cypriots to work together in good faith for the future of all Cypriots; the future will be bright for Cyprus.

RECOGNIZING THE 175TH ANNIVERSARY OF THE FOUNDING OF CHRIST EPISCOPAL CHURCH, HURON, OHIO

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Ms. KAPTUR. Mr. Speaker, I rise to recognize the sesquicentennial anniversary of Christ Episcopal Church, located in Huron, Ohio. The congregation comes together with the community in celebration of this milestone event on August 3, 2012.

Organized in 1837, the church cornerstone was laid on May 23, 1938. The church building is in a beautiful setting overlooking Lake Erie and parkland. A steeple was completed in 1876, followed by the placement of a bell in 1881. That bell has called worshippers over the centuries through the present day. As its congregation grew and changed with the modern day, the church added classrooms, a kitchen, fellowship hall, choir room, offices, meeting rooms, library, a chapel and columbarium. In 1975 a new steeple was erected along with a modern impressionist stained glass window of the Living Christ behind the altar. Though modernized, the church has retained its original feel. As one of Ohio's oldest churches, Christ Church is on the National Register of Historic Places.

Of note, in its 175 years the parish has been served by only nineteen rectors with long pastorates marking their service. Each brought a leadership distinct and dynamic. A truly faith-filled parish, the members of Christ Church have never locked its doors. Since its earliest days, the church is always open for prayer and meditation. The church and its members hold true to Christ's message explained in Matthew 18:20, "Where two or three are gathered together in my name, there I am in the midst of them." Faith and fellowship have guided the congregation nearly since our region's founding. We proudly commemorate this 175th anniversary while looking forward to Christ Church's future.

CONGRATULATING ABBY JOHNSTON

HON. STEVE STIVERS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. STIVERS. Mr. Speaker, I rise today to congratulate Upper Arlington resident, Abby Johnston, on winning an Olympic silver medal in the women's 3-meter springboard synchronized diving competition at the 2012 London Olympic Games. On July 29, 2012, Miss Johnston and her diving partner, Kelci Bryant, took home America's first-ever Olympic medals for this event.

In Columbus and Central Ohio, we take our sports very seriously. Abby Johnston was cheered on by her fans both here at home and abroad. In London, her parents, Elaine and David Johnston, as well as former coaches and teammates from Upper Arlington High

School and the local U.S. Elite Diving Academy rooted for her poolside. Back in Ohio, Abby's accomplishment is a true point of pride for our city and it brings us together to celebrate as a community.

An athlete works hard, dedicates many hours to practice, and puts forth a great deal of effort, but an Olympian takes all of that to a much higher level. I ask that all Members of Congress join me in offering my congratulations to our very own hometown Olympian, Abby Johnston, on winning her silver medal at the 2012 London Olympic Games.

HONORING THE LIFE OF CHAD FOSTER

HON. FRANCISCO "QUICO" CANSECO

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. CANSECO. Mr. Speaker, I rise today to honor the life of Chad Foster. Chad passed away this past Saturday after a battle with cancer at the age of 63. He is survived by his wife Jill and their son Chad Jr. and daughter Savannah.

Chad was a true public servant, who will be remembered as a committed leader and strong supporter of the Eagle Pass community. After serving three terms as Eagle Pass mayor, Chad went on to serve the community by leading numerous local and state organizations, including as the chairman of the Texas Border Coalition.

Chad was passionate about the advancement of our border communities. He focused his life on encouraging education, border security, health care, and other development programs that supported the people of South Texas. Chad will be sorely missed in our community, but his passion and legacy will certainly live on.

HONORING WESTERN NEW YORK OLYMPIANS

HON. KATHLEEN C. HOCHUL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Ms. HOCHUL. Mr. Speaker, on July 27, 2012, Olympic athletes from all over the world paraded into the stadium in London to officially launch the 2012 Olympics.

I am so proud to say that eight American Olympians hail from Western New York: volleyball player Matt Anderson, born in Buffalo; archer Jake Kaminski, from Elma; swimmer Ryan Lochte, born in Rochester; rower Meghan Musnicki, from Naples; rower Henrik Rummel, formerly of Pittsford; current number one ranked pole vaulter Jenn Suhr, from Churchville; 10-meter air pistol shooter Jason Turner, formerly of Rush; and two time U.S. Soccer Female Athlete of the Year Abby Wambach, from Rochester. Throughout their lifetimes of training, hard work, and sacrifices, these athletes embody what it means to be an American.

August 2, 2012

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They carry with them to London the pride of Western New York and the entire nation. As we wish them and the entire team good luck, my hope is that a sense of common purpose joins all of us as Americans during the Olympics.

SENATE—Friday, August 3, 2012

The Senate met at 10:15 and 9 seconds a.m. and was called to order by the Honorable CHRISTOPHER A. COONS, a Senator from the State of Delaware.

APPOINTMENT OF ACTING
PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUE).

The legislative clerk read as follows:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, August 3, 2012.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable CHRISTOPHER A. COONS, a Senator from the State of Delaware, to perform the duties of the Chair.

DANIEL K. INOUE,
President pro tempore.

Mr. COONS thereupon assumed the chair as Acting President pro tempore.

ADJOURNMENT UNTIL TUESDAY,
AUGUST 7, 2012

The ACTING PRESIDENT pro tempore. The Senate stands adjourned until Tuesday, August 7, 2012, at 11 a.m.

Thereupon, the Senate, at 10:15 and 34 seconds a.m., adjourned until Tuesday, August 7, 2012, at 11 a.m.

HOUSE OF REPRESENTATIVES—Friday, August 3, 2012

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. FLORES).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
August 3, 2012.

I hereby appoint the Honorable BILL FLORES to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Dear Lord, we give You thanks for giving us another day.

We come to You as a Nation in the midst of great uncertainty and worry. As people look for causes and solutions, the temptation is great to seek ideological position.

We ask that You might send Your spirit of peace and reconciliation, that instead of ascendancy over opponents, the Members of this people's House, and all elected to represent our Nation, might work together, humbly, recognizing the best in each other's hopes, to bring stability and direction toward a strong future.

This Chamber is now silent, Members gone for the August recess. The weather continues to damage crops, the economy continues to struggle, sequestration threatens interests of all Americans, from a myriad of points of view.

During these coming weeks, may all Americans find respite from their struggles, and may all Members of this people's House find rest and resolve to return to the service of these United States as citizens empowered by their constituents to address the needs of the Nation.

May all that is done be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to section 3(a) of House Resolution 747, the Journal of the last day's proceedings is approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair will lead the House in the Pledge of Allegiance.

The SPEAKER pro tempore led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, August 3, 2012.

Hon. JOHN A. BOEHNER,
The Speaker, U.S. Capitol, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on August 3, 2012 at 9:23 a.m.:

That the Senate passed S. 3245.

That the Senate agreed to S. Con. Res. 59.

That the Senate agreed to S. Con. Res. 58.

That the Senate passed without amendment H.R. 4240.

That the Senate passed without amendment H.R. 3670.

That the Senate passed without amendment H.R. 1402.

That the Senate agreed to without amendment H. Con. Res. 135.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 3245. An act to extend by 3 years the authorization of the EB-5 Regional Center Program, the E-Verify Program, the Special Immigrant Nonminister Religious Worker Program, and the Conrad State 30 J-1 Visa Waiver Program, to the Committee on the Judiciary; in addition to the Committee on Education and the Workforce for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

ADJOURNMENT

The SPEAKER pro tempore. Pursuant to section 3(b) of House Resolution 747, the House stands adjourned until 10 a.m. Tuesday, August 7, 2012.

Accordingly (at 10 o'clock and 5 minutes a.m.), the House adjourned until Tuesday, August 7, 2012, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

7182. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Fokker Services B.V. Airplanes [Docket No.: FAA-2012-0039; Directorate Identifier 2011-NM-144-AD; Amendment 39-17087; AD 2012-12-07] (RIN: 2120-AA64) received July 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7183. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Aeronautical Accessories, Inc., High Landing Gear Aft Crosstube Assembly [Docket No.: FAA-2012-0083; Directorate Identifier 2010-SW-022-AD; Amendment 39-17077; AD 2012-11-13] (RIN: 2120-AA64) received July 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7184. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2011-1255; Directorate Identifier 2010-NM-182-AD; Amendment 39-17084; AD 2012-12-05] (RIN: 2120-AA64) received July 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7185. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2011-1415; Directorate Identifier 2011-NM-145-AD; Amendment 39-17089; AD 2012-12-09] (RIN: 2120-AA64) received July 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7186. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2011-1170; Directorate Identifier 2010-NM-264-AD; Amendment 39-17080; AD 2012-12-01] (RIN: 2120-AA64) received July 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7187. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Alpha Aviation Concept Limited (Type Certificate previously held by Alpha Aviation Design Limited) Airplanes [Docket No.: FAA-2012-0279; Directorate Identifier 2012-CE-007-AD; Amendment 39-17073; AD 2012-11-10] (RIN: 2120-AA64) received July 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7188. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Airplanes [Docket No.: FAA-2012-0034; Directorate

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Identifier 2011-NM-153-AD; Amendment 39-17105; AD 2012-13-03] (RIN: 2120-AA64) received July 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7189. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2011-0719; Directorate Identifier 2010-NM-087-AD; Amendment 39-17074; AD 2012-11-11] (RIN: 2120-AA64) received July 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7190. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Saab AB, Saab Aerosystems Airplanes [Docket No.: FAA-2012-0330; Directorate Identifier 2011-NM-116-AD; Amendment 39-17103; AD 2012-13-01] (RIN: 2120-AA64) received July 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7191. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Continental Motors, Inc. (CMI) Reciprocating Engines [Docket No.: FAA-2011-1341; Directorate Identifier 2011-NE-41-AD; Amendment 39-17062; AD 2012-10-13] (RIN: 2120-AA64) received July 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7192. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Fokker Services B.V. Airplanes [Docket No.: FAA-2012-0300; Directorate Identifier 2011-NM-276-AD; Amendment 39-17086; AD 2012-12-06] (RIN: 2120-AA64) received July 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7193. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Dassault Aviation Airplanes [Docket No.: FAA-2012-0265; Directorate Identifier 2010-NM-216-AD; Amendment 39-17098; AD 2012-12-18] (RIN: 2120-AA64) received July 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7194. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; WACO Classic Aircraft Corporation Airplanes [Docket No.: FAA-2012-0578; Directorate Identifier 2012-CE-019-AD; Amendment 39-17071; AD 2012-11-08] (RIN: 2120-AA64) received July 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7195. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; BAE SYSTEMS (OPERATIONS) LIMITED Airplanes [Docket No.: FAA-2012-0106; Directorate Identifier 2011-NM-150-AD; Amendment 39-17093; AD 2012-12-13] (RIN: 2120-AA64) received July 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7196. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Hartzell Engine Technologies Turbochargers [Docket No.: FAA-2012-0565; Directorate Identifier 2012-NE-16-AD; Amendment 39-17075; AD 2012-10-52] (RIN: 2120-AA64) received July 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7197. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2012-0152; Directorate Identifier 2011-NM-059-AD; Amendment 39-17092; AD 2012-12-12] (RIN: 2120-AA64) received July 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7198. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce plc Turboprop Engines [Docket No.: FAA-2012-0418; Directorate Identifier 2012-NE-12-AD; Amendment 39-17064; AD 2012-11-01] (RIN: 2120-AA64) received July 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7199. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Airplanes [Docket No.: FAA-2012-0298; Directorate Identifier 2011-NM-072-AD; Amendment 39-17096; AD 2012-12-16] (RIN: 2120-AA64) received July 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7200. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Airplanes [Docket No.: FAA-2012-0298; Directorate Identifier 2011-NM-072-AD; Amendment 39-17096; AD 2012-12-16] (RIN: 2120-AA64) received July 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7201. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2011-1254; Directorate Identifier 2010-NM-178-AD; Amendment 39-17083; AD 2012-12-04] (RIN: 2120-AA64) received July 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7202. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Agusta S.p.A. Helicopters [Docket No.: FAA-2012-0013; Directorate Identifier 2010-SW-043-AD; Amendment 39-17090; AD 2012-12-10] (RIN: 2120-AA64) received July 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7203. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2011-1257; Directorate Identifier 2011-NM-124-AD; Amendment 39-17099; AD 2012-12-19] (RIN: 2120-AA64) received July 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7204. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2011-1412; Directorate Identifier 2011-NM-158-AD; Amendment 39-17088; AD 2012-12-08] (RIN: 2120-AA64) received July 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following

titles were introduced and severally referred, as follows:

By Mr. KUCINICH (for himself and Mr. GRIJALVA):

H.R. 6357. A bill to prohibit the extrajudicial killing of United States citizens, and for other purposes; to the Committee on Intelligence (Permanent Select), and in addition to the Committees on the Judiciary, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KUCINICH (for himself, Ms. PINGREE of Maine, and Mrs. NAPOLITANO):

H.R. 6358. A bill to examine, label, and communicate adverse human biological effects associated with exposure to electromagnetic fields from cell phones and other wireless devices, and for other purposes; to the Committee on Energy and Commerce.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. KUCINICH:

H.R. 6357.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is Article XIV of the Constitution, which enumerates that no United States Citizen can be "deprived of life, liberty, property, without due process of law." The bill will assert Congress' responsibility to defend the rights included in the Bill of Rights of the Constitution.

By Mr. KUCINICH:

H.R. 6358.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause III of the Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 1742: Mr. RANGEL and Ms. BASS of California.

H.R. 2524: Mr. LUJÁN and Mr. SERRANO.

H.R. 3067: Mr. BLUMENAUER and Mr. HASTINGS of Florida.

H.R. 3713: Mrs. ELLMERS.

H.R. 4212: Mr. MARKEY.

H.R. 6241: Mr. FATTAH, Mr. LEWIS of Georgia, Mr. RANGEL, Mr. CUMMINGS, Mr. DAVIS of Illinois, Ms. CHU, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. FUDGE, Mr. ENGEL, Ms. CLARKE of New York, Mr. MEEKS, Mr. ACKERMAN, Ms. MATSUI, Mr. CONNOLLY of Virginia, Ms. LINDA T. SANCHEZ of California, Mr. BRADY of Pennsylvania, Mr. ROTHMAN of New Jersey, Mr. SARBANES, Mr. DOYLE, Mrs. CHRISTENSEN, Ms. BASS of California, Mr. ANDREWS, Ms. SCHAKOWSKY, Mr. FARR, Mrs. NAPOLITANO, Mr. GEORGE MILLER of California, Mr. MCGOVERN, Mr. HASTINGS of Florida, and Mr. LEVIN.

H.R. 6290: Mr. JONES and Mr. RIBBLE.

H.R. 6292: Mr. ROHRBACHER.

EXTENSIONS OF REMARKS

THE LIFE OF L.L. POWELL, JR. OF
ASHLAND, OKLAHOMA

HON. DAN BOREN

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. BOREN. Mr. Speaker, I rise today to honor the life of L.L. Powell, Jr. of Ashland, Oklahoma, who suddenly died on June 29, 2012. I extend my deepest sympathies to his family, friends, and the community of Ashland for their loss.

L.L. will be remembered as a dedicated and thoughtful servant to his community. While he will be missed tremendously by all who knew him, he leaves with us a legacy of service that will inspire others to follow in his footsteps for many years to come.

As an employee of the McAlester Army Ammunition Plant in McAlester, Oklahoma, where he worked for 22 years, L.L. was part of the important effort to produce and field munitions to far corners of the globe for use by the U.S. military. As many will tell you, the ammunition plant is the pride of southeastern Oklahoma, and no one took its mission more seriously than L.L.

He was a man of many roles at the ammunition plant. In his capacity as president of American Federation of Government Employees Local 2815, L.L. was an advocate for his fellow federal employees. A calm and steady hand, he worked effectively to resolve disputes and problems. Each spring he traveled to Washington to brief my staff and me on employee issues at the ammunition plant. I could always count on him to shoot me straight.

Work was but one place where L.L. made his mark. Always answering the call of duty, he provided a valuable public service to his community by working for the Ashland Volunteer Fire Department. He was an avid supporter of local little league athletic programs, including football and basketball, and participated in local activities such as Pittsburg Play Day, Founder's Day, and the Savanna Booster Club, among many others.

Above all things, L.L. was a man who was dedicated to his family. He treasured his wife, Jeannie, and four children. In addition, he enjoyed nothing more than spending time with his twelve grandchildren and close friends.

In closing, Mr. Speaker, L.L. was not only someone with whom I enjoyed working on issues of importance to southeastern Oklahoma, but a trusted friend and confidant. Like his family members, friends, and the community of Ashland, I will miss his presence tremendously.

HONORING JACQUELINE BOWENS,
CHILDREN'S NATIONAL MEDICAL
CENTER

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. MORAN. Mr. Speaker, I rise today to praise and give gratitude to Jacqueline Bowens, who, after serving for 25 years as Executive Vice President and Chief Government and External Affairs Officer, is leaving Children's National Medical Center.

Jacqueline Bowens joined Children's National to make a difference. She established the first-ever government and community affairs program at Children's National. She and her team played a pivotal role in recruiting support from regional and national leaders, as well as federal agencies, to make sure the hospital kept pace with growing demands for more beds and increased specialized services for the region's children. Following 9/11, she spearheaded the effort to build the region's first pediatric decontamination and quarantine facility at the hospital, so that in the event of another national emergency, children and their families could be treated together.

Under her stewardship, facilities at the hospital were built, expanded and greatly enhanced to address a commitment to patient- and family-centered care. The emergency room at Children's National was expanded and the Neonatal Intensive Care Unit, NICU, was enhanced and grown, as was the Pediatric Intensive Care Unit, PICU, and the Cardio Intensive Care Unit. Additionally, the East Inpatient Tower was built, the Children's Research Institute was established, the Child Protection program was created, and Children's most-recognized logo—Dr. Bear—was born.

Jacqueline's professionalism and graciousness earned Children's National favored reviews from Congress, the White House, and visiting dignitaries and diplomats from around the world who recognize Children's National as an esteemed, world-class pediatric institution.

I will personally miss working with Jacqueline and can't thank her enough for her tireless dedication and commitment to the children and families of the entire metro region, the country, and the world. While we wish her all the best, she will be greatly missed, as she has become Children's most visible and committed advocate. Ms. Bowens has been the voice for those too little to speak and for their families too consumed with the day-to-day trials that go along with caring for a sick or physically challenged child.

IN HONOR OF BARBARA SCHAARS'
DISTINGUISHED CAREER

HON. BEN CHANDLER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. CHANDLER. Mr. Speaker, I rise today to honor the career and contributions of a Central Kentucky educator and one of my constituents, Barbara Schaars.

After graduating from North Hardin High School in Radcliff, Kentucky, Barbara received both her bachelor's and master's degrees in special education from the University of Kentucky. A proud member of the Kentucky Education Association, she taught special education, gifted education, first grade, and art in the Anderson County School District for over 30 years before finally retiring in 2007. Along the way, she touched the hearts and minds of hundreds of students.

Barbara's accomplishments speak for themselves. She served twice as president of the Beta Chapter of Delta Kappa Gamma Society International, an honor society for women educators. She received a citation for outstanding elementary art program from the Kentucky State Legislature and was honored with the Golden Apple Award from Ashland Oil. As coach of Anderson County Schools' academic teams and creative problem solving teams, her dedication to her students went beyond the classroom.

Since her retirement, Barbara has been pursuing her Masters of Divinity at Lexington Theological Seminary. She is a student minister at Bethany Christian Church, Disciples of Christ and previously served as the president of the Women's Fellowship at the First Christian Church, Disciples of Christ in Lawrenceburg.

Barbara's passion for education, whether in the classroom or at church, inspires those around her and challenges all of us to make a positive difference in everything we do. Mr. Speaker, please join me in recognizing one of Central Kentucky's finest educators, Mrs. Barbara Schaars.

HONORING MARINE SERGEANT
JUSTIN M. HANSEN

HON. DAN BENISHEK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. BENISHEK. Mr. Speaker, today, I join all Northern Michigan in extending my greatest sympathies to my constituent Ms. Vickie Hayes, of Vanderbilt, Michigan, as she and her family mourn the loss of Marine Sergeant Justin Hansen. Sergeant Hansen was killed during combat operations in Badghis Province,

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Afghanistan on July 31, 2012. Justin had previously served in Iraq and was serving his second tour of duty in Afghanistan.

A gifted athlete, Sergeant Hansen served as captain of the track, wrestling and football teams for the Kingsley High School Stags during his high school career. Sergeant Hansen also enjoyed outdoor activities such as snowboarding and was an avid motorcyclist—often doing these activities with members of his family.

Sergeant Hansen graduated in 2003 from Kingsley High School and enlisted in the United States Marine Corps in 2005. He attended the School of Infantry at Camp Pendleton, California, where he graduated with honors. In 2006, Sergeant Hansen was selected to participate in and graduated from the Basic Reconnaissance Course in Coronado, California. He was also stationed at Camp Schwab with the 3rd Reconnaissance Battalion in Okinawa, Japan. He was later deployed with the 31st Expeditionary Marine Unit and joined the Special Operations Command in 2009. His honors include the Purple Heart, two Combat Action Ribbons, two Good Conduct Medals, certified Corps Parachutist, and a brown belt in the U.S. Marine Corps Martial Arts program.

Sergeant Hansen is survived by his parents, Ms. Vickie Hayes of Vanderbilt, Michigan, and Mr. Richard Hansen, of Williamsburg, Michigan. Sergeant Hansen is also survived by his stepmother, Shawna Hansen; stepfather, Steven C. Cornell; sisters, Adrienne (Matthew) Russell, of Traverse City, Morgan Compton and Veronica Compton of Kingsley; stepbrothers, Jeremy Borey, of Chicago, IL, and Adam Cornell, of Traverse City; stepsister, Jessica Borey, of Elk Rapids; grandparents, Wayne and Ardyce Hansen, of Traverse City, Ken and Sandra Sleder, of Traverse City, and Carol Hays, of Jackson; niece and nephew, Madison Goodwin and Garrett Russell, of Traverse City; aunts and uncles, Steve Hansen of Pacifica, California, Richard and Sue Costlow of Traverse City, USAF Chief MSgt. Erick M. and Mary Hays, of Benton, Louisiana, Lonnie and Valerie Schaub, of Grand Rapids, Dave and LeAnne Sleder, of Traverse City, Jeff and Bev Sleder, of Katy, Texas, and Kathy Sleder, of Fort Collins, Colorado; as well as a large extended family throughout the United States.

I can find no words that can fully express my gratitude for his service to our country or for the sympathy I feel for family, friends, and loved ones by the loss of this young man. I know Justin's memory will live on through our actions and conduct towards others.

To Justin's family, I can offer only the hope that you will find solace in the loving embrace of your family, friends, and the kind providence of God. I am well aware that my words will not soften your overwhelming grief, but I am reminded of the words of President Lincoln, written to a mother during the Civil War, "I pray that our Heavenly Father may assuage the anguish of your bereavement and leave you only the cherished memory of the loved and lost, and the solemn pride that must be yours to have laid so costly a sacrifice upon the altar of freedom."

On behalf of the citizens of the First District of Michigan, I would like to express my profound sadness for the loss of Sergeant Justin

Hansen. Northern Michigan has certainly lost one of its finest, and his memory and service will not be forgotten.

HONORING FLORENCE MURNEY

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. LIPINSKI. Mr. Speaker, I rise today to recognize Mrs. Florence Murney, a lifelong resident of Chicago, who is celebrating her 100th birthday.

Florence Murney née Klein was born on August 9, 1912, on the southwest side of Chicago where she has resided her entire life. Florence is the older of two daughters of Edward and Augusta Klein; her loving younger sister, Dorothy Buhe, recently celebrated her 98th birthday. Florence and her sister grew up in St. Raphael's Parish where they attended Catholic school and developed their lifelong devotion to the Catholic faith.

On May 22, 1937, Florence married Edward Murney at the historic St. Rita's Church. The married couple lived happily in the same apartment building in the Chicago Lawn neighborhood as Dorothy and her husband making sure that Dorothy's children would never be too far away from their beloved "Auntie Florence."

Florence worked as a jewelry and clothing saleswoman at several Chicago stores including Busch Jewelers, Bond's Clothing store, and O'Keefe's Men's Wear. During World War II, Florence served our country as a true "Rosie the Riveter" working in a plant that manufactured airplanes for the war effort.

In 1956, Florence and her husband moved to a house in the Mt. Greenwood neighborhood of Chicago where she still resides by herself with no assistance. Florence remains a devout parishioner at St. Christina's Church and is very involved with Catholic Charities.

Florence Murney is a beloved and cherished aunt, great aunt, and great-great aunt to 15 nieces and nephews. She is also the godmother to several people who are all honored to know her.

I ask my colleagues to join me in wishing Florence Murney a happy 100th birthday, and to thank her for being such a great contributor to her community and our country.

HUDSON HIGHLANDS LAND TRUST AND THE WESTCHESTER LAND TRUST ACCREDITATION

HON. NAN A.S. HAYWORTH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Ms. HAYWORTH. Mr. Speaker, it is an honor to recognize the Hudson Highlands Land Trust and the Westchester Land Trust for receiving accreditation from the Land Trust Accreditation Commission. Accreditation represents the highest standard of excellence in land conservation, and provides public recognition of land trusts that are engaged in the

long-term protection of the land in the public interest.

As a supporter of legislation to make permanent the tax deductions for conservation easements, I am committed to working with organizations to promote responsible stewardship of our nation's most cherished natural resources. The Hudson Highlands Land Trust and the Westchester Land Trust have played a crucial role in protecting the beauty of our Hudson Valley; preserving biodiversity; and keeping our air, water, and public lands for future generations to enjoy.

Congratulations to the Hudson Highlands Land Trust and Westchester Land Trust for their dedication and leadership in conserving land for the people of New York, and may they continue to enjoy great success in the years to come.

PERSONAL EXPLANATION

HON. ANDER CRENSHAW

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. CRENSHAW. Mr. Speaker, on Tuesday, July 31, 2012 I unfortunately missed three votes on account of travel delays due to weather at Reagan National Airport. I realize the importance of the votes I missed and therefore would like to state for the record how I would have voted on the three bills that were before the House of Representatives on Tuesday.

First, I would have supported S. 679, the Presidential Appointment Efficiency and Streamlining Act. S. 679 would seek to reduce the burdens and improve the efficiency of the appointment process for executive branch officials.

I would have supported H.R. 828, the Federal Employee Tax Accountability Act. H.R. 828 would prohibit individuals who have "seriously delinquent" tax debts from being eligible for federal employment in the executive and legislative branch.

Lastly, I would have supported H.R. 3803, the DC Pain-Capable Unborn Child Protection Act. As a co-sponsor of H.R. 3803, I wholeheartedly support this measure that would prohibit abortion within the District after 20 weeks fetal age, unless the mother's life is endangered.

A TRIBUTE TO HONOR THE LIFE AND MEMORY OF DOROTHY RUMSEY MILLER

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Ms. ESHOO. Mr. Speaker, I rise today to honor the extraordinary life of Dorothy Rumsey Miller, a lifelong resident of Contra Costa County and native of Richmond, California, who passed away on July 8, 2012, at the age of 97 years old, surrounded by her devoted family after a long battle with Alzheimer's disease.

Dorothy Rumsey Miller is survived by four children, including our distinguished colleague in the U.S. House of Representatives, her son Congressman GEORGE MILLER III of California's 7th Congressional District, his wife Cynthia and three exceptional daughters, Laura Miller of Martinez, Gretchen Miller of Martinez, and Kat Miller of Mexico; four wonderful grandchildren, George Miller IV (Wendy) of El Dorado Hills, Stephen Miller (Kathleen) of Lafayette, Michael D'Aloisio and Sam D'Aloisio (Barbara) of San Francisco and ten beautiful great-grandchildren and two nephews.

Dorothy Rumsey Miller was the daughter of Sea Captain John Rumsey and Laura Rumsey. She graduated from Richmond High School and attended the University of the Pacific.

She was an accomplished and dedicated artist, who for more than fifty years, painted with her Point Richmond artist group where her passion and love of arts and the water were expressed on her canvases.

As an entrepreneur she successfully opened and managed Rumsey's restaurant, and went on to be one of the proprietors of Mama's Mercantile, both in Martinez.

Dorothy was an avid reader of all books, including eastern and western spirituality. In her earlier days she volunteered at Loaves and Fishes, and the Special Olympics. As one of the original Women of the Waterfront, a group which helped develop the Martinez Waterfront Park, Dorothy's daily walks brought her great peace and solace throughout her life.

Dorothy's greatest joys were her children, her family, and her friends. The Miller home was always a safe haven and a warm gathering place for the young and old seeking her sage advice and loving ways. Through her wonderful wit, eccentricity, humor, counsel, and spirit she was able to share her wisdom and laughter with her children.

Dorothy was predeceased by her sister Laura Carey and her distinguished husband, State Senator George Miller Jr. who passed away in 1969, while serving California's 7th State Senate District. Senator Miller was a highly respected legislator, recognized for his warmth, vigor, vision, courage and tremendous accomplishments as Chairman of the Senate Finance Committee.

Mr. Speaker, I ask the entire House of Representatives to join my colleagues—Leader NANCY PELOSI; Representative MIKE THOMPSON; Representative DORIS MATSUI; Representative LYNN WOOLSEY; Representative BARBARA LEE; Representative JOHN GARAMENDI; Representative JERRY MCNERNEY; Representative JACKIE SPEIER; Representative PETE STARK; Representative MIKE HONDA; Representative ZOE LOFGREN; Representative SAM FARR; Representative DENNIS CARDOZA; Representative JIM COSTA; Representative LOIS CAPPS; Representative BRAD SHERMAN; Representative HOWARD BERMAN; Representative ADAM SCHIFF; Representative HENRY WAXMAN; Representative XAVIER BECERRA; Representative JUDY CHU; Representative KAREN BASS; Representative LUCILLE ROYBAL-ALLARD; Representative MAXINE WATERS; Representative JANICE HAHN; Representative LAURA RICHARDSON; Representative GRACE NAPOLITANO; Representative LINDA SANCHEZ; Representative JOE BACA; Representative LORETTA SAN-

CHEZ; Representative BOB FILNER; and Representative SUSAN DAVIS—in extending our deepest condolences to Dorothy's children, grandchildren, great-grandchildren, nephews, and friends, as well as her caregivers who were so loving and dedicated to her over an extended period of time.

We celebrate Dorothy's life and her accomplishments, and we are proud to honor her memory in the House of the People. Our nation has lost a beloved citizen who made her community stronger and our country better.

HONORING SCHOOL DISTRICTS IN WEST TENNESSEE

HON. STEPHEN LEE FINCHER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. FINCHER. Mr. Speaker, I rise today to recognize schools in the Fayette County, Henry County, Hollow Rock-Bruceton, McKenzie Special, Milan Special, South Carroll County Special, and Union City districts. Each of these districts in West Tennessee earned the state's highest status of "exemplary" for their efforts to raise student growth and close achievements gaps during the 2011–2012 school year.

The Tennessee Department of Education recently received a federal waiver to replace the No Child Left Behind accountability system with its own. Tennessee's new accountability system recognizes students across the state have different needs and a one-size-fits-all approach doesn't always work. It measures growth and improvement based on a school's starting point of proficiency, rather than expecting all schools to meet specific proficiency targets each year.

To reach exemplary status under Tennessee's new accountability system, schools in the Fayette County, Henry County, Hollow Rock-Bruceton, McKenzie Special, Milan Special, South Carroll County Special, and Union City districts met the majority of their achievement and gap closure targets and ensured students moved forward or held steady in target areas. Attaining exemplary status shows these schools are truly making improvements and helping students learn.

On behalf of the United States House of Representatives, I commend the teachers and staff of these school districts for their hard work and commitment to improving public education for all students in Tennessee. Please join me in congratulating them on their success and achievements.

IN RECOGNITION OF THE SERVICE OF KRISTINE J. MICHALSON TO THE CONSTITUENTS OF COLORADO'S FIFTH DISTRICT

HON. DOUG LAMBORN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. LAMBORN. Mr. Speaker, it is with mixed feelings that I announce the departure

of a valued member of my staff, Kristine J. Michalson. Words are not adequate to express how much she will be missed.

For the past four years, Kristine has professionally and enthusiastically served the constituents of the Fifth Congressional District of Colorado as my Legislative Assistant and Press Secretary. She successfully handled her duties with a wealth of knowledge of the legislative and procedural processes. Her dedication and work ethic will be very difficult to replace.

Beginning her career on the Hill as my Staff Assistant and Deputy Press Secretary, she faithfully carried out her duties and was promoted to handle a variety of issue areas. She has particularly aided me in the area of Foreign Affairs, focusing on Israel and the Middle East. Because I am co-chair of two Israel caucuses, she has coordinated various briefings and meetings on my behalf.

Kristine graduated from Grove City College in December, 2007 with a Bachelor of Arts in History and certification in Secondary Education Social Science.

She is the daughter of Richard and Berit Michalson of Ramsey, New Jersey, and is sister to Jacob and Andrew. She has worked hard for the people of Colorado. Her conservative and Christian values are needed today more than ever. So while I will miss her and her contribution greatly, I know that she will provide great service to our country in the future. I truly believe God will bless her in her future endeavors.

THE KEEP AMERICA SECURE ACT

HON. LOUISE MCINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Ms. SLAUGHTER. Mr. Speaker, I rise today to take a bold step to keep America secure and rebuild our domestic electronics sector. Today I am introducing the "Keep America Secure Act," legislation that directs the Department of Defense (DoD) and the Department of Homeland Security (DHS) to only purchase electronic components that are manufactured in the United States. These electronic components—including computer chips, communications devices, and guidance systems—are used in crucial defense and homeland security equipment. This bill is the perfect complement to our ongoing efforts to enhance "Buy American" requirements and to ensure that all DoD and DHS equipment be Made-In-America.

If we are to maintain the most advanced military force, with the most advanced weaponry, we must have a dedicated stream of domestically produced parts. Regrettably, today this simply is not happening. Our armed forces dependence on foreign parts has major security ramifications. From missiles to computers, much of our crucial defense and homeland security equipment relies on sophisticated electronic components to function. We must act now to eliminate our reliance on foreign electronic components in our defense systems.

In May 2012 the Senate Armed Services Committee concluded a yearlong investigation

that found a substantial increase in the number of counterfeit electronic parts used in the production of sensitive military equipment. The Committee noted, "Our report outlines how this flood of counterfeit parts, overwhelmingly from China, threatens national security, the safety of our troops and American jobs."

Furthermore, the SASC report found approximately 1,800 cases of counterfeit parts in U.S. Military Aircraft while noting that both defense contractors and the Department of Defense lack an adequate understanding of the depth and severity of the problem. My legislation will ensure that no counterfeit parts ever find their way into any U.S. military aircraft by requiring that these parts be made right here at home. And, for the first time, it will require the Federal Aviation Administration to formulate rules to ensure no counterfeit parts are making their way into passenger aircraft as well.

When Operation Iraqi Freedom began in March 2003, a Swiss company stopped shipments of a crucial guidance system component for U.S. smart bombs. Both these incidents could have resulted in U.S. forces being in harm's way without necessary tools to defend themselves. Fortunately, neither incident caused threats to our troops, but they clearly demonstrate the need to protect our production supply lines from being cut, especially in times of war.

Similarly, during the first Gulf War, the United States was forced to turn to Japan—not once, but on three separate occasions—for essential parts in the production of the Patriot Missile.

Additionally, Mr. Speaker, as one who is very concerned about the state of domestic manufacturing, I strongly believe that the Keep America Secure Act will help re-ignite our high-tech sector. Between 2000 and 2010 the United States lost more than 5 million manufacturing jobs.

The Keep America Secure Act would help promote the remaining U.S. high tech firms. We need to rebuild the domestic electronic components industry, and this bill will help us do it.

We have spent the last ten years rebuilding Iraq and Afghanistan while continuing to neglect our weakening manufacture sector here at home. Congress must make a commitment to rebuilding our domestic manufacturing base and to ensuring that our courageous defenders continue to have the best equipment available. And as our economy suffers, let us give the manufacturing sector a needed shot in the arm. Unless Congress stands up and puts a halt to it we will eventually be at the mercy of any adversary who controls the manufacturing of our weapons or the critical components of our weapons.

Mr. Speaker, in the days to come, I will look to my like-minded friends, on both sides of the aisle, and say to my colleagues: let's work together to keep America secure.

INTRODUCING TRANSPARENCY FOR LETHAL CONTROL ACT

HON. SUSAN A. DAVIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mrs. DAVIS of California. Mr. Speaker, I rise today to introduce the Transparency for Lethal Control Act (TLC), legislation requiring the United States Department of Agriculture to publish clear and accessible information on animals killed through the Wildlife Services program of the Animal Health and Inspection Service.

The Wildlife Services program is responsible for intervening in situations when an animal is considered a threat or serious nuisance to humans. In some cases, animals are killed to fulfill this mission.

Efforts to gather adequate information regarding Wildlife Services operations have been difficult. The USDA has not made detailed data available to the public relating to where, why, how, and which animals have been killed. This lack of transparency and public reporting makes oversight impossible. The USDA could be acting inappropriately or recklessly and without this data, we can't know. That is why I am introducing legislation to require the USDA to publish kill data online by state, county (or other similar political subdivision), and municipality.

The killing of animals should not be a routine or reflexive government response. It should only be undertaken, if at all, after careful deliberation and under strict supervision. For that reason, the public and Congress need to have the opportunity for vigorous oversight to ensure that the USDA is acting appropriately and considering all cheaper and more humane alternatives.

Congress must improve oversight of the Wildlife Services program and ensure that the USDA is using tax dollars efficiently and appropriately. I urge passage of the Transparency for Lethal Control Act (TLC).

HONORING NEW JERSEY'S PROUD AGRICULTURAL TRADITION AND THE CONTRIBUTIONS OF FARMS LOCATED IN THE 11TH CONGRES- SIONAL DISTRICT

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to recognize New Jersey's proud agricultural tradition and the contribution of farms located in our 11th Congressional District.

The prospering agricultural industry of today's New Jersey is the continuation of many years of farming dating back to colonial settlement in the sixteenth century. Primarily a rural society, struggling settlers developed small family farms to stave off starvation. Soon local farms not only became an important source of fruits, vegetables, and grain, but also for raw materials used for the prospering textile industry. Easy access to cotton, wool, and other

farm products fueled the Industrial Revolution in New Jersey. Agriculture became not only a very profitable industry on its own, but also fed secondary manufacturing and merchant businesses.

Every day, farmers across the state raise animals, harvest vegetables, pick fruit, and participate in the 400 year old tradition that built New Jersey into an economic powerhouse.

Today, New Jersey agriculture constitutes an \$82 billion industry that provides a strong backbone for New Jersey's economy. It also benefits surrounding businesses with the growing popularity of agrotourism. This extremely successful business model involves enticing people from near and far to visit, learn about everyday farm-life, and participate in activities such as pumpkin, wine tasting, hay rides, petting zoos, or horseback riding. This not only brings customers from the surrounding tri-state area to appreciate what New Jersey has to offer, but also fosters a greater public understanding of commercial farming. New Jersey's large agricultural sector provides employment, not only for farm workers, but also for those in construction for irrigation and drainage projects. This multibillion dollar industry supports New Jersey, providing jobs and raw materials, drawing in customers, and serving as its own lucrative business.

New Jersey truly is the Garden State, as our motto says. Having a strong agricultural industry not only provides a great deal of economic benefits to New Jersey, but also contributes to a rich social tapestry. There are over 790,000 acres of lands across the state devoted to farmland. This has been celebrated as an extremely environmentally friendly use of land that preserves both a smaller carbon footprint and the beautiful greenery characteristic of New Jersey. In a world where food insecurity remains one of the most difficult problems for mankind to combat, thriving agriculture reduces the acuteness of this issue and diminishes our dependence on food imports. This land also provides access to fresh, locally grown foods, giving residents in the area healthier meal options. The agricultural industry is unparalleled in its contributions to New Jersey society, providing jobs, tourism, environmental protection, food security, raw materials for manufacturing, and so much more.

Standing as a shining example of New Jersey's proud agricultural tradition is Wightman's Farms, located in Harding Township, Morris County. Celebrating their 90th Anniversary this year, Wightman's Farms has worked continuously to expand what began as a farm into the prospering business it is today. The farm is one of over 8,000 other family owned and operated farms in New Jersey that support their local and state economy. Currently managed by the third generation of Wightmans, the integration of tradition and innovation has certainly helped Wightman's Farms not only last the test of time, but develop into a flourishing business enjoyed by customers near and far.

Mr. Speaker, I ask you and my colleagues to join me in recognizing New Jersey's agricultural tradition and the contributions of 11th District farmers.

RECOGNIZING THE PORT OF SEATTLE FOR RECEIVING THE 2012 SECRETARY OF DEFENSE EMPLOYER SUPPORT FREEDOM AWARD

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. SMITH of Washington. Mr. Speaker, I rise to honor the Port of Seattle for receiving the 2012 Secretary of Defense Employer Support Freedom Award. The Port of Seattle is one of just fifteen employers across the country to receive this honor.

Each year, the Employer Support of the Guard and Reserve, an agency of the Department of Defense, awards employers with their annual Freedom Award. This is the Department of Defense's highest recognition awarded to employers for their exceptional support of Guard and Reserve employees. More than 3,000 nominations from Guardsmen and Reservists, or their family members on their behalf, were submitted and the Port of Seattle distinguished themselves among all the nominees.

A Naval Reservist nominated the Port of Seattle because of the Port's focus on hiring military members and veterans, as well as for their participation in the military's Transition Assistance Program. Twenty percent of the Port's employees have served in the military and the Port has started a fellowship program to help returning service members transition from active duty to the civilian workforce. The Port of Seattle's efforts at employing Guardsmen and Reservists serves as a model for other port districts that are establishing programs to hire more service members.

Mr. Speaker, it is with great pleasure that I honor the Port of Seattle for their superb treatment of Guard and Reserve employees. The Defense Employer Support Freedom Award is a well-deserved honor.

HONORING REPRESENTATIVE
ELENA PARENT

HON. JOHN LEWIS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. LEWIS of Georgia. Mr. Speaker, I rise today to recognize Georgia State Representative Elena Parent on the occasion of her retirement from the Georgia General Assembly. In her short time in the Georgia State House, Elena has made a profound impact on the Georgia Legislature, and I know that she will be missed by her constituents from the 81st District.

Outside of public office, Elena is incredibly involved in the Metro Atlanta community, currently serving on the Foundation Board of the Georgia Association of Women Lawyers, the Advisory Board of Directors of It's a Journey, Inc., and the Women and Minorities in the Profession Committee of the State Bar of Georgia. She has also conducted fundraising and development efforts for HOPE Atlanta, a

homelessness-prevention non-profit. I commend her for such meaningful service to the people of Georgia.

Elena recently announced that she will begin working as the Executive Director of Georgia Watch, a consumer advocacy group, at the end of her term this year. Having already received numerous awards for her leadership, including inclusion in the Atlanta Business Chronicle's "40 Under 40," Elena is an excellent choice for this position, and I look forward to hearing of her successes in the future.

I wish Elena, her husband, Briley, and their son, Brooks, the very best.

IN RECOGNITION OF THE SERVICE
OF AUTUMN M. LEVA TO THE
CONSTITUENTS OF COLORADO'S
FIFTH DISTRICT

HON. DOUG LAMBORN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. LAMBORN. Mr. Speaker, it is with mixed emotions that I announce the departure of a valued member of my staff, Autumn M. Leva.

Autumn has served in my Washington D.C. office for the past year and a half, first as our Staff Assistant and most recently as my Executive Assistant, Scheduler, and Legislative Aide. She has successfully handled her duties with a wealth of knowledge of the legislative and procedural processes. Her dedication and work ethic will be very difficult to replace.

A longtime resident of Colorado's fifth Congressional District and a graduate of Salida High School, Autumn received her Bachelor of Arts in Elementary Education with a minor in Spanish from the University of Montana in 2007 and went on to receive her Juris Doctor from Regent University School of Law in 2010. She is the daughter of Kathy Messick of Salida, Colorado and sister to Shane Leva.

Autumn's sparkling personality, enthusiastic can-do attitude, and team-player mentality will be truly missed. However, it is her love for the Lord that will be most remembered by myself and her colleagues. Always ready with an encouraging word, Autumn harnessed her passion for the law and traditional Christian values by handling the legislative portfolio of values issues. As her zeal for these issues deepened, she felt the Lord calling her to serve in this capacity fulltime and so she will serve as spokeswoman for the Minnesota for Marriage campaign this fall.

Autumn has worked hard for the people of Colorado. Her conservative and Christian values are needed today more than ever. So while I will miss her greatly, I know God will bless her in her future endeavors.

CONGRATULATIONS TO
LOUISBURG COLLEGE

HON. RENEE L. ELLMERS

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mrs. ELLMERS. Mr. Speaker, I rise today to congratulate Louisburg College on their 225th anniversary as an institution of higher learning.

Throughout its tenure, Louisburg College has continued to prosper and educate students during its 225 years, attracting students from 42 states and 15 countries.

In four different centuries, students from Louisburg College have excelled in many areas of our economy, including business, government, politics, education, sports, and the military. Today Louisburg College has over 700 students and nearly 14,000 alumni.

I thank those who have played a role in the success of Louisburg College and join the administration, faculty, students, alumni, Town of Louisburg, and the County of Franklin in celebrating the 225th anniversary of Louisburg College.

May God continue to bless Louisburg College, the students, teachers, and families that make it a great place to learn.

HONORING PEDRO LUIS RUSTAN

HON. MIKE ROGERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. ROGERS of Michigan. Mr. Speaker, I rise today to honor a true American Hero, a man whose focus, drive, intellect and leadership were responsible for spawning innovative systems that have saved lives and ensured the security of our great nation.

Pedro Luis Rustan, known as "Pete" to all within the Intelligence Community, was an extraordinary American. His passing leaves a void within the Intelligence Community and for all his family and friends.

Pete may not have appreciated my remarks because he was never concerned about who received the credit, only that the job was done. However, he was a man who was grateful for the gifts that God gave him and he could think of no greater use for these gifts than service of the Nation that had blessed him and his family with freedom.

Pete was born in 1946 in a small city 40 miles from the U.S. naval base at Guantanamo Bay. In August 1967, he made a dramatic escape from Communist Cuba with his father, two sisters, and brother-in-law. They fled to a railway, climbed inside a railroad boxcar and jumped from the moving train as it approached the U.S. naval base at Guantanamo. Pete and his family swam and waded through a snake-infested swamp before reaching multiple tall security fences topped with barbed wire. Pete carried his younger sister on his back over the fences. After being picked up by a Navy patrol craft they sought and received political asylum.

In the early 1970s Pete studied electrical engineering at the Illinois Institute of Technology, and was quickly drafted into the Air

Force. In the Air Force he served first as an enlisted man, and then successfully completed Officer Candidate School, becoming a U.S. Air Force officer. He eventually went on to graduate school at the University of Florida, from which he received a doctorate in electrical engineering in 1979.

During his 26-year career with the U.S. Air Force, Pete ran several advanced technology space programs and was mission manager for a joint NASA—Defense Department project, the Clementine mission, a small, low-cost spacecraft that made history by mapping the surface of the Moon and discovering ice at its south pole. Daniel Golden, a former NASA director, said that Pete always “seemed to take on things that were impossible.” He retired from the Air Force in 1997 with the rank of colonel but continued to deliver intelligence systems that accomplished the seemingly impossible with National Security technical systems.

After retiring from the Air Force, Pete consulted on commercial space ventures and for federal intelligence agencies. He was on an advisory board that recommended changes at the National Security Agency, one of the country's largest intelligence agencies. As Michael V. Hayden, a former director of the National Security Agency said of Pete, “He was hands-down the most valuable member of that board. He was creative. He was energetic. He was candid without ever being caustic or unkind.”

After the terrorist attacks of Sept. 11, 2001, Pete returned to the government, leading research efforts in satellite reconnaissance for the Defense and Intelligence Communities. He held numerous positions at the National Reconnaissance Organization, NRO, including Director of the Advanced Systems and Technology Directorate, Director of the Ground Enterprise Directorate, Director of Small Satellite Development and most recently, Director of the NRO's Mission Support Directorate. He retired from the NRO officially in October 2011. In each instance he enhanced the capability of the organization and demonstrated his well earned reputation as a technical innovator and advocate of streamlined acquisition principles in space programs. He was a true asset to the NRO and to our country.

Pete contributed to improving the world outside of work as well. He personally led missions to a small impoverished town in Honduras where he provided shoes, developed aqueducts and tilapia fish farms. In his private and personal life he also was one who accomplished the seemingly impossible.

On June 28, Pedro “Pete” Rustan lost his battle with cancer but won his eternal reward after 65 vibrant years, passing away at his home in Woodbridge, Virginia. He is survived by his wife, Alexandra, and children, Peter and Amy. He leaves behind a legacy of intelligence systems and people whom he mentored to continue to achieve the seemingly impossible in his memory. He will be greatly missed in the Intelligence Community and by the House Permanent Select Committee on Intelligence.

RECOGNIZING HARCUM COLLEGE'S NONPROFIT BUSINESS OF THE YEAR AWARD

HON. JIM GERLACH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. GERLACH. Mr. Speaker, I rise today to congratulate Harcum College of Montgomery County, Pennsylvania on receiving the Nonprofit Business of the Year Award from the Main Line Chamber of Commerce.

Harcum College is an outstanding, independent, two-year, co-educational college that seeks to prepare students for meaningful careers by offering majors in over twenty disciplines. Enrollment has risen over 70% in the past six years, reaching new levels every semester since 2009, and is currently at a record high of 1,615 students. Harcum employs 140 full-time faculty and works with many organizations on the Main Line, including the Main Line Chamber of Commerce, the Red Cross, Main Line First Fridays, Montgomery County Dental Association, and the Shriners.

Harcum has been the recipient of over \$1.3 million in federal funding over the past five years which has been used to update and improve classrooms, technology, student programs, and training for secondary school teachers. And Harcum College has been a Main Line Chamber member for almost 60 years.

Mr. Speaker, I ask that my colleagues join me today in congratulating Harcum College of Montgomery County, Pennsylvania on receiving the Nonprofit Business of the Year Award from the Main Line Chamber of Commerce.

TRIBUTE TO DR. ED BRIDGES, DI- RECTOR OF THE ALABAMA DE- PARTMENT OF ARCHIVES AND HISTORY

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. BONNER. Mr. Speaker, I rise to honor Dr. Ed C. Bridges, longtime Director of the Alabama Department of Archives and History, which is the oldest state archives agency in the United States. After 30 years of service in this position, Dr. Bridges will be retiring at the end of the current fiscal year.

Dr. Bridges is a graduate of Furman University, where he achieved both the Woodrow Wilson and Danforth Fellowships. He went on to receive his Masters and Doctorate in History from the University of Chicago. This fervent pursuit of knowledge eventually translated into a lifelong career.

Before holding his current position as Director, Dr. Bridges wore many hats in the academic world; including, teaching at the high school level in South Carolina, teaching at the collegiate level at the Georgia Institute of Technology, doing contract research at the Georgia Department of Natural Resources, and serving six years at the Georgia Department of Archives.

Outside of his academic work, Dr. Bridges has also participated in numerous state and community activities. He has served as President of the Alabama Historical Association, as a member of the Alabama Historical Commission, on the Governor's Mansion Advisory Board, and many more. He received the Alabama Humanities Foundation's Annual Humanities Award and was inducted into the College of Communications Hall of Fame at the University of Alabama. Dr. Bridges expertise is also recognized beyond the State of Alabama, having represented the United States in archival exchanges with both the former Soviet Union and the People's Republic of China, and as vice chairman of the Information Policy Task Force of State Governments.

Ed Bridges embodies the very best qualities of a true scholar, one who knows that knowledge means nothing without the will to pass it on to others and to future generations. Dr. Bridges has done this and more through his outstanding career.

On behalf of the people of Alabama and my colleagues in the Alabama Delegation, I would like to extend my personal appreciation to Dr. Bridges for his service to Alabama's past, present, and future through his stewardship and tremendous leadership of the Alabama Department of Archives and History. I would like to wish him, his wife Martha and their family the very best in their future endeavors.

HONORING JACQUES ALEXANDER MARQUIS MATTHEWS

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable 22-year-old young man from Shaw, Mississippi. Jacques Alexander Marquis Matthews has answered the call of duty to his country and is currently serving as an active soldier in the Mississippi National Guard stationed in Afghanistan.

Specialist Matthews comes from a lineage filled with military servicemen and women. His paternal grandfather, Mr. William Carter, is a Vietnam Veteran who served in the United States Air Force; his maternal uncle, Mr. James Attaway, served in the United States Marines; and his mother, Ramona Matthews, had just enlisted in the United States Army when she learned she was pregnant with her first child, Jacques.

Specialist Matthews was raised in a single parent home by his mother, Ramona, along with his two younger brothers, Chauncey and Malik. Specialist Matthews understood the pain of his mother as she struggled to provide for them and the reproach of his grandparents, William and Alicestean Carter and Susie Matthews. As his mother's oldest child, much was expected of him and he wanted to fulfill those expectations. But like many other young men, what appears to be quick and easy was tempting. And sometimes he was prey to those temptations. In fact he said and I quote, “my mother was more determined than me—for me to succeed. So, she snatched me from

that wrong path and told me my life had three paths it could take and I had to choose one right then, college, military, or she was going to commit a homicide and that's all I needed to know. Needless to say, I chose the military."

Mr. Speaker, Specialist Matthews has a litany of highlights during his military career including:

2008 Year. Specialist Matthews enlisted in the Mississippi National Guard.

August 2008–October 2008. Specialist Matthews did his basic training at Fort Jackson, South Carolina.

October 2008. Specialist Matthews completed his basic training. He was recognized during graduation for having scored a perfect 300 on the physical fitness portion of the training.

July 10, 2010–July 31, 2010. Specialist Matthews was a member of the 2089th Vertical Company, 223rd Engineer Battalion. He received the Army Achievement Medal for his Superior and Unflinching Support of his unit.

November 6, 2010. Specialist Matthews was honored with the Commanders Award for scoring 297 on the Annual Army Physical Fitness Test while he was a member of the 223rd Engineer Battalion.

November 7, 2010. Specialist Matthews while in the 168th Engineer Brigade received the Silver Castle Challenge Certificate of Achievement for having completed the Army Physical Fitness test with a score of 297. He was recognized for distinguishing himself by his excellent conditioning. He is truly to be commended for the accomplishment and deserving of the recognition for his sacrifice and self-discipline.

May 2011. Specialist Matthews was in the 2089th Vertical Construction Company when he was honored with the Army Meritorious Achievement Medal for his selfless service, loyalty and honor, dedication and integrity as an example for all to follow for his significant contribution to the success of his unit and the Mississippi Army National Guard.

October 2011–November 2011. Specialist Matthews received the Meritorious Service Award in recognition of his superior physical ability during the annual training while assigned to Detachment 1 of the 2089th Vertical Construction Company.

May 7, 2012. Specialist Matthews' unit, the 289th Vertical Construction Company, 223rd Engineer Battalion was activated to Afghanistan.

I want Specialist Matthews' story to serve as a one of encouragement to those who think there is no hope for change and to those who prejudge someone because of their circumstances. Specialist Matthews has expressed great interest in building an exciting career in the military answering the call at home and abroad whenever and wherever he is needed.

Mr. Speaker, I ask my colleagues to join me in recognizing Specialist Jacques Alexander Marquis Matthews, from the Second Congressional District of Mississippi, now serving as a member of the Mississippi National Guard currently stationed in Afghanistan. As he so proudly represents the United States, I too am proud to represent him as a Member of Congress. I wish him a continued rewarding mili-

tary career and a safe return home to the United States.

ON INTRODUCING THE PCIP IMPROVEMENT ACT OF 2012

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. HASTINGS of Florida. Mr. Speaker, I rise today to introduce the PCIP Improvement Act of 2012, a bill that will make much needed improvements to the Pre-Existing Condition Insurance Plan (PCIP) program, created by the Affordable Care Act (ACA).

As you know, the ACA prohibits insurance companies from refusing to sell coverage or renew policies because of a person's pre-existing condition. While the provision already affects children up to 19 years of age, it will only apply to adults in January 2014. In the meantime, adults with a pre-existing condition can get coverage through the PCIP program, a temporary high-risk pool which has helped over 50,000 previously uninsured individuals get coverage.

While I have always been a strong supporter of this important program, I believe that some improvements need to be made in order to make it a success. Indeed, enrollment has been significantly lower than initial projections, which varied from 200,000 to 375,000. One of the biggest obstacles for enrollment in the program is a Congressional mandate requiring that individuals applying for PCIP coverage have not had creditable insurance coverage during the 6 months prior to the date they apply to the program. Since the program's inception in July 2010, 69 percent of applications have been denied because individuals had creditable coverage within 6 months of applying.

While well-intentioned, this wait period has shown adverse effects by incentivizing people with pre-existing conditions to go uninsured for 6 months to qualify for the program. Individuals who lost their health insurance through no fault of their own and can no longer find coverage must wait 6 months to apply, thus exposing themselves to high out-of-pocket medical costs and unnecessary health risks. Unfortunately, because they go without insurance for such an extended period of time, they enter the program with a need for immediate care and cost more to the program.

Furthermore, considering mini medical plans as creditable coverage also encourages individuals to go with absolutely no coverage for 6 months in order to apply to PCIP. Mini medical plans are basic plans that may pay for portions of a doctor's visit or prescription drug, but do not provide catastrophic coverage or enough benefits for people with pre-existing conditions. Individuals who choose to obtain such a plan within 6 months of applying for PCIP to limit their medical liabilities will no longer be eligible for the program.

Such a misfortune happened to one of my constituents who lost his health insurance when he lost his job and has been denied coverage because of a pre-existing condition since then. In June 2010, he received limited

coverage through a mini medical plan that did not cover his pre-existing condition. When he applied to PCIP in September 2011, his application was denied because he had such plan within 6 months of applying. The only way for him to qualify was to go completely uninsured for 6 months. I cannot, in good conscience, advise my constituents in need of immediate care to wait 6 months to seek medical coverage.

Mr. Speaker, this legislation will address these serious issues by eliminating the 6-month wait period and excluding mini medical plans from creditable coverage. My bill will bring us on step closer to ensuring accessible, affordable, and quality health care for all Americans. I urge my colleagues to help make PCIP a more successful program by supporting this important legislation.

HONORING DR. ROBERT LIGHT- FOOT, RECIPIENT OF THE SAM- UEL BUFORD WORD AWARD

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. BONNER. Mr. Speaker, I rise to honor Dr. Robert Dickson Lightfoot, for being awarded the Samuel Buford Word Award. This is the highest award given by the Medical Association of the State of Alabama in recognition of service to humanity beyond the usual scope of medical practice.

Dr. Lightfoot is a fourth-generation physician who graduated with honors from the University of Alabama School of Medicine in 1981 and completed a general and vascular surgery residency at the University of Kentucky Medical Center in 1986. He later returned to school receiving a Bachelors of Science in Psychology in 1997.

After participating in several medical mission trips to Central and South America, Dr. Lightfoot and his wife, Tami, realized a need for affordable, quality primary adult health care in their own community. Out of this need, Dr. Lightfoot founded Victory Health Partners in Mobile, Alabama, in 2000 and began seeing patients in 2003 with incomes less than 300 percent of the federal poverty line.

What began as an act of faith by one physician and his wife has now turned into a fully functional partnership involving hundreds of volunteers, medical providers, and churches. The clinic has grown from seeing 12 patients on its first day in 2003, to serving more than 18,000 in this past year. The clinic's patients come over 20 counties in Alabama, eight in Mississippi, and four in Northwest Florida. In the past decade, Dr. Lightfoot has seen Victory Health Partners expand to offer dental and eye care, as well as wound care and diabetic classes for adults.

Dr. Lightfoot has devoted his life to medicine and providing healthcare to the needy. Through his brilliant acts of generosity, faith, and dedication to his community, Dr. Lightfoot is an accomplished physician who has earned the respect of his patients, staff and colleagues.

On behalf of the people of Alabama and my colleagues in the Alabama Delegation, I wish

to extend a personal thank you and congratulations to Dr. Lightfoot on his monumental achievement and selfless acts of generosity for the people of South Alabama and surrounding areas. May God continue to be bless him, his staff and all those they serve.

COMMENDING THE FIRST GRADUATING CLASS OF NORTH HUNTERDON HIGH SCHOOL

HON. LEONARD LANCE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. LANCE. Mr. Speaker, I rise today to congratulate the first graduating class of North Hunterdon Regional High School in Hunterdon County, New Jersey. The class of 1952 celebrates its 60th anniversary this year.

As a graduate of North Hunterdon Regional High School and as the Representative for New Jersey's Seventh Congressional District, I have had the honor to observe the growth and expansion of the school's educational excellence. North Hunterdon continues to excel as one of our Nation's top high schools. In 2002, the Department of Education awarded North Hunterdon the Blue Ribbon of Academic Excellence Award and it was recently highly ranked by the Washington Post.

The class of 1952 began an outstanding tradition of academic achievement at North Hunterdon Regional High School that has continued for sixty years. I am proud to honor my alma mater and I thank the first graduating class for commencing these celebrations.

IN CELEBRATION OF THE 100TH BIRTHDAY OF EMMA SHAW

HON. JOE BACA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. BACA. Mr. Speaker, I rise today to ask Congress to congratulate Emma Shaw, a beloved and respected community member of San Bernardino, who is celebrating her 100th Birthday on August 9, 2012.

Born in Tallulah, Louisiana, Emma was raised and began her education in Louisiana where she attended Madison Parish Training School. During her schooling, she met her future husband George Shaw, whom she married on February 6, 1933.

Emma and George Shaw lived in Tallulah for nine years, until moving to Las Vegas, Nevada, in 1942 in search of a better life for their family. Two years later, in 1944, the family moved to San Bernardino, California, where the Shaw family has resided since.

In San Bernardino, George Shaw worked hard as a construction worker, and was also the only African American barber in San Bernardino for many years. Emma worked as a housekeeper to help provide for her 11 children. Although times were tough and money was tight, Emma always found extra time and resources to give back to her community and those in need.

Since moving to San Bernardino, Emma and her family have been active members at the New Hope Missionary Baptist Church, and later the Greater New Jerusalem Church of God in Christ. Emma is known for her kindness and generosity; all who know Emma affectionately call her "Mother Shaw". Emma often shares her wealth of experiences that she gained over the years in order to educate and pass on her wisdom to the younger generations.

I wish Emma the best as she celebrates her 100th Birthday with a large family gathering on August 11, 2012. Her 8 living children, 45 grandchildren, 87 great grandchildren, and 9 great-great grandchildren will join Emma in celebrating this monumental milestone. My congratulations go out to Emma, along with those of my wife, Barbara, and my children, Rialto Councilman Joe Baca Jr., Jeremy, Natalie, and Jennifer. Mr. Speaker, I ask my colleagues to join me today in congratulating a beloved community member, Emma Shaw.

REMEMBERING CARL STEPHENS, THE VOICE OF AUBURN UNIVERSITY

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. BONNER. Mr. Speaker, it is with sadness that I note the passing of a beloved South Alabama broadcaster and familiar voice of Auburn University football. Mr. Carl Stephens passed away August 1, 2012, at the age of 77.

A native Alabamian, Carl Stephens was attracted to sports and broadcasting early in life, taking the mic as a sportscaster at the age of ten in his native Gadsden. He later served as student manager of the college radio station while at the University of Alabama. After graduation, Carl Stephens began his television career with WSFA-TV in Montgomery, which spanned from 1957 to 1998.

His booming, pleasant voice and professional over-the-air delivery were for decades synonymous with WSFA News. However, for many Alabamians he was best known as host of a popular children's cartoon show in the late 1950s and co-anchor of the Auburn Football Review for many years.

As Sports Director at WSFA-TV in Montgomery from 1963-75, Carl Stephens served as the producer and host of Coach Ralph "Shug" Jordan's weekly television show where the popular Auburn phrase, "You're so right, Carl," was born. Following Carl Stephens' opening comments of each show, Coach Jordan would respond with, "You're so right, Carl."

Along with his duties as host of the Auburn Football Review and responsibilities at Jordan-Hare Stadium, Mr. Stephens also served as the PA announcer at Auburn basketball and baseball games and as the voice of the Auburn Marching Band at football games.

In addition to his work for Auburn, Mr. Stephens was the public address voice for the first 15 Southeastern Conference Football Championship games, 14 SEC Basketball

Tournaments and six SEC Baseball Tournaments. Mr. Stephens also did public address work for NCAA Basketball Tournament games in Birmingham.

Prior to the 1973 Auburn football season, Mr. Stephens was asked to take on additional responsibility with Auburn as its public address announcer at the old Cliff Hare Stadium. Mr. Stephens held the PA duties at Auburn football for three seasons before moving to Columbia, S.C., to serve as Program Director for WIS-TV for two years.

Carl Stephens returned to Montgomery in 1978 as Program/Promotions Manager for WSFA and resumed his PA duties at Jordan-Hare Stadium for the 1979 Auburn football season, which he has held ever since.

Mr. Speaker, on behalf of the people of Alabama, I wish to extend condolences to his wife, Mary, son Richard, daughter Sandra and entire family. Carl will be missed.

HONORING JUDGE JOSEPH P. CRONIN JR.

HON. PATRICK MEEHAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. MEEHAN. Mr. Speaker, I rise to honor a great American, legal scholar and friend—Judge Joseph P. Cronin, Jr. Judge Cronin has shown a lifelong commitment to public service and to Delaware County, Pennsylvania. Judge Cronin first served his nation as a Marine and following law school he joined the District Attorney's Office in Delaware County where he prosecuted cases in the Juvenile Court. Following his service as a prosecutor, he went on to become Partner at the law firm of Cronin, Emuryan and Breen. Although in private practice at the time, Judge Cronin still remained dedicated to the community by serving his township as commissioner.

On November 5, 1991 Judge Cronin was elected to his first 10-year term to the Delaware County Court of Common Pleas. During these years as a trial Judge he earned a reputation as a fair-minded and wise jurist. Judge Cronin was retained for a second term and in January 2008 he was elected President Judge by the 19-member Board of Judges to serve a five-year term. In that role, Judge Cronin showed tremendous skill in leading a busy Court System with significant responsibilities. Recently, Judge Cronin was instrumental in helping Delaware County establish a veteran's treatment court to aid those heroes who now suffer from substance abuse and mental illness. Judge Cronin will retire from his position on the Court of Common Pleas on August 31, 2012.

Judge Joseph Cronin's service to Delaware County has been invaluable and he has our enduring gratitude. I join the citizens of Delaware County and the 7th Congressional District in wishing him and his family the best for the future.

RECOGNIZING MARK JOHNSON

HON. ELEANOR HOLMES NORTON

THE DISTRICT OF COLUMBIA
IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Ms. NORTON. Mr. Speaker, I rise today to ask the House of Representatives to join me in recognizing Mark Johnson, the first African-American in history to capture both a World Flyweight and Super Flyweight championship twice in his career. Also known as "Too Sharp," Mr. Johnson was a top pound-for-pound fighter during his sixteen-year career from 1990 to 2006. He perfected finesse, power, and speed. Attesting to his athleticism, his perseverance, and his well-developed skills, Johnson attained twenty-one knockouts before his matches made it to the fourth round.

Mr. Johnson had more than execution; he had an array of intangibles that set him apart from the rest of his profession. In his pursuits, Mr. Johnson left his natural division to take a Super Flyweight title and then go on to challenge bantamweights. While Mr. Johnson did not reach significant popularity due to his weight class and lack of defining fights, he went on to become one of the top pound-for-pound fighters in boxing for several years.

During his career, Mr. Johnson won forty-four professional boxing matches and lost only five. He had twenty-eight knockouts. During Mr. Johnson's amateur career, he won 125 boxing matches and lost only six. He won the first Junior World Penta-Continental title in 1993. He held the International Boxing Federation Flyweight title from May 1996 to September 1998, the International Boxing Federation Super Flyweight title from April 1999 to November 1990, and the World Boxing Organization Junior Bantamweight title from August 2003 to September 2004. Mr. Johnson was the first African-American in history to capture both a World Flyweight and Super Flyweight boxing championship, and he did that not once, but twice.

Since 2008, after retiring from professional boxing in 2008, Mr. Johnson, along with his father and lifelong trainer, Abraham "Ham" Johnson, has been training underprivileged boys and girls in their gym located in Southeast Washington, D.C. Today, Mark Johnson is employed as a Roving Leader within the D.C. Department of Parks and Recreation, and in that capacity, he conducts home and school visits, and teaches at-risk children to read and write. He also is heavily involved in gang violence prevention. Mr. Johnson serves as a positive and accomplished role-model for troubled youth within the Washington, D.C. area.

Mr. Speaker, on June 10, 2012, Mark "Too Sharp" Johnson was the first Boxer from Washington, D.C. to be inducted into the Boxing Hall of Fame, and, at 40 years old, he is the youngest ever to have received such an honor. "I have known Mark since he was 6; he deserves it and he's the best bantamweight ever," former world-champion Sugar Ray Leonard said of Mark Johnson's induction into the Hall of Fame. I ask the House to join me in commending Mark Johnson for his outstanding accomplishments as a boxing cham-

pion and his ongoing commitment to the youth of the District of Columbia.

TRIBUTE TO MERCERDESE CLARK

HON. CORRINE BROWN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Ms. BROWN of Florida. Mr. Speaker, on behalf of the constituents of the Third Congressional District of Florida, I rise now to offer heartfelt condolences and pay tribute to the life of an extraordinary accomplished woman, Mrs. Mercerdese Clark, a humanitarian, healer, life activist, and friend.

We are moved and encouraged when recalling the life achievements and service of Mrs. Clark as a nurse, community leader, and social activist. She has been an advocate for social service, health awareness and a role model and mentor to youth and entrepreneurs in the Central Florida community for many years. An Orlando native who received her Bachelor's Degree in Nursing from Hampton University in Virginia, Mrs. Clark served as a nurse at Orange Memorial Hospital and Winter Park Memorial Hospital. Shortly after, she became the first African-American female to be the Director of the Orange County Health Department in Orlando, Florida. At the time of her retirement, she worked as a Nursing Care Coordinator at Orlando Veteran Administration Outpatient Clinic.

As a community activist, she gave of herself and her talents to benefit both the individuals and the many organizations she served. Mrs. Clark became chairwoman of the Parramore Heritage Renovation project which was responsible for assessing the needs and defining solutions for existing conditions within this historic neighborhood. She worked tirelessly to maintain the goal of the agency to preserve, develop and improve the economics of the area; improve the educational level of the residents; and preserve the cultural heritage of the community. She took special pride in the area because she had close ties to the community having grown up there as well as her own personal and historical connection her family had to the neighborhood. Mrs. Clark's parents, Leroy E. Richardson and Rosa James Richardson, her paternal grandmother, Adeline Richardson, and other family members were among Orlando's earliest residents in Central Florida. Mrs. Clark could recall the early days of the founding Orlando community where needs of families were often provided from the surplus of another. It was those memories that inspired and motivated her to become president of the Parramore Heritage Foundation, president of the Carter Street Neighborhood Association, and Board Director for the Orlando Neighborhood Improvement Corporation. She also became a business owner in the area to contribute to the economic development of the vicinity by opening a women's boutique, Clarks' Ladies Fashion. Mrs. Clark had a very successful career and received numerous awards through her continuous involvement of various community, social and civic groups in Central Florida including the Orlando Alumnae Chapter of Delta Sigma

Theta Sorority, Incorporated where she was recognized for 15 years of outstanding service and commitment.

A virtuous woman and mother of two, we embrace her children and her family. She was a loving and caring mother who nurtured not only her children, but the community. We honor Mrs. Clark for the many contributions and the impact she had on the lives of many. She was truly an invaluable member of our community and an outstanding servant. The life of Mercerdese Clark was one of accomplishment, excellence and service. In her passing, we pay tribute to a consummate professional woman for her life of service and we pray that by her example each of us become the bearers of her spirit and humanitarian legacy of passion for service and excellence. We come now to join in prayer for, son, Kenneth Clark and daughter Kim G. Clark and a host of loving relatives, Sorority Sisters, and friends whose lives have been forever changed by this woman of God. We thank Our Heavenly Father for allowing us to be blessed with the time spent with Mrs. Mercerdese Clark.

PERSONAL EXPLANATION

HON. MARTIN HEINRICH

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. HEINRICH. Mr. Speaker, on July 31, 2012, I unfortunately missed three votes, which included rollcall Nos. 537, 538 and 539.

If I had been present, I would have voted "yes" on rollcall vote 537.

If I had been present, I would have voted "yes" on rollcall vote 538.

If I had been present, I would have voted "no" on rollcall vote 539.

RECOGNIZING FLEX-A-LITE ON
THEIR 50TH ANNIVERSARY**HON. ADAM SMITH**

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. SMITH of Washington. Mr. Speaker, I rise to honor the Flex-a-lite company, a Fife, Washington manufacturer for their 50 years of American manufacturing. The company has continuously set itself apart from its competition in the automotive industry by promoting strong domestic sales and rarely outsourcing manufacturing abroad.

Eddy Davis, along with his son-in-law, Rainer Willingham, founded Flex-a-lite in 1962. The company dramatically changed the automotive world, by inventing the very first flexible fan created from hand-cut fiberglass roofing material. In 1978, the founders patented the first electric fan and three generations later, the company continues to prosper.

The current president of Flex-a-lite and granddaughter of Eddy Davis, Lisa Chissus, has said that the business has been able to overcome hardships during tough economic times because Flex-a-lite remained loyal to three key factors: innovation, quality, and smooth succession.

The company has consistently produced new, innovative products and continues to bring new ideas to the table. Flex-a-lite takes great pride in their top quality products that are made and sold in the United States. It is clear that the business's family-owned values have helped to successfully guide the company for a half century.

Mr. Speaker, it is with honor that I recognize the Flex-a-lite company. I am confident that Flex-a-lite will flourish for years to come.

TRIBUTE TO ROBERT INGRAM,
BALDWIN COUNTY ECONOMIC DE-
VELOPMENT ALLIANCE

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. BONNER. Mr. Speaker, I rise to honor Mr. Robert Ingram, who is retiring as President and CEO of the Baldwin County Economic Development Alliance. Under his leadership Baldwin County became the top "micropolitan statistical area" in the state and the 27th out of 576 in terms of economic strength ratings for the United States.

Robert's record in economic development is considerable. He is a Past Chairman of the 17-state Southern Economic Development Council, and in 2001, 2003, 2006 & 2007 received the organization's highest award, the Chairman's Award of Distinction. Robert is a past president of the Mississippi Jaycees, past National Vice President of the United States Jaycees, and past International President of the University of Southern Mississippi Alumni Association. He previously served as President of the Mississippi Association of Chamber of Commerce Executives and President of the Mississippi Economic Development Council. Robert holds the Professional Community Economic Developer designation, is a graduate of the Community Development Institute, and served on the National Board of Directors of CDI. In 2010, he was named by Janus Economics, an international economic development consulting firm, as the first Janus Fellow, in recognition for his service to the profession.

Robert has also served as Senior Vice President of Economic Development for the Metro-Jackson Chamber of Commerce, has coordinated the marketing/recruitment effort of the three-County, Metro Economic Development Alliance, served as President/CEO of the Greenwood/Leflore Industrial Board and served as Economic Development Assistant to the President of the University of Southern Mississippi. Robert holds both a Bachelors and Masters Degree in Business Administration from Southern Miss.

On the volunteer side Robert has served as president of a chamber of commerce and chairman of an economic development foundation. In the private sector he has been a senior business developer and commercial lending officer in a major financial institution and made multi-million dollar business loans. In the public sector he has worked in economic development for the State of Mississippi and has created a comprehensive county economic development agency and 501(c) 6 sub-

sidary "from scratch". He also served as Mayor of the City of McComb, Mississippi, where he both reorganized local government and helped consolidate local economic development agencies. On the entrepreneurial side, he was one of seven organizers and a charter director and officer of Pike County National Bank.

In his current position, Robert oversees the day to day operation of the Alliance and works closely with private and public sector leaders on countywide and regional community/economic development related issues critical to the future of south Alabama. Robert was active in the regional work of the Coastal Recovery Commission and currently serves on the Board of the Coastal Alabama Leadership Foundation.

On behalf of the people of Alabama and my colleagues in the Alabama Delegation, I would like to extend my personal appreciation to Mr. Ingram for his service to Alabama's past, present, and future through his leadership with the Baldwin County Economic Development Alliance.

HONORING CHRISTA HARMOTTO
OF THE USA OLYMPIC TEAM

HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. SHUSTER. Mr. Speaker, I ask my colleagues to join me in honoring Ms. Christa Harmotto, an outstanding athlete selected to the United States Olympic Team from the 9th Congressional District of Pennsylvania. Ms. Harmotto's Olympic Volleyball side has done very well to this point of the competition, and has earned an undefeated record following their first three matches in their group.

Christa Harmotto was brought up in Hopewell Township, PA where she excelled at sports from a young age. In high school, as a multiple year letterman for volleyball and basketball, Christa won the Pennsylvania Gatorade Player of the Year. She then transferred her high school success to that at Penn State, where she chose to continue her pursuit of volleyball. Her student athlete career was one of great success and achievement, as she acted as an integral member of a two-time national championship team, while simultaneously attaining All-American status for four straight years. A prominent figure on the squad as a middle blocker, Christa makes her Olympic debut in 2012. I am positive she will continue to fight valiantly and work hard for her side in their journey to win the gold medal.

Mr. Speaker, I congratulate this Olympic hero of Pennsylvania's 9th district. With her effort and determination, this young lady is destined to do great things for our country and the 9th district of Pennsylvania. I am very proud of her hard work and determination to win for the United States Olympic Team, and will continue to track her team's success throughout the duration of their competition. I hope you join me in wishing Christa and the rest of our Olympic athletes well in their respective competitions at this year's Games.

PERSONAL EXPLANATION

HON. JAMES B. RENACCI

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. RENACCI. Mr. Speaker, on rollcall No. 537 due to a travel delay stemming from yesterday's inclement weather, I was unable to cast my vote on this legislation.

Had I been present, I would have voted "nay."

CRITICAL PATH INSTITUTE

HON. RON BARBER

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. BARBER. Mr. Speaker, I rise today to recognize the Critical Path Institute, a non-profit organization based in Tucson, Arizona, that plays an important role in helping to improve the way that much-needed drugs are brought to the market.

Critical Path, or C-Path, was founded six years ago by the University of Arizona and the U.S. Food and Drug Administration. It is not affiliated with any single entity or interest group—a status that allows C-Path to serve as an effective and objective facilitator among scientists from the government, academia and the private sector.

C-Path was founded after the FDA called attention to an alarming decline in the number of innovative medical products being submitted for government approval. The FDA cited the need for applied research to bridge the gap between basic scientific research and medical product development.

Since then, C-Path has worked with scientists from academia as well as biotechnology companies, the government and the pharmaceutical industry to develop innovative new testing methods. This enables life-saving drugs, devices and biological products to reach patients faster and with proven safety.

Developing effective drugs and medical devices is a lengthy and expensive process—even under the best of circumstances. It is a process that can take more than 12 years and cost \$1 billion in laboratory research and testing. About 95 percent of new compounds fail during development.

C-Path has demonstrated that public/private partnerships focused on noncompetitive consensus science have the capacity to provide new tools so drug developers can speed important new medicines from discovery to patients more quickly.

C-Path was founded by Dr. Raymond L. Woosley, who stepped down as president and CEO earlier this year. He was succeeded by Dr. Carolyn Compton, an internationally respected scientist with extensive experience in translational science and personalized medicine.

I am proud to recognize the Critical Path Institute, based in Tucson, Arizona, for its important role in improving the way that researchers, academia, the private sector and government work together to bring needed medical advancements to the people who need them.

C-Path has shown us what is possible when we work in partnership and collaboration to solve important national concerns.

HONORING MR. JOE HECKSTALL

HON. JOHN LEWIS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. LEWIS of Georgia. Mr. Speaker, I rise today to recognize Georgia State Representative Joe Heckstall on the occasion of his retirement from the Georgia General Assembly. For thirty-one years, Joe has served the people of Georgia, first as a City Councilman for the City of East Point, Georgia and then as a State Representative from Georgia's 62nd House District. These many years of public service make him the longest serving elected official in the history of South Fulton County, Georgia.

Throughout his time in office, Joe has fought valiantly for those who face social and economic challenges, especially veterans and minorities, and he has strived to bring businesses and prosperity to the communities he represents. I know that he will be greatly missed by his constituents.

I commend Joe for his courageous efforts to break racial barriers throughout his career. He was elected the first African American City Councilman of East Point, and as a Councilman, he helped the city become one of the first in America to celebrate the Martin Luther King, Jr. Holiday before it became a State or Federal holiday.

Outside of government, Joe is an active member of the Greater Atlanta community, having worked as a real estate salesman, corporate personnel assistant, motivational speaker, school teacher, and teen counselor. He is known for his love of people and his encouraging attitude.

I wish Joe and his wife, Andrea, the very best with their future endeavors.

TRIBUTE TO BOB HIGGINS, BALDWIN COUNTY ECONOMIC DEVELOPMENT ALLIANCE

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. BONNER. Mr. Speaker, I rise to honor Bob Higgins, senior vice president of the Baldwin County Economic Development Alliance. On August 1, 2012, Bob retired from his leadership position, which he has held for the past decade.

Bob Higgins joined the Baldwin Economic Development Alliance in 2002. While serving in the BCEDA, he organized many development projects that have led to the betterment of our community. One of these projects, which was facilitated through the Baldwin Business Incubator, created an aviation training center for local high school students at the Fairhope airport. With the recent announcement of Airbus' decision to locate its new

manufacturing facility in Mobile, this effort will be instrumental in preparing a workforce for this new industry.

Bob Higgins' work has not only helped to create future jobs in our area, but has also aided in supporting local companies as they battled the 2010 oil spill. Through his accomplishments, the Coastal Resiliency Coalition and Business Support Center were created to raise support for those who were severely affected by the oil spill, and their efforts continue today.

Though he will be retiring from the BCEDA, Bob Higgins' work with these two groups will not be ending. He now intends to shift his focus and devote more time to worker training to help businesses prepare for the future, while the main focus of the Alliance will be in recruiting industry for the Baldwin County megasite and in support of Airbus.

As many of Bob's former coworkers can attest, Bob's work ethic and drive have been influential in transforming Baldwin County into a better place to live and work. Upon his retirement, Bob is looking forward to having more time for personal activities and spending more time with his four grandchildren.

Mr. Speaker, on behalf of the people of Alabama and my colleagues in the Alabama Delegation, I would like to extend a personal appreciation to Mr. Bob Higgins for his service to Alabama's past, present, and future through his leadership in the Baldwin County Economic Development Alliance.

IN CELEBRATION OF FOR THE LOVE OF THE LAKE'S 200TH CONSECUTIVE SECOND SATURDAY SHORELINE SPRUCE UP

HON. PETE SESSIONS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. SESSIONS. Mr. Speaker, I rise today to congratulate For the Love of the Lake, a community organization, on its 200th consecutive Second Saturday Shoreline Spruce Up that will be held at White Rock Lake on November 10, 2012.

For the Love of the Lake is committed to the preservation of White Rock Lake Park and sponsors the Second Saturday Shoreline Spruce-Up initiative along with many other noteworthy programs. Since April 1996, volunteers of the Second Saturday Shoreline Spruce-Up have gathered on the second Saturday of each month to pick up trash and scattered debris around the shores of White Rock Lake. They also work closely with the City of Dallas' Parks and Recreation Department to protect the local wildlife. Over the years, this organization has devoted countless hours to this endeavor, ensuring that White Rock Lake is kept clean and beautiful for all to enjoy. I have had the privilege of laboring alongside these dedicated volunteers and know firsthand the hard work it takes to clean up the shoreline.

For the Love of the Lake truly understands the importance of conservation, and continues to protect White Rock Lake Park so it may remain an urban oasis for the City of Dallas. I

am thankful for these dedicated volunteers and For the Love of the Lake. Mr. Speaker, I ask my esteemed colleagues to join me in congratulating For the Love of the Lake on its 200th consecutive Second Saturday Shoreline Spruce-Up. This remarkable achievement speaks loudly to the organization's continued commitment to maintain the integrity of White Rock Lake Park.

ATTORNEY GENERAL HOLDER CONTEMPT VOTE

HON. DAVID N. CICILLINE

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. CICILLINE. Mr. Speaker, the death of U.S. Customs and Border Patrol Agent Brian Terry is a great loss for our nation. Congress has the responsibility to complete a full investigation into the events related to his death. That is why I supported Mr. DINGELL's motion on June 28, 2012, to ensure a comprehensive, bipartisan and complete investigation into Operation Fast and Furious—including a public hearing, with witnesses previously prevented from testifying by the Majority party on the Committee on Oversight and Government Reform.

Unfortunately, however, House Republicans voted unanimously against this motion, in order to proceed instead with unprecedented, baseless and politically motivated measures to hold Attorney General Eric Holder in civil and criminal contempt. I declined to participate in these partisan political games, and joined with my colleagues in vacating the House Floor in protest of the abuse of power and process demonstrated by the Majority Party's decision to bring H. Res. 711 and H. Res. 706 to the full House of Representatives, before undertaking a serious effort to resolve the disagreement between Congress and the Department of Justice regarding the disclosure of materials related to Operation Fast and Furious. Had I been present, I would have voted "no" on roll call votes 441 and 442.

CONGRATULATING BARRY HUTCHINSON ON HIS RETIREMENT

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise today to congratulate and honor Barry Hutchinson on his retirement from the Department of Defense after more than 40 years of dedicated and distinguished service to our country and to our men and women in uniform.

Mr. Hutchinson began his career as a stock handler at the Andrews Air Force Base Commissary in Camp Springs, Maryland, in 1972. Throughout his years of service, he developed expertise in a wide variety of areas, including supply management, logistics, program management, and information operations. For the past 34 years, Mr. Hutchinson worked for the

Defense Logistics Agency at Fort Belvoir, Virginia, where he provided exemplary leadership serving the Information Operations Directorate and retires as the Staff Director for IT Business, Licensing, and Performance Management.

Mr. Hutchinson certainly embodies the commitment and caliber of our federal employees. While he will be missed in the Defense Logistics Agency we will continue to benefit from the expertise and work ethic he has imparted in his coworkers.

Throughout his distinguished career, Mr. Hutchinson relied upon the support of his family. He will enjoy his well-deserved retirement with his wife, Joanne, daughters Krista and Kerri, grandchildren, Ashley, Jonathon, and Hannah, and grand dog, Cutter. He will continue serving his community, relying on his degree in Theology while teaching Christianity 101 at his local church. I ask my colleagues to join me in congratulating Barry Hutchinson for 40 years of honoring his community and valuable service to our nation, thanking him for his many contributions and the sacrifices he and his family have made, and wishing them well in all of their future endeavors.

IN RECOGNITION OF THE 125TH
ANNIVERSARY OF TEICHERT, INC.

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Ms. MATSUI. Mr. Speaker, I rise today to recognize Teichert, Inc. and its employees as the company celebrates its 125th anniversary. For well over a century, this company has enabled the Sacramento region to grow and prosper into the wonderful place it is today. As Teichert's management, staff and business partners gather to celebrate the company's 125th anniversary, I ask my colleagues to join me in honoring Teichert, Inc. and its rich history.

Beginning with its inception in 1877, the company has truly captured the spirit of the American Dream. Its founder, Adolph Teichert emigrated from Germany with little more than a keen eye for outstanding craftsmanship and an unyielding drive to succeed. Adolph was soon hired by California Artificial Stone Company to supervise various construction projects, including laying concrete pavement around some of California's most recognizable landmarks, such as Golden Gate Park. Adolph then started his own construction firm and would become a pioneer in Sacramento's business community.

Over the next few decades, Adolph's small business progressively expanded into a multifaceted corporation that is responsible for many of Sacramento region's highways, neighborhoods and iconic pieces of infrastructure. In 1912 the company became known as A. Teichert and Son when Adolf's son joined its ranks. Since its founding, Teichert has maintained its roots as a family business. Its current CEO, Jud Riggs is the 4th generation Teichert to lead the company and Fred Teichert leads the Teichert Foundation. The 5th generation of Teicherts are dutifully at work within the company's ranks.

125 years after its founding Teichert, Inc. is the proud holder of the State of California's oldest active contractor's license, license No. 8. The company has led a wide array of Northern California's most significant construction projects, varying from the construction of the Sacramento Weir in 1918 that has kept Sacramento safe from flooding to being an integral part of the team that built Sacramento International Airport's beautiful new state-of-the-art Terminal B, which opened in 2011 and now welcomes travelers to California's capital city.

The company's values of "building," "trust," and "tradition" have helped sustain the company in good times and bad. The company has grown to include Teichert Construction, Teichert Materials, StoneBridge Properties, and Teichert Foundation embracing construction, aggregate production, real estate development, and charity.

By encouraging employee philanthropy and honoring their commitment to the region, Teichert has created a special bond with the people of Sacramento. Above all of their industrial efforts, the company is celebrated for the charitable reach of the Teichert Foundation. The foundation's work is evident in many aspects of the Sacramento area, including the Boys and Girls Clubs' location in Lemon Hill that carries the Teichert name.

Mr. Speaker, as the leadership and employees of Teichert, Inc. come together to celebrate the company's 125th anniversary, I ask all my colleagues to join me in honoring their dedication to building the infrastructure that has made Sacramento what it is today. I am confident that the company's dedication to the Sacramento community will stand for generations to come.

HONORING COLONEL SAMUEL "BO"
MAHANEY UPON ASSUMING COM-
MAND OF THE 452D AIR MOBIL-
ITY WING, MARCH ARB

HON. JERRY LEWIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. LEWIS of California. Mr. Speaker, I rise today to offer congratulations and good wishes to one of the members of our armed forces, Colonel Samuel "Bo" Mahaney, who put in exemplary service as a Military Fellow in my office and who will soon assume command of the 452d Air Mobility Wing at March Air Reserve Base, California.

It is true, Mr. Speaker, that we in this body are proud of every brave member of our military. Their service to our nation deserves recognition every day, and their sacrifice deserves our gratitude and honor no matter where they are posted or what their rank or station.

But as a former Fellow, Col. Mahaney became a highly valued member of my staff, and he and his wife Chris became a part of the extended "Lewis family." It is especially delightful to be able to congratulate Bo on his Assumption of Command of the Air Mobility Wing at March, which is near my Redlands home and congressional district in the Inland Empire of California.

Mr. Speaker, many of my colleagues will agree that the Military Fellows program is an outstanding example of a collaborative venture that helps Congress better understand the Pentagon, and helps the military become familiar with the ways of the legislative branch. After an intense selection process, 100 young men and women are assigned by the services to join a congressional office or committee for a year of service. These are some of the Pentagon's brightest young officers, and the expertise they provide Congress is invaluable.

While I served as chairman of the Defense Appropriations Subcommittee and later as Committee Chairman, I was honored to have the aid of six Military Fellows: Army Colonel Craig DeDecker, Marine Corps Colonel Michael Reilly, Marine Corps Colonel Carl Kime; Army Colonel Chris Gibson; Air Force Colonel Bo Mahaney, and Air Force Colonel Anthony "Awgie" Genatempo. All have gone on to distinguished commands and careers—and one of them, Chris Gibson, is now one of our colleagues from New York!

Colonel Mahaney was commissioned in July 1985 as a graduate of the Air Force Reserve Officer Training Corps (ROTC). He was a B-52 electronic warfare officer and commanded a KC-10 aircraft, amassing over 5,000 flying hours over the years. His academic training includes a Masters Degree in Public Administration and a law degree, as well as time as a Harvard National Security Fellow and a Georgetown Legislative Fellow. He is a licensed attorney and an adjunct professor at Georgetown University School of Law. He has received the Meritorious Service Medal, Aerial Achievement Medal, and many other medals for outstanding service and accomplishments.

Colonel Mahaney assumed command just last year of the 459th Air Refueling Wing at Joint Base Andrews outside of Washington, D.C. In that short time, he has led the wing to top marks for operational readiness and received high praise from commanding officers.

He is now moving to take over command of the 452d Air Mobility Wing, which includes a C-17 "Globemaster III" flying squadron and two KC-135R "Stratotanker" flying squadrons as well as numerous support squadrons. March Air Reserve Base provides air refueling to Air Force, Navy and NATO aircraft as well as rapid delivery of troops and all types of cargo in times of war and national emergency to anywhere in the world. The base creates a total economic impact of \$522 million in the local area. More than 8,500 people work there.

Mr. Speaker, I am extremely proud and honored to have been able to contribute to the distinguished career of Colonel Bo Mahaney, and I am delighted that he and Chris will soon be neighbors in the Inland Empire. I ask my colleagues to please join me in congratulating him on his new command, and expressing our gratitude to all of the exceptional men and women of the armed forces who have served us so ably in the Military Fellows program.

HONORING THE WASHINGTON, NEW HAMPSHIRE MEETINGHOUSE

HON. CHARLES F. BASS

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. BASS of New Hampshire. Mr. Speaker, I rise today to commemorate the 225th birthday of the Washington, New Hampshire Meetinghouse on August 11, 1787. In 1752, Governor Jonathan Belcher granted a charter to the settlement that was later established as the town of Washington, New Hampshire—named for our first president, George Washington.

The original charter decreed that “a Convenient Meeting house be built.” The colonial-style, wooden structure henceforth erected has remained largely unchanged in both appearance and purpose. Although a tower was added in 1825, the meetinghouse retains its original exterior. Inside, the building has adapted to the community’s needs, continuously serving as church, cultural center, school, and Town Hall for over two centuries.

The meetinghouse is a foundational establishment, fostering the civic growth of Washingtonians who have contributed to both our state and nation through their work as service members, small businessmen, farmers, educators, lawyers, ministers, and doctors. Merging its natural beauty with its dedicated and lively community, the town of Washington is truly representative of the best qualities of the State of New Hampshire.

Mr. Speaker, I join the people of the Granite State in congratulating the town of Washington on the 225th birthday of its Meetinghouse. This tribute celebrates the history and birth of political discourse in the United States with Meetinghouses, and honors these institutions as symbols of American freedom and independence, whose creation and preservation are reminders of the founding of our country.

RECOGNIZING ED WENZEL AND HIS HONOR FROM THE NATIONAL CIVIL WAR TRUST

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise to recognize Ed Wenzel for his passion, effort, and success in preserving our nation’s historic Civil War battlefields. Mr. Wenzel recently received an honor from the national Civil War Trust on behalf of his preservation efforts for a Civil War battlefield site in Chantilly, Virginia. The Ox Hill Battlefield Park was dedicated in 2008 thanks in large part to the tireless efforts of Mr. Wenzel.

Mr. Wenzel spent 22 years working to preserve the grounds on which the Battle of Chantilly—referred to as the Battle of Ox Hill by the Confederacy—occurred on September 1, 1862. It was during this battle that the Union army lost commanders Major General Philip Kearny and Major General Isaac I. Stevens, but it ultimately succeeded in slowing

General Stonewall Jackson and the Confederacy’s advancements and ended the Second Manassas campaign. In 1915, monuments were built in commemoration of both Major Generals Kearny and Stevens on the site.

During my tenure on the Fairfax County Board of Supervisors, I was proud to work with Mr. Wenzel and members of the Civil War Roundtable to raise awareness of the County’s Civil War heritage, to erect new historic markers, and create a new five-acre public park highlighting the monuments and the battle significance in the history of our County and our Country.

Additionally, Mr. Wenzel played a major role in the Save the Battlefield Coalition, which successfully opposed construction of a shopping mall at Manassas battlefields in 1988, and he was a founding board member of the Association for the Preservation of Civil War Sites.

Mr. Speaker, I ask my colleagues to join me in recognizing Ed Wenzel for his most recent accolade and in thanking him for his tireless pursuits to protect such important aspects of our Nation’s rich history.

TRIBUTE TO LIEUTENANT COLONEL PETE DEROUIN

HON. GREG WALDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. WALDEN. Mr. Speaker, I rise today to recognize a fellow Oregonian and good friend, Lieutenant Colonel Pete Derouin of the Oregon Army National Guard, as he departs the National Guard Bureau’s Office of Legislative Liaison in Washington, DC to return to Oregon. While Pete has served around the world over the past decade, he has always kept a very special place for Oregon in his heart.

Pete was born and raised in my great state and joined the Army by earning his commission through the University of Oregon’s ROTC program. He served for many years as a part-time soldier in Oregon as an officer in the Oregon National Guard. After the attacks of September 11, 2001, Pete felt the call of service and decided to leave the comforts of home and make military service his full time career. Over the last decade, he has served his country in different corners of the globe, including Iraq, Bosnia, and Kosovo.

For the last four years, Pete has worked here on Capitol Hill as an outstanding advocate for the National Guard. I’ve worked closely with him during his time as a legislative liaison for the Guard, and have found his dedication and effectiveness to be exceptional. We worked together on obtaining approval for the new Readiness Center in The Dalles and on allowing the Oregon National Guard to retain parts of the Umatilla Chemical Depot. Pete was also instrumental in efforts to make sure that National Guard soldiers were not unfairly denied promised bonus payments due to paperwork errors by the Guard.

Now the time has come for Pete to return home to Oregon. He has been selected to lead the 2nd of the 641st Theatre Aviation

Battalion, which controls all of Oregon’s Army National Guard aviation assets. I have no doubt that he will serve our state and nation well in this new role.

I would like to thank Pete and his wife Andrea for tolerating the frantic pace which comes with working here in Washington, D.C., and wish them happiness and success as they continue their service to our nation back in Oregon. Mr. Speaker, I invite our colleagues to join me in saying thank you to Lieutenant Colonel Pete Derouin for his dedication to our country.

INTRODUCTION OF COMPASSIONATE FREEDOM OF CHOICE ACT

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. PAUL. Mr. Speaker, I rise to introduce the “Compassionate Freedom of Choice Act.” This legislation allows terminally ill patients to use drugs, treatments and devices that have not yet been approved by the Food and Drug Administration (FDA) if their physicians certify: (i) such patients have no other treatment options; and (ii) the patient executes written, informed consent that they are aware of any potential risks from the drug, device, or treatment.

It is important to remember that this legislation only applies to otherwise terminally ill patients. Denying these patents a possible opportunity to cure their illness—or at least reduce their suffering—is nonsensical and cruel. The FDA’s approval process for drugs, devices, and treatments is costly and time consuming. Yet, time is the luxury terminally patients do not enjoy. So why should the FDA deny terminally-ill patients access to drugs, devices, and treatments that the patient’s physicians have determined represents the patient’s only possible chance for survival?

For example, the FDA refused to allow Abigail Burroughs (who was diagnosed with head and neck cancer at the age of 19) access to the cancer drugs Iressa and Eribut by the FDA. Never mind that a renowned oncologist at Johns Hopkins had determined there was a significant chance of saving her life if she could use these new drugs. With her only chance of survival denied by the federal government, Abigail passed away on June 9, 2001, at the age of twenty-one.

Another example of why this bill is necessary is the case of thirteen-year old Anna Tomalis, who enjoyed horseback riding and soccer until she was diagnosed with embryonal sarcoma. Chemotherapy and surgery failed to reverse the cancer, so Anna’s parents decided to try experimental drugs. They petitioned the FDA for approval to use Deforolimus, developed by Merk and ARIAD. Unfortunately, the FDA decided Anna was too sick to be admitted in Deforolimus’s clinical trials and did not grant her a “compassionate use” exemption until three weeks before she died.

Mr. Speaker, I have attached a list of other patients who were denied access to treatments by the FDA even though their doctors

believed these treatments were the only option left to potentially save their lives. I ask my colleagues to help make sure that no more Americans with terminal disease are denied treatments simply because the FDA has decided these Americans are better off facing certain death than using an "unapproved" drug, treatment, or device. Please cosponsor the Compassionate Freedom of Choice Act.

PERSONS DENIED ACCESS TO COMPASSIONATE
DRUG USE BY THE FDA

(I) ABIGAIL BURROUGHS

Abigail Burroughs learned at the age of nineteen that she had head and neck cancer. http://abigail-alliance.org/WLF_FDA_Lawsuit.pdf (last accessed May 21, 2012). For the next eighteen months, Abigail fought the cancer by undergoing painful chemotherapy and radiation treatments, to no avail. Id. Abigail was told in March of 2001 that she had run out of FDA-approved options. Id. Abigail's cancer cells had very high EGFR (Epidermal Growth Factor Receptors) expression. Her renowned oncologist at Johns Hopkins knew there was a significant chance of saving her life if she could get the new EGFR cancer drugs Iressa and Erbitux. Id. Abigail could not get Iressa, however, because the clinical trials were very limited as to the number and type of patients who could qualify—as is usual for clinical drug trials. Id. The Erbitux clinical trials were for colon cancer patients only. Id. Abigail never obtained Iressa or Erbitux, and thus a chance to live, and so she died on June 9, 2001, at the age of twenty-one. Id. The Abigail Alliance, created by her father Frank Burroughs shortly after her death, is a 501(c) non-profit organization and can be accessed through <http://abigail-alliance.org>. The Abigail Alliance is now dedicated to expanding access to experimental drugs through the compassionate use exemption.

(II) DAVID BAXTER

High school student David Baxter was diagnosed with colorectal cancer in the spring of 2001. http://abigail-alliance.org/WLF_FDA_Lawsuit.pdf (last accessed May 21, 2012). David was unable to participate in clinical trials of promising new cancer drugs because clinical trials are usually open only to patients eighteen and older. Id. In the following months he endured various types of chemotherapy. Id. Of one of his hospital stays, he wrote, "You hear a lot of scary stories about cancer patients, and let me tell you right now that they are true—every single one of them." Id. From the stories of nurses coming in at two in the morning to take your vitals for some awful reason, to the noises from the room across the hall—either screams or moans of who knows what." David died in his sleep at home on October 6, 2001, shortly after his seventeenth birthday. Id.

(III) ALITA RANDAZZO

Alita Randazzo, age thirty-five, was diagnosed with colorectal cancer in the spring of 2000. Id. Alita responded well at first to Eloxatin (Oxaliplatin), but she had to endure the expense and physical demands of traveling to France to get the drug. Id. She did not qualify for the clinical trial of Eloxatin in the U.S. and was not fortunate enough to get into the drug's limited compassionate use program. Id. (Before finally being approved in the U.S. in May of 2003, Eloxatin had been approved in Europe six years earlier.) After eight months, Eloxatin stopped helping Alita and her doctors believed her last chance was Erbitux. Id. Alita was unable to obtain Erbitux, and died on July 20, 2002. Id.

(IV) JOEL OPPENHEIM

Joel Oppenheim was first diagnosed with multiple myeloma in 1995 but the disease did not become active until 1999. Id. At that time, he was treated with dexamethasone ("dex"), which had unpleasant side effects and was only minimally effective. Id. Thalidomide, which is not approved for multiple myeloma, was added to the dex by Joel's doctors. This off-label use of thalidomide was possible because thalidomide had been approved for leprosy, and is thus available for doctors to prescribe for other conditions as they see fit. Thalidomide has become the first line of treatment for multiple myeloma. Id.

As Joel's disease worsened in 2000, his oncologists recommended that he seek to participate in clinical trials of Revamid or PS-341 Velcade. Id. Revamid is a derivative of thalidomide that avoids thalidomide's side effects (which extend well beyond its notorious effect on pregnant women). Id. Joel was unable to obtain a place in the Revamid trials or Velcade trials because his prior treatment with dex put him outside the narrow protocols of the trial. Id. The massive number of patients who applied for the trials would have rendered it unlikely for Joel to win a place, in any event. Thus, Joel was prevented from using Revamid, which was safer and more effective than his thalidomide treatment. Id.

In light of Joel's inability to obtain Revamid or Velcade, his oncologists recommended an autologous bone marrow transplant, which he underwent on April 15, 2001. Id. This is a dangerous and damaging medical procedure. Id. Joel survived the transplant, but was disabled from working and still suffers from an impaired immune system. A disease such as the West Nile virus that would typically have mild effects on other people would probably kill Joel. Id.

Approximately a year and a half after the bone marrow transplant, Joel's cancer worsened again. Id. He again attempted to enter numerous trials for Velcade, but was rejected. He was disqualified from some trials on account of his prior dex treatment and from others on account of his transplant (which had been made necessary by his lack of access to Velcade or Revamid). Id. To increase his chances of acceptance into a trial, on his doctors' advice, Joel stopped taking dex or any other treatment; one of the criteria of the trials was no dex or other drugs within the prior six months. The trials were repeatedly delayed. Id. Without medication, Joel's cancer grew much worse. Id. Finally, in June of 2003, through the efforts of one doctor, Joel was admitted to a trial of Revamid. Over the last three years, FDA restrictions on investigational drugs have caused countless patients like Joel to die or suffer from bone marrow procedure. Id.

(V) GIDEON SOFFER

Gideon was active in the Los Angeles Jewish community and a student at U.C. Berkeley. <http://abigail-alliance.org/WSJ%20Sen%20Kennedy%20Gideon.pdf> (last checked May 21, 2012). He passed away January 11, 2012. <http://www.tributes.com/show/Gideon-Joseph-Sofer-90709467> (last checked May 21, 2012). In 2003 he was 22 years old; he stood five foot six inches tall and weighed just over 100 pounds. Id. He suffered from Crohn's disease which caused him to remove half of his intestine. Crohn's disease is an inflammatory disease of the bowels, which can cause breakage and perforations in the intestines. 1.5 million Americans suffer from it, including a disproportionate number of Ashkenazi Jews. Id. In 2007 Gideon enrolled in a clinical trial for

a treatment that could save his life: an adult stem cell therapy that helps damaged intestinal tissue regenerate from the inflammation caused by Crohn's. The sponsor, Osiris Therapeutics, reported that Crohn's patients in the therapy's Phase II trial all experienced clinical improvement after receiving the cells. Id. A Phase III trial for the treatment was nearing completion at the time of the petition, but the FDA approval was years away. He was placed in the trial but was withheld the life-saving drug and given a placebo instead. <http://abigail-alliance.org/WSJ%20Sen%20Kennedy%20Gideon.pdf> (last checked May 21, 2012).

(VI) KIANNA KARNES

44 year old Kianna Karnes was a mother of four and grandmother of one when doctors told her she had kidney cancer that was spreading throughout her body. http://abigail-alliance.org/3_WSJ_Editorials_Kiannas_Law.pdf (last checked May 21, 2012). Two different developmental drugs, BAY 43-9006 and SU 11248, showed great promise against this once untreatable disease, but the FDA did not move to approve the drugs, and instead began imposing new testing requirements that make it all but impossible for their developers—Bayer and Pfizer—to provide them to terminal patients on a "compassionate use" basis by forcing a placebo. Id. Karnes died in 2005, the very same day that the FDA granted her compassionate use exemption. Id.

(VII) ANNA TOMALIS

13 year old Ana Tomalis liked horseback riding and soccer. http://online.wsj.com/article/SB121944789005365195.html?mod=opinion_main_commentaries (last checked May 21, 2012). From 2005 to 2008 Ana fought embryonal sarcoma, a rare form of liver cancer. Id. After chemotherapy and surgery did not work her parents turned to experimental drugs. Id. One drug that they petitioned the FDA for was Deforolimus, developed by Merck and ARIAD. Unfortunately Ana was too sick to be admitted in the clinical trials and the FDA did not grant her a "compassionate use" exemption until three weeks before she died, August 15, 2008. It was too little too late. Id.

(VIII) JACOB GUNVALSON

Jacob, since the age of eight, had Duchennemuscular dystrophy, a rare and devastating disease, which has confined him to a wheelchair. http://www.huffingtonpost.com/2008/12/17/jacob-gunvalson-terminall_n_151650.html (last visited May 21, 2012). His mother, Cheri Gunvalson, with a master's degree in nursing, was instrumental in getting federal legislation passed to provide more research money for the disease. Id. Jacob's only hope was PTC Therapeutics' PTC124, an experimental drug given to only 165 in a clinical trial. Id. Jacob was ineligible because his disease was too far advanced already rendering him unable to walk. Id. In December of 2008 the Third Circuit ruled against the Gunvalson's reversing a lower court decision stating that a pharmaceutical company does not have to provide an experimental drug to terminally ill person. Id.

(IX) BRANDON RYAN

Brandon, at 22 years old, had severe melanoma skin cancer. <http://www.nytimes.com/2010/09/19/health/research/19trial.html?pagewanted=5&r=3&partner=rss&emc=rss&src=ig> (last visited May 21, 2012), <http://www.legacy.com/obituaries/bakersfield/obituary.aspx?n=brandon-p-ryan&pid=143628760> (last visited May 21, 2012). He shared that skin cancer and the shared slim chance of

survival with his cousin Thomas McLaughlin, Id. A new drug issued by Roche called PLX 4032 was being offered in clinical trials at the University of Los Angeles Medical Center which was near their homes. Id. Thomas who was in the trial urged his cousin to join lauding that the tumors stopped growing after only two months of taking the pills. Ryan was admitted to the trial but was assigned by the lottery to be the control arm—instead of taking the pills; he was to get infusions of a chemotherapy that had been notoriously ineffective in treating melanoma. Id. The standard chemotherapy used in melanoma, decarbazine, slowed tumor growth in 15 percent of patients for an average of two months. Id. By contrast, PLX 4032 had halted tumor growth in 81 percent of patients for an average of eight months. Brandon died in 2010. Id.

(XI) LIDDY SHRIVER

In April 2002, Elizabeth Shriver was diagnosed with Ewing's sarcoma. <http://sarcomahelp.org/liddy.html>. She died January 15, 2004 at the age of 37 after the cancer metastasized to her right thigh, lungs, brain and abdomen. Id. Liddy was a computer scientist and sought to approach the cancer as "just another problem to solve reading as much as she could about cancer, various treatments, and the results of clinical trials. Id. More information can be reached by going to <http://sarcomahelp.org/index.html>.

(XI) LORRAINE HEIDKE MCCARTIN

Lorraine raised four children and has been battling a rare form of breast cancer since 2006. http://www.boston.com/business/health/care/articles/2011/01/05/testing_rules_force_patients_to_wait_for_new_drugs/?page=2 (last viewed May 21, 2012). In 2010 her hopes were buoyed when doctors said she was a good candidate to take a promising experimental drug called T-DM1 which had reduced patient's tumors with few side effects in clinical trials. Id. But before the treatments were to start under an expanded access program the drug's maker Roche shut down the program after the FDA refused to speed the approval process. Id. She is still alive, but must drive about 500 miles to get the treatment.

RECOGNIZING MASTER CHIEF PETTY OFFICER (RET.) JOHN R. BRINKHEIDE AND HIS MORE THAN 20 YEARS OF HONORABLE SERVICE TO THE U.S. NAVY

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise today to commend Master Chief Petty Officer (Ret.) John Robert Brinkheide for his more than 20 years of honorable and courageous service to the United States Navy, his subsequent 17 years of service as a contractor supporting the Department of Defense, and his continued service to our community. We are fortunate to have among us veterans with MCPO Brinkheide's sense of duty and continued commitment to public service.

MCPO Brinkheide enlisted in the U.S. Navy in 1962 and completed electronics school the same year. From 1962 to 1964 he served aboard the USS *Semmes*, a ship he describes as truly unique, tied together by a crew com-

mitted to doing good. His service aboard the USS *Semmes* instilled in him his sense of professionalism and ethics that guided him throughout the entirety of his military and professional career. He attended advanced electronics school in 1965 upon leaving the USS *Semmes* and then served for three years in Vietnam aboard an in-river LST. After completing his tour in Vietnam, MCPO Brinkheide served aboard the USS *America* from 1969 to 1976 and was promoted to Master Chief Petty Officer. MCPO Brinkheide's last few years at sea were served aboard the USS *Nashville* as the Electronics Material Officer from 1976 to 1980. MCPO Brinkheide spent his last year with the Navy working on strategic communications for the Naval Electronic Systems Command performing oversight of electronic equipment acquisitions.

After retiring from the Navy in 1981, he began a long career as a contractor supporting the Department of Defense, specializing in systems acquisitions. Since retiring from the Navy, Mr. Brinkheide has actively worked to better his community through the Knights of Columbus and served as the Grand Knight of the John Paul I Council of Dale City, Virginia, from 2006 to 2007. MCPO Brinkheide also worked tirelessly for 24 years to help organize and implement the Prince William County Tree Trimming Day of Remembrance, a ceremony held to honor those who died in alcohol- and drug-related vehicle crashes.

Mr. Speaker, I ask that my colleagues rise to join me in recognizing and thanking John R. Brinkheide for his steadfast and selfless service to our country and our community.

VIETNAM'S CONTINUING ABUSE OF HUMAN RIGHTS AND RELIGIOUS FREEDOM

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. WOLF. Mr. Speaker, I submit for the RECORD several months' worth of correspondence with the State Department regarding Vietnam's deplorable human rights and religious freedom record.

The correspondence includes a recent letter signed by three other members and myself calling for the removal of David Shear, U.S. Ambassador to Vietnam, for his failure to advocate for basic human rights and religious freedom in Vietnam while conditions are getting worse.

The U.S. must ensure that human rights and religious freedom are at the forefront of bilateral relations with Vietnam and the American embassy must be an island of freedom.

CONGRESS OF THE UNITED STATES,
Washington, DC, May 15, 2012.

Hon. DAVID SHEAR,
U.S. Ambassador to the Socialist Republic of Vietnam, U.S. Department of State, C Street, NW, Washington, DC.

DEAR AMBASSADOR SHEAR: We write today to express our concern over the arrest and detention of a U.S. citizen, Dr. Nguyen Quoc Quan, by Vietnamese authorities on April 17, 2012. Further, we write to express our concern that you, as U.S. Ambassador to Viet-

nam, have not yet visited the U.S. citizen and democracy activist, who has been imprisoned for nearly one month on politically motivated charges.

During a hearing convened by the Tom Lantos Human Rights Commission today, Dr. Nguyen's wife, Mrs. Mai Huong Ngo, provided emotional testimony about her husband's ongoing detention. It was shocking to hear that no one from the U.S. Embassy has reached out to Mrs. Ngo regarding the detention of her husband. We urge you to personally contact both Dr. Nguyen and Mrs. Ngo to show solidarity with and concern for two American citizens.

In addition, if Mrs. Ngo decides to go to Vietnam and attempt to see her husband, we request that you ensure her safety by personally meeting her at the airport and escorting her to the embassy and the jail where Dr. Nguyen is being held so that she does not meet the same fate as her husband.

If the U.S. Embassy does not stand with Dr. Nguyen Quoc Quan then what assurances do other U.S. citizens have when traveling to authoritarian countries? America must be a voice for the voiceless. The U.S. Embassy in Vietnam must be an island of freedom.

We urge you to meet with Dr. Nguyen and work to secure his immediate release so he can be reunited with his wife and two sons. To speak with Mrs. Ngo, please contact Representative Wolf's office at 202-225-5136 for her information.

We would like to be kept abreast of this case and look forward to your response.

Sincerely,

FRANK R. WOLF.
DANIEL E. LUNGREN.
LORETTA SANCHEZ.
ZOE LOFGREN.
BOB FILNER.

HOUSE OF REPRESENTATIVES,

Washington, DC, June 6, 2012.

DAVID SHEAR,
U.S. Ambassador to the Socialist Republic of Vietnam, U.S. Department of State, C Street, NW., Washington, DC.

DEAR AMBASSADOR SHEAR: I write to follow up on our recent phone call, after the Tom Lantos Human Rights Commission hearing on Vietnam. I appreciate your willingness to assist in the case of imprisoned U.S. citizen Dr. Nguyen Quoc Quan. I hope that after our conversation a senior person from the U.S. Embassy has reached out to his wife, Mrs. Mai Huong Ngo. As I mentioned to you—both in my previous letter and on the phone, the U.S. Embassy in Vietnam must be an island of freedom.

It is with this in mind that I truly hope you will invite Vietnamese dissidents and their families to the embassy's July 4th celebration this year. In addition, I urge the U.S. Consulate in Ho Chi Minh City to continue to work for the release of Dr. Nguyen. Please let me know of any updates in his case and when the embassy intends to have an Independence Day celebration that includes freedom-loving people in Vietnam. I look forward to hearing from you.

Best wishes.

Sincerely,

FRANK R. WOLF.

U.S. DEPARTMENT OF STATE,
Washington, DC, June 26, 2012.

DEAR MR. WOLF: Thank you for your letter of June 6 following up on your phone conversation last month with Ambassador Shear regarding the Tom Lantos Human Rights Commission's hearing on Vietnam and the case of Dr. Richard Nguyen.

We continue to urge the Vietnamese government to release Dr. Nguyen. In addition to raising his case with high-level Vietnamese officials, our consular officers will continue to provide all appropriate consular assistance to Dr. Nguyen. Ambassador Shear has personally spoken with Dr. Nguyen's wife, Mai Huang Ngo, and senior officials from our Consulate in Ho Chi Minh City remain in close contact with her.

Ambassador Shear continues to engage with civil society advocates, promoters of rule-of-law, and democracy activists and will welcome them to the Embassy's July 4th celebration. This is one of many ways we promote respect for human rights and rule-of-law in Vietnam.

We will keep you and your staff updated on developments regarding Dr. Richard Nguyen. Please do not hesitate to let us know if we can be of further assistance.

Sincerely,

DAVID S. ADAMS,
Assistant Secretary,
Legislative Affairs.

HOUSE OF REPRESENTATIVES,
Washington, DC, July 9, 2012.

Hon. BARACK H. OBAMA,
The President,
The White House, Washington, DC.

DEAR MR. PRESIDENT: On May 15, 2012, the Tom Lantos Human Rights Commission, which I co-chair, held a hearing on human rights abuses in Vietnam. As you undoubtedly know, the State Department's own annual human rights report aptly describes Vietnam as an "authoritarian state." During the hearing, several of my colleagues and I heard testimony from Mrs. Mai Huong Ngo, the wife of Dr. Nguyen Quoc Quan, a Vietnamese-American democracy activist and U.S. citizen. Upon his arrival at Tan Son Nhat International Airport in Ho Chi Minh City on April 17, he was arbitrarily detained and has been in prison ever since. Dr. Quan's wife was invited to testify in light of her husband's plight.

Assistant Secretary Michael Posner was also invited to testify at the hearing on behalf of the State Department. At the time I expressed my shock and dismay that no one from the department, not even the U.S. ambassador to Vietnam, David Shear, had been in touch with Dr. Quan's wife since his detention. Only at my urging did Ambassador Shear initiate contact with Mrs. Ngo to update her on her husband's situation.

This was disturbing on a number of levels. I have long believed that U.S. embassies should be islands of freedom—especially in repressive countries like Vietnam. Under Ambassador Shear's leadership it didn't appear that the U.S. embassy in Hanoi was embracing this important task. But even more troubling is the fact that Dr. Quan is an American citizen, and yet there appeared to be little urgency to securing his release.

In speaking by phone with Ambassador Shear following the hearing I expressed my concerns and urged him to host a July 4th celebration at the embassy, where the guest list was comprised of religious freedom and democracy activists in Vietnam. I stressed that he should fling open the doors of the embassy and invite Buddhist monks and nuns, Catholic priests and Protestant pastors, Internet bloggers and democracy activists. Such was the custom during the Reagan Administration, especially in the Soviet Union. This practice sent a strong message that America stood with those who stand for basic human rights. In many cases it afforded these individuals protection from future harassment and even imprisonment.

Ambassador Shear said that he intended to honor this request. Following my conversation with him I received the enclosed letter from the department indicating that, "Ambassador Shear continues to engage with civil society advocates, promoters of rule-of-law, and democracy activists and will welcome them to the Embassy's July 4th celebration." I took Ambassador Shear at his word and in fact shared this correspondence with members of the Vietnamese Diaspora community in the U.S., several of whom were greatly encouraged by this development.

Late last week it was brought to my attention that many of the most prominent democracy and human rights activists in Vietnam were not invited to the event. These reports seemed starkly at odds with the assurances I had personally received from Ambassador Shear. I called him directly this morning to find out if the embassy had invited the dissidents as had been agreed upon. His response was appalling. He said that he had invited a few civil society activists but then said that he needed to maintain a "balance." I then asked him for a list of the invitees. He initially refused saying he was unable to provide this information, even though presumably the embassy, which he leads, created the guest list. Then he said he would have to address this through State Department. I asked him when we might expect to receive a copy of the guest list and, after initially declining to be specific, he eventually conceded that it would be "in a few weeks."

Ambassador Shear's entire handling of this issue has been unacceptable. He showed little to no initiative in the case of Dr. Quan. Then, after appearing to recognize the shortsightedness of this approach, he agreed to host an Independence Day event at the embassy attended by human rights and democracy activists—only to go back on his word and mislead me about his intentions. Finally, when posed with a simple congressional request for additional information about the guest list at a U.S. embassy event, he was uncooperative at best and obstructionist at worst.

In light of these realities, I write today to call for the firing of Ambassador Shear.

Sadly, his sidelining of serious human rights issues in Vietnam is symptomatic of this administration's overall approach to human rights and religious freedom. Time and again these issues are put on the backburner—to the detriment of freedom-loving people the world over. In a Constitution Day speech, President Ronald Reagan described the United States Constitution as "a covenant we have made not only with ourselves, but with all of mankind." We have an obligation to keep that covenant. If you were to take this action, it would send a critical message to U.S. ambassadors globally, and just as importantly, to repressive governments which fear the words of the Constitution and the promise they hold as much as they fear the aspirations of their own people.

I have repeatedly said that it would be fitting for a Vietnamese-American to serve as U.S. ambassador Vietnam—someone who understands the country, the language, and the oppressive nature of the government having experienced it themselves before coming to the U.S. Such an individual would not be tempted to maintain smooth bilateral relations at all costs. Such an individual would embrace the cause of freedom. The Vietnamese people, and frankly millions of Vietnamese-Americans, deserve better than what Ambassador Shear and this administration are giving them.

America must be a voice for the voiceless. The U.S. Embassy in Vietnam must be an island of freedom, headed by a bold American ambassador. Ambassador Shear is not that man.

Best wishes.

Sincerely,

FRANK R. WOLF.

U.S. DEPARTMENT OF STATE,
Washington, DC, June 26, 2012.

DEAR MR. WOLF: Thank you for your letter of June 6 following up on your phone conversation last month with Ambassador Shear regarding the Tom Lantos Human Rights Commission's hearing on Vietnam and the case of Dr. Richard Nguyen.

We continue to urge the Vietnamese government to release Dr. Nguyen. In addition to raising his case with high-level Vietnamese officials, our consular officers will continue to provide all appropriate consular assistance to Dr. Nguyen. Ambassador Shear has personally spoken with Dr. Nguyen's wife, Mai Huang Ngo, and senior officials from our consulate in Ho Chi Minh City remain in close contact with her.

Ambassador Shear continues to engage with civil society advocates, promoters of rule-of-law, and democracy activists and will welcome them to the Embassy's July 4th celebration. This is one of many ways we promote respect for human rights and rule-of-law in Vietnam.

We will keep you and your staff updated on developments regarding Dr. Richard Nguyen. Please do not hesitate to let us know if we can be of further assistance.

DAVID S. ADAMS,
Assistant Secretary,
Legislative Affairs.

HOUSE OF REPRESENTATIVES,
Washington, DC, July 13, 2012.

Hon. HILLARY RODHAM CLINTON,
Secretary of State,
Washington, DC.

DEAR SECRETARY CLINTON: I write to follow-up on my letter of July 9 regarding Ambassador David Shear's deeply disappointing pattern of sidelining of human rights and religious freedom in Vietnam. In fact I was so troubled by his approach that I urged you to fire him. I continue to believe that Ambassador Shear is not the man for the job. Furthermore, I am eager to know when the State Department will be able to provide me with a list of invited guests for the recent July 4 event held at the embassy.

I read with interest your public remarks earlier this week in Vietnam. While I appreciated your general comments regarding human rights concerns, I was disappointed to see no public mention of the imprisoned Vietnamese-American democracy activist Dr. Nguyen Quoc Quan.

As you know, I have been unreserved in my criticism of this administration's policies in China on a host of levels. But, I will gladly concede that I have seen a promising trend with Ambassador Gary Locke, himself a Chinese-American. In numerous meetings with dissidents, human rights lawyers and activists, I have learned that they have been welcomed into the embassy under Ambassador Locke's leadership. He has taken a personal interest in their cause. This is in keeping with the finest traditions of our nation's embassies over the years. It bears noting that Chinese human rights activists and self-trained legal advocate Chen Guangcheng recently sought refuge in the American embassy—not the embassy of any other country.

The American embassy must be a beacon for those seeking basic human freedom and dignity. The American ambassador must be a stalwart defender of dissidents and advocate for human rights. Increasingly I hear from the Vietnamese-American community in the U.S. that they no longer have any confidence that Ambassador Shear is up to the task.

I again urge you to remove Ambassador Shear and appoint a Vietnamese-American ambassador, preferably someone who is well versed, through personal experience, in the oppressive ways of Vietnam's communist government, to take his place. Such an individual would not need to be reminded that human rights and religious freedom advocacy feature prominently in their job description.

Best wishes.
Sincerely,

FRANK R. WOLF.

CONGRESS OF THE UNITED STATES,
Washington, DC, July 19, 2012.

Hon. HILLARY RODHAM CLINTON,
Secretary of State,
Washington DC.

DEAR SECRETARY CLINTON: We strongly believe that human rights and religious freedom in Vietnam need to be at the forefront of bilateral relations with Vietnam, including any discussion about a strategic partnership with the United States. While we were pleased to hear that you mentioned democracy activists, lawyers and bloggers on your recent trip to Vietnam, we were deeply disappointed that there was no public mention of imprisoned Vietnamese-American Dr. Nguyen Quoc Quan. In fact, in a letter sent earlier this month prior to your trip, several members of Congress urged you to raise the matter of his continued detention and press for his release.

We do not believe that this administration, especially Ambassador David Shear, have sufficiently advocated for basic human rights and religious freedom in Vietnam. In fact, Ambassador Shear has sidelined these issues which has been a cause for concern. The people of Vietnam yearn for American leadership in this realm—leadership which Ambassador Shear has been simply unable or unwilling to provide. As such, we urge you to dismiss Ambassador Shear from his post, and move swiftly to appoint an individual who will embrace the struggle of the Vietnamese people and advocate on their behalf.

Unfortunately, the outstanding congressional request for the list of invitees to the Embassy Hanoi's July 4th celebration remains unfulfilled. As such, we also urge you to make sure that the list is provided in a timely fashion so that we are able to see which religious freedom and democracy activists were invited, if any.

We wish to see a mutually beneficial relationship with Vietnam. In order for this to happen, we must have confidence in this administration's efforts to promote religious freedom and democracy in Vietnam. We have lost confidence that Ambassador Shear is up to the task.

Sincerely,

FRANK R. WOLF.
DANIEL E. LUNGREN.
CHRISTOPHER H. SMITH.
JOSEPH R. PITTS.

TO RECOGNIZE THE 2012 BEST OF BRADDOCK AWARD RECIPIENTS

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. CONNOLLY of Virginia. Mr. Speaker, it is my honor to recognize the recipients of the 2012 Best of Braddock Awards. The awards are given annually to deserving individuals, organizations and companies in the Braddock Magisterial District of Fairfax County, Virginia, who have demonstrated an outstanding commitment to the community.

Residents of the 11th Congressional District enjoy an exceptional quality of life. Fairfax County schools are ranked as some of the best in the country, our communities are safe, and our employment rate is one of the highest in the nation. However, much of what defines a community cannot be found in statistics; it lies in the commitment and contributions of all who strive for the betterment of the community as a whole. It is my pleasure to recognize the following individuals for their service to our community, and to congratulate each of them on being named a Best of Braddock honoree:

Citizen of the Year: Kathy Augustine, Braddock District and Fairfax County Communities.

Young Person of the Year: Dawson Taylor, Frost Middle School.

Most Outstanding Business Person: Patrick Gloyd, Burke Centre Conservancy.

Most Can-Do State Public Employee: Katherine Stramel, Northern Virginia Community College.

Most Can-Do Local Public Employee: Gaela Hime, Laurel Ridge Elementary School Crossing Guard.

Club or Organization Making a Difference: Shepherd's Center of Fairfax-Burke.

Neighborhood Enhancement or Beautification, Community Association: The Burke Centre Conservancy.

Special Recognition Award: Marian Hardy (Annandale Christian Community for Action).

Mr. Speaker, I ask my colleagues to join me in congratulating these outstanding residents and companies and also in thanking them for their service to our community. Their efforts and leadership have been a great benefit to our community and truly merit our highest praise.

RECOGNIZING THE ATHLETES AND MEMBERS OF THE GUAM NATIONAL OLYMPIC COMMITTEE'S DELEGATION TO THE 2012 OLYMPIC GAMES

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Ms. BORDALLO. Mr. Speaker, I rise today to recognize the athletes and members of the Guam National Olympic Committee's (GNOC) delegation to the Games of the 30th Olympiad in London, England. Since 1896, the Olympic Games have been the premier gathering for athletic competition throughout the world with

more than 200 nations participating. Guam first participated in the Olympic Games in 1988 and has sent a delegation to every competition since then.

This year I am proud to recognize eight athletes who carry the distinguished honor of representing Guam in London. Our athletes are, Amy Atkinson, a runner competing in the women's 800 meter event; Ricardo Blas, Jr., a judoka competing in the men's +100 kilogram event; Christopher Duenas, a swimmer competing in the men's 100 meter freestyle event; Maria Dunn, a wrestler competing in the women's 63 kilogram freestyle event; Derek Horton, a cyclist competing in the men's cross-country mountain bike event; Derek Mandell, a runner and my former Assistant Press Secretary, competing in the men's 800 meter event; Benjamin Schulte, a swimmer competing in the men's 10 kilometer marathon event; and Pilar Shimizu, a swimmer competing in the women's 100 meter breaststroke event.

I commend each athlete for their dedication, passion, and sacrifice in preparing for their individual sporting events. Additionally, I acknowledge the support of their families, relatives, and friends in contributing to their successes as they represent our island and people.

I also commend the GNOC Executive Board Members, staff, and stakeholders for their efforts in preparing our athletes for this unique opportunity. I join our island in wishing Team Guam the best of luck and I look forward to their successes in this year's games.

IN RECOGNITION OF THE VETERANS OUTREACH CLINIC IN PLYMOUTH

HON. WILLIAM R. KEATING

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. KEATING. Mr. Speaker, I rise today to recognize the opening of the new Veterans Outreach Clinic in Plymouth.

Our veterans in the South Shore of Massachusetts have long been calling for a local veterans' medical center of their own. After many years of working toward achieving this goal, the Department of Veterans Affairs' regional office in Boston was proud to announce that they would be opening a new Veterans Outreach Clinic in the Town of Plymouth. For the first time, veterans in the Plymouth area will no longer need to travel to Cape Cod, Brockton, or Boston in order to receive care. In particular, this new addition to the VA Boston Healthcare system will make a tremendous difference to those unable to seek medical care due to limited mobility or transportation resources. As approximately 40,000 veterans live in Plymouth County alone, the new Veterans Outreach Clinic will go a long way towards providing the quality care that our veterans deserve without overburdening them with long travel.

When the Veterans Outreach Clinic opens next spring, it will already have the capacity to care for up to six hundred patients. A doctor, a nurse, an LPN, and a medical assistant will

be on hand five days a week to treat veterans and to assist them with the various challenges that they may face. It is essential that we do not forget the sacrifices that our veteran population has made for our country. We must continue to care for these men and women once they return home, and ensuring access to medical services is a necessary facet of the long-term care that our veterans deserve.

Mr. Speaker, it brings me great pride to recognize the opening of the new Veterans Outreach Clinic in Plymouth. I urge my colleagues to join me in recognizing the importance of this new facility, and of the valuable role that it will play in the lives of many local veterans.

COMMEMORATING THE 70TH ANNIVERSARY OF THE GUADALCANAL CAMPAIGN OF WORLD WAR II

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. SMITH of Washington. Mr. Speaker, I rise in commemoration of the 70th anniversary of the Guadalcanal campaign of World War II.

This month, as we approach the 70th anniversary of Guadalcanal, we are reminded of the many sacrifices that brought freedom and security to the South Pacific. We reflect upon the 7,100 men who gave their lives in the Guadalcanal campaign.

Guadalcanal lasted more than six months and effectively ended the military expansion of our enemies in the South Pacific. During that time, more than 60,000 Allied personnel participated in gaining control of Guadalcanal, its surrounding islands, and Henderson Field, a particularly important location to enemy forces. There is no doubt that this victory significantly contributed to the eventual end of the Second World War.

Mr. Speaker, I ask my colleagues to join me in honoring and remembering this great sacrifice and appreciating the advancement of freedom that came at such a high cost 70 years ago.

HONORING THE D.L. MARTIN CO. ON ITS 50TH ANNIVERSARY

HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. SHUSTER. Mr. Speaker, I ask my colleagues to join me in honoring the D.L. Martin Company as it celebrates its 50th anniversary on August 9th, 2012, and to recognize and honor its founder and owner, Donnie L. Martin for receiving "Business Person of the Year" in Franklin County, Pennsylvania.

The D.L. Martin Company has experienced outstanding growth since it was first founded in 1962, when Donnie Martin first purchased a 3,000 square foot machine shop in Mercersburg, Pennsylvania and hired his first two employees. D.L. Martin has now grown to over 40 acres and 150,000 square feet of

manufacturing floor space and employs nearly 200 people, making it an integral business in our community.

We are proud of the resilience that the D.L. Martin Company has shown and the excellent service that it has provided to Franklin County over the last 50 years. The company has become a world class provider of heavy industrial, construction and mining equipment, and also specializes in manufacturing custom hydraulics, elevator jacks and components, and engine and transmission parts for class 8 trucks. Their commitment to quality products and customer service has not gone unnoticed to their clients or to our community.

The company is holding a celebration in Mercersburg, Franklin County, Pennsylvania to commemorate its 50 years of business on August 9th, 2012. Current and former employees as well as family and friends in the community are invited to celebrate this anniversary and the promising future of D.L. Martin.

I would like to thank Donnie Martin for his service to our community and for being such an important employer to so many in our district. His integrity and strong work ethic have brought him great success thus far and have enabled his company to grow and thrive in our community. D.L. Martin continues to provide quality service and lasting jobs to the citizens of Franklin County and in other areas of Pennsylvania. As Congressman of the 9th district of Pennsylvania, I believe that their service has been very beneficial to the community and I know that they will experience continued success for many years to come.

PERSONAL EXPLANATION

HON. JAMES B. RENACCI

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. RENACCI. Mr. Speaker, on rollcall No. 539, due to a travel delay stemming from yesterday's inclement weather, I was unable to cast my vote on this legislation. Had I been present, I would have voted "yea."

IN RECOGNITION OF THE REDEDICATION OF AMERICAN LEGION POST 40 HONORING PFC EDWARD RIBIERO

HON. WILLIAM R. KEATING

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. KEATING. Mr. Speaker, I rise today to recognize the rededication of American Legion Post 40 in Plymouth, Massachusetts, honoring PFC Edward Ribiero.

In the spring of 2010, heavy rains caused Little West Pond in Plymouth, Massachusetts to overflow, flooding American Legion Post 40. The flooding occurred not long after renovations had been completed on the Post and caused damage. The damage was so extensive that the entire building needed to be demolished. The Post's members began construction on a new, larger building in the hope

of funding some construction costs by renting out their function room and gaining new members.

Even when faced with such adversity and loss, the members of American Legion Post 40 persevered. They remained committed to pushing forward the reconstruction of a new building, and did not falter. Such determination is a testament to the character and integrity of the men and women who have defended our nation both past and present, and to Post members who undertook this project.

The role of American Legion Posts cannot be understated. They remain sacred places for our veterans, playing a vital role in helping reintegrate our servicemen and women into society, especially those recently returning from Iraq and Afghanistan. That is why the rebuilding of American Legion Post 40 is such a great accomplishment. The members of the Post realized the important need for veterans to have a support community and they remained committed to ensuring that Plymouth had that in the new Post.

Mr. Speaker, please join me in congratulating the members of American Legion Post 40 for their hard work and determination. I am certain Post 40 will serve the community for many years to come.

MAJOR TIM CROWE

HON. RON BARBER

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. BARBER. Mr. Speaker, I rise today to recognize Major Tim Crowe, United States Army, who is soon ending his tour of duty in Washington, D.C. Major Crowe distinguished himself as both an Army Congressional Fellow and as a Legislative Liaison Officer with the U.S. Army and the Joint Improvised Explosive Device Defeat Organization (JIEDDO). His next assignment is in my district at Fort Huachuca in Southern Arizona.

Like many of today's service members Major Crowe spent years away from his family and serving our country in harm's way, including deployments to Somalia, Kosovo and twice to Iraq. I came to know Major Crowe when he was an Army Fellow working for Congresswoman Gabrielle Giffords in 2009. Originally an Infantry Officer and now a Military Intelligence Officer, Major Crowe provided much needed expertise to the office, with a special understanding of Fort Huachuca, home of the Army's Intelligence Joint Center of Excellence. He was an indispensable member of our team, who made significant contributions to a variety of constituent issues, and guided several legislative efforts addressing veterans affairs, health care, and financial services issues.

Major Crowe spent eighteen months at the Joint Improvised Explosive Device Defeat Organization (JIEDDO). He consistently provided insightful advice to JIEDDO's senior leadership on the impact of proposed counter-IED initiatives. He filled an important role keeping Congress informed of the Department of Defense efforts to counter IEDs; the greatest source of combat casualties this decade. Major Crowe was instrumental in developing a

Department of Defense legislative proposal to amend JIEDDO's authority enabling it to fund critical interagency efforts to disrupt the flow of improvised explosive components entering Afghanistan. U.S. Central Command identified this authority as an urgent need, as the majority of IEDs used against our troops are made with materials smuggled into Afghanistan. The measure was included in the Fiscal Year 2013 Defense Authorization Bill.

Major Crowe's high level of integrity, dedication, outstanding leadership, relentless pursuit of excellence, and focus on the mission, significantly contributed to the effectiveness, readiness, and outstanding quality of the Joint Improvised Explosive Device Defeat Organization. In so doing, our men and women in uniform have been provided the tools necessary to carry out their mission in Iraq and Afghanistan. His outstanding service coupled with his selfless devotion to duty will have a lasting and positive effect on JIEDDO's future relations with Congress. I look forward to being Major Crowe's Representative as he embarks on the next stage of his career at Fort Huachuca.

HONORING MS. KATHY ASHE

HON. JOHN LEWIS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. LEWIS of Georgia. Mr. Speaker, I rise today to honor the 21 years of service in the Georgia General Assembly House of Representatives by Kathy Ashe. Upon her decision to retire this year she leaves a legacy of altruism inside and outside the legislature and her contributions will be greatly missed.

Kathy represents the heart of Atlanta, the city that I am proud to call home and represent in the U.S. House of Representatives. Kathy has stood firm in her advocacy for women and children, and has been a leader in K-12 public education and a leader by example in higher education.

Kathy was born in DeKalb, Illinois and has always spent her life in service to the community; first as a community leader, later as an educator, and continually as a volunteer. She is an example of someone who practices what she preaches and has always used her bipartisan leadership to represent the needs of her constituents. Before being elected to the Georgia Assembly in 1991, Kathy graduated from Agnes Scott College and went on to receive a Masters of Arts in Teaching from Emory University and further continued her path to higher education graduate studies at Georgia State University. She taught in the Marietta and Cobb County public schools for 8 years before dedicating herself to a career in public service.

Kathy has taken an active leadership role in a variety of organizations including the Atlanta Community Food bank, Atlanta Women's Network, Planned Parenthood Atlanta, Central Health Center, City of Atlanta Child Care Task Force, and many other boards and foundations. It goes without saying that her involvement in the community is consistent and done with a graceful dedication.

Representative Ashe, your presence and leadership will be missed in the General Assembly. Let it be known that your hard work and dedication to all Georgians and to the people of Atlanta is appreciated, and I wish you the best in your future endeavors.

IN RECOGNITION OF THE FIRST
ANNUAL STAND DOWN EVENT
AT CAPE COD ACADEMY

HON. WILLIAM R. KEATING

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. KEATING. Mr. Speaker, I rise today to recognize the first annual Stand Down event at Cape Cod Academy.

On August 11, 2012, at its Stand Down event, Cape Cod Academy in Osterville will open its doors to local veterans and will provide these men and women with a variety of services and support. The term "stand down" originated as a military term, designating that a combat unit was temporarily moved away from the front lines for rest and rehabilitation. The tradition of hosting service-oriented events for veterans, and giving them the "Stand Down" name, originated in the United States after the Civil War, when returning soldiers were offered food and medical treatment in the towns they passed on their long journeys home. Modern Stand Down events have evolved as an opportunity to provide needed services to local veterans.

The Stand Down event at Cape Cod Academy will provide services—such as general health screenings and dental care, benefits assistance, registry of motor vehicles services, the availability of clergy, and free clothing and hygiene items—in a safe and welcoming environment. Most of the volunteers at this event will be Cape Cod Academy students. It is truly admirable that these young people are ready and willing to give their time on a Saturday afternoon to honor our local veterans.

As more than thirty thousand veterans call Cape Cod home, it is crucial that we offer assistance to the men and women who have served our nation. Cape Cod Academy, its students, and its faculty have truly done the community a great service by planning and hosting this event. I look forward to seeing the Academy's success as it continues this newly-annual tradition in the future.

Mr. Speaker, it brings me great pride to recognize the first annual Stand Down event at Cape Cod Academy. I urge my colleagues to join me in recognizing the students and faculty who have worked to bring this event to life, and the importance that this event will have to the Cape Cod community.

TRIBUTE TO DR. CAROL LOWMAN
DEPUTY TO THE COMMANDING
GENERAL U.S. ARMY CON-
TRACTING COMMAND

HON. MO BROOKS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. BROOKS. Mr. Speaker, I wish to recognize and applaud the achievements of Dr. Carol Lowman, who serves as the deputy to the commanding general of the U.S. Army Contracting Command (ACC). Headquartered at Redstone Arsenal, Alabama, ACC includes more than 6,300 military and civilian employees across the globe who provide support to our warfighters by acquiring equipment, supplies, and services vital to our Soldiers' mission and daily needs. Dr. Lowman will soon retire after more than 20 years of distinguished service to America's Army. Throughout her career, Dr. Lowman has demonstrated the highest level of professionalism, initiative, and selfless service in the execution of programs supporting the total force of quality Soldiers and Department of the Army civilians. The distinctive accomplishments of Dr. Lowman reflect great credit upon her, the Army Contracting Command, the U.S. Army, and the Department of Defense.

Dr. Lowman began her Army career as a contracting intern with the Information Systems Command at Fort Richie, Maryland. She has served with distinction at virtually every level in the Army contracting community. Prior to her ACC Headquarters assignment, she was the acting director of the Mission and Installation Contracting Command at Fort Sam Houston, Texas. She has also served as the director and principal assistant responsible for contracting and chief, Business Systems Division for the Army Contracting Agency Southern Region in Atlanta, Georgia and as chief, Management Branch for the Contracting Division at the U.S. Army Forces Command at Fort McPherson, Georgia.

While her career accomplishments are many and significant, I wish to highlight Dr. Lowman's contributions to the establishment of the Army Contracting Command on March 13, 2008. She was one of several senior Army leaders who worked tirelessly to create a new major command from the ground up in record time. Her wisdom, insight, and vision were essential elements in building the foundation of a global enterprise that awarded and managed more than 198,000 contractual actions valued at more than \$86.9 billion in fiscal year 2011.

Dr. Lowman also played a key role last year in the relocation of ACC Headquarters from Fort Belvoir, Virginia, to Redstone Arsenal. This move followed the transfer of ACC's parent-Command, the Army Material Command (AMC) Headquarters to Redstone from Fort Belvoir, as directed by the Base Realignment and Closure Commission's decision in 2005. While AMC had several years to plan for and transition to its new Alabama home, ACC completed its relocation in less than 18 months. This tremendous accomplishment was a direct result of Dr. Lowman's inspired leadership, foresight, and team building skills.

Dr. Lowman assumed leadership of the ACC, as executive director, on September 27,

2011. This was the first time a female Senior Executive Service member was designated the senior leader of a military command and was a true testament to the faith and confidence Army leadership had in her ability to support Army acquisition requirements during a time of war. Dr. Lowman resumed her deputy duties on May 17, 2012 when ACC welcomed its first commanding general.

On September 20, 2011, the President appointed Dr. Lowman as the Army representative on the Committee for Purchase from People Who are Blind or Severely Disabled. The committee is an independent federal agency that administers the AbilityOne program which is the largest employment resource for people who are blind or have other significant disabilities.

I also wish to acknowledge and thank Dr. Lowman's husband, Mark, a retired U.S. Army Reserve colonel, for supporting his wife and for his service to our country. The Lowmans have been blessed with five children and five grandchildren. We wish Dr. Lowman and her family all the best in the years ahead.

IN HONOR OF CHUCK RUNION

HON. WALTER B. JONES

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. JONES. Mr. Speaker, I would like to take a moment to honor Chief Petty Officer Charles Clinton Runion, U.S. Navy Retired, who resides in Washington, NC.

Mr. Runion was born in Irwin, TN, on August 7, 1923, and over his lifetime he has served his country and distinguished himself as a role model in patriotism.

In October of 1940, Mr. Runion enlisted in the United States Navy and served his country for 24 years before retiring. As a successful Navy pilot during WWII and the Korean War, he has flown over 80 different aviation vessels throughout his military and civilian life.

Mr. Runion has had the honor and privilege to fly many important people of the time. He has flown President Gerald Ford and First Lady Mamie Eisenhower. He flew First Lady Jackie Kennedy from Washington, DC, to Growton, Connecticut, to launch the USS *Lafayette* nuclear submarine. Mr. Runion continued his streak of flying the country's most important into the 1960's with Hubert Humphrey, Lady Bird Johnson and Tennessee Congressman Jimmy Quillen.

Throughout his career, Chuck Runion has been honored with many accolades. He has been awarded an air medal with gold star, Navy unit commendation, an American defense letter "A," an American/European Pacific theater medal, a WWII victory medal, a Korean unit commendation and a good conduct medal with four stars. He also earned a humanitarian ribbon and a Berlin airlift ribbon. Mr. Runion's last flight was on Aug. 7, 2011—his 88th birthday.

Mr. Speaker, Chuck Runion is part of the Greatest Generation. Like most members of this generation, when the war was over they came home and became an important part of the community. Mr. Runion not only became

an important part of his community, but he was able to continue his love of flying.

I have been fortunate enough to visit Mr. and Mrs. Runion at their home. I was pleased to look through the scrapbooks from Mr. Runion's years of service to this country. That is why today I want to recognize him on the floor of the House of Representatives.

Mr. Runion remains active in his community and remains involved in current political issues. He is a member of Wanoqa Presbyterian Church in Washington, NC, and has a good friend in Pastor Travis Boyd. I am honored to represent such a fine man who has been such an asset to our country and pleased to have him recognized by the United States Congress.

IN HONOR'S CODE, THE U.S. CPL CODY STANTON

HON. VIRGINIA FOXX

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Ms. FOXX. Mr. Speaker, I rise today to honor CPL Cody Stanton of Raleigh North Carolina, United States Army, 21st MP CO "ABN". On January 26, 2012 while out on a mission CPL Cody Stanton was almost killed in an IED explosion. With the quick help of his brother in arms SSG Marcus Emello, his life was saved when he applied two tourniquets. In a few short months Cody has come so far and so fast in his recovery over at Walter Reed Hospital in Bethesda. Another very important part of his recovery has been his mother Nancy Stanton who has been there for him constantly. The families of our wounded warriors are the unsung heroes who make the difference in recovery. I ask that this poem penned in his honor by Albert Caswell be placed in the RECORD.

In Honor's Code . . .
What men must bare,
this heavy load!
All in where they must go!
All in what they must do!
While, all in the face of death their fine
hearts stand true!
All for me and you!
To so provide freedom's hue!
All for that old red, white and blue!
All in times of war,
when hearts of courage must stand true!
As what they are,
in what they do!
As so Cody,
as so have you!
As a man of faith . . .
Whose fine heart would not so wave!
Who so lives by such an ethos,
SUCH A CODE,
that which so means the most!
Who to this our nation so gave!
Almost his life,
and his two fine strong legs . . .
as death stood close!
For this hero,
can you but not so hear the Angel's pray, all
of those?
For it was on a battlefield of honor bright,
where heroes are so made who for us so fight!
Where this fine hero almost so lost his life!
But, coming back from the dead as his great
heart shone so bright!
As he so looked down upon his new plight!

As he so realized that things would never be
the same that night!

As his heart so went Air Borne,
oh what a sight!

As one of Carolina's favorite son's!

Went off to war to so patriotically do what
must be done!

As have all of our most courageous sons!

Who but buy us peace,
with but their most sacred lives and arms
and legs all of these ones!

Who upon this earth their most magnificent
blood so runs!

But, quit is a word that Cody just never so
learned!

As so deep down inside this Southern Son,
something so burns!

With his next mission to recovery this coura-
geous Carolinian he earns!

To So Teach Us!

To So Beseech Us!

To So Reach Us!

As all in him what we must learn!

That arms and legs we all need!

But, what lies within ones heart above all
else supercedes!

As one day this man will go back to Caro-
lina's to live under her blue skies,
as a hero indeed as so comprised!

Air Borne,

all in what his fine heart has formed . . . as
a special breed!

For such things forever live on as these . . .
In men of faith who so live by such a code of
honor,

and believe . . .

For Heaven so awaits all of them and all
these!

Who live by such an honor's code indeed!
By what code in your life will you so live?

All in your heart's of honor to this our world
what will you so give?

IN HONOR'S CODE!

IN RECOGNITION JIM PINKHAM AND MARK FLAHERTY

HON. WILLIAM R. KEATING

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. KEATING. Mr. Speaker, I rise today to recognize Jim Pinkham and Mark Flaherty, the two honorees at this year's "Thanks Labor" Day Cookout in Lakeville, Massachusetts.

Mr. Pinkham and Mr. Flaherty are the President and Secretary/Treasurer, respectively, of the Plymouth-Bristol Central Labor Council, which represents union members living and working in Plymouth and Bristol County in Massachusetts. It is not an overstatement to say that they have dedicated their lives to protecting the rights of workers and ensuring that the hardworking people of Plymouth and Bristol County are adequately represented in their unions.

Mr. Pinkham is a lifelong member of the Utility Workers Union of America Local 369 and a former Boston Edison employee. Mr. Flaherty is a member of the Boston and Carmen's Union and has been involved with union activities throughout his tenure as an MBTA employee. As leaders of the Plymouth-Bristol Central Labor Council, Mr. Pinkham and Mr. Flaherty represent nurses, teachers, electrical utility workers, law enforcement and public safety personnel, construction workers, public sector employees, and other working men and

women of Massachusetts. Throughout their careers as union representatives, they have worked with companies to bring more jobs to the state, ensuring that the jobs brought are ones that come with fair wages and working conditions. They have also walked picket lines, worked voter registration tables, and organized educational campaigns, all civic activities with great importance for our communities. Their efforts strengthen Massachusetts' economy and workforce, and they are an essential part of the Commonwealth's effort to make the state a better place to live and work.

Labor union representatives play a critical role in Massachusetts, ensuring that wages and benefits are fair and that working conditions are safe for the hardworking individuals who drive our economy. Our sincere recognition is due to the men and women who ensure that these unions run smoothly and successfully, as they often remain unsung heroes in our society. As longtime advocates of the workers of southeastern Massachusetts, Mr. Pinkham and Mr. Flaherty are highly deserving of the honor that is being bestowed upon them.

Mr. Speaker, it brings me great pride to recognize Jim Pinkham and Mark Flaherty, this year's honorees at the "Thanks Labor" Day Cookout. I am proud to call them friends and I urge my colleagues to join me in recognizing these two individuals who have worked so hard to represent the workers of southeastern Massachusetts.

INTRODUCTION OF THE INTERSTATE LAND SALES UPDATE ACT OF 2012

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mrs. MALONEY. Mr. Speaker, I rise along with my colleague Rep. MCHENRY to introduce the Interstate Land Sales Disclosure Act Update of 2012.

The Interstate Land Sales Disclosure Act was enacted in 1969 to protect consumers from being sold property where the property's description in the contract and related materials was not what was to be delivered to the buyer.

It was intended to protect out-of-state buyers who were sold land that was not what was advertised and provides a right of action to rescind the contract and walk away from the deal. However, Courts have ruled over the years that ISLA applies to condominiums, and developers are required to file redundant paperwork that is unnecessary and out of keeping with modern condominium development.

During the economic downturn, some buyers have used the recording requirements of ILSA to rescind otherwise valid contracts for economic reasons, an unintended consequence of the act and its intent. The law now needs a technical fix to distinguish condominium sales from other types of land sales and to recognize the unique conditions under which these units are sold in today's market.

I fully support the consumer protections that were enacted through ILSA, and this proposed

legislation does nothing to affect those protections. But I also believe that we need to make distinctions for condominiums in order to allow the condominium development industry to rebound from the recession. The bill would only exempt condominiums from ILSA's registration requirements but will maintain the consumer protections to ensure consumers still have the right to rescind contracts in cases of fraud. Developers would, of course, still be required to comply with state laws that require specific disclosures.

As we recover in this still fragile economy, we want to encourage, not discourage, buyers and sellers to enter into real estate deals responsibly.

That is why this bill is important to ensure development and the return of an important industry in our country, residential condominium sales. I urge my colleagues to support this legislation.

IN RECOGNITION OF THE CAPE COD CRANBERRY GROWERS' ASSOCIATION

HON. WILLIAM R. KEATING

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. KEATING. Mr. Speaker, I rise today to celebrate the 125th annual meeting of the Cape Cod Cranberry Growers' Association, a professional organization representing over 330 cranberry growers throughout Massachusetts.

Established in 1888 to standardize the 100 pound barrel, the measure with which cranberries are sold, the Cape Cod Cranberry Growers' Association, CCCGA, is one of the oldest farmer organizations in the country. Since its creation, the CCCGA has stayed true to its original goal—to support and promote the interests of Massachusetts cranberry growers.

To execute its mission, the CCCGA's professional staff continuously sponsors professional development seminars for growers, assists growers in regulatory compliance, provides resources for environmental sustainability, and supports community and professional outreach activities. Through investments of over \$500,000 dollars in studies and research efforts to improve the efficiency of cranberry farmers as well as to promote environmentally compatible farming techniques, the CCCGA promotes the sustainable success of the Massachusetts cranberry grower.

Cranberries are synonymous with Massachusetts and the significance of the Commonwealth's cranberry industry is illustrated by the revenues generated in 2012, which exceeded \$120 million and the roughly 5,000 workers employed in the industry. In addition to supporting large, commercial enterprises, the Cape Cod Cranberry Growers' Association provides assistance to small, family owned and operated businesses. Approximately seventy percent of CCCGA businesses are family owned and operated, and some have been continuously run by the same family for as many as five generations.

The importance of the resources provided to sustain the success of such hard-working

growers cannot be overstated. Through its continued support, the CCCGA is working to ensure that Massachusetts cranberry farmers can adapt to environmental changes, that they survive urbanization, and that they continue to experience success and growth into the future.

Mr. Speaker, please join me in celebrating the 125th annual meeting of the Cape Cod Cranberry Growers' Association. May the CCCGA continue to fulfill its mission and be a strong, viable supporter of Massachusetts cranberry growers.

ON THE TRAGIC SHOOTING IN AURORA, COLORADO

HON. AL GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. AL GREEN of Texas. Mr. Speaker, I would like to express my sincere condolences to the families of the victims of the Aurora, Colorado shooting, which took place on July 20, 2012.

Twelve people were killed and 58 wounded in this senseless carnage, as they sought to enjoy a film with their family and friends. Compounding this tragedy, among the victims were children and U.S. service-members, who had bravely fought for this country.

While we will never truly understand what causes someone to take the lives of others in cold blood, faith will console where reason cannot. We must find solace in the admirable examples of courage in the line of fire, as ordinary citizens risked life and limb to help each other.

The shooter underestimated the strength and resolve of the community of Aurora. Aurora will overcome this tragedy and we as a country will support them because what impacts them directly impacts us all indirectly.

MUSLIM BROTHERHOOD PROBES

HON. TRENT FRANKS

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. FRANKS of Arizona. Mr. Speaker, I submit the Politico article titled "In Defense of Michele Bachmann, Muslim Brotherhood Probes", dated July 29, 2012, and authored by former Speaker Newt Gingrich.

The recent assault on the National Security Five is only the most recent example of the fear our elites have about discussing and understanding radical Islamists.

When an orchestrated assault is launched on the right to ask questions in an effort to stop members of Congress from even inquiring about a topic—you know the fix is in. The intensity of the attack on Rep. Michele Bachmann (R-Minn.) as well as Republican Reps. Trent Franks of Arizona, Louie Gohmert of Texas, Tom Rooney of Florida and Lynn Westmoreland of Georgia is a reminder of how desperate our elites are to avoid this discussion. Yet consider this rush to silence questions in light of our history of unpleasant surprises during the Cold War.

Given all the painful things we learn about people every day and the surprises that

shock even the experts (the head of the FBI anti-spy effort was a Russian spy, for example), you have to wonder why people would aggressively assert we shouldn't ask about national security concerns.

Remember the shock in 2001 when we learned that FBI agent Robert Hanssen had been spying for 22 years—first for the Soviet Union and then the Russian Federation. This disaster came just seven years after the 1994 arrest of Aldrich Ames, a CIA counterintelligence officer who was a Soviet spy for eight years.

Why should we assume we're in better shape today, when political correctness is passionately opposed to tough counterintelligence screening? It's as though our leaders have forgotten every lesson of the 1930s about fascism, Nazism and communism and every lesson from 1945 to 1991 about communism. We have replaced tough mindedness about national security with a refusal to think seriously and substituted political correctness and a "solid" assurance that people must be OK because they are "nice" and "hard working" for the systematic, intense investigations of the past.

I'm not suggesting that our primary threat is espionage. Our greatest problem is getting the wrong analysis, advice and policy proposals. It is the bias of the advisers and the disastrous policies they propose that are our gravest danger at this stage of the long struggle with radical Islamists. Our elites refuse to even consider that the advice they are getting is biased, tainted, distorted—or just plain wrong.

The underlying driving force behind this desperate desire to stop unpleasant questions is the elite's fear that an honest discussion of radical Islamism will spin out of control. They fear if Americans fully understood how serious radical Islamists are, they would demand a more confrontational strategy.

Former British Prime Minister Tony Blair warned last week, "The West is asleep on this issue." Islamist extremists, Blair asserted in an interview with *The Telegraph*, seek "supremacy, not coexistence." A young John F. Kennedy wrote "Why England Slept" to try to understand how the leadership of a nation could ignore, repress and reject warnings about Adolf Hitler and Nazi Germany. A future JFK may write "Why Washington Slept" to explain our current period. The case of the National Security Five would be a good chapter on the desperation of the elites to avoid reality and their determination to smother any wake-up call, which might make them come to grips with Blair's warning.

This desperate avoidance of reality is not new. After Maj. Nidal Hasan shouted, "Allahu Akbar" ("God is great") in Fort Hood, Texas, and killed 12 soldiers and one Army civilian while wounding 29 others, there was pressure to avoid confronting his acts as inspired by his support for radical Islamism. An American of Palestinian descent, Hasan had been in touch with a radical American cleric in Yemen, Anwar al-Awlaki. He declared Hasan a hero. Al-Awlaki was himself declared a "specially designated global terrorist" and, with presidential approval, was killed by a predator missile. Yet, despite the evidence, Wikipedia reports, "One year after the Fort Hood shooting, the motivations of the perpetrator were not yet established."

It did offer suggestions about motivation, however. For example, "A review of Hasan's computer and his multiple email accounts has revealed visits to websites espousing radical Islamist ideas." Talking about Islam, he

said, "Nonbelievers would be sent to Hell, decapitated, set on fire and have burning oil poured down their throats."

A rational person would have some hints about what motivated a terrorist killing spree. If even Wikipedia could reach some conclusion about motivation, you would think the national security system could do the same. Not so. The Defense Department official report instead focused on Hasan's actions as though they were "workplace violence" rather than terrorism. President Barack Obama, in his speech at Fort Hood, described the attack as "incomprehensible."

Despite every effort by our enemies to communicate why they hate us and why they want to replace our world with theirs, our leaders find their motives "incomprehensible." Clearly, Obama hasn't understood Blair's warning.

An even more bizarre example of ignoring reality was New York Mayor Michael Bloomberg's initial response to news that a car bomb had been found in Times Square. Bloomberg is mayor of the city attacked on Sept. 11—so did he shrewdly identify the probable perpetrator? Of course not. Bloomberg opined it was a "homegrown, maybe a mentally deranged, person or someone with a political agenda that doesn't like the health care bill or something. It could be anything."

Just as Bloomberg was desperately avoiding blaming radical Islamists, the New York Police Department noted the similarities to a 2007 jihadist car bombing in London. A Taliban video from Pakistan claimed responsibility for the car bomb. The person being looked for was a U.S.-naturalized citizen from Pakistan.

Given that evidence, Bloomberg's will to hide from the truth illustrates the challenge that the National Security Five face in raising appropriate and even frightening questions.

The case of the Pakistani-American car bomber has yet another lesson for those willing to learn it. At his sentencing, Faisal Shahzad asserted, "If I'm given 1,000 lives, I will sacrifice them all for the life of Allah." He had apparently planned to build another car bomb in the next two weeks. The Pakistan Taliban had given him \$15,000 and five days of explosive training just months after he became a U.S. citizen.

As Fox News reported: "The judge cut him off at one point to ask him if he had sworn allegiance to the United States when he became a citizen last year. 'I did swear,' Shahzad answered, 'but I did not mean it.'"

Judge Miriam Goldman Cedarbaum clearly understood the threat. She stated in sentencing: "The defendant has repeatedly expressed his total lack of remorse and his desire, if given the opportunity, to repeat the crime." Shahzad was not some desperate representative of poverty or repression. His father had been vice chief of the Pakistani Air Force. This was the bomber Bloomberg was confused about.

The reaction to the National Security Five and their request for investigations by the inspectors general must be seen in this context of willful avoidance and denial. In fact, there is a good deal in the Obama administration's national security and foreign policy to ask about. One theme of the inspectors general letters is the administration's courting of individuals viewed as leaders by the U.S.-based Muslim Brotherhood. A recent terrorist finance trial produced 80 boxes of evidence related to the activities of the Muslim Brotherhood network in North America over the past 40 years.

Unlike the Cold War, the primary focus of concern in government today is not espionage but influence. In the Cold War, there was value to learning secrets. The right spy at the right place could give one side or the other a big advantage.

This long war with radical Islamists is a very different struggle. There are many nuances and long-term developments. Much of the struggle involves ideas and language alien to most American leaders and unknown even to most of the State or Defense Department professionals.

So the right or wrong adviser can be enormously powerful. Getting the right advice can be everything. Therefore, whose advice we rely on becomes central to national security. Asking who the advisers are, what their prejudices are and what advice they give is a legitimate—indeed, essential—part of any serious national security system.

It was this question that the National Security Five focused on. They were right to do so and it weakens national security for them to be attacked for simply asking basic questions. One clear example of the Obama administration's indefensible bias is its decision to co-sponsor the Global Counterterrorism Forum, which explicitly excluded Israel. Launched on Sept. 22, 2011, by Secretary of State Hillary Clinton and Turkish Foreign Minister Ahmet Davutoglu, this forum brought together 29 countries and the European Union. Yet it excluded the country that has been the most frequently attacked and has the most experience defeating terrorism.

On June 7, 2012, Sens. Joe Lieberman (I-Conn.) and Mark Kirk (R-Ill.) condemned the U.S. government for giving in to demands to exclude Israel.

To make matters worse, Maria Otero, the undersecretary for civilian security, democracy and human rights, gave a speech "in which she notably failed to mention Israel and Israelis as victims of terrorism."

Isn't it legitimate to ask: Who advised Clinton to launch a counterterrorism initiative that excluded Israel? Isn't it also legitimate to ask: Who advised Otero to give a major speech on terrorism and ignore the attacks on Israel and Israelis?

The anti-Israeli bias in the Obama administration shows up in strange ways. Daniel Halper of *The Weekly Standard* reported in August 2011 that the "White House has apparently gone through its website, cleansing any reference to Jerusalem being in Israel." It seems the Obama administration even went back to public documents from earlier administrations to pretend this White House's rejection of Jerusalem as part of Israel had been prior administrations' policies. This is the Orwellian nature of the Obama system.

Its hostility to the city of David being considered Israel's capital was displayed as recently as Thursday in the following colloquy between reporters and Jay Carney, White House press secretary:

Reporter: "What city does this administration consider to be the capital of Israel? Jerusalem or Tel Aviv?"

Carney: "Um . . . I haven't had that question in a while. Our position has not changed. Can we, uh . . ."

Reporter: "What is the capital [of Israel]?"

Carney: "You know our position."

Reporter: "I don't."

Lester Kinsolving, *World Net Daily*: "No, no. She doesn't know, that's why she asked."

Carney: "She does know."

Reporter: "I don't."

Kinsolving: "She does not know. She just said that she does not know. I don't know."

Carney: "We have long, let's not call on . . ."

Kinsolving: "Tel Aviv or Jerusalem?"

Carney: "You know the answer to that."

Kinsolving: "I don't know the answer. We don't know the answer. Could you just give us an answer? What do you recognize? What does the administration recognize?"

Carney: "Our position has not changed."

Kinsolving: "What position?"

Carney then moved on to another question. Isn't it legitimate to ask: Who advised the Obama administration to erase Jerusalem from Israel? Isn't it fair to ask: Who went back and forged public documents and who told them to do it?

Another example of these legitimate questions, consider the strange case of Louay Safi. Safi ran the Islamic Society of North America (an unindicted co-conspirator in the Holy Land Foundation Hamas financing case) and who was himself an unindicted co-conspirator in the Sami Al-Arian terrorism case (involving Palestinian Islamic Jihad terrorist org). As Andy McCarthy, a former federal prosecutor in terrorism cases, explained, "So what happens? Pentagon hires him as expert to teach Islam to our troops before they deploy from Fort Hood! And now, of course, he is the leader of the [Muslim] Brotherhoods' government-in-waiting for Syria. You just can't make this stuff up!"

Isn't it appropriate to ask: Who were the Muslim chaplains approved by this extremist? How did he get chosen to be in such a key position? What system of checking for extremism broke down so badly, or is so biased, that it allowed members and allies of radical Islamist organizations to play key roles in the U.S. government?

Part of the reaction to the National Security Five raising questions about the influence of the Muslim Brotherhood has come from a deliberate effort to deny the importance and the radicalism of the Muslim Brotherhood as a worldwide network. The level of self-deception necessary to misunderstand the Muslim Brotherhood verges on a psychosis. The organization's motto is "Allah is our objective. The Prophet is our leader. The Quran is our law. Jihad is our way. Dying in the way of Allah is our highest hope." Our elites discount all these words—and refuse to take them seriously.

Yet doesn't the lesson of Munich in 1972, New York City on Sept. 11, Hasan at Fort Hood, the Times Square car bomber, the bombings in Iraq this week—the list is endless—show that these words matter?

Consider clause seven of one branch of the Muslim Brotherhood—Hamas. Perhaps no one in our elites wants to read the Hamas Charter's clause seven because it is too horrifying. Consider: "The Day of Judgment will not come until Muslims fight the Jews, when the Jew will hide behind the stones and trees. The stones and trees will say, 'O Muslims, O Abdullah, there is a Jew behind me, come and kill him.'" Apologists for Hamas insist this clause has no meaning. But the Hamas leaders claim they cannot remove it from their charter.

The Muslim Brotherhood, in a 1991 document called the "Explanatory Memorandum," explained to its own supporters that its goal was "a kind of grand Jihad in eliminating and destroying Western Civilization from within and 'sabotaging' its miserable house by their hands and the hands of believers so that it is eliminated and God's religion is made victorious over all other religions."

This memo cited 29 different allied groups, including the Islamic Society of North

America, the Muslim Students Association and the Islamic Association of Palestine. Leaders in some of these allied groups founded the Council on American-Islamic Relations. Just Friday, the Dubai chief of police warned about a Muslim Brotherhood effort to take over the emirates and seize their oil and natural gas wealth.

The Muslim Brotherhood is a serious worldwide organization dedicated to a future most Americans would find appalling. Seeking to understand its reach and its impact on the U.S. government is a legitimate, indeed essential, part of our national security process.

The National Security Five were doing their duty in asking difficult questions designed to make America safer. Their critics represent the kind of willful blindness that increasingly puts America at risk.

If we do not want a book to describe "Why Washington Slept," we will have to encourage elected officials to follow the advice of a later Kennedy book and exhibit "Profiles in Courage."

Bachmann, Franks, Gohmert, Rooney and Westmoreland are showing a lot more courage than the defenders of timidity, complicity and passivity.

IN RECOGNITION OF THE SISTER CITY OF PLYMOUTH, MASSACHUSETTS

HON. WILLIAM R. KEATING

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. KEATING. Mr. Speaker, I rise today to recognize the arrival of a delegation from Shichigahama, Japan, in Plymouth, Massachusetts.

This August, the Town of Plymouth will be welcoming individuals from its sister city, the Town of Shichigahama in Miyagi Prefecture, Japan, for a week-long stay. This visit is particularly special to the people of the two towns, as it is the first opportunity that they have had to reconnect since the devastating earthquake and tsunami that ravaged Shichigahama's community and surrounding region in 2011. For nearly twenty-two years, Plymouth and Shichigahama have shared this unique status as sister cities, an appropriate relationship as the two cities have many commonalities. They both are coastal towns that are surrounded by beautiful scenery with similar industries and population statistics. The people of Plymouth and Shichigahama have long taken in each others' high school students on exchange trips, and they have supported each other during times of tragedy. In particular, the Town of Plymouth organized a number of fundraising events in order to aid Shichigahama following the 2011 tsunami. The deep bond that these two towns share is a prime example of how distance, variance in language, and cultural differences can all be overcome in the interest of shared human experience and unity.

Mr. Speaker, it brings me great joy to recognize the arrival of a delegation from Shichigahama, Japan, to its sister city of Plymouth. I urge my colleagues to join me in recognizing the significance of this visit, in welcoming our friends from Plymouth's sister

city to the United States, and in wishing the delegation a pleasant stay.

WELCOMING NAYYAR IMAM

HON. TIMOTHY H. BISHOP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. BISHOP of New York. Mr. Speaker, today's opening prayer was delivered by Nayyar Imam from Mt. Sinai, New York—in my district on Long Island.

I am honored to welcome Nayyar to the House as a distinguished representative of Long Island's Muslim-American community.

I also welcome his wife of 24 years, Rizwana, and their son, Ahmer, who attends Baruch College, City University of New York, who are joining us from the gallery.

I am especially pleased that Nayyar was able to make the trip during Ramadan, the holy month of fasting and spiritual renewal.

I have known him for ten years—as a trustee of his mosque in Selden, New York and as a leading authority of Islamic culture across Long Island. He also serves the Islamic Association of Long Island and the Suffolk County Commission on Human Rights.

As the first Muslim-American chaplain of the Suffolk County Police Department, Nayyar has delivered the benedictions at its memorial services. He has also delivered opening prayers of the Suffolk County legislature.

I commend him for his service to my district and Long Island, as well as for the spiritual leadership he provides my constituents.

I thank Nayyar Imam and his family for joining us to open the chamber with today's prayer.

HUMAN TRAFFICKING IN THE U.S.

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Ms. KAPTUR. Mr. Speaker, I rise today to highlight the problem of human trafficking. Every day all over our country, vulnerable women, and children and even men are stolen away from their communities and forced into work to line the pockets of criminals. Their stories and situations are different, but one common denominator remains: they are moved away, they are forced to work, their wages are stolen, and they are unable to leave. They are modern day slaves.

Under the federal Trafficking Victims Protection Act, human trafficking is defined as the recruitment, harboring, transportation, provision, or obtaining of a person to perform labor or a commercial sex act through force, fraud, or coercion. You can find human trafficking victims everywhere. They are working in restaurants; nail salons; as maids and nannies; on farms; in factories; in brothels, on the street, and as online escorts—they exist in any industry where one's work and freedom can be stolen from them.

The Justice Department supports task forces dedicated to investigating human trafficking cases. Between 2008 and 2010, these

task forces rescued 527 confirmed human trafficking victims. Some of the people rescued were sex trafficking victims, others were labor trafficking victims. But the statistics are telling. The majority of trafficking victims are women: women made up 98 percent of sex trafficking victims and 68 percent of labor trafficking victims. The traffickers were overwhelmingly (81 percent) male. Most of the victims were under the age of 25. With sex trafficking, most of the victims were U.S. citizens, while labor trafficking largely affected undocumented individuals. But this data just scratches the surface of the problem that is out there, within our own borders.

Hundreds of thousands of trafficking victims are exploited every year in the United States. The Polaris Project estimates that there are 100,000 child sex trafficking victims in the U.S. alone each year. This figure came into clear focus in my hometown of Toledo, Ohio back in 2005, when a child prostitution ring in Harrisburg, Pennsylvania was broken up. The sting involved 177 girls, 77 of whom were from Toledo. One was a ten year old girl. They had all been stolen away from their family, from their community, and forced into prostitution in a city over 400 miles away. That discovery led to the discovery of many other girls from Toledo who had fallen victim to sex trafficking.

The problem is big, but progress is being made. One state representative from Toledo has worked tirelessly to address this issue at the state level. Representative Teresa Fedor recently saw her signature legislation signed into law. The legislation, Ohio's "Safe Harbor" law, ensures that children who have been trafficked are treated as victims and not charged with violations like solicitation. The law also increases the penalties faced by adult traffickers and helps victims access services to help return to society. Prior to the signing of this law, Representative Fedor passed a law to create a human trafficking charge that could be added to related crimes to increase the severity of the sentence.

The good work that Representative Fedor has done will undoubtedly help victims of trafficking in Ohio. I would like to ask unanimous consent to include an article from the Toledo Blade detailing her work in this area.

Human trafficking will remain a scourge on our society until we can assure that no human being is turned into a slave. I applaud the steps that have been taken so far, but also recognize that much more needs to be done.

[From the toledoBlade.com, July 31, 2012]

FEDOR FOUND VOICE IN HUMAN-TRAFFIC BATTLE

(By Jim Provance)

COLUMBUS.—“Without her, we wouldn’t have a voice,” a former human-trafficking victim recently said of Rep. Teresa Fedor.

But one might also say that it was this victim and others like her who gave the Democratic lawmaker from Toledo her voice.

The former elementary school teacher and former Air Force staff sergeant has without a doubt experienced political success. She’d been in the Ohio House only two years before Lucas County voters promoted her to the Senate in 2002. In 2010, when term limits forced her out of the chamber, they sent her back to the House. She faces no Republican opposition for re-election this year.

But making legislative gains proved more elusive.

An unscientific poll in the summer of 2007 by Columbus Monthly magazine of 100 lawmakers, lobbyists, and players in Gov. Ted Strickland’s administration, and other Statehouse insiders ranked her among the least effective and politically savvy of state lawmakers.

Her colleagues in the Senate Democratic Caucus, a very small club, dumped her as their elected leader in early 2008 after an internal coup.

But just two weeks ago, many of those same Democratic senators and their more plentiful Republican counterparts gave Ms. Fedor a standing ovation after the chamber unanimously passed House Bill 262, the so-called “Safe Harbor” bill.

Gov. John Kasich is to sign it into law Wednesday at Second Chance, a Toledo social service program offering help to trafficking victims and prostitutes.

“There’s no higher calling than fighting for those who can’t fight for themselves,” said Sen. Mark Waggoner (R., Ottawa Hills), the Senate Judiciary Committee chairman who helped to work through last-minute changes to get the bill over the finish line.

“Teresa is to be commended for taking up this issue, for the energy she put behind it, and for the commitment to see it through,” he said.

The bill seeks to push the reset button for government, law enforcement, judges, and others to look at those forced or coerced into selling themselves, especially minors, as victims rather than as criminals.

Initially struggling to get bipartisan support, Ms. Fedor reached out to a man who, at least through much of 2011, was considered by Democrats to be the enemy—Mr. Kasich.

When the Republican governor signed on, Ms. Fedor was in disbelief.

“This was different for her,” Mr. Kasich recalled. “She asked me, ‘Are you really serious that you’re going to help me?’”

The highly contentious fight over Senate Bill 5, which ended last November when voters rejected the Republican-passed restrictions on public employee unions, was still fresh in lawmakers’ minds.

“I know I’m dancing on the edge of a knife here, but this issue’s more important than the politics of this place,” said Ms. Fedor.

No political backlash came.

The trafficking issue has brought Mr. Kasich, the father of 12-year-old twin daughters, close to tears multiple times.

“I knew about human trafficking worldwide, but I was certainly not aware of the situation in this state. . . .” he said. “It doesn’t just touch me because I have daughters. That’s part of it, but it’s anybody’s children.”

In addition to signing the bill into law, Mr. Kasich’s own interagency task force on trafficking will release its recommendations on how the state can better respond to the problem on Wednesday.

“Instead of prosecuting these people, we’re beginning to recognize these people are victims,” Mr. Kasich said. “Secondly, those people who knowingly engage with these traffickers and abuse them, the book is going to be thrown at them. We had this bust [near Bowling Green] that’s had a significant amount of attention, so the word is out: You’re going to jail for a long time.”

“And the women who are out there, the people who have been trafficked, they can come forward, and we will not prosecute you,” he said. “We will treat you and help you get your life back.”

INCREMENTAL GAINS

The gains have been incremental. In 2008, Ms. Fedor persuaded her colleagues to amend

a separate bill to create a human trafficking specification that, when attached to a related crime such as compelling prostitution, could increase the severity of the sentence.

Ms. Fedor said she knew the specification would not be used, but saw it as the first step to getting human trafficking recognized in Ohio law.

More important, she said, was a provision authorizing then Attorney General Richard Cordray, a Democrat, to create a commission to quantify modern-day slavery in Ohio.

The statistics that emerged from the commission were a kick in the stomach.

They suggested that as many as 2,879 youths born in Ohio are at risk for sex trafficking and that 1,078 have been trafficked over the course of a year.

In terms of raw numbers of arrests, investigations, and rescues of children involved in the sex trade, the commission suggested that Toledo ranked fourth in the nation behind Miami, Portland, Ore., and Las Vegas. When adjusted for population, Toledo climbed to No. 1.

“We feel that the models were reasonable and conservatively estimated, but I also think the estimate woke some people up,” said Celia Williamson, professor of criminal justice and social work at the University of Toledo and leader of the commission subcommittee that presented the numbers.

But even when armed with those numbers, she was surprised at the success Ms. Fedor had.

“I was astonished that she was able to pass such a comprehensive Safe Harbor law,” Ms. Williamson said. “It’s more than we could have realistically dreamed.”

The numbers were somewhat skewed by a 2005 federal child prostitution sting in Harrisburg, Pa., involving 177 females. Seventy-seven of them, including a 10-year-old, were from the Toledo area. A 2006 series by The Blade trained a spotlight on Toledo’s role as a major recruiting hub for children in the sex trade.

“It made no sense to me that pimps weren’t getting arrested, that johns weren’t getting arrested,” Ms. Fedor said. “They were all misdemeanors. The whole focus was on the prostitutes. In other words, it was always the woman’s fault. . . . And then, when I saw that it was reaching down to our children, I thought, ‘Enough is enough.’”

RUGGED DETERMINATION

Judge Tim Grendell of Geauga County Common Pleas Court was a Republican state senator in 2010 when he teamed with then Sen. Fedor for the next step, creation of Ohio’s first stand-alone, second-degree felony of “trafficking in persons.” Mr. Grendell’s northeast Ohio district was dealing with its own problem of Asian massage parlors investigated for trafficking.

“She brought a rugged determination and dedication to the issue that, I think, was critical in passage of that legislation a year and a half ago and this legislation,” he said. “In my personal opinion, [the latest bill] certainly would not have passed in this advanced state without her efforts.”

But he also said that without Mr. Kasich’s intervention, a bill as strong as the one that ultimately just passed probably still would have been several years off.

“She’s been a huge force,” said Attorney General Mike DeWine, a Republican who resurrected the trafficking commission begun under his predecessor.

“She has a real passion for this and persistence,” he said. “I’ve found in government that you have to have those two, and she has them on this issue.”

Theresa Flores, of Columbus, a former trafficking victim and now a member of Mr. DeWine's commission, detailed her story in the 2007 book *The Sacred Bath: An American Teen's Story of Modern Day Slavery*. As a teenager in an affluent Detroit suburb, she was blackmailed and trafficked at night, even if she did return to her own bed under her unsuspecting parents' roof before the sun rose.

"[Ms. Fedor] really is empowering victims and survivors to find their voices," she said. "She's helping them to realize that what happened to them wasn't necessarily their fault. Somebody did this to us, and we need to go after them."

Although happy with the bill that reached Mr. Kasich's desk, Ms. Fedor is already plotting her next move, battling what she perceives to be a misunderstanding among her colleagues over whether a trafficking victim can consent to prostitution—even if she is over 16, the legal age of consent.

"Age of consent should never apply," she said. "These victims are not consenting. They're enslaved. They can't get out. They're being forced to have sex with 20 or 30 men a night—beaten, drugged, raped, kidnapped. They go from city to city. There's no consent involved at all."

IN RECOGNITION OF THE MASSACHUSETTS BREAST CANCER COALITION

HON. WILLIAM R. KEATING

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. KEATING. Mr. Speaker, I rise today to recognize Against the Tide, a competitive race benefitting the Massachusetts Breast Cancer Coalition, MBCC, an organization dedicated to ending breast cancer.

Breast cancer is the most common cancer and second leading cause of death for women. Studies estimate that in 2012, breast cancer will claim the lives of over 39,000 women in the United States. Statistics also show that approximately 1 in 8 women born today will be diagnosed with breast cancer at some point in their lifetime.

The citizens of my home state of Massachusetts have been severely impacted by breast cancer. Our state has the highest incident rate of breast cancer in the United States, affecting 139.5 per 100,000 women in Massachusetts, as compared to a national average of 121.9 per 100,000 women. Additionally, the highest incident rates of breast cancer are within the counties of Dukes, Nantucket and Barnstable, which are all located in my district.

The Massachusetts Breast Cancer Coalition, the MBCC, was founded in 1991 to combat breast cancer. The organization challenges the commercialization and exploitation of breast cancer by corporations which stand to profit from the disease and those companies whose products contain carcinogens linked to breast cancer. Its mission to combat cancer through prevention has led the MBCC to advocate the investigation of environmental links to breast cancer, to dispel misconceptions about the realities of breast cancer, and to reject the concept of breast cancer as a chronic disease.

Through the funds raised by the Against the Tide race, the MBCC has been able to con-

tinue its cause to combat breast cancer. 2012 is the twentieth consecutive year the MBCC will hold this popular race, which unites people of all ages and backgrounds in a common fight against breast cancer.

Mr. Speaker, please join me in applauding the efforts of the Massachusetts Breast Cancer Coalition to fight this devastating epidemic and wish them the best of luck for a successful race.

PERSONAL EXPLANATION

HON. DAN BENISHEK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. BENISHEK. Mr. Speaker on rollcall No. 539, on Tuesday, July 31, 2012, my plane was delayed in Detroit due to bad weather. As a result, I missed votes that evening, including a measure of personal importance, H.R. 3803, the District of Columbia Pain Capable Unborn Child Act.

Had I been present, I would have voted "yea."

IN SUPPORT OF LEGISLATION TO ESTABLISH A NATIONAL GUARD UNIT IN AMERICAN SAMOA

HON. ENI F. H. FALEOMAVAEGA

OF AMERICAN SAMOA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. FALEOMAVAEGA. Mr. Speaker, I rise today to introduce legislation that will authorize the Secretary of the Department of Defense to establish a National Guard unit in American Samoa.

Mr. Speaker, the National Guard has a long, proud history in the United States. As part of their federal duties, National Guard units have been mobilized to supplement regular armed forces during times of war or national emergencies. As State entities, National Guard units have been utilized in their respective States upon declaration of a State of Emergency.

National Guard troops have been activated in response to emergencies as a result of snowstorms, droughts, flooding, earthquakes, and other natural hazards that require providing basic necessities to people across the country. Indeed, one is reminded that National Guard units played a major role in providing security and assisting recovery efforts in the aftermath of Hurricane Katrina, in September 2005.

Mr. Speaker, today, there are 54 separate National Guard units—one for each of the 50 States and the District of Columbia, plus Puerto Rico, Guam, and the U.S. Virgin Islands. There is no National Guard unit in American Samoa.

Mr. Speaker, on September 29, 2009, American Samoa was hit by a powerful earthquake which struck below the ocean about 140 miles southwest of Pago Pago, American Samoa, and 125 miles south of Samoa. The earthquake, which registered 8.3 on the Rich-

ter scale, set off a massive tsunami that crashed into American Samoa. Entire villages were devastated creating a disaster of epic proportion in the Territory.

Mr. Speaker, one of the lessons of the 2009 Tsunami is the fact that American Samoa is prone to disasters and we must be prepared. Especially, with American Samoa being out there on its own in the midst of the vast South Pacific Ocean, it is very difficult to coordinate and organize first responders from the mainland. Having a National Guard unit is extremely helpful when there is a State emergency.

In addition, American Samoa has a per capita enlistment rate in the U.S. military which is higher than any State or U.S. Territory. Our sons and daughters have served in record numbers in every U.S. military engagement from WWII to present operations in Iraq and Afghanistan. We have stood by the United States in good times and bad, and I believe this relationship would only be strengthened by establishing a National Guard unit in American Samoa.

For these reasons, I am pleased to introduce legislation today to establish a National Guard unit in American Samoa. I understand that there are several other issues to consider in order to fulfill the objectives of this legislation. My hope is to work together with my colleagues to make improvements and adjustments as needed.

I urge my colleagues to support this important piece of legislation.

CONGRATULATING JOHN ANNALORO ON HIS RETIREMENT

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. SMITH of Washington. Mr. Speaker, I rise to honor John Annaloro, the CEO of the Northwest Credit Union Association, on his retirement after nearly 30 years of working in the credit union industry.

John's passion for people and economics first brought him to the credit union industry in the mid-1980s. After leading the Congressional and regulatory affairs teams of the California Credit Union League, John became the CEO at the Washington Credit Union League in 1997. He led the Washington League through an efficient and effective merger with the Credit Union Association of Oregon in 2011. Now known as the Northwest Credit Union Association, this organization advocates for more than 160 credit unions in the States of Washington and Oregon. Currently nearly 4.4 million consumers belong to a credit union in Washington and Oregon.

John came to the credit union movement with a great deal of previous experience. He spent seven years as the Chairman and CEO of a computer software development corporation with a worldwide client base. He spent six years at the University of California as a mathematics professor, dean, and department chairman. He is an author with more than a dozen published books and articles on computer science and business. This extensive

expertise explains John's approach to effecting change in the credit union system.

Under John's leadership, Washington credit unions encouraged the creation of a television program, BizKid\$ on PBS, to teach school children about business. John was approached by a team of producers who were trying to create a program to help educate children about corporations, financial responsibility, and entrepreneurship. John and his staff brought credit unions together to finance this program, which is now seen by children in nearly every State.

John worked to ensure credit unions would lend responsibly and was a driving force behind the establishment of the Business Lending School at the Northwest Credit Union Association. Through this, credit union professionals receive expert training on business lending issues. On John's watch, the credit unions of the Northwest maintained a safe and sound financial position, even during times of overall financial instability.

Mr. Speaker, it is with great pleasure that I recognize John Annaloro. John is a leader who personifies the core philosophy of credit unions, which is "People Helping People." I wish him the best for his retirement.

HONORING NATALIE DELL OF THE USA OLYMPIC TEAM

HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. SHUSTER. Mr. Speaker, I ask my colleagues to join me in honoring Ms. Natalie Dell, an outstanding athlete selected to the United States Olympic Team from the 9th Congressional District of Pennsylvania. I am very proud to announce that Natalie and her Olympic team earned the bronze medal in yesterday's Women's quadruple sculls boat event.

Natalie Dell, raised in Clearville, PA was a standout track star throughout her high school career. Upon attending Penn State University, Dell decided that she had reached her full potential in track and field and wanted to pursue another competitive sport. She chose to begin rowing where she quickly fell in love with the sport. After graduation, she continued to hone her strength and technique and joined the Riverside Boating Club in Cambridge, Massachusetts. Although Natalie was less experienced than the rest of her peers, her talent and status advanced rapidly as she soon became a member of the U.S. National Rowing Team. Her rigorous training and the perfection of her skill proved to be well worth the effort. Dell achieved a position on the 2012 Olympic Women's quadruple sculls boat and is the first alumna from Penn State to row for the USA National Rowing Team. Her six day per week, two-a-day training has aptly prepared this courageous woman to represent the United States and the 9th district of Pennsylvania.

Mr. Speaker, I congratulate this Olympic hero of Pennsylvania's 9th district. With her effort and determination, this young lady is destined to do great things for our country and the 9th district of Pennsylvania. I am very proud of

her hard work and determination to help secure a win for the United States Olympic Team, and am very happy to see that all of her work has paid off with such an enormous honor. I hope you join me in congratulating Natalie Dell and her teammates and wishing the rest of our Olympic athletes well in their respective competitions at this year's Games.

PERSONAL EXPLANATION

HON. JAMES B. RENACCI

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. RENACCI. Mr. Speaker, on rollcall Nos. 538 and 539, I would have voted "yea" on both.

UNIVERSITY OF ARIZONA BASEBALL

HON. RON BARBER

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. BARBER. Mr. Speaker, I rise today to praise and celebrate the achievements of the University of Arizona baseball team, which has been selected for induction into the University of Arizona Sports Hall of Fame.

This honor is extremely well deserved.

Earlier this summer, the UA Wildcats were crowned national champions after winning the College World Series in Omaha for the fourth time.

The Wildcats won the title by beating the South Carolina Gamecocks 4 to 1.

This was the Wildcats' year. They won all 10 of their postseason games—going through the regionals, the super regionals and the College World Series without a loss. In those 10 games, they outscored their opponents 88 to 28.

I want to especially make note of the play of Robert Refsnyder, the right fielder for the Wildcats, who was named the most valuable player of the 2012 College World Series.

I also want to praise the work of Head Coach Andy Lopez. He previously won a national title as coach of Pepperdine University, and this is the first of what we expect to be many titles with the University of Arizona.

The decisions Mr. Lopez made throughout the College World Series were crucial in Arizona's success. I'm sure he has more national titles in his future at Arizona.

Congratulations to these latest inductees into the University of Arizona Hall of Fame.

As a UA alumnus, I am proud of my alma mater on many levels and I am thrilled to say, well done, Cats, for this incredible season. Continue to "Bear Down Arizona!"

HONORING MS. STEPHANIE STUCKEY BENFIELD

HON. JOHN LEWIS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. LEWIS of Georgia. Mr. Speaker, I rise to congratulate Representative Stephanie Stuckey Benfield upon her retirement from the Georgia General Assembly and to thank her for her fourteen years of service.

For years, Stephanie has valiantly fought for women's rights, the environment, and families. She has been a leader in the Democratic Party, an advocate for all Georgians, and a dear friend.

Born in Eastman, Georgia, Stephanie has always been an outdoors enthusiast. Her love for nature has translated into an active dedication to improving the environment and a commitment to clean water and air that grew stronger when her son was diagnosed with asthma.

Stephanie obtained both her undergraduate and law degree from the University of Georgia. While in office, she received several prestigious awards, including the Environmental Leadership Award by the Georgia Conservation Voters and the Georgia Urban Forest Council Award for Promoting Arbor Day in public schools. It goes without question that her most notable accomplishment, however, has been her impeccable and unwavering service and support to Georgians.

We all know how much Stephanie adores her husband, Robert H. Benfield, Jr., her son, Robert, and her daughter, Beverly. Although we will miss Stephanie's enthusiasm and infinite knowledge in the General Assembly, I applaud her for continuing to be a proponent of the environment. Upon the end of her term, she will be the full-time leader of GreenLaw, where she will maintain her pledge to prevent air and water pollution that endangers human health and degrades Georgia's natural resources.

Representative Benfield, we will miss you terribly; you leave enormous shoes to fill. Thank you for your 14 years of service and for always putting the people of Georgia first.

CONGRESS MUST CALL FOR A NATIONAL MONTH OF VOTER REGISTRATION

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. CONYERS. Mr. Speaker, recent events have highlighted ongoing efforts to suppress the voting rights of American citizens. State representatives and political leaders in New Hampshire, Pennsylvania, and Florida have made public admissions that their particular state laws were designed to put a dent in the democratic process.

In order to confront this assault on the right to vote, we are introducing a resolution, expressing the sense of Congress that the month of September be dedicated to ensuring

that every eligible citizen is registered to vote in the United States, calling for a National Month of Voter Registration.

This resolution will call for a nation-wide focus to challenge voting age citizens around the country to register to vote and confirm the status of their voter registration.

The National Month of Voter Registration will encourage citizens to take action and mobilize voter education efforts and voter registration efforts across the country. Since the 2010 elections, misguided efforts in many states have led to the enactment of laws that could turn the clock back to pre-2008 levels of voter registration and voter turn-out. With no response, thousands of Americans may be subjected to state actions that are not in compliance with our federal voting standards and that harm the franchise.

This national focus will challenge civil rights groups, third party voter registration groups, and voting eligible citizens to take action to conduct the following:

Register to vote. With voter registration deadlines approaching, many citizens may face significant barriers if they wait until the final hours to register to vote.

Verify voting status. Every voting eligible citizen will be encouraged to verify their voting status by confirming their presence on the voter rolls, and confirming that their address and personal identifying information in hand matches what the state or local board of elections has on file. Many voters believe that their voting status and information is current, however, citizens in Tennessee and Florida have already found that voter purging is real and can impact the right to vote without a voter being aware.

Confirm polling place. Every voting eligible citizen will be encouraged to verify voting location before Election Day. Voters may find that their polling location has changed from prior elections.

Mr. Speaker, I have not seen such an assault on the right to vote since the civil rights movement. As I look back on where we have come from in this country, it seems to me that some of these state voting changes mirror the negative trends of Jim Crow in their effect to scale back voting rights.

For instance, last week, the Brennan Center released another report showing how new voter ID laws could impose serious financial burdens on eligible voters. If the right to vote is available to every American citizen, then why are states making it harder to exercise that right?

In addition, a second Judge in Wisconsin has deemed Wisconsin's strict voter ID law unconstitutional under the state's constitution. Litigants in the law suit found that the law created unnecessary hardships for minority voters who are less likely to possess a valid ID. On the other side of the argument, the state of Wisconsin argued that the law was going to help prevent voter fraud.

Some state lawmakers have raised the issue of voter fraud to justify strict voter ID requirements and other strict voting changes. However, they won't tell you that during the George W. Bush Administration's five year probe of voter fraud from 2002–2007, that Administration came up with scant evidence of widespread voter fraud.

In addition, they won't tell you the amount of voter fraud cases that have come out of states that have strict voter ID, because there are none. There were no cases of fraud in state of Indiana when the Supreme Court ruled on Indiana's voter ID law in *Crawford v. Marion*, and states like Pennsylvania, Florida, and Texas have publicly stated that there are no current cases of voter fraud being pursued in their states. Mr. Speaker, our voting rights are being threatened by the non-existent issue of voter fraud.

Therefore, if states are going to present their worst laws to impact the franchise, then the American people have to rise up and combat these laws with better practices.

During the National Month of Voter Registration, we encourage every American citizen to take back their right to vote. We will work with citizens to ensure that they register to vote, confirm their voting information is correct on the voting rolls, and verify that they know where to go to vote on Election Day.

It is a troubling thought that in 2012, the Congress has to rise up and introduce this bill to protect voting rights. Even though Reconstruction Era and the Civil Rights Movement are technically in America's past, the current threat against voting rights is just as real as in those days. We are proud to stand with the American people to protect the exercise of their voice in our democracy.

THE BERRIEN COMMUNITY FOUNDATION 60TH ANNIVERSARY

HON. FRED UPTON

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. UPTON. Mr. Speaker, I rise today to recognize the Berrien Community Foundation's 60th anniversary of providing invaluable financial support to southwest Michigan.

It is with great pleasure that I congratulate the Berrien Community Foundation after six decades of impeccable service to our community. Founded in 1952 by William Vawter and many conscientious business men and women, the Foundation has, been committed to finding innovative ways to invest charitable dollars to help residents of Berrien County. From grants to scholarships, the Berrien County Community Foundation has been working to educate our young people and prepare them to enter the workforce. Without that assistance, many students would not have the academic prospects they do today.

The Berrien Community Foundation represents the very best our district has to offer. Philanthropic individuals who desire to help deserving individuals reach their goals and meet their dreams are able to do so in a financially responsible way by collaborating with the Foundation. I have been very impressed by the Foundation's creative approach to making dollars go far to help individuals who just need a little help in moving forward with their aspirations. I continue to marvel at their dedication and good will and hope their work continues for many years to come.

Mr. Speaker, I am proud to again recognize the achievements and irreplaceable contribu-

tions the Foundation has provided to my district and look forward to their continuing efforts to make Berrien County a better place to live and work.

COMMEMORATING THE 75TH ANNIVERSARY OF THE COMPLETION OF THE APPALACHIAN TRAIL

HON. MICHAEL H. MICHAUD

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. MICHAUD. Mr. Speaker, I rise today to commemorate the 75th anniversary of the Appalachian Trail's completion.

On the 18th of August, 1937, the last mile of the original Appalachian Trail (AT) was completed at Sugarloaf Mountain in Maine's Carabassett Valley. Although the idea of a super trail on the scale of the AT had been discussed for years, it was the vision and determination of Benton Mackaye and Myron Avery who truly gave the project life. The legacy of the trail was not always secure however, with severe weather, the Great Depression, and World War II threatening its continuity. Fortunately, the tremendous efforts of trail enthusiasts, lead by Mainer Stanley Murray, launched a campaign to save the AT and preserve it for future generations.

Maine's Appalachian Trail Club will be hosting a 75th anniversary celebration of the AT's completion 75 years ago. Members of the Club, Maine's Appalachian Trail Land Trust, the Trust for Public Land, the High Peaks Alliance, the University of Maine, and the Appalachian Trail Conservancy will be present. The event will be an opportunity to reflect on the beauty of the trail and honor the countless volunteers who have helped to sustain this national treasure throughout the years.

The enormous significance of the Appalachian Trail to the state cannot be overstated. Many of our local economies benefit from the thousands of hikers that are drawn to Maine every year along its paths. I am deeply proud to share in this celebration of Maine and American history.

Mr. Speaker, please join me again in commemorating this momentous anniversary.

HONORING THE LIFE AND CONTRIBUTIONS OF GORE VIDAL

HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. COHEN. Mr. Speaker, I rise today to highlight and remember the life of Gore Vidal, a celebrated American literary and cultural icon, who passed away this week at the age of 86. A writer famed for his acerbic wit, elegant style, tough-minded radical views, and versatile talent, Vidal's incredibly varied career boasted over 20 novels, in addition to memoirs, essays, plays, television dramas, and screenplays.

Vidal was impressively characterized by the inimitable and revered Christopher Hitchens

as being a 20th century answer to Oscar Wilde, a tribute to Vidal's cleverness and eloquence. As British author Martin Amis said in praising Vidal, "he is learned, funny and exceptionally clear-sighted. Even his blind spots are illuminating."

In 2009, Vidal won the annual Medal for Distinguished Contribution to American Letters from the National Book Foundation. Unlike many of his intellectual contemporaries, however, he saw his role as a public intellectual not as a sidelined observer, but rather as an active participant in democracy and public affairs, contributing frequently and prolifically to the American political debate.

This weekend, I will travel to New York to see a revival of his play "The Best Man," starring my fellow Memphian, Cybill Shephard. I ask everyone to join me honoring Gore Vidal for his many contributions. His was a life well lived.

INVEST IN A CLEAN ENERGY FUTURE!

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. FILNER. Mr. Speaker, I have introduced the Clean Energy Victory Bonds Act. (H.R. 6275) The purpose of this legislation is to invest in a clean energy future.

This legislation will allow all Americans to invest in new clean energy technologies that will create over 1.7 million competitive American jobs, increase energy security, and secure our nation's competitiveness in the rapidly growing field of clean energy technologies.

With Clean Energy Victory Bonds, today's Americans can invest in our nation's future, and ensure that the American economy remains competitive for generations to come. Funds raised from Clean Energy Victory Bonds would:

- Create billions of dollars in incentives to accelerate the development of clean energy and energy efficiency technologies;

- Create over 1.7 million new American jobs;

- Ensure that the U.S. is a world leader in this increasingly crucial and competitive sector;

- Reduce U.S. dependence on foreign sources of energy;

- Allow Americans a safe opportunity to invest in the future of their country.

The Clean Energy Victory Bonds Act draws on the powerful history of Americans investing together to ensure our nation's victories. During World War II, millions of Americans purchased Victory Bonds, raising over \$185 billion for the war effort, the equivalent of over \$2 trillion in today's dollars.

HONORING PRIESTS FOR LIFE

HON. TIM HUELSKAMP

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. HUELSKAMP. Mr. Speaker, I join my colleagues in honoring and celebrating the

more than 20 years of service and work of the Priests for Life ministry. Under the leadership of Father Frank Pavone, Priests for Life has grown from a no-staff operation to one of more than 60 people. The have proclaimed the pro-life message at more than 12,000 events across the country, and have worked inter-demoninationally and ecumenically to advance the pro-life cause. Religious and secular leaders alike praise the efforts of Priests for Life. They are second-to-none in their advocacy and their support for the pro-life mission.

But, in his humility, Father Frank would not want us spending this hour talking about him. He would want us talking about why his organization preaches the gospel of love and of life.

Abortion, plain and simple, is the taking of an innocent human life. It may be deemed a 'right' by judges, but a wrong it still is. What does it say about our society that for some people, it is a child at 20 weeks; for others it is property, subject to mutilation at the hands of a so-called medical professional. If it is a child to some, it should be a child to all. There is no gray area, no two ways about it. The scientific fact is without question—life begins at conception.

What does it say about our society that our Commander-in-Chief views an unplanned pregnancy as a "punishment"? President Obama said that if one his daughters became unexpectedly pregnant, he would not want them to be punished with his unborn grandchild.

Priests for Life is known internationally for its work. In fact, Mother Teresa of Calcutta encouraged all priests and deacons to join the organization. And, she invited Fr. Frank to travel to India to preach the pro-life message. We know that message is needed there now more than ever. As reported by The Economist and ABC News, gendercide is alive and well. 50,000 unborn girls are aborted every single month in India simply because they are girls, not boys.

While Priests for Life is preaching abroad the right to life for all—boys and girls alike—they are preaching here at home the right to life for all—boys and girls of all races and ethnicities. Close to home for me is their ministry to the African-American community, led by Dr. Alveda King, the niece of Dr. Martin Luther King Jr. You see, my wife and I are the proud parents of four adopted children. And, two of our children came to us through crisis pregnancy ministry—the exact type of ministry Priests for Life promotes.

We pray and wait for the day that a ministry like Priests for Life will not be necessary—a day when no woman is encouraged to end the life of her unborn child. While those of us vested with the responsibility have the ability to pass laws that promote a culture of life, our work is incomplete without the efforts of groups like Priests for Life that provide the support women and families need in order to live the culture of life.

THE BREATH OF FRESH AIR ACT

HON. LAURA RICHARDSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Ms. RICHARDSON. Mr. Speaker, later today I will be introducing the Breath of Fresh Air Act. This legislation would establish a grant program to make funds available to elementary and secondary schools to purchase nebulizers. I am proud to be joined by Congresswoman ELEANOR HOLMES NORTON as an original co-sponsor, and I urge my colleagues to join me as a co-sponsor.

A nebulizer is an extremely effective and easy-to-use medical device used to treat asthma attacks. It delivers the medicine in the form of a mist directly to the person's lungs and is the best remedy for young children who may not cooperate in their time of distress. This bill authorizes funding to purchase nebulizers as well as to provide training to school personnel who administer the nebulizers.

Mr. Speaker, across the United States, nearly 25 million people have been diagnosed with asthma, including almost 7 million children. That means on average one out of every 10 school-age children suffers from the shortness of breath, chest pain, and airway restrictions that are common symptoms of asthma. This serious disease impacts every district in every state, and its effects are far-reaching.

Low-income and minority communities are disproportionately affected by this chronic respiratory disease, and their health outcomes are likely to be worse. The Environmental Protection Agency reports that black children are twice as likely to be hospitalized and four times as likely to die from asthma as white children. Low-income and minority communities also disproportionately live in areas afflicted with high levels of air pollution, allergens, and other environmental factors that trigger asthma attacks. They may also have limited resources to put towards asthma management or to deal with the financial challenges of medical bills and missed days at school and work.

I have been particularly concerned with this issue, as it affects my home district in California. The Ports of Long Beach and Los Angeles operate within and near the 37th Congressional District, and if left unregulated, the California Air Resources Board estimates that the ports will be the largest source of pollution in the state by 2020—greater than the impact of every car on the road in California. The neighborhoods of Los Angeles and Long Beach also rank as one of the U.S. cities most polluted by Particle Pollution. Exposure to air pollution such as this can be dangerous for children whose lungs are still developing, and it increases the risk of emergency room visits for asthma attacks.

The purpose of this grant program is to provide schools with the equipment to treat asthma attacks as soon as symptoms present themselves, and without contributing to the nearly 2 million asthma-related emergency room visits each year. School personnel, particularly school nurses, play an invaluable role in detecting early symptoms and administering

a quick medical response in emergency situations. This grant program would be a way to support their efforts even as schools face budget cuts. It will ensure that they have access to all possible resources and can properly assist the students and families with the full range of asthma management decisions.

I also want to acknowledge the indispensable work of my able staff members, Anna Bartels and Gregory Berry, in developing this important legislation.

I would also like to submit into the RECORD a letter of support from the Allergy and Asthma Network/Mothers of Asthmatics, and I thank them for their hard work to ease suffering from asthma, allergies, and other related conditions.

Mr. Speaker, I urge my colleagues to join me in support of the Breath of Fresh Air Act. Let us work together to make schools a healthy and safe place for children.

ALLERGY AND ASTHMA NETWORK,
MOTHERS OF ASTHMATICS,
McLean, VA, August 2, 2012.

Hon. LAURA RICHARDSON,
1330 Longworth House Office Building, Washington, DC.

DEAR REPRESENTATIVE RICHARDSON: Founded in 1985 by families for families, Allergy & Asthma Network Mothers of Asthmatics (AANMA) is the leading national nonprofit family organization dedicated to eliminating death and suffering due to asthma, allergies and related conditions.

AANMA supports the "Breath of Fresh Air Act" which would provide student access to nebulizers at school for use with their prescribed medications.

Working together with 28 organizations, AANMA led the nationwide effort to ensure students have the right to carry and self-administer their lifesaving inhalers and auto-injectable epinephrine during the school day. Today 50 states protect that right for students with asthma and 49 states protect students' rights to carry their auto-injectable epinephrine.

While students can carry and self-administer their inhalers, in some cases students may best be served by inhaling these medications via the nebulizer.

We support the "Breath of Fresh Air Act" and look forward to its passage.

Sincerely,

NANCY SANDER,
President and Founder.

IN RECOGNITION OF THE 25TH ANNIVERSARY OF THE ASIAN COMMUNITY CENTER OF SACRAMENTO VALLEY

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Ms. MATSUI. Mr. Speaker, I rise today in recognition of the Asian Community Center of Sacramento Valley (ACC) as they celebrate their 25th anniversary. I ask my colleagues to join me in honoring the hardworking staff, volunteers and supporters of the ACC who have ensured that this fine organization has continued to provide valuable senior health and social services to Sacramento's seniors.

Originally established as the Asian Nursing Home in 1987, the Asian Community Center

offers a wide array of culturally sensitive services and programs dedicated to improving the lives of Sacramento's seniors and their families. Today, the ACC Nursing Home continues to provide 24-hour, long-term health and nursing care to vulnerable seniors.

Recognizing the growing need to provide more culturally sensitive services to senior citizens in Sacramento, the Asian Nursing Home changed its name to the Asian Community Center and established its Park City activities center. Through Park City, the ACC is able to provide more than 150 classes each month in a variety of subjects including wellness, computer literacy, physical activity and art.

Located at Park City, the ACC Respite program provides daily care to older adults with disabilities and impairments, and gives them the opportunity to participate in activities specific to frail adults, and those with Alzheimer's Disease, dementia or Parkinson's. In many cases, the ACC Respite program provides a valued service to the families of disabled and impaired adults, and gives them an opportunity to fulfill daily tasks, run errands and attend appointments.

Additionally, in light of state and local budget cuts in 2010, the ACC then took over the operation of Sacramento's Meals on Wheels program. The ACC created a separate nonprofit and accepted responsibility for the program as local service providers were faced with shutting down the program. Today, Meals on Wheels by ACC serves meals to 5,660 home bound seniors and older adults each week, and recently served its one millionth meal!

Lastly, the Asian Community Center has been instrumental in the creation of the Bridge to Healthy Families program, which seeks to build strong support systems for the families caring for elders suffering from Alzheimer's disease or dementia. Through its many programs and services to seniors citizens and their families, the ACC has become an anchor in Sacramento.

Mr. Speaker I am honored to recognize and celebrate the outstanding service of the Asian Community Center of Sacramento Valley on its 25th Anniversary. The Asian Community Center's success is owed in large part to its executive director, Donna Yee, its board of directors, staff, volunteers, and the countless supporters who keep it running each day. I ask all my colleagues to join me in honoring their valuable contributions to the community and honoring their continued tradition of supporting Sacramento's seniors and vulnerable citizens.

PERSONAL EXPLANATION

HON. LYNN A. WESTMORELAND

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. WESTMORELAND. Mr. Speaker, on rollcall No. 537, 538, and 539.

I was unavoidably detained in Georgia due to a scheduling issue, and could not return to Washington in time to cast my vote.

Had I been present, I would have voted "nay" on rollcall No. 537, and "yea" on rollcall No. 538, and 539.

CONGRATULATING ALI BERNARD

HON. TIMOTHY J. WALZ

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. WALZ. Mr. Speaker, I wish to congratulate Ali Bernard for being named to the U.S. Olympic Team, and having the opportunity to compete in London this summer. This is an unbelievable accomplishment, and a testament to American dedication and talent.

Ali has been an incredible competitor in wrestling since high school. From the Junior Nationals to the Pan American Games to the World Championships, it has all led up to becoming a two-time Olympian. Ali's achievement is an inspiration and a source of pride for the New Ulm community, and I am proud to represent such an outstanding individual.

I look forward to watching Ali represent our country in London. I wish her and all the members of Team USA the best of luck in the 2012 Olympic Games.

RECOGNIZING THE OPENING OF THE LEMAY—AMERICA'S CAR MUSEUM

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. SMITH of Washington. Mr. Speaker, I rise to recognize The LeMay—America's Car Museum, located in Tacoma, Washington for opening its doors to the Pacific Northwest this summer. The LeMay Museum is one of the largest automobile museums in the world and will attract people of all ages with its modern look and unique history.

The museum, named after Harold LeMay, honors one of the most accomplished businessmen from Tacoma, Washington. Harold was born in Yakima, Washington in 1919, but grew up in the Pierce County area where he pursued his love for motorized vehicles. As a young entrepreneur, he became associated with an automobile business in the Lincoln District of Tacoma. From there, he built Harold LeMay Enterprises, joined dozens of community organizations, and began his impressive automobile collection.

Harold and his wife, Nancy LeMay, owned one of the largest privately-owned collections of automobiles, motorcycles, trucks, and other motorized vehicles in the world. The LeMays formed the Harold E. LeMay Museum, a charitable organization that would donate their automobile collection to benefit the community Harold adored. In November 2003, just a few years after Harold's passing, the museum's board of directors approved the proposal to open The LeMay—America's Car Museum in the City of Tacoma.

Mr. Speaker, it is with great pleasure that I congratulate The LeMay—America's Car Museum. The museum showcases the history behind America's admiration for automobiles and Harold's inspiring story.

INTRODUCTION OF THE ELECTRIC VEHICLE PURCHASING CREDIT EXPANSION ACT

HON. JANICE HAHN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Ms. HAHN. Mr. Speaker, every day, we see the damage done by our dependence on oil. We see high gas prices threatening our economic recovery and burdening families already struggling to make ends meet. We see rising temperatures and sea levels. We see higher respiratory disease rates. And we see any number of distant regimes holding our foreign policy hostage, weakening our ability to stand by our principles and our friends.

It is time for us to throw off these burdens and step into the future.

One of the most promising and necessary things we can do to leave oil behind is speed our transition to electric vehicles. Passenger cars alone use more than 40 percent of the oil consumed in this country. By 2020, the National Resources Defense Council estimates Americans will spend \$260 billion a year on gas. Just think of what we stand to gain from switching to electric vehicles. I drive an electric vehicle myself, back home in Los Angeles. I get to drive right on past the gas station. In fact, I have not been to a gas station in almost a year. The technology is here, all we need to do is implement it.

Unfortunately, the higher price tag of electric vehicles has impeded wide-spread adoption by placing them beyond the reach of many of the Americans who stand to benefit most.

The Electric Vehicle Purchasing Credit Expansion Act would increase the existing tax credit offered for the purchase of these vehicles—broadening access and speeding deployment in the near term, and helping to jumpstart the market and realize the economies of scale that will make electric vehicles no more expensive than a gas-powered car.

Since 2009, qualified plug-in electric vehicles have received a federal income tax credit of up to \$7,500, depending on their kilowatt-per-hour capacity. The Electric Vehicle Purchasing Credit Expansion Act would increase the tax credit to \$10,000, raising the base credit claimable by all plug-in electric vehicles to \$3,750, and the maximum kilowatt-per-hour credit to \$6,250 (fully claimable at 19 kwhr).

By passing this bill, we can clean our air, free our foreign policy by strengthening our hand with regimes like Iran, and put money lost at the pump back into the pockets of American consumers.

“THE FEW”—1ST LT NATHAN RIMPF, 2-16 RANGERS, 4BDE-1ST ID “DEMON CO”, THE UNITED STATES ARMY

HON. VIRGINIA FOXX

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Ms. FOXX. Mr. Speaker, I rise today to honor a real American hero from Raleigh,

North Carolina, Ranger 1st Lt Nathan Rimpf of The United States Army. Nathan was the team leader of Demon Company 2-16 Rangers, while on patrol when he stepped on an IED on July 8th 2012 in Andar Province in Afghanistan. Already within two short weeks his recovery and his can do attitude is something to behold. With his parents support and his brother is a Capitol Policeman he is making remarkable strides. I submit this poem penned in his honor by Albert Caswell for the RECORD.

THE FEW

The . . .
The Few!
Only, The Few!
Only, The Brave!
Can but so wear that most heroic title and beret,
of a United States Ranger as who!
And so bathe, all in that most heroic hue!
Ranger's like Jimmy Regan, Pat Tillman,
and Kyle Comfort who our world have so graced!
Who have all so worn courage's most courageous face!
For Ranger's Fight!
And Ranger's Lead!
And Ranger's do it all at such deadly speeds!
And for us one all,
Rangers will so die and bleed!
As The United States Ranger's so give to our nation what she needs!
And Ranger's hunt!
And Ranger's evil do so confront!
To stand strong,
to so right all of those wrongs!
To so intercede,
to so bring us peace!
Bought and paid for,
with but all of their fines lives indeed!
As all in Strength In Honor they so believe!
Beware, “THE DEMONS” are after you . . . time to run!
Sorry but it's time for you to so confront your “DEMON'S” my son!
As their strong arms and legs for all of us they so willingly concede!
For all out there but in the darkest of all nights!
As that's where you shall so find them Leading The Way . . . The Charge, The Fight!
The United States Rangers,
who but bring their most magnificent of all lights!
Because, Rangers Lead!
Men like Nathan Rimpf,
whose hearts so shine upon us all on this very night!
As it was on a July patrol,
When this fine man's life almost went away . . .
With his two strong legs gone,
as for him his men so knelt and prayed!
And that's when this platoon leader got up and ran,
ran with his heart that very day!
Just one more hill to climb!
Just one more mountain to so scale all in his time!
As against all odds once again we would find!
That this Ranger led the way!
Like Superman, the only thing that can stop him is Kryptonite this day!
For such men are put upon this earth,
to so show us what comes first!
To So Teach Us!
To So Beseech Us!
To So Reach Us!
Who out of such darkness but defeat the worst!
And come shining through like a star burst!
As have you Nate,

The Carolina Kid who at light speed has so traversed the most!

For there are but blue skies up ahead of you Nate to host!

“Can't you just feel the sunshine?”

And if ever I had a son, I wish he could shine as bright as this one!

Who so teaches us how the game of life is won!

Moment's are all that we so have!

To fight the bad!

To make a difference with it all!

For something noble, it's better to lose your two fine legs . . .

Then at the end of your life to so moan and beg,

as so wished you a better world you had so made!

But, Only The Few to our world such gifts can claim!

As you Nathan, The Few . . . are but one and the same!

And that's why the word Ranger is in front of your name!

The Few can claim!

RECOGNIZING THE OBERTO SAUSAGE COMPANY

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. SMITH of Washington. Mr. Speaker, I rise to honor Art and Dorothy Oberto and the Oberto Sausage Company, based in Kent, Washington. This family-owned business was built on a foundation of providing quality products for their customers and treating their employees well. This has made Oberto, which is also commonly known as Oh Boy! Oberto, one of the most iconic companies of the Pacific Northwest.

In 1918, Constantino Oberto and his uncle, John, founded the Oberto Sausage Company in Seattle, Washington. From the very beginning, Constantino and John dedicated their company to selling the very best handmade Italian sausages and salami. Art Oberto has run the Oberto company since he was just 16, when his father passed away. In all, Art has been responsible for the family business for nearly seven decades.

In 1964, Art introduced Natural Style Beef Jerky. He experimented with the product at home and the jerky was a tremendous success. It led to the company doubling in size and soon after Oh Boy! Oberto products were available nationwide.

Art and the Oberto Sausage Company continued to be dedicated to innovation. They launched turkey jerky in 1994 which solidified Oh Boy! Oberto as the nation's top jerky manufacturer. In 2011, Oberto released one of the biggest innovations to the jerky industry, All Natural Jerky. The company was the first major company to develop a jerky made with all-natural ingredients.

Mr. Speaker, it is with great honor that I recognize the hard work, perseverance and innovation of Art and Dorothy Oberto of Oh Boy! Oberto. Their dedication to quality and our community will drive the company forward for many years to come.

IMPORTANCE OF VOTER
PROTECTIONS

HON. MADELEINE Z. BORDALLO
OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Ms. BORDALLO. Mr. Speaker, the freedom to vote for our elected leaders is the very heart of our democracy and the most basic of rights in our representative government. Unfortunately, several states across the nation have enacted laws that would impede the ability of millions of Americans across our country from exercising this right. Throughout the nation, including in my home district of Guam, many voters have lost faith in the integrity of the electoral process or become complacent that their vote is irrelevant.

In Guam, voter turnout has decreased significantly over the last several years and allegations of election misconduct have become common during every election cycle. Many of my constituents have been disenfranchised much in the same way as in some states trying to lower voter turnout. I have raised this issue with the Department of Justice, and I hope they will focus on this issue in every state and territory where efforts to disenfranchise voters are being made.

The free exercise of the right to vote is the cornerstone of American democracy, and it ensures that government is accountable to and representative of the people.

IN MEMORY OF DANIEL
FRIEDLANDER

HON. JARED POLIS
OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. POLIS. Mr. Speaker, it is with great sadness and privilege that I honor one of my constituents, Mr. Daniel Friedlander, who died on Monday, July 9, 2012. Dan was born on February 3, 1945, in Chicago. He received a Masters Degree in Economics from the University of Chicago and spent the last years of his life as Principal at CleanTech Solutions in Boulder, Colorado.

Known for his environmental activism and art, Dan was an incredible resource for the Boulder community. He spent his life focused on building start-up businesses that moved information technology into the 21st century. Using his expertise, he later shifted his focus on our growing environmental crises and sought to marry his long history of activism with his professional life with his position as Principal at CleanTech Solutions. He engaged his community by creating the Shanahan Neighbors for Climate Action, a neighborhood group intent on becoming more aware of how lifestyle changes can make a significant and positive impact on the environment and each other.

Beyond his successful career and activism, Dan was also a gifted artist. He worked with clay tiles to create extremely unique pieces that he described as the unity of his conscious and unconscious.

Dan was a dedicated father, husband and friend. I am privileged to have known his family including his wife, Diane Rosenthal, and his two sons, Michael Friedlander and David Friedlander. It has been an honor to consider Dan my friend and I know that he will be missed by the countless people who considered him a friend.

HONORING THE KIDS JUST WANT
TO RIDE ACT

HON. DENNY REHBERG

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. REHBERG. Mr. Speaker, I rise today in honor of the upcoming one-year anniversary of the Kids Just Want to Ride Act being signed into law. This bill, which I authored to end enforcement of an overreaching prohibition of lead in youth-sized ATVs, motorcycles and snowmobiles, was added to a larger piece of legislation that was signed into law on August 12, 2011.

When Congress passed a law banning lead from children's toys, no one thought that those enforcing the law would expand the definition of "toy" to include youth-size ATVs, motorcycles and snowmobiles. But over the strong protests of riders and their advocates, Washington bureaucrats forced youth-sized ATVs and motorcycles to be pulled off showroom floors. All this did was force our kids to ride more dangerous adult-sized vehicles, putting them at extreme risk.

This just didn't make sense. I authored the Kids Just Want to Ride Act so that this issue would be solved legislatively once and for all, but I didn't do it on my own. An amazing community of youth riders, their parents, and those who love youth racing and recreational activities backed me up with letters, phone calls, and visits to Washington, DC, to rally for the bill. I was honored to be included in the riding community and continue to be impressed by their love for sport and for their fellow riders.

Mr. Speaker, I am again honored to celebrate the one-year anniversary of the Kids Just Want to Ride Act, and thank you for the opportunity to celebrate the amazing American riding community that rallied behind it.

TRIBUTE TO DR. PATRICIA GABOW

HON. DIANA DEGETTE

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Ms. DEGETTE. Mr. Speaker, I rise to pay tribute to the tireless work and exceptional accomplishments of Dr. Patricia Gabow, Chief Executive Officer of Denver Health and Hospital Authority. After a remarkable 20 year career at the helm of Denver Health, Dr. Gabow is retiring and leaving behind national models for institutions and aspiring leaders in the field.

Dr. Gabow's commitment to Colorado's health care safety net has been recognized in many areas. She has been elected to the Colorado Women's Hall of Fame for her gen-

erosity in mentoring others, her innovation in going outside health care in search of new management ideas, and her commitment to best practices. In addition, Dr. Gabow is the recipient of numerous awards including the American Medical Association's Nathan Davis Award, the Florence Rena Sabin Award, and the 2008 National Healthcare Leadership Award. She has been named as one of the top 25 women in health care, one of the top 50 physician executives, and one of the 100 most powerful people in American health care. Of note, Dr. Gabow was one of only four women named to this list in 2006, and I want to acknowledge my pride in the path she creates for future generations to find their own way in the business of quality health care delivery.

Knowing Dr. Gabow was hard at work in Denver was a comfort and a source of pride as I worked in Congress to improve the health and potential of people in my home state of Colorado. Like many Members of Congress, I have often turned to Dr. Gabow for her expertise in health care policy. For example, during the process of crafting the Affordable Care Act, Dr. Gabow testified before the Energy and Commerce Committee on the role of safety net providers in providing coordinated care, Medicaid's vital function in health reform, and the importance of protecting Medicaid and Medicare funding that helps hospitals treat the uninsured and underinsured. Her influence helped to expand the Medicaid program under health reform, which will help millions of children and their families across the nation. We share so many priorities and it is with a deep appreciation of and affection for Dr. Gabow that I recognize her invaluable service to our community and country.

Dr. Gabow has proved that a researcher can run a hospital and run it well. In an era when many hospitals are operating in the red, Dr. Gabow has taken a hospital that, even while treating thousands of uninsured patients, maintains a viable, successful business model. Dr. Gabow has led this success by looking to other industries, like the auto industry, and translating their business efficiencies into the health care sector by developing integrated care models. Hospital administrators, doctors, and researchers have looked to and will continue to turn to Dr. Gabow for ways to reimagine health care in America.

I do not know what is next for Patty Gabow. But I do know that whatever she does, we will be inspired, impressed, and indebted to her for all she will continue to do to strengthen the rights and the outcomes for those among us who are sick and in need of quality health care. Thank you, Patty, for your friendship and work on behalf of the people of the First District of Colorado.

HONORING THE LIFE OF JACKIE
SCHMID

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. HIGGINS. Mr. Speaker, Monday July 23 started like any other day in our congressional

offices. But shortly after noontime, the unthinkable happened. Our office was called by our dear friend Sandi Schmid. During that call, Sandi told our District Director Megan Corbett Rizzuto that her daughter, our longtime Executive Assistant and Office Manager Jackie Schmid, had suddenly passed away.

To suggest that we were blown away is a severe understatement. There's little that can be said at a time like this, when someone so young is taken suddenly from our midst. Jackie was universally loved among civic, government and political leaders throughout our community. Acting as the hub of our Buffalo office, Jackie was at the center of all of the action, and played a role in virtually everything our office would do for the constituents I was elected to serve.

On Saturday July 28, Sandi and the rest of Jackie's family honored me by asking that I eulogize her by sharing a few thoughts about her life and legacy. Jackie was a giver, a contributor. She gave more than she got—a lot more. She gave so much of her time and of herself to the many causes she loved so much.

Mr. Speaker, within this extension, you will see the remarks I delivered last Saturday in honor of Jackie, and you will also see the obituaries published in the Buffalo News and the Am-Pol Eagle.

EULOGY OF JACKIE SCHMID DELIVERED BY THE HONORABLE BRIAN HIGGINS, ST. JOHN GUALBERT CHURCH, CHEEKTOWAGA, NY, SATURDAY, JULY 28, 2012

St. John Gualbert was an 11th century Benedictine monk. One Good Friday, he entered Florence with armed followers and came upon a man who had killed his brother. He was about to kill the man in revenge. Suddenly the man fell to his knees, said he was sorry and begged Gualbert to be spared. Gualbert spared him, forgave him and helped the man to his feet. He encouraged the man to go forth and do good for the world. Gualbert then entered the Benedictine Church in Florence to pray, and the figure on the crucifix bowed his head to in recognition of Gualbert's act of mercy and forgiveness to his fellow man. This is a story of redemption and second chances.

Thank you, Father Michael Burzynski for welcoming us to your beautiful church this morning. You make us feel very much at home here, and Jackie would be most proud of you and of this loving community. St. John Gualbert's was Jackie's spiritual home. She attended grammar school here and remained very active in support of this church throughout her adult life and her final days.

Today we say goodbye to the only daughter of Sandi and Bill Schmid. A loyal friend, a beloved colleague in government and politics, a civic leader and Polonia's goodwill ambassador to WNY and to the world. A leader like few others, holding important positions within the Cheektowaga Symphony Orchestra, the Cheektowaga Patriotic Commission, the Pulaski Day celebrations, the Cheektowaga July 4 celebrations, the Annual Western New York Dyngus Day celebrations, the Cheektowaga Democratic Committee, and so much more. In fact, the Cheektowaga Chamber of Commerce named Jackie as its "Citizen of the Year" for 2012—an award that will now be bestowed posthumously.

Jackie's was an impressive list of civil and cultural engagement. Someone once said to Sandi: "Jackie runs everything in Cheektowaga." To which Sandi replied, "Not

everything. She never ran the vacuum cleaner, or the washing machine, or an iron."

But while it is her civic involvement that she will be remembered and honored for, it is her loving and generous heart that we will truly miss. I along with my colleagues in our Congressional office knew her as a trusted friend and advisor. Jackie was loved and admired by her colleagues—truly loved and admired. She held the title of Executive Assistant, but she was much more than that. She ran the office and set the tone for our workspace. Jackie organized birthday parties for her colleagues and helped with weddings and showers, and any time there was a need for someone to provide music, to find tables and chairs or to secure a hall for a fund raising event, Jackie always "had a guy." She was always ready, she was always "on it," and incredibly willing to help. Jackie directed our student interns and was so loved by them that she would often receive phone calls and postcards from them long after their service was completed. She engendered a rare degree of love, respect and loyalty. She was charismatic and had a following of dutiful friends who would eagerly walk through walls for her.

There was one persistent constituent caller who routinely called Jackie with his complaint of the day. Something he had seen on television or had heard on talk radio, often fueled by a vote I had taken with which he had disagreed. Jackie was polite but would give it right back to him when he crossed the line. One Christmas Eve he called not with a complaint, but rather to wish Jackie a Merry Christmas. Because Jackie was kind to him and showed a respect that he rarely received.

If Jackie loved you, you knew it. If Jackie liked you, you knew it. If Jackie didn't like you, you didn't know it. But we did!

Lyndsey Barnes is our newest staff member. She said that she was originally reluctant to accept a position in our office because she was uncertain that she could handle the job responsibilities. Chuck Eaton, our chief of staff, said, "The job, you can learn. But you get along with everyone. And most importantly, Jackie likes you." Jackie gave Lyndsey the confidence and encouragement she needed to get off to a good start in our office. And she always provided friendship to her.

Carol Burns and Bill Greeley often gave Jackie a hard time about all of the events Jackie would organize in Cheektowaga, civic polka parties and church fundraising events among dozens of others. Jackie would remind them, "Listen. On my first day of work, the Congressman told me that my job was to keep Cheektowaga happy—and that's what I'm doing." Jackie not only kept Cheektowaga happy, Cheektowaga is what Jackie lived for and loved. At the funeral home for yesterday's wake, seventeen different people introduced themselves to me as Jackie's best friend. Many more thought they were as well; that was her gift to all of you and all of us. Unconditional love, devotion and friendship.

Not only did they make their way because of Jackie's love, she made her way because of theirs. And especially because the love and the life she found in her mom Sandi. Theirs was not always an easy relationship. Like with any relationship, they had their moments. But Sandi always gave Jackie strength and purpose, joy and friendship, and stood by her always, especially in these last and hardest days.

None of us can know or certain how long we have on this earth. We cannot know what

hardship and tragedy will test us along the way. We cannot know what God's plan is for us. What we can do is live our lives as best we can with purpose, and love and joy. We can leave bitterness and that which is unimportant behind, to reach beyond for love and forgiveness. We can learn from our mistakes and grow from our failures. And we can use each day to show those who we are closest to us how much we care about them, and how much we love them. And we can treat others with the kindness and respect that we wish for ourselves.

This is Jackie's legacy. This is how she lived her life. We do not grieve today because of the prestige and praise attached to her name. We grieve because we loved this kind and giving woman. A woman who was moved, not for the sake of greed or self-aggrandizement, not for wealth or power, but only for the people and community that she loved so very much.

Jackie has gone home now guided by her faith and by the light of those she loved and lost. At last she is with them once more leaving those of us who grieve her passing with the memories she gave and the good that she did.

Today, St. Peter is at the gates of Heaven, sitting at the table, selling split club tickets. God has turned to Peter and said, "Slide over. Jackie is here now. She's on it."

May God Bless Jackie, and may she rest in eternal peace.

[From the Buffalo News, July 26, 2012]

JACQUELYN A. SCHMID, HIGGINS' EXECUTIVE ASSISTANT

Jacquelyn A. Schmid, executive assistant to Rep. Brian Higgins and well known as a community and civic leader, died unexpectedly Monday in her Cheektowaga home. She was 51.

Ms. Schmid over the years achieved a key position in the congressman's Buffalo operation, essentially serving as office manager—and, in the words of one staffer, "organizer extraordinaire."

Her colleagues say she achieved that status through her ability to deal with people, an essential skill for those in the world of politics and government.

She was active in many community and Polish heritage organizations as well as Democratic politics. Higgins called her "Polonia's goodwill ambassador to Western New York."

"Jackie was a big part of our team," he said. "She had a unique relationship with each and every person based on loyalty and good humor, as well."

"She had a cult following of friends who really loved her," he added, "all a result of her special charisma."

A graduate of St. John Gualbert Elementary and Villa Maria Academy, Ms. Schmid also attended Erie Community College.

She was a member of Dyngus Day Buffalo and the point person in planning the Pvt. Leonard Post Pre-Dyngus and Dyngus Day celebrations. Four years ago, she helped found the Cheektowaga Crabapple Festival for families to enjoy at Cheektowaga Town Park and served as general manager of the Cheektowaga Community Symphony Orchestra.

Ms. Schmid was also a staff writer for the Am-Pol Eagle, where she wrote a weekly column on Polonia, and annually organized the St. John Gualbert chicken dinner and theme basket auction.

As a vice chairwoman of the Cheektowaga Democratic Party, Ms. Schmid played a key role in petition drives, fundraisers and Election Day activities. She was elected as a district committeewoman for many years.

She was recognized by the Buffalo Bisons in 2008 as Polish-American of the Year for her decades of service to the Polish community, including stints with the Cheektowaga Patriotic Commission, Cheektowaga Polish American Arts Festival and General Pulaski Association.

Her final public event occurred the day before she died, as she supervised the Pulaski Day Parade—at which she became a familiar figure directing activities from behind the reviewing stand—which capped off the annual Cheektowaga Polish Arts Festival in Cheektowaga Town Park.

In September, Ms. Schmid was to be honored by the Cheektowaga Chamber of Commerce as its “Citizen of the Year.”

The award will now be bestowed posthumously.

She is survived by her mother, Alexandra “Sandi” Lawkowski Schmid; her father, William F. Sr.; and a brother, William F. Jr.

A Mass of Christian Burial will be offered at 10 a.m. Saturday in St. John Gualbert Catholic Church, Gualbert Avenue at Doat Street, where Higgins will deliver the eulogy.

[From the Am-Pol Eagle]

JACKIE SCHMID DIES

Am-Pol Eagle’s polka columnist, polka promoter, Polonian and political activist Jackie Schmid, 51, died at home on Monday.

Schmid, an executive assistant to Congressman Brian Higgins, had just helped organize the Cheektowaga Polish American Arts Festival and General Pulaski Parade in Cheektowaga last weekend.

Schmid was a Cheektowaga Chamber of Commerce Citizen of the Year in 2012. She was presented the Polish American of the Year award by the Buffalo Bisons in 2008. At that time Judge Michael Pietruszka said of Schmid, “She is definitely one of the unsung heroes of Polonia. She works on all of these projects behind the scenes and just does wonderful things for the community.”

Despite feeling ill, Schmid attended the Pulaski Parade and Cheektowaga Polish Arts Festival on Sunday. Last year Schmid stated: “The Polish Festival is really important to keep the Polish heritage alive and pass down the traditions. The younger generations need to keep the traditions going.”

Ron Urbanczyk of the band City Side had said of Schmid: “She promotes not only polka music but the Polish tradition.” Schmid planned the Pvt. Leonard Post Pre-Dyngus Day and Dyngus Day celebrations.

Schmid was vice chairwoman of the Cheektowaga Democratic Committee, general manager of the Cheektowaga Symphony Orchestra, a director of the General Pulaski Assn., Inc., an organizer of Squeezefest (an accordion festival and old-fashioned polka party), and a member of the Polish American Arts Festival Committee. She was also active as a polka promoter and member of St. John Gualbert Parish in Cheektowaga.

Cheektowaga Supervisor Mary Holtz has referred to Schmid as an “event planner extraordinaire” for the Cheektowaga Crabapple Festival. Schmid was also an active volunteer with the Cheektowaga Patriotic Commission which organizes the Independence Day celebrations including the parade in the town.

Schmid was born in Buffalo and raised in Cheektowaga, where she was active in local Democratic politics. She was a 1979 graduate of Villa Maria Academy. She also cooked for her family’s restaurant, which was located on Broadway and Shepard Street on Buffalo’s East Side, before it was moved to

Cheektowaga. The restaurant was closed in 1985.

Brian Rusk, president of the General Pulaski Assn., lauded Schmid’s collaboration with other directors as she served as co-chair of the parade for 10 years. He called her, “A fine and dedicated woman.”

Rusk added, “She was a foundation of our Pulaski Assn. and parade for the last 15 years. We will miss her at the General Pulaski Assn. and I personally dedicate the parade yesterday in her memory.”

Pulaski parade co-chair Mira Szramel said Schmid was always dependable. “I knew I could count on her,” Szramel said. She added that she knew she could always “Call Jackie” and the job would get done.

Schmid is survived by her mother, Sandi (Alexandra), father William Sr., and brother William.

A wake will be held at Barron Miller, 3025 William St., Cheektowaga on Friday from 2–8 p.m. A Mass of Christian burial will be offered 10 a.m. Saturday at St. John Gualbert Church in Cheektowaga.

RECOGNIZING STAFF SGT. JEFFREY KELLY

HON. DANIEL WEBSTER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. WEBSTER. Mr. Speaker, I am pleased to express my sincere appreciation for Staff Sgt. Jeffrey Kelly’s service to his country.

After joining the U.S. Army Reserves in 2000 and transferring to the Regular Army in 2006, Sgt. Kelly served three tours in Iraq. In 2008, during his last tour, Sgt. Kelly was seriously injured when his convoy came under rocket-propelled grenade and mortar fire. Despite his injuries, Sgt. Kelly completed his assigned mission.

Sgt. Kelly is a native of Central Florida and graduated from Westside Vo Tech in Winter Garden. Sgt. Kelly now lives in Clermont with his wife, Michelle, and two young children, Jade and Lindsey.

On behalf of the people of Central Florida, I am pleased to express our gratitude and to praise Sgt. Kelly for his courage and dedication to his country. His commitment to his country and his selfless service is an inspiration to us all.

CONGRATULATING GRAMBLING STATE UNIVERSITY

HON. RODNEY ALEXANDER

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. ALEXANDER. Mr. Speaker, it is with great pride that I rise today to congratulate Grambling State University (GSU) on its 111th anniversary. This milestone is a testament that GSU is a true leader in education.

Opening on November 1, 1901, GSU was organized by a group of African American farmers who wanted to organize and operate a school for African Americans in north Louisiana. What began as an industrial school, Grambling State shifted its focus to rural

teacher education in the late 1930s. GSU transformed in the early 1950s into an institution that offered students education in the areas of science, liberal arts, and business. The university now offers 68 degree programs to its students.

In recent years, Grambling has incorporated new academic programs and has added new facilities including a business and computer science building and school of nursing. Throughout the university’s 111-year history, the value of each individual student has always been emphasized. GSU continues to be an institution “where everybody is somebody.”

I commend Grambling State University on this significant milestone, and its dedication to positively influencing the lives of its students. I ask my colleagues to join me in honoring Grambling State University for this momentous occasion.

SEEKING FREEDOM FOR AMERICAN TRAPPED IN BOLIVIAN PRISON

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. SMITH of New Jersey. Mr. Speaker, yesterday, the Subcommittee on Africa, Global Health, and Human Rights, which I chair, held a hearing to shine a spotlight on and to search for a resolution of the extreme injustice being perpetrated by Bolivian government officials against Jacob Ostreicher, an American trapped in the infamous Palmasola prison. Charged with crimes for which the Bolivian Government has produced no evidence, either of the crimes themselves or that Mr. Ostreicher committed either one, he is being denied the most fundamental due process and human rights both under Bolivian law and international human rights standards.

On June 9, Sheri Rickert, my Staff Director on the subcommittee, and I went to Bolivia to meet with Mr. Ostreicher and to attend a court hearing for his release on bail which had been repeatedly delayed since September of last year. The testimony presented at the Subcommittee’s June 6 hearing about this case revealed the repeated due process violations being committed by Bolivian officials.

On June 11, I had the opportunity to witness some of them myself. Two attorneys from the Bolivian Ministry of Government, who I understand should not be intervening in the case, aggressively threatened to take legal action against the judge if he refused to recuse himself. Although the judge rightly rejected the ludicrous reasons on which the Ministry of Government attorneys based their threat, they accomplished their goal of having the hearing postponed and Mr. Ostreicher returned to prison.

To underline the absurdity of the Bolivian judicial system, Mr. Ostreicher’s case was then referred to a court where the judge is detained in the same prison as Mr. Ostreicher. It took fully six weeks for the hearing to be rescheduled in another court that has a judge. I’ve been told that, unfortunately, the same scenario as occurred at the June 11 hearing took

place again on July 23. The Ministry of Government attorneys injected themselves into the hearing and aggressively threatened the judge if she failed to recuse herself. The judge rejected out of hand the basis asserted for the threat, but again postponed the hearing and returned Mr. Ostreicher to jail.

While in Bolivia, I met with the Vice Minister of Foreign Affairs Juan Carlos Alurralde, the Minister of Government Carlos Romero Bonifaz, and the Minister of Justice Cecilia Ayllón Quinteros to advocate for Mr. Ostreicher's release. Each one of them have made commitments with respect to this case but have not followed through.

And in the meantime, Mr. Ostreicher continues to face daily threats to his life in the violent, unsanitary, drug-infested Palmasola prison. He has been on a hunger-strike since April 15, and he was already extremely frail and weak when I saw him over a month ago. Both a private and a Bolivian government doctor have examined Mr. Ostreicher and recommended that he be referred to a medical clinic for evaluation. Given everything else that has happened in this case, it is highly suspicious that the prison officials are unable to find police escorts to take him there.

Although our own State Department officials are finally acknowledging that Mr. Ostreicher's due process rights are being violated, they continue to seem hesitant and uncertain about what action to take on his behalf. The State Department was invited to testify at yesterday's hearing, but indicated that they were not available to do so this week. I look forward to arranging a follow-up hearing at the earliest possible date when they are prepared to discuss their efforts in this case.

Since undertaking my own advocacy efforts on Mr. Ostreicher's behalf in early June, I have received reports about several Americans who are imprisoned overseas and who are being denied their fundamental due process and human rights. Out of a sense of obligation to do all I can to help Mr. Ostreicher, but also to assist other U.S. citizens in similar situations, I am introducing legislation that will hold accountable those foreign government officials who are responsible for the violation of due process and human rights of imprisoned Americans.

This legislation is entitled the "Justice for Imprisoned Americans Overseas Act" or "Jacob's Law." It is premised on the principle that foreign government officials responsible for violations of fundamental due process and human rights of imprisoned U.S. citizens, as well as their immediate family members, should not have the privilege of traveling to the United States while our citizens unjustly languish in their prisons.

The bill would prohibit the issuance of a visa and deny entry to any foreign government official who is violating, or failing to fulfill a responsibility to uphold, the rights of an imprisoned American. The legislation would also deny entry to such officials if the American dies from any cause while in prison. These visa and entry prohibitions would likewise apply to these officials' immediate family members.

Entry to the U.S. would be denied only when an American's fundamental rights are being violated. Americans who violate the le-

gitimate laws of foreign countries must accept the consequences of their crimes. But the United States cannot stand by and simply "monitor" the case when our citizens are being held hostage contrary to international human rights standards.

I would emphasize that already under current law, 22 U.S. Code Section 1732, the President must demand the release of any citizen who has been unjustly deprived of his liberty by or under the authority of any foreign government, and to undertake appropriate means to obtain the release of such citizen. This legislation provides the State Department with a tool that it should welcome in order to help it fulfill this responsibility.

We were privileged to have with us yesterday two attorneys who are representing Mr. Ostreicher in the Santa Cruz courts. I would like to thank them for coming all the way from Bolivia to participate in this hearing on Mr. Ostreicher's behalf. We also received an update about the case from Mr. Ostreicher's wife, Ms. Miriam Ungar, and his daughter, a constituent who resides in my district in New Jersey, Ms. Chaya Weinberger. Finally, I would like to express my appreciation to Mr. Stephen Moore, a retired FBI special agent who has spent considerable time and effort investigating Mr. Ostreicher's case and who interrupted his book tour in Washington State in order to join us yesterday.

IN RECOGNITION OF THE SERVICE
OF MAJOR GENERAL ANTHONY
G. CRUTCHFIELD

HON. MARTHA ROBY

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mrs. ROBY. Mr. Speaker, I rise today to recognize Major General Anthony G. Crutchfield, Commanding General of the United States Army Aviation Center of Excellence, upon completion of his tour of duty at Fort Rucker.

Since August 2010, when Major General Crutchfield took command of the United States Army Center of Excellence and Fort Rucker, he has demonstrated a deep personal commitment not only to his troops, but also to their families and the surrounding community.

Major General Crutchfield's mastery of the area of Army aviation is well known, and his vision for the future of his branch has had a direct positive impact in the Army. But, equally important, Major General Crutchfield's well-known dedication to his soldiers is, perhaps, his most honorable attribute. Further, his devotion to the success of his soldier's training, performance, and morale illustrates his proven leadership among those who dutifully serve.

When Major General Crutchfield took command of Fort Rucker, there was an untenable backlog of would be pilots waiting to begin training. As one of his first directives, he challenged his staff to find a solution to this vexing problem. Despite counsel from many that this was an unreasonable task, the backlog has been eliminated. Such actions exemplify his "can do" attitude. The entire Army Aviation community has benefited as a result.

Always thinking about military families, Major Crutchfield would not accept that, despite the growing population on base, Fort Rucker was not scheduled to receive a new commissary until 2016. Through his efforts, Fort Rucker and its families will enjoy the benefits of a new commissary in 2013. However, this pales in comparison to his other efforts in support of military families. As an example, Major General Crutchfield would often participate in story time with children of deployed family members. To think that a man of this magnitude would make time in his busy schedule to spend with the children of deployed soldiers, on more than one occasion, speaks volumes about his genuine concern for his military families. It also says a great deal about his character as a man.

Major General Crutchfield has also built solid relationships with the Fort Rucker civilian community throughout his command. He took time to meet members of the community, and worked hard to get to know them personally. Most recently, after undergoing a coaching change at Enterprise High School, Major General Crutchfield spent some time with the football team and offered a motivational speech to those young adults. Such actions are typical of his efforts to bond with the community and will have a lasting effect on those student athletes for years to come.

Major General Crutchfield's tour as Commander of the United States Army Center of Excellence and Fort Rucker is a textbook example of our great military leaders. From his dedication to his troops and their families to his unwavering support of the local community, his leadership and commitment to excellence contributed significantly to our nation's defense.

Mr. Speaker, on behalf of the United States Congress, I am pleased to recognize the significant impact Major General Crutchfield has had on Fort Rucker and the surrounding community. My congressional staff, my husband Riley, and I each offer Major General Crutchfield and his wife Kim our most heartfelt gratitude for their service to our Nation and wish them fair winds and following seas as they move on to their new duty station at Camp H.M. Smith in Hawaii.

HONOR FLIGHT ALASKA
RECOGNITION

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. YOUNG of Alaska. Mr. Speaker, I rise on behalf of a grateful Alaska Congressional Delegation, state, and country, to welcome four heroes to our nation's capital. On September 27, 2012, four World War II veterans are coming on an Honor Flight from Alaska to visit the World War II Memorial here in Washington, D.C.

The Honor Flight program was started in 2005 to provide national transportation to D.C. for veterans who might otherwise never see the memorials built in their honor. Initially run entirely by individual volunteers, the program

has grown into a non-profit network of volunteers, organizations, and airlines that work together to extend this amazing opportunity to those who most deserve it.

The four veterans on this Honor Flight are World War II veterans: William Joseph Nuggett, Army Air Force; Louis Elmer Fessler, U.S. Army; Marc Stella, U.S. Marine Corps; Robert J. Ingram, U.S. Navy.

Mr. Speaker, these four veterans from Alaska join over 81,000 veterans, from across the country, who have traveled to our nation's capital since 2005 to visit and reflect on memorials built in their honor. This Honor Flight was made possible through generous public donations and contributions from those who wish to honor these heroes.

We truly can never repay the debt we owe the soldiers, sailors, airmen, and Marines who put themselves in harm's way to protect our freedom. The sacrifices made by these heroes—and the families they left behind—are truly incredible. These servicemen returned home with heavy burdens and scars from war, and still helped our nation rebuild and achieve unprecedented prosperity. Their honor, courage, commitment, and sacrifice brought freedom to much of the world, and allowed us to enjoy the freedoms we cherish today.

Please join me in thanking these Alaska veterans for their selfless dedication, commitment, and service to our great nation. God bless America and these brave men.

A TRIBUTE TO TIFFANY JOHNSTON

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. LATHAM. Mr. Speaker, I rise today to recognize and congratulate Ms. Tiffany Johnston of Graettinger, Iowa for being named a national recipient of the 2011 Teacher Mentor Award from the National Association of Agricultural Educators. Ms. Johnston is one of only six individuals nationwide who received this great honor.

Over the past six years, Ms. Johnston has been educating high school students at Graettinger-Terril High School as well as Iowa's new agriculture teachers through the Iowa Association of Agricultural Educators New Teacher Program. Ms. Johnston's passion has reinvigorated our state's agricultural education through updated methodology and countless hours of dedication.

During the 2010 Iowa Association of Agricultural Educators Summer Conference, Ms. Johnston teamed up with fellow Iowa agricultural educator, Tara Fastert, to help other new teachers in the profession. Together they would help develop a new teacher program to provide teachers with more resources and ideas for their lesson plans, as well as introduce them to cutting-edge online resources to assist in further professional networking. Ms. Johnston's work to establish partnerships within an agricultural education program, starting at the local level, has culminated to her nationwide recognition through the Teacher Mentor Award.

Mr. Speaker, the commitment Ms. Johnston has shown to Iowa's agriculture, educators, and students is unparalleled. Her efforts embody Iowa's proud traditions of quality education and hard work, and it is an honor to represent Tiffany in the United States Congress. I know that all of my colleagues in the House will join me in congratulating her on this remarkable achievement and will wish her continued success in educational excellence.

TRIBUTE HONORING THE 109TH ANNIVERSARY OF THE ILINDEN UPRISING

HON. BILL PASCRELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. PASCRELL. Mr. Speaker, I rise today to recognize the 109th Anniversary of the Ilinden Uprising. On August 2, 1903, the Macedonian people rose together to fight for their freedom. Today is a cause for true celebration.

The Ilinden Uprising's ideas were rooted in the ideals of the American and French Revolutions. The Macedonian people fought for an independent state, whose people would enjoy civil liberties and be free in their pursuit of happiness.

Macedonia's forefathers fought bravely for the Macedonian nationhood, and their dream became a reality in 1991, when the Republic of Macedonia became free, independent and sovereign.

I would also like to take a moment to congratulate the Macedonian-American community in my district, in New Jersey, and throughout the entire United States on the progress their homeland has achieved. Today marks the Anniversary of a huge step towards an independent Macedonia, and I am happy to support the Republic of Macedonia as it continues to move forward on its path to full NATO membership.

I am always pleased to recognize and commemorate historic occasions such as this one. As a proud member of the Congressional Caucus on Macedonia and Macedonian-Americans, I again commemorate the 109th Anniversary of the Ilinden Uprising in Macedonia.

Mr. Speaker, I ask that you join our colleagues, all Macedonian people, and me, in recognizing the 109th Anniversary of the Ilinden Uprising in Macedonia.

RECOGNIZING MARK DAVIS FOR 45 YEARS OF SERVICE IN THE AIRLINE INDUSTRY IN SEATTLE

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. SMITH of Washington. Mr. Speaker, I rise to honor Mark Davis of Auburn, Washington, for forty-five years of dedicated service to the airline industry.

In 1967, Mr. Davis began working on the ramp for Northwest Airlines, with a propeller-driven Lockheed Electra. Over the next 45

years, he served in a variety of capacities for his company. These included time as a ramp agent, cleaner, working in the commissary, fueling aircrafts, serving at the post office and, finally, as a freight runner.

At a special ceremony, Mr. Davis received a pin commemorating his 45 years of service. Delta Cargo leaders and employees surprised him by unveiling a ramp tug personalized with his name, employment date and years of service.

Mr. Speaker, it is with great honor that I recognize Mark Davis for a long career of service to the airline industry in Seattle, Washington. Employees like Mark make companies, our economy, and our country thrive.

IN HONOR OF SAMUEL L. ODLE ON HIS RETIREMENT

HON. ANDRÉ CARSON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. CARSON of Indiana. Mr. Speaker, today I rise to congratulate Samuel L. Odle on his retirement from Indiana University Health. IU Health is our state's most comprehensive healthcare provider, encompassing twenty hospitals and health centers. U.S. News & World Report has named IU Health as one of the "Best Hospitals in America" for fourteen consecutive years—a laudable achievement and further evidence of Mr. Odle's prowess as one of the very best health care executives in the Nation. For 31 years, Mr. Odle has worked to improve patient care and expand the reach of IU Health to underserved communities throughout Indiana. The establishment of the new IU Health Pathology Laboratory and Neuroscience Center are testament to his leadership and devotion to advancing the practice of medicine.

In addition to spending long hours at IU Health and raising his three children, Mr. Odle has worked tirelessly on behalf of the United Way of Central Indiana, the Jordan Foundation, the Crossroads of America Boy Scouts Council, and the Methodist Health Foundation.

Mr. Odle is more than just an outstanding executive, community leader and philanthropist. On a personal level, he has served as a role model for me and a source of inspiration for many years. Samuel L. Odle is a pillar in the community; he sets a fine example for all of us.

Today, I ask my colleagues to join me in honoring Sam Odle for his exceptional service to the 7th District of Indiana. I wish him the very best in his retirement, and look forward to working with him for many years to come.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. COFFMAN of Colorado. Mr. Speaker, on January 20, 2009, the day President

Obama took office, the national debt was \$10,626,877,048,913.08.

Today, it is \$15,907,138,660,280.97. We've added \$5,280,261,611,367.89 to our debt in just over 3 years. This is debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

IN HONOR OF SISTER MARY
CECELIA HARRISON, FMS

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. BISHOP of Georgia. Mr. Speaker, I rise today to pay tribute to an inspiring woman of faith, beloved educator and spiritual leader, Sister Mary Cecelia Harrison, FMS. Sister Cecelia will be retiring after 25 years of outstanding leadership as Principal of Mother Mary School in Phenix City, Alabama. On Saturday, August 4, 2012, Sister Cecelia will be honored with an appreciation luncheon at the Columbus Trade and Convention Center in Columbus, Georgia.

Sister Cecelia, a native of Kingston, Jamaica, was born on May 7, 1937, the ninth child of Philip and Agnes Harrison's ten children. In 1956, she entered the Franciscan Missionary Sisters of Our Lady of Perpetual Help of Jamaica. She graduated from Boston College in Massachusetts in 1966 and then assumed a variety of principalships in Jamaica and the Cayman Islands where she oversaw the increase of enrollment in several schools and was appointed Member of the Cayman Islands Board of Education by the Governor for seven years.

In 1988, Sister Cecilia was assigned as School Principal and Program Coordinator at Mother Mary Mission School in Phenix City, Alabama at a time when the school was almost defunct. It had poor academic standing and low enrollment and plans were in place for its closing. Sister Cecelia was only too happy to take on this challenge. Within three years, Mother Mary School was thriving with increased enrollment, high academic standards and improved facilities.

In her 25 years as Principal of Mother Mary School, Sister Cecelia has become an educational and spiritual mentor in the community. Not only does she contribute to the education of young minds but she also works to provide assistance to the needy within the community. Her generosity is flowing and never ending and her faith is strong and enduring.

Mr. Speaker, one of the things I admire most about Sister Cecelia is her selfless determination to help others. While she was in the Cayman Islands, there was an area of land next to the school where she was Principal that was unusable because of its rocky and uneven terrain. Sister Cecelia wanted the children to be able to use this land for much-needed recess so in any spare moment she had, she would go out there and pick up the rocks one by one herself. Her dedication inspired others to help and within a year, Sister Cecelia had the area leveled, graded and cleared of rocks for the children to enjoy.

Proverbs 11:25 says, "A generous person will prosper; whoever refreshes others will be

refreshed." Sister Cecelia has given her life to God and dedicated herself to the service of others. She has been blessed in many, many ways and enjoys watching the children she has mentored and nurtured grow into good, generous and hardworking men and women of faith.

Mr. Speaker, I ask my colleagues to join me today in paying tribute to Sister Mary Cecelia Harrison for her legacy of selfless life service and her 25 years of dedicated leadership to Mother Mary School and the surrounding community.

A STORY OF RECOVERY FROM
THE ALABAMA TORNADOES

HON. SPENCER BACHUS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. BACHUS. Mr. Speaker, the State of Alabama will never forget the devastating tornadoes of April 27, 2011.

But the story that has been told since that destructive day is an inspiring one of personal resilience and a resolve to rebuild neighborhoods and communities.

A critical factor has been the commitment that employers have made to their communities.

After a natural disaster of this scale, there is always a choice to confront: rebuild or relocate?

An important part of the economic recovery efforts in Jefferson County was the decision made by Cliffs Natural Resources to rebuild its Oak Grove Mine and Concord Preparation Plant and remain as a strong presence in Alabama.

The tornadoes caused significant damage to the mine preparation plant and overland conveyor system at the coal facility, an employer of more than 500 workers in the western portion of Jefferson County. It also disrupted the transportation system that Cliffs and other companies rely on to receive and move materials.

Most critically, and thankfully, all employees were accounted for after the storms and no one was reported as injured.

Even before the full magnitude of the recovery challenge facing Alabama became clear, company officials were already thinking about how quickly they could begin to resume operations. It soon became evident that this would entail the plant providing its own power and even building a new road. The company's management and workers were undeterred.

In spite of many daunting challenges, underground mining was restarted within two weeks. Within eight months, coal was again being processed to meet our nation's energy demands.

While planning for the long-term work needed for full capacity, the company responded to the emergency needs of the ravaged communities around it. Cliffs donated \$100,000 to the American Red Cross and another \$60,000 to organizations serving storm victims in the immediate area.

The Oak Grove operations marked a significant milestone on May 16, 2012 with a cere-

mony that highlighted the rebuilding of the Concord Prep Plant. This engineering and construction achievement represented a \$52 million investment and was accompanied by an additional \$30 million investment in a new, LEED-certified mine portal facility.

In all, Cliffs invested \$120 million towards its Alabama operations and preserved more than 500 jobs during a year when our state needed it the most. It is a tale of resilience, determination, and a strong work ethic that stands out as my state continues its recovery from the historic storms.

ON THE LEAGUE OF WOMEN VOTERS
OF HOUSTON EDUCATION
FUND

HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. GENE GREEN of Texas. Mr. Speaker, today I rise to honor the League of Women Voters of Houston Education Fund for their commitment to the encouragement of active and informed participation of citizens in government.

The League of Women Voters of the United States and the League of Women Voters of the Houston Area were both established in 1920, the year that the Nineteenth Amendment to the Constitution of the United States gave women the right to vote. The League of Women Voters is a direct descendant of the women's suffrage movement, and has become an active and effective organization that serves all voters.

The League of Women Voters of Houston Education Fund has an extensive, respected history of encouraging civic engagement throughout the Houston community. Their mission to encourage active and informed participation by providing accessible information and support services to the people is critical to the success of a democracy.

This August marks the 92nd anniversary of the passage of the Nineteenth Amendment. I join the League of Women Voters in celebrating Women's Equality Day by remembering this historic achievement and the courage, perseverance and accomplishments of women who fulfill the promise of the Nineteenth Amendment.

Members of the League of Women Voters of Houston Education Fund are volunteers who work in their communities to help the realities of the American system of government live up to its ideals. The organization would not be the success that it is today without their hard work and dedication. Their service to our community is greatly appreciated.

And so it is with great pleasure that I recognize the League of Women Voters of Houston Education Fund and celebrate the anniversary of the passage of the Nineteenth Amendment.

TRIBUTE TO LAKE HEALTH
DISTRICT CEO GORDON ENSLEY

HON. GREG WALDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. WALDEN. Mr. Speaker, I rise today to pay tribute to a long time community leader in the heart of Southern Oregon, Gordon Ensley.

On June 30th, after a career in health care spanning 38 years, Gordon retired as Chief Executive Officer of the Lake Health District in the great town of Lakeview, Oregon. In 1996, after 11 years at another small town hospital in Gold Beach, Oregon, Gordon and his wife Pauline moved to Lakeview so he could serve as the Lake Health District Chief Financial Officer. Then in 2003, Gordon took the helm as Chief Executive Officer, and under his leadership the health district's local hospital, long term care facility, and home care and hospice programs, have experienced tremendous growth and improvement.

Most of Lakeview's 3,000 residents, whether they have encountered Gordon as an employee, patient, colleague, or friend, are likely to agree about the positive impact he has made on their community. This included one of Gordon's crowning achievements, a 10-year project to expand and upgrade the hospital. Gordon and his board knew this project wouldn't be without its obstacles, but nevertheless began work on a plan to find additional finances, which included a plea to the community to support an \$8 million bond. In 2008, voters agreed that improving overall patient care and access was a worthy investment, and approved the ballot measure to help finalize a 33,000 square foot expansion and upgrade to the hospital.

Mr. Speaker, even with this achievement, Gordon still understood the struggles associated with providing health care to rural patients. Most areas within Oregon's Second Congressional District are as rural as you can get, and access to a health provider can be difficult. Lakeview is no exception, but fortunately for this community and its surrounding areas, Gordon embodies the dedication and vision that is necessary to provide quality care and improved access. All this, however, and Gordon will be the first to say that while working in the rural health care field offers its challenges, it presents even greater rewards.

And as we develop policies in Washington, D.C., it is crucial for Congress to do so only after seeking the advice of on-the-ground experts like Gordon and those like him. Fortunately, he has always been more than willing to take time out of his otherwise busy days to offer his valuable expertise, and he has never been afraid to get in touch with me to express his concerns. Whether discussing pending legislation, burdensome federal regulations—on which Gordon has certainly made his position known—or even sometimes non-health related issues, I have greatly appreciated his expert guidance and useful counsel over the years.

So as Charlie Tveit, the Lake Health District's new CEO, takes over, he begins on the solid foundation laid under Gordon's strong leadership. And while I know Gordon had reservations about leaving his post after so many

dedicated years of doing what he knows best, I think all of those who know him, most notably his wife Pauline and their family, would agree that he has earned a well-deserved break.

Mr. Speaker, I ask my colleagues to join me in recognizing Gordon's many years of service to his community as we wish him a long and happy retirement.

CONGRATULATING THE MSC
COYOTES GREEN UNDER-14
GIRLS SOCCER CLUB ON THE OC-
CASION OF THEIR NATIONAL
CHAMPIONSHIP

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. VAN HOLLEN. Mr. Speaker, I rise to recognize an incredible group of young ladies—proud members of the MSC Coyotes Green Under-14 Girls Soccer Club—who brought home to the great State of Maryland the National Championship.

Yes, this team has reached the top of youth soccer. They may just be rising 9th and 10th graders—most of them residents of Montgomery County, Maryland—but they have already achieved in sports what most young athletes can only dream about. And they didn't get there without putting in the work. Being fast and strong and athletic are important, but putting in the work is what sets you apart from your competition. These young ladies trained endlessly—in rain, snow, extreme heat, and freezing cold—while staying focused on academics.

They arrived in Rock Hill, SC last week as the sole representative of Region 1 (Maine to Virginia), and they left Rock Hill, SC as the top U14 girls club team in America. I rise to recognize these young ladies, their families, and their great coaches for all of their hard work, dedication, grit, and perseverance.

The MSC Coyotes Green qualified for the National Championships after winning the Region 1 Championships in Lancaster, PA having to survive matches against some of the top ranked teams in America. They won this prestigious Regional Championship but not the easy way—the Coyotes won their semi-final and final matches in winner-take-all penalty kicks.

The National Championships was a round-robin between the Final 4 teams in America from Maryland, California, Ohio, and Tennessee. To put the MSC Coyotes Green achievement in perspective, over 10,000 club teams competed for a chance to play in the Regional and National Championships.

The National Championships round-robin started Wednesday, July 25, 2012 in Rock Hill, SC. The Coyotes Green tied their first match against Beach FC '97 from California 0-0 on Wednesday; lost their second match against Tennessee '98 Azzurri 2-0 on Thursday; and won their third match—a win or go home game—on Friday against Ambassador FC from Ohio 3-0. The Coyotes qualified for the Title Game and earned a rematch with Tennessee '98 Azzurri on Saturday, July 28,

2012 at 6:45 p.m. in Rock Hill, SC for the U14 Girls National Championship. It was a tough match, but the MSC Coyotes Green won 2-0, earning their spot as the nation's top U14 girls team.

I would like to recognize the following MSC Coyotes Green players who will play—or already do play—for several Washington, DC and Maryland suburban high schools:

1 McKenzie McCaull, F, Linganore; 2 Naomi Gross, GK, B-CC; 3 Annika Jansa, M/D, Bullis; 5 Sara Johnston, D, Stone Ridge; 10 Paula Germino-Watnick, M/F, B-CC; 13 Julia Abbott, F, Good Counsel; 14 Cristina Valianatos, M, Walt Whitman; 15 Jade Ruiters, F/M, Holy Cross; 16 Amanda Wilson, D, Good Counsel; 20 Lindsay Wytkind, D, Walt Whitman; 21 Emma Anderson, F, Walt Whitman; 23 Kristen Darragh, GK, Poolesville; 25 Deena DeSilva, D, Magruder; 26 Kristen Bissell, M/F, Undecided; 27 Juliana Comer, M, Churchill; 28 Elizabeth Coletti, F, St. John's Catholic Prep; 29 Clare Severe, M/F, Walt Whitman; and 44 Julianne Keehan, F, Holy Cross.

I also want to commend the two coaches who led them to victory—Alex Gould and Kevin Layton.

It's not often that you can pause to recognize national champions in your congressional district. Today it is my privilege to recognize and congratulate the MSC Coyotes Green U14 Girls Team, the best U14 girls soccer team in America.

WESLEY GROVE UNITED CHURCH
OF CHRIST 125TH ANNIVERSARY

HON. ROBERT C. "BOBBY" SCOTT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. SCOTT of Virginia. Mr. Speaker, I rise today to congratulate a legacy of faith and community in Virginia's Third Congressional District. This year, Wesley Grove United Church of Christ in Newport News, Virginia is celebrating its 125th anniversary, and I would like to take a moment to reflect on the history of this esteemed institution and its contributions to the greater Newport News community.

Originally organized in 1887 by a group including Reverend J.H. Edlow and Deacon G. Wesley Raney, the Wesley Grove congregation originally met in a building just 20 by 30 feet, at the time too large for the small congregation. As a poor congregation, it was difficult for them to pay for this space. Fortunately, the congregation found ways to make ends meet, and in 1895, under Reverend James M. Parson, a new house of worship was completed.

In 1897, Elder S.A. Howell became pastor of the Church. As time went by, the congregation continued to expand, eventually growing to over 1,000 and finding itself in need of a larger place of worship. Under the leadership of Reverend Howell, a new building was constructed on the 700 block of 19th Street in Newport News. Dedicated in 1900, this building was used by the congregation under the leadership of Reverend T.S. Crayton, Reverend J.B. Jones, Reverend Thomas J. Moore, and Reverend Zander P. Jenkins.

In 1964, under the leadership of Reverend Jenkins, having once again outgrown their place of worship due to mergers with other congregations, the Wesley Grove congregation completed the purchase of a building owned by another local church. Reverend Jenkins, feeling called to serve elsewhere, left the congregation in 1970.

Over the next few years, the congregation struggled without a pastor at times. Reverend Vernon Harris served the congregation for a year in 1972 before Reverend Jenkins, having fulfilled his calling to other congregations, returned in 1974. Unfortunately, Reverend Jenkins passed away suddenly, leaving Wesley Grove again without a pastor.

With Reverend Jenkins' passing, Reverend G. Wesley Raney, III, the grandson of one of Wesley Grove's founders, proved ready to lead the congregation. During his ministry, the church flourished. Feeling called to pastor a church in another state, Reverend Raney left Wesley Grove in 1985, and was succeeded by Reverend Isaac L. McDonald. Under his leadership, numerous programs were established to help Newport News youth excel in their educational pursuits.

Reverend McDonald was succeeded by Reverend Prince Raney Rivers, who was called to minister Wesley Grove as both a pastor and a teacher until 2005. A descendant of one of the founders of the church, Reverend Rivers presided over another period of tremendous growth for the church. Under his leadership, the Church established new ministries, expanded membership, and created lasting community partnerships to address issues and challenges facing the community.

Reverend McDonald was succeeded by Reverend Dr. Alexander Jamison, Sr., who served the community from 2007 until 2011.

Wesley Grove remains committed to maintaining its legacy of faith and community action to this day. With a congregation that has historically included a large number of professionals in the field of education, Wesley Grove established education programs that include after school tutoring and Project REACT, a technology focused tutoring program to help improve students' performance. It has also provided numerous scholarships to college bound students, including the G. Wesley Raney III Scholarship, the Olivia Smith Scholarship, and the Emma Gupton Scholarship. Wesley Grove also has an accomplished and talented choir program, featuring a men's choir, a senior's choir, and a children's choir. These programs, amongst others, continue to demonstrate Wesley Grove's commitment to the Newport News community.

As the Wesley Grove United Church of Christ gathers to celebrate this historic milestone, the church can truly remember its past, celebrate its present, and focus on its future. I would like to congratulate all of the members of the Wesley Grove United Church of Christ on the occasion of its 125th Anniversary, and I wish them many more years of dedicated service to the community.

A TRIBUTE TO TYLER HANSON

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. LATHAM. Mr. Speaker, I rise today to recognize and congratulate Tyler Hanson of Sergeant Bluff, Iowa for achieving the rank of Eagle Scout.

The Eagle Scout rank is the highest advancement rank in scouting. Only about five percent of Boy Scouts earn the Eagle Scout Award. The award is a performance-based achievement with high standards that have been well-maintained over the past century.

To earn the Eagle Scout rank, a Boy Scout is obligated to pass specific tests that are organized by requirements and merit badges, as well as completing an Eagle Project to benefit the community. For his project, Tyler planned, organized, and painted badly faded curbs, light poles and parking lines at his local church. His project also included adding handicap accessible parking spaces in accordance with the Americans with Disabilities Act. The work ethic Tyler has shown in his Eagle Project, and every other project leading up to his Eagle Scout rank, speaks volumes of his commitment to serving a cause greater than himself and assisting his community.

Mr. Speaker, the example set by this young man and his supportive family demonstrates the rewards of hard work, dedication and perseverance. I am honored to represent Tyler and his family in the United States Congress. I know that all of my colleagues in the House will join me in congratulating him in obtaining the Eagle Scout ranking, and will wish him continued success in his future education and career.

PERSONAL EXPLANATION

HON. BEN RAY LUJÁN

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. LUJÁN. Mr. Speaker, due to an operational issue with the voting machine on the House floor, my vote did not register on the passage of H.R. 3803 (Rollcall vote No. 539). Had this issue not arisen, I would have voted "no" on this vote.

HONORING MR. JASON ROBERTS

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to honor Mr. Jason Roberts, a White House "Champion of Change" from Oak Cliff, Texas. This week, the White House honored Mr. Roberts and other leaders from across the U.S. for their groundbreaking initiatives to enhance their communities.

Mr. Roberts' leadership has been exemplary in his initiatives to improve local areas, and re-

vitalize communities in South Dallas. As founder of the Oak Cliff Transit Authority, a nonprofit organization dedicated to reclaiming Oak Cliff's past distinction, Mr. Roberts worked to revive and modernize the Dallas streetcar system. Through hard work and ingenuity, Mr. Roberts led the city's effort to obtain a \$23 million TIGER grant from the Federal Transit Administration for their revitalization efforts.

Mr. Roberts' "Better Blocks" project reclaims blighted areas, converting vacant properties into temporary walk-friendly districts, complete with pop-up businesses, bike lanes, café seating, and landscaping. Mr. Roberts' efforts have been so successful in South Dallas that over 20 U.S. cities have taken steps to enhance neighborhoods in the same fashion based on his work. Mr. Roberts' "Better Blocks" project has even gained international recognition, and has since been featured in the New York Times, TED Talks, and on NPR.

Mr. Speaker, I am pleased to honor the hard work and vision that Mr. Jason Roberts continues to bring to South Dallas. His hard work and vision have allowed him to not only envision a better Dallas, but to also act on that vision. I look forward to seeing what future advances that Mr. Roberts will spearhead next, and I stand ready to support these efforts at every turn.

**"WE STOOD!"—REMEMBERING THE
FALLEN OF THE CHINOOK HELICOPTER
CRASH ON AUGUST 6, 2011, IN AFGHANISTAN,
"WHO GAVE THAT LAST FULL MEASURE"
ON THIS ONE-YEAR ANNIVERSARY,
THE UNITED STATES AIR FORCE, ARMY, AND NAVY**

HON. STEVE KING

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. KING of Iowa. Mr. Speaker, I rise today in honor and in remembrance on this up and coming one year anniversary of the thirty magnificent lost heroes from the Navy Special Warfare Units, The Army and Air Force. Who so heroically gave That Last Full Measure for God and Country aboard a Chinook Helicopter in Afghanistan on August the 6th, 2011. Our thoughts and prayers go out to them and their families and all of their Brothers and Sisters in Arms, on this anniversary, as I read this poem penned in their honor by Albert Caswell.

P01 (SEAL) Darrick C. Benson,
CPO (SEAL) Brian R. Bill,
P01 (SEAL) Christopher G. Campbell,
CPO (SEAL) John W. Faas,
CPO (SEAL) Kevin A. Houston,
LCDR (SEAL) Jonas B. Kelsall,
MCPO (SEAL) Louis J. Langials,
CPO (SEAL) Matthew D. Mason,
CPO (SEAL) Stephen M. Mills,
CPO Nicholas H. Null,
SCPO (SEAL) Thomas A. Ratziaff,
CPO (SEAL) Robert J. Reeves,
CPO (SEAL) Heath M. Robinson,
P01 (SEAL) Jon T. Tumilson,
P01 (SEAL) Aaron C. Vaughn,
P01 (SEAL) Jason R. Workman,

P01 (SEAL) Jesse D. Pittman,
 P02 (SEAL) Nicholas P. Spehar,
 P01 Expeditionary Warfare Specialist Jared W. Day,
 P01 Expeditionary Warfare Specialist John Douangdara,
 P01 Expeditionary Warfare Specialist Michael J. Strange,
 SCPO Expeditionary Warfare Specialist Kraig M. Vickers,
 Army SGT Alexander J. Bennett,
 SPC Spencer C. Duncan,
 Chief Warrant Officer Brian J. Nichols,
 Chief Warrant Officer David R. Carter,
 SGT Patrick D. Hamburger,
 Airmen Tech SGT John W. Brown,
 Staff SGT Andrew W. Harvell,
 Tech SGT Daniel L. Zerbe,
 The United States Army, Air Force, Navy.
 WE STOOD!

We!
 WE STOOD!
 WE STOOD!
 so you can sleep!
 While, out across our Nation, our Mother's
 now so weep!
 WE FOUGHT,
 so you can live!
 All in such blessed peace,
 that which our most selfless sacrifice so
 gives!
 As all in such pain and heartache our fami-
 lies must now so live!
 WE STOOD, so you could sleep!
 Upon, That Bed of Freedom so very sweet!
 As to all of you our promises WE Did So
 Keep!
 As it was all for you, WE Now So Sleep!
 So Sleep, all in such cold dark quiet graves
 so very deep!
 WE GAVE!
 All of Our Most Precious Lives!
 While, all of our Brothers In Arms did so
 cry. . .
 and did not ask why!
 As WE so raised our hands so way up high!
 And so swore to pledge our most precious
 lives!
 To Make A Stand!
 To Make A Difference With It All!
 As WE so gave That Last Full Measure While
 Standing Tall!
 As WE died and so bled!
 To so keep all of our most solemn vows of
 honor, said!
 As way out across our Nation Our FAMILIES
 Now So Weep!
 All For The Greater Good, WE so gave all we
 could!
 AS WE STOOD!
 As WE pray now to our Lord their fine souls
 to so keep!
 For THEY So Stood For What Was Right.
 All with their most brilliant souls so burning
 bright!
 As THEY died,
 all for that Old Red White and Blue this
 sight!
 As into that face of evil,
 THEY so marched off casting their most he-
 roic lights!
 To so go forth,
 all in such a most brilliant force to fight!
 For THEY'D,
 MUCH RATHER HAVE DIED FOR SOME-
 THING!
 THAN, TO HAVE LIVED FOR NOTHING AT
 ALL!
 FOR STRENGTH IN HONOR!
 Was but THEIR most sacred battle cry. . .
 call!
 Because, moments . . . are all that WE so
 have!

To Make A Difference!
 To Hear That Call!
 To Change The World!
 To go off so boldly with flags unfurled!
 Troops mount up, as Heaven calls!
 Move on! Move out!
 As there are 30 more new Angels,
 In The Army of Our Lord . . .
 To fight that battle, who shall not pause!
 To so watch over us all!
 And when there comes a gentle rain,
 their tears will wash down upon us to so re-
 main!
 To ease our pain,
 so we won't have to cry anymore!
 As forever in our hearts YOUR most sacred
 names,
 WE will carry ALL!
 Because,
 YOU died so WE can sleep!
 Upon, That Bed of Freedom . . . YOUR Gift
 of Peace!
 As now WE LAY YOUR FINE BODIES down
 to rest,
 to sleep!
 BECAUSE YOU STOOD!
 Amen!

HONORING DOUGLAS CROPPER, MAINE STATE TROOPER

HON. CHELLIE PINGREE

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Ms. PINGREE of Maine. Mr Speaker, I would like to recognize a Maine State Trooper in my district who literally put his life on the line to prevent what could have been a terrible tragedy.

While performing a traffic stop on Interstate 295 in Portland on the afternoon of July 1, Trooper Douglas Cropper received a call that a motorist was driving northbound in the southbound lane of Maine's busiest highway. Seeing no other options to stop the wrong-way driver, Trooper Cropper raced ahead of the car and nosed his cruiser into the travel lane. The driver hit the cruiser and came to a stop just in time for oncoming motorists to avoid a collision. A dramatic dashboard video from the cruiser shows just how quickly the incident unfolded.

No one was injured, and I'm extremely grateful that this scary moment didn't end up being a tragic one. But it's very likely that this would not have been the case without Trooper Cropper's quick thinking and outstanding bravery.

Trooper Cropper says he was simply doing his job. But it's my belief that he went above and beyond to protect lives—and that he saved many in the process.

I want to thank Trooper Douglas Cropper for his actions, and for what he and other Maine State Police officers do every day in Maine: putting their lives on the line to protect people of our state. We owe them all a debt of gratitude for keeping us safe.

HONORING TAYLOR MORRIS

HON. BRUCE L. BRALEY

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. BRALEY of Iowa. Mr. Speaker, I rise today to honor Petty Officer Second Class, Taylor Morris.

Taylor grew up in Cedar Falls, Iowa, and after graduating from high school in 2007, Taylor joined the Navy. Looking for a challenge, Taylor trained as an Explosive Ordnance Disposal Technician. While all of our servicemembers face danger in the course of their service, EOD techs literally put their lives on the line to disarm bombs and keep all of our forces safe.

Taylor deployed to Afghanistan for the first time in January of this year. On May 3, while working with Army Special Forces in the Kandahar province of Afghanistan, Taylor stepped on an IED while clearing a route. The blast of the IED blew off all four of Taylor's limbs. Remarkably, Taylor remained conscious after the blast and called out to the medics that were rushing to help him to stop, recognizing the possible danger of other IEDs. After the second EOD with Taylor had cleared the area, medics arrived to address his wounds.

On May 6, Taylor arrived at Walter Reed Medical Center, not too far from here in Bethesda, MD, where I first had the chance to meet this remarkable young man, along with his girlfriend, Danielle, and his mother, Juli, who've stuck by him since he got home. Taylor is one of only five quadruple amputees from the last decade's wars, and despite his wounds he's remained upbeat and shown remarkable courage in working to recover. Even a few weeks after his injuries when I visited with him for the first time he was raring to move forward and get better.

Just last week, on July 23, I was proud to welcome Taylor, Danielle, and his sister Claire to the Capitol for a tour. Every time I've met Taylor, I've left inspired by his courage and dedication, and I know we all can learn something from his cheery demeanor in the face of such odds.

Mr. Speaker, I'd also like to enter the full text of a poem by Albert Caswell that was written for Taylor, titled "Greater Than Gold" into the CONGRESSIONAL RECORD. Taylor is truly an American hero.

GREATER THAN GOLD—IN HONOR OF AN AMERICAN HERO, E5 TAYLOR JOHN KRULL MORRIS,
 THE UNITED STATES NAVY

GREATER THAN GOLD

Greater!
 Greater than gold!
 All in our lives to be told!
 All in ones heart we can mold!
 All in our moments now so to behold!
 All in what we so hope to all know!
 All in ones life,
 that which forever so glows!
 Forever so glows!
 As is "MIGHTY MO!"
 Are such things to be found,
 as are all as so!
 That which are but far much more precious
 than gold!
 Precious than gold!
 To Have and To Hold . . .
 To Have and To Hold!

As upon our world,
 as your gifts to us Taylor you now so bestow!
 So bestow!
 As have all of our American Heroes!
 Heroes!
 All in what our children must all now know!
 As is such so!
 As is such so!
 Something, that is far much more greater
 than gold!
 Something, that could so launch a thousand
 ships as is so!
 Something that so leads men into battle,
 yet not to know!
 While, living on the very edge of death . . .
 while there all so!
 As time and again,
 as Taylor you so chose to so stand!
 As something so very special,
 to have and to hold!
 To have and to hold!
 That which so brings such tears,
 to even the Angels eyes as is so!
 As is so!
 As from you Taylor,
 of what I now know!
 What is far greater than gold!
 As from that first moment on,
 when I so walked into your hospital room so!
 With that smile on your face!
 I knew in an instant,
 oh what a man of such splendor and grace!
 As stood before me so!
 So!
 As all in that moment,
 as I so looked into courage's face!
 As all of those tears,
 I could not so hold,
 and would not so erase!
 Yea, Greater Than Gold!
 As it was all in that moment Taylor I want
 you to know,
 when you so taught me the true greatness of
 the human race so!
 And what is far much more Greater Than
 Gold!
 As I so looked so deep down into your very
 soul!
 As your fine heart so all out to me so glowed!
 So glowed!
 To have and to hold!
 To have and to hold!
 To carry with me now,
 as I grow old!
 As you so taught Taylor,
 so taught me there so!
 Like the corn fields of Iowa,
 your heart has so grown!
 All in what is far much more greater than
 gold!
 Greater Than Gold!
 And what we so hold in our hearts is but The
 Greatest of All of Those!
 As it was you Taylor who so chose to so live,
 and would not let go! Let go!
 And yet that even without legs,
 as still you stood so!
 And that even without arms,
 all of our hearts still you can hold!
 Still hold!
 Far greater than gold!
 Greater than Gold!
 As now Taylor,
 to me you have so showed!
 That The Greatest of All Things,
 is but what so lies in one's soul!
 In one's soul!
 So deep down inside of our hearts,
 all in what we so hold!
 As now,
 it's all ahead full . . . The Navy's Crown
 Jewel!
 As you so recover even in that hospital bed!
 For you have mountains to climb,

all in your time!
 As you even make The Navy Seals,
 say "Taylor you are my hero!"
 And you've got places to go!
 And hearts to so heal,
 as they so watch you all so!
 And people to so inspire,
 for you will not ever so tire wherever you go!
 As you So Teach,
 and So Beseech Us . . . and all of those!
 All in that one fine thing that we all must
 now know!
 That what lies in one's heart and one's soul,
 is but Far Much More Greater Than Gold!
 Greater Than Gold!
 Yes arms and legs we all need,
 but we can get by!
 But, without a heart and a soul . . .
 we will so surely die!
 And in Heaven you need not arms nor legs!
 And Taylor,
 that's where you are going one day!
 To look into our Lord's eyes as so!
 Yes, Taylor . . .
 by God you were Taylor Made so!
 To have and to hold,
 to have and to hold!
 For you Taylor,
 and what's in your heart is Far Much More
 Greater Than Gold!
 Yea, "Mighty Mo" what's in your soul!
 Is Far Greater Than Gold!

Albert Carey Caswell, 2012

IN RECOGNITION OF BRICE W.
 HARRIS

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Ms. MATSUI. Mr. Speaker, I rise today to celebrate the service of Brice Harris, as he retires from his position as Chancellor of the Los Rios Community College District. Throughout his remarkable 16 years as chancellor, Mr. Harris has skillfully guided the district on a steady path leaving a lasting legacy across the Sacramento region. I ask all of my colleagues to join me in honoring this remarkable Sacramentan.

Chancellor Harris joined the Los Rios Community College District in 1996. He had been serving as the President of Fresno City College and spent time in the leadership positions with community colleges in the Midwest. One of his many remarkable accomplishments as Chancellor was the oversight and accreditation of the district's fourth college, Folsom Lake College, which is a wonderful addition to the Sacramento region serving more than 9,000 students to date. Furthermore, his concern for students' ability to access a quality education, led him to fight to keep fees low in a time of budget cuts, encouraged light rail and public transit access to the district's colleges and led to efforts to pass local bond measures to expand Los Rios facilities.

Under his leadership, the district began to create programs to meet both the needs of the local workforce and students transferring to the state's four year college system. Understanding the need for more nurses and healthcare professionals, Chancellor Harris formed the HealthForce program, which has strengthened and expanded the Los Rios' nursing programs. He then went on to create

GreenForce, which encourages students to enter into, and train in, the growing clean technology fields. These initiatives exemplify Chancellor Harris' forward thinking approach to education and his unwavering drive to help students succeed.

Chancellor Harris has been an outstanding member of the Sacramento community. He was honored by the Sacramento Metropolitan Chamber of Commerce as "Sacramentan of the Year" and named "Humanitarian of the Year" by United Cerebral Palsy of Sacramento and Northern California. In addition, he has served as chair of the Sacramento Area Commerce and Trade Organization and of the Northern California World Trade Center. Chancellor Harris was also an active participant on the Crocker Art Museum Board of Directors.

Mr. Speaker, as Chancellor Brice Harris prepares to retire I ask my colleagues to join me in wishing him continued good fortune in his future endeavors. Chancellor Harris has stood as an instrumental force behind the strengthening of Sacramento's education system and workforce, and we all are thankful for his efforts.

THE FEDERAL RESERVE
 TRANSPARENCY ACT (H.R. 459)

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. VAN HOLLEN. Mr. Speaker, the Federal Reserve is by charter and design an independent central bank. At the same time, because ours is a system of checks and balances, the Federal Reserve's operations are governed by congressional mandate and subject to strict accountability and oversight.

Specifically, the Federal Reserve has for many years been audited by the Government Accountability Office (GAO), as well as independent, third-party firms. Additionally, pursuant to the Humphrey-Hawkins Act, the Chairman of the Federal Reserve testifies before both chambers of Congress twice a year. Minutes of the Federal Reserve's Open Market Committee are made public 6 weeks after its meetings occur, and the Fed publishes updated balance sheets on its website weekly. Moreover, the recently enacted Dodd-Frank Wall Street Reform law further enhanced the Federal Reserve's transparency by expanding the types of audits GAO must conduct and by mandating disclosure of transactions at the Federal Reserve's discount window.

In light of these facts, the issue in H.R. 459 is not whether the Fed should be audited. It already is. Instead, what is at issue in this legislation is whether the Fed's internal deliberations concerning the formation of monetary policy should be made public. This is the equivalent of asking whether Supreme Court justices' pre-decisional debate should be made public—and it is a bad idea for the same reason. It would have a predictably counterproductive and chilling effect on that debate and ultimately undermine the Fed's independence. Time and time again, history has shown that central banks whose decision-making falls under the influence of short-term

political considerations quickly lose all credibility with the public and with the credit markets. This cannot be allowed to happen.

It's ironic that most, if not all, of the information proponents of this legislation cite to justify its enactment is in the public domain because of the transparency measures that are already in place. Indeed, many advocates of H.R. 459 are avowedly less interested in striking the right balance between independence and accountability at the Federal Reserve than they are in abolishing the Federal Reserve altogether—or in ending the Federal Reserve's dual mandate to achieve both stable prices and maximum employment.

I am in neither camp. I support an independent Federal Reserve pursuing its congressionally directed dual mandate, subject to strict oversight and accountability—and that is why I oppose this bill.

HONORING HARRIET TRUDELL ON
HER 80TH BIRTHDAY

HON. SHELLEY BERKLEY

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Ms. BERKLEY. Mr. Speaker, today I urge my colleagues to join me in recognizing the life and achievements of Harriet Trudell of Las Vegas, Nevada on the occasion of her 80th birthday.

Harriet was born on August 22, 1932 in St. Petersburg, Florida, into a family passionate in their beliefs of the Democratic Party and its principles.

In 1948, 16-year-old Harriet had a life-changing experience when she accompanied her father to the Democratic National Convention where he was an alternate delegate. Hearing Hubert Humphrey's civil rights speech during the convention had a great impact on Harriet's life, and she returned home to Florida passionate for the cause of equality and began a lifelong quest for social change.

Throughout every decade since, Harriet has been a force to contend with, fighting for fairness and equality for all.

During the early 1950's, Harriet organized unions for the state AFL-CIO in Florida.

In 1962, Harriet moved to Las Vegas with her husband and two children where she continued her passion for equality.

In 1965, Harriet marched with Dr. Martin Luther King, Jr. and other civil rights activists from Selma to Montgomery, Alabama, raising the awareness of voting rights of African-Americans.

Coming full circle from her attendance at the 1948 Democratic National Convention, Harriet served as the Southern Nevada Director of Hubert Humphrey's 1968 presidential campaign.

During the 1970's, Harriet was active in the League of Women Voters, National Organization for Women (NOW), and the Clark County Women's Democratic Club. She fought passionately against segregation in the Clark County School District, for welfare rights and for the ratification of the Equal Rights Amendment.

In March 1971, Harriet marched down the Las Vegas Strip in support of opportunity for the disenfranchised.

Harriet served as Southern Nevada Aide for Governor Michael O'Callaghan from 1974 to 1978 and as the Foreign Affairs Aide for Congressman Harry Reid in Washington, D.C. from 1983 to 1986.

In addition, throughout her extraordinary career, Harriet has been an advocate for Operation Life, served on the board for NOW, and been a lobbyist for the Feminist Majority Foundation in Washington, D.C.

Fifty years after Harriet's initial foray into national and state politics, she was a driving force in NOW's "Elect Women 2000." While serving as Campaign Director in Louisiana, she traveled throughout the State, and was successful in tripling the number of women elected to the Louisiana State Legislature.

Presently, this remarkable woman serves as the Political Director for the Nevada State Democratic Party.

As the Representative for Nevada's First Congressional District, it gives me immense pride to honor Harriet Trudell of Las Vegas, Nevada, and I urge my colleagues to join me in recognizing the accomplishments of this incredible woman on the occasion of her 80th birthday.

CURRENT SITUATION IN THE
REPUBLIC OF GEORGIA

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. McDERMOTT. Mr. Speaker, on March 26, 2012, I introduced H.R. 4258, the Republic of Georgia Democracy Act of 2012. I introduced this bill in response to the growing acts of repression by the Government of Georgia against the Democratic opposition there in the run-up to the October 2012 parliamentary election.

After reviewing reports from the region and meeting with members of the opposition, I became worried that the parliamentary election would be viewed as illegitimate if the situation did not change.

I offered H.R. 4258, which threatened termination of the tens of millions of dollars the United States gives Georgia each year in assistance—including millions for democracy promotion—in the event of illegitimate elections, in an attempt to demonstrate to the ruling regime the cost of stealing the election.

I regret to report that the situation is getting worse.

The United Nations, Organization for Security and Cooperation in Europe (OSCE), and the European Union have all raised concern. Even Secretary of State Hillary Clinton has publicly called for free, fair, and competitive elections, but the Georgian government does not seem to be listening.

For more than two decades, successive administrations and my colleagues in Congress have worked hard to expand democracy in the post-Soviet world. We did so believing that the former Soviet states would be more stable and more economically prosperous if governments were more responsive to the will of the people.

This is especially true in Georgia, where the United States has invested considerable finan-

cial resources and political capital in an attempt to create a model democracy in a complex region.

These investments are now at risk. The Georgian government is succeeding in creating an atmosphere of intimidation and fear, handicapping the opposition's ability to operate and access the media and voters, and taking steps to ensure victory before election day.

The United States can ill afford to stand aside and watch democracy in Georgia unravel.

If another round of illegitimate elections occurs, there will be more instability, including the possibility of peaceful protests and a violent government response, which has been the historic norm.

This would threaten key American interests, including democracy promotion, energy security, stability in the Caucasus, relations with Russia, and operations in Afghanistan.

I have included a recent article that highlights the Georgian government's efforts to repress the democratic opposition. The article from the Economist notes that only 38% of Georgians think their country is a democracy and that this election could be on course to a political crisis.

If things continue on their current track, there are few scenarios where this election will be seen as legitimate.

The United States should take steps now to prevent a potential political crisis that would arise just before the U.S. presidential election. I would encourage the Obama Administration and my colleagues to communicate clearly to the Georgian government the importance of free, fair, and competitive elections and that Georgia's relationship with the United States cannot survive a stolen election or subversion of democratic principles.

Like a canary in the coal mine, I will do my best to continue to warn my colleagues of this looming disaster and provide regular updates. I hope the United States acts before it is too late.

[From the Economist, Jul. 13, 2012]

GEORGIAN POLITICS—BLOOD FEUD

(by G.E. Tbilisi)

Georgian democracy in trouble? The government claims that the "Russian-influenced opposition" could subvert Georgia's parliamentary elections in October this year. In contrast, Bidzina Ivanishvili, the founder of Georgian Dream, an opposition party, complains of systematic discrimination at the hands of an increasingly authoritarian regime. New polling results show that only 38% of Georgians think that Georgia is now a democracy, compared with 49% in February.

Georgians may have too pessimistic a view of their own country. As a recent pre-electoral assessment from the National Democratic Institute (NDI) points out, Georgia has implemented several key democratic reforms in recent years. New institutions ensure the accuracy of the voters' list or regulate party financing. Amendments to the electoral code in late 2011 and early 2012 introduced a raft of positive changes although the failure to redraw electoral districts (which range from 6,000 to 158,000 voters) means some votes are worth less than others. Recent "must carry" provisions will improve opposition parties' access to the media by obliging cable providers to transmit all television channels with news programmes

during the sixty-day campaign period. In all, the "2012 electoral process is more formalised and regulated compared to past elections", the NDI concludes.

Even so, the dark side of Georgian politics, which Thomas de Waal has likened to "a blood feud", has been all too evident since Mr. Ivanishvili entered politics in October last year. Georgia's richest man remains without Georgian citizenship, an absurd situation of which most of his compatriots disapprove; the sooner that is resolved, the better. The Chamber of Control stands accused of levying disproportionate fines on the Georgian Dream movement, which Mr. Ivanishvili has refused to pay. (It has responded by seizing some of his assets). And before Parliament adopted the must carry provisions, Channel 9, a new television station co-owned by Mr. Ivanishvili's wife, and Global TV, the only broadcaster that carried it, suffered from almost continuous harassment.

Both sides continue to vilify each other, complaining of harassment, improper campaign spending, attempted bribery of state officials and abuse of administrative resources. A debate in the European Parliament on 4th July about Georgian politics reached similar extremes. As punch-ups during Georgian Dream campaign meetings in the central Georgian villages of Mereti on 26th June and Kareleti on 12th July suggest, it could get nastier still.

Yet Mr. Ivanishvili's political awakening has also awoken Georgian voters. Huge, peaceful rallies have taken place across the country, far beyond anything seen in recent years. Many more Georgians (75%) now plan to vote in October's elections than intended to so in September last year (51%), polls show. And the political debate is increasingly focused on issues that matter to ordinary Georgians, not just personalities.

Georgian Dream unveiled some of their plans in May: cutting utility costs, investing in agriculture, free universal health-insurance and increased pensions. Vano Merabishvili, the former interior minister who became prime minister in late June, announced the government's four-year post-election programme shortly after taking office. He too wants to boost pensions, provide universal health-insurance, and invest in agriculture. Mr. Merabishvili has also set up a new ministry to tackle unemployment (roughly 34% of Georgians say they are unemployed, compared with an official rate unemployment rate of 16%), and promises to provide each family with vouchers worth \$600.

Does Mr. Merabishvili's appointment indicate that Mikheil Saakashvili, the president, is unlikely to become prime minister once his term in office expires in early 2013? As one of the few big beasts of Georgian politics, Mr. Merabishvili would certainly be hard to shove aside. At any rate, slightly more Georgians would oppose such a job-swap à la Putin than would approve of it.

Reassuringly, 55% of Georgians surveyed think the elections will be well conducted, and only 21% fear falsification. But there is little room for complacency. Mr. Ivanishvili has said that if he has any evidence of vote-rigging by the authorities, he will call for street protests. For most foreign observers, and many Georgians, that would be a step backwards. Yet 27% of those polled say he would be justified in doing so. Come October, that sentiment could matter.

While most Georgians are focused on who will win, Georgia's allies say the credibility of the electoral process is key. As the NDI

states, "further development of democratic institutions and practices offer the best chance for western integration and for long-term prosperity and stability." With the political temperature likely to rise further in coming months, Georgia's politicians would do well to bear that in mind. Will they?

IN HONOR OF ALEXANDER COCKBURN

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in honor of Alexander Cockburn, the bold Irish-American journalist who passed away after a courageous, private battle with cancer. He left this world on Saturday, July 21, 2012 at the youthful age of 71.

Alexander Cockburn was born in Scotland on June 6, 1941 and spent most of his childhood living in Ireland. He attended the University of Oxford and earned a degree in English literature and language in 1963. Alexander became a permanent resident of the United States in 1973, where he wrote for several noteworthy publications. He spent his first ten years in the U.S. writing for The Village Voice, an alternative weekly magazine based in New York City. He then became a writer for The Nation until the time of his death, in addition to a variety of publications including The Wall Street Journal and New York Press. Alexander was also the co-editor of CounterPunch, a newsletter in which he frequently expressed his controversial, unfiltered opinions for which he became renowned and deeply respected.

Friends and co-workers remember Alexander for his remarkable talents. He could quickly write dazzling columns that were full of passion and conviction. He was unafraid to speak his mind, often writing in opposition to his colleagues at the same publications. His bold style set him apart as a truly remarkable journalist.

Alexander died on July 21, two years after he was diagnosed with cancer. He kept his illness a secret and continued to write until the day of his death, refusing to let cancer get in the way of his passion. He will be missed by his family, friends, and many readers.

Mr. Speaker and colleagues, please join me in honoring Alexander Cockburn, the talented journalist and audacious man who has left a lasting legacy on the world of literature and the world at large.

TRIBUTE TO CPL MARCUS W. DANDREA, UNITED STATES MARINE CORPS

HON. ANDER CRENSHAW

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. CRENSHAW. Mr. Speaker, I rise today to honor one of Florida's brightest sons, Corporal Marcus W. Dandrea, United States Marine Corps, from Jacksonville. On February 24th of this year, CPL Dandrea, a member of

Charlie Company, stepped on a pressure plate while patrolling a mountain top in Sangin, Helmand Province. His recovery has been fast and furious, as he is already moving to start the next phase of his already inspiring life. However, his U.S. Marine Corps active duty service will continue through his wife, Lance Corporal Victoria Dandrea. They have three children, Naomi, DJ, and Micah. I ask that this poem, penned in their honor by Albert Caswell, be placed in the RECORD.

INTEL

Intel . . .
In every battle . . .
And in every fight . . .
And in every war,
there is but such need to so bring such insight!
Intel . . . Intelligence,
is what a war's life blood so ignites . . .
leading us all to victory by shedding such light!
To illuminate the darkness of war,
to burn bright!
For there are but only a few who so gather
such insights . . .
For there are The Ph.D's of the battlefield
who fight . . .
The men who are but armed with mind of
might,
and with heart's of steel in sight!
Top Secret!
The United States Marine!
One of our brightest of all shades of green!
Jar Heads,
who with such Intelligence so fight . . . and
so convene!
Where Technology So Meets Might!
Saving lives,
but with all of the knowledge that they so
provide . . .
As from all of this,
such battle plans are so devised!
As many times,
making the difference between death and
life!
Darkness or Light!
So that out across a Nation,
a mother will not have to so cry this night!
As warriors drop in from no where,
from out of sight!
For they are both beauty and the beast,
all at their height!
Fighting with their brains and bodies,
oh what an awesome sight!
Putting, The Stealth in Technology!
As how wars are won,
all in the cover of day and or night . . .
As when it all so depends on who lives or dies
As is the high cost so compromised!
As that's where you will find,
all of their most magnificent of all silent
battle cries!
As it was out on such a secret mission,
when this young Marine's life would almost
not reach its fruition!
As an IED went off,
as so close to death he'd lie!
As right there but on its very edge,
as when Marcus so reached so deep down
with something so left inside!
To so cheat death!
As from somewhere so deep . . . so deep . . .
so deep . . . down inside . . .
From this Marine's heart, but came his battle cry!
To somehow stay alive . . .
And from that moment on, he was gone!
Moving up and moving on!
As this Marine got up and ran towards recovery . . .
For he had a life to live,

and to this our world so much more to give

Oooh . . . Rahhhh! Jar Head!
For, it's far better to die for something . . .
than to live for nothing at all!
And that's why you joined the Core
And your fine heart so answered that most
noble call!

For some people are but put upon this earth,
To So Teach Us! To So Reach Us! And So Be-
seech Us,

with all of their fine worth!
As this fine son from Jacksonville,
gives us all of us such a thrill . . .
As you has so shone us what so comes first!
For this United States Marine,
is one of the greatest things our nations has
ever seen!

The only secret he could not so keep!
Is what so runs in your most magnificent
heart so very deep!

That which so out shines them all!
For Marcus, you won't cry and he won't
crawl!

As he you can climb any mountain, of them
all!

And if I ever had a son, I'd wish he'd have a
heart half as tall!

Surely, Marcus you are but one of Florida's
Most Brightest of All Son's!

Because, up in heaven you need not arms nor
even legs to run . . .

And that's were you are going Marcus, one
day my son!

For you have so made our Lord so proud,
with all of your inspiration and faith be-
stowed upon us all now!

Maximus . . . Marcus . . . you've put the I in
Intel this day!

But, there are No Secrets . . .
all in what you magnificent heart so says!
For you are one of our Nation's, America's
Best!

Ooo . . . Rah Jar Head

PERSONAL EXPLANATION

HON. BILL HUIZENGA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. HUIZENGA of Michigan. Mr. Speaker, on rollcall No. 537, 538, and 539, I was absent due to travel delays and inclement weather. Had I been present, I would have voted "no" on rollcall No. 537, and "yea" on rollcall Nos. 538 and 539.

CELEBRATING FIRST BOOK'S 20TH ANNIVERSARY

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. DAVIS of Illinois. Mr. Speaker, I rise today to ask the House of Representatives to join me in honoring First Book on the occasion of their twentieth anniversary and celebrating their work on behalf of children in need, in Illinois and across the country.

First Book is a nonprofit that provides brand-new books and educational resources to schools and community programs serving children from low-income families. Since 1992 they have distributed over 90 million new books to kids in need.

First Book was founded twenty years ago by Peter Gold, Elizabeth Arky and Kyle Zimmer. After working with children in some of the poorest neighborhoods in the Nation's capital and seeing how their futures were limited by their lack of access to books and resources, they created First Book.

Ms. Zimmer continues to lead the organization today, and her vision and passion have helped First Book grow from a local nonprofit to a global social enterprise with an unsurpassed record of success.

First Book is set apart by more than their deep commitment to the children, teachers and community leaders they serve. By working with the publishing industry to create new and innovative ways to get books and resources to children in need, they are creating a groundbreaking and self-sustaining model that benefits both the donors and the recipients.

First Book is also committed to empowering teachers and program leaders, ensuring that the educators closest to the children choose the books that have the greatest chance of turning those young people into lifelong readers.

I ask the House to join me in honoring First Book and further ask the members to introduce First Book to teachers and community leaders in their home districts. The more schools and local programs join First Book's network, the closer we will come to achieving equity in education for all our children.

HONORING THE SOLDIERS, AIRMEN AND AVIATORS IN THE BATTLE OF DIEPPE 70 YEARS AGO

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. KILDEE. Mr. Speaker, I rise today to pay tribute and to honor the sacrifice 70 years ago this month of more than 3,600 Allied soldiers, airmen and aviators in the Battle of Dieppe during a critically pivotal point in World War II. The Dieppe Raid, also known as Operation Jubilee, was an Allied attack on the German-occupied port of Dieppe on the northern coast of France on 19 August 1942. The assault began at 5:00 a.m. and by 10:50 a.m. the Allied commanders were forced to call a retreat. Over 6,000 infantrymen, predominantly Canadian, were supported by limited Royal Navy and large Royal Air Force contingents. Among Allied soldiers who took part in the Battle of Dieppe were 50 U.S. Rangers, including one from Michigan, and two additional civilian support personnel from my State. Almost 60 percent who made it ashore in that crushing battle 70 years ago were either killed, wounded, or captured.

This battle became a critical learning point for the Allies who less than two years later launched D Day in June 1944 in the invasion that eventually led to the defeat of Nazi Germany. "I have no doubt," said Lord Mountbatten, who helped plan the raid, "that the Battle of Normandy was won on the beaches of Dieppe."

On August 18, one of our esteemed former colleagues, former Congressman and former

state Senator James Barcia, and Vietnam veteran Terry Watson, who is supervisor of Bangor Township, Michigan will represent the United States during memorial ceremonies in Dieppe, France. The ceremonies will honor the courage and sacrifice of the men who took part in Operation Jubilee, including three Michigan men who have since passed away. They are: Pfc Stanley Bush, Walter A. Bresnahan and James C. Moseley.

Mr. Speaker, I ask all of my colleagues in the United States House of Representatives to join me today in honoring those whose sacrificed 70 years ago at Dieppe, France and helped win the war that saved our Nation from the tyranny of Nazi Germany.

TRIBUTE TO LAURA FROELICH

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. CALVERT. Mr. Speaker, I rise today to honor and pay tribute to a dear friend of mine, Laura Froehlich. Laura passed away on Wednesday, August 1, 2012. As a pillar of the Moreno Valley and Riverside County military communities, her sudden passing was a shock to all and she will be dearly missed.

Laura served honorably in the Air Force and began volunteering in 1985 through the Moreno Valley Military Affairs Committee, which she eventually chaired. March Air Reserve Base (MARB) was and still is heavily used by Marines from nearby Twentynine Palms and Camp Pendleton bases. As increasing numbers of troops began to flow through the MARB facilities in the buildup to Operation Iraqi Freedom, Laura wanted to ensure that the troops leaving and returning from war received a timely farewell and warm welcome, a far cry from the public indifference and occasional contempt experienced by veterans returning from Vietnam, such as her father. She had organized a similar effort during the Persian Gulf War of 1991.

With the help of her team of more than 100 volunteers, she transformed MARB's austere Hangar 385 into a welcoming center where troops could relax and enjoy good food and entertainment during their 6–8-day layovers. Her motto was, "When they come to March, they're taken care of."

Laura, fondly known as the "Flag Mama" because of her patriotic attire, made it a point to be present for the arrival and departure of virtually every MARB flight carrying troops to and from the Central Command Area of Responsibility. She even purchased a motor home to park in the lot near the hangar so she could go quickly between home and the base. At the end of 2008, Laura had individually greeted more than 200,000 men and women on 4,000 flights. When the troops saw "Miss Laura" at the base to shake their hands and give them a hug, it was how they knew they were home.

Regardless of the recognition she received, Laura remained humble and modest. Upon returning home to California from the Pentagon in Washington, DC after accepting the Spirit of Hope Award in 2009, she remarked:

I keep getting thanked for something I shouldn't be getting thanked for . . . What I and my awesome group of volunteers do, we do it because it's the right thing to do. The men and women who put their life on the line every day for my freedom, for my grandkids to play safe in my backyard, they're the ones that deserve to be thanked.

It is hard to imagine that Laura had any free time in addition to her tireless work at MARB yet she always found time to serve the community in other ways. She worked with many aid agencies including the Veterans of Foreign Wars and the Salvation Army, and was the longtime coordinator of Moreno Valley's Fourth of July Parade, the "Trees for Troops" campaign, and the Annual Family Day picnic at March Air Reserve Base for all the military services, including 500 Navy Reservists who drill at Navy Operational Support Center Moreno Valley.

Laura is survived by her husband Larry, daughter Laurice (Don) Souron, and two granddaughters, Loral Hite and Taylor Hite.

Laura will always be remembered for her incredible work ethic, generosity, contributions to the community and love of family. Her dedication to our men and women in uniform, family, and community is a testament to a life lived well and a legacy that will continue. I extend my condolences to Laura's family and friends; although Laura may be gone, the light and goodness she brought to the world remain and will never be forgotten.

WEST END BAPTIST CHURCH 120TH ANNIVERSARY

HON. ROBERT C. "BOBBY" SCOTT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. SCOTT of Virginia. Mr. Speaker, I rise today to congratulate a legacy of faith in Virginia's Third Congressional District. This year, West End Baptist Church in Hampton, Virginia is celebrating its 120th anniversary, and I would like to take a moment to reflect on the history of this esteemed institution and its contributions to the greater Hampton Roads community.

The story of West End Baptist Church begins on December 12, 1892, when Robert and Mary Herbert sold a piece of land forty feet by one hundred feet to Joshua Morris, Isaiah Dillard and John Seton, Trustees of West End Baptist Church, for \$75.00. It was recorded that the land be used solely for the purpose of building a church.

In 1901, the West End Baptist Church was up and running under the leadership of Pastor Linas. The fellowship began in the old Bates School House that was located where the Beau Brummell building now stands. After the death of Pastor Linas, Pastor Beverly Garner became his successor. He saw a need for a new sanctuary for his followers. The congregation began to build the new church at 2916 Shell Road. Unfortunately, Pastor Garner passed away before he could see his dream completed. However, the new church sanctuary was completed in 1903 under the leadership of Pastor Bray. After Pastor Bray's tenure, Pastor Hall was selected as the next leader and Pastor Atkins succeeded him.

In 1965, Rev. Hallie Richardson, Sr. became West End Baptist Church's leader. He served faithfully until September 1990. During his ministry, the membership flourished. Due to the growth in the congregation, there again was a need for a larger sanctuary. The first service in the new sanctuary at 2413 Shell Road took place in July 1982, and West End Baptist Church has remained there to this day.

Pastor Rufus Hill succeeded Pastor Richardson in September 1990, and he served until 1999. Guest ministers rendered services until April 2001. During this time, West End also saw its first woman, Edith Green, appointed to the Diaconate. Rev. James Gray was officially installed as Pastor on November 2, 2003 and served until 2007. Pastor Paul Sims was elected to serve as the 10th Pastor of West End Baptist Church in November 2008.

Over the years, the West End Baptist community has continued to grow and flourish. Its members have offered programs in the Youth Ministry, Outreach Ministry, Culinary Ministry and more. In addition to Sunday prayer, the church offers Wednesday Noon Prayer Assembly. The Church is home to numerous bands and choirs. The church has also organized many functions including Children's Church, new converts' and new members' orientation classes, a monthly Men's Fellowship Breakfast, hot meals for the hungry and an Annual Homecoming.

As West End Baptist Church gathers to celebrate this historic milestone, the church can truly remember its past, celebrate its present, and focus on its future as "the friendly church by the side of the road, in the heart of the community with the community at heart." I would like to congratulate Pastor Sims and all of the members of the West End Baptist Church on the occasion of their 120th Anniversary. I wish them many more years of dedicated service to the community.

THE "CONGRESSIONAL REPLACEMENT OF PRESIDENT OBAMA'S ENERGY-RESTRICTING AND JOB-LIMITING OFFSHORE DRILLING PLAN" (H.R. 6082)

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. VAN HOLLEN. Mr. Speaker, domestic oil production is at an 18 year high, and President Obama's "All of the Above" energy strategy has reduced our reliance on foreign oil from 57 percent of consumption during the last year of the Bush Administration to 45 percent today. We now have 50 percent more floating drilling rigs operating in the Gulf of Mexico than we did before the BP oil spill—and more rigs operating in the United States than the rest of the world combined. The Administration's existing 2012–2017 offshore drilling lease plan makes more than 75 percent of our offshore oil and gas resources available for drilling, and the Interior Department reports that oil and gas companies already possess 26 million acres in the Gulf of Mexico containing 18 billion barrels of oil that have yet to be developed.

Yet here we are for the eleventh time in the past eighteen months wasting valuable floor time on another drill bill that has absolutely zero chance of becoming law when our nation's fiscal cliff looms, and Americans are looking to their government for effective leadership so we can accelerate economic growth and put people back to work. These fundamental defects are further compounded by the conspicuous absence of any safety or royalty reform in this legislation, and the majority's insistence on gutting environmental review for the additional lease sales this legislation requires—including lease sales off the mid-Atlantic coast as early as 2013.

I support the responsible development of our nation's oil and gas resources as part of a comprehensive "All of the Above" energy strategy that emphasizes a greater use of renewables, efficiency and other clean energy sources over time. The forced lease sales in this legislation do not constitute responsible development, and the "Oil Above All" strategy advanced by the majority in this legislation and throughout this Congress is ultimately a prescription for energy dependence and economic decline.

I urge a "no" vote.

HONORING THE TRADITION OF VETERANS DAY

HON. SPENCER BACHUS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. BACHUS. Mr. Speaker, honoring our veterans and their families for the sacrifices they have made to protect the freedoms that we enjoy as Americans is not only proper, but a privilege that should always be cherished.

On November 11, 2012, Birmingham, Alabama will mark its 65th consecutive year of serving as a national model for the commemoration of Veterans Day. Birmingham's Veterans Day ceremonies are the oldest and largest in our country. The legacy extends across generations.

Birmingham's reputation as "the cradle of National Veterans Day" first took root in the final months of World War II.

Originally, November 11 was recognized as Armistice Day to solemnly commemorate the end of World War I, which was supposedly the "war to end all wars."

Barely more than two decades later, America's soldiers would be again called to duty, this time to confront the gravest threat to individual freedom in world history.

As World War II ended with the defeat of the Axis powers, Birmingham's Raymond Weeks, a Navy veteran, began a new mission that would define the rest of his life: ensuring that the service and sacrifices of all of America's men and women in uniform would not be forgotten.

In 1945, the concept of a National Veterans Day became fixed in his mind. In 1946, he personally took a petition and a proposed program, "National Veterans Day 1947," urging the creation of a national holiday to honor all veterans to General Dwight Eisenhower, who was then the Army Chief of Staff. In 1954,

then-President Eisenhower signed legislation formally establishing November 11 as Veterans Day.

In presenting the Presidential Citizens Medal to Raymond Weeks on Veterans Day 1982, President Reagan said, "Mr. Weeks has exemplified the finest traditions of American volunteerism by his unselfish service to his country. As director of the National Veterans Day Celebration in Birmingham for the past years, Raymond Weeks, a World War II veteran himself, has devoted his life to serving others, his community, the American veteran, and the Nation. He was the driving force behind the congressional action which in 1954 established this special holiday as a day to honor all America's veterans."

The tradition of respect and honor established by National Veterans Day in Birmingham would be ably carried on by Raymond Weeks' successor, Colonel Bill Voigt. To this pivotal position of community leadership, Colonel Voigt brought his experience from the Alabama Air National Guard and U.S. Air Force Reserves and a deep and abiding concern for our veterans. His dedication went above and beyond duty. New leadership has been tasked to continue this tradition.

As we look toward the 65th anniversary of America's first Veterans Day and to 2014, the 60th anniversary of the legal holiday, we can cast our vision. It is to continue to honor our veterans.

We would do well by restoring emphasis on General Eisenhower's request of Raymond Weeks in 1947 for Veterans Day to perpetuate world peace: "I wish you every success in your purpose of arousing all American citizens to the need for cooperating among ourselves to the utmost to achieve the greatest of all goals—assurance of enduring peace."

The history of Veterans Day is a lesson in character education that can be used to inspire students to learn "living history" from our veterans. Alabama teaches character traits daily, including those illuminated by the history of the founding of Veterans Day—patriotism, courage, perseverance, loyalty and citizenship. Raymond Weeks demonstrated these qualities in his pursuit of the creation of a National Veterans Day and stands as an example of good citizenship for all students and every generation.

The symmetry of service has been a powerful constant through the generations in Alabama.

As an example, recently a rededication was held for the Rainbow Viaduct Memorial in Birmingham, which commemorates the heroism of the 167th Alabama Infantry during World War I. At that same ceremony, members of the modern-day 167th Alabama National Guard were recognized as they prepared for deployment to Afghanistan. Almost a century apart, the challenges may be different but the ethos of service and duty remains the same.

It is important to remember both what we honor and who we honor on Veterans Day. We honor soldiers and their devotion to freedom, yes. But we reflect that these are people around us who have willingly and unselfishly served on our behalf: fathers and mothers, sons and daughters, husbands and wives, brothers and sisters, grandparents, a favorite uncle or cousin, a high school buddy or col-

lege roommate, a best friend or a childhood playmate.

Some we have joyfully welcomed back from an assignment or waved at during a parade. Others we thank at their gravesite, shedding a tear in their memory. We thank them for their sacrifice, bravery, and patriotism. We forget none of them.

This is what inspires us as we prepare for the annual observance of Veterans Day this coming November, and it is what continues to motivate my native Birmingham to set the highest standard for honoring those who have preserved the precious gift of freedom for all of us.

IN RECOGNITION OF THE 25TH ANNIVERSARY OF THE NEIGHBORWORKS HOMEOWNERSHIP CENTER SACRAMENTO REGION

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Ms. MATSUI. Mr. Speaker, I rise today to recognize the NeighborWorks HomeOwnership Center Sacramento Region and its employees as they celebrate their 25th anniversary. NeighborWorks is a nonprofit organization committed to improving the Sacramento community by increasing opportunities for families to purchase their own homes and preserving homeownership. I ask all my colleagues to join me in honoring NeighborWorks Sacramento Region for their important contribution to the Sacramento community.

Originally founded in 1987, NeighborWorks has grown tremendously and now serves the entire Sacramento Region as well as parts of California's Central Valley. Lead by a committed board of directors and CEO Pam Canada, the devoted staff and partners of NeighborWorks continually work alongside local residents to improve Sacramento's neighborhoods, and make the dream of homeownership a reality for all. For 25 years, NeighborWorks has been successful in increasing homeownership, assisting first-time home buyers, and empowering residents through education and community engagement. It is my privilege to serve as an honorary member of their Board of Trustees, as it was the honor of my late husband, Congressman Robert T. Matsui too. I have enjoyed working with Pam, and always find her and her staff to be responsive to the needs of my constituents.

As our nation's foreclosure crisis continued this past year, the NeighborWorks Sacramento Region has counseled more than 19,800 customers on a variety of housing related issues including foreclosure prevention, refinancing and home purchasing. Through their 3 offices, they have prevented more than 400 foreclosures by helping these distressed homeowners acquire loan modifications, and assisted 2400 residents in purchasing affordable homes. In conjunction with the McGeorge School of Law, NeighborWorks has provided more than 670 customers with free legal services through the National Foreclosure Mitigation Counseling program. Through their work,

they have helped hundreds of families avoid homelessness.

Mr. Speaker, I am honored to pay tribute to the NeighborWorks HomeOwnership Center Sacramento Region on its 25th Anniversary. I am confident that the organization will continue to be a beacon for those seeking the American dream of homeownership. I ask all my colleagues to join me in recognizing the excellence of the staff and of NeighborWorks Sacramento Region who commit their lives and professional careers to the people of Sacramento.

TRIBUTE TO YOUNG STAFF MEMBERS FOR THEIR CONTRIBUTIONS ON BEHALF OF THE 37TH CONGRESSIONAL DISTRICT

HON. LAURA RICHARDSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Ms. RICHARDSON. Mr. Speaker, each year about this time I rise to recognize the wonderful young men and women who have contributed a substantial amount of work to my office. Members of Congress know well, perhaps better than most, how important it is to have such exceptional young men and women working towards our nation's future.

We know this because we see them and benefit from their contributions every day. Many of them work for us in our offices as junior staff members, congressional fellows or interns. They do amazing work for the constituents we are privileged to represent, and are a vital part of every aspect of this establishment.

Although the United States has experienced some hard times in recent years, I simply have to look to the eager and idealistic young staff members and interns in my office to know the future of our country is bright and our best days lay ahead.

These are the people who toil in obscurity, but who willingly and happily jump at every task they are given because they know they are serving a great purpose.

Mr. Speaker, I believe there is no higher calling than serving your country. That is why I ran for public office. When I was six years old I dreamed of becoming a public servant when I grew up so I could help others. As the Rev. Dr. Martin Luther King once said:

Everybody can be great because anybody can serve . . . You only need a heart full of grace. A soul generated by love.

This rings true for a number of great young men and women who served as volunteers this year in my office. Their contributions to the constituents we serve are deeply appreciated and I wish to acknowledge them. They are: Ashley Guill, Ashley Bobo, Aliya Wishner, Quentin Scott, Anna Bartels, Tara Karoian, Lilit Rostomyan, Amanda Osborne, Monique Morgan, Sarah Birk and Francisco Guerra.

Mr. Speaker, the infusion of energy, intelligence, and idealism young people bring to their internships in my office and those of my colleagues helps keep our democracy vibrant. The insights, skills, and knowledge of the governmental process they gain from their experiences will last a lifetime and prove invaluable

to them as they go about making their mark in this world.

This is why I am so optimistic about our country's prospects for the future. As Margaret Mead said:

Never doubt that a small group of thoughtful, committed citizens can change the world. Indeed, it is the only thing that ever has.

These particular young people I have had the honor of getting to know have displayed extraordinary talent, quality, commitment and energy in their time in Washington. Their initiative and drive have shown me that in time, they will assume the responsibility of leadership.

Mr. Speaker, if these young men and women are a representation of the future, I know our country will remain a nation of fairness, equality and greatness for generations to come.

GRATITUDE FOR THE SERVICE OF
BENJAMIN STAUB

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. CONYERS. Mr. Speaker, I would like to take this opportunity to thank one of the most dedicated and productive members of the Judiciary Committee staff for his service to the House, Benjamin Staub. For six years Ben has worked ably and diligently for the Judiciary Committee, and I would like to commend him on his achievements.

After growing up in Greeley and Silverthorne, Colorado, and being named a Boettcher Scholar, Ben graduated cum laude from Yale University. During his time at Yale, Ben worked for the Undergraduate Admissions Office, taught health in New Haven high schools with the Community Health Educators, worked at the Blake Street Head Start and Calvin Hill Day Care, volunteered in the welfare-to-work early childhood educator program at All Our Kin, and served as a Freshman Counselor for Davenport College. He served as the Executive Co-Coordinator and on the Board of Directors of Dwight Hall at Yale—the student-run nonprofit for community service and social justice with more than 3,000 annual undergraduate volunteers. He interned at the Paris branch office of the UN Office of the High Commissioner on Refugees (UNHCR) and wrote and recorded a year-long radio column for Colorado Public Radio about his senior year in college. He earned Yale's John C. Schroeder Prize for social service and the Davenport College Prize for Citizenship.

Ben came to Washington following graduation to work for the political television advertising firm of Murphy Putnam Shorr and Partners, and following the 2006 election, came to work for the House Judiciary Committee.

During his time with the Committee, Ben has worked on a host of issues of national significance—principally in intellectual property policy, antitrust law, and civil liberties. He distinguished himself as an excellent writer and was instrumental in the Committee's work on performance rights legislation and protecting

intellectual property from digital theft. He authored large portions and supervised the editing and publishing of the Committee staff's report *Reigning in the Imperial Presidency: Lessons and Recommendations Relating to the Presidency of George W. Bush*, and always stood ready to work on a host of issues at a moment's notice, including voting rights, health care, civil rights, immigration policies, and Executive Branch oversight.

Finally, Ben is well known among his peers as a dedicated athlete and began a trend in our office to use stability balls as desk chairs.

On behalf of the Judiciary Committee, its staff, and this distinguished body, I would like to thank Ben for his exemplary work, generosity, sense of humor, and loyalty. He will be sorely missed as a colleague, advisor, and friend. We wish him the best of luck and extend to him our deepest gratitude.

STATEMENT OF INTRODUCTION,
RESOLUTION SUPPORTING THE
CENSUS

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mrs. MALONEY. Mr. Speaker, today I am proud to be introducing a resolution supporting the importance of census surveys and the data they produce. Special thanks to Senator JOHN ROCKEFELLER for his leadership on the issue and for introducing the Senate companion, and to the House original cosponsors, Reps. MICHAEL HONDA, JUDY CHU, KEITH ELLISON, JOHN OLVER, BETTY MCCOLLUM, JOSÉ SERRANO, LAURA RICHARDSON, EARL BLUMENAUER, FORTNEY STARK, JOHN LEWIS, and BARNEY FRANK, for their strong support of census surveys.

Since our founding, Congress has recognized the value of census surveys to inform policymaking and measure our country's progress. By including this modern invention in our Constitution, the founders turned a survey into a tool of political empowerment. The decennial census is the basis for fair representation and fair distribution of hundreds of billions of dollars in federal aid. In recent times, the information is used by the public and private sectors for planning purposes and to better understand the needs of communities.

The statistics gathered through the Census Bureau give politicians, researchers, urban planners, educators, and other interested Americans, a regular and measurable snapshot of the growth and the socio-economic status of our Nation. Census programs like the American Community Survey and the Economic Census provide vital data to federal, state, and local governments, to all sectors and industries, and to all geographic areas across the country—from rural to urban to suburban neighborhoods.

These surveys are a fundamental building block for how our country measures itself; the value of these statistics cannot be underestimated. They let us know how we are doing as a nation, identifying areas where we could grow, where we could be more economically efficient, and how best to compete globally. I urge my colleagues to support this resolution.

IN MEMORY OF SHERMAN
HEMSLEY

HON. CORRINE BROWN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Ms. BROWN of Florida. Mr. Speaker, I rise today in honor and memory of my friend, actor Sherman Hemsley. This man was best known as the iconic and central figure, George Jefferson, in the sitcom, "The Jeffersons" who became one of the most enduring, beloved characters in television history.

Much of that credit belongs to Mr. Hemsley, the gifted character actor who gave life to the blustering black Harlem businessman on "The Jeffersons", one of the longest-running sitcoms with a primarily black cast in television history.

With the gospel-style theme song of "Movin' On Up," the hit show depicted the wealthy former neighbors of Archie and Edith Bunker in Queens as they made their way on New York's Upper East Side. The show often dealt with contemporary issues of racism, but more frequently reveled in the sitcom archetype of a short-tempered, opinionated patriarch trying, often unsuccessfully, to control his family.

Despite the character's many faults Hemsley managed to make the character endearing, part of the reason it stayed on the air for so long. Hemsley's Jefferson loved his family, his friends (even the ones he relentlessly teased) and had a good heart. His performance was Emmy and Golden Globe nominated. The show's producer Norman Lear said that when Hemsley read for the part "the minute he opened his mouth he was George Jefferson."

This man, the son of a printing press-working father and a factory-working mother, served in the Air Force and worked for eight years as a clerk for the Postal Service.

Having studied acting as a teen at the Philadelphia Academy of Dramatic Arts, he began acting in New York workshops and theater companies, including the Negro Ensemble Company. For years, he kept his job at the post office while acting at night, before transitioning to acting full-time. Sherman embodied the American dream, to "move on up".

He had many other production credits other than playing George Jefferson. He made his Broadway debut in 1970's "Purlie," a musical adaptation of Ossie Davis' Jim Crow-era play "Purlie Victorious." (He would later star in a 1981 made-for-TV version of "Purlie," as well.) It was while touring the show that he was approached by Lear about playing a character on the sitcom that would become "All in the Family."

In an interview Hemsley said his show business career actually began in childhood. "Making people laugh was automatic," he said. "I was in a play in elementary school and had to jump up and run away. I was nervous and tripped and fell down and everyone laughed. Their laughter made me relax, so I pretended it was part of the show."

When we visited with each other, I was truly impressed with his good-spirited personality and optimism that could brighten the mood of any room he entered. He was a fun man with

a good heart. He once said, "I always told my mother I wanted a job where I could have a lot of fun and have a lot of time off. She asked me where I was going to find that, and I said, 'I don't know, but it's out there.'"

Sherman Hemsley will forever be remembered as the loud and boisterous yet good-hearted family man whom he played for almost 10 years. The world is a little less funny today, and we should all celebrate the memory of Sherman Hemsley.

HAPPY 108TH BIRTHDAY MRS.
LUCY SPELLER

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA
IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Ms. NORTON. Mr. Speaker, I rise today to ask the House of Representatives to join me in recognizing Saturday, August 4, 2012, the 108th birthday of native Washingtonian, Mrs. Lucy Speller.

Affectionately known as "Aunt," and "Sister," Mrs. Lucy Speller was born in 1904, was married for 76 years, and is a lifelong resident of the District of Columbia. As a Sunday school and Vacation Bible School teacher at Calvary Episcopal Church, Lucy Speller demonstrated her love of the District's children by touching their hearts and cultivating their minds. Students of Mrs. Speller often recall her kind-hearted nature and the guidance and support that she offered through the years. Many residents also celebrate Lucy Speller's work as a professional planner for weddings, anniversaries, birthdays, and numerous other functions. She even planned her own golden wedding anniversary.

I ask the House to join me in recognizing the 108th birthday of Mrs. Lucy Speller, a special lady, whose service to our community is greatly appreciated.

RECOGNIZING THE 100TH ANNIVERSARY
OF MACEDONIA BAPTIST
CHURCH, HURON, OHIO

HON. MARCY KAPTUR

OF OHIO
IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Ms. KAPTUR. Mr. Speaker, I rise to recognize the centennial anniversary of Macedonia Baptist Church, located in Toledo, Ohio. The congregation will celebrate this milestone event on August 25, 2012.

Since its founding in 1912, Macedonia Baptist Church has served its congregation and its community inspired by Christ's teachings as recorded in Matthew 25:40 that, "Whatsoever you do to the least among you, that you do unto me." Its "rich history of service began on Yondota Street on the East side of Toledo" where the church originally stood and continues to the present day from its location in West Toledo.

Through a century of service the church has been a neighborhood mainstay. In addition to worship services, Macedonia Baptist Church

members teach fellowship and provide services to families in need. Motivated by their servants' hearts and strong pastoral leadership, the church carries forth a tradition of reaching out. All are welcome into the faith-filled, inspired congregation. We proudly commemorate this 100th anniversary while looking forward to Macedonia Baptist Church's future.

HONORING GRAY'S GENERAL
STORE

HON. DAVID N. CICILLINE

OF RHODE ISLAND
IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2012

Mr. CICILLINE. Mr. Speaker, since 1788, Gray's General Store has served customers in Rhode Island. For seven generations the Waite family has owned what is considered the oldest general store in the Nation. Gray's General Store closed its doors for the final time last Sunday.

This store has been a cultural cornerstone for more than two centuries in Little Compton, a town in my district which itself was established in 1682.

Since 1879, the Waite family has owned and operated Gray's General Store allowing generations of Rhode Islanders to have a place to share an ice cream and a laugh.

Despite the tremendous loss the community will face, I extend my well wishes to the present owner, Jonah Waite, as he transitions into a new chapter of his life.

I Honor Gray's General Store for its place in the history of Little Compton.

TRIBUTE TO ARTHUR E. "GENE"
GOLDMAN ACTING DIRECTOR,
NASA'S MARSHALL SPACE
FLIGHT CENTER

HON. ROBERT B. ADERHOLT

OF ALABAMA
IN THE HOUSE OF REPRESENTATIVES

Friday, August 3, 2012

Mr. ADERHOLT. Mr. Speaker, I would like to pay tribute to Arthur E. "Gene" Goldman, Acting Director of NASA's Marshall Space Flight Center, on the occasion of his retirement from NASA and his 28 years of distinguished federal service. Mr. Goldman provided superb leadership to over 5,000 personnel across a wide variety of disciplines, and provided sound fiscal management of a \$2.5 billion budget. With those resources, he achieved cutting edge advancements in launch systems, spaceflight vehicles, and the supporting research and development efforts. All of these will shape our great nation's space program for years into the future.

Mr. Goldman was born and raised in Russell, Mississippi, where he was introduced and attracted to the awe of space when his father took him out one night and showed him the Echo satellite passing overhead. With that inspiration and desire to learn, he graduated from Mississippi State University with a Bachelor of Science degree in Civil Engineering and thereafter earned his Registered Profes-

sional Engineer-Civil certification, with the intention of building bridges. Although he never physically built a bridge, he certainly built, mended and maintained a multitude of bridges among NASA components, stakeholders and customers.

While at NASA, Mr. Goldman also held the positions of Deputy Director of Marshall Space Flight Center; Director and Deputy Director of Stennis Space Flight Center; Manager and Deputy Manager of the Space Shuttle Main Engine Project; and project engineer on the Marshall Shuttle Project Integration Office. He was assigned to the Senior Executive Service in 2004. Prior to joining NASA in 1990, he worked for the Tennessee Valley Authority for 6 years and in the nuclear power industry.

During his tenure, Mr. Goldman was awarded the prestigious Presidential Rank Award in 2010, the NASA Outstanding Leadership Medal in 2007, the Exceptional Achievement Medal in 2002, the NASA Certificate of Appreciation in 1997, and the Marshall Space Flight Center Director's Commendation in 1992. He also completed the Senior Executive Fellows Program at Harvard University.

Mr. Goldman is widely known and appreciated throughout NASA for treating every single person he encounters with utmost respect and value, regardless of their function. His strategic guidance, sage advice and leadership have brought him unqualified success and significant positive impact on NASA's mission. With extraordinary and sincere gratitude, I thank Mr. Goldman for his dedicated service and outstanding contributions to our country. I wish Mr. Goldman all the best as he retires from NASA, and may God bless him, his wife Nancy, his daughter Jennifer, and his entire family in the days ahead.

TRIBUTE TO FIRST SERGEANT
HECTOR SOTORODRIGUEZ FROM
THE UNITED STATES MARINE
CORPS HOUSE LIAISON OFFICE

HON. MIKE COFFMAN

OF COLORADO
IN THE HOUSE OF REPRESENTATIVES

Friday, August 3, 2012

Mr. COFFMAN of Colorado. Mr. Speaker, today I recognize and pay tribute to First Sergeant Hector Sotorodriguez United States Marine Corps, on the occasion of his transfer from the United States Marine Corps House Liaison office back into the Fleet Marine Force. First Sergeant Sotorodriguez has served our great Nation for many years, earning many decorations and awards. I, and many other members of this chamber, have had the pleasure of working with him over the past two and a half years that he has served as part of Headquarters U.S. Marine Corps Office of Legislative Affairs, OLA, Fellow and as the Senior Staff Non-Commissioned Officer In Charge of the House OLA liaison office.

First Sergeant Sotorodriguez distinguished himself through exceptional meritorious service while serving as the Senior Staff Non-Commissioned Officer In-Charge of the Marine Corps House Liaison office. Every day he served in direct support of not only the Marine Corps Office of Legislative Affairs but in direct

support of every member of Congress, every Marine and every American. His keen abilities in organization, interpersonal relationships, and communication were extremely critical to the successful accomplishment of the Marine Corps mission. His achievements and ability to get the job done have been understated but always effective and noteworthy. While serving in the Liaison office, First Sergeant Sotorodriguez was able to develop and execute legislative strategy for the United States Marine Corps. This strategy was instrumental in creating a shared understanding between congress and the Marine Corps, allowing leadership the ability to train and equip the Nation's most elite fighting force, ensuring their success on the battlefield. He routinely turned broad guidance into action which energized the Office of Legislative Affairs and members of Congress alike. His actions allowed the Marine Corps to engage members of Congress and their staffs, directly facilitating the increased emphasis on improving Congressional relationships—a cornerstone of the CMC's strategic vision.

Throughout his service he consistently demonstrated his expertise and knowledge by providing timely and accurate information to the Congressional Members and their respective staffs. First Sergeant Sotorodriguez was a vital asset for all matters relating to the Marine Corps in the House of Representatives. Members and staffers alike respected and trusted First Sergeant Sotorodriguez's straightforward and dependable assistance. His forthrightness and knowledge were key attributes in maintaining the Marine Corps' superb relationships with the many Members of the House of Representatives.

Throughout his tour, First Sergeant Sotorodriguez personally responded to, or supervised hundreds of congressional inquiries, some of which gained national level attention. Through his exceptional inter-personal skills, broad knowledge in a wide range of military affairs, and personal efforts he assisted the Director, Marine Corps Liaison Office, in gaining the Members' support and trust on critical issues. First Sergeant Sotorodriguez's has contributed immeasurably as a member in the Marine Liaison Office here on Capitol Hill and to the Marine Corps as a whole. I wish him well in all of his future endeavors.

100TH ANNIVERSARY OF SINES NICKEL & DIME STORE

HON. MICHAEL G. FITZPATRICK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 3, 2012

Mr. FITZPATRICK. Mr. Speaker, I rise today to recognize the 100th Anniversary of Sines Nickel & Dime Store, a local institution in my home of Bucks County, Pennsylvania.

For 100 years, Sines has been family owned and operated, offering a chance for its customers to step back in time and find hundreds of antiques, many of which come right from the local community. As part of Sine's commitment to friendly and dependable service, breakfast and lunch are made from scratch and served daily at the Soda Fountain where friends and neighbors gather as they have for generations.

Today, Sines continues to sell novelties of the past as they cope with the challenges that many small businesses across our nation face.

The dedication and perseverance demonstrated by the Sine family in these difficult economic times serves as an example of the American entrepreneurial spirit which drives our economy. Sines Nickel & Dime Store is an example of dedication to serving its customers, I congratulate them on their 100 years of success and wish them many more to come.

RECOGNIZING COLONEL PAUL H. GUEMMER FOR HIS SERVICE AS COMMANDER OF THE 92ND AIR REFUELING WING, FAIRCHILD AIR FORCE BASE

HON. CATHY McMORRIS RODGERS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Friday, August 3, 2012

Mrs. McMORRIS RODGERS. Mr. Speaker, I rise today to recognize the exemplary service of Colonel Paul H. Guemmer, Commander, 92nd Air Refueling Wing, Fairchild Air Force Base, Washington.

After receiving his commission as a Distinguished Graduate from the Reserve Officer Training Corps, Col. Guemmer has held mul-

multiple flying assignments as an aircraft commander, instructor, and examiner pilot. Prior to assuming command at Fairchild, Col. Guemmer commanded at the squadron level, including a deployment as an expeditionary operations support squadron commander. His previous staff experience also includes tours in the Air Staffs Joint Requirements Oversight Council Issues and Actions Division and the Joint Staff J-3's Readiness Division and Multi-national Operations Division. Col. Guemmer also deployed as the Vice Wing Commander for the 379 Air Expeditionary Wing.

Since assuming command at Fairchild two years ago, Col. Guemmer has overseen many improvements on the base. These improvements include completion of a nearly 14,000 foot runway, a new fitness center, and even more recently, ground breaking on a new wing command headquarters. Each of these improvements represents an investment in Fairchild's future. While the physical improvements cannot be understated, even more important is the investment Col. Guemmer has made to solidify the relationship between the Air Force's 92nd Air Refueling Wing and the Air National Guard's 141st Air Refueling Wing. Under Col. Guemmer's leadership, the association between the 92nd and the 141st Air Refueling Wings has become one of the gems in the Air Mobility Community when it comes to utilization, collaboration, deploying to common locations and maintenance.

Mr. Speaker, Col. Guemmer has made caring for Fairchild's airmen and airwomen and their families a top priority. Whether serving a Thanksgiving meal to those unable to make it home for the holidays or taking time to speak to the "Caring for People Summit", Col. Guemmer has tirelessly worked to improve the quality of life for Eastern Washington's servicemen and women and their families.

So, today I urge all of my colleagues to join me in thanking Colonel Paul H. Guemmer for his service to the United States Air Force and the 92nd Air Refueling Wing at Fairchild. I am grateful for Paul's unyielding dedication to our country and for all of his accomplishments as Commander of the 92nd Air Refueling Wing. While I look forward to hearing of his future successes as Deputy Director (Military) Strategy, Policy, Programs and Logistics Directorate at Scott Air Force Base, Paul and his family will be greatly missed in Eastern Washington.

HOUSE OF REPRESENTATIVES—Tuesday, August 7, 2012

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. THORNBERRY).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
August 7, 2012.

I hereby appoint the Honorable MAC THORNBERRY to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

PRAYER

Reverend Dr. Alan Keiran, Office of the United States Senate Chaplain, Washington, D.C., offered the following prayer:

Mighty God, our redeemer, healer and protector, we come to You today believing that You hear the whispers of our hearts and long to see us fulfill Your plans to prosper us and not to harm us. We thank You for the opportunity to serve You and our Nation here on Capitol Hill.

During this summer recess, may all the Members of this House, their families and staffs, be refreshed and inspired to seek Your heart and be centered in Your redemptive love. And may we all commit to doing for others as we'd like them to do for us.

I pray in the Name above every name. Amen.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to section 3(a) of House Resolution 747, the Journal of the last day's proceedings is approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair will lead the House in the Pledge of Allegiance.

The SPEAKER pro tempore led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

PROVIDING FOR A CONDITIONAL ADJOURNMENT OR RECESS OF THE SENATE AND AN ADJOURNMENT OF THE HOUSE OF REPRESENTATIVES

The SPEAKER pro tempore laid before the House the following privileged concurrent resolution:

S. CON. RES. 59

Resolved by the Senate (the House of Representatives concurring), That when the Senate recesses or adjourns on any day from Thursday, August 2, 2012, through Tuesday, August 7, 2012, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until 12:00 noon on Monday, September 10, 2012, or such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the House adjourns on any legislative day through Thursday, August 2, 2012, through Tuesday August 7, 2012, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2:00 p.m. on Monday, September 10, 2012, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Majority Leader of the Senate and the Speaker of the House, or their respective designees, acting jointly after consultation with the Minority Leader of the Senate and the Minority Leader of the House, shall notify the Members of the Senate and House, respectively, to reassemble at such place and time as they may designate if, in their opinion, the public interest shall warrant it.

The concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

CORRECTING THE ENROLLMENT OF H.R. 4240

The SPEAKER pro tempore laid before the House a concurrent resolution (S. Con. Res. 58) directing the Clerk of the House of Representatives to make a correction in the enrollment of H.R. 4240.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

S. CON. RES. 58

Resolved by the Senate (the House of Representatives concurring), That, in the enrollment of the bill (H.R. 4240) an Act to reauthorize the North Korean Human Rights Act of 2004, and for other purposes, the Clerk of the House of Representatives shall make the following correction: in section 7, insert "is amended" before "by striking".

The concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

ENROLLED BILLS SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker pro tempore, Mr. THORNBERRY:

H.R. 1402. An act to authorize the Architect of the Capitol to establish battery recharging stations for privately owned vehicles in parking areas under the jurisdiction of the House of Representatives at no net cost to the Federal Government.

H.R. 3670. An act to require the Transportation Security Administration to comply with the Uniformed Services Employment and Reemployment Rights Act.

H.R. 4240. An act to reauthorize the North Korean Human Rights Act of 2004, and for other purposes.

BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on August 3, 2012, she presented to the President of the United States, for his approval, the following bills.

H.R. 5986. To amend the African Growth and Opportunity Act to extend the third-country fabric program and to add South Sudan to the list of countries eligible for designation under that Act, to make technical corrections to the Harmonized Tariff Schedule of the United States relating to the textile and apparel rules of origin for the Dominican Republic-Central America-United States Free Trade Agreement, to approve the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, and for other purposes.

H.R. 1369. To designate the facility of the United States Postal Service located at 1021 Pennsylvania Avenue in Hartshorne, Oklahoma, as the "Warren Lindley Post Office".

H.R. 3412. To designate the facility of the United States Postal Service located at 1421 Veterans Memorial Drive in Abbeville, Louisiana, as the "Sergeant Richard Franklin Abshire Post Office Building".

H.R. 3772. To designate the facility of the United States Postal Service located at 150 South Union Street in Canton, Mississippi, as the "First Sergeant Landres Cheeks Post Office Building".

H.R. 1560. To amend the Ysleta del Sur Pueblo and Alabama and Coushatta Indian Tribes of Texas Restoration Act to allow the Ysleta del Sur Pueblo Tribe to determine blood quantum requirement for membership in that tribe.

H.R. 1905. To strengthen Iran sanctions laws for the purpose of compelling Iran to abandon its pursuit of nuclear weapons and other threatening activities, and for other purposes.

H.R. 3501. To designate the facility of the United States Postal Service located at 125 Kerr Avenue in Rome City, Indiana, as the "SPC Nicholas Scott Hartge Post Office".

H.R. 3276. To designate the facility of the United States Postal Service located at 2810 East Hillsborough Avenue in Tampa, Florida, as the "Reverend Abe Brown Post Office Building".

H.R. 1627. To amend title 38, United States Code, to furnish hospital care and medical services to veterans who were stationed at Camp Lejeune, North Carolina, while the water was contaminated at Camp Lejeune, to improve the provision of housing assistance to veterans and their families, and for other purposes.

ADJOURNMENT

The SPEAKER pro tempore. Without objection, pursuant to Senate Concurrent Resolution 59, 112th Congress, the House stands adjourned until 2 p.m. on Monday, September 10, 2012.

There was no objection.

Accordingly (at 10 o'clock and 5 minutes a.m.), the House adjourned until Monday, September 10, 2012, at 2 p.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

7205. A letter from the Secretary, Commodity Futures Trading Commission, transmitting the Commission's final rule — Swap Transaction Compliance and Implementation Schedule: Clearing Requirement Under Section 2(h) of the CEA (RIN: 3038-AD60) received July 30, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7206. A letter from the Secretary, Commodity Futures Trading Commission, transmitting the Commission's final rule — End-User Exception to the Clearing Requirement for Swaps (RIN: 3038-AD10) received July 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7207. A letter from the Under Secretary, Rural Development, Department of Agriculture, transmitting the Department's final rule — Federal Deposit Insurance Corporation Limit Change (RIN: 0575-AC94) received July 23, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7208. A letter from the Director, Regulatory Review Group, Department of Agriculture, transmitting the Department's final rule — Disaster Designation Process (RIN: 0560-AH17) received July 23, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7209. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Irradiation Treatment; Location of Facilities in the Southern United States [Docket No.: APHIS-2009-0100] (RIN: 0579-AD35) received July 23, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7210. A letter from the Acting Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Information From Foreign Regions Applying for Recognition of Animal

Health Status [Docket No.: APHIS-2007-0158] (RIN: 0579-AD30) received August 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7211. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Acetamiprid; Pesticide Tolerances [EPA-HQ-OPP-2011-0792; FRL-9352-8] received July 25, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7212. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Pyrimethanil; Pesticide Tolerances [EPA-HQ-OPP-2011-0477; FRL-9354-7] received July 25, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7213. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Titanium Dioxide; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2011-0829; FRL-9354-6] received July 25, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7214. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — 2-Methyl-1,3-propanediol; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2012-0031; FRL-9352-6] received August 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7215. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Fluxapyroxad; Pesticide Tolerances Technical Amendment [EPA-HQ-OPP-2010-0421; FRL-9355-6] received August 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7216. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Rimsulfuron; Pesticide Tolerances [EPA-HQ-OPP-2011-0563; FRL-9355-5] received August 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7217. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — 2-Methyl-1,3-propanediol; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2012-0031; FRL 9352-6] received August 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7218. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Fluxapyroxad; Pesticide Tolerances Technical Amendment [EPA-HQ-OPP-2010-0421; FRL-9355-6] received August 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7219. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Rimsulfuron; Pesticide Tolerances [EPA-HQ-OPP-2011-0563; FRL-9355-5] received August 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7220. A letter from the Secretary, Department of Transportation, transmitting notification of several violations of the Antideficiency Act in the Department's Maritime Administration's Operation and Train-

ing Account, pursuant to 31 U.S.C. 1517(b) and 1351; to the Committee on Appropriations.

7221. A letter from the Acting Director, Executive Office of the President, transmitting notification of the President's intent to exempt all military personnel accounts from sequester for FY 2013, if a sequester is necessary; to the Committee on Appropriations.

7222. A letter from the Principal Deputy, Department of Defense, transmitting Authorization of Colonel Gregg P. Olson, United States Marine Corps, to wear the insignia of the grade of brigadier general; to the Committee on Armed Services.

7223. A letter from the Principal Deputy, Department of Defense, transmitting authorization of four officers to wear the authorized insignia of the grade rear admiral and rear admiral (lower half); to the Committee on Armed Services.

7224. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Charles E. Stenner, Jr., United States Air Force, and his advancement on the retired list in the grade of lieutenant general; to the Committee on Armed Services.

7225. A letter from the Under Secretary, Department of Defense, transmitting a letter on the approved retirement of Vice Admiral David Architzel, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

7226. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; DoD Voucher Processing (DFARS Case 2011-D054) (RIN: 0750-AH52) received July 30, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

7227. A letter from the Secretaries, Department of Defense and Department of Energy, transmitting Report on Nuclear Force Reductions; to the Committee on Armed Services.

7228. A letter from the Secretary, Department of the Treasury, transmitting a report on the Council's study of the feasibility, benefits, costs, and structure of a contingent capital requirement for nonbank financial companies, pursuant to 12 U.S.C. 5325 Public Law 111-203, section 115(c)(2); to the Committee on Financial Services.

7229. A letter from the Attorney, Office of the General Counsel, Bureau of Consumer Financial Protection, transmitting the Bureau's final rule — Defining Larger Participation of the Consumer Reporting Market [Docket No.: CFPB-2012-0005] (RIN: 3170-AA00) received July 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

7230. A letter from the Attorney, Office of the General Counsel, Bureau of Consumer Financial Protection, transmitting the Bureau's final rule — Confidential Treatment of Privileged Information [Docket No.: CFPB-2012-0010] (RIN: 3170-AA20) received July 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

7231. A letter from the Comptroller of the Currency, transmitting a report detailing the position assignments of transferred employees; to the Committee on Financial Services.

7232. A letter from the Assistant Director for Legislative Affairs, Consumer Financial Protection Bureau, transmitting a report pursuant to the Section 1079 of the Dodd-

Frank Act; to the Committee on Financial Services.

7233. A letter from the Assistant Director for Legislative Affairs, Consumer Financial Protection Bureau, transmitting the Semi-annual Report of the Bureau, as required under Section 1016 of the Dodd-Frank Wall Street Reform and Consumer Protection Act; to the Committee on Financial Services.

7234. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Changes in Flood Elevation Determinations [Docket ID: FEMA-2012-0003] [Internal Agency Docket No. FEMA-B-1260] received August 6, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

7235. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevations Determinations [Docket ID: FEMA-2012-0003] received August 6, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

7236. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Changes in Flood Elevation Determinations [Docket ID: FEMA-2012-0003] received August 6, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

7237. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations [Docket ID: FEMA-2012-0003] received July 23, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

7238. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility [Docket ID: FEMA-2012-0003] [Internal Agency Docket No.: FEMA-8237] received July 23, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

7239. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility [Docket ID: FEMA-2012-0003] [Internal Agency Docket No.: FEMA 8239] received July 30, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

7240. A letter from the Senior Counsel for Regulatory Affairs, Department of the Treasury, transmitting the Department's final rule — Calculation of Maximum Obligation Limitation (RIN: 1505-AC36) received July 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

7241. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to United Arab Emirates pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

7242. A letter from the Director, Office of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting the Corporation's final rule — Permissible Investments for Federal and State Savings Associations: Corporate Debt Securities (RIN: 3064-AD88) received August 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

7243. A letter from the Director, Office of Public and Congressional Affairs, National Credit Union Administration, transmitting NCUA 2011 Financial Statement Audits for Temporary Corporate Credit Union Stabilization Fund; to the Committee on Financial Services.

7244. A letter from the Assistant General Counsel for Regulatory Services, Department of Education, transmitting the Department's "Major" final rule — Final Priorities, Requirements, Definitions, and Selection Criteria — Teacher Incentive Fund (TIF) Program [Docket ID: ED-2012-OESE-0001] (RIN: 1810-AB12) received July 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

7245. A letter from the Assistant General Counsel for Regulatory Services, Department of Education, transmitting the Department's final rule — Final Priorities, Requirements, and Selection Criteria — Comprehensive Centers Program (CFDA Number: 84.283B) [Docket ID: ED-2012-OESE-0004] (RIN: 1810-AB14) received July 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

7246. A letter from the Solicitor, Department of Labor, transmitting the report required under section 939A(c) of the Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010; to the Committee on Education and the Workforce.

7247. A letter from the Secretary, Department of Energy, transmitting uncosted obligation balances of the Department for Fiscal Year 2011, pursuant to 42 U.S.C. 13526; to the Committee on Energy and Commerce.

7248. A letter from the Executive Director, Patient-Centered Outcomes Research Institute, transmitting the 2011 Annual Report, pursuant to 42 U.S.C. 1320e Public Law 111-148, section 1181(d)(10); to the Committee on Energy and Commerce.

7249. A letter from the Acting Administrator, Department of Energy, transmitting a report entitled, "The Availability and Price of Petroleum and Petroleum Products Produced in Countries Other Than Iran"; to the Committee on Energy and Commerce.

7250. A letter from the Secretary, Department of Health and Human Services, transmitting a report on the Aging Services Technology Study; to the Committee on Energy and Commerce.

7251. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's final rule — Patient Protection and Affordable Care Act; Data Collection to Support Standards Related to Essential Health Benefits; Recognition of Entities for the Accreditation of Qualified Health Plans [CMS-9965-F] (RIN: 0938-AR36) received July 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7252. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Maryland; Control of Iron and Steel Production Installations; Sintering Plants [EPA-R03-OAR-2012-0272; FRL-9702-6] received July 25, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7253. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Florida; Sections 128 and 110(a)(1) and (2) Infrastructure Requirements for the 1997 8-Hour Ozone National Ambient Air Quality Standards [EPA-R04-OAR-2011-0809; FRL-9705-2] received July 25, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7254. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation

of Implementation Plans; South Carolina 110(a)(1) and (2) Infrastructure Requirements for the 1997 and 2006 Fine Particulate Matter National Ambient Air Quality Standards [EPA-R04-OAR-2012-0402; FRL-9705-8] received July 25, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7255. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Tennessee: Prevention of Significant Deterioration and Non-attainment New Source Review; Fine Particulate Matter (PM_{2.5}) [EPA-R04-OAR-2012-0080; FRL-9704-7] received July 25, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7256. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Method 16C for the Determination of Total Reduced Sulfur Emissions from Stationary Sources [EPA-HQ-OAR-2010-0115; FRL-9701-9] (RIN: 2060-AQ23) received July 25, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7257. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Indiana [EPA-R05-OAR-2012-0406; FRL-9699-1] received July 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7258. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Idaho: Infrastructure Requirements for the 1997 8-Hour Ozone National Ambient Air Quality Standard; Prevention of Significant Deterioration Greenhouse Gas Permitting Authority and Tailoring Rule [EPA-R10-OAR-2011-0724; FRL-9676-6] received July 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7259. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Significant New Use Rule for Phenol, 2,4, Dimethyl-6-(1-methylpentadecyl) — [EPA-HQ-OPPT-2011-0633; FRL-9349-4] (RIN: 2070-AB27) received July 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7260. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Oil and Natural Gas Sector: New Source Performance Standards and National Emission Standards for Hazardous Air Pollutants [EPA-HQ-OAR-2010-0505; FRL-9665-1] (RIN: 2060-AP76) received July 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7261. A letter from the Administrator, Environmental Protection Agency, transmitting a report on the implementation of the Formaldehyde Standards for Composite Wood Products Act; to the Committee on Energy and Commerce.

7262. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Wisconsin; Regional Haze [EPA-R05-OAR-2012-0059; FRL-9694-9] received August 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7263. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Maryland; Preconstruction Requirements-Prevention of Significant Deterioration and Non-attainment New Source Review [EPA-R03-OAR-2011-0866; FRL-9705-5] received August 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7264. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Regional Haze State Implementation Plan; Correction [EPA-R03-OAR-2012-0002; FRL-9710-7] received August 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7265. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans and Designations of Areas for Air Quality Planning Purposes; Tennessee: Knoxville; Determination of Attaining Data for the 1997 Annual and 2006 24-Hour Fine Particulate Matter Standards [EPA-R04-OAR-2010-0153; FRL-9708-2] received August 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7266. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Wisconsin; Forest County Potawatomi Community Reservation Class I Area [EPA-R05-OAR-2011-0501; FRL-9699-3] received August 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7267. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Kentucky; Louisville; Fine Particulate Matter 2002 Base Year Emissions Inventory [EPA-R04-OAR-2012-0336; FRL-9708-5] received August 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7268. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Tennessee 110(a)(1) and (2) Infrastructure Requirements for the 1997 and 2006 Fine Particulate Matter National Ambient Air Quality Standards [EPA-R04-OAR-2012-0285; FRL-9705-7] received August 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7269. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of State Implementation Plans; Idaho; Boise-Northern Ada County Air Quality Maintenance Area Second 10-Year Carbon Monoxide Maintenance Plan [EPA-R10-OAR-2011-0194; FRL-9709-5] received August 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7270. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Determination of Attainment for the Paul Spur/Douglas PM10 Non-attainment Area, Arizona; Determination Regarding Applicability of Clean Air Act Requirements [EPA-R09-OAR-2012-0234; FRL-

9708-4] received August 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7271. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Technical Corrections to Organizational Names, Addresses, and OMB Control Numbers [EPA-HQ-OPPT-2010-0629; FRL-8846-7] received August 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7272. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Federal Implementation Plan for Oil and Natural Gas Well Production Facilities; Fort Berthold Indian Reservation (Mandan, Hidatsa, and Arikara Nations), North Dakota [EPA-R08-OAR-2012-0479; FRL-9710-4] received August 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7273. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of State Implementation Plans; Hawaii; Infrastructure Requirements for the 1997 8-Hour Ozone and the 1997 and 2006 Fine Particulate Matter National Ambient Air Quality Standards [EPA-R09-OAR-2012-0228; FRL-9711-1] received August 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7274. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; State of Hawaii; Update to Materials Incorporated by Reference [HI 126-NBK; FRL-9712-2] received August 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7275. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Wisconsin; Volatile Organic Compound Emission Control Measures for Milwaukee and Sheboygan Ozone Nonattainment Areas [EPA-R05-OAR-2009-0695; FRL-9689-8] received August 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7276. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Oklahoma: Incorporation by Reference of Approved State Hazardous Waste Management Program [EPA-R06-2012-0471; FRL-9701-7] received August 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7277. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, Mojave Desert, Northern Sierra, Sacramento Metropolitan and San Diego Air Pollution Agencies [EPA-R09-OAR-2012-0332; FRL-9687-8] received August 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7278. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, Sacramento Metropolitan Air Quality Management District [EPA-R09-OAR-2012-0311; FRL-9687-3] received August 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7279. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Maryland; Preconstruction Requirements-Prevention of Significant Deterioration and Non-attainment New Source Review [EPA-R03-OAR-2011-0866; FRL-9705-5] received August 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7280. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Kentucky; Louisville; Fine Particulate Matter 2002 Base Year Emissions Inventory [EPA-R04-OAR-2012-0336; FRL-9708-5] received August 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7281. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Tennessee 110(a)(1) and (2) Infrastructure Requirements for the 1997 and 2006 Fine Particulate Matter National Ambient Air Quality Standards [EPA-R04-OAR-2012-0285; FRL-9705-7] received August 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7282. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of State Implementation Plans; Idaho; Boise-Northern Ada County Air Quality Maintenance Area Second 10-Year Carbon Monoxide Maintenance Plan [EPA-R10-OAR-2011-0194; FRL-9709-5] received August 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7283. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Determination of Attainment for the Paul Spur/Douglas PM10 Non-attainment Area, Arizona; Determination Regarding Applicability of Clean Air Act Requirements [EPA-R09-OAR-2012-0234; FRL-9708-4] received August 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7284. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Regional Haze State Implementation Plan; Correction [EPA-R03-OAR-2012-0002; FRL-9710-7] received August 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7285. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Wisconsin; Forest County Potawatomi Community Reservation Class I Area [EPA-R05-OAR-2011-0501; FRL-9699-3] received August 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7286. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Wisconsin; Forest County Potawatomi Community Reservation Class I Area [EPA-R05-OAR-2011-0501; FRL-9699-3] received August 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7287. A letter from the Deputy Chief, Federal Communication Commission, transmitting the Commission's final rule — Interpretation of Economically Burdensome Standard; Amendment of Section 79.1(f) of the Commission's Rules; Video Programming Accessibility [CG Docket No.: 11-175] received August 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7288. A letter from the Deputy Division Chief, Policy Division International Bureau, Federal Communications Commission, transmitting the Commission's final rule — Procedures to Govern the Use of Satellite Earth Stations on Board Vessels in the 5925-6425 MHz/3700-4200 MHz Bands and 14.0-14.5 GHz/11.7-12.2 GHz Bands [IB Docket No.: 02-10] received July 31, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7289. A letter from the Deputy Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting the Commission's final rule — Rural Health Care Support Mechanism [WC Docket No.: 02-60] received July 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7290. A letter from the Chief, Policy and Rules Division, Federal Communications Commission, transmitting the Commission's final rule — Sections 2.925 and 2.926 of the Rules Regarding Grantee Codes for Certified Radiofrequency Equipment received July 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7291. A letter from the Secretary, Federal Trade Commission, transmitting the Commission's final rule — Disclosure Requirements and Prohibitions Concerning Franchising received July 23, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7292. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Amendments to Adjudicatory Process Rules and Related Requirements [NRC-2008-0415] (RIN: 3150-A143) received July 31, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7293. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Requirements for Distribution of Byproduct Material [NRC-2008-0338] (RIN: 3150-AH91) received July 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7294. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Changes to the Generic Aging Lessons Learned (GALL) Report Revision 2 Aging Management Program XI.M41, "Buried and Underground Piping and Tanks" [LR-ISG-2011-03] received August 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7295. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Publication of Revision 4 to SRP Section 8.1, issuing final guidance that issues a new Branch Technical Position BTP 8-8 — On site (Emergency Diesel Generators) and Off site Power Sources Allowed Outage Time Extensions received July 23, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7296. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's

final rule — NRC Regulatory Issue Summary 2012-08: Developing Inservice Testing and Inservice Inspection Programs Under 10 CFR Part 52 received July 23, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7297. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Regulatory Guide 5.32 "Communication with Transport Vehicles" received July 23, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7298. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Receipts-Based, Small Business Size Standard [NRC-2012-0062] (RIN: 3150-AJ14) received July 23, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7299. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Technical Corrections [NRC-2012-0092] (RIN: 3150-AJ16) received July 23, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7300. A letter from the Honorary Secretary, Foundation of Japanese Honorary Debts, transmitting the 212th petition to the Prime Minister of Japan; to the Committee on Foreign Affairs.

7301. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 12-52, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

7302. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 12-41, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

7303. A letter from the Acting Secretary, Department of Commerce, transmitting a certification of export to China; to the Committee on Foreign Affairs.

7304. A letter from the Assistant Secretary, Department of Defense, transmitting a report on the National Academy of Sciences Assessment and Report on Metrics of the Cooperative Threat Reduction Program; to the Committee on Foreign Affairs.

7305. A letter from the Deputy Secretary, Department of Defense, transmitting a notice of the Department's intention to provide support to aid the Government of Uzbekistan in its counter-terrorism and counter-drug activities; to the Committee on Foreign Affairs.

7306. A letter from the Assistant Secretary, Department of Defense, transmitting the Cooperative Biological Engagement Program (CBEP) Report; to the Committee on Foreign Affairs.

7307. A letter from the Acting Director, International Cooperation, Department of Defense, transmitting Pursuant to Section 27(f) of the Arms Export Control Act and Section 1(f) of Executive Order 11958, Transmittal No. 4-12 informing of an intent to sign the Memorandum of Understanding with Australia; to the Committee on Foreign Affairs.

7308. A letter from the Assistant Secretary for Insular Areas, Department of Interior, transmitting the Department's report on the Impact of the Compacts of Free Association on Guam for fiscal years 2004 through 2011, pursuant to Public Law 108-188, section 104(E)(8); to the Committee on Foreign Affairs.

7309. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department of State and the Agency for International Development report entitled "Joint Summary of Performance and Financial Information Fiscal Year 2011"; to the Committee on Foreign Affairs.

7310. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's report entitled, "Country Reports on Terrorism 2011"; to the Committee on Foreign Affairs.

7311. A letter from the Assistant Legal Advisor for Treaty Affairs, Department of State, transmitting report prepared by the Department of State concerning international agreements other than treaties entered into by the United States to be transmitted to the Congress within the sixty-day period specified in the Case-Zablocki Act; to the Committee on Foreign Affairs.

7312. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's final rule — Amendment to the International Traffic in Arms Regulations: Yemen (RIN: 1400-AD23) received July 23, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

7313. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the 2012 Hague Abduction Convention Compliance Report; to the Committee on Foreign Affairs.

7314. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting text of the ILO Convention covering Decent Work for Domestic Workers (No. 189) and the Recommendation concerning Decent Work for Domestic Workers (No. 201); to the Committee on Foreign Affairs.

7315. A letter from the Secretary General, Organization for Security and Cooperation in Europe Parliamentary Assembly, transmitting the Monaco Declaration and Resolutions adopted on July 9, 2012 at the 21st Annual Session of the Organization for Security and Co-operation in Europe Parliamentary Assembly, pursuant to Public Law 102-138, section 169(e) (105 Stat. 679); to the Committee on Foreign Affairs.

7316. A letter from the Special Inspector General for Afghanistan Reconstruction, transmitting the sixteenth quarterly report on the Afghanistan reconstruction; to the Committee on Foreign Affairs.

7317. A letter from the Auditor, Office of the District of Columbia Auditor, transmitting copy of the report entitled "Sufficiency Certification for the Washington Convention and Sports Authority's (Trading as Events DC) Projected Revenues and Excess Reserve to Meet Projected Operating and Debt Service Expenditures and Reserve Requirements for Fiscal Year 2013"; pursuant to D.C. Code section 47-117(d); to the Committee on Oversight and Government Reform.

7318. A letter from the Executive Director, Christopher Columbus Fellowship Foundation, transmitting the Foundation's required General/Trust Fund Financial Statements for Fiscal Year 2012; to the Committee on Oversight and Government Reform.

7319. A letter from the Chief Human Capital Officer, Corporation for National and Community Service, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

7320. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-416, "Wrongful Death Act of 2012"; to the Committee on Oversight and Government Reform.

7321. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-431, "8th Street Plaza Condominium Association, Inc. Clarification Act of 2012"; to the Committee on Oversight and Government Reform.

7322. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-432, "Closing of Public Alleys in Square 901, S.O. 11-5228, Act of 2012"; to the Committee on Oversight and Government Reform.

7323. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-433, "Downtown BID Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

7324. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-434, "Sign Regulation Temporary Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

7325. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-435, "Residential Parking Protection Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

7326. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-436, "Criminal Penalty for Unregistered Motorist Repeal Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

7327. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-437, "Taxicab Service Improvement Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

7328. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-438, "Collaborative Care Expansion Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

7329. A letter from the White House Liaison, Department of Energy, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

7330. A letter from the White House Liaison, Department of Energy, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

7331. A letter from the White House Liaison, Department of Energy, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

7332. A letter from the White House Liaison, Department of Energy, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

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7340. A letter from the White House Liaison, Department of Energy, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

7341. A letter from the White House Liaison, Department of Energy, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

7342. A letter from the White House Liaison, Department of Energy, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

7343. A letter from the White House Liaison, Department of Energy, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

7344. A letter from the Executive Analyst, Department of Health and Human Services, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

7345. A letter from the General Counsel, Department of Housing and Urban Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

7346. A letter from the Attorney-Advisor, Department of Transportation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

7347. A letter from the Senior Procurement Executive, Deputy Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Federal Acquisition Circular 2005-60; Introduction [Docket: FAR 2012-0080, Sequence 5] received July 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

7348. A letter from the Senior Procurement Executive, Deputy Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Extension of Sunset Date for Protests of Task and Delivery Orders [FAC 2005-60; FAR Case 2012-007; Item III; Docket 2012-0007, Sequence 1] (RIN: 9000-AM26) received July 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

7349. A letter from the Senior Procurement Executive, Deputy Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Payments Under Time-and-Materials and Labor-Hour Contracts [FAC 2005-60; FAR Case 2011-003; Item II; Docket 2011-0003, Sequence 1] (RIN:

9000-AM01) received July 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

7350. A letter from the Senior Procurement Executive, Deputy Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; DARPA-New Mexico Tax Agreement [FAC 2005-60; FAR Case 2012-019; Item IV; Docket 2012-0019, Sequence 1] (RIN: 9000-AM29) received July 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

7351. A letter from the Senior Procurement Executive, Deputy Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Clarification of Standards for Computer Generation of Forms [FAC 2005-60; FAR Case 2011-022; Item V; Docket 2011-0093, Sequence IV] (RIN: 9000-AM15) received July 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

7352. A letter from the Senior Procurement Executive, Deputy Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Technical Amendments [FAC 2005-60; Item VI; Docket 2012-0079, Sequence 3] received July 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

7353. A letter from the Senior Procurement Executive, Deputy Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Reporting Executive Compensation and First-Tier Subcontract Awards [FAC 2005-60; FAR Case 2008-039; Item I; Docket 2010-0093, Sequence 2] (RIN: 9000-AL66) received July 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

7354. A letter from the Senior Procurement Executive, Deputy Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Federal Acquisition Circular 2005-60; Small Entity Compliance Guide [Docket: FAR 2012-0081, Sequence 5] received July 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

7355. A letter from the Chairman, National Transportation Safety Board, transmitting in accordance with Pub. L. 105-270, the Federal Activities Inventory Reform Act of 1998 (FAIR Act), the Board's inventory of commercial activities for 2011; to the Committee on Oversight and Government Reform.

7356. A letter from the Director, Office of National Drug Control Policy, transmitting the Office's report entitled, "The Fiscal Year 2011 Accounting of Drug Control Funds and the Fiscal Year 2011 Performance Summary Report"; to the Committee on Oversight and Government Reform.

7357. A letter from the Special Counsel, Office of Special Counsel, transmitting the Office's annual report for FY 2011; to the Committee on Oversight and Government Reform.

7358. A letter from the Secretary, Department of the Interior, transmitting a piece of draft legislation to amend the Chesapeake Bay Initiative Act of 1998; to the Committee on Natural Resources.

7359. A letter from the Chief, Branch of Recovery and State Grants, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened

Wildlife and Plants Revising the Special Rule for the Utah Prairie Dog [Docket No.: FWS-R6-ES-2011-0030] (RIN: 1018-AW02) received July 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7360. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the Central Aleutian District of the Bering Sea and Aleutian Islands Management Area [Docket No.: 111213751-2102-02] (RIN: 0648-XC085) received July 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7361. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the Western Regulatory Area of the Gulf of Alaska [Docket No.: 111207737-2141-02] (RIN: 0648-XC086) received July 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7362. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; Extension of the 2012 Gulf of Mexico Recreational Red Snapper Season [Docket No.: 120213124-1066-02] (RIN: 0648-XC088) received July 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7363. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Shallow-Water Species Fishery by Vessels Using Trawl Gear in the Gulf of Alaska [Docket No.: 111207737-2141-02] (RIN: 0648-XC112) received August 6, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7364. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Adjustment of Georges Bank Yellowtail Flounder Annual Catch Limits [Docket No.: 120109034-2171-01] (RIN: 0648-XC077) received August 6, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7365. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Arrowtooth Flounder, Flathead Sole, Rex Sole, Deep-Water Flatfish, and Shallow-Water Flatfish in the Gulf of Alaska Management Area [Docket No.: 101207737-2141-02] (RIN: 0648-XC110) received August 6, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7366. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Northern Rockfish in the Western Regulatory Area of the Gulf of Alaska

[Docket No.: 111207737-2141-02] (RIN: 0648-XC094) received August 6, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7367. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the Western Regulatory Area of the Gulf of Alaska [Docket No.: 111207737-2141-02] (RIN: 0648-XC109) received August 6, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7368. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pelagic Shelf Rockfish in the Western Regulatory Area of the Gulf of Alaska [Docket No.: 111207737-2141-02] (RIN: 0648-XC093) received August 6, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7369. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; "Other Rockfish" in the Western Regulatory Area of the Gulf of Alaska [Docket No.: 111207737-2141-02] (RIN: 0648-XC087) received July 23, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7370. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Vessels Using Jig Gear in the Central Regulatory Area of the Gulf of Alaska [Docket No.: 111207737-2141-2] (RIN: 0648-XC079) received August 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7371. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Atka Mackerel in the Bering Sea and Aleutian Islands Management Area [Docket No.: 111213751-2102-02] (RIN: 0648-XC083) received August 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7372. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the Central Aleutian District of the Bering Sea and Aleutian Islands Management Area [Docket No.: 111213751-2102-02] (RIN: 0648-XC085) received August 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7373. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the Western Regulatory Area of the Gulf of Alaska [Docket No.: 111207737-2141-02] (RIN: 0648-XC086) received August 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7374. A letter from the Acting Assistant Administrator for Fisheries, NMFS, National

Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean; Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; Red Snapper Management Measures [Docket No.: 120213124-1066-02] (RIN: 0648-BB91) received August 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7375. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Revisions to Framework Adjustment 47 to the Northeast Multispecies Fishery Management Plan and Sector Annual Catch Entitlements; Updated Annual Catch Limits for Sectors and the Common Pool for Fishing Year 2012 [Docket No.: 120109034-2153-02] (RIN: 0648-BB62) received August 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7376. A letter from the Acting Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; Gray Triggerfish Management Measures [Docket No.: 120417412-2412-01] (RIN: 0648-BB90) received August 6, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7377. A letter from the Acting Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries Off West Coast States; Coastal Pelagic Species Fisheries; Annual Specifications [Docket No.: 120403254-2135-02] (RIN: 0648-XB045) received August 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7378. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; Extension of the 2012 Gulf of Mexico Recreational Red Snapper Season [Docket No.: 120213124-1066-02] (RIN: 0648-XC088) received August 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7379. A letter from the Assistant Attorney General, Department of Justice, transmitting the "21st Century Department of Justice Appropriations Authorization Act", related to certain settlements and injunctive relief for the fourth quarter of 2011, pursuant to 28 U.S.C. 530D Public Law 107-273, section 202; to the Committee on the Judiciary.

7380. A letter from the Special Assistant, Alaska Rural Justice and Law Enforcement Commission, transmitting the January 2012 Report to Congress and the Alaska State Legislature; to the Committee on the Judiciary.

7381. A letter from the Federal Liaison Officer, Department of Commerce, transmitting the Department's final rule — Changes to Implement the Investor's Oath or Declaration Provisions of the Leahy-Smith America Invents Act [Docket No.: PTO-P-2011-0074] (RIN: 0651-AC68) received July 23, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

7382. A letter from the Federal Liaison Officer, Department of Commerce, transmitting the Department's final rule — Rules for Practice for Trials before the Patent Trial

and Appeal Board and Judicial Review of Patent Trial and Appeal Board Decisions [Docket No.: PTO-P-2011-0082] (RIN: 0651-AC70) received July 23, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

7383. A letter from the Federal Liaison Officer, Department of Commerce, transmitting the Department's final rule — Changes to Implement Miscellaneous Post Patent Provisions of the Leahy-Smith America Invents Act [Docket No.: PTO-P-2011-0072] (RIN: 0651-AC66) received July 30, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

7384. A letter from the Federal Liaison Officer, Department of Commerce, transmitting the Department's final rule — Implementation of Statute of Limitations Provisions for Office Disciplinary Proceedings [Docket No.: PTO-C-2011-0089] (RIN: 0651-AC76) received July 30, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

7385. A letter from the Section Chief, Liaison and Policy Section, Office of Diversion Control, Department of Justice, transmitting the Department's final rule — Controlled Substances and List I Chemical Registration and Reregistration Fees [Docket No.: DEA-346] (RIN: 1117-AB32) received May 10, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

7386. A letter from the Acting Assistant Attorney General, Department of Justice, transmitting a follow up letter on a challenge to the Defense of Marriage Act; to the Committee on the Judiciary.

7387. A letter from the Administrator, FEMA, Department of Homeland Security, transmitting notification that funding under Title V, subsection 503(b)(3) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended, has exceeded \$5 million for the cost of response and recovery efforts for FEMA-3330-EM in the Commonwealth of Massachusetts, pursuant to 42 U.S.C. 5193; to the Committee on Transportation and Infrastructure.

7388. A letter from the Area Program Manager, Central Valley, California High-Speed Rail Authority, transmitting the announcement of the availability of the Revised Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement; to the Committee on Transportation and Infrastructure.

7389. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Flightcrew Member Duty and Rest Requirements; OMB Approval of Information Collection [Docket No.: FAA-2009-1093; Amdt. No. 117-1A] (RIN: 2120-AJ58) received July 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7390. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30846; Amdt. No. 3482] received July 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7391. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30847; Amdt. No. 3483] received

July 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7392. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30848; Amdt. No. 3484] received July 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7393. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Removal of the Part 67 Requirement for Individuals Granted the Special Issuance of a Medical Certificate to Carry Their Letter of Authorization While Exercising Pilot Privileges; Confirmation of Effective Date [Docket No.: FAA-2012-0056; Amdt. No. 67-21] (RIN: 2120-AK00) received July 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7394. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Eurocopter Deutschland GmbH Helicopters [Docket No.: FAA-2012-0659; Directorate Identifier 2011-SW-061-AD; Amendment 39-17101; AD 2012-12-21] (RIN: 2120-AA64) received July 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7395. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Revocation and Modification of Multiple Domestic, Alaskan, and Hawaiian Compulsory Reporting Points [Docket No.: FAA-2012-0129; Airspace Docket No. 12-AWA-3] (RIN: 2120-AA66) received July 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7396. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — IFR Altitudes; Miscellaneous Amendments [Docket No.: 30850; Amdt. No. 501] received July 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7397. A letter from the Secretary, Department of Transportation, transmitting a piece of draft legislation "To amend and enhance certain maritime programs of the Department of Transportation, and for other purposes"; jointly to the Committees on Transportation and Infrastructure, Armed Services, Education and the Workforce, the Judiciary, and Oversight and Government Reform.

7398. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Restricted Areas R-5402, R-5403A, R-5403B, R-5403C, R-5403D, R-5403E, and R-5403F; Devils Lake, ND [Docket No.: FAA-2011-0117; Airspace Docket No. 09-AGL-31] received July 31, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7399. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Air Traffic Service Routes; Southwestern United States [Docket No.: FAA-2012-0287; Airspace Docket No. 11-AWP-21] (RIN: 2120-AA66) received July 31, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7400. A letter from the Program Analyst, Department of Transportation, transmitting

the Department's final rule — Establishment of Area Navigation (RNAV) Routes; Southwestern United States [Docket No.: FAA-2012-0286; Airspace Docket No. 11-AWP-22] (RIN: 2120-AA66) received July 31, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7401. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class D Airspace and Amendment of Class E Airspace; East Hampton, NY [Docket No.: FAA-2010-0217; Airspace Docket No. 12-AEA-2] received July 31, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7402. A letter from the Secretary, Department of Transportation, transmitting the Department's report on the Transportation Infrastructure Finance and Innovation Act of 1998 (TIFIA) for 2012; to the Committee on Transportation and Infrastructure.

7403. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — National Pollutant Discharge Elimination System Permit Regulations; Removal of Vacated Elements in Response to the 2011 Decision of the U.S. Court of Appeals for the Fifth Circuit [EPA-HQ-OW-2012-0142; FRL-9705-6] (RIN: 2040-AF40) received July 25, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7404. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Phosphorus Water Quality Standards for Florida Everglades [EPA-HQ-OW-2011-0515; FRL-9666-8] (RIN: 2040-AF38) received August 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7405. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Phosphorus Water Quality Standards for Florida Everglades [EPA-HQ-OW-2011-0515; FRL-9666-8] (RIN: 2040-AF38) received August 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7406. A letter from the Assistant Secretary, Army, Civil Works, Department of Defense, transmitting the feasibility report on the Marsh Lake Project; (H. Doc. No. 112—133); to the Committee on Transportation and Infrastructure and ordered to be printed.

7407. A letter from the Assistant Secretary, Army, Civil Works, Department of Defense, transmitting a project modification recommendation for the Olmsted Locks and Dam; (H. Doc. No. 112—134); to the Committee on Transportation and Infrastructure and ordered to be printed.

7408. A letter from the Assistant Secretary, Army, Civil Works, Department of Defense, transmitting a report on the authorization of the C-111 Spreader Canal Western Project; (H. Doc. No. 112—132); to the Committee on Transportation and Infrastructure and ordered to be printed.

7409. A letter from the Assistant Secretary, Office of Fossil Energy, Department of Energy, transmitting a report entitled "Liquefied Natural Gas Safety Research"; to the Committee on Science, Space, and Technology.

7410. A letter from the Deputy General Counsel, Small Business Administration, transmitting the Administration's final rule — Small Business Investment Companies —

Energy Saving Qualified Investments (RIN: 3245-AF86) received July 23, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Small Business.

7411. A letter from the Deputy General Counsel, Small Business Administration, transmitting the Administration's final rule — Small Business Investment Companies — Early Stage SBICs (RIN: 3245-AG32) received July 23, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Small Business.

7412. A letter from the Deputy General Counsel, Small Business Administration, transmitting the Administration's final rule — 7(a) Loan Program; Eligible Passive Companies (RIN: 3245-AG48) received July 23, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Small Business.

7413. A letter from the Deputy General Counsel, Small Business Administration, transmitting the Administration's final rule — Small Business Investment Companies — Conflicts of Interest and Investment of Idle Funds (RIN: 3245-AF56) received July 23, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Small Business.

7414. A letter from the Secretary, Department of Veterans Affairs, transmitting a letter notifying that the Department intends to take in *Cardona v. Shinseki*, Vet. App. No. 11-3083; to the Committee on Veterans' Affairs.

7415. A letter from the Assistant Secretary, Department of State, transmitting notification of a continuation of a waiver authority; to the Committee on Ways and Means.

7416. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Third Party Payer Issues & Reporting Agent, Revisions (Rev. Proc. 2010-32) received July 31, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7417. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — 2012 Section 43 Inflation Adjustment [Notice 2012-49] received July 31, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7418. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Applicable Federal Rates — August 2012 (Rev. Rul. 2012-21) received July 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7419. A letter from the Branch Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Reallocation of Section 48A Credits under the Qualifying Advanced Coal Project Program [Notice 2012-51] received July 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7420. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Charitable Contributions to Domestic Disregarded Entities [Notice 2012-52] received August 6, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7421. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Deductions for Entertainment Use of Business Aircraft [TD 9597] (RIN: 1545-BF34) received August 6, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7422. A letter from the Chief, Publications and Regulations, Internal Revenue Service,

transmitting the Service's final rule — Revisions to Rev. Proc. 98-32 (Rev. Proc. 2012-33) received August 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7423. A letter from the Director, Office of Regulations, Social Security Administration, transmitting the Administration's final rule — Expedited Vocational Assessment Under the Sequential Evaluation Process [Docket No.: SSA-2010-0060] (RIN: 0960-AH26) received July 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7424. A letter from the Congressional Affairs Division, Office of External Affairs, FEMA, Department of Homeland Security, transmitting the Report on the Grants Program Measurement Study; to the Committee on Homeland Security.

7425. A letter from the Administrator, TSA, Department of Homeland Security, transmitting a piece of draft legislation; to the Committee on Homeland Security.

7426. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Technical Correction to Organizational Names, Addresses, and OMB Control Numbers [EPA-HQ-OPPT-2010-0629; FRL-8846-7] received August 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Agriculture and Energy and Commerce.

7427. A letter from the Chairman, Defense Nuclear Facilities Safety Board, transmitting the Board's quarterly report to Congress on the Status of Significant Unresolved Issues with the Department of Energy's Design and Construction Projects (dated June 25, 2012); jointly to the Committees on Armed Services and Appropriations.

7428. A letter from the Secretary, Department of Energy, transmitting the Office of Energy Efficiency and Renewable Energy Activity Funding Level Report; jointly to the Committees on Energy and Commerce and Science, Space, and Technology.

7429. A letter from the Regulations Coordinator, Department of Health and Human Services, transmitting the Department's "Major" final rule — Medicare Program: Hospital Inpatient Prospective Payment Systems for Acute Care Hospitals and the Long-Term Care Hospital Prospective Payment System and Fiscal Year 2013 Rates; Hospitals' Resident Caps for Graduate Medical Education Payment Purposes; Quality Reporting Requirements for Specific Providers and for Ambulatory Surgical Centers [CMS-1588-F] (RIN: 0938-AR12) received August 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Energy and Commerce and Ways and Means.

7430. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's "Major" final rule — Medicare Program; Inpatient Rehabilitation Facility Prospective Payment System for Federal Fiscal Year 2013 [CMS-1433-N] (RIN: 0938-AR21) received August 6, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Energy and Commerce and Ways and Means.

7431. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's "Major" final rule — Medicare Program; Prospective Payment System and Consolidated Billing for Skilled Nursing Facilities for FY 2013 [CMS-1432-N] (RIN: 0938-AR20) received August 6, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Energy and Commerce and Ways and Means.

7432. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's final rule — Medicare Program; Inpatient Psychiatric Facilities Prospective Payment System — Update for Fiscal Year Beginning October 1, 2012 (FY 2013) [CMS-1440-N] (RIN: 0938-AR22) received August 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Energy and Commerce and Ways and Means.

7433. A letter from the Special Inspector General for Iraq Reconstruction, transmitting the Special Inspector General for Iraq Reconstruction (SIGIR) July 2012 Quarterly Report and Semiannual Report; jointly to the Committees on Foreign Affairs and Appropriations.

7434. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's final rule — Medicare Program; Hospice Wage Index for Fiscal Year 2013 [CMS-1434-N] (RIN: 0938-AR17) received July 25, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means and Energy and Commerce.

7435. A letter from the Director, Office of Regulations, Social Security Administration, transmitting the Administration's final rule — Regulations Regarding Income-Related Monthly Adjustment Amounts to Medicare Beneficiaries' Prescription Drug Coverage Premiums [Docket No.: SSA-2010-0029] (RIN: 0960-AH22) received July 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means and Energy and Commerce.

7436. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Implementation of Agreement between the United States and China on Science and Technology; jointly to the Committees on Foreign Affairs, Armed Services, and Science, Space, and Technology.

7437. A letter from the Administrator, TSA, Department of Homeland Security, transmitting a piece of draft legislation; jointly to the Committees on the Judiciary, Oversight and Government Reform, and Homeland Security.

7438. A letter from the Secretary, Department of the Interior, transmitting a piece of draft legislation entitled, "National Park System Critical Authorities Act of 2012"; jointly to the Committees on the Judiciary, Natural Resources, Transportation and Infrastructure, and Oversight and Government Reform.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. REYES:

H.R. 6359. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income any prizes or awards won in competition in the Olympic Games and Paralympic Games; to the Committee on Ways and Means.

By Mr. TIERNEY:

H.R. 6360. A bill to increase accountability in contracts for overseas contingency operations, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on Armed Services, Oversight and Government Reform, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

266. The SPEAKER presented a memorial of the House of Representatives of the State of Michigan, relative to House Resolution No. 265 memorializing the Congress and the President to continue funding for the Microbiological Data Program; to the Committee on Agriculture.

267. Also, a memorial of the Senate of the State of Hawaii, relative to Senate Resolution No. 10 requesting immediate repeal of the combat exclusionary rules; to the Committee on Armed Services.

268. Also, a memorial of the House of Representatives of the State of Louisiana, relative to House Concurrent Resolution No. 115 memorializing the Congress to take such actions as are necessary to oppose the elimination of A-10 aircraft assigned to the 917th Fighter Group; to the Committee on Armed Services.

269. Also, a memorial of the House of Representatives of the State of Colorado, relative to House Joint Resolution 12-1009 recognizing the immense social and economic benefit of homeownership; to the Committee on Financial Services.

270. Also, a memorial of the House of Representatives of the State of Michigan, relative to House Resolution No. 111 memorializing the Congress and the President to enact legislation protecting the rights of conscience of students seeking counseling degrees and licensed professional counselors; to the Committee on Education and the Workforce.

271. Also, a memorial of the Senate of the State of Hawaii, relative to Senate Resolution No. 99 requesting that advisory forces remain in Uganda until Joseph Kony is removed and stability is brought to the country; to the Committee on Foreign Affairs.

272. Also, a memorial of the House of Representatives of the State of Michigan, relative to House Resolution No. 227 memorializing the Congress to reject the President's budget proposal to eliminate the search-and-rescue U.S. Coast Guard helicopter unit in Muskegon County; to the Committee on Transportation and Infrastructure.

273. Also, a memorial of the House of Representatives of the State of Michigan, relative to House Resolution No. 195 memorializing the Congress to enact legislation to ensure that the amount credited to the Harbor Maintenance Trust Fund are used solely for the dredging, infrastructure, operation, and maintenance of federally authorized ports; to the Committee on Transportation and Infrastructure.

274. Also, a memorial of the House of Representatives of the State of Michigan, relative to House Resolution No. 218 memorializing the Congress to fund the Facility of Rare Isotope Beams (FRIB) at Michigan State University; to the Committee on Science, Space, and Technology.

275. Also, a memorial of the House of Representatives of the State of Hawaii, relative to House Resolution No. 64 urging the Congress to adopt the Veterans Remembered Flag; to the Committee on Veterans' Affairs.

276. Also, a memorial of the House of Representatives of the State of Hawaii, relative to House Concurrent Resolution No. 115 urging the Congress to amend the Authorization for Use of Military Force and the National Defense Authorization Act for Fiscal Year 2012; jointly to the Committees on Armed Services and Foreign Affairs.

277. Also, a memorial of the House of Representatives of the State of Illinois, relative

to House Resolution No. 824 urging the Congress and the President to begin expedited withdrawal of forces from Afghanistan; jointly to the Committees on Foreign Affairs and Armed Services.

278. Also, a memorial of the House of Representatives of the State of Hawaii, relative to House Resolution No. 98 urging the Congress to propose and support the inclusion of the Philippines in the VISIT USA Act; jointly to the Committees on the Judiciary and Homeland Security.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. REYES:

H.R. 6359.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Article I, Section 8 of the United States Constitution.

Text:

Article I, Section. 8.

Clause 1: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

Clause 2: To borrow Money on the credit of the United States;

Clause 3: To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

Clause 4: To establish a uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States;

Clause 5: To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;

Clause 6: To provide for the Punishment of counterfeiting the Securities and current Coin of the United States;

Clause 7: To establish Post Offices and post Roads;

Clause 8: To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries;

Clause 9: To constitute Tribunals inferior to the supreme Court;

Clause 10: To define and punish Piracies and Felonies committed on the high Seas, and Offences against the Law of Nations;

Clause 11: To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water;

Clause 12: To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years;

Clause 13: To provide and maintain a Navy;

Clause 14: To make Rules for the Government and Regulation of the land and naval Forces;

Clause 15: To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions;

Clause 16: To provide for organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the United States,

reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress;

Clause 17: To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the Acceptance of Congress, become the Seat of the Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Ports, Magazines, Arsenals, dock-Yards, and other needful Buildings;—And

Clause 18: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. TIERNEY:

H.R. 6360:

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

The Congress shall have Power * * * To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 300: Ms. LEE of California.

H.R. 733: Mr. MCCARTHY of California.

H.R. 996: Mr. PRICE of North Carolina.

H.R. 1054: Mr. MARKEY and Ms. CHU.

H.R. 1897: Mr. CUMMINGS.

H.R. 2168: Mr. CHABOT.

H.R. 2541: Mr. BACHUS.

H.R. 2600: Mr. DUNCAN of Tennessee, Mr. NUNNELEE, Mr. MEEKS, and Mr. SMITH of New Jersey.

H.R. 2794: Mrs. CAPPS.

H.R. 3264: Mr. MILLER of Florida.

H.R. 3307: Ms. TSONGAS.

H.R. 3423: Mr. BOSWELL and Mr. SCHIFF.

H.R. 3594: Mr. GARY G. MILLER of California and Mr. OWENS.

H.R. 3687: Mr. WALZ of Minnesota, Mr. LIPINSKI, Mr. AMODEI, Mr. MCDERMOTT, Ms. BROWN of Florida, and Mr. KUCINICH.

H.R. 3798: Ms. DELAURO and Mr. DOLD.

H.R. 4327: Mr. REYES.

H.R. 4405: Mr. HIMES and Ms. WATERS.

H.R. 5744: Mr. MCCLINTOCK.

H.R. 5850: Mr. NADLER.

H.R. 6028: Mr. MEEKS.

H.R. 6289: Mr. SCHILLING.

H. Res. 733: Mr. FRANK of Massachusetts.

PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

52. The SPEAKER presented a petition of The Board of Chosen Freeholders, New Jersey, relative to urging the President to protect Americans' religious liberty; to the Committee on Energy and Commerce.

53. Also, a petition of the Town of Woodstock, New York, relative to Resolution No. 220-2012 calling the Congress to honor its obligation to the Constitution by affirming the

powers given it in Article 1, Section 8; to the Committee on Foreign Affairs.

54. Also, a petition of Office of Management and Budget, Indiana, relative to the state's request for reimbursement in the amount of \$130,953,979; to the Committee on the Judiciary.

55. Also, a petition of City of Miami, Florida, relative to Resolution No. R-12-0241 urg-

ing the President and the Congress to abolish Visa requirements for Brazilian tourists seeking to travel to the United States; to the Committee on the Judiciary.

56. Also, a petition of the City of Lauderdale Lakes, Florida, relative to Resolution No. 2012-78 expressing support for President Barack Obama's use of Executive Authority

to implement the DREAM Act; to the Committee on the Judiciary.

57. Also, a petition of the Philadelphia Bar Association, Pennsylvania, relative to supporting the Violence Against Women Act Reauthorization; jointly to the Committees on the Judiciary, Education and the Workforce, Energy and Commerce, Financial Services, Natural Resources, and the Budget.

EXTENSIONS OF REMARKS

HONORING ROBERT E. RUCKER, JR., ON HIS PROMOTION TO BATTALION CHIEF FOR THE CITY OF SCOTTSDALE FIRE DEPARTMENT

HON. DAVID SCHWEIKERT

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 7, 2012

Mr. SCHWEIKERT. Mr. Speaker, I rise today with the Honorable JEFF DENHAM to congratulate and honor Robert E. Rucker, Jr., on his promotion to Battalion Chief for the City of Scottsdale Fire Department.

Following in his grandfather's footsteps, Bobby Rucker, Jr., pursued a career in fire service. In 1988, he started his career with the Rural Metro Corporation. He attended the academy of 88-01, receiving the award for Outstanding Cadet Firefighter as selected by Fellow Cadets. His training was immediately followed with a trip to Yellowstone to participate in one of the largest forest fires in American history. Robert served as a PT instructor for 92-01 and 97-02 academies, as well as a Reserve Coordinator for 3 years. During his 17 years with Rural/Metro, he served as a Firefighter, Lieutenant, and Captain before being hired by the City of Scottsdale in 2005.

Prior to his promotion to Battalion Chief, he worked as a Captain on engine 602 in downtown Scottsdale. He was temporarily reassigned as a Recruit Training Officer for Academy 08-01 and again recently for Academy 12-01. Robert has been an active member on the deployment team, safety team, EMS team, facilities team, and training team.

Battalion Chief Rucker was a recipient of the 2009 City Manager's Award of Excellence in recognition of the Police/Fire group ability to Collaborate as a Team and was nominated in 2007 for Fire Captain of the Year at the Firefighter's Choice Awards. In addition, he has received commendations for the 1988 Yellowstone Fire and the 1995 Rio Fire.

Bobby's formal education consists of an Associate of Applied Science Degree in Fire Science from Scottsdale Community College and a Bachelor of Applied Science in Emergency Services Administration, Magna Cum Laude from Northern Arizona University.

During his career, Bobby has always had the loving support of his wife Toni, son Trevor, daughter Morgan, his father, Bob Rucker, Sr., and step-mother Micki, his mother, Cathy Hoff and her husband Bob, his sister Sharon Rucker, and step-brother Brian Hoff.

Mr. Speaker, please join us in honoring and commending the outstanding contributions made to fire safety by Battalion Chief Bob E. Rucker, Jr., and hereby wish him continued success in his career.

HONORING AMERICAN OLYMPIAN
KIM RHODE

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 7, 2012

Mr. THOMPSON of California. Mr. Speaker, I along with Representative CHU rise today in honor and celebration of American Olympian Kim Rhode, who became the first American to earn an individual medal in five straight Olympic Games following her gold-medal performance on July 29 in the women's skeet shooting event in London.

A native of California, Rhode has been competing in trap and skeet shooting events since she was a child. She won a gold medal in her first Olympics as a teenager—in the 1996 Atlanta Games—and has since earned bronze in Sydney (2000) and gold in Athens (2004), all in the trap event. She also won a silver medal in the 2008 Beijing skeet competition. This accomplishment makes her just the 8th U.S. woman Olympian to have won at least five medals in individual competitions.

With her near-perfect score, Rhode set an Olympic record last Sunday, hitting 99 of a possible 100 targets, tying the highest mark ever achieved in skeet-style competition. She scored perfect 25-of-25 figures in the first two rounds of competition, ending her streak at 65 made shots when she had her first and only miss in the third round. Rhode closed out the final round with another perfect 25, finishing eight shots ahead of the first runner-up.

A model athlete and competitor, Rhode's consistency and persistence have defined her career and its success. Though she remains a tough competitor at age 33, Rhode has stayed family-oriented and remarkably balanced for an athlete of her caliber. She shoots for fun with her husband, Mike Harryman, and her principal coach and trainer is still her father, Richard; her mother, Sharon, helps to manage a schedule filled with sponsorship obligations and speaking engagements. Despite all her successes, those closest to Rhode say she remains passionate about the sport for the best of reasons—her own personal enjoyment.

Mr. Speaker, it is appropriate at this time that we congratulate and praise Kim Rhode's accomplishments thus far, and wish her the best in future competitions. She is a role-model for young athletes in America and across the globe, and she is deserving of our most honorable recognition.

PERSONAL EXPLANATION

HON. TOM GRAVES

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 7, 2012

Mr. GRAVES of Georgia. Mr. Speaker, on rollcall No. 539, on the District of Columbia Pain-Capable Unborn Child Protection Act (H.R. 3803), I am not recorded. Had I been present, I would have voted "yea."

HONORING SERGEANT FIRST
CLASS BARETT W. McNABB

HON. JAIME HERRERA BEUTLER

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 7, 2012

Ms. HERRERA BEUTLER. Mr. Speaker, I rise today to honor a fallen soldier who died in military service to this country. This true American hero, Sergeant First Class Barrett W. McNabb, was stationed in Washington state and he and his family lived in my home district in Southwest Washington prior to his final deployment. Sergeant First Class McNabb died on June 12, 2012, from wounds he suffered from an improvised explosive device while serving in support of Operation Enduring Freedom in Kandahar Province, Afghanistan.

Sergeant First Class McNabb was on his fourth overseas deployment, previously serving in Kuwait and twice in Iraq. He entered the Army in 1999, and since that time earned several awards and commendations including four Army Commendations including an Army Commendation with Valor, three Army Achievement Medals, four Army Good Conduct Medals, a National Defense Service Medal, an Armed Forces Expeditionary Medal, an Afghanistan Campaign Medal with a Bronze Service Star, an Iraq Campaign Medal with a Bronze Service Star, four Global War on Terrorism Expeditionary Medal, a Global War on Terrorism Service Medal, a Non-commissioned Officers Professional Development Ribbon, three Army Service Ribbon Overseas Service Ribbons, and a NATO Medal.

SFC McNabb was also posthumously awarded a Bronze Star Medal, a Meritorious Service Medal, a Combat Action Badge, and a Purple Heart.

SFC McNabb wore his uniform with great honor in defense of his country, but he was also a son, a husband, and a father. He was remembered as an inspirational leader; a trait he no doubt began to learn while playing varsity football at Chino Valley High School while growing up in Arizona, and further developed during thirteen years of loyal service to his country.

The thousands of men and women who serve in our military must each day make the

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

difficult choice to put themselves in harm's way. But SFC McNabb and those other brave soldiers stationed around the world do so to protect our great country, this place that has been an enduring symbol of hope and democracy for more than 200 years.

Today, I ask all Members of Congress to join me as we honor the life and legacy of Sergeant First Class Barrett W. McNabb, and the other Americans in our Armed Forces who are willing to make the ultimate sacrifice for their country. Our words are not enough to express the gratitude they have earned.

HONORING SPECIALIST BRENDEN
N. SALAZAR

HON. TOM PRICE

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 7, 2012

Mr. PRICE of Georgia. Mr. Speaker, I along with Representative ADAMS rise in honor of Specialist Brenden Salazar, who gave his life July 22, 2012, while supporting combat operations in the Logar Province of Afghanistan. He died of injuries sustained when an improvised explosive device detonated near his dismounted patrol.

Salazar was a 2010 graduate of Paul Hagerly High School in Oviedo and enlisted in the Army in June 2010. He deployed to Afghanistan in July 2012 after being in his unit a little over a year and was assigned to the 1st Battalion, 503rd Infantry Regiment, 173rd Airborne Brigade Combat Team based in Caserma Ederle, Italy. Brenden came from a long line of soldiers. His grandfather is a retired helicopter pilot and both his mother and stepfather are active duty Army aviators.

Spc. Salazar will be buried at Florida National Cemetery with full military honors. He is survived by his father Chris Salazar and sister, Sophie Salazar of Canton, Georgia; mother, Jovanna Nelson; stepfather, James Nelson; and sister, Hannah Nelson of Chuluota, Florida.

Mr. Speaker, it is with the greatest respect and admiration that we honor Spc. Brenden Salazar's sacrifice on behalf of our Nation. He is a hero to his countrymen, his family, and his fellow soldiers. He reminds us that America is blessed to have so many young men and women willing to stand up and fight to preserve our precious freedoms. Our thoughts and prayers are with his family and all our military families, whose selfless dedication to this Nation is an inspiration to us all.

IN HONOR OF VICTIMS RIGHTS

HON. PAUL A. GOSAR

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 7, 2012

Mr. GOSAR. Mr. Speaker, I rise today to discuss an important issue and to point out the efforts of a person who has worked tirelessly behind the scenes on this issue.

The issue I am referring to is the passage of a Victim Rights Amendment to the U.S. Constitution. Currently, this issue is before us by way of H.J. Res. 106.

The resolution seeks to amend our Constitution by fixing a problem our founders never likely anticipated. Our founding fathers were concerned, with good reason, about the prosecutorial abuses they had witnessed by the King of England and local Colonial loyalist bureaucrats.

There are few offices more powerful than a prosecutor, and abuse of that office by prosecutors, or by the police assisting that office, is prevented by many provisions in our Constitution. What has happened, however, is that all of the Constitutional provisions designed to stop prosecutorial abuse have essentially conveyed criminals in our society with fundamental rights unparalleled even for its lawful citizens.

This proposed amendment addresses the reality that for every crime there is a victim, and that our legal system has systematically excluded these victims from meaningful consideration. This amendment, if enacted, would prohibit the denial or limitation of the rights of a crime victim to fairness, respect, and dignity. It would also convey to a crime victim the right: (1) to reasonable notice of, and to not be excluded from, public proceedings relating to the offense; (2) to be heard at any release, plea, sentencing, or other such proceeding involving any right established under this amendment; (3) to proceedings free from unreasonable delay; (4) to reasonable notice of the release or escape of the accused; (5) to due consideration of the crime victim's safety; and (6) to restitution.

The victims of crimes would have standing to fully assert and enforce any of the above rights in court. This amendment brings balance back to the criminal justice system which has, for centuries, protected the criminals and ignored and often harmed the victims a second time.

At the same time, no constitutional right afforded to a criminal would be impacted or lessened. All such rights are preserved. Instead, crime victims are afforded some legal rights long overdue.

I want to point out the good work of Steven J. Twist, of Phoenix, Arizona. He has been an advocate for crime victims' rights. He recently published a scholarly review on this issue, called "The Proposed Victims' Rights Amendment: A Brief Point/Counterpoint" in the Phoenix

Law Review, Volume 5, Number 2 (2012). He researched this issue and has advocated for this issue for years. His work should be recognized and applauded. On behalf of my constituents and the people of Arizona, I want to thank Mr. Twist for his work in this area and I encourage my colleagues to support H.J. Res. 106.

HONORING THE 100TH ANNIVERSARY OF VINTAGE HALL AND ST. HELENA HIGH SCHOOL IN ST. HELENA, CALIFORNIA

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 7, 2012

Mr. THOMPSON of California. Mr. Speaker, I rise today in celebration and praise of St. Helena High School, my alma mater and one of the oldest public education facilities in northern California, which celebrates its 100th anniversary this year.

Founded in June of 1912, upon the completion of what is now known as Vintage Hall, St. Helena Union High School represents the culmination of a long-standing effort to unify the various school districts of the St. Helena area, including those of Pope Valley, Conn Valley and Angwin. Early efforts to provide free, public education, beginning in the 1890s, combined the regions under a single governing board, but classes had to be held in the local Presbyterian Church from 1895 until completion of the building nearly 20 years later.

Today, St. Helena High School's facilities have expanded far beyond Vintage Hall to accommodate the demands of the community's growing student population. And this year, the school became home to a new \$13.5 million vocational education complex, complete with a state-of-the-art culinary facility, animal barn, agricultural mechanics workshop and all of the amenities of 21st century classrooms. With these facilities in place, students will benefit from a top-flight vocational training program, essential to the development of a skilled workforce and subsequent community improvements.

Students at St. Helena High School will now be afforded the unique opportunity to prepare for careers in the areas of hospitality, tourism, the culinary arts, floral design, agricultural husbandry, and mechanics, continuing the historic tradition that St. Helena High School started so many years ago.

Mr. Speaker, it is appropriate at this time that we congratulate the students, educators and administrators of St. Helena High School, past and present. The centennial celebration in St. Helena is one that is well-deserved. We extend our best wishes to the school and community for many more years of outstanding public education and the merits that come with.

HOUSE OF REPRESENTATIVES—Monday, September 10, 2012

The House met at 2 p.m. and was called to order by the Speaker pro tempore (Mr. WOMACK).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
September 10, 2012.

I hereby appoint the Honorable STEVE WOMACK to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: We give You thanks, O God, for giving us another day.

As the Members of the people's House return to the Capitol, call them as well with Your gentling voice of collegiality.

When a sense of alienation shadows all of our souls, we find our differences difficult to bear; we move away from each other. Insofar as the spirit of alienation has descended upon this House, help each Member to overcome unnecessary divisions that hamper productive work on behalf of our Nation.

Bring them to a deeper level of awareness of Your Spirit, and make us one Nation. Give the Members listening hearts, willing to give to each other time and attention and ready to respond to Your spirit living in each one.

And may all that is done within the people's House this day be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair will lead the House in the Pledge of Allegiance.

The SPEAKER pro tempore led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Repub-

lic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RESIGNATION FROM THE HOUSE OF REPRESENTATIVES

The SPEAKER pro tempore laid before the House the following resignation from the House of Representatives:

HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
August 15, 2012.

Hon. JOHN BOEHNER,
Speaker of the House of Representatives,
Washington, DC.

DEAR SPEAKER BOEHNER: I write to inform you that I have notified California Governor Jerry Brown of my resignation from the House, effective midnight tonight, August 15th.

It has been a tremendous honor to represent my friends and neighbors from California's Central Valley, both in Congress and the California State Assembly. I look back with pride on what we have accomplished. The real honor of serving in Congress is not working in historic buildings, but in laboring with so many unbelievably talented and dedicated individuals who serve our Nation daily.

Sincerely,

DENNIS CARDOZA.

HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
August 15, 2012.

Hon. EDMUND G. BROWN,
Governor of California,
Sacramento, CA.

DEAR GOVERNOR BROWN: I write to inform you that I will resign my House seat, effective midnight tonight, August 15th.

It has been a tremendous honor to represent my friends and neighbors from California's Central Valley, both in Congress and the California State Assembly. I look back with pride on what we have accomplished. The real honor of serving in Congress is not working in historic buildings, but in laboring with so many unbelievably talented and dedicated individuals who serve our Nation daily.

Sincerely,

DENNIS CARDOZA.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Under clause 5(d) of rule XX, the Chair announces to the House that, in light of the resignation of the gentleman from California (Mr. CARDOZA), the whole number of the House is 430.

COMMUNICATION FROM DISTRICT DIRECTOR, THE HONORABLE ROBERT A. BRADY, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from Ilene Jenofsky, District Director, the Honorable ROBERT A. BRADY, Member of Congress:

HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
August 15, 2012.

Hon. JOHN A. BOEHNER,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally, pursuant to rule VIII of the Rules of the House of Representatives, that I have been served with a subpoena for testimony issued by the Philadelphia Municipal Court, Criminal Division, in connection with a criminal prosecution currently pending before that court.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is consistent with the privileges and precedents of the House.

Sincerely,
ILENE JENOFSKY,
District Director.

COMMUNICATION FROM CONSTITUENT SERVICES REPRESENTATIVE, THE HONORABLE ROBERT A. BRADY, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from Warren Raines, Constituent Services Representative, the Honorable ROBERT A. BRADY, Member of Congress:

HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
August 15, 2012.

Hon. JOHN A. BOEHNER,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives that I have been served with a subpoena for testimony issued by the Philadelphia Municipal Court, Criminal Division, in connection with a criminal prosecution currently pending before that court.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is consistent with the privileges and precedents of the House.

Sincerely,
WARREN RAINES,
Constituent Services Representative.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

declares the House in recess until approximately 4 p.m. today.

Accordingly (at 2 o'clock and 5 minutes p.m.), the House stood in recess.

□ 1600

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. WOMACK) at 4 p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

CABIN FEE ACT OF 2012

Mr. HASTINGS of Washington. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3397) to modify the Forest Service Recreation Residence Program by implementing a simple, equitable, and predictable procedure for determining cabin user fees, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3397

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Cabin Fee Act of 2012”.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Definitions.
- Sec. 3. Cabin user fees.
- Sec. 4. Payment of cabin transfer fees.
- Sec. 5. Right of appeal and judicial review.
- Sec. 6. Effect.
- Sec. 7. Regulations.

SEC. 2. DEFINITIONS.

In this Act:

(1) AUTHORIZATION; AUTHORIZE.—The terms “authorization” and “authorize” mean the issuance of a special use permit for the use and occupancy of National Forest System land by a cabin owner under the Recreation Residence Program.

(2) CABIN.—The term “cabin” means a privately built and owned recreation residence and related improvements on National Forest System land that—

(A) is authorized for private use and occupancy; and

(B) may be sold or transferred between private parties.

(3) CABIN OWNER.—The term “cabin owner” means—

(A) a person authorized by the Secretary to use and to occupy a cabin; and

(B) a trust, heir, or assign of a person described in subparagraph (A).

(4) CABIN TRANSFER FEE.—The term “cabin transfer fee” means a fee that is paid to the

United States on the transfer of a cabin between private parties for money or other consideration that results in the issuance of a new permit.

(5) CABIN USER FEE.—The term “cabin user fee” means an annual fee paid to the United States by a cabin owner in accordance with an authorization for the use and occupancy of a cabin.

(6) CURRENT APPRAISAL CYCLE.—The term “current appraisal cycle” means the completion of Forest Service review and acceptance of—

(A) initial typical lot appraisals; and

(B) second appraisals, if ordered by cabin owners and approved by the Forest Service.

(7) CURRENT CABIN USER FEE.—The term “current cabin user fee” means the most recent cabin user fee, as adjusted under section 3(c).

(8) LOT.—The term “lot” means a parcel of National Forest System land on which a person is authorized to build, use, occupy, and maintain a cabin.

(9) NATIONAL FOREST SYSTEM.—The term “National Forest System” has the meaning given that term in section 11 of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1609).

(10) RECREATION RESIDENCE PROGRAM.—The term “Recreation Residence Program” means the Recreation Residence Program established under the last paragraph under the heading “FOREST SERVICE” in the Act of March 4, 1915 (16 U.S.C. 497).

(11) SECRETARY.—The term “Secretary” means the Secretary of Agriculture, acting through the Chief of the Forest Service.

(12) TYPICAL LOT.—The term “typical lot” means a cabin lot, or group of cabin lots, in a tract that is selected for use in an appraisal as being representative of, and that has similar value characteristics as, other lots or groups of lots within the tract.

SEC. 3. CABIN USER FEES.

(a) PAYMENT OF CABIN USER FEES.—Cabin owners shall pay an annual cabin user fee established by the Secretary in accordance with this section.

(b) INITIAL CABIN USER FEES.—

(1) ESTABLISHMENT.—The Secretary shall establish initial cabin user fees in accordance with this subsection.

(2) ASSIGNMENT TO VALUE TIERS.—On completion of the current appraisal cycle, as required by paragraph (4), the Secretary shall assign each permitted lot on National Forest System land to 1 of 10 tiers based on the following considerations:

(A) Before assigning the lots to tiers, all appraised lot values shall be adjusted, or normalized, for price changes occurring after the appraisal, in accordance with the National Association of Homebuilders/Wells Fargo Housing Opportunity Index.

(B) Second appraisal values shall supersede initial lot appraisal values for the normalization and ranking process under subparagraph (A).

(C) The tiers shall be established, on a national basis, according to relative lot value, with lots having the lowest adjusted appraised value assigned to tier 1 and lots having the highest adjusted appraised value assigned to tier 10.

(D) The number of lots (by percentage) assigned to each tier is contained in the table set forth in paragraph (3).

(E) Data from incomplete appraisals may not be used to establish the fee tiers under this subsection.

(F) Until assigned to a tier under this subsection, the Secretary shall assess (and may adjust annually subject to clause (ii)) an in-

terim fee for permitted cabin lots (including lots with incomplete appraisals) in an amount equal to the lesser of—

(i) \$5,000; or

(ii) the amount of the current cabin user fee, as determined under the Cabin User Fee Fairness Act of 2000 (16 U.S.C. 6201 et seq.), which amount the Secretary may increase annually by not more than 25 percent, except that the increased fee shall not exceed the otherwise scheduled fee determined under the Cabin User Fee Fairness Act of 2000.

(3) AMOUNT OF INITIAL CABIN USER FEES.—The initial cabin user fees, based on the assignments under paragraph (2), are as follows:

Fee Tier	Approximate Percent of Permits Nationally	Fee Amount
Tier 1	5 percent	\$500
Tier 2	12 percent	\$1,000
Tier 3	22 percent	\$1,500
Tier 4	22 percent	\$2,000
Tier 5	10 percent	\$2,500
Tier 6	9 percent	\$3,000
Tier 7	7 percent	\$3,500
Tier 8	5 percent	\$4,000
Tier 9	5 percent	\$4,500
Tier 10	3 percent	\$5,000

(4) DEADLINE FOR COMPLETION OF CURRENT APPRAISAL CYCLE.—Not later than 3 years after the date of enactment of this Act, the Secretary shall complete the current appraisal cycle.

(5) EFFECTIVE DATE.—The initial cabin user fees required by this subsection shall take effect beginning with the first calendar year beginning after the completion of the current appraisal cycle.

(c) ANNUAL ADJUSTMENTS OF CABIN USER FEE.—Once initial cabin user fees have been assessed, based on the tier assignments under subsection (b)(2), the Secretary shall use changes in the Implicit Price Deflator for the Gross Domestic Product published by the Bureau of Economic Analysis of the Department of Commerce, applied on a 5-year rolling average, to assess an annual adjustment to cabin user fees.

(d) EFFECT OF DESTRUCTION, SUBSTANTIAL DAMAGE, OR LOSS OF ACCESS.—

(1) IN GENERAL.—The Secretary shall reduce the cabin user fee to \$100 per year for a cabin if—

(A) the cabin is destroyed or suffers substantial damage in an amount that is greater than 50 percent of replacement cost of the cabin; or

(B) access to the cabin is significantly impaired, whether by catastrophic events, natural causes, or governmental actions.

(2) TERM OF REDUCED FEE.—The reduced fee under paragraph (1) shall be in effect until the later of—

(A) the last day of the year in which the destruction or impairment occurs; or

(B) the date on which the cabin may be lawfully reoccupied and normal access has been restored.

SEC. 4. PAYMENT OF CABIN TRANSFER FEES.

As a condition of the issuance by the Secretary of a new authorization for the use and occupancy of the cabin, the cabin owner

transferring the cabin shall pay to the Secretary a cabin transfer fee in the amount of \$1,200.

SEC. 5. RIGHT OF APPEAL AND JUDICIAL REVIEW.

(a) RIGHT OF APPEAL.—

(1) IN GENERAL.—Notwithstanding any action of a cabin owner to exercise rights in accordance with section 6, the Secretary shall by regulation grant to the cabin owner the right to an administrative appeal of the determination of a new cabin user fee, fee tier, or whether or not to reduce a cabin user fee under section 3(d).

(2) APPLICABLE LAW.—An appeal under paragraph (1) shall be pursuant to the appeal process provided under subpart C of part 251 of title 36, Code of Federal Regulations (or a successor regulation).

(b) JUDICIAL REVIEW.—

(1) IN GENERAL.—A cabin owner that contests a final decision of the Secretary under this Act may bring a civil action in United States district court.

(2) VENUE.—The venue for an action brought before the United States district court under this subsection shall be in the Federal judicial district in which the cabin is located.

(3) EFFECT ON MEDIATION.—Nothing in this Act precludes a person from seeking mediation for an action under this Act.

SEC. 6. EFFECT.

(a) IN GENERAL.—Nothing in this Act limits or restricts any right, title, or interest of the United States in or to any land or resource.

(b) SPECIAL RULE FOR ALASKA.—In determining a cabin user fee in the State of Alaska, the Secretary shall not establish or impose a cabin user fee or a condition affecting a cabin user fee that is inconsistent with 1303(d) of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3193(d)).

SEC. 7. REGULATIONS.

Not later than December 31, 2013, the Secretary shall issue regulations to carry out this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Washington (Mr. HASTINGS) and the gentleman from New Jersey (Mr. HOLT) each will control 20 minutes.

The Chair recognizes the gentleman from Washington.

GENERAL LEAVE

Mr. HASTINGS of Washington. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. HASTINGS of Washington. I yield myself such time as I may consume.

Mr. Speaker, the Cabin Fee Act, which I have sponsored for several Congresses, sets a new fee schedule for the 14,000 privately owned cabins in our national forests. It creates a simple, straightforward, and predictable fee schedule that is fair to cabin owners, the Forest Service, and the American taxpayer.

H.R. 3397 would replace the current complex and unfair payment system by assigning cabin fees to tiers based on the cabin lot's appraised value. The fees would rise with inflation, but otherwise would be a fixed fee. This means that families would no longer face sudden, unexpected jumps to unaffordable levels, and the maximum fees are kept from going above \$5,000 a year.

As considered on the House floor today, the Cabin Fee Act is revenue neutral. The CBO score is zero.

Many of the private cabins on Forest Service land are simple, rustic structures hand-built by the grandparents of current owners early in the last century and passed down from generation to generation. The overwhelming majority of these cabins are modest family retreats.

The purpose of this bill is to keep the fees affordable for people such as

teachers, factory workers, and retirees, and not just millionaires, which is what would result if we do not make the change in the law.

The cabin owners affected by this bill are charged an annual fee for the use of their land on which their cabin sits. They do not get any ownership rights to the land. They have only a temporary and highly restricted use permit for basically the footprint of their cabin.

Because a limited use permit is not comparable to the rights acquired when somebody owns property in fee simple, it has proven impossible under current law to establish a fair basis for setting the fees charged to the cabin owners. The current system has resulted in unrealistic, arbitrary fee hikes that are completely unaffordable for average families.

For example, in the Northwest, the Seattle Times published a report that cabin owners in Lake Wenatchee, which is in my district, received notice that their fees would increase by more than 1,000 percent, from \$1,400 a year to \$17,000 a year. Skyrocketing fees also make these seasonal cabins unmarketable, leaving families who are unable to pay the high fees also unable to sell their cabins.

Unless Congress acts to bring about a course correction, thousands of cabin owners will be forced to abandon family heirloom cabins as the currently planned hike in fees goes into effect. This bill is strongly supported by the Forest Service because it preserves this cherished century-old program while greatly reducing and simplifying the Service's administrative burden.

The need to fix this problem has bipartisan support in the House and the Senate. So I urge support of the bill, and I reserve the balance of my time.

CBO ESTIMATE OF PAY-AS-YOU-GO EFFECTS FOR H.R. 3397, THE CABIN FEE ACT OF 2012, WITH AN AMENDMENT, AS PROVIDED TO CBO BY THE HOUSE COMMITTEE ON THE BUDGET ON SEPTEMBER 7, 2012

	By fiscal year, in millions of dollars—												
	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2012–2017	2012–2022
Net Increase or Decrease (–) Deficit													
Statutory Pay-As-You-Go Impact ^a	0	2	–5	–3	–2	0	1	2	2	2	2	–8	0

Note: Components may not sum to totals because of rounding.

a. H.R. 3397 would establish a new schedule for the fees paid to the federal government by individuals who own cabins located on Forest Service lands. The bill also would establish a transfer fee that would be assessed on owners who sell their cabins. Because H.R. 3397, as amended, would cap annual cabin fees at \$5,000 and prevent scheduled fee increases from being implemented as they would be under current law, CBO estimates that enacting the bill would, in general, lower annual offsetting receipts over the 2012–2022 period. However, CBO estimates that enacting the legislation would increase receipts over the 2014–2016 period because we expect that cabin fees would be increased more gradually under current law than under the bill over that period. On net, CBO estimates that implementing the legislation would increase offsetting receipts (a credit against direct spending) by \$8 million over the 2012–2017 period and would have no significant impact on direct spending over the 2012–2022 period.

Mr. HOLT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 3397, sponsored by our Chairman HASTINGS, authorizes the Secretary of Agriculture to adjust the fees for private cabins on national forest lands.

We remain concerned about the impact this legislation may have on cabin owners of modest means, of which there are many. It appears that in order to reduce the fees for owners in

the highest bracket, fees on the middle- and lower-value cabins would have to increase.

Many members of the committee do not object to the passage of this legislation at this time, although I wanted to bring up some personal concerns about the inequity of the new fee system. I'd like to work with the chairman and the cabin owners and the other body to achieve an equitable so-

lution, and I yield back the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I yield back the balance of my time and urge adoption of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Washington (Mr. HASTINGS) that the House suspend the rules and pass the bill, H.R. 3397, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

BILLFISH CONSERVATION ACT OF 2012

Mr. HASTINGS of Washington. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2706) to prohibit the sale of billfish, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2706

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Billfish Conservation Act of 2012”.

SEC. 2. FINDINGS.

Congress finds the following:

(1) The United States carefully regulates its domestic fisheries for billfish and participates in international fishery management bodies in the Atlantic and Pacific.

(2) Global billfish populations have declined significantly, however, because of overfishing primarily through retention of bycatch by non-United States commercial fishing fleets.

(3) Ending the importation of foreign-caught billfish for sale in the United States aligns with U.S. management measures of billfish and protects the significant economic benefits to the U.S. economy of recreational fishing and marine commerce and the traditional cultural fisheries.

SEC. 3. STATEMENT OF CONSTITUTIONAL AUTHORITY.

The Congress enacts this Act pursuant to clause 3 of section 8 of article I of the Constitution.

SEC. 4. PROHIBITION ON SALE OF BILLFISH.

(a) PROHIBITION.—No person shall offer for sale, sell, or have custody, control, or possession of for purposes of offering for sale or selling billfish or products containing billfish.

(b) PENALTY.—For purposes of section 308(a) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1858(a)), a violation of this section shall be treated as an act prohibited by section 307 of that Act (16 U.S.C. 1857).

(c) EXEMPTIONS FOR TRADITIONAL FISHERIES AND MARKETS.—

(1) Subsection (a) does not apply to billfish caught by US fishing vessels and landed in the State of Hawaii or Pacific Insular Areas as defined in section 3(35) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1802(35)).

(2) Subsection (a) does not apply to billfish landed by foreign fishing vessels in the Pacific Insular Areas when the foreign caught billfish is exported to non-US markets or retained within Hawaii and the Pacific Insular Areas for local consumption.

(d) BILLFISH DEFINED.—In this section the term “billfish”—

- (1) means any fish of the species—
 - (A) *Makaira nigricans* (blue marlin);
 - (B) *Kajikia audax* (striped marlin);
 - (C) *Istiompax indica* (black marlin);
 - (D) *Istiophorus platypterus* (sailfish);
 - (E) *Tetrapturus angustirostris* (shortbill spearfish);

(F) *Kajikia albiga* (white marlin);

(G) *Tetrapturus georgii* (roundscale spearfish);

(H) *Tetrapturus belone* (Mediterranean spearfish); and

(I) *Tetrapturus pfluegeri* (longbill spearfish); and

(2) does not include the species *Xiphias gladius* (swordfish).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Washington (Mr. HASTINGS) and the gentleman from New Jersey (Mr. HOLT) each will control 20 minutes.

The Chair recognizes the gentleman from Washington.

GENERAL LEAVE

Mr. HASTINGS of Washington. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. HASTINGS of Washington. I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 2706, the Billfish Conservation Act, authored by our colleague from Florida (Mr. MILLER).

Under current law, it is illegal to import or sell Atlantic billfish. Despite this, the U.S. is one of the major importers of billfish in the world. While Pacific billfish populations in general are in better shape than Atlantic billfish, threats to both oceans' billfish from foreign fishing fleets remain.

As long as the U.S. allows a market for these fish, their population levels are likely to worsen. To add more protection for both the Atlantic and Pacific billfish, the legislation would make it illegal to sell specific billfish species or possess those billfish for sale, whether they are Atlantic or Pacific.

Now, I note, Mr. Speaker, that concern had been raised at the June hearing that U.S. fishermen in Hawaii and the Pacific insular areas might be disadvantaged by these new rules and that the local consumption of billfish products might be made illegal. The bill was amended during committee consideration to address this concern; and the legislation, as amended, now protects these U.S. fishermen and the existing limited, traditional local consumption of billfish products while still providing additional and increased protection for billfish populations in the United States.

This is good legislation. I support it. And I reserve the balance of my time.

Mr. HOLT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 2706, the Billfish Conservation Act, seeks to ban imports of foreign-caught marlin, sailfish, and spearfish into the United States. Now, these fish, as we know from prized pho-

tographs of our friends and many of our past experiences, are highly valued as recreational game-fish and serve as the top predators in ocean ecosystems—the so-called lions and tigers of the sea.

While this bill is a small step forward and has the support of recreational fishing and commercial interests, we can and should do much more for the conservation of billfish. Specifically, developing and using more selective commercial fishing gear, cracking down on illegal, unregulated and unreported fishing, and passing legislation, such as the bill recently introduced by our colleague from Massachusetts (Mr. MARKEY), to combat seafood fraud would provide even more protections for these iconic species. However, I and most of my colleagues, I believe, support passage of H.R. 2706; and we hope that it is a precursor to further action on this important issue.

I reserve the balance of my time.

□ 1610

Mr. HASTINGS of Washington. Mr. Speaker, I am very pleased to yield 3 minutes to the gentleman from Florida (Mr. MILLER), the author of this legislation.

Mr. MILLER of Florida. Mr. Speaker, thank you for the recognition.

I thank the gentleman from Washington, the chairman of the committee, for his recognition and his leadership on this effort, as well as Dr. JOHN FLEMING, the subcommittee chairman, and all the members of the House Natural Resources Committee for their support of this particular piece of legislation.

I also have to thank members of the sportsmen's community, members of the Congressional Sportsmen's Caucus, and in particular, Congressmen DUNCAN from South Carolina and WITTMAN, BOREN, MICHAUD, and BONNER, and my counterparts in the Congressional Sportsmen's Caucus leadership—that would be Congressmen ROSS, LATTA, and SHULER—for all their efforts to help advance this legislation in a bipartisan effort.

Today, I join my colleagues in support of H.R. 2706, which is the Billfish Conservation Act of 2012.

As the chairman has already said, the United States is the largest importer of billfish products in the world. Our populations continue to be affected by foreign commercial overfishing, and the importing of billfish only exacerbates the problem that exists today.

Without passage of this bill and strengthening of the current ban of the Atlantic-caught billfish to include the sale and harvest of all billfish—excluding, as has been already said on the floor today, those fisheries in the State of Hawaii and Pacific insular area—the current ban will continue to be undermined through loopholes that have hurt our anglers and the economy.

By eliminating the sale in the continental U.S., passage of this bill will support the billfish population growth, a healthy ocean ecosystem, and improve recreational fishing opportunities. As a result of the increased recreational fishing opportunities, this bill provides a huge economic boost to generate billions of dollars through direct expenditures and marine-related jobs and sales without placing a burden on the U.S. seafood market and its consumers.

I want to urge all my colleagues to support this very important piece of legislation to help conserve a very depleted fish population, preserving our Nation's fishing heritage, and provide for economic growth during a time when our country needs it most.

Mr. HOLT. May I ask the chairman if he has additional speakers?

Mr. HASTINGS of Washington. I have no more requests for time. If the gentleman yields back, I'm prepared to yield back.

Mr. HOLT. I yield back the balance of my time.

Mr. HASTINGS of Washington. I yield back the balance of my time and urge adoption of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Washington (Mr. HASTINGS) that the House suspend the rules and pass the bill, H.R. 2706, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

NORTH TEXAS ZEBRA MUSSEL BARRIER ACT OF 2012

Mr. HASTINGS of Washington. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6007) to exempt from the Lacey Act Amendments of 1981 certain water transfers by the North Texas Municipal Water District and the Greater Texoma Utility Authority, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6007

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "North Texas Zebra Mussel Barrier Act of 2012".

SEC. 2. COMPLIANCE WITH LACEY ACT.

The Lacey Act Amendments of 1981 (16 U.S.C. 3371 et seq.) and section 42 of title 18, United States Code, shall not apply with respect to any water transfer by the North Texas Municipal Water District and the Greater Texoma Utility Authority using only closed conveyance systems from the Lake Texoma raw water intake structure to treatment facilities at which all zebra mussels are extirpated and removed from the water transferred.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Washington (Mr. HASTINGS) and the gentleman from New Jersey (Mr. HOLT) each will control 20 minutes.

The Chair recognizes the gentleman from Washington.

GENERAL LEAVE

Mr. HASTINGS of Washington. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. HASTINGS of Washington. I yield myself as much time as I may consume.

Mr. Speaker, I rise in support of Chairman RALPH HALL's bill to provide relief to 1.6 million people living in the Dallas/Fort Worth area necessitated because of a bizarre set of circumstances.

In 1989, the North Texas Municipal Water District constructed a pumping station in Lake Texoma, providing up to 125 million gallons per day of safe drinking water to one of the most rapidly growing regions in the country, the Dallas/Fort Worth area. Sometime later, the enactment of a boundary adjustment resulted in a small portion of the pumping station being shifted from Texas to Oklahoma. In 2009, zebra mussels were discovered in the lake. This has caused a significant problem because it is in violation of the Lacey Act to transport zebra mussels across State lines.

So, to resolve this, the Water District has proposed to construct a \$300 million, 46-mile closed pipeline that will transport Lake Texoma water to its treatment facility in Wylie, Texas. All zebra mussels will then be destroyed there, and the entire effort will be accomplished without any cost to Federal taxpayers.

This project was issued a section 404 Clean Water Act permit in May, and it was supported by the U.S. Wildlife Service district office in Arlington, Texas. However, as happens so many times, the Washington, D.C., headquarters of Fish and Wildlife is not so supportive and has suggested what it describes as a nonlegislative solution: an agreement with the Justice Department not to prosecute North Texas Municipal Water District for transporting zebra mussels.

Now, just think about this, Mr. Speaker. As someone who believes that we are a Nation of law, I am deeply troubled by the notion that a Federal agency would suggest that it would not seek to prosecute, under the law, those who may violate the law. I just think that's the wrong approach, and this approach is the right approach.

So I urge adoption of H.R. 6007, and I reserve the balance of my time.

Mr. HOLT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 6007, the North Texas Zebra Mussel Barrier Act, provides a very specific and necessary—we believe—exemption to the Lacey Act Amendments of 1981.

The Lacey Act is vital to our Nation's interests because it prevents the spread of undesirable, injurious species such as zebra mussels. In fact, zebra mussels may be a textbook example, a poster child for injurious introduced species.

These mussels are the bane of many a power plant or municipal water operator. Millions are spent each year just to keep intake and outflow pipes clear of these creatures. They harm our fisheries by crowding out native species and taking all their food, and they're driving many native mussels to extinction.

H.R. 6007 would allow the North Texas Municipal Water District and the Greater Texoma Utility Authority to transport water that contains zebra mussels from the Oklahoma side of Lake Texoma to Texas. However, all the water would be kept in closed conveyance systems, we are assured; and we are further assured that all water would be fully treated, with all zebra mussels being fully removed before being released into any water body. The biologists, the limnologists, the hydrologists, the water engineers assure us of these things.

I do want to emphasize that zebra mussels are pernicious and insidious. I am loathe, and I think many of my colleagues are loathe, to weaken or seek exemption from the Lacey Act, which controls invasive species. However, Texas needs access to this water, and the aforementioned entities have a comprehensive plan for ensuring, we are told, that these water transfers will not cause zebra mussels to spread.

So for these reasons, and with this understanding, I rise in support of H.R. 6007. I do strongly urge that this bill, which is put forward as a remedy for a very difficult and unique situation, should not be used to set any precedent for granting exemptions to the Lacey Act or in any way weakening our protections against invasive species.

I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I'm very pleased to yield 3 minutes to the author of this legislation, our distinguished colleague from Texas, Chairman RALPH HALL.

□ 1620

Mr. HALL. Thank you, Mr. Chairman.

I, of course, rise today in support of H.R. 6007, the North Texas Zebra Mussel Barrier Act of 2012. When I read in the papers and hear in the press that Republicans and Democrats can't get together on anything, well, we're together on something today, and I think

the gentlemen have adequately described the enemy.

North Texas has a very serious problem with an invasive aquatic species called zebra mussel. I'd never heard of them before. I hope I never hear of them again. Zebra mussels are going to attach to probably just about anything. They infest and cover rocks, attach to boats and docks, and clog water pipelines. North Texas has a unique situation due to a Texas-Oklahoma boundary change that requires a congressional solution. You know you hear people say it takes an act of Congress to get something accomplished. Well, that's exactly what we're here doing today.

The local water folks have been working extremely hard to prevent the spread of zebra mussels while simultaneously attempting to provide enough clean water for our citizens, but they absolutely need our help. They need this help. H.R. 6007 allows the North Texas Municipal Water District to pump water from Lake Texoma straight into the Wylie, Texas, Water Treatment Plant where the water can be cleaned of zebra mussels without being in violation of the Lacey Act. These folks are the only ones who have tackled and solved this problem. They're not the only ones who have tackled it, but they're the only ones who have solved this problem. It has been at their own expense, and they have solved it. Now they need our support.

In the late 1980s, the North Texas Municipal Water District built the Lake Texoma pump station to better serve its use. This was built entirely within the Texas border and in accordance with the Army Corps of Engineers' 1939 survey, which defined the Texas and Oklahoma boundary line.

In 2000, a variation in the Texas-Oklahoma border was enacted into law, and the pump station ended up straddling the two States. Since the Lacey Act prohibits the transfer of zebra mussels across State lines, it effectively has banned the use of the Texoma water pump station since the year 2009, which was when zebra mussels first appeared in Lake Texoma. The North Texas Municipal Water District generally receives 28 percent of its water supply from Lake Texoma.

H.R. 6007 will enable the water district to resume pumping water to better serve more than 1.5 million users and to do so in a manner that provides safe water in the tradition of its 20-year history. The bill will allow the Texoma water pump to reopen, to provide much-needed jobs and to provide enough clean water to the community during a season of very severe drought, when water is desperately needed.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. HASTINGS of Washington. I yield the gentleman an additional 1 minute.

Mr. HALL. On May 3 of this year, the Army Corps of Engineers approved a 404 permit that will allow the construction of a 46-mile water pipeline from Lake Texoma straight into the Wylie Water Treatment Plant, which would remove 100 percent of the zebra mussels and would provide clean water for North Texas citizens and businesses.

This is a commonsense solution, a necessary solution and one for which I certainly want to thank the chairman, DOC HASTINGS.

Mr. HOLT. I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I am very pleased to yield 3 minutes to the gentleman from Texas (Mr. SESSIONS).

Mr. SESSIONS. Mr. Speaker, I believe the facts of the case that have been clearly enumerated by both sides are very important for this Congress to understand in that this is an agreement on both sides. Yet I think what has happened is that, due to the bipartisan leadership back on the committee between not just Mr. HOLT and the chairman but also with the gentleman, Mr. FLEMING, it has really come to the aid and assistance, not just in a bipartisan way but in a commonsense way.

It is the opportunity for 1.6 million people who need this desperately to be able to get water at a time of drought, at a time of much consternation in Texas where we have fires and drought and heat and a lot of problems. This means that the people of North Texas know that Chairman RALPH HALL and this committee worked very carefully to make sure that they went through regular order, to make sure that they knew the facts of the case, to make sure that they studied this well.

I really want to offer, not just my support for this, but my thanks to the committee and to the committee chairman for the hard work that has been done by this. I don't make apologies for coming to the floor to do things that are in the best interests of the people of Texas, but this has become necessary as a result of directives back in Texas and the inability of people to clearly resolve this. So I am very pleased to support not just this bill, H.R. 6007, but also the concept of Congress working together through using common sense.

Mr. Speaker, we are here today to discuss an issue which is vital to North Texas. H.R. 6007, the North Texas Zebra Mussel Barrier Act, provides an elegant solution to a growing problem. Currently, 1.6 million customers of the North Texas Municipal Water District, many of whom are my constituents, have restricted access to water as a result of the discovery of zebra mussels in Lake Texoma. Additionally, water transfers have become complicated because of a surveying error resulting in the incorrect designation of the District's Lake Texoma intake station as being in Oklahoma rather than in Texas. This surveyor's

error, made more than a decade ago by the Red River Boundary Compact, means that water transfers of zebra mussels now cross a state line. Such a transfer triggers the Lacey Act, which is designed to prevent the spread of invasive species across state lines.

In response, the North Texas Municipal Water District has been forced to suspend all pumping from Lake Texoma for the past three years. This water source constitutes roughly 28 percent of the North Texas Municipal Water District's available supply of raw water. Such a reduction in available resources has put a tremendous stress on the District and its ability to assure its customers that there will be an adequate supply of water in the future.

H.R. 6007 would allow North Texas Municipal Water District to resume water transfers from Lake Texoma through a completely closed conveyance system that delivers water directly into their water treatment facility. To achieve this, the North Texas Municipal Water District has committed approximately \$300 million to build a 46-mile long pipeline. The District has approved the funding and obtained the necessary 4-0-4 permits required by the U.S. Army Corps of Engineers to begin construction.

Such a conveyance system would provide safe and dependable means for the District to access the water they have legal rights to while ensuring, with 100 percent reliability, that Zebra Mussels will not be transferred into Texas waters. Their treatment facility will employ chemical and mechanical means of filtration to eliminate any risk of propagation of invasive species. Such techniques have been proven successful in other areas of the country and have been approved by the U.S. Fish and Wildlife Service.

Ultimately, H.R. 6007 will restore the adequate and steady stream of water to over 1.6 million Texans without the use of taxpayer dollars while complying with the Lacey Act's intended goal of preventing the spread of invasive species.

Mr. HOLT. I yield back the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I urge the adoption of the bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Washington (Mr. HASTINGS) that the House suspend the rules and pass the bill, H.R. 6007, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

AMERICAN BATTLEFIELD PROTECTION PROGRAM AMENDMENTS ACT OF 2012

Mr. HASTINGS of Washington. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2489) to authorize the acquisition and protection of nationally significant battlefields and associated sites of the Revolutionary

War and the War of 1812 under the American Battlefield Protection Program, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2489

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “American Battlefield Protection Program Amendments Act of 2012”.

SEC. 2. REVOLUTIONARY WAR AND WAR OF 1812 AMERICAN BATTLEFIELD PROTECTION.

Section 7301(c) of the Omnibus Public Land Management Act of 2009 (Public Law 111–11) is amended as follows:

(1) In paragraph (1)—

(A) by striking subparagraph (A) and inserting the following:

“(A) BATTLEFIELD REPORT.—The term ‘battlefield report’ means, collectively—

“(i) the report entitled ‘Report on the Nation’s Civil War Battlefields’, prepared by the Civil War Sites Advisory Commission, and dated July 1993; and

“(ii) the report entitled ‘Report to Congress on the Historic Preservation of Revolutionary War and War of 1812 Sites in the United States’, prepared by the National Park Service, and dated September 2007.”; and

(B) in subparagraph (C)(ii), by striking “Battlefield Report” and inserting “battlefield report”.

(2) In paragraph (2), by inserting “eligible sites or” after “acquiring”.

(3) In paragraph (3), by inserting “an eligible site or” after “acquire”.

(4) In paragraph (4), by inserting “an eligible site or” after “acquiring”.

(5) In paragraph (5), by striking “An” and inserting “An eligible site or an”.

(6) By redesignating paragraph (6) as paragraph (9).

(7) By inserting after paragraph (5) the following new paragraphs:

“(6) WILLING SELLERS.—Acquisition of land or interests in land under this subsection shall be from willing sellers only.

“(7) REPORT.—Not later than 5 years after the date of the enactment of this subsection, the Secretary shall submit to Congress a report on the activities carried out under this subsection, including a description of—

“(A) preservation activities carried out at the battlefields and associated sites identified in the battlefield report during the period between publication of the battlefield report and the report required under this paragraph;

“(B) changes in the condition of the battlefields and associated sites during that period; and

“(C) any other relevant developments relating to the battlefields and associated sites during that period.

“(8) PROHIBITION ON LOBBYING.—

“(A) IN GENERAL.—None of the funds provided pursuant to this section may be used for purposes of lobbying any person or entity regarding the implementation of this section or be granted, awarded, contracted, or otherwise be made available to any person, organization, or entity that participates in such lobbying.

“(B) LOBBYING DEFINED.—For purposes of this paragraph, the term ‘lobbying’ means to directly or indirectly pay for any personal service, advertisement, telegram, telephone call, letter, printed or written matter, or other device intended or designed to influence in any manner a Member of Congress, a jurisdiction, or an official of any government to favor, adopt, or op-

pose by vote or otherwise, any legislation, law, ratification, policy, land use plan (including zoning), or appropriation of funds before or after the introduction of any bill, resolution, or other measure proposing such legislation, law, ratification, policy, or appropriation.”.

(8) In paragraph (9) (as redesignated by paragraph (6)), by striking “2013” and inserting “2017”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Washington (Mr. HASTINGS) and the gentleman from New Jersey (Mr. HOLT) each will control 20 minutes.

The Chair recognizes the gentleman from Washington.

GENERAL LEAVE

Mr. HASTINGS of Washington. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself such time as I may consume.

The American Battlefield Protection Act of 1996 addressed the preservation and protection of Civil War battlefields through conservation easements or through the purchase of land from willing sellers through Federal grants. H.R. 2489 renews this effort, which will soon expire, and it adds the Revolutionary War and the War of 1812 battlefields to those eligible for protection.

The Natural Resources Committee made several improvements to the legislation as introduced, including a reduction of the authorization from 10 years to 5 years. Also, the authorization was cut in half to save up to \$50 million over the course of the program. It is important to note that we have not raised the authorization one cent over current levels; therefore, there is no increase in spending.

Finally, the committee added language to prohibit these funds from being used for lobbying activities or from being distributed to organizations that participate in lobbying. With so many existing needs within the National Park Service, we want to ensure that these funds go specifically for battlefield protection and not to outside advocacy groups. These battlefields are part of our history, and we should do everything we can to ensure that future generations understand what our forefathers went through to ensure our freedoms.

So, with that, I support this legislation, and I reserve the balance of my time.

Mr. HOLT. Mr. Speaker, I yield myself such time as I may consume.

I would like to thank my colleagues from the Natural Resources Committee for working with me to bring this bill to the floor today, our bipartisan bill, which is the American Battlefield Pro-

tection Program Amendments Act. I was pleased to work with Chairman HASTINGS and Chairman BISHOP and Ranking Members MARKEY and GRIJALVA to move this bill through our committee, and I would like to thank the majority and minority staffs for their hard work.

The bill before us today reauthorizes the American Battlefield Protection Program, which is a competitive grant program that matches Federal dollars with private money to preserve historic war sites. H.R. 2489 builds on the success of the Civil War Battlefield Protection Program, which has preserved Civil War battlefield sites. The legislation also expands the grant program to include over 670 historic battlefields and associated sites from the Revolutionary War and the War of 1812.

Since 1996, when the Battlefield Protection Program was first authorized, the program has helped preserve many important sites, including, for example, the Fort Gregg, New Market Heights Battlefield in Virginia.

□ 1630

In fiscal year 2011, a protection grant helped preserve a 7.2-acre property best remembered because of the unquestioned valor of the African American Union soldiers who fought there. There are many other examples that I could point to: the Wilderness Crossroads, the Reynolds Tract, Perryville Battlefield in Kentucky, the Slaughter Pen Farm, Fredericksburg Battlefield in Virginia, and so forth.

H.R. 2489 would allow the American Battlefield Protection Program to collaborate with State and local governments, nonprofit organizations, and willing sellers—and I do want to emphasize that point—to protect the most endangered historical sites, and to provide up to half the costs of purchasing battlefield land threatened by sprawl and commercial development.

From Lexington, where the shot was heard around the world, to Gettysburg, where Lincoln brilliantly summarized the description of the conception and proposition of our Nation, the stories of the American Revolution and the Civil War bring to life the ideals of liberty and democracy fostered by our Founders.

Unfortunately, urbanization, suburban sprawl, and unplanned commercial and residential development are constantly encroaching on many of the significant battlefields of the Revolutionary War, the War of 1812, and the Civil War. This encroachment poses a severe and growing risk to the preservation of these historic sites.

History is best experienced by those who can touch it, feel it, and live it, and the battlefields of the American Revolutionary War, the War of 1812, and the Civil War provide a unique opportunity for Americans to experience where and how the epic struggle for our

Nation's independence and identity took place.

In my home State of New Jersey, there are more sites of military engagements than in any other State. More military engagements were fought in New Jersey than in any other State. New Jersey played an influential role in the War for Independence.

I was pleased to join Representative FRELINGHUYSEN and Senator LAUTENBERG, and the rest of the New Jersey delegation, in establishing some years ago the Crossroads of the American Revolution National Heritage Area in our State. The Crossroads Association has made enormous progress toward promoting our State's rich heritage, and the bill before us today, I think, is vital for organizations like Crossroads in New Jersey and others to perform their important work.

As the Civil War Trust said in their letter supporting this legislation:

Preserving these American historic treasures is essential to remember the sacrifices our ancestors made to secure our freedom and independence, and to preserve our Republic.

Historical sites, once lost, are gone forever. They exist only on the pages of books and in fading memories. We must act to preserve these valuable sites while we still can. Approving this bill will demonstrate that the Members of this House can work together. Historic preservation is not a Republican issue, not a Democratic issue. Historic preservation is an American issue because it is our shared history that we are working to preserve and to protect.

I thank the majority for working with me on this bill. During the 111th Congress, similar legislation was twice approved by this body with near unanimous support. In this Congress, the American Battlefield Protection Program Amendments Act is again enjoying bipartisan support, and I certainly hope the other body will act promptly so that we can get about the work of preserving these sites.

I urge my colleagues to support H.R. 2489, and I yield back the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, this is good legislation, and I urge its adoption.

With that, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Washington (Mr. HASTINGS) that the House suspend the rules and pass the bill, H.R. 2489, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

STUDY OF VOLUNTARY COMMUNITY-BASED FLOOD INSURANCE OPTIONS

Mrs. BIGGERT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6186) to require a study of voluntary community-based flood insurance options and how such options could be incorporated into the national flood insurance program, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6186

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. STUDIES OF VOLUNTARY COMMUNITY-BASED FLOOD INSURANCE OPTIONS.

(a) STUDY.—

(1) STUDY REQUIRED.—The Administrator of the Federal Emergency Management Agency shall conduct a study to assess options, methods, and strategies for making available voluntary community-based flood insurance policies through the National Flood Insurance Program.

(2) CONSIDERATIONS.—The study conducted under paragraph (1) shall—

(A) take into consideration and analyze how voluntary community-based flood insurance policies—

(i) would affect communities having varying economic bases, geographic locations, flood hazard characteristics or classifications, and flood management approaches; and

(ii) could satisfy the applicable requirements under section 102 of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a); and

(B) evaluate the advisability of making available voluntary community-based flood insurance policies to communities, subdivisions of communities, and areas of residual risk.

(3) CONSULTATION.—In conducting the study required under paragraph (1), the Administrator may consult with the Comptroller General of the United States, as the Administrator determines is appropriate.

(b) REPORT BY THE ADMINISTRATOR.—

(1) REPORT REQUIRED.—Not later than 18 months after the date of enactment of this Act, the Administrator shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report that contains the results and conclusions of the study conducted under subsection (a).

(2) CONTENTS.—The report submitted under paragraph (1) shall include recommendations for—

(A) the best manner to incorporate voluntary community-based flood insurance policies into the National Flood Insurance Program; and

(B) a strategy to implement voluntary community-based flood insurance policies that would encourage communities to undertake flood mitigation activities, including the construction, reconstruction, or improvement of levees, dams, or other flood control structures.

(c) REPORT BY COMPTROLLER GENERAL.—Not later than 6 months after the date on which the Administrator submits the report required under subsection (b), the Comptroller General of the United States shall—

(1) review the report submitted by the Administrator; and

(2) submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report that contains—

(A) an analysis of the report submitted by the Administrator;

(B) any comments or recommendations of the Comptroller General relating to the report submitted by the Administrator; and

(C) any other recommendations of the Comptroller General relating to community-based flood insurance policies.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Illinois (Mrs. BIGGERT) and the gentleman from Wisconsin (Ms. MOORE) each will control 20 minutes.

The Chair recognizes the gentlewoman from Illinois.

GENERAL LEAVE

Mrs. BIGGERT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to add extraneous material on this bill.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Illinois?

There was no objection.

Mrs. BIGGERT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 6186, introduced by my friend and colleague on the Financial Services Committee, Congresswoman GWEN MOORE.

H.R. 6186 would require the Federal Emergency Management Agency, FEMA, the agency which administers the National Flood Insurance Program, NFIP, to conduct a study on the advantages and disadvantages of providing voluntary community-based flood insurance through NFIP and report its recommendations for implementation to Congress within 18 months. H.R. 6186 also requires the Government Accountability Office, GAO, to analyze FEMA's report and submit its comments or recommendations on it to Congress within 6 months.

Community-based flood insurance is an insurance technique where a risk assessment is made for all the buildings in a community, and then premiums to cover that risk are paid collectively by that community rather than the current practice of assessing each building individually and having each individual owner pay a premium. This innovative tool may represent a new and better way for some communities at risk of flooding to take the necessary steps to protect their citizens.

In fact, FEMA has stated in congressional testimony that voluntary community-based flood insurance could help the NFIP better account for the full cost of flood risk, as well as provide incentives to encourage communities to implement greater flood mitigation measures. Thus, we think it's appropriate to commission this study

of the community-based flood insurance concept so that FEMA can understand how it could be put to the greatest benefit.

Congresswoman MOORE's community-based flood insurance study provision was originally introduced as part of H.R. 1309, the Flood Insurance Reform Act of 2011, the bipartisan, long-term NFIP reauthorization measure that passed the House with over 400 votes last summer. During the previous year, Congresswoman MOORE's study language was also included as part of long-term NFIP reauthorization efforts that passed the House three additional times as part of other bills.

Unfortunately, Congresswoman MOORE's text, which is now H.R. 6186, was not included in the bipartisan Biggert-Waters Flood Insurance Reform Act that was signed into law on July 6. However, the Financial Services Committee remains committed to enacting this provision, and I want to commend Congresswoman MOORE for all her hard work on this measure, and I am a cosponsor.

With that, I would urge my colleagues to support H.R. 6186, and I reserve the balance of my time.

Ms. MOORE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to start out by expressing my deepest appreciation to the manager of this bill, Representative BIGGERT, and also a cosponsor of this legislation, in addition to Representative BACHUS and Representative WATERS, a bipartisan initiative.

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As Mrs. BIGGERT has indicated, this study was originally included in the flood insurance bill that passed the House but was later dropped for reasons of expediency. It was not controversial in negotiations with the Senate. I believe that a community-based flood insurance option may eventually provide a wonderful cost-saving option for communities within the framework of the overall National Flood Insurance Program.

The potential for savings and community empowerment certainly merits a study. H.R. 6186 would require FEMA to study voluntary community-based flood insurance options and examine how such options could be incorporated into the National Flood Insurance Program.

The idea is to study group flood insurance policies for a National Flood Insurance Program-participating community or a FEMA-designated flood plain so that everyone in the community would pay the same rate. Now, this approach has merit because it means not only potentially lower rates due to increased participation, but there is also the option of providing lower-income households with access to vouchers to purchase flood insurance as part of the group.

The group rating, of course, would spread the risk to an affordable extent for each individual homeowner. An analogy for this concept is group or employee health insurance coverage versus individual coverage. We all understand that group coverage is less expensive than individual coverage due to the economies of scale of streamlined underwriting. The difference is, in this case, a community, not an individual, would be the policy holder.

Now, this brings me to a very important potential benefit of this approach: increased incentives for communities to take affirmative actions to mitigate the threat from floods in the community. Now, while an individual flood insurance holder has absolutely no incentive or means to, say, build stronger levees or dikes, a community policyholder would have the means and incentives to take those kinds of precautions. In theory, under this model, the homeowner would pay insurance like a utility bill on a monthly or quarterly basis.

Finally, I want to point out that there is precedent for this idea. Under current regulations, FEMA could issue group flood insurance policies. The program was limited, but it was successful. This bill only adds that FEMA examine the cost and benefits of using this approach on an ongoing basis as an option for communities.

I urge all my House colleagues to support this legislation, and I yield back the balance of my time.

Mrs. BIGGERT. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Illinois (Mrs. BIGGERT) that the House suspend the rules and pass the bill, H.R. 6186.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mrs. BIGGERT. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

FHA EMERGENCY FISCAL SOLVENCY ACT OF 2012

Mrs. BIGGERT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4264) to help ensure the fiscal solvency of the FHA mortgage insurance programs of the Secretary of Housing and Urban Development, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4264

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “FHA Emergency Fiscal Solvency Act of 2012”.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

- Sec. 1. Short title and table of contents.
- Sec. 2. FHA annual mortgage insurance premiums.
- Sec. 3. Indemnification by FHA mortgagees.
- Sec. 4. Early period delinquencies.
- Sec. 5. Semiannual actuarial studies of MMIF during periods of capital depletion.
- Sec. 6. Delegation of FHA insuring authority.
- Sec. 7. Authority to terminate FHA mortgage origination and underwriting approval.
- Sec. 8. Authorization to participate in the origination of FHA-insured loans.
- Sec. 9. Reporting of mortgagee actions taken against other mortgagees.
- Sec. 10. Default and origination information by loan servicer and originating direct endorsement lender.
- Sec. 11. Deputy Assistant Secretary of FHA for Risk Management and Regulatory Affairs.
- Sec. 12. Establishment of Chief Risk Officer for GNMA.
- Sec. 13. Report on mortgage servicers.
- Sec. 14. FHA emergency capital plan.
- Sec. 15. FHA safety and soundness review.
- Sec. 16. FHA disclosure standards.
- Sec. 17. Report on streamlining FHA programs.
- Sec. 18. Budget compliance.

SEC. 2. FHA ANNUAL MORTGAGE INSURANCE PREMIUMS.

(a) IN GENERAL.—Subparagraph (B) of section 203(c)(2) of the National Housing Act (12 U.S.C. 1709(c)(2)(B)) is amended—

(1) in the matter preceding clause (i)—
(A) by striking “may” and inserting “shall”;

(B) by striking “not exceeding 1.5 percent” and inserting “not less than 0.55 percent”;

and
(C) by inserting “and not exceeding 2.0 percent of such remaining insured principal balance” before “for the following periods”;

and
(2) in clause (ii), by striking “1.55 percent” and inserting “.25 percent”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) take effect upon the expiration of the 6-month period beginning on the date of the enactment of this Act.

SEC. 3. INDEMNIFICATION BY FHA MORTGAGEES.

Section 202 of the National Housing Act (12 U.S.C. 1708) is amended by adding at the end the following new subsection:

“(i) INDEMNIFICATION BY MORTGAGEES.—

“(1) IN GENERAL.—If the Secretary determines that the mortgagee knew, or should have known, of a serious or material violation of the requirements established by the Secretary with respect to a mortgage executed by a mortgagee approved by the Secretary under the direct endorsement program or insured by a mortgagee pursuant to the delegation of authority under section 256 such that the mortgage loan should not have been approved and endorsed for insurance, and the Secretary pays an insurance claim with respect to the mortgage within a reasonable period specified by the Secretary, the Secretary may require the mortgagee approved by the Secretary under the direct endorsement program or the mortgagee delegated authority under section 256 to indemnify the Secretary for the loss, irrespective

of whether the violation caused the mortgage default.

“(2) FRAUD OR MISREPRESENTATION.—If fraud or misrepresentation was involved in connection with the origination or underwriting and the Secretary determines that the mortgagee knew or should have known of the fraud or misrepresentation, the Secretary shall require the mortgagee approved by the Secretary under the direct endorsement program or the mortgagee delegated authority under section 256 to indemnify the Secretary for the loss regardless of when an insurance claim is paid.

“(3) APPEALS PROCESS.—The Secretary shall, by regulation, establish an appeals process for mortgagees to appeal indemnification determinations made pursuant to paragraph (1) or (2).

“(4) REQUIREMENTS AND PROCEDURES.—The Secretary shall issue regulations establishing appropriate requirements and procedures governing the indemnification of the Secretary by the mortgagee, including public reporting on—

“(A) the number of loans that—

“(i) were not originated or underwritten in accordance with the requirements established by the Secretary; and

“(ii) involved fraud or misrepresentation in connection with the origination or underwriting; and

“(B) the financial impact on the Mutual Mortgage Insurance Fund when indemnification is required.”.

SEC. 4. EARLY PERIOD DELINQUENCIES.

Subsection (a) of section 202 of the National Housing Act (12 U.S.C. 1708(a)) is amended by adding at the end the following new paragraphs:

“(8) PROGRAMMATIC REVIEW OF EARLY PERIOD DELINQUENCIES.—The Secretary shall establish and maintain a program—

“(A) to review the cause of each early period delinquency on a mortgage that is an obligation of the Mutual Mortgage Insurance Fund;

“(B) to require indemnification of the Secretary for a loss associated with any such early period delinquency that is the result of a material violation, as determined by the Secretary, of any provision, regulation, or other guideline established or promulgated pursuant to this title; and

“(C) to publicly report—

“(i) a summary of the results of all early period delinquencies reviewed under subparagraph (A);

“(ii) any indemnifications required under subparagraph (B); and

“(iii) the financial impact on the Mutual Mortgage Insurance Fund of any such indemnifications.

“(9) DEFINITION OF EARLY PERIOD DELINQUENCY.—For purposes of this section, the term ‘early period delinquency’ means, with respect to a mortgage, that the mortgage becomes 90 or more days delinquent within 24 months of the origination of such mortgage.”.

SEC. 5. SEMIANNUAL ACTUARIAL STUDIES OF MMIF DURING PERIODS OF CAPITAL DEPLETION.

(a) IN GENERAL.—Paragraph (4) of section 202(a) of the National Housing Act (12 U.S.C. 1708(a)(4)) is amended—

(1) in the first sentence, by inserting “except as provided in subparagraph (B),” after “to be conducted annually,”;

(2) in the second sentence, by inserting “, except as provided in subparagraph (B),” after “annually,”;

(3) by striking the paragraph designation and heading and all that follows through

“The Secretary shall provide” and inserting the following:

“(4) INDEPENDENT ACTUARIAL STUDY.—

“(A) ANNUAL STUDY.—The Secretary shall provide”; and

(4) by adding at the end the following new subparagraph:

“(B) SEMIANNUAL STUDIES DURING PERIODS OF CAPITAL DEPLETION.—During any period that the Fund fails to maintain sufficient capital to comply with the capital ratio requirement under section 205(f)(2)—

“(i) the independent study required by subparagraph (A) shall be conducted semiannually and shall analyze the financial position of the Fund as of September 30 and March 31 of each fiscal year during such period; and

“(ii) the Secretary shall submit a report meeting the requirements of subparagraph (A) for each such semiannual study.”.

(b) ANALYSIS OF QUARTERLY ACTUARIAL STUDIES.—The Secretary of Housing and Urban Development shall conduct an analysis of the cost and feasibility of providing for an independent actuarial study of the Mutual Mortgage Insurance Fund on a calendar quarterly basis, which shall compare the cost and feasibility of conducting such a study on a quarterly basis as compared to a semi-annual basis and shall determine whether such an actuarial study can be conducted on a quarterly basis without substantial additional costs to the taxpayers. Not later than the expiration of the 90-day period beginning on the date of the enactment of this Act, the Secretary shall submit a report to the Congress setting forth the findings and conclusion of the analysis conducted pursuant to this subsection.

SEC. 6. DELEGATION OF FHA INSURING AUTHORITY.

Section 256 of the National Housing Act (12 U.S.C. 1715z–21) is amended—

(1) by striking subsection (c);

(2) in subsection (e), by striking “, including” and all that follows through “by the mortgagee”; and

(3) by redesignating subsections (d) and (e) as subsections (c) and (d), respectively.

SEC. 7. AUTHORITY TO TERMINATE FHA MORTGAGE ORIGINATION AND UNDERWRITING APPROVAL.

Section 533 of the National Housing Act (12 U.S.C. 1735f–11) is amended—

(1) in the first sentence of subsection (b), by inserting “or areas or on a nationwide basis” after “area” each place such term appears; and

(2) in subsection (c), by striking “(c)” and all that follows through “The Secretary” in the first sentence of paragraph (2) and inserting the following:

“(c) TERMINATION OF MORTGAGEE ORIGINATION AND UNDERWRITING APPROVAL.—

“(1) TERMINATION AUTHORITY.—If the Secretary determines, under the comparison provided in subsection (b), that a mortgagee has a rate of early defaults and claims that is excessive, the Secretary may terminate the approval of the mortgagee to originate or underwrite single family mortgages for any area, or areas, or on a nationwide basis, notwithstanding section 202(c) of this Act.

“(2) PROCEDURE.—The Secretary”.

SEC. 8. AUTHORIZATION TO PARTICIPATE IN THE ORIGINATION OF FHA-INSURED LOANS.

(a) SINGLE FAMILY MORTGAGES.—Section 203(b) of the National Housing Act (12 U.S.C. 1709(b)) is amended by striking paragraph (1) and inserting the following new paragraph:

“(1) Have been made to a mortgagee approved by the Secretary or to a person or entity authorized by the Secretary under sec-

tion 202(d)(1) to participate in the origination of the mortgage, and be held by a mortgagee approved by the Secretary as responsible and able to service the mortgage properly.”.

(b) HOME EQUITY CONVERSION MORTGAGES.—Section 255(d) of the National Housing Act (12 U.S.C. 1715z–20(d)) is amended by striking paragraph (1) and inserting the following new paragraph:

“(1) have been originated by a mortgagee approved by, or by a person or entity authorized under section 202(d)(1) to participate in the origination by, the Secretary.”.

SEC. 9. REPORTING OF MORTGAGEE ACTIONS TAKEN AGAINST OTHER MORTGAGEES.

Section 202 of the National Housing Act (12 U.S.C. 1708), as amended by the preceding provisions of this Act, is further amended by adding at the end the following new subsection:

“(j) NOTIFICATION OF MORTGAGEE ACTIONS.—The Secretary shall require each mortgagee, as a condition for approval by the Secretary to originate or underwrite mortgages on single family or multifamily housing that are insured by the Secretary, if such mortgagee engages in the purchase of mortgages insured by the Secretary and originated by other mortgagees or in the purchase of the servicing rights to such mortgages, and such mortgagee at any time takes action to terminate or discontinue such purchases from another mortgagee based on any determination or evidence of fraud or material misrepresentation in connection with the origination of such mortgages, to notify the Secretary of the action taken and the reasons for such action not later than 15 days after taking such action.”.

SEC. 10. DEFAULT AND ORIGINATION INFORMATION BY LOAN SERVICER AND ORIGINATING DIRECT ENDORSEMENT LENDER.

(a) COLLECTION OF INFORMATION.—Paragraph (2) of section 540(b) of the National Housing Act (12 U.S.C. 1712 U.S.C. 1735f–18(b)(2)) is amended by adding at the end the following new subparagraph:

“(C) For each entity that services insured mortgages, data on the number of claims paid to each servicing mortgagee during each calendar quarter occurring during the applicable collection period.”.

(b) APPLICABILITY.—Information described in subparagraph (C) of section 540(b)(2) of the National Housing Act, as added by subsection (a) of this section, shall first be made available under such section 540 for the applicable collection period (as such term is defined in such section) relating to the first calendar quarter ending after the expiration of the 12-month period that begins on the date of the enactment of this Act.

SEC. 11. DEPUTY ASSISTANT SECRETARY OF FHA FOR RISK MANAGEMENT AND REGULATORY AFFAIRS.

(a) ESTABLISHMENT OF POSITION.—Subsection (b) of section 4 of the Department of Housing and Urban Development Act (42 U.S.C. 3533(b)) is amended—

(1) by inserting “(1)” after “(b)”; and

(2) by adding at the end the following new paragraph:

“(2) There shall be in the Department, within the Federal Housing Administration, a Deputy Assistant Secretary for Risk Management and Regulatory Affairs, who shall be appointed by the Secretary and shall be responsible to the Federal Housing Commissioner for all matters relating to managing and mitigating risk to the mortgage insurance funds of the Department and ensuring the performance of mortgages insured by the Department.”.

(b) **TERMINATION.**—Upon the appointment of the initial Deputy Assistant Secretary for Risk Management and Regulatory Affairs pursuant to section 4(b)(2) of the Department of Housing and Urban Development Act, as amended by subsection (a) of this section, the position of chief risk officer within the Federal Housing Administration, filled by appointment by the Federal Housing Commissioner, is abolished.

SEC. 12. ESTABLISHMENT OF CHIEF RISK OFFICER FOR GNMA.

Section 4 of the Department of Housing and Urban Development Act (42 U.S.C. 3533) is amended by adding after subsection (g), as added by section 1442 of the Dodd-Frank Wall Street Reform and Consumer Protection Act (Public Law 111-203; 124 Stat. 2163), the following new subsection:

“(h) There shall be in the Department a Chief Risk Officer for the Government National Mortgage Association, who shall—

- “(1) be designated by the Secretary;
- “(2) be responsible to the President of the Association for all matters related to evaluating, managing, and mitigating risk to the programs of the Association;
- “(3) be in the competitive service or the senior executive service;
- “(4) be a career appointee;
- “(5) be designated from among individuals who possess demonstrated ability in general management of, and knowledge of and extensive practical experience in risk evaluation practices in large governmental or business entities; and
- “(6) shall not be required to obtain the prior approval, comment, or review of any officer or agency of the United States before submitting to the Congress, or any committee or subcommittee thereof, any reports, recommendations, testimony, or comments if such submission include a statement indicating that the views expressed therein are those of the Chief Risk Officer of the Association and do not necessarily represent the views of the Secretary.”.

SEC. 13. REPORT ON MORTGAGE SERVICERS.

(a) **EXAMINATION.**—The Secretary of Housing and Urban Development shall conduct an examination into mortgage servicer compliance with the loan servicing, loss mitigation, and insurance claim submission guidelines of the FHA mortgage insurance programs under the National Housing Act (12 U.S.C. 1701 et seq.), and an estimate of the annual costs to the Mutual Mortgage Insurance Fund, since 2008, resulting from any failures by mortgage servicers to comply with such guidelines.

(b) **REPORT.**—Not later than the expiration of the 120-day period that begins upon the date of the enactment of this Act, the Secretary shall submit a report to the Congress on the results of the examination conducted pursuant to subsection (a), including recommendations for any administrative and legislative actions to improve mortgage servicer compliance with the guidelines referred to in subsection (a).

SEC. 14. FHA EMERGENCY CAPITAL PLAN.

(a) **ESTABLISHMENT.**—Not later than the expiration of the 30-day period beginning on the date of the enactment of this Act, the Secretary of Housing and Urban Development shall develop, submit to the Congress, and commence implementation of an emergency capital plan for the restoration of the fiscal solvency of the Mutual Mortgage Insurance Fund (in this section referred to as the “Fund”).

(b) **CONTENTS.**—The emergency capital plan developed pursuant to this section shall—

- (1) provide a detailed explanation of the processes and controls by which amounts of

capital that are assets of the Fund are monitored and tracked;

(2) establish a plan to ensure the financial safety and soundness of the Fund that avoids the need for borrowing amounts from the Treasury of the United States to meet obligations of the Fund; and

(3) describe the procedure by which, if necessary, any amounts from the Treasury needed to meet obligations of the Fund will be obtained from the Treasury.

(c) **MONTHLY REPORTS.**—

(1) **REPORTS.**—Subject to paragraph (3), upon the conclusion of each calendar month ending after the 14-day period that begins on the date of the enactment of this Act, the Secretary of Housing and Urban Development shall submit to the Congress a report assessing the financial status of the Fund at the conclusion of such month and setting forth the information described in paragraph (2).

(2) **CONTENTS.**—Each report required under paragraph (1) for a month shall contain the following information regarding the Fund as of the conclusion of such month:

(A) The number of mortgages that are obligations of the Fund that are 60 or more days delinquent, the expected losses to the Fund associated with such delinquent mortgages, and the methodology used to make such calculation.

(B) The number of mortgages that are obligations of the Fund that have a loan-to-value ratio at the time of origination that is less than 80 percent and the percentage of all mortgages that are obligations of the Fund having such a ratio.

(C) The number of mortgages that are obligations of the Fund that had an original principal obligation exceeding 125 percent of the median house price, for a home of the size of the residence subject to the mortgage, for the area in which such residence is located, and the percentage of all mortgages that are obligations of the Fund having such an original principal obligation.

(D) The number of mortgages that are obligations of the Fund for which the mortgagor's income at the time of origination of the mortgage is greater than the median income for the area in which the residence subject to the mortgage is located, and the percentage of all mortgages that are obligations of the Fund for which the mortgagor has such an income.

(E) The balances for the financing and capital reserve accounts of the Fund.

(F) Any actions taken during such month to help ensure the financial soundness of the Fund and compliance with section 205(f) of the National Housing Act (12 U.S.C. 1711(f); relating to a capital ratio requirement).

(3) **TERMINATION OF REPORTING REQUIREMENT.**—The requirement to submit reports under paragraph (1) shall terminate on the first date after the date of the enactment of this Act that the Fund attains a capital ratio (as such term is defined in section 205(f)(3) of the National Housing Act) of 2.0 percent.

SEC. 15. FHA SAFETY AND SOUNDNESS REVIEW.

(a) **REVIEW.**—The Comptroller General of the United States shall provide for an independent third party to—

(1) conduct a one-time review of the mortgage insurance programs and funds of the Secretary of Housing and Urban Development that shall determine, as of the time of such review—

(A) the financial safety and soundness of such programs and funds; and

(B) the extent of loan loss reserves and capital adequacy of such programs and funds; and

(2) to submit a report under subsection (b). Such review shall be conducted in accordance with generally accepted accounting principles applicable to the private sector and Federal entities.

(b) **REPORT.**—The report under this subsection shall describe the methodology and standards used to conduct the review under subsection (a)(1), set forth the results and findings of the review, including the extent of loan loss reserves and capital adequacy of the mortgage insurance programs and funds of the Secretary of Housing and Urban Development, and include recommendations regarding restoring such reserves and capital to maintain such programs and funds in a safe and sound condition.

(c) **TIMING.**—The review required under subsection (a) shall be completed, and the report required under subsection (b) shall be submitted, not later than the expiration of the 60-day period beginning on the date of the enactment of this Act.

(d) **RULE OF CONSTRUCTION.**—Nothing in this section may be construed to alter or affect, or exempt the Secretary of Housing and Urban Development from complying with, any laws, regulations, or guidance relating to preparation or submission of budgets or audits or financial or management statements or reports.

SEC. 16. FHA DISCLOSURE STANDARDS.

Not later than the expiration of the 90-day period beginning on the date of the enactment of this Act, the Secretary of Housing and Urban Development shall review and revise all standards and requirements relating to disclosure of information regarding the mortgage insurance programs and funds, including actuarial studies conducted under section 202(a)(4) of the National Housing Act (12 U.S.C. 1708(a)(4)), quarterly reports under section 202(a)(5) of such Act, and annual audited financial statements under section 538 of such Act (12 U.S.C. 1735f-16), to ensure that, after the date of the enactment of this Act, such disclosures—

(1) provide meaningful financial and other information that is timely, comprehensive, and accurate;

(2) do not contain any material misstatements or misrepresentations;

(3) make available all relevant information; and

(4) prohibit material omissions that make the contents of the disclosure misleading.

SEC. 17. REPORT ON STREAMLINING FHA PROGRAMS.

(a) **EXAMINATION.**—The Secretary of Housing and Urban Development shall conduct an examination of the mortgage insurance and any other programs of the Federal Housing Administration to identify—

(1) the level of use and need for such programs;

(2) any such programs that are unused or underused; and

(3) methods for streamlining, consolidating, simplifying, increasing the efficiency of, and reducing the number of such programs.

(b) **REPORT.**—Not later than the expiration of the 12-month period that begins upon the date of the enactment of this Act, the Secretary shall submit a report to the Congress on the results of the examination conducted pursuant to subsection (a), including recommendations for any administrative and legislative actions to streamline, consolidate, simplify, increase the efficiency of, and reduce the number of such programs.

SEC. 18. BUDGET COMPLIANCE.

The Secretary of Housing and Urban Development shall allocate \$2,500,000 from the account for Administrative Contract Expenses

each fiscal year through September 30, 2017, which amounts shall be available only for the purposes of this Act and the amendments made by this Act, including such additional actuarial reviews as may be required by section 5 of this Act and the amendments made by such section.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Illinois (Mrs. BIGGERT) and the gentlewoman from Wisconsin (Ms. MOORE) each will control 20 minutes.

The Chair recognizes the gentlewoman from Illinois.

GENERAL LEAVE

Mrs. BIGGERT. Mr. Speaker, I ask that all Members may have 5 legislative days in which to revise and extend their remarks and add extraneous material on this bill.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Illinois?

There was no objection.

Mrs. BIGGERT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 4264, the FHA Emergency Fiscal Solvency Act of 2012, will provide the tools necessary to ensure the financial soundness of the Federal Housing Administration, or FHA. Right now, FHA is well below its mandatory 2 percent capital reserve with only .24 percent to cover losses.

The administration's fiscal year 2013 budget recently admitted that the FHA may need a \$688 million taxpayer bailout because of the depleted capital reserve fund. Last Friday, September 7, HUD issued its FHA quarterly report, which said that it anticipates increased foreclosures, claim activity, and related expenditures.

The FHA has had an abysmal fiscal track record and, to top it off, recent data furnished by the GAO confirmed that the FHA represents about 75 percent of the insured mortgage market. FHA is a government program that has put taxpayers at significant risk and flies in the face of private capital returning to the housing financial market.

The FHA Emergency Fiscal Solvency Act will provide FHA with the tools that it needs to shore up the program, lower the program's risk, and reduce taxpayers' liabilities.

The bill would establish for the first time a minimum annual premium of 55 basis points and allow FHA to charge up to 2.05 percent. It would strengthen FHA's ability to recoup losses from lenders for fraudulent, misrepresented and early delinquent loans, and it would allow FHA on a nationwide basis to terminate bad lenders. It also codifies the position of FHA Deputy Assistant Secretary for Risk and establishes a chief risk officer for Ginnie Mae.

These are commonsense targeted changes that would ensure accountability and financial stability within the FHA. On March 27, the Financial Services Committee unanimously

passed this bill, and I would urge my colleagues to support H.R. 4264.

I reserve the balance of my time.

Ms. MOORE. Mr. Speaker, I believe that H.R. 4264 will further strengthen and protect the MMI fund, and I would urge all Members to adopt this resolution.

I yield back the balance of my time.

Mrs. BIGGERT. I have no further speakers, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Illinois (Mrs. BIGGERT) that the House suspend the rules and pass the bill, H.R. 4264, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mrs. BIGGERT. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

LIONS CLUBS INTERNATIONAL CENTURY OF SERVICE COMMEMORATIVE COIN ACT

Mr. DOLD. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2139) to require the Secretary of the Treasury to mint coins in commemoration of the centennial of the establishment of Lions Clubs International, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2139

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Lions Clubs International Century of Service Commemorative Coin Act".

SEC. 2. FINDINGS.

The Congress finds as follows:

(1) Lions Clubs International is the world's largest service club organization founded in 1917 by Chicago business leader Melvin Jones. Lions Clubs International empowers volunteers to serve their communities, meet humanitarian needs, encourage peace and promote international understanding through Lions clubs.

(2) Today, Lions Clubs International has over 1.35 million members in more than 45,000 clubs globally, extending its mission of service throughout the world every day.

(3) In 1945, Lions Clubs International became one of the first nongovernmental organizations invited to assist in drafting the United Nations Charter and has enjoyed a special relationship with the United Nations ever since.

(4) In 1968, Lions Clubs International Foundation was established to assist with global and large-scale local humanitarian projects and has since then awarded more than \$700 million to fund five unique areas of service: preserving sight, combating disability, promoting health, serving youth and providing disaster relief.

(5) In 1990, the Lions Clubs International Foundation launched the SightFirst program to build comprehensive eye care systems to fight the major causes of blindness and care for the blind or visually impaired. Thanks to the generosity of Lions worldwide, over \$415 million has been raised, resulting in the prevention of serious vision loss in 30 million people and improved eye care for hundreds of millions of people.

(6) On June 7, 2017, Lions Clubs International will celebrate 100 years of community service to men, women, and children in need throughout the world.

SEC. 3. COIN SPECIFICATIONS.

(a) \$1 SILVER COINS.—The Secretary of the Treasury (hereafter in this Act referred to as the "Secretary") shall mint and issue not more than 400,000 \$1 coins in commemoration of the centennial of the founding of the Lions Clubs International, each of which shall—

- (1) weigh 26.73 grams;
- (2) have a diameter of 1.500 inches; and
- (3) contain 90 percent silver and 10 percent copper.

(b) LEGAL TENDER.—The coins minted under this Act shall be legal tender, as provided in section 5103 of title 31, United States Code.

(c) NUMISMATIC ITEMS.—For purposes of sections 5134 and 5136 of title 31, United States Code, all coins minted under this Act shall be considered to be numismatic items.

SEC. 4. DESIGN OF COINS.

(a) DESIGN REQUIREMENTS.—

(1) IN GENERAL.—The design of the coins minted under this Act shall be emblematic of the centennial of the Lions Clubs International.

(2) DESIGNATION AND INSCRIPTIONS.—On each coin minted under this Act, there shall be—

- (A) a designation of the value of the coin;
- (B) an inscription of the year "2017"; and
- (C) inscriptions of the words "Liberty", "In God We Trust", "United States of America", and "E Pluribus Unum".

(b) SELECTION.—The design for the coins minted under this Act shall be—

- (1) chosen by the Secretary after consultation with Lions Clubs International Special Centennial Planning Committee and the Commission of Fine Arts; and
- (2) reviewed by the Citizens Coinage Advisory Committee.

SEC. 5. ISSUANCE OF COINS.

(a) QUALITY OF COINS.—Coins minted under this Act shall be issued in uncirculated and proof qualities.

(b) MINT FACILITY.—Only one facility of the United States Mint may be used to strike any particular quality of the coins minted under this Act.

(c) PERIOD FOR ISSUANCE.—The Secretary may issue coins under this Act only during the calendar year beginning on January 1, 2017.

SEC. 6. SALE OF COINS.

(a) SALE PRICE.—The coins issued under this Act shall be sold by the Secretary at a price equal to the sum of—

- (1) the face value of the coins;
- (2) the surcharge provided in section 7 with respect to such coins; and
- (3) the cost of designing and issuing the coins (including labor, materials, dies, use of machinery, overhead expenses, marketing, and shipping).

(b) BULK SALES.—The Secretary shall make bulk sales of the coins issued under this Act at a reasonable discount.

(c) PREPAID ORDERS.—

(1) IN GENERAL.—The Secretary shall accept prepaid orders for the coins minted under this Act before the issuance of such coins.

(2) DISCOUNT.—Sale prices with respect to prepaid orders under paragraph (1) shall be at a reasonable discount.

SEC. 7. SURCHARGES.

(a) IN GENERAL.—All sales of coins issued under this Act shall include a surcharge of \$10 per coin.

(b) DISTRIBUTION.—Subject to section 5134(f) of title 31, United States Code, all surcharges received by the Secretary from the sale of coins issued under this Act shall be promptly paid by the Secretary to the Lions Clubs International Foundation for the purposes of—

(1) furthering its programs for the blind and visually impaired in the United States and abroad;

(2) investing in adaptive technologies for the disabled; and

(3) investing in youth and those affected by a major disaster.

(c) AUDITS.—The Lions Clubs International Foundation shall be subject to the audit requirements of section 5134(f)(2) of title 31, United States Code, with regard to the amounts received under subsection (b).

(d) LIMITATION.—Notwithstanding subsection (a), no surcharge may be included with respect to the issuance under this Act of any coin during a calendar year if, as of the time of such issuance, the issuance of such coin would result in the number of commemorative coin programs issued during such year to exceed the annual 2 commemorative coin program issuance limitation under section 5112(m)(1) of title 31, United States Code. The Secretary may issue guidance to carry out this subsection.

SEC. 8. FINANCIAL ASSURANCES.

The Secretary shall take such actions as may be necessary to ensure that—

(1) minting and issuing coins under this Act will not result in any net cost to the United States Government; and

(2) no funds, including applicable surcharges, shall be disbursed to any recipient designated in section 7 until the total cost of designing and issuing all of the coins authorized by this Act (including labor, materials, dies, use of machinery, overhead expenses, marketing, and shipping) is recovered by the United States Treasury, consistent with sections 5112(m) and 5134(f) of title 31, United States Code.

SEC. 9. BUDGET COMPLIANCE.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the Committee on the Budget of the House of Representatives, provided that such statement has been submitted prior to the vote on passage.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. DOLD) and the gentlewoman from Wisconsin (Ms. MOORE) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. DOLD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and add extraneous material on this bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. DOLD. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, today I rise in support of H.R. 2139, the Lions Clubs International Century of Service Commemorative Coin Act.

Mr. Speaker, this bill, which authorizes the minting and issuing of commemorative coins in 2017, celebrates the 100th anniversary of the world's largest service club organization, Lions Clubs International. Lions Clubs International empowers volunteers to serve their communities, meet humanitarian needs, encourage peace, and promote international understanding through service in Lions Clubs.

□ 1650

The Lions Club was established, Mr. Speaker, in 1917 by Chicago business leader Melvin Jones after he posed this simple question to his local business club: “What if people put their talents to work improving their communities?” Now headquartered in Oak Brook, Illinois, the organization has grown over the years from that simple question, Mr. Speaker, to 46,000 clubs and 1.35 million members globally. In that time, the Lions Club has organized local youth programs, taken up the banner to try to eradicate blindness, and participated in the drafting of the United Nations charter.

The Lions Club has worked in countless ways to improve the lives of people all over the world, Mr. Speaker. Here are just a few of the highlights from this storied and generous organization. In 1925, Helen Keller addressed the Lions Club at their international convention in Cedar Point, Ohio. She challenged them to become the “knights of the blind in the crusade against darkness.” The Lions embraced this challenge and have since helped in the effort to save the sight of more than 15 million children through eye screenings, glasses, and other treatments. They have established eye care centers that have reached more than 120 million children and prevented serious vision loss for more than 30 million worldwide.

In 1945, the Lions Club became the first nongovernmental organization invited to assist in the drafting of the United Nations charter. Since then, the Lions Club has worked closely with the United Nations, providing aid and manpower for the United Nations Children's Fund; the United Nations Education, Scientific, and Cultural Organization; and the World Health Organization.

Mr. Speaker, this legislation does not merely recognize the accomplishments of Lions all over the world. The people who voluntarily buy Lions Club coins each will pay a surcharge on top of the

cost of producing and marketing the coin. The coins will be sold at a price which will recover all taxpayer costs, and the surcharges go to the Lions Club to further its work.

Mr. Speaker, this legislation recognizes and celebrates the accomplishments of a truly selfless organization and all of its members, who give so much of themselves each and every day. I am proud to be one of the 292 cosponsors of this bill and of the 69 senators who have sponsored the companion bill introduced by my good friend, Senator MORAN of Kansas. I look forward to its swift passage in this House and over in the Senate, and I want to make sure that it gets to the President's desk for signature.

With that, I reserve the balance of my time.

Ms. MOORE. I am so happy to be able to speak affirmatively about this legislation. I'm really impressed with the storied history of the Lions and their dynamic history, where they serve in more than 200 countries and geographic areas. I am particularly struck by their service and stewardship to our young people across the world, and I'm so proud to be a cosponsor of this legislation. I would urge all Members to support this resolution.

With that, I yield back the balance of my time.

Mr. DOLD. Mr. Speaker, I yield 3 minutes to another Member from the State of Illinois, the chief deputy whip, (Mr. ROSKAM).

Mr. ROSKAM. I thank the gentleman for yielding.

Today is a day when we can celebrate accomplishment in the private sector and in the volunteer sector, and to celebrate a rich history and a century of accomplishment—accomplishment that is borne of service to one another.

The gentleman from Illinois a minute ago gave a brief history of the Lions Club International. I am honored to serve as the representative for the Lions Club International headquarters. They're an organization that not only, as was previously mentioned, has an impact here in the United States but has had an impact around the world. And I would argue that if you have an impact on vision for children, if you have an impact on vision for others, you're not just having an impact on that family but you're having a generational impact.

And so here we are today, celebrating the Lions Club International as they're on the cusp of a new century. So there's a lot to celebrate. There's a lot to be proud of here. And I want to thank also Chairman BACHUS and Ranking Member FRANK and the staff of the Financial Services Committee and the Lions around the world who reached out and built a constituency for this legislation today. I am a strong supporter, and I am pleased to be a part of this bipartisan effort.

I urge its passage.

Mr. DOLD. I just want to wrap up by saying it is indeed an honor to be able to stand up here in a bipartisan way to pay tribute to literally the millions of members of the Lions Club that are doing such great work all across the globe.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON WAYS AND MEANS,
Washington, DC, August 1, 2012.

Hon. SPENCER BACHUS,
Chairman, Committee on Financial Services,
Washington, DC.

DEAR CHAIRMAN BACHUS, I am writing concerning H.R. 2139, the "Lions Clubs International Century of Service Commemorative Coin Act," which is scheduled for floor action the week of July 30, 2012.

As you know, the Committee on Ways and Means maintains jurisdiction over matters that concern raising revenue. H.R. 2139 contains a provision that establishes a surcharge for the sale of commemorative coins that are minted under the bill, and this falls within the jurisdiction of the Committee on Ways and Means.

However, as part of our ongoing understanding regarding commemorative coin bills and in order to expedite this bill for floor consideration, the Committee will forgo action. This is being done with the understanding that it does not in any way prejudice the Committee with respect to the appointment of conferees or its jurisdictional prerogatives on this or similar legislation in the future.

I would appreciate your response to this letter, confirming this understanding with respect to H.R. 2139, and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during floor consideration.

Sincerely,

DAVE CAMP,
Chairman.

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON FINANCIAL SERVICES,
Washington, DC, August 1, 2012.

Hon. DAVE CAMP,
Chairman, Committee on Ways and Means,
House of Representatives, Washington, DC.

DEAR CHAIRMAN CAMP, I am writing in response to your letter regarding H.R. 2139, Lions Clubs International Century of Service Commemorative Coin Act, which is scheduled for floor consideration under suspension of the rules on Wednesday, August 1, 2012.

I wish to confirm our mutual understanding on this bill. As you know, section 7 of the bill establishes a surcharge for the sale of commemorative coins that are minted under the bill. I acknowledge your committee's jurisdictional interest in such surcharges as revenue matters and appreciate your willingness to forgo action by the Committee on Ways and Means on H.R. 2139 in order to allow the bill to come to the Floor expeditiously. Also, I agree that your decision to forgo further action on this bill will not prejudice the Committee on Ways and Means with respect to its jurisdictional prerogatives on this or similar legislation. Therefore, I would support your request for conferees on those provisions within your jurisdiction should this bill be the subject of a House-Senate conference.

I will include this exchange of letters in the Congressional Record when this bill is

considered by the House. Thank you again for your assistance and if you should need anything further, please do not hesitate to contact Natalie McGarry of my staff at 202-225-7502.

Sincerely,

SPENCER BACHUS,
Chairman.

Mr. FALEOMAVAEGA. Mr. Speaker, I rise today in support of H.R. 2139, the Lions Clubs International Century of Service Commemorative Coin Act. I thank my colleague, Mr. ROSKAM from Illinois, for introducing this bill which would direct the Secretary of Treasury to mint and issue \$1 coins in commemoration of the centennial of the founding of the Lions Clubs International.

Founded in 1917 by Chicago businessman Melvin Jones, the Lions Club has expanded to over 46,000 clubs and 1.35 million members worldwide. What began as a national association extended beyond U.S. borders within 3 years of founding. Now, nearly a century later, the Lions continue to carry out their motto "We Serve" in 207 countries, touching every corner of the globe.

In the last century, Lions Clubs International has helped to solve problems and serve humanitarian needs on the ground. Their services reach the blind, youth, and the elderly and also address health, the environment and disaster relief.

I am especially grateful to the Lions for their dedicated assistance to the people of my district in American Samoa. Following the deadly 2009 tsunami that devastated villages in American Samoa and Samoa, our local Lions Clubs were among those that came to the aid of our people. The Lions Club of Pago Pago continued to provide relief to many residents who lost their eyeglasses during the tsunami. Volunteers offered residents eye screening services that included complete eye examinations to evaluate visual health and detect eye diseases, prescriptions, and referral services. The Apia Lions in Samoa also provided assistance through disaster relief shelters and distributed donations such as clothing, food, and medicine from international Lions Clubs members.

I am proud to say that the Lions Club of Pago Pago has provided consistent services to our people of American Samoa and is a priceless asset to our community. I commend the Lions Clubs International and I stand in full support of this bill which celebrates and honors a century of international leadership in humanitarian service.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. DOLD) that the House suspend the rules and pass the bill, H.R. 2139, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. DOLD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

REVISING AUTHORITY OF LIBRARIAN OF CONGRESS TO ACCEPT GIFTS AND BEQUESTS

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6122) to revise the authority of the Librarian of Congress to accept gifts and bequests on behalf of the Library, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6122

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. AUTHORITY OF LIBRARIAN OF CONGRESS TO ACCEPT GIFTS AND BEQUESTS.

(a) EXPANDING TYPES OF GIFTS THAT MAY BE ACCEPTED.—The first undesignated paragraph of section 4 of the Act entitled "An Act to create a Library of Congress Trust Fund Board, and for other purposes", approved March 3, 1925 (2 U.S.C. 160), is amended—

(1) in the first sentence, by striking "in the name of the United States" and all that follows and inserting the following: "in the name of the United States and in the interest of the Library, its collections, or its service, gifts or bequests of money for immediate disbursement, personal property valued at \$25,000 or less, nonpersonal services, or voluntary and uncompensated personal services.";

(2) in the second sentence, by inserting "of money" after "bequests"; and

(3) in the third sentence, by striking "enter them" and inserting "enter the gift, bequest, or proceeds".

(b) TREATMENT OF GIFTS OF SECURITIES.—The first undesignated paragraph of section 4 of such Act (2 U.S.C. 160) is amended by inserting after the first sentence the following new sentence: "In the case of a gift of securities, the Librarian shall sell the gift and provide the donor with a receipt from the proceeds of the sale.".

(c) PUBLIC REPORT ON ACCEPTED GIFTS.—Section 4 of such Act (2 U.S.C. 160) is amended—

(1) in the first sentence of the first undesignated paragraph, by striking "Nothing" and inserting "(a) ACCEPTANCE AND DISBURSEMENT OF GIFTS.—Nothing"; and

(2) by adding at the end the following new subsection:

"(b) PUBLIC REPORT ON ACCEPTED GIFTS.—In each Annual Report of the Library of Congress, the Librarian of Congress shall include a description of each gift or bequest accepted under this section during the year involved which is valued at \$1,000 or more."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. DANIEL E. LUNGREN) and the gentleman from Pennsylvania (Mr. BRADY) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. DANIEL E. LUNGREN of California. I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DANIEL E. LUNGREN of California. I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 6122 to revise the authority of the Librarian of Congress to accept gifts and bequests on behalf of the Library, and for other purposes. This bill simply authorizes the Librarian of Congress to accept nonmonetary gifts of securities, personal property valued at \$25,000 or less, and voluntary and uncompensated personal services. The Librarian is required to disclose a description of each gift or bequest valued at \$1,000 or more in the Annual Report of the Library of Congress.

Over its history, the Library has been offered various types of donations that it has not had authority to accept. These would include donations of IT equipment, audiovisual equipment, and volunteer services outside of the American Folklife Center or the Center for the Book. While the Library is currently authorized to accept monetary gifts, this bill authorizes benevolent individuals to give back to the Library in other ways that would be beneficial to the Library's mission and therefore to this Congress and to the United States.

I would urge all my colleagues to support H.R. 6122, and I reserve the balance of my time.

Mr. BRADY of Pennsylvania. I yield myself such time as I may consume.

Mr. Speaker, I rise in support of legislation to authorize the Library of Congress to accept certain gifts on behalf of the Library. Expanding the Librarian's authority to accept gifts other than money is in the best interests of the Library. Occasionally, the Library is offered gifts that would be beneficial but which the Librarian cannot today accept, such as voluntary personal services or vintage equipment needed to play old movies or audio recordings.

Further, the bill authorizes the Librarian to accept gifts of marketable securities for immediate disbursement and other personal property valued at \$25,000 or less. In this budgetary era, authority to accept and make good use of such donations will serve the Library well.

Mr. Speaker, I yield back the balance of my time.

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I would ask all Members to support this bill, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. HARRIS). The question is on the motion offered by the gentleman from California (Mr. DANIEL E. LUNGREN) that the House suspend the rules and pass the bill, H.R. 6122.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

□ 1700

DESIGNATION OF INDIVIDUAL AUTHORIZED TO MAKE CAMPAIGN COMMITTEE DISBURSEMENTS IN EVENT OF DEATH OF CANDIDATE

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 406) to amend the Federal Election Campaign Act of 1971 to permit candidates for election for Federal office to designate an individual who will be authorized to disburse funds of the authorized campaign committees of the candidate in the event of the death of the candidate.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 406

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DESIGNATION OF INDIVIDUAL AUTHORIZED TO MAKE CAMPAIGN COMMITTEE DISBURSEMENTS IN EVENT OF DEATH OF CANDIDATE.

(a) IN GENERAL.—Section 302 of the Federal Election Campaign Act of 1971 (2 U.S.C. 432) is amended by adding at the end the following new subsection:

“(j)(1) Each candidate may, with respect to each authorized committee of the candidate, designate an individual who shall be responsible for disbursing funds in the accounts of the committee in the event of the death of the candidate, and may also designate another individual to carry out the responsibilities of the designated individual under this subsection in the event of the death or incapacity of the designated individual or the unwillingness of the designated individual to carry out the responsibilities.

“(2) In order to designate an individual under this subsection, the candidate shall file with the Commission a signed written statement (in a standardized form developed by the Commission) that contains the name and address of the individual and the name of the authorized committee for which the designation shall apply, and that may contain the candidate's instructions regarding the disbursement of the funds involved by the individual. At any time after filing the statement, the candidate may revoke the designation of an individual by filing with the Commission a signed written statement of revocation (in a standardized form developed by the Commission).

“(3) Upon the death of a candidate who has designated an individual for purposes of paragraph (1), funds in the accounts of each authorized committee of the candidate may be disbursed only under the direction and in accordance with the instructions of such individual, subject to the terms and conditions applicable to the disbursement of such funds under this Act or any other applicable Federal or State law (other than any provision of State law which authorizes any person other than such individual to direct the disbursement of such funds).

“(4) Nothing in paragraph (3) may be construed to grant any authority to an indi-

vidual who is designated pursuant to this subsection other than the authority to direct the disbursement of funds as provided in such paragraph, or may be construed to affect the responsibility of the treasurer of an authorized committee for which funds are disbursed in accordance with such paragraph to file reports of the disbursements of such funds under section 304(a).”.

(b) INCLUSION OF DESIGNATION IN STATEMENT OF ORGANIZATION OF COMMITTEE.—Section 303(b) of the Federal Election Campaign Act of 1971 (2 U.S.C. 433(b)) is amended—

(1) in paragraph (5), by striking “and” at the end;

(2) in paragraph (6), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following new paragraph:

“(7) in the case of an authorized committee of a candidate who has designated an individual under section 302(j) (including a second individual designated to carry out the responsibilities of that individual under such section in the event of that individual's death or incapacity or unwillingness to carry out the responsibilities) to disburse funds from the accounts of the committee in the event of the death of the candidate, a copy of the statement filed by the candidate with the Commission under such section (as well as a copy of any subsequent statement of revocation filed by the candidate with the Commission under such section).”.

SEC. 2. EFFECTIVE DATE.

The amendments made by this Act shall apply with respect to authorized campaign committees which are designated under section 302(e)(1) of the Federal Election Campaign Act of 1971 before, on, or after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. DANIEL E. LUNGREN) and the gentleman from Pennsylvania (Mr. BRADY) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks on this bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this legislation was introduced by our colleague, Congressman WALTER JONES. It simply amends the Federal Elections Campaign Act of 1971 to permit candidates for election for Federal office to designate an individual who would be authorized to disburse campaign funds in the event of the death of the candidate.

Every private citizen who decides to become a candidate for public office is driven by issues that inspire and motivate them to want to serve. Often those issues outlive the individuals who champion their ideals.

This bill will ensure that every Federal candidate will have the opportunity to appoint a trusted individual

to distribute campaign funds in the event they die.

I urge my colleagues to support H.R. 406, and I reserve the balance of my time.

Mr. BRADY of Pennsylvania. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I support this bill to allow a candidate for Federal office to designate someone to disburse his or her unspent campaign funds in the event of the candidate's death. Under this bill, a Federal candidate could designate another person by filing the appropriate form with the FEC and could revoke or change the designation at any time.

The bill allows the candidate to designate a second individual to carry out the duties and wishes of the candidate, within the limits of the law, should the first designee die or become unable to perform these duties. H.R. 406 further allows candidates to provide instructions for distribution of campaign funds as allowed by law.

H.R. 406 is designed to help campaign treasurers facing conflicting State laws in cases where Federal candidates die leaving unspent balances in their campaign treasuries, which happens from time to time. This measure offers a commonsense improvement to the Federal Election Campaign Act to deal with this situation.

The House has passed similar legislation before, and I urge our Members to support it again. I pledge to my friend, Mr. JONES from North Carolina, that I will do whatever I can in my power, and I know my chairman will, too, to make sure the Senate does take this up so we can pass it into law.

I yield back the balance of my time.

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, at this time, I would yield 4 minutes to the gentleman from North Carolina (Mr. JONES), a distinguished member on the Committee on Armed Services and the Committee on Financial Services.

Mr. JONES. Thank you, Mr. Chairman and Ranking Member BRADY. I want to thank you all for bringing this bill back to the floor of the House.

This came to my attention—I would not have had any idea that if a candidate or an incumbent running as a candidate would die in office that their family would not decide how to disburse the money. It would go back to the treasurer of the campaign. And in cases, many times, that is probably what the family would want anyway.

But what I found out with my own father who served here 26 years, and he died in office, was that it does create a problem. If the family has the authority to make the recommendation as to how to disburse the proceeds, it just makes for a very satisfactory time in a very difficult time when a family member dies.

So to Mr. LUNGREN and Mr. BRADY, thank you very much for bringing this

bill to the floor of the House again. All this is is a simple change so that the candidate for Federal office can determine that he would like to have or she would like to have a person other than the treasurer to disburse the funds.

If we pass this bill today, I want to ask my friend, Mr. BRADY, to help me with the Senate, and I'll reach out to the Republicans and maybe he can reach out to the Democrats and get this bill through because it is the right thing to do for the family in that tragic situation that can happen to any of us.

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to make it very, very clear: this does not change the law that the campaign funds would have to be used for a charitable purpose or for a political purpose, that is, to a party or candidate. It doesn't change that at all. It just changes the person who would have the decision-making responsibility. And since this is a situation where a Member or someone running for office would die, those funds, in some cases, would probably—the candidate would have wished them to go to a particular charity or series of charities. And this would ensure that those people who know best the candidate and know what his or her desires would be would make that determination.

But it does not in any way change it so that it could be used for personal purposes by the family or anybody else designated. It would still have to go to those legitimate legal purposes for which campaign funds are limited. It would do nothing more than change the person who would make that determination, and we have a real-life experience of that occurring, and that is why I support this very strongly. It has been supported strongly in the House before; and if we can get the attention of our friends on the other side of the Capitol, we can make this happen, and I think it would be a good, good thing.

So with that, I would urge my colleagues to support this legislation, and I yield back the balance of my time.

Mr. GINGREY of Georgia. Mr. Speaker, I rise today in support of H.R. 406, a bill to amend the Federal Election Campaign Act of 1971 to permit candidates for Federal office to designate an individual to disburse the campaign funds of the candidate in the event of the candidate's death, authored by my colleague from North Carolina, WALTER JONES.

Unfortunately, he has personally experienced the situation that this legislation is attempting to remedy when his father—a 14 term member of this body—passed away and questions arose as to what to do with remaining campaign funds.

Current law authorizes the campaign treasurer to disperse campaign funds but does not give instruction on how those funds should be spent in the event of a candidate's death.

Mr. Speaker, H.R. 406 is a common-sense solution to resolving this potentially complex

issue. I was proud to support the legislation when it came before the Committee on House Administration, and I urge all of my colleagues to support it today.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. DANIEL E. LUNGREN) that the House suspend the rules and pass the bill, H.R. 406.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

FUNDING TO ENSURE PRODUCTION OF AUTHORIZED NUMBER OF COPIES OF REVISED VERSION OF "HISPANIC AMERICANS IN CONGRESS"

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 132) providing funding to ensure the printing and production of the authorized number of copies of the revised and updated version of the House document entitled "Hispanic Americans in Congress", and for other purposes.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 132

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. FUNDING TO ENSURE PRODUCTION OF AUTHORIZED NUMBER OF COPIES OF REVISED VERSION OF "HISPANIC AMERICANS IN CONGRESS".

Notwithstanding section 2(b) of House Concurrent Resolution 90, One Hundred Seventh Congress (agreed to December 7, 2001), in printing the updated version of House Document 103-299, entitled "Hispanic Americans in Congress" (as revised by the Library of Congress), the Public Printer shall print the maximum number of copies of such Document for which the total printing and production costs do not exceed an amount equal to the amount provided for under such section, increased by \$700,000.

SEC. 2. ELECTRONIC PUBLICATION OF CERTAIN HOUSE DOCUMENTS.

(a) ELECTRONIC PUBLICATION.—Upon request of the Committee on House Administration of the House of Representatives, the Public Printer shall publish and disseminate an electronic version of each of the House documents referred to in subsection (b), under the direction of the Committee.

(b) DOCUMENTS DESCRIBED.—The House documents referred to in this subsection are as follows:

(1) The updated version of House Document 103-299, entitled "Hispanic Americans in Congress", as described in section 1.

(2) House Document 108-223, entitled "Women in Congress, 1917-2006".

(3) House Document 108-224, entitled "Black Americans in Congress, 1870-2007".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. DANIEL E. LUNGREN)

and the gentleman from Pennsylvania (Mr. BRADY) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of House Concurrent Resolution 132, providing funding to ensure the printing and production of the authorized number of copies of the revised and updated version of the House document entitled "Hispanic Americans in Congress."

The previous authorization from the 107th Congress did not authorize sufficient funds to make available to Members the same number of copies as the previous publications of "Black Americans in Congress" and "Women in Congress." Additionally, the resolution also authorizes the electronic publication of "Hispanic Americans in Congress," "Women in Congress," and "Black Americans in Congress," thereby bringing us up to what is becoming more and more the way of publication, that is, by electronic means.

This resolution will help to ensure that this valuable history will be available for future generations. I would urge my colleagues to support the resolution, and I reserve the balance of my time.

Mr. BRADY of Pennsylvania. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I urge the House to adopt this resolution which the chairman has accurately described. Members who served in the 107th Congress will recall that in 2001 we authorized new additions of three congressional publications: "Women in Congress," "Black Americans in Congress," and "Hispanic Americans in Congress."

□ 1710

The new editions of "Women in Congress" and "Black Americans in Congress" were distributed to Members, libraries, and others in 2007 pursuant to their respective authorizations. However, in the 11 years since we authorized the new edition of Hispanic Americans in Congress, circumstances have changed, including, I am delighted to say, the election of more Hispanics to serve in this House and the other body. This means the new edition will be larger than estimated, and the cost of printing the same number of copies of Hispanic Americans will likely be larger.

As I urge adoption of this resolution, I wish to thank the Clerk, who worked on this revised edition, and the dedicated men and women of the Government Printing Office, who procure the volumes for their fine work.

The new editions of "Women in Congress" and "Black Americans in Congress" are useful, high-quality reference volumes of great value to students, historians, and us. I am certain the new edition of "Hispanic Americans in Congress" will similarly be well received when published and distributed in the coming months.

Mr. Speaker, I reserve the balance of my time.

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I have no more requests for time, and I reserve the balance of my time.

Mr. BRADY of Pennsylvania. Mr. Speaker, I yield to the gentleman from New York (Mr. SERRANO) for as much time as he may consume.

Mr. SERRANO. First of all, I want to thank the chairman and the ranking member for bringing this bill to the floor.

In 2001, I sponsored the original resolution which created the "Hispanic Americans in Congress" book. And to some folks watching this debate, that may not be the most important bill we will debate in the next couple of days—or it may be, for that matter—but on the other hand, when you really think of the historic nature of this resolution and what happened in 2001, where this book became a very big item in libraries and communities throughout the Nation—in fact, Members of Congress received a lot of mail and phone calls at that time asking for copies, and of course it was a very limited amount.

Now, this resolution would allow for a growth in that number, but most importantly, dealing with the world we deal in today, this resolution allows for a digital copy to be made available. Now, I don't know the specific language of the bill, but I would imagine that any American then can take that digital copy and make their own copy, and so libraries and schools and individuals will be able to make that number grow. And it's important to know why that is an important thing to do.

"Women in Congress," "African Americans in Congress," "Hispanics in Congress" was simply a way for people to say we have a lot of information about these particular communities in terms of what they've done in sports, in show business, in business, but there's little information—very little—as to what has happened in Congress since the beginning of time of our Republic. So this book, when it first came out, was really something that incurred a lot of research and brought about a lot of discussion because people just did not know how long back there had been Hispanic Americans in Congress.

Finally, with the growth of the Latino leadership community, with the fact that when this book first came out, to be honest, it was really a book about this side of the aisle, now the next book will be about a wide side of the aisle, both sides, because it has grown dramatically, and we suspect after the next election the number will even grow more dramatically.

So I thank you both for bringing this resolution up. I hope all Members vote for it unanimously and we can get the book printed as soon as possible.

Mr. BRADY of Pennsylvania. Mr. Speaker, I yield back the balance of my time.

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. DANIEL E. LUNGREN) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 132.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

ACCEPTANCE OF STATUE OF FREDERICK DOUGLASS FOR PLACEMENT IN EMANCIPATION HALL

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6336) to direct the Joint Committee on the Library to accept a statue depicting Frederick Douglass from the District of Columbia and to provide for the permanent display of the statue in Emancipation Hall of the Capitol Visitor Center.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6336

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. FINDINGS.

Congress finds the following:

(1) Frederick Douglass, born Frederick Augustus Washington Bailey in Maryland in 1818, escaped from slavery and became a leading writer, orator, and publisher, and one of the Nation's most influential advocates for abolitionism, women's suffrage, and the equality of all people.

(2) The contributions of Frederick Douglass over many decades were crucial to the abolition of slavery, the passage of the 13th, 14th, and 15th Amendments to the Constitution of the United States, the support for women's suffrage, and the advancement of African-Americans after the Civil War.

(3) After living in New Bedford, Massachusetts, Frederick Douglass resided for 25 years in Rochester, New York, where he published and edited "The North Star", the leading African-American newspaper in the United States, and other publications.

(4) Self-educated, Frederick Douglass wrote several influential books, including

his best-selling first autobiography, "Narrative of the Life of Frederick Douglass, an American Slave", published in 1845.

(5) Frederick Douglass worked tirelessly for the emancipation of African-American slaves, was a pivotal figure in Underground Railroad activities, and was an inspiration to enslaved Americans who aspired to freedom.

(6) As a well-known speaker in great demand, Frederick Douglass traveled widely, visiting countries such as England and Ireland, to spread the message of emancipation and equal rights.

(7) Frederick Douglass was the only African-American to attend the Seneca Falls Convention, a women's rights convention held in Seneca Falls, New York in 1848.

(8) During the Civil War, Frederick Douglass recruited African-Americans to volunteer as soldiers for the Union Army, including 2 of his sons, who served nobly in the Fifty-Fourth Massachusetts Regiment.

(9) In 1872, Frederick Douglass moved to Washington, DC, after a fire destroyed his home in Rochester, New York.

(10) Frederick Douglass was appointed as a United States Marshal in 1877 and was named Recorder of Deeds for the District of Columbia in 1881.

(11) Frederick Douglass became the first African-American to receive a vote for nomination as President of the United States at a major party convention for the 1888 Republican National Convention.

(12) From 1889 to 1891, Frederick Douglass served as minister-resident and consul-general to the Republic of Haiti.

(13) Frederick Douglass was recognized around the world as one of the most important political activists in the history of the United States.

(14) Frederick Douglass died in 1895 in Washington, DC and is buried in Rochester, New York.

(15) Frederick Douglass's achievements and influence on the history of the United States merit recognition in the United States Capitol.

SEC. 2. ACCEPTANCE OF STATUE OF FREDERICK DOUGLASS FOR PLACEMENT IN EMANCIPATION HALL.

(a) ACCEPTANCE.—Not later than 2 years after the date of the enactment of this Act, the Joint Committee on the Library shall accept from the District of Columbia the donation of a statue depicting Frederick Douglass, subject to the terms and conditions that the Joint Committee considers appropriate.

(b) PLACEMENT.—The Joint Committee shall place the statue accepted under subsection (a) in a suitable permanent location in Emancipation Hall of the United States Capitol.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. DANIEL E. LUNGREN) and the gentleman from Pennsylvania (Mr. BRADY) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 6336, a bill that I had the privilege to introduce with my esteemed colleague, the representative from the District of Columbia (Ms. NORTON). This bill appropriately places a statue of Frederick Douglass into Emancipation Hall in the U.S. Congress.

Frederick Douglass is a pivotal figure in American history who had an unyielding dedication to equal rights, the abolition of slavery, and the advancement of women's suffrage. In addition to a gripping personal saga detailing his flight from slavery to freedom, Frederick Douglass inspired a nation through both his compelling anti-slavery writings and his rhetoric.

Published in 1845, his eloquent autobiography "Narrative of the Life of Frederick Douglass, an American Slave" undercut pro-slavery arguments. He challenged enslavement, and he inspired individuals seeking their freedom.

After the Civil War, he served in a number of government positions and became the first African American to receive a vote for nomination as President of the United States at the 1888 Republican National Convention—yes, I would repeat, the Republican National Convention. He was a proud Republican.

Mr. Speaker, September 22 marks the 150th anniversary of President Abraham Lincoln signing the preliminary proclamation that paved the way for the Emancipation Proclamation to be signed on January 1, 1863. How fitting that a statue honoring Frederick Douglass, a man who brought freedom to so many, will be on display in Emancipation Hall.

In considering the remarkable achievements of Frederick Douglass and his contributions to our rich history, his presence within the U.S. Capitol will honor this institution and serve as an endearing testimony to the struggle for freedom and equality.

I would like to thank again my colleague, the Congresswoman from the District of Columbia (Ms. NORTON). I know she, unfortunately, couldn't be here today because I know she has a requirement to teach a class; otherwise, she would be here. But I wanted to thank her for her tireless work to bring this statue to the Capitol, as well as our counterparts in the Senate, the Senate Rules Committee. As many know, Senator SCHUMER introduced the companion legislation in the Senate. I thank my ranking member for his support in this effort.

I urge my colleagues to support this measure, and I look forward to welcoming the statue of Frederick Douglass to Emancipation Hall very soon.

With that, I reserve the balance of my time.

Mr. BRADY of Pennsylvania. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I also urge support for H.R. 6336, to direct the Joint Committee on the Library to accept the statue of Frederick Douglass and provide for its permanent display in Emancipation Hall in the Capitol Visitor Center.

Often considered the father of the civil rights movement, Frederick Douglass' place in history was earned with deep-seated courage and an unshakable belief in the equality of all human beings. A former slave, Douglass went on to become one of the most prominent figures of the movement to free the slaves. His statue should serve as a reminder to millions of visitors to this great place of both how far we've come and how far we still have to go.

Mr. Speaker, I'd also like to thank my chairman, Mr. LUNGREN, for his patience—this was a long time coming—and his negotiations and for his respect, and also for his unyielding cooperation.

With that, I yield back the balance of my time.

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I yield myself such time as I may consume.

One of the great things about Frederick Douglass is that he inspired a nation not only by the example of his lifetime in releasing the bonds of slavery and becoming a free man, but he was self-educated. He was a great orator, a great writer, a great inspiration to this country.

There's not too many people that you can talk about that actually can take credit, tremendous credit, for the passage of three amendments to the U.S. Constitution—13th, 14th, and 15th. There's not many people who were on the right side of history in such a tremendous way, someone who not only worked to encourage African Americans to fight in the Civil War on the side of freedom, but also later on to work to ensure that the message of freedom that was the promise of both our Declaration of Independence and our Constitution was embodied specifically in the Constitution by these amendments.

He was a powerful man who was very proud of his history and proud of his place in history in terms of leading a political movement and showing that African Americans were not just freed slaves that somehow got their freedom at the suffrage of the other members of society, but that they fought for it, they struggled for it, and they had both physical courage and intellectual power that inspired the Nation to recognize the fact that we had fallen so far short of the promise of our Constitution and the Declaration of Independence.

□ 1720

I'm afraid that too many young people today don't know the story of Frederick Douglass. In a small way, this may help to rekindle the interest in Frederick Douglass so that when the young people come here to this Capitol, as they often do, and they look at the statues and they ask who is that and what did he do or what did she do, people can now look proudly to the statue of Frederick Douglass and explain what it is he did and why his powerful legacy is still an inspiration to all of us today.

So I would hope that our Members would unanimously support this legislation and that we would soon see Frederick Douglass return to the United States Capitol in this way.

With that, I yield back the balance of my time.

Ms. NORTON. Mr. Speaker, I rise in strong support of H.R. 6336, and to express my deep gratitude to Chairman DAN LUNGREN for introducing the bill, for consulting with me on it, and for bringing it to the House floor. I would also like to thank Senator DICK DURBIN for including a provision in the Senate Appropriations Committee-passed fiscal year 2013 Financial Services and General Government Appropriations bill to place the Frederick Douglass statue in the U.S. Capitol and Senator CHARLES SCHUMER for introducing the Senate companion to H.R. 6336.

The District of Columbia government commissioned the Douglass statue, with the intention of giving it to the American people as a gift to be displayed in the Capitol. Douglass, an iconic leader for equal rights for African Americans and women and an internationally celebrated human rights advocate, spent much of his life as a D.C. resident and served as a local public official. His home in Southeast D.C., which is now the Frederick Douglass National Historic Site, sits only a few miles from the Capitol. Since the statue was completed in 2007, I have been pursuing legislation to have Congress accept the District's gift. When Congress built the Capitol Visitor Center, it named the main room "Emancipation Hall" in honor of the slaves who helped to build the Capitol. Nevertheless, the Capitol still has a long way to go in telling the nation's story, including the role of African Americans in U.S. history. Currently, there are 180 statues and busts in the Capitol, and the Douglass statue would only be the third portraying an African American.

The time has come for the Congress to accept the District of Columbia's gift. I urge the House to pass the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. DANIEL E. LUNGREN) that the House suspend the rules and pass the bill, H.R. 6336, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The title was amended so as to read: "A bill to direct the Joint Committee on the Library to accept a statue depicting Frederick Douglass from the

District of Columbia and to provide for the permanent display of the statue in Emancipation Hall of the United States Capitol."

A motion to reconsider was laid on the table.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 6:30 p.m. today.

Accordingly (at 5 o'clock and 21 minutes p.m.), the House stood in recess.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. NUNES) at 6 o'clock and 30 minutes p.m.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 5544, MINNESOTA EDUCATION INVESTMENT AND EMPLOYMENT ACT, AND PROVIDING FOR CONSIDERATION OF H.R. 5949, FISA AMENDMENTS ACT RE-AUTHORIZATION ACT OF 2012

Mr. NUGENT, from the Committee on Rules, submitted a privileged report (Rept. No. 112-660) on the resolution (H. Res. 773) providing for consideration of the bill (H.R. 5544) to authorize and expedite a land exchange involving National Forest System land in the Laurentian District of the Superior National Forest and certain other National Forest System land in the State of Minnesota that has limited recreational and conservation resources and lands owned by the State of Minnesota in trust for the public school system that are largely scattered in checkerboard fashion within the Boundary Waters Canoe Area Wilderness and have important recreational, scenic, and conservation resources, and for other purposes, and providing for consideration of the bill (H.R. 5949) to extend the FISA Amendments Act of 2008 for five years, which was referred to the House Calendar and ordered to be printed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 6122, by the yeas and nays;

H.R. 2139, by the yeas and nays;

H.R. 6186, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

REVISING AUTHORITY OF LIBRARIAN OF CONGRESS TO ACCEPT GIFTS AND BEQUESTS

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 6122) to revise the authority of the Librarian of Congress to accept gifts and bequests on behalf of the Library, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. DANIEL E. LUNGREN) that the House suspend the rules and pass the bill.

The vote was taken by electronic device, and there were—yeas 377, nays 0, not voting 52, as follows:

[Roll No. 557]

YEAS—377

Adams	Glyburn	Gosar
Aderholt	Coffman (CO)	Gowdy
Akin	Cohen	Granger
Altmire	Cole	Graves (GA)
Amash	Conaway	Graves (MO)
Amodei	Connolly (VA)	Green, Al
Andrews	Conyers	Green, Gene
Austria	Cooper	Griffin (AR)
Baca	Costa	Griffith (VA)
Bachus	Costello	Grijalva
Barber	Courtney	Grimm
Barletta	Cravaack	Guinta
Barrow	Crawford	Guthrie
Bartlett	Crenshaw	Hahn
Barton (TX)	Critz	Hall
Bass (NH)	Crowley	Hanabusa
Becerra	Cuellar	Hanna
Benishek	Culberson	Harris
Berg	Cummings	Hartzler
Berkley	Davis (CA)	Hastings (FL)
Biggert	Davis (IL)	Hastings (WA)
Blibray	DeFazio	Hayworth
Bilirakis	DeGette	Heck
Bishop (GA)	DeLauro	Hensarling
Bishop (NY)	Denham	Herrera Beutler
Bishop (UT)	Dent	Higgins
Black	DesJarlais	Himes
Blackburn	Deutch	Hinche
Blumenauer	Diaz-Balart	Hinojosa
Bonamici	Dicks	Hochul
Bonner	Dingell	Holden
Bono Mack	Doggett	Holt
Boren	Dold	Honda
Boustany	Doyle	Hoyer
Brady (PA)	Dreier	Huelskamp
Brady (TX)	Duffy	Huizenga (MI)
Braley (IA)	Duncan (SC)	Hultgren
Brooks	Duncan (TN)	Hunter
Brown (FL)	Edwards	Hurt
Buchanan	Ellison	Israel
Bucshon	Ellmers	Issa
Buerkle	Emerson	Jackson Lee
Burgess	Engel	(TX)
Butterfield	Eshoo	Jenkins
Calvert	Farenthold	Johnson (GA)
Camp	Farr	Johnson (OH)
Campbell	Fattah	Johnson, E. B.
Canseco	Fincher	Johnson, Sam
Cantor	Fitzpatrick	Jones
Capito	Fleischmann	Jordan
Capps	Fleming	Kaptur
Capuano	Forbes	Keating
Carnahan	Fortenberry	Kelly
Carney	Fox	Kildee
Carson (IN)	Frank (MA)	Kind
Carter	Franks (AZ)	King (IA)
Cassidy	Frelinghuysen	Kingston
Castor (FL)	Fudge	Kissell
Chabot	Garamendi	Kline
Chaffetz	Gardner	Kucinich
Chandler	Garrett	Labrador
Chu	Gerlach	Lamborn
Clarke (MI)	Gibson	Lance
Clarke (NY)	Gingrey (GA)	Landry
Clay	Gonzalez	Langevin
Cleaver	Goodlatte	Lankford

Larsen (WA) Palazzo
Larson (CT) Pallone
Latham Pascrell
LaTourette Paulsen
Latta Pearce
Levin Pelosi
Lewis (GA) Pence
Lipinski Perlmutter
LoBiondo Peters
Loeb sack Peterson
Lofgren, Zoe Petri
Long Pingree (ME)
Lucas Pitts
Luetkemeyer Poe (TX)
Luján Polls
Lummis Pompeo
Lungren, Daniel Posey
E. Price (GA)
Lynch Price (NC)
Mack Quayle
Marchant Quigley
Marino Rahall
Markey Reed
Matheson Rehberg
Matsui Reichert
McCarthy (CA) Renacci
McCarthy (NY) Reyes
McCaul Ribble
McClintock Richardson
McCollum Rigell
McDermott Roby
McGovern Roe (TN)
McHenry Rogers (AL)
McIntyre Rogers (KY)
McKeon Rogers (MI)
McKinley Rohrabacher
McMorris Rokita
Rodgers Rooney
McNerney Ros-Lehtinen
Meehan Roskam
Meeks Ross (AR)
Mica Ross (FL)
Michaud Rothman (NJ)
Miller (FL) Roybal-Allard
Miller (MI) Royce
Miller (NC) Runyan
Miller, Gary Ruppersberger
Moore Ryan (OH)
Moran Sánchez, Linda
Mulvaney T.
Murphy (CT) Sanchez, Loretta
Murphy (PA) Sarbanes
Myrick Scalise
Neal Schakowsky
Neugebauer Schiff
Noem Schilling
Nugent Schmidt
Nunes Schrader
Nunnelee Schwartz
Olson Schweikert
Olver Scott (SC)
Owens Scott (VA)

NOT VOTING—52

Ackerman Gutierrez
Alexander Harper
Bachmann Heinrich
Baldwin Herger
Bass (CA) Hirono
Berman Jackson (IL)
Boswell Johnson (IL)
Broun (GA) King (NY)
Burton (IN) Kinzinger (IL)
Cicilline Lee (CA)
Coble Lewis (CA)
Donnelly (IN) Lowey
Filner Maloney
Flake Manzullo
Flores Miller, George
Gallegly Nadler
Gibbs Napolitano
Gohmert Pastor (AZ)

□ 1853

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuster
Simpson
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southernland
Stark
Stearns
Stivers
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Tonko
Tsongas
Turner (NY)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walsh (IL)
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Webster
Welch
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Woolsey
Yarmuth
Yoder
Young (AK)
Young (FL)
Young (IN)

Mr. FILNER. Mr. Speaker, on rollcall 557, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted “yea.”

Mr. TURNER of Ohio. Mr. Speaker, on rollcall No. 557 I was unavoidably detained and did not vote. If I had been present, I would have voted “yea.”

LIONS CLUBS INTERNATIONAL CENTURY OF SERVICE COMMEMORATIVE COIN ACT

The SPEAKER pro tempore (Mr. POE of Texas). The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 2139) to require the Secretary of the Treasury to mint coins in commemoration of the centennial of the establishment of Lions Clubs International, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. DOLD) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 376, nays 2, answered “present” 1, not voting 50, as follows:

[Roll No. 558]
YEAS—376

Adams Capps
Aderholt Capuano
Akin Canahan
Altmire Carney
Amodei Carson (IN)
Austria Carter
Baca Cassidy
Bachus Castor (FL)
Barber Chabot
Barletta Chaffetz
Barrow Chandler
Bartlett Chu
Barton (TX) Clarke (MI)
Bass (CA) Clarke (NY)
Bass (NH) Clay
Becerra Cleaver
Benishek Clyburn
Berg Coffman (CO)
Berkley Cohen
Biggert Cole
Bilbray Conaway
Bilirakis Connolly (VA)
Bishop (GA) Conyers
Bishop (NY) Cooper
Bishop (UT) Costa
Black Costello
Blackburn Courtney
Blumenauer Cravack
Bonamici Crawford
Bonner Crenshaw
Bono Mack Gibson
Boren Crowley
Boswell Cuellar
Boustany Culberson
Brady (PA) Cummings
Braley (IA) Davis (CA)
Brooks Davis (IL)
Buchanan DeFazio
Bucshon DeGette
Buerkle DeLauro
Burgess Denham
Butterfield Dent
Calvert DesJarlais
Camp Deutch
Campbell Diaz-Balart
Canseco Dicks
Cantor Dingell
Capito Doggett

Hahn
Hall
Hanabusa
Hanna
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Hensarling
Herrera Beutler
Higgins
Himes
Hinchev
Hinojosa
Hochul
Holden
Holt
Honda
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson Lee
(TX)
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
Kingston
Kissell
Kline
Kucinich
Labrador
Lamborn
Lance
Landry
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Levin
Lewis (GA)
Lipinski
LoBiondo
Loeb sack
Lofgren, Zoe
Long
Lucas
Luetkemeyer
Luján
Lungren, Daniel
E.
Lynch
Mack
Marchant
Marino
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
McNerney
Meehan
Meeks
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Moore
Moran
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Olver
Owens

NAYS—2

Amash Brady (TX)

ANSWERED “PRESENT”—1

Mulvaney

NOT VOTING—50

Ackerman
Alexander
Andrews
Bachmann
Baldwin
Berman
Broun (GA)
Brown (FL)
Burton (IN)
Cicilline
Coble
Donnelly (IN)
Filner
Flake
Flores
Gallegly
Gibbs
Gutierrez
Harper
Heinrich
Herger
Hirono
Jackson (IL)
Johnson (IL)

King (NY) Nadler
Kinzinger (IL) Napolitano
Lee (CA) Pastor (AZ)
Lewis (CA) Paul
Lowey Platts
Lummis Rangel
Maloney Richmond
Manzullo Rivera
Miller, George Rush

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1900

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. FILNER. Mr. Speaker, on rollcall 558, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "yea."

STUDY OF VOLUNTARY COMMUNITY-BASED FLOOD INSURANCE OPTIONS

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 6186) to require a study of voluntary community-based flood insurance options and how such options could be incorporated into the national flood insurance program, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Illinois (Mrs. BIGGERT) that the House suspend the rules and pass the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 364, nays 11, not voting 54, as follows:

[Roll No. 559]

YEAS—364

Aderholt	Bono Mack	Chabot
Akin	Boren	Chaffetz
Altmire	Boswell	Chandler
Amodei	Boustany	Chu
Austria	Brady (PA)	Clarke (MI)
Baca	Brady (TX)	Clarke (NY)
Bachus	Braley (IA)	Clay
Barber	Brooks	Clyburn
Barletta	Brown (FL)	Coffman (CO)
Barrow	Buchanan	Cohen
Bartlett	Bucshon	Cole
Barton (TX)	Buerkle	Conaway
Bass (NH)	Burgess	Connolly (VA)
Becerra	Butterfield	Conyers
Berg	Calvert	Cooper
Berkley	Camp	Costa
Biggert	Campbell	Costello
Bilbray	Cantor	Courtney
Bilirakis	Capito	Cravaack
Bishop (GA)	Capps	Crawford
Bishop (NY)	Capuano	Crenshaw
Bishop (UT)	Carnahan	Critz
Black	Carney	Crowley
Blackburn	Carson (IN)	Cuellar
Blumenauer	Carter	Culberson
Bonamici	Cassidy	Cummings
Bonner	Castor (FL)	Davis (CA)

Ryan (WI)	Davis (IL)	Keating
Schock	DeFazio	Kelly
Shuler	DeGette	Kildee
Speier	DeLauro	Kind
Tierney	Denham	King (IA)
Towns	Dent	Kingston
Velázquez	DesJarlais	Kissell
Walden	Deutch	Kline
	Diaz-Balart	Kucinich
	Dicks	Labrador
	Dingell	Lamborn
	Doggett	Lance
	Dold	Landry
	Doyle	Langevin
	Dreier	Lankford
	Duffy	Larsen (WA)
	Duncan (SC)	Larson (CT)
	Duncan (TN)	Latham
	Edwards	LaTourette
	Ellison	Latta
	Elmers	Levin
	Emerson	Lipinski
	Engel	LoBiondo
	Eshoo	Loeb
	Farenthold	Lofgren, Zoe
	Farr	Long
	Fattah	Lucas
	Fincher	Luetkemeyer
	Fitzpatrick	Lujan
	Fleischmann	Lummis
	Fleming	Lungren, Daniel E.
	Forbes	Lynch
	Fortenberry	Mack
	Fox	Maloney
	Frank (MA)	Marchant
	Franks (AZ)	Marino
	Frelinghuysen	Markey
	Fudge	Matheson
	Garamendi	Matsui
	Gardner	McCarthy (CA)
	Garrett	McCarthy (NY)
	Gerlach	McCaul
	Gibson	McClintock
	Gingrey (GA)	McCollum
	Gonzalez	McDermott
	Goodlatte	McGovern
	Gosar	McHenry
	Gowdy	McIntyre
	Granger	McKeon
	Graves (GA)	McKinley
	Graves (MO)	McMorris
	Green, Al	Rodgers
	Green, Gene	McNerney
	Griffin (AR)	Meehan
	Griffith (VA)	Meeks
	Grijalva	Mica
	Grimm	Michaud
	Guinta	Miller (FL)
	Guthrie	Miller (NC)
	Hahn	Miller, Gary
	Hall	Moore
	Hanabusa	Moran
	Hanna	Mulvaney
	Harris	Murphy (CT)
	Hartzler	Murphy (PA)
	Hastings (FL)	Neal
	Hastings (WA)	Neugebauer
	Hayworth	Noem
	Heck	Nugent
	Hensarling	Nunes
	Herrera Beutler	Nunnelee
	Higgins	Olson
	Himes	Oliver
	Hinche	Owens
	Hinojosa	Palazzo
	Hochul	Pallone
	Holt	Pascarella
	Honda	Paulsen
	Hoyer	Pearce
	Huelskamp	Pelosi
	Huizenga (MI)	Pence
	Hultgren	Perlmutter
	Hunter	Peters
	Hurt	Peterson
	Israel	Petri
	Issa	Pingree (ME)
	Jackson Lee	Pitts
	(TX)	Platts
	Jenkins	Poe (TX)
	Johnson (GA)	Polis
	Johnson (OH)	Pompeo
	Johnson, E. B.	Posey
	Johnson, Sam	Price (GA)
	Jones	Price (NC)
	Jordan	Quigley
	Kaptur	

NAYS—11

Adams	Miller (MI)	Ross (FL)
Amash	Quayle	Tiberi
Benishek	Ribble	Walberg
Gohmert	Rooney	

NOT VOTING—54

Ackerman	Gibbs	Nadler
Alexander	Gutierrez	Napolitano
Andrews	Harper	Pastor (AZ)
Bachmann	Heinrich	Paul
Baldwin	Herger	Rangel
Bass (CA)	Hirono	Richmond
Berman	Holden	Rivera
Broun (GA)	Jackson (IL)	Ruppersberger
Burton (IN)	Johnson (IL)	Rush
Canseco	King (NY)	Ryan (WI)
Ciilline	Kinzinger (IL)	Schock
Cleaver	Lee (CA)	Shuler
Coble	Lewis (CA)	Speier
Donnelly (IN)	Lewis (GA)	Terry
Filner	Lowey	Tierney
Flake	Manzullo	Towns
Flores	Miller, George	Walden
Gallegly	Myrick	Wilson (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There is 1 minute remaining.

□ 1900

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. FILNER. Mr. Speaker, on rollcall 559, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "yea."

AMERICA NEEDS REAL SOLUTIONS FOR JOBS

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, on Friday, the Bureau of Labor Statistics released the latest jobs report. For 43 months, our Nation's unemployment rate has remained above 8 percent. Last month, only 96,000 more people found jobs and, sadly, 368,000 people were discouraged and defeated and gave up searching for jobs. To make matters worse, for persons with jobs, the average hourly wages decreased and labor force participation is the lowest in 31 years.

The President's policies have failed to create jobs, failed to encourage economic growth, and failed to reassure hardworking Americans that we can restore hope for American families. The American people deserve better. They deserve leadership in Washington that will fight to create jobs. It is past time for the liberal-controlled Senate to act on the dozens of bipartisan bills the House has passed and approved promoting jobs for American families.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

MEXICO/CANADA/UNITED STATES ENERGY ALLIANCE

(Mr. POE of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POE of Texas. Mr. Speaker, Texans are growing more concerned about the rising cost of gasoline. One lady recently wrote me:

My husband drives a truck. As gas prices rise, so does the cost of diesel. This affects the cost of every single thing we buy. That includes food.

Gasoline prices are the one thing that people should not need to worry about. We have the resources, but Washington keeps them under lock and key. And we still import half our oil from unstable dictators like Chavez and the OPEC monopoly.

Americans can no longer afford to be beholden to the turmoil in the Middle East. So what about this idea?

United States, Mexico, and Canada are rich with God-given natural resources. So working together in a new strategic energy partnership, our three nations could become the world's new energy superpower alliance to compete with OPEC. Let's create an energy supply built to last with our North American allies and finally make OPEC and Middle Eastern dictators irrelevant.

And that's just the way it is.

DON'T CUT THE SUPPLEMENTAL NUTRITION PROGRAM

(Ms. JACKSON LEE of Texas asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE of Texas. Mr. Speaker, just recently it was announced that 50 million Americans experience food insecurity—and experienced it in the last year. What that means is that families in the United States suffer without food. A predominant number of those are single parents and children.

What are we as a country if we allow children to go hungry in this particular great land?

I just came back from Africa, and saw children who are hungry. But yet we were there to encourage better technology to promote agricultural development. But today, this Congress, this House, Republican Congress, is cutting \$16 billion from the Supplemental Nutrition Program. We can do better.

I want to work with this Congress to ensure that 50 million Americans are not hungry in this great land. Let us revisit the cutting of the Supplemental Nutrition Program because our children are begging, they're asking us: Do we care?

We do care. We cannot cut \$15 billion, \$16 billion from the Supplemental Nutrition Program with 50 million Americans experiencing food insecurity—working Americans, Americans with

children. The time to stop is now and support those families.

REMEMBERING THE 9/11 ATTACKS

(Mr. FITZPATRICK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FITZPATRICK. Mr. Speaker, tomorrow our Nation will mark the 11th anniversary of the terrorist attacks of September 11, 2001. At community gatherings across the country, neighbors will come together to honor the memory of those lost in New York, Pennsylvania, and our Nation's capital, including a ceremony in Bucks County at the 9/11 Garden of Reflection, the official Pennsylvania memorial to the victims of the September 11 attacks.

As I stand before you this evening, I'm reminded of the President's address to the Nation the evening of the attacks. In his remarks to the Nation, the President said that:

Terrorist attacks can shake the foundations of our biggest buildings, but they cannot touch the foundation of America. These acts shatter steel, but they cannot dent the steel of American resolve.

Eleven years later, our resolve has never been stronger, and we continue to honor the memory of those tragically lost that day.

□ 1920

UNFINISHED BUSINESS

The SPEAKER pro tempore (Mr. WOODALL). Under the Speaker's announced policy of January 5, 2011, the gentleman from Connecticut (Mr. COURTNEY) is recognized for 60 minutes as the designee of the minority leader.

Mr. COURTNEY. Thank you, Mr. Speaker.

Here we are today on September 10, 5 weeks since Speaker BOEHNER pushed through a motion to recess for 5 weeks at a time when our Nation faces so many challenges, so many ticking clocks in terms of must-do items, some of which have already cleared the U.S. Senate, like the farm bill. And yet despite that need out there from the country, looking for some action and certainty out of this Chamber, the majority again said, Nope. We're going home for 5 weeks. And we're going to leave dairy farmers whose price supports expired on August 31 left hanging in the breeze—despite the fact that the U.S. Senate has passed a farm bill with Dairy Security Act provisions that reforms the price structure, saves the taxpayer money, and provides some horizon so that the folks who are getting up every morning and milking cows could have some certainty in terms of whether or not their business, their operations, have any sense of future.

They are losing money every day in New England. The feed costs, the high

energy costs. And the Dairy Security Act, which was part of the Senate farm bill, and by the way was also incorporated in the House Agriculture Committee in its committee bill, will, in fact, provide that sense of security and future for dairy farmers. Yet the Speaker put through a motion to recess for 5 weeks.

August 31 has come and gone, and these guys and women are out there and they are faced with total fear, and those are the faces that I saw when I was home in August about the fact that this Congress, particularly the House of Representatives controlled by the Republicans, refused to take up a farm bill despite the fact that we had weeks of time to do it before the expiration of the price supports for dairy farmers.

Obviously, American agriculture is far broader than just the dairy industry. It also includes commodity crops in the great Midwest, which are facing a historic drought right now where the security of crop insurance is so important.

Joining me here this evening to report in from the Midwest is a great Congressman from eastern Iowa, my colleague and friend, Congressman BRUCE BRALEY, and I would like to yield to him to talk about what the lack of a farm bill means in your great State.

Mr. BRALEY of Iowa. I thank my friend for yielding.

The thing that I think we need to focus on at the beginning is 62 days. It's been 62 days since the House Agriculture Committee reported a strong, bipartisan farm bill that passed out of committee after extensive debate and numerous amendments, and that's on the heel of the Senate Ag Committee passing a farm bill with strong bipartisan support, that passed the entire Senate where it's incredibly difficult to pass anything these days with a strong bipartisan vote.

So I think the question on the minds of many of my constituents in Iowa's First District is when is the House going to vote on a farm bill, which in the past has always been a bipartisan priority of the House and the Senate.

Now, my district in Iowa has been burning up all summer. Almost every part of the First District of Iowa has been classified as extreme drought conditions. Now, what does that mean? Well, I will tell you what it means to the eye when you go out and visit the farms that I visited back in the First District in July and August.

Corn that normally fills up an entire ear, and the ear is typically about this long, now is coming out on ears that are this long that if you're lucky has a fraction of the kernels per ear that you would normally see in a typical Iowa cornfield. Stalks of corn were burning up in July and had to be chopped because they have no value other than

the insurance policy that was in place on those crops because commodity insurance has been available to those farmers.

Soybeans were more fortunate because they weren't burning up and got late rain that allowed them to mature, and we're hopeful that the bean crop will not be as devastated to the extent that the corn is.

This is profound, it's real, it's going to have dramatic implications for the cost of food in this country, for the cost of fuel in this country. And while we sit here and do nothing in the House to get a farm bill reported out into conference committee, farmers back in my district are looking at what's going to happen this fall when they face dramatically reduced yields. Then we roll into the period of time this winter when they're buying crop inputs for next spring. All of these things have enormous ripple effects on our domestic economy.

Then you look at what's happening with our nutrition programs, which will also be expiring on September 30. And we know how many people depend on those nutrition programs. Who are they? Most of them are seniors, the elderly, who depend on those food stamp programs. It's people who are disabled and on fixed incomes and working and are underemployed right now.

So this failure to act is having profound consequences for the people I represent in Iowa. I have done 14 listening posts on the farm, food, and jobs bill in Iowa this summer, and we get people from across the spectrum who will be dramatically impacted if Congress fails to act.

You look at the rural economic development title of the farm bill. It has profound implications throughout this country, and it's not based on whether a district is blue or red or purple. Every single district in this country is impacted by our failure to act.

That's why I'm glad to be here tonight talking about these implications, and I hope to be bringing to the floor soon a discharge petition that has been delayed because of the inaction on this bill but that will give every Member of the House of Representatives the opportunity to go down and record on a piece of paper whether they want to see a farm bill brought to the floor for a vote, an up-or-down vote, and I encourage all of my colleagues to take a serious look at joining me in signing that discharge petition so we finally get action on the long overdue piece of legislation.

Mr. COURTNEY. Will the gentleman yield?

Mr. BRALEY of Iowa. I'll be happy to yield back to my colleague.

Mr. COURTNEY. I think your last point about the fact that we are now at a place where the Democratic minority is finding itself in a position where they really have almost no choice but to seek a discharge petition.

The fact is is that this week the majority, Speaker BOEHNER's office and the House Majority Leader, Congressman CANTOR, issued their agenda for the week which lists the bills that they are proposing to take up for votes. And for those listening around the country, I think it's important to remember that the Republican majority controls that agenda. I mean, that is something that we have no control in our caucus of adding or subtracting.

Looking at that agenda this week, I was hoping when I got back from the 5-week break that the Speaker's office would have responded to what is happening all over the country, which is a hue and cry demanding action on a farm bill.

But the fact is, as I think the gentleman from Iowa knows, is that there is nothing on that agenda that indicates we are going to take up a farm bill this week. Incredible. I mean, just amazing, that, you know, at a time when the American Farm Bureau has been doing a circuit throughout the Midwest holding hearings, holding events, drawing attention to this fact. Even in New England and Connecticut, which is not viewed as a sort of agriculture powerhouse, I mean the fact is I had roundtables with the Connecticut Farm Bureau who are just dumbfounded that an issue like this could get sort of swept up in just sort of the do-nothing record of the Republican majority in this Congress.

I also think it's important for people to remember the Senate farm bill which passed, as the gentleman indicated, on a bipartisan basis actually saves the taxpayers \$23 billion over the next 5 years.

□ 1930

It came in with a lower cost than the baseline from the last farm bill, so it actually helps the deficit situation.

The House Agriculture Committee bill that you mentioned that got reported out also reduces the deficit. Again, I think it went a little too heavy in terms of the reductions on the nutrition side, but I am confident that that can get worked out in a conference committee if the House would take up a bill and send a bill to a conference committee.

But the fact of the matter is is your leadership, in terms of bringing out a discharge petition, is probably not something that you woke up thinking you'd love to do 6 months from now, but it's really an act of necessity because this majority will not even send a signal that anything is even being planned to take up a bill this week.

Mr. BRALEY of Iowa. I think the thing that is so disturbing to so many of us who represent parts of rural America that are heavily dependent on agriculture is this has never been a partisan stalemate in the past. Usually, the farm bill bogs down over re-

gional differences over how you structure a bill that's going to get the necessary support to get the necessary votes on the floor. There is strong bipartisan support here in the House among our colleagues.

Earlier, Congressman WELCH initiated a Dear Colleague letter—they got 60 signatures—calling on leadership from both the House Democrats and Republicans to come together, get this bill to the floor, bring it for an up-or-down vote so that people get to see who's willing to put their vote behind crafting a bipartisan bill that can get support and move this country forward. That's the disturbing thing is I'm confident that there would be broad support across this Chamber to get a bill on the floor, to have an amendment process, to allow people to offer amendments to improve the bill. That's what happens in committee. That's what happened in this particular case. But when we can't even get a bill to the floor—and everything we're hearing is that there's no plan to bring a bill to the floor before the election—and then you look at everything that's being pushed back into the so-called lame duck session—which you know, Congressman COURTNEY, is one of the worst times to bring people together with everything going on—it's very frustrating, because this is a bill that could have and should have been passed before the August recess, and that's why it's so frustrating.

Mr. COURTNEY. This week, I think we are going to see the impact outside of the beltway, because it's my understanding that over 30 to 50 groups are going to be converging on Washington, advocates of American agriculture ranging from the real traditional American Farm Bureau to the Farmers Union, to specific commodity crop groups who, as you point out, sometimes have some pretty heated disagreements about regional issues and about allocations within the farm bill; and they may still have some today in terms of the way the Senate bill was voted out in the House committee, but they all agree on one item, which is that it is time for this House of Representatives to act.

This is not a debate club here that people were sent to, and it's also not a place where political strategists can sort of play games with people's lives about how the agenda is handled. I mean, this is a place where so many sectors of American society depend on us, again, at the end of the day, rising to our constitutional duty, sometimes having to really compromise on some very difficult measures, but, nonetheless, we have a duty to act. We have a duty to really make sure that the people who sent us here can rely on the fact that we're not here just to fight and sort of try and get political gain out of every issue that comes to the floor.

Again, what the Connecticut farmers were saying to me when I was back home is that they just cannot believe that the farm bill has now become a partisan issue, but the Republican leadership controlling this House apparently believes it is. They won't even bring up a bill for a vote.

Mr. BRALEY of Iowa. Well, I think one of the things that's helpful is to talk about some misconceptions about the farm bill. This isn't just something that affects farmers. At every one of my farm bill listening posts, I started off by pointing out that in 1900, my State of Iowa had 11 Members of Congress in the House of Representatives and Florida had two, and there were about 40 percent of Americans at that time who lived on farms. After the next election, we will have four Representatives from my State of Iowa in the House and Florida will have 28; and now, less than 1½ percent of the American population lives on farms. So that illustrates why it's such a big challenge anymore to put this bill together.

But when you look at who showed up at my farm bill listening post, it wasn't just people engaged in agriculture. There were plenty of farmers there. There were representatives from the corn growers, the soybean producers, the cattlemen, and the pork producers, but there were also people there from Ducks Unlimited, Pheasants Forever, the Sierra Club, Trout Unlimited. There were people from nutrition groups who were involved in providing food to underserved portions of the community. There were people there from school lunch programs impacted. There were people from rural electric cooperatives who serve not just rural America today, but even medium- and small-size cities. You had people there from all these different groups who came together, from energy groups who were part of the energy title of the farm bill.

Everybody who eats in this country is impacted by what's in this bill. Everybody who puts fuel in their vehicles is impacted by what's in this bill. For many people in America, this is one of the most important economic development bills we pass every 5 years.

The reason we do it every 5 years is because when you're involved in the types of operations that produce the food, fiber, and fuel we depend on, you don't just do it on a week-to-week, month-to-month business plan. You have to know right now what you're going to put in the ground next spring and what it's going to cost to do it and what type of risk you're taking on in order to be successful and continue in that operation.

And so you can't just kick the can down the road—which we are so good at in this body—and hope it all works out in the end, because for many farmers that will be too late. That's why

it's time to come together and work in a bipartisan manner to solve this problem and get it done, because the American people are depending upon us. If we don't do it until after the election, it's too late.

Mr. COURTNEY. To follow up on that point, one of the aspects of this farm bill which I think is actually so exciting is that there's a major reform in terms of how we're going to reduce, to some degree, the American taxpayers' liability for crop production in this country. We are definitely eliminating crop subsidies once and for all, direct cash payments to farms, in both the Senate bill and in the House Agriculture Committee bill. We are eliminating direct payment subsidies. That's where the largest portion of savings are actually being generated, the \$23 billion in the Senate and the roughly \$33 billion in the House bill. We are basically going to be using much more of a crop insurance, risk insurance model where the farmers have a little more skin in the game. The producer is going to have a little more skin in the game and the taxpayer is going to have a little less.

From almost every angle, when you look at the hard work that's been put into the measure this year in terms of, again, lowering costs, trying to wean the system away from direct cash payments, doing some important, I think, exciting reforms in terms of promoting farmers' markets and marketing specialty crops—which, again, I'm sure Iowa is just like New England and California and other places where there has just been this renaissance of local agriculture. Food security issues and the growing awareness about the fact that healthier foods for school cafeterias or family dinner tables is something that people are just really engaged in as almost never before.

This farm bill promotes all of that positive change in terms of nutrition habits all the way to school cafeterias, but also, again, helping producers deal with a different structure in terms of how their business model is going to run. As you point out, you can't do that with a 3-month extension or a 9-month extension or a 12-month extension. We need a 5-year farm bill. We need something exactly along the lines of what the Senate produced on a bipartisan basis.

Again, it is just incredible that this leadership, the Republican leadership, doesn't hear what is out there right now both on the producer side and on the nutrition side. People want this Congress to get this item done, and it just should not be a partisan issue.

Mr. BRALEY of Iowa. One of the other common themes that I heard at all of my listening tours—and this is uniform across the country, whether you're living in Connecticut or Iowa or California or any other part of the country—the average age of the farm-

ers in Iowa is 59, and we have a lot of people who are nearing the end of their farming careers. We need to have opportunities for young farmers and young people who want to get involved in agriculture to get their foot in the door.

So that's one of the exciting things about this farm bill is, for young farmers and beginning farmers who may be doing it as a second career, they may be working at a John Deere factory in Waterloo and farming on a part-time basis because it's in their blood, it's what they love the most out of life, but to give people that opportunity to get started, we have to be focusing on some innovative new ways of allowing them to earn an income from farming.

□ 1940

Whether that's specialty crops, which you mentioned earlier, whether it's dealing with orchards and other types of new and innovative ways of raising money from production agriculture, all of those things are at a standstill if this bill doesn't move. And that is one of the reasons why it's inspiring, at a time when so much that focuses on Congress is about partisan bickering, that there is actually an enormous opportunity here to reach across the aisle to our friends on the other side and say, join us, make this happen, bring this bill to the floor. We will work with you to improve this bill and get it to a conference committee so that we can get an up-or-down vote on the future of agriculture in America.

Mr. COURTNEY. Just to kind of put the period on that is that right now the House Republican leadership is looking like we've only got 8 days of real, full floor action for the whole month of September. Again, incredibly, after basically leaving town and passing a motion to recess, the Republican leadership, now that we're back, has only scheduled 8 full session days, which, again, really shows why your discharge petition for the farm bill is so critical in that we really need to get this thing moving, because there clearly will be a conference. There's going to be some disagreement with the Senate. But on the fundamental structure of the bill there really isn't. I mean, the reform of subsidy payments, there's overlap in both bills.

The savings that that will generate, the dairy issue which I mentioned earlier, how we are again going from a historic change in terms of an industry that's had total cash payment subsidies to a risk insurance model, which, again, commodity crop folks like yours have dealt with that for decades. We're now putting dairy into that same model.

But 8 days does not give us much margin for error in terms of the way this place operates. And again, that's the Republican schedule which came out.

I know, as far as yourself and myself and our colleagues on our side of the aisle, you know, we're prepared to roll up our sleeves and stay here as long as it takes, and frankly, we've got other issues which I think all of us would be more than happy to plunge into, whether it's the fiscal cliff, whether its sequestration, whether it's the postal reform bill, which the Senate has passed, whether it's the Violence Against Women Act that again, incredibly, even though law enforcement leaders all across the country are imploring Congress to move on the Violence Against Women Act, the leadership hasn't set a conference group to get that bill done.

This is stuff that should be just baseline givens, in terms of just running the country. And yet we have got an agenda this week which, other than maybe doing a CR to keep the government from closing on October 1, that's it in terms of what the Republican leadership has put forward.

Mr. BRALEY of Iowa. Well, I think that one of the things that we need to make sure everybody understands is, as of September 30, September 30, which is just a couple of weeks away, there is no farm bill. We revert back to a 1949 farm bill that nobody in this country wants to see happen, including the Secretary of Agriculture, who would be given extraordinary powers that were given under that old farm bill to determine markets, to determine prices, to select winners and losers.

It would be a horrible situation. And that's why the American people are depending on us to put aside our partisan bickering, to come together and solve this problem. And that's why I'm looking forward to working with my Republican colleagues to get support for this discharge petition and work to get signatures so that we can bring this bill to a vote on the floor, which is what should have happened before August 1.

Mr. COURTNEY. And it is a shame because really, if you look at the U.S. economy right now, particularly in terms of balance of trade, agriculture is probably the brightest spot, even with all the challenges that have happened this summer. I mean, export of American farm products, whether it's beef or commodities, is actually really helping the balance of trade for this country.

There was a story this morning in The New York Times about Mexico, about how their rising middle class now—I mean, made in America, particularly for food products, is something that the consumer market is really stampeding towards.

And again, to allow this September 30 deadline to happen and to suddenly, you know, have complete almost chaos in terms of pricing mechanisms, in terms of, again, insurance payments, in terms of cash payments, which, presumably, would somehow have to con-

tinue, really would hurt growth in this country, which American agriculture has actually been helping sort of pull up for other sectors.

I want to thank the gentleman for joining me here this evening to talk about that point.

Again, there was a Bloomberg News report also earlier today that said that telemarketers now have a higher approval rating than the U.S. Congress. And again, the colloquy we just listened to this evening about the farm bill, it's no wonder. The work schedule which the Republican majority has put forward over the last 18 months would make Homer Simpson blush.

I mean, the fact of the matter is we've had repeated recesses. We've had a work product, in terms of actual numbers of bills that have been discussed and brought forward on the floor, at historic lows. We've had a shutdown crisis in April of last year where, literally, the country was on the edge of its seat in terms of whether or not the U.S. government was going to shut down last April of 2011.

We had, for the first time in American history, the prospect of a default on the full faith and credit of this country, when the debt limit issue was run up to, again, the final seconds before Treasury would have no authority to sell bonds to pay the bills for this country. First time in American history we confronted that prospect.

Under Ronald Reagan, the debt limit was extended 18 times with little or no fuss, yet this majority has intentionally sort of pushed these sorts of pressure points over the last 18 months, 2 years, to score political points. And that's something which MITCH MCCONNELL, the Senate minority Leader, made very clear was the number one priority of the Republicans in Washington: to cripple this President and to deprive him of reelection in a second term.

And now, as we stand here on September 10, we are now looking at another cliff that's facing this country, the fiscal cliff which is at the end of December, the Tax Code reverts back to pre-2001, raising taxes for middle class families all across the country.

President Obama has put out a plan which would protect the income of all Americans up to \$250,000. And I want to repeat that. Every American would still retain their tax cuts from 2001 up to \$250,000. For those who are fortunate enough to be above that threshold of adjusted gross income, then the rates would revert back to the Clinton era for people to pay a little bit more. And the Congressional Budget Office has scored that change as helping the deficit by roughly \$800 to \$900 billion.

You know, a couple of nights ago we had an opportunity, as a Nation, to listen to William Clinton, to President Clinton talk about his record in office, when his fiscal policies put the Na-

tion's public finances in the black for the first time in decades.

I mean, a lot of us who grew up in the fifties and sixties could not sort of remember a time when America was paying its bills and paying down its debt. President Clinton presided over policies which got us to that point.

It was also an economy which produced 22 million jobs. We had unemployment rates below 4 percent in many States like my own, in the State of Connecticut, where unemployment was between two and three percent in 1998 and 1999. And he did it in way that was fair and balanced.

And the speech that he gave in Charlotte the other night reminded us that when you actually invest in the middle class, when you make sure that middle class families have the tools to raise their family, to educate their children, to cover their health care needs, to buy a house and afford a house, to provide the means so that seniors over 65 won't be bankrupted by health care bills, the fact of the matter is that's the formula for success for growth in this country.

And, again, the 1990s is Exhibit A for the success of those policies, which the President, when he gave his acceptance speech, reemphasized that, again, he is willing to extend the tax cuts for income up to \$250,000 for all Americans, rich and poor, that we would revert the rates back to the Clinton era, which now even Mr. Romney is talking very positively about the Clinton years and praises President Clinton's tenure in office.

Well, he ought to adopt the plan that President Clinton is suggesting.

□ 1950

That's a plan which will put the public finances of our country back into better balance and which will provide a more solid footing. Even more than that, if we were able to come together with that reasonable compromise—averting the fiscal cliff—it would give this country and particularly the business community the confidence of knowing that their tax exposure—that the fiscal status of this country—is not literally going to be driven up to the cliff, up to the brink, over periods of short, monthlong time periods, just as it was in 2011 and 2012.

That really, unfortunately, sadly, is the legacy of the 112th Congress under Speaker BOEHNER's tenure. That's why telemarketers are more popular than Members of the U.S. Congress, which is according to the Bloomberg News report that came out earlier today. We have a leadership which has shown itself quite willing to defy all of the hopes of the American people that we would get people working together and compromise and extend a horizon for people so that they can make decisions to invest and to hire. Rather, we have seen under the direction of folks like MITCH MCCONNELL that the number one

priority is not what matters for the American people; the number one priority is to bring down this President.

That was the number one issue everywhere I went when I was home over the last 5 weeks: When are we going to see some compromise out of the Republican leadership to come together for fiscal policies that will avert the fiscal cliff? When are we going to come together to diffuse the sequestration chain saw that's sitting out there on January 1, which is going to cut through the Federal Government both on the defense side and on the non-defense side?

I think it's important to remember nondefense interests, whether it's hospitals or medical providers, are looking at a 2 percent across-the-board cut in Medicare payments if sequestration goes into effect. Education, whether it's K through 12, whether it's student loans, are also going to get hit with that chain saw. We're going to see it with the National Institutes of Health, which is doing incredibly exciting work in terms of coming up with cures for cancer by using genome research. That chain saw is going to cut through NIH in terms of the great research projects that are going on in that institution. We would also see the chain saw hit defense.

In industry after industry in which you need to have a horizon, whether it's building F-35 fighter planes, whether it's building surface ships down in Virginia or nuclear submarines up in the State of Connecticut, the fact of the matter is the sequestration option, as Secretary Leon Panetta—the Secretary of Defense—has said, would be catastrophic for the national defense of this country. There are proposals on the table which would avert the implementation of sequestration. I sit on the Armed Services Committee. We had a hearing with leaders from the aerospace industry. We had leaders from the administration—the head of the Budget Office, the Undersecretary of Defense, Ashton Carter, who handles budget policy.

If you look at the budget which President Obama put out in January and if you look at PAUL RYAN's budget resolution in 2011, what you will see is, in fact, there is overlap between the two that could easily get us to the point of diffusing the sequestration chain saw that I mentioned out there. We have to hit a target of \$1.2 trillion in terms of deficit reduction to avert sequestration from going into effect. If you look at the savings from the drawdown in Afghanistan, which PAUL RYAN and the Republican majority put in their budget resolution in 2011, according to the Congressional Budget Office, it totals roughly about \$800 billion, and that's post-2014. That was in the Ryan budget. President Obama, in his budget plan, had exactly the same measure, which would save roughly \$800 billion.

If the two sides would come together and agree that we could pass a measure that locks in those savings, then you've really gotten to about two-thirds of the sequestration target set up under the Budget Control Act.

We can do this. We can do this this week if people would actually, basically, put down their cudgels—again, 8 weeks away from an election—and say: Let's do something that's for the benefit of the country; let's eliminate that uncertainty that's hanging out there; let's tell those firms that are wrestling with whether or not they have to issue WARN notices, layoff notices, to their workers because of sequestration sitting out there on January 1.

Let's come together. Let's get this thing done. Let's look at the President's budget, and let's look at PAUL RYAN's budget. Let's find the areas of common agreement, which do exist, and let's get this thing fixed so that the American economy is not facing another one of these runups. Unfortunately, the majority back in April of 2011 was willing to push this country to a government shutdown, and later, in August, was willing to default on the full faith and credit of this country. Let's not do that. Let's allow the American people the opportunity to have some security, which is that their jobs, that our national defense, that health care providers, that educators, that people who are in the critical areas of research and development over at NIH are not going to have the rug pulled out from under them because of sequestration, which was part of a package from which Speaker JOHN BOEHNER proudly announced he got 98 percent of what he wanted. Again, when the Budget Control Act passed, the Speaker was interviewed, and he was boasting about the fact that the Republicans got 98 percent of what they wanted. Within that package was the sequestration mechanism. Mr. RYAN, the candidate for Vice President, actually also publicly boasted about the fact that sequestration was a compromise which the two sides agreed to.

So everybody has got their fingerprints on it. The fact of the matter is that it's sitting out there, and it's creating uncertainty in the U.S. economy. There are measures that are both within the Ryan budget and the Obama budget which overlap and from which we could easily implement a compromise to diffuse that sequestration chain saw that's sitting out there. All it takes is the willingness of this Chamber, led by the Speaker, who is now trying to distance himself from the deal that he embraced back in August of last year, to come forward and say, okay, let's sit down and hammer this out. You could do it on the back of an envelope within a matter of a day or two in terms of the areas of agreement that exist between the Obama budget and the Ryan budget.

The failure to do that—the failure to bring up a farm bill, the failure to bring up a postal reform bill, the failure to bring up a Violence Against Women Act for conference and for final resolution, the failure to implement budgets on the health and labor and education subcommittee, which the majority just basically, I guess, decided they're just not going to do—is why Bloomberg News came out with their report today saying that Congress is now less popular than telemarketers.

This is one of the most despised Congresses in American history, and it has been led by Republican leaders who, again, have shown that they are more interested in trying to weaken this President than in trying to strengthen our country. This is with regard to issue after issue, whether or not it's the farm bill, whether or not it's the postal reform—where we have a system that is literally now technically in bankruptcy—whether it's the Violence Against Women Act, whether it's getting budgets done in regular order, whether it's diffusing sequestration, whether it's averting the fiscal cliff.

We went home for 5 weeks without acting on any of these measures because of a recess motion that the Speaker put forward. The country is basically sitting there, waiting to see whether or not we have either a short-term future or a long-term future, which all of these issues are so critical to determining. We are going to be watching this agenda over the next few days. What we saw today from the majority leader's office indicated no farm bill, no postal reform bill, nothing related to any measures to try and deal with sequestration. We have seen a do-nothing agenda this week by the majority following 5 weeks of being back in the districts.

The American Farm Bureau was doing a cross-country barnstorm about the fact that we need to get that measure passed so we can create some certainty and horizon for the men and women who are getting up every morning and milking cows and planting crops and harvesting crops, those who desperately, particularly with the drought conditions in the Midwest, need to have some certainty that there is going to be crop insurance in place to make sure that they are not going to go bankrupt.

We have a measure which passed in the U.S. Senate—it's a bipartisan bill—which saves the taxpayer \$23 billion, and yet we have a leadership which won't even bring up a farm bill for consideration. The bill that came out of committee wasn't perfect, but it is a measure which we need to act on to send to conference so that the agriculture sector of this country can have some confidence about what kind of future they're going to have beyond the next few weeks or until September 30,

which is when the law of this country reverts back to that of the 1949 farm bill.

So that's the message which I certainly heard on my break and that Mr. BRALEY heard on his break. I think we're going to hear it this week when representatives of commodity crop groups—the American Farm Bureau, the American Farmers Union—are going to be gathering in the U.S. Capitol and demanding action so that we can at least allow one sector the ability and the confidence to know that they have some future, both short term and long term.

With that, I yield back the balance of my time, Mr. Speaker.

□ 2000

GOP FRESHMEN HOUR

The SPEAKER pro tempore (Mr. LANDRY). Under the Speaker's announced policy of January 5, 2011, the gentlewoman from Alabama (Mrs. ROBY) is recognized for 60 minutes as the designee of the majority leader.

Mrs. ROBY. Mr. Speaker, I appreciate the opportunity to be here this evening alongside some of my freshman colleagues.

We want to have a real frank discussion with the American people tonight about a milestone that we hit just last week. This is not a milestone of historic significance that we're proud of, and that is that our national debt has now hit \$16 trillion. This brings no pride or cause to celebrate to the American people, nor should it to any Member of this body or our friends in the Senate or in the White House. That is approximately \$51,000 for every man, woman, and child in this country. It's unacceptable, and it doesn't, quite frankly, have to be this way.

I want to point you to a few of the President's own words that he said when he was campaigning to be the President of the United States:

We can't afford another 4 years of the kind of deficits we've seen during the last 8. We can't afford to mortgage our children's future on another mountain of debt.

Where are we today? Today we're at a place that is far worse than 4 years ago. With our debt now at \$16 trillion, we've not seen anything significant from this White House in an effort to reduce our debt. Instead, all we hear about is new programs that are going to require more taxpayer dollars and not an effort to rein in this out-of-control spending. I want to talk about that tonight.

Tonight we also want to focus on jobs. This is the number one issue facing the American people right now. We need to get America back to work. And this government, this body right here, we don't create the jobs, but we sure can help create an environment in which job creation is right. We have

done a lot here in the House to do that. We've passed over 30 bills. They're sitting in the Senate awaiting action.

We are going to continue to highlight what we've learned, in this hour, over the course of our time back at home.

I have my friend from Colorado standing here. I would just say to you, Mr. GARDNER, that I'm sure you can say the same about what you learned over the district work period. From traveling from town to town, from county to county in Alabama's Second District over and over again, I have witnessed that the debt has stifled job creation because all it has done is create more uncertainty.

All of the regulation and red tape that has been passed in the previous Congress that this Congress has been unable to undue because of the lack of action in the Senate and ObamaCare, all of that has contributed to more and more uncertainty. People are hurting.

I've traveled around and looked into the eyes of folks, and they can't take any more. Their businesses are on the line, and that then, in turn, is a reflection of what's going to happen in their households.

Mr. GARDNER. The gentlelady from Alabama is exactly right.

Thank you for your leadership on the economy, on getting this country turned around, and getting our businesses back in shape to hire once again.

Over the past couple of years since being elected, I've traveled over 65,000 miles to be in every nook and cranny of the district of eastern Colorado and northern Colorado. We've held 74 town meetings to make sure that we are listening to everybody's voices, to make sure that people have an opportunity to address their concerns, their ideas to make our government better, to make our economy grow and healthy once again.

The points that you talk about, I don't know that anything is more relevant in the conversations that we have today than the point that was made at a town meeting just last week in Julesburg, Colorado, up in northeastern Colorado. It's just a hop, skip, and a jump from the panhandle of Nebraska. A young lady raised her hand and said:

I'm a single mom. I have three kids at home. I've had two jobs. Now I only have one. I'm looking for a second one. I can't make ends meet because my job doesn't pay enough, and energy prices continue to increase.

She's trying to find health care for her children. Talk about somebody who is the front lines of our economy who is suffering because of the past 3½ years of failed economic policies.

The Congressional Budget Office recently issued a review of what can happen at the end of this year if nothing is done to avoid the fiscal cliff to deal with sequestration and to deal with the

looming tax increases. This is what the Congressional Budget Office has stated:

In particular, large budget deficits and growing debt would reduce national saving, leading to higher interest rates, more borrowing from abroad, and less domestic investment—which in turn would lower the growth of incomes in the United States.

While we talk about growing the economy, while we talk about economic growth and the need to get businesses and companies around this country hiring again, at the same time there's this negative pressure being placed on them because Congress can't do its job to control spending. We are \$16 trillion in debt. You mentioned it was nearly \$51,000 for every man, woman, and child. We've got a 10-month-old at home. Our 10-month-old owes \$51,000 as his share of the Federal debt. That's \$51,000 apiece.

That negative pressure, that mounting debt, deficits that are over a trillion dollars every year, makes it more and more difficult for businesses to have access to the capital that they need to grow. It makes it more and more difficult for companies to operate, because all of a sudden they find themselves competing with the Federal Government for those scarce resources.

The next thing we know, government is going to have to look at tax increases to try to finance what's already over \$200 billion a year in interest payments. Our businesses are saying: Government, can you get out of the way so we can let America work, so that we can run our businesses the way that we want to, not the way Washington wants to?

At the same time, you've got a Congress, including the United States Senate, that hasn't passed a budget in the past 3½ years, hasn't done the fundamental duty that it's required to do, and that's to make sure that this government knows where it's going to spend its money, to make sure this government knows how much money it has coming in and how much money is going out. But they refuse to pass a budget.

They refuse it, make no mistake, not because they think they need more time or because they need to study it more or come up with a different bill, no. They refuse it because they think it would be bad politically for them to vote on a budget. That's why the President's own budget received zero votes. The President's own budget not only received zero Republican votes, but zero Democrat votes.

There are so many people across this country who are unemployed, who are looking for work. In fact, most of the universities around the country just went back in a couple of weeks ago. Those students are all looking for jobs and expecting jobs to deal with their student loans. I know we've talked about it many times.

Mrs. ROBY. If we could spend some time on our young people, because that

really paints the picture better than anything.

The graduating class of 2012, when they were getting ready to face the real world in April of this year, the Associated Press reported that half of those college graduates were unemployed. That's half.

Just to show a little bit of a comparison, since President Obama has taken office, the unemployment rate for 20-year-olds to 24-year-olds has increased more than a point from 12.4 percent to 13.9 percent. The median income for those under the age of 35 dropped by 10.5 percent from 2007 to 2010. That's more than any other age group. More of today's 20-somethings to 30-somethings are living with their parents than any of the generations that have gone before them.

□ 2010

So by comparison—and here's what we really highlight—this President's failure and this Congress' failure to get out of the way of job creation. In 1980, 17 percent of adults, 20- to 34-year-olds, had to live with their parents, and today that number is 24 percent. At a time when these young people coming out of college face mountains of student loan debt, they can't find jobs.

Instead of looking and working to find ways to provide opportunities for these young people, President Obama and his policies are setting the stage for these young people to be more dependent on the government. Anyway, that's just to highlight your point exactly that that is the sector of our population that is the promise of tomorrow, and they are unemployed.

Mr. GARDNER. Then add the fact that this generation that's graduating from college today is going to be left with a \$16 trillion debt; and, by the way, that's just what it is today. It's growing each and every second. In just a few years, that number goes up dramatically to over \$20 trillion if nothing is done to stop the runaway debt crisis that we have right now.

You mentioned the Associated Press article that talks about one out of every two graduates from college today being unemployed or underemployed, but that same Associated Press report talks about this, taking unemployment into consideration, the job prospects for bachelor's degree holders fell last year to the lowest level in more than a decade.

So we've seen this conversation take place about, you know, are we better off today than we were 4 years ago. Well, here's a statement from the Associated Press, when it comes to people who are graduating from college, that says, "Taking underemployment into consideration, the jobs prospects for bachelor's degree holders fell last year to the lowest level in more than a decade."

How are these families going to make ends meet? How are recent college

graduates, some who come out of college with a family, going to pay back their student loans? We have seen Federal student loans soar 275 percent over the past decade. Over the past decade student loans have increased over 275 percent; yet job prospects are as bleak as they have been for 10 years or more.

You know, I've got some great universities in my district, the University of Northern Colorado, Colorado State University. We just visited Northeastern Junior College. We have been all over the community college system in our district talking about the challenges that they face trying to make sure that their students have the jobs that they need when they come out of school because what's happening, you see the higher debt load. Then because the economy is so tough, people are taking jobs that are lower paying just to try to make ends meet.

This country has prided itself on always making sure that for generation after generation we have greater opportunities, that we open more doors for our children. That's the same thing that ought to be, the same kind of idea that ought to be facing the recent graduates today.

This upcoming December, next May, they ought to be looking at job prospects that are even greater than their older brothers or sisters, even greater than their parents' generation. But the fact is those jobs don't exist because the policies of the last 4 years have made it more and more difficult for the country's businesses to grow and expand.

Mrs. ROBY. You mentioned your colleges in your district. Actually, there are some great colleges in or right nearby in Alabama's Second District: Alabama State University, Faulkner University, Troy University, and Huntingdon College. But let me just highlight real quickly Alabama's 2-year college system where we have incredible workforce development programs, honing skills in young people that can immediately go out into the workforce, and they deserve better than these lofty promises.

Did you know that since President Obama was inaugurated in January of 2009, the manufacturing sector has shed 590,000 jobs, 590,000 jobs?

Mr. GARDNER. When was that you said?

Mrs. ROBY. This was since President Obama was inaugurated in January of 2009.

The number of Americans receiving food stamps as of April 2012 was 46.1 million. I heard today one of our colleagues say one in seven, one out of every seven Americans is receiving some sort of nutritional assistance. That is astounding. That is astounding.

We've painted a picture here that is bleak, and we're telling the American people what they already know because so many of them are too aware of this

because they're the ones that are suffering from this administration. I just want to say that we have solutions.

We have solutions where we can change things and the private sector can thrive, but that is going to mean getting the government out of the way. We need the leadership in the Senate to have the political courage to stand up and take up our jobs bills, our energy bills that reduce regulation and does just that, gets the government out of the way.

Mr. GARDNER. This past week I had an opportunity to visit a business in Colorado, a manufacturing business in Colorado. It's a multi-generation family business that was started by this gentleman's dad 50 years ago. He's actually retiring from the business, and his son is going to take over the business, third generation, a manufacturing business in Denver. They've got around 300 employees, spread out in the western United States region.

I asked him, I said, you know the past couple of years are you doing better now than you were then? His answer was no on any level. If you ask him about what his bottom line is, his company's profits? No, they're not better off than they were. If you ask them about the number of employees he has? No, they're not better off. In fact, they've struggled to try to make sure that they are able to keep the employees that they have been able to keep.

This is something else that goes unreported, that work, that employee who is usually working a 40-hour work week or maybe a little bit more is now working a 30-hour work week or a 32-hour work week, because as an employer he feels the opportunity to try to do everything he can to keep these employees working, to keep their families with a job in the household. In order to do that, because their business is down, because their sales are down, they've actually now found themselves in situations where they are reducing hours, which means less take-home pay. In fact, if you look at the past 4 years, we've seen middle class pay, take-home pay, go down by about \$4,000.

If employment is decreasing and, again, if you look at those employment numbers that just came out this past week, for every one person who found a job, four people quit looking. So you can see that this business isn't alone in trying to make ends meet, to try to build a better tomorrow.

We talked about the regulations that they face, and I talked about some of the recent changes that have been made, whether it's financial services legislation. In fact, one of the interesting points that we were talking about regulations, and I am sure you have heard a great deal about businesses in your district that are facing challenges with regulations and the ever-increasing cost of regulations, but

this particular business, they were talking about how, because of the tough times that have hit their contracts, the people they contract with, the people who buy the goods from them, they are now actually having to float the cost of that business on their own books a lot longer. Because of the difficulties with some of the financial legislation we've seen, they're finding it even more difficult to do that.

Here you have a company that's trying to make it work with their customers so that they can buy their goods by holding their receivables a little bit longer; but they're finding pressure now from financial legislation that makes it more difficult to do that. So the government is getting them both ways. The government has failed to come up with the policies to get government out of the way so that our businesses can grow. Yet when you have somebody coming up with a solution to try to grow their business, government policies there are affecting that and impeding their ability to do that.

Mrs. ROBY. Absolutely. You know, when you talk to business owners, or at least when I have, you'll hear them say, but there was a time when regulators came into your business to try to make it more effective or a safer environment in which to work, but that time is long gone. Now the regulators are there to find problems and fine you.

I want to give you one example that was astounding to me. A fellow that's in the construction business was explaining to me that he had a friend that's a roofer that had a \$700 job, to make a \$700 profit on a roofing job. His crew was over there at this home all day long, had the ladder, they were going up and down.

After 5 o'clock, a regulator was driving down the road, pulled over and noticed that he was afraid the ladder didn't come over the eave of the roof just far enough to fit within the regulatory requirements.

□ 2020

He stopped and wrote that fellow up to the tune of \$8,000. A \$700 job and an \$8,000 fine. These guys had been going up and down that ladder all day.

We all agree that not every regulation is bad, but this is an environment that has gotten out of hand; people with too much time on their hands and not coming into businesses in the spirit of helping businesses thrive.

Mr. GARDNER. And I think that's why we have to start talking about solutions for this country. We all have examples of regulations that have gone amok.

I was dealing with a business in the district just the other day that talked about a product that they were trying to handle. It was a very environmentally sensitive product that they were trying to remove and actually do

some environmental mitigation from a cleanup site that they were working on. And this particular company was required to keep this product both wet and dry at the same time; a regulation that said you had to keep it wet until you moved it or stored it, and then you had to keep it dry. Well, you've got to dry it down in order to move it, but yet they faced the possibility of being fined because of this particular action.

Again, the solutions we need. This Congress has passed solutions, and I'll mention the REINS Act.

The REINS Act was a bill that we passed several months ago with strong support from both sides of the aisle. This is one of the bills that has passed the House and has moved over to the Senate, where it just sits stacking up like cordwood. Once again, here we have an opportunity to do something, a proactive solution.

The REINS Act simply says we're going to take a look at the cost of a regulation. We're going to get an idea of how much some regulation costs, and if it exceeds a certain threshold, then we're going to let that come back to Congress for review before it can go into effect. It's saying, hey, let's take a look at this. Let's create some kind of an opportunity for Congress to review a regulation that has a tremendous impact on the economy, taking over a hundred million dollars out of our economy to comply with the regulation. Let's take a look at it and make sure that the cost and benefits are in line to make sure that the benefits outweigh the cost, to make sure that doing it is actually worth it and it doesn't cost jobs that we so desperately need. And so the REINS Act passed and it's waiting over in the Senate.

Now, some people may say, well, that's just a partisan idea, that's just a Republican idea. Well, let's take a look at what some of the States do.

In my home State of Colorado, there's a process called the Rule Review Act, the Rule Review bill. This bill comes up every single year in the State legislature, and it's a chance for the State legislature to do exactly that, to review the rules that pass out of the executive branch agencies. Every year, the State legislature gives a thumbs up or a thumbs down to those regulations, because in Colorado we understand how important it is to make sure that government's not getting in the way, how important it is to make sure that we actually have responsible rules that move the ball down the field instead of creating penalties every time you turn around.

And so the Rules Review bill taken to the United States Congress becomes the REINS Act. And the REINS Act is a good way for us to check and provide that balance with the executive branch to make sure that we're not putting too much of a burden on our businesses.

Mrs. ROBY. Right. Let's just go back in time for a minute and talk about some of these other repeals.

We have the Boiler MACT provisions, the Cement MACT, net neutrality, the regulating farm jobs. We can go down the list one by one by one and talk about the efforts that we have taken here in the House. With the strength of the numbers here, some of these have been with bipartisan support that we've passed these measures. And yet again and again and again, it's just time after time after time it's sitting in the Senate without any action.

All you have to do is go look at the budget that the House has passed the past 2 years that Chairman RYAN put forth out of committee and came to the full floor. You mentioned the President's budget where there were zero votes—zero votes. We talk about offering solutions to the American people to look that small business owner in the eye and say, "Yes, I am working for you; yes, I have a solution for you; yes, I have a way to get out of your way," which is what we've done, and our budget outlines very, very specifically what these solutions are.

Our spending is out of control, which in turn, like you already mentioned, just takes it a whole other step that this Congress is not doing their job, and therefore the jobs are not being created by the private sector, period. It all comes down to that.

Mr. GARDNER. And I know you serve on the Agriculture Committee here in the House of Representatives, and I'm sure that you're hearing from some of your interests in agriculture about uncertainty.

Mrs. ROBY. Absolutely.

Mr. GARDNER. And one of the things that I've heard over the past several months—and, in fact, I held a series of farm bill roundtables earlier this spring, where one of the things we heard about so much, and this is part of the fiscal cliff that we're facing, is the death tax, the death tax that this Nation faces going back into the lower exclusion rates as of January 1.

Let me give you an example. I'm sure you've heard this time and again from the people that you represent.

One of the farm roundtables that we held, a young man from Eaton, Colorado, stood up and said: With the estate tax coming back in at the end of this year, beginning of next year, we'll be forced to pay for our farm for a third time, and we simply can't afford it.

This is a young man who wants to go on into life in agriculture. This is somebody who wants to be the next generation standing up to grow our food and fiber that this Nation depends on. But yet you've got a government policy that's going to say: We know you've invested, we know you've grown your business, you've made investments into the land that you need to

make your operation successful, but because somebody died, we're going to tax them. And that's part of the fiscal cliff that this country faces at the end of this year.

There are farmers and ranchers around the State of Colorado, around this country, who are not trying to figure out how they're going to pass on their operation to the next generation, pass on their operation to the next generation because of a government policy that says: You know what? You've been too successful, and we're artificially going to place this barrier so that it's going to hurt you.

It's not just farmers and ranchers that it affects.

Mrs. ROBY. It's all businesses.

Mr. GARDNER. It's all businesses. That's right.

Mrs. ROBY. But the problem with our farming communities is that they are, in a lot of instances, they own a lot of land. So they have wealth when it comes to land ownership, but they may not have the cash. And so when the government comes along to tax the farm upon the death of a parent that wants to pass it down, they've got to sell the farm to pay the tax, and that's where our farmers lose out every time.

And there are numerous other businesses throughout this country where they may be cash poor. They may have some assets but they may be cash poor, and so they end up having to sell it off in order to pay the government for that company's success.

Mr. GARDNER. And you mentioned it, too. It's not just about cash in the bank. It's not just about how much money you have. It's about the assets that you have. And so your example where you may be cash poor but still hit this line, I think, is compelling to not only the farmers and ranchers, but you're right, to small businesses around the country who may own a restaurant, who may be trying to expand a sand and gravel operation, but they're going to be hit by this estate tax, which means they've got to sell, break it up, and not be able to pass it on.

Mrs. ROBY. You just add our lack of tax reform, which we so desperately need, and I know that we are committed to that here in the House majority. We do have a plan that we've set out as it relates to those reforms. We know that American businesses are faced with an unbelievably complicated and cumbersome Tax Code, combined, over 30 percent on businesses, not to mention the problems with the estate taxes. It makes the U.S. the second highest corporate tax rate among developed nations in the world. So the U.S. Federal rate is 35 percent. It's nearly 10 percentage points higher than our other competitors. That, on top of all of the other issues that we've highlighted.

I mentioned the manufacturing jobs. I don't know about you, but I get this

question all the time: Where have all the manufacturing jobs gone? People always highlight that we just chase these jobs offshore. And it's because we have created this environment in which business owners don't have a choice. If they're going to turn a profit, they have to do what is the benefit for their family to make that hard-earned dollar.

I remember hearing a colleague give an example. He was sitting on an airplane next to a guy that made things. He made things, he produced a product, and he wanted to make them in the United States of America. But when it came down to it, the bottom line—he thought he was going to open his plant right here, but when it came down to it, they hadn't taken into account the corporate tax rate and the difference between that and the next country where they could manufacture his product.

□ 2030

That sealed the deal. They are not manufacturing in the United States because of the environment in which we have.

Mr. GARDNER. So you have got a government policy that actually is an impediment to job creation here. A company trying to bring jobs back in, but because of the cost of doing business here is so much higher than elsewhere, they had that unfair choice of how are they going to make things work, how are they going to be successful.

Mrs. ROBY. I was going to say in June for the first time in 44 months, small businesses cited taxes, taxes above poor sales as the single most important problem that they are facing today. Taxes.

Mr. GARDNER. We talked about solutions when it comes to regulations. We've talked about the REINS Act. But here again with taxes, we have come up with solutions. We have voted to make sure that the estate tax, the death tax, doesn't come back in at those lower exclusion numbers breaking small businesses around the country. We've made sure that we avoid the massive tax increases that loom, once again, at the end of this year on families, middle class families. Thousands of dollars for middle class families around this country increase in taxes if nothing is done, and that's why the House of Representatives has passed a measure to make sure that those taxes don't increase, to make sure that we are making it easier for people to keep more of their own money so they can invest it in their families, so they can invest it into job creation, in their businesses.

If this Congress adopts the President's plan, if this Congress does nothing, hundreds of thousands of small businesses around this country are going to see tax increases like we've

never seen before. Tax increases will make it more difficult for them to make ends meet. And that's why the House has acted to make sure that we are dealing with the fiscal cliff to make sure that we are not making it more difficult in this country to succeed.

Mrs. ROBY. Absolutely. Again, by virtue of a comparison, with the President's proposed tax hike, deficits would still total 6.6 trillion over the next 10 years according to his own budget. But by comparison, our budget, the House Republican budget, would reduce deficits compared to his by 3.3 trillion while lowering taxes on small businesses and spurring economic growth. That's the difference.

Mr. GARDNER. Well, and I think that's the key, actually, as you mentioned, spurring economic growth. And we can talk about what happens to our economy with this policy or this legislation. But the bottom line is we've got to address that debt and deficit and only economic growth, long-term economic growth, is going to help us address our debt and deficit situation, but a high debt and deficit make it impossible for long-term economic growth.

So you have kind of got a circular problem here that for whatever reason the United States Senate, the President, hasn't taken seriously.

And just talk a little bit about the summer of recovery that was supposedly going to occur a couple of years ago after a trillion dollars was spent on the stimulus, money that went to companies like Solyndra that went bankrupt and the United States taxpayers are going to be out over half a billion dollars because they'll never get repaid.

You've got the stimulus bill that was supposed to lead to the summer of recovery, and yet here we are with 43 straight months of unemployment at or above 8 percent. Now, the American people know that even that number is not right because they know that maybe they have got a job that is only part time or maybe they are working full time but certainly not at the level that they know is to their full potential. It certainly makes it more difficult for them to meet the needs of their families. So that 8.3 percent number doesn't even count the people who've given up looking for work, doesn't even count the number of people who are underemployed.

So, the fiscal cliff, you've got millions and millions of Americans out there knowing what this Congress refuses to do, and that is if Congress will act to adopt these jobs bills that we've passed over to the Senate, if Congress will adopt the House budget that actually puts this country on a road and path to growing the economy, to preserving and protecting the promises that we have made to future generations, that number is going to come

back down. It's not going to be 8.3, 8.1 percent. It's going to be lower. Millions of people will be back at work because of the bills and legislation that this body has passed, most with bipartisan support.

Mrs. ROBY. You know, to use the President's words again, because these are direct quotes, so let's look at a couple of things.

Last April, President Obama said, "We have to live within our means, we have to reduce our deficit, and we have to get back on a path that will allow us to pay down our debt." That was the President just last April.

But also I want to make sure that there is no misunderstanding. This is the President's own words in February of 2009: "I am pledging to cut the deficit by half by the end of my first term in office." And I know we are kind of circling back to how we began this hour tonight, but since the President has taken office, our national debt has increased by \$5.3 trillion.

Mr. GARDNER. And 5.3 trillion, now, I think there's a statistic out there that shows that that's more money than the amounts of money spent by or the deficits between George Washington and Bill Clinton combined—or maybe it's George H.W. Bush. The fact is, we've never seen a period in our Nation's history where unemployment has been matched by a failure to recognize the needs of the American people, where debts are allowed to skyrocket, where you can say on TV one thing, pledge to the American people that you will cut the deficit in half, and then the next thing you know it's up by \$5 trillion.

Maybe the question isn't are you better off today than you were 4 years ago, but maybe the question ought to be are you better off today than you were \$5.3 trillion ago?

Mrs. ROBY. Well, your son can attest to that because he's 10 months old and already owes, his share is, what, \$51,000 at 10 months old. You know, we both have young children and this is why we are here. We're here for them because we want this country to be as great for your children and mine and all America's children and grandchildren and generations to come. And quite frankly, it is horrendous that we would leave this situation on their backs.

We keep hearing about balancing the budget on the backs of the middle class. How about spending massive amounts of taxpayer dollars on the backs of my children and my children's children. This is where the future of this country is dependent, and if we don't get serious about this now, why wait? Why are we waiting until November? Why is the leadership in the Senate waiting until after the election to take on problems that are serious now?

As you said before, the clock keeps ticking up. The debt keeps accumulating between now and November. It's

not like the 16 trillion is just some arbitrary number. I mean, it's a huge number, but it doesn't stand still. It's going to continue to increase.

As I explained when I am in town halls about the debt ceiling, the debt ceiling is like calling your credit card company and saying to your credit card company, "I need you to increase my credit limit because I don't have any cash to pay you the interest on what I already owe, on the debt I already owe." That's where we are. And that's on the back of Margaret and George and your children and all of those other children and grandchildren of Americans. As you can tell, as a mom it makes me upset, and that's why we're here.

Republicans in the House majority have taken action on a number of things that have already been mentioned tonight: we've repealed the government takeover of health care. Ride down the road in any district in this country and talk to a small business owner about that, and you will find out very quickly that they're either going to be close to being out of business or they're going to go out of business completely if this law is fully enacted.

□ 2040

We have stopped massive tax increases here in this House that one independent analysis said could destroy more than 700,000 jobs—you highlighted that earlier. We have replaced these indiscriminate spending cuts from sequestration with commonsense solutions by calling on, again, our friends in the Senate whose budget reconciliation—it's hard to do that if you don't have a budget—but through budget reconciliation, through commonsense cuts instead of just across the board, and rein in this wasteful government spending. And with the 30-plus bills that you and I have highlighted some portion thereof in this discussion tonight that are sitting collecting dust in the Senate, all 30 of these jobs are job-creating, energy-producing bills that are sitting in the Senate collecting dust.

Mr. GARDNER. You talk about those bills, the regulations that we've passed. You talk about the things that we have done to avoid the fiscal cliff, the things that we have done to avoid sequestration. There's a word that's been missing that we haven't used tonight: leadership. It takes leadership to address these issues. That's what we have provided through so many of these bills that we have talked about—leadership to make sure that hundreds of thousands of small businesses don't have their taxes increased; leadership to make sure that farmers and ranchers can continue their operations without worrying about a death tax that will prevent them from passing on their land to the next generation; leadership to make sure that the sequestration is

carried forward. Yes, we reduce spending, but we do so in a more responsible fashion, a way to make sure that we don't jeopardize the ability of our men and women in uniform to defend our country and to protect themselves.

I want to talk a little bit about the issue of sequestration because that's something that we haven't met. And the issue of leadership, once again, crops up. It just keeps coming forward where the House has led and we hear crickets from the other side of town.

The American people, I don't know if they were following what happened with the White House just this past Friday. Last week, the White House announced that it will miss the legal deadline for delivering a report to Congress on the spending cuts from sequestration that will take effect in January. Now, we hear a lot of complaints about, well, the Congress hasn't done this and the Congress hasn't done that, but here's a law that says you've got a deadline to present your ideas for leadership to the American people. And I guess it must have been too tough because they're not going to comply with it—they didn't comply with it.

Mrs. ROBY. Well, and you will see, again, further action from leadership here in the House on that, calling on the President to outline exactly what this is going to look like. And like you said, he hasn't. It's just one more on the list of uncertainties for job creators.

I see our colleague and our friend, the gentleman from Kansas, has joined us. Certainly feel free to jump in here.

Mr. HUELSKAMP. I appreciate the opportunity. Just like my colleagues, I've spent a little time in the real world. Some call it a recess; for many of us it was time to go back home. I admit in this job, I'll admit that I would much rather not be here and be at home. But what I heard at home is many of the same things that my colleagues are saying tonight: Washington, can you get your act together? In this Chamber, we passed many, many things that would hopefully improve the economy, but one thing that seems to be on the mind of my colleagues is pretty clear.

Times have changed. I know some of my colleagues have been here a while, and they think that perhaps in the White House it's the same old, same old. But when we hit the \$16 trillion mark for debt, that raised another red flag about what's going on in Washington.

I am a Republican. My colleagues tonight here are Republicans as well. We're not going to say it's a Democrat problem; we're not going to say it's a Republican problem. At the end of the day it is a Washington problem: it's the fact that we can't get our act together here in Washington. We can vote in here to free up job creators. We can vote in here to roll back regulations.

But at the end of the day, we have \$16 trillion of debt.

Like my colleagues, I have young children. I have four young kids. Each one of them, they've done nothing wrong yet—they do a few things wrong, I catch them every day at that—but through no fault of their own, they've got \$15,000 they're going to owe on some spending that's already happened before my freshman colleagues and I arrived at this place—\$15,000, and it is growing every day.

Under this President, trillion-dollar deficits have become the new norm. The last year of the previous administration, \$452 billion of deficits in 1 year, I think the President, then Senator, was bemoaning the fact of what a dastardly amount that was, and here we have doubled and tripled that amount, and each year for the last 4 years added over \$5 trillion of debt. You know, that adds up.

My constituents always keep saying, well, I can't quite understand what's a million, a billion, a trillion. It's pretty hard to explain to them—they don't understand a billion. But for the last 3½ years, this President, this town—Washington—has added \$3.5 billion of borrowing every single day, 3½ years for \$3.5 billion. That's unsustainable, and they want us to solve this problem.

But again, when folks like us gathered here see and hear the concerns of Americans that we have a spending problem—it's not a revenue problem. If it was a revenue problem, we simply would let off the gas pedal a little bit on regulations and we would take care of that. Everybody knows that. Every job creator comes to me and says, TIM, I'd like to invest more. I was visiting with a businessman who owns a packaging company—American Packaging in Hutchinson, Kansas. He said, TIM, I employ 43 employees—and by the way, he did build it—I employ 43 folks. When my father-in-law bought this business in 1987, there were five people employed here. And you know what, TIM, here's what I'd like to do: I'd like to hire two more people. Here in Washington, two more people doesn't add up to anything, but for two families in Hutchinson, Kansas, it would mean the difference between paying college tuition for their kids, whether or not they are able to update their used car, or whether they would be able to make the mortgage or down payment on their house, or whether they might even go on a vacation. That's the difference here.

Today, we have 23 million Americans—just like the two in Hutchinson—that don't have a job or are looking for more work. And Tony at American Packaging says this, he says: Just give me some certainty. Tell me what the rules are going to be, whether it's the tax uncertainty that happens at the end of the year—I'm sure it's been described here. If nothing changes, if

Washington doesn't get its act together, if the President doesn't step up to the plate and help us, we're going to have the single largest tax increase in American history—and I dare say in the world's history—happen at the end of the year if we don't get help from the administration, if the Senate Democrats are not willing to provide certainty on taxes.

In addition, we have the regulatory uncertainty that's been discussed. We'll have the health care uncertainty. The provisions of ObamaCare are rolling in. Small businesses like Tony's do not know, what do we have to cover? I don't want to hire two more people because I might be fined if I can't provide for them. It's that type of uncertainty that says, you know what? I can invest, I'd like to make some money—and the businesses are there not just to create jobs; they're actually there to make a profit for the owners and to perform a service for the public. They're not here to work for Washington. But that's actually what does happen if you let the free market and free enterprise system work.

I had a video where Tony spoke. And I must say what shamed me the most was the response from our local newspaper—that was actually, I believe, fronting for this administration. Because Tony talked about the fact that he and his father-in-law built this business, and the newspaper said: No, you didn't build that business; the Government played a key role in making that happen. You know, the government wasn't there with his father-in-law when he hired employee six, employee seven, employee eight. They weren't there. They didn't take the risk. Now we have this whole town wants to take credit, including this President, every time someone hires a new person. But they don't take credit or they don't take fault for the fact that millions of Americans have quit looking for work in the Obama economy.

And it won't be perfect under any President. It never is. Washington can't dictate how an economy ebbs and flows. What I trust in, though, is the American people and American businessmen like Tony that say, hey, I would like to invest, TIM; just give me the certainty to do so and hire two more folks. It doesn't mean anything, again, in Washington, but it means something in the real world. So I appreciate my colleagues being here.

One of the things that the newspaper did mention—actually, it was a taxpayer-funded college professor—he said, you know, I just want to let you know that the free enterprise system is a charade. Of course, I guess if you work for a public university free enterprise might be a charade. But this is the type of thought that invades many in the White House. It certainly invades where this gentleman teaches. But the fact is free enterprise is not a

charade. What it is about is individuals taking a risk, making decisions free from me, free from you, CORY, free from MARTHA's demands, free to make and take those risks. That's how the economy will continue to grow. That's how we will build the best economy in the world. And that's the economy that's being threatened with \$16 trillion in debt.

Again, this is not our problem, it's not their problem; it's America's problem to solve this. I think we're making progress in the House, and we're going to continue to move forward.

So that's a little bit of what I've heard in my district about their concerns about where we're going to head and where we need to head. I have had town hall after town hall—about 140 town halls. And usually at every town hall somebody comes up to me and says, TIM, I'm doing pretty well—and my district actually is doing fairly well, despite a massive drought which impacts Colorado as well.

□ 2050

And we could talk about water all night, but we probably better not. We're friends right now—just kidding.

But they come up to me and say, TIM, you know, I think I'm going to do fine. I'm ready for retirement. A guy, 62, about, told me this the last time, but I'm worried about what kind of America I hand on to my children and grandchildren. And this current state of affairs, this \$16 trillion, he says, I'm ready to do what it takes. I'm ready to keep working a little bit longer, do a little more, make a little more sacrifices, a little more investments, because I want a better country than I was given, because my parents gave me a better country than they had and my grandparents did the same.

That's the type of promise. That's why I get optimistic. That's why I like to go home, because that's what you guys hear at home as well as I do. They're optimistic. They're hopeful about the future, despite what's going on here in Washington, D.C.

Mr. GARDNER. And the gentleman from Kansas and I share a common, we share the border, eastern Colorado, western Kansas. And so many of the challenges that my farmers are facing your farmers are facing. And you're right, we won't get into water tonight. We'll save that for another day, another time. But the fact is we could both use more of it. And the way we can use more of it is we store more water. Yet we have policies that are keeping us from storing more water, adding yet to the uncertainty of our farmers and ranchers who desperately need it.

And so whether it's the tax increases that we see at the end of this year, if nothing is done, the estate tax, income tax rates, capital gains rates, and you mentioned that this isn't just a big tax

increase. This isn't just a large one for the United States. This is the largest we've ever seen, not only in the United States, but around the globe.

Mr. HUELSKAMP. Fifty-five percent death tax. I mean, that's the one that hits the heart of my small businessmen and -women. And they're trying to hand on their business to their children or their grandchildren or someone else they choose, and government's going to come in and grab up to 55 percent of that estate, and that impacts farmers and ranchers in particular, and many other small businesses.

The very heart of economic recoveries in this country have always been driven by small business. It isn't the folks that hire a thousand people at a time. It's the ones that take—add one person, or take a part-time person to full time. And that's what I'm hearing at home, and they're frustrated. But they're ready to roll up their sleeves and go to work, and they expect Congress and Washington to do the same.

Mr. GARDNER. You mentioned optimism for the country, and I carry the same optimism, too, because the people that we work for believe that this continues to be the greatest Nation on the face of this Earth. If we have Congress, if we have Washington that's actually getting its job done, that will pass the regulations to make it easier to do business—excuse me, to repeal the regulations in this country to make it easier to do business, to make sure that we don't increase taxes to hurt their small businesses, better days are still ahead of us.

Mr. HUELSKAMP. Oh, tremendous days are ahead of us. They say, hey, just stop doing a little of what you're doing. I'll even admit it. Some of them even say, you know what, what's there right now, as much as I don't like it, if you could just keep it the same. Two years. Give us a breather. Give us a moratorium. We'd like to roll them back, but give us a moratorium, some certainty on taxes, on regulations, on health care, and, TIM, we'll take care of your revenue problems. We'll do it for you.

Mrs. ROBY. The only thing that we all can agree on is that the only thing that is certain is that uncertainty; and to hear the consistency in all of our experiences back home, it's astounding to me why we cannot—why the President and the leadership in the Senate cannot see this, because if they're really listening to the same Americans that you and I are listening to, they would hear the same message that we've brought to the floor tonight.

Mr. Speaker, the choice for the President and the Senate is very, very clear. It's either political paralysis that leads to certain economic catastrophe, or bipartisan leadership that puts us on a path towards prosperity.

And I would just ask that they keep in mind a few people. Remember who

this economy has hit the hardest. You've heard stories tonight in this hour of those business owners that have said just that.

Remember the moms at the grocery store that are trying to put food on the table for their family or gas in the car to get to their one or maybe two jobs.

Remember the young people, the recent graduates that we've talked about that can't find a job; and half of them in the class of 2012 are unemployed and they are drowning in debt.

All of these groups, all of these groups, they deserve leadership out of Washington, not lip service.

With that, Mr. Speaker, I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mrs. NAPOLITANO (at the request of Ms. PELOSI) for today.

BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on August 7, 2012, she presented to the President of the United States, for his approval, the following bills.

H.R. 4240. To reauthorize the North Korean Human Rights Act of 2004, and for other purposes.

H.R. 1402. To authorize the Architect of the Capitol to establish battery recharging stations for privately owned vehicles in parking areas under the jurisdiction of the House of Representatives at no net cost to the Federal Government.

H.R. 3670. To require the Transportation Security Administration to comply with the Uniformed Services Employment and Reemployment Rights Act.

ADJOURNMENT

Mrs. ROBY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly at 8 o'clock and 54 minutes p.m., under its previous order, the House adjourned until tomorrow, Tuesday, September 11, 2012, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

7439. A letter from the Branch Chief, Planning and Regulatory Affairs, Department of Agriculture, transmitting the Department's final rule — Supplemental Nutrition Assistance Program: Disqualified Recipient Reporting and Computer Matching Requirements received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7440. A letter from the Director, Regulatory Management Division, Environmental

Protection Agency, transmitting the Agency's final rule — *Bacillus thuringiensis* eCry3.1Ab Protein in Corn; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2012-0109; FRL-9357-4] received August 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7441. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Flutriafof; Pesticide Tolerances [EPA-HQ-OPP-2010-0875; FRL-9348-8] received August 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7442. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Paraquat Dichloride; Pesticide Tolerances [EPA-HQ-OPP-2010-0637; FRL-9357-1] received August 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7443. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Residues of Didecyl dimethyl ammonium chloride; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2011-0139; FRL-9356-6] received August 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7444. A letter from the Chairman and Chief Executive Officer, Farm Credit Administration, transmitting the Administration's final rule — Farm Credit Administration Board Meetings; Organization; Standards of Conduct and Referral of Suspected or Known Criminal Violations; Definitions; Disclosure to Shareholders; Accounting and Reporting Requirements; Rules of Practice and Procedure; Practice Before the Farm Credit Administration; and Disclosure to Investors in System-wide and Consolidated Bank Debt Obligations of the Farm Credit System; Unincorporated Business Entities (RIN: 3052-AC65) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7445. A letter from the Under Secretary, Department of Defense, transmitting a report of a violation of the Antideficiency Act, Air Force Case Number 10-04; to the Committee on Appropriations.

7446. A letter from the Under Secretary, Department of Defense, transmitting a letter on the activities of the Defense Industrial Base Capabilities Fund during FY 2011, pursuant to Public Law 108-136, section 814(f)(2) (117 Stat. 1545); to the Committee on Armed Services.

7447. A letter from the Under Secretary, Department of Defense, transmitting a letter on the approved retirement of Vice Admiral Dirk J. Debbink, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

7448. A letter from the Under Secretary, Department of Defense, transmitting a letter on the approved retirement of Admiral John C. Harvey, Jr., United States Navy, and his advancement to the grade of admiral on the retired list; to the Committee on Armed Services.

7449. A letter from the Under Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Frank A. Panter Jr., United States Marine Corps, and his advancement on the retired list in the grade of lieutenant general; to the Committee on Armed Services.

7450. A letter from the Principal Deputy, Department of Defense, transmitting authorization of five officers to wear the authorized

insignia of the grade rear admiral (lower half); to the Committee on Armed Services.

7451. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations (Solano County, California, et al.) [Docket ID: FEMA-2012-0003] received August 7, 2012; to the Committee on Financial Services.

7452. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Ireland pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

7453. A letter from the Member of Board of Directors, Export-Import Bank, transmitting a report on transactions involving U.S. exports to the Kingdom of Saudi Arabia pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

7454. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to United Arab Emirates pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

7455. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Brazil pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

7456. A letter from the Secretary, Securities and Exchange Commission, transmitting the Commission's "Major" final rule — Disclosure of Payments by Resource Extraction Issuers [Release No.: 34-67717; File No. S7-42-10] (RIN: 3235-AK85) received August 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

7457. A letter from the Administrator, U.S. Energy Information Administration, Department of Energy, transmitting A report on "The Availability and Price of Petroleum and Petrol Products Produced in Countries Other Than Iran", pursuant to 22 U.S.C. 68513(a) Public Law 112-81, section 1245(d)(4); to the Committee on Energy and Commerce.

7458. A letter from the Chairman, Federal Energy Regulatory Commission, transmitting the fourteenth report on the progress made in licensing and constructing the Alaska Natural Gas Pipeline, pursuant to 42 U.S.C. 16523 Public Law 109-58, section 1810; to the Committee on Energy and Commerce.

7459. A letter from the Secretary, Department of Health and Human Services, transmitting Second Annual Report to Congress on FDA Foreign Offices Provisions of the FDA Food Safety and Modernization Act, pursuant to 21 U.S.C. 393 Public Law 111-353, section 201(b); to the Committee on Energy and Commerce.

7460. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's "Major" final rule — Administrative Simplification: Adoption of Operating Rules for Health Care Electronic Funds Transfers (EFT) and Remittance Advice Transactions (RIN: 0938-AR01) received August 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7461. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Implementation of Device Registration and Listing Requirements Enacted in the Public Health Security and Bioterrorism Preparedness and Response Act of 2002, the Medical

Device User Fee and Modernization Act of 2002, and Title II of the Food and Drug Administration Amendments Act of 2007 [Docket No.: FDA-2009-N-0114] (RIN: 0910-AF88) received August 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7462. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's FY 2011 annual performance report to Congress required by the Medical Device User Fee and Modernization Act of 2002; to the Committee on Energy and Commerce.

7463. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — New Source Performance Standards Review for Nitric Acid Plants [EPA-HQ-OAR-2010-0750; FRL-9667-3] (RIN: 2060-AQ10) received August 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7464. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — South Dakota: Final Authorization of State Hazardous Waste Management Program Revisions [EPA-R08-RCRA-2010-0933; FRL-9712-3] received August 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7465. A letter from the Chief, Policy and Rules Division, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Sections 15.35 and 15.253 of the Commission's Rules Regarding Operation of Radar Systems in the 76-77 GHz Band; Amendment of Section 15.235 of the Commission's Rules to Permit Fixed Use of Radar in the 76-77 GHz Band [ET Docket No.: 11-90] [ET Docket No.: 10-28] (RM-11555) received August 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7466. A letter from the Deputy Division Chief, Pricing Policy Division, Federal Communications Commission, transmitting the Commission's final rule — Connect America Fund; A National Broadband Plan for Our Future; Establishing Just and Reasonable Rates for Local Exchange Carriers; High-Cost Universal Service Support; Developing a Unified Inter-carrier Compensation Regime; Federal-State Joint Board on Universal Service; Lifeline and Link-Up; Universal Service Reform — Mobility Fund [WC Docket No.: 10-90] [GN Docket No.: 09-51] [WC Docket No.: 07-135] [WC Docket No.: 05-337] [CC Docket No.: 01-92] [CC Docket No.: 96-45] [WC Docket No.: 03-109] [WT Docket No.: 10-208] received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7467. A letter from the General Counsel, Federal Energy Regulatory Commission, transmitting the Commission's final rule — Standards for Business Practices of Interstate Natural Gas Pipelines [Docket No.: RM96-1-037; Order No. 587-V] received August 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7468. A letter from the Environmental Protection Agency, Agency's final rule —, transmitting the Agency's final rule — Determination of Failure to Attain the One-Hour Ozone Standard by 2007, Determination of Current Attainment of the One-Hour Ozone Standard, Determinations of Attainment of the 1997 Eight-Hour Ozone Standards for the New York-Northern New Jersey-Long Island Nonattainment Area in Connecticut, New Jersey and New York [EPA-R02-OAR-2011-0956; FRL-9696-2] received August 7, 2012, pur-

suant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7469. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting consistent with the Authorization for Use of Military Force Against Iraq Resolution of 2002 (Pub. L. 107-243), the Authorization for the Use of Military Force Against Iraq Resolution (Pub. L. 102-1), and in order to keep the Congress fully informed, a report prepared by the Department of State for the April 26, 2012–June 24, 2012 reporting period including matters relating to post-liberation Iraq, pursuant to Public Law 107-243, section 4(a) (116 Stat. 1501); to the Committee on Foreign Affairs.

7470. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the National Emergency with respect to persons who commit, threaten to commit, or support terrorism that was declared in Executive Order 13224 of September 23, 2001, pursuant to 50 U.S.C. 1641(c); to the Committee on Foreign Affairs.

7471. A communication from the President of the United States, transmitting a continuation of the national emergency regarding export control regulations, pursuant to 50 U.S.C. 1622(d); (H. Doc. No. 112-136); to the Committee on Foreign Affairs and ordered to be printed.

7472. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's report entitled, "U.S. Representation in United Nations Agencies and Efforts Made to Employ U.S. Citizens 2011", pursuant to 22 U.S.C. 276c-4; to the Committee on Foreign Affairs.

7473. A letter from the Assistant Legal Advisor for Treaty Affairs, Department of State, transmitting report prepared by the Department of State concerning international agreements other than treaties entered into by the United States to be transmitted to the Congress within the sixty-day period specified in the Case-Zablocki Act; to the Committee on Foreign Affairs.

7474. A letter from the Director, Defense Security Cooperation Agency, transmitting a notice of a proposed lease with the Government of Germany (Transmittal No. 07-12) pursuant to Section 62(a) of the Arms Export Control Act; to the Committee on Foreign Affairs.

7475. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting Transmittal No. 12-34, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

7476. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting pursuant to section 3(d) of the Arms Export Control Act, as amended, certification regarding the proposed transfer of major defense equipment (Transmittal No. RSAT-12-2991); to the Committee on Foreign Affairs.

7477. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting pursuant to section 3(d) of the Arms Export Control Act, as amended, certification regarding the proposed transfer of major defense equipment (Transmittal No. RSAT-12-2993); to the Committee on Foreign Affairs.

7478. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a report on progress toward a negotiated solution of the Cyprus question covering the period April 1 through May 31, 2012 pursuant to Section 620C(c) of the Foreign Assistance Act of 1961 as amended; to the Committee on Foreign Affairs.

7479. A letter from the Assistant Legal Advisor for Treaty Affairs, Department of State, transmitting report prepared by the Department of State concerning international agreements other than treaties entered into by the United States to be transmitted to the Congress within the sixty-day period specified in the Case-Zablocki Act; to the Committee on Foreign Affairs.

7480. A letter from the Secretary, Department of the Treasury, transmitting As required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act with respect to Cote d'Ivoire that was declared in Executive Order 13396 of February 7, 2006, pursuant to 50 U.S.C. 1641(c); to the Committee on Foreign Affairs.

7481. A communication from the President of the United States, transmitting an alternative plan for locality pay increase payable to civilian Federal employees covered by the General Schedule (GS) and certain other pay systems for 2013, pursuant to 5 U.S.C. 5305(a)(3); (H. Doc. No. 112-137); to the Committee on Oversight and Government Reform and ordered to be printed.

7482. A letter from the Auditor, Office of the District of Columbia Auditor, transmitting copy of the report entitled "District of Columbia Public Schools Consulting Report Local School and Central Office Budget Process Review (Report #1)", pursuant to D.C. Code section 47-117(d); to the Committee on Oversight and Government Reform.

7483. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-439, "Compulsory/No Fault Motor Vehicle Insurance Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

7484. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-440, "Automated Traffic Enforcement Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

7485. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-441, "Anacostia River Clean Up and Protection Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

7486. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-442, "Immigration Detainer Compliance Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

7487. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-443, "Access to Selective Service Registration Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

7488. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-444, "DOC Inmate Processing and Release Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

7489. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-445, "Block Party Act of 2012"; to the Committee on Oversight and Government Reform.

7490. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-446, "Pesticide Education and Control Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

7491. A letter from the Chairman, Council of the District of Columbia, transmitting

Transmittal of D.C. ACT 19-447, "Anacostia Waterfront Environmental Standards Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

7492. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-448, "Regulation of Body Artists and Body Art Establishments Act of 2012"; to the Committee on Oversight and Government Reform.

7493. A letter from the Executive Analyst, Department of Health and Human Services, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

7494. A letter from the Assistant General Counsel, General Law, Ethics, and Regulation, Department of the Treasury, transmitting three reports pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

7495. A letter from the Chairman, National Transportation Safety Board, transmitting the Board's annual report for FY 2011 prepared in accordance with Section 203 of the Notification and Federal Employee Anti-discrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

7496. A letter from the Division Chief, Regulatory Affairs, Department of Interior, transmitting the Department's final rule — Segregation of Lands — Renewable Energy [WO 300-1430-PQ] (RIN: 1004-AE19) received August 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7497. A letter from the Deputy Assistant Secretary — Land and Minerals Management, Department of the Interior, transmitting the Department's "Major" final rule — Oil and Gas and Sulphur Operations on the Outer Continental Shelf — Increased Safety Measures for Energy Development on the Outer Continental Shelf [Docket ID: BSEE-2012-0002] (RIN 1014-AA02) received August 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7498. A letter from the Division Chief, Regulatory Affairs, Department of the Interior, transmitting the Department's final rule — Administration of Mining Claims and Sites [TW-620-1990-00-24 1A] (RIN: 1004-AE27) received August 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7499. A letter from the Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Taking of Marine Mammals Incidental to Commercial Fishing Operations; Bottlenose Dolphin Take Reduction Plan [Docket No.: 110202088-2252-02] (RIN: 0648-BA34) received August 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7500. A letter from the Acting Assistant Attorney General, Department of Justice, transmitting a report on the authorized amounts expended for FY 2010 and FY 2011, pursuant to Public Law 111-21, section 3(h) (123 Stat. 1620); to the Committee on the Judiciary.

7501. A letter from the Clerk, Court of Appeals, transmitting an opinion of the United States Court of Appeals for the Seventh Circuit, *Senne v. Village of Palatine*, Illinois, No. 10-3243, (August 6, 2012); to the Committee on the Judiciary.

7502. A letter from the Senior Counsel to the Deputy Attorney General, Department of

Justice, transmitting the Department's "Major" final rule — National Standards To Prevent, Detect, and Respond to Prison Rape [Docket No.: OAG-131; AG Order No. 3331-2012] (RIN: 1105-AB34) received August 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

7503. A letter from the Assistant General Counsel, Department of Justice, transmitting the Department's final rule — Federal Bureau of Investigation Anti-Piracy Warning Seal Program [Docket No.: FBI 151] (RIN: 1110-AA32) received August 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

7504. A letter from the Secretary, Judicial Conference of the United States, transmitting proposed legislation "Criminal Judicial Procedure, Administration, and Technical Amendments Act of 2012"; to the Committee on the Judiciary.

7505. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone, Fireworks display, Lake Superior; Duluth, MN [Docket Number: USCG-2012-0483] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7506. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; F/V Deep Sea, Penn Cove, WA [Docket Number: USCG-2011-1007] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7507. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Standards for Living Organisms in Ships' Ballast Water Discharged in U.S. Waters [Docket No.: USCG-2001-10486] (RIN: 1625-AA32) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7508. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations for Marine Events, Swim Event; Lake Gaston, Littleton, NC [Docket No.: USCG-2012-0197] (RIN: 1625-AA08) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7509. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; USMMA Fireworks, Long Island Sound, Kings Point, NY [Docket Number: USCG-2012-0404] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7510. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulation; Hood Canal, WA [Docket No.: USCG-2012-0074] (RIN: 1625-AA09) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7511. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Marysville Days Fireworks, St. Clair River, Marysville, MI [Docket No.: USCG-2012-0388] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7512. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety

Zone; International Special Operations Forces Week Capability Exercise, Seddon Channel, Tampa, FL [Docket No.: USCG-2012-0007] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7513. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Alexandria Bay Chamber of Commerce, St. Lawrence River, Alexandria Bay, NY [Docket Number: USCG-2012-0353] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7514. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulation and Security Zone: War of 1812 Bicentennial Commemoration, Port of Boston, MA [Docket No.: USCG-2012-0100] (RIN: 1625-AA08) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7515. A letter from the Attorney, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; City of Tonawanda July 4th Celebration, Niagara River, Tonawanda, NY [Docket Number: USCG-2012-0352] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7516. A letter from the Attorney, Department of Homeland Security, transmitting the Department's final rule — Validation of merchant mariners' vital information and issuance of Coast Guard Merchant Mariner's Licenses and Certificates of Registry (MMLs) [Docket No.: USCG-2004-17455] (RIN: 1625-AA85) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7517. A letter from the Attorney, Department of Homeland Security, transmitting the Department's final rule — Validation of merchant mariners' vital information and issuance of Coast Guard Merchant Mariner's Documents (MMDs) [Docket No.: USCG-2003-14500] (RIN: 1625-AA81) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7518. A letter from the Attorney, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Upper Mississippi River, Mile 183.0 to 183.5 [Docket No.: USCG-2012-0315] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7519. A letter from the Attorney, Department of Homeland Security, transmitting the Department's final rule — Eighth Coast Guard District Annual Marine Events and Safety Zones [Docket No.: USCG-2011-0286] (RIN: 1625-AA00; 1625-AA08) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7520. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; America's Cup World Series, East Passage, Narragansett Bay, Rhode Island [Docket No.: USCG-2011-1172] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7521. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety

Zone; KULLUK, Outer Continental Shelf Mobile Offshore Drilling Unit (MODU), Beaufort Sea, Alaska [Docket No.: USCG-2011-1143] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7522. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Security Zones; Sellwood Bridge Project, Willamette River; Portland, OR [Docket No.: USCG-2012-0131] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7523. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; NOBLE DISCOVERER, Outer Continental Shelf Drillship, Chukchi and/or Beaufort Seas, Alaska [Docket No.: USCG-2012-0024] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7524. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Alternate Tonnage Threshold for Oil Spill Response Vessels [Docket No.: USCG-2011-0966] (RIN: 1625-AA82) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7525. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Village of Sodus Point Fireworks Display, Sodus Bay, Sodus Point, NY [Docket No.: USCG-2012-0355] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7526. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Baltimore Air Show, Patapsco River, Baltimore, MD [Docket No.: USCG-2012-0076] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7527. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Rocketts Red Glare Fireworks, Ancarrow's Landing Park, James River, Richmond, VA [Docket No.: USCG-2012-0114] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7528. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Virginia Beach Oceanfront Air show, Atlantic Ocean, Virginia Beach, VA [Docket No.: USCG-2012-0095] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7529. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Naval Helicopter Association Reunion Helicopter Demonstration, Elizabeth River, Norfolk, VA [Docket No.: USCG-2012-0255] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7530. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety

Zone; USS MISSISSIPPI Commissioning; Pascagoula Harbor & Pascagoula River; Pascagoula, MS [Docket No.: USCG-2012-0333] (RIN: 1625-AA87) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7531. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Moving Security Zone around escorted vessels on the Lower Mississippi River between mile marker 90.0 above head of passes to mile marker 110.0 above head of passes [Docket No.: USCG-2011-1063] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7532. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zones; Fourth of July Fireworks Displays within the Captain of the Port Charleston Zone, SC [Docket No.: USCG-2012-0384] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7533. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Barrell Recovery, Lake Superior; Duluth, MN [Docket Number: USCG-2012-0491] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7534. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Atlantic Intracoastal Waterway; North Topsail Beach, NC [Docket Number: USCG-2012-0426] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7535. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Seafair Blue Angels Air Show Performance, Seattle, WA [Docket Number: USCG-2012-0699] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7536. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Fireworks display, Lake Superior; Cornucopia, WI [Docket Number: USCG-2012-0473] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7537. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zones; Multiple Firework Displays in Captain of the Port, Puget Sound Zone [Docket Number: USCG-2012-0488] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7538. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Temporary Change for Recurring Fifth Coast Guard District Fireworks Displays; Northwest Harbor (East Channel) and Tred Avon River, MD [Docket Number: USCG-2012-0251] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7539. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety

Zone; Mentor Harbor Yachting Club Fireworks, Lake Erie, Mentor, OH [Docket Number: USCG-2012-0356] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7540. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Oswego Independence Celebration Fireworks, Oswego Harbor, Oswego, NY [Docket Number: USCG-2012-0481] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7541. A letter from the Assistant Secretary of the Army, Civil Works, Department of Defense, transmitting the final integrated feasibility report and environmental assessment; (H. Doc. No. 112-135); to the Committee on Transportation and Infrastructure and ordered to be printed.

7542. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's "Major" final rule — Administrative Simplification: Adoption of a Standard for a Unique Health Plan Identifier; Addition to the National Provider Identifier Requirements; and a change to the Compliance Date for the International Classification of Diseases, 10th Edition (ICD-10-CM and ICD-10-PCS) Medical Data Code Sets [CMS-0040-F] (RIN: 0938-AQ13) received August 27, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Energy and Commerce and Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MILLER of Florida: Committee on Veterans' Affairs. H.R. 4057. A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to develop a comprehensive policy to improve outreach and transparency to veterans and members of the Armed Forces through the provision of information on institutions of higher learning, and for other purposes; with an amendment (Rept. 112-646). Referred to the Committee of the Whole House on the state of the Union.

Mr. SMITH of Texas: Committee on the Judiciary. H.R. 6215. A bill to amend the Trademark Act of 1946 to correct an error in the provisions relating to remedies for dilution (Rept. 112-647). Referred to the Committee of the Whole House on the state of the Union.

Mr. SMITH of Texas: Committee on the Judiciary. H.R. 6189. A bill to eliminate unnecessary reporting requirements for unfunded programs under the Office of Justice Programs (Rept. 112-648). Referred to the Committee of the Whole House on the state of the Union.

Mr. SMITH of Texas: Committee on the Judiciary. H.R. 4305. A bill to authorize the Attorney General to provide a grant to assist Federal, State, tribal, and local law enforcement agencies in the rapid recovery of missing individuals; with an amendment (Rept. 112-649). Referred to the Committee of the Whole House on the state of the Union.

Mr. SMITH of Texas: Committee on the Judiciary. H.R. 1775. A bill to amend title 18, United States Code, to establish a criminal offense relating to fraudulent claims about military service; with amendments (Rept.

112-650). Referred to the Committee of the Whole House on the state of the Union.

Mr. SMITH of Texas: Committee on the Judiciary. H.R. 2800. A bill to amend the Violent Crime Control and Law Enforcement Act of 1994 to reauthorize the Missing Alzheimer's Disease Patient Alert Program; with an amendment (Rept. 112-651). Referred to the Committee of the Whole House on the state of the Union.

Mr. UPTON: Committee on Energy and Commerce. H.R. 6213. A bill to limit further taxpayer exposure from the loan guarantee program established under title XVII of the Energy Policy Act of 2005; with an amendment (Rept. 112-652 Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. UPTON: Committee on Energy and Commerce. H.R. 6131. A bill to extend the Undertaking Spam, Spyware, And Fraud Enforcement With Enforcers beyond Borders Act of 2006, and for other purposes (Rept. 112-653). Referred to the Committee of the Whole House on the state of the Union.

Mr. UPTON: Committee on Energy and Commerce. S. 710. An act to amend the Solid Waste Disposal Act to direct the Administrator of the Environmental Protection Agency to establish a hazardous waste electronic manifest system; with an amendment (Rept. 112-654). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 5544. A bill to authorize and expedite a land exchange involving National Forest System land in the Laurentian District of the Superior National Forest and certain other National Forest System land in the State of Minnesota that has limited recreational and conservation resources and lands owned by the State of Minnesota in trust for the public school system that are largely scattered in checkerboard fashion within the Boundary Waters Canoe Area Wilderness and have important recreational, scenic, and conservation resources, and for other purposes; with an amendment (Rept. 112-655). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 2706. A bill to prohibit the sale of billfish; with an amendment (Rept. 112-656). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 6007. A bill to exempt from the Lacey Act Amendments of 1981 certain water transfers by the North Texas Municipal Water District and the Greater Texoma Utility Authority (Rept. 112-657). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 5319. A bill to amend the Wild and Scenic Rivers Act to designate segments of the mainstem of the Nashua River and its tributaries in the commonwealth of Massachusetts for study for potential addition to the National Wild and Scenic Rivers System, and for other purposes; with an amendment (Rept. 112-658). Referred to the Committee of the Whole House on the state of the Union.

Mr. UPTON: Committee on Energy and Commerce. H.R. 5865. A bill to promote the growth and competitiveness of American manufacturing; with an amendment (Rept. 112-659 Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. NUGENT: House Committee on Rules. House Resolution 773. A resolution providing

for consideration of the bill (H.R. 5544) to authorize and expedite a land exchange involving National Forest System land in the Laurentian District of the Superior National Forest and certain other National Forest System land in the State of Minnesota that has limited recreational and conservation resources and lands owned by the State of Minnesota in trust for the public school system that are largely scattered in checkerboard fashion within the Boundary Waters Canoe Area Wilderness and have important recreational, scenic, and conservation resources, and for other purposes, and providing for consideration of the bill (H.R. 5949) to the extend the FISA Amendments Act of 2008 for five years (Rept. 112-660). Referred to the House Calendar.

Mr. SMITH of Texas: Committee on the Judiciary. H.R. 6185. A bill to improve security at State and local courthouses (Rept. 112-661 Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. SMITH of Texas: Committee on the Judiciary. H.R. 6080. A bill to make improvements in the enactment of title 41, United States Code, into a positive law title and to improve the Code (Rept. 112-662). Referred to the House Calendar.

Mr. ISSA: Committee on Oversight and Government Reform. H.R. 1974. A bill to require the Public Printer to establish and maintain a website accessible to the public that allows the public to obtain electronic copies of all congressionally mandated reports in one place, and for other purposes; with an amendment (Rept. 112-663 Pt. 1). Ordered to be printed.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committee on the Budget discharged from further consideration. H.R. 5865 referred to the Committee of the Whole House on the state of the Union, and ordered to be printed.

Pursuant to clause 2 of rule XIII, the Committee on Oversight and Government Reform discharged from further consideration. H.R. 6185 referred to the Committee of the Whole House on the state of the Union, and ordered to be printed.

Pursuant to clause 2 of rule XIII, the Committee on Science, Space, and Technology discharged from further consideration. H.R. 6213 referred to the Committee of the Whole House on the state of the Union, and ordered to be printed.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII, the following action was taken by the Speaker:

H.R. 1974. Referral to the Committee on House Administration extended for a period ending not later than October 1, 2012.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. HECK (for himself, Mr. GARY G. MILLER of California, Mr. RENACCI, Mrs. BIGGERT, and Mr. JOHNSON of Ohio):

H.R. 6361. A bill to exclude from consideration as income under the United States Housing Act of 1937 payments of pension made under section 1521 of title 38, United States Code, to veterans who are in need of regular aid and attendance, and for other purposes; to the Committee on Financial Services.

By Mr. THOMPSON of California (for himself, Mrs. CAPPS, Mr. DEFAZIO, Ms. ESHOO, Mr. FARR, Ms. HERRERA BEUTLER, Mr. LARSEN of Washington, Mr. SCHRADER, Ms. SPEIER, Ms. WOOLSEY, and Mr. YOUNG of Alaska):

H.R. 6362. A bill to direct the Secretary of Commerce to issue a fishing capacity reduction loan to refinance the existing loan funding the Pacific Coast Groundfish Fishery Fishing Capacity Reduction Program; to the Committee on Natural Resources.

By Mr. RENACCI (for himself, Mr. ELLISON, Mr. HINOJOSA, Mr. JONES, and Mr. CAPUANO):

H.R. 6363. A bill to amend the Fair Credit Reporting Act to clarify Federal law with respect to reporting positive consumer credit information to consumer reporting agencies by public utility companies, and for other purposes; to the Committee on Financial Services.

By Mr. POE of Texas (for himself, Ms. NORTON, and Mr. CLEAVER):

H.R. 6364. A bill to establish a commission to ensure a suitable observance of the centennial of World War I, to designate memorials to the service of members of the United States Armed Forces in World War I, including a National World War I Memorial on the National Mall in the District of Columbia, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WEST:

H.R. 6365. A bill to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to replace the sequester established by the Budget Control Act of 2011; to the Committee on the Budget.

By Mr. BACA:

H.R. 6366. A bill to prevent foreclosure of home mortgages and provide for the affordable refinancing of mortgages held by Fannie Mae and Freddie Mac through mortgages having 50-year terms to maturity; to the Committee on Financial Services.

By Mr. BILIRAKIS:

H.R. 6367. A bill to authorize the placement at the former Navy Dive School at the Washington Navy Yard of a memorial to honor the members of the Armed Forces who have served as divers and whose service in defense of the United States has been carried out beneath the waters of the world; to the Committee on Armed Services, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CANSECO:

H.R. 6368. A bill to require the Department of Justice, in consultation with the Department of Homeland Security, to provide a report to Congress on the Departments' ability to track, investigate and quantify cross-border violence along the Southwest Border and provide recommendations to Congress on how to accurately track, investigate, and quantify cross-border violence; to the Com-

mittee on the Judiciary, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WOLF (for himself, Mr. CONNOLLY of Virginia, and Mr. MORAN):

H.R. 6369. A bill to amend title 49, United States Code, to change the membership of the Metropolitan Washington Airports Authority Board of Directors, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROGERS of Kentucky:

H.J. Res. 117. A joint resolution making continuing appropriations for fiscal year 2013, and for other purposes; to the Committee on Appropriations, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FATTAH (for himself, Mr. ROSKAM, Mr. DICKS, Mr. TOWNS, Mr. LARSEN of Washington, Ms. LORETTA SANCHEZ of California, Ms. MCCOLLUM, Mr. FRANKS of Arizona, Ms. HIRONO, Ms. LEE of California, Mr. COSTA, Mr. JOHNSON of Georgia, Mr. THOMPSON of Pennsylvania, Mr. PEARCE, Mr. SCOTT of Virginia, Ms. SPEIER, Ms. RICHARDSON, Ms. NORTON, Mr. CUMMINGS, Mr. VAN HOLLEN, Ms. MOORE, Mr. MCGOVERN, and Mr. CONYERS):

H. Res. 774. A resolution expressing the sense of the House of Representatives that the Boys & Girls Clubs of America should be commended for their unique role in improving outcomes for millions of youth and thousands of communities; to the Committee on Education and the Workforce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RYAN of Wisconsin (for himself, Ms. BALDWIN, Mr. KIND, Ms. MOORE, Mr. SENSENBRENNER, Mr. RIBBLE, Mr. DUFFY, Mr. PETRI, and Mr. ROYCE):

H. Res. 775. A resolution condemning the shooting that killed six innocent people at the Sikh Temple of Wisconsin in Oak Creek, Wisconsin, on August 5, 2012; to the Committee on Oversight and Government Reform.

By Mr. TURNER of New York:

H. Res. 776. A resolution recognizing and commemorating the importance of Federal law enforcement officers to United States national security and counter-terrorism efforts; to the Committee on the Judiciary.

MEMORIALS

Under clause 3 of rule XII,

279. The SPEAKER presented a memorial of the Senate of the Commonwealth of Massachusetts, relative to Senate Resolution memorializing the Congress to pass and send to the States a Constitutional amendment to restore the First Amendment and Fair Elections to the People; to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. HECK:

H.R. 6361.

Congress has the power to enact this legislation pursuant to the following:

The power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution, to make all laws which shall be necessary and proper for carrying into execution the foregoing Powers, and all other powers vested by the Constitution in the Government of the United States, or in any Department or officer thereof.

By Mr. THOMPSON of California:

H.R. 6362.

Congress has the power to enact this legislation pursuant to the following:

The Congress shall have Power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. RENACCI:

H.R. 6363.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8 Clause 3—The Congress shall have power to regulate commerce with foreign nations and among the several states, and with the Indian tribes.

By Mr. POE of Texas:

H.R. 6364.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clauses 1, 12, 16, and 18

By Mr. WEST:

H.R. 6365.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 9, clause 7 of the United States Constitution

By Mr. BACA:

H.R. 6366.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3; and Article 1, Section 8, Clause 18.

By Mr. BILIRAKIS:

H.R. 6367.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Article I, Section 8 of the United States Constitution (Clauses 12, 13, 14, 16, and 17) which grants Congress the power to raise and support an Army; to provide and maintain a Navy; to make rules for the government and regulation of the land and naval forces; to provide for organizing, arming, and disciplining the militia; and to exercise authority over all places purchased for the erection of forts, magazines, dock-yards, and other needful buildings.

By Mr. CANSECO:

H.R. 6368.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 of the United States Constitution which states that Congress shall have the power to provide for our nation's common defense. This legislation would increase our nation's security, which falls under the purview of Congress' granted

power to provide for the common defense, as stated above.

By Mr. WOLF:

H.R. 6369.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause three; to regulate commerce with foreign nations, and among the several states, and with the Indian tribes.

By Mr. ROGERS of Kentucky:

H.J. Res. 117.

Congress has the power to enact this legislation pursuant to the following:

The principal constitutional authority for this legislation is clause 7 of section 9 of article I of the Constitution of the United States (the appropriation power), which states: "No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law. . . ." In addition, clause 1 of section 8 of article I of the Constitution (the spending power) provides: "The Congress shall have the Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States. . . ." Together, these specific constitutional provisions establish the congressional power of the purse, granting Congress the authority to appropriate funds, to determine their purpose, amount, and period of availability, and to set forth terms and conditions governing their use.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 12: Mr. CICILLINE.
H.R. 24: Ms. JACKSON LEE of Texas.
H.R. 25: Mr. MCCLINTOCK.
H.R. 32: Mr. KILDEE.
H.R. 35: Mr. CLEAVER.
H.R. 157: Mr. GRAVES of Missouri.
H.R. 186: Mr. MCGOVERN.
H.R. 192: Mrs. LOWEY.
H.R. 266: Mr. JOHNSON of Georgia.
H.R. 267: Mr. JOHNSON of Georgia.
H.R. 288: Ms. HANABUSA.
H.R. 289: Mrs. MCCARTHY of New York.
H.R. 300: Mr. WATT.
H.R. 333: Mr. VAN HOLLEN.
H.R. 531: Ms. TSONGAS.
H.R. 613: Mr. CICILLINE.
H.R. 718: Mr. CLAY and Mr. SMITH of New Jersey.
H.R. 719: Mr. MILLER of Florida, Mr. RENACCI, Mr. JOHNSON of Georgia, and Mr. LATOURETTE.
H.R. 733: Mr. RENACCI, Mr. BISHOP of Utah, Ms. HANABUSA, Mr. SCHILLING, and Mr. LUJÁN.
H.R. 780: Ms. WILSON of Florida.
H.R. 814: Ms. HIRONO.
H.R. 835: Mr. SHUSTER.
H.R. 854: Mr. ROE of Tennessee.
H.R. 860: Ms. JACKSON LEE of Texas, Mr. CARNEY, Mr. NUNNELEE, Mr. CUMMINGS, Mr. ROONEY, and Mr. CHANDLER.
H.R. 890: Ms. DEGETTE.
H.R. 891: Mr. LANGEVIN and Mr. POE of Texas.
H.R. 905: Ms. CHU, Mrs. BLACK, and Mr. GRIFFIN of Arkansas.
H.R. 972: Mr. SMITH of Texas.
H.R. 1063: Mr. FORBES.
H.R. 1085: Ms. TSONGAS and Ms. BONAMICI.
H.R. 1167: Mr. SMITH of Texas.
H.R. 1244: Mrs. HARTZLER, Mr. CONNOLLY of Virginia, and Mr. GUINTA.
H.R. 1327: Mr. RUPPERSBERGER.
H.R. 1370: Mr. AKIN, Mr. FORTENBERRY, Mr. BROOKS, Mr. KINGSTON, Mr. FLEMING, Mr.

MICA, Mr. BONNER, Mr. JONES, Mr. SMITH of New Jersey, and Mr. BURTON of Indiana.

H.R. 1464: Mr. BLUMENAUER.
H.R. 1488: Mr. CICILLINE.
H.R. 1509: Mr. KING of New York.
H.R. 1519: Mr. BARBER.
H.R. 1546: Mr. CLAY.
H.R. 1653: Mr. MCCAUL, Mr. HARRIS, Ms. BASS of California, and Mr. DUNCAN of Tennessee.
H.R. 1733: Ms. CHU.
H.R. 1755: Mr. SMITH of Texas and Mr. SHERMAN.
H.R. 1842: Mr. SCHRADER, Mr. RUSH, Ms. BROWN of Florida, Mr. BACA, Mr. CLEAVER, Mr. AL GREEN of Texas, Mr. MARKEY, Mr. GEORGE MILLER of California, Mr. BECERRA, Ms. LINDA T. SÁNCHEZ of California, Ms. LORETTA SANCHEZ of California, Ms. EDWARDS, Mr. NADLER, Mr. FRANK of Massachusetts, Ms. MATSUI, and Ms. WOOLSEY.
H.R. 1876: Mr. PERLMUTTER.
H.R. 1956: Mr. OWENS.
H.R. 2030: Mr. CARSON of Indiana and Mr. KEATING.
H.R. 2033: Mr. SMITH of New Jersey.
H.R. 2069: Mr. COBLE and Mr. ISRAEL.
H.R. 2088: Ms. SCHWARTZ, Ms. ESHOO, Ms. VELÁZQUEZ, Mr. SERRANO, Ms. LEE of California, Mr. MCGOVERN, Ms. WOOLSEY, Mr. FARR, Mr. REYES, Mr. HONDA, Ms. BASS of California, Mr. VAN HOLLEN, Mr. MORAN, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. NAPOLITANO, Mr. LOEBSACK, Mr. BRALEY of Iowa, Mr. DEUTCH, and Ms. LINDA T. SÁNCHEZ of California.
H.R. 2094: Mr. KUCINICH.
H.R. 2106: Mr. MEEHAN.
H.R. 2123: Mr. SMITH of New Jersey.
H.R. 2135: Ms. NORTON and Mr. MCINTYRE.
H.R. 2139: Ms. MCCOLLUM and Ms. GRIFFITH of Virginia.
H.R. 2161: Mr. McDERMOTT.
H.R. 2194: Mr. FILNER and Mrs. LOWEY.
H.R. 2224: Mr. BISHOP of New York.
H.R. 2238: Ms. SPEIER.
H.R. 2316: Mr. JOHNSON of Georgia.
H.R. 2479: Mrs. MCCARTHY of New York.
H.R. 2499: Mr. WATT and Mr. HANNA.
H.R. 2514: Mr. MILLER of Florida.
H.R. 2524: Mr. HEINRICH, Mr. GENE GREEN of Texas, Ms. CASTOR of Florida, and Mr. RANGEL.
H.R. 2557: Mr. COURTNEY.
H.R. 2563: Mr. MCGOVERN and Ms. SCHWARTZ.
H.R. 2600: Mr. KEATING, Mrs. MCCARTHY of New York, Mr. BARTLETT, and Mr. HANNA.
H.R. 2655: Mr. REHBERG and Mr. CARNEY.
H.R. 2672: Mr. HIMES.
H.R. 2695: Mr. SCHIFF and Mr. LEWIS of Georgia.
H.R. 2696: Mr. SCHIFF and Mr. LEWIS of Georgia.
H.R. 2741: Mr. TERRY.
H.R. 2794: Ms. SCHWARTZ and Mr. LANGEVIN.
H.R. 2866: Mr. CONYERS, Mr. TIERNEY, and Mr. GENE GREEN of Texas.
H.R. 2885: Mr. BISHOP of Utah.
H.R. 2888: Mr. GRIJALVA.
H.R. 2960: Mr. SMITH of New Jersey.
H.R. 2978: Mr. SMITH of Texas.
H.R. 3027: Ms. HIRONO.
H.R. 3053: Mr. MORAN.
H.R. 3059: Mr. HARRIS.
H.R. 3098: Mr. PAUL.
H.R. 3150: Mr. CASSIDY.
H.R. 3199: Mr. KINGSTON.
H.R. 3264: Mr. HUELSKAMP.
H.R. 3269: Mr. SMITH of New Jersey.
H.R. 3287: Mr. LEWIS of Georgia.
H.R. 3307: Mr. CARSON of Indiana and Ms. KAPTUR.
H.R. 3308: Mr. MILLER of Florida.

H.R. 3324: Mr. MILLER of North Carolina.
H.R. 3364: Mr. RIBBLE.
H.R. 3395: Mr. WHITFIELD.
H.R. 3415: Mr. STARK.
H.R. 3497: Ms. SCHWARTZ.
H.R. 3506: Mr. SMITH of New Jersey.
H.R. 3510: Mr. HOLT.
H.R. 3511: Mr. HARRIS.
H.R. 3600: Mr. TOWNS.
H.R. 3624: Mr. KUCINICH.
H.R. 3625: Mr. BACA and Mr. ROSS of Arkansas.
H.R. 3627: Mr. BENISHEK.
H.R. 3634: Mrs. MILLER of Michigan.
H.R. 3798: Mr. CARSON of Indiana, Mr. RUNYAN, Mr. HASTINGS of Florida, and Mr. SERRANO.
H.R. 3831: Ms. BASS of California and Mr. BARLETTA.
H.R. 3855: Mr. STARK.
H.R. 4002: Mr. FINCHER.
H.R. 4010: Mr. BARBER.
H.R. 4017: Mr. CONNOLLY of Virginia.
H.R. 4037: Mr. DAVID SCOTT of Georgia.
H.R. 4057: Mr. RANGEL.
H.R. 4103: Mr. DEFazio, Mr. STARK, Mrs. NAPOLITANO, Mr. LARSON of Connecticut, and Mr. PASCRELL.
H.R. 4137: Mr. MARCHANT, Mr. GERLACH, and Mr. HONDA.
H.R. 4165: Mr. GENE GREEN of Texas and Mr. SMITH of New Jersey.
H.R. 4215: Mr. BOUSTANY, Mr. SCHIFF, Mr. WESTMORELAND, and Mr. POE of Texas.
H.R. 4228: Mr. WALSH of Illinois and Mr. BROOKS.
H.R. 4229: Mr. GRIFFITH of Virginia.
H.R. 4235: Mrs. ELLMERS and Mr. GONZALEZ.
H.R. 4249: Ms. SLAUGHTER.
H.R. 4269: Mr. HASTINGS of Washington.
H.R. 4271: Ms. SCHWARTZ.
H.R. 4290: Mr. CONNOLLY of Virginia.
H.R. 4342: Mr. BACHUS and Mr. CUMMINGS.
H.R. 4345: Mr. ADERHOLT.
H.R. 4373: Mr. CLAY, Ms. BROWN of Florida, Mr. WALZ of Minnesota, Mr. BARROW, and Mr. COHEN.
H.R. 4385: Mr. HERGER, Mr. CRAWFORD, and Mr. WALDEN.
H.R. 4965: Mrs. HARTZLER, Mrs. BACHMANN, and Mr. DONNELLY of Indiana.
H.R. 5129: Mr. HANNA.
H.R. 5186: Mr. CAPUANO.
H.R. 5684: Mr. KUCINICH, Mr. FILNER, and Mr. STARK.
H.R. 5796: Mr. FRANKS of Arizona, Mr. MARINO, Mr. DUFFY, Mr. TERRY, and Mr. COLE.
H.R. 5865: Ms. SUTTON and Mr. MURPHY of Connecticut.
H.R. 5891: Mr. TIERNEY and Ms. NORTON.
H.R. 5907: Mr. HONDA and Mr. STARK.
H.R. 5914: Mr. WHITFIELD and Mr. BACA.
H.R. 5937: Mr. HARRIS and Mr. TIBERI.
H.R. 5943: Mr. KISSELL.
H.R. 5959: Mr. SCHIFF and Ms. SCHAKOWSKY.
H.R. 5978: Mr. KUCINICH.
H.R. 5987: Mr. GRIMM.
H.R. 6007: Mr. FARENTHOLD.
H.R. 6046: Mrs. CAPPS.
H.R. 6097: Mr. ROSS of Florida.
H.R. 6113: Mr. MCKINLEY, Mrs. CAPITO, and Mr. SHUSTER.
H.R. 6118: Mr. PAUL and Mr. GRIFFIN of Arkansas.
H.R. 6120: Mr. LANGEVIN.
H.R. 6138: Mr. CICILLINE, Ms. JACKSON LEE of Texas, and Mrs. DAVIS of California.
H.R. 6140: Mr. STUTZMAN and Mr. GERLACH.
H.R. 6155: Mr. RYAN of Ohio.
H.R. 6176: Mr. HARRIS.
H.R. 6185: Mr. LARSEN of Washington.
H.R. 6194: Mrs. HARTZLER and Mr. KINGSTON.

H.R. 6200: Mr. MCGOVERN, Ms. CHU, Mr. TIERNEY, Mr. FARR, and Mr. MORAN.
H.R. 6216: Mr. CICILLINE.

H.R. 6226: Mr. GIBBS.
H.R. 6229: Mr. RUNYAN and Mr. MICHAUD.
H.R. 6241: Mr. SIRES and Ms. NORTON.
H.R. 6245: Mr. POLIS.
H.R. 6250: Mr. GRIFFIN of Arkansas and Mr. AKIN.

H.R. 6260: Mr. BACA, Ms. BASS of California, Mr. BECERRA, Mr. BERMAN, Mr. BILBRAY, Mrs. BONO Mack, Mr. CALVERT, Mr. CAMPBELL, Mrs. CAPPS, Mr. CARDOZA, Ms. CHU, Mr. COSTA, Mrs. DAVIS of California, Mr. DENHAM, Mr. DREIER, Mr. FARR, Mr. FILNER, Mr. GARAMENDI, Ms. HAHN, Mr. HERGER, Mr. HONDA, Mr. HUNTER, Mr. ISSA, Ms. LEE of California, Mr. LEWIS of California, Ms. ZOE LOFGREN of California, Mr. DANIEL E. LUNGREN of California, Ms. MATSUI, Mr. MCCARTHY of California, Mr. MCCLINTOCK, Mr. MCKEON, Mr. MCNERNEY, Mr. GARY G. MILLER of California, Mr. GEORGE MILLER of California, Mrs. NAPOLITANO, Mr. NUNES, Ms. PELOSI, Ms. RICHARDSON, Mr. ROHRABACHER, Ms. ROYBAL-ALLARD, Mr. ROYCE, Ms. LINDA T. SANCHEZ of California, Ms. LORETTA SANCHEZ of California, Mr. SCHIFF, Mr. SHERMAN, Ms. SPEIER, Mr. STARK, Mr. THOMPSON of California, Ms. WATERS, Mr. WAXMAN, and Ms. WOOLSEY.

H.R. 6261: Mr. ROSS of Florida, Mrs. HARTZLER, Mr. WESTMORELAND, and Mr. LANKFORD.

H.R. 6267: Mrs. HARTZLER, Mr. BILBRAY, Ms. PINGREE of Maine, Mr. GUTHRIE, Mr. MICHAUD, Mr. GRIFFIN of Arkansas, Mr. HONDA, and Mr. PLATTS.

H.R. 6275: Mr. ISRAEL and Mr. STARK.
H.R. 6289: Mr. DOLD.
H.R. 6293: Mr. STARK and Ms. BORDALLO.
H.R. 6306: Mr. GEORGE MILLER of California and Mr. YOUNG of Alaska.

H.R. 6308: Mr. KUCINICH.
H.R. 6310: Mr. GEORGE MILLER of California, Mr. RUPPERSBERGER, Ms. NORTON, Ms. SLAUGHTER, and Mr. HOLT.

H.R. 6311: Mr. FILNER, Mr. KUCINICH, and Mr. MCGOVERN.

H.R. 6313: Mr. BERMAN.
H.R. 6330: Ms. RICHARDSON and Mr. CICILLINE.

H.R. 6334: Mr. LANKFORD and Mr. GRAVES of Georgia.

H.R. 6335: Mr. MCCLINTOCK.

H.R. 6345: Mr. LATTA.

H.R. 6358: Mr. CUMMINGS.

H.J. Res. 78: Mr. SARBANES.

H.J. Res. 110: Mr. MARINO and Mr. SCHILLING.

H.J. Res. 115: Mr. ISRAEL.

H. Con. Res. 107: Mr. KUCINICH.

H. Con. Res. 122: Ms. EDDIE BERNICE JOHNSON of Texas.

H. Con. Res. 129: Mr. RANGEL and Mr. BACA.

H. Res. 134: Mr. DUNCAN of Tennessee, Mr. DENHAM, Mr. LANKFORD, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. CLAY.

H. Res. 238: Mr. GENE GREEN of Texas.

H. Res. 289: Ms. JACKSON LEE of Texas.

H. Res. 298: Mr. LEWIS of Georgia.

H. Res. 374: Mr. SCHOCK.

H. Res. 609: Mr. MORAN and Mr. WELCH.

H. Res. 630: Mr. LUETKEMEYER, Mrs. ADAMS, Mr. RIBBLE, Mr. STIVERS, Mr. GRIFFITH of Virginia, and Mr. GRAVES of Georgia.

H. Res. 671: Mr. COOPER.

H. Res. 687: Mr. OLVER.

H. Res. 745: Mr. COSTA and Mr. DANIEL E. LUNGREN of California.

H. Res. 756: Mr. VAN HOLLEN.

H. Res. 757: Mr. MICHAUD.

H. Res. 763: Ms. RICHARDSON.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

OFFERED BY MR. ROGERS OF KENTUCKY

H.J. Res. 117, the Continuing Appropriations Resolution, 2013, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

PETITIONS, ETC.

Under clause 3 of rule XII,

58. The SPEAKER presented a petition of Alger County Board of Commissioners, Munising, MI, relative to Resolution No. 2012-11 asking the Michigan Delegation to show their support for past and present Michigan service members and their families; to the Committee on Armed Services.

SENATE—Monday, September 10, 2012

The Senate met at 2 p.m. and was called to order by the Honorable RICHARD BLUMENTHAL, a Senator from the State of Connecticut.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, Your presence fills us with reverential awe for we find a light in Your commands. Even in darkness, your light dawns for those who love You. And so, Lord, as we begin the next phase of the work of the Senate, give us greater confidence in the power of Your providential purposes. Remind our lawmakers that the hearts of governmental leaders are in Your hands, yielding to the wisdom of Your sovereign will. Help us, Lord, to get to know You and love You so we can serve You as we should.

We pray in Your mighty Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable RICHARD BLUMENTHAL led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUE).

The legislative clerk read the following letter.

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, September 10, 2012.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable RICHARD BLUMENTHAL, a Senator from the State of Connecticut, to perform the duties of the Chair.

DANIEL K. INOUE,
President pro tempore.

Mr. BLUMENTHAL thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

WELCOME BACK

Mr. REID. Mr. President, I welcome everyone back, the staff and Presiding

Officer. I hope everyone had a restful and productive month. I look forward to this work period, which will be very short and exact, and I hope we can accomplish a few things.

CLEAR PICTURES

Mr. REID. Mr. President, I wish to take a minute to talk about Congressman PAUL RYAN's arithmetic. It is very interesting. He said he ran a marathon. A marathon is 26.2 miles long. While being questioned by the press, he said he ran it in about 2 hours and 50 minutes. Now, that is pretty fast. I would like to take a minute and apply the Ryan math to my marathon times. I will pick just one marathon time.

I ran the Boston Marathon, and using the Ryan math my time would not have been a world record but within minutes of a world record. I could have made the Olympic team. By using Ryan math, I would have been superb. Well, the Ryan math doesn't work in marathons. As we all know, we can always check someone's math, and his math doesn't work for running a marathon or anything else.

The Ryan math doesn't work with his budgets, it doesn't work with Medicare, and it doesn't work with his tax plan. It doesn't work with anything he has suggested and opined. It is no more than his little assertion that I guess he thought no one would check. When people run these races, they keep records. For all of my marathons, they have kept records. So as much as I would like to have the Ryan math apply to my marathons, it doesn't work.

The Senate is going to resume its work in a few minutes on the heels of the two conventions. One was in Florida and one in North Carolina. The Republicans used their virtually fact-free convention to showcase the richest style economic policies.

The Democrats took a different approach. I am sure we all had our favorites. I thought Congressman CLEAVER's speech was so terrific. I don't know how many were able to see it, but it was great. He was up there marching. He was just outstanding.

Gov. Jennifer Granholm from Michigan was so good as she explained to everyone about jobs and why Detroit should not have gone bankrupt.

I thought JOE BIDEN's speech was typical for JOE BIDEN. It was wonderful. I admire him so much. I served with him for a quarter of a century. What a good man. He has contributed such valuable service to his country. While talking about his life story, we saw when his son introduced him. Tears were coming from his eyes.

The President's and Mrs. Obama's messages were very clear. They did so well.

In Charlotte Democrats presented Americans with a clear and honest assessment of the challenges we face as a nation and a concrete plan to overcome the problems we have together. That is why President Obama has seen a significant rise in the polls since that convention and all of those speeches—not just his speech but all of them. Even the Republican-skewed Rasmussen poll had him ahead by 5 points.

In fact, we presented Americans with clear choices. It was not a choice between two candidates or two parties; it was a choice between two visions: the Romney vision and the vision we certainly think was pronounced at that convention, the Obama vision and a vision about America's future.

The Republican vision would return us to the failed economic policies that brought us to the great recession. It would return us to 8 years of wars, rumors of wars, and massive debt, everything unpaid for.

We don't want to go back to that. We can't go back to that. It would further tilt the playing field in favor of those who have every advantage, millionaires and billionaires. They already have an advantage. We don't need to give them any more.

President Obama showed a vision of America where every person has a shot at success, where fairness replaces favoritism. His policies led to 30 straight months of private sector job growth. Would we like more? Of course we would.

I met with Harold Schaitberger this morning, general president of the firefighters. He has been working in the field with firefighters. He started out as a firefighter. As a boy, his father died, and before he was old enough to be a firefighter, he actually lived in a firehouse by himself with the rest of the firefighters. That is where he got the idea that was what he wanted to do with his life's work. He has dedicated so much to making America a better place.

In my conversation with him we discussed how we are approaching 1 million people who have been laid off in the public sector. I am sure it has happened in Connecticut. It has happened in Nevada. It has happened everywhere. We thought we had a way of solving that problem.

Mr. President, you voted, I voted, and we thought we should stop the layoffs of firefighters, police officers, and teachers, and we would pay for it and have no more debt. We would pay for it

by having a three-tenths of 1 percent surtax on people making more than \$1 million a year. Every Republican voted against public employees. Three-tenths of 1 percent would have taken care of all of that.

I enjoyed my conversation with President Schaitberger. We lamented the fact that all of these public employees have been laid off, and we have to get back to where we can have a public sector where people are not so overworked. I know in Nevada we have too few firefighters, too few police officers, and teachers who have been laid off, and that is a shame.

We have had 30 straight months of private sector job growth. Too bad the numbers are not more than 4½ million, but that is where they are. We lost 8 million jobs in the Bush years, and we have gained more than half of them back. We are making progress. We wish we could do better, and everyone acknowledges that. There is more work to be done. Too many Americans are still hurting.

President Obama has a plan to put more than 1 million people back to work next year. His plan will create jobs for the middle class and not just profits for the CEOs. We all want profits for these companies—and that is good—but we also want to make sure there is a fair program out there and that we do something to stop the middle class from being squeezed so hard. A lot of the CEOs are doing extremely well, and I am happy.

The Dow is up more than 6,000 points since President Obama took office. Meanwhile, Mitt Romney has failed to offer a single concrete idea to get good-paying jobs for American workers.

I watched part of an interview of Congressman RYAN today. It was a replay from yesterday. I think he was on ABC with George Stephanopoulos. All I could see was the back of Stephanopoulos's head, but I think that is who it was. He was saying they want to close these tax loopholes. So Romney has been asked and RYAN has been asked: What loopholes do you want to close? They will not say. It is part of their fictitious math because when they start talking about how fast they ran a marathon or talk about holes they want to plug, they have to give facts. And they have refused to do that.

Do they want to get rid of charitable donations? Do they want to get rid of the deduction for buying a home? They will not say. It is obvious why; they are afraid. So they give the Ryan math and the Romney math, which doesn't add up.

It is no surprise that Governor Romney has failed to offer a single proposal to create a good-paying job. After all, he belongs to the same Republican Party that has put partisan politics ahead of creating jobs for almost 4 years now. In fact, some would say 6

years. We have never had such obstruction in the history of the country. Nothing even comes close.

In the almost 6 years we have had the majority in the Senate, we have had to file cloture 380 times. There were times when the Congress would file cloture a handful of times, maybe 10 times. It has been 380 times in less than 6 years. This is the same Republican Party whose leader has said his No. 1 goal is to defeat President Obama, not create jobs for the American people in the private or public sector.

We have been rolling up our sleeves to put teachers, firefighters, police, and construction workers back on the job. For every \$1 billion we spend as a Federal Government for infrastructure, there are 47,500 high-paying jobs. There are other lower paying jobs that spin off of that. These are not government jobs. We don't send a truck out that says "U.S. Federal Government" on it to do this work. This money goes to the private sector to create jobs.

So while we have been working to try to create jobs, Republicans have been throwing up their hands—or worse, standing in the way of progress. Our No. 1 goal is to get our economy back on track. I repeat, the Republicans' No. 1 goal is to defeat President Obama. What a shame.

We are resolute in our commitment to restore the economy. That is why we proposed the Veterans Job Corps Act, a measure that fulfills our promise to the brave men and women who dedicated their lives to making our lives safer.

President Obama kept his promise to end the war in Iraq and wind down the war in Afghanistan. The war in Iraq is over, and each year about 200,000 servicemembers reenter the civilian workplace. That is the way it is right now. As this new generation of veterans returns home ready to work, it is our job to make sure they have the opportunity to work and succeed.

The bill that is now before the Senate, the Veterans Job Corps Act, will reinvest in our returning servicemembers, easing the sometimes difficult transition back to civilian life.

The measure will also offer priority hiring for veterans who want to become first responders. As we have talked about already, these include firefighters, police officers, and EMTs. It will also create jobs for veterans restoring forests, parks, coasts, and public lands. These are really good jobs. These are really important jobs. We tried this once before when we were really struggling as a country during the Great Depression. We had the Works Progress Administration. We had the Civilian Conservation Corps. In my little town of Searchlight, NV, there were numerous projects that were developed by these individuals during the Great Depression. They would fix watering holes, put in wind-

mills, build walkways, and many of these things are still in existence. So I commend the senior Senator from Florida, Mr. BILL NELSON, and the junior Senator from Montana, Mr. JON TESTER, for their work on this legislation. Unfortunately, we once again face Republican obstruction.

I repeat something I said a few minutes ago. Since we took control of the Senate in 2006–2007, Republicans have mounted an unprecedented 380 filibusters. This is outrageous. This obstruction exceeds anything we have ever seen before in the Senate. This is not using Romney-Ryan math; these are actual, valid numbers. By comparison, in Lyndon Johnson's 6 years as majority leader—I could ask everyone here to take a guess as to how many filibusters he had to overcome. Remember, these were the years when he was President and we had the civil rights stuff going on and all kinds of problems. Everyone would fail the test. He had to overcome one filibuster. I have been faced with 308.

I hope Republican colleagues will join us tomorrow as we vote to advance this measure. It is too bad we have had to file cloture on moving to proceed to this bill. The heroes who fought for their country overseas shouldn't have to fight for jobs once they get home.

Tomorrow marks the 11th anniversary of the September 11 terrorist attacks. The date is a reminder that through over a decade of war, the bravery and dedication of America's Armed Forces has never wavered. It is a reminder that our commitment to those fine young and women should never waver, either.

VETERANS JOBS CORPS ACT OF 2012—MOTION TO PROCEED

Mr. REID. Mr. President, I move to proceed to Calendar No. 476, S. 3457.

The ACTING PRESIDENT pro tempore. The clerk will report the motion.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 476, S. 3457, a bill to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes.

SCHEDULE

Mr. REID. Mr. President, at 5 p.m. today the Senate will proceed to executive session to consider the nomination of Stephanie Marie Rose to be U.S. District Judge for the Southern District of Iowa, with 30 minutes of debate equally divided and controlled. At 5:30 p.m. there will be a rollcall vote on the Rose nomination.

MOMENT OF SILENCE

I ask unanimous consent to have a moment of silence at 4:55 p.m. today for the 40th anniversary of the Munich Olympics massacre.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RESERVATION OF LEADER TIME

Mr. REID. Would the Chair announce the business of the day.

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

Under the previous order, Senators are permitted to speak for up to 10 minutes each.

Mr. REID. I note the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KYL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

CONVENTION RESPONSE

Mr. KYL. Mr. President, I would like to speak about two claims that were made at the recent Democratic Convention that I believe require a response. Obviously, the Republican Convention went first and they did not have an opportunity to respond to everything that was said, but I think there are two things, as I said, that were claimed that just are not true. The first is that Republican policies caused the economic recession, so that in the Democrats' view electing Governor Romney would simply return us to those same, allegedly, failed policies. Second, it was said by several spokesmen on the Democratic side that there were no new or big ideas coming out of the Republican Convention, so you might as well give President Obama another 4 years in office. I would like to respond to both of those claims.

First, President Obama and his supporters would like Americans to believe that the so-called Bush tax cuts, deficits, and deregulation caused the great recession. Those are the Republican policies that got us into the mess, they say. The facts show this is not true. As James Pethakoukis of the American Enterprise Institute asks, if the 2001 and 2003 tax cuts caused the great recession, then why does President Obama want to keep most of them? And why did he sign a 2-year extension of those tax cuts a year and a half ago? That is a good question.

Obama supporters also claim that huge deficits resulting from these 2001 and 2003 bills caused the recession. But here are the facts. According to the Congressional Budget Office—non-partisan—the 2001 and 2003 tax relief has only been responsible for 16 percent of the swing from surplus to deficit that they had estimated. If you look at the upper income tax relief only, that relief makes up just 4 percent of the swing. So it is impossible to say the tax cuts on the rich caused the recession. The maximum that the Congress-

sional Budget Office can identify is potentially 4 percent. It is also important to note that since the CBO does not take into account the pro-growth effects of marginal tax rate reductions—which all economists agree with—these numbers are even likely smaller than 4 percent.

Over that same period of time, new spending—this is the real problem—and interest on that spending were 12 times as responsible as the upper income tax reductions. So the real culprit here is not reducing the tax rate on Americans and especially those who are in the wealthier brackets but, rather, the new spending in which the Federal Government engaged. That is the cause of the deficits, and that did have an impact eventually on our ability to recover from the great recession.

One other note on this. The rich people, even though their tax rates were cut, ended up paying a far bigger percentage of taxes after the Bush tax cuts. The upper bracket earners paid—according to CBO again, in 2008 and 2009, the years for which they have figures, the top 20 percent of taxpayers paid 90 percent of income taxes—94 percent of income taxes. Before the Bush tax cuts, before 2001, that same top 20 percent paid only 81 percent. So the tax cuts in the upper income tax brackets resulted in an increase in the total dollar amount of taxes paid by the upper income people from 81 percent to 94 percent. So you cannot even make the argument that it was less fair. If anything, the upper income folks obviously paid a lot more—94 percent of all the income taxes paid.

Now, if deficits are the problem the Democrats are talking about, then President Obama would clearly make the problem worse. Pethakoukis notes:

The most recent Obama budget, according to CBO, would add \$6.4 trillion more to the federal budget deficit over the next decade, leaving debt as a share of the economy stuck at around 76 percent of GDP versus 37 percent pre-recession.

Think about it. The Obama budget leaves us with 76 percent debt as a share of GDP as opposed to 37 percent before the recession. So if debt and deficits are a problem, it is far worse under President Obama's budget than before. But, again, it turns out that is not really what caused the great recession, nor was it the third item that has been pointed to; that is, deregulation.

Deregulation under President Bush did not cause the problem. Pethakoukis writes:

Glass-Steagall ended during the Clinton administration, and studies have found no evidence that any rule changes by the Bush SEC contributed to the financial crisis.

Glass-Steagall is the law that used to regulate how banks made investments. That law was eventually repealed during the Clinton administration. The Bush SEC—that stands for Securities and Exchange Commission, and there

are rules changes in every administration for the SEC—he is making the point that there is no evidence that any particular rule change in the SEC had anything to do with the financial crisis.

So it was not the tax cuts, it was not the deficit, and it was not deregulation. What did cause the recession? AET's Peter Wallison has put it simply this way:

The financial crisis was a result of government housing policy. . . . Fannie Mae and Freddie Mac were the implementers of a substantial portion of the government housing policy.

Now, I would note that Republicans in Congress tried to reform Fannie and Freddie, but we were opposed by Democratic Members both in the House and in the Senate, including then-Senator Barack Obama.

Most experts, I believe, will agree that the biggest reason for the collapse that occurred after 2006 was the housing market—the sale of all of these mortgages that were not worth the paper on which they were written. When that paper was all added together, bundled together and sold in big chunks to investors, and they found out their investment was not worth what they had paid for it, you had a crash and you had several people on Wall Street who went bankrupt as a result of that crash. That is the reality.

The bottom line is that there is no Republican policy that caused the recession, so it is bogus for the President to keep saying Governor Romney would just return us to the “same failed policies.”

The second claim is that there were no new big Republican ideas to come out of the GOP convention. I submit that claim reveals just how radical the Obama team's economic policies are. It is true that Governor Romney's ideas for economic recovery are not new. But they are big. In fact, his faith in the American people and the free enterprise system is a very big idea—not new but tried and tested as the basis for creating the wealthiest Nation ever on Earth.

Capitalism and free markets have lifted the standard of living for more people around the world than any government program or any other system. Planned economies compare very poorly to the free enterprise system of America. Margaret Thatcher once famously observed:

The problem with socialism is that, eventually, you run out of other people's money.

Yes, a key theme of the Republican Convention was freedom, opportunity, and earned success. Americans did build our own success. To the extent that government provided any infrastructure along the way, it was paid for by taxes that Americans paid on what they earned because of their success. And, yes, this is in contrast to the theme of the Democratic Convention

that our success comes from the collective, embodied mostly in government, so the bigger the government the better.

The bottom line is this: Returning to free market principles and progrowth policies will move us forward. Continued reliance on more spending, higher taxes, and bigger government will not solve our problems.

Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HARKIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ROSE NOMINATION

Mr. HARKIN. Mr. President, as many of my colleagues know, I am a strong and enthusiastic advocate of Stephanie Rose to serve as a district court judge in Iowa's southern judicial district. I was honored to recommend to the President that he nominate this outstanding attorney. I encourage my colleagues to vote for her confirmation when the vote occurs later this afternoon.

Let me begin by first thanking Senator LEAHY and his staff for their hard work in advancing Ms. Rose's nomination. I also want to thank my senior colleague from Iowa, Senator GRASSLEY, for his invaluable support and assistance. For all the years we have served together here in the Senate, which now goes on, I think, 27 years, Senator GRASSLEY and I have cooperated in a spirit of good will on judicial nominations in our State.

I am proud we are continuing Iowa's tradition regarding judicial selections. I can honestly say that Senator GRASSLEY has never opposed one of my selectees, I have never opposed one of his, even when there has been a different President in the White House, depending upon the party that is in control of the Congress. I think we have both been very judicious, if I might use that word, in our selection of people for the bench. I say that both on behalf of Senator GRASSLEY and myself. So therefore we have worked together in this very close spirit of cooperation.

I also want to thank Senator GRASSLEY's staff, in particular Jeremy Paris, Ted Lehman, and Senator GRASSLEY's Chief of Staff, David Young, for their support and their help in advancing the nomination. On my staff, I want to thank my Chief of Staff, Brian Ahlberg, Dan Goldberg, Derek Miller, and Pam Smith, all of whom have worked very hard to make sure we had a thorough interview process, a thorough vetting of the candidates, and to make sure that we got to the point where her vote will be coming up later this afternoon.

Stephanie Rose possesses in abundance the personal and professional qualities we expect from those we consider to take on the profound responsibilities of a Federal judge. She is a superb attorney. Among jurists, prosecutors, and the defense bar, she has a reputation as someone who is unfailingly fair and ethical and who possesses exceptional legal ability, intellect, integrity, and judgment.

As Charles Larson, the former U.S. Attorney for the Northern District of Iowa under President George W. Bush, wrote to the Judiciary Committee, Ms. Rose "has all the requisite abilities and traits to serve all litigants of the Southern District of Iowa in the manner expected of a federal judge. Ms. Rose would be a distinguished member of the judiciary."

Ms. Rose was born in Topeka, KS, and moved to Mason City, IA, when she was 4. Both of her parents were public schoolteachers. She and her husband Rob have two children, Kyl and Missy. Ms. Rose has two sisters, one of whom was adopted after coming to the family as a foster child, one of five foster children her parents welcomed into their home.

After graduating from Mason City High School, Ms. Rose earned her bachelor's degree with honors from the University of Iowa in just 3 years. Then she earned her doctorate of jurisprudence from the University of Iowa College of Law in just 2 years, graduating in the top 5 percent of her class.

She could easily have commanded a big salary from a top law firm. Instead she opted for public service and long hours as a Federal prosecutor, working to uphold the rule of law, making our neighborhoods safer, and advancing the cause of justice.

I might add that she served as a Federal prosecutor under district attorneys appointed both by Democratic Presidents and Republican Presidents. In 2009, the Senate unanimously confirmed Ms. Rose to become U.S. Attorney in the Northern District of Iowa, having previously served 12 years as an assistant U.S. attorney.

Even before becoming U.S. attorney, she was lead counsel in 260 felony cases and made 34 oral arguments before the eighth circuit. She received a national award from the Department of Justice for her work in prosecuting the largest unlawful Internet pharmacy case in the United States.

As U.S. attorney, Ms. Rose has helped make Iowa and our Nation safer, reduced violent crime and gang violence, and promoted civil rights. In addition, she has the distinction of serving on the Attorney General's Advisory Committee. It is no surprise that the American Bar Association gave Ms. Rose a unanimous "well qualified" rating, the highest rating by the American Bar Association.

Finally, I wanted to comment on the historic nature of her confirmation.

Ms. Rose was the first woman to be confirmed as U.S. attorney in Iowa's Northern District, and when confirmed later today, she will be the first woman confirmed as a U.S. district court judge in Iowa's Southern District.

Ms. Rose is a person of truly outstanding intellect, integrity, and character. She is exceptionally well qualified to serve as a United States district judge for the Southern District of Iowa. I urge all of my colleagues to support her nomination.

I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ISAKSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. MANCHIN). Without objection, it is so ordered.

Mr. ISAKSON. Mr. President, I ask unanimous consent to address the Senate as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

HONORING OTIS A. BRUMBY, JR.

Mr. ISAKSON. Mr. President, I ask unanimous consent to have printed in the RECORD an 8-page eulogy that appeared in the Marietta Daily Journal on Sunday of this week.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Marietta Daily Journal, Sept. 8, 2012]

JOURNAL PUBLISHER DIES AFTER TWO-YEAR BATTLE WITH CANCER

(By Joe Kirby)

Otis A. Brumby Jr. served nearly a half-century as publisher of the Marietta Daily Journal. During those decades he oversaw the transformation of the MDJ from a small-city newspaper into the award-winning flagship of a metro-wide chain of suburban papers; used those publications as "bully pulpit" for lower taxes and against political corruption; crusaded successfully for stronger "Sunshine Laws"; fought passionately for education reform; and was a widely respected kingmaker in state and local politics. Brumby, who was diagnosed with Stage 4 prostate cancer nearly two years ago and had waged a strenuous fight against it since then, passed away peacefully at his home on Saturday at age 72, surrounded by family and friends.

Said former Gov. Roy Barnes of Marietta, "I can think of no single person who's had bigger impact on Cobb County and this state than Otis. He excelled as a community leader and in education reform. And I think that a giant oak has fallen that will be very difficult to replace."

Otis A. Brumby Jr. was born April 9, 1940 in Atlanta, son of the late Otis A. Brumby Sr. and Elisabeth Dobbs Brumby of Marietta. His family had a long history and deep roots in county history. One member (Col. Anoldus V. Brumby) had served as commandant of the Georgia Military Institute on Powder Springs Road in Marietta (now site of the Marietta Hilton and Conference Center). Otis

Jr. was the great-grandson of Thomas Micajah Brumby, who with his brother James had co-founded the Brumby Chair Company here just after the Civil War (a company that Otis Jr. would successfully resurrect in the mid-1990s). Both Thomas and his son, Thomas Jr., served as mayors of Marietta, the latter dying in office.

Thomas Jr.'s son Otis Sr. had founded the weekly Cobb County Times in 1916 and acquired the MDJ in 1951.

The publisher and his young family, which also included daughter Bebe in addition to Otis, lived on then-rural Terrell Mill Road just south of Marietta.

Despite growing up around the newspaper, Otis Jr. had planned on a legal career. After graduating from the University of the South in Sewanee, Tenn., with a major in political science and a minor in economics, he earned a law degree from The University of Georgia in Athens (where his roommates included future famed criminal defense lawyer Ed Garland, banking tycoon James Blanchard of Synovus and prominent attorney Wyck Knox of Augusta).

But shortly after he returned to Marietta in 1965 as assistant to the publisher (a training period that also included a lengthy stint as a "cub" reporter) and two years later was named publisher.

He wasted little time making his mark. In 1969 he launched the Neighbor Newspaper group, which ultimately grew into a chain of 27 free suburban weeklies circling metro Atlanta, with satellite offices in each county feeding copy back to Marietta.

"Otis Jr. was still in his 20s when he made the visionary decision to start the Neighbor newspapers," retired Kennesaw State University history professor Tom Scott, Ph.D., told the MDJ. "In the competitive world of modern reporting, with so many alternatives to print journalism, it's hard to see how the MDJ could have been so profitable without the mass circulation of those suburban newspapers."

Meanwhile, with delivery issues in mind and with an eye on the need for better access to then-new Interstate 75, Brumby moved the newspaper's offices from their traditional Marietta Square location to a new plant on Fairground Street just downhill from Lockheed.

Brumby's newspaper, with its emphasis on short stories and readability, became a model for the industry. When Gannett began laying plans for what would become USA Today, it sent a team of editors to spend a week in the MDJ newsroom studying the Marietta newspaper model.

The MDJ's meat-and-potatoes was and is coverage of community events that are too routine for bigger media to pay much attention to: the rezonings, the road widenings, the church news, the school news, the new business openings. But unlike many community-oriented newspapers, and unlike many bigger ones as well, the MDJ under Brumby's leadership also kept its editorial eye riveted on the doings of its local governments. The MDJ hammered home through the years the need for leaner government and lower taxes.

"He was always a populist in his views and opposed what he deemed to be wasteful spending on any level of government," recalled state Senator and former Cobb school board Chairman Lindsey Tipples.

Added former House Speaker Newt Gingrich, "Otis was consistently one of the strongest voices for more efficient government, for smaller government and for creating new jobs. He was a passionate advocate for the development of northside Atlanta.

Just look at the amount of what in his youth was farmland that now is full of homes and factories and schools. He was integral to the growth of Cobb."

Said legendary retired Georgia journalist and syndicated columnist Bill Shipp of Kennesaw, "Of all the publishers and editors I met and worked for, he was far and above the best one. He had a model daily newspaper. He not only reported the news, his newspaper was an active, dynamic watchdog in this county.

"He ran a newspaper that appealed to local newspaper readers and was a cause for community good. And the MDJ is without equal in the entire state in that regard."

Added Barnes, "We have not had any major government corruption scandals in Cobb, and the reason is that Otis was a vigilant watchdog making sure the public knew what was going on. We've escaped embarrassment, corruption and scandal because of his efforts."

Like most editors and publishers, Brumby felt strongly about First Amendment issues. But unlike the perfunctory support sometimes heard from such quarters, Brumby's front-and-center push for government transparency was unwavering.

"His legacy in journalism was his consistent, unrelenting effort to ensure government transparency and open meetings and records," said U.S. Sen. Johnny Isakson (R-Ga.) "There's not a journalist or publisher or editorial writer in this state that did more than Otis to ensure the public's business was done in the open. There wouldn't be an Open Meetings and Open Records Act without Otis."

Continued Isakson, "When the publisher of your hometown paper and your personal friend has a passion for open government and you're an elected official, if you don't embrace that concept too, you won't last very long."

Georgia Attorney General Sam Olens of east Cobb described Brumby as "a great teacher and mentor. His love of the First Amendment and his desire for elected officials to be held accountable are much appreciated."

Retired ambulance company owner Bo Pounds was part of a group that successfully brought suit against Cobb EMC regarding misuse of corporate assets, an effort that was fueled by the MDJ's close coverage.

"Otis is the best I've ever seen at letting the public know what in the hell the government is doing," he told the MDJ. "Otis is as responsible for openness in Georgia law as anyone."

The newspaper went on to win the prestigious annual Freedom of Information Award numerous times from the Georgia Associated Press and the Georgia Press Association.

As Brumby saw it, the Sunshine laws were tools for use by the public and media to help hold elected officials accountable.

Shipp, the retired columnist, said that public officials "were and are absolutely terrified of the MDJ, and that's a good thing. We don't have much of that kind of journalism anymore. It's the kind of journalism that keeps people in the middle of the road."

Said Marietta Mayor Steve Tumlin, "I had one rule with Otis as a politician: Tell the truth early on and hide nothing, as he knew it or was going to know it anyway."

It's notable that the three Georgia elected officials who arguably worked the hardest and most successfully to strengthen the sunshine laws Barnes, Olens and Isakson—had something in common.

"They were all under tutelage of Otis Brumby," Barnes said. "He impressed upon

us and all who would listen the importance of making sure that government is open and conducted in the sunshine. He always argued that was the best way to keep government from becoming too bureaucratic and to try to prevent corruption. I could have had no better ally on that than Otis Brumby. It was not just lip service, but something he was passionate about."

Former state Sen. Chuck Clay (R-Marietta) recalls Brumby as "an absolutely uncompromising warrior on behalf of open government and open records. The people of Georgia have been well served by his efforts. I just hope they know what a legal quorum is in heaven or there is going to be trouble, and I bet on Otis."

Brumby also was passionate about education reform and strong public schools. The result was, first, his appointment to the Marietta School Board by then-Mayor Joe Mack Wilson and the City Council in 1993; and later, his appointment as chairman of the State School Board by Barnes in 1999.

"I went to his house and said, I want you to be chairman," Barnes recalled. "That's a tough job, but he thought about it and said, That's not the job I want, but it's a job I can't say no' to. Education is too important.' He was always willing to serve, and he always gave 100 percent."

But perhaps Brumby's biggest contribution to public schools was the "vote of confidence" in them by virtue of the decision he and wife Martha Lee made to send all five of their children to the Marietta School System, rather than to private schools as many Mariettans were doing.

"He chose to send them to public school when he could have afforded to send them to any private school in the country," observed former U.S. Rep. Buddy Darden (D-Marietta).

Brumby was fond of quoting former Mayor Joe Mack Wilson's observation that the city school system "is the glue that holds Marietta together."

Brumby was fascinated by politics, an interest honed when he served in the 1950s as congressional page for his cousin, U.S. Sen. Richard B. Russell in Washington, D.C. (Brumby went on to graduate from The Capitol Page School in Washington.)

"Other than his family, which he was more proud of than anything, I think he was most proud of his days as a page for Richard Russell," recalled syndicated columnist Matt Towery of Vinings. "He didn't have as many pages as the other senators, and not many could say they paged for him. And that relationship helped form many of his views on politics and life."

Russell was one of the most powerful senators and was the intellectual force behind the Southern bloc that then controlled the seniority-driven body. Russell also was a confidante of both then-President Dwight Eisenhower and then-Senate Majority Leader (and future President) Lyndon B. Johnson. The young Brumby would recall in later years that he was routinely designated by Johnson to answer his personal phone on the floor of the Senate.

Cobb and Georgia politics in that era were overwhelmingly Democratic. But Brumby took the reins of the MDJ just as Cobb's previously next-to-nonexistent Republican Party was first beginning to stir. Fueled by an influx of residents from other parts of the country into east Cobb, the county GOP would be a force to be reckoned with by the early 1980s.

"Otis always thought that a strong two-party system was in the best interest of the state," said Isakson, who first ran for office

in the early 1970s. "And being part of the minority party early in my career, he gave us the chance to make our case. He didn't prop us up, but he made sure the access was there. We had a chance, and in a lot of communities, you never did."

Added Gingrich, who in those days represented a district on the southside of Atlanta, "Otis was a warrior for conservatism who by the creation of the Neighbor Newspapers on top of the MDJ dramatically offset the impact of the Atlanta newspapers. You can't understand Georgia politics over the last 30 years without understanding how important a figure he was."

"It's hard for folks now to remember how dominant the liberal voice of the Atlanta newspaper was back in the 1970s, and how exciting it was to have Otis and his newspaper as a conservative voice. And it was great for our morale, too. Later, when I was Speaker, I always felt like he had my back."

But Brumby's personal politics remained somewhat amorphous. He endorsed and gave financial contributions to candidates of both parties. Although personalities sometimes figured into the equation, for him the bottom line usually was not party label but whether the candidate was suitably conservative, especially on fiscal matters.

A similar rule of thumb determined whether to editorially support various proposals floated by local officials. The main criterion was whether the project or referendum made financial sense for taxpayers.

"As a politician, I'll miss the question that I've heard over and over, both in Cobb and in the state Capitol: 'What does Otis think about this?'" Tumlin said.

It's hard to be a crusading journalist without making one's share of enemies, and Brumby made his share—and then some. But he not only possessed bulldog tenacity when it came to following a story, but also with the rare gift of retaining the friendship and respect of those who were momentarily feeling the heat.

"He doesn't have a single friend who didn't have a disagreement with him, but we all learned to put those behind us," Darden said. "And he had the ability to move forward. We didn't always agree, but it didn't come in the way of what I consider one of my closest friendships in my entire adult life."

Said Isakson, "I'll be the first to say we didn't agree on everything, but I learned that it was best to focus on what we agreed about and move on."

Numerous others told the MDJ the same thing, including Barnes.

"Johnny and I are two of his close friends and he'd hammer both of us from time to time, but we understood what he was doing," he said. "As I used to kid him, I never forget that you're first and foremost a newspaper man. The ink flowed through his bones and blood. But we remained friends. That is a unique ability, to continue to have a close relationship. I knew his secrets and he knew mine. He never betrayed a confidence of mine or vice-versa. But at same time I understood he had a job to do."

"In my world, loyalty is the coin of the realm, and Otis was loyal to me and I was loyal to him. That does not mean there would not be criticism. But in the end, we remained friends. He told me once that Johnny and I were the only ones that understood completely what the press needs to do and has to do."

Smyrna Mayor Max Bacon said he understood the awkward position Brumby would sometimes be in.

"Being an editor and living here locally has got to be a tough job."

There were two sides to Otis Brumby—the one as the publisher that the public saw, and the private one as a man utterly devoted to his community, to his church, to various other charities and, above all, to his family.

He is survived by his wife Martha Lee, daughters Spain Gregory, Lee Garrett, Betsy Tarbutton, Anna Brumby and son Otis Brumby III; 10 grandchildren; and his sister, Bebe Brumby Leonard.

The late Mr. Brumby was a trustee of the University of Georgia Foundation, the Arch Foundation of UGA and the Kennesaw College Foundation. He represented the Seventh Congressional District on the state Board of Transportation from 1985–90. He endowed a professorship of First Amendment Law for journalism and law students at UGA in 2004. He was for decades an avid member of the Marietta Kiwanis Club, serving as its president; and past president of numerous professional organizations.

He remained an avid UGA football fan, and often remarked that there was nothing like enjoying a game at Sanford Stadium "with 100,000 of your closest friends."

He was a lifetime member of First United Methodist Church of Marietta.

"Otis was a faithful and generous churchman and he served where he was needed, whether helping plan the church's future or ushering and greeting newcomers on Sunday morning," said the Rev. Sam Matthews, pastor. "I witnessed profound gestures of kindness and consideration from him, gestures that most of us would be challenged to match."

Former Congressman Darden, a fellow member, noted Brumby's steady giving to the church, and quoting the Book of Matthew, said, "For where your treasure is, there your heart will be also."

Former Georgia Supreme Court Justice Conley Ingram sat in the pew just ahead of the Brumbys for years.

"He did the smallest job to the greatest job at our church," he said. "He was a greeter at the door, or took up collection, but you could always count on him to be there."

"His life was one of love and dedication to his family and his church and to the First Amendment and to UGA. He was a great friend, and he never tried to take credit for the many things he did for our community. He was a great family man and a great church man and above all, a loyal friend. It's not going to be the same without him."

Many of those who shared their reminiscences for this story remarked on the contrast between Brumby's towering journalistic presence and his personal preference for staying out of the spotlight.

"For all his greatness, the greatest thing about him was that he was so humble," Towery said. "He could be tough in the business place, but when he got out in public, he was shy. You couldn't get him to talk about himself in front of other people."

Remembered Barnes, "To have held the position of influence he did in this community, he was one of the most humble guys I've ever been around. He never overstated his influence or importance."

Brumby also was recalled by Barnes and others as a terrific storyteller.

"He had a lot of fun in him," he said. "A lot of those who didn't know him didn't realize what a great sense of humor he had."

Brumby's middle name, "Anoldus," had been passed down through the generations, and he joked to an editor this summer in mock surprise that, "I offered it to all my children to use as a name for their children, and none of them wanted it!"

And Brumby, whose hairstyle and sartorial choices were nowhere close to "cutting edge," could be self-deprecating, too.

"He used to jokingly call himself the Marietta Square," Towery said. "But he wasn't just the Marietta Square." He was Cobb County. And life without Otis Brumby is not going to be as much fun."

Added Isakson, "I'm going to miss my friend Otis."

A memorial service will be held Wednesday at 11 a.m. at the First United Methodist Church of Marietta.

In lieu of flowers, contributions may be made to First United Methodist Church 56 Whitlock Avenue Marietta, GA 30064 or the Georgia Press Educational Foundation 3066 Mercer university drive Atlanta, GA 30341. Mayes Ward-Dobbins Funeral Home in Marietta is in charge of arrangements.

Mr. ISAKSON, Mr. President, this is a poignant eulogy of many of the accomplishments of one of my best and personal friends, Otis Brumby, Jr. I could read all of his accomplishments if I wanted to. There are times we are called on to offer eulogies on the floor of the Senate because we have to or because it is appropriate. There are times we give eulogies for great past leaders of our State, but on rare occasions, such as the one I have today, we do it for someone for whom we have tremendous respect, love, and compassion.

To Otis Brumby, Jr.'s wife Martha Lee, his daughters Anna, Betsy, Lee, Spain, his son-in-law Heath, and his son Otis Brumby III, my love and compassion goes out to each of them during their tragedy.

Wednesday morning I will return to Marietta, GA, to be part of the memorial service to honor Otis Brumby. I thought it would be better to talk about the Otis Brumby I knew rather than the one the papers are writing about. To me he was the epitome of a journalist, a father, a friend, and a husband. Otis Brumby, Jr. got his start in some ways on the floor of the U.S. Senate because in the late 1950s his father arranged for him to page for Richard B. Russell, who, as all of us know, was really the master of the Senate before Lyndon Johnson when he was leader, later Vice President, and finally President.

Otis Brumby learned a lot in this Chamber and on this floor. He has told me what it was like before the cameras were here back in the good old days when there was camaraderie and friendship in the Senate. He also told me about the difficult days of the civil rights era, and particularly as a son of the South and what that meant to him.

He came back to Georgia. After graduating from high school, he went to the University of the South in Sewanee, and then earned a law degree from the University of Georgia. He then headed to his passion, the law, but he didn't make it. Instead he made it to the Marietta Daily Journal as a cub reporter for his father's newspaper. At the age of 27 he was a floor manager and assistant publisher for the paper.

He offered his expertise at a very young age.

At the age of 29 he came up with a unique concept. He said people would like to see their kids' pictures in the paper. They like to have stories about their sports victories. They like to have lots of pictures and stories—but just to them—and not all the fodder that might go with it. He started what became known as the Marietta Daily Journal and the Neighbor Newspaper Group. He created 27 neighborhood newspapers and all 27 of them were weekly.

They were so successful that when Gannett decided it was going to try to do a national paper called USA Today, they sent a team of investigators for 7 days to the Marietta Daily Journal to investigate their template, the way they published their paper, their meat and potatoes. Quite frankly, a lot of credit for USA Today goes to the newsroom at the Marietta Daily Journal and the brilliance of that young 29-year-old reporter who later became a publisher of that newspaper.

Otis Brumby died last week of prostate cancer and the effects of prostate cancer. He suffered for 2 years, and that has been a tragedy. But the tragedy for all of us is that he is gone; he has left a mark on our State, county, and community that can't be easily replaced.

Although he had an affinity for politics, he never served. When called on by Governors for appointments, he took them; first as State board of education chairman and later as board of education chairman for the Marietta public school system. A very wealthy man because of his success and investments, Otis Brumby never sent his children to private schools that he could afford because he believed the public schools needed to be the best, and he thought he would send his children there as a role model. And he did. They all were superstars in their schools whether in academics or athletics. Their father Otis supported those public school systems as a leader, a mentor, and a board member.

To Marietta, GA, Otis Brumby was just about everything. He was its conscience, benefactor, and leader, and from time to time he was its protagonist where he would promote discord and a lack of harmony in order to come up with the right decision.

I can tell my colleagues, as a politician, when he wrote about someone and they heard they were in the paper, the first thing they did was grab the newspaper. In fact, there is a column he wrote called "Around Town" that appeared every Saturday morning in the newspaper—a pretty thin part of the paper, but it was a one-page discourse on what politicians in the county were up to. On Saturday morning every politician in Marietta, GA, and Cobb County, GA, went to their mailbox and got

their Marietta Daily Journal. They didn't want to see what the football score was; they wanted to see what Otis Brumby had said about them during the previous week. He was the conscience of all the politicians in the community. He was the leader in the community, and he was the benefactor of the community. He made it a much better place.

Otis was not a Republican nor was he a Democrat. He was, if anything, a populist, but he had a fiscally conservative bent to him. Unlike a lot who commentate on politics, Otis put his money where his mouth was. He wrote checks to local politicians and to people in the U.S. Senate. There wasn't a party bent to him, but there was always a fiscally conservative bent.

In fact, I will tell my colleagues when I first ran for office in Cobb County in 1974, we didn't have any Republicans. I ran as a Republican because I was a fiscal conservative. Everybody told me I was crazy. They were right; I got beat. But Otis Brumby took an interest and wrote about the campaign and some of the things we talked about and some of the things we tried to do. He propped me up long enough to get a chance to stand on my own two legs. Sure, he would knock me down from time to time—and some of those times I deserved it—but he gave me a chance. He gave everybody a chance. He was one of those journalists who would comment on what someone did, but he gave them the strength to do what was right.

Wednesday morning I am going to the funeral of my dear friend. I miss him already and will miss him more as the days go by. I love him and his family for all they have done for me, my community, and my country. So at one of those rare times when we come to the floor to eulogize, this time for me it is personal but this time for America we have lost a son, a journalist, a patriot, and I have lost a best friend.

May God bless Otis Brumby and his family, his grandchildren, and our community.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, I have been listening to our colleague, the Senator from Georgia, who is one of the real gentlemen of this body. I listened to his warm words about his friend who has passed. Sometimes what people say about others is a better reflection on them than on who they are describing. In many ways, I thought that about what Senator ISAKSON was just saying because what he just said about his friend, any one of us in the Senate could say about him because he is a gentleman.

I was very much moved by the words of my friend. We thank him for all he does to make this a better place.

THE ECONOMY

I have come to the floor on different business, which is to talk about the budget circumstance we are in and to try to answer the question we have heard asked in recent days: Are we better off now than we were 4 years ago? I believe the answer to that question is very clear.

To answer the question we have to take ourselves back 4 years and remember the conditions we faced then. I will never forget as long as I live being called to an urgent meeting in the Capitol late one evening in September 2008. I was the last one to arrive. There were assembled the leaders of the House and the Senate, Republicans and Democrats, the Chairman of the Federal Reserve, and the Secretary of the Treasury of the Bush administration.

The Secretary of the Treasury and the Chairman of the Federal Reserve quickly told us they were going to take over the giant insurer AIG the next morning. They weren't there to ask our approval or seek our support; they were there to tell us what they were doing. They told us if they did not do it, they believed we would have a financial collapse within days.

This was September 2008. Barack Obama was not the President of the United States; George W. Bush was the President of the United States, and we were on the brink of financial collapse, according to the description of his own Secretary of the Treasury.

Let's remember what the economy was doing in the fourth quarter of 2008. The economy was shrinking at a rate of over 8 percent. In fact, it was shrinking at a rate of almost 9 percent. In the first month of 2009, the last month of the Bush administration, we lost 800,000 jobs in 1 month. So when people ask if we are better off today than we were then, just as a factual matter there can be no dispute. We are dramatically better off today than we were 4 years ago.

Four years ago we were on the brink of financial collapse. Four years ago the economy was shrinking at a rate of almost 9 percent, and we were losing 800,000 jobs a month. Those are facts. They cannot be disputed.

Today we are growing, not as fast as we would like; jobs are being created, not as fast as we would like, but that is a dramatic improvement over 4 years ago. Let's remember the housing market was in crisis. Home building and sales were plummeting. There were record foreclosures. The financial market crisis threatened global economic collapse. That was 4 years ago. Anybody who wonders can go back and read the headlines. Those were grim days.

I also remember as though it were yesterday being part of the group who was given a responsibility to negotiate the TARP—the Troubled Asset Relief Program. I remember being in this

complex late on a Saturday night, again with the Secretary of the Treasury of the Bush administration, and him telling us if we did not come up with a solution by 5 o'clock Sunday night, the Asian markets would open and they would collapse, and our markets would open the next day and they would collapse.

So when people ask if we are better off today than we were 4 years ago, as a factual matter there really is no question—none. We are dramatically better off.

The other thing we should keep in mind is, what happens after a severe financial crisis such as the one we faced 4 years ago? Dr. Carmen Reinhart, from the Peter Peterson Institute for International Economics, and her husband, Dr. Vincent Reinhart of the American Enterprise Institute—which, by the way, is a pretty conservative place—have done an analysis, and here is what they found: After a severe financial crisis such as the one we suffered 4 years ago, economic recoveries are shallower and take much longer.

Here is the quote from their analysis:

Real per capita GDP growth rates are significantly lower during the decade following severe financial crises. In the ten-year window following severe financial crises, unemployment rates are significantly higher than in the decade that preceded the crisis. . . .

That is what we had in 2008. Again, Barack Obama was not the President of the United States; George W. Bush was President of the United States, and we had a severe financial crisis. We were on the brink of financial collapse. It takes a long time to dig out from a disaster of that magnitude.

Two of the most distinguished economists in the country—one of whom, by the way, advised JOHN MCCAIN in his most recent Presidential race, and the other who is Deputy Chairman of the Federal Reserve—did an analysis of what would have happened without the Federal response, what would have happened in terms of jobs. Here is what they found: With a Federal response we got 8 million jobs we would not have had otherwise. In other words, if there had been no Federal response, the red line is what would have happened to jobs. The green line is what happened as a result of Federal action: 8 million fewer jobs lost than if there had been no Federal response.

Again, this is work that was done by Alan Blinder, former Vice Chairman of the Federal Reserve, and Mark Zandi, who was one of the economic advisers to JOHN MCCAIN in the last Presidential race.

So when we go back to this question, are we better off now than we were 4 years ago, I think the answer is unequivocally, yes. We are dramatically better off than we were 4 years ago.

Now, those people who are still unemployed don't feel better off. I understand that. That is dreadful, that is

painful, and it is painful in every way. Not only does it hurt in the pocket-book, but much more than that: It hurts the way people feel about themselves. It hurts the way people feel about their role in their families. So we have lots of work to do, but if we are going to be honest with people about comparing where we are today and where we were 4 years ago, there really can be no serious question about the answer to that question.

This chart shows the economy in the fourth quarter of 2008—that is the last quarter of the Bush administration—was shrinking at a rate of almost 9 percent. Now the economy is growing at a rate of 1.7 percent, for the most recent quarter. Is that good? No. Would we like it to be stronger? Absolutely. But is this better than almost any other developed country in the world? Yes. The Eurozone is in recession. Their economies are shrinking. Japan is not doing as well as we are doing.

So when we look around the world and compare ourselves, the answer by comparison is we are doing remarkably well given the depth of the financial crisis we experienced.

Not only is it true in economic growth, it is true in terms of private sector jobs. Again, in the last month of the Bush administration, this economy lost over 800,000 jobs—in 1 month. In the most recent month in the United States, we gained 103,000 private sector jobs. That is a turnaround of over 900,000 jobs in a month. That is a dramatic improvement.

And if we look at the stock market, we can answer that question as well. Are we better off now than we were 4 years ago? Well, this chart shows the stock market. In March of 2009, it hit its low of 6547—the low during this period. Look where it is today. More than double what it was 4 years ago.

So, again, if we are seriously asking the question, Are we better off than we were 4 years ago? In terms of economic growth? Yes. In terms of job creation? Yes. In terms of the stock market? Yes. In terms of economic performance? Yes.

I have also heard my colleagues on the other side say at the convention just concluded that there has been no budget here for 3 years. Well, there has been no budget resolution. But there is a budget law that was passed called the Budget Control Act. And a law is much stronger than any resolution. A resolution is purely a congressional document. It never goes to the President for his signature. A law, obviously, has to go to the President for his signature.

So when they say there has been no budget passed, there has been no budget resolution passed, but, instead, Congress passed the Budget Control Act. Look what it said in the Budget Control Act:

. . . the allocations, aggregates, and [spending] levels set in subsection (b)(1) shall

apply in the Senate in the same manner as for a concurrent resolution on the budget for fiscal year 2012. . . .

That same language is repeated in the next paragraph:

. . . the allocations, aggregates, and levels set in subsection (b)(2) shall apply in the Senate in the same manner as for a concurrent resolution on the budget for fiscal year 2013. . . .

I say to you, a budget is a limitation on spending. The Budget Control Act contained very clear limitations on spending for 2012 and 2013. So when our friends say there has been no budget passed by this body, oh, yes, there has. There has been a budget passed for 2012, and one for 2013. Instead of a resolution, it was done in a law.

What we do not have is a long-term plan, a 10-year plan. That is what we need. But it is pretty clear both sides are not ready yet, and perhaps will not be until we have had this election, to sit down and agree to the kind of 10-year plan we so desperately need.

The Budget Control Act represented the largest deficit reduction package in the history of the United States. How can that be? Well, because it contained \$900 billion in discretionary savings over 10 years, and it included the so-called sequester that we hear so much about that added another \$1.2 trillion of spending cuts over the next 10 years, for a total of \$2.1 trillion in spending cuts. That is the largest deficit reduction package we have ever passed.

So, again, when people say there is no budget, there has been no action taken, it is not accurate. The Budget Control Act operates in the same way as a budget resolution, and it is a law, not a resolution that is purely a congressional document that never goes to the President. The Budget Control Act passed both Houses of Congress, went to the President for his signature, and cut \$2.1 trillion in spending.

People may not like it. There are a lot of things I do not like about it—certainly the sequester. I think we ought to find alternative savings for it. But the fact is, this is now law, and it cut \$2.1 trillion. That still leaves us with the problem that we are borrowing 40 cents of every \$1 we spend, and that cannot be permitted to continue.

So we have to add a package on top of the Budget Control Act. We have to do more. I would prefer, strongly, to do another at least \$3 trillion. I tried to convince the Bowles-Simpson Commission to do a package of \$5 trillion of deficit reduction. Actually, I tried to persuade them to do a package of \$5.6 trillion of deficit reduction because we can balance the budget if we would do a package that large. The people who were on that commission will tell you I tried repeatedly to convince my colleagues to go big, let's do a package that really balanced the budget.

And we could do it. It is not that hard. I think people sometimes get it

in their head this is some impossible task. I told them, let's talk about a 6-percent solution. If we would do 6 percent more revenue than current law provides and 6 percent less spending, we would save \$6 trillion over 10 years and balance the budget. I actually would argue for more weighting on the spending cut side of the ledger than on the revenue side. But I do this for illustrative purposes, to indicate we cannot do 6 percent? Come on. We cannot do 6 percent? Sure we can.

The occupant of the chair, the Governor of West Virginia in his previous life in politics, I will tell you, he did not have any trouble making tough decisions, and I will bet you he reduced spending a lot more than 6 percent. He survived. He is here. He is respected.

We can do this. Hey, we have done much tougher things than this in the past. I hope colleagues think about this carefully.

This next chart is so important because it looks at the spending and the revenue lines of the Federal Government going back to 1950. This is 60 years of our economic history on one little chart.

The red line is the spending line. The green line is the revenue line. And look what it shows. We got to, in 2010, an all-time high in spending for the last 60 years, taking out the effect of inflation, so you have an even-stein comparison over that 60-year period. And we were at a 60-year high in spending—not surprising given the dimensions of the financial crisis we faced. But at the same time, we were at a 60-year low in revenue. When you have record spending and record low revenue, you have record deficits and record additions to the debt. That is exactly what was happening to us.

We have seen some improvement in the last few years. Spending is down as a share of GDP. Revenue is up a little bit. We still have a big chasm.

In the midst of all this comes Representative RYAN and his plan. I would say to those who might be attracted to his plan: Be careful what you wish for—be careful what you wish for—because, first of all, the Ryan plan does not balance the budget, if ever, until 2040, and it only balances in 2040 because of certain assumptions he told the Congressional Budget Office to make about his plan and the revenue contained in it. I personally do not think it ever balances. I do not believe it ever balances. It is absolutely an unbalanced plan. All of the deficit reduction is on the spending side. He actually digs the revenue hole much deeper, extends all the Bush era tax cuts, and then adds hundreds of billions of dollars of more tax cuts, primarily to the most fortunate among us.

There is \$1 trillion in tax cuts for the wealthiest. He gives those with an income of over \$1 million an average tax cut of \$265,000 a year. Somebody is sit-

ting out there saying: How is that possible? A person earning \$1 million a year probably does not pay much more than \$265,000. How can they, on average, be getting a \$265,000 tax cut? Remember, this is the average for everybody over \$1 million, so this includes people making \$1 billion a year. And there are a fortunate few who make \$1 billion a year. So if you take everybody over \$1 million, and you average the tax cut they get under the Ryan plan, it is over \$265,000 a year.

He has \$2.9 trillion in health care cuts. So first of all, he extends all the Bush era tax cuts. Then he adds hundreds of billions more of tax cuts for those who are the most fortunate. And to start to make up for it, he has \$2.9 trillion in health care cuts—not million, not billion: trillion. He repeals health care reform. He shifts Medicare to vouchers. And he block-grants Medicaid and cuts Medicaid drastically.

Who benefits from Medicaid? Well, low-income people, disabled people, but also a lot of middle-income people in this country benefit from Medicaid because their folks are in nursing homes and they have spent down their assets, and the only way they can stay in the nursing home is that Medicaid picks up the tab. There are hundreds of thousands of families in America, middle-class families, who have benefited from Medicaid because that is what has paid the nursing home bills for their relatives—their mom, their dad, their grandpa, their grandma. That is the truth.

The Ryan budget also dramatically cuts the safety net for seniors, the children, the disabled. It increases the uninsured by more than 30 million people. It is going to increase the number of uninsured by 30 million. Well, if you are not uninsured, why should you care? I will tell you why you should care. Because if they are not paid for by insurance, they are going to be paid for by all the rest of us. Because the hard reality of how the health care system works in America is this: If you are in a car accident and you do not have insurance and you are taken to the hospital, you are treated. If you do not have insurance to pay for it, and you do not have resources to pay for it, guess who pays for it. All the rest of us pay for it.

That is why it is absolutely in our interest to have as many people insured as is possible. It is not just a nice thing to do; it is a smart thing to do. Because one of the things we have found out is that about a third of the people who do not have insurance can afford it. They can afford it. They just choose not to have it because they know if something drastic happens to them, all the rest of us are going to pay.

There are also large cuts in the Ryan budget for education, for energy, for infrastructure—building roads, bridges, highways, and the rest. Those things

undermine the engines of economic growth. So I do not think that is the way to go.

When we look at the Ryan budget plan on revenue, here is what we find. It provides \$1 trillion in tax cuts for the wealthiest among us. It gives millionaires an average tax cut of more than \$265,000 a year. It does not contribute one dime of revenue to deficit reduction. And the revenues reach 18.7 percent of GDP by 2022. Now why does that matter? Because the last four times we have balanced, the revenue of the country has been 19.6 percent, 19.7 percent, 19.8 percent, 20.6 percent. So, hey, if we are going to be serious about belling this cat, we are going to have to cut spending, we are going to have to reform the entitlements, we are also going to have to raise some revenue, hopefully not in a way that hurts economic growth, because we think we have found ways of doing it.

But the Ryan tax plan, I have to say, I do not think adds up. Why don't I believe it adds up? Well, let's look at what he proposes.

First of all, he says we should reduce individual tax rates to just two—one at 10 percent and one at 25 percent. Right now, the top rate is 35 percent. If you reduce that rate to 25 percent, and you have only one other rate of 10 percent, that package costs \$2.5 trillion over the next 10 years. So instead of filling in the hole, you are digging the hole deeper. Then he puts the top corporate rate at 25 percent. Again, that is a significant reduction from the top corporate rate today. That costs another \$1 trillion. Then he repeals the alternative minimum tax. That costs another \$670 billion. Then he repeals all the tax levies in the health care reform. That costs another \$350 billion. Then he allows the stimulus provisions to expire from the Recovery Act, which raises \$210 billion.

Before he starts filling in the hole, he has dug the hole deeper by almost \$4½ trillion, and he says he is going to offset all of that with individual base broadening and corporate base broadening. We are spending about \$1.2 trillion a year in tax expenditures. Over 10 years that is about \$15 trillion with inflation.

So we could come up with this \$4½ trillion, but what would we have to do in order to do it? Almost every objective observer has said we would have to raise taxes on the middle class—because he says this is going to be somehow, in the Romney plan, revenue neutral. I do not know that the Ryan plan ever claimed to be revenue neutral. But if we are going to pay for this, how are we going to do it, which of the exemptions and the exclusions? Are we going to reduce the mortgage interest exemption? Are we going to reduce the health care tax exclusion? Because those two affect middle-class people. Let's be honest. Let's be straight. So there is no

way Congressman RYAN's plan does all the things he claims for it without raising taxes on the middle class.

When he gets to a revenue level of 18.7 percent and says that is the historic average, that is true. The problem with that is we have never balanced the budget, going back to 1969, with that amount of revenue. The five times we have balanced since 1969—that is 43 years ago—revenues have been at 19.7, 19.9, 19.8, 20.6, 19.5. So just getting back to the historic average, I do not think it is going to be enough. If we are looking at what it has taken to actually balance the budget in our history, we can see we have to be very close to 20 percent.

By the way, these levels of revenue were before the baby boom generation, and the baby boom generation, that is not a forecast. That is not a prediction. Those people have been born. They are alive today. They are going to be eligible for Social Security and Medicare. If we are going to be honest with ourselves, honest with the American people, I do not think what Congressman RYAN is talking about adds up.

If we look at his budget on health care, we see \$2.9 trillion in health care cuts. As I indicated, he repeals health care reform. I hear a lot—I hear it in my State: Let's repeal health care reform. Why not? Because the Congressional Budget Office tells us if we repeal it we add over \$1 trillion to the debt. We add over \$1 trillion to the debt, we deny coverage to 30 million people who would otherwise have it.

His plan also ends the effort to promote quality over quantity of care, reopens the prescription drug doughnut hole that raises costs to seniors by \$4,200, allows insurance companies to drop coverage when we get sick. It ends the provision allowing young adults to stay on their parents' plan until the age of 26. It shifts Medicare to vouchers in 2023 and includes, after that, an aggressive cap on payments that most analysts have said would dramatically increase what Medicare beneficiaries would have to pay for their own health care.

Currently, Medicare pays 75 percent of the cost. The beneficiary pays 25 percent. If the Ryan plan were adopted, the original Ryan plan—he has subsequently put out other plans. But his original plan would have stood that on its head. He would have Medicare beneficiaries paying the substantial majority of the cost. Instead of Medicare beneficiaries paying 25 percent, he would have them paying 68 percent of the cost—Medicare beneficiaries.

I have a brother who is gravely ill in the hospital, Medicare eligible. I can tell you, he is getting phenomenal care—very costly. I would say it would break our family. If we had to pay 68 percent of the cost instead of 25 percent, it would break our family. We are a middle-class family. I am talking about the extended family.

These things have real consequences. Anybody who thinks these are just political statements and they do not affect people's lives, oh, yes, they do. They have a profound effect on people's lives.

The Ryan plan block grants Medicaid, shifts the cost to seniors, children, disabled, and States. I do not think that is the path America has in mind. I like PAUL RYAN. I agree with him that we are on an unsustainable course. I was on the Bowles-Simpson Commission with him.

But unlike him, I was one of the 11 who supported the recommendations of Bowles-Simpson. Of the 11 of us who did, 5 are Democrats, 5 Republicans, and 1 Independent. That is about as bipartisan as we can get. There were 18 Commissioners. We had to get 14 to get the recommendations to a vote in the Congress. We got 11.

That is 60 percent of the membership who voted yes; five Democrats, five Republicans, one Independent. PAUL RYAN was part of Bowles-Simpson. He voted no because it was not just the way he wanted it. It was not just the way I wanted it either. I hated things on almost every page of that report. But as I told my staff, the only thing worse than being for it would be being against it because it would have gotten us back on track. It would have lowered our deficit and debt by \$4 trillion and have done it with revenue and spending cuts and reform of entitlements, maybe not as much on any one of those areas as I would do, but it would have made a profound difference in the economic future of this country.

Perhaps the most striking thing to me in all the speeches at the Republican convention was the claim by Congressman RYAN and the attack on President Obama for supporting \$716 billion in Medicare savings. Why was I so taken aback by that? Because I have read Congressman RYAN's own budget. His budget has precisely that same level of Medicare savings that he now politically attacks President Barack Obama for supporting.

Did you see what former President Clinton said? He said that takes real brass, to attack somebody for something you have done. Congressman RYAN, when you give a speech, make your speech before tens of millions of people listening and you attack the President for supporting \$716 billion in Medicare savings and you have the exact same savings in your budget, shame on you. Shame on you.

The Catholic bishops reviewed the Ryan budget. Here is what they said. They said it fails the moral test. These are Catholic bishops in America. Look, they have issues with the President too. I understand that, but this is what they said about the Ryan budget. They said: It fails the moral test. The Nation's Catholic bishops reiterated their demand that the Federal budget pro-

tect the poor and said the GOP measure fails to meet these moral criteria. I think they got that right. Here is what a former Reagan economic adviser said about the Ryan budget. This is Bruce Bartlett, former Reagan administration economic adviser. This is what he said about the Ryan budget. Again, this is a former President Reagan economic adviser. Here is what he said about the Ryan budget:

Distributionally, the Ryan plan is a monstrosity. The rich would receive huge tax cuts while the social safety net would be shredded to pay for them. Even as an opening bid to begin budget negotiations with the Democrats, the Ryan plan cannot be taken seriously. It is less of a wish list than a fairy tale utterly disconnected from the real world, backed up by make-believe numbers and unreasonable assumptions. Ryan's plan isn't even an act of courage; it's just pandering to the Tea Party. A real act of courage would have been for him to admit, as all serious budget analysts know, that revenues will have to rise well above 19 percent of GDP to stabilize the debt.

Mr. Bartlett, I do not know the man. He is telling the truth. He is telling the truth, as painful as it is. He is telling the truth. When we go to the question of are we better off than we were 4 years ago, let's remember where we were 4 years ago. We were on the brink of financial collapse.

Republican policies led the United States to the brink of financial collapse. They cannot rewrite history. We know what happened. We tried their experiment. It did not work. Now things have improved, not as much as we would like, and there is much more work to be done. But I trust in the judgment of the American people. I do not think they have forgotten. I certainly have not forgotten. I will never forget where their policies took us in the fall of 2008. We were on the brink of financial collapse. Let's not repeat that failed experiment.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. GILLIBRAND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MOMENT OF SILENCE TO OBSERVE THE FORTIETH ANNIVERSARY OF THE MUNICH OLYMPICS MASSACRE

The PRESIDING OFFICER. The Senate will now observe a moment of silence for the 40th anniversary of the Munich Olympics massacre.

(Moment of silence.)

The PRESIDING OFFICER. The Senator from New York.

Mrs. GILLIBRAND. Mr. President, I stand here today with my colleagues to observe 1 minute of silence on the first day of session since the passage of the 40th anniversary of the 1972 Munich

Olympic terrorist attack that killed 11 athletes and coaches from the Israeli Olympic team.

Prior to the extraordinary summer games in London, where so many of our athletes excelled and made our country so proud, the Senate passed a bipartisan resolution that I authored with Senator RUBIO. With this resolution, which was supported by more than 30 of our colleagues, the Senate called on the International Olympic Committee to hold a moment of silence in London to honor these 11 slain Israeli Olympians. It is regrettable they chose not to. Today, here in the Senate, we right that wrong. The Munich tragedy was an outrageous attack against innocent athletes and against the unifying spirit of the Olympics. Observing a moment of silence at the 2012 Olympic games' opening ceremony, when the world's attention was focused on this symbol of international cooperation and peace, would have sent such a powerful message of unity in our fight against terrorism.

On September 5, 1972, a Palestinian terrorist group called Black September broke into the Munich Olympic Village, killed an Israeli athlete and coach, and took nine other athletes and coaches hostage. A German police officer was killed and nine hostages were murdered during a rescue attempt.

In observing this minute of silence, as in our resolution, we commemorate the 40th anniversary of the 1972 Munich Olympic terrorist attack, remember those who lost their lives, and reject and repudiate terrorism as antithetical to the Olympic goal of peaceful competition.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, I wish to thank the Senator from New York and my colleague, Senator RUBIO of Florida, for calling this historic tragedy to our attention on the sad 40th anniversary of the killing of the Israeli participants at the Munich Olympics.

Having just witnessed, as the Senator from New York noted, the spectacular Olympics that were staged in London and realizing how the Olympics started as a way to transcend national differences and to create an Olympic global spirit, what happened in Munich was especially heartbreaking. We followed it in those early days of television as it was being reported on by some of the sports announcers who were actually at the Olympics. It was hard to believe, as hostages were being taken, that they would all be killed when it was over.

I sincerely hope we in the world will learn a lesson from this tragedy—a lesson that violence begets violence and we need to end this sort of terrorist activity and stand together in that Olympic global spirit.

Again, my thanks to Senators GILLIBRAND and RUBIO for their efforts to

make this part of the London Olympics but also to make certain this day has not been forgotten here on the floor of the Senate.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, I wish to thank Senator GILLIBRAND for bringing this to the attention of the Senate and the American people and to thank Senators RUBIO and DURBIN for being here.

It is hard to believe it has been 40 years since that tragic event in which terrorists had the attention of the world during the Olympics in Munich.

It is hard to believe that over the last 40 years we have experienced so much of the violence from extremists and terrorists.

Tomorrow we will commemorate the 11th anniversary of the attack on our own country. We recognize the only way we could stand up for this type of extremism is to never forget and to rededicate ourselves to do everything we can to root out extremists, to root out terrorists, and to never forget the consequences of their actions.

I wish to thank Senator GILLIBRAND and Senator RUBIO for the resolution we passed in this Congress to let those who were victimized 40 years ago know we will not forget them and that we continue to dedicate our efforts to root out this type of hatred and this type of extremism to make sure the Olympic spirit—which is world competition to bring peace in the world—is alive and well in the Senate and the United States of America. We will continue to commemorate what happened so we don't forget and dedicate ourselves to a more peaceful world.

I yield the floor.

Mrs. GILLIBRAND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LEAHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

NOMINATION OF STEPHANIE MARIE ROSE TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF IOWA

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The legislative clerk read the nomination of Stephanie Marie Rose, of Iowa, to be United States District Judge for the Southern District of Iowa.

The PRESIDING OFFICER. Under the previous order, there will be 30 minutes of debate, equally divided in the usual form.

The Senator from Vermont.

Mr. LEAHY. Mr. President, we are beginning about 3 minutes late. I ask unanimous consent that the time be divided in such a way that the vote still starts at 5:30.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. When the Senate recessed more than a month ago, 22 judicial nominees to fill vacancies in courtrooms around the country were left pending, awaiting a Senate vote. Today, Senate Republicans have agreed to vote on just one of those nominees. I want to commend Senator HARKIN for working with Senator GRASSLEY and the Majority Leader to get this vote on the nomination of Stephanie Rose of Iowa. I urge votes on the other nominees, as well, without further delay.

There are currently 78 Federal judicial vacancies. Judicial vacancies during the last few years have been at historically high levels and have remained near or above 80 for nearly the entire first term of the President. Nearly one out of every 11 Federal judgeships is currently vacant. Vacancies on the Federal courts are more than two and one half times as many as they were on this date during the first term of President Bush. One key reason for these numerous vacancies and for the extensive backlog of nominees is that Senate Republicans allowed votes on just one district court nominee per week for the last seven weeks before the August recess. This unnecessarily slow pace of consideration of judicial nominees has disserved the American people and should not continue.

The across-the-board obstruction and foot dragging from Senate Republicans since day one of President Obama's tenure means that we are likely to complete his first term with more judicial vacancies than when he took office. The partisan obstruction from Senate Republicans has been particularly damaging with respect to Federal trial courts. In a sharp departure from the past, Senate Republicans have stalled Senate approval of district court nominees, including those Republican home state Senators support.

Before the American people elected Barack Obama as our President, district court nominees were generally confirmed within a couple of weeks of being reported by the Judiciary Committee. This was true of those nominated by Republican Presidents and Democratic Presidents. Deference was traditionally afforded to home State Senators and district court nominees supported by home State Senators were almost always confirmed unanimously. During the 18 months that I was chairman of the Judiciary Committee in 2001 and 2002, we confirmed 83

of President Bush's district court nominees, and only one of them received any votes in opposition. Even though some Senate Democrats opposed the nominee, we nevertheless scheduled a vote for him just 11 days after he was reported by the Judiciary Committee.

Indeed, only five district court nominees received any votes in opposition in all 8 years of the previous Republican presidency, and none was a party-line vote. Among those nominees was one so extreme that he had announced that "concern for rape victims is a red herring because conceptions from rape occur with approximately the same frequency as snowfall in Miami." That observation was much like the outrageous recent comments about rape by a Republican House member and Senate candidate.

In all, the Senate confirmed 264 of President Bush's district court nominees, and only five of them received any votes in opposition. Senate Democrats were willing to work with a very conservative Republican President to fill vacancies on our Federal trial courts. We recognized that filling vacancies on district courts is essential to ensuring that the American people have functioning courts to serve them and provide access to justice. We know that it is unacceptable for hardworking Americans who turn to their courts for justice to suffer unnecessary delays. When an injured plaintiff sues to help cover the cost of his or her medical expenses, that plaintiff should not have to wait 3 years before a judge hears the case. When two small business owners disagree over a contract, they should not have to wait years for a court to resolve their dispute.

In *The Atlantic* Andrew Cohen has written recently about the "Human Costs of Judicial Confirmation Delays." In that article, the Chief Judge of the Middle District of Pennsylvania describes the costs of vacancies on individuals in Pennsylvania and the pervasive and harmful delays they are suffering because there are not enough judges.

At this point in President Bush's first term, Senate Democrats had worked with Republicans to confirm 165 of his district court nominees. Despite the fact that President Obama has worked with home state Senators of both parties to select moderate, superbly-qualified judicial nominees, Senate Republicans have engaged in unprecedented obstruction of Federal trial court nominees for the last four years.

As Carl Tobias noted last month in a letter to the *New York Times*:

Republican senators have created and applied practices that substantially depart from procedures employed in prior administrations, even as recently as that of President George W. Bush. The most important change is the refusal by the G.O.P. leadership to enter voting agreements on well-

qualified, uncontroversial district court nominees, so they languish for months on the Senate floor.

Professor Tobias is correct, and the result is that at this point in his first term President Obama's district court nominees have had to wait nearly three times longer for a Senate vote and the Senate has confirmed more than three dozen fewer.

Senate Republicans have made a habit of delaying and opposing President Obama's district court nominees, voting against more than a quarter of them—36 out of 127 to be precise. And they stall confirmations for months of noncontroversial nominees including those supported by home state Republican Senators who are eventually confirmed overwhelmingly.

This extreme partisanship has not just resulted in persistently high vacancies—Supreme Court Justice Anthony Kennedy recently observed that it is also "bad for the legal system" as a whole. He indicated: "It makes the judiciary look politicized when it is not, and it has to stop." District courts in particular should not be politicized. The 18 district court nominees currently pending before the Senate were not chosen based on some ideological litmus test. They were selected for their legal excellence, whether as practicing attorneys or sitting judges.

Recently, the Republican Senator from Pennsylvania signaled his newfound willingness to abandon the unprecedented delays and obstruction that his caucus has employed against President Obama's trial court nominees. I only wish he had done so 2 years ago. What Senate Republicans have been doing is wrong and hurts all Americans seeking justice in our Federal courts.

Today, the Senate will vote on the nomination of Stephanie Rose to fill a judicial vacancy on the U.S. District Court for the Southern District of Iowa. She was rated unanimously well qualified by the ABA Standing Committee on the Federal Judiciary, the highest possible rating. She has the bipartisan support of her home state Senators. I worked with Senator HARKIN and Senator GRASSLEY to ensure prompt Judiciary Committee consideration of her nomination, which was reported with a virtually unanimous voice vote by the Judiciary Committee nearly five months ago. The only objection came as a protest on another issue by Senator LEE.

Stephanie Rose currently serves as the first woman U.S. Attorney for the Northern District of Iowa, where she has been serving since 2009. Ms. Rose has devoted her entire career to public service, having served for 15 years as a Federal prosecutor and having been promoted to Deputy Criminal Chief in 2008. In her tenure as a Federal prosecutor, she has tried 33 cases to verdict. When confirmed, she will be the

first woman to serve as a Federal judge in the Southern District of Iowa and only the second woman to serve on the Federal bench in Iowa's history.

With the elections approaching, the Senate will recess, again, in just a few weeks. When the Senate recessed in 2009, 10 judicial nominees were left without a final confirmation vote. When the Senate recessed in 2010, 19 judicial nominees were left pending without a final confirmation vote. When the Senate recessed last year, in 2011, 19 judicial nominees were left pending without a final vote. I urge Senate Republicans not to continue their practice of stalling qualified nominees from confirmation. I urge them to agree to schedule debate and votes on the 18 district court nominees from California, Connecticut, Florida, Illinois, Maryland, Michigan, New York, Oklahoma, Pennsylvania and Utah who, like Stephanie Rose, could be confirmed with strong bipartisan support and without further delay. A dozen of those nominees would fill judicial emergency vacancies.

Let us act on these nominations. There is no doubt that recent precedent shows we can do this even in September of a Presidential election year. In 2008, the final year of President Bush's presidency, Senate Democrats were willing to confirm 10 of his district court nominees in a single day, all by unanimous consent. It took only a few seconds. Earlier in that Republican presidency, and again with a Democratic Majority, the Senate confirmed 18 judicial nominees in just one day and vacancies went down to 60 throughout the country, on the way down to 28. If we confirm all of the district nominees ready for final Senate action today, we can similarly reduce vacancies back down to 60.

I hope that Senate Republicans will not extend their wrongheaded application of the "Thurmond Rule" and further stall confirmation of consensus, well-qualified district court nominees. Given our overburdened Federal courts and the need to provide all Americans with prompt justice, the Senate should be working in a bipartisan fashion to confirm these nominees without further delay.

I ask unanimous consent the article to which I referred be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Atlantic]

IN PENNSYLVANIA, THE HUMAN COSTS OF JUDICIAL CONFIRMATION DELAYS

(By Andrew Cohen)

The William J. Nealon courthouse in Scranton, Pennsylvania. (Wikimedia Commons) Daniel Wasserman had seen enough. An Orthodox rabbi affiliated with Shaare Torah Synagogue in a suburb of Pittsburgh, Wasserman had grown tired of state interference with Jewish funeral rituals, ancient

and eternal, which require burial within 24 hours and which prohibit embalming. He resented the threats of fines and penalties he was receiving from state officials trying to enforce a 19th-century funeral director's law. He believed he was being singled out for the practice of his religious beliefs.

And so Rabbi Wasserman did what many people do in America when they believe their constitutional rights—their First Amendment rights, their rights to religious freedom—are being infringed by state action. He sued the state. On August 6th, in federal district court in Scranton, in the Middle District of Pennsylvania, Rabbi Wasserman's lawyers sought an injunction to preclude state officials from continuing to threaten him for what he considers to be the lawful exercise of his religious beliefs. The lawsuit, his attorneys allege, is designed to: preserve and restore the historical right of clergy to conduct religious burial and funeral rites free from interference and harassment by the Commonwealth of Pennsylvania and professional, secular funeral directors who serve no health or safety interest.

But justice won't come quickly for Rabbi Wasserman—if it comes at all. There simply aren't enough federal judges in the Middle District of Pennsylvania to handle his case. U.S. District Judge John Jones, the well-regarded jurist to whom the Rabbi's case was assigned, couldn't get the urgent injunction hearing onto his schedule until late September. The timing didn't discourage the Rabbi but it clearly frustrated the judge. "Obviously when you receive something like this you have to move with some alacrity," Judge Jones told me late last month. "But you can only land so many planes in one hour."

THE DISTRICT

Boundary-wise, the Middle District of Pennsylvania is the largest federal judicial district in the state. It covers the state capital of Harrisburg, which means it is the chief venue for litigation against the state of Pennsylvania. It comprises no fewer than 32 counties, up and down the center of the state, from Adams County to York County, from the state's northern border to New York to its southern border with Maryland, the Mason-Dixon line. There are four courthouses in the district, including one in Williamsport, which is several hours drive away from either Harrisburg or Scranton.

All of this volume and distance would be manageable if the Middle District were fully staffed with federal trial judges. It is not—and it hasn't been for years. "We are down a third of our active court," Judge Jones says. In March 2009, the first vacancy in the Middle District was created when Judge Richard Caputo (more on him later) took senior status. Another vacancy was created in April 2010, when the Senate confirmed the appellate nomination of U.S. District Judge Thomas I. Vanaskie. Two long years later, just this past May, President Obama nominated two men to fill those posts.

Both Middle District nominees—Malachy E. Mannion and Matthew W. Brann—were quickly endorsed by the Senate Judiciary Committee by voice vote, which means there were no substantive objections raised by Republican members of that Committee. Both nominees also have the support of the state's two senators, Democrat Bob Casey and Republican Pat Toomey, who have publicly lobbied their Republican colleagues this year to allow the nominations to come to a vote on the Senate floor. So far, those efforts have failed. But the Senate is expected to take up new judicial nominations in the next week or so.

THE JUDGES

While the Senate fiddles, what's life like for the current judges of the Middle District? Very difficult. Judges frequently have to drive three hours or more a day to handle cases in Williamsport. The aforementioned Judge Caputo, who is in his early 70s, carries the most cases of any of the judges—more than 500 civil and criminal combined—despite his senior status. "He's hanging in because he feels like he is letting the court down if it doesn't," Judge Jones says of his colleague. "Because of the judge he is he won't relent." But compared to some of his other colleagues in the Middle District, however, Judge Caputo is practically a kid.

Sitting in senior status, picking up the slack for the empty full-time benches, are Judge Edwin M. Kosc, Judge William J. Nealon, Judge Richard P. Conaboy and Judge William W. Caldwell—all of these men are at least 86 years old. Two other Middle District Judges in senior status—Judge Sylvia H. Rambo and Judge James M. Munley—are both over 76 years old. "All have a substantial case load," Judge Jones says, "but we've created this absurdity where we are leaning on aging" and perhaps frail senior judges. Judge Nealon, for example, a remarkable jurist by any standard, has more than 150 cases—at age 89.

The Middle District today is so understaffed, its current judges so overwhelmed by their relentless workload, that the Chief Judge of the 3rd U.S. Circuit, the federal appeals panel which covers Pennsylvania and other mid-Atlantic states, has authorized trial judges from the Eastern District of Pennsylvania to cross over and help their colleagues in the Middle District. But it's not like the Eastern District has it much better. There are now six judicial vacancies there (five judges have in the past few years taken senior status). President Obama has yet nominated no one—no one—to replace those Eastern District trial judges.

THE PROBLEM

Washington talks ceaselessly about the slow pace of judicial nominations. But few advocates are able to cite specific examples of what judicial vacancies mean for the American people, for litigants like Rabbi Wasserman, who look to the courts to resolve disputes. Part of the reason for this is prudence—current litigants I spoke with for this article were reluctant to publicly complain about how long it is taking their federal civil cases to be resolved. No one wants to tick off their judge. But that doesn't mean such delays aren't real—and pervasive. I ended up asking a federal judge himself to detail the cost of judicial vacancies.

"Inevitably, what it leads to is extra time to decide almost any motion that is filed," Judge Jones told me. "... [T]he federal courts are stacked up with motions to dismiss and motions for summary judgment which are very fact specific and require a great deal of time. When you have fewer judges, and the judges who are in service have more motions, everything is delayed." The judge calls it the "justice delayed syndrome" and it impacts individuals like the rabbi as well as large corporations who must factor into their business plans the "uncertainty" inherent in long, drawn-out litigation.

Rebecca Kourlis, a former justice of the Colorado Supreme Court and now executive director of the Institute for the Advancement of the American Legal System, is even more blunt. "Vacancies in the judiciary create holes in the judicial system," Kourlis told me last week, "and civil cases are the

most likely to fall through those holes. What this means is that civil cases suffer increased continuances and delays and the possibilities of changing judges in mid-stream. For civil litigants, this means untenable disruptions to their lives and businesses, the possibility of increased costs, and overall, a breach of the promise of access to justice."

THE POLITICS

For this piece, I picked the "judicial emergency" in the Middle District of Pennsylvania to make a point. Although I have been a strident critic (see accompanying box) of the Republican use of the Senate filibuster to keep bipartisan-approved nominees off the bench, there is no denying that the Obama Administration has in many cases made a bad situation worse by failing to quickly nominate judges when vacancies occur. There is simply no excuse, for example, for the length of time it took the White House to appoint Mannion and Brann to help fill the void in the Middle District. None.

Sen. Toomey, the Pennsylvania Republican, refused comment for this story. His Democratic counterpart, Sen. Bob Casey, would say only that both sides "need to come together to fill these critical positions" and that "the real-life consequences of delay are unacceptable." Both men, it is fair to say, don't want to say anything publicly to tick off the Republican leadership in the Senate, leadership which already has announced to the world that it intends to confirm no more of President Obama's federal appellate nominees by invoking what's become known as the "Thurmond Rule."

The story of the Middle District is one of basic governance. It's about the executive branch and the legislative branch failing to perform its constitutional function of ensuring a viable judicial branch. It's about politicians in Washington failing or refusing to provide to the American people—in the Middle District of Pennsylvania, for example—one of the most elemental services a government can provide to the governed—functioning courts of law. It's a disgrace that those old judges in Pennsylvania have to work like that. It's even more of a disgrace that Congress and the White House can't timely agree on their replacements.

Mr. LEAHY. Mr. President, I see the distinguished senior Senator from Iowa. I reserve the balance of my time and ask it be under the control of Senator HARKIN.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I thank the chairman of the committee, Senator LEAHY, for his courtesies.

I rise in support of the nomination of Stephanie Marie Rose to be U.S. district judge for the Southern District of Iowa. In addition, she has the support of Senator HARKIN and is well regarded throughout my home State of Iowa. She was reported out of our committee on voice vote. She was previously confirmed by this Senate for her current position, U.S. attorney for the Northern District of Iowa.

Ms. Rose is a Hawkeye through and through, receiving two degrees from the University of Iowa—her B.A. in 1994 and her J.D. in 1996. Obviously, Ms. Rose was on the fast track through law school.

After graduation from law school, she wisely chose to remain in Iowa—and Iowa is fortunate for that decision. She first served as a law clerk in the U.S. Attorney's Office for the Northern District of Iowa. In 1997, she was hired as a full-time attorney in that same office, where she has risen through the ranks and now heads that office.

She served as a special assistant U.S. attorney from 1997 to 1999 and as an assistant U.S. attorney from 1999 to 2009. During this time, she was lead counsel in the prosecution of more than 250 cases. These cases spanned a wide range of legal issues from violent crimes and drug offense to immigration violations and money laundering. Additionally, she has handled approximately 45 Federal civil cases. These cases have included postconviction relief and asset forfeiture matters, as well as Freedom of Information Act and property return lawsuits.

In 2009, Ms. Rose was nominated by the President and then confirmed by the Senate to serve as the U.S. attorney for the Northern District of Iowa. In this role, she oversees most every aspect of the office. This includes overseeing the civil and criminal work completed by office staff and making final determinations regarding charging decisions, plea offers, and civil settlements.

The American Bar Association's Standing Committee on the Federal Judiciary unanimously rated Ms. Rose as "well qualified" for this position of district judge.

In addition, she is supported by the legal community and judges throughout our State. Newspaper articles published in the Cedar Rapids Gazette on February 2 and February 20, 2012, captured some of that support.

I ask unanimous consent to have printed in the RECORD these two articles.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Gazette, Feb. 2, 2012]

ROSE PICKED FOR FEDERAL BENCH

(by Trish Mehaffey)

CEDAR RAPIDS.—President Barack Obama nominated U.S. Attorney Stephanie Rose late Thursday as the next federal judge in the Southern District of Iowa.

Rose, of Center Point, said she received the call from Sen. Tom Harkin in late afternoon and then got the news release from the White House.

"This has been a really involved process and I'm honored to be selected, especially with the other talented women that were also nominated," she said last night. "If the Senate confirms me, I will be happy to serve and look forward to the diversity of the Southern District and the new opportunities."

Obama said Rose and Michael Shea, whom he nominated Thursday as a federal judge in Connecticut, have "demonstrated the talent, expertise, and fair-mindedness Americans expect and deserve from their judicial system. I am grateful for their willingness to serve

and confident that they will apply the law with the utmost impartiality and integrity."

In a news release, Harkin, D-Iowa, said Rose is a "superb attorney and among jurists, prosecutors and the defense bar has a reputation as an extremely fair and ethical prosecutor who possesses great legal ability, intellect, and judgment."

"There is no question in my mind that Stephanie Rose would be an outstanding federal judge," he continued. "... I urge my Senate colleagues to confirm her for this important position as quickly as possible."

Rose served 12 years as an assistant U.S. attorney before being appointed the top prosecutor in 2009. She will be the first woman to serve as a federal judge in the Southern District and only the second woman to serve on the federal bench in Iowa's history.

Former Assistant U.S. Attorney Bob Teig, who retired last year after 31 years, said Thursday that Rose will make an "excellent" federal judge.

"She has experience in the courtroom and as an administrator," Teig said. "She has a broad view of the federal legal system and she's very intelligent. Stephanie will make a great addition to the federal bench."

Teig worked with Rose throughout her career with the U.S. Attorney's Office.

[From the Gazette, Feb. 20, 2012]

COLLEAGUES CALL ROSE A GOOD CHOICE FOR
FEDERAL BENCH

(By Trish Mehaffey)

The career path of a U.S. attorney and nominee for federal judge could have taken a much different course if she had followed her early passions for music and journalism.

When Stephanie Rose told her parents she was going into law, they were surprised at first. She was the girl who sang and danced, played the piano and oboe, majored in sociology and loved to write.

Stephanie Rose of Center Point, the federal prosecutor for the Northern District of Iowa, has been nominated by President Barack Obama as the next federal judge in the Southern District. (Brian Ray/The Gazette)

But Rose said she started looking at a law career because of her childhood experience growing up with foster siblings. Rose's mother and father were foster parents, and one of the children in their custody had to go through a painful parental termination because her biological mother, who was in and out of jail, fought the proceeding.

Through the appeal process, the Iowa Supreme Court terminated the mother's rights, changing children's rights in Iowa and allowing the girl to be adopted into a permanent home.

That showed Rose how the law can change people's lives.

ACCLAIMED IN FIELD

"Fairness," above all else, is the one word judges, prosecutors and even defense attorneys, who have been adversaries of Rose over the years, kept mentioning last week to describe her. They said she is a good choice for the federal bench because she's extremely intelligent, hardworking, compassionate, humble, open-minded and forthright.

President Barack Obama nominated Rose two weeks ago to become the next federal judge in the Southern District of Iowa when U.S. District Chief Judge Robert Pratt retires July 1.

Rose, 39, of Center Point, has worked in the U.S. Attorney's Office since graduating from law school, one of the youngest hired at the time. She worked her way up to the top spot in 2009, prosecuting more than 800 fel-

ony cases. She was lead prosecutor on 260 of those cases and has handled another 45 civil cases and 34 appeals.

Assistant Johnson County Attorney Andy Chappell, who has been friends with Rose since law school, said it's difficult to "imagine anybody more deserving." Rose is bright, straightforward and incapable of pretense, he said.

Assistant U.S. Attorney C.J. Williams said Rose's ability to quickly comprehend complex issues has helped her succeed. She received recognition and awards for prosecuting two complicated cases involving Internet pharmaceutical companies, where doctors were prescribing pills online to patients they never treated, he said.

The six-year case spanned many states and required the review of hundreds of documents. Some may have not pursued it, Williams said, but the challenge never deterred Rose.

Her determination paid off. The case ended with 26 convictions in this district, more than \$7 million in forfeitures and more than \$4 million that went to agencies in Dubuque, Cedar Rapids and Des Moines.

"She is very skilled," said U.S. District Judge Mark Bennett, who presided over Rose's first jury trial. "She learns from any mistakes and doesn't repeat them. She doesn't have a personal agenda. She goes by the law."

U.S. District Judge John Jarvey of the Southern District said her prosecution record is impressive for her age because not all federal judges have that kind of experience, especially in criminal law.

"Stephanie has won the respect of prosecutors and defense lawyers," Jarvey said.

RESPECT FROM DEFENSE

Steve Swift is one of the defense attorneys who say she has earned a good reputation among the defense bar. He joined a dozen other defense attorneys who supported Rose for her U.S. attorney nomination. They said she was fair and went by the law in handling the controversial prosecution of more than 380 illegal immigrants charged in the 2008 Agriprocessors raid.

"She's not politically connected, not active in a party... this is based on merit," he said. "She's a great advocate for the government, very forthright—no shenanigans."

Leon Spies, a defense attorney, said Rose has always been interested in seeing that "justice is accomplished." It's more important for her to "get it right than to win," he said.

Spies, also the president of the Academy of Trial Lawyers, nominated Rose to the academy in 2008 because she exhibited what the organization strives for—the "highest quality of trial advocacy and ethical responsibilities to clients and the law."

"It's a quite an honor to be nominated," said David Brown, a Des Moines attorney and secretary/treasurer of the academy. "There are over 8,000 lawyers in Iowa and there are only 250 members. There are less prosecutors and less women, but not by design."

Rose is one of 15 women in the academy.

Sen. TOM HARKIN said all those qualities are why he recommended Rose for the U.S. attorney job and for the federal bench.

"I was enthralled by her at the interview," Harkin said. "She has such a presence and such eloquence without the window dressing," he said laughing. "She's genuine and sincere."

Harkin said he doesn't foresee any problems with her being confirmed. More than 80 percent of President Barack Obama's nominees have been confirmed so far.

WHAT'S NEXT

Carl Tobias of the University of Richmond School of Law in Richmond, Va., who analyzes the judiciary, said it's in Rose's favor that she has been through a previous confirmation because it could go more quickly.

"It's kind of murky right now with the presidential election," he said. "The confirmation process could slow down and even stop until after the convention. It's good that she has home state support from Sen. CHUCK GRASSLEY, who's on the Senate Judiciary Committee, but there are 21 others (federal judge nominees) ahead of her."

However, Tobias didn't rule out the chance that Rose could be confirmed in time to take the bench in July.

Mr. GRASSLEY. Assistant U.S. attorney C.J. Williams described Ms. Rose's ability to quickly comprehend complex issues. Former assistant U.S. attorney Bob Teig, who retired last year after 31 years, said Thursday that Rose will make an "excellent" Federal judge. He went on to say:

She has experience in the courtroom and as an administrator. She has a broad view of the federal legal system and she's very intelligent. Stephanie will make a great addition to the federal bench.

U.S. District Judge Mark Bennett said:

She is very skilled. She doesn't have a personal agenda. She goes by the law.

U.S. District Judge John Jarvey of the Southern District said her prosecution record is impressive, noting "Stephanie has won the respect of prosecutors and defense lawyers."

Ms. Rose is also a member of the Iowa Academy of Trial Lawyers. Membership in the academy is limited to just 250 attorneys whose primary focus is on trial advocacy. Membership in this distinguished group is by invitation only, with unanimous approval by the Board of Governors. So Ms. Rose is 1 of only 15 women on the academy.

Mr. Leon Spies, the gentleman who nominated Ms. Rose for the academy, said he nominated her because she exhibited exactly what the organization strives for, "the highest quality of trial advocacy and ethical responsibilities to clients and the law."

If confirmed—and I am sure she will be confirmed—Ms. Rose will be the first woman to serve as Federal judge in the Southern District and only the second woman to serve on the Federal bench in Iowa's history. I congratulate Ms. Rose and wish her well as she assumes her duties as a U.S. district judge.

With her confirmation today the Senate will have confirmed 156 of President Obama's nominees to the district and circuit courts. The fact is we have confirmed over 80 percent of President Obama's district nominees. During the last Presidential election year, the year 2008, the Senate confirmed a total of 28 judges—24 district and 4 circuit. This Presidential election year we will have exceeded those numbers. We have confirmed five circuit nominees, and

Judge Rose will be the 29th district judge confirmed. That is a total of 34 judges this year versus 28 in the last Presidential election year. Yet even as we make consistent progress in filling judicial vacancies, there are still voices out there claiming otherwise.

For example, early last month the Des Moines Register of my State ran an editorial titled "Judges Remain Hostages in the Senate." They stated in that editorial, in reference to the nomination of Ms. Rose, "She will be lucky to come up for confirmation when the Senate reconvenes." Of course the vote had already been scheduled at that point, but they overlooked that fact.

The Register and other critics who erroneously blame vacancy rates in the Federal judiciary on Republican obstructionism overlook other facts as well. You have heard me say on the Senate floor that the Senate can only confirm judges who have been sent here from the White House. So if the White House has not sent judges here, we cannot, obviously, confirm judges who have not been submitted to the Senate.

In that regard, I would like to point out something from the New York Times—because a lot of times I think the New York Times would not do much to give us a basis for our position that we have done a pretty good job of confirming judges, and why aren't judges up here. An article dated August 17, 2012, sheds some light on this very subject. In that article, "Obama Lags on Judicial Picks, Limiting His Mark on Courts," this newspaper, the Times, points out how President Obama made judicial nominations a lower political priority. The article discusses how two Supreme Court nominations, personnel upheavals, and the President's emphasis upon diversity also slowed the nominations process for lower court judges. In fact, even as we continue to confirm judges, the President continues to lag in nominations, including nominations to so-called judicial emergencies.

Today only 32 of the 78 current vacancies have a nominee here from the White House. Stated differently, nearly 60 percent of the current vacancies are without nominees. That has been the pattern for most of this administration.

Once again, I wanted to set the record straight, and I hope I have set it straight. Republicans have been more than fair to this President and his judicial nominees, considering the fact that we have so many vacancies that have not had a nominee submitted to the Senate for our consideration.

Again, I congratulate Ms. Rose.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HARKIN. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HARKIN. Mr. President, I spoke earlier in greater detail about the nomination of Stephanie Rose to serve as a district court judge in Iowa's Southern District. That is the vote that is coming up at 5:30.

As the Senate begins to vote, I want to reiterate what an outstanding nominee she is. It is no surprise the American Bar Association rated her "unanimously well qualified," which is their highest rating.

After graduating from law school in just 2 years in the top 5 percent of her class, she served for 12 years as an assistant U.S. attorney in the Northern District of Iowa under attorneys who were appointed by both Republican Presidents and Democratic Presidents. She was lead counsel in 260 felony cases and made 34 oral arguments before the Eighth Circuit. Most notably, she received a national award from the Department of Justice for prosecuting the largest unlawful Internet pharmacy case in the United States. Her work was so impressive that in 2009 I recommended her to the President to serve as U.S. attorney. In 2009 the Senate unanimously confirmed her, and she has been outstanding in her work as U.S. attorney since then.

Throughout her career of public service Ms. Rose has worked to uphold the rule of law, made our neighborhoods safer, promoted civil rights, and advanced the cause of justice. She possesses all the qualifications necessary to be a remarkably good Federal judge. She is a superb attorney and among jurists, prosecutors, and the defense bar she has a reputation of someone who is unfailingly fair and ethical and one who possesses exceptional legal ability, intellect, and judgment.

Finally, let me reiterate my appreciation to Senator LEAHY, the chairman, but also, again, to Senator GRASSLEY, my senior Senator from the State of Iowa, and to their staffs, especially Jeremy Paris and Ted Lehman, and Senator GRASSLEY's chief of staff, David Young, for their support and all their assistance in getting this nomination through.

I also thank my chief of staff Brian Albert, and Dan Goldberg, Derek Miller, and Pam Smith on my staff and my committee staff.

In essence, Ms. Rose is a person of truly outstanding intellect and character. She is exceptionally qualified to serve as U.S. district judge for the Southern District of Iowa. I urge my colleagues to support her confirmation when the vote occurs in just a few minutes.

I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HARKIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRASSLEY. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is, Will the Senate advise and consent to the nomination of Stephanie Marie Rose, of Iowa, to be United States District Judge for the Southern District of Iowa?

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG), the Senator from New Hampshire (Mrs. SHAHEEN), and the Senator from Rhode Island (Mr. WHITEHOUSE) are necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Oklahoma (Mr. COBURN), the Senator from Illinois (Mr. KIRK), the Senator from Alaska (Ms. MURKOWSKI), the Senator from Kentucky (Mr. PAUL), the Senator from Ohio (Mr. PORTMAN), the Senator from Florida (Mr. RUBIO), and the Senator from Louisiana (Mr. VITTER).

The PRESIDING OFFICER (Mrs. HAGAN). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 89, nays 1, as follows:

[Rollcall Vote No. 190 Ex.]

YEAS—89

Akaka	Feinstein	McConnell
Alexander	Franken	Menendez
Ayotte	Gillibrand	Merkley
Barrasso	Graham	Mikulski
Baucus	Grassley	Moran
Begich	Hagan	Murray
Bennet	Harkin	Nelson (NE)
Bingaman	Hatch	Nelson (FL)
Blumenthal	Heller	Pryor
Blunt	Hoeven	Reed
Boozman	Hutchison	Reid
Boxer	Inhofe	Risch
Brown (MA)	Inouye	Roberts
Brown (OH)	Isakson	Rockefeller
Burr	Johanns	Sanders
Cantwell	Johnson (SD)	Schumer
Cardin	Johnson (WI)	Sessions
Carper	Kerry	Shelby
Casey	Klobuchar	Snowe
Chambliss	Kohl	Stabenow
Coats	Kyl	Tester
Cochran	Landrieu	Thune
Collins	Leahy	Toomey
Conrad	Lee	Udall (CO)
Coons	Levin	Udall (NM)
Corker	Lieberman	Warner
Cornyn	Lugar	Webb
Crapo	Manchin	Wicker
Durbin	McCain	Wyden
Enzi	McCaskill	

NAYS—1

DeMint

NOT VOTING—10

Coburn	Paul	Vitter
Kirk	Portman	Whitehouse
Lautenberg	Rubio	
Murkowski	Shaheen	

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table. The President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

VETERANS JOBS CORPS ACT OF 2012—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. The Senator from Michigan.

THE FARM BILL

Ms. STABENOW. Madam President, as we come back into session this evening and into September, as Chair of the Agriculture Committee I have one message for colleagues in the House of Representatives—for the Speaker, for the Republican leadership—and that is, we need a farm bill now.

We have 20 days until the farm bill expires—only 20 days. If that happens, if the Republican leadership does not work with us to pass a 5-year farm bill, they are going to reset the clock for rural America all the way back to 1949. Because if the farm bill expires, we go back to Depression-era policies that include government planting restrictions and expensive price supports—absolutely unacceptable.

Some of those policies even reference prices from before World War I. This would be terrible for our family farmers and ranchers. It would throw the markets into complete disarray. There is no reason this should be allowed to happen. The full Senate has worked together and passed a bipartisan farm bill. The House Agriculture Committee worked together and passed a bipartisan farm bill. It is time for the House to complete its work. The House Republican leadership has refused to let the bipartisan bill come up for a vote.

Despite our best efforts in speaking with colleagues and working together over the August break to try to come up with a way to get this done, we find ourselves in a position now where our only opportunity is for the House to take up the bill that was passed by their committee and get this done. I have never seen a situation where a farm bill—this is my fourth one I have been involved with—comes out of committee on a bipartisan basis, and then the House will not take it up, which is exactly where we are.

Instead, they sent us a so-called disaster relief bill that, unfortunately,

only helps some livestock producers with the drought this year. It does nothing for the rest of the Nation's farmers who have been hurt so badly this year by frost and freezes. Our farm bill does that. In fact, our farm bill is better for livestock. It is a permanent livestock disaster assistance program with a better structure and support than that which was sent by the House of Representatives.

A full 5-year farm bill gives much more comprehensive disaster assistance to livestock producers and to other farmers who have been hit. Other farmers who have watched as their crops withered under the unforgiving Sun want to know that not only will we have a 5-year policy in place, but that we are going to strengthen crop insurance, which is really the backbone of supporting farmers in these kinds of situations.

We strengthen crop insurance and expand it so more farmers can have access to risk management tools on their farms. That was the No. 1 issue that we heard in all of our hearings, to strengthen crop insurance. And that is what we did. That is one of the reasons we need to get a 5-year farm bill done.

I am looking at my colleague from Iowa, the distinguished Senator who chaired the committee before me. I know he shares the same feeling that I do, that we need to get this bill done in the House of Representatives.

We know our farm bill also fixes dairy support so dairies do not go through what they went through in 2009, when thousands of farms went bankrupt. Frankly, not changing the policy for dairy is a disaster waiting to happen. So we need to get the farm bill done.

We also reform programs. We know we have ended direct payments and altogether four different subsidies, saving \$15 billion while strengthening crop insurance. We streamline and address duplication, crack down on waste, fraud, and abuse. In the end, our bill saves \$23 billion for taxpayers—\$23 billion to pay down the debt. The only real deficit reform we passed in the Senate was our farm bill, which we worked on together.

Unbelievably, the House Republican leadership still stands in the way of passing our bipartisan bill or their own committee's bipartisan bill. On Wednesday we are going to see thousands of farmers around the country coming to Washington with a simple message: We need a farm bill now. Members are going to have visits from farmers and ranchers from their States. House Members will be hearing from members in their districts. They have one simple message. Those farmers knew when there is work to be done you do not put it off to another day. Not if you are going to be successful as a farmer. And we shouldn't be kicking the can down the road either. They

can't say: I don't want to harvest my crops right now. I think I will do it in a few months or next year or tell the banker to wait until later so I can figure out what I have to make decisions on for next year. They know that when the crops need to be harvested, the work needs to get done now.

Well, we have 19 days left. This is day 20. We are going to count it down every day because we have to get this done in the House of Representatives. We did our job in the Senate on a bipartisan basis. I was very proud to join with our colleague Senator ROBERTS and all of our committee who worked so well together and worked so hard, and I again thank the leadership on both sides of the aisle for giving us the time to get it done. We got it done, and we did it in enough time to give the House time to do it in July before the August break. But that didn't happen. Now it is time to get it done. The House Agriculture Committee did its job. It is time for the House Republican leadership to schedule a vote to get this done, to support rural America—our farmers and ranchers and families who are counting on the safest, most affordable food system in the world to be able to continue. We don't need to kick this can down the road and create another crisis for farm country.

Madam President, I wish to thank my colleagues who are waiting to talk about another very important subject. I appreciate their giving me the time for a few words.

Mr. HARKIN. Madam President, would the Senator yield for a question?

Ms. STABENOW. I would be happy to yield.

Mr. HARKIN. Madam President, I would like to compliment the Senator from Michigan for her great leadership on agriculture policy, food policy. A big part of this bill is making sure that our kids in America get adequate nutrition, that our elderly get good nutrition. Our summer and afterschool feeding programs and feeding programs for our seniors are all wrapped up in this bill too.

I was in Iowa in August and met with a lot of farmers, and they were a little perplexed.

They said: Wait a minute. You passed a bill in the Senate?

I said: Yes.

So I ask the Senator from Michigan, did not that bill have the support of all the major farm organizations?

Ms. STABENOW. Absolutely. We had the support of farm groups and conservation groups all across the country.

Mr. HARKIN. I ask the Senator from Michigan, did not her bill, the bill she engineered and got through here, have the support of consumer groups and parent groups?

Ms. STABENOW. Absolutely.

Mr. HARKIN. It had all that support?

Ms. STABENOW. Absolutely. And because of the wonderful work of the Sen-

ator from Iowa on our school nutrition efforts and the Fresh Fruit and Vegetable Program, we had the strong support of families, educators, and schools across the country.

Mr. HARKIN. Conservation groups supported the bill?

Ms. STABENOW. Absolutely.

Mr. HARKIN. Well, what farmers asked me was this: If you had a bill that passed the Senate, a bipartisan bill supported by all the major farm groups, supported by consumer and conservation groups, why didn't the House just pick it up and pass it?

I didn't have an answer. Does the Senator from Michigan have an answer? Because I don't understand why the House can't take a bill that is so widely supported and is such a bipartisan bill and just pass it.

Ms. STABENOW. Well, the distinguished Senator is absolutely right. One would think this would be the time to just pass it. And frankly, if not, because we know the House committee has a little different view on commodities, we offered to sit down all through August to work that out so we could come back now and come up with something that was a compromise. But the House committee wasn't able to do that because they do not have the support of the leadership to get that done. So here is where we are. What I know is that we have to have movement. We have to have the House act or we are not going to be able to get this done.

Mr. HARKIN. I say to my friend from Michigan, my leader on agricultural policy, she knows there is enough anxiety in farm country now because of the terrible droughts we are having around the country, the shortages that are looming, that now is not the time to add more anxiety to farmers and to farm families and our rural communities across America. So I thank the Senator for her great leadership and for pointing out that as well as acting. Our committee has acted, the Senate has acted, and what the House is doing I just can't figure out.

Again, I compliment the chairwoman of our committee for pointing out that we have 20 days left and we are counting down. I am hopeful the House will hear the voices of our farm country and the bipartisan voices here in the Senate and get a bill passed—or agree to the bill passed in the Senate. I thank the Senator from Michigan.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Madam President, I ask unanimous consent that when I have completed my statement, Senator HARKIN be permitted to take the floor at that time.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE RYAN BUDGET

Mrs. BOXER. I wish to thank Senator HARKIN because he and I were spending a little time together in the great

State of our Presiding Officer, and he and I agreed that one of the issues that ought to be talked about a little bit more involves the stark choice we are facing in November in large part due to the budget of PAUL RYAN, who is now the Vice Presidential nominee for the Republicans. And Governor Romney has endorsed and embraced the Ryan budget.

I think it was Senator HARKIN's idea that we ought to explain that Ryan budget, so I am going to do my best to talk about it as the chairman of the Environment and Public Works Committee, which has the jurisdiction of highways, bridges, transportation systems, and the environment, and I will also make a couple of comments about Medicare. I know Senator HARKIN is going to go into that in great depth.

I want to make sure everybody understands that what I am talking about comes straight from the budget. So if you look at page 78 of the report accompanying the Ryan budget resolution, Mr. RYAN makes it clear he wants to make devastating cuts to transportation. What do I mean when I say that? I mean devastating. I mean a 50-percent cut, which means about 1 million jobs would be lost if the Ryan budget were to go into effect. We are talking about construction jobs—an area that has been hit so hard. We still haven't come back from this recession. And if there is one thing we learned when we were in the Presiding Officer's great State at that convention, it was the depth of this recession—the worst since the Great Depression. What a time PAUL RYAN picks to bring devastating cuts to the construction industry. I am talking about businesses and jobs mostly in the private sector, not the public sector.

We have to think about the fact that 70,000 of our bridges are deficient and 50 percent of our roads are not in good condition. We know bridges fail. We have seen it happen. We are not only talking about devastating cuts to the construction industry and its workers but a devastating situation for people who use our bridges—the 70,000 of which are structurally deficient—and our roads, which need help. So no country can lead the world if we can't move people and goods, and we cannot be a world power when it comes to transportation.

The Ryan budget is a jobs killer. I am talking about 1 million jobs that would be lost—in the private sector mostly—and it would put our families at risk by neglecting our bridges, our highways and our transit systems. Now, President Obama, on the other hand—and, frankly, a lot of us here on both sides of the aisle—reject the notion that we can walk away from rebuilding our infrastructure. So this is a very key issue.

I said I wanted to speak as the chairman of the Environment and Public

Works Committee, and I have talked a little bit about public works, but what does the Ryan budget do to the environment? What he does is he undermines the public health protections provided by the Clean Air Act, the Clean Water Act, the Safe Drinking Water Act, and other landmark laws.

If we look at pages 13 to page 15 of his budget, we can see he cuts \$62 billion for activities such as protecting our drinking water, protecting our air, and preserving our public lands. Let's face it: When kids get asthma, when people are too sick to go to work, when children are too sick to go to school, and when people die prematurely from heart attacks because of the air quality, there are no real savings. He says he is cutting \$62 billion from the budget. Let me just say that for every dollar we spend on clean air protections, we know we get \$30 worth of benefits. In 2010 alone, the Clean Air Act prevented 160,000 premature deaths. Ask a family who stands to lose the breadwinner in that family: Did we save money? No.

Let me cite some numbers: 1.7 million asthma attacks, 130,000 heart attacks, 86,000 emergency room visits, 13 million lost workdays, and 3.2 million lost schooldays. In 2010 the Clean Air Act prevented all that.

So what is the point, Mr. RYAN? What is the point? It will cost the American public dearly out of their pockets and out of their lives if they suffer more asthma attacks, emergency room visits, lost workdays, lost schooldays, and they have more heart attacks and premature deaths. That is shortsighted. The American Lung Association—and they are not Republican or Democratic—says that 40 percent of our population lives in areas with unhealthy levels of smog or toxic soot.

So let's remember that when we look at a budget, there is a set of values that accompany the numbers. And I don't think it is an American value to say to our people that we don't care if they get sick, they miss work, or they go to the emergency room.

Finally, I want to set the stage for Senator HARKIN's very in-depth discussion about health care. I am just going to talk about Medicare and Medicaid as someone who is privileged to represent, along with Senator FEINSTEIN, the largest State in the Union, with the most senior citizens. We have almost 38 million people. So whenever I talk about this Ryan budget and how many people get hurt, believe me, I speak from the heart when I say we can't let it happen.

The American people know Medicare, they like it, and they do not want to change it. Now, the Republicans tell us their plan saves Medicare. But just ask someone. Ask someone who is going to be the victim of the PAUL RYAN plan if we don't stop it. That person will find they are getting a voucher; they are

not getting Medicare. Medicare will be gone. They will get a voucher, and experts tell us and the studies show that voucher will be almost \$6,000 a year short. Imagine an older person who really is struggling for a quality of life having to have the added worry of not knowing whether he or she will be able to find health insurance.

Look, putting Republicans in charge of Medicare is like putting the Cookie Monster in charge of your favorite bakery. And I am not overstating it. No one would put the Cookie Monster in charge of their favorite bakery. Well, we can't put the Republicans in charge of Medicare, and I will prove why. This isn't just rhetoric. Listen. In 1995 Newt Gingrich said he thought Medicare, in his words, should wither on the vine. In his 1996 Presidential campaign, Senate majority leader Bob Dole bragged:

I was there fighting the fight, voting against Medicare, because we knew it wouldn't work in 1965.

Really? Really. Medicare works. Why would we end it? We are not going to end it. But if PAUL RYAN gets into power, he will have a good chance of ending it with his friend and Presidential candidate Mitt Romney who has endorsed the Ryan budget.

Listen to what Michael Steele, the head of the Republican National Committee, said in 2009:

I mean, the reality of it is this single-payer program known as Medicare is a good example of what we should not have happen.

The Ryan budget at page 53 shreds Medicare. As if he hasn't slammed Medicare enough, look what he does to Medicaid. He cuts it by more than \$800 billion. Where are low-income families going to go?

Senator HARKIN is the expert, but I can tell you this. So many of our elderly rely on Medicaid for nursing home costs. It is a disaster. We know that in addition to all these terrible cuts—and by the way, when PAUL RYAN attacks President Obama for cutting money from Medicare, what he isn't telling us is the President has found savings from overpayments to providers. Do you know what he does with the money? He puts it right back into Medicare, extends the life of the program for 8 years, closes the doughnut hole to help seniors, and gives senior citizens preventive health care, well checkups, and the like.

To quote President Clinton, that "takes a lot of brass." Because the fact is, President Obama has strengthened Medicare and has extended the life of Medicare. What PAUL RYAN does is he takes those cuts and he gives tax breaks to millionaires and billionaires.

I yield to my friend.

Mr. HARKIN. I thank the Senator for yielding, and I thank the Senator for her keen eye on the Ryan budget and what it does.

I listened to the Senator's explanation of President Obama's goal to

cut down overpayments, fraud and abuse, and to put that money back into helping beneficiaries. I ask the Senator, isn't it true that both Ryan budgets incorporate those very same cuts President Obama wants to do?

Mrs. BOXER. Absolutely. Both his budgets take the same amount. But instead of putting it back into Medicare, he robs Medicare, and Medicare will go broke—my understanding—in 2016 under the Ryan plan; whereas, President Obama puts the money back into Medicare, extends the life 8 years, and gives more benefits.

I am going to finish up and just say this. However you look at this, this Ryan budget is a roadmap for disaster for the American people. He cuts the heart out of things the American people like. The American people want clean air, they want safe drinking water, they want Medicare, they want to make sure our seniors can be safe in nursing homes. The American people want transportation—and they don't want to be worried if a car is on a bridge that is going to fall down into the water below. It has happened.

Here is the deal. If we were to say to Mr. RYAN: Are you cutting all this so you could balance the budget today, he would say: Oh, no; that is 25 years from now.

What is he doing with the "savings"? He is giving these huge tax breaks. I will close with this. People earning more than \$1 million a year are going to receive \$400,000 more in tax breaks every year. So he cuts everything to give these tax breaks to the people who already have millions and billions, but it is still not enough. As President Obama has pointed out, he will then have to go after the middle class and take away middle-class tax deductions, such as the home mortgage deduction, because he doesn't even get enough money from these Draconian cuts. He has to go ahead and raise taxes on the middle class.

I watched Presidential nominee Romney be asked this question: What are you going to cut? He said: Well, we will discuss it later. Mr. RYAN, the Republican Vice Presidential nominee, said: We will work with Congress on it. Right.

Listen, they know they have to make Draconian tax increases on the middle class and the working poor. They have to cut the things America wants in order to pay for their tax cuts. No wonder Mr. Romney picked Mr. RYAN. Mr. Romney will be in the 1-percent tax bracket—that is what the experts say—can you imagine?—while his secretaries and everybody else pay through the nose.

These next 60 days or so is an important time for us. I wish to thank my friend from Iowa because I was very interested in laying out some of these issues and he encouraged me to do so. I am very delighted to be here with him.

I yield the floor.

The PRESIDING OFFICER. The Senator keeps on Iowa.

Mr. HARKIN. Madam President, let me thank my colleague Senator BOXER for always being on point and for always being very eloquent in her focus and explanation of the fallacies of the Ryan-Romney budget and how it is going to affect our middle-class families in the future.

Since we recessed around the 1st of August and have been out of session, Congressman PAUL RYAN—our colleague in the House—has become the Vice Presidential nominee of the Republican Party, and, of course, Mr. Romney has accepted the nomination to be President. Congressman RYAN is not an unknown quantity. He has been here quite a few years, and as the head of the Budget Committee he has put forward a couple budgets. Budgets are blueprints. If one is going to build a building or a house, they need a blueprint. If you are going to try to move the country in a certain direction, you need a blueprint, and that blueprint is a budget. A budget sort of tells us where it is that the proponent of that budget wants to take us as a country—a Federal budget. If it was a State budget, we would say that is where they want to take the State.

So we on this side intend, over the next several days, couple weeks—however long we are in session—to let the American people know what is in the Ryan budget and where it would take America: What is the blueprint they have for America?

Our Nation faces an absolutely fundamental choice in November: Are we going to rescue, restore, and rebuild the struggling middle class in this country or are we going to continue to shift even more wealth and advantage to those at the top at the expense of the middle class? Republicans have made it very clear where they stand on this critical choice. They did so when nearly every Republican in Congress voted in favor of the Ryan budget plan, and Governor Romney embraced that plan as marvelous—not exactly a word most average Americans would use to describe something they like. But if you are having tea at the Ritz, I guess “marvelous” kind of fits for some people. Anyway, he embraced the plan as marvelous.

The very centerpiece of the Ryan budget is a dramatic shift of even more wealth to those at the top, huge new tax cuts for the richest 2 percent. As the Senator from California pointed out, if we take the Bush tax cuts and extend those—which Mr. Romney would do and Mr. RYAN’s budget does—then add on to it the tax cuts in the Ryan budget—which Mr. Romney supports, so I can call it the Romney-Ryan budget or the Ryan-Romney budget. If we do that and you make over \$1 million a year, you are going to get nearly

\$400,000 a year in new tax cuts. Think about it. It takes your breath away—\$129,000 in the Bush tax cuts would be extended, plus an additional \$265,000 that would be in the Ryan budget.

We hear a lot about entitlements; we are going to cut entitlements. But this is an entitlement. Think about it. If someone makes over \$1 million a year, they are entitled to that. They don’t have to do anything else. They don’t have to jump through any hoops. They don’t have to show any hurt or anything else. Just if someone makes over \$1 million, they are entitled to it. How about this entitlement? Republicans always want to make it seem as though entitlements only go to poor people or the elderly or children. They talk about Medicaid as an entitlement. What about this? This is an entitlement to those who are rich.

How do the Republicans pay for this? They don’t want to say how, but all we have to do is look at the Ryan budget and that will tell us how they pay for it. They pay for it by massive draconian cuts to programs that undergird the middle class and essential to the quality of life in this country, such as education cuts, student grants and loan cuts, law enforcement, clean air and clean water, food safety, medical research, highways, bridges and other infrastructure that was focused on by the Senator from California—all those would be cut.

The Republican plan would end Medicare, period. It would turn it into voucher care. So now we have a new word, not Medicare but voucher care, that would force seniors to pay nearly \$6,000 more per year out of pocket for their health care in future years. We don’t get Medicare; we get a voucher. That plan would strip tens of millions of Americans of their health care coverage and cut millions of poor kids from nutrition programs. Their plan would leave America with a less-skilled workforce, a deteriorating infrastructure, making us less competitive in the global marketplace.

Lastly, Republicans offset these big new tax cuts by actually raising taxes on the middle class. That is a dirty little secret you won’t find unless you dig into the Ryan budget. It is true. Here is why: Under the Republican plan, under the Ryan-Romney budget, middle-class families are net losers, paying significantly higher taxes. The wealthy are huge net winners. The nonpartisan Tax Policy Center estimates that under the Romney-Ryan budget, middle-class families with children would see their taxes go up, on average, by more than \$2,000 a year.

The bottom line is that the Romney-Ryan budget does not reduce the deficit. I hear Congressman RYAN and Mr. Romney out there talking on the stump about the budget and the deficit, and they go on and on. Why don’t they own up to it? The Ryan budget keeps

us in a deficit for 28 more years. Yes, you heard me right. The Ryan budget keeps us in the red for 28 more years.

When President Clinton was inaugurated in January of 1993 and we put through the Clinton budget—which, I might point out, not one Republican supported—it turned those deficits right around, and within 5 or 6 years we were in a surplus. It doesn’t take 28 years. It only took a Democratic President and a Democratic Congress passing the legislation in 1993 to end the slide into deficits and turn it into a surplus in only 5 or 6 years. The Ryan budget keeps us in a deficit for 28 years. Again, the savings they gain by slashing spending and raising taxes on the middle class go to partially offsetting the \$4.5 trillion in new tax cuts, most of which goes to the wealthiest Americans.

The truth is Representative RYAN is not interested in balancing the budget. That is not his interest. Even under his most rosy assumptions, the budget would not balance until 2040. The reality is the Ryan budget’s overriding goal is not to balance the budget but to reduce taxes on those at the top. Congressman RYAN has turned out to be a true acolyte of former Vice President Cheney, who famously said in an unguarded moment: “Deficits don’t matter.” Do you remember that? Vice President Cheney, “Deficits don’t matter.” I guess they didn’t to him and President George W. Bush because look at the deficits they plunged us into. Now Congressman RYAN is basically, with his budget—he will not say it publicly, but with his budget he is saying the same thing: Deficits just don’t matter. What matters are tax cuts for the wealthy.

Never in our history have we seen a deficit proposal so radical and extreme. I was here. I was in the House and then later in the Senate when President Reagan was President. He was conservative, but he was not radical and as extreme as this budget. When I tell people back in Iowa about the Ryan budget, they say: Come on. That approach is so extreme and unbalanced you must be making it up.

The Romney-Ryan plan is extreme and unbalanced, and I am not making it up. Don’t take my word for it. Listen to former House Speaker Newt Gingrich. He criticized the Ryan budget. He called it “rightwing social engineering.” All I can say is, Newt, you got that one right.

Representative RYAN believes in radically shrinking the size of government to what it was over a half century ago. His aim is to use the deficit crisis as a pretext for degrading and dismantling everything from Medicare and Medicaid to education, environmental protection, workplace safety, medical and scientific research, and on and on. It doubles down, as President Clinton said—it doubles down on the theory

that if we just give more and more of our national wealth to those at the top, it will magically trickle down.

We have tried that before. It sure does not work.

I would like to focus some more of my remarks this evening on the devastating impact of the Romney-Ryan budget on Medicare and Medicaid, but health care more generally. Since he first arrived in Congress, Representative RYAN has consistently pushed a very radical health care program—to end Medicare. End Medicare, as we say, “as we know it” but to go to voucher care. Give everybody a voucher. Under his proposal, seniors would no longer have the guaranteed medical benefits they have enjoyed for decades. Instead, they would get a voucher from the Federal Government and they can go out and buy individual private insurance or Medicare.

That is the catchy little thing. We will hear Mr. RYAN and Mr. Romney say they can buy Medicare if they would like to or they can buy private insurance. Let's look at that.

They say this is a tough-minded solution to our debt problem, but it is just a scheme, a scheme to shift costs onto America's seniors rather than making debt reduction a shared sacrifice for all of us.

Again, let's look at this voucher system. They would get a voucher program. A senior could buy traditional Medicare or health insurance. So what is the catch? The voucher will not be enough to cover health care costs. So seniors' out-of-pocket health care costs will steadily increase. The nonpartisan Congressional Budget Office has projected that the Ryan budget proposal could increase annual out-of-pocket costs for seniors by more than \$1,200 in 2030 and \$6,000 in 2050.

What this chart shows is the increase in health care costs in today's dollars, constant dollars, that elderly persons will have to pay for during their expected lifetime, their average life expectancy from the time they retire. In 2023 the average senior living an average lifespan would pay \$59,500 more. Senator BOXER rounded that off and said \$60,000 more. But look what happens when we get to 2030. The average senior will pay \$124,600 more over their expected lifespan; in 2040, \$216,000 more. By 2050, \$331,000 more for their retirement years they would have to pay in health care costs. That is in constant 2012 dollars.

They say: But a senior can go out and buy traditional Medicare or private health insurance. Here is the catch on that. What they do is put Medicare in a death spiral. Here is how.

If a person is a very healthy senior they can go out in the private insurance market and probably get a pretty good deal. If they have no preexisting conditions, if they have never had cancer, no one in their family has had it,

if they are very healthy, they have never smoked, they are just in great physical shape, they can probably go out and get a private, cheap private insurance policy with their voucher.

So who stays in Medicare then? The oldest and the sickest, and therefore the costs of Medicare spiral up and spiral up and it becomes untenable. It is a death spiral. That is Mr. RYAN's way of killing Medicare.

Yes, he says people will get a voucher, and they can buy Medicare or they can buy private insurance, but it puts Medicare into a death spiral. The Ryan budget turns this successful, reliable, comprehensive source of health care that seniors have relied on for decades—and have paid into, I might add, during their years of hard work—into some unproven, unpredictable, right-wing, conservative experiment. I do not want to experiment with the elderly. I want them to have good health care they can afford, that is universal, and that they can count on.

President Obama has fought to strengthen Medicare, and he believes, as we do, it is a sacred contract. He has made a commitment to strengthen Medicare in the Affordable Care Act. For example, by eliminating the gaps in coverage, closing the doughnut hole—which we have already started to do—elderly Iowans, I think, received over \$600 back this year just from closing the doughnut hole.

Reducing the cost of prescription drugs. According to Medicare's own actuaries, the Affordable Care Act, ObamaCare, extends the program solvency from 2016 to 2024. Again, how? As the Senator from California said, by fighting waste, fraud, abuse and by getting rid of wasteful subsidies to insurance companies. Our plan for Medicare is basically summed up: Mend it but don't end it.

I was taken a little aback yesterday. Over the weekend Governor Romney stated he would keep some of the popular provisions of the Affordable Care Act. Like what? Well, like kids staying on their parents' insurance plans until they are 26 and ensuring coverage for folks with preexisting conditions.

I said: Wait a second. I thought he said on the first day he was going to repeal ObamaCare? But now he says he wants to keep those. I was a little confused, but my confusion was short-lived because his campaign then came out with a clarifying statement. They clarified what Governor Romney said, and this is the quote:

Governor Romney will ensure that discrimination against individuals with preexisting conditions who maintain continuous coverage is prohibited.

The Washington Post reports that 89 million Americans would be left out of Romney's preexisting condition plan. Why? They were working and they had a health plan. They were out of work for a month or two—maybe went some-

place else to work and got a different plan: Sorry, you didn't have continuous coverage. You don't get covered.

These are the little games that Governor Romney and Congressman RYAN are playing with the American people.

Mr. DURBIN. Will the Senator from Iowa yield for a question?

Mr. HARKIN. I am delighted to yield to my friend from Illinois.

Mr. DURBIN. I was trying to understand this Republican position. It used to be crystal clear. In 23 debates we heard Republican candidates say, one after another after another: First day in office ObamaCare is gone. But I heard the same thing the Senator did, and I have tried to understand it.

I do give Governor Romney some credence in this regard. I have said, when asked, he is the baby daddy of ObamaCare because it was Governor Romney who created the first version of ObamaCare in the Commonwealth of Massachusetts, and he understood—I hope the Senator from Iowa can help me to understand, and those listening—he understood the concept of insurance. If everyone who bought an insurance policy wrecked their car or got sick the next day, insurance would not work. The only way it works is most people are safe drivers. They buy insurance and a small percentage use it. So there is a pool of money collected from premiums creating a reserve for accidents.

Here we have a situation where Governor Romney has agreed with us—I commend him—that people with preexisting conditions when it comes to health care should not be discriminated against. But the Senator from Iowa, as chair of the committee that dealt with ObamaCare, knows what adverse selection means. It means if people wait until they are sick to buy health insurance the whole system falls apart. So in Massachusetts they required everybody to buy health insurance.

Mr. HARKIN. I think that is called an individual mandate?

Mr. DURBIN. An individual mandate, some critics might say. Some of us call it individual responsibility. And we did the same, when it came to health care reform, keeping in mind if people currently have health insurance and like their doctor, like their hospital, we are not going to change their lives one bit. But for those who are out in the marketplace, the availability of health insurance would be there, but everyone has the responsibility to buy it.

We don't think twice when we have a closing on a home. We need fire insurance on this home. My home has never burned down, thank goodness, but I buy fire insurance. That is individual responsibility so there is something to pay the mortgage off if the house burns down.

But in this circumstance what I understand Governor Romney to say is we

don't think insurance companies should discriminate against people with preexisting conditions. OK, I am with him. But then he goes on to say—I think the point the Senator made—let's kind of bear on this for a minute—what he goes on to say is so long as people have had continuous insurance.

What if a person was unlucky enough to lose a job? Out of luck. Their preexisting conditions just disqualified them from health insurance. They are stuck, under the Romney approach. What if they had any kind of interruption whatsoever in their insurance coverage? They are dead in the water. So when we talk about taking uninsured people, bringing them into insurance that has quality to it, quality coverage where they cannot discriminate against people, we are saying whatever their previous insurance experience we are all going to get into this together. We are all coming into the tent together and they cannot be discriminated against because they are a woman, had a baby—all the different things they have used.

So when we listen closely to it, here was Governor Romney basically saying he is against the discrimination on preexisting conditions, but then footnoted down at the bottom of the page—as long as people have had continuous coverage. It is an empty promise. It doesn't give people anywhere near the protection and insurance that ObamaCare gives. That is what I understand to be the difference.

Is that the way the Senator understands Governor Romney's clarification of his statement of yesterday?

Mr. HARKIN. I thoroughly agree with my friend from Illinois. Governor Romney makes the statement. It is on a very popular well-viewed Sunday talk show, "Meet The Press." So the average American says: Oh, Governor Romney, he is for keeping coverage for preexisting conditions. That is good. That is nice to know.

They do not hear the clarification that came about later because that was not on "Meet The Press." That was sort of under the radar, when they said they wanted to clarify what Governor Romney meant was he would prevent discrimination against individuals with preexisting conditions who maintain continuous coverage. As the Washington Post pointed out, there are 89 million Americans who would be disqualified because they had a plan, they lost it because they moved or something like that, and picked up another plan. There goes their coverage. Just think about that. You are a family. Let's say your spouse has a preexisting condition—it could be diabetes, it could be cancer, it could be anything—but you have been covered under a plan. President Obama, with the Affordable Care Act, ObamaCare, says beginning in 2014, just as we now cover children, no plan can discriminate

against you because of a preexisting condition. What Romney is saying with his clarification is only if you have always had that plan. What if you are a family that moved from one State to another due to a job issue? You move and your spouse or maybe one of your children who is perhaps still on your policy and has a preexisting condition won't be covered. They will not cover them. Mr. Romney didn't say that on "Meet The Press."

Mr. DURBIN. I say to the Senator from Iowa that I met so many people in my State of Illinois who said, I cannot leave my job because I don't know if I can ever find health insurance again. I am stuck because I have a child or a spouse with a problem. The real world of human experience tells us this happens all the time. It makes me wonder sometimes. There are 8 or 9 million Americans—almost one out of three Americans—not covered by this Romney plan. How does this solve any problems? If we are not going to have health insurance we can count on when we need it, it is worthless. It is a subsidy the insurance company doesn't pay off when the family needs it.

I didn't mean to interrupt the Senator from Iowa, but I wanted to make that point very strongly.

Mr. HARKIN. I want to say one other thing about this idea of the individual mandate then-Governor Romney supported in Massachusetts. We all have it within us—I think especially as Americans—that we don't like to be told anything. We don't like to have a mandate put on us. Well, as the chair of the health committee, and someone who is very much involved in this process of getting the Affordable Care Act through, I want to make it very clear, you don't have to buy insurance. There is no individual mandate that says you have to buy insurance. I want to make that clear, and I want to keep making that point. I have been making that point for months now. You don't have to buy insurance. It just says if you don't buy it and you get real sick and want to get in line to get health insurance, you pay a penalty. They call it a free-rider penalty.

Have we ever seen that before? How about Medicare? We have it in Medicare. When you turn 65, you don't have to get Part B. No one tells you that you have to do that. If you wait until you are 67, 68, 69, or 70, you pay more. You will pay a lot more than if you picked it up at 62 or 65 when you retired because it is a free-rider penalty. So we have to get rid of this idea that this is some kind of individual mandate that you are forced to do something. No, you are not forced to do it. But if you are a free rider, and you say I will only go when I get sick—like the car accident the Senator pointed out—yes, you pay a penalty. That is all. You don't have a mandate. You just have to pay a penalty. I think when we de-

scribe that, I would say that sounds fair. If you are not going to be in the insurance pool—it is as though I am not going to have car insurance, but if I have a wreck, I want to call the insurance company and they will insure me to the moment right before the wreck. That is nonsense. Of course, we don't do that.

Well, as I said, I intend to take the floor today, tomorrow, and for the next several days to point out what the Ryan plan does overall but basically in health care.

We mentioned Medicare. Let's talk about Medicaid. How about Medicaid? What does Medicaid do? Basically, as I have said many times, it is there to give a decent quality of health care and a quality of life to the hopeless, the helpless, and the hapless. It is for people who otherwise sort of fall through the cracks, people who need health care who cannot afford it or who, because of their life situation, have never been able to get any kind of health care coverage.

Well, here is what he does. I will get into this more. The Medicaid funding, which the Senator from California mentioned, over 10 years takes over \$810 billion—that is with a "b," not million—out of Medicare. What does that mean? Who does that hurt? Well, 1 out of every 2 Americans with a disability uses Medicaid. That is who is hurt. Services in the Medicaid Program allow our citizens with disabilities to live with dignity and purpose in their homes and in their communities. Three million seniors and people with disabilities use the program to avoid having to go into a nursing home.

How about Medicaid for middle-class families? We always think that Medicaid is just for people with disabilities or just for poor people. How about Americans in the middle class? How about American middle-class families? There are hundreds of thousands of American families who have children with lifelong disabilities such as Down's syndrome or autism. Medicaid gives them a lifeline or middle-class families would be paying out of their pockets for the health care costs of their children for their entire lifetimes. Yes, this is one of the entitlements they want to cut. Medicaid is an entitlement.

Well, how about that tax plan? If you are a millionaire—that is all you have to be. All you have to do is have an income of over \$1 million a year and you get huge tax benefits. How about that entitlement? No, they don't touch that one. At the center of the Ryan budget is his promise to repeal the Affordable Care Act, ObamaCare, a commonsense health reform that led the Commonwealth of Massachusetts to have one of the lowest uninsurance rates in the country. ObamaCare—I know the Republicans have been using that as a pejorative. I say it proudly.

I was with President Obama in Iowa a couple of weeks ago when he spoke to a huge group of students at my alma mater, Iowa State University. There was a big sign in the back that said "ObamaCare." President Obama looked at it and said, yes, ObamaCare. Speaking of himself in the third person, he said: Yes, Obama does care. He said, I care about making sure everyone is covered who has a preexisting condition. I want to make sure that kids can stay on their parents' policy while they are in college. Yes, I want to make sure that the elderly have a good, affordable Medicare Program. Yes, I want to make sure that people have good preventive health care systems in America. Obama cares, that is what ObamaCare is. Obama cares, and he cares very deeply that we have a health care system for all and not just for a few. As was said by President Clinton in his speech, an American policy based upon "we're all in this together is much better than the policy of tough luck, you're on your own," which is the Ryan budget philosophy.

When we get past the political theater and look at what the Ryan budget actually means, it is not a very pretty picture. The Ryan budget would repeal the prescription drug doughnut hole closure we are doing. It would allow insurance companies to charge as much as \$300 for preventive services. One of the key elements we put in ObamaCare: 86 million Americans received at least one free preventive service last year, and more this year. Almost 1 million Iowans received one free preventive service in 2011. That means they got preventive care so they don't get sicker and cost us more money. Again, the Ryan budget would allow people to deny you coverage or increase your premiums if you have a preexisting condition.

This protection means a lot to this person right here. This is Eleanor Pierce from Cedar Falls, IA. I spoke about her before. She was denied health insurance when she lost her job because of her preexisting condition of high blood pressure. Without coverage she racked up \$60,000 in medical debt. The Ryan budget would repeal ObamaCare. They would tell people like Eleanor Pierce: Tough luck, you are on your own. We are not all in this together. You mean you are not worth \$1 million? Tough luck, you are on your own.

Repeal will allow insurance companies to put limits on the coverage of more than 100 million Americans, stopping benefits right when they get sick. Repeal would kick more than 3 million young people off their parents' policy.

This is Emily Schlichting who testified before the committee. She is an elegant young woman going to college in Omaha. She said young people are the future of this country and we are the most affected by reform. We are the

generation that is most uninsured. We need the Affordable Care Act because it is literally an investment in the future of this country. She suffers from a rare autoimmune disorder that would totally make her uninsurable in the old days and under the Ryan budget, which brings back those old days. Thanks to the Affordable Care Act, she can stay on her parents' policy until she is 26. By 2014, regardless of her preexisting condition, she will get affordable health insurance coverage.

Repeal under the Ryan budget would allow insurance companies to spend America's premium dollars on CEO bonuses, marketing, and fancy buildings rather than actual health care. Under the health reform medical loss ratio requirement, policyholders nationwide will receive more than \$1 billion in rebates from insurers this year. That is \$1 billion in rebates this year that goes back to policyholders and families; otherwise, that \$1 billion would be going into CEO bonuses, marketing, private jets, company planes, fancy buildings, and things such as that. These are just a few of the ways the Romney-Ryan budget would repeal ObamaCare and drag America back to the bad old days.

Again, I will repeat that over the last few weeks Representative RYAN has been telling everyone how the President's health reform plan robs Medicare. That is totally fallacious. First, the nonpartisan economists have certified that ObamaCare strengthens the Medicare Program and extends its solvency by 8 years. What President Obama did—as the Senator from California previously pointed out—was make the program more efficient and save money on wasteful overpayments to private insurance companies and cracking down on fraud.

What Mr. RYAN won't tell us is that the very reforms President Obama has in our Affordable Care Act are the same he has in his Ryan budget plan. What he doesn't tell us is that while President Obama takes those savings and puts them back into Medicare, Mr. RYAN takes those savings—yes, you guessed it—and puts them into more tax breaks for the wealthy.

By repealing the Affordable Care Act, the Ryan plan would again put Americans at the mercy of insurance companies and deprive more than 30 million people of affordable coverage.

I was just going to get the chart for my own State of Iowa. I had one here on Iowa I wanted to point out, because I am obviously very interested in my seniors in Iowa. This chart shows that the Ryan plan means almost 440,000 Iowa seniors would be forced onto vouchers when they retire. We have to get those vouchers, right? Sixty thousand Iowa seniors would be forced back into the prescription drug doughnut hole. The doughnut hole would open again. Four hundred thousand Iowa

seniors would pay more for preventive services this year.

I can tell my colleagues our seniors in Iowa are flocking to get their preventive health care services. They know an ounce of prevention is worth a pound of cure. But before those preventive services cost money. Now they get them free. It is going to make their lives better and save us a lot of money.

ObamaCare decreases the deficit by almost \$110 billion over the first 10 years and more than \$1 trillion in the next decade. Mr. Romney and Mr. RYAN won't tell us that, but it is true. It reduces the deficit. It insures more than 94 percent of all Americans. Over 94 percent of all Americans will have that coverage.

The bottom line is very simple, and I will be talking about this in the days ahead. President Obama will protect Medicare, will protect health care not only for our seniors but for young people, for middle-class Americans and, yes, for those at the bottom rung of the ladder who need Medicaid to sustain them and to give them quality health care. The Ryan budget rolls back all of this. So, again, we are faced with this choice: the Ryan budget or what President Obama has come forward with in his budget and with his ObamaCare to make sure America remains a good middle-class country where people on the bottom, at the lowest rung of the ladder, can get into that middle class; where the middle class knows they can leave a job and go to another job and not lose their health care plan; where someone can start a small business and know they will have health care coverage for themselves and the one or two or three or four or five workers who work for them or small businesses now can become more competitive with the big businesses in America.

I think it is safe to say that if only the American people will study the Ryan budget, the blueprint, they will find that this is where they want to take you and me and all of America—back to an America that our parents moved beyond; where our parents said, no, we are going to move forward; where we have buttressed ourselves in our own lifetimes, in moving America forward to a country where we truly are all in this together; where we are not just a lottery country in which if a person wins the lottery, they are OK, they have it made; if a person doesn't win, then tough luck, sucker, they are on their own. That is not the America our parents fought for in World War II or Korea or Vietnam; it is not the kind of America Martin Luther King, Jr., marched for and died for. It is not the kind of America we want to see for our kids and our grandkids.

We have a choice. The choice is clear. Let's move forward.

I yield the floor, and I note the absence of a quorum.

The PRESIDING OFFICER (Mr. MERKLEY). The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. Mr. President, most commissions appointed in Washington—at least in my experience—hardly make a ripple, people hardly notice them. After a lot of hard work, a report is published and that is about it. Some historian at a later date may look at the work they have done and the research they have done and that is about it, that is the extent of it.

There are a few exceptions. I was fortunate enough almost 2 years ago to be appointed to one of those exceptions and that was President Obama's deficit reduction commission, the Simpson-Bowles Commission. I was appointed because I am a member of the Appropriations Committee and Senator REID said we should have someone from Finance, Appropriations, and Budget. I took the assignment of one of the three Democratic Senators. There were three Republican Senators, three Republican House Members, three Democratic House Members, and an additional six public members. The public members consisted of a number of people, including Alice Rivlin, respected in Washington, as well as a number of business and community leaders.

We met for about a year and considered the budget deficit and all of the Federal spending and came to know one another a little bit during that period of time. One of the members of that commission was PAUL RYAN, a Congressman from Janesville, WI, just over the border from my State of Illinois. I knew PAUL before and got to know him a little better during the course of that commission. He is a very bright person. We have some common friends in the Janesville area, and I know he worked with Senator Feingold, a Democrat from Wisconsin, on some issues before.

What surprised me at the end of the day was despite his obvious training and knowledge on the budget deficit, when it came time for a vote on this bipartisan deficit commission report, all three House Republican Members, including Congressman PAUL RYAN, voted no. I voted yes. Two out of the three Democratic Senators voted yes. I was surprised, in a way, because I thought that although the Simpson-Bowles plan had its shortcomings—things I disagreed with and said so—it was a dramatic step forward to try to deal with our deficit in a fair fashion.

JEB HENSARLING of Texas was another Republican Congressman, along with DAVE CAMP of Michigan, the chair of the House Finance Committee, and Congressman PAUL RYAN, who all voted no.

I was surprised that at the Republican convention in Tampa, FL, Con-

gressman RYAN, the Republican Vice Presidential nominee, criticized President Obama over the Simpson-Bowles Commission report, saying he had worked hard to implement. I thought that was a curious position for Congressman RYAN to take, because he had voted against it. Now he was criticizing President Obama for not working hard enough on the commission report. But I came to understand that a little more when I took a closer look at Congressman PAUL RYAN's budget plan for America.

Before he was chosen to run as Governor Romney's running mate, PAUL RYAN, the Congressman and chairman of the House Budget Committee, issued his vision of what America should be doing over the next several years. One of the most controversial sections relates to Medicare. Medicare, of course, is the insurance policy for the elderly and many disabled in our country. It is a lifeline for 40 million-plus Americans. It means even in their old age they will have good protection for health insurance because they have paid into it during all of their working years. PAUL RYAN observed that the Medicare Program would come to an end if it weren't changed. We know it has about 12 years of solvency left and change will be needed. His proposal, though, would do more than change Medicare; it would end it as we know it. The RYAN approach would create vouchers—coupons—for senior citizens to buy health insurance. It would force them to pay more out of pocket for Medicare. According to the CBO—the Congressional Budget Office—the Romney-Ryan plan would force Medicare beneficiaries to pay up to \$1,200 more by 2030 and almost \$6,000 by 2050. That is about \$500 a month, ultimately.

Congressman RYAN said seniors could choose to stay in traditional Medicare or they could basically go into a private health insurance market. A senior who is both healthy and wealthy would have an option. Those not so healthy or wealthy would find the only option traditional Medicare, and more and more people with a history of illness would be forced into traditional Medicare, making it a very expensive insurance program and difficult to maintain.

The PAUL RYAN voucher plan puts Medicare in competition with private insurance companies and, as I said, many seniors would find that the competition wouldn't want them and they would be stuck with traditional Medicare, much different than it is today. Medicare would be taking care of the seniors whose care costs more, so Medicare premiums would increase. As they go up and seniors begin to leave Medicare, it causes premiums to rise further, which would cripple the program.

The PAUL RYAN program eliminates all the consumer protections in the Affordable Care Act, putting insurance companies back in the driver's seat. I

don't think most Americans believes that is a good place to be, at the mercy of an insurance company, an adjuster who will decide what they are covering and how much one will pay.

Young adults would no longer stay on their parents' insurance plan under the Romney-Ryan proposal to eliminate ObamaCare. People with preexisting conditions would be denied coverage—going back to the conversation I had earlier, my dialog with Senator HARKIN on the floor. Families would once again face lifetime limits on coverage, and seniors would be forced back into the doughnut hole, meaning paying more out-of-pocket expenses for their Medicare prescription drugs.

I don't think this is a good plan for America and I don't think Americans, once they hear the details, are going to like it.

The ObamaCare program has already helped a lot of people. A report today said there was a 16-percent increase in coverage of younger Americans because of ObamaCare. These are younger Americans up to the age of 26 who now can stay on their family plans. And 1.6 million Americans have been added into coverage under their parents' plan because of this change in the law.

Now, those who say "I will repeal ObamaCare" would repeal that protection, forcing 1.6 million young people, without jobs or coverage, out of the protection they have today. I cannot imagine 125,000 young adults in Illinois who have benefited from ObamaCare would believe that is a good idea, nor would their families.

Since the Affordable Care Act was signed into law, Medicare beneficiaries in Illinois have saved over \$171 million on their prescription drugs.

There was a discussion earlier about the Medicaid Program. Medicaid is an important program in Illinois and most States. I asked Julie Hamos, who administers our program in Illinois, to explain it in a few words. Here is what she said: One out of three children in Illinois is covered by Medicaid. That is their health insurance—one out of three. In Illinois, Medicaid pays for 52 percent of the births; that is, prenatal care and the delivery of the child—52 percent paid for by Medicaid. But those two things—child coverage and coverage for new moms and their babies—do not even represent half the cost of Medicaid in Illinois.

Sixty percent of the cost of Medicaid in Illinois is for the elderly and disabled, many of whom are completely out of luck and out of money. They live on Social Security, Medicare, and Medicaid. They are in nursing homes and convalescent centers. They do not have anyplace to turn. So Medicaid is a critical insurance program for some of the most vulnerable people in America.

Many seniors and disabled people on Medicare also receive State Medicaid. The "dual-eligibles" they are called.

That is 15 percent of Medicaid enrollees, but 39 percent of Medicaid spending—low-income elderly people who have no place else to turn.

So when PAUL RYAN, in his budget, suggests he is going to cut back on Medicaid payments each year, giving a smaller amount of money to States, saying: Make do, who is at risk? Children: one out of three in Illinois is on Medicaid; moms having babies: over half of the moms having babies in our State; and the elderly folks who have no place to turn.

Think about what that means. A child without basic health insurance, Medicaid, in my State or anywhere, is less likely to have a doctor, immunizations when needed, and an office visit to avoid a trip to an emergency room. A mother without prenatal care is, unfortunately, more likely to give birth to a child with a problem. And we do not want to see that for the sake of the child first, certainly for the mom, for the family, or for taxpayers, for goodness' sake. There is no money saved by scrimping on Medicare for new moms. The Ryan plan would force that kind of scrimping.

The Ryan plan converts Medicaid into a block grant and cuts Federal funding for the program by 34 percent over the next 10 years—34 percent.

So I would ask Congressman RYAN: Which of those groups do you want to cut back on in terms of coverage? According to CBO, cuts at the level the Ryan plan calls for would mean States would have to reduce eligibility for Medicaid and children's health insurance or cover fewer services.

I might add—I am sure it is true in the State of Oregon; it is certainly true in Illinois—one of the most critical areas of medical need is dental care. I talk to doctors every time I go back home in emergency rooms at hospitals who have people coming in to see them in pain because of problems with their teeth, and they end up getting pain medication but nothing is taken care of.

So when we talk about restricting care, as PAUL RYAN has suggested in his budget, I have to tell you, I think it is extremely shortsighted. A tooth ache can turn into a life-threatening situation for some people, not to mention the pain and discomfort they are going through. So if anything, we ought to review basic Medicaid services to expand at least into dental care. I would support that. I think it is extremely shortsighted for us not to include it.

This Paul Ryan budget would not expand Medicaid. It would cut it back dramatically. States would lower payments to doctors and nurses by one-third. Can you imagine what that would do? It would reduce the number of providers, which makes it more difficult.

Just to give you an example, in the Quad Cities in Illinois, there is a great

clinic put together by a friend of mine in the Hispanic section of Moline. They provide basic, basic primary health care. If you need a specialist, you are referred, with at least an hour-and-a-half drive, to Peoria or with an almost 3-hour drive to Chicago. Remember, these are the poorest people living in our towns. Do they make it to the specialist? Usually not. The PAUL RYAN approach, reducing the amount of money that is paid to providers, would mean even fewer specialists would be willing to help those who are poor.

But the thing that troubles me the most about Congressman RYAN is—at least in his budget views and his deficit views—as he talks a good game about reducing the deficit and voted against the Simpson-Bowles Commission report, he comes up with a budget that he produces in the House and says he and Governor Romney are going to protect the Bush tax cuts for the wealthiest people in America and increase defense spending. This does not work. It does not add up. It does not pass what President Clinton called the arithmetic test. You cannot increase tax cuts and increase spending on defense without, as President Clinton said, digging the hole deeper and deeper.

So they sound pretty good when they give the speeches about fiscal conservatism and that we have to be serious about the deficit, but their proposals just do not match. The idea of lowering tax rates, as they proposed, even below the Bush tax cuts—they said: Well, we will use tax reform to get to it. The estimates suggest that the middle-income families will end up losing in that. As a result of tax reform as proposed by Romney-Ryan, they think middle-income families face a higher tax of \$2,000 a year to protect tax cuts for the wealthiest people. That certainly is not a positive thing in terms of deficit reduction or helping a lot of working families living paycheck to paycheck.

We have debated Congressman RYAN's plan for 2 years now. The only people who seem to like it are some Republicans serving in Congress. The majority of Americans would oppose the Paul Ryan budget plan to end Medicare as we know it. The majority of Americans certainly oppose his idea of raising taxes on middle-income families to pay for tax breaks for the wealthiest. Congressman RYAN has had his chance to make his case to the American people for his view of where we are going, and it will not work. I wish he had joined us in the bipartisan effort of Simpson-Bowles. His vote in favor of that would have given him more credibility and maybe a better understanding of the reality of budget deficit reduction.

FISCAL RESPONSIBILITY

Mrs. FEINSTEIN. Mr. President, I rise today to speak about the budget

proposed by Congressman PAUL RYAN, which has been approved twice by the House of Representatives.

The Ryan budget, which is purported to be a measure of fiscal responsibility, is in fact an attempt to rewrite the social contract in this country while at the same time adding to the national debt.

Let me explain. There are four major components of the Ryan budget.

The first is another round of tax cuts for the wealthy. According to the non-partisan Tax Policy Center, the Ryan tax plan would add an additional \$4.5 trillion to the Nation's debt. That is on top of the staggering cost of the Bush tax cuts.

Second, the Ryan budget would virtually eliminate spending on domestic programs, imposing debilitating funding cuts for education, air quality, roads, bridges, railways, national parks, first responder programs and a host of other vital national interests.

Third, this budget ends Medicare as we know it and converts Medicaid into a block-grant program with capped funds. The Ryan budget endangers our two most vital sources of health care services for seniors, the poor and those with disabilities.

Finally, the budget repeals the health reform law, reducing the solvency of Medicare and eliminating critical consumer protections.

The tax proposal in the Ryan budget is especially troubling. According to the Tax Policy Center, the Ryan budget would mean a tax windfall of \$265,000 a year for millionaires.

At the same time, the middle class and working poor would see few if any benefits.

The Ryan tax plan is very similar to that of Mitt Romney. Both plans would substantially reduce tax rates on the wealthy, and both are supposedly paid for by closing unspecified tax loopholes.

The Tax Policy Center has already analyzed Mitt Romney's plan. In order to substantially lower tax rates and remain revenue neutral, the Romney plan would have to eliminate so many tax credits and deductions that it would actually raise taxes on the middle class.

To make matters worse, the Ryan budget does not stand up to scrutiny. This is a question of basic arithmetic.

How do you reduce the national debt while at the same time handing massive tax cuts to the wealthy? Congressman RYAN already took one option off the table—reducing the Defense Department budget. In fact, his budget proposes to spend even more money on defense, money the Pentagon does not even want.

That leaves deeper cuts to domestic programs and entitlement spending as the only remaining options. And it is important to note that Congressman RYAN refuses to specify what those

cuts would be—because they would be so painful to so many Americans.

Medicare in particular would be savaged by the Ryan budget.

Beginning in 2023, his budget ends the traditional guaranteed benefits structure of Medicare, instead offering vouchers to purchase either a private health insurance plan or traditional Medicare.

According to the Congressional Budget Office, that means new Medicare beneficiaries would pay \$1,200 more out of pocket by 2030 and \$5,900 more by 2050. Experts say the Ryan budget would also likely lead to reduced access to health care and diminished quality of care for beneficiaries.

Essentially, seniors would be forced to purchase more expensive care with less.

Consider that in 2010, half of all Medicare beneficiaries had incomes of less than \$21,000 and you can see why this proposal is so dangerous.

The Center for American Progress estimates that if the Ryan budget were to pass, someone who is 54 years old today would face increased costs of \$59,450 during retirement. Someone who is 29 years old today would spend \$331,000 more over the course of their retirement.

I would also note that the Ryan budget includes \$700 billion in Medicare savings the exact same amount that was included in the health reform law he seeks to repeal.

The difference is that rather than applying those savings to lower costs and increased benefits for seniors, the Ryan budget diverts those savings to even more tax breaks for millionaires and billionaires.

Speaking of Congressman RYAN's desire to repeal health reform—his efforts to unwind that law, which has been upheld by the Supreme Court, would add tens of millions of Americans to the ranks of the uninsured, it would eliminate critical consumer protections, and it would hasten the insolvency of Medicare by 8 years.

House Republicans want to put insurance companies back in the driver's seat, able to charge higher rates based on gender and deny coverage to people with preexisting conditions. They would remove protections that guarantee children the right to health insurance.

American families would again be at risk for bankruptcy because of costly illnesses like cancer. More than 12 million Californians would once again face lifetime limits on their health coverage.

The budget would reopen the prescription drug "doughnut hole," forcing 5.2 million seniors to once again dip into their pockets to cover the full cost of prescription drugs.

In California, 3.4 million seniors would be forced to pay more for preventive services, such as cancer screenings

and mammograms, meaning fewer seniors would have access to these services.

Let me be clear: the health reform law extended the life of Medicare by 8 years. In addition to forcing seniors to pay more for services, the Ryan budget would place the Medicare Trust Fund on a track for insolvency by 2016.

Medicaid is another big loss in the Ryan budget. He would change Medicaid from a State-Federal match program to a block grant program, including dangerous funding caps. Millions more of the most at-risk Americans would become uninsured or underinsured because of this budget.

Medicaid spending would be slashed by \$810 billion over 10 years, a 22 percent cut.

This would jeopardize health care for nearly 7.3 million Medi-Cal beneficiaries in California, many of whom would see reduced eligibility, coverage of fewer services and increased out-of-pocket expenses.

Low-income pregnant women who depend on Medicaid could be dropped from the program, a threat to health of both mother and baby.

Let me be candid: The Ryan budget is just another salvo in the war against the middle class and working poor.

It would mean more tax cuts for the wealthy at the expense of investments in our future, it would lead to greater numbers of uninsured and it would demolish some of the most vital safety net programs in the Nation.

Let's set aside the politics and get to work on real solutions for the country.

MORNING BUSINESS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNIZING THE CONGRESSIONAL MANAGEMENT FOUNDATION

Mr. REID. Mr. President, I stand before you today to congratulate the Congressional Management Foundation on its 35th anniversary of service to Capitol Hill. Founded in 1977, CMF is a non-profit, nonpartisan organization dedicated to improving management practices within the Halls of Congress, as well as facilitating better communication between legislators and their constituents. By improving congressional operations, providing institutional research, and educating Americans on how Congress actually works, the Congressional Management Foundation has been a valuable contributor to building trust and effectiveness in Congress.

The Congressional Management Foundation strives to help legislators

get off on the right foot even before they are sworn into office. Within 5 days after election day, all incoming freshmen receive a copy of "Setting Course" and "The 90-Day Road Map"—two experience-driven publications produced by CMF that provide new House Members, Senators, and their staff a detailed outline for setting up and running an effective office. "Keeping it Local" stresses the importance of maintaining a strong presence in district offices and the value of effective constituent outreach and interaction at the local level. These publications are time-tested, indispensable resources that provide our leaders with the appropriate tools they need to overcome the challenges of lawmaking on the national stage.

In the past decade, CMF has adapted its mission to keep up with the rapid introduction of new technology on Capitol Hill. Recently CMF has offered guidance on how to design effective and accessible Web sites, culminating in CMF's Gold Mouse Awards for the best congressional Web sites. CMF has helped Senators significantly improve their online operations, resulting in more transparency and accountability in government. Because of CMF's research and guidance in Web sites and online communications, Americans have a better understanding of the Congress and better access to necessary services.

Finally, I wish to congratulate CMF on focusing on improving the Congress in a nonpartisan way. There are only a few places left in Washington where those of us who are in public service can gather and truly engage in problem solving. I congratulate the Congressional Management Foundation on more than three decades of outstanding work and wish them success in all of their future endeavors.

TRIBUTE TO STEPHEN J. CLOOBECK

Mr. REID. Mr. President, I rise to honor my friend Steve Cloobek of Las Vegas, the chairman of the board for Brand USA. This month, Steve will step down from the board after 2 years of working tirelessly to build Brand USA from the ground up.

Over the past decades, the United States lost valuable tourism dollars as international visitors traveled to other destinations instead of the U.S. In part, the United States lost market share because we failed to promote tourism, while other countries invested in tourism promotion. To encourage tourists to visit the U.S., I worked for the passage of the Travel Promotion Act. This bipartisan legislation established the first-ever United States public-private initiative to promote tourism. The new organization would help attract millions of international visitors by advertising our Nation abroad—all at no cost to the taxpayers.

If this new organization, Brand USA, was going to be successful, it would need a strong leader with a bold vision to promote tourism. Fortunately, we found that leader in Steve Cloobek. From the moment he joined the board, Steve established aggressive timelines for setting up the new organization. He helped draft the organization's strategic platform and goals, while ensuring that operations continued on schedule.

Steve was also actively engaged in building partnerships with the private sector. Because of his business relationships in the tourism industry, Steve received many large commitments and contributions from companies in Nevada and across the Nation. With a slate of committed partners from Marriott to Best Western to Disney, Brand USA will raise more than \$50 million from the private sector this year alone.

Under the direction of Steve and the board, Brand USA unveiled their new advertising campaign. Featuring a song by Rosanne Cash, these ads showcase America as a "Land of Dreams" where anything is possible. These advertisements, which have been running in nine key international markets, have created a strong brand identity for the United States abroad.

Today, we can already see that Brand USA is making a difference. So far this year, international visitation to the U.S. has increased 12 percent and we are heading for a record-setting year. And most importantly, during these hard economic times, travel promotion is creating new, good-paying jobs as we welcome millions of new visitors to our Nation's world-class cities, national parks, and tourist attractions.

Under Chairman Cloobek's leadership, Brand USA has been a tremendous success for our Nation and the travel industry. His enthusiasm and dedication have ensured that Brand USA is well positioned for the future. I am confident that Brand USA will be a critical asset to American tourism for years to come, and I am proud to join everyone at Brand USA and the travel industry in thanking Steve for his important contributions.

TANF

Mr. HATCH. Mr. President, I ask unanimous consent to have printed in the RECORD the GAO opinion letter dated September 4, 2012, and the TANF Information Memorandum dated July 12, 2012.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. GOVERNMENT
ACCOUNTABILITY OFFICE,
Washington, DC, September 4, 2012.

Hon. ORRIN HATCH,
Ranking Member, Committee on Finance, U.S.
Senate.

Hon. DAVE CAMP,
Chairman, Committee on Ways and Means,
House of Representatives.

By letter of July 31, 2012, you asked whether an Information Memorandum issued by the Department of Health and Human Services (HHS) on July 12, 2012 concerning the Temporary Assistance for Needy Families (TANF) program constitutes a rule for the purposes of the Congressional Review Act (CRA). The CRA is intended to keep Congress informed of the rulemaking activities of federal agencies and provides that before a rule can take effect, the agency must submit the rule to each House of Congress and the Comptroller General. For the reasons discussed below, we conclude that the July 12, 2012 Information Memorandum is a rule under the CRA. Therefore, it must be submitted to Congress and the Comptroller General before taking effect.

BACKGROUND

The Temporary Assistance for Needy Families block grant, administered by the U.S. Department of Health and Human Services, provides federal funding to states for both traditional welfare cash assistance as well as a variety of other benefits and services to meet the needs of low-income families and children. While states have some flexibility in implementing and administering their state TANF programs, there are numerous federal requirements and guidelines that states must meet. For example, under section 402 of the Social Security Act, in order to be eligible to receive TANF funds, a state must submit to HHS a written plan outlining, among other things, how it will implement various aspects of its TANF program. More specifically, under section 402(a)(1)(A)(iii) of the Social Security Act, the written plan must outline how the state will ensure that TANF recipients engage in work activities. Under section 407 of the Social Security Act, states must also ensure that a specified percentage of their TANF recipients engage in work activities as defined by federal law.

In its July 12 Information Memorandum, HHS notified states of HHS' willingness to exercise its waiver authority under section 1115 of the Social Security Act. Under section 1115, HHS has the authority to waive compliance with the requirements of section 402 in the case of experimental, pilot, or demonstration projects which the Secretary determines are likely to assist in promoting the objectives of TANF. In its Information Memorandum, HHS asserted that it has the authority to waive the requirement in section 402(a)(1)(A)(iii) and authorize states to "test approaches and methods other than those set forth in section 407," including definitions of work activities and the calculation of participation rates. HHS informed states that it would use this waiver authority to allow states to test various strategies, policies, and procedures designed to improve employment outcomes for needy families. The Information Memorandum sets forth requirements that must be met for a waiver request to be considered by HHS, including an evaluation plan, a set of performance measures that states will track to monitor ongoing performance and outcomes, and a budget including the costs of program evaluation. In addition, the Information Memorandum provides that states must seek pub-

lic input on the proposal prior to approval by HHS.

ANALYSIS

The definition of "rule" in the CRA incorporates by reference the definition of "rule" in the Administrative Procedure Act (APA), with some exceptions. Therefore, our analysis of whether the July 12 Information Memorandum is a rule under the CRA involves determining whether it is rule under the APA and whether it falls within any of the exceptions contained in the CRA. The APA defines a rule as follows:

"[T]he whole or a part of an agency statement of general or particular applicability and future effect designed to implement, interpret, or prescribe law or policy or describing the organization, procedure, or practice requirements of an agency and includes the approval or prescription for the future of rates, wages, corporate or financial structures or reorganizations thereof, prices, facilities, appliances, services or allowances therefor or of valuations, costs, or accounting, or practices bearing on any of the foregoing[.]"

This definition of a rule has been said to include "nearly every statement an agency may make."

The CRA identifies 3 exceptions from its definition of a rule: (1) any rule of particular applicability; (2) any rule relating to agency management or personnel; or (3) any rule of agency organization, procedure, or practice that does not substantially affect the rights or obligations of non-agency parties. 5 U.S.C. 804(3).

The definition of a rule under the CRA is very broad. See B-287557, May 14, 2001 (Congress intended that the CRA should be broadly interpreted both as to type and scope of rules covered). The CRA borrows the definition of a rule from 5 U.S.C. §551, as opposed to the more narrow definition of legislative rules requiring notice and comment contained in 5 U.S.C. §553. As a result, agency pronouncements may be rules within the definition of 5 U.S.C. §551, and the CRA, even if they are not subject to notice and comment rulemaking requirements under section 553. See B-316048, April 17, 2008 (the breadth of the term "rule" reaches agency pronouncements beyond those that require notice and comment rulemaking) and B-287557, cited above. In addition to the plain language of the CRA, the legislative history confirms that it is intended to include within its purview almost all rules that an agency issues and not only those rules that must be promulgated according to the notice and comment requirements in section 553 of the APA. In his floor statement during final consideration of the bill, Representative McIntosh, a principal sponsor of the legislation, emphasized this point:

"Although agency interpretive rules, general statements of policy, guideline documents, and agency policy and procedure manuals may not be subject to the notice and comment provisions of section 553(c) of title 5, United States Code, these types of documents are covered under the congressional review provisions of the new chapter 8 of title 5.

Under section 801(a), covered rules, with very few exceptions, may not go into effect until the relevant agency submits a copy of the rule and an accompanying report to both Houses of Congress. Interpretive rules, general statements of policy, and analogous agency policy guidelines are covered without qualification because they meet the definition of a 'rule' borrowed from section 551 of title 5, and are not excluded from the definition of a rule."

On its face, the July 12 Information Memorandum falls within the definition of a rule under the APA definition incorporated into the CRA. First, consistent with our prior decisions, we look to the scope of the agency's action to determine whether it is a general statement of policy or an interpretation of law of general applicability. That determination does not require a finding that it has general applicability to the population as a whole; instead, all that is required is that it has general applicability within its intended range. See B-287557, cited above (a record of decision affecting the issues of water flow in two rivers was a general statement of policy with general applicability within its intended range). Applying these principles, we have held that a letter released by the Centers for Medicare and Medicaid Services to state health officials concerning the State Children's Health Insurance Program (SCHIP) was of general applicability because it extended to all states that sought to enroll children with family incomes exceeding 250 percent of the federal poverty level in their SCHIP programs, as well as all states that had already enrolled such children. Similarly, the July 12 Information Memorandum is of general, rather than particular, applicability because it extends to all states administering Temporary Assistance for Needy Families (TANF) programs that seek a waiver for a demonstration project.

Next we must determine whether the action is prospective in nature, that is, whether it is concerned with policy considerations for the future and not with the evaluation of past conduct. In B-316048, we held that the SCHIP letter was intended to clarify and explain the manner in which CMS applies statutory and regulatory requirements to states that wanted to extend coverage under the SCHIP programs. Similarly, the July 12 Information Memorandum is concerned with authorizing demonstration projects in the future, rather than the evaluation of past or present demonstration projects. Specifically, the Information Memorandum informs states that HHS will use its statutory authority to consider waiver requests, and sets out requirements that waiver requests must meet. Accordingly, it is designed to implement, interpret, or prescribe law or policy.

In addition, the Information Memorandum does not fall within any of the three exclusions for a rule under the CRA. As discussed above, the Information Memorandum applies to all states that administer TANF programs, and therefore is of general applicability, rather than particular applicability. The Information Memorandum applies to the states, and does not relate to agency management or personnel. Finally, the Information Memorandum sets out the criteria by which states may apply for waivers from certain requirements of the TANF program. These criteria affect the obligations of the states, which are non-agency parties.

GAO has consistently emphasized the broad scope of the definition of "rule" in the CRA in determining the applicability of the CRA to an agency document. Other documents deemed to be rules include letters, records of decision, booklets, interim guidance, and memoranda. See, for example, B-316048, April 17, 2008 (a letter released by the Centers for Medicare & Medicaid Services of HHS concerning a State Children's Health Insurance Program measure, to ensure that coverage under a state plan does not substitute for coverage under group health plans, described by the agency as a general statement of policy, was a rule) and B-287557, May 14, 2001 (a "record of decision" issued by

the Fish and Wildlife Service of the Department of Interior in connection with a federal irrigation project was a rule).

Finally, the cases where we have found that an agency pronouncement was not a rule involved facts that are clearly distinguishable from the July 12 Information Memorandum.

We requested the views of the General Counsel of HHS on whether the July 12 Information Memorandum is a rule for purposes of the CRA by letter dated August 3, 2012. HHS responded on August 31, 2012, stating that the Information Memorandum was issued as a non-binding guidance document, and that HHS contends that guidance documents do not need to be submitted pursuant to the CRA. Furthermore, HHS notes that it informally notified Congress by providing notice to the Majority and Minority staff members of the House Ways and Means Committee and Senate Finance Committee on the day the Information Memorandum was issued.

We cannot agree with HHS's conclusion that guidance documents are not rules for the purposes of the CRA and HHS cites no support for this position. The definition of "rule" is expansive and specifically includes documents that implement or interpret law or policy. This is exactly what the HHS Information Memorandum does. It interprets section 402(a) and section 1115 to permit waivers for a demonstration program HHS is initiating. We have held that agency guidance, including guidance characterized as non-binding, constitutes a rule under the CRA. See B-281575, cited above. In addition, the legislative history of the CRA specifically includes guidance documents as an example of an agency pronouncement subject to the CRA. A joint statement for the record by Senators Nickles, Reid, and Stevens, submitted to the Congressional Record upon enactment of the CRA, details four categories of rules covered by the definition in section 551. These categories include formal rulemaking under sections 556 and 557, notice-and-comment rulemaking under section 553, statements of general policy and interpretations of general applicability under section 552, and "a body of materials that fall within the APA definition of a 'rule' . . . but that meet none of procedural specifications of the first three classes. These include guidance documents and the like." Finally, while HHS may have informally notified the cited Congressional committees of the issuance of the Information Memorandum, informal notification does not meet the reporting requirements of the CRA.

CONCLUSION

We find that the July 12 Information Memorandum issued by HHS is a statement of general applicability and future effect, designed to implement, interpret, or prescribe law or policy with regard to TANF. Furthermore, it does not come within any of the exceptions to the definition of rule contained in the CRA. Accordingly, the Information Memorandum is a rule under the Congressional Review Act.

We note that this opinion is limited to the issue of whether the Information Memorandum is a rule under the CRA. We are not expressing an opinion on the applicability of any other legal requirements, including, but not limited to, notice and comment rulemaking requirements under the APA, or whether the Information Memorandum would be a valid exercise or interpretation of statutes or regulations.

Accordingly, given our conclusions above, and in accordance with the provisions of 5

U.S.C. 801(a)(1), the Information Memorandum is subject to the requirement that it be submitted to both Houses of Congress and the Comptroller General before it can take effect.

If you have any questions concerning this opinion, please contact Edda Emmanuelli Perez, Managing Associate General Counsel.

LYNN H. GIBSON,
General Counsel.

TEMPORARY ASSISTANCE FOR NEEDY FAMILIES INFORMATION MEMORANDUM

U.S. Department of Health and Human Services, Administration for Children and Families, Office of Family Assistance, Washington, DC.

Transmittal No. TANF-ACF-IM-2012-03, July 12, 2012

To: States administering the Temporary Assistance for Needy Families (TANF) Program and other interested parties

Subject: Guidance concerning waiver and expenditure authority under Section 1115

Reference: Section 1115 of the Social Security Act. [42 U.S.C. 1315]; Section 402 of the Social Security Act. [42 U.S.C. 602]

Background: Section 1115 of the Social Security Act provides authority for the Secretary of the Department of Health and Human Services (HHS) to consider and approve experimental, pilot, or demonstration projects which, in the Secretary's judgment, are likely to assist in promoting the objectives of Title IV-A. Section 1115 allows for waiver of compliance with section 402 of the Social Security Act to the extent and for the period necessary to enable a state to carry out an approved project. The statute also provides authority for costs of such projects which would not otherwise be an allowable use of funds under Part A of Title IV to be regarded as an allowable use of funds, to the extent and for the period approved.

As specified in statute, the purpose of Part A is to increase the flexibility of states in operating a program designed to: (1) provide assistance to needy families so that children may be cared for in their own homes or in the homes of relatives; (2) end the dependence of needy parents on government benefits by promoting job preparation, work, and marriage; (3) prevent and reduce the incidence of out-of-wedlock pregnancies and establish annual numerical goals for preventing and reducing the incidence of these pregnancies; and (4) encourage the formation and maintenance of two-parent families.

Purpose: HHS is encouraging states to consider new, more effective ways to meet the goals of TANF, particularly helping parents successfully prepare for, find, and retain employment. Therefore, HHS is issuing this information memorandum to notify states of the Secretary's willingness to exercise her waiver authority under section 1115 of the Social Security Act to allow states to test alternative and innovative strategies, policies, and procedures that are designed to improve employment outcomes for needy families.

States led the way on welfare reform in the 1990s—testing new approaches and learning what worked and what did not. The Secretary is interested in using her authority to approve waiver demonstrations to challenge states to engage in a new round of innovation that seeks to find more effective mechanisms for helping families succeed in employment. In providing for these demonstrations, HHS will hold states accountable by requiring both a federally-approved evaluation and interim performance targets that ensure an immediate focus on measurable

outcomes. States must develop evaluation plans that are sufficient to evaluate the effect of the proposed approach in furthering a TANF purpose as well as interim targets the state commits to achieve. States that fail to meet interim outcome targets will be required to develop an improvement plan and can face termination of the waiver project.

The demonstration authority provided by section 1115 and sound evaluation of approved projects will provide valuable knowledge that will help lead to improvements in achieving the purposes of the TANF program.

Information: Scope of Authority. Section 1115 authorizes waivers concerning section 402. Accordingly, other provisions of the TANF statute are not waivable. For example, the purposes of TANF are not waivable, because they are contained in section 401. The prohibitions on assistance are not waivable, because they are contained in section 408.

While the TANF work participation requirements are contained in section 407, section 402(a)(1)(A)(iii) requires that the state plan "[e]nsure that parents and caretakers receiving assistance under the program engage in work activities in accordance with section 407." Thus, HHS has authority to waive compliance with this 402 requirement and authorize a state to test approaches and methods other than those set forth in section 407, including definitions of work activities and engagement, specified limitations, verification procedures, and the calculation of participation rates. As described below, however, HHS will only consider approving waivers relating to the work participation requirements that make changes intended to lead to more effective means of meeting the work goals of TANF.

Moreover, HHS is committed to ensuring that any demonstration projects approved under this authority will be focused on improving employment outcomes and contributing to the evidence base for effective programs; therefore, terms and conditions will require a federally-approved evaluation plan designed to build our knowledge base. TANF funds may be used to fund an approved evaluation and state funds spent on an approved evaluation may be considered state maintenance-of-effort (MOE) expenditures. In addition, terms and conditions will require either interim targets for each performance measure or a strategy for establishing baseline performance on a set of performance measures and a framework for how interim goals will be set after the baseline measures are established. The terms and conditions will establish consequences for failing to meet interim performance targets including, but not limited to, the implementation of an improvement plan and, if the failure to meet performance targets continues, termination of the waivers and demonstration project.

HHS Priorities. In exercising her broad discretion for waivers, the Secretary is interested in approaches that seek to improve employment outcomes. Accordingly:

Waivers will be granted only for provisions related to section 402.

The purposes of TANF, the prohibitions contained in section 408 (including the time limits on assistance contained in that section), or any other provision of TANF other than those specified in section 402 will not be waived.

The Secretary will not approve a waiver for an initiative that appears substantially likely to reduce access to assistance or employment for needy families.

The Secretary will not use her authority to allow use of TANF funds to provide assist-

ance to individuals or families subject to the TANF prohibitions on assistance.

The Secretary will not waive section 402(a)(5) relating to requirements to provide equitable access to Indians.

Waiver demonstration projects may be conducted in limited geographic areas or statewide. The Administration for Children and Families (ACF) is interested in more efficient or effective means to promote employment entry, retention, advancement, or access to jobs that offer opportunities for earnings and advancement that will allow participants to avoid dependence on government benefits. The following are examples of projects that states may want to consider—these are illustrative only:

Projects that improve coordination with other components of the workforce investment system, including programs operated under the Workforce Investment Act, or to test an innovative approach to use performance-based contracts and management in order to improve employment outcomes.

Projects that demonstrate attainment of superior employment outcomes if a state is held accountable for negotiated employment outcomes in lieu of participation rate requirements.

Projects under which a state would count individuals in TANF-subsidized jobs but no longer receiving TANF assistance toward participation rates for a specified period of time in conjunction with an evaluation of the effectiveness of a subsidized jobs strategy.

Projects that improve collaboration with the workforce and/or post-secondary education systems to test multi-year career pathways models for TANF recipients that combine learning and work.

Projects that demonstrate strategies for more effectively serving individuals with disabilities, along with an alternative approach to measuring participation and outcomes for individuals with disabilities.

Projects that test the impact of a comprehensive universal engagement system in lieu of certain participation rate requirements.

Projects that test systematically extending the period in which vocational educational training or job search/readiness programs count toward participation rates, either generally or for particular subgroups, such as an extended training period for those pursuing a credential. The purpose of such a waiver would be to determine through evaluation whether a program that allows for longer periods in certain activities improves employment outcomes.

Note that this is not a comprehensive list, and HHS will consider other projects consistent with the statute and the guidance provided in this IM. HHS is especially interested in testing approaches that build on existing evidence on successful strategies for improving employment outcomes.

Waiver requests must include an evaluation plan. In order to provide the strongest evidence about the effectiveness of the demonstration, the preferred evaluation approach is a random assignment methodology, unless the Secretary determines that an alternative approach is more appropriate in light of the demonstration proposed. All evaluation plans and funds to support them must reflect an adequate level of effort and sound methods to produce credible findings. ACF anticipates actively engaging with states to ensure that evaluation plans are appropriate in light of the nature of the demonstration and that the evaluation findings can reasonably be expected to provide infor-

mation that will enhance understanding of whether the initiative was successful in furthering HHS priorities. ACF staff members are available to work collaboratively with states to develop further or refine the evaluation plan.

Waiver requests must include a set of performance measures that states will track to monitor ongoing performance and outcomes throughout the length of the demonstration project, along with the evaluation. Waiver applications must specify interim targets for each performance measure, including a framework for how often the measures will be reported, or a strategy for establishing baseline performance on a set of performance measures and a framework for how interim goals will be set after the baseline measures are established. Performance measures must be designed to track improvement across the entire set of families targeted as well as appropriate subgroups. In developing the final terms and conditions for an approved waiver, ACF will work with the state to further refine the appropriate performance measures and interim targets as needed. All approved waivers will include a provision that requires timely reporting to HHS on the agreed upon performance measures and progress toward meeting established interim targets. States that fail to meet interim targets will be required to develop improvement plans. Repeated failure to meet performance benchmarks may lead to the termination of the waiver demonstration pilot.

The request must specify the proposed length of time for the demonstration project. The final terms and conditions will specify the approved length of the project. Absent special circumstances, the length of an approved project will not exceed five years.

A state will need to develop and submit a budget that includes the costs of program evaluation. TANF and state MOE funds can be used for the costs of evaluation, including third party contributions counting toward meeting a state's MOE requirement.

HHS recognizes the importance of public input into the process of developing and implementing a waiver demonstration project. Therefore, the state must provide the public with a meaningful opportunity to provide input into the decision-making process prior to the time a proposal is approved by HHS. Further guidance concerning this requirement will be forthcoming.

Waivers are subject to HHS and Office of Management and Budget (OMB) approval and terms and conditions may include additional requirements, such as site visits, before implementation.

Terms and conditions will require periodic reporting on how the implementation and operation of the demonstration is progressing, including reporting on the performance measures, in addition to evaluation reports. To support learning and knowledge development, ACF staff may conduct on-site visits to observe demonstration operations and meet with relevant managers and staff.

Inquiries: Inquiries and applications for projects involving waiver requests should be directed to the appropriate Regional TANF Program Manager.

EARL S. JOHNSON,
Director, Office of Family Assistance.

JULY 12, 2012.
DEAR STATE HUMAN SERVICE OFFICIAL: Today, the Administration for Children and Families' Office of Family Assistance issued an Information Memorandum that informs states that the Department of Health and Human Services will use its statutory authority to consider waiver requests that

strengthen the Temporary Assistance for Needy Families (TANF) program. This Information Memorandum reflects the Department's commitment to provide states, tribes, and territories with more flexibility to innovate in the TANF program with the goal of helping more families find jobs and move toward self-sufficiency.

On February 28, 2011, President Obama issued a Presidential Memorandum that directed federal agencies "to work closely with state, local, and tribal governments to identify administrative, regulatory, and legislative barriers in Federally funded programs that currently prevent states, localities, and tribes, from efficiently using tax dollars to achieve the best results for their constituents."

The Administration for Children and Families took this charge seriously and held a series of consultation meetings with states, tribes, and territories on a variety of topics including TANF. During those consultations, many jurisdictions expressed a strong interest in greater flexibility in TANF and indicated that greater flexibility could be used by states to improve program effectiveness. We also heard concerns that some TANF rules stifle innovation and focus attention on paperwork rather than helping parents find jobs. States offered a range of suggestions for ways in which expanded flexibility could lead to more effective employment outcomes for families. Two states—Utah and Nevada—submitted written comments that specifically identified waivers as one mechanism for testing new approaches to promoting employment and self-sufficiency, and a number of others states—including California, Connecticut, and Minnesota—have asked about the potential for waivers.

As described in more detail in the Information Memorandum, the Social Security Act provides the Secretary of the Department of Health and Human Services with the authority to grant states waivers of certain TANF provisions for the purpose of testing new approaches to meeting the goals of the TANF statute. The Secretary is interested in using her authority to allow states to test alternative and innovative strategies, policies, and procedures that are designed to improve employment outcomes for needy families. The statute does not permit tribes to receive waivers under Section 1115, however we are committed to using the underlying flexibility in federal law to help tribes innovate in their programs.

TANF Waiver demonstration projects under Section 1115 must be accompanied by a high quality evaluation plan, which is critical to ensuring that the pilots result in rigorous evidence about what works and what doesn't in order to inform future decisions made by policymakers at the federal, state, tribal, territorial, and local levels. In addition, states that apply for a waiver must identify interim performance targets that will be used to hold states accountable for improving outcomes for families. We will work with states interested in developing waiver demonstration projects to design these performance measures and targets.

The Information Memorandum outlines the types of waivers that will and will not be considered. The Secretary is only interested in approving waivers if the state can explain in a compelling fashion why the proposed approach may be a more efficient or effective means to promote employment entry, retention, advancement, or access to jobs that offer opportunities for earnings and advancement that will allow participants to avoid dependence on government benefits.

States have shown their ability to innovate in ways that help parents find jobs. In 2009 and 2010, 42 states used the TANF Emergency Fund authorized under the American Recovery and Reinvestment Act to create 260,000 subsidized jobs for jobless parents and disadvantaged youth. Over a short period of time, states exhibited enormous creativity as they developed new subsidized employment initiatives that responded to an urgent need for jobs in communities across the country.

It is critical that we work together to develop effective employment strategies that prepare workers for the jobs of the 21st century. We stand ready to work with states interested in developing innovative demonstration projects that test new approaches to helping parents succeed in the labor market.

Sincerely,

GEORGE SHELDON,
Acting Assistant Secretary.

TRIBUTE TO RICHARD F. GRIMMETT

Mr. LUGAR. Mr. President, today I wish to recognize the extraordinary career achievements of Richard F. Grimmitt, specialist in international security with the Foreign Affairs, Defense, and Trade Division of the Congressional Research Service, who is retiring on September 30, after 38 years of distinguished government service. A native of Akron, OH, Richard graduated with honors from Kent State University, where he also received a Ph.D. in American history with a focus on recent U.S. national security policy.

Since 1974, when he joined CRS, Richard has been involved in a wide range of major international security policy issues that have confronted the Congress, from questions involving intelligence community oversight, war powers, and the basing and use of U.S. military forces overseas, to the international arms trade and arms export controls. Through his nearly four decades as a staff adviser to the Congress and several of its major committees, his various appearances as a committee witness, and through his authoring of numerous in-depth CRS reports, Richard has become recognized as a national expert in these critical defense and foreign policy issues.

The broad sweep of his intellect is reflected in the substantive reports and memoranda he has written for the Congress. Yet an especially significant part of his contributions to congressional policy debates has been through the numerous consultations and briefings he has provided to major committees of the Senate and House on key issues before them. At the beginning of his career at CRS, Richard provided direct support to major congressional investigations of events of great consequence for U.S. national security interests. Among these were his analytical support for the Senate and House Select Intelligence Committees—the panels chaired by Senator Frank Church and Representative Otis Pike—

charged with investigating the activities of the U.S. intelligence community during 1975 to 1976, investigations that ultimately led to the creation of permanent select committees in the House and Senate that oversee the budget and activities of the U.S. intelligence community today. Later, in 1985 to 1987, Richard was a senior coordinator of the support provided by CRS to the House and Senate joint committee investigating the Iran-Contra affair, personally providing advice and suggestions that focused attention on key deficiencies in U.S. law, several of which were later corrected by legislative enactment. Immediately after the attacks on the United States on September 11, 2001, he directly assisted the Senate and the House in clarifying its understanding of the legislative options available to the Congress to respond, through use of force, against those responsible for the attacks on this country. His comprehensive understanding of the War Powers Resolution and its provisions have proven invaluable to the Congress when it has needed to consider what actions it might take when the President has engaged the U.S. military in hostile operations overseas. In 2005 Richard provided the Congress with an analytical roadmap that highlighted the common policy suggestions for legislation that the 9/11 Commission and previous similar inquiries had made to bolster U.S. internal security against the threat of terrorism. Subsequently, several of these proposals were enacted into law.

Throughout his career Richard has been the leading specialist at CRS on issues relating to U.S. arms sales to foreign nations, U.S. arms export control law, and the international arms trade in general. From the mid-1970s to the present, he has advised the Congress and its policy committees on issues associated with every controversial foreign arms sale proposal that has come before them. Since 1982 he has produced a comprehensive annual report for the Congress detailing the agreements and deliveries concluded by the world's conventional weapons suppliers, a work that has set the gold standard on this subject. Richard was also the editor and coauthor of the Senate Foreign Relations Committee print "Treaties and Other International Agreements: The Role of the United States Senate" the definitive reference document on this subject.

In the area of arms export control and oversight legislation, Richard has provided continuing expert support and advice to the Senate Foreign Relations Committee and the House Foreign Affairs Committee, from the original drafting of the Arms Export Control Act in 1976 through its various periods of amendment to the present day. More recently, he directly supported the Senate Foreign Relations Committee's exhaustive review of the Defense Trade

Cooperation Treaty between the United States and the United Kingdom. In this endeavor, Richard provided his specialized expertise to the committee on the complex issues posed by this treaty, from its proposal by the President in 2007 through the Committee's consideration and the Senate's advice and consent to it in September 2010.

In all of the examples I have noted, Richard Grimmett's institutional memory and command of the substance of the issues for which he has been responsible has made him an invaluable resource for the U.S. Congress at large and the Senate Foreign Relations Committee in particular. I am confident that the Members of the Senate and the House join me in expressing our deepest appreciation to Richard for the extraordinary service he has provided to us over his long and distinguished career.

PRIVATE FLOOD INSURANCE

Mr. CRAPO. Mr. President, I would like to discuss a provision of the Biggert-Waters Flood Insurance Reform Act of 2012 which reaffirms that private flood insurance can be used to satisfy a mandatory purchase requirement. This provision defines the term "private flood insurance," and the definition makes a specific reference to private flood insurance from a surplus lines insurer in connection with non-residential commercial property coverage. I would note, however, that insurance provided by surplus lines insurers also can cover residential properties—particularly when licensed and admitted insurers are unwilling or unable to provide the desired coverage—and this is authorized under state insurance law. The provision defines private flood insurance to include insurance provided by an insurer "licensed, admitted, or otherwise approved" to engage in the business of insurance by a State. Surplus lines insurers, also sometimes known as nonadmitted insurers, are approved to conduct such business by States. Is it the understanding of the Chairman that the "private flood insurance" definition includes surplus lines flood insurance coverage?

Mr. JOHNSON. I thank the Senator from Idaho for his question. The answer is yes—the definition of "private flood insurance" includes private flood insurance provided by a surplus lines insurer and is not intended to limit surplus lines eligibility to nonresidential properties. While the Senator is correct that surplus lines insurance is specifically mentioned in that context, overall the definition accommodates private flood insurance from insurers who are "licensed, admitted, or otherwise approved" in the State where the property is located.

Mr. CRAPO. I thank my friend from South Dakota for this important clarifi-

cation. This is an important issue, particularly in those limited high-risk areas where surplus lines insurance serves as an essential part of the homeowners insurance market. I agree with his reading of the statute, because state law already sets the parameters as to when surplus lines insurance is acceptable.

HONOR FLIGHT 2012

Mr. BEGICH. Mr. President, I wish to recognize the Honor Flight Network and the four Alaskan World War II veterans who are participating in this year's flight: Robert J. Ingram, a veteran of the Navy from Fairbanks; and Louis E. Fessler, a veteran of the Army, Marc Stella, a veteran of the Marine Corps, and Joseph William Nugent, a veteran of the Army Air Corps, all from Anchorage.

The Honor Flight Network is a national program that provides free transportation to aging and ailing veterans to travel to Washington, DC, to visit and reflect at the memorials associated with the war in which they served.

Later this month, these four heroes are scheduled to go to military- and veteran-related museums and tour the Capitol. The highlight of this trip of a lifetime is a long anticipated visit to the World War II Memorial on the Mall. These veterans of the war to end all wars deserve our highest praise for their service. Like so many men of that great generation, they selflessly did their duty and are among the fortunate ones who were able to return to the civilian community and lead long and productive lives.

Mr. Ingram, Mr. Fessler, Mr. Stella, and Mr. Nugent have our undying thanks and gratitude. Thanks are also in order to the Honor Flight Network for conceiving this program, to the flight guardians Julie Engfer and Heidi Matson from Fairbanks, and Val Stella from Anchorage, and to Alaska Airlines for donating airline tickets to all of the travelers.

I urge all Alaskans and Americans to reflect on the service of Bob, Louie, Marc, and Bill and our other remaining World War II vets and all veterans who have made sacrifices for our Nation throughout its history.

RECOGNIZING LOUISBURG COLLEGE

Mr. BURR. Mr. President, I am very proud to extend my recognition and congratulations to Louisburg College in Louisburg, NC as this wonderful academic institution celebrates 225 years of maintaining an engaging and enriching community for its students, faculty, and staff.

This year, marking the 225th anniversary of the founding of Louisburg College, we give the members of the

Louisburg community as well as the State of North Carolina the opportunity to pay tribute and homage to a place of academic excellence that has impacted many and helped thousands continue on the journey of excellence in all academic fields.

Louisburg College traces its historical roots back to the 18th century during the American Revolution. Having evolved from three earlier institutions—Franklin Male Academy, Louisburg Female Academy, and Louisburg Female College—Louisburg College is the oldest two-year residential college in the Nation and the only one in North Carolina.

The college is praised for years for its value, personal teaching methods, diversity, familial environment, and the way it prepares its students for future success. Today, Louisburg College is led by Dr. Mark D. LaBranche, who became the College's 27th president in January of 2009.

I ask my colleagues to join me in paying tribute to Louisburg College in Louisburg, NC for its continued outstanding achievement in upholding, protecting, and pioneering academic standards and providing an enriching community for its students, faculty, and staff. May Louisburg College's achievements and successes be recognized and forever appreciated by the citizens of North Carolina as well as this Congress.

ADDITIONAL STATEMENTS

HONORING WILLIAM E. SCHULZE

• Mr. TESTER. Mr. President, today I wish to honor William E. Schulze, a veteran of World War II.

It is my honor to share the story of William's service in World War II, because no story of bravery—and especially not one from our "greatest generation"—should ever be forgotten.

Bill was born in Milwaukee, WI. A Golden Glove Boxing Champion, Bill was working for the Pacific Bridge Company at Pearl Harbor as a welder when our Nation came under attack on December 7, 1941. Bill soon joined the Navy and put his skills to use in the 302nd Construction Battalion—known as the Sea-Bees. Bill and his unit went from island to island across the Pacific building floating bridges from cargo ships to landing areas so that supplies could reach American troops onshore. When one mission was complete, Bill and the Sea-Bees packed up their bridges and moved to the next island in support of America's victories in the Pacific. Bill supported U.S. troops in Guam, Saipan, New Guinea and the Philippines, just to name a few. Without Bill's efforts, our troops would have been left without needed arms and supplies as they battled Japan's Imperial Army.

Bill earned the medals we will present today for his service during

World War II, but I would be remiss not to mention his service in support of veterans long after the war concluded.

After World War II, Bill headed back to Wisconsin, started a family, and worked for 45 years as an engineer and a welder.

After his wife's passing, his love for the outdoors brought him to Billings where he remarried and made the lives of his fellow veterans a little easier.

Mind you, Bill was getting up in years himself by this point, but that didn't stop him from volunteering as a driver for Disabled American Veterans. In fact, Bill's last award before retiring once again was for driving more than 10,000 miles, taking veterans back and forth to their medical appointments all over Montana.

But today we honor Bill's heroic service during World War II.

After his service, Bill Schulze did not receive all the medals he earned from the Navy. Earlier this month, it was my honor to finally present William's widow Betty with the American Campaign Medal, the Combat Action Ribbon, and the Sharp Shooter Rifle Ribbon.

It was also my honor to present the Navy Discharge Button, the Honorable Service Lapel Pin, and an additional Bronze Star to the Asiatic Pacific Campaign Medal.

These decorations are small tokens, but they are powerful symbols of true heroism, sacrifice, and dedication to service.

They are presented on behalf of a grateful nation.●

TRIBUTE TO LEWIS W. HOLZHEIMER

● Mr. TESTER. Mr. President, today I wish to honor Lewis W. Holzheimer, a veteran of World War II. Lewis, on behalf of all Montanans and all Americans, I thank you for your service to this Nation.

It is my honor to share the story of Lewis Holzheimer's service in World War II because no story of heroism should ever fall through the cracks.

Lewis was born in Neihart, MT.

He was working as a lineman's apprentice in Cascade County when Pearl Harbor was attacked. He tried to enlist in Seattle but was turned away, because he did not have his birth certificate. He successfully enlisted in Montana and was sent to Fort Benning, GA, where he was trained to operate heavy weapons and was assigned to operate a Browning automatic rifle.

He was assigned to Company G, of the 60th Regiment of the 9th Infantry Division. He arrived in Normandy in early July 1944 on D-day plus 30. On August 8, 1944, Lewis was participating in the Battle of the Hedge Rows when he was wounded in the foot. After recovering, he headed back to his unit, only to find that they had been wiped

out by what was believed to be a V-2 rocket attack. It turned out to be friendly fire.

Lewis said the blast made a hole in the ground that looked like a deep mine crater.

Lewis was reassigned to Company B in the same regiment. On December 12, his unit was responsible for an attack on the town of Hoven in Belgium for which they were awarded the Presidential Unit Citation.

Lewis demonstrated outstanding bravery during that attack and was promoted to staff sergeant.

His unit went on to see heavy action in the Battle of the Hurtgen Forest from late 1944 until early 1945. On the 1st of February 1945, Lewis's company was cut off from the rest of his regiment and was pinned down by sniper fire. The members of the company took turns running back toward the nearest American forces. When Lewis ran, he was shot under his left arm. When he informed his scout that he was wounded and would have to seek medical attention, a shell exploded near them. Despite being severely wounded, Lewis insisted that his scout be taken to the hospital first. He was informed that the scout was dead, was carried to a jeep, and was then taken to the nearest field hospital.

Lewis nearly lost his leg and underwent several years of surgery and rehabilitation. He still carries the shrapnel in him today.

After his service, Lewis Holzheimer never received the medals he earned from the Army.

Last month, in the presence of his family, it was my honor to finally present to Lewis his Bronze Star Medal, Purple Heart with one Bronze Oak Leaf Cluster, Combat Infantryman Badge, and his Presidential Unit Citation.

These decorations are small tokens, but they are powerful symbols of true heroism, sacrifice, and dedication to service.

These medals are presented on behalf of a grateful Nation.●

TRIBUTE TO HERBERT S. KINDSFATER

● Mr. TESTER. Mr. President, today I wish to honor Herbert S. Kindsfater, a veteran of World War II. Herb, on behalf of all Montanans and all Americans, I thank you for your service to this Nation.

It is my honor to share the story of Herb Kindsfater's service to our Nation. Herb was born in Rocky Fort, CO. At the age of 17, he tried to join the Navy, but was turned away. He was told he could join the Army or work in the Butte silver mines, and he chose the Army.

Herb was a machine gunner in Company H, 172nd Regiment, 43rd Infantry Division—the "Green Mountain Boys"

of Vermont. Herb's unit served in the Pacific Theater. He engaged in combat in the Solomon Islands and New Guinea, where he suffered injuries from shrapnel.

In the Philippines, Herb and his fellow soldiers fought mile-by-mile to reach Manila. They then took the island of Luzon. At Ipo Dam, Herb was badly wounded in both arms, and he spent months recuperating in a hospital.

After his military service, Herb moved to Billings where he married his wife Betty and worked for the railroad. During the first several years of their marriage, he still suffered from malaria that he had contracted in the war.

After serving his country with honor, Herb never received all of the medals he earned from the Army.

Earlier this month, in the presence of his wife Betty and his son Bruce, it was my honor to finally present to Herb his Bronze Star, a Purple Heart, and a Good Conduct Medal.

It was also my honor to present a Presidential Unit Citation, an Asiatic-Pacific Campaign Medal with three Bronze Service Stars, and a World War II Victory Medal.

Earlier this month, I also presented to Herb a Combat Infantry Badge First Award, a Philippine Liberation Ribbon with one Bronze Service Star, and a Honorable Service Lapel Button.

These decorations are small tokens, but they are powerful symbols of true heroism, sacrifice, and dedication to service.

These medals are presented on behalf of a grateful nation.●

TRIBUTE TO NICHOLAS J. WELLS

● Mr. TESTER. Mr. President, today I wish to honor Nicholas J. Wells, a veteran of Operation Iraqi Freedom. Nicholas, on behalf of all Montanans and all Americans, thank you for your service to this Nation.

It is my honor to share the story of Nicholas Wells' service in Operation Iraqi Freedom.

After graduating high school in Darby, MT, Nicholas completed basic training at Fort Knox and trained at Camp Irwin, CA. He became an Army scout assigned to the 3rd Brigade Combat Team, 4th Infantry Division, 2-9 Cavalry Regiment.

Nicholas arrived in Iraq in October 2005. He served in the north and central zones near Baghdad, Mosul, Adwar and Tikrit. While in country, Nicholas survived gunshots, 24 I.E.D. blasts, and a helicopter crash. He continues to be treated for injuries that he suffered in the war.

Since retiring from the Army in 2008, Nicholas attended the University of Montana and now drives trucks in North Dakota.

After serving his country with honor, Nicholas Wells never received all of the medals he earned from the Army.

Earlier this month, in the presence of his family, it was my honor to finally present to Nicholas his Iraq Campaign Medal with two Bronze Stars. This decoration is a powerful symbol of true heroism, sacrifice, and dedication to service. This Iraq Campaign Medal is presented on behalf of a grateful nation.●

RECOGNIZING PROLITERACY

● Mrs. GILLIBRAND. Mr. President, today I wish to recognize ProLiteracy, the world's oldest and largest member organization of adult literacy and basic education programs in the United States representing more than 1,100 community-based organizations and adult basic education programs, which collectively serve more than 286,000 adult learners.

For more than 50 years, ProLiteracy has been headquartered in a suburbanized industrial park in Syracuse, New York. Now, ProLiteracy is moving to the Near West Side of Syracuse. The renovated building is an environmentally and technologically advanced facility that allows the organization to produce and test new and better curricula and educational materials, as well as to develop and implement local training, technical assistance, and professional development projects. The knowledge, best practices, and key findings ProLiteracy will generate through these efforts will be shared locally, nationally, and globally.

Because ProLiteracy's headquarters will be located in an area readily accessible to adult learners, the organization is providing learning experiences such as an adult literacy library housing New Readers Press materials and other resources.

ProLiteracy is to be commended for the work they do and the efforts they support every day to help increase the quality of and access to adult literacy services. An estimated 30 million adults nationwide do not yet have the basic literacy skills to read or write above a fifth-grade level. An additional 60 million American adults do not read or write better than the eighth-grade level. Every day, ProLiteracy works to enable these Americans to receive the necessary resources and skills they need to succeed in postsecondary education, occupational training, and establishing a career pathway.

Thank you to ProLiteracy for being the leader in ending the adult literacy crisis in Syracuse, New York—and in communities around the Nation.●

TRIBUTE TO LLOYD JACKSON

● Mr. ROCKEFELLER. Mr. President, today I would like to take a moment to recognize a fellow West Virginian who has devoted himself to the service of our State and the advancement of our education system. As a former college

president, I know how invaluable education is to building our communities, growing our economy, and raising and inspiring the next generation. I commend West Virginia State school board member Lloyd Jackson for his enduring commitment to such an important cause.

My friend, Lloyd Jackson served as a State senator for 12 years and he has been a leader in improving both the early and higher education systems of West Virginia. While a senator, he was the primary sponsor of the PROMISE scholarship legislation, a merit-based financial aid program that has helped thousands of West Virginians afford college.

He has also been a vocal advocate for prekindergarten care, and his dedication has led to vast improvements in our State's preschool education. He began his fight through personal experience; his wife had to drive their children long distances to a private day care because of the lack of access in their area. Mr. JACKSON believed that all children should have the same chance to receive a quality early education.

As State senate education chairman, Mr. Jackson championed comprehensive early childhood legislation. In 2002, he helped create West Virginia Universal Pre-K and put the State on track to have universal access by 2012. Thanks to his efforts, West Virginia is today considered a leader in providing public and universal preschool education. In the 2011–12 school year, over 15,000 children were enrolled in prekindergarten, and this year every 4-year-old in the State will have access to quality schooling. In a 2011 report, West Virginia ranked fifth in the Nation in preschool access for 4-year-olds and fourth in spending on prekindergarten programs.

Lloyd Jackson has fought long and hard to make sure our children are receiving the education they deserve. I applaud his commitment to education, and I am proud of the success he has helped West Virginia achieve. Providing our children with a strong education is the greatest investment we could make in the future of our State and of our Nation. Lloyd Jackson deserves our appreciation, and I am proud to have worked with him for years and I am delighted to congratulate him for all he has done for education in West Virginia.●

TRIBUTE TO KENNETH AND VANESE CEDAR

● Mr. ROCKEFELLER. Mr. President, every year I have the honor, as a member of the Congressional Coalition on Adoption Institute, to recognize a West Virginia family for its efforts to promote adoption and provide homes for our Nation's vulnerable children. It is a wonderful program that highlights the

change one couple can make in the life of a child.

Throughout my career, I have been a strong advocate of legislation that supports adoption and other permanency efforts. I am inspired by the men and women who devote their lives to caring for these children. Today, I would like to recognize one such West Virginian family: Kenneth and Vanese Cedar, who are truly angels in adoption.

Kenneth and Vanese have cared for 57 children over the years, including two biological sons of their own. Currently, they have adopted three children and serve as guardians for two teenagers. They also care for a foster child. They have raised their children in a close and devoted family, taking them to church, teaching them gardening and cooking, and playing sports together.

Even when challenges have arisen, Kenneth and Vanese have remained dedicated to helping their own family and other children in need. In 2009, Kenneth lost his job. Yet the couple took the obstacle as an opportunity to go back to school and earn regents bachelor of arts degrees, which they hope to use in social work and child protective services. When one of their sons nearly passed away from acute respiratory disease syndrome, they stood together as a family until he recovered, and he recently welcomed a child of his own.

Kenneth and Vanese Cedar are a selfless and giving couple who deserve our respect and admiration. They have provided so many children with not simply a home but a family. I would like to thank these angels in adoption for the love and care they have provided to so many. They are truly an inspiration.●

TRIBUTE TO DAVE AND LAURA WHELCHER

● Mr. JOHANNES. Mr. President, today I wish to pay tribute to a remarkable foster couple from Harrisburg, NE, whom I recently nominated to be 2012 'Angels in Adoption' recipients. Dave and Laura Whelcher are the parents of two grown biological children, Chance and Jenna, as well as four adopted children, Reuben, Josefina, Arielle and San Juan, who are siblings. They are hoping to finalize the adoption of a fifth sibling, Kayleigh, by the end of the year. Each of the adopted children has come into their home with special physical, occupational or speech therapy needs.

Dave and Laura's dedication to providing these children with the love and support they need is incredible. As I witnessed firsthand during a visit to their family farm in August, the Whelchers are doing an outstanding job ensuring their children are able to live full and happy lives.

But the Whelchers' kindness and compassion does not stop with their children. Three years ago, the couple

created Camp Grace, a summer camp for other children with special needs. Held monthly at the Whelchel farm, the camp is designed to help children work toward specific therapy goals. They also donate countless hours of their time coordinating with volunteers, therapists, and other families to ensure the camp's success.

It is an honor to nominate Dave and Laura as 'Angels in Adoption'. The award, which honors those who have enriched the lives of foster and adopted children in the U.S., is a small token of appreciation for the love and compassion they have shown their children over the years. I could not think of a more deserving family for this award. My hope is that more families will follow the wonderful example set by the Whelchels by providing loving homes to deserving children.●

TRIBUTE TO RYAN AND AMBER JOHNSON

● Mr. THUNE. Mr. President, today I wish to recognize Ryan and Amber Johnson of Sioux Falls, SD, as my nominees for the 2012 Angels in Adoption Award. Since 1999, the Angels in Adoption program through the Congressional Coalition on Adoption Institution has honored more than 1,800 individuals, couples, and organizations nationwide for their work in providing children with loving, stable homes.

After being married for only a short time, Ryan and Amber Johnson began to consider expanding their family. After overcoming initial personal setbacks, the Johnson family decided to open their home to children in need by becoming foster parents. The couple quickly accepted the opportunity to become long-term foster parents of three siblings between the ages of 7 months and 6 years, and later, the Johnsons provided a temporary, loving home for a 4-year-old foster child. The Johnsons were soon blessed again with two Native American half-brothers as foster children. It quickly became evident to Ryan and Amber how wonderful the addition of these two boys was to their family. Shortly after, Ryan and Amber adopted Lukias, age 3, and are in the process of finalizing the adoption of his younger brother. During the adoption process, the Johnson family learned that they were pregnant, and on May 1, 2011, welcomed their newest family member, Sophia. The young family now consists of 3 siblings, ages 1, 2, and 3.

Foster homes regularly see children come and go, staying for varying lengths of time. The changing environment often places an emotional toll on the caregivers who develop deep, personal relationships with their foster children. Despite the challenges that foster parents face, the Johnsons have used their life lessons to create a warm, loving home for children in need

of a nurturing environment to grow and develop. Ryan and Amber plan to continue taking in foster children and possibly even expand their family by giving other children a place to call home.

National Adoption Day is around the corner, and it is important to recognize the compassionate families who bring joy to the lives of children as foster and adoptive parents. It brings me great pride to be able to honor South Dakotans Ryan and Amber Johnson, my nominees for the 2012 Angels in Adoption Award.●

TRIBUTE TO ALAN HAMEL

● Mr. UDALL of COLORADO. Mr. President, today I wish to pay tribute to a true leader of Colorado's water community, Mr. Alan Hamel. Alan retired from his position on the Board of Water Works of Pueblo, CO, at the end of August after more than 50 years of service for the board.

Alan began his career as a student helper in 1960 working summers for the board. He returned after graduating from Colorado State University in Pueblo to become a full-time pump station operator. Over the next 20 years, Alan worked his way up the ladder through various management positions until he was appointed executive director in 1982.

Under Alan's direction, Pueblo has built one of the most modern water infrastructure systems in the Nation. Because of his leadership, the Pueblo area's future water supplies are sufficient and secure, which is truly impressive given all of the water challenges facing Colorado. The board has also benefited from extraordinary continuity during Alan's 29-year tenure at the helm, which I am confident will continue under new executive director Terry Book's guidance.

Alan has also been a water leader statewide. He is a member of the Colorado Water Conservation Board, CWCB, Colorado Water Congress, CWC, and Statewide Water Supply Initiative. He has also held leadership positions on the Southeastern Colorado Water Conservancy District and Arkansas Basin Roundtable among many others. He also received CWC's top award in 2010, the prestigious Wayne Aspinall Water Leader of the Year Award, for his lifetime of achievement.

On a more personal level, Alan has earned the respect and admiration of the Colorado water community because he is a true public servant in the best sense of the word. He is unflappable, a fountain of knowledge about water, and always seeks common ground with opposing views while fighting fiercely and fairly for the needs of his community. He cares deeply about Pueblo and Colorado and has served both remarkably.

And above all, Alan is a family man who knows none of this could be pos-

sible without the support of his wife Mary Kay and children. While he lives and breathes water, his family comes first and foremost.

As with most water warriors, Alan's retirement will only be partial. He will continue his work on CWCB and the Arkansas Basin Roundtable, and I am sure many of us will still call upon his wisdom and experience often. I suppose after more than 50 years of service he has earned the right to switch to part-time work.

I wish him well in his next endeavors and congratulate him on an impressive career.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE RECEIVED DURING ADJOURNMENT

Under the authority of the order of the Senate of January 5, 2011, the Secretary of the Senate, on August 3, 2012, during the adjournment of the Senate, received a message from the House of Representatives that the Clerk is directed to inform the Senate that the House of Representatives failed to agree to the resolution of the Senate (S. Con. Res. 56) providing for a conditional adjournment or recess of the Senate and an adjournment of the House of Representatives.

Under the authority of the order of the Senate of January 5, 2011, the Secretary of the Senate, on August 3, 2012, during the adjournment of the Senate, received a message from the House of Representatives announcing that the House has passed the following bill, without amendment:

S. 3510. An act to prevent harm to the national security or endangering the military officers and civilian employees to whom internet publication of certain information applies, and for other purposes.

The message also announced that pursuant to 20 U.S.C. 2103(b), and the order of the House of January 5, 2011, the Speaker appoints the following individual from private life to the Board of Trustees of the American Folklife Center in the Library of Congress on the part of the House of Representatives for a term of 6 years: Mr. C. Kurt Dewhurst of Michigan.

Under the authority of the order of the Senate of January 5, 2011, the Secretary of the Senate, on August 7, 2012, during the adjournment of the Senate, received a message from the House of Representatives announcing that the House has agreed the following concurrent resolutions, without amendment:

S. Con. Res. 58. Concurrent resolution directing the Clerk of the House of Representatives to make a correction in the enrollment of H.R. 4240.

S. Con. Res. 59. Concurrent resolution providing for a conditional adjournment or recess of the Senate and an adjournment of the House of Representatives.

ENROLLED BILLS SIGNED

Under the authority of the order of the Senate of January 5, 2011, the Secretary of the Senate, on August 7, 2012, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker pro tempore (Mr. THORNBERRY) had signed the following enrolled bills:

S. 3510. An act to prevent harm to the national security or endangering the military officers and civilian employees to whom internet publication of certain information applies, and for other purposes.

H.R. 1402. An act to authorize the Architect of the Capitol to establish battery recharging stations for privately owned vehicles in parking areas under the jurisdiction of the House of Representatives at no net cost to the Federal Government.

H.R. 3670. An act to require the Transportation Security Administration to comply with the Uniformed Services Employment and Reemployment Rights Act.

H.R. 4240. An act to reauthorize the North Korean Human Rights Act of 2004, and for other purposes.

Under the authority of the order of the Senate of January 5, 2011, the enrolled bills were subsequently signed on August 7, 2012 by the Acting President pro tempore (Mr. WEBB).

MESSAGE FROM THE HOUSE

At 2:03 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 8. An act to extend certain tax relief provisions enacted in 2001 and 2003, and to provide for expedited consideration of a bill providing for comprehensive tax reform, and for other purposes.

H.R. 6233. An act to make supplemental agricultural disaster assistance available for fiscal year 2012 with the costs of such assistance offset by changes to certain conservation programs, and for other purposes.

The message also announced that the House has passed the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 127. Concurrent resolution expressing the sense of Congress regarding actions to preserve and advance the multi-stakeholder governance model under which the Internet has thrived.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 6233. An act to make supplemental agricultural disaster assistance available for fiscal year 2012 with the costs of such assistance offset by changes to certain conservation programs, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

The following concurrent resolution was read, and referred as indicated:

H. Con. Res. 127. Concurrent resolution expressing the sense of Congress regarding actions to preserve and advance the multi-stakeholder governance model under which the Internet has thrived; to the Committee on Foreign Relations.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 3519. A bill to require sponsoring Senators to pay the printing costs of ceremonial and commemorative Senate resolutions.

MEASURES READ THE FIRST TIME

The following bills were read the first time:

H.R. 8. An act to extend certain tax relief provisions enacted in 2001 and 2003, and to provide for expedited consideration of a bill providing for comprehensive tax reform, and for other purposes.

S. 3522. A bill to provide for the expansion of affordable refinancing of mortgages held by the Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation.

S. 3525. A bill to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on August 3, 2012, she had presented to the President of the United States the following enrolled bills:

S. 270. An act to direct the Secretary of the Interior to convey certain Federal land to Deschutes County, Oregon.

S. 271. An act to require the Secretary of Agriculture to enter into a property conveyance with the city of Wallowa, Oregon, and for other purposes.

S. 739. An act to authorize the Architect of the Capitol to establish battery recharging stations for privately owned vehicles in parking areas under the jurisdiction of the Senate at no net cost to the Federal Government.

S. 3363. An act to provide for the use of National Infantry Museum and Soldier Center Commemorative Coin surcharges, and for other purposes.

The Secretary of the Senate reported that on August 7, 2012, she had presented to the President of the United States the following enrolled bill:

S. 3510. An act to prevent harm to the national security or endangering the military officers and civilian employees to whom Internet publication of certain information applies, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-7135. A communication from the Administrator, Rural Utilities Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Water and Waste Disposal Loans and Grants" (RIN0572-AC26) received during adjournment of the Senate in the Office of the President of the Senate on August 15, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7136. A communication from the Secretary of the Commission, Division of Clearing and Risk, Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled "Swap Transaction Compliance and Implementation Schedule: Clearing Requirement Under Section 2(h) of the CEA" (RIN3038-AD60) received during adjournment of the Senate in the Office of the President of the Senate on August 14, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7137. A communication from the Secretary of the Commission, Division of Clearing and Risk, Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled "End-User Exception to the Clearing Requirement for Swaps" (RIN3038-AD10) received during adjournment of the Senate in the Office of the President of the Senate on August 14, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7138. A communication from the Secretary of the Commission, Office of General Counsel, Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled "Further Definition of 'Swap,' 'Security-Based Swap,' and 'Security-Based Swap Agreement'; Mixed Swaps; Security-Based Swap Agreement Record-keeping" (RIN3038-AD46) received during adjournment of the Senate in the Office of the President of the Senate on August 14, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7139. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Paraquat Dichloride; Pesticide Tolerances" (FRL No. 9357-1) received during adjournment of the Senate in the Office of the President of the Senate on August 7, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7140. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Bacillus thuringiensis eCry3.1Ab Protein in Corn; Exemption from the Requirement of a Tolerance" (FRL No. 9357-4) received during adjournment of the Senate in the Office of the President of the Senate on August 7, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7141. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Residues of Didecyl dimethyl ammonium chloride; Exemption from the Requirement of a Tolerance" (FRL No. 9356-6) received during adjournment of the Senate in the Office of the President of the Senate on August 7, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7142. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Flutriafol; Pesticide Tolerances" (FRL No. 9348-8) received during adjournment of the Senate in the Office of the President of the Senate on August 7, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7143. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "S-Metolachlor; Pesticide Tolerances" (FRL No. 9356-9) received during adjournment of the Senate in the Office of the President of the Senate on August 14, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7144. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Fludioxonil; Pesticide Tolerances" (FRL No. 9357-5) received during adjournment of the Senate in the Office of the President of the Senate on August 14, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7145. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Flutriafol; Pesticide Tolerances for Emergency Exemptions" (FRL No. 9349-6) received during adjournment of the Senate in the Office of the President of the Senate on August 14, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7146. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Cyprodinil; Pesticide Tolerances" (FRL No. 9359-7) received during adjournment of the Senate in the Office of the President of the Senate on August 17, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7147. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Didecyl Dimethyl Ammonium Carbonate and Didecyl Dimethyl Ammonium Bicarbonate; Exemption from the Requirement of a Tolerance" (FRL No. 9359-5) received during adjournment of the Senate in the Office of the President of the Senate on August 21, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7148. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Pesticide Tolerance Crop Grouping Program III; Revisions to General Tolerance Regulations" (FRL No. 9354-3) received during adjournment of the Senate in the Office of the President of the Senate on August 21, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7149. A communication from the Under Secretary of Defense (Comptroller), transmitting, pursuant to law, a report relative to a violation of the Antideficiency Act that occurred within the Department of the Air Force and was assigned Air Force case number 10-04; to the Committee on Appropriations.

EC-7150. A communication from the Under Secretary of Defense (Policy), transmitting, pursuant to law, the Department of De-

fense's 2012 report to Congress entitled "The Worldwide Nuclear, Biological, and Chemical Weapons and Ballistic and Cruise Missile Threat" (DCN OSS 2012-1272); to the Committee on Armed Services.

EC-7151. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of General Craig R. McKinley, Air National Guard of the United States, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

EC-7152. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Lieutenant General Frank A. Panter, Jr., United States Marine Corps, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC-7153. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Vice Admiral David Architzel, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

EC-7154. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Admiral John C. Harvey, Jr., United States Navy, and his advancement to the grade of admiral on the retired list; to the Committee on Armed Services.

EC-7155. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Vice Admiral Dirk J. Debink, United States Navy Reserve, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

EC-7156. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting the report of five (5) officers authorized to wear the insignia of the grade of rear admiral (lower half) in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-7157. A communication from the President of the United States, transmitting, pursuant to law, a report relative to the continuation of the national emergency with respect to export control regulations; to the Committee on Banking, Housing, and Urban Affairs.

EC-7158. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the continuation of the national emergency that was declared in Executive Order 13396 on February 7, 2006, with respect to Cote d'Ivoire; to the Committee on Banking, Housing, and Urban Affairs.

EC-7159. A communication from the Associate General Counsel for Legislation and Regulations, Office of Community Planning and Development, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled "Homeless Emergency Assistance and Rapid Transition to Housing: Continuum of Care Program" (RIN2506-AC29) received during adjournment of the Senate in the Office of the President of the Senate on August 8, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC-7160. A communication from the Associate General Counsel for Legislation and Regulations, Office of the Secretary, Department of Housing and Urban Development, transmitting, pursuant to law, the report of

a rule entitled "Supplemental Standards of Ethical Conduct for Employees of the Department of Housing and Urban Development" (RIN2506-AC55) received during adjournment of the Senate in the Office of the President of the Senate on August 15, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC-7161. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to a transaction involving U.S. exports to United Arab Emirates (U.A.E.); to the Committee on Banking, Housing, and Urban Affairs.

EC-7162. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations" ((44 CFR Part 67) (Docket No. FEMA-2012-0003)) received in the Office of the President of the Senate on August 2, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC-7163. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations" ((44 CFR Part 67) (Docket No. FEMA-2012-0003)) received in the Office of the President of the Senate on August 2, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC-7164. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations" ((44 CFR Part 67) (Docket No. FEMA-2011-0002)) received during adjournment of the Senate in the Office of the President of the Senate on August 10, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC-7165. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations" ((44 CFR Part 67) (Docket No. FEMA-2011-0002)) received during adjournment of the Senate in the Office of the President of the Senate on August 10, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC-7166. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility" ((44 CFR Part 64) (Docket No. FEMA-2012-0003)) received during adjournment of the Senate in the Office of the President of the Senate on August 10, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC-7167. A communication from the Secretary of Energy, transmitting, pursuant to law, a report entitled "2012 Annual Plan: Ultra-Deepwater and Unconventional Natural Gas and Other Petroleum Resources Research and Development Program"; to the Committee on Energy and Natural Resources.

EC-7168. A communication from the Secretary of the Federal Energy Regulatory Commission, transmitting, pursuant to law, a report relative to granting the North American Electric Reliability Corporation (NERC) a 30-day extension of time to file its quarterly reports; to the Committee on Energy and Natural Resources.

EC-7169. A communication from the Division Chief of Regulatory Affairs, Bureau of Land Management, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Segregation of Lands—Renewable Energy" (RIN1004-AE19) received during adjournment of the Senate in the Office of the President of the Senate on August 9, 2012; to the Committee on Energy and Natural Resources.

EC-7170. A communication from the Division Chief of Regulatory Affairs, Bureau of Land Management, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Administration of Mining Claims and Sites" (RIN1004-AE27) received during adjournment of the Senate in the Office of the President of the Senate on August 9, 2012; to the Committee on Energy and Natural Resources.

EC-7171. A communication from the General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Standards for Business Practices of Interstate Natural Gas Pipelines" (RIN1902-AE46) received during adjournment of the Senate in the Office of the President of the Senate on August 8, 2012; to the Committee on Energy and Natural Resources.

EC-7172. A communication from the Assistant Secretary of Energy (Energy Efficiency and Renewable Energy), transmitting, pursuant to law, the semi-annual Implementation Report on Energy Conservation Standards Activities of the Department of Energy; to the Committee on Energy and Natural Resources.

EC-7173. A communication from the Chief of the Recovery and State Grants Branch, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants: Revising the Special Rule for the Utah Prairie Dog" (RIN1018-AW02) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Environment and Public Works.

EC-7174. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Changes to the Generic Aging Lessons Learned (GALL) Report Revision 2 Aging Management Program (AMP) XI.M41, 'Buried and Underground Piping and Tanks'" (LR-ISG-2011-03) received in the Office of the President of the Senate on August 2, 2012; to the Committee on Environment and Public Works.

EC-7175. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Endorsement of Nuclear Energy Institute Guidance for Using an Alternative Method to Manage Cumulative Fatigue at Nuclear Power Reactor Sites" (RIS 2012-09) received during adjournment of the Senate in the Office of the President of the Senate on August 13, 2012; to the Committee on Environment and Public Works.

EC-7176. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Guidance for Evaluation of Diversity and Defense-in-Depth in Digital Computer-Based Instrumentation and Control Systems" (BTP 7-19 Rev. 6) received during adjournment of the Senate in the Office of the President of the Senate on August 16, 2012; to the Committee on Environment and Public Works.

EC-7177. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Endorsement of Nuclear Energy Institute Guidance for Developing Seismic Hazard Information Requested in the 50.54(F) Letter Dated March 12, 2012" received during adjournment of the Senate in the Office of the President of the Senate on August 16, 2012; to the Committee on Environment and Public Works.

EC-7178. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; State of Hawaii; Update to Materials Incorporated by Reference" (FRL No. 9712-2) received in the Office of the President of the Senate on August 2, 2012; to the Committee on Environment and Public Works.

EC-7179. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of State Implementation Plans; Hawaii; Infrastructure Requirements for the 1997 8-Hour Ozone and the 1997 and 2006 Fine Particulate Matter National Ambient Air Quality Standards" (FRL No. 9711-1) received in the Office of the President of the Senate on August 2, 2012; to the Committee on Environment and Public Works.

EC-7180. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Oklahoma: Incorporation by Reference of Approved State Hazardous Waste Management Program" (FRL No. 9701-7) received in the Office of the President of the Senate on August 2, 2012; to the Committee on Environment and Public Works.

EC-7181. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to the California State Implementation Plan, Mojave Desert, Northern Sierra, Sacramento Metropolitan and San Diego Air Pollution Agencies" (FRL No. 9687-8) received in the Office of the President of the Senate on August 2, 2012; to the Committee on Environment and Public Works.

EC-7182. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to the California State Implementation Plan, Sacramento Metropolitan Air Quality Management District" (FRL No. 9687-3) received in the Office of the President of the Senate on August 2, 2012; to the Committee on Environment and Public Works.

EC-7183. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Wisconsin; Volatile Organic Compound Emission Control Measures for Milwaukee and Sheboygan Ozone Nonattainment Areas" (FRL No. 9689-8) received in the Office of the President of the Senate on August 2, 2012; to the Committee on Environment and Public Works.

EC-7184. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Fed-

eral Implementation Plan for Oil and Natural Gas Well Production Facilities; Fort Berthold Indian Reservation (Mandan, Hidatsa, and Arikara Nations), North Dakota" (FRL No. 9710-4) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Environment and Public Works.

EC-7185. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "New Source Performance Standards Review for Nitric Acid Plants" (FRL No. 9667-3) received during adjournment of the Senate in the Office of the President of the Senate on August 7, 2012; to the Committee on Environment and Public Works.

EC-7186. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Determination of Failure to Attain the One-Hour Ozone Standard by 2007, Determination of Current Attainment of the One-Hour Ozone Standard, Determinations of Attainment of the 1997 Eight-Hour Ozone Standards for the New York-Northern New Jersey-Long Island Nonattainment Area in Connecticut, New Jersey and New York" (FRL No. 9696-2) received during adjournment of the Senate in the Office of the President of the Senate on August 7, 2012; to the Committee on Environment and Public Works.

EC-7187. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "South Dakota: Final Authorization of State Hazardous Waste Management Program Revisions" (FRL No. 9712-3) received during adjournment of the Senate in the Office of the President of the Senate on August 7, 2012; to the Committee on Environment and Public Works.

EC-7188. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Significant New Use Rules on Certain Chemical Substances" (FRL No. 9358-1) received during adjournment of the Senate in the Office of the President of the Senate on August 14, 2012; to the Committee on Environment and Public Works.

EC-7189. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Final Confidentiality Determinations for Nine Subparts and Amendments to Subpart A and I under the Mandatory Reporting of Greenhouse Gases Rule" (FRL No. 9706-6) received during adjournment of the Senate in the Office of the President of the Senate on August 14, 2012; to the Committee on Environment and Public Works.

EC-7190. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Arkansas: Final Authorization of State Hazardous Waste Management Program Revision" (FRL No. 9713-3) received during adjournment of the Senate in the Office of the President of the Senate on August 14, 2012; to the Committee on Environment and Public Works.

EC-7191. A communication from the Director of the Regulatory Management Division,

Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans and Operating Permits Program; Commonwealth of Puerto Rico; Administrative Changes" (FRL No. 9714-5) received during adjournment of the Senate in the Office of the President of the Senate on August 14, 2012; to the Committee on Environment and Public Works.

EC-7192. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; Illinois; Ozone" (FRL No. 9712-8) received during adjournment of the Senate in the Office of the President of the Senate on August 14, 2012; to the Committee on Environment and Public Works.

EC-7193. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Source Specific Federal Implementation Plan for Implementing Best Available Retrofit Technology for Four Corners Power Plant; Navajo Nation" (FRL No. 9715-9) received during adjournment of the Senate in the Office of the President of the Senate on August 14, 2012; to the Committee on Environment and Public Works.

EC-7194. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; New Hampshire; Hot Mix Asphalt Plants" (FRL No. 9719-1) received during adjournment of the Senate in the Office of the President of the Senate on August 17, 2012; to the Committee on Environment and Public Works.

EC-7195. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; New Hampshire; Regional Haze" (FRL No. 9716-7) received during adjournment of the Senate in the Office of the President of the Senate on August 17, 2012; to the Committee on Environment and Public Works.

EC-7196. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Tennessee; Knoxville; Fine Particulate Matter 2002 Base Year Emissions Inventory" (FRL No. 9717-5) received during adjournment of the Senate in the Office of the President of the Senate on August 17, 2012; to the Committee on Environment and Public Works.

EC-7197. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Connecticut, Massachusetts, and Rhode Island; Reasonable Further Progress Plans and 2002 Base Year Emission Inventories" (FRL No. 9672-5) received during adjournment of the Senate in the Office of the President of the Senate on August 17, 2012; to the Committee on Environment and Public Works.

EC-7198. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmit-

ting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Nevada; Regional Haze State and Federal Implementation Plans; BART Determination for Reid Gardner Generating Station" (FRL No. 9700-4) received during adjournment of the Senate in the Office of the President of the Senate on August 17, 2012; to the Committee on Environment and Public Works.

EC-7199. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; State of Oregon; Regional Haze State Implementation Plan" (FRL No. 9718-9) received during adjournment of the Senate in the Office of the President of the Senate on August 17, 2012; to the Committee on Environment and Public Works.

EC-7200. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to the California State Implementation Plan, San Joaquin Valley Unified Air Pollution Control District" (FRL No. 9691-1) received during adjournment of the Senate in the Office of the President of the Senate on August 17, 2012; to the Committee on Environment and Public Works.

EC-7201. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "LAND DISPOSAL RESTRICTIONS: Site-Specific Treatment Variance for Hazardous Selenium-Bearing Waste Treated by U.S. Ecology Nevada in Beatty, NV" (FRL No. 9715-3) received during adjournment of the Senate in the Office of the President of the Senate on August 21, 2012; to the Committee on Environment and Public Works.

EC-7202. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "National Emission Standards for Hazardous Air Pollutant Emissions: Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks; and Steel Pickling—HCl Process Facilities and Hydrochloric Acid Regeneration Plants" (FRL No. 9709-9) received during adjournment of the Senate in the Office of the President of the Senate on August 21, 2012; to the Committee on Environment and Public Works.

EC-7203. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Deductions for Entertainment Use of Business Aircraft" ((RIN1545-BK34) (TD 9597)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Finance.

EC-7204. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Fast Track Settlement for TE/GE Taxpayers" (Announcement 2012-34) received during adjournment of the Senate in the Office of the President of the Senate on August 20, 2012; to the Committee on Finance.

EC-7205. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Update of Weighted Average Interest Rates, Yield Curves, and

Segment Rates" (Notice 2012-53) received during adjournment of the Senate in the Office of the President of the Senate on August 20, 2012; to the Committee on Finance.

EC-7206. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the Medicare Competitive Acquisition Ombudsman's 2010 Annual Report to Congress; to the Committee on Finance.

EC-7207. A communication from the Senior Counsel for Regulatory Affairs, Departmental Offices, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Department of the Treasury Acquisition Regulation; Internet Payment Platform" (RIN1505-AC41) received during adjournment of the Senate in the Office of the President of the Senate on August 8, 2012; to the Committee on Finance.

EC-7208. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program; Inpatient Psychiatric Facilities Prospective Payment System—Update for Fiscal Year Beginning October 1, 2012 (FY 2013)" (RIN0938-AR22) received in the Office of the President of the Senate on August 2, 2012; to the Committee on Finance.

EC-7209. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program; Prospective Payment System and Consolidated Billing for Skilled Nursing Facilities for FY 2013" (RIN0938-AR20) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Finance.

EC-7210. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program; Inpatient Rehabilitation Facility Prospective Payment System for Federal Fiscal Year 2013" (RIN0938-AR21) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Finance.

EC-7211. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Administrative Simplification: Adoption of Operating Rules for Health Care Electronic Funds Transfer (EFT) and Remittance Advice Transactions" (RIN0938-AR01) received during adjournment of the Senate in the Office of the President of the Senate on August 8, 2012; to the Committee on Finance.

EC-7212. A joint communication from the Deputy Assistant Administrator for Legislative and Public Affairs, U.S. Agency for International Development (USAID) and the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report entitled "Joint Summary of Performance and Financial Information for Fiscal Year 2011"; to the Committee on Foreign Relations.

EC-7213. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2012-0097—2012-0111); to the Committee on Foreign Relations.

EC-7214. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to

law, a report relative to the establishment of a Danger Pay Allowance for Mali; to the Committee on Foreign Relations.

EC-7215. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the International Labor Organization Recommendations concerning Decent Work for Domestic Workers (Nos. 189 and 201), adopted by the 100th session of the International Labor Conference at Geneva; to the Committee on Foreign Relations.

EC-7216. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 12-069, of the proposed sale or export of defense articles and/or defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Foreign Relations.

EC-7217. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 12-101, of the proposed sale or export of defense articles and/or defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Foreign Relations.

EC-7218. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 12-066, of the proposed sale or export of defense articles and/or defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Foreign Relations.

EC-7219. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 12-091, of the proposed sale or export of defense articles and/or defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Foreign Relations.

EC-7220. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 12-096, of the proposed sale or export of defense articles and/or defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Foreign Relations.

EC-7221. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, notice of proposed permanent transfer of significant military equipment pursuant to section 3(d) of the Arms Export Control Act (Transmittal No. RSAT-12-2993); to the Committee on Foreign Relations.

EC-7222. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, notice of pro-

posed permanent transfer of significant military equipment pursuant to section 3(d) of the Arms Export Control Act (Transmittal No. RSAT-12-2991); to the Committee on Foreign Relations.

EC-7223. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, notice of proposed permanent transfer of significant military equipment pursuant to section 3(d) of the Arms Export Control Act (Transmittal No. RSAT-12-2992); to the Committee on Foreign Relations.

EC-7224. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to section 36(c) of the Arms Export Control Act (Transmittal No. DDTC 12-075); to the Committee on Foreign Relations.

EC-7225. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to section 36(c) of the Arms Export Control Act (Transmittal No. DDTC 12-110); to the Committee on Foreign Relations.

EC-7226. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to section 36(c) of the Arms Export Control Act (Transmittal No. DDTC 12-034); to the Committee on Foreign Relations.

EC-7227. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to section 36(c) of the Arms Export Control Act (Transmittal No. DDTC 12-039); to the Committee on Foreign Relations.

EC-7228. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to section 36(c) of the Arms Export Control Act (Transmittal No. DDTC 12-052); to the Committee on Foreign Relations.

EC-7229. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to section 36(c) of the Arms Export Control Act (Transmittal No. DDTC 12-057); to the Committee on Foreign Relations.

EC-7230. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to section 36(c) of the Arms Export Control Act (Transmittal No. DDTC 12-063); to the Committee on Foreign Relations.

EC-7231. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to section 36(c) of the Arms Export Control Act (Transmittal No. DDTC 12-097); to the Committee on Foreign Relations.

EC-7232. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to section 36(c) of the Arms Export Control Act (Transmittal No. DDTC 12-076); to the Committee on Foreign Relations.

EC-7233. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to section 36(c) of the Arms Export Control Act (Transmittal No. DDTC 12-101); to the Committee on Foreign Relations.

EC-7234. A communication from the Assistant Secretary, Legislative Affairs, Depart-

ment of State, transmitting, certification of proposed issuance of an export license pursuant to sections 36(c) and 36(d) of the Arms Export Control Act (Transmittal No. DDTC 12-081); to the Committee on Foreign Relations.

EC-7235. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to sections 36(c) and 36(d) of the Arms Export Control Act (Transmittal No. DDTC 12-085); to the Committee on Foreign Relations.

EC-7236. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to sections 36(c) and 36(d) of the Arms Export Control Act (Transmittal No. DDTC 12-099); to the Committee on Foreign Relations.

EC-7237. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to sections 36(c) and 36(d) of the Arms Export Control Act (Transmittal No. DDTC 12-073); to the Committee on Foreign Relations.

EC-7238. A communication from the Railroad Retirement Board, transmitting, pursuant to law, the Board's 2012 Annual Report for fiscal year 2011; to the Committee on Health, Education, Labor, and Pensions.

EC-7239. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled "Annual Report to Congress on Food Facilities, Food Imports, and FDA Foreign Offices Provisions of the FDA Food Safety Modernization Act;" to the Committee on Health, Education, Labor, and Pensions.

EC-7240. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the Performance Report of the Food and Drug Administration's Office of Combination Products for fiscal year 2011; to the Committee on Health, Education, Labor, and Pensions.

EC-7241. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Implementation of Device Registration and Listing Requirements Enacted in the Public Health Security and Biodefense Preparedness and Response Act of 2002, the Medical Device User Fee and Modernization Act of 2002, and Title II of the Food and Drug Administration Amendments Act of 2007" (RIN0910-AF88) (Docket No. FDA-2009-N-0114) received during adjournment of the Senate in the Office of the President of the Senate on August 16, 2012; to the Committee on Health, Education, Labor, and Pensions.

EC-7242. A communication from the Deputy Director for Policy, Legislative and Regulatory Department, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled "Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits" (29 CFR Part 4022) received during adjournment of the Senate in the Office of the President of the Senate on August 8, 2012; to the Committee on Health, Education, Labor, and Pensions.

EC-7243. A communication from the Director, Directorate of Construction, Occupational Safety and Health Administration, transmitting, pursuant to law, the report of

a rule entitled “Cranes and Derricks in Construction: Demolition and Underground Construction” (RIN1218-AC61) received during adjournment of the Senate in the Office of the President of the Senate on August 21, 2012; to the Committee on Health, Education, Labor, and Pensions.

EC-7244. A communication from the Assistant General Counsel for Regulatory Services, Office of Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled “National Institute on Disability and Rehabilitation Research (NIDRR)—Disability and Rehabilitation Research Projects and Centers Program—Rehabilitation Research Training Center (RRTCs) on Vocational Rehabilitation (VR) and Developing Strategies to Meet Employer Needs in Changing Economic Environments” (CFDA No. 84.133B-1) received during adjournment of the Senate in the Office of the President of the Senate on August 7, 2012; to the Committee on Health, Education, Labor, and Pensions.

EC-7245. A communication from the Executive Analyst (Political), Department of Health and Human Services, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary for Planning and Evaluation, Department of Health and Human Services, received during adjournment of the Senate in the Office of the President of the Senate on August 8, 2012; to the Committee on Health, Education, Labor, and Pensions.

EC-7246. A communication from the General Counsel, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, the report of a rule entitled “Cost Accounting Standards: Cost Accounting Standards 412 and 413—Cost Accounting Standards Pension Harmonization Rule” (48 CFR Part 9904) received during adjournment of the Senate in the Office of the President of the Senate on August 21, 2012; to the Committee on Homeland Security and Governmental Affairs.

EC-7247. A communication from the General Counsel, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, (4) four reports relative to vacancies within the Office of Management and Budget, received during adjournment of the Senate in the Office of the President of the Senate on August 21, 2012; to the Committee on Homeland Security and Governmental Affairs.

EC-7248. A communication from the Executive Director for Operations, Nuclear Regulatory Commission, transmitting, pursuant to law, the Uniform Resource Locator (URL) for the Commission’s commercial activities inventory; to the Committee on Homeland Security and Governmental Affairs.

EC-7249. A communication from the Chairman of the National Transportation Safety Board, transmitting, pursuant to law, the Board’s Fiscal Year 2011 Annual Report on The Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC-7250. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-416, “Wrongful Death Act of 2012”; to the Committee on Homeland Security and Governmental Affairs.

EC-7251. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-431, “8th Street Plaza Condominium Association, Inc. Clarification Act

of 2012”; to the Committee on Homeland Security and Governmental Affairs.

EC-7252. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-432, “Closing of Public Alleys in Square 901, S.O. 11-5228, Act of 2012”; to the Committee on Homeland Security and Governmental Affairs.

EC-7253. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-433, “Downtown BID Amendment Act of 2012”; to the Committee on Homeland Security and Governmental Affairs.

EC-7254. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-434, “Sign Regulation Temporary Amendment Act of 2012”; to the Committee on Homeland Security and Governmental Affairs.

EC-7255. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-435, “Residential Parking Protection Amendment Act of 2012”; to the Committee on Homeland Security and Governmental Affairs.

EC-7256. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-436, “Criminal Penalty for Unregistered Motorist Repeal Amendment Act of 2012”; to the Committee on Homeland Security and Governmental Affairs.

EC-7257. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-437, “Taxicab Service Improvement Amendment Act of 2012”; to the Committee on Homeland Security and Governmental Affairs.

EC-7258. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-438, “Collaborative Care Expansion Amendment Act of 2012”; to the Committee on Homeland Security and Governmental Affairs.

EC-7259. A communication from the Senior Counsel to the Deputy Attorney General, Office of the Attorney General, Department of Justice, transmitting, pursuant to law, the report of a rule entitled “National Standards To Prevent, Detect, and Respond to Prison Rape” (RIN1105-AB34) received during adjournment of the Senate in the Office of the President of the Senate on August 7, 2012; to the Committee on the Judiciary.

EC-7260. A communication from the Assistant General Counsel, Federal Bureau of Investigation, Department of Justice, transmitting, pursuant to law, the report of a rule entitled “Federal Bureau of Investigation Anti-Piracy Warning Seal Program” (RIN1110-AA32) received during adjournment of the Senate in the Office of the President of the Senate on August 7, 2012; to the Committee on the Judiciary.

EC-7261. A communication from the Federal Liaison Officer, Patent and Trademark Office, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Revision of Patent Term Adjustment Provisions Relating to Appellate Review” (RIN0651-AC63) received during adjournment of the Senate in the Office of the President of the Senate on August 17, 2012; to the Committee on the Judiciary.

EC-7262. A communication from the Deputy General Counsel, Office of Surety Guarantees, Small Business Administration,

transmitting, pursuant to law, the report of a rule entitled “Surety Bond Guarantee Program—Quick Bond Application and Agreement” (RIN3245-AG39) received during adjournment of the Senate in the Office of the President of the Senate on August 8, 2012; to the Committee on Small Business and Entrepreneurship.

EC-7263. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Kemah Boardwalk Summer Season Fireworks, Galveston Bay, Kemah, TX” ((RIN1625-AA00) (Docket No. USCG-2012-0240)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7264. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Alexandria Bay Chamber of Commerce, St. Lawrence River, Alexandria Bay, NY” ((RIN1625-AA00) (Docket No. USCG-2012-0353)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7265. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Alexandria Bay Chamber of Commerce, St. Lawrence River, Alexandria Bay, NY” ((RIN1625-AA00) (Docket No. USCG-2012-0353)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7266. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; City of Tonawanda July 4th Celebration, Niagara River, Tonawanda, NY” ((RIN1625-AA00) (Docket No. USCG-2012-0352)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7267. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Electric Zoo Fireworks, East River, Randall’s Island, NY” ((RIN1625-AA00) (Docket No. USCG-2012-0588)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7268. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Bay Village Independence Day Fireworks, Lake Erie, Bay Village, OH” ((RIN1625-AA00) (Docket No. USCG-2012-0553)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7269. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Independence Day Fireworks Celebration for the City of Richmond, Richmond Inner Harbor, Richmond, CA” ((RIN1625-AA00) (Docket No. USCG-2012-0419)) received

during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7270. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; City of Tonawanda July 4th" ((RIN1625-AA00) (Docket No. USCG-2012-0352)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7271. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Belle Pass Dredge Operations, Belle Pass, Mile Marker 1.0 to Mile Marker (-0.2), Prot Fourchon, Lafourche Parish, LA" ((RIN1625-AA00) (Docket No. USCG-2012-0392)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7272. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; International Bridge 50th Anniversary Celebration Fireworks, St. Mary's River, U.S. Army Corps of Engineers Locks, Sault Sainte Marie, MI" ((RIN1625-AA00) (Docket No. USCG-2012-0200)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7273. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Upper Mississippi River, Mile 183.0 to 183.5" ((RIN1625-AA00) (Docket No. USCG-2012-0315)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7274. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Olcott Fireworks, Lake Ontario, Olcott, NY" ((RIN1625-AA00) (Docket No. USCG-2012-0351)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7275. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Marine Week Cleveland, Lake Erie, Cleveland, OH" ((RIN1625-AA00) (Docket No. USCG-2012-0462)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7276. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; City of Ogdensburg Fireworks, St. Lawrence River, Ogdensburg, NY" ((RIN1625-AA00) (Docket No. USCG-2012-0608)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7277. A communication from the Attorney-Advisor, U.S. Coast Guard, Department

of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Port Valdez, Alaska Maritime Highway System Ferry Terminal" ((RIN1625-AA00) (Docket No. USCG-2012-0641)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7278. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Village of Sodus Point Fireworks Display, Sodus Bay, Sodus Point, NY" ((RIN1625-AA00) (Docket No. USCG-2012-0355)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7279. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; NOBLE DISCOVERER, Outer Continental Shelf Drillship, Chukchi and/or Beaufort Seas, Alaska" ((RIN1625-AA00) (Docket No. USCG-2012-0024)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7280. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zones; Sellwood Bridge Project, Willamette River; Portland, OR" ((RIN1625-AA00) (Docket No. USCG-2012-0131)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7281. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; KULLUK, Outer Continental Shelf Mobile Offshore Drilling Unit (MODU); Beaufort Sea, Alaska" ((RIN1625-AA00) (Docket No. USCG-2011-1143)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7282. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Skagway Harbor, Skagway, Alaska for 4th of July Fireworks" ((RIN1625-AA00) (Docket No. USCG-2012-0512)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7283. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Temporary Change for Recurring Fifth Coast Guard District Fireworks Displays, Cavalier Golf and Yacht Club Independence Day Fireworks Display, Broad Bay; Virginia Beach, VA" ((RIN1625-AA00) (Docket No. USCG-2012-0227)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7284. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled

"Safety Zone; Village of Sackets Harbor, Lake Ontario, Sackets Harbor, NY" ((RIN1625-AA00) (Docket No. USCG-2012-0464)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7285. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Mentor Harbor Yachting Club Fireworks, Lake Erie, Mentor, OH" ((RIN1625-AA00) (Docket No. USCG-2012-0356)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7286. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone for Fifth Coast Guard District Fireworks Display Currituck Sound; Corolla, NC" ((RIN1625-AA00) (Docket No. USCG-2012-0358)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7287. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Wrangell Harbor, Wrangell, Alaska for 4th of July Fireworks" ((RIN1625-AA00) (Docket No. USCG-2012-00565)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7288. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Port of Dutch Harbor; Dutch Harbor, Alaska" ((RIN1625-AA00) (Docket No. USCG-2012-0545)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7289. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Newburgh to Beacon Swim, Newburgh, Hudson River, NY" ((RIN1625-AA00) (Docket No. USCG-2012-0538)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7290. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Sacramento River Closure for Aerial Cable Installation, Sacramento, CA" ((RIN1625-AA00) (Docket No. USCG-2012-0376)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7291. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Fireworks for NC NENA/APCO Conference, Cape Fear River, Wilmington, NC" ((RIN1625-AA00) (Docket No. USCG-2012-0624)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7292. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Fireworks for NC NENA/APCO Conference, Cape Fear River, Wilmington, NC" ((RIN1625-AA00) (Docket No. USCG-2012-0699)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7293. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Conneaut 4th of July Festival, Lake Erie, Conneaut, OH" ((RIN1625-AA00) (Docket No. USCG-2012-0480)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7294. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Canal Fest of the Tonawandas, Erie Canal, Tonawanda, NY" ((RIN1625-AA00) (Docket No. USCG-2012-0609)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7295. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Flying Magazine Air Show, Lake Winnebago, Oshkosh, WI" ((RIN1625-AA00) (Docket No. USCG-2012-0635)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7296. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Tom Graves Memorial Fireworks, Port Bay, Wolcott, NY" ((RIN1625-AA00) (Docket No. USCG-2012-0584)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7297. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Buffalo July 4th Fireworks, Lake Erie, Buffalo, NY" ((RIN1625-AA00) (Docket No. USCG-2012-0554)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7298. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Sea World San Diego Fireworks, Mission Bay; San Diego, CA" ((RIN1625-AA00) (Docket No. USCG-2012-0497)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7299. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; San Diego Symphony POPS Fireworks; San Diego, CA" ((RIN1625-AA00)

(Docket No. USCG-2012-0490)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7300. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Keweenaw Waterway, Hancock, MI" ((RIN1625-AA00) (Docket No. USCG-2012-0469)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7301. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Can-Am Festival Fireworks, Black River Bay, Sackets Harbor, NY" ((RIN1625-AA00) (Docket No. USCG-2012-0617)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7302. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Old Fashioned 4th of July Fireworks, Presque Isle Bay, Erie, PA" ((RIN1625-AA00) (Docket No. USCG-2012-0465)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7303. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Cleveland Yachting Club Fireworks, Lake Erie, Rocky River, OH" ((RIN1625-AA00) (Docket No. USCG-2012-0567)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7304. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Wicomico Community Fireworks Rain Date, Great Wicomico River, Mila, VA" ((RIN1625-AA00) (Docket No. USCG-2012-0425)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7305. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone and Special Local Regulation; 2012 Macy's 4th of July Fireworks and Spectator Viewing Areas, Hudson River, NY" ((RIN1625-AA00 and RIN1625-AA08) (Docket No. USCG-2012-0405)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7306. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Hudson Valley Triathlon, Ulster Landing, Hudson River, NY" ((RIN1625-AA00) (Docket No. USCG-2012-0537)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7307. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Sea World San Diego Fireworks, Mission Bay; San Diego, CA" ((RIN1625-AA00) (Docket No. USCG-2012-0435)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7308. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone, Naval Helicopter Association Reunion Helicopter Demonstration, Elizabeth River, Norfolk, VA" ((RIN1625-AA00) (Docket No. USCG-2012-0255)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7309. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zones: Catawba Island Club Fire Works Catawba Island Club, Port Clinton, OH; Pacing for Recovery, Lake Erie, Sterling State Park, Monroe, MI; Put-In-Bay Fireworks, Fox's the Dock Pier, South Bass Island, Put-In-Bay, OH" ((RIN1625-AA00) (Docket No. USCG-2012-0374)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7310. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Seafair Blue Angels Air Show Performance, Seattle, WA" ((RIN1625-AA00) (Docket No. USCG-2012-0699)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES DURING ADJOURNMENT

Under the authority of the order of the Senate of August 2, 2012, the following reports of committees were submitted on August 28, 2012:

By Ms. STABENOW, from the Committee on Agriculture, Nutrition, and Forestry:

Report to accompany S. 3240, An original bill to reauthorize agricultural programs through 2017, and for other purposes (Rept. No. 112-203).

By Mr. LEAHY, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 1002. A bill to prohibit theft of medical products, and for other purposes (Rept. No. 112-204).

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, with an amendment in the nature of a substitute:

S. 1515. A bill to permit certain members of the United States Secret Service and certain members of the United States Secret Service Uniformed Division who were appointed in 1984, 1985, or 1986 to elect to be covered under the District of Columbia Police and Firefighter Retirement and Disability System in the same manner as members appointed prior to 1984 (Rept. No. 112-205).

H.R. 915. A bill to establish a Border Enforcement Security Task Force program to

enhance border security by fostering coordinated efforts among Federal, State, and local border and law enforcement officials to protect United States border cities and communities from trans-national crime, including violence associated with drug trafficking, arms smuggling, illegal alien trafficking and smuggling, violence, and kidnapping along and across the international borders of the United States, and for other purposes (Rept. No. 112-206).

By Mr. AKAKA, from the Committee on Indian Affairs, without amendment:

S. 3193. A bill to make technical corrections to the legal description of certain land to be held in trust for the Barona Band of Mission Indians, and for other purposes (Rept. No. 112-207).

By Mr. BAUCUS, from the Committee on Finance, without amendment:

S. 3521. An original bill to amend the Internal Revenue Code of 1986 to extend certain expiring provisions (Rept. No. 112-208).

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BAUCUS, from the Committee on Finance, without amendment:

S. 3524. An original bill to deter the evasion of antidumping and countervailing duty orders, and for other purposes (Rept. No. 112-209).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS DURING ADJOURNMENT

On August 28, 2012, under the authority of the order of the Senate of August 2, 2012, the following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. BAUCUS:

S. 3521. An original bill to amend the Internal Revenue Code of 1986 to extend certain expiring provisions; from the Committee on Finance; placed on the calendar.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. MENENDEZ (for himself, Mrs. BOXER, Mrs. FEINSTEIN, Mr. WYDEN, Mr. DURBIN, Mr. SCHUMER, Mrs. GILLIBRAND, Ms. STABENOW, Mr. REED, Mr. LAUTENBERG, Mr. FRANKEN, Mr. MERKLEY, and Mr. SANDERS):

S. 3522. A bill to provide for the expansion of affordable refinancing of mortgages held by the Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation; read the first time.

By Mr. SCHUMER (for himself, Mr. HATCH, Mrs. GILLIBRAND, Mr. WHITEHOUSE, Mr. GRAHAM, Mr. BLUMENTHAL, Mr. KOHL, Mr. CARDIN, Ms. SNOWE, and Mrs. BOXER):

S. 3523. A bill to amend title 17, United States Code, to extend protection to fashion design, and for other purposes; to the Committee on the Judiciary.

By Mr. BAUCUS:

S. 3524. An original bill to deter the evasion of antidumping and countervailing duty

orders, and for other purposes; from the Committee on Finance; placed on the calendar.

By Mr. TESTER:

S. 3525. A bill to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes; read the first time.

ADDITIONAL COSPONSORS

S. 32

At the request of Mr. LAUTENBERG, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 32, a bill to prohibit the transfer or possession of large capacity ammunition feeding devices, and for other purposes.

S. 35

At the request of Mr. LAUTENBERG, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 35, a bill to establish background check procedures for gun shows.

S. 202

At the request of Mr. PAUL, the names of the Senator from New Hampshire (Ms. AYOTTE), the Senator from Georgia (Mr. ISAKSON) and the Senator from Kansas (Mr. MORAN) were added as cosponsors of S. 202, a bill to require a full audit of the Board of Governors of the Federal Reserve System and the Federal reserve banks by the Comptroller General of the United States before the end of 2012, and for other purposes.

S. 503

At the request of Mr. INHOFE, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 503, a bill to declare English as the official language of the United States, to establish a uniform English language rule for naturalization, and to avoid misconstructions of the English language texts of the laws of the United States, pursuant to Congress' powers to provide for the general welfare of the United States and to establish a uniform rule of naturalization under article I, section 8, of the Constitution.

S. 565

At the request of Mr. KERRY, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 565, a bill to establish an employment-based immigrant visa for alien entrepreneurs who have received significant capital from investors to establish a business in the United States.

S. 641

At the request of Mr. DURBIN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 641, a bill to provide 100,000,000 people with first-time access to safe drinking water and sanitation on a sustainable basis within six years by improving the capacity of the United States Government to fully implement the Senator Paul Simon Water for the Poor Act of 2005.

S. 645

At the request of Mr. SCHUMER, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 645, a bill to amend the National Child Protection Act of 1993 to establish a permanent background check system.

S. 697

At the request of Mr. CASEY, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 697, a bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for amounts paid by a spouse of a member of the Armed Services for a new State license or certification required by reason of a permanent change in the duty station of such member to another State.

S. 778

At the request of Mr. MORAN, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 778, a bill to amend title XVIII of the Social Security Act with respect to physician supervision of therapeutic hospital outpatient services.

S. 829

At the request of Mr. CARDIN, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 829, a bill to amend title XVIII of the Social Security Act to repeal the Medicare outpatient rehabilitation therapy caps.

S. 845

At the request of Mr. ENZI, the names of the Senator from Georgia (Mr. CHAMBLISS) and the Senator from New Mexico (Mr. UDALL) were added as cosponsors of S. 845, a bill to amend the Internal Revenue Code of 1986 to provide for the logical flow of return information between partnerships, corporations, trusts, estates, and individuals to better enable each party to submit timely, accurate returns and reduce the need for extended and amended returns, to provide for modified due dates by regulation, and to conform the automatic corporate extension period to longstanding regulatory rule.

S. 932

At the request of Mr. SCHUMER, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 932, a bill to amend the Internal Revenue Code of 1986 to allow a \$1,000 refundable credit for individuals who are bona fide volunteer members of volunteer firefighting and emergency medical service organizations.

S. 998

At the request of Mr. AKAKA, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 998, a bill to amend title IV of the Employee Retirement Income Security Act of 1974 to require the Pension Benefit Guaranty Corporation, in the case of airline pilots who are required by regulation to retire at age 60, to compute the actuarial value of

monthly benefits in the form of a life annuity commencing at age 60.

S. 1108

At the request of Mr. SANDERS, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 1108, a bill to provide local communities with tools to make solar permitting more efficient, and for other purposes.

S. 1171

At the request of Mr. SCHUMER, the names of the Senator from Maryland (Mr. CARDIN), the Senator from Connecticut (Mr. LIEBERMAN), the Senator from Maryland (Ms. MIKULSKI) and the Senator from Vermont (Mr. SANDERS) were added as cosponsors of S. 1171, a bill to amend the Internal Revenue Code of 1986 to extend the exclusion from gross income for employer-provided health coverage for employees' spouses and dependent children to coverage provided to other eligible dependent beneficiaries of employees.

S. 1278

At the request of Ms. SNOWE, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 1278, a bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on indoor tanning services.

S. 1301

At the request of Mr. LEAHY, the names of the Senator from New Mexico (Mr. BINGAMAN) and the Senator from Maine (Ms. COLLINS) were added as cosponsors of S. 1301, a bill to authorize appropriations for fiscal years 2012 through 2015 for the Trafficking Victims Protection Act of 2000, to enhance measures to combat trafficking in persons, and for other purposes.

S. 1463

At the request of Mr. MERKLEY, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 1463, a bill to amend the Civil Rights Act of 1964 to protect breastfeeding by new mothers and to provide for reasonable break time for nursing mothers.

S. 1512

At the request of Mr. CARDIN, the names of the Senator from Montana (Mr. TESTER) and the Senator from North Dakota (Mr. HOEVEN) were added as cosponsors of S. 1512, a bill to amend the Internal Revenue Code of 1986 and the Small Business Act to expand the availability of employee stock ownership plans in S corporations, and for other purposes.

S. 1718

At the request of Mr. WYDEN, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 1718, a bill to amend title XVIII of the Social Security Act with respect to the application of Medicare secondary payer rules for certain claims.

S. 1723

At the request of Mr. MENENDEZ, the name of the Senator from New Jersey

(Mr. LAUTENBERG) was added as a cosponsor of S. 1723, a bill to provide for teacher and first responder stabilization.

S. 1872

At the request of Mr. CASEY, the names of the Senator from Georgia (Mr. ISAKSON), the Senator from New Mexico (Mr. UDALL), the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Maryland (Ms. MIKULSKI) were added as cosponsors of S. 1872, a bill to amend the Internal Revenue Code of 1986 to provide for the tax treatment of ABLE accounts established under State programs for the care of family members with disabilities, and for other purposes.

S. 1882

At the request of Mr. BINGAMAN, the name of the Senator from Virginia (Mr. WEBB) was added as a cosponsor of S. 1882, a bill to amend the Federal Food, Drug, and Cosmetic Act to ensure that valid generic drugs may enter the market.

S. 1910

At the request of Mr. LIEBERMAN, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 1910, a bill to provide benefits to domestic partners of Federal employees.

S. 1983

At the request of Mr. SCHUMER, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 1983, a bill to amend the Immigration and Nationality Act to eliminate the per-country numerical limitation for employment-based immigrants, to increase the per-country numerical limitation for family-sponsored immigrants, and for other purposes.

S. 2160

At the request of Mr. MORAN, the names of the Senator from Ohio (Mr. PORTMAN) and the Senator from Oklahoma (Mr. INHOFE) were added as cosponsors of S. 2160, a bill to improve the examination of depository institutions, and for other purposes.

S. 2234

At the request of Mr. BLUMENTHAL, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. 2234, a bill to prevent human trafficking in government contracting.

S. 2246

At the request of Mr. BOOZMAN, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 2246, a bill to direct the Secretary of Labor to provide off-base transition training, and for other purposes.

S. 2346

At the request of Mr. PRYOR, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 2346, a bill to amend the Farm Security and Rural Investment Act of 2002 to modify the definition of the term "biobased product".

S. 2364

At the request of Ms. SNOWE, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 2364, a bill to extend the availability of low-interest refinancing under the local development business loan program of the Small Business Administration.

S. 2374

At the request of Mr. BINGAMAN, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 2374, a bill to amend the Helium Act to ensure the expedient and responsible draw-down of the Federal Helium Reserve in a manner that protects the interests of private industry, the scientific, medical, and industrial communities, commercial users, and Federal agencies, and for other purposes.

S. 2620

At the request of Mr. SCHUMER, the names of the Senator from Delaware (Mr. CARPER) and the Senator from Kansas (Mr. MORAN) were added as cosponsors of S. 2620, a bill to amend title XVIII of the Social Security Act to provide for an extension of the Medicare-dependent hospital (MDH) program and the increased payments under the Medicare low-volume hospital program.

S. 3192

At the request of Mr. ALEXANDER, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 3192, a bill to amend the Immigration and Nationality Act by establishing an F-4 nonimmigrant visa for aliens pursuing an advanced degree in mathematics, engineering, technology, or the physical sciences in the United States, to authorize such aliens to become permanent residents if they obtain employment in the United States related to their field of study, and for other purposes.

S. 3235

At the request of Mr. PRYOR, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 3235, a bill to amend title 38, United States Code, to require, as a condition on the receipt by a State of certain funds for veterans employment and training, that the State ensures that training received by a veteran while on active duty is taken into consideration in granting certain State certifications or licenses, and for other purposes.

S. 3243

At the request of Mrs. GILLIBRAND, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 3243, a bill to amend the Internal Revenue Code of 1986 to increase the amount of the low-income housing credit that may be allocated in States damaged in 2011 by Hurricane Irene or Tropical Storm Lee.

S. 3378

At the request of Mr. ROCKEFELLER, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 3378, a bill to establish scientific standards and protocols across forensic disciplines, and for other purposes.

S. 3391

At the request of Ms. KLOBUCHAR, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of S. 3391, a bill to amend section 353 of the Public Health Service Act with respect to suspension, revocation, and limitation of laboratory certification.

S. 3394

At the request of Mr. JOHNSON of South Dakota, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 3394, a bill to address fee disclosure requirements under the Electronic Fund Transfer Act, to amend the Federal Deposit Insurance Act with respect to information provided to the Bureau of Consumer Financial Protection, and for other purposes.

S. 3442

At the request of Ms. LANDRIEU, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 3442, a bill to provide tax incentives for small businesses, improve programs of the Small Business Administration, and for other purposes.

S. 3452

At the request of Mr. DURBIN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 3452, a bill to amend the Truth in Lending Act to establish a national usury rate for consumer credit transactions.

S. 3457

At the request of Mr. NELSON of Florida, the names of the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Michigan (Ms. STABENOW), the Senator from Oregon (Mr. MERKLEY) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of S. 3457, a bill to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes.

S. 3463

At the request of Mr. FRANKEN, the names of the Senator from Vermont (Mr. SANDERS) and the Senator from New Jersey (Mr. MENENDEZ) were added as cosponsors of S. 3463, a bill to amend title XVIII of the Social Security Act to reduce the incidence of diabetes among Medicare beneficiaries.

S. 3472

At the request of Ms. LANDRIEU, the names of the Senator from Massachusetts (Mr. KERRY) and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of S. 3472, a bill to amend the Family Educational Rights and Privacy Act of 1974 to provide improvements to such Act.

S. 3486

At the request of Mr. LEAHY, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 3486, a bill to implement the provisions of the Hague Agreement and the Patent Law Treaty.

S. 3498

At the request of Mr. CASEY, the names of the Senator from Delaware (Mr. COONS), the Senator from New Jersey (Mr. MENENDEZ) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of S. 3498, a bill to provide humanitarian assistance and support a democratic transition in Syria, and for other purposes.

S. 3516

At the request of Ms. SNOWE, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 3516, a bill to encourage spectrum licenses to make unused spectrum available for use by rural and smaller carriers in order to expand wireless coverage.

S.J. RES. 39

At the request of Mr. CARDIN, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S.J. Res. 39, a joint resolution removing the deadline for the ratification of the equal rights amendment.

S. CON. RES. 48

At the request of Mr. LEAHY, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. Con. Res. 48, a concurrent resolution recognizing 375 years of service of the National Guard and affirming congressional support for a permanent Operational Reserve as a component of the Armed Forces.

S. CON. RES. 50

At the request of Mr. RUBIO, the names of the Senator from Texas (Mr. CORNYN) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of S. Con. Res. 50, a concurrent resolution expressing the sense of Congress regarding actions to preserve and advance the multistakeholder governance model under which the Internet has thrived.

S. RES. 88

At the request of Ms. SNOWE, the names of the Senator from Kansas (Mr. ROBERTS), the Senator from Wyoming (Mr. ENZI) and the Senator from South Dakota (Mr. THUNE) were added as cosponsors of S. Res. 88, a resolution expressing the sense of the Senate that businesses of the United States should retain the option to organize as those businesses choose, including as flow-through entities, and not be forced to reorganize as C corporations.

S. RES. 448

At the request of Mrs. BOXER, the names of the Senator from Florida (Mr. NELSON), the Senator from Michigan (Mr. LEVIN), the Senator from Connecticut (Mr. LIEBERMAN), the Senator from Oregon (Mr. WYDEN), the Senator

from California (Mrs. FEINSTEIN) and the Senator from Maryland (Ms. MIKULSKI) were added as cosponsors of S. Res. 448, a resolution recognizing the 100th anniversary of Hadassah, the Women's Zionist Organization of America, Inc.

S. RES. 543

At the request of Mrs. BOXER, the names of the Senator from New Jersey (Mr. MENENDEZ), the Senator from Pennsylvania (Mr. CASEY), the Senator from Kansas (Mr. MORAN), the Senator from Oregon (Mr. WYDEN), the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Texas (Mrs. HUTCHISON) were added as cosponsors of S. Res. 543, a resolution to express the sense of the Senate on international parental child abduction.

S. RES. 546

At the request of Mrs. MURRAY, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. Res. 546, a resolution designating the week of September 10, 2012, as "National Adult Education and Family Literacy Week".

AMENDMENTS SUBMITTED AND PROPOSED

SA 2780. Mr. CASEY submitted an amendment intended to be proposed by him to the bill S. 3457, to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2780. Mr. CASEY submitted an amendment intended to be proposed by him to the bill S. 3457, to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. ____ CREDIT FOR STATE LICENSURE AND CERTIFICATION COSTS OF MILITARY SPOUSES ARISING BY REASON OF A PERMANENT CHANGE IN THE DUTY STATION OF THE MEMBER OF THE ARMED FORCES TO ANOTHER STATE.

(a) IN GENERAL.—Subpart A of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by inserting after section 30D the following new section:

"SEC. 30E. STATE LICENSURE AND CERTIFICATION COSTS OF MILITARY SPOUSE ARISING FROM TRANSFER OF MEMBER OF ARMED FORCES TO ANOTHER STATE.

"(a) IN GENERAL.—In the case of an eligible individual, there shall be allowed as a credit against the tax imposed by this chapter for the taxable year an amount equal to the qualified relicensing costs of such individual which are paid or incurred by the taxpayer during the taxable year.

"(b) MAXIMUM CREDIT.—The credit allowed by this section with respect to each change of duty station shall not exceed \$500.

"(c) DEFINITIONS.—For purposes of this section—

"(1) ELIGIBLE INDIVIDUAL.—The term 'eligible individual' means any individual—

“(A) who is married to a member of the Armed Forces of the United States at the time that the member moves to another State under a permanent change of station order, and

“(B) who moves to such other State with such member.

“(2) QUALIFIED RELICENSING COSTS.—The term ‘qualified relicensing costs’ costs—

“(A) which are for a license or certification required by the State referred to in paragraph (1) to engage in the profession that such individual engaged in while within the State from which the individual moved, and

“(B) which are paid or incurred during the period beginning on the date that the orders referred to in paragraph (1)(A) are issued and ending on the date which is 1 year after the reporting date specified in such orders.”.

(b) CLERICAL AMENDMENT.—The table of sections for such subpart A is amended by inserting after the item relating to section 30D the following new item:

“Sec. 30E. State licensure and certification costs of military spouse arising from transfer of member of Armed Forces to another State.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2011.

NOTICES OF HEARINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Senate Committee on Energy and Natural Resources. The hearing will be held on Wednesday, September 12, 2012, at 9:30 a.m., in room SD-366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of the hearing is to receive testimony on S. 3469, the Nuclear Waste Administration Act of 2012.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510-6150, or by email to Abigail_Campbell@energy.senate.gov.

For further information, please contact Sam Fowler at (202) 224-7571 or Abigail Campbell at (202) 224-4905.

COMMITTEE ON INDIAN AFFAIRS

Mr. AKAKA. Mr. President, I would like to announce that the Committee on Indian Affairs will meet during the session of the Senate on September 13, 2012, in room SD-628 of the Dirksen Senate Office Building, at 2:15 p.m., to conduct a business meeting to consider S. 675, the Native Hawaiian Government Reorganization Act of 2011; S. 1345, the Spokane Tribe of Indians of the Spokane Reservation Grand Coulee Dam Equitable Compensation Settlement Act; and S. 1684, the Indian Tribal Energy Development and Self-Determination Act Amendments of 2011 to be

followed immediately to conduct a hearing entitled “Addressing the Costly Administrative Burdens and Negative Impacts of the Carcieri and Patchak Decisions”.

Those wishing additional information may contact the Indian Affairs Committee (202) 224-2251.

COMMITTEE ON INDIAN AFFAIRS

Mr. AKAKA. Mr. President, I would like to announce that the Committee on Indian Affairs will meet during the session of the Senate on September 14, 2012, in room SD-628 of the Dirksen Senate Office Building, at 2:30 p.m., to conduct a hearing on the President's Nomination of Kevin K. Washburn to be Assistant Secretary-Indian Affairs, U.S. Department of the Interior”.

Those wishing additional information may contact the Indian Affairs Committee at (202) 224-2251.

PRIVILEGES OF THE FLOOR

Mr. HARKIN. Mr. President, I ask unanimous consent that Courtney Zinter and Jessica Cullen be granted floor privileges for the duration of today's proceedings.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. HARKIN. Madam President, I ask unanimous consent that Mac LeBuhn and Ladimir Geake of my staff be granted floor privileges for the duration of today's session.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR STAR PRINTING

Mr. DURBIN. Mr. President, I ask unanimous consent that Senate report No. 208 be star printed with the changes at the desk.

The PRESIDING OFFICER. Without objection, it is so ordered.

MEASURE PLACED ON THE CALENDAR—S. 3519

Mr. DURBIN. Mr. President, I understand that S. 3519 is at the desk and due for a second reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the second time.

The assistant legislative clerk read as follows:

A bill (S. 3519) to require sponsoring Senators to pay the printing costs of ceremonial and commemorative Senate resolutions.

Mr. DURBIN. I would object to any further proceedings with respect to the bill.

The PRESIDING OFFICER. Objection is heard.

The bill will be placed on the calendar.

MEASURES READ THE FIRST TIME—H.R. 8, S. 3522, S. 3525

Mr. DURBIN. Mr. President, I understand there are three bills at the desk. I ask for their first reading en bloc.

The PRESIDING OFFICER. The clerk will read the bills by title for the first time.

The assistant legislative clerk read as follows:

A bill (H.R. 8) to extend certain tax relief provisions enacted in 2001 and 2003, and to provide for expedited consideration of a bill providing for comprehensive tax reform, and for other purposes.

A bill (S. 3522) to provide for the expansion of affordable refinancing of mortgages held by the Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation.

A bill (S. 3525) to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes.

Mr. DURBIN. I now ask for a second reading en bloc and I object to my own request en bloc.

The PRESIDING OFFICER. Objection is heard. The bills will be read for the second time on the next legislative day.

ORDERS FOR TUESDAY, SEPTEMBER 11, 2012

Mr. DURBIN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., on Tuesday, September 11, 2012; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired and the time for the two leaders be reserved for their use later in the day; that the majority leader be recognized, and that the first hour be equally divided and controlled between the two leaders or their designees, with the majority controlling the first half and the Republicans controlling the final half; that at 11 a.m. there be a moment of silence in observance of the 11th anniversary of the attacks on September 11, 2011; further, that the Senate recess from 12:30 p.m. until 2:15 p.m. to allow for the weekly caucus meetings.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. DURBIN. Mr. President, the first rollcall vote will be at 2:15 p.m. on the motion to invoke cloture on the motion to proceed to S. 3457, the Veterans Jobs Corps Act.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. DURBIN. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 7:54 p.m., adjourned until Tuesday, September 11, 2012, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

FOREIGN SERVICE

THE FOLLOWING-NAMED CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE DEPARTMENT OF AGRICULTURE (APHIS) FOR PROMOTION WITHIN AND INTO THE SENIOR FOREIGN SERVICE TO THE CLASSES INDICATED:

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER COUNSELOR:

GARY T. GREENE, OF GEORGIA

THE FOLLOWING-NAMED PERSONS OF THE DEPARTMENT OF COMMERCE FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF THE CLASSES STATED.

THE FOLLOWING-NAMED MEMBERS OF THE FOREIGN SERVICE TO BE CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

MICHAEL LEWIS, OF VIRGINIA
GEORGE LIN, OF VIRGINIA
SCOTT LINDSAY, OF MICHIGAN
JARED RAGLAND, OF MARYLAND
CAROLYN SHUCKEROW, OF VIRGINIA

THE FOLLOWING-NAMED PERSONS OF THE DEPARTMENT OF STATE FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF THE CLASSES STATED.

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS FOUR, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA,

BRIDGET C. BITTLE, OF NEW YORK
CHRISTOPHER CANELLAKIS, OF MASSACHUSETTS
DANIEL MICHAEL PATTARINI, OF VIRGINIA
DAVID A. BROCK, OF CALIFORNIA
DONALD BURTON CORDELL, OF VIRGINIA
EDWARD HOWARD WINANT, OF WEST VIRGINIA
HOLLY D. WILKERSON, OF TENNESSEE
JENNIFER G. HANDOG, OF NEVADA
KRISTINA R. HAYDEN, OF VIRGINIA
REBECCA CATHERINE ALPER, OF FLORIDA
SKYE SPENCER JUSTICE, OF WEST VIRGINIA

THE FOLLOWING-NAMED MEMBERS OF THE FOREIGN SERVICE TO BE CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

KATIE MARIE ADAMSON, OF COLORADO
ANI A. AKINBIYI, OF MARYLAND
CARLTON B. AMMONS, OF VIRGINIA
LAURA ANIKOW, OF VIRGINIA
BENJAMIN D. ARTERBURN, OF KENTUCKY
OSCAR ALEJANDRO BAEZ MEJIA, OF MASSACHUSETTS
GROVER R. BATTLE, OF NORTH CAROLINA
DREW DAVID BAZIL, OF COLORADO
DANIEL ALEXANDER BOEHMER, OF MASSACHUSETTS
EVELINA BOZEK, OF CALIFORNIA
DIANA BRAUNSCHEWIG, OF CALIFORNIA
SHANNON S. BROWN, OF FLORIDA
ELISE BRUMBACH, OF PENNSYLVANIA
SEAN THOMAS BUCKLEY, OF THE DISTRICT OF COLUMBIA

NATALIE CALVANO, OF KENTUCKY
BARRAK JEFFREY CHAABAN, OF VIRGINIA
SCOTT I. COHEN, OF VIRGINIA
JAMES TRENTON CORE, OF UTAH
SYDNEY ALEXIS CROSS, OF MISSOURI
THOMAS LOUIS CZERWINSKI, OF TEXAS
RANYA DAHER, OF VIRGINIA
ALEKSANDER DAIGLE, OF VIRGINIA
EION MICHAEL DANDO, OF MINNESOTA
QUAZI RUMMAN DASTGIR, OF THE DISTRICT OF COLUMBIA

JAMES DAVIS II, OF THE DISTRICT OF COLUMBIA
PAUL W. DEGENNARO, OF VIRGINIA
MERRICA DOMINICK, OF ILLINOIS
ALEXANDER FAIRBANKS DOUGLAS, OF VIRGINIA
DANIEL A. DURAZO, OF CALIFORNIA
BRIAN B. DUTY, OF CALIFORNIA
PATRICK R. ELLIOT, OF VIRGINIA
CHRISTOPHER FRANK ESTOCH, OF FLORIDA
CAVAN FABRIS, OF CALIFORNIA
REBECCA E. FOX, OF ARIZONA
DESTINY L. FREEMAN, OF VIRGINIA
JOSEPH FREEMAN, OF VIRGINIA
KATHERINE DIANE GARRY, OF THE DISTRICT OF COLUMBIA

JONAS B. GIL, OF NEVADA
BRIAN GILLIGAN, OF VIRGINIA
GAYSHIEL FAYANDY GRANDISON, OF NEW YORK
JULIA GROEBLACHER, OF KANSAS
JOSHUA J. HACK, OF VIRGINIA
MATTHEW J. HAFNER, OF MISSOURI
CAITLIN B. HARTFORD, OF WASHINGTON
THOMAS M. HARTMAN, OF VIRGINIA
JEFFREY W. HENRY, OF VIRGINIA
MARK JAMES HITCHCOCK, OF CALIFORNIA
GREGORY EARL HOLLIDAY, OF VIRGINIA
NINA ELIZABETH HOROWITZ, OF VIRGINIA
PHILLIP CHRISTOPHER HUGHEY, OF VIRGINIA

IRINA ITKIN, OF INDIANA
SHAYMA JANNAT, OF CONNECTICUT
ANTON PHILIP JONGENEEL, OF CALIFORNIA
JEHAN KHALEELI, OF THE DISTRICT OF COLUMBIA
TRACI THIESSEN KIDWELL, OF THE DISTRICT OF COLUMBIA

DANIEL EDWARD KIGHT, OF OHIO
JOSEPH KIM, OF MICHIGAN
ERIN LEIGH KIMSEY, OF NORTH CAROLINA
ERICA SAMONA KING, OF TEXAS
KRISTINE M. KNAPP, OF SOUTH DAKOTA
LEANNE N. KOONTZ, OF VIRGINIA
SHEELA E. KRISHNAN, OF VIRGINIA
JON R. LARSON, OF THE DISTRICT OF COLUMBIA
JAMES E. LASTER, OF VIRGINIA
KRISTIN R. LASTER, OF VIRGINIA
JOSEPH N. LEAVITT, OF OREGON
JAMES S. MANLOWE, OF NEW MEXICO
MICHAEL JOHN MARBLE, OF VIRGINIA
MICHAEL MARCOUS, OF FLORIDA
BRIA MATHEWS, OF MISSOURI
DWAYNE T. MCDAVID, OF NEVADA
SHAUN M. MCGUIRE, OF NEVADA
SEAN P. MCKEATING, OF TEXAS
MICHAEL JAMES METHOD II, OF ALASKA
SHAY SUZANNE MILLER, OF THE DISTRICT OF COLUMBIA
M D MITCHELL, OF MAINE

ANGELA C. MIZEUR, OF THE DISTRICT OF COLUMBIA
JOSEPH M. MORBACH, OF VIRGINIA
KHANH P. NGUYEN, OF MASSACHUSETTS
KEVIN J. O'CONNOR, OF CALIFORNIA
MATTHEW D. PARRY, OF ALASKA
DREW NATHANIEL PETERSON, OF VERMONT
STEPHANIE W. PETERSON, OF MINNESOTA
RICHARD T. PHILLIPS, OF SOUTH DAKOTA
MARISSA JOY PULNEROW, OF NEW JERSEY
DANIEL CHARLES RHODES, OF THE DISTRICT OF COLUMBIA

LOIS L. RIBICH, OF VIRGINIA
MIRNA S. RIVAS, OF VIRGINIA
AMANDA ROBERSON, OF ARIZONA
WILLIAM L. ROMINE, OF FLORIDA
STEPHEN V. SASS, OF NEW JERSEY
BRYAN SCOTT SCHILLER, OF FLORIDA
SHILOH ANNE SCHLUNG, OF ALASKA
JILLIAN SCHMITT, OF MONTANA
LYNN MARIE SEGAS, OF CALIFORNIA
SHAN SHI, OF WISCONSIN
COLLEEN SMITH, OF WASHINGTON
ERIC L. SMITH, OF VIRGINIA
MARCO SHERWOOD SOTELINO, OF MASSACHUSETTS
HANNAH TABER, OF MICHIGAN
JETT THOMASON, OF TENNESSEE
MICHELLE B. THORNBURGH, OF VIRGINIA
KHARMIKA K. TILLERY, OF NORTH CAROLINA
THAO AHN NGUYEN TRAN, OF THE DISTRICT OF COLUMBIA

HOLLY D. TURNER, OF THE DISTRICT OF COLUMBIA
MELISSA P. TYBOROWSKI, OF CONNECTICUT
STEPHEN E. WALSON, OF VIRGINIA
DAVID KARL WESSEL, OF NORTH CAROLINA
JAMES L. WEST, OF VIRGINIA
BRAD MICHAEL WILKINSON, OF VIRGINIA
LISA MARIE WILKINSON, OF VIRGINIA
ANTON LEE WISHIK II, OF WASHINGTON
ANGELA JEAN WYSE, OF MICHIGAN
DUDEN YEGENOGLU, OF GEORGIA
MATTHEW JUNE YI, OF CALIFORNIA
STEVEN D. ZACK, OF VIRGINIA
DAVID J. ZANNI, OF VIRGINIA

IN THE AIR FORCE

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be major general

BRIG. GEN. DONALD P. DUNBAR

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be brigadier general

COL. CALVIN H. ELAM

COL. NATHANIEL S. REDDICKS

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be brigadier general

COL. GERARD F. BOLDUC, JR.

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be brigadier general

COL. MATTHEW P. JAMISON

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIG. GEN. MICHAEL R. SMITH

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIG. GEN. DAVID J. CONBOY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. FREDERICK B. HODGES

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be brigadier general

COL. JODY J. DANIELS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. MARK S. BOWMAN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. URAL D. GLANVILLE

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203(A):

To be colonel

STEPHEN P. ROBERTS

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be major

JASON R. PURVIS

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY NURSE CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

GEORGE C. STURGES

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

DAVID W. ACKER
WILLIAM A. ADLER
JAMES R. ALBANO
CLINTON D. ALEXANDER
CHRISTOPHER S. ALFEIRI
RANDY G. ALFREDO
SCOTT ALLEN
MARK W. ANDERS
BRANDON C. ANDERSON
BRIAN E. ANDERSON
ERIC D. ANDERSON
ANTHONY J. ASBORN
WILLIAM C. ASHMORE
JOHN A. ATILANO II
ANDREW G. ATTAR, JR.
ALBERT A. AUGUSTINE, JR.
JULIAN E. AVENT
NICHOLAS E. AYERS
BRYAN L. BABICH
TIMOTHY M. BAER
MICHAEL D. BAGULLY
ANTHONY I. BAILEY
MARK C. BAILEY
MICHAEL J. BAIM
EDWARD J. BALLANCO
FRANKLIN F. BALTAZAR
DANIEL T. BARD
JOHN M. BAREFIELD
DEREK C. BARKER
WILBUR L. BARNES, JR.
ROBERT L. BARNEY, JR.
JEREMY A. BARTEL
GABRIEL W. BARTON
FREDERICK D. BASKIN
WALLACE K. BATES
KEVIN S. BEAGLE
GARY W. BEARD, JR.
ERIC D. BEATY
ANTHONY J. BEHRENS
JAMES P. BEKURS
JESSE W. BELL III
MICHAEL P. BENTLEY
JEFFREY S. BERGMANN
VALENT P. BERNAT III
BRADLEY S. BIGGS
MICHAEL R. BINETTI
JAMES B. BIRD

MARC C. BLAIR
MICHAEL J. BLANKARTZ
JAMES F. BLANTON
MICHAEL A. BLISS
W. M. BOCHAT
THOMAS J. BOCZAR
PETER C. BONIN
JASON BORG
ROBERT G. BORN
STEPHANIE L. BOUNDS
BRADLEY L. BOYD
THOMAS K. BREDE
GARLAND L. BRIAN, JR.
DEANNA L. BRIDENBACK
JOHN B. BROAM
WILLIAM P. BRODANY
DEXTER M. BROOKINS
KOREY E. BROWN
LELAND B. BROWN, JR.
MATTHEW W. BROWN
STEVEN U. BRUNER
JAY A. BRUNS
MICHAEL D. BUCHHEIT
KENNETH J. BURGESS
THOMAS F. BURRELL IV
VIDA T. BURRELL
BRADFORD M. BURRIS
DAVID P. BURRIS
TERRY A. BUTCHER
JASON A. BYRD
CHRISTOPHER O. CADIGAN
MYLES B. CAGGINS III
JONATHAN A. CAMPBELL
TOMMY L. CARDONE, JR.
BRIAN J. CARLSON
SCOTT W. CARPENTER
BRADLEY M. CARR
RAY A. CARR
JOHN G. CARVAN
DEAN J. CASE II
JOHN H. CATHELL
SHANE D. CELEEN
MATTHEW G. CHAMBERS
JUANITA A. CHANG
DOUGLAS P. CHIMENTI
VERONICA A. CHINN
JONATHAN M. CHUNG
TERRY L. CLARK
TODD J. CLARK
GLEN E. CLUBB
MICHAEL W. COBB
MATTHEW D. COBURN
JOHN H. COCHRAN
TIMOTHY L. COCHRAN
FRANK S. COLASANTO
LISA D. COLEMAN
DANIEL T. COLLINS
JAMES M. COLLINS
RICHARD L. COMMITZ
JASON W. CONDREY
SEAN S. COOK
JORGE O. CORDEIRO
JACK D. CRABTREE III
RICHARD T. CRANFORD
CHRISTOPHER W. CRARY
CLIFTON B. CRIBB
GREGORY C. CROMWELL
HOBY F. CUPP
KEVIN R. CUTRIGHT
PATRICK J. DAGON
JEFFREY S. DAHLGREN
CHRISTOPHER R. DANBECK
ANTHONY E. DANIELS
JULIE A. DANNUNZIO
PATRICK S. DAULTON
MARTY R. DECKARD
DAVID M. DEFELICE, JR.
HENRY E. DELACRUZ
BRIAN V. DELEON
DAVID A. DEMARTELAERE
RICHARD K. DEMBOWSKI
SHANE A. DENTINGER
BRIAN P. DESANTIS
LINN K. DESAULNIERS
JOSEPH A. DEWEY
BRANDON L. DEWIND
FRED I. DIXON
JAMES R. DOEMEL
SAMUEL T. DONNELLY
SHAVOKA D. DOUGLAS
JON A. DRAKE
WILLIAM D. DRIVER
TIMOTHY E. DRUELL
JONATHAN L. DUE
MELANIE A. DUGAR
BRADFORD T. DUPLESSIS
J. K. DURKIN
JAMES P. DYKES
WILLIAM R. EDMONDS
NATHANIEL M. EDWARDS
JAMES T. ELDRIDGE
DANIEL L. ELLIOTT
BURLIN L. EMERY
JEFFREY G. ERTS
EDWIN H. ESCOBAR
JOSEPH M. EWERS
STEVEN C. FAHLENKAMP
STUART L. FARRIS
KONE C. FAULKNER
GRANT S. FAWCETT
ALBERTO R. FELICIANO
DAVID E. FIELDER, JR.

BRADLEY M. FISHER
JOHN A. FIVIAN
RICHARD J. FONYI
DAMIEN E. FOSMOE
CHRISTOPHER D. FOUST
DAVID A. FOWLES
ALRIC L. FRANCIS
WILLIAM E. FREEMAN
JASON R. FREIDT
KENNETH J. FREY
THOMAS L. GALLI
JAMES K. GANT
ROGELIO J. GARCIA
WHITNEY B. GARDNER
RONALD A. GARST
RICHARD J. GASH
LARRY V. GEDDINGS, JR.
HISE O. GIBSON
STEPHEN M. GILBERTSON
MARK A. GILMORE
ISSAC G. GIPSON
JEREMY T. GLAUBER
BURTON C. GLOVER
JOSEPH C. GOETZ II
KEVIN R. GOLINGHORST
TRINIDAD GONZALEZ, JR.
MICHAEL A. GORRECK
SCOTT D. GOULD
CHAD D. GOYETTE
MATTHEW R. GRAGG
CAREY R. GRAHAM
PAUL GREEN
SCOTT C. GREENBLATT
WILLIAM J. GRIFFIN
MICHAEL T. GRISSOM
MONIQUE G. GUERRERO
GUILLERMO GUILLEN
NIKOLAUS F. GURAN
ALLEN G. HAHN
WAYNE A. HALE
GREGG M. HALEY
ETHAN L. HALL
TIMOTHY D. HAMILTON
JAMES J. HANDURA
WILLIAM C. HANNAN, JR.
KEVIN F. HANRAHAN
GREGORY P. HARDY
MICHAEL G. HARRIS
DAVID P. HARVIE
JONATHAN P. HASTINGS
PAUL R. HAVERSTICK, JR.
DOUGLAS J. HAYES
JAMES A. HAYES
REBECCA D. HAZELETT
SHAWN M. HELM
GLENN A. HENKE
BART G. HENSLE
ARMANDO HERNANDEZ
PATRICK W. HERRIFORD
JOHN J. HERRMAN
PAUL J. HILASKI
ADAM W. HILBURGH
TREVOR W. HILL
ROBERT A. HILLIARD
GERALD E. HIMES, JR.
JADE E. HINMAN
TIMOTHY D. HOCH
DERIC J. HOLBROOK
SCOTT L. HOLLAND, JR.
EDWARD K. HOOKS
MARK H. HOOVESTOL
RYKER E. HORN
HARRY A. HORNBuckle
CHRISTOPHER G. HOSSFELD
THOMAS M. HOUGH
MARTIN G. HOUTKOOPE
CHRISTOPHER L. HOWSDEN
EDWARD C. HUDSON III
JAMES W. HUFFMAN III
FRED L. HUH
MARK E. HUHTANEN
SHANNON S. HUME
MICHAEL L. HUMMEL
TIMOTHY D. HUMMEL
BRYAN W. HUNT
KENNETH F. HUTCHISON
KEVIN D. INGRAM
VINCENT P. INTINI
IAN J. IRMISCHER
MATTHEW L. ISAACSON
MICHAEL R. IVY
KEVIN L. JACKSON
STUART M. JAMES
KARL D. JANSEN
JOSEPH D. JASPER
KEVIN E. JEFFERSON
JEREMY E. JELLY
BARTON L. JOHNKE
DAVID D. JOHNSON
DERRICK T. JOHNSON
JENNIFER R. JOHNSON
PETER H. JOHNSON
THEODORE A. JOHNSON
TIMOTHY W. JOHNSON
WILLIAM A. KAHMANN
JAMES A. KARCANES
CHRISTOPHER J. KEESAL, JR.
KEVIN D. KELLER
JOSHUA C. KENNEDY
JASON E. KERR
MICHAEL W. KIELPINSKI
JOHN P. KILBRIDE

MICHAEL J. KIMBALL
ADAM J. KIMMICH
LATONDRA M. KINLEY
IOANNIS E. KIRIAZIS
MERRELL D. KNIGHT, JR.
SCOTT P. KNIGHT, JR.
SIDNEY A. KNOX
MICHAEL J. KOLINSKI
DONALD A. KORPI
MICHAEL J. KOVACEVIC
GLENN E. KOZELKA
PAUL T. KRATTIGER
KEVIN M. KREIE
CHARLES E. KRIEGER, JR.
DAVID M. KRZYCKI
JOHNATHON M. KUPKA
JACKSON A. KURTZMAN
DONALD B. LAAUWE
CHESS P. LAMM
GORDON LANDALE
ANDREW H. LANIER IV
RONALD M. LARGE
JACOB J. LARKOWICH
JONATHAN C. LAUER
BROOK G. LEE
STEPHEN H. LEE
FRANCISCO J. LEIJA
MARK S. LENT
PHILIP V. LENZ
PHILLIP R. LENZ
THEODORE J. LEONARD
VYLIUS M. LESKYS
MARK S. LESLIE
MAURICE S. LEWIS
ROBERT S. LEWIS
MARTIN E. LEWTON
JASON S. LIGGETT
ROSS F. LIGHTSEY
JOHN D. LITCHFIELD
ERIC E. LOCHNER
JAMES R. LOCKRIDGE II
BRYAN L. LOGAN
LUIS O. LOMAS
EDWARD M. LOPACIENSKI
JEFFREY A. LOVELL
DAVID M. LOW
CHRISTOPHER W. LOWE
JAMES F. LOWE
JOHN W. LUBAS
SONISE LUMBACA
BENJAMIN R. LUPER
TIMOTHY J. MACDONALD
CORY J. MACK
OSCAR MALAVE
MARTY MALDONADO
JOSEPH J. MALIZIA, JR.
MICHAEL C. MANNER
DANIEL K. MARK
DAVID A. MARKIEWICZ
JASON L. MARQUISS
BRAD K. MARTIN
GRANT M. MARTIN
TIMMY R. MARTIN
NOMATHEMBI MARTINI
SCOTT R. MASSON
CHARLES L. MATALLANA
LEE C. MATTHEWS
COLLIS D. MAYFIELD
PHILLIP W. MAZINGO
RYAN E. MCCORMACK
ROBERT L. MCCORMICK
DAVID P. MCCOY
KELLIE J. MCCOY
MATTHEW Y. MCCULLEY
JOHN F. MCDANIEL
JACKIE D. MCDOWELL
JAMES T. MCGAHEY
DENNIS J. MCGEE
THOMAS M. MCGRATH
JOHN A. MCLAUGHLIN
DAVID M. MCNEILL
AARON M. MCPKEAKE
CLAYTON D. MEALS
BRANDON G. MENO
JEFFREY P. MERSIOWSKY
EDWARD MEYERS
MARK D. MILLER
ZACHARY L. MILLER
NATHAN A. MINAMI
MATTHEW C. MOBLEY
WILLIAM B. MOEN
JERRY A. MOON
TOBIN C. MOORE
ANDREW J. MORGAN
KEALII T. MORRIS
SCOTT B. MORRIS
RUSSELL W. MORTON
JUSTIN T. MUFALLI
TIMOTHY R. MUNGIE
STEPHEN F. MURPHY
ANTHONY T. MURTHA III
JON P. MYERS
SCOTT A. MYERS
JUAN P. NAVA
ALEXIS A. NEAL
JOHN J. NEAL
BYRON C. NEEDUM
CHAD B. NEIDIG
ROSS F. NELSON
DON A. NESTOR, JR.
JOEL D. NEWSOM
LOI M. NGUYEN

KURT R. NIELSON
FRANK L. NIETO
ERIC M. NOE
EDWIN W. NORDAN, JR.
RONALD G. NOVAK, JR.
ANDREW J. NOVITSKE
BRIAN J. NOVOSELICH
JACK W. NOYES
CHRISTOPHER M. NYLAND
JAMES M. OBRIEN II
RYAN P. OCONNOR
ERIC A. OGBORN
SHERIFF A. OLALEKAN
MARK A. OLSEN
RICHARD B. ONDERKO
JEFFREY ORTOLI
RALPH W. OVERLAND
JEFFREY O. PAINE
JAMES G. PANGELINAN
JASON M. PAPE
ANDREW Y. PARK
DUANE M. PATIN
PAUL E. PATTERSON
TIMOTHY P. PAYMENT
MICHAEL L. PEELER
THEODORE J. PELZEL
FELIX A. PEREZ
JOHN M. PERRINE
JACOB A. PETERSON
ERIC J. PIAZZA
CHRISTOPHER L. PITMAN
WILLIAM D. PITTMAN
STEPHEN J. PLATT
DAVID M. POLIZZOTTI, JR.
CARL A. POPPE
VINSTON L. PORTER, JR.
CHRISTOPHER D. PRATT
SCOTT S. PRESTON
WILLIAM H. PRIVETTE
TOBY W. PRUDHOMME
JOSEPH A. PUSKAS II
RICHARD J. RACHOW
FRANZ L. RADEMACHER
RALPH W. RADKA
MICHAEL J. RADKE
JOSHE E. RAETZ
TAGE J. RAINSFORD
ROBEL RAMIREZBERRIOS
DARREN A. RAPAPORT
BRIAN R. RAUEN
JAMES S. RAWLINSON
NATHANIEL S. REDDEN
BETH C. RICHARDSON
JOSEPH C. RICHEY
JAMES G. RIELY
TREVOR O. ROBICHAUX
TERRY D. ROBINSON
CHRISTOPHER L. ROBISHAW
WILLIAM A. ROCKEFELLER III
WILLIAM A. RODGERS
RAFAEL A. RODRIGUEZ
ELLIOTT L. ROGERS
SAMUEL E. ROGERS III
AARON K. ROOF
ROBERT J. ROULEAU
EDWARD D. ROUSE
DAVID M. ROZELLE
PETER S. RUSSO
RENEE D. RUSSO
JONATHAN P. RUTGERS
KEVIN C. SAATKAMP
AMADO SANCHEZ IV
MELVIN E. SANDERS
JOHN W. SANNES
ANDREW O. SASLAV
ERIC G. SAYER
CHRISTOPHER L. SCHILLING
TODD A. SCHMIDT
TROY A. SCHNACK
JENNIFER M. SCHROEDER
JENNIFER L. SCHULKE
TODD SCHULTZ
JASON A. SCHUYLER
JOHN G. SCHWEMMER, JR.
DANIEL A. SEGURA
ERIC C. SELF
MICHAEL L. SELLERS, JR.
DAVID S. SENTELL
SCOTT A. SHAW
TIMOTHY R. SHAW
JOHN T. SHERWOOD
JONATHAN A. SHINE
ANDREW J. SHORT
BILLY D. SIEKMAN
JONATHAN K. SIMMONS
APRIL D. SKOU
ANNA M. SLEMP
TIMOTHY A. SLEMP
JARED A. SLOAN
KENNETH D. SLOVER
CHRISTOPHER W. SMITH
DIRK H. SMITH, JR.
KURT J. SMITH
MICHAEL R. SMITH
RANDY A. SMITH
RICHARD F. SMITH
STEVE M. SMITH
JOSEPH A. SOKOLOSKI
TRAVIS C. SOUTHWICK
JAMES R. SPIES
MICHAEL T. SQUIRES
SAIPRASAD SRINIVASAN

CHRISTOPHER M. STALLINGS
ROBERT W. STEFFEL
NICHOLAS A. STERNBERG
TERRY L. STEWART
PATRICK T. STICH
MARK W. STOUFFER
CHARLES S. STRICKLER
LEVI J. SUTTON
STEVEN L. TABAT
JOHN D. TABB
JASON C. TALIAFERRO
ANDREW K. TAPSCOTT
MICHAEL R. TAYLOR, JR.
WILLIAM B. TAYLOR
BRANDON S. TEAGUE
JONATHAN D. TESSMANN
DARRIN E. THERIAULT
CHEVELLE THOMAS
SCOTT THOMAS
TODD G. THORNBURG
MICHAEL S. THORNTON
PATRICK G. TOBEY
NILDA T. TORO
JOSEPH M. TORRAIN
FREDERICK J. TOTI
PHILIP S. TOWNSEND
MICHAEL F. TREMBLAY
TIMOTHY G. TRIMBERGER
JOHN C. TUCKER
JOHN T. TUCKER III
KATHLEEN T. TURNER
STEVEN A. TURNER
JASON B. TUSSEY
DONALD R. TWISS
CHADWICK L. UHL
TRENT D. UPTON
TIMOTHY R. VAIL
LANCE K. VAN ZANDT
KRAIG S. VANVLECK
JOSE M. VARGAS
ANIBAL VAZQUEZCARRASQUILLO
JAMES P. VELESKY
JONATHAN M. VELISHKA
DANIEL J. VOGEL
MICHAEL J. VOLPE
DAVID L. WAKEFIELD
MERLE T. WALKER
JAMIE L. WALLACE
BENJAMIN M. WALLEN
JAMES N. WALSER
GEORGE WALTER
KEITH R. WALTERS
LAWRENCE R. WALTON
DAVID R. WATERS
ANDREW J. WATSON
CHRISTOPHER M. WEATHERS
WILLIAM D. WEAVER
BRYAN T. WEBINGER
MATTHEW J. WEINRICH
CHRISTOPHER B. WELLS
JOHN T. WHELAN, JR.
CHRISTINE M. WHITMER
ERIN A. WHITNEY
GEOFFREY A. WHITTENBERG
STEPHEN A. WICKERSHAM
PAUL J. WILCOX
RUSE M. WILEY
WILLIAM H. WILKINS III
CATHERINE T. WILKINSON
WILLIAM T. WILLEY
COLIN L. WILLIAMS
JASON T. WILLIAMS
KEVIN D. WILLIAMS
KEVIN J. WILLIAMS
JEREMY R. WILLINGHAM
JENNIFER R. WILLIS
MICHAEL S. WILLIS
CHRISTOPHER W. WILLS
JAMES T. WILSON
LUCINDA R. WILSON
THOMAS G. WILSON, JR.
ARMIN K. WINDMUELLER
ERIC J. WINTERROWD
MALCOLM L. WISE
MICHAEL L. WISER
THADDEUS A. WOJTUSIK
DAVID C. WOODRUFF, JR.
SOLOMON WOODS
STEPHEN N. WOODSIDE
CHRIS A. WOODY
RYAN L. WORTHAN
ERIC M. WRIGHT
LEO J. WYSZYNSKI
MATTHEW J. YANDURA
DAVID G. YOUNGBLOOD
KEVIN C. ZAMMERT
JEFFREY S. ZANELOTTI
JAMES E. ZOPELIS
STEVEN P. ZYNDA
D010514
D010185
D006007
D011310
D005484
D010893
D010090
D011058
D006335
D010133
D006311
D004464
D011235

D011031
D006284
D011083
D010630
D004938
D006293
D002849
D003917
D003093

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SPECIALIST CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major

JOSEPH R. NEWCOMB

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major

MOROHUNRANTI O. OGUNTOYE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SPECIALIST CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major

AUGUST SEEBER

IN THE AIR FORCE

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADES INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant colonel

JEFFREY R. ALTHOFF
MARSHALL S. HUMES

To be major

GREGORY T. MCCAIN

IN THE ARMY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY AS CHAPLAINS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be colonel

ERIC J. ALBERTSON
SAMUEL K. GODFREY
PAUL K. HURLEY
JOSEPH H. MELVIN
MARK B. NORDSTROM
MATTHEW P. PAWLKOWSKI
CHARLES E. REYNOLDS
RAYMOND A. ROBINSON, JR.
PETER R. SNIFFIN
SCOTT A. STERLING
JEFFREY L. VOYLES
JEFFREY D. WATTERS
JEFFREY L. ZUST
D010088
D011234

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

STUART N. BURRUSS
PERRY A. CARTER
TONI L. COATS
MICHAEL L. JOHNSON
JOHN P. MORETH
CAROL K. OLSON
ROBERT J. QUINKER III

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

ANDRE B. ABADIE
WILLIAM T. ADAMS
JEREMIAH A. AESCHLEMAN
ADAM A. ALBRICH
LUIS G. ALVARADOCOLON
MATTHEW A. ANDERSON
SCOTT D. APFLEGATE
JOEL R. ARELLANO
MATTHEW J. ARMSTRONG
ROBERT C. ARMSTRONG
JORGE A. ARREDONDO
KARL M. ASMUS
ADONTIS ATKINS
PACE R. AVERY
JEFFREY B. BACON
KEVIN S. BADGER
FRANCISCO R. BAEZ
RICHARD R. BALESTRI
BENJAMIN S. BANE
CARRIE L. BARHORST
CHRISTOPHER B. BARKER
DANIEL J. BARNARD
AARON A. BAZIN

RONALD BEADENKOPF
JOSEPH D. BECKER
MICHAEL R. BELTON
AMOS R. BENNETT
CLAUDE A. BENNETT, JR.
JOHN R. BILLMYER
DUSTIN D. BISHOP
BENJAMIN L. BLACKMAN
CHARLES R. BOLES
KEVIN G. BOLKE
HESTON F. BOWER
BRIAN J. BRANDT
DAN R. BRUE II
REGINALD E. BRYANT
MICHAEL P. BUCHKOSKI
JUSTIN W. BUDD
DAVID L. BUFFALOE
GEOFFREY R. BULL
WILLIAM W. BURCH
ANDRE L. BURKS
CURTIS R. BURNS
PHILLIP G. BURNS
DEREK F. BURT
JON A. BUSHMAN
JOHN R. BUSSOLARI
MICHELE P. CALLAHAN
VICTORIA J. CAMPBELL
CRAIG B. CARDON
GILBERT M. CARDONA
GWYN A. CARVER
ELIZABETH A. CASELY
DAVID J. CHANG
TEDROSE H. CHARLES
JAMES F. CHASTAIN, JR.
JOHN C. CHECCO
GABRIEL A. CHINCHILLA
KEITH A. CHISOLM
SUNG H. CHON
JAMES E. CHRISTMAN
JAMES B. COGBILL
CECILIO R. COLEMAN
TONYA L. COLLINS
TERENCE J. CONNOLLY
CHRISTOPHER H. CONWAY
REX A. COPELAND
RANDY R. COTE
ROBERT E. CROFT
PATRICK E. CURRY
JARED K. CZAP
MATTHEW F. DABKOWSKI
ANDRE W. DANCY
ROBERT S. DAVIDSON
SOPHIA L. DAVISREID
WAYNE T. DAWSON
DAVID L. DE ATLEY
MICHAEL E. DEBOER
AIMEE S. DEJARNETTE
DOROTHY L. DELEON
JASON W. DICKERMAN
BRIAN S. DIETZMAN
ALAN H. DINERMAN
LUKE R. DONOHUE
RODNEY E. DRAYTON
ALYSSA G. DREW
ANTHONY R. DUBAY
JOHN A. DUDA, JR.
SEAN D. DUNCAN
DAVID S. EATON
KEITH D. ELLIOTT
PAUL F. EVANGELISTA
EDIE M. FAIRBANK
MICHAEL J. FEELEY
BRAD D. FENSKE
JONATHAN E. FLANAGAN
MATTHEW J. FOULK
GREGORY FREY
JOHN A. FRICK
LUIS G. FUCHU
JOSHUA J. FULMER
DANIEL M. GADE
ANDREW P. GAMBLIN
CHARLES V. GATES II
JOSEPH C. GELINEAU
RICHARD L. GEREN
CHAD A. GIACOMOZZI
DAVID W. GILL
ANTHONY G. GLAUDE
ROBERT A. GLECKLER
ADELAIDO GODINEZ III
LUCIANO GONZALEZ
GARY L. GOOD
JAMES I. GREENLEE II
EUGENE J. GREGORY
LEMAR R. HALL
JAMES M. HALLORAN
STEWART S. HAMBLIN
SANG D. HAN
MARILYN HARRIS
REGINALD M. HARRIS
JOSH W. HELMS
EDWARD R. HERRMANN
JASON L. HESTER
JAMES N. HICKMAN III
PAUL D. HICKS
JAMISON R. HINES
BRETT J. HISSAM
CHARLES L. HITER
RANDALL W. HOBERECHT
DANIEL A. HOLLAND
ANDREW M. HOLMES
ROBERT E. HOLMES
RICHARD A. HOOVER

KRISTOFER D. HOPKINS
WILLIAM W. HORN
CHARLES E. HORNICK, JR.
ALBERT S. HORVATH III
TREVOR W. HOUGH
JOEL L. HOUK
THOMAS H. HOWARTH
BLUE HUBER
HARRY D. HUNG
CHRISTOPHER A. INGELS
KIRK A. INGOLD
FRANCIS W. IRWIN III
HEATHER A. JACKSON
MARCUS W. JACKSON
ERIC M. JAMISON, JR.
JAMES E. JENKINS II
JEREMIAH J. JETTE
GREGORY J. JOHANEK
ANTHONY N. JOHNSON
BRAD A. JOHNSON
CHRISTOPHER G. JOHNSON
TIMMY E. JOHNSON
CHRISTOPHER P. JONES
DANIEL D. JONES
GARRETT P. JONES
STEVEN J. JONES
DEXTER A. JORDAN
CARLA T. JOYNER
DOUGLAS C. JUDICE
CHRISTOPHER E. KEESHAN
DANIEL W. KIDD
MINDY A. KIMBALL
LARRY D. KIMBRELL, JR.
CAYLA W. KING
DAVID M. KIRKLAND
ERIC T. KISS
DAVID C. KNAPP
MARK D. KOLVA
JACK L. KOONS III
CHRISTOPHER M. KORPELA
GARY R. KRAMMLICH II
MICHELLE A. KRAWCZYK
MICHAEL J. KUZARA
KRISTOFER S. LABOWSKI
ROBERT A. LAFLAMME
JEFFREY T. LAKEY
JAMES A. LAMBORN
SEAN M. LAVIGNE
NORMAN S. LAWRENCE
BRYAN C. LECLERC
JAMES W. LEE
JAIMIE E. LEONARD
STEVEN W. LIBBY
SHANE F. LIPTAK
JEFFERY L. LONG
ALJONE D. LOPES
BRYAN M. LOVE
AARON B. LUCK
CHRISTOPHER S. LUTZKANIN
H C. LYLE
KEVIN M. MACNEIL
MARK H. MADDEN
MARY L. MAGSINO
AMANDA L. MANLEY
BENJAMIN J. MARLIN
LAWRENCE D. MARTIN
CARLOS I. MARTINEZ
BRIAN J. MARZAN
ERIC P. MCALLISTER
SIM J. MCARTHUR
THOMAS J. MCCARRON III
JOSHUA MCCAW, SR.
DEMETRIUS R. MCCLARTY
RAY D. MCDONALD III
WILLIAM C. MCDOWELL
THOMAS J. MECCIA
JOHN W. MEEK
ROBERT E. MEINE
GLENN O. MELLOR
CHASE G. METCALF
BENJAMIN D. MILLER
TERREL L. MILLER
DARIN W. MILLS
KEVIN L. MITCHELL
TODD A. MOE
DAVID J. MOLINARI
DELFIN L. MONROY, JR.
RICK L. MONTANDON
HAROLD S. MONTOYA
JOHN C. MOORE
BRENT D. MORROW
LAWRENCE A. MULLANY
RONALD F. MYERS
RICHARD J. NAMEETH
WALID R. NASR
OCTAVIO NAVEDOCORTES
PAMELA A. NEWBERN
JASON B. NICHOLSON
WAYNE O. NITZSCHNER
DELTON NIX, JR.
PAUL NIX
BRIAN C. NORTH
CURTIS W. NOWAK
DEXTER C. NUNNALLY
LUIS G. OAKLEY, JR.
CANDICE E. OBRIEN
CHRISTOPHER M. OBRIEN
BUCKLEY E. ODAY III
JACQUELYN K. OLSA
ERIC R. OLSON
MATTHEW N. OLSON
JASON B. ORLICH

OSVALDO N. ORTIZ
SANTIAGO J. OTEROORTIZ
CHRISTOPHER E. OXENDINE
TYLER J. OXLEY
ROBERT J. OZANICH
REBECCA D. PATTERSON
MICHAEL K. PAVEK
ANDREW F. PEKALA
PHILIPPE R. PERSAUD
JESSE A. PHILLIPS
RODGER PITT
ALANA L. POMPA
MICHAEL J. PONCHAK
COREY S. PRESSLEY
SCOTT L. PREUSSER
TERRENCE C. PURNELL
ROBERT C. RAMSEY
CHRISTOPHER C. RANKIN
DAVID J. RAPONE
MARK G. RASMUSSEN
JOSEPH D. REAP
MICHAEL A. REARDON
MICHAEL C. REMBOLD
WESLEY P. RICHARDSON
DAVID M. RICHKOWSKI
WILLIAM RILEY
BENJAMIN A. RING
STUART C. RINKLEFF
ARMANDO RIVERON
JENNIFER K. ROBERSON
GLENN S. ROBERTSON
CHRIS E. ROBINSON
ISMAEL R. RODRIGUEZ
ALBERTO RODRIGUEZCRUZ
JONATHAN W. ROGINSKI
JAE C. ROOD
GREGORY S. ROSS
JASON L. ROSS
AMANDA M. ROSSI
MARK W. ROWELL
ANTHONY J. RUDD
DANIEL W. RUECKING
SANDRA RYGALSKI
JACK W. SANDER III
ADAM R. SANDERSON
BLAIR J. SAWYER
TODD A. SCATTINI
ANTHONY SCHEVALIER
MICHAEL P. SCHOCK
TODD A. SCHOEBERL
JEFFREY L. SCHULTZ
GREGORY E. SCHWARZ
MANUEL D. SEPULVEDA
DAVID A. SETTLE
GREGORY K. SHARPE
ERIC A. SHAW
MICHAEL A. SHEKLETON
BRIDGETTE K. SIMMONS
CRISTIAN J. SIMON
ANTHONY W. SIPPERT
LAWRENCE E. SKELLY III
JAMES L. SMALLWOOD
SUSAN A. SMELTZER
CANDY S. SMITH
CRAIG C. SMITH
ERIC J. SMITH
JENNIFER J. SMITTHEYS
JAMES L. SNYDER
MATTHEW C. SOBER
KHOT SOUMANIPHANH
BRYANT D. SPRINGER
GREGORY D. STALLINGS
THOMAS M. STEVENSON
JOSHUA W. STEWART
SEAN F. STINCHON
BRADY L. STOUT
ERIC N. STROM
JOHN D. SUGGS, JR.
CHARLES A. SULEWSKI, JR.
STEVEN S. SWANSON
STEVEN J. SWINGLE
THOMAS E. SWITAJEWSKI, JR.
JOHN P. SWOOPES
JOHN T. TATOM
MICHAEL D. TAYLOR
MICHAEL F. TEASTER, JR.
SIRIANOSAC THEPSOUMANE
GERALD S. THOMPSON
LARRY E. TINDELL
JAHAN TOLLIVER
CHRISTOPHER L. TOMLINSON
MANUEL A. UGARTE
THADDEUS L. UNDERWOOD
TIMOTHY VALADEZ
JOHN F. VANSTENBURGH
GILBERTO R. VAZQUEZ
BRETT J. VERNETTI
CRAIG W. VIETH
TOBIAS O. VOGT
ERIC C. VOIGT
ROBERT D. WAGNER
DARRELL E. WALKER
JASON E. WARNER
KRISTA L. WATTS
STEPHEN T. WELLEIN
JONATHAN M. WILEY
BLAIR S. WILLIAMS
DAVID M. WILLIAMS, JR.
JOSEPH E. WILLIAMS
KENNETH A. WILLIAMS
TROY H. WINCAPAW
STEVEN M. WINKLEMAN

SUNG H. WON
 MANUEL S. WONG
 ROBYN D. WOOD
 JOHN H. WOODCOCK, JR.
 GEOFFREY W. WRIGHT
 DILLARD W. YOUNG
 MATTHEW M. ZAIS
 ROBERT C. ZANCA
 JONATHAN L. ZAVORKA
 DAVID M. ZELKOWITZ
 DANIEL M. ZERBY
 TODD S. ZWOLENSKY
 D010902
 D011200
 D004451
 D010534
 D005833
 D003656
 G001164
 G001407
 G001052
 D001273
 D010657
 D010354
 D011140
 D010729
 D005697
 D010196
 D005349
 G001060

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
 TO THE GRADE INDICATED IN THE UNITED STATES ARMY
 UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

JOHN J. ACEVEDO
 FREDDY L. ADAMS II
 JOHN D. ADAMS
 RYON F. ADAMS
 JASON P. AFFOLDER
 KEVIN J. AGEN
 ALEXANDER B. ALEJO
 MARK L. ALLEN
 KATHY L. ALLISON
 MAURICE O. ALSING
 LEITH A. AMES
 MICHAEL C. ANDERSON
 WYETH S. ANDERSON
 ALEXANDER D. ARNOLD
 EDWARD P. AUSTIN
 KENNETH J. BABCOCK
 HEIDI A. BAIRD
 KEVIN M. BAIRD
 TERRIE L. BAISLEY
 JASON L. BAKER
 RAYMOND T. BANKS
 FREDRICK L. BARBER
 MARTIN A. BARR, JR.
 DANIEL A. BARTLETT
 STEPHANIE A. BARTON
 ARCHIE L. BATES III
 CARY A. BATHRICK
 JULIA BELL
 MYRON L. BELL
 CORY N. BERG
 ARICAI M. BERRY
 PATRICK J. BERRY
 JEFFREY BIGGANS
 JOSEPH R. BLANTON
 CYNTHIA J. BLEVINS
 HECTOR M. BONETGUTIERREZ
 ANTHONY J. BONIFACE, JR.
 CRAIG P. BOSTON
 RICHARD M. BRATT
 MICHAEL A. BRAULT
 MATTHEW S. BRESKO
 JOHN R. BRETTTHORST
 ANGEL M. BRITO
 ZARA R. BROADENAX
 STEPHEN H. BROCK, JR.
 DEMETRIUS D. BROOKS
 CLARENCE T. BROWN IV
 HALBERT BROWN
 JOSEPH D. BROWN
 KATHY M. BROWN
 JOHN T. BRYAN
 MICHAEL D. BURCHAM
 JAMES T. BURGESS
 CHRISTOPHER M. BYRD
 COLEEN CARR
 LISA L. CARTER
 RAYMOND C. CASHER
 JUAN C. CERVANTES
 JAMES Y. CHONG
 ROBERT B. CHURCH
 JAMES L. COE II
 JOSEPH M. COLACICCO
 STEPHEN M. COLLINS
 JOHN S. COMBS
 JOHN M. COOPER
 MALCOLM S. CORNISH
 MICHAEL C. CROSSLEY
 JUSTIN C. CRUPPER
 WILLIAM T. CUNDY
 BOBBY H. DAVIS
 V. J. DEBOER
 DARYL G. DEVERAWADEN
 PATRICK A. DISNEY
 MITZI L. DIX
 STEPHEN P. DONDERO
 MARC C. DORRER
 STEPHEN D. DORRIS

KEISHA R. DOUGLASS
 MARY O. DRAYTON
 WILLIAM P. ECKSTEIN
 RONALD L. EGGELSTON
 REBECCA L. EGGERS
 CHRISTINE V. ENRIQUEZ
 STEVEN A. ERICKSON
 PHILIP J. ETZKORN
 ERIC J. EVERTS
 STEPHEN A. FABIANO
 DONALD A. FAGNAN
 CARL J. FAISON
 SYLVIA FARMER
 STEVEN R. FARRELL
 DONALD R. FERGUSON, JR.
 CHARLES A. FISHER, JR.
 MICHAEL S. FLEMING
 AMANDA H. FLINT
 JOEL D. FRANKLIN
 TIMOTHY B. FRANKLIN
 ALEXANDER GALLEGOS
 BENJAMIN C. GARNER, JR.
 GREGORY S. GATRELL
 KERRY L. GEORGE
 GREGORY K. GIBBONS
 DERERICK D. GILES
 RANDY J. GILLESPIE
 ANDREW L. GILMAN
 TROY S. GLASSMAN
 SAMUEL B. GLOVER, JR.
 AMY L. GOUGE
 JOHN F. GOVAN III
 JOSEPH W. GREENLEE
 LADD O. GREGERSON
 GREGORY J. GRUSENMEYER
 BARBARA G. HAINES
 BRIGITTE R. HAMPTON
 JOHN W. HANKINS
 KENNETH S. HANLEN
 COREY W. HARRIS
 JEFFERY D. HARRIS
 MICHAEL J. HARVEY
 NICOLE B. HAYES
 DAWN D. HAYMAN
 GORDON A. HEAP
 KENNETH G. HECKEL
 COREY P. HEMINGWAY
 MARTIN J. HENDRIX III
 DAVIEN L. HEYWARD
 ERIK E. HILBERG
 DAVID T. HILLS
 YOLANDA M. HINES
 KRISTA M. HOFFMAN
 THOMAS J. HOLLAND III
 SHAWN R. HOLZHAUSER
 JASON R. HOUSE
 DANIEL R. HUBBARD
 ADRIAN L. HUGHLEY
 JOHNATHAN M. HURWITZ
 JAMES E. INGUAGIATO
 ROBERT S. JARZYNA
 JON E. JECKELL
 JEREMY J. JEFFERY
 BENJAMIN F. JOHNSON
 CHRISTOPHER R. JOHNSON
 HERMAN L. JOHNSON, JR.
 MICHAEL W. JOHNSON
 HUMBERTO I. JONES
 SAMANTHA M. JONES
 GBENGA B. KAFFO
 THEOPHILE KANG
 GARY L. KASAVICHA
 JEFFREY L. KEATING
 THOMAS D. KELLEY
 JOSEPH D. KELLY
 TINA KIM
 MATTHEW J. KIME
 SCOTT B. KINDBERG
 CLETIS R. KING, JR.
 LOUIS L. KING
 RANDALL L. KLINGENSMITH
 BRANDON C. KLINK
 PAUL A. KOPELEN
 JASON K. KRISTOLAITIS
 KEITH R. KRUELSKI
 CURT E. KUETEMEYER
 ROBERT K. LAMBERT
 TIMOTHY J. LANCASTER
 CALVIN J. LANE
 ERIC D. LARSEN
 MARC F. LEDUC
 JAMES R. LEE
 ARTURO Z. LINCON
 DONALD T. LOGSDON
 JEFFERY P. LUCAS
 DAVID E. LUTTRELL
 JAMES F. LYNN
 HEATHER L. MACK
 FREDRIC R. MADDIX
 LANDIS C. MADDIX
 YOLANDA B. MADDIX
 SUSAN E. MANION
 WHEELER R. MANNING
 BRYON L. MANSFIELD
 SCOTT E. MARIHUGH
 JEANETTE A. MARTIN
 REGINALD G. MARTIN
 JOHN T. MASTERNAK
 BRIAN D. MATTHEWS
 MICHAEL P. MCCLEISH
 JOHN W. MCDONALD
 ROBERT L. MCDONALD, JR.

DAVID H. MCDOWELL
 REBECCA B. MCELWAIN
 SCOTT L. MCKEE
 MONDREY O. MCCLAURIN
 JASON A. MEAD
 CHRISTIAN B. MEISEL
 ROBERTO J. MERCADOROMERO
 MARCI D. MILLER
 MICHAEL F. MINAUDO
 TODD D. MITCHELL
 GEORGIA E. MONCAYO
 BUCKY L. MOORE
 FELICIA R. MOORE
 FRANK A. MOORE
 KEVIN L. MOORE
 LARRY D. MOORE, SR.
 LARRY R. MOORE
 WENDELL S. MOORE
 RAYMOND H. MORGAN III
 ROBERT C. MORRIS III
 DARYL R. MORSE
 JOHN M. MOTSZKO
 MICHAEL G. MOURITSEN
 KURT A. MUELLER
 AUGUST MULLER IV
 JASON J. MURPHY
 CHARLES A. MUSANTE
 TODD A. MYERS
 KIMBERLY D. NASH
 KATHLEEN P. NEUMANN
 CHRISTOPHER D. NOE
 BRIAN S. OLSON
 GARY R. OSULLIVAN
 CARL R. OTT
 LUIS A. PARILLI
 JOHN R. PARKER
 MICHAEL A. PATRICK
 SCOTT A. PEACHEY
 SCOT D. PEARS
 JAMES R. PECKHAM, JR.
 JASPER E. PENNINGTON
 BRENDA F. PERRY
 JUSTIN C. PERUSEK
 KARL R. PFUETZE
 MATTHEW A. PHELPS
 FREDERICK R. PHILIPP
 SHARLENE M. PIGG
 KENNETH D. PINDELL, JR.
 CYNTHIA L. PITTMAN
 WARREN L. PITTMAN
 DANIEL R. POWERS
 BRYAN K. PREER
 SEAN P. PUTNAM
 STEVEN E. PUTTHOFF
 SHELLEY A. RAYMOND
 HATTIE L. RICHARDSON
 JOHN E. RICHARDSON
 KIRK M. RINGBLOOM
 MICHAEL E. RIVERA
 ANGEL D. ROJAS
 PHILIP J. ROOT
 JASON W. ROSS
 PHILIP G. ROTTENBORN
 CHRISTOPHER J. RUGA
 TERRY S. RUSSELL
 MICHAEL A. SABB
 BOBBY L. SADLER, JR.
 SANDRA J. SANCHEZ
 EARL B. SCHONBERG, JR.
 STEVEN P. SCHULTZ
 STEVEN D. SCHWANTES
 DOMINIC M. SCOLA
 JOHN H. SENSLEY
 BRADY M. SEXTON
 SHERRI L. SHADROCK
 MARC N. SHAFER
 JEFFREY A. SHANER
 MARGARET J. SHARPBACK
 JONATHAN C. SHEPARD
 ANDREW D. SHERMAN
 JACK E. SHIELDS III
 SEAN M. SMITH
 ROBERT J. SOLTIS
 PATRICK A. STAMM
 BRIAN P. STEELE
 THOMAS W. STOCKS
 ANTHONY A. STOEGER
 JONATHAN L. STUDER
 MARCOS J. SUAREZMORALES
 JOE J. SUDDITH, JR.
 MICHAEL G. SUMMERS
 ELIZABETH A. SWEENEY
 BRADLEY C. TANDE, JR.
 JACK S. TAYLOR
 JOSE R. TERRONES
 JASON P. TOEPFER
 DAVID E. TOMPKINS, JR.
 PON V. TRAN
 ANDREW P. TURNER
 JOHN T. TURNER, JR.
 STEPHEN D. TURNER
 DOUGLAS M. TWITTY
 SHANE M. UPTON
 MARK W. VANDERSTEEN
 DAMON S. VARNADO
 WILLIAM R. VENABLE
 CLINTON D. VERGE
 JOSHUA S. VOGEL
 MARVIN L. WALKER
 YOLANDA M. WALKER
 ANTHONY T. WALTERS
 BENJAMIN J. WALTERS

CHARLES W. WARD
DAVID A. WARE
YULONDA D. WASHINGTON
WALLACE E. WEAKLEY, JR.
LATHESSA A. WHITAKER
JEFFREY R. WHITE
CHRISTOPHER W. WHITMARK
ROBERT D. WIGGINS
ISAAC A. WILLIAMS
JOSEPH WILLIAMS, JR.
ROBERT M. WILLIAMS
DAVID C. WOOD
TROY W. WORCH
GREGORY R. WORLEY
J. B. WORLEY III
WILLIAM B. WYLES
GUY YELVERTON III
ABEL E. YOUNG
MARK E. YOUNG
ALEXANDER R. ZEHNDER
TIMOTHY R. ZETTERWALL
D010977
D011277
D011097
D010780
D010778
D004271
D010397

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

JEFFREY S. BELL
DANIEL R. BURRIS
ERIC L. EBB
SAMUEL C. GIESE
THERON E. GUNN
WILLIAM D. JENKINS
MARK R. THORNTON

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADES INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be lieutenant colonel

STEVEN E. BATTLE
FRANK T. BRYANT
MARIAISABEL HERRAN
RAFAEL NUNEZ

To be major

OWEN M. GROSSMAN
PAUL B. HILL
LUZMIRA A. TORRES

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

ANTHONY H. ADRIAN
GLEN D. CHANCELLOR
JAMES P. COLEMAN
JOE C. COMBS
WILLIAM T. CONWAY
ROBERT J. M. HARRIS
BENJAMIN F. JONES III
NORMAN P. C. LIMTIACO
DEREK N. LIPSON
ERIC D. MAXON
CYNTHIA A. MILLONZI
KATRINA G. PILLOW
RODNEY G. SWANN
JOHN F. WOYTE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

FREDRIC N. AMIDON
JAMES E. ANDERSON, JR.
JAMES R. ARNESON
JERRY H. BARTLETT
HOWARD H. BOND
MICHAEL J. BOYKIN
FLOYD M. BURGHER, JR.
VITO CIARAVINO
WILLIAM G. COSTELLO
FRANK J. DEANGELO
GREGORY E. DOERFLER
DAVID E. DOLLENS
DAVID A. DOUD
EDWARD M. DRAPER
LAWRENCE A. EDWARDS
CONSTANCE A. ESSEX
ROBERT J. FERRY, JR.
LARRY D. FLETCHER, JR.
DELBERT FORD
JOHN W. GALLASPY
JOHN T. III GANT
TIMOTHY P. GARNER
ANDREA D. GAYLEBENNETT
ROBERT L. III GEAR
BETTY K. HATFIELD
KONARD O. HAUFFE
CARL F. HAUSLER
SUSANNE J. HILLMAN
JESSE T. HUFF

MICHAEL A. JACQUES
DEBORAH M. KENNEDY
VICTORIA S. KILCAWLEY
JOHN A. KING
RODNEY K. KOERBER
MICHAEL K. LANDADIO
THOMAS E. LEE
ARNOLD B. LEEKS
MATTHEW M. LUKE
PERRY R. MALCOLM
CRISTOBAL V. MANDRY
RICHARD J. MCKIM
PHILLIP B. MONAGHAN
PATRICIA A. NEELAND
ALAN S. NELSON
TIMOTHY R. NEWCOMB
DARRELL R. OVER
JOHN K. PETRERA
RICHARD W. PINSKER
RYAN R. REICHENBACKER
KEVIN J. REICHMUTH
STEPHEN A. ROBERTS
ARTHUR A. RUSSELL
JANET L. SAWYER
REBECCA A. SEGOVIA
DAVID M. SENESE
JAMES M. SHELLEY
DWAIN A. SIADE
CHALLIS H. SMITH
JAMES A. SMITH
PATRICK J. TANGNEY
DEANNA L. THOMAS
MARIVEL VELAZQUEZ
DUANE E. WESTBERG
MATHYN D. WILLIAMS
DANIEL J. WILTZ
MARK S. WRIGHT
ANNE E. YOUNG

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

ELIZABETH A. BAKER
TANYA S. BAKER
AVA C. DAVIS
JOHN P. EDDY
GREGORY A. KOLB
JIMMY R. PERKINS
KATHRINE S. PONDER
IAN J. TOLMAN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

PATRICK M. ARIDA
MICHAEL A. ARIZMENDI
MICHAEL J. BACHMANN
PERRY A. BALL
DEBORAH C. BARRETTE
ROBERT W. BATTS, JR.
DONALD L. BECKETT
CATHERINE J. BENHAM
SANDRA V. BERMUDEZ
JERRY L. BETZLER
NARENDRA S. BHAGWANDIEN
HENRY E. BOHNE
SANJEEV R. BONGU
JOE M. BRAY
JAMES M. BRUCE
JAMES R. BRUCE, JR.
DENNIS B. CALLENDER
BENIS G. CARNES
DAVID K. CASSIDY
GLORIA J. CHAPMANSCOTT
BELINDA J. COAKLEY
DIANNE P. COOPER
WILLIAM A. COOPER
TAMMY J. COST
ADA M. COSTA
CHARLES C. CUMISKEY
DWAYNE N. DAMBA
KENNETH W. DAVIS
DUANE C. DEVANCE
DANIEL P. DICHIERA
DAVID D. DORSEY
JUDITH A. DRISCOLL
YOLANDA P. DUNCAN
DIETER J. DUPONT
GEORGE A. EAPEN
JAMES R. EDWARDS
THOMAS W. ENGLEHART
RONALD J. EVERSON
KATHLEEN D. FARR
HOPE D. FAVREAU
DAVID P. FOLEY
GARY L. FOSTER
STANLY J. FOSTER
SANDRA L. FRESH
JUDY A. FRYOVER
STEPHANIE K. GERBER
GERRY R. GERRY
RONALD F. GIFFLER
STEPHEN W. GOLDSMITH
DAVID GOODSPEED
NANCY A. HARPOLD
SCOTT K. HARRISON
GINGER D. HILL
CONCETTA R. HOLLOWAY
LINDA J. HOLLOWAY

LACEY K. HOMAN
EDWARD C. HORWITZ
PAUL M. HUDDLESTON
JENIFER J. HUG
ALICE H. HUNTSMITH
RENE N. JACOB
KEITH J. JACOBY
ANTHONY A. JAMES
MARVIN F. JENSEN
GRANVILLE JOHNSON
WALTER S. JOHNSTON
ROGER A. JONES
JACQUELYN D. KIMBALL
MARY P. KING
THEODORE C. KOUTLAS
LINDA A. KRAMER
MURRAY R. KRAMER
MARILYN K. LAZARZ
RUSSELL S. LEEWOOD
PHILIPPE H. LEMOINE
ELIZABETH L. LOHSE
JOSEPH M. LUZ
WILLIAM S. LYNN
JOHN D. MALIA
CHAITANYA S. MANGALMURTI
MICHELE M. MANGO
TIMOTHY Q. MAPLES
JOSEPH A. MARSIGLIA
MITCHELL M. MATUNDAN
ANN E. MCELFRESH
JOHN A. MCFADYEN
DAVID F. MCKEE
JOSEPH P. MCMAHON
TERRY A. MESSMER
GEISELE E. MILES
DAVID H. MOIKEHA
ROGER A. MYERS
GEORGE W. NEWTON
DANIEL C. NG
KEVIN J. OLIVER
SALLY A. OLLIO
HADLEY C. OSRAN
RICHARD PADRON
SARA J. PASTOOR
MARIE A. PATTI
GURNEY F. PEARSALL
ROBERT E. REDFFERN
SYLVEN B. REED
ROBERT K. ROUSE
GILBERT R. ROWLEY
JOSEPH J. RUBELOWSKY
JACQUELYN A. RUSSEK
ANTHONY E. RUSSELL
BETH A. SALISBURY
HENRY L. SANDERS
DIDAR S. SARAI
HENRY L. SCARBROUGH
TIMOTHY R. SCHLEY
MARTIN A. SCHREIBER
BRADLEY F. SCHWARTZ
MARSHA D. SHIVLEY
DEAN A. SHOUCAIR
KATHERINE A. SIMONSON
VENICE SMILEY
CHRISTOPHER P. SMITH
STEPHEN M. SOKOLOFF
DIANA L. STEWART
RYUNG SUH
LINDA R. SUMERLIN
LON E. SUNSHINE
PATRICIA L. TUGGLE
VINCENT VALINOTTI
KIRK M. VINCENT
JAMES R. WILLIAMS, JR.
MARETHIA A. WILLIAMS
ARTHUR L. WOMBLE
MARY J. WRIGHT
KITRICK E. WULF
KATHLEEN L. YACOVELLI
KIYOTAKA A. YAZAWA
LINDA K. YEE
SHARON K. YENNY
JOCELYN E. YU
ALI S. ZAZA

IN THE NAVY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

DEMETRIA L. AARON
LISA L. ABELS
VINCENT L. ACKERMAN
MICHAEL A. AJAO
PAUL J. ALBERICO
TRACY J. ALEXANDER
JOHN D. ALLEN
CELINA C. ALUOTO
CHRISTOPHER J. AMANN
JEANNETTE L. ANDREWS
ARRIEL E. ATIENZA
CHRISTOPHER W. BAILEY
DAVID F. BAILEY
GEORGE C. BALAZS
RUSSELL P. BALMER
BRETT A. BANKS
TAYLOR A. BANKS
JEREMY P. BARAN
MICHAEL J. BARRA
EMILY C. BAUM
BRETT F. BECHTEL

WILLIAM M. BEER
DONALD R. BENNETT
ROBERT E. BENOWICZ
TIMOTHY J. BERGAN
VERONICA E. BIGORNIA
ASHLEY R. BJORKLUND
ERIN M. BLEVINS
MICHAEL J. BLOIR
JONATHAN A. BOLANOS
GWENDOLYN E. BOWERS
BRIAN A. BOYD
ERIC J. BRANTLEY
MATTHEW L. BRASLOW
JESSICA R. BRAWLEY
MEGAN A. BRELSFORD
ERIK D. BRINK
STEPHEN M. BRONAUGH
DAVID J. BURNIKEL
JESSICA L. CALMAN
MATTHEW P. CAMERON
AILEEN CANGIANOHEATH
SHANNON M. CAPP
TIFFANY D. CARTNER
NICOLE M. CASSLER
BRETT M. CHAMBERLIN
VINCENT G. CHAMPION
JENNY P. CHEN
GREGORY T. CHESNUT
ROBERT D. CHIARUTTINI
MATTHEW E. CHRISTY
CADE C. CINNAMOND
MICHAEL J. CIRIVELLO
GRETCHEN A. COADY
BRIAN J. COLSANT
WILLIAM K. CONLEY II
JERALD L. COOK
MARK P. COSEO
TIFFANY C. COX
MICHAEL L. CRANDALL
HAMPTON A. CRIMM
RAYMOND J. CUDNIK III
ADRIAN M. CUELLAR
MICHAEL E. CUNNINGHAM
NATHAN S. CUTLER
EMAD H. DANIEL
ROXANNE N. DANIELSON
ERIK E. DAVILAMORIEL
BENNETT L. DAVIS
DANIEL W. DAVIS II
DANIEL P. DECECCHIS
MEGAN M. DECECCHIS
AMBER N. DECHAMBEAU
GABRIEL DELATORRE
DAVID R. DONAHUE
KATHLEEN M. DONAHUE
TIMOTHY J. DONAHUE
MICHAEL K. DONNELLY
SUPRIYA R. DONTHAMSETTY
MICHAEL L. DOXEY
MARY L. DRYER
MICHELLE R. DUNLAVY
CASSANDRA M. EAKIN
ROBERT S. EBERLY
MICHAEL P. ELLIS
JOANNE P. ELSTON
TYLER C. ENSLEY
RICHARD J. EPPEY
HEATHER FEAGINSFLETCHER
DALIA FIGUEROA
JAMIE L. FITCH
AARON W. FLANDERS
AMY E. FLISCHEL
BRIAN C. FOLEY
DEIDRA S. FOREMAN
CRAIG T. FOSSEE
JANELLE A. FOX
CARL R. FREEMAN
JAMES D. GENDERNALIK
RYAN C. GIBBONS
MILY A. GILLEY
DAVID M. GLASSMAN
ROSS A. GLINIECKI
JENNIFER H. GOLDBERG
WILLIAM D. GOLDENBERG
AARON J. GONZALEZ
KATHERINE GOOD
ROBERT B. GOY
SARAH L. GRANGER
ROLF E. GRANING
ANDREW D. GRAVES
DALLIS L. GREEN
THOMAS J. GREEN
BRETT W. HAAKE
JOSHUA D. HANDBURY
JACOB D. HARRIS
THOMAS J. HAYES
JUSTIN L. HEATH
MARK D. HEITZMANN
GREGORY S. HENDERSON
KENNETH A. HENDRICKS
ANATOLY K. HERNANDEZ
BENJAMIN R. HERSHEY
BENJAMIN D. HOAGLAND
MATTHEW F. HOEFLE
AMANDA B. HOOPER
MATTHEW A. HUMPHREYS
ANDREW P. HURVITZ
LANG O. JACOBSON
DINCEN A. JARDINE
CHRISTOPHER M. JOHNSON
JAMIE Y. JOHNSON
KEVIN D. JOHNSON

LUCAS A. JOHNSON
MARK S. JOHNSON
REBECCA L. JOHNSON
ALISHA L. JOHNSTON
VICTOR J. JOURDAIN
JAMES A. JOWDY
KEVIN D. KEITH
MATTHEW W. KELLER
ANDREW M. KELLERMANN
BENJAY J. KEMPNER
AMANDA S. KENT
ERIC L. KENT
RHAIAANNON KENT
JOSHUA B. KENTOSH
ANGELA M. KEON
BRIAN M. KEUSKI
MICHAEL J. KILKELLY
CHRISTINE Y. KIM
TIM I. KIM
LEVI K. KITCHEN
SHELDON M. KNIGHT
MATTHEW M. KOEHLER
BRIAN R. KRAUSE
JOANNA R. KRAUSE
KARL A. KUERSTEINER
CYNTHIA M. KULIK
ASHEESH KUMAR
ANDREW C. KUNG
MICHAEL D. LANKER
DOUGLAS E. LATHAM
LAURA M. LAUER
MICHELLE P. LAWRENCE
NHLEN M. LE
MICHAEL R. LEADER
IVY Z. LI
DAMIAN J. LIEBHARDT
JONATHAN T. LIEBIG
ANDREW L. LIZEK
DUSTIN A. LORENTZ
DEBRA M. LOWRY
NICOLE L. LUNCEFORD
JOHN M. LYDON
MICHELLE M. LYNCH
THOMAS J. MACKAY
GREGORY C. MALLO
PETER A. MANCINI
EDWIN MANLEY, JR.
CHRISTY L. MANTANONALEE
JAMIE MARKO
MARTIN R. MARQUEZ
JAMES D. MATHEWS
EVAN E. MAY
MICHAEL K. MCCARTHY
JAMES A. MCCOMBS
MICHAEL L. MCCONNON
PATRICK R. MCKENNA
PATRICK M. MCLAUGHLIN
SANDRA S. MCLAUGHLIN
PAUL D. METZGER
MATTHEW M. MICHALOWICZ
JOSEPH D. MICKELSON
JASON A. MIHALCIN
JESSICA M. MILLER
KYLE E. MILLER
RUSSELL J. MILLER
THOMAS C. MILLER
ERIN K. MOORE
MATTHEW D. MOORE
COLLEEN E. MULLIN
MEREDITH R. NEAL
MERRILYN E. NELSON
STEPHEN L. NOBLE
THIDA N. NUNTHIRAPAKORN
MONICA D. ORMENO
NEAL E. PALMREUTER
SANDEEP R. PANDIT
ADRIENNE L. M. PARAD
BILLIE K. PARK
ANDREW M. PARSONS
SHWETA V. PATEL
DAVID A. PENNINGTON
ANGEL J. PEREZ
JAMAL A. PHILLIPS
BRYAN J. PLATT
JACOB R. PLETCHER
SARA M. POPE
RAY PORTIER
JOSHUA R. POTOCKO
DAVID J. POWELL
KEVIN S. PRESTON
TRENT K. PRICE
AMY M. PRITCHARD
AMANDA G. QUERRY
ROBERT G. QUINTON
ZOE G. RAFAAT
WILLIAM S. RAGON, JR.
ABIGAIL M. RAMSEYER
RAHIM A. REMTULLA
SHANNON L. RIGLER
VICTOR A. RIVERA
SEAN M. ROARK
LANGAN P. ROBBINS
KRISTINA M. ROGISH
RYAN C. ROMANO
ADRIANA N. ROSALES
LISA R. D. ROSE
LINDSEY E. ROSEN
CRYSTAL A. RUSSELL
DAVID J. RUSSELL
JOHN W. SAENZ
FATIMA L. SALAS
STEVEN B. SAPIDA

ERIK M. SASOVETZ
JULIA A. SAVITZ
ROBERT C. SCALISE
BRUNO A. SCHMITZ
MICHAEL S. SCULLY
BRET M. SEBASTIAN
ANN E. SHAFER
ERIC C. SHAFER
HEATHER L. SHIBLEY
BRIAN W. SHIPPERT
CARTER H. SIGMON
ADAM C. SISCHY
ERIN H. SJOSTROM
JODIE M. SKRZAT
KENNETH V. SLACK
JORDAN D. SMITH
STEPHANIE M. SMITH
CANDICE M. SNYDER
ROBERT B. SPENCER
CHERYL M. STARRETTKELLER
NATHANIEL L. STEPP
CHRISTOPHER A. STETLER
SHANNON STOUT
ALAN A. STRAWN
JONATHAN M. STUART
FAYE E. SUNDAHL
DOUGLAS W. TALK
ERIC R. TERPSTRA
DENISE M. THIGPEN
DARREN D. THOMAS
THOMAS W. THOMAS, JR.
JOHN M. TINJUM
SHELBY G. TOPP
EDWARD M. TRACY III
TUAN M. TRAN
ADELAINE D. TRASK
SCOTT A. TRASK
JAMES D. TU
RYAN D. TUCKER
OBINNA N. UGOCHUKWU
EDWARD R. UTZ
ERIN J. VANCE
ADAM M. VANDENBOOM
SAMUEL J. VASELICH
SARA I. VEIGA
ANGELA G. VIERS
DAVID M. VOLK
CHRISTOPHER J. I. WARNER
ALICIA L. WARNOCK
AMY L. WATKINS
ERIN M. WATSON
LAUREN A. WEBER
JUSTIN L. WEPPNER
SONJA M. S. WHITAKER
DENNIS A. WHITE
JUDD A. WHITING
SUSAN M. WHITMER
BRADLEY J. WILLIAMS
KEVIN W. WILSON
MARIE A. WOJCIKWOLANIN
ALFRED J. WOLANIN III
JAIME A. WONGLOPEZ
KAREN S. WOO
ZEPHYRINUS G. WYLIE
COLIN R. YOUNG
ELIZABETH L. YOUNG
JERRY YUAN
HEATHER G. YURKA
STEPHEN M. ZANONI
JAMES L. ZIMMERMAN
AMY J. ZWETTTLER

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADES INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be commander

TIMOTHY M. FRENCH

To be lieutenant commander

KENNETH V. HOANG
BRYAN E. WOOLDRIDGE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

CEDRIC J. ABRON
KYLE E. ADKINS
TODD A. ADKINS
GARTH W. ALDRICH
JAMES D. ALLEN
LYNDA S. AMELL
JACQUELINE R. ANDERSON
BENEDICT A. BAIDOO
CHARLES E. BAKER
LUIS T. O. BARRAMEDA
WENDY K. BARTOSK
DAVID R. BIRD
JOSHUA E. BLACKBURN
DEREK BOYD
HEATHER M. BOYD
HENRY L. BRADBURY III
DANYELL L. BRENNER
EDWARD BRINSTON
JOSEPH A. BUCKNER
JONATHAN F. BULLMAN
TIFFANY K. CALISTE
LISSETH C. CALVIO
CHANDRA P. CARNEY
NEIL D. CASCARDO

ALAN D. CHRONISTER
DENIS G. COLOMB, JR.
ASHLEE S. COLVIN
ELIZABETH A. CORALES
VINCE E. D. DEGUZMAN
JEFFREY A. DELZER
MICHAEL A. DISIMONE
MICHAEL E. DOMERY
KORRINA R. DONALD
JASON M. DUFF
CHRISTON J. DUHON
TRENT K. FREEMAN
JOHN J. GARDNER III
GREGORY O. GIBSON
DAVID D. GROW
OCTAVIUS P. HARRIS
PAUL I. HARRIS
DUSTIN J. HARRISON
SHERRY L. HAYES
CHARLES S. HITCHCOCK
SYED M. HUSAIN
CHRISTINA M. HYATT
VICTOR E. INNISS II
KATHERINE L. JAUDON
BRIAN R. JOHNSON
CONNIE R. JOHNSON
JENNIFER L. JOHNSON
SCOTTY R. JONES
BYRON L. JORDAN
JAMES M. KEENER
YULIYA KORCHNOY
BRENDEN T. LE
HOLLY M. LEE
BRADLEY R. LESTER
MARK R. LONG
CATHY L. A. LOPEZ
RAMAUD D. LOVE
JOANN MARTINEZ
JULIA L. MASSEY
FREDERICK A. MATHEU
BRADLEY G. MCLAUGHLIN
CHRISTIAN J. MILLER
MICHAEL A. MITCHELL
VISHWESH P. MOKASHI
JENNIFER J. MUELLER
MARKEECE L. MURRIEL
EMERSON A. MUTUC
THOMAS W. NELSON
ANGELA M. NIPPER
KAREN A. NORDINE
PEDRO A. ORTIZ
CHRISTOPHER L. OWSTON
CINDI L. PALACIOS
KARA L. PEREZ
ULDA J. PEREZ
JASON A. PETERS
ALLEN M. PHELPS
MICHAEL G. PROUTY
CHRISTOPHER L. PULLIAM
JESSIE C. PURYEAR
EPHRAIM V. J. RAGASA
CHARLES E. RAINEY II
MATHEW B. RARIDEN
CRAIG M. ROWLAND
JENIFER M. SCANCELLEA
FRED O. SCRUGGS, JR.
KENNETH A. SHAW III
JONATHAN G. SHEA
MARK P. SIMONS
AMIT SOOD
IAN W. SUTHERLAND
HANH M. TANG
CHRISTOPHER S. THOMPSON
MIKAYLA R. UPHOFF
KIRSTEN E. VESEY
MARGARET A. WALKER
SHAWN A. WEBER
TRACY D. WELER
TIMOTHY T. WELSH
JEREMY H. WESTCOTT
RICHARD A. WHITEHEAD
NICOLE J. WILLIAMS
ROBERT J. WISHMEYER
STANLEY C. WONG
CHADWICK Y. YASUDA

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES NAVY
UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

AMY H. ADAIR
JASON S. ALLEN
CHRISTOPHER N. BEALE
JASON B. BLUNDELL
WILLIAM P. BOGGESE
MARTIN J. BRAUD
JASON N. BURKES
LORA L. CHOW
RYAN P. COLOSI
BENJAMIN J. CROWLEY
ANDREA L. DECERCE
CORINNE C. DEVIN
DANKA J. DOWNEY
DAVID J. DYER
BENJAMIN D. FITZHARRIS
JARED A. GELLER
EDUARDO GOMEZ
PAUL D. GUNDY
FRED J. HARPER III
ANDREW L. HIGGINS
ANDREW W. HIMM
DAVID D. HWANG

TIMOTHY P. INOUE
DAMON T. JENSEN
ARTHUR C. KALFUS
MICHAEL L. KING
ROBINSON T. KISER
BENJAMIN J. LAGO
JOHN F. LANDIS
JOHN J. LEE
KALEN Y. P. LEE
JOHN P. MALAN
BRADLEY D. MARTINSEN
JENNIFER L. MCGUIRE
GEOFFREY L. MCMURRAY
MATTHEW M. MILLER
VANESSA D. MOTOS
HOAN B. NGHIEM
RICARDO M. ORTIZ
WILFREDO PALAUHERNANDEZ
ANDREW C. PARK
JEREMY A. PATELZICK
BRIAN D. PORTER
MATTHEW D. QUILLIN
ELISA M. ROTH
FREDERICK J. RUMFORD IV
THOMAS J. SANCHEZ
JOSHUA L. SECREST
POOJA V. SHAH
DEREK D. SODEN
SARA A. STIRES
KAINE K. S. STOKES
KELLY N. STONE
THOMAS P. SURANYI
KELLI J. SWENSON
CLARENCE S. TANG
ANDREW J. TELLINGTON
KENNY T. TRAN
BILLY D. TURLEY
ADAM J. VEIT
JAMES K. VICK
STEPHEN M. WADE
BRETT J. WALCOTT
MARY N. WILLIAMSTREESH
DONAVON A. YAPSHING

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES NAVY
UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

VINCENT M. J. AMBROSINO
STEVEN R. CHMIELEWSKI
HUNG V. DANG
KEVIN T. DAVIS
DANNY J. HEADRICK
JAVIER LOPEZMARTINEZ
BENIGNO T. RAZON, JR.
MICHAEL R. STAMERRA
JOHNNIE W. THOMPSON, JR.
MARK VERHOVSHEK

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES NAVY
UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

KORY A. ANGLESEY
JASON O. BOATRIGHT
CHRISTOPHER S. CASNE
RUBEN D. CHONNA
MARK J. CHRISTENSEN
ADAM W. CHRISTOPHER
MICHAEL S. COLLINS
LUKE A. COWLEY
JAYSON M. DOOLEY
JOSEPH A. DUNAWAY
MARCIA C. FERNANDES
JASON M. GABBARD
OMAR K. HASAN
KELLEN K. HEADLEE
ANDREW E. HUNT
STERLING P. INGRAM IV
BOBBY G. KENDALL
MICAH J. KILETICO
ADAM G. KUSHNER
NICHOLAS R. LEINWEBER
ERIC L. MARTENS
TATE L. METLEN
GARETH A. MONTGOMERY
DAWN C. MORE
NICHOLAS E. MUELLER
BRENT D. RICHARDSON
ROBERT C. RUTHERFORD
JAMES T. STEWART
FRANCIS J. TAY, JR.
ARTEMIO TREVINO
BENNY P. VOLKMANN
BENJAMIN C. WAITE
ROBERT J. WARREN
JEREMY L. WEIKEL
ADAM G. ZAJAC

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES NAVY
UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

EVAN D. ADAMS
DAVID W. ALEXANDER
JEFFREY M. AUGUSTIN
JOHN D. AULT
JEFFREY BENSON
KIMBERLY CAIN
VICTORIA A. CHAPPELL

AMMIE L. DAVIS
WILLIAM D. DORWART
JOHN J. EASTMAN
DEMETRIC FELTON, SR.
GLENN A. FLEMING
GARY W. FOSHEE
DAVID J. JELTEMA
ROBERT D. JOHNSON
ROBERT J. KEENER
RICHARD S. LEE
RUSSELL D. MARTIN
BENNY L. MATHIS, JR.
SUNNY MITCHELL
CARL B. MUEHLER
THOMAS H. PERDUE
ROBERT W. PETERS
RANDAL K. POTTER
KAREN J. RECTOR
PHILLIP E. RIDLEY
AARON D. ROBERTSON
JON E. SETTLEMOIR
MICHAEL J. TAGALOA
JOHN C. VANDYKE
STEPHEN L. WARNE
CHRISTOPHER J. WEST
JOSEPH E. WILBURN
HAROLD B. WOODRUFF

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES NAVY
UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

WALTER B. BLACKWELL
SUQUON D. COMBS
ROBERT R. CULLINAN
DIANA I. DALPHONSE
DUNCAN R. ELLIS
IVORY ERVIN, JR.
KENNETH E. FINDLEY
CONAN J. GREASER
DANIEL B. GRIFFIN
CHRISTOPHER R. KADING
BRENNAN J. KEMPER
MICHAEL A. KIDD
GENE M. LATTUS, JR.
MICHAEL J. MULLERHEIM
CHRISTOPHER F. OCONNOR
THURMAN B. PHILLIPS
JARRED L. POSADA
ROBERT D. SALIRE
JOHN TAMEZ
BLAKE A. WHITTLE
JARETT B. WOLFE
JAMES P. ZAKAR

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES NAVY
UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

ELIZABETH A. ABAN
JANE J. ABANES
GREGORY J. ADDISON
DAWN R. AGUERO
JOEL M. ALBRIGHT
REBECCA A. ARMIGER
CARMELO AYALA
EDUARDO F. BARNET
REBECCA L. BARTHEL
JAMES R. BIRKLA
BRYAN G. BLAZINA
COLLEEN C. BLOSSER
AMY L. BOUVIER
JASON M. BOYCE
CONNIE J. BRAYBROOK
KATHLEEN M. BRENNAN
HASSAN A. BROWN
JOANNA T. BROWN
SHARON L. BROWN
JAMES T. BUCHANAN
BRIAN K. BURDICK
PATRICIA D. BUTLER
RHONDA H. CANTU
SOTERAS C. CAYANAN
MARCELO A. CENTAURE
DORIS CHEN
MOLLY A. COOK
MICHAEL J. CORNELL
ULANDERS A. CRAIG
JAMES D. CROFT
ROBERT F. CUENTO
CANDACE R. DAURORA
KARIE A. DAVIS
JOHN T. DEBOER
RONALD J. DELEON
ELIZABETH M. DRAKE
ERIC J. ELLINGTON
TATIANNA T. ELLSWORTH
MICHELLE R. EVANS
EBONY J. FERGUSON
SUZANNE N. FIERROS
DANIELLE K. FISCHER
KAREN A. FLANAGAN
TAWANDA M. FORD
ABDON F. GALERA
DANILO A. GARCIADUENAS
SARAH E. GENTRY
JASON A. GOFF
PETER M. GOLDBECK
KAREN L. GORLEWSKI
LOUIS H. GRASS III
ANN M. GRIMSHAW

DENISE A. GRIPKA
 JASON M. GUZMAN
 TIMOTHY W. HALL
 ERIK M. HARDY
 DEAN R. HAWKINS
 GLENDA A. HEDSTROM
 PENELOPE J. HEIGES
 ANDREA M. HERNANDEZ
 MICHAEL J. HEVRIN
 KEDRIN N. HODGES
 ELISABETH B. HOLMES
 AMY L. HOLZER
 CAROLYN A. HOWARD
 JOHN A. HOYOS
 MOLLY P. HURDA
 ANN E. IANNITTO
 AMANDA E. JARMUSCH
 DAVY J. JENKINS
 JAMES A. KAUP
 MARIA KENNEDY
 ROBERT J. KIMBERLING
 HEATHER L. KIRK
 YVETTE S. KONEMANN
 TRACY R. KRAUSS
 DUANE J. LAMPERT
 SCOTT J. LAPANNE
 LYL A. LAW
 REGINA R. LEASSEAR
 DERRICK LEBEAU
 JONATHAN D. LEVENSON
 MARLOW LEVY
 MEDEDESSA O. LIVINGSTON
 JULIE A. LOFTUS
 JENNIFER J. MAGUIRE
 JENNIFER L. MANZOOR
 THOMAS O. MATELLA, JR.
 KATHLEEN S. MAY
 MICHAEL J. MCCARTY
 SCOTT A. MCGILL
 MATTHEW P. MCMAHON
 JACOB M. MEARSE
 JOSE A. MERCADO
 REGINALD MIDDLEBROOKS
 TIJUANA T. MILTON
 DONALD E. MITCHELL
 CHAD B. MOORE
 THERESA D. MORRIS
 MARY C. MURPHY
 SARA L. NACZAS
 LOREN A. NEDELMAN
 AARON D. NIKOLAUS

PETER I. NYILAS
 VIRGILIO OCAMPO
 SHELLEY M. OEHRLEIN
 ROBERT ORGILL
 PAUL D. PELROY
 KENDRA L. PENNINGTON
 JEFFREY A. PETERSON
 TRAVIS J. PETERSON
 WENDYALINE PHILIPCYPRIEN
 ROBIN L. PROVENCHER
 MARKO RADAKOVIC
 MATTHEW V. REZA
 JENNIFER RICKERSON
 GINA D. ROMANO
 ROBERT R. ROOD
 SHANNAN C. ROTRUCK
 STELLA Y. SABOURIN
 BRITNEY E. SAITO
 NICK A. SALTZMAN
 REBECCA A. SCHROEDER
 KATIE E. SCHULZ
 ALAYNA L. SCHWARTZ
 DAVID S. SHARE
 JOSEPH P. SHERIDAN
 MARC A. SILFIES
 FREDDIE L. SIMPKINS II
 TERESA C. SIMPSON
 MARRISA C. SISCHY
 SEAN K. SKINNER
 JAMIE M. SORENSON
 JULIE A. SPRING
 CHRISTINE M. STASZEK
 ANDREAS STILLER
 VIRGINIA C. SULLIVAN
 DUSTIN A. TAYLOR
 AILISA N. TERRY
 RANDY L. TOLBERT
 KELLY A. TROUT
 JERMAINE M. WHITE
 TIMOTHY G. WHITING
 THOMASENA P. WICKER
 DANA K. WILEY
 NEIL T. WILLIAMS
 SONIA R. WILLIAMS
 MICHAEL L. WILSON
 KEVIN WONG
 AMY P. ZAYCEK
 ELIZABETH M. ZULOAGA

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
 TO THE GRADE INDICATED IN THE UNITED STATES NAVY
 UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

THOMAS M. BROWN
 LOUIS E. BUTLER
 JAEWON CHOI
 GUY W. EDEN
 ERIKA C. GEHLEN
 STEVEN P. GONZALES
 BRIAN A. HAHN
 DAVID J. HAMMOND
 HOLLY E. HIGGINS
 MICHAEL J. HUSSEY
 CHRISTOPHER P. JETER
 PATRICK K. KORODY
 COURTNEY E. LEWIS
 RYAN C. MATTINA
 ROBERT A. MCELHOSE
 JONATHAN C. MCKAY
 CRAIG C. MORRIS
 TOREN G. MUSHOVIC
 CAMERON R. NELSON
 SARA A. ONEIL
 JEFFREY J. PIETRZYK
 AARON M. RIGGIO
 IAN SANTICOLA
 RYAN SANTICOLA
 ABIGAIL L. STILES
 CRAIG S. THEDWALL
 SEAN M. THOMPSON
 TEMPERANCE H. TYSK
 LENA E. WHITEHEAD
 GRAHAM C. WINEGEART
 RAY L. WOLCOTT
 RALPH G. S. YOUNG

CONFIRMATION

Executive nomination confirmed by
 the Senate September 10, 2012:

THE JUDICIARY

STEPHANIE MARIE ROSE, OF IOWA, TO BE UNITED
 STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT
 OF IOWA.

EXTENSIONS OF REMARKS

TRIBUTE TO CAPTAIN LEIDE
WILLIAM DEFUSCO

HON. SCOTT R. TIPTON

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2012

Mr. TIPTON. Mr. Speaker, I rise today to recognize Captain Leide William DeFusco of Pueblo, Colorado. Capt. DeFusco served as a police officer, SWAT team member and field training officer for over twenty years. Capt. DeFusco was tragically killed in the line of duty, while conducting a narcotics investigation over the San Isabel Forest.

Born in Pueblo on September 15, 1968, Capt. DeFusco attended Trinidad State Junior College, where he was elected Student Body President and graduated with a degree in criminal justice. Capt. DeFusco then accepted a position at the Pueblo County Sheriff's Office, and excelled as a dedicated officer, trainer and detective.

Later, Capt. DeFusco achieved the rank of Commander in the SWAT team and succeeded as a lead instructor. Capt. DeFusco leaves behind his wife, Wendy, four beloved children and a host of family and friends, including those fellow officers with whom he was proud to serve.

Mr. Speaker, it is an honor to recognize Capt. Leide William DeFusco. I rise today on behalf of the citizens of Colorado's 3rd Congressional District, who are proud to call such a courageous man one of their own.

IN RECOGNITION OF NAVY WEEK
2012

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in honor of 2012 Navy Week, held from August 27th through September 4th in the Greater Cleveland, Ohio area—just one of 15 cities selected from across the nation.

In each of the 15 cities, Navy Week events for local residents will include the Blue Angels Navy Flight Demonstration Team; the Leap Frogs Navy Parachute Team; visiting ships from the U.S. Navy, U.S. Coast Guard, and the Royal Canadian Navy; Navy Band musical performances; Admirals and several other senior leaders within the Navy who will interact with local business, government, and educational leaders; Navy simulator and interactive displays; visits to area schools; community service projects; and visits with local veterans.

Navy Week in Cleveland was a special event as it ran in conjunction with the commemoration of the bicentennial of both the

War of 1812 and our country's national anthem, "The Star Spangled Banner." Cleveland Navy Week included a special ceremony held on Sunday, August 26th aboard the USS COD Submarine Memorial to honor two local Ohioans, World War II veteran James Tedrick and Operation Iraqi Freedom veteran Michael Dobec, with combat medals presented by Senator SHERROD BROWN. A few of the other special events included a performance at the Rock and Roll Hall of Fame by the Navy Band, a Navy diver demonstration in the shark tank at the Greater Cleveland Aquarium, and Navy sailors working together with Habitat for Humanity to help build a home in Lakewood, Ohio.

Mr. Speaker and colleagues, please join me in honoring the celebration of the 2012 Cleveland Navy Week.

THE DEATH OF LARRY GRANT

HON. LAURA RICHARDSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2012

Ms. RICHARDSON. Mr. Speaker, it is my regrettable duty to report the death of a great American, Larry Grant. Mr. Grant died on August 22, 2012 in Torrance, California. He was 86. Perhaps more than any other person, Mr. Grant was responsible for founding the parade commemorating Dr. Martin Luther King that was the first in Los Angeles and became one of the largest in the nation.

Mr. Grant was instrumental in starting the Kingdom Day Parade where thousands of spectators lined the streets to celebrate civil rights leader Dr. King. With a deep love for his country, Mr. Grant was driven by passion to create a platform to showcase past and present black leaders in the community and hopefully inspire the youth. Mr. Grant traveled the three-mile route in South Los Angeles with a procession of colorful floats, marching bands and dance troupes trailing behind.

Mr. Grant created the yearly event as an entertaining way to unite the community. It also became a means of mending wounds. In the aftermath of the 1992 Los Angeles riots, when tensions were still thick between Korean store owners and black residents, Grant appointed a Korean taekwondo master to serve as co-chair.

Mr. Grant was one of the pioneers of Black bankers in the State of California. After serving 20 years in the Army, including World War II and the Korean War, he earned a degree in banking from the University of Maryland. He was the President and CEO of Pacific Coast Bank in San Diego, California where he started banking in 1964 until his retirement in 1984.

In 1979, his colleagues encouraged Mr. Grant to form the nonprofit National Cultural

Corp. A year later Mr. Grant threw the first King parade in San Diego, before the civil rights activist's birthday was recognized as a national holiday. Mr. Grant was eager to bring the parade's success to Los Angeles. On January 20, 1986, Los Angeles hosted the first Kingdom Day Parade. It was also the first year that King's birthday was celebrated as a federal holiday.

I remember fondly Mr. Grant's devotion to keeping the legacy of Dr. King alive through the annual Kingdom Day Parade in Los Angeles. He earned the love and respect from countless people through his selfless acts. Mr. Grant was a leader in the community and was instrumental in sharing Dr. King's philosophy with future generations.

Mr. Speaker, I ask for a moment of silence in memory of Larry Grant.

IN HONOR OF MAYOR VINCENT
SCRIBONI

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2012

Mr. ANDREWS. Mr. Speaker, I rise today to honor Mayor Vincent Scriboni for his years of tireless public service to the Borough of Oaklyn, New Jersey. Mayor Scriboni was a pillar of his community who devoted his time to the community as a Councilman and Mayor.

Mayor Scriboni dedicated his life to serving his community members and our country. As a Navy veteran from World War II, Mayor Scriboni served with distinction in order to protect the freedoms that all of us as American citizens cherish.

Serving in the U.S. Navy was only the beginning of Mayor Scriboni's service to the Nation. He served as a Councilman for seventeen years and Mayor of Oaklyn for eight years. During his time in office, Mayor Scriboni was known as the "People's Mayor" because of his can-do attitude and willingness to volunteer to take on community projects. Among his many accomplishments, Mayor Scriboni managed Oaklyn's budget and was able to renovate the public works department without creating a deficit. In addition, Mayor Scriboni combined the two fire companies of Oaklyn, making the fire company more efficient and cost effective while still meeting the needs of residents. In concert with these efforts, Mayor Scriboni organized a coalition of local mayors that could share equipment and services. The coalition also saved the town money because the townships could make joint purchases on new equipment. Mayor Scriboni's excellent budgetary skills allowed him to increase the police force from six members to eleven members, which increased safety in the town.

Furthermore, Vincent Scriboni was a member of several organizations dedicated to giving back to the Oaklyn community, including

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

serving as commander of his VFW Post 4463 and participating in the Oaklyn chapter of American Legion Riders, Post 84. Mayor Scriboni led the efforts to help fellow veterans get the care they needed by providing transportation to the VA Hospital. Along with his VFW Post, the Mayor also participated in Patriots Pen and Voice of Democracy, which are dedicated to providing scholarships to high school students in the local community.

Mr. Speaker, Vincent Scriboni's endless commitment to Oaklyn Township and the United States of America should not go unrecognized. I join the township and all of South Jersey in honoring this exceptional man.

**CULLMAN AREA TEENAGE
REPUBLICAN CLUB**

HON. ROBERT B. ADERHOLT

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2012

Mr. ADERHOLT. Mr. Speaker, I would like to honor the outstanding young men and women of the Cullman Area Teenage Republican Club for being named the Most Outstanding Teenage Republican Club in the Nation for the second year in a row at the National Teenage Republican Leadership Conference. These fine young men and women should be applauded for their dedication and hard work. Together, they spent over 2,300 hours participating in special projects, grassroots outreach, and community activities.

This organization has also had some outstanding leadership. Under the guidance of Republican State Executive Committee member Rebecca Branch, conservative teenagers in Cullman formed the Cullman Area Teenage Republican Club and found an avenue by which they could impact elections at all levels. Rebecca has been a shining example and has provided real leadership to these students over the years.

In addition, Daniel Robinson, a 2012 graduate of Cullman High School, has been recognized as the Most Outstanding Republican in the Nation. Daniel not only worked to increase membership in Cullman, but also helped start new Teen Republican Organizations in Baldwin, Shelby, Madison and Morgan counties. Daniel plans to continue his education at Auburn university this fall and looks forward to having the opportunity to work with Auburn's Young Republicans this fall.

These exceptional young people have worked diligently to recruit Alabama youth, involve them in the political process, and promote the understanding of the conservative philosophy. It is encouraging to see these young students from Alabama's Fourth District do such great things and I applaud them for their accomplishments.

Mr. Speaker, it is a great privilege to honor the members of the Cullman Area Teenage Republican Club for their achievement and unwavering resolution in building this organization for the conservative youth of Alabama. I join their family, friends, and colleagues in congratulating them on receiving this award.

**TRIBUTE TO CAPTAIN JOHN
ALTEE BARGER**

HON. SCOTT R. TIPTON

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2012

Mr. TIPTON. Mr. Speaker, I rise today to recognize Captain John Altee Barger of Pueblo, Colorado. Capt. Barger was a thirty-two year veteran of the Pueblo Police Department and an avid pilot. Capt. Barger was tragically killed in the line of duty, while conducting a narcotics investigation over the San Isabel Forest.

Born in Goodland, Kansas on April 17, 1948, Captain Barger served as a Patrol Officer in the Pueblo Police Department, and achieved much success there as a Commander in the SWAT team. A detective at heart, Capt. Barger also served in the Investigations Division for eleven years, where his instincts for solving crimes were put to great use.

Additionally, Captain Barger, with the help of his fellow SWAT officers, won the Soldier of Fortune shooting competition in Nevada—an award he cherished. Capt. Barger leaves behind a son and numerous other family and friends, including the officers with whom he served.

Mr. Speaker, it is an honor to recognize Capt. John Altee Barger. I rise today on behalf of the citizens of Colorado's 3rd Congressional District, who are proud to call such a courageous man one of their own.

**IN HONOR OF THE 100TH ANNIVERSARY
OF DUBLIN BOROUGH**

HON. MICHAEL G. FITZPATRICK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2012

Mr. FITZPATRICK. Mr. Speaker, I rise today to recognize Dublin Borough in my home of Bucks County, Pennsylvania as it celebrates its 100th Anniversary this month.

Dublin's history reaches back to before the Revolutionary War and our declaration of independence from Great Britain.

The first Scotch-Irish settlers began settling what is now Upper Bucks County as early as 1681, and in 1832, the people of this community began an eighty-year process of petitioning the state of Pennsylvania to become its own municipality.

In September 1912, the people of Dublin earned their autonomy and have built a community of which they can be proud.

Since the formation of the Borough of Dublin 100 years ago, the population has exploded and a rich diversity of small businesses and families have come to add to its proud history.

While they have faced the same trials and challenges each of our communities have faced over the course of the last century, the people of Dublin have persevered and continue to build a welcoming place to live, work and raise their families.

I commend Dublin Borough for its perseverance and success in these first 100 years, and

wish them the best of luck in the years to come.

**IN RECOGNITION OF THE UNITED
WAY OF DENTON COUNTY**

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2012

Mr. BURGESS. Mr. Speaker, I rise today to honor the United Way of Denton County and their 61 years of service. The local chapter aims to improve the quality of life in the critical areas of education, income, and health. The organization estimates that more the 33,000 students in the area are at risk of dropping out of school and approximately 15% of the County's adults over the age of 24 did not graduate from high school. Furthermore, the Texas Food Bank estimates that more than 90,000 individuals in Denton County are food insecure, and the Texas Department of State Health Services reports that \$713 million dollars were spent on preventable hospitalizations over a four-year period in the county.

The United Way of Denton County and partner agency volunteers and donors decided they could overcome these discouraging statistics. Volunteers donated 221,000 hours, valuing a \$4.8 million staff cost savings in 2011. Through the Volunteer Income Tax Assistance program, United Way of Denton County staff and volunteers have generated more than \$1,782,899 in Federal Tax Returns to Denton County residents since 2007. In addition, to improve the area's quality of life, 7,361 donors gave a total of \$1,562,851 to the United Way of Denton County in 2011.

The organization's worthwhile efforts have positively impacted the communities it serves, offering assistance to more than 4,500 Denton County residents through United Way of Denton County and their non-profit partner agencies. With the support of the citizens of Denton County, the United Way will continue to flourish and unite the community through its mission of improving lives by affording individuals and organizations opportunities to give, advocate, and volunteer. It is my pleasure to recognize the United Way of Denton County and their 61 years of service, and I am privileged to represent them in the U.S. House of Representatives.

**CROATIAN SONS LODGE NUMBER
170 OF THE CROATIAN FRATERNAL
UNION HOLDS GOLDEN
MEMBER BANQUET**

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2012

Mr. VISCLOSKY. Mr. Speaker, it is my distinct honor to congratulate the Croatian Sons Lodge Number 170, of the Croatian Fraternal Union, on the festive occasion of its Golden Member banquet on Sunday, September 16, 2012.

This year, the Croatian Fraternal Union will hold its gala at the Croatian Center in

Merrillville, Indiana. Traditionally, the celebration entails a formal recognition of the Union's Golden Members, those who have achieved fifty years of membership. This year's honorees who have attained fifty years of membership include: Judith Louise Aubuchon, Joan Clavin, Jacqueline Ann Donohue, Judith Ann Hanson, Virginia Mae Luketich, Carol Ann Magliola, Henryetta Massack, Mary Ann Matolin-Mancilla, Frank V. Morzlock, Kata V. Mrzljak, James Gabriel Popovich, Steve Prahovich, Mary Sajm, Joyce L. Schenher, Paulette Ann Smith, and Phyllis Stefankiewicz.

In addition to paying tribute to its Golden Members, the Lodge will honor George Rubick and Lou Chelich for their dedication to the Croatian Fraternal Union and for their many years of distinguished service.

This memorable day will begin with a mass at Saint Joseph the Worker Croatian Catholic Church in Gary, Indiana, with the Reverend Father Stephen Loncar officiating. The banquet will begin at 1:00 p.m.

Mr. Speaker, I urge you and my other distinguished colleagues to join me in commending Lodge President John Miksich and all members of the Croatian Fraternal Union Lodge Number 170 for their loyalty and radiant display of passion for their ethnicity. The Croatian community has played a key role in enriching the quality of life and culture of Northwest Indiana. It is my hope that this year will bring renewed hope and prosperity for all members of the Croatian community and their families.

IN RECOGNITION OF THE 80TH ANNIVERSARY OF THE CONCORD, NC LIONS CLUB

HON. LARRY KISSELL

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2012

Mr. KISSELL. Mr. Speaker, I rise today in honor of the Lions Club of Concord, NC, and the celebration of its 80th Anniversary. The Concord Lions Club is a local service organization dedicated to providing needed and unselfish service to the community, especially to those who are visually and hearing impaired.

Since its inception, the Concord Lions Club has been a staple in the community. The Club is an avid supporter of many key programs in the area, such as the Camp Dogwood program. The Club pays the fee for interested applicants, allowing all to attend this great camp. In addition, the Club collects used eyeglasses, which are refurbished and given to persons in countries around the world who are in need of eyeglasses, but are unable to afford them.

The Concord Lions Club also offers many services, such as free eye and hearing examinations. Residents with vision or hearing disabilities who are financially unable to pay for tests, eyeglasses, or hearing aids are still able to have these vital accessories with the help of the Club and Cabarrus County Social Services. They also place flags throughout Concord to celebrate federal holidays and help raise money for their many worthy projects.

As a former President of the Biscoe Lions Club, I can attest to the phenomenal work that the Concord Lions Club has done, and to their

commitment to bettering the community and helping those in need.

Today, I ask all Members of Congress to join me in honoring the Concord Lions Club, as an irreplaceable asset to the people I am proud to represent in North Carolina.

CONGRATULATORY REMARKS FOR OBTAINING THE RANK OF EAGLE SCOUT—ADAM HAWKES

HON. SANDY ADAMS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2012

Mrs. ADAMS. Mr. Speaker, I would like to congratulate Adam Hawkes for achieving the rank of Eagle Scout.

For his Eagle Scout project, Adam constructed picnic tables for a local soup kitchen. Throughout the history of the Boy Scouts of America, the rank of Eagle Scout has only been attained through dedication to concepts such as honor, duty, country and charity. By applying these concepts to daily life, Adam has proven his true and complete understanding of their meanings, and thereby deserves this honor.

I offer my congratulations on a job well done and best wishes for the future.

CONGRATULATING THE COMMUNITY FOUNDATION FOR NORTHERN VIRGINIA

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2012

Mr. MORAN. Mr. Speaker, today I rise to congratulate the Community Foundation for Northern Virginia on obtaining their National Standards for U.S. Community Foundations accreditation from the Community Foundations National Standards Board.

The Community Foundations National Standards Board was established as a supporting organization of the Council on Foundations, a nonprofit membership association of grant making foundations and corporations, to administer the National Standards. This board is responsible for upholding the quality, value, and integrity of the National Standards for U.S. Community Foundations, the first and only accreditation program of its kind.

In the United States, community foundations serve tens of thousands of donors, administer more than \$40 billion in charitable funds, and address the core concerns of more than 700 communities and regions. With such a presence—nationally and within local communities—comes responsibility.

Achieving confirmation and reconfirming compliance with National Standards is a rigorous process, guaranteeing that every community foundation that receives the designation has adhered to excellent philanthropic practice. This program requires community foundations to document their policies for governance, donor services, investments, grant making, community leadership, and administration.

The Community Foundation for Northern Virginia has obtained its National Standards accreditation by demonstrating a commitment to operational quality, integrity, accountability, and adherence to the highest standards for grant making.

On behalf of the residents of the 8th Congressional District of Virginia, I congratulate the Community Foundation for Northern Virginia on receiving its National Standards accreditation and commend the foundation's dedication to service to the 8th Congressional District and the communities of Northern Virginia.

IN HONOR OF FORMER MAYOR OF COLUMBUS FRANK MARTIN

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2012

Mr. BISHOP of Georgia. Mr. Speaker, I rise today to pay tribute to an inspirational and hardworking man and strong community leader, the Honorable Frank K. Martin, Former Mayor of the City of Columbus, Georgia. Sadly, Mr. Martin passed away on August 12, 2012. His passing leaves a tremendous void in the hearts of his family, friends and the Columbus, Georgia community.

On Wednesday, August 15, 2012, a gathering of family members, friends, and colleagues paid their respects to Mr. Martin at a memorial service held at St. Paul United Methodist Church in Columbus.

Former Mayor Martin was born on November 4, 1938 in Columbus, Georgia to the late Mr. and Mrs. Frank Callier Martin. Known as "Butch," he played for the Columbus High School Football Team. He earned both an undergraduate degree and a law degree from the University of Georgia and became a successful criminal defense attorney before being elected Mayor in 1990.

As Mayor, Mr. Martin led the passage of a 1 percent sales tax to fund the construction of a new civic center, riverwalk and public safety building. He was Vice Chairman of the Columbus 1996 Olympic Committee from 1993 to 1996 and under his leadership, the City of Columbus was able to win a bid to host the 1996 Olympic softball competition.

Mr. Speaker, one of the things that I will always remember about Frank is his ability to get things done. He sought to make a difference in the community and ultimately elevated the City of Columbus to new heights.

George Washington Carver once said, "How far you go in life depends on your being tender with the young, compassionate with the aged, sympathetic with the striving and tolerant of the weak and strong because someday in your life you will have been all of these." Mr. Martin went far in life because he had the courage and insight to help people fight for justice. We are all blessed to have had him touch our lives.

Mr. Speaker, my wife Vivian and I, along with the Columbus, Georgia community, would like to extend our deepest sympathies to Mr. Martin's wife Helen, their children, and other family members during this difficult time. May

they be consoled and comforted by their abiding faith and the Holy Spirit in the days, weeks and months ahead.

IN RECOGNITION OF HUMAN
RIGHTS CAMPAIGN

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in recognition of Human Rights Campaign (HRC), America's largest civil rights organization working to achieve lesbian, gay, bisexual and transgender equality.

Founded in 1980, the Human Rights Campaign's mission is dedicated to ending discrimination against LGBT citizens and working toward a nation that achieves fundamental fairness and equality for all by advocating for equal rights and benefits in the workplace, ensuring families are treated equally under the law and increasing public support among all Americans through advocacy, education and outreach programs. HRC has more than one million members and is supported by even more people throughout the country.

On August 25, 2012, HRC will be hosting the "Making Equality Count" 2012 Human Rights Campaign Cleveland Gala. The event will be held at Cleveland State University's Wolstein Center and will feature HRC President, Chad Griffin; Lana Parilla; and University Hospitals receipt of the Corporate Equality Award.

Mr. Speaker and colleagues, please join me in recognizing the decades of work that the Human Rights Campaign has done on behalf of equality for our country's LGBT community.

CONGRATULATORY REMARKS FOR
OBTAINING THE RANK OF EAGLE
SCOUT—CALEB DOWDY

HON. SANDY ADAMS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2012

Mr. ADAMS. Mr. Speaker, I would like to congratulate Caleb Dowdy for achieving the rank of Eagle Scout.

Throughout the history of the Boy Scouts of America, the rank of Eagle Scout has only been attained through dedication to concepts such as honor, duty, country and charity. By applying these concepts to daily life, Caleb has proven his true and complete understanding of their meanings, and thereby deserves this honor.

I offer my congratulations on a job well done and best wishes for the future.

HONORING GEORGE LANGSTAFF

HON. JIM COOPER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2012

Mr. COOPER. Mr. Speaker, I rise today to pay tribute to George Langstaff, a man whose

dedication to mentoring economically disadvantaged students in Middle Tennessee has resulted in more than 340 students obtaining a post-high school education.

After a very successful career in the footwear industry, Mr. Langstaff recognized the need to help at-risk young adults obtain a college education. In 1995, he partnered with a Nashville nonprofit to found The Sponsors Scholarship Program. To date, the program that Mr. Langstaff established has raised more than \$2.2 million dedicated to scholarships for financially disadvantaged young people.

For more than 15 years, The Sponsors Scholarship Program and its hundreds of volunteers have provided college counseling, mentoring and college scholarships to capable high school students in Middle Tennessee.

Today, I join the citizens of my district in honoring George Langstaff for his tireless commitment to ensuring that financially challenged young people from Middle Tennessee have the opportunity obtain a complete education.

We need more citizens like George Langstaff. His Volunteer spirit makes all Tennesseans proud, and a generation of young people successful.

PERSONAL EXPLANATION

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2012

Mr. JOHNSON of Georgia. Mr. Speaker, Tuesday, July 31, 2012 was the date of the primary election in Georgia, and I regret that I was absent from votes on that day. However, I would like to make clear my position on the bills that received recorded votes:

(1) S. 679—Presidential Appointment Efficiency and Streamlining Act of 2011—I would have voted "aye."

(2) H.R. 828—Federal Employee Tax Accountability Act of 2011, as amended—I would have voted "nay" on this bill that singles out middle class federal workers.

(3) H.R. 3803—District of Columbia Pain-Capable Unborn Child Protection Act—I would have voted "nay," against this misguided bill that continues the majority's disrespect for the District of Columbia and all American women. I am pleased that this bill failed to pass the House.

IN RECOGNITION OF DR. JOANN
BOUGHMAN'S BECOMING SENIOR
VICE CHANCELLOR FOR ACADEMIC
AFFAIRS AT THE UNIVERSITY
SYSTEM OF MARYLAND

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2012

Mr. VAN HOLLEN. Mr. Speaker, I rise to congratulate Dr. Joann Boughman, who will become Senior Vice Chancellor for Academic Affairs at the University System of Maryland this month. Dr. Boughman is a geneticist with

more than 30 years of teaching and administrative experience in higher education. The University System is fortunate to have her join its leadership team.

For the past 11 years, Dr. Boughman has done outstanding work as Executive Vice President of the American Society of Human Genetics ("ASHG"), which is located in my congressional district. In that capacity, she has been instrumental in ensuring that scientists are engaged in public policy. She has served on federal advisory committees on the regulation of genetic tests and has testified before government panels. She has been a tireless advocate for the need to protect the American people against genetic discrimination and was a leading champion of the Genetic Information Nondiscrimination Act. Under her leadership, ASHG partnered with the National Human Genome Research Institute at the National Institutes of Health in pioneering a Congressional fellowship to bring young geneticists to Capitol Hill.

Dr. Boughman has a long record of service at the University of Maryland. Before joining ASHG, she was Vice President for Academic Affairs and Dean of the Graduate School at the University of Maryland in Baltimore. Prior to holding those positions, she had served as Assistant Professor of epidemiology and preventive medicine and Director of the School of Medicine's graduate program in human genetics.

Mr. Speaker, I commend the University System of Maryland on its appointment of Dr. Boughman and look forward to working with her in the years ahead.

IN HONOR OF SOUTH JERSEY
PARALYMPIANS

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2012

Mr. ANDREWS. Mr. Speaker, I rise today to honor our South Jersey Paralympian, April Holmes, who traveled to the London 2012 Paralympics to compete in track and field.

April represents the United States on the world stage, serving as a role model for citizens across South Jersey and the entire nation. Her success, derived from her hard work and dedication, and exemplified through her competitive spirit, is something to which every American can aspire. In the same way that our national ethos rewards fortitude and persistence, April earned the opportunity to compete on the Paralympic stage through tireless training and sacrifice.

Since the beginning of her career in 2002, April has succeeded on the world stage, setting and breaking her own world records. Through fierce competition amongst the greatest athletes in the world, she continually pushes the limits of human achievement. The bonds of friendship gained through equally world-class sportsmanship enrich her and our nation.

Mr. Speaker, the dedication of this South Jersey Paralympian and her teammates should not go unrecognized. I join all of South Jersey in expressing our pride in April's efforts.

CONGRATULATORY REMARKS FOR
OBTAINING THE RANK OF EAGLE
SCOUT—MITCHELL KOEBKE

HON. SANDY ADAMS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2012

Mrs. ADAMS. Mr. Speaker, I would like to congratulate Mitchell Koebke for achieving the rank of Eagle Scout.

Throughout the history of the Boy Scouts of America, the rank of Eagle Scout has only been attained through dedication to concepts such as honor, duty, country and charity. By applying these concepts to daily life, Mitchell has proven his true and complete understanding of their meanings, and thereby deserves this honor.

I offer my congratulations on a job well done and best wishes for the future.

HONORING GLORIA GRIFFIN

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2012

Ms. McCOLLUM. Mr. Speaker, today I rise to honor the life and work of Gloria Griffin, a pioneer who dedicated her career to improving women's status in Minnesota.

Gloria Griffin was born in Iowa, grew up in California, and started her career in New York City as art director at Harper's Bazaar and Good Housekeeping. In 1967, she moved to Minnesota with her husband and their four children. In 1976, she entered politics as the Democratic-Farmer-Labor-endorsed candidate for Minnesota's Second Congressional District. She lost the race to the incumbent, but Governor Rudy Perpich recognized her potential and appointed her as Chair of his newly created Open Appointments Commission, where she helped change the face of government by placing more women and minorities in important positions.

After the 1980 election, when Gloria witnessed that "women and children lost big in the legislature," 23 organizations came together to create the Minnesota Women's Consortium. Gloria was unanimously elected as the first Coordinator, and led the Consortium for 15 years. Under her leadership, the Consortium achieved significant milestones that helped it grow into the largest association of women's organizations in the country.

For the better part of a decade, the Minnesota Women's Consortium was run out of a small storefront office. In 1988, Gloria Griffin led a group of women who transformed a decrepit building near the State Capitol into the Minnesota Women's Building at 550 Rice Street. Gloria not only oversaw the new headquarters, but with cooperation from the League of Women Voters Education Fund, Chrysalis, and the Minnesota Women's Consortium, the building was purchased and renovated debt-free.

Gloria Griffin was the key to many more accomplishments and victories. In 1990, under pressure from anti-abortion groups, the Dayton

Hudson Foundation withdrew their funding for Planned Parenthood of Minnesota's educational programs. Gloria, along with thousands of women across Minnesota, was outraged at the defunding of these teen pregnancy prevention programs. She correctly predicted that this would only be a "momentary mistake," and organized a successful campaign that resulted in Dayton Hudson reversing its decision and restoring funding.

Gloria Griffin was not only a leader on women's policy issues; she was also a mentor to individual women. In the years to come, her championship of women earned her numerous awards, including the YWCA St. Paul Leadership Award for Outstanding Contribution to Government/Politics, Women of Distinction Award from Soroptimist International for her accomplishments in Human Rights/Advancement of the Status of Women, the Ann Bancroft Dream Maker Award for Achievement and Leadership, and the DFL Woman of Distinction Award.

Mr. Speaker, in honor of Gloria Griffin's steadfast commitment to the advancement of women's lives, I am pleased to submit this statement for the CONGRESSIONAL RECORD.

IN HONOR OF THE HUNGARIAN
SCOUTS

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in honor of the Hungarian Scouts.

The first Hungarian Scout group to form in the United States was founded in Cleveland, Ohio in 1951. By the fall of that year, two troops, one East side and one West side, had formed and registered with the Boy Scouts of America. In 1952, the Hungarian Scouts expanded and formed a girls' troop. By 1957, the girls' troop had also split into two groups located in the same neighborhoods as the boys' East and West side versions.

In 1973, the Hungarian Scout Folk Ensemble was created in order to study Hungarian culture and teach it to the Hungarian youth. The Ensemble aims to preserve dying folk arts of the Hungarians in the Carpathian basin and pass them on to the public and future generations. Their performances include lively song, dance, and music accompanied by true-to-culture costumes.

Each year the Hungarian Scout Folk Ensemble performs at the Hungarian Festival held in the Greater Cleveland area during Labor Day weekend. This year marks the 57th annual festival. Celebrations begin on Sunday, September 2nd with a twelve o'clock Hungarian mass followed by the opening of the kitchens at one o'clock serving traditional Hungarian fare such as goulash, chicken papriakas and dumplings, and a variety of pastries. Throughout the day events include soccer matches, free animal programs, challenging children's games, folk art presentations and authentic Hungarian music capped off by the performance of the Hungarian Scout Folk Ensemble.

Mr. Speaker and colleagues, please join me in honoring the Hungarian Scouts.

EASTERN WEST VIRGINIA
COMMUNITY FOUNDATION

HON. SHELLEY MOORE CAPITO

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2012

Mrs. CAPITO. Mr. Speaker, today I rise to congratulate the Eastern West Virginia Community Foundation on obtaining their National Standards for U.S. Community Foundations™ accreditation from the Community Foundations National Standards Board.

The Community Foundations National Standards Board was established as a supporting organization of the Council on Foundations, a nonprofit membership association of grant making foundations and corporations, to administer the National Standards. This board is responsible for upholding the quality, value, and integrity of the National Standards for U.S. Community Foundations™, the first and only accreditation program of its kind.

In the United States, community foundations serve tens of thousands of donors, administer more than \$40 billion in charitable funds, and address the core concerns of more than 700 communities and regions. With such a presence—nationally and within local communities—comes responsibility.

Achieving confirmation and reconfirming compliance with National Standards is a rigorous process, guaranteeing that every community foundation that receives the designation has adhered to excellent philanthropic practice. This program requires community foundations to document their policies for governance, donor services, investments, grantmaking, community leadership, and administration.

The Eastern West Virginia Community Foundation of Martinsburg, West Virginia has obtained its National Standards accreditation by demonstrating a commitment to operational quality, integrity, accountability, and adherence to the highest standards for grantmaking.

On behalf of the residents of Martinsburg, I congratulate the Eastern West Virginia Community Foundation on receiving its National Standards accreditation and commend the foundation's dedicated service to Martinsburg and communities in West Virginia.

CONGRATULATORY REMARKS FOR
OBTAINING THE RANK OF EAGLE
SCOUT—TRACY MURPHY

HON. SANDY ADAMS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2012

Mrs. ADAMS. Mr. Speaker, I would like to congratulate Tracy Murphy for achieving the rank of Eagle Scout.

For his Eagle Scout project, Tracy provided benches for resting on a local hiking trail. Throughout the history of the Boy Scouts of America, the rank of Eagle Scout has only been attained through dedication to concepts such as honor, duty, country and charity. By applying these concepts to daily life, Tracy has proven his true and complete understanding of their meanings, and thereby deserves this honor.

I offer my congratulations on a job well done and best wishes for the future.

TRIBUTE TO THE WOMEN PEACEMAKERS PROGRAM AT THE UNIVERSITY OF SAN DIEGO ON ITS 10TH ANNIVERSARY

HON. SUSAN A. DAVIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2012

Mrs. DAVIS of California. Mr. Speaker, I wish to pay tribute today to the Women PeaceMakers Program at the University of San Diego, which celebrates its 10th anniversary this year.

The award-winning Women PeaceMakers Program, which is based at the university's Joan B. Kroc Institute for Peace & Justice, IPJ, documents the stories and practices of international women leaders who are involved in human rights and peacemaking efforts in their home countries. It was founded on the idea that history is rarely recorded from women's perspectives, especially women on the frontlines of efforts to end violence and secure peace.

In 2011, the power of such documentation was confirmed when three women received the Nobel Peace Prize. One was Leymah Gbowee, whose story of pushing for peace in Liberia might have been forgotten if not for the documentary "Pray the Devil Back to Hell." Similarly, the Women PeaceMakers Program in San Diego records the stories that are overlooked or neglected in the media and in history books.

To date, the program has documented the stories of 35 Women PeaceMakers from 30 countries. This year it has selected four more women, from Colombia, Kenya, Nepal and the Solomon Islands, to reside for two months on the campus of the University of San Diego and have their stories recorded by professional writers and a documentary film team. The location of the university, overlooking San Diego's Mission Bay and the Pacific Ocean, is an idyllic one for rest and reflection for women who often face violence on a daily basis, and who must struggle for space and security to do their work for peace.

The process of reflection that the women undertake as they share their stories, contemplating their motivation to become leaders, and why the initiatives they developed were successful teaches them how to be more effective peacebuilders when they return to their countries.

It is not only the professional writers, however, who get to hear the women's stories and learn of their methods of building peace. Members of the local community, as well as students and professors at the University of San Diego and neighboring schools and colleges, have the opportunity to attend the Women PeaceMakers' lectures and other public events, and those events are often streamed live online for national and international audiences as well. Last year, the university received the Senator Paul Simon Spotlight Award from NAFSA: The Association of International Educators, in recognition of the

Women PeaceMakers Program and its success in internationalizing the campus.

Mr. Speaker, please join me in congratulating the Joan B. Kroc Institute for Peace & Justice and the University of San Diego on a momentous 10th year of the Women PeaceMakers Program.

IN RECOGNITION OF PLAINFIELD MAYOR SHARON ROBINSON-BRIGGS

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2012

Mr. PALLONE. Mr. Speaker, I rise today to congratulate Mayor Sharon Robinson-Briggs as she is honored by the New Jersey State Conference of the NAACP at its 2012 Annual NJ NAACP State Convention. As the NJ NAACP celebrates African-American mayors throughout New Jersey, Mayor Robinson-Briggs should also be recognized as the first female Mayor of the City of Plainfield.

Serving as mayor of the City of Plainfield since 2006, Mayor Robinson-Briggs has committed herself to the residents of Plainfield by creating a Welcome Desk at City Hall, a Community Garden for the city and a Feed the Children program to provide groceries to local families. She has established herself as an advocate for the community of Plainfield and all of the residents of New Jersey, participating in several organizations, including the NJ State NAACP Executive Committee; the American Cancer Society; the American Diabetes Association; and the NJ Sharing Network, which strives to promote organ and tissue donation. She is also an exemplary leader, having served as past president of the Plainfield Board of Education and past president of the Plainfield Area NAACP.

Mayor Robinson-Briggs has been commended by several organizations for her efforts on behalf of the residents of Plainfield and New Jersey. The State NAACP, as well as the Plainfield Area NAACP and Regional NAACP, have honored her with Certificates of Achievement. The YMCA of New Jersey also decorated Mayor Robinson-Briggs with the Minority Achievement Award. Her dedication to the community is demonstrated in her many accomplishments.

Mr. Speaker, once again, please join me in honoring Mayor Sharon Robinson-Briggs as the NJ State NAACP gathers to celebrate its annual convention. It is my hope that my colleagues will join me in thanking her for her leadership and service to the City of Plainfield.

IN HONOR OF MS. MARGARET "PEG" BARKER

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2012

Mr. ANDREWS. Mr. Speaker, I rise today to honor Ms. Margaret "Peg" Barker for her tireless service to Maple Shade Township, New Jersey. Ms. Barker was a pillar of her commu-

nity who ceaselessly worked to end adult illiteracy and protect the natural resources of Maple Shade Township.

Ms. Barker was a tireless advocate for literacy. As the founder of the Maple Shade Friends of Literacy organization, she tutored international residents so they could learn to read and write in the English language. Ms. Barker volunteered a majority of her time teaching English because she viewed books as a window to knowledge and satisfying curiosity. She wanted other residents to have the ability to enjoy reading and writing as much as she did.

However, Maple Shade Friends of Literacy was only the beginning of Ms. Barker's service to her community. She was a member of several town planning committees and various environmental committees that were dedicated to improving the lives of residents in Maple Shade. As a member of the Pennsauken Water Shed Committee, Ms. Barker volunteered her efforts protecting the environment by making sure that the water shed was safe for fellow residents. Furthermore, on her own time, Ms. Barker volunteered by mapping and marking every storm drain in the town of Maple Shade in order to protect turtles. Ms. Barker was dedicated to protecting the environment, but also extended her services to help the residents of Maple Shade in any way she could.

Mr. Speaker, Ms. Barker's endless commitment to Maple Shade Township should not go unrecognized. I join the township and all of South Jersey in paying tribute to this exceptional woman.

SUPPORT OF THE BETTER BUSINESS BUREAU

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2012

Mr. MORAN. Mr. Speaker, I rise today in support of the nation's Better Business Bureaus ("BBB"; originally known as Advertising Vigilance Committees).

The BBBs came into being at the annual meeting of the Associated Advertising Clubs of America in May, 1912, following an editorial in Printer's Ink magazine challenging false and misleading advertising. The first such Vigilance Committee was organized later that year by a group of industry leaders in the fight for truth in advertising and selling.

BBBs are private, non-profit organizations collectively constituting the United States' oldest and largest grassroots business self-regulatory organizations and pre-date the creation of the U.S. government's Federal Trade Commission by two years. Today, they consist of 116 independent BBB offices serving every market area in the United States, an additional 10 international offices serving Canada, and a national coordinating office located in Arlington, Virginia.

Over the past 100 years, BBB's have sought to foster an ethical marketplace where buyers and sellers can trust each other—advancing marketplace trust by creating communities of trustworthy businesses, setting standards, encouraging and supporting best practices, celebrating marketplace role models,

and denouncing substandard marketplace behavior.

Throughout the 1920s—at a time when pernicious investment frauds and schemes threatened to undermine public trust in securities markets—BBBs across the country served the nation as a de facto securities regulator until the creation of the Securities and Exchange Commission in 1934. During the Great Depression of the 1930s, the nation's BBBs were nearly alone in their fight to promote "Truth in Advertising" and protect the public from the myriad frauds and schemes that preyed on the nation's beleaguered consumers. During the 1940s, BBBs conducted a relentless effort to educate and protect families on the home front from a number of war-related schemes and provided major technical assistance to the U.S. Government's efforts to coordinate war relief. As U.S. and Canadian soldiers returned from the war, and throughout the dramatic economic expansion of the 1950s, BBBs helped educate veterans and their families on a wide variety of marketplace trust issues—significantly expanding "truth in advertising" review, consumer complaint handling and the availability of consumer information—all at no cost to North American taxpayers.

The BBB system responded to the challenges of the consumer revolution of the late-1960s by merging activities of its National BBB and its Association of BBBs—under the leadership of businessmen Henry Ford II and Elisha ("Bud") Gray II—into a single, international organization—the Council of Better Business Bureaus. In the period following the creation of that new coordinating body, the BBB system:

Launched its National Advertising Division and National Advertising Review Board (in a partnership with leading advertising industry associations) and created a special Children's Advertising Review Unit (CARU) to evaluate child-directed advertising and promotional material in all media against its own standards and relevant laws;

Created a National Consumer Arbitration Program to provide consumers and businesses with a fast, fair and free method of resolving disputes without resorting to overburdened courts;

Consolidated BBB's long-standing role—reviewing publicly-soliciting charitable organizations against a set of standards—into a single Philanthropic Advisory Service (now the BBB Wise Giving Alliance);

Served as the organizing body to create the Society of Consumer Affairs Professionals in Business (SOCAP) to "... provide for and promote the exchange of ideas, expertise and opinions relevant to consumer affairs" and "to aid business in anticipating, recognizing and responding to consumer needs, desires and expectations"; and

Began the process of utilizing emerging computer technology to better understand consumer dissatisfaction with the marketplace and provide timely, fact-based data for business, consumer groups, regulators and the public.

The BBB system accepted a major challenge in 1983, when the Federal Trade Commission (FTC) and General Motors Corporation (GM) signed a consent order, agreeing to use BBB AUTO LINE®—a consumer mediation and arbitration program—to resolve dis-

putes arising out of certain specified component parts of GM vehicles. In 1991 (when the consent order was to expire), the FTC noted that more than 233,000 consumers received in excess of \$68 million from GM through BBB arbitration and millions of other owners received settlements from GM through BBB conciliation and/or mediation. A similar consent order was signed by Volkswagen of America in 1988, also providing for arbitration through the BBB. Today, 28 manufacturers continue to participate in BBB AUTO LINE® nationally, with others participating on a state-by-state basis.

In 1997, the BBB system launched BBBOnLine®, at a briefing at the U.S. Capitol for legislators and regulators with business and consumer leaders. This BBB program was designed to take advantage of Internet technology to provide timely information to the millions of people who were becoming "wired" through emerging Internet technologies. In 2004, the BBB system launched BBB Military Line to provide free, specialized resources to support military communities in the areas of financial literacy and consumer protection through education, outreach to service members and their families, information, data collection and BBB complaint-handling and dispute resolution.

100 years after the first BBB launched in Minneapolis, BBBs will likely have responded to over 100 million requests from consumers for BBB assistance, will accept, process and attempt to resolve roughly one million consumer complaints and will be supported in that effort by over 400,000 BBB Accredited Businesses and national partners representing many of the world's largest advertisers. In addition, BBB will very often be the "first responder" to alert the public to new and fast-moving frauds and schemes that increasingly use high technology to prey on victims.

This fall, from September 30—October 3, 2012, BBBs from the United States and Canada will gather to celebrate their centennial anniversary in Washington, D.C., highlighting an extraordinary century of service to business and consumers with events in both the District of Columbia and at Mt. Vernon, the home of America's first President. I urge my colleagues to join me in recognizing the BBB, and that this Congress:

(1) Recognizes the 100th anniversary of the advertising industry's "fight for truth in advertising" that culminated in the founding of the Better Business Bureau; and

(2) Honors and praises the Better Business Bureau system on the occasion of its anniversary for its work to advance marketplace trust on behalf of businesses and consumers, in cooperation with government and the local, state and federal level, through a transparent process of voluntary self-regulation, public education and marketplace conflict resolution.

CONGRATULATING THE LEMON GROVE LITTLE LEAGUE SENIOR DIVISION ALL-STARS ON WINNING THE U.S. CHAMPIONSHIP

HON. SUSAN A. DAVIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2012

Mrs. DAVIS of California. Mr. Speaker, I would like to congratulate the Lemon Grove Little League Senior Division All-Stars on becoming U.S. champions and coming in second at the Senior Division World Series in Bangor, Maine.

Getting to the World Series in Maine was no small task, and Lemon Grove showed how practicing hard and working together can really pay off.

Actually, Congress could probably learn a lot from how well this group worked together.

Lemon Grove's run to becoming U.S. champions was inspiring for everyone in the community, and we are all very proud.

Congratulations to all the families, the coaches, and of course, the players!

Mr. Speaker, I ask my colleagues to join me in recognizing the Lemon Grove Little League All-Stars and wishing them the very best in all of their future endeavors.

IN RECOGNITION OF GOSNOLD ON THE CAPE

HON. WILLIAM R. KEATING

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2012

Mr. KEATING. Mr. Speaker, I rise today to recognize Gosnold on Cape Cod as the facility celebrates its fortieth year of service to southeastern Massachusetts.

Gosnold on Cape Cod is the largest provider of addiction and mental health services on the Cape and has been helping individuals on the road to recovery since 1972. It has grown since its founding, when it was originally known as the Pocasset Detox Center, and has continuously expanded throughout the years in order to better serve its patients. Two years after it first opened its doors, Gosnold incorporated one of the first residential treatment programs in the country designed exclusively for women, and expanded again in 1996 to treat individuals with mental and emotional disorders in addition to individuals suffering from addiction.

Gosnold has been recognized nationally for its excellence as it has grown. In 1987, Forbes Magazine recognized Gosnold as one of the twelve leading substance abuse treatment programs in the country, and in 1995, the Emerson House Pregnancy Program, Gosnold's residential treatment center for pregnant women and women with children, was selected to be featured on ABC's Nightline. Recently, the Massachusetts Mental Health Counselors Association named Gosnold as the 2010–2011 Mental Health Agency of the Year. These are all such fitting accolades for a center whose employees have worked tirelessly to ensure that patients receive the treatment they need, along with the compassion they deserve.

Focusing on individualized treatment as well as group therapy, twelve-step principles, family involvement, and continuing care, the specialists at the Gosnold center understand that addiction is a chronic disease requiring lifelong management. Gosnold's mission—to excel in addiction and mental health treatment, to serve men, women, and families affected by these illnesses, and to promote lasting recovery—has guided the center since its inception. Surrounded by the restorative and calming qualities of the Cape Cod shoreline, Gosnold has allowed those affected by addiction and mental illness to find peace and stability after turmoil.

Mr. Speaker, it brings me great pride to honor Gosnold on Cape Cod as it celebrates its fortieth year of service to its patients and to Massachusetts. I urge my colleagues to join me in congratulating the center for its steadfast leadership in the treatment of addiction, and for its dedication to the patients it serves.

TO HONOR THE LIFE OF JUDY
GALLO

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2012

Mr. KUCINICH. Mr. Speaker, I rise today to honor the life of a tireless advocate for workers, Judy Gallo. She is survived by her husband, two sons, a step-daughter, a sister, a sister-in-law, a daughter-in-law, co-grandmother and grandson.

Ms. Gallo's work experience included spending three years in the 1960's campaigning for civil rights with the Student Non-violent Coordinating Committee in the south, working as a youth leader in New York City, helping lead the Cleveland peace movement, acting as a leader with Peace Action and Women Speak Out for Peace, and attempting to organize a nurses union at MetroHealth.

Upon retiring, Judy remained active in the United Labor Agency serving as Outreach Coordinator, and beginning in 2001 helped register several thousand Cleveland voters through the development of the Greater Cleveland Voter Coalition.

As her illness became more assertive Ms. Gallo did not allow her inability to walk, read, or write hinder her hard work and dedication. Not only did she spend hours making countless phone calls to help organize speakers against S.B. 5, she also initiated and oversaw the completion of an informative booklet, "Women's History Project." This literary work identifies 16 local social activists and explains their background and experiences with social justice causes. The Western Reserve Historical Society has included this booklet in its research catalog.

Mr. Speaker and colleagues, please join me in honoring the life and achievements of Judy Gallo. She will be missed by all who knew her. Her memory will live on through the legacy of her dedicated service to the community, and her tireless advocacy of social justice.

IN RECOGNITION OF ASBURY
PARK MAYOR ED JOHNSON

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2012

Mr. PALLONE. Mr. Speaker, I rise today to congratulate Mayor Ed Johnson as he is honored by the NJ State Conference of the NAACP at its 2012 Annual NJ NAACP State Convention. The Mayor's leadership and dedication to the City of Asbury Park is highly deserving of recognition.

First elected to serve as mayor in May 2005, Mayor Johnson is currently serving his second term in office. In addition, Mayor Johnson is a member of the Governing body of Asbury Park, the Transportation Center Subcommittee, and the Neighborhood Preservation Program, among many others. He is no stranger to leadership roles within the City of Asbury Park, having previously served as Chairman of the Asbury Park Urban Enterprise Zone. Through his work at the Asbury Park Urban Enterprise Zone, Mayor Johnson helped develop an organization dedicated to supporting economic growth in Asbury Park and his commitment to opportunities for residents continues today.

Mayor Johnson is also a strong advocate for accessible quality education. He is a graduate of Eastern New Mexico University, where he earned both a Bachelor of Science Degree in Liberal Arts and Sciences and a Master of Arts Degree in Social and Political Science. His commitment to education is evident in his role as Director of the Brookdale Community College Long Branch Higher Education Center and his previous employment as an educator.

Mr. Speaker, once again, please join me in recognizing Mayor Ed Johnson as the NJ State NAACP gathers to celebrate its annual convention. Mayor Johnson's leadership and service to the City of Asbury Park is truly honorable.

IN HONOR OF POLICE CHIEF PAUL
FRAZIER FOR HIS DEDICATED
PUBLIC SERVICE TO THE TOWN
OF BRAINTREE AND THE COM-
MONWEALTH OF MASSACHU-
SETTS

HON. STEPHEN F. LYNCH

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2012

Mr. LYNCH. Mr. Speaker, I rise today in honor of Police Chief Paul Frazier of Braintree, Massachusetts, in recognition of his thirty-two years of dedicated public service to the families of the Town of Braintree and the Commonwealth of Massachusetts.

Chief Frazier was born and raised in Braintree, Massachusetts, by his proud parents, Mary and Robert Frazier. He is one of ten children. He currently resides in Braintree, Massachusetts and is the proud parent of two wonderful daughters, Jenny and Katie.

Chief Frazier graduated from Braintree High School in 1973 and, following in his father's

footsteps, he joined the United States Marine Corps earning the rank of Corporal. After serving our country, he attended Northeastern University and earned a Bachelor of Science in Criminal Justice.

Subsequent to his graduation from Northeastern University, he was hired by the Braintree Police Department on June 20th, 1980. Early in his career, he earned the American Legion's "Medal of Honor" for apprehending an armed felon during a shooting incident. He was later promoted to Sergeant on September 1st, 1987, and Lieutenant on February 5th, 1990. As a Lieutenant, he led the Detective Division and worked with the South Shore Drug Task Force.

In 1993, he became the Chief of Police and was reappointed by Mayor Joseph Sullivan in 2010. As the Chief of Police for 19 years, he has implemented a number of improvements to the department that helped train and equip the police force. Most recently, he helped guide a \$1 million renovation of the police station.

Chief Frazier has volunteered countless hours to various causes, notably the Alzheimer's Disease Memory Ride, where funds are raised to combat Alzheimer's Disease, and the Massachusetts Chiefs of Police Association Ralph LePore Jimmy Fund Golf Tournament. Fittingly, Chief Frazier was recognized for his leadership with the Ken Coleman Extra Mile Award, given to the outstanding volunteer to the Jimmy Fund Golf Tournament.

Mr. Speaker, it is my distinct honor to take to the floor of the House today to join with his family, friends and contemporaries to thank Braintree Police Chief Paul Frazier for his dedicated public service to the families of the Town of Braintree, the Commonwealth of Massachusetts, and to the United States of America. I urge my colleagues to join me in recognizing Police Chief Paul Frazier's career of unselfish commitment to his community and country.

IN RECOGNITION OF HELEN
FRESSOLA

HON. WILLIAM R. KEATING

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2012

Mr. KEATING. Mr. Speaker, I along with my colleague, Mr. NEAL, rise today to recognize Mrs. Helen Fressola on her ninetieth birthday.

Born Helen Haluszka on September 14, 1922, Helen has experienced much throughout her ninety years. Raised in Chicopee as one of three siblings, Helen grew up in Western Massachusetts and also often spent time in Cape Cod, which she considered her second home. Helen began work as a branch manager for Springfield Institution Savings Bank as a young woman, and remained there until her retirement. She also worked as a real estate agent for many years, helping families throughout Massachusetts to find the right home. In her spare time, Helen enjoyed "flipping" houses—the act of purchasing, remodeling, and then selling old homes—and eventually, she expanded this hobby to include restaurants as well. The many homes and restaurants that she renovated remain scattered

throughout western Massachusetts and Connecticut.

Today, Helen's life is dominated by her love of the ocean, and she is an active member of the Hyannis Yacht Club. She has been interested in politics for decades, and recalls attending events on the Cape that were hosted by members of the Kennedy family. She attributes her longevity to staying young at heart, a way of life that Helen has personified. Even at ninety, she enjoys going out to dinner with her friends and visiting her favorite casino, and she still insists on driving herself to every social occasion that she attends. Helen spends much of her time with her ever-expanding family in Massachusetts. She is the proud mother of son Alfred and daughter Carol, grandmother of Joan, and great-grandmother of Shyloe.

Mr. Speaker, we are proud to honor Helen Fressola as she celebrates the joyous occasion of her ninetieth birthday. She is an extraordinary member of our community and her positive spirit is an inspiration to us all. We ask that our colleagues join us in wishing her many more years of health and happiness.

HONORING THE LIFE AND SERVICE OF 1ST LT. TODD W. LAMBKA

HON. HEATH SHULER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2012

Mr. SHULER. Mr. Speaker, I rise today to honor the life and service of 1st Lt. Todd W. Lambka. On August 1st, 2012, he passed away while serving in the Paktika province of Afghanistan.

1st Lt. Lambka attended Robbinsville High School where he participated in both football and wrestling. He was known for his maturity as well as his work ethic, building a reputation for outworking his teammates and making others around him better. Following high school, 1st Lt. Lambka excelled as a student at the United States Military Academy at West Point, NY. He was awarded the Robert Foley Scholarship of Honor for receiving high marks and persevering despite the loss of his mother, Donna. After graduation in 2010, he was assigned to the 1st Battalion of the 28th Infantry Regiment in the 4th Infantry Brigade Combat Team of the 1st Infantry Division based in Fort Riley, Kansas.

1st Lt. Lambka is survived by his wife, Cassie, twin brother Jordan, who is also serving in Afghanistan, and father Brian. He has been awarded the Bronze Star Medal and Purple Heart posthumously.

In his writings with others, 1st Lt. Lambka frequently referenced a quote from President Teddy Roosevelt, "There has never yet been a man in our history who led a life of ease whose name is worth remembering." Mr. Speaker, with the life that 1st Lt. Lambka has lived and the sacrifices he made, his name is not merely worth remembering. Rather, it shall be engrained in our national consciousness with the other fallen servicemembers of this generation—men who sacrificed their lives for our country and freedom. I urge my colleagues today to join me in honoring 1st Lt. Lambka.

IN HONOR OF MR. JOSEPH MEISSNER

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2012

Mr. KUCINICH. Mr. Speaker, I rise to recognize and honor Joseph Meissner upon his retirement from the Legal Aid Society of Cleveland and upon his new career as a neighborhood lawyer where he will continue to serve clients and advocate for justice.

I have known Joe Meissner for many years and recognize that Joe's love of justice has deep roots. In the "Freedom Summer" of 1964, while a law student at Harvard University School of Law, Joe was co-chair of the Harvard Civil Rights Committee and marched for civil rights in the South.

After service with the U.S. Army in Vietnam and receiving the Bronze Star and other commendation medals, Joe began his career with Legal Aid. He continued to serve in the Army Reserves and eventually earned the rank of Lieutenant Colonel.

Since 1967, he has been advocating for low-income clients as a lawyer for the Legal Aid Society of Cleveland. He is well-known for his knowledge of public utilities law. He used his wealth of knowledge to demand justice and fairness in public utility cases on behalf of those in need. Informed by the needs of his clients, Joe fought for a "percentage of payment plan" which keeps gas and electric costs low for low-income customers.

As an attorney, Joe has not only represented private clients, but has also been an advocate for neighborhood economic development and environmental justice. He was an organizer of the Neighborhood Environmental Coalition in Cleveland's Slavic Village neighborhood and other nearby downtown neighborhoods. His ability to navigate utility and environmental law helped stop the siting of incinerators near downtown and helped keep utility emissions in check in the low-income and racially diverse neighborhoods of Cleveland's urban core. Years after his victories, Joe continued to build on the relationships that he developed with the people in those neighborhoods and government agencies.

At this juncture, Joe Meissner begins a new career. He will soon hang his shingle and practice law from a storefront on Cleveland's near West Side, not far from where he went to high school at St. Ignatius.

Mr. Speaker and colleagues, please join me in wishing Joseph Meissner well in his retirement from 45 years with Legal Aid and in his new endeavor to represent the people of Cleveland as a neighborhood public interest attorney.

IN MEMORY OF HELEN GURLEY BROWN

HON. LAURA RICHARDSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2012

Ms. RICHARDSON. Mr. Speaker, I rise today to pay tribute to the memory of Helen

Gurley Brown, one of the world's most influential magazine editors and authors. As editor-in-chief of Cosmopolitan magazine for over three decades, Ms. Gurley Brown promoted the idea of a modern career woman and left a permanent mark on American culture. She passed away at 90 years old.

Even from an early age, Ms. Gurley Brown never let anyone set limits on what she should do with her life. She put herself through Woodbury Business College and jumped into a career in copyediting, all at a time when society demanded that women marry young and start families instead. She knew that women could have it all: successful careers, relationships, and the confidence to take charge of their own lives.

In 1962, Ms. Gurley Brown authored her famous book, "Sex and the Single Girl." Three years later, she became editor of Cosmopolitan, transforming it into the bold and trendy magazine we know it as today. Her frank advice on sex and careers revolutionized the entire media industry and sparked a nation-wide conversation on what it meant to be a feminist and modern woman. Although her publications were considered shocking and risqué when first published, she ushered in a new wave of ideas and made women's empowerment a mainstream concept.

Ms. Gurley Brown changed the way an entire generation of women defined themselves and their future aspirations. Her outspoken and pioneering nature will be greatly missed, but her lifetime's work has already liberated a whole generation from outdated ideas of women's place in society. Her legacy will live on through the countless women Ms. Gurley Brown has inspired.

Mr. Speaker, I ask my colleagues to join me in expressing deep condolences to Ms. Gurley Brown's friends and family.

IN RECOGNITION OF JOHN BUCKEY

HON. WILLIAM R. KEATING

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2012

Mr. KEATING. Mr. Speaker, I rise today to recognize a dedicated public servant from Nantucket, Massachusetts. This year, John Buckey was honored as the Massachusetts High School Principal of the Year.

A lifelong learner himself, John received his Bachelor of Arts in Spanish from Asbury College and is currently pursuing a doctorate in Education Leadership at Northeastern University. Sixteen years ago, John began his career in education as a Spanish teacher and Chair of the World Language Department at the Lexington School in Lexington, Kentucky. From there, he pursued a Master of Education from Harvard University and began his first—of many—administrative assignments serving as Assistant Principal and then Principal of Littleton High School in Littleton, Massachusetts. Four years ago, he took over as Principal of Nantucket High School during one of the most difficult periods in the high school's history. It was his leadership, along with the help of the school and greater community that Nantucket High School has achieved tremendous growth over this period.

Mr. Speaker, I am proud to honor Principal John Buckey on this joyous occasion. He is an extraordinary member of our community and I ask that my colleagues join me in congratulating him for this prestigious award.

TRIBUTE TO COACH LIANG CHOW

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2012

Mr. LATHAM. Mr. Speaker, I rise today to recognize and honor Iowa's own Coach Liang Chow for placing West Des Moines, Iowa among our nation's premier training destinations for aspiring Olympic gymnasts through his world-class coaching.

Coach Chow's life in gymnastics began nearly 10,000 miles away from West Des Moines when he was just five years old in Beijing, China. For more than a decade Liang represented China's national men's gymnastics team and won numerous competitions across the globe, including the World Cup master championships in 1990 and earning a bronze medal at the 1989 world championships. Unfortunately, a back injury before the 1992 Olympic Games forced him to retire prematurely from the sport he loved. However, in every challenge lies opportunity. Liang took advantage of an opportunity to move to Iowa in 1991 and hasn't looked back. Coach Chow began attending the University of Iowa on an English scholarship where his gymnastics experience led to his selection as the university's assistant coach of the men's program. Chow coached five of his gymnasts to the national men's team in his first year. After his exemplary coaching skills became evident, Coach Chow was offered a full time coaching role with the University of Iowa women's gymnastics program. Chow accepted, but soon realized that his coaching technique could reach new heights if his students were a bit younger, to better mold their early gymnastic development.

After searching across the country for an ideal location to open his own gym, Chow knew Iowa was where he was meant to be. In 1998, he secured a small warehouse and opened his first gym. By 2003, he expanded to his current facility, which includes two gyms and spans 11 acres. Since 1998, Coach Chow's gym maintains a steadfast philosophy of hard work mixed with fun, which emphasizes the journey just as much as the destination. It is in his gym and through his philosophy that Liang Chow has become an international name by coaching American gymnastic icons like Shawn Johnson and Gabby Douglas to Olympic gold.

Mr. Speaker, Coach Chow's contribution to gymnastics and to Iowa cannot be understated. His unwavering commitment to his dreams and the dreams of his students truly embodies Iowa's spirit. I know all of my colleagues in the United States House of Representatives will join me in congratulating Coach Chow on his stellar career, and I wish him the best of luck in the future as he continues to proudly represent the best of America and her heartland.

PERSONAL EXPLANATION

HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2012

Mr. COHEN. Mr. Speaker, due to my primary election I was detained from voting on Thursday, August 2, 2012. If present, I would have voted "yea" on the following rollcall votes: Rollcall 550, rollcall 551, rollcall 553, rollcall 555.

I would have voted "nay" on the following rollcall votes: Rollcall 549, rollcall 552, rollcall 554, rollcall 556.

COMMEMORATING IFSTL FOR ITS ONE-YEAR ANNIVERSARY IN FIGHTING TO INCREASE GLOBAL FOOD SAFETY STANDARDS

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2012

Mr. HOYER. Mr. Speaker, I rise today to honor and congratulate the one-year anniversary of the International Food Safety Training Laboratory (IFSTL) at the University of Maryland. This ground-breaking public-private-academic partnership puts to work government, university and private industry resources to expand the capacity of food safety scientists globally.

The global food trade has soared over the past two decades. Increasing public demand for international foods has resulted in global food exports exceeding \$1 trillion per year. With changing regulations and technologies coupled with shrinking budgets from tough economic conditions, assuring food safety has become a growing challenge.

We know how important it is for our food supply to be 100% safe. Americans need confidence that the food they provide their families is free of contamination. The Food and Drug Administration (FDA) has a big job to do, and the recent Food Safety Modernization Act will help them protect our food supply. But even with the added protections afforded by this law, the FDA still can't respond to the hundreds of requests from foreign governments to train their officials on U.S. regulatory standards and requirements. And the best way to ensure food safety is make sure the food is safe before it reaches our borders.

The IFSTL greatly assists the FDA by training food safety scientists from around the world on the best food safety practices. They learn how to better detect food borne contamination and what they have to do to meet U.S. regulatory standards. This training will enable governments and food manufacturers to more easily detect contaminated food at farms, ports and manufacturing plants and it will increase compliance with food regulations. Over time, this will make food safer when it reaches our tables.

The IFSTL also creates permanent channels of communication between food regulators and producers from around the world, allowing them to work together to identify and resolve

food safety challenges. This supports trade between countries and enables food safety standards to rise across the board.

I am proud to join IFSTL in celebrating their first of many anniversaries. I thank them for their work and commend their partners that have helped: the University of Maryland, the Joint Institute for Food Safety and Applied Nutrition, the FDA, and Waters Corporation. Thank you.

HONORING MR. HERBERT M. SACHS

HON. JOHN P. SARBANES

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2012

Mr. SARBANES. Mr. Speaker, I rise today to honor and congratulate Herbert M. Sachs for over fifty years of dedicated service to Maryland and his longstanding commitment to protecting and improving our region's water resources. In the countless water resource management projects he led to success, Mr. Sachs has made an indelible mark on our state and his efforts will have an enormous impact that will benefit us for many years to come.

From the beginning of his career, Mr. Sachs has been a true leader in solving environmental and natural resource issues in Maryland. In the early 1960s, Mr. Sachs played a critical role in creating and directing both the Maryland Department of Water Resources and the Maryland Department of Natural Resources. For more than 40 years, he served in various positions at the Maryland Department of Planning as well as Director of the Water Resources Administration and Assistant Secretary at the Department of Natural Resources, overseeing efforts related to water pollution control, water resources management, wastewater treatment and flood control.

Mr. Sachs' model for success is distinguished by the integration and collaboration of all stakeholders. While serving as the Executive Director of the Interstate Commission on the Potomac River Basin from 1992 until 1997, Mr. Sachs supervised efforts related to the coordination of water supply and activities between Maryland, Virginia, West Virginia, Pennsylvania, and Washington, DC. In 1998 he returned to the State of Maryland at the Maryland Department of the Environment where he worked on the Coastal Bay Restoration Program, the Susquehanna River Basin Commission, the Patuxent River Commission and the Potomac River Basin, among others. In each position, Mr. Sachs applied his unparalleled knowledge and his spirit for team work to ensure that our water sources in the Chesapeake Bay and Potomac River Basin are preserved and protected.

Over the course of his career, Mr. Sachs has been recognized for his expertise, his passion and his good nature. He is a thoughtful leader who strives to find new and creative ways to solve problems and give back to his community. Mr. Sachs' dedication to the State of Maryland and to the conservation of our water resources is commendable and I thank him for his many years of outstanding service

as well as for his visionary leadership and dedication to improving the environment.

IN HONOR OF FRED AND JAKKI
NANCE

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in honor of Fred and Jakki Nance who are the recipients of the 2012 Pan Award at Cleveland Public Theatre's Pandemonium 2012: House of Dreams Gala.

Founded in 1981 by James Levin, the Cleveland Public Theatre is an arts complex located in Cleveland's Detroit-Shoreway neighborhood. The Cleveland Public Theatre is recognized for shows that are often progressive, political, and provocative. It also serves the area's urban youth and homeless through educational programs. Cleveland Public Theatre's mission is to raise consciousness and nurture compassion through ground-breaking performances and life-changing educational programs.

Both Fred and Jakki Nance have long histories of community involvement and have committed their lives to improving Northeast Ohio. Jakki is a board member for the Rock n' Roll Hall of Fame & Museum, Union Club, Laurel School and the Thomas Moyer Judicial Center and Foundation. She is the president of Philanthropic Solutions and has already been a leader with the LeBron James Family Foundation, Cleveland Browns Foundation and Cleveland Clinic Foundation.

Fred Nance currently serves on the boards of the Cleveland Clinic, Greater Cleveland Partnership, The Cleveland Foundation and RPM International Inc. He has also been a board member for the Cleveland Museum of Art, BioEnterprise Inc. and the Catholic Diocese of Cleveland Foundation. He is integral in the leadership of the Ohio Business Roundtable and the 50 Club of Cleveland.

Mr. Speaker and colleagues, please join me in honoring Fred and Jakki Nance who, because of their contributions to the community, are the winners of the 2012 Pan Award.

TRIBUTE TO OLYMPIC GOLD
MEDALIST GABRIELLE DOUGLAS

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2012

Mr. LATHAM. Mr. Speaker, I rise today to recognize Gabby Douglas of West Des Moines, Iowa for her outstanding accomplishments in the 2012 Summer Olympic Games. Gabby will be remembered by history as the first African-American individual all-around champion and as the first American gymnast to earn a gold medal in both the individual all-around and team competitions in the same Olympics.

Gabby has been training in West Des Moines under former University of Iowa gym-

nastics coach Liang Chow for nearly two years. Originally from Virginia Beach, Gabby has dedicated her life to gymnastics since enrolling when she was just six years old. In 2010, Gabby felt it was time to take her training to the next level and moved halfway across the country to train under Coach Chow and make her Olympic dreams a reality. While Gabby's move was not an easy decision for her mother Natalie, or her two sisters Arielle and Joy, Gabby's move to Iowa has been a wonderful experience thanks to her host parents, Travis and Missy Parton of West Des Moines. Gabby quickly became another daughter to her host parents and another sister to their four daughters, Hailey, Leah, Lexi, and Elissa. In London, Gabby's two mothers stood side by side as they cheered Gabby to a first place finish and into the history books.

Gabby Douglas has shown America, and the world, that anything is possible through hard work and dedication. She has taken her newfound fame with elegance and humility, attributing her success to her supportive families and unwavering faith in God. It is no surprise to those who know Gabby that her infectious positive attitude and incredible athletic ability has captured the nation's attention. Gabby returns to America both as a champion and as a role model for millions of young Americans.

Mr. Speaker, witnessing the historic achievements of Gabby Douglas has captivated the nation and the world. Miss Douglas has represented the very best of Iowa's work ethic and people on the international stage, and it is a great honor to represent Gabby and the Partons in the United States Congress. I know that all of my colleagues in the House will join me in congratulating Gabby, thanking her supportive families, and welcoming all of our athletes home from a truly historic Summer Olympics in London.

HONORING ELIZABETH AND
HENRY SNIPEs

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2012

Mr. JOHNSON of Georgia. Mr. Speaker, I submit the following proclamation.

Whereas, the union of Elizabeth and Henry Snipes has blessed us with descendants that have helped to shape our nation; One such descendant being Mr. Maceo Snipes who was a World War II veteran; and

Whereas, their union produced many well respected citizens, today we honor all of the matriarchs and patriarchs, who are pillars of strength for the Snipes and Turner families; and

Whereas, in our beloved Fourth Congressional District of Georgia, we are honored to have many members of the Snipes and Turner families, whom are some of our most productive citizens in our District; and

Whereas, family is one of the most honored and cherished institutions in the world, we take pride in knowing that families such as the Snipes and Turner families have set aside this time to fellowship with each other, honor one another and to pass along history to each

other by meeting at this year's family reunion in Atlanta, Georgia; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to honor and recognize the Snipes and Turner families;

Now therefore, I, HENRY C. "HANK" JOHNSON, JR., do hereby proclaim, July 7, 2012 as Snipes and Turner Family Reunion Day in the Fourth Congressional District of Georgia.

Proclaimed, this 7th day of July, 2012.

THE GREATER KANAWHA VALLEY
FOUNDATION

HON. SHELLEY MOORE CAPITO

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2012

Mrs. CAPITO. Mr. Speaker, today I rise to congratulate The Greater Kanawha Valley Foundation on obtaining their National Standards for U.S. Community Foundations™ accreditation from the Community Foundations National Standards Board.

The Community Foundations National Standards Board was established as a supporting organization of the Council on Foundations, a nonprofit membership association of grant making foundations and corporations, to administer the National Standards. This board is responsible for upholding the quality, value, and integrity of the National Standards for U.S. Community Foundations™, the first and only accreditation program of its kind.

In the United States, community foundations serve tens of thousands of donors, administer more than \$40 billion in charitable funds, and address the core concerns of more than 700 communities and regions. With such a presence—nationally and within local communities—comes responsibility.

Achieving confirmation and reconfirming compliance with National Standards is a rigorous process, guaranteeing that every community foundation that receives the designation has adhered to excellent philanthropic practice. This program requires community foundations to document their policies for governance, donor services, investments, grantmaking, community leadership, and administration.

The Greater Kanawha Valley Foundation of Charleston, West Virginia has obtained its National Standards accreditation by demonstrating a commitment to operational quality, integrity, accountability, and adherence to the highest standards for grantmaking.

On behalf of the residents of Charleston, I congratulate The Greater Kanawha Valley Foundation on receiving its National Standards accreditation and commend the foundation's dedicated service to Charleston and communities in West Virginia.

HONORING CAPTAIN JOE MORRIS

HON. HEATH SHULER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2012

Mr. SHULER. Mr. Speaker, I rise today to honor Captain Joe Morris, who retires from

law enforcement after having completed over 40 years of outstanding service to his community and Western North Carolina.

Joe has shown devotion to upholding the rule of law and ensuring the safety of our mountain communities throughout his career. He began in 1964 as a Highway Patrol Officer, a position in which he excelled until he retired as a Master Trooper in 1985.

He later served as a Captain for Sheriff Homer Holbrooks at the Macon County Sheriffs Department until 2002. Joe once again returned to service the same year, working as the Jail Administrator and as a Captain at the Cherokee County Sheriffs Department. It is from this position that we can celebrate his retirement.

Through literally decades of service, Joe has shown extraordinary dedication to law enforcement in Western North Carolina, and as has had a particularly important impact on Macon and Cherokee Counties. As his nephew, I could not be prouder. Thank you, Uncle Joe, for all of your service to Western North Carolina.

TRIBUTE TO COLONEL JOHN
BOULÉ II

HON. WILLIAM L. OWENS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2012

Mr. OWENS. Mr. Speaker, I rise today to honor the career and service of a friend and constituent, Colonel John Boulé II of Plattsburgh, New York, and to congratulate him on his upcoming retirement. Col. Boulé has a long and decorated career, rising to his current position as Commander of the New York District for the Army Corps of Engineers. This country and the State of New York are fortunate to have benefitted from his years of dedicated service.

Col. Boulé graduated in 1986 from the United States Military Academy at West Point with a Bachelor of Science in Civil Engineering. He went on to earn two Master of Science degrees from Stanford University, and later used those skills to help further the careers of fellow soldiers by teaching at West Point. Col. Boulé also served the Army in a variety of operational, command, and staff assignments in the U.S. and overseas including in Iraq, Somalia, and in New York at Fort Drum with the 41st Engineer Battalion, 10th Mountain Division. His decorated career includes the Legion of Merit, the Bronze Star Medal, six awards of the Meritorious Service Medal, the Ranger Tab, and the Combat Action Badge.

In addition to his work overseas, Col. Boulé has been a positive force for change in New York and in my congressional district. Since coming to Congress, I have benefited from his knowledge and experience in our efforts to improve Plattsburgh Harbor, attend to the district after Hurricane Irene, and strengthen Fort Drum. His dedication to these efforts has always helped to keep New York moving forward, and I am proud to have worked with him.

It has been a pleasure and honor to work with Col. Boulé. On a personal note, I am glad

to have John as a friend and look forward to seeing him in Plattsburgh visiting with his family in the years ahead. I ask that my colleagues join me in congratulating him on his retirement and wishing him well in whatever comes next.

RECOGNIZING THE ACHIEVEMENTS
OF THE ROCHESTER GIRL SCOUT
TECH TEAM, THE HIPPIE PANDAS

HON. LOUISE McINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2012

Ms. SLAUGHTER. Mr. Speaker, it is my honor to congratulate Emily Sabo, Carolyn Grant, Ashley Stafford and Jodie Reese—members of the Hippy Pandas Girl Scout team of Rochester, NY. Along with their coaches Cheryl and Christa Lawniczak, the Hippy Pandas recently pioneered an invention that is preventing disease, and saving lives.

The young ladies of the Hippy Pandas recently partnered with engineers at the Rochester Institute of Technology and Eastman Kodak Company to design and build a device to change the world. Through extensive research and hard work, the young women created a solar-powered pasteurization system that processes raw milk. As I write, this invention is providing women in developing countries with an easy and inexpensive way to access safe milk for themselves and their families.

This invention was spurred by a desire to help women in Nicaragua, where unpasteurized milk has caused women to suffer from higher-than-normal rates of miscarriage and disease. They've done exactly that, as their invention has already been put to use in Nicaragua, and requests have come in to expand its use to other countries.

Across the world, women face the tremendous challenge of accessing safe, affordable and secure health care. Indeed, in many countries, lack of resources and gender discrimination conspire to leave women vulnerable to contracting preventable disease. Every day, some of the most accomplished and heralded professionals in the world work to address these challenges. Yet, quietly, a small group of dedicated young women in Western New York solved one such challenge with an incredible invention.

Through their hard work, the Hippy Pandas have helped change the course of life for women a world away. In the process, they have shown this Congress, and this country, the important role that science and technology play in making our world a better place.

Mr. Speaker, I am proud to represent such intelligent, innovative, and accomplished young women. Through their work, the Hippy Pandas have shown the best that the Rochester area has to offer. Their scientific and technological knowledge, together with a deep passion for serving a greater good, embodies the values that serve as a foundation for my hometown and our Nation.

In honor of the Hippy Pandas' service to the global community, I ask my colleagues to

join me in congratulating Emily, Carolyn, Ashley, Jodie, Cheryl and Christa, and their mentors at Rochester Institute of Technology and Eastman Kodak Co. for their innovative work and dedication to science and technology. I speak for all of Western New York in expressing our pride and gratitude for the life-changing work the Hippy Pandas have done.

TRIBUTE TO EDWARD AND
DARLENE LUNDQUIST

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2012

Mr. LATHAM. Mr. Speaker, I rise today to recognize and honor Edward and Darlene Lundquist on the very special occasion of their 70th wedding anniversary. Their milestone took place Saturday, September 8, 2012.

Mr. and Mrs. Lundquist have been a happy couple since their days as high school sweethearts in Corning, Iowa. Never ones to waste time, Edward and Darlene eloped in neighboring Missouri on September 8, 1942 and haven't looked back.

Edward and Darlene have resided in Osceola, Iowa since 1959 when they purchased a lumberyard that is now in its third generation. In addition to building their successful business, Mr. and Mrs. Lundquist have also raised three children—Nancy, Jim and Alan—who have blessed them with eight grandchildren and 12 great-grandchildren, with another on the way. The Lundquists continue to be a visible and important part of their community, and it is an honor to represent them in the United States Congress.

Edward and Darlene's lifelong commitment to each other and their family truly embodies Iowa's values. I salute this lovely couple on their 70th year of life together and I wish them many more. I know my colleagues in the United States House of Representatives will join me in congratulating them on this momentous occasion.

DR. MURTAZA BAXAMUSA—FELLOWSHIP HONOREE OF THE
YEAR!

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2012

Mr. FILNER. Mr. Speaker, I rise today to proclaim that there are several unsung community leaders in our nation that deserve our utmost admiration and recognition.

One such leader hails from my 51st Congressional District, Dr. Murtaza Baxamusa, the Director of Planning and Development for the Family Housing Corporation of the San Diego County Building and Trades Council, as well as an Adjunct Faculty with the Sol Price School of Public Policy at the University of Southern California. He is a certified planner by the American Planning Association. He has over 10 years experience in economic development and sustainable urban planning and

works with several non-profits to expand affordable housing in the San Diego area.

Dr. Baxamusa is a founding board member of the Middle Class Taxpayers Association and serves on the Board of Directors of the San Diego City-County Reinvestment Taskforce, Utility Consumer Action Network, and Cleveland National Forest Foundation. He writes the blog, Middle Class Thinker for VoiceofSanDiego.org and serves on the real estate panel for the San Diego Union Tribune.

Dr. Baxamusa received his doctoral (PhD) in Planning from the University of Southern California (USC) in 2008. His study on community benefits agreements received the award for the best doctoral dissertation in planning use at USC and was published in the academic journal of record in American planning education. He received a Master's degree in Planning at USC, and a Bachelor's degree in Architecture from the Indian Institute of Technology.

In his last position as the Deputy Director at the Center on Policy Initiatives, Dr. Baxamusa authored numerous policy briefs and studies on issues concerning working families and is frequently cited by the media and legislators as an expert on these issues. His public policy accomplishments include: expanding the living wage to outsourcing, economic prosperity in the General Plan, and responsible contracting. His report on city finances, "Bottom Line," is one of the most referenced municipal budgets in the city of San Diego. The City of San Diego proclaimed June 17, 2008 to be "Dr. Baxamusa Day" in recognition of his work in the city.

Prior to moving to San Diego, Dr. Baxamusa was a researcher at the USC Center for Economic Development. He worked on sustainable development strategies for several cities in Southern California. The Center was recognized as the National Center for Eco-Industrial Development by three federal agencies.

Congratulations are indeed in order today as we honor and recognize Dr. Murtaza Baxamusa as the John S. Lyons Foundation's Fellowship Honoree of 2012!

IN RECOGNITION OF THE 100TH ANNIVERSARY OF THE NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE, CLEVELAND BRANCH

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in recognition of the 100th Anniversary of the National Association for the Advancement of Colored People, Cleveland Branch.

The National Association for the Advancement of Colored People (NAACP) was founded in 1909 by W.E.B. Du Bois, and Ida B. Wells-Barnett, among others. The NAACP initially began as an organization fighting against discrimination and for protection under the law for African-Americans. The NAACP's mission is to ensure the political, educational, social, and economic equality of rights of all persons and to eliminate race-based discrimination.

The Cleveland Branch of the NAACP was established in 1912 by a small group that consisted of a cook, machinist, engineer, caterer, janitor, tailor, barber and seven postal workers. By 1914, the Cleveland Branch had 214 members. Throughout its history, the NAACP Cleveland Branch has worked to end discrimination in area schools, businesses, public establishments, and hospitals. It has fought for equal justice from the law, employment opportunities and voting rights among other campaigns. It has been led by 32 presidents, including former Cleveland City Council president George Forbes, who served from 1993 to 2012. Today, the NAACP Cleveland Branch is comprised of 15,000 members and is led by James L. Hardiman.

Mr. Speaker and colleagues, please join me in recognizing the National Association of Colored People, Cleveland Branch on 100 years of working for civil rights.

HONORING POWELL'S BOOKSTORE

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2012

Mr. BLUMENAUER. Mr. Speaker, I rise to honor Powell's Bookstore, a Portland landmark, on the occasion of its 41st anniversary.

One of the benefits of my job is an opportunity to become a part of a lot of exciting events: Groundbreakings, anniversaries, ribbon-cuttings, commencement speeches. On August 25th, in Portland, I shared a truly unique moment. It's one of the reasons why people come from all over the world to share in the Portland experience. No tour of Portland is complete without a visit to Powell's City of Books. This is not just because this bookstore is the one attraction in Portland that's open 365 days a year, and bad weather doesn't stop you. In fact bad weather makes the trip to Powell's even more fun. It's iconic but I think few people really understand why and how it got to be that way.

Portland is the livability capital of the United States. And livability is about things like bikes and beer, about restaurants that are locally owned, gluten-free organic and free-range with everything sourced from less than four blocks from the restaurant. It's a powerful concept, to be local, human-scale and high quality.

Think about Powell's. It's local in the extreme, but it's been on the web for almost 20 years now. The staff is amazing! It's full of Reed college double majors in physics and philosophy who are members of the long-shoreman's union and speak Swahili and Gaelic.

It's probably the best place in Portland for a first date. You really get to know someone wandering through the stacks at Powell's with them. It's a great place to ditch a kid for a long period of time, although that sometimes makes Michael and the staff a little nervous. It is the ultimate Christmas experience as all of the last-minute shoppers flock here. It's not just what you get, it's what you do, sharing in the frenzy of the wild-eyed, strange people who are wandering the aisles at the last moment.

Powell's is uniquely Portland because it is a family enterprise. On August 25th, I was joined by Alice Powell who is Michael's partner in life and a professional in terms of counseling that I think often has helped move the institution along. There may have been a few moments in the history of taking risks in this enterprise where maybe another income made a difference.

Michael Powell is a shy semi-curmudgeon, so it's hard to tell about all the contributions that Michael has made to the community. It's not just about his business. He's one of the people who understand that what's good for the community is good for his business, and what's good for his business is good for his community. For the better part of these 40 years, I've had a chance to work with him on a wide variety of projects, from parks and planning, to transportation and downtown development. Michael has helped lead the charge for business people to tax themselves to improve the quality of the downtown experience. For 20 years he's been not just active, but a leader, in bringing the streetcar to Portland and then expanding it. Because of Michael's efforts, the streetcar is one of those experiences that make Portland unique.

Now with their daughter Emily, it's been three generations of Powell's involved with this institution going head-to-head against the big chain establishments. With all the changes in publishing, all the changes in the economy, they've been a constant. Powell's has been a leader in ways that have made a big difference to us all.

I was asked to share a memory of Powell's, which was kind of hard because I've got so many of them over the years.

There is one experience that stands out. I love books. I'm a library junkie. I have my own study carrel in the Library of Congress, perhaps the most magnificent building in Washington, DC. I was having a tour for some Oregonians that were in town, going through the Library of Congress. We went up the staircase to look over that magnificent reading room, just a spectacular sight. It is hard to believe that it was built by the Corps of Engineers over 100 years ago.

While we're standing there, looking down at the reading room, there were people from another tour crowding behind the Plexiglas, quietly oohing and ahing. I turn to my right and there's someone wearing a Powell's City of Books t-shirt. I interrupt to say, "That's cool, I'm from Portland, I represent the Powell's." Before you know it, the whole tour is disrupted because people are noticing the Powell's shirt and they're talking about how much they love Powell's. I thought it was a perfect expression of what Powell's means to Portland and to people around the country. Congratulations on 41 years. Thank you for enriching our city and our experience. We look forward to many more years of your success.

RECOGNIZING THE POTENTIAL OF COMMUNITY LENDING

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2012

Mr. ANDREWS. Mr. Speaker, I rise today to recognize some recent innovations in private lending to graduate and undergraduate students in U.S. colleges and universities. I also want to encourage our nation's wealthy individuals to think about participating in these programs as one way to give back to our communities. Since its inception in 2011, the Social Financial company, or SoFi, has offered compelling community-based lending and consolidation programs, and this academic year will assist students from 45 colleges and universities across the country.

At its core, SoFi demonstrates the powerful idea of community lending. It brings alumni, students, and schools together to ensure students' debt burdens are manageable. For the upcoming 2012–13 academic year, SoFi used its equity base and additional capital from alumni to secure \$80 million to finance, fund, and support new student loans. This innovative student loan solution benefits students, alumni, higher education institutions, and our nation. The funds from school-specific lending pools allow students to enjoy comparatively low-interest loan rates and opportunities to refinance previous loans. In addition, the alumni that contribute to the pool earn a significant and low-risk return, while schools gain access to low-cost funding.

Mr. Speaker, although I do not expect private lending schemes to supplant available federal loan structures, I believe Social Financial's commitment to the betterment and transformation of the financial services landscape for students sets an example for how to innovate in this field. I commend SoFi for its hard work, community partnerships and innovation, and congratulate SoFi on its continuous expansion to schools across the U.S. In order to tackle student debt, we will need to be creative, in exactly the ways SoFi has been. I encourage those who have the means and desire to give back to follow Social Financial's example and invest in the education of the next generation.

HONORING FANNIE SHERIDAN

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2012

Mr. JOHNSON of Georgia. Mr. Speaker, I present the following U.S. Citizen of Distinction.

Whereas, our lives have been touched by the life of this one woman . . . who has given of herself to her community, church and family; and

Whereas, Mrs. Fannie Sheridan's spirit is present in DeKalb County, Georgia for all to see, being a mother, a community worker, neighbor and friend; and

Whereas, this giant of a woman was born in Eufula, Alabama to Maceo and Loftie Tennelle

on October 12, 1925, she has been on the move ever since as a woman of God, touching lives in Alabama, Chicago, Illinois, Gary, Indiana and Decatur, Georgia; and

Whereas, this remarkable woman gave of herself, her time, her talent and her life; she never asked for fame or fortune just fairness for the people, she was our quiet storm, a spark that starts a flame; and

Whereas, Mrs. Fannie Sheridan led by doing behind the scenes, she encouraged all those around her who wanted to make a difference, be it her family, her elected officials, her neighbors and her church members at Saint Philip AME Church; she was a virtuous woman, a woman of great integrity who remained true to the uplifting of her community and our district; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to bestow a Congressional Recognition on Mrs. Fannie Sheridan for her leadership, friendship and service to all of the citizens throughout the Nation; a citizen of great worth and so noted distinction;

Now therefore, I, HENRY C. "HANK" JOHNSON, JR., do hereby attest to the 112th Congress that Mrs. Fannie Sheridan of Decatur, DeKalb County, Georgia is deemed worthy and deserving of this "Congressional Recognition": Mrs. Fannie Sheridan, U.S. Citizen of Distinction in the Fourth Congressional District of Georgia.

Proclaimed, this 13th day of July, 2012.

TOM LEMMON—JOHN S. LYONS
FOUNDATION LABOR LEADER OF
THE YEAR!

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2012

Mr. FILNER. Mr. Speaker, I rise today to proclaim that organized labor and its leaders are often the sole-source fighting for the rights of working men and women all across this great nation for many decades.

One such leader from my 51st Congressional District, who has been at the forefront of this unified labor movement in Southern California, is the very dynamic Business Manager of the San Diego County Building & Construction Trades Council AFL–CIO, Tom Lemmon. In Tom's capacity, he oversees twenty-two affiliates with separate jurisdictions, in addition to directing fourteen independently operated joint labor-apprenticeships.

In addition to his other accomplishments, Tom is Chairman of the Board for the San Diego Buildings Trades Housing Corporation that owns and operates a four hundred and fifty-unit affordable housing complex in National City that he lived in during his early teens.

Tom served as member of the Independent Citizens Oversight Committee for the San Diego Schools Prop MM Construction Bond, he was the Chair of the San Diego Community College District's Construction Sub-Committee, and further served as Chair to the Advisory Committee for the Tech Academy which is located at Kearney High School.

Tom is currently a very active member of the United Way and still finds time to serve as a trustee for the Western States Health and Welfare Benefits Trust Fund; he is the President of the Imperial County Building Trades Council. Tom is also a long time member of the Old Mission Beach Athletic Club having served their Board for several years in the capacity of their 2nd Vice President.

Tom attended San Diego Mesa College before enlisting in the United States Marine Corps, earning an honorable discharge. He then earned his Bachelor of Arts Degree in Labor Studies from the National Labor College.

Tom started his career in the building and construction trades as an entry-level construction worker and took full advantage of educational opportunities offered by the Insulators & Asbestos Workers Local Union #5 Apprenticeship Training Trust. After gaining experience in the field and classroom, Tom rapidly advanced to managing a variety of major construction projects throughout the Southwest and Hawaii. He is a life-long resident of San Diego where he still resides with his wonderful wife and daughter.

We need to congratulate Tom Lemmon for his many years of dedicated service to the organized labor movement in San Diego and to working men and women all across this great nation!

TRIBUTE TO TIM CONLEY AND THE PEOPLE OF MORGAN COUNTY

HON. HAROLD ROGERS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2012

Mr. ROGERS of Kentucky. Mr. Speaker, I rise today to pay tribute to Morgan County Judge Executive Tim Conley and the first responders of West Liberty, Kentucky in honor of their steadfast resolve and perseverance to rebuild and recover the town of West Liberty in the midst of disaster.

On Friday March 2, 2012, thousands of lives changed across southern and eastern Kentucky, when multiple deadly tornadoes ravaged our region, including an EF–3 tornado that destroyed downtown West Liberty with winds reaching 165 mph. Homes were leveled, businesses and community centers annihilated, families were displaced all over the countryside, and loved ones were lost. County Judge Tim Conley, West Liberty Mayor Jim Rupe, and first responders took charge immediately, serving as heroes both during and after the storm. Along with many others, Judge Conley risked his own life to rush a family into shelter at City Hall, barely hanging on as the violent eye of the storm nearly swept them away. Within days of the disaster, Conley made tough decisions to get the county back into operation after the tornado shut down every bank, grocery store, gas station, and government building in town. Through his dedication and hard work, Conley kept up morale, supplied vital information to residents, and rallied the community as they began to envision a new future for West Liberty.

Thousands of volunteers and tireless emergency crews helped Kentucky families get

back on their feet after the deadly tornado outbreak. Our brave first responders searched every home for survivors, staying awake until everyone was accounted for and had received medical attention. The volunteer efforts ranged from people of all ages, including Boy Scouts and Disabled American Veterans, who fed and clothed dozens of families in addition to cleaning and rebuilding homes and businesses. Volunteer efforts were so abundant that FEMA did not have to set up any temporary shelters, due to the numerous families in West Liberty that selflessly took in their neighbors and family members.

As West Liberty continues to rebuild and look forward, we must remember and honor the hundreds of first responders, local officials such as Tim Conley, and volunteers who worked hard to lend a hand in the darkest hour. It was through their selfless service, resilience, and valiant leadership that helped put Morgan County on the path to recovery.

Mr. Speaker, I ask my colleagues to join me in honoring Tim Conley, our first responders, and the numerous volunteers throughout Kentucky for their heroic acts of bravery, compassion for those in need, and determination to recover and succeed.

RECOGNIZING THE CONTRIBUTIONS OF CAPTAIN EMILIANO TELLADO

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2012

Ms. ROS-LEHTINEN. Mr. Speaker, today I recognize Captain Emiliano Tellado of the United States Army for his dedication and service to our Nation. Captain Tellado recently moved on from his assignment as a Congressional Liaison for the Army to become the North Atlantic Treaty Organization Land Command Stand Up Team Special Initiatives Group Leader.

A native of Puerto Rico, Captain Tellado graduated from Norwich University and earned his Bachelor's Degree in Political Science and International Studies. Following his graduation from Norwich University in May 2003, Captain Tellado was commissioned in the Field Artillery branch. His first assignment was with 5th Battalion, 25th Field Artillery Regiment, 4th Brigade, 10th Mountain Division, Light, where he served as a Fire Direction Officer and Platoon Leader. During that time he deployed as part of Combined Joint Task Force-76 to Afghanistan from March 2006 to November 2007. Upon his arrival he was assigned to the 2nd Battalion, 4th Infantry Regiment, 4th Brigade, 10th Mountain Division, Light, where he served as a Battalion Fire Support Officer and a Rifle Company Commander, deploying for a second time.

For his second deployment, Captain Tellado deployed to Operation Iraqi Freedom as part of the "Surge" from November 2007 to January 2009. Throughout his deployments Captain Tellado led soldiers in combat at both the platoon and company level in Afghanistan and Iraq. His awards and decorations are as extensive as they are impressive, and include:

Bronze Star Medal, Army Commendation Medal, 2 Oak Leaf Clusters, Army Achievement Medal, the Combat Action Badge, Ranger Tab, and Parachutist Badge.

After transferring command in August, he attended the Field Artillery Captains Career Course. Upon completion, Captain Tellado was selected for the prestigious Army Congressional Fellowship Program, where, as part of the Program, he earned his Master's in Legislative Affairs from George Washington University.

This Master's would serve him well, as Captain Tellado was then chosen to serve as a Defense Department Fellow on the House Foreign Affairs Committee. He utilized the skills he learned from his Master's program, together with his extensive deployment experience, to provide expert advice on Middle East and South Asian affairs.

In January 2011, he arrived in the House Army Liaison Division where he assumed his duties as a Legislative Liaison and continued to honorably serve as a conduit between the Army and Congress.

Mr. Speaker, it has been a pleasure to work closely with Captain Tellado over the last few years of his decorated career, both as a Fellow for the Foreign Affairs Committee, and as a Legislative Liaison for Congress to the Army. On behalf of a grateful Nation, I join my colleagues today in recognizing and commending Captain Tellado for dedicating his life in service to his country.

For all he and his wife have given, and continue to give to our country, we are in their debt. We wish him and his wife Sindia Luz Tellado all the best as they continue their journey together, wherever that may lead them.

IN RECOGNITION OF BROOKLYN CENTRE'S BICENTENNIAL

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in recognition of the bicentennial celebration of Brooklyn Centre, a historic neighborhood within the City of Cleveland.

Brooklyn Centre was founded by James Fish of Connecticut in 1812, marking the first settlement west of the Cuyahoga River. Just a few years later, more than 200 people had begun living in the area. On June 1, 1818, Brooklyn Township was formally organized. Throughout the next several decades immigrants from Germany, Poland and Ireland moved to Brooklyn Centre. The area became known for its tanners, shoemakers, and other skilled tradesmen. Brooklyn Centre was annexed by the City of Cleveland in the latter half of the 19th century, after which it began to grow rapidly.

Less than a century later, following World War II, the residents of Brooklyn Centre began focusing on the preservation and revitalization of their neighborhood. In 1946, the Southwest Citizens Area Council was formed. The Brooklyn Center Community Association, also known as Archwood Concerned Citizens, and the Brooklyn Centre Historical Society were

founded in 1978. In 1981, the Crossroads Development Corporation was established. In 1984, the City of Cleveland recognized the historic importance and architectural significance of the neighborhood with the creation of the Brooklyn Centre Historic District. More recently, Friends of Big Creek and the Brooklyn Centre Naturalists have been established and the new Jones Home National Historic District was designated. In November 2008, Brooklyn Centre became a National Wildlife Federation registered Community Wildlife Habitat Site.

The Brooklyn Centre Bicentennial celebration began on Memorial Day with a ceremony at the Brooklyn Centre Burying Grounds, which was founded in 1835. The neighborhood will also celebrate with a parade, community picnic and historic home tour, among other festivities.

Mr. Speaker and colleagues, please join me in recognizing 200 years of history and culture in Cleveland's Brooklyn Centre neighborhood.

HONORING IRIS M. ARCHER AS 2012 ANGELS IN ADOPTION HONOREE

HON. AUSTIN SCOTT

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2012

Mr. AUSTIN SCOTT of Georgia. Mr. Speaker, I rise today to recognize Iris M. Archer of Macon, GA, as a 2012 Angels in Adoption Honoree for her outstanding advocacy of adoption in the State of Georgia.

Mrs. Archer is the founding director of Covenant Care Services, a statewide adoption agency based in Macon and serving all of Georgia. Mrs. Archer founded the organization and served as Executive Director from 1989 until her retirement in May 2011.

Adoptive parents often endure a long journey that requires them to endure a great deal of sacrifice. Their journey begins long before they ever meet their bundle of joy and to prepare for this momentous occasion they often secure an advocate to help them navigate the arduous process. However, in the late 1980s, during a time when unplanned pregnancy was still very much considered shameful, one woman noticed that a very important player in this process often did not have a voice in the world of adoption. While adoptive parents were cooing over the new addition to their family with their advocates by their sides, the baby's birthmother was left by herself to overcome the sadness that often accompanies the difficult decision she made.

Mrs. Archer felt that she could be that voice for the birthmother. Utilizing her degree in counseling and previous work experience for a national adoption agency, she set out on a mission to offer counseling and education to mothers of unplanned pregnancy and offered herself as an advocate for them all around the state. By 1989, her one-woman mission had grown into a full-time cause and Covenant Care Services was established. In that time, she worked to change general adoption practices to identify a triad that included separate advocates for the family, baby and birthmother. The triad's purpose was to alleviate conflict of interest and ensure that all parties are fully served.

As the demand for their services increased around the state, Mrs. Archer began to expand the organization. By the mid-1990s Covenant Care had staff in five communities around the state and employed seventeen full-time staff members. At the insistence of Mrs. Archer, Covenant Care was built as an organization that depends on fundraising for two-thirds of its annual budget. This means that the agency is not dependent on adoption revenue to operate. Not only does it allow the agency to offer some of the lowest adoption fees in the state but more importantly the ability to emphasize education and counseling for the mother without the pressure of being forced to choose adoption. Covenant Care's work has resulted in an average of 25 adoptions each year, nearly 600 adoptions since 1989.

Iris Archer is a woman who simply saw a problem and dared to believe that she could do something about it, and something she did. Mr. Speaker, for her tireless devotion to the entire adoptive family, please join me in honoring Mrs. Iris M. Archer as a true "Angel in Adoption."

IN RECOGNITION OF NEW
AVENUES FOR INDEPENDENCE

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in recognition of New Avenues to Independence, a volunteer organization that provides services to individuals with disabilities.

New Avenues to Independence was founded in 1952 by a group of parents with disabled children. Instead of sending their children off to live in institutions, the founding parents had a vision of an organization that would facilitate independent lives for their children and others with disabilities. For the past sixty years, New Avenues to Independence has provided opportunities for employment and education to the individuals it serves, in addition to various forms of therapy and recreational activities both inside and outside of its group homes. New Avenues to Independence serves people with a wide range of disabilities and is committed to meeting the specific needs of each individual.

Since its founding, New Avenues to Independence has grown in the number of people it serves as well as the number of services it provides. There are now eight homes located in the Northeast Ohio area, serving 600 disabled people each year. Over the years, New Avenues to Independence has received many awards recognizing its contributions to the community. This year marks the 60th anniversary of its founding.

Mr. Speaker and colleagues, please join me in honoring New Avenues to Independence, an organization that has provided individuals with disabilities the means to lead independent lives for the past sixty years.

HONORING TERYLE L. BERRY

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2012

Mr. JOHNSON of Georgia. Mr. Speaker, I present the following U.S. Citizen of Distinction.

Whereas, our lives have been touched by the life of this one woman . . . who has given of herself to her country, family and community; and

Whereas, Ms. Teryle L. Berry served six (6) years in the United States Navy, she was an educator, community advocate and business owner; and

Whereas, Ms. Berry gave of her time and talent to uplift those in need by demonstrating unwavering commitment to serving the citizens of her community, her family and her country; and

Whereas, she was a mother, a daughter, a sister and a friend; she was a woman of great integrity who remained true to the uplifting and service to our district; and

Whereas, the U.S. Representative of the Fourth District of Georgia recognizes Ms. Teryle L. Berry as a citizen of great worth and so noted distinction;

Now therefore, I, HENRY C. "HANK" JOHNSON, JR. do hereby attest to the 112th Congress that Ms. Teryle L. Berry is deemed worthy and deserving of this "Congressional Honor" by declaring Ms. Teryle L. Berry U.S. Citizen of Distinction in the 4th Congressional District of Georgia.

Proclaimed, this 14th day of July, 2012.

HONORING 2012 UPPER PENINSULA
OF MICHIGAN VETERAN OF THE
YEAR

HON. DAN BENISHEK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2012

Mr. BENISHEK. Mr. Speaker, let it be known that it is an honor and pleasure to pay tribute to Corporal Richard M. Morrison for his extraordinary service to our country both on and off the battlefield, for which he has been named the 2012 Upper Peninsula of Michigan Veteran of the Year.

Corporal Morrison served in the Fighting 4th Division of the U.S. Marine Corps. He is a survivor of the Battle of Iwo Jima, and was awarded the World War II Victory Medal and Asiatic Pacific Campaign Medal with two Bronze Stars.

Long after he retired his Marine Corps' uniform, Corporal Morrison has continued to serve our country as a public servant and mentor to our veterans. He has dedicated his life to serving veterans and their families in communities throughout Michigan's Upper Peninsula. Corporal Morrison is currently affiliated with the Walter W. Cole American Legion, the Marine Corps League Detachment and Military Order of the Devil Dogs among other organizations. Corporal Morrison has also been elected as the Adjutant, Vice Com-

mander and Commander of American Legion Post 301, as well as the American Legion 11th District Commander.

For his more than 25 years of work as a Michigan Department of Veterans Affairs Service Officer and his 8 years as Chairman of the American Legion Department of Veterans Affairs and Rehabilitation Committee, the American Legion officially named their annual officer service school the "Richard Morrison Service Officer School."

During 2012, Corporal Morrison attended all American Legion district and zone meetings; visited four Marine Corps Detachments; served on the 2012 Michigan Marine Corps League State Convention Committee; taught students about military history at six local schools; trained American Legion Service Officers; and was a member of the Delta County Veterans Council Funeral Honor Guard.

On behalf of the citizens of Michigan's First District, it is my privilege to recognize Corporal Richard M. Morrison as the 2012 Upper Peninsula of Michigan Veteran of the Year for his service, sacrifice, and continued patriotism.

RECOGNIZING 150TH ANNIVERSARY
OF THE EMANCIPATION PROCLAMATION

HON. LAURA RICHARDSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2012

Ms. RICHARDSON. Mr. Speaker, I rise today to recognize the 150th anniversary of the Emancipation Proclamation. On September 22, 1862 President Abraham Lincoln issued a proclamation as of January 1, 1863 all slaves residing in the states in rebellion against the Union would be forever free. President Lincoln's bold move changed our Nation for the better and is a defining moment in American history. In honor of this historic moment many organizations from coast to coast are hosting celebrations.

In my district, radio station Classical KUSC, MusicUNTOLD and the Colburn Foundation are partnering together to support a 150th Anniversary Emancipation Proclamation concert. The concert program will consist of solo and duet performances interspersed with spoken texts describing the American journey from slavery to the election of President Barack Obama. The concert will be preceded by a lecture about the music and the Civil War era giving participants a historical context of the inspiring music following.

Featured artists represent a wide range of styles and have appeared on the stages of great opera houses and concert halls worldwide. Artists include tenor George Shirley, baritone Donnie Ray Albert, soprano Latonia Moore, violinist Sanford Allen and Annette Gregory, violist Nokuthula Ngwenyama, soprano Jammieca Mott, composer-pianist Richard Thompson and pianist Lukas Swidzinski, Polli Chambers-Salazar, and Althea Waites.

In past years, John Malveaux, president of the Long Beach Central Arts Association and a longtime arts promoter who runs MusicUNTOLD and Classical KUSC radio station have presented an annual Juneteenth

Concert in Long Beach. Promoting historical awareness through music has been a strong tradition of MusicUNTOLD and Classical KUSC radio stations. I commend their tireless work in the Long Beach community.

Mr. Speaker, the Emancipation Proclamation established a moral strength that reverberates throughout American history. The Emancipation Proclamation was a milestone along the road to slavery's final destruction and has justly assumed its hallowed place among the great documents of human freedom.

IN RECOGNITION OF THE 199TH ANNIVERSARY OF THE BATTLE OF LAKE ERIE

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in recognition of the 199th anniversary of the Battle of Lake Erie.

Fought on September 10, 1813 during the War of 1812, the Battle of Lake Erie was a naval victory for the Americans led by Master Commandant Oliver Hazard Perry. The American fleet consisted of nine vessels: Brig *Lawrence*, Brig *Niagara*, Brig *Caledonia*, Schooner *Ariel*, Schooner *Scorpion*, Schooner *Somers*, Sloop *Trippe*, Schooner *Porcupine*, Schooner *Tigress* and Schooner *Ohio* carrying 557 crewmen. Commander Robert Heriot Barclay led the British forces and their six vessels: the *Detroit*, *Queen Charlotte*, *Lady Prevost*, Brig *Hunter*, *Little Belt* and *Chippeway*.

The Battle of Lake Erie, waged over control of Fort Malden, started early in the morning. Following hours of fierce gunfight, the American flagship, the *Lawrence* had been disabled. However, the *Niagara* had been spared and within another half hour, Perry and his crew from the *Lawrence* had moved over to the *Niagara* from which they led the Americans to victory. They had captured all of the British vessels.

This year's celebration will span from August 30 to September 8. It will feature performances by the U.S. Coast Guard Dixieland Jazz Band at the Port of Cleveland Harbor and the Navy Band Concert at Catawba Island Club. This year's events have been selected to be a lead up to next year's bicentennial celebration.

Mr. Speaker and colleagues, please join me in recognition of the 199th anniversary of the Battle of Lake Erie.

HONORING MARGARET JEAN LABORN

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2012

Mr. JOHNSON of Georgia. Mr. Speaker, I submit the following proclamation.

Whereas, twenty-nine years ago a virtuous woman of God accepted her calling to serve

in the Government of the United States of America; and

Whereas, Ms. Margaret Jean Laborn began her career service with two years in the United States Marine Corps and since 1987, has served in the United States Department of Commerce's Economic Development Administration (EDA) retiring today as an Economic Development Assistant; and

Whereas, this phenomenal woman has shared her time and talents in both military and civilian service giving the citizens of our District a friend to help those in need, a fearless leader and a servant to all who wants to insure that the system works for everyone; and

Whereas, Ms. Margaret Jean Laborn is a cornerstone in our community that has enhanced the lives of thousands for the betterment of our District and Nation; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to honor and recognize Ms. Margaret Jean Laborn on her retirement and to wish her well in her new endeavors;

Now therefore, I, HENRY C. "HANK" JOHNSON, JR. do hereby proclaim July 31, 2012 as Ms. Margaret Jean Laborn Day in the 4th Congressional District.

Proclaimed, this 31st day of July, 2012.

HONORING MR. ROMAN PUCINSKI AND HIS WORK UNCOVERING THE KATYN MASSACRE

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2012

Mr. LIPINSKI. Mr. Speaker, I rise today to honor Roman C. Pucinski, whose tireless efforts helped shed light on the horrific Katyn Massacre of 1940. Mr. Pucinski was a leader in the Polish-American community in Chicago, serving as a U.S. Representative and an Alderman. He passed away on September 25, 2002, but I rise to honor him today because some of his most important life's work will be available to the public for the first time this week. Beginning today, September 10th, the materials related to revealing the Katyn Massacre, that he spent much of his career in Congress working to compile, will be declassified and put on display at the National Archives. I am certain that he would be overcome with emotion if he were able to see the fruits of his labor on this special day.

During World War II, Poland was invaded by Nazi Germany on September 1, 1939, then by the Soviet Union on September 17th. The Soviet Army met little resistance as it advanced through Poland from the east, because Polish troops were ordered not to engage, incorrectly thinking that the Soviets were there to help. The Soviets subsequently took thousands of Polish prisoners of war. Soviet troops, by the order of Joseph Stalin and the Politburo, ordered approximately 22,000 executions of Polish military officers, police officers, and other government officials. These executions are now known as the Katyn Massacre. Nazi troops found the mass graves in 1943 and the Soviet Union denied any responsibility, and maintained that position until 1990.

Leading to the Soviet Union's acknowledgment of crime, Congress established the Select Committee on the Katyn Forest Massacre from 1951–1952, chaired by Congressman Ray J. Madden of Indiana. The committee hired Mr. Pucinski as the bilingual Chief Investigator for the committee because of his experience as an investigative reporter with the Chicago Sun-Times, and his fluency in both Polish and English. Mr. Pucinski worked endlessly to provide conclusive documentation that it was indeed the Soviets, and not the Nazis, who were responsible for this heinous crime. Traveling across Europe and the United States, he found witnesses, took depositions, and uncovered secret documents. He worked to uncover the truth about a great tragedy of World War II, and has helped ease the pain of those affected by Katyn Massacre. I am happy to say that many of the documents he helped uncover and compiled are finally available for public viewing. These documents will serve as a reminder for all visitors to the National Archives the horrors of World War II and the sacrifices of those who fought for freedom.

Mr. Pucinski was born in Buffalo, New York, but grew up in Chicago. He graduated from Northwestern University, and while there began his work at the Chicago Sun-Times. During World War II, Mr. Pucinski served in the U.S. Army Air Forces where he became a Captain and led his bombardier in the first B-29 bomb raid on Tokyo. Following the war, Mr. Pucinski attended John Marshall Law School in Chicago and graduated in 1949. He then went on to serve in the U.S. House of Representatives from 1959 to 1973 and as a Chicago Alderman from 1973 until 1991. Throughout Mr. Pucinski's lifetime, he was a leader for both Chicago and the city's expansive Polish-American community.

Please join me in honoring Mr. Pucinski's work to investigate and uncover the truth behind the Katyn Massacre. I commend his efforts not only as an investigator, but also as an elected official and I am happy his important work will be available to educate Americans for generations to come.

RECOGNIZING THE 100TH BIRTHDAY CELEBRATION OF CAMP WALTON SCHOOLHOUSE

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2012

Mr. MILLER of Florida. Mr. Speaker. I rise today to recognize the 100th Anniversary of Camp Walton School located in Fort Walton Beach, Florida.

Construction on the Camp Walton School began in 1911 by a group of local citizens who sought to ensure that their children would have a permanent location to pursue their education. Located in historic downtown Fort Walton Beach, the school opened in 1912 with 15 students and one teacher. The one-room schoolhouse held classes for eight grades. In 1927, a second room was added to the schoolhouse for students in grades 9 through 12. The Camp Walton School continued to serve as a bastion of education until 1936, when a hurricane damaged the school.

After the hurricane of 1936, the local residents decided to build a new school for their community; however, the Camp Walton School building continued to be used by the local community. During World War II, the building served as an apartment house for several families. In 1974, the building's owners donated the Camp Walton School to the Junior Service League to restore it to its original status and preserve it as a historic museum. The Junior Service League, in conjunction with the Okaloosa County School Board, completed the restoration of the Camp Walton School in 1976 when it was reopened to the public.

The City of Fort Walton Beach assumed operation of the Camp Walton School in 1986, and since that time, it has come to serve thousands of local students and visitors from across the United States and around the world. The Camp Walton School is an important historical piece of the Northwest Florida community, and in 2010 it was placed on the National Register of Country Schools.

Education is the foundation for future success, and it has served as one of the cornerstones of our nation. The citizens of the Fort Walton Beach community realized this important fact and came together to ensure that their children had a suitable location to pursue their studies. One hundred years later, the Camp Walton School still stands as a testament to what can be achieved when a community comes together to preserve its history.

Mr. Speaker, on behalf of the United States Congress, it is an honor for me to recognize the 100th Birthday Celebration of Camp Walton Schoolhouse. With the dedication and commitment of the Fort Walton Beach Community, this historic site will continue to teach future generations about their shared history and inspire them to achieve great success.

HONORING OTIS A. BRUMBY, JR.

HON. PHIL GINGREY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2012

Mr. GINGREY of Georgia. Mr. Speaker, there is a time-old saying that one can either be respected or loved, but not both, and that leaders should always strive towards the former. As one of the most beloved and well-regarded leaders in our community, though, and as only Otis could, he managed to be both.

My family moved to Marietta in 1975 and, like so many families, we got to know the Brumbys through Marietta City schools. Our children were in the same grades, played on the same sports teams, and went to one another's birthday parties. One of our daughters, Phyllis, was particularly close to Betsy Brumby. They were, as we called it, "spend-the-night" friends. Just like he and Martha Lee, their children were respectful and well-liked by everyone. Their son, Otis III ("Little O") became the starting quarterback for the Marietta Blue Devils. My wife and I know how proud Otis and Martha Lee were on those Friday nights at Northcutt Stadium.

Otis was deeply involved in and steadfastly dedicated to Marietta schools. He was a

staunch supporter of the Marietta School Board and, for a time, was a member himself. I began my political career on the Marietta School Board and have always admired his commitment to our local schools. In many ways—and for many reasons—he inspired me.

As the editor of the Marietta Daily Journal, Otis was always fair and even-handed. When he identified a problem, he drew attention to it, regardless of party affiliation. When he shined a light on something, he always left the situation better than he found it. Otis always sought the truth, but in his quest for it, he still treated everyone well. Besides being fair to Republicans and Democrats alike, the diehard Dawgs fan even managed to be gracious to this Georgia Tech alum.

Our community mourns his loss alongside his wife, children, and beautiful grandchildren. Otis will be deeply missed. But we will honor his memory today and every day. Because of one man's rich life, we've all gained so much.

TRIBUTE TO CHIEF MASTER
SERGEANT PATRICK J. WOOD

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2012

Mr. CALVERT. Mr. Speaker, I rise today to honor and pay tribute to an individual from the 44th Congressional District of California who has dedicated his life to defending the people of this country and preserving the basic freedoms and liberties that we hold dear. I ask my colleagues to join me in thanking Chief Master Sergeant Patrick J. Wood for his 26 years of dedicated service in the United States Air Force.

Chief Wood enlisted in the Air Force on June 26, 1986 after graduating from Divine Child High School in Dearborn, Michigan. After graduating from basic military training he was assigned to the 29th Mobile Aerial Port Squadron, Selfridge Air National Guard Base, Michigan as a Load Planner. In September of 1990, then-Staff Sergeant Wood joined Air Force Reserve Recruiting and was again assigned to Selfridge. While there, he was recognized as "Rookie of the Year" for the Recruiting Service, an honor given to the recruiter who enlists the most airmen during their first recruiting year.

This was the first of many recruiting awards Chief Wood would receive. His other accomplishments include numerous "Two Per Week" awards, "Top Fifty" recognition for 6 years, Top Senior Recruiter, and five consecutive "Goal Excellence Awards" for his operating locations. Chief Wood was also a distinguished graduate from the Non-Commissioned Officer Academy and Senior Non-Commissioned Officer Academy. In Recruiting Year 2011, his squadron enlisted more than 2,600 citizen airmen to become the "Top Recruiting Squadron" for that year.

As a result of his achievements, Chief Wood was eventually chosen to be the Superintendent of the largest squadron in Reserve Recruiting. During his 23 years in recruiting, Chief Wood was responsible for enlisting over

8,000 new citizen airmen. Chief Wood's innovative ideas and leadership positions allowed him to influence recruiter training practices to ensure that the Air Force Reserve Command met or exceeded goals for 12 consecutive years.

Most recently, Chief Wood has served as the Superintendent, Western Recruiting Squadron, Air Force Reserve Recruiting Service, March Air Reserve Base, California—the most senior ranking noncommissioned officer in the western region. In this role, he has been responsible for the oversight of recruiter production as well as the welfare of over 100 personnel across 17 states, one U.S. territory, and in three countries.

Chief Wood could not have been such a tremendous leader without the love and unflinching support of his wife Major Mia Wood (Retired), and his daughters Airman First Class Lauren Wood and Ashley Wood. Helping to build the foundation for success early in life were his father Alfred, a United States Marine Corps Veteran from the Korean War, and his mother Anna.

Mr. Speaker, I join my colleagues in expressing our sincere appreciation to Chief Master Sergeant Patrick J. Wood for his outstanding service to both the United States Air Force and our great Nation. Chief Wood will retire from the United States Air Force service with more than just his experience, decorated career and remarkable accomplishments. He will also have served as a shining example and constant reminder of what it means to be an American patriot and leader. I am grateful for his service and salute him as he retires from the United States Air Force.

IN RECOGNITION OF THE LIFE OF
JAMES "PAPPY" DUNN

HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2012

Mr. ROGERS of Alabama. Mr. Speaker, I respectfully ask for the House's attention today to honor Mr. James "Pappy" Dunn.

James "Pappy" Dunn was born in Georgia, and was married to the former Barbara Lawson, of Talladega, Alabama. Together they had five children (Jimmy, Claudette, Bertis and Anrae) and one grandchild.

In 1939, after earning a bachelor's degree from Alabama State University and a master's degree from Fisk University, Pappy began his career in education as a teacher and coach at Hobson City's Calhoun County Training School. During this time he served in World War II and oversaw the school's integration. In 1973, he was elected as the Alabama Education Association's second black president. Students remember him as someone who defined servant leadership. In 1986, Mr. Dunn retired as the school's principal.

After his retirement from education, Pappy was elected to the Calhoun County Commission. It was here that he was named "The Aniston Star's" Citizen of the Year in 1997. In 2005 he received the SCLC Calhoun County Chapter Humanitarian Award, and in 2008 he received the Association of County Commissions of Alabama Award for Outstanding Contribution to County Government.

Mr. Dunn was involved in numerous other organizations. These include the National Association of Counties' Health Steering Committee, the Anniston-Calhoun County Fort McClellan Joint Powers Authority, the East Alabama Regional Planning Commission, the Epsilon Delta Lambda Chapter of Alpha Phi Alpha Fraternity, Inc., the Community Action Agency, the Salvation Army, and the American Red Cross.

Mr. Speaker, I honor Mr. Dunn today and thank him for his dedication to Alabama's Third District.

**HONORING THE LIFE AND SERVICE
OF NORTHWEST FLORIDA'S BE-
LOVED, PAULA RIGGS**

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2012

Mr. MILLER of Florida. Mr. Speaker, I rise today to recognize the life and service of Northwest Florida's beloved Paula Riggs. Mrs. Riggs was a dedicated public servant, a staple in the community, and all of Northwest Florida mourns her passing.

Paula Riggs was born in Guantanamo Bay, Cuba while her father was serving our nation in the United States Navy. As the daughter of a naval officer, her family moved around often; however, her parents instilled in Mrs. Riggs an everlasting love and affection for their native home in Northwest Florida. Her interest in public service began at a young age, when she would spend hours with her uncle Harold Goodwin, a former mayor of DeFuniak Springs, listening and learning.

After receiving her college degree from the University of North Florida, Paula Riggs decided to move her family to Northwest Florida to raise her four children along the Gulf Coast. Mrs. Riggs was a loving and devoted mother to her children, and she was also known throughout her community as a true neighbor who offered her kindness to all those she knew. She became a successful small business owner, before joining the Mary Esther City Council in 1995.

Mrs. Riggs' had a deep commitment to helping those who were most in need of assistance, and she continued her service to Northwest Florida in 1998 when she was elected as a County Commissioner for Okaloosa County, Florida. As a County Commissioner she was known for her assiduous work ethic and steadfast commitment to improving the community. In addition to her service on the County Commission, she served as Chairman of the Okaloosa-Walton County Transportation Planning Organization, as well as Chairman of the State Library Council, and her hard work and leadership earned her an appointment by Florida Governor Jeb Bush to serve on the Intergovernmental Relations Legislative Council. Although she was forced to step down from her position on the County Commission in 2004 due to illness, she remained a steadfast presence in the community.

To some, Paula Riggs will be remembered as a dedicated public servant and a successful small business owner. To others, she will

be remembered as a generous and caring neighbor always willing to lend a hand. To her family, she will most fondly be remembered as a wonderful and loving mother to her four children and an inspiration to her two grandchildren. Her impact on Northwest Florida was immense, and her legacy will never be forgotten.

Mr. Speaker, on behalf of the United States Congress, it gives me great pride to honor the life and service of Paula Riggs. My wife Vicki joins me in extending our most sincere condolences to the entire Riggs family.

**JIM AND BOBBIE MELLO'S 70TH
WEDDING ANNIVERSARY**

HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2012

Mr. DENHAM. Mr. Speaker, I rise today to congratulate and honor Jim and Bobbie Mello on the occasion of their 70th Wedding Anniversary which they celebrated on September 6, 2012.

James Mello, born in Turlock on April 18, 1922, was destined to meet Barbara (Bobbie) McDonald, born in Turlock on April 12, 1926. Fate finally intervened on a summer day when they met when she was picnicking at Crane Park. Jim came by riding his horse and spotted her. Being a 20 year-old romantic, he devised a plan to meet Bobbie. The plan was to come back a while later and throw watermelons at her. Well, it worked perfectly, and Jim and Bobbie were married about two months later.

The plan was to borrow the best man's car and drive to Minden, Nevada on September 5, 1942, to marry. However, on that day, the best man had his tires repossessed. Undaunted, they borrowed the car of Jim's employer, drove to Minden, and were married the next day.

Two months later, in November, Jim left to join the U.S. Army. Bobbie moved back to live with her Grandmother, who had raised her and her younger sister, Gloria, since they were very young children. Three years later, Jim returned from World War II, where he served as a tanker under General George Patton and was in the famous "Battle of the Bulge."

After his return from service, he worked for Turlock Trenching Company. Jim and his brother-in-law, Clinton Hayes, bought the company in 1951 and ran it out of Jim and Bobbie's 10 acre ranch for many years. In 1987, Jim went to work for Swanson Farms until his retirement in 2003.

After Jim retired, he and Bobbie moved into their present home in the city of Turlock. They have two daughters—their eldest daughter is Sandra, married to Steve Vieira. Sandy and Steve just celebrated their 49th anniversary. Their youngest daughter, Janice, married Bob Borba. Jan and Bob will soon celebrate their 47th anniversary. Jim and Bobbie have four grandchildren and nine great grandchildren.

In addition to running their own business, Jim and Bobbie were very involved in their community. Jim served 30 years as a volun-

teer fireman and retired as Assistant Chief of Turlock Rural Fire Department. They both are lifetime members of the Turlock Horsemen's Club and belong to several organizations including American Legion, VFW, Native Daughters of the Golden West, and have volunteered for many organizations and causes over the years. They serve as great role models for their family.

Mr. Speaker, please join me in celebrating the partnership, love, and trust that aided Jim and Bobbie in reaching this milestone of an anniversary. Congratulations on the past 70 years, and I wish you the best success in the years to come.

**HONORING THE CAREER OF
MAJOR GENERAL GERALD L.
PRATHER AND HIS BEING
NAMED "PERSON OF THE DEC-
CADE" IN DEL RIO, TX BY THE
BOY SCOUTS**

HON. FRANCISCO "QUICO" CANSECO

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2012

Mr. CANSECO. Mr. Speaker, I rise today to honor the life and career of a true American hero—Air Force Major General Gerald L. Prather. General Prather was born in LaGrange, Georgia in 1935. He enlisted in the Air Force in 1954, and received his pilot wings and commission in August of 1956. During his distinguished career, General Prather has flown F-84F's, F-100D's, C-130's, and was a B-52 pilot and training instructor. In 1967 he was assigned to Mactan Isle Airfield in the Philippines, where he completed more than 500 combat support missions in Southeast Asia. The general eventually became the commander of the European Communications Area in 1977, and was promoted to Major General in March of 1983, with date of rank July 1, 1979. General Prather's military decorations include the Distinguished Service Medal, Legion of Merit with oak leaf cluster, Distinguished Flying Cross, Bronze Star Medal with "V" device, Meritorious Service Medal, Air Medal with two oak leaf cluster, Air Force Commendation Medal with oak leaf cluster, Air Force and Marine Presidential Unit Citation Emblems, Air Force Outstanding Unit Award Ribbon with oak leaf cluster, and the Air Force Organization Excellence Award Ribbon.

General Prather's life and career embodies the best of America and of our armed forces, and just recently he was named by the Boy Scouts as the "Man of the Decade" in Del Rio, TX, home of Laughlin Air Force Base. General Prather was also honored this past weekend when Laughlin Air Force base named a street on the base after him—a great honor for a great American.

As the representative of the 23rd District of Texas, which includes Del Rio and Laughlin Air Force Base, I wish to congratulate General Prather on his recent honors and thank him for a tremendous life of service to our nation.

NAVY LT. BRAD SNYDER EARNS
OLYMPIC GOLD

HON. C.W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2012

Mr. YOUNG of Florida. Mr. Speaker, I rise to provide my colleagues with an update on a remarkable young man, Navy Lt. Brad Snyder, of St. Petersburg, Florida, an American hero who lost his eye sight in Afghanistan while carrying out an extremely dangerous mission as a member of an explosive ordinance detail.

When I last reported to you in July, Lt. Snyder, who I had the privilege to appoint to the U.S. Naval Academy, had just qualified to represent the United States swim team at the London 2012 Paralympic Games. Today, I am proud to report to you that Lt. Snyder has brought home two gold medals and one silver medal. He was one of the truly inspirational stories of these games. So inspirational in fact, that his teammates selected him to serve as the U.S. flag bearer for last night's closing ceremonies.

Lt. Snyder is symbolic of the indomitable spirit of our men and women in uniform in our all volunteer force. He volunteered to attend the U.S. Naval Academy and upon graduation he volunteered for assignment to the dangerous explosive ordinance disposal team. With injuries that would have devastated most people, he found the courage to reenter the pool to represent our nation in front of the world in such a dramatic manner.

You will recall that Brad was selected as the Captain of the Naval Academy Swim Team because his coaches, teammates, and fellow sailors all recognized his exceptional work ethic and trustworthy behavior. After graduating in May 2006, Lt. Snyder became an Explosive Ordinance Officer. He served for six months in Iraq and was deployed to Afghanistan on April 11, 2011. While his unit was on patrol there on September 7, 2011, the front of the patrol team set off an IED. While providing aid, Lt. Snyder stepped on a pressure plate, detonating another unseen IED. The second blast inflicted severe burns and permanently blinded him.

Less than two months after losing his sight, Lt. Snyder returned to the swimming pool and swam several hundred meters on his first attempt. Appropriately enough, it was one year to the date of his injuries that Brad won his second gold medal at the London Games.

As I said in July, I was struck when I went back and read Brad's candidate statement to me from 11 years ago as part of his application to the Naval Academy. In it he wrote, "Initially it was Olympic gold that I dreamed of, but as reality set in I realized that the military was a more realistic dream. Today I dream that I will be an officer in the best Navy the world has ever seen, and I hope that my contributions to the Navy can help it grow strong."

Mr. Speaker, Lt. Brad Snyder has achieved his goals on both fronts—serving our nation with honor as a United States Naval officer, and winning Olympic gold. Far greater though, is the way in which he demonstrated to the world the courage and commitment of all U.S. service members when he entered that pool

and when he carried the Stars and Stripes into the Olympic Stadium. This is a remarkable young man with a remarkable story and he deserves the thanks and appreciation of all of the members of this House for a job well done.

JOB CREATION

HON. PHIL GINGREY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2012

Mr. GINGREY of Georgia. Mr. Speaker, I stand before you today to urge Senate Democrats to halt President Obama's job-killing tax hike. According to one study, this massive tax increase would eliminate 700,000 jobs, raise taxes on the middle class, and deal a massive blow to our nation's economic engine, small businesses.

The President and his czars continue to burden our nation's job creators with onerous, anti-growth regulations. Along with his tax hikes and burdensome regulations, President Obama's health care law threatens patient access, raises taxes, and takes over one-sixth of the U.S. economy.

In the meantime, House Republicans have maintained a laser-like focus on jobs, passing more than 30 pro-growth jobs bills, which continue to stack up on Senator REID's desk.

Mr. Speaker, President Obama's economic policies have failed. This massive tax hike on the middle class is unsustainable and a hindrance to growth and job creation. I urge my colleagues in the Senate to take up our jobs bills and stop the tax hike.

HONORING THE LIFE OF NORTHWEST FLORIDA'S BELOVED THOMAS SOLOMAN (T. SOL) JOHNSON

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2012

Mr. MILLER of Florida. Mr. Speaker, on behalf of the United States Congress, it is an honor for me to rise today to recognize the life of Northwest Florida's beloved Thomas Soloman (T. Sol) Johnson.

T. Sol Johnson was a lifelong resident of Northwest Florida who gained a well-earned reputation as one of the finest and most respected attorneys in Santa Rosa County. Mr. Johnson was raised in a household that respected and revered our Nation's legal system. His father, A.L. Johnson, established a successful practice in Santa Rosa County, in addition to his service as County Judge. After graduating from the University of Florida School of Law in 1963, T. Sol returned to his native Milton, Florida to join his father's practice, where he quickly distinguished himself as an exceedingly qualified and honest attorney.

T. Sol was a tireless advocate for his clients, and he often performed pro bono work to ensure that all those in need of legal counsel had access to the highest quality representa-

tion. In addition to his successful private practice, he served his community in multiple public capacities. He served on the Milton City Council from 1970-77, as attorney for the Santa Rosa Beach Administration from 1967-73, and as Santa Rosa County Attorney from 1977-81.

Outside of the courtroom, Mr. Johnson was a loving and committed family man with an unwavering devotion to the Lord. He was a member of First Baptist Church in Milton, and he served his church in various capacities as a Trustee, Sunday School Teacher, R.A. Leader, and constant volunteer on mission trips. Mr. Johnson is survived by his wife of 31 years, Mary; his four sons, Robert, Jon, Bradley, and Steven; fourteen grandchildren; and four great-grandchildren.

To some, T. Sol Johnson will be remembered as a world class attorney of impeccable repute. To others, he will be remembered as a leader in the Northwest Florida community. To his friends and family, he will be remembered most fondly as a loving and devoted family man. His tireless work and immense contributions to the community cannot be overstated. Northwest Florida has truly suffered a great loss with his passing.

Mr. Speaker, on behalf of the United States Congress, it gives me great pride to honor the life and service of Thomas Soloman Johnson. My wife Vicki joins me in extending our most sincere condolences to the entire Johnson family.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, September 11, 2012 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

SEPTEMBER 12

9:30 a.m.

Energy and Natural Resources

To hold hearings to examine S. 3469, to establish a new organization to manage nuclear waste, provide a consensual process for siting nuclear waste facilities, ensure adequate funding for managing nuclear waste.

SD-366

10 a.m.

Environment and Public Works
Clean Air and Nuclear Safety Subcommittee

To hold a joint oversight hearing to examine the Nuclear Regulatory Commission's (NRC) implementation of recommendations for enhancing nuclear reactor safety in the 21st century.

SD-406

Foreign Relations

To receive a closed briefing on an intelligence update on Syria and Iran.

SVC-217

Homeland Security and Governmental Affairs

To hold hearings to examine the future of the General Services Administration.

SD-342

Judiciary

To hold hearings to examine the Citizens United court and the continuing importance of the "Voting Rights Act".

SD-226

Veterans' Affairs

Business meeting to consider pending calendar business.

SR-418

2 p.m.

Commerce, Science, and Transportation

To hold hearings to examine the path from low-Earth orbit (LEO) to Mars.

SR-253

2:45 p.m.

Foreign Relations

To hold hearings to examine the nominations of Joseph E. Macmanus, of New York, to be Representative to the Vienna Office of the United Nations, with the rank of Ambassador, and to be Representative to the International Atomic Energy Agency, with the rank of Ambassador, Sharon English Woods Villarosa, of Texas, to be Ambassador to the Republic of Mauritius, and to serve concurrently and without additional compensation as Ambassador to the Republic of Seychelles, and Walter North, of Washington, to be Ambassador to Papua New Guinea, and to serve concurrently and without additional compensation as Ambassador to the Solomon Islands, and Ambassador to the Republic of Vanuatu, all of the Department of State.

SD-419

SEPTEMBER 13

9:30 a.m.

Homeland Security and Governmental Affairs

Investigations Subcommittee

To hold hearings to examine issues related to the quality of disability benefit awards involving 300 case files of claimants under the Social Security Disability Insurance (SSDI) and Supplement Security Income (SSI) programs involving initial applications and subsequent levels of appeal.

SD-342

10 a.m.

Banking, Housing, and Urban Affairs

To hold hearings to examine holding the Consumer Financial Protection Bureau (CFPB) accountable, focusing on a review of the semi-annual report to Congress.

SD-538

Judiciary

Business meeting to consider S. 645, to amend the National Child Protection Act of 1993 to establish a permanent background check system, H.R. 2471, to amend section 2710 of title 18, United States Code, to clarify that a video tape service provider may obtain a consumer's informed, written consent on an ongoing basis and that consent may be obtained through the Internet, S. 3486, to implement the provisions of the Hague Agreement and the Patent Law Treaty, S. 1894, to deter terrorism, provide justice for victims, S. 3250, to amend the DNA Analysis Backlog Elimination Act of 2000 to provide for Debbie Smith grants for auditing sexual assault evidence backlogs and to establish a Sexual Assault Forensic Evidence Registry, S. 3523, Innovative Design Protection Act, and the nomination of William Joseph Baer, of Maryland, to be an Assistant Attorney General, Department of Justice.

SD-226

10:30 a.m.

Foreign Relations

To hold hearings to examine the nominations Stephen D. Mull, of Virginia, to be Ambassador to the Republic of Poland, and Dawn M. Liberi, of Florida, to be Ambassador to the Republic of Burundi, both of the Department of State.

SD-419

Health, Education, Labor, and Pensions

To hold hearings to examine improving college affordability, focusing on a view from the states.

SD-430

2:15 p.m.

Indian Affairs

Business meeting to consider S. 675, to express the policy of the United States regarding the United States relationship with Native Hawaiians and to provide a process for the recognition by the United States of the Native Hawaiian governing entity, S. 1345, to provide for equitable compensation to the Spokane Tribe of Indians of the Spokane Reservation for the use of tribal land for the production of hydropower by the Grand Coulee Dam, and S. 1684, to amend the Indian Tribal Energy Development and Self-Determination Act of 2005, to be immediately followed by an oversight hearing to examine the impacts of the Carcieri and Patchak decisions.

SD-628

2:30 p.m.

Intelligence

To hold closed hearings to examine certain intelligence matters.

SH-219

SEPTEMBER 14

2:30 p.m.

Indian Affairs

To hold hearings to examine the nomination of Kevin K. Washburn, of New Mexico, to be Assistant Secretary of the Interior for Indian Affairs.

SD-628

SEPTEMBER 19

10 a.m.

Homeland Security and Governmental Affairs

To hold hearings to examine homeland threats and agency responses.

SD-342

2:15 p.m.

Foreign Relations

Business meeting to consider S. 2215, to create jobs in the United States by increasing United States exports to Africa by at least 200 percent in real dollar value within 10 years, S. 2318, to authorize the Secretary of State to pay a reward to combat transnational organized crime and for information concerning foreign nationals wanted by international criminal tribunals, S. 3310, to direct the President, in consultation with the Department of State, United States Agency for International Development, Millennium Challenge Corporation, and the Department of Defense, to establish guidelines for United States foreign assistance programs, S. 3331, to provide for universal intercountry adoption accreditation standards, S. 3341, to require a quadrennial diplomacy and development review, S. Con. Res. 50, expressing the sense of Congress regarding actions to preserve and advance the multistakeholder governance model under which the Internet has thrived, S. Res. 516, expressing the sense of the Senate on the restitution of or compensation for property seized during the Nazi and Communist eras, the nominations of Richard G. Olson, of New Mexico, to be Ambassador to the Islamic Republic of Pakistan, Department of State, and John Hardy Isakson, of Georgia, and Patrick J. Leahy, of Vermont, both to be a Representative of the United States of America to the Sixty-seventh Session of the General Assembly of the United Nations, and lists in the Foreign Service.

S-116, Capitol

2:30 p.m.

Homeland Security and Governmental Affairs

Oversight of Government Management, the Federal Workforce, and the District of Columbia Subcommittee

To hold hearings to examine investing in an effective Federal workforce.

SD-628

SEPTEMBER 20

2:15 p.m.

Indian Affairs

To hold an oversight hearing to examine advancing the Federal-tribal relationship through self-governance and self-determination.

SD-628

SEPTEMBER 25

2 p.m.

Homeland Security and Governmental Affairs

Federal Financial Management, Government Information, Federal Services, and International Security Subcommittee

To hold hearings to examine improving financial accountability at the Department of Defense.

SD-342

HOUSE OF REPRESENTATIVES—*Tuesday, September 11, 2012*

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. WEBSTER).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
September 11, 2012.

I hereby appoint the Honorable DANIEL WEBSTER to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 17, 2012, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 11:50 a.m.

9-11-01—11 YEARS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. POE) for 5 minutes.

Mr. POE of Texas. Mr. Speaker, on a cool September morning in Texas, I was driving my Jeep to the courthouse where I was a judge for a long time. I was listening to KILT radio, a country western station. Willie Nelson was singing "Blue Eyes Crying in the Rain." All of the sudden, Robert B. McEntire, the newscaster for KILT radio, comes on and interrupts the program. He said that an airplane had crashed into the north tower of the World Trade Center, and that's about all we knew at that time. It was 8:46 a.m. eastern time, 7:46 a.m. in Texas.

Continuing my daily journey to the courthouse, a few minutes later he comes back on the radio and says that a second airplane had crashed into the second south tower of the World Trade Center in New York City. The world understood at that time this was serious. This was an attack on our Nation, on our country.

After I got to the courthouse, we learned that a third airplane flying over Washington, D.C., very close to

the building we're in, the United States Capitol, went down the street less than a mile, and crashed into the Pentagon. That was at 9:37 eastern time. Then a fourth airplane we remember as Flight 93 was flying toward Washington, D.C., probably headed to the Capitol or the White House, where some good, right-thinking folks took control of the plane from hijackers, and they crashed in Pennsylvania in a field at 10:07 eastern standard time.

Mr. Speaker, on September 11, 2001, this Nation was attacked. Three thousand people were killed that day. It's interesting that the attackers decided to attack the World Trade Center because people from 90 nationalities were in the World Trade Center buildings, the south and the north. So it was more than an attack on America; it was an attack on the people of the world, freedom-loving people, people who believed in living life and liberty.

The murder was done by 19 radicals who murdered in the name of religion. Of the 3,000 people that were killed, 411 of them were emergency workers and 341 were members of the New York Fire Department. There were also two fire department members of New York who were paramedics that were killed that day, 23 officers from NYPD, 37 Port Authority officers from New York and New Jersey, and eight emergency medical technicians and paramedics killed that day.

In the aftermath of that morning, first responders from all over the United States later that week went to New York to help in the recovery and help restore what had happened at Ground Zero. Many of those first responders still suffer from toxins that they acquired while working Ground Zero, as many members of first responders from New York and New Jersey are still suffering. But today we remember all of those people that were killed that day on September 11.

Later that evening, I, like most Americans, was watching television, and saw the horror on video of what had occurred. I, like you, Mr. Speaker, saw those thousands of people in New York. When those planes crashed into the World Trade Center buildings, they were fleeing as fast as they could from the terror that came from the sky.

There was another group of people. Like the fire horses of old that charged to the smell of smoke and the roar of fire, those individuals charged to that terror from the sky. There weren't very many. There were a handful, but yet they were there. Who were they?

They were the first responders. They were the firefighters. They were the emergency medical technicians. They were the paramedics. They were the peace officers. And many of them died that day.

While it's important that we remember those that were killed, it's equally important that we remember those that got to live, Mr. Speaker, because those first responders charged to that terror from the sky. Many of them gave up their lives so others could live on that infamous day of September 11, 2001.

And that's just the way it is.

IN HONOR OF TROOPER BOBBY GENE DeMUTH

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina (Mr. BUTTERFIELD) for 5 minutes.

Mr. BUTTERFIELD. Mr. Speaker, I rise on this solemn day in the history of our Nation, the 11th anniversary of the terror attacks on 9/11, to honor and pay tribute to a North Carolina State Trooper who was killed in the line of duty this past Saturday morning. It was a tragic incident.

Trooper Bobby Gene DeMuth served the State of North Carolina proudly and honorably for 12 years. He was assigned to the Rocky Mount Troop C, District One Highway Patrol.

Trooper DeMuth loved his work. He loved his work as a law enforcement officer. He protected the good of our society from the bad, and he fought to make North Carolina a safer place. Trooper DeMuth's life was tragically cut short, and he was killed while in the line of duty. He was pursuing an individual suspected of some very serious crime. He was serving and protecting.

Following a 20-mile, 30-minute high-speed pursuit that began in our capital city of Raleigh, and ended by the heroic effort of Trooper Bobby Gene DeMuth, the suspect was apprehended.

Tomorrow, Trooper DeMuth will be laid to rest at Inglewood Baptist Church in Rocky Mount, North Carolina. It is a sad day indeed. Trooper DeMuth, like so many of the first responders who passed away 11 years ago, deserves our heartfelt thanks and appreciation for doing what only a select few can do, and that is to protect and defend the public against those who do it harm.

May God bless Trooper Bobby Gene DeMuth, his family, and each and every person that puts himself in

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

harm's way to protect the greater good.

IN MEMORY OF THOSE WHO LOST
THEIR LIVES SEPTEMBER 11, 2001

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Tennessee (Mrs. BLACK) for 5 minutes.

Mrs. BLACK. Mr. Speaker, 11 years ago today, our way of life, our freedom, and our fellow citizens came under attack in a series of ruthless and deliberate attacks. Today, we pause to remember and honor some 3,000 people—moms and dads, friends and neighbors—who lost their lives on that fateful day.

□ 1010

We honor the first responders who chose to run into the burning World Trade towers, putting their own lives at risk to save others, and we honor the lives of the heroes who fought the terrorists on board Flight 97 and successfully prevented the plane from hitting the White House or the U.S. Capitol.

None of us will ever forget that day. None of us will ever forget where we were the moment that we heard that a plane had hit the first World Trade tower, and none of us will ever forget seeing the second hit. America was shaken but not broken. In those dark hours ahead, Americans came together and responded with one voice.

Today we remember and reflect upon a day that brought us all together as Americans, a day that was our generation's Pearl Harbor, a day that made all of us stop and ask ourselves what's important in our own lives. While many of our Nation's leaders do not agree on how best to run our country, we are all in agreement with pausing to honor and remember those who gave their lives in this senseless attack.

Where there is freedom, there is strength. Terrorism will never triumph. September 11, 2001, reminded all of us of that, and this is a day that we will never forget.

SEPTEMBER 11, 2001

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Texas (Ms. JACKSON LEE) for 5 minutes.

Ms. JACKSON LEE of Texas. Mr. Speaker, "My country, 'tis of thee, sweet land of liberty." God bless America.

I'm glad that we have songs that can capture our spirits and the love that we have for our Nation. I'm reminded of being a child, singing the words, "My country, 'tis of thee." I'm reminded of that day, 9/11, when Members of Congress gathered to stand on the steps of the United States Capitol to sing "God Bless America."

I rise today to pay tribute to Americans and a myriad of persons whose

lives remain forever changed because of 9/11. We honor and mourn still those who fell on that day. It was the world, a potpourri of personalities, nationalities, languages, different descriptions, and life stories. It was the world that was in America, a country that welcomes all.

Then, of course, there are those of us who are reminded of the rushing in of heroes and "sheroes," NYPD, civilian volunteers, firefighters, Park Police, Federal workers, all in some way helping to save someone's life, fellow office workers, dishwashers, restaurant workers. Some died so that others might live.

I remember very clearly where I was here in the United States Capitol, having a meeting with one of the Cabinet members of the President at that time, deeply involved in work regarding small businesses, going on with the normal daily responsibilities, Members who work on legislation, constituency issues, and oversight over the government.

There was a rattling outside and, of course, phones started ringing, with the technology of that time. We indicated that we were still in the meeting and did not answer until someone banged on the door and said, I don't know what is happening, but you must get out.

Without panic, but certainly with great concern, as you entered the hallways, people were rushing, rushing to come out of this building. As the rumors began to fly or the words began to fly about the White House, the State Department, then, of course, there was the billowing smoke that one could see from the Pentagon. It was real. It was something that we had never, ever seen. Maybe for those who had been in wars preceding us in far-away lands, but not in the 20th century on the soil of the United States of America, or the 21st century.

I stand today with great honor for those who died, those who died in trying to save others and those who did. I am grateful today that we have the opportunity to be able to say thank you, though sadly, to families who remain, to those who now stand in New York reading names, to those who are at the Pentagon who still have the piercing feeling of loss, and certainly those in Pennsylvania, the family members, the surrounding community.

I am grateful that in the last couple of days we finally acknowledged that there is something to those who breathed the smoke, and they are now going to be included for the entity that provides health care for those who were impacted by 9/11 toxic smoke. It took us too long. I'm glad we passed legislation to help the first responders, firefighters, police, and others who suffered catastrophic illnesses after they went in to help those who could not help themselves.

I remember drafting legislation and introducing legislation for the latchkey children, for many of us don't remember that so many children were left at home and no one came home to see them on that fateful day, 9/11. Children now read the names of their parents or loved ones, grandparents. Children grew up without a family member because of the heinous horror, hatred, contempt, and violence.

I hope this Nation on this day comes closer together, that we come together as independents, Republicans, Democrats, and nothing, that we stand as one Nation being able to be reminded of the greatest Nation in the world.

God bless America, for I will say that throughout my life whatever the ups and downs that we may have, this country is great. As I travel around on behalf of the United States of America, visiting those who fought in Iraq and who fought in Afghanistan, I see that they are great because they were willing to sacrifice at the call of the Commander in Chief and the call of their Nation.

Today I come on this floor to honor all of those who were touched by 9/11, and to remind all of us as Members of Congress and the Nation, never yield to the weakness that we are not great. Always our democracy, our love of God, makes us that.

God bless America.

SEPTEMBER 11, 2001

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, we return to Capitol Hill, ending the summer recess with strong conflicting emotions. Today is the 11th anniversary of 9/11, the horrific attacks that rocked the Nation and were especially poignant for us on Capitol Hill.

As representatives of the government we had sworn to uphold and defend, these senseless, despicable acts exposed a real vulnerability. We all remember what we felt as we were watching the Twin Towers collapse, the plane crashing into the Pentagon, and then yet another plane going down in a lonely field in Pennsylvania, destined for us here on Capitol Hill.

People came together in an outpouring of support for one another and for our Nation. There was a sense of resolve, unparalleled at any time since the cowardly attacks on Pearl Harbor.

The response of the government since then, however, has been somewhat mixed. We have protected the United States so far against any repeat attack, but at great cost. We have thrown money at the problem. We have had significant bureaucratic overreach, particularly in terms of personal liberties. We will be paying the costs of the horribly misguided war in Iraq for generations to come.

After an original, terrific response routing the Taliban in Afghanistan, we took our eye off the ball. We allowed Osama bin Laden almost another decade of life and mischief. Later, we were sucked back into Afghanistan on the terms of the Taliban and al Qaeda, not on our terms.

Now, this is not merely a Republican problem, although George Bush and Republicans were in charge and made some of the worst mistakes. There was much bipartisan support for the excesses.

□ 1020

To this day, there is bipartisan confusion about the best path forward to protect the Nation while protecting civil liberties and the budget for the situation today and not the conditions of September 10, 2001. My wish for Congress and for the candidates span out on the campaign trails, is that we mark this anniversary with a commitment to allow a little common sense and good will to enter into the political discourse.

This can be an emotional job. I was thinking about the emotions that I expressed, having a chance 15 years ago to go through the hectoring and interfering military on Aung San Suu Kyi's compound in Burma, where she was held under house arrest by the dictatorship. My son, daughter, and I spent an amazing afternoon with this extraordinary woman. I could scarcely imagine then, what will happen next week when we will be awarding that courageous woman the Congressional Medal of Honor here in the Capitol and then she will return to Burma as a member of their nation's parliament.

The success of this woman, together with the steely resolve of the American public after 9/11, ought to give us all pause and, hopefully, a renewed commitment to do our job right. Since 9/11, the challenges and circumstances have evolved. We have greater challenges in terms of security, climate instability, natural disaster, and our own economic vulnerability. It's a tall order to deal with them; but, hopefully, we will all be inspired by the example of Aung San Suu Kyi standing up to the Burmese dictatorship and ultimately gaining a measure of success—and, of course, by the American public in their response to horrific attacks of 9/11.

It's time today, for the politicians to do their job: to listen, to speak the truth, and to lead.

SMART SECURITY: LEADING WITH OUR COMPASSION, NOT OUR MILITARY FIREPOWER

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. WOOLSEY) for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, a few minutes from now, Members of the

House and the Senate will head to the Capitol steps. We're going to the Capitol steps for a moment of remembrance to honor those who were killed in the attacks on September 11, 2001—September 11, 2001, a day that will forever be seared into the memory of American citizens and the world.

Eleven years later, Mr. Speaker, spouses still grieve; children still feel the void; parents are still devastated by the loss of their children. It was a tragedy for individual families and for the entire Nation. One of the lingering tragedies of that day is that it led to policy decisions with terrible consequences that we're still living with today. Over the last decade-plus, violence and mayhem have just led to more violence and mayhem.

Our continued military occupation of Afghanistan has not brought the stability. It has not brought security. It has not brought a strong democracy to that country. Afghanistan remains one of the poorest and most dangerous places on Earth. The Taliban has not been driven into oblivion. The terrorist threats continue. And according to a New York Times article this past weekend, even U.S. commanders are admitting that the Taliban remains "resilient" while al Qaeda is "evolving" and "adapting."

Mr. Speaker, while we in the House adjourned for the month of August, there was no recess for our troops. In fact, since we were last in session, another 60 U.S. servicemembers died in Afghanistan. Countless more suffered wounds to the body and to the brain. And then there are the Afghan civilians, many of them children, who are being killed every single day. How do we tell the families of these children that this is all for a good and just cause? We can't.

Mr. Speaker, it's time to stop conducting national security policy on the principles of revenge and retaliation and on the false hope that we are making it better. The right way to secure and ensure security is to put America's best foot forward, to lead with our compassion and not our military power.

That's what my SMART Security platform is all about. It puts development and diplomacy front and center, and it makes war a last resort. It is based on a commitment to improving the lives of Afghan people, alleviating power, creating economic opportunity, rebuilding infrastructure, improving education, and attacking public health problems in that area.

We can't do this with the military surge. We can only do it with a civilian surge—a surge of experts, of aid workers, of technical experts, from engineers to midwives. Of course, our development agencies are doing this kind of work, and they're doing the best they can possibly do, but not nearly the scale that's necessary to make this

possible. Compared to billions of dollars every month that we spend on the war, we're investing just a tiny fraction of that on humanitarian work that is so badly needed.

Public opinion has turned dramatically against this war, and yet our most visible leaders continue to lag behind the people that elected them. The President of the United States says he will end this war in 2014, which is a good goal, but it is not nearly soon enough. His opponent, on the other hand, in the most important speech of his life a few weeks ago, didn't see fit to even mention Afghanistan—not even once.

So, Mr. Speaker, when we gather on the steps of the Capitol, as I bow my head, it will be in remembrance of those who died 11 years ago today, and it will also be with a fervent prayer of hope that we can honor their memory by finally ending the war in Afghanistan and finally bringing our troops home.

REMEMBERING 9/11

The SPEAKER pro tempore. The Chair recognizes the gentleman from Kansas (Mr. YODER) for 5 minutes.

Mr. YODER. Mr. Speaker, 11 years ago today, Americans found themselves under attack. We watched with shock and horror as hijacked passenger airplanes were flown both into the World Trade Center towers and the Pentagon. We all remember what we were doing that Tuesday morning when 2,996 innocent Americans were killed in those tragic and unthinkable acts. We also remember the heroic actions of the passengers aboard United Flight 93, who courageously fought the hijackers on their plane and, sacrificing their own lives, ultimately saved countless others. Courage and bravery have long been traits demonstrated by our fellow Americans, from declaring our country's independence to fighting alongside our allies abroad in the name of freedom and liberty. Americans, though, are also resilient. We band together, we pick each other up when we're knocked down, and we endure.

In Kansas, we are extremely proud of the men and women in our military that serve our country and defend our freedom and liberty around the globe. Their willingness to pay the ultimate sacrifice for their country—their true heroism—is known firsthand only to a small number, but is yet, sadly, far, far too common.

The 3rd District of Kansas lost two such heroes this summer as a result of combat operations in Afghanistan. Army Sergeant Mike Knapp was deployed out of Joint Base Lewis-McChord out of Washington State. He was killed in mid-May while bravely serving his country, only 3 days before he was scheduled to return home to Overland Park, Kansas.

Also, Private First Class Cale Miller, deployed out of Joint Base Lewis-McChord, lost his life in early June when an improvised explosive device detonated near his vehicle. He was a 2007 graduate of Olathe Northwest, where he was a member of both the football and track teams. It breaks my heart each and every time I learn the news of a soldier who has lost his life so our country can continue to live in freedom.

As we remember this day, the 11th anniversary of September 11, Mr. Speaker, we remember it by honoring all those innocent lives lost on that tragic day. We also remember the first responders, the firefighters, and the policemen who charged the burning buildings to save lives, ultimately giving up their own in the process.

□ 1030

Let us also recall the steely resolve of American patriotism and unity as our country courageously responded against the terrorists responsible for this tragedy.

On this day, let us also honor and support all veterans who have served our country. We pay tribute to those fellow Americans who serve in our military, protecting us and ensuring acts, such as those of 11 years ago, never happen again. Our message of thanks is one that cannot be spoken strongly enough. To those who serve, those who lose their lives defending our country, and the families and friends who support them, we are eternally grateful.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 10 o'clock and 31 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Loving and gracious God, we give You thanks for giving us another day and for a safe return to Washington.

Bless the Members of this assembly as they set upon the important work that faces them. Help them to make wise decisions in a good manner and to carry their responsibilities steadily, with high hopes for a better future for our great Nation.

May they be empowered by what they have heard during their home dis-

trict visits to work together. May the energy they have derived from respective party conventions be merged into a common sense of hope for our great Nation.

On this day, which has become a day of national mourning, help us to remember as well the renewed sense of national courage and resolve that we need to work toward a better future. May we all be inspired by the heroism of so many 11 years ago to be the best that we can be this day.

May all that is done today in the people's House be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from South Carolina (Mr. WILSON) come forward and lead the House in the Pledge of Allegiance.

Mr. WILSON of South Carolina led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

SARA ELIZABETH LOW 9/11 TRIBUTE

(Mr. CRAWFORD asked and was given permission to address the House for 1 minute.)

Mr. CRAWFORD. Mr. Speaker, September 11, 2001, is a day that will forever be etched in our Nation's memory. Today marks the 11th anniversary of the tragic terrorist attacks on the World Trade Center, Pentagon, and the crash of Flight 93 in Pennsylvania. Nearly 3,000 innocent people lost their lives that day.

For one family in my district, the tragedy of September 11 hits close to home. Batesville native Sara Elizabeth Low was a flight attendant on American Airlines Flight 11, the plane that hit the north tower of the World Trade Center 11 years ago today. Sara was just 29 years old, and she loved her job as a flight attendant.

The community of Batesville, Arkansas, may be small in population, but today they are enormous in heart and in remembrance of the life Sara Low

lived. For 6 years now, the Batesville community has held a 5K run to remember Sara, and a memorial now stands in her honor at the junior high school.

Today, my thoughts and prayers are with Sara's parents, Mike and Bobbie Low, and all those in Batesville who were blessed to know her. May God bless the memory of Sara Low and all those who lost their lives on September 11, 2001.

IN REMEMBRANCE OF SEPTEMBER 11, 2001, TRAGEDY

(Mr. CROWLEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CROWLEY. Madam Speaker, I rise today in remembrance of those who lost their lives on September 11, 2001, 11 years ago today.

For the Nation, September 11 marks the day that the course of history in the United States was changed forever. For New Yorkers, 9/11 was the day our great city suffered a grievous blow, leaving behind a hole in the heart of lower Manhattan, and an even bigger hole in all of our hearts.

While many of the structures destroyed or damaged by the attacks are being rebuilt or renewed, the families who lost their loved ones can never replace the husbands, the wives, the fathers, the mothers, the brothers, the sisters, and the children who perished. We can also never replace the brave first responders who rushed in to the burning buildings, giving their lives for others.

Not one single day goes by that families don't think of their loved ones who were lost, and we must ensure that 9/11's sacrifices are never, ever forgotten. Today, we stand together in honoring their memory and saluting their courage, which they so richly deserve.

Johnny, we miss you.

WE WILL NEVER FORGET SEPTEMBER 11, 2001

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Madam Speaker, 11 years ago today, our Nation was attacked by a group of Islamic terrorists who declared war on our country and the freedoms we cherish. The innocent civilians who were murdered by this act of terrorism will never be forgotten.

In order to protect American families, our country's military capabilities must remain the strongest in the world. Sadly, due to the President's policies and the looming threat of sequestration, our national security stands at risk. The budget reductions to defense will reduce the Navy to the

smallest fleet since 1916, the smallest Army and Marine Corps since 1939, and the smallest Air Force since it was created.

House Republicans have passed legislation to save 2.14 million jobs by offering a replacement for sequestration. Unfortunately, the President has failed to show leadership and refused to act. It is my hope the liberal-controlled Senate will put aside party politics and work to prevent the weakening of our defense capabilities.

In conclusion, we will never forget the cowardly attacks of September the 11th on innocent civilians.

WELCOMING HOME SERGEANT MAJOR MARVIN L. HILL

(Mr. COHEN asked and was given permission to address the House for 1 minute.)

Mr. COHEN. Madam Speaker, as we commemorate the 11th anniversary of the attacks on our country, we should recognize the men and women who have fought so bravely for our country over the last decade.

This weekend, I had the honor of holding a welcome home ceremony in my office for Sergeant Major Marvin L. Hill. Sergeant Major Hill enlisted in the Army on January 18, 1978, and served this country in a wide variety of roles for 35 years. Most recently, he was selected by General David Petraeus to serve as Command Senior Enlisted Leader for the International Security Assistance Force (ISAF) and United States forces in Afghanistan—a great honor and a very important job.

Command Sergeant Major Hill's numerous awards and decorations include the Bronze Star Medal, the Meritorious Service Medal, and the Joint Service Commendation Medal for Valor, among many others.

Our city is proud of Sergeant Major Hill and all the men and women who serve in our Armed Forces. I want to particularly express appreciation for all the noncommissioned officers who put their lives on the line every day and defend this Nation.

As we bring the operations in Iraq and Afghanistan to an end, I look forward to welcoming home all of our brave men and women serving to protect our freedoms.

SEPTEMBER 11TH—11 YEARS LATER

(Mr. PAULSEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAULSEN. Madam Speaker, we will never forget where we were on that fateful day 11 years ago on September 11. The images of two giants falling towards Earth will not only be remembered by those who lived through it, but will also be reborn anew with each

generation of Americans through images of terror and countless stories of courage and sacrifice.

Today we come together to remember those who lost their lives on September 11 in New York City, at the Pentagon, and as part of Flight 93, and to reflect on more than a decade of a struggle to ensure future generations live free from terror.

We must also pay special tribute to our first responders and to those who have, since 9/11, donned the uniform of our Armed Forces and placed their own lives on the line to defend our country, and to the more than 6,500 who have paid the ultimate sacrifice.

So let us continue to keep those who've lost their loved ones in our hearts and prayers, and may we never forget September 11.

□ 1210

RECOGNITION OF NATIONAL CHILDHOOD CANCER AWARENESS MONTH

(Mr. HIGGINS asked and was given permission to address the House for 1 minute.)

Mr. HIGGINS. Madam Speaker, I rise today to recognize September as National Childhood Cancer Awareness Month, and I'm proud to represent the Nation's first comprehensive cancer center, Roswell Park Cancer Institute, an amazing place that continues to turn kids into survivors.

Thirty years ago, less than 50 percent of those with childhood cancer lived beyond 5 years of their diagnosis. Today it's over 80 percent. According to the Centers for Disease Control, over the past 14 years, childhood leukemia deaths fell by 3 percent in each year.

We know that cancer research saves lives. The only failure in cancer research is when you quit or you're forced to quit because of lack of funding.

Last weekend, our community held a fund-raiser, along with the St. Baldrick's Foundation, in memory of Anna Rose Leavoy, a young girl who lost her battle with cancer only 2 weeks after her second birthday.

We must recognize the urgent need to fully fund cancer research, to raise awareness for children like Anna Rose, and to find a cure.

HONORING THE MEMORY OF VICTIMS OF THE SEPTEMBER 11, 2001, ATTACKS

(Mr. LANCE asked and was given permission to address the House for 1 minute.)

Mr. LANCE. I rise on this somber anniversary to honor the memory of those lives lost in the attacks on September 11, 2001. For 11 years, I have stood at firehouses and schools, churches and veterans halls, and heard

the stories of bravery and heroism from that terrible morning that changed America.

New Jersey lost more than 700 residents in the attacks, innocent people who were targeted in an act of war upon the Nation. Brave first responders courageously initiated rescues with their lives in danger. These stories are not new but need to be retold as a new generation comes of age and is taught of the determination of our country.

The lives lost in the ensuing battles abroad have continued to try the foundation of our will. We have proven steadfast in the commitment to our values. Our freedom and liberty have been protected by brave men and women who selflessly answer the call of service.

No matter the challenges we face, we must remember that our Nation is truly blessed. I ask all Americans today to pause and reflect on the tragedy of 9/11, and please pray for the victims and honor their memory, and please pay tribute to the men and women who serve and defend us today against the dangers we still face.

May God bless them all, and may God continue to bless the United States of America.

LET'S GET TO WORK

(Mr. HOLT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HOLT. Madam Speaker, on this day, as on every day, we should be working toward a better future for America. Yet, by almost any measure, days in session, committee markups held, bills voted on or signed into law, this is one of the least productive Congresses in more than half a century, by design.

Everyone knew last year times would be tough, but despite that, the House Republicans who control the schedule scheduled a year of congressional inaction. Their ideology dictates that Congress can and should do nothing.

There is work to be done. Where is the jobs agenda?

With just days left in this congressional session, let's get to work.

FACT-CHECKING PRESIDENT OBAMA'S JOBS RECORD

(Mr. STEARNS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STEARNS. Madam Speaker, the Obama Administration has said that they have created 4.5 million new jobs in the last 4 years. But, my colleagues, CNN, along with another group of individuals, in fact, a host of other organizations, have really fact-checked this claim. They found that, despite a surge in temporary hiring for the 2010 census,

there were actually 400,000 fewer—fewer—nonfarm payroll jobs today than when the President took office in January 2009.

But our job crisis is actually much, much worse because a large chunk of Americans have simply given up looking for work, and the jobs have not come back, and aren't the same ones that we lost.

Also, according to a study released by the National Employment Law Project, low-wage fields such as retail sales and food service are adding jobs nearly three times as fast as higher-paid occupations. But we need to add these higher-paying jobs.

The sad truth is that there are fewer people working now than when President Obama took office. And Madam Speaker, these are simply the facts.

REMEMBERING THE TRAGIC EVENTS OF 9/11

(Mr. BARBER asked and was given permission to address the House for 1 minute.)

Mr. BARBER. Madam Speaker, I rise today to remember the tragic events of September 11, 2001. As we honor the nearly 3,000 lives lost that day, my thoughts remain with the loved ones of those who did not return to their families.

We also remember with pride the national unity that our country showed that horrible day and in the days that followed. In tragedy, we laid our differences aside and found common purpose. The legacy of 9/11 is our ability to say with certainty that no enemy or threat can change the values of our country and that which it stands for. I remain awed by the bravery and valor shown each day by our first responders and their brothers and sisters in uniform and by ordinary Americans.

In Tucson, we have a special connection to 9/11. Christina Taylor Green was a 9/11 baby. Today would have been her 11th birthday. She died in the tragic shooting on January 8, 2011, when she came to speak with her Congresswoman.

Just as on 9/11, we saw the spirit of the American people who came together in prayer, compassion, and unity on January 8, 2011, and in the days and weeks that followed. This is who we are as a people and who we always will be.

God bless all of us and this great country in which we are privileged to live.

FREE DR. AFRIDI

(Mr. ROHRBACHER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROHRBACHER. Madam Speaker, as we commemorate the monstrous crime committed against America on

9/11, let us remember the plight of a heroic figure who helped us bring justice to those who murdered our fellow citizens on this day 11 years ago. I speak of Dr. Afridi, the man who risked his life to provide the intel our forces needed to locate and eliminate Osama Bin Laden, who now languishes in a jail in Pakistan.

There has been no resolution through this Congress nor public effort by the United States government to support Dr. Afridi in this, his hour of need. He has been tortured. His family has been attacked, and he is still in a desperate situation.

It behooves us as Americans to state in a unified and loud voice to his Pakistani captors, "Dr. Afridi should be freed." The continued incarceration of Dr. Afridi affirms to all Americans that Pakistan is not our friend but instead is a partner in terrorism of especially those terrorists who are murdering our fellow Americans. Our motto today must be "Free Dr. Afridi."

Dr. Afridi was asked why he risked his life to help in the efforts to bring Bin Laden to justice. His answer was that he respects and loves us, the American people.

On this 9-11 commemoration we need to express our outrage that Pakistan has incarcerated and tortured this hero in the war against terrorists.

Certainly, not one cent should ever be given to Pakistan in American aid, now that they're exposed for their evil terrorist deeds.

Free Dr. Afridi should be our cry on this commemoration of 9-11.

THE 11TH ANNIVERSARY OF THE ATTACKS OF 9/11

(Ms. CHU asked and was given permission to address the House for 1 minute.)

Ms. CHU. It's been 11 years since blue skies over New York were blackened with soot, 11 years since the Pentagon sustained its only attack in history, and 11 years since the heroism of our countrymen over a quiet field in Pennsylvania. Today, we remember and honor all of the lives lost on this day 11 years ago.

In the aftermath of 9/11, we mourned those who lost their lives. What had seemed so far from possible just 1 day before was ever present from that moment on, and we will never forget.

From the ashes came stories of heartbreak, like twins born on September 15 who never knew their father. For them and so many others, it's not 11 years; it's every single day.

As we reflect on this anniversary of 9/11, let us remember those 3,000 people, the fathers and mothers, sons and daughters, and brave first responders, and the values of this country for which they lost their lives, our tolerance, our democracy, and our freedom.

HONORING THE MEMORIES OF THE VICTIMS OF 9/11

(Mr. WALZ of Minnesota asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WALZ of Minnesota. Madam Speaker, as we reflect as a Nation on that tragic day 11 years ago, our thoughts and prayers go out to the families who lost loved ones. Out of the horror of the murders of thousands of innocent souls rose the selfless heroic spirit of America.

Thousands of first responders rushed into danger to help their fellow citizens, total strangers. Thousands of warriors have paid the ultimate price to defend us.

The sense of national unity that spontaneously arose was something none of us will ever forget. We, the living, must pledge not just in words but in deeds to never forget.

We in this body, as representatives of the American people, must work to see our colleagues first and foremost as Americans and as members of a political party a distant second. To truly honor the principles that this Nation stands for, we must see this other side of the aisle for what it truly is: a 3-foot space that's not so hard to reach across.

Let's honor the memories of those who gave so much on and after that fateful day by working together to truly create a more perfect Union.

□ 1220

9/11 ANNIVERSARY

(Mrs. MALONEY asked and was given permission to address the House for 1 minute.)

Mrs. MALONEY. Madam Speaker, today we mark the 11th anniversary of 9/11. The tragedy that day still burns in our hearts, and once again, we renew our pledge to "never forget." The thousands who died and the thousands who rushed to rescue them truly deserve this moment of honor and remembrance; but today, there is also good news for those who became sick as a direct result of being exposed to the deadly toxins.

As part of the James Zadroga 9/11 Health and Compensation Act, which Speaker PELOSI and my colleagues in the House and especially the New York delegation fought so hard to pass, the World Trade Center Health Program ruled yesterday that 50 kinds of cancer will now be included under the Zadroga Act. This important step means that those who have developed cancer, often years after their exposure, will have the opportunity to receive the needed care and compensation that they justly deserve.

On 9/11, thousands lost their lives, and thousands more lost their health because of their exposure to the deadly

toxins. Many are sick and dying. I am proud that the Zadroga Act can now include their needs, and I hope that they accept, once again, the thanks of a grateful Nation.

IN HONOR OF NEIL ARMSTRONG

(Mr. SCHIFF asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SCHIFF. Madam Speaker, I rise today to honor the life and legacy of a true American hero, the first human being to walk on the Moon—Neil Alden Armstrong.

I had the privilege of meeting Neil Armstrong and introducing him to my son, Eli, at an event commemorating the 40th anniversary of the Apollo 11 landing. It has been said “we are all dreamers,” but Neil Armstrong inspired generations of Americans to dream big and to reach for the stars both figuratively and literally. He believed that the yearning to explore is part of what makes us human, and his singular achievement on July 20, 1969, still inspires.

A reluctant hero, Mr. Armstrong never used his Apollo 11 achievement for personal gain. On more than one occasion he questioned his own notoriety, protesting that his walk on the Moon was the result of the dedication of more than 400,000 people—from engineers who designed the Lunar Module, to ground controllers who monitored every aspect of the mission, to seamstresses who stitched by hand the suit that kept him alive on the Moon.

The late 1960s was a time of tumult in America, when our Nation was riven by Vietnam, the struggle for civil rights and the emerging women’s movement. In the midst of this, Armstrong’s climb down the Lunar Module’s ladder and his “giant leap for mankind” united not just Americans but people of all nations as they watched. That night, countless children looked up at the Moon and dared to dream.

9/11 ANNIVERSARY

(Ms. HAHN asked and was given permission to address the House for 1 minute.)

Ms. HAHN. As we mark yet another anniversary of a September morning that dawned just as any other, we are first and foremost called to remember; but as we remember the fear and the grief of a day born of unfathomable hate, we remember, too, the impossible heroism of so many of our fellow Americans.

We remember the firefighters and the police officers who ran into the burning buildings to get others out. We remember the brave men and women of Flight 93, who, in learning of the attacks throughout the country, decided they

would give their lives that others might live.

We remember those early days when we came out of our homes and joined together with our neighbors, with flags and candles, united as one American family and when bitter political adversaries stood on the steps of this Capitol and put their arms around each other and sang “God Bless America.”

But we shouldn’t have to look back to feel that again. For the sake of those who died, for the sake of all those living and for all those yet to be born, let’s come together in this House. Let’s not be the do-nothing Congress. In honor of all Americans, let’s come together and work for the good of this country.

WEAKENED FROM WITHIN

(Mr. MORAN asked and was given permission to address the House for 1 minute.)

Mr. MORAN. Madam Speaker, our governments and our people have successfully prevented the tragedy of 11 years ago from being repeated, but we need to be mindful of the fact that it does little good to protect ourselves from without if we allow ourselves to become weakened from within.

When our families aren’t adequately employed, when our government isn’t adequately funded, when our economic potential is so unfulfilled, we do a disservice to the people we were elected to serve and to protect. When the majority in this House refuses to take action on a real jobs bill or on any of the other important issues that we should be legislating, we have no business being out of business for 49 out of the next 56 days before the upcoming election.

AN AMERICAN JOBS ACT FOR OUR FIRST RESPONDERS

(Ms. SCHAKOWSKY asked and was given permission to address the House for 1 minute.)

Ms. SCHAKOWSKY. Today, our hearts turn to the heroes and loved ones who lost their lives on 9/11.

We will never forget the sacrifices of the first responders who are appropriately receiving special honor today. Yet firefighters and police officers are being laid off around the country. Why? Because the Republicans have sabotaged all efforts to avoid those layoffs and to create jobs. It will be 1 year ago tomorrow that the President sent to Congress the American Jobs Act, which would put people to work in areas critical to our communities and our economy—cops and firefighters and teachers—and would prevent those layoffs.

Independent experts estimate that his bill would create up to 2.6 million jobs; but has the Republican do-nothing Congress even allowed a vote on

the American Jobs Act? No. Instead, they’ve found time to vote repeatedly to end the Medicare guarantee, and next week, Republicans will leave town and leave America without a jobs bill. Our first responders deserve better.

9/11 ANNIVERSARY

(Mr. FRELINGHUYSEN asked and was given permission to address the House for 1 minute.)

Mr. FRELINGHUYSEN. Madam Speaker, I rise today to mark the 11th anniversary of the vicious attack on America. I appreciate the leadership scheduling a memorial service on the steps of the Capitol this morning, but more needs to be said as I fear time and events have dulled our memory. It was 11 years ago that our Nation changed forever as violent international extremists struck in the streets of Lower Manhattan and in the fields of Pennsylvania and at the Pentagon.

When that day was over and as we learned more about that tragedy and, yes, of the murderous attacks and the loss of nearly 3,000 Americans, including 700 New Jerseyans, who are from my home State, we witnessed neighbors and friends consoling one another, and we watched as Americans from all walks of life stood united—side by side—waving the Stars and Stripes and lighting candles to honor those lost or missing.

Today, this afternoon, I must remind our fellow Americans that we are still a Nation at war, largely because of those events. We remember those who lost their lives on that fateful day, but we also remember the sacrifices of those who serve in Iraq and Afghanistan to make sure that those responsible for those attacks pay that ultimate sacrifice.

IN MEMORY OF 9/11

(Ms. HANABUSA asked and was given permission to address the House for 1 minute.)

Ms. HANABUSA. We all probably remember where we were when we learned about 9/11. We all probably had someone who came to mind immediately when we watched the horrific attacks on this Nation. For me, I thought of my friend General Eikenberry, who was at the Pentagon, on the side that the plane crashed into.

Though Hawaii is the State farthest away from the east coast, we were also touched. We knew of at least nine who had ties to our State who died on 9/11, and I want to honor them by reading their names: Georgine Corrigan, Richard Keane, Maile Hale, Ric Yee, Patti Colodner, David Laychak, Christine Snyder, Heather Ho. Heather is someone special to me. Her grandfather actually built the town that I grew up in.

We must also honor the brave men and women in uniform who gave their

lives to this country in the wars following 9/11. Madam Speaker, we must never forget, and this country must never forget.

□ 1230

AMERICA NEEDS A FARM BILL

(Mr. WELCH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WELCH. Madam Speaker, America needs a farm bill. The Senate has passed a farm bill. The House Agriculture Committee on a bipartisan basis has passed a farm bill, and that is not being brought to the floor for a vote.

We have a drought. It's the worst that we've seen in 50 years. We've got nutrition programs that need to be funded. We have environmental and conservation programs that need to be revised and passed. We have farmers across this land whose goal is to feed America, and they need a farm bill.

Never in the history of the United States Congress has a farm bill passed by the House Agriculture Committee not been brought to the floor for a vote. There's no question that a farm bill is contentious. It always is. But with FRANK LUCAS and COLLIN PETERSON, Republican leader and Democratic leader, and the Agriculture Committee working together, we got a bipartisan vote. Why is this not being brought to the floor?

That it's difficult is not a reason not to do it. Bring a farm bill and pass it.

WORLD WAR II VETERAN WILLIAM "BILL" KLING

(Mr. DEUTCH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DEUTCH. Madam Speaker, the south Florida community recently lost a hero when World War II veteran William Kling passed away at the age of 84.

Bill Kling, a native New Yorker, served in the Navy during World War II. Throughout his life, he was an active member of the American Legion, Veterans of Foreign Wars, Jewish War Veterans, and the Disabled American Veterans. For me, he was an inspiration and a friend.

However, Bill is best known for his role as the president of the Broward County Veterans Council for 27 years. Bill's activism led to building of an outpatient VA clinic in Broward County, a veterans nursing home in Pembroke Pines, and the opening of the South Florida National Cemetery in 2007.

So even as we mourn the loss of an incredible advocate, we know that Bill Kling's contributions live on in every

veteran cared for at the outpatient clinic he helped to build, in every family who visits an elderly veteran residing at the nursing home he helped to establish, and in every prayer spoken at the national cemetery that he helped make possible.

I join with Bill's family in mourning his loss; but on this anniversary of the 9/11 attacks, I express the gratitude of our entire south Florida community that will long benefit from Bill Kling's tireless efforts to honor those who so bravely served our Nation.

ACT TOMORROW TO PASS FISA AMENDMENTS

(Mr. DANIEL E. LUNGREN of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DANIEL E. LUNGREN of California. Madam Speaker, today, September 11, 2012, is a beautiful day outside. The sun's in the cloudless sky, much like it was 11 years ago.

We remember those tragic criminal terrorist acts. We remember the heroism of those who responded. But there's something we can do more than just remember. There's something we can do in addition to the prayers that we offer. We can act tomorrow to pass the Foreign Intelligence Surveillance Act amendments which allow us to respond to the criticism rendered by the 9/11 Commission, that is, that we did not do enough to connect the dots of intelligence to warn us about that attack and future attacks.

The FISA amendments allow us to connect the dots so we can analyze those dots, so we can bring the intelligence to bear, so that we can protect our people with the courage and the bravery of those men and women who are in uniform, guided by the intelligence that we collect and that we apply. It is as strong a statement as we can make this week to ensure that we do not blind our eyes to that which is out there that may threaten us.

Let us work together in a bipartisan basis to pass that, and let us give those tools that are necessary to protect us.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the House by Mr. Brian Pate, one of his secretaries.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mrs. MILLER of Michigan). Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

GOVERNMENT SPENDING ACCOUNTABILITY ACT OF 2012

Mr. WALSH of Illinois. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 4631) to amend title 5, United States Code, to institute spending limits and transparency requirements for Federal conference and travel expenditures, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4631

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Government Spending Accountability Act of 2012" or the "GSA Act of 2012".

SEC. 2. LIMITS AND TRANSPARENCY FOR CONFERENCE AND TRAVEL SPENDING.

(a) AMENDMENT.—Chapter 57 of title 5, United States Code, is amended by inserting after section 5711 the following:

"§ 5712. Limits and transparency for conference and travel spending

"(a) CONFERENCE TRANSPARENCY AND SPENDING LIMITS.—

"(1) PUBLIC AVAILABILITY OF CONFERENCE MATERIALS.—Each agency shall post on the public website of that agency detailed information on any presentation made by any employee of that agency at a conference (except to the extent the head of an agency excludes such information for reasons of national security) including—

"(A) the prepared text of any verbal presentation made; and

"(B) any visual, digital, video, or audio materials presented, including photographs, slides, and audio-visual recordings.

"(2) LIMITS ON AMOUNT EXPENDED ON A CONFERENCE.—

"(A) IN GENERAL.—Except as provided in subparagraph (B), an agency may not expend more than \$500,000 to support a single conference.

"(B) EXCEPTION.—The head of an agency may waive the limitation in subparagraph (A) for a specific conference after making a determination that the expenditure is justified as the most cost-effective option to achieve a compelling purpose. The head of an agency shall submit to the appropriate congressional committees a report on any waiver granted under this subparagraph, including the justification for such waiver.

"(C) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed to preclude an agency from receiving financial support or other assistance from a private entity to pay or defray the costs of a conference the total cost of which exceeds \$500,000.

"(b) INTERNATIONAL CONFERENCE RULE.—An agency may not pay the travel expenses for more than 50 employees of that agency who are stationed in the United States, for any international conference, unless the Secretary of State determines that attendance for such employees is in the national interest.

"(c) REPORT ON TRAVEL EXPENSES REQUIRED.—At the beginning of each quarter of each fiscal year, each agency shall post on the public website of that agency a report on each conference for which the agency paid

travel expenses during the preceding 3 months that includes—

“(1) the itemized expenses paid by the agency, including travel expenses, and any agency expenditures to otherwise support the conference;

“(2) the primary sponsor of the conference;

“(3) the location of the conference;

“(4) the date of the conference;

“(5) a brief explanation of how the participation of employees from such agency at the conference advanced the mission of the agency;

“(6) the title of any employee, or any individual who is not a Federal employee, whose travel expenses or other conference expenses were paid by the agency;

“(7) the total number of individuals whose travel expenses or other conference expenses were paid by the agency; and

“(8) in the case of a conference for which that agency was the primary sponsor, a statement that—

“(A) describes the cost to the agency of selecting the specific conference venue;

“(B) describes why the location was selected, including a justification for such selection;

“(C) demonstrates the cost efficiency of the location;

“(D) provides a cost benefit analysis of holding a conference rather than conducting a teleconference; and

“(E) describes any financial support or other assistance from a private entity used to pay or defray the costs of the conference, and for each case where such support or assistance was used, the head of the agency shall include a certification that there is no conflict of interest resulting from such support or assistance.

“(d) **FORMAT AND PUBLICATION OF REPORT.**—Each report posted on the public website under subsection (c) shall—

“(1) be in a searchable electronic format; and

“(2) remain on that website for at least 5 years after the date of posting.

“(e) **DEFINITIONS.**—In this section:

“(1) **AGENCY.**—The term ‘agency’ has the meaning given that term under section 5701, but does not include the government of the District of Columbia.

“(2) **CONFERENCE.**—The term ‘conference’ means a meeting, retreat, seminar, symposium, or event to which an employee travels 25 miles or more to attend, that—

“(A) is held for consultation, education, discussion, or training; and

“(B) is not held entirely at a Government facility.

“(3) **INTERNATIONAL CONFERENCE.**—The term ‘international conference’ means a conference occurring outside the United States attended by representatives of—

“(A) the Government of the United States; and

“(B) any foreign government, international organization, or foreign nongovernmental organization.”.

(b) **TECHNICAL AND CONFORMING AMENDMENT.**—The table of sections for chapter 57 of title 5, United States Code, is amended by inserting after the item relating to section 5711 the following:

“5712. Limits and transparency for conference and travel spending.”.

(c) **ANNUAL TRAVEL EXPENSE LIMITS.**—

(1) **IN GENERAL.**—In the case of each of fiscal years 2013 through 2017, an agency (as defined under section 5712(e) of title 5, United States Code, as added by subsection (a)) may not make, or obligate to make, expenditures for travel expenses, in an aggregate amount

greater than 70 percent of the aggregate amount of such expenses for fiscal year 2010.

(2) **IDENTIFICATION OF TRAVEL EXPENSES.**—

(A) **RESPONSIBILITIES.**—Not later than December 31, 2012, and after consultation with the Administrator of General Services and the Director of the Administrative Office of the United States Courts, the Director of the Office of Management and Budget shall establish guidelines for the determination of what expenses constitute travel expenses for purposes of this subsection. The guidelines shall identify specific expenses, and classes of expenses, that are to be treated as travel expenses.

(B) **EXEMPTION FOR MILITARY TRAVEL.**—The guidelines required under subparagraph (A) shall exclude military travel expenses in determining what expenses constitute travel expenses. Military travel expenses shall include travel expenses involving military combat, the training or deployment of uniformed military personnel, and such other travel expenses as determined by the Director of the Office of Management and Budget, in consultation with the Administrator of General Services and the Director of the Administrative Office of the United States Courts.

The **SPEAKER pro tempore.** Pursuant to the rule, the gentleman from Illinois (Mr. WALSH) and the gentleman from Missouri (Mr. CLAY) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. WALSH of Illinois. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill under consideration.

The **SPEAKER pro tempore.** Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. WALSH of Illinois. Madam Speaker, I yield myself such time as I may consume.

The Government Spending Accountability Act, or GSA Act, will end the days of unnecessary boondoggles and lavish trips for Federal bureaucrats.

I think we're all aware of GSA's recent escapades in Las Vegas where the agency paid more than \$44 a head for breakfast, \$7,000 in sushi at a networking reception, and \$75,000 to build bicycles.

I think we can all agree that all of this spending is outrageous and unacceptable. We can't continue to ask hardworking taxpayers to tighten their belts and make tough decisions when for years the GSA and other Federal agencies have thrown away those taxpayer dollars on lavish conferences like this.

The days of wasting taxpayer dollars on fancy junkets for government bureaucrats should soon be over. I introduced the GSA Act because, as stewards of taxpayer dollars, it is our responsibility to ensure that they are not wasted on lavish conferences and posh junkets.

The GSA Act requires that every quarter Federal agencies publish an open report that details every conference for which the agency paid travel and expenses. The bill also limits the amount that an agency can spend on any one conference to \$500,000 and on travel annually to 70 percent of the amount the agency spent on travel in 2010.

I would like to thank Chairman ISSA, Ranking Member CUMMINGS, and my friends across the aisle for joining me in this effort. The bipartisanship displayed here shows what Congress can accomplish when both parties come together to tackle reckless spending.

We need to come together to fix Washington and start cultivating some respect for hard-earned taxpayer dollars. The GSA Act will help change the culture of waste in Washington and put us on a path to a sustainable future for our children and grandchildren.

Please join me in standing up for taxpayers. I support this measure and urge its adoption.

With that, I reserve the balance of my time.

Mr. CLAY. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in support of H.R. 4631, the Government Spending Accountability Act, as amended.

This legislation will improve congressional oversight of Federal Government spending on meetings and conferences. It is modeled on similar reporting requirements contained in the DATA Act, which passed the House of Representatives earlier this year with bipartisan support.

This legislation will help rein in the type of wasteful spending of taxpayer dollars that we have witnessed over the past several months. In April, the committee held a hearing to examine the GSA's expenditure of \$800,000 on a single conference in Las Vegas in 2010.

The gross abuse of Federal funds must not be repeated, and one way to avoid that is to monitor more closely how Federal agencies use their funds on such activities.

We are all aware that conferences are an important part of staff development and can help improve the quality of Federal Government work; however, we must make sure that they do not turn into resort vacations funded by taxpayers, many of whom are continuing to struggle to make ends meet.

□ 1240

Madam Speaker, the GSA incident tarnished the reputation of government workers who dedicate their lives to public service, which I believe is unfair. This legislation, as amended, would prevent a few reckless and selfish individuals from engaging in activities that discredit the entire Federal workforce.

Madam Speaker, I urge support for this bill, and I reserve the balance of my time.

Mr. WALSH of Illinois. I continue to reserve the balance of my time.

Mr. CLAY. Madam Speaker, I yield 4 minutes to the gentleman from New Jersey (Mr. HOLT).

Mr. HOLT. I thank my friend from Missouri.

Madam Speaker, I rise in opposition to H.R. 4631. I oppose this bill because it would make significant changes to Federal employees' ability to travel to conferences and meetings.

Although I appreciate the sponsors' efforts to ensure oversight on travel expenditures, I'm not sure they realize the impact that this legislation would have on science and technology, which is the engine of American innovation.

This bill institutes prohibitions and impediments that would hinder American scientists' ability to collaborate and communicate with scientists at other institutions and laboratories. Now, to be sure, they can probably get around these prohibitions and impediments, but we should not be putting these in place in the first matter.

As a scientist, I know firsthand how important scientific conferences and meetings are. The informal conversations, as well as the formal presentations and poster sessions and everything else that goes into it between scientists from different institutions, lead to new collaborations that have the promise of new discoveries. These are not fancy junkets.

Now, people often ask students, well, what is science. What's so special about science? Why does it work? Well, it works because one of its fundamental tenets is communication.

To be sure, there are various ways to have communication, but scientific conferences are critically important. In a recent op-ed by the presidents of the American Chemical Society and the president of the American Physical Society, they discuss, for example, an anticancer drug that was the result of collaboration between a team of scientists from three laboratories that took place at conferences.

This bill would hinder that kind of collaboration. Just about any scientific society in this country can give you examples where large numbers of federally sponsored researchers go off to conferences. It happens in plasma physics. It happens in microbiology. It happens in AIDS policy and AIDS research.

In a time when the Federal Government should be making science a priority, passing a bill that would make scientists jump through hurdles and get around impediments would, in fact, weaken American scientists, weaken American science, and impede the ability of American scientists to innovate.

That is not wise. This is not the way to build our economy. We should be investing more in research and development, which means, of course, investing in scientists, but also investing in their ability to pursue science.

We should be spending more on international conferences. We should be spending more on national conferences. We should be spending more on national laboratories. We should be spending more on public and private research and development for the sake of jobs, for the sake of our economic vitality, for the sake of the quality of life of Americans. This is not the way to build our economy and to foster innovation.

I urge my colleagues to vote "no."

Mr. WALSH of Illinois. Madam Speaker, I yield myself such time as I may consume.

I appreciate the concerns of my colleague, and I would only note that new technology, I think, has made it easier to teleconference and communicate remotely. This not only would save money, which is important, but it has already and will continue to increase the amount of collaboration.

Mr. HOLT. Will the gentleman yield?

Mr. WALSH of Illinois. I yield to the gentleman.

Mr. HOLT. Do you think that the Congress of the United States might do better if we don't meet in person, if we stay home and get on conference calls every once in a while and phone in?

I don't think so. I think the gains that are made in good legislation that come from conferences, as we gather here for votes, on the side between votes, is invaluable. The same can be said many times over for microbiology, for plasma physics, for—let's go through a long list.

Mr. WALSH of Illinois. Reclaiming my time, again, I would say Congress, in today's day and age, where we hit \$16 trillion in debt last week, Congress, like all institutions in this country, needs to figure out how to work more efficiently and save hard-earned taxpayer dollars.

Madam Speaker, I reserve the balance of my time.

Mr. CLAY. Madam Speaker, I also urge my colleagues to vote in favor of H.R. 4631, and I yield back the balance of my time.

Mr. WALSH of Illinois. Madam Speaker, I urge all Members to join me in support of this bill, and I yield back the balance of my time.

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, I think we can all agree that federal agencies need to be wise and judicious in their use of travel funds, and that past abuses, while very much the exception, were a wake-up call for us to exercise stricter oversight of taxpayer dollars. The Administration itself, through the Office of Management and Budget, OMB, has also sought to curb these abuses by instituting new travel caps and new reporting requirements on all agency travel and I applaud them for taking this seriously.

On the face of it, OMB's directives seem reasonable to most of us, although there is room for debate even here. The scientific community, which includes tens of thousands of federal scientists at agencies such as the

Department of Energy and NASA, depend on face-to-face interaction through conferences and workshops to foster innovation and launch new scientific directions. The community, therefore, is rightfully concerned about the unintended consequences of these restrictions stifling innovation and stunting economic growth by preventing federal scientists from participating fully in scientific exchanges with their fellow scientists and engineers from across the country and the world. So I hope OMB follows closely the impact of their own rules as they are implemented.

Today, however, I speak to the shockingly onerous requirements in H.R. 4631. While OMB's new directives have a \$100,000 trigger for reporting on any given conference, in this bill, there is no trigger for the excessive laundry list of reporting requirements. And to be sure we understand each other, a conference is defined in this bill as "a meeting, retreat, seminar, symposium, or event to which an employee travels 25 miles or more to attend, that is held for consultation, education, discussion, or training; and is not held entirely at a Government facility." Imagine, then, the very real and very common situation in which a USGS scientist in Reston travels by personal vehicle to a meeting about earthquakes with other agency and non-federal scientists at a non-governmental site such as the American Geophysical Union headquarters in DC. That USGS scientist is entitled to reimbursement for fuel mileage for that trip. Are we really going to pay that scientist and other agency staff to do a complete cost-benefit analysis and meet all of the other reporting requirements in this bill over a \$30 expense? It seems to me that the additional bureaucratic resources necessary to meet this requirement will require far more than a \$30 reimbursement for gas.

Colleagues, I cannot imagine a more inefficient, bureaucratic, wasteful system than the one set up in this bill. If the goal is to make it so hard for any agency scientist to travel anywhere, anytime, for any purpose, then mission accomplished. But let us not underestimate the consequences this will have on the free and open exchange of scientific and technical knowledge and understanding between federal and non-federal scientists and for the innovation and economic benefits that follow. Nor let us underestimate the consequences this has for the ability of science agencies such as the National Science Foundation to conduct proper oversight of the several billion dollars in grants it awards to university scientists and engineers, because this bill also applies to program managers.

I urge my colleagues on the Committee on Oversight and Government Reform to address these concerns as the bill moves forward.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. WALSH) that the House suspend the rules and pass the bill, H.R. 4631, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

GOVERNMENT CUSTOMER SERVICE IMPROVEMENT ACT

Mr. WALSH of Illinois. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 538) to require the establishment of customer service standards for Federal agencies, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 538

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Government Customer Service Improvement Act".

SEC. 2. DEVELOPMENT OF PERFORMANCE MEASURES AND STANDARDS FOR CUSTOMER SERVICE PROVIDED BY FEDERAL AGENCIES.

(a) REQUIREMENT.—

(1) PERFORMANCE MEASURES AND STANDARDS.—The Director of the Office of Management and Budget shall develop—

(A) performance measures to determine whether Federal agencies are providing high-quality customer service and improving service delivery to their customers; and

(B) standards to be met by Federal agencies in order to provide high-quality customer service and improve service delivery to their customers.

(2) REQUIREMENT TO TAKE INTO ACCOUNT CERTAIN INFORMATION.—The standards under paragraph (1) shall be developed after taking into account the information collected by Federal agencies under subsection (b).

(b) CUSTOMER SERVICE INPUT.—The head of each Federal agency shall collect information from its customers regarding the quality of customer services provided by the agency. Each Federal agency shall include this information in its performance report submitted under section 1116 of title 31, United States Code.

(c) ANNUAL PERFORMANCE UPDATE.—The Director of the Office of Management and Budget shall include achievements by Federal agencies in meeting customer service performance measures and standards developed under subsection (a) in each update on agency performance required under section 1116 of title 31, United States Code.

SEC. 3. IMPLEMENTATION OF CUSTOMER SERVICE STANDARDS.

(a) CUSTOMER RELATIONS REPRESENTATIVE.—The head of each Federal agency shall designate an employee to be the customer relations representative of the agency. Such representative shall be responsible for implementing the customer service standards developed under section 2 and the agency requirements under subsection (b).

(b) AGENCY REQUIREMENTS.—

(1) GUIDELINES AND CONTACT INFORMATION.—The head of each Federal agency, acting through its customer relations representative, shall—

(A) issue guidelines to implement the customer service standards developed under section 2 within the agency, including specific principles of customer service applicable to that agency; and

(B) publish customer service contact information, including a mailing address, telephone number, and e-mail address.

(2) AVAILABILITY.—The guidelines and the customer service contact information required under this subsection shall be available on the agency's public website.

SEC. 4. PERFORMANCE APPRAISAL.

Compliance with customer service standards developed under this Act shall be included in the performance appraisal systems referred to in sections 4302(a) and 4312 of title 5, United States Code.

SEC. 5. DEFINITIONS.

In this Act:

(1) The term "customer", with respect to a Federal agency, means any individual or entity, including a business, State or local government, other Federal agency, or Congress, to which the agency provides services or information.

(2) The term "Federal agency" has the meaning given the term "Executive agency" by section 105 of title 5, United States Code, except that the term does not include an agency if the President determines that this Act should not apply to the agency for national security reasons.

SEC. 6. DEFICIT REDUCTION.

Any savings or reductions in expenditures resulting from this Act shall be used to offset the costs of implementation of this Act, and any additional savings shall be used to reduce the deficit.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. WALSH) and the gentleman from Missouri (Mr. CLAY) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. WALSH of Illinois. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. WALSH of Illinois. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, the private sector has raised the bar for customer service, and citizens expect the same from their government.

The American people rely on Federal agencies to provide important services and information, but these agencies often fall short of providing the customer service taxpayers deserve. H.R. 538 ensures the Federal Government keeps pace with the public's expectations and delivers better value to the taxpayers.

Agencies currently have discretionary authority to include "courtesy demonstrated to the public" in employee performance appraisals and to reward superior performance. While some agencies have incorporated customer service standards in employee performance expectations, they do not always require good customer service to the public.

Under this bill, OMB and agencies will develop performance measures and standards for agency customer service, with employees at all levels held accountable for achieving results.

Taxpayers should have high expectations of government. Agencies must deliver services efficiently and at low cost. Federal employees must provide effective service to customers. H.R. 538 will help ensure agencies streamline service delivery and improve the customer experience.

CBO has said there are no costs associated with this bill and, in fact, any savings incurred are due to be put toward paying down the Federal deficit. The Oversight and Government Reform Committee worked on a bipartisan basis to advance this legislation. I supported it when it passed by voice vote in committee, and I urge its adoption today.

I reserve the balance of my time.

□ 1250

Mr. CLAY. Madam Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 538, the Government Customer Service Improvement Act. This is a good-government bill that will improve the way Federal agencies interact with the people they serve.

I yield 5 minutes to my friend, the gentleman from Texas, the author of the bill, Mr. CUELLAR.

Mr. CUELLAR. Again, the gentleman from Missouri, I thank you so much for the leadership. And I certainly want to thank also Mr. WALSH from Illinois, who actually called me before this, which it is rare to have somebody from the other side call and say, How can I help you on this bill? So I find that refreshing and I want to say thank you for working with us and folks on this side of the aisle.

This bill, the Customer Service Improvement Act, is a bipartisan bill that has folks like MCCAUL, DUNCAN, GOODLATTE, and other folks supporting this particular bill. I certainly want to thank Chairman ISSA and Ranking Member CUMMINGS for their work, as well as the members of the committee, and for passing it from the Oversight and Government Reform Committee unanimously in April.

The primary goal of the Federal Government is to serve the taxpayers. This commonsense, bipartisan bill seeks to establish, monitor, and improve customer service across Federal agencies. It ensures that taxpayers get the quality of service that they deserve when interacting with Federal agencies. Too often we hear that veterans are waiting for months to get critical medical services or that seniors are waiting for months to get their retirement benefits. These are just two examples where millions of Americans that rely on Federal agencies have to wait on vital services, which is why we must usher in a new chapter to accelerate response time and overall performance for a better customer experience. With a sweeping 79 percent of Americans dissatisfied with Federal Government service, according to the 2011 Federal Customer

Service Experience Study, we must all work together to make sure that Uncle Sam and Americans work together.

This bill is simple and necessary. First, H.R. 538 improves customer service standards across the board. It does this by requiring the Office of Management and Budget to develop performance standards to determine whether Federal agencies are providing high-quality customer service and improving service delivery to agency customers. According to a 2010 GAO report, Federal agency customer service standards were often not made easily available for customers to find and access or were not made available to the public at all. In other words, we provide customer service; and if somebody wants to know how that agency is providing the service and the standards, it must be made available.

Second, the bill raises the bar for enhancing quality and access to customer service. This is accomplished by requiring agencies to collect information from the customers regarding the quality of the service. Again, this must be a way that we raise that standard.

Third, it puts a face on accountability. The bill requires that each agency designate an employee to be its customer relations representative. So when somebody is dealing with a Federal agency, we must know who they can complain to, who they must talk to in order to provide that customer service. Just like in the private sector that strives to provide excellent customer service that they bring in order to get more business, the Federal Government must do the same thing.

As the gentleman from Illinois said, there's no cost on this according to the nonpartisan Congressional Budget Office. And, again, I would ask that we all work together to provide better service.

Mr. WALSH of Illinois. Madam Speaker, I urge all Members to support me in support of this bill, and I yield back the balance of my time.

Mr. CLAY. Madam Speaker, again, I urge the House to adopt H.R. 538, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. WALSH) that the House suspend the rules and pass the bill, H.R. 538, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO CERTAIN TERRORIST ATTACKS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 112-138)

The SPEAKER pro tempore laid before the House the following message

from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within the 90-day period prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. Consistent with this provision, I have sent to the *Federal Register* the enclosed notice, stating that the emergency declared with respect to the terrorist attacks on the United States of September 11, 2001, is to continue in effect for an additional year.

The terrorist threat that led to the declaration on September 14, 2001, of a national emergency continues. For this reason, I have determined that it is necessary to continue in effect after September 14, 2012, the national emergency with respect to the terrorist threat.

BARACK OBAMA.

THE WHITE HOUSE, September 11, 2012.

CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO PERSONS WHO COMMIT, THREATEN TO COMMIT, OR SUPPORT TERRORISM—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 112-139)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within the 90-day period prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice, stating that the national emergency with respect to persons who commit, threaten to commit, or support terrorism is to continue in effect beyond September 23, 2012.

The crisis constituted by the grave acts of terrorism and threats of terrorism committed by foreign terrorists, including the terrorist attacks on September 11, 2001, in New York and Pennsylvania and against the Pen-

tagon, and the continuing and immediate threat of further attacks on United States nationals or the United States that led to the declaration of a national emergency on September 23, 2001, has not been resolved. These actions pose a continuing unusual and extraordinary threat to the national security, foreign policy, and economy of the United States. For these reasons, I have determined that it is necessary to continue the national emergency declared with respect to persons who commit, threaten to commit, or support terrorism, and maintain in force the comprehensive sanctions to respond to this threat.

BARACK OBAMA.

THE WHITE HOUSE, September 11, 2012.

□ 1300

PROVIDING FOR CONSIDERATION OF H.R. 5544, MINNESOTA EDUCATION INVESTMENT AND EMPLOYMENT ACT, AND PROVIDING FOR CONSIDERATION OF H.R. 5949, FISA AMENDMENTS ACT RE-AUTHORIZATION ACT OF 2012

Mr. NUGENT. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 773 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 773

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 5544) to authorize and expedite a land exchange involving National Forest System land in the Laurentian District of the Superior National Forest and certain other National Forest System land in the State of Minnesota that has limited recreational and conservation resources and lands owned by the State of Minnesota in trust for the public school system that are largely scattered in checkerboard fashion within the Boundary Waters Canoe Area Wilderness and have important recreational, scenic, and conservation resources, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment in the nature of a substitute recommended by the Committee on Natural Resources now printed in the bill, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 112-30, modified by the amendment printed in part A of the report of the Committee on Rules accompanying this resolution, shall be considered as adopted in the House and in the Committee of the Whole. The bill, as amended, shall be considered as the original bill for the purpose of further amendment under the five-minute rule and shall be considered as read. All points of order against provisions in the bill, as

amended, are waived. No further amendment to the bill, as amended, shall be in order except those printed in part B of the report of the Committee on Rules. Each such further amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such further amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill, as amended, to the House with such further amendments as may have been adopted. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. Upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 5949) to extend the FISA Amendments Act of 2008 for five years. All points of order against consideration of the bill are waived. The amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate, with 40 minutes equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary and 20 minutes equally divided and controlled by the chair and ranking minority member of the Permanent Select Committee on Intelligence; and (2) one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Florida is recognized for 1 hour.

Mr. NUGENT. Madam Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Colorado (Mr. POLIS) pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. NUGENT. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. NUGENT. Madam Speaker, I rise today in support of this rule, which provides for consideration of two different pieces of legislation.

The first of these bills transfers lands within the State of Minnesota to the benefit of the State's public school system. The rule provides for consideration of each and every amendment offered by Members to the Rules Committee by the amendment deadline.

The next measure this rule allows for consideration of is H.R. 5949, the FISA Amendments Act Reauthorization Act of 2012. Also called the FAA Reauthorization, this legislation would reauthorize programs that are critically important to our national security.

First passed in 2008, FAA has enjoyed a history of strong bipartisan support. Now, President Obama and his administration have made it clear that a clean, long-term extension of FAA is their number one intelligence priority. That's exactly what H.R. 5949 does.

Recognizing that our Nation's security cannot and should not wait until an emergency, the 11th hour, or rushed reauthorization, the Select Intelligence and Judiciary Committees have had hearings on the FAA's reauthorization, they've marked up the bill, and they've sent it to us months ahead of the expiration deadline. I congratulate both of these committees on their timely and dedicated work for the sake of our own safety.

It is with the tools that the FAA provides to our intelligence community that we're able to monitor our Nation's enemies overseas. Without this authority, the ability to track those individuals who aren't American citizens and want to do harm to this country would return to the state it was in before September 11 of 2001.

I really want to stress that the FISA Amendments Act applies to targeting non-U.S. citizens living outside of the United States.

The FAA also enhances civil liberty protections for Americans. The government cannot target an American overseas without first obtaining an individualized court order from the FISA Court. Prior to FAA, the government was not required to obtain an individualized court order to target U.S. persons outside of the United States. This is an expansion of the civil liberties made possible by the FISA Amendments Act.

As a former law enforcement officer, I know how important it is to get the information that we need to work on a case. Without good, reliable information, you can't do your job and protect the citizens, but the information must be obtained in the right way.

□ 1310

FAA is a critical tool at our international community's disposal in our war against terrorism.

I encourage my colleagues to join me in supporting our national security by voting for the FISA Amendments Act Reauthorization Act.

With that, I reserve the balance of my time.

Mr. POLIS. I thank the gentleman for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

Madam Speaker, I rise in opposition to the rule and the underlying bills—

H.R. 5544, the Minnesota Education Investment and Employment Act, and H.R. 5949, the FISA Amendments Act Reauthorization Act. There are significant problems in both pieces of legislation. However, both bills are, nevertheless, being brought forward under a restrictive process, despite the efforts of my colleague, Mr. MCGOVERN, to amend the rule to allow for an open rule on amendments on both debates. Unfortunately, that motion failed in the Rules Committee. Instead, this rule is a restrictive process that limits debate and discussion that can improve this legislation.

Let me briefly address the lands law before getting to the FISA bill, which is of great concern to our civil liberties.

We have before us a bill that allows for the exchange of 86,000 acres of Minnesota's school trust lands within the Boundary Waters Canoe Area Wilderness for unidentified Forest Service lands. The wilderness is a critical asset for northeastern Minnesota's tourism and recreation industry, as well as the most popular wilderness area in our Nation's wilderness system. But since the bill doesn't even give details about what public land would be lost, we can't even say how bad a deal this is for the American people. It is simply bad policy to push through a controversial land swap bill without adequate public involvement and participation.

I strike that in contrast to a bill that I recently introduced, H.R. 6370, the Conveyance of the Forest Service Lake Hill Administrative Site. This bill does have accompanying maps that will be made available to the committee so that people can see where the land in question is. It is land that no longer fits the characteristics of forest land, having been deforested near the highway, about 40 acres, and it should not be a controversial bill.

In direct contrast to this bill, the bill I introduced today has support from the counties, towns, and local environmental community, and no local opposition to that bill. On the other hand, Mr. CRAVAACK's bill doesn't even identify what Forest Service parcels would be sold by the Federal Government and acquired by Minnesota. This kind of ambiguity in a land exchange bill is unprecedented for a land exchange bill and is not providing the adequate information to the Members of this body to make an informed decision on the underlying bill.

Now, let me address FISA—I take issue with a number of elements of FISA—which extends the sweeping electronic surveillance network established under the FISA Amendments Act of 2008 for 5 years. I did not support the bill when it came before the House Judiciary Committee on which I serve, and I do not support this bill now.

Now, of course everybody in our country understands the serious threat

our Nation faces from terrorist organizations and foreign nations, but we can't give up what makes it special for us to be Americans in the name of defending our country. Our privacy rights should not be eviscerated in the name of national security.

Many of these concerns are addressable, but unfortunately the bill fails to strike an appropriate balance between protecting our liberties and security. Some of its many shortcomings include giving the U.S. Government the ability to intercept U.S. residents' international phone calls and email communications without having to even name the people or groups it's monitoring or show its targets who are suspected of wrongdoing or terrorism. The target could even be a human rights activist, a media organization, a country, a region, an ethnicity. Nothing requires the government to identify its surveillance targets at all, nor are there sufficient parameters around making sure that they are narrowly tailored to our national security needs.

In addition, this bill unfortunately allows the U.S. to intercept communications without having to identify the location, the phone lines, the email addresses to be monitored. In essence, the government can use this new law to collect all phone calls between the U.S. and abroad simply by saying to the FISA court that it was targeting someone abroad and that a purpose of the new surveillance program is to collect foreign intelligence information.

The lack of judicial oversight is also startling. While the FISA courts have a limited role, it's limited to overseeing the government surveillance activities rather than reviewing individualized surveillance applications, including whether they are sufficiently broad or not.

Yesterday, the chair of our committee, Mr. DREIER, also mentioned that Congress itself has an oversight role in making sure that the broad powers given to the Federal Government under FISA are not abused. However, this Congress—and myself, personally—have not had any briefing with regard to the use of FISA.

Now, yesterday, representatives of the Intelligence Committee offered to make those briefings available, but I think the proper order to go about things, if Members of Congress are to make an informed decision about whether these vast powers given to the Federal Government are being used appropriately, would be to have the classified briefing first before bringing a 5-year extension bill to the floor so that Members of Congress, in a classified setting, have access to the information that we need—the information that I need, the information my colleagues need—to make an informed decision about whether the proper controls are in place and the extent of the use and/or abuse of the vast powers given under FISA.

In addition, there are no real limits on how the government uses, keeps, or disseminates the information it collects. The law doesn't say what government can keep and has to get rid of. Potentially, this could lead to the archiving of material over decades. It fails to place real limits on how and to whom information can be disseminated. Whether it's our U.S. intelligence partners in other countries, whether it's contractors to our own government, we need to have the right controls around where private information is shared.

Finally, I want to address another element of the bill in my initial remarks, and that is the indemnity that is given to companies that violate their own terms of service and allow the government to trample the privacy rights of thousands of Americans.

Effectively, telecom companies and others that provide the government with enormous amounts of information are effectively completely indemnified, so there is no way to hold any of these companies accountable for their activities in violation of their own user agreement signed by two parties, themselves and their customer. There remains no way to enforce the violation of that user agreement because there is complete indemnity for those organizations.

I think there needs to be a way, through the regular court system, to hold companies accountable for their activities. Letting them off the hook entirely only invites widespread abuse and disregard of their own customer agreements. Why bother even having to post or have a privacy policy if, at the whim of the company—not the government, the whim of the company—it can be completely shared with the government in disregard to their own privacy policy because that is the most effective way for the company to receive a blanket indemnification to any civil liability that might arise from violating privacy laws and/or its own terms of use.

Again, national security is a critical imperative. We need to make sure that our agencies charged with keeping us safe have the right tools at their disposal to do so. But in the process of making sure that Americans are safe, we need to make sure we don't give up what makes it special to be an American.

I reserve the balance of my time.

Mr. NUGENT. Madam Speaker, a number of issues that my good friend from Colorado brought up cover both bills, actually. One, obviously, is the Minnesota bill as relates to public education. That was passed by the Minnesota State Legislature in a bipartisan way, and it was also signed by the Democratic Governor of Minnesota in regards to this particular issue on this particular bill as it relates to Minnesota.

With that, I'm going to yield 7 minutes to the gentleman from Minnesota (Mr. CRAVAACK).

Mr. CRAVAACK. I thank the gentleman for yielding.

Madam Speaker, I rise today in support of the rule and the underlying bill, H.R. 5544, the Minnesota Education Investment and Employment Act. This bill will support the teachers and schoolchildren in the State of Minnesota, create well-paying jobs in northern Minnesota, and make the Boundary Waters Canoe Area, for the first time in its existence, whole.

We have to have a bit of context here.

When Minnesota became a State in 1858, sections 16 and 36 of every township in Minnesota were set aside in trust for the benefit of schools. The State could use, lease, or sell the land to raise money for education.

In the beginning, the State leaders decided to sell the more valuable parcels of the school trust lands, but around the turn of the century they realized they needed a more sustainable plan and began putting the school trust lands to productive use for timber and mining. This has been the goal of the State for over 100 years, and it has produced dividends for generations for our school kids.

As DFL State Representative Denise Dittich has so ably educated me on, these lands are not so much owned by the State as held in trust by the State and owned by the schoolchildren of Minnesota. It is the responsibility of the school trust fund trustees to maximize the return on these lands for the benefit of this fund. This is a critical point. This is part of the Minnesota Constitution.

But in the 1970s, the Federal Government created the Boundary Waters Canoe Area Wilderness. These lands within the Boundary Waters cannot be logged, leased, or mined in order to preserve the unique wilderness character of this pristine land. Thousands of visitors from around the country come to enjoy this beautiful area. But as a result of its creation, Minnesota and its students have been faced with an 86,000-acre problem for over 30 years.

□ 1320

Eighty-six thousand acres of State-owned school trust lands have been locked within the borders of the Boundary Waters Canoe Area, unable to produce critical funding for Minnesota public education. It is imperative we resolve this longstanding problem. Our goal is to preserve and protect the Boundary Waters and allow State-owned school trust lands to raise revenue for Minnesota education.

Unfortunately, Minnesota school kids have been cheated out of public education funding for over 34 years now. In the past, there have been a

number of working groups, studies, and resolutions. Finally, after years of inaction, stalling and dilatory tactics by special interest groups, Republicans and Democrats together in Minnesota said enough is enough.

It's been referred to as Mr. CRAVAACK's bill. That is not, in fact, the case. This is Minnesota's bill.

On March 22 of this year, an overwhelming majority of Democrats and Republicans from the State senate passed senate file 1750 on a vote of 53-11. On April 3, the house followed suit, passing a bipartisan bill 90-41. On April 27, our Democratic Governor, Governor Mark Dayton, signed the bill into law.

H.R. 5544 executes a bipartisan State plan that Governor Dayton signed into law earlier this year. H.R. 5544 would exchange State-owned school trust lands trapped in the Boundary Waters Canoe Area Wilderness to the Federal Government in exchange for Federal Government-owned land outside the Boundary Waters Canoe Area Wilderness.

This bill includes important provisions that would ensure Minnesotans can maintain their existing hunting and fishing rights within the Boundary Waters. In addition, the bill exempts the land exchange process from NEPA.

The land exchange itself would have no environmental impact on any future development and would still be subject to strict State and Federal regulations.

Intuitively, a land swap is merely a redrawing of maps and has no environmental impact in and of itself. The mentioned activities, mining and logging, do, in fact, have environmental impact and would be subject to the full Federal and State review. Not one environmental protection is lost in the execution of this bill.

I want to be very transparent here. One of the hopes of my constituents is to have a bill to create good-paying jobs in the timber and mining industries. The lands listed in S.F. 1750 are rich in natural resources. Many of them lie in portions of the Superior National Forest that are already being successfully mined for iron ore and harvested for timber. It's a working and managed forest.

These activities employ thousands of workers and support tens of thousands of other ancillary jobs in the region. Northern Minnesotans want these and need these opportunities, and every American benefits from the steel and lumber that goes into our cars and into our homes.

While I generally support the aims of NEPA, the State of Minnesota has some of the strictest environmental standards in the country and a track record of successful regulation of mining and logging.

On the other hand, obstructionist special interest groups have a track record of abusing the NEPA process to sue and delay. I do not want these

groups to continue to delay this land exchange, preventing Minnesota schools from receiving the funding that they need and, quite frankly, they deserve.

The State of Minnesota cannot afford to be sued by environmental groups for years. Some of those arguing for NEPA are, in fact, arguing that defending lawsuits is an appropriate use of the taxpayer dollars and that it's okay to transfer wealth from State coffers to special interest groups. Interesting to note, many of these special groups aren't even from Minnesota.

Make no mistake. This will be passed and a bipartisan land exchange is going to get done. I will not allow special interest groups, acting in bad faith, to abuse the NEPA process and use frivolous lawsuits to block and derail a land exchange. If I could trust special interest groups to act in good faith and if I could trust the Federal bureaucracy to act promptly, I would include NEPA in this legislation.

The teachers and schoolkids in Minnesota can't wait years, if not decades. Currently, some of the schools in Minnesota have classrooms with over 40 kids, and some school districts, like mine in North Branch, have been reduced to a 4-day school week. I ask, is that progress?

This legislation will generate a lot of funding for our schools and create good-paying jobs. Importantly, the Minnesota Education Investment Employment Act will not eliminate a single acre of Boundary Waters land. In fact, it would include wilderness acres to the existing Boundary Waters Canoe Area Wilderness boundaries while giving Minnesota's children land that rightfully and constitutionally belongs to them.

I urge my colleagues to support this rule and the underlying bill.

Mr. POLIS. Remarkably, the underlying bill produced by Mr. CRAVAACK actually uncovered a permanent earmark that the CBO found provides \$6 million a year to three Minnesota counties. I think that in a Congress that is supposed to move past earmarks it's not a good precedent to include that earmark in the transition.

I'd also like to clarify that Governor Dayton, while, of course, asking for the land to be exchanged—and there doesn't seem to be disagreement about that—did not ask for NEPA to be short-circuited, nor do they ask to bypass the normal appraisal process.

With that, I yield 3 minutes to the gentleman from Virginia (Mr. SCOTT), the ranking member of the Judiciary Committee Subcommittee on Crime, Terrorism, and Homeland Security.

Mr. SCOTT of Virginia. Madam Speaker, I oppose this rule because it does not allow consideration of amendments to the FISA bill that would strengthen the underlying bill by providing for greater accountability to the

public of an otherwise wholly secretive process.

Operations of the government must be held accountable to the people. The problem with holding operations under the existing FISA law is that most of the activities under it are conducted in secrecy. The fact that I or other Members of Congress have access to classified information regarding those secret activities is not sufficient for public accountability.

Even if I were satisfied by my access to classified information, that only reasonable and constitutionally justified actions are being taken by officials in secret, I would still feel the need to give greater assurances to the public other than simply, trust me, I'm satisfied, so should you. Curiously, if I'm not satisfied, there's nothing I could say because it's classified information.

The Foreign Intelligence Surveillance Act was passed in 1978 to curb abuses in collection and use of intelligence information, foreign and domestic. Under the original provisions of FISA, procedures for collection of foreign intelligence required the government to show not only that there was probable cause to believe that the target of the intelligence surveillance is an agent of a foreign power, but also that foreign intelligence-gathering is the primary purpose of the collection.

Under the USA PATRIOT Act of 2002 and beyond, the government now only needs to show the probable cause of the target is an agent of the Federal government, and that the foreign intelligence-gathering is merely a significant purpose of that collection. When foreign intelligence collection is not the primary purpose for the collection of information, we are left to wonder what the primary purpose of that action might be.

The FISA Act of 2008 went a step further, authorizing the collection of massive amounts of information about foreign persons reasonably believed to be outside of the United States without a warrant. With such massive amounts of information being collected, invariably information involving U.S. persons in the United States whose information may not be the target is also being collected.

The FAA of 2008 requires the executive branch to design targeting procedures which limit the scope of the collection before the government acts and minimization procedures which limit the use of information before the government collects it, and the FISA court reviews these procedures for legal sufficiency. However, with nearly all of this oversight being conducted in secret, the public has no choice but to take the government at its word.

We can do better. My amendment would simply require the executive branch to provide at least some documentation that it uses this authority narrowly, responsibly, and exclusively

for foreign intelligence-gathering purposes, while protecting the material that would be classified. So we should reject this rule in favor of one that allows amendments to strengthen public accountability over the surveillance of Americans.

Mr. NUGENT. Madam Speaker, I certainly do appreciate the gentleman's comments because, as a former law enforcement officer, I want to make sure that we protect Americans. But I'm not so sure I want to protect those in foreign countries that are not Americans, those in foreign countries that would do harm to America, like they did on this day 11 years ago.

You know, FISA—our good friend mentioned about 2008, but prior to 2008, Americans could be entrapped within the FISA context.

□ 1330

In 2008, that changed. What it said is that, if Americans become involved in a FISA investigation in which their names come up, the information comes up, it has to be minimized. Then they have to go to a Federal judge and to the FISA court to get an authorization to do what they need to do as it relates to a warrant in order to receive and recover that information. That's what 2008 did. What the President has asked is that we just continue to do what we did since 2008. The protections that were put in place for American citizens that were not there prior to 2008 are to be extended. That's the intent of the reauthorization act of the FAA.

I reserve the balance of my time.

Mr. POLIS. I yield myself such time as I may consume.

Madam Speaker, Congress will soon leave town again for a long district work period. We believe it is essential that before we go home we must extend tax cuts for the middle class. If we defeat the previous question here today, we will amend the rule to say that Congress needs to stay here to vote on the Middle Class Tax Cut Act and not go home until we've made sure the middle class tax cut extension becomes law and that tax rates do not increase for millions of American families.

To speak about the previous question, I yield 2 minutes to the gentleman from Vermont (Mr. WELCH).

Mr. WELCH. I thank the gentleman.

There is agreement in this Congress that we've got to create jobs in this economy. There is 100 percent agreement that we should extend tax cuts for 98 percent of the American people. If there is 100 percent agreement among the 435 Members of Congress to provide a continuing benefit to 98 percent of the people, why don't we do it? That's pretty good. The election will allow each side to make its argument about the tax cuts for the 2 percent. Incidentally, that 2 percent would be included. They'd get their tax cuts on the first \$250,000 of income. So what we

really have is 100 percent agreement that 100 percent of the people will get a tax cut, and we have a disagreement about whether 2 percent of the people will have their tax cuts stopped at \$250,000.

We know that extending those Clinton-era tax rates is very important in order to maintain what is a fragile recovery. If we can step back from our political posturing and acknowledge that, in fact, we do agree that it is essential to the economy to extend those Clinton-era tax rates, why not do it sooner rather than later? Number one, there is no guarantee after the election that it will be easier to do then than it will be now. It's a roll of the dice on both sides.

It would be one thing if the only thing at stake were our political futures, our political careers. That's not a big deal. Yet what's at stake is the American economy. It's about whether people have jobs, whether they have security, whether they can depend on what they need to raise their families. Some of those provisions are really important to students—a tax credit if you have a kid in college. Some of those are important as to whether you're going to be able to continue to itemize your deductions if you're a middle class family. Some of those are about the rates of tax that you pay.

We agree on all of this, but it is solely within the power of the majority to decide whether to bring this bill to the floor for a vote. We are asking that it be done on behalf of the American people.

Mr. NUGENT. I yield myself such time as I may consume.

Madam Speaker, we have heard a lot, particularly as it relates to FISA. I want to clarify and make sure everyone understands that the FAA authorizes the targeting of non-U.S. citizens who are overseas. They are not citizens of the United States. Thus, they don't have the protections under the United States Constitution—nor should they.

If an American becomes a target during the investigation, just as in a criminal investigation when I was sheriff and someone became a target during a wiretap, we then have to identify that person. If we want to go after him, if we want to eavesdrop on his conversations, we have to get a separate order to allow us to do that. Back in 1978, when this was first put in place—guess what?—if an American were picked up in one of these wiretap operations, there was no requirement to go back and get a separate authorization to go after that American citizen. But 2008 changed that. 2008 put in a particular protection for American citizens who may get caught up in a FISA investigation in regards to the collection of data or voice transmissions. That's the difference.

So, when people start talking about it as it relates to civil liberties, if you

live in a foreign country, you don't have civil liberties with us if you're plotting against the United States. That's the whole identification reference to this: that it's a foreign country and a non-U.S. citizen.

With that, I reserve the balance of my time.

Mr. POLIS. I would like to inquire of the gentleman from Florida how many speakers he has remaining.

Mr. NUGENT. I have none.

Mr. POLIS. Then I am prepared to close, and I yield myself the balance of my time.

Madam Speaker, at a time when millions of Americans continue to struggle to find work, our Federal deficit continues to mount. Here we are in Congress after a 5-week recess—doing what?—considering, one, a faulty land swap deal that is a bad deal for the general public, that contains a hidden earmark and is controversial among local communities in Minnesota, and, two, a major reauthorization bill under a closed process that significantly curtails our liberties as Americans without there being any opportunities for Members of either party to offer suggestions about how to reconcile liberty with security.

Look, Congress' "to do" list remains long, and it's steadily growing. The American public is upset that Congress isn't tackling the deficit or the debt. Congress isn't tackling jobs, infrastructure, moving forward and investing in our future economic growth. Among Congress' unfinished business is a tax increase that will hit the middle class unless Congress acts.

If we defeat the previous question, we will make sure that Congress does not go home before making sure that middle class taxes do not go up. In fact, according to the House Clerk's Office, only 61 bills have become law in 2012. That's the fewest number of bills in 60 years. We only have 7 days that this House of Representatives is working here in Washington in September, yet this Congress continues to refuse to make the hard choices needed to get our economy moving.

It's time to roll up our sleeves and get to work in making sure that we have the ability to protect Americans from threats. Let's do so in an open way that encourages ideas from both sides and that has a classified briefing at which Members of Congress can receive the information we need to suggest how or if FISA needs to be changed before it's authorized for a carte blanche 5 additional years.

It is important to reject both of these underlying rules and these underlying bills. It is time to focus on job creation, deficit reduction, and tax reform, not on trying to rush to the floor an earmark land swap with no map for Minnesota, for what can only be taken to be purely political reasons, as well as there being under a closed process a

bill about which many of us have grave concerns and that undermines our right to privacy as Americans.

I urge a “no” vote on the rule and the two flawed underlying bills, and I ask unanimous consent to insert into the RECORD the text of my amendment to the rule, along with extraneous material, immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. POLIS. Madam Speaker, I urge my colleagues to cast a thoughtful vote and to vote “no” on the rule and the bills and to defeat the previous question.

I yield back the balance of my time.

Mr. NUGENT. I yield myself the balance of my time.

Madam Speaker, I’ve heard my good friend from Colorado. Maybe he wasn’t serving on the Judiciary Committee this summer, but prior to this being vetted within the Judiciary Committee, all the members there were offered a classified briefing as it relates to FISA. Every member had the opportunity to attend that. As I said, I’m not sure if Mr. POLIS was a member of that Judiciary Committee at the time it was offered to all. As a matter of fact, yesterday, at the Rules Committee, the ranking Democratic member of the Intelligence Committee, Mr. RUPPERSBERGER, pointed out to the Rules Committee that, at any time, any Member of this House can request a classified briefing—any Member.

□ 1340

He wanted to make sure that this didn’t become a political football. He admonished all of us not to make this a political statement, but to do what’s right for this country.

I hear time and time again from my good friend as this relates to civil liberties of Americans. If you look back to 2008, that was rectified. Prior to that I would tell you that the civil liberties of Americans were in jeopardy, but in 2008, that was corrected, and it’s continued on in this reauthorization of 2012.

Once again, the FISA court is comprised of U.S. District Federal judges, and they also have a right to appeal to a court of review made up of Federal judges. The information, as Mr. RUPPERSBERGER said, is if you want a briefing requested, if you want additional information in a classified setting requested, every Member has that opportunity. As a matter of fact, in the Intelligence Committee, there wasn’t one opposing vote. Democrats and Republicans alike came together and said this is what’s important to keep America safe. They don’t want to have another 9/11 on their watch. At the same time, we want to protect all Americans.

When people start throwing this around and saying this is an assault on American civil liberties, that’s just not right, it’s not correct, and it’s wrong because this bill does everything to protect Americans from intrusion into their private lives. It forces the Federal Government to go back to court if it uncovers through these surveillance techniques activities by an American citizen who’s doing something wrong as it relates to terrorism against this country. It gives them a process to do it because, prior to 2008, they could do it without abandon. They could wind up collecting any information on U.S. citizens. In 2008, that changed and rightfully so. There should be constraints on the Federal Government.

I heard also there’s no checks and balances. That’s just not true. Every 60 days there’s a report done in reference to FISA in regards to the intercepts. Twice a year, there’s an automatic report that has to be generated that goes to Congress. And at any time, the Judiciary Committee and the Intelligence Committee can hold hearings—and they do—as it relates to classified information, as it relates to FISA. That’s oversight. That’s what we’re supposed to do.

And the reason they say this is secret—well, guess what, it’s not secret, but it’s kept under wraps because of this: if we tell our techniques to our enemies, then guess what? They’ll figure out a way to circumvent so they can get the information, pass the information, and conspire against this country. That’s the reason in law enforcement we don’t give up our techniques because the bad guys will figure it out. They’re pretty smart folks. They have time on their hands. What we don’t want to do is give them time on their hands to assault the United States of America, kill our citizens, kill and injure those first responders, and then put our military at risk.

This is directed to those that live outside of this country, those that are not American citizens. Let me make this perfectly clear. Besides all the rhetoric of those who would love to inflame different people as it relates to this, this has nothing do with American citizens, except if they do get caught up in a conversation with someone who is a foreign national that it does have to go back to court to get that specific authorization to record or transmit that information as it relates to them.

Madam Speaker, I encourage my colleagues on both sides of the aisle to support this rule and bring these two very important pieces of legislation to the House floor for a vote. If there’s one duty that is inherently part of our Federal Government’s core mission, it’s to provide for our national security. None is more important than making sure that this Republic survives.

The FISA Amendments Act Reauthorization is a key tool in keeping our Nation safe. We heard it from both sides of the aisle who testified in front of the Rules Committee yesterday. As we continue to fight terrorists around the world who want nothing more than to harm our Nation, the FAA gives our intelligence community the tools they need to track these enemies overseas. That’s the important word, “overseas.” We can’t give up that fight, which is why we need to keep using the information we have access to. The FISA Amendments Act Reauthorization balances this need for security with civil liberty protections for Americans living abroad. It keeps us safe at home while protecting Americans living around the world.

I encourage my colleagues on both sides of the aisle to continue the bipartisan tradition of supporting the FAA and to vote for this bill.

The material previously referred to by Mr. POLIS is as follows:

AN AMENDMENT TO H. RES. 773 OFFERED BY
MR. POLIS OF COLORADO

At the end of the resolution, add the following new sections:

Sec. 3. Upon completion of consideration of House Resolution 746 the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 15) to amend the Internal Revenue Code of 1986 to provide tax relief to middle-class families. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

Sec. 4. Clause 1(c) of rule XIX shall not apply to the consideration of the bill specified in section 3 of this resolution.

Sec. 5. Immediately upon adoption of this resolution, the House shall proceed to the consideration in the House of the resolution (H. Res. 746) prohibiting the consideration of a concurrent resolution providing for adjournment or adjournment sine die unless a law is enacted to provide for the extension of certain expired or expiring tax provisions that apply to middle-income taxpayers if called up by Representative Slaughter of New York or her designee. All points of order against the resolution and against its consideration are waived.

(The information contained herein was provided by the Republican Minority on multiple occasions throughout the 110th and 111th Congresses.)

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308-311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

Because the vote today may look bad for the Republican majority they will say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools

for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. NUGENT. With that, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. POLIS. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess for a period of less than 15 minutes.

Accordingly (at 1 o'clock and 46 minutes p.m.), the House stood in recess.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. WESTMORELAND) at 2 p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order: ordering the previous question on House Resolution 773; adopting House Resolution 773, if ordered; and suspending the rules and passing H.R. 4264.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

PROVIDING FOR CONSIDERATION OF H.R. 5544, MINNESOTA EDUCATION INVESTMENT AND EMPLOYMENT ACT, AND PROVIDING FOR CONSIDERATION OF H.R. 5949, FISA AMENDMENTS ACT RE-AUTHORIZATION ACT OF 2012

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 773) providing for consideration of the bill (H.R. 5544) to authorize and expedite a land exchange involving National Forest System land in the Laurentian District of the Superior National Forest and certain other National Forest System land in the State of Minnesota that has limited

recreational and conservation resources and lands owned by the State of Minnesota in trust for the public school system that are largely scattered in checkerboard fashion within the Boundary Waters Canoe Area Wilderness and have important recreational, scenic, and conservation resources, and for other purposes, and providing for consideration of the bill (H.R. 5949) to extend the FISA Amendments Act of 2008 for five years, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The vote was taken by electronic device, and there were—yeas 232, nays 177, not voting 20, as follows:

[Roll No. 560]

YEAS—232

Adams	Fleischmann	Mack
Aderholt	Fleming	Manzullo
Alexander	Flores	Marchant
Amash	Forbes	Marino
Amodei	Fortenberry	Matheson
Austria	Fox	McCarthy (CA)
Bachmann	Franks (AZ)	McCaul
Bachus	Frelinghuysen	McClintock
Barletta	Gardner	McHenry
Bartlett	Garrett	McIntyre
Barton (TX)	Gerlach	McKeon
Bass (NH)	Gibbs	McKinley
Benishek	Gibson	McMorris
Berg	Gingrey (GA)	Rodgers
Biggart	Gohmert	Meehan
Blibray	Goodlatte	Mica
Billirakis	Gosar	Miller (FL)
Bishop (UT)	Gowdy	Miller (MI)
Black	Granger	Miller, Gary
Blackburn	Graves (GA)	Mulvaney
Bonner	Graves (MO)	Murphy (PA)
Bono Mack	Griffin (AR)	Myrick
Boren	Griffith (VA)	Neugebauer
Boustany	Grimm	Noem
Brady (TX)	Guinta	Nugent
Brooks	Guthrie	Nunes
Buchanan	Hall	Nunnelee
Bucshon	Hanna	Olson
Buerkle	Harris	Palazzo
Burgess	Hartzler	Paulsen
Burton (IN)	Hastings (WA)	Pearce
Calvert	Heck	Pence
Camp	Hensarling	Petri
Campbell	Herrera Beutler	Pitts
Canseco	Huelskamp	Platts
Cantor	Huizenga (MI)	Poe (TX)
Capito	Hultgren	Pompeo
Carter	Hunter	Posey
Cassidy	Hurt	Price (GA)
Chabot	Issa	Quayle
Chaffetz	Jenkins	Reed
Coble	Johnson (IL)	Rehberg
Coffman (CO)	Johnson (OH)	Reichert
Cole	Johnson, Sam	Renacci
Conaway	Jordan	Ribble
Cravaack	Kelly	Rigell
Crawford	King (IA)	Rivera
Crenshaw	Kingston	Roby
Culberson	Kinzinger (IL)	Roe (TN)
Denham	Kline	Rogers (AL)
Dent	Labrador	Rogers (KY)
DesJarlais	Lamborn	Rogers (MI)
Diaz-Balart	Lance	Rohrabacher
Dold	Landry	Rokita
Donnelly (IN)	Lankford	Rooney
Dreier	Latham	Ros-Lehtinen
Duffy	LaTourette	Roskam
Duncan (SC)	Latta	Ross (FL)
Duncan (TN)	LoBiondo	Royce
Ellmers	Long	Ryunan
Emerson	Lucas	Scalise
Farenthold	Luetkemeyer	Schilling
Fincher	Lummis	Schmidt
Fitzpatrick	Lungren, Daniel	Schock
Flake	E.	Schweikert

Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns

NAYS—177

Ackerman
Altmire
Andrews
Baca
Baldwin
Barber
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boswell
Brady (PA)
Brady (IA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah

NOT VOTING—20

Akin
Broun (GA)
Cicilline
Gallagher
Gonzalez
Harper
Hayworth

□ 1426

Messrs. DOYLE, CARSON of Indiana, HONDA, DAVIS of Illinois, JONES, and Ms. BERKLEY changed their vote from “yea” to “nay.”

Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (IN)

Owens
Pallone
Pascarell
Pastor (AZ)
Paul
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schradler
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Slaughter
Smith (WA)
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

Lowey
Napolitano
Ryan (WI)
Speier
Towns
Young (FL)

So the previous question was ordered.
The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. HASTINGS of Florida. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 233, noes 179, not voting 17, as follows:

[Roll No. 561]

AYES—233

Adams
Aderholt
Alexander
Amash
Amodei
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy

Franks (AZ)
Frelinghuysen
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harris
Hartzer
Hastings (WA)
Heck
Hensarling
Herrera Beutler
Hochul
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (IA)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
LoBlundo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McHenry
McIntyre

Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton

Ackerman
Altmire
Andrews
Baca
Baldwin
Barber
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boren
Boswell
Brady (PA)
Brady (IA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah

Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman

NOES—179

Filner
Frank (MA)
Fudge
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Holden
Holt
Honda
Hoyer
Jackson Lee
(TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones
Kaptur
Keating
Kildee
Kind
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebach
Lofgren, Zoe
Luján
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Neal
Oliver

NOT VOTING—17

Akin
Broun (GA)
Cicilline
Gallagher
Harper
Hayworth

□ 1434

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

FHA EMERGENCY FISCAL
SOLVENCY ACT OF 2012

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 4264) to help ensure the fiscal solvency of the FHA mortgage insurance programs of the Secretary of Housing and Urban Development, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Illinois (Mrs. BIGGERT) that the House suspend the rules and pass the bill, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 402, nays 7, not voting 20, as follows:

[Roll No. 562]

YEAS—402

Ackerman	Chaffetz	Frelinghuysen
Adams	Chandler	Fudge
Aderholt	Chu	Garamendi
Alexander	Clarke (MI)	Gardner
Altmire	Clarke (NY)	Garrett
Amodei	Clay	Gerlach
Andrews	Cleaver	Gibbs
Austria	Clyburn	Gibson
Baca	Coble	Gingrey (GA)
Bachmann	Coffman (CO)	Gohmert
Bachus	Cohen	Gonzalez
Baldwin	Cole	Goodlatte
Barber	Conaway	Gosar
Barletta	Connolly (VA)	Gowdy
Barrow	Conyers	Granger
Bartlett	Cooper	Graves (GA)
Barton (TX)	Costa	Graves (MO)
Bass (CA)	Costello	Green, Al
Bass (NH)	Courtney	Green, Gene
Becerra	Cravaack	Griffin (AR)
Benishkek	Crawford	Griffith (VA)
Berg	Crenshaw	Grijalva
Berkley	Critz	Grimm
Berman	Cuellar	Guinta
Biggert	Culberson	Guthrie
Billray	Cummings	Hahn
Bilirakis	Davis (CA)	Hall
Bishop (GA)	Davis (IL)	Hanabusa
Bishop (NY)	DeFazio	Hanna
Bishop (UT)	DeGette	Harris
Black	DeLauro	Hartzler
Blackburn	Denham	Hastings (FL)
Blumenauer	Dent	Hastings (WA)
Bonamici	DesJarlais	Heck
Bonner	Deutch	Heinrich
Bono Mack	Diaz-Balart	Hensarling
Boren	Dicks	Herrera Beutler
Boswell	Dingell	Higgins
Boustany	Doggett	Himes
Brady (PA)	Dold	Hinchee
Brady (TX)	Donnelly (IN)	Hinojosa
Braley (IA)	Doyle	Holden
Brooks	Dreier	Holt
Brown (FL)	Duffy	Honda
Buchanan	Duncan (SC)	Hoyer
Bucshon	Duncan (TN)	Huelskamp
Buerkle	Edwards	Huizenga (MI)
Burgess	Ellison	Hultgren
Burton (IN)	Ellmers	Hunter
Butterfield	Emerson	Hurt
Calvert	Engel	Issa
Camp	Eshoo	Jackson Lee
Campbell	Farenthold	(TX)
Canseco	Farr	Jenkins
Cantor	Fattah	Johnson (GA)
Capito	Filner	Johnson (IL)
Capps	Fincher	Johnson (OH)
Capuano	Fitzpatrick	Johnson, E. B.
Carnahan	Fleischmann	Johnson, Sam
Carney	Fleming	Jones
Carson (IN)	Flores	Jordan
Carter	Forbes	Kaptur
Cassidy	Fortenberry	Keating
Castor (FL)	Frank (MA)	Kelly
Chabot	Franks (AZ)	Kildee

Kind	Neal	Schock
King (IA)	Neugebauer	Schrader
Kingston	Noem	Schwartz
Kinzinger (IL)	Nugent	Schweikert
Kissell	Nunes	Scott (SC)
Kline	Nunnelee	Scott (VA)
Kucinich	Olson	Scott, Austin
Labrador	Olver	Scott, David
Lamborn	Owens	Serrano
Lance	Palazzo	Sessions
Landry	Pallone	Sewell
Langevin	Pascrell	Sherman
Lankford	Pastor (AZ)	Shimkus
Larsen (WA)	Paulsen	Shuler
Larson (CT)	Pearce	Shuster
Latham	Pelosi	Simpson
LaTourette	Pence	Sires
Latta	Perlmutter	Slaughter
Lee (CA)	Peters	Smith (NE)
Levin	Peterson	Smith (NJ)
Lewis (GA)	Petri	Smith (TX)
Lipinski	Pingree (ME)	Smith (WA)
LoBiondo	Pitts	Southerland
Loebach	Platts	Stark
Lofgren, Zoe	Poe (TX)	Stearns
Long	Polis	Stivers
Lucas	Pompeo	Stutzman
Luetkemeyer	Posey	Sullivan
Lujan	Price (NC)	Sutton
Lummis	Quayle	Terry
Lungren, Daniel	Quigley	Thompson (CA)
E.	Rahall	Thompson (MS)
Lynch	Rangel	Thompson (PA)
Mack	Reed	Thornberry
Maloney	Rehberg	Tiberi
Manzullo	Reichert	Tierney
Marchant	Renacci	Tipton
Marino	Reyes	Tonko
Markey	Ribble	Tsongas
Matheson	Richardson	Turner (NY)
Matsui	Richmond	Turner (OH)
McCarthy (CA)	Rigell	Upton
McCarthy (NY)	Rivera	Van Hollen
McCaul	Roby	Velázquez
McClintock	Roe (TN)	Visclosky
McCollum	Rogers (AL)	Walberg
McDermott	Rogers (KY)	Walden
McGovern	Rogers (MI)	Walsh (IL)
McHenry	Rohrabacher	Walz (MN)
McIntyre	Rokita	Wasserman
McKeon	Rooney	Schultz
McKinley	Ros-Lehtinen	Waters
McMorris	Roskam	Watt
Rodgers	Ross (AR)	Waxman
McNerney	Ross (FL)	Webster
Meehan	Rothman (NJ)	Welch
Meeks	Roybal-Allard	West
Mica	Royce	Whitfield
Michaud	Runyan	Wilson (FL)
Miller (FL)	Ruppersberger	Wilson (SC)
Miller (MI)	Rush	Wittman
Miller (NC)	Ryan (OH)	Wolf
Miller, Gary	Sánchez, Linda	Womack
Miller, George	T.	Woodall
Moore	Sanchez, Loretta	Woolsey
Moran	Sarbanes	Yarmuth
Mulvaney	Scalise	Yoder
Murphy (CT)	Schakowsky	Young (AK)
Murphy (PA)	Schiff	Young (FL)
Myrick	Schilling	Young (IN)
Nadler	Schmidt	

NAYS—7

Amash	Paul	Westmoreland
Flake	Price (GA)	
Foxx	Sensenbrenner	

NOT VOTING—20

Akin	Hayworth	Lewis (CA)
Broun (GA)	Herger	Lowey
Cicilline	Hirono	Napolitano
Crowley	Hochul	Ryan (WI)
Galleghy	Israel	Speier
Gutierrez	Jackson (IL)	Towns
Harper	King (NY)	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1441

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Ms. HOCHUL. Mr. Speaker, I was detained and missed rollcall vote No. 562, H.R. 4264. Had I been present, I would have voted "yea" on rollcall vote No. 562.

ANNOUNCEMENT BY THE SPEAKER
PRO TEMPORE

The SPEAKER pro tempore (Mr. GARDNER). Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

CHILD AND ELDERLY MISSING
ALERT PROGRAM

Mr. CHABOT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4305) to authorize the Attorney General to provide a grant to assist Federal, State, tribal, and local law enforcement agencies in the rapid recovery of missing individuals, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4305

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Child and Elderly Missing Alert Program".

SEC. 2. PROGRAM TO ASSIST FEDERAL, STATE, TRIBAL, AND LOCAL LAW ENFORCEMENT AGENCIES IN THE RAPID RECOVERY OF MISSING CHILDREN, THE ELDERLY, AND DISABLED INDIVIDUALS.

Section 1701 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd) is amended—

(1) in subsection (b)—

(A) in paragraph (16), by striking "and" after the semicolon;

(B) in paragraph (17), by striking the period and inserting "; and"; and

(C) by adding at the end the following new paragraph:

"(18) to permit eligible nonprofit organizations to assist Federal, State, tribal, and local law enforcement agencies in the rapid recovery of missing children, elderly individuals, and disabled individuals through the use of a rapid telephone and cellular alert call system, in accordance with subsection (1)."; and

(2) by adding at the end the following new subsection:

"(I) CHILD AND ELDERLY MISSING ALERTS.—

"(1) IN GENERAL.—The Attorney General is authorized to award grants to eligible nonprofit organizations to assist Federal, State, tribal, and local law enforcement agencies in the rapid recovery of missing children, elderly individuals,

and disabled individuals through the use of a rapid telephone and cellular alert call system.

“(2) SPECIFIED USE OF FUNDS.—The grants awarded under this subsection shall be used to—

“(A) provide services to Federal, State, tribal, and local law enforcement agencies, in response to a request from such agencies, to promote the rapid recovery of a missing child, an elderly individual, or a disabled individual by utilizing rapid telephone and cellular alert calls;

“(B) maintain and expand technologies and techniques to ensure the highest level of performance of such services;

“(C) provide both centralized and on-site training and distribute information to Federal, State, tribal, and local law enforcement agency officials about missing children, elderly individuals, and disabled individuals and use of a rapid telephone and cellular alert call system;

“(D) provide services to Federal, State, tribal, and local Child Abduction Response Teams;

“(E) assist Federal, State, tribal, and local law enforcement agencies to combat human trafficking through the use of rapid telephone and cellular alert calls;

“(F) share appropriate information on cases with the National Center for Missing and Exploited Children, the AMBER Alert, Silver Alert, and Blue Alert programs, and appropriate Federal, State, tribal, and local law enforcement agencies; and

“(G) assist appropriate organizations, including Federal, State, tribal, and local law enforcement agencies, with education and prevention programs related to missing children, elderly individuals, and disabled individuals.

“(3) ELIGIBILITY.—To be an eligible nonprofit organization for purposes of a grant under this subsection, a nonprofit organization shall have experience providing rapid telephone and cellular alert calls on behalf of Federal, State, and local law enforcement agencies to find missing children and elderly adults.

“(4) GRANT PERIOD AND RENEWAL.—The Attorney General shall determine an appropriate grant period for grants awarded under this subsection. Such grants may be renewed at the discretion of the Attorney General.

“(5) EVALUATION.—The Attorney General shall require each grantee under this subsection to annually submit the results of the monitoring and evaluations required under subsections (a) and (b) of section 1705, and shall publish an annual report regarding such results and the effectiveness of the activities carried out under each such grant.

“(6) INAPPLICABLE PROVISIONS.—The following provisions of this part shall not apply to grants awarded under this subsection:

“(A) Subsection (j) of this section (relating to grants to Indian tribes).

“(B) Section 1703 (relating to renewal of grants).

“(7) DEFINITIONS.—In this subsection:

“(A) CHILD.—The term ‘child’ means an individual under 21 years of age.

“(B) DISABLED INDIVIDUAL.—The term ‘disabled individual’ means—

“(i) an individual with 1 or more disabilities (as defined in section 3 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102)); or

“(ii) an individual who has been diagnosed by a physician or other qualified medical professional with Alzheimer’s disease or a related dementia.

“(C) ELDERLY INDIVIDUAL.—The term ‘elderly individual’ means an individual who is 60 years of age or older.

“(D) MISSING.—The term ‘missing’, with respect to a child, an elderly individual, or a disabled individual, means such a child or individual who has been reported to law enforcement as missing and whose whereabouts are un-

known to Federal, State, tribal, and local law enforcement agencies.

“(E) RAPID TELEPHONE AND CELLULAR ALERT CALL SYSTEM.—The term ‘rapid telephone and cellular alert call system’ means an automated system with the ability to place at least 1,000 telephone and cellular calls in 60 seconds to a specific geographic area determined by law enforcement—

“(i) based on the last known whereabouts of a missing individual; or

“(ii) based on other evidence and determined by such law enforcement agency to be necessary to the search for the missing individual.”

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. CHABOT) and the gentleman from Virginia (Mr. SCOTT) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio.

GENERAL LEAVE

Mr. CHABOT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 4305, as amended, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded not to traffic the well.

Mr. CHABOT. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 4305, a commonsense, bipartisan bill which would increase resources for local law enforcement to aid in the recovery of missing children and elderly adults. I would also like to thank my colleague, the gentleman from Florida (Mr. DEUTCH), for his diligent work on this bill.

Every 40 seconds, a child goes missing. Throughout the United States, an average of 2,000 children under the age of 18 are reported missing every day, and as many as 800,000 each year are reported missing. Although many of our children are at risk, the risk for children living with autism is even greater. About one in four parents of children living with autism spectrum disorders have reported that their children have gone missing long enough to cause significant concern about their safety. In addition, health care reports show three out of five Americans living with Alzheimer’s disease will sometimes wander from their locations and may be unable to find their way back home.

The need to locate missing children and seniors in some instances in the first hours of the disappearance is vital. Unfortunately, most law enforcement agencies lack the appropriate resources to knock on every door in the community in every unfortunate crisis.

□ 1450

Further, although the Amber Alert and Silver Alert are sometimes suc-

cessful alert programs, there remains a crucial lapse of time between the point when a child or elderly adult is first reported missing and when one of these services can be utilized. This important legislation would help solve this problem by employing targeted telephone and cellular alerts within minutes of a missing person report to residents and businesses in the area where the person was last seen. In fact, as many as 1,000 calls can be made in merely 60 seconds, a vital asset in reaching the greatest number of neighbors in the early, critical moments of a search.

Targeted alert programs are typically available to law enforcement nationwide, and they’re multilingual. The regional databases used for alerts can take years to build and contain an accumulation of public residential telephone numbers, as well as volunteered cellular phone numbers. These programs are able to utilize computer mapping and enhanced satellite imagery to select the targeted calling area.

To date, as many as 8,500 law enforcement agencies have received training with targeted alert programs. My legislation would support these programs which assist Federal, State, and local law enforcement agencies in the rapid recovery of missing children and elderly persons while saving tax dollars. The automated alert systems are free for local law enforcement to use, saving thousands of dollars on a traditional search which could require as many as 10 officers on the ground at any one time.

A recent success story in my district highlights the value of a targeted telephone and cellular alert program. On February 1 of this year, a 9-year-old girl was reported missing from her home after she went to walk her dog and did not return. Sergeant Beavers of the Hamilton County Sheriff’s Department in Cincinnati contacted A Child is Missing and provided the girl’s description to be distributed via a telephone alert. Nearly 1,700 alert calls were made asking that anyone with information contact the police. According to the case follow-up report after the alert was activated, several calls were received immediately, some containing valuable tips. The police used these tips to locate the girl safely approximately one-half mile away from her home in less than an hour after the activation of the alert.

When it comes to protecting the most vulnerable among us, it’s important that we first equip our law enforcement at the local level. H.R. 4305 would facilitate the partnership of privately run programs with law enforcement and members of the community to safely recover missing individuals, whether they’re minors or whether they be, in the case of Alzheimer’s, for example, senior citizens.

I urge my colleagues to support this straightforward, bipartisan legislation.

Once again, I would like to thank Mr. DEUTCH for his leadership on this issue, and I reserve the balance of my time.

Mr. SCOTT of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 4305, the Child and Elderly Missing Alert Program. This important measure will assist law enforcement agencies to address the terrifying experience of when a child, elderly person, or other family member or friend goes missing.

The number of individuals that go missing each year is staggering. For example, a child goes missing almost every 40 seconds in the United States. That's about 800,000 children reported missing every year.

The adults suffering from Alzheimer's disease and other forms of dementia also become missing persons. These diseases cause many of their suffers to become disoriented and lost; and because of their condition, these individuals are often unable to assist first responders in finding their way back to their caregivers. It is currently estimated that about 5½ million Americans suffer from Alzheimer's disease. In about 2050, that number may go up to 16 million.

Locating a missing individual must be done quickly. Research has shown that time is of the essence with missing persons. The first hours of disappearance are the most vital. According to a study by the attorney general of Washington State and the U.S. Department of Justice, 74 percent of children abducted and murdered were killed within the first 3 hours. Half of the elderly adults who wander from their homes suffer serious injury or death if not found within 24 hours. Accordingly, alerts to law enforcement in those crucial first few hours after a person goes missing is obviously very critical.

H.R. 4305 facilitates targeting telephone and cellular alerts to residents and businesses in the area where the person was last seen. The residents and businesses are able to opt out if they choose to, but most of the people obviously want this information.

H.R. 4305 will help provide meaningful aid to law enforcement in recovering missing children, elderly people, and the disabled. I urge my colleagues to support the legislation, and I reserve the balance of my time.

Mr. CHABOT. Mr. Speaker, I continue to reserve the balance of my time. We have no additional speakers at this time.

Mr. SCOTT of Virginia. Mr. Speaker, I yield such time as he may consume to the gentleman from Florida (Mr. DEUTCH).

Mr. DEUTCH. Mr. Speaker, I thank the gentleman from Virginia.

I rise today to urge passage of H.R. 4305, the Child and Elderly Missing Alert Program Act of 2012.

This bill, which I had the pleasure of introducing with my friend, Mr. CHABOT of Ohio, will help law enforcement agencies nationwide safely recover missing children and elderly adults.

As Mr. CHABOT highlighted, every 40 seconds a child goes missing in America, with over 800,000 children reported each and every year. The panic that takes over when a child cannot be found is a feeling that every parent hopes and prays they will never have to experience.

We know that every second is precious. In fact, in tragic cases involving abducted and murdered children, research supported by the Department of Justice shows that 74 percent were slain within the first 3 hours. Likewise, the families of adults suffering from Alzheimer's disease or another form of dementia feel that same anxiety when a loved one goes missing. They're not just in danger of injury, but of going too long without medications that they rely on. In fact, half of elderly adults who wander from their residences suffer serious injuries or death if not located within 24 hours.

Though the Amber Alert and Silver Alert programs are invaluable tools for law enforcement to alert communities of missing persons, too often they're not activated until precious time has passed. Whether young or old, we know that the ability to locate missing persons within the first few hours of their disappearance is vital.

By passing H.R. 4305, we can help law enforcement agencies nationwide employ technology pioneered by Sherry Friedlander, a south Florida woman who started an organization called A Child is Missing. A Child is Missing helps police and rescue teams get the word out fast. It is the only organization that assists in all types of missing cases, including abductions, runaways, or individuals that lose their way.

When a person is reported missing to law enforcement, A Child is Missing utilizes the latest satellite technology to place 1,000 emergency phone calls every 60 seconds to residents and businesses in the area where the person was last seen. In fact, just this year, A Child is Missing marked its 1,000th successfully assisted recovery. This proven technology works, and it saves lives. By passing this legislation, we can help law enforcement successfully recover missing persons nationwide.

Mr. CHABOT. Mr. Speaker, I continue to reserve the balance of my time.

Mr. SCOTT of Virginia. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. CHABOT. Mr. Speaker, I yield myself such time as I may consume.

I would just like to conclude by saying that this is, I think, a very important program. Every parent I think is always afraid of that potential night-

mare that one of their children goes missing. All of us that have senior grandparents, for example, know how prevalent Alzheimer's can be in the senior community. This is a program that can help those at a very early age and those later in their lives. I think it's a great program. I urge my colleagues to support it.

With that, I yield back the balance of my time.

Mr. SMITH of New Jersey. Mr. Speaker, I would like to thank Chairman LAMAR SMITH and Ranking Member JOHN CONYERS for advancing this bill through the Judiciary Committee. And, I'd like to offer my appreciation and thanks to my friend Congressman STEVE CHABOT for introducing the Child and Elderly Missing Alert Program Act.

This is a very innovative and timely program, utilizing telephone and cellular alerts to help in the rapid recovery of missing children, elderly individuals, and the disabled. The bill specifically includes within the definition of disabled those diagnosed with Alzheimer's disease. As we know cellular phones are ubiquitous and expanding the use of that technology in missing persons programs promises to greatly increase the programs' effectiveness.

As a co-chairman of congressional caucuses for both Alzheimer's disease and autism, I am familiar with the widespread occurrence and the dangers of wandering for these populations. Sixty percent of the millions of Alzheimer's sufferers wander at some point in their illness, many are habitual wanderers. Most of us are also well aware of the skyrocketing rates of autism, and again wandering is a serious concern.

But this bill will assist Federal, State, local, and tribal law enforcement in their efforts to help so many other individuals including victims of family abduction and victims of abduction for sexual exploitation. As the author of the first federal law to combat human trafficking, I am grateful that Mr. CHABOT's legislation specifically provides for grants to combat human trafficking. Human trafficking is a multi-billion dollar industry that touches every country in the world, including the United States. Victims, primarily women and children are stripped of their dignity, robbed of their human rights, and forced into bondage and sexual servitude.

This legislation increases the likelihood that the disabled wanderer will be found and reunited safely with his or her loved ones. It will help runaways to be reunited with their families or at least to be provided a safe environment. And it will make it much more difficult for family abductors and human traffickers to avoid detection and to rescue their victims.

I thank Mr. CHABOT, and I encourage all of my colleagues to vote for this legislation.

Mr. SMITH of Texas. Mr. Speaker, H.R. 4305, the Child and Elderly Missing Alert Program, was introduced by my Judiciary Committee colleague, Mr. CHABOT. I thank him for his work on this issue.

A child goes missing in this country every 40 seconds. Almost 800,000 children are reported missing each year and 500,000 go missing without ever being reported.

In many cases of missing children, the AMBER Alert system is activated to help law enforcement and community search efforts.

However, in order to issue an AMBER Alert for a missing child, law enforcement officials must have a description of the child, the suspect, the vehicle if there is one and how the abduction took place. Additionally, they must be able to confirm that the child has in fact been abducted and did not simply wander off on their own.

Without evidence of an abduction, law enforcement officers cannot issue an AMBER Alert. This is where programs like the Child and Elderly Missing Alert Program step in.

Experience shows that time is of the essence when searching for missing persons—particularly young children and the elderly.

H.R. 4305 would allow funding under the Justice Department's Community Oriented Policing Services (COPS) grant program to go toward rapid recovery phone call and alert systems that can be deployed when children and elderly persons are missing.

Such programs complement the AMBER Alert program by quickly disseminating information about missing persons within targeted geographic areas even when the information available is minimal.

Having a child, elderly or disabled loved one go missing is any family's worst nightmare. H.R. 4305 provides a critical tool in the efforts to find missing persons.

I again thank the gentleman from Ohio for his work on this issue and I urge my colleagues to join me in support of this bill.

The SPEAKER pro tempore (Mr. WESTMORELAND). The question is on the motion offered by the gentleman from Ohio (Mr. CHABOT) that the House suspend the rules and pass the bill, H.R. 4305, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

□ 1500

MISSING ALZHEIMER'S DISEASE PATIENT ALERT PROGRAM REAUTHORIZATION ACT OF 2012

Mr. SMITH of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2800) to amend the Violent Crime Control and Law Enforcement Act of 1994 to reauthorize the Missing Alzheimer's Disease Patient Alert Program, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2800

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Missing Alzheimer's Disease Patient Alert Program Reauthorization Act of 2012".

SEC. 2. REAUTHORIZATION OF THE MISSING ALZHEIMER'S DISEASE PATIENT ALERT PROGRAM.

Section 240001 of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14181) is amended—

(1) by amending subsection (a) to read as follows:

"(a) GRANT.—Subject to the availability of appropriations to carry out this section, the Attorney General, through the Bureau of Justice Assistance, shall award competitive grants to non-profit organizations to assist such organizations in paying for the costs of planning, designing, establishing, and operating locally based, proactive programs to protect and locate missing patients with Alzheimer's disease and related dementias.";

(2) in subsection (b), by inserting "competitive" after "to receive a";

(3) by amending subsection (c) to read as follows:

"(c) PREFERENCE.—In awarding grants under subsection (a), the Attorney General shall give preference to national nonprofit organizations that have experience working with patients, and families of patients, with Alzheimer's disease and related dementias."; and

(4) by amending subsection (d) to read as follows:

"(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section \$1,000,000 for each of the fiscal years 2013 through 2017.";

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. SMITH) and the gentlewoman from California (Ms. WATERS) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. SMITH of Texas. Mr. Speaker, I ask that all Members have 5 legislative days within which to revise and extend and include extraneous materials on H.R. 2800, as amended, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SMITH of Texas. I yield myself such time as I may consume.

Mr. Speaker, H.R. 2800, the Missing Alzheimer's Disease Patient Alert Program Reauthorization Act of 2012, is sponsored by the gentlewoman from California (Ms. WATERS). I thank her for her work on this issue.

Alzheimer's disease is a serious condition that is becoming more and more prevalent. The disease affects as many as 5 million people in this country, or one in eight older Americans, and a new person develops Alzheimer's every 69 seconds. This pace is expected to increase with time.

It is estimated that more than half of the people with Alzheimer's or other types of dementia will become lost from their families or caretakers at some point. Many of these people cannot remember their name, their family members or their address. This makes returning home safely difficult for law enforcement officers and Good Samaritans.

As is true whenever a person goes missing, time is of the essence when attempting to locate a lost Alzheimer's patient. One study found an almost 50 percent mortality rate for Alzheimer's patients who are not found within 24 hours of becoming lost.

To address the problem of missing Alzheimer's patients, Congress created

the Missing Alzheimer's Disease Patient Alert Program in 1996. This Justice Department program provides grants to locally based organizations to protect and locate missing patients with Alzheimer's disease and related dementia. Congress has appropriated money for this every year since its creation.

The Justice Department has provided grants to several programs, including the Alzheimer's Association's Safe Return program. In this program, people with Alzheimer's and dementia are registered in a data base and receive a bracelet that indicates the individual is memory impaired. The bracelet also includes a 24-hour emergency response number to call if the person is found wandering or has a medical emergency.

The Alzheimer's Association reports a 99 percent success rate for reuniting enrolled missing individuals with their caretakers through the Safe Return program.

H.R. 2800, the Missing Alzheimer's Disease Patient Alert Program Reauthorization Act of 2012, reauthorizes this program at \$1 million a year for 5 years. This authorization level reflects the fiscal year 2012 appropriations level. H.R. 2800 helps to ensure that people with Alzheimer's disease and other forms of dementia are returned safely home when they become lost.

Again, I want to thank the gentlewoman from California (Ms. WATERS) for her leadership on this issue, and I encourage my colleagues to join me in support of this bill.

I reserve the balance of my time.

Ms. WATERS. Mr. Speaker, I yield myself such time as I may consume.

I thank Chairman LAMAR SMITH for his support for H.R. 2800, the Missing Alzheimer's Disease Patient Alert Program Reauthorization Act. This bill reauthorizes a small, but effective, program that assists local law enforcement and protects vulnerable people with Alzheimer's disease. I appreciate the chairman's willingness to work with me and move this bill forward.

Alzheimer's disease currently affects an estimated 5.3 million Americans, and that number will multiply in the coming decades as our population grows. The Alzheimer's Association estimates that 7.7 million Americans will have Alzheimer's by the year 2030, and 11 to 16 million Americans will have the disease by the year 2050.

One great risk for Alzheimer's patients is wandering away from home. According to the Alzheimer's Association, more than 60 percent of Alzheimer's patients are likely to wander. Wanderers are vulnerable to dehydration, weather conditions, traffic hazards, and individuals who prey on vulnerable seniors. Up to 50 percent of Alzheimer's patients who wander will become seriously injured or die if they are not found within 24 hours of their departure from home. Wanderers often

cannot remember who they are or where they live and cannot assist law enforcement officials and other first responders who try to help them.

The Missing Alzheimer's Disease Patient Alert Program is a Department of Justice program that provides competitive grants to nonprofit organizations to assist in paying for the cost of planning, designing, establishing, and operating programs to protect and locate missing patients with Alzheimer's disease and related dementias. These grants help local communities and public safety agencies quickly identify persons with Alzheimer's disease who wander or who are missing and reunite them with their families.

The program was originally authorized in 1996, but has been operating under an expired authorization since 1998. H.R. 2800 reauthorizes the program and authorizations \$1 million per year in appropriations for fiscal years 2013 through 2017. This authorization level will allow the program to operate at the funding year 2012 funding level for the next 5 years.

This program is extremely cost effective. An annual appropriation of simply \$1 million would easily result in millions more in savings for the Federal Government by allowing more Alzheimer's patients to remain at home with their families, thereby reducing nursing-home utilization and saving Medicare and Medicaid expenses.

H.R. 2800 is cosponsored by 18 Members of Congress, including Congressman CHRIS SMITH and Congressman ED MARKEY, the cochairs of the Bipartisan Congressional Task Force on Alzheimer's Disease. The bill is also supported by both the Alzheimer's Association and the Alzheimer's Foundation of America.

This program saves law enforcement officials valuable time and allows them to focus on other security concerns. It also reduces unintentional injuries and deaths among Alzheimer's patients, brings peace of mind to their families, and thus allows more patients to remain at home with people who love them.

I urge my colleagues to support this bill, and I yield back the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I yield back the balance of my time.

Mr. SMITH of New Jersey. Mr. Speaker, I would like to thank Chairman LAMAR SMITH and Ranking Member JOHN CONYERS for advancing this bill through the Judiciary Committee. And, I especially want to thank Congresswoman MAXINE WATERS for her commitment and hard work over the years in support of the Missing Alzheimer's Disease Patient Alert Program.

Alzheimer's disease robs millions of individuals in the U.S. of their ability to recognize once familiar places and faces or even to remember their names and addresses.

Not everyone with Alzheimer's wanders, but an estimated 60% wander at some point in the

disease, and many of those wander repeatedly. They easily become disoriented and lost, even in their own neighborhood. While wandering is common, it also can be extremely dangerous, particularly for the unprotected and the mentally and physically vulnerable. If not found within 24 hours, up to half of those who wander risk serious injury or death. And their friends and families are beside themselves with worry.

Since its inception in FY1996 and the awarding of a grant to the Alzheimer's Association, the Missing Alzheimer's Disease Patient Alert Program has been a literal life-line, helping in the safe return of many thousands of wanderers.

The program has been funded every year since 1996 and funding has been used to establish a nationwide emergency response service for individuals with Alzheimer's or another dementia who wander or have a medical emergency, including an identification and enrollment system.

H.R. 2800 reauthorizes for five years this Department of Justice Program that provides grants to nonprofit organizations to operate programs designed to help local communities and law enforcement officials quickly identify wandering dementia patients and reunite them with their families.

The program has a 98% success rate for safely returning program enrollees who were reported missing. The program also assists individuals with dementia who are not enrolled, with an 88% success rate. I encourage all of my colleagues to vote for this important legislation.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 2800, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

LOCAL COURTHOUSE SAFETY ACT OF 2012

Mr. SMITH of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6185) to improve security at State and local courthouses, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6185

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Local Courthouse Safety Act of 2012".

SEC. 2. SECURITY TRAINING.

Part D of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3741 et seq.) is amended by adding at the end the following:

"SEC. 403. PREVENTING VIOLENCE AGAINST LAW ENFORCEMENT AND ENSURING OFFICER RESILIENCE AND SURVIVABILITY.

"The Director may carry out a training and technical assistance program designed to

teach employees of State, local, and tribal law enforcement agencies how to anticipate, survive, and respond to violent encounters during the course of their duties, including duties relating to security at State, county, and tribal courthouses. If the Director offers a training program specifically designed to train participants on courthouse security issues, preference for admission into such program shall be given to employees of jurisdictions that have magnetometers available for use at their courthouses."

SEC. 3. STATE JUSTICE INSTITUTE.

The State Justice Institute Act of 1984 is amended—

(1) in section 203(b)(1) (42 U.S.C. 10702(b)(1)), in the matter preceding subparagraph (A), by inserting ", safe," after "a fair"; and

(2) in section 206 (42 U.S.C. 10705)—

(A) in subsection (c)—

(i) in paragraph (14)—

(I) by inserting "to" before "conduct"; and

(II) by striking "and" at the end;

(ii) by redesignating paragraph (15) as

paragraph (16); and

(iii) by inserting after paragraph (14) the

following:

"(15) to improve the safety and security of State and local courts; and"; and

(B) by adding at the end the following:

"(g) MAGNETOMETERS.—In the case of a grant awarded under this section to be used as described in subsection (c)(15), if the State or local court applying for the grant does not have magnetometers available for use, not less than \$300 nor more than \$1,000 of the matching fund required under subsection (d) of the State or local court shall be used to acquire a magnetometer."

SEC. 4. SECURITY EQUIPMENT.

(a) IN GENERAL.—Subchapter III of chapter 5 of title 40, United States Code, is amended by adding after section 559 the following:

"§ 560. Surplus security equipment for State and local courts

"(a) DEFINITIONS.—In this section—

"(1) the term 'surplus security equipment' means surplus property that is used to detect weapons, including metal detectors, wands, and baggage screening devices; and

"(2) the term 'qualifying State or local courthouse' means a courthouse of a State or local government that has less security equipment than the security needs of the courthouse require.

"(b) DISPOSAL OF SURPLUS SECURITY EQUIPMENT.—

"(1) IN GENERAL.—Notwithstanding any other provision of this subchapter, the Administrator of General Services shall ensure that a qualifying State or local courthouse has an opportunity to request to receive surplus security equipment for use at the qualifying State or local courthouse before the surplus security equipment is made available to any other individual or entity under this subchapter.

"(2) DISPOSAL.—

"(A) IN GENERAL.—Subject to subparagraph (B), upon request by a qualifying State or local courthouse for surplus security equipment for use at the qualifying State or local courthouse, the surplus security equipment shall be made available to the qualifying State or local courthouse without cost, except for any costs of shipping, handling, and maintenance.

"(B) MULTIPLE REQUESTS.—If more than 1 qualifying State or local courthouse requests a particular piece of surplus security equipment, the surplus security equipment shall be distributed based on need, as determined by the Administrator of General Services,

with priority given to a qualifying State or local courthouse that has no security equipment.”.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 5 of title 40, United States Code, is amended by inserting after the item relating to section 559 the following:

“560. Surplus security equipment for State and local courts.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. SMITH) and the gentleman from Virginia (Mr. SCOTT) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. SMITH of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 6185, as amended, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SMITH of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, first of all, I would like to thank our Judiciary Committee colleague, Mrs. ADAMS of Florida, for her work on this issue to make America's courthouses safer. This bipartisan, bicameral bill passed the Senate Judiciary Committee by unanimous consent last May.

□ 1510

Before I yield to her, I do want to urge my colleagues to support this bill and thank Mrs. ADAMS again for all of her work that brought us to this point we are here today.

Mr. Speaker, I'd like to thank my Judiciary Committee colleague, Mrs. ADAMS of Florida, for her work on this issue to make America's courthouses safer. This bipartisan, bicameral bill passed the Senate Judiciary Committee by unanimous consent last May.

State and local courthouses are the workplace for many people. Judges, secretaries, custodians, clerks and attorneys are there every workday. Police officers, litigants and the public go to these courthouses for many reasons. Many of us are called upon to report there for jury duty.

Often in these courthouses, the stakes, and emotions, are high when defendants confront their accusers and victims confront their perpetrators.

Threats against judges and acts of violence in courthouses and courtrooms are occurring throughout the country with greater frequency than ever before. The number of threats and violent incidents that target the judiciary has increased dramatically in recent years.

At the federal level, the U.S. Marshals Service's Center for Judicial Security reports the number of judicial threat investigations has more than doubled to over 1,200 in the past nine years. At the state and local levels, data collected by the Center for Judicial and Execu-

tive Security shows that the number of violent incidents in state courthouses has gone up every decade since 1970.

Since 2010, there has been about one shooting per month at local courthouses across the country. In September 2011, for example a defendant opened fire in the Crawford County Courthouse in Arkansas, killing a judge's secretary.

In December 2011, a defendant retrieved a gun from his car, walked into the Cook County Courthouse in Minnesota and shot the prosecuting attorney, a witness and the bailiff.

So far in 2012, there have been at least five courthouse shootings, including a fatal attack in my home State of Texas.

Security at many local courthouses is lax, particularly in rural and suburban areas where access to equipment, training and resources is especially scarce. Law enforcement officers, court personnel and members of our communities are in harm's way as a result.

One Minnesota judge put it well in a recent correspondence to his colleagues: “I'm no longer willing to risk my life, the life of court staff, [and] the life of the public who have no choice about going to court.”

This bill accomplishes three objectives. First, the bill gives State and local courthouses direct access to security equipment that the Federal Government no longer uses.

This provision is modeled after a Defense Department program that allows the Pentagon to give its excess equipment to local police and firefighters. This legislation gives State and local authorities access to excess metal detectors, wands and baggage screening machines.

Second, this bill gives States the flexibility they need to make courthouse security improvements, but requires modest matching funds.

The bill does not require any new spending and it does not impose any new mandates. States can use existing federal resources for courthouse security upgrades if they so choose.

Lastly, through existing programs and funding authorizations, training and technical assistance will be provided to local law enforcement officers to teach them how to anticipate and survive violent encounters.

The identical Senate bill has broad bipartisan support and its ten co-sponsors come from both sides of the aisle.

This bill has been endorsed by six organizations, including: the National Sheriffs Association, the National Association for Court Management, the Conference of Chief Justices, the Conference of State Court Administrators, the American Judges Association and the National Court Reporters Association.

The Congressional Budget Office scored this bill at zero cost.

This bill is a cost-effective approach to provide safety training and technical assistance to local law enforcement agencies. It improves security at State and local government courthouses, which are most in need of basic safety equipment and training.

Our State and local law enforcement officers need support to ensure the security of our courthouses. This bill does that as it recycles excess Federal security equipment and protects Americans at the same time.

I again thank Mrs. ADAMS for her work on this issue and I urge my colleagues to support this bipartisan, bicameral bill.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM,

Washington, DC, September 10, 2012.

Hon. LAMAR SMITH,
House of Representatives,
Washington, DC.

MR. CHAIRMAN: On August 1, 2012, the Committee on the Judiciary ordered H.R. 6185, the “Local Courthouse Safety Act of 2012,” reported to the House. Thank you for consulting with the Committee on Oversight and Government Reform with regard to H.R. 6185 on those matters within the Committee's jurisdiction. I am writing to confirm our mutual understanding with respect to the consideration of H.R. 6185.

In the interest of expediting the House's consideration of H.R. 6185, I will forego consideration of the bill. However, I do so only with the understanding that this procedural route will not be construed to prejudice the Committee on Oversight and Government Reform's jurisdictional interest and prerogatives on this bill or any other similar legislation and will not be considered as precedent for consideration of matters of jurisdictional interest to my Committee in the future.

I respectfully request your support for the appointment of outside conferees from the Committee on Oversight and Government Reform should this bill or a similar bill be considered in a conference with the Senate. I also request that you include our exchange of letters on this matter in the Committee Report on H.R. 6185 and in the Congressional Record during consideration of this bill on the House floor. Thank you for your attention to these matters.

Sincerely,

DARRELL ISSA,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, September 10, 2012.

Hon. DARRELL ISSA,
Rayburn House Office Building,
Washington, DC.

DEAR CHAIRMAN ISSA: Thank you for your letter of even date herewith regarding H.R. 6185, the “Local Courthouse Safety Act of 2012,” which the Judiciary Committee reported favorably to the House, as amended, today.

I am most appreciative of your decision to forego consideration of H.R. 6185, as amended, so that it may move expeditiously to the House floor. I acknowledge that although you are waiving formal consideration of the bill, the Committee on Oversight and Government Reform is in no way waiving its jurisdiction over the subject matter contained in the bill. In addition, if a conference is necessary on this legislation, I will support any request that your committee be represented therein.

Finally, I shall be pleased to include your letter and this letter in the Congressional Record during floor consideration of H.R. 6185.

Sincerely,

LAMAR SMITH,
Chairman.

I yield such time as she may consume to the gentlewoman from Florida (Mrs. ADAMS).

Mrs. ADAMS. I rise today in support of H.R. 6185, the Local Courthouse Safety Act of 2012, because it will give

local courthouses the resources to enhance their security, and to do so at no cost to the Federal taxpayer. My bill would allow for surplus metal detectors to be provided to local courthouses to enhance security.

Like other regions throughout our Nation, central Florida has seen its share of courthouse attacks. Shortly before I joined the Orange County Sheriff's Office as a deputy sheriff, a courthouse shooting occurred. An armed gunman by the name of Thomas Provenzano walked into the Orange County Courthouse with a 12-gauge shotgun, an assault rifle, and a .38 revolver, all loaded with live ammunition. Bailiff William Wilkerson, a 60-year-old veteran who retired from the Navy as a lieutenant commander, was killed on that day. Bailiff Harry Dalton, a 53-year-old father of six, was shot in the face and left paralyzed from the shooting. He died 7 years later. Correctional Officer Mark Parker was only 19 years old at the time of the shooting. He survived the shooting but was paralyzed from the shoulders down and had to spend the rest of his life confined to a wheelchair.

I introduced the Local Courthouse Safety Act because the things this bill does are important to me and to most Americans. I know the families of Bailiff Dalton and Bailiff Wilkerson, who lost their lives as a result of the violence that day in the Orange County Courthouse, and remained friends with Officer Parker until he passed away a few years ago. I am deeply aware of the grief they've had to live with all of these years.

Since September of 2010, there has been about one shooting per month at a local courthouse. So even though the shooting in Orange County happened 30 years ago, courthouse shootings are still happening all over this country and innocent people are still dying.

Those who are exercising their constitutional right of seeking justice in our courtrooms should not have to fear for their safety, and neither should our law enforcement officers, judges, advocates, and court personnel. It is my hope that this bill will help to prevent horrific and senseless incidents of violence like this from happening in our local courthouses.

I want to thank my colleagues on the Judiciary Committee for recognizing that we need to take courthouse security seriously and for joining me in this bipartisan effort to help prevent violence in local courthouses across this country. We need to give sheriffs and local courthouses access to the training, equipment, and resources they need to improve security, so I urge support for the bill.

Mr. SCOTT of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 6185, the Local Courthouse Safety Act.

This measure will provide critical assistance to State and local governments to provide courthouse security.

To begin with, many State and local courthouses face serious security challenges. Serious violence often occurs in these facilities, but many courthouses across the Nation still lack basic security protections such as metal detectors. H.R. 6185 responds to this critical problem by giving sheriffs, as well as State and local courthouses, access to training, equipment, and other resources to help them improve security.

H.R. 6185 accomplishes these goals by making use of existing resources. This legislation requires the General Services Administration to make available to State and local courts—at no cost, except for shipping, handling, and maintenance—surplus security equipment that is used to detect weapons, such as metal detectors, wands, and baggage screening devices. To qualify to receive such security equipment, a State or local courthouse must have less security equipment than necessary to meet the security needs of that courthouse. Because these devices are surplus and not otherwise being utilized by any Federal agencies, it is a wise use of taxpayer money to allow this equipment to be put into service at the State and local level.

Another important aspect of the bill is that it expands the scope of the grants awarded by the State Justice Institute to include the improvement of the safety and security of State and local courts. As a result, H.R. 6185 strengthens the Institute's current authority to award grants to support education, training, and technical assistance projects to improve the administration of justice in the State courts. This measure addresses, in a meaningful way, the serious security challenges that State and local courthouses face.

Not surprisingly, H.R. 6185 enjoys a broad range of support, including the National Sheriffs' Association, the National Association for Court Management, the Conference of Chief Justices, the Conference of State Court Administrators, American Judges Association, the National Court Reporters Association, and the Center for Judicial and Executive Security.

I commend my colleague, the gentleman from Florida (Mrs. ADAMS) for her work in developing the bill, and I urge my colleagues to support the legislation.

I yield back the balance of my time. Mr. SMITH of Texas. Mr. Speaker, we have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 6185, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

STOLEN VALOR ACT OF 2012

Mr. SMITH of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1775) to amend title 18, United States Code, to establish a criminal offense relating to fraudulent claims about military service, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1775

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Stolen Valor Act of 2012".

SEC. 2. FRAUDULENT REPRESENTATIONS ABOUT RECEIPT OF MILITARY DECORATIONS OR MEDALS.

(a) IN GENERAL.—Section 704 of title 18, United States Code, is amended—

(1) in subsection (a), by striking "wears,"; and

(2) so that subsection (b) reads as follows:

"(b) FRAUDULENT REPRESENTATIONS ABOUT RECEIPT OF MILITARY DECORATIONS OR MEDALS.—Whoever, with intent to obtain money, property, or other tangible benefit, fraudulently holds oneself out to be a recipient of a decoration or medal described in subsection (c)(2) or (d) shall be fined under this title, imprisoned not more than one year, or both."

(b) ADDITION OF CERTAIN OTHER MEDALS.—Section 704(d) of title 18, United States Code, is amended—

(1) by striking "If a decoration" and inserting the following:

"(1) IN GENERAL.—If a decoration";

(2) by inserting "a combat badge," after "1129 of title 10,"; and

(3) by adding at the end the following:

"(2) COMBAT BADGE DEFINED.—In this subsection, the term 'combat badge' means a Combat Infantryman's Badge, Combat Action Badge, Combat Medical Badge, Combat Action Ribbon, or Combat Action Medal."

(c) CONFORMING AMENDMENT.—Section 704 of title 18, United States Code, is amended in each of subsections (c)(1) and (d) by striking "or (b)".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. SMITH) and the gentleman from Virginia (Mr. SCOTT) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. SMITH of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 1775, as amended, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SMITH of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 1775, the Stolen Valor Act of 2011, was introduced by

the gentleman from Nevada (Mr. HECK). I want to thank him for his dedication to protect the honor bestowed on our Nation's military heroes.

Mr. Speaker, H.R. 1775, the Stolen Valor Act of 2011, was introduced by the gentleman from Nevada (Mr. HECK). I thank him for his dedication to protect the honor bestowed on our nation's military heroes.

In 2006, a man who had created several false identities fraudulently claimed to be a seriously injured Marine captain who suffered from post traumatic stress disorder and a recipient of the Purple Heart and Silver Star.

His tangled web of lies earned him credibility among other veterans, law enforcement officials and politicians. He told these false stories and used them for his own benefit, disrespecting those who had honorably earned these awards for their service.

This is an example of a man who did not simply lie about receiving a military award. He lied to defraud others and benefit himself, discrediting those veterans who actually deserve recognition.

H.R. 1775 prevents similar fraud in the future and reaffirms Congress' respect and gratitude for our Armed Forces. It ensures that those who seek to exploit these medals for fraudulent gain are held accountable.

We have a long-standing commitment to protect the status of military decorations awarded to our military heroes who sacrifice greatly for us in service.

The first honorary badges of distinction for military service date back to George Washington's presidency. Washington stated that anyone with the "insolence to assume" a badge that he did not earn would be severely punished.

It has been a federal crime for nearly a century to wear, manufacture, sell or fraudulently produce military decorations or medals without authorization. In 2006, Congress enacted the Stolen Valor Act after a rise in number of fraudulent claims of receipt of military decorations, particularly the Medal of Honor.

This past June, the Supreme Court, in *U.S. v. Alvarez*, held that the Stolen Valor Act wrongly criminalized speech protected by the First Amendment. Simply put, lying about receiving a Medal of Honor, although it may be offensive, is in fact protected free speech.

The Court did acknowledge that false claims about military decorations, such as the Medal of Honor, demean the value of the award and may offend the true holders of these decorations.

H.R. 1775, the "Stolen Valor Act of 2011," clarifies the law to make it a crime to fraudulently hold oneself out to be a recipient of the Congressional Medal of Honor or other enumerated military decoration with the intent to obtain money, property or other tangible benefit.

The term "fraudulently" incorporates the necessary knowledge requirement. Black's Law Dictionary defines "fraud" as "a knowing misrepresentation of the truth or concealment of a material fact to induce another to act to his or her injury." It clarifies that there must be specific intent to engage in the crime, namely that the fraud is committed for money, property or other tangible benefit.

The term "tangible benefit" is intended to cover those "valuable considerations" beyond money or property, such as offers of employment, which Justice Kennedy identified as appropriately prohibited benefits to a fraud.

H.R. 1775 clarifies the Stolen Valor Act to protect the right to free speech but also ensures that those whose speech is intended to defraud and do not enjoy First Amendment protection will be held responsible.

I again thank the gentleman from Nevada (Mr. HECK) for his leadership on this issue. And I urge my colleagues to support this bill.

Mr. Speaker, I yield such time as he may consume to the gentleman from Nevada (Mr. HECK), the sponsor of this legislation.

Mr. HECK. I thank the gentleman for yielding.

Mr. Speaker, I rise today to urge my colleagues to join with me in protecting the honor and valor of our military heroes by passing H.R. 1775, the Stolen Valor Act of 2011.

On June 28, 2012, the U.S. Supreme Court struck down the Stolen Valor Act of 2005, concluding that the broad nature of the law infringed upon the guaranteed protection of free speech provided by the First Amendment of our Constitution. The Court determined that the act "sought to control and suppress all false statements on this one subject without regard as to whether the lie was made for the purpose of material gain."

However, in concurring with the decision of the plurality, Justice Breyer stated that a "more finely tailored statute that shows the false statement caused specific harm or was at least material could significantly reduce the threat of First Amendment harm while permitting the statute to achieve its important protective objective."

Mr. Speaker, this is exactly what my legislation does. The Stolen Valor Act of 2011 resolves these constitutional issues by clearly defining that the objective of the law is to target and punish those who misrepresent their alleged service with the intent of profiting personally or financially. Defining the intent helps ensure that this law will pass constitutional scrutiny while at the same time achieving its primary objective, which is to preserve and protect the honor and integrity of military service and awards.

In 2006, every Member of both the House and Senate clearly understood the need for this legislation and demonstrated that by unanimously passing the prior Stolen Valor Act in each Chamber. Mr. Speaker, the need to protect the honor, service, and sacrifice of our veterans and military personnel is just as strong today as it was in 2006.

□ 1520

This House has the opportunity to once again show our servicemembers and veterans that we value the magnitude of their sacrifice while at the same time protecting the constitu-

tional rights that they fought so hard to protect.

H.R. 1775 enjoys broad bipartisan support with 107 cosponsors and is supported by numerous veteran service organizations, including the Veterans of Foreign Wars, the Association of the U.S. Navy, the Fleet Reserve Association, the National Association for Uniformed Services, the National Guard Association of the United States, the Association of the United States Army, the Military Officers Association of America, the Military Order of the Purple Heart, and AMVETS.

I would like to thank Chairman SMITH and Ranking Member CONYERS for helping to move this important legislation that was reported unanimously out of the Judiciary Committee. I would also like to thank my colleague from Arkansas (Mr. GRIFFIN) for sponsoring this substitute amendment during committee consideration.

Mr. Speaker, it is only fitting that we pass this bill on the 11th anniversary of the attacks of 9/11 in recognition of the brave servicemen and women who have fought and died in the war to bring the perpetrators of these attacks to justice. I urge my colleagues to support H.R. 1775.

Mr. SCOTT of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 1775, the Stolen Valor Act. It has long been a tradition in the United States to recognize those in our armed services who stand out among their peers for service to our Nation by awarding them special military medals and declarations. Recipients of these special honors have often been wounded in the line of duty or have made the ultimate sacrifice.

Military medals and declarations constitute a tribute, as well as tangible manifestation of our Nation's deep and abiding recognition and appreciation to our servicemembers.

There are, however, those who falsely claim to be recipients of these special honors. Such malicious actions denigrate the integrity of those honors to those who have legitimately received them.

In response, a law was enacted with the laudable purpose of ensuring the integrity of military honors by punishing those who make such false representations.

Unfortunately, the scope of the law was recently found by the Supreme Court to be unconstitutional as an abridgement of the First Amendment's right to free speech because the First Amendment even protects despicable speech.

Justice Kennedy, however, writing for the court set out certain guidelines that Congress could follow in remedying the statute's constitutional flaw. He wrote:

Where false claims are made to effect a fraud or secure moneys or other valuable considerations, say offers of employment, it is well-established that the government may restrict speech without affronting the First Amendment.

So, as reported by the Judiciary Committee, this bill adheres to this suggested construct by amending the current law to prohibit individuals from fraudulently representing themselves as recipients of these honors in order to obtain money, property, or other tangible benefits. This will actually cover most of the incidences of false claims.

As a result, this measure will, in full compliance with the Constitution, ensure that no one will financially benefit or receive other tangible rewards from falsely representing that they have been awarded these honors and this will cover all of the despicable cases of false claims that the Constitution will allow.

H.R. 1775 will protect the honor and integrity of our Nation's military medals and decorations as well as respect the rights accorded to Americans under the First Amendment.

Accordingly, Mr. Speaker, I urge my colleagues to support the legislation, and I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I will yield as much time as he might consume to the gentleman from Arkansas (Mr. GRIFFIN) who is an active member of the Judiciary Committee.

Mr. GRIFFIN of Arkansas. Thank you, Mr. Chairman.

Mr. Speaker, I rise today in support of H.R. 1775, the Stolen Valor Act of 2011, and urge its passage.

I would like to thank Congressman JOE HECK for his leadership on this issue as well as Judiciary Committee Chairman SMITH, also Ranking Member CONYERS, for their bipartisan cooperation passing this bill out of committee.

As a proud cosponsor of the Stolen Valor Act, I offered a substitute amendment during committee consideration in response to the recent Supreme Court decision in *U.S. v. Alvarez*. The court instructed that, however despicable, a false claim about receiving a military award is protected by the First Amendment. The substitute amendment, which was adopted unanimously by the Judiciary Committee on August 1, 2012, incorporates the Supreme Court's opinion and recommendations in *Alvarez*.

The bill we consider today ensures that the Medal of Honor, Purple Heart, and other military awards will be protected from fraud and that those who make false claims of military service or awards will face criminal penalties. I believe that protecting the integrity and valor of American servicemembers who have distinguished themselves in defense of this Nation is critically important. We must ensure that the

Medal of Honor and other military awards are protected from fraud, and the Stolen Valor Act helps in that effort.

Mr. SCOTT of Virginia. Mr. Speaker, I yield back the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I yield back the balance of our time as well.

Mr. MICHAUD. Mr. Speaker, I rise today to recognize yesterday's passage in the House of H.R. 1775, the Stolen Valor Act.

I, unfortunately, was not able to vote on passage of this important bill because of a commitment back in my district. I joined with New Balance associates at the factory in Norridgewock, Maine to press U.S. Trade Representative Ron Kirk on the importance of preserving current footwear tariffs, which are threatened by the Trans-Pacific Partnership, a multinational free trade agreement that is currently being negotiated. I truly appreciated Ambassador Kirk's visit and the opportunity to join him and New Balance's highly skilled workers, but I regret that this prevented me from helping to pass H.R. 1775, the Stolen Valor Act.

Had I been able to be present for the vote, I would have voted for the Stolen Valor Act. This Act appropriately creates penalties for individuals who benefit from lying about military decorations or medals. Our service members and veterans make an unparalleled commitment to our nation. They earn military honors through their sacrifices, and I am pleased that the Stolen Valor Act has passed the House to better protect the interests of those who have served our country.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 1775, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. SCOTT of Virginia. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

TRADEMARK ACT OF 1946 AMENDMENT RELATING TO REMEDIES FOR DILUTION

Mr. SMITH of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6215) to amend the Trademark Act of 1946 to correct an error in the provisions relating to remedies for dilution, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6215

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. REMEDIES FOR DILUTION.

(a) IN GENERAL.—Section 43(c)(6) of the Act entitled "An Act to provide for the registration and protection of trademarks used in

commerce, to carry out the provisions of certain international conventions, and for other purposes", approved July 5, 1946 (commonly referred to as the "Trademark Act of 1946"; 15 U.S.C. 1125(c)(6)), is amended by striking subparagraphs (A) and (B) and inserting the following:

"(A) is brought by another person under the common law or a statute of a State; and
"(B)(i) seeks to prevent dilution by blurring or dilution by tarnishment; or

"(ii) asserts any claim of actual or likely damage or harm to the distinctiveness or reputation of a mark, label, or form of advertisement."

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to any action commenced on or after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. SMITH) and the gentleman from North Carolina (Mr. WATT) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. SMITH of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 6215, as amended, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SMITH of Texas. I yield myself such time as I may consume.

Mr. Speaker, the purpose of the Federal Trademark Dilution Act of 1995 is to protect famous trademarks from uses that blur the distinctiveness of the trademark or tarnish or disparage it. Dilution does not rely upon the standard test of infringement, that is, likelihood of confusion, deception, or mistake. Rather, it applies when the unauthorized use of a famous trademark reduces the public's perception that the trademark signifies something unique, singular, or particular.

Dilution can result in the loss of the trademark's distinctiveness and possibly the owner's rights in it.

Congress enacted amendments to the original dilution statute in 2006. Last year, two law professors discovered a technical problem with one of the 2006 changes.

During Senate consideration of the House bill, the section that provides a Federal registration defense to a dilution action was reorganized. This produced an unexpected and unintended change to the law.

As originally drafted in the House, the provision was designed to encourage Federal registration of trademarks. This is a worthy policy goal that prevents State laws from interfering with federally protected trademarks and ensures that registered trademarks are protected nationwide.

The House version promoted this goal and barred a State action for dilution against a federally registered

trademark. However, the Senate reformatted the House text in such a way as to create a bar against State action for dilution as well as a State or Federal action based on a claim of actual or likely damage or harm to the distinctiveness or reputation of a trademark. This means the Federal registration defense is available to both State and Federal dilution claims.

□ 1530

Congress did not intend such an outcome. If all dilution claims, including Federal claims, are barred by registration, it becomes difficult to cancel a diluting trademark that is registered. This encourages illegitimate trademark holders to register diluting trademarks, which forces legitimate trademark holders to expend greater resources to monitor registrations, as well as other trademarks being used in commerce. That is why I introduced H.R. 6215 to amend the Federal Trademark Dilution Act.

This bill simply reformats the affected provision to clarify that Federal registration only constitutes a complete bar to a State claim based on dilution, or actual or likely damage or harm to the distinctiveness or reputation of a trademark. The change applies prospectively.

This bill ensures that the trademark community is protected from those who seek to use this loophole as a way to disparage legitimate trademarks and cost their owners time and money.

The only change to the bill, as reported, is a technical correction to a boilerplate reference regarding the date of enactment of the Trademark Act of 1946. The reported version inaccurately identifies the date of enactment as July 6, 1946. The correct date is July 5, 1946.

I urge my colleagues to support H.R. 6214, and I reserve the balance of my time.

Mr. WATT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 6215, which is necessary to correct a technical error in the Trademark Dilution Revision Act of 2006 that inadvertently allowed the registration of a Federal trademark to be a complete bar to Federal trademark dilution claims.

The concept of dilution was initially a creature of State law. Massachusetts was the first State to enact a dilution statute in 1947. The purpose of the dilution law is to protect the value and uniqueness of the plaintiff's trademark without requiring evidence about the likelihood of confusion.

Over 50 years after the passage of the Massachusetts statute, the 1996 Federal Trademark Dilution Act provided nationwide injunctive relief "against a use that causes dilution of the distinctive quality of the famous mark." In 2003, however, the Supreme Court in *Moseley v. Victoria's Secret Catalog,*

Inc., considered the question of whether objective proof of actual injury to the economic value of a famous mark—that is, actual dilution—is required to obtain relief under the Federal Trademark Dilution Act. The Court decided that evidence of actual dilution was required, not simply a showing of likely dilution.

The Trademark Dilution Revision Act of 2006 amended the law in an attempt to reverse the *Victoria's Secret* decision and to expand the scope of State dilution claims banned under the Federal statute. During consideration of the Trademark Dilution Revision Act, however, the provision allowing a Federal registration defense to dilution claims brought under State law was reorganized in such a way as to result in an unintended substantive change in the provision. As a result, the Federal registration defense is available not only against State dilution claims, but also against Federal dilution claims.

The legislative history makes clear that Congress did not intend to allow a Federal trademark registration to bar a Federal dilution claim. H.R. 6215 corrects this error and has broad support in the intellectual property community and bipartisan support on the Judiciary Committee.

I urge my colleagues to support the legislation that ensures that the will of the Congress, as originally intended, is not undermined by an inadvertent drafting error.

Mr. Speaker, I yield back the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 6215, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

REPORTING EFFICIENCY IMPROVEMENT ACT

Mr. SMITH of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6189) to eliminate unnecessary reporting requirements for unfunded programs under the Office of Justice Programs, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6189

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Reporting Efficiency Improvement Act".

SEC. 2. ELIMINATION OF REPORTS FOR UNFUNDED PROGRAMS UNDER THE OFFICE OF JUSTICE PROGRAMS.

(a) DNA IDENTIFICATION GRANTS.—Section 2406 of title I of the Omnibus Crime Con-

trol and Safe Streets Act of 1968 (42 U.S.C. 3796kk-5) is amended—

(1) by striking "(a) REPORTS TO ATTORNEY GENERAL.—"; and

(2) by striking subsection (b).

(b) POLICE CORPS PROGRAM.—

(1) REPEAL OF REPORT REQUIREMENT.—Section 200113 of the Police Corps Act (42 U.S.C. 14102) is repealed.

(2) CONFORMING AMENDMENT.—The Violent Crime Control and Law Enforcement Act of 1994 is amended by striking the item relating to section 200113 in the table of contents contained in section 2 of such Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. SMITH) and the gentleman from Michigan (Mr. CONYERS) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. SMITH of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 6189, as amended, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SMITH of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I join the ranking member, Congressman CONYERS, in cosponsoring this commonsense, bipartisan bill, the Reporting Efficiency Improvement Act, and I thank him for introducing this legislation.

The Government Performance and Results Modernization Act of 2010 requires Federal agencies to identify reports that may be outdated or duplicative. Then the executive branch must consult with Congress to determine if these reports can be eliminated. Here, the administration suggests that Congress repeal the two reports eliminated by this bill. Both of these reports are prepared by the Office of Justice Programs and the Department of Justice, but the underlying grant programs have not been funded by Congress for many years. Adopting this commonsense bill is a simple step that Congress can take to help Federal agencies work more efficiently. I hope this bill sets a precedent for many similar bills in the future.

I again thank Mr. CONYERS for his initiative on this issue. I would urge my colleagues to support this bill, and I reserve the balance of my time.

Mr. CONYERS. Mr. Speaker, I yield myself such time as I may consume.

H.R. 6189, the Reporting Efficiency Improvement Act, eliminates two reporting requirements that the Department of Justice deems no longer needy or useful to the Congress.

Under the Government Performance and Results Modernization Act, the Department of Justice conducts an annual review of statutory reporting requirements that are outdated, duplicative, or otherwise no longer useful. In this review, the Department identified two reports that are the subject of the bill before us now. The first of the two stems from the DNA Analysis Backlog Elimination Act, under which the Attorney General is required to report to Congress on various grants made to States to perform DNA analysis. Because Congress has not appropriated any funding for these specific grants since fiscal year 2003, this statutory reporting requirement has been obsolete for almost a decade.

The second report is based on the Police Corps Act, originally a part of the Violent Crime Control Act of 1994. The Director of the Office of the Police Corps is required to make an annual report to Congress on the program's status. However, Congress hasn't appropriated any funds for the office since fiscal year 2005.

So, H.R. 6189 is a simple cleanup of the Federal code. There is no need to have these reporting requirements on the books if there's no activity for the Department of Justice or the Office of Justice Programs to report, and none planned at any time in the near future.

It's important to note that this legislation doesn't make changes to the relevant programs; it merely eliminates discrete reporting requirements that are no longer useful.

I want to thank LAMAR SMITH, the chairman of the Judiciary Committee, for his support and eagerness in moving this legislation through the committee.

I urge my colleagues to support the measure. And having no other requests for additional speakers on this side, I yield back the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I first want to thank the ranking member, the gentleman from Michigan (Mr. CONYERS), for his nice comments, and I'll yield back the balance of my time as well.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 6189, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

□ 1540

MAKING IMPROVEMENTS IN ENACTMENT OF TITLE 41

Mr. SMITH of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6080) to make improvements

in the enactment of title 41, United States Code, into a positive law title and to improve the Code.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6080

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1.	Table of contents.
Sec. 2.	Purpose.
Sec. 3.	Title 2, United States Code.
Sec. 4.	Title 5, United States Code.
Sec. 5.	Title 6, United States Code.
Sec. 6.	Title 7, United States Code.
Sec. 7.	Title 8, United States Code.
Sec. 8.	Title 10, United States Code.
Sec. 9.	Title 12, United States Code.
Sec. 10.	Title 14, United States Code.
Sec. 11.	Title 15, United States Code.
Sec. 12.	Title 16, United States Code.
Sec. 13.	Title 18, United States Code.
Sec. 14.	Title 19, United States Code.
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Sec. 16.	Title 21, United States Code.
Sec. 17.	Title 22, United States Code.
Sec. 18.	Title 23, United States Code.
Sec. 19.	Title 24, United States Code.
Sec. 20.	Title 25, United States Code.
Sec. 21.	Title 26, United States Code.
Sec. 22.	Title 28, United States Code.
Sec. 23.	Title 29, United States Code.
Sec. 24.	Title 30, United States Code.
Sec. 25.	Title 31, United States Code.
Sec. 26.	Title 33, United States Code.
Sec. 27.	Title 35, United States Code.
Sec. 28.	Title 38, United States Code.
Sec. 29.	Title 40, United States Code.
Sec. 30.	Title 41, United States Code.
Sec. 31.	Title 42, United States Code.
Sec. 32.	Title 43, United States Code.
Sec. 33.	Title 44, United States Code.
Sec. 34.	Title 45, United States Code.
Sec. 35.	Title 46, United States Code.
Sec. 36.	Title 48, United States Code.
Sec. 37.	Title 49, United States Code.
Sec. 38.	Title 50, United States Code.
Sec. 39.	Title 50 Appendix, United States Code.
Sec. 40.	Title 51, United States Code.

SEC. 2. PURPOSE.

The purpose of this Act is to make improvements in the enactment of title 41, United States Code, into a positive law title and to improve the Code.

SEC. 3. TITLE 2, UNITED STATES CODE.

(1) Section 117 of Public Law 97-51 (2 U.S.C. 61f-8) is amended by striking "section 5" and substituting "section 6101".

(2) Section 195(b) of the Supplemental Appropriations Act, 1985 (2 U.S.C. 61g-7(b)) is amended by striking "section 5 of title 41" and substituting "section 6101 of title 41, United States Code".

(3) Section 202(i)(2) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i)(2)) is amended by striking "section 3709 of the Revised Statutes (41 U.S.C. 5)" and substituting "section 6101 of title 41, United States Code".

(4) Section 1 of the Act of March 3, 1931 (2 U.S.C. 135a), is amended by striking "section 3709 of the Revised Statutes of the United States (41 U.S.C. 5)" and substituting "section 6101 of title 41, United States Code".

(5) The paragraph under the heading "GENERAL PROVISION, THIS CHAPTER" in chapter 5 of title II of division B of the Omnibus Consolidated and Emergency Sup-

plemental Appropriations Act, 1999 (2 U.S.C. 141a) is amended by striking "section 3709 of the Revised Statutes of the United States (41 U.S.C. 5)" and substituting "section 6101 of title 41, United States Code".

(6) Section 114 of the Legislative Branch Appropriations Act, 1996 (Public Law 104-53, 2 U.S.C. 471 note) is amended by striking "the Federal Property and Administrative Services Act of 1949, as amended" and substituting "chapter 5 of title 40, United States Code".

(7) Section 6(a) of the Technology Assessment Act of 1972 (2 U.S.C. 475(a)) is amended—

(A) in paragraph (2), by striking "section 3709 of the Revised Statutes (41 U.S.C. 5)" and substituting "section 6101 of title 41, United States Code"; and

(B) in paragraph (3), by striking "section 3648 of the Revised Statutes (31 U.S.C. 529)" and substituting "section 3324(a) and (b) of title 31, United States Code".

(8) Section 119(a)(6) of the John C. Stennis Center for Public Service Training and Development Act (2 U.S.C. 1108(a)(6)) is amended by striking "section 3709 of the Revised Statutes (41 U.S.C. 5)" and substituting "section 6101 of title 41, United States Code".

(9) Section 3011(b)(4)(B) of the 1999 Emergency Supplemental Appropriations Act (Public Law 106-31, 2 U.S.C. 1151 note) is amended by striking "section 3709 of the Revised Statutes" and substituting "section 6101 of title 41, United States Code".

(10) Section 1308(a) of the Legislative Branch Appropriations Act, 2008 (2 U.S.C. 1816a(a)) is amended by striking "section 303M of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253m)" and substituting "section 3309 of title 41, United States Code".

(11) Public Law 96-558 (2 U.S.C. 1816b) is amended by striking "section 3709 of the Revised Statutes of the United States (41 U.S.C. 5)" and substituting "section 6101 of title 41, United States Code".

(12) Section 1201(a)(1) of the Legislative Branch Appropriations Act, 2003 (2 U.S.C. 1821(a)(1)) is amended by striking "section 3709 of the Revised Statutes of the United States (41 U.S.C. 5)" and substituting "section 6101 of title 41, United States Code".

(13) Section 308(b) of the Legislative Branch Appropriations Act, 1996 (2 U.S.C. 1964(b)) is amended by striking "section 3709 of the Revised Statutes of the United States (41 U.S.C. 5)" and substituting "section 6101 of title 41, United States Code".

(14) Section 1(d) of Public Law 102-330 (2 U.S.C. 2021 note) is amended by striking "section 3709 of the Revised Statutes of the United States" and substituting "section 6101 of title 41, United States Code".

(15) Section 307E(b)(3) of the Legislative Branch Appropriations Act, 1989 (2 U.S.C. 2146(b)(3)) is amended by striking "section 3709 of the Revised Statutes" and substituting "section 6101 of title 41, United States Code".

SEC. 4. TITLE 5, UNITED STATES CODE.

(1) Section 3(d)(2)(B) of the Administrative Dispute Resolution Act (Public Law 101-552, 5 U.S.C. 571 note) is amended by striking "section 6(a) of the Office of Federal Procurement Policy Act (41 U.S.C. 405(a))" and substituting "section 1121(b) of title 41, United States Code".

(2) Section 595(c)(10) of title 5, United States Code, is amended by striking "title III of the Federal Property and Administrative Services Act of 1949, as amended (41 U.S.C. 251-260)" and substituting "the provisions referred to in section 171(c) of title 41".

(3) Section 206 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (Public Law 107-174, 5 U.S.C. 2301 note) is amended—

(A) in subsection (c)(1)(B), by striking “section 13 of the Contract Disputes Act of 1978 (41 U.S.C. 612)” and substituting “section 7108 of title 41, United States Code,”; and

(B) in subsection (d)(1)(B), by striking “the Contracts Dispute Act of 1978 (41 U.S.C. 601 note; Public Law 95-563)” and substituting “chapter 71 of title 41, United States Code”.

(4) Section 3109(b)(3) of title 5, United States Code, is amended by striking “section 6101(b) to (d)” and substituting “section 6101”.

(5) Section 1110(e)(2)(G) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84, 5 U.S.C. 3702 note) is amended by striking “section 27 of the Office of Federal Procurement Policy Act” and substituting “chapter 21 of title 41, United States Code”.

(6) Section 4105 of title 5, United States Code, is amended by striking “section 6101(b) to (d)” and substituting “section 6101”.

(7) Section 8709(a) of title 5, United States Code, is amended by striking “section 6101(b) to (d)” and substituting “section 6101”.

(8) Section 8714a(a) of title 5, United States Code, is amended by striking “section 6101(b) to (d)” and substituting “section 6101”.

(9) Section 8714b(a) of title 5, United States Code, is amended by striking “section 6101(b) to (d)” and substituting “section 6101”.

(10) Section 8714c(a) of title 5, United States Code, is amended by striking “section 6101(b) to (d)” and substituting “section 6101”.

(11) Section 8902(a) of title 5, United States Code, is amended by striking “section 6101(b) to (d)” and substituting “section 6101”.

(12) Section 8953 of title 5, United States Code, is amended—

(A) in subsection (a)(1), by striking “section 6101(b) to (d)” and substituting “section 6101”; and

(B) in subsection (d)(3)—

(i) before subparagraph (A), by striking “the Contract Disputes Act of 1978” and substituting “chapter 71 of title 41”; and

(ii) in subparagraph (A), by striking “(after appropriate arrangements, as described in section 8(c) of such Act)”;

(iii) in subparagraph (B), by striking “section 10(a)(1) of such Act” and substituting “section 7104(b)(1) of title 41”.

(13) Section 8983 of title 5, United States Code, is amended—

(A) in subsection (a)(1), by striking “section 6101(b) to (d)” and substituting “section 6101”; and

(B) in subsection (d)(3)—

(i) before subparagraph (A), by striking “the Contract Disputes Act of 1978” and substituting “chapter 71 of title 41”; and

(ii) in subparagraph (A), by striking “(after appropriate arrangements, as described in section 8(c) of such Act)”;

(iii) in subparagraph (B), by striking “section 10(a)(1) of such Act” and substituting “section 7104(b)(1) of title 41”.

(14) Section 9003(a) of title 5, United States Code, is amended by striking “section 6101(b) to (d)” and substituting “section 6101”.

SEC. 5. TITLE 6, UNITED STATES CODE.

(1) Section 309(b)(6) of the Homeland Security Act of 2002 (6 U.S.C. 189(b)(6)) is amended by striking “section 303(b)(1)(C) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253(b)(1)(C))” and substituting “section 3303(a)(1)(C) of title 41, United States Code,”.

(2) Section 833 of the Homeland Security Act of 2002 (6 U.S.C. 393) is amended—

(A) in subsection (b)(1), by striking “section 32 of the Office of Federal Procurement Policy Act (41 U.S.C. 428) the amount specified in subsections (c), (d), and (f) of such section 32” and substituting “section 1902 of title 41, United States Code, the amount specified in subsections (a), (d), and (e) of such section 1902”;

(B) in subsection (b)(2)(A), by striking “section 32(c) of the Office of Federal Procurement Policy Act (41 U.S.C. 428(c))” and substituting “section 1902(d) of title 41, United States Code”;

(C) in subsection (c)(1), by striking “section 4(1) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(1))” and substituting “section 134 of title 41, United States Code,”; and

(D) in subsection (d)(2), by striking “section 31(a)(2) of the Office of Federal Procurement Policy Act (41 U.S.C. 427(a)(2)) and section 303(g)(1)(B) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253(g)(1)(B))” and substituting “sections 1901(a)(2) and 3305(a)(2) of title 41, United States Code,”.

(3) Section 851 of the Homeland Security Act of 2002 (6 U.S.C. 421) is amended by striking “section 4(1) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(1))” and substituting “section 133 of title 41, United States Code”.

(4) Section 853(b) of the Homeland Security Act of 2002 (6 U.S.C. 423(b)) is amended—

(A) in paragraph (1), by striking “Section 4(1) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(1))” and substituting “Section 134 of title 41, United States Code”; and

(B) in paragraph (2), by striking “Section 309(d) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 259(d))” and substituting “Section 153 of title 41, United States Code”.

(5) Section 854 of the Homeland Security Act of 2002 (6 U.S.C. 424) is amended—

(A) by striking “section 32 of the Office of Federal Procurement Policy Act (41 U.S.C. 428)” and substituting “section 1902 of title 41, United States Code,”; and

(B) by striking “subsections (c), (d), and (f) of such section 32” and substituting “subsections (a), (d), and (e) of such section 1902”.

(6) Section 855 of the Homeland Security Act of 2002 (6 U.S.C. 425) is amended—

(A) in subsection (a)(2)—

(i) in subparagraph (A), by striking “Sections 31 and 34 of the Office of Federal Procurement Policy Act (41 U.S.C. 427, 430)” and substituting “Sections 1901 and 1906 of title 41, United States Code”; and

(ii) in subparagraph (C), by striking “Section 303(g) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253(g))” and substituting “Section 3305 of title 41, United States Code”; and

(B) in subsection (b)(1)—

(i) by striking “section 31(a)(2) of the Office of Federal Procurement Policy Act (41 U.S.C. 427(a)(2))” and substituting “section 1901(a)(2) of title 41, United States Code”; and

(ii) by striking “section 303(g)(1)(B) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253(g)(1)(B))” and substituting “section 3305(a)(2) of title 41, United States Code,”.

(7) Section 856(a) of the Homeland Security Act of 2002 (6 U.S.C. 426(a)) is amended—

(A) in paragraph (1)—

(i) in the heading, by striking “FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT

OF 1949” and substituting “PROVISIONS REFERRED TO IN SECTION 171(c) OF TITLE 41, UNITED STATES CODE”;

(ii) before subparagraph (A), by striking “title III of the Federal Property and Administrative Services Act of 1949” and substituting “the provisions referred to in section 171(c) of title 41, United States Code”;

(iii) in subparagraph (A)—

(I) by striking “Paragraphs (1), (2), (6), and (7) of subsection (c) of section 303 (41 U.S.C. 253)” and substituting “Paragraphs (1), (2), (6), and (7) of section 3304(a) of title 41, United States Code”; and

(II) by striking “(subject to subsection (e) of such section)” and substituting “(subject to section 3304(d) of title 41, United States Code)”;

(iv) in subparagraph (B), by striking “Section 303J (41 U.S.C. 253j)” and substituting “Section 4106 of title 41, United States Code”; and

(B) in paragraph (3)—

(i) in the heading, by striking “OFFICE OF FEDERAL PROCUREMENT POLICY ACT” and substituting “PROVISIONS REFERRED TO IN SECTION 172(B) OF TITLE 41, UNITED STATES CODE”; and

(ii) by striking “Paragraphs (1)(B), (1)(D), and (2) of section 18(c) of the Office of Federal Procurement Policy Act (41 U.S.C. 416(c))” and substituting “Paragraphs (1)(B), (1)(D), and (2)(A) of section 1708(b) of title 41, United States Code”.

(8) Section 604(g) of the American Recovery and Reinvestment Act of 2009 (6 U.S.C. 453b(g)) is amended by striking “section 34 of the Office of Federal Procurement Policy Act (41 U.S.C. 430)” and substituting “section 1906 of title 41, United States Code”.

(9) Section 692(c) of the Post-Katrina Emergency Management Reform Act of 2006 (6 U.S.C. 792(c)) is amended by striking “section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403)” and substituting “section 134 of title 41, United States Code”.

(10) Section 695 of the Post-Katrina Emergency Management Reform Act of 2006 (6 U.S.C. 794) is amended—

(A) in subsection (a), by striking “paragraph (2) of section 303(c) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253(c))” and substituting “paragraph (2) of section 3304(a) of title 41, United States Code,”; and

(B) in subsection (c), by striking “section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403)” and substituting “section 134 of title 41, United States Code”.

SEC. 6. TITLE 7, UNITED STATES CODE.

(1) Subsection (f)(1)(G) of the United States Cotton Futures Act (7 U.S.C. 15b(f)(1)(G)) is amended by striking “the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 et seq.)” and substituting “chapter 5 of title 40, United States Code”.

(2) Section 5(a) of the United States Cotton Standards Act (7 U.S.C. 55(a)) is amended by striking “the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 et seq.)” and substituting “chapter 5 of title 40, United States Code”.

(3) Section 7(c) of the United States Grain Standards Act (7 U.S.C. 79(c)) is amended by striking “the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 471 et seq.)” and substituting “chapter 5 of title 40, United States Code”.

(4) Section 10(a) of the Act of June 29, 1935 (ch. 338, 7 U.S.C. 427i(a)) is amended by striking “section 3709, Revised Statutes” and substituting “section 6101 of title 41, United States Code”.

(5) Section 386 of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1386) is amended by

striking “section 3741 of the Revised Statutes (U.S.C., 1934 edition, title 41, sec. 22)” and substituting “section 6306 of title 41, United States Code.”

(6) Section 514(f) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1514(f)) is amended by striking “section 3741 of the Revised Statutes, as amended (41 U.S.C., section 22)” and substituting “section 6306 of title 41, United States Code.”

(7) Section 205(a) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1624(a)) is amended by striking “section 3648 (31 U.S.C., sec. 529) and section 3709 (41 U.S.C., sec. 5) of the Revised Statutes” and substituting “section 3324(a) and (b) of title 31, United States Code, and section 6101 of title 41, United States Code.”

(8) Section 407(c)(2) of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1736a(c)(2)) is amended by striking “Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 et seq.)” and substituting “provisions referred to in section 171(b) and (c) of title 41, United States Code.”

(9) Section 335(c)(4) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1985(c)(4)) is amended by striking “Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 et seq.)” and substituting “provisions referred to in section 171(b) and (c) of title 41, United States Code.”

(10) Section 716(a) of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1998 (Public Law 105-86, 7 U.S.C. 2208 note) is amended—

(A) in the heading, by striking “BUY AMERICAN ACT” and substituting “CHAPTER 83 OF TITLE 41, UNITED STATES CODE”; and

(B) by striking “sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a-10c; popularly known as the ‘Buy American Act’)” and substituting “chapter 83 of title 41, United States Code”.

(11) Section 921 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 2279b) is amended—

(A) in subsection (h)(4), by striking “the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 et seq.)” and substituting “chapter 5 of title 40, United States Code”; and

(B) in subsection (i), by striking “Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 et seq.)” and substituting “provisions referred to in section 171(b) and (c) of title 41, United States Code”.

(12) Section 1472(e) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3318(e)) is amended by striking “section 3709 of the Revised Statutes (41 U.S.C. 5), and the provisions of section 3648 of the Revised Statutes (31 U.S.C. 529)” and substituting “section 6101 of title 41, United States Code, and the provisions of section 3324(a) and (b) of title 31, United States Code”.

(13) Section 6201(b)(2) of the Farm Security and Rural Investment Act of 2002 (Public Law 107-171, 7 U.S.C. 5901 note) is amended by striking “Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 et seq.)” and substituting “provisions referred to in section 171(b) and (c) of title 41, United States Code.”

SEC. 7. TITLE 8, UNITED STATES CODE.

(1) Section 602(c)(4) of the Afghan Allies Protection Act of 2009 (Public Law 111-8, 8 U.S.C. 1101 note) is amended by striking “section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403)” and substituting “section 133 of title 41, United States Code”.

(2) Section 1248(c)(3) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181, 8 U.S.C. 1157 note) is amended by striking “section 4(1) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(1))” and substituting “section 133 of title 41, United States Code”.

(3) Section 241(g)(1) of the Immigration and Nationality Act (8 U.S.C. 1231(g)(1)) is amended by striking “section 3709 of the Revised Statutes (41 U.S.C. 5)” and substituting “section 6101 of title 41, United States Code”.

(4) Section 285(a) of the Immigration and Nationality Act (8 U.S.C. 1355(a)) is amended by striking “section 3709 of the Revised Statutes, as amended (41 U.S.C. 5),” and substituting “section 6101 of title 41, United States Code”.

(5) Section 294(a)(1) of the Immigration and Nationality Act (8 U.S.C. 1363a(a)(1)) is amended—

(A) in subparagraph (B), by striking “section 3732(a) of the Revised Statutes (41 U.S.C. 11(a))” and substituting “section 6301(a) and (b)(1) through (3) of title 41, United States Code”; and

(B) in subparagraph (C), by striking “section 305 of the Act of June 30, 1949 (63 Stat. 396; 41 U.S.C. 255)” and substituting “chapter 45 of title 41, United States Code”; and

(C) in subparagraph (F), by striking “section 3741 of the Revised Statutes (41 U.S.C. 22)” and substituting “section 6306 of title 41, United States Code”; and

(D) in subparagraph (G), by striking “subsections (a) and (c) of section 304 of the Federal Property and Administrative Services Act of 1949 (63 Stat. 395; 41 U.S.C. 254(a) and (c))” and substituting “section 3901 of title 41, United States Code”.

SEC. 8. TITLE 10, UNITED STATES CODE.

(1) Effective January 4, 2011, section 5(b) of Public Law 111-350 (124 Stat. 3842) is amended—

(A) in paragraph (34), by striking “2461(c)(1)” and substituting “2461(d)(1)”; and

(B) in paragraph (44)—

(i) by striking “2667(f)(1)” and substituting “2667(g)(1)”; and

(ii) by striking “(a)(3)” and substituting “(a)(2)”; and

(C) in paragraph (47), by striking “2696(a)” and substituting “2696(b)”; and

(D) in paragraph (50), by striking “2878(d)(2)” and substituting “2878(e)(2)”.

(2) Section 722(b)(2) of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104-201, 10 U.S.C. 1073 note) is amended by striking “section 25(c) of the Office of Federal Procurement Policy Act (41 U.S.C. 421(c))” and substituting “section 1303(a) of title 41, United States Code”.

(3) Section 847 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181, 10 U.S.C. 1701 note) is amended—

(A) in subsection (a)(5), by striking “section 27(e) of the Office of Federal Procurement Policy Act (41 U.S.C. 423(e))” and substituting “section 2105 of title 41, United States Code”; and

(B) in subsection (c)(1), by striking “section 4(16) of the Office of Federal Procurement Policy Act” and substituting “section 131 of title 41, United States Code”; and

(C) in subsection (d)(1), by striking “section 27 of the Office of Federal Procurement Policy Act (41 U.S.C. 423)” and substituting “chapter 21 of title 41, United States Code”.

(4) Section 2013(a)(1) of title 10, United States Code, is amended by striking “section 6101(b)-(d)” and substituting “section 6101”.

(5) Section 2194(b)(2) of title 10, United States Code, is amended by striking “sub-title I of title 40 and division C (except sec-

tions 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I” and substituting “section 171(b) and (c)”.

(6) Section 2302 of title 10, United States Code, is amended—

(A) in paragraph (7), by striking “section 4 of such Act” and substituting “section 134 of title 41”; and

(B) in paragraph (9)(A)—

(i) by striking “section 26 of the Office of Federal Procurement Policy Act (41 U.S.C. 422)” and substituting “chapter 15 of title 41”; and

(ii) by striking “such section” and substituting “such chapter”.

(7) Section 866 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383, 10 U.S.C. 2302 note) is amended—

(A) in subsection (b)(4)(A), by striking “section 26 of the Office of Federal Procurement Policy Act (41 U.S.C. 422)” and substituting “chapter 15 of title 41, United States Code”; and

(B) in subsection (e)(2)(A), by striking “section 4(13) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(13))” and substituting “section 110 of title 41, United States Code”.

(8) Section 893(f)(2) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383, 10 U.S.C. 2302 note) is amended by striking “section 26 of the Office of Federal Procurement Policy Act (41 U.S.C. 422)” and substituting “chapter 15 of title 41, United States Code”.

(9) Section 862 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181, 10 U.S.C. 2302 note) is amended—

(A) in subsection (b)(1), by striking “section 25 of the Office of Federal Procurement Policy Act (41 U.S.C. 421)” and substituting “section 1303 of title 41, United States Code”; and

(B) in subsection (d)(1), by striking “section 6(j) of the Office of Federal Procurement Policy Act (41 U.S.C. 405(j))” and substituting “section 1126 of title 41, United States Code”.

(10) Section 832(d)(3) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364, 10 U.S.C. 2302 note) is amended by striking “section 8(b) of the Service Contract Act of 1965 (41 U.S.C. 357(b))” and substituting “section 6701(3) of title 41, United States Code”.

(11) Section 821 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (Public Law 106-398, §1 [H.R. 5408], 10 U.S.C. 2302 note) is amended—

(A) in subsection (a), by striking “sections 6 and 25 of the Office of Federal Procurement Policy Act (41 U.S.C. 405 and 421)” and substituting “sections 1121 and 1303 of title 41, United States Code”; and

(B) in subsection (e)(2), by striking “section 4(12) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(12))” and substituting “section 103 of title 41, United States Code”.

(12) Section 822 of the National Defense Authorization Act for Fiscal Year 1996 (Public Law 104-106, 10 U.S.C. 2302 note) is amended—

(A) in subsection (d)(1)(B), by striking “section 26(f) of the Office of Federal Procurement Policy Act (41 U.S.C. 422(f))” and substituting “section 1502(a) and (b) of title 41, United States Code”; and

(B) in subsection (e)(3)(B)(iii), by striking “section 26(f) of the Office of Federal Procurement Policy Act (41 U.S.C. 422(f))” and substituting “section 1502(a) and (b) of title 41, United States Code”; and

(C) in subsection (f)—

(i) by striking “section 26(f) of the Office of Federal Procurement Policy Act (41 U.S.C. 422(f))” and substituting “section 1502(a) and (b) of title 41, United States Code”; and

(ii) by striking “such section 26(f)” and substituting “such section 1502(a) and (b)”; and

(D) in subsection (g)(2)(A), by striking “section 34 of the Office of Federal Procurement Policy Act (41 U.S.C. 430)” and substituting “section 1906 of title 41, United States Code”.

(13) Section 326(c)(2) of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102-484, 10 U.S.C. 2302 note) is amended by striking “section 25(c) of the Office of Federal Procurement Policy Act (41 U.S.C. 421(c))” and substituting “section 1303(a) of title 41, United States Code”.

(14) Section 806 of the National Defense Authorization Act for Fiscal Years 1992 and 1993 (Public Law 102-190, 10 U.S.C. 2302 note) is amended—

(A) in subsection (b), by striking “section 4(12) of the Office of Federal Procurement Policy Act” and substituting “section 103 of title 41, United States Code”; and

(B) in subsection (c)—

(i) by striking “section 25(a) of the Office of Federal Procurement Policy Act” and substituting “section 1302(a) of title 41, United States Code”; and

(ii) by striking “section 25(c)(1) of the Office of Federal Procurement Policy Act (41 U.S.C. 421(c)(1))” and substituting “section 1303(a)(1) of title 41, United States Code”.

(15) Section 831 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101-510, 10 U.S.C. 2302 note) is amended—

(A) by striking “(1) DEFINITIONS” and substituting “(1) DEFINITIONS”; and

(B) in subsection (1)(8), as amended by subparagraph (A), by striking “the first section of the Act of June 25, 1938 (41 U.S.C. 46; popularly known as the ‘Wagner-O’Day Act’)” and substituting “section 8502 of title 41, United States Code”.

(16) Section 9002(c) of the Federal Acquisition Streamlining Act of 1994 (Public Law 103-355, 10 U.S.C. 2302c note) is amended by striking “section 18(a)(3)(B) of the Office of Federal Procurement Policy Act” and substituting “section 1708(e)(1)(B) of title 41, United States Code”.

(17) Section 821(b)(2) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181, 10 U.S.C. 2304 note) is amended by striking “section 4(12) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(12))” and substituting “section 103 of title 41, United States Code”.

(18) Section 848(e)(1) of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105-85, 10 U.S.C. 2304 note) is amended by striking “section 32 of the Office of Federal Procurement Policy Act (41 U.S.C. 428)” and substituting “section 1902 of title 41, United States Code”.

(19) Section 4202(e) of the Clinger-Cohen Act of 1996 (Public Law 104-106, div. D, 10 U.S.C. 2304 note) is amended by striking “section 2304(g)(1) of title 10, United States Code, section 303(g)(1) of the Federal Property and Administrative Services Act of 1949, and section 31(a) of the Office of Federal Procurement Policy Act, as amended by this section” and substituting “section 2304(g)(1) of title 10, United States Code, as amended by this section, and sections 1901(a) and 3305(a) of title 41, United States Code, as in effect on February 10, 1996, and amended by this section”.

(20) Section 834 of the John Warner National Defense Authorization Act for Fiscal

Year 2007 (Public Law 109-364, 10 U.S.C. 2304b note) is amended—

(A) in subsection (b)—

(i) in paragraph (1), by striking “section 303I of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253i)” and substituting “section 4105 of title 41, United States Code”; and

(ii) in paragraph (2), by striking “section 16(a) of the Office of Federal Procurement Policy Act (41 U.S.C. 414(a))” and substituting “section 1702(a) and (b)(1) and (2) of title 41, United States Code”; and

(iii) in paragraph (3)(A), by striking “section 303I(i) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253i(i))” and substituting “section 4105(a) of title 41, United States Code”; and

(B) in subsection (d)(2)(B), by striking “section 303I(i) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253i(i))” and substituting “section 4105(a) of title 41, United States Code”.

(21) Section 2306a(b)(3)(B) of title 10, United States Code, is amended by striking “section 4(12)(C)(i) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(12)(C)(i))” and substituting “section 103(3)(A) of title 41”.

(22) Section 817(e)(1)(B) of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107-314, 10 U.S.C. 2306a note) is amended by striking “section 26(f)(5)(B) of the Office of Federal Procurement Policy Act (41 U.S.C. 422(f)(5)(B))” and substituting “section 1502(b)(3)(B) of title 41, United States Code”.

(23) Section 803 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105-261, 10 U.S.C. 2306a note) is amended—

(A) in subsection (a)(1), by striking “sections 6 and 25 of the Office of Federal Procurement Policy Act (41 U.S.C. 405, 421)” and substituting “sections 1121 and 1303 of title 41, United States Code”; and

(B) in subsection (a)(2)(D), by striking “section 4(12) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(12))” and substituting “section 103 of title 41, United States Code”; and

(C) in subsection (d), by striking “subsection (b)(1)(B) of section 304A of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 254b)” and substituting “section 3503(a)(2) of title 41, United States Code”.

(24) Section 2314 of title 10, United States Code, is amended by striking “Sections 6101(b)–(d)” and substituting “Sections 6101”.

(25) Section 1075(b)(3) of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103-337, 10 U.S.C. 2315 note) is amended by striking “section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403)” and substituting “section 111 of title 41, United States Code”.

(26) Section 2321(f)(2) of title 10, United States Code, is amended by striking “section 35(c) of the Office of Federal Procurement Policy Act (41 U.S.C. 431(c))” and substituting “section 104 of title 41”.

(27) Section 811(d)(2) of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103-160, 10 U.S.C. 2323 note) is amended by striking “section 22 of the Office of Federal Procurement Policy Act (41 U.S.C. 418b)” and substituting “section 1707 of title 41, United States Code”.

(28) Section 804(d) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105-261, 10 U.S.C. 2324 note) is amended by striking “section 306(1) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 256(1))”

and substituting “section 4301(2) of title 41, United States Code”.

(29) Section 852(b)(2)(A)(ii) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364, 10 U.S.C. 2324 note) is amended by striking “section 4(12) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(12))” and substituting “section 103 of title 41, United States Code”.

(30) Section 805(c)(1) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181, 10 U.S.C. 2330 note) is amended—

(A) in subparagraph (A), by striking “section 4(12)(E) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(12)(E))” and substituting “section 103(5) of title 41, United States Code”; and

(B) in subparagraph (C)(i), by striking “section 4(12)(F) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(12)(F))” and substituting “section 103(6) of title 41, United States Code”.

(31) Section 801(f)(1) of the National Defense Authorization Act for Fiscal Year 2002 (Public Law 107-107, 10 U.S.C. 2330 note) is amended by striking “section 16(3) of the Office of Federal Procurement Policy Act (41 U.S.C. 414(3))” and substituting “section 1702(c)(1) and (2) of title 41, United States Code”.

(32) Section 1601(c) of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108-136, 10 U.S.C. 2358 note) is amended—

(A) in paragraph (1)(A), by striking “section 32A of the Office of Federal Procurement Policy Act, as added by section 1443 of this Act” and substituting “section 1903 of title 41, United States Code”; and

(B) in paragraph (2)(B), by striking “Subsections (a) and (b) of section 7 of the Anti-Kickback Act of 1986 (41 U.S.C. 57(a) and (b))” and substituting “section 8703(a) of title 41, United States Code”.

(33) Section 2359a(h) of title 10, United States Code, is amended by striking “section 16(c) of the Office of Federal Procurement Policy Act (41 U.S.C. 414(c))” and substituting “section 1702(c) of title 41”.

(34) Section 2359b(k)(4)(A) of title 10, United States Code, is amended by striking “section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403)” and substituting “section 110 of title 41”.

(35) Section 845 of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103-160, 10 U.S.C. 2371 note) is amended—

(A) in subsection (a)(2)(A), by striking “section 16(c) of the Office of Federal Procurement Policy Act (41 U.S.C. 414(c))” and substituting “section 1702(c) of title 41, United States Code”; and

(B) in subsection (d)(1)(B)(ii), by striking “section 16(3) of the Office of Federal Procurement Policy Act (41 U.S.C. 414(3))” and substituting “section 1702(c)(1) and (2) of title 41, United States Code”; and

(C) in subsection (e)(2)(A), by striking “section 4(12) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(12))” and substituting “section 103 of title 41, United States Code”; and

(D) in subsection (h), by striking “section 27 of the Office of Federal Procurement Policy Act (41 U.S.C. 423)” and substituting “chapter 21 of title 41, United States Code”.

(36) Section 8304(5) of the Federal Acquisition Streamlining Act of 1994 (Public Law 103-355, 10 U.S.C. 2375 note) is amended by striking “the Javits-Wagner-O’Day Act (41 U.S.C. 46-48c)” and substituting “chapter 85 of title 41, United States Code”.

(37) Section 2379 of title 10, United States Code, is amended—

(A) in subsection (a)(1)(A), by striking “section 4(12) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(12))” and substituting “section 103 of title 41”;

(B) in subsection (b), by striking “section 35(c) of the Office of Federal Procurement Policy Act (41 U.S.C. 431(c))” and substituting “section 104 of title 41”;

(C) in subsection (b)(2)(A), by striking “section 4(12) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(12))” and substituting “section 103 of title 41”;

(D) in subsection (c)(1), by striking “section 35(c) of the Office of Federal Procurement Policy Act (41 U.S.C. 431(c))” and substituting “section 104 of title 41”; and

(E) in subsection (c)(1)(B)(i), by striking “section 4(12) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(12))” and substituting “section 103 of title 41”.

(38) Section 2382 of title 10, United States Code, is amended—

(A) in subsection (c)(2)(B), by striking “sections 303H through 303K of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253h through 253k)” and substituting “sections 4101, 4103, 4105, and 4106 of title 41”; and

(B) in subsection (c)(3)(A), by striking “section 16(c) of the Office of Federal Procurement Policy Act (41 U.S.C. 414(c))” and substituting “section 1702(c) of title 41”.

(39) Section 810(b)(2)(A) of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105-85, 10 U.S.C. 2405 note) is amended by striking “the Contract Disputes Act of 1978” and substituting “chapter 71 of title 41, United States Code”.

(40) Section 8025(c) of the Department of Defense Appropriations Act, 2004 (Public Law 108-87, 10 U.S.C. 2410d note) is amended by striking “the Javits-Wagner-O’Day Act (41 U.S.C. 46-48)” and substituting “chapter 85 of title 41, United States Code”.

(41) Section 2410m(b)(1)(B)(ii) of title 10, United States Code, is amended by striking “section 7 of the Contract Disputes Act of 1978” and substituting “section 7104(a) of title 41”.

(42) Section 2461(d)(1) of title 10, United States Code, is amended by striking “section 2 of the Javits-Wagner-O’Day Act (41 U.S.C. 47)” and substituting “section 8503 of title 41”.

(43) Section 812(b)(2) of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108-136, 10 U.S.C. 2501 note) is amended by striking “section 6(d)(4)(A) of the Office of Federal Procurement Policy Act (41 U.S.C. 405(d)(4)(A))” and substituting “section 1122(a)(4)(A) of title 41, United States Code”.

(44) Section 8118 of the Department of Defense Appropriations Act, 2005 (Public Law 108-287, 10 U.S.C. 2533a note) is amended by striking “section 34 of the Office of Federal Procurement Policy Act (41 U.S.C. 430)” and substituting “section 1906 of title 41, United States Code”.

(45) Section 2533b of title 10, United States Code, is amended—

(A) in subsection (h)(1), by striking “sections 34 and 35 of the Office of Federal Procurement Policy Act (41 U.S.C. 430 and 431)” and substituting “sections 1906 and 1907 of title 41”;

(B) in subsection (h)(2), by striking “section 35(c) of the Office of Federal Procurement Policy Act (41 U.S.C. 431(c))” and substituting “section 104 of title 41”;

(C) in subsection (m)(2), by striking “section 4 of the Office of Federal Procurement

Policy Act (41 U.S.C. 403)” and substituting “section 105 of title 41”;

(D) in subsection (m)(3), by striking “section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403)” and substituting “section 131 of title 41”; and

(E) in subsection (m)(5), by striking “section 35(c) of the Office of Federal Procurement Policy Act (41 U.S.C. 431(c))” and substituting “section 104 of title 41”.

(46) Section 846(a) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383, 10 U.S.C. 2534 note) is amended—

(A) by striking “the Buy American Act (41 U.S.C. 10a et seq.)” and substituting “chapter 83 of title 41, United States Code”; and

(B) by striking “that Act” and substituting “that chapter”.

(47) Section 2545(1) of title 10, United States Code, is amended by striking “section 4(16) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(16))” and substituting “section 131 of title 41”.

(48) Section 2562(a)(1) of title 10, United States Code, is amended by striking “subtitle I of title 40 and division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I” and substituting “the provisions of section 171(b) and (c)”.

(49) Section 2576(a) of title 10, United States Code, is amended by striking “subtitle I of title 40 and division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I” and substituting “the provisions of section 171(b) and (c)”.

(50) Section 2664(a) of title 10, United States Code, is amended by striking “subtitle I of title 40 and title III of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 251 et seq.)” and substituting “the provisions of section 171(b) and (c) of title 41”.

(51) Section 2667(g)(1) of title 10, United States Code, is amended by striking “subsection (a)(2) or subtitle I of title 40 and title III of the Federal Property and Administrative Services Act of 1949 (to the extent subtitle I and title III are inconsistent with this subsection)” and substituting “chapter 5 of title 40 (to the extent such chapter is inconsistent with this subsection) or subsection (a)(3)”.

(52) Section 2905(b)(2)(A)(i) of the Defense Base Closure and Realignment Act of 1990 (Public Law 101-510, div. B, title XXIX, part A, 10 U.S.C. 2687 note) is amended by striking “the Federal Property and Administrative Services Act of 1949” and substituting “chapter 5 of title 40, United States Code”.

(53) Section 204(b)(2)(A)(i) of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100-526, 10 U.S.C. 2687 note) is amended by striking “the Federal Property and Administrative Services Act of 1949” and substituting “chapter 5 of title 40, United States Code”.

(54) Section 2691(b) of title 10, United States Code, is amended by striking “subtitle I of title 40 and division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I” and substituting “section 171(b) and (c)”.

(55) Section 2696(b) of title 10, United States Code, is amended by striking “subtitle I of title 40 and title III of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 251 et seq.)” and substituting “chapter 5 of title 40”.

(56) Section 2854a(d)(1) of title 10, United States Code, is amended by striking “Subtitle I of title 40 and division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I” and substituting “Section 171(b) and (c)”.

(57) Section 2878(e)(2) of title 10, United States Code, is amended by striking “Subtitle I of title 40 and title III of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 251 et seq.)” and substituting “chapter 5 of title 40”.

(58) Section 7305(d) of title 10, United States Code, is amended by striking “subtitle I of title 40 and division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I” and substituting “the provisions of section 171(b) and (c)”.

(59) Section 7312(f) of title 10, United States Code, is amended by striking “Section 3709 of the Revised Statutes (41 U.S.C. 5)” and substituting “Section 6101 of title 41”.

(60) Section 3412(k) of the National Defense Authorization Act for Fiscal Year 1996 (Public Law 104-106, 10 U.S.C. 7420 note) is amended by striking “paragraph (7) of section 303(c) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253(c))” and substituting “section 3304(a)(7) of title 41, United States Code”.

(61) Section 9444(b)(1) of title 10, United States Code, is amended by striking “subtitle I of title 40 and division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I” and substituting “the provisions of section 171(b) and (c)”.

(62) Section 9781(g) of title 10, United States Code, is amended by striking “subtitle I of title 40 and division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I” and substituting “the provisions of section 171(b) and (c)”.

SEC. 9. TITLE 12, UNITED STATES CODE.

(1) Section 5153 of the Revised Statutes (12 U.S.C. 90) is amended by striking “Federal Property and Administrative Services Act of 1949, as amended” and substituting “provisions referred to in section 171(b) and (c) of title 41, United States Code”.

(2) Section 4(7) of the Agricultural Marketing Act (12 U.S.C. 1141b(7)) is amended by striking “section 3709 of the Revised Statutes” and substituting “section 6101 of title 41, United States Code”.

(3) Section 502(c)(2) of the Housing Act of 1948 (12 U.S.C. 1701c(c)(2)) is amended by striking “section 3709 of the Revised Statutes” and substituting “section 6101 of title 41, United States Code”.

(4) Section 108(d) of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701z(d)) is amended—

(A) by striking “the Federal Property and Administrative Services Act of 1949” and substituting “chapter 5 title 40, United States Code”; and

(B) by striking “such Act” and substituting “such chapter”.

(5) Section 502 of the Housing and Urban Development Act of 1970 (12 U.S.C. 1701z-2) is amended—

(A) in subsection (c)—

(i) by striking “the Federal Property and Administrative Services Act of 1949” and substituting “chapter 5 of title 40, United States Code”; and

(ii) by striking “such Act” and substituting “such chapter”; and

(B) in subsection (e), by striking “section 3709 of the Revised Statutes” and substituting “section 6101 of title 41, United States Code”.

(6) Section 2(c)(2) of the National Housing Act (12 U.S.C. 1703(c)(2)) is amended by striking “Section 3709 of the Revised Statutes” and substituting “Section 6101 of title 41, United States Code”.

(7) Section 204(g) of the National Housing Act (12 U.S.C. 1710(g)) is amended by striking “section 3709 of the Revised Statutes” and

substituting “section 6101 of title 41, United States Code”.

(8) Section 207(l) of the National Housing Act (12 U.S.C. 1713(l)) is amended by striking “section 3709 of the Revised Statutes” and substituting “section 6101 of title 41, United States Code”.

(9) Section 604(g) of the National Housing Act (12 U.S.C. 1739(g)) is amended by striking “section 3709 of the Revised Statutes” and substituting “section 6101 of title 41, United States Code”.

(10) Section 708(h) of the National Housing Act (12 U.S.C. 1747g(h)) is amended by striking “section 3709 of the Revised Statutes” and substituting “section 6101 of title 41, United States Code”.

(11) Section 712 of the National Housing Act (12 U.S.C. 1747k) is amended by striking “section 3709 of the Revised Statutes” and substituting “section 6101 of title 41, United States Code”.

(12) Section 904(f) of the National Housing Act (12 U.S.C. 1750c(f)) is amended by striking “section 3709 of the Revised Statutes” and substituting “section 6101 of title 41, United States Code”.

(13) Section 208(b) of the Federal Credit Union Act (12 U.S.C. 1788(b)) is amended—

(A) by striking “Federal Property and Administrative Services Act of 1949” and substituting “provisions referred to in section 171(b) and (c) of title 41, United States Code”; and

(B) by striking “Section 3709 of the Revised Statutes of the United States” and substituting “Section 6101 of title 41, United States Code”.

(14) Section 17(g) of the Federal Deposit Insurance Act (12 U.S.C. 1827(g)) is amended by striking “section 3709 of the Revised Statutes” and substituting “section 6101 of title 41, United States Code”.

(15) Section 1316(h)(3) of the Federal Housing Enterprises Financial Safety and Soundness Act of 1992 (12 U.S.C. 4516(h)(3)) is amended by striking “section 3709 of the Revised Statutes of the United States (41 U.S.C. 5)” and substituting “section 6101 of title 41, United States Code”.

(16) Section 319 of the Enhancing Financial Institution Safety and Soundness Act of 2010 (12 U.S.C. 5416) is amended by striking “Federal Property and Administrative Services Act of 1949 (41 U.S.C. 251 et seq.)” and substituting “provisions referred to in section 171(b) and (c) of title 41, United States Code”.

(17) Section 1017(a)(5)(C) of the Consumer Financial Protection Act of 2010 (12 U.S.C. 5497(a)(5)(C)) is amended by striking “section 3709 of the Revised Statutes of the United States (41 U.S.C. 5)” and substituting “section 6101 of title 41, United States Code”.

SEC. 10. TITLE 14, UNITED STATES CODE.

(1) Effective January 4, 2011, section 5(c) of Public Law 111-350 (124 Stat. 3847) is amended—

(A) in paragraph (2), by striking “93(h)” and substituting “93(a)(8)”; and

(B) by striking paragraph (4).

(2) Section 92(d) of title 14, United States Code, is amended by striking “subtitle I of title 40 and division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I of title 41” and substituting “chapter 5 of title 40”.

(3) Section 93(a)(8) of title 14, United States Code, is amended by striking “subtitle I of title 40 and division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I of title 41” and substituting “chapter 5 of title 40”.

(4) Section 576(2) of title 14, United States Code, is amended by striking “section 16 of

the Office of Federal Procurement Policy Act (41 U.S.C. 414)” and substituting “section 1702 of title 41”.

(5) Section 641(a) of title 14, United States Code, is amended by striking “subtitle I of title 40 and division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I of title 41” and substituting “chapter 5 of title 40”.

SEC. 11. TITLE 15, UNITED STATES CODE.

(1) Section 4 of the Metric Conversion Act of 1975 (15 U.S.C. 205c) is amended—

(A) in paragraph (5), by striking “section 403(6) of title 41, United States Code” and substituting “section 107 of title 41, United States Code”; and

(B) in paragraph (8), by striking “has the meaning given such terms in section 304A of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 254b)” and substituting “has the meaning given the term ‘cost or pricing data’ in section 3501(a) of title 41, United States Code”.

(2) Section 7(4) of the Metric Conversion Act of 1975 (15 U.S.C. 205f(4)) is amended by striking “Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 471 et seq.)” and substituting “provisions referred to in section 171(b) and (c) of title 41, United States Code”.

(3) Section 14(a) of the Metric Conversion Act of 1975 (15 U.S.C. 205i(a)) is amended—

(A) by striking “title III of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 251 et seq.)” and substituting “the provisions referred to in section 171(c) of title 41, United States Code”; and

(B) by striking “section 314B(c) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 264b(c))” and substituting “section 3307(d) of title 41, United States Code”;

(C) by striking “section 314B of the Federal Property and Administrative Services Act of 1949” and substituting “subsections (b) through (d) of section 3307 of title 41, United States Code”; and

(D) by striking “2377 or 314B” and substituting “section 2377 or subsections (b) through (d) of section 3307”.

(4) Section 2 of the Act of June 16, 1948 (ch. 483, 15 U.S.C. 313 note), is amended by striking “section 3709 of the Revised Statutes” and substituting “section 6101 of title 41, United States Code”.

(5) Section 417(a) of the Small Business Reauthorization Act of 1997 (Public Law 105-135, 15 U.S.C. 631 note) is amended by striking “section 22 of the Office of Federal Procurement Policy Act (41 U.S.C. 418b)” and substituting “section 1707 of title 41, United States Code”.

(6) Section 3 of the Small Business Act (15 U.S.C. 632) is amended—

(A) in subsection (m), by striking “section 4(1) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(1))” and substituting “section 134 of title 41, United States Code”; and

(B) in subsection (v)(1), by striking “sections 303H through 303K of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253h through 253k)” and substituting “sections 4101, 4103, 4105, and 4106 of title 41, United States Code”.

(7) Section 5 of the Small Business Act (15 U.S.C. 634) is amended—

(A) in subsection (b)(4), by striking “Section 3709 of the Revised Statutes, as amended (41 U.S.C. sec. 5),” and substituting “Section 6101 of title 41, United States Code”; and

(B) in subsection (c), by striking “section 3709 of the Revised Statutes, as amended (41 U.S.C. sec. 5)” and substituting “section 6101 of title 41, United States Code”.

(8) Section 8 of the Small Business Act (15 U.S.C. 637) is amended—

(A) in subsection (d)(4)(F)(ii), by striking “the Contract Disputes Act of 1978 (41 U.S.C. 601-613)” and substituting “chapter 71 of title 41, United States Code”; and

(B) in subsection (d)(12)(E)—

(i) by striking “section 25(a) of the Office of Federal Procurement Policy Act (41 U.S.C. 421(a))” and substituting “section 1302(a) of title 41, United States Code”; and

(ii) by striking “section 25 of such Act” and substituting “section 1303(a) of title 41, United States Code”; and

(C) in subsection (e)(2)(A)(i), by striking “section 18(a)(7) of the Office of Federal Procurement Policy Act (41 U.S.C. 416(a)(7))” and substituting “section 1708(d) of title 41, United States Code”; and

(D) in subsection (g)(2), by striking “section 303(c) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253(c))” and substituting “section 3304(a) of title 41, United States Code”; and

(E) in subsection (h)(1)—

(i) in subparagraph (A)(iii), by striking “section 16(3) of the Office of Federal Procurement Policy Act (41 U.S.C. 414(3))” and substituting “section 1702(c)(1) and (2) of title 41, United States Code”; and

(ii) in subparagraph (B), by striking “title III of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 251 et seq.)” and substituting “the provisions referred to in section 171(c) of title 41, United States Code”; and

(F) in subsection (h)(2)—

(i) by striking “section 303(f)(2) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253(f)(2))” and substituting “section 3304(e)(3) and (4) of title 41, United States Code”; and

(ii) by striking “section 303(f)(1) of such Act or section 2304(f)(1) of such title” and substituting “section 3304(e)(1) of title 41, United States Code, or section 2304(f)(1) of title 10, United States Code”; and

(G) in subsection (j), by striking “section 4(1) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(1))” and substituting “section 133 of title 41, United States Code”; and

(H) in subsection (m)(1)(A), by striking “section 27(f)(5) of the Office of Federal Procurement Policy Act (41 U.S.C. 423(f)(5))” and substituting “section 2101(1) of title 41, United States Code”.

(9) Section 1321 of the Small Business Jobs Act of 2010 (Public Law 111-240, 15 U.S.C. 637 note) is amended—

(A) by striking “section 25(a) of the Office of Federal Procurement Policy Act (41 U.S.C. 421(a))” and substituting “section 1302(a) of title 41, United States Code”; and

(B) by striking “section 25 of such Act” and substituting “section 1303(a) of title 41, United States Code”.

(10) Section 304(b) of the Business Opportunity Development Reform Act of 1988 (Public Law 100-656, 15 U.S.C. 637 note) is amended by striking “section 22 of the Office of Federal Procurement Policy Act (41 U.S.C. 418b)” and substituting “section 1707 of title 41, United States Code”.

(11) Section 9 of the Small Business Act (15 U.S.C. 638) is amended—

(A) in subsection (e)(8), by striking “section 35(c)(1) of the Office of Federal Procurement Policy Act” and substituting “section 1303(a)(1) of title 41, United States Code”; and

(B) in subsection (n)(2)(A), by striking “section 25(c)(1) of the Office of Federal Procurement Policy Act” and substituting “section 1303(a)(1) of title 41, United States Code”.

(12) Section 15 of the Small Business Act (15 U.S.C. 644) is amended—

(A) in subsection (c)(1)(A), by striking “the first section of the Act entitled ‘An Act to create a Committee on Purchases of Blind-made Products, and for other purposes’, approved June 25, 1938 (41 U.S.C. 46)” and substituting “section 8502 of title 41, United States Code”;

(B) in subsection (c)(2)(B), by striking “section 2 of the Act entitled ‘An Act to create a Committee on Purchases of Blind-made Products, and for other purposes’, approved June 25, 1938 (41 U.S.C. 47)” and substituting “section 8503 of title 41, United States Code”;

(C) in subsection (q)(2)(A)—
(i) by striking “section 25(a) of the Office of Federal Procurement Policy Act (41 U.S.C. 4219(a))” and substituting “section 1302(a) of title 41, United States Code,”; and

(ii) by striking “section 25 of such Act” and substituting “section 1303(a) of title 41, United States Code,”; and

(D) in subsection (r)(2), by striking “section 303J(b) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253j(b))” and substituting “section 4106(c) of title 41, United States Code”.

(13) Section 2353 of the Federal Acquisition Streamlining Act of 1994 (Public Law 103-355, 15 U.S.C. 644 note) is amended—

(A) in subsection (a)(2), by striking “the Contract Disputes Act of 1978 (41 U.S.C. 601 et seq.)” and substituting “chapter 71 of title 41, United States Code”; and

(B) in subsection (b), by striking “the Contract Disputes Act of 1978 (41 U.S.C. 601 et seq.)” and substituting “chapter 71 of title 41, United States Code”.

(14) Section 133(c) of the Small Business Administration Reauthorization and Amendment Act of 1988 (Public Law 100-590, 15 U.S.C. 644 note) is amended by striking “the first section of the Act entitled ‘An Act to create a Committee on Purchases of Blind-made Products, and for other purposes’, approved June 25, 1938 (41 U.S.C. 46)” and substituting “section 8502 of title 41, United States Code”.

(15) Section 31(b) of the Small Business Act (15 U.S.C. 657a(b)) is amended—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking “section 27(f)(5) of the Office of Federal Procurement Policy Act (41 U.S.C. 423(f)(5))” and substituting “section 2101(1) of title 41, United States Code”; and

(ii) in subparagraph (B), by striking “section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403)” and substituting “section 107 of title 41, United States Code”; and

(B) in paragraph (4), by striking “the Javits-Wagner-O’Day Act (41 U.S.C. 46 et seq.)” and substituting “chapter 85 of title 41, United States Code”.

(16) Section 604(d) of the Veterans Entrepreneurship and Small Business Development Act of 1999 (Public Law 106-50, 15 U.S.C. 657b note) is amended by striking “section 6(d)(4)(A) of the Office of Federal Procurement Policy Act (41 U.S.C. 405(d)(4)(A))” and substituting “section 1122(a)(4)(A) of title 41, United States Code”.

(17) Section 36 of the Small Business Act (15 U.S.C. 657f) is amended—

(A) in subsection (c), by striking “the Javits-Wagner-O’Day Act (41 U.S.C. 46 et seq.)” and substituting “chapter 85 of title 41, United States Code”; and

(B) in subsection (e), by striking “section 27(f)(5) of the Office of Federal Procurement Policy Act (41 U.S.C. 423(f)(5))” and substituting “section 2101(1) of title 41, United States Code”.

(18) Section 44(a) of the Small Business Act (15 U.S.C. 657q(a)) is amended—

(A) in paragraph (1), by striking “section 16(a) of the Office of Federal Procurement Policy Act (41 U.S.C. 414(a))” and substituting “section 1702(a) of title 41, United States Code”; and

(B) in paragraph (3), by striking “section 16(c) of the Office of Federal Procurement Policy Act (41 U.S.C. 414(c))” and substituting “section 1702(c) of title 41, United States Code”.

(19) Section 4(h) of the Commodity Credit Corporation Charter Act (15 U.S.C. 714b(h)) is amended by striking “the Federal Property and Administrative Services Act of 1949, as amended” and substituting “chapter 5 of title 40, United States Code”.

(20) Section 14 of the Commodity Credit Corporation Charter Act (15 U.S.C. 714f) is amended by striking “section 1 of the Act of February 27, 1877, as amended (41 U.S.C. 1940 edition, 22)” and substituting “section 6306(a) of title 41, United States Code”.

(21) Section 21(b)(1) of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2218) is amended by striking “section 3709 of the Revised Statutes, as amended (41 U.S.C. 5)” and substituting “section 6101 of title 41, United States Code”.

(22) Section 8 of the Electric and Hybrid Vehicle Research, Development, and Demonstration Act of 1976 (15 U.S.C. 2507) is amended—

(A) in subsection (c), by striking “section 3709 of the Revised Statutes (41 U.S.C. 5)” and substituting “section 6101 of title 41, United States Code”; and

(B) in subsection (e), by striking “title III of the Act of March 3, 1933 (47 Stat. 1520; 41 U.S.C. 10a-10c)” and substituting “chapter 83 of title 41, United States Code”.

(23) Section 10 of the Toxic Substances Control Act (15 U.S.C. 2609) is amended—

(A) in subsection (a), by striking “sections 3648 and 3709 of the Revised Statutes (31 U.S.C. 529, 41 U.S.C. 5)” and substituting “section 3324(a) and (b) of title 31, United States Code, and section 6101 of title 41, United States Code”; and

(B) in subsection (b)(2)(B), by striking “sections 3648 and 3709 of the Revised Statutes (31 U.S.C. 529, 41 U.S.C. 5)” and substituting “section 3324(a) and (b) of title 31, United States Code, and section 6101 of title 41, United States Code”.

(24) Section 27(b) of the Toxic Substances Control Act (15 U.S.C. 2626(b)) is amended by striking “sections 3648 and 3709 of the Revised Statutes (31 U.S.C. 529; 41 U.S.C. 5)” and substituting “section 3324(a) and (b) of title 31, United States Code, and section 6101 of title 41, United States Code”.

(25) Section 208 of the High-Performance Computing Act of 1991 (15 U.S.C. 5528) is amended—

(A) in subsection (b)(1)(B), by striking “title III of the Act of March 3, 1933 (41 U.S.C. 10a-10d; popularly known as the Buy American Act) as amended by the Buy American Act of 1988” and substituting “chapter 83 of title 41, United States Code”; and

(B) in subsection (c)—

(i) in the heading, by striking “BUY AMERICAN ACT” and substituting “CHAPTER 83 OF TITLE 41, UNITED STATES CODE”; and

(ii) by striking “title III of the Act of March 3, 1933 (41 U.S.C. 10a-10d; popularly known as the Buy American Act), as amend-

ed by the Buy American Act of 1988,” and substituting “chapter 83 of title 41, United States Code”.

SEC. 12. TITLE 16, UNITED STATES CODE.

(1) Section 3(g) of the National Park System General Authorities Act (16 U.S.C. 1a-2(g)) is amended by striking “the Federal Property and Administrative Services Act of 1949, as amended,” and substituting “chapter 5 of title 40, United States Code”.

(2) Section 3 of the Act of May 26, 1930 (ch. 324, 16 U.S.C. 17b), is amended by striking “section 3709 of the Revised Statutes of the United States” and substituting “section 6101 of title 41, United States Code”.

(3) Section 10 of the Act of May 26, 1930 (ch. 324, 16 U.S.C. 17i), is amended by striking “sections 3709 and 3744 of the Revised Statutes” and substituting “section 6101 of title 41, United States Code”.

(4) Section 3 of Public Law 90-545 (16 U.S.C. 79c) is amended—

(A) in subsection (b)(2), by striking “the Federal Property and Administrative Services Act of 1949, as amended” and substituting “chapter 5 of title 40, United States Code”; and

(B) in subsection (c), by striking “the Federal Property and Administrative Services Act of 1949 (63 Stat. 377), as amended (40 U.S.C. 471 et seq.)” and substituting “chapter 5 of title 40”.

(5) Section 201(a) of Public Law 91-661 (16 U.S.C. 160b(a)) is amended by striking “the Federal Property and Administrative Services Act of 1949 (63 Stat. 377), as amended” and substituting “chapter 5 of title 40, United States Code”.

(6) Section 2 of the Act of December 22, 1944 (ch. 674, 16 U.S.C. 343b), is amended by striking “section 355, as amended, section 1136, as amended, and section 3709 of the Revised Statutes (except the last paragraph of said section 355, as amended)” and substituting “sections 3111 and 3112 of title 40, United States Code, and section 6101 of title 41, United States Code (except said section 3112)”.

(7) Section 317 of Public Law 98-146 (16 U.S.C. 396f) is amended by striking “the Federal Property and Administrative Services Act of 1949” and substituting “chapter 5 of title 40, United States Code”.

(8) Section 9102(e) of the Department of Defense Appropriations Act, 1990 (Public Law 101-165, 16 U.S.C. 396f note) is amended by striking “the Federal Property and Administrative Services Act of 1949, as amended” and substituting “section 102 of title 40, United States Code”.

(9) Section 102(d) of the Everglades National Park Protection and Expansion Act of 1989 (16 U.S.C. 410r-6(d)) is amended by striking “the Federal Property and Administrative Services Act of 1949 (63 Stat. 377)” and substituting “chapter 5 of title 40, United States Code”.

(10) Section 2 of Public Law 86-62 (16 U.S.C. 430a-2) is amended by striking “the Federal Property and Administrative Services Act of 1949, as amended” and substituting “chapter 5 of title 40, United States Code”.

(11) Section 102(c) of Public Law 101-442 (16 U.S.C. 430h-7(c)) is amended by striking “the Federal Property and Administrative Services Act of 1949, as amended” and substituting “chapter 5 of title 40, United States Code”.

(12) Subparagraph (D) of the introductory provisions of section 3 of Public Law 90-468 (16 U.S.C. 441i) is amended by striking “the Federal Property and Administrative Services Act of 1949” and substituting “chapter 5 of title 40, United States Code”.

(13) Section 2(a) of the Act of May 17, 1954 (ch. 204, 16 U.S.C. 450jj-1(a)), is amended by striking “section 3709 of the Revised Statutes, as amended” and substituting “section 6101 of title 41, United States Code”.

(14) Public Law 87-313 (16 U.S.C. 459a-4 note) is amended by striking “the Federal Property and Administrative Services Act of 1949, as amended” and substituting “chapter 5 of title 40, United States Code”.

(15) Section 2(a) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l-5(a)) is amended by striking “the Federal Property and Administrative Services Act of 1949, as amended” and substituting “chapter 5 of title 40, United States Code”.

(16) Section 2(a) of Public Law 92-237 (16 U.S.C. 460m-9(a)) is amended by striking “the Federal Property and Administrative Services Act of 1949 (63 Stat. 377; 40 U.S.C. 471 et seq.), as amended” and substituting “chapter 5 of title 40, United States Code”.

(17) Section 8(a) of Public Law 91-479 (16 U.S.C. 460x-7(a)) is amended by striking “the Federal Property and Administrative Services Act of 1949 (63 Stat. 377), as amended (40 U.S.C. 471 et seq.)” and substituting “chapter 5 of title 40, United States Code”.

(18) Section 3(a) of Public Law 92-589 (16 U.S.C. 460bb-2(a)) is amended by striking “the Federal Property and Administrative Services Act of 1949 (63 Stat. 377), as amended” and substituting “chapter 5 of title 40, United States Code”.

(19) Section 108(c)(1) of the Water Resources Development Act of 1974 (16 U.S.C. 460ee(c)(1)) is amended by striking “the Federal Property and Administrative Services Act of 1949 (63 Stat. 377; 40 U.S.C. 471 et seq.), as amended” and substituting “chapter 5 of title 40, United States Code”.

(20) Section 2(d) of Public Law 93-555 (16 U.S.C. 460ff-1(d)) is amended by striking “the Federal Property and Administrative Services Act of 1949, as amended” and substituting “chapter 5 of title 40, United States Code”.

(21) Section 2(a) of Public Law 94-235 (16 U.S.C. 460hh-1(a)) is amended by striking “the Federal Property and Administrative Services Act of 1949 (63 Stat. 377), as amended” and substituting “chapter 5 of title 40, United States Code”.

(22) Section 102(b) of Public Law 95-344 (16 U.S.C. 460ii-1(b)) is amended by striking “the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 et seq.)” and substituting “chapter 5 of title 40, United States Code”.

(23) Section 545(d)(1)(B) of The Land Between the Lakes Protection Act of 1998 (16 U.S.C. 460ll-45(d)(1)(B)) is amended by striking “the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 et seq.)” and substituting “chapter 5 of title 40, United States Code”.

(24) Section 308(b)(2) of the National Historic Preservation Act (16 U.S.C. 470w-7(b)(2)) is amended by striking “the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 472(e))” and substituting “section 102(3) of title 40, United States Code”.

(25) The proviso relating to open purchase, without advertising, of seeds, cones, and nursery stock under the heading “GENERAL EXPENSES, FOREST SERVICE” under the heading “FOREST SERVICE.” under the heading “DEPARTMENT OF AGRICULTURE.” in the Act of June 30, 1914 (ch. 131, 16 U.S.C. 504), is amended by striking “section 3709, Revised Statutes (41 U.S.C. 5)” and substituting “section 6101 of title 41, United States Code”.

(26) The first section of the Act of July 26, 1956 (ch. 736, 16 U.S.C. 505a), is amended by

striking “the Federal Property and Administrative Services Act of 1949, as amended” and substituting “chapter 5 of title 40, United States Code”.

(27) Section 3 of the Act of April 24, 1950 (ch. 97, 16 U.S.C. 580c), is amended by striking “section 3709, Revised Statutes (41 U.S.C. 5)” and substituting “section 6101 of title 41, United States Code”.

(28) Section 302(b) of the Department of Agriculture Organic Act of 1944 (16 U.S.C. 590q-1) is amended by striking “the Federal Property and Administrative Services Act of 1949, as amended” and substituting “chapter 5 of title 40, United States Code”.

(29) Section 5(c) of the Act of August 11, 1939 (ch. 717, 16 U.S.C. 590z-3(c)) is amended by striking “section 3709 of the Revised Statutes (41 U.S.C. 5)” and substituting “section 6101 of title 41, United States Code”.

(30) Section 9(d)(2)(A) of the Pittman-Robertson Wildlife Restoration Act (known as the Federal Aid in Wildlife Restoration Act) (16 U.S.C. 669h(d)(2)(A)) is amended by striking “section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403)” and substituting “section 132 of title 41, United States Code”.

(31) Section 209(d) of the Sikes Act (16 U.S.C. 670o(d)) is amended by striking “title III (other than section 304) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 251-260)” and substituting “the provisions referred to in subsection 171(c) (except sections 3901 and 3905) of title 41, United States Code”.

(32) Section 3 of the Act of May 11, 1938 (ch. 193, 16 U.S.C. 757) is amended by striking “section 3709 of the Revised Statutes” and substituting “section 6101 of title 41, United States Code”.

(33) Section 9(d)(2)(A) of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777h(d)(2)(A)) is amended by striking “section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403)” and substituting “section 132 of title 41, United States Code”.

(34) Section 2 of the Federal Power Act (16 U.S.C. 793) is amended by striking “Federal Property and Administrative Services Act of 1949, as amended” and substituting “the provisions referred to in section 171(b) and (c) of title 41, United States Code”.

(35) Section 14 of the Whaling Convention Act of 1949 (16 U.S.C. 916l) is amended—

(A) in paragraph (2)(e), by striking “section 11 of the Act of March 1, 1919 (U.S.C., title 44, sec. 111), and section 3709 of the Revised Statutes (U.S.C., title 41, sec. 5)” and substituting “section 501 of title 44, United States Code, and section 6101 of title 41, United States Code”; and

(B) in paragraph (2)(f), by striking “section 3709 of the Revised Statutes (U.S.C., title 41, sec. 5)” and substituting “section 6101 of title 41, United States Code”.

(36) Section 12 of the Tuna Conventions Act of 1950 (16 U.S.C. 961) is amended—

(A) in subsection (c), by striking “section 11 of the Act of March 1, 1919 (U.S.C., title 44, sec. 111), or section 3709 of the Revised Statutes (U.S.C., title 41, sec. 5)” and substituting “section 501 of title 44, United States Code, or section 6101 of title 41, United States Code”; and

(B) in subsection (d), by striking “section 3709 of the Revised Statutes (U.S.C., title 41, sec. 5)” and substituting “section 6101 of title 41, United States Code”.

(37) Section 2(b)(1) of Public Law 87-758 (16 U.S.C. 1052(b)(1)) is amended by striking “section 3709 of the Revised Statutes of the United States (41 U.S.C. 5)” and substituting “section 6101 of title 41, United States Code”.

(38) Section 114(a) of the Department of the Interior, Environment, and Related Agencies Appropriations Act, 2012 (Public Law 112-74, 125 Stat. 1009) is amended—

(A) by striking “section 304B of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 254c)” and substituting “section 3903 of title 41, United States Code”; and

(B) by striking “5-year term restriction in subsection (d)” and substituting “5-year term restriction in subsection (a)”.

(39) Section 8(f)(2) of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2104(f)(2)) is amended by striking “section 3709 of the Revised Statutes (41 U.S.C. 5)” and substituting “section 6101 of title 41, United States Code”.

(40) Section 347(c)(2) of the Department of the Interior and Related Agencies Appropriations Act, 1999 (Public Law 105-277, division A, section 101(e), 16 U.S.C. 2104 note) is amended by striking “section 304B of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 254c)” and substituting “section 3903 of title 41, United States Code”.

(41) Section 10(c) of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2106(c)) is amended by striking “the Federal Property and Administrative Services Act of 1949” and substituting “chapter 5 of title 40, United States Code”.

(42) Section 4(e)(1) of the Coastal Barrier Resources Act (16 U.S.C. 3503(e)(1)) is amended by striking “the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 et seq.)” and substituting “chapter 5 of title 40, United States Code”.

SEC. 13. TITLE 18, UNITED STATES CODE.

(1) Section 443 of title 18, United States Code, is amended by striking “section 103 of Title 41” and substituting “section 3 of the Contract Settlement Act of 1944 (ch. 358, 58 Stat. 650)”.

(2) Section 819(c) of the Omnibus Crime Control and Safe Streets Act of 1968 (Public Law 90-351, 18 U.S.C. 1761 note) is amended by striking “the first section of the Act of June 30, 1936 (49 Stat. 2036; 41 U.S.C. 35), commonly known as the Walsh-Healey Act” and substituting “section 6502 of title 41, United States Code”.

(3) Section 3287 of title 18, United States Code, is amended by striking “section 103 of title 41” and substituting “section 3 of the Contract Settlement Act of 1944 (ch. 358, 58 Stat. 650)”.

(4) Section 3672 of title 18, United States Code, is amended by striking “section 6101(b) to (d)” and substituting “section 6101”.

(5) Section 118 of the Department of Justice Appropriations Act, 2001 (Public Law 106-553, section 1(a)(2), 18 U.S.C. 4013 note) is amended by striking “section 4(d) of the Service Contract Act of 1965 (41 U.S.C. 353(d))” and substituting “section 6707(d) of title 41, United States Code”.

(6) Section 637 of division H of the Consolidated Appropriations Act, 2005 (Public Law 108-447, 18 U.S.C. 4124 note) is amended by striking “section 25(c)(1) of the Office of Federal Procurement Act (41 U.S.C. 421(c)(1))” and substituting “section 1303(a)(1) of title 41, United States Code”.

SEC. 14. TITLE 19, UNITED STATES CODE.

(1) Section 3131(a)(1) of the Anti-Drug Abuse Act of 1986 (19 U.S.C. 2081(a)(1)) is amended by striking clauses (ii) through (v) of subparagraph (A) and substituting the following:

“(ii) sections 6301(a) and (b)(1) through (3) and 6306 of title 41, United States Code,

“(iii) chapter 45 of title 41, United States Code,

“(iv) section 8141 of title 40, United States Code, and

“(v) section 3901 of title 41, United States Code, and”.

(2) Section 302(c)(2)(B) of the Trade Agreements Act of 1979 (19 U.S.C. 2512(c)(2)(B)) is amended by striking “title III of the Act of March 3, 1933 (41 U.S.C. 10a et seq.), commonly referred to as the Buy American Act” and substituting “chapter 83 of title 41, United States Code”.

(3) Section 303 of the Trade Agreements Act of 1979 (19 U.S.C. 2513) is amended by striking “title III of the Act of March 3, 1933 (41 U.S.C. 10a et seq.), popularly referred to as the Buy American Act,” and substituting “chapter 83 of title 41, United States Code”.

(4) Section 1376(b)(1) of the Telecommunications Trade Act of 1988 (19 U.S.C. 3105(b)(1)) is amended—

(A) in subparagraph (D), by striking “title III of the Act of March 3, 1933 (41 U.S.C. 10a, et seq.)” and substituting “chapter 83 of title 41, United States Code,”; and

(B) in subparagraph (E), by striking “title III of the Act of March 3, 1933 (41 U.S.C. 10a, et seq.)” and substituting “chapter 83 of title 41, United States Code,”.

SEC. 15. TITLE 20, UNITED STATES CODE.

(1) Section 6(a) of the Act of March 4, 1927 (20 U.S.C. 196(a)) is amended by striking “the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 et seq.) and section 321 of the Act of June 30, 1932 (40 U.S.C. 303b)” and substituting “section 1302 of title 40, United States Code, and the provisions referred to in section 171(b) and (c) of title 41, United States Code”.

(2) Section 142 of the Higher Education Act of 1965 (20 U.S.C. 1018a) is amended—

(A) in subsection (d)(2)(A), by striking “section 18 of the Office of Federal Procurement Policy Act (41 U.S.C. 416)” and substituting “section 1708 of title 41, United States Code”;

(B) in subsection (d)(3)(A), by striking “sections 303A and 303B of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253a and 253b)” and substituting “sections 3306(a) through (e) and 3308, chapter 37, and section 4702 of title 41, United States Code”;

(C) in subsection (f)(1)(A), by striking “section 18 of the Office of Federal Procurement Policy Act (41 U.S.C. 416)” and substituting “section 1708 of title 41, United States Code,”;

(D) in subsection (g)(5)(C), by striking “section 18(b) of the Office of Federal Procurement Policy Act (41 U.S.C. 416(b))” and substituting “section 1708(c) of title 41, United States Code”;

(E) in subsection (g)(6), by striking “section 303(f) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253(f))” and substituting “section 3304(e) of title 41, United States Code”;

(F) in subsection (l)(1), by striking “section 4(12) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(12))” and substituting “section 103 of title 41, United States Code”;

(G) in subsection (l)(2), by striking “section 309(b) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 259(b))” and substituting “section 152 of title 41, United States Code”;

(H) in subsection (l)(4), by striking “section 303(g)(1) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253(g)(1)) and section 31 of the Office of Federal Procurement Policy Act (41 U.S.C. 427)” and substituting “sections 1901 and 3305(a) of title 41, United States Code”; and

(I) in subsection (l)(5), by striking “section 303(g)(1)(B) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253(g)(1)(A)) and section 31(a)(1) of the Office of Federal Procurement Policy Act (41 U.S.C. 427(a)(1))” and substituting “sections 1901(a)(1) and 3305(a)(1) of title 41, United States Code”.

(3) Section 401(i) of the Higher Education Act of 1965 (20 U.S.C. 1070a(i)) is amended by striking “subtitle D of title V of Public Law 100-690” and substituting “chapter 81 of title 41, United States Code”.

(4) Section 402A(b)(1) of the Higher Education Act of 1965 (20 U.S.C. 1070a-11(b)(1)) is amended by striking “section 3709 of the Revised Statutes (41 U.S.C. 5)” and substituting “section 6101 of title 41, United States Code”.

(5) Section 13(a)(6) of the Harry S Truman Memorial Scholarship Act (20 U.S.C. 2012(a)(6)) is amended by striking “section 3709 of the Revised Statutes, as amended (41 U.S.C. 5)” and substituting “section 6101 of title 41, United States Code”.

(6) Section 7(a)(7) of the American Folklife Preservation Act (20 U.S.C. 2106(a)(7)) is amended by striking “section 3709 of the Revised Statutes, as amended (41 U.S.C. 5)” and substituting “section 6101 of title 41, United States Code”.

(7) Section 415(a) of the Department of Education Organization Act (20 U.S.C. 3475(a)) is amended by striking “of the Federal Property and Administrative Services Act of 1949” and substituting “referred to in section 171(b) and (c) of title 41, United States Code”.

(8) Section 814(a)(6) of the James Madison Memorial Fellowship Act (20 U.S.C. 4513(a)(6)) is amended by striking “section 5 of title 41” and substituting “section 6101 of title 41, United States Code”.

(9) Section 1411(a)(6) of the Barry Goldwater Scholarship and Excellence in Education Act (20 U.S.C. 4710(a)(6)) is amended by striking “section 3709 of the Revised Statutes (41 U.S.C. 5)” and substituting “section 6101 of title 41, United States Code”.

(10) Section 12(a)(6) of the Morris K. Udall and Stewart L. Udall Foundation Act (20 U.S.C. 5608(a)(6)) is amended by striking “section 3709 of the Revised Statutes (41 U.S.C. 5)” and substituting “section 6101 of title 41, United States Code”.

(11) Section 429(a)(6) of the Christopher Columbus Fellowship Act (20 U.S.C. 5708(a)(6)) is amended by striking “section 3709 of the Revised Statutes” and substituting “section 6101 of title 41, United States Code”.

(12) Section 1022(1) of the Goals 2000: Educate America Act (20 U.S.C. 6067(1)) is amended by striking “sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a-10c, popularly known as the ‘Buy American Act’)” and substituting “chapter 83 of title 41, United States Code”.

(13) Section 505(a) of the Workforce Investment Act of 1998 (20 U.S.C. 9275(a)) is amended—

(A) in the heading, by striking “BUY AMERICAN ACT” and substituting “CHAPTER 83 OF TITLE 41, UNITED STATES CODE”; and

(B) by striking “the Buy American Act (41 U.S.C. 10a et seq.)” and substituting “chapter 83 of title 41, United States Code”.

SEC. 16. TITLE 21, UNITED STATES CODE.

(1) Section 505(k)(4)(H) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(k)(4)(H)) is amended by striking “section 4(5) of the Federal Procurement Policy Act” and substituting “section 132 of title 41, United States Code”.

(2) Section 520(k) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360j(k)) is

amended by striking “sections 3648 and 3709 of the Revised Statutes (31 U.S.C. 529, 41 U.S.C. 5)” and substituting “section 3324(a) and (b) of title 31, United States Code, and section 6101 of title 41, United States Code”.

(3) Section 532(b)(3) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360ii(b)(3)) is amended by striking “section 3709 of the Revised Statutes of the United States (41 U.S.C. 5)” and substituting “section 6101 of title 41, United States Code”.

(4) Section 502(b) of the Controlled Substances Act (21 U.S.C. 872(b)) is amended by striking “section 3709 of the Revised Statutes (41 U.S.C. 5)” and substituting “section 6101 of title 41, United States Code”.

(5) Section 709(g) of the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1708(g)) is amended—

(A) in paragraph (1), by striking “section 304C of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 254d)” and substituting “section 4706 of title 41, United States Code”; and

(B) in paragraph (2), by striking “section 306 of such Act (41 U.S.C. 256)” and substituting “chapter 43 of title 41, United States Code”.

SEC. 17. TITLE 22, UNITED STATES CODE.

(1) Section 2(b)(1) of the Joint Resolution of June 30, 1948 (ch. 756, 22 U.S.C. 272a(b)(1)), is amended by striking “section 11 of the Act of March 1, 1919 (44 U.S.C. 111), and section 3709 of the Revised Statutes, as amended” and substituting “section 501 of title 44, United States Code, and section 6101 of title 41, United States Code”.

(2) Section 103 of the American-Mexican Treaty Act of 1950 (22 U.S.C. 277d-3) is amended by striking “sections 3679, 3732, and 3733 of the Revised Statutes” and substituting “sections 1341, 1342, and 1349 through 1351 and subchapter II of chapter 15 of title 31, United States Code, and sections 6301(a) and (b) and 6303 of title 41, United States Code”.

(3) Section 103 of the American-Mexican Boundary Treaty Act of 1972 (22 U.S.C. 277d-36) is amended by striking “the Federal Property and Administrative Services Act of 1949” and substituting “chapter 5 of title 40, United States Code”.

(4) Section 804(c)(2)(N) of the Tijuana River Valley Estuary and Beach Sewage Cleanup Act of 2000 (22 U.S.C. 277d-44(c)(2)(N)) is amended by striking “title III of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 251 et seq.)” and substituting “the provisions referred to in section 171(c) of title 41, United States Code”.

(5) The Act of August 27, 1935 (ch. 763, 22 U.S.C. 277e), is amended by striking “the Federal Property and Administrative Services Act of 1949, as amended” and substituting “chapter 5 of title 40, United States Code”.

(6) Section 3(b) of the Joint Resolution of January 28, 1948 (ch. 38, 22 U.S.C. 280b(b)), is amended by striking “section 11 of the Act of March 1, 1919 (44 U.S.C. 111), and section 3709 of the Revised Statutes, as amended” and substituting “section 501 of title 44, United States Code, and section 6101 of title 41, United States Code”.

(7) Section 2(b) of the Joint Resolution of March 4, 1948 (ch. 97, 22 U.S.C. 280i(b)), is amended by striking “section 11 of the Act of March 1, 1919 (44 U.S.C. 111), and section 3709 of the Revised Statutes, as amended” and substituting “section 501 of title 44, United States Code, and section 6101 of title 41, United States Code”.

(8) Section 2(b) of the Joint Resolution of June 28, 1948 (ch. 686, 22 U.S.C. 280k(b)), is

amended by striking “section 11 of the Act of March 1, 1919 (44 U.S.C. 111), and section 3709 of the Revised Statutes, as amended” and substituting “section 501 of title 44, United States Code, and section 6101 of title 41, United States Code”.

(9) Section 8 of the United Nations Participation Act of 1945 (22 U.S.C. 287e) is amended by striking “section 3709 of the Revised Statutes, as amended (41 U.S.C. 5)” and substituting “section 6101 of title 41, United States Code”.

(10) Section 6 of the Joint Resolution of July 30, 1946 (ch. 700, 22 U.S.C. 287r) is amended—

(A) in clause (f), by striking “section 3709 of the Revised Statutes (U.S.C., title 41, sec. 5)” and substituting “section 6101 of title 41, United States Code”; and

(B) in clause (k), by striking “section 11 of the Act of March 1, 1919 (U.S.C., title 44, sec. 111), and section 3709 of the Revised Statutes (U.S.C., title 41, sec. 5)” and substituting “section 501 of title 44, United States Code, and section 6101 of title 41, United States Code”.

(11) Section 4(a) of the Joint Resolution of July 1, 1947 (ch. 185, 22 U.S.C. 289c(a)) is amended by striking “sections 3709 and 3648 of the Revised Statutes, as amended (U.S.C., 1940 edition, title 41, sec. 5, and title 31, sec. 529)” and substituting “section 3324(a) and (b) of title 31, United States Code, and section 6101 of title 41, United States Code”.

(12) Section 3(b)(1) of the Joint Resolution of June 14, 1948 (ch. 469, 22 U.S.C. 290b(b)(1)), is amended by striking “section 11 of the Act of March 1, 1919 (44 U.S.C. 111), and section 3709 of the Revised Statutes, as amended” and substituting “section 501 of title 44, United States Code, and section 6101 of title 41, United States Code”.

(13) Section 802(a)(2) of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1472(a)(2)) is amended by striking “section 3741 of the Revised Statutes (41 U.S.C. 22)” and substituting “section 6306 of title 41, United States Code”.

(14) Section 5(c)(2) of the International Health Research Act of 1960 (22 U.S.C. 2103(c)(2)) is amended by striking “sections 3648 and 3709 of the Revised Statutes of the United States” and substituting “section 3324(a) and (b) of title 31, United States Code, and section 6101 of title 41, United States Code”.

(15) Section 219(c) of the Foreign Assistance Act of 1961 (22 U.S.C. 2179(c)) is amended by striking “sections 3648 and 3709 of the Revised Statutes of the United States (31 U.S.C. 529 and 41 U.S.C. 5)” and substituting “section 3324(a) and (b) of title 31, United States Code, and section 6101 of title 41, United States Code”.

(16) Section 608 of the Foreign Assistance Act of 1961 (22 U.S.C. 2358) is amended—

(A) in subsection (a)—

(i) by striking “the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 471 et seq.)” and substituting “chapter 5 of title 40, United States Code”; and

(ii) by striking “the Federal Property and Administrative Services Act of 1949, as amended,” and substituting “chapter 5 of title 40, United States Code”; and

(B) in subsection (b), by striking “the Federal Property and Administrative Services Act of 1949, as amended” and substituting “chapter 5 of title 40, United States Code”.

(17) Section 632(e)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2392(e)(1)) is amended by striking “the Assignment of Claims Act of 1940, as amended (second and

third paragraphs of 31 U.S.C. 203 and 41 U.S.C. 15)” and substituting “section 3727(b) (last sentence) and (c) of title 31, United States Code, and section 6305(b)(1) through (7) of title 41, United States Code”.

(18) Section 636(g)(3) of the Foreign Assistance Act of 1961 (22 U.S.C. 2396(g)(3)) is amended by striking “section 3733 of the Revised Statutes (41 U.S.C. 12)” and substituting “section 6303 of title 41, United States Code”.

(19) Section 10(d) of the Peace Corps Act (22 U.S.C. 2509(d)) is amended by striking “section 3709 of the Revised Statutes of the United States, as amended, section 302 of the Federal Property and Administrative Services Act of 1949” and substituting “sections 3101(a) and (c), 3104, 3106, 3301(b)(2), and 6101 of title 41, United States Code”.

(20) Section 401(a) of the Arms Control and Disarmament Act (22 U.S.C. 2581(a)) is amended by striking “the Federal Property and Administrative Services Act of 1949, as amended” and substituting “chapter 5 of title 40, United States Code”.

(21) Section 2(h) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2669(h)) is amended by striking “section 303(c)(2) of the Federal Property and Administrative Services Act of 1949” and substituting “section 3304(a)(2) of title 41, United States Code”.

(22) Section 9 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2676) is amended by striking “section 3741 of the Revised Statutes (41 U.S.C. 22)” and substituting “section 6306 of title 41, United States Code”.

(23) Section 565(a)(1) of the Anti-Economic Discrimination Act of 1994 (22 U.S.C. 2679c(a)(1)) is amended by striking “section 4(11) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(11))” and substituting “section 134 of title 41, United States Code”.

(24) Section 41(b)(2) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2713(b)(2)) is amended by striking “the Federal Property and Administrative Services Act of 1949” and substituting “chapter 5 of title 40, United States Code”.

(25) Section 3101(c)(2) of the Panama Canal Act of 1979 (22 U.S.C. 3861(c)(2)) is amended—

(A) in subparagraph (A), by striking “section 27 of the Office of Federal Procurement Policy Act (41 U.S.C. 423)” and substituting “chapter 21 of title 41, United States Code”; and

(B) in subparagraph (B), by striking “the Contract Disputes Act of 1978 (41 U.S.C. 601 et seq.), other than section 10(a) of such Act (41 U.S.C. 609(a))” and substituting “chapter 71 (other than section 7104(b)) of title 41, United States Code”.

(26) Section 3102 of the Panama Canal Act of 1979 (22 U.S.C. 3862) is amended—

(A) in subsection (a)(1)—

(i) by striking “section 8 of the Contract Disputes Act of 1978 (41 U.S.C. 607)” and substituting “sections 7105(a), (c) through (e), and (g), 7106(a), and 7107(a) of title 41, United States Code”; and

(ii) by striking “the Contract Disputes Act of 1978 (41 U.S.C. 601 et seq.)” and substituting “chapter 71 of title 41, United States Code”; and

(iii) by striking “that Act” and substituting “that chapter”; and

(B) in subsection (b)—

(i) by striking “section 10(a)(1) of the Contract Disputes Act of 1978 (41 U.S.C. 609(a)(1))” and substituting “section 7104(b)(1) of title 41, United States Code”; and

(ii) by striking “section 8(d) of such Act (41 U.S.C. 607(d))” and substituting “section 7105(e) of title 41, United States Code”.

(27) Section 704(a)(5) of the Foreign Service Act of 1980 (22 U.S.C. 4024(a)(5)) is amended by striking “section 3709 of the Revised Statutes of the United States (41 U.S.C. 5) and section 302 of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 252)” and substituting “sections 3101(a) and (c), 3104, 3106, 3301(b)(2), and 6101 of title 41, United States Code”.

(28) Section 202(c)(1) of the Support for East European Democracy (SEED) Act of 1989 (22 U.S.C. 5422(c)(1)) is amended by striking “the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 and following)” and substituting “chapter 5 of title 40, United States Code”.

(29) Section 101(3) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8511(3)) is amended by striking “section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403)” and substituting “section 133 of title 41, United States Code”.

SEC. 18. TITLE 23, UNITED STATES CODE.

(1) Section 140 of title 23, United States Code, is amended—

(A) in subsection (b), by striking “section 6101(b) to (d)” and substituting “section 6101”; and

(B) in subsection (c), by striking “section 6101(b) to (d)” and substituting “section 6101”.

(2) Section 502(c)(5) of title 23, United States Code, is amended by striking “Section 6101(b) to (d)” and substituting “Section 6101”.

SEC. 19. TITLE 24, UNITED STATES CODE.

(1) Section 11 of the Saint Elizabeths Hospital and District of Columbia Mental Health Services Act (24 U.S.C. 225h) is amended—

(A) in subsection (a), by striking “the Buy American Act of 1933, as amended” and substituting “chapter 83 of title 41, United States Code”;

(B) in subsection (b)(1), by striking “the Buy American Act” and substituting “chapter 83 of title 41, United States Code.”;

(C) in subsection (b)(2), by striking “the Buy American Act” and substituting “chapter 83 of title 41, United States Code.”;

(D) in subsection (c), by striking “the Buy American Act” and substituting “chapter 83 of title 41, United States Code.”; and

(E) by striking subsection (d) and redesignating subsections (e) and (f) as subsections (d) and (e), respectively.

(2) Section 2(a) of Public Law 86-571 (24 U.S.C. 322(a)) is amended by striking “section 3709 of the Revised Statutes, as amended (41 U.S.C. 5),” and substituting “section 6101 of title 41, United States Code”.

(3) Section 4(a) of Public Law 86-571 (24 U.S.C. 324(a)) is amended by striking “section 3709 of the Revised Statutes, as amended” and substituting “section 6101 of title 41, United States Code”.

SEC. 20. TITLE 25, UNITED STATES CODE.

(1) The Act of April 12, 1924 (ch. 93, 25 U.S.C. 190) is amended by striking “the Federal Property and Administrative Services Act of 1949, as amended” and substituting “chapter 5 of title 40, United States Code.”

(2) The fourth paragraph on p. 973 (39 Stat.) in the first section of the Act of March 2, 1917 (ch. 146, 25 U.S.C. 293) is amended by striking “the Federal Property and Administrative Services Act of 1949, as amended” and substituting “chapter 5 of title 40, United States Code.”

(3) Section 105(a)(3) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450j(a)(3)) is amended—

(A) in subparagraph (A)—

(i) by striking “of the Office of Federal Procurement Policy Act (41 U.S.C. 401 et seq.)” and substituting “referred to in section 172(b) of title 41, United States Code,”; and

(ii) by striking “such Act” and substituting “such provisions,”;

(B) in subparagraph (C)(ii)(I), by striking “Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 et seq.)” and substituting “provisions referred to in section 171(b) and (c) of subtitle I of title 41, United States Code”;

(C) in subparagraph (C)(ii)(II), by striking “Section 3709 of the Revised Statutes” and substituting “Section 6101 of title 41, United States Code”;

(D) in subparagraph (C)(ii)(VIII), by striking “Sections 1 through 12 of the Act of June 30, 1936 (49 Stat. 2036 et seq. chapter 881)” and substituting “Chapter 65 of title 41, United States Code”; and

(E) in subparagraph (C)(ii)(IX), by striking “The Service Control Act of 1965 (41 U.S.C. 351 et seq.)” and substituting “Chapter 67 of title 41, United States Code”.

(4) Section 107(a)(1) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450k(a)(1)) is amended by striking “the Contract Disputes Act of 1978 (41 U.S.C. 601 et seq.)” and substituting “chapter 71 of title 41, United States Code”.

(5) Section 110(d) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450m-1(d)) is amended—

(A) by striking “The Contract Disputes Act (Public Law 95-563, Act of November 1, 1978; 92 Stat. 2383, as amended)” and substituting “Chapter 71 of title 41, United States Code,”; and

(B) by striking “Interior Board of Contract Appeals established pursuant to section 8 of such Act (41 U.S.C. 607)” and substituting “Civilian Board of Contract Appeals established pursuant to section 7105(b) of title 41, United States Code”.

(6) Section 403(e)(1) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 458cc(e)(1)) is amended by striking “of the Office of Federal Procurement Policy Act” and substituting “referred to in section 172(b) of title 41, United States Code”.

(7) Section 509(h) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 458aaa-8(h)) is amended by striking “of the Office of Federal Procurement Policy Act” and substituting “referred to in section 172(b) of title 41, United States Code”.

(8) Section 510 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 458aaa-9) is amended by striking “of the Office of Federal Procurement Policy Act (41 U.S.C. 401 et seq.)” and substituting “referred to in section 172(b) of title 41, United States Code”.

(9) The first section of Public Law 85-186 (25 U.S.C. 463d note) is amended by striking “the Federal Property and Administrative Services Act of 1949 (Act of June 30, 1949; 63 Stat. 378), as amended” and substituting “chapter 5 of title 40, United States Code”.

(10) Section 310 of the Indian Health Care Improvement Act (25 U.S.C. 1638b) is amended—

(A) in subsection (a), by striking “the Buy American Act” and substituting “chapter 83 of title 41, United States Code”;

(B) in subsection (b), by striking “the Buy American Act” and substituting “chapter 83 of title 41, United States Code”; and

(C) by striking subsection (d).

SEC. 21. TITLE 26, UNITED STATES CODE.

Section 301(b)(3) of the James Zadroga 9/11 Health and Compensation Act of 2010 (Public

Law 111-347, 26 U.S.C. 5000C note) is amended by striking “section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403)” and substituting “section 133 of title 41, United States Code”.

SEC. 22. TITLE 28, UNITED STATES CODE.

(1) The last sentence of section 524(c)(1) of title 28, United States Code, is amended by striking “division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I of title 41, section 6101(b) to (d) of title 41,” and substituting “the provisions referred to in section 171(c), and section 6101, of title 41”.

(2) Section 115(a)(2) of the Department of Justice Appropriations Act, 1999 (Public Law 105-277, division A, section 101(b), 28 U.S.C. 524 note) is amended by striking “Office of Federal Procurement Policy Act” and substituting “provisions referred to in section 172(b) of title 41, United States Code”.

(3) Section 102(b)(1)(A) of the Department of Justice and Related Agencies Appropriations Act, 1993 (Public Law 102-395, 28 U.S.C. 533 note) is amended—

(A) by striking “section 3732(a) of the Revised Statutes (41 U.S.C. 11(a)), section 305 of the Act of June 30, 1949 (63 Stat. 396; 41 U.S.C. 255), the third undesignated paragraph under the heading of ‘Miscellaneous’ of the Act of March 3, 1877 (19 Stat. 370; 40 U.S.C. 34)” and substituting “chapter 45 and section 6301(a) and (b)(1) through (3) of title 41 of the United States Code, section 8141 of title 40 of the United States Code”; and

(B) by striking “section 3741 of the Revised Statutes (41 U.S.C. 22), and subsections (a) and (c) of section 304 of the Federal Property and Administrative Service Act of 1949 (63 Stat. 395; 41 U.S.C. 254(a) and (c))” and substituting “and sections 3901 and 6306(a) of title 41 of the United States Code”.

(4) Section 310(a)(2) of the Bankruptcy Judges, United States Trustees, and Family Farmer Bankruptcy Act of 1986 (Public Law 99-554, 28 U.S.C. 581 note) is amended by striking “the Federal Property and Administrative Services Act of 1949, the Office of Federal Procurement Policy Act, and title 31 of the United States Code” and substituting “title 31 of the United States Code and the provisions referred to in sections 171(b) and (c) and 172(b) of title 41 of the United States Code”.

(5) Section 604 of title 28, United States Code, is amended—

(A) in subsection (a)(10)(C), by striking “section 6101(b) to (d)” and substituting “section 6101 of title 41”; and

(B) in subsection (g)(4)—

(i) in subparagraph (A), by striking “section 253f of title 41, United States Code” and substituting “section 3902 of title 41”; and

(ii) in subparagraph (B), by striking “section 254c of title 41, United States Code” and substituting “section 3903 of title 41”; and

(iii) in subparagraph (C), by striking “section 255 of title 41, United States Code” and substituting “chapter 45 of title 41”.

(6) Section 624(3) of title 28, United States Code, is amended by striking “section 6101(b) to (d)” and substituting “section 6101”.

(7) Section 753(g) of title 28, United States Code, is amended by striking “section 6101(b) to (d)” and substituting “section 6101”.

(8) Section 1491(a)(2) of title 28, United States Code, is amended by striking “section 6 of that Act” and substituting “section 7103 (except subsection (c)(2)) of title 41”.

SEC. 23. TITLE 29, UNITED STATES CODE.

(1) Section 6(e) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(e)) is amended—

(A) in paragraph (1), by striking “the Service Contract Act of 1965 (41 U.S.C. 351-357)”

and substituting “chapter 67 of title 41, United States Code,”; and

(B) in paragraph (2), by striking “the Service Contract Act of 1965” and substituting “chapter 67 of title 41, United States Code,”.

(2) Section 13(d) of the Portal-to-Portal Act of 1947 (29 U.S.C. 262(d)) is amended—

(A) by striking “The term ‘Wash-Healey Act’ means the Act entitled ‘An Act to provide conditions for the purchase of supplies and the making of contracts by the United States, and for other purposes’, approved June 30, 1936 (49 Stat. 2036), as amended” and substituting “The term ‘Walsh-Healey Act’ means chapter 65 of title 41, United States Code”; and

(B) by striking “the Act entitled ‘An Act to amend the Act approved March 3, 1931, relating to the rate of wages for laborers and mechanics employed by contractors and subcontractors on public buildings’, approved August 30, 1935 (49 Stat. 1011), as amended” and substituting “sections 3141 through 3144, 3146, and 3147 of title 40, United States Code”.

(3) Section 4(b)(2) of the Occupational Safety and Health Act of 1970 (29 U.S.C. 653(b)(2)) is amended—

(A) by striking “the Act of June 30, 1936, commonly known as the Walsh-Healey Act (41 U.S.C. 35 et seq.), the Service Contract Act of 1965 (41 U.S.C. 351 et seq.)” and substituting “chapter 65 of title 41, United States Code, chapter 67 of title 41, United States Code”; and

(B) by inserting “chapters or” after “such other”.

(4) Section 22(e)(7) of the Occupational Safety and Health Act of 1970 (29 U.S.C. 671(e)(7)) is amended by striking “section 3709 of the Revised Statutes, as amended (41 U.S.C. 5)” and substituting “section 6101 of title 41, United States Code”.

(5) Section 147(a)(2)(A) of the Workforce Investment Act of 1998 (29 U.S.C. 2887(a)(2)(A)) is amended by striking “subsections (c) and (d) of section 303 of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253)” and substituting “section 3304(a) through (c) of title 41, United States Code”.

SEC. 24. TITLE 30, UNITED STATES CODE.

(1) Section 2 of the Act of February 25, 1919 (ch. 23, 30 U.S.C. 4) is amended by striking “the Federal Property and Administrative Services Act of 1949, as amended” and substituting “chapter 5 of title 40, United States Code,”.

(2) Section 6(b) of the Act of August 31, 1954 (ch. 1156, 30 U.S.C. 556(b)) is amended by striking “section 3709, Revised Statutes (41 U.S.C., sec. 5)” and substituting “section 6101 of title 41, United States Code”.

(3) Section 206 of the Federal Mine Safety and Health Act of 1977 (30 U.S.C. 846) is amended by striking “the Walsh-Healey Public Contracts Act, as amended” and substituting “chapter 65 of title 41, United States Code”.

(4) Section 101(c)(2) of the Federal Oil and Gas Royalty Management Act of 1982 (30 U.S.C. 1711(c)(2)) is amended by striking “Federal Property and Administrative Services Act of 1949 (41 U.S.C. 252)” and substituting “provisions referred to in section 171(b) and (c) of title 41, United States Code”.

SEC. 25. TITLE 31, UNITED STATES CODE.

(1) Section 743(i) of the Financial Services and General Government Appropriations Act, 2010 (Public Law 111-117, division C, 31 U.S.C. 501 note) is amended by striking “section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403)” and substituting “section 133 of title 41, United States Code”.

(2) Section 326 of the National Defense Authorization Act for Fiscal Year 2010 (Public

Law 111-84, 31 U.S.C. 501 note) is amended by striking “section 303B(f) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253b(f))” and substituting “section 3705 of title 41, United States Code”.

(3) Section 321(a) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417, 31 U.S.C. 501 note) is amended by striking “section 16A of the Office of Federal Procurement Policy Act (41 U.S.C. 414b)” and substituting “subchapter II of chapter 13 of title 41, United States Code.”.

(4) Section 739(a)(2)(C) of the Financial Services and General Government Appropriations Act, 2008 (Public Law 110-161, division D, 31 U.S.C. 501 note) is amended—

(A) in clause (i), by striking “section 2 of the Javits-Wagner-O’Day Act (41 U.S.C. 47)” and substituting “section 8503 of title 41, United States Code”; and

(B) in clause (ii), by striking “that Act” and substituting “chapter 85 of title 41, United States Code”.

(5) Section 647(f) of the Transportation, Treasury, and Independent Agencies Appropriations Act, 2004 (Public Law 108-199, division F, 31 U.S.C. 501 note) is amended by striking “section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403)” and substituting “section 133 of title 41, United States Code”.

(6) Section 1501(d) of the Legislative Branch Appropriations Act, 2008 (Public Law 110-161, division H, 31 U.S.C. 702 note) is amended—

(A) by striking “The Contract Disputes Act of 1978 (Public Law 95-563, 41 U.S.C. 601 et seq.), as amended” and substituting “Chapter 71 of title 41, United States Code”; and

(B) by striking “section 4, subsections 8(a), (b), and (c), and subsection 10(a)” and substituting “sections 7102(d), 7104(b), and 7105(a), (c), (d), and (e)(1)(C) of title 41, United States Code.”;

(C) by striking “subsection 6(c)” and substituting “subsections (b) and (f) of section 7103 of title 41, United States Code.”; and

(D) by striking “the Contract Disputes Act of 1978” and substituting “chapter 71 of title 41, United States Code”.

(7) Section 781(c)(1) of title 31, United States Code, is amended by striking “section 6101(b) to (d)” and substituting “section 6101”.

(8) Section 1(17) of Public Law 107-74 (31 U.S.C. 1113 note) is amended by striking “Section 303(c)(7) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253(c)(7))” and substituting “Section 3304(a)(7) of title 41, United States Code”.

(9) Section 1031(13) of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106-65, 31 U.S.C. 1113 note) is amended by striking “Section 3732 of the Revised Statutes, popularly known as the ‘Food and Forage Act’ (41 U.S.C. 11)” and substituting “Section 6301(a) and (b) of title 41, United States Code”.

(10) Section 865(d)(1) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417, 31 U.S.C. 1535 note) is amended by striking “section 4(1) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(1))” and substituting “section 133 of title 41, United States Code”.

(11) Section 2(h)(2)(C)(i) of the Improper Payments Elimination and Recovery Act of 2010 (Public Law 111-204, 31 U.S.C. 3321 note) is amended by striking “section 605(a) of the Contract Disputes Act of 1978 (41 U.S.C. 605(a))” and substituting “section 7103(a), (c)(1), (d), and (e) of title 41, United States Code”.

(12) Section 3718(b)(1)(A) of title 31, United States Code, is amended by striking “division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I” and substituting “the provisions referred to in section 171(c)”.

(13) Section 11 of the Prompt Payment Act Amendments of 1988 (Public Law 100-496, 31 U.S.C. 3903 note) is amended—

(A) in subsection (b)(1)(C), by striking “section 303(g)(2) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253(g)(2))” and substituting “section 3305(b) of title 41, United States Code”; and

(B) in subsection (c), by striking “section 22 of the Office of Federal Procurement Policy Act (41 U.S.C. 418b)” and substituting “section 1707 of title 41, United States Code.”.

(14) Section 5114(a)(3) of title 31, United States Code, is amended by striking “title III of the Act of March 3, 1933 (41 U.S.C. 10a et seq.; commonly referred to as the Buy American Act)” and substituting “chapter 83 of title 41”.

(15) Section 2(b)(1) of the Federal Funding Accountability and Transparency Act of 2006 (Public Law 109-282, 31 U.S.C. 6101 note) is amended by striking “Office of Federal Procurement Policy Act (41 U.S.C. 403 et seq.)” and substituting “provisions referred to in section 172(b) of title 41, United States Code”.

(16) Section 2455(c)(1) of the Federal Acquisition Streamlining Act of 1994 (Public Law 103-355, 31 U.S.C. 6101 note) is amended by striking “section 35(c) of the Office of Federal Procurement Policy Act (41 U.S.C. 431(c))” and substituting “section 104 of title 41, United States Code”.

(17) Section 9703(b)(3) of title 31, United States Code, as added by section 638(b)(1) of the Treasury Forfeiture Fund Act of 1992 (Public Law 102-393, 106 Stat. 1779), is amended—

(A) by striking “division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I” and substituting “the provisions referred to in section 171(c)”;

(B) by striking “section 6101(b) to (d)” and substituting “section 6101”.

SEC. 26. TITLE 33, UNITED STATES CODE.

(1) Section 108(a) of the River and Harbor Act of 1960 (33 U.S.C. 578(a)) is amended by striking “the Federal Property and Administrative Services Act of 1949 (63 Stat. 377), as amended,” and substituting “chapter 5 of title 40, United States Code”.

(2) Section 14 of the Act of May 15, 1928 (ch. 569, 33 U.S.C. 702m) is amended by striking “section 3741 of the Revised Statutes being section 22 of title 41 of the United States Code” and substituting “section 6306(a) of title 41, United States Code”.

(3) Section 606(a)(1) of the NOAA Fleet Modernization Act (33 U.S.C. 891d(a)(1)) is amended by striking “United States Code and section 3732 of the Revised Statutes of the United States (41 U.S.C. 11)” and substituting “United States Code, and section 6301(a) and (b) of title 41, United States Code”.

(4) Section 41(b)(5) of the Longshore and Harbor Workers’ Compensation Act (33 U.S.C. 941(b)(5)) is amended by striking “section 5 of the Act of June 30, 1936 (ch. 881, 49 Stat. 2036), as amended,” and substituting “section 6507(b) through (f) of title 41, United States Code”.

(5) Section 204(c)(4)(D) of the National Sea Grant College Program Act (33 U.S.C. 1123(c)(4)(D)) is amended by striking “section 5 of title 41” and substituting “section 6101 of title 41, United States Code”.

(6) Section 104 of the Federal Water Pollution Control Act (33 U.S.C. 1254) is amended—

(A) in subsection (b)(4), by striking “sections 3648 and 3709 of the Revised Statutes (31 U.S.C. 529; 41 U.S.C. 5)” and substituting “section 3324(a) and (b) of title 31, United States Code, and section 6101 of title 41, United States Code”; and

(B) in subsection (g)(3)(A), by striking “sections 3648 and 3709 of the Revised Statutes” and substituting “section 3324(a) and (b) of title 31, United States Code, and section 6101 of title 41, United States Code”.

(7) Section 508(f)(2) of the Federal Water Pollution Control Act (33 U.S.C. 1368(f)(2)) is amended by striking “section 4(12) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(12))” and substituting “section 103 of title 41, United States Code”.

SEC. 27. TITLE 35, UNITED STATES CODE.

(1) Section 10102 of the Omnibus Budget Reconciliation Act of 1990 (Public Law 101-508, 35 U.S.C. 1 note) is amended by striking “Federal Property and Administrative Services Act of 1949 and the Office of Federal Procurement Policy Act” and substituting “provisions referred to in sections 171(b) and (c) and 172(b) of title 41, United States Code”.

(2) Section 2(b)(4)(A) of title 35, United States Code, is amended by striking “division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I” and substituting “the provisions referred to in section 171(c)”.

SEC. 28. TITLE 38, UNITED STATES CODE.

(1) Section 1966(a) of title 38, United States Code, is amended by striking “section 6101(b) to (d) of title 41” and substituting “section 6101 of title 41”.

(2) Section 2412(c)(1) of title 38, United States Code, is amended by striking “section 3709 of the Revised Statutes (41 U.S.C. 5)” and substituting “section 6101 of title 41”.

(3) Section 3720(b) of title 38, United States Code, is amended by striking “division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I” and substituting “the provisions referred to in section 171(c)”.

(4) Section 7317(f) of title 38, United States Code, is amended by striking “section 6101(b) to (d)” and substituting “section 6101”.

(5) Section 7802(f) of title 38, United States Code, is amended by striking “section 6101(b) to (d)” and substituting “section 6101”.

(6) Section 8122(a)(1) of title 38, United States Code, is amended by striking “section 6101(b) to (d)” and substituting “section 6101”.

(7) Section 8201(e) of title 38, United States Code, is amended by striking “section 6101(b) to (d)” and substituting “section 6101”.

SEC. 29. TITLE 40, UNITED STATES CODE.

(1) Effective January 4, 2011, section 5(l)(23) of Public Law 111-350 (124 Stat. 3852) is amended by striking “Statutes” and substituting “Statutes”.

(2) The item for section 111 in the analysis for chapter 1 of title 40, United States Code, is amended by striking “division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I” and substituting “the provisions referred to in section 171(c)”.

(3) The matter before paragraph (1) in section 102 of title 40, United States Code, is amended by striking “and in division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I of title 41”.

(4) Section 111 of title 40, United States Code, is amended—

(A) in the heading, by striking “division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I” and substituting “the provisions referred to in section 171(c)”;

(B) in the matter before paragraph (1), by striking “division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I” and substituting “the provisions referred to in section 171(c)”.

(5) Section 113(b) of title 40, United States Code, is amended—

(A) in the heading, by striking “DIVISION B (EXCEPT SECTIONS 1704 AND 2303) OF SUBTITLE I” and substituting “THE PROVISIONS REFERRED TO IN SECTION 172(b)”;

(B) by striking “division B (Except Sections 1704 and 2303) of subtitle I” and substituting “the provisions referred to in section 172(b)”.

(6) Section 311 of title 40, United States Code, is amended—

(A) in subsection (a), by striking “division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I” and substituting “the provisions referred to in section 171(c)”;

(B) in subsection (b), by striking “division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I” and substituting “the provisions referred to in section 171(c)”.

(7) Section 501(b)(2)(B) of title 40, United States Code, is amended by striking “Office of Federal Procurement Policy Act (41 U.S.C. 401 et seq.)” and substituting “provisions referred to in section 172(b) of title 41”.

(8) Section 506(a)(1)(D) of title 40, United States Code, is amended by striking “Office of Federal Procurement Policy Act (41 U.S.C. 401 et seq.)” and substituting “provisions referred to in section 172(b) of title 41”.

(9) Section 503(b)(3) of title 40, United States Code, is amended—

(A) in the heading, by striking “SECTION 6101(b) TO (d)” and substituting “SECTION 6101”;

(B) by striking “Section 6101(b) to (d) of title 41” and substituting “Section 6101 of title 41”.

(10) Section 545(f) of title 40, United States Code, is amended by striking “Section 6101(b)–(d)” and substituting “Section 6101”.

(11) Section 1427(b) of division A of the Services Acquisition Reform Act of 2003 (Public Law 108–136, 40 U.S.C. 1103 note) is amended by striking “sections 303H and 303I of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253h and 253i)” and substituting “sections 4103 and 4105 of title 41, United States Code”.

(12) Section 1305 of title 40, United States Code, is amended by striking “this subtitle and division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I of title 41” and substituting “chapter 5 of this title”.

(13) Section 1308 of title 40, United States Code, is amended by striking “division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I” and substituting “the provisions referred to in section 171(c)”.

(14) Section 3148 of title 40, United States Code, is amended by striking “section 6101(b) to (d) of title 41” and substituting “section 6101 of title 41”.

(15) Section 3304(d)(2) of title 40, United States Code, is amended by striking “division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I” and substituting “the provisions referred to in section 171(c)”.

(16) Section 3305(a) of title 40, United States Code, is amended—

(A) in paragraph (1), by striking “subtitle I of this title and division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I of title 41” and substituting “chapter 5 of this title”;

(B) in paragraph (2), by striking “subtitle I of this title and division C (except sections

3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I of title 41” and substituting “chapter 5 of this title”.

(17) Section 3308(a) of title 40, United States Code, is amended by striking “section 6101(b) to (d)” and substituting “section 6101”.

(18) Section 3313(g) of title 40, United States Code, is amended—

(A) in the heading, by striking “BUY AMERICAN ACT” and substituting “CHAPTER 83 OF TITLE 41”;

(B) by striking “the Buy American Act (41 U.S.C. 10c et seq.)” and substituting “chapter 83 of title 41”.

(19) Section 6111(b)(2)(D) of title 40, United States Code, is amended by striking “section 6101(b) to (d)” and substituting “section 6101”.

(20) Section 8711(d) of title 40, United States Code, is amended by striking “section 6101(b) to (d)” and substituting “section 6101”.

(21) Section 813 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (Public Law 106–398, section 1 [H.R. 5408], 40 U.S.C. 11302 note) is amended—

(A) in subsection (a), by striking “sections 6 and 25 of the Office of Federal Procurement Policy Act (41 U.S.C. 405 and 421)” and substituting “sections 1121 and 1303 of title 41, United States Code”;

(B) in subsection (d)(1), by striking “section 4(1) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(1))” and substituting “section 133 of title 41, United States Code”.

(22) Subtitle V of title 40, United States Code, is amended as follows:

(A) Chapter 1, which begins with section 15101, is renumbered as chapter 151.

(B) Chapter 2, which begins with section 15301, is renumbered as chapter 153.

(C) Chapter 3, which begins with section 15501, is renumbered as chapter 155.

(D) Chapter 4, which begins with section 15701, is renumbered as chapter 157.

SEC. 30. TITLE 41, UNITED STATES CODE.

(1) Effective January 4, 2011, section 7(b) of Public Law 111–350 (124 Stat. 3855) is amended—

(A) in the item relating to title III, § 4 of the Act of March 3, 1933 (ch. 212), temporarily renumbered § 5 by section 7002(1) of the Omnibus Trade and Competitiveness Act of 1988 (Public Law 100–418, 102 Stat. 1545), by striking “10b–1” and substituting “10c note”;

(B) by deleting the item relating to section 1 of the Act of March 8, 1946 (ch. 80, 60 Stat. 37);

(C) by deleting the items relating to the Act of May 11, 1954 (ch. 199, 68 Stat. 81); and

(D) by deleting the items relating to sections 1 and 16 of the Act of November 1, 1978 (Public Law 95–563, 92 Stat. 2383, 2391).

(2) Effective January 4, 2011—

(A) insert after section 7109 of title 41, United States Code, the following:

“CHAPTER 73—LIMITATION ON JUDICIAL REVIEW OF ADMINISTRATIVE DECISIONS

“Sec.

“7301. Applicability.

“7302. In general.

“7303. Prohibition of contract provision relating to finality on a question of law.

“§ 7301. Applicability

“This chapter applies to public contracts not subject to chapter 71 of this title.

“§ 7302. In general

“(a) LIMITATION ON PLEADING.—No provision of a contract the United States enters into that relates to the finality or conclu-

siveness of a decision by the head of an agency, a representative of the head of the agency, or a board in a dispute involving a question arising under the contract shall be pleaded in a civil action as limiting judicial review of the decision to cases where fraud by the official, representative, or board is alleged.

“(b) FINALITY AND CONCLUSIVENESS OF DECISION.—A decision referred to in subsection (a) is final and conclusive unless it is fraudulent, capricious, arbitrary, or so grossly erroneous as necessarily to imply bad faith or is not supported by substantial evidence.

“§ 7303. Prohibition of contract provision relating to finality on a question of law

“No Government contract may contain a provision making final on a question of law the decision of an administrative official, representative, or board.”; and

(B) the analysis for subtitle III of title 41, United States Code, is amended by inserting after the item for chapter 71 the following:

“73. Limitation on Judicial Review of Administrative Decisions 7301”.

(3) The analysis for chapter 1 of title 41, United States Code, is amended by inserting after the item for section 153 the following:

“154. Additional definitions.

“SUBCHAPTER IV—REFERENCES TO PROVISIONS FORMERLY CONTAINED IN OTHER LAWS

“171. References to provisions formerly contained in the Federal Property and Administrative Services Act of 1949.

“172. References to provisions formerly contained in the Office of Federal Procurement Policy Act.”.

(4) Chapter 1 of title 41, United States Code, is amended by inserting after section 153 the following:

“§ 154. Additional definitions

“In the provisions referred to in section 171(c), the terms ‘executive agency’, ‘Federal agency’, and ‘property’ have the same meanings given in section 102 of title 40.

“SUBCHAPTER IV—REFERENCES TO PROVISIONS FORMERLY CONTAINED IN OTHER LAWS

“§ 171. References to provisions formerly contained in Federal Property and Administrative Services Act of 1949

“(a) TRANSLATION OF OBSOLETE REFERENCES.—This section provides a convenient form for references to provisions formerly contained in the Federal Property and Administrative Services Act of 1949.

“(b) PROVISIONS FORMERLY CONTAINED IN FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT OF 1949 (OTHER THAN TITLE III).—Provisions formerly contained in the Federal Property and Administrative Services Act of 1949 (other than title III) are restated in chapters 1 through 11 of title 40.

“(c) PROVISIONS FORMERLY CONTAINED IN TITLE III OF FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT OF 1949.—Provisions formerly contained in title III of the Federal Property and Administrative Services Act of 1949 are restated in the following provisions of this title:

“(1) Sections 102, 103, 105 through 116, and 151 through 153.

“(2) Chapter 31.

“(3) Sections 3301, 3303 through 3305, 3306(a) through (e), 3307(a) through (d), and 3308 through 3311.

“(4) Sections 3501(a) and 3502 through 3509.

“(5) Chapter 37.

“(6) Sections 3901 through 3903 and 3905.

“(7) Sections 4101, 4103, 4105, and 4106.

“(8) Chapter 43.

“(9) Chapter 45.

“(10) Sections 4701 through 4706 and 4709.

“§ 172. References to provisions formerly contained in the Office of Federal Procurement Policy Act

“(a) TRANSLATION OF OBSOLETE REFERENCES.—This section provides a convenient form for references to provisions formerly contained in the Office of Federal Procurement Policy Act.

“(b) PROVISIONS FORMERLY CONTAINED IN OFFICE OF FEDERAL PROCUREMENT POLICY ACT.—Provisions formerly contained in the Office of Federal Procurement Policy Act are restated in the following provisions of this title:

“(1) Sections 102 through 105, 107 through 116, and 131 through 134.

“(2) Sections 1101, 1102, 1121(a) through (c)(1) and (c)(3) through (f), 1122, 1124 through 1127, and 1130.

“(3) Chapter 13.

“(4) Chapter 15.

“(5) Sections 1701, 1702, 1703(a) through (h), (i)(2) through (8), and (k), 1705, and 1707 through 1712.

“(6) Sections 1901 through 1903, 1905 through 1907, and 1908(b)(1) and (2), (c)(1) and (2), and (d) through (f).

“(7) Chapter 21.

“(8) Sections 2301, 2302, 2305 through 2310, and 2312.”.

(5) Section 502 of the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 1993 (Public Law 102-394, 41 U.S.C. 1101 note) is amended—

(A) by striking “the Office of Federal Procurement Policy Act (41 U.S.C. 401 et seq.)” and substituting “section 133 of title 41, United States Code”; and

(B) by striking “such Act” and substituting “the provisions referred to in section 172(b) of title 41, United States Code”.

(6) Section 414(a) of the Small Business Reauthorization Act of 1997 (Public Law 105-135, 41 U.S.C. 1122 note) is amended by striking “section 6(d)(4)(A) of the Office of Federal Procurement Policy Act (41 U.S.C. 405(d)(4)(A))” and substituting “section 1122(a)(4)(A) of title 41, United States Code.”.

(7) Section 10004 of the Federal Acquisition Streamlining Act of 1994 (Public Law 103-355, 41 U.S.C. 1122 note) is amended—

(A) in subsection (a), by striking “section 6(d)(4)(A) of the Office of Federal Procurement Policy Act (41 U.S.C. 405(d)(4)(A))” and substituting “section 1122(a)(4)(A) of title 41, United States Code”; and

(B) in subsection (b), by striking “section 4(1) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(1))” and substituting “section 134 of title 41, United States Code”.

(8) Section 808(g) of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105-85, 41 U.S.C. 1127 note) is amended—

(A) in paragraph (1), by striking “section 306(l) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 256(l))” and substituting “section 4301(2) of title 41, United States Code”; and

(B) in paragraph (2), by striking “section 306(m) of the Federal Property and Administrative Services Act of 1949” and substituting “section 4301 of title 41, United States Code”.

(9) Section 1303(a)(1) of title 41, United States Code, is amended by striking “the National Aeronautics and Space Act of 1958 (42 U.S.C. 2451 et seq.)” and substituting “chapter 201 of title 51”.

(10) Section 802 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106-65, 41 U.S.C. 1502 note) is amended—

(A) in subsection (c)(1), by striking “section 26(f) of the Office of Federal Procurement Policy Act (41 U.S.C. 422(f))” and substituting “section 1502(a) and (b) of title 41, United States Code.”;

(B) in subsection (c)(2)(A)(ii), by striking “section 26 of the Office of Federal Procurement Policy Act” and substituting “chapter 15 of title 41, United States Code.”;

(C) in subsection (g), by striking “section 26(f) of the Office of Federal Procurement Policy Act (41 U.S.C. 422(f))” and substituting “section 1502(a) and (b) of title 41, United States Code, as in effect on February 10, 1996, and amended by this section”;

(D) in subsection (h), by striking “section 26(f) of the Office of Federal Procurement Policy Act (41 U.S.C. 422(f))” and substituting “section 1502(a) and (b) of title 41, United States Code.”;

(E) in subsection (i)(2), by striking “section 26(f) of the Office of Federal Procurement Policy Act (41 U.S.C. 422(f))” and substituting “section 1502(a) and (b) of title 41, United States Code”.

(11) Section 1703(i)(6) of title 41, United States Code, is amended by striking “Procurement” and substituting “Procurement”.

(12) Section 821(c) of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163, 41 U.S.C. 1703 note) is amended by striking “section 37(h)(3)(D) of the Office of Federal Procurement Policy Act (as amended by subsection (a))” and substituting “section 1703(i)(5) of title 41, United States Code.”.

(13) Section 5051(c)(2)(A) of the Federal Acquisition Streamlining Act of 1994 (Public Law 103-355, 41 U.S.C. 1703 note) is amended by striking “section 313(b) of the Federal Property and Administrative Services Act of 1949, as added by subsection (a)” and substituting “section 3103(b) of title 41, United States Code”.

(14) Section 6002(b) of the Federal Acquisition Streamlining Act of 1994 (Public Law 103-355, 41 U.S.C. 1709 note) is amended by striking “section 25(a) of the Office of Federal Procurement Policy Act (41 U.S.C. 421(a))” and substituting “section 1302(a) of title 41, United States Code.”.

(15) Section 1332 of the Small Business Jobs Act of 2010 (Public Law 111-240, 41 U.S.C. 1902 note) is amended by striking “section 32 of the Office of Federal Procurement Policy Act (41 U.S.C. 428)” and substituting “section 1902 of title 41, United States Code”.

(16) Section 2313 of title 41, United States Code, is amended—

(A) in subsection (c)(1), by adding after subparagraph (D) the following:

“(E) In an administrative proceeding, a final determination of contractor fault by the Secretary of Defense pursuant to section 823(d) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84, 10 U.S.C. 2302 note).”; and

(B) by amending subsection (e)(1) to read as follows:

“(1) AVAILABILITY—

“(A) TO GOVERNMENT OFFICIALS.—The Administrator of General Services shall ensure that the information in the database is available to appropriate acquisition officials of Federal agencies, other government officials as the Administrator of General Services determines appropriate, and, on request, the Chairman and Ranking Member of the committees of Congress having jurisdiction.

“(B) TO THE PUBLIC.—The Administrator of General Services shall post the information in the database, excluding past performance reviews, on a publicly available website.”.

(17) The analysis for chapter 31 of title 41, United States Code, is amended by striking the item relating to section 3103 and substituting the following:

“3103. Goals for major acquisition programs.”.

(18) Section 3103 of title 41, United States Code, is amended in the heading by striking “Acquisition programs” and substituting “Goals for major acquisition programs”.

(19) Section 317(b)(3)(B) of the Federal Property and Administrative Services Act of 1949 (ch. 288, 41 U.S.C. note prec. 3901) is amended by striking “this chapter” and substituting “the provisions referred to in section 171(c) of title 41, United States Code”.

(20) Section 2192(b)(2) of the Federal Acquisition Streamlining Act of 1994 (Public Law 103-355, 41 U.S.C. 4304 note) is amended by striking “section 306(l) of the Federal Property and Administrative Services Act of 1949 (as added by section 2151)” and substituting “section 4301(2) of title 41, United States Code”.

(21) Section 6503(b) of title 41, United States Code, is amended—

(A) in paragraph (1), by striking “and each incarcerated” and substituting “or each incarcerated”; and

(B) in paragraph (2), by striking “each underpayment” and substituting “underpayments”.

(22) Section 6504 of title 41, United States Code, is amended—

(A) in subsection (a)—

(i) by striking “each agency” and substituting “all agencies”; and

(ii) by inserting “or firms” after “persons”; and

(B) in subsection (b), by striking “described in section 6502 of this title”.

(23) Section 6506(b) of title 41, United States Code, is amended—

(A) by inserting “rules and” before “regulations”; and

(B) by inserting “may be” before “necessary”.

(24) Section 6507 of title 41, United States Code, is amended—

(A) in subsection (b), by striking “included in a contract” and substituting “included in a proposal or contract”; and

(B) in subsection (d), by striking “an impartial” and substituting “a”.

(25) Section 6508 of title 41, United States Code, is amended—

(A) in subsection (a), by striking “an agency” and substituting “the contracting agency”; and

(B) in subsection (b), by striking “an agency” and substituting “the contracting agency”; and

(C) in subsection (c), by inserting “rules and” before “regulations”.

(26) Section 6701(3)(A) of title 41, United States Code, is amended by inserting “or the District of Columbia” after “Federal Government”.

(27) Section 6702(a) of title 41, United States Code, is amended—

(A) in paragraph (1), by inserting “and” after “Columbia”; and

(B) by striking clause (2); and

(C) by renumbering paragraph (3) as paragraph (2).

(28) Section 6703 of title 41, United States Code, is amended—

(A) before paragraph (1), by inserting “and involves an amount exceeding \$2,500” after “section 6702 of this title”;

(B) in paragraph (1), by striking “each class of service employee” and substituting “the various classes of service employees”;

(C) in paragraph (2)—

(i) by striking “each class of service employee” and substituting “the various classes of service employees”; and

(ii) by inserting “rules and” before “regulations”; and

(D) in paragraph (5), by striking “each class of service employee” and substituting “the various classes of service employees”.

(29) Section 6705 of title 41, United States Code, is amended—

(A) in subsection (b)(1), by striking “The total amount” and substituting “An amount”;

(B) in subsection (b)(2)—

(i) by striking “a service employee” and substituting “all service employees”; and

(ii) by striking “underpaid employee” and substituting “underpaid employees”; and

(C) in subsection (d)—

(i) by inserting “rules and” before “regulations”; and

(ii) by striking “a Federal agency” and substituting “the Federal agency”.

(30) Section 6706(b) of title 41, United States Code, is amended by striking “a hearing examiner” and substituting “an administrative law judge”.

(31) Section 6707 of title 41, United States Code, is amended—

(A) in subsection (a)—

(i) by striking “6507” and substituting “6507(b) through (f)”; and

(ii) by inserting “rules and” before “regulations”;

(B) in subsection (b), by inserting “rules and” before “regulations”;

(C) in subsection (c)—

(i) in paragraph (1), by striking “the wages and fringe benefits the service employee would have received under the predecessor contract, including accrued wages and fringe benefits and any prospective increases in wages and fringe benefits provided for in a collective-bargaining agreement as a result of arm’s-length negotiations” and substituting “the wages and fringe benefits provided for in a collective-bargaining agreement as a result of arm’s-length negotiations to which the service employees would have been entitled if they were employed under the predecessor contract, including accrued wages and fringe benefits and any prospective increases in wages and fringe benefits provided for in the collective-bargaining agreement”; and

(ii) in paragraph (2), by striking “under the predecessor contract” and substituting “established under the predecessor contract through collective bargaining”; and

(D) in subsection (d), by striking “each class of service employee” and substituting “the various classes of service employees”.

(32) Section 7105 of title 41, United States Code, is amended—

(A) in subsection (b)(4)(A), by striking “subsection (e)(1)(B)” and substituting “subparagraphs (B) and (D) of subsection (e)(1)”; and

(B) in subsection (e)(1)—

(i) by redesignating subparagraph (D) as subparagraph (E); and

(ii) by adding after subparagraph (C) the following:

“(D) CENTRAL INTELLIGENCE AGENCY CONTRACTS.—The Armed Services Board or the Civilian Board, as specified by a contracting officer of the Central Intelligence Agency as the agency board to which an appeal of a decision of that contracting officer relative to a contract made by the Central Intelligence

Agency may be made, has jurisdiction to decide that appeal.”.

(33) Section 508(a) of the Energy and Water Development Appropriations Act, 1989 (Public Law 100-371, 41 U.S.C. 8301 note) is amended by striking “title III of the Act of March 3, 1933 (47 Stat. 1520; 41 U.S.C. 10a-10c), commonly known as the Buy American Act” and substituting “chapter 83 of title 41, United States Code”.

(34) Section 856(a) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364, 41 U.S.C. 8501 note) is amended—

(A) in paragraph (1)—

(i) in the heading, by striking “JAVITS-WAGNER-O’DAY ACT” and substituting “CHAPTER 85 OF TITLE 41, UNITED STATES CODE”; and

(ii) by striking “section 2 of the Javits-Wagner-O’Day Act (41 U.S.C. 47)” and substituting “section 8503 of title 41, United States Code”; and

(B) in paragraph (2)—

(i) in the heading, by striking “JAVITS-WAGNER-O’DAY ACT” and substituting “CHAPTER 85 OF TITLE 41, UNITED STATES CODE”; and

(ii) in subparagraph (A), by striking “The Javits-Wagner-O’Day Act (41 U.S.C. 46 et seq.)” and substituting “Chapter 85 of title 41, United States Code.”; and

(iii) in subparagraph (B), by striking “The Javits-Wagner-O’Day Act” and substituting “Chapter 85 of title 41, United States Code.”.

(35) Section 848(b) of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163, 41 U.S.C. 8501 note) is amended—

(A) by striking “the Javits-Wagner-O’Day Act (41 U.S.C. 48)” and substituting “chapter 85 of title 41, United States Code.”;

(B) by striking “those Acts” and substituting “the Randolph-Sheppard Act and chapter 85 of title 41, United States Code.”; and

(C) by striking “each Act” and substituting “the Randolph-Sheppard Act or chapter 85 of title 41, United States Code”.

SEC. 31. TITLE 42, UNITED STATES CODE.

(1) Section 244(b)(1) of the Public Health Service Act (42 U.S.C. 238m(b)(1)) is amended by striking “section 3709 of the Revised Statutes (41 U.S.C. 5)” and substituting “section 6101 of title 41, United States Code.”.

(2) Section 306(f) of the Public Health Service Act (42 U.S.C. 242k(f)) is amended by striking “section 3709 of the Revised Statutes (41 U.S.C. 5)” and substituting “section 6101 of title 41, United States Code”.

(3) Section 308(f) of the Public Health Service Act (42 U.S.C. 242m(f)) is amended by striking “section 3709 of the Revised Statutes (41 U.S.C. 5)” and substituting “section 6101 of title 41, United States Code”.

(4) Section 319F-1(b) of the Public Health Service Act (42 U.S.C. 247d-6a(b)) is amended—

(A) in paragraph (1)—

(i) in subparagraph (A)—

(I) by striking “section 4(11) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(11))” and substituting “section 134 of title 41, United States Code”; and

(II) by striking “section 302A(a) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 252a(a))” and substituting “section 3101(b)(1)(A) of title 41, United States Code”; and

(III) in clause (i), by striking “section 303(g)(1)(A) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253(g)(1)(A))” and substituting “section 3305(a)(1) of title 41, United States Code.”; and

(IV) in clause (ii), by striking “section 302A(b) of such Act (41 U.S.C. 252a(b))” and

substituting “section 3101(b)(1)(B) of title 41, United States Code.”; and

(i) in subparagraph (B)—

(I) in clause (ii), by striking “Subsections (a) and (b) of section 7 of the Anti-Kickback Act of 1986 (41 U.S.C. 57(a) and (b))” and substituting “Section 8703(a) of title 41, United States Code”; and

(II) in clause (iii), by striking “Section 304C of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 254d)” and substituting “Section 4706 of title 41, United States Code”; and

(III) in clause (v), by striking “Subsection (a) of section 304 of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 254(a))” and substituting “Section 3901 of title 41, United States Code”; and

(B) in paragraph (2)—

(i) in subparagraph (A)—

(I) by striking “section 303(c)(1) of title III of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253(c)(1))” and substituting “section 3304(a)(1) of title 41, United States Code.”; and

(II) by striking “such section 303(c)(1)” and substituting “such section 3304(a)(1)”; and

(ii) in subparagraph (C), by striking “such section 303(c)(1)” and substituting “such section 3304(a)(1)”; and

(C) in paragraph (3)(A), by striking “subsections (c), (d), and (f) of section 32 of the Office of Federal Procurement Policy Act (41 U.S.C. 428)” and substituting “section 1902(a), (d), and (e) of title 41, United States Code.”.

(5) Section 319F-2(c)(7)(C) of the Public Health Service Act (42 U.S.C. 247d-6b(c)(7)(C)) is amended—

(A) in clause (ii)(VII), by striking “section 303(c)(1) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253(c)(1))” and substituting “section 3304(a)(1) of title 41, United States Code”; and

(B) in clause (iii)(I)—

(i) by striking “section 4(11) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(11))” and substituting “section 134 of title 41, United States Code.”;

(ii) by striking “section 302A(a) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 252a(a))” and substituting “section 3101(b)(1)(A) of title 41, United States Code.”;

(iii) in item (aa), by striking “section 303(g)(1)(A) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253(g)(1)(A))” and substituting “section 3305(a)(1) of title 41, United States Code.”; and

(iv) in item (bb), by striking “section 302A(b) of such Act (41 U.S.C. 252a(b))” and substituting “section 3101(b)(1)(B) of such title”;

(C) in clause (iii)(II)—

(i) in item (bb), by striking “Subsections (a) and (b) of section 7 of the Anti-Kickback Act of 1986 (41 U.S.C. 57(a) and (b))” and substituting “Section 8703(a) of title 41, United States Code.”;

(ii) in item (cc), by striking “Section 304C of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 254d)” and substituting “Section 4706 of title 41, United States Code.”; and

(iii) in item (ee), by striking “Subsection (a) of section 304 of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 254(a))” and substituting “Section 3901 of title 41, United States Code.”;

(D) in clause (iv)—

(i) in subclause (I)—

(I) by striking “section 303(c)(1) of title III of the Federal Property and Administrative

Services Act of 1949 (41 U.S.C. 253(c)(1))" and substituting "section 3304(a)(1) of title 41, United States Code,"; and

(II) by striking "such section 303(c)(1)" and substituting "such section 3304(a)(1)"; and

(ii) in subclause (III), by striking "such section 303(c)(1)" and substituting "such section 3304(a)(1)"; and

(E) in clause (vii), by striking "section 303A(a)(1)(B) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253a(a)(1)(B))" and substituting "section 3306(a)(1)(B) of title 41, United States Code,".

(6) Section 319L(c)(5) of the Public Health Service Act (42 U.S.C. 247d-7e(c)(5)) is amended—

(A) in subparagraph (A)(ii)(II), by striking "section 16(c) of the Office of Federal Procurement Policy Act (41 U.S.C. 414(c))" and substituting "section 1702(c) of title 41, United States Code";

(B) in subparagraph (C), by striking "section 3709 of the Revised Statutes of the United States (41 U.S.C. 5)" and substituting "section 6101 of title 41, United States Code,"; and

(C) in subparagraph (F), by striking "section 303(c)(3) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253(c)(3))" and substituting "section 3304(a)(3) of title 41, United States Code".

(7) Section 413(b)(8) of the Public Health Service Act (42 U.S.C. 285a-2(b)(8)) is amended by striking "section 3709 of the Revised Statutes (41 U.S.C. 5)" and substituting "section 6101 of title 41, United States Code".

(8) Section 421(b)(3) of the Public Health Service Act (42 U.S.C. 285b-3(b)(3)) is amended by striking "section 3709 of the Revised Statutes (41 U.S.C. 5)" and substituting "section 6101 of title 41, United States Code".

(9) Section 464H(b)(9) of the Public Health Service Act (42 U.S.C. 285n(b)(9)) is amended by striking "sections 3648 and 3709 of the Revised Statutes (31 U.S.C. 529; 41 U.S.C. 5)" and substituting "section 3324(a) and (b) of title 31, United States Code, and section 6101 of title 41, United States Code".

(10) Section 494(2) of the Public Health Service Act (42 U.S.C. 289c(2)) is amended by striking "section 3709 of the Revised Statutes (41 U.S.C. 5)" and substituting "section 6101 of title 41, United States Code,".

(11) Section 496(a) of the Public Health Service Act (42 U.S.C. 289e(a)) is amended by striking "section 3709 of the Revised Statutes (41 U.S.C. 5)" and substituting "section 6101 of title 41, United States Code".

(12) Section 504 of the Public Health Service Act (42 U.S.C. 290aa-3) is amended—

(A) in subsection (a), by striking "section 41(1) of the Office of Federal Procurement Policy Act" and substituting "section 134 of title 41, United States Code"; and

(B) in subsection (c), by striking "section 41(1) of the Office of Federal Procurement Policy Act" and substituting "section 134 of title 41, United States Code".

(13) Section 5101(f)(3) of the Patient Protection and Affordable Care Act (42 U.S.C. 294q(f)(3)) is amended by striking "section 3709 of the Revised Statutes (41 U.S.C. 5)" and substituting "section 6101 of title 41, United States Code".

(14) Section 945(d) of the Public Health Service Act (42 U.S.C. 299c-4(d)) is amended by striking "sections 3648 and 3709 of the Revised Statutes (31 U.S.C. 529 and 41 U.S.C. 5)" and substituting "section 3324(a) and (b) of title 31, United States Code, and section 6101 of title 41, United States Code".

(15) Section 1132(d) of the Public Health Service Act (42 U.S.C. 300c-22(d)) is amended by striking "section 3648 and 3709 of the Re-

vised Statutes (31 U.S.C. 529; 41 U.S.C. 5)" and substituting "section 3324(a) and (b) of title 31, United States Code, and section 6101 of title 41, United States Code".

(16) Section 1701(c) of the Public Health Service Act (42 U.S.C. 300u(c)) is amended by striking "sections 3648 and 3709 of the Revised Statutes (31 U.S.C. 529; 41 U.S.C. 5)" and substituting "section 3324(a) and (b) of title 31, United States Code, and section 6101 of title 41, United States Code".

(17) Section 2354(a)(6) of the Public Health Service Act (42 U.S.C. 300cc-41(a)(6)) is amended by striking "section 3709 of the Revised Statutes (41 U.S.C. 5)" and substituting "section 6101 of title 41, United States Code".

(18) Section 1805(d)(3) of the Social Security Act (42 U.S.C. 1395b-6(d)(3)) is amended by striking "section 3709 of the Revised Statutes (41 U.S.C. 5)" and substituting "section 6101 of title 41, United States Code".

(19) Section 1860D-11(g)(1)(B)(iii) of the Social Security Act (42 U.S.C. 1395w-11(g)(1)(B)(iii)) is amended by striking "section 4(5) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(5))" and substituting "section 132 of title 41, United States Code".

(20) Section 1866B(b)(4)(B) of the Social Security Act (42 U.S.C. 1395cc-2(b)(4)(B)) is amended by striking "section 5" and substituting "section 6101".

(21) Section 1874A(b)(1)(B) of the Social Security Act (42 U.S.C. 1395kk-1(b)(1)(B)) is amended by striking "section 5" and substituting "section 6101".

(22) Section 1890(a)(4) of the Social Security Act (42 U.S.C. 1395aaa(a)(4)) is amended by striking "section 4(5) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(5))" and substituting "section 132 of title 41, United States Code".

(23) Section 1900(d)(3) of the Social Security Act (42 U.S.C. 1396(d)(3)) is amended by striking "section 3709 of the Revised Statutes (41 U.S.C. 5)" and substituting "section 6101 of title 41, United States Code".

(24) Section 1902(a)(4)(D) of the Social Security Act (42 U.S.C. 1396a(a)(4)(D)) is amended—

(A) by striking "section 27 of the Office of Federal Procurement Policy Act (41 U.S.C. 423)" and substituting "chapter 21 of title 41, United States Code,"; and

(B) by striking "subsection (a)(2) of such section of that Act" and substituting "section 2102(a)(3) of such title".

(25) Section 1932(d)(3) of the Social Security Act (42 U.S.C. 1396u-2(d)(3)) is amended by striking "section 27 of the Office of Federal Procurement Policy Act (41 U.S.C. 423)" and substituting "chapter 21 of title 41, United States Code".

(26) Section 510(a) of the Housing Act of 1949 (42 U.S.C. 1480(a)) is amended by striking "section 3709 of the Revised Statutes, as amended" and substituting "section 6101 of title 41, United States Code".

(27) Section 302(b) of the Defense Housing and Community Facilities and Services Act of 1951 (42 U.S.C. 1592a(b)) is amended by striking "the Federal Property and Administrative Services Act of 1949, as amended" and substituting "chapter 5 of title 40, United States Code".

(28) Section 305(a) of the Defense Housing and Community Facilities and Services Act of 1951 (42 U.S.C. 1592d(a)) is amended by striking "section 3709 of the Revised Statutes, as amended, section 322 of the Act of June 30, 1932 (47 Stat. 412), as amended, the Federal Property and Administrative Services Act of 1949, as amended" and substituting "the provisions referred to in sec-

tion 171(b) and (c), and section 6101, of title 41 United States Code".

(29) Section 309(a) of the Defense Housing and Community Facilities and Services Act of 1951 (42 U.S.C. 1592h(a)) is amended by striking "section 3709 of the Revised Statutes" and substituting "section 6101 of title 41, United States Code".

(30) Section 4(a) of the Federal Food Donation Act of 2008 (42 U.S.C. 1792(a)) is amended by striking "section 25 of the Office of Federal Procurement Policy Act (41 U.S.C. 421)" and substituting "section 1303 of title 41, United States Code".

(31) Section 11(c) of the National Science Foundation Act of 1950 (42 U.S.C. 1870(c)) is amended by striking "section 3709 of the Revised Statutes" and substituting "section 6101 of title 41, United States Code".

(32) Section 31 c of the Atomic Energy Act of 1954 (42 U.S.C. 2051(c)) is amended by striking "section 3709 of the Revised Statutes, as amended" and substituting "section 6101 of title 41, United States Code".

(33) Section 41 b of the Atomic Energy Act of 1954 (42 U.S.C. 2061(b)) is amended by striking "section 3709 of the Revised Statutes, as amended" and substituting "section 6101 of title 41, United States Code".

(34) Section 43 of the Atomic Energy Act of 1954 (42 U.S.C. 2063) is amended by striking "section 3709 of the Revised Statutes, as amended" and substituting "section 6101 of title 41, United States Code".

(35) Section 55 of the Atomic Energy Act of 1954 (42 U.S.C. 2075) is amended by striking "section 3709 of the Revised Statutes, as amended" and substituting "section 6101 of title 41, United States Code".

(36) Section 66 of the Atomic Energy Act of 1954 (42 U.S.C. 2096) is amended by striking "section 3709 of the Revised Statutes, as amended" and substituting "section 6101 of title 41, United States Code".

(37) Section 161 j of the Atomic Energy Act of 1954 (42 U.S.C. 2201(j)) is amended by striking "the Federal Property and Administrative Services Act of 1949, as amended, except section 207 of that Act" and substituting "chapter 5 (except section 559) of title 40, United States Code".

(38) Section 170 g of the Atomic Energy Act of 1954 (42 U.S.C. 2210(g)) is amended by striking "section 3709 of the Revised Statutes (41 U.S.C. 5), as amended" and substituting "section 6101 of title 41, United States Code".

(39) Section 6(e) of the EURATOM Cooperation Act of 1958 (42 U.S.C. 2295(e)) is amended by striking "section 3709 of the Revised Statutes, as amended" and substituting "section 6101 of title 41, United States Code".

(40) Section 116 of the Atomic Energy Community Act of 1955 (42 U.S.C. 2310) is amended by striking "section 3709 of the Revised Statutes" and substituting "section 6101 of title 41, United States Code".

(41) Section 120 of the Atomic Energy Community Act of 1955 (42 U.S.C. 2349) is amended by striking "section 3709 of the Revised Statutes, as amended" and substituting "section 6101 of title 41, United States Code".

(42) Section 62(d) of the Atomic Energy Community Act of 1955 (42 U.S.C. 2362(d)) is amended—

(A) by striking "provisions of section 3709 of the Revised Statutes" and substituting "provisions of section 6101 of title 41, United States Code"; and

(B) by striking "comply with section 3709 of the Revised Statutes" and substituting "comply with section 6101 of title 41, United States Code,".

(43) Section 601(c) of the Public Works and Economic Development Act of 1965 (42 U.S.C.

3211(c)) is amended by striking “Section 3709 of the Revised Statutes (41 U.S.C. 5)” and substituting “Section 6101 of title 41, United States Code.”.

(44) Section 7(i)(1) of the Department of Housing and Urban Development Act (42 U.S.C. 3535(i)(1)) is amended by striking “section 3709 of the Revised Statutes” and substituting “section 6101 of title 41, United States Code.”.

(45) Section 1345(b) of the National Flood Insurance Act of 1968 (42 U.S.C. 4081(b)) is amended by striking “section 3709 of the Revised Statutes (41 U.S.C. 5)” and substituting “section 6101 of title 41, United States Code.”.

(46) Section 1346(c) of the National Flood Insurance Act of 1968 (42 U.S.C. 4082(c)) is amended by striking “section 3709 of the Revised Statute (41 U.S.C. 5)” and substituting “section 6101 of title 41, United States Code.”.

(47) Section 1360(b) of the National Flood Insurance Act of 1968 (42 U.S.C. 4101(b)) is amended by striking “section 3709 of the Revised Statutes (41 U.S.C. 5)” and substituting “section 6101 of title 41, United States Code.”.

(48) The proviso under the heading “SCIENCE AND TECHNOLOGY” under the heading “ENVIRONMENTAL PROTECTION AGENCY” in title III of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2003 (Public Law 108-7, div. K, 42 U.S.C. 4361c note) is amended by striking “41 U.S.C. 5” and substituting “section 6101 of title 41, United States Code.”.

(49) Section 203(e) of the Environmental Quality Improvement Act of 1970 (42 U.S.C. 4372(e)) is amended by striking “sections 3648 and 3709 of the Revised Statutes (31 U.S.C. 529; 41 U.S.C. 5)” and substituting “section 3324(a) and (b) of title 31, United States Code, and section 6101 of title 41, United States Code.”.

(50) Section 218 of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4638) is amended by striking “the Federal Property and Administrative Services Act of 1949, as amended” and substituting “chapter 5 of title 40, United States Code.”.

(51) Section 611(k) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5196(k)) is amended by striking “the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 et seq.)” and substituting “chapter 5 of title 40, United States Code.”.

(52) Section 306(a) of the Disaster Mitigation Act of 2000 (42 U.S.C. 5206(a)) is amended—

(A) in the subsection heading, by striking “BUY AMERICAN ACT” and substituting “CHAPTER 83 OF TITLE 41, UNITED STATES CODE”; and

(B) by striking “the Buy American Act (41 U.S.C. 10a et seq.)” and substituting “chapter 83 of title 41, United States Code.”.

(53) Section 604(a)(2)(B) of the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. 5403(a)(2)(B)) is amended by striking “section 4 of the Office of Federal Procurement Policy Act” and substituting “section 132 of title 41, United States Code.”.

(54) Section 111(b) of Public Law 95-39 (42 U.S.C. 5903 note) is amended—

(A) by striking “\$10,000” and substituting “\$25,000”; and

(B) by striking “, which are excepted from the requirements of advertising by section 252(c)(3) of title 41, United States Code.”.

(55) Section 207(c)(3) of the Presidential Science and Technology Advisory Organiza-

tion Act of 1976 (42 U.S.C. 6616(c)(3)) is amended by striking “section 3709 of the Revised Statutes (41 U.S.C. 5)” and substituting “section 6101 of title 41, United States Code.”.

(56) Section 433(c) of the Energy Independence and Security Act of 2007 (Public Law 110-140, 42 U.S.C. 6834 note) is amended by striking “section 25 of the Office of Federal Procurement Policy Act (41 U.S.C. 421)” and substituting “section 1302 of title 41, United States Code.”.

(57) The first proviso in the paragraph under the heading “ENERGY INFORMATION ADMINISTRATION” under the heading “DEPARTMENT OF ENERGY” in title II of the Department of the Interior and Related Agencies Appropriations Act, 1996 (Public Law 104-134, title I, section 101(c), 42 U.S.C. 7135 note) is amended by striking “section 4(d) of the Service Contract Act of 1965 (41 U.S.C. 353(d))” and substituting “section 6707(d) of title 41, United States Code.”.

(58) Section 104(i) of the Alaska Power Administration Asset Sale and Termination Act (Public Law 104-58, 42 U.S.C. 7152 note) is amended by striking “the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 484)” and substituting “sections 541 through 555 of title 40, United States Code.”.

(59) Section 103(b)(4) of the Clean Air Act (42 U.S.C. 7403(b)(4)) is amended by striking “sections 3648 and 3709 of the Revised Statutes (31 U.S.C. 529; 41 U.S.C. 5)” and substituting “section 3324(a) and (b) of title 31, United States Code, and section 6101 of title 41, United States Code.”.

(60) Section 104(a)(2)(D) of the Clean Air Act (42 U.S.C. 7404(a)(2)(D)) is amended by striking “sections 3648 and 3709 of the Revised Statutes (31 U.S.C. 529; 41 U.S.C. 5)” and substituting “section 3324(a) and (b) of title 31, United States Code, and section 6101 of title 41, United States Code.”.

(61) Section 112(r)(6)(N) of the Clean Air Act (42 U.S.C. 7412(r)(6)(N)) is amended by striking “section 5” and substituting “section 6101”.

(62) Section 801 of the National Energy Conservation Policy Act (42 U.S.C. 8287) is amended—

(A) in subsection (a)(2)(D)(iii), by striking “section 25 of the Office of Federal Procurement Policy Act (41 U.S.C. 421)” and substituting “section 1303 of title 41, United States Code.”;

(B) in subsection (b)(1)(A), by striking “section 25(a) of the Office of Federal Procurement Policy Act” and substituting “section 1302(a) of title 41, United States Code”; and

(C) in subsection (c)(2), by striking “section 303J(d) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253j(d))” and substituting “section 4106(d) of title 41, United States Code.”.

(63) Section 119(c)(3) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9619(c)(3)) is amended by striking “section 3732 of the Revised Statutes (41 U.S.C. 11)” and substituting “section 6301(a) and (b) of title 41 of the United States Code.”.

(64) Section 2(a) of Public Law 95-84 (42 U.S.C. 10301 note) is amended by striking “41 U.S.C. 504 et seq. (the Federal Grant and Cooperative Agreement Act of 1977; Public Law 95-224)” and substituting “chapter 63 of title 31, United States Code.”.

(65) Section 104(h)(1)(C) of the Water Resources Research Act of 1984 (42 U.S.C. 10303(h)(1)(C)) is amended by striking “section 3709 of the Revised Statutes (41 U.S.C. 5)” and substituting “section 6101 of title 41”.

(66) Section 104(c)(3) of the Americans with Disabilities Act of 1990 (42 U.S.C. 12114(c)(3)) is amended by striking “the Drug-Free Workplace Act of 1988 (41 U.S.C. 701 et seq.)” and substituting “chapter 81 of title 41, United States Code.”.

(67) Section 501 of the National and Community Service Trust Act of 1993 (Public Law 103-82, 42 U.S.C. 12501 note) is amended by striking “sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a-10c, popularly known as the ‘Buy American Act’)” and substituting “chapter 83 of title 41, United States Code.”.

(68) Section 184 of the National and Community Service Act of 1990 (42 U.S.C. 12644) is amended by striking “sections 5153 through 5158 of the Anti-Drug Abuse Act of 1988 (41 U.S.C. 702-707)” and substituting “sections 8101 and 8103 through 8106 of title 41, United States Code.”.

(69) Section 196(b) of the National and Community Service Act of 1990 (42 U.S.C. 12651g(b)) is amended by striking “Federal Property and Administrative Services Act of 1949” and substituting “provisions of section 171(b) and (c) of title 41, United States Code.”.

(70) Section 206(e)(7) of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2000 (Public Law 106-74, 42 U.S.C. 12701 note) is amended by striking “section 3709 of the Revised Statutes (41 U.S.C. 5)” and substituting “section 6101 of title 41, United States Code.”.

(71) Section 525(e)(7) of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2000 (Public Law 106-74, 42 U.S.C. 12701 note) is amended by striking “section 3709 of the Revised Statutes (41 U.S.C. 5)” and substituting “section 6101 of title 41, United States Code.”.

(72) Section 3021(a) of the Energy Policy Act of 1992 (42 U.S.C. 13556(a)) is amended by striking “Federal Property and Administrative Services Act of 1949 (41 U.S.C. 251 et seq.)” and substituting “provisions of section 171(b) and (c) title 41, United States Code.”.

(73) Section 205(e) of the Help America Vote Act of 2002 (42 U.S.C. 15325(e)) is amended by striking “section 3709 of the Revised Statutes of the United States (41 U.S.C. 5)” and substituting “section 6101 of title 41, United States Code.”.

(74) Section 1002(e)(3)(C) of the Energy Policy Act of 2005 (42 U.S.C. 16392(e)(3)(C)) is amended by striking “section 25(c)(1) of the Office of Federal Procurement Policy Act (41 U.S.C. 421(c)(1))” and substituting “section 1303(a)(1) of title 41, United States Code.”.

(75) Section 136(j)(3) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17013(j)(3)) is amended by striking “section 31 of the Office of Federal Procurement Policy Act (41 U.S.C. 427)” and substituting “section 1901 of title 41, United States Code.”.

(76) Section 435(c) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17091(c)) is amended—

(A) in paragraph (1), by striking “section 6(a) of the Office of Federal Procurement Policy Act (41 U.S.C. 405(a))” and substituting “section 1121(b) and (c)(1) of title 41, United States Code.”; and

(B) in paragraph (2), by striking “section 25 of the Office of Federal Procurement Policy Act (41 U.S.C. 421)” and substituting “section 1302(a) of title 41, United States Code.”.

(77) Section 1334(a)(1) of the Patient Protection and Affordable Care Act (42 U.S.C. 18054(a)(1)) is amended by striking “section 5” and substituting “section 6101”.

SEC. 32. TITLE 43, UNITED STATES CODE.

(1) The last proviso in the paragraph under the heading “ADMINISTRATIVE PROVISIONS” under the heading “UNITED STATES GEOLOGICAL SURVEY” in title I of the Department of the Interior and Related Agencies Appropriations Act, 2000 (43 U.S.C. 50d), is amended by striking “41 U.S.C. 5” and substituting “section 6101 of title 41, United States Code”.

(2) Section 115 of the Department of the Interior and Related Agencies Appropriations Act, 2000 (Public Law 106-113, div. B, §1000(a)(3), 43 U.S.C. 1451 note), is amended by striking “Federal Property and Administrative Services Act of 1949” and substituting “provisions of section 171(b) and (c) of title 41, United States Code”.

(3) Section 205 of the Energy and Water Development Appropriations Act, 1993 (43 U.S.C. 1475a) is amended by striking “the Federal Procurement Integrity Act (41 U.S.C. 423 (1988))” and substituting “chapter 21 of title 41, United States Code”.

(4) Section 12(b)(7)(v) of Public Law 94-204 (43 U.S.C. 1611 note) is amended—

(A) by striking “the Federal Property and Administrative Services Act of 1949, 40 U.S.C. sec. 471 et seq.” and substituting “chapter 5 of title 40, United States Code”;

(B) by striking “that Act” and substituting “that chapter”; and

(C) by striking “40 U.S.C. 485(b), as amended” and substituting “40 U.S.C. 572(a)”.

(5) Section 306(a) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1736(a)) is amended by striking “Federal Property and Administrative Services Act of 1949 (63 Stat. 377, as amended)” and substituting “provisions of section 171(b) and (c) of title 41, United States Code”.

SEC. 33. TITLE 44, UNITED STATES CODE.

(1) The item for section 311 in the analysis for chapter 3 of title 44, United States Code, is amended by striking “division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I” and substituting “the provisions referred to in section 171(c)”.

(2) Section 311 of title 44, United States Code, is amended—

(A) in the section catchline, by striking “division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I” and substituting “the provisions referred to in section 171(c)”;

(B) in subsection (a), by striking “division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I” and substituting “the provisions referred to in section 171(c)”;

(C) in subsection (c), by striking “section 6101(b) to (d)” and substituting “section 6101”.

(3) Section 210(i) of the E-Government Act of 2002 (Public Law 107-347, 44 U.S.C. 3501 note) is amended by striking “(as added by subsection (b))” and substituting “(41 U.S.C. note preceding 3901, United States Code)”.

SEC. 34. TITLE 45, UNITED STATES CODE.

(1) Section 11(c) of the Railroad Unemployment Insurance Act (45 U.S.C. 361(c)) is amended—

(A) by striking “section 3709 of the Revised Statutes (U.S.C., title 41, sec. 5)” and substituting “section 6101 of title 41”; and

(B) by striking “section 3709 of Revised Statutes (U.S.C., title 41, sec. 5)” and substituting “section 6101 of title 41”.

(2) Section 613(b) of the Alaska Railroad Transfer Act of 1982 (45 U.S.C. 1212(b)) is amended by striking “the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 484)” and substituting “sections 541 through 555 of title 40, United States Code”.

SEC. 35. TITLE 46, UNITED STATES CODE.

(1) Section 51703(b)(2) of title 46, United States Code, is amended by striking “section

6101(b) to (d)” and substituting “section 6101”.

(2) Section 55305(d)(2)(D) of title 46, United States Code, is amended by striking “section 25(c)(1) of the Office of Federal Procurement Policy Act (41 U.S.C. 421(c)(1))” and substituting “section 1303(a)(1) of title 41”.

SEC. 36. TITLE 48, UNITED STATES CODE.

Section 108 of the Interior Department Appropriation Act, 1953 (48 U.S.C. 1685) is amended by striking “the Federal Property and Administrative Services Act of 1949” and substituting “chapter 5 of title 40, United States Code”.

SEC. 37. TITLE 49, UNITED STATES CODE.

(1) Effective January 4, 2011, section 5(o)(1) of Public Law 111-350 (124 Stat. 3853) is amended by striking “section 103(e)” and substituting “section 103(i)”.

(2) Section 103(i) of title 49, United States Code, is amended by striking “subtitle I of title 40 and division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I” and substituting “section 171(b) and (c)”.

(3) Section 1113(b)(1)(B) of title 49, United States Code, is amended by striking “section 6101(b) to (d)” and substituting “section 6101”.

(4) Section 123(a) of the Hazardous Materials Transportation Authorization Act of 1994 (Public Law 103-311, 49 U.S.C. 5101 note) is amended—

(A) in the heading, by striking “BUY AMERICAN ACT” and substituting “CHAPTER 83 OF TITLE 41, UNITED STATES CODE”; and

(B) by striking “sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a-10c; popularly known as the ‘Buy American Act’)” and substituting “chapter 83 of title 41, United States Code”.

(5) Section 5334(j)(2) of title 49, United States Code, is amended by striking “Section 6101(b) to (d)” and substituting “Section 6101”.

(6) Section 10721 of title 49, United States Code, is amended by striking “Section 6101(b) to (d)” and substituting “Section 6101”.

(7) Section 13712 of title 49, United States Code, is amended by striking “Section 6101(b) to (d)” and substituting “Section 6101”.

(8) Section 15504 of title 49, United States Code, is amended by striking “Section 6101(b) to (d)” and substituting “Section 6101”.

(9) Section 110(b) of the Amtrak Reform and Accountability Act of 1997 (Public Law 105-134, 49 U.S.C. 24301 note) is amended by striking “Section 303B(m) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253b(m))” and substituting “Section 4702 of title 41, United States Code”.

(10) Section 40110(d) of title 49, United States Code, is amended—

(A) in paragraph (2)—

(i) in subparagraph (A), by striking “Division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I” and substituting “Provisions referred to in section 171(c)”; and

(ii) in subparagraph (B), by striking “Division B (except sections 1704 and 2303) of subtitle I” and substituting “Provisions referred to in section 172(b)”; and

(B) in paragraph (3)—

(i) in the heading, by striking “OF DIVISION B (EXCEPT SECTIONS 1704 AND 2303) OF SUBTITLE I” and substituting “REFERRED TO IN SECTION 172(B)”;

(ii) in subparagraph (B), by striking “Office of Federal Procurement Policy Act” and substituting “provisions referred to in section 172(b) of title 41”;

(iii) in subparagraph (C), by striking “Office of Federal Procurement Policy Act” and substituting “provisions referred to in section 172(b) of title 41”; and

(iv) in subparagraph (D), by striking “section 27(e)(3)(A)(iv) of the Office of Federal Procurement Policy Act” and substituting “section 2105(c)(1)(D) of title 41”.

(11) Section 351(b) of the Department of Transportation and Related Agencies Appropriations Act, 1997 (Public Law 104-205, 49 U.S.C. 40110 note) is amended by striking “section 4(6) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(6))” and substituting “section 107 of title 41, United States Code”.

(12) Section 5063 of the Federal Acquisition Streamlining Act of 1994 (Public Law 103-355, 49 U.S.C. 40110 note) is amended—

(A) in subsection (f)(2), by striking subparagraphs (B) and (C) and substituting the following:

“(B) Sections 107, 1708, 3105, 3301(a), (b)(1), and (c), 3303 through 3306(e), 3308, and 3311, chapter 37, and section 4702 of title 41, United States Code.”; and

(B) in subsection (g), by striking “section 4(12) of the Office of Federal Procurement Policy Act” and substituting “section 103 of title 41, United States Code”.

(13) Section 47305(d) of title 49, United States Code, is amended by striking “Section 6101(b) to (d)” and substituting “Section 6101”.

(14) Section 305(b) of the Federal Aviation Administration Authorization Act of 1994 (Public Law 103-305, 49 U.S.C. 50101 note) is amended—

(A) in the heading, by striking “BUY AMERICAN ACT” and substituting “CHAPTER 83 OF TITLE 41, UNITED STATES CODE”; and

(B) in paragraph (1), by striking “sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a through 10c, popularly known as the ‘Buy American Act’)” and substituting “chapter 83 of title 41, United States Code”.

SEC. 38. TITLE 50, UNITED STATES CODE.

(1) Section 4(c)(2) of the Helium Act (50 U.S.C. 167b(c)(2)) is amended by striking “the Federal Property and Administrative Services Act of 1949” and substituting “chapter 5 of title 40, United States Code”.

(2) Section 3(d) of the Act of August 9, 1954 (ch. 659, 50 U.S.C. 198(d)) is amended—

(A) by striking “section 3709 of the Revised Statutes” and substituting “section 6101 of title 41, United States Code”; and

(B) by striking “said section 3709” and substituting “said section 6101”.

(3) Section 102A(q)(4)(B) of the National Security Act of 1947 (50 U.S.C. 403-1(q)(4)(B)) is amended by striking “section 4(9) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 403(9))” and substituting “section 109 of title 41, United States Code”.

(4) Section 505(a)(2)(B)(i) of the National Security Act of 1947 (50 U.S.C. 415(a)(2)(B)(i)) is amended by striking “Federal Property and Administrative Services Act of 1949” and substituting “provisions referred to in section 171(b) and (c) of title 41 of the United States Code”.

(5) Section 506C(e)(1) of the National Security Act of 1947 (50 U.S.C. 415a-5(e)(1)) is amended by striking “section 4(10) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(10))” and substituting “section 108 of title 41, United States Code”.

(6) Section 502(a) of the National Emergencies Act (50 U.S.C. 1651(a)) is amended—

(A) in paragraph (1), by striking “Act of June 30, 1949 (41 U.S.C. 252)” and substituting “Provisions of law referred to in section

171(b) and (c) of title 41, United States Code"; and

(B) in paragraph (3), by striking "Section 3737 of the Revised Statutes, as amended (41 U.S.C. 15)" and substituting "Section 6305 of title 41, United States Code";

(7) The Sudan Accountability and Divestment Act of 2007 (Public Law 110-174, 50 U.S.C. 1701 note) is amended—

(A) in section 2(3), by striking "section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403)" and substituting "section 133 of title 41, United States Code"; and

(B) in section 6—

(i) in subsection (b)(4), by striking "section 25 of the Office of Federal Procurement Policy Act (41 U.S.C. 421)" and substituting "section 1303 of title 41, United States Code"; and

(ii) in subsection (d), by striking "section 25 of the Office of Federal Procurement Policy Act (41 U.S.C. 421)" and substituting "section 1303 of title 41, United States Code";

(8) Section 6(b) of the Iran Sanctions Act of 1996 (Public Law 104-172, 50 U.S.C. 1701 note) is amended—

(A) in paragraph (1), by striking "section 25 of the Office of Federal Procurement Policy Act (41 U.S.C. 421)" and substituting "section 1303 of title 41, United States Code";

(B) in paragraph (2)(B), by striking "section 25 of the Office of Federal Procurement Policy Act (41 U.S.C. 421)" and substituting "section 1303 of title 41, United States Code"; and

(C) in paragraph (6), by striking "section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403)" and substituting "section 133 of title 41, United States Code";

(9) Section 802(a)(4) of the David L. Boren National Security Education Act of 1991 (50 U.S.C. 1902(a)(4)) is amended by striking "section 3709 of the Revised Statutes (41 U.S.C. 5)" and substituting "section 6101 of title 41, United States Code";

(10) Section 3212(c) of the National Nuclear Security Administration Act (50 U.S.C. 2402(c)) is amended by striking "section 16(3) of the Office of Federal Procurement Policy Act (41 U.S.C. 414(3))" and substituting "section 1702(c)(1) and (2) of title 41, United States Code";

(11) Section 3262 of the National Nuclear Security Administration Act (50 U.S.C. 2462) is amended by striking "Office of Federal Procurement Policy Act (41 U.S.C. 401 et seq.)" and substituting "provisions referred to in section 172(b) of title 41, United States Code";

(12) Section 4421(f) of the Atomic Energy Defense Act (50 U.S.C. 2601(f)) is amended by striking "section 304B(d) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 254c(d))" and substituting "section 3903(a) and (e) of title 41, United States Code";

(13) Section 4801(b)(1) of the Atomic Energy Defense Act (50 U.S.C. 2781(b)(1)) is amended by striking "section 22 of the Office of Federal Procurement Policy Act (41 U.S.C. 418b)" and substituting "section 1707 of title 41, United States Code";

SEC. 39. TITLE 50 APPENDIX, UNITED STATES CODE.

(1) Section 8(b) of the Joint Resolution of December 30, 1947 (ch. 526, 50 App. U.S.C. 1918(b)) is amended by striking "sections 3709 and 3648 of the Revised Statutes, as amended (U.S.C., title 41, sec. 5, and title 31, sec. 529)" and substituting "section 3324(a) and (b) of title 31, United States Code, and section 6101 of title 41, United States Code";

(2) The Act of July 26, 1956 (ch. 738, 50 App. U.S.C. 1941i note) is amended by striking

"the Federal Property and Administrative Services Act of 1949" and substituting "chapter 5 of title 40, United States Code";

(3) Section 107(b)(2)(B)(ii) of the Defense Production Act of 1950 (ch. 932, 50 App. U.S.C. 2077(b)(2)(B)(ii)) is amended by striking "section 303(b)(1)(B) or section 303(c)(3) of the Federal Property and Administrative Services Act of 1949" and substituting "section 3303(a)(1)(B) or section 3304(a)(3) of title 41, United States Code";

(4) Section 704(b) of the Defense Production Act of 1950 (ch. 932, 50 App. U.S.C. 2154(b)) is amended—

(A) by striking "section 25 of the Office of Federal Procurement Policy Act" and substituting "section 1303 of title 41, United States Code"; and

(B) by striking "section 6 or 25 of that Act" and substituting "section 1121(b) and (d) or 1303(a)(1) of that title";

(5) Section 709(c) of the Defense Production Act of 1950 (ch. 932, 50 App. U.S.C. 2159(c)) is amended by striking "section 22 of the Office of Federal Procurement Policy Act" and substituting "section 1707 of title 41, United States Code";

SEC. 40. TITLE 51, UNITED STATES CODE.

(1) Section 20113(c)(4) of title 51, United States Code, is amended by striking "chapters 1 to 11 of title 40 and in accordance with title III of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 251 et seq.)" and substituting "chapter 5 of title 40";

(2) Section 30704(2) of title 51, United States Code, is amended by striking "the Buy American Act (41 U.S.C. 10a et seq.)" and substituting "chapter 83 of title 41";

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. SMITH) and the gentleman from California (Ms. ZOE LOFGREN) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. SMITH of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 6080, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SMITH of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the rules of the House entrust to the Judiciary Committee the responsibilities of revision and codification of the statutes of the United States. This power does not give our committee substantive legislative jurisdiction over all areas of law. It merely confers the authority to organize duly enacted laws into an efficient codification system.

The nonpartisan Office of Law Revision Counsel is responsible for properly codifying public laws into titles and sections of the United States Code. From time to time, that office provides the Judiciary Committee with advice as to how to enact a more user-friendly and cohesive statutory system.

This spring, Republican and Democratic committee staff worked cooperatively with the Office of Law Revision Counsel to develop H.R. 6080. The bill makes technical improvements to title 41 of United States Code, which contains Federal laws that govern public contracts. The bill makes no changes to substantive law.

I encourage my colleagues to support this bill. I yield back the balance of my time.

Ms. ZOE LOFGREN of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I'm pleased to join my colleague, Judiciary Committee Chairman LAMAR SMITH, in bringing this bill to the floor. This is a commonsense bill. As has been noted, it makes technical revisions to bipartisan legislation enacted during the 111th Congress that created the new title 41 to the U.S.C., which pertains to public contracts.

This bill was prepared by the Office of Law Revision Counsel as part of its ongoing responsibility to draft and submit to the Committee on the Judiciary, one title at a time, a complete compilation, restatement and revision of the general and permanent laws of the United States.

The bill makes conforming amendments to laws contained in title 41, corrects references that require more particular reference. In addition, the bill omits references to outdated or repealed laws, makes clarifying revisions to sections of title 41 that do not provide meanings for particular words for the purpose of clarity, and corrects two cross-references to public laws that may have been erroneously included.

The bill is not intended to make any substantive changes to the law. As is typical with the codification process, a number of nonsubstantive revisions are made, including the revision of sections into a more coherent overall structure; but these changes, as I've said, are not intended to have any substantive effect.

I urge my colleagues to support this legislation. And I would like to take this opportunity to thank the Office of the Law Revision Counsel for its good work. This makes the practice of law more coherent in the United States.

We have no speakers, and so I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 6080.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

REAUTHORIZING CERTAIN VISA PROGRAMS

Mr. SMITH of Texas. Mr. Speaker, I move to suspend the rules and pass the

bill (S. 3245) to extend by 3 years the authorization of the EB-5 Regional Center Program, the E-Verify Program, the Special Immigrant Nonminister Religious Worker Program, and the Conrad State 30 J-1 Visa Waiver Program.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 3245

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. REAUTHORIZATION OF EB-5 REGIONAL CENTER PROGRAM.

Section 610 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1993 (8 U.S.C. 1153 note) is amended—

(1) by striking “pilot” each place such term appears; and

(2) in subsection (b), by striking “September 30, 2012” and inserting “September 30, 2015”.

SEC. 2. REAUTHORIZATION OF E-VERIFY.

Section 401(b) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note) is amended by striking “September 30, 2012” and inserting “September 30, 2015”.

SEC. 3. REAUTHORIZATION OF SPECIAL IMMIGRANT NONMINISTER RELIGIOUS WORKER PROGRAM.

Section 101(a)(27)(C)(ii) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(27)(C)(ii)) is amended—

(1) in subclause (II), by striking “September 30, 2012” and inserting “September 30, 2015”; and

(2) in subclause (III), by striking “September 30, 2012” and inserting “September 30, 2015”.

SEC. 4. REAUTHORIZATION OF CONRAD STATE 30 J-1 VISA WAIVER PROGRAM.

Section 220(c) of the Immigration and Nationality Technical Corrections Act of 1994 (8 U.S.C. 1182 note) is amended by striking “September 30, 2012” and inserting “September 30, 2015”.

SEC. 5. NO AUTHORITY FOR NATIONAL IDENTIFICATION CARD.

Nothing in this Act may be construed to authorize the planning, testing, piloting, or development of a national identification card.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. SMITH) and the gentleman from California (Ms. ZOE LOFGREN) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. SMITH of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on S. 3245, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SMITH of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, first of all, I'd like to thank the Senate Judiciary Committee

chairman and ranking member for introducing this legislation and for working with me to help ensure that four key immigration-related programs do not expire at the end of this month.

This Congress must ensure there is a national business climate that fosters the ability of private enterprise to create jobs for Americans and legal workers.

S. 3245, which extends for 3 years the E-Verify, EB-5 Regional Center Pilot, the Conrad 30 J-1 Visa Waiver, and the Special Immigrant Nonminister Religious Worker programs, helps achieve this goal in several ways.

First, the E-Verify program allows employers to electronically verify that newly hired employees are authorized to work in the United States. The program is free, quick, and easy to use. Nearly 400,000 American employers use E-Verify, and over 1,000 new businesses sign up for it every week.

The American public overwhelmingly supports E-Verify. Last year, a Rasmussen poll found that 82 percent of likely voters “think businesses should be required to use the Federal Government’s E-Verify system to determine if a potential employee is in the country legally.”

E-Verify has also received bipartisan congressional support in the past. In 2008, the House passed a 5-year extension of E-Verify by a vote of 407-2. And in 2009, the Senate passed a permanent E-Verify extension by voice vote.

Ensuring that businesses have access to E-Verify will help preserve jobs for the 23 million Americans who are currently unemployed or looking for full-time work.

The investor visa program also helps create jobs for Americans. Under this program, 10,000 immigrants can receive permanent residence each year if they engage in a new commercial enterprise, invest between \$500,000 and \$1 million in the business, and see that it creates 10 full-time jobs for American workers.

The Regional Center Pilot Project, which is almost two decades old, has reinvigorated the investor visa program. Investment through a regional center is especially attractive to potential investors because they are relieved of the responsibility of running a new business. They can also count indirect job creation towards the job creation requirement. Most investor visa petitions now involve regional centers.

It appears that investors may feel more confident about a regional center that is operated through a State or city government. In these hard economic times, many State and local governments have turned to regional centers as a method of generating economic growth.

The Association to Invest in the United States of America has estimated the regional center program has created or saved over 65,000 jobs in the U.S. and has led to the investment of over \$3 billion in the U.S. economy.

S. 3245 also extends for 3 years a program that has successfully brought needed doctors to medically underserved areas in the U.S. This program was designed by Senator KENT CONRAD. It allows foreign doctors who have been in the U.S. on exchange programs to stay at the conclusion of their residencies if they agree to practice medicine for at least 3 years in health professional shortage areas. This is a valuable provision, and I support its reauthorization.

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Finally, S. 3245 extends the Special Immigrant Nonminister Religious Worker Program. Under this program, 5,000 immigrant visas can be issued to nonminister individuals who have been members of the denomination and who have worked in the capacity for which they are applying for at least the 2 years immediately following the visa applications. Historically, the program has been plagued by fraud, but the Bush administration took steps to help prevent much of the fraud, and now many churches and religious organizations in the United States rely on these immigrant nonministers. I look forward to making statutory changes aimed at even more fraud prevention, and I support the program’s extension.

Again, I want to thank Senator LEAHY and Senator GRASSLEY for their leadership on this bill. All four of these programs are important, and I urge my colleagues to support S. 3245.

I reserve the balance of my time.

Ms. ZOE LOFGREN of California. Mr. Speaker, I yield myself such time as I may consume.

I do rise in strong support of this bill. Specifically, this bill extends until September 30, 2015, these four long-standing immigration programs that are set to expire otherwise at the end of this month. They are valuable programs, and they serve different purposes.

The one, the Special Immigrant Nonminister Religious Worker Program, allows religious workers to enter the United States to do important work. There are 5,000 religious workers eligible for these visas each year when they are called to a vocation or are in a traditional religious occupation with a bona fide nonprofit religious organization. They are missionaries, counselors, instructors, and pastoral care providers. They really help our country.

The second program, the Conrad “J Waiver,” helps medically underserved communities attract highly skilled physicians. This program literally provides a lifeline for communities that desperately need doctors who received their medical training in the United States. It is absolutely necessary that this program continues to exist so that States can attract medical talent and can keep the doors of small town clinics open.

The third program, the EB-5 Immigrant Investor Pilot Program, allocates 3,000—out of the EB-5 category's 10,000—visas each year for EB-5 investors who invest in these designated regional centers. This pilot program is important to our Nation's economy as it represents, actually, billions of dollars in aggregate immigrant investment, and it creates more than 20,000 new direct and indirect jobs each year.

The final program that would be extended under the bill is E-Verify, the basic pilot program first authorized in 1996. Now, Chairman SMITH and I disagree on how effective this bill is. I don't believe it's ready for mandatory nationwide use because of errors in the system and, more broadly, because of major dysfunctions in our immigration system, but that doesn't mean I disagree that this program should be extended. I do. This program is voluntary, and by extending the E-Verify program as it currently exists, it will provide Congress additional time to work toward improving the program and fixing our Nation's immigration laws so that they work for American families, businesses, and the economy as a whole.

I should note that this bill received unanimous support in the Senate. Likewise, I hope that all of my colleagues in this Chamber will support this bipartisan legislation so that it can be quickly sent to the President's desk for his signature.

I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I continue to reserve the balance of my time.

Ms. ZOE LOFGREN of California. Mr. Speaker, we do have two Members who would like to address this briefly. I yield 2 minutes to the gentleman from Washington (Mr. LARSEN).

Mr. LARSEN of Washington. Mr. Speaker, I rise today in support of S. 3245, which would, in part, reauthorize the EB-5 visa program for 3 years. This EB-5 program will create good American jobs.

Last year, I worked with Senator LEAHY to write H.R. 2972, the Creating American Jobs Through Foreign Capital Act. That legislation would have reauthorized EB-5 permanently. While the bill before us today extends the program for only 3 years, it is still an important job creator that we must pass. The program allows qualified foreign investors who invest in the U.S. and who create or save at least 10 full-time American jobs to seek U.S. visas. This program brings overseas capital to the U.S. to create jobs for people in my district and across America.

There are two projects in Everett, Washington, currently being financed through the EB-5 program. One is a college building. If this bill is not passed, our area will lose this building and the opportunities associated with it. The second investment is one for a

building that houses a regional farmers' market, which is a project that has been in the works and is almost done. This project will help local farmers regionally and create jobs. If this bill is not passed, again, this project, which is set to be finished soon, will not be completed, and all finance and investments will be lost. In another part of my district, in Whatcom County, the local EB-5 center has leveraged more than \$34 million from immigrant investors to create more than 800 good local jobs.

The EB-5 program is a real threefer: It's a win for American workers, who benefit from thousands of new jobs; it's a win for the taxpayer because it doesn't add one penny to the national deficit; third, it helps the U.S. compete on a global scale. The U.S. EB-5 visa program is one of more than 20 similar programs run by other important, growing economies like Hong Kong, New Zealand, Australia, and Singapore.

Our economy cannot afford to do without these investments or these jobs. If we don't keep this road open for foreign investment into the U.S., that investment will choose another country's road. Congress must extend the EB-5 program so that we can continue to create new jobs at a time when we need them most.

Ms. ZOE LOFGREN of California. Mr. Speaker, I yield 1½ minutes to the gentleman from Vermont (Mr. WELCH).

Mr. WELCH. I thank the gentlewoman from California, and I thank the gentleman from Texas.

This is terrific. The EB-5 program works. We're doing it together. We're working with the Senate, and we're getting something done. Let me tell you that the place we're getting something done includes the Sugarbush Valley and the Mad River Valley in Vermont, in the Northeast Kingdom, where we've had, among other jobs created, two ski areas that have been able to take advantage of the EB-5 program—to get investor money and to build the infrastructure that is so essential to the tourist economy that we have in Vermont. So this is a program that works, and it is delightful to me to be able to participate in reinstating this program so that it can continue to help create jobs and promote economic development in my State of Vermont.

I thank the gentleman from Texas and the gentlewoman from California for their leadership on this and for the bipartisan team of Senator LEAHY and Senator GRASSLEY in the United States Senate.

Ms. ZOE LOFGREN of California. I have no additional speakers, and I would be happy to yield back the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, in closing, I just want to thank the gentlewoman from California (Ms. LOFGREN) for her continued interest and leadership in the subject of immigration, and I especially appreciate her support of this bill today.

I yield back the balance of my time.

COMMITTEE ON EDUCATION AND THE
WORKFORCE, HOUSE OF REPRESENTATIVES,

Washington, DC, September 10, 2012.

Hon. LAMAR SMITH,
Chairman, Committee on the Judiciary, House
of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: I am writing to confirm our mutual understanding with respect to the consideration of S. 3245, a bill that reauthorizes certain immigration provisions. Thank you for consulting with the Committee on Education and the Workforce with regard to S. 3245 on those matters within the committee's jurisdiction.

In the interest of expediting the House's consideration of S. 3245, the Committee on Education and the Workforce will forgo further consideration on this bill. However, I do so only with the understanding that this procedural route will not be construed to prejudice the committee's jurisdictional interest and prerogatives on this bill or any other similar legislation and will not be considered as precedent for consideration of matters of jurisdictional interest to my committee in the future.

I respectfully request your support for the appointment of outside conferees from the Committee on Education and the Workforce should this bill or a similar bill be considered in a conference with the Senate. I also request that you include our exchange of letters on this matter in the Committee Report on S. 3245 and in the Congressional Record during consideration of this bill on the House floor. Thank you for your attention to these matters.

Sincerely,

JOHN KLINE,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, September 11, 2012.

Hon. JOHN KLINE,
Chairman, Committee on Education and the
Workforce, Washington, DC.

DEAR CHAIRMAN KLINE, Thank you for your letter dated September 10, 2012 regarding S. 3245, a bill that reauthorizes certain immigration provisions. I am most appreciative of your decision to forego consideration of the bill so that it may move expeditiously to the House floor.

I acknowledge that although you are waiving formal consideration of the bill, the Committee on Education and the Workforce is in no way waiving its jurisdiction over the subject matter contained in the bill. In addition, if a conference is necessary on this legislation, I will support any request that your committee be represented therein.

Finally, I shall be pleased to include your letter and this reply letter memorializing our mutual understanding in the Congressional Record during floor consideration of S. 3245.

Sincerely,

LAMAR SMITH,
Chairman.

Mr. CALVERT. Mr. Speaker, I rise today in support of Chairman LAMAR SMITH and S. 3245 which reauthorizes the E-Verify program for an additional three years.

First, I would like to thank Chairman SMITH for his leadership and support of the E-Verify program. The Chairman has steadfastly supported E-Verify, helped expand the program and provided for several reauthorizations. I commend his leadership and value his hard work on E-Verify and immigration issues.

S. 3245 provides for a simple three year reauthorization of the popular E-Verify program. In 1996, when I first wrote the legislation that created the E-Verify pilot program, I had humble expectations. Now, 16 years after its inception it has 399,538 employers participating at 1.2 million employer sites. So far in FY 2012, there have been more than 19.6 million queries run through the system. Congress and the entire Federal Government is required to use the system and several states have made use of the program mandatory for their employers.

E-Verify continues to defy expectations: it is 99.5 percent accurate, free to employers and easy to use. It continues to develop new ways to combat illegal employment such as Photo Tool, Self Lock, and Fraud Alert.

The next step, which Chairman SMITH, Subcommittee Chairman GALLEGLY and I have been working on, is to make E-Verify mandatory for all employers in the U.S. With unemployment stuck above 8 percent for the 43rd consecutive month, it is time we ensure that American jobs are going to American workers and those legally authorized to work in the U.S. I am hopeful that the House will consider H.R. 2885 before the end of the year; the only way to truly gain control of our borders is to end the jobs magnet that brings people here illegally.

In the meantime, it is necessary that we reauthorize E-Verify for an additional three years and again, I commend Chairman SMITH and look forward to working with him on our efforts to make E-Verify mandatory.

Mr. SABLON. Mr. Speaker, I rise today in support of S. 3245, extending authorization of the EB-5 Regional Center program another three years to September 2015. The EB-5 program provides conditional permanent resident status to foreign investors in economic units known as Regional Centers. In doing so, the program promotes economic growth, improves regional productivity, and creates jobs in the geographic area where a Center is located. This is exactly the kind of incentive needed in my district, the Northern Mariana Islands, which has seen gross domestic product decline from \$1.2 billion in 2002 to \$600 million in 2009. Already several proposals have come forward for the Northern Mariana Islands, predicated on the establishment EB-5 Regional Centers, that will inject foreign investment capital and create jobs. These Regional Centers do not just represent jobs and salary for their direct employees—they represent investments in our community. For every new job created, and for every additional dollar of salary paid, our workforce and pay scale are benefitted across the board. The extension of this program provided in S. 3245 will ensure that these opportunities can continue to benefit our economy. I commend Senator LEAHY and Senator GRASSLEY for introducing this bipartisan legislation and the bipartisan House leadership for bringing this bill to the floor for approval.

Mr. SAM JOHNSON of Texas. Mr. Speaker, I rise in support of S. 3245, which reauthorizes the E-Verify Program for three years. E-Verify is an important tool for employers who want to help ensure they are employing legal workers. I believe that there are a few changes that would make E-Verify even more effective and

user friendly than it already is, that U.S. Citizenship and Immigration Services (USCIS) can make without being required to do so statutorily.

Prevention of identity theft in E-Verify is important and USCIS has been taking steps aimed at doing so. For instance, they have created an E-Verify photo match tool for certain individuals so that an employer can match a DHS database photo to the employee standing in front of them. I applaud the Department of Homeland Security (DHS) for taking this step and others, and also urge USCIS to fully explore other available identity authentication approaches through pilot programs.

I also support DHS providing employers with a seamless integration of an official, electronic I-9 into E-Verify. The goal of an all-electronic system, instead of a paper-based I-9, was included in E-Verify legislation authored by Chairman SMITH. Combining E-Verify and the I-9 together will be a strong inducement for employers to join E-Verify.

I have discussed these changes by DHS with the Chairman of the Judiciary Committee, LAMAR SMITH, who has expressed his support.

Mr. GALLEGLY. Mr. Speaker, S. 3245 extends for three years the authorization of the E-Verify program, the EB-5 Regional Center Program, the Special Immigrant Nonminister Religious Worker Program and the Conrad State 30 J-1 Visa Waiver Program. While these are all important programs, I want to speak specifically about E-Verify.

There are currently 23 million Americans who are unemployed or are looking for work. This lack of jobs is causing almost unimaginable hardship for millions of Americans and their families. And each month more people become discouraged and give up even trying to find a job.

Making sure that Americans have every opportunity to find work is more important than ever. One important way to achieve this goal is to reduce the number of jobs that go to illegal immigrants. The E-Verify program helps do just that.

E-Verify allows employers to check the work eligibility of new hires by running the employee's Social Security number or alien identification number against Department of Homeland Security and Social Security Administration records.

In 1995, I chaired the Congressional Task Force on Immigration Reform. We published a 200-plus page report with more than 80 specific recommendations. One of those was for an electronic employment eligibility verification system, which was included in Chairman Smith's 1996 immigration reform bill. That system is now known as E-Verify.

The program is currently voluntary for most of the almost 400,000 employers who use it. It is free, Internet-based and easy to use. And the employers who use it agree.

E-Verify has proven to be such an effective tool in preventing the employment of those who are illegally in our country that it should be used by all employers to check the employment eligibility of their new hires. It is the easiest way to help make sure U.S. jobs go to Americans and legal immigrants.

Short of requiring all employers to use E-Verify, at the very least we must ensure that the program remains in place for the 400,000

employers who depend on it. S. 3245 does just that by providing for a 3-year extension. So I urge my colleagues to support the bill.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today in strong support of S. 3245, which reauthorizes the EB-5 Regional Center Program. S. 3245 is the type of commonsense legislation we need to put Americans back to work and rebuild our Nation's fragile economy. The EB-5 program, which creates jobs at no cost to taxpayers, has already created more than 25,000 jobs, and is projected to create more than 100,000 jobs per year once the program is fully implemented. With unemployment rates just above eight percent, we cannot afford to pass on this opportunity to innovate and invest in America.

It takes a coordinated effort by both government and the private sector to create jobs and rein in high unemployment rates. I am proud to report that the City of Dallas serves as a shining example that the E-B program works. Thanks to the collaborative efforts of Dallas Mayor Mike Rawlings and the Civitas Capital Group, the City of Dallas Regional Center has attracted more than \$120 million in capital from foreign investors, which has funded projects such as affordable assisted-living facilities and building renovation initiatives.

The Democratic Members of Congress have consistently demonstrated their commitment to creating job opportunities here at home. I am encouraged to see that my Republican colleagues have put partisan politics aside and have joined Democrats in our efforts to put Americans back to work. Reauthorization of the EB-5 program is just one step we can take to bolster our economy, and I hope to see increased bipartisan efforts to keep job-creating investments in the United States.

The SPEAKER pro tempore (Mr. CHAFFETZ). The question is on the motion offered by the gentleman from Texas (Mr. SMITH) that the House suspend the rules and pass the bill, S. 3245.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. SMITH of Texas. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

IMPROVING TRANSPARENCY OF EDUCATION OPPORTUNITIES FOR VETERANS ACT OF 2012

Mr. BILIRAKIS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4057) to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to develop a comprehensive policy to improve outreach and transparency to veterans and members of the Armed Forces through the provision of information on institutions of higher learning, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4057

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. COMPREHENSIVE POLICY ON PROVIDING EDUCATION INFORMATION TO VETERANS.

(a) **COMPREHENSIVE POLICY REQUIRED.**—

(1) *IN GENERAL.*—Chapter 36 of title 38, United States Code, is amended by adding at the end the following new section:

“§3698. Comprehensive policy on providing education information to veterans

“(a) **COMPREHENSIVE POLICY REQUIRED.**—The Secretary shall develop a comprehensive policy to improve outreach and transparency to veterans and members of the Armed Forces through the provision of information on institutions of higher learning.

“(b) **SCOPE.**—In developing the policy required by subsection (a), the Secretary shall include each of the following elements:

“(1) The most effective way to inform individuals of the educational and vocational counseling provided under section 3697A of this title.

“(2) A centralized way to track and publish feedback from students and State approving agencies regarding the quality of instruction and accreditation, recruiting practices, and post-graduation employment placement of institutions of higher learning.

“(3) The merit of and the manner in which a State approving agency shares with an accrediting agency or association recognized by the Secretary of Education under subpart 2 of part H of title IV of the Higher Education Act of 1965 (20 U.S.C. 1099b et seq.) information regarding the State approving agency's evaluation of an institution of higher learning.

“(4) The manner in which information regarding institutions of higher learning is provided to individuals participating in the Transition Assistance Program under section 1144 of title 10.

“(5) The most effective way to provide veterans and members of the Armed Forces with information regarding postsecondary education and training opportunities available to the veteran or member.

“(c) **POSTSECONDARY EDUCATION INFORMATION.**—(1) The Secretary shall ensure that the information provided pursuant to subsection (b)(5) includes—

“(A) an explanation of the different types of accreditation available to educational institutions and programs of education;

“(B) a description of Federal student aid programs; and

“(C) for each institution of higher learning, for the most recent academic year for which information is available—

“(i) whether the institution is public, private nonprofit, or proprietary for-profit;

“(ii) the name of the national or regional accrediting agency that accredits the institution, including the contact information used by the agency to receive complaints from students;

“(iii) information on the State approving agency, including the contact information used by the agency to receive complaints from students;

“(iv) whether the institution participates in programs under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.);

“(v) the tuition and fees;

“(vi) the median amount of debt from Federal student loans under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.) held by students at institution;

“(vii) the cohort default rate, as defined in section 435(m) of the Higher Education Act of 1965 (20 U.S.C. 1085(m)), of the institution;

“(viii) the enrollment rates, graduation rates, and retention rates;

“(ix) for each program of education offered by the institution that is designed to prepare a stu-

dent for an occupation that requires a licensure or certification test offered by a Federal, State, or local government or has other preconditions or requirements, the degree to which the program prepares the student for the particular occupation;

“(x) whether the institution provides students with technical support, academic support, and other support services, including career counseling and job placement; and

“(xi) whether the institution accepts academic credit by students who are transferring to the institution, including credits awarded by a proprietary for-profit institution.

“(2) To the extent possible, the Secretary shall provide the information described in paragraph (1) by including hyperlinks on the Internet website of the Department to other websites that contain such information in a form that is comprehensive and easily understood by veterans, members, and other individuals.

“(d) **DEFINITIONS.**—In this section:

“(1) The term ‘institution of higher learning’ has the meaning given that term in section 3452(f) of this title.

“(2) The term ‘postsecondary education and training opportunities’ means any postsecondary program of education, including apprenticeships and on-job training, for which the Secretary of Veterans Affairs provides assistance to a veteran or member of the Armed Forces.”

(2) **CLERICAL AMENDMENT.**—The table of sections at the beginning of such chapter is amended by adding after the item relating to section 3697A the following new item:

“3698. Comprehensive policy on providing education information to veterans.”

(b) **PROHIBITION ON INDUCEMENTS.**—Section 3696 of title 38, United States Code, is amended by adding at the end the following new subsection:

“(e) The Secretary shall not approve an educational institution if the educational institution provides any commission, bonus, or other incentive payment based directly or indirectly on success in securing enrollments or financial aid to any persons or entities engaged in any student recruiting or admission activities or in making decisions regarding the award of student financial assistance.”

(c) **SURVEY.**—In developing the policy required by section 3698(a) of title 38, United States Code, as added by subsection (a), the Secretary shall conduct a market survey to determine the availability of the following:

(1) A commercially available off-the-shelf online tool that allows a veteran or member of the Armed Forces to assess whether the veteran or member is academically ready to engage in postsecondary education and training opportunities and whether the veteran or member would need any remedial preparation before beginning such opportunities.

(2) A commercially available off-the-shelf online tool that provides a veteran or member of the Armed Forces with a list of providers of postsecondary education and training opportunities based on criteria selected by the veteran or member.

(d) **REPORT.**—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to the Committees on Veterans' Affairs of the House of Representatives and the Senate, the Committee on Education and the Workforce of the House of Representatives, and the Committee on Health, Education, Labor, and Pensions of the Senate a report that includes—

(1) a description of the policy developed by the Secretary under section 3698(a) of title 38, United States Code, as added by subsection (a);

(2) a plan of the Secretary to implement such policy; and

(3) the results of the survey conducted under subsection (b), including whether the Secretary

plans to implement the tools described in such subsection.

(e) **DEFINITIONS.**—In this section:

(1) The term “commercially available off-the-shelf” has the meaning given that term in section 104 of title 41, United States Code.

(2) The term “postsecondary education and training opportunities” means any postsecondary program of education, including apprenticeships and on-job training, for which the Secretary of Veterans Affairs provides assistance to a veteran or member of the Armed Forces.

SEC. 2. STATE CONSIDERATION OF MILITARY TRAINING IN GRANTING CERTAIN STATE CERTIFICATIONS AND LICENSES AS A CONDITION ON THE RECEIPT OF FUNDS FOR VETERANS EMPLOYMENT AND TRAINING.

(a) *IN GENERAL.*—Section 4102A(c) of title 38, United States Code, is amended by adding at the end the following:

“(9)(A) As a condition of a grant or contract under which funds are made available to a State in order to carry out section 4103A or 4104 of this title for any program year, the Secretary shall require the State to disclose to the Secretary in writing the following:

“(i) Criteria applicants must satisfy to receive a certification or license described in subparagraph (B) by the State.

“(ii) A description of the standard practices of the State for evaluating training received by veterans while serving on active duty in the Armed Forces and evaluating the documented work experience of such veterans during such service for purposes of approving or denying a certification or license described in subparagraph (B).

“(iii) Identification of areas in which training and experience described in clause (ii) fails to meet criteria described in clause (i).

“(B) A certification or license described in this subparagraph is any of the following:

“(i) A license to be a nonemergency medical professional.

“(ii) A license to be an emergency medical professional.

“(iii) Any commercial driver's license.

“(C) The Secretary shall share the information the Secretary receives under subparagraph (A)(ii) with the Secretary of Defense to help the Secretary of Defense improve training for military occupational specialties so that individuals who receive such training are able to receive a certification or license described in subparagraph (B) from a State.

“(D) The Secretary shall publish on the Internet website of the Department—

“(i) any guidance the Secretary gives the Secretary of Defense with respect to carrying out this section; and

“(ii) any information the Secretary receives from a State pursuant to subparagraph (A).”

(b) **EFFECTIVE DATE.**—The amendment made by subsection (a) shall apply with respect to a program year beginning on or after October 1, 2013.

SEC. 3. CONDITIONS ON THE AWARD OF PER DIEM PAYMENTS BY THE SECRETARY OF VETERANS AFFAIRS FOR THE PROVISION OF HOUSING OR SERVICES TO HOMELESS VETERANS.

(a) **CONDITION.**—

(1) *IN GENERAL.*—Paragraph (1) of section 2012(c) of title 38, United States Code, is amended to read as follows:

“(1) Except as provided in paragraph (2), a per diem payment may not be provided under this section to a grant recipient or eligible entity unless the entity submits to the Secretary a certification that the building where the entity provides such housing or services is in compliance with codes relevant to the operations and level of care provided, including the most current Life Safety Code or International Fire Code and all

applicable State and local housing codes, licensing requirements, fire and safety requirements, and any other requirements in the jurisdiction in which the project is located regarding the condition of the structure and the operation of the supportive housing or service center.”

(2) **EFFECTIVE DATE.**—The amendment made by paragraph (1) shall apply with respect to an application for a per diem payment under section 2012 of title 38, United States Code, submitted on or after the date of the enactment of this Act.

(b) **ANNUAL REPORT.**—Section 2065(b) of title 38, United States Code, is amended—

(1) by redesignating paragraph (6) as paragraph (7); and

(2) by inserting after paragraph (5) the following new paragraph (6):

“(6) The Secretary’s evaluation of the safety and accessibility of facilities used to provide programs established by grant recipients or eligible entities under section 2011 and 2012 of this title, including the number of such grant recipients or eligible entities who have submitted a certification under section 2012(c)(1).”

(c) **TREATMENT OF CURRENT RECIPIENTS.**—In the case of the recipient of a per diem payment under section 2012 of title 38, United States Code, that receives such a payment during the year in which this Act is enacted, the Secretary of Veterans Affairs shall require the recipient to submit the certification required under section 2012(c)(1) of such title, as amended by subsection (a)(1), by not later than two years after the date of the enactment of this Act. If the recipient fails to submit such certification by such date, the Secretary may not make any additional per diem payments to the recipient under such section 2012 until the recipient submits such certification.

SEC. 4. ESTABLISHMENT OF OPEN BURN PIT REGISTRY.

(a) **ESTABLISHMENT OF REGISTRY.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall—

(1) establish and maintain an open burn pit registry for eligible individuals who may have been exposed to toxic chemicals and fumes caused by open burn pits;

(2) include any information in such registry that the Secretary of Veterans Affairs determines necessary to ascertain and monitor the health effects of the exposure of members of the Armed Forces to toxic chemicals and fumes caused by open burn pits;

(3) develop a public information campaign to inform eligible individuals about the open burn pit registry, including how to register and the benefits of registering; and

(4) periodically notify eligible individuals of significant developments in the study and treatment of conditions associated with exposure to toxic chemicals and fumes caused by open burn pits.

(b) **REPORT TO CONGRESS.**—

(1) **REPORT BY INDEPENDENT SCIENTIFIC ORGANIZATION.**—The Secretary of Veterans Affairs shall enter into an agreement with an independent scientific organization to develop a report containing the following:

(A) An assessment of the effectiveness of actions taken by the Secretaries to collect and maintain information on the health effects of exposure to toxic chemicals and fumes caused by open burn pits.

(B) Recommendations to improve the collection and maintenance of such information.

(C) Using established and previously published epidemiological studies, recommendations regarding the most effective and prudent means of addressing the medical needs of eligible individuals with respect to conditions that are likely to result from exposure to open burn pits.

(2) **SUBMITTAL TO CONGRESS.**—Not later than 18 months after the date on which the registry under subsection (a) is established, the Secretary of Veterans Affairs shall submit to Congress the report developed under paragraph (1).

(c) **DEFINITIONS.**—In this section:

(1) The term “open burn pit” means an area of land located in Afghanistan or Iraq that—

(A) is designated by the Secretary of Defense to be used for disposing solid waste by burning in the outdoor air; and

(B) does not contain a commercially manufactured incinerator or other equipment specifically designed and manufactured for the burning of solid waste.

(2) The term “eligible individual” means any individual who, on or after September 11, 2001—

(A) was deployed in support of a contingency operation while serving in the Armed Forces; and

(B) during such deployment, was based or stationed at a location where an open burn pit was used.

SEC. 5. PERFORMANCE AWARDS IN THE SENIOR EXECUTIVE SERVICE.

For each of fiscal years 2013 through 2017, the Secretary of Veterans Affairs may not pay more than \$1,000,000 in performance awards under section 5384 of title 5, United States Code.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. BILIRAKIS) and the gentleman from California (Mr. FILNER) each will control 20 minutes.

The Chair recognizes the gentleman from Florida.

GENERAL LEAVE

Mr. BILIRAKIS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to include any extraneous material they may have on H.R. 4057, as amended.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. BILIRAKIS. Mr. Speaker, I yield myself such time as I may consume.

H.R. 4057, as amended, is another bipartisan product of the Committee on Veterans’ Affairs’ work to improve the effectiveness of several different benefits and health programs for veterans.

I want to express my appreciation to my good friend Chairman MILLER and to my other good friend Ranking Member BOB FILNER, along with each of the subcommittee chairs—MARLIN STUTZMAN and ANN MARIE BUERKE—as well as Ranking Members BRUCE BRALEY and MIKE MICHAUD, for bringing, of course, these provisions to the full committee and to the floor today.

□ 1600

The bill has five major sections, Mr. Speaker. Section 1 reflects a slightly modified version of the original text of my bill, H.R. 4057, which I introduced in February. This legislation would improve the ability of GI Bill users to choose the school that best meets their educational needs. As we commemorate September 11 today, it is appropriate that this Congress help this generation of post-9/11 veterans make informed choices by using their educational benefits.

Specifically, this legislation will require the VA to create a comprehensive policy that would meet this goal by informing veterans about their eligibility for educational counseling by creating a centralized complaint database on schools, requiring State approving agencies to better communicate with accrediting agencies, requiring VA to link to certain performance-related data points on the College Navigator and other appropriate Web sites, and identifying commercially off-the-shelf available software that would assist students in choosing a school and software that would evaluate their readiness to attend postsecondary education.

I want to thank the veteran service organizations and higher education associations for the support of this section and providing great feedback on ways to improve this bill.

Section 2 contains provisions originally introduced by Congressman STIVERS and my friend from across the aisle, Congressman TIM WALZ, to require States to take military training into account in awarding licenses to work as medical technicians and other trades. I thank Mr. STIVERS, another good friend of mine, and Mr. WALZ, for their work on these provisions that will speed up servicemembers’ transition to civilian life.

Section 3 contains a provision introduced by Congressman DAVID MCKINLEY which would require per diem payment recipients under VA’s Homeless Grant and Per Diem Program to certify compliance with the Life Safety Code or the International Fire Code and other relevant fire safety and building codes. It would also require VA to include an accounting and evaluation of the safety and accessibility of facilities used to provide programs for homeless veterans in the annual report on assistance to homeless veterans.

I’m grateful for Mr. MCKINLEY’s advocacy on behalf of our homeless veterans, and I thank him for his hard work to ensure that they are cared for in a safe and secure environment.

Section 4, which incorporates language originally introduced by Representative AKIN, would direct the VA to establish and maintain an open burn pit registry for veterans—very important—veterans of Iraq and Afghanistan who may have been exposed to toxic chemicals and fumes caused by open burn pits during deployment. It would require VA to develop a public information campaign to inform eligible veterans of the registry and periodically notify them of significant developments in the study and treatment of conditions associated with burn pit exposure. It would also direct the VA to contract with an independent scientific organization to develop a report on the effectiveness of actions taken to collect and maintain information on the health effects of burn pit exposure and

submit the completed report to Congress.

Many of our servicemembers and veterans have returned from Iraq and Afghanistan with grave concerns about the possible long-term health effects of burn pit exposure. With this provision, I hope we will move one step closer to providing them answers which may lead to getting them more effective health care.

Finally, section 5, which incorporates language offered by Mr. STEARNS, a good friend of mine from the State of Florida, would limit the total amount of bonuses paid to senior VA employees to \$1 million for fiscal years 2013 to 2017. On average, over the last several years, VA paid nearly \$4 million a year to senior executives who are already paid very well. In a tight fiscal climate when so many improvements are needed for veterans, we must prioritize every dollar. Extravagant executive bonuses are to be the least of our priorities. I'm pleased this section would recognize that reality.

Mr. Speaker, I would also note that the cost of these sections are fully paid for.

I encourage all Members to support this bill, and I reserve the balance of my time.

Mr. FILNER. Mr. Speaker, I yield myself such time as I may consume.

I certainly thank the members of the committee and Mr. BILIRAKIS for working in such a bipartisan manner to protect servicemembers and protect veterans. I think Mr. BILIRAKIS gave a very comprehensive overview of the bill. Let me just make a couple of points here.

The Post-9/11 GI Bill, which a Democratic Congress passed a couple of years ago, was really a milestone for our current crop of veterans. Almost 800,000 veterans of Iraq and Afghanistan have now made use of the benefits that this bill provides. We ought to be, as a Congress, very proud of that kind of legislation.

With so many thousands of veterans using their Post-9/11 GI Bill, it's important, obviously, that they understand their benefits and eligibility and have all the information available to them. That's what H.R. 4057 does, which Mr. BILIRAKIS outlined quite nicely. Veterans are going to be able to get the kind of information that they need to get the best educational benefits that are suited to them.

Let me just say one thing about section 4 of the bill, which authorizes the Department of VA to establish a burn pit registry for eligible veterans.

Mr. Speaker, every time that we send men and women into combat, we have to make sure we understand the risks associated with exposures to toxic substances and take responsibility when we expose our own troops to these effects. We haven't done that in the past. We ought to learn more from history.

Whether it was atomic testing in World War II, whether it was agent orange in the Vietnam War, whether it was depleted uranium, we've done the same thing over and over again. We've either denied or underestimated the risks. It took years, even decades, to admit the risks. When we finally did that, we still make our veterans undergo lots of bureaucratic hoops to get the benefits that come from exposure to the very substances that we put them at risk for.

Let's not repeat that pattern. This open pit registry will be part of that effort. We want to understand the risks. We want people to know where they have been exposed.

I requested the General Accountability Office to help us in our efforts to better understand health risks associated with the burn pits in Iraq and Afghanistan. We all know that the preliminary reports have shown that the fumes from these pits produce a considerable amount of contaminants that may cause short-term and long-term harm to our servicemembers.

Finally we're having a proactive measure and one which I hope will benefit veterans in an extremely positive way. I thank Mr. BILIRAKIS and his colleagues for working with our colleagues for the bill, and I reserve the balance of my time.

Mr. BILIRAKIS. Mr. Speaker, I'm happy to yield 3 minutes to a senior member of the Veterans Committee, my good friend from Florida (Mr. STEARNS).

Mr. STEARNS. I thank my distinguished chairman and colleague.

I rise today in support of H.R. 4057, the Improving Transparency of Education Opportunities for Veterans Act of 2012. It has been offered by my colleague from Florida, GUS BILIRAKIS.

My colleagues, this bill would provide veterans and servicemembers the resources that they need to make informed decisions when choosing the right institution or school for the career they wish to pursue. The other provisions included would help veterans with State certification credentials for skills acquired while on active duty. It ensures homeless veterans have access to shelters, in compliance with the State and local codes, and would require the Secretary to establish and maintain a burn pit registry program for individuals who may have been exposed to toxic chemicals.

During the committee markup, I offered an amendment that would limit the amount the VA would pay in performance awards to senior staff from fiscal year 2013 to 2017 to adequately cover the costs associated with H.R. 4057, along with the provisions included from the other three bills.

□ 1610

My colleagues, in the last 3 years, the worst economic climate this coun-

try has seen since the Great Depression, almost 800,000 VA employees received monetary awards totaling \$1.1 billion. This limitation amendment I offered affects only the Senior Executive Service, the SES, as they are called, who are considered to be like the generals of the Federal workforce and make between \$120- and \$180,000 a year.

The VA has an agency that has underperformed, yet they continue to provide performance bonuses at the expense of taxpayers and the well-being of our veterans. Today's VA backlog stands at 840,000 claims, of which more than 55 percent have been pending for more than 125 days. It is unconscionable that these senior executive employees are receiving bonuses averaging \$40,000 a year, on top of their six-figure salaries, when the number of backlog claims is close to the number of monetary awards given.

Today, September 11, is a day every American will never forget. I urge all my colleagues to support passage of this bill, and by doing so we honor our veterans and servicemembers by supplying them with these needed resources to help rebuild their lives. Mr. Speaker, today is a day we'll never forget. We'll always remember the sacrifices of those brave men and women, and in passage of this bill we will remind everybody of our appreciation for them.

Mr. FILNER. Mr. Speaker, I yield such time as he may consume to our ranking member of the Health Subcommittee, the gentleman from Maine, a fighter for Veterans' Affairs, Representative MICHAUD.

Mr. MICHAUD. I want to thank the gentleman for his strong support for veterans over the years and look forward to continuing to work with him through the rest of this Congress.

Mr. Speaker, I rise today as a cosponsor and a strong supporter of this bill. Each section of it makes important changes that will improve the care and services we provide our veterans. I'm especially proud that it creates a comprehensive educational outreach policy, recognizes that military service meets the standards of many civilian job certifications, and that it establishes an open burn pit registry.

All three of these provisions are the result of the hard work of veterans and their advocates. I had many meetings with veterans who not only identified these issues, but they also provided solutions for the issues as well.

In my time of serving on the House Veterans' Affairs Committee, I've always appreciated that it's one of the places in Congress where bipartisan efforts are working and things do get done. I'm pleased this is the tradition in this particular bill as well.

I want to thank all of my colleagues on the Veterans Affairs' Committee, Chairman MILLER of the full committee, Chairwoman BUERKLE of the

Health Subcommittee, and TIM WALZ, who has also been a true advocate of veterans' issues, and I thank him for his service as well for this great Nation of ours.

I would encourage my colleagues to support H.R. 4057.

Mr. BILIRAKIS. Mr. Speaker, I yield as much time as she may consume to the chairwoman of the Subcommittee on Health, my good friend, the gentlewoman from New York (Ms. BUEKLE).

Ms. BUEKLE. Mr. Speaker, I rise today in support of H.R. 4057, as amended, the Improving Transparency of Education Opportunities for Veterans Act of 2012.

As we all know, 11 years ago this morning on September 11, 2001, our country was forever changed when terrorist attacks on American soil resulted in the deaths of over 3,000 innocent souls. Since that time we've been tested like never before, and thanks to the brave service and sacrifices of our Nation's Armed Forces, have emerged as a nation stronger, better, and more resolved to advancing the cause of freedom around the world.

We also have emerged a more grateful Nation, ever mindful of the simple truth that the security and freedoms we enjoy were bought and paid for by the blood, sweat, and tears of those in uniform. Caring for and honoring these heroes is one of our Nation's most sacred obligations and the primary purpose of this bill before us today.

H.R. 4057, as amended, includes two provisions originating from the Subcommittee on Health, of which I am honored to chair.

Section 3 of the bill would require per diem payment recipients under the Department of VA Homeless Grant and Per Diem program to provide VA with a certification of compliance with a Life Safety Code or the International Fire Code and other relevant fire safety building codes in their jurisdiction. This provision would also require the VA to include an accounting and evaluation of the safety and accessibility of facilities used to provide programs for homeless vets in the annual report on assistance to homeless veterans.

Current law requires the VA to ensure that entities receiving grants under the homeless grant and per diem program meet fire and safety codes. However, VA lacks a similar requirement to ensure per diem recipients are also compliant with these very important codes.

When one of our honored veterans finds him or herself homeless and makes the difficult decision to get help, we must ensure that they are provided the services they need in a safe, secure, and supportive environment. This section of the bill would allow us to do so in a much more comprehensive, effective, and efficient manner.

This provision was introduced by my good friend and colleague from West

Virginia, DAVID MCKINLEY, and I thank him for his leadership and his advocacy on behalf of the homeless veterans struggling to rebuild their lives.

Section 4 of the bill would direct the VA to establish and maintain an open burn pit registry for veterans of Iraq and Afghanistan, who may have been exposed to toxic chemicals and fumes caused by open burn pits during deployment. This provision would also require the VA to develop a public information campaign to inform eligible veterans of their registry and periodically notify them of significant developments in the study and treatment of the conditions that may be associated with burn pit exposure.

Further, it would direct the VA to contract with an independent scientific organization to develop a report on the effectiveness of actions taken to collect and maintain information on the health effects of burn pit exposure and submit the completed report to Congress.

I have heard from countless veterans who returned home from a war consumed with concern about the air they breathed in the battle, which was often filled with smoke from the burning of solid waste and could affect their health and well-being. With this provision, we will take first steps towards recognizing and respecting these concerns of our veterans. Importantly, it will also allow us to gather data necessary to discovering new and better ways to care for our veterans today and in future generations.

In closing, I would like to offer my sincere gratitude and appreciation to all of the Members who sponsored the provisions included in this legislation.

I also would like to thank the ranking member on the Health Subcommittee, Mr. MICHAUD of Maine, for his support and all of the work on behalf of our veterans.

I urge all of my colleagues to join me in supporting this legislation. On this day of all days, it is so very important that we support the servicemembers and veterans who have fought for the greatest Nation in the history of mankind, the United States of America.

Mr. FILNER. I yield 3 minutes to the gentleman from Minnesota, the sergeant major of the United States Congress, Mr. WALZ.

Mr. WALZ of Minnesota. I would like to thank the ranking member of Veterans' Affairs. I have had no greater friend since his time here, and we are grateful for the work he has done.

To Mr. BILIRAKIS and the entire committee for what has been said by several of my colleagues, it's fitting and appropriate today that we are passing legislation to serve those who have served us. It also is fitting and appropriate that we conduct ourselves in a manner fitting of their service.

This committee is one, as Mr. MICHAUD said and so many others have

said. We are proud of the work we do together. This is just another example.

I would like to comment just briefly on section 2 of this that my good friend and friend of veterans from Ohio (Mr. STIVERS) has been an absolute, outspoken, untiring advocate of to make sure that we employ these veterans when they come home. Last month, President Obama signed in another bill of ours, the Veteran Skills to Jobs Act, that is now the law of the land, making it easier to credential our veterans when they come back.

This Nation spends \$140 billion training our veterans. These are our best and brightest and most dedicated. When they come back home, they're not victims, but we certainly know there are barriers to employment that we should not be putting up in front of them.

□ 1620

If they've driven that truck and served this Nation in Afghanistan, why should we have to repay to get a CDL license? If they've saved their colleagues on the battlefield and passed the credentialing to be a medic, why can't they ride in an ambulance at the Mayo Clinic in my district? And this bill takes it to the next level and sets that credentialing in coordination between the Federal and State to make sure when our veterans return home that we're not putting barriers in front of them, and to be quite honest, that we're not spending precious resources, whether it's giving them unemployment insurance or retraining them through redundant trainings.

In my office, my veterans staffer was the SHAPE commander's Black Hawk pilot in Europe. And he was the top trainer in the military. If he came back out, civilian-wise, he would have to go to a 48-month course to able to get through some of these things. That makes no sense, and it's putting our veterans at a disadvantage.

So I want to thank Mr. STIVERS for making this possible. The transition can be there. I also want to thank our States that have been so willing to work with us. There are eight States that have already implemented this proposal. It will make it easier. It's the right thing to do for our veterans. It will give employers great dependable employees, and it will make sure these veterans do what we know is best for their mental health, for their family, and for this country—get back to work and start doing the things that they want to do.

With that, I thank everyone involved for this great bill. I encourage my colleagues to support H.R. 4057.

Mr. BILIRAKIS. I am happy to yield 2 minutes to the gentleman from Ohio (Mr. STIVERS), a veteran of Operation Iraqi Freedom.

Mr. STIVERS. I would like to thank the gentleman for yielding, and I would

like to thank my colleague, Mr. WALZ, for his help as we've tried to enact the Hire at Home Act, which has been rolled into this bill. The legislation came from a roundtable in my district of veterans last fall. And as veterans return home today with military training they've received, that training is not recognized by civilian authorities and States, and therefore they're forced to go through redundant training to do the job they were doing in the military.

However, if somebody can do a job while serving in a war zone, they can certainly do that same job at home in a safe environment.

With so many veterans returning home from Iraq and Afghanistan, we need to make sure we do everything we can to help get them back to work. It's shameful that the unemployment rate among post-9/11 veterans is 12.7 percent, according to a recent report of the Bureau of Labor Statistics. That's why we introduced the Hire at Home Act. It will help, as Representative WALZ said, remove barriers in front of these soldiers, sailors, airmen, and marines and get them the civilian certifications they need to get them to work as soon as they get home. It forces States to do this by ensuring that in order to receive certain workforce development grants, they have to streamline these certifications.

I would like to thank all those who have helped make this bill happen today: Representative WALZ, Representative BILIRAKIS, Representative MILLER, and Representative STUTZMAN. And I'd like to thank Senator PRYOR for his interest in the Senate. I would like to call on the United States Senate to pass this bill as soon as we get it done. I'd like to thank the Members of this body for their support and urge all the Members to support this legislation.

Mr. FILNER. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. BILIRAKIS. Mr. Speaker, how much time do I have left?

The SPEAKER pro tempore. The gentleman has 6 minutes remaining.

Mr. BILIRAKIS. Mr. Speaker, I yield 3 minutes to the gentleman from West Virginia (Mr. MCKINLEY).

Mr. MCKINLEY. Thank you, Congressman BILIRAKIS and Chairman MILLER, for bringing this bill to the floor today.

Let me take this opportunity to highlight a segment of the portion dealing with safe housing for homeless veterans. I had previously sponsored this concern in a separate piece of legislation, and it was subsequently amended into this bill that's before us today.

Currently, there are 2,100 community-based homeless veterans service providers across the country and many other homeless assistance programs

that have demonstrated impressive success reaching homeless veterans. I've visited some of the shelters in my home district in West Virginia and was struck by how many were not, unfortunately, in compliance with State, local, or Federal building and fire codes.

Consequently, we began to investigate how broad based this issue was across America. It was unsettling to learn about shelter fires where lives have been lost. There's stories of a homeless shelter fire where occupants were killed due to the fact that there was not a required sprinkler system at the facility or dozens were injured when a sprinkler system was not working properly or where doors were closed that needed to be opened.

All of these could have been avoided. Unfortunately, there is no law mandating a homeless shelter meet building and fire safety codes, only a policy within the VA. As a licensed professional engineer, I found this to be an egregious omission in the law concerning homeless shelters for veterans.

The language in this bill would require any organization that seeks funding for VA for services to homeless veterans have documentation that their building meets or exceeds all building codes. This is commonsense legislation that could ensure the well-being of veterans all across America who have fallen on hard times and are in need of the most assistance. As a Nation, it should be unacceptable for us to allow homeless veterans to be housed in potentially unsafe conditions.

I appreciate the support of this legislation and this provision from the American Legion, the Homeless Veterans Coalition, the International Code Council, and the Fire Marshals Association.

Thank you, Mr. Chairman, for including this language in the bill today and for your concern for the safety and the living environment of our veterans.

Mr. BILIRAKIS. I am happy to yield 2 minutes to the chairman of the Subcommittee on Economic Opportunity, the gentleman from Indiana (Mr. STUTZMAN).

Mr. STUTZMAN. I thank the gentleman from Florida (Mr. BILIRAKIS) for yielding.

Mr. Speaker, I rise today in strong support of H.R. 4057, as amended. This is a bipartisan bill that at its core will help our youngest group of veterans make more informed choices about how to use their VA education benefits. I think it's very appropriate today that as we remember 9/11 and those who died that day and those who have died since defending our Nation that we are discussing this bill on the floor. The post-9/11 GI Bill is a wonderful benefit that thousands of veterans are using or have used to advance their education and training.

H.R. 4057 will further assist these veterans in making decisions on how to

best use their GI Bill benefits through new, innovative online tools and by providing greater transparency on certain data from educational institutions. By helping these veterans make more informed choices, we are not only putting them on the path to successful careers, but we are saving taxpayer dollars that may have been misused at a training program that didn't suit the veteran's needs.

As chairman of the Subcommittee on Economic Opportunity, I'm proud of the work that Mr. BILIRAKIS, Mr. BRALEY, and the rest of the members of the subcommittee have done to improve this bill; and thanks to our colleagues on the Health Subcommittee for their provisions as well. I want to thank Chairman MILLER and the ranking member for their support of this legislation. I ask my colleagues to support the bill.

Mr. BILIRAKIS. Mr. Speaker, once again, I encourage all Members to support H.R. 4057, as amended, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. BILIRAKIS) that the House suspend the rules and pass the bill, H.R. 4057, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

□ 1630

PUBLIC TRANSIT SECURITY AND LOCAL LAW ENFORCEMENT SUPPORT ACT

Mr. TURNER of New York. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3857) to amend the Implementing Recommendations of the 9/11 Commission Act of 2007 to require the Secretary of Homeland Security to include as an eligible use the sustainment of specialized operational teams used by local law enforcement under the Transit Security Grant Program, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3857

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Public Transit Security and Local Law Enforcement Support Act".

SEC. 2. CLARIFICATION REGARDING USE OF GRANT FUNDS RELATING TO OPERATIONAL COSTS OF PUBLIC TRANSIT SECURITY.

(a) IN GENERAL.—Section 1406(b)(2) of the Implementing Recommendations of the 9/11 Commission Act of 2007 (6 U.S.C. 1135(b)(2)) is amended—

(1) by redesignating subparagraphs (E) through (H) as subparagraphs (F) through (I), respectively; and

(2) by inserting after subparagraph (D) the following new subparagraph (E):

“(E) specialized patrol teams, as defined by the Secretary in coordination with the recipients of grants under this section, including the sustainment of such teams without fiscal year limitation, as long as the eligible public transportation agency applying for grant funds to fund a specialized patrol team submits a sustainment plan for maintaining in future years the capability or capacity achieved with the grant funds;”.

(b) **EFFECTIVE DATE.**—The amendment made by subsection (a) shall take effect on the date of enactment of this Act and shall apply to grants made under section 1406 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (6 U.S.C. 1135) on or after such date.

(c) **AUTHORIZATION OF APPROPRIATIONS.**—Section 1406(m)(1) of the Implementing Recommendations of the 9/11 Commission Act of 2007 (6 U.S.C. 1135(m)(1)) is amended—

(1) in subparagraph (D) by striking “and” at the end;

(2) in subparagraph (E)—

(A) by striking “10 percent” and inserting “50 percent”; and

(B) by striking the period and inserting “; and”; and

(3) by adding at the end the following:

“(F) \$400,000,000 for each of fiscal years 2012 and 2013, except that not more than 50 percent of such funds in each of such fiscal years may be used for operational costs under subsection (b)(2).”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. TURNER) and the gentleman from Mississippi (Mr. THOMPSON) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. TURNER of New York. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include any extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. TURNER of New York. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today to urge the passage of H.R. 3857, the Public Transportation Security and Local Law Enforcement Support Act, which helps local law enforcement meet national security demands in a troubled economy.

Today, we solemnly remember the tragedy which took place 11 years ago at the Pentagon, in Shanksville, Pennsylvania, and New York City.

I am personally reminded when I travel from my home in New York to D.C., I look toward the southern tip of Manhattan where the Twin Towers once stood.

As we also remember the brave New York firefighters and police officers who ran into the inferno of the World

Trade Center with no regard for their own safety, we should think about the brave spirit that lives on in every first responder. They are truly our last line of defense in an increasingly dangerous world, and we should make sure they are provided with access to all of the resources they need to keep us safe.

In large metropolitan areas, public transit systems are among the most vulnerable targets. In New York City, the MTA carries over 8 million people daily on its subways and buses throughout the five boroughs. The Transit Security Grant program provides funds to public transit agencies in high-risk areas for various security projects including the hiring of full-time personnel for specialized anti-terrorist teams, K-9 units, mobile screening, and public awareness campaigns.

The program is authorized by the Implementing Recommendations of the 9/11 Commission Act of 2007 and administered by the Federal Emergency Management Agency in consultation with the Transportation Security Administration.

Grant funds are used to create new specialized anti-terror teams, but until recently could not be used to sustain these teams unless the Department of Homeland Security provided a waiver. This forced law enforcement to face the uncertainty of the waiver process or risk losing vital security assets. Fortunately, the Secretary provided some relief last year so that a waiver was not required, but without this bill, there is nothing to stop the Department of Homeland Security from reinstating another bureaucratic waiver or process.

H.R. 3857 streamlines the grant program to make it easier for the specialized security teams to receive funding. It authorizes the Department of Homeland Security to provide transit security grant programs to sustain teams and also eliminate the bureaucratic steps of requiring eligible transit agencies to apply for a waiver. This will help avoid countless hours of request, preparation, and review.

I urge my colleagues to support this bill because there is nothing more important than protecting our citizens.

We must make it a priority to ensure that the brave men and women who work so hard to keep us safe have the resources they need as soon as they need it.

I reserve the balance of my time.

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise in support of H.R. 3857, the Public Transit Security and Local Law Enforcement Support Act, and I yield myself such time as I may consume.

As the President stated in his weekly address, the anniversary of 9/11 is a time to honor and commemorate first responders, the victims of the attacks, and the members of the Armed Forces serving at home and abroad. It's unfor-

tunate that the Republican majority has decided to discontinue the House's tradition of doing just that by considering a resolution honoring the fallen and commending our Nation's bravest on this date.

For years, majority leaders of both parties have introduced and scheduled consideration of a 9/11 resolution. Surely, if the House has the time to consider the 32 bills scheduled for consideration on the suspension calendar this week, it has the time to commemorate our Nation's first responders, the victims of 9/11, and our troops by considering a resolution doing just that.

Even if some politicians would prefer not to mention it, our Nation is still at war with Afghanistan. Our troops are still in harm's way, a half a world away, fighting a war that was the direct result of the terrorist attacks of 9/11. Accordingly, I would urge the Republican leadership of the House to reconsider their decision to forego consideration of a 9/11 resolution this day.

As to the legislation under consideration today, I support this bill that, thanks to an amendment offered by Representative JACKSON LEE during committee consideration, authorizes \$400 million for the Transit Security Grant Program. The Transit Security Grant Program provides funds to State and local jurisdictions that need help keeping their transportation systems secure.

As State and local budgets continue to face the strain of recovering from the economic collapse that occurred during the previous administration, we have a responsibility to ensure that they have the funding needed to build and sustain the capacity to protect against a terrorist attack. As amended, H.R. 3857 does just that.

With that, Mr. Speaker, I reserve the balance of my time.

Mr. TURNER of New York. I reserve the balance of my time.

Mr. THOMPSON of Mississippi. Mr. Speaker, I yield as much time as she may consume to the gentlelady from Houston, Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE of Texas. Let me thank Mr. TURNER and the ranking member, Mr. THOMPSON, for their courtesies of yielding to me and allow me to take this moment on the floor on 9/11 to again acknowledge the Members of Congress who this morning joined each other, if you will, two Houses, that came together, on the east steps to be able to acknowledge those who were lost, and I would like to say those who still live in the backdrop of the tragedy, for many are still pained by the loss of their family members. As we know in New York the reading of the names, and, of course, the laying of the wreath that occurred today at the Pentagon.

We cannot get those lives back, and what we recognize is that those lives represented places around the world,

but it also represented moms and dads. Children today have grown up without those loved ones because of the horrific and heinous tragedy, and some might say America's naiveté.

But I am glad to live in a country that believes in her freedom. I am glad to live in a country of which we claim democracy and understand it, understand the freedom of speech and freedom of access, freedom of association. I would not want to live anywhere else.

But we were pained on that day because they attempted to take our naiveté away from us, our innocence. But I am glad that we came together, both in terms of allowing people now still to travel from the east to the west, from the north to the south, to have summer vacations, to lay out in the open sun. This is our Nation.

I am grateful for having the privilege of serving on the Homeland Security Committee. I hold this flag just to indicate that this is a great Nation.

I'd like to thank our early persons who led this committee. Certainly, Mr. Chris Cox, Mr. Jim Turner, the Homeland Security Select Committee and members who were on that committee.

□ 1640

I want to acknowledge my outstanding ranking member, Mr. THOMPSON, who has been a great leader on these issues. He has been diligent; he has been patriotic; he has been loving of this country, along with the chairman, Mr. KING, who has worked for the common good as we have tried to work together. It has not been a perfect unity because we have had disagreements. Many of us disagree on the interpretation of democracy and civil liberties, but we all believe in one Nation under God, but more importantly, the security of this Nation. Mr. THOMPSON, I want to thank you for allowing me to serve with you and for your leadership.

It is in that spirit that I rise today to speak to H.R. 3857, which amends the Implementing Recommendations of the 9/11 Commission Act of 2007.

I might just say, Mr. TURNER, that there were those of us who were here—and you come from New York, and so I know that more than likely there were people in and around your area, the Queens area, who lost their lives, or family members. So we acknowledge the regions that were impacted, from Boston to New York to Pennsylvania. And certainly those families whose family members were on those airlines, we understand, but cannot feel, the deep pain that they have today.

The 9/11 Commission, of course, came about mainly through the many families that walked the halls. And let me, of course, acknowledge those families who even in their pain, again, came to the Halls of Congress and asked us to do something. So this particular legislation is amending the 9/11 Commission Act of 2007 to allow public transpor-

tation agencies to be eligible for grants for security improvements to be used for specialized patrol teams, including the sustainment of such teams without fiscal year limitation, as long as the agency applying for grant funds submits a sustainment plan for maintaining in future years the capability or capacity achieved with the funds. That is a good step. It allows local jurisdictions to expand their services as long as they're able to sustain it.

In January 2007, soon after Democrats took control of the House after being in the minority, I joined with my colleagues across both sides of the aisle and we passed the 9/11 Commission Act of 2007. This legislative landmark was critical in strengthening our Nation's homeland security efforts. Specifically, the 9/11 Act established the Transportation Security Grant Program, which provides a vital source of funding for our transportation systems across the United States.

Shortly thereafter, I remember a conference where the House and Senate came together, and I remember the opportunity to establish transportation security centers of excellence. I am grateful that we established one at Texas Southern University, among other Historically Black Colleges, where we looked at ways of improving transportation security.

Having just been briefed by Texas Southern University, I know that they are finishing their work, and I want to thank the team that led on that program. Those funds were truly used productively, efficiently, and effectively to provide new technology, new techniques and vetting procedures on how we can truly secure America.

Since the demise of Osama bin Laden—led by the outstanding military of the United States of America, guided, directed, of course, by the Commander in Chief, President Obama, and the excellent military leadership, the National Security Agency, that provided all of the guidance for this enormous task—it has been revealed in the public domain that terrorists continue to be interested in developing plots to sabotage mass transit systems, and of course the aviation system. This threat, however, is not new. Today, as I indicated, marks the 11th anniversary since the 9/11 attacks, and as such we must take every step to commemorate the men and women we lost on that day. We also have the responsibility to make sure that we do not allow another catastrophic loss of life like the one we faced that day.

In the course of the years since 9/11 we have seen incidents in London and Spain, we've seen incidents in Mumbai, tragic incidents on mass transit. We have also seen the individual efforts that have been made to bring down another airline over American soil, or certainly en route to the United States of America. Therefore, it is imperative

that Congress examine how the Department of Homeland Security and the Transportation Security Administration are addressing the current and evolving threat to our transportation systems and continue to support programs that have yielded a positive security impact, such as TSA's Transportation Security Grant Program. I have seen in my own transit system the utilization of these funds. I've seen the utilization, as it has been very effective in canine units.

Let's come together around recognizing that the security of America is holistic—first, of course, the frontliners, meaning the United States military; then, of course, the men and women who overlap in jurisdiction under Homeland Security, the many different law enforcements that every day work on the border, work on internal enforcement, work at airports, coalesce and collaborate with the FBI and DEA and ATF, and others, around the question of security.

I am glad these programs are being expanded for security purposes, for efficiency purposes, for utilization of our tax dollars in the right way. That is why I am pleased to see that the majority and the ranking member, along with members of the Democratic part of the committee, at my request and submission of an amendment, accepted my amendment during committee consideration to authorize \$400 million for the Transportation Security Grant Program for FY12 and FY13. This funding will ensure that transportation agencies have the resources needed to secure our public and mass transit system. I would argue that it complements what we're doing in aviation, which, together, maintains the nucleus, if you will, of transportation security.

So I'm hoping that this will move quickly through the United States Senate and find itself on the President's desk. It is crucial. I then hope that my colleagues can come together for us to put on the floor a Transportation Security Administration reauthorization. We've done it before; I know we can do it now. And I ask my colleagues to come together in the name not only of security, but of the families, the 9/11 Commission, who now bear the brunt of that tragic day, along with so many others.

Thank you to our first responders, and of course to the men and women who now serve around the world and those who have come home. I ask my colleagues to support H.R. 3857.

H.R. 3857, "Public Transit Security and Local Law Enforcement Support Act—Amends the Implementing Recommendations of the 9/11 Commission Act of 2007 to allow grants to eligible public transportation agencies for security improvements to be used for specialized patrol teams, including the sustainment of such teams without fiscal year limitation, as long as the agency applying for grant funds

submits a sustainment plan for maintaining in future years the capability or capacity achieved with the funds."

TUESDAY, SEPTEMBER 11, 2012

Mr. Speaker, I rise in support of H.R. 3857, the Public Transit Security and Local Law Enforcement Support Act.

Mr. Speaker, In January 2007, soon after Democrats took control of the House, I, along with my colleagues across both sides of the aisles, championed the 9/11 Commission Act of 2007.

This legislative landmark was critical in strengthening our Nation's homeland security efforts. Specifically, the 9/11 Act established the Transportation Security Grant Program which provides a vital source of funding for our transportation systems across the United States.

Since the demise of Osama bin Laden, it has been revealed in the public domain that terrorists continue to be interested in developing plots to sabotage mass transit systems.

This threat, however, is not new.

Today marks the 11th anniversary since the 9/11 attacks. And as such, we must take every step to commemorate the men and women we lost on that day.

We also have the responsibility to make sure that we do not allow another catastrophic loss of life, like the one we faced that day.

Therefore, it is imperative that we, Congress, examine how the Department of Homeland Security and the Transportation Security Administration are addressing the current and evolving threat to our transportation systems and continue to support programs that have yielded a positive security impact, such as TSA's Transportation Security Grant Program.

Which is why I am pleased to see that the Majority, at my request, accepted my amendment during Committee consideration to authorize \$400 million for the Transportation Security Grant Program (TSGP) for FY 12 and FY 13.

This funding will ensure that transportation agencies have the resources needed to secure our public and mass transit systems.

Mr. TURNER of New York. Mr. Speaker, I have no more speakers. If the gentleman from Mississippi has no further speakers, I am prepared to close once the gentleman does.

Mr. THOMPSON of Mississippi. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, on this day, above all others, we turn our thoughts to those who were lost in the tragic events of 9/11. It is unfortunate that the Republican leadership of the House has decided not to continue this body's tradition of considering a resolution to commemorate first responders, the victims of the attack, and members of the Armed Forces serving at home and abroad.

Mr. Speaker, I urge my colleagues to join me in calling for the consideration of a 9/11 resolution, and in support of H.R. 3857. H.R. 3857 authorizes funds critical to ensuring our Nation's transportation systems are secure. It does so to the tune of \$400 million, dollars that State and local jurisdictions desperately need.

With that, Mr. Speaker, I yield back the balance of my time.

Mr. TURNER of New York. Mr. Speaker, I urge Members to support the bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. TURNER) that the House suspend the rules and pass the bill, H.R. 3857, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. THOMPSON of Mississippi. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

□ 1650

NO-HASSLE FLYING ACT OF 2012

Mr. WALSH of Illinois. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6028) to authorize the Assistant Secretary of Homeland Security (Transportation Security Administration) to modify screening requirements for checked baggage arriving from preclearance airports, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6028

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "No-Hassle Flying Act of 2012".

SEC. 2. PRECLEARANCE AIRPORTS.

(a) IN GENERAL.—Section 44901(d) of title 49, United States Code, is amended by adding at the end the following new paragraph:

"(4) PRECLEARANCE AIRPORTS.—

"(A) IN GENERAL.—For a flight or flight segment originating at an airport outside the United States and traveling from an airport outside the United States where U.S. Customs and Border Protection has established preclearance operations, the Assistant Secretary (Transportation Security Administration) may, in coordination with U.S. Customs and Border Protection, determine whether such baggage must be re-screened in the United States by an explosives detection system before such baggage continues on any additional flight or flight segment.

"(B) LIMITATION.—The Assistant Secretary may not exercise the authority under subparagraph (A) unless an agreement is in effect between the United States and the country from which the flight originates requiring the implementation of security standards and protocols that are determined by the Assistant Secretary in coordination with U.S. Customs and Border Protection to be comparable to those of the United States and therefore sufficiently effective to enable passengers to deplane into sterile areas of airports in the United States.

"(C) REPORT.—The Assistant Secretary shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate an annual report on the re-screening of baggage under this paragraph. Each such report shall include the following for the year covered by the report:

"(i) A list of airports outside the United States from which a flight or flight segment traveled to the United States for which the Assistant Secretary determined, in accordance with the authority under subparagraph (A), that checked baggage was not required to be re-screened in the United States by an explosive detection system before such baggage continued on an additional flight or flight segment.

"(ii) The amount of Federal savings generated from the exercise of such authority."

(b) CONFORMING AMENDMENTS.—Section 44901 of title 49, United States Code, is amended by striking "explosive" each place it appears and inserting "explosives".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. WALSH) and the gentleman from Mississippi (Mr. THOMPSON) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

Mr. WALSH of Illinois. Mr. Speaker, I yield myself such time as I may consume.

GENERAL LEAVE

Mr. WALSH of Illinois. I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. WALSH of Illinois. Mr. Speaker, earlier this year I introduced H.R. 6028, the No-Hassle Flying Act, which is a very simple bill that streamlines baggage security measures for international flights.

Over the past decade, the U.S. Customs and Border Patrol has designated 14 international airports as preclearance airports. They are located in Canada, the Caribbean, and Ireland, and continue to exhibit comparable security standards to ours right here in the United States. When passengers originate from one of these airports and fly into the U.S., they are not required to go through security again because they have already been fully vetted. Unfortunately, an ambiguity in U.S. law does not exempt their bags as well.

U.S. law today requires all baggage entering the United States to be re-screened by a TSA agent, regardless of where it originates. That means that passengers, often on short or late-night layovers, must exit security, claim their bags from baggage claim, recheck them, and go through security again. This double security does not equal double safety. It equals missed flights,

more hassles, and it wastes taxpayer dollars.

Therefore, all this bill does is give CBP and TSA the authority to exempt baggage coming from one of those 14 preclearance airports from being re-screened as well. This issue was brought to my attention by TSA, and H.R. 6028 has come together with a great deal of their help.

I would like to also especially thank the staffs of Representatives THOMPSON and SHEILA JACKSON LEE for helping improve upon this bill. With their help, H.R. 6028 has been redrafted to clarify the intent of the bill, which is that baggage originating only from preclearance airports can enter the United States without being re-screened.

As TSA and CBP gravitate toward more efficient risk-based security measures instead of 100 percent blanket checks, this type of bipartisan legislation will make that process easier. It will also save travelers time and allow security officers to focus on higher-risk baggage from overseas locations.

I also want to thank Subcommittee Chairman ROGERS and his staff for their assistance on this bill.

I urge Members to vote in support. I reserve the balance of my time.

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise in support of H.R. 6028, the No-Hassle Flying Act of 2012, and yield myself such time as I may consume.

Mr. Speaker, while I support the legislation we are considering today, I'm concerned that on this, the anniversary of the terrorist attack of September 11, we are not considering a bipartisan package of legislation.

On this day, 11 years ago, our country was attacked and came together like never before to face the immense challenges of rebuilding and restructuring our security systems. With the creation of the 9/11 Commission, the Transportation Security Administration and, ultimately, the Department of Homeland Security, we demonstrated that homeland security is an American issue, not a partisan one.

Why then, I must ask, are we not considering a bipartisan package of legislative proposals that have previously received the unanimous support of the Committee on Homeland Security?

Why is this bill, which never received committee consideration, being put on the House floor ahead of H.R. 1165, the Transportation Security Administration Ombudsman Act? That bill, introduced by Representative JACKSON LEE, received the unanimous support of the Committee on Homeland Security. Despite that, it has sat idle on the Union Calendar for over 10 months.

Why are we not considering H.R. 6328, a thoughtful proposal introduced by Representative HOCHUL that would require TSA to transfer unclaimed cloth-

ing found at security checkpoints to veterans in need? With the wars in Iraq and Afghanistan that were fought in the aftermath of 9/11 over and coming to an end, respectively, I could think of no more appropriate legislation for this body to consider today than a bill aimed at supporting our veterans.

Mr. Speaker, I support the bill we are considering today because it is a commonsense proposal that will make air travel more convenient for a select few and has the potential to enhance efficiencies. When we can eliminate duplicative screening without compromising security, I will lend my support.

Accordingly, I support this legislation that the Obama administration proposed and the gentleman from Illinois, Representative WALSH introduced.

With that, Mr. Speaker, I reserve the balance of my time.

Mr. WALSH of Illinois. Mr. Speaker, I'm prepared to close. I reserve the balance of my time.

Mr. THOMPSON of Mississippi. Mr. Speaker, I yield for as much time as she may consume to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE of Texas. Let me thank the ranking member for his courtesies of extending the time, and let me acknowledge the gentleman from Illinois for the work on this bill and working with my office.

At the first glance, though, this has been proposed by the Obama administration, one would wonder why we were lessening any oversight over baggage. But this is a process that I think is in compliance with all of our commitment to safety and security.

And, in particular, on this day, I do appreciate the fact that there are certain airports which this will cover, that this responds in particular to friends to the north of us, Canada, which has the most sophisticated technology, and a number of other airports.

Also, I think, because of the oversight of the Secretary of Homeland Security, in case there is a need to review this particular process which allows for a bag of an entering person to continue on with them as they come into the country going on to their domestic location. This is, again, an item of trust, but also an item of technology and an item of oversight.

This is an administrative proposal that came by way of the White House in order to establish an administrative process to which the flying public can travel with minimum security disruption.

I always emphasize, however, the importance of ensuring in the most—the highest of responsibilities, the security of this Nation. I believe that we, as Congress, have the responsibility to ensure that aviation security is not compromised through any efforts that ease travel for the flying public.

The Obama administration has taken great strides in enhancing our trans-

portation security, particularly that in aviation. Although Osama bin Laden, as I've repeated before on this floor, is dead, the threat to our aviation safety and security continues to evolve because we're well aware of franchise terrorism. Not only did the administration lead a successful attack to remove one of the most dangerous terrorists in the world, the Obama administration has also taken significant steps to enhance policies that protect the American flying public.

In December, the Department will successfully meet a Congressional cargo screening mandate of screening 100 percent cargo aboard passenger flights traveling in the United States and those inbound to the United States from foreign countries. This is a noteworthy accomplishment, since several in Washington, D.C., touted that it could not be done. It's a day of celebration. It's something that the 9/11 families welcome.

Today marks 11 years since we experienced the devastating loss of life, and 9/11 marked all of our lives by exposing doubts. But as I indicated in my earlier statement, this is a great country, and of course we continue to emphasize not only our democracy, but our rights, along with our security.

There's no doubt today that we are resilient and that we are survivors. Let's not forget the progress we've made in transportation security policies, and we must continue to support measures that take us forward.

That is why I support H.R. 6028 and ask that my colleagues do so, because not only does it help to expedite, it helps to be efficient, but it is in conjunction with security. That is the right step and a collaborative way that we can work together.

Again, I ask support for this legislation.

Mr. Speaker, H.R. 6028, The No-Hassle Flying Act of 2012, grants the Assistant Secretary of Homeland Security (Transportation Security Administration [TSA]) discretion to determine whether checked baggage on a flight or flight segment originating at an airport outside the United States must be re-screened in the United States for explosives before it can continue on any additional flight or flight segment if the baggage has already been screened in the foreign airport in accordance with an aviation security preclearance agreement between the United States and the country in which the airport is located.

TUESDAY, SEPTEMBER 11, 2012

Mr. Speaker, I stand here today in support of this legislation we are considering today.

H.R. 6028 came to this chamber as an administrative proposal by the White House in order to establish an administrative process through which the flying public can travel with minimal security disruption.

I believe that we, as Congress, have the responsibility to ensure that aviation security is not compromised through any efforts that ease travel for the flying public.

The Obama Administration has taken great strides in enhancing our transportation security, particularly that in aviation.

Although Osama bin Laden is dead, the threat to our aviation safety and security continues to evolve. Not only did this Administration lead a successful attack to remove one of the most dangerous terrorists in the world, the Obama Administration has also taken significant steps to enhance policies that protect the American flying public.

In December, the Department will successfully meet a Congressional cargo-screening mandate of screening 100% cargo aboard passenger flights traveling in the United States and those inbound to the United States from foreign countries.

This is a noteworthy accomplishment; since several in Washington, DC touted that this could not be done.

Today marks 11 years since we experienced a devastating loss of life.

9/11 marked all of our lives by surfacing doubts of our resiliency as a Country.

There is no doubt, today, that we are resilient and that we are survivors. Let's not forget the progress we have made in transportation security policies and we must continue to support measures that take us forward and provide a more safe and secure transportation for all Americans.

That is why I support H.R. 6028 and ask that my colleagues do the same.

□ 1700

Mr. THOMPSON of Mississippi. Mr. Speaker, I have no more speakers. If the gentleman from Illinois has no more speakers, then I am prepared to close.

Mr. WALSH of Illinois. I have no more speakers.

Mr. THOMPSON of Mississippi. I yield myself such time as I may consume.

Mr. Speaker, on this day above all others, we turn our thoughts to those who were lost in the tragic events of 9/11. It is unfortunate that the House has missed the opportunity today to consider noncontroversial Homeland Security legislation introduced by both Democrats and Republicans, thus showing that on 9/11 we put partisan politics aside and focused on doing the right thing.

Before closing, I would like to extend my congratulations to the gentleman from Illinois, Representative WALSH, for having bills on the floor for consideration for the first time today. I suspect that he is as surprised as I am that one of his first bills to reach the floor was proposed to Congress by the Obama administration.

With that, Mr. Speaker, I urge the passage of this proposal from the Obama administration, and I yield back the balance of my time.

Mr. WALSH of Illinois. I thank the ranking member.

I urge all Members, Mr. Speaker, to join me in support of this bipartisan bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. WALSH) that the House suspend the rules and pass the bill, H.R. 6028, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

HAZARDOUS WASTE ELECTRONIC MANIFEST ESTABLISHMENT ACT

Mr. MURPHY of Pennsylvania. Mr. Speaker, I move to suspend the rules and pass the bill (S. 710) to amend the Solid Waste Disposal Act to direct the Administrator of the Environmental Protection Agency to establish a hazardous waste electronic manifest system, as amended.

The Clerk read the title of the bill.

The text of the amendment is as follows:

Amendment:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Hazardous Waste Electronic Manifest Establishment Act".

SEC. 2. HAZARDOUS WASTE ELECTRONIC MANIFEST SYSTEM.

(a) *IN GENERAL.*—Subtitle C of the Solid Waste Disposal Act (42 U.S.C. 6921 et seq.) is amended by adding at the end the following:

"SEC. 302A. HAZARDOUS WASTE ELECTRONIC MANIFEST SYSTEM.

"(a) *DEFINITIONS.*—In this section:

"(1) *BOARD.*—The term 'Board' means the Hazardous Waste Electronic Manifest System Advisory Board established under subsection (f).

"(2) *FUND.*—The term 'Fund' means the Hazardous Waste Electronic Manifest System Fund established by subsection (d).

"(3) *PERSON.*—The term 'person' includes an individual, corporation (including a Government corporation), company, association, firm, partnership, society, joint stock company, trust, municipality, commission, Federal agency, State, political subdivision of a State, or interstate body.

"(4) *SYSTEM.*—The term 'system' means the hazardous waste electronic manifest system established under subsection (b).

"(5) *USER.*—The term 'user' means a hazardous waste generator, a hazardous waste transporter, an owner or operator of a hazardous waste treatment, storage, recycling, or disposal facility, or any other person that—

"(A) is required to use a manifest to comply with any Federal or State requirement to track the shipment, transportation, and receipt of hazardous waste or other material that is shipped from the site of generation to an off-site facility for treatment, storage, disposal, or recycling; and

"(B)(i) elects to use the system to complete and transmit an electronic manifest format; or

"(ii) submits to the system for data processing purposes a paper copy of the manifest (or data from such a paper copy), in accordance with such regulations as the Administrator may promulgate to require such a submission.

"(b) *ESTABLISHMENT.*—Not later than 3 years after the date of enactment of this section, the Administrator shall establish a hazardous waste electronic manifest system that may be used by any user.

"(c) *USER FEES.*—

"(1) *IN GENERAL.*—In accordance with paragraph (4), the Administrator may impose on users such reasonable service fees as the Administrator determines to be necessary to pay costs incurred in developing, operating, maintaining, and upgrading the system, including any costs incurred in collecting and processing data from any paper manifest submitted to the system after the date on which the system enters operation.

"(2) *COLLECTION OF FEES.*—The Administrator shall—

"(A) collect the fees described in paragraph (1) from the users in advance of, or as reimbursement for, the provision by the Administrator of system-related services; and

"(B) deposit the fees in the Fund.

"(3) *FEE STRUCTURE.*—

"(A) *IN GENERAL.*—The Administrator, in consultation with information technology vendors, shall determine through the contract award process described in subsection (e) the fee structure that is necessary to recover the full cost to the Administrator of providing system-related services, including—

"(i) contractor costs relating to—

"(I) materials and supplies;

"(II) contracting and consulting;

"(III) overhead;

"(IV) information technology (including costs of hardware, software, and related services);

"(V) information management;

"(VI) collection of service fees;

"(VII) reporting and accounting; and

"(VIII) project management; and

"(ii) costs of employment of direct and indirect Government personnel dedicated to establishing, managing, and maintaining the system.

"(B) *ADJUSTMENTS IN FEE AMOUNT.*—

"(i) *IN GENERAL.*—The Administrator, in consultation with the Board, shall increase or decrease the amount of a service fee determined under the fee structure described in subparagraph (A) to a level that will—

"(I) result in the collection of an aggregate amount for deposit in the Fund that is sufficient and not more than reasonably necessary to cover current and projected system-related costs (including any necessary system upgrades); and

"(II) minimize, to the maximum extent practicable, the accumulation of unused amounts in the Fund.

"(ii) *EXCEPTION FOR INITIAL PERIOD OF OPERATION.*—The requirement described in clause (i)(II) shall not apply to any additional fees that accumulate in the Fund, in an amount that does not exceed \$2,000,000, during the 3-year period beginning on the date on which the system enters operation.

"(iii) *TIMING OF ADJUSTMENTS.*—Adjustments to service fees described in clause (i) shall be made—

"(I) initially, at the time at which initial development costs of the system have been recovered by the Administrator such that the service fee may be reduced to reflect the elimination of the system development component of the fee; and

"(II) periodically thereafter, upon receipt and acceptance of the findings of any annual accounting or auditing report under subsection (d)(3), if the report discloses a significant disparity for a fiscal year between the funds collected from service fees under this subsection for the fiscal year and expenditures made for the fiscal year to provide system-related services.

"(4) *CREDITING AND AVAILABILITY OF FEES.*—Fees authorized under this section shall be collected and available for obligation only to the extent and in the amount provided in advance in appropriations Acts.

"(d) *HAZARDOUS WASTE ELECTRONIC MANIFEST SYSTEM FUND.*—

“(1) **ESTABLISHMENT.**—There is established in the Treasury of the United States a revolving fund, to be known as the ‘Hazardous Waste Electronic Manifest System Fund’, consisting of such amounts as are deposited in the Fund under subsection (c)(2)(B).

“(2) **EXPENDITURES FROM FUND.**—

“(A) **IN GENERAL.**—Only to the extent provided in advance in appropriations Acts, on request by the Administrator, the Secretary of the Treasury shall transfer from the Fund to the Administrator amounts appropriated to pay costs incurred in developing, operating, maintaining, and upgrading the system under subsection (c).

“(B) **USE OF FUNDS BY ADMINISTRATOR.**—Fees collected by the Administrator and deposited in the Fund under this section shall be available to the Administrator subject to appropriations Acts for use in accordance with this section without fiscal year limitation.

“(C) **OVERSIGHT OF FUNDS.**—The Administrator shall carry out all necessary measures to ensure that amounts in the Fund are used only to carry out the goals of establishing, operating, maintaining, upgrading, managing, supporting, and overseeing the system.

“(3) **ACCOUNTING AND AUDITING.**—

“(A) **ACCOUNTING.**—For each 2-fiscal-year period, the Administrator shall prepare and submit to the Committee on Environment and Public Works and the Committee on Appropriations of the Senate and the Committee on Energy and Commerce and the Committee on Appropriations of the House of Representatives a report that includes—

“(i) an accounting of the fees paid to the Administrator under subsection (c) and disbursed from the Fund for the period covered by the report, as reflected by financial statements provided in accordance with—

“(I) the Chief Financial Officers Act of 1990 (Public Law 101-576; 104 Stat. 2838) and amendments made by that Act; and

“(II) the Government Management Reform Act of 1994 (Public Law 103-356; 108 Stat. 3410) and amendments made by that Act; and

“(ii) an accounting describing actual expenditures from the Fund for the period covered by the report for costs described in subsection (c)(1).

“(B) **AUDITING.**—

“(i) **IN GENERAL.**—For the purpose of section 3515(c) of title 31, United States Code, the Fund shall be considered a component of an Executive agency.

“(ii) **COMPONENTS OF AUDIT.**—The annual audit required in accordance with sections 3515(b) and 3521 of title 31, United States Code, of the financial statements of activities carried out using amounts from the Fund shall include an analysis of—

“(I) the fees collected and disbursed under this section;

“(II) the reasonableness of the fee structure in place as of the date of the audit to meet current and projected costs of the system;

“(III) the level of use of the system by users; and

“(IV) the success to date of the system in operating on a self-sustaining basis and improving the efficiency of tracking waste shipments and transmitting waste shipment data.

“(iii) **FEDERAL RESPONSIBILITY.**—The Inspector General of the Environmental Protection Agency shall—

“(I) conduct the annual audit described in clause (ii); and

“(II) submit to the Administrator a report that describes the findings and recommendations of the Inspector General resulting from the audit.

“(e) **CONTRACTS.**—

“(1) **AUTHORITY TO ENTER INTO CONTRACTS FUNDED BY SERVICE FEES.**—After consultation

with the Secretary of Transportation, the Administrator may enter into 1 or more information technology contracts with entities determined to be appropriate by the Administrator (referred to in this subsection as ‘contractors’) for the provision of system-related services.

“(2) **TERM OF CONTRACT.**—A contract awarded under this subsection shall have a term of not more than 10 years.

“(3) **ACHIEVEMENT OF GOALS.**—The Administrator shall ensure, to the maximum extent practicable, that a contract awarded under this subsection—

“(A) is performance-based;

“(B) identifies objective outcomes; and

“(C) contains performance standards that may be used to measure achievement and goals to evaluate the success of a contractor in performing under the contract and the right of the contractor to payment for services under the contract, taking into consideration that a primary measure of successful performance shall be the development of a hazardous waste electronic manifest system that—

“(i) meets the needs of the user community (including States that rely on data contained in manifests);

“(ii) attracts sufficient user participation and service fee revenues to ensure the viability of the system;

“(iii) decreases the administrative burden on the user community; and

“(iv) provides the waste receipt data applicable to the biennial reports required by section 3002(a)(6).

“(4) **PAYMENT STRUCTURE.**—Each contract awarded under this subsection shall include a provision that specifies—

“(A) the service fee structure of the contractor that will form the basis for payments to the contractor; and

“(B) the fixed-share ratio of monthly service fee revenues from which the Administrator shall reimburse the contractor for system-related development, operation, and maintenance costs.

“(5) **CANCELLATION AND TERMINATION.**—

“(A) **IN GENERAL.**—If the Administrator determines that sufficient funds are not made available for the continuation in a subsequent fiscal year of a contract entered into under this subsection, the Administrator may cancel or terminate the contract.

“(B) **NEGOTIATION OF AMOUNTS.**—The amount payable in the event of cancellation or termination of a contract entered into under this subsection shall be negotiated with the contractor at the time at which the contract is awarded.

“(6) **NO EFFECT ON OWNERSHIP.**—Regardless of whether the Administrator enters into a contract under this subsection, the system shall be owned by the Federal Government.

“(f) **HAZARDOUS WASTE ELECTRONIC MANIFEST SYSTEM ADVISORY BOARD.**—

“(1) **ESTABLISHMENT.**—Not later than 3 years after the date of enactment of this section, the Administrator shall establish a board to be known as the ‘Hazardous Waste Electronic Manifest System Advisory Board’.

“(2) **COMPOSITION.**—The Board shall be composed of 9 members, of which—

“(A) 1 member shall be the Administrator (or a designee), who shall serve as Chairperson of the Board; and

“(B) 8 members shall be individuals appointed by the Administrator—

“(i) at least 2 of whom shall have expertise in information technology;

“(ii) at least 3 of whom shall have experience in using or represent users of the manifest system to track the transportation of hazardous waste under this subtitle (or an equivalent State program); and

“(iii) at least 3 of whom shall be a State representative responsible for processing those manifests.

“(3) **DUTIES.**—The Board shall meet annually to discuss, evaluate the effectiveness of, and provide recommendations to the Administrator relating to, the system.

“(g) **REGULATIONS.**—

“(1) **PROMULGATION.**—

“(A) **IN GENERAL.**—Not later than 1 year after the date of enactment of this section, after consultation with the Secretary of Transportation, the Administrator shall promulgate regulations to carry out this section.

“(B) **INCLUSIONS.**—The regulations promulgated pursuant to subparagraph (A) may include such requirements as the Administrator determines to be necessary to facilitate the transition from the use of paper manifests to the use of electronic manifests, or to accommodate the processing of data from paper manifests in the electronic manifest system, including a requirement that users of paper manifests submit to the system copies of the paper manifests for data processing purposes.

“(C) **REQUIREMENTS.**—The regulations promulgated pursuant to subparagraph (A) shall ensure that each electronic manifest provides, to the same extent as paper manifests under applicable Federal and State law, for—

“(i) the ability to track and maintain legal accountability of—

“(I) the person that certifies that the information provided in the manifest is accurately described; and

“(II) the person that acknowledges receipt of the manifest;

“(ii) if the manifest is electronically submitted, State authority to access paper printout copies of the manifest from the system; and

“(iii) access to all publicly available information contained in the manifest.

“(2) **EFFECTIVE DATE OF REGULATIONS.**—Any regulation promulgated by the Administrator under paragraph (1) and in accordance with section 3003 relating to electronic manifesting of hazardous waste shall take effect in each State as of the effective date specified in the regulation.

“(3) **ADMINISTRATION.**—The Administrator shall carry out regulations promulgated under this subsection in each State unless the State program is fully authorized to carry out such regulations in lieu of the Administrator.

“(h) **REQUIREMENT OF COMPLIANCE WITH RESPECT TO CERTAIN STATES.**—In any case in which the State in which waste is generated, or the State in which waste will be transported to a designated facility, requires that the waste be tracked through a hazardous waste manifest, the designated facility that receives the waste shall, regardless of the State in which the facility is located—

“(1) complete the facility portion of the applicable manifest;

“(2) sign and date the facility certification; and

“(3) submit to the system a final copy of the manifest for data processing purposes.

“(i) **AUTHORIZATION FOR START-UP ACTIVITIES.**—There are authorized to be appropriated \$2,000,000 for each of fiscal years 2013 through 2015 for start-up activities to carry out this section, to be offset by collection of user fees under subsection (c) such that all such appropriated funds are offset by fees as provided in subsection (c).”.

(b) **CONFORMING AMENDMENT.**—The table of contents of the Solid Waste Disposal Act (42 U.S.C. 6901) is amended by inserting at the end of the items relating to subtitle C the following: “Sec. 3024. Hazardous waste electronic manifest system.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. MURPHY) and the gentleman from North Carolina (Mr.

BUTTERFIELD) each will control 20 minutes.

The recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. MURPHY of Pennsylvania. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and insert extraneous materials in the RECORD on S. 710.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. MURPHY of Pennsylvania. Mr. Speaker, I yield myself such time as I may consume.

The enactment of S. 710 will enable the EPA to employ current technology to sharply reduce paperwork regulatory requirements at the same time it makes crucial information more accessible for States, first responders, and the public.

When people create hazardous waste, we require them to carefully track the movement and disposition. That way we know that, when a drum full of some hazardous waste is removed from a factory, the same amount winds up where it belongs—in a proper disposal facility—and that none of it is tossed into a sewer or a vacant lot. But for years, guaranteeing this actually happened meant keeping up with the reporting requirement—filling out multiple copies of paper forms and mailing them to the EPA and State officials, as well as keeping paper copies at each place of business.

The inefficiency of this system in today's electronic business-to-business world certainly stands out to anyone. In fact, we learned of a case when first responders arrived at the scene of a chemical plant fire and they needed to know what substances were inside the plant before they started fighting the fire. In the whole city, the only copies of the forms identifying the hazardous waste were inside the building and were consumed in the fire. Now, there has got to be a better way.

With an electronic system, instead of filling out long forms and mailing them, the critically needed data, with a few computer key strokes, can be sent wherever it is needed. State regulators, first responders, and others will be able to pull it up on their computers and track the materials in real time. The changeover will not only save millions of dollars for regulated businesses, but quite frankly, it will save lives. So, even though the e-manifest system in S. 710 is funded by user fees, I want to note it will not be a burden on small businesses. Users pay only when and to the extent they file manifests. Otherwise, the new system will work like the old paper system, where the process to identify discrepancies in shipments is preserved.

Mr. Speaker, S. 710 was a good bill when it arrived here from the other

body, but we made it better. First, we converted it from so-called "mandatory" spending to "discretionary." That will allow our colleagues on the Appropriations Committees an annual chance to review the program and make sure that money collected from users and money spent on the system is only enough to get the job done. Next, in working with our friends from the Committee on Transportation and Infrastructure, we added language to help the EPA harmonize its changeover to electronic filing with the Department of Transportation. The DOT also has its own requirements for handling and reporting hazardous materials, and we want the agencies to talk to each other and their computers to speak the same language.

So, Mr. Speaker, I urge the House to send S. 710, as amended, back to the other body, where we expect it to be approved without further amendment so that the President can sign it into law.

I reserve the balance of my time.

Mr. BUTTERFIELD. Mr. Speaker, I yield myself such time as I may consume.

I rise in strong support of the Hazardous Waste Electronic Manifest Establishment Act, as amended by the Energy and Commerce Committee. This legislation will establish a centralized, Federal electronic manifest system for tracking hazardous waste for both the Federal Government and the States, and will pay for it through the collection of user fees.

Protecting the public from hazardous waste is certainly a critical mission of the Department of Transportation and the EPA. Both departments, in coordination with industry and State agencies, have been vigilant in the treatment and transport of hazardous waste because of the safeguards established by the hazardous waste manifest system. Paper manifests provide shipping information to help with the tracking of potentially dangerous materials and information about the contents of each shipment for emergency responders.

The requirements of the current system were established over 30 years ago. Since 2001, the EPA has proposed a nearly paperless manifest system, which would reduce the financial burden of paperwork on States and the industry. EPA Administrator Lisa Jackson described the adoption of an electronic system for manifests as "an investment in modernizing the system that will pay off in efficiency later." That is why this legislation has wide support from hazardous waste generators, shippers, and processors, in that it reduces administrative and paperwork burdens.

The Congressional Budget Office estimates that this program will yield net annual savings for industry and the States of over \$100 million per year. The CBO also estimates that about

114,000 shippers would use this new system in the year 2016, with shipping users almost doubling in later years to 227,000.

Environmental groups also support this legislation because it will lead to "reductions in regulatory burden while simultaneously increasing the timeliness and availability of hazardous waste data" and "better protecting our environment." Those are their quotes.

I think the gentleman from Pennsylvania made reference to this a moment ago. In 2006, a fire erupted at a hazardous waste disposal facility in my home State of North Carolina. When first responders arrived on the scene, they could not access information about the hazardous chemicals inside of the facility because the paper manifests were inside the building that was burning.

We should bring this system, Mr. Speaker, into the 21st century. Technology has advanced. We all know that. There has been such advancement in technology over the last 32 years, and we should no longer be relying on carbon copies to track potentially dangerous shipments. Today's proposed legislation also maintains flexibility for small businesses by making participation in the electronic reporting program voluntary. It's not compulsory. It is a voluntary proposal. So, if any firm chooses, it can still use paper-based reporting methods.

As it passed the Senate, S. 710 embodied concepts that are widely supported, but it carried significant costs and direct spending, and deviated from the common practice of making the collection and utilization of user fees subject to appropriation.

□ 1710

But Chairman SHIMKUS worked closely with the Democratic members of the Environment and Economy Subcommittee to craft a substitute bill that addresses concerns while preserving the benefits of the legislation. The bill passed out of our subcommittee and the full Energy and Commerce Committee on voice votes with strong bipartisan support. I believe, Mr. Speaker, it has a high likelihood of being accepted by the Senate and the President. We will certainly give them that opportunity. I urge my colleagues to support this bill so we can finally see this significant improvement signed into law.

I want to thank Mr. MURPHY and all of the other Members who worked to expedite this legislation and get it to the floor today. I'm going to ask my colleagues to join with us in passing this bill.

With that said, Mr. Speaker, I reserve the balance of my time.

Mr. MURPHY of Pennsylvania. Mr. Speaker, I have no more speakers on this bill, and I'm prepared to close if the gentleman from North Carolina is prepared to close, as well.

Mr. BUTTERFIELD. I don't have any more speakers, and I too am prepared to close.

Mr. Speaker, as the final speaker, I yield myself such time as I may consume.

Mr. Speaker, let me again thank Mr. MURPHY, the gentleman from Pennsylvania, and Mr. SHIMKUS, and the chair and the ranking member of all the committees of jurisdiction for their extraordinary work on this bill.

This is a critical piece of legislation. All of the stakeholders who are involved in disposing of chemicals and shipping chemicals are all in agreement that this is necessary. In fact, the time has passed that we pass this type of legislation. We live in a new age of technology now, so there's no excuse for us not automating these procedures. This bill today enables that to happen.

I want to thank all of my colleagues on both sides of the aisle for their spirit of bipartisanship in getting this to the floor. I ask my colleagues to please vote "yes" on this important legislation.

With that, I yield back the balance of my time.

Mr. MURPHY of Pennsylvania. Mr. Speaker, I ask that all Members support this bill, and I yield back the balance of my time.

Mr. GENE GREEN of Texas. Mr. Speaker, I rise today in strong support of S. 710, the Hazardous Waste Electronic Manifest Establishment Act.

As the Ranking Member of the House Environment and Economy Subcommittee, I have long advocated for the establishment of an e-manifest system.

I am pleased that not only our subcommittee produced legislation to create this important system but that we did so in a bipartisan manner.

It's not very often that we in the House not only agree on a product but that it also has support from both industry and the environmental groups.

That is why it is so important to that my colleagues support this bill today.

The benefits of an electronic manifest are obvious—ranging from reduced paperwork and administrative burdens to the millions of dollars that such a system could save.

More importantly, though, with this e-manifest system we will ensure that hazardous wastes are successfully tracked and managed from generation to its final destination.

This is a good bill and I look forward to passing it and urge my colleagues to support it.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. MURPHY) that the House suspend the rules and pass the bill, S. 710, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

U.S. SAFE WEB ACT OF 2006 EXTENSION ACT

Mrs. BONO MACK. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6131) to extend the Undertaking Spam, Spyware, And Fraud Enforcement With Enforcers beyond Borders Act of 2006, and for other purposes. The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6131

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. EXTENSION OF THE U.S. SAFE WEB ACT OF 2006.

Section 13 of the U.S. SAFE WEB Act of 2006 (Public Law 109-455; 15 U.S.C. 44 note) is amended to read as follows:

"SEC. 13. SUNSET.

"Effective September 30, 2020, this Act, and the amendments made by this Act, are repealed, and any provision of law amended by this Act shall be amended to read as if this Act had not been enacted into law."

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Mrs. BONO MACK) and the gentleman from North Carolina (Mr. BUTTERFIELD) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Mrs. BONO MACK. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous materials in the RECORD on H.R. 6131.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

Mrs. BONO MACK. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as chairman of the House Subcommittee on Commerce, Manufacturing and Trade, I rise today in strong support of H.R. 6131, a bill to reauthorize the U.S. SAFE Web Act of 2006.

I would like to thank Energy and Commerce Committee Chairman UPTON for his leadership on this important issue, as well as Ranking Member WAXMAN. But a special thank you also goes out to my good friend and lead co-author of H.R. 6131, our subcommittee's ranking member, Mr. BUTTERFIELD of North Carolina, for his strong bipartisan support.

When it comes to the future of electronic commerce, consumer trust and online privacy are trending topics that Americans care very deeply about. Today, the Internet serves billions of users worldwide with e-commerce in the U.S. topping \$200 billion last year for the first time and up a remarkable 15 percent so far this year. But lurking online are hackers, cyberthieves, and even organized crime rings.

As someone who is deeply involved in online privacy issues, as well as con-

sumer protection, I'm very concerned that e-commerce will cease to grow and flourish if Americans lose faith in their ability to be protected from online predators, jeopardizing future innovation, as well as our Nation's fragile economic recovery.

One important tool in combating crossborder fraud, spam, and spyware is this act, which is set to expire next year. H.R. 6131 reauthorizes important crime-fighting and consumer protection law for another 7 years.

By any measure, the U.S. SAFE Web Act has been extremely effective, allowing the Federal Trade Commission to better protect U.S. consumers from fraud, deception, spam and spyware, and crossborder cases involving threats originating both domestically and abroad. And to give you an idea of just how well it's working, no opposition to reauthorizing the law has been expressed from either the business community or by advocacy groups.

Most importantly, the U.S. SAFE Web Act enhances the FTC's investigative and enforcement functions by authorizing information sharing with foreign enforcement agencies, something the commission may not do without express authorization. The act only allows information sharing with countries whose law on data sharing is substantially similar to that governing the FTC, and the FTC may share data only under conditions where the information will be treated confidentially and a country will reciprocate information sharing with the FTC. Clearly, we would be fighting an uphill battle if these critically important consumer protections were not in place.

About a decade ago, the Federal Trade Commission began to highlight the growing problems that it encountered in effectively combating Internet scams and fraud directed at American citizens by foreign operators, oftentimes involving organized crime rings. By 2005, an estimated 20 percent of consumer complaints the FTC received involved fraud originating outside of the U.S., costing American consumers hundreds of millions of dollars each year.

In order to expand its ability to effectively fight online fraud, the FTC sent Congress legislative recommendations in 2005 seeking additional authorities. Without objection, Congress passed the U.S. SAFE Web Act on December 6, 2006, and it was signed into law 2 weeks later by President Bush. For American consumers, the U.S. SAFE Web Act has been a clear success to date, and it should be reauthorized before its expiration next year.

Mr. Speaker, I strongly urge the passage of H.R. 6131, and I reserve the balance of my time.

Mr. BUTTERFIELD. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in strong support of H.R. 6131, a bill that will reauthorize certain powers granted to

the Federal Trade Commission under the U.S. SAFE Web Act that are set to expire very soon.

Congresswoman BONO MACK, the chair of the Commerce, Manufacturing and Trade Subcommittee of Energy and Commerce and I and our staffs worked together in a bipartisan manner to quickly get this very important reauthorization language out of the committee and onto the House floor.

When the bill was first authored in the 109th Congress, it was overwhelmingly supported by both Republicans and Democrats and passed the House under suspension of the rules. So I am happy to see that this reauthorization is proceeding in much the same way.

This law provides the Federal Trade Commission with expanded and enhanced authorities with the aim of combating crossborder spyware and spam attacks against the U.S., as well as helping protect consumers from phony Internet rip-offs and telemarketing scams. The enhanced authority has empowered the FTC to better protect American consumers through robust crossborder information sharing, investigative assistance, and coalition building with foreign consumer protection agencies.

In a 2009 report to Congress, the FTC noted the significant role the act has played in facilitating crossborder cooperation in investigations and enforcement proceedings, along with the growing need for continued cooperation to combat new and existing global fraud. Simply put, Mr. Speaker, the expanded authorities are working to protect the American people, and Congress needs to make sure they remain in place so the Federal Trade Commission can effectively combat crossborder scams.

The original SAFE Web Act passed in the 109th Congress included a sunset provision that will cause these enhanced authorities to expire in December of next year. H.R. 6131 will extend these authorities to September of the year 2020.

Mr. Speaker, I am a strong supporter of granting the FTC the powers it needs to effectively protect consumers against fraud, whether originating here or abroad.

□ 1720

So I joined my good friend, Congresswoman BONO MACK, in pushing the 7-year extension in this bill. It is important to highlight that each and every FTC Commissioner, all of them, of both political parties, have called for a permanent reauthorization.

I joined with the FTC in calling for the sunset clause in the U.S. SAFE WEB Act to be completely repealed, and it is still, it is still my opinion and the opinion of several in our committee that this is a better approach.

Nonetheless, Mr. Speaker, both parties can agree, and the FTC's enforce-

ment record shows, that this has been a successful law, so we should not delay. We should not delay or disrupt the FTC's ability to protect the American people from those who want to take advantage of them. I hope my colleagues will agree with us and will join with us in supporting this measure.

Again, I want to thank the gentlelady from California for her friendship and her leadership on the committee. You have just been extraordinary. I also want to thank the chairman of the full committee, Mr. UPTON, the gentleman from Michigan, as well as my ranking member, Mr. WAXMAN, from California. All of us, all of us have worked together so diligently to make this happen, and I thank you so very much.

I will close by simply reiterating what I have said the last 3 or 4 minutes. This is a good bill. We have bipartisan support for this bill. It has been expedited to the House floor. I ask my colleagues to join with us and get it passed, and let's get it enacted into law.

I yield back the balance of my time. Mrs. BONO MACK. Mr. Speaker, in closing, I just would like to say that today, with nearly 1.5 billion credit cards now in use in the U.S., nearly everyone has a stake in making certain that the FTC has the powers that it needs to combat cross-border fraud, spam, and spyware.

Rather than give the FTC more power, the U.S. SAFE WEB Act is simply giving the FTC the tools it needs to carry out its mission more effectively; and it's done so without increasing the cost to American taxpayers, without any new rulemaking, and without any new investigative authority. Reauthorizing the U.S. SAFE WEB Act as soon as possible will avoid disrupting ongoing investigations, allowing the FTC to continue to pursue cross-border fraud complaints and to continue important information-sharing agreements with foreign law enforcement agencies.

Again, let me just emphasize that this is a critically important consumer protection bill, it enjoys broad bipartisan support, it doesn't cost any additional money, and the clock is ticking. The law needs to be reauthorized now.

It's good for American consumers, and it's good for the future of e-commerce. It sends an important signal to the rest of the world that online crooks, no matter where they're located, will be tracked down and prosecuted.

Mr. Speaker, I urge the adoption of H.R. 6131, and I yield back the balance of my time.

Mr. STEARNS. Mr. Speaker, in 2006 when the original SAFE WEB Act was signed into law, I was Chairman of the Energy and Commerce Committee's Subcommittee on Commerce, Trade, and Consumer Protection. I believed then, as I believe now, that this bill provided needed authority to the Federal Trade Commission to address cross border fraud.

Essentially, the SAFE WEB Act ensures that the FTC can effectively combat Internet scams and fraud being perpetrated against U.S. citizens by foreign operators. Throughout my tenure in Congress I have worked to pass strong data security and cyber protections for consumers, and the SAFE WEB Act directly correlates with this mission.

Without reauthorization, the Act and its grant of authorities to the FTC will expire on December 22, 2013. I appreciate Chairman BONO MACK's attention to this issue and focus on reauthorizing this bill before it expires. Delay in reauthorization could threaten the strong relationships the FTC has been able to build with foreign countries, such as Canada, these past six years.

I am also pleased to see that while today's bill will extend the SAFE WEB Act for an additional seven years, it also makes clear that the law will sunset if not again reauthorized. While I applaud what the FTC has done so far, I support sun-setting laws that provide independent agencies with new authorities. Such action guards against bureaucratic overreach and preserves important Congressional oversight.

In conclusion, I believe this is an important bill and I encourage all my colleagues to support this bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Mrs. BONO MACK) that the House suspend the rules and pass the bill, H.R. 6131.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

AMERICAN MANUFACTURING COMPETITIVENESS ACT OF 2012

Mrs. BONO MACK. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5865) to promote the growth and competitiveness of American manufacturing, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5865

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "American Manufacturing Competitiveness Act of 2012".

SEC. 2. NATIONAL MANUFACTURING COMPETITIVENESS STRATEGY.

Not later than June 1, 2014, and June 1, 2018, the President shall submit to Congress, and publish on a public website, a strategy to promote growth, sustainability, and competitiveness in the Nation's manufacturing sector, create well-paid, stable jobs, enable innovation and investment, and support national security.

SEC. 3. MANUFACTURING COMPETITIVENESS BOARD.

(a) IN GENERAL.—On the first day of each of the two Presidential terms following the date of enactment of this Act, there is established within the Department of Commerce an American Manufacturing Competitiveness Board.

(b) MEMBERS.—Members of the Board shall be appointed as follows:

(1) PUBLIC SECTOR MEMBERS.—The President shall appoint to the Board—

(A) the Secretary of Commerce;

(B) Governors of two States, from different political parties, after consulting with the National Governors Association; and

(C) two other members who are current or former officials of the executive branch of government.

(2) PRIVATE SECTOR MEMBERS.—

(A) CRITERIA.—Ten individuals from the private sector shall be appointed to the Board in accordance with subparagraph (B) from among individuals with experience in the areas of—

(i) managing manufacturing companies, including businesses with fewer than 100 employees;

(ii) managing supply chain providers;

(iii) managing labor organizations;

(iv) workforce development;

(v) finance;

(vi) analyzing manufacturing policy and competitiveness;

(vii) conducting manufacturing-related research and development; and

(viii) the defense industrial base.

(B) APPOINTMENT.—The Speaker of the House of Representatives and the majority leader of the Senate shall each appoint 3 members to the Board. The minority leader of the House of Representatives and the minority leader of the Senate shall each appoint 2 members to the Board.

(C) TERMINATION.—The Board shall terminate 60 days after submitting its final report pursuant to section 4(c)(3).

(d) CO-CHAIRMEN.—The co-chairmen of the Board shall be the Secretary of Commerce (or the designee of the Secretary) and a member elected by the private sector members of the Board appointed pursuant to subsection (b)(2).

(e) SUBGROUPS.—The Board may convene subgroups to address particular industries, policy topics, or other matters and to take advantage of the expertise of other individuals and entities in matters to be addressed by the Board. Such subgroups may include members representing any of the following:

(1) Other Federal agencies, as the co-chairmen determine appropriate.

(2) State, tribal, and local governments.

(3) The private sector.

(f) QUORUM.—Ten members of the Board shall constitute a quorum for the transaction of business but a lesser number may hold hearings with the agreement of the co-chairmen.

(g) MEETINGS AND HEARINGS.—

(1) TIMING AND FREQUENCY OF MEETINGS.—The Board shall meet at the call of the co-chairmen, and not fewer than 2 times.

(2) PUBLIC HEARINGS REQUIRED.—The Board shall convene public hearings to solicit views on the Nation's manufacturing sector and recommendations for the national manufacturing competitiveness strategy.

(3) LOCATIONS OF PUBLIC HEARINGS.—The locations of public hearings convened under paragraph (2) shall ensure the inclusion of multiple regions and industries of the manufacturing sector.

(h) APPLICATION OF FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.), other than section 14 of such Act, shall apply to the Board, including any subgroups established pursuant to subsection (e).

SEC. 4. DUTIES OF THE BOARD.

(a) IN GENERAL.—The Board shall—

(1) advise the President on issues affecting the Nation's manufacturing sector;

(2) conduct a comprehensive analysis in accordance with subsection (b); and

(3) develop a national manufacturing competitiveness strategy in accordance with subsection (c).

(b) COMPREHENSIVE ANALYSIS.—In developing a national manufacturing competitiveness strategy under subsection (c), the Board shall conduct a comprehensive analysis of the Nation's manufacturing sector, taking into consideration analyses, data, and other information previously compiled, as well as relevant reports, plans, or recommendations issued by Federal agencies, Federal advisory boards, and the private sector. Such analysis shall, to the extent feasible, address—

(1) the value and role of manufacturing in the Nation's economy, security, and global leadership;

(2) the current domestic and international environment for the Nation's manufacturing sector, and any subsector identified by the Board as warranting special study for competitiveness or for comparison purposes;

(3) Federal, State, tribal, and local policies, programs, and conditions that affect manufacturing;

(4) a summary of the manufacturing policies and strategies of the Nation's 10 largest trading partners, to the extent known;

(5) new, emerging, or evolving markets, technologies, and products for which the Nation's manufacturers could compete;

(6) the identification of redundant or ineffective government programs related to manufacturing, as well as any programs that have improved manufacturing competitiveness;

(7) the short- and long-term forecasts for the Nation's manufacturing sector, and forecasts of expected national and international trends and factors likely to affect such sector in the future;

(8) the manner in which Federal agencies share information and views with respect to the effects of proposed or active regulations or other executive actions on the Nation's manufacturing sector and its workforce;

(9) the recommendations of the Department of Commerce Manufacturing Council, whether such recommendations have been implemented, and the effect of such recommendations; and

(10) any other matters affecting the growth, stability, and sustainability of the Nation's manufacturing sector or the competitiveness of the Nation's manufacturing environment, particularly relative to that of other nations, including—

(A) workforce skills, gaps, and development;

(B) productivity and the extent to which national economic statistics related to manufacturing accurately measure manufacturing output and productivity growth;

(C) trade policy and balance;

(D) energy policy, forecasts, and developments;

(E) expenditures on basic and applied research related to manufacturing technology;

(F) programs to help small and mid-sized manufacturers become more competitive;

(G) the impact of Federal statutes and regulations;

(H) the impact of domestic and international monetary policy;

(I) the impact of taxation;

(J) financing and investment, including challenges associated with commercialization and scaling up of production;

(K) research and development;

(L) job creation and employment disparities;

(M) levels of domestic production;

(N) adequacy of the industrial base for maintaining national security;

(O) protections for intellectual property and the related policies, procedures, and law on technology transfer; and

(P) customs enforcement and counterfeiting.

(c) NATIONAL MANUFACTURING COMPETITIVENESS STRATEGY.—

(1) DEVELOPMENT.—The Board shall develop a national manufacturing competitiveness strategy, based on—

(A) the results of the comprehensive analysis conducted under subsection (b); and

(B) any other information, studies, or perspectives that the Board determines to be appropriate.

(2) GOALS AND RECOMMENDATIONS.—

(A) GOALS.—The Board shall include in the national manufacturing competitiveness strategy short- and long-term goals for improving the competitiveness conditions of the Nation's manufacturing environment, taking into account the matters addressed in the comprehensive analysis conducted under subsection (b).

(B) RECOMMENDATIONS.—The Board shall include in the national manufacturing competitiveness strategy recommendations for achieving the goals provided under subparagraph (A). Such recommendations may propose—

(i) actions to improve manufacturing competitiveness to be taken by the President, Congress, State and local governments, and the private sector;

(ii) actions to improve government policies and coordination among entities developing such policies;

(iii) the consolidation or elimination of government programs;

(iv) actions to improve government interaction with the manufacturing sector and communication regarding the effects of proposed or active government regulations or other executive actions on the manufacturing sector and its workforce;

(v) the reform or elimination of regulations that place the United States manufacturing sector at a disadvantage relative to other nations; and

(vi) actions to reduce business uncertainty, including, where appropriate, finalization of regulations applicable to manufacturers.

(3) REPORT.—

(A) DRAFT.—Not later than 150 days before the date on which the President is required to submit to Congress a report containing a national manufacturing competitiveness strategy under section 2, the Board shall publish in the Federal Register and on a public website a draft report containing a national manufacturing competitiveness strategy. At the same time, the Board shall make available to the public the comprehensive analysis required by subsection (b) and any underlying data or materials necessary to an understanding of the conclusions reached.

(B) PUBLIC COMMENT; REVIEW AND REVISION.—A draft report published under subparagraph (A) shall remain available for public comment for a period of not less than 30 days from the date of publication. The Board shall review any comments received regarding such draft report and may revise the draft report based upon those comments.

(C) PUBLICATION.—Not later than 60 days before the date on which the President is required to submit to Congress a report containing a national manufacturing competitiveness strategy under section 2, the Board shall submit to the President for review and revision a final report containing a national manufacturing competitiveness strategy,

and shall publish such final report on a public website.

(D) CONTENTS OF REPORT.—The final report submitted under subparagraph (C) shall, to the extent feasible, include—

(i) an estimate of the short- and long-term Federal Government outlays and revenue changes necessary to implement the national manufacturing competitiveness strategy and an estimate of savings that may be derived from implementation of the national manufacturing competitiveness strategy;

(ii) a detailed explanation of the methods and analysis used to determine the estimates included under clause (i);

(iii) recommendations regarding how to pay for the cost of implementation estimated under clause (i); and

(iv) a plan for how the recommendations included in the report will be implemented and who is or should be responsible for the implementation.

(d) CONSULTATION; NONDUPLICATION OF EFFORTS.—The Board shall consult with and not duplicate the efforts of the Defense Science Board, the President's Council of Advisors on Science and Technology, the Manufacturing Council established by the Department of Commerce, the Economic Security Commission, the Labor Advisory Committee for Trade Negotiations and Trade Policy, and other relevant governmental entities conducting any activities related to manufacturing.

SEC. 5. REQUIREMENT TO CONSIDER NATIONAL MANUFACTURING COMPETITIVENESS STRATEGY IN BUDGET.

In preparing the budget for each of the fiscal years from fiscal year 2016 through fiscal year 2022 under section 1105(a) of title 31, United States Code, the President shall include information regarding the consistency of the budget with the goals and recommendations included in the national manufacturing competitiveness strategy.

SEC. 6. DEFINITIONS.

In this Act:

(1) BOARD.—The term “Board” means—

(A) during the first Presidential term that begins after the date of enactment of this Act, the American Manufacturing Competitiveness Board established by section 3(a) on the first day of such term; and

(B) during the second Presidential term that begins after the date of enactment of this Act, the American Manufacturing Competitiveness Board established by section 3(a) on the first day of such term.

(2) PRIVATE SECTOR.—The term “private sector” includes labor, industry, industry associations, academia, universities, trade associations, nonprofit organizations, and other appropriate nongovernmental groups.

(3) STATE.—The term “State” means each State of the United States, the District of Columbia, and each commonwealth, territory, or possession of the United States.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Mrs. BONO MACK) and the gentleman from North Carolina (Mr. BUTTERFIELD) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Mrs. BONO MACK. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous materials in the RECORD on H.R. 5865.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

Mrs. BONO MACK. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 5865, the American Manufacturing Competitiveness Act.

Throughout our Nation's long history, a growing and robust manufacturing sector has helped to make America great. It's been a driving force in our economy since the Industrial Revolution.

But as our Nation has moved from the atomic age to the space age, the information age, manufacturing has not kept up, losing nearly 6 million American jobs since the beginning of the 21st century. Aging, rusting, and abandoned factories litter the U.S. landscape.

Statistics show the manufacturing sector was the hardest hit in terms of job losses during the Great Recession. While manufacturing accounts for just one-tenth of our Nation's jobs, manufacturing has suffered a third of our Nation's job losses.

We have a chance now to reverse this trend, and I applaud the hard work of Mr. LIPINSKI and Mr. KINZINGER in developing a bipartisan plan for improving manufacturing in the U.S.

I would also like to thank Chairman UPTON, Ranking Member WAXMAN, and subcommittee Ranking Member BUTTERFIELD for their hard work in bringing this important bill to the floor for a vote.

The American Manufacturing Competitiveness Act calls for two Presidential reports to Congress outlining the strategy for promoting growth, sustainability, and competitiveness in the manufacturing sector. The reports are due in April of 2014 and again in 2018.

Now, why is this so important? Well, for one thing, manufacturing has the highest job multiplier of any industry in our economy, producing \$1.35 for every \$1 in direct spending. Just as importantly, manufacturing is responsible for two-thirds of all private R&D spending in the U.S., and it drives technology innovation. But on the flip side, for every manufacturing job lost in America, another 2.3 jobs are also lost throughout our economy.

Here's the bottom line: If America is going to continue to lead the world in innovation, we must foster a more conducive environment for manufacturing.

H.R. 5865 establishes a manufacturing competitiveness board made up of 15 members. Five public sector members are appointed by the President, and the remaining 10 private sector members are appointed by House and Senate leaders. That gives both the executive branch and the legislative branch a shared role as well as a shared stake in

making sure that this process is ultimately successful.

Mr. Speaker, H.R. 5865 is a sound, bipartisan approach to improving manufacturing in America, and I strongly urge its passage.

With that, I reserve the balance of my time.

Mr. BUTTERFIELD. I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 5865, the American Manufacturing Competitiveness Act of 2012.

The lead bipartisan cosponsors of this bill are two gentlemen from Illinois, Congressman DANIEL LIPINSKI and my colleague on the Energy and Commerce Committee, Congressman ADAM KINZINGER. I want to thank both of them for their work on this bill and, in particular, for working with me and Chairwoman BONO MACK to move this bill in a form that both sides can support.

H.R. 5865 aims to build upon the recent growth of the U.S. manufacturing sector with the end goal being the return of more and more individuals to stable and good-paying jobs.

Specifically, Mr. Speaker, the American Manufacturing Competitiveness Act requires the President to prepare and submit to Congress in 2014 and 2018 a national manufacturing strategy with assistance from the American Manufacturing Competitiveness Board established by the bill.

The board will be comprised of the Secretary of Commerce, State Governors, and officials from the executive branch, in addition to 10 individuals from the private sector appointed by the majority and minority leadership of the House and the Senate.

There is no more important issue to Americans than the ability to get and keep a job, provide for their families, and ensure that when their children grow up they too can succeed. This is the promise of the American Dream, and it's a promise that, despite the slow climb out of the deep recession caused by the reckless bets in Wall Street, that I and most Americans still believe in. Moreover, it's a promise that we here in Congress have been entrusted by our constituents to work towards by promoting initiatives and enacting policies that will lead to the creation of new jobs to replace and supplement those that have been lost.

This is something that the Obama administration has taken very seriously, and the administration has rightfully made growing the manufacturing sector a key element to getting Americans back to work. This has also been a priority of the House Democratic leadership through its Make It In America policy initiatives.

And we are seeing results, Mr. Speaker, we are seeing results. Over the past 2 years, the manufacturing sector has added more than 450,000 jobs.

□ 1730

That is worth repeating. Over the past 2 years, the manufacturing sector has added more than 450,000 jobs. Not since the Clinton administration has this sector seen such fast growth.

In my own State of North Carolina, we know all too well about the loss of manufacturing jobs, but those jobs have begun to return. And we are feeling it and we are seeing it. North Carolina is the fifth largest manufacturing State in the country and the largest in the Southeast. Our manufacturing sector provides about \$80 billion to our GDP—roughly 20 percent of the total. The nearly 11,000 manufacturing companies in North Carolina employ almost 15 percent of the total workforce, and well over half a million of these jobs pay more than \$65,000 annually.

American manufacturing is primed for a renaissance. The House Democrats' Make It in America agenda provides even greater opportunities for success. Several of these initiatives have already become law, including bills that cut taxes and create loans for small businesses, speed up the patent process, and lower the cost of raw materials and help to end tax loopholes so that companies are discouraged from shipping jobs overseas.

Mr. Speaker, in the 111th Congress, House Democrats led efforts to support American clean-energy firms, invest in job-training partnerships, and hold China accountable for unfair currency manipulation that cost us in America very precious jobs. When more products are made in America, more families can make it in America. The American Manufacturing Competitiveness Act promises to build on and complement the Obama administration's efforts and our efforts to grow manufacturing in the United States of America.

Mr. Speaker, I support this bill. I thank my colleagues on the other side of the aisle for their cooperation with bringing this to the floor and getting it for a vote today. I thank not only the chair and the ranking member of the full committee, but the chair of our subcommittee, who works with us on so many of these important issues.

I reserve the balance of my time.

Mrs. BONO MACK. Mr. Speaker, I yield 4 minutes to the coauthor of the legislation, a very hardworking member of the Subcommittee on Commerce, Manufacturing, and Trade, the gentleman from Illinois (Mr. KINZINGER).

Mr. KINZINGER of Illinois. I would like to thank Chairman BONO MACK for the time and her work in getting this bill to the floor.

Mr. Speaker, I rise today in support of the American Manufacturing Competitiveness Act. It's an honor to stand here with my colleague from Illinois (Mr. LIPINSKI) in support of this forward-thinking, bipartisan legislation, especially at a time when Americans

feel like Republicans and Democrats are unable to work together.

Mr. Speaker, the world is becoming more competitive, as evidenced by the recent report from the World Economic Forum announcing that the U.S. has fallen from first to seventh in global competitiveness. And I tell you what actually really gets to me is the fact that I feel like many Americans are starting to accept the fact that we are just going to lose our competitive edge and we're going to lose our manufacturing power base to a country like China. And I don't think that's something that we have to accept.

We've heard from the manufacturing base in this country. They need a simpler Tax Code. They need an education system that prepares students in math and science, trade policies that are open and fair, and regulations that protect the health and welfare of our citizens with the lowest cost on business. The purpose of this legislation is to build on the consensus and ensure government policies promote a competitive environment for manufacturers in the decades to come.

Mr. Speaker, we are the biggest economy in the world because of our manufacturing resources. We produce 21 percent of global manufactured goods, with an estimated 18.6 million jobs. Manufacturing jobs are some of the highest paying in our economy, with the average job making upwards of \$77,000 annually. With the right policies in place, we can usher in a manufacturing renaissance in this legislation, and this legislation will help ensure our global competitiveness for decades to come.

Mr. Speaker, in Illinois alone, over 600,000 people are employed in manufacturing. This is an industry that's vital to the health of our economy and our national security. This Nation is blessed to have some of the hardest working and most innovative people in the world. When I go home to Illinois and I speak directly to a small or large manufacturer, they're ready to compete on the global stage, and they're ready to compete with China. They only need government to ensure that they are playing on a level playing field. That means fair trade, a simple tax policy, educated students, and the least burdensome regulations possible.

This legislation will bring together private sector and government leaders to create a manufacturing strategy that both Congress and the President can implement. It's time to get politics out of supporting the middle class. The American people are tired of stalemates. They're ready for action. They're ready for both parties to focus their energy on the people who elected them. Now is the time to act before this window of opportunity for a manufacturing renaissance passes us by. I'm proud of this legislation. I think it's a strong first step in finding solutions to

help our Nation's economy. And I urge my colleagues to support this legislation.

Mr. BUTTERFIELD. Mr. Speaker, I yield 4 minutes to the distinguished gentleman from Maryland (Mr. HOYER), who is also the minority whip of the House Democratic Caucus and is a great friend of the manufacturing sector.

Mr. HOYER. I thank the gentleman for yielding, and I want to congratulate DAN LIPINSKI for authoring this legislation. It is one of the key pieces of our Make It in America agenda, which my distinguished friend from North Carolina has discussed. I also want to thank my dear and good friend, MARY BONO MACK, for her leadership on this effort.

As the gentleman said, and I can adopt the remarks of the previous speaker, Mr. KINZINGER, we do need a manufacturing policy. We do need a manufacturing renaissance. And we do need a psychology that America is going to be number one and stay number one and create the kind of good-paying jobs for our people that manufacturing provides.

Andrew Liveris, who's the chief CEO of Dow Chemical, wrote a book. The name of that book is "Make It in America." Manufacture it in America. Grow it in America. Sell it here and sell it around the world.

Mr. Speaker, I rise in support of Mr. LIPINSKI's bill, the American Manufacturing Competitiveness Act. This passed out of committee unanimously 4 months ago. This bill is a key part of House Democrats' Make It in America plan to strengthen American manufacturing. But it's not a Democratic plan. It's not a Republican plan. It's an American plan. All of us can resoundingly support this and take ownership of a renaissance in manufacturing.

For the past 2 years, our manufacturing sector was a bright spot in our economic recovery, seeing the first increase in manufacturing jobs since the nineties. But for the last 3 months that sector has begun to contract a little bit, a symptom of Congress' failure, in my opinion, to take serious action on legislation like Make It in America. And, yes, taxes and regulations. The gentleman was correct. That's why we need the American Manufacturing Competitiveness Act. This bill will bring the public and private sectors together with labor and other stakeholders to craft plans to develop comprehensive national manufacturing strategies in 2014 and 2018.

Ladies and gentlemen, none of you doubt that our competitors across this globe are doing this. We are late to this ball game. But the good news is we are the most able, productive economy in the world, and we can compete with anybody. All we need is a good plan. Other nations around the globe have strategies to increase the manufacturing to keep America competitive. It

is imperative that we have a plan as well. Not to pick winners and losers, but to create the environment of which the gentleman spoke just before me about an environment that allows manufacturing to grow.

I want to thank, again, the ranking member for his very compelling statement that he made. The Obama administration focused on revitalizing the manufacturing sector, and Representative LIPINSKI's bill ensures that the U.S. Government will continue to pursue policies that bolster manufacturing and add jobs. I want to commend Representative LIPINSKI for his leadership on this issue, as well as Ranking Member WAXMAN, Ranking Member BUTTERFIELD, whom I've already referenced, and other Democrats on the Energy and Commerce Committee.

□ 1740

But I also want to commend those Republican leaders on the Commerce Committee, and Mr. MANZULLO, who is sitting here, my dear friend, who heads up the Small Business Committee, is focused on growing jobs in America. I also want to thank Chairman UPTON and I have already thanked Chairman BONO MACK, but she is my good friend so I'll thank her again, for their work to make sure this bill came to the floor with bipartisan support.

Mr. Speaker, the Energy and Commerce Committee reported this bill in June with a bipartisan vote. I am sure it will receive a bipartisan vote tonight.

I will tell you there is no place in America you can go—not the most conservative district, not the most liberal district, not the most Republican district or the most Democratic district. And you could talk about make it in America, and you'll get heads nodding in agreement.

This is not an issue of philosophy. It's a pragmatic issue of growing our economy, creating the kinds of jobs that our people need, jobs that pay well, give them good benefits, and a bright future for them, their families, and their children.

So I commend both the Republican and Democratic side for bringing this piece of legislation to the floor and urge its unanimous adoption by this Congress.

Mrs. BONO MACK. Mr. Speaker, I would like to yield 3 minutes to the gentleman from Illinois (Mr. MANZULLO).

Mr. MANZULLO. Mr. Speaker, as the co-founder and co-chair of the House Manufacturing Caucus, I cannot overstate the importance of manufacturing in America and the need for this important legislation.

The U.S. is still the largest manufacturer in the world, churning out about \$1.7 trillion in value annually, and one in six jobs is tied directly or indirectly to manufacturing.

Manufacturing drives innovation by conducting two-thirds of all research and development and creating the bulk of technology in our Nation and nearly 70 percent of all exported goods from the United States in 2011 originated from the manufacturing sector.

In the U.S., every one dollar in final sales in manufacturing goods supports \$1.35 in output from other sectors of the economy. That multiplier effect is higher than any other economic sector. Many other jobs, such as those in financial services, depend on somebody else making a product. If no one makes anything in America anymore, than those service sector jobs disappear also.

I spend about two-thirds of my time in Congress studying and working on manufacturing issues, from raw materials and minerals all the way through export controls. In fact, earlier today, I co-hosted a bipartisan briefing with administrative officials on its export control reform initiative.

I have been in over 500 factories all over the world in China, Japan, Europe, and the United States. I've studied manufacturing schooling and the educational process in Switzerland and how important manufacturing is to that tiny country.

Every few years the manufacturing sector in the United States experiences a crisis. In response, various administrations have prepared strategy reports on how to best respond. The last report was issued in 2004. This report was extremely helpful in identifying and reforming regulations that were unduly burdensome on the manufacturing sector that produced little or no public benefit.

The bill before us today will institutionalize this process by requiring a national manufacturing report so that we can keep the focus of our government on how to best help the strongest economic engine of our economy.

My office spent years developing a chart to identify the numerous Federal programs and agencies that support manufacturing. It is still difficult to have a central focal point to know who is manufacturing and who is doing research in a particular area. For example, if somebody wants to do research on machining titanium, there is no central portal through which that person can go to determine exactly what programs there are and who is doing the research. Fundamentally, it's very important to have this report. Why? Because Americans need to know the importance of manufacturing.

If we don't have manufacturing, agriculture, and mining in this country, we become a Third World nation. If we can't make things with our hands, then we become hindered in maintaining our status as a world leader.

I would call upon the House to vote affirmatively for this great bill, the American Manufacturing Competitiveness Act of 2012, H.R. 5865.

Mr. BUTTERFIELD. Mr. Speaker, at this time I yield 6 minutes to the author of this bill, Mr. LIPINSKI from the great State of Illinois, who has worked very hard on this bill not only in this Congress but in the previous bill as well.

Mr. LIPINSKI. Thank you, Ranking Member BUTTERFIELD, for yielding and for your support on this bill.

Mr. Speaker, I rise today in strong support of H.R. 5865, the American Manufacturing Competitiveness Act, a bipartisan bill that I introduced to boost American manufacturing.

This bill represents what the American people want us to be doing, working together in a bipartisan manner to advance policies that promote the creation of good-paying jobs for middle class Americans.

I want to thank Representative KINZINGER for being willing to work with me across the aisle to bring this bill to the floor. I also want to thank Chairwoman BONO MACK as well as Representative POMPEO for their work on this bill. Mr. MANZULLO was just on the floor. I want to thank him for the work he's done to advance manufacturing, the work we've done together in the 8 years that I've been in the Congress with him.

In addition, I want to thank Democratic Whip HOYER for his steadfast advocacy of Make It in America policies.

Manufacturing is a linchpin of our Nation's economy. It provides the American middle class with a source of quality jobs making everything from the goods we rely on for everyday needs, to the equipment that we need for national security.

But in the first decade of the century, American manufacturing took a hard hit. Almost one-third of American manufacturing jobs disappeared. After 110 years as the world's top manufacturing Nation, America got knocked off its perch by China.

I have seen the devastation in my district and across northeastern Illinois. And I get frustrated, just like countless other Americans do, when I go to the store and I cannot find the words "made in the U.S.A." on any product.

Some say this is inevitable but it does not have to be. While we have been seeing signs of a resurgent American manufacturing sector, with jobs increasing by nearly half a million in the past few years, we still have a long way to go.

America relies on the entrepreneurial spirit of private enterprise. There is no doubt there would be no American manufacturing base without the innovators and the risk takers. The great growth in American manufacturing in the 20th century would have been impossible without the hard work of the middle class.

But it is also clear that the government interacts with and affects manufacturing in countless ways. From tax

and trade, to regulation, to research, education, and workforce development, government policies have a significant effect on our manufacturers.

That is why we need a comprehensive, coordinated strategy promoting American manufacturing. While many other countries—China, India, Germany, to name a few—have developed manufacturing strategies, the United States manufacturing policy is uncoordinated and largely ad hoc. If we want American manufacturing to compete and succeed in a global economy, it is vital that we develop a strategy to coordinate our policies that impact manufacturers. And that is exactly what this bill does.

Based on the Quadrennial Defense Review, the Pentagon's policy planning process, this bill proposes that every 4 years we convene a group of manufacturing experts from the private and the public sectors. This group, assembled from appointments made by congressional leaders and the President, will analyze domestic and global economics and propose recommendations to Congress, the President, States, and industry, to pursue to make all the types of American manufacturing more competitive.

At the end of the day, this bill is about setting aside politics and implementing policies that will create an environment conducive to the flourishing of American manufacturing, which is vital for middle class American jobs and is vital for our national security.

□ 1750

If we continue to muddle through without a coordinated plan, government will still be impacting manufacturing, but in an uncoordinated, often inefficient, and sometimes wasteful manner.

After a couple of tough decades, I still have a number of small and medium-size manufacturers in my district in northeastern Illinois. One of these is Atlas Tool & Die of Lyons, Illinois, a 94-year-old family-owned business. The director of development for the company, Zach Mottl, said this about H.R. 5865:

As a business owner, I know planning is critical. When an organization doesn't operate with a plan, what occurs is a plan to fail. Right now, the United States is operating without a manufacturing strategy in a world where other countries are intensely focused on helping their manufacturers to compete. The American Manufacturing Competitiveness Act will bring all sides and stakeholders together to forge a strategy with broad support and the momentum needed to produce action.

Mr. Speaker, I urge my colleagues to come together today and help start forging this strategy by passing H.R. 5865, and we can all look forward to proudly seeing the "Made in the USA"

label on more shelves and in more showrooms.

Mrs. BONO MACK. I reserve the balance of my time at this point. I have no further speakers.

Mr. BUTTERFIELD. I have no additional speakers, Mr. Speaker; therefore, I will ask my colleagues to join with us in passing this good legislation.

With that, I yield back the balance of my time.

Mrs. BONO MACK. Mr. Speaker, I just want to begin by thanking Mr. LIPINSKI for crossing the center aisle and coming to our side to offer his legislation and to work with us early on in the year, to stress to us how important it was for him. And I thank him for his willingness to work with us to make sure we could move this bill.

In closing, I just want to make one very important point, that this is not a top-down, government-knows-best approach to the problems facing manufacturing today. Instead, we're creating a public-private partnership that will help to develop a comprehensive, modern strategy—identifying impediments to manufacturing and providing much needed recommendations on how to create an environment that will once again allow American manufacturers to thrive.

While our goal is to produce an important economic blueprint for the future of America, these recommendations are not binding on Congress. H.R. 5865 will expand upon previous studies and reports on manufacturing by requiring a comprehensive analysis of factors affecting manufacturing. Those would include: the identification of redundant or ineffective government programs related to manufacturing; trade policy; energy policy; taxation; and the impact of Federal regulations on manufacturing and job creation.

This legislation appropriately gives the Manufacturing Board the flexibility it needs to do its job efficiently and expeditiously. The Board is not required to reinvent the wheel and re-study every single subject already examined by other government agencies and nongovernmental bodies, but the Board is specifically directed to consult with other Federal entities to avoid duplication of efforts. In the end, the Board will develop and publish for public comment a draft manufacturing strategy based on its analysis and any other information the Board determines is appropriate. This strategy will include both short-term and long-term goals for improving competitiveness of U.S. manufacturing, as well as recommendations for action.

Mr. Speaker, considering the importance of manufacturing in the American economy and to the future of our Nation, I strongly urge the adoption of H.R. 5865, the American Manufacturing Competitiveness Act, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. LONG). The question is on the motion offered by the gentlewoman from California (Mrs. BONO MACK) that the House suspend the rules and pass the bill, H.R. 5865, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. BUTTERFIELD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

VIETNAM HUMAN RIGHTS ACT OF 2012

Ms. ROS-LEHTINEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1410) to promote freedom and democracy in Vietnam, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1410

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Vietnam Human Rights Act of 2012".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Findings and purpose.

Sec. 3. Prohibition on increased nonhumanitarian assistance to the Government of Vietnam.

Sec. 4. United States public diplomacy.

Sec. 5. Annual report.

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds the following:

(1) The relationship between the United States and the Socialist Republic of Vietnam has grown substantially since the end of the trade embargo in 1994, with annual trade between the two countries reaching over \$20,000,000,000 in 2011.

(2) The Government of Vietnam's transition toward greater economic freedom and trade has not been matched by greater political freedom and substantial improvements in basic human rights for Vietnamese citizens, including freedom of religion, expression, association, and assembly.

(3) The United States Congress agreed to Vietnam becoming an official member of the World Trade Organization in 2006, amidst assurances that the Government of Vietnam was steadily improving its human rights record and would continue to do so.

(4) Vietnam remains a one-party state, ruled and controlled by the Communist Party of Vietnam (CPV), which continues to deny the right of citizens to change their Government.

(5) Although in recent years the National Assembly of Vietnam has played an increasingly active role as a forum for highlighting local concerns, corruption, and inefficiency, the National Assembly remains subject to the direction of the CPV and the CPV maintains control over the selection of candidates in national and local elections.

(6) The Government of Vietnam forbids public challenge to the legitimacy of the

one-party state, restricts freedoms of opinion, the press, and association and tightly limits access to the Internet and telecommunication.

(7) Since Vietnam's accession to the WTO on January 11, 2007, the Government of Vietnam arbitrarily arrested and imprisoned numerous individuals for their peaceful advocacy of religious freedom, democracy, and human rights, including Father Nguyen Van Ly, human rights lawyers Nguyen Van Dai, Le Thi Cong Nhan, Cu Huy Ha Vu, and Le Cong Dinh, and bloggers Nguyen Van Hai and Phan Thanh Hai.

(8) The Government of Vietnam continues to detain, imprison, place under house arrest, convict, or otherwise restrict persons for the peaceful expression of dissenting political or religious views.

(9) The Government of Vietnam has also failed to improve labor rights, continues to arrest and harass labor leaders, and restricts the right to organize independently.

(10) The Government of Vietnam continues to limit the freedom of religion, restrict the operations of independent religious organizations, and persecute believers whose religious activities the Government regards as a potential threat to its monopoly on power.

(11) Despite reported progress in church openings and legal registrations of religious venues, the Government of Vietnam has halted most positive actions since the Department of State lifted the "country of particular concern" (CPC) designation for Vietnam in November 2006.

(12) Unregistered ethnic minority Protestant congregations, particularly Montagnards in the Central and Northwest Highlands, suffer severe abuses because of actions by the Government of Vietnam, which have included forced renunciations of faith, arrest and harassment, the withholding of social programs provided for the general population, confiscation and destruction of property, subjection to severe beatings, and reported deaths.

(13) There has been a pattern of violent responses by the Government to peaceful prayer vigils and demonstrations by Catholics for the return of Government-confiscated church properties. Protesters have been harassed, beaten, and detained and church properties have been destroyed. Catholics also continue to face some restrictions on selection of clergy, the establishment of seminaries and seminary candidates, and individual cases of travel and church registration.

(14) In May 2010 the village of Con Dau, a Catholic parish in Da Nang, faced escalated violence during a funeral procession as police attempted to prohibit a religious burial in the village cemetery; more than 100 villagers were injured, 62 were arrested, five were tortured, and at least three died.

(15) The Unified Buddhist Church of Vietnam (UBCV) suffers persecution as the Government of Vietnam continues to restrict contacts and movement of senior UBCV clergy for refusing to join the state-sponsored Buddhist organization, the Government restricts expression and assembly, and the Government continues to harass and threaten UBCV monks, nuns, and youth leaders.

(16) The Government of Vietnam continues to suppress the activities of other religious adherents, including Cao Dai and Hoa Hao Buddhists who lack official recognition or have chosen not to affiliate with the state-sanctioned groups, including through the use of detention, imprisonment, and strict Government oversight.

(17) During Easter weekend in April 2004, thousands of Montagnards gathered to pro-

test their treatment by the Government of Vietnam, including the confiscation of tribal lands and ongoing restrictions on religious activities. Credible reports indicate that the protests were met with violent response as many demonstrators were arrested, injured, or went into hiding, and that others were killed. Many of these Montagnards and others are still serving long sentences for their involvement in peaceful demonstrations in 2001, 2002, 2004, and 2008. Montagnards continue to face threats, detention, beatings, forced renunciation of faith, property destruction, restricted movement, and reported deaths at the hands of Government officials.

(18) Ethnic minority Hmong in the Northwest Highlands of Vietnam also suffer restrictions, abuses, and persecution by the Government of Vietnam, and although the Government is now allowing some Hmong Protestants to organize and conduct religious activities, some Government officials continue to deny or ignore additional applications for registration, and to persecute churches and believers who do not wish to affiliate with Government-controlled religious entities.

(19) In 2007, the Government of Vietnam arrested, beat, and defrocked several ethnic Khmer Buddhists in response to a peaceful religious protest. The Government continues to restrict Khmer Krom expression, assembly, association, and controls all religious organizations and prohibits most peaceful protests.

(20) The Government of Vietnam controls all print and electronic media, including access to the Internet, jams the signals of some foreign radio stations, including Radio Free Asia, and has detained and imprisoned individuals who have posted, published, sent, or otherwise distributed democracy-related materials.

(21) People arrested in Vietnam because of their political or religious affiliations and activities often are not accorded due legal process as they lack full access to lawyers of their choice, may experience closed trials, have often been detained for years without trial, and have been subjected to the use of torture to admit crimes they did not commit or to falsely denounce their own leaders.

(22) Vietnam continues to be a source country for the commercial sexual exploitation and forced labor of women and girls, as well as for men and women legally entering into international labor contracts who subsequently face conditions of debt bondage or forced labor, and is a destination country for child trafficking and continues to have internal human trafficking.

(23) Although the Government of Vietnam reports progress in combating human trafficking, it does not fully comply with the minimum standards for the elimination of trafficking, and is not making substantial efforts to comply.

(24) United States refugee resettlement programs, including the Humanitarian Resettlement (HR) Program, the Orderly Departure Program (ODP), Resettlement Opportunities for Vietnamese Returnees (ROVR) Program, general resettlement of boat people from refugee camps throughout Southeast Asia, the Amerasian Homecoming Act of 1988, and the Priority One Refugee resettlement category, have helped rescue Vietnamese nationals who have suffered persecution on account of their associations with the United States or, in many cases, because of such associations by their spouses, parents, or other family members, as well as other Vietnamese nationals who have been persecuted because of race, religion, nation-

ality, political opinion, or membership in a particular social group.

(25) While previous programs have served their purposes well, a significant number of eligible refugees from Vietnam were unfairly denied or excluded, including Amerasians, in some cases by vindictive or corrupt Vietnamese officials who controlled access to the programs, and in others by United States personnel who imposed unduly restrictive interpretations of program criteria. In addition, the Government of Vietnam has denied passports to persons who the United States has found eligible for refugee admission.

(26) The Government of Vietnam holds tens of thousands of people in government-run drug detention centers and treats them as slave laborers.

(27) To date, over 60,000 people have signed a petition calling on the Administration to not expand trade with communist Vietnam at the expense of human rights.

(28) Congress has passed numerous resolutions condemning human rights abuses in Vietnam, indicating that although there has been an expansion of relations with the Government of Vietnam, it should not be construed as approval of the ongoing and serious violations of fundamental human rights in Vietnam.

(b) PURPOSE.—The purpose of this Act is to promote the development of freedom and democracy in Vietnam.

SEC. 3. PROHIBITION ON INCREASED NON-HUMANITARIAN ASSISTANCE TO THE GOVERNMENT OF VIETNAM.

(a) ASSISTANCE.—

(1) IN GENERAL.—Except as provided in subsection (b), the Federal Government may not provide nonhumanitarian assistance to the Government of Vietnam during any fiscal year in an amount that exceeds the amount of such assistance provided during fiscal year 2011 unless—

(A) the Federal Government provides assistance, in addition to the assistance authorized under section 4, supporting the creation and facilitation of human rights training, civil society capacity building, non-commercial rule of law programming, and exchange programs between the Vietnamese National Assembly and the United States Congress at levels commensurate with, or exceeding, any increases in nonhumanitarian assistance to Vietnam;

(B) with respect to the limitation for fiscal year 2012, the President determines and certifies to Congress, not later than 30 days after the date of the enactment of this Act, that the requirements of subparagraphs (A) through (G) of paragraph (2) have been met during the 12-month period ending on the date of the certification; and

(C) with respect to the limitation for subsequent fiscal years, the President determines and certifies to Congress, in the most recent annual report submitted pursuant to section 5, that the requirements of subparagraphs (A) through (G) of paragraph (2) have been met during the 12-month period covered by the report.

(2) REQUIREMENTS.—The requirements of this paragraph are the following:

(A) The Government of Vietnam has made substantial progress toward releasing all political and religious prisoners from imprisonment, house arrest, and other forms of detention.

(B) The Government of Vietnam has made substantial progress toward—

(i) respecting the right to freedom of religion, including the right to participate in religious activities and institutions without interference, harassment, or involvement of

the Government, for all of Vietnam's diverse religious communities; and

(ii) returning estates and properties confiscated from the churches and religious communities.

(C) The Government of Vietnam has made substantial progress toward respecting the right to freedom of expression, assembly, and association, including the release of independent journalists, bloggers, and democracy and labor activists.

(D) The Government of Vietnam has made substantial progress toward repealing or revising laws that criminalize peaceful dissent, independent media, unsanctioned religious activity, and nonviolent demonstrations and rallies, in accordance with international standards and treaties to which Vietnam is a party.

(E) The Government of Vietnam has made substantial progress toward allowing Vietnamese nationals free and open access to United States refugee programs.

(F) The Government of Vietnam has made substantial progress toward respecting the human rights of members of all ethnic and minority groups.

(G) Neither any official of the Government of Vietnam nor any agency or entity wholly or partly owned by the Government of Vietnam was complicit in a severe form of trafficking in persons, or the Government of Vietnam took all appropriate steps to end any such complicity and hold such official, agency, or entity fully accountable for its conduct.

(b) EXCEPTION.—

(1) CONTINUATION OF ASSISTANCE IN THE NATIONAL INTEREST.—Notwithstanding the failure of the Government of Vietnam to meet the requirements of subsection (a)(2), the President may waive the application of subsection (a) for any fiscal year if the President determines that the provision to the Government of Vietnam of increased nonhumanitarian assistance would promote the purpose of this Act or is otherwise in the national interest of the United States.

(2) EXERCISE OF WAIVER AUTHORITY.—The President may exercise the authority under paragraph (1) with respect to—

(A) all United States nonhumanitarian assistance to Vietnam; or

(B) one or more programs, projects, or activities of such assistance.

(c) DEFINITIONS.—In this section:

(1) NONHUMANITARIAN ASSISTANCE.—The term "nonhumanitarian assistance" means—

(A) any assistance under the Foreign Assistance Act of 1961 (including programs under title IV of chapter 2 of part I of that Act, relating to the Overseas Private Investment Corporation), other than—

(i) disaster relief assistance, including any assistance under chapter 9 of part I of that Act;

(ii) assistance which involves the provision of food (including monetization of food) or medicine;

(iii) assistance for environmental remediation of dioxin-contaminated sites and related health activities;

(iv) assistance to combat severe forms of trafficking in persons;

(v) assistance to combat pandemic diseases;

(vi) assistance for refugees; and

(vii) assistance to combat HIV/AIDS, including any assistance under section 104A of that Act; and

(B) sales, or financing on any terms, under the Arms Export Control Act.

(2) SEVERE FORM OF TRAFFICKING IN PERSONS.—The term "severe form of trafficking

in persons" means any activity described in section 103(8) of the Trafficking Victims Protection Act of 2000 (Public Law 106-386 (114 Stat. 1470); 22 U.S.C. 7102(8)).

(d) EFFECTIVE DATE.—This section shall take effect on the date of the enactment of this Act and shall apply with respect to the provision of nonhumanitarian assistance to the Government of Vietnam during fiscal year 2013 and subsequent fiscal years.

SEC. 4. UNITED STATES PUBLIC DIPLOMACY.

(a) RADIO FREE ASIA TRANSMISSIONS TO VIETNAM.—It is the sense of Congress that the United States should take measures to overcome the jamming of Radio Free Asia by the Government of Vietnam and that the Broadcasting Board of Governors should not cut staffing, funding, or broadcast hours for the Vietnamese language services of the Voice of America and Radio Free Asia, which shall be done without reducing any other broadcast language services.

(b) UNITED STATES EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS WITH VIETNAM.—It is the sense of Congress that any programs of educational and cultural exchange between the United States and Vietnam should actively promote progress toward freedom and democracy in Vietnam by providing opportunities to Vietnamese nationals from a wide range of occupations and perspectives to see freedom and democracy in action and, also, by ensuring that Vietnamese nationals who have already demonstrated a commitment to these values are included in such programs.

SEC. 5. ANNUAL REPORT.

(a) IN GENERAL.—Not later than 6 months after the date of the enactment of this Act and every 12 months thereafter, the Secretary of State shall submit to the Congress a report on the following:

(1) The determination and certification of the President that the requirements of subparagraphs (A) through (G) of section 3(a)(2) have been met, if applicable.

(2) Steps taken to carry out section 3(a)(1)(A), if applicable.

(3) Efforts by the United States Government to promote access by the Vietnamese people to Radio Free Asia transmissions.

(4) Efforts to ensure that programs with Vietnam promote the policy set forth in section 102 of the Human Rights, Refugee, and Other Foreign Policy Provisions Act of 1996 regarding participation in programs of educational and cultural exchange.

(5) Lists of persons believed to be imprisoned, detained, or placed under house arrest, tortured, or otherwise persecuted by the Government of Vietnam due to their pursuit of internationally recognized human rights. In compiling such lists, the Secretary shall exercise appropriate discretion, including concerns regarding the safety and security of, and benefit to, the persons who may be included on the lists and their families. In addition, the Secretary shall include a list of such persons and their families who may qualify for protections under United States refugee programs.

(6) A description of the development of the rule of law in Vietnam, including—

(A) progress toward the development of institutions of democratic governance;

(B) processes by which statutes, regulations, rules, and other legal acts of the Government of Vietnam are developed and become binding within Vietnam;

(C) the extent to which statutes, regulations, rules, administrative and judicial decisions, and other legal acts of the Government of Vietnam are published and are made accessible to the public;

(D) the extent to which administrative and judicial decisions are supported by statements of reasons that are based upon written statutes, regulations, rules, and other legal acts of the Government of Vietnam;

(E) the extent to which individuals are treated equally under the laws of Vietnam without regard to citizenship, race, religion, political opinion, or current or former associations;

(F) the extent to which administrative and judicial decisions are independent of political pressure or governmental interference and are reviewed by entities of appellate jurisdiction; and

(G) the extent to which laws in Vietnam are written and administered in ways that are consistent with international human rights standards, including the requirements of the International Covenant on Civil and Political Rights.

(b) CONTACTS WITH OTHER ORGANIZATIONS.—In preparing the report under subsection (a), the Secretary shall, as appropriate, seek out and maintain contacts with nongovernmental organizations and human rights advocates (including Vietnamese-Americans and human rights advocates in Vietnam), including receiving reports and updates from such organizations and evaluating such reports. The Secretary shall also seek to consult with the United States Commission on International Religious Freedom for appropriate sections of the report.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Florida (Ms. ROS-LEHTINEN) and the gentleman from California (Mr. BERMAN) each will control 20 minutes.

The Chair recognizes the gentlewoman from Florida.

GENERAL LEAVE

Ms. ROS-LEHTINEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to insert extraneous materials into the RECORD on this measure.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Florida?

There was no objection.

Ms. ROS-LEHTINEN. I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 1410, the Vietnam Human Rights Act. The Socialist Republic of Vietnam remains a gross human rights violator even as its trade with the U.S. grows. The people of Vietnam continue to be oppressed by their Communist jailers, unable to change their government or enjoy any semblance of the rule of law. Indeed, the most recent elections of May 2011 were neither free nor fair. Much like those living under the ruthless Castro regime in my native Cuba, Vietnamese citizens are subject to brutal treatment from police, inhumane prison conditions, and denial of the right to a fair and speedy trial.

The judicial system is plagued by endemic corruption and inefficiency, and the Communist government has increasingly limited privacy rights and freedoms of the press, speech, assembly, movement, and association. Freedom of religion is subject to interpretation by Communist authorities, with

significant problems occurring at provincial and village levels.

Violence and discrimination against women, as well as trafficking in persons, continue to torment the population. The sexual exploitation of children, as well as hate crimes and discrimination based on ethnicity, sexual orientation, and HIV/AIDS status, all persist. As is the case with all Communist regimes, police often act with impunity. Cowardly hiding this egregious brutality from the civilized world, the Communist government prohibits independent human rights organizations from operating within its borders. All of this occurs while the U.S. continues to broaden trade with the Vietnamese dictators, completing a Trade and Investment Framework Agreement, or TIFA, in 2007.

We have increased our trade with Vietnam every year and have held a trade deficit with Vietnam every year since 1997. Mr. Speaker, that is not the message that we should send to these thugs. We should not reward this Communist dictatorship until the Government of Vietnam has made substantial progress respecting political freedoms, media freedoms, and religion freedoms.

Vietnam must also protect its minorities, give access to U.S. refugee programs, act to end trafficking in persons, and release its approximately 4,000 political prisoners.

I urge my colleagues to join me in showing our solidarity and support for the people of Vietnam by passing this important bill today.

With that, Mr. Speaker, I reserve the balance of my time.

Mr. BERMAN. Mr. Speaker, I rise in support of H.R. 1410, as amended, and I yield myself such time as I may consume.

I'd like to thank the sponsor of this legislation, Mr. SMITH of New Jersey, and the chairman of the Foreign Affairs Committee, Ms. ROS-LEHTINEN, for their leadership on human rights and on this particular issue.

Despite Vietnam's transition to a more open economy, political and religious freedoms for the people of Vietnam remain severely curtailed. The bilateral relationship between Washington and Hanoi has deepened since diplomatic ties were established over 15 years ago, but lack of greater progress in protecting basic rights and civil liberties will limit closer cooperation in the future.

In a speech last year on the Obama administration's Asia policy, Secretary of State Hillary Clinton stated:

We have made it clear to Vietnam that if we are to develop a strategic partnership, as both nations desire, Vietnam must do more to respect and protect its citizens' rights.

The United States must use both diplomatic and economic leverage with Vietnam to promote political openness and improve human rights.

□ 1800

This bill, the Vietnam Human Rights Act of 2011, takes an important step in the right direction by prohibiting an increase in nonhumanitarian assistance to Vietnam above fiscal year 2011 levels unless Hanoi makes significant progress on these critical issues. The bill makes it clear to Vietnam that the only factor limiting aid is positive action by the Vietnamese Government on political, human, and religious rights.

The Government of Vietnam has an important choice to make. Will it protect human rights and provide religious and political freedom to its citizens, or will it shirk these responsibilities and forsake the closer relationship that it wants with the United States?

I urge my colleagues to support this legislation, and I reserve the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I'm so pleased to yield 6 minutes to the gentleman from New Jersey (Mr. SMITH), the chairman of the Foreign Affairs Subcommittee on Africa, Global Health, and Human Rights, who is the author of this important bill.

Mr. SMITH of New Jersey. Mr. Speaker, I want to thank the distinguished gentlelady, our good chairwoman, for her leadership on this important issue and so many human rights issues around the globe. Thank you, ILEANA ROS-LEHTINEN for again bringing to the floor a very important bill and series of bills, many of which are directed at human rights.

And to Mr. BERMAN, thank you for your kind comments and your strong support for this effort to try to bring freedom and hope to the people of Vietnam—who, while as you pointed out so rightly, have enjoyed some economic progress, regrettably, political rights, human rights, fundamental rights have gone in the opposite direction—and so thank you for that.

I want to thank the original cosponsors of the bill—Mr. ROYCE, Mr. WOLF, Ms. ZOE LOFGREN, and Ms. LORETTA SANCHEZ—for being original cosponsors of this legislation, and I hope the membership will roundly and soundly back its enactment or its passage today.

Mr. Speaker, many of us on both sides of the aisle have been trying for decades to help the Vietnamese people secure their fundamental human rights and their democratic institutions. From assisting the boat people in the 1970s and all of the human rights work that was done to help so many Vietnamese, individuals who were in reeducation camps and who were dealt with so severely by the dictatorship in Hanoi, Congress and the Presidents over the years have tried nobly to assist them, as have other human rights activists around the world.

As far back as 1996 I sponsored the Human Rights Restoration Act, PL 104-319, which included an important

provision directing the U.S. Information Agency to take steps to provide opportunities for human rights and democracy leaders of Vietnam to come here for educational and cultural exchange programs. We found that so often it was the communist leaders and their families and friends who were benefiting from these trips to the United States, not the people who were the best and the bravest and the brightest of Vietnam.

I visited Vietnam on several occasions, met with dissidents throughout the country in Quay, Ho Chi Minh City, as well as Hanoi; met with pastors—Catholic, Protestant, Evangelicals—and have met with, as some of my other colleagues have as well, the venerable Thich Quang Do, who's done a magnificent job speaking up for the Unified Buddhist Church of Vietnam, which has been outlawed by the dictatorship in Hanoi.

Regrettably, our efforts, and especially, those heroic efforts by the women and men in Vietnam itself, have not resulted in respect for fundamental human rights.

I would note, parenthetically, that Bloc 8406, a great group of individuals who signed on to this charter of human rights, one by one have been singled out after signing that charter, believing that an easing was taking place, signed on. It was just like Vaclav Havel's Charter 77 and many other great statements made by the East Bloc countries during the dictatorships of that era. Bloc 8406, that is to say, April 8, 2006, one by one those individuals have been hunted down, and many of them have found themselves in prison.

The Africa, Global Health, and Human Rights Subcommittee, which I chair, heard from witnesses at a hearing earlier this year that the Vietnamese Government remains an egregious violator of a broad array of human rights. Their testimony confirmed that religious, political, and ethnic persecution continue and in many cases is actually increasing, and that the Vietnamese officials are still laying out the welcome mat for forced labor and sex traffickers.

For example, we heard from Dr. Nguyen Dinh Thang, the executive director of Boat People SOS who had recently traveled to Thailand to investigate human rights trafficking violations and other violations in Vietnam. Dr. Thang testified that the Government of Vietnam has not investigated, let alone prosecuted, a single human trafficking violation by Vietnamese labor export companies, many of which are state owned. Instead, police have interrogated and threatened victims who have spoken out against this modern-day slavery.

Almost routinely, according to Dr. Thang—and his information comports

with other information our subcommittee has received—the Vietnamese Government has sent its officials from Hanoi to trouble spots, including American Samoa, Jordan, and Malaysia, in order to silence the victims, take sides with the traffickers, or to impede justice.

The subcommittee also heard testimony of a Vietnamese woman who courageously fought for her own rights and those of her coworkers when they were trafficked to Jordan with the complicity of the Vietnamese Government officials. In addition, our witnesses provided deeply disturbing photographs, evidence of torture, and showed a video of the Vietnamese military destroying an entire village of Hmong Christians.

It is imperative that the U.S. Government send an unequivocal message to the Vietnamese regime that it must end its human rights abuses against its own citizens.

I would note, Mr. Speaker, that negotiators of the Trans-Pacific Partnership, which includes Vietnam, are currently meeting in nearby Leesburg, Virginia. Within the next 2 years, or a year or 2, Congress will likely be asked to approve a free trade agreement between the U.S. and Vietnam as part of this initiative. I hope the administration is using those negotiations to strongly encourage the Vietnamese Government to finally, at long last, respect human rights.

The SPEAKER pro tempore. The time of the gentleman has expired.

Ms. ROS-LEHTINEN. I yield the gentleman an additional minute.

Mr. SMITH of New Jersey. I thank my colleague.

H.R. 1410 would institute effective measures toward improving human rights in Vietnam. As reported by our committee, the bill prohibits any increase in nonhumanitarian assistance to the Government of Vietnam above fiscal 2011 levels unless the government makes substantial progress in establishing freedom of religion, releasing political prisoners, respecting the rights of journalists, and the bill lays out a whole series of mutually reinforcing steps it must take and the people it must protect.

The bill does not prevent increased funding for the Vietnamese Government for certain humanitarian assistance—and I want to underscore that—such as food, medicine, agent orange remediation, and activities to combat human trafficking. The freeze on foreign assistance at 2010 levels can be waived if the President determines that increased nonhumanitarian aid to Vietnam would promote democracy and freedom or would otherwise be in the national interest.

Mr. Speaker, we've passed this bill twice in various forms before by huge majorities. It is time to pass it, and hopefully the Senate will take it up and get it to President Obama.

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to yield 5 minutes to the gentleman from California (Mr. ROYCE), the chairman of our Subcommittee on Terrorism, Nonproliferation, and Trade of our Committee on Foreign Affairs.

Mr. ROYCE. Mr. Speaker, I'm an original cosponsor of this bill, H.R. 1410. This is the Vietnam Human Rights Act. And I guess it's no surprise to a lot of us that have followed what has happened in Vietnam, it denies its citizens basic human rights.

But here's the problem: The conditions there with respect to abuse of rule of law are getting worse and worse.

It used to be that we would watch show trials in terms of the abridgement of rights of the citizens of Vietnam; now they don't even have the show trials. Now the government just places those dissidents in police detention, and they do it without alerting the family, without alerting anyone. And at that point, you just have to say the rule of law has become nonexistent.

We received a really stark reminder recently. Human rights dissident Nguyen Quoc Quan was arrested by Vietnamese officials. He had attempted to enter the country at Ho Chi Minh City's airport, and the charge that he was held on was terrorism. Terrorism was the original charge.

□ 1810

He didn't come to Vietnam equipped with guns or explosives. What's the terrorism charge? Well, he came to Vietnam to meet with other grassroots organizations committed to peaceful discussions on human rights inside the country. To the Vietnamese Communist Government, that's terrorism. That really says it all.

The case of Nguyen Quoc Quan is not an isolated case. His treatment there has become the rule, not the exception for those who are trying to push for some modicum of free speech or religious freedom, and so you have a whole slew of dissidents who are treated like this or even worse. When I say "worse," I want to give you another example.

It is that of Pastor Nguyen Cong Chinh, a pastor of an outlawed Mennonite church. He was recently sentenced to 11 years in prison during a 1-day trial for "sowing division between the Communist government and its citizens." Now, this treatment is nothing new for this particular pastor. To date, he has been aggressively interrogated over 300 times. He has suffered dozens of beatings, and some of us have seen the photographs of the aftermath of some of those brutal beatings. He has been forcefully removed from his residence many times and has been thrown in jail.

That is why it is imperative, my friends, that we pass the Vietnam

Human Rights Act. I think the important point here is that this kind of action can be an inspiration to the brave dissidents inside Vietnam who continue to be brutally repressed. Part of this is to provide for information from Radio Free Asia to better be able to broadcast into the country, to better be able to shed light on this kind of activity, to leverage for change, and to bring objective news—to bring the truth—to be a surrogate-free radio station for the Vietnamese people. The spread of democratic values in Asia, frankly, is critical to our security interests as well.

I, myself, have met with some of the Vietnamese dissidents discussed here today, and I've been denounced by the Vietnamese Government for simply meeting with those whose only wish is the freedom to speak their minds. That tells me that the Vietnamese Government is sensitive to international criticism and that the United States must continue to speak out about this issue. I don't think silence is an option for us in the U.S.

In closing, I want to thank Chairwoman ROS-LEHTINEN for her focus on human rights. I want to thank the author here, CHRIS SMITH, for his efforts, and HOWARD BERMAN, Congressman from California, for his work on behalf of the Vietnamese people.

Mr. BERMAN. I am very pleased to yield 2 minutes to the gentlelady from California (Mrs. DAVIS).

Mrs. DAVIS of California. Thank you.

I rise today to express my strong support for H.R. 1410 and also for H. Res. 484. This bill and resolution really embody a great concern of many of my constituents at home as well as of Americans across this country.

As Americans, we often take for granted the rights and privileges that are guaranteed to each and every individual in this country. We can speak out at town halls, and we can protest in front of the Capitol steps. When all else fails, we can register our votes at the polls to make our voices heard. Those rights and privileges that we enjoy are being denied every single day to the people of Vietnam.

So, today, we vote on this bill and this resolution in order to send a clear message that these abuses will not be tolerated. We must make it clear that progress needs to be made on these issues before we can move forward on other issues that are important to both of our countries, including the issue of trade. Our efforts are aimed at bringing about a brighter future in Vietnam where citizens are not in prison for the songs they write and where individuals are not arrested for carrying books on nonviolent resistance. It's sad, but these remain to be the facts of life for the people of Vietnam. In the words of one of my constituents, We can make a difference if we come together.

Let's start by voting "yes" on H.R. 1410 and also on the resolution that we will next be talking about, H. Res. 484.

Ms. ROS-LEHTINEN. I would like to ask Mr. BERMAN if he has any other requests for time.

Mr. BERMAN. I have no further requests for time. If the gentlelady is prepared to close, I am prepared to relinquish my remaining time.

Mr. Speaker, I urge support for the legislation, and I yield back the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, in closing, our Nation has always served as a beacon of hope for all who are oppressed and suffer under regimes such as the one in Vietnam, which has shown a blatant disregard for fundamental human rights and universal freedoms. We must continue to serve as such a beacon. We must not waver in our commitment to standing with the oppressed and not with their oppressors. This bill serves as an important guidepost in doing that.

The Vietnam regime continues its oppression. On August 5, they arrested about 30 peaceful demonstrators who were protesting China's activities in the South China Sea. It included the arrest of an 81-year-old activist. Also, the threatened trial of three well-known human rights bloggers has been further postponed, thus extending their unjust legal limbo.

This human rights legislation is long overdue. It contains a provision prohibiting an increase in nonhumanitarian assistance to the Government of Vietnam unless certain human rights benchmarks are met. Of course, it has a Presidential waiver, but it authorizes the President to provide assistance through appropriate nongovernmental organizations and the Human Rights Defenders Fund for the support of individuals and organizations that are promoting internationally recognized human rights in Vietnam. This is an American principle. This should be a universal principle of human rights and respect for minority rights.

I hope that our colleagues will join us in passing Mr. SMITH's bill. The time for it is long overdue. With that, Mr. Speaker, I yield back the balance of my time.

Ms. ZOE LOFGREN of California. Mr. Speaker, I rise today in support of H.R. 1410, the Vietnam Human Rights Act. I am an original co-sponsor of this legislation, and I thank Mr. SMITH for introducing it.

This bill would prohibit any increase in U.S. non-humanitarian aid to Vietnam until significant progress is made with regard to political and religious rights for the people of Vietnam, including the release of political and religious prisoners, and the repeal or revision of laws that criminalize peaceful dissent and otherwise impede democratic freedoms.

The human rights situation in Vietnam is dire, and shows no signs of improvement. Reporters Without Borders ranks Vietnam as 172nd of 179 in its Press Freedom Index (last

in Southeast Asia, and only two spots above China) and an article in Foreign Policy magazine recently referred to Vietnam as "the most repressive country in Southeast Asia."

According to the U.S. Commission on International Religious Freedom's (USCIRF) 2012 Annual Report, "The government of Vietnam continues to control all religious communities, restrict and penalize independent religious practice severely, and repress individuals and groups viewed as challenging its authority . . . The U.S. government should use its diplomatic and political resources to advance religious freedom and related human rights in Vietnam."

I agree. We need to send a message to the Vietnamese government and make it clear that we do not condone its repression of free speech and democracy. I also want to add that on April 17th, the American democracy activist Nguyen Quoc Quan was arrested in Vietnam and remains in detention. I urge the Vietnamese government to release Dr. Quan, and I urge my colleagues to stand up to the Vietnamese government and support this bill.

Mr. FALCOMA. Mr. Speaker, as a Vietnam veteran, I rise in opposition to H.R. 1410.

In 1967, I was deployed to Vietnam and served my country in Nha Trang. My brother also served, and has since passed away.

On the matter of human rights, the U.S. cannot assume the moral high ground when it comes to Vietnam. From 1961 to 1971, the U.S. sprayed more than 11 million gallons of Agent Orange in Vietnam, subjecting millions of innocent civilians to dioxin—a toxic known to be one of the deadliest chemicals made by man. Despite the suffering that has occurred ever since, there seems to be no real interest on the part of the U.S. to clean up the mess we left behind.

Instead, we spend our time offering up language like this which fails to make anything right. While I appreciate that more than 1 million Vietnamese-Americans still have strong feelings about the Vietnam War, the fact is it is time for us to rebuild our relationship with Vietnam just like we did with Germany and Japan after WWII.

Regrettably, H.R. 1410 has an adverse impact on our efforts. H.R. 1410 purports to promote the development of freedom and democracy in Vietnam but fails in its purpose. As noted by the Congressional Research Service, "the bill could chill the recent warming of bilateral political and security ties and could weaken economic reformers in ongoing domestic political battles inside Vietnam."

Put another way, H.R. 1410 is not in the best interest of the United States or the Vietnamese-American community. H.R. 1410 is shortsighted in its approach, and contrary to the efforts of the Clinton, Bush, and Obama Administrations which have sought to strengthen our partnership with Vietnam.

Long after the Vietnam War, the U.S. is now about the business of coordinating a multi-country diplomatic push back against Chinese encroachment in the oil-rich and strategically important South China Sea. H.R. 1410 is not helpful to our cause.

In conversations with the Department of State, they share my concerns that measures in H.R. 1410 could adversely affect our secu-

rity relationship with Vietnam as well as our ability to work with Vietnam on trafficking in persons. H.R. 1410 could also greatly reduce our chances of negotiating a roadmap on human rights.

Moreover, Section 3(a)(2)(G) significantly alters the standard by which the Government of Vietnam's efforts to combat Trafficking in Persons (TIP) are measured, and restricts non-humanitarian assistance to FY2011 levels pending certification in an annual report by the President of the United States.

The Trafficking Victims Protection Act (TVPA) created a set of minimum standards to assess a government's efforts to combat trafficking in persons (TIP). These standards are based on agreed upon international protocols. H.R. 1410 goes beyond the protocols and holds the Government of Vietnam to a higher standard.

By holding the Government of Vietnam to a higher standard that is not applicable to any other foreign government, or to the U.S. government's own efforts, the Act would have an adverse impact on our ability to conduct diplomacy with the Government of Vietnam on improving its anti-TIP efforts.

So while Vietnam may have work to do on improving its human rights record, we also have work to do. First and foremost, we need to work on being fair. We need to work on treating Vietnam the same as we treat other foreign governments. Simply put, it is wrong to hold Vietnam to a higher standard than the rest of the world.

Also, let us be clear about the sincere and measurable progress Vietnam has made. Let us not cherry-pick bits of truth and put forward old data. H.R. 1410 is based on old data—the same data that has been put forward over and over again by those who have never served in Vietnam or visited Vietnam or met with Vietnam's leaders. After serving in Vietnam in 1967, I returned some 40 years later after becoming Chairman of the Subcommittee on Asia and the Pacific. All I can say is the Vietnam I fought against is not the Vietnam I know today.

So, I encourage my colleagues to re-think Vietnam and pursue a path of cooperation that does not undermine the progress we are making. I also ask that the Embassy of Vietnam's statement and the following excerpts from the State Department's International Religious Freedom Report 2010 be made part of the RECORD.

The Report notes, "respect for religious freedom and practice improved in some regards," and that "the government took further steps to implement its 2004 Ordinance on Religion and Belief and supplemental decrees on religious policy issued in 2005." The report also recognizes that the Vietnamese "government also facilitated construction of new churches, prayer houses, pagodas, and training facilities for furthering the education of thousands of monks, priests, nuns, and pastors" permitting "the expansion of religious organizations' charitable activities."

The Report also made note of the meeting between President Nguyen Minh Triet and Pope Benedict XVI at the Vatican. "Vietnam and the Holy See agreed to a Vatican appointment of a non-resident Representative for Vietnam as a first step toward the establishment of full diplomatic relations." The report

also states that “new congregations were registered in many of the 64 provinces, and one new religious group and two Protestant denominations received national registration or recognition.”

“The Catholic Church, Protestant congregations, and other smaller religious groups reported that their ability to gather and worship generally improved and that the government allowed registered religious groups to assign new clergy with limited restrictions. The government also permitted the Buddhist, Catholic, Cao Dai, Hoa Hao, and Protestant faiths to hold several historic large-scale religious services throughout the country, some with over 100,000 participants.”

The State Department also confirmed the Vietnam’s Government assertion that “some ethnic minorities in the Central Highlands were operating a self-styled ‘Dega Church,’ which reportedly mixed religious practice with political activism and called for ‘ethnic minority separatism.’” Regarding the Con Dau incident, the report notes that the arrested six Catholic parishioners “reportedly started a physical altercation with police.”

In light of these facts and many more, it is my hope that the U.S. Senate will disregard H.R. 1410 and put forward an approach that allows us to strengthen our economic and security ties with Vietnam while negotiating a roadmap on human rights that is based on accurate information—not on misinformation intended to topple Vietnam’s current government.

In the U.S. House of Representatives, I hope that the advocates of H.R. 1410—if they are truly sincere about human rights—will apply their efforts to assisting Vietnam with Agent Orange clean-up because the mess we left behind is a serious violation of human rights that needs to be corrected once and for all.

EMBASSY OF VIETNAM TO THE UNITED STATES ON RELIGIOUS FREEDOM IN VIET NAM

Viet Nam is a country of many faiths, with the presence of major world religions including Buddhism, Catholicism, Protestantism and Islam. It has the second largest Catholic community in Southeast Asia. Approximately 80 percent of the population are religious or spiritual believers. Of these, 22.3 million are followers of one religion or another, constituting one fifth of the population. There are 25,000 places of worship in Vietnam.

The government of Viet Nam pursues a consistent policy of respecting religious freedom and facilitating the practice of religion and faith by all citizens. Viet Nam attaches importance to the policy of religious solidarity and concord, ensuring equality and non-discrimination for all religions. Religious activities are protected by law but the abuse of religion to provoke hatred, division and conflict which threatens national security and stability is strictly prohibited.

Religious freedom and protection of religious freedom are provided for in Viet Nam’s laws including the 1992 Constitution (Article 70), the Civil Code (Article 47), the 1999 Penal Code (Article 129), the Ordinance on Religion and Belief (“the Ordinance”) and Decree 22/2005/ND-CP dated 1st March, 2005 providing for implementation of the Ordinance.

Since the issuance of the Ordinance, religious freedom has been reinforced throughout

the country. Religious life in Viet Nam has seen strong vitality in recent years, thus contributing significantly to national development. There are now 4 Buddhist institutes, 32 intermediate Buddhist schools, hundreds of elementary Buddhist courses, 6 Catholic Seminaries and one Protestant Institute of Bible and Theology in Viet Nam. Thousands of religious dignitaries are trained in those schools each year, of which 1,177 are engaging in governance, working as delegates in the National Assembly or People’s Councils. The Evangelical Church of Viet Nam has organized theological courses. A series of religious websites are being operated by the Viet Nam Bishops’ Council and the Spiritual Council of the Baha’i Community of Viet Nam. Places of worship have been built throughout the country with the government’s sponsorship. These include the construction of the Khmer Theravada Buddhist University in Can Tho province and the expansion of the La Vang Parish in Quang Tri province.

Religious activities in Viet Nam are in full swing now. The 2,555th Buddhist Vesak Day was observed in many provinces. In May, 2011, a Vietnamese delegation participated in the United Nations’ Vesak Day in Thailand. The Catholic Church’s Jubilee Year in 2011 was prominently celebrated and its closing ceremony was attended by 1,000 priests, 2,000 clergies and 500,000 parishioners. The celebration was honoured by the presence of Cardinal Ivan Dias, Head of the Vatican’s Missionary Department, Special Envoy of Pope Benedict XVI.

The year 2011 also marked the 100th anniversary of Protestantism in Viet Nam. Big celebrations were held in Ha Noi, Da Nang and Ho Chi Minh City, attended by Protestants from all provinces and cities.

Local authorities have made important contributions to these achievements of Vietnamese religious communities. However, progress has been slower in certain more distant areas of Vietnam due to poverty, low level of socio-economic development and geographical disadvantages. This is particularly true in mountainous and border provinces. In addition, the educational level and training of some local officials have been limited, making it more difficult for them to full realize our policy.

RECOGNITION AND REGISTRATION OF RELIGIOUS ORGANISATIONS

The registration of religious activities and the recognition of the legal entity of new religious organisations are the basis for religious organisations and congregations to be protected by law, rather than an administrative measure to hinder religious freedom and belief. Eligibility for legal recognition of a religious organization or congregation is clearly stipulated in the 2004 Ordinance on Religion and Belief.

To date, the State has recognized 18 religious organisations representing 9 religions, of which 6 are new ones. These include Baha’i, Tu An Hieu Nghia (Four Debts of Gratitude), Buu Son Ky Huong, The Pure Land Buddhist Home-Practice Association, Minh Su and Minh Ly. Seven other Protestant denominations also achieved recognition, bringing the total number of recognized religious organisations in Viet Nam up to 34. Prior to the introduction of

the Ordinance, only 16 organisations representing 6 religions were recognized by our government.

Registration of Protestant groups has shown a particular increase: Upon the issuance and implementation of the Ordinance on Religion (2004) and Directive No. 01 on Protestantism, Protestantism has grown exponentially in Viet Nam in terms of the number of followers, congregations as well as the diversity of worship practices. In 2011, the number of Protestants in Viet Nam was roughly 1.17 million people, of which 110 thousand lived in the northwest region of Viet Nam, 360 thousand in the Central Highlands, and the remaining 700 thousand throughout the country. The number of registered places of worship has increased to over 1,700 groups and congregations (in the northwest: 258 groups, in the Central Highlands: 1,284 groups and 189 congregations). The government has organized 8 conferences to do outreach about our policies and laws concerning Protestantism to 1,600 participants who are the leaders of places of worship.

PROTESTANT REGISTRATION DATA (AS OF DECEMBER 2011)

	2009	2010	2011
Central Highlands			
1. Number of congregations of the General Confederation of Evangelical Churches of Vietnam (Southern) and United World Mission	164	178	189
2. Land right and church building licenses (including church and land)	50	60	80
3. Number of groups registered		1210	1284
4. Appointments of pastors	325	336	NA
North West			
1. Number of groups registered	208	247	258

The registration of Protestant groups in the northwest region is making slow progress mainly due to socio-economic conditions in the local areas, which are the most disadvantaged regions in the country, with treacherous terrain, frequent natural disasters, and local social practices which hamper development. During the past period, the government of Viet Nam has invested in many projects and programs to promote economic, cultural and educational development in these regions. However, many difficulties remain in these regions. In addition, cultural conflicts between Protestantism and communities affiliated to other religions and faiths in this area need some time to be resolved.

In the near future, related ministries, agencies and localities will coordinate with each other to promote religious expression and ensure effective implementation of the Ordinance on Religion and the Prime Minister’s Directive 01 on Evangelicalism in these regions.

Publication of the Bible in Latin—H’Mong language: The government has always paid attention to and facilitated the religious activities of national minority followers, including the publication of bilingual Bibles: Viet—Bahnar, Viet—Ede, Viet—Jarai. For the Bible in the H’Mong language, there are two types of H’Mong script, of which the traditional script has been stipulated by law as the sole script allowed in publications. Thus, the publishing the Bible in the H’Mong script will require resolution of this legal issue, as well as the consideration of a professional board from the Ministry of Education. Relevant Vietnamese

agencies will continue to work together to expedite this project.

RESOLUTION OF LAND ISSUES RELATING TO RELIGIONS

The right to ownership of land is clearly stipulated in the Constitution and other laws of Viet Nam. The land belongs to the whole people. The State represents this ownership right and exercises unified management over the land. Thus, in Viet Nam, there is no private ownership of land. The State acts as the representative of the people in arranging and managing land use according to the legitimate needs of individuals and organisations.

The issue of land in Viet Nam is very complex since the country has experienced many ordeals stemming from history. Resolution No. 2312003/QH11 of the National Assembly, dated November 26th 2003 affirms: "The State does not recognize any claims to take back lands that have been managed and put into use by the State. Thus, claims to take back lands, including lands which may have been historically used for religious practices, are not consistent with our law."

For religion-related lands which are now being managed or allocated by State to the agencies/organisations, the latter must use the lands in full conformity with stipulated purpose and in an effective manner in order not to have any negative impact on the feelings of religious followers (Directive No. 1940/CT-TTg of the Prime Minister dated December 31st, 2008).

In the event that religious organisations have legitimate need for additional land or housing for religious purposes, the government may consider allocating appropriate areas for them. The consideration of land allocation for religious organisations must comply with the law and regulations.

Recently, the government has allocated large areas of land for religious organisations to use for religious purposes. For instance, Ho Chi Minh City has allocated over 10,000 m² to the Southern Evangelical Church of Vietnam for construction of the Evangelical Institute for Bible and Theology. Similarly, Dak Lak province allocated over 11,000 m² for the construction of the Archbishopric of Buon Ma Thuot. Da Nang City also allocated over 9,000 m² for the Da Nang Archbishopric. Quang Tri province re-allocated 20 hectares of the Shrine of the Lady of La Vang to the La Vang Parish. Likewise, Ha Noi City has recently allocated land for the Viet Nam Buddhist Association to build a Buddhism University.

RELIGIOUS ORGANISATIONS AND CHARITABLE ACTIVITIES

The government pursues a policy of facilitating and encouraging religious organisations' participation in philanthropic works in accordance with the law (Article 33 of the Ordinance on Religion). Many religious organisations in Viet Nam are very active in social and charitable activities such as free medical checkup and medical treatment, care for children in particularly difficult circumstances, and people living with HIV. Many religious officials have taken part in fundraising campaigns for natural disaster relief.

There are more than 80 religion-related international NGOs in Viet Nam.

ENSURING EQUALITY AND NON-DISCRIMINATION AMONG RELIGIONS

Vietnamese law provides that "all religions are equal before the law." Missionary activities

of religious groups are carried out customarily, according to Vietnamese law, without any discrimination.

The policy and law of Viet Nam guarantees equality among all citizens as a principle, regardless of their sex, religion, race or age. All citizens have the right to nominate themselves and, if elected, participate in the administration and leadership of society. In fact, a number of the current members of the National Assembly are representatives from different religions (19 religious followers and officials were nominated for the 13th National Assembly, 8 of whom were elected, 2 more than the 12th National Assembly). Many religious followers and officials are now members of the Viet Nam Fatherland Front or hold leadership positions in the government at every level.

THE HANDLING OF CASES INVOLVING RELIGIOUS BELIEVERS

Vietnamese law clearly states that no person may be arrested, imprisoned or sanctioned in any manner because of their exercise of their religious or spiritual beliefs. However, as in every country, those who commit crimes that violate the law cannot hide behind their religious affiliation to avoid the legal process. Those individuals are not subject to litigation because of their religious affiliation but because of their violation of the law that every Vietnamese citizen is expected to abide by. Their cases are handled in accordance with Vietnamese law in a country which follows the rule of law.

Below is some information on some specific cases:

Nguyen Van Ly: On March 30, 2007, the People's Court of Thua Thien Hue province sentenced Nguyen Van Ly to 8 years of imprisonment and 5 years of probation (according to Article 88 of the Penal Code). While serving his sentence, Nguyen Van Ly was put in a separate cell with access to TV, newspapers, religious materials, and provided with nutritious food and healthcare. His family and representatives of the Hue Archbishopric and Ambassadors of the U.S., Canada and the U.S. Commission on International Religious Freedom were allowed to visit him.

In March 2010, due to the condition of Nguyen Van Ly and our humanitarian approach, his imprisonment was suspended for 12 months starting on March 15, 2010. During the suspension, Ly continued to conduct provocative activities violating the law and disturbing order in his hometown. After that period, health improved and Nguyen Van Ly and his family did not file a request for further suspension. Thus, on July 25, 2011, he was sent back to prison to continue serving his sentence in accordance with Viet Nam's law on execution of court judgements.

After his return to prison, his sister Nguyen Thi Hieu, his nephew Nguyen Cong Hoang and representatives of the U.S., Canadian and Australian Embassies have visited him at Nam Ha prison. At this moment, his health is stable and he is living in good conditions and receiving the same treatment as other inmates, according to Vietnamese law.

Thich Quang Do: During the movement for the unification of Vietnamese Buddhism in 1981, while all other Buddhist organisations and denominations in the country came together in common purpose, the An Quang

sect under the Viet Nam Unified Buddhist Church led by Thich Huyen Quang and Thich Quang Do failed to reach an agreement with other Buddhists.

In following years, Thich Huyen Quang and Thich Quang Do continued to act against the government by organizing their followers in an attempt to restore the Viet Nam Unified Buddhist Church. Thich Quang Do's activities have been supported by the Viet Nam Unified Buddhist groups in exile, who designated him as the Head of the "Institute for the Dissemination of the Dharma". Worse than that, Thich Quang Do and the so-called "Viet Nam Unified Buddhist Church" do not cease to distort the policies of the State of Viet Nam and continue to engage in provocative acts to undermine national unity and religious solidarity.

Thai Ha: In November 2011, some extremist clergymen from the Christ's Redemption branch of Thai Ha Parish took advantage of a land dispute to spread false and malicious slander against the government and incite people to gather, riot and trespass in order to try to illegally take over the land. However the local authorities have been in full compliance with the law in designating the land for the construction of a drainage system for Dong Da Hospital in order to protect and keep the environment clean.

In early December 2011, some followers and priests of the Thai Ha Parish gathered in front of the Ha Noi People's Committee to submit a petition. They were sent to the place designated for submitting petitions and returned home that same day. However, some people falsely characterized and distorted what happened, claiming that the government suppressed and detained the petitioners. At present, the land-related petition of the Thai Ha Parish is being handled by the responsible agency according to the law.

Muong Nhe: In late April and early May 2011, in the Muong Nhe district of Dien Bien province, some H'Mong extremists deceived, incited, displaced and even forced a number of H'Mong people from several localities to move to some villages in the Muong Nhe district of Dien Bien province. The extremists then called for the establishment of a H'Mong kingdom, to secede from Viet Nam Attempting to foment secession from the Vietnamese nation violates Vietnam's law and causes other threats to law and order. The actions of these extremists also negatively affected the people's lives and livelihood. Due to the bad weather and bad living conditions at the place where the extremists took people, some got sick and one child died.

After the bad experiences suffered by those tricked into following the extremists, the authorities and people's mass organisations in Muong Nhe district were easily able to explain to people how they were misled by the unscrupulous secessionists. The people returned home voluntarily, with local authorities providing them with transportation, food, medication and financial support to help in their resettlement. Only the extremists who broke the law were detained. Those who failed to ignite a split among our people have now spread false and malicious rumours about fighting between the army and demonstrators claiming 'many are wounded and dead'. Nothing could be further from the truth. Now that the people

are back in their homes, peace and order has been restored.

In spite of economic difficulties, the Vietnamese government always cares about and supports people in mountainous and remote areas, including the H'Mong people. The government goes to great lengths to help stabilize their lives through socio-economic development programmes and poverty reduction projects as well as promoting their indigenous cultures and languages. In future, the Vietnamese government will continue to promote and fund programmes in housing, healthcare, education and development of production and infrastructure.

Viet Nam has facilitated the travel of foreign press, foreign diplomatic missions (including the U.S. Embassy, EU Delegation and Norwegian embassy) and international media to Muong Nhe to cover the news and learn about the reality there.

Cau Ram Parish: The current Cua Nam garden in Cua Nam ward of Vinh City was formerly the old Cau Ram church. This church was completely destroyed by U.S. bombing. At that time, the authorities of Nghe An allowed Cau Ram parish to build a new church on another plot of land, where the church still stands today. The former site of the church was allocated by the Nghe An People's Committee to the Vinh City People's Committee for the development of a public garden to provide 8 green space to city residents. Since the Cau Ram parish received land for its church to replace the site that was destroyed by U.S. bombs and its former site is now zoned for use as a public park, the request for the return of the former site is groundless.

Local authorities have handled the Cau Ram parish's and parishioners' request in accordance with the law. The Nghe An People's Committee sent an official note to the officials in charge of the Vinh diocese and Cau Ram parish responding to the proposal made by the Cau Ram parish, making clear the government's policy regarding use of public lands. Public opinion also supports the use of the land as a garden. The People's Committee collected public opinion in the newspapers regarding the location for a Martyrs' Memorial, and propose Cua Nam garden as one of 5 possible locations. However, the Nghe An People's Committee did not selected Cua Nam Garden as the place to build the Martyrs' Memorial.

On August 17, 2011, the Cau Ram parish held a meeting to sum up its theological works and reward young parishioners. They then made a procession from Cau Ram church to Yen Dai Parish to attend a mass for the Blessed Virgin. As the procession went on, some parishioners violated traffic rules, causing public disorder. Following the mass, parishioners dispersed voluntarily. There was no such thing as building the Martyrs' Memorial as given in some news. No one was arrested or detained.

Con Dau: In Con Dau an urban planning project was implemented—a project that had been announced in advance and discussed with the public and was supported by most households, both religious and non-religious, in the area. To assure harmony, Catholic households who lost land due to eminent domain were given increased compensation by

the Da Nang authorities. Despite the fact that this project was carried out in accordance with all laws and regulations, some persons with malicious intentions took advantage of a Christian funeral to incite people and cause chaos, cynically attempting to turn a sacred religious ceremony into a place to vent their hostility.

Ky Dong: In the past, the Redemptorist Church donated the house at No. 8 Ba Huyen Thanh Quan Street, which was just in front the house at No. 38 Ky Dong, District 3, Ho Chi Minh City, to the government to turn it into a school. Now the school has been renovated and has become 'Pre-school No. 9'. The Redemptorist Church would like to now change its mind and has asked for the building back. However, as the transfer was voluntary and accomplished in accordance with Vietnamese law and the building is now properly being used as a school for the education of the children of the district, the church has no legal or other claim as to the site.

CONCLUSION

Vietnam is a diverse country of many nationalities, cultures and religions. We treasure this diversity, including the many religions and faiths that arise from our history and shape our future. In recent years, our laws have developed in parallel with our commitment to freedom of religious expression and worship. As is the case with every country, not every law is always perfectly applied in practice in every instance. However Viet Nam aspires and is working to apply our laws in keeping with our policy of guaranteeing religious rights to our people.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and pass the bill, H.R. 1464, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

NORTH KOREAN REFUGEE ADOPTION ACT OF 2011

Ms. ROS-LEHTINEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1464) to develop a strategy for assisting stateless children from North Korea, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1464

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "North Korean Refugee Adoption Act of 2011".

SEC. 2. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) thousands of North Korean children do not have families and are threatened with starvation and disease if they remain in North Korea or as stateless refugees in surrounding countries;

(2) thousands of United States citizens would welcome the opportunity to adopt

North Korean orphans living outside North Korea as de jure or de facto stateless refugees; and

(3) the Secretary of State and the Secretary of Homeland Security should make every effort to facilitate the immediate care, family reunification, and, if necessary and appropriate, the adoption of any eligible North Korean children living outside North Korea as de jure or de facto stateless refugees.

SEC. 3. DEFINITIONS.

In this Act:

(1) FOREIGN-SENDING COUNTRY.—The term "foreign-sending country"—

(A) means—

(i) the country of the orphan's citizenship; or

(ii) if the orphan is not permanently residing in the country of citizenship, the country of the orphan's habitual residence; and

(B) excludes any country to which the orphan—

(i) travels temporarily; or

(ii) travels as a prelude to, or in conjunction with, his or her adoption or immigration to the United States.

(2) HAGUE COUNTRY.—The term "Hague country" means a country that is a signatory of the Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption, done at The Hague on May 29, 1993.

(3) NON-HAGUE COUNTRY.—The term "non-Hague country" means a country that is not a signatory of the Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption, done at The Hague on May 29, 1993.

SEC. 4. STRATEGY ON ADOPTION OF NORTH KOREAN CHILDREN BY UNITED STATES CITIZENS.

(a) IN GENERAL.—The Secretary of State, in consultation with the Secretary of Homeland Security, shall develop a comprehensive strategy for facilitating the adoption of North Korean children by United States citizens.

(b) CONSIDERATIONS.—In developing the strategy under this section, the Secretary shall—

(1) consider the challenges that United States citizens would encounter in attempting to adopt children from North Korea who are currently living in Hague countries and non-Hague countries regardless of their legal status in such countries;

(2) propose solutions to dealing with the situation in which a North Korean refugee child does not have access to a competent authority in the foreign-sending country;

(3) propose solutions to dealing with North Korean refugee children who are not considered habitual residents of the countries in which they are located;

(4) evaluate alternative mechanisms for foreign-sending countries to prove that North Korean refugee children are orphans when documentation, such as birth certificates, death certificates of birth parents, and orphanage documentation, is missing or destroyed;

(5) provide suggestions for working with South Korea to establish pilot programs that identify, provide for the immediate care of, assist in the family reunification of, and assist in the international adoption of, orphaned North Korean children living within South Korea;

(6) provide suggestions for working with international adoption agencies and aid organizations in Asia to identify and establish pilot programs for the identification, immediate care, family reunification, and international adoption of North Korean orphans

living outside North Korea as de jure or de facto stateless refugees;

(7) identify other nations in which large numbers of stateless, orphaned children are living who might be helped by international adoption; and

(8) propose solutions for assisting orphaned children with Chinese fathers and North Korean mothers who are living in China and have no access to Chinese or North Korean resources.

(c) **REPORTING REQUIREMENT.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall submit a written report to Congress that contains the details of the strategy developed under this section.

The **SPEAKER** pro tempore. Pursuant to the rule, the gentlewoman from Florida (Ms. **ROS-LEHTINEN**) and the gentleman from California (Mr. **BERMAN**) each will control 20 minutes.

The Chair recognizes the gentlewoman from Florida.

GENERAL LEAVE

Ms. **ROS-LEHTINEN**. Mr. Speaker, I kindly ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to insert extraneous materials into the **RECORD** on this measure.

The **SPEAKER** pro tempore. Is there objection to the request of the gentlewoman from Florida?

There was no objection.

Ms. **ROS-LEHTINEN**. Mr. Speaker, I yield myself such time as I may consume.

I rise in strong support of H.R. 1464, the North Korean Refugee Adoption Act, of which I am a proud cosponsor.

I want to thank my good friend from California (Mr. **ROYCE**), who is the chairman of the Subcommittee on Terrorism, Nonproliferation, and Trade on our Foreign Affairs Committee and who is a longtime advocate on North Korean human rights and refugee issues, for introducing this important bill.

We are all too keenly aware of the extreme repression, the malnutrition, and the poverty suffered by so many inside North Korea today. Those threats often take the greatest toll on children.

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Imagine what happens when a child's natural protectors—parents—are no longer in the picture. Imagine what happens when that child is born or orphaned inside China when the child lacks legal status or dependable access to social services: malnutrition, abuse, exploitation, lack of education. These are the horrors that are faced by orphans of North Korean origin who are effectively stateless and without protection.

Mr. Speaker, the United States is home to the largest ethnic Korean population outside of Northeast Asia, and many of the nearly 2 million Americans of Korean descent have family ties to North Korea. Numerous American families would like to provide caring

homes to these stateless North Korean orphans. H.R. 1464 is a responsible first step toward making that possible.

This bill does not ignore the unique challenges involved with ensuring that North Korean adoptees are genuine orphans and not fraudulent victims of trafficking. It does not change U.S. immigration law, nor the legal standards for adoption. It does not reduce the need for China to begin abiding by its refugee convention obligations to vulnerable North Koreans within its borders. And it does not diminish our commitment to assisting intact refugee families or to reunifying families that are separated.

What it does do, Mr. Speaker, is require that our State Department take a broad look at the diplomatic and documentation challenges facing American families who would like to adopt North Korean orphans and report to Congress on potential strategies to address them.

Doing the right thing is not always easy.

I especially want to applaud those adoptive parents, both past and future, who invest their own lives and homes to provide loving families for some of the world's most endangered children. H.R. 1464 is a welcome step forward, Mr. Speaker, and deserves our unanimous support.

With that, I reserve the balance of my time.

Mr. **BERMAN**. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H.R. 1464.

I would like to thank the sponsor of this legislation, the gentleman from California (Mr. **ROYCE**), as well as the chairman of the Foreign Affairs Committee, Ms. **ROS-LEHTINEN**, for their leadership on this issue and for their work in supporting the plight of North Korean refugees.

Despite North Korea's efforts to appear "strong and prosperous" this year to celebrate the 100th birthday of the country's founder, vast numbers of its people live in dire conditions. Sadly, the North Korean regime's misguided priorities, pouring hundreds of millions of dollars into its so-called "space program," its nuclear programs, and its massive military only underscore its cold-hearted callousness and blatant disregard for its own citizens.

Thousands of North Korean children do not have families to care for them and are threatened with starvation and disease if they remain in North Korea or as refugees in neighboring countries, especially China. Many of the children that have fled the north are hiding and live in mortal fear of being caught and sent back to North Korea where they would face severe punishment and even death. Equally terrifying is the prospect of being sold into bondage by human traffickers in China.

As a beacon of hope for the rest of the world, the United States must do

all it can to help these vulnerable and destitute children. That's why I'm proud to be a cosponsor of Mr. **ROYCE**'s legislation, H.R. 1464, the North Korea Refugee Adoption Act. This bill calls on the Secretaries of State and Homeland Security to formulate and report to Congress on a strategy for facilitating the adoption of North Korean children by U.S. citizens. Passage of this bill will be the first step in helping the thousands of North Korean child refugees living alone in foreign lands, and it would provide a glimmer of hope to the American families who would welcome the opportunity to adopt North Korean orphans.

The impending passage of this bill speaks to the broad bipartisan consensus in Congress regarding the atrocious human rights situation in North Korea. As innocent men, women, and children flee the repressive North Korean regime at great personal risk, we have a moral obligation to assist them. H.R. 1464 is not merely about adoption, but also an issue of human rights for the North Korean people. We must continue working to ensure that the North Korean people are not forgotten and that orphaned North Korean children will get the care and support they need.

I urge my colleagues to support this bill, and I reserve the balance of my time.

Ms. **ROS-LEHTINEN**. Mr. Speaker, I'm so pleased to yield 6 minutes to the other gentleman from California (Mr. **ROYCE**), the chairman of the Foreign Affairs Subcommittee on Terrorism, Nonproliferation and Trade, and the author of this important bill.

Mr. **ROYCE**. I thank the gentlelady for yielding.

Mr. Speaker, this is the North Korean Refugee Adoption Act of 2011, and I want to thank Chairman **ROS-LEHTINEN** and Ranking Member **BERMAN** for their support of this bill, and also I think we should thank the numerous Korean American organizations from around this country that tirelessly advocated on behalf of its passage. They are the groups that originally came to me with the heart-wrenching problem that these orphans face, and they suggested an idea for a solution. I would like to recognize the Defense Forum Foundation, the North Korea Freedom Coalition, the Korean Church Coalition for North Korea Freedom, the Korean American Coalition, the Korean Churches for Community Development, the 300 Pastoral Coalition, and the 318 Partners. These are the groups that suggested that with a lot of hard work we might get this legislation through. They put through countless phone calls and meetings and rallies up here on Capitol Hill and I think really helped generate the widespread support that this bill has today.

Of course, the bill stems from the problem that for over 50 years North

Korea has been one of the world's most repressive regimes. Every imaginable freedom that we enjoy here—speech or assembly or association or worship, and actually oddly enough, even the right to smile—is denied in North Korea by one statute or another. Meanwhile, the regime's elites live in luxury. Of course, the people, especially in the rural areas of North Korea, starve.

It is little wonder why tens of thousands of North Koreans, many of them women and children, flee to China. For many, it's a last resort. It's a final chance to avoid starvation for those children and avoid unspeakable oppression. Yet that choice is not always an easy one. That path to freedom is very perilous. Those fleeing North Korea often make their journey during the winter, and they cross over that Tumen River as it's frozen. Those temperatures there are subzero, and the terrain is treacherous. It is an obstacle course of checkpoints and of informants, and they make that a very dangerous journey. Sadly, but not surprisingly, many refugees succumb to the elements. There are many bodies frozen along that bank.

Those that survive also face dangers from human traffickers. As one dissident told National Geographic, crossing the Tumen was easy compared to what happened next as she was tricked into getting into a car that belonged to a sex trafficker. For the next year, she remained locked in a room, forced into selling her body. The result of all of this is that many North Korean orphans are left in China. Worse yet, they are stateless and they are without identification. Estimates show that thousands of children are left stateless in the border region between North Korea and China, and there they suffer. If they're sent back to North Korea, they suffer unimaginably.

Mr. Speaker, this is why we need to pass this legislation. This bill is a good first step in responding to this human rights crisis. Specifically, this bill would have the State Department develop a strategy for assisting stateless children from North Korea.

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While many American families would welcome the opportunity to adopt a North Korean orphan, many hurdles remain. For example, children must certify that they have lost their parents or legal guardians and that they have absolutely no one to rely on. A child orphan in North Korea would have a very hard time proving that attestation.

Most of these children have great difficulty proving this to their own understanding, and they have no death certificate of parents, and many have no proof that they truly are orphans. By passing this bill, we will be taking an important step towards solving these problems.

We are not committing to any particular policies, but we are committing to doing what we can to help these defenseless children. We are trying to create a win/win for these desperate young ones, orphans living in deplorable conditions and their potential new families.

Again, I thank you, Chairman ROS-LEHTINEN, I thank you for your support, and we thank the numerous American Korean organizations, and we thank Ranking Member BERMAN for all of this help. I urge my colleagues to support this important bill.

Mr. BERMAN. Mr. Speaker, I have no further requests for time, and I urge support for the legislation.

I yield back the balance of my time. Ms. ROS-LEHTINEN. Mr. Speaker, I think Mr. ROYCE did a wonderful job in summing up our bipartisan position.

With that, I yield back the balance of my time.

Mr. VAN HOLLEN. Mr. Speaker, as a cosponsor of H.R. 1464, the North Korea Refugee Adoption Act of 2011, I rise to thank Mr. ROYCE and Ranking Member BERMAN for bringing this important bipartisan bill to the floor on September 11, 2012.

This bill was introduced to assist North Korean children living "stateless" outside of that country who face starvation and neglect because they are neither North Korean citizens nor citizens of the country where they currently reside. There are many American families who would love to give a home to these orphans and refugee children if they could. This legislation will help make that process easier.

The bill encourages the Homeland and State Departments to develop strategies to help reunite North Korean refugee children with their families or to facilitate the adoption of the children by citizens of South Korea, China or other countries. Many of these children have Chinese fathers and North Korean mothers but are not claimed by either parent, and being stateless, don't have access to the resources of either country. This bill will help provide for their immediate care and begin the process of getting them settled.

I am proud to support this bill and ask my colleagues to join me.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and pass the bill, H.R. 1464.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

CALLING ON VIETNAM TO RESPECT BASIC HUMAN RIGHTS AND CEASE ABUSING VAGUE NATIONAL SECURITY PROVISIONS

Ms. ROS-LEHTINEN. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 484) calling on the Government of the Socialist Re-

public of Vietnam to respect basic human rights and cease abusing vague national security provisions such as articles 79 and 88 of the Vietnamese penal code, which are often the pretext to arrest and detain citizens who peacefully advocate for religious and political freedom, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 484

Whereas article 79, which penalizes "carrying out activities aimed at overthrowing the people's administration", carries a maximum penalty of death and is used by the Government of the Socialist Republic of Vietnam to crack down on citizens advocating for political pluralism or associating with prodemocracy parties, including—

(1) Le Cong Dinh, Tran Huynh Duy Thuc, Nguyen Tien Trung, Le Thang Long, and Tran Anh Kim arrested in 2009;

(2) Cao Van Tinh, Duong Kim Khai, Nguyen Chi Thanh, Nguyen Thanh Tam, Pham Minh Hoang, Pham Ngoc Hoa, Pham Van Thong, and Tran Thi Thuy arrested in 2010; and

(3) Dang Xuan Dieu, Ho Duc Hoa, Ho Van Oanh, Nguyen Dinh Cuong, Nguyen Van Duyet, Nguyen Van Oai, Nguyen Xuan Anh, Nong Hung Anh, Paulus Le Son, Thai Van Dung, and Tran Minh Nhat arrested during the summer of 2011;

Whereas article 88, which penalizes "conducting propaganda against the State", carries a maximum sentence of 12 years imprisonment and is used by the Government of Vietnam to detain writers and bloggers, including—

(1) Father Nguyen Van Ly, Nguyen Phong, and Tran Quoc Hien arrested in 2007;

(2) Nguyen Van Hai ("Dieu Cay"), Nguyen Xuan Nghia, Pham Thanh Nghien, and Pham Van Troi arrested in 2008;

(3) Cu Huy Ha Vu, Phan Thanh Hai, and Vi Duc Hoi arrested in 2010; and

(4) Chu Manh Son, Dinh Dang Dinh, Dinh Van Nhung, Do Van Hoa, Hoang Phong, Lu Van Bay, Nguyen Kim Nhan, Ta Phong Tan, Tran Huu Duc, and Viet Khang arrested in 2011;

Whereas Vietnam is a signatory to the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights; and

Whereas closer economic and security ties between the United States and Vietnam are ultimately contingent on the Government of Vietnam's respect for basic freedoms: Now, therefore, be it

Resolved, That the House of Representatives—

(1) condemns the continued and worsening crackdown in the Socialist Republic of Vietnam against community organizers, bloggers, and democracy activists;

(2) calls on the Government of Vietnam to repeal articles 79 and 88 of the Vietnamese penal code and similar vague national security measures used to persecute peaceful political opposition and dissent;

(3) calls on the Government of Vietnam to release all political prisoners, especially all activists, writers, and bloggers who have been detained or sentenced under articles 79 and 88 of the Vietnamese penal code; and

(4) urges the United States Department of State to monitor rule of law developments in Vietnam, to help ensure that Vietnamese laws are administered in ways that are consistent with Vietnam's international human rights commitments.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Florida (Ms. ROS-LEHTINEN) and the gentleman from California (Mr. BERMAN) each will control 20 minutes.

The Chair recognizes the gentlewoman from Florida.

GENERAL LEAVE

Ms. ROS-LEHTINEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to insert extraneous material into the RECORD on this measure.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Florida?

There was no objection.

Ms. ROS-LEHTINEN. I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of House Resolution 484, a bipartisan resolution of LORETTA SANCHEZ, a bill of which I am a cosponsor.

This resolution calls on the Vietnamese authorities to "respect basic human rights and cease abusing vague national security provisions such as articles 79 and 88 of the Vietnamese penal code." These draconian legal measures are often used to arrest and detain citizens who peacefully advocate for political and religious freedom.

When the Bush administration signed the bilateral trade agreement with Vietnam in the year 2006, which paved the way for Vietnam joining the World Trade Organization the next year, the Congress was assured that trade liberalization with Hanoi would lead, inevitably, to political liberalization.

This proved, however, to be as spurious a promise as one made by the Clinton administration, which vowed that the liberalization of trade would open the door to democracy and human rights in China. The siren song that trade is the panacea for ending totalitarian oppression is directly contradicted by reports of deteriorating human rights conditions in both Vietnam and China.

As Hanoi comes increasingly to Washington seeking strategic support for its dispute with the Chinese in the South China Sea, one can only ask, why are we not using Hanoi's concerns in the South China Sea as leverage to win greater concessions on the dismal human rights conditions in Vietnam?

Why would we even consider helping Vietnam against Chinese bullying as long as Hanoi holds behind bars United States citizen Dr. Quan. Dr. Quan is a mathematician, and he has been detained in Vietnam since he returned there for a family visit in April.

This resolution spells out in great detail how Hanoi makes use of the security provisions contained in articles 79 and 88 to continue to detain such noted democracy advocates as Father Ly.

Article 88's provision regarding propaganda against the State gives Hanoi great leeway in detaining and impris-

oning human rights activists, writers, those who advocate for democracy, journalists, Internet bloggers, the list goes on.

The repeal of articles 79 and 88, and the release of all political prisoners, as called for in this important resolution, would represent first steps away from the continued totalitarian oppression of the Vietnamese regime. Our State Department should not put concern for human rights and the protection of the rights of U.S. citizens on a back burner while we pursue commercial and strategic opportunities with the leaders in Hanoi.

We in Washington must be of one voice in strongly condemning the continuing crackdown on human rights and democracy in Vietnam. We should also remember that without the rule of law, it is not only democracy advocates who are put at risk, but also those whose special contracts will prove to be worthless pieces of paper.

Therefore, Mr. Speaker, I urge my colleagues to give their strong and unwavering support for this resolution.

With that, I reserve the balance of my time.

Mr. BERMAN. Mr. Speaker, I rise in support of H. Res. 484, as amended, and I yield myself such time as I may consume.

First, I want to thank the sponsor of the legislation, the gentlewoman from California (Ms. LORETTA SANCHEZ). For her entire time in this Congress she has been a passionate and eloquent spokesperson on behalf of the Vietnamese people and their right to have their political, individual, and religious rights. The same goes for the chair of the Foreign Affairs Committee, Ms. ROS-LEHTINEN, who in all human rights issues has been a true congressional leader.

This resolution calls on Vietnam's government to respect basic human rights for its people and to stop using vague national security laws as a pretext to arrest and detain citizens who peacefully advocate for religious and political freedom. This resolution demonstrates America's commitment to human rights, democracy, and the rule of law by calling on the Government of Vietnam to release all political prisoners, including activists, writers, and bloggers, who have been unfairly detained or sentenced. The names of over 40 of these political dissidents and activists who were peacefully expressing their views and posed no threat to Vietnam's national security are included in this resolution.

Vietnam must stop criminalizing free speech and peaceful political activism and begin upholding the universal declaration of human rights and the international covenant on civil and political rights to which it is a signatory.

As ties between the U.S. and Vietnam continue to develop and mature, Hanoi must understand that respect for

the universal principles of democracy, freedom, and human rights remains a central part of our bilateral relationship. And more progress in these areas is needed before, as we have said before, that relationship can be taken to the next level. I urge my colleagues to support this resolution.

I reserve the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield 1 minute to my good friend from California (Mr. ROYCE), the chairman of the House Committee on Foreign Affairs Subcommittee on Terrorism, Nonproliferation, and Trade.

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Mr. ROYCE. Mr. Speaker, I rise in support. As Human Rights Watch noted, last year saw a steady stream of political trials and arrests, likely spurred, in part, by Vietnamese Government concerns that the pro-democracy Arab Spring movement might reach Asia.

As they explained, there's at least 24 convictions right now under article 79 and article 88 of the penal code that have been handed down. Hence the need for this resolution to pass this Chamber. We should all support it.

Mr. BERMAN. I am pleased to yield such time as she may consume to the sponsor of this resolution, the gentlewoman from California (Ms. LORETTA SANCHEZ).

Ms. LORETTA SANCHEZ of California. Thank you to Chairwoman ROS-LEHTINEN and to Ranking Member BERMAN and to the committee for bringing this resolution to the House floor.

Mr. Speaker, Dr. Nguyen Quoc Quan is a democracy activist, and he's also a member of a democracy activist organization here called Viet Tan. On April 17 of this year, an American citizen—yes, Dr. Nguyen is an American citizen—was arrested at Saigon Airport by the Vietnamese authorities, and he was charged with terrorism for 4 months for possessing educational documents on leadership skills and on nonviolent political activism. How can possession of educational documents be considered terrorism?

Last month, the Vietnamese Government decided to change Dr. Nguyen's crime from terrorism to subversion, despite having no grounds for either one of those two things. Democracy activists such as Paulus Le Son, Ho Duc Hoa, Dan Xuan Dieu all have been detained under article 79, which penalizes "carrying out activities aimed at overthrowing the people's administration." When you're charged with article 79 in Vietnam, it carries a maximum of the death penalty.

Father Nguyen Van Ly; Nguyen Van Hai, more commonly known as blogger Dieu Cay; and Phan Thanh Hai are all charged, for example, with article 88, which penalizes conducting propaganda against the state. And that carries a maximum sentence of 12 years.

So what does House Resolution 484 do? It addresses these very vague national security provisions, and it calls on the Government of Vietnam to cease abusing provisions such as articles 79 and 88. Using those articles to arrest peaceful democracy advocates, I believe, is blatant human rights violations. Vietnam is a signatory to the Universal Declaration of Human Rights and the International Covenant on Civil Rights and Political Rights. However, Vietnam has yet to become a responsible member of the international community. Consistently, the Vietnamese Government has denied its citizens the freedoms of religion, of opinion, of speech, of assembly, of the right to counsel, of a fair trial. How does this government expect to gain the respect of the international community when they refuse to treat their citizens with the same respect?

House Resolution 484 condemns the Government of Vietnam for its continued crackdown against democracy activists and calls on Vietnam to repeal articles 79 and 88. It also calls for release of all political prisoners, writers, and bloggers that the only thing they've asked is to have a more open process, to have some civil rights, to have some human rights, to be able to discuss with each other a new way forward.

As Americans, we pride ourselves on being a country that stands by freedom, by liberty, and by justice. And as Members of this United States Congress, we have a responsibility. Other countries are watching us. We have a responsibility to stand up and to take steps and to say enough is enough.

As the Government of Vietnam continues to criminalize individual rights, as it criminalizes basic freedoms, I believe this is an indication that Vietnam is not interested in being a responsible member of the international community. We, the United States, need to examine our economic and our military relationships with Vietnam. We must insist on changes to human rights in that country.

I urge my colleagues to vote for House Resolution 484 to protect the rights and the freedoms of the citizens of Vietnam; and in doing so, we protect the rights and freedoms of every citizen in this world.

Ms. ROS-LEHTINEN. Mr. Speaker, I continue to reserve the balance of my time.

Mr. BERMAN. Mr. Speaker, I have no further requests for time, and I'm prepared, if you're prepared to close, to yield back the balance of my time, and I will yield back the balance of my time.

Ms. ROS-LEHTINEN. Just in closing, I would hope some of these impassioned speakers on behalf of respect for human rights, democracy, and the rule of law for the people of Vietnam, as meritorious as they are, I hope that

they're extended to my native homeland of Cuba as well. May we hear those voices on the House floor calling for those same characteristics for the people of Cuba.

With that, Mr. Speaker, I yield back the balance of my time.

Ms. ZOE LOFGREN of California. Mr. Speaker, I rise today in support of H. Res. 484. I am proud to cosponsor this important resolution introduced by my good friend, fellow Californian, and co-chair of the Vietnam Caucus, Representative LORETTA SANCHEZ. This resolution calls on the Government of the Socialist Republic of Vietnam to respect basic human rights and to stop abusing vague national security provisions such as articles 79 and 88 of the Vietnamese penal code, articles which are frequently cited as the justification for the arrest and detention of citizens who peacefully advocate for religious and political freedom.

The use of these draconian laws to silence opposition and maintain one-party control is unacceptable and should not be tolerated. I strongly urge my colleagues to support this resolution, and to speak out for the activists whose voices have been silenced by the repressive regime in Vietnam.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and agree to the resolution, H. Res. 484, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

TAIWAN OBSERVER STATUS IN THE INTERNATIONAL CIVIL AVIATION ORGANIZATION

Ms. ROS-LEHTINEN. Mr. Speaker, I move to suspend the rules and concur in the concurrent resolution (S. Con. Res. 17) expressing the sense of Congress that Taiwan should be accorded observer status in the International Civil Aviation Organization (ICAO).

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

S. CON. RES. 17

Whereas the Convention on International Civil Aviation, signed in Chicago, Illinois, on December 7, 1944, and entered into force April 4, 1947, approved the establishment of the International Civil Aviation Organization (ICAO), stating "The aims and objectives of the Organization are to develop the principles and techniques of international air navigation and to foster the planning and development of international air transport so as to . . . meet the needs of the peoples of the world for safe, regular, efficient and economical air transport";

Whereas, following the terrorist attacks of September 11, 2001, the ICAO convened a high-level Ministerial Conference on Aviation Security that endorsed a global strategy for strengthening aviation security world-

wide and issued a public declaration that "a uniform approach in a global system is essential to ensure aviation security throughout the world and that deficiencies in any part of the system constitute a threat to the entire global system," and that there should be a commitment to "foster international cooperation in the field of aviation security and harmonize the implementation of security measures";

Whereas, the 37th ICAO Assembly in October 2010 adopted a Declaration on Aviation Security largely in response to the attempted sabotage of Northwest Airlines Flight 253 on December 25, 2009, which established new criminal penalties for the use of civil aircraft as a weapon, the use of dangerous materials to attack aircraft or other targets on the ground, and the unlawful transport of biological, chemical, and nuclear weapons and related materials, along with extradition arrangements that facilitate cooperation among nations in apprehending and prosecuting those who have undertaken these and other criminal acts;

Whereas, on October 8, 2010, the Department of State praised the 37th ICAO Assembly on its adoption of the Declaration on Aviation Security, but noted that "because every airport offers a potential entry point into this global system, every nation faces the threat from gaps in aviation security throughout the world—and all nations must share the responsibility for securing that system";

Whereas the Taipei Flight Information Region, under the jurisdiction of Taiwan, ROC, covers an airspace of 176,000 square nautical miles and provides air traffic control services to over 1,350,000 flights annually, with the Taiwan Taoyuan International Airport recognized as the 8th and 18th largest airport by international cargo volume and number of international passengers, respectively;

Whereas exclusion from the ICAO since 1971 has impeded the efforts of the Government of Taiwan to maintain civil aviation practices that comport with evolving international standards, due to its inability to contact the ICAO for up-to-date information on aviation standards and norms, secure amendments to the organization's regulations in a timely manner, obtain sufficient and timely information needed to prepare for the implementation of new systems and procedures set forth by the ICAO, receive technical assistance in implementing new regulations, and participate in technical and academic seminars hosted by the ICAO;

Whereas the United States, in the 1994 Taiwan Policy Review, clearly declared its support for the participation of Taiwan in appropriate international organizations, in particular, on September 27, 1994, with the announcement by the Assistant Secretary of State for East Asian and Pacific Affairs that, pursuant to the Review and recognizing Taiwan's important role in transnational issues, the United States "will support its membership in organizations where statehood is not a prerequisite, and [the United States] will support opportunities for Taiwan's voice to be heard in organizations where its membership is not possible"; and

Whereas ICAO rules and existing practices have allowed for the meaningful participation of noncontracting countries as well as other bodies in its meetings and activities through granting of observer status: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of Congress that—

(1) meaningful participation by the Government of Taiwan as an observer in the

meetings and activities of the International Civil Aviation Organization (ICAO) will contribute both to the fulfillment of the ICAO's overarching mission and to the success of a global strategy to address aviation security threats based on effective international cooperation;

(2) the United States Government should take a leading role in garnering international support for the granting of observer status to Taiwan in the ICAO for the purpose of such participation; and

(3) the Department of State should provide briefings to or consult with Congress on any efforts conducted by the United States Government in support of Taiwan's attainment of observer status in the ICAO.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Florida (Ms. ROS-LEHTINEN) and the gentleman from California (Mr. BERMAN) each will control 20 minutes.

The Chair recognizes the gentlewoman from Florida.

GENERAL LEAVE

Ms. ROS-LEHTINEN. I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to insert extraneous material into the RECORD on this measure.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Florida?

There was no objection.

Ms. ROS-LEHTINEN. I yield 3 minutes to the gentleman from California (Mr. ROYCE), who has a strong interest in this issue related to Taiwan's status in the International Civil Aviation Organization.

Mr. ROYCE. I thank the gentlelady for yielding.

I do rise in support of this measure. For too long, Taiwan has been left out of international organizations at the demand of China. Taiwan was denied access to the World Health Organization. It was unable to participate as even an observer for over 40 years. Thankfully, though, that changed in 2009, when a Taiwanese delegation was allowed to observe meetings in Geneva. Infectious disease knows no borders. And it was only proper that that change was made. Congress had long pressed for this action through bills and resolutions.

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So it is fitting that we once again take to the floor to press for Taiwan's inclusion in the International Civil Aviation Organization. Despite being home to the world's 18th busiest airport, Taiwan has been kept out of an organization that aims to keep passengers safe.

Indeed, as this resolution finds, Taiwan's exclusion from the ICAO has impeded Taiwan's government from keeping up-to-date with aviation standards and prevented the implementation of new systems and new procedures. The 35 million passengers that travel to and from Taiwan each year are done a great disservice by Taiwan's exclusion.

Mr. Speaker, in a relatively short period of time, Taiwan has gone from poverty to prosperity. It has gone from autocracy to democracy. We have a strong relationship that stretches back for over half a century. Today, our relations remain strong. Passage of this resolution will only serve to strengthen this relationship, and I urge my colleagues to support this measure.

Mr. BERMAN. Mr. Speaker, I rise in strong support of S. Con. Res. 17 and yield myself such time as I may consume.

I'd like to thank the sponsor of the legislation, the Senator from New Jersey (Mr. MENENDEZ), and the chairman of the House Foreign Affairs Committee, Ms. ROS-LEHTINEN, for their leadership on this issue.

This resolution expresses the sense of Congress that Taiwan should be accorded observer status in the International Civil Aviation Organization, ICAO. Taiwan has made significant progress in its economic and political development. Today, Taiwan is a leading trade partner of the United States and stands as a beacon of democracy in Asia.

However, Taiwan has been excluded from meaningful participation in ICAO, an international organization which is dedicated to ensuring safe and efficient air transportation around the globe.

Taiwan clearly deserves to be brought into ICAO as an observer—a status specifically recognized under ICAO's own rules.

Taiwan has jurisdiction over airspace comprising 176,000 square nautical miles and provides air traffic control services to over 1.3 million flights each year. It has the eighth largest airport in the world by cargo volume, and the 18th largest by the number of international passengers.

Taiwan's exclusion from ICAO has impeded Taiwan's efforts to maintain civil aviation standards to keep up with rapidly evolving international standards. It is unable to even contact ICAO for up-to-date information on aviation standards and norms, nor can it receive ICAO's technical assistance implementing new regulations or participate in ICAO technical and academic seminars.

Despite these impediments, Taiwan has made every effort to comply with ICAO's standards, but their continued exclusion not only hurts Taiwan, it puts the entire international aviation system at risk. Indeed, Taiwan's exclusion has prevented ICAO from developing a truly global strategy to address security threats.

With this resolution, Congress calls on the international community to grant Taiwan observer status at ICAO, not only to help Taiwan, but to ensure ICAO can fulfill its own mission and address international threats to aviation security. We call on the United

States government to take the leading role at ICAO to assist Taiwan in gaining that status and look forward to working with our administration officials to track the development of these efforts.

I urge my colleagues to support the resolution, and I yield back the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I will make some remarks, and then I will also yield back the remainder of our time.

I rise in strong support of this important resolution which calls upon the International Civil Aviation Organization, ICAO, to grant meaningful participation for Taiwan.

Is there any doubt in a post-September 11th world that air traffic safety constitutes one of the first lines of defense against those who would do harm to the United States or to our friends and allies? Are not the people of Taiwan deserving of the same level of protection against air assault as provided to the other peoples whose governments participate in ICAO?

The Taipei flight information region, under the jurisdiction of Taiwan, covers an airspace of 176,000 square nautical miles. Taiwan's main international airport is recognized as the eighth largest in the world in cargo traffic and the 18th in the number of international passengers who make use of its services.

Can there be any doubt, therefore, that Taiwan, which provides air safety control services for well over 1,350,000 flights annually needs meaningful participation in the international organization responsible for air safety and security?

Beijing, like some haughty overlord, condescendingly informed Taipei and the U.N. system in the year 2009 that it would allow, at least temporarily, Taiwan's participation in the World Health Assembly. Meaningful participation in international organizations for Taiwan represents too important an issue to be determined only by the whims of Beijing.

It is time to open the door to Taiwan's constructive and meaningful participation in ICAO, and that time is now.

The State Department, as this resolution suggests, should assume a leading role in providing an action plan to ensure that this happened as quickly as possible. We owe this, Mr. Speaker, to the people of Taiwan. We owe this to ensure as well for the air safety of those American passengers flying over the skies of the western Pacific.

And here I am not speaking just in theoretical terms, Mr. Speaker. Let us not forget that it was less than three decades ago when, due to a tragic confusion in air communications, a Soviet military fighter shot down a Korean Air Lines civilian flight as it left western Pacific and flew inadvertently over

Soviet territory. As we know, this resulted in the death of all 269 people on board, including a Member of this House, Congressman Larry McDonald of Georgia's Seventh District. The Congressman was traveling to Seoul to commemorate the 30th anniversary of the United States-South Korea Mutual Defense Treaty.

So air safety control is, therefore, a very serious matter. Taiwan needs meaningful participation in ICAO not only for the safety and security in the air of its own citizens but also for all of the peoples of the vibrant Asia Pacific region.

ICAO will be holding its 12th Air Navigations Conference in November, and Taiwan should be, must be represented there in Montreal.

So, Mr. Speaker, I urge that my colleagues join Mr. BERMAN and me in expressing their overwhelming support for this important resolution.

With that, I yield back the balance of our time.

Mr. GINGREY of Georgia. Mr. Speaker, as one of the Co-Chairs of the bipartisan Congressional Taiwan Caucus, I rise in strong support of S. Con. Res. 17. I particularly want to commend Chairwoman ROS-LEHTINEN and Ranking Member BERMAN for bringing this concurrent resolution to the floor. Additionally, I would like to applaud the work and leadership of our other Co-Chairs—Ms. BERKLEY of Nevada, Mr. DIAZ-BALART of Florida, and Mr. CONNOLLY of Virginia—for their work supporting our relationship with Taiwan.

Since its inception in 1947, the International Civil Aviation Organization, ICAO, has been a great resource for the international community to develop and foster the most efficient and safest means of airline travel across the world. In the aftermath of the horrific terrorist attacks 11 years ago today on September 11, 2001, it was the ICAO that convened a conference to endorse a uniform international strategy to ensure aviation safety throughout the world.

Mr. Speaker, unfortunately, our friends in Taiwan have been excluded from participation in the ICAO since 1971. Not only has that diminished Taiwan's ability to stay at the cutting edge of aviation, it has also presented obstacles to the international community as a whole because the ICAO cannot completely fulfill its mission to meet the needs of all people in efficient and safe air travel.

Taiwan has a very large footprint within commercial aviation that warrants its inclusion within the ICAO. The Taipei Flight Information Region covers airspace of 176,000 square nautical miles and provides air traffic control services to over 1.3 million flights annually. Additionally, there are over 174,000 international flights carrying more than 35 million passengers that fly in and out of Taiwan each year. With this high volume of air traffic, Taiwan certainly deserves to have a seat at the table of the ICAO—at least as an observer.

Mr. Speaker, this is precisely what this concurrent resolution seeks to accomplish. Providing Taiwan with meaningful participation at the ICAO only benefits both the Taiwanese and the international community as a whole. Due to our longstanding relationship and re-

spect for our friends in Taiwan, I urge all of my colleagues to support S. Con. Res. 17.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and concur in the concurrent resolution, S. Con. Res. 17.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

COMMUNICATION FROM CHIEF OF STAFF, THE HONORABLE FRANK R. WOLF, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from Daniel F. Scandling, Chief of Staff, the Honorable FRANK R. WOLF, Member of Congress:

SEPTEMBER 10, 2012.

Hon. JOHN A. BOEHNER,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives that I have been served with a subpoena for documents issued by the Fairfax County Circuit Court in connection with civil litigation currently pending before that court.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is inconsistent with the privileges and precedents of the House.

Sincerely,

DANIEL F. SCANDLING,
Chief of Staff.

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COMMUNICATION FROM THE HONORABLE FRANK R. WOLF, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable FRANK R. WOLF, Member of Congress:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, September 10, 2012.

Hon. JOHN A. BOEHNER,
Speaker of the House, U.S. House of Representatives,
Washington DC.

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives that I have been served with a subpoena for documents issued by the Fairfax County Circuit Court in connection with civil litigation currently pending before that court.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is inconsistent with the privileges and precedents of the House.

Best wishes.

Sincerely,

FRANK R. WOLF,
Member of Congress.

CONGRATULATING RICHMOND, TEXAS, ON ITS 175TH ANNIVERSARY

(Mr. OLSON asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. OLSON. Mr. Speaker, I rise today to congratulate the city of Richmond, Texas, for its 175th anniversary. There would not be a State of Texas without Richmond.

In 1822, members of Stephen F. Austin's Old Three Hundred built a fort on a bend in the Brazos River. Stephen F. Austin is known as the "Father of Texas." He built his colony around that fort where Richmond sits today.

In the wake of Texas independence, Richmond was incorporated by the Republic of Texas as Fort Bend County's seat of government in 1837. Richmond's current iconic mayor, Hilmar Moore, is the longest-serving mayor in American history, serving the people of Richmond since 1949.

Historically a center of commerce, the heart of an early livestock industry and a powerhouse of natural resources, the city continues to be something its people are darn proud of. It's an honor to share that pride with the people of Richmond, Texas. Congratulations on our 175th anniversary.

REMEMBERING 9/11

The SPEAKER pro tempore (Mr. MARINO). Under the Speaker's announced policy of January 5, 2011, the gentleman from Texas (Mr. GOHMERT) is recognized for 60 minutes as the designee of the majority leader.

Mr. GOHMERT. Mr. Speaker, 11 years ago today, the worst attack in American history on American soil occurred; more loss of life than Pearl Harbor. It was a day that those of us who are alive and old enough to know what was happening will never forget. It was a day of commitment as well that we would do whatever was necessary to protect our country, that we would do whatever was necessary to prevent future such attacks from occurring.

I recall there in east Texas where I live, I was a judge at the time. The day after, September 12, 2001, was an extraordinary day as well. It was a day that I also will not forget. I had never seen communities come together as we did across America on September 12, 2001, not in my lifetime. In World War II, from history, I've read accounts about some in America that felt like war with Germany was a bad idea, that we ought to be nice to them. There were even people that were divided in America back then. But the overall resolve was to protect democracy, make democracy safe—"Make the World Safe for Democracy" was the slogan.

But we were so united on September 12, 2001. There in Tyler, Texas—and I know it happened all over east Texas the same way—people came together. It didn't matter what race anyone was. It didn't matter where they came from, their national origin—man, woman, religious preference didn't matter, we

came together as one people. There were no hyphenated Americans that day—no Anglo-Americans, African-Americans, Asian-Americans. We were Americans. We stood united, and we wept together and we prayed together and we held hands and sang together.

Here in Washington, D.C., once again today we sang “God Bless America” without regard to party, without regard to House, Senate. I think there was less mention of the word God today. I’m grateful for Speaker PELOSI, who at the end of her remarks asked for God to bless and comfort those who lost loved ones on 9/11 and asked that God would still bless America. I’m grateful she did that. Other leaders did not.

Andy McCarthy—Andrew McCarthy—was the prosecutor of those who were involved in the 1993 World Trade Center bombing. He is a man that understands the Constitution. He understands the law. He is a fantastic prosecutor, a brilliant mind, and a great writer. And I won’t read the entire article, but it’s an article worth noting from Andrew C. McCarthy, entitled “Remembering 9/11 . . . At Least for a Day.” He says:

It is difficult to say what’s harder to believe: that it has been 11 years since the 9/11 atrocities, or that national security has become an irrelevant issue in the most consequential Presidential election in decades.

The first observation reminds us that today is a day of remembrance: of the loss of nearly 3,000 of our fellow citizens; of the bravery of those who willingly gave their lives to save others; and of the heroism of the men and women who put on the line all that they have. That includes the love and well-being of their families, on whom the burden of American national security has been imposed while the rest of us go on with our lives—too often, without giving them a first thought, never mind a second.

No matter which political party has been in power since 9/11, there has been a great deal of bloviating about the “rule of law.” It is as if we had evolved beyond anything so crude and benighted as armed force and national interest—especially national defense. Let’s remember today that we have the luxury of living under something resembling the rule of law only because dedicated Americans sacrifice themselves to confront evil—in this case, the adherents of an evil ideology, Islamic supremacism, that is closer to the law of the jungle.

And for those who do not understand—I’m saying this parenthetically, it’s not in the article—Islamic supremacism is not talking about all of those who worship and follow Islam and Islamic teachings. We have friends around the world who do not want to live under totalitarian, radical Islamic supremacism, such as the Taliban, such as al Qaeda. They don’t want to live under that, and they’re Muslims. They want to live their lives. They want to worship in their own religion without totalitarians telling them how they must.

□ 1910

Unfortunately, as in Afghanistan, those Muslim friends, and Pakistan, for

that matter, Iran and Iraq as well, there are Muslims who have admired the United States until we abandoned them.

Going back to Andrew McCarthy’s article:

The rule of law has precious little to do with why we have gotten through 11 years without a reprise of 9/11. A better explanation is that terrorists who have been captured or killed cannot commit more terrorism.

I’ll insert, parenthetically, there are terrorists who were captured, some confined at Guantanamo Bay, some confined at other facilities, who have been released and who have been found again on the battlefield killing Americans. They were captured, prevented from enacting further terrorism, and then released under some false notion that that would win friends and influence people, only to have other Americans killed by these same thugs.

Back to Andrew McCarthy’s article. He says:

On the matter of evil, it is good to remember that it exists. Evil is not a misunderstanding, a cultural gulf, or a natural reaction to political policies adopted in pursuit of American interests or Israeli self-defense. That brings us to the second observation: the fact that national security concerns are absent from the 2012 campaign, even with tens of thousands of Americans at arms in distant hellholes, even with tens of millions of Americans enduring the increasingly overbearing government that has been the cost of heightened vigilance in an era where barbarism is met with political correctness.

The United States defeated the ideological threats of the 20th century because we were unafraid to see evil for what it was—to diagnose it and understand it. Today, we ignore it, rationalize it, and assume we are somehow to blame for it. For the bipartisan ruling class, 9/11 is about “violent extremism”—as if irrational, wanton killers, seized by a “psychological disorder,” committed mass murder for no better reason than to visit on the world’s most famous office buildings the most shocking case of “workplace violence” in history.

The “violent extremism” narrative is nonsensical. It defies reality as well as history. But it is a convenient fiction. It miniaturizes the enemy. With the killing of bin Laden, the President can now portray the enemy as defeated—even as al Qaeda resurges, even as Iraq has become an Iranian-influenced shari’a state that works against the United States and Israel.

He says parenthetically:

(Remember when “victory” was defined as a “stable” “democracy” that is a “reliable ally”?); and even as Afghan Islamists turn their weapons on their American trainers, and the administration pleads with the Taliban to negotiate (remember when “victory” was defined as a “stable” “democracy” that “prevents the Taliban from returning and giving safe haven to al Qaeda again”?). The “violent extremism” canard allows the administration to declare victory even as we are being humiliated.

That’s an excerpt from Andrew McCarthy’s article regarding today.

Mr. Speaker, it is tragic that around the world the United States has had allies who trusted us, who put their secu-

rity in our hands, even to the extent of losing political power, losing political office, like some of the Polish leaders who trusted America to help them with a missile defense. It wasn’t as much a defense against Russia; it was concern for potential missiles in the Middle East that this Nation has not done enough to stop. But those who staked their political careers on the trustworthiness of the United States came up empty in Poland.

Mubarak had agreements with this administration, met with this administration. Qadhafi had agreements with this administration, met with them, talked. We had Senators from both sides of the aisle, although one of our Republican Senators says he didn’t send that message. It wasn’t his tweet, he says now, that he was meeting with Qadhafi and that he was an interesting man.

But, regardless, we know that there were people from both sides of the aisle that went and met with Qadhafi because Qadhafi, after President Bush gave the order to invade Iraq, Qadhafi believed he was next if he didn’t do something and end his nuclear proliferation, so he did. He became an ally, even though he was a murderer with blood on his hands. He reached agreements. He promised he would not attack Americans again. And, once again, someone who trusted agreement with the United States came up short.

Some of our allies in other parts of the world and other countries have to be wondering if they’re next.

I visited with leaders in other countries who say the Chinese are constantly coming around saying, Have you figured out yet that you can’t really trust the United States to keep their agreements? Hey, you can trust us. Well, whenever you come around, including in Israel, there are Chinese constantly there saying, When you figure out you can’t trust the United States, we’re ready to be your friend, your ally.

There should be no better ally in the world than the United States. But we have different administrations, and different administrations are better about keeping their words with allies than others.

The Northern Alliance in Afghanistan fought with us and for us to defeat the Taliban by early 2002. Over the years, they have buried family and friends who have been our cofighters against radical Islamists in Afghanistan. We abandoned them. This administration did not want to talk to them.

And I was told by some of the Northern Alliance leaders earlier this year that one of the leaders of the Taliban that this administration released for humanitarian purposes ended up announcing he’s back leading the Taliban as one of their leaders. And he announced on Afghan national television that under shari’a law, if anyone in Afghanistan had not been supportive of

the Taliban in the past, they need to come in and ask forgiveness and get the Taliban's protection, because, as the leader said, told people who watched the national television channel in Afghanistan, that everybody in the world knows the United States has lost in Afghanistan.

□ 1920

So all they have to do is wait until 2014 when this President has promised the United States will be out, and they'll be back in charge. Certainly, President Karzai has enough fear of them that he is giving them an awful lot of freedom and control in the area. Regardless of what anyone may say or prove about President Karzai, he's not stupid. He knows we won't be there to keep him protected. So it looks as if he may be trying to placate the Taliban. Why wouldn't he? The United States sure is.

I hear friends here on the floor talk about the lessons of Vietnam. The lessons of Vietnam are not that it was an unwinnable war. That's very clear. This came from one of the leaders at Hanoi Hilton as he told SAM JOHNSON as the Americans left the Hanoi Hilton, including JOHN MCCAIN. SAM says one of the most ruthless leaders was laughing, saying, You stupid Americans. We had just carpet-bombed them for 2 weeks after they'd walked out of the Paris peace talks. He said, You stupid Americans. Don't you know, if you had just bombed us for one more week, we would have had to have surrendered unconditionally?

To those who were sent to fight in Vietnam, this Nation owes an apology for leaving them over there to fight without an order to win and come home. That should be the lesson of Vietnam.

I was shocked to hear from the parents of one of the SEAL Team Six members who was killed on the Chinook—Billy and Karen Vaughn were the first ones to mention it. I'm embarrassed I didn't know—that two-thirds of the Americans killed in Afghanistan have been killed under President Obama as the Commander in Chief. I found that hard to believe, so we got the numbers directly from the Department of Defense. I've got a poster here. President Bush ordered Americans to war—or to go fight in Afghanistan. We found out that's where the terrorists were trained, where the plot was supposedly hatched to kill thousands of American innocent victims.

So we have a list from the Department of Defense, from their own Statistical Information Analysis Division. If you look at the number of American deaths—of our fantastic men and women in Afghanistan—from October of 2001 through the end of December of 2008, there were 625 American casualties, Americans killed—valiant, brave men and women of our armed services

killed in Afghanistan—every one of them a treasure.

But when we get down to the just over 3½ years since, in the war that Candidate Obama called the “good war”—a term I don't know of anybody who has ever been in the military would use about a war, but he called it the “good war.” Well, in President Obama's good war, though he has been Commander in Chief less than half the time of President Bush, it isn't two-thirds. Seventy percent of the American military men and women who have been killed in Afghanistan have been killed under the command of Commander in Chief Obama. It gets worse when you look at the total wounded in action. During the 7 years and 3 months that President Bush was President, or was Commander in Chief over the war in Afghanistan, 2,638 precious American men and women were wounded.

When you visit our incredible men and women who have been wounded—who have lost arms, legs, who are severely disabled—you end up walking away being the one who is uplifted with the incredible, incredible American spirit—with the spirit of our American men and women. They are such a blessing but not to the extent, you would think, that anyone in America would want to leave our military men and women in Afghanistan without a clear purpose, without rules of engagement that let them defend themselves. We'll be talking more about that in the days to come.

In the just over 3½ years that the Afghan war has been under the command of Commander in Chief Obama—as compared to the 2,638 precious American men and women who were wounded—during half the time, approximately, this President has been in command, over 14,817, or 84 percent, of the men and women have been wounded in Afghanistan.

Now, we have fantastic leaders in Afghanistan—some of our Nation's best—but when you get out into the field and you talk to the men and women, sometimes you get a little different story. There is a poll that came out last week indicating a massive lack of morale among our military men and women in Afghanistan. How could there not be? They've been told they're going to have to stay in Afghanistan. We're going to be there for 2 more years or so. They don't have a clear mission. It's basically to train people who may kill you during or after the training. You're not allowed under the rules of engagement to properly defend yourself. Then our men and women in our Armed Forces are supposed to hope and pray that they're not one of the last ones killed on the way out.

I would have thought people would have understood the lesson of Vietnam, not that there are wars such as Vietnam or Afghanistan that are not win-

nable. Vietnam was winnable. Afghanistan initially was won. We took our eye off the ball. President Obama did inherit a terrible situation in Afghanistan, and then he has more than doubled down on the men and women who have been sacrificed—giving their lives, their arms, their legs in service to this country. We should not allow those precious men and women's lives to go without proper consideration.

So many in our military have stepped up and said, I will go. I will defend America.

I called after 9/11. I was told I was too old. I said, I've got friends that I was in the Army with years ago. They're still in.

They said, Yes, that's because they're still in.

□ 1930

If you had stayed in, you could still be in, but you're too old to go back now.

Though I was too old to go back into the Army that I had served 4 years of my life in, I found another place of service, and I have to speak on behalf of our men and women in our military. I have to beg, Mr. Speaker, that our leaders in Washington, and in particular the leader, the Commander in Chief, either give our military a proper mission or get them out of Afghanistan. Give them proper rules of engagement or get them out now. Don't make them sit around for 2 years wondering if they're going to be the next one that leaves in a casket. Let them win and come home or bring them home now. They can win. They're that good.

With Pakistan, I kept talking to people that say most of the supplies are coming from Pakistan to supply the Taliban. Then cut off the supplies. We have the ability to do that; we just haven't had the will. Develop the will and cut off the supplies to the Taliban—cut them off—or bring our people home now. Don't let one more American lose an arm, a leg, both arms, both legs, or come home as another death. Give them the orders to defeat the Taliban. Come hell or high water, do it. Do it now and then come home or bring them home now. We owe them that much.

Is it any wonder the suicide rate is so high?

How are we treating our allies on this, the 11th anniversary of 9/11? From the Israel media, Haaretz, comes this report today. I'll read it verbatim.

The White House declined Israeli Prime Minister Benjamin Netanyahu's request on Tuesday to meet U.S. President Barack Obama during a U.N. conference in New York at the end of the month.

Parentetically, I will insert that this is the same President who has told the Taliban, Look, we'll buy you offices in Qatar; we'll let the rest of your murdering thugs out of confinement if you'll just sit down and talk to us. Apparently, the President's schedule just

doesn't allow a meeting with what has been a phenomenal ally, a believer in the value of life and liberty in Israel.

The article goes on:

An official in Jerusalem said the Prime Minister's office sent the White House a message stating that although Netanyahu will spend only 2½ days on U.S. soil, he is interested in meeting with Obama and is willing to travel to the U.S. Capitol specifically for that purpose. The official added that the White House rejected the request and said at this time Obama's schedule does not allow for a meeting.

The White House's response marks a new low in relations between Netanyahu and Obama, underscored by the fact that this is the first time Netanyahu will visit the U.S. as Prime Minister without meeting the President.

Israeli Defense Minister Ehud Barak reportedly tried smoothing things over, but Bibi—or Prime Minister Netanyahu—is having none of it.

"The world tells Israel, 'Wait. There's still time.' And I say, 'Wait for what? Wait until when?' Those in the international community who refuse to put red lines before Iran don't have a moral right to place a red light before Israel," Netanyahu told reporters on Tuesday.

"Now, if Iran knows that there is no red line, if Iran knows there is no deadline, what will it do? Exactly what it's doing. It's continuing, without any interference, towards obtaining nuclear weapons capability and from there, nuclear bombs," he said.

Relations between the U.S. and Israel have been strained during the entire Obama term. Obama's call for Israel to retreat to its 1967 borders was widely seen as a slap to our ally. Obama's support for ousting the late Hosni Mubarak from the Egyptian Presidency paved the way for what now looks like an Islamist takeover in Cairo, endangering the longstanding peace treaty between Israel and Egypt.

President Obama has also not visited Israel during his Presidency. Republican Presidential nominee Mitt Romney visited Israel in July 2012.

More news today. This is from Mohammed Abu Zaid with the AP, dated September 11, 2012:

Egyptian demonstrators climbed the walls of the U.S. Embassy in Cairo today and pulled down the American flag to protest a film that they say is insulting to the Prophet Mohammad.

This was updated 2:07 p.m. eastern time.

CNN reports that U.S. security guards fired a volley of warning shots as the crowd gathered outside the Embassy walls.

CNN adds that the Embassy has been expecting a demonstration and cleared all diplomatic personnel earlier from the facility.

The Associated Press reports that Embassy officials say there was no staff inside at the time.

Reuters reports that protesters tried to raise a black flag carrying the slogan: "There is no God but Allah and Mohammad is his messenger."

The news agency says about 2,000 protesters have gathered outside the Embassy and about 20 have scaled the walls.

The AP says the protesters were largely ultraconservative Islamists.

Iran's FARS news agency says the protest is aimed at a movie being produced by a group of "extremist" members of the Egyptian Coptic Church in the United States.

Parenthetically, I will mention that we've seen in recent days that this new

government in Egypt that the United States has to bear partial responsibility for being in place has now seen the return of crucifixions in Egypt, the barbaric manner of killing people by making them suffer as much as possible before they breathe their last, just as Jesus, himself, did in laying down his life for others.

Also, it is remarkable that you have people who say, as they did with the insulting cartoon depicting Mohammad or someone appearing to be situated that way, as a violent person, and in response there were riots and people were killed, which kind of seems to make it not a cartoon but a prophecy.

□ 1940

Back to the article:

CNN says the film in question is a Dutch production.

The AP says clips of the film are available on YouTube, show the prophet having sex, and question his role as the messenger of God's words.

This would clearly be insulting, having sexual relations, it questions his role as a messenger of God's words—of course that would be insulting. It's ridiculous to have anything that resembles that, just as it is absolutely ridiculous and despicable to demean Christianity, to call it a hate group when it's bounded by Jesus, who showed the ultimate love for all humanity. It's despicable when someone burns a flag, but it's not illegal, it's not illegal to burn a Bible. It's despicable, but it's not illegal.

Yet, personally, I anticipate, if history shows what the radicals will do, they will follow the example. Unfortunately, there will be more rioting. Somebody will tragically be killed by these cutthroats. Then some will say, see, we need to change the law in America where you can burn Bibles, you can burn the flag, you can desecrate any religion—just not Islam.

Then the goal, as found in the archives after a search warrant, showed one of the 10-year goals to be subjecting our Constitution to sharia law. And that will be a box that can be checked off.

Back to the article:

After the protest, the U.S. Embassy issued this statement on its Web site:

The embassy of the United States in Cairo condemns the continuing efforts by misguided individuals to hurt the religious feelings of Muslims, as we condemn efforts to offend believers of all religions.

How about the Christians in Egypt that are being barbarically killed for their religious beliefs? Wouldn't it be nice if this administration would condemn those activities and do what it takes to stop them?

Today, the 11th anniversary of the September 11, 2001, terrorist attacks on the United States, Americans are honoring our patriots and those who serve our Nation as the fitting response to the enemies of democracy. Respect for religious beliefs is a cor-

nerstone of American democracy. We firmly reject the actions by those who abuse the universal right of free speech to hurt the religious beliefs of others.

The Grand Mufti of Egypt, Sheikh Ali Gomaa, strongly condemned the movie.

"Freedom of speech does not warrant desecrating sanctities," Gomaa said in a statement Sunday.

And he's right.

But those freedoms exist in America. The old adage that was attributed to Voltaire for most of the history since, including during the revolution—I disagree with what you say, but I will defend to the death your right to say it—used to mean something in this country.

Now, it's been subjected to ideological terms that would have it say more, something on the order of, I disagree with what you say, so I want you imprisoned, I want you to lose your business, I want you to have no friends, I want to take all your money, I want to destroy your life.

What a turn over the last 200-plus years from our Constitution's establishment and writing in 1787. Of course, it took longer than that to be ratified.

Eleven years after 9/11, what has gone wrong? You know, not only were there mistakes in Vietnam under both Democratic and Republican Presidents, our embassy was attacked in Tehran in 1979. Those of us at Fort Benning, I didn't know of anybody that was dying to go, but I knew an awful lot of people willing to go and die in defense of our country.

Under everybody's definition of international law, when you attack an embassy, you have attacked, you have committed an act of war against that country. If the host country cannot protect the embassy, then that country who owns that embassy, that uses that embassy, has every right to bring the full military power to bear to defend it.

I still carry the horrible realization, I believe, if we had defended our embassy in 1979, thousands and thousands and thousands of precious Americans would not have had to give their lives since.

Our embassy has been attacked in Egypt. If the government that the Secretary of State has promised \$2.5 billion—I don't know, some of it may have already gone over there—if they're not going to be able to defend our embassy, then we need to take action to defend it.

I also think it's time to revisit the Carter-era idea that we should never take out government leaders. I think it's time to have this debate again.

Which is more immoral: to go to war with a country where at the time you go to war most of the people of that country like you and respect you, and yet are going to die, many of them; or to take a position, look, it's your country, you're free to establish whatever government you want. But if you put in place a government that declares

war on the United States, that says we are the annihilation of the United States, their way, their people, then we will take that government out and we won't rebuild it. You'll be free to pick whatever kind of government you want.

It's time to have the debate. Wouldn't that have been better in Afghanistan rather than forcing a centralized government on a tribal region that has since become so corrupt that the money that we have spent, spent by the billions in Afghanistan, given to Afghanistan, has made its way to other places besides the intended objects.

Talking to some of our soldiers over there who have trained farmers. They said the billions that have been spent and sent to Afghanistan to create farming projects had not, any of it, made it to the region where they were training the farmers. It was wasted effort. So they would travel around over there wondering, will they be the next IED death, or will they be the next IED dismemberment?

The thing is, a good foreign policy says the enemy of our enemy is our friend. A good foreign policy says we will not try to buy off the bullies in the world to make them like us.

As I've said for years, you don't have to pay people to hate you; they'll do it for free. Save that money. Use it to rebuild relations with former allies that have been let down. But don't keep giving money to people who hate us. We don't need to be nation building. We need to let nations live in peace under their own discretion. But if they declare war or set as a goal our annihilation, shouldn't we at least talk about taking out the government rather than going to war with the people?

□ 1950

I think it's time to have the debate again. There's too much death and loss of life in Afghanistan. It's hard to believe 70 percent of American lives lost in Afghanistan of our military have occurred under Commander Obama. Eighty-four percent of all the wounded have been wounded under the command of Commander Obama. It's time to talk about these things whether the Presidential candidates want to talk about them or not. We owe that to the people we have put in harm's way.

As this is the anniversary of 9/11, it's another opportunity for me to recall the memory of Ross McGinnis. I hadn't gotten an email from Tom asking me not to forget. He knows I will never forget his son. But I went to his funeral at Arlington National Cemetery. I had become friends since then with the McGinnises. I have been to all the funerals of those who have died while in service in harm's way from my district. I have been to too many of those such funerals.

But this wasn't a person from my district in east Texas. It was a guy from

Knox, Pennsylvania, a young man who graduated from high school and gotten into trouble at the end. Ross's mom doesn't want me to forget that. He was given a second chance. They let him graduate. He joined the Army, and Ross found his niche. I haven't seen any pictures anybody had of me during officer basic training at Fort Riley, Kansas, in 1974; but I don't think I was smiling, if somebody has them. It was a difficult time. It was hot, humid. But there are pictures of Ross going through basic with other soldiers, and he's got a big old smile. He had a beautiful smile. And the guys with him are not so smiling. There are pictures of him after he got to Iraq, and the heat was obviously wearing down his friends, fellow servicemembers. But he has a big old grin. His platoon sergeant told me that he was such a piece of enthusiasm in their midst. He was uplifting to the other soldiers.

Ross was a gunner on a Humvee, and as it was going through a town, whether shot or thrown, a grenade goes into the bed of the Humvee where there were four of our soldiers, including Ross's platoon sergeant from Long View, Texas, Cedric Thomas; a soldier from Tyler, my hometown, Sean Lawson; and two other soldiers. And they said that Ross yelled, Grenade, and he looked back, but Ross was the only one in a position to jump out and save himself. But when he looked back and he saw each of the four cringing in their corners, he obviously knew those four soldiers were going to die. So instead of jumping out and saving his own life and four soldiers being lost, he didn't jump out. He jumped in. He covered the grenade. Took the full blow himself. Gave his life. And four of our soldiers are alive today because of what Ross did.

Just as on the statue downstairs right below me, below where I stand, the statue of Father Damien, the Catholic priest from Hawaii, on the side of it is John 15:13, the words: Greater love has no one than this, that he lay down his life for his friends.

Ross had a lot of love.

The accounts after 9/11 after those planes flew into buildings here at the Pentagon, there in New York, those incredible heroes on the fourth flight that went down in a field in Pennsylvania, those heroes went running in, willing to lay down their lives to save others, as Ross did.

There at Arlington National Cemetery the Army chaplain did a wonderful job. Taps was played. It always gets me. It got everybody there. A 21-gun salute is an emotional thing at a funeral. And as everyone stood to turn to go, Sergeant Thomas came up, knelt down before the remains of Ross, put his hand on the remains of Ross McGinnis, bowed his head in prayer. He was followed by two others that Ross had saved. The fourth was still in Iraq.

They put their hands on Ross's remains, bowed at the knee, bowed in prayer. And it was obvious what they were doing.

Whether it's on Memorial Day, Veterans Day, the 9/11 anniversary, there cannot be too many occasions when we as a Nation stop and do what those three soldiers did: thank those who have laid down their lives for the rest of us, for our liberties; thank those who have sacrificed life or limb or suffered terrible disability for us and our lives and our liberty. And then, to thank God for people who are still willing to lay down their lives for us.

With that, Mr. Speaker, I yield back the balance of my time.

UNFINISHED BUSINESS IN THE 112TH CONGRESS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from New York (Mr. TONKO) is recognized for 60 minutes as the designee of the minority leader.

Mr. TONKO. This evening we'll spend some time here in Special Order on the House floor to address a great bit of unfinished business that rests before the House. And we have just returned from what is a 5-week recess where Members of this House were back in their districts and addressing the events of this session. It has been labeled by many as a do-nothing Congress. This evening we're going to talk about that do-nothing agenda.

We have attempted in every which way to encourage the Congress, the House, to address legislation that speaks to job creation and economic recovery, continuing to build upon the achievements of the 111th Congress, and we're now serving in the 112th.

□ 2000

But for me, it's my second term in the House. The very first term for me, the 111th Congress, was deemed by several polls out there to be one of the most productive in decades where there were many things taken up by this House that responded to the needs of America, middle class Americans, Americans of all stripes, who required initiatives from this House.

We were in the midst of a very dark period, a recession that gripped this economy that put 8.2 million people at risk by their losing a job through no fault of their own. We were losing as many as 800,000 jobs a month.

So the devastation of that impact on the American economy, bringing America's economy to its knees, needed a response from government.

The President acknowledged an agenda that would move us not only into a response against the recession but putting us at the cutting edge of a modern economy. Investing in research, investing in science and technology, investing in an ideas economy, investing in

an innovation economy—that's the sort of priming of the pump, if you will. That's essential for us to respond in substantive terms for us to utilize government as a tool that is productive and enabling and empowering the middle class, empowering our small business community, empowering our entrepreneurs.

That was the hope-for. And it happened in the 111th Congress.

But something drastically happened with the change in leadership in the 112th Congress. We now have been ranked in single-digit percentage approval. Below 10 percent is the approval rating for this Congress, some of the lowest points achieved, or earned, by this Congress in its history as a House.

That is a very telling statement. How do we go from the most productive in decades to most unfavorable in the history of the House?

We have a reactionary response from those who want to destroy the essence of government. They do not weave any sort of government program activity into the fabric of response to a very difficult period in our economic history. It is one that is unpopular and unproductive. It is one that is being rejected by people out there.

When I go back to my district, I hear it from Republicans, Democrats, Independents alike: Why can't something get done? There's a paralysis here. And it's because there's a rejection. There is a sense of partisanship rather than partnership. There is an outright attempt to deny anything coming to the House as a request to get productive and progressive policy done.

So there are things that languish. There is this crush of big tasks that rest before the House, work to produce a jobs bill, work to produce a response to the ag crisis, the reauthorization of our ag bill, work to invest in the middle class.

It's been this House, when controlled by the Democrats, that spoke to the opportunities, the ladders of success, if you will. The Democratic conference in this House was all about, has always been about, in my tenure here, about producing ladders of success. You know, we believe in that American principle that you work hard, act with responsibility, play by the rules, and expect to taste success.

Well, we haven't seen that sort of cooperative spirit from the new Republican majority in the House.

You know, we believe, as Democrats, that you produce those ladders of opportunity. You allow people to climb toward their American Dream. We enable people to utilize their gifts, their talents, their passions, their skills to empower themselves, their families, the small businesses. And so we stand for this wonderful three-legged stool that speaks to the empowerment of small business, forever the pulse of

American enterprise, that looks to create jobs that are then tethered very strongly with small business citizenship into the local community grain.

Then we talk about investing in entrepreneurs, those dreamers, the movers, the shakers, the builders of society that have forever been the American spirit, the pioneer spirit.

I represent a district in upstate New York that is the donor area to the Erie Canal. And that canal produced not only a port out of a little town called New York City but gave birth to a necklace of communities that became the epicenters of invention and innovation.

The empowerment of the entrepreneur—another strong underlying principle of the agenda of Democrats in the House.

Finally, a thriving middle class—making certain that we utilize the policies that can be created in this House that will empower with tax fairness, empower with investment in the worker, in education, higher education, apprenticeship programs to empower the middle class and small businesses.

We have measures that we have asked to be brought to the floor. There is a denial of any sort of single jobs bill before the House. We have requested over and over again to invest in that agenda the empowerment of America through small business, entrepreneurs, a thriving middle class. It's been rejected.

Tonight I'm joined by a colleague from the State of Connecticut, JOSEPH COURTNEY. JOE COURTNEY is a strong believer in this government process. He's a strong believer that when we can prime the pump and when we can utilize government to make a difference, when we can create programs that speak to the honest-to-goodness agenda for all strata of America, but utilizing that middle class strata—small business, farming as a small business—making certain we utilize every strength, every sector of our economy and not just relying on a service sector, especially the financial services that we did that brought us into a crisis situation—we can incorporate all of the sectors of the economy.

One of those prime sectors? Agriculture.

Representative COURTNEY, it is great to have you joining us this evening in this colloquy.

The agriculture industry from coast to coast is a heavy-duty important industry. You sit on the Ag Committee. As a representative from Connecticut, you know the importance of agriculture to your State. I know the importance of agriculture in upstate New York, throughout New York.

Reauthorization of an ag bill is fundamental, is it not, to go forward and create opportunities?

Mr. COURTNEY. It is. Thank you for, again, taking the time tonight to speak on the floor of the House.

This is a place where the eyes not only of the country but the world are on us right now in terms of whether or not this body is going to have the strength of will to act and deal with, again, all of the ticking clocks which you've mentioned earlier: the fiscal cliff at the end of this year; sequestration; and at the end of this month, a farm bill reauthorization.

Again, for those watching tonight, I think it's important to have a little context here, which is that up until this year, every 5 years since the end of World War II, Congress has acted to enact a farm bill which is a 5-year policy bill that sets up all of the ground rules for a vast array of issues that surround producers in this country, the folks who get up every morning and milk the cows and plant the crops and harvest the crops.

It deals with issues of rural development. Small-town America depends on USDA rural development funds and programs to build everything from sewers, hospitals, health clinics. Again, all of the infrastructure, which again, small towns by themselves really don't have the financial means to create.

Conservation programs, forestry, food policy, nutrition policy.

Again, the farm bill is a profoundly important measure that sets up both producer and production policies and agriculture but also consumer ends in terms of food safety, food security, et cetera.

Incredibly, we are at a point right now where at the end of this month, at the end of September, the last farm bill will expire. If Congress does not act, then farm policy will revert to what the state of the law was in this country in 1949. Again, that statutory construct is so completely disconnected from the reality of what farms and agriculture is today in the 21st century that it defies, really, the powers of any Secretary of Agriculture to implement.

But, again, as you point out, when you look at the U.S. economy today, agriculture is leading the way in terms of growth, in terms of exports, in terms of renewed activity even in New England, which is not viewed as sort of a big farm State. But the fact is that specialty crops, which I'm sure in upper State New York we're seeing again growing farmers markets, are really the renaissance and movement towards making sure that foods that we serve our kids in cafeterias are on the dinner tables in American homes.

□ 2010

Again, people have just a heightened interest in terms of making sure it's local and fresh, and the farm bill sets up the policies that make that movement continue to grow.

Well, where are we tonight? The Senate passed a farm bill. They passed a farm bill back in June. It was a bipartisan measure, hard-fought. It took 3

weeks to make its way to the Senate floor, getting through all the procedural hurdles. Yet Republicans and Democrats in the Senate came together with a farm bill which does great things in terms of reforming agriculture policy in this country. It eliminates direct payments to farmers, which saves the taxpayers \$23 billion over the next 5 years. So it actually helps the deficit in this country by passing the Senate farm bill. It reforms dairy price supports, which is critically important right now because, again, the structure that is in place today really was shown to not be adequate in 2009 when milk prices crashed during the recession. It sets up a new risk insurance program, which will allow dairy farmers to actually have some confidence and security about their future.

It does, again, a great job in terms of protecting and maintaining the network of food supply for Americans who are struggling to put food on the table. It's a good, solid, bipartisan measure that really addresses all of the challenges of the 21st century.

In the House, we actually reported out a farm bill out of the House Agriculture Committee with a strong, bipartisan vote. It has problems. Frankly, it cuts too deeply into nutrition. But this is an issue which, again, people who are close to it are very confident can be worked out in a conference committee if the House floor will take up a farm bill. And the Speaker, to this moment, has refused to even signal that he will schedule a vote for a farm bill to move the process along.

So, literally, as the clock ticks towards the end of September, farmers and producers all across America are, in horror, looking at this Chamber, looking at this Speaker, and saying: Are you kidding me? You won't even schedule a vote so that we can work through a bill on the floor and send it to conference committee so that we can actually get real movement and get a farm bill passed?

A couple of hours ago I was with the National Farmers Union just down the block here, where, again, we've got farmers from California to Maine who are gathering here in Washington, D.C., the American Farm Bureau, specific commodity crop producers who are flooding the Halls of Congress saying we need a farm bill.

This should not be a partisan issue that should gridlock, again, one of the most vibrant and critical components of America's economy. And yet to this moment we have still gotten no signal from Speaker BOEHNER and the Republican leadership that they will even schedule a vote. It's incredible. I mean, the Agriculture Committee in the House produced a bipartisan bill. They did their work. Chairman LUCAS, Ranking Member PETERSON—I was there for

the 13-plus-hour markup to get that bill through the floor—they did a great job in terms of navigating and getting a bill to the floor. This was done before the August recess. The Speaker refused to bring it up before we went home for 5 weeks. Five weeks have passed. Farmers all across America are demanding action. We're back in town, and yet nothing has been scheduled in this Chamber to bring up a farm bill that we can send to the conference committee and get some real action and results. Totally unacceptable.

Let me just finish before I throw the baton back to you. At the end of August, dairy price supports expired. Again, the last farm bill had a measure, it was called a Feed Adjuster Index, which would basically allow farmers who were facing high feed costs to get help and relief. Anybody who looks in the financial pages can see that corn prices are hitting record highs because of the drought out in the Midwest; feed costs have gone through the roof; fuel costs are going through the roof. All the input costs for running a dairy farm are at record highs, and yet, as of a couple of weeks ago or a week and a half ago, the dairy farmers of America had basically the rug pulled out from under them because this Chamber did not move and do its job back in July and get a farm bill passed out of this Chamber and sent to conference committee.

So they were sort of the first wave of victims of Republican inaction in this House to move a farm bill. At the end of this month, it will be the rest of American agriculture that will have the rug pulled out from under it and revert back a statutory structure to 1949, which is the state of the law, if we don't move forward and get a farm bill done.

So I'm glad you scheduled this session tonight, Congressman TONKO, because I think the American people need to hear that Democrats stand ready to roll up their sleeves, get to work on this floor, pass a farm bill, send it to the conference committee, work with the bipartisan majority in the Senate to pass a farm bill, and help the American farmers and producers who every single day are making sure that the system of food production and supply works. It is a very fragile system, as we're seeing with the drought out in Iowa, and people in this Chamber are treating it with just, in my opinion, outrageous neglect by not really doing their constitutional duty, showing some leadership, and bringing a farm bill up for a vote in this Chamber.

Mr. TONKO. Representative COURTNEY, you're a great friend. You're a great friend not only to me, but to this House, to the district you represent, and to the State of Connecticut. And you're such a good friend because of the academics that you put into the job. I have watched you in action, and

I know that you are about building consensus.

But what we have here, you talk about, doesn't this become even more urgent an item with the drought situation that we've had across this country? Grain prices are going to rise. So to have some stability and security—predictability—into the ag outcomes for many sectors of agriculture, it becomes even more critical. And to go back, to revert to a 1949 formula, is sinful. It's immoral.

People talk about the lack of sensitivity, the lack of productivity, but we're talking about immoral outcomes here that don't enable people to do their work. I mean, this is a small business—in many places large business—but agriculture runs that gamut. For many, it's small business, it's family business, it's a way of life, and we're denying that very fabric of this country.

I know groups have come together in atypical fashion—outside groups that are putting pressure here—they have come in partnership to say: Hey, look, get this done, as you're suggesting, get it done. You've done some of the basics. Why are you ignoring this number one industry for many States?

Mr. COURTNEY. And just to follow up on that point, again, the Senate farm bill included within it disaster relief assistance—not just for a short period of time, but for 5 years. Again, the House did bring up a so-called “disaster relief” bill right before the August break—something which the American Farm Bureau dismissed as inadequate in terms of actual agricultural policy in this country—used as a pay-for taking money out of conservation, which, again, as critical a priority as almost anything else in the farm bill. Again, it was just an almost pathetic attempt to provide political cover for people who knew that, again, with the catastrophe happening out in the Midwest, they couldn't possibly leave town without at least trying to make some small gesture towards acknowledging that that was actually happening.

But, again, the Senate measure includes a full disaster relief. The House committee bill which came out has full disaster relief. That's what, really, the American agriculture community is looking for.

Tomorrow, on the steps of the Capitol, there will be a huge rally with farm groups from all across America gathering on the steps. Senator STABENOW and Congressman COLLIN PETERSON from Minnesota are going to be out there leading the charge. We understand that some Republican Members are going to show some courage and get out there on those steps and join those farmers in saying we need a farm bill now to be voted on in the House of Representatives. And it's time for the Republican leadership to listen to the people who, again, are out there busting their tail every single day making

sure that there's food on the table for this country.

Mr. TONKO. You know, I listen to you, and your State was tremendously impacted by Irene and Lee last summer. My State was tremendously impacted. We reached for those very pots—that we've emptied with the Republican solution—that served our communities so very well with disaster funds. We can't tamper with some of those legitimate set-asides because they're there, they're required by acts of Mother Nature or by manmade situations where we need to have disaster dollars available.

But you can't help but quantify. I mean, you just imagine the extrapolating out of jobs, the impact of jobs if you don't get this done, the ripple effect into those ancillary businesses that feed into the needs of agriculture. It is a tremendous opportunity for us to grow stability in the economy. And to not do this, this do-nothing Republican Congress is devastating the economy. We could have made major strides, we could have gone forward with a lot of attempts to do good.

Now, what I sense here, from what you've talked about with these poison pills that have been adopted or placed into their solutions, or the ignoring of agreed-upon legislation in committee, this is a recurring theme. I mean, we saw the FAA, the Federal Aeronautics Administration, impacted again by delays, games that were being played because they need the full loaf or they want it their way. There is no sense of consensus that is driving these outcomes. And so we delayed for months the FAA outcome, which challenged, put at risk hundreds of projects, tens of thousands of construction jobs that were going to speak to safety at our airports.

We saw it with student loans. You were so actively involved with that. You were outspoken in your criticism of perhaps doubling our students' interest on their loans. And they, again, inserted poison pills. We waited until the midnight hour to get something done—with a lot of unpredictability again.

□ 2020

We saw it with the payroll tax relief that we were trying to do for middle-income America and small businesses. Couldn't get it done. Waited till the last minute. Poison pills that delayed progress.

This is a recurring theme, is it not?

Mr. COURTNEY. It is of course. And again, another example of a measure that really is just teed up and ready for action in the House is the postal reform. We have a postal system right now which is both technically and substantively in bankruptcy. The obligations of the postal system in terms of its expenses and pension costs now exceed the revenue that's coming in.

And once again we have a situation where the Senate has already acted.

They passed a bipartisan postal reform bill. My colleague from Connecticut, JOE LIEBERMAN, Senator JOE LIEBERMAN is the chair of the committee that put together, again, a significant bipartisan coalition to get a postal reform bill through which would provide stability in the finances of this system, which, again, is in bankruptcy.

Nothing has happened on this side of the campus, of the Capitol in terms of any action in terms of bringing a bill to the floor to make sure that, again, the postal system, which goes back to the birth of our country, is not going to capsize into hopeless bankruptcy. I mean, just totally inexcusable to have an issue like this, which, I challenge anyone to point to any time in American history where the postal service has become sort of a partisan political football. Yet this Republican leadership has done nothing to bring a postal reform bill to the floor.

Violence Against Women Act, again, a measure which is really a law enforcement measure in terms of giving our police and court systems and victim advocates the tools they need to eliminate the scourge of domestic violence in this country. My wife is involved, actually, in multidisciplinary teams back in Hartford, Connecticut, in terms of dealing with this issue as a pediatric nurse practitioner.

Again, the Senate passed a good, strong bipartisan bill. We had a partisan measure that just turned the clock back in terms of protecting victims who, again, are here on temporary visas, again, as some kind of statement, I guess, about immigration. And yet this is a measure which has not been sent to conference by this side of the Chamber, and we have a situation, a priority such as domestic violence which has traditionally been completely nonpartisan since it was first enacted back in the 1990s, and no action is being taken by this Republican leadership who seems intent on going home pretty soon and just basically leaving town until election time.

I mean, it's just stunning that, you know, farm bill, postal reform bill, violence against women, we should be able to do these things tonight and give this country some confidence.

Mr. TONKO. Representative COURTNEY, you talk about the reducing of VAWA, the Violence Against Women Act. If the spirit and letter of that law has been to protect women, why would you weaken certain protections?

There's this order of meanness and selectiveness and insensitivity that has abounded in this House, where they reduce efforts that have been championed over the decades, hard-fought efforts, bipartisan efforts, bicameral efforts, the executive branch working with the legislative branch, making certain that the heart and soul of this reform through the ages has been about making America stronger.

You know, it's we, the people, working toward a more perfect Union, a more perfect Union. We've made such wonderful progress. We have acknowledged the needs of women, where they were ignored in legislative or statutory concepts. We go forward. And now it's like, as you suggest, rolling the clock back, being insensitive to so many needs out there and reducing the fabric of our government. It's like trying to speak to an archaic sort of quality that's driven by extreme thinking. It's the tail wagging the dog in the conference where this extreme thinking has taken over the majority and this do-nothing Republican Congress is not responding, not stepping up to the plate at a time that it's very, very critical.

We saw this economy challenged more greatly than perhaps the Depression of the past that really was a prime test, but in many of the lives of today's working Americans, this is the first-time greatest experience, a challenge before us. And when we should step up and be the champions, the fairness and justice and resolve to move forward with progressive policy, we're getting almost the reverse. It's the antithesis of what's required here.

Mr. COURTNEY. And I would just say that the inaction of this leadership—today we received an ominous warning from Moody's Investor Services which warned that basically that Congress's failure to strike a deal on the fiscal cliff some time within the next 6 months or so will lead to a downgrade of this country's financial rating. Again, Moody's preserved the Triple A status last August when we had the last self-induced crisis by the Republican majority on the default issue. And so the warning is out there. Incredibly, the Speaker, when he was asked about this later in the day today, basically said he has no confidence that we can strike a deal to avoid the fiscal cliff.

I mean, again, we're talking—it is September 11, a day when we should be coming together and reflecting on our unity as American people. And to have that kind of negativity at a time when we've been, the same day we were warned that the country could capsize into a downgrade, and just basically throw up his arms and say, well, he has no confidence we can put that deal together, I'm reminded of the old military saying, which is, you know, lead, follow, or get out of the way.

And really, for a Speaker to basically say, at this early stage, that he has no confidence that this body, which has gone through world wars, depressions, a civil war, and has always been able to really show that the genius of the Founding Fathers to create a structure where decisions can be made is somehow incapable of dealing with the issue that we're confronted with today is just a, really, just shocking admission

of abdication of leadership. And really, it just—it signals that, you know, we need to have a change here in this Chamber, one way or another if we're going to deal with the problems that are looming on the horizon, which was your opening comments.

Mr. TONKO. And I agree with you. I think that the brinkmanship that was utilized in the debate and the development of a response to the debt ceiling crisis was an attachment of bells and whistles and all sorts of extraneous materials that were being applied in an inappropriate way. We needed to move forward and address an order of crisis. America knows that, they understand they play by the rules and you pay your bills.

But it was this attempt to weaken a process, and it was an attempt to stall and delay and make a political statement at the expense of having our then credit rating downgraded by S&P. So the outcome here was a devastating one.

And, you know, it is really unfortunate that we're not heeding the need out there. I believe the American public has been stating emphatically they want solutions. They want us to come up with a response to an economic crisis. They want to know how we're going to move forward with this idea economy, innovation economy, clean energy economy. They want to see us move toward energy independence. They want to see us addressing transformation of the economy. They want advanced manufacturing that requires training of workers that begins with education investments, all of these things. They want us to develop solutions.

They don't want paralysis. They don't want this divide, this great divide. They don't want the partisanship.

They want partnership. They want solutions.

We saw what happened when you can advance solutions in this House. You and I enjoyed the 111th Congress and the productivity of that Congress. And to have moved to this sort of paralysis is unacceptable.

And the do-nothing Republican Congress is being watched very carefully here, and I believe that this coming election will be a very telling statement about rejecting the sort of delay, the rejecting of the games being played, a rejecting of the disinvestment, a rejecting of the defunding and the dismissiveness of a role that government could and should play in very important areas.

You ask these other economies out there with which our American business is competing. We're in an international race on innovation. You know, much like the race, global race on space in the sixties, when this country came together in resolve after a Sputnik moment, when they dusted off their backside and said, Never again,

and we're going to move forward and we're going to be the Nation to stake that flag on the Moon.

We won because we resolved to do it. We did it with great passion. We did it with intellect. We did it coming together as a people of all sorts of political stripes, and we worked together as one Nation.

□ 2030

You're right, on this given day of 9/11, when we reflect upon those tragedies and when our virtues as a Nation—our liberties, our freedoms, our opportunities—were challenged and threatened and numbed us for a moment, we came back with great resolve. Let's show the passion here that we did in the sixties to win that global race in space. Let's invest. Let's go forward. Let's make certain we don't tie the hands of America behind her back. Let's move forward and invest in an economy, in a race that is important to our efforts to maintain our leadership on the international scale.

Mr. COURTNEY. I think, as Moody's indicated, with the fiscal cliff at the end of this year and with the sequestration on January 1, there really is only one place where this can get resolved, and it's right here in this room. There are ideas that are on the table which, I think, clearly show a middle ground—in fact, more than a middle ground—as a way of solving these problems.

The President has put on the table an extension of the Bush tax cuts for 98 percent of Americans that would entirely protect their present tax status with no increase in taxes. Obviously, the cliff will cause middle class families all across America to pay more if there is no action in this Chamber. In fact, it provides for 100 percent of all Americans the extension of the Bush tax cuts on incomes up to \$250,000. Any income above that would revert back to the Clinton era rates. That change would provide about \$1 trillion of deficit reduction for our country at a time when the structural deficit that the Bush tax cuts created is obviously scaring investor services like Moody's.

This is a proposal which is not a 50/50 deal. It's a 98 percent deal in terms of protecting those existing tax cuts, and it's a 100 percent deal in terms of protecting people's taxes up to \$250,000.

Mr. TONKO. A point oftentimes lost. Even millionaires and billionaires would get their tax breaks on a first order of income, \$250,000.

Do you know what stands in the way? If we have to be totally frank here, they want to make certain that millionaires and billionaires continue to get their bonanza of a tax break. Well, do you know what? We know what got us into the economic crisis. We had a tax cut for millionaires and billionaires primarily that was never paid for. We fought two wars off line, off budget.

So one of the first orders of business that the President wanted to address was putting together an honest budget. You didn't have the mechanism, the payment mechanism, for the millionaire-billionaire tax cut, and you have to bring that cost of the war into the budget.

We need to move forward with a sound and reasonable approach to economic relief. The middle class has taken it on the chin, and it's their turn. They need to be relieved, and we need to invest in those orders of comeback that will empower our middle class. What I think is, with the efforts that have been made here in the House, the requests made in the House are very legit: Do what you can afford. Keep the economy going. To me, it's about aggregate demand for goods and services. So, if you relieve the middle class, if you strengthen their purchasing power, if we had that thriving middle class, someone needs to buy your product; someone needs to make your product. If you empower that middle class, it's a formula for success.

As you point out, Representative COURTNEY, it is 98 percent of the general public that will enjoy that empowerment and 97 percent of the small business community. There is a way to go forward with a reasonable approach that really speaks to that strata that needs the most assistance today.

Mr. COURTNEY. Six nights ago, we saw someone get on the floor of the convention in Charlotte, North Carolina, and very methodically and with great clarity explain exactly the points that we're talking about here tonight.

President Bill Clinton, someone who today enjoys a 69 percent approval rating, got on the floor of that convention. While he was President, the public finances of this country came into balance for the first time in over a generation, and 22 million new jobs were created under his watch. If anyone has credibility in terms of a perspective on economic and fiscal policy in this country, it's President Bill Clinton.

What we have talked about here tonight is about reverting to the Clinton era rates on incomes above \$250,000. We know as a Nation that that does not smother and punish success. It will not smother and punish our economy. Those rates were in place when 22 million jobs were created in the U.S. economy in the 1990s.

Today, what's interesting is that Mr. Romney, the Republican Presidential candidate, is very careful not to criticize President Clinton. In fact, he tries indirectly sometimes to even embrace him. Well, he ought to embrace his positions on fiscal policy because, if he did, we could pass a bill on this floor in no time flat, solve the fiscal cliff, defuse sequestration, and get this country back on track with more than just policies: with a new infusion of confidence, both within our country

and, frankly, in financial markets around the world, that this place is capable of actually making some decisions and that this place is actually capable of action.

The former President's comments in Charlotte obviously got a rock star reception all across the country because that's what people are hungry for—reasonable solutions coming from people who have demonstrated that they actually can administer and be good stewards of the U.S. economy. I think that, for the Republican leadership of this Chamber to ignore that type of compromise and reasonable approach to solving the fiscal problems we face today is politically very dangerous.

Again, if you really look closely at the Romney campaign, they are loath to even say anything negative about Bill Clinton or his time in the White House. Do you know what? They're very careful also to avoid talking about his policies, which basically President Obama and the minority here, even with some significant modifications to accommodate the other side, are prepared to move forward on. Let's really, I think, heed the advice that he gave this country six nights ago and move forward with these policies.

Mr. TONKO. Representative COURTNEY, you talk about that event. When he made his presentation, he did that long-term review and a rather shorter focus over the last couple of years—the first term of President Obama's. Yet, when he talked about the track record over the last decade, he talked about 28 years of Republican leadership versus 24 years of Democratic leadership. He talked about the outcome in jobs, and said, under the Republican watch, 22 million jobs, I believe, were created. Under the Democratic watch, there were 42. So, he said, let's look at the record. Let's check the scorecard. Then he did the short-term outcome of President Obama's administration. He was talking about the numbers of jobs created and gave a zero to what the Republicans were advancing in the House.

It's pretty obvious that there is this outcome of success. People constantly refer to the Clinton years now. What happened there? Well, we undid the surplus that was created. We spent down on a tax cut that wasn't paid for. We fought two wars that weren't on line with the budget. It's obvious we know what happened. Why would we give the keys back to someone who drove us into the ditch?

So this whole effort in this administration with 30 now consecutive months of private sector job growth and the President's asking for Congress to move forward with an agenda that has had obvious positive results and its being denied and held up, played with, entered in with poison pills is not what the American public wants. They want those solutions, and they are denying

those solutions. I think the do-nothing Republican Congress has caused great pain and has denied progress for the comeback scenario that we so desperately require and that the middle class and all of America so rightfully deserve.

Mr. COURTNEY. Thank you for taking the time tonight to really set the record straight on a lot of these issues. I would note that Bloomberg News actually did a fact check of the Clinton speech the other night and basically came back and gave it a clean bill of health. Frankly, if you contrast that with the speeches that took place in Tampa and if you go to PolitiFact and go through some of the remarks that were analyzed by that Pulitzer Prize winning service and the number of pants-on-fire lies that they ascribed to some of the comments that were made on the floor of the Tampa convention, there is a sharp contrast.

Again, I just want to thank you for taking the time to remind the American people this evening about the fact that there are items that we can move forward on today. Literally, we could reconvene the House here at a quarter of nine on 9/11 and pass a farm bill, pass the postal reform bill, get moving on the Violence Against Women Act, and we could deal with the fiscal cliff if people with reasonable and nonpartisan scorched Earth partisanship came forward and saw what is obvious, which is that the tools are there to fix these problems. Thank you for your leadership and for holding this session this evening.

Mr. TONKO. Thank you, Representative COURTNEY. I thank you for your outstanding leadership. You've been there on the student loan issue. You've been there on the ag reauthorization measure. You've been there on the American Jobs Act.

□ 2040

We know that there has been a formula for success driven by the President for the American Jobs Act. He has asked for Congress to move forward. The Senate has, in a bipartisan way, moved forward with efforts to address a middle class tax cut. The President has asked us to complement that with the American Jobs Act that enables us to move forward with investments in educators, allowing for teachers and class size to be addressed, making certain that our young people, our workforce of the future are able to enjoy that self-discovery, that sense of identity that they require in the classroom. What are their gifts, their passions, their skills, their talents? How can they best contribute their fabric to the American scene?

That is part of the American Dream. That is part of the investment that provides those underpinnings of support, that builds an economy with capital investment, physical investment,

human infrastructure investment, all of which are required in order to have the holistic response. With the American Jobs Act formula, the President is saying, Look, we've grown 30 months of consecutive private sector job growth. We've enabled the economy to come back powerfully. We're investing in that order of business.

He's also asked that that public sector element which has been reduced, that has offset some of the progress, has reduced some of the progress because of pain at those State capitals putting together their budgets, he said, Look, let's from a big picture point of view. Invest in educators, in public safety, in police officers, in firefighters, in emergency personnel.

On a day like today where we humbly reflect upon the pain this Nation endured, the loss of lives, nearly 3,000 people impacted by the acts at the Pentagon, in a lonely field in Pennsylvania, and, yes, in metropolitan New York, we are reminded most humbly, most sensitively, most lovingly of that dreadful moment. And we saw how important our public safety elements are, our first responders, critical to that situation. It showcased a very noble measure in a very painful and dark moment in our history what those role models are, who they are. That's their everyday work. It was showcased in a very magnified way. But every day we reach to their skills, their talents, their strengths.

The President is saying invest in that public safety element, invest in our firefighters, in our police officers, in our emergency responders. He's asking for that in the American Jobs Act. We've done pieces of it, but we need to do the entire package to have the strength that this economy requires for its comeback.

He talks about infrastructure improvements through an infrastructure bank that is part and parcel to the outcome, making certain that our infrastructure is strong and able to move our situation of a comeback. Commerce requires the shipping of freight. It needs the infrastructure. Our communities require that investment in infrastructure; otherwise, they go it the way of a property tax or a less progressive tax structure.

We know what needs to be done, and the denial here by the do-nothing Republican Congress is not acceptable. It's painful. It's immoral. It's insensitive. It's un-American. To put partisanship ahead of partnership is unacceptable.

We know that the American spirit requires better than that, so we need to respond to America's working families. We need to respond to the hope that ought to be delivered to the doorsteps of families across this great Nation. Our history is replete with investment, investment to take us to new ages, new elements of success, new impacts on the world scene.

Earlier, I had spoken of the mill towns that became epicenters of invention and innovation. It was their product delivery coming out of the mill towns, out of those 24-hour-a-day operations that impacted the quality of life, not just in these United States, but in nations around the world. People were lifted by discovery and product development in this Nation. And as we move forward, we need to advance our manufacturing agenda, we need to invest in the research, and we need to invest in the innovation.

I'm reminded of some of the incubator outcomes at campuses within the 21st Congressional District in upstate New York in the capital region of Mohawk Valley that I represent, incubators at public and private sector institutions, clean room science activity going on in lab formats at community colleges, working with our nanotechnology industry, our semiconductor industry, advanced battery manufacturing. All of this requires a plan, a holistic plan that allows for the unleashing of talent and opportunity from the American public. Someone before our times invested in our future.

Throughout our noble history, throughout our growth as a Nation, there were those who believed in America and invested in her people. We can ill afford to go back. We can only go forward, as was made mention by the President and many of his administration that were speaking at the convention, many legislators who appeared at the convention and spoke about the agenda to constantly move forward, embracing the American Dream in the process. That American Dream is what inspired so many to journey to this Nation.

We are, in major fashion, a compilation of journeys. Other than our Native American sisters and brothers, it's the immigrant population that traveled to these shores embracing that American Dream, believing in a brighter tomorrow, understanding that if they put their mind and heart and soul to work, that better opportunities would be there, that they could climb the ladders of success, that they would not pull up those ladders when they reached the mountaintop, but extend additional ladders to everyone to climb that ladder of success until they reached that American Dream.

That has been the saga of this great Nation. That has been the profoundness of this Nation, the greatness of this Nation. Why would we change course now? We saw what ill effects came of some bad policy or lack of sound stewardship of our resources. Let's learn from that history, but let's also learn from the history of greatness where America struggled through tough times, faced immense challenges, but powerfully spoke in a way that engaged that American spirit and put it into policy format, resource ad-

vocacy, and budgets that spoke to a soundness of a future for America.

Our best days lie ahead if we pursue that agenda that shows its belief and its promise in America's children and working families. The undeniable progress that we can make speaks boldly to us. We've seen an administration reach out to this Congress asking for a partnership, a bipartisan response, one that will allow all of us to share in the great success that can follow. We've seen what happens when we go forward with some of the measures of progressivity.

We have a grid system that was challenged as early as 2003, where we know there is a need for investing in the capacity of that system that was designed for regional utility matters, and now we're wheeling electrons from region to region within States to States to States and from nations to nations. We know that we have to step up to the plate and invest in that utility infrastructure. We know that there are deficiencies in our routine, traditional infrastructure that require our investment.

□ 2050

We know that there's a need for energy transformation so that we can grow with the American intellect, that intellectual capacity that enables us to provide for the innovation, the American independence, the American security that can be dealt with through renewables, and energy efficiency as our fuel of choice and outstanding discoveries that can be made in a way that are most powerful, and research that equals jobs.

We see it happening all around us, and it's not like we have the luxury to decide not to do it. We're in the midst of an international competition.

And unlike the sixties, where it was U.S. versus U.S.S.R., we are now with many more competitors on the international scene. They are partnering with their governments. They are partnering in a way that provides research monies, incubator space, higher-ed communities that are growing in leaps and bounds while we languish with a do-nothing Republican Congress that wants to promote delay, insert poison pills, or just deny progress in a partisanship way that is not speaking to the American spirit that was imagined and planted by our Founding Parents.

You know, tonight, for this past hour, we as Democrats have enjoyed sharing our thoughts about what a productive Congress could be in terms of shaping our future, what a productive Congress could mean to fairness and justice and equitable opportunity for generations to come.

Our children are watching, they're measuring our actions much more than by our words, more so by the achievements that we can assess. They're

watching carefully, and we need to move forward in a way that finds us working together to build consensus. When we insert the "we" in us, it is much more powerful than the "me" in us.

This House has had great moments when they've rolled up their sleeves as Members and have come to the table and said, America beckons. Her people need that sort of response. True leadership will move forward in a way that allows us to enjoy the taste of success.

You know, tonight, as we've talked about the paralysis that has gripped this House, as we talked about the denial that has been part of the outcome that has been demeaning and destructive at times, I reach to the assessment by very nonpartisan congressional scholars, in this case Thomas Mann and Norman Ornstein. They have been, over the years, very much bipartisan in their criticism and critiquing of the behavior in Congress.

I just want to quote from their report:

In our past writings, we have criticized both parties when we believed it was warranted. Today, however, we have no choice but to acknowledge that the core of the problem lies with the Republican Party. The GOP has become an insurgent outlier in American politics. It is ideologically extreme; scornful of compromise; unmoved by conventional understanding of facts, evidence and science; and dismissive of the legitimacy of its political opposition.

Tonight I will close with that statement because I think it's a challenge. It's a challenge to us to forget about the unproductive nature of the last several months and move forward with a newfound order of resolve that will enable us to acknowledge that some of the greatest moments in American history came with some of her darkest hours where with that regard, that true American spirit we're able to rise to the occasion, reach to the best intellect and the best temperament of this Nation as she came together in an order of consensus and where our best days followed that sort of agreement.

We can build upon success. We can learn from history, the soundness of history that saw us respond and rise to the crushing situations that gripped this Nation and move forward with a sense of greatness, a sense of accomplishment, a sense of fairness and empowerment and, most importantly, a delivery of hope to the doorsteps of individuals and families across this great Nation. America's greatest moments are truly lying ahead if we can embark upon that challenge before us.

With that, Mr. Speaker, I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mrs. NAPOLITANO (at the request of Ms. PELOSI) for today.

ADJOURNMENT

Mr. TONKO. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 55 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, September 12, 2012, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS,
ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

7543. A letter from the Under Secretary, Department of Defense, transmitting a letter on the approved retirement of General Craig R. McKinley, Air National Guard of the United States, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

7544. A letter from the Deputy Director for Policy, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule — Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Paying Benefits received August 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

7545. A letter from the Assistant Secretary, Energy Efficiency and Renewable Energy, Department of Energy, transmitting the Department's semi-annual Implementation Report on Energy Conservation Standards Activities, pursuant to Section 141 of the Energy Policy Act of 2005; to the Committee on Energy and Commerce.

7546. A letter from the Acting Director, International Cooperation, Department of Defense, transmitting Pursuant to Section 27(f) of the Arms Export Control Act and Section 1(f) of Executive Order 11958, Transmittal No. 9-12 informing of an intent to sign the Memorandum of Understanding with Israel; to the Committee on Foreign Affairs.

7547. A letter from the Acting Director, International Cooperation, Department of Defense, transmitting Pursuant to Section 27(f) of the Arms Export Control Act and Section 1(f) of Executive Order 11958, Transmittal No. 8-12 informing of an intent to sign the Memorandum of Understanding with Israel; to the Committee on Foreign Affairs.

7548. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting notification that effective July 29, 2012, the danger pay allowance for Mali was established based on civil insurrection and terrorism; to the Committee on Foreign Affairs.

7549. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting pursuant to section 3(d) of the Arms Export Control Act, as amended, certification regarding the proposed transfer of major defense equipment (Transmittal No. RSAT-12-2992); to the Committee on Foreign Affairs.

7550. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a report pursuant to Section 804 of the PLO Commitments Compliance Act of 1989 (title VIII, Foreign Relations Authorization Act, FY 1990 and 1991 (Pub. L. 101-246)), and Sections 603-604 (Middle East Peace Commitments Act of 2002) and 699 of the Foreign Relations Authorization Act, FY 2003 (Pub. L. 107-228), the functions of which have been delegated to the Department of State; to the Committee on Foreign Affairs.

7551. A letter from the Secretary, Department of Housing and Urban Development, transmitting the Department's semiannual report from the office of the Inspector General for the period October 1, 2011 through March 31, 2012, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Oversight and Government Reform.

7552. A letter from the Senior Counsel for Regulatory Affairs, Department of the Treasury, transmitting the Department's final rule — Department of the Treasury Acquisition Regulation; Internet Payment Platform (RIN: 1505-AC41) received August 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

7553. A letter from the Chairman, National Transportation Safety Board, transmitting the Board's annual report for FY 2011, amended, prepared in accordance with Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

7554. A letter from the General Counsel, Office of Management and Budget, transmitting four reports pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

7555. A letter from the Director, Office of Personnel Management, transmitting the Office's semiannual report from the office of the Inspector General and the Management Response for the period October 1, 2011 through March 31, 2012, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Oversight and Government Reform.

7556. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's determination on a petition on behalf of workers from the Winchester Engineering and Analytical Center in Winchester, Massachusetts, to be added to the Special Exposure Cohort (SEC), pursuant to the Energy Employees Occupational Illness Compensation Program Act of 2000 (EEOICPA); to the Committee on the Judiciary.

7557. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's determination on a petition on behalf of workers from the Medina Modification Center in San Antonio, Texas, to be added to the Special Exposure Cohort (SEC), pursuant to the Energy Employees Occupational Illness Compensation Program Act of 2000 (EEOICPA); to the Committee on the Judiciary.

7558. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's determination on a petition on behalf of workers from the Hanford Engineer Works in Richland, Washington, to be added to the Special Exposure Cohort (SEC), pursuant to the Energy Employees Occupational Illness Compensation Program Act of 2000 (EEOICPA); to the Committee on the Judiciary.

7559. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's determination on a petition on behalf of workers from Titanium Alloys Manufacturing, to be added to the Special Exposure Cohort (SEC), pursuant to the Energy Employees Occupational Illness Compensation Program Act of 2000 (EEOICPA); to the Committee on the Judiciary.

7560. A letter from the Program Analyst, Department of Transportation, transmitting

the Department's final rule — Airworthiness Directives; Eurocopter France Helicopters [Docket No.: FAA-2012-0766; Directorate Identifier 2012-SW-056-AD; Amendment 39-17133; AD 2012-15-04] (RIN: 2120-AA64) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7561. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Honeywell International, Inc. Turbofan Engines [Docket No.: FAA-2012-0195; Directorate Identifier 2012-NE-08-AD; Amendment 39-17070; AD 2012-11-07] (RIN: 2120-AA64) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7562. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2011-1165; Directorate Identifier 2011-NM-002-AD; Amendment 39-17030; AD 2012-08-13] (RIN: 2120-AA64) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7563. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Eurocopter Deutschland GmbH Helicopters [Docket No.: FAA-2012-0566; Directorate Identifier 2011-SW-008-AD; Amendment 39-17065; AD 2012-11-02] (RIN: 2120-AA64) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7564. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2011-1066; Directorate Identifier 2011-NM-050-AD; Amendment 39-16917; AD 2012-01-05] (RIN: 2120-AA64) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7565. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2010-1115; Directorate Identifier 2010-NM-221-AD; Amendment 39-17111; AD 2012-13-09] (RIN: 2120-AA64) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7566. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; WACO Classic Aircraft Corporation Airplanes [Docket No.: FAA-2012-0578; Directorate Identifier 2012-CE-019-AD; Amendment 39-17071; AD 2012-11-08] (RIN: 2120-AA64) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7567. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Airplanes [Docket No.: FAA-2011-1089; Directorate Identifier 2011-NM-110-AD; Amendment 39-17097; AD 2012-12-17] (RIN: 2120-AA64) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7568. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2012-0292; Directorate Identifier 2011-NM-056-AD; Amendment 39-16991; AD 2012-06-

10] (RIN: 2120-AA64) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7569. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce Corporation Turbo-shaft Engines [Docket No.: FAA-2011-0961; Directorate Identifier 2011-NE-22-AD; Amendment 39-17120; AD 2012-14-06] (RIN: 2120-AA64) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7570. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Pratt & Whitney Canada Turbo-prop Engines [Docket No.: FAA-2012-0416; Directorate Identifier 2012-NE-332-AD; Amendment 39-17078; AD 2012-11-14] (RIN: 2120-AA64) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7571. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce plc Turbofan Engines [Docket No.: FAA-2010-0748; Directorate Identifier 2010-NE-13-AD; Amendment 39-17082; AD 2012-12-03] (RIN: 2120-AA64) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7572. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Univairst Aircraft Corporation Airplanes [Docket No.: FAA-2011-0360; Directorate Identifier 2010-CE-061-AD; Amendment 39-17032; AD 2012-08-06] (RIN: 2120-AA64) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7573. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2012-0802; Directorate Identifier 2012-NM-124-AD; Amendment 39-17145; AD 2011-19-01 R1] (RIN: 2120-AA64) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7574. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2012-0490; Directorate Identifier 2012-NM-066-AD; Amendment 39-17159; AD 2012-16-12] (RIN: 2120-AA64) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7575. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2012-0291; Directorate Identifier 2011-NM-168-AD; Amendment 39-17158; AD 2012-16-11] (RIN: 2120-AA64) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7576. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Embraer S.A. Airplanes [Docket No.: FAA-2012-0423; Directorate Identifier 2011-NM-095-AD; Amendment 39-17156; AD 2012-16-09] (RIN: 2120-AA64) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7577. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2012-0185; Directorate Identifier 2011-NM-001-AD; Amendment 39-17143; AD 2012-15-14] (RIN: 2120-AA64) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7578. A letter from the Secretary, Department of Health and Human Services, transmitting the Medicare Competitive Acquisition Ombudsman 2010 Report to Congress for 2010; jointly to the Committees on Energy and Commerce and Ways and Means.

7579. A letter from the General Counsel, Office of Compliance, transmitting the Office's biennial report entitled "Americans With Disabilities Act Inspections Relating to Public Services and Accommodations" for the 111th Congress; jointly to the Committees on House Administration and Education and the Workforce.

7580. A letter from the Acting Assistant Attorney General, Department of Justice, transmitting third quarterly report of FY 2012 on the Uniformed Services Employment and Reemployment Rights Act; jointly to the Committees on the Judiciary and Veterans' Affairs.

7581. A letter from the Secretary, Department of Energy, transmitting the Department's "2012 Annual Plan for the Ultra-Deep-water and Unconventional Natural Gas and Other Petroleum Resources Research and Development Program"; jointly to the Committees on Science, Space, and Technology and Natural Resources.

7582. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's report entitled, "Report to Congress on Improving Medicare for Beneficiaries" for 2011; jointly to the Committees on Ways and Means and Energy and Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ISSA: Committee on Oversight and Government Reform. H.R. 4631. A bill to require quarterly reports on agency conferences and meetings, and for other purposes; with an amendment (Rept. 112-664). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. POLIS:

H.R. 6370. A bill to provide for the conveyance of the Forest Service Lake Hill Administrative Site in Summit County, Colorado; to the Committee on Natural Resources.

By Mr. WALBERG:

H.R. 6371. A bill to amend title 40, United States Code, to transfer certain functions from the General Accountability Office to the Department of Labor relating to the processing of claims for the payment of workers who were not paid appropriate wages under certain provisions of such title; to the Committee on Education and the Workforce.

By Mr. COFFMAN of Colorado:

H.R. 6372. A bill to require the Department of Veterans Affairs to consider veterans before non-veterans with respect to employment in the competitive service at the Department, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GIBSON (for himself, Mr. REED, and Mr. OWENS):

H.R. 6373. A bill to amend the Immigration and Nationality Act to simplify the petitioning procedure for H-2A workers, to expand the scope of the H-2A program, and for other purposes; to the Committee on the Judiciary.

By Mr. GINGREY of Georgia (for himself, Mr. WESTMORELAND, Mr. DAVID SCOTT of Georgia, Mr. LEWIS of Georgia, Mr. JOHNSON of Georgia, and Mr. KINGSTON):

H.R. 6374. A bill to designate the facility of the Department of Veterans Affairs located at 180 Martin Drive in Carrollton, Georgia, as the "Trinka Davis Veterans Village"; to the Committee on Veterans' Affairs.

By Mr. MILLER of Florida:

H.R. 6375. A bill to authorize certain Department of Veterans Affairs major medical facility projects and leases, to amend title 38, United States Code, to extend certain authorities of the Secretary of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SARBANES:

H.R. 6376. A bill to amend the Elementary and Secondary Education Act of 1965 to authorize competitive grants to prepare and train school principals on effective core competencies and instructional leadership skills; to the Committee on Education and the Workforce.

By Mr. CAMP (for himself, Mr. KLINE, and Mr. JORDAN):

H.J. Res. 118. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Office of Family Assistance of the Administration for Children and Families of the Department of Health and Human Services relating to waiver and expenditure authority under section 1115 of the Social Security Act (42 U.S.C. 1315) with respect to the Temporary Assistance for Needy Families program; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. OLSON (for himself and Mr. TURNER of Ohio):

H. Res. 777. A resolution commemorating the 70th anniversary and commending the brave men of the 17th Bombardment Group (Medium) who became known as the "Doolittle Tokyo Raiders" for outstanding heroism, valor, skill, and service to the United States in conducting the bombing of Tokyo on April 18, 1942; to the Committee on Armed Services.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. POLIS:

H.R. 6370.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 (relating to the power of Congress to provide for the general welfare of the United States) and Clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress)

Article IV, Section 3, Clause 2, (relating to the power of Congress to dispose of and make all needful rules and regulations respecting territory or other property belonging to the United States).

By Mr. WALBERG:

H.R. 6371.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States

By Mr. COFFMAN of Colorado:

H.R. 6372.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 12, 13, and 14 of the United States Constitution reserves to Congress the power to raise and support Armies, to provide and maintain a Navy, and to make Rules for the Government and Regulation of the land and naval Forces.

By Mr. GIBSON:

H.R. 6373.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 and 4, of Section 8, of Article I.

By Mr. GINGREY of Georgia:

H.R. 6374.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2 of the Constitution

By Mr. MILLER of Florida:

H.R. 6375.

Congress has the power to enact this legislation pursuant to the following:

Clauses 12, 13, 14, and 18 of Section 8 of Article 1 of the United States Constitution.

By Mr. SARBANES:

H.R. 6376.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution.

By Mr. CAMP:

H.J. Res. 118.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, to "provide for the common Defence and general Welfare of the United States."

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 139: Mr. PASTOR of Arizona.

H.R. 498: Mr. HUIZENGA of Michigan.

H.R. 615: Mr. PITTS.

H.R. 687: Mr. OLSON and Mrs. CAPPS.

H.R. 733: Mr. STEARNS.

H.R. 860: Mr. SENSENBRENNER, Mr. DANIEL E. LUNGREN of California, and Mr. AL GREEN of Texas.

H.R. 905: Mr. ROSKAM.

H.R. 941: Mr. SMITH of New Jersey.

H.R. 953: Mr. MICHAUD.

H.R. 955: Mr. MICHAUD.

H.R. 957: Mr. MICHAUD.

H.R. 1206: Mr. CRENSHAW, Mr. RIVERA, Mr. KLINE, Mr. CRAVAACK, and Mr. BISHOP of New York.

H.R. 1381: Mr. MCGOVERN, Mr. ANDREWS, and Mr. LEWIS of Georgia.

H.R. 1404: Mrs. NAPOLITANO.

H.R. 1489: Ms. HAHN and Mr. CUMMINGS.

H.R. 1564: Mr. COHEN and Mr. RUPPERS-BERGER.

H.R. 1637: Mr. MCCAUL.

H.R. 1684: Mr. CICILLINE.

H.R. 1802: Mr. ALTMIRE.

H.R. 1831: Ms. BONAMICI.

H.R. 1860: Mr. KISSELL.

H.R. 1936: Mr. WESTMORELAND and Mr. HARPER.

H.R. 2020: Mr. GRIJALVA and Mr. SMITH of New Jersey.

H.R. 2088: Mr. LARSON of Connecticut, Mr. BECERRA, Mr. LANGEVIN, Ms. ZOE LOFGREN of California, Mr. PETERS, Mr. WELCH, Mr. PALONE, Mr. CARNEY, Mr. MURPHY of Connecticut, Mr. HEINRICH, Mr. SIRES, Mr. LYNCH, Mr. TOWNS, Mrs. MCCARTHY of New York, Mr. RANGEL, and Mr. MICHAUD.

H.R. 2262: Mr. MICHAUD.

H.R. 2263: Mr. MICHAUD.

H.R. 2391: Mr. POLIS.

H.R. 2394: Mr. GRIJALVA.

H.R. 2505: Mr. SMITH of New Jersey.

H.R. 2639: Ms. JACKSON LEE of Texas and Mr. MILLER of North Carolina.

H.R. 2698: Mr. PETERSON.

H.R. 2746: Mr. BOSWELL, Mr. MCGOVERN, and Mr. PASTOR of Arizona.

H.R. 2787: Mr. RANGEL.

H.R. 2810: Mr. GRIFFIN of Arkansas.

H.R. 2866: Ms. SUTTON.

H.R. 2914: Ms. WILSON of Florida.

H.R. 2969: Mr. RENACCI and Ms. JACKSON LEE of Texas.

H.R. 3099: Mr. DIAZ-BALART.

H.R. 3207: Mr. MILLER of North Carolina.

H.R. 3238: Ms. LEE of California, Mr. TONKO, Ms. KAPTUR, Mr. RUSH, Mr. MCINTYRE and Ms. NORTON.

H.R. 3395: Mr. DESJARLAIS.

H.R. 3423: Mrs. MYRICK, Mrs. HARTZLER, Mr. RENACCI, Mr. REICHERT, Mrs. CAPITO, Mr. ALTMIRE, Mr. ANDREWS, Mr. LEWIS of Georgia, Mr. KELLY, and Mr. BILIRAKIS.

H.R. 3458: Mr. BRALEY of Iowa.

H.R. 3481: Mr. GOODLATTE and Mr. MARCHANT.

H.R. 3485: Ms. VELÁZQUEZ, Mr. REYES, Mr. JOHNSON of Georgia, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. RUSH, Mr. DEUTCH, Mr. DEFazio, Ms. LINDA T. SÁNCHEZ of California, Mr. LARSON of Connecticut, Mr. BECERRA, Mrs. LOWEY, Mr. PETERS, Mr. KIND, Mr. CARNEY, Mr. PALLONE, Mr. WALZ of Minnesota, Mr. SIRES, and Mrs. MCCARTHY of New York.

H.R. 3506: Mr. OWENS and Mr. MILLER of Florida.

H.R. 3586: Mr. SMITH of New Jersey.

H.R. 3594: Mr. GOODLATTE, Mr. GRIFFIN of Arkansas, and Mr. FINCHER.

H.R. 3595: Ms. WASSERMAN SCHULTZ.

H.R. 3612: Mr. DENT, Ms. EDWARDS, and Mr. THOMPSON of Mississippi.

H.R. 3643: Mr. KIND.

H.R. 4122: Mr. HONDA, Mr. HOLT, Ms. NORTON, Mr. SCHIFF, and Ms. WOOLSEY.

H.R. 4124: Mr. FARENTHOLD.

H.R. 4168: Mr. STARK.

H.R. 4169: Ms. TSONGAS.

H.R. 4202: Mr. WATT, Ms. SLAUGHTER, and Mr. HONDA.

H.R. 4215: Mr. AMODEI.

H.R. 4229: Mr. OLSON.

H.R. 4269: Mr. HUIZENGA of Michigan and Mr. OLSON.

H.R. 4309: Mr. WOLF.

H.R. 4336: Mr. PITTS, Mr. PETRI, Mr. DENT, and Mr. AMODEI.

H.R. 4405: Ms. EDWARDS.

H.R. 4847: Mr. CUELLAR.

H.R. 4972: Mr. YARMUTH and Mr. BACA.

H.R. 5381: Mr. PEARCE.

H.R. 5542: Mr. SCHRADER.

H.R. 5749: Ms. ESHOO.

H.R. 5787: Ms. LEE of California and Mr. CONYERS.

H.R. 5840: Mr. THOMPSON of California, Mr. BISHOP of Georgia, Mr. MCGOVERN, and Mr. JOHNSON of Georgia.

H.R. 5846: Mr. CRAVAACK, Mr. BENISHEK, and Mr. KISSELL.

H.R. 5850: Mr. YOUNG of Alaska.

H.R. 5870: Ms. ZOE LOFGREN of California.

H.R. 5893: Mr. SMITH of Washington.

H.R. 5911: Mr. GRIFFIN of Arkansas and Mr. ROKITA.

H.R. 5953: Mr. BUCHANAN.

H.R. 5969: Mr. HARPER.

H.R. 5970: Mr. HARPER.

H.R. 5977: Mr. RIBBLE and Mr. TIBERI.

H.R. 5993: Mr. MICHAUD.

H.R. 6043: Mr. SMITH of New Jersey.

H.R. 6086: Mr. LÚJAN.

H.R. 6101: Mr. KUCINICH, Ms. RICHARDSON, and Mr. POLIS.

H.R. 6107: Mr. MICHAUD, Mr. COOPER, and Ms. BROWN of Florida.

H.R. 6118: Mr. WALZ of Minnesota, Mr. DUFFY, and Mr. RIBBLE.

H.R. 6136: Mr. FORTENBERRY.

H.R. 6149: Mr. HIGGINS.

H.R. 6172: Mr. OLSON.

H.R. 6173: Mr. CHABOT and Mr. GIBBS.

H.R. 6174: Mr. GRAVES of Missouri, Mr. KINGSTON, Mrs. MYRICK, Mr. MICHAUD, Mr. MILLER of Florida, Mr. ROKITA, Mr. WOMACK, and Mr. MULVANEY.

H.R. 6188: Mrs. CAPPS.

H.R. 6211: Mr. WALZ of Minnesota, Mr. DOYLE, Mr. SIRES, and Mr. DOGGETT.

H.R. 6232: Mr. RYAN of Ohio.

H.R. 6251: Ms. HANABUSA.

H.R. 6283: Mr. THORNBERRY and Mrs. MCMORRIS RODGERS.

H.R. 6310: Ms. WOOLSEY and Mr. POLIS.

H.R. 6313: Mr. SHERMAN.

H.R. 6342: Mr. BURTON of Indiana.

H.R. 6348: Mr. RIBBLE.

H.R. 6352: Mr. LATHAM and Mr. MCGOVERN.

H.R. 6365: Mr. WILSON of South Carolina and Ms. GRANGER.

H.J. Res. 47: Mr. RYAN of Ohio, Ms. KAPTUR, Mr. DINGELL, Mr. LEVIN, and Mr. HEINRICH.

H.J. Res. 88: Ms. WILSON of Florida.

H. Con. Res. 116: Mrs. MCCARTHY of New York and Mr. NUGENT.

H. Con. Res. 129: Mr. LEWIS of California.

H. Res. 319: Ms. BONAMICI.

H. Res. 367: Mr. BILIRAKIS.

H. Res. 484: Ms. EDWARDS.

H. Res. 652: Ms. NORTON.

H. Res. 662: Mr. ROSS of Florida.

H. Res. 689: Mr. DONNELLY of Indiana.

H. Res. 734: Mr. CARSON of Indiana, Mr. OLVER, Mr. ANDREWS, and Mr. JOHNSON of Georgia.

H. Res. 760: Mr. NADLER, Mr. BUTTERFIELD, Mr. DOGGETT, Ms. WATERS, Mr. FATTAH, Mr. BACA, Mr. RANGEL, Mr. MORAN, Ms. NORTON, Ms. KAPTUR, Mr. LEVIN, Mr. CONYERS, Mr.

DINGELL, Ms. CLARKE of New York, Ms. PINGREE of Maine, Mr. FARR, Mr. WAXMAN, Ms. LEE of California, Mr. GRIJALVA, Mr. CLARKE of Michigan, Ms. EDWARDS, Mr. RYAN of Ohio, Mr. DOYLE, Mr. CARSON of Indiana, Mr. GENE GREEN of Texas, Ms. JACKSON LEE of Texas, Mr. TONKO, Mr. BRADY of Pennsylvania, Mr. CICILLINE, Mr. FILNER, Mr. LEWIS of Georgia, Mr. HINOJOSA, Ms. BONAMICI, Mrs. MCCARTHY of New York, Mr. OLVER, Mr. HASTINGS of Florida, Mr. LANGEVIN, Mr. TIERNEY, Ms. MCCOLLUM, Mr. HOLT, Mr. AL GREEN of Texas, Ms. RICHARDSON, Mr. DAVIS of Illinois, Mr. NEAL, Ms. ROYBAL-ALLARD,

Ms. SCHAKOWSKY, Ms. WILSON of Florida, Mr. CUELLAR, Mr. GUTIERREZ, Mr. RUSH, Mr. MCDERMOTT, Mr. PALLONE, Mr. MARKEY, Mr. MEEKS, Ms. SEWELL, Mr. CAPUANO, Mr. SERRANO, Ms. MATSUI, Ms. SCHWARTZ, Ms. WOOLSEY, Mr. WELCH, and Mr. DEFAZIO.

H. Res. 763: Mr. SENSENBRENNER.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks,

limited tax benefits, or limited tariff benefits were submitted as follows:

OFFERED BY MR. RYAN OF WISCONSIN

The provisions that warranted a referral to the Committee on the Budget in H.R. 6365, The National Security and Job Protection Act of 2012, do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

SENATE—Tuesday, September 11, 2012

The Senate met at 10 a.m. and was called to order by the Honorable RICHARD BLUMENTHAL, a Senator from the State of Connecticut.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, the source of our being, on this 11th anniversary of September 11, we pause to remember how You sustained us even through life's tragedies. Recalling the deaths and the injuries, the heroism, and the patriotism, it is easy for us to be thankful for Your presence and power. Continue to guide this land we love on the labyrinthine path to greatness, protecting it from dangers seen and unseen, as You heal its doubts and divisions. Use our Senators for Your glory as our Nation seeks to truly be the land of the free and the home of the brave.

We pray in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable RICHARD BLUMENTHAL led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUE).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, September 11, 2012.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable RICHARD BLUMENTHAL, a Senator from the State of Connecticut, to perform the duties of the Chair.

DANIEL K. INOUE,
President pro tempore.

Mr. BLUMENTHAL thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

VETERANS JOBS CORPS ACT OF 2012—MOTION TO PROCEED

Mr. REID. I move to proceed to Calendar No. 476, S. 3457.

The ACTING PRESIDENT pro tempore. The clerk will report the motion.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 476, S. 3457, a bill to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes.

SCHEDULE

Mr. REID. Mr. President, the first hour will be equally divided between the two leaders or their designees. The majority will control the first half and the Republicans will control the final half. At 11 a.m. there will be a moment of silence in observance of the 11th anniversary of the attacks on September 11, 2001. The Senate will recess from 12:30 p.m. until 2:15 p.m. for the weekly caucus meetings. At 2:15 p.m. there will be a cloture vote on the motion to proceed to S. 3457, the Veterans Jobs Corps Act.

MEASURES PLACED ON THE CALENDAR—H.R. 8, S. 3522, S. 3525

Mr. President, I am told there are three bills at the desk due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will read the titles of the bills for a second time.

A bill (H.R. 8) to extend certain tax relief provisions enacted in 2001 and 2003, and to provide for expedited consideration of a bill providing for comprehensive tax reform, and for other purposes.

A bill (S. 3522) to provide for the expansion of affordable refinancing of mortgages held by the Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation.

A bill (S. 3525) to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes.

Mr. REID. Mr. President, I object to all three bills that were read for the second time.

The ACTING PRESIDENT pro tempore. The objection having been heard, the bills will be placed on the calendar.

COMMEMORATING SEPTEMBER 11

Mr. REID. Mr. President, just a short way from this Chamber, in S-209, we have been meeting for many years as a Senate Democratic leadership to discuss the issues of the week. We just finished a meeting there, and part of the discussion today in that meeting was what happened 11 years ago at the exact same time we were meeting there. I can remember that so clearly. I will never, ever forget that. It is implanted in my mind so clearly. I was the first one to get to that meeting, and Senator Breaux from Louisiana came in and said: There is something

going on in New York. Let's turn on the TV. And we did. Senators started coming in. It appeared an airplane hit one of the towers, and we were wondering why it would have done that. Something was obviously wrong.

Senator Daschle was the leader at the time. He started the meeting, and the TV was off. The meeting was just getting started, and someone came in to take Senator Daschle out of that meeting. He came back very quickly and said: There is a plane headed for the Capitol, and we all have to evacuate the Capitol—everybody. The alarm went out and people were rushing down these halls leaving. I can remember leaving that room over here and looking out the window and seeing the smoke billowing from what we learned is now the Pentagon. It was on fire; a plane had hit it. There was still one plane in the air, and that was headed for the Capitol. As I have indicated, even though that was 11 years ago, I remember the sight as if it were yesterday. We have many meetings in that room, and I often think of what transpired that morning as I looked out toward the Pentagon.

Over the last decade, our country has begun to heal from the wounds of that terrible, terrible attack. It was attacks by terrorists. The scars remain. The scars are deeper with some than others, but no matter how many years pass, we will never forget the thousands of innocent people who died in New York, Pennsylvania, and across the river here in Virginia. There were mothers and fathers, sons and daughters, brothers and sisters, spouses and friends. All they were doing was their jobs, and others were just catching a plane to go visit loved ones or on a business trip. It is good that we pause each year to pay tribute and to remember, and that will occur here on the Senate floor, as I previously announced. There will also be a ceremony out in front of the Capitol.

The memories of that dark day in our shared history are painful, but they give me hope as well. They give me hope because on September 11 and during the difficult months that followed, Americans showed the world that our unified Nation can fight back against darkness and fear. Democrats were not alone in fighting back. Republicans were not alone in fighting back. We were all fighting back together in the face of great evil, and that is what it was. There were so many who rushed forward to show great courage, enormous dignity, and kindness.

Today we pause to remember the firefighters who rushed into the World Trade Center knowing they might

never come out, and a lot of them didn't come out. We pause to remember the police officers and rescue workers who hurried to the scene, combed through the debris, and shepherded New Yorkers to safety. Some of them gave their lives that day. We pause to remember the bravery of the members of our Nation's Armed Forces, our intelligence community, and Foreign Service, as well as the sacrifices of their families. They have borne the burdens of war for more than a decade. They have given their blood, sweat, and too often their lives in the effort to crush al-Qaida, bring Osama bin Laden to justice, and keep America safe. We pause to remember the unbreakable spirit of those valiant people and certainly the United States of America.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

9/11 REMEMBRANCE

Mr. McCONNELL. Mr. President, in the course of a lifetime, one always remembers those moments of national grief and anxiety. They don't happen very often. From my parents' generation, it was: Where were you when you heard about the Japanese attack on Pearl Harbor? When I was a young man and my friend the majority leader was a young man, it was: Where were you when you heard about the assassination of President Kennedy? For the current generation, it was, of course: Where were you when you heard about 9/11?

As the majority leader has indicated, it was for us here at the Capitol kind of close up and personal, if you will. I recall being late that morning, and as a result of not yet having gotten to work, I saw, as millions of Americans did, the second plane go into the second building in real time. As the majority leader has indicated, the building was subsequently evacuated. People scattered around town, and at the end of this horrendous and frightening day, we all gathered on the steps of the Capitol to sing "God Bless America." It was one of the most uplifting and unifying moments in the history of our country. I think it is safe to say that we are, as a nation, even though we have our political differences, together and stronger in the wake of what happened.

In what is now a time-honored tradition, later this morning we will gather on the Capitol steps to mark a solemn anniversary of the 9/11 attacks. It is fitting that we remember the thousands of innocent men and women who died that morning 11 years ago and that despite our political differences, we remember the unity and resolve we all felt that day. In the days and weeks that followed the horrific attacks on our homeland, we were united by a common grief and outrage. Some wondered what the future would bring, but

11 years later I think I can say that America is stronger than it was on 9/11.

Today we honor the sacrifice of those who died that day and the millions who have stepped forward to defend the Nation in the Armed Forces and intelligence services in the years since, especially those who have given their lives in that service. On 9/11 we showed the world that America does not shrink from a challenge, and every day since courageous men and women have humbled us through their courage and sacrifice on our behalf. Today is the day to show them our deep gratitude and to renew our commitment to live lives worthy of their sacrifice.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

ORDER OF BUSINESS

Under the previous order, the next hour will be equally divided and controlled between the two leaders or their designees, with the majority controlling the first half.

The Senator from Illinois.

REMEMBERING 9/11

Mr. DURBIN. Mr. President, it is difficult to come to the floor of the Senate on this anniversary of 9/11 and not reflect on your own experience. I was in the same room as the majority leader, HARRY REID, just a few steps from the Senate Chamber when we witnessed the second plane on television crashing into the World Trade Center and realized it was no accident, and then the black smoke billowing over the Mall from the Pentagon suggested we were under attack.

As we evacuated this building and rushed outside, standing, the crowd around, not knowing which way to turn, was looking for a safe place to go. No one knew. Some tourists came up to me and said: We are new here. Where are we supposed to go next? There was no place to tell them to go. We knew Union Station was nearby and the Metro station not far away, but there was no other place to turn.

I might add parenthetically that the decision was made shortly thereafter to build the Visitor Center. It took us years to do it. It is an underground facility which is safe and I am glad we have it. It has been used every single day and is an important addition to the Capitol.

President George W. Bush faced that extraordinary challenge as Commander in Chief and President of the United States to deal with 9/11. There were some aspects of his response which I may have disagreed with, but I certainly commend him still for his leadership in that anxious moment after the tragedy of 9/11. I especially wish to thank him and commend him for reminding us time and time again when he was President that our enemies are not the people of the Islamic religion

nor those of the Sikh religion; our enemies are those who corrupt religion in the name of terrorism.

Many people of the Muslim faith in America—good, patriotic Americans—face discrimination simply because those who were perpetrators of 9/11 claim to have shared that religion. It is a good day to be reminded of the thoughtful leadership of George W. Bush in telling us our enemy is not Islam; our enemies are those who corrupt the religion in the name of terrorism.

I also received a note over August from two friends of mine who live in New Bern, NC, Ed and Beth Edmundson. I met them several years ago in Chicago when their son Eric, who is a veteran of the U.S. Army and served in Iraq, was hospitalized in that city. What a story. Eric Edmundson had been serving our country and was injured. During the course of his injuries and subsequent treatment, he became quadriplegic. After months and months of effort, the Veterans' Administration basically told his family there was no place to turn. They said to his father: You are going to have to buy him a wheelchair and find a place for him in a nursing home facility. Eric was a young man, obviously, and married with a little baby at home. His dad and mom showed the kind of courage and love which touches our hearts.

Ed Edmundson said: My son, in his twenties, is not going into a nursing home. I will not let it happen. I am going to find a place that will treat him.

He ended up finding on his own the Rehabilitation Institute of Chicago, which is one of the best hospitals in the world. Eric was a patient there, going through rehabilitation from his injuries he suffered in Iraq. That is when I met his parents. They invited me to come see him. I did, and I promised I would return. I did a few weeks later just to visit, and they said: Eric has a gift for you. Eric, who would smile but didn't speak, was sitting in his wheelchair. His father and mother came over to his side, each grabbed an elbow, stood him up, and Eric took three steps. It was an amazing, emotional moment without a dry eye in that hospital room. They put him back in his wheelchair and his dad said: My son is going to walk out of this hospital in his full dress uniform. He said: Can you make it? We would like to have you there. I said: I wouldn't miss it. Many of us were there. The mayor of the city of Chicago, many elected officials, and all the news cameras were there to watch this heroic young man walk out of the Rehab Institute of Chicago—just a few steps—but in his full dress uniform with a smile on his face. He went home to New Bern, NC. His father literally left his business, the father and mother moved in with Eric, his wife, and baby and tried to make a

life for him. The wonderful organizations and people in that community built a home that was wheelchair accessible for the whole family. I went to visit him there in North Carolina. They were taking Eric hunting. He was involved in many things in rehabilitation. They sent a card, a family card with pictures of all of them, and it is a joy to see it.

One of the last things Eric's father asked me to do was to look at a piece of legislation Hillary Clinton introduced but was not passed. It was called the Caregivers Act. The Caregivers Act said if a disabled veteran comes home and has the loving care of a member of the family and can stay home, we should try to help that member of the family by providing them with the training they need to take care of their disabled vet at home, give them a respite with visiting nurses or people from the VA so they can have some time to themselves, and if there is an economic hardship on the family, give them a monthly stipend so they can continue in their home.

I called Senator Clinton and asked her if I could take up the bill now that she was off to the State Department. She said: Please do. I did. Thanks to the great support of Senator DANNY AKAKA and Senator PAT MURRAY, we passed it. The Caregivers Act is now helping literally hundreds of family caregivers across the United States care for their disabled veteran at home. It is helping the Edmundson family and other families I have met in Illinois.

I tell that story because when we talk of the real cost of 9/11, it is not only the massive tragedy of the lives that were lost on that day and the families affected by those lives and those wonderful first responders who risked and gave their lives, but it is also the lives of the men and women in uniform who served us well, many of whom are carrying the scars of war for the rest of their lives—a lifetime—who still will always need our commitment and further devotion to make sure they are taken care of. The Edmundson family in North Carolina comes to mind immediately and so many others just like them as a reminder of what we need to do, the obligations we have as a government to the people who have served us so well in the military.

We have a bill that is coming up and I hope we can, in that same spirit, consider it on a bipartisan basis and pass it. It is an effort to give returning veterans a better chance to get a job. It is a disappointment—more than that, it is a disgrace—that many of these veterans come home and find themselves unemployed and sometimes even homeless. This Veterans Job Corps Act, which is coming before the Senate this afternoon, should pass with an overwhelming vote. This bill is fully paid for, and it is a bill Senator MURRAY has brought to the floor along with the

leadership of Senator BILL NELSON of Florida, who has been especially dedicated to this proposal.

President Obama first mentioned it in his State of the Union Address. It includes several veterans employment initiatives such as the improved one-stop shop centers for job searching and smoother State certification and licensing. It authorizes \$1 billion for the Veterans Job Corps over 5 years and \$900 million to employ 20,000 veterans in conservation resource management, historic preservation projects and public lands, and \$100 million for COPS and SAFER grants to hire veterans to serve in capacities as police and firemen. Iraq and Afghanistan veterans are given preference for all these positions.

The bill creates a pilot program to improve veteran job searches by providing veterans with access to the Internet and computers to assist them. It also provides military transition assistance programs to eligible veterans and their spouses at sites outside military installations to make it easier to find a job. Rather than the current uneven State-by-State approach, the bill requires all States, as a condition for receiving veteran employment and training funding, to consider military training and experience when granting State certifications and licensing.

How many times have we heard about this? I sure have. Someone who served in the military, driven vehicles, been involved in some technical capacity, and then they come out and have to start from scratch, all over again, in each of our States to qualify for certification for a good-paying job. Let's take into account that they have been trained by the best military in the world and give them credit for the experience and training they have in the military and this bill does that.

Also, the VA will ensure each State receives funding for at least one disabled veterans outreach program specialist and one local veterans unemployment representative for every 5,000 square miles. That is not too much. It is too little, frankly, but it is an important start.

This bill is paid for and it is a good bill. I hope we can pass it this afternoon in the spirit of 9/11, remembering, sadly, the victims who lost their lives that day and the first responders who gave everything they could give to try to save them; but also remembering those men and women, many of whom were inspired by 9/11 to enlist in our military, to risk their lives—and many gave their lives—over 6,500 to date. It is a reminder that we have an ongoing moral obligation to stand behind those veterans.

I might also add there is a lot of talk about the deficit and cutting spending, and I know that has to happen. I was on the Simpson-Bowles Commission and I understood that if we are going to bring our deficit under control, we

have to cut spending, look to real entitlement reform, and raise revenue. If we don't do all three, then, frankly, we will not achieve our goal.

We have seen a budget proposed by the House Republican budget leader, Congressman PAUL RYAN of Wisconsin, the Republican nominee for Vice President, which, unfortunately, does not reach that goal because he preserves tax cuts for the highest income people in this country instead of asking for some sacrifice, some effort that they pay their fair share. He extends spending in the Department of Defense at beyond wartime levels, despite the fact that President Obama has successfully brought the war in Iraq to a close and is doing the same in Afghanistan. We can't do those two things and reach real deficit reduction in a meaningful way and in a timely way. Unfortunately, Congressman RYAN's budget does not pass the basic test of arithmetic.

When we consider important spending such as this veterans job corps bill, I hope we find ways to pay for them to offset, and that when we talk about deficit reduction, we never do it at the expense of our veterans and we never do it at the expense of our national security. I hope we do it honestly, acknowledging the fact that when it comes to the Pentagon, there are areas where we can save money and not compromise our security in any way whatsoever.

I thank the Presiding Officer for presiding at this historic moment. I will mention that at 11 o'clock the House and Senate Democrats and Republicans will gather on the east front for the commemoration of the 9/11 anniversary. We will be in session on the floor. I will be here asking for a moment of silence as they will at the same time outside.

It is a somber day in Washington as we recall this great national tragedy, but it is a day of great hope because we saw how America responded on a bipartisan basis and the great people who stepped forward and showed such extraordinary acts of courage since that day.

I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

WIND PRODUCTION TAX CREDIT

Mr. UDALL of Colorado. Mr. President, I return to the Senate floor to pick up where I left off when Congress adjourned 1 month ago and that is to continue with my daily efforts to urge this Congress, our Congress, the House

and the Senate, to extend the wind production tax credit. I rise before the Senate to discuss an industry that has created tens of thousands of good-paying jobs for American workers and has contributed billions of dollars—literally billions of dollars—to our economy.

I think the Presiding Officer knows this, and all our colleagues should know this: This is an industry that will be in grave trouble if we in the Congress don't act soon—I actually mean immediately—to extend the wind production tax credit.

We return this week to Congress in the wake of really sobering news about recent layoffs of American workers in our wind industry, largely due to our congressional inaction on the wind production tax credit.

I want to be very clear: The wind industry has already begun firing American workers because we have failed to extend the wind production tax credit. It is that simple. You ask: Why? Well, the PTC has been a driver of the wind industry's enormous expansion in the United States, as well as the growing investment in American workers that we have seen in the last several years. This critical tax credit expires at the end of the year, and if we do not vote to extend it, manufacturing facilities may shut down, thousands more Americans will lose their jobs, and the negative economic ripple effect—this is not a positive ripple effect; this is a negative ripple effect—will be felt in communities all across our Nation.

Now, let me be clear in a further way. It has already happened; this is not conjecture. In my home State of Colorado, workers who had good-paying jobs in the wind industry just a month ago when I stood here no longer do. That is right. Over 100 Coloradans were let go of their jobs in the Colorado wind industry just in the last month. There are more job losses projected to follow. That is sobering to all of us.

On a more upbeat note, I come to the floor to talk about the production tax credit, and each time I have come to the floor I focus on a particular State because there is good news all across our country when it comes to wind energy. Today I want to focus on Vermont where the wind industry has grown faster than in many larger States. As a matter of fact, Vermont has the second highest rate of new wind installations of any State in 2011, growing over 650 percent. That is right, 650 percent growth in Vermont.

Vermont has numerous installed wind projects and wind manufacturing sites throughout the State that currently power over 11,000 homes and enough wind power potential to provide 160 percent of the State's current electricity needs.

One of America's leading wind energy production companies is NRG Systems,

which is based in Chittenden County, which is up in the northwestern corner of Vermont. For 30 years, NRG Systems has been a fixture in Vermont's energy and technology industry, and it serves the wind industry in particular by providing developers, utilities, and turbine manufacturers with the tools they need to measure the wind. But with the looming end of the PTC, NRG's future growth in Vermont is uncertain.

This is very clear because for the first time in their history, NRG has had to lay off workers in Vermont, not once but twice this year. Their very capable CEO, Jan Blittersdorf, described these firings as "deeply unfortunate, though necessary . . . to preserve our future in the face of a deeply unstable wind-energy industry."

NRG's orders are off 50 percent from just a few years ago because of our inaction. The uncertainty about wind energy's future has encouraged them to look overseas for new opportunities, which then means we hasten the departure of good-paying jobs for skilled American workers who already are ready to go.

So the point I am trying to make—and I see my colleague from Vermont has joined me; I look forward to hearing his remarks—the wind industry needs certainty. NRG is an example of a company that needs certainty. We can lead the world in sustainable, smart energy, but we have to extend the PTC to stay on track.

As I have said for all these weeks I have been coming to the floor, this is not just about my home State of Colorado. I love my State of Colorado. I think we are the best State in the Union. But our country at large is threatened by the broad losses of jobs if we do not extend the production tax credit.

I am not going to stand by idly and observe the outsourcing of American jobs. I do not want to cede the leadership in the clean energy future to any of our foreign competitors. That is why I keep coming back day after day to urge my colleagues to work with me to pass the production tax credit.

It is pretty simple. The production tax credit equals jobs. We ought to pass it as soon as possible. It is common sense. We have support from both sides of the aisle.

I mentioned my great friend, Senator SANDERS. He has joined me. I also want to mention the esteemed chairman of the Judiciary Committee, the senior Senator from Vermont, Senator SANDERS' colleague, was unable to join us this morning, but he is a strong supporter of the PTC, and he will be making a statement as well.

So let me close by urging all of us, as soon as possible, to extend the wind production tax credit. Let's not let party affiliation or partisan politics interfere with what is right. Without

the wind PTC, more Americans will be out of work, and we will have further neglected our duty to pass common-sense policies that help American workers build a better future for themselves and their families. Every day we do not act is a day that more companies like NRG Systems in Vermont are forced to lay off workers in our country. These companies are then looking overseas for better opportunities. That is just flat-out unacceptable.

Mr. President, I conclude. I want my colleagues to know I will be back on the floor tomorrow to talk further about this opportunity but also this threat. I will be back to talk about jobs, our economy, the need for America to lead in the clean energy space, and the need for Congress to take action today.

I thank the ACTING PRESIDENT pro tempore for his attention.

Again, I want to acknowledge the great leadership of my friend from Vermont. I look forward to hearing his remarks on this important production tax credit.

With that, I yield the floor.

The ACTING PRESIDENT pro tempore, The Senator from Vermont.

Mr. SANDERS. Mr. President, let me begin by thanking Senator MARK UDALL for his continued focus on ensuring that Congress extends the production tax credit. Senator UDALL has been down on the Senate floor time after time after time on this important issue, and we all owe him a deep debt of gratitude. I thank the Senator very much.

I also want to thank him for his very kind words about the NRG company. We hope when the Senator visits us in Vermont, he will see it. They are a cutting-edge company. They are an extraordinary company, and we are very proud of the work they have done and are doing, and we are cognizant of the problems they are facing today, the layoffs they have had to experience because Congress has not passed the production tax credit.

Mr. President, as you know, this important incentive, the production tax credit, moves us forward in a direction that we must go in terms of producing safe, sustainable energy by providing a 2.2-cent-per-kilowatt-hour incentive for wind energy produced.

Let's be very clear—and I think a lot of people, perhaps, in Congress and certainly all over the country do not fully grasp this. I think some people still think wind is some kind of cute fringe technology which is not very significant in the United States of America. So let's be very clear: Wind accounts for 35 percent of all new electric-generating capacity installed in our country over the last 5 years, more new electricity capacity during that time than nuclear and coal combined. Let me repeat that. Wind accounts for 35 percent of all new electric-generating capacity

installed in our country over the last 5 years. This is not some untested fringe technology; it is mainstream.

Wind today is producing electricity at very competitive rates. According to the Department of Energy, wind is producing electricity from between 4 to 7 cents per kilowatt hour. That happens to be far cheaper than electricity produced by new nuclear plants. Today the United States has over 48,000 megawatts of wind, and Texas alone has over 10,000 megawatts. Iowa and South Dakota have achieved the milestone of getting 20 percent or more of their electricity from wind. Once again, this is not a fringe technology. This is a technology that is growing and is cost effective.

In my State of Vermont, we are home to leading wind companies such as Northern Power in Barre and NRG Systems in Hinesburg. These companies sell wind energy products globally and create good-paying jobs in the State of Vermont. The wind industry supports over 470 manufacturing plants nationally and some 78,000 jobs from one end of our country to the other.

If Congress fails to act on the wind tax credit, we could see a hemorrhaging of some 37,000 wind energy jobs in the next year. We have already seen wind job losses in Vermont due in part to the uncertainty. If one opposes the production tax credit, this is what they are saying to construction workers who want to build wind farms next year: Sorry; you are out of work. In the middle of this severe recession, we should not be saying that.

Those opposing the wind credit say Congress should "not pick winners and losers." Unfortunately, for many decades, for better or for worse, Congress has picked winners and losers. That is just the simple reality. One big winner is the fossil fuel industry, which is set to receive over \$113 billion in subsidies over the next 10 years. So when folks come to the floor and say: We do not want to pick winners and losers, we do not want to give tax breaks and tax credits for wind or solar, the truth is that in a 10-year period, the fossil fuel industry will receive over \$113 billion in subsidies.

These subsidies include rather incredible loopholes, such as allowing BP to take a tax writeoff for the cost of cleaning up their disastrous oilspill in the gulf. Many of these tax subsidies for Big Oil and coal corporations never phase out and never expire.

Another big winner in terms of support from the Federal Government is the nuclear power industry. They get tens of billions of dollars in Federal research and development. They get risky multibillion-dollar Federal loan guarantees for new plants, and they get the Federal Price-Anderson liability insurance program, which has been conveniently extended for over a half a century.

I raise these points to suggest that what we are asking for is fairly modest compared to what the fossil fuel industry and the nuclear power industry receive. It is absurd that Congress continues huge subsidies for the fossil fuel industry, for the nuclear power industry, and yet is resisting providing support for safe and sustainable energy such as wind.

If we are serious about job creation and putting construction workers back to work, if we are serious about reversing global warming and cutting back on greenhouse gas emissions, we must be investing in the growing sustainable energy sector. At a modest cost compared to the huge subsidies for fossil fuels and nuclear, an extension of the production tax credit can provide wind energy companies the certainty they need to invest in job creation in America.

I wish to congratulate Senator UDALL for his excellent work and his leadership on this issue. I look forward to working with him and all of my colleagues so that we extend the production tax credit and create a more level playing field for sustainable energy.

With that, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Indiana.

CYBER SECURITY

Mr. COATS. Mr. President, 11 years ago this morning, September 11, 2001, nearly 3,000 of our citizens lost their lives in a senseless act of terrorism that would change the course of America forever. That fateful Tuesday morning changed the way we think about life in America. It changed the way we travel. It changed the way we govern. It changed all of our lives, with some, of course, sacrificing much more than others.

From the first responders who ran into the crumbling buildings and wreckage 11 years ago today to the Navy Seals who brought bin Laden to justice, to the thousands of men and women in uniform who continue to defend our freedom, countless Americans and their loved ones have served and sacrificed in the fight against terrorism for now more than a decade.

The tragic events of September 11 have also resulted in a more vigilant Nation and a more prepared and proactive defense and security operation for the American people. The attack highlighted several vulnerabilities across State and Federal Government that had been ignored for too long, and many of those have been addressed and remedied.

In the aftermath of this tragedy, Congress put aside political partisanship and worked together with the administration and its departments to strengthen our national security and intelligence efforts. Yet today we face another major potential attack on our country different from those we faced before, but just as dangerous and threatening.

It is not a hijacked plane or a bomb, although that remains a significant threat, but it is rather a cyber attack, an attack using the interconnected Internet that governs some of our most critical infrastructure. This type of an attack comes across the wire or through the air targeting a system and taking it down, which would have a dramatic impact on our country.

As a member of the Senate Intelligence Committee, I know that the threat of a cyber attack is real and far reaching. A major attack on our cyber systems could shut down our critical infrastructure, our financial systems, our communications systems, our electric grids, powerplants, water treatment centers, transportation systems, refineries, and other interconnected critical infrastructure that allows us to run our economy and protect the safety of Americans.

Every day American businesses are victims of cyber intrusions. The threat and sophistication of these attacks is growing as we speak. Earlier this year FBI Director Robert Mueller warned that, in the near future, "the cyber threat will pose the number one threat to our country."

The reason I came here today, in addition to acknowledging the sacrifices of those that were made on September 11 and the sacrifices that have been made by tens of thousands if not millions of Americans since then and the kind of effort that has been put in place that will hopefully prevent us from such an attack in the future, is to address a failure on the part of this Congress and administration to respond to this most imminent and threatening attack through our cyber network.

The week before the August recess, particularly in an election year, will, of course, be filled with partisanship here in Washington. But we hit a low point this year in adjourning for the August recess as we rushed to vote to consider a cyber bill, which did not convey the wishes of any of us who had worked for weeks and months to try to put something together that could gain bipartisan support and consensus.

I voted to move forward with the bill, despite my concerns with the legislation, so we could keep it alive over the August recess and return here with this session reopening in September to address this threat. With precious few weeks left before the election and the precious few weeks left after the election and before the end of the year, I did not believe we could possibly leave here without putting the protections in place that are necessary to provide adequate defenses against a cyber attack on our critical infrastructure.

One-fifth of the Senate, both Republicans and Democrats, met every day for weeks to iron out our differences on this cyber security legislation. We recognized that our national security was

at stake. And despite some genuine disagreements, we all participated because we thought we could find—and had to find—common ground; not just common ground among the two political parties, but common ground between industry and government as well.

Industry plays a critical role in this effort. With the active participation of 20 Senators representing both parties and key committees of jurisdiction, we came close. Unfortunately, politics threw a wrench in our plans before a negotiated settlement was reached. I remain hopeful, though, and I plan to keep working with my colleagues to find the right balance between government and industry, standards and incentives, free markets and national security.

I was frustrated to discover that after sitting on the sidelines rather than working with Congress on this critical debate, the President had signaled his desire to regulate cyber security by executive fiat. No one can do this alone—not one party, not government, or industry, and certainly not by executive order, which on its best day cannot begin to provide the robust incentives and information sharing required to achieve sufficient collaboration.

Congress must act to add cyber to its to-do list. I recognize that Congress and this administration have a long list of remaining items to address before the end of the year: the Defense authorization bill, the looming so-called Taxmageddon, which includes the scheduled increase in the current income tax rates, the alternative minimum tax patch, the estate tax, the research and development tax credit, other tax extenders, the fix for physician Medicare reimbursement, the impact of the across-the-board cuts through sequestration, and another impending debt ceiling. All of this is before us with just a little bit of time left. But what needs to be near the top or at the top of this list is cyber security legislation that provides flexibility, preserves personal liberties, and protects our country from a widespread cyber attack. Let's learn from the lessons of September 11 and not wait for a major strike before we act.

Let's work together, Democrats and Republicans, Congress and the White House, government and the private sector, to make our country a safer, more prosperous place. I urge my colleagues to continue to work in a bipartisan manner to bring forward a responsible and balanced cyber security bill. The responsibility falls on all of us. We know this threat is ongoing and real. We know we need to act. And rather than acting alone, I call on the President to join with the Members of this Chamber and work together to do the right thing, to cast aside partisanship and put the security of our country above political security.

There is a lot of focus and emphasis on the election that lies before us. That is natural. But when we are facing a threat as imminent and as potential and as real as this, we must do everything we can to transcend the politics of the day, and to look at the policy that needs to be put in place to make our country safer and protect our citizens.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. MANCHIN.) The clerk will call the roll. The legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MOMENT OF SILENCE TO OBSERVE THE ELEVENTH ANNIVERSARY OF THE ATTACKS ON SEPTEMBER 11, 2001

The PRESIDING OFFICER. Under the previous order, the Senate will observe a moment of silence in recognition of the 11th anniversary of the attacks on September 11, 2001.

(Moment of silence.)

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, at this moment, the majority leader, Senator HARRY REID, and the Republican leader, Senator MITCH MCCONNELL, are gathered on the east front steps of the U.S. Capitol along with Members of the House of Representatives. It is a bipartisan gathering to commemorate the 11th anniversary of the terrible tragedy of 9/11.

On that date the gathering was more spontaneous but reflected a feeling of unity, which all of us felt in light of that national tragedy. Toward the end of that gathering 11 years ago, Senator BARBARA MIKULSKI suggested that Members sing "God Bless America," and they did. Today, during the course of this ceremony, there will be a moment of silence, prayer, as well as the singing of "God Bless America" to celebrate the great effort that has been made by so many to keep America safe and to mourn the loss of those who lost their lives on 9/11.

We remember today all of those who were lost and all those who suffered in the terrorist attacks on America. In their honor may we work to keep alive that sense of unity we felt on that day, and may we do our best to serve the loved ones they left and the Nation they loved.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HELLER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HELLER. I ask unanimous consent to speak as if in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HELLER. Mr. President, today we come together on the floor of the Senate to remember and honor the victims of September 11, 2001.

Only 11 short years ago on this day, enemies of freedom and equality attacked the United States and murdered thousands of innocent people. From this attack, our Nation grew stronger. United by our flag and our beliefs, America rose to defend the homeland and take the battle to our enemies. And it has not been easy. No, it has been a long 11 years of combat in Afghanistan and Iraq.

But our military and its leaders have brought the mastermind of the 9/11 attacks, Osama bin Laden, to justice. And for a decade, America has been safe from the next round of attacks that we all thought were imminent 11 years ago.

None of this could have been accomplished without the brave men and women of our Armed Forces.

On 9/11, the mission of our military changed overnight. Those already enlisted knew they would be heading for war, and many more joined our military knowing that they too would be headed for combat.

From the events of 9/11, the best of America was reborn. A new generation of Americans dedicated to service and preservation of freedom was called to action because of 9/11. These Americans were among the first on the ground in foreign countries. They toppled a dictator, liberated a nation of women and children from an oppressive regime, and brought to justice Osama bin Laden.

Today our overseas operations fighting the war on terror continue. But for many of these soldiers, their tour of duty is over and they are coming home. They are coming home to family and friends and those who love them, but also to a stagnant economy and record high unemployment.

Today, unemployment amongst post-9/11 veterans is 9.8 percent; 192,000 post-9/11 veterans are unemployed, and 443,000 9/11 veterans are not even participating in the labor force. The policy of this Nation to grow the economy is failing these brave men and women who have fought to protect our freedoms—including economic freedoms.

This week the Senate will take up a bill that will provide \$1 billion over 5 years to hire 20,000 veterans. I am proud to support this measure and hope we will have the opportunity to debate it and other job-creating measures before we return home at the end of this work period.

Since coming to the Senate, job creation has been my No. 1 priority. I will support taking up and debating any measure relating to this issue, especially those that affect veterans. That

is why I was proud to reach across bipartisan lines to work to pass the VOW to Hire Heroes Act, and know there is more work to be done. However, it is stunning that we are at this point.

After a \$1 trillion stimulus, bailout after bailout, a new government-run health care program that will raise taxes on all Americans, it is time to look our veterans in the eyes and ask: Is this working? Are this administration's policies working for thousands of unemployed Nevada veterans who have come back from their service to find their homes underwater and their jobs lost in this great recession?

It is not working. The bill we are taking up this week is an acknowledgment that the policies of the past 4 years have not worked. As a result of the failed policies of this administration, Nevada veterans cannot find a job.

Our veterans deserve better. They deserve a good-paying job. That is why I will support this measure that we will hopefully take up this afternoon. But I also know there is much more we can do to provide veterans the opportunities they deserve. In addition to supporting cloture on the motion to proceed to this bill, I will also be filing my Veterans Small Business Protection Act as an amendment. I introduced this legislation, along with Ranking Member BURR of the Veterans' Affairs Committee, to ensure that widows and dependents of servicemembers killed in action are not alone to run a small business while grieving over the loss of a loved one.

Congress has provided numerous benefits to our Nation's veterans who own a small business—sole-source contracting, low-interest loans, and other resources, in order to help these small businesses grow and to create jobs. My legislation closes a large gap in Federal law that does little for those who owned businesses before their activation and were killed in the line of duty. As a Member of Congress, we must honor our Nation's fallen as well as ensure that the loved ones they leave behind have the same economic opportunities as afforded to that veteran. It is a small token that we can provide to those who gave the ultimate sacrifice for liberty.

I hope we will have the opportunity to offer amendments this week as we debate the veterans job corps legislation and encourage my colleagues to support my veterans small business bill.

In closing, our Nation owes a debt of gratitude to our Nation's veterans, and Congress must fulfill the promises and commitments that have been made to all of them. This week the Senate will continue to work toward providing veterans with a good-paying job, and I support that goal. But if we are going to help small businesses create jobs for veterans and all Americans, we must

change the policies coming from Washington, DC, because it is not working.

I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER (Mr. TESTER). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. NELSON of Florida. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. NELSON of Florida. Mr. President, I want to go ahead on this Veterans Jobs Corps bill. I had anticipated I would be speaking after the chairman of the committee, Senator MURRAY, but I will take the liberty of going ahead, and then with her comments coming as the chairman of the committee, which normally it would be the reverse. And I thank Senator MURRAY for her leadership in all of these veterans issues, but particularly the issue of unemployment among veterans when they come home from the war. Especially among veterans who are age 24 and less, the unemployment figure is even higher.

It is appropriate on this particular day, September 11—11 years ago today—with the fact that those terrorists hijacked the four commercial airlines, causing the crashes at the World Trade Center, at the Pentagon, and in a field in Pennsylvania. What was happening also that morning was that police officers and firefighters and emergency personnel rushed to respond, and many lost their lives in attempts to save others.

The events of that morning mobilized American forces like we had not seen in years. One of the first mobilizations was our U.S. military. They were called to serve bravely in remote corners of the globe.

Eleven years later, the mastermind of 9/11, Osama bin Laden, was taken down, we now have an al-Qaida that is severely diminished, and we are bringing our troops home from that part of the world.

But for the troops, when they come home, the fight is not over. There is another fight when they get back home to America. It is a different type of battle.

The unemployment rate among veterans returning from Iraq and Afghanistan was just under 11 percent in August. It is higher for those who are younger. This problem is likely to continue to grow as we draw down in Afghanistan, as we have already drawn down in Iraq.

It is worth noting that there have been steps made in the right direction. This past summer we passed legislation that will help veterans get Federal occupational licenses when their military training matches the civilian requirements. That was a bill I had the privilege of sponsoring. It passed the Senate

unanimously. It was passed by the House overwhelmingly. It was sent down and it was signed into law. Last year we passed the bill granting tax benefits to companies that hire wounded warriors. But we have to do more.

So we filed this legislation that the chairman of the committee, Senator MURRAY, will further explain. This legislation is to create a Veterans Jobs Corps. It is modeled after the Civilian Conservation Corps of the 1930s. The Veterans Jobs Corps would put veterans back to work restoring and protecting America's public lands and waters. The bill would also create opportunities for veterans to serve as police and firefighters and first responders.

We have had some success on this with smaller scale projects, such as the Veterans Fire Corps pilot program at the U.S. Department of Agriculture, which trains veterans to fight forest fires. In fact, it has been so successful that folks who run these programs say they can hardly keep trainees in the program because they are picked up for full-time employment so fast. So we are expanding this idea from this pilot study that has been so successful. We are expanding it now in the Veterans Jobs Corps.

Ten percent of the money in this bill will go to hiring veterans with specialties, such as those with the specialty of military police going into civilian law enforcement and those with the specialty of medics to be firefighters and first responders.

Not only will this bill help protect our communities, but the Veterans Jobs Corps will help address the Federal maintenance backlog. The National Park Service has deferred maintenance totaling over \$11 billion. This backlog has been caused by the gradual shifting of funding to the operations budgets of the Park Service at the expense of everything else.

For example, at the Civil War battlefield in Fredericksburg, VA, a \$42 million backlog in maintenance is preventing the upkeep of that vital piece of American history.

I am happy to say that a number of organizations have stepped forward to support this bill. The American Legion, the Military Officers Association of America, the Iraq and Afghanistan Veterans of America, and the National Association of Police Organizations—all of them support this legislation.

One of the greatest honors I have in this job as Senator is getting out to meet and to greet current members of our military all over the globe and to thank the veterans back here at home for their service to our country.

When you meet some of these folks, both young and old, they have already done the tough, tough job, and then they come home and they have tough times as well. These folks are hard working, they are highly trained, highly disciplined, extremely skilled. We

need to give them as many opportunities as possible to succeed when they get back home here in America.

It is up to us to stand by our soldiers, sailors, airmen, marines, and coast guardsmen. I want to urge the Senate, when we vote today at 2:15, to grant the motion for cloture so we can take up this bill and quickly pass it so those who have fought bravely for our Nation can find employment when they come home.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mrs. MURRAY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. MURRAY. Mr. President, we just heard the Senator from Florida talk about the very important piece of legislation that is in front of us. I wish to thank him for being the lead on this and all the work he has put in it and the passion he has had to make sure our veterans in this Nation have what they need when they come home from these wars.

Last Friday we were again reminded of the difficult employment picture our Nation's veterans continue to face. In the monthly unemployment rate for August, we saw across the country there were 720,000 unemployed veterans. It is a number that includes over 225,000 post-9/11 veterans, many of them who have served multiple tours in Iraq and Afghanistan and have sacrificed time and again for our safety.

This should not be the case. Our veterans have what it takes to not only go out and find work but to excel in the workforce of the 21st century. In fact, the characteristics that our veterans have and exemplify read like the job qualifications you might find at any major company or small business, and that is because they have leadership ability, discipline, technical skills, team work, and the ability to perform under pressure—no question.

They have those skills because as a country we have invested in training them. We cannot and should not let that training or the millions of dollars we have invested in these men and women go to waste. In far too many instances, however, that is what is happening. Too often on the day our servicemembers are discharged, we as a nation pat them on the back, thank them for their service, but we do not give them a helping hand in the job market. That has to end.

The Senate has taken bipartisan action in the past to begin to change the way our veterans do transition from the battlefield to the job market. We were able to pass the VOW to Hire Heroes Act, which I coauthored. That was

signed into law last year. Importantly, that law transforms the way we provide transition training to our servicemembers when they leave the military. It includes a provision that in my home State and across the country is providing thousands of dollars in tax credits to businesses to hire our vets.

In addition to that bill, we have also worked to build partnerships with the private sector in order to tap into the tremendous amount of good will that our companies have for our returning heroes. Sometimes this is as simple as working with a company to show them the easy steps that can help bring veterans on board, such as ensuring that they are advertising their job openings with local veterans service organizations and on their local military bases or having veterans in their own H.R. department with whom veterans can identify when they apply for work or having someone on staff who can help translate the experience of veterans into the work that company does.

Time and again, big companies such as Amazon and Microsoft or a lot of smaller businesses I have seen tell me these steps make an impact. But beyond those steps, it is very clear more needs to be done, particularly when the unemployment rate among young veterans who are ages 18 to 24 continues to hover around 20 percent. Action has to be taken because 20 percent is one in five of our veterans who cannot find a job to support their family; one in five of them who does not have an income to provide stability; one in five of them who does not have the work to provide them with the self-esteem and pride that is so critical to their transition home.

This a problem that manifests itself in homelessness, in broken families, and far too often in our veterans taking their own lives. It is a problem that neither the veterans themselves nor government alone can solve. But it is also one that we have to do everything we can to address.

Here in the Senate, that means a bipartisan, all-hands-on-deck strategy. That is exactly what the Senator from Florida is putting forward. Senator NELSON has put forward the veterans job corps bill. What this bill does is, over the next 5 years, it will increase training and hiring opportunities for all our veterans who are using successful job training programs in the country.

It is going to help hire qualified veterans as police officers and firefighters and first responders—by the way, at a time when 85 percent of law enforcement agencies had to reduce their budgets in the last year. It is going to help train and hire veterans to help restore and protect our national, State and tribal forests, our parks and our public lands—at a time, by the way, when we face a \$10 billion maintenance backlog for our public lands. It is a

backlog I have seen at home personally in my home State of Washington.

Because training and hiring our veterans has never been seen and never should be an effort that divides us along partisan lines, the veterans job corps bill takes good ideas from both sides of the aisle. In fact, our bill will provide veterans with access to the Internet and computers to help conduct job searches at one-stop centers and other locations. This is an idea championed by Senator TOOMEY. It is going to help guarantee that our rural and disabled veterans have access to veterans employment representatives. This is a bill that is championed by Senator TESTER, who is presiding over the Senate this morning. It is a good idea. We put it in this bill.

It is going to increase transition assistance for eligible veterans and their spouses. That is a bill that was introduced by Senator BOOZMAN of our committee.

It will require consideration of a veteran's training or experience gained while they are serving on Active Duty when they seek certifications and licenses. That is a bill that is cosponsored by Democrats and Republicans alike. This bill says all good ideas are welcome.

Our veterans need all the help they can get. It is fully paid for in a bipartisan way. It has been endorsed most recently by the National Association of Police Organizations. But there are also a lot of veterans service organizations that stand behind this bill as well. They do so because they know that helping veterans find employment is absolutely critical to meeting many of the challenges they face when they come home.

Our veterans do not ask for a lot. Oftentimes, they come home and do not even acknowledge their own sacrifice. My own father never talked about his time fighting in World War II. In fact, I never saw his Purple Heart or knew he had a wallet with shrapnel in it or a diary that detailed his time in combat until after he died and my family gathered to sort out his belongings.

But our veterans should not have to ask. We should know to provide for them. When my father's generation came home from the war, they came home to opportunity. My father came home to a community that supported him. He came home to college and a job. It was a job that gave him pride and a job that helped him start his family, and one that, of course, ultimately led me to starting my own. That is the legacy of opportunity this Senate, in a bipartisan way, has lived up to for today's veterans.

I urge our colleagues to build on the successes we have had in passing bipartisan veterans employment legislation. Veterans returning home from across the country are watching us. They certainly do not have time to let politics

block their path to a job that will help them serve their community. Surely, this is a bill that is something we can show them that we can come together on no matter how close or far away we are from an election.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. MURRAY. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Senate recess until 2:15 under the previous order.

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:24 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. WEBB).

VETERANS JOBS CORPS ACT OF 2012—MOTION TO PROCEED—Continued

CLOTURE MOTION

The PRESIDING OFFICER. The clerk will report the motion to invoke cloture.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to calendar No. 476, S. 3457, a bill to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes.

Harry Reid, John F. Kerry, Bernard Sanders, Kent Conrad, Al Franken, Tom Udall, Christopher A. Coons, Mark Begich, Patty Murray, Bill Nelson, Amy Klobuchar, Thomas R. Carper, Robert Menendez, Jim Webb, Kirsten E. Gillibrand, Jeff Merkley, Jack Reed.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to S. 3457, a bill to require the Secretary of Veterans Affairs to establish a veterans job corps, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from South Dakota (Mr. JOHNSON) and the Senator from Virginia (Mr. WARNER), are necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Illinois (Mr. KIRK) and the Senator from Florida (Mr. RUBIO).

The yeas and nays resulted—yeas 95, nays 1, as follows:

[Rollcall Vote No. 191 Leg.]

YEAS—95

Akaka	Feinstein	Merkley
Alexander	Franken	Mikulski
Ayotte	Gillibrand	Moran
Barrasso	Graham	Murkowski
Baucus	Grassley	Murray
Begich	Hagan	Nelson (NE)
Bennet	Harkin	Nelson (FL)
Bingaman	Hatch	Portman
Blumenthal	Heller	Pryor
Blunt	Hoeven	Reed
Boozman	Hutchison	Reid
Boxer	Inhofe	Risch
Brown (MA)	Inouye	Roberts
Brown (OH)	Isakson	Rockefeller
Burr	Johanns	Sanders
Cantwell	Johnson (WI)	Schumer
Cardin	Kerry	Sessions
Carper	Klobuchar	Shaheen
Casey	Kohl	Shelby
Chambliss	Kyl	Snowe
Coats	Landrieu	Stabenow
Coburn	Lautenberg	Tester
Cochran	Leahy	Thune
Collins	Lee	Toomey
Conrad	Levin	Udall (CO)
Coons	Lieberman	Udall (NM)
Corker	Lugar	Vitter
Cornyn	Manchin	Webb
Crapo	McCain	Whitehouse
DeMint	McCaskill	Wicker
Durbin	McConnell	Wyden
Enzi	Menendez	

NAYS—1

Paul

NOT VOTING—4

Johnson (SD)	Rubio
Kirk	Warner

The PRESIDING OFFICER. On this vote, the yeas are 95, the nays are 1. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

VOTE EXPLANATION

• Mr. WARNER. Mr. President, a military career is one of the most honorable professions that our young men and women can pursue, and each of us is indebted to our veterans for their service.

In this challenging economic time, it is more important than ever that we do what we can to connect well qualified veterans not just with jobs, but with careers. Our veterans demonstrate the skills, knowledge, leadership and professionalism that allow them to excel in almost any career field if they are given the right opportunities.

How we treat this generation of military veterans who have served in Iraq and Afghanistan will influence the next generation of young men and women who might consider a career in our military. Unfortunately, we sometimes fall short when it comes to connecting veterans with jobs, and some veterans struggle to find careers that allow them to achieve their full potential.

That is why I have been involved for several months now in a unique partnership of U.S. utility industry leaders to actively recruit and employ returning veterans. Troops to Energy helps our veterans successfully transition from military service into civilian careers in the utility and engineering industries.

Some reports show that a staggering 29 percent of veterans between the ages of 18 and 24 who served in Iraq or Afghanistan were unemployed last year. That is more than three times the national unemployment level and unacceptably high.

We must do better.

That is why I support the Veterans Jobs Corps Act of 2012, which will create additional opportunities for veterans to transition into career fields in which their military skills are readily transferrable.

I am not able to vote on this important legislation today because I am attending the funeral services for a dear friend, but I want the record to reflect my strong support for this legislation and for our military men and women, their families, and our veterans.●

Mr. SCHUMER. Mr. President, I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SANDERS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. FRANKEN). Without objection, it is so ordered.

FINANCIAL CRISIS

Mr. SANDERS. Mr. President, there has been, appropriately enough, a lot of discussion about our \$16 trillion national debt and our \$1 trillion Federal deficit. This is, in fact, an enormously important issue, and it is an issue that Congress must address. But it must address this crisis in a way that is fair to the middle class and to working families and our seniors and our kids. It is an issue that must be addressed, but it must be addressed fairly.

When we talk about the deficit and the national debt, it is important to remember how we got to where we are today. We can simply go back 10 years or so to January 2001 when President Clinton left office and President Bush assumed the Presidency. At that particular moment in history, in January 2001, I hope everybody remembers not only did this country have a \$236 billion surplus, all of the projections for the future at that point were that that surplus was going to grow and grow and grow. In fact, at that point, this was one of the great debates taking place in Congress: What do we do with all of that money? How much do we give back in tax breaks? How much do we put into Social Security? That was the debate in January 2001.

So before we discuss how we go forward in deficit reduction, with a trillion-dollar deficit, it is important to remember that, and it is important to remember how we got to where we are today.

How we got to where we are today really, in a significant way, is not complicated. President Bush assumed office and within a few years we were

fighting not just one war in Afghanistan but another war in Iraq. I hope the American people appreciate that many of the “deficit hawks”—the people who tell us: Oh, gee, we have to cut Social Security and Medicare and Medicaid and nutrition and education; we have to cut, cut, cut, cut—when asked to pay for those wars had nothing to say.

PAUL RYAN, Mr. Romney’s Vice Presidential nominee, chairman of the House Budget Committee, voted for the wars but forgot to pay for them. Nobody knows exactly how much these two wars will end up costing, but the guess is that by the time we take care of the last veteran 70 years from now, those wars may run up over \$3 trillion, and we did not pay for them to the tune of one penny, all put on the credit card, all added to the deficit.

I find it somewhat unusual that many of our Republican “deficit hawks,” who stand here on the floor of the Senate every day and tell us how deeply concerned they are about the deficit all voted for huge tax breaks for millionaires and billionaires to the tune of \$1 trillion over a 10-year period.

Well, you do not give huge tax breaks to the rich and not offset it if you are serious about the deficit and not being hypocritical. Many of my Republican friends, during the Bush years, voted for the insurance company-written Medicare Part D prescription drug program, written by the insurance companies and the drug companies. It is going to cost us about \$400 billion over a 10-year period.

How did we pay for that program? Oh, I guess we did not pay for it at all. Our deficit hawk friends voted for that program, which was good politics, I guess. They forgot to pay for it. Add another \$400 billion to the deficit.

It is important to understand that today, in the midst of this horrendous recession, the issue is not just cuts, cuts, cuts. The issue is that right now, today, at 15.2 percent, revenue as a percentage of gross domestic product is lower than at any time in the last 60 years. Because we deregulated Wall Street—Republicans wanted that; some Democrats wanted that—we allowed investor banks to merge with commercial banks, to merge with insurance companies, and, as a result of the illegal behavior on Wall Street, we were driven into this recession: mass unemployment, businesses go under, less tax revenue comes in, and, at 15.2 percent, revenue today as a percentage of GDP is the lowest it has been in 60 years.

So those are some of the reasons that today we are experiencing a trillion-dollar deficit and a \$16 trillion national debt. My Republican friends will say: Well, you know, Bernie, be that as it may, yes, maybe we should have paid for the wars; maybe we should not have given tax breaks to billionaires when the rich are doing very well; maybe we should have paid for Medicare Part D;

maybe we should have not deregulated Wall Street. But be that as it may, that is water over the dam. We are where we are right now. We have got to go forward on deficit reduction.

So what are their ideas? Well, Mitt Romney has not been as clear as I think he should be about his ideas. But we do have a blueprint from our Republican friends in the Ryan budget. As you know, Congressman RYAN is chairman of the Budget Committee. He presented a budget. It was passed by the Republican House. Here is some of what the Republican budget is about.

What the Republicans want to do is to make cuts to Social Security and to raise the retirement age. I want to say a word about Social Security right now. It is an issue I feel very strongly about. I think a lot of Americans do not know this. Social Security, because it is funded by the payroll tax and not the general Treasury, has not contributed one nickel to our deficits. Social Security today has a \$2.7 trillion surplus and can pay out all benefits owed to all eligible Americans for the next 21 years. In my view, it would be wrong, it would be deeply wrong, to consider cuts in Social Security as part of deficit reduction, because Social Security has not contributed a nickel to the deficit. But our Republican friends support cuts in Social Security. And many of them over a period of years want to move toward the privatization of Social Security.

The Ryan budget would end Medicare as we know it in a 10-year period. What does that mean? What that means is that in 10 years, if you are 70 years of age, you would be given a voucher for \$8,000, as I understand the number. Let’s assume that an individual, a 70-year-old, 75-year-old individual walks into a doctor’s office, and the doctor says: Joe, Mary, I am sorry to tell you this, but you are dealing with cancer. We are going to have to send you to a hospital. There are a whole lot of treatments you are going to have to undertake. Those treatments are going to cost you tens of thousands of dollars, if not more. That individual then goes to his or her insurance company and says: I have \$8,000 to buy an insurance policy.

What do you think that insurance agent is going to tell that individual when that person is facing tens and tens of thousands of dollars of medical bills? That insurance company’s function is to make money. They are not going to say: Oh, sure, give us the \$8,000 so we can spend \$50,000 on health care costs for you. It is not going to happen. That insurance company is going to say: There is the door. Try somebody else. That is going to happen to a whole lot of people.

You can think of what the end of that story is. The end of the story is, if that family, that individual, does not have any money, he or she is going to

go to their kids. If they do not have any money, the outcome is not going to be good, because that person simply will not have the treatment he or she needs.

The Ryan budget proposes to cut \$770 billion over a 10-year period from Medicaid. That would result in at least 14 million Americans losing their health insurance and would also cut nursing home assistance in half, threatening the long-term care of some 10 million senior citizens. Many people do not know that. Many people say: Well, you know, Medicaid is for the poor. It is certainly true that millions of low-income kids, deservedly, through the Children’s Health Insurance Program, get their health insurance with significant help from Medicaid and State money. But what people do not understand is that Medicaid is also a major contributor toward nursing home care.

I want the average middle-class family to understand that if their mom or their pop develops Alzheimer’s or some other very difficult situation, cannot stay at home, cannot stay with their kids, has to be put in a nursing home, which is pretty expensive, understand that all over this country, Medicaid is putting money into making sure that elderly people can stay in nursing homes with some degree of dignity.

But it is not just Social Security or Medicare and Medicaid our Republican friends are going after. In my State of Vermont, and I am sure in Minnesota, we have lower income working-class kids who no longer can go to college because college is too expensive. We have other young people who are graduating college \$25,000, \$50,000 in debt, unable to find jobs which help them pay off that debt.

In my view, the Pell grant program, which is the major way in Washington we help low- and moderate-income kids—I think that is too low; we are not helping enough kids with enough resources. But the Ryan budget would slash Pell grants by about 60 percent next year alone. So if you are a parent or you are a young person in college, that is how they intend to balance the budget.

In the midst of this horrendous recession, older people, lower income people are struggling. It is very easy to forget here in the confines of the Senate, but there are millions of Americans today wondering how they are going to feed their kids tonight, who open the refrigerator, there is no food in that refrigerator, who depend upon food stamps. Half of the food stamp money goes to the elderly and children. They want to make devastating cuts in food stamps.

My main point is pretty simple. The deficit is a serious issue and we have got to address it. But it would not only be immoral, it would be bad economic

policy to move toward deficit reduction, to move toward a balanced budget, on the backs of millions and millions of seniors and children and working families who today, as a result of this terrible recession, are already struggling to keep their heads above water. You do not balance the budget on the backs of the most vulnerable people in this country. That is bad economic policy. That is immoral. There are ways to move forward which can achieve the same goals but without hurting people who are already in pain.

What we do not talk about too much in Congress is who is winning and who is losing in the current American economy. I want to bring forth a few facts that I think the American people and my colleagues should be familiar with. That is, No. 1, in America today we have the most unequal distribution of wealth and income of any major country on Earth and worse in America today than at any time since the 1920s. We have in America today—and people should check it out; they may not believe me when I say this. You have got one family, the Waltons of Wal-Mart fame, one family owns more wealth than the bottom 40 percent of the American people. One family owns more wealth than the bottom 40 percent.

And our Republican friends say: That is not enough. We have to give those people, billionaires, even more tax breaks. Today the top 1 percent owns about 41 percent of the wealth of America. The bottom 60 percent—that is a significant majority of the American people added all together—own about 2.3 percent of the wealth of America: Top 1 percent, 41 percent; bottom 60 percent, 2.3 percent.

Common sense and decency would suggest that when a few people have incredible wealth, when a few people are seeing their incomes and their wealth grow rapidly while the middle class is shrinking and poverty is increasing, common sense and common decency suggests that you ask the people on top whose effective tax rate is the lowest in decades to start paying their fair share of taxes before you cut Social Security, before you cut Medicare, Medicaid, education and nutrition programs.

Right now, about one out of four major profitable corporations is paying zero in taxes. We have had instances which I have portrayed here on the floor of the Senate of some of the most profitable corporations in America in a given year paying nothing in Federal income taxes, and, in fact, getting a rebate from the IRS.

Well, before you tell the elderly and children that they have to experience cuts when they cannot afford it, maybe you say to corporate America: Sorry, we are going to end the loopholes you currently are enjoying. Every single year we are losing about \$100 billion in

tax revenue because corporations and wealthy individuals are stashing their money in tax havens in the Cayman islands, Bermuda, and elsewhere. They are “patriotic” Americans who love this country so much they are stashing their money abroad in order to avoid paying taxes in this country.

Maybe before you cut education, maybe before you cut back on infrastructure, we make sure that we do away with these tax havens and these tax shelters for millionaires and billionaires and large corporations.

Lastly, we have tripled military spending since 1997. Right now the United States is spending almost as much as the rest of the world combined. We spend over 4 percent of our GDP on the military. Our friends in Europe—many of the countries there provide health care to all of their people, educational opportunities stronger than we do to our people—are spending 2 percent. We are spending twice as much in GDP on defense. Maybe it is time to take a hard look at a lot of the waste and inefficiency that currently exists in the Defense Department.

On my Web site, sanders.senate.gov, we have a whole list of ways that we can bring in revenue, where we can make cuts which are fair, which protect the middle class and working families and the most vulnerable people in this country.

I am going to do everything I can to make sure we do not go forward in terms of deficit reduction by punishing people who are already hurting and then giving more tax breaks to millionaires and billionaires. That is bad economic policy. That is immoral. It is not something we should be doing.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. INHOFE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MISSILE DEFENSE

Mr. INHOFE. Mr. President, several of us have talked about the tragic terrorist attack on America 11 years ago today. I think we all remember where we were and what we were doing at the time. I remember so well going up to New York to Ground Zero and seeing the people who were involved and talking to the families of some of the firemen who lost their lives. As tragic as that is, I have to ask the question: Is there any doubt that those terrorists, if they had the ability to send a weapon over to the United States, would do that?

I look back sometimes wistfully to the days of the Cold War when it was the USSR and the United States. They were predictable and we were predict-

able. But it is different. Such concepts as mutually assured destruction at that time were somewhat meaningful and were very effective. It is not effective now because we are dealing with people who want to die. It is a different environment altogether.

On this 11th year, on this particular day, when I think about President Obama's first budget 4 years ago, he did a lot of things I thought were very destructive to our military, and I have talked about that on the floor several times. He did away with the F-22, the only fifth-generation vehicle. He did away with our lift capacity of the C-17. He did away with the future combat system. I think people are aware of that, but something people may not be aware of that happened in that same budget was doing away with the Poland site of the ground-based interceptor.

Think back to the decision that was made in this country that we had to prepare ourselves for Iran having the capability of a weapon that could be sent all the way over to the United States. We have ground-based interceptors in Alaska, all the way down to southern California. So anything coming from the west I feel very comfortable about, but coming from the other direction, coming from Iran, that is not the case. So we recognized some 6 or 7 years ago that we were going to have to have some kind of a ground-based interceptor that would take care of a missile coming from the east. I was part of that. So we did that in both the Czech Republic and in Poland. The Czech Republic had to be willing to have a radar site and Poland had to be willing to take on Russia, which didn't want them to have this capability, and we put a ground-based interceptor in Poland to take care of anything coming from that direction. We did that, but in his first budget President Obama did away with it. They tried to say that maybe that was not an accurate assessment, but the 2007 NIE—National Intelligence Estimate—concluded that Iran could develop an intercontinental missile capability by 2015. Less than a year later DOD stated in its April 2010 report on Iran's military that they sent to Congress—and I remember this very well:

With sufficient foreign assistance, Iran could probably develop and test an intercontinental ballistic missile (ICBM) capable of reaching the United States by 2015.

That is totally consistent with what they said back in 2007.

In place of the third site, the Obama administration pitched a new missile defense plan, the European Phased Adaptive Approach with an incremental deployment of sea, land, and air versions, and so forth. One thing we all agree on is that the SM-3 Block IB is a short- to medium-range defense mechanism. The SM-3 Block IIA is short to medium range. The one that would

take the place and would have the capability of the ground-based interceptor in Poland is the SM-3 Block IIB. That is still a concept. It is on the drawing board. We know Iran is going to have that capability by 2015 and they say maybe a deployment date by 2020. That leaves the United States of America and Europe unprotected for 5 years.

Now, although I say unprotected, there is some level of protection there. They talk about the AEGIS ships; however, in subsequent budgets the President has cut the AEGIS ships in their capability and the number of missiles that they carry to the point where it leaves us still unprotected—not just us but also Europe.

Fast-forward to today and DOD's April 2012 report, the report on Iran, which, again, states:

Iran has boosted the lethality and effectiveness of existing systems with accuracy and improvements and new submunition payloads. Iran may be technically capable of flight testing an intercontinental ballistic missile by 2015.

Secretary Panetta confirmed this. He is the Secretary of Defense. He said earlier this year on "60 Minutes" that he believes Iran would be able to produce a nuclear weapon in about a year, and then it would take them another 1 to 2 years in order to put it on a deliverable vehicle. Again, that is around 2015, leaving a 5-year gap between the date when our interceptors become operational and the date that Iran fields a nuclear ballistic missile capable of threatening Europe and the United States.

In this year's budget request President Obama cut \$250 million from the THAAD system procurement, procuring 36 interceptors instead of 42. He cuts THAAD fire units from 9 to 6 and cut \$175 million in AEGIS. Again, that is part of the system that would replace the ground-based interceptor in Poland that is already under construction. The SM-3 procurement would be delayed, procuring 29 SM-3 Block IB interceptors instead of 46; in other words, dramatically cutting down our capability at the same time that there could be no doubt in anyone's mind from what I said that 2015 is a realistic date when Iran would have the capability of not just the weapon but a delivery system.

Additionally, the President has failed to plan or program enough AEGIS ships in the budget to provide full coverage. In other words, they can move them around. They have a good rocket capability. I have been supportive of the AEGIS system, but he is cutting down on the number of them. Those should just be there for the protection of Europe and not the protection of the United States.

At the end of President Obama's now infamous meeting with Russian President Dmitri Medvedev on March 26 of

this year, President Obama said—not knowing that the mic was open:

On all these issues, but particularly missile defense, this can be solved, but it's important for him [incoming Russian President Vladimir Putin] to give me space.

That is President Obama's words. He continues:

This is my last election. After my election, I have more flexibility.

Thinking back 11 years ago at the tragedy that immediately killed 3,000 people in that horrible terrorist attack, again, I ask the same question I asked a few minutes ago: Is there any doubt in anyone's mind that a person would hesitate to come over on a well-orchestrated terrorist attack on America and use a system delivered on some type of vehicle to the eastern part of the United States? I say no. I can't imagine anyone believes that is not a possibility.

As tragic as 3,000 people being killed was, it doesn't take much of an imagination to look at any type of missile hitting a major American city. We wouldn't be talking about 3,000; we would be talking about 300,000 or even 3 million.

I think this is the day, on the 11th anniversary, that we need to take the warning we received 11 years ago and look into the future not just for ourselves—in my case, for my 20 kids and grandkids. We cannot subject ourselves. We need to take care of this horrible gap in our defense of an incoming missile coming from the east as quickly as possible.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mrs. SHAHEEN). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. ENZI. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

WATCH THE HELPERS

Mr. ENZI. Madam President, since this is a day of remembrance of 9/11, when I started my day this morning, I picked up a book I read from time to time. It is called "One Simple Act" by Debbie Macomber, and it is about gratitude and being generous. The very first paragraph I picked up happens to be about 9/11. It says:

Watch the Helpers
After the bombing of the twin towers at New York's Trade Center, the nation was stunned. Parents didn't know what to say to their children. They'd seen such evil things on television that even adults couldn't put the events into any kind of context. When a few parents wrote to Mr. Rogers, the beloved children's television personality, to ask for advice, Fred Rogers said, "Tell them to watch the helpers." What wise advice. I've thought about his answer many times. When tragedy hits, don't focus on the faces of pain and horror. Let your eyes follow those who are rescuing, feeding, healing, sweeping,

comforting, and rebuilding. On 9/11, it was the selfless firefighters who took center stage. They will be remembered long after the evildoers are forgotten.

What good advice: Watch the helpers. I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HATCH. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONGRESSIONAL REVIEW ACT

Mr. HATCH. Madam President, I rise today to speak to an issue that threatens the very viability of the U.S. Senate.

Last July the Obama administration, using the flimsiest of arguments, granted themselves the authority to waive the Federal welfare work requirements. Whether or not what the Obama administration intends to accomplish with these waivers is good welfare policy has been the subject of robust debate.

I am not here to argue the merits or lack thereof of the underlying welfare policy goals of the Obama administration. What I am here to do is to make a plea to my fellow Senators: as Senators, we simply cannot let this action stand.

If we fail to stand together as Senators in defense of our constitutional duty to be the ones to draft legislation, we might as well pack our bags and go home because we will have opened the door for this administration and future administrations to unilaterally decide they can waive precedent, congressional intent, and actual legislative language on which Senators have scrupulously debated and compromised.

If we do not stand together as a Senate, we will be ceding our authority to the executive branch. The longstanding implications of this could possibly extend to welfare, Medicare, Medicaid, disability policy, child welfare, and Social Security Programs. Allow me to elaborate.

According to the Obama administration, because section 1115 of the Social Security Act allows them certain waiver authority over section 402 of the Social Security Act, which deals with a State's welfare plan, and section 402 cites section 407, then the administration has waiver authority over section 407, which enumerates State welfare work requirements.

This doesn't make any sense.

I have been a leader in the Senate on welfare for nearly two decades. I helped draft and manage the floor during the 1996 overhaul of welfare. Five years later, I worked across the aisle with John Breaux of Louisiana and others to craft the so-called tripartisan proposal for welfare reauthorization. The

Breaux-Hatch proposal became the basis for the Senate Finance Committee bill that was marked up in the summer of 2002.

Much of the work Senator Breaux and I accomplished made its way into the Personal Responsibility and Individual Development for Everyone bill—the so-called PRIDE bill—that was reported twice out of the Senate Finance Committee.

In all that work on welfare, not once—not one time, not ever—was there any discussion of allowing States to waive State work requirements. If anyone had raised it, Republican or Democrat, they would have been laughed out of the room—and for good reason. The crux of the deal and the most integral feature of the 1996 act was to give States flexibility to design their own welfare programs but also require them to meet meaningful performance measures. The idea that anyone would contemplate allowing States to waive these performance measures would have been preposterous, even ludicrous.

So allowing the executive branch the authority to waive welfare work requirements has never, ever been a part of any discussion of welfare reform.

The concept of the executive branch having the authority to waive the 1996 welfare work requirements also did not occur during the previous two administrations. It just never came up because no one thought it was possible.

The administration likes to point to a 2005 letter from Governors in support of the PRIDE bill as justification for their unprecedented action, but what they fail to note is that this letter was not sent to President Bush, it was sent to Members of Congress, who, the Governors correctly believed, were the only ones with the constitutional authority to give the States flexibility.

This point bears repeating: Until the July 12 informational memo to States, no one ever thought the executive branch could waive welfare work requirements. I would even venture to speculate that the Obama administration itself does not seriously think it had the authority to waive welfare work requirements, and here is why I suspect this is the case.

One of the few bipartisan bills that was actually enacted during the 112th session of Congress was legislation I wrote with my partner on the Senate Finance Committee, Chairman BAUCUS. This legislation—the, “Child and Family Services Improvement and Innovation Act”—included a provision I drafted that allowed the Department of Health and Human Services the authority to grant certain child welfare waivers. It specifically allowed HHS to waive provisions included in Title IV-E of the Social Security Act. Congress gave HHS that authority because the Congress had been asked by States for flexibility to waive certain provisions

of Title IV-E and because, just as everyone assumed the executive branch could not waive section 407 of the Social Security Act, no one believed they could waive Title IV-E of the Social Security Act.

But if we go and look up section 402, just as there is a reference to section 407 contained within that section, so, too, is there a reference to Title IV-E. If the administration really believes in their heart of hearts they have carte blanche to waive whatever is even mentioned in section 402, why did they have to wait around for Congress to give them that authority? The answer, of course, is the Obama Administration never had the authority to begin with, and I believe even they know that to be true today.

The real issue, beyond the rhetoric, is that if the Senate lets this action stand unchallenged, if the Senate does not speak as one body, united, then our inaction will embolden this administration—and future administrations, I might add—to bypass the constitutionally mandated job of the Congress to enact laws whenever it suits their pleasure or political aims—in other words, to take over the legislative function.

The Congress does not have many tools in our toolkit to thwart administrative overreach, but one of those tools is the Congressional Review Act. The CRA, as it is referred to, allows for Senate fast track authority to disapprove a rule that is submitted from an agency in the event an administration attempts to circumvent the CRA by issuing other forms of guidance that should have been submitted as a rule. The Government Accountability Office, which has standing with our Senate Parliamentarians, can determine that an agency action meets the definition of a rule as established by the Administrative Procedures Act and that therefore the CRA applies.

Last July Congressman DAVE CAMP, chairman of the Ways and Means Committee, and I asked the GAO to determine whether the so-called guidance to States submitted by the Obama administration was a rule and applicable to the CRA. Last week Chairman CAMP and I received word the GAO had determined that the welfare waiver policy was, in fact, a rule and subject to the CRA. This week both Chairman CAMP and I will introduce resolutions of disapproval under the CRA for the administration's welfare waiver policies. The House will mark up and pass their resolution this week. The Senate can act, under fast track procedures which limit debate during the week of October 1, 2012.

I have taken the floor today to ask that the Senate pass my resolution of disapproval on a unanimous vote.

It is imperative that we send the executive branch the unambiguous signal that the Senate's ability to craft legis-

lation—to do the work tasked to us by the Constitution—will not be trifled with by this or any other administration. If the Senate does not speak with one unified voice on this issue, then I firmly believe we will have forfeited our relevance in future debates over welfare, Medicare, Medicaid, foster care, and Social Security, just to mention a few.

If any administration can capriciously deem themselves to have unlimited waiver authority over anything mentioned in provisions referred to in section 1115, then the Senate is, for all intents and purposes, irrelevant. Sure, we can have our debates and develop our expertise and write our laws, but, colleagues, that won't mean a hill of beans if an administration can come along and just waive everything we have worked so hard to get right. Colleagues and friends, we just can't let that happen.

I know that many in this Chamber support President Obama. I know also that many of these same Senators wish he had not taken this action. But as Members of what I still believe is the greatest deliberative body in the world, we have to put partisanship aside for the greater good of the Senate. If Senator Byrd were sitting here today, I cannot imagine he would allow this to happen. And I can't imagine anybody on the other side will allow this to happen.

We have to send as strong a signal as possible that administrative overreach will not stand; that no matter what our political persuasion, the Senate stands together and we will speak with one voice to say in no uncertain terms that we will not be ridden roughshod over, that our constitutional rights as lawmakers will not be trampled on, and that we will do everything in our power to preserve and defend these rights.

To that end, I urge colleagues to support my efforts to stop this unprecedented executive overreach. Support the resolution to disapprove. Support the Senate. Let's stand up for this body. Whether you are a Democrat or a Republican, we have to make it clear to the other two branches of government that we have certain rights and we have certain powers that no President and no court can overrule. It is important that we stand up on this issue. If we don't, I hesitate to say what could happen in the future. It ain't gonna be pretty. All I can say is that this is an important issue, it is one every Senator in the Senate ought to consider important, and we ought to set partisanship aside and do this in the best interest of the Senate and in the best interest of our legislative ability to act.

I suggest the absence of a quorum.
The PRESIDING OFFICER (Mr. BROWN of Ohio). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HARKIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ROMNEY-RYAN BUDGET

Mr. HARKIN. Mr. President, I come to the floor to talk again on the devastating so-called Ryan budget—which, of course, is now the Romney-Ryan budget. I will speak about that very shortly, but I also want to focus some attention on how the Ryan budget is preventing us from getting a farm bill this year. We have a farm bill we passed in the Senate, but the House can't get it done. Earlier this year the Senate passed a bipartisan farm bill. It had broad support from Republicans and Democrats, all the farm groups, consumer groups, and environmental groups. With all of that support, one would think it would be easy for the House, but the House has not followed suit. Unable or perhaps unwilling to bring the farm bill to the House floor, they similarly refuse to take up the Senate bill. As a result, our farm policy has languished at a time when farm country is literally burning up because of a drought.

As I understand it, the House is going to adjourn this week and go home without taking any action on a farm bill and leave our farmers and ranchers in the lurch when all the House needs to do is take up the Senate-passed bill, pass it, send it to the President, and he will sign it. Again, we passed the bill here with Republicans, Democrats, all the farm groups, consumer groups, and environmental groups supporting it. We even made a \$23 billion contribution to reducing the deficit in the farm bill.

Well, it seems worth noting that one of the reasons the House can't act is seemingly because of the Ryan budget, which, of course, we know is just a proposal. The House has passed it. I think they voted on it 34 times, if I am not mistaken.

The Ryan budget calls for draconian cuts to our Federal nutrition programs; that is, the SNAP program, otherwise known as food stamps. It helps low-income families and families with maybe a modest income. Maybe they lost a job and are in transition and need support for 1 or 2 months before they get back on their feet. It helps with summer feeding programs for kids, feeding programs for low-income elderly, and feeding programs that go to daycare centers. In other words, we have an abundance, and we are going to use this abundance to help make sure no one goes to bed hungry and people have adequate nutrition in our society.

Well, the Ryan budget made a draconian cut in the nutrition programs. Many of the House Republicans are saying they will not support a farm bill that doesn't have those draconian cuts, which I am proud to say the Senate bill does not have.

I hasten to add, as the former chair of the Senate Agriculture Committee, I long advocated cutting wasteful agricultural spending. For years I led the effort to get rid of direct payments, which the Senate bill does finally, and contributes, as I said, \$23 billion in deficit reduction. So I think this situation shows what the Ryan budget is. It is emblematic of the Ryan budget.

Not only is the Ryan budget devastating for working and low-income Americans, but its insistence on cutting benefits for low-income Americans is getting in the way of setting commonsense policy for our farmers and ranchers as well. It is remarkable that so many people in the House in the middle of a drought would say: I am not going to vote for a farm bill that is important to our farmers and ranchers; I will not vote for it unless I can cut nutrition benefits for tens of millions of struggling Americans.

That is what the House Republicans are saying: They will not vote for a farm bill that will help our farmers and ranchers and is supported by every major farm group, all the consumer groups, the environmental groups, and it is supported in the Senate by a lot of Republicans. It is a bipartisan bill supported by the ranking member of the Agriculture Committee, Senator ROBERTS of Kansas, former chair of the Agriculture Committee in the House. We passed that bill and yet the Republicans in the House are saying unless we have these draconian cuts to nutrition programs they will not pass the farm bill.

That is the kind of "my way or the highway" attitude of the tea party Republicans in the House. If they can't have it their very narrow way, they will not let the rest of the House act. They will not take up a bipartisan bill passed by the Senate.

Well, it is stunning what the House is refusing to do in refusing to pass a farm bill. All I can hope is that someone over there comes to their senses and gets that farm bill through before they adjourn and go home.

Now, since we recessed around the 1st of August and just came back yesterday, our colleague on the House side, Congressman PAUL RYAN, has become the Vice Presidential nominee for the Republican ticket under, of course, Governor Romney, who has the nomination for President. Congressman PAUL RYAN is not an unknown entity and not an unknown quantity. He has been around a long time. He has been chairman of the House Budget Committee, and he has put forward the so-called Ryan budget twice.

Well, what is a budget? A budget is a blueprint. It is like in order to build a house, one has to have a blueprint. Well, a budget for a city council is a blueprint for what they want to do for the city. A State budget talks about how the State is going to move. It is

forward looking. What are we going to do in the future? The Federal budget is the same way. It is our blueprint. It is a blueprint for how we are going to move our country forward.

We have the Ryan budget. I think it is fair for us to take a look at that blueprint and let the American people know just what is in that budget. We face a fundamental choice in this year's election: Are we going to restore, rescue, and rebuild a struggling middle class or are we going to ship even more of our wealth and advantages to those at the top at the expense of the middle class?

Well, Republicans made it clear where they stand. They did so when nearly every Republican in Congress voted for the Ryan budget plan, and Governor Romney embraced the Ryan budget as "marvelous." As I said yesterday, that is not exactly a word I think most Americans would use to describe something they liked, but I suppose if one is having tea at the Ritz and they are in that class of Americans, well, they might use the word to describe it as "marvelous."

At the very centerpiece of the Ryan budget is a dramatic shift of more wealth to those at the top. It targets huge new tax cuts for those at the top. Here is what it would do: \$265,000 more per year for someone making over \$1 million a year in income. That is on top of the \$129,000 they are already getting from the Bush tax cuts. The Ryan budget would extend the Bush tax cuts and put \$265,000 on top of that \$129,000, which comes to around \$400,000 a year if someone is making over \$1 million a year.

We are going to hear a lot this fall about entitlements and cutting entitlements. Oh, we have to get a handle on entitlements. When they talk about entitlements, mostly Republicans talk about those programs that go to help people who are at the bottom rung of the ladder. They are talking about things such as the SNAP program, the nutrition assistance program or they are talking about job training programs or maybe title I. I will talk about education in a minute.

What about this entitlement? This is an entitlement: If a person is making over \$1 million a year, under the Ryan budget they will be entitled to over \$400,000 a year in tax cuts. What about that entitlement? No one wants to talk about taking away that entitlement, but that is an entitlement.

The Republican tax cuts would total \$4.5 trillion over 10 years. Well, how do they pay for it? They don't want to say, but budget and tax experts understand this game very well. The Republican budget would partially offset these tax cuts by making deep and draconian cuts that undergird the middle class and essentially the quality of life in the country—everything from education, student grants and loans, law

enforcement, clean air and clean water, food safety, medical research, highways, bridges, and other infrastructures.

Lastly, the Republicans offset these new big tax cuts for those at the top by actually raising taxes on the middle class. You heard me right. The Ryan budget would actually raise taxes on the middle class. The Nonpartisan Tax Policy Center estimates that under the Republican plan middle-class families with children would see their taxes go up on an average of more than \$2,000 a year.

The bottom line is the Ryan budget does not reduce the deficit. The Ryan budget has a deficit for the next 28 years. The savings they gain is by cutting all of these programs that undergird the middle class and by raising taxes on the middle class. Basically, the lion's share of that is going to go into tax cuts for the top wealthiest Americans.

The truth is Representative RYAN is not interested in balancing the budget. Even under the best assumptions his budget would not balance until 2040, 28 years from now. As I have said, Mr. RYAN is obviously an acolyte of former Vice President Cheney who once said in a kind of unguarded moment that deficits don't matter. Remember that? Vice President Cheney said that. Obviously, George W. Bush and his administration took that to heart because we had the biggest deficit in history for the 8 years George W. Bush was President.

RYAN doesn't care about deficits. He only cares about tax cuts for the wealthy. They just believe if we give more and more to the top, it will magically trickle down on everyone else. We know that doesn't work.

The Romney-Ryan Republican plan is extreme and unbalanced. I am not making this up. You don't have to take it from me. Even former House Speaker Newt Gingrich criticized the House budget. He called it "rightwing social engineering." That is what Newt Gingrich called it, "rightwing social engineering." Newt got that one right.

The aim of Representative RYAN is to use the deficit crisis as a pretext for degrading and dismantling everything from Medicare and Medicaid to education, environmental protection, workplace safety, medical and scientific research, and on and on. Again, he doubles down on the theory that if only we give more to those at the top, it will magically trickle down.

Today I would like to focus specifically on the devastating impact of the Romney-Ryan budget on education. It is an unprecedented assault on education funding and a grave threat that this poses to school reform efforts across the United States.

I have the unusual perspective on this issue as both the chair of the appropriations subcommittee that funds

our Federal education programs—and I might point out that for the last 23 years I have either been the chair of that appropriations subcommittee or a ranking member; I have been on that subcommittee since 1985—and I am also now the chair of the Health, Education, Labor, and Pensions Committee, which authorizes the education programs, and I have been on that committee since 1987. I have served under distinguished chairmen such as, Senator Kennedy, Senator Kassebaum, Senator Jeffords, Senator Gregg from New Hampshire, and Senator ENZI. Now I chair it. So for all of these years I have been on both the authorizing committee and on the appropriations subcommittee.

I must say I have been heartened by the exciting work being done in schools across the country to improve the quality of instruction for our students to close the achievement gap and graduate more students who are both college and career ready. Forty-five States and the District of Columbia have collaborated to create high-quality, common education standards, common core standards. The Obama administration's Race to the Top initiative has jump-started ambitious State-level reforms to turn around the Nation's lowest performing schools. In the HELP Committee, which I chair, working with Senator ENZI this year, we reauthorized on a bipartisan basis the Elementary and Secondary Education Act. Positive changes are happening in America's schools. However, it is wishful thinking to continue to expect improvements if we continue to lay off tens of thousands of teachers, increase class sizes, and reduce instructional time.

As I said, Senator ENZI and I worked very hard to get a reauthorization of the Elementary and Secondary Education Act through our committee on a bipartisan basis, but we have been unable to get it on the floor, so we will have to do it again next year. But if we look to the Ryan budget, we will be laying off tens of thousands of teachers and we will increase class sizes and reduce instructional time. Is that where we want to go as a country?

As I said, this plan, which has been embraced by Governor Romney, would cut nondefense discretionary spending by 18.9 percent in fiscal year 2014—not this upcoming fiscal year but the next fiscal year. Let's take a look at what a cut that size would mean for Federal education programs. Let's take a look at title I. People ask: What is title I? It is the cornerstone of the Federal Government's support for elementary and secondary education in this country. The purpose of title I—and, by the way, it has been in the law since 1965; a great society program, I might add, which has done a world of good for our schools all across America. The purpose of title I is to help all students, especially those from disadvantaged

backgrounds, meet high academic standards. Title I money goes to more than 90 percent of the Nation's school districts. Schools have a lot of flexibility with title I funds, but they use the money mostly to pay the salaries of teachers and teachers' aides who are helping students in danger of falling behind.

Under the Romney-Ryan budget, more than 10,000 schools across the country could lose their title I funding in fiscal year 2014. More than 37,000 teachers could lose their jobs. Not only would this hurt students, it is going to put more people out of work.

This title I program is about \$14.5 billion a year. It is a national program. What we basically said in 1965 and we have said every year since is that elementary and secondary education is basically a local and State function. But we want to come in and help those areas that have low tax bases, a high proportion of underprivileged kids and low-income families. We want to come in and help them because there is one thing we know: A poorly educated child in one State will not necessarily grow up to be a burden in that State; that child can move to another State. So as a national policy, we said in 1965 and we have every year since, under Republican Presidents and under Democratic Presidents, Republican Congresses and Democratic Congresses, we have said title I is an important national program. Under the Ryan budget, if enacted, more than 10,000 schools would lose their title I funding.

Let's take a look at another important education program—one particularly close to me—and that is the Individuals with Disabilities Education Act. Again, this has been in the law since 1975. The funding for this is about \$11.6 billion a year. Again, under the Romney-Ryan budget, States could lose funding for approximately 25,000 special education teachers, aides, and other staff serving children with disabilities, again, in the year 2014—25,000 just in 1 year, the year 2014. This is special education teachers.

Again, I wish to remind everyone, and I have said many times here before, that States are required to provide a free and appropriate public education to students with disabilities. A lot of people say this is a Federal mandate. This is not a Federal mandate; it is a constitutional mandate. Even if the Federal Government didn't provide one nickel to any State for IDEA, the State would still have to provide a free, appropriate public education because the courts have decided that if a State provides a free public education for its students, it cannot discriminate. Before they said they couldn't discriminate on the basis of sex, national origin, race—*Brown v. Board of Education*—and under *PARC v. Pennsylvania*, another case, they said we can't discriminate on the basis of disability.

We can't say we are going to collect taxes from all these people, but this family with the kid with a disability, they are out, and that kid doesn't get an education. We said that is unconstitutional, and I think all would recognize that. So States have a constitutional requirement, if they provide a free public education, to provide that free, appropriate public education to kids with disabilities. Even if Federal funding was cut, the States would still have to pay for it. They have to educate their students with disabilities.

If the Romney-Ryan budget were to pass, then what would happen is we would offload this cost of education to the States. What would happen? State and local taxes would go sky high. States and communities would still have to pay their special education teachers. If they are not getting enough from the Federal Government, they will have to find their own tax revenues to make up the difference. Just keep in mind, under the Romney-Ryan budget, approximately 25,000 special education teachers would not be funded under IDEA in 2014. Think about that.

Let's turn to higher education. Since 1972, we have provided what has been known as Pell grants, named after former Senator Claiborne Pell. Pell grants are for students who want to go to college. They qualify for these grants because of low income. Another one of those terrible entitlements, right? If a person is low income and they want to go to college, they get a Pell grant. It has been a lifesaver for so many families who otherwise could not afford to send their kids to college.

As we all know, a college education now is more important than ever. New jobs in every industry from manufacturing, construction, health care, and public health administration require workers who have the skill and the education. Look what happened in the recent recession. Workers with a college education have led the economic recovery. People with a bachelor's degree or better have gained 2 million jobs since the end of the recession. Meanwhile, workers with only a high school diploma or less have lost more than 230,000 jobs. There are over—I just saw it printed today—about 2 million jobs in America that are there but are not being filled because of lack of qualification for workers. That is education. So one would hope the Romney-Ryan budget, which they tout as being for creating jobs, would put a high priority on getting people into college, but it does just the opposite. In fiscal year 2014, nearly 10 million students could see their Pell grants fall, on average, by more than \$1,000. Again, under the Romney-Ryan budget—this is an average, the current average award is \$3,831. Under the Romney-Ryan budget in 2014, in one fell swoop it would go down to \$2,599. For some

students, that cut could mean the difference between whether they pursue higher education or not.

Let's go to the other end of the education spectrum. I started out talking about elementary and secondary and high school and then I talked about college Pell grants. Let's look at preschool. Back in 1992, the Council on Education Funding, consisting of mostly CEOs from large corporations, came out with a study and a report on education as to what did business in America need in the future looking at education. They spent 2 or 3 years having hearings, investigating, and doing all that kind of stuff. This is a report from the business leaders of America. What did they say in that report? They said education begins at birth and the preparation for education begins before birth. The whole finding was we need to put more into preschool education. That was 20 years ago.

Last year, the U.S. Chamber of Commerce—20 years later—came out with another study. This is the U.S. Chamber of Commerce. These are not social scientists; these are businesspeople. The U.S. Chamber of Commerce report said we have to put more money into preschool education. We, at the Federal level, have been doing that through a program called Head Start. We have had Head Start, I think, if I am not mistaken, since about 1968. High-quality, early childhood education has been proven to save taxpayer dollars in the long run by reducing the cost for welfare, special education and, might I add, criminal justice—read that “jail time.” One of the highest correlating factors—in fact, if I am not mistaken, the highest correlating factor for people who are incarcerated in our prisons is the lack of a high school education.

Under the Romney-Ryan budget, up to 200,000 low-income children and their families could lose access to Head Start—again, in fiscal year 2014. I am not talking about over the next 10 years, I am talking about in 1 year. We have about 970,000 children in Head Start today. In 2014, 200,000 would leave if the Romney-Ryan budget were to happen. That is their blueprint. I have to keep reminding folks, that is their blueprint for where they want America to go. This is where they want America to go.

Let me talk about a related topic, and it has a lot to do with education; that is, childcare funding. The Child Care and Development block grant provides subsidies to low-income families to help pay for childcare. These are families who are working, who are looking for work, and they depend on these subsidies to do so; otherwise, they wouldn't be able to work. By this point, it will come as no surprise that the Romney-Ryan budget would force approximately 95,000 low-income children across the country to lose access to high-quality childcare in fiscal year 2014.

I think we get the picture. The Romney-Ryan budget is a devastating assault on education at all levels. Childcare—and a lot of these components have education—Head Start, elementary education, secondary education, title I, IDEA, special education, Pell grants for college, all devastatingly reduced—again, not over 10 years, in year 2014.

I am struck by the fact that this budget of Mr. RYAN's is being proposed at a time when America's competitors are surging forward. China has tripled its investment in education and is building hundreds of new universities. Even in times of austerity and shrinking budgets, smart countries don't turn a chainsaw on themselves. They continue to invest in the future. And the most important investment in the future is an investment in education.

In the months ahead, Congress will likely focus on reducing the deficit, and this is appropriate. Certainly any strategy for solving our fiscal crisis must include sensible spending cuts, but we should not jeopardize our long-term economic growth and recovery by slashing education. We have a saying out in farm country: You don't eat your seed corn. Our children today, they are our seed corn for the future. You do not throw them on the trash heap.

On their own, the Romney-Ryan budget cuts to education defy common sense, but put in the broader context of their budget plan in its entirety, these cuts are not just ill-considered, they really smack of class warfare. The Romney-Ryan budget demands nothing whatsoever—not one dollar—from the wealthiest and most privileged people in America. Essentially, the Romney-Ryan budget is Robin Hood in reverse: It robs from the poor and gives it to the rich.

So let's get this straight. The American people need to know this. This is their blueprint. Under the Romney-Ryan budget, we have devastating assaults on education. Last night I covered health care. Others will cover other topics. The Senator from California covered transportation and infrastructure.

So again, under this plan, the United States—under Romney-Ryan—should set aside \$4.5 trillion over the next decade for tax cuts, with most of it going to the wealthiest 2 percent, but under the Romney-Ryan budget we cannot afford to sustain funding for public education.

In addition, congressional Republicans specifically want to take away the \$2,500 American opportunity tax credit used by so many middle-class and modest-income families to help cover college costs. Again, because of Republicans' determination to further lower tax rates for the wealthy, many other middle-class college tax benefits are at risk. This is outrageous. This approach does not remotely reflect the

priorities and values of the American people. We cannot—we cannot—be dragged backward into a winner-take-all society where the privileged and powerful seize an even greater share of the wealth even as our middle class is struggling and declining. For nearly half a century, robust Federal investments in quality public schools and access to higher education have been a critical pillar undergirding the American middle class. The Romney-Ryan budget takes a jackhammer to that pillar.

Going back to the 1930s, the American people have supported and strengthened a uniquely American social contract. That social contract says that we will prepare our young and care for our elderly. That contract says that if you work hard and play by the rules, you will be able to rise to the middle class and even beyond. That social contract says that a cardinal role of government is to provide a ladder of opportunity so that every American can realistically aspire to the American dream. In one fell swoop, the Romney-Ryan blueprint budget would rip up that social contract. It would replace it with a survival-of-the-fittest, winner-take-all philosophy that tells struggling, aspiring Americans and their communities: Tough luck, you are on your own.

As President Clinton said in his speech last week: There are two philosophies at work here—the Romney-Ryan blueprint budget, which says: Tough luck, you are on your own; if you win the lottery, you are OK; if you do not, too bad, or the philosophy being proposed by President Obama and so many of us here: that we are all in this together, the rising tide lifts all boats, that we have a social contract that we have adhered to for nearly 80 years now. We will invest in our young and care for our elderly. We will make sure there is a ladder, a ramp of opportunity for the middle class.

The “tough luck, you are on your own” philosophy of the Romney-Ryan budget is not the kind of America that my parents wanted or that they built for their children. It is not the kind of America that my neighbors in Iowa and across this country want to see.

So in the weeks ahead, our Nation faces an absolutely fundamental choice. I repeat: Are we going to rescue, restore, and rebuild the middle class or are we going to continue to shift even more wealth and advantages to those at the top, at the expense of the middle class?

Accumulation of riches by the wealthiest in our society is not the same as wealth creation by a society. If we are truly interested in creating wealth in our society, we should be investing in education, making sure there is a ladder or ramp of opportunity by making sure the benefits of our society go to those with new ideas

and new information, and those people may be kids from very low income families, they may be kids with disabilities. That is true wealth creation of a society—not just giving more to people at the top.

So, again, the Romney-Ryan budget makes exactly the wrong choice. I disagree with that budget. America remains a tremendously wealthy and resourceful nation. Again, when you listen to what the Romney-Ryan budget is, when you look at it, it is sort of premised on the fact that we are busted, we are broke, we cannot afford childcare, we cannot afford title I, we cannot afford Pell grants, we cannot afford it, we are broke, but we can find tax breaks for the wealthiest.

We are not broke. America remains the wealthiest society, the wealthiest country the world has ever seen. We have the highest per capita income of any major nation. So it kind of begs the question, does it not: If we are so rich, why are we so poor, why are we so broke? Because there has been a misallocation of capital, more and more going to fewer and fewer, not enough being used to educate our kids, provide a good college education, make sure we have the highest qualified teachers in all of our schools, that we have the best principals, that we can have a school system that is second to none in the world. That is the kind of America that we should have and that we can afford to do. We can afford to do this if we have the right blueprint. The Romney-Ryan budget takes us down the wrong road.

The middle class is the backbone of this country. We have to rescue, restore, and rebuild it, and we need leaders who have the backbone to do that for our middle class. It is not the Romney-Ryan budget.

Last night I spoke about the devastation on health care. I discussed what would happen in education. Next I am going to come to the floor and talk about what is going to happen to working families, what is going to happen to people in America when we take away some of the protections they have so they do not get injured, they do not get sick, so they can show up for work every day healthy. So we are going to look again at that devastation. Others will come to the floor and talk about the infrastructure and what that means for America.

Well, I do not often agree with Newt Gingrich, as people know, but he was right. This is rightwing social engineering. We do not need that in America. Mr. Romney and Mr. RYAN have put their stamp of approval on it. The American people need to know what is in that budget, and we intend to tell them between now and the time we adjourn and go home.

With that, I yield the floor.

The PRESIDING OFFICER (Mr. BENNET). The Senator from Maryland.

Mr. CARDIN. Mr. President, I thank Senator ENZI for his patience in allowing me to speak for a few minutes in regard to the 11th anniversary of September 11. I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

ELEVENTH ANNIVERSARY OF 9/11

Mr. CARDIN. Mr. President, I rise today to join my colleagues in commemorating the 11th anniversary of September 11, 2001. The tragedy of 9/11 is forever seared in our Nation's consciousness. The attacks in New York, Pennsylvania, and Virginia were intended to crush the American spirit but instead galvanized it to new strengths.

After 11 years, the memories are still raw and the pain is real. It is for the 3,000 people who perished that day that I stand here on the floor of the U.S. Senate and ask everyone: Never let go of those memories.

On that day, terrorists showed their utter lack of humanity; we responded by showing the best side of ours. We suffered a grievous loss on that day, but we must remember that we are a strong and determined nation and we will defeat those who want to do us harm.

Many of those responsible have been hunted down and brought to justice. In the case of Osama bin Laden and many others, justice was brought to them. Now there is no doubt that those who wish to do harm to America know they do so at their own peril.

Today, it is clear our men and women in uniform and our intelligence community will never rest. They will never waiver. We have come a long way since September 11, and we owe so much to those men and women and the families who support them. Today, we join to show the world that our Nation is united and resolved to defend our freedom and safeguard our liberty against any enemy.

We also take time to remember those who perished on September 11 and to remember their families with a special prayer. We reflect on the heroism of the firefighters, police officers, medical workers, city officials, and ordinary citizens who gave their own lives trying to save others.

Each of us has been affected by 9/11. On September 11 we showed the world a brand of resilience that could only be made in America. In the minutes, hours, and days after the attacks, Americans showed their amazing propensity for compassion, sacrifice, and selflessness. Charity, voluntarism, and a reawakening of the American spirit guided us through those weeks directly after the attacks. Men and women waited in lines for hours to give blood, children donated their savings to help with relief efforts, communities sponsored clothing drives, and different faith groups held interfaith services.

Our response showed the world that Americans have an unquenchable love of freedom and democracy.

Now, 11 years later, I stand before you, always remembering that stunningly clear day that was to be forever ingrained into our national identity. My prayers are still with those who suffered, those still suffering, and those we lost. But time has taught me that the way to honor the victims of 9/11 is to come together as we did in the days and months after 9/11. On that day, we were truly united. September 11 was not an attack on Blacks, Whites, Christians, Jews, or Muslims or on conservatives or liberals. It was an attack on all of us, and we came together accordingly. We helped our neighbors and we helped strangers. We reaffirmed our commitment to justice and the rule of law. On that day we were reminded that the best parts of our American character will forever trump any opponent.

So as I stand before you today, I encourage all Americans to nurture the best parts of our common American character. What is that character? It was the selflessness and courage of a New York City firefighter running into a smoking tower and up the stairs when everyone else was running down. It was the composure, confidence, and decency of bystanders helping perfect strangers. It was the sense of country that caused many to answer the call of duty and enlist in the war on terror.

It was the faith people showed in their fellow citizens that allowed for empathy, not hate to define us afterwards. On this day, let's not only mourn for those we lost but let's vow to them to be as good as they would expect us to be.

Mr. President, 9/11 was intended to bring this country to new lows but instead we achieved new highs. Keep the memories of 9/11 in our hearts and let them guide our actions, actions that show each other and the world how good we are and how good we can be.

Archibald MacLeish wrote, "There are those who will say that the liberation of humanity, the freedom of man and mind, is nothing but a dream. They are right. It is the American dream."

Surely 9/11 was a nightmare horrific. As horrific and cruel as it was, it cannot extinguish the dream.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO WENDY GNEHM

Mr. ENZI. Mr. President, I have often said how blessed I am to have found a group of people who are strongly committed to the future of Wyoming, the West, and the United States to serve on my staff. If being a Senate staff were

an Olympic event, I have no doubt I would be the coach of one of the Senate dream teams. I believe they would be the gold medal winners. I am that proud of them.

Today I wish to express my appreciation to one of my long-time staffers who will be returning home to run a business in Wyoming. She is Wendy Gnehm, and although we are going to miss her, we are also proud of her decision to return home to raise her family with her husband Ed, because there is no better place for families and children than Wyoming. We wish them both the best and we are confident as she is that they have made the right decision.

Although Wendy has been part of my staff for quite some time, her family, her husband's family, and my own family have been close for a lot longer than that. Wendy's mother Sharon was the one who first introduced me to Diana, now my wife, on a blind date in Denver when Sharon was in town looking for a bridal gown.

It was not long thereafter that Diana was looking for one too, which means we knew Wendy's parents long before she was born. So we have known Wendy for all of her life. I remember when Wendy was in high school. She set her sights on coming to Washington to serve as a page in the House of Representatives. It was a difficult goal, but with her determination, her abilities, and her good grades she was able to make it happen.

Wendy's time in Washington as a page must have given her the idea of coming to college here, which she then began to pursue in earnest. So when the time was right, I agreed to write her a letter of recommendation to the George Washington University, as an alum and Wyoming liaison for the school. I was glad to be of help, but Wendy's credentials spoke for themselves and soon she was headed back to Washington, DC, to attend one of the finest schools in the country.

Later, when I came to Washington to serve in the Senate, I had a swearing-in reception for friends and extended family to mark the beginning of this new and great adventure in my life. And of course Wendy was there. It was at that reception that she met the son of my college roommate, Skip Gnehm, and they started to date. Their romance blossomed while she served as an intern for me, and it started to occur to them and to Diana and me how all three of our families could soon be permanently intertwined. What a great gift for all of us. Soon Wendy was looking for a wedding gown of her own and she and Ed were married.

Not long after their marriage, Ed and Wendy moved to Kuwait to work. They absorbed a great deal of knowledge about the culture and the way of life in the Middle East. When they returned to the United States and made their

way back to Washington, DC, I learned that Wendy was looking for a job. At the time I happened to be looking for someone who could help me handle constituent mail and services. She was quickly promoted to legislative assistant specializing in the foreign relations field. I could not think of a better individual to take on those responsibilities than Wendy. I was right. Wendy has been a great help with those difficult issues ever since. She did so well, in fact, that I did not hesitate to expand her responsibilities to include defense, veterans affairs, transportation, and the Judiciary Committee agenda when the opportunity presented itself. Wendy has worked on so many issues of importance over the years—defense, with the focus on the United States Air Force and missile communities, to helping start the Air Force Caucus, veterans health, United Nations reform, Cuba travel, immigration, gun rights, to name a few.

She is now my senior legislative assistant, a title and post she has earned with her hard work and determination to make a difference. As my senior legislative assistant, she has been a captain in the legislative office and she has always made herself available to help guide and direct our efforts as a legislative team. She is also there to provide some good advice on the issues that are coming up and how we can best focus our efforts to obtain the results we are working together to achieve.

Now she and her husband are packing up and moving to Sheridan, WY, where Wendy grew up. They will be running a business there and providing some good jobs to the community and some support to the local community economy. It is a restaurant, so they will be providing some good food to people in the area too. Although we are sorry to see them go, we could not be happier that they are returning to Wyoming. I always tell the people from Wyoming who come to work for me: Enjoy your Washington experience and learn all you can every day you are here. Tomorrow, when you find yourself married with children, do not hesitate to start looking for a way to get back home.

As I said, and it bears repeating because it is one of life's great truths: There is no better place to raise your family than Wyoming, where you were born, where your roots are strong, and your family is nearby to give you the love, guidance, and support that helped to make you the person you are today. Of course, it is no surprise that the place that is calling Wendy home is one of the most beautiful on Earth—Wyoming.

In the years to come, Wyoming will teach Wendy's children all about being individuals, trusting in your instincts, about facing the future with confidence and faith. It is a great lesson to be

learned, and there is no better place to learn it than the great outdoors and open spaces and magnificent mountains of Wyoming, where life is centered around being a part of the great splendor and creation of God, and with a strong sense of community.

For team Enzi, this was a good-news, bad-news moment. The bad news is we are losing a very special staffer, a good friend, and a member of our extended family, someone who has given so much to everyone she has known or worked with here in my office. The good news is we are not only gaining a constituent who knows us and understands the work we do every day, Wyoming is gaining another family that will forever define for others what is so great about being from the West.

Diana and I send our best wishes to Wendy, Ed, and their children, who must be looking forward to the opportunity to live the life that made Wendy what she is today.

Wendy, we could not be more excited for you and for the great opportunities that lie ahead as you begin the new chapter in your life, the great adventure of coming home to Wyoming. We know we will miss seeing you every day, but when we are back home and traveling around in your area, we will expect to see you at our official functions and when we stop by your new business. May God bless you and be with you and your family. Good luck, Wendy.

I yield the floor

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. LAUTENBERG. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

REMEMBERING 9/11

Mr. LAUTENBERG. Mr. President, today marks a time in America that must always in the future be remembered. It cannot be forgotten, because it was the worst day on American soil in modern times. The worst day. It was the attack on the World Trade Center in New York, Shanksville, PA, and the Pentagon.

These attacks put together such a horrific toll, we must constantly be reminded. And we are every day of the year. We are reminded how terrible this attack was. It was unimaginable, the pictures that we saw on TV. If anyone turned on the TV, on almost every station there was a picture of the strike at the World Trade Center, an airplane running into it. And the first thing that was thought—and unfortunately I was out of the country when this took place; I heard about it on the

radio, and saw people in the country I was in weeping for this great America. We thought it was an accidental thing. We are not far from an airport, Teterboro Airport in New Jersey—maybe that it was an errant pilot, probably a single-engine airplane. Nothing could have been further from the truth. This was a designed attack on this building with all of the particulars that the terrorists had to have: How long would it take for the steel to melt, where is the best place to strike, what can the consequences of an attack such as this be? Unimaginable, as I earlier said.

In my home State of New Jersey, we lost the second highest number of lives of any State in the country. More than 700 people from New Jersey perished in this terrible onslaught. September 11, 2001, changed our country forever. We see it and we are reminded about it every day of the year. If you want to enter many buildings, you have to identify yourself; you want to get in an airplane, you have to identify yourself; you want to get in these buildings, you have to identify yourself. This is a habit that grew out of the fear of terrorism. We have over 200,000 people employed to protect us against a terrorist attack. Although it was 11 years ago, few Americans will forget how that peaceful Tuesday turned into one of the most unpleasant days, most painful days, most heartfelt days on American soil. We still feel the pain and the sadness of that day. And when we think about it, the biggest price, of course, was paid by the families, the families who lost a son or a daughter or a husband or a wife or a grandparent or a friend or a neighbor. The loss was with excruciating pain. We lost nearly 3,000 American lives at the World Trade Center and in Pennsylvania and at the Pentagon—3,000 American lives in a single day. I am reminded, since I served in the Army during World War II, that Pearl Harbor had fewer casualties than did the attack that day; that it outdid the number killed immediately at D-day. It was a terrible tragedy that struck our country.

Forty-one States and territories and more than 90 countries lost at least a member, a person from that tragedy. Imagine, over 90 countries, 41 States and territories; and 343 firefighters and 60 police officers were among those who died as they answered desperate calls for help. These people were not present in the building, typically. They came to the building while the flames were there and the soot and the dirt was falling and the building collapsing. They went into those buildings to help people who were screaming and pleading for help. It has been 11 years, but many Americans are still sick and more than 71,000 Americans are still having their health monitored because of exposure to the dust, the asbestos, and to the chemicals that filled the air.

As we remember those we have lost, we have to let our grief serve as a reminder of our resilience and to rebuild our strength. While the scars of 9/11 may never fully heal, we take some comfort in knowing that in our fight back, we have, in some ways, confirmed our fight against terrorism. Osama bin Laden will never take another innocent American life. But we have to remember that although bin Laden's influence has been eliminated, there are lots of people who want to follow in his footsteps in plotting against America.

The everyday lives of all Americans have changed forever. We now live in a state of constant vigilance to prevent another attack. I remember not too long ago, we used to have announcements that this is an orange color day or a green day or whatever, denoting the risk of an attack from a terrorist organization or an individual. Because of 9/11, over 200,000 Americans go to work every day at the Department of Homeland Security to protect us at airports or at buildings or gatherings where we have to show an ID to gain entry. So that day made a huge difference in the way we function. It costs time, it costs money, and it costs inconvenience. Nothing, however, as I earlier said, compares to the loss of a loved one.

We are determined now to remain diligent and strong, despite the face of terrorism that is frequently depicted these days. As Americans gather today in tribute to those we lost, we have to remember to keep alive the memories of these Americans who perished for being in the place they were in and not for anything they did wrong. So we have to resolve to continue the work of keeping our families safe, our communities strong, and to be reminded about that, we still see the direct result from that attack, with 71,000 people, including more than 8,000 from New Jersey, who are currently being monitored for health conditions that resulted from the 9/11 World Trade Center attacks. That is 70,000 people who are having their health monitored and more than 14,000 responders and 2,500 community residents who are currently sick and receiving treatment from the World Trade Center Health Program. Many have perished, and we passed a law to offer compensation and health care for those who are still suffering from the results of that terrible day.

With that, let me just say I think we have to remember we must stay strong. Unfortunately, there cannot be any relaxation. When we see the Olympic games or the Super Bowl or days that mark pleasant competition and bonding and youth and energy, we remember those days over 11 years ago.

It is hard to take much consolation, except we know one thing; that we cannot stop protecting our citizens, our people, wherever they are in the

world—wherever they are in the world. We have seen attacks take place on foreign soil from people who don't know who they are; perhaps some knowing they are American travelers or American diplomats. But there is, again, little satisfaction until one day the world turns more sensible and respects human life. We hope that is a situation that is forever reflected upon and never forgotten.

With that, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ENZI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RYAN BUDGET

Mr. ENZI. Mr. President, I came over earlier to speak and talk about a dedicated staff person of mine who is moving back to Wyoming, but I had to wait about 30 minutes while I listened to the Senator from Iowa talk about a Romney-Ryan budget. There is no such thing. Governor Romney hasn't put forward a budget for this group. Congressman RYAN, of course, was the chairman of the Budget Committee in the House, and he was obligated to do a budget. He did a budget—something the Senate hasn't done.

I don't think we can complain about a budget when we have gone 3 years without a budget. There is a timeline for a budget around here. We are supposed to have a budget finished by April 15 of each year, but we have gone 3 years with no budget.

The President submitted his budget to us, and that is what we are supposed to work from in the Budget Committee. I am on the Budget Committee, and we have had a little discussion in the Budget Committee. We haven't gotten to do the budget debate on the floor, which is one with unlimited amendments, but we have gotten to vote on the President's budget. At least Congressman RYAN got some votes for his budget. The President's last two budgets have been voted on by this body and there hasn't even been a single Democrat who was willing to vote for that budget—not a single one. The President couldn't persuade one person from his party to go along with the plan he had for this country.

You know what would happen in a corporation if the chairman of the board or the president presented a budget to his board of directors and they rejected it unanimously. He would be looking for a new job. I think I have heard some suggestions along that line.

Do we want to continue with out-of-control spending? That is what a budget controls. That is where the caps are put on and it lays out what is the most we can spend. We actually ought to be

doing that, as we used to do it, where there were multiple-year caps, and we would be stuck with the far-out caps we projected. It is time we had a balanced budget around here.

I applauded the President when he named a deficit commission. That was a great thing. I was a cosponsor on a bill that came before us, and we didn't have enough votes to pass that bill, but the President went ahead and did a deficit commission and he appointed two outstanding people to chair that budget commission—Erskine Bowles, who was the Chief of Staff for President Clinton, and Alan Simpson, who was a long-time Senator from the West, a member of the revenue committee—and they did some diligent work with the commission and came up with a plan. They actually came up with a plan for how we could save America.

I heard the Senator from Iowa say: Some of these people who are talking are talking like we are broke. You know what. We are pretty close to broke. When the national debt is the same as the gross national product, we are in trouble. In the United States, every man, woman, and child owes a shade over \$50,000. We have been seeing the riots in Greece and Italy. In Italy, they only owe \$40,000 per person. In Greece, they only owe \$39,000 per person. Yes, we are the most resilient country in the world, and that is why we have a little bit of breathing room. But it is not inhaling time. It is time to figure out what we are going to do about it.

I did expect, after the President appointed this deficit commission and when they came back with a report—and it didn't have enough to force us to have a vote, but it was a report that would solve the situation—I thought for sure at the State of the Union speech the President would paint the same bleak picture they painted in order to get the deficit report they got. But instead, he promoted another stimulus.

Had he painted that same bleak picture and at the end of his speech said, I am not telling you tonight how to solve it, but in 2 weeks, when my budget is delivered to the Senate, you will see what the deficit commission said we ought to be doing and we will do it. I think that by about May of that year, we would have hassled through that situation, and we would have adopted most of what they had in that. It would not have been easy. There would have been a little bit of pain, but it would have had a lot of gain. I think, by this point in time, the President would have been a hero—instead of hearing the question: Are you better off now than you were 4 years ago?

We can't continue the out-of-control spending we have had. Let me give an example of what we are doing. We are doing it without a budget, but here is what we are doing. The highway bill,

that is one of the most important bills—everybody admits—for America. We have to have transportation in this country, and the highway bill is one of the major ways we do that. It creates jobs because people go out and build the roads or repair the roads, and it makes a difference.

But here is how we funded the highway bill: In the Finance Committee, I suggested we needed to increase the tax on gasoline. That is the tax that funds the highway trust fund, which is the sole source of money for building the highways before. But we haven't raised that since 1993, and it ran out of money.

The deficit commission President Obama appointed suggested we needed to raise the gas tax 5 cents a year for three consecutive years if we wanted to build highways. In the Finance Committee I said, I am going to put in something a little bit more modest to see if we have any support for it. I am going to put in something that just deals with inflation on the gas tax.

I was told we wouldn't have a vote in the Finance Committee on it—and we didn't have a vote in the Finance Committee on it. And when it came to the floor, we did not have a vote on that on the floor because we weren't going to raise any taxes. Well, let me tell you what the bill does: There is a tax increase in the bill. We just didn't talk about it. I talked about it, but not many people talked about it. There is a tax increase in the bill. There is a tax on any private pension fund in America. That goes into a trust fund, supposedly.

I have a little problem with what we call trust funds around here, because I don't have trust any of them. That is going into a trust fund so that if a company goes out of business, the people who were promised a pension will get at least 60 percent of what they were promised. That is what that tax is for. That is why we do the tax on private pensions. The Pension Benefit Guarantee Corporation guarantees that people will get a portion of what they were promised in a private pension, and so we raised the tax to make sure that would be there. Then, before it got there, we diverted it, we stole it, we stripped it, and we put it in the highway bill. And we didn't just take 2 years' worth. That is how long the bill covers highway construction. It says in the next 2 years all the highways that we will build and how much they will cost. But from the Pension Benefit Guarantee Corporation tax that we increased, we took all of that for 10 years to build 2 years' worth of highways. I don't know of anybody who would consider that to be good financial management. Highways are essential, but that is not good financial management. We have to stop this trend. And we particularly have to stop stealing from trust funds.

There is one other source of trust fund in there I am particularly sensitive to. There is an abandoned mine land fund. This is a fund that was set up where coal mines in the West would get an additional tax—which we agreed to and the companies agreed to. Half of that tax would stay with the State where the coal was mined, and the other half would go to the eastern States to reclaim abandoned mines. It is a good idea. Well, Wyoming mines most of the coal in the United States, so Wyoming gets most of that money. There is a little provision that they stuck in there to affect Wyoming—and I don't think ought to be the sole source of revenue for funding all the highways in the United States, but they took that abandoned mine land money and said that would go into this highway fund. That is a trust fund too. We heard about it at 2:00 in the morning the day before we voted on this bill, and it was a total shock to us that they were giving this to the trust fund that was billed as a massive coalition between the East and the West, between companies and between miners who relied on the companies that went out of business for their health care. And abandoned mine land money takes care of that, too. But they said, Well, for Wyoming we think you get too much money, so we are going to strip out the half that you were promised and didn't get for years and years and years while they took care of their own problems. That is in there too and that is in there for a 10-year period for 2 years' worth of highway construction.

So when we say that America is not broke, America is not broke. But it isn't fixed either. It needs to be fixed, and it needs to be fixed legitimately, upfront, telling the people exactly what we are doing. There is going to have to be a lot of things that have to be done in order to do it.

I have suggested one way it can be done—and I have tried to cut things before, and I know that if we try to cut a single program, any single program—and we have to cut a lot of programs—that program will inundate Washington with a few good examples of what that program has done, even though audits of it say that is not what happened. But those people will flood here, they will talk to their Senators, we will feel sorry for them, we will approve the program, and we will continue the program. It is almost impossible to cut a program around here. It is hard to cut the amount of increase that program gets, let alone make an actual cut to a program or—Lord help us—eliminate a program altogether.

So what are we going to do? I have a 1-percent solution. That is to take 1 penny out of every dollar the American government spends and eliminate that, cut that, save that—1 penny out of every dollar. People across America, when I talk to them about this, say, I

have personally had to make a bigger cut than that. I could make 1 percent; the government ought to be able to take 1 percent. And if the government made 1 percent for between 5 and 7 years, our budget would balance. That is a lot of discipline, but it is a little pain for a lot of gain. And I am pretty sure if we were able to do that, at the end of 1 year people would say, You know, that didn't hurt that badly, and we ought to go for 2 and speed this thing up. Because I don't know how much time we have before interest rates go up, and when interest rates go up, they can use up all of the revenue we have from taxes to pay the interest on the loans we have out there. We have tremendous debt out there, and we had better start taking care of it. I have looked at some ways to do that, and I will share those at another time.

But I hope I don't hear a lot about the Romney-Ryan budget here on the floor when there hasn't been a budget presented and voted on by the other side. You have got to have the courage to make some cuts. You have got to have the courage to put forward a budget that is on a track—a track somehow to getting us back to solvency. And it better happen pretty fast.

So I think I am going to feel sorry for whomever gets elected President, and perhaps whomever is going to be in this body and in the House next year, because it is not going to be a pleasant task. We are going to have to buckle down and do the right thing.

I got to meet earlier with the new Prime Minister of Italy, and I was very impressed with him. He was talking about what he has to do right now to pull them out of their deficit. Remember, we owe \$50,000 per person. They owe \$40,000 per person. They are taking the hard steps. He has laid out a plan, he has talked to the people involved. Over there they have strikes whenever they get upset with the government. He had to talk to some of the labor unions. He said, I talked to them and they went out on strike for 2 hours. Of course, usually a minimum strike is 3 days over there, so he felt pretty good about that. But he said with the changes that he has to make—and it was a reflection on what we are looking at too—probably none of the people will be there next year. Those in the cabinet who were sitting next to him were a little bit shocked to hear that. I think if he does the plan, people will appreciate the way he is saving their country and they will put him back in again.

But we are looking at some difficult times and we need good solutions. It is going to mean working across the aisle to make sure that gets done. Our time is short. But this is the most resilient country in the world, and the rest of the world is relying on America.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. UDALL of Colorado. Mr. President, I came to the floor to commemorate the events of 11 years ago on September 11. But I want to respond to my friend and fellow westerner Senator ENZI from Wyoming. I appreciate the sentiments and the tone of his remarks. I respect greatly his financial acumen. We know the training Senator ENZI has, and I appreciate his call to action hopefully as soon as possible.

I would like to stay in Washington and continue to work on the Simpson-Bowles architecture. I know my colleague from Colorado, Senator BENNET, has spent a great deal of time as a member of the Gang of Six plus two crafting legislative language to put the Simpson-Bowles recommendations into effect.

I did, however, want to set the record straight as I read it and as I understand it, which is that we have had a Budget Control Act that many of us voted for last year which in effect is a budget for 2012 and 2013.

I ask unanimous consent to have the documentation of the Budget Control Act printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

BUDGET CONTROL ACT CONTAINED BUDGET FOR 2012 AND 2013

SEC. 106. SENATE BUDGET ENFORCEMENT.

(a) IN GENERAL.—

(1) For the purpose of enforcing the Congressional Budget Act of 1974 through April 15, 2012, including section 300 of that Act, and enforcing budgetary points of order in prior concurrent resolutions on the budget, the allocations, aggregates, and levels set in subsection (b)(1) shall apply in the Senate in the same manner as for a concurrent resolution on the budget for fiscal year 2012 with appropriate budgetary levels for fiscal years 2011 and 2013 through 2021.

(2) For the purpose of enforcing the Congressional Budget Act of 1974 after April 15, 2012, including section 300 of that Act, and enforcing budgetary points of order in prior concurrent resolutions on the budget, the allocations, aggregates, and levels set in subsection (b)(2) shall apply in the Senate in the same manner as for a concurrent resolution on the budget for fiscal year 2013 with appropriate budgetary levels for fiscal years 2012 and 2014 through 2022.

PUBLIC LAW 112-25—AUG. 2, 2011

Mr. UDALL of Colorado. The language reads:

... the allocations, aggregates, and levels set in subsection (b)(1) shall apply in the Senate in the same manner as for a current resolution on the budget for fiscal year 2012 ...

That language is duplicated below in the next paragraph for 2013.

I think I hear my friend from Wyoming suggesting that the process the Senate periodically uses to determine a budget is helpful and follows regular order, and I agree. But the Congress in

the last 2 years has been at loggerheads. There have been more impasses in the last 2 years than I remember in my 12 previous years. But we do have a budget in place. It is a budget that reduces Federal spending and is a down-payment on the hard work we have to do going forward.

The Ryan budget was promulgated by Congressman RYAN. I was elected the same year as Congressman RYAN to the House. I have respect for Congressman RYAN and his constituents; I just happen to disagree with his priorities. His budget proposal sets priorities; it is a template. And if you really study what Congressman RYAN includes, there are concerns that I have that I think are reflected by not just members of my caucus but many Americans: The plan lacks balance, and it doesn't balance at least until 2040, which is not how it is advertised.

Why? There is no contribution from revenue. There is an increase in defense spending. And in my opinion, it requires extraordinary and unsustainable cuts to government services. In fact, the Federal Government would be cut in half. I don't think there is anybody who thinks that is a realistic goal.

President Reagan's economic adviser Bruce Bartlett was pretty tough on the Ryan plan. He called it a monstrosity, and pointed out that the Ryan plan is backed up by make-believe numbers and unreasonable assumptions.

I ask unanimous consent to have printed in the RECORD the statements of Mr. Bartlett.

The PRESIDING OFFICER. Without objection, it is so ordered.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

FORMER REAGAN ECONOMIC ADVISOR
BARTLETT ON RYAN BUDGET PLAN

Distributionally, the Ryan plan is a monstrosity. The rich would receive huge tax cuts while the social safety net would be shredded to pay for them. Even as an opening bid to begin budget negotiations with the Democrats, the Ryan plan cannot be taken seriously. It is less of a wish list than a fairy tale utterly disconnected from the real world, backed up by make-believe numbers and unreasonable assumptions. Ryan's plan isn't even an act of courage; it's just pandering to the Tea Party. A real act of courage would have been for him to admit, as all serious budget analysts know, that revenues will have to rise well above 19 percent of GDP to stabilize the debt.

Former Reagan Administration Economic Advisor, Bruce Bartlett, Capital Gains and Games Blog, Imbalanced Budget: Ryan Gives Wealthy a Free Pass, April 11, 2011.

Mr. UDALL of Colorado. In conclusion, I want to again underline that I find, as always, in Senator ENZI someone who is thoughtful, practical, and pragmatic. And I heard in his comments a call to action where everything would be on the table, including providing for greater solvency of Social Security and Medicare, for cutting spending and ending duplication, but

also for looking for additional revenue, which I think we all agree we can start to do by simplifying the Tax Code, reducing rates, and then taking a look at individual tax rates.

Mr. President, I was here 11 years ago. It was a very similar day to today; a beautiful fall day, low humidity. For us Coloradans, low humidity is something we expect in all cases, with bluebird skies. But it turned into a terrible day with terrible events, and I thought I would reflect on what they mean for our country 11 years later.

These attacks are forever etched in our collective memory. We lost 3,000 fellow Americans. It was a diverse cohort of Americans. Every religion was represented, every race, and every region. It was something that even as I try and think about it again, I am almost overwhelmed.

But we also have another memory associated with that day; and that was the amazing, beyond belief, selflessness and bravery of our first responders and the men and women of uniform as well as the resolve of whole communities who came together to help and comfort one another. Late in that day, lawmakers came together on the U.S. Capitol steps, as we did today, to say, We stand united.

During this time, Americans seeking some good to come out of these acts of sheer evil looked to each other and to their leaders in Washington to contribute to a greater cause of unity. At such a dark time, we saw the very best of America: a Nation, a community, and a people willing to stand together in the face of adversity that we didn't initially understand or comprehend. That strength of unity brought us together, and over the last decade we have made great strides in combating the evil of terrorism.

We owe a debt of gratitude, a deep debt of gratitude to those on the front lines of that battle. Intelligence officers, our men and women in uniform, and countless others have relentlessly pursued our enemies who seek to do us harm. We must honor their sacrifices.

That brings me to this point. Every time a veteran is unemployed or has injuries that are not well treated or finds himself or herself in a place so dark that suicide seems like the only way out, we failed in our most solemn duty. We must provide the best possible health care, services, and benefits to those few Americans who are willing to risk anything and everything for us. We should be ashamed of anything less.

That is why it is fitting today, on the anniversary of 9/11, that the Senate voted to move forward on legislation to help post-9/11 veterans find jobs. Congress and the administration have been focused on helping these vulnerable veterans find jobs. We passed legislation. The President has championed initiatives providing tax incentives and grants to businesses hiring veterans

and offering veterans job training programs, but still the unemployment rate for veterans of the Afghanistan and Iraq wars remains higher than for the general population and much higher for veterans age 18 to 24. That simply is not acceptable. We can and we must do better.

The bill we are going to consider, the Veterans Job Corps Act of 2012, is a solid step in the right direction. We all recognize the obstacles that veterans face in translating their military experience into civilian jobs. We know that is the case. This commonsense legislation will attempt to smooth this transition by connecting veterans with good-paying jobs that fit their skill sets and provide our communities with opportunities to hire veterans as firefighters, police officers, to work in the public safety sector—to work in any sector. When our veterans believe in themselves, they are up to any charge; they are up for any mission.

I have the great privilege—as does, I know, the Presiding Officer—to serve on the Armed Services Committee. I also serve on the Senate Intelligence Committee. As a member of those committees I urge all of us to pass this bill as soon as possible. There is still time. We could perhaps offer it tonight. I could offer a unanimous consent request. We need to do this—and I am completely serious, Mr. President—to provide our heroes with a small measure of what we owe them for their incredible service and sacrifice.

As I think more widely, as I consider what I have heard at home from Coloradans far and wide, passing this bill alone is not enough. Looking back at the days and months after September 11, I cannot help but admire our Nation's resolve and the sense of togetherness we had in facing a shared challenge. But I also cannot help but be well aware that 11 years on we are now a nation at odds. Partisanship is at an all-time high, congressional gridlock prevents even commonsense ideas from winning the day, and middle-class Americans just wonder when businesses will have the certainty they need to begin hiring again.

For me, it seems a powerful argument and a powerful insight that a better future for our country can be and is, if we will hear it, grounded in our Nation's deep-seated respect for the courageous feats and sacrifices of those who answer the call of duty. Our military men and women have done their job. The public safety officers in the city of Aurora, back in July when we experienced such a terrible shooting, have done their job. Now it is, here in the Congress, time for us to do our job. It is not too late for us to harness the gratitude and the admiration that we have for those who have given everything for the United States and come together once again to do right by the Nation they have fought so hard to secure.

As we remember the events of September 11 and honor those men and women in uniform who fought so hard to keep America safe, we must recognize that our actions, not just our words, in the months ahead may be the greatest way to show our appreciation for their sacrifice.

Let's employ the doggedness of our military men and women, that doggedness that they exhibit on a daily basis in order to address the shared challenges of our time, to work together and to cast aside the partisan differences that stand in the way of our future prosperity. The American people deserve no less.

Ms. COLLINS. Mr. President, I rise today to discuss an amendment I recently filed with Senator LEAHY to the Veterans Jobs Corps Act of 2012. We filed this amendment to ensure that veterans service organizations are provided access to Federal surplus property as we intended when we introduced the FORVETS Act of 2010. This law provides that veterans service organizations should be categorized as eligible nonprofit, tax-exempt organizations that may acquire surplus personal property for the purposes of education or public health.

Unfortunately, the General Services Administration has interpreted this law in the strictest of terms. In its published guidelines, veterans service organizations may acquire the surplus property for the purposes of education or public health but with minimal flexibility in what an educational or public health service may be. For example, acquiring a van to transport a disabled veteran to a doctor's appointment may not be considered an eligible use for a veterans organization under current guidelines.

This amendment makes the legislative modification necessary for GSA to carry out the original intent of the FORVETS Act of 2010.

The National Association of State Agencies for Surplus Property, NASASP, has identified the need for this legislative modification to ensure that veterans service organizations are able to receive surplus equipment to enable them to better provide the critical services they offer for our Nation's veterans.

Veterans groups whose work enhances the lives of countless veterans every day benefit from access to these goods just as other service organizations do. Many veterans organizations offer career development and job training assistance to our Nation's veterans, yet often lack the computer equipment needed to best assist our veterans in the often difficult transition from military service to the civilian work force.

These are just a few examples of the needs that veterans service organizations have. This amendment is one way to say "thank you" to those Americans who have worn the uniform and to the

families that supported them. In these challenging fiscal times, the need for excess federal property to be used for job training, rehabilitation, and other important assistance to our veterans is greater now more than ever.

I urge my colleagues to support the inclusion of this amendment to the Veterans Jobs Corps Act of 2012.

Mr. President, since 2004, active duty military suicides have more than doubled, and the problem only continues to get worse. The Army recently reported that in July of this year 38 of its soldiers took their lives, a rate of more than one per day. This is a tragedy of the highest magnitude and it is something that the Congress and the American people must not ignore. Action is needed now, and we must take every practical step that we can to help the military reverse this disturbing trend. Not only are we losing dozens of America's finest each month, squandering precious talent that our Nation needs, but today's soldiers are tomorrow's veterans, and the crisis of mental and behavioral health that the epidemic of suicides represents foreshadows a troubling prospect for the future.

In Afghanistan, we have invested billions of dollars and devoted some of the military's best minds to protect our soldiers and give them the tools they need to reduce the threat of an improvised explosive device attack. Unfortunately, we have only devoted a fraction of the same resources or creativity to suicide prevention, even though through early June 2012 military suicides had outpaced the number of combat deaths in Afghanistan. It is estimated that more than 250 soldiers, sailors, airmen, and marines have taken their own lives this year.

There is substantial evidence that prescription drug abuse is a major factor in military suicides. In its January 2012 report *Army 2020: Generating Health and Discipline in the Force*, the Army found that 29 percent of suicides had a known history of psychotropic medication use including anti-depressants, anti-anxiety medicine, anti-psychotics, and other controlled substances such as opioids.

Active-duty drug use was a factor in more than a third of suicides where drug use could be determined and a factor in two-thirds of suicide attempts. The Army's report recommends the establishment of a military drug take-back program to help combat prescription drug abuse in the ranks. Given that more than 49,000 soldiers were issued three or more psychotropic or controlled substance prescriptions last year and an estimated 3,500 soldiers illicitly used prescription drugs, it's time we act on this recommendation.

At present, only the Drug Enforcement Administration has the inherent authority to conduct a drug take-back program. The Secure and Responsible Drug Disposal Act of 2010, however,

provided the Attorney General the flexibility necessary to delegate similar authority to other agencies to conduct a drug take-back program. Thus far, however, the Attorney General has declined to act, and neither the Attorney General nor the DEA has provided mechanisms or authority to the military to establish its own drug take-back program.

Senator LIEBERMAN and I, building on work done by Senator MURRAY, wrote the Attorney General in July of this year to request his support for efforts to reduce military suicides by allowing military treatment facilities to conduct controlled substance take-back and destruction programs.

Senator LIEBERMAN and I understand that accountability of drugs must be strictly maintained and that these drugs must be prevented from being misused, abused, or from entering the black market. We are confident, however, that an accountable drug take-back program could be established at military treatment facilities with sufficient safeguards put in place to prevent diversion, misuse, theft, or loss of returned drugs. Military treatment facilities are unique, and the military has established successful accountability programs for handling nuclear weapons, conventional weapons, and classified materials. We have no reason to doubt that an appropriate degree of accountability could be established in a drug take-back program.

Excluding the military from conducting drug take-back programs has a detrimental effect on the military's ability to reduce controlled substance abuse in the Force, decrease non-medical use of prescription drugs, prevent diversion of controlled substances, and limit the possibility for accidental overdose and death for our servicemembers or their family members. Providing this authority will give the military one more tool in its efforts to reduce suicides.

The loss of even one servicemember to a potentially preventable suicide involving controlled substance abuse or misuse is unacceptable. For that reason, Senator LIEBERMAN and I filed this amendment to the Veterans Jobs Corps Act. I urge my colleagues to support inclusion of this amendment in this legislation.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BEGICH). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

REMEMBERING 9/11

Mr. BROWN of Ohio. Mr. President, today we remember September 11, 2001, 11 years ago, a Tuesday like today was, a beautiful day like today was, but a

day of horror incited by a hateful ideology. We, of course, cannot afford to forget what happened, but let's remember what can happen when Americans come together.

On this national day of remembrance we honor those who lost their lives 11 years ago, the daughters and sons, mothers and fathers, sisters and brothers from various walks of life and avenues of faith. We honor the families of the victims. We honor the survivors. We honor the courageous civil servants and first responders, most of them union members, who lost their lives and suffered illnesses because of their selflessness. We salute the servicemembers and their families who sacrificed so much since these tragic events.

More than a decade later we all remember where we were on that clear Tuesday morning. I remember feeling the fear and uncertainty when gathering my staff at a location near the Capitol. Regardless of where we were on that fateful day, whether speaking English with a Brooklyn accent or as a first generation American learning English as a second language or those of you from the Midwest who perhaps speak with a bit of a Midwestern accent—although Midwesterners do not have an accent—we all came together. Regardless of where we worked—in a manufacturing plant in Cleveland or a farm near Lima—we came together. This is this spirit or solidarity we reaffirm today.

Today we must come together again and focus on moving forward as one nation in spite of our differences.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent to dispense with the quorum call.

The PRESIDING OFFICER. Without objection, it is so ordered.

SECOND ANNIVERSARY OF THE CHEVROLET CRUZE

Mr. BROWN of Ohio. This weekend, I believe it was Saturday, I was in Lordstown, OH, celebrating the 2-year anniversary of the first Chevy Cruze that came off the Lordstown GM Chevy plant line. I was there the day the first Cruze came out. The first three cars—painted red, white, and blue—represented the determination of workers and that company and the Nation to succeed to bounce back, despite national naysayers who were willing to stand idly by while our economy stalled.

We read it in newspapers, saw it on television, heard it on the radio how some elected officials not only wanted to turn their back on an industry that has provided middle-class wages, college educations, homes, and cars to millions of Americans, but a number of elected officials wanted to bet against the American automotive industry.

During the height of the economic crisis, when American manufacturing was sputtering—and the Presiding Officer knows the statistics because he paid attention in his State of Alaska, which is not so much a manufacturing State but a State that contributes a lot to manufacturing. The Presiding Officer knows what has happened in this country. From 2000 to 2010, we lost 5 million manufacturing jobs. That was one-third of all the manufacturing jobs in this country. Six thousand plants closed in the United States in that decade. Since 2010—and more on that in a moment—because of the auto rescue and because we have a Federal Government that is willing to enforce trade laws, we have seen a growth of 500,000 manufacturing jobs, the first time we have seen month-to-month manufacturing job growth for almost every month for 2-plus years. It is the first time since 1999 this country has actually seen any manufacturing job growth.

Some said: Let the industry go bankrupt. A Presidential candidate said—I believe his words to Detroit were along the lines of drop dead; that wasn't something we wanted to do, to do anything to help that industry. They were willing to let the auto industry go bankrupt and then see what happened.

Some of these naysayers thought it was OK to bail out Wall Street. They thought it was OK to pad the salaries of reckless bankers who drove our economy off the cliff. It wasn't the nonunion autoworker in Marysville who built the Honda, it wasn't the Chrysler autoworker in Toledo who built the Wrangler or the Liberty, it wasn't the Chevy autoworker in Lordstown who built the Cruze, it wasn't the autoworker in Defiance who built the engine or the glass worker in Crestline who made the glass for the Chevy Cruze or the aluminum worker in Cleveland or the steelworker in Middletown who caused the collapse of the economy and the problems with the banks. In many ways, they were blamed by the people who bet against America, who were willing to say it is OK to pad the salary of reckless bankers, even though they are the ones who drove the economy off the cliff.

They railed against rescuing autoworkers in places such as Holmesville, Waverly, Middletown, and Youngstown. The easy road—and it wasn't the easy road by a long shot—isn't always the right path, not when this many jobs are at stake, paying these kind of wages, strengthening this middle-class.

The Chevy Cruze represents what was at stake. Three days ago, when I was in Lordstown, we marked the day of the 2-year anniversary, how resilient we can be when we make decisions not based on politics but what is best for the country. Plain and simple, the auto rescue was the right choice.

Last year, the Cruze was elected the Car of the Year by the North American

Dealer Association. Now it is the best-selling compact car in America. My daughter drives one. My wife traded in her 6-year-old Pontiac Vibe and bought a Chevy Cruze. Just a few short years ago, 1,000 workers in Lordstown were laid off. Today, nearly 5,000 workers build one of the fastest selling small cars in the country.

For people such as Glenn Johnson, who is the local President in the Lordstown assembly plant, the politically unpopular decision to save the auto industry was about saving the livelihood for hard-working families in Ohio and in the Midwest. Two years later, we are moving forward. GM profits are up. GM has been profitable for 10 consecutive quarters. None of the naysayers thought it could possibly happen. None of the naysayers were willing to invest in GM and to find private capital. It only happened because taxpayers stepped forward because the government was willing to understand and recognize that this mattered for our country.

GM has announced plans to make a \$200 million additional investment in Lordstown, where they have added a third shift to produce the Chevy Cruze. Chrysler has invested tens of millions of dollars in Toledo. Honda has invested tens of millions of dollars in a new model in Marysville. Ford has invested tens of millions of dollars in Cleveland. All three American auto companies and the major U.S. auto transplant Honda have all made major investments in Ohio since the auto rescue. The Cruze epitomizes how essential the auto industry is in Ohio.

The engine for the Cruze is made in Defiance, the transmission for the Cruze is made in Toledo, the brackets are made in Brunswick, the glass for the Wrangler is made in Crestline, the sound system for the Cruze is made in Springboro, the underneath steel for the Cruze comes from Middletown, the exposed steel comes from Cleveland, the seat frame comes from Lorain, the seats are made in Warren, and the aluminum for the Chevy Cruze Eco comes from Cleveland. The car is assembled by 5,000 workers in Lordstown, OH.

This success story goes far beyond one State. In my State alone, hundreds of thousands of jobs are associated with the auto industry. There are 120,000 Ohioans who are directly employed by automakers, dealers, and supply chain parts manufacturers. We know even with that success and even with the success of enforcing trade laws, which have turned into—as a result of enforcing trade rules, we have a new steel mill in Youngstown. More tires are made in Findlay and more aluminum is made in Heath and Sidney, OH. More steel is made in Lorain and Cleveland.

Because we have enforced trade rules, that doesn't mean we don't need to do more. The economy is still not what it

should be. Our unemployment rate from 2 years ago went from over 10.5 percent to under 7.5 percent, but it is clearly still not enough because far too many workers in Ohio, Alaska and America and all over are underemployed or unemployed.

We are moving in the right direction. Since January of 2010, after a full decade of manufacturing job loss from 2000 to 2010, where 5 million manufacturing jobs were lost, we have gained 500,000 manufacturing jobs in those 2 years.

Supporting America means valuing workers. It is patriotic to support America's middle class. When it comes to protecting American workers and supporting American manufacturers and boasting America's middle class, we still have much to do. We have made major progress in the last years. We have much to do. We have no choice but to move forward.

MORNING BUSINESS

Mr. BROWN of Ohio. I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

REMEMBERING 9/11

Mr. INOUE. Mr. President, I rise in memory of an unspeakable tragedy that shook our great Nation free of the belief that we are an untouchable force in the modern world, 11 years ago today.

Eleven years ago today an unspeakable tragedy shook our great Nation free of the belief that we are an untouchable force in the modern world.

Today, as we honor the nearly 3,000 innocent men, women, and children who lost their lives at the World Trade Center, the Pentagon, and in a field in Shanksville, PA, we must remember more than the pain and rage that followed the events of that Tuesday morning.

I cannot help but compare that day to the morning of December 7, 1941, when Imperial Japan attacked Pearl Harbor, killing more than 2,400 sailors, soldiers, and civilians, and plunging our Nation into World War II.

The bombing of Pearl Harbor moved me to put on the uniform and join thousands of my brothers in a fight that spanned across Europe and the Asia Pacific.

Like Pearl Harbor, the events of September 11 forced our Nation to send troops into Afghanistan, and later it was used to help justify the invasion of Iraq.

More than 6,000 of our brave men and women have died fighting in those countries, and, like World War II, the loss of life and American resources is staggering.

These attacks on America, the wars that followed, and the aftermath where we searched for hope and dealt with the pain of loss, altered our national consciousness and fortified us for the future that we continue to work hard to build.

To move forward, we must recognize that September 11 was a painful reminder that America must remain ever vigilant to the threats posed by foreign forces and those who abhor the freedom and equality that defines our great Nation.

But most importantly, we have to understand the role America plays in the global community, and we must be respectful of our place and work hard to use what we have been blessed with to ensure that peace and good will reign, regardless of our differences.

I speak from experience when I say that no matter the justification and no matter the final outcome, no nation, no people, escape from war unscathed.

Mr. LEAHY. Mr. President, eleven years ago today, on a crisp early autumn morning much like today's, I was at the Supreme Court for the semi-annual meeting of the Judicial Conference when I got word of the first attack of 9/11. I quietly informed Chief Justice William Rehnquist, who was presiding over our meeting. Soon afterward we heard a muffled "bump," followed by a report that a car bomb may have gone off across town at the State Department. Of course, we later learned that this had been the sound of another plane, as it slammed into the Pentagon.

I remember later that day, evacuating my staff from the Russell Senate Building. I remember crossing along the West Front of the Capitol as two fighter jets streaked up the Mall. I remember the unnatural stillness of a big city in shock, similar only to what I saw as a law student at Georgetown, when a pall descended over Washington after the news that President John F. Kennedy had been killed.

At this morning's meeting of the Judicial Conference in that same room where we met 11 years ago on this date, several participants offered reflections about this somber anniversary.

I noted that much of what holds our country together in times of crisis is the integrity of the three branches of our constitutional government. In recent times, for temporary political gain, there too often has been the temptation to tear down our foundational institutions, undermining the public's faith and confidence in our system. Over time, that cannot help but erode that foundation. I pointed out that this was why, the day after the attacks 11 years ago, each and every Senator made the effort to be in his or her seat in an unmistakable gesture of unity of purpose. We knew that we had to reopen this emblem and pillar of American democracy, and I was

proud to be in my seat representing Vermont when the Senate convened for business that next morning.

Over this past decade, as Americans we have gathered each year on this date to remember the thousands of innocent lives that were taken so casually and so callously on that terrible morning. We also remember and honor the brave first responders and military servicemembers who have lost their lives protecting and serving our country. It has been more than a year since President Obama announced that Osama bin Laden had finally been brought to justice. Although his death will never heal the pain of the families who grieve their losses, we all hope that it will bring a degree of closure and a measure of solace to them, and to all Americans.

In the aftermath of this tragedy, it became clear that changes to our intelligence and law enforcement agencies were needed to address the government's failure to connect the dots before the attacks. I have worked to ensure that Federal agencies have the tools they need to make our borders more secure, improve our intelligence gathering, track down terrorists and bring them to justice, in ways that are consistent with our laws and fundamental values. I firmly believe that we can keep our Nation safe without relinquishing our values.

The last 11 years have further exposed the perversity and bankruptcy at the core of al-Qaida's philosophy and the resilient strength at the core of America's foundational principles. We are a people whose power is in our diversity, our principles, and our liberty. No attack on our shores has ever taken those from us, and no attack ever will.

Ms. MURKOWSKI. Mr. President, I remember, as many do, exactly where I was on this day 11 years ago. On that Tuesday morning the United States suffered a terrible attack that resulted in almost 3,000 immediate deaths. When we think of 9/11, we remember the shock, horror and feelings of helplessness. But as we reflect on that day, we also remember the outpouring of compassion and common purpose that united us then and in the days, weeks, and months that followed. We remember the courage shown by the firefighters, police, and other first responders, by the passengers of United Flight 93, and by so many others. That day left us with a resolve to regroup, rebuild and recover while renewing our country's reputation as a world leader and symbol of freedom.

Eleven years later, Americans have shown that our resolve cannot be broken. We remember and honor all those who have and continue to sacrifice to keep us safe, especially the more than 2 million members of our military who have served in the years since 9/11.

We should also remember the spirit of unity and determination that followed in the weeks and months after

9/11. We were not divided as Democrats and Republicans, we were Americans united in purpose. We would do well in these divisive campaigns to reflect on that unity as Americans and pledge to work together to advance the best interests of this great nation.

On this day of remembrance to our fallen heroes, I urge all Alaskans and Americans across the country to join together in service to our neighbors and communities.

Mr. BROWN of Massachusetts. Mr. President, although 11 years have passed since September 11, 2001, our hearts still ache for the families of the victims as we recall the horror and disbelief of that day. The attacks were a barbaric assault on our Nation's values, meant to crack the foundations of our civilization, strike fear in our hearts, and shake our resolve as a people. But the terrorists have failed in their twisted objectives, as we remain steadfast in our belief in the goodness of our Nation and her enduring ideals. We will never forget the tragedy of that day and the lives that were lost, just as we will never forget the sacrifices made by our troops to protect our freedoms. Today, we stand proudly as Americans first.

Among the nearly 3,000 innocent lives taken in the terror attacks of September 11, 2001, were more than 90 residents of my State of Massachusetts. In alphabetical order are those residents and more than 110 victims with close personal ties to the Commonwealth:

Anna S. W. Allison of Stoneham, MA; Barbara Arestegui of Marston Mills, MA; Myra Joy Aronson of Charleston, MA; Garnet Edward Bailey of Lynnfield, MA; Christine Johnna Barbuto of Brookline, MA; Mark Lawrence Bavis of West Newton, MA; Graham Andrew Berkeley of Wellesley, MA; David W. Bernard of Chelmsford, MA; Kelly Ann Booms of Brookline, MA; John Brett Cahill of Wellesley, MA; Christoffer Mikael Carstanjen of Turner Falls, MA; Neillie Anne Heffernan Casey of Wellesley, MA; Jeffrey William Coombs of Abington, MA; John Corcoran of Norwell, MA; Tara Kathleen Creamer of Worcester, MA; Patrick J. Currian of Winchester, MA; David DiMeglio of Wakefield, MA; Donald Americo DiTullio of Peabody, MA; Paige Farley-Hackel of Newton, MA; Alexander Milan Filipov of Concord, MA; Paul J. Friedman of Belmont, MA; Karleton Douglas Beye Fyfe of Brookline, MA; Peter Allan Gay of Tewksbury, MA; Linda Mae George of Westboro, MA; and Edmund Glazer of Wellesley, MA.

Lynn Catherine Goodchild of Attleboro, MA; Peter Morgan Goodrich of Sudbury, MA; Lisa Reinhard Penn Gordenstein of Needham, MA; Douglas A. Gowell of Methuen, MA; Francis Grogan of Easton, MA; Maile Rachel Hale of Cambridge, MA; Christine Lee Hanson of Groton, MA; Peter Burton Hanson of Groton, MA; Sue Jue Kim Hanson of Groton, MA; Eric Smadikan Hartono of Boston, MA; Peter Paul Hashem of Tewksbury, MA; James E. Hayden of Westford, MA; Robert Jay Hayes of Amesbury, MA; Edward R. Hennessy, Jr. of Belmont, MA; Todd Russell Hill of Boston, MA; Cora Hidalgo Holland of Sudbury, MA; Herbert Wilson Homer of Milford, MA; John

Nicholas Humber, Jr. of Newton, MA; Robert Adrian Jalbert of Swampscott, MA; John Charles Jenkins of Cambridge, MA; Charles Edward Jones of Bedford, MA; Robin L. Kaplan of Westboro, MA; Ralph Francis Kershaw of Manchester-by-the-Sea, MA; Brian Kevin Kinney of Lowell, MA; and Judy Camilla Larocque of Framingham, MA.

Natalie Janis Lasden of Peabody, MA; Daniel M. Lewin of Brookline, MA; Sara Elizabeth Low of Boston, MA; Marianne MacFarlane of Revere, MA; Susan McAleney Mackay of Westford, MA; Karen Ann Martin of Danvers, MA; Joseph Mathai of Arlington, MA; Michael Gregory McGinty of Foxboro, MA; Deborah Medwig of Dedham, MA; Christopher Daniel Mello of Boston, MA; Carlos Alberto Montoya of Belmont, MA; Laura Lee DeFazio Morabito of Framingham, MA; Christopher Martel Morrison of Charleston, MA; Mildred Rose Naiman of Andover, MA; Kathleen Ann Nicosia of Winthrop, MA; John Ogonowski of Dracut, MA; Betty Ann Ong of Andover, MA; Jane M. Orth of Haverhill, MA; Sonia Mercedes Morales Puopolo of Dover, MA; Patrick J. Quigley, IV of Wellesley Hills, MA; David E. Retik of Needham, MA; Frederick Charles Rimmele, III of Marblehead, MA; Raymond J. Rocha of Malden, MA; Jean Destrehan Roger of Longmeadow, MA; and Philip Martin Rosenzweig of Acton, MA.

Richard Barry Ross of Newton, MA; Jessica Leigh Sachs of Billerica, MA; Rahma Salie of Boston, MA; Jesus Sanchez of Hudson, MA; Jane Louise Simpkin of Wayland, MA; Heather Lee Smith of Boston, MA; Dianne Bullis Snyder of Westport, MA; Brian David Sweeney of Barnstable, MA; Madeline Amy Sweeney of Acton, MA; Michael Theodoridis of Boston, MA; Amy E. Toyen of Newton, MA; James Anthony Trentini of Everett, MA; Mary Trentini of Everett, MA; Antonio De Jesus Montoya Valdez of East Boston, MA; Kenneth E. Waldie of Methuen, MA; William Michael Weems of Marblehead, MA; Candace Lee Williams of Dorchester, MA; and Christopher Rudolph Zarba, Jr. of Hopkinton, MA.

And, Mr. President, those victims with close personal ties to Massachusetts include:

Stephen Adams, Gertrude Alagero, Japhet Aryee, Mark Bingham, Jeffrey D. Bittner, Susan L. Blair, Carol Marie Bouchard, Michael R. Canty, William Caspar, Swarna Chalasani, Stephen Cherry, Geoffrey William Cloud, Jeffrey D. Collman, Kevin Patrick Connors, Fredrick John Cox, Jr., Thelma Cuccinello, Dorothy deAraujo, Gerard DeConto, Manuel DelValle, Jr., Gerard Dewan, Simon Dhanani, Alberto Dominguez, Jamie Lynn Fallon, John R. Fisher, and Richard Fitzsimons.

Carol Flyzik, Alan Friedlander, Thomas Edward Galvin, Douglas Gardner, Andrew Curry Green, Donald Freeman Greene, Philip T. Guza, Carl Hammond, Gerald Hardacre, Melissa Harrington-Hughes, John C. Hartz, Roberta Bernstein Heber, Norberto Hernandez, William Christopher Hunt, Erik Hans Isbrandtsen, Waleed J. Iskandar, Aaron J. Jacobs, Ariel L. Jacobs, Jason K. Jacobs, Gricelda E. Garo James, Amy Nicole Jarret, Joseph Jenkins Jr., Jennifer Lynn Kane, Robert M. Kaulfers, and Richard M. Keane.

Barbara A. Keating, David P. Kovalcin, Kathryn L. LaBorie, Robert George LeBlanc, Dong Lee, Joseph A. Lenihan, Jeffrey LeVein, Sean Patrick Lynch, Louis Neil Mariani, Kenneth J. Marino, Margaret Mattic, Kevin M. McCarthy, Julian Valentine McCourt, Ruth Clifford McCourt, Thomas F. McGuinness Jr., Gavin McMahon, Stu-

art Todd Meltzer, Raymond Joseph Metz, III, Martin P. Michelstein, Craig J. Miller, Brian Joseph Murphy, Shawn M. Nassaney, Laurie Olsen Neira, Renee Tetreault Newell, and Jacqueline Norton.

Robert Norton, Leah E. Oliver, Seamus O'Neal, Marie Pappalardo, Robert Pattison, Thomas Nicolas Pecorelli, Todd D. Pelino, Berinthia Berenson Perkins, Jean Peterson, Dennis J. Pierce, Everett Proctor, III, Carrie Beth Progen, Jonathan Randall, Venesha Richards, Isaias Rivera, Waleska Martinez Rivera, Stephen L. Roach, Laura Rockefeller, Michael Craig Rothberg, James M. Roux, Matthew Carmen Sellito, Kathleen Shearer, Robert M. Shearer, Antoinette Sherman, and Timothy C. Stout.

Edward W. Straub, Kevin T. Szocik, Leonard E. Taylor, Eric Thorpe, Alicia Titus, Daniel Trant, Tyler Ugolyn, Michael Augustine Uliano, Meta Fuller Waller, Stephen Ward, John L. Wenckus, Peter M. West, and Maudlyn A. White.

HONORING OUR ARMED FORCES

CALIFORNIA CASUALTIES

Mrs. BOXER. Mr. President, I rise today to pay tribute to 30 servicemembers from California or based in California who have died while serving our country in Operation Enduring Freedom since June 6, 2012. This brings to 381 the number of servicemembers either from California or based in California who have been killed while serving our country in Afghanistan. This represents 18 percent of all U.S. deaths in Afghanistan.

CPT Scott P. Pace, 39, of Brawley, CA, died June 6, in Qarah Bagh, Afghanistan, of wounds suffered when his helicopter crashed. Captain Pace was assigned to 1st Squadron, 17th Cavalry Regiment, 82nd Combat Aviation Brigade, 82nd Airborne Division, Fort Bragg, NC.

Cpl Anthony R. Servin, 22, of Moreno Valley, CA, died June 8, while conducting combat operations in Helmand Province, Afghanistan. Corporal Servin was assigned to 2nd Battalion, 5th Marine Regiment, 1st Marine Division, I Marine Expeditionary Force, Camp Pendleton, CA.

SPC Nathan T. Davis, 20, Yucaipa, CA, died June 9, in Tore Obbeh, Afghanistan, of injuries suffered when his vehicle was attacked with an enemy improvised explosive device. Specialist Davis was assigned to 1st Battalion, Airborne, 501st Infantry Regiment, 4th Brigade Combat Team, Airborne, 25th Infantry Division, Joint Base Elmendorf-Richardson, AK.

Cpl Taylor J. Baune, 21, of Andover, MN, died June 13, while conducting combat operations in Helmand Province, Afghanistan. Corporal Baune was assigned to 1st Battalion, 7th Marine Regiment, 1st Marine Division, I Marine Expeditionary Force, Twentynine Palms, CA.

SSG Nicholas C. Fredsti, 30, of San Diego, CA, died June 15, in Spedar, Afghanistan, when insurgents attacked his unit with small arms fire. Staff

Sergeant Fredsti was assigned to 1st Battalion, 504th Parachute Infantry Regiment, 1st Brigade Combat Team, 82nd Airborne Division, Fort Bragg, NC.

SGT Jose Rodriguez, 22, of Gustine, CA, died June 19, in Kandahar Province, Afghanistan, of wounds suffered from enemy small arms fire. Sergeant Rodriguez was assigned to 4th Battalion, 23rd Infantry Regiment, 2nd Stryker Brigade Combat Team, 2nd Infantry Division, Joint Base Lewis-McChord, WA.

PFC Steven P. Stevens II, 23, of Tallahassee, FL, died June 22, while conducting combat operations in Helmand Province, Afghanistan. Private First Class Stevens was assigned to 1st Combat Engineer Battalion, 1st Marine Division, I Marine Expeditionary Force, Camp Pendleton, CA.

LCpl Niall W. Cotisears, 23, of Arlington, VA, died June 23, while conducting combat operations in Helmand Province, Afghanistan. Lance Corporal Cotisears was assigned to 1st Battalion, 7th Marine Regiment, 1st Marine Division, I Marine Expeditionary Force, Twentynine Palms, CA.

SPC Alejandro J. Pardo, 21, of Porterville, CA, died July 8, of wounds suffered when enemy forces attacked his unit in Maidan Shahr, Wardak Province, Afghanistan, with an improvised explosive device. Specialist Pardo was assigned to 978th Military Police Company, 93rd Military Police Battalion, Fort Bliss, TX.

Cpl Joshua R. Ashley, 23, of Rancho Cucamonga, CA, died July 19, while conducting combat operations in Helmand Province, Afghanistan. Corporal Ashley was assigned to 2nd Law Enforcement Battalion, II Marine Expeditionary Force, Camp Lejeune, NC.

PO2 Michael J. Brodsky, 33, of Tamarac, FL, died July 21, in Kandahar Province, Afghanistan, from injuries related to a dismounted improvised explosive device blast. Petty Officer Second Class Brodsky was assigned to Navy Region Southwest Security Detachment, San Diego, CA.

SGT Eric E. Williams, 27, of Murrieta, CA, died July 23, of injuries sustained when his forward operating base received indirect fire in Pul-E Alam, Afghanistan. Sergeant Williams was assigned to 3rd Battalion, 82nd Combat Aviation Brigade, 82nd Airborne Division, Fort Bragg, NC.

1LT Sean R. Jacobs, 23, of Redding, CA, died July 26, in Khakrez, Afghanistan, of wounds suffered when he encountered an enemy improvised explosive device. First Lieutenant Jacobs was assigned to 2nd Battalion, 17th Field Artillery Regiment, 2nd Stryker Brigade Combat Team, 2nd Infantry Division, Joint Base Lewis-McChord, WA.

SPC Benjamin C. Pleitez, 25, of Turlock, CA, died July 27, of injuries sustained from a non-combat related incident in Mazar E Sharif, Afghani-

stan. Specialist Pleitez was assigned to 1072nd Transportation Company, 746th Combat Support Battalion, 224th Sustainment Brigade, Van Nuys, CA.

PFC Jose Oscar Belmontes, 28, of La Verne, CA, died July 28, in Wardak Province, Afghanistan, of wounds suffered from enemy small arms fire. Private First Class Belmontes was assigned to 630th Engineer Company, 7th Engineer Battalion, 10th Sustainment Brigade, Fort Drum, NY.

GySgt Daniel J. Price, 27, of Holland, MI, died July 29, while conducting combat operations in Badghis province, Afghanistan. Gunnery Sergeant Price was assigned to 1st Marine Special Operations Battalion, Camp Pendleton, CA.

LCpl Curtis J. Duarte, 22, of Covina, CA, died August 1, while conducting combat operations in Helmand Province, Afghanistan. Lance Corporal Duarte was assigned to 1st Battalion, 7th Marine Regiment, 1st Marine Division, I Marine Expeditionary Force, Twentynine Palms, CA.

PFC Jesus J. Lopez, 22, of San Bernardino, CA, died August 1, in Paktika Province, Afghanistan, of wounds suffered when he encountered an enemy improvised explosive device. Private First Class Lopez was assigned to 1st Battalion, 28th Infantry Regiment, 4th Infantry Brigade Combat Team, 1st Infantry Division, Fort Riley, KS.

PO3 Clayton R. Beauchamp, of Weatherford, TX, died August 7, when enemy forces attacked his unit with an improvised explosive device while conducting a dismounted patrol in the Shaban District, Helmand Province, Afghanistan. Petty Officer Third Class Beauchamp was assigned to 1st Battalion, 1st Marine Regiment, Regimental Combat Team 6, 1st Marine Division, Forward, I Marine Expeditionary Force, Forward, Camp Pendleton, CA.

Capt. Matthew P. Manoukian, 29, of Los Altos Hills, CA, died August 10, while conducting combat operations in Helmand Province, Afghanistan. Captain Manoukian was assigned to 1st Marine Special Operations Battalion, Camp Pendleton, CA.

GySgt Ryan Jeschke, 31, of Herndon, VA, died August 10, while conducting combat operations in Helmand Province, Afghanistan. Gunnery Sergeant Jeschke was assigned to 1st Marine Special Operations Battalion, Camp Pendleton, CA.

SSgt Sky R. Mote, 27, of El Dorado, CA, died August 10, while conducting combat operations in Helmand Province, Afghanistan. Staff Sergeant Mote was assigned to 1st Marine Special Operations Battalion, Camp Pendleton, CA.

SSgt Scott E. Dickinson, 29, of San Diego, CA, died August 10, while supporting combat operations in Helmand Province, Afghanistan. Staff Sergeant Dickinson was assigned to 3rd Bat-

talion, 8th Marine Regiment, 2nd Marine Division, II Marine Expeditionary Force.

Cpl Richard A. Rivera Jr., 20, of Ventura, CA, died August 10, while supporting combat operations in Helmand Province, Afghanistan. Corporal Rivera Jr. was assigned to 3rd Battalion, 8th Marine Regiment, 2nd Marine Division, II Marine Expeditionary Force.

CW2 Suresh N. Krause, 29, of Cathedral City, CA, died August 16, in a helicopter crash northeast of Kandahar, Afghanistan. Chief Warrant Officer 2 Krause was assigned to 2nd Battalion, 25th Aviation Regiment, 25th Combat Aviation Brigade, 25th Infantry Division, Schofield Barracks, HI.

SGT Richard A. Essex, 23, of Kelseyville, CA, died August 16, in a helicopter crash northeast of Kandahar, Afghanistan. Sergeant Essex was assigned to 2nd Battalion, 25th Aviation Regiment, 25th Combat Aviation Brigade, 25th Infantry Division, Schofield Barracks, HI.

PO1 Sean P. Carson, 32, of Des Moines, WA, died August 16, in a helicopter crash northeast of Kandahar, Afghanistan. Explosive Ordnance Disposal Petty Officer First Class Carson was assigned to an explosive ordnance disposal mobile unit in San Diego, CA.

PO1 Patrick D. Feeks, 28, of Edgewater, MD, died August 16, in a helicopter crash northeast of Kandahar, Afghanistan. Special Warfare Operator Petty Officer First Class Feeks was assigned to a west coast-based naval special warfare unit.

PO2 David J. Warsen, 27, of Kentwood, MI, died August 16, in a helicopter crash northeast of Kandahar, Afghanistan. Special Warfare Operator Petty Officer Second Class Warsen was assigned to a west coast-based naval Special warfare unit.

LCpl Alec R. Terwiske, 21, of Dubois, IN, died September 3, while conducting combat operations in Helmand Province, Afghanistan. Lance Corporal Terwiske was assigned to 1st Combat Engineer Battalion, 1st Marine Division, I Marine Expeditionary Force, Camp Pendleton, CA.

PRODUCTION TAX CREDIT

Mr. LEAHY. Mr. President, like others in this body, including Senator UDALL of Colorado and my fellow senator from Vermont, Senator SANDERS, I support extending the production tax credit for wind energy. This extension is critical to maintaining America's leadership in green energy development and can directly increase domestic job growth. Vermont has already seen the positive results of the production tax credit for wind energy, but the wind industry impacts our entire country. Every American has a stake in the extension of this tax credit.

I am proud that Vermont is a leader in green energy. My State has set ambitious, yet achievable, goals to develop renewable energy resources and

technology. We are doing our part to promote job growth, national security, and environmental benefits that tap into local, renewable energy sources. Yet despite these efforts, Vermont has already experienced negative consequences from the uncertainty that surrounds the extension of this tax credit.

I frequently hear the success stories in the renewable energy industry coming out of Vermont, and from industry leaders there about the exciting new projects they are developing. But this summer, the stories have been different. One such company, NRG Systems in Vermont, has been a global leader in wind measurement. The company's CEO, Jan Blittersdorf, and her team of dedicated employees take great pride in delivering precise, reliable and proven wind measurement and turbine control equipment. Jan is an industry leader who has been recognized as a Champion of Change by President Obama and who has been praised for her renewable energy work and efforts to advance the role of women in the green energy sector.

During the recession, as jobs were being cut in many sectors across the country and in Vermont, NRG bucked the trend by hiring new workers, and the company continued to innovate and look for ways to grow their business. Today, you can find their products in more than 144 countries. Now, however, due to the uncertainty surrounding the extension of the production tax credit, companies like NRG are putting new projects on hold, and for the first time in its 30 year history NRG Systems has been forced to lay off workers—a devastating prospect for a business in a rural state that has prided itself on its ability to adapt to changing market conditions and its strong support for its workers.

These are skilled and dedicated employees losing vital domestic jobs. American workers cannot afford a delay in the extension of the production tax credit. At a time when manufacturing jobs have been shipped overseas, the wind energy sector has done the opposite: it has added manufacturing jobs here in America. Wind energy companies, like NRG Systems, are entrepreneurs who are doing the kind of groundbreaking work that drives our economy.

We have a chance to invest in jobs for America, rather than subsidizing the oil industry to the tune of billions of dollars every year. Our continued dependence on fossil fuels ensures that we will have more of the extreme weather events that have long been a predicted consequence of global warming, such as the drought that is devastating our Nation's farmers this summer and the terrible flooding from Hurricane Irene last summer. It is time to say goodbye to the big oil tax subsidies and usher in a new era of wind

energy. The benefits are clear: wind energy has propelled a sustainable and domestic energy source, increased jobs for Americans, and strengthened our domestic energy security.

These are jobs we cannot afford to lose. In Vermont, and for the wind industry across the country, NRG Systems is the canary in the coal mine—an early indicator of the crisis that the wind industry is headed toward if the production tax credit is not extended. This crisis is something we have seen every time this tax credit has lapsed. Each time the production tax credit has been allowed to lapse, revenues in the wind industry fall precipitously, businesses shutter their doors, and workers lose their jobs. There are ways to avoid this catastrophe.

We must continue the production tax credit now or we will most certainly cede these jobs to other countries. I urge all Senators to join me in supporting these important credits. They support American jobs, American companies, American ingenuity, and American energy security. We should extend the production tax credit for wind and continue America's leadership in this growing energy sector.

OVARIAN CANCER AWARENESS MONTH

Ms. KLOBUCHAR. Mr. President, I rise to express my support for women and families affected by ovarian cancer. In 2012, it is estimated that approximately 22,280 women will be diagnosed with ovarian cancer and 15,500 will die of the disease. In my State of Minnesota, an estimated 260 women will die from ovarian cancer this year. Too many American women—sisters, daughters, nieces, wives, friends, neighbors, and coworkers—are losing their lives to this disease.

Because no ovarian cancer screening or early detection test exists, organizations such as the Ovarian Cancer National Alliance stress that “until there's a test, awareness is best.” I commend the Ovarian Cancer National Alliance for its steadfast commitment to make women aware of the risk factors, signs, and symptoms of ovarian cancer and for its advocacy on behalf of women and families touched by this devastating disease. I also would like to commend the Ovarian Cancer National Alliance's Partner Member groups in my State, including the Minnesota Ovarian Cancer Alliance, which is one of the largest funders of research for ovarian cancer in the country.

Experts recommend that women see a gynecologist if they experience any of the often subtle symptoms of ovarian cancer daily for more than a few weeks. Four major symptoms of ovarian cancer include bloating, pelvic or abdominal pain, difficulty eating or feeling full quickly, and frequent or urgent need to urinate. I ask all of my

colleagues to become familiar with these symptoms and to share the information with their friends, family, staff, and constituents.

Ovarian cancer is the ninth most common cancer among women and the fifth leading cause of cancer-related deaths, making it the deadliest of gynecologic cancers. If ovarian cancer is treated before it has spread outside the ovary, the 5-year survival rate is 93 percent. Currently, only 15 percent of ovarian cancers are found at such an early stage and overall the relative 5-year survival rate is 46 percent. I urge my colleagues to help make women aware of the potential warning signs to prevent future deaths. Experts acknowledge that symptoms can be vague and may be associated with other medical conditions. However, as the saying goes, it is better to be safe than sorry.

September is National Ovarian Cancer Awareness Month—an important time during which ovarian cancer organizations, advocates, and others will be helping to raise awareness about the disease and its symptoms. I urge my colleagues and their staff to join me in recognizing September as National Ovarian Cancer Awareness Month and to join with us in wearing teal throughout September to increase public knowledge about this deadly disease.

TRIBUTE TO ROSAIRE LONGE

Mr. LEAHY. Mr. President, it is an honor to recognize Rosaire Longe, a man who has dedicated much of his life to civil service. Whether fighting fires, serving the city of Burlington, VT, as city assessor, representing his district in the Vermont State Legislature, or maintaining order in the courtroom as a court officer, Mr. Longe has continually served the people and State of Vermont.

A native of New York, Mr. Longe spent most of his childhood years in Vermont. After graduating from Burlington High School in 1958, Mr. Longe worked as a firefighter for the Burlington Fire Department, a profession he continued for 10 years. Mr. Longe went back to school at Champlain College, where he received his associate's degree in accounting in 1979. Before beginning his career as a court officer, Mr. Longe worked as the Burlington City Assessor and served as a state representative for one term in the Vermont Legislature. For the past 20 years, Mr. Longe has ensured the smooth running of the Vermont Superior Court in Burlington as a court officer. His ready smile and easy manners have helped jurors, witnesses and judges alike feel assured in the courtroom. Outside of work, Mr. Longe served as a Justice of the Peace for over 30 years, and in that capacity, he has presided over the marriage of over 2,000 couples.

These professional accomplishments aside, Mr. Longe has touched the lives of many Vermonters. Friends and co-workers have described him as “one of the best men” they know. Whether he is leading people in and out of the courthouse, officiating a neighbor’s wedding, or merely encouraging those around him with a smile and a laugh, Mr. Longe has proven himself to be the epitome of a true Vermonter. Marcelle and I have known Rosaire and his wife, Irene, for decades, and share Vermonters’ admiration for him. In light of his character and history as a public servant, Rosaire deserves recognition for a full lifetime of civil service and contribution to his community and State.

TRIBUTE TO DR. HENRY JARECKI

Mr. LEAHY. Mr. President, I want to use this opportunity to recognize the extraordinary contribution of a dear friend of mine, Dr. Henry Jarecki, who is the founding chairman of the Institute of International Education’s Scholar Rescue Fund.

This year is the fund’s 10th anniversary, and on September 18, 2012, Dr. Jarecki will be honored with the Institute of International Education’s Humanitarian Award—along with Scholar Rescue’s other founders, Tom Russo, Henry Kaufman and George Soros—for his commitment to protecting endangered scholars around the world.

The Scholar Rescue Fund provides safe havens to scholars whose lives are threatened, often for no other reason than their intellectual pursuits, allowing them to continue their academic work. No other global fund of this kind exists. Since 2002, with congressional support, the Scholar Rescue Fund has enabled 469 threatened scholars from 48 countries to resettle in places where they have safely pursued their professional studies and research, preserving the intellectual capacity of a country during conflict or crisis.

Over 40 percent of these scholars have returned to their home countries. For example, as reports emerged of assassinations of Iraqi scholars, the Scholar Rescue Fund identified those in danger and provided stipends so they could resettle and continue teaching and writing in Jordan and other neighboring countries. Many have since returned to leadership positions at Iraqi universities as that country rebuilds its institutions of higher education.

While many have supported the Scholar Rescue Fund, Dr. Henry Jarecki stands out. Drawing on his own experiences as a child whose family fled Nazi Germany, Dr. Jarecki has generously devoted his energy, resources, and time to the fund. He has been a passionate voice for responding to the dangers confronting scholars in Iraq, Iran, Yemen, and now Syria.

He has guided staff and inspired fellow board members, always striving to

do more on behalf of persecuted academics. He has been a source of support and hope to threatened scholars everywhere. Dr. Jarecki’s own words explain his motivation best: “Most of all, I thank and admire our scholars, who have gone through hell to educate us.”

I am proud to have been his friend for decades, and I know his deep commitment. It is with great respect, gratitude, and admiration that, on the occasion of the Scholar Rescue Fund’s 10th anniversary, we recognize and commend Dr. Henry Jarecki’s work to protect scholars worldwide. Because of his efforts the fund will continue into the future, saving the lives, work, and voices of threatened academics and reminding us all of the importance of intellectual freedom.

ADDITIONAL STATEMENTS

HAZEN, NORTH DAKOTA

• Mr. CONRAD. Mr. President, I am pleased to honor a community in North Dakota that will celebrate its 100th anniversary next year. On July 4 through July 7, 2013, residents of Hazen will be celebrating their community’s history and founding.

Hazen has a rich Native American and settler’s history, from the Mandan and Hidatsa tribes establishing horticultural villages to Lewis and Clark spending a winter in what is now Mercer County. Settlers began establishing the area after the Lewis and Clark expedition discovered the “highway to the Northwest”, otherwise known as the Missouri River. Hazen was named for A.D. Hazen, who was Third Assistant Postmaster General in the summer of 1884. General Hazen served at Fort Stevenson, a military post on the north side of the Missouri River.

Located in the Bakken oil formation, Hazen is part of North Dakota’s thriving energy industry. The community supports investing and expanding the energy industry and also remains committed to a high quality of life for its residents. The city of Hazen has developed a well-rounded business district and a dedicated parks and recreation department, offering activities such as fishing, camping, and archery. The area offers many opportunities to enjoy North Dakota’s natural beauty.

Among the events planned for the centennial are a fireworks display, concerts, dinners, a glow-in-the-dark 5k run, and a fish fry. Hazen’s celebration is sure to give attendees an all-around experience that is true to its roots, providing that unique hometown feel for which North Dakota is known.

I ask the United States Senate to join me in congratulating Hazen, ND, and its residents on their 100th anniversary and in wishing them well in the future.●

TRIBUTE TO MICHAEL DONOHUE

• Ms. KLOBUCHAR. Mr. President, today I wish to recognize a fellow Minnesotan, Mr. Michael Donohoe, as he nears the end of his term as the 107th chairman of the nation’s largest insurance association, the Independent Insurance Agents & Brokers of America, IIAA. Mike is principal of the James R. Weir Insurance Agency in Mankato, MN, and was installed as the association’s chairman last September.

Mike has contributed to the independent agency system in a variety of ways at the State and national level, including serving as the Minnesota Independent Insurance Agents & Brokers, MIIAB, president and as the organization’s representative on the National Board of Directors. He is a former MIIAB Agent of the Year.

In 2005, Mike received the Woodworth Memorial, the highest honor the Big “I” awards to an agent which is presented annually to the Big “I” member who best demonstrates outstanding service benefiting independent insurance agents and the entire insurance industry. He is the only Minnesotan ever to be awarded the Woodworth Memorial. Amongst his many other accomplishments at the Big “I,” he was instrumental to the success of the Big “I” Virtual University and served as the chair of the VU Oversight Task Force from 2001 to 2006.

Donohoe grew up in Lake Forest, IL, and is a graduate of St. Mary’s College, in Winona, MN. He has been married to his wife Mary for more than 30 years, and they have four children: Katie, Gina, Meghan, and Patrick. I would like to commend Mike’s commitment to his profession, his community, and our State of Minnesota, and I wish him and his family all the best in their future endeavors.●

CELEBRATING STAN OVSHINSKY

• Mr. LEVIN. Over the August recess, I had the pleasure of attending a 90th birthday party for a remarkable Michiganian, Stan Ovshinsky. I would like to share with my colleagues some of my remarks from that event.

The word “visionary” is over used, but surely it applies to Stan Ovshinsky.

His vision for decades has been a world freed from its dependence on fossil fuels. One in which we create good jobs and a growing economy on the strength of green ideas. One in which science lights the way to a brighter future, and in which justice and fairness prevail.

He has worked for that vision every day of his 90 years, beginning in the machine shops of Akron, OH.

The science behind what Stan has accomplished might be incomprehensible to most of us, even though Webster’s New World Dictionary tries to make it simple. Webster’s defines the word

"ovonic," from the name Ovshinsky, as "designating, of, or utilizing various glassy, amorphous materials that undergo electronic or structural changes, act as semiconductors when subjected to voltage, light, etc., and are used in computer memory elements, electronic switches, etc." That may still be pretty hard to understand for many of us.

But we certainly can understand the impact these innovations have had on the world. Through his work on advanced batteries, solar cells, hydrogen power and more, Stan is one of the people who has brought us closer to breaking our dependence on energy sources that endanger our environment, our economic well-being, and our national security.

We can also understand Stan's passion. Spend a few minutes talking to him about his vision, and you see the world as it could be, a world in which American innovators pioneer the technologies that power a new economy and create good jobs.

So his vision isn't just that of a scientist. It is the vision of a patriot.

Stan knows that the visionary's path is not an easy one. Those who seek to change the world embark on a lifetime of ups and downs.

He never attended college, but lack of formal education didn't stop him. As Edison showed us, humankind's creative juices aren't always meant for the more confined spaces of academia.

Two centuries ago, a Frenchman, Alexis de Tocqueville, toured our new Nation, traveling from its major cities to the raw frontier of places such as Detroit and Saginaw.

Reflecting on the American character, de Tocqueville wrote that the average American was "above all an innovator. . . . Nothing prevents him from innovating. Everything leads him to innovate."

Stan is proof positive that the American spirit of innovation de Tocqueville described is alive and well.

Many others joined me in celebrating Stan's accomplishments. I would like to share with my colleagues the remarks of two distinguished guests: those of Hellmut Fritzche, the former chairman of the Physics Department at the University of Chicago; and of Harley Shaiken, the chair of the Center for Latin American Studies at the University of California-Berkeley. I ask unanimous consent that their remarks be included in the RECORD.●

There being no objection, the material was ordered to be printed in the RECORD, as follows:

REMARKS OF HELLMUT FRITZCHE

STAN'S 90TH BIRTHDAY

This is a very special occasion! We are getting together with love, admiration and gratitude to celebrate the 90th birthday of Stan. He has deeply touched and profoundly influenced each one of us and changed our lives. Let me tell you about myself.

Exactly 49 years ago began our most fruitful and exciting collaboration and a deeply

enriching friendship that includes all our family members. Max Powel picked me up from the airport and I looked in vain for a sign saying Energy Conversion Devices at any of the big buildings we passed; Max said "they haven't put up a big sign yet". Soon I was sitting across Stan at his storefront office and laboratory at W. McNichols Rd. Right away Stan showed me the completely symmetric switching characteristics of his new devices on his oscilloscope. I was flabbergasted, astonished, puzzled and curious about the materials covering the two crossing wires which formed his device. All this was new. I was hooked. This was the opening to a new science which started a fruitful phase of my research.

I was captivated by Stan's immense intellect, exuberance, and his personal warmth and that of his young wife Iris. Iris, Stan's soul, spirit and closest collaborator. Soon I was guest in their small house in Birmingham and played violin with their eight year old Steven.

I realized that Stan had discovered a huge unexplored field of material science. This happens very rarely. We were in uncharted territory. In Stan's disordered Ovonic materials we were confronted with phenomena of bewildering diversity and complexity which required for their explanation a new language and concepts. Stan's intuition and deep understanding of the roles of different elements in his materials were ingenious.

You would think that the scientific community welcomed with enthusiasm Stan's lead into an entirely new field of materials with promising device possibilities. What a disappointment! Stan's discoveries were contemptuously dismissed and attacked by mainstream physicists. Was it because Stan did not carry the union card of academic credentials? Stan who rightfully views science as the noblest endeavor was greatly disappointed by the pettiness, irrationality and lack of curiosity of a good fraction of scientists. Stan's reaction was admirable. He did not respond impatiently or in anger. Since he was absolutely convinced of the correctness of his ideas and the potential of his materials, he trusted that his opponents would be won over as soon as they understood his ideas and discoveries. However, since his enemies were from the established research institutions, they were able to block all federal research support. That brought out Stan's other talents, that of attracting and convincing like-minded people to help him accomplish his goals and realize his vision. These usually were likewise extraordinarily creative and imaginative personalities. Frequent visitors to Stan and Iris and ECD were Sir Nevill Mott, Isidor Rabi, Robert Wilson, Ed and Haru Reishauer and Edward Teller.

Since I am name dropping, I have to tell you about a fascinating dream. I dreamed that Stan and Albert Einstein had become close friends, Stan was sitting at the desk and Einstein on his bed, there was no other furniture in Einstein's Spartan room—They were in the house near Berlin which Einstein designed and had built for himself after the city of Berlin rescinded on its promise to present a house to Einstein as a gift of the city to his 50th birthday. Stan and Einstein were in a deep discussion. Einstein had just said "Stan, we have much in common. We both feel that the greatest joy in life is to discover a new truth of nature, we both were fortunate to experience it a number of times." Stan objected to equating their achievements but Einstein stopped him "No, my work was much easier. Both of us follow

our intuition and are doggedly stubborn like mules, but I needed only pencil and paper and was kept on a safe track by the logical rules of mathematics. You, on the other hand, navigated in uncharted territories, gathering all knowledge by experiments of your design on new materials of your making and interpreting measurements of limited accuracy. Yet you succeeded many times in discovering new materials and new laws of material science. Not only that, you designed these materials to be of great value to society."

"I know some of the difficulties you must have encountered. I did an experiment only once in my life, with the young De Haas. It was a complete flop. We made such an unforgivable mistake that our experiment is still quoted under the demeaning rubric "Pathological Science" serving as an example of what experimentalists must avoid: 'Never let your preconceived notion influence your experiment!'. We fell into that trap. We knew the value which we should find in our experiment because I had calculated it. We indeed measured it quite accurately. However, we were influenced and fooled by our prior knowledge. The true value turned out to be different by a factor two. My calculation, based on classical concepts, was wrong."

"Now you see, Stan, how much I admire your successful forays into completely unknown territories with naysayers and enemies lurking around you. Who was this Oxford professor who claimed amorphous semiconductors cannot exist because he taught his students that their energy gap is formed by interference of the electron wave functions at the periodic lattice of crystals? We both had plenty of enemies, but for us they lived in a different universe because we knew we were right. I could easily disregard them, but for you they were serious, they tried to prevent your work from getting funded, experiments are expensive. So you had to play all the other roles: being an entrepreneur, fund raiser, inventor and engineer and machine builder, all in one person. Now you know why I consider you to be the one to be admired."

Stan was speechless, so Einstein carried on and said "I learned to protect my solitude, uncombed and dressed in my ragged sweater—I protect my privacy. You notice there is no living room and no telephone in this house I designed, and my wife Elsa has a great talent shunning away visitors."

I don't remember what Stan said, but Einstein continued: "People are in awe of me but no one loves me. I never had true friends, I failed in my marriage. I envy you and Iris for your talent to form deep friendships and to elicit love. People are drawn to you; you understand them and you care. Even more, you bring out their best, many working with you feel you changed their lives. You and Iris created a unique ECD culture of innovation and collaboration. Enough said. So stop admiring me, you are great!"

"We share fundamental human values, I talked about them, but you practiced them; you were effective starting as a Union organizer and continued fighting against injustice and prejudice all your life. It is typical for you to be the only Fellow of the American Physical Society who, at the same time, is a union member of the International Association of Machinists."

Einstein then talked about his work in the patent office and how he enjoyed reading many of Stan's 400 or so patents. Their discussion became too technical for me to include in this talk. Getting up, Einstein finally said: "by the way Stan, I learned about

your explanation of dark matter, the 26 percent of all matter in the universe, one of the great puzzles of modern Cosmology. You said it is not matter at all but pure gravitation without matter. It is space/time curvature produced by non-uniform expansion of the universe instead of by matter. I agree with you, the expansion cannot be uniform because mass, that is the galaxies and nebula fill space in clumps. That will cause wrinkles in space time and hence additional curvatures, which of course act gravitationally, just what dark matter does. The referee was wrong rejecting your paper on the grounds of my field equations. These were written for a stationary universe in order to keep the mathematics simple and tractable. Modern scientists must not take as a gospel what I wrote down more than 80 years ago."

Here our dog jumped on my bed waking me up—what a dream! I had to tell you about it. I hope you appreciate my effort to imitate Einstein's German accent.

You might be surprised to hear Stan thinking about cosmological problems. I always stayed with Stan and Iris when I visited ECD. When we got to his home after a grueling and strenuous day for Stan, we swam in the lake, had a martini and enjoyed Iris' delicious dinner. Then Stan said "Let us relax and talk about physics". Besides high temperature superconductivity, Bose Einstein condensation, non-silver photography, high remanence magnets, catalytic actions of nano-crystals, and of course the Ovonic switching and memory phenomena, we discussed current problems of cosmology. We sat in his basement study surrounded by thousands of his books, discussed and argued about scientific problems. Between my visits we exchanged letters summarizing and clarifying our thoughts in preparation of our next session. I found a bundle of our letters. These are the ones of 6 years between 1994 and 2000 dealing with cosmology. They awake fond memories.

I mentioned thousands of his books. They fill all rooms and the study, the guest room, the former gym and sauna in the basement. The books, most of them heavily annotated with colored markers, lead you through the history of the labor movement, biographies of all important and admirable people including some anarchists, books on Japanese Haiku, Chinese art, history of social movements and world history. With his incredible memory, Stan picks from the books piling up to the ceiling and finds the passage supporting his argument. Stan is a Renaissance man except for the important difference that in the Renaissance no one was at the same time a scientist, social activist, entrepreneur, machine builder, inventor, and manufacturer. We have to find a new name for a person with the incredible scope of knowledge and creativity of Stan. On the other hand, there is no other person, so let's just call him Stan Ovshinsky.

We wish you good health, success and a happy birthday.

STAN OVSHINSKY: CELEBRATING THE PAST AND ILLUMINATING THE FUTURE—HARLEY SHAIKEN, UC-BERKELEY

It is an honor and a joy to be here today with Stan and Rosa, with their family and friends, to celebrate Stan's 90th birthday. I will take my cue from Stan who has always celebrated the past while looking to the future.

From a very young age Stan set out to change the world in a progressive—no, in a radical way—and the world is a far better place for his efforts. As impressive as his

works have been, I believe they will prove defining for future generations.

Stan has combined brilliant science with a deep commitment to social justice and he has pursued both with exceptional vision and courage. They are fully intertwined in his mind and his heart. They are not separate sides of Stan, they are Stan.

If the term were not already used in physics, we might call the passionate combination of science and social justice: Ovonics.

His path has never been easy. When the times were toughest, when the night was darkest, Stan persevered. Since it's his birthday, let me begin with a verse by Ralph Chaplin, the IWW poet and troubadour, who at times wrote from a jail cell and who Stan reads in difficult times.

Chaplin wrote in "No Truce for Us":

"Stubborn we stood against the stars to span

The night with dreams, our faces to the gale".

Stan has spanned a lifetime with dreams, surmounted the fiercest gales, and turned those dreams into profound new realities.

Stan for me has been the dearest of friends, the most exceptional of mentors. There is no one with whom it is more exciting to share good news. When I met a beautiful young woman from Chile in 1973, who is the love of my life, I first brought her to meet Stan and Iris. And, there is no one who is more supportive when the sky appears to be falling. I wouldn't be who I am today without Stan.

Out of a lifetime of special moments I will speak briefly about two separated by decades and thousands of miles: the first was when I met Stan and Iris so many years ago in Detroit and, the second, when I stood with Stan and Rosa only a few years ago on an 8,000 foot mountain in the north of Chile.

I first met Stan and Iris when I was 15 in a basement community room in Northwest Detroit at a meeting to organize a chapter of the Congress of Racial Equality (CORE), a civil rights group. Their ideals and their love for each other flowed through the room. The 1960s were just beginning. The times were very heady and the times were deeply troubled. Stan and Iris's commitment to civil rights was inspiring. They supported students in the South who were being brutally beaten for sitting at lunch counters and they stood with African American families in Detroit who were threatened for wanting a decent home down the block.

I would soon learn that Stan had organized workers into unions in the 1930s and 1940s, on occasion being chased or beaten for his efforts, and I would see him stand proudly with labor throughout his life; I would see Stan champion human rights throughout the world whether in Russia or Chile; I would see his support of women in his life and in his company far ahead of the curve; and I would witness him oppose unjust wars guided by a moral compass whatever the personal cost.

In the weeks and months after we met a friendship bloomed. I would meet Stan and Iris after school in the storefront offices on Six Mile Road of a company they had just founded. At the time, the company had an oscilloscope or two and was about to hire its first employee. It's name and its mission would prove prophetic: Energy Conversion Laboratories. What a name to choose in 1960!

In Stan's office, there was a periodic table of the elements on the wall and shelves of books from Albert Einstein to the Chilean poet Pablo Neruda, from the British philosopher Bertrand Russell to the American labor leader A. Philip Randolph.

As we talked, Stan would pull books off the shelves and put them into my hands,

books that would change my life. George Orwell's *Homage to Catalonia*; John Reed's *Ten Days That Shook the World*; the Rev. Martin Luther King Jr's *Stride Toward Freedom*; and the German expressionist George Grosz's paintings and drawings, among many others.

Although Stan has honorary doctorates in physics from the University of Michigan and great universities throughout the world, he says he acquired his advanced degree at the Akron Public Library; I acquired mine in that Six Mile Road office.

In his office and in his living room, Stan spoke passionately about science, he spoke about energy and information as the pillars of a new age, and he spoke about building a better world with urgency.

As I would quickly learn, for Stan speaking was the prelude to action. Ideas led to new theories, new materials, new areas of science; they led to machines and factories; they laid the foundation for new industries.

Stan's path-breaking science harnessed the energy of the sun and his values sought to use science to create jobs, avoid wars over energy, and preserve the environment.

His vision was always international. He has traveled the world tirelessly I suspect with the words of Eugene Debs in mind "if there is a lower class I am in it, if there is a criminal element I am of it, if there is a soul in prison I am not free." And, his practice seemed to have added "if someone sits in darkness my world becomes dimmer." Among so many global achievements, forgotten villagers in Oaxaca, Mexico were able to light the night using his solar materials and illuminate a path to a better future.

Three years ago I came with Ricardo Lagos, the legendary former president of Chile, to Detroit to meet Stan and Rosa.

He was so impressed by the visit—Stan and he proved to be kindred spirits—that he organized a trip for them to Chile a few months later.

We were invited to spend a magical day at the Paranal Observatory on an 8,000-foot peak in the Atacama desert, the driest place on the planet. Under a sundrenched sky and during a night overflowing with stars, Stan expressed admiration for what democratic governments had achieved in Chile and spoke eloquently about solar possibilities for the future. Over an intense week, he added a vital, transforming voice to thinking about renewable energy in the country.

The magic continued at the home of President Michelle Bachelet, a remarkable woman and an exceptional president. Stan and her shared an instant rapport and a deep, personal connection on values and ideals. The commitment for a better world burned brightly for both of them.

These special moments made me realize that Stan has changed the world in ways that he and we may not yet fully recognize. We will look back and see that his science and his life defined our age in profound ways.

He has inspired far more deeply and far more widely than he may know. He has inspired because, as Senator CARL LEVIN so eloquently put it, "Stan has allowed us to see the world as it could be."

Those who worked with him at Energy Conversion Devices saw his ideals in practice. He created a culture that celebrated the worth and capacity of people—whatever their formal qualifications, whoever they were—and inspired unparalleled innovation and achievement over five decades.

Along the way there have been setbacks and tough defeats. How could there not be given the powerful interests he has challenged and the profound ways in which he

has upended the status quo? I am reminded about something his friend Norman Thomas once said, which is now enshrined on a plaque in the library at Princeton University. "I am not the champion of lost causes, but the champion of causes not yet won."

Let me conclude with another poem. In a world spiraling toward nightmare in 1938 Bertolt Brecht wrote "To Posterity."

He lamented "Alas, we who sought a world of human kindness could not ourselves be kind."

Stan has rewritten the poem with the work of a lifetime. His version would read "we who sought a world of human kindness could only achieve it through kindness, generosity, and solidarity with our fellow human beings."

Happy birthday, Stan!

REMEMBERING LEO R. SEGALLA, SR.

• Mr. VITTER. Mr. President, today I wish to honor the life, legacy, and contributions of Leo R. Segalla, Sr., who passed away on Monday, September 10, 2012. Mr. Segalla was a dedicated pro-life leader whose tireless efforts for many ministries and outreaches had a tremendous impact on the fight to defend the dignity of life.

In 2007, Leo approached Louisiana Right to Life with the vision of creating a pro-life leadership training program for high school students. He developed the Louisiana Camp Joshua program on behalf of the Knights of Columbus and Louisiana Right to Life. Under his leadership, Camp Joshua flourished and grew to two camps, the first in Baton Rouge and the second in Lake Charles. Over the past 5 years, this program has trained hundreds of teens to speak effectively on life issues and has inspired young adults to be pro-life leaders in their communities.

Leo also greatly contributed to the pro-life cause through his leadership in Baton Rouge Right to Life and as part of the Louisiana Life March Coalition. The pro-life community has lost a great friend and advocate, but his legacy will live on in the hundreds of young people who have been empowered to stand for the dignity and sanctity of all human life.

It is with great sadness but also great honor that I recognize, commend, and celebrate the life and legacy of Leo Segalla. Leo was a champion of life who was unwavering in his defense of those who cannot defend themselves. I extend my deepest condolences to his family and friends in Louisiana. •

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the PRESIDING OFFICER laid before the Sen-

ate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

REPORT ON THE CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO PERSONS WHO COMMIT, THREATEN TO COMMIT, OR SUPPORT TERRORISM THAT WAS ESTABLISHED IN EXECUTIVE ORDER 13224 ON SEPTEMBER 23, 2001—PM 61

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within the 90-day period prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice, stating that the national emergency with respect to persons who commit, threaten to commit, or support terrorism is to continue in effect beyond September 23, 2012.

The crisis constituted by the grave acts of terrorism and threats of terrorism committed by foreign terrorists, including the terrorist attacks on September 11, 2001, in New York and Pennsylvania and against the Pentagon, and the continuing and immediate threat of further attacks on United States nationals or the United States that led to the declaration of a national emergency on September 23, 2001, has not been resolved. These actions pose a continuing unusual and extraordinary threat to the national security, foreign policy, and economy of the United States. For these reasons, I have determined that it is necessary to continue the national emergency declared with respect to persons who commit, threaten to commit, or support terrorism, and maintain in force the comprehensive sanctions to respond to this threat.

BARACK OBAMA.

THE WHITE HOUSE, September 11, 2012.

REPORT RELATIVE TO THE CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO THE TERRORIST ATTACKS ON THE UNITED STATES OF SEPTEMBER 11, 2001—PM 62

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within the 90-day period prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. Consistent with this provision, I have sent to the *Federal Register* the enclosed notice, stating that the emergency declared with respect to the terrorist attacks on the United States of September 11, 2001, is to continue in effect for an additional year.

The terrorist threat that led to the declaration on September 14, 2001, of a national emergency continues. For this reason, I have determined that it is necessary to continue in effect after September 14, 2012, the national emergency with respect to the terrorist threat.

BARACK OBAMA.

THE WHITE HOUSE, September 11, 2012.

MESSAGE FROM THE HOUSE

At 2:15 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 406. An act to amend the Federal Election Campaign Act of 1971 to permit candidates for election for Federal office to designate an individual who will be authorized to disburse funds of the authorized campaign committees of the candidate in the event of the death of the candidate.

H.R. 2139. An act to require the Secretary of the Treasury to mint coins in commemoration of the centennial of the establishment of Lions Clubs International.

H.R. 2489. An act to authorize the acquisition and protection of nationally significant battlefields and associated sites of the Revolutionary War and the War of 1812 under the American Battlefield Protection Program.

H.R. 2706. An act to prohibit the sale of billfish.

H.R. 3397. An act to modify the Forest Service Recreation Residence Program by implementing a simple, equitable, and predictable procedure for determining cabin user fees, and for other purposes.

H.R. 6007. An act to exempt from the Lacey Act Amendments of 1981 certain water transfers by the North Texas Municipal Water District and the Greater Texoma Utility Authority.

H.R. 6122. An act to revise the authority of the Librarian of Congress to accept gifts and bequests on behalf of the Library, and for other purposes.

H.R. 6186. An act to require a study of voluntary community-based flood insurance options and how such options could be incorporated into the national flood insurance program, and for other purposes.

H.R. 6336. An act to direct the Joint Committee on the Library to accept a statue depicting Frederick Douglass from the District of Columbia and to provide for the permanent display of the statue in Emancipation Hall of the United States Capitol.

The message also announced that the House has passed the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 132. Concurrent resolution providing funding to ensure the printing and production of the authorized number of copies of the revised and updated version of the House document entitled "Hispanic Americans in Congress", and for other purposes.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 406. An act to amend the Federal Election Campaign Act of 1971 to permit candidates for election for Federal office to designate an individual who will be authorized to disburse funds of the authorized campaign committees of the candidate in the event of the death of the candidate; to the Committee on Rules and Administration.

H.R. 3397. An act to modify the Forest Service Recreation Residence Program by implementing a simple, equitable, and predictable procedure for determining cabin user fees, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 6007. An act to exempt from the Lacey Act Amendments of 1981 certain water transfers by the North Texas Municipal Water District and the Greater Texoma Utility Authority; to the Committee on Environment and Public Works.

H.R. 6122. An act to revise the authority of the Librarian of Congress to accept gifts and bequests on behalf of the Library, and for other purposes; to the Committee on Rules and Administration.

H.R. 6186. An act to require a study of voluntary community-based flood insurance options and how such options could be incorporated into the national flood insurance program, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

The following concurrent resolution was read, and referred as indicated:

H. Con. Res. 132. Concurrent resolution providing funding to ensure the printing and production of the authorized number of copies of the revised and updated version of the House document entitled "Hispanic Americans in Congress", and for other purposes; to the Committee on Rules and Administration.

MEASURES PLACED ON THE CALENDAR

The following bills were read the second time, and placed on the calendar:

S. 3522. A bill to provide for the expansion of affordable refinancing of mortgages held

by the Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation.

S. 3525. A bill to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes.

H.R. 8. To extend certain tax relief provisions enacted in 2001 and 2003, and to provide for expedited consideration of a bill providing for comprehensive tax reform, and for other purposes.

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 2489. An act to authorize the acquisition and protection of nationally significant battlefields and associated sites of the Revolutionary War and the War of 1812 under the American Battlefield Protection Program.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-7311. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Flagship Niagara Mariners Ball Fireworks, Presque Isle Bay, Erie, PA" ((RIN1625-AA00) (Docket No. USCG-2012-0349)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7312. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; A Salute to Our Heroes Fireworks, Hamlin Beach State Park; Hamlin, NY" ((RIN1625-AA00) (Docket No. USCG-2012-00354)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7313. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Fourth of July Fireworks Event, Pagan River; Smithfield, VA" ((RIN1625-AA00) (Docket No. USCG-2012-0377)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7314. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Barrel Recovery, Lake Superior; Duluth, MN" ((RIN1625-AA00) (Docket No. USCG-2012-0491)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7315. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Olde Ellison Bay Days Fireworks Display, Ellison Bay, Wisconsin" ((RIN1625-AA00) (Docket No. USCG-2012-0536)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7316. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Portage Cove, Haines, AK for 4th of July Fireworks Presentation" ((RIN1625-AA00) (Docket No. USCG-2012-0576)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7317. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; F/V Deep Sea, Penn Cove, WA" ((RIN1625-AA00) (Docket No. USCG-2011-1007)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7318. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; USMMA Fireworks, Long Island Sound, Kings Point, NY" ((RIN1625-AA00) (Docket No. USCG-2012-0404)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7319. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Barrel Recovery, Lake Superior; Duluth, MN" ((RIN1625-AA00) (Docket No. USCG-2012-0491)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation; to the Committee on Commerce, Science, and Transportation.

EC-7320. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Atlantic Intracoastal Waterway; North Topsail Beach, NC" ((RIN1625-AA00) (Docket No. USCG-2012-0426)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7321. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zones; Annually Recurring Marine Events in Coast Guard Southeastern New England Captain of the Port Zone" ((RIN1625-AA08) (Docket No. USCG-2011-1026)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7322. A communication from the Acting Director, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report entitled "OMB Sequestration Update Report to the President and Congress for Fiscal Year 2013"; to the Committees on Agriculture, Nutrition, and Forestry; Appropriations; Armed Services; Banking, Housing, and Urban Affairs; the Budget; Commerce, Science, and Transportation; Energy and Natural Resources; Environment and Public Works; Finance; Foreign Relations; Homeland Security and Governmental Affairs; Health, Education, Labor, and Pensions; the Judiciary; Rules and Administration; Small Business

and Entrepreneurship; Veterans' Affairs; Indian Affairs; and Select Committee on Intelligence.

EC-7323. A communication from the Chief of the Planning and Regulatory Affairs Branch, Food and Nutrition Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Supplemental Nutrition Assistance Program: Disqualified Recipient Reporting and Computer Matching Requirements" (RIN0584-AB51) received during adjournment of the Senate in the Office of the President of the Senate on August 22, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7324. A communication from the Administrator of the National Organic Program, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "National Organic Program; Amendments to the National List of Allowed and Prohibited Substances (Crops, Livestock and Processing)" ((RIN0581-AD15) (AMS-NOP-11-0058; NOP-11-09FR)) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7325. A communication from the Administrator of the National Organic Program, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "National Organic Program (NOP); Sunset Review (2012); Correction" ((RIN0581-AC96) (AMS-NOP-09-0074; NOP-09-01FR)) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7326. A communication from the Administrator of Dairy Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Milk in the Mid-east Marketing Area; Order Amending the Order" (AMS-DA-11-0067) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7327. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Livestock Mandatory Reporting Program; Establishment of the Reporting Regulation for Wholesale Pork" ((RIN0581-AD07) (AMS-LS-11-0049)) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7328. A communication from the Administrator of the Livestock and Seed Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Beef Promotion and Research; Amendment to the Order" (AMS-LS-11-0086) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7329. A communication from the Administrator of the Cotton and Tobacco Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Cotton Board Rules and Regulations; Adjusting Supplemental Assessment on Imports" (AMS-CN-11-0091) received during adjournment of the Senate in the Office of the

President of the Senate on August 31, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7330. A communication from the Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Cranberries Grown in States of Massachusetts, Rhode Island, Connecticut, New Jersey, Wisconsin, Michigan, Minnesota, Oregon, Washington, and Long Island in the State of New York; Changing Reporting Requirements" (Docket No. AMS-FV-12-0002; FV12-929-1 IR) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7331. A communication from the Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Tomatoes Grown in Florida; Increased Assessment Rate" (Docket No. AMS-FV-11-0080; FV11-966-1 FR) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7332. A communication from the Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Specialty Crops; Import Regulations; New Pistachio Import Requirements" (Docket No. AMS-FV-09-0064; FV09-999-1 FR) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7333. A communication from the Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Olives Grown in California; Increased Assessment Rate" (Docket No. AMS-FV-11-0093; FV12-932-1 FR) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7334. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Clothianidin; Pesticide Tolerances" (FRL No. 9360-4) received during adjournment of the Senate in the Office of the President of the Senate on August 23, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7335. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Pesticides; Microbial Pesticide Definitions and Applicability; Clarification and Availability of Test Guideline" (FRL No. 9338-9) received during adjournment of the Senate in the Office of the President of the Senate on August 28, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7336. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Pendimethalin; Pesticide Tolerances" (FRL No. 9360-5) received during adjournment of the Senate in the Office of the President of the Senate on August 28, 2012; to

the Committee on Agriculture, Nutrition, and Forestry.

EC-7337. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Nitric Acid; Exemption from the Requirement of a Tolerance" (FRL No. 9338-2) received during adjournment of the Senate in the Office of the President of the Senate on August 28, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7338. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Thifensulfuron Methyl; Pesticide Tolerances" (FRL No. 9360-2) received during adjournment of the Senate in the Office of the President of the Senate on August 28, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7339. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement; Inflation Adjustment of Threshold for Acquisition of Right-Hand Drive Passenger Sedans" ((RIN0750-AH65) (DFARS Case 2012-D016)) received during adjournment of the Senate in the Office of the President of the Senate on August 22, 2012; to the Committee on Armed Services.

EC-7340. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement; Reporting of Government-Furnished Property" ((RIN0750-AG83) (DFARS Case 2012-D001)) received during adjournment of the Senate in the Office of the President of the Senate on August 22, 2012; to the Committee on Armed Services.

EC-7341. A communication from the Under Secretary of Defense (Acquisition, Technology, and Logistics), transmitting, pursuant to law, a report relative to the Defense Industrial Base Capabilities Fund; to the Committee on Armed Services.

EC-7342. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a report entitled "The Fiscal Year 2011 Inventory of Contracts for Services"; to the Committee on Armed Services.

EC-7343. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, five (5) Selected Acquisition Reports (SARs) for the quarter ending June 2012; to the Committee on Armed Services.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. WICKER (for himself and Mr. INHOFE):

S. 3526. A bill to amend title 10, United States Code, to protect the rights of conscience of members of the Armed Forces and chaplains of members of the Armed Forces, and for other purposes; to the Committee on Armed Services.

By Mr. SCHUMER (for himself, Mr. GRASSLEY, Mrs. FEINSTEIN, and Mrs. MCCASKILL):

S. 3527. A bill to provide for enhanced criminal penalties for individuals who file a

SEVP certification petition under false pretenses, to prohibit certain schools from accessing SEVIS or participating in the SEVP and for other purposes; to the Committee on the Judiciary.

By Mr. TESTER:

S. 3528. A bill to repeal the authorization to provide office space, a furnishings allowance, congressional franking privileges, and staff assistance to former Speakers of the House of Representatives; to the Committee on Rules and Administration.

By Mr. ROBERTS:

S. 3529. A bill to amend the Clean Air Act to clarify a certain provision relating to prevention of accidental releases; to the Committee on Environment and Public Works.

By Mr. HATCH (for himself, Mr. MCCONNELL, Mr. GRASSLEY, Mr. CORNYN, Mr. THUNE, Mr. TOOMEY, Mr. ENZI, Mr. VITTER, Mr. CRAPO, Mr. ROBERTS, Mr. BURR, Mr. COBURN, and Mr. KYL):

S.J. Res. 50. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Office of Family Assistance of the Administration for Children and Families of the Department of Health and Human Services relating to waiver and expenditure authority under section 1115 of the Social Security Act (42 U.S.C. 1315) with respect to the Temporary Assistance for Needy Families program; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. NELSON of Nebraska (for himself and Ms. COLLINS):

S. Res. 548. A resolution designating the week beginning September 9, 2012, as "National Direct Support Professionals Recognition Week"; considered and agreed to.

By Mr. LAUTENBERG (for himself and Ms. COLLINS):

S. Res. 549. A resolution designating September 2012 as "Campus Fire Safety Month"; considered and agreed to.

By Mr. NELSON of Nebraska (for himself and Mr. INHOFE):

S. Res. 550. A resolution designating September 13, 2012, as "National Celiac Disease Awareness Day"; considered and agreed to.

ADDITIONAL COSPONSORS

S. 339

At the request of Mr. BAUCUS, the names of the Senator from Iowa (Mr. HARKIN) and the Senator from Arkansas (Mr. PRYOR) were added as cosponsors of S. 339, a bill to amend the Internal Revenue Code of 1986 to make permanent the special rule for contributions of qualified conservation contributions.

S. 434

At the request of Mr. COCHRAN, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 434, a bill to improve and expand geographic literacy among kindergarten through grade 12 students in the United States by improving professional development programs for kindergarten through grade 12 teachers of-

ferred through institutions of higher education.

S. 634

At the request of Mr. SCHUMER, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 634, a bill to ensure that the courts of the United States may provide an impartial forum for claims brought by United States citizens and others against any railroad organized as a separate legal entity, arising from the deportation of United States citizens and others to Nazi concentration camps on trains owned or operated by such railroad, and by the heirs and survivors of such persons.

S. 645

At the request of Mr. SCHUMER, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 645, a bill to amend the National Child Protection Act of 1993 to establish a permanent background check system.

S. 722

At the request of Mr. WYDEN, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 722, a bill to strengthen and protect Medicare hospice programs.

S. 847

At the request of Mr. LAUTENBERG, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 847, a bill to amend the Toxic Substances Control Act to ensure that risks from chemicals are adequately understood and managed, and for other purposes.

S. 1069

At the request of Ms. CANTWELL, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 1069, a bill to suspend temporarily the duty on certain footwear, and for other purposes.

S. 1171

At the request of Mr. SCHUMER, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 1171, a bill to amend the Internal Revenue Code of 1986 to extend the exclusion from gross income for employer-provided health coverage for employees' spouses and dependent children to coverage provided to other eligible dependent beneficiaries of employees.

S. 1391

At the request of Mr. TESTER, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 1391, a bill to amend title 38, United States Code, to improve the disability compensation evaluation procedure of the Secretary of Veterans Affairs for veterans with post-traumatic stress disorder or mental health conditions related to military sexual trauma, and for other purposes.

S. 1577

At the request of Mr. BAUCUS, the name of the Senator from Delaware

(Mr. COONS) was added as a cosponsor of S. 1577, a bill to amend the Internal Revenue Code of 1986 to increase and make permanent the alternative simplified research credit, and for other purposes.

S. 1798

At the request of Mr. UDALL of New Mexico, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1798, a bill to direct the Secretary of Veterans Affairs to establish an open burn pit registry to ensure that members of the Armed Forces who may have been exposed to toxic chemicals and fumes caused by open burn pits while deployed to Afghanistan or Iraq receive information regarding such exposure, and for other purposes.

S. 1832

At the request of Mr. ENZI, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 1832, a bill to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes.

S. 1880

At the request of Mr. BARRASSO, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 1880, a bill to repeal the health care law's job-killing health insurance tax.

S. 1935

At the request of Mrs. HAGAN, the names of the Senator from Delaware (Mr. CARPER) and the Senator from Washington (Ms. CANTWELL) were added as cosponsors of S. 1935, a bill to require the Secretary of the Treasury to mint coins in recognition and celebration of the 75th anniversary of the establishment of the March of Dimes Foundation.

S. 1966

At the request of Ms. AYOTTE, the names of the Senator from Mississippi (Mr. WICKER) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 1966, a bill to direct the Secretary of Homeland Security to reform the process for enrolling, activating, issuing, and renewing Transportation Worker Identification Credentials so that applicants are not required to visit a designated enrollment center more than once.

S. 1989

At the request of Ms. CANTWELL, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 1989, a bill to amend the Internal Revenue Code of 1986 to make permanent the minimum low-income housing tax credit rate for unsubsidized buildings and to provide a minimum 4 percent credit rate for existing buildings.

S. 2078

At the request of Mr. MENENDEZ, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 2078, a bill to enable Federal and State chartered banks and thrifts to meet

the credit needs of the Nation's home builders, and to provide liquidity and ensure stable credit for meeting the Nation's need for new homes.

S. 2347

At the request of Mr. CARDIN, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 2347, a bill to amend title XVIII of the Social Security Act to ensure the continued access of Medicare beneficiaries to diagnostic imaging services.

S. 2620

At the request of Mr. SCHUMER, the names of the Senator from Louisiana (Ms. LANDRIEU) and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of S. 2620, a bill to amend title XVIII of the Social Security Act to provide for an extension of the Medicare-dependent hospital (MDH) program and the increased payments under the Medicare low-volume hospital program.

S. 3083

At the request of Mr. RUBIO, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. 3083, a bill to amend the Internal Revenue Code of 1986 to require certain nonresident aliens to provide valid immigration documents to claim the refundable portion of the child tax credit.

S. 3199

At the request of Mr. SCHUMER, the names of the Senator from Mississippi (Mr. COCHRAN) and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of S. 3199, a bill to amend the Immigration and Nationality Act to stimulate international tourism to the United States and for other purposes.

S. 3204

At the request of Mr. JOHANNES, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 3204, a bill to address fee disclosure requirements under the Electronic Fund Transfer Act, and for other purposes.

S. 3208

At the request of Mr. PORTMAN, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 3208, a bill to reauthorize the Multinational Species Conservation Funds Semipostal Stamp, and for other purposes.

S. 3237

At the request of Mr. WHITEHOUSE, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 3237, a bill to provide for the establishment of a Commission to Accelerate the End of Breast Cancer.

S. 3340

At the request of Mrs. MURRAY, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 3340, a bill to improve and enhance the programs and activities of the Department of Defense and the De-

partment of Veterans Affairs regarding suicide prevention and resilience and behavioral health disorders for members of the Armed Forces and veterans, and for other purposes.

S. 3354

At the request of Mr. CASEY, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 3354, a bill to authorize the Transition Assistance Advisor program of the Department of Defense, and for other purposes.

S. 3402

At the request of Mr. CASEY, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 3402, a bill to require the Secretary of Labor to maintain a publicly available list of all employers that relocate a call center overseas, to make such companies ineligible for Federal grants or guaranteed loans, and to require disclosure of the physical location of business agents engaging in customer service communications, and for other purposes.

S. 3418

At the request of Mr. WYDEN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 3418, a bill to amend title 10, United States Code, to require the Secretary of Defense to use only human-based methods for training members of the Armed Forces in the treatment of severe combat injuries.

S. 3435

At the request of Mrs. GILLIBRAND, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 3435, a bill to designate the facility of the United States Postal Service located at 26 East Genesee Street in Baldwinsville, New York, as the "Corporal Kyle Schneider Post Office Building".

S. 3457

At the request of Mr. NELSON of Florida, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 3457, a bill to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes.

S. 3471

At the request of Mr. RUBIO, the names of the Senator from North Dakota (Mr. HOEVEN) and the Senator from Massachusetts (Mr. BROWN) were added as cosponsors of S. 3471, a bill to amend the Internal Revenue Code of 1986 to eliminate the tax on Olympic medals won by United States athletes.

S. 3520

At the request of Mr. MERKLEY, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 3520, a bill to require a portion of closing costs to be paid by the enterprises with respect to certain refinanced mortgage loans, and for other purposes.

S.J. RES. 45

At the request of Mrs. HUTCHISON, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S.J. Res. 45, a joint resolution amending title 36, United States Code, to designate June 19 as "Juneteenth Independence Day".

S. RES. 385

At the request of Mr. VITTER, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. Res. 385, a resolution condemning the Government of Iran for its continued persecution, imprisonment, and sentencing of Youcef Nadarkhani on the charge of apostasy.

S. RES. 543

At the request of Mrs. BOXER, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. Res. 543, a resolution to express the sense of the Senate on international parental child abduction.

AMENDMENT NO. 2780

At the request of Mr. CASEY, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of amendment No. 2780 intended to be proposed to S. 3457, a bill to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 548—DESIGNATING THE WEEK BEGINNING SEPTEMBER 9, 2012, AS "NATIONAL DIRECT SUPPORT PROFESSIONAL RECOGNITION WEEK"

Mr. NELSON of Nebraska (for himself and Ms. COLLINS) submitted the following resolution; which was considered and agreed to:

S. RES. 548

Whereas direct support professionals, direct care workers, personal assistants, personal attendants, in-home support workers, and paraprofessionals (referred to in this preamble as "direct support professionals") are the primary providers of publicly funded long term supports and services for millions of individuals with disabilities;

Whereas a direct support professional must build a close, trusted relationship with an individual with disabilities;

Whereas a direct support professional assists an individual with disabilities with the most intimate needs on a daily basis;

Whereas direct support professionals perform a broad range of activities for individuals with disabilities, including preparing meals, managing medications, bathing, dressing, helping with mobility, providing transportation to school, work, and religious and recreational activities, and helping with general daily affairs;

Whereas a direct support professional provides essential support to help keep an individual with disabilities connected to the family and community of the individual;

Whereas direct support professionals enable individuals with disabilities to live meaningful, productive lives;

Whereas direct support professionals are the key to allowing an individual with disabilities to live successfully in the community and avoid more costly institutional care;

Whereas the majority of direct support professionals are female, and many are the sole breadwinners of their families;

Whereas, although direct support professionals work and pay taxes, many are impoverished and are eligible for the same Federal and State public assistance programs that individuals with disabilities depend on;

Whereas Federal policies, State policies, and the opinion of the Supreme Court in *Olmstead v. L.C.*, 527 U.S. 581 (1999) assert the right of an individual to live in his or her home and community;

Whereas the majority of direct support professionals are employed in home and community-based settings, and the percentage of direct support professionals employed in such settings is projected to increase during this decade;

Whereas there is a documented critical and growing shortage of direct support professionals in every community throughout the United States; and

Whereas many direct support professionals are forced to leave jobs due to inadequate wages and benefits, creating high turnover and vacancy rates, which, research demonstrates, adversely affects the quality of supports provided to individuals with disabilities: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week beginning September 9, 2012, as “National Direct Support Professionals Recognition Week”;

(2) recognizes the dedication and vital role of direct support professionals, direct care workers, personal assistants, personal attendants, in-home support workers, and paraprofessionals (referred to in this resolution as “direct support professionals”) in enhancing the lives of individuals of all ages with disabilities;

(3) appreciates the contribution of direct support professionals in serving needs that are beyond the capacity of millions of families in the United States;

(4) commends direct support professionals as integral participants in the long-term support and services system of the United States; and

(5) finds that the successful implementation of the public policies of the United States depends on the dedication of direct support professionals.

SENATE RESOLUTION 549—DESIGNATING SEPTEMBER 2012 AS “CAMPUS FIRE SAFETY MONTH”

Mr. LAUTENBERG (for himself and Ms. COLLINS) submitted the following resolution; which was considered and, agreed to:

S. RES. 549

Whereas, each year, States across the United States formally designate the month of September as “Campus Fire Safety Month”;

Whereas, since January 2000, at least 152 people, including students, parents, and children, have died in campus-related fires;

Whereas 85 percent of those deaths occurred in off-campus residences;

Whereas a majority of college students in the United States live in an off-campus residence;

Whereas many fatal fires have occurred in a building in which the occupants had compromised or disabled the fire safety system;

Whereas automatic fire alarm systems provide the early warning of a fire that is necessary for occupants of a building and the fire department to take appropriate action;

Whereas automatic fire sprinkler systems are a highly effective method of controlling or extinguishing a fire in the early stages, thus protecting the lives of building occupants;

Whereas many college students live in an off-campus residence, fraternity or sorority housing, or a residence hall that is not adequately protected by automatic fire sprinkler systems and automatic fire alarm systems;

Whereas fire safety education is an effective method of reducing the occurrence of fires and the resulting loss of life and property damage;

Whereas college students do not routinely receive effective fire safety education while in college;

Whereas educating young people in the United States about the importance of fire safety is vital to help ensure that young people engage in fire-safe behavior during college and after college; and

Whereas developing a generation of adults who practice fire safety may significantly reduce future loss of life from fires: Now, therefore, be it

Resolved, That the Senate—

(1) designates September 2012 as “Campus Fire Safety Month”; and

(2) encourages administrators of institutions of higher education and municipalities across the United States—

(A) to provide educational programs to all college students in September and throughout the school year;

(B) to evaluate the level of fire safety being provided in both on-campus and off-campus student housing; and

(C) to ensure fire-safe living environments through fire safety education, the installation of fire suppression and detection systems, and the development and enforcement of applicable codes relating to fire safety.

SENATE RESOLUTION 550—DESIGNATING SEPTEMBER 13, 2012, AS “NATIONAL CELIAC DISEASE AWARENESS DAY”

Mr. NELSON of Nebraska (for himself and Mr. INHOFE) submitted the following resolution; which was considered and agreed to:

S. RES. 550

Whereas according to the National Center for Health Statistics of the Centers for Disease Control and Prevention, celiac disease affects approximately 1 in every 141 people in the United States;

Whereas the majority of people with celiac disease have yet to be diagnosed;

Whereas celiac disease is a chronic inflammatory disorder that is classified as both an autoimmune condition and a genetic condition;

Whereas celiac disease causes damage to the lining of the small intestine, which results in overall malnutrition;

Whereas when a person with celiac disease consumes foods that contain certain protein fractions, that person suffers a cell-mediated immune response that damages the villi of the small intestine, interfering with the absorption of nutrients in food and the effectiveness of medications;

Whereas such problematic protein fractions are found in wheat, barley, rye, and oats, which are used to produce many foods, medications, and vitamins;

Whereas because celiac disease is a genetic disease, there is an increased incidence of celiac disease in families with a known history of celiac disease;

Whereas celiac disease is underdiagnosed because the symptoms can be attributed to other conditions and are easily overlooked by doctors and patients;

Whereas as recently as 2000, the average person with celiac disease waited 11 years for a correct diagnosis;

Whereas ½ of all people with celiac disease do not show symptoms of the disease;

Whereas celiac disease is diagnosed by tests that measure the blood for abnormally high levels of the antibodies of immunoglobulin A, antitissue transglutaminase, and IgA antiendomysium antibodies;

Whereas celiac disease can be treated only by implementing a diet free of wheat, barley, rye, and oats, often called a “gluten-free diet”;

Whereas a delay in the diagnosis of celiac disease can result in damage to the small intestine, which leads to an increased risk for malnutrition, anemia, lymphoma, adenocarcinoma, osteoporosis, miscarriage, congenital malformation, short stature, and disorders of the skin and other organs;

Whereas celiac disease is linked to many autoimmune disorders, including thyroid disease, systemic lupus erythematosus, type 1 diabetes, liver disease, collagen vascular disease, rheumatoid arthritis, and Sjögren's syndrome;

Whereas the connection between celiac disease and diet was first established by Dr. Samuel Gee, who wrote, “if the patient can be cured at all, it must be by means of diet”;

Whereas Dr. Samuel Gee was born on September 13, 1839; and

Whereas the Senate is an institution that can raise awareness in the general public and the medical community of celiac disease: Now, therefore, be it

Resolved, That the Senate—

(1) designates September 13, 2012, as “National Celiac Disease Awareness Day”;

(2) recognizes that all people of the United States should become more informed and aware of celiac disease;

(3) calls upon the people of the United States to observe National Celiac Disease Awareness Day with appropriate ceremonies and activities; and

(4) respectfully requests the Secretary of the Senate to transmit a copy of this resolution to the Celiac Sprue Association, the American Celiac Society, and the Celiac Disease Foundation.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2781. Mr. HELLER submitted an amendment intended to be proposed by him to the bill S. 3457, to require the Secretary of Veterans Affairs to establish a veterans job corps, and for other purposes, which was ordered to lie on the table.

SA 2782. Mr. BURR submitted an amendment intended to be proposed by him to the bill S. 3457, supra; which was ordered to lie on the table.

SA 2783. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 3457, supra; which was ordered to lie on the table.

SA 2784. Mrs. GILLIBRAND submitted an amendment intended to be proposed by her

to the bill S. 3457, supra; which was ordered to lie on the table.

SA 2785. Mr. BEGICH (for himself, Mr. WYDEN, and Mr. MERKLEY) submitted an amendment intended to be proposed by him to the bill S. 3457, supra; which was ordered to lie on the table.

SA 2786. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 3457, supra; which was ordered to lie on the table.

SA 2787. Ms. COLLINS (for herself and Mr. LIEBERMAN) submitted an amendment intended to be proposed by her to the bill S. 3457, supra; which was ordered to lie on the table.

SA 2788. Ms. COLLINS (for herself and Mr. LEAHY) submitted an amendment intended to be proposed by her to the bill S. 3457, supra; which was ordered to lie on the table.

SA 2789. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 3457, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2781. Mr. HELLER submitted an amendment intended to be proposed by him to the bill S. 3457, to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes; which was ordered to lie on the table; as follows:

On page 18, between lines 5 and 6, insert the following:

SEC. 7. TREATMENT OF BUSINESSES AFTER DEATHS OF SERVICEMEMBER-OWNERS FOR PURPOSES OF DEPARTMENT OF VETERANS AFFAIRS CONTRACTING GOALS AND PREFERENCES.

(a) IN GENERAL.—Section 8127 of title 38, United States Code, is amended—

(1) by redesignating subsections (i) through (l) as subsections (j) through (m), respectively; and

(2) by inserting after subsection (h) the following new subsection (i):

“(i) **TREATMENT OF BUSINESSES AFTER DEATH OF SERVICEMEMBER-OWNER.**—(1) If a member of the Armed Forces owns at least 51 percent of a small business concern and such member is killed in line of duty in the active military, naval, or air service, the surviving spouse or dependent of such member who acquires such ownership rights in such small business concern shall, for the period described in paragraph (2), be treated as if the surviving spouse or dependent were a veteran with a service-connected disability for purposes of determining the status of the small business concern as a small business concern owned and controlled by veterans for purposes of contracting goals and preferences under this section.

“(2) The period referred to in paragraph (1) is the period beginning on the date on which the member of the Armed Forces dies and ending on the date as follows:

“(A) In the case of a surviving spouse, the earliest of the following dates:

“(i) The date on which the surviving spouse remarries.

“(ii) The date on which the surviving spouse relinquishes an ownership interest in the small business concern and no longer owns at least 51 percent of such small business concern.

“(iii) The date that is ten years after the date of the member's death.

“(B) In the case of a dependent who is not a spouse, the earliest of the following dates:

“(i) The date on which the surviving dependent relinquishes an ownership interest in the small business concern and no longer owns at least 51 percent of such small business concern.

“(ii) The date that is ten years after the date of the member's death.”.

(b) **EFFECTIVE DATE.**—Subsection (i) of section 8127 of such title, as added by subsection (a), take effect on the date of the enactment of this Act and shall apply with respect to the deaths of members of the Armed Forces occurring on or after such date.

SA 2782. Mr. BURR submitted an amendment intended to be proposed by him to the bill S. 3457, to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes; which was ordered to lie on the table, as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Careers for Veterans Act of 2012”.

SEC. 2. EMPLOYMENT OF VETERANS WITH THE FEDERAL GOVERNMENT.

(a) IN GENERAL.—Section 4214 of title 38, United States Code, is amended—

(1) in subsection (b), by adding at the end the following:

“(4)(A) The requirement under this section is in addition to the appointment of qualified covered veterans under the authority under paragraph (1) by the Department of Veterans Affairs and the Department of Defense.

“(B) The head of each agency, in consultation with the Director of the Office of Personnel Management, shall develop a plan for exercising the authority under paragraph (1) during the five-year period beginning on the date of enactment of the Careers for Veterans Act of 2012.

“(C) The Director of the Office of Personnel Management shall ensure that under the plans developed under subparagraph (B) agencies shall appoint to existing vacancies not fewer than 10,000 qualified covered veterans during the five-year period beginning on the date of enactment of the Careers for Veterans Act of 2012.”;

(2) in subsection (d), in the third sentence, by inserting “(including, during the 5-year period beginning on the date of enactment of the Careers for Veterans Act of 2012, the development and implementation by each agency of the plan required under subsection (b)(4), which shall include information regarding the grade or pay level of appointments by the agency under the plan and whether the appointments are, or are converted to, career or career-conditional appointments)” after “subsection (b) of this section”; and

(3) in subsection (e)—

(A) in paragraph (1)—

(i) in the matter before subparagraph (A), by striking “to the Congress” and inserting “to the appropriate committees of Congress”; and

(ii) in subparagraph (A), by inserting “(including, during the 5-year period beginning on the date of enactment of the Careers for Veterans Act of 2012, the development and implementation by the agency of the plan required under subsection (b)(4), which shall include information regarding the grade or pay level of appointments by the agency under the plan and whether the appointments are, or are converted to, permanent appointments)” before the period; and

(B) by adding at the end the following new paragraph:

“(3) In this subsection, the term ‘appropriate committees of Congress’ means—

“(A) the Committee on Veterans’ Affairs and the Committee on Homeland Security and Governmental Affairs of the Senate; and

“(B) the Committee on Veterans’ Affairs and the Committee on Oversight and Government Reform of the House of Representatives.”.

(b) **REPORT.**—Not later than 180 days after the date of enactment of this Act, the Director of the Office of Personnel Management shall submit to the appropriate committees of Congress (as defined under section 4214(e)(3) of title 38, United States Code, as amended by subsection (a)) regarding the development of a plan to carry out the amendments made by subsection (a).

SEC. 3. REQUIREMENT THAT STATES RECOGNIZE MILITARY EXPERIENCE OF VETERANS WHEN ISSUING LICENSES AND CREDENTIALS TO VETERANS.

(a) IN GENERAL.—Section 4102A(c) of title 38, United States Code, is amended by adding at the end the following new paragraph:

“(9)(A) As a condition of a grant or contract under which funds are made available to a State under subsection (b)(5) in order to carry out section 4103A or 4104 of this title, the State shall—

“(i) establish a program under which the State administers an examination to each veteran seeking a license or credential issued by the State and issues such license or credential to such veteran without requiring such veteran to undergo any training or apprenticeship if the veteran—

“(I) receives a satisfactory score on completion of such examination, as determined by the State; and

“(II) has not less than 10 years of experience in a military occupational specialty that, as determined by the State, is similar to a civilian occupation for which such license or credential is required by the State; and

“(ii) submit each year to the Secretary a report on the exams administered under clause (i) during the most recently completed 12-month period that includes, for the period covered by the report the number of veterans who completed an exam administered by the State under clause (i) and a description of the results of such exams, disaggregated by occupational field.

“(B) Not less frequently than once each year, the Secretary shall submit to Congress and the Secretary of Defense a report summarizing the information received by the Secretary under subparagraph (A)(ii).”.

(b) **EFFECTIVE DATE.**—

(1) **EXAMS.**—Subparagraph (A) of section 4102A(c)(9) of such title, as added by subsection (a), shall take effect on the date that is one year after the date of the enactment of this Act and shall apply with respect to grants and contracts described in such subparagraph awarded after such date.

(2) **REPORTS.**—Subparagraph (B) of section 4102A(c)(9), as added by subsection (a), shall take effect on the date that is one year after the date of the enactment of this Act and the Secretary of Labor shall submit the first report under such subparagraph not later than two years after the date of the enactment of this Act.

SEC. 4. SUPPORT FOR JOB SEARCHES OF VETERANS THROUGH ONE-STOP CENTERS.

(a) **FURNISHING OF LIST OF INTERNET RESOURCES.**—Not later than 30 days after the date of the enactment of this Act, the Secretary of Labor shall furnish each one-stop center with a list of all Internet websites and

applications that the Secretary has identified as beneficial for veterans in pursuit of employment to their pursuit.

(b) **IDENTIFICATION OF ADDITIONAL RESOURCES.**—The Secretary shall coordinate with public and private sector entities to identify Internet websites and applications not already included in a list furnished under subsection (a) that—

(1) match veterans seeking employment with available jobs based on the skills the veterans acquired as members of the Armed Forces; and

(2) allow employers to post information about available jobs.

(c) **SUPPLEMENTS.**—The Secretary of Labor shall furnish each one-stop center with a list of Internet websites and applications identified under subsection (b).

(d) **REPORT.**—Not later than 455 days after the date of the enactment of this Act, the Secretary of Labor shall submit to the appropriate committees of Congress a report on the use of the Internet websites and applications identified under subsection (b) for the benefit of veterans in pursuit of employment.

(e) **DEFINITIONS.**—In this section:

(1) **APPROPRIATE COMMITTEES OF CONGRESS.**—The term “appropriate committees of Congress” means—

(A) the Committee on Veterans’ Affairs and the Committee on Health, Education, Labor, and Pensions of the Senate; and

(B) the Committee on Veterans’ Affairs and the Committee on Education and the Workforce of the House of Representatives.

(2) **ONE-STOP CENTER.**—The term “one-stop center” means a center described in section 134(c) of the Workforce Investment Act of 1998 (29 U.S.C. 2864(c)).

SEC. 5. EXPANSION OF CONTRACTING GOALS AND PREFERENCES OF DEPARTMENT OF VETERANS AFFAIRS TO INCLUDE SMALL BUSINESS CONCERNS 100 PERCENT BUT CONDITIONALLY OWNED BY VETERANS.

Section 8127(1) of title 38, United States Code, is amended—

(1) in paragraph (2), by inserting “unconditionally” before “owned by” each place it appears; and

(2) by adding at the end the following new paragraph:

“(3) The term ‘unconditionally owned’ includes, with respect to ownership of a small business concern, conditional ownership of such small business concern if such business concern is 100 percent owned by one or more veterans.”

SEC. 6. MODIFICATION OF TREATMENT UNDER CONTRACTING GOALS AND PREFERENCES OF DEPARTMENT OF VETERANS AFFAIRS FOR SMALL BUSINESSES OWNED BY VETERANS OF SMALL BUSINESSES AFTER DEATH OF DISABLED VETERAN OWNERS.

(a) **IN GENERAL.**—Section 8127(h) of title 38, United States Code, is amended—

(1) in paragraph (3), by striking “rated as” and all that follows through “disability.” and inserting a period; and

(2) in paragraph (2), by amending subparagraph (C) to read as follows:

“(C) The date that—

“(i) in the case of a surviving spouse of a veteran with a service-connected disability rated as 100 percent disabling or who dies as a result of a service-connected disability, is 10 years after the date of the veteran’s death; or

“(ii) in the case of a surviving spouse of a veteran with a service-connected disability rated as less than 100 percent disabling who does not die as a result of a service-con-

nected disability, is three years after the date of the veteran’s death.”

(b) **EFFECTIVE DATE.**—The amendments made by subsection (a) shall take effect on the date that is 180 days after the date of the enactment of this Act and shall apply with respect to contracts awarded on or after such date.

SEC. 7. TREATMENT OF BUSINESSES AFTER DEATHS OF SERVICEMEMBER-OWNERS FOR PURPOSES OF DEPARTMENT OF VETERANS AFFAIRS CONTRACTING GOALS AND PREFERENCES.

(a) **IN GENERAL.**—Section 8127 of title 38, United States Code, is amended—

(1) by redesignating subsections (i) through (l) as subsections (j) through (m), respectively; and

(2) by inserting after subsection (h) the following new subsection (i):

“(i) **TREATMENT OF BUSINESSES AFTER DEATH OF SERVICEMEMBER-OWNER.**—(1) If a member of the Armed Forces owns at least 51 percent of a small business concern and such member is killed in line of duty in the active military, naval, or air service, the surviving spouse or dependent of such member who acquires such ownership rights in such small business concern shall, for the period described in paragraph (2), be treated as if the surviving spouse or dependent were a veteran with a service-connected disability for purposes of determining the status of the small business concern as a small business concern owned and controlled by veterans for purposes of contracting goals and preferences under this section.

“(2) The period referred to in paragraph (1) is the period beginning on the date on which the member of the Armed Forces dies and ending on the date as follows:

“(A) In the case of a surviving spouse, the earliest of the following dates:

“(i) The date on which the surviving spouse remarries.

“(ii) The date on which the surviving spouse relinquishes an ownership interest in the small business concern and no longer owns at least 51 percent of such small business concern.

“(iii) The date that is ten years after the date of the member’s death.

“(B) In the case of a dependent who is not a spouse, the earliest of the following dates:

“(i) The date on which the surviving dependant relinquishes an ownership interest in the small business concern and no longer owns at least 51 percent of such small business concern.

“(ii) The date that is ten years after the date of the member’s death.”

(b) **EFFECTIVE DATE.**—Subsection (i) of section 8127 of such title, as added by subsection (a), take effect on the date of the enactment of this Act and shall apply with respect to the deaths of members of the Armed Forces occurring on or after such date.

SEC. 8. SPECIAL RULE FOR TREATMENT UNDER CONTRACTING GOALS AND PREFERENCES OF DEPARTMENT OF VETERANS AFFAIRS OF SMALL BUSINESS CONCERNS LICENSED IN COMMUNITY PROPERTY STATES.

Section 8127 of title 38, United States Code, as amended by section 7, is further amended by adding at the end the following new subsection:

“(n) **SPECIAL RULE FOR COMMUNITY PROPERTY STATES.**—Whenever the Secretary assesses, for purposes of this section, the degree of ownership by an individual of a small business concern licensed in a community property State, the Secretary shall also assess what that degree of ownership would be

if such small business concern had been licensed in a State other than a community property State. If the Secretary determines that such individual would have had a greater degree of ownership of the small business concern had such small business concern been licensed in a State other than a community property State, the Secretary shall treat, for purposes of this section, such small business concern as if it had been licensed in a State other than a community property State.”

SEC. 9. OFF-BASE TRANSITION TRAINING.

(a) **PROVISION OF OFF-BASE TRANSITION TRAINING.**—During the three-year period beginning on the date of the enactment of this Act, the Secretary of Labor shall provide the Transition Assistance Program under section 1144 of title 10, United States Code, to eligible individuals at locations other than military installations in not less than three and not more than five States selected by the Secretary.

(b) **SELECTION OF LOCATIONS.**—In selecting States in which to carry out the training under subsection (a), the Secretary shall select the States with the highest rates of veteran unemployment. The Secretary shall provide such training to veterans at a sufficient number of locations within the selected States to meet the need. The Secretary shall select such locations to facilitate access by participants and may not select any location on a military installation other than a National Guard or reserve facility that is not located on an active duty military installation.

(c) **ELIGIBLE INDIVIDUALS.**—For purposes of this section, an eligible individual is a veteran or the spouse of a veteran.

(d) **INCLUSION OF INFORMATION ABOUT VETERANS BENEFITS.**—The Secretary shall ensure that the training provided under subsection (a) generally follows the content of the Transition Assistance Program under section 1144 of title 10, United States Code.

(e) **INTEGRATING SUBJECT MATTER EXPERTS.**—The Secretary of Labor shall include in any contract entered into pursuant to section 1144 of title 10, United States Code, or section 4113 of title 38, United States Code, a requirement to include experts in subject matters relating to human resources practices, including resume writing, interviewing and job searching skills, and the provision of information about post-secondary education.

(f) **ANNUAL REPORT.**—Not later than March 1 of any year during which the Secretary provides training under subsection (a), the Secretary shall submit to Congress a report on the provision of such training.

(g) **COMPTROLLER GENERAL REPORT.**—Not later than 180 days after the termination of the three-year period described in subsection (a), the Comptroller General of the United States shall submit to Congress a report on the training provided under such subsection. The report shall include the evaluation of the Comptroller General regarding the feasibility of carrying out off-base transition training at locations nationwide.

SA 2783. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 3457, to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes; which was ordered to lie on the table, as follows:

At the end, add the following:

SEC. 10. LIMITATION ON FOREIGN ASSISTANCE TO PAKISTAN.

No amounts may be obligated or expended to provide any direct United States assistance to the Government of Pakistan unless the President certifies to Congress that—

(1) Dr. Shakil Afridi has been released from prison in Pakistan;

(2) any criminal charges brought against Dr. Afridi, including treason, have been dropped; and

(3) if necessary to ensure his freedom, Dr. Afridi has been allowed to leave Pakistan.

SA 2784. Mrs. GILLIBRAND submitted an amendment intended to be proposed by her to the bill S. 3457, to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes; which was ordered to lie on the table, as follows:

On page 18, between lines 5 and 6, insert the following:

SEC. 7. CLARIFICATION OF PRESUMPTIONS OF EXPOSURE FOR VETERANS WHO SERVED IN VICINITY OF REPUBLIC OF VIETNAM.

(a) **COMPENSATION.**—Subsections (a)(1) and (f) of section 1116 of title 38, United States Code, are amended by inserting “(including the territorial seas of such Republic)” after “served in the Republic of Vietnam” each place it appears.

(b) **HEALTH CARE.**—Section 1710(e)(4)(A) of such title is amended by inserting “(including the territorial seas of such Republic)” after “served on active duty in the Republic of Vietnam”.

(c) **EFFECTIVE DATE.**—The amendments made by subsections (a) and (b) shall take effect as of September 25, 1985.

SA 2785. Mr. BEGICH (for himself, Mr. WYDEN, and Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 3457, to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes; which was ordered to lie on the table, as follows:

On page 4, between lines 5 and 6, insert the following:

(5) **MARINE DEBRIS CLEAN-UP.**—

(A) **IN GENERAL.**—The Secretary of Commerce, in consultation with the Secretary of Veterans Affairs, shall establish a program to employ veterans to lead community groups in carrying out, in eligible States, clean-up of marine debris that was a result of the tsunami that hit Japan on March 11, 2011.

(B) **ELIGIBLE STATE.**—For purposes of this paragraph, an eligible State is any of the following:

- (i) The State of Alaska.
- (ii) The State of California.
- (iii) The State of Hawaii.
- (iv) The State of Oregon.
- (v) The State of Washington.
- (vi) The Territory of Guam.
- (vii) The Commonwealth of the Northern Mariana Islands.

(C) **USE OF FUNDING.**—Amounts made available under subsection (d)(1) to the Secretary of Commerce to carry out the program required by subparagraph (A) may be used as follows:

(i) To employ veterans as team leaders or coordinators in community groups, State or local governmental entities, or nongovernmental organizations to carry out, in eligible States, clean-up of marine debris that was a result of the tsunami that hit Japan on March 11, 2011.

(ii) To train veterans to lead and coordinate such community groups, State and local governmental entities, and nongovernmental organizations to carry out such clean-up.

(iii) To provide logistical support for such clean-up efforts, including clean-up supplies, debris transportation and disposal, and such other support as may be necessary to carry out such community debris clean-up efforts.

(iv) To transport veterans, volunteers, and employees of the community groups, entities, and organizations concerned to clean-up locations.

(v) To provide administrative support and coordination within the Department of Commerce and the Department of Veterans Affairs for such debris clean-up.

(vi) To award grants to States or local governments for purposes of clauses (i) through (v).

(D) **MINIMUM FUNDING.**—The Secretary of Veterans Affairs shall ensure that not less than five percent of the amounts made available under subsection (g)(1) is made available under subsection (d)(1) to the Secretary of Commerce to carry out the program required by subparagraph (A).

SA 2786. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 3457, to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 10. SHORT TITLE FOR DIVISIONS A THROUGH D.

Divisions A through D of this Act may be cited as the “National Defense Authorization Act for Fiscal Year 2013”.

SEC. 11. ORGANIZATION OF DIVISIONS A THROUGH D; TABLE OF CONTENTS.

(a) **DIVISIONS.**—Divisions A through D of this Act are organized as follows:

(1) Division A—Department of Defense Authorizations.

(2) Division B—Military Construction Authorizations.

(3) Division C—Department of Energy National Security Authorizations and Other Authorizations.

(4) Division D—Funding Tables.

(b) **TABLE OF CONTENTS.**—The table of contents for divisions A through D of this Act is as follows:

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS**TITLE I—PROCUREMENT****Subtitle A—Authorization of Appropriations**

Sec. 101. Authorization of appropriations.

Subtitle B—Army Programs

Sec. 111. Multiyear procurement authority for Army CH-47F helicopters.

Subtitle C—Navy Programs

Sec. 121. Refueling and complex overhaul of the U.S.S. Abraham Lincoln.

Sec. 122. Ford class aircraft carriers.

Sec. 123. Limitation on availability of amounts for second Ford class aircraft carrier.

Sec. 124. Multiyear procurement authority for Virginia class submarine program.

Sec. 125. Multiyear procurement authority for Arleigh Burke class destroyers and associated systems.

Sec. 126. Authority for relocation of certain AEGIS weapon system assets between and within the DDG-51 class destroyer and AEGIS Ashore programs in order to meet mission requirements.

Sec. 127. Designation of mission modules of the Littoral Combat Ship as a major defense acquisition program.

Sec. 128. Transfer of certain fiscal year 2012 Procurement of Ammunition, Navy and Marine Corps funds.

Sec. 129. Transfer of certain fiscal year 2012 Procurement, Marine Corps funds for procurement of weapons and combat vehicles.

Sec. 130. Sense of Congress on Marine Corps amphibious lift and presence requirements.

Sec. 131. Sense of Senate on Department of Navy fiscal year 2014 budget request for tactical aviation aircraft.

Subtitle D—Air Force Programs

Sec. 141. Reduction in number of aircraft required to be maintained in strategic airlift aircraft inventory.

Sec. 142. Treatment of certain programs for the F-22A Raptor aircraft as major defense acquisition programs.

Sec. 143. Avionics systems for C-130 aircraft.

Sec. 144. Procurement of space-based infrared system satellites.

Sec. 145. Transfer of certain fiscal year 2011 and 2012 funds for Aircraft Procurement for the Air Force.

Subtitle E—Joint and Multiservice Matters

Sec. 151. Multiyear procurement authority for V-22 joint aircraft program.

Sec. 152. Limitation on availability of funds for full-rate production of Handheld, Manpack, and Small Form/Fit radios under the Joint Tactical Radio System program.

Sec. 153. Shallow Water Combat Submersible program.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**Subtitle A—Authorization of Appropriations**

Sec. 201. Authorization of appropriations.

Subtitle B—Program Requirements, Restrictions, and Limitations

Sec. 211. Next Generation Foundry for the Defense Microelectronics Activity.

Sec. 212. Advanced rotorcraft initiative.

Sec. 213. Transfer of certain fiscal year 2012 Navy research, development, test, and evaluation funds.

Sec. 214. Authority for Department of Defense laboratories to enter into education partnerships with educational institutions in United States territories and possessions.

Sec. 215. Transfer of certain fiscal year 2012 Air Force research, development, test, and evaluation funds.

Subtitle C—Missile Defense Matters

Sec. 231. Homeland ballistic missile defense.

Sec. 232. Regional ballistic missile defense.

Sec. 233. Missile defense cooperation with Russia.

Sec. 234. Next generation Exo-atmospheric Kill Vehicle.

Sec. 235. Modernization of the Patriot air and missile defense system.

Sec. 236. Medium Extended Air Defense System.

Sec. 237. Availability of funds for Iron Dome short-range rocket defense program.

Subtitle D—Reports

Sec. 251. Mission Packages for the Littoral Combat Ship.

Sec. 252. Comptroller General of the United States annual reports on the acquisition program for the Amphibious Combat Vehicle.

Sec. 253. Conditional requirement for report on amphibious assault vehicles for the Marine Corps.

Subtitle E—Other Matters

Sec. 271. Transfer of administration of Ocean Research and Resources Advisory Panel from Department of the Navy to National Oceanic and Atmospheric Administration.

TITLE III—OPERATION AND MAINTENANCE

Subtitle A—Authorization of Appropriations

Sec. 301. Operation and maintenance funding.

Subtitle B—Energy and Environmental Provisions

Sec. 311. Department of Defense guidance on environmental exposures at military installations.

Sec. 312. Funding of agreements under the Sikes Act.

Sec. 313. Limitation on availability of funds for procurement of alternative fuel.

Subtitle C—Logistics and Sustainment

Sec. 321. Repeal of certain provisions relating to depot-level maintenance.

Subtitle D—Reports

Sec. 331. Annual report on Department of Defense long-term corrosion strategy.

Sec. 332. Modified deadline for Comptroller General review of annual report on prepositioned materiel and equipment.

Subtitle E—Other Matters

Sec. 341. Savings to be achieved in civilian workforce and contractor employee workforce of the Department of Defense.

Sec. 342. NATO Special Operations Headquarters.

Sec. 343. Repeal of redundant authority to ensure interoperability of law enforcement and emergency responder training.

TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS

Subtitle A—Active Forces

Sec. 401. End strengths for active forces.

Subtitle B—Reserve Forces

Sec. 411. End strengths for Selected Reserve.

Sec. 412. End strengths for Reserves on active duty in support of the Reserves.

Sec. 413. End strengths for military technicians (dual status).

Sec. 414. Fiscal year 2013 limitation on number of non-dual status technicians.

Sec. 415. Maximum number of reserve personnel authorized to be on active duty for operational support.

Subtitle C—Authorization of Appropriations

Sec. 421. Military personnel.

TITLE V—MILITARY PERSONNEL POLICY
Subtitle A—Officer Policy

Sec. 501. Extension of relaxation of limitation on selective early discharges.

Sec. 502. Exception to 30-year retirement for regular Navy warrant officers in the grade of chief warrant officer, W-5.

Sec. 503. Modification of definition of joint duty assignment to include all instructor assignments for joint training and education.

Sec. 504. Sense of Senate on inclusion of assignments as academic instructor at the military service academies as joint duty assignments.

Subtitle B—Reserve Component Management

Sec. 511. Authority for appointment of persons who are lawful permanent residents as officers of the National Guard.

Sec. 512. Reserve component suicide prevention and resilience program.

Subtitle C—General Service Authorities

Sec. 521. Diversity in the Armed Forces and related reporting requirements.

Sec. 522. Modification of authority to conduct programs on career flexibility to enhance retention of members of the Armed Forces.

Sec. 523. Authority for additional behavioral health professionals to conduct pre-separation medical examinations for post-traumatic stress disorder.

Sec. 524. Quarterly reports on involuntary separation of members of the Armed Forces.

Sec. 525. Review of eligibility of victims of domestic terrorism for award of the Purple Heart and the Defense Medal of Freedom.

Subtitle D—Military Justice and Legal Matters Generally

Sec. 531. Clarification and enhancement of the role of the Staff Judge Advocate to the Commandant of the Marine Corps.

Sec. 532. Additional information in reports on annual surveys of the committee on the Uniform Code of Military Justice.

Subtitle E—Sexual Assault, Hazing, and Related Matters

Sec. 541. Authority to retain or recall to active duty reserve component members who are victims of sexual assault while on active duty.

Sec. 542. Additional elements in comprehensive Department of Defense policy on sexual assault prevention and response.

Sec. 543. Hazing in the Armed Forces.

Subtitle F—Education and Training

Sec. 551. Inclusion of the School of Advanced Military Studies Senior Level Course as a senior level service school.

Sec. 552. Modification of eligibility for associate degree programs under the Community College of the Air Force.

Sec. 553. Support of Naval Academy athletic programs.

Sec. 554. Grade of commissioned officers in uniformed medical accession programs.

Sec. 555. Authority for service commitment for Reservists who accept fellowships, scholarships, or grants to be performed in the Selected Reserve.

Sec. 556. Repeal of requirement for eligibility for in-State tuition of at least 50 percent of participants in Senior Reserve Officers' Training Corps program.

Sec. 557. Modification of requirements on plan to increase the number of units of the Junior Reserve Officers' Training Corps.

Sec. 558. Consolidation of military department authority to issue arms, tentage, and equipment to educational institutions not maintaining units of the Junior ROTC.

Sec. 559. Modification of requirement for reports in Federal Register on institutions of higher education ineligible for contracts and grants for denial of ROTC or military recruiter access to campus.

Sec. 560. Comptroller General of the United States report on the Reserve Officers' Training Corps.

Subtitle G—Defense Dependents' Education and Military Family Readiness Matters

Sec. 571. Impact aid for children with severe disabilities.

Sec. 572. Continuation of authority to assist local educational agencies that benefit dependents of members of the Armed Forces and Department of Defense civilian employees.

Sec. 573. Amendments to the Impact Aid program.

Sec. 574. Military spouses.

Sec. 575. Modification of authority to allow Department of Defense domestic dependent elementary and secondary schools to enroll certain students.

Sec. 576. Sense of Congress regarding support for Yellow Ribbon Day.

Subtitle H—Other Matters

Sec. 581. Family briefings concerning accountings for members of the Armed Forces and Department of Defense civilian employees listed as missing.

Sec. 582. Enhancement of authority to accept gifts and services.

Sec. 583. Clarification of authorized Fisher House residents at the Fisher House for the Families of the Fallen and Meditation Pavilion at Dover Air Force Base, Delaware.

Sec. 584. Report on accuracy of data in the Defense Enrollment Eligibility Reporting System.

TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

Subtitle A—Pay and Allowances

Sec. 601. Rates of basic allowance for housing for Army National Guard and Air National Guard members on full-time National Guard duty.

Subtitle B—Bonuses and Special and Incentive Pays

Sec. 611. One-year extension of certain bonus and special pay authorities for reserve forces.

Sec. 612. One-year extension of certain bonus and special pay authorities for health care professionals.

Sec. 613. One-year extension of special pay and bonus authorities for nuclear officers.

Sec. 614. One-year extension of authorities relating to title 37 consolidated special pay, incentive pay, and bonus authorities.

Sec. 615. One-year extension of authorities relating to payment of other title 37 bonuses and special pays.

Sec. 616. Increase in amount of officer affiliation bonus for officers in the Selected Reserve.

Sec. 617. Increase in maximum amount of incentive bonus for reserve component members who convert military occupational specialty to ease personnel shortages.

Subtitle C—Travel and Transportation Allowances

Sec. 631. Permanent change of station allowances for members of Selected Reserve units filling a vacancy in another unit after being involuntarily separated.

Sec. 632. Authority for comprehensive program for space-available travel on Department of Defense aircraft.

Subtitle D—Disability, Retired Pay, and Survivor Benefits

Sec. 641. Repeal of requirement for payment of Survivor Benefit Plan premiums when participant waives retired pay to provide a survivor annuity under Federal Employees Retirement System and termination of payment of Survivor Benefit Plan annuity.

Sec. 642. Repeal of automatic enrollment in Family Servicemembers' Group Life Insurance for members of the Armed Forces married to other members.

Subtitle E—Military Lending Matters

Sec. 651. Enhancement of protections on consumer credit for members of the Armed Forces and their dependents.

Sec. 652. Additional enhancements of protections on consumer credit for members of the Armed Forces and their dependents.

Sec. 653. Relief in civil actions for violations of protections on consumer credit extended to members of the Armed Forces and their dependents.

Sec. 654. Modification of definition of dependent for purposes of limitations on terms of consumer credit extended to members of the Armed Forces and their dependents.

Subtitle F—Other Matters

Sec. 661. Transitional compensation for dependent children who are carried during pregnancy at time of dependent-abuse offense.

TITLE VII—HEALTH CARE PROVISIONS

Subtitle A—TRICARE Program

Sec. 701. Extension of TRICARE Standard coverage and TRICARE dental program for members of the Selected Reserve who are involuntarily separated.

Sec. 702. Inclusion of certain over-the-counter drugs in TRICARE uniform formulary.

Sec. 703. Expansion of evaluation of the effectiveness of the TRICARE program.

Subtitle B—Other Health Care Benefits

Sec. 711. Use of Department of Defense funds for abortions in cases of rape and incest.

Sec. 712. Availability of certain fertility preservation treatments for members of the Armed Forces on active duty.

Sec. 713. Modification of requirements on mental health assessments for members of the Armed forces deployed in connection with a contingency operation.

Subtitle C—Health Care Administration

Sec. 721. Clarification of applicability of certain authority and requirements to subcontractors employed to provide health care services to the Department of Defense.

Sec. 722. Research program to enhance Department of Defense efforts on mental health in the National Guard and Reserves through community partnerships.

Subtitle D—Reports and Other Matters

Sec. 731. Reports on performance data on Warriors in Transition programs.

Sec. 732. Report on Department of Defense support of members of the Armed Forces who experience traumatic injury as a result of vaccinations required by the Department.

Sec. 733. Plan to eliminate gaps and redundancies in programs of the Department of Defense on psychological health and traumatic brain injury among members of the Armed Forces.

Sec. 734. Report on implementation of recommendations of the Comptroller General of the United States on prevention of hearing loss among members of the Armed Forces.

TITLE VIII—ACQUISITION POLICY, ACQUISITION MANAGEMENT, AND RELATED MATTERS

Subtitle A—Provisions Relating to Major Defense Acquisition Programs

Sec. 801. Limitation on use of cost-type contracts.

Sec. 802. Acquisition strategies for major subsystems and subassemblies on major defense acquisition programs.

Sec. 803. Management structure for developmental test and evaluation.

Sec. 804. Assessments of potential termination liability of contracts for the development or production of major defense acquisition programs.

Sec. 805. Technical change regarding programs experiencing critical cost growth due to change in quantity purchased.

Sec. 806. Repeal of requirement to review ongoing programs initiated before enactment of Milestone B certification and approval process.

Subtitle B—Acquisition Policy and Management

Sec. 821. One-year extension of temporary limitation on aggregate annual amount available for contract services.

Sec. 822. Prohibition of excessive pass-through contracts and charges in the acquisition of services.

Sec. 823. Availability of amounts in Defense Acquisition Workforce Development Fund for temporary members of workforce.

Sec. 824. Department of Defense policy on contractor profits.

Sec. 825. Modification of authorities on internal controls for procurements on behalf of the Department of Defense by certain non-defense agencies.

Sec. 826. Extension of pilot program on management of supply-chain risk.

Subtitle C—Amendments Relating to General Contracting Authorities, Procedures, and Limitations

Sec. 841. Applicability of Truth in Negotiations Act to major systems and related subsystems, components, and support services.

Sec. 842. Maximum amount of allowable costs of compensation of contractor employees.

Sec. 843. Department of Defense access to and use of contractor internal audit reports.

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- Sec. 2821. Guidance on financing for renewable energy projects.

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 Sec. 3112. Submittal to Congress of selected acquisition reports and independent cost estimates on nuclear weapon systems undergoing life extension.
 Sec. 3113. Two-year extension of schedule for disposition of weapons-usable plutonium at Savannah River Site, Aiken, South Carolina.
 Sec. 3114. Program on scientific engagement for nonproliferation.
 Sec. 3115. Repeal of requirement for annual update of Department of Energy defense nuclear facilities workforce restructuring plan.
 Sec. 3116. Quarterly reports to Congress on financial balances for atomic energy defense activities.
 Sec. 3117. Transparency in contractor performance evaluations by the National Nuclear Security Administration leading to award fees.
 Sec. 3118. Expansion of authority to establish certain scientific, engineering, and technical positions.
 Sec. 3119. Modification and extension of authority on acceptance of contributions for acceleration of removal or security of fissile materials, radiological materials, and related equipment at vulnerable sites worldwide.
 Sec. 3120. Cost containment for Y-12 Uranium Processing Facility, Y-12 National Security Complex, Oak Ridge, Tennessee.

- Sec. 3121. Authority to restore certain formerly Restricted Data to the Restricted Data category.

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- Sec. 3131. Report on actions required for transition of regulation of non-nuclear activities of the National Nuclear Security Administration to other Federal agencies.
 Sec. 3132. Report on consolidation of facilities of the National Nuclear Security Administration.
 Sec. 3133. Regional radiological security zones.
 Sec. 3134. Report on legacy uranium mines.
 Sec. 3135. Comptroller General of the United States review of projects carried out by Office of Environmental Management of the Department of Energy pursuant to the American Recovery and Reinvestment Act of 2009.

TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD

- Sec. 3201. Authorization.

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TITLE XLIII—OPERATION AND MAINTENANCE

- Sec. 4301. Operation and maintenance.
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TITLE XLIV—MILITARY PERSONNEL

- Sec. 4401. Military personnel.
 Sec. 4402. Military personnel for overseas contingency operations.

TITLE XLV—OTHER AUTHORIZATIONS

- Sec. 4501. Other authorizations.
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TITLE XLVI—MILITARY CONSTRUCTION

- Sec. 4601. Military construction.

TITLE XLVII—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

- Sec. 4701. Department of Energy national security authorizations.

SEC. 12. CONGRESSIONAL DEFENSE COMMITTEES.

For purposes of divisions A through D of this Act, the term “congressional defense committees” has the meaning given that term in section 101(a)(16) of title 10, United States Code.

SEC. 13. SCORING OF BUDGETARY EFFECTS.

The budgetary effects of divisions A through D of this Act, for the purpose of complying with the Statutory Pay-As-You-Go-Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for divisions A through D of this Act, submitted for printing in the Congressional Record by

the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

SEC. 14. REFERENCES.

Except as expressly provided otherwise, any reference to "this Act" in divisions A through D of this Act shall be treated as referring only to divisions A through D of this Act.

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

TITLE I—PROCUREMENT

Subtitle A—Authorization of Appropriations

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2013 for procurement for the Army, the Navy and the Marine Corps, the Air Force, and Defense-wide activities, as specified in the funding table in section 4101.

Subtitle B—Army Programs

SEC. 111. MULTIYEAR PROCUREMENT AUTHORITY FOR ARMY CH-47F HELICOPTERS.

(a) AUTHORITY FOR MULTIYEAR PROCUREMENT.—Subject to section 2306b of title 10, United States Code, the Secretary of the Army may enter into a multiyear contract or contracts, beginning with the fiscal year 2013 program year, for the procurement of airframes for CH-47F helicopters.

(b) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—A contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year after fiscal year 2013 is subject to the availability of appropriations for that purpose for such later fiscal year.

Subtitle C—Navy Programs

SEC. 121. REFUELING AND COMPLEX OVERHAUL OF THE U.S.S. ABRAHAM LINCOLN.

(a) AMOUNT AUTHORIZED FROM SCN ACCOUNT.—Of the amount authorized to be appropriated for fiscal year 2013 by section 101 and available for shipbuilding and conversion as specified in the funding table in section 4101, \$1,613,392,000 is authorized to be available for the commencement of the nuclear refueling and complex overhaul of the U.S.S. Abraham Lincoln (CVN-72) during fiscal year 2013. The amount authorized to be made available in the preceding sentence is the first increment in the two-year sequence of incremental funding planned for the nuclear refueling and complex overhaul of that vessel.

(b) CONTRACT AUTHORITY.—The Secretary of the Navy may enter into a contract during fiscal year 2013 for the nuclear refueling and complex overhaul of the U.S.S. Abraham Lincoln.

(c) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—A contract entered into under subsection (b) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year after fiscal year 2013 is subject to the availability of appropriations for that purpose for that later fiscal year.

SEC. 122. FORD CLASS AIRCRAFT CARRIERS.

(a) CONTRACT AUTHORITY FOR CONSTRUCTION OF AIRCRAFT CARRIERS DESIGNATED CVN-78, CVN-79, AND CVN-80.—In the fiscal year immediately following the last fiscal year of the contract for advance procurement for a CVN-21 class aircraft carrier designated CVN-78, CVN-79 or CVN-80, the Secretary of the Navy may enter into a contract for the construction of such aircraft carrier to be funded in the fiscal year of such contract for construction and the succeeding four fiscal

years, in the case of the vessel designated CVN-78, and the succeeding five fiscal years, in the case of the vessels designated CVN-79 and CVN-80.

(b) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—A contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under the contract for any subsequent fiscal year is subject to the availability of appropriations for that purpose for such subsequent fiscal year.

(c) REPEAL OF SUPERSEDED PROVISION.—Section 121 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364; 120 Stat. 2104) is repealed.

SEC. 123. LIMITATION ON AVAILABILITY OF AMOUNTS FOR SECOND FORD CLASS AIRCRAFT CARRIER.

(a) LIMITATION.—Of the amount authorized to be appropriated for fiscal year 2013 by section 101 and available for shipbuilding and conversion for the second Ford class aircraft carrier as specified in the funding table in section 4101, not more than 50 percent of such amount may be obligated or expended until the Secretary of the Navy submits to the congressional defense committees a report setting forth a description of the program management and cost control measures that will be employed in constructing the second Ford class aircraft carrier.

(b) ELEMENTS.—The report described in subsection (a) shall include a plan to do the following with respect to the Ford class aircraft carriers:

(1) To maximize planned work in shops and early stages of construction.

(2) To sequence construction of structural units to maximize the effects of lessons learned.

(3) To incorporate design changes to improve producibility for the Ford class aircraft carriers.

(4) To increase the size of erection units to eliminate disruptive unit breaks and improve unit alignment and fairness.

(5) To increase outfitting levels for assembled units before erection in the dry-dock.

(6) To increase overall ship completion levels at each key construction event.

(7) To improve facilities in a manner that will lead to improved productivity.

(8) To ensure the shipbuilder initiates plans that will improve productivity through capital improvements that would provide targeted return on investment, including—

(A) increasing the amount of temporary and permanent covered work areas;

(B) adding ramps and service towers for improved access to work sites and the dry-dock; and

(C) increasing lift capacity to enable construction of larger, more fully outfitted super-lifts.

SEC. 124. MULTIYEAR PROCUREMENT AUTHORITY FOR VIRGINIA CLASS SUBMARINE PROGRAM.

(a) AUTHORITY FOR MULTIYEAR PROCUREMENT.—Subject to section 2306b of title 10, United States Code, the Secretary of the Navy may enter into multiyear contracts, beginning with the fiscal year 2014 program year, for procurement of Virginia class submarines and Government-furnished equipment associated with the Virginia class submarine program.

(b) AUTHORITY FOR ADVANCE PROCUREMENT.—The Secretary may enter into one or more contracts, beginning in fiscal year 2013, for advance procurement associated with the vessels and equipment for which authorization to enter into a multiyear procurement contract is provided under subsection (a).

(c) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—A contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year after fiscal year 2013 is subject to the availability of appropriations or funds for that purpose for such later fiscal year.

(d) LIMITATION ON TERMINATION LIABILITY.—contract for construction of vessels or equipment, entered into in accordance with subsection (a) shall include a clause that limits the liability of the Government to the contractor for any termination of the contract. The maximum liability of the Government under the clause shall be the amount appropriated for the vessels or equipment covered by the contract. Additionally, in the event of cancellation, the maximum liability of the Government shall include the amount of the unfunded cancellation ceiling in the contract.

(e) AUTHORITY TO EXPAND MULTIYEAR PROCUREMENT.—The Secretary may employ incremental funding for the procurement of Virginia class submarines and Government-furnished equipment associated with the Virginia class submarines to be procured during fiscal years 2013 through 2018 if the Secretary—

(1) determines that such an approach will permit the Navy to procure an additional Virginia class submarine in fiscal year 2014; and

(2) intends to use the funding for that purpose.

SEC. 125. MULTIYEAR PROCUREMENT AUTHORITY FOR ARLEIGH BURKE CLASS DESTROYERS AND ASSOCIATED SYSTEMS.

(a) AUTHORITY FOR MULTIYEAR PROCUREMENT.—Subject to section 2306b of title 10, United States Code, the Secretary of the Navy may enter into multiyear contracts, beginning with the fiscal year 2013 program year, for the procurement of up to 10 Arleigh Burke class Flight IIA guided missile destroyers, as well as the AEGIS Weapon Systems, MK 41 Vertical Launching Systems, and Commercial Broadband Satellite Systems associated with those vessels.

(b) AUTHORITY FOR ADVANCE PROCUREMENT.—The Secretary may enter into one or more contracts, beginning in fiscal year 2013, for advance procurement associated with the vessels and systems for which authorization to enter into a multiyear procurement contract is provided under subsection (a).

(c) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—A contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year after fiscal year 2013 is subject to the availability of appropriations or funds for that purpose for such later fiscal year.

SEC. 126. AUTHORITY FOR RELOCATION OF CERTAIN AEGIS WEAPON SYSTEM ASSETS BETWEEN AND WITHIN THE DDG-51 CLASS DESTROYER AND AEGIS ASHORE PROGRAMS IN ORDER TO MEET MISSION REQUIREMENTS.

(a) AUTHORITY.—

(1) TRANSFER TO AEGIS ASHORE SYSTEM.—Notwithstanding any other provision of law, the Secretary of the Navy may transfer AEGIS Weapon System (AWS) equipment with ballistic missile defense (BMD) capability to the Missile Defense Agency for use in the AEGIS Ashore System of the Agency for installation in the country designated as Host Nation #1 (HN-1) by transferring to the Agency such equipment procured with amounts authorized to be appropriated to

the SCN account for fiscal years 2010 and 2011 for the DDG-51 Class Destroyer Program.

(2) **ADJUSTMENTS IN EQUIPMENT DELIVERIES.**—

(A) **USE OF FY12 FUNDS FOR AWS SYSTEMS ON DESTROYERS PROCURED WITH FY11 FUNDS.**—Amounts authorized to be appropriated to the SCN account for fiscal year 2012, and any AEGIS Weapon System assets procured with such amounts, may be used to deliver complete, mission-ready AEGIS Weapon Systems with ballistic missile defense capability to any DDG-51 class destroyer for which amounts were authorized to be appropriated for the SCN account for fiscal year 2011.

(B) **USE OF AWS SYSTEMS PROCURED WITH RDTE FUNDS ON DESTROYERS.**—The Secretary may install on any DDG-51class destroyer AEGIS weapon systems with ballistic missile defense capability transferred pursuant to paragraph (3).

(3) **TRANSFER FROM AEGIS ASHORE SYSTEM.**—The Director of the Missile Defense Agency shall transfer AEGIS Weapon System equipment with ballistic missile defense capability procured for installation in the AEGIS Ashore System to the Department of the Navy for the DDG-51 Class Destroyer Program to replace any equipment transferred to Agency under paragraph (1).

(4) **TREATMENT OF TRANSFER IN FUNDING DESTROYER CONSTRUCTION.**—Notwithstanding the source of funds for any equipment transferred under paragraph (3), the Secretary shall fund all work necessary to complete construction and outfitting of any destroyer in which such equipment is installed in the same manner as if such equipment had been acquired using amounts in the SCN account.

(5) **SCN ACCOUNT DEFINED.**—In this subsection, the term “SCN account” means the Shipbuilding and Conversion, Navy account.

(b) **RELATIONSHIP TO OTHER LAW.**—Nothing in this section shall be construed to repeal or otherwise modify in any way the limitation on obligation or expenditure of funds for missile defense interceptors in Europe as specified in section 223 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 Public Law 111-383; 124 Stat. 4168).

SEC. 127. DESIGNATION OF MISSION MODULES OF THE LITTORAL COMBAT SHIP AS A MAJOR DEFENSE ACQUISITION PROGRAM.

(a) **DESIGNATION REQUIRED.**—The Secretary of Defense shall—

(1) designate the effort to develop and produce all variants of the mission modules in support of the Littoral Combat Ship program as a major defense acquisition program under section 2430 of title 10, United States Code; and

(2) with respect to the development and production of each variant, submit to the congressional defense committees a report setting forth such cost, schedule, and performance information as would be provided if such effort were a major defense acquisition program, including Selected Acquisition Reports, unit cost reports, and program baselines.

(b) **ADDITIONAL QUARTERLY REPORTS.**—The Secretary shall submit to the congressional defense committees on a quarterly basis a report on the development and production of each variant of the mission modules in support of the Littoral Combat Ship, including cost, schedule, and performance, and identifying actual and potential problems with such development or production and potential mitigation plans to address such problems.

SEC. 128. TRANSFER OF CERTAIN FISCAL YEAR 2012 PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS FUNDS.

(a) **IN GENERAL.**—To the extent provided in appropriations Acts, the Secretary of the Navy may transfer from fiscal year 2012 Procurement of Ammunition, Navy and Marine Corps funds, \$88,300,000 to other, higher priority programs of the Navy and the Marine Corps.

(b) **COVERED FUNDS.**—For purposes of this section, the term “fiscal year 2012 Procurement of Ammunition, Navy and Marine Corps funds” means amounts authorized to be appropriated for fiscal year 2012 by section 101 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1317) and available for Procurement of Ammunition, Navy and Marine Corps as specified in the funding table in section 4101 of that Act.

(c) **EFFECT ON AUTHORIZATION AMOUNTS.**—A transfer made from one account to another under the authority of this section shall be deemed to increase the amount authorized for the account to which the amount is transferred by an amount equal to the amount transferred.

(d) **CONSTRUCTION OF AUTHORITY.**—The transfer authority in this section is in addition to any other transfer authority provided in this Act.

SEC. 129. TRANSFER OF CERTAIN FISCAL YEAR 2012 PROCUREMENT, MARINE CORPS FUNDS FOR PROCUREMENT OF WEAPONS AND COMBAT VEHICLES.

(a) **IN GENERAL.**—To the extent provided in appropriations Acts, the Secretary of the Navy may transfer from fiscal year 2012 Procurement, Marine Corps funds for procurement of weapons and combat vehicles, \$135,200,000 to other, higher priority programs of the Navy and the Marine Corps.

(b) **COVERED FUNDS.**—For purposes of this section, the term “fiscal year 2012 Procurement, Marine Corps funds for procurement of weapons and combat vehicles” means amounts authorized to be appropriated for fiscal year 2012 by section 101 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1317) and available for Procurement, Marine Corps for the procurement of weapons and combat vehicles as specified in the funding table in section 4101 of that Act.

(c) **EFFECT ON AUTHORIZATION AMOUNTS.**—A transfer made from one account to another under the authority of this section shall be deemed to increase the amount authorized for the account to which the amount is transferred by an amount equal to the amount transferred.

(d) **CONSTRUCTION OF AUTHORITY.**—The transfer authority in this section is in addition to any other transfer authority provided in this Act.

SEC. 130. SENSE OF CONGRESS ON MARINE CORPS AMPHIBIOUS LIFT AND PRES- ENCE REQUIREMENTS.

(a) **FINDINGS.**—Congress makes the following findings:

(1) The United States Marine Corps is a combat force which leverages maneuver from the sea as a force multiplier allowing for a variety of operational tasks ranging from major combat operations to humanitarian assistance.

(2) The United States Marine Corps is unique in that, while embarked upon Naval vessels, they bring all the logistic support necessary for the full range of military operations, operating “from the sea” they require no third party host nation permission to conduct military operations.

(3) The Department of the Navy has a requirement for 38 amphibious assault ships to meet this full range of military operations.

(4) Due to fiscal constraints only, that requirement of 38 vessels was reduced to 33 vessels, which adds military risk to future operations.

(5) The Department of the Navy has been unable to meet even the minimal requirement of 30 operationally available vessels and has submitted a shipbuilding and ship retirement plan to Congress which will reduce the force to 28 vessels.

(6) Experience has shown that early engineering and design of naval vessels has significantly reduced the acquisition costs and life-cycle costs of those vessels.

(b) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(1) The Department of Defense should carefully evaluate the maritime force structure necessary to execute demand for forces by the commanders of the combatant commands;

(2) the Department of the Navy carefully evaluate amphibious lift capabilities to meet current and projected requirements;

(3) the Department of the Navy should consider prioritization of investment in and procurement of the next generation of amphibious assault ships, as a component of the balanced battle force;

(4) the next generation amphibious assault ships should maintain survivability protection;

(5) operation and maintenance requirements analysis, as well as the potential to leverage a common hull form design, should be considered to reduce total ownership cost and acquisition cost; and

(6) maintaining a robust amphibious ship building industrial base is vital for the future of the national security of the United States.

SEC. 131. SENSE OF SENATE ON DEPARTMENT OF NAVY FISCAL YEAR 2014 BUDGET REQUEST FOR TACTICAL AVIATION AIRCRAFT.

It is the sense of Senate that, if the budget request of the Department of the Navy for fiscal year 2014 for F-18 aircraft includes a request for funds for more than 13 new F-18 aircraft, the budget request of the Department of the Navy for fiscal year 2014 for F-35 aircraft should include a request for funds for not fewer than 6 F-35B aircraft and 4 F-35C aircraft, presuming that development, testing, and production of the F-35 aircraft are proceeding according to current plans.

Subtitle D—Air Force Programs

SEC. 141. REDUCTION IN NUMBER OF AIRCRAFT REQUIRED TO BE MAINTAINED IN STRATEGIC AIRLIFT AIRCRAFT INVENTORY.

(a) **REDUCTION IN INVENTORY REQUIREMENT.**—Section 8062(g)(1) of title 10, United States Code, is amended—

(1) by striking “Effective October 1, 2011, the” and inserting “The”; and

(2) by striking “301 aircraft” and inserting “275 aircraft”.

(b) **MODIFICATION OF CERTIFICATION REQUIREMENT.**—Section 137(d)(3)(B) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2221) is amended by striking “316 strategic airlift aircraft” and inserting “275 strategic airlift aircraft”.

(c) **PRESERVATION OF CERTAIN RETIRED C-5 AIRCRAFT.**—The Secretary of the Air Force shall preserve each C-5 aircraft retired by the Secretary after September 30, 2012, such that the aircraft—

(1) is stored in flyable condition;

(2) can be returned to service; and

(3) is not used to supply parts to other aircraft unless specifically authorized by the Secretary of Defense upon a request by the Secretary of the Air Force.

SEC. 142. TREATMENT OF CERTAIN PROGRAMS FOR THE F-22A RAPTOR AIRCRAFT AS MAJOR DEFENSE ACQUISITION PROGRAMS.

(a) **IN GENERAL.**—The Secretary of Defense shall treat the programs referred to in subsection (b) for the F-22A Raptor aircraft as a major defense acquisition program for which Selected Acquisition Reports shall be submitted to Congress in accordance with the requirements of section 2432 of title 10, United States Code.

(b) **COVERED PROGRAMS.**—The programs referred to in this subsection for the F-22A Raptor aircraft are the following:

(1) Any modernization program through Increment 3.2A.

(2) The Reliability and Maintainability Maturation Program (RAMMP) and the Structural Repair Program (SRP II).

(3) The modernization Increment 3.2B and any future F-22A Raptor aircraft modernization program that would otherwise, if a standalone program, qualify for treatment as a major defense acquisition program for purposes of chapter 144 of title 10, United States Code.

SEC. 143. AVIONICS SYSTEMS FOR C-130 AIRCRAFT.

(a) **LIMITATIONS.**—

(1) **AVIONICS MODERNIZATION PROGRAM.**—The Secretary of the Air Force shall take no action to cancel or modify the Avionics Modernization Program (AMP) for the C-130 aircraft until 30 days after the date of the submittal to the congressional defense committees of the report required by subsection (b).

(2) **CNS/ATM PROGRAM.**—

(A) **IN GENERAL.**—The Secretary shall take no action described in subparagraph (B) until 30 days after the date of the submittal to the congressional defense committees of the report required by subsection (b).

(B) **COVERED ACTIONS.**—An action described in this subparagraph is an action to begin an alternative communication, navigation, surveillance, and air traffic management (CNS/ATM) program for the C-130 aircraft that is designed or intended—

(i) to meet international communication, navigation, surveillance, and air traffic management standards for the fleet of C-130 aircraft; or

(ii) to replace the current Avionics Modernization Program for the C-130 aircraft.

(b) **REPORT.**—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees report on the results of a study to be conducted by the Office of Cost Assessment and Program Evaluation of the Department of Defense on the following:

(1) The costs and schedule to complete the current program of record for the Avionics Modernization Program for the C-130 aircraft, as anticipated at the time of the last certification on that program under section 2433a of title 10, United States Code.

(2) The total cost and schedule, from start to completion, of any proposed alternative communication, navigation, surveillance, and air traffic management program for the C-130 aircraft.

(3) The projected manpower savings to be derived from the current program of record for the Avionics Modernization Program for the C-130 aircraft in comparison with the projected manpower savings to be derived

from any proposed alternative communication, navigation, surveillance, and air traffic management program for the C-130 aircraft.

SEC. 144. PROCUREMENT OF SPACE-BASED INFRARED SYSTEM SATELLITES.

(a) **CONTRACT AUTHORITY.**—

(1) **IN GENERAL.**—The Secretary of the Air Force may procure two space-based infrared system satellites by entering into a fixed-price contract for such procurement.

(2) **COST REDUCTION.**—The Secretary may include in a contract entered into under paragraph (1) the following:

(A) The procurement of material and equipment in economic order quantities if the procurement of such material and equipment in such quantities will result in cost savings.

(B) Cost reduction initiatives.

(3) **USE OF INCREMENTAL FUNDING.**—The Secretary may use incremental funding for a contract entered into under paragraph (1) for a period not to exceed six fiscal years.

(4) **LIABILITY.**—A contract entered into under paragraph (1) shall provide that—

(A) any obligation of the United States to make a payment under the contract is subject to the availability of appropriations for that purpose; and

(B) the total liability of the Federal Government for the termination of the contract shall be limited to the total amount of funding obligated at the time of the termination of the contract.

(b) **LIMITATION OF COSTS.**—

(1) **LIMITATION.**—Except as provided in subsection (c), and excluding amounts described in paragraph (2), the total amount obligated or expended for the procurement of two space-based infrared system satellites authorized by subsection (a) may not exceed \$3,900,000,000.

(2) **EXCLUSION.**—The amounts described in this paragraph are amounts associated with the following:

(A) Plans.

(B) Technical data packages.

(C) Post-delivery and program-related support costs.

(D) Technical support for obsolescence studies.

(c) **ADJUSTMENT TO LIMITATION AMOUNT.**—

(1) **IN GENERAL.**—The Secretary may increase the limitation set forth in subsection (b)(1) by the amount of an increase described in paragraph (2) if the Secretary submits to the congressional defense committees written notification of the increase made to that limitation.

(2) **INCREASE DESCRIBED.**—An increase described in this paragraph is one of the following:

(A) An increase in costs that is attributable to economic inflation after September 30, 2012.

(B) An increase in costs that is attributable to compliance with changes in Federal, State, or local laws enacted after September 30, 2012.

(C) An increase in the cost of a space-based infrared system satellite that is attributable to the insertion of a new technology into the satellite that was not built into such satellites procured before fiscal year 2013, if the Secretary determines, and certifies to the congressional defense committees, that insertion of the new technology into the satellite is—

(i) expected to decrease the life-cycle cost of the satellite; or

(ii) required to meet an emerging threat that poses grave harm to the national security of the United States.

(d) **REPORTS.**—

(1) **REPORT ON CONTRACTS.**—Not later than 30 days after the date on which the Secretary enters into a contract under subsection (a), the Secretary shall submit to the congressional defense committees a report on the contract that includes the following:

(A) The total cost savings resulting from the authority provided by subsection (a).

(B) The type and duration of the contract.

(C) The total value of the contract.

(D) The funding profile under the contract by year.

(E) The terms of the contract regarding the treatment of changes by the Federal Government to the requirements of the contract, including how any such changes may affect the success of the contract.

(2) **PLAN FOR USING COST SAVINGS.**—Not later than 90 days after the date on which the Secretary enters into a contract under subsection (a), the Secretary shall submit to the congressional defense committees a plan for using the cost savings described in paragraph (1)(A) to improve the capability of military infrared and early warning satellites that includes a description of the following:

(A) The available funds, by year, resulting from such cost savings.

(B) The specific activities or subprograms to be funded using such cost savings and the funds, by year, allocated to each such activity or subprogram.

(C) The objectives for each such activity or subprogram.

(D) The criteria used by the Secretary to determine which such activities or subprograms to fund.

(E) The method by which the Secretary will determine which such activities or subprograms to fund, including whether that determination will be on a competitive basis.

(F) The plan for encouraging participation in such activities and subprograms by small businesses.

(G) The process for determining how and when such activities and subprograms would transition to an existing program or be established as a new program of record.

(e) **USE OF FUNDS AVAILABLE FOR SPACE VEHICLE NUMBER 5 FOR SPACE VEHICLE NUMBER 6.**—The Secretary may obligate and expend amounts authorized to be appropriated for fiscal year 2013 by section 101 for procurement for the Air Force as specified in the funding table in section 4101 and available for the advanced procurement of long-lead parts and the replacement of obsolete parts for space-based infrared system satellite space vehicle number 5 for the advanced procurement of long-lead parts and the replacement of obsolete parts for space-based infrared system space vehicle number 6.

(f) **SENSE OF CONGRESS.**—It is the sense of Congress that the Secretary should not enter into a fixed-price contract under subsection (a) for the procurement of two space-based infrared system satellites unless the Secretary determines that entering into such a contract will save the Air Force not less than 20 percent over the cost of procuring two such satellites separately.

SEC. 145. TRANSFER OF CERTAIN FISCAL YEAR 2011 AND 2012 FUNDS FOR AIRCRAFT PROCUREMENT FOR THE AIR FORCE.

(a) **IN GENERAL.**—To the extent provided in appropriations Acts, the Secretary of the Air Force may transfer from fiscal year 2011 and 2012 Aircraft Procurement, Air Force funds, an aggregate of \$920,748,000 to other, higher priority programs of the Air Force.

(b) **COVERED FUNDS.**—For purposes of this section, the term “fiscal year 2011 and 2012

Aircraft Procurement, Air Force funds" means—

(1) amounts authorized to be appropriated for fiscal year 2011 by section 103(1) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383; 124 Stat. 4152) for aircraft procurement for the Air Force; and

(2) amounts authorized to be appropriated for fiscal year 2012 by section 101 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1317) and available for Aircraft Procurement, Air Force as specified in the funding table in section 4101 of that Act.

(c) **EFFECT ON AUTHORIZATION AMOUNTS.**—A transfer made from one account to another under the authority of this section shall be deemed to increase the amount authorized for the account to which the amount is transferred by an amount equal to the amount transferred.

(d) **CONSTRUCTION OF AUTHORITY.**—The transfer authority in this section is in addition to any other transfer authority provided in this Act.

Subtitle E—Joint and Multiservice Matters

SEC. 151. MULTIYEAR PROCUREMENT AUTHORITY FOR V-22 JOINT AIRCRAFT PROGRAM.

(a) **AUTHORITY FOR MULTIYEAR PROCUREMENT.**—Subject to section 2306b of title 10, United States Code, the Secretary of the Navy may enter into a multiyear contract or contracts, beginning with the fiscal year 2013 program year, for the procurement of V-22 aircraft for the Department of the Navy, the Department of the Air Force, and the United States Special Operations Command.

(b) **CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.**—A contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year after fiscal year 2013 is subject to the availability of appropriations for that purpose for such later fiscal year.

SEC. 152. LIMITATION ON AVAILABILITY OF FUNDS FOR FULL-RATE PRODUCTION OF HANDHELD, MANPACK, AND SMALL FORM/FIT RADIOS UNDER THE JOINT TACTICAL RADIO SYSTEM PROGRAM.

Amounts available for the Joint Tactical Radio System (JTRS) program may not be obligated or expended for full-rate production of the Handheld, Manpack, and Small Form/Fit (HMS) radios under that program until the Under Secretary of Defense for Acquisition, Technology, and Logistics certifies to the congressional defense committees that the acquisition strategy for such radios provides, to the maximum extent practicable, for full and open competition in the acquisition of such radios.

SEC. 153. SHALLOW WATER COMBAT SUBMERSIBLE PROGRAM.

(a) **INITIAL REPORT.**—Not later than 90 days after the date of the enactment of this Act, the Commander of the United States Special Operations Command shall submit to the congressional defense committees a report setting forth the following:

(1) A description of the efforts of the contractor under the Shallow Water Combat Submersible (SWCS) program and the United States Special Operations Command to improve the accuracy of the tracking of the schedule and costs of the program.

(2) The revised timeline for the initial and full operational capability of the Shallow Water Combat Submersible.

(3) A current estimate of the cost to meet the basis of issue requirement under the program.

(b) **SUBSEQUENT REPORTS.**—

(1) **QUARTERLY REPORTS REQUIRED.**—The Commander of the United States Special Operations Command shall submit to the congressional defense committees on a quarterly basis updates on the metrics from the earned value management system with which the Command is tracking the schedule and cost performance of the contractor of the Shallow Water Combat Submersible program.

(2) **SUNSET.**—The requirement in paragraph (1) shall cease on the date the Shallow Water Combat Submersible has completed operational testing and has been found to be operationally effective and operationally suitable.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Subtitle A—Authorization of Appropriations

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2013 for the use of the Department of Defense for research, development, test, and evaluation as specified in the funding table in section 4201.

Subtitle B—Program Requirements, Restrictions, and Limitations

SEC. 211. NEXT GENERATION FOUNDRY FOR THE DEFENSE MICROELECTRONICS ACTIVITY.

Amounts authorized to be appropriated for fiscal year 2013 by section 201 and available for research, development, test, and evaluation for the Next Generation Foundry for the Defense Microelectronics Activity (DMEA) (PE #603720S) as specified in the funding table in section 4201 may not be obligated or expended for that purpose until 60 days after the date on which the Assistant Secretary of Defense for Research and Engineering—

(1) develops a microelectronics strategy as described in the Senate report to accompany S. 1235 of the 112th Congress (S. Rept. 112-26) and an estimate of the full life-cycle costs for the upgrade of the Next Generation Foundry; and

(2) submits the strategy and cost estimate required by paragraph (1) to the congressional defense committees.

SEC. 212. ADVANCED ROTORCRAFT INITIATIVE.

(a) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition, Technology, and Logistics shall, in consultation with the military departments, the Defense Advanced Research Projects Agency, and industry (including the Vertical Lift Consortium (VLC)), submit to the congressional defense committees a report setting forth a strategy for the use of integrated platform design teams and agile prototyping approaches for the development of advanced rotorcraft capabilities.

(b) **ELEMENTS.**—The strategy required by subsection (a) shall include the following:

(1) Mechanisms for establishing agile prototyping practices and programs, including rotorcraft X-planes, and an identification of the resources required for such purposes.

(2) A restructuring of the Joint Multi-role (JMR) development program of the Army to include more technology demonstration platforms with challenge goals of significant reductions in cost and time to flight.

(3) A restructuring of the X-Plane Rotorcraft program of the Defense Advanced Research Projects Agency to develop performance objectives beyond the Joint Multi-role development program, including at least two competing teams.

(4) Approaches, including competitive prize awards, to encourage the development of ad-

vanced rotorcraft capabilities to address challenge problems such as nap-of-earth automated flight, urban operation near buildings, slope landings, automated auto-rotation or power-off recovery, and automated selection of landing areas.

SEC. 213. TRANSFER OF CERTAIN FISCAL YEAR 2012 NAVY RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FUNDS.

(a) **IN GENERAL.**—To the extent provided in appropriations Acts, the Secretary of the Navy may transfer from fiscal year 2012 Navy research, development, test, and evaluation funds, \$8,832,000 to other, higher priority programs of the Navy.

(b) **COVERED FUNDS.**—For purposes of this section, the term "fiscal year 2012 Navy research, development, test, and evaluation funds" means amounts authorized to be appropriated for fiscal year 2012 by section 201 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1329) and available for Research, Development, Test, and Evaluation, Navy as specified in the funding table in section 4201 of that Act.

(c) **EFFECT ON AUTHORIZATION AMOUNTS.**—A transfer made from one account to another under the authority of this section shall be deemed to increase the amount authorized for the account to which the amount is transferred by an amount equal to the amount transferred.

(d) **CONSTRUCTION OF AUTHORITY.**—The transfer authority in this section is in addition to any other transfer authority provided in this Act.

SEC. 214. AUTHORITY FOR DEPARTMENT OF DEFENSE LABORATORIES TO ENTER INTO EDUCATION PARTNERSHIPS WITH EDUCATIONAL INSTITUTIONS IN UNITED STATES TERRITORIES AND POSSESSIONS.

(a) **AUTHORITY.**—Subsection (a) of section 2194 of title 10, United States Code, is amended by inserting "the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, and any possession of the United States" after "institutions of the United States".

(b) **TECHNICAL AMENDMENT.**—Subsection (f)(2) of such section is amended by inserting "(20 U.S.C. 7801)" before the period.

SEC. 215. TRANSFER OF CERTAIN FISCAL YEAR 2012 AIR FORCE RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FUNDS.

(a) **IN GENERAL.**—To the extent provided in appropriations Acts, the Secretary of the Air Force may transfer from fiscal year 2012 Air Force research, development, test, and evaluation funds, \$78,426,000 to other, higher priority programs of the Air Force.

(b) **COVERED FUNDS.**—For purposes of this section, the term "fiscal year 2012 Air Force research, development, test, and evaluation funds" means amounts authorized to be appropriated for fiscal year 2012 by section 201 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1329) and available for Research, Development, Test, and Evaluation, Air Force as specified in the funding table in section 4201 of that Act.

(c) **EFFECT ON AUTHORIZATION AMOUNTS.**—A transfer made from one account to another under the authority of this section shall be deemed to increase the amount authorized for the account to which the amount is transferred by an amount equal to the amount transferred.

(d) **CONSTRUCTION OF AUTHORITY.**—The transfer authority in this section is in addition to any other transfer authority provided in this Act.

Subtitle C—Missile Defense Matters**SEC. 231. HOMELAND BALLISTIC MISSILE DEFENSE.**

(a) FINDINGS.—Congress makes the following findings:

(1) The Ballistic Missile Defense Review of February 2010 stated as its first policy priority that “the United States will continue to defend the homeland against the threat of limited ballistic missile attack” and that “an essential element of the United States’ homeland ballistic missile defense strategy is to hedge against future uncertainties, including both the uncertainty of future threat capabilities and the technical risks inherent to our own development plans”.

(2) The United States currently has an operational Ground-based Midcourse Defense (GMD) system with 30 Ground-Based Interceptors (GBIs) deployed in Alaska and California, protecting the United States against the potential future threat of limited ballistic missile attack from countries such as North Korea and Iran.

(3) As Deputy Assistant Secretary of Defense for Nuclear and Missile Defense Policy Bradley Roberts testified before the Committee on Armed Services of the Senate on April 25, 2012, “[w]ith 30 GBIs in place, the United States is in an advantageous position vis-à-vis the threats from North Korea and Iran,” and “neither has successfully tested an ICBM or demonstrated an ICBM-class warhead”.

(4) Deputy Assistant Secretary Roberts testified that maintaining this advantageous position “requires continued improvement to the GMD system, including enhanced performance by the GBIs and the deployment of new sensors. It also requires the development of the Precision Tracking Space System (PTSS) to handle larger sized and the Standard Missile-3 (SM-3) Block IIB as the ICBM threat from states like Iran and North Korea matures. These efforts will help to ensure that the United States possesses the capability to counter the projected threat for the foreseeable future”.

(5) As its highest priority, the Missile Defense Agency is designing a correction to the problem that caused a December 2010 flight test failure of the Ground-based Midcourse Defense system using the Capability Enhancement II (CE-II) model of exo-atmospheric kill vehicle, and plans to demonstrate the correction in two flight tests before resuming production or assembly of additional Capability Enhancement II kill vehicles.

(6) The Department of Defense has a program to improve the performance and reliability of the Ground-based Midcourse Defense system, including a plan to test every component of the Ground-Based Interceptors for reliability. According to Department of Defense officials, the goal of the Ground-Based Interceptor reliability program is to double the number of threat Intercontinental Ballistic Missiles (ICBMs) that our current inventory of Ground-Based Interceptors could defeat, thereby effectively doubling the capability of our current Ground-based Midcourse Defense system.

(7) The Missile Defense Agency, working with the Director of Operational Test and Evaluation and with United States Strategic Command, has developed a comprehensive Integrated Master Test Plan (IMTP) for missile defense, with flight tests for the Ground-based Midcourse Defense system planned through fiscal year 2022, including salvo testing, multiple simultaneous engagement testing, and operational testing.

(8) The Director of Operational Test and Evaluation, who must review, approve, and

sign each semi-annual version of the Integrated Master Test Plan, testified that the Test Plan is “a robust and rigorous test plan”. He also testified that the current pace of Ground-based Midcourse Defense system testing of one flight test per year is the “best that we’ve been able to achieve over a decade”.

(9) The Director of the Missile Defense Agency testified before the Committee on Armed Services of the Senate on April 25, 2012, that flight testing the Ground-based Midcourse Defense system more often than once per year could cause “greater risk of further failure and setbacks to developing our homeland defense capability as rapidly as possible”.

(10) As part of its homeland defense hedging strategy, the Department of Defense has already decided upon or implemented a number of actions to improve the missile defense posture of the United States in case the threat of Intercontinental Ballistic Missiles from North Korea or Iran emerges sooner or in greater numbers than anticipated. These include the following actions:

(A) The Missile Defense Agency has completed construction of Missile Field-2 at Fort Greely, Alaska, with eight extra silos available to deploy additional operational Ground-Based Interceptors, if needed.

(B) With its request for 5 additional Ground-Based Interceptors in the budget of the President for fiscal year 2013, the Missile Defense Agency plans to have enough test and spare Ground-Based Interceptors to emplace in the 8 extra silos from 2014 through 2025, and will keep the Ground-Based Interceptor production line active for 5 additional years, thus allowing additional Ground-Based Interceptor purchases in the future, if needed.

(C) The Department has decided not to decommission prototype Missile Field-1 at Fort Greely but, instead, to keep it in a storage status that would permit it to be refurbished and reactivated within a few years if future threat developments make that necessary.

(D) The Missile Defense Agency plans to build an in-flight interceptor communications terminal at Fort Drum, New York, to enhance the performance of Ground-Based Interceptors defending the eastern United States against possible future missile threats from Iran.

(E) The Missile Defense Agency is continuing the development and testing of the two-stage Ground-Based Interceptor for possible deployment in the future, if needed.

(F) The Missile Defense Agency is upgrading early warning radars in Clear, Alaska, and Cape Cod, Massachusetts, to enhance the ability to defend against potential multiple future Intercontinental Ballistic Missile threats from North Korea and Iran.

(G) The Missile Defense Agency is pursuing development of the Standard Missile-3 Block IIB interceptor for Phase 4 of the European Phased Adaptive Approach. It is intended to augment the Ground-based Midcourse Defense system as a cost-effective first layer of defense of the homeland against a possible future Intercontinental Ballistic Missile threat from Iran.

(H) The Missile Defense Agency is pursuing development of the Precision Tracking Space System, a satellite sensor system to provide persistent tracking of large numbers of missiles in flight, and fire-control quality targeting data to various missile defense interceptor systems. According to the Director of the Missile Defense Agency, “the greatest future enhancement for both homeland and

regional defense in the next ten years is the development of the Precision Tracking Space System satellites”.

(11) As part of its homeland defense hedging strategy review, the Department of Defense is considering other options to enhance the future United States posture to defend the homeland, including the feasibility, advisability and affordability of deploying additional Ground-Based Interceptors, either in Alaska or at a missile defense site on the East Coast of the United States.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) it is a national priority to defend the homeland against the potential future threat of limited ballistic missile attack from countries such as North Korea and Iran;

(2) the currently deployed Ground-based Midcourse Defense system, with 30 Ground-Based Interceptors deployed in Alaska and California, provides protection of the United States homeland against the potential future threat of limited ballistic missile attack from North Korea and Iran;

(3) it is essential for the Ground-based Midcourse Defense system to achieve the levels of reliability, availability, sustainability, and operational performance that will allow it to continue providing protection of the United States homeland against limited ballistic missile attack;

(4) the Missile Defense Agency should, as its highest priority, correct the problem that caused the December 2010 Ground-based Midcourse Defense system flight test failure and demonstrate the correction in flight tests before resuming production of the Capability Enhancement-II kill vehicle, in order to provide confidence that the system will work as intended;

(5) the Department of Defense should continue to enhance the performance and reliability of the Ground-based Midcourse Defense system, and enhance the capability of the Ballistic Missile Defense System, to provide improved capability to defend the homeland against possible increased future missile threats from North Korea and Iran;

(6) the Missile Defense Agency should continue its robust, rigorous, and realistic testing of the Ground-based Midcourse Defense system at a pace of one flight test per year, as described in the Integrated Master Test Plan, including salvo testing, multiple simultaneous engagement testing, and operational testing;

(7) if successfully developed, the Standard Missile-3 Block IIB interceptor would provide an essential first layer of defense of the homeland against an emerging Intercontinental Ballistic Missile threat from Iran, using a cost-effective forward-based early intercept system that could permit holding Ground-Based Interceptors in reserve, and if such interceptor could be deployed on ships, it would also provide a significant enhancement to defense against possible future threats from North Korea;

(8) the Precision Tracking Space System has the potential to improve dramatically the capability of homeland and regional missile defense systems against large numbers of missiles launched simultaneously, and should remain a high priority for development;

(9) the Department of Defense has taken a number of prudent, affordable, cost-effective, and operationally significant steps to hedge against the possibility of future growth in the missile threat to the homeland from North Korea and Iran; and

(10) the Department of Defense should continue to evaluate the evolution of the long-

range missile threat from North Korea and Iran and consider other possibilities for prudent, affordable, cost-effective, and operationally significant steps to improve the posture of the United States to defend the homeland against possible future growth in the threat.

(c) REPORT.—

(1) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the status of efforts to improve the homeland ballistic missile defense capability of the United States.

(2) ELEMENTS OF REPORT.—The report required by paragraph (1) shall include the following:

(A) A detailed description of the actions taken or planned to improve the reliability, availability, and capability of the Ground-based Midcourse Defense system.

(B) A description of any improvements achieved as a result of the actions described in subparagraph (A).

(C) A description of the results of the two planned flight tests of the Ground-based Midcourse Defense system (Control Test Vehicle flight test-1, and GMD Flight Test-06b) intended to demonstrate the success of the correction of the problem that caused the flight test failure of December 2010, and the status of any decision to resume production of the Capability Enhancement-II kill vehicle.

(D) A detailed description of actions taken or planned to improve the homeland defense posture of the United States to hedge against potential future Intercontinental Ballistic Missile threat growth from North Korea and Iran.

(E) Any other matters the Secretary considers appropriate.

(3) FORM OF REPORT.—The report shall be submitted in unclassified form, but may include a classified annex.

SEC. 232. REGIONAL BALLISTIC MISSILE DEFENSE.

(a) FINDINGS.—Congress makes the following findings:

(1) In the introduction to the Ballistic Missile Defense Review of February 2010, Secretary of Defense Robert Gates states that “I have made defending against near-term regional threats a top priority of our missile defense plans, programs and capabilities”.

(2) In describing the threat of regional ballistic missiles, the report of the Ballistic Missile Defense Review states that “there is no uncertainty about the existence of regional threats. They are clear and present. The threat from short-range, medium-range, and intermediate-range ballistic missiles (SRBMs, MRBMs, and IRBMs) in regions where the United States deploys forces and maintains security relationships is growing at a particularly rapid pace”.

(3) In testimony before the Committee on Armed Services of the Senate on April 25, 2012, Dr. Bradley Roberts, Deputy Assistant Secretary of Defense for Nuclear and Missile Defense Policy stated, with respect to regional missile defense, that “the need arises from the rapidly emerging threats to our armed forces in Europe, the Middle East, and East Asia from regional missile proliferators and the basic challenge such proliferation poses to the safety and security of our forces and allies and to our power projection strategy”.

(4) Iran has the largest inventory of regional ballistic missiles in the Middle East, with hundreds of missiles that can reach southeastern Europe and all of the Middle East, including Israel. Iran is improving its

existing missiles and developing new and longer-range missiles.

(5) North Korea has a large and growing inventory of short-range and medium-range ballistic missiles that can reach United States forces and allies in South Korea and Japan. North Korea is improving its existing missiles and developing new and longer-range missiles.

(6) In September 2009, President Barack Obama announced that he had accepted the unanimous recommendation of the Secretary of Defense and the Joint Chiefs of Staff to establish a European Phased Adaptive Approach to missile defense, designed to protect deployed United States forces and allies and partners in Europe against the large and growing threat of ballistic missiles from Iran.

(7) In November 2010, at the Lisbon Summit, the North Atlantic Treaty Organization (NATO) decided to adopt the core mission of missile defense of its population, territory and forces. The North Atlantic Treaty Organization agreed to enhance its missile defense command and control system, the Active Layered Theater Ballistic Missile Defense, to provide a North Atlantic Treaty Organization command and control capability. This is in addition to contributions of missile defense capability from individual nations.

(8) During 2011, the United States successfully implemented Phase 1 of the European Phased Adaptive Approach, including deployment of an AN/TPY-2 radar in Turkey, deployment of an Aegis Ballistic Missile Defense ship in the eastern Mediterranean Sea with Standard Missile-3 Block IA interceptors, and establishment of a missile defense command and control system in Germany.

(9) During 2011, the United States successfully negotiated all the international agreements with North Atlantic Treaty Organization allies needed to permit future phases of the European Phased Adaptive Approach, including agreements with Romania and Poland to permit the deployment of Aegis Ashore missile defense systems on their territory, an agreement with Turkey to permit deployment of an AN/TPY-2 radar on its territory, and an agreement with Spain to permit the forward stationing of four Aegis Ballistic Missile Defense ships at Rota.

(10) Phase 2 of the European Phased Adaptive Approach is planned for deployment in 2015, and is planned to include the deployment of Standard Missile-3 Block IB interceptors on Aegis Ballistic Missile Defense ships and at an Aegis Ashore site in Romania.

(11) Phase 3 of the European Phased Adaptive Approach is planned for deployment in 2018, and is planned to include the deployment of Standard Missile-3 Block IIA interceptors on Aegis Ballistic Missile Defense ships and at an Aegis Ashore site in Poland.

(12) Phase 4 of the European Phased Adaptive Approach is planned for deployment in 2020, and is planned to include the deployment of Standard Missile-3 Block IIB interceptors at Aegis Ashore sites. This interceptor is intended to protect both Europe and the United States against potential future long-range ballistic missiles from Iran.

(13) At the North Atlantic Treaty Organization Summit in Chicago in 2012, the North Atlantic Treaty Organization plans to announce it has achieved an “interim capability” for the North Atlantic Treaty Organization missile defense system, including initial capability of its Active Layered Theater Ballistic Missile Defense system at a command and control facility in Germany.

(14) The United States has a robust program of missile defense cooperation with Israel, including joint development of the Arrow Weapon System and the new Arrow-3 upper tier interceptor, designed to defend Israel against ballistic missiles from Iran. These jointly developed missile defense systems are designed to be interoperable with United States ballistic missile defenses, and these interoperable systems are tested in large military exercises. The United States has deployed an AN/TPY-2 radar in Israel to enhance missile defense against missiles from Iran.

(15) The United States is working with the nations of the Gulf Cooperation Council on enhanced national and regional missile defense capabilities against growing missile threats from Iran. As part of this effort, the United Arab Emirates plans to purchase two batteries of the Terminal High Altitude Air Defense (THAAD) system, as well as other equipment.

(16) The United States has a strong program of missile defense cooperation with Japan, including the co-development of the Standard Missile-3 (SM-3) Block IIA interceptor for the Aegis Ballistic Missile Defense system, intended to be deployed by Japan and in Phase 3 of the European Phased Adaptive Approach, Japan’s fleet of Aegis Ballistic Missile Defense ships using the SM-3 Block IA interceptors, and the United States deployment of an AN/TPY-2 radar in Japan.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the threat from regional ballistic missiles, particularly from Iran and North Korea, is serious and growing, and puts at risk forward-deployed United States forces and allies and partners in Europe, the Middle East, and the Asia-Pacific region;

(2) the Department of Defense has an obligation to provide force protection of forward-deployed United States forces, assets, and facilities from regional ballistic missile attack;

(3) the United States has an obligation to meet its security commitments to its allies, including ballistic missile defense commitments;

(4) the Department of Defense has a balanced program of investment and capabilities to provide for both homeland defense and regional defense against ballistic missiles, consistent with the Ballistic Missile Defense Review and with the prioritized and integrated needs of the commanders of the combatant commands;

(5) the European Phased Adaptive Approach to missile defense is an appropriate and necessary response to the existing and growing ballistic missile threat from Iran to forward deployed United States forces and allies and partners in Europe;

(6) the Department of Defense—

(A) should, as a high priority, continue to develop, test, and plan to deploy all four phases of the European Phased Adaptive Approach, including all variants of the Standard Missile-3 interceptor; and

(B) should also continue with its other phased and adaptive regional missile defense efforts tailored to the Middle East and the Asia-Pacific region;

(7) European members of the North Atlantic Treaty Organization are making valuable contributions to missile defense in Europe, by hosting elements of United States missile defense systems on their territories, through individual national contributions to missile defense capability, and by collective funding and development of the Active Layered Theater Ballistic Missile Defense system; and

(8) the Department of Defense should continue with the development of the key enablers of enhanced regional missile defense, including the Precision Tracking Space System.

(c) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report describing the status and progress of regional missile defense programs and efforts.

(2) ELEMENTS OF REPORT.—The report required by paragraph (1) shall include the following:

(A) An assessment of the adequacy of the existing and planned European Phased Adaptive Approach to provide force protection for forward deployed United States forces in Europe against ballistic missile threats from Iran, and an assessment whether adequate force protection would be available absent the European Phased Adaptive Approach.

(B) An assessment whether the European Phased Adaptive Approach and other planned regional missile defense approaches of the United States meet the integrated priorities of the commanders of the regional combatant commands in an affordable and balanced manner.

(C) A description of the progress made in the development and testing of elements of systems intended for deployment in Phases 2 through 4 of the European Phased Adaptive Approach, including the Standard Missile-3 Block IB interceptor and the Aegis Ashore system.

(D) A description of the manner in which elements of regional missile defense architectures, such as forward-based X-band radars in Turkey and Japan, contribute to the enhancement of homeland defense of the United States.

(E) A description of the current and planned contributions of North Atlantic Treaty Organization allies, both collectively and individually, to missile defense in Europe.

(3) FORM.—The report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

SEC. 233. MISSILE DEFENSE COOPERATION WITH RUSSIA.

(a) FINDINGS.—Congress makes the following findings:

(1) For more than a decade, the United States and Russia have discussed a variety of options for cooperation on shared early warning and ballistic missile defense. For example, on May 1, 2001, President George W. Bush spoke of a “new cooperative relationship” with Russia and said “it should be premised on openness, mutual confidence and real opportunities for cooperation, including the area of missile defense. It should allow us to share information so that each nation can improve its early warning capability, and its capability to defend its people and territory. And perhaps one day, we can even cooperate in a joint defense”.

(2) Section 1231 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106-398; 1654A–329) authorized the Department of Defense to establish in Russia a “joint center for the exchange of data from systems to provide early warning of launches of ballistic missiles and for notification of launches of such missiles”, also known as the Joint Data Exchange Center (JDEC).

(3) On March 31, 2008, Deputy Secretary of Defense Gordon England stated that “we have offered Russia a wide-ranging proposal

to cooperate on missile defense—everything from modeling and simulation, to data sharing, to joint development of a regional missile defense architecture—all designed to defend the United States, Europe, and Russia from the growing threat of Iranian ballistic missiles. An extraordinary series of transparency measures have also been offered to reassure Russia. Despite some Russian reluctance to sign up to these cooperative missile defense activities, we continue to work toward this goal”.

(4) On July 6, 2009, President Barack Obama and Russian President Dmitry Medvedev issued a joint statement on missile defense issues, which stated that “Russia and the United States plan to continue the discussion concerning the establishment of cooperation in responding to the challenge of ballistic missile proliferation. . . . We have instructed our experts to work together to analyze the ballistic missile challenges of the 21st century and to prepare appropriate recommendations”.

(5) The February 2010 report of the Ballistic Missile Defense Review established as one of its central policy pillars that increased international missile defense cooperation is in the national security interest of the United States and, with regard to cooperation with Russia, the United States “is pursuing a broad agenda focused on shared early warning of missile launches, possible technical cooperation, and even operational cooperation”.

(6) At the November 2010 Lisbon Summit, the North Atlantic Treaty Organization (NATO) decided to develop a missile defense system to “protect NATO European populations, territory and forces” and also to seek cooperation with Russia on missile defense. In its Lisbon Summit Declaration, the North Atlantic Treaty Organization reaffirmed its readiness to “invite Russia to explore jointly the potential for linking current and planned missile defence systems at an appropriate time in mutually beneficial ways”. The new NATO Strategic Concept adopted at the Lisbon Summit states that “we will actively seek cooperation on missile defense with Russia”, that “NATO-Russia cooperation is of strategic importance”, and that “the security of the North Atlantic Treaty Organization and Russia is intertwined”.

(7) In a December 18, 2010, letter to the leadership of the Senate, President Obama wrote that the North Atlantic Treaty Organization “invited Russia to cooperate on missile defense, which could lead to adding Russian capabilities to those deployed by NATO to enhance our common security against common threats. The Lisbon Summit thus demonstrated that the Alliance’s missile defenses can be strengthened by improving NATO-Russian relations. This comes even as we have made clear that the system we intend to pursue with Russia will not be a joint system, and it will not in any way limit United States’ or NATO’s missile defense capabilities. Effective cooperation with Russia could enhance the overall efficiency of our combined territorial missile defenses, and at the same time provide Russia with greater security”.

(8) Section 221(a)(3) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383; 124 Stat. 4167) states that it is the sense of Congress “to support the efforts of the United States Government and the North Atlantic Treaty Organization to pursue cooperation with the Russian Federation on ballistic missile defense relative to Iranian missile threats”.

(9) In a speech in Russia on March 21, 2011, Secretary of Defense Robert Gates cited “the NATO-Russian decision to cooperate on defense against ballistic missiles. We’ve disagreed before, and Russia still has uncertainties about the European Phased Adaptive Approach, a limited system that poses no challenges to the large Russian nuclear arsenal. However, we’ve mutually committed to resolving these difficulties in order to develop a roadmap toward truly effective anti-ballistic missile collaboration. This collaboration may include exchanging launch information, setting up a joint data fusion center, allowing greater transparency with respect to our missile defense plans and exercises, and conducting a joint analysis to determine areas of future cooperation”.

(10) In testimony to the Committee on Armed Services of the Senate on April 13, 2011, Deputy Assistant Secretary of Defense for Nuclear and Missile Defense Policy Bradley H. Roberts stated that the United States has been pursuing a Defense Technology Cooperation Agreement with Russia since 2004, and that such an agreement is necessary “for the safeguarding of sensitive information in support of cooperation” on missile defense, and to “provide the legal framework for undertaking cooperative efforts”. Further, Dr. Roberts stated that the United States would not provide any classified information to Russia without first conducting a National Disclosure Policy review. He also stated that the United States is not considering sharing “hit-to-kill” technology with Russia.

(11) In a March 2012 answer to a question from the Committee on Armed Services of the Senate on missile defense cooperation with Russia, Acting Under Secretary of Defense for Policy Jim Miller wrote that “I support U.S.-Russian cooperation on missile defenses first and foremost because it could improve the effectiveness of U.S. and NATO missile defenses, thereby improving the protection of the United States, our forces overseas, and our Allies. Missile defense cooperation with Russia is in the security interests of the United States, NATO, and Russia, first and foremost because it could strengthen capabilities across Europe to intercept Iranian missiles”. He also wrote that “[t]he United States has pursued missile defense cooperation with Russia with the clear understanding that we would not accept constraints on missile defense, and that we would undertake necessary qualitative and quantitative improvements to meet U.S. security needs”.

(12) In February 2012, an international group of independent experts known as the Euro-Atlantic Security Initiative issued a report proposing missile defense cooperation between the United States (with its North Atlantic Treaty Organization allies) and Russia. The group, whose leaders included Stephen Hadley, the National Security Advisor to President George W. Bush, proposed that the nations share satellite and radar early warning data at joint cooperation centers in order to improve their ability to detect, track, and defeat medium-range and intermediate-range ballistic missiles from the Middle East.

(13) In a letter dated April 13, 2012, Robert Nabors, Assistant to the President and Director of the Office of Legislative Affairs, wrote that “it is Administration policy that we will only provide information to Russia that will enhance the effectiveness of our missile defenses. The Administration will not provide Russia with sensitive information that would in any way compromise our national security, including hit-to-kill technology and interceptor telemetry”.

(14) The United States and Russia already engage in substantial cooperation on a number of international security efforts, including nuclear nonproliferation, anti-piracy, counter-narcotics, nuclear security, counterterrorism, and logistics resupply through Russia of coalition forces in Afghanistan. These areas of cooperation require each side to share and protect sensitive information, which they have both done successfully.

(15) The United States currently has shared early warning agreements and programs of cooperation with eight nations in addition to the North Atlantic Treaty Organization. The United States has developed procedures and mechanisms for sharing early warning information with partner nations while ensuring the protection of sensitive United States information.

(16) Russia and the United States each have missile launch early warning and detection and tracking sensors that could contribute to and enhance each others' ability to detect, track, and defend against ballistic missile threats from Iran.

(17) The Obama Administration has provided regular briefings to Congress on its discussions with Russia on possible missile defense cooperation.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) it is in the national security interest of the United States to pursue efforts at missile defense cooperation with Russia that would enhance the security of the United States, its North Atlantic Treaty Organization allies, and Russia, particularly against missile threats from Iran;

(2) the United States should pursue ballistic missile defense cooperation with Russia on both a bilateral basis and a multilateral basis with its North Atlantic Treaty Organization allies, particularly through the NATO-Russia Council;

(3) missile defense cooperation with Russia should not "in any way limit United States' or NATO's missile defense capabilities", as acknowledged in the December 18, 2010, letter from President Obama to the leadership of the Senate, and should be mutually beneficial and reciprocal in nature;

(4) the United States should not provide Russia with sensitive missile defense information that would in any way compromise United States national security, including "hit-to-kill" technology and interceptor telemetry; and

(5) the United States should pursue missile defense cooperation with Russia in a manner that ensures that—

(A) United States classified information is appropriately safeguarded and protected from unauthorized disclosure;

(B) prior to sharing classified information with Russia, the United States conducts a National Disclosure Policy review and determines the types and levels of information that may be shared and whether any additional procedures are necessary to protect such information;

(C) prior to entering into missile defense technology cooperation projects, the United States enters into a Defense Technology Cooperation Agreement with Russia that establishes the legal framework for a broad spectrum of potential cooperative defense projects; and

(D) such cooperation does not limit the missile defense capabilities of the United States or its North Atlantic Treaty Organization allies.

SEC. 234. NEXT GENERATION EXO-ATMOSPHERIC KILL VEHICLE.

(a) PLAN FOR NEXT GENERATION KILL VEHICLE.—The Director of the Missile Defense

Agency shall develop a long-term plan for the Exo-atmospheric Kill Vehicle (EKV) that addresses both modifications and enhancements to the current Exo-atmospheric Kill Vehicle and options for the competitive development of a next generation Exo-atmospheric Kill Vehicle for the Ground-Based Interceptor (GBI) of the Ground-based Mid-course Defense (GMD) system and any other interceptor that might be developed for the defense of the United States against long-range ballistic missiles.

(b) DEFINITION OF PARAMETERS AND CAPABILITIES.—

(1) ASSESSMENT REQUIRED.—The Director shall define the desired technical parameters and performance capabilities for a next generation Exo-atmospheric Kill Vehicle using an assessment conducted by the Director for that purpose that is designed to ensure that a next generation Exo-atmospheric Kill Vehicle design—

(A) enables ease of manufacturing, high tolerances to production processes and supply chain variability, and inherent reliability;

(B) will be optimized to take advantage of the Ballistic Missile Defense System architecture and sensor system capabilities;

(C) leverages all relevant kill vehicle development activities and technologies, including from the current Standard Missile-3 Block IIB (SM-3 IIB) program and the previous Multiple Kill Vehicle technology development program;

(D) seeks to maximize, to the greatest extent practicable, commonality between subsystems of a next generation Exo-atmospheric Kill Vehicle and other exo-atmospheric kill vehicle programs; and

(E) meets Department of Defense criteria, as established in the February 2010 Ballistic Missile Defense Review, for affordability, reliability, suitability, and operational effectiveness to defend against limited attacks from evolving and future threats from long-range missiles.

(2) EVALUATION OF PAYLOADS.—The assessment required by paragraph (1) shall include an evaluation of the potential benefits and drawbacks of options for both unitary and multiple Exo-atmospheric Kill Vehicle payloads.

(3) STANDARD MISSILE-3 BLOCK IIB INTERCEPTOR.—As part of the assessment required by paragraph (1), the Director shall evaluate whether there are potential options and opportunities arising from the Standard Missile-3 Block IIB interceptor development program for development of an exo-atmospheric kill vehicle, or kill vehicle technologies or components, that could be used for potential upgrades to the Ground-Based Interceptor or for a next generation Exo-atmospheric Kill Vehicle.

(c) REPORT.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Director shall submit to the congressional defense committees a report setting forth the plan developed under subsection (a), including the results of the assessment under subsection (b), and an estimate of the cost and schedule of implementing the plan.

(2) FORM.—The report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

SEC. 235. MODERNIZATION OF THE PATRIOT AIR AND MISSILE DEFENSE SYSTEM.

(a) PLAN FOR MODERNIZATION.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Army shall submit to the congressional defense committees a prioritized plan for support of the

long-term requirements in connection with the modernization of the Patriot air and missile defense system.

(b) ADDITIONAL ELEMENTS.—The report required by subsection (a) shall also set forth the following:

(1) An assessment of the integrated air and missile defense capabilities required to meet the demands of evolving and emerging threats.

(2) A plan for the introduction of changes to the Patriot air and missile defense system program to achieve reductions in the life-cycle cost of the Patriot air and missile defense system.

SEC. 236. MEDIUM EXTENDED AIR DEFENSE SYSTEM.

None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2013 for the Department of Defense may be obligated or expended for the Medium Extended Air Defense System (MEADS).

SEC. 237. AVAILABILITY OF FUNDS FOR IRON DOME SHORT-RANGE ROCKET DEFENSE PROGRAM.

Of the amounts authorized to be appropriated for fiscal year 2013 by section 201 for research, development, test, and evaluation, Defense-wide, and available for the Missile Defense Agency, \$210,000,000 may be provided to the Government of Israel for the Iron Dome short-range rocket defense program as specified in the funding table in section 4201.

Subtitle D—Reports

SEC. 251. MISSION PACKAGES FOR THE LITTORAL COMBAT SHIP.

(a) REPORT REQUIRED.—Not later than March 1, 2013, the Secretary of the Navy shall, in consultation with the Director of Operational Test and Evaluation, submit to the congressional defense committees a report on the mine countermeasures warfare (MCM), antisubmarine warfare (ASW), and surface warfare (SUW) Mission Packages for the Littoral Combat Ship.

(b) ELEMENTS.—The report required by subsection (a) shall set forth the following:

(1) A plan for the Mission Packages demonstrating that Preliminary Design Review for every capability increment precedes Milestone B or equivalent approval for that increment.

(2) A plan for demonstrating that the capability increment for each Mission Package, combined with a Littoral Combat Ship, on the basis of a Preliminary Design Review and post-Preliminary Design Review assessment, will achieve the capability specified for that increment.

(3) A plan for demonstrating the survivability and lethality of the Littoral Combat Ship with its Mission Packages sufficiently early in the development phase of the system to minimize costs of concurrency.

SEC. 252. COMPTROLLER GENERAL OF THE UNITED STATES ANNUAL REPORTS ON THE ACQUISITION PROGRAM FOR THE AMPHIBIOUS COMBAT VEHICLE.

(a) ANNUAL GAO REVIEW.—The Comptroller General of the United States shall conduct on an annual basis a review of the acquisition program for the Amphibious Combat Vehicle (ACV).

(b) ANNUAL REPORTS.—

(1) IN GENERAL.—Not later than March 1 of each year beginning in 2013, the Comptroller General shall submit to the congressional defense committees a report on the review of the acquisition program for the Amphibious Combat Vehicle conducted under subsection (a).

(2) MATTERS TO BE INCLUDED.—Each report on the review of the acquisition program for

the Amphibious Combat Vehicle shall include, to the extent appropriate and feasible, the following:

(A) An assessment of the extent to which the program is meeting development and procurement cost, schedule, performance, and risk mitigation goals.

(B) With respect to meeting the desired initial operational capability and full operational capability dates for the Amphibious Combat Vehicle, an assessment of the progress and results of—

(i) developmental and operational testing of the vehicle; and

(ii) plans for correcting deficiencies in vehicle performance, operational effectiveness, reliability, suitability, and safety.

(C) An assessment of procurement plans, production results, and efforts to improve manufacturing efficiency and supplier performance in connection with the Amphibious Combat Vehicle.

(D) An assessment of the acquisition strategy for the Amphibious Combat Vehicle, including whether the strategy complies with acquisition management best-practices and the acquisition policy and regulations of the Department of Defense.

(E) A risk assessment of the integrated master schedule and the test and evaluation master plan of the Amphibious Combat Vehicle as it relates to—

(i) the probability of success;

(ii) the funding required for the vehicle in comparison with the funding programmed for the vehicle; and

(iii) development and production concurrency.

(3) **ADDITIONAL INFORMATION IN FIRST REPORT.**—In submitting to the congressional defense committees the first report under paragraph (1), the Comptroller General shall include, with respect to the Amphibious Combat Vehicle program, an assessment of the sufficiency and objectivity of the following documents:

(A) The analysis of alternatives.

(B) The initial capabilities document.

(C) The capability development document.

(4) **INFORMATION IN SUBSEQUENT REPORTS.**—

(A) **CERTAIN INFORMATION REQUIRED ONLY FOLLOWING SIGNIFICANT CHANGES.**—A report under this subsection after the first report under paragraph (1) shall address the matters identified in subparagraphs (C), (D), and (E) of paragraph (2) only to the extent that the Comptroller General determines that there have been significant changes to the applicable plans, strategies, or schedules since the last report under this subsection addressing such matters.

(B) **ADDITIONAL INFORMATION AFTER APPROVAL OR CHANGE OF DOCUMENTS.**—If any document specified in paragraph (3) is approved or changed after the first report under paragraph (1), the Comptroller General shall provide an assessment of the sufficiency and objectivity of that document in the report to the congressional defense committees under paragraph (1) submitted immediately following such approval or change.

(5) **TERMINATION.**—No report is required under this subsection after the first report following the award of a contract for full rate production of the Amphibious Combat Vehicle.

SEC. 253. CONDITIONAL REQUIREMENT FOR REPORT ON AMPHIBIOUS ASSAULT VEHICLES FOR THE MARINE CORPS.

(a) **IN GENERAL.**—If the ongoing Marine Corps ground combat vehicle fleet mix study recommends the acquisition of a separate Marine Personnel Carrier, the Secretary of

the Navy and the Commandant of the Marine Corps shall jointly submit to the congressional defense committees a report that includes the following:

(1) A detailed description of the capability gaps that Marine Personnel Carriers are intended to mitigate and the capabilities that the Marine Personnel Carrier will be required to have to mitigate such gaps, and an assessment whether, and to what extent, Amphibious Combat Vehicles could mitigate such gaps.

(2) A detailed explanation of the role of the Marine Personnel Carriers in fulfilling the forcible entry requirement for the two Marine Expeditionary Brigades (MEBs) that make up the assault echelons of the three Marine Expeditionary Brigade force required to meet applicable war plans of the combatant commands.

(3) A description of the fraction of the assault echelon of the brigades referred to in paragraph (2) that would be comprised of Marine Personnel Carriers.

(4) An assessment of the direct operational risk associated with using ship-to-shore connectors to deliver Marine Personnel Carriers to shore in an amphibious assault.

(5) An assessment of the indirect operational risk associated with using ship-to-shore connectors to deliver Marine Personnel Carriers rather than tanks and artillery and other tactical vehicles.

(6) A comparative estimate of the acquisition and life-cycle costs of a split fleet of Amphibious Combat Vehicles and Marine Personnel Carriers with the acquisition and life-cycle costs of a pure fleet of Amphibious Combat Vehicles.

(b) **SUBMITTAL DATE.**—If required, the report under subsection (a) shall be submitted not later than the later of—

(1) the date that is 60 days after the date of the completion of the study referred to in subsection (a); or

(2) February 1, 2013.

Subtitle E—Other Matters

SEC. 271. TRANSFER OF ADMINISTRATION OF OCEAN RESEARCH AND RESOURCES ADVISORY PANEL FROM DEPARTMENT OF THE NAVY TO NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.

(a) **IN GENERAL.**—Subsection (a) of section 7903 of title 10, United States Code, is amended—

(1) in the matter preceding paragraph (1)—

(A) by inserting “, through the Administrator of the National Oceanic and Atmospheric Administration,” after “The Council”;

(B) by inserting “and Resources” after “Ocean Research”;

(C) by striking “Panel consisting” and inserting “Panel. The Panel shall consist”; and

(D) by striking “chairman” and inserting “Administrator, on behalf of the Council”;

(2) in paragraph (1), by striking “National Academy of Science” and inserting “National Academies of Science”;

(3) by striking paragraphs (2) and (3); and

(4) by redesignating paragraphs (4) and (5) as paragraphs (2) and (3), respectively.

(b) **RESPONSIBILITIES OF PANEL.**—Subsection (b) of such section is amended—

(1) by inserting “, through the Administrator of the National Oceanic and Atmospheric Administration,” after “The Council”;

(2) by striking paragraph (2);

(3) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively; and

(4) by inserting after paragraph (1) the following new paragraphs (2) and (3):

“(2) To advise the Council on the determination of scientific priorities and needs.

“(3) To provide the Council strategic advice regarding national ocean program execution and collaboration.”.

(c) **FUNDING TO SUPPORT ACTIVITIES OF PANEL.**—Subsection (c) of such section is amended by striking “Secretary of the Navy” and inserting “Secretary of Commerce”.

(d) **CONFORMING AMENDMENT.**—Section 7902(e)(1) of such title is amended by striking “Ocean Research Advisory Panel” and inserting “Ocean Research and Resources Advisory Panel”.

(e) **CLERICAL AMENDMENTS.**—

(1) **HEADING AMENDMENT.**—The heading of section 7903 of such title is amended to read as follows:

“§ 7903. Ocean Research and Resources Advisory Panel”.

(2) **TABLE OF SECTIONS.**—The table of sections at the beginning of chapter 665 of such title is amended by striking the item relating to section 7903 and inserting the following new item:

“7903. Ocean Research and Resources Advisory Panel.”.

(f) **REFERENCES.**—Any reference to the Ocean Research Advisory Panel in any law, regulation, map, document, record, or other paper of the United States shall be deemed to be a reference to the Ocean Research and Resources Advisory Panel.

TITLE III—OPERATION AND MAINTENANCE

Subtitle A—Authorization of Appropriations

SEC. 301. OPERATION AND MAINTENANCE FUNDING.

Funds are hereby authorized to be appropriated for fiscal year 2013 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for operation and maintenance, as specified in the funding table in section 4301.

Subtitle B—Energy and Environmental Provisions

SEC. 311. DEPARTMENT OF DEFENSE GUIDANCE ON ENVIRONMENTAL EXPOSURES AT MILITARY INSTALLATIONS.

(a) **GUIDANCE.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall issue to the appropriate military departments and other defense agencies written guidance on environmental exposures at military installations. The guidance shall—

(1) set forth criteria for when and under what circumstances public health assessments by the Agency for Toxic Substances and Disease Registry shall be requested in connection with environmental contamination at military installations, including past incidents of environmental contamination;

(2) establish procedures for tracking and documenting the status and nature of responses to the findings and recommendations of the public health assessments of the Agency of Toxic Substances and Disease Registry that involve contamination at military installations; and

(3) prescribe appropriate actions with respect to the identification of military and civilian individuals who may have been exposed to contamination while living or working on military installations.

(b) **REPORT.**—Not later than 30 days after issuing the guidance required under subsection (a), the Secretary of Defense shall transmit a copy of the guidance to the congressional defense committees.

SEC. 312. FUNDING OF AGREEMENTS UNDER THE SIKES ACT.

Section 103a of the Sikes Act (16 U.S.C. 670c-1) is amended—

(1) in subsection (b)—
 (A) by inserting “(1)” before “Funds”; and
 (B) by adding at the end the following new paragraph:

“(2) In the case of a cooperative agreement under subsection (a)(2), such funds—

“(A) may be paid in a lump sum and include an amount intended to cover the future costs of the natural resource maintenance and improvement activities provided for under the agreement; and

“(B) may be placed by the recipient in an interest-bearing account, and any interest shall be applied for the same purposes as the principal.”; and

(2) by amending subsection (c) to read as follows:

“(c) **AVAILABILITY OF FUNDS; AGREEMENT UNDER OTHER LAWS.**—(1) Cooperative agreements and interagency agreements entered into under this section shall be subject to the availability of funds.

“(2) Notwithstanding chapter 63 of title 31, a cooperative agreement under this section may be used to acquire property or services for the direct benefit or use of the United States Government.”.

SEC. 313. LIMITATION ON AVAILABILITY OF FUNDS FOR PROCUREMENT OF ALTERNATIVE FUEL.

(a) **LIMITATION.**—Except as provided in subsection (b), none of the funds authorized to be appropriated by this Act or otherwise made available during fiscal year 2013 for the Department of Defense may be obligated or expended for the production or sole purchase of an alternative fuel if the cost of producing or purchasing the alternative fuel exceeds the cost of producing or purchasing a traditional fossil fuel that would be used for the same purpose as the alternative fuel.

(b) **EXCEPTION.**—Notwithstanding subsection (a), the Secretary of Defense may purchase such limited quantities of alternative fuels as are necessary to complete engine or fleet certification for 50/50 blends. In such instances, the Secretary shall purchase such alternative fuel using amounts authorized for research, development, test, and evaluation using competitive procedures and shall ensure the best purchase price for the fuel.

Subtitle C—Logistics and Sustainment**SEC. 321. REPEAL OF CERTAIN PROVISIONS RELATING TO DEPOT-LEVEL MAINTENANCE.**

(a) **REPEAL.**—

(1) Section 2460 of title 10, United States Code (as amended by section 321 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81)), is repealed.

(2) Section 2464 of title 10, United States Code (as amended by section 327 of the National Defense Authorization Act for Fiscal Year 2012), is repealed.

(b) **REVIVAL OF SUPERSEDED PROVISIONS.**—

(1) The provisions of section 2460 of title 10, United States Code, as in effect on December 30, 2011 (the day before the date of the enactment of the National Defense Authorization Act for Fiscal Year 2012), are hereby revived.

(2)(A) The provisions of section 2464 of title 10, United States Code, as in effect on that date, are hereby revived.

(B) The table of sections at the beginning of chapter 146 of such title is amended by striking the item relating to section 2464 and inserting the following new item:

“2464. Core logistics capabilities.”.

(c) **CONFORMING AMENDMENTS.**—

(1) Section 2366a of title 10, United States Code, is amended by striking “core depot-level maintenance and repair capabilities” each place it appears and inserting “core logistics capabilities”.

(2) Section 2366b(A)(3)(F) of title 10, United States Code, is amended by striking “core depot-level maintenance and repair capabilities” and inserting “core logistics capabilities”.

(3) Section 801(c) of the National Defense Authorization Act for Fiscal Year 2012 (125 Stat. 1483; 10 U.S.C. 2366a note) is amended by striking “core depot-level maintenance and repair capabilities” and inserting “core logistics capabilities”.

(d) **EFFECTIVE DATE.**—This section and the amendments made by this section shall take effect on December 31, 2011, the date of the enactment of the National Defense Authorization Act for Fiscal Year 2012, immediately after the enactment of that Act.

Subtitle D—Reports**SEC. 331. ANNUAL REPORT ON DEPARTMENT OF DEFENSE LONG-TERM CORROSION STRATEGY.**

Section 2228(e) of title 10, United States Code, is amended—

(1) in paragraph (1)—

(A) in subparagraph (B), by inserting “, including available validated data on return on investment for completed corrosion projects and activities” after “the strategy”;

(B) in subparagraph (E), by striking “For the fiscal year covered by the report and the preceding fiscal year” and inserting “For the preceding fiscal year covered by the report”; and

(C) by inserting at the end the following new subparagraph:

“(F) For the preceding fiscal year covered by the report, a breakdown of the amount of funds used for military corrosion projects, the Technical Corrosion Collaboration pilot program, and other corrosion-related activities.”;

(2) by striking paragraph (2); and

(3) by redesignating paragraph (3) as paragraph (2).

SEC. 332. MODIFIED DEADLINE FOR COMPTROLLER GENERAL REVIEW OF ANNUAL REPORT ON PREPOSITIONED MATERIEL AND EQUIPMENT.

Section 2229a(b) of title 10, United States Code, is amended by striking “By not later than 120 days after the date on which a report is submitted under subsection (a), the Comptroller General shall review the report” and inserting “The Comptroller General shall review the report submitted under subsection (a)”.

Subtitle E—Other Matters**SEC. 341. SAVINGS TO BE ACHIEVED IN CIVILIAN WORKFORCE AND CONTRACTOR EMPLOYEE WORKFORCE OF THE DEPARTMENT OF DEFENSE.**

(a) **REQUIRED SAVINGS.**—Commencing not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall begin the implementation of an efficiencies plan for the civilian workforce and the service contractor workforce of the Department of Defense which shall achieve savings in the funding for each such workforce over the period from fiscal year 2012 through fiscal year 2017 that are not less, as a percentage of such funding, than the savings in funding for military personnel achieved by the planned reduction in military end strengths over the same period of time.

(b) **EXCLUSIONS.**—The funding reduction required by subsection (a) shall not include funding for the following:

(1) Civilian personnel expenses for personnel as follows:

(A) Personnel in Mission Critical Occupations, as defined by the Civilian Human Capital Strategic Plan of the Department of Defense and the Acquisition Workforce Plan of the Department of Defense.

(B) Personnel employed at facilities providing core logistics capabilities pursuant to section 2464 of title 10, United States Code.

(C) Personnel in the Offices of the Inspectors General of the Department of Defense.

(2) Service contractor expenses for personnel as follows:

(A) Personnel performing maintenance and repair of military equipment.

(B) Personnel providing medical services.

(C) Personnel performing financial audit services.

(3) Personnel expenses for personnel in the civilian personnel or service contractor workforce performing such other critical functions as may be identified by the Secretary as requiring exemption in the interest of the national defense.

(c) **REPORTS.**—

(1) **INITIAL REPORT.**—Not later than 120 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report including a comprehensive description of the plan required by subsection (a).

(2) **STATUS REPORTS.**—Not later than 60 days after the end of each fiscal year from fiscal year 2013 through fiscal year 2017, the Secretary shall submit to the congressional defense committees a report describing the implementation of the plan during the prior fiscal year. Each such report shall include a direct comparison of the savings achieved under the plan to the savings achieved in the same fiscal year through reductions in military end strengths. In any case in which savings fall short of the annual target, the report shall include an explanation of the reasons for such shortfall.

(3) **EXEMPTIONS.**—Each report under paragraphs (1) and (2) shall specifically identify any exemption granted by the Secretary under subsection (b)(3) in the period of time covered by the report.

(d) **LIMITATION ON TRANSFERS OF FUNCTIONS.**—The Secretary shall ensure that the savings required by this section are not achieved through unjustified transfers of functions between or among the military, civilian, and service contractor workforces of the Department of Defense.

(e) **SENSE OF CONGRESS.**—It is the sense of Congress that an amount equal to 30 percent of the amount of the reductions in appropriated funds attributable to reduced budgets for the civilian and service contractor workforces of the Department by reason of the plan required by subsection (a) should be made available for costs of assisting military personnel separated from the Armed Forces in the transition from military service.

(f) **SERVICE CONTRACTOR WORKFORCE DEFINED.**—In this section, the term “service contractor workforce” means contractor employees performing contract services, as defined in section 2330(c)(2) of title 10, United States Code, other than contract services that are funded out of amounts available for overseas contingency operations.

SEC. 342. NATO SPECIAL OPERATIONS HEADQUARTERS.

(a) **IN GENERAL.**—Chapter 138 of title 10, United States Code, is amended by adding at the end the following new section:

“§2350n. NATO Special Operations Headquarters

“(a) **AUTHORIZATION.**—Of the amounts authorized to be appropriated for fiscal year

2013 and for subsequent fiscal years for the Department of Defense for operation and maintenance, up to \$50,000,000 may be used for a fiscal year for the purposes set forth in subsection (b) for support of operations of the North Atlantic Treaty Organization (NATO) Special Operations Headquarters.

“(b) PURPOSES.—The Secretary of Defense may provide funds for the NATO Special Operations Headquarters—

“(1) to improve coordination and cooperation between the special operations forces of NATO member countries;

“(2) to facilitate joint operations by special operations forces of NATO member countries;

“(3) to support command, control, and communications capabilities peculiar to special operations forces of NATO member countries;

“(4) to promote special operations forces intelligence and informational requirements within the NATO structure; and

“(5) to promote interoperability through the development of common equipment standards, tactics, techniques, and procedures, and through execution of multinational education and training programs.

“(c) ANNUAL REPORT.—Not later than April 1 of each year, the Secretary of Defense shall submit to the congressional defense committees a report regarding Department of Defense support for the NATO Special Operations Headquarters. Each report shall include the following:

“(1) The total amount of funding provided to the NATO Special Operations Headquarters.

“(2) A summary of the activities funded with such support.

“(3) Other contributions, financial or in kind, provided in support of the NATO Special Operations Headquarters by other NATO member countries.”

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2350m the following new item:

“2350n. NATO Special Operations Headquarters.”

SEC. 343. REPEAL OF REDUNDANT AUTHORITY TO ENSURE INTEROPERABILITY OF LAW ENFORCEMENT AND EMERGENCY RESPONDER TRAINING.

Section 372 of title 10, United States Code, is amended—

- (1) by striking “(a) IN GENERAL.—”; and
- (2) by striking subsection (b).

TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS

Subtitle A—Active Forces

SEC. 401. END STRENGTHS FOR ACTIVE FORCES.

The Armed Forces are authorized strengths for active duty personnel as of September 30, 2013, as follows:

- (1) The Army, 552,100.
- (2) The Navy, 322,700.
- (3) The Marine Corps, 197,300.
- (4) The Air Force, 329,597.

Subtitle B—Reserve Forces

SEC. 411. END STRENGTHS FOR SELECTED RESERVE.

(a) IN GENERAL.—The Armed Forces are authorized strengths for Selected Reserve personnel of the reserve components as of September 30, 2013, as follows:

- (1) The Army National Guard of the United States, 358,200.
- (2) The Army Reserve, 205,000.
- (3) The Navy Reserve, 62,500.
- (4) The Marine Corps Reserve, 39,600.
- (5) The Air National Guard of the United States, 106,435.

(6) The Air Force Reserve, 72,428.

(7) The Coast Guard Reserve, 9,000.

(b) END STRENGTH REDUCTIONS.—The end strengths prescribed by subsection (a) for the Selected Reserve of any reserve component shall be proportionately reduced by—

(1) the total authorized strength of units organized to serve as units of the Selected Reserve of such component which are on active duty (other than for training) at the end of the fiscal year; and

(2) the total number of individual members not in units organized to serve as units of the Selected Reserve of such component who are on active duty (other than for training or for unsatisfactory participation in training) without their consent at the end of the fiscal year.

(c) END STRENGTH INCREASES.—Whenever units or individual members of the Selected Reserve of any reserve component are released from active duty during any fiscal year, the end strength prescribed for such fiscal year for the Selected Reserve of such reserve component shall be increased proportionately by the total authorized strengths of such units and by the total number of such individual members.

SEC. 412. END STRENGTHS FOR RESERVES ON ACTIVE DUTY IN SUPPORT OF THE RESERVES.

Within the end strengths prescribed in section 411(a), the reserve components of the Armed Forces are authorized, as of September 30, 2013, the following number of Reserves to be serving on full-time active duty or full-time duty, in the case of members of the National Guard, for the purpose of organizing, administering, recruiting, instructing, or training the reserve components:

- (1) The Army National Guard of the United States, 32,060.
- (2) The Army Reserve, 16,277.
- (3) The Navy Reserve, 10,114.
- (4) The Marine Corps Reserve, 2,261.
- (5) The Air National Guard of the United States, 14,871.
- (6) The Air Force Reserve, 2,888.

SEC. 413. END STRENGTHS FOR MILITARY TECHNICIANS (DUAL STATUS).

The minimum number of military technicians (dual status) as of the last day of fiscal year 2013 for the reserve components of the Army and the Air Force (notwithstanding section 129 of title 10, United States Code) shall be the following:

- (1) For the Army Reserve, 8,445.
- (2) For the Army National Guard of the United States, 28,380.
- (3) For the Air Force Reserve, 10,716.
- (4) For the Air National Guard of the United States, 22,313.

SEC. 414. FISCAL YEAR 2013 LIMITATION ON NUMBER OF NON-DUAL STATUS TECHNICIANS.

(a) LIMITATIONS.—

(1) NATIONAL GUARD.—Within the limitation provided in section 10217(c)(2) of title 10, United States Code, the number of non-dual status technicians employed by the National Guard as of September 30, 2013, may not exceed the following:

- (A) For the Army National Guard of the United States, 1,600.
- (B) For the Air National Guard of the United States, 350.

(2) ARMY RESERVE.—The number of non-dual status technicians employed by the Army Reserve as of September 30, 2013, may not exceed 595.

(3) AIR FORCE RESERVE.—The number of non-dual status technicians employed by the Air Force Reserve as of September 30, 2013, may not exceed 90.

(b) NON-DUAL STATUS TECHNICIANS DEFINED.—In this section, the term “non-dual status technician” has the meaning given that term in section 10217(a) of title 10, United States Code.

SEC. 415. MAXIMUM NUMBER OF RESERVE PERSONNEL AUTHORIZED TO BE ON ACTIVE DUTY FOR OPERATIONAL SUPPORT.

During fiscal year 2013, the maximum number of members of the reserve components of the Armed Forces who may be serving at any time on full-time operational support duty under section 115(b) of title 10, United States Code, is the following:

- (1) The Army National Guard of the United States, 17,000.
- (2) The Army Reserve, 13,000.
- (3) The Navy Reserve, 6,200.
- (4) The Marine Corps Reserve, 3,000.
- (5) The Air National Guard of the United States, 16,000.
- (6) The Air Force Reserve, 14,000.

Subtitle C—Authorization of Appropriations

SEC. 421. MILITARY PERSONNEL.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal year 2013 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for military personnel, as specified in the funding table in section 4401.

(b) CONSTRUCTION OF AUTHORIZATION.—The authorization of appropriations in subsection (a) supersedes any other authorization of appropriations (definite or indefinite) for such purpose for fiscal year 2013.

TITLE V—MILITARY PERSONNEL POLICY

Subtitle A—Officer Policy

SEC. 501. EXTENSION OF RELAXATION OF LIMITATION ON SELECTIVE EARLY DISCHARGES.

Section 638a(d)(2) of title 10 United States Code, is amended in subparagraphs (A) and (B) by striking “except that during the period beginning on October 1, 2006, and ending on December 31, 2012,” and inserting “except that through December 31, 2018.”

SEC. 502. EXCEPTION TO 30-YEAR RETIREMENT FOR REGULAR NAVY WARRANT OFFICERS IN THE GRADE OF CHIEF WARRANT OFFICER, W-5.

(a) EXCEPTION TO STATUTORY 30-YEAR RETIREMENT.—Paragraph (1) of section 1305(a) of title 10, United States Code, is amended—

(1) by inserting “or a regular Navy warrant officer in the grade of chief warrant officer, W-5, exempted under paragraph (3)” after “Army warrant officer”; and

(2) by striking “he” and inserting “the officer”.

(b) MODIFICATION OF STATUTORY RETIREMENT FROM 30 TO 33 YEARS.—Such section is further amended by adding at the end the following new paragraph:

“(3) In the case of a regular Navy warrant officer in the grade of chief warrant officer, W-5, the officer shall be retired 60 days after the date on which the officer completes 33 years of total active service.”

SEC. 503. MODIFICATION OF DEFINITION OF JOINT DUTY ASSIGNMENT TO INCLUDE ALL INSTRUCTOR ASSIGNMENTS FOR JOINT TRAINING AND EDUCATION.

Section 668(b)(1)(B) of title 10, United States Code, is amended by striking “assignments for joint” and all that follows through “Phase II” and inserting “student assignments for joint training and education”.

SEC. 504. SENSE OF SENATE ON INCLUSION OF ASSIGNMENTS AS ACADEMIC INSTRUCTOR AT THE MILITARY SERVICE ACADEMIES AS JOINT DUTY ASSIGNMENTS.

It is the sense of the Senate that the Secretary of Defense should include assignments in which military officers are assigned as instructors responsible for preparing and presenting academic courses on the faculty of the United States Military Academy, the United States Naval Academy, or the United States Air Force Academy as joint duty assignments.

Subtitle B—Reserve Component Management

SEC. 511. AUTHORITY FOR APPOINTMENT OF PERSONS WHO ARE LAWFUL PERMANENT RESIDENTS AS OFFICERS OF THE NATIONAL GUARD.

Section 313(b)(1) of title 32, United States Code, is amended by inserting “or an alien lawfully admitted for permanent residence (as that term is defined in section 101(a)(20) of the Immigration and Nationality Act (8 U.S.C.101(a)(20))” before the semicolon.

SEC. 512. RESERVE COMPONENT SUICIDE PREVENTION AND RESILIENCE PROGRAM.

(a) CODIFICATION, TRANSFER OF RESPONSIBILITY, AND EXTENSION.—

(1) IN GENERAL.—Chapter 1007 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 10219. Suicide prevention and resilience program

“(a) PROGRAM REQUIREMENT.—The Secretary of Defense shall carry out a program to provide members of the National Guard and Reserves and their families with training in suicide prevention, resilience, and community healing and response to suicide.

“(b) SUICIDE PREVENTION TRAINING.—Under the program, the Secretary shall provide members of the National Guard and Reserves with training in suicide prevention. Such training may include—

“(1) describing the warning signs for suicide and teaching effective strategies for prevention and intervention;

“(2) examining the influence of military culture on risk and protective factors for suicide; and

“(3) engaging in interactive case scenarios and role plays to practice effective intervention strategies.

“(c) COMMUNITY RESPONSE TRAINING.—Under the program, the Secretary shall provide the families and communities of members of the National Guard and Reserves with training in responses to suicide that promote individual and community healing. Such training may include—

“(1) enhancing collaboration among community members and local service providers to create an integrated, coordinated community response to suicide;

“(2) communicating best practices for preventing suicide, including safe messaging, appropriate memorial services, and media guidelines;

“(3) addressing the impact of suicide on the military and the larger community, and the increased risk that can result; and

“(4) managing resources to assist key community and military service providers in helping the families, friends, and fellow servicemembers of a suicide victim through the processes of grieving and healing.

“(d) COMMUNITY TRAINING ASSISTANCE.—The program shall include the provision of assistance with such training to the local communities of those servicemembers and families, to be provided in coordination with local community programs.

“(e) COLLABORATION.—In carrying out the program, the Secretary shall collect and analyze ‘lessons learned’ and suggestions from State National Guard and Reserve organizations with existing or developing suicide prevention and community response programs.

“(f) TERMINATION.—The program under this section shall terminate on October 1, 2015.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 1007 of such title is amended by adding at the end the following new item:

“10219. Suicide prevention and resilience program.”.

(b) REPEAL OF SUPERSEDED PROVISION.—Subsection (i) of section 582 of the National Defense Authorization Act for Fiscal Year 2008 (10 U.S.C. 10101 note) is repealed.

Subtitle C—General Service Authorities

SEC. 521. DIVERSITY IN THE ARMED FORCES AND RELATED REPORTING REQUIREMENTS.

(a) PLAN TO ACHIEVE DIVERSITY IN THE ARMED FORCES.—The Secretary of Defense shall develop and implement a plan to accurately measure the efforts of the Department of Defense to achieve the goal of having a dynamic and sustainable 20-30 year pipeline that yields a diverse officer and enlisted corps for the Armed Forces that reflects the population of the United States eligible to serve in the Armed Forces across all the Armed Forces, and all grades of each Armed Force, that is able to prevail in its wars, prevent and deter conflicts, defeat adversaries and succeed in a wide-range of contingencies, and preserve and enhance the all volunteer force. Any metric established pursuant to this subsection may not be used in a manner that undermines the merit-based processes of the Department of Defense, including such processes for accession, retention, and promotion. Such metrics may not be combined with the identification of specific quotas based upon diversity characteristics. The Secretary shall continue to account for diversified language and cultural skills among the total force of the military.

(b) METRICS TO MEASURE PROGRESS IN DEVELOPING AND IMPLEMENTING PLAN.—In developing and implementing the plan under subsection (a), the Secretary of Defense shall develop a standard set of metrics and collection procedures that are uniform across the armed forces. The metrics required by this subsection shall be designed—

(1) to accurately capture the inclusion and capability aspects of the armed forces broader diversity plans, including race, ethnic, and gender specific groups, functional expertise, and diversified cultural and language skills so as to leverage and improve readiness; and

(2) to be verifiable and systematically linked to strategic plans that will drive improvements.

(c) DEFINITION OF DIVERSITY.—In developing and implementing the plan under subsection (a), each Secretary of a military department shall, in consultation with the Secretary of Defense, develop a definition of diversity that is reflective of the culture, mission, and core values of each Armed Force under the jurisdiction of such Secretary.

(d) CONSULTATION.—Not less than annually, the Secretary of Defense shall meet with the Secretaries of the military departments, the Joint Chiefs of Staff, and senior enlisted members of the Armed Forces to discuss the progress being made toward developing and implementing the plan established under subsection (a).

(e) REPORTS ON IMPLEMENTATION OF PLAN.—Not later than July 1, 2013, and biennially

thereafter through July 1, 2017, the Secretary of Defense shall submit to the congressional defense committees a report on the following:

(1) The progress made in implementing the plan required by subsection (a) to accurately measure the efforts of the Department of Defense to achieve its diversity goals.

(2) The number of members of the Armed Forces, including reserve components, listed by sex and race or ethnicity for each grade under each military department.

(3) The number of members of the Armed Forces, including reserve components, who were promoted during the years covered by the report, listed by sex and race or ethnicity for each grade under each military department.

(4) The number of members of the Armed Forces, including reserve components, who reenlisted or otherwise extended the commitment to military service during the years covered by the report, listed by sex and race or ethnicity for each grade under each military department.

(5) The available pool of qualified candidates for the general officer grades of general and lieutenant general and the flag officer grades of admiral and vice admiral.

SEC. 522. MODIFICATION OF AUTHORITY TO CONDUCT PROGRAMS ON CAREER FLEXIBILITY TO ENHANCE RETENTION OF MEMBERS OF THE ARMED FORCES.

(a) EXTENSION OF PROGRAMS TO CERTAIN ACTIVE GUARD AND RESERVE PERSONNEL.—Section 533 of Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (10 U.S.C. prec. 701 note) is amended—

(1) in subsection (a)(1), by inserting “and members on active Guard and Reserve duty” after “officers and enlisted members of the regular components”;

(2) by redesignating subsection (1) as subsection (m); and

(3) by inserting after subsection (k) the following new subsection (l)

“(l) DEFINITION.—In this section, the term ‘active Guard and Reserve duty’ has the meaning given that term in section 101(d)(6) of title 10, United States Code.”.

(b) AUTHORITY TO CARRY FORWARD UNUSED ACCRUED LEAVE.—Subsection (h) of such section is amended by adding at the end the following new paragraph:

“(5) LEAVE.—A member who participates in a pilot program is entitled to carry forward the existing leave balance accumulated in accordance with section 701 of title 10, United States Code, but not to exceed 60 days.”.

(c) AUTHORITY FOR DISABILITY PROCESSING.—Subsection (j) of such section is amended—

(1) by striking “for purposes of the entitlement” and inserting “for purposes of—

“(1) the entitlement”;

(2) by striking the period at the end and inserting “; and”;

(3) by adding at the end the following new paragraph:

“(2) retirement or separation for physical disability under the provisions of chapters 55 and 61 of title 10, United States Code.”.

SEC. 523. AUTHORITY FOR ADDITIONAL BEHAVIORAL HEALTH PROFESSIONALS TO CONDUCT PRE-SEPARATION MEDICAL EXAMINATIONS FOR POST-TRAUMATIC STRESS DISORDER.

Section 1177(a) of title 10, United States Code, is amended—

(1) in paragraph (1), by striking “or psychiatrist” and inserting “psychiatrist, licensed clinical social worker, or psychiatric nurse practitioner”;

(2) in paragraph (3), by striking “or psychiatrist” and inserting “, psychiatrist, licensed clinical social worker, or psychiatric nurse practitioner”.

SEC. 524. QUARTERLY REPORTS ON INVOLUNTARY SEPARATION OF MEMBERS OF THE ARMED FORCES.

(a) **QUARTERLY REPORTS REQUIRED.**—Not later than 30 days after the end of each calendar year quarter in 2013 and 2014, each Secretary of a military department shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the number of members of the regular components of the Armed Forces under the jurisdiction of such Secretary who were involuntarily separated from active duty in the Armed Forces during such calendar year quarter.

(b) **ELEMENTS.**—Each report on an Armed Force for a calendar year quarter under subsection (a) shall set forth the following:

(1) The total number members involuntarily separated.

(2) The number of members separated set forth by grade.

(3) The number of members separated set forth by total years of service in the Armed Forces at the time of separation.

(4) The number of members separated set forth by military occupational specialty or rating, or competitive category for officers.

(5) The number of members separated who received involuntary separation pay, or who are authorized to receive temporary retired pay, in connection with separation.

(6) The number of members who completed transition assistance programs relating to future employment.

(7) The average number of months deployed to overseas contingency operations set forth by grade.

SEC. 525. REVIEW OF ELIGIBILITY OF VICTIMS OF DOMESTIC TERRORISM FOR AWARD OF THE PURPLE HEART AND THE DEFENSE MEDAL OF FREEDOM.

(a) **REPORT.**—Not later than March 1, 2013, the Secretary of Defense shall, in coordination with the Secretaries of the military departments, submit to the Committees on Armed Services of the Senate and the House of Representatives a report on—

(1) the advisability of modifying the criteria for the award of the Purple Heart to provide for the award of the Purple Heart to members of the Armed Forces who are killed or wounded in a terrorist attack within the United States that is determined to be inspired by ideological, political, or religious beliefs that give rise to terrorism; and

(2) the advisability of modifying the criteria for the award of the Defense Medal of Freedom to provide for the award of the Defense Medal of Freedom to civilian employees of the United States who are killed or wounded in a terrorist attack within the United States that is determined to be inspired by ideological, political, or religious beliefs that give rise to terrorism.

(b) **DETERMINATION.**—As part of the review undertaken to prepare the report required by subsection (a), the Secretary of Defense shall conduct a review of each death or wounding of a member of the Armed Forces or civilian employee of the United States Government that occurred within the United States since September 11, 2001, that could meet the criteria as being the result of a terrorist attack within the United States in order to determine whether such death or wounding qualifies or potentially would qualify for the award of the Purple Heart or the Defense Medal of Freedom.

(c) **CONSIDERATIONS.**—In conducting the review to prepare the report required by sub-

section (a), the Secretary of Defense shall take into consideration the following:

(1) The views of veterans service organizations, including the Military Order of the Purple Heart.

(2) The importance that has been assigned to determining all available facts before a decision is made to award the Purple Heart.

(3) Potential effects of an award on the ability to prosecute perpetrators of terrorist acts in military or civilian courts.

(4) The views of the Chairman of the Joint Chiefs of Staff.

Subtitle D—Military Justice and Legal Matters Generally

SEC. 531. CLARIFICATION AND ENHANCEMENT OF THE ROLE OF THE STAFF JUDGE ADVOCATE TO THE COMMANDANT OF THE MARINE CORPS.

(a) **APPOINTMENT BY THE PRESIDENT AND PERMANENT APPOINTMENT TO GRADE OF MAJOR GENERAL.**—Subsection (a) of section 5046 of title 10, United States Code, is amended—

(1) in the first sentence, by striking “detailed” and inserting “appointed by the President, by and with the advice and consent of the Senate,”; and

(2) in the second sentence—
(A) by striking “The” and inserting “If an officer appointed as the”; and

(B) by striking “, while so serving, has the grade” and inserting “holds a lower grade, the officer shall be appointed in the grade”.

(b) **DUTIES, AUTHORITY, AND ACCOUNTABILITY.**—Such section is further amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following new subsection (c):

“(c) The Staff Judge Advocate to the Commandant of the Marine Corps, under the direction of the Commandant of the Marine Corps and the Secretary of the Navy, shall—

“(1) perform duties relating to legal matters arising in the Marine Corps as may be assigned to the Staff Judge Advocate;

“(2) perform the functions and duties and exercise the powers prescribed for the Staff Judge Advocate to the Commandant of the Marine Corps in chapter 47 of this title (the Uniform Code of Military Justice) and chapter 53 of this title; and

“(3) perform such other duties as may be assigned to the Staff Judge Advocate.”.

(c) **COMPOSITION OF HEADQUARTERS, MARINE CORPS.**—Section 5041(b) of such title is amended—

(1) by redesignating paragraphs (4) and (5) as paragraphs (5) and (6), respectively; and

(2) by inserting after paragraph (3) the following new paragraph (4):

“(4) The Staff Judge Advocate to the Commandant of the Marine Corps.”.

(d) **SUPERVISION OF CERTAIN LEGAL SERVICES.**—

(1) **ADMINISTRATION OF MILITARY JUSTICE.**—Section 806(a) of such title (article 6(a) of the Uniform Code of Military Justice) is amended in the third sentence by striking “The Judge Advocate General” and all that follows through “shall” and inserting “The Judge Advocates General, and within the Marine Corps the Staff Judge Advocate to the Commandant of the Marine Corps, or senior members of their staffs, shall”.

(2) **DELIVERY OF LEGAL ASSISTANCE.**—Section 1044(b) of such title is amended by inserting “and within the Marine Corps the Staff Judge Advocate to the Commandant of the Marine Corps” after “title”.

SEC. 532. ADDITIONAL INFORMATION IN REPORTS ON ANNUAL SURVEYS OF THE COMMITTEE ON THE UNIFORM CODE OF MILITARY JUSTICE.

Subsection (c)(2) of section 946 of title 10, United States Code (article 146 of the Uniform Code of Military Justice), is amended—

(1) by redesignating subparagraph (B) as subparagraph (C); and

(2) by inserting after subparagraph (A) the following new subparagraph (B):

“(B) Information from the Judge Advocates General and the Staff Judge Advocate to the Commandant of the Marine Corps on the following:

“(i) The appellate review process, including—

“(I) information on compliance with processing time goals;

“(II) discussions of the circumstances surrounding cases in which general court-martial or special court-martial convictions are reversed as a result of command influence or denial of the right to a speedy review or otherwise remitted due to loss of records of trial or other administrative deficiencies; and

“(III) discussions of cases in which a provision of this chapter is held unconstitutional.

“(ii) Developments in appellate case law relating to courts-martial involving allegations of sexual misconduct under this chapter.

“(iii) Issues associated with implementing recent, legislatively directed changes to this chapter or the Manual for Courts-Martial.

“(iv) Measures implemented by each armed force to ensure the ability of judge advocates to competently participate as trial and defense counsel in, and preside as military judges over, capital cases, national security cases, sexual assault cases, and proceedings of military commissions.

“(v) The independent views of the Judge Advocates General and the Staff Judge Advocate to the Commandant of the Marine Corps on the sufficiency of resources available within their respective armed forces, including manpower, funding, training, and officer and enlisted grade structure, to capably perform military justice functions.”.

Subtitle E—Sexual Assault, Hazing, and Related Matters

SEC. 541. AUTHORITY TO RETAIN OR RECALL TO ACTIVE DUTY RESERVE COMPONENT MEMBERS WHO ARE VICTIMS OF SEXUAL ASSAULT WHILE ON ACTIVE DUTY.

(a) **IN GENERAL.**—Chapter 1209 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 12323. Active duty for response to sexual assault

“(a) **CONTINUATION ON ACTIVE DUTY.**—In the case of a member of a reserve component who is the alleged victim of sexual assault committed while on active duty and who is expected to be released from active duty before the determination of whether the member was assaulted while in the line of duty, the Secretary concerned may, upon the request of the member, order the member to be retained on active duty until the line of duty determination. A member eligible for continuation on active duty under this subsection shall be informed as soon as practicable after the alleged assault of the option to request continuation on active duty under this subsection.

“(b) **RETURN TO ACTIVE DUTY.**—In the case of a member of a reserve component not on active duty who is the alleged victim of a sexual assault that occurred while the member was on active duty and when the determination whether the member was in the

line of duty is not completed, the Secretary concerned may, upon the request of the member, order the member to active duty for such time as necessary to complete the line of duty determination.

“(c) REGULATIONS.—The Secretaries of the military departments shall prescribe regulations to carry out this section, subject to guidelines prescribed by the Secretary of Defense. The guidelines of the Secretary of Defense shall provide that—

“(1) a request submitted by a member described in subsection (a) or (b) to continue on active duty, or to be ordered to active duty, respectively, must be decided within 30 days from the date of the request; and

“(2) if the request is denied, the member may appeal to the first general officer or flag officer in the chain of command of the member, and in the case of such an appeal a decision on the appeal must be made within 15 days from the date of the appeal.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 1209 of such title is amended adding at the end the following new item:

“12323. Active duty for response to sexual assault.”.

SEC. 542. ADDITIONAL ELEMENTS IN COMPREHENSIVE DEPARTMENT OF DEFENSE POLICY ON SEXUAL ASSAULT PREVENTION AND RESPONSE.

(a) ADDITIONAL ELEMENTS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall modify the revised comprehensive policy for the Department of Defense sexual assault prevention and response program required by section 1602 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383; 124 Stat. 4430; 10 U.S.C. 1561 note) to include in the policy the following:

(1) A requirement to establish within each military department, under regulations prescribed by the Secretary of Defense, an enhanced capability for the investigation, prosecution, and defense of special victim offenses under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice).

(2) A requirement that each military department initiate and retain for a period prescribed by the Secretary of Defense a record on the disposition of allegations of sexual assault using forms and procedures prescribed by the Secretary.

(3) A requirement that all commanders and commanding officers receive training on sexual assault prevention, response, and policies before, or shortly after, assuming command.

(4) A requirement that all new members of the Armed Forces (whether in the regular or reserve components) receive training on the Department of Defense policy on sexual assault prevention and response program during initial entry training.

(5) A requirement for military commands and units specified by the Secretary of Defense for purposes of the policy to conduct periodic climate assessments of such commands and units for purposes of preventing and responding to sexual assaults.

(6) A requirement to post and widely disseminate information about resources available to report and respond to sexual assaults, including hotline phone numbers and Internet websites available to all members of the Armed Forces.

(7) A requirement to assign responsibility to receive and investigate complaints against members of the Armed Forces and civilian personnel of the Department of Defense for the violation or failure to provide

the rights of a crime victim established by section 3771 of title 18, United States Code, as applicable to such members and personnel in accordance with Department of Defense Directive 1030.1, or a successor directive, and Department of Defense Instruction 1030.2, or a successor instruction.

(b) SPECIAL VICTIM OFFENSES DEFINED.—In this section, the term “special victim offenses” means offenses involving allegations of any of the following:

- (1) Child abuse.
- (2) Rape, sexual assault, or forcible sodomy.
- (3) Domestic violence involving aggravated assault.

SEC. 543. HAZING IN THE ARMED FORCES.

(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, each Secretary of a military department shall, in consultation with the Chief of Staff of each Armed Force under the jurisdiction of such Secretary, submit to the Committees on Armed Services of the Senate and the House of Representatives a report on hazing in such Armed Force.

(b) ELEMENTS.—Each report on an Armed Force required by subsection (a) shall include the following:

(1) A discussion of the policies of the Armed Force for preventing and responding to incidents of hazing.

(2) A description of the methods implemented to track and report, including report anonymously, incidents of hazing in the Armed Force.

(3) An assessment by the Secretary submitting such report of the following:

(A) The scope of the problem of hazing in the Armed Force.

(B) The training on recognizing and preventing hazing provided members of the Armed Force.

(C) The actions taken to prevent and respond to hazing incidents in the Armed Force.

(4) A description of the additional actions, if any, the Secretary submitting such report and the Chief of Staff of the Armed Force propose to take to further address the incidence of hazing in the Armed Force.

Subtitle F—Education and Training

SEC. 551. INCLUSION OF THE SCHOOL OF ADVANCED MILITARY STUDIES SENIOR LEVEL COURSE AS A SENIOR LEVEL SERVICE SCHOOL.

Section 2151(b)(1) of title 10, United States Code, is amended by adding at the end the following new subparagraph:

“(E) The Senior Level Course of the School of Advanced Military Studies of the United States Army Command and General Staff College.”.

SEC. 552. MODIFICATION OF ELIGIBILITY FOR ASSOCIATE DEGREE PROGRAMS UNDER THE COMMUNITY COLLEGE OF THE AIR FORCE.

Section 9315(b) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(3) Enlisted members of the armed forces other than the Air Force who are participating in joint-service medical training and education or serving as instructors in joint-service medical training and education.”.

SEC. 553. SUPPORT OF NAVAL ACADEMY ATHLETIC PROGRAMS.

(a) IN GENERAL.—Chapter 603 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 6981. Support of athletic and physical fitness programs

“(a) AUTHORITY.—

“(1) CONTRACTS AND COOPERATIVE AGREEMENTS.—The Secretary of the Navy may enter into contracts and cooperative agreements with the Association for the purpose of supporting the athletic and physical fitness programs of the Naval Academy. Notwithstanding section 2304(k) of this title, the Secretary may enter such contracts or cooperative agreements on a sole source basis pursuant to section 2304(c)(5) of this title. Notwithstanding chapter 63 of title 31, a cooperative agreement under this section may be used to acquire property or services for the direct benefit or use of the Naval Academy.

“(2) LEASES.—The Secretary may enter into leases, in accordance with section 2667 of this title, or licenses with the Association for the purpose of supporting the athletic and physical fitness programs of the Naval Academy. Any such lease or license shall be deemed to satisfy the conditions of section 2667(h)(2) of this title.

“(b) USE OF NAVY PERSONAL PROPERTY BY THE ASSOCIATION.—The Secretary may allow the Association to use, at no cost, personal property of the Department of the Navy to assist the Association in supporting the athletic and physical fitness programs of the Naval Academy.

“(c) ACCEPTANCE OF SUPPORT.—

“(1) SUPPORT RECEIVED FROM THE ASSOCIATION.—Notwithstanding section 1342 of title 31, the Secretary may accept from the Association funds, supplies, and services for the support of the athletic and physical fitness programs of the Naval Academy. For purposes of this section, employees or personnel of the Association may not be considered to be employees of the United States.

“(2) FUNDS RECEIVED FROM NCAA.—The Secretary may accept funds from the National Collegiate Athletic Association to support the athletic and physical fitness programs of the Naval Academy.

“(3) LIMITATION.—The Secretary shall ensure that contributions under this subsection do not reflect unfavorably on the ability of the Department of the Navy, any of its employees, or any member of the armed forces to carry out any responsibility or duty in a fair and objective manner, or compromise the integrity or appearance of integrity of any program of the Department of the Navy, or any individual involved in such a program.

“(d) RETENTION AND USE OF FUNDS.—Notwithstanding section 2260(d) of this title, funds received under this section may be retained for use in support of the Naval Academy athletic program and shall remain available until expended.

“(e) TRADEMARKS AND SERVICE MARKS.—

“(1) LICENSING, MARKETING, AND SPONSORSHIP AGREEMENTS.—An agreement under subsection (a)(1) may, consistent with sections 2260 (other than subsection (d)) and 5022(b)(3) of this title, authorize the Association to enter into licensing, marketing, and sponsorship agreements relating to trademarks and service marks identifying the Naval Academy, subject to the approval of the Department of the Navy.

“(2) LIMITATIONS.—No such licensing, marketing, or sponsorship agreement may be entered into if it would reflect unfavorably on the ability of the Department of the Navy, any of its employees, or any member of the armed forces to carry out any responsibility or duty in a fair and objective manner, or if the Secretary determines that the use of the trademark or service mark would compromise the integrity or appearance of integrity of any program of the Department of the

Navy, or any individual involved in such a program.

“(f) SERVICE ON ASSOCIATION BOARD OF CONTROL.—The Association is a designated entity for which authorization under sections 1033(a) and 1589(a) of this title may be provided.

“(g) CONDITIONS.—The authority provided in this section with respect to the Association is available only so long as the Association continues to—

“(1) qualify as a nonprofit organization under section 501(c)(3) of the Internal Revenue Code of 1986 and operates in accordance with this section, the laws of the State of Maryland, and the constitution and bylaws of the Association; and

“(2) operate exclusively to support the athletic and physical fitness programs of the Naval Academy.

“(h) ASSOCIATION DEFINED.—In this section, the term ‘Association’ means the Naval Academy Athletic Association.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 603 of such title is amended by adding at the end the following new item:

“6981. Support of athletic and physical fitness programs.”.

SEC. 554. GRADE OF COMMISSIONED OFFICERS IN UNIFORMED MEDICAL ACCESS PROGRAMS.

(a) MEDICAL STUDENTS OF USUHS.—Section 2114(b) of title 10, United States Code, is amended—

(1) in paragraph (1), by striking the second sentence and inserting the following new sentences: “Each medical student shall be appointed as a regular officer in the grade of second lieutenant or ensign. An officer so appointed may, upon meeting such criteria for promotion as may be prescribed by the Secretary concerned, be appointed in the regular grade of first lieutenant or lieutenant (junior grade). Medical students commissioned under this section shall serve on active duty in their respective grades.”; and

(2) in paragraph (2), by striking “grade of second lieutenant or ensign” and inserting “grade in which the member is serving under paragraph (1)”.

(b) PARTICIPANTS IN HEALTH PROFESSIONS SCHOLARSHIP AND FINANCIAL ASSISTANCE PROGRAM.—Section 2121(c) of such title is amended—

(1) in paragraph (1), by striking the second sentence and inserting the following new sentences: “Each person so commissioned shall be appointed as a reserve officer in the grade of second lieutenant or ensign. An officer so appointed may, upon meeting such criteria for promotion as may be prescribed by the Secretary concerned, be appointed in the reserve grade of first lieutenant or lieutenant (junior grade). Medical students commissioned under this section shall serve on active duty in their respective grades for a period of 45 days during each year of participation in the program.”; and

(2) in paragraph (2), by striking “grade of second lieutenant or ensign” and inserting “grade in which the member is serving under paragraph (1)”.

(c) OFFICERS DETAILED AS STUDENTS AT MEDICAL SCHOOLS.—Subsection (e) of section 2004a of such title is amended—

(1) in the subsection heading, by striking “APPOINTMENT AND TREATMENT OF PRIOR ACTIVE SERVICE” and inserting “SERVICE ON ACTIVE DUTY”; and

(2) by striking paragraph (1) and inserting the following new paragraph (1):

“(1) A commissioned officer detailed under subsection (a) shall serve on active duty,

subject to the limitations on grade specified in section 2114(b)(1) of this title and with the entitlement to basic pay as specified in section 2114(b)(2) of this title.”.

SEC. 555. AUTHORITY FOR SERVICE COMMITMENT FOR RESERVISTS WHO ACCEPT FELLOWSHIPS, SCHOLARSHIPS, OR GRANTS TO BE PERFORMED IN THE SELECTED RESERVE.

(a) IN GENERAL.—Subsection (b) of section 2603 of title 10, United States Code, is amended by striking “on active duty” and all that follows and inserting the following: “as follows:

“(1) On active duty for a period at least three times the length of the period of the education or training.

“(2) In the case of a member of the Selected Reserve—

“(A) on active duty in accordance with paragraph (1); or

“(B) in the Selected Reserve for a period at least five times the length of the period of the education or training.”.

(b) TECHNICAL AMENDMENTS.—Such section is further amended by striking “Armed Forces” each place it appears and inserting “armed forces”.

(c) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to agreements entered into under section 2603(b) of title 10, United States Code, after the date of the enactment of this Act.

SEC. 556. REPEAL OF REQUIREMENT FOR ELIGIBILITY FOR IN-STATE TUITION OF AT LEAST 50 PERCENT OF PARTICIPANTS IN SENIOR RESERVE OFFICERS’ TRAINING CORPS PROGRAM.

Section 2107(c)(1) of title 10, United States Code, is amended by striking the third sentence.

SEC. 557. MODIFICATION OF REQUIREMENTS ON PLAN TO INCREASE THE NUMBER OF UNITS OF THE JUNIOR RESERVE OFFICERS’ TRAINING CORPS.

(a) NUMBER OF UNITS COVERED BY PLAN.—Subsection (a) of section 548 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4466) is amended by striking “not less than 3,700 units” and inserting “not less than 3,000, and not more than 3,700, units”.

(b) ADDITIONAL EXCEPTION.—Subsection (b) of such section is amended—

(1) in paragraph (1), by striking “or” at the end;

(2) in paragraph (2), by striking the period at the end and inserting “; or”; and

(3) by adding at the end the following new paragraph:

“(3) if the Secretaries of the military departments determine that the level of support of all kinds (including, but not limited to, appropriated funds) provided to youth development programs within the Armed Forces is consistent with funding limitations and the achievement of the objectives of such programs.”.

(c) SUBMITTAL OF REPORTS.—Subsection (e) of such section is amended by striking “not later than” and all that follows and inserting “annually through 2012, and thereafter not later than March 31 of each of 2015, 2018, and 2020.”.

SEC. 558. CONSOLIDATION OF MILITARY DEPARTMENT AUTHORITY TO ISSUE ARMS, TENTAGE, AND EQUIPMENT TO EDUCATIONAL INSTITUTIONS NOT MAINTAINING UNITS OF THE JUNIOR ROTC.

(a) CONSOLIDATION OF AUTHORITY.—Chapter 152 of title 10, United States Code, is amended by inserting after section 2552 the following new section:

“§ 2552a. Arms, tentage, and equipment: educational institutions not maintaining units of Junior Reserve Officers’ Training Corps

“The Secretary of a military department may issue arms, tentage, and equipment to an educational institution at which no unit of the Junior Reserve Officers’ Training Corps is maintained if the educational institution—

“(1) offers a course in military instruction prescribed by that Secretary; and

“(2) has a student body of at least 50 students who are in a grade above the eighth grade.”.

(b) CONFORMING REPEALS.—Sections 4651, 7911, and 9651 of such title are repealed.

(c) CLERICAL AMENDMENTS.—

(1) The table of sections at the beginning of chapter 152 of such title is amended by inserting after the item relating to section 2552 the following new item:

“2552a. Arms, tentage, and equipment: educational institutions not maintaining units of Junior Reserve Officers’ Training Corps”.

(2) The table of sections at the beginning of chapter 441 of such title is amended by striking the item relating to section 4651.

(3) The table of sections at the beginning of chapter 667 of such title is amended by striking the item relating to section 7911.

(4) The table of sections at the beginning of chapter 941 of such title is amended by striking the item relating to section 9651.

SEC. 559. MODIFICATION OF REQUIREMENT FOR REPORTS IN FEDERAL REGISTER ON INSTITUTIONS OF HIGHER EDUCATION INELIGIBLE FOR CONTRACTS AND GRANTS FOR DENIAL OF ROTC OR MILITARY RECRUITER ACCESS TO CAMPUS.

Section 983 of title 10, United States Code, is amended by striking subsection (f).

SEC. 560. COMPTROLLER GENERAL OF THE UNITED STATES REPORT ON THE RESERVE OFFICERS’ TRAINING CORPS.

(a) REPORT REQUIRED.—Not later than 270 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the congressional defense committees a report setting forth the assessment of the Comptroller General regarding the following:

(1) Whether the Reserve Officers’ Training Corps (ROTC) programs of the Departments of the Army, the Navy, and the Air Force are effectively meeting, and structured to meet, current and projected requirements for newly commissioned officers in the Armed Forces.

(2) The cost-effectiveness and unit productivity of the current Reserve Officers’ Training Corps programs.

(3) The adequacy of current oversight and criteria for unit closure for the Reserve Officers’ Training Corps programs.

(b) ELEMENTS.—The report required by subsection (a) shall include, at a minimum, the following:

(1) A list of the units of the Reserve Officers’ Training Corps programs by Armed Force, and by college or university, and the number of cadets and midshipman currently enrolled by class or year group.

(2) The number of officers commissioned in 2012 from the Reserve Officers’ Training Corps programs, and the number projected to be commissioned over the period of the current future-years defense program under section 221 of title 10, United States Code, from each unit listed under paragraph (1)

(3) An assessment of the requirements of each Armed Force for newly commissioned officers in 2012 and the strategic planning regarding such requirements over the period of the current future-years defense program.

(4) The number of military and civilian personnel of the Department of Defense assigned to lead and manage Reserve Officers' Training Corps program units, and the grades of the military personnel so assigned.

(5) An assessment of Department of Defense-wide and Armed-Force specific standards regarding the productivity of Reserve Officers' Training Corps program units, and an assessment of compliance with such standards.

(6) An assessment of the projected use by the Armed Forces of the procedures available to the Armed Forces to respond to overages in the number of cadets and midshipmen in the Reserve Officers' Training Corps programs.

(7) A description of the plans of the Armed Forces to retain or disestablish Reserve Officers' Training Corps program units that do not meet productivity standards.

Subtitle G—Defense Dependents' Education and Military Family Readiness Matters

SEC. 571. IMPACT AID FOR CHILDREN WITH SEVERE DISABILITIES.

Of the amount authorized to be appropriated for fiscal year 2013 pursuant to section 301 and available for operation and maintenance for Defense-wide activities as specified in the funding table in section 4301, \$5,000,000 shall be available for payments under section 363 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106-398; 114 Stat. 1654A-77; 20 U.S.C. 7703a).

SEC. 572. CONTINUATION OF AUTHORITY TO ASSIST LOCAL EDUCATIONAL AGENCIES THAT BENEFIT DEPENDENTS OF MEMBERS OF THE ARMED FORCES AND DEPARTMENT OF DEFENSE CIVILIAN EMPLOYEES.

(a) ASSISTANCE TO SCHOOLS WITH SIGNIFICANT NUMBERS OF MILITARY DEPENDENT STUDENTS.—Of the amount authorized to be appropriated for fiscal year 2013 by section 301 and available for operation and maintenance for Defense-wide activities as specified in the funding table in section 4301, \$25,000,000 shall be available only for the purpose of providing assistance to local educational agencies under subsection (a) of section 572 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163; 20 U.S.C. 7703b).

(b) LOCAL EDUCATIONAL AGENCY DEFINED.—In this section, the term "local educational agency" has the meaning given that term in section 8013(9) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7713(9)).

SEC. 573. AMENDMENTS TO THE IMPACT AID PROGRAM.

(a) SHORT TITLE.—This section may be cited as the "Impact Aid Improvement Act of 2012".

(b) AMENDMENTS TO THE IMPACT AID PROGRAM.—Title VIII of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7701 et seq.) is amended—

(1) in section 8002 (20 U.S.C. 7702)—

(A) in subsection (b)—

(i) in paragraph (2), by striking "aggregate assessed" and inserting "estimated taxable"; and

(ii) by striking paragraph (3) and inserting the following:

"(3) DETERMINATION OF TAXABLE VALUE FOR ELIGIBLE FEDERAL PROPERTY.—

"(A) IN GENERAL.—In determining the estimated taxable value of such acquired Federal property for fiscal year 2010 and each succeeding fiscal year, the Secretary shall—

"(i) first determine the total taxable value for the purpose of levying property tax for

school purposes for current expenditures of real property located within the boundaries of such local educational agency;

"(ii) then determine the total taxable value of the eligible Federal property by dividing the total taxable value as determined in clause (i) by the difference between the total acres located within the boundaries of the local educational agency and the number of Federal acres eligible under this section; and

"(iii) multiply the per acre value as calculated under clause (ii) by the number of Federal acres eligible under this section.

"(B) SPECIAL RULE.—In the case of Federal property eligible under this section that is within the boundaries of 2 or more local educational agencies, such a local educational agency may ask the Secretary to calculate the per acre value of each such local educational agency as provided under subparagraph (A) and apply the average of these per acre values to the acres of the Federal property in such agency.";

(B) in subsection (h)—

(i) in paragraph (1)—

(I) in the paragraph heading, by striking "FOR PRE-1995 RECIPIENTS";

(II) in subparagraph (A), by striking "is eligible" and all that follows through the period at the end and inserting "was eligible to receive a payment under this section for fiscal year 2010."; and

(III) in subparagraph (B), by striking "38 percent" and all that follows through the period at the end and inserting "90 percent of the average payment the local educational agency received in 2006, 2007, 2008, and 2009."; and

(ii) by striking paragraphs (2) through (4) and inserting the following:

"(2) FOUNDATION PAYMENTS FOR LOCAL EDUCATIONAL AGENCIES DETERMINED ELIGIBLE AFTER FISCAL YEAR 2010.—

"(A) FIRST YEAR.—From any amounts remaining after making payments under paragraph (1) and subsection (i)(1) for the fiscal year involved, the Secretary shall make a payment, in an amount determined in accordance with subparagraph (C), to each local educational agency that the Secretary determines eligible for a payment under this section for a fiscal year after fiscal year 2010, for the fiscal year for which such agency was determined eligible for such payment.

"(B) SECOND AND SUCCEEDING YEARS.—For any succeeding fiscal year after the first fiscal year that a local educational agency receives a foundation payment under subparagraph (A), the amount of the local educational agency's foundation payment under this paragraph for such succeeding fiscal year shall be equal to the local educational agency's foundation payment under this paragraph for the first fiscal year.

"(C) AMOUNTS.—The amount of a payment under subparagraph (A) for a local educational agency shall be determined as follows:

"(i) Calculate the local educational agency's maximum payment under subsection (b).

"(ii) Calculate the percentage that the amount appropriated under section 8014(a) for the most recent fiscal year for which the Secretary has completed making payments under this section is of the total maximum payments for such fiscal year for all local educational agencies eligible for a payment under subsection (b) and multiply the agency's maximum payment by such percentage.

"(iii) Multiply the amount determined under clause (ii) by 90 percent.

"(3) REMAINING FUNDS.—From any funds remaining after making payments under para-

graphs (1) and (2) for the fiscal year involved, the Secretary shall make a payment to each local educational agency that received a foundation payment under paragraph (1) or (2) or subsection (i)(1), for the fiscal year involved in an amount that bears the same relation to the remainder as a percentage share determined for the local educational agency (by dividing the maximum amount that the agency is eligible to receive under subsection (b) by the total of the maximum amounts for all such agencies) bears to the percentage share determined (in the same manner) for all local educational agencies eligible to receive a payment under this section for the fiscal year involved, except that, for the purpose of calculating a local educational agency's maximum amount under subsection (b), data from the most current fiscal year shall be used."; and

(C) in subsection (i)(1), by striking "the Secretary shall use the remainder described in subsection (h)(3) for the fiscal year involved" and inserting "the Secretary shall use amounts remaining after making payments under subsection (h)(1) for the fiscal year involved";

(2) in section 8003(a)(4) (20 U.S.C. 7703(a)(4))—

(A) in the paragraph heading, by striking "RENOVATION OR REBUILDING" and inserting "RENOVATION, REBUILDING, OR AUTHORIZED FOR DEMOLITION";

(B) in subparagraph (A), by striking "renovation or rebuilding" both places the term appears and inserting "renovation, rebuilding, or authorized for demolition";

(C) in subparagraph (B)—

(i) by striking "renovation or rebuilding" each place the term appears and inserting "renovation, rebuilding, or authorized for demolition"; and

(ii) in clause (i)(I), by striking "3 fiscal years" and inserting "4 fiscal years (which are not required to run consecutively)"; and

(iii) in clause (ii)(I), by striking "3 fiscal years" and inserting "4 fiscal years (which are not required to run consecutively)"; and

(D) by adding at the end the following:

"(C) ELIGIBLE HOUSING.—Renovation, rebuilding, or authorized for demolition shall be defined as projects considered as recapitalization, modernization, or restoration as defined by the Secretary of Defense or the Secretary of the Interior (as the case may be) and are projects that last more than 30 days, but do not include 'sustainment projects' such as painting, carpeting, or minor repairs."; and

(3) in section 8010 (20 U.S.C. 7710)—

(A) in subsection (c)—

(i) in paragraph (1), by striking "paragraph (3) of this subsection" both places the term appears and inserting "paragraph (2)"; and

(ii) in paragraph (2)(E), by striking "under section 8003(b)" and all that follows through the period at the end and inserting "under this title."; and

(B) by adding at the end the following:

"(d) TIMELY PAYMENTS.—

"(1) IN GENERAL.—Subject to paragraph (2), the Secretary shall pay a local educational agency the full amount that the agency is eligible to receive under this title for a fiscal year not later than September 30 of the second fiscal year following the fiscal year for which such amount has been appropriated if, not later than 1 calendar year following the fiscal year in which such amount has been appropriated, such local educational agency submits to the Secretary all the data and information necessary for the Secretary to pay the full amount that the agency is eligible to receive under this title for such fiscal year.

“(2) PAYMENTS WITH RESPECT OF FISCAL YEARS IN WHICH INSUFFICIENT FUNDS ARE APPROPRIATED.—For a fiscal year in which the amount appropriated under section 8014 is insufficient to pay the full amount a local educational agency is eligible to receive under this title, paragraph (1) shall be applied by substituting ‘is available to pay the agency’ for ‘the agency is eligible to receive’ both places the term appears.”.

(c) EFFECTIVE DATE.—Notwithstanding section 8005(d) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7705(d)), subsection (b)(1), and the amendments made by subsection (b)(1), shall take effect with respect to applications submitted under section 8002 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7702) for fiscal year 2010.

SEC. 574. MILITARY SPOUSES.

(a) IN GENERAL.—Subchapter I of chapter 33 of title 5, United States Code, is amended by adding at the end the following:

“§330d. Appointment of certain military spouses

“(a) DEFINITIONS.—In this section—

“(1) the term ‘active duty’—

“(A) has the meaning given that term in section 101(d)(1) of title 10;

“(B) includes full-time National Guard duty (as defined in section 101(d)(5) of title 10); and

“(C) for a member of a reserve component (as described in section 10101 of title 10), does not include training duties or attendance at a service school;

“(2) the term ‘agency’—

“(A) has the meaning given the term ‘Executive agency’ in section 105; and

“(B) does not include the Government Accountability Office;

“(3) the term ‘geographic area of the permanent duty station’ means the area from which individuals reasonably can be expected to travel daily to and from work at the location of a member’s permanent duty station;

“(4) the term ‘permanent change of station’ means the assignment, detail, or transfer of a member of the Armed Forces who is on active duty and serving at a permanent duty station under a competent authorization or order that does not—

“(A) specify the duty as temporary;

“(B) provide for assignment, detail, or transfer, after that different permanent duty station, to a further different permanent duty station; or

“(C) direct return to the initial permanent duty station;

“(5) the term ‘relocating spouse of a member of the Armed Forces’ means an individual who—

“(A) is married to a member of the Armed Forces (without regard to whether the individual married the member before a permanent change of station of the member) who is ordered to active duty for a period of more than 180 consecutive days;

“(B) relocates to the member’s permanent duty station; and

“(C) before relocating as described in subparagraph (B), resided outside the geographic area of the permanent duty station; and

“(6) the term ‘spouse of a disabled or deceased member of the Armed Forces’ means an individual—

“(A) who is married to a member of the Armed Forces who—

“(i) is retired, released, or discharged from the Armed Forces; and

“(ii) on the date on which the member retires, is released, or is discharged, has a disability rating of 100 percent under the stand-

ard schedule of rating disabilities in use by the Department of Veterans Affairs; or

“(B) who—

“(i) was married to a member of the Armed Forces on the date on which the member dies while on active duty in the Armed Forces; and

“(ii) has not remarried.

“(b) AUTHORITY.—The head of an agency may appoint noncompetitively a relocating spouse of a member of the Armed Forces or a spouse of a disabled or deceased member of the Armed Forces.

“(c) RELOCATING SPOUSES.—

“(1) IN GENERAL.—An appointment of a relocating spouse of a member of the Armed Forces under this section may only be to a position the duty station for which is within the geographic area of the permanent duty station of the member of the Armed Forces, unless there is no agency with a position with a duty station within the geographic area of the permanent duty station of the member of the Armed Forces.

“(2) SINGLE APPOINTMENT PER DUTY STATION.—A relocating spouse of a member of the Armed Forces may not receive more than 1 appointment under this section for each time the spouse relocates as described in subparagraphs (B) and (C) of subsection (a)(5).”.

(b) REGULATIONS.—Not later than 180 after the date of enactment of this Act, the Director of the Office of Personnel Management shall amend section 315.612 of title 5, Code of Federal Regulations (relating to non-competitive appointment of certain military spouses) in accordance with the amendment made by subsection (a) and promulgate or amend any other regulations necessary to carry out the amendment made by subsection (a).

(c) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 33 of title 5, United States Code, is amended by inserting after the item relating to section 3330c the following:

“3330d. Appointment of certain military spouses.”.

SEC. 575. MODIFICATION OF AUTHORITY TO ALLOW DEPARTMENT OF DEFENSE DOMESTIC DEPENDENT ELEMENTARY AND SECONDARY SCHOOLS TO ENROLL CERTAIN STUDENTS.

Section 2164 of title 10, United States Code, is amended by adding at the end the following new subsections:

“(k) TUITION-FREE ENROLLMENT IN DOMESTIC DEPENDENT SCHOOLS FOR CERTAIN OVERSEAS DEPENDENTS.—Tuition-free enrollment in the domestic dependent elementary and secondary schools is authorized for dependents who are currently enrolled in the defense dependents’ education school system pursuant to the Defense Dependents’ Education Act of 1978 (20 U.S.C. 921 et seq.) if—

“(1) such dependents departed their overseas location due to an authorized departure or evacuation order;

“(2) the designated safe haven of such dependents is located within commuting distance of a school operated by the domestic dependent elementary and secondary schools; and

“(3) the school concerned already possesses the capacity and resources for such dependents to attend the school.

“(l) TUITION-PAYING ENROLLMENT IN VIRTUAL ELEMENTARY AND SECONDARY EDUCATION PROGRAM FOR CERTAIN DEPENDENTS TRANSITIONING FROM OVERSEAS.—Under regulations prescribed by the Secretary, tuition-paying enrollment in the virtual elementary and secondary education program of the De-

partment for dependents of members of the armed forces on active duty is authorized when such dependents—

“(1) transition from an overseas defense dependents’ education system school into a school operated by a local educational agency or another accredited educational program in the United States; and

“(2) are not otherwise eligible to enroll in a domestic dependent elementary or secondary school pursuant to subsection (a).”.

SEC. 576. SENSE OF CONGRESS REGARDING SUPPORT FOR YELLOW RIBBON DAY.

(a) FINDINGS.—Congress makes the following findings:

(1) The hopes and prayers of the people of the United States for the safe return of members of the Armed Forces of the United States serving overseas are often demonstrated through the proud display of yellow ribbons.

(2) The designation of a “Yellow Ribbon Day” would serve as an additional reminder for all people of the United States of the continued sacrifice of members of the Armed Forces.

(3) Yellow Ribbon Day would also recognize the history and meaning of the yellow ribbon as the symbol of support for members of the Armed Forces and other individuals of the United States who are serving in combat or crisis situations overseas.

(b) SENSE OF CONGRESS.—Congress supports the goals and ideals of Yellow Ribbon Day in honor of members of the Armed Forces of the United States who are serving overseas apart from their families and loved ones.

Subtitle H—Other Matters

SEC. 581. FAMILY BRIEFINGS CONCERNING ACCOUNTINGS FOR MEMBERS OF THE ARMED FORCES AND DEPARTMENT OF DEFENSE CIVILIAN EMPLOYEES LISTED AS MISSING.

Section 1501(a)(1) of title 10, United States Code, is amended—

(1) in subparagraph (B), by striking “and” at the end;

(2) in subparagraph (C), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following new subparagraph:

“(D) coordination of periodic briefing of families of missing persons about the efforts of the Department of Defense to account for those persons.”.

SEC. 582. ENHANCEMENT OF AUTHORITY TO ACCEPT GIFTS AND SERVICES.

(a) ACTIVITIES BENEFITTING EDUCATION AS SERVICES SUBJECT TO ACCEPTANCE.—Section 2601(i)(2) of title 10, United States Code, is amended by inserting “education,” before “morale.”.

(b) ACCEPTANCE OF VOLUNTARY SERVICES IN CONNECTION WITH ACCOUNTING FOR MISSING PERSONS.—Section 1588(a) of such title is amended by adding at the end the following new paragraph:

“(9) Voluntary services to facilitate accounting for missing persons.”.

(c) AUTHORITY FOR COOPERATIVE AGREEMENTS FOR ACCEPTANCE BY MILITARY MUSEUMS AND EDUCATION PROGRAMS OF NONPROFIT SUPPORT.—

(1) IN GENERAL.—Chapter 155 of such title is amended by adding at the end the following new section:

“§2615. Military museums and military education programs: cooperative agreements for receipt of support from nonprofit entities

“The Secretary concerned may enter into a cooperative agreement (as described in section 6305 of title 31) with a nonprofit entity for purposes related to support of a military

educational institution program or military museum program if a cooperative agreement is the appropriate mechanism to obtain such support under the provisions of section 6305 of title 31.”

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 155 of such title is amended by adding at the end the following new item:

“2615. Military museums and military education programs: cooperative agreements for receipt of support from nonprofit entities.”.

SEC. 583. CLARIFICATION OF AUTHORIZED FISHER HOUSE RESIDENTS AT THE FISHER HOUSE FOR THE FAMILIES OF THE FALLEN AND MEDITATION PAVILION AT DOVER AIR FORCE BASE, DELAWARE.

(a) TREATMENT OF FISHER HOUSE FOR THE FAMILIES OF THE FALLEN AND MEDITATION PAVILION.—Subsection (a) of section 2493 of title 10, United States Code, is amended—

(1) in paragraph (1)—

(A) in subparagraph (B), by striking “by patients” and all that follows through “such patients;” and inserting “by authorized Fisher House residents;”; and

(B) by adding after subparagraph (C) the following new flush sentence:

“The term includes the Fisher House for the Families of the Fallen and Meditation Pavilion at Dover Air Force Base, Delaware, so long as such facility is available for residential use on a temporary basis by authorized Fisher House residents.”; and

(2) by adding at the end the following new paragraph:

“(3) The term ‘authorized Fisher House residents’ means the following:

“(A) With respect to a facility described in the first sentence of paragraph (1) that is located in proximity to a health care facility of the Army, the Air Force, or the Navy, the following persons:

“(i) Patients of that health care facility.

“(ii) Members of the families of such patients.

“(iii) Others providing the equivalent of familial support for such patients.

“(B) With respect to the Fisher House for Families of the Fallen and Meditation Pavilion at Dover Air Force Base, Delaware, the following persons:

“(i) The primary next of kin of a member of the armed forces who dies while located or serving overseas.

“(ii) Other family members of the deceased member who are eligible for transportation under section 411f(e) of title 37.

“(iii) An escort of a family member described in clause (i) or (ii).”.

(b) CONFORMING AMENDMENTS.—Subsections (b), (e), (f), and (g) of such section are amended by striking “health care” each place it appears.

(c) REPEAL OF SUPERSEDED AUTHORITY.—Section 643 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1466) is repealed.

SEC. 584. REPORT ON ACCURACY OF DATA IN THE DEFENSE ENROLLMENT ELIGIBILITY REPORTING SYSTEM.

Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a plan to improve the completeness and accuracy of the data contained in the Defense Enrollment Eligibility Reporting System (DEERS) in order to ensure that those issued military identification cards and receiving benefits based on such data are actually eligible for such cards and benefits.

TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

Subtitle A—Pay and Allowances

SEC. 601. RATES OF BASIC ALLOWANCE FOR HOUSING FOR ARMY NATIONAL GUARD AND AIR NATIONAL GUARD MEMBERS ON FULL-TIME NATIONAL GUARD DUTY.

Section 403(g) of title 37, United States Code, is amended by adding at the end the following new paragraph:

“(6)(A) The rate of basic allowance for housing to be paid to a member of the Army National Guard of the United States or the Air National Guard of the United States on full-time National Guard duty shall be based on the member’s duty location.

“(B)(i) The rate of basic allowance for housing to be paid a member described in subparagraph (A) may not be modified upon the transition of the member from active duty to full-time National Guard duty, or from full-time National Guard duty to active duty, when the transition occurs without a break in active service.

“(ii) For purposes of this subparagraph, a break in active service occurs when one or more calendar days between active service periods do not qualify as active service.”.

Subtitle B—Bonuses and Special and Incentive Pays

SEC. 611. ONE-YEAR EXTENSION OF CERTAIN BONUS AND SPECIAL PAY AUTHORITIES FOR RESERVE FORCES.

The following sections of title 37, United States Code, are amended by striking “December 31, 2012” and inserting “December 31, 2013”:

(1) Section 308b(g), relating to Selected Reserve reenlistment bonus.

(2) Section 308c(i), relating to Selected Reserve affiliation or enlistment bonus.

(3) Section 308d(c), relating to special pay for enlisted members assigned to certain high-priority units.

(4) Section 308g(f)(2), relating to Ready Reserve enlistment bonus for persons without prior service.

(5) Section 308h(e), relating to Ready Reserve enlistment and reenlistment bonus for persons with prior service.

(6) Section 308i(f), relating to Selected Reserve enlistment and reenlistment bonus for persons with prior service.

(7) Section 910(g), relating to income replacement payments for reserve component members experiencing extended and frequent mobilization for active duty service.

SEC. 612. ONE-YEAR EXTENSION OF CERTAIN BONUS AND SPECIAL PAY AUTHORITIES FOR HEALTH CARE PROFESSIONALS.

(a) TITLE 10 AUTHORITIES.—The following sections of title 10, United States Code, are amended by striking “December 31, 2012” and inserting “December 31, 2013”:

(1) Section 2130a(a)(1), relating to nurse officer candidate accession program.

(2) Section 16302(d), relating to repayment of education loans for certain health professionals who serve in the Selected Reserve.

(b) TITLE 37 AUTHORITIES.—The following sections of title 37, United States Code, are amended by striking “December 31, 2012” and inserting “December 31, 2013”:

(1) Section 302c-1(f), relating to accession and retention bonuses for psychologists.

(2) Section 302d(a)(1), relating to accession bonus for registered nurses.

(3) Section 302e(a)(1), relating to incentive special pay for nurse anesthetists.

(4) Section 302g(e), relating to special pay for Selected Reserve health professionals in critically short wartime specialties.

(5) Section 302h(a)(1), relating to accession bonus for dental officers.

(6) Section 302j(a), relating to accession bonus for pharmacy officers.

(7) Section 302k(f), relating to accession bonus for medical officers in critically short wartime specialties.

(8) Section 302l(g), relating to accession bonus for dental specialist officers in critically short wartime specialties.

SEC. 613. ONE-YEAR EXTENSION OF SPECIAL PAY AND BONUS AUTHORITIES FOR NUCLEAR OFFICERS.

The following sections of title 37, United States Code, are amended by striking “December 31, 2012” and inserting “December 31, 2013”:

(1) Section 312(f), relating to special pay for nuclear-qualified officers extending period of active service.

(2) Section 312b(c), relating to nuclear career accession bonus.

(3) Section 312c(d), relating to nuclear career annual incentive bonus.

SEC. 614. ONE-YEAR EXTENSION OF AUTHORITIES RELATING TO TITLE 37 CONSOLIDATED SPECIAL PAY, INCENTIVE PAY, AND BONUS AUTHORITIES.

The following sections of title 37, United States Code, are amended by striking “December 31, 2012” and inserting “December 31, 2013”:

(1) Section 331(h), relating to general bonus authority for enlisted members.

(2) Section 332(g), relating to general bonus authority for officers.

(3) Section 333(i), relating to special bonus and incentive pay authorities for nuclear officers.

(4) Section 334(i), relating to special aviation incentive pay and bonus authorities for officers.

(5) Section 335(k), relating to special bonus and incentive pay authorities for officers in health professions.

(6) Section 351(h), relating to hazardous duty pay.

(7) Section 352(g), relating to assignment pay or special duty pay.

(8) Section 353(i), relating to skill incentive pay or proficiency bonus.

(9) Section 355(h), relating to retention incentives for members qualified in critical military skills or assigned to high priority units.

SEC. 615. ONE-YEAR EXTENSION OF AUTHORITIES RELATING TO PAYMENT OF OTHER TITLE 37 BONUSES AND SPECIAL PAYS.

The following sections of title 37, United States Code, are amended by striking “December 31, 2012” and inserting “December 31, 2013”:

(1) Section 301b(a), relating to aviation officer retention bonus.

(2) Section 307a(g), relating to assignment incentive pay.

(3) Section 308(g), relating to reenlistment bonus for active members.

(4) Section 309(e), relating to enlistment bonus.

(5) Section 324(g), relating to accession bonus for new officers in critical skills.

(6) Section 326(g), relating to incentive bonus for conversion to military occupational specialty to ease personnel shortage.

(7) Section 327(h), relating to incentive bonus for transfer between armed forces.

(8) Section 330(f), relating to accession bonus for officer candidates.

SEC. 616. INCREASE IN AMOUNT OF OFFICER AFFILIATION BONUS FOR OFFICERS IN THE SELECTED RESERVE.

Section 308j(d) of title 37, United States Code, is amended by striking “\$10,000” and inserting “\$20,000”.

(2) in subparagraph (C)(ii), by inserting after “insurable dependent of the member” the following: “(other than a dependent who

is also a member of a uniformed service and, because of such membership, automatically insured under this paragraph)".

Subtitle E—Military Lending Matters

SEC. 651. ENHANCEMENT OF PROTECTIONS ON CONSUMER CREDIT FOR MEMBERS OF THE ARMED FORCES AND THEIR DEPENDENTS.

(a) CONSUMER CREDIT.—Paragraph (6) of section 987(i) of title 10, United States Code, is amended to read as follows:

"(6) CONSUMER CREDIT.—

"(A) IN GENERAL.—The term 'consumer credit' shall be defined by the Secretary of Defense in regulations prescribed under this section, and shall include, in addition to any other meaning provided for in such regulations, the following:

"(i) A vehicle title loan for any duration, whether open end or closed end.

"(ii) A payday loan for any duration, whether open end or closed end.

"(iii) A tax refund anticipation loan.

"(B) EXCLUSIONS.—The term 'consumer credit' does not include the following:

"(i) A residential mortgage.

"(ii) A loan procured in the course of purchasing a car or other personal property, when that loan is offered for the express purpose of financing the purchase and is secured by the car or personal property procured."

(b) POLICY ON PREDATORY EXTENSION OF CREDIT THROUGH INSTALLMENT LOANS TARGETING MEMBERS OF THE ARMED FORCES AND DEPENDENTS.—

(1) POLICY REQUIRED.—The Secretary of Defense shall, in consultation with the officials and entities specified in section 987(h)(3) of title 10, United States Code, prescribe a policy on the predatory extension of credit through installment loans targeting members of the Armed Forces and their dependents.

(2) OBJECTIVES.—The objectives of the policy required by paragraph (1) shall be as follows:

(A) To enhance protections afforded members of the Armed Forces and their dependents under section 987 of title 10, United States Code, by curbing continuing predatory lending practices targeting members of the Armed Forces and their dependents that are not currently regulated under that section.

(B) To improve the financial literacy of members of the Armed Forces and their dependents with respect to installment loans and other forms of credit not currently regulated under section 987 of title 10, United States Code.

(C) To make members of the Armed Forces and their dependents aware of other, more beneficial sources of financial aid and credit services (such as those available through military relief societies) than installment loans.

(D) If considered appropriate by the Secretary of Defense, to provide, by regulation, for the coverage under section 987 of title 10, United States Code, of installment loans extended to members of the Armed Forces and dependents protected by that section.

(c) EFFECTIVE DATE.—

(1) MODIFICATION OF REGULATIONS.—The Secretary of Defense shall modify the regulations prescribed under section 987 of title 10, United States Code, to take into account the amendment made by subsection (a).

(2) EFFECTIVE DATE OF MODIFICATION AND POLICY.—The amendment made by subsection (a), and the policy required by subsection (b), shall take effect on—

(A) the date that is one year after the date of the enactment of this Act; or

(B) such earlier date as the Secretary shall specify.

(3) PUBLICATION OF EARLIER DATE.—If pursuant to paragraph (2)(B) the Secretary specifies an earlier effective date for the amendment made by subsection (a) and the policy required by subsection (b), the Secretary shall publish notice of such earlier effective date in the Federal Register not later than 90 days before such earlier effective date.

SEC. 652. ADDITIONAL ENHANCEMENTS OF PROTECTIONS ON CONSUMER CREDIT FOR MEMBERS OF THE ARMED FORCES AND THEIR DEPENDENTS.

(a) PROTECTIONS AGAINST DIFFERENTIAL TREATMENT ON CONSUMER CREDIT UNDER STATE LAW.—Subsection (d)(2) of section 987 of title 10, United States Code, is amended—

(1) in subparagraph (A), by inserting "any consumer credit or" before "loans"; and

(2) in subparagraph (B), by inserting "covering consumer credit" after "State consumer lending protections".

(b) REGULAR CONSULTATIONS ON PROTECTIONS.—Subsection (h)(3) of such section is amended—

(1) in the matter preceding subparagraph (A)—

(A) by inserting "and not less often than once every two years thereafter," after "under this subsection,"; and

(B) by inserting "appropriate Federal agencies, including" before "the following";

(2) by striking subparagraph (E); and

(3) by redesignating subparagraphs (F) and (G) as subparagraphs (E) and (F), respectively.

(c) EFFECTIVE DATE.—

(1) MODIFICATION OF REGULATIONS.—The Secretary of Defense shall modify the regulations prescribed under section 987 of title 10, United States Code, to take into account the amendments made by subsection (a).

(2) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on—

(A) the date that is one year after the date of the enactment of this Act; or

(B) such earlier date as the Secretary shall specify in the modification of regulations required by paragraph (1).

(3) PUBLICATION OF EARLIER DATE.—If the Secretary specifies an earlier effective date for the amendments made by subsection (a) pursuant to paragraph (2)(B), the Secretary shall publish notice of such earlier effective date in the Federal Register not later than 90 days before such earlier effective date.

SEC. 653. RELIEF IN CIVIL ACTIONS FOR VIOLATIONS OF PROTECTIONS ON CONSUMER CREDIT EXTENDED TO MEMBERS OF THE ARMED FORCES AND THEIR DEPENDENTS.

(a) IN GENERAL.—Section 987(f) of title 10, United States Code, is amended by adding at the end the following new paragraph:

"(5) CIVIL LIABILITY.—

"(A) IN GENERAL.—A person who violates this section with respect to any person is civilly liable to such person for—

"(i) any actual damage sustained as a result, but not less than \$500 for each violation;

"(ii) appropriate punitive damages;

"(iii) appropriate equitable or declaratory relief;

"(iv) any other relief provided by law;

"(v) in any successful action to enforce the foregoing liability, the costs of the action, together with reasonable attorney fees as determined by the court; and

"(vi) in any successful action by a defendant under this section, if the court finds the action was brought in bad faith and for the purpose of harassment, attorney fees of the

defendant as determined by the court to be reasonable in relation to the work expended and costs incurred.

"(B) DEFENSES.—A person may not be held liable for civil liability under this paragraph if the person shows by a preponderance of evidence that the violation was not intentional and resulted from a bona fide error notwithstanding the maintenance of procedures reasonably adapted to avoid any such error. Examples of a bona fide error include clerical, calculation, computer malfunction and programming, and printing errors, except that an error of legal judgment with respect to a person's obligations under this section is not a bona fide error.

"(C) JURISDICTION AND VENUE; LIMITATION.—An action for civil liability under this paragraph may be brought in any appropriate United States district court, without regard to the amount in controversy, or in any other court of competent jurisdiction, not later than the earlier or—

"(i) two years after the date of discovery by the plaintiff of the violation that is the basis for such liability; or

"(ii) five years after the date on which the violation that is the basis for such liability occurs."

(b) EFFECTIVE DATE.—The amendment made by this section and shall take effect on the date of the enactment of this Act, and shall apply with respect to consumer credit extended on or after that date.

SEC. 654. MODIFICATION OF DEFINITION OF DEPENDENT FOR PURPOSES OF LIMITATIONS ON TERMS OF CONSUMER CREDIT EXTENDED TO MEMBERS OF THE ARMED FORCES AND THEIR DEPENDENTS.

Paragraph (2) of section 987(i) of title 10, United States Code, is amended to read as follows:

"(2) DEPENDENT.—The term 'dependent', with respect to a covered member, has the meaning given that term in section 401(a) of title 37."

Subtitle F—Other Matters

SEC. 661. TRANSITIONAL COMPENSATION FOR DEPENDENT CHILDREN WHO ARE CARRIED DURING PREGNANCY AT TIME OF DEPENDENT-ABUSE OFFENSE.

(a) IN GENERAL.—Section 1059 of title 10, United States Code, is amended—

(1) in subsection (f), by adding at the end the following new paragraph:

"(4) Payment to a child under this section shall not be paid for any period before the birth of the child."; and

(2) in subsection (l), by striking "at the time of the dependent-abuse offense resulting in the separation of the former member" and inserting "or eligible spouse at the time of the dependent-abuse offense resulting in the separation of the former member or who was carried during pregnancy at the time of the dependent-abuse offense resulting in the separation of the former member and was subsequently born alive to the eligible spouse or former spouse".

(b) PROSPECTIVE APPLICABILITY.—No benefits shall accrue by reason of the amendments made by this section for any month that begins before the date of the enactment of this Act.

TITLE VII—HEALTH CARE PROVISIONS

Subtitle A—TRICARE Program

SEC. 701. EXTENSION OF TRICARE STANDARD COVERAGE AND TRICARE DENTAL PROGRAM FOR MEMBERS OF THE SELECTED RESERVE WHO ARE INVOLUNTARILY SEPARATED.

(a) EXTENSION OF TRICARE STANDARD COVERAGE.—Section 1076d(b) of title 10, United States Code, is amended—

(1) by striking “Eligibility” and inserting “(1) Except as provided in paragraph (2), eligibility”; and

(2) by adding at the end the following new paragraph:

“(2) Eligibility for a member under this section who is involuntarily separated from the Selected Reserve under other than adverse conditions, as characterized by the Secretary concerned, shall terminate 180 days after the date on which the member is separated.”.

(b) **EXTENSION OF TRICARE DENTAL PROGRAM COVERAGE.**—Section 1076a(a)(1) of such title is amended by adding at the end the following new sentence: “Such plan shall provide that coverage for a member of the Selected Reserve who is involuntarily separated from the Selected Reserve under other than adverse conditions, as characterized by the Secretary concerned, shall terminate not earlier than 180 days after the date on which the member is separated.”.

SEC. 702. INCLUSION OF CERTAIN OVER-THE-COUNTER DRUGS IN TRICARE UNIFORM FORMULARY.

(a) **INCLUSION.**—Subsection (a)(2) of section 1074g of title 10, United States Code, is amended—

(1) in subparagraph (D), by striking “No pharmaceutical agent may be excluded” and inserting “Except as provided in subparagraph (F), no pharmaceutical agent may be excluded”; and

(2) by adding at the end the following new subparagraph:

“(F)(i) The Secretary may implement procedures to place selected over-the-counter drugs on the uniform formulary and to make such drugs available to eligible covered beneficiaries. An over-the-counter drug may be included on the uniform formulary only if the Pharmacy and Therapeutics Committee established under subsection (b) finds that the over-the-counter drug is cost-effective and clinically effective. If the Pharmacy and Therapeutics Committee recommends an over-the-counter drug for inclusion on the uniform formulary, the drug shall be considered to be in the same therapeutic class of pharmaceutical agents, as determined by the Committee, as similar prescription drugs.

“(ii) Regulations prescribed by the Secretary to carry out clause (i) shall include the following with respect to over-the-counter drugs included on the uniform formulary:

“(I) A determination of the means and conditions under paragraphs (5) and (6) of this subsection through which over-the-counter drugs will be available to eligible covered beneficiaries and the amount of cost sharing that such beneficiaries will be required to pay for over-the-counter drugs, except that no such cost sharing may be required for a member of a uniformed service on active duty.

“(II) Any terms and conditions for the dispensing of over-the-counter drugs to eligible covered beneficiaries.”.

(b) **DEFINITIONS.**—Subsection (g) of such section is amended by adding at the end the following new paragraphs:

“(3) The term ‘over-the-counter drug’ means a drug that is not subject to section 503(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 353(b)).

“(4) The term ‘prescription drug’ means a drug that is subject to section 503(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 353(b)).”.

(c) **TECHNICAL AMENDMENTS.**—

(1) **CROSS-REFERENCE AMENDMENTS.**—Subsections (a)(6)(A) and (b)(1) of such section

are amended by striking “subsection (g)” and inserting “subsection (h)”.

(2) **REPEAL OF OBSOLETE PROVISIONS.**—

(A) Subsection (a)(2)(D) of such section is amended by striking the last sentence.

(B) Subsection (b)(2) of such section is amended by striking “Not later than” and all the follows through “such 90-day period, the committee” and inserting “The committee”.

(C) Subsection (d)(2) of such section is amended—

(i) by striking “Effective not later than April 5, 2000, the Secretary” and inserting “The Secretary”; and

(ii) by striking “the current managed care support contracts” and inserting “the managed care support contracts current as of October 5, 1999.”.

SEC. 703. EXPANSION OF EVALUATION OF THE EFFECTIVENESS OF THE TRICARE PROGRAM.

Section 717(a)(1) of the National Defense Authorization Act for Fiscal Year 1996 (Public Law 106-104; 110 Stat. 376; 10 U.S.C. 1073 note) is amended by striking “military retirees” and inserting “members of the Armed Forces (whether in the regular or reserve components) and their dependents, military retirees and their dependents, dependent children under the age of 21, and dependents of members on active duty with severe disabilities and chronic health care needs”.

Subtitle B—Other Health Care Benefits

SEC. 711. USE OF DEPARTMENT OF DEFENSE FUNDS FOR ABORTIONS IN CASES OF RAPE AND INCEST.

Section 1093(a) of title 10, United States Code, is amended by inserting before the period at the end the following: “or in a case in which the pregnancy is the result of an act of rape or incest”.

SEC. 712. AVAILABILITY OF CERTAIN FERTILITY PRESERVATION TREATMENTS FOR MEMBERS OF THE ARMED FORCES ON ACTIVE DUTY.

(a) **IN GENERAL.**—Subsection (a) of section 1074d of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(3)(A) Members of the armed forces entitled to medical care under section 1074(a) of this title who have been diagnosed with a condition for which the recommended course of treatment is recognized by a licensed physician and surgeon or other appropriate medical practitioner as a cause of iatrogenic infertility shall also be entitled to fertility preservation treatment as a part of such medical care.

“(B) If the fertility preservation treatment to which a member is entitled under this paragraph is not available through a facility of the uniformed services accessible to the member, such treatment shall be provided to the member through another appropriate mechanism under this chapter, including through the TRICARE program.”.

(b) **DEFINITIONS RELATING TO FERTILITY PRESERVATION TREATMENT.**—Such section is further amended—

(1) in subsection (b), by striking the subsection heading and inserting “DEFINITION RELATING TO PRIMARY AND PREVENTIVE HEALTH CARE SERVICES FOR WOMEN”; and

(2) by adding at the end the following new subsection:

“(c) **DEFINITIONS RELATING TO FERTILITY PRESERVATION TREATMENT.**—In this section:

“(1) The term ‘fertility preservation treatment’ includes—

“(A) procedures consistent with established medical practices in the prevention or treatment of iatrogenic infertility by li-

censed physicians and surgeons or other appropriate medical practitioners, including diagnosis, diagnostic tests, medication, or surgery; and

“(B) any other procedure identified by the Secretary of Defense that is intended to promote the future fertility of an individual who has been diagnosed with a condition for which the recommended course of treatment is recognized by a licensed physician and surgeon or other appropriate medical practitioner as a cause of iatrogenic infertility.

“(2) The term ‘iatrogenic infertility’ means the current or future diminished ability, or the inability of an individual to conceive or contribute to conception as a consequence of medical treatment.”.

SEC. 713. MODIFICATION OF REQUIREMENTS ON MENTAL HEALTH ASSESSMENTS FOR MEMBERS OF THE ARMED FORCES DEPLOYED IN CONNECTION WITH A CONTINGENCY OPERATION.

(a) **TIMING OF MENTAL HEALTH ASSESSMENTS.**—Paragraph (1)(C)(i) of section 1074m(a) of title 10, United States Code, is amended by striking “one year” and inserting “18 months”.

(b) **EXCLUSION OF CERTAIN MEMBERS.**—Paragraph (2) of such section is amended—

(1) by striking “subparagraph (B) and (C) of”; and

(2) by striking “determines that—” and all that follows and inserting “determines—

“(A) in the case of an assessment otherwise required under subparagraph (A) of that paragraph, that the member will not be subjected or exposed to operational risk factors during deployment in the contingency operation concerned;

“(B) in the case of an assessment otherwise required under subparagraph (B) or (C) of that paragraph, that the member was not subjected or exposed to operational risk factors during deployment in the contingency operation concerned; or

“(C) in the case of any assessment otherwise required under that paragraph, that providing such assessment to the member during the otherwise applicable time period under such paragraph would remove the member from forward deployment or would put members or operational objectives at risk.”.

Subtitle C—Health Care Administration

SEC. 721. CLARIFICATION OF APPLICABILITY OF CERTAIN AUTHORITY AND REQUIREMENTS TO SUBCONTRACTORS EMPLOYED TO PROVIDE HEALTH CARE SERVICES TO THE DEPARTMENT OF DEFENSE.

(a) **APPLICABILITY OF FEDERAL TORT CLAIMS ACT TO SUBCONTRACTORS.**—Section 1089(a) of title 10, United States Code, is amended in the last sentence—

(1) by striking “if the physician, dentist, nurse, pharmacist, or paramedical” and inserting “to such a physician, dentist, nurse, pharmacist, or paramedical”; and

(2) by striking “involved is”; and

(3) by inserting before the period at the end the following: “or a subcontract at any tier under such a contract that is authorized in accordance with the requirements of such section 1091”.

(b) **APPLICABILITY OF PERSONAL SERVICES CONTRACTING AUTHORITY TO SUBCONTRACTORS.**—Section 1091(c) of such title is amended by adding at the end the following new paragraph:

“(3) The procedures established under paragraph (1) may provide for a contracting officer to authorize a contractor to enter into a subcontract for personal services on behalf of the agency upon a determination that the subcontract is—

“(A) consistent with the requirements of this section and the procedures established under paragraph (1); and

“(B) in the best interests of the agency.”.

SEC. 722. RESEARCH PROGRAM TO ENHANCE DEPARTMENT OF DEFENSE EFFORTS ON MENTAL HEALTH IN THE NATIONAL GUARD AND RESERVES THROUGH COMMUNITY PARTNERSHIPS.

(a) **RESEARCH PROGRAM AUTHORIZED.**—The Secretary of Defense may carry out a research program to assess the feasibility and advisability of enhancing the efforts of the Department of Defense in research, treatment, education, and outreach on mental health and substance use disorders and Traumatic Brain Injury (TBI) in members of the National Guard and Reserves, their family members, and their caregivers.

(b) **AGREEMENTS WITH COMMUNITY PARTNERS.**—In carrying out the research program authorized by subsection (a), the Secretary may enter into partnership agreements with community partners described in subsection (c) using a competitive and merit-based award process.

(c) **COMMUNITY PARTNERS DESCRIBED.**—A community partner described in this subsection is a private nonprofit organization or institution (or multiple organizations and institutions) that—

(1) engages in the research activities described in subsection (d); and

(2) meets such qualifications for treatment as a community partner as the Secretary shall establish for purposes of the research program.

(d) **ACTIVITIES.**—Partnerships entered into under the research program shall be used to engage in research on the causes, development, and innovative treatment of mental health and substance use disorders and Traumatic Brain Injury in members of the National Guard and Reserves, their family members, and their caregivers.

(e) **REPORT.**—Not later than five years after the commencement of the research program, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the research program, including a description of the research program, the community partners participating in the research program, the activities carried out, the number of members of the National Guard and Reserves, family members, and caregivers supported by community partners, and a description and assessment of the effectiveness and achievements of the research program.

Subtitle D—Reports and Other Matters

SEC. 731. REPORTS ON PERFORMANCE DATA ON WARRIORS IN TRANSITION PROGRAMS.

(a) **REPORTS.**—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter, each Secretary of a military department shall submit to Congress a report on data on the performance of the military department in addressing the care, management and transition needs of members of the Armed Forces under the jurisdiction of such Secretary who participate in a Warriors in Transition program under the jurisdiction of such Secretary with respect to the following:

(1) Physical health.

(2) Mental and behavioral health.

(3) Educational and vocational aptitude and capabilities.

(4) Such other matters as such Secretary considers appropriate.

(b) **COMMON METHODOLOGY.**—The Secretaries shall report not fewer than five out-

come measures for each of the areas set forth in subsection (a) using a common methodology developed by the Secretaries and approved by the Secretary of Defense for purposes of this section.

(c) **LONGITUDINAL DATA.**—The occasions for collecting data on a member participating in a Warriors in Transition program for purposes of reports under subsection (a) shall be as follows:

(1) When the member commences participation in the program.

(2) At least once each year the member participates in the program.

(3) When the member ceases participation in the program (whether for return to military duty or to civilian life).

(4) With the consent of the member, one year after the member ceases participation in the program as described in paragraph (3).

(d) **ELEMENTS.**—Each report under subsection (a) shall include an assessment by the Secretary of the military department concerned of the following with respect to the Warriors in Transition programs covered by such report:

(1) The progress of members participating in the Warriors in Transition programs in the areas specified in subsection (a).

(2) The efficacy of the Warriors in Transition programs in facilitating the transition of members to military duty or civilian life, as applicable.

(3) The differences in outcomes in the Warriors in Transition programs, by location, type, Armed Force, component, and types of wounds, injuries, or conditions of program participants.

(4) The percentage of members participating in the Warriors in Transition programs who receive care under such programs from assigned providers, including medical care case managers, non-medical service providers (including non-medical case managers, legal support personnel, and, as applicable, Physical Evaluation Board Liaison Officers), mental health care providers, and medical evaluation (MEB) physicians whose caseload exceeds the caseload ratio that has been designated as adequate by the Secretary of Defense.

(5) The percentage of members participating in the Warriors in Transition programs for whom the intervals between various phases in the transition process exceeds the average length of such intervals, including intervals relating to appointment times for specialists and for treatment for Post-Traumatic Stress Disorder (PTSD).

(6) Such other measurements of outcomes or progress of members through the Warriors in Transition programs as such Secretary considers appropriate.

(e) **PERSONALLY IDENTIFIABLE INFORMATION.**—Data collected under this section shall be treated in compliance with the provisions of section 552a of title 5, United States Code (commonly referred to as the “Privacy Act”).

(f) **SUNSET.**—No report is required under this section after September 30, 2017.

(g) **WARRIORS IN TRANSITION PROGRAM DEFINED.**—In this section, the term “Warriors in Transition program” means any major support program of the Armed Forces for members of the Armed Forces with severe wounds, illnesses, or injuries that is intended to provide such members with non-medical case management service and care coordination services, and includes the programs as follows:

(1) Warrior Transition Units and the Wounded Warrior Program of the Army.

(2) The Safe Harbor program of the Navy.

(3) The Wounded Warrior Regiment of the Marine Corps.

(4) The Recovery Care Program and the Wounded Warrior programs of the Air Force.

(5) The Care Coalition of the United States Special Operations Command.

SEC. 732. REPORT ON DEPARTMENT OF DEFENSE SUPPORT OF MEMBERS OF THE ARMED FORCES WHO EXPERIENCE TRAUMATIC INJURY AS A RESULT OF VACCINATIONS REQUIRED BY THE DEPARTMENT.

(a) **REPORT.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the Secretaries of the military departments, submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth the results of a comprehensive review (conducted for purposes of the report) of the adequacy and effectiveness of the policies, procedures, and systems of the Department of Defense in providing support to members of the Armed Forces who experience traumatic injury as a result of a vaccination required by the Department.

(b) **ELEMENTS.**—The report required by subsection (a) shall include the following:

(1) The number and nature of traumatic injuries incurred by members of the Armed Forces as a result of a vaccination required by the Department of Defense each year since January 1, 2001, set forth by aggregate in each year and by military department in each year.

(2) Such recommendations as the Secretary of Defense considers appropriate for improvements to the policies, procedures, and systems (including tracking systems) of the Department to identify members of the Armed Forces who experience traumatic injury as a result of a vaccination required by the Department.

(3) Such recommendations as the Secretary of Defense considers appropriate for improvements to the policies, procedures, and systems of the Department to support members of the Armed Forces who experience traumatic injury as a result of a vaccination required by the Department.

SEC. 733. PLAN TO ELIMINATE GAPS AND REDUNDANCIES IN PROGRAMS OF THE DEPARTMENT OF DEFENSE ON PSYCHOLOGICAL HEALTH AND TRAUMATIC BRAIN INJURY AMONG MEMBERS OF THE ARMED FORCES.

(a) **PLAN REQUIRED.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a plan to streamline the programs of the Department of Defense that address psychological health and traumatic brain injury among members of the Armed Forces.

(2) **ELEMENTS.**—The report required by paragraph (1) shall include the following:

(A) A complete list of the programs described in paragraph (1), including a detailed description of the intended function of each such program.

(B) An identification of any gaps in services and treatments in the programs listed under subparagraph (A).

(C) An identification of any redundancies in the programs listed under subparagraph (A).

(D) A plan for mitigating the gaps identified under subparagraph (B) and for eliminating the redundancies identified under subparagraph (C).

(E) An identification of the individual in the Department who will be responsible for

leading implementation of the plan required by paragraph (1).

(F) A schedule for the implementation of the plan.

(b) **STATUS REPORT.**—Not later than one year after the date of the enactment of this Act, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the status of the implementation of the plan required by subsection (a).

SEC. 734. REPORT ON IMPLEMENTATION OF RECOMMENDATIONS OF THE COMPTROLLER GENERAL OF THE UNITED STATES ON PREVENTION OF HEARING LOSS AMONG MEMBERS OF THE ARMED FORCES.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the implementation of the recommendations of the Comptroller General of the United States in the January 2011 report of the Comptroller General entitled “Hearing Loss Prevention: Improvements to DOD Hearing Conservation Programs Could Lead to Better Outcomes” that address prevention of hearing loss, abatement of hearing loss, data collection regarding hearing loss, and the need for a new interagency data sharing system so that sufficient information is available to address and track hearing injuries and loss.

TITLE VIII—ACQUISITION POLICY, ACQUISITION MANAGEMENT, AND RELATED MATTERS

Subtitle A—Provisions Relating to Major Defense Acquisition Programs

SEC. 801. LIMITATION ON USE OF COST-TYPE CONTRACTS.

(a) **PROHIBITION WITH RESPECT TO PRODUCTION OF MAJOR DEFENSE ACQUISITION PROGRAMS.**—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall modify the acquisition regulations of the Department of Defense to prohibit the Department from entering into cost-type contracts for the production of major defense acquisition programs (MDAPs).

(b) **EXCEPTION.**—

(1) **IN GENERAL.**—The prohibition under subsection (a) shall not apply in the case of a particular cost-type contract if the Under Secretary of Defense for Acquisition, Technology, and Logistics, after consultation with the Director of Cost Assessment and Program Evaluation—

(A) certifies, in writing, with reasons, that a cost-type contract is needed to provide a required capability in a timely and cost-effective manner; and

(B) provides the certification to the congressional defense committees not later than 30 business days before issuing a solicitation for the contract.

(2) **SCOPE OF EXCEPTION.**—In any case when the Under Secretary grants an exception under paragraph (1), the Under Secretary shall take affirmative steps to make sure that the use of cost-type pricing is limited to only those line items or portions of the contract where such pricing is needed to achieve the purposes of the exception. A written certification under paragraph (1) shall be accompanied by an explanation of the steps taken under this paragraph.

(c) **DEFINITIONS.**—In this section:

(1) **MAJOR DEFENSE ACQUISITION PROGRAM.**—The term “major defense acquisition program” has the meaning given the term in section 2430(a) of title 10, United States Code.

(2) **PRODUCTION OF A MAJOR DEFENSE ACQUISITION PROGRAM.**—The term “production of a major defense acquisition program” means the production, either on a low-rate initial production or full-rate production basis, and deployment of a major system that is intended to achieve an operational capability that satisfies mission needs, or any activity otherwise defined as Milestone C under Department of Defense Instruction 5000.02 or related authorities.

(3) **CONTRACT FOR THE PRODUCTION OF A MAJOR DEFENSE ACQUISITION PROGRAM.**—The term “contract for the production of a major defense acquisition program” —

(A) means a prime contract for the production of a major defense acquisition program; and

(B) does not include individual line items for segregable efforts or contracts for the incremental improvement of systems that are already in production (other than contracts for major upgrades that are themselves major defense acquisition programs).

(d) **APPLICABILITY.**—The requirements of this section shall apply to contracts for the production of major defense acquisition programs entered into on or after October 1, 2014.

SEC. 802. ACQUISITION STRATEGIES FOR MAJOR SUBSYSTEMS AND SUBASSEMBLIES ON MAJOR DEFENSE ACQUISITION PROGRAMS.

(a) **IN GENERAL.**—The Secretary of Defense shall ensure that the acquisition strategy for each major defense acquisition program—

(1) provides, where appropriate, for breaking out a major subsystem or subassembly, conducting a separate competition or negotiating a separate price for the subsystem or subassembly, and providing the subsystem or subassembly to the prime contractor as government-furnished equipment; and

(2) in any case where it is not practical or appropriate to break out a major subsystem or subassembly and provide it to the prime contractor as government-furnished equipment, includes measures to prevent excessive pass-through charges by the prime contractor.

(b) **DEFINITIONS.**—In this section:

(1) The term “excessive pass-through charges” means pass-through charges that are not reasonable in relation to the cost of direct labor provided by employees of the contractor, any other costs directly attributable to the management of the subcontract by employees of the contractor, and the level of risk and responsibility, if any, assumed by the prime contractor for the performance of the subcontract.

(2) The term “major defense acquisition program” has the meaning given the term in section 2430(a) of title 10, United States Code.

(3) The term “pass-through charges” means prime contractor charges for overhead (including general and administrative costs) or profit on a subsystem or subassembly that is produced by an entity or entities other than the prime contractor.

(c) **CONFORMING AMENDMENTS.**—Section 202(c) of the Weapon Systems Acquisition Reform Act of 2009 (Public Law 111–23; 123 Stat. 1720; 10 U.S.C. 2430 note) is amended—

(1) in the matter preceding paragraph (1), by striking “fair and objective ‘make-buy’ decisions by prime contractors” and inserting “competition or the option of competition at the subcontract level”; and

(2) by redesignating paragraphs (1), (2), and (3) as paragraphs (2), (3), and (4), respectively; and

(3) by inserting before paragraph (2), as redesignated by paragraph (2) of this subsection, the following new paragraph (1):

“(1) where appropriate, breaking out a major subsystem, conducting a separate competition for the subsystem, and providing the subsystem to the prime contractor as government-furnished equipment;”.

SEC. 803. MANAGEMENT STRUCTURE FOR DEVELOPMENTAL TEST AND EVALUATION.

(a) **DUTIES OF DASD FOR DEVELOPMENTAL TEST AND EVALUATION.**—Subsection (a)(5) of section 139b of title 10, United States Code is amended—

(1) in subparagraph (A)(i), by striking “in the Department of Defense” and inserting “of the military departments and other elements of the Department of Defense”; and

(2) in subparagraph (C), by striking “programs” and inserting “programs (including the activities of chief developmental testers and lead developmental test evaluation organizations designated in accordance with subsection (c))”.

(b) **DUTIES OF CHIEF DEVELOPMENTAL TESTER AND LEAD DEVELOPMENTAL TEST AND EVALUATION ORGANIZATION.**—Subsection (c) of such section is amended—

(1) in paragraph (2), by striking “shall be responsible for” and inserting “, consistent with policies and guidance issued pursuant to subsection (a)(5)(A), shall be responsible for”; and

(2) in paragraph (3), by striking “shall be responsible for” and inserting “, consistent with policies and guidance issued pursuant to subsection (a)(5)(A), shall be responsible for”; and

(3) by adding at the end the following new paragraph:

“(4) **TRANSMITTAL OF RECORDS AND DATA.**—The chief developmental tester and the lead developmental test and evaluation organization for a major defense acquisition program shall promptly transmit to the Deputy Assistant Secretary for Developmental Test and Evaluation any records or data relating to the program that are requested by the Deputy Assistant Secretary, as provided in subsection (a)(6).”.

SEC. 804. ASSESSMENTS OF POTENTIAL TERMINATION LIABILITY OF CONTRACTS FOR THE DEVELOPMENT OR PRODUCTION OF MAJOR DEFENSE ACQUISITION PROGRAMS.

(a) **REPORT ON ASSESSMENT REQUIRED.**—Not later than 30 days before entering into a covered contract, the Under Secretary of Defense for Acquisition, Technology, and Logistics shall submit to the congressional defense committees a report on the potential termination liability of the Department of Defense under the contract, including—

(1) an estimate of the maximum potential termination liability certification for the contract; and

(2) an assessment how such termination liability is likely to increase or decrease over the period of performance of the contract.

(b) **COVERED CONTRACTS.**—For purposes of this section, a covered contract is a contract for the development or production of a major defense acquisition program for which the Under Secretary of Defense for Acquisition, Technology, and Logistics is the Milestone Decision Authority if the contract has a potential termination liability of the Department of Defense that could reasonably be expected to exceed \$100,000,000.

(c) **MAJOR DEFENSE ACQUISITION PROGRAM DEFINED.**—In this section, the term “major defense acquisition program” has the meaning given that term in section 2430 of title 10, United States Code.

SEC. 805. TECHNICAL CHANGE REGARDING PROGRAMS EXPERIENCING CRITICAL COST GROWTH DUE TO CHANGE IN QUANTITY PURCHASED.

Section 2433a(c)(3)(A) of title 10, United States Code, is amended by striking “subparagraphs (B) and (C)” and inserting “subparagraphs (B), (C), and (E)”.

SEC. 806. REPEAL OF REQUIREMENT TO REVIEW ONGOING PROGRAMS INITIATED BEFORE ENACTMENT OF MILESTONE B CERTIFICATION AND APPROVAL PROCESS.

Subsection (b) of section 205 of the Weapon Systems Acquisition Reform Act of 2009 (Public Law 111-23; 123 Stat. 1725; 10 U.S.C. 2366b note) is repealed.

Subtitle B—Acquisition Policy and Management

SEC. 821. ONE-YEAR EXTENSION OF TEMPORARY LIMITATION ON AGGREGATE ANNUAL AMOUNT AVAILABLE FOR CONTRACT SERVICES.

Section 808 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1489) is amended—

(1) by striking “fiscal year 2012 or 2103” each place it appears and inserting “fiscal year 2012, 2013, or 2014”; and

(2) by striking “fiscal years 2012 and 2013” each place it appears and inserting “fiscal years 2012, 2103, and 2014”.

SEC. 822. PROHIBITION OF EXCESSIVE PASS-THROUGH CONTRACTS AND CHARGES IN THE ACQUISITION OF SERVICES.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall revise the Department of Defense Supplement to the Federal Acquisition Regulation to—

(1) prohibit the award of a covered contract or task order unless the contractor agrees that at least 50 percent of the direct labor cost of services to be performed under the contract or task order will be expended for employees of the contractor or of a subcontractor that is specifically identified and authorized to perform such work in the contract or task order;

(2) provide that the contracting officer for a covered contract or task order may authorize reliance upon a subcontractor or subcontractors to meet the requirement in paragraph (1) only upon a written determination that such reliance is in the best interest of the Department of Defense, after taking into account the added cost for overhead (including general and administrative costs) and profit that may be incurred as a result of the pass-through;

(3) require the contracting officer for a covered contract or task order for which more than 70 percent of the direct labor cost of services to be performed will be expended for persons other than employees of the contractor to ensure that amounts paid to the contractor for overhead (including general and administrative costs) and profit are reasonable in relation to the cost of direct labor provided by employees of the contractor and any other costs directly attributable to the management of the subcontract by employees of the contractor; and

(4) include such exceptions to the requirements in paragraphs (1) through (3) as the Secretary considers appropriate in the interest of the national defense.

(b) COVERED CONTRACT OR TASK ORDER DEFINED.—In this section, the term “covered contract or task order” means a contract or task order for the performance of services (other than construction) with a value in excess of the simplified acquisition threshold that is entered into for or on behalf of the

Department of Defense, except that such term does not include any contract or task order that provides a firm, fixed price for each task to be performed and is—

(1) awarded on the basis of adequate price competition; or

(2) for the acquisition of commercial services as defined in paragraphs (5) and (6) of section 103 of title 41, United States Code.

(c) EFFECTIVE DATE.—The requirements of this section shall apply to—

(1) covered contracts that are awarded on or after the date that is 90 days after the date of the enactment of this Act; and

(2) covered task orders that are awarded on or after the date that is 90 days after the date of the enactment of this Act under contracts that are awarded before, on, or after such date.

(d) CONFORMING REPEAL.—Section 852 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (120 Stat. 2340) is repealed.

SEC. 823. AVAILABILITY OF AMOUNTS IN DEFENSE ACQUISITION WORKFORCE DEVELOPMENT FUND FOR TEMPORARY MEMBERS OF WORKFORCE.

(a) IN GENERAL.—Section 1705 of title 10, United States Code, is amended—

(1) in subsection (e)—

(A) in paragraph (1), by adding at the end the following new sentence: “In the case of temporary members of the acquisition workforce designated pursuant to subsection (h)(2), such funds shall be available only for the limited purpose of providing training in the performance of acquisition-related functions and duties.”; and

(B) in paragraph (5), by inserting before the period at the end the following: “, and who has continued in the employment of the Department since such time without a break in such employment of more than a year”;

(2) by striking subsection (g);

(3) by redesignating subsection (h) as subsection (g); and

(4) by adding at the end the following new subsection (h):

“(h) ACQUISITION WORKFORCE DEFINED.—In this section, the term ‘acquisition workforce’ means the following:

“(1) Personnel in positions designated under section 1721 of this title as acquisition positions for purposes of this chapter.

“(2) Other military personnel or civilian employees of the Department of Defense who—

“(A) contribute significantly to the acquisition process by virtue of their assigned duties; and

“(B) are designated as temporary members of the acquisition workforce by the Under Secretary of Defense for Acquisition, Technology, and Logistics, or by the senior acquisition executive of a military department, for the limited purpose of receiving training for the performance of acquisition-related functions and duties.”.

(b) EXTENSION OF EXPEDITED HIRING AUTHORITY.—Subsection (g) of such section, as redesignated by subsection (a)(3) of this section, is further amended in paragraph (2) by striking “September 30, 2015” and inserting “September 30, 2017”.

(c) PLAN REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition, Technology, and Logistics shall develop a plan for the implementation of the authority provided by the amendments made by subsection (a) with regard to temporary members of the defense acquisition workforce. The plan shall include policy, criteria, and processes for designating temporary members and appropriate safeguards to prevent the abuse of such authority.

SEC. 824. DEPARTMENT OF DEFENSE POLICY ON CONTRACTOR PROFITS.

(a) REVIEW OF GUIDELINES ON PROFITS.—The Secretary of Defense shall review the profit guidelines in the Department of Defense Supplement to the Federal Acquisition Regulation in order to identify any modifications to such guidelines that are necessary to ensure an appropriate link between contractor profit and contractor performance.

(b) MATTERS TO BE CONSIDERED.—In conducting the review required by subsection (a), the Secretary shall consider, at a minimum, the following:

(1) Appropriate levels of profit needed to sustain competition in the defense industry, taking into account contractor investment and cash flow.

(2) Appropriate adjustments to address contract and performance risk assumed by the contractor, taking into account the extent to which such risk is passed on to subcontractors.

(3) Appropriate incentives for superior performance in delivering quality products and services in a timely and cost-effective manner, taking into account such factors as prime contractor cost reduction, control of overhead costs, subcontractor cost reduction, subcontractor management, and effective competition (including the utilization of small business) at the subcontract level.

(c) MODIFICATION OF GUIDELINES.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall modify the profit guidelines described in subsection (a) so as to achieve the link described that subsection.

(d) REPORT.—Upon the completion of the modification of the profit guidelines required by subsection (c), the Secretary shall submit to the congressional defense committees a report on the actions of the Secretary under this section. The report shall set forth the following:

(1) The results of the review conducted under subsection (a).

(2) A description of the modification carried out under subsection (c).

SEC. 825. MODIFICATION OF AUTHORITIES ON INTERNAL CONTROLS FOR PROCUREMENTS ON BEHALF OF THE DEPARTMENT OF DEFENSE BY CERTAIN NON-DEFENSE AGENCIES.

(a) DISCRETIONARY AUTHORITY.—Subsection (a) of section 801 of the National Defense Authorization Act for Fiscal Year 2008 (10 U.S.C. 2304 note) is amended—

(1) in paragraph (1), by striking “shall, not later than the date specified in paragraph (2),” and inserting “may”;

(2) by striking paragraph (2);

(3) by redesignating paragraphs (3) through (6) as paragraphs (2) through (5), respectively;

(4) in paragraph (3), as redesignated by paragraph (3) of this section—

(A) by striking “required under this subsection” and inserting “to be performed under this subsection”; and

(B) by striking “shall” and inserting “may”; and

(5) in paragraph (4), as so redesignated, by striking “shall” and inserting “may”.

(b) CONFORMING AMENDMENTS.—Subsection (b)(1)(B) of such section is amended—

(1) in clause (i), by striking “required by subsection (a)(4)” and inserting “to be entered into under subsection (a)(3)”; and

(2) in clause (ii)—

(A) by striking “required by subsection (a)” and inserting “provided for under subsection (a)”; and

(B) by striking “subsection (a)(5)” and inserting “subsection (a)(4)”.

SEC. 826. EXTENSION OF PILOT PROGRAM ON MANAGEMENT OF SUPPLY-CHAIN RISK.

Section 806(g) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383; 124 Stat. 4262; 10 U.S.C. 2304 note) is amended by striking “the date that is three years after the date of the enactment of this Act” and inserting “January 1, 2016”.

Subtitle C—Amendments Relating to General Contracting Authorities, Procedures, and Limitations

SEC. 841. APPLICABILITY OF TRUTH IN NEGOTIATIONS ACT TO MAJOR SYSTEMS AND RELATED SUBSYSTEMS, COMPONENTS, AND SUPPORT SERVICES.

(a) **AUTHORITY TO REQUIRE SUBMISSION OF COST OR PRICING DATA.**—Subsection (c) of section 2306a of title 10, United States Code, is amended—

(1) in the subsection caption, by striking “BELOW-THRESHOLD” and inserting “CERTAIN”; and

(2) in paragraph (2), by inserting before the period at the end the following: “, except in the case of either of the following:

“(A) A major system or a subsystem or component thereof that is not a commercially available off-the-shelf item (as defined in section 104 of title 41) and was not developed exclusively at private expense as demonstrated in accordance with the requirements of section 2321(f)(2) of this title.

“(B) Services that are procured for support of a system, subsystem, or component described in subparagraph (A).”.

(b) **AUTHORITY TO REQUIRE SUBMISSION OF OTHER INFORMATION.**—Subsection (d)(1) of such section is amended by striking “at a minimum” and all that follows and inserting “at a minimum—

“(A) appropriate information on the prices at which the same item or similar items have previously been sold that is adequate for evaluating the reasonableness of the price for the procurement; and

“(B) in the case of a system, subsystem, component, or services described in subparagraph (A) or (B) of subsection (c)(2) for which price information described in subparagraph (A) of this paragraph is not adequate to evaluate price reasonableness, uncertified cost data that is adequate for evaluating the reasonableness of the price for the procurement.”.

(c) **TECHNICAL AMENDMENT.**—Subsection (c)(3) of such section is amended by striking “paragraph” and inserting “subsection”.

SEC. 842. MAXIMUM AMOUNT OF ALLOWABLE COSTS OF COMPENSATION OF CONTRACTOR EMPLOYEES.

(a) **MODIFICATION OF MAXIMUM AMOUNT.**—Section 2324(e)(1)(P) of title 10, United States Code, is amended by striking “the benchmark” and all that follows through “section 1127 of title 41” and inserting “the annual amount payable under the aggregate limitation on pay as established by the Office of Management and Budget (currently \$230,700)”.

(b) **EFFECTIVE DATE.**—The amendment made by subsection (a) shall take effect on January 1, 2013, and shall apply with respect to costs of compensation incurred on or after that date under contracts entered into before, on, or after that date.

SEC. 843. DEPARTMENT OF DEFENSE ACCESS TO AND USE OF CONTRACTOR INTERNAL AUDIT REPORTS.

(a) **CLARIFICATION OF AUDIT ACCESS AUTHORITY.**—Section 2313(a)(2) of title 10, United States Code, is amended—

(1) in subparagraph (C), by striking “or” at the end;

(2) in subparagraph (D), by striking the period at the end and inserting “; or”; and

(3) by adding at the end the following new subparagraph:

“(E) the efficacy of contractor or subcontractor internal controls and the reliability of contractor or subcontractor business systems.”.

(b) **GUIDANCE ON ACCESS.**—

(1) **GUIDANCE REQUIRED.**—Not later than 90 days after the date of the enactment of this Act, the Director of the Defense Contract Audit Agency shall issue revised guidance on Defense Contract Audit Agency auditor access to defense contractor internal audit reports and supporting materials.

(2) **PURPOSE.**—The purpose of the guidance issued pursuant to paragraph (1) shall be to ensure that the Defense Contract Audit Agency has sufficient access to contractor internal audit reports and supporting materials in order to—

(A) evaluate and test the efficacy of contractor internal controls and the reliability of associated contractor business systems; and

(B) assess the amount of risk and level of testing required in connection with specific audits to be conducted by the Agency.

(3) **MATTERS TO BE ADDRESSED.**—The guidance issued pursuant to paragraph (1) shall address, at a minimum, the following:

(A) The extent to which Defense Contract Audit Agency auditors should request access to defense contractor internal audit reports and supporting materials.

(B) The circumstances in which follow-up actions, including subpoenas, may be required to ensure Agency access to audit reports and supporting materials.

(C) The designation of Agency audit officials responsible for coordinating issues pertaining to Agency requests for audit reports and supporting materials.

(D) The purposes for which Agency auditors may use audit reports and supporting materials.

(E) Any protections that may be required to ensure that audit reports and supporting materials are not misused.

(F) Requirements for tracking Agency requests for audit reports and supporting materials.

(c) **FAILURE TO PROVIDE ACCESS.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall revise the program required by section 893 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383; 124 Stat. 4311; 10 U.S.C. 2302 note) in order to—

(1) ensure that any assessment of the adequacy of contractor business systems takes into account the efficacy of contractor internal controls, including contractor internal audit reports and supporting materials, that are relevant to such assessment; and

(2) provide that the refusal of a contractor to permit access to contractor internal audit reports and supporting materials that are relevant to such an assessment is a basis for disapproving the contractor business system or systems to which such materials are relevant and taking the remedial actions authorized under section 893.

SEC. 844. ENHANCEMENT OF WHISTLEBLOWER PROTECTIONS FOR CONTRACTOR EMPLOYEES.

(a) **IN GENERAL.**—Subsection (a) of section 2409 of title 10, United States Code, is amended—

(1) by inserting “(1)” before “An employee”; and

(2) in paragraph (1), as so designated—

(A) by inserting “or subcontractor” after “employee of a contractor”; and

(B) by striking “a Member of Congress” and all that follows through “the Department of Justice” and inserting “a person or body described in paragraph (2)”;

(C) by inserting “an abuse of authority relating to a Department of Defense contract or grant,” after “Department of Defense funds,”; and

(D) by inserting “, rule, or regulation” after “a violation of law”; and

(3) by adding at the end the following new paragraphs:

“(2) The persons and bodies described in this paragraph are the persons and bodies as follows:

“(A) A Member of Congress or a representative of a committee of Congress.

“(B) An Inspector General.

“(C) The Government Accountability Office.

“(D) A Department of Defense employee responsible for contract oversight or management.

“(E) An authorized official of the Department of Justice or other law enforcement agency.

“(F) A court or grand jury.

“(G) A management official or other employee of the contractor or subcontractor who has the responsibility to investigate, discover, or address misconduct.

“(3) For the purposes of paragraph (1)—

“(A) an employee who initiates or provides evidence of contractor or subcontractor misconduct in any judicial or administrative proceeding relating to waste, fraud, or abuse on a Department of Defense contract shall be deemed to have made a disclosure covered by such paragraph; and

“(B) a reprisal described in paragraph (1) is prohibited even if it is undertaken at the request of a Department of Defense official, unless the request takes the form of a non-discretionary directive and is within the authority of the Department of Defense official making the request.”.

(b) **INVESTIGATION OF COMPLAINTS.**—Subsection (b) of such section is amended—

(1) in paragraph (1), by inserting “fails to allege a violation of the prohibition in subsection (a), or has previously been addressed in another Federal or State judicial or administrative proceeding initiated by the complainant,” after “is frivolous,”;

(2) in paragraph (2)—

(A) in subparagraph (A), by inserting “, fails to allege a violation of the prohibition in subsection (a), or has previously been addressed in another Federal or State judicial or administrative proceeding initiated by the complainant” after “is frivolous”; and

(B) in subparagraph (B), by inserting “, up to 180 days,” after “such additional period of time”; and

(3) by adding at the end the following new paragraphs:

“(3) The Inspector General may not respond to any inquiry or disclose any information from or about any person alleging the reprisal, except to the extent that such response or disclosure is—

“(A) made with the consent of the person alleging the reprisal;

“(B) made in accordance with the provisions of section 552a of title 5 or as required by any other applicable Federal law; or

“(C) necessary to conduct an investigation of the alleged reprisal.

“(4) A complaint may not be brought under this subsection more than three years after the date on which the alleged reprisal took place.”.

(c) REMEDY AND ENFORCEMENT AUTHORITY.—Subsection (c) of such section is amended—

(1) in paragraph (1)(B), by striking “the compensation (including back pay)” and inserting “compensatory damages (including back pay)”;

(2) in paragraph (2), by adding at the end following new sentence: “An action under this paragraph may not be brought more than two years after the date on which remedies are deemed to have been exhausted.”;

(3) in paragraph (4), by striking “and compensatory and exemplary damages.” and inserting “, compensatory and exemplary damages, and attorney fees and costs. The person upon whose behalf an order was issued may also file such an action or join in an action filed by the head of the agency.”;

(4) in paragraph (5), by adding at the end the following new sentence: “Filing such an appeal shall not act to stay the enforcement of the order of the head of an agency, unless a stay is specifically entered by the court.”; and

(5) by adding at the end the following new paragraphs:

“(6) The legal burdens of proof specified in section 1221(e) of title 5 shall be controlling for the purposes of any investigation conducted by an Inspector General, decision by the head of an agency, or judicial or administrative proceeding to determine whether discrimination prohibited under this section has occurred.

“(7) The rights and remedies provided for in this section may not be waived by any agreement, policy, form, or condition of employment, including by any predispute arbitration agreement, other than an arbitration provision in a collective bargaining agreement.”.

(d) NOTIFICATION OF EMPLOYEES.—Such section is further amended—

(1) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively; and

(2) by inserting after subsection (c) the following new subsection (d):

“(d) NOTIFICATION OF EMPLOYEES.—The Secretary of Defense shall ensure that contractors and subcontractors of the Department of Defense inform their employees in writing of the rights and remedies provided under this section, in the predominant native language of the workforce.”.

(e) ABUSE OF AUTHORITY DEFINED.—Subsection (f) of such section, as redesignated by subsection (d)(1) of this section, is further amended by adding at the end the following new paragraph:

“(6) The term ‘abuse of authority’ means an arbitrary and capricious exercise of authority that is inconsistent with the mission of the Department of Defense or the successful performance of a Department of Defense contract or grant.”.

(f) ALLOWABILITY OF LEGAL FEES.—Section 2324(k) of such title is amended—

(1) in paragraph (1), by striking “commenced by the United States or a State” and inserting “commenced by the United States, by a State, or by a contractor employee submitting a complaint under section 2409 of this title”; and

(2) in paragraph (2)(C), by striking “the imposition of a monetary penalty” and inserting “the imposition of a monetary penalty or an order to take corrective action under section 2409 of this title”.

(g) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall take effect on the date that is 180 days after the date of the enactment of this Act, and shall apply to—

(A) all contracts awarded on or after such date;

(B) all task orders entered on or after such date pursuant to contracts awarded before, on, or after such date; and

(C) all contracts awarded before such date that are modified to include a contract clause providing for the applicability of such amendments.

(2) REVISION OF DOD SUPPLEMENT TO THE FAR.—Not later than 180 days after the date of the enactment of this Act, the Department of Defense Supplement to the Federal Acquisition Regulation shall be revised to implement the requirements arising under the amendments made by this section.

(3) INCLUSION OF CONTRACT CLAUSE IN CONTRACTS AWARDED BEFORE EFFECTIVE DATE.—At the time of any major modification to a contract that was awarded before the date that is 180 days after the date of the enactment of this Act, the head of the contracting agency shall make best efforts to include in the contract a contract clause providing for the applicability of the amendments made by this section to the contract.

SEC. 845. EXTENSION OF CONTRACTOR CONFLICT OF INTEREST LIMITATIONS.

(a) ASSESSMENT OF EXTENSION OF LIMITATIONS TO CERTAIN ADDITIONAL FUNCTIONS AND CONTRACTS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall review the guidance on personal conflicts of interest for contractor employees issued pursuant to section 841(a) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4537) in order to determine whether it would be in the best interest of the Department of Defense and the taxpayers to extend such guidance to personal conflicts of interest by contractor personnel performing any of the following:

(1) Functions other than acquisition functions that are closely associated with inherently governmental functions (as that term is defined in section 2383(b)(3) of title 10, United States Code).

(2) Personal services contracts (as that term is defined in section 2330a(g)(5) of title 10, United States Code).

(3) Contracts for staff augmentation services (as that term is defined in section 808(d)(3) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1490)).

(b) EXTENSION OF LIMITATIONS.—If the Secretary determines pursuant to the review under subsection (a) that the guidance on personal conflicts of interest should be extended, the Secretary shall revise the Defense Supplement to the Federal Acquisition Regulation to the extent necessary to achieve such extension.

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report setting forth the following:

(1) A summary of the review conducted under subsection (a).

(2) A summary description of any revisions of regulations carried out under subsection (b).

SEC. 846. REPEAL OF SUNSET FOR CERTAIN PROTESTS OF TASK AND DELIVERY ORDER CONTRACTS.

Section 2304c(e) of title 10, United States Code, is amended by striking paragraph (3).

Subtitle D—Provisions Relating to Wartime Contracting

SEC. 861. RESPONSIBILITY WITHIN DEPARTMENT OF DEFENSE FOR CONTRACT SUPPORT FOR OVERSEAS CONTINGENCY OPERATIONS.

(a) RESPONSIBILITY.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall prescribe in regulations the chain of authority and responsibility within the Department of Defense for policy, planning, and execution of contract support for overseas contingency operations.

(2) ELEMENTS.—The regulations under paragraph (1) shall, at a minimum—

(A) specify the officials, offices, and components of the Department within the chain of authority and responsibility described in paragraph (1);

(B) identify for each official, office, and component specified under subparagraph (A)—

(i) requirements for policy, planning, and execution of contract support for overseas contingency operations, including, at a minimum, requirements in connection with—

(I) coordination of functions, authorities, and responsibilities related to operational contract support for overseas contingency operations;

(II) assessments of total force data in support of Department force planning scenarios, including the appropriateness of and necessity for the use of contractors for identified functions;

(III) determinations of capability requirements for non-acquisition community operational contract support, and identification of resources required for planning, training, and execution to meet such requirements;

(IV) determinations of policy regarding the use of contractors by function, and identification of the training exercises that will be required for contract support (including an assessment whether or not such exercises will include contractors); and

(V) establishment of an inventory, and identification of areas of high risk and trade offs, for use of contract support in overseas contingency operations and for areas in which members of the Armed Forces will be used in such operations instead of contract support; and

(ii) roles, authorities, responsibilities, and lines of supervision for the achievement of the requirements identified under clause (i), including the position within the chain of authority and responsibility described in paragraph (1) with responsibility for reporting directly to the Secretary regarding policy, planning, and execution of contract support for overseas contingency operations; and

(C) ensure that the chain of authority and responsibility described in paragraph (1) is appropriately aligned with, and appropriately integrated into, the structure of the Department for the conduct of overseas contingency operations, including the military departments, the Joint Staff, and the commanders of the unified combatant commands.

(b) SECRETARY OF DEFENSE REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report on the regulations prescribed under subsection (a). The report shall set forth the following:

(1) The regulations.

(2) A comprehensive description of the requirements identified under clause (i) of subsection (a)(2)(B), and a comprehensive description of the manner in which the roles, authorities, responsibilities, and lines of supervision under clause (ii) of that subsection will further the achievement of such requirements.

(3) A comprehensive description of the manner in which the regulations will meet the requirements in subsection (a)(2)(C).

(c) COMPTROLLER GENERAL REPORT.—Not later than 18 months after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the congressional defense committees a report on the regulations prescribed under subsection (a). The report shall set forth an assessment by the Comptroller General of the extent to which the regulations will further the achievement by the Department of Defense of efficient and effective policy, planning, and execution of contract support for overseas contingency operations.

SEC. 862. ANNUAL REPORTS ON CONTRACT SUPPORT FOR OVERSEAS CONTINGENCY OPERATIONS INVOLVING COMBAT OPERATIONS.

(a) IN GENERAL.—Not later than one year after the commencement or designation of a contingency operation outside the United States that includes combat operations, and annually thereafter until the termination of the operation, the Secretary of Defense shall, except as provided in subsection (b), submit to the congressional defense committees a report on contract support for the operation.

(b) EXCEPTION.—If the total annual amount of obligations for contracts for support of a contingency operation otherwise described by subsection (a) do not exceed \$250,000,000 in an annual reporting period otherwise covered by that subsection, no report shall be required on the operation under that subsection for that annual reporting period.

(c) ELEMENTS.—

(1) IN GENERAL.—Each report under subsection (a) regarding an operation shall set forth the following:

(A) A description and assessment of the policy, planning, management, and oversight of the Department of Defense with respect to contract support for the operation.

(B) With respect to contracts entered into in connection with the operation:

(i) The total number of contracts entered into as of the date of such report.

(ii) The total number of such contracts that are active as of such date.

(iii) The total value of contracts entered into as of such date.

(iv) The total value of such contracts that are active as of such date.

(v) An identification of the extent to which the contracts entered into as of such date were entered into using competitive procedures.

(vi) The total number of contractor personnel working under contracts entered into as of the end of each calendar quarter during the one-year period ending on such date.

(vii) The total number of contractor personnel performing security functions under contracts entered into as of the end of each calendar quarter during the one-year period ending on such date.

(viii) The total number of contractor personnel killed or wounded under any contracts entered into.

(C) The sources of information and data used to prepare the portion of such report required by subparagraph (B).

(D) A description of any known limitations of the information or data reported under

subparagraph (B), including known limitations in methodology or data sources.

(E) Any plans for strengthening collection, coordination, and sharing of information on contracts entered into in connection with the operation.

(2) ESTIMATES.—In determining the total number of contractor personnel working under contracts for purposes of paragraph (1)(B)(vi), the Secretary may use estimates for any category of contractor personnel for which the Secretary determines it is not feasible to provide an actual count. Each report under subsection (a) shall fully disclose the extent to which such an estimate is used in lieu of an actual count.

(d) PROHIBITION ON PREPARATION BY CONTRACTOR PERSONNEL.—A report under subsection (a) may not be prepared by contractor personnel.

(e) USE OF EXISTING REPORTS FOR CERTAIN CONTINGENCY OPERATIONS.—The requirement to submit reports under subsection (a) on a contingency operation in Iraq or Afghanistan may be met by the submittal of the reports required by section 863 of the National Defense Authorization Act for Fiscal Year 2008 (10 U.S.C. 2302 note).

SEC. 863. INCLUSION OF CONTRACT SUPPORT IN CERTAIN REQUIREMENTS FOR DEPARTMENT OF DEFENSE PLANNING, JOINT PROFESSIONAL MILITARY EDUCATION, AND MANAGEMENT STRUCTURE.

(a) READINESS REPORTING SYSTEM.—Section 117(c) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(8) Measure, on an annual basis, the capability of operational contract support to support current and anticipated wartime missions of the armed forces.”

(b) CONTINGENCY PLANNING AND PREPAREDNESS FUNCTIONS OF CJCS.—Section 153(a)(3) of such title is amended by adding at the end the following new subparagraph:

“(E) In coordination with the Under Secretary of Defense for Acquisition, Technology, and Logistics, the Secretaries of the military departments, the heads of the Defense Agencies, and the commanders of the combatant commands, determining the operational contract support requirements of the armed forces and recommending the resources required to improve and enhance operational contract support for the armed forces and planning for such operational contract support.”

(c) JOINT PROFESSIONAL MILITARY EDUCATION.—

(1) CONTINGENCY OPERATIONS AS MATTER WITHIN COURSE OF JPME.—Section 2151(a) of such title is amended by adding at the end the following new paragraph:

“(6) Contingency operations.”

(2) CURRICULUM FOR THREE-PHASE APPROACH.—Section 2154 of such title is amended by adding at the end the following new subsection:

“(c) CURRICULUM RELATING TO CONTINGENCY OPERATIONS.—(1) The curriculum for each phase of joint professional military education implemented under this section shall include content appropriate for such phase on the following:

“(A) Requirements definition.

“(B) Contingency program management.

“(C) Contingency contracting.

“(D) The strategic impact of contracting on military missions.

“(2) In this subsection, the terms ‘requirements definition’, ‘contingency program management’, and ‘contingency contracting’ have the meaning given those terms in section 2333(f) of this title.”

(d) MANAGEMENT STRUCTURE.—Section 2330(c)(2) of such title is amended by striking “other than services” and all that follows and inserting “including services in support of contingency operations. The term does not include services relating to research and development or military construction.”

SEC. 864. RISK ASSESSMENT AND MITIGATION FOR CONTRACTOR PERFORMANCE OF CRITICAL FUNCTIONS IN SUPPORT OF OVERSEAS CONTINGENCY OPERATIONS.

(a) COMPREHENSIVE RISK ASSESSMENT AND MITIGATION PLAN REQUIRED.—

(1) IN GENERAL.—Subject to paragraphs (2) and (3), not later than six months after the commencement or designation of an overseas contingency operation that includes or is expected to include combat operations, the Secretary of Defense shall perform a comprehensive risk assessment and develop a risk mitigation plan for operational and political risks associated with contractor performance of critical functions in support of the operation.

(2) EXCEPTIONS.—Except as provided in paragraph (3), a risk assessment and risk mitigation plan shall not be required under paragraph (1) for an overseas contingency operation if both—

(A) the operation is not expected to continue for more than one year; and

(B) the total annual amount of obligations for contracts for support of the operation is not expected to exceed \$250,000,000 in any fiscal year.

(3) TERMINATION OF EXCEPTIONS.—Notwithstanding paragraph (2), the Secretary shall perform a risk assessment and develop a risk mitigation plan under paragraph (1) for an overseas contingency operation with regard to which a risk assessment and risk mitigation plan has not previously been performed under paragraph (1) not later than 60 days after the first date on which either of the following occurs:

(A) The operation has continued for more than one year.

(B) The total amount of obligations for contracts for support of the operation has exceeded \$250,000,000 in a fiscal year.

(b) COMPREHENSIVE RISK ASSESSMENTS.—A comprehensive risk assessment for an overseas contingency operation under subsection (a) shall consider, at a minimum, risks relating to the following:

(1) The goals and objectives of the operation (such as risks from behavior that injures innocent members of the local population or outrages their sensibilities).

(2) The continuity of the operation (such as risks from contractors walking off the job or being unable to perform when there is no timely back-up available).

(3) The safety of military and civilian personnel of the United States if the presence or performance of contractor personnel creates unsafe conditions or invites attack.

(4) The managerial control of the Government over the operation (such as risks from over-reliance on contractors to monitor other contractors with inadequate means for Government personnel to monitor their work).

(5) The critical organic or core capabilities of the Government, including critical knowledge or institutional memory of key operations areas and subject-matter expertise.

(6) The ability of the Government to control costs, avoid organizational or personal conflicts of interest, and minimize waste, fraud, and abuse.

(c) **RISK MITIGATION PLANS.**—A risk mitigation plan for an overseas contingency operation under subsection (a) shall include, at a minimum, the following:

(1) For each high risk area identified in the comprehensive risk assessment for the operation performed under subsection (a)—

(A) specific actions to mitigate or reduce such risk, including, but not limited to, the development of alternative capabilities to reduce reliance on contractor performance of critical functions;

(B) measurable milestones for the implementation of planned risk mitigation or risk reduction measures; and

(C) a process for monitoring, measuring, and documenting progress in mitigating or reducing risk.

(2) A continuing process for identifying and addressing new and changed risks arising in the course of the operation, including the periodic reassessment of risks and the development of appropriate risk mitigation or reduction plans for any new or changed high risk area identified.

(d) **REPORTS TO CONGRESS.**—

(1) **IN GENERAL.**—Not later than 30 days after the completion of a comprehensive risk assessment and risk mitigation plan under subsection (a), the Secretary shall submit to the congressional defense committees a report setting forth a summary description of the assessment and plan, including a description of the risks identified through the assessment and the actions to be taken to address such risks.

(2) **FORM.**—Each report shall be submitted in unclassified form, but may include a classified annex.

(e) **CRITICAL FUNCTIONS.**—For purposes of this section, critical functions include, at a minimum, the following:

(1) Private security functions, as that term is defined in section 864(a)(5) of the National Defense Authorization Act for Fiscal Year 2008 (10 U.S.C. 2302 note).

(2) Training and advising government personnel, including military and security personnel, of a host nation.

(3) Conducting intelligence or information operations.

(4) Any other functions that are closely associated with inherently governmental functions, including the functions set forth in section 7.503(d) of the Federal Acquisition Regulation.

SEC. 865. EXTENSION AND MODIFICATION OF REPORTS ON CONTRACTING IN IRAQ AND AFGHANISTAN.

(a) **TWO-YEAR EXTENSION OF REQUIREMENT FOR JOINT REPORT.**—Subsection (a)(5) of section 863 of the National Defense Authorization Act for Fiscal Year 2008 (10 U.S.C. 2302 note) is amended by striking “February 1, 2013” and inserting “February 1, 2015”.

(b) **REPEAL OF COMPTROLLER GENERAL REVIEW.**—Such section is further amended by striking subsection (b).

(c) **CONFORMING AMENDMENTS.**—

(1) **IN GENERAL.**—Such section is further amended—

(A) by striking “JOINT REPORT REQUIRED.” and all that follows through “paragraph (6)” and inserting “IN GENERAL.—Except as provided in subsection (f)”;

(B) by striking “this subsection” each place it appears and inserting “this section”;

(C) by redesignating paragraphs (2) through (7) as subsections (b) through (g), respectively, and indenting the left margins of such subsections, as so redesignated, two ems from the left margin;

(D) in subsection (b), as redesignated by subparagraph (C) of this paragraph, by red-

esignating subparagraphs (A) through (H) as paragraphs (1) through (8), respectively, and indenting the left margin of such paragraphs, as so redesignated, four ems from the left margin;

(E) in subsection (c), as redesignated by subparagraph (C) of this paragraph—

(i) by redesignating subparagraphs (A) through (C) as paragraphs (1) through (3), respectively, and indenting the left margin of such paragraphs, as so redesignated, four ems from the left margin; and

(ii) by striking “paragraph (2)” each place it appears and inserting “subsection (b)”;

(F) in subsection (f), as redesignated by subparagraph (C) of this paragraph, by striking “this paragraph” and inserting “this subsection”; and

(G) in subsection (g), as so redesignated, by striking “paragraph (2)(F)” and inserting “subsection (b)(6)”.

(2) **HEADING AMENDMENT.**—The heading of such section is amended by striking “**AND COMPTROLLER GENERAL REVIEW**”.

SEC. 866. EXTENSION OF TEMPORARY AUTHORITY TO ACQUIRE PRODUCTS AND SERVICES IN COUNTRIES ALONG A MAJOR ROUTE OF SUPPLY TO AFGHANISTAN.

(a) **EXTENSION.**—Subsection (f) of section 801 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2399) is amended by striking “on or after the date occurring three years after the date of the enactment of this Act” and inserting “after December 31, 2014”.

(b) **REPEAL OF EXPIRED REPORTING REQUIREMENT.**—Subsection (g) of such section is repealed.

(c) **CLERICAL AMENDMENT.**—The heading of such section is amended by striking “; **REPORT**”.

SEC. 867. COMPLIANCE WITH BERRY AMENDMENT REQUIRED FOR UNIFORM COMPONENTS SUPPLIED TO AFGHANISTAN MILITARY OR AFGHANISTAN NATIONAL POLICE.

(a) **REQUIREMENT.**—In the case of any textile components supplied by the Department of Defense to the Afghanistan National Army or the Afghanistan National Police for purposes of production of uniforms, section 2533a of title 10, United States Code, shall apply, and no exceptions or exemptions under that section shall apply.

(b) **EFFECTIVE DATE.**—This section shall apply to solicitations issued and contracts awarded for the procurement of textile components described in subsection (a) after the date of the enactment of this Act.

SEC. 868. SENSE OF SENATE ON THE CONTRIBUTIONS OF LATVIA AND OTHER NORTH ATLANTIC TREATY ORGANIZATION MEMBER NATIONS TO THE SUCCESS OF THE NORTHERN DISTRIBUTION NETWORK.

(a) **FINDINGS.**—The Senate makes the following findings:

(1) The remote and austere environments in which United States troops are required to operate as part of the International Security Assistance Force (ISAF) mission in Afghanistan have increased the need for reliable lines of supply in southwest Asia.

(2) The country of Afghanistan presents unique logistics challenges, which have precipitated the development of several redundant lines of supply.

(3) United States Transportation Command and the Defense Logistics Agency (DLA), in consultation with United States Embassy officials and other parties, have successfully established memoranda of understanding and other agreements with nations in and around southwest Asia to ensure the reliability of lines of supply to Afghanistan.

(4) The lines of supply through Pakistan have been repeatedly threatened by instability in that country. Airlifting goods to Afghanistan, while safer, is expensive.

(5) The Northern Distribution Network (NDN) was established in late 2008 to ensure that a safe and cost-effective line of supply is available for United States troops in Afghanistan.

(6) The two prongs of supply provided by the Northern Distribution Network ship non-lethal goods from the Baltic ports in the north and the Caucasuses in the west to southwest Asia and Afghanistan.

(7) The Northern Distribution Network has been successful and now handles more than 50 percent of cargo shipped to Afghanistan.

(8) North Atlantic Treaty Organization (NATO) member nations along the Northern Distribution Network routes have contributed significantly to the success of the Northern Distribution Network.

(9) The United States has strong economic ties to Northern Distribution Network nations that are members of the North Atlantic Treaty Organization, and these nations may be able to provide quality goods and services for near and long-term use by the Department of Defense.

(10) Since 2009 the port of Riga, on the Baltic Sea, has been a critical overland entry point for goods being shipped using the Northern Distribution Network. Latvia is a member of the North Atlantic Treaty Organization and has been an ally of the United States in the region for many years.

(11) In September 2010, the Defense Logistics Agency, the General Services Administration, and other parties hosted a local procurement conference in Riga, Latvia.

(12) One hundred nine Latvian vendors attended the September 2010 conference in Riga, and contracts with Latvian vendors have been entered into as a result.

(13) In May 2012, Latvia hosted an international workshop in Riga to examine ways of transforming the Northern Distribution Network from a route for the delivery of United States and other Allies' non-lethal goods to Afghanistan into a commercial route that would support the economic growth of Afghanistan and the southwest Asia region.

(b) **SENSE OF SENATE.**—It is the sense of the Senate that—

(1) Latvia and other North Atlantic Treaty Organization member nations along the Northern Distribution Network routes are key economic and security partners of the United States and are to be commended for their contribution to ensuring United States and International Security Assistance Force troops have reliable lines of supply to achieve the mission in Afghanistan;

(2) when quality products at competitive prices are available, significant effort should be made to procure goods locally from Latvia and other North Atlantic Treaty Organization member nations along the Northern Distribution Network routes; and

(3) Latvia and other North Atlantic Treaty Organization member nations along the Northern Distribution Network routes remain allies of the United States in the region, and a mutually beneficial relationship should continue to be cultivated between the United States and Latvia and such other nations in the future.

Subtitle E—Other Matters

SEC. 881. REQUIREMENTS AND LIMITATIONS FOR SUSPENSION AND DEBARMENT OFFICIALS OF THE DEPARTMENT OF DEFENSE.

(a) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act,

the Secretary of Defense shall ensure the following:

(1) There shall be not less than one suspension and debarment official each for the Department of the Army, the Department of the Navy, the Department of the Air Force, and the Defense Logistics Agency.

(2) A suspension and debarment official under paragraph (1) may not report to or be subject to the supervision of the acquisition office or the Inspector General of either the Department of Defense or the military department or Defense Agency concerned.

(3) The duties of a suspension and debarment official under paragraph (1) may include only the following:

(A) The direction, management, and oversight of suspension and debarment activities.

(B) The direction, management, and oversight of fraud remedies activities.

(C) Membership and participation in the Interagency Committee on Debarment and Suspension in accordance with Executive Order No. 12549 and section 873 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (as amended by this section).

(4) Each suspension and debarment official under paragraph (1) shall have a staff and resources adequate for the discharge of the suspension and debarment responsibilities of such official.

(5) Each suspension and debarment official under paragraph (1) shall document the basis for any final decision taken pursuant to a formal referral in accordance with the policies established under paragraph (6), including, but not limited to, the following:

(A) Any final decision to suspend or debar any person or entity.

(B) Any final decision not to suspend or debar any person or entity.

(C) Any final decision declining to pursue suspension or debarment of any person or entity.

(D) Any administrative agreement entered with any person or persons in lieu of suspension or debarment of such person or entity.

(6) Each suspension and debarment official under paragraph (1) shall, in consultation with the General Counsel of the Department of Defense, establish in writing policies for the consideration of the following:

(A) Formal referrals of suspension and debarment matters.

(B) Suspension and debarment matters that are not formally referred.

(b) DUTIES OF INTERAGENCY COMMITTEE ON DEBARMENT AND SUSPENSION.—Section 873 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (31 U.S.C. 6101 note) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by inserting “, including with respect to contracts in connection with contingency operations” before the semicolon; and

(B) in paragraph (7)—

(i) in subparagraph (B), by striking “and” at the end;

(ii) in subparagraph (C), by striking the period at the end and inserting “; and”; and

(iii) by adding at the end the following new subparagraph:

“(D) a summary of suspensions, debarments, and administrative agreements during the previous year.”; and

(2) by striking subsection (b) and inserting the following new subsections:

“(b) DATE OF SUBMITTAL OF ANNUAL REPORTS.—The annual report required by subsection (a)(7) shall be submitted not later than 120 days after the end of the first fiscal year ending after the date of the enactment

of the National Defense Authorization Act for Fiscal Year 2013, and annually thereafter.

“(c) DEFINITIONS.—In this section:

“(1) The term ‘contingency operation’ has the meaning given that term in section 101(a)(13) of title 10, United States Code.

“(2) The term ‘Interagency Committee on Debarment and Suspension’ means the committee constituted under sections 4 and 5 of Executive Order No. 12549.”.

(c) ADDITIONAL BASES FOR SUSPENSION OR DEBARMENT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall revise the Department of Defense supplement to the Federal Acquisition Regulation to provide for the automatic referral of a person described in paragraph (2) to the appropriate suspension and debarment official for a determination whether or not the person should be suspended or debarred.

(2) COVERED PERSONS.—A person described in this paragraph is any person as follows:

(A) A person who has been charged with a Federal criminal offense relating to the award or performance of a Department of Defense contract.

(B) A person who has been alleged, in a civil or criminal proceeding brought by the United States, to have engaged in fraudulent actions in connection with the award or performance of a Department of Defense contract.

(C) A person who has been determined by the head of a contracting agency of the Department of Defense to have failed to pay or refund amounts due or owed to the Federal Government in connection with the performance of a Department of Defense contract.

SEC. 882. UNIFORM CONTRACT WRITING SYSTEM REQUIREMENTS FOR THE DEPARTMENT OF DEFENSE.

(a) UNIFORM STANDARDS AND CONTROLS REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall—

(1) establish uniform data standards, internal control requirements, independent verification and validation requirements, and business process rules for processing Department of Defense procurement requests, contracts, receipts, and invoices;

(2) establish and maintain one or more approved electronic contract writing systems that conform with the standards, requirements, and rules established pursuant to paragraph (1); and

(3) require the use of electronic contract writing systems approved in accordance with paragraph (2) for all contracts entered into by the Department.

(b) PHASE-IN OF IMPLEMENTATION OF REQUIREMENT FOR APPROVED SYSTEMS.—The Secretary may phase in the implementation of the requirement to use approved electronic contract writing systems in accordance with subsection (a)(3) over a period of up to five years beginning with the date of the enactment of this Act.

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report on the implementation of the requirements of this section. The report shall, at a minimum—

(1) describe the standards, requirements, and rules established pursuant to subsection (a)(1);

(2) identify the electronic contract writing systems approved pursuant to subsection (a)(2) and, if multiple systems are approved, explain why the use of such multiple systems is the most efficient and effective approach

to meet the contract writing needs of the Department; and

(3) provide the schedule for phasing in the use of approved electronic contract writing systems in accordance with subsections (a)(3) and (b).

SEC. 883. COMPTROLLER GENERAL OF THE UNITED STATES REVIEW OF USE BY THE DEPARTMENT OF DEFENSE OF URGENT AND COMPELLING EXCEPTION TO COMPETITION.

(a) REVIEW REQUIRED.—The Comptroller General of the United States shall review the use by the Department of Defense of the unusual and compelling urgency exception to full and open competition provided in section 2304(c)(2) of title 10, United States Code.

(b) MATTERS TO BE REVIEWED.—The review of the use of the unusual and compelling urgency exception required by subsection (a) shall include a review of the following:

(1) The pattern of use of the exception by acquisition organizations within the Department in order to determine which organizations are commonly using the exception and the frequency of such use.

(2) The range of items or services being acquired through the use of the exception.

(3) The process for reviewing and approving justifications involving the exception.

(4) Whether the justifications for use of the exception typically meet the relevant requirements of the Federal Acquisition Regulation applicable to the use of the exception.

(5) The extent to which the exception is used to solicit bids or proposals from only one source and the extent to which such sole-source procurements are appropriately documented and justified.

(6) The compliance of the Department with the requirements of section 2304(d)(3) of title 10, United States Code, that limit the duration of contracts awarded pursuant to the exception and require approval for any such contract in excess of one year.

(c) REPORT.—Not later than one year after the date of the enactment of this Act, the Comptroller General shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the review required by subsection (a), including a discussion of each of the matters specified in subsection (b). The report shall include any recommendations relating to the matters reviewed that the Comptroller General considers appropriate.

SEC. 884. AUTHORITY TO PROVIDE FEE-FOR-SERVICE INSPECTION AND TESTING BY DEFENSE CONTRACT MANAGEMENT AGENCY FOR CERTAIN CRITICAL EQUIPMENT IN THE ABSENCE OF A PROCUREMENT CONTRACT.

(a) AUTHORITY.—Section 2539b of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (3), by striking “and” at the end;

(B) in paragraph (4), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following new paragraph:

“(5) make available to any person or entity, in advance of the award of a procurement contract, through contracts or other appropriate arrangements and subject to subsection (c), the services of the Defense Contract Management Agency for testing and inspection of items when such testing and inspection is determined by such Secretary to be critical to a specific program of the Department of Defense.”;

(2) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively; and

(3) by inserting after subsection (b) the following new subsection (c):

“(c) DCMA SERVICES.—Services of the Defense Contract Management Agency may be made available under subsection (a)(5) only if the contract or other arrangement for those services—

“(1) holds the United States harmless if the items covered by the contract or other arrangement (whether or not tested and inspected under the contract or other arrangement) are not subsequently ordered by or delivered to the United States under a procurement contract entered into after the contract or other arrangement is entered into; and

“(2) holds the United States harmless against any claim arising out of the inspection and testing, or the use in any commercial application, of the equipment tested and inspected by the Defense Contract Management Agency under the contract or other arrangement.”.

(b) FEES.—Subsection (d) of such section, as redesignated by subsection (a)(2) of this section, is amended—

(1) in the first sentence, by striking “and (a)(4)” and inserting “, (a)(4), and (a)(5)”; and

(2) in the second sentence—

(A) by inserting “, travel, and other incidental overhead expenses” after “salaries”; and

(B) by inserting “or inspection” before the period at the end.

(c) USE OF FEES.—Subsection (e) of such section, as so redesignated, is amended by striking “and (a)(4)” and inserting “, (a)(4), and (a)(5)”.

SEC. 885. DISESTABLISHMENT OF DEFENSE MATERIEL READINESS BOARD.

(a) DISESTABLISHMENT OF BOARD.—The Defense Materiel Readiness Board established pursuant to section 871 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 10 U.S.C. 117 note) is hereby disestablished.

(b) TERMINATION OF STRATEGIC READINESS FUND.—The Department of Defense Strategic Readiness Fund established by section 872(d) of the National Defense Authorization Act for Fiscal Year 2008 (10 U.S.C. 117 note) is hereby closed.

(c) REPEAL.—Subtitle G of title VIII of the National Defense Authorization Act for Fiscal Year 2008 (10 U.S.C. 117 note) is repealed.

SEC. 886. MODIFICATION OF PERIOD OF WAIT FOLLOWING NOTICE TO CONGRESS OF INTENT TO CONTRACT FOR LEASES OF CERTAIN VESSELS AND VEHICLES.

Section 2401(h)(2) of title 10, United States Code, is amended by striking “of continuous session of Congress”.

SEC. 887. EXTENSION OF OTHER TRANSACTION AUTHORITY.

Section 845(i) of the National Defense Authorization Act for Fiscal Year 1994 (10 U.S.C. 2371 note) is amended by striking “September 30, 2013” and inserting “September 30, 2018”.

TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT

Subtitle A—Department of Defense Management

SEC. 901. DEFINITION AND REPORT ON TERMS “PREPARATION OF THE ENVIRONMENT” AND “OPERATIONAL PREPARATION OF THE ENVIRONMENT” FOR JOINT DOCTRINE PURPOSES.

(a) DEFINITIONS REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall define for purposes of joint doctrine the following terms:

(1) The term “preparation of the environment”.

(2) The term “operational preparation of the environment”.

(b) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the terms defined under subsection (a). The report shall include the following:

(1) The definition of the term “preparation of the environment” pursuant to subsection (a).

(2) Examples of activities meeting the definition of the term “preparation of the environment” by special operations forces and general purpose forces.

(3) The definition of the term “operational preparation of the environment” pursuant to subsection (a).

(4) Examples of activities meeting the definition of the term “operational preparation of the environment” by special operations forces and general purpose forces.

(5) An assessment of the appropriate roles of special operations forces and general purpose forces in conducting activities meeting the definition of the term “preparation of the environment” and the definition of the term “operational preparation of the environment”.

SEC. 902. EXPANSION OF DUTIES AND RESPONSIBILITIES OF THE NUCLEAR WEAPONS COUNCIL.

(a) GUIDANCE ON NUCLEAR COMMAND, CONTROL, AND COMMUNICATIONS SYSTEMS.—Subsection (d) of section 179 of title 10, United States Code, is amended—

(1) by redesignating paragraph (10) as paragraph (11); and

(2) by inserting after paragraph (9) the following new paragraph (10):

“(10) Providing programmatic guidance on nuclear command, control and communications systems.”.

(b) BUDGET AND FUNDING MATTERS.—Such section is further amended—

(1) by redesignating subsection (f) as subsection (g); and

(2) by inserting after subsection (e) the following new subsection (f):

“(f) BUDGET AND FUNDING MATTERS.—(1) The Council shall submit to Congress each year, at the same time the budget of the President for the fiscal year beginning in such year is submitted to Congress pursuant to section 1105(a) of title 31, a certification whether or not the amounts requested for the National Nuclear Security Administration in such budget, and anticipated over the four fiscal years following such budget, meets nuclear stockpile and stockpile stewardship program requirements for such fiscal year and over such four fiscal years. If a member of the Council does not concur in a certification, the certification shall include the reasons for the member’s non-concurrence.

“(2) If a House of Congress adopts a bill authorizing or appropriating funds for the National Nuclear Security Administration for nuclear stockpile and stockpile stewardship program activities or other activities that, as determined by the Council, provides insufficient funds for such activities for the period covered by such bill, the Council shall notify the congressional defense committees of the determination.”.

Subtitle B—Space Activities

SEC. 911. OPERATIONALLY RESPONSIVE SPACE PROGRAM OFFICE.

(a) IN GENERAL.—Subsection (a) of section 2273a of title 10, United States Code, is amended to read as follows:

“(a) IN GENERAL.—There is within the Air Force Space and Missile Systems Center of

the Department of Defense an office known as the Operationally Responsive Space Program Office (in this section referred to as the ‘Office’). The facilities of the Office may not be co-located with the headquarters facilities of the Air Force Space and Missile Systems Center.”.

(b) HEAD OF OFFICE.—Subsection (b) of such section is amended by striking “shall be—” and all that follows and inserting “the designee of the Department of Defense Executive Agent for Space. The head of the Office shall report to the Commander of the Air Force Space and Missile Systems Center.”.

(c) MISSION.—Subsection (c)(1) of such section is amended by striking “spacelift” and inserting “launch”.

(d) SENIOR ACQUISITION EXECUTIVE.—Paragraph (1) of subsection (e) of such section is amended to read as follows:

“(1) The Program Executive Officer (PEO) for Space shall be the Acquisition Executive of the Office and shall provide streamlined acquisition authorities for projects of the Office.”.

(e) EXECUTIVE COMMITTEE.—Such section is further amended by adding at the end the following new subsection:

“(g) EXECUTIVE COMMITTEE.—(1) The Secretary of Defense shall establish for the Office an Executive Committee (to be known as the ‘Operationally Responsive Space Executive Committee’) to provide coordination, oversight, and approval of projects of the Office.

“(2) The Executive Committee shall consist of the officials (and their duties) as follows:

“(A) The Department of Defense Executive Agent for Space, who shall serve as Chair of the Executive Committee and provide oversight, prioritization, coordination, and resources for the Office.

“(B) The Under Secretary of Defense for Acquisition, Technology, and Logistics, who shall provide coordination and oversight of the Office and recommend funding sources for programs of the Office that exceed the approved program baseline.

“(C) The Commander of the United States Strategic Command, who shall validate requirements for systems to be acquired by the Office and participate in approval of any acquisition program initiated by the Office.

“(D) The Commander of the Air Force Space Command, who shall organize, train, and equip forces to support the acquisition programs of the Office.

“(E) Such other officials (and their duties) as the Secretary of Defense considers appropriate.”.

(f) TRANSFER OF FISCAL YEAR 2012 FUNDS.—

(1) IN GENERAL.—To the extent provided in appropriations Acts, the Secretary of the Air Force may transfer from the funds described in paragraph (2), \$60,000,000 to other, higher priority programs of the Air Force.

(2) COVERED FUNDS.—The funds described in this paragraph are amounts authorized to be appropriated for fiscal year 2012 by section 201 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1329) and available for Research, Development, Test, and Evaluation, Air Force, for the Weather Satellite Follow On Program as specified in the funding table in section 4201 of that Act.

(3) EFFECT ON AUTHORIZATION AMOUNTS.—A transfer made from one account to another under the authority of this subsection shall be deemed to increase the amount authorized for the account to which the amount is transferred by an amount equal to the amount transferred.

(4) CONSTRUCTION OF AUTHORITY.—The transfer authority in this subsection is in addition to any other transfer authority provided in this Act.

(5) PROGRAM PLAN.—Not later than December 31, 2012, the Secretary shall submit to the congressional defense committees a report setting forth a program plan for higher priority programs described in paragraph (1).

SEC. 912. COMMERCIAL SPACE LAUNCH CO-OPERATION.

(a) IN GENERAL.—Chapter 135 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 2275. Commercial space launch cooperation

“(a) AUTHORITY.—The Secretary of Defense may, to assist the Secretary of Transportation in carrying out responsibilities set forth in title 51 with respect to private sector involvement in commercial space activities and public-private partnerships pertaining to space transportation infrastructure, take the following actions:

“(1) Maximize the use by the private sector in the United States of the capacity of the space transportation infrastructure of the Department of Defense.

“(2) Maximize the effectiveness and efficiency of the space transportation infrastructure of the Department.

“(3) Reduce the cost of services provided by the Department related to space transportation infrastructure at launch support facilities and space recovery support facilities.

“(4) Encourage commercial space activities by enabling investment by covered entities in the space transportation infrastructure of the Department.

“(5) Foster cooperation between the Department and covered entities.

“(b) AUTHORITY FOR CONTRACTS AND OTHER AGREEMENTS RELATING TO SPACE TRANSPORTATION INFRASTRUCTURE.—The Secretary of Defense—

“(1) may enter into a contract or other agreement with a covered entity to provide to the covered entity support and services related to the space transportation infrastructure of the Department of Defense; and

“(2) upon the request of that covered entity, may include such support and services in the space launch and reentry range support requirements of the Department if—

“(A) the Secretary determines that the inclusion of such support and services in such requirements—

“(i) is in the best interest of the Federal Government;

“(ii) does not interfere with the requirements of the Department; and

“(iii) does not compete with the commercial space activities of other covered entities, unless that competition is in the national security interests of the United States; and

“(B) any commercial requirement included in that contract or other agreement has full non-Federal funding before the execution of the contract or other agreement.

“(c) CONTRIBUTIONS.—(1) The Secretary of Defense may enter into contracts or other agreements with covered entities on a cooperative and voluntary basis to accept contributions of funds, services, and equipment to carry out this section.

“(2) Any funds, services, or equipment accepted by the Secretary under this subsection—

“(A) may be used only for the objectives specified in this section in accordance with terms of use set forth in the contract or other agreement entered into under this subsection; and

“(B) shall be managed by the Secretary in accordance with regulations of the Department of Defense.

“(3) A contract or other agreement entered into under this subsection with a covered entity—

“(A) shall address the terms of use, ownership, and disposition of the funds, services, or equipment contributed pursuant to the contract or other agreement; and

“(B) shall include a provision that the covered entity will not recover the costs of its contribution through any other contract or agreement with the United States.

“(d) DEFENSE COOPERATION SPACE LAUNCH ACCOUNT.—(1) There is established on the books of the Treasury a special account to be known as the ‘Defense Cooperation Space Launch Account’.

“(2) Funds received by the Secretary of Defense under subsection (c) shall be credited to the Defense Cooperation Space Launch Account.

“(3) Amounts in the Department Defense Cooperation Space Launch Account shall be available, to the extent provided in appropriation Acts, for costs incurred by the Department of Defense under subsection (c). Funds in the Account shall remain available until expended.

“(e) ANNUAL REPORT.—Not later than January 31 each year, the Secretary of Defense shall submit to the congressional defense committees a report on the funds, services, and equipment accepted and used by the Secretary under this section during the previous fiscal year.

“(f) REGULATIONS.—The Secretary of Defense shall prescribe regulations to carry out this section.

“(g) DEFINITIONS.—In this section:

“(1) COVERED ENTITY.—The term ‘covered entity’ means a non-Federal entity that—

“(A) is organized under the laws of the United States or of any jurisdiction within the United States; and

“(B) is engaged in commercial space activities.

“(2) LAUNCH SUPPORT FACILITIES.—The term ‘launch support facilities’ has the meaning given that term in section 50501(7) of title 51.

“(3) SPACE RECOVERY SUPPORT FACILITIES.—The term ‘space recovery support facilities’ has the meaning given that term in section 50501(11) of title 51.

“(4) SPACE TRANSPORTATION INFRASTRUCTURE.—The term ‘space transportation infrastructure’ has the meaning given that term in section 50501(12) of title 51.”

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 135 of such title is amended by adding at the end the following new item:

“2275. Commercial space launch cooperation.”

SEC. 913. REPORTS ON INTEGRATION OF ACQUISITION AND CAPABILITY DELIVERY SCHEDULES FOR COMPONENTS FOR MAJOR SATELLITE ACQUISITION PROGRAMS AND FUNDING FOR SUCH PROGRAMS.

(a) IN GENERAL.—Chapter 135 of title 10, United States Code, as amended by section 912 of this Act, is further amended by adding at the end the following new section:

“§ 2276. Reports on integration of acquisition and capability delivery schedules for components for major satellite acquisition programs and funding for such programs

“(a) REPORTS REQUIRED.—The Under Secretary of Defense for Acquisition, Technology, and Logistics shall submit to the congressional defense committees a report

on each major satellite acquisition program in accordance with subsection (d) that assesses—

“(1) the integration of the schedules for the acquisition and the delivery of the capabilities of the components for the program; and

“(2) funding for the program.

“(b) ELEMENTS.—Each report required by subsection (a) with respect to a major satellite acquisition program shall include the following:

“(1) The amount of funding approved for the program and for each related program that is necessary for the operational capability of the program.

“(2) The dates by which the program is anticipated to reach initial and full operational capability.

“(3) An assessment of the extent to which the schedules for the acquisition and the delivery of the capabilities of the components for the program or any related program referred to in paragraph (1) are integrated.

“(4) If the Under Secretary determines pursuant to the assessment under paragraph (3) that the schedules for the acquisition and the delivery of the capabilities of the components for the program, or a related program referred to in paragraph (1), provide for the acquisition or the delivery of the capabilities of at least two of the three components for the program or related program more than one year apart, an identification of—

“(A) the measures the Under Secretary is taking or is planning to take to improve the integration of those schedules; and

“(B) the risks and challenges that impede the ability of the Department of Defense to fully integrate those schedules.

“(c) CONSIDERATION BY MILESTONE DECISION AUTHORITY.—The Milestone Decision Authority shall include the report required by subsection (a) with respect to a major satellite acquisition program as part of the documentation used to approve the acquisition of the program.

“(d) SUBMITTAL OF REPORTS.—(1) In the case of a major satellite acquisition program initiated before the date of the enactment of the National Defense Authorization Act for Fiscal Year 2013, the Under Secretary shall submit the report required by subsection (a) with respect to the program not later than one year after such date of enactment.

“(2) In the case of a major satellite acquisition program initiated on or after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2013, the Under Secretary shall submit the report required by subsection (a) with respect to the program at the time of the Milestone B approval of the program.

“(e) NOTIFICATION TO CONGRESS OF NON-INTEGRATED ACQUISITION AND CAPABILITY DELIVERY SCHEDULES.—If, after submitting the report required by subsection (a) with respect to a major satellite acquisition program, the Under Secretary determines that the schedules for the acquisition and the delivery of the capabilities of the components for the program, or a related program referred to in subsection (b)(1), provide for the acquisition or the delivery of the capabilities of at least two of the three components for the program or related program more than one year apart, the Under Secretary shall, not later than 30 days after making that determination, submit to the congressional defense committees a report—

“(1) notifying the committees of that determination; and

“(2) identifying the measures the Under Secretary is taking or is planning to take to improve the integration of those schedules.

“(f) DEFINITIONS.—In this section:

“(1) COMPONENTS.—The term ‘components’, with respect to a major satellite acquisition program, refers to any satellites acquired under the program and the ground equipment and user terminals necessary for the operation of those satellites.

“(2) MAJOR SATELLITE ACQUISITION PROGRAM.—The term ‘major satellite acquisition program’ means a major defense acquisition program (as defined in section 2430 of this title) for the acquisition of a satellite.

“(3) MILESTONE B APPROVAL.—The term ‘Milestone B approval’ has the meaning given that term in section 2366(e)(7) of this title.”

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 135 of such title, as so amended, is further amended by adding at the end the following new item: “2276. Reports on integration of acquisition and capability delivery schedules for components for major satellite acquisition programs and funding for such programs.”.

SEC. 914. DEPARTMENT OF DEFENSE REPRESENTATION IN DISPUTE RESOLUTION REGARDING SURRENDER OF DEPARTMENT OF DEFENSE BANDS OF ELECTROMAGNETIC FREQUENCIES.

Section 1062(b)(1) of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106-65; 113 Stat. 768; 47 U.S.C. 921 note) is amended—

(1) in subparagraph (A), by striking “and” at the end;

(2) in subparagraph (B), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following new subparagraph:

“(C) in the event of any dispute resolution process involving the surrender of use of such band, the Department of Defense has adequate representation to convey its views.”.

Subtitle C—Intelligence-Related and Cyber Matters

SEC. 921. AUTHORITY TO PROVIDE GEOSPATIAL INTELLIGENCE SUPPORT TO SECURITY ALLIANCES AND INTERNATIONAL AND REGIONAL ORGANIZATIONS.

(a) EXTENSION OF AUTHORITY TO SECURITY ALLIANCES AND INTERNATIONAL AND REGIONAL ORGANIZATIONS.—Section 443(a) of title 10, United States Code, is amended by inserting “, regional organizations with defense or security components, and international organizations and security alliances of which the United States is a member” after “foreign countries”.

(b) CONFORMING AND CLERICAL AMENDMENTS.—

(1) HEADING AMENDMENT.—The heading of section 443 of such title is amended to read as follows:

“§ 443. Imagery intelligence and geospatial information: support for foreign countries, security alliances, and international and regional organizations”.

(2) TABLE OF SECTIONS.—The table of sections at the beginning of subchapter I of chapter 22 of such title is amended by striking the item relating to section 443 and inserting the following new item:

“443. Imagery intelligence and geospatial information: support for foreign countries, security alliances, and international and regional organizations.”.

SEC. 922. ARMY DISTRIBUTED COMMON GROUND SYSTEM.

(a) ASSIGNMENT OF RESPONSIBILITY FOR OVERSIGHT.—The Secretary of the Army

shall assign responsibility for oversight of the development, acquisition, testing, and fielding of the Distributed Common Ground System (DCGS) cloud computing program of the Army to the Chief Information Officer of the Army ((CIO)/G-6).

(b) REVIEW OF PROGRAM.—

(1) IN GENERAL.—Not later than December 1, 2012, the Chief Information Officer shall submit to the Secretary a report on a review of the Distributed Common Ground System cloud computing program of the Army conducted by the Chief Information Officer for purposes of this section.

(2) ELEMENTS.—The report shall include the following:

(A) An assessment of the program in comparison with commercial products, if applicable, with respect to each of the following:

(i) The effectiveness of analyst tools, user interfaces, and data visualization in supporting analyst missions and requirements.

(ii) Training requirements for analysts.

(iii) Ease of use for analysts.

(iv) Rates of progress in developing analyst tools and linking tools for standard workflows.

(B) An assessment of the soundness of the past decisions of the Army, and the future plans of the Army, for acquiring and integrating analyst tools, user interfaces, and data visualization capabilities through government-sponsored custom development, leasing of commercial solutions, and government open source development.

(C) Such recommendations regarding the program as the Chief Information Officer considers appropriate in light of the review under this subsection.

SEC. 923. RATIONALIZATION OF CYBER NETWORKS AND CYBER PERSONNEL OF THE DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—The Secretary of Defense shall take appropriate actions to substantially reduce the number of sub-networks and network enclaves across the Department of Defense, and the associated security and access management controls, in order to achieve the following objectives for the Department:

(1) Visibility for the United States Cyber Command in the operational and security status of all networks, network equipment, and computers.

(2) Elimination of redundant network security infrastructure and personnel.

(3) Rationalization and consolidation of cyber attack detection, diagnosis, and response resources, and elimination of gaps in security coverage.

(4) Reduction of barriers to information sharing and enhancement of the capacity to rapidly create collaborative communities of interest.

(5) Enhancement of access to information through authentication-based and identity-based access controls.

(6) Enhancement of the capacity to deploy, and achieve access to, enterprise-level services.

(7) Separation of server and end-user device computing to facilitate server and data center consolidation and a more secure tiered and zoned network architecture.

(b) PERSONNEL PLAN.—

(1) IN GENERAL.—As part of the actions taken under subsection (a), the Secretary shall establish and carry out a plan to reassign personnel billets currently allocated to network operations and security that will become available pursuant to the reduction in network enclaves required by that subsection to tasks related to potential offensive cyber operations in order to achieve an

appropriate balance between the offensive and defensive missions of the United States Cyber Command and its components. The plan shall include targets for the number of personnel to be reassigned to tasks related to offensive operations, and the rate at which such personnel shall be added to the workforce for such tasks.

(2) DISPOSITION OF PERSONNEL.—In developing the plan required by paragraph (1), the Secretary shall—

(A) determine whether the number of personnel required to be reassigned to tasks related to offensive operations in order to achieve the balance described in paragraph (1) will be met, in pace and numbers, through the reassignment of personnel billets pursuant to the plan; and

(B) if the Secretary determines that the number of personnel so required will not be so met (whether because of insufficient numbers of personnel in billets to be reassigned or because personnel available for reassignment cannot be trained or directed to tasks related to offensive operations), take appropriate actions to ensure the availability to the United States Cyber Command of appropriate numbers of personnel qualified to undertake tasks related to offensive operations.

(3) SUBMITTAL TO CONGRESS.—The Secretary shall submit the plan required by paragraph (1) to the congressional defense committees at the time of the submittal to Congress of the budget of the President for fiscal year 2014 pursuant to section 1105(a) of title 31, United States Code.

SEC. 924. NEXT-GENERATION HOST-BASED CYBER SECURITY SYSTEM FOR THE DEPARTMENT OF DEFENSE.

(a) STRATEGY FOR ACQUISITION OF SYSTEM REQUIRED.—The Chief Information Officer of the Department of Defense shall, in coordination with the Under Secretary of Defense for Acquisition, Technology, and Logistics, develop a strategy to acquire next-generation host-based cybersecurity tools and capabilities (in this section referred to as a “next-generation system”) for the Department of Defense.

(b) ELEMENTS OF SYSTEM.—It is the sense of Congress that any next-generation system acquired under the strategy required by subsection (a) should meet the following requirements:

(1) To overcome problems and limitations in current capabilities, the system should not rely on anti-virus or signature-based threat detection techniques that—

(A) cannot address new or rapidly morphing threats;

(B) consume substantial amounts of communications capacity to remain current with known threats and to report current status; or

(C) consume substantial amounts of resources to store rapidly growing threat libraries.

(2) The system should provide an open architecture-based framework for so-called “plug-and-play” integration of a variety of types of deployable tools in addition to cyber intrusion detection tools, including tools for—

(A) insider threat detection;

(B) continuous monitoring and configuration management;

(C) remediation following infections; and

(D) protection techniques that do not rely on detection of the attack, such as virtualization, and diversification of attack surfaces.

(3) The system should be designed for ease of deployment to potentially millions of host

devices of tailored security solutions depending on need and risk, and to be compatible with cloud-based, thin-client, and virtualized environments as well as battlefield devices and weapons systems.

(c) **SUBMITTAL TO CONGRESS.**—The Chief Information Office shall submit to Congress a report setting forth the strategy required by subsection (a) together with the budget justification materials of the Department of Defense submitted to Congress with the budget of the President for fiscal year 2015 pursuant to section 1105(a) of title 31, United States Code.

SEC. 925. IMPROVEMENTS OF SECURITY, QUALITY, AND COMPETITION IN COMPUTER SOFTWARE PROCURED BY THE DEPARTMENT OF DEFENSE.

(a) **COMPREHENSIVE PROGRAM ON IMPROVEMENT OF PROCUREMENT OF COMPUTER SOFTWARE.**—The Under Secretary of Defense for Acquisition, Technology, and Logistics shall, in coordination with the Chief Information Officer of the Department of Defense, develop a comprehensive program for improvements of the security, quality, and competition in the computer software procured by the Department of Defense for covered systems

(b) **UPDATE OF DEVELOPMENT AND ACQUISITION MODELS.**—

(1) **IN GENERAL.**—The Under Secretary of Defense for Acquisition, Technology, and Logistics shall, in coordination with the Chief Information Officer, provide for the development of updates and improvements to one or more existing best-practice development and acquisition models (such as the Capability Maturity Model Integration) in order to provide explicit guidance under such model or models for improved assurance, security, quality, and resiliency in the computer software developed and procured by the Department.

(2) **ELEMENTS.**—Any update or improvement to a development and acquisition model under this subsection shall—

(A) include diagnostic methods that enable evaluations of conformance to the processes and best practices of the model for achieving quality, assurance, and security throughout the life cycle of software products concerned; and

(B) be compatible with the variety of current agile and incremental software development methodologies.

(c) **REQUIREMENTS FOR SECURE CODE DEVELOPMENT PRACTICES.**—The Under Secretary shall, in coordination with the Chief Information Officer—

(1) direct the Director of the Defense Information Systems Agency to modify the Application Security and Development Security Technical Implementation Guide (STIG) to require (rather than highly recommend) the use of automated static vulnerability analysis tools in the computer software code development phase, and in development and operational testing, to identify and remediate security vulnerabilities for covered systems;

(2) develop a list of qualified government and private-sector static analysis tools and third-party testing organizations to support the requirement under paragraph (1);

(3) direct the Director—

(A) to designate secure software coding standards; and

(B) to modify the Security Technical Implementation Guide to reference the approved standards; and

(4) develop guidance and direction for Department program managers to require government software development and maintenance organizations and contractors to iden-

tify and implement, through contract statements of work, a secure software coding plan that includes verifiable processes and practices.

(d) **VERIFICATION OF EFFECTIVE IMPLEMENTATION.**—The Under Secretary shall, in coordination with the Chief Information Officer, develop guidance and direction for Department program managers for covered systems to do as follows:

(1) To require evidence that government software development and maintenance organizations and contractors are conforming in computer software coding to—

(A) approved secure coding standards of the Department during software development, upgrade and maintenance activities, including through the use of inspection and appraisals;

(B) an applicable best practice development and acquisition model; and

(C) the requirement established pursuant to subsection (b)(1).

(2) To make appropriate use of authorized software code assessment centers (whether a government center, Federally funded research and development center, or government contractor) to evaluate applications and software products for conformance to secure coding requirements.

(e) **STUDY ON ADDITIONAL MEANS OF IMPROVING SOFTWARE SECURITY.**—

(1) **IN GENERAL.**—The Under Secretary shall, in coordination with the Chief Information Officer, provide for a study of potential mechanisms for obtaining higher quality and secure development of computer software for the Department.

(2) **MECHANISMS TO BE STUDIED.**—The mechanisms studied under paragraph (1) may include the following:

(A) Liability for defects or vulnerabilities in software code.

(B) So-called “clawback” provisions on earned fees that enable the Department to recoup funds for security vulnerabilities discovered after software is delivered.

(C) Exemption from liability for rigorous conformance with secure development processes.

(D) Warranties against software defects and vulnerabilities.

(f) **SOFTWARE REPOSITORIES AND COLLABORATIVE DEVELOPMENT ENVIRONMENTS.**—The Under Secretary shall, in consultation with the Chief Information Officer—

(1) establish or require the use of one or more existing computer software repositories and collaborative computer software development environments (such as Forge.mil managed by the Defense Information Systems Agency) for covered systems for purposes of—

(A) storing software code owned by the government, or to which it has use rights, together with all associated documentation and quality and security test results;

(B) minimizing duplicative investment in software code development infrastructure while promoting common, high-quality development practices and facilitating sharing of best practices; and

(C) promoting software re-use and competition for software capability insertion, upgrades, and maintenance;

(2) establish rules and procedures for depositors in the repositories and environments provided for under paragraph (1) to keep the software code base current, if the depositors are not already using such a repository or environment for software development and life-cycle management; and

(3) ensure that the repositories and environments provided for under paragraph (1)

provide automated tools for software reverse engineering, functionality analysis, and static and dynamic vulnerability analysis of source code and binary code in order to enable users to search for software relevant to their requirements, understand what the code does and how it functions, and assess its quality and security.

(g) **COVERED SYSTEMS DEFINED.**—In this section, the term “covered systems” means any Department of Defense critical information systems and weapons systems, including—

(1) major systems, as that term is defined in section 2302(5) of title 10, United States Code;

(2) national security systems, as that term is defined in section 3542(b)(2) of title 44, United States Code; and

(3) Department of Defense information systems categorized as Mission Assurance Category I in Department of Defense Directive 8500.01E that are funded by the Department of Defense.

SEC. 926. COMPETITION IN CONNECTION WITH DEPARTMENT OF DEFENSE DATA LINK SYSTEMS.

(a) **COMPETITION IN CONNECTION WITH DATA LINK SYSTEMS.**—

(1) **IN GENERAL.**—Not later than December 1, 2013, the Under Secretary of Defense for Acquisition, Technology, and Logistics shall—

(A) develop an inventory of all data link systems in use and in development in the Department of Defense;

(B) conduct a business case analysis of each data link system contained in the inventory under subparagraph (A) to determine whether—

(i) the maintenance, upgrade, new deployment, or replacement of such system should be open to competition; or

(ii) the data link should be converted to an open architecture, or a different data link standard should be adopted to enable such competition;

(C) for each data link system for which competition is determined advisable under clause (i) or (ii) of subparagraph (B), develop a plan (with specific objectives, actions, and schedules) to achieve such competition, including a plan to address any policy, legal, programmatic, or technical barriers to such competition; and

(D) for each data link system for which competition is determined not advisable under subparagraph (B), prepare a justification for the determination that it is not practical to conduct such competition or to convert the data link standard to open architecture or adopt a different data link standard for which competition is feasible.

(2) **ELEMENT OF BUSINESS CASE ANALYSES.**—In conducting a business case analysis for purposes of paragraph (1)(B), the Under Secretary shall solicit the views of industry on the merits and feasibility of introducing competition for the maintenance, upgrade, new deployment, or replacement for the data link system in question.

(b) **EARLIER ACTIONS.**—If the Under Secretary completes any portion of the plan described in subsection (a)(1)(C) before December 1, 2013, the Secretary may commence action on such portion of the plan upon completion of such portion, including publication of such portion of the plan.

(c) **REPORTS.**—

(1) **SUBMITTAL OF PLAN TO CONGRESS.**—The Under Secretary shall submit to Congress the plan described in subsection (a)(1)(C) at the same time the budget of the President for fiscal year 2015 is submitted to Congress

pursuant to section 1105(a) of title 31, United States Code. The Under Secretary shall include with the plan—

(A) a list of the data link systems covered by subsection (a)(1)(C);

(B) a list of the data link systems covered by subsection (a)(1)(D); and

(C) for each data link system covered by subsection (a)(1)(D), the justification prepared under that subsection with respect to the data link system.

(2) **COMPTROLLER OF THE UNITED STATES ASSESSMENT.**—Not later than 90 days after the submittal to Congress under paragraph (1) of the plan described in subsection (a)(1)(C), the Comptroller General of the United States shall submit to Congress a report setting forth the assessment of the Comptroller General of the plan, including an assessment of the adequacy and objectives of the plan.

SEC. 927. INTEGRATION OF CRITICAL SIGNALS INTELLIGENCE CAPABILITIES.

(a) **PLAN FOR INTEGRATION REQUIRED.**—

(1) **IN GENERAL.**—Not later than January 1, 2013, the Director of the Intelligence, Surveillance, and Reconnaissance (ISR) Task Force shall develop a plan to rapidly achieve an operationally integrated signals intelligence collection and dissemination capability to meet requirements for detecting, tracking, and precisely geolocating high-band communications devices in order to trigger the immediate observation and tracking of high-value targets by imagery sensor by combining or integrating capabilities that exist or are in development in ongoing programs, including the following:

(A) The Guardrail program and the ARGUS A160 program of the Army.

(B) The Blue Moon quick reaction capability program of the Air Force.

(C) The Wide Area Network Detection program of the Defense Advanced Research Projects Agency (DARPA).

(2) **CONSULTATION.**—The Director shall consult with the National Security Agency, the combatant commands (including the United States Special Operations Command), and the formal wireless working groups of the intelligence community in developing the plan.

(3) **SUPPORT.**—The Secretary of the Army, the Secretary of the Air Force, and the Director of the Defense Advanced Research Projects Agency shall each provide the Director such information and support as the Director shall require for the development of the plan.

(b) **DEVELOPMENT AND DEPLOYMENT.**—In addition to the responsibility under subsection (a), the Director of the Intelligence, Surveillance, and Reconnaissance Task Force shall also coordinate funding, provide acquisition oversight, coordinate system deployment, and synchronize operational integration in support of combat operations for purposes of the development and deployment of the capability described in that subsection.

SEC. 928. COLLECTION AND ANALYSIS OF NETWORK FLOW DATA.

(a) **DEVELOPMENT OF TECHNOLOGIES.**—The Chief Information Officer of the Department of Defense may, in coordination with the Under Secretary of Defense for Policy and the Under Secretary of Defense for Intelligence and acting through the Director of the Defense Information Systems Agency (DISA), use the available funding and research activities and capabilities of the Community Data Center of the Defense Information Systems Agency to develop and demonstrate collection, processing, and storage technologies for network flow data that—

(1) are potentially scalable to the volume used by Tier 1 Internet Service Providers

(ISPs) to collect and analyze the flow data across their networks;

(2) will substantially reduce the cost and complexity of capturing and analyzing high volumes of flow data; and

(3) support the capability—

(A) to detect and identify cybersecurity threats, networks of compromised computers, and command and control sites used for managing illicit cyber operations and receiving information from compromised computers;

(B) track illicit cyber operations for attribution of the source; and

(C) provide early warning and attack assessment of offensive cyber operations.

(b) **COORDINATION.**—Any research and development required in the development of the technologies described in subsection (a) shall be conducted in cooperation with the heads of other appropriate departments and agencies of the Federal Government and, whenever feasible, Tier 1 Internet Service Providers.

SEC. 929. DEPARTMENT OF DEFENSE USE OF NATIONAL SECURITY AGENCY CLOUD COMPUTING DATABASE AND INTELLIGENCE COMMUNITY CLOUD COMPUTING INFRASTRUCTURE AND SERVICES.

(a) **LIMITATION ON USE OF NSA DATABASE.**—

(1) **LIMITATION.**—No component of the Department of Defense may utilize the cloud computing database developed by the National Security Agency (NSA) called Accumulo after September 30, 2013, unless the Chief Information Officer of the Department of Defense certifies one of the following:

(A) That there are no viable commercial open source databases with extensive industry support (such as the Apache Foundation HBase and Cassandra databases) that have security features comparable to the Accumulo database that are considered essential by the Chief Information Officer for purposes of the certification under this paragraph.

(B) That the Accumulo database has become a successful Apache Foundation open source database with adequate industry support and diversification, based on criteria to be established by the Chief Information Officer for purposes of the certification under this paragraph and submitted to the appropriate committees of Congress not later than January 1, 2013.

(2) **CONSTRUCTION.**—The limitation in paragraph (1) shall not apply to the National Security Agency.

(b) **ADAPTATION OF ACCUMULO SECURITY FEATURES TO HBASE DATABASE.**—The Director of the National Security Agency shall take appropriate actions to ensure that companies and organizations developing and supporting open source and commercial open source versions of the Apache Foundation HBase and Cassandra databases, or similar systems, receive technical assistance from government and contractor developers of software code for the Accumulo database to enable adaptation and integration of the security features of the Accumulo database.

(c) **COORDINATION REGARDING DoD USE OF INTELLIGENCE COMMUNITY CLOUD COMPUTING INFRASTRUCTURE AND SERVICES.**—

(1) **IN GENERAL.**—The Under Secretary of Defense for Acquisition, Technology, and Logistics, the Chief Information Officer of the Department of Defense, and the Chief Information Officer of each of the military departments shall coordinate with the Director of National Intelligence and the Under Secretary of Defense for Intelligence regarding the use of cloud computing infrastructure

and software services offered by the intelligence community by components of the Department of Defense for purposes other than intelligence analysis.

(2) **PURPOSE.**—The purpose of the coordination required by paragraph (1) is to ensure that Department use of cloud computing infrastructure and software services described in that paragraph is cost-effective and consistent with the Information Technology Efficiencies initiative, data center and server consolidation plans, and cybersecurity requirements and policies of the Department.

(d) **APPROPRIATE COMMITTEES OF CONGRESS DEFINED.**—In this section, the term “appropriate committees of Congress” means—

(1) the Committees on Armed Services and Appropriations and the Select Committee on Intelligence of the Senate; and

(2) the Committees on Armed Services and Appropriations and the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 930. ELECTRO-OPTICAL IMAGERY.

(a) **SUSTAINMENT OF COLLECTION CAPACITY.**—The Secretary of Defense and the Director of National Intelligence shall jointly take appropriate actions to sustain through fiscal year 2013 the commercial electro-optical imaging collection capacity that was planned under the Enhanced View program approved in the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81) to be available to the Department of Defense through the Service Level Agreements with commercial data providers.

(b) **IDENTIFICATION OF DEPARTMENT OF DEFENSE ELECTRO-OPTICAL IMAGERY REQUIREMENTS.**—

(1) **REPORT.**—Not later than April 1, 2013, the Vice Chairman of the Joint Chiefs of Staff shall submit to the Director of the Congressional Budget Office a report setting forth a comprehensive description of Department of Defense peacetime and wartime requirements for electro-optical imagery under current circumstances and under anticipated revisions of strategy and budgetary constraints.

(2) **SCOPE OF REQUIREMENTS.**—The requirements under paragraph (1) shall—

(A) be expressed in such terms as daily regional and global area coverage and number of point targets, resolution, revisit rates, mean-time to access, latency, redundancy, survivability, and diversity; and

(B) take into consideration all types of imagery and collection means available.

(c) **ASSESSMENT OF IDENTIFIED REQUIREMENTS.**—

(1) **IN GENERAL.**—Not later than September 15, 2013, the Director of the Congressional Budget Office shall submit to the appropriate committees of Congress a report setting forth an assessment by the Director of the report required by subsection (b).

(2) **ELEMENTS.**—The assessment required by paragraph (1) shall include an assessment of the following:

(A) The extent to which the requirements of the Department for electro-optical imagery from space can be satisfied by commercial companies using either—

(i) current designs; or

(ii) enhanced designs that could be developed at low risk.

(B) Whether a reduction by half in the amounts requested for the Enhanced View program for fiscal year 2013 from amounts requested for that program for fiscal year 2012 is consistent with Presidential Space Policy of June 2010, Presidential Policy Directive 4, applicable provisions of the Federal Acquisition Regulation (10.001(a)(3)(ii))

and 12.101(a)-(b)), and section 2377 of title 10, United States Code, regarding preferences for procuring commercial capabilities and modifying as necessary and feasible commercial capabilities to meet government requirements, and for modifying government requirements to a reasonable extent to enable commercial or non-developmental products to meet government needs.

(3) **CONSULTATION AND OTHER RESOURCES.**—In preparing the assessment required by paragraph (1), the Director shall—

(A) consult widely with appropriate individuals and entities, including Members and committees of Congress, the Office of Management and Budget and other agencies and officials of the Government, private industry, and academia; and

(B) make maximum use of existing studies and modeling and simulations conducted by or on behalf of Members and committees of Congress, the Joint Staff, the Director of National Intelligence, the National Reconnaissance Office, the National Geospatial-Intelligence Agency, private industry, and academia.

(4) **ACCESS TO INFORMATION.**—The Director of National Intelligence and the Secretary of Defense shall each provide the staff of the Director of the Congressional Budget Office with such access to information and programs applicable to the assessment required by paragraph (1) as the Director of the Congressional Budget Office shall require for the preparation of the assessment.

(d) **APPROPRIATE COMMITTEES OF CONGRESS DEFINED.**—In this section, the term “appropriate committees of Congress” means—

(1) the Committees on Armed Services and Appropriations and the Select Committee on Intelligence of the Senate; and

(2) the Committees on Armed Services and Appropriations and the Permanent Select Committee on Intelligence of the House of Representatives.

(e) **FUNDING.**—In addition to any other amounts authorized to be appropriated by this Act and available for Service Level Agreements described in subsection (a), of the amounts authorized to be appropriated for fiscal year 2013 by section 301 for operation and maintenance and available as specified in the funding table in section 4301, \$125,000,000 is available for such Service Level Agreements.

SEC. 931. SOFTWARE LICENSES OF THE DEPARTMENT OF DEFENSE.

(a) **AUDITS.**—Not later than 180 days after the date of the enactment of this Act, and every two years thereafter, the Chief Information Officer of the Department of the Defense shall, in consultation with chief information officers of the military departments and the Defense Agencies—

(1) conduct an inventory of all existing software licenses in favor of the Department of Defense, including licenses in use and licenses not in use, on an application-by-application basis;

(2) compare the number of software licenses in use, and the manner of their use by Department employees, with the number of software licenses available to the Department and the product use rights contained in such licenses;

(3) assess the needs of the Department and the components of the Department for software licenses during the two fiscal years next following the date of the completion of the inventory; and

(4) determine means by which the Department can achieve the greatest possible economies of scale and cost-savings in the procurement, use, and optimization of software licenses.

(b) **PERFORMANCE PLAN.**—

(1) **IN GENERAL.**—If the Chief Information Officer determines through an inventory conducted under subsection (a) that the number of existing software licenses, on an application-by-application basis, of the Department and the components of the Department exceeds the needs of the Department for such software licenses, the Secretary of Defense shall, not later than 90 days after the date of the completion of such inventory, implement a plan to bring the number of software licenses, on an application-by-application basis, into balance with the needs of the Department.

(2) **EXCEPTIONS.**—The Chief Information Officer may exempt from coverage under a plan under paragraph (1) such applications or categories of applications as the Chief Information Officer considers appropriate. Immediately upon finalizing the applications or categories of applications to be exempt from coverage under a plan, the Chief Information Officer shall submit to the congressional defense committees a report (in classified form, if required) setting forth the applications or categories of applications to be exempt from coverage under the plan.

SEC. 932. DEFENSE CLANDESTINE SERVICE.

(a) **PROHIBITION ON USE OF FUNDS FOR ADDITIONAL PERSONNEL.**—Amounts authorized to be appropriated by this Act for the Military Intelligence Program (MIP) may not be obligated or expended to provide for a number of personnel conducting or supporting human intelligence within the Department of Defense in excess of the number of such personnel as of April 20, 2012.

(b) **CAPE REPORT ON COSTS.**—Not later than 120 days after the date of the enactment of this Act, the Director of Cost Assessment and Program Evaluation of the Department of Defense shall submit to the appropriate committees of Congress an independent estimate of the costs of the Defense Clandestine Service, whether funded through the Military Intelligence Program or the National Intelligence Program, including an estimate of the costs over the period of the current future-years defense program and an estimate of the out year costs.

(c) **USDI REPORT ON DCS.**—

(1) **REPORT REQUIRED.**—Not later than February 1, 2013, the Under Secretary of Defense for Intelligence shall submit to the appropriate committees of Congress a report on the Defense Clandestine Service.

(2) **ELEMENTS.**—The report under paragraph (1) shall include the following:

(A) A detailed description of the location and schedule for current and anticipated deployments of case officers trained under the Field Tradecraft Course, whether overseas or domestically, and a certification whether or not such deployments can be accommodated and supported.

(B) A statement of the objectives for the effective management of case officers trained under the Field Tradecraft Course for each of the Armed Forces, the Defense Intelligence Agency, and the United States Special Operations Command, including objectives on numbers of tours requiring training in the Field Tradecraft Course and objectives for management of career tracks and case officer covers.

(C) A statement of the manner in which each Armed Force, the Defense Intelligence Agency, and the United States Special Operations Command will each achieve the objectives applicable thereto under subparagraph (B).

(D) A copy of any memoranda of understanding or memoranda of agreement be-

tween the Department of Defense and other departments and agencies of the United States Government, or between components or elements of the Department of Defense, that are required to implement objectives for the Defense Clandestine Service.

(d) **DEFINITIONS.**—In this section:

(1) The term “appropriate committees of Congress” means—

(A) the Committees on Armed Services and Appropriations and the Select Committee on Intelligence of the Senate; and

(B) the Committees on Armed Services and Appropriations and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) The term “future-years defense program” means the future-years defense program under section 221 of title 10, United States Code.

SEC. 933. AUTHORITY FOR SHORT-TERM EXTENSION OF LEASE FOR AIRCRAFT SUPPORTING THE BLUE DEVIL INTELLIGENCE, SURVEILLANCE, AND RECONNAISSANCE PROGRAM.

(a) **IN GENERAL.**—Notwithstanding section 2401 of title 10, United States Code, the Secretary of the Air Force may extend or renew the lease of aircraft supporting the Blue Devil intelligence, surveillance, and reconnaissance program after the date of the expiration of the current lease of such aircraft for a term that is the shorter of—

(1) the period beginning on the date of the expiration of the current lease and ending on the date on which the Commander of the United States Central Command notifies the Secretary that a substitute is available for the capabilities provided by the lease, or that the capabilities provided by such aircraft are no longer required; or

(2) six months.

(b) **FUNDING.**—Amounts authorized to be appropriated for fiscal year 2013 by title XV and available for Overseas Contingency Operations for operation and maintenance as specified in the funding tables in section 4302 may be available for the extension or renewal of the lease authorized by subsection (a).

SEC. 934. SENSE OF SENATE ON POTENTIAL SECURITY RISKS TO DEPARTMENT OF DEFENSE NETWORKS.

(a) **FINDINGS.**—The Senate makes the following findings:

(1) Cybersecurity threats are pervasive and serious, including through the supply chain of information technology equipment and software.

(2) Semiconductor manufacturing is already dominated by foreign producers, presenting supply chain risk management challenges.

(3) In a number of instances, foreign manufacturers of telecommunications equipment, including advanced wireless technology, are gaining global market share due to high quality and low prices. Competitive market forces ensure that commercial providers of consumer, business, and government systems and services will choose equipment and associated software from these manufacturers. In some cases, like Huawei Industries, this competitive position stems in part from inappropriate government subsidies and other forms of assistance.

(4) Some of these companies also present clear cybersecurity supply chain risks that the Government must address.

(5) The Committee on Foreign Investment in the United States has blocked the attempt by Huawei to acquire United States technology firms on two occasions and the National Security Agency and the Secretary of Commerce have advised two major United

States telecommunications carriers against selecting Huawei as a supplier.

(6) The Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383) provided authority and mechanisms for the Secretary of Defense to control these supply chain risks, but only for National Security Systems, leaving many information technology systems and missions exposed to supply chain risks.

(7) Blocking sales from providers of information technology systems and services due to concerns about cybersecurity risks, while maintaining our commitment to free trade and fair and transparent competition, poses difficult policy challenges.

(b) SENSE OF SENATE.—It is the sense of the Senate that the Department of Defense—

(1) must ensure it maintains full visibility and adequate control of its supply chain, including subcontractors, in order to mitigate supply chain exploitation; and

(2) needs the authority and capability to mitigate supply chain risks to its information technology systems that fall outside the scope of National Security Systems.

Subtitle D—Other Matters

SEC. 941. NATIONAL LANGUAGE SERVICE CORPS.

(a) AUTHORITY TO ESTABLISH.—The David L. Boren National Security Education Act of 1991 (50 U.S.C. 1901 et seq.) is amended by adding at the end the following new section: “SEC. 813. NATIONAL LANGUAGE SERVICE CORPS.

“(a) ESTABLISHMENT.—(1) The Secretary of Defense may establish and maintain within the Department of Defense a National Language Service Corps (in this section referred to as the ‘Corps’).

“(2) The purpose of the Corps is to provide a pool of personnel with foreign language skills who, as provided in regulations prescribed under this section, agree to provide foreign language services to the Department of Defense or another department or agency of the United States.

“(b) NATIONAL SECURITY EDUCATION BOARD.—If the Corps is established, the Secretary shall provide for the National Security Education Board to oversee and coordinate the activities of the Corps to such extent and in such manner as determined by the Secretary under paragraph (9) of section 803(d).

“(c) MEMBERSHIP.—To be eligible for membership in the Corps, a person must be a citizen of the United States authorized by law to be employed in the United States, have attained the age of 18 years, and possess such foreign language skills as the Secretary considers appropriate for membership in the Corps. Members of the Corps may include employees of the Federal Government and of State and local governments.

“(d) TRAINING.—The Secretary may provide members of the Corps such training as the Secretary prescribes for purposes of this section.

“(e) SERVICE.—Upon a determination that it is in the national interests of the United States, the Secretary shall call upon members of the Corps to provide foreign language services to the Department of Defense or another department or agency of the United States.

“(f) FUNDING.—The Secretary may impose fees, in amounts up to full-cost recovery, for language services and technical assistance rendered by members of the Corps. Amounts of fees received under this section shall be credited to the account of the Department providing funds for any costs incurred by the Department in connection with the Corps. Amounts so credited to such account shall be merged with amounts in such account, and

shall be available to the same extent, and subject to the same conditions and limitations, as amounts in such account. Any amounts so credited shall remain available until expended.”.

(b) NATIONAL SECURITY EDUCATION BOARD MATTERS.—

(1) COMPOSITION.—Subsection (b) of section 803 of such Act (50 U.S.C. 1903) is amended—

(A) by striking paragraph (5);

(B) by redesignating paragraphs (6) and (7) as paragraphs (8) and (9), respectively; and

(C) by inserting after paragraph (4) the following new paragraphs:

“(5) The Secretary of Homeland Security.

“(6) The Secretary of Energy.

“(7) The Director of National Intelligence.”.

(2) FUNCTIONS.—Subsection (d) of such section is amended by adding at the end the following new paragraph:

“(9) To the extent provided by the Secretary of Defense, oversee and coordinate the activities of the National Language Service Corps under section 813, including—

“(A) identifying and assessing on a periodic basis the needs of the departments and agencies of the Federal Government for personnel with skills in various foreign languages;

“(B) establishing plans to address foreign language shortfalls and requirements of the departments and agencies of the Federal Government;

“(C) recommending effective ways to increase public awareness of the need for foreign languages skills and career paths in the Federal government that use those skills;

“(D) coordinating activities with Executive agencies and State and Local governments to develop interagency plans and agreements to address overall foreign language shortfalls and to utilize personnel to address the various types of crises that warrant foreign language skills; and

“(E) proposing to the Secretary regulations to carry out section 813.”.

SEC. 942. REPORT ON EDUCATION AND TRAINING AND PROMOTION RATES FOR PILOTS OF REMOTELY PILOTED AIRCRAFT.

(a) REPORT REQUIRED.—Not later than January 31, 2013, the Secretary of the Air Force and the Chief of Staff of the Air Force shall jointly submit to the congressional defense committees a report on education and training and promotion rates for Air Force pilots of remotely piloted aircraft (RPA).

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) A detailed analysis of the reasons for persistently lower average education and training and promotion rates for Air Force pilots of remotely piloted aircraft.

(2) An assessment of the long-term impact on the Air Force of the sustainment of such lower rates

(3) A plan to raise such rates, including—

(A) a description of the near-term and longer-term actions the Air Force intends to undertake to implement the plan; and

(B) an analysis of the potential direct and indirect impacts of the plan on the achievement and sustainment of the combat air patrol objectives of the Air Force for remotely piloted aircraft.

TITLE X—GENERAL PROVISIONS

Subtitle A—Financial Matters

SEC. 1001. GENERAL TRANSFER AUTHORITY.

(a) AUTHORITY TO TRANSFER AUTHORIZATIONS.—

(1) AUTHORITY.—Upon determination by the Secretary of Defense that such action is necessary in the national interest, the Sec-

retary may transfer amounts of authorizations made available to the Department of Defense in this division for fiscal year 2013 between any such authorizations for that fiscal year (or any subdivisions thereof). Amounts of authorizations so transferred shall be merged with and be available for the same purposes as the authorization to which transferred.

(2) LIMITATION.—Except as provided in paragraph (3), the total amount of authorizations that the Secretary may transfer under the authority of this section may not exceed \$5,000,000,000.

(3) EXCEPTION FOR TRANSFERS BETWEEN MILITARY PERSONNEL AUTHORIZATIONS.—A transfer of funds between military personnel authorizations under title IV shall not be counted toward the dollar limitation in paragraph (2).

(b) LIMITATIONS.—The authority provided by this section to transfer authorizations—

(1) may only be used to provide authority for items that have a higher priority than the items from which authority is transferred; and

(2) may not be used to provide authority for an item that has been denied authorization by Congress.

(c) EFFECT ON AUTHORIZATION AMOUNTS.—A transfer made from one account to another under the authority of this section shall be deemed to increase the amount authorized for the account to which the amount is transferred by an amount equal to the amount transferred.

(d) NOTICE TO CONGRESS.—The Secretary shall promptly notify Congress of each transfer made under subsection (a).

SEC. 1002. AUTHORITY TO TRANSFER FUNDS TO THE NATIONAL NUCLEAR SECURITY ADMINISTRATION TO SUSTAIN NUCLEAR WEAPONS MODERNIZATION.

(a) TRANSFER AUTHORIZED.—If the amount authorized to be appropriated for the weapons activities of the National Nuclear Security Administration for fiscal year 2013 in section 3101 is less than \$7,900,000,000 (the amount projected to be required for such activities in fiscal year 2013 as specified in the report under section 1251 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2549)), the Secretary of Defense may transfer, from amounts authorized to be appropriated for the Department of Defense for fiscal year 2013 pursuant to this Act, to the Secretary of Energy an amount, not to exceed \$150,000,000, to be available only for weapons activities of the National Nuclear Security Administration.

(b) NOTICE TO CONGRESS.—In the event of a transfer under subsection (a), the Secretary of Defense shall promptly notify Congress of the transfer, and shall include in such notice the Department of Defense account or accounts from which funds are transferred.

(c) TRANSFER MECHANISM.—Any funds transferred under this section shall be transferred in accordance with established procedures for reprogramming under section 1001 or successor provisions of law.

(d) CONSTRUCTION OF AUTHORITY.—The transfer authority provided under subsection (a) is in addition to any other transfer authority provided under this Act.

SEC. 1003. AUDIT READINESS OF DEPARTMENT OF DEFENSE STATEMENTS OF BUDGETARY RESOURCES.

(a) OBJECTIVE.—Section 1003(a)(2)(A)(ii) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2439; 10 U.S.C. 2222 note) is amended by inserting “, and the statement of budgetary resources of the Department of Defense is validated as ready for audit by not later than

September 30, 2014" after "September 30, 2017".

(b) AFFORDABLE AND SUSTAINABLE APPROACH.—

(1) IN GENERAL.—The Chief Management Officer of the Department of Defense and the Chief Management Officers of each of the military departments shall ensure that plans to achieve an auditable statement of budgetary resources of the Department of Defense by September 30, 2014, include appropriate steps to minimize one-time fixes and manual work-arounds, are sustainable and affordable, and will not delay full auditability of financial statements.

(2) ADDITIONAL ELEMENTS IN FIAR PLAN REPORT.—Each semi-annual report on the Financial Improvement and Audit Readiness Plan of the Department of Defense submitted by the Under Secretary of Defense (Comptroller) under section 1003(b) of the National Defense Authorization Act for Fiscal Year 2010 during the period beginning on the date of the enactment of this Act and ending on September 30, 2014, shall include the following:

(A) A description of the actions taken by the military departments pursuant to paragraph (1).

(B) A determination by the Chief Management Officer of each military department whether or not such military department is able to achieve an auditable statement of budgetary resources by September 30, 2014, without an unaffordable or unsustainable level of one-time fixes and manual work-arounds and without delaying the full auditability of the financial statements of such military department.

(C) If the Chief Management Officer of a military department determines under subparagraph (B) that the military department is not able to achieve an auditable statement of budgetary resources by September 30, 2014, as described in that subparagraph—

(i) an explanation why the military department is unable to meet the deadline;

(ii) an alternative deadline by which the military department will achieve an auditable statement of budgetary resources;

(iii) a description of the plan of the military department for meeting the alternative deadline.

SEC. 1004. REPORT ON EFFECTS OF BUDGET SEQUESTRATION ON THE DEPARTMENT OF DEFENSE.

(a) FINDINGS.—Congress makes the following findings:

(1) The inability of the Joint Select Committee on Deficit Reduction to find \$1,200,000,000,000 in savings will trigger automatic funding reductions known as "sequestration" to the Department of Defense of \$492,000,000,000 between 2013 and 2021 under section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 USC 901a).

(2) These reductions are in addition to reductions of \$487,000,000,000 already being implemented by the Department of Defense, and would decrease the readiness and capabilities of the Armed Forces while increasing risks to the effective implementation of the National Security Strategy of the United States.

(3) The leaders of the Department of Defense have consistently testified that threats to the national security of the United States have increased, not decreased. Secretary of Defense Leon Panetta said that these reductions would "inflict severe damage to our national defense for generations", comments that have been echoed by the Secretaries of the Army, Navy, and Air Force.

(4) While reductions in funds available for the Department of Defense will automatically commence January 2, 2013, uncertainty regarding the reductions has already exacerbated Department of Defense efforts to plan future defense budget.

(5) Sequestration will have a detrimental effect on the industrial base that supports the Department of Defense.

(b) REPORT.—

(1) IN GENERAL.—Not later than August 15, 2012, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a detailed report on the impact on the Department of Defense of the sequestration of funds authorized and appropriated for fiscal year 2013 for the Department of Defense, if automatically triggered on January 2, 2013, under section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985.

(2) ELEMENTS.—The report required by paragraph (1) shall include the following:

(A) An assessment of the potential impact of sequestration on the readiness of the Armed Forces, including impacts to steaming hours, flying hours, and full spectrum training miles, and an estimate of the increase or decrease in readiness (as defined in the C status C-1 through C-5).

(B) An assessment of the potential impact of sequestration on the ability of the Department of Defense to carry out the National Military Strategy of the United States, and any changes to the most recent Risk Assessment of the Chairman of the Joint Chiefs of Staff under section 153(b) of title 10, United States Code arising from sequestration.

(C) A list of the programs, projects, and activities across the Department of Defense, the military departments, and the elements and components of the Department of Defense that would be reduced or terminated as a result of sequestration.

(D) An estimate of the number and value of all contracts that will be terminated, restructured, or revised in scope as a result of sequestration, including an estimate of potential termination costs and of increased contract costs due to renegotiation and reinstatement of contracts.

(3) ASSUMPTIONS.—The report required by paragraph (1) shall assume the following:

(A) Except as provided in subparagraph (B), the funds subject to sequester are the funds in all 050 accounts, including all unobligated balances.

(B) The funds exempt from the sequester are the following:

(i) Funds in accounts for military personnel.

(ii) Funds in accounts for overseas contingency operations.

(4) PRESENTATION OF CERTAIN INFORMATION.—In listing programs, projects, and activities under paragraph (2)(C), the report required by paragraph (1) shall set forth for each the following:

(A) The most specific level of budget item identified in applicable appropriations Acts.

(B) Related classified annexes and explanatory statements.

(C) Department of Defense budget justification documents DOD P-1 and R-1 as subsequently modified by congressional action, and as submitted by the Department of Defense together with the budget materials for the budget of the President for fiscal year 2013 (as submitted to Congress pursuant to section 1105(a) of title 31, United States Code).

(D) Department of Defense document O-1 for operation and maintenance accounts for fiscal year 2013, for which purpose the term

"program, project, or activity" means the budget activity account and sub account for the program, project, or activity as submitted in such document O-1.

Subtitle B—Counter-Drug Activities

SEC. 1011. EXTENSION OF AUTHORITY FOR JOINT TASK FORCES TO PROVIDE SUPPORT TO LAW ENFORCEMENT AGENCIES CONDUCTING COUNTER-TERRORISM ACTIVITIES.

Section 1022(b) of the National Defense Authorization Act for Fiscal Year 2004 (10 U.S.C. 371 note) is amended by striking "2012" and inserting "2013".

SEC. 1012. REQUIREMENT FOR BIENNIAL CERTIFICATION ON PROVISION OF SUPPORT FOR COUNTER-DRUG ACTIVITIES TO CERTAIN FOREIGN GOVERNMENTS.

Section 1033 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105-85; 111 Stat. 1881), as most recently amended by section 1006 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1557), is further amended—

(1) in subsection (f)—

(A) in paragraph (1), by striking "the written certification described in subsection (g) for that fiscal year." and inserting "a written certification described in subsection (g) applicable to that fiscal year. The first such certification with respect to any such government may apply only to a period of one fiscal year. Subsequent certifications with respect to any such government may apply to a period of not to exceed two fiscal years."; and

(B) in paragraph (4)(B), by striking "The Committee on National Security and the Committee on International Relations of the House of Representatives" and inserting "The Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives"; and

(2) in subsection (g), in the matter preceding paragraph (1)—

(A) by striking "The written" and inserting "A written"; and

(B) by striking "for a fiscal year" and all that follows through the colon and inserting "with respect to a government to receive support under this section for any period of time is a certification of each of the following with respect to that government:".

SEC. 1013. AUTHORITY TO SUPPORT THE UNIFIED COUNTERDRUG AND COUNTERTERRORISM CAMPAIGN IN COLOMBIA.

(a) AUTHORITY.—

(1) IN GENERAL.—Of the amounts authorized to be appropriated by section 1404 for the Department of Defense for drug interdiction and counter-drug activities, Defense-wide for fiscal year 2013, not more than \$50,000,000 may be used by the Secretary of Defense to provide in support of a unified campaign by the Government of Colombia against narcotics trafficking and against terrorist organizations (as designated by the Secretary of State) in Colombia the following:

(A) Logistics support, services, and supplies.

(B) The types of support authorized under section 1004(b) of the National Defense Authorization Act for Fiscal Year 1991 (10 U.S.C. 374 note).

(C) The types of support authorized under section 1033(c) of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105-85).

(2) SCOPE OF AUTHORITY.—The authority to provide assistance for a campaign under this subsection includes authority to take actions to protect human health and welfare in

emergency circumstances, including the undertaking of rescue operations.

(b) **ASSISTANCE OTHERWISE PROHIBITED BY LAW.**—The Secretary of Defense may not use the authority in subsection (a) to provide any type of assistance described in this subsection that is otherwise prohibited by any provision of law.

(c) **LIMITATION ON PARTICIPATION OF UNITED STATES PERSONNEL.**—No United States Armed Forces personnel, United States civilian employees, or United States civilian contractor personnel employed by the United States may participate in any combat operation in connection with assistance using funds pursuant to the authority in subsection (a), except for the purpose of acting in self defense or of rescuing any United States citizen, including any United States Armed Forces personnel, United States civilian employee, or civilian contractor employed by the United States.

(d) **RELATION TO OTHER AUTHORITIES.**—The authority provided by subsection (a) is in addition to any other authority in law to provide assistance to the Government of Colombia.

(e) **REPORT.**—

(1) **IN GENERAL.**—Not later than November 1 following any fiscal year in which the Secretary of Defense provides support under subsection (a), the Secretary shall submit to the congressional defense committees a report setting forth the following:

(A) A description of the support provided, including—

- (i) a description of the support;
- (ii) the cost of the support;
- (iii) a list of the Colombia units to which support was provided; and
- (iv) a list of the Colombia operations supported.

(B) Guidance for future Department of Defense support for a unified campaign by the Government of Colombia against narcotics trafficking and terrorism.

(2) **FORM.**—The report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

SEC. 1014. QUARTERLY REPORTS ON USE OF FUNDS IN THE DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE-WIDE ACCOUNT.

(a) **QUARTERLY REPORTS ON EXPENDITURES OF FUNDS.**—Not later than 60 days after the end of each fiscal year quarter, the Secretary of Defense shall submit to the congressional defense committees a report setting forth a description of the expenditure of funds, by project code, from the Drug Interdiction and Counter-Drug Activities, Defense-wide account during such fiscal year quarter, including expenditures of funds in direct or indirect support of the counter-drug activities of foreign governments.

(b) **INFORMATION ON SUPPORT OF COUNTER-DRUG ACTIVITIES OF FOREIGN GOVERNMENTS.**—The information in a report under subsection (a) on direct or indirect support of the counter-drug activities of foreign governments shall include, for each foreign government so supported, the following:

(1) The total amount of assistance provided to, or expended on behalf of, the foreign government.

(2) A description of the types of counter-drug activities conducted using the assistance.

(3) An explanation of the legal authority under which the assistance was provided.

(c) **CESSATION OF REQUIREMENT.**—No report shall be required under subsection (a) for any fiscal year quarter beginning on or after October 1, 2017.

(d) **REPEAL OF OBSOLETE AUTHORITY.**—Section 1022 of the Floyd D. Spence National De-

fense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106-398) is repealed.

Subtitle C—Naval Vessels and Shipyards

SEC. 1021. RETIREMENT OF NAVAL VESSELS.

(a) **REPORT REQUIRED.**—Not later than 30 days after the date of the enactment of this Act, the Chief of Naval Operations shall submit to the congressional defense committees a report that sets forth a comprehensive description of the current requirements of the Navy for combatant vessels of the Navy, including submarines.

(b) **ADDITIONAL REPORT ELEMENT IF LESS THAN 313 VESSELS REQUIRED.**—If the number of combatant vessels for the Navy (including submarines) specified as being required in the report under subsection (a) is less than 313 combatant vessels, the report shall include a justification for the number of vessels specified as being so required and the rationale by which the number of vessels is considered consistent with applicable strategic guidance issued by the President and the Secretary of Defense in 2012.

SEC. 1022. TERMINATION OF A MARITIME PREPOSITIONING SHIP SQUADRON.

(a) **REPORT REQUIRED.**—

(1) **IN GENERAL.**—Not later than 60 days after the date of the enactment of this Act, the Chief of Naval Operations and the Commandant of the Marine Corps shall jointly submit to the congressional defense committees a report setting forth an assessment of the Marine Corps Prepositioning Program—Norway and the capability of that program to address any readiness gaps that will be created by the termination of Maritime Prepositioning Ship Squadron One in the Mediterranean.

(2) **ELEMENTS.**—The report required by paragraph (1) shall include the following:

(A) A detailed description of the time required to transfer stockpiles onto Navy vessels for use in contingency operations.

(B) A comparison of the response time of the Marine Corps Prepositioning Program—Norway with the current response time of Maritime Prepositioning Ship Squadron One.

(C) A description of the equipment stored in the stockpiles of the Marine Corps Prepositioning Program—Norway, and an assessment of the differences, if any, between that equipment and the equipment of a Maritime Prepositioning Ship squadron.

(D) A description and assessment of the current age and state of maintenance of the equipment of the Marine Corps Maritime Prepositioning Program—Norway.

(E) A plan to address the equipment shortages and modernization needs of the Marine Corps Maritime Prepositioning Program—Norway.

(b) **LIMITATION ON AVAILABILITY OF FUNDS.**—Amounts authorized to be appropriated by this Act may not be obligated or expended to terminate a Maritime Prepositioning Ship squadron until the date of the submittal to the congressional defense committees of the report required by subsection (a).

SEC. 1023. SENSE OF CONGRESS ON RECAPITALIZATION FOR THE NAVY AND COAST GUARD.

(a) **FINDINGS.**—Congress makes the following findings:

(1) More than 70 percent of the world's surface is comprised of navigable oceans.

(2) More than 80 percent of the population of the world lives within 100 miles of an ocean.

(3) More than 90 percent of the world's commerce traverses an oceans.

(4) The national security of the United States is inextricably linked to the mainte-

nance of global freedom of access for both the strategic and commercial interests of the United States.

(5) To maintain that freedom of access the sea services of the United States, composed of the Navy, the Marine Corps, and the Coast Guard, must be sufficiently positioned as rotationally globally deployable forces with the capability to decisively defend United States citizens, homeland, and interests abroad from direct or asymmetric attack and must be comprised of sufficient vessels to maintain global freedom of action.

(6) To achieve appropriate capabilities to ensure national security the Government of the United States must continue to recapitalize the fleets of the Navy and Coast Guard and must continue to conduct vital maintenance and repair of existing vessels to ensure such vessels meet service life goals.

(b) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(1) the sea services of the United States should be funded and maintained to provide the broad spectrum of capabilities required to protect the national security of the United States;

(2) such capabilities should include—

(A) the ability to project United States power rapidly anywhere on the globe without the need for host nation basing permission or long and potentially vulnerable logistics supply lines;

(B) the ability to land and recover maritime forces from the sea for direct combat action, to evacuate United States citizens from hostile situations, and to provide humanitarian assistance where needed;

(C) the ability to operate from the sub-surface with overpowering conventional combat power, as well as strategic deterrence; and

(D) the ability to operate in collaboration with United States maritime partners in the common interest of preventing piracy at sea and maintaining the commercial sea lanes available for global commerce;

(3) the Secretary of Defense, in coordination with the Secretary of the Navy, should maintain the recapitalization plans for the Navy as a priority in all future force structure decisions; and

(4) the Secretary of Homeland Security should maintain the recapitalization plans for the Coast Guard as a priority in all future force structure decisions.

Subtitle D—Counterterrorism

SEC. 1031. EXTENSION OF CERTAIN PROHIBITIONS AND REQUIREMENTS RELATING TO DETAINEES AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

(a) **PROHIBITION ON USE OF FUNDS TO CONSTRUCT OR MODIFY FACILITIES IN US FOR TRANSFER OF DETAINEES.**—Section 1026(a) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1566) is amended by inserting “or 2013” after “fiscal year 2012”.

(b) **REQUIREMENTS FOR CERTIFICATIONS ON TRANSFERS OF DETAINEES TO FOREIGN COUNTRIES OR ENTITIES.**—Section 1028(a)(1) of the National Defense Authorization Act for Fiscal Year 2012 (125 Stat. 1567; 10 U.S.C. 801 note) is amended by inserting “or 2013” after “fiscal year 2012”.

Subtitle E—Miscellaneous Authorities and Limitations

SEC. 1041. ENHANCEMENT OF RESPONSIBILITIES OF THE CHAIRMAN OF THE JOINT CHIEFS OF STAFF REGARDING THE NATIONAL MILITARY STRATEGY.

(a) **IN GENERAL.**—Subsection (b) of section 153 of title 10, United States Code, is amended to read as follows:

“(b) NATIONAL MILITARY STRATEGY.—

“(1) NATIONAL MILITARY STRATEGY.—(A) The Chairman shall determine each even-numbered year whether to prepare a new National Military Strategy in accordance with this subparagraph or to update a strategy previously prepared in accordance with this subsection. The Chairman shall complete preparation of the National Military Strategy or update in time for transmittal to Congress pursuant to paragraph (3), including in time for inclusion of the report of the Secretary of Defense, if any, under paragraph (4).

“(B) Each National Military Strategy (or update) under this paragraph shall be based on a comprehensive review conducted by the Chairman in conjunction with the other members of the Joint Chiefs of Staff and the commanders of the unified and specified combatant commands.

“(C) Each National Military Strategy (or update) submitted under this paragraph shall refer to and support each of the following:

“(i) The most recent National Security Strategy prescribed by the President pursuant to section 108 of the National Security Act of 1947 (50 U.S.C. 404a).

“(ii) The most recent annual report of the Secretary of Defense submitted to the President and Congress pursuant to section 113 of this title.

“(iii) The most recent Quadrennial Defense Review conducted by the Secretary of Defense pursuant to section 118 of this title.

“(iv) Any other national security or defense strategic guidance issued by the President or the Secretary of Defense.

“(D) Each National Military Strategy (or update) submitted under this paragraph shall do the following:

“(i) Describe the strategic environment and the opportunities and challenges that affect United States national interests and United States national security.

“(ii) Describe the threats, such as international, regional, transnational, hybrid, terrorism, cyber-attack, weapons of mass destruction, asymmetric challenges, and any other categories of threats identified by the Chairman, to the United States national security.

“(iii) Identify the United States national military objectives and the relationship of those objectives to the strategic environment and to the threats described under clause (ii).

“(iv) Identify the operational concepts, missions, tasks, or activities necessary to support the achievement of the objectives identified under clause (iii).

“(v) Identify the fiscal, budgetary, and resource environments and conditions that, in the assessment of the Chairman, impact the strategy.

“(vi) Identify the implications of current force planning and sizing constructs for the strategy.

“(vii) Identify and assess the capacity, capabilities, and availability of United States forces (including both the regular and reserve components) to support the execution of missions required by the strategy.

“(viii) Identify areas in which the armed forces intends to engage and synchronize with other departments and agencies of the United States Government contributing to the execution of missions required by the strategy.

“(ix) Identify and assess potential areas in which the armed forces could be augmented by contributions from alliances (such as the North Atlantic Treaty Organization (NATO)), international allies, or other

friendly nations in the execution of missions required by the strategy.

“(x) Identify and assess the requirements for contractor support to the armed forces for conducting training, peacekeeping, overseas contingency operations, and other major combat operations under the strategy.

“(xi) Identify the assumptions made with respect to each of clauses (i) through (x).

“(E) Each update to a National Military Strategy under this paragraph shall address only those parts of the most recent National Military Strategy for which the Chairman determines, on the basis of a comprehensive review conducted in conjunction with the other members of the Joint Chiefs of Staff and the commanders of the combatant commands, that a modification is needed.

“(2) RISK ASSESSMENT.—(A) The Chairman shall prepare each year an assessment of the risks associated with the most current National Military Strategy (or update) under paragraph (1). The risk assessment shall be known as the ‘Risk Assessment of the Chairman of the Joint Chiefs of Staff’. The Chairman shall complete preparation of the Risk Assessment in time for transmittal to Congress pursuant to paragraph (3), including in time for inclusion of the report of the Secretary of Defense, if any, under paragraph (4).

“(B) The Risk Assessment shall do the following:

“(i) As the Chairman considers appropriate, update any changes to the strategic environment, threats, objectives, force planning and sizing constructs, assessments, and assumptions in the National Military Strategy.

“(ii) Identify and define the strategic risks to United States interests and the military risks in executing the missions of the National Military Strategy.

“(iii) Identify and define levels of risk distinguishing between the concepts of probability and consequences, including an identification of what constitutes ‘significant’ risk in the judgment of the Chairman.

“(iv) Identify and assess risk in the National Military Strategy by category and level and the ways in which risk might manifest itself, including how risk is projected to increase, decrease, or remain stable over time, and, for each category of risk, assess the extent to which current or future risk increases, decreases, or is stable as a result of budgetary priorities, tradeoffs, or fiscal constraints or limitations as currently estimated and applied in the most current future-years defense program under section 221 of this title.

“(v) Identify and assess risk associated with the assumptions or plans of the National Military Strategy about the contributions or support of—

“(I) other departments and agencies of the United States Government (including their capabilities and availability);

“(II) alliances, allies, and other friendly nations, (including their capabilities, availability, and interoperability); and

“(III) contractors.

“(vi) Identify and assess the critical deficiencies and strengths in force capabilities (including manpower, logistics, intelligence, and mobility support) identified during the preparation and review of the contingency plans of each unified combatant command, and identify and assess the effect of such deficiencies and strengths for the National Military Strategy.

“(3) SUBMITTAL OF NATIONAL MILITARY STRATEGY AND RISK ASSESSMENT TO CONGRESS.—(A) Not later than February 15 of

each even-numbered year, the Chairman shall, through the Secretary of Defense, submit to the Committees on Armed Services of the Senate and the House of Representatives the National Military Strategy or update, if any, prepared under paragraph (1) in such year.

“(B) Not later than February 15 each year, the Chairman shall, through the Secretary of Defense, submit to the Committees on Armed Services of the Senate and the House of Representatives the Risk Assessment prepared under paragraph (2) in such year.

“(4) SECRETARY OF DEFENSE REPORTS TO CONGRESS.—(A) In transmitting a National Military Strategy (or update) or Risk Assessment to Congress pursuant to paragraph (3), the Secretary of Defense shall include in the transmittal such comments of the Secretary thereon, if any, as the Secretary considers appropriate.

“(B) If the Risk Assessment transmitted under paragraph (3) in a year includes an assessment that a risk or risks associated with the National Military Strategy (or update) are significant, or that critical deficiencies in force capabilities exist for a contingency plan described in paragraph (2)(B)(vi), the Secretary shall include in the transmittal of the Risk Assessment the plan of the Secretary for mitigating such risk or deficiency. A plan for mitigating risk of deficiency under this subparagraph shall—

“(i) address the risk assumed in the National Military Strategy (or update) concerned, and the additional actions taken or planned to be taken to address such risk using only current technology and force structure capabilities; and

“(ii) specify, for each risk addressed, the extent of, and a schedule for expected mitigation of, such risk, and an assessment of the potential for residual risk, if any, after mitigation.”

(b) CONFORMING AMENDMENT.—Such section is further amended by striking subsection (d).

SEC. 1042. MODIFICATION OF AUTHORITY ON TRAINING OF SPECIAL OPERATIONS FORCES WITH FRIENDLY FOREIGN FORCES.

(a) AUTHORITY TO PAY FOR MINOR MILITARY CONSTRUCTION IN CONNECTION WITH TRAINING.—Subsection (a) of section 2011 of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(4) Expenses of minor military construction directly related to that training with such expenses payable from amounts available to the commander for unspecified minor military construction, except that—

“(A) the amount of any project for which such expenses are so payable may not exceed \$250,000; and

“(B) the total amount of such expenses so paid in any fiscal year may not exceed \$2,000,000.”

(b) PURPOSES OF TRAINING.—Subsection (b) of such section is amended to read as follows:

“(b) PURPOSES OF TRAINING.—The purposes of the training for which payment may be made under subsection (a) shall be as follows:

“(1) To train the special operations forces of the combatant command.

“(2) In the case of a commander of a combatant command having a geographic area of responsibility, to train the military forces and other security forces of a friendly foreign country in a manner consistent with the Theater Campaign Plan of the commander for that geographic area.”

(c) PRIOR APPROVAL.—Subsection (c) of such section is amended by inserting before the period at the end of the second sentence

the following: “, or, in the case of training activities carried out after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2013, the approval of the Secretary of Defense, in coordination with the Secretary of State”.

(d) **REPORTS.**—Subsection (e) of such section is amended—

(1) in paragraph (3)—

(A) by inserting “or other security” after “foreign” the first place it appears; and

(B) by striking “foreign military personnel” and inserting “such foreign personnel”;

(2) in paragraph (4)—

(A) by striking “and military training activities” and inserting “military training activities”; and

(B) by inserting before the period at the end the following: “, and training programs sponsored by the Department of State”;

(3) by redesignating paragraph (6) as paragraph (7); and

(4) by inserting after paragraph (5) the following new paragraph (6):

“(6) A description of any minor military construction projects for which expenses were paid, including a justification of the benefits of each such project to training under this section.”.

(e) **EFFECTIVE DATE.**—The amendments made by this section shall take effect on the date of the enactment of this Act. The amendments made by subsection (d) shall apply with respect to any reports submitted under subsection (e) of section 2011 of title 10, United States Code (as so amended), after that date.

SEC. 1043. EXTENSION OF AUTHORITY TO PROVIDE ASSURED BUSINESS GUARANTEES TO CARRIERS PARTICIPATING IN CIVIL RESERVE AIR FLEET.

(a) **EXTENSION.**—Subsection (k) of section 9515 of title 10, United States Code, is amended by striking “December 31, 2015” and inserting “December 31, 2020”.

(b) **APPLICATION TO ALL SEGMENTS OF CRAF.**—Such section is further amended—

(1) in subsection (a)(3), by striking “passenger”; and

(2) in subsection (j), by striking “, except that it only means such transportation for which the Secretary of Defense has entered into a contract for the purpose of passenger travel”.

SEC. 1044. PARTICIPATION OF VETERANS IN THE TRANSITION ASSISTANCE PROGRAM OF THE DEPARTMENT OF DEFENSE.

(a) **IN GENERAL.**—Each veteran, during the one-year period beginning on the date on which the veteran is discharged or separated from service in the Armed Forces, shall be authorized to participate in the Transition Assistance Program (TAP) of the Department of Defense.

(b) **SCOPE OF AUTHORIZED PARTICIPATION.**—As part of their participation in the Transition Assistance Program pursuant to this section, veterans shall be authorized to receive the following:

(1) Transition assistance counseling under the program at any military installation at which transition assistance counseling is being provided to members of the Armed Forces under the program.

(2) Ongoing access to the electronic materials and information provided as part of the Transition Assistance Program, including access after the end of the one-year period of participation under subsection (a).

(c) **MEMORANDUM OF UNDERSTANDING.**—The Secretary of Defense and the Secretary of Veterans Affairs shall enter into a memorandum of understanding regarding the participation of veterans in the Transition As-

sistance Program pursuant to this section. The memorandum of understanding shall provide for the access of veterans to military installations for purposes of participation in the Transition Assistance Program and such other matters as such Secretaries jointly consider appropriate for purposes of this section.

(d) **DEFINITIONS.**—In this section:

(1) The term “Transition Assistance Program” means the program carried out by the Department of Defense under sections 1142 and 1144 of title 10, United States Code.

(2) The term “veteran” has the meaning given that term in section 101 of title 38, United States Code.

SEC. 1045. MODIFICATION OF THE MINISTRY OF DEFENSE ADVISOR PROGRAM.

(a) **IN GENERAL.**—Subsection (a) of section 1081 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1599; 10 U.S.C. 168 note) is amended by inserting—

(1) in the matter preceding paragraph (1), by inserting “, regional organizations with defense or security components, and international organizations of which the United States is a member” after “foreign countries”; and

(2) by inserting “or organization” after “ministry” both places it appears.

(b) **REPORTS.**—Subsection (c) of such section is amended—

(1) by inserting “or organizations” after “defense ministries” both places it appears; and

(2) by striking paragraph (7).

(c) **CONFORMING AMENDMENT.**—The heading of such section is amended to read as follows:

“SEC. 1081. AUTHORITY FOR ASSIGNMENT OF CIVILIAN EMPLOYEES OF THE DEPARTMENT OF DEFENSE AS ADVISORS TO FOREIGN MINISTRIES OF DEFENSE AND CERTAIN REGIONAL AND INTERNATIONAL ORGANIZATIONS.”.

SEC. 1046. INTERAGENCY COLLABORATION ON UNMANNED AIRCRAFT SYSTEMS.

(a) **FINDINGS ON JOINT DEPARTMENT OF DEFENSE FEDERAL AVIATION ADMINISTRATION EXECUTIVE COMMITTEE ON CONFLICT AND DISPUTE RESOLUTION.**—Section 1036(a) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4596) is amended by adding at the end the following new paragraph:

“(9) Collaboration of scientific and technical personnel and sharing of technical information, test results, and resources where available from the Department of Defense, the Federal Aviation Administration, and the National Aeronautics and Space Administration can advance an enduring relationship of research capability to advance the access of unmanned aircraft systems of the Department of Defense, the National Aeronautics and Space Administration and other public agencies to the National Airspace System.”.

(b) **INTERAGENCY COLLABORATION.**—

(1) **IN GENERAL.**—The Secretary of Defense shall collaborate with the Administrator of the Federal Aviation Administration and the Administrator of the National Aeronautics and Space Administration to conduct research and seek solutions to challenges associated with the safe integration of unmanned aircraft systems into the National Airspace System in accordance with subtitle B of title III of the FAA Modernization and Reform Act of 2012 (Public Law 112-95; 126 Stat. 72).

(2) **ACTIVITIES IN SUPPORT OF PLAN ON ACCESS TO NATIONAL AIRSPACE FOR UNMANNED AIRCRAFT SYSTEMS.**—Collaboration under paragraph (1) may include research and de-

velopment of scientific and technical issues, equipment, and technology in support of the plan to safely accelerate the integration of unmanned aircraft systems as required by subtitle B of title III of the FAA Modernization and Reform Act of 2012.

(3) **NONDUPLICATIVE EFFORTS.**—If the Secretary of Defense determines it is in the interest of the Department of Defense, the Secretary may use existing aerospace-related laboratories, personnel, equipment, research radars, and ground facilities of the Department of Defense to avoid duplication of efforts in carrying out collaboration under paragraph (1).

(4) **REPORTS.**—

(A) **REQUIREMENT.**—The Secretary of Defense, on behalf of the UAS Executive Committee, shall annually submit to the congressional defense committees, the Committee on Transportation and Infrastructure, and the Committee on Science, Space, and Technology of the House of Representatives, and the Committee on Commerce, Science, and Transportation of the Senate a report on the progress of research activity of the Department of Defense, including—

(i) progress in accomplishing the goals of the unmanned aircraft systems research, development, and demonstration as related to the Department of Defense Final Report to Congress on Access to National Airspace for Unmanned Aircraft Systems of October 2010, and any ongoing and collaborative research and development programs with the Federal Aviation Administration and the National Aeronautics and Space Administration and

(ii) estimates of long-term funding needs and details of funds expended and allocated in the budget requests of the President that support integration into the National Airspace.

(B) **TERMINATION.**—The requirement to submit a report under subparagraph (A) shall terminate on the date that is 5 years after the date of the enactment of this Act.

(c) **UAS EXECUTIVE COMMITTEE DEFINED.**—In this section, the term “UAS Executive Committee” means the National Aeronautics and Space and Administration and the Department of Defense-Federal Aviation Administration executive committee described in section 1036(b) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 and established by the Secretary of Defense and the Administrator of the Federal Aviation Administration.

(d) **AUTHORIZATION OF APPROPRIATIONS.**—There is hereby authorized to be appropriated such sums as may be necessary to carry out this section.

SEC. 1047. SENSE OF SENATE ON NOTICE TO CONGRESS ON UNFUNDED PRIORITIES.

It is the sense of the Senate that—

(1) not later than 45 days after the submittal to Congress of the budget for a fiscal year under section 1105(a) of title 31, United States Code, each officer specified in paragraph (2) should, through the Chairman of the Joint Chiefs of Staff and the Secretary of Defense, submit to the congressional defense committees a list of any priority military programs or activities under the jurisdiction of such officer for which, in the estimate of such officer additional funds, if available, would substantially reduce operational or programmatic risk or accelerate the creation or fielding of a critical military capability;

(2) the officers specified in this paragraph are—

(A) the Chief of Staff of the Army;

(B) the Chief of Naval Operations;

(C) the Chief of Staff of the Air Force;

(D) the Commandant of the Marine Corps; and

(E) the Commander of the United States Special Operations Command; and

(3) each list, if any, under paragraph (1) should set forth for each military program or activity on such list—

(A) a description of such program or activity;

(B) a summary description of the justification for or objectives of additional funds, if available for such program or activity; and

(C) the additional amount of funds recommended in connection with the justification or objectives described for such program or activity under subparagraph (B).

Subtitle F—Reports

SEC. 1061. REPORT ON STRATEGIC AIRLIFT AIRCRAFT.

Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report that sets forth the following:

(1) An assessment of the feasibility and advisability of obtaining a Federal Aviation Administration certification for commercial use of each of the following:

(A) A commercial variant of the C-17 aircraft.

(B) A retired C-17A aircraft.

(C) a retired C-5A aircraft.

(2) An assessment of the current limitations of the aircraft of the Civil Reserve Air Fleet.

(3) An assessment of the potential for using the aircraft referred to in paragraph (1) in the Civil Reserve Air Fleet.

(4) An assessment of the advantages of adding the aircraft referred to in paragraph (1) to the Civil Reserve Air Fleet.

(5) An update on the status of any cooperation between the Federal Aviation Administration and the Department of Defense on the certification of the aircraft referred to in paragraph (1).

(6) A description of all actions required, including any impediments to such actions, to offering retired C-5A aircraft or retired C-17A aircraft as excess defense articles to United States allies or for sale to Civil Reserve Air Fleet carriers.

(7) A description of the actions required for interested allies or Civil Reserve Air Fleet carriers to take delivery of excess C-5A aircraft or excess C-17A aircraft, including the actions, modifications, or demilitarization necessary for such recipients to take delivery of such aircraft, and provisions for permitting such recipients to undertake responsibility for such actions, to the maximum extent practicable.

SEC. 1062. REPEAL OF BIENNIAL REPORT ON THE GLOBAL POSITIONING SYSTEM.

Section 2281 of title 10, United States Code, is amended—

(1) by striking subsection (d); and

(2) by redesignating subsection (e) as subsection (d).

SEC. 1063. REPEAL OF ANNUAL REPORT ON THREAT POSED BY WEAPONS OF MASS DESTRUCTION, BALLISTIC MISSILES, AND CRUISE MISSILES.

Section 234 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105-85; 111 Stat. 1664; 50 U.S.C. 2367) is repealed.

Subtitle G—Nuclear Matters

SEC. 1071. STRATEGIC DELIVERY SYSTEMS.

(a) FINDINGS.—Congress makes the following findings:

(1) The Nuclear Posture Review of 2010 said, with respect to modernizing the triad,

“for planned reductions under New START, the United States should retain a smaller Triad of SLBMs, ICBMs, and heavy bombers. Retaining all three Triad legs will best maintain strategic stability at reasonable cost, while hedging against potential technical problems or vulnerabilities”.

(2) The Senate stated in Declaration 12 of the Resolution of Advice and Consent to Ratification of the New START Treaty that “In accordance with paragraph 1 of Article V of the New START Treaty, which states that, ‘Subject to the provisions of this Treaty, modernization and replacement of strategic offensive arms may be carried out,’ it is the sense of the Senate that United States deterrence and flexibility is assured by a robust triad of strategic delivery vehicles. To this end, the United States is committed to accomplishing the modernization and replacement of its strategic nuclear delivery vehicles, and to ensuring the continued flexibility of United States conventional and nuclear delivery systems”.

(3) The Senate required the President, prior to the entry into force of the New START Treaty, to certify to the Senate that the President intended to modernize or replace the triad of strategic nuclear delivery systems.

(4) The President made this certification in a message to the Senate on February 2, 2011, in which the President stated, “I intend to (a) modernize or replace the triad of strategic nuclear delivery systems: a heavy bomber and air-launched cruise missile, an ICBM, and a nuclear-powered ballistic missile submarine (SSBN) and SLBM; and (b) maintain the United States rocket motor industrial base”.

(b) REQUIREMENTS.—

(1) IN GENERAL.—Chapter 23 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 491. Strategic delivery systems

“(a) ANNUAL CERTIFICATION.—Beginning in fiscal year 2013, the President shall annually certify in writing to the congressional defense committees whether plans to modernize or replace strategic delivery systems are fully funded at levels equal to or more than the levels set forth in the November 2010 update to the plan referred to in section 1251 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2549), including plans regarding—

“(1) a heavy bomber and air-launched cruise missile;

“(2) an intercontinental ballistic missile;

“(3) a submarine-launched ballistic missile;

“(4) a ballistic missile submarine; and

“(5) maintaining the nuclear command and control system (as first reported in section 1043 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1576)).

“(b) ADDITIONAL REPORT MATTERS FOLLOWING CERTAIN CERTIFICATIONS.—If the President certifies under subsection (a) that plans to modernize or replace strategic delivery systems are not fully funded, the President shall include in the next annual report submitted to Congress under section 1043 of the National Defense Authorization Act for Fiscal Year 2012 the following:

“(1) A determination whether or not the lack of full funding will result in a loss of military capability when compared with the November 2010 update to the plan referred to in section 1251 of the National Defense Authorization Act for Fiscal Year 2010.

“(2) If the determination under paragraph (1) is that the lack of full funding will result in a loss of military capability—

“(A) a plan to preserve or retain the military capability that would otherwise be lost; or

“(B) a report setting forth—

“(i) an assessment of the impact of the lack of full funding on the strategic delivery systems specified in subsection (a); and

“(ii) a description of the funding required to restore or maintain the capability.

“(3) A certification by the President whether or not the President is committed to accomplishing the modernization and replacement of strategic delivery systems and will meet the obligations concerning nuclear modernization as set forth in declaration 12 of the Resolution of Advice and Consent to Ratification of the New START Treaty.

“(c) TREATMENT OF CERTAIN REDUCTIONS.—Any certification under subsection (a) shall not take into account the following:

“(1) Reductions made to ensure the safety, security, reliability, and credibility of the nuclear weapons stockpile and strategic delivery systems, including activities related to surveillance, assessment, certification, testing, and maintenance of nuclear warheads and delivery systems.

“(2) Strategic delivery systems that are retired or awaiting dismantlement on the date of the certification under subsection (a).

“(d) DEFINITIONS.—In this section:

“(1) The term ‘New START Treaty’ means the Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms, signed on April 8, 2010, and entered into force on February 5, 2011.

“(2) The term ‘strategic delivery system’ means a delivery system for nuclear weapons.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 23 of such title is amended by adding at the end the following new item:

“491. Strategic delivery systems.”.

SEC. 1072. REQUIREMENTS DEFINITION FOR COMBINED WARHEAD FOR CERTAIN MISSILE SYSTEMS.

Not later than 60 days after the date of the enactment of this Act, the Nuclear Weapons Council shall submit Congress a report setting forth a definition of the requirements for a combined warhead for the W-78 Minuteman III missile system and the W-88 Trident D-5 missile system. The definition shall serve as the basis for a 6.1 conception definition and 6.2 feasibility study for the combined systems.

SEC. 1073. CONGRESSIONAL BUDGET OFFICE ESTIMATE OF COSTS OF NUCLEAR WEAPONS AND DELIVERY SYSTEMS.

Not later than one year after the date of the enactment of this Act, the Director of the Congressional Budget Office shall submit to the congressional defense committees a report setting forth the following:

(1) An estimate of the costs over the 10-year period beginning on the date of the report associated with fielding and maintaining the current nuclear weapons and nuclear weapon delivery systems of the United States.

(2) An estimate of the costs over the 10-year period beginning on the date of the report of any life extension, modernization, or replacement of any current nuclear weapons or nuclear weapon delivery systems of the United States that is anticipated as of the date of the report.

Subtitle H—Other Matters**SEC. 1081. REDESIGNATION OF THE CENTER FOR HEMISPHERIC DEFENSE STUDIES AS THE WILLIAM J. PERRY CENTER FOR HEMISPHERIC DEFENSE STUDIES.**

(a) REDESIGNATION.—

(1) IN GENERAL.—The Center for Hemispheric Defense Studies is hereby redesignated as the “William J. Perry Center for Hemispheric Defense Studies”.

(2) REFERENCES.—Any reference in any law, regulation, map, document, record, or other paper of the United States to the center referred to in paragraph (1) shall be considered to be a reference to the William J. Perry Center for Hemispheric Defense Studies.

(b) CONFORMING AMENDMENTS.—Title 10, United States Code, is amended as follows:

(1) In section 184—

(A) in subsection (b)(2), by striking subparagraph (C) and inserting the following new subparagraph (C):

“(C) The William J. Perry Center for Hemispheric Defense Studies, established in 1997 and located in Washington, D.C.”; and

(B) in subsection (f)(5), by striking “Center for Hemispheric Defense Studies” and inserting “William J. Perry Center for Hemispheric Defense Studies”.

(2) In section 2611(a)(2), by striking subparagraph (C) and inserting the following new subparagraph (C):

“(C) The William J. Perry Center for Hemispheric Defense Studies.”.

SEC. 1082. TECHNICAL AMENDMENTS TO REPEAL STATUTORY REFERENCES TO UNITED STATES JOINT FORCES COMMAND.

Title 10, United States Code, is amended as follows:

(1)(A) Section 232 is repealed.

(B) The table of sections at the beginning of chapter 9 is amended by striking the item relating to section 232.

(2) Section 2859(d) is amended—

(A) by striking paragraph (2); and

(B) by redesignating paragraph (3) as paragraph (2).

(3) Section 10503(13)(B) is amended—

(A) by striking clause (iii); and

(B) redesignating clause (iv) as clause (iii).

SEC. 1083. SENSE OF CONGRESS ON NON-UNITED STATES CITIZENS WHO ARE GRADUATES OF UNITED STATES EDUCATIONAL INSTITUTIONS WITH ADVANCED DEGREES IN SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS.

(a) FINDINGS.—Congress makes the following findings:

(1) It is a national security concern that more than half of all graduates with advanced scientific and technical degrees from United States institutions of higher education are non-United States citizens who have very limited opportunities upon graduation to contribute to the science and technology activities of the Department of Defense and the United States defense industrial base.

(2) The capabilities of the Armed Forces are highly reliant upon advanced technologies that provide our forces with a technological edge on the battlefield.

(3) In order to maintain and advance our military technological superiority, the United States requires the best and brightest scientists, mathematicians, and engineers to discover, develop, and field the next generation of weapon systems and defense technologies.

(4) The Department of Defense and the defense industrial base compete with other sectors for a limited number of United States citizens who have appropriate advanced degrees and skills.

(5) While an overarching national priority is to increase the numbers of United States citizens who have appropriate advanced degrees in science, technology, engineering, and mathematics (STEM), it would be beneficial if the Department of Defense and the defense industrial base were able to access the pool of talent of non-United States citizens with advanced scientific and technical degrees from United States institutions of higher education, many of whom are otherwise returning to their home countries.

(b) SENSE OF CONGRESS.—It is the sense of Congress—

(1) that the Department of Defense should make every reasonable and practical effort to increase the number of United States citizens who pursue advanced degrees in science, technology, engineering, and mathematics; and

(2) to strongly urge the Department of Defense to investigate innovative mechanisms (subject to all appropriate security requirements) to access to the pool of talent of non-United States citizens with advanced scientific and technical degrees from United States institutions of higher education, especially in those scientific and technical areas that are most vital to the national defense (such as those identified by the Assistant Secretary of Defense for Research and Engineering and the Armed Forces).

TITLE XI—CIVILIAN PERSONNEL MATTERS**SEC. 1101. AUTHORITY FOR TRANSPORTATION OF FAMILY HOUSEHOLD PETS OF CIVILIAN PERSONNEL DURING EVACUATION OF NON-ESSENTIAL PERSONNEL.**

Section 5725 of title 5, United States Code, is amended—

(1) in subsection (a)(2), by inserting “and family household pets,” after “personal effects,”; and

(2) by adding at the end the following new subsection:

“(c)(1) Authority under subsection (a) to transport family household pets of an employee includes authority for shipment and the payment of quarantine costs, if any.

“(2) An employee for whom transportation of family household pets is authorized under subsection (a) may be paid reimbursement or a monetary allowance if other commercial transportation means have been used.

“(3) The provision of transportation of family household pets for an employee of the Department of Defense under subsection (a) and the payment of reimbursement under paragraph (2) shall be subject to the same terms and conditions as apply under subsection 406(b)(1)(H)(iii) of title 37 with respect to family household pets of members of the uniformed services, including limitations on the types, size, and number of pets for which transportation may be provided or reimbursement paid.”.

SEC. 1102. EXPANSION OF EXPERIMENTAL PERSONNEL PROGRAM FOR SCIENTIFIC AND TECHNICAL PERSONNEL AT THE DEFENSE ADVANCED RESEARCH PROJECTS AGENCY.

(a) EXPANSION.—Section 1101(b)(1)(A) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (5 U.S.C. 3104 note) is amended by striking “40” and inserting “60”.

(b) CONSTRUCTION.—The amendment made by subsection (a) shall not be construed as affecting any applicable authorization or de-limitation of the numbers of personnel that may be employed at the Defense Advanced Research Projects Agency.

SEC. 1103. ONE-YEAR EXTENSION OF DISCRETIONARY AUTHORITY TO GRANT ALLOWANCES, BENEFITS, AND GRATUITIES TO PERSONNEL ON OFFICIAL DUTY IN A COMBAT ZONE.

Paragraph (2) of section 1603(a) of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006 (Public Law 109-234; 120 Stat. 443), as added by section 1102 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4616) and amended by section 1112 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1616), is further amended by striking “2013” and inserting “2014”.

TITLE XII—MATTERS RELATING TO FOREIGN NATIONS**Subtitle A—Assistance and Training****SEC. 1201. EXTENSION OF AUTHORITY TO BUILD THE CAPACITY OF FOREIGN MILITARY FORCES AND MODIFICATION OF NOTICE IN CONNECTION WITH INITIATION OF ACTIVITIES.**

(a) EXTENSION.—Subsection (g) of section 1206 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163; 119 Stat. 3456), as most recent amended by section 1204(c) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1622), is further amended—

(1) by striking “September 30, 2013” and inserting “September 30, 2014”; and

(2) by striking “fiscal years 2006 through 2013” and inserting “fiscal years 2006 through 2014”.

(b) MODIFICATION OF NOTICE.—

(1) IN GENERAL.—Subsection (e)(2) of such section 1206, as amended by section 1206(a) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364; 120 Stat. 2418), is further amended by adding at the end the following new subparagraph:

“(D) Detailed information (including the amount and purpose) on the assistance provided the country during the three preceding fiscal years under each of the following programs or accounts:

“(i) A program under this section.

“(ii) The Foreign Military Financing program under the Foreign Assistance Act of 1961.

“(iii) Peacekeeping Operations.

“(iv) The International Narcotics Control and Law Enforcement (INCLE) program under section 481 of the Foreign Assistance Act of 1961 (22 U.S.C. 2291).

“(v) Nonproliferation, Anti-Terrorism, Demining, and Related Programs (NADR).”.

(2) APPLICABILITY.—The amendment made by paragraph (1) shall take effect on the date of the enactment of this Act, and shall apply with respect to any country in which activities are initiated under section 1206 of the National Defense Authorization Act for Fiscal Year 2006 on or after that date.

SEC. 1202. EXTENSION OF AUTHORITY FOR NON-RECIPROCAL EXCHANGE OF DEFENSE PERSONNEL BETWEEN THE UNITED STATES AND FOREIGN COUNTRIES.

Section 1207(f) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2514; 10 U.S.C. 168 note) is amended by striking “September 30, 2012” and inserting “September 30, 2017”.

SEC. 1203. AUTHORITY TO BUILD THE CAPACITY OF CERTAIN COUNTERTERRORISM FORCES IN YEMEN AND EAST AFRICA.

(a) AUTHORITY.—The Secretary of Defense may, with the concurrence of the Secretary of State, provide assistance as follows:

(1) To enhance the ability of the Yemen Ministry of Interior Counter Terrorism Forces to conduct counterterrorism operations against al Qaeda in the Arabian Peninsula and its affiliates.

(2) To enhance the capacity of the national military forces, security agencies serving a similar defense function, other counterterrorism forces, and border security forces of Djibouti, Ethiopia, and Kenya to conduct counterterrorism operations against al Qaeda, al Qaeda affiliates, and al Shabaab.

(3) To enhance the capacity of national military forces participating in the African Union Mission in Somalia to conduct counterterrorism operations against al Qaeda, al Qaeda affiliates, and al Shabaab.

(b) TYPES OF ASSISTANCE.—

(1) AUTHORIZED ELEMENTS.—Assistance under subsection (a) may include the provision of equipment, supplies, training, and minor military construction.

(2) REQUIRED ELEMENTS.—Assistance under subsection (a) shall be provided in a manner that promotes—

(A) observance of and respect for human rights and fundamental freedoms; and

(B) respect for legitimate civilian authority in the country receiving such assistance.

(3) ASSISTANCE OTHERWISE PROHIBITED BY LAW.—The Secretary of Defense may not use the authority in subsection (a) to provide any type of assistance described in this subsection that is otherwise prohibited by any other provision of law.

(4) LIMITATIONS ON MINOR MILITARY CONSTRUCTION.—The total amount that may be obligated and expended on minor military construction under subsection (a) in any fiscal year may not exceed amounts as follows:

(A) In the case of minor military construction under paragraph (1) of subsection (a), \$10,000,000.

(B) In the case of minor military construction under paragraphs (2) and (3) of subsection (a), \$10,000,000.

(c) FUNDING.—

(1) IN GENERAL.—Of the amount authorized to be appropriated for a fiscal year for the Department of Defense for operation and maintenance—

(A) not more than \$75,000,000 may be used to provide assistance under paragraph (1) of subsection (a); and

(B) not more than \$75,000,000 may be used to provide assistance under paragraphs (2) and (3) of subsection (a).

(2) AVAILABILITY OF FUNDS FOR ASSISTANCE ACROSS FISCAL YEARS.—Amounts available under this subsection for the authority in subsection (a) for a fiscal year may be used for assistance under that authority that begins in such fiscal year but ends in the next fiscal year.

(d) NOTICE TO CONGRESS.—

(1) IN GENERAL.—Not later than 30 days before providing assistance under subsection (a), the Secretary of Defense shall submit to the committees of Congress specified in paragraph (2) a notice setting forth the assistance to be provided, including the types of such assistance, the budget for such assistance, and the completion date for the provision of such assistance.

(2) COMMITTEES OF CONGRESS.—The committees of Congress specified in this paragraph are—

(A) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

(e) EXPIRATION.—Except as provided in subsection (c)(2), the authority provided under subsection (a) may not be exercised after the earlier of—

(1) the date on which the Global Security Contingency Fund achieves full operational capability; or

(2) September 30, 2014.

SEC. 1204. LIMITATION ON AVAILABILITY OF FUNDS FOR STATE PARTNERSHIP PROGRAM.

(a) LIMITATION.—Of the amounts authorized to be appropriated by this Act and available for the State Partnership Program, not more than 50 percent may be obligated or expended for that Program until the latter of the following:

(1) The date on which the Secretary of Defense submits to the appropriate congressional committees the final regulations required by subsection (a) of section 1210 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2517; 32 U.S.C. 107 note).

(2) The date on which the Secretary of Defense certifies to the appropriate congressional committees that appropriate modifications have been made, and appropriate controls have been instituted, to ensure the compliance of the Program with section 1341 of title 31, United States Code (commonly referred to as the “Anti-Deficiency Act”), in the future.

(b) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” has the meaning given that term in subsection (d) of section 1210 of the National Defense Authorization Act for Fiscal Year 2010.

Subtitle B—Matters Relating to Iraq, Afghanistan, and Pakistan

SEC. 1211. COMMANDERS’ EMERGENCY RESPONSE PROGRAM IN AFGHANISTAN.

(a) ONE-YEAR EXTENSION.—

(1) IN GENERAL.—Section 1201 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1619) is amended by striking “fiscal year 2012” each place it appears and inserting “fiscal year 2013”.

(2) CONFORMING AMENDMENT.—The heading of subsection (a) of such section is amended by striking “FISCAL YEAR 2012” and inserting “FISCAL YEAR 2013”.

(b) AMOUNT OF FUNDS AVAILABLE DURING FISCAL YEAR 2013.—Subsection (a) of such section is further amended by striking “\$400,000,000” and inserting “\$200,000,000”.

SEC. 1212. EXTENSION OF AUTHORITY TO SUPPORT OPERATIONS AND ACTIVITIES OF THE OFFICE OF SECURITY CO-OPERATION IN IRAQ.

(a) LIMITATION ON AMOUNT OF FUNDS FOR FISCAL YEAR 2013.—Subsection (c) of section 1215 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1631; 10 U.S.C. 113 note) is amended by striking “in fiscal year 2012” and all that follows and inserting “may not exceed amounts as follows:

“(1) In fiscal year 2012, \$524,000,000.

“(2) In fiscal year 2013, \$508,000,000.”

(b) SOURCE OF FUNDS.—Subsection (d) of such section is amended by inserting “or 2013” after “fiscal year 2012”.

SEC. 1213. ONE-YEAR EXTENSION AND MODIFICATION OF AUTHORITY TO USE FUNDS FOR REINTEGRATION ACTIVITIES IN AFGHANISTAN.

Section 1216 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383; 124 Stat. 4392), as amended by section 1216 of the National De-

fense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1632), is further amended—

(1) in subsection (a)—

(A) by striking “\$50,000,000” and inserting “\$35,000,000”; and

(B) by striking “in each of fiscal years 2011 and 2012” and inserting “for fiscal year 2013”; and

(2) in subsection (e)—

(A) by striking “utilize funds” and inserting “obligate funds”; and

(B) by striking “December 31, 2012” and inserting “December 31, 2013”.

SEC. 1214. ONE-YEAR EXTENSION AND MODIFICATION OF AUTHORITY FOR PROGRAM TO DEVELOP AND CARRY OUT INFRASTRUCTURE PROJECTS IN AFGHANISTAN.

Section 1217(f) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383; 124 Stat. 4393), as amended by section 1217(a) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1632), is further amended—

(1) by striking paragraph (1) and inserting the following new paragraph (1):

“(1) IN GENERAL.—Subject to paragraph (2), to carry out the program authorized under subsection (a), the Secretary of Defense may use amounts as follows:

“(A) Up to \$400,000,000 made available to the Department of Defense for operation and maintenance for fiscal year 2012.

“(B) Up to \$350,000,000 made available to the Department of Defense for operation and maintenance for fiscal year 2013.”;

(2) in paragraph (2)—

(A) by striking “85 percent” and inserting “50 percent”;

(B) by inserting “for a fiscal year after fiscal year 2011” after “in paragraph (1)”; and

(C) by striking “fiscal year 2012.” and inserting “such fiscal year, including for each project to be initiated during such fiscal year the following:

“(A) An estimate of the financial and other requirements necessary to sustain such project on an annual basis after the completion of such project.

“(B) An assessment whether the Government of Afghanistan is committed to and has the capacity to maintain and use such project after its completion.

“(C) A description of any arrangements for the sustainment of such project following its completion if the Government of Afghanistan lacks the capacity (in either financial or human resources) to maintain such project.”; and

(3) in paragraph (3), by adding at the end the following new subparagraph:

“(C) In the case of funds for fiscal year 2013, until September 30, 2014.”.

SEC. 1215. EXTENSION OF PAKISTAN COUNTER-INSURGENCY FUND.

(a) EXTENSION.—Section 1224(h) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2521), as most recently amended by section 1220(a) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1633), is further amended by striking “September 30, 2012” each place it appears and inserting “September 30, 2013”.

(b) EXTENSION OF LIMITATION ON FUNDS PENDING REPORT.—Section 1220(b)(1)(A) of the National Defense Authorization Act for Fiscal Year 2012 (125 Stat. 1633) is amended by striking “fiscal year 2013” and inserting “fiscal year 2013”.

SEC. 1216. EXTENSION AND MODIFICATION OF AUTHORITY FOR REIMBURSEMENT OF CERTAIN COALITION NATIONS FOR SUPPORT PROVIDED TO UNITED STATES MILITARY OPERATIONS.

(a) **EXTENSION OF AUTHORITY.**—Subsection (a) of section 1233 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 122 Stat. 393), as most recently amended by section 1213 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1630), is further amended—

(1) by striking “for fiscal year 2012” and

(2) by inserting “, during the period ending on September 30, 2013,” after “Secretary of Defense may”.

(b) **LIMITATION ON AMOUNTS AVAILABLE.**—Subsection (d) of such section, as so amended, is further amended—

(1) by striking “during fiscal year 2012 may not exceed \$1,690,000,000” and inserting “may not exceed \$1,750,000,000 during fiscal year 2013, except that reimbursements made during fiscal year 2013 for support provided by Pakistan before May 1, 2011, using funds available for that purpose before fiscal year 2013 shall not count against this limitation”; and

(2) by adding at the end the following new paragraph:

“(3) **PROHIBITION ON REIMBURSEMENT OF PAKISTAN FOR SUPPORT DURING PERIODS CLOSED TO TRANSHIPMENT.**—Effective as of the date of the enactment of the National Defense Authorization Act for Fiscal Year 2013, funds (including funds from a prior fiscal year that remain available for obligation) may not be used for reimbursements under the authority in subsection (a) for Pakistan for claims of support provided during any period when the ground lines of supply through Pakistan to Afghanistan were closed to the transshipment of equipment and supplies in support of United States military operations in Afghanistan.”.

(c) **SUPPORTED OPERATIONS.**—Such section is further amended in subsections (a)(1) and (b) by striking “Operation Iraqi Freedom or”.

(d) **LIMITATION ON REIMBURSEMENT OF PAKISTAN IN FISCAL YEAR 2013 PENDING CERTIFICATION ON PAKISTAN.**—

(1) **IN GENERAL.**—Effective as of the date of the enactment of this Act, no amounts authorized to be appropriated by this Act, and no amounts authorized to be appropriated for fiscal years before fiscal year 2013 that remain available for obligation, may be used for reimbursements of Pakistan under the authority in subsection (a) of section 1233 of the National Defense Authorization Act for Fiscal Year 2008, as so amended, until the Secretary of Defense certifies to the congressional defense committees each of the following:

(A) That Pakistan has opened and is maintaining security along the ground lines of supply through Pakistan to Afghanistan for the transshipment of equipment and supplies in support of United States military operations in Afghanistan.

(B) That Pakistan is not providing support to militant extremists groups (including the Haqqani Network and the Afghan Taliban Quetta Shura) located in Pakistan and conducting cross-border attacks against United States, coalition, or Afghanistan security forces, and is taking actions to prevent such groups from basing and operating in Pakistan.

(C) That Pakistan is demonstrating a continuing commitment, and is making significant efforts toward the implementation of a

strategy, to counter improvised explosive devices, including efforts to attack improvised explosive device networks, monitor known precursors used in improvised explosive devices, and develop and implement a strict protocol for the manufacture of explosive materials (including calcium ammonium nitrate) and accessories and for their supply to legitimate end users.

(D) That Pakistan is demonstrably cooperating with United States counterterrorism efforts, including by not detaining, prosecuting, or imprisoning citizens of Pakistan as a result of their cooperation with such efforts, including Dr. Shakil Afridi.

(2) **WAIVER AUTHORITY.**—The Secretary may waive the limitation in paragraph (1) if the Secretary certifies to the congressional defense committees in writing that the waiver is in the national security interests of the United States and includes with such certification a justification for the waiver.

SEC. 1217. EXTENSION AND MODIFICATION OF LOGISTICAL SUPPORT FOR COALITION FORCES SUPPORTING CERTAIN UNITED STATES MILITARY OPERATIONS.

(a) **EXTENSION.**—Section 1234 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 111-181; 122 Stat. 394), as most recently amended by section 1211 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1629), is further amended by striking “fiscal year 2012” each place it appears and inserting “fiscal year 2013”.

(b) **REPEAL OF AUTHORITY FOR USE OF FUNDS IN CONNECTION WITH IRAQ.**—

(1) **IN GENERAL.**—Subsection (a) of such section 1234, as so amended, is further amended by striking “Iraq and”.

(2) **CONFORMING AMENDMENT.**—The heading of such section 1234 is amended by striking “IRAQ AND”.

SEC. 1218. STRATEGY FOR SUPPORTING THE ACHIEVEMENT OF A SECURE PRESIDENTIAL ELECTION IN AFGHANISTAN IN 2014.

(a) **STRATEGY REQUIRED.**—The Secretary of Defense shall, in consultation with the Secretary of State, develop a strategy to support the Government of Afghanistan in its efforts to achieve a secure presidential election in Afghanistan in 2014.

(b) **ELEMENTS.**—The strategy shall include support to the Government of Afghanistan for the following:

(1) The identification and training of an adequate number of personnel within the current existing end strength of the Afghanistan National Security Forces (ANSF) for security of polling stations, election materials, and protection of election workers and officials.

(2) The recruitment and training of an adequate number of female personnel in the Afghanistan National Security Forces to afford equitable access to polls for women, secure polling stations, and secure locations for counting and storing election materials.

(3) The securing of freedom of movement and communications for candidates before and during the election.

(c) **FUNDING RESOURCES.**—In developing the strategy, the Secretary shall identify, from among funds currently available to the Department of Defense for activities in Afghanistan, the funds required to execute the strategy.

SEC. 1219. INDEPENDENT ASSESSMENT OF THE AFGHAN NATIONAL SECURITY FORCES.

(a) **INDEPENDENT ASSESSMENT REQUIRED.**—The Secretary of Defense shall provide for the conduct of an independent assessment of

the strength, force structure, force posture, and capabilities required to make the Afghan National Security Forces (ANSF) capable of providing security for their own country so as to prevent Afghanistan from ever again becoming a safe haven for terrorists that threaten Afghanistan, the region, and the world.

(b) **CONDUCT OF ASSESSMENT.**—The assessment required by subsection (a) may, at the election of the Secretary, be conducted by—

(1) a Federally-funded research and development center (FFRDC); or

(2) an independent, non-governmental institute described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code that has recognized credentials and expertise in national security and military affairs appropriate for the assessment.

(c) **ELEMENTS.**—The assessment required by subsection (a) shall include, but not be limited to, the following:

(1) An assessment of the likely internal and regional security environment for Afghanistan over the next decade, including challenges and threats to the security and sovereignty of Afghanistan from state and non-state actors.

(2) An assessment of the strength, force structure, force posture, and capabilities required to make the Afghan National Security Forces capable of providing security for their own country so as to prevent Afghanistan from ever again becoming a safe haven for terrorists that threaten Afghanistan, the region, and the world.

(3) An assessment of any capability gaps in the Afghan National Security Forces that are likely to persist after 2014 and that will require continued support from the United States and its allies.

(4) An assessment whether current proposals for the resourcing of the Afghan National Security Forces after 2014 are adequate to establish and maintain long-term security for the Afghanistan people, and implications of the under-resourcing of the Afghan National Security Forces for United States national security interests.

(d) **REPORT.**—Not later than one year after the date of the enactment of this Act, the entity selected for the conduct of the assessment required by subsection (a) shall provide to the Secretary and the congressional defense committees a report containing its findings as a result of the assessment. The report shall be submitted in unclassified form, but may include a classified annex.

(e) **FUNDING.**—Of the amounts authorized to be appropriated for fiscal year 2013 by section 301 and available for operation and maintenance for Defense-wide activities as specified in the funding table in section 4301, up to \$1,000,000 shall be made available for the assessment required by subsection (a).

(f) **AFGHAN NATIONAL SECURITY FORCES.**—For purposes of this section, the Afghan National Security Forces shall include all forces under the authority of the Afghan Ministry of Defense and Afghan Ministry of Interior, including the Afghan National Army, the Afghan National Police, the Afghan Border Police, the Afghan National Civil Order Police, and the Afghan Local Police.

SEC. 1220. REPORT ON AFGHANISTAN PEACE AND REINTEGRATION PROGRAM.

(a) **REPORT REQUIRED.**—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the Secretary of State, submit to the appropriate committees of Congress a report on the Afghanistan Peace and Reintegration Program (APRP).

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) A description of the goals and objectives of the Afghanistan Peace and Reintegration Program.

(2) A description of the structure of the Program at the national and sub-national levels in Afghanistan, including the number and types of vocational training and other education programs.

(3) A description of the activities of the Program as of the date of the report.

(4) A description and assessment of the procedures for vetting individuals seeking to participate in the Program, including an assessment of the extent to which biometric identification systems are used and the role of provincial peace councils in such procedures.

(5) The amount of funding provided by the United States, and by the international community, to support the Program, and the amount of funds so provided that have been distributed as of the date of the report.

(6) An assessment of the individuals who have been reintegrated into the Program, set forth in terms as follows:

(A) By geographic distribution by province.

(B) By number of each of low-level insurgent fighters, mid-level commanders, and senior commanders.

(C) By number confirmed to have been part of the insurgency.

(D) By number who are currently members of the Afghan Local Police.

(E) By number who are participating in or have completed vocational training or other educational programs as part of the Program.

(7) A description and assessment of the procedures for monitoring the individuals participating in the Program.

(8) A description and assessment of the role of women and minority populations in the implementation of the Program.

(9) An assessment of the effectiveness of the activities of the Program described under paragraph (3) in achieving the goals and objectives of the Program.

(10) Such recommendations as the Secretary of Defense considers appropriate for improving the implementation, oversight, and effectiveness of the Program.

(c) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(2) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

Subtitle C—Reports

SEC. 1231. REVIEW AND REPORTS ON DEPARTMENT OF DEFENSE EFFORTS TO BUILD THE CAPACITY OF AND PARTNER WITH FOREIGN SECURITY FORCES.

(a) REVIEW.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Defense Policy Board shall conduct a review of the efforts of the Department of Defense to build the capacity of, or partner with, foreign security forces in support of national defense and security strategies.

(2) ELEMENTS.—The review required by this subsection shall include the following:

(A) An examination of the ways in which the efforts of the Department to build the capacity of, or partner with, foreign security forces directly support implementation of

current national defense and security strategies.

(B) An assessment of the range of effects that efforts of the Department to build the capacity of, or partner with, foreign security forces are designed to achieve in support of current national defense and security strategies.

(C) An assessment of the criteria used for prioritizing such efforts in support of national defense and security strategies.

(D) An identification of the authorities the Department currently uses to implement such efforts, together with an assessment of the adequacy of such authorities.

(E) An assessment of the capabilities required by the Department to implement such efforts.

(F) An assessment of the most effective distribution of the roles and responsibilities for such efforts within the Department, together with an assessment whether the Department military and civilian workforce is appropriately sized and shaped to meet the requirements of such efforts.

(G) An evaluation of current measures of the Department for assessing activities of the Department designed to build the capacity of, or partner with, foreign security forces, including an assessment whether such measures address the extent to which such activities directly support the priorities of national defense and security strategies.

(H) An identification of recommendations for clarifying or improving the guidance and assessment measures of the Department relating to its efforts to build the capacity of, or partner with, foreign security forces in support of national defense and security strategies.

(3) REPORT.—Not later than 90 days after the completion of the review required by this subsection, the Secretary of Defense shall submit to the congressional defense committees a report containing the result of the review.

(b) STRATEGIC GUIDANCE ON DEPARTMENT OF DEFENSE EFFORTS TO BUILD PARTNER CAPACITY AND OTHER PARTNERSHIP INITIATIVES.—Not later than 120 days after the completion of the review required by subsection (a), the Secretary of Defense shall, in coordination with the Chairman of the Joint Chiefs of Staff, submit to the congressional defense committees a report setting forth the following:

(1) An assessment, taking into account the recommendations of the Defense Policy Board in the review required by subsection (a), of the efforts of the Department of Defense to build the capacity of, and partner with, foreign military forces in support of national defense and security strategies.

(2) Strategic guidance for the Department for its efforts to build the capacity of, and partner with, foreign military forces in support of national defense and security strategies, which guidance shall address—

(A) the ways such efforts directly support the goals and objectives of national defense and security strategies;

(B) the criteria to be used for prioritizing activities to implement such efforts in support of national defense and security strategies;

(C) the measures to be used to assess the effects achieved by such efforts and the extent to which such effects support the objectives of national defense and security strategies;

(D) the appropriate roles and responsibilities of the Armed Forces, the Defense Agencies, and other components of the Department in conducting such efforts; and

(E) the relationship of Department workforce planning with the requirements for such efforts.

SEC. 1232. ADDITIONAL ELEMENTS IN ANNUAL REPORT ON MILITARY AND SECURITY DEVELOPMENTS INVOLVING THE PEOPLE'S REPUBLIC OF CHINA.

Section 1202 of the National Defense Authorization Act for Fiscal Year 2000 (10 U.S.C. 113 note) is amended—

(1) in subsection (b)—

(A) by amending paragraph (9) to read as follows:

“(9) Developments in China’s asymmetric capabilities, including efforts to develop and deploy cyberwarfare and electronic warfare capabilities, and associated activities originating or suspected of originating from China. This discussion of these developments shall include—

“(A) the nature of China’s cyber activities directed against the Department of Defense and an assessment of the damage inflicted on the Department of Defense by reason thereof, and the potential harms;

“(B) a description of China’s strategy for use and potential targets of offensive cyberwarfare and electronic warfare capabilities;

“(C) details on the number of malicious cyber incidents emanating from Internet Protocol addresses in China, including a comparison of the number of incidents during the reporting period to previous years; and

“(D) details regarding the specific People’s Liberation Army; state security; research and academic; state-owned, associated, or other commercial enterprises; and other relevant actors involved in supporting or conducting cyberwarfare and electronic warfare activities and capabilities.”;

(B) by redesignating paragraphs (10), (11), and (12) as paragraphs (15), (16), and (17) respectively;

(C) by inserting after paragraph (9) the following new paragraphs:

“(10) The strategy and capabilities of Chinese space programs, including trends, global and regional activities, the involvement of military and civilian organizations, including state-owned enterprises, academic institutions, and commercial entities, and efforts to develop, acquire, or gain access to advanced technologies that would enhance Chinese military capabilities.

“(11) Developments in China’s nuclear capabilities, which shall include the following:

“(A) The size and state of China’s nuclear stockpile.

“(B) A description of China’s nuclear strategy and associated doctrines.

“(C) A description of the quantity, range, payload features, and location of China’s nuclear missiles and the quantity and operational status of their associated launchers or platforms.

“(D) An analysis of China’s efforts to use electromagnetic pulse.

“(E) Projections of possible future Chinese nuclear arsenals, their capabilities, and associated doctrines.

“(F) A description of China’s fissile material stockpile and civil and military production capabilities and capacities.

“(G) A discussion of any significant uncertainties or knowledge gaps surrounding China’s nuclear weapons program and the potential implications of any such knowledge gaps for the security of the United States and its allies.

“(12) A description of China’s anti-access and area denial capabilities.

“(13) A description of China’s command, control, communications, computers, intelligence, surveillance, and reconnaissance modernization program and its applications for China’s precision guided weapons.

“(14) A description of China’s maritime activities, including—

“(A) China’s response to Freedom of Navigation activities conducted by the Department of Defense;

“(B) an account of each time People’s Liberation Army Navy vessels have transited outside the First Island Chain, including the type of vessels that were involved; and

“(C) the role of China’s maritime law enforcement vessels in maritime incidents, including details regarding any collaboration between China’s law enforcement vessels and the People’s Liberation Army Navy.”; and

(D) by adding after paragraph (17), as redesignated by subparagraph (B), the following new paragraphs:

“(18) A description of Chinese military-to-military relationships with other countries, including the size and activity of military attaché offices around the world and military education programs conducted in China for other countries or in other countries for the Chinese.

“(19) A description of any significant sale or transfer of military hardware, expertise, and technology to or from the People’s Republic of China, including a forecast of possible future sales and transfers, and a description of the implications of those sales and transfers for the security of the United States and its friends and allies in Asia. The information under this paragraph shall include—

“(A) the extent of the People’s Republic of China’s knowledge, cooperation, or condoning of sales or transfers of military hardware, expertise, or technology to receiving states;

“(B) the extent in each selling state of government knowledge, cooperation, or condoning of sales or transfers of military hardware, expertise, or technology to the People’s Republic of China;

“(C) an itemization of significant sales and transfers of military hardware, expertise, or technology that have taken place during the reporting period;

“(D) significant assistance by any selling state to key research and development programs in China, including programs for development of weapons of mass destruction and delivery vehicles for such weapons, programs for development of advanced conventional weapons, and programs for development of unconventional weapons;

“(E) significant assistance by the People’s Republic of China to the research and development programs of purchasing or receiving states, including programs for development of weapons of mass destruction and delivery vehicles for such weapons, programs for development of advanced conventional weapons, and programs for development of unconventional weapons;

“(F) the extent to which arms sales to or from the People’s Republic of China are a source of funds for military research and development or procurement programs in China or the selling state;

“(G) a discussion of the ability of the People’s Liberation Army to assimilate such sales or transfers, mass produce new equipment, and develop doctrine for use; and

“(H) a discussion of the potential threat of developments related to such sales on the security interests of the United States and its friends and allies in Asia.”; and

(2) by amending subsection (d) to read as follows:

“(d) COMBATANT COMMANDER ASSESSMENT.—The report required under subsection (a) shall include an annex, in classified or unclassified form, that includes an assessment of the Commander of the United States Pacific Command on the following matters:

“(1) Any gaps in intelligence that limit the ability of the Commander to address challenges posed by the People’s Republic of China.

“(2) Any gaps in the capabilities, capacity, and authorities of the Commander to address challenges posed by the People’s Republic of China to the United States Armed Forces and United States interests in the region.

“(3) Any other matters the Commander considers to be relevant.”.

Subtitle D—Other Matters

SEC. 1241. IMPROVED ADMINISTRATION OF THE AMERICAN, BRITISH, CANADIAN, AND AUSTRALIAN ARMIES’ PROGRAM.

(a) AUTHORITY.—

(1) IN GENERAL.—Chapter 6 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 168a. American, British, Canadian, and Australian Armies’ Program: administration; agreements with other participating countries

“(a) AUTHORITY.—As part of the participation by the United States in the land-force program known as the American, British, Canadian, and Australian Armies’ Program (in this section referred to as the ‘Program’), the Secretary of Defense may, with the concurrence of the Secretary of State, enter into agreements with the other participating countries in accordance with this section, and the Program shall be managed pursuant to a joint agreement among the participating countries.

“(b) PARTICIPATING COUNTRIES.—In addition to the United States, the countries participating in the Program are the following:

“(1) Australia.

“(2) Canada.

“(3) New Zealand.

“(4) The United Kingdom.

“(c) CONTRIBUTIONS BY PARTICIPANTS.—(1) An agreement under subsection (a) shall provide that each participating country shall contribute to the Program—

“(A) its equitable share of the full cost for the Program, including the full cost of overhead and administrative costs related to the Program; and

“(B) any amount allocated to it in accordance with the agreement for the cost for monetary claims asserted against any participating country as a result of participation in the Program.

“(2) Such an agreement shall also provide that each participating country (including the United States) may provide its contribution for its equitable share under the agreement in funds, in personal property, or in services required for the Program (or in any combination thereof).

“(3) Any contribution by the United States to the Program that is provided in funds shall be made from funds available to the Department of Defense for operation and maintenance.

“(4) Any contribution received by the United States from another participating country to meet that country’s share of the costs of the Program shall be credited to appropriations available to the Department of Defense, as determined by the Secretary of Defense. The amount of a contribution credited to an appropriation account in connection with the Program shall be available only for payment of the share of the Program expenses allocated to the participating country making the contribution. Amounts so credited shall be available for the following purposes:

“(A) Payments to contractors and other suppliers (including the Department of Defense and participating countries acting as suppliers) for necessary goods and services of the Program.

“(B) Payments for any damages and costs resulting from the performance or cancellation of any contract or other obligation in support of the Program.

“(C) Payments for any monetary claim against a participating country as a result of the participation of that country in the Program.

“(D) Payments or reimbursements of other Program expenses, including overhead and administrative costs for any administrative office for the Program.

“(E) Refunds to other participating countries.

“(5) Costs for the operation of any office established to carry out the Program shall be borne jointly by the participating countries as provided for in an agreement referred to in subsection (a).

“(d) AUTHORITY TO CONTRACT FOR PROGRAM ACTIVITIES.—As part of the participation by the United States in the Program, the Secretary of Defense may enter into contracts or incur other obligations on behalf of the other participating countries for activities under the Program. Any payment for such a contract or other obligation under this subsection may be paid only from contributions credited to an appropriation under subsection (c)(4).

“(e) DISPOSAL OF PROPERTY.—As part of the participation by the United States in the Program, the Secretary of Defense may, with respect to any property that is jointly acquired by the countries participating in the Program, agree to the disposal of the property without regard to any law of the United States that is otherwise applicable to the disposal of property owned by the United States. Such disposal may include the transfer of the interest of the United States in the property to one or more of the other participating countries or the sale of the property. Reimbursement for the value of the property disposed of (including the value of the interest of the United States in the property) shall be made in accordance with an agreement under subsection (a).

“(f) SUNSET.—Any agreement entered into by the United States with another country under subsection (a), and United States participation in the joint agreement described in that subsection, shall expire not later than five years after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2013.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 6 of such title is amended by adding at the end the following new item:

“168a. American, British, Canadian, and Australian Armies’ Program: administration; agreements with other participating countries.”.

(b) REPORT.—Not later than 60 days before the expiration date for agreements under subsection (a) of section 168a of title 10, United States Code (as added by subsection (a) of this section), pursuant to subsection (f) of such section, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the activities, costs,

and accomplishments of the American, British, Canadian, and Australian Armies' Program during the five-year period ending on the date of such report.

SEC. 1242. UNITED STATES PARTICIPATION IN HEADQUARTERS EUROCORPS.

(a) **PARTICIPATION AUTHORIZED.**—The Secretary of Defense may, with the concurrence of the Secretary of State, authorize the participation of members of the Armed Forces as members of the staff of Headquarters Eurocorps for the purpose of supporting the North Atlantic Treaty Organization (NATO) activities of the NATO Rapid Deployable Corps Eurocorps.

(b) **MEMORANDUM OF UNDERSTANDING.**—

(1) **REQUIREMENT.**—The participation of members of the Armed Forces as members of the staff of Headquarters Eurocorps shall be in accordance with the terms of one or more memoranda of understanding entered into by the Secretary of Defense, with the concurrence of the Secretary of State, and Headquarters Eurocorps.

(2) **COST-SHARING ARRANGEMENTS.**—If Department of Defense facilities, equipment, or funds are used to support Headquarters Eurocorps, the memoranda of understanding under paragraph (1) shall provide details of any cost-sharing arrangement or other funding arrangement.

(c) **LIMITATION ON NUMBER OF MEMBERS PARTICIPATING AS STAFF.**—Not more than two members of the Armed Forces may participate as members of the staff of Headquarters Eurocorps, until the Secretary of Defense submits to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth the following:

(1) A certification by the Secretary of Defense that the participation of more than two members of the Armed Forces in Headquarters Eurocorps is in the national interests of the United States.

(2) A description of the benefits of the participation of the additional members proposed by the Secretary.

(3) A description of the plans for the participation of the additional members proposed by the Secretary, including the grades and posts to be filled.

(4) A description of the costs associated with the participation of the additional members proposed by the Secretary.

(d) **AVAILABILITY OF APPROPRIATED FUNDS.**—

(1) **AVAILABILITY.**—Funds appropriated to the Department of Defense for operation and maintenance are available as follows:

(A) To pay the United States' share of the operating expenses of Headquarters Eurocorps.

(B) To pay the costs of the participation of members of the Armed Forces participating as members of the staff of Headquarters Eurocorps, including the costs of expenses of such participants.

(2) **LIMITATION.**—No funds may be used under this section to fund the pay or salaries of members of the Armed Forces who participate as members of the staff of the Headquarters, North Atlantic Treaty Organization (NATO) Rapid Deployable Corps under this section.

(e) **HEADQUARTERS EUROCORPS DEFINED.**—In this section, the term "Headquarters Eurocorps" refers to the multinational military headquarters, established on October 1, 1993, which is one of the High Readiness Forces (Land) associated with the Allied Rapid Reaction Corps of NATO.

SEC. 1243. DEPARTMENT OF DEFENSE PARTICIPATION IN EUROPEAN PROGRAM ON MULTILATERAL EXCHANGE OF AIR TRANSPORTATION AND AIR REFUELING SERVICES.

(a) **PARTICIPATION AUTHORIZED.**—

(1) **IN GENERAL.**—The Secretary of Defense may, with the concurrence of the Secretary of State, authorize the participation of the United States in the Air Transport, Air-to-Air Refueling and other Exchanges of Services program (in this section referred to as the "ATARES program") of the Movement Coordination Centre Europe.

(2) **SCOPE OF PARTICIPATION.**—Participation in the ATARES program under paragraph (1) shall be limited to the reciprocal exchange or transfer of air transportation and air refueling services on a reimbursable basis or by replacement-in-kind or the exchange of air transportation or air refueling services of an equal value.

(3) **LIMITATIONS.**—The United States' balance of executed flight hours, whether as credits or debits, in participation in the ATARES program under paragraph (1) may not exceed 500 hours. The United States' balance of executed flight hours for air refueling in the ATARES program under paragraph (1) may not exceed 200 hours.

(b) **WRITTEN ARRANGEMENT OR AGREEMENT.**—

(1) **ARRANGEMENT OR AGREEMENT REQUIRED.**—The participation of the United States in the ATARES program under subsection (a) shall be in accordance with a written arrangement or agreement entered into by the Secretary of Defense, with the concurrence of the Secretary of State, and the Movement Coordination Centre Europe.

(2) **FUNDING ARRANGEMENTS.**—If Department of Defense facilities, equipment, or funds are used to support the ATARES program, the written arrangement or agreement under paragraph (1) shall specify the details of any equitable cost sharing or other funding arrangement.

(3) **OTHER ELEMENTS.**—Any written arrangement or agreement entered into under paragraph (1) shall require that any accrued credits and liabilities resulting from an unequal exchange or transfer of air transportation or air refueling services shall be liquidated, not less than once every five years, through the ATARES program.

(c) **IMPLEMENTATION.**—In carrying out any written arrangement or agreement entered into under subsection (b), the Secretary of Defense may—

(1) pay the United States' equitable share of the operating expenses of the Movement Coordination Centre Europe and the ATARES consortium from funds available to the Department of Defense for operation and maintenance; and

(2) assign members of the Armed Forces or Department of Defense civilian personnel, from among members and personnel within billets authorized for the United States European Command, to duty at the Movement Coordination Centre Europe as necessary to fulfill the United States' obligations under that arrangement or agreement.

(d) **CREDITING OF RECEIPTS.**—Any amount received by the United States in carrying out a written arrangement or agreement entered into under subsection (b) shall be credited, as elected by the Secretary of Defense, to the following:

(1) The appropriation, fund, or account used in incurring the obligation for which such amount is received.

(2) An appropriation, fund, or account currently available for the purposes for which such obligation was made.

(e) **ANNUAL SECRETARY OF DEFENSE REPORTS.**—Not later than 30 days after the end of each fiscal year in which the authority provided by this section is in effect, the Secretary of Defense shall submit to Congress a report on United States participation in the ATARES program during such fiscal year. Each report shall include the following:

(1) The United States balance of executed flight hours at the end of the fiscal year covered by such report.

(2) The types of services exchanged or transferred during the fiscal year covered by such report.

(3) A description of any United States costs under the written arrangement or agreement under subsection (b)(1) in connection with the use of Department of Defense facilities, equipment, or funds to support the ATARES program under that subsection as provided by subsection (b)(2).

(4) A description of the United States' equitable share of the operating expenses of the Movement Coordination Centre Europe and the ATARES consortium paid under subsection (c)(1).

(5) A description of any amounts received by the United States in carrying out a written arrangement or agreement entered into under subsection (b).

(f) **COMPTROLLER GENERAL OF UNITED STATES REPORT.**—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the congressional defense committees a report on the ATARES program. The report shall set forth the assessment of the Comptroller General of the program, including the types of services available under the program, whether the program is achieving its intended purposes, and, on the basis of actual cost data from the performance of the program, the cost-effectiveness of the program.

(g) **EXPIRATION.**—The authority provided by this section to participate in the ATARES program shall expire five years after the date on which the Secretary of Defense first enters into a written arrangement or agreement under subsection (b). The Secretary shall publish notice of such date on a public website of the Department of Defense.

SEC. 1244. AUTHORITY TO ESTABLISH PROGRAM TO PROVIDE ASSISTANCE TO FOREIGN CIVILIANS FOR HARM INCIDENT TO COMBAT OPERATIONS OF THE ARMED FORCES IN FOREIGN COUNTRIES.

(a) **AUTHORITY TO ESTABLISH PROGRAM.**—The Secretary of Defense may establish a program, under such regulations as the Secretary may prescribe, to enable military commanders at their discretion to provide assistance to foreign civilians for damage, personal injury, or death that is incident to combat operations of the Armed Forces in a foreign country.

(b) **ELEMENTS.**—

(1) **NATURE OF ASSISTANCE.**—Any assistance provided under a program under subsection (a) may be provided only ex gratia, and shall not be considered an admission or acknowledgment of any legal obligation to compensate for any damage, personal injury, or death.

(2) **TREATMENT WITH OTHER COMPENSATION.**—In the event compensation for damage, personal injury, or death covered by this section is received through a separate program operated by the United States Government, receipt of compensation in such amount should be considered by the commander or legal advisor determining appropriate assistance under a program under subsection (a).

(3) AMOUNT OF ASSISTANCE.—If the Secretary of Defense determines a program under subsection (a) to be fitting in a particular setting, the amount of assistance, if any, to be provided to civilians determined to have suffered harm incident to combat operations of the Armed Forces under the program should be determined pursuant to regulations prescribed by the Secretary and based on an assessment of cultural appropriateness and prevailing economic conditions.

(c) RECORDS.—

(1) IN GENERAL.—The regulations prescribed by the Secretary of Defense for purposes of any program under subsection (a) shall include requirements as follows:

(A) That local military commanders maintain a written record of any assistance offered or denied under such program.

(B) That local military commanders submit on a timely basis a report summarizing such written records to the appropriate office in the Department of Defense as specified by the Secretary in such regulations.

SEC. 1245. LIMITATION ON AVAILABILITY OF FUNDS FOR CERTAIN CAPITAL PROJECTS IN CONNECTION WITH OVERSEAS CONTINGENCY OPERATIONS.

(a) LIMITATION.—

(1) IN GENERAL.—Upon the commencement or designation of a military operation as an overseas contingency operation on or after the date that is 60 days after the date of the enactment of this Act, amounts authorized to be appropriated for the Department of Defense may not be obligated or expended for a capital project described in subsection (b) unless the Secretary of Defense, in consultation with the United States commander of military operations in the country in which the project will be carried out, completes an assessment on the necessity and sustainability of the project.

(2) ELEMENTS.—Each assessment on a capital project under this subsection shall include, but not be limited to, the following:

(A) An estimate of the total cost of the project to the United States.

(B) An estimate of the financial and other requirements necessary for the host government to sustain the project on an annual basis after completion of the project.

(C) An assessment whether the host government has the capacity (in both financial and human resources) to maintain and use the project after completion.

(D) A description of any arrangements for the sustenance of the project following its completion if the host government lacks the capacity (in either financial or human resources) to maintain the project.

(E) An assessment whether the host government has requested or expressed its need for the project, and an explanation of the decision to proceed with the project absent such request or need.

(F) An assessment of the effect of the project on the military mission of the United States in the country concerned.

(b) COVERED CAPITAL PROJECTS.—

(1) IN GENERAL.—Except as provided in paragraph (2), a capital project described in this subsection is any capital project overseas for an overseas contingency operation for the direct benefit of a host country and funded by the Department of Defense if the capital project—

(A) in the case of a project that directly supports building the capacity of indigenous security forces in the host country, has an estimated value in excess of \$10,000,000; or

(B) in the case of any other project, has an estimated value in excess of \$2,000,000.

(2) EXCLUSION.—A capital project described in this subsection does not include any project for military construction (as that term is defined in section 114 (b) of title 10, United States Code) or a military family housing project under section 2821 of such title.

(c) WAIVER.—The Secretary of Defense may waive the limitation in subsection (a) in order to initiate a capital project if the Secretary determines that the project is in the national security interests of the United States. In the first report submitted under subsection (d) after any waiver under this subsection, the Secretary shall include a detailed justification of such waiver. Not later than 180 days after issuing a waiver under this subsection, the Secretary shall submit to Congress the assessment described in subsection (a) with respect to the capital project concerned.

(d) QUARTERLY REPORTS.—

(1) IN GENERAL.—Not later than 30 days after the end of each fiscal-year quarter the Secretary of Defense shall submit to Congress a report setting forth each assessment conducted under subsection (a) during such fiscal-year quarter.

(2) FORM.—Each report shall be submitted in unclassified form, but may include a classified annex.

(e) CAPITAL PROJECT DEFINED.—In this section, the term “capital project” has the meaning given that term in section 308 of the Aid, Trade, and Competitiveness Act of 1992 (22 U.S.C. 2421e).

TITLE XIII—COOPERATIVE THREAT REDUCTION

SEC. 1301. SPECIFICATION OF COOPERATIVE THREAT REDUCTION PROGRAMS AND FUNDS.

(a) SPECIFICATION OF COOPERATIVE THREAT REDUCTION PROGRAMS.—For purposes of section 301 and other provisions of this Act, Cooperative Threat Reduction programs are the programs specified in section 1501 of the National Defense Authorization Act for Fiscal Year 1997 (50 U.S.C. 2632 note).

(b) FISCAL YEAR 2013 COOPERATIVE THREAT REDUCTION FUNDS DEFINED.—As used in this title, the term “fiscal year 2013 Cooperative Threat Reduction funds” means the funds appropriated pursuant to the authorization of appropriations in section 301 and made available by the funding table in section 4301 for Cooperative Threat Reduction programs.

(c) AVAILABILITY OF FUNDS.—Funds appropriated pursuant to the authorization of appropriations in section 301 and made available by the funding table in section 4301 for Cooperative Threat Reduction programs shall be available for obligation for fiscal years 2013, 2014, and 2015.

SEC. 1302. FUNDING ALLOCATIONS.

(a) FUNDING FOR SPECIFIC PURPOSES.—Of the \$519,100,000 authorized to be appropriated to the Department of Defense for fiscal year 2013 in section 301 and made available by the funding table in section 4301 for Cooperative Threat Reduction programs, the following amounts may be obligated for the purposes specified:

(1) For strategic offensive arms elimination, \$68,300,000.

(2) For chemical weapons destruction, \$14,600,000.

(3) For global nuclear security, \$99,800,000.

(4) For cooperative biological engagement, \$276,400,000.

(5) For proliferation prevention, \$32,400,000.

(6) For threat reduction engagement, \$2,400,000.

(7) For other assessments/administrative support, \$25,200,000.

(b) REPORT ON OBLIGATION OR EXPENDITURE OF FUNDS FOR OTHER PURPOSES.—No fiscal year 2013 Cooperative Threat Reduction funds may be obligated or expended for a purpose other than a purpose listed in paragraphs (1) through (7) of subsection (a) until 15 days after the date that the Secretary of Defense submits to Congress a report on the purpose for which the funds will be obligated or expended and the amount of funds to be obligated or expended. Nothing in the preceding sentence shall be construed as authorizing the obligation or expenditure of fiscal year 2013 Cooperative Threat Reduction funds for a purpose for which the obligation or expenditure of such funds is specifically prohibited under this title or any other provision of law.

(c) LIMITED AUTHORITY TO VARY INDIVIDUAL AMOUNTS.—

(1) IN GENERAL.—Subject to paragraph (2), in any case in which the Secretary of Defense determines that it is necessary to do so in the national interest, the Secretary may obligate amounts appropriated for fiscal year 2013 for a purpose listed in paragraphs (1) through (7) of subsection (a) in excess of the specific amount authorized for that purpose.

(2) NOTICE-AND-WAIT REQUIRED.—An obligation of funds for a purpose stated in paragraphs (1) through (7) of subsection (a) in excess of the specific amount authorized for such purpose may be made using the authority provided in paragraph (1) only after—

(A) the Secretary submits to Congress notification of the intent to do so together with a complete discussion of the justification for doing so; and

(B) 15 days have elapsed following the date of the notification.

TITLE XIV—OTHER AUTHORIZATIONS

Subtitle A—Military Programs

SEC. 1401. WORKING CAPITAL FUNDS.

Funds are hereby authorized to be appropriated for fiscal year 2013 for the use of the Armed Forces and other activities and agencies of the Department of Defense for providing capital for working capital and revolving funds, as specified in the funding table in section 4501.

SEC. 1402. NATIONAL DEFENSE SEALIFT FUND.

Funds are hereby authorized to be appropriated for fiscal year 2013 for the National Defense Sealift Fund, as specified in the funding table in section 4501.

SEC. 1403. DEFENSE HEALTH PROGRAM.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2013 for expenses, not otherwise provided for, for the Defense Health Program, as specified in the funding table in section 4501.

SEC. 1404. CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2013 for expenses, not otherwise provided for, for Chemical Agents and Munitions Destruction, Defense, as specified in the funding table in section 4501.

(b) USE.—Amounts authorized to be appropriated under subsection (a) are authorized for—

(1) the destruction of lethal chemical agents and munitions in accordance with section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521); and

(2) the destruction of chemical warfare materiel of the United States that is not covered by section 1412 of such Act.

SEC. 1405. DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE-WIDE.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2013 for expenses, not otherwise provided for, for Drug Interdiction and Counter-Drug Activities, Defense-wide, as specified in the funding table in section 4501.

SEC. 1406. DEFENSE INSPECTOR GENERAL.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2013 for expenses, not otherwise provided for, for the Office of the Inspector General of the Department of Defense, as specified in the funding table in section 4501.

Subtitle B—National Defense Stockpile**SEC. 1411. RELEASE OF MATERIALS NEEDED FOR NATIONAL DEFENSE PURPOSES FROM THE STRATEGIC AND CRITICAL MATERIALS STOCKPILE.**

(a) **AUTHORITY FOR PRESIDENT TO DELEGATE SPECIAL DISPOSAL AUTHORITY OF PRESIDENT FOR RELEASE FOR NATIONAL DEFENSE PURPOSES.**—Section 7(a) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98f(a)) is amended—

(1) in paragraph (1), by striking “and” at the end;

(2) in paragraph (2), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following new paragraph:

“(3) on the order of the Under Secretary of Defense for Acquisition, Technology, and Logistics, if the President has designated the Under Secretary to have authority to issue release orders under this subsection and, in the case of any such order, if the Under Secretary determines that the release of such materials is required for use, manufacture, or production for purposes of national defense.”.

(b) **EXCLUSION FROM DELEGATION LIMITATION.**—Section 16 of such Act (50 U.S.C. 98h-7) is amended by striking “sections 7 and 13” each place it appears and inserting “sections 7(a)(1) and 13”.

Subtitle C—Chemical Demilitarization Matters**SEC. 1421. SUPPLEMENTAL CHEMICAL AGENT AND MUNITIONS DESTRUCTION TECHNOLOGIES AT PUEBLO CHEMICAL DEPOT, COLORADO, AND BLUE GRASS ARMY DEPOT, KENTUCKY.**

(a) **SUPPLEMENTAL DESTRUCTION TECHNOLOGIES.**—Section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521) is amended—

(1) by redesignating subsection (o) as subsection (p); and

(2) by inserting after subsection (n) the following new subsection (o):

“(o) **SUPPLEMENTAL DESTRUCTION TECHNOLOGIES.**—In determining the technologies to supplement the neutralization destruction of the stockpile of lethal chemical agents and munitions at Pueblo Chemical Depot, Colorado, and Blue Grass Army Depot, Kentucky, the Secretary of Defense may consider the following:

“(1) Explosive Destruction Technologies.

“(2) Any technologies developed for treatment and disposal of agent or energetic hydrolysates, if problems with the current on-site treatment of hydrolysates are encountered.”.

(b) **REPEAL OF SUPERSEDED PROVISION.**—Section 151 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106-398; 114 Stat. 1645A-30) is repealed.

Subtitle D—Other Matters**SEC. 1431. AUTHORIZATION OF APPROPRIATIONS FOR ARMED FORCES RETIREMENT HOME.**

There is hereby authorized to be appropriated for fiscal year 2013 from the Armed Forces Retirement Home Trust Fund the sum of \$67,590,000 for the operation of the Armed Forces Retirement Home.

SEC. 1432. ADDITIONAL WEAPONS OF MASS DESTRUCTION CIVIL SUPPORT TEAMS.

(a) **IN GENERAL.**—Section 1403 of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107-314; 116 Stat. 2676; 10 U.S.C. 12310 note) is amended—

(1) by striking subsection (b);

(2) by redesignating subsection (c) as subsection (d); and

(3) by inserting after subsection (a) the following new subsections (b) and (c):

“(b) **ESTABLISHMENT OF FURTHER ADDITIONAL TEAMS.**—The Secretary of Defense is authorized to have established two additional teams designated as Weapons of Mass Destruction Civil Support teams, beyond the 55 teams required in subsection (a), if—

“(1) the Secretary of Defense has made the certification provided for in section 12310(c)(5) of title 10, United States Code, with respect to each of such additional teams before December 31, 2011; and

“(2) the establishment of such additional teams does not require an increase in authorized personnel levels above the numbers authorized as of the date of the enactment of the National Defense Authorization Act for Fiscal Year 2013.

“(c) **LIMITATION OF ESTABLISHMENT OF FURTHER TEAMS.**—No Weapons of Mass Destruction Civil Support Team may be established beyond the number authorized by subsections (a) and (b) unless—

“(1) the Secretary submits to Congress a request for authority to establish such team, including a detailed justification for their establishment; and

“(2) the establishment of such team is specifically authorized by a law enacted after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2013.”.

(b) **REPORT.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the Weapons of Mass Destruction Civil Support Teams. The report shall include the following:

(1) A detailed description of risk management criteria and considerations to be used in determining the optimal number and location of Weapons of Mass Destruction Civil Support Teams.

(2) A description of the operational and training activities conducted by the Weapons of Mass Destruction Civil Support Teams during each of fiscal years 2010, 2011, and 2012.

(3) An assessment of the optimal number and location of Weapons of Mass Destruction Civil Support Teams in light of the information under paragraphs (1) and (2).

(4) A comparative analysis of the cost of establishing Weapons of Mass Destruction Civil Support Teams in the reserve components of the Armed Forces (other than the National Guard) with the cost of establishing Weapons of Mass Destruction Civil Support Teams in the National Guard.

(5) A description of the portion of the costs of Weapons of Mass Destruction Civil Support Teams that is currently borne by the States.

TITLE XV—AUTHORIZATION OF APPROPRIATIONS FOR OVERSEAS CONTINGENCY OPERATIONS**Subtitle A—Authorization of Appropriations****SEC. 1501. PURPOSE.**

The purpose of this subtitle is to authorize appropriations for the Department of Defense for fiscal year 2013 to provide additional funds for overseas contingency operations being carried out by the Armed Forces.

SEC. 1502. PROCUREMENT.

Funds are hereby authorized to be appropriated for fiscal year 2013 for procurement accounts for the Army, the Navy and the Marine Corps, the Air Force, and Defense-wide activities, as specified in the funding table in section 4102.

SEC. 1503. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.

Funds are hereby authorized to be appropriated for fiscal year 2013 for the use of the Department of Defense for research, development, test, and evaluation, as specified in the funding table in section 4202.

SEC. 1504. OPERATION AND MAINTENANCE.

Funds are hereby authorized to be appropriated for fiscal year 2013 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for operation and maintenance, as specified in the funding table in section 4302.

SEC. 1505. MILITARY PERSONNEL.

Funds are hereby authorized to be appropriated for fiscal year 2013 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for military personnel, as specified in the funding table in section 4402.

SEC. 1506. WORKING CAPITAL FUNDS.

Funds are hereby authorized to be appropriated for fiscal year 2013 for the use of the Armed Forces and other activities and agencies of the Department of Defense for providing capital for working capital and revolving funds, as specified in the funding table in section 4502.

SEC. 1507. DEFENSE HEALTH PROGRAM.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2013 for expenses, not otherwise provided for, for the Defense Health Program, as specified in the funding table in section 4502.

SEC. 1508. DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE-WIDE.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2013 for expenses, not otherwise provided for, for Drug Interdiction and Counter-Drug Activities, Defense-wide, as specified in the funding table in section 4502.

SEC. 1509. DEFENSE INSPECTOR GENERAL.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2013 for expenses, not otherwise provided for, for the Office of the Inspector General of the Department of Defense, as specified in the funding table in section 4502.

Subtitle B—Financial Matters**SEC. 1521. TREATMENT AS ADDITIONAL AUTHORIZATIONS.**

The amounts authorized to be appropriated by this title are in addition to amounts otherwise authorized to be appropriated by this Act.

SEC. 1522. SPECIAL TRANSFER AUTHORITY.

(a) **AUTHORITY TO TRANSFER AUTHORIZATIONS.**—

(1) **AUTHORITY.**—Upon determination by the Secretary of Defense that such action is

necessary in the national interest, the Secretary may transfer amounts of authorizations made available to the Department of Defense in this title for fiscal year 2013 between any such authorizations for that fiscal year (or any subdivisions thereof). Amounts of authorizations so transferred shall be merged with and be available for the same purposes as the authorization to which transferred.

(2) **LIMITATION.**—The total amount of authorizations that the Secretary may transfer under the authority of this subsection may not exceed \$4,000,000,000.

(b) **TERMS AND CONDITIONS.**—Transfers under this section shall be subject to the same terms and conditions as transfers under section 1001.

(c) **ADDITIONAL AUTHORITY.**—The transfer authority provided by this section is in addition to the transfer authority provided under section 1001.

Subtitle C—Limitations and Other Matters

SEC. 1531. AFGHANISTAN SECURITY FORCES FUND.

(a) **CONTINUATION OF EXISTING LIMITATIONS.**—Funds available to the Department of Defense for the Afghanistan Security Forces Fund for fiscal year 2013 shall be subject to the conditions contained in subsections (b) through (g) of section 1513 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 122 Stat. 428), as amended by section 1531(b) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383; 124 Stat. 4424).

(b) **AVAILABILITY FOR SUPPORT OF TRAINING OF AFGHAN PUBLIC PROTECTION FORCE.**—Assistance provided during fiscal year 2013 utilizing funds in the Afghanistan Security Forces Fund may be used to increase the capacity of the Government of Afghanistan to recruit, vet, train, and manage the Afghan Public Protection Force within the Afghanistan Ministry of Interior, including activities in connection with the following:

(1) Expanding the capacity of the Force to train and qualify recruits for static security, convoy security, and personal detail security.

(2) Improving the infrastructure of the Afghan Public Protection Force Training Center or other facilities for training Force personnel.

(3) Increasing the capacity of the Afghanistan Ministry of Interior to manage the Force.

(4) Improving procedures for recruiting and vetting Force personnel.

(5) Establishing or implementing requirements for qualifications, training, and accountability consistent with the purposes of section 862 of the National Defense Authorization Act for Fiscal Year 2008 (10 U.S.C. 2302 note), to the extent feasible.

(c) **PLAN FOR USE OF AFGHANISTAN SECURITY FORCES FUND THROUGH 2017.**—No later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a plan for using funds available to the Department of Defense to provide assistance to the security forces of Afghanistan through the Afghanistan Security Forces Fund through September 30, 2017.

SEC. 1532. JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND.

(a) **USE AND TRANSFER OF FUNDS.**—Subsections (b) and (c) of section 1514 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364; 120 Stat. 2439), as in effect before the amendments made by section 1503 of the Duncan

Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4649), shall apply to the funds made available to the Department of Defense for the Joint Improvised Explosive Device Defeat Fund for fiscal year 2013.

(b) **AVAILABILITY OF CERTAIN FISCAL YEAR 2013 FUNDS.**—

(1) **IN GENERAL.**—Of the funds made available to the Department of Defense for the Joint Improvised Explosive Device Defeat Fund for fiscal year 2013, \$15,000,000 may be available to the Secretary of Defense to provide training, equipment, supplies, and services to ministries and other entities of the Government of Pakistan that the Secretary has identified as critical for countering the flow of improvised explosive device precursor chemicals from Pakistan to locations in Afghanistan.

(2) **PROVISION THROUGH OTHER US AGENCIES.**—If jointly agreed upon by the Secretary of Defense and the head of another department or agency of the United States Government, the Secretary of Defense may transfer funds available under paragraph (1) to such department or agency for the provision of training, equipment, supplies, and services to ministries and other entities of the Government of Pakistan as described in that paragraph by such department or agency.

(3) **NOTICE TO CONGRESS.**—Funds may not be used under the authority in paragraph (1) until 15 days after the date on which the Secretary of Defense submits to the congressional defense committees a notice on the training, equipment, supplies, and services to be provided using such funds.

(c) **EXPIRATION.**—This section shall cease to be effective on December 31, 2013.

SEC. 1533. PLAN FOR TRANSITION IN FUNDING OF UNITED STATES SPECIAL OPERATIONS COMMAND FROM SUPPLEMENTAL FUNDING FOR OVERSEAS CONTINGENCY OPERATIONS TO RECURRING FUNDING UNDER THE FUTURE-YEARS DEFENSE PROGRAM.

The Secretary of Defense shall submit to the congressional defense committees, at the same time as the budget of the President for fiscal year 2014 is submitted to Congress pursuant to section 1105(a) of title 31, United States Code, a plan for the transition of funding of the United States Special Operations Command from funds authorized to be appropriated for overseas contingency operations (commonly referred to as the “overseas contingency operations budget”) to funds authorized to be appropriated for recurring operations of the Department of Defense in accordance with applicable future-years defense programs under section 221 of title 10, United States Code (commonly referred to as the “base budget”).

SEC. 1534. EXTENSION OF AUTHORITY ON TASK FORCE FOR BUSINESS AND STABILITY OPERATIONS IN AFGHANISTAN.

Section 1535(a) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383; 124 Stat. 4426), as amended by section 1534 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1658), is further amended—

(1) in the second sentence of paragraph (4)—

(A) by striking “The amount of funds used” and inserting “The amount of fund obligated”;

(B) by inserting “and \$93,000,000 for fiscal year 2013” after “fiscal year 2012”; and

(C) by inserting “for fiscal year 2012” after “except that”;

(2) in paragraph (6), by striking “October 31, 2011, and October 31, 2012” and inserting “October 31 of each of 2011, 2012, and 2013”; and

(3) in paragraph (7)—

(A) by striking “provided in” and inserting “to obligate funds for projects under”; and

(B) by striking “September 30, 2012” and inserting “September 30, 2013”.

SEC. 1535. ASSESSMENTS OF TRAINING ACTIVITIES AND INTELLIGENCE ACTIVITIES OF THE JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT ORGANIZATION.

(a) **TRAINING ACTIVITIES.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the Chairman of Joint Chiefs of Staff and the other chiefs of staff of the Armed Forces, submit to the congressional defense committees a report setting forth an assessment of the training-related activities of the Joint Improvised Explosive Device Defeat Organization (JIEDDO).

(2) **ELEMENTS.**—The assessment required by paragraph (1) shall—

(A) include all training programs and functions executed by the Joint Improvised Explosive Device Defeat Organization in support of the United States Armed Forces or coalition partners;

(B) identify any program or function which is duplicated elsewhere within the Department of Defense; and

(C) assess the value of maintaining such duplication.

(3) **FORM.**—The report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(4) **LIMITATION.**—No training-related program may be initiated by the Joint Improvised Explosive Device Defeat Organization between the date of the enactment of this Act and the date of the submittal of the report required by paragraph (1).

(b) **INTELLIGENCE ACTIVITIES.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the Director of National Intelligence, submit to the congressional defense committees a report setting forth an assessment of the activities of the Counter-Improvised-Explosive-Device Operations Integration Center of the Joint Improvised Explosive Device Defeat Organization.

(2) **ELEMENTS.**—The assessment required by paragraph (1) shall—

(A) include all intelligence analysis programs and functions executed by the Counter-Improvised-Explosive-Device Operations Integration Center in support of the United States Government or coalition partners;

(B) identify any program or function which is duplicated elsewhere within the Department of Defense, including the intelligence components of the Department, or the intelligence community of the United States; and

(C) assess the value of maintaining such duplication.

(3) **FORM.**—The report required by paragraph (2) shall be submitted in unclassified form, but may include a classified annex.

TITLE XVI—MILITARY COMPENSATION AND RETIREMENT MODERNIZATION COMMISSION

SEC. 1601. SHORT TITLE.

This title may be cited as the “Military Compensation and Retirement Modernization Commission Act of 2012”.

SEC. 1602. PURPOSE.

The purpose of this title is to establish a Commission to review and make recommendations to modernize the military compensation and retirement systems in order to—

- (1) ensure the long-term viability of the All-Volunteer Force;
- (2) enable the quality of life for members of the Armed Forces and the other uniformed services and their families in a manner that fosters successful recruitment, retention, and careers for members of the Armed Forces and the other uniformed services; and
- (3) modernize and achieve fiscal sustainability for the compensation and retirements systems for the Armed Forces and the other uniformed services for the 21st century.

SEC. 1603. DEFINITIONS.

In this title:

- (1) The term “military compensation and retirement systems” means the military compensation system and the military retirement system.
- (2) The term “military compensation system” means provisions of law providing eligibility for and the computation of military compensation, including regular military compensation, special and incentive pays and allowances, medical and dental care, educational assistance and related benefits, and commissary and exchange benefits and related benefits and activities.
- (3) The term “military retirement system” means retirement benefits, including retired pay based upon service in the uniformed services and survivor annuities based upon such service.
- (4) The term “Armed Forces” has the meaning given the term “armed forces” in section 101(a)(4) of title 10, United States Code.
- (5) The term “uniformed services” has the meaning given that term in section 101(a)(5) of title 10, United States Code.
- (6) The term “Secretary” means the Secretary of Defense.
- (7) The term “Commission” means the commission established under section 1604.
- (8) The term “Commission establishment date” means the first day of the first month beginning on or after the date of the enactment of this Act.
- (9) The terms “veterans service organization” and “military-related advocacy group or association” mean an organization the primary purpose of which is to advocate for veterans, military personnel, military retirees, or military families.

SEC. 1604. MILITARY COMPENSATION AND RETIREMENT MODERNIZATION COMMISSION.

(a) **ESTABLISHMENT.**—There is established in the executive branch an independent commission to be known as the Military Compensation and Retirement Modernization Commission. The Commission shall be considered an independent establishment of the Federal Government as defined by section 104 of title 5, United States Code, and a temporary organization under section 3161 of such title.

(b) **APPOINTMENT.**—

(1) **IN GENERAL.**—

(A) **MEMBERS.**—The Commission shall be composed of nine members appointed by the President, in consultation with—

(i) the Chairman and Ranking Member of the Committee on Armed Services of the Senate; and

(ii) the Chairman and Ranking Member of the Committee on Armed Services of the House of Representatives.

(B) **DEADLINE FOR APPOINTMENT.**—The President shall make appointments to the

Commission not later than six months after the Commission establishment date.

(C) **TERMINATION FOR LACK OF APPOINTMENT.**—If the President does not make all appointments to the Commission on or before the date specified in subparagraph (B), the Commission shall be terminated.

(2) **QUALIFICATIONS OF INDIVIDUALS APPOINTED.**—In appointing individuals to the Commission, the President shall—

(A) ensure that—

(i) there are members with significant expertise in Federal compensation and retirement systems, including the military compensation and retirement systems, private sector compensation, retirement, or human resource systems, and actuarial science;

(ii) at least five members have active-duty military experience, including—

(I) at least one of whom has active-duty experience as an enlisted member; and

(II) at least one of whom has experience as a member of a reserve component; and

(iii) at least one member was the spouse of a member of the Armed Forces, or, in the sole determination of the President, has significant experience in military family matters; and

(B) select individuals who are knowledgeable and experienced with the uniformed services and military compensation and retirement issues.

(3) **LIMITATION.**—The President may not appoint to the Commission an individual who within the preceding year has been employed by a veterans service organization or military-related advocacy group or association.

(4) **CHAIR.**—At the time the President appoints the members of the Commission, the President shall designate one of the members to be Chair of the Commission. The individual designated as Chair of the Commission shall be a person who has expertise in the military compensation and retirement systems. The Chair, or the designee of the Chair, shall preside over meetings of the Commission and be responsible for establishing the agenda of Commission meetings and hearings.

(c) **TERMS.**—Members shall be appointed for the life of the Commission (subject to subsection (b)(3)). A vacancy in the Commission shall not affect its powers, and shall be filled in the same manner as the original appointment was made.

(d) **STATUS AS FEDERAL EMPLOYEES.**—Notwithstanding the requirements of section 2105 of title 5, United States Code, including the required supervision under subsection (a)(3) of such section, the members of the Commission shall be deemed Federal employees.

SEC. 1605. COMMISSION HEARINGS AND MEETINGS.

(a) **IN GENERAL.**—The Commission shall conduct hearings on the recommendations it is taking under consideration. Any such hearing, except a hearing in which classified information is to be considered, shall be open to the public. Any hearing open to the public shall be announced on a Federal website at least 14 days in advance. For all hearings open to the public, the Commission shall release an agenda and a listing of materials relevant to the topics to be discussed.

(b) **MEETINGS.**—

(1) **INITIAL MEETING.**—The Commission shall hold its initial meeting not later than 30 days after the date as of which all members have been appointed.

(2) **SUBSEQUENT MEETINGS.**—After its initial meeting, the Commission shall meet upon the call of the Chair or a majority of its members.

(3) **PUBLIC MEETINGS.**—Each meeting of the Commission shall be held in public unless any member objects.

(c) **QUORUM.**—Five members of the Commission shall constitute a quorum, but a lesser number may hold hearings.

(d) **PUBLIC COMMENTS.**—

(1) **IN GENERAL.**—The Commission shall seek written comments from the general public and interested parties on measures to modernize the military compensation and retirement systems. Comments shall be requested through a solicitation in the Federal Register and announcement on the Internet website of the Commission.

(2) **PERIOD FOR SUBMITTAL.**—The period for the submittal of comments pursuant to the solicitation under paragraph (1) shall end not earlier than 30 days after the date of the solicitation and shall end on or before the date on which the Secretary transmits the recommendations of the Secretary to the Commission under section 1606(b).

(3) **USE BY COMMISSION.**—The Commission shall consider the comments submitted under this subsection when developing its recommendations.

SEC. 1606. PRINCIPLES AND PROCEDURE FOR COMMISSION RECOMMENDATIONS.

(a) **PRINCIPLES.**—

(1) **CONTEXT OF COMMISSION REVIEW.**—The Commission shall conduct a review of the military compensation and retirement systems in the context of all elements of the current military compensation and retirement systems, force management objectives, and changes in life expectancy and the labor force.

(2) **DEVELOPMENT OF COMMISSION RECOMMENDATIONS.**—

(A) **CONSISTENCY WITH PRESIDENTIAL PRINCIPLES.**—The Commission shall develop recommendations for modernizing the military compensation and retirement systems that are consistent with principles established by the President under paragraph (3).

(B) **GRANDFATHERING.**—The recommendations of the Commission may not apply to any person who first becomes a member of a uniformed service before the date of the enactment of a military compensation and retirement modernization Act pursuant to this title (except that such recommendations may include provisions allowing for such a member to make a voluntary election to be covered by some or all of the provisions of such recommendations).

(3) **PRESIDENTIAL PRINCIPLES.**—Not later than five months after the Commission establishment date, the President shall establish and transmit to the Commission and Congress principles for modernizing the military compensation and retirement systems. The principles established by the President shall address the following:

(A) Maintaining recruitment and retention of the best military personnel.

(B) Modernizing the active and reserve military compensation and retirement systems.

(C) Differentiating between active and reserve military service.

(D) Differentiating between service in the Armed Forces and service in the other uniformed services.

(E) Assisting with force management.

(F) Ensuring the fiscal sustainability of the military compensation and retirement systems.

(b) **SECRETARY OF DEFENSE RECOMMENDATIONS.**—

(1) **IN GENERAL.**—Not later than nine months after the Commission establishment date, the Secretary shall transmit to the

Commission the recommendations of the Secretary for military compensation and retirement modernization. The Secretary shall concurrently transmit the recommendations to Congress.

(2) **DEVELOPMENT OF RECOMMENDATIONS.**—The Secretary shall develop the recommendations of the Secretary under paragraph (1)—

(A) on the basis of the principles established by the President pursuant to subsection (a)(3);

(B) in consultation with the Secretary of Homeland Security, with respect to recommendations concerning members of the Coast Guard;

(C) in consultation with the Secretary of Health and Human Services, with respect to recommendations concerning members of the Public Health Service;

(D) in consultation with the Secretary of Commerce, with respect to recommendations concerning members of the National Oceanic and Atmospheric Administration; and

(E) in consultation with the Director of the Office of Management and Budget.

(3) **JUSTIFICATION.**—The Secretary shall include with the recommendations under paragraph (1) the justification of the Secretary for each recommendation.

(4) **AVAILABILITY OF INFORMATION.**—The Secretary shall make available to the Commission and to Congress the information used by the Secretary to prepare the recommendations of the Secretary under paragraph (1).

(c) **COMMISSION HEARINGS ON RECOMMENDATIONS OF SECRETARY.**—After receiving from the Secretary the recommendations of the Secretary for military compensation and retirement modernization pursuant to subsection (b), the Commission shall conduct public hearings on the recommendations.

(d) **COMMISSION REPORT AND RECOMMENDATIONS.**—

(1) **REPORT.**—Not later than 15 months after the Commission establishment date, the Commission shall transmit to the President a report containing the findings and conclusions of the Commission, together with the recommendations of the Commission for the modernization of the military compensation and retirement systems. The Commission shall include in the report legislative language to implement the recommendations of the Commission. The findings and conclusions in the report shall be based on the review and analysis by the Commission of the recommendations of the Secretary.

(2) **REQUIREMENT FOR APPROVAL.**—The recommendations of the Commission must be approved by at least five members of the Commission before the recommendations may be transmitted to the President under paragraph (1).

(3) **PROCEDURES FOR CHANGING RECOMMENDATIONS OF SECRETARY.**—The Commission may make a change described in paragraph (4) in the recommendations made by the Secretary only if the Commission—

(A) determines that the change is consistent with the principles established by the President under subsection (a)(3);

(B) publishes a notice of the proposed change not less than 45 days before transmitting its recommendations to the President pursuant to paragraph (1); and

(C) conducts a public hearing on the proposed change.

(4) **COVERED CHANGES.**—Paragraph (3) applies to a change by the Commission in the recommendations of the Secretary that would—

(A) add a new recommendation;

(B) delete a recommendation; or

(C) substantially change a recommendation.

(5) **EXPLANATION AND JUSTIFICATION FOR CHANGES.**—The Commission shall explain and justify in its report submitted to the President under paragraph (1) any recommendation made by the Commission that is different from the recommendations made by the Secretary pursuant to subsection (b).

(6) **TRANSMITTAL TO CONGRESS.**—The Commission shall transmit a copy of its report to Congress on the same date on which it transmits its report to the President under paragraph (1).

SEC. 1607. CONSIDERATION OF COMMISSION RECOMMENDATIONS BY THE PRESIDENT AND CONGRESS.

(a) **REVIEW BY THE PRESIDENT.**—

(1) **REPORT OF PRESIDENTIAL APPROVAL OR DISAPPROVAL.**—Not later than 60 days after the date on which the Commission transmits its report to the President under section 1606(d), the President shall transmit to the Commission and to Congress a report containing the approval or disapproval by the President of the recommendations of the Commission in the report.

(2) **PRESIDENTIAL APPROVAL.**—If in the report under paragraph (1) the President approves all the recommendations of the Commission, the President shall include with the report the following:

(A) A copy of the recommendations of the Commission.

(B) The certification by the President of the approval of the President of each recommendation.

(C) The legislative language transmitted by the Commission to the President as part of the report of the Commission under section 1606(d)(1).

(3) **PRESIDENTIAL DISAPPROVAL.**—

(A) **REASONS FOR DISAPPROVAL.**—If in the report under paragraph (1) the President disapproves the recommendations of the Commission, in whole or in part, the President shall include in the report the reasons for that disapproval.

(B) **REVISED RECOMMENDATIONS FROM COMMISSION.**—The Commission shall then transmit to the President, not later one month after the date of the report of the President under paragraph (1), revised recommendations for the modernization of the military compensation and retirement systems, together with revised legislative language to implement the revised recommendations of the Commission.

(4) **ACTION ON REVISED RECOMMENDATIONS.**—If the President approves all of the revised recommendations of the Commission transmitted pursuant to paragraph (3)(B), the President shall transmit to Congress, not later than one month after receiving the revised recommendations, the following:

(A) A copy of the revised recommendations.

(B) The certification by the President of the approval of the President of each recommendation as so revised.

(C) The revised legislative language transmitted to the President under paragraph (3)(B).

(5) **TERMINATION OF COMMISSION.**—If the President does not transmit to Congress an approval and certification described in paragraph (2) or (4) in accordance with the applicable deadline under such paragraph, the Commission shall be terminated not later than one month after the expiration of the period for transmittal of a report under paragraph (4).

(b) **CONSIDERATION BY CONGRESS.**—

(1) **RULEMAKING.**—The provisions of this subsection are enacted by Congress—

(A) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such they shall be considered as part of the rules of each House, respectively, or of that House to which they specifically apply, and such rules supersede other rules only to the extent that they are inconsistent therewith; and

(B) with full recognition of the constitutional right of either House to change such rules (so far as relating to the procedure of that House) at any time, in the same manner and to the same extent as in the case of any other rule of that House.

(2) **MILITARY COMPENSATION AND RETIREMENT MODERNIZATION BILL.**—For the purpose of this subsection, the term “military compensation and retirement modernization bill” means only a bill consisting of the proposed legislative language recommended by the Commission and submitted to Congress by the President pursuant to subsection (a).

(3) **INTRODUCTION OF LEGISLATIVE PROPOSAL IN HOUSE AND SENATE.**—If the President transmits to Congress under subsection (a) a copy of the recommendations of the Commission (including the legislative language recommended by the Commission), together with a certification of the approval of the President of the recommendations, the proposed legislative language recommended by the Commission and submitted to Congress by the President pursuant to that subsection—

(A) shall be introduced in the Senate (by request) on the next day on which the Senate is in session by the chairman of the Committee on Armed Services of the Senate; and

(B) shall be introduced in the House of Representatives (by request) on the next legislative day by the chair of the Committee on Armed Services of the House of Representatives.

(4) **CONSIDERATION IN THE HOUSE OF REPRESENTATIVES.**—

(A) **REFERRAL AND REPORTING.**—Any committee of the House of Representatives to which the military compensation and retirement modernization bill is referred shall report it to the House without amendment not later than the end of the 60-day period beginning on the date on which the bill is introduced. If a committee fails to report the bill to the House within that period, it shall be in order to move that the House discharge the committee from further consideration of the bill. Such a motion shall not be in order after the last committee authorized to consider the bill reports it to the House or after the House has disposed of a motion to discharge the bill. The previous question shall be considered as ordered on the motion to its adoption without intervening motion except 20 minutes of debate equally divided and controlled by the proponent and an opponent. If such a motion is adopted, the House shall proceed immediately to consider the Commission bill in accordance with subparagraphs (B) and (C). A motion to reconsider the vote by which the motion is disposed of shall not be in order.

(B) **PROCEEDING TO CONSIDERATION.**—After the last committee authorized to consider a military compensation and retirement modernization bill reports it to the House or has been discharged (other than by motion) from its consideration, it shall be in order to move to proceed to consider the military compensation and retirement modernization bill in the House. Such a motion shall not be in order after the House has disposed of a motion to proceed with respect to the military

compensation and retirement modernization bill. The previous question shall be considered as ordered on the motion to its adoption without intervening motion. A motion to reconsider the vote by which the motion is disposed of shall not be in order.

(C) **CONSIDERATION.**—The military compensation and retirement modernization bill shall be considered as read. All points of order against the bill and against its consideration are waived. The previous question shall be considered as ordered on the bill to its passage without intervening motion except 2 hours of debate equally divided and controlled by the proponent and an opponent and one motion to limit debate on the bill. A motion to reconsider the vote on passage of the bill shall not be in order.

(D) **VOTE ON PASSAGE.**—The vote on passage of the military compensation and retirement modernization bill shall occur not later than the end of the 90-day period beginning on the date on which the bill is introduced.

(5) **EXPEDITED PROCEDURE IN THE SENATE.**—

(A) **COMMITTEE CONSIDERATION.**—A military compensation and retirement modernization bill introduced in the Senate under subsection (a) shall be jointly referred to the committee or committees of jurisdiction, which committees shall report the bill without any revision and with a favorable recommendation, an unfavorable recommendation, or without recommendation, not later than the end of the 60-day period beginning on the date on which the bill is introduced. If any committee fails to report the bill within that period, that committee shall be automatically discharged from consideration of the bill, and the bill shall be placed on the appropriate calendar.

(B) **MOTION TO PROCEED.**—Notwithstanding Rule XXII of the Standing Rules of the Senate, it is in order, not later than 2 days of session after the date on which a military compensation and retirement modernization bill is reported or discharged from all committees to which it was referred, for the majority leader of the Senate or the majority leader's designee to move to proceed to the consideration of the military compensation and retirement modernization bill. It shall also be in order for any Member of the Senate to move to proceed to the consideration of the military compensation and retirement modernization bill at any time after the conclusion of such 2-day period. A motion to proceed is in order even though a previous motion to the same effect has been disagreed to. All points of order against the motion to proceed to the military compensation and retirement modernization bill are waived. The motion to proceed is not debatable. The motion is not subject to a motion to postpone. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the military compensation and retirement modernization bill is agreed to, the military compensation and retirement modernization bill shall remain the unfinished business until disposed of.

(C) **CONSIDERATION.**—All points of order, other than budget points of order, against the military compensation and retirement modernization bill and against consideration of the bill are waived. Consideration of the bill and of all debatable motions and appeals in connection therewith shall not exceed a total of 10 hours which shall be divided equally between the majority and minority leaders or their designees. A motion further to limit debate on the bill is in order, shall require an affirmative vote of three-fifths of the Members duly chosen and sworn, and is

not debatable. Any debatable motion or appeal is debatable for not to exceed 1 hour, to be divided equally between those favoring and those opposing the motion or appeal. All time used for consideration of the bill, including time used for quorum calls and voting, shall be counted against the total 10 hours of consideration.

(D) **NO AMENDMENTS.**—An amendment to the Commission bill, or a motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the Commission bill, is not in order.

(E) **VOTE ON PASSAGE.**—If the Senate has voted to proceed to the military compensation and retirement modernization bill, the vote on passage of the bill shall occur immediately following the conclusion of the debate on a military compensation and retirement modernization bill, and a single quorum call at the conclusion of the debate if requested. The vote on passage of the bill shall occur not later than the end of the 90-day period beginning on the date on which the bill is introduced.

(F) **RULINGS OF THE CHAIR ON PROCEDURE.**—Appeals from the decisions of the Chair relating to the application of the rules of the Senate, as the case may be, to the procedure relating to a military compensation and retirement modernization bill shall be decided without debate.

(6) **AMENDMENT.**—The military compensation and retirement modernization bill shall not be subject to amendment in either the House of Representatives or the Senate.

(7) **CONSIDERATION BY THE OTHER HOUSE.**—If, before passing the military compensation and retirement modernization bill, one House receives from the other a military compensation and retirement modernization bill—

(A) the military compensation and retirement modernization bill of the other House shall not be referred to a committee; and

(B) the procedure in the receiving House shall be the same as if no military compensation and retirement modernization bill had been received from the other House until the vote on passage, when the military compensation and retirement modernization bill received from the other House shall supplant the military compensation and retirement modernization bill of the receiving House.

SEC. 1608. PAY FOR MEMBERS OF THE COMMISSION.

(a) **IN GENERAL.**—Each member, other than the Chair, of the Commission shall be paid at a rate equal to the daily equivalent of the annual rate of basic pay payable for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which the member is engaged in the actual performance of duties vested in the Commission.

(b) **CHAIR.**—The Chair of the Commission shall be paid at a rate equal to the daily equivalent of the annual rate of basic pay payable for level III of the Executive Schedule under section 5314, of title 5, United States Code, for each day (including travel time) during which the member is engaged in the actual performance of duties vested in the Commission.

SEC. 1609. EXECUTIVE DIRECTOR.

(a) **APPOINTMENT.**—The Commission shall appoint and fix the rate of basic pay for an Executive Director in accordance with section 3161 of title 5, United States Code.

(b) **LIMITATIONS.**—The Executive Director may not have served on active duty in the Armed Forces or as a civilian employee of the Department of Defense during the one-year period preceding the date of such ap-

pointment and may not have been employed by a veterans service organization or a military-related advocacy group or association during that one-year period.

SEC. 1610. STAFF.

(a) **IN GENERAL.**—Subject to subsections (b) and (c), the Executive Director, with the approval of the Commission, may appoint and fix the rate of basic pay for additional personnel as staff of the Commission in accordance with section 3161 of title 5, United States Code.

(b) **LIMITATIONS ON STAFF.**—

(1) **NUMBER OF DETAILEES FROM DEPARTMENT OF DEFENSE.**—Not more than one-third of the personnel employed by or detailed to the Commission may be on detail from the Department of Defense.

(2) **PRIOR DUTIES WITHIN DEPARTMENT OF DEFENSE.**—A person may not be detailed from the Department of Defense to the Commission if, in the year before the detail is to begin, that person participated personally and substantially in any matter within the Department concerning the preparation of recommendations for military compensation and retirement modernization.

(3) **NUMBER OF DETAILEES ELIGIBLE FOR MILITARY RETIRED PAY.**—Not more than one-fourth of the personnel employed by or detailed to the Commission may be persons eligible for or receiving military retired pay.

(4) **PRIOR EMPLOYMENT WITH CERTAIN ORGANIZATIONS.**—A person may not be employed by or detailed to the Commission if, in the year before the employment or detail is to begin, that person was employed by a veterans service organization or a military-related advocacy group or association.

(c) **LIMITATIONS ON PERFORMANCE REVIEWS.**—No member of the Armed Forces, and no officer or employee of the Department of Defense, may—

(1) prepare any report concerning the effectiveness, fitness, or efficiency of the performance of the staff of the Commission or any person detailed from the Department to that staff;

(2) review the preparation of such a report; or

(3) approve or disapprove such a report.

SEC. 1611. CONTRACTING AUTHORITY.

The Commission may lease space and acquire personal property to the extent funds are available.

SEC. 1612. JUDICIAL REVIEW PRECLUDED.

The following shall not be subject to judicial review:

(1) Actions of the President, the Secretary, and the Commission under section 1606.

(2) Actions of the President under section 1607(a).

SEC. 1613. TERMINATION.

Except as otherwise provided in this title, the Commission shall terminate not later than 26 months after the Commission establishment date.

SEC. 1614. FUNDING.

Of the amounts authorized to be appropriated by this division for the Department of Defense for fiscal year 2013, up to \$10,000,000 shall be available to the Commission to carry out its duties under this title. Funds available to the Commission under the preceding sentence shall remain available until expended.

TITLE XVII—NATIONAL COMMISSION ON THE STRUCTURE OF THE AIR FORCE

SEC. 1701. SHORT TITLE.

This title may be cited as the “National Commission on the Structure of the Air Force Act of 2012”.

SEC. 1702. ESTABLISHMENT OF COMMISSION.

(a) **ESTABLISHMENT.**—There is established the National Commission on the Structure of the Air Force (in this title referred to as the "Commission").

(b) **MEMBERSHIP.**—

(1) **COMPOSITION.**—The Commission shall be composed of eight members, of whom—

(A) four shall be appointed by the President, of whom one shall be the Chairman of the Reserve Forces Policy Board;

(B) one shall be appointed by the Chairman of the Committee on Armed Services of the Senate;

(C) one shall be appointed by the Ranking Member of the Committee on Armed Services of the Senate;

(D) one shall be appointed by the Chairman of the Committee on Armed Services of the House of Representatives; and

(E) one shall be appointed by the Ranking Member of the Committee on Armed Services of the House of Representatives.

(2) **APPOINTMENT DATE.**—The appointments of the members of the Commission shall be made not later than 90 days after the date of the enactment of this Act.

(3) **EFFECT OF LACK OF APPOINTMENT BY APPOINTMENT DATE.**—If one or more appointments under subparagraph (A) of paragraph (1) is not made by the appointment date specified in paragraph (2), the authority to make such appointment or appointments shall expire, and the number of members of the Commission shall be reduced by the number equal to the number of appointments so not made. If an appointment under subparagraph (B), (C), (D), or (E) of paragraph (1) is not made by the appointment date specified in paragraph (2), the authority to make an appointment under such subparagraph shall expire, and the number of members of the Commission shall be reduced by the number equal to the number otherwise appointable under such subparagraph.

(c) **PERIOD OF APPOINTMENT; VACANCIES.**—Members shall be appointed for the life of the Commission. Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner as the original appointment.

(d) **INITIAL MEETING.**—Not later than 30 days after the date on which all members of the Commission have been appointed, the Commission shall hold its first meeting.

(e) **MEETINGS.**—The Commission shall meet at the call of the Chair.

(f) **QUORUM.**—A majority of the members of the Commission shall constitute a quorum, but a lesser number of members may hold hearings.

(g) **CHAIR AND VICE CHAIRMAN.**—The Commission shall select a Chair and Vice Chair from among its members.

SEC. 1703. DUTIES OF THE COMMISSION.

(a) **STUDY.**—

(1) **IN GENERAL.**—The Commission shall undertake a comprehensive study of the current structure of the Air Force to determine whether, and how, the structure should be modified to best fulfill current and anticipated mission requirements for the Air Force in a manner consistent with available resources.

(2) **CONSIDERATIONS.**—In considering an alternative structure for the Air Force, the Commission shall give particular consideration to identifying a structure that—

(A) meets current and anticipated requirements of the combatant commands;

(B) achieves an appropriate balance between the regular and reserve components of the Air Force, taking advantage of the unique strengths and capabilities of each;

(C) ensures that the reserve components of the Air Force have the capacity needed to support current and anticipated homeland defense and disaster assistance missions in the United States;

(D) provides for sufficient numbers of regular members of the Air Force to provide a base of trained personnel from which the personnel of the reserve components of the Air Force could be recruited;

(E) maintains a peacetime rotation force to avoid exceeding operational tempo goals of 1:2 for regular members of the Air Forces and 1:5 for members of the reserve components of the Air Force; and

(F) maximizes achievable costs savings.

(b) **REPORT.**—Not later than March 31, 2013, the Commission shall submit to the President and the congressional defense committees a report which shall contain a detailed statement of the findings and conclusions of the Commission as a result of the study required by subsection (a), together with its recommendations for such legislation and administrative actions as it considers appropriate in light of the results of the study.

SEC. 1704. POWERS OF THE COMMISSION.

(a) **HEARINGS.**—The Commission may hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Commission considers advisable to carry out this title.

(b) **INFORMATION FROM FEDERAL AGENCIES.**—The Commission may secure directly from any Federal department or agency such information as the Commission considers necessary to carry out this title. Upon request of the Chair of the Commission, the head of such department or agency shall furnish such information to the Commission.

(c) **POSTAL SERVICES.**—The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the Federal Government.

(d) **GIFTS.**—The Commission may accept, use, and dispose of gifts or donations of services or property.

SEC. 1705. COMMISSION PERSONNEL MATTERS.

(a) **COMPENSATION OF MEMBERS.**—Each member of the Commission who is not an officer or employee of the Federal Government shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which such member is engaged in the performance of the duties of the Commission. All members of the Commission who are officers or employees of the United States shall serve without compensation in addition to that received for their services as officers or employees of the United States.

(b) **TRAVEL EXPENSES.**—The members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Commission.

(c) **STAFF.**—

(1) **IN GENERAL.**—The Chair of the Commission may, without regard to the civil service laws and regulations, appoint and terminate an executive director and such other additional personnel as may be necessary to enable the Commission to perform its duties. The employment of an executive director shall be subject to confirmation by the Commission.

(2) **COMPENSATION.**—The Chair of the Commission may fix the compensation of the ex-

ecutive director and other personnel without regard to chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates, except that the rate of pay for the executive director and other personnel may not exceed the rate payable for level V of the Executive Schedule under section 5316 of such title.

(d) **DETAIL OF GOVERNMENT EMPLOYEES.**—Any Federal Government employee may be detailed to the Commission without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

(e) **PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.**—The Chair of the Commission may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at rates for individuals which do not exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of such title.

SEC. 1706. TERMINATION OF THE COMMISSION.

The Commission shall terminate 90 days after the date on which the Commission submits its report under section 1703.

SEC. 1707. FUNDING.

Amounts authorized to be appropriated for fiscal year 2013 and available for operation and maintenance for the Air Force as specified in the funding table in section 4301 may be available for the activities of the Commission under this title.

SEC. 1708. LIMITATION ON AVAILABILITY OF FUNDS FOR REDUCTIONS TO THE AIR NATIONAL GUARD AND THE AIR FORCE RESERVE.

(a) **IN GENERAL.**—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2013 for the Air Force may be used to divest, retire, or transfer, or prepare to divest, retire, or transfer, any aircraft of the Air Force assigned to units of the Air National Guard or Air Force Reserve as of May 31, 2012.

(b) **EXCEPTION.**—The Secretary of the Air Force may divest or retire, or prepare to divest or retire, C-5A aircraft if the Secretary replaces such aircraft through a transfer of C-5B, C-5M, or C-17 mobility aircraft so as to maintain all Air National Guard and Air Force Reserve units impacted by such divestment or retirement at current or higher assigned manpower levels to operate the aircraft so transferred.

SEC. 1709. FUNDING FOR MAINTENANCE OF FORCE STRUCTURE OF THE AIR FORCE PENDING COMMISSION RECOMMENDATIONS.

There is hereby authorized to be appropriated to the Department of Defense for fiscal year 2013, \$1,400,000,000 for the force structure of the Air Force. The amount authorized to be appropriated by this section is in addition to any other amounts authorized to be appropriated by this Act.

SEC. 1710. RETENTION OF CORE FUNCTIONS OF THE ELECTRONIC SYSTEMS CENTER AT HANSCOM AIR FORCE BASE PENDING FUTURE STRUCTURE STUDY.

The Secretary of the Air Force shall retain the current leadership rank and core functions of the Electronic Systems Center at Hanscom Air Force Base with the same integrated mission elements, responsibilities, and capabilities as existed as of November 1, 2011, until 180 days after the National Commission on the Structure of the Air Force submits to the congressional defense committees the report required under section 1703.

DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS**SEC. 2001. SHORT TITLE.**

This division may be cited as the “Military Construction Authorization Act for Fiscal Year 2013”.

SEC. 2002. EXPIRATION OF AUTHORIZATIONS AND AMOUNTS REQUIRED TO BE SPECIFIED BY LAW.

(a) EXPIRATION OF AUTHORIZATIONS AFTER THREE YEARS.—Except as provided in subsection (b), all authorizations contained in titles XXI through XXVII for military construction projects, land acquisition, family housing projects and facilities, and contributions to the North Atlantic Treaty Organization Security Investment Program (and au-

thorizations of appropriations therefor) shall expire on the later of—

(1) October 1, 2015; or
(2) the date of the enactment of an Act authorizing funds for military construction for fiscal year 2016.

(b) EXCEPTION.—Subsection (a) shall not apply to authorizations for military construction projects, land acquisition, family housing projects and facilities, and contributions to the North Atlantic Treaty Organization Security Investment Program (and authorizations of appropriations therefor), for which appropriated funds have been obligated before the later of—

(1) October 1, 2015; or
(2) the date of the enactment of an Act authorizing funds for fiscal year 2016 for military construction projects, land acquisition,

family housing projects and facilities, or contributions to the North Atlantic Treaty Organization Security Investment Program.

TITLE XXI—ARMY MILITARY CONSTRUCTION**SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2103 and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Army: Inside the United States

State	Installation or Location	Amount
Alaska	Fort Wainwright	\$10,400,000
	Joint Base Elmendorf-Richardson	\$7,900,000
California	Concord	\$8,900,000
Colorado	Fort Carson	\$18,000,000
	Fort McNair	\$7,200,000
Georgia	Fort Benning	\$16,000,000
	Fort Gordon	\$23,300,000
	Fort Stewart	\$49,650,000
Hawaii	Pohakuloa Training Area	\$29,000,000
	Schofield Barracks	\$96,000,000
	Wheeler Army Air Field	\$85,000,000
Kansas	Fort Riley	\$12,200,000
Kentucky	Fort Campbell	\$81,800,000
	Fort Knox	\$6,000,000
Missouri	Fort Leonard Wood	\$123,000,000
New Jersey	Joint Base McGuire-Dix-Lakehurst	\$47,000,000
	Picatinny Arsenal	\$10,200,000
New York	Fort Drum	\$95,000,000
North Carolina	Fort Bragg	\$68,000,000
Oklahoma	Fort Sill	\$4,900,000
South Carolina	Fort Jackson	\$24,000,000
Texas	Corpus Christi	\$37,200,000
	Fort Bliss	\$7,200,000
	Fort Hood	\$51,200,000
	Joint Base San Antonio	\$21,000,000
Virginia	Fort Belvoir	\$94,000,000
	Fort Lee	\$81,000,000
Washington	Joint Base Lewis McChord	\$164,000,000
	Yakima	\$5,100,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2103 and available for military construction

projects outside the United States as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction

projects for the installations or locations outside the United States, and in the amounts, set forth in the following table:

Army: Outside the United States

Country	Installation or Location	Amount
Italy	Camp Ederle	\$36,000,000
	Vicenza	\$32,000,000
Japan	Okinawa	\$78,000,000
	Sagami	\$18,000,000
Korea	Camp Humphreys	\$45,000,000

SEC. 2102. FAMILY HOUSING.

Using amounts appropriated pursuant to the authorization of appropriations in section 2103 and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Army may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed \$4,641,000.

SEC. 2103. AUTHORIZATION OF APPROPRIATIONS, ARMY.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2012, for military construction, land acquisition, and military family hous-

ing functions of the Department of the Army, as specified in the funding table in section 4601.

SEC. 2104. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2010 PROJECT.

In the case of the authorization contained in the table in section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2010 (division B of Public Law 111-84; 123 Stat. 2628) for Fort Belvoir, Virginia, for construction of a Road and Access Control Point at the installation, the Secretary of the Army may construct a standard design Access Control Point consistent with the Army's construction guidelines for Access Control Points.

SEC. 2105. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2009 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2009 (division B of Public Law 110-417; 122 Stat. 4658), authorizations set forth in the table in subsection (b), as provided in section 2101 of that Act (122 Stat. 4659), shall remain in effect until October 1, 2013, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2014, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Army: Extension of 2009 Project Authorizations

State	Installation or Location	Project	Amount
Alabama	Anniston Army Depot	Lake Yard Interchange	\$1,400,000
New Jersey	Picatinny Arsenal	Ballistic evaluation Facility Phase I	\$9,900,000

SEC. 2106. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2010 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authoriza-

tion Act for Fiscal Year 2010 (division B of Public Law 111-84; 123 Stat. 2627), authorizations set forth in the table in subsection (b), as provided in section 2101 of that Act (123 Stat. 2628), shall remain in effect until Octo-

ber 1, 2013, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2014, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Army: Extension of 2010 Project Authorizations

State/Country	Installation or Location	Project	Amount
Louisiana	Fort Polk	Land Purchases and Condemnation	\$17,000,000
New Jersey	Picatinny Arsenal	Ballistic Evaluation Facility, Ph2	\$10,200,000
Virginia	Fort Belvoir	Road and Access Control Point	\$9,500,000
Washington	Fort Lewis	Fort Lewis-McCord AFB Joint Access ...	\$9,000,000
Kuwait	Kuwait	APS Warehouses	\$82,000,000

SEC. 2107. ADDITIONAL AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2013 PROJECT.

(a) PROJECT AUTHORIZATION.—The Secretary of the Army may carry out a military construction project to construct a cadet barracks at the U.S. Military Academy, New York, in the amount of \$192,000,000.

(b) USE OF UNOBLIGATED PRIOR-YEAR MILITARY CONSTRUCTION FUNDS.—The Secretary of the Army shall use available, unobligated military construction funds appropriated for a fiscal year before fiscal year 2013 for the project described in subsection (a).

(c) CONGRESSIONAL NOTIFICATION.—The Secretary of the Army shall provide information in accordance with section 2851(c) of title 10, United States Code, regarding the project described in subsection (a). If it becomes necessary to exceed the estimated project cost, the Secretary shall utilize the authority provided by section 2853 of such title regarding authorized cost and scope of work variations.

TITLE XXII—NAVY MILITARY CONSTRUCTION**SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the au-

thorization of appropriations in section 2204 and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Inside the United States

State	Installation or Location	Amount
Arizona	Yuma	\$29,285,000
California	Camp Pendleton	\$88,110,000
	Coronado	\$78,541,000
	Miramar	\$27,897,000
	San Diego	\$71,188,000
	Seal Beach	\$30,594,000
	Twentynine Palms	\$47,270,000
	Ventura County	\$12,790,000
Florida	Jacksonville	\$21,980,000
Hawaii	Kaneohe Bay	\$97,310,000
Mississippi	Meridian	\$10,926,000
New Jersey	Earle	\$33,498,000
North Carolina	Camp Lejeune	\$69,890,000

Inside the United States—Continued

State	Installation or Location	Amount
South Carolina	Cherry Point Marine Corps Air Station	\$45,891,000
	New River	\$8,525,000
	Beaufort	\$81,780,000
	Parris Island	\$10,135,000
Virginia	Dahlgren	\$28,228,000
	Oceana Naval Air Station	\$39,086,000
	Portsmouth	\$32,706,000
	Quantico	\$58,714,000
Washington	Yorktown	\$48,823,000
	Whidbey Island	\$6,272,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204 and available for military construction

projects outside the United States as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction

projects for the installation or location outside the United States, and in the amounts, set forth in the following table:

Navy: Outside the United States

Country	Installation or Location	Amount
Bahrain Island	SW Asia	\$51,348,000
Diego Garcia	Diego Garcia	\$1,691,000
Djibouti	Camp Lemonier	\$99,420,000
Greece	Souda Bay	\$25,123,000
Japan	Iwakuni	\$13,138,000
	Okinawa	\$8,206,000
Romania	Deveselu	\$45,205,000
Spain	Rota	\$17,215,000
Worldwide Unspecified	Unspecified Worldwide Locations	\$34,048,000

SEC. 2202. FAMILY HOUSING.

Using amounts appropriated pursuant to the authorization of appropriations in section 2204 and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Navy may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed \$4,527,000.

SEC. 2203. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2204 and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Navy may improve existing military family housing units in an amount not to exceed \$97,655,000.

SEC. 2204. AUTHORIZATION OF APPROPRIATIONS, NAVY.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2012, for military construction, land acquisition, and military family housing functions of the Department of the Navy, as specified in the funding table in 4601, including incremental funding for the construction of increment 2 of explosives handling wharf 2 at Kitsap, Washington, authorized by section 2201(a) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112-81; 125 Stat. 1666), \$254,241,000.

SEC. 2205. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2012 PROJECT.

In the case of the authorization contained in the table in section 2201(a) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112-81; 125 Stat. 1666), for Kitsap (Bangor) Washington, for construction of Explosives Handling

Wharf #2 at that location, the Secretary of the Navy may acquire fee or lesser real property interests to accomplish required environmental mitigation for the project using appropriations authorized for the project.

SEC. 2206. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2009 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2009 (division B of Public Law 110-417; 122 Stat. 4658), the authorization set forth in the table in subsection (b), as provided in section 2201 of that Act (122 Stat. 4670) and extended by section 2206 of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112-81; 125 Stat. 1668), shall remain in effect until October 1, 2013, or the date of an Act authorizing funds for military construction for fiscal year 2014, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Navy: Extension of 2009 Project Authorization

State/Country	Installation or Location	Project	Amount
California	Marine Corps Base, Camp Pendleton	Operations Access Points, Red Beach	\$11,970,000
	Marine Corps Air Station, Miramar	Emergency Response Station	\$6,530,000
District of Columbia	Washington Navy Yard	Child Development Center	\$9,340,000

SEC. 2207. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2010 PROJECTS.

(a) **EXTENSION.**—Notwithstanding section 2002 of the Military Construction Authoriza-

tion Act for Fiscal Year 2010 (division B of Public Law 111–84; 123 Stat. 2627), the authorization set forth in the table in subsection (b), as provided in section 2201 of that Act (123 Stat. 2632), shall remain in effect until

October 1, 2013, or the date of an Act authorizing funds for military construction for fiscal year 2014, whichever is later.

(b) **TABLE.**—The table referred to in subsection (a) is as follows:

Navy: Extension of 2010 Project Authorization

State/Country	Installation or Location	Project	Amount
California	Mountain Warfare Training Center, Bridgeport	Mountain Warfare Training, Commissary	\$6,830,000
Maine	Portsmouth Naval Shipyard	Gate 2 Security Improvements	\$7,090,000
Djibouti	Camp Lemonier	Security Fencing	\$8,109,000
		Ammo Supply Point	\$21,689,000
		Interior Paved Roads	\$7,275,000

SEC. 2208. REALIGNMENT OF MARINES IN THE ASIA-PACIFIC REGION.

(a) **RESTRICTION ON USE OF FUNDS.**—Except as provided in subsection (c), none of the funds authorized to be appropriated under this Act, and none of the amounts provided by the Government of Japan for construction activities on land under the jurisdiction of the Department of Defense, may be obligated or expended to implement the realignment of Marine Corps forces from Okinawa to other locations until—

(1) the Commander of the United States Pacific Command provides to the congressional defense committees an assessment of the strategic and logistical resources needed to ensure the distributed lay-down of members of the United States Marine Corps in the United States Pacific Command Area of Responsibility meets the contingency operations plans;

(2) the Secretary of Defense submits to the congressional defense committees master plans for the construction of facilities and infrastructure to execute the Marine Corps distributed lay-down on Guam, Australia, and Hawaii, including a detailed description of costs and the schedule for such construction;

(3) the Secretary of the Navy submits a plan to the congressional defense committees detailing the proposed investments and schedules required to restore facilities and infrastructure at Marine Corps Air Station Futenma; and

(4) a plan coordinated by all pertinent Federal agencies is provided to the congressional defense committees detailing descriptions of work, costs, and a schedule for completion of construction, improvements, and repairs to the non-military utilities, facilities, and infrastructure, if any, on Guam affected by the realignment of forces.

(b) **DEVELOPMENT OF PUBLIC INFRASTRUCTURE.**—

(1) **AUTHORIZATION REQUIRED.**—If the Secretary of Defense determines that any grant, cooperative agreement, transfer of funds to another Federal agency, or supplement of funds available in fiscal year 2012 or fiscal year 2013 under Federal programs administered by agencies other than the Department of Defense will result in the development (including repair, replacement, renovation, conversion, improvement, expansion, acquisition, or construction) of public infrastructure on Guam, the Secretary of Defense may not carry out such grant, transfer cooperative agreement, or supplemental funding unless specifically authorized by law.

(2) **PUBLIC INFRASTRUCTURE DEFINED.**—In this section, the term “public infrastructure” means any utility, method of transportation, item of equipment, or facility under the control of a public entity or State or local government that is used by, or constructed for the benefit of, the general public.

(c) **EXCEPTION TO RESTRICTION ON USE OF FUNDS.**—The Secretary of Defense may use

funds described in subsection (a) to carry out additional analysis or studies required the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) for proposed actions on Guam or Hawaii.

(d) **DISTRIBUTED LAY-DOWN DEFINED.**—For purposes of this section, the term “distributed lay-down” refers to the planned distribution of Marines in Okinawa, Guam, Hawaii, Australia, and possibly elsewhere that is contemplated in support of the joint statement of the U.S.–Japan Security Consultative Committee dated April 27, 2012.

(e) **REPEAL.**—Section 2207 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1668) is repealed.

TITLE XXIII—AIR FORCE MILITARY CONSTRUCTION**SEC. 2301. AUTHORIZED AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

(a) **INSIDE THE UNITED STATES.**—Using amounts appropriated pursuant to the authorization of appropriations in section 2304 and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Air Force: Inside the United States

State	Installation or Location	Amount
Arkansas	Little Rock AFB	\$30,178,000
Florida	Tyndall AFB	\$14,750,000
Georgia	Fort Stewart	\$7,250,000
	Moody AFB	\$8,500,000
New Mexico	Holloman AFB	\$25,000,000
North Dakota	Minot AFB	\$4,600,000
Texas	Joint Base San Antonio	\$18,000,000
Utah	Hill AFB	\$13,530,000

(b) **OUTSIDE THE UNITED STATES.**—Using amounts appropriated pursuant to the authorization of appropriations in section 2304 and available for military construction

projects outside the United States as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction

projects for the installations or locations outside the United States, and in the amounts, set forth in the following table:

Air Force: Outside the United States

State	Installation or Location	Amount
Greenland	Thule AB	\$24,500,000
Italy	Aviano AB	\$9,400,000
Worldwide Unspecified	Unspecified Worldwide Locations	\$34,657,000

SEC. 2302. FAMILY HOUSING.

Using amounts appropriated pursuant to the authorization of appropriations in section 2304 and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Air Force may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed \$4,253,000.

SEC. 2303. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2304 and available for military family housing functions as specified in

the funding table in section 4601, the Secretary of the Air Force may improve existing military family housing units in an amount not to exceed \$79,571,000.

SEC. 2304. AUTHORIZATION OF APPROPRIATIONS, AIR FORCE.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2012, for military construction, land acquisition, and military family housing functions of the Department of the Air Force, as specified in the funding table in section 4601, including incremental funding for the construction of increment 2 of the U.S. Strategic Command Replacement Facility at Offutt Air Force Base, Nebraska, authorized by section 2301(a) of the Military Construction Authorization Act for Fiscal

Year 2012 (division B of Public Law 112–81; 125 Stat. 1670), \$111,000,000.

SEC. 2305. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2010 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2010 (division B of Public Law 111–84; 123 Stat. 2627), authorizations set forth in the table in subsection (b), as provided in section 2301 of that Act (123 Stat. 2636), shall remain in effect until October 1, 2013, or the date of an Act authorizing funds for military construction for fiscal year 2014, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Air Force: Extension of 2010 Project Authorizations

State	Installation or Location	Project	Amount
Missouri	Whiteman AFB	Land Acquisition North & South Boundary	\$5,500,000
Montana	Malmstrom AFB	Weapons Storage Area (WSA), Phase 2	\$10,600,000

**TITLE XXIV—DEFENSE AGENCIES
MILITARY CONSTRUCTION****Subtitle A—Defense Agency Authorizations****SEC. 2401. AUTHORIZED DEFENSE AGENCIES CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the au-

thorization of appropriations in section 2403 and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of Defense may acquire real property and carry out military construction projects for the installations or locations inside the

United States, and in the amounts, set forth in the following table:

Defense Agencies: Inside the United States

State	Installation or Location	Amount
Arizona	Yuma	\$1,300,000
California	Coronado	\$55,259,000
	DEF Fuel Support Point - San Diego	\$91,563,000
	Edwards Air Force Base	\$27,500,000
	Twentynine Palms	\$27,400,000
Colorado	Buckley Air Force Base	\$30,000,000
	Fort Carson	\$56,673,000
	Pikes Peak	\$3,600,000
CONUS Classified	Classified Location	\$6,477,000
Delaware	Dover AFB	\$2,000,000
Florida	Eglin AFB	\$41,695,000
	Hurlburt Field	\$16,000,000
	MacDill AFB	\$34,409,000
Hawaii	Joint Base Pearl Harbor-Hickam	\$24,289,000
Illinois	Great Lakes	\$28,700,000
	Scott AFB	\$86,711,000
Indiana	Grissom ARB	\$26,800,000
Kentucky	Fort Campbell	\$71,639,000
Louisiana	Barksdale AFB	\$11,700,000
Maryland	Annapolis	\$66,500,000
	Bethesda Naval Hospital	\$62,200,000
	Fort Meade	\$128,600,000

Defense Agencies: Inside the United States—Continued

State	Installation or Location	Amount
Missouri	Fort Leonard Wood	\$18,100,000
New Mexico	Cannon AFB	\$93,085,000
New York	Fort Drum	\$43,200,000
North Carolina	Camp Lejeune	\$80,064,000
	Fort Bragg	\$130,422,000
	Seymour Johnson AFB	\$55,450,000
Pennsylvania	DEF Distribution Depot New Cumberland	\$17,400,000
South Carolina	Shaw AFB	\$57,200,000
Texas	Red River Army Depot	\$16,715,000
Virginia	Joint Expeditionary Base Little Creek - Story	\$11,132,000
	Norfolk	\$8,500,000
Washington	Fort Lewis	\$50,520,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403 and available for military construction

projects outside the United States as specified in the funding table in section 4601, the Secretary of Defense may acquire real property and carry out military construction

projects for the installations or locations outside the United States, and in the amounts, set forth in the following table:

Defense Agencies: Outside the United States

Country	Installation or Location	Amount
Belgium	Brussels	\$26,969,000
Germany	Stuttgart-Patch Barracks	\$2,413,000
	Vogelweh	\$61,415,000
	Weisbaden	\$52,178,000
Guantanamo Bay, Cuba ...	Guantanamo Bay	\$40,200,000
Japan	Camp Zama	\$13,273,000
	Kadena AB	\$143,545,000
	Sasebo	\$35,733,000
	Zukeran	\$79,036,000
Korea	Kunsan AB	\$13,000,000
	Osan AB	\$77,292,000
Romania	Deveselu	\$157,900,000
United Kingdom	Menwith Hill Station	\$50,283,000
	RAF Feltwell	\$30,811,000
	RAF Mildenhall	\$6,490,000

SEC. 2402. AUTHORIZED ENERGY CONSERVATION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2403 and available for energy conservation projects as specified in the funding table in 4601, the Secretary of Defense may carry out energy conservation projects under chapter 173 of title 10, United States Code, in the amount of \$150,000,000.

SEC. 2403. AUTHORIZATION OF APPROPRIATIONS, DEFENSE AGENCIES.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2012, for military construction, land acquisition, and military family housing functions of the Department of Defense (other than the military departments), as specified in the funding table in 4601, including incremental funding for the following projects in the following amounts:

(1) For the construction of increment 7 of the Army Medical Research Institute of Infectious Diseases Stage I at Fort Detrick, Maryland, authorized by section 2401(a) of the Military Construction Authorization Act

for Fiscal Year 2007 (division B of Public Law 109-364; 120 Stat. 2457), \$19,000,000.

(2) For the construction of increment 4 of a National Security Agency data center at Camp Williams, Utah, authorized as a Military Construction, Defense-Wide project by title X of the Supplemental Appropriations Act, 2009 (Public Law 111-32; 123 Stat. 1888), \$191,414,000.

(3) For the construction of increment 4 of the hospital at Fort Bliss, Texas, authorized by section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2010 (division B of Public Law 111-84; 123 Stat. 2642), \$107,400,000.

(4) For the construction of increment 2 of the high performance computing center at Fort Meade, Maryland, authorized by section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112-81; 125 Stat. 1672), as amended by section 2405(a) of this Act, \$225,521,000.

(5) For the construction of increment 2 of the ambulatory care center phase 3 at Joint Base San Antonio, Texas, authorized by section 2401(a) of the Military Construction Au-

thorization Act for Fiscal Year 2012 (division B of Public Law 112-81; 125 Stat. 1672), \$80,700,000.

(6) For the construction of increment 2 of the medical center replacement at Rhine Ordnance Barracks, Germany, authorized by section 2401(b) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112-81; 125 Stat. 1673), \$127,000,000.

SEC. 2404. EXTENSION OF AUTHORIZATION OF CERTAIN FISCAL YEAR 2010 PROJECT.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2010 (division B of Public Law 111-84; 123 Stat. 2627), authorizations set forth in the table in subsection (b), as provided in section 2401(a) of that Act (123 Stat. 2640), shall remain in effect until October 1, 2013, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2014, whichever is later:

(b) TABLE.—The table referred to in subsection (a) is as follows:

Washington Headquarters Services: Extension of 2010 Project Authorization

State	Installation or Location	Project	Amount
Virginia	Pentagon Reservation	Pentagon electrical upgrade	\$19,272,000

SEC. 2405. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2012 PROJECT.

The table in section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112-81; 125 Stat. 1672), is amended in the item relating to Fort Meade, Maryland, by striking “\$29,640,000” in the amount column and inserting “\$792,200,000”.

SEC. 2406. ADDITIONAL AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2013 PROJECT.

(a) **PROJECT AUTHORIZATION.**—The Secretary of Defense may carry out a military construction project to construct an Upgrade Fuel Pipeline at Andersen Air Force Base, Guam, in the amount of \$67,500,000.

(b) **LIMITATION.**—No funds may be obligated or expended for the project described in subsection (a) until the Commander of the United States Pacific Command provides to the congressional defense committees a report, with classified annex if necessary, detailing the strategic and operational requirements satisfied by the construction of this project and a certification that this project is a bona fide need for meeting national security objectives for fiscal year 2013.

(c) **USE OF UNOBLIGATED PRIOR-YEAR MILITARY CONSTRUCTION FUNDS.**—The Secretary of Defense shall use available, unobligated military construction funds appropriated for a fiscal year before fiscal year 2013 for the project described in subsection (a).

(d) **CONGRESSIONAL NOTIFICATION.**—The Secretary of Defense shall provide information in accordance with section 2851(c) of title 10, United States Code, regarding the project described in subsection (a). If it becomes necessary to exceed the estimated project cost, the Secretary shall utilize the authority provided by section 2853 of such title regarding authorized cost and scope of work variations.

Subtitle B—Chemical Demilitarization Authorizations**SEC. 2411. AUTHORIZATION OF APPROPRIATIONS, CHEMICAL DEMILITARIZATION CONSTRUCTION, DEFENSE-WIDE.**

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2012, for military construction and land acquisition for chemical demilitarization, as specified in the funding table in section 4601, including incremental funding for the following projects in the following amounts:

(1) For the construction of phase 14 of a chemical munitions demilitarization facility at Pueblo Chemical Activity, Colorado, authorized by section 2401(a) of the Military Construction Authorization Act for Fiscal Year 1997 (division B of Public Law 104-201; 110 Stat. 2775), as amended by section 2406 of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106-65; 113 Stat. 839), section 2407 of the Military Construction Authorization Act for Fiscal Year 2003 (division B of Public Law 107-314; 116 Stat. 2698), and section 2413 of the Military Construction Authorization Act for Fiscal Year 2009 (division B of Public Law 110-417; 122 Stat. 4697), \$36,000,000.

(2) For the construction of phase 13 of a munitions demilitarization facility at Blue Grass Army Depot, Kentucky, authorized by section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106-65; 113 Stat. 835), as amended by section 2405 of the Military Construction Authorization Act for Fiscal Year 2002 (division B of Public Law 107-107; 115 Stat. 1298), section 2405 of the Military Construction Authorization Act for Fiscal Year 2003 (division B of Public Law 107-314; 116 Stat. 2698), section 2414 of the Military Construction Authorization Act for Fiscal Year 2009 (division B of Public Law 110-417; 122 Stat. 4697), and section 2412 of the Military Construction Authorization Act for Fiscal Year 2011 (division B of Public Law 111-383; 124 Stat. 4450), \$115,000,000.

SEC. 2412. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 1997 PROJECT.

(a) **MODIFICATIONS.**—The table in section 2401(a) of the Military Construction Authorization Act for Fiscal Year 1997 (division B of Public Law 104-201; 110 Stat. 2775), as amended by section 2406 of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106-65; 113 Stat. 839), section 2407 of the Military Construction Authorization Act for Fiscal Year 2003 (division B of Public Law 107-314; 116 Stat. 2699), and section 2413 of the Military Construction Authorization Act for Fiscal Year 2009 (division B of Public Law 110-417; 122 Stat. 4697), is amended—

(1) under the agency heading relating to Chemical Demilitarization Program, in the item relating to Pueblo Army Depot, Colorado, by striking “\$484,000,000” in the amount column and inserting “\$520,000,000”; and

(2) by striking the amount identified as the total in the amount column and inserting “\$866,454,000”.

(b) **CONFORMING AMENDMENT.**—Section 2406(b)(2) of the Military Construction Authorization Act for Fiscal Year 1997 (110 Stat. 2779), as so amended, is further amended by striking “\$484,000,000” and inserting “\$520,000,000”.

TITLE XXV—NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM**SEC. 2501. AUTHORIZED NATO CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

The Secretary of Defense may make contributions for the North Atlantic Treaty Organization Security Investment Program as provided in section 2806 of title 10, United States Code, in an amount not to exceed the sum of the amount authorized to be appropriated for this purpose in section 2502 and the amount collected from the North Atlantic Treaty Organization as a result of construction previously financed by the United States.

SEC. 2502. AUTHORIZATION OF APPROPRIATIONS, NATO.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2012, for contributions by the Secretary of Defense under section 2806 of title 10, United States Code, for the share of the United States of the cost of projects for the North Atlantic Treaty Organization Security Investment Program authorized by section 2501, as specified in the funding table in section 4601.

TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES**Subtitle A—Project Authorizations and Authorization of Appropriations****SEC. 2601. AUTHORIZED ARMY NATIONAL GUARD CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

(a) **INSIDE THE UNITED STATES.**—Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the Army National Guard locations inside the United States, and in the amounts, set forth in the following table:

Army National Guard: Inside the United States

State	Location	Amount
Alabama	Fort McClellan	\$5,400,000
Arkansas	Searcy	\$6,800,000
California	Fort Irwin	\$25,000,000
Connecticut	Camp Hartell	\$32,000,000
Delaware	Bethany Beach	\$5,500,000
Florida	Camp Blanding	\$9,000,000
	Miramar	\$20,000,000
Hawaii	Kapolei	\$28,000,000
Idaho	Orchard Training Area	\$40,000,000

Army National Guard: Inside the United States—Continued

State	Location	Amount
Indiana	South Bend	\$21,000,000
	Terre Haute	\$9,000,000
Iowa	Camp Dodge	\$3,000,000
Kansas	Topeka	\$9,500,000
Kentucky	Frankfort	\$32,000,000
Massachusetts	Camp Edwards	\$22,000,000
Minnesota	Camp Ripley	\$17,000,000
	St. Paul	\$17,000,000
Missouri	Fort Leonard Wood	\$18,000,000
	Kansas City	\$1,900,000
	Monett	\$820,000
	Perryville	\$700,000
Montana	Miles City	\$11,000,000
New Jersey	Sea Girt	\$34,000,000
New York	Stormville	\$24,000,000
Ohio	Chillicothe	\$3,100,000
	Delaware	\$12,000,000
Oklahoma	Camp Gruber	\$25,000,000
Utah	Camp Williams	\$36,000,000
Washington	Fort Lewis	\$35,000,000
West Virginia	Logan	\$14,200,000
Wisconsin	Wausau	\$10,000,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Re-

serve as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the Army National

Guard locations outside the United States, and in the amounts, set forth in the following table:

Army National Guard: Outside the United States

Country	Installation	Amount
Guam	Barrigada	\$8,500,000
Puerto Rico	Camp Santiago	\$3,800,000
	Ceiba	\$2,200,000
	Guaynabo	\$15,000,000
	Gurabo	\$14,700,000

SEC. 2602. AUTHORIZED ARMY RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in sec-

tion 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry

out military construction projects for the Army Reserve locations inside the United States, and in the amounts, set forth in the following table:

Army Reserve

State	Location	Amount
California	Fort Hunter Liggett	\$68,300,000
	Tustin	\$27,000,000
Illinois	Fort Sheridan	\$28,000,000
Maryland	Aberdeen Proving Ground	\$21,000,000
	Baltimore	\$10,000,000
Massachusetts	Devens Reserve Forces Training Area	\$8,500,000
Nevada	Las Vegas	\$21,000,000
New Jersey	Joint Base McGuire-Dix-Lakehurst	\$7,400,000
Washington	Joint Base Lewis-McChord	\$40,000,000
Wisconsin	Fort McCoy	\$47,800,000

SEC. 2603. AUTHORIZED NAVY RESERVE AND MARINE CORPS RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in sec-

tion 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the

Navy Reserve and Marine Corps Reserve locations inside the United States, and in the amounts, set forth in the following table:

Navy Reserve Marine Corps Reserve

State	Location	Amount
Arizona	Yuma	\$5,379,000
Iowa	Fort Des Moines	\$19,162,000
Louisiana	New Orleans	\$7,187,000
New York	Brooklyn	\$4,430,000
Texas	Fort Worth	\$11,256,000

SEC. 2604. AUTHORIZED AIR NATIONAL GUARD CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in sec-

tion 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and

carry out military construction projects for the Air National Guard locations inside the United States, and in the amounts, set forth in the following table:

Air National Guard

State	Location	Amount
California	Fresno Yosemite IAP ANG	\$11,000,000
Hawaii	Joint Base Pearl Harbor-Hickam	\$6,500,000
New Mexico	Kirtland AFB	\$8,500,000
Wyoming	Cheyenne MAP	\$6,486,000

SEC. 2605. AUTHORIZED AIR FORCE RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in sec-

tion 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and

carry out military construction projects for the Air Force Reserve locations inside the United States, and in the amounts, set forth in the following table:

Air Force Reserve

State	Location	Amount
New York	Niagara Falls IAP	\$6,100,000

SEC. 2606. AUTHORIZATION OF APPROPRIATIONS, NATIONAL GUARD AND RESERVE.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2012, for the costs of acquisition, architectural and engineering services, and construction of facilities for the Guard and Reserve Forces, and for contributions therefor, under chapter 1803 of title 10, United States Code (including the cost of acqui-

sition of land for those facilities), as specified in the funding table in section 4601.

Subtitle B—Other Matters**SEC. 2611. EXTENSION OF AUTHORIZATION OF CERTAIN FISCAL YEAR 2009 PROJECT.**

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2009 (division B of Public Law 110-417; 122 Stat. 4658), the au-

thorization set forth in the table in subsection (b), as provided in section 2604 of that Act (122 Stat. 4706), shall remain in effect until October 1, 2013, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2014, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Air National Guard: Extension of 2009 Project Authorizations

State	Installation or Location	Project	Amount
Mississippi	Gulfport-Biloxi Airport	Relocate Munitions Complex ..	\$3,400,000

SEC. 2612. EXTENSION OF AUTHORIZATION OF CERTAIN FISCAL YEAR 2010 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2010 (division B of

Public Law 111-84; 123 Stat. 2627), the authorizations set forth in the tables in subsection (b), as provided in sections 2602 and 2604 of that Act (123 Stat. 2649, 2651), shall remain in effect until October 1, 2013, or the date of the

enactment of an Act authorizing funds for military construction for fiscal year 2014, whichever is later.

(b) TABLE.—The tables referred to in subsection (a) are as follows:

Army Reserve: Extension of 2010 Project Authorizations

State	Installation or Location	Project	Amount
California	Camp Pendleton	Army Reserve Center	\$19,500,000
Connecticut	Bridgeport	Army Reserve Center/Land	\$18,500,000

Air National Guard: Extension of 2010 Project Authorization

State	Installation or Location	Project	Amount
Mississippi	Gulfport-Biloxi Airport	Relocate Base Entrance	\$6,500,000

TITLE XXVII—BASE REALIGNMENT AND CLOSURE ACTIVITIES**SEC. 2701. AUTHORIZATION OF APPROPRIATIONS FOR BASE REALIGNMENT AND CLOSURE ACTIVITIES FUNDED THROUGH DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 1990.**

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2012, for base realignment and closure activities, including real property acquisition and military construction projects, as authorized by the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note) and funded through the Department of Defense Base Closure Account 1990 established by section 2906 of such Act, as specified in the funding table in section 4601.

SEC. 2702. AUTHORIZATION OF APPROPRIATIONS FOR BASE REALIGNMENT AND CLOSURE ACTIVITIES FUNDED THROUGH DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 2005.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2012, for base realignment and closure activities, including real property acquisition and military construction projects, as authorized by the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note) and funded through the Department of Defense Base Closure Account 2005 established by section 2906A of such Act, as specified in the funding table in section 4601.

SEC. 2703. TECHNICAL AMENDMENTS TO SECTION 2702 OF FISCAL YEAR 2012 ACT.

(a) **CORRECTION.**—Section 2702 of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112-81; 125 Stat. 1681) is amended by striking “Using amounts” and all that follows through “may carry out” and inserting “Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2011, for”.

(b) **CONFORMING AMENDMENT.**—The heading of such section is amended by striking “**AUTHORIZED**” and inserting “**AUTHORIZATION OF APPROPRIATIONS FOR**”.

SEC. 2704. CRITERIA FOR DECISIONS INVOLVING CERTAIN BASE CLOSURE AND REALIGNMENT ACTIVITIES.

(a) **CRITERIA.**—Not later than March 31, 2013, the Comptroller General of the United States shall submit to the congressional defense committees a report including objective criteria to be used by the Department of Defense to make decisions relating to realignments of units employed at military installations that are not covered by the requirements of section 2687 of title 10, United States Code, and closures of military installations that are not covered by such requirements.

(b) **ONE-YEAR MORATORIUM ON CERTAIN ACTIONS RESULTING IN PERSONNEL REDUCTIONS.**—

(1) **IN GENERAL.**—Except as provided in paragraph (2), no action may be taken before October 1, 2013, that would result in a military installation covered under paragraph (1) of section 2687(a) of title 10, United States

Code, to no longer be covered by such paragraph.

(2) **NATIONAL SECURITY WAIVER.**—The Secretary of Defense may waive the prohibition under paragraph (1) if the Secretary certifies to the congressional defense committees that is in the national security interests of the United States.

TITLE XXVIII—MILITARY CONSTRUCTION GENERAL PROVISIONS**Subtitle A—Military Construction Program and Military Family Housing Changes****SEC. 2801. AUTHORIZED COST AND SCOPE VARIATIONS.**

Section 2853 of title 10, United States Code, is amended—

(1) in subsection (a), by striking “was approved originally” and inserting “was authorized”;

(2) in subsection (b)—

(A) in paragraph (1), by adding at the end the following: “Any reduction in scope of work for a military construction project shall not result in a facility or item of infrastructure that is not complete and useable or does not fully meet the mission requirement contained in the justification data provided to Congress as part of the request for authorization of the project, construction, improvement, or acquisition.”; and

(B) by adding at the end the following new paragraph:

“(3) In this subsection, the term ‘scope of work’ refers to the function, size, or quantity of the primary facility, any associated facility, or item of complete and useable infrastructure contained in the justification data provided to Congress as part of the request for authorization of the project, construction, improvement, or acquisition.”;

(3) in subsection (c)(1)(A), by striking “and the reasons therefor, including a description” and inserting “, the reasons therefor, a certification that the mission requirement identified in the justification data provided to Congress can be still be met with the reduced scope, and a description”;

(4) by adding at the end the following new subsection:

“(e) Notwithstanding the authority under subsections (a) through (d), the Secretary concerned shall ensure compliance of contracts for military construction projects and for the construction, improvement, and acquisition of military family housing projects with section 1341 of title 31, United States Code (commonly referred to as the ‘Anti-Deficiency Act’).”.

SEC. 2802. COMPTROLLER GENERAL REPORT ON IN-KIND PAYMENTS.

(a) **REPORTS REQUIRED.**—

(1) **INITIAL REPORT.**—Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the congressional defense committees a report on the construction or renovation of Department of Defense facilities with in-kind payments. The report shall cover construction or renovation projects begun during the preceding two years.

(2) **UPDATES.**—Not later than one year after submitting the report required under paragraph (1), and annually thereafter for 3

years, the Comptroller General shall submit to the congressional defense committees a report covering projects begun since the most recent report.

(b) **CONTENT.**—Each report required under subsection (a) shall include the following elements:

(1) A listing of each facility constructed or renovated for the Department of Defense as payment in kind.

(2) The value in United States dollars of that construction or renovation.

(3) The source of the in-kind payment.

(4) The agreement pursuant to which the in-kind payment was made.

(5) A description of the purpose and need for the construction or renovation.

SEC. 2803. EXTENSION OF TEMPORARY, LIMITED AUTHORITY TO USE OPERATION AND MAINTENANCE FUNDS FOR CONSTRUCTION PROJECTS IN CERTAIN AREAS OUTSIDE THE UNITED STATES.

Section 2808 of the Military Construction Authorization Act for Fiscal Year 2004 (division B of Public Law 108-136; 117 Stat. 1723), as most recently amended by section 2804 of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112-81; 125 Stat. 1685), is further amended—

(1) in subsection (c)—

(A) by striking paragraph (2);

(B) by redesignating paragraph (3) as paragraph (2); and

(C) in paragraph (2), as so redesignated, by striking the second sentence; and

(2) in subsection (h)—

(A) in paragraph (1), by striking “September 30, 2012” and inserting “September 30, 2013”; and

(B) in paragraph (2), by striking “fiscal year 2013” and inserting “fiscal year 2014”.

Subtitle B—Real Property and Facilities Administration**SEC. 2811. AUTHORITY TO ACCEPT AS CONSIDERATION FOR LEASES OF NON-EXCESS PROPERTY OF MILITARY DEPARTMENTS AND DEFENSE AGENCIES REAL PROPERTY INTERESTS AND NATURAL RESOURCE MANAGEMENT SERVICES RELATED TO AGREEMENTS TO LIMIT ENCROACHMENT.**

Section 2667 of title 10, United States Code, is amended—

(1) in subsection (c)—

(A) in paragraph (1), by adding at the end the following new subparagraph:

“(G) Provision of interests in real property for the purposes specified in section 2684a of this title and provision of natural resource management services on such real property.”; and

(B) in paragraph (2), by striking “accepted at any property or facilities” and inserting “accepted at or for the benefit of any property or facilities”; and

(2) in subsection (e)(1)(C), by adding at the end the following new clause:

“(vi) Provision of funds pursuant to an agreement under section 2684a of this title.”.

SEC. 2812. CLARIFICATION OF PARTIES WITH WHOM DEPARTMENT OF DEFENSE MAY CONDUCT EXCHANGES OF REAL PROPERTY AT MILITARY INSTALLATIONS.

Section 2869(a)(1) of title 10, United States Code is amended—

- (1) by striking "eligible"; and
- (2) by striking "entity" both places it appears and inserting "person".

Subtitle C—Energy Security

SEC. 2821. GUIDANCE ON FINANCING FOR RENEWABLE ENERGY PROJECTS.

(a) **GUIDANCE ON USE OF AVAILABLE FINANCING APPROACHES.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Under Secretary of Defense for Acquisition, Technology, and Logistics and the Deputy Under Secretary of Defense for Installations and Environment, shall issue guidance about the use of available financing approaches for financing renewable energy projects and direct the Secretaries of the military departments to update their guidance accordingly. The guidance should describe the requirements and restrictions applicable to the underlying authorities and any Department of Defense-specific guidelines for using appropriated funds and alternative-financing approaches for renewable energy projects.

(b) **GUIDANCE ON USE OF BUSINESS CASE ANALYSES.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Under Secretary of Defense for Acquisition, Technology, and Logistics, the Deputy Under Secretary of Defense for Installations and Environment, and the Secretaries of the military departments, shall issue guidance that establishes and clearly describes the processes used by the military departments to select financing approaches for renewable energy projects to ensure that business case analyses are completed to maximize benefits and mitigate drawbacks and risks associated with different financing approaches.

(c) **INFORMATION SHARING.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Under Secretary of Defense for Acquisition, Technology, and Logistics and the Deputy Under Secretary of Defense for Installations and Environment, shall develop a formalized communications process, such as a shared Internet website, that will enable officials at military installations to have timely access on an ongoing basis to information related to financing renewable energy projects on other installations, including best practices and lessons that officials at other installations have learned from their experiences in financing renewable energy projects.

SEC. 2822. CONTINUATION OF LIMITATION ON USE OF FUNDS FOR LEADERSHIP IN ENERGY AND ENVIRONMENTAL DESIGN (LEED) GOLD OR PLATINUM CERTIFICATION.

Section 2830(b)(1) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112-81; 125 Stat. 1695) is amended—

- (1) by striking "authorized to be appropriated by this Act" and inserting "authorized to be appropriated"; and
- (2) by inserting before the period at the end the following: "until the date that is six months after the date of the submittal to the congressional defense committees of the report required by subsection (a)".

SEC. 2823. PROHIBITION ON BIOFUEL REFINERY CONSTRUCTION.

Notwithstanding any other provision of law, neither the Secretary of Defense nor any other official of the Department of Defense may enter into a contract to plan, design, refurbish, or construct a biofuels refinery or any other facility or infrastructure used to refine biofuels unless such planning,

design, refurbishment, or construction is specifically authorized by law.

Subtitle D—Land Conveyances

SEC. 2831. LAND CONVEYANCE, LOCAL TRAINING AREA FOR BROWNING ARMY RESERVE CENTER, UTAH.

(a) **CONVEYANCE AUTHORIZED.**—The Secretary of the Army may convey, without consideration, to the Department of Veterans Affairs (in this section referred to as the "Department") all right, title, and interest of the United States in and to a parcel of unimproved real property consisting of approximately 5 acres of the Local Training Area for the Browning Army Reserve Center, Utah, for the purpose of constructing and operating a Community Based Outpatient Clinic adjacent to the George E. Wahlen Veterans Home in Ogden, Utah.

(b) PAYMENT OF COSTS OF CONVEYANCE.—

(1) **PAYMENT REQUIRED.**—The Secretary may require the Department to cover costs to be incurred by the Secretary, or to reimburse the Secretary for costs incurred by the Secretary, to carry out the conveyance under subsection (a), including survey costs, costs related to environmental documentation, and other administrative costs related to the conveyance. If amounts paid to the Secretary in advance exceed the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the Department.

(2) **TREATMENT OF AMOUNTS RECEIVED.**—Amounts received as reimbursement under paragraph (1) shall be credited to the fund or account that was used to cover the costs incurred by the Department. Amounts so credited shall be merged with amounts in such fund or account, and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(c) **DESCRIPTION OF PROPERTY.**—The exact acreage and legal description of the real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary.

(d) **ADDITIONAL TERMS AND CONDITIONS.**—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2832. USE OF PROCEEDS, LAND CONVEYANCE, TYNDALL AIR FORCE BASE, FLORIDA.

Section 2862(c) of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106-65; 113 Stat. 868) is amended—

- (1) by striking "and to improve" and inserting "to improve"; and
- (2) by inserting before the period at the end the following: "or for other purposes, subject to the limitations described in section 2667(e) of title 10, United States Code".

Subtitle E—Other Matters

SEC. 2841. CLARIFICATION OF AUTHORITY OF SECRETARY TO ASSIST WITH DEVELOPMENT OF PUBLIC INFRASTRUCTURE IN CONNECTION WITH THE ESTABLISHMENT OR EXPANSION OF A MILITARY INSTALLATION.

Section 2391 of title 10, United States Code, is amended—

- (1) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively;
- (2) by inserting after subsection (c) the following new subsection:

"(d) **AUTHORIZATION REQUIREMENT.**—If the Secretary of Defense determines that any grant, cooperative agreement, or supplement of funds available under Federal programs administered by agencies other than the De-

partment of Defense provided under this section will result in the development (including repair, replacement, renovation, conversion, improvement, expansion, or construction) of public infrastructure, such grant, cooperative agreement, or supplemental funding shall be specifically authorized by law."; and

(3) in subsection (e), as redesignated by paragraph (1), by adding at the end the following new paragraph:

"(4) The term 'public infrastructure' means any utility, road, method of transportation, or facility under the control of a State or local government or a private entity that is used by, or constructed for the benefit of, the general public."

SEC. 2842. PETERSBURG NATIONAL BATTLEFIELD BOUNDARY MODIFICATION.

(a) **IN GENERAL.**—The boundary of Petersburg National Battlefield is modified to include the properties as generally depicted on the map titled "Petersburg National Battlefield Boundary Expansion", numbered 325/80,080, and dated June 2007. The map shall be on file and available for inspection in the appropriate offices of the National Park Service.

(b) **ACQUISITION OF PROPERTIES.**—The Secretary of the Interior (referred to in this section as the "Secretary") is authorized to acquire the lands or interests in land, described in subsection (a), from willing sellers only by donation, purchase with donated or appropriated funds, exchange, or transfer.

(c) **ADMINISTRATION.**—The Secretary shall administer any land or interests in land acquired under subsection (b) as part of the Petersburg National Battlefield in accordance with applicable laws and regulations.

(d) ADMINISTRATIVE JURISDICTION TRANSFER.—

(1) **IN GENERAL.**—There is transferred—

(A) from the Secretary to the Secretary of the Army administrative jurisdiction over the approximately 1.170-acre parcel of land depicted as "Area to be transferred to Fort Lee Military Reservation" on the map described in paragraph (2)(A); and

(B) from the Secretary of the Army to the Secretary administrative jurisdiction over the approximately 1.171-acre parcel of land depicted as "Area to be transferred to Petersburg National Battlefield" on the map described in paragraph (2)(A).

(2) MAP.—

(A) **IN GENERAL.**—The land to be transferred under paragraph (1) is depicted on the map entitled "Petersburg National Battlefield Proposed Transfer of Administrative Jurisdiction", numbered 325/081A, and dated May 2011.

(B) **AVAILABILITY.**—The map described in subparagraph (A) shall be available for public inspection in the appropriate offices of the National Park Service.

(3) **CONDITIONS OF TRANSFER.**—The transfer of administrative jurisdiction authorized in paragraph (1) shall be subject to the following conditions:

(A) **NO REIMBURSEMENT OR CONSIDERATION.**—The transfer shall occur without reimbursement or consideration.

(B) **MANAGEMENT.**—The land conveyed to the Secretary under paragraph (1) shall be included within the boundary of the Petersburg National Battlefield and shall be administered as part of the park in accordance with applicable laws and regulations.

SEC. 2843. CONGRESSIONAL NOTIFICATION WITH RESPECT TO OVERSIGHT AND MAINTENANCE OF BASE CEMETERIES FOLLOWING CLOSURE OF OVERSEAS MILITARY INSTALLATIONS.

(a) **NOTIFICATION REQUIREMENT.**—Not later than 30 days after closure of a United States

military installation overseas, the Secretary of Defense shall submit to the appropriate congressional committees a report that details a plan to ensure the oversight and continued maintenance of the cemetery located on the military installation. The plan shall clearly detail which Federal agency or private entity will assume responsibility for the operation and maintenance of the cemetery following the closure of the installation and what information with regard to the cemetery has been provided to the responsible agency or private entity.

(b) **APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.**—In this section, the term “appropriate congressional committees” means the Committees on Armed Services of the Senate and the House of Representatives.

DIVISION C—DEPARTMENT OF ENERGY NATIONAL SECURITY AUTHORIZATIONS AND OTHER AUTHORIZATIONS

TITLE XXXI—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

Subtitle A—National Security Programs Authorizations

SEC. 3101. NATIONAL NUCLEAR SECURITY ADMINISTRATION.

(a) **AUTHORIZATION OF APPROPRIATIONS.**—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2013 for the activities of the National Nuclear Security Administration in carrying out programs as specified in the funding table in section 4601.

(b) **AUTHORIZATION OF NEW PLANT PROJECTS.**—From funds referred to in subsection (a) that are available for carrying out plant projects, the Secretary of Energy may carry out the following new plant projects for the National Nuclear Security Administration:

Project 13-D-301, Electrical Infrastructure Upgrades, Lawrence Livermore National Laboratory/Los Alamos National Laboratory, \$23,000,000.

Project 13-D-903, Kesselring Site Prototype Staff Building, Kesselring Site, West Milton, New York, \$14,000,000.

Project 13-D-904, Kesselring Site Radiological Work and Storage Building, Kesselring Site, West Milton, New York, \$2,000,000.

Project 13-D-905, Remote-Handled Low-Level Waste Disposal Project, Idaho National Laboratory, Idaho, \$8,900,000.

SEC. 3102. DEFENSE ENVIRONMENTAL CLEANUP.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2013 for defense environmental cleanup activities in carrying out programs as specified in the funding table in section 4601.

SEC. 3103. OTHER DEFENSE ACTIVITIES.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2013 for other defense activities in carrying out programs as specified in the funding table in section 4601.

Subtitle B—Program Authorizations, Restrictions, and Limitations

SEC. 3111. REPLACEMENT PROJECT FOR CHEMISTRY AND METALLURGY RESEARCH BUILDING, LOS ALAMOS NATIONAL LABORATORY, NEW MEXICO.

(a) **PROJECT REQUIRED.**—

(1) **IN GENERAL.**—Subtitle A of title XLII of the Atomic Energy Defense Act (50 U.S.C. 2521 et seq.) is amended by adding at the end the following new section:

“SEC. 4215. REPLACEMENT PROJECT FOR CHEMISTRY AND METALLURGY RESEARCH BUILDING, LOS ALAMOS NATIONAL LABORATORY, NEW MEXICO.

“(a) **REPLACEMENT BUILDING REQUIRED.**—The Secretary of Energy shall construct at

Los Alamos National Laboratory, New Mexico a building to replace the functions of the existing Chemistry and Metallurgy Research building at Los Alamos National Laboratory associated with Department of Energy Hazard Category 2 special nuclear material operations.

“(b) **LIMITATION ON COST.**—The cost of the building constructed under subsection (a) may not exceed \$3,700,000,000.

“(c) **PROJECT BASIS.**—The construction authorized by subsection (a) shall use as its basis the facility project in the Department of Energy Readiness and Technical Base designated 04-D-125 (chemistry and metallurgy facility replacement project at Los Alamos National Laboratory).

“(d) **DEADLINE FOR COMMENCEMENT OF OPERATIONS.**—The building constructed under subsection (a) shall commence operations not later than December 31, 2024.”.

(2) **CLERICAL AND TECHNICAL AMENDMENT.**—The table of contents in section 4001(b) of such Act is amended by inserting after the item relating to 4213 the following new items:

“Sec. 4214. Plan for transformation of National Nuclear Security Administration nuclear weapons complex.

“Sec. 4215. Replacement project for Chemistry and Metallurgy Research Building, Los Alamos National Laboratory, New Mexico.”.

(b) **FUNDING.**—

(1) **FISCAL YEAR 2013 FUNDS.**—

(A) **IN GENERAL.**—Except as provided in subparagraph (B), of the amounts authorized to be appropriated by this division for fiscal year 2013 for the National Nuclear Security Administration, \$150,000,000 shall be available for the construction of the building authorized by section 4215 of the Atomic Energy Defense Act (as added by subsection (a)).

(B) **EXCEPTION.**—The following amounts authorized to be appropriated by this division for fiscal year 2013 for the National Nuclear Security Administration shall not be available for the construction of the building:

(i) Amounts available for Directed Stockpile Work.

(ii) Amounts available for Naval Reactors.

(iii) Amounts available for the facility project in the Department of Energy Readiness and Technical Base designated 06-D-141.

(2) **PRIOR FISCAL YEAR FUNDS.**—Amounts authorized to be appropriated for the Department of Energy for a fiscal year before fiscal year 2013 and available for the facility project in the Department of Energy Readiness and Technical Base designated 04-D-125 (chemistry and metallurgy facility replacement project at Los Alamos National Laboratory, New Mexico) shall be available for the construction of the building authorized by section 4215 of the Atomic Energy Defense Act (as so added).

SEC. 3112. SUBMITTAL TO CONGRESS OF SELECTED ACQUISITION REPORTS AND INDEPENDENT COST ESTIMATES ON NUCLEAR WEAPON SYSTEMS UNDERGOING LIFE EXTENSION.

(a) **SUBMITTAL REQUIRED.**—Subtitle A of title XLII of the Atomic Energy Defense Act (50 U.S.C. 2521 et seq.), as amended by section 3111 of this Act, is further amended by adding at the end the following new section:

“SEC. 4216. SELECTED ACQUISITION REPORTS AND INDEPENDENT COST ESTIMATES ON NUCLEAR WEAPON SYSTEMS UNDERGOING LIFE EXTENSION.

“(a) **SELECTED ACQUISITION REPORTS.**—(1) The Secretary of Energy shall, acting

through the Administrator of the National Nuclear Security Administration, submit to the congressional defense committees at the end of each fiscal-year quarter a report on each nuclear weapon system undergoing life extension. The reports shall be known as Selected Acquisition Reports for the weapon system concerned.

“(2) The information contained in the Selected Acquisition Report for a fiscal-year quarter for a nuclear weapon system shall be the information contained in the Selected Acquisition Report for such fiscal-year quarter for a major defense acquisition program under section 2432 of title 10, United States Code, expressed in terms of the nuclear weapon system.

“(b) **INDEPENDENT COST ESTIMATES.**—(1) The Secretary of Energy shall, acting through the Administrator of the National Nuclear Security Administration, submit to the congressional defense committees a cost estimate on each nuclear weapon system undergoing life extension at the times in production as follows:

“(A) At the completion of phase 6.2A, relating to design definition and cost study.

“(B) Before initiation of phase 6.5, relating to first production.

“(2) A cost estimate for purposes of this subsection may not be prepared by the Department of Energy or the National Nuclear Security Administration.”.

(b) **CLERICAL AMENDMENT.**—The table of contents in section 4001(b) of such Act, as so amended, is further amended by inserting after the item relating to 4215 the following new item:

“Sec. 4216. Selected Acquisition Reports and independent cost estimates on nuclear weapon systems undergoing life extension.”.

SEC. 3113. TWO-YEAR EXTENSION OF SCHEDULE FOR DISPOSITION OF WEAPONS-USABLE PLUTONIUM AT SAVANNAH RIVER SITE, AIKEN, SOUTH CAROLINA.

Section 4306 of the Atomic Energy Defense Act (50 U.S.C. 2566) is amended—

(1) in subsection (a)(3)—

(A) in subparagraph (C), by striking “2012” and inserting “2014”; and

(B) in subparagraph (D), by striking “2017” and inserting “2019”; and

(2) in subsection (b)—

(A) in paragraph (1), by striking “by January 1, 2012”; and

(B) in paragraph (5), by striking “2012” and inserting “2014”; and

(3) in subsection (c)—

(A) in the matter preceding paragraph (1), by striking “2012” and inserting “2014”; and

(B) in paragraph (1), by striking “2014” and inserting “2016”; and

(C) in paragraph (2), by striking “2020” each place it appears and inserting “2022”; and

(4) in subsection (d)—

(A) in paragraph (1)—

(i) by striking “2014” and inserting “2016”; and

(ii) by striking “2019” and inserting “2021”; and

(B) in paragraph (2)(A), by striking “2020” each place it appears and inserting “2022”; and

(5) in subsection (e), by striking “2023” and inserting “2025”.

SEC. 3114. PROGRAM ON SCIENTIFIC ENGAGEMENT FOR NONPROLIFERATION.

(a) **PROGRAM REQUIRED.**—

(1) **IN GENERAL.**—Title XLIII of the Atomic Energy Defense Act (50 U.S.C. 2562 et seq.) is amended by adding at the end the following new section:

“SEC. 4309. PROGRAM ON SCIENTIFIC ENGAGEMENT FOR NONPROLIFERATION.”

“(a) PROGRAM REQUIRED.—(1) The Secretary of Energy shall, acting through the Administrator of the National Nuclear Security Administration, carry out a program on scientific engagement in countries selected by the Secretary for purposes of the program in order to advance global nonproliferation and nuclear security efforts.

“(2) The program required by this section shall be a distinct program from the Global Initiatives for Proliferation Prevention program.

“(b) ELEMENTS.—The program shall include the elements as follows:

“(1) Training and capacity-building to strengthen nonproliferation and security best practices.

“(2) Engagement of United States scientists with foreign counterparts to advance nonproliferation goals.

“(c) REPORT ON COMMENCEMENT OF PROGRAM.—Funds may not be expended under the program required by this section until the Administrator submits to the congressional defense committees a report setting forth the following:

“(1) For each country selected for the program as of the date of such report—

“(A) a proliferation threat assessment prepared by the Director of National Intelligence; and

“(B) metrics for evaluating the success of the program.

“(2) Accounting standards for the conduct of the program approved by the Comptroller General of the United States.

“(d) REPORTS ON MODIFICATION OF PROGRAM.—Before making any modification in the program (whether selecting a new country for the program, ceasing the selection of a country for the program, or modifying an element of the program), the Administrator shall submit to the congressional defense committees a report on the modification. If the modification consists of the selection for the program of a country not previously selected for the program, the report shall include the matters specified in subsection (c)(1) for the country.”

(2) CLERICAL AMENDMENT.—The table of contents in section 4001(b) of such Act (division D of Public Law 107-314) is amended by inserting after the item relating to section 4308 the following new item:

“Sec. 4309. Program on scientific engagement for nonproliferation.”

(b) REPORT ON COORDINATION WITH OTHER UNITED STATES NONPROLIFERATION PROGRAMS.—Not later than 180 days after the date of the enactment of this Act, the Administrator of the National Nuclear Security Administration shall submit to the congressional defense committees a report describing the manner in which the program on scientific engagement for nonproliferation under section 4309 of the Atomic Energy Defense Act (as added by subsection (a)) coordinates with and complements, but does not duplicate, other nonproliferation programs of the United States Government.

(c) COMPTROLLER GENERAL OF THE UNITED STATES REPORT.—Not later than two years after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the congressional defense committees a report on the program on scientific engagement for nonproliferation under section 4309 of the Atomic Energy Defense Act (as so added). The report shall include an assessment by the Comptroller General of the success of the program, as determined in accordance with the metrics for

evaluating the success of the program under subsection (c)(1)(B) of such section 4309, and such other matters on the program as the Comptroller General considers appropriate.

SEC. 3115. REPEAL OF REQUIREMENT FOR ANNUAL UPDATE OF DEPARTMENT OF ENERGY DEFENSE NUCLEAR FACILITIES WORKFORCE RESTRUCTURING PLAN.

Section 4604 of the Atomic Energy Defense Act (50 U.S.C. 2704) is amended—

(1) in subsection (b)(1), by striking “and any updates of the plan under subsection (e)”;

(2) by striking subsection (e);

(3) by redesignating subsections (f) and (g) as subsections (e) and (f), respectively; and

(4) in subsection (e), as redesignated by paragraph (3)—

(A) by striking “(1)” before “The Secretary”; and

(B) by striking paragraph (2).

SEC. 3116. QUARTERLY REPORTS TO CONGRESS ON FINANCIAL BALANCES FOR ATOMIC ENERGY DEFENSE ACTIVITIES.

(a) REPORTS REQUIRED.—Subtitle C of title XLVII of the Atomic Energy Defense Act (50 U.S.C. 2771 et seq.) is amended by adding at the end the following new section:

“SEC. 4732. QUARTERLY REPORTS ON FINANCIAL BALANCES FOR ATOMIC ENERGY DEFENSE ACTIVITIES.

“(a) REPORTS REQUIRED.—Not later than 15 days after the end of each fiscal year quarter, the Secretary of Energy shall submit to the congressional defense committees a report on the financial balances for each atomic energy defense program at the budget control levels used in the report accompanying the most current Act appropriating funds for energy and water development.

“(b) ELEMENTS.—Each report under subsection (a) shall set forth, for each program covered by such report, the following as of the end of the fiscal year quarter covered by such report:

“(1) The total amount authorized to be appropriated, including amounts authorized to be appropriated in the current fiscal year and amounts authorized to be appropriated for prior fiscal years.

“(2) The amount unobligated.

“(3) The amount unobligated but committed.

“(4) The amount obligated, but uncosted.

“(c) PRESENTATION.—Each report under subsection (a) shall present information as follows:

“(1) For each program, in summary form and by fiscal year.

“(2) With financial balances in connection with funding under recurring DoE national security authorizations (as that term is defined in section 4701(1)) presented separately from balances in connection with funding under any other provisions of law.”

(b) CLERICAL AMENDMENT.—The table of contents in section 4001(b) of such Act is amended by inserting after the item relating to section 4731 the following new item:

“Sec. 4732. Quarterly reports on financial balances for atomic energy defense activities.”

SEC. 3117. TRANSPARENCY IN CONTRACTOR PERFORMANCE EVALUATIONS BY THE NATIONAL NUCLEAR SECURITY ADMINISTRATION LEADING TO AWARD FEES.

(a) PUBLICATION REQUIRED.—

(1) IN GENERAL.—Subtitle A of title XLVIII of the Atomic Energy Defense Act (50 U.S.C. 2781 et seq.) is amended by adding at the end the following new section:

“SEC. 4805. PUBLICATION OF CONTRACTOR PERFORMANCE EVALUATIONS BY THE NATIONAL NUCLEAR SECURITY ADMINISTRATION LEADING TO AWARD FEES.

“(a) IN GENERAL.—The Administrator of the National Nuclear Security Administration shall take appropriate actions to make available, to the maximum extent practicable, to the public each contractor performance evaluation conducted by the Administration of a national laboratory, production plant, or single user facility under the management responsibility of the Administration that results in the award of an award fee to the contractor concerned.

“(b) FORMAT.—Performance evaluations shall be made public under this section in a common format that facilitates comparisons of performance evaluations between and among similar management contracts.”

(2) CLERICAL AMENDMENT.—The table of contents in section 4001(b) of that Act is amended by inserting after the item relating to section 4804 the following new item:

“Sec. 4805. Publication of contractor performance evaluations by the National Nuclear Security Administration leading to award fees.”

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act, and shall apply with respect to contractor performance evaluations conducted by the National Nuclear Security Administration on or after that date.

SEC. 3118. EXPANSION OF AUTHORITY TO ESTABLISH CERTAIN SCIENTIFIC, ENGINEERING, AND TECHNICAL POSITIONS.

(a) NUMBER OF POSITIONS.—Section 3241 of the National Nuclear Security Administration Act (50 U.S.C. 2441) is amended by striking “300” and inserting “700”.

(b) EXTENSION TO CONTRACTING POSITIONS.—Such section is further amended by inserting “contracting,” before “scientific”.

(c) CONFORMING AMENDMENT.—The heading of such section is amended to read as follows:

“SEC. 3241. AUTHORITY TO ESTABLISH CERTAIN CONTRACTING, SCIENTIFIC, ENGINEERING, AND TECHNICAL POSITIONS.”

(d) CLERICAL AMENDMENT.—The table of contents for the National Nuclear Security Administration Act is amended by striking the item relating to section 3241 and inserting the following new item:

“Sec. 3241. Authority to establish certain contracting, scientific, engineering, and technical positions.”

SEC. 3119. MODIFICATION AND EXTENSION OF AUTHORITY ON ACCEPTANCE OF CONTRIBUTIONS FOR ACCELERATION OF REMOVAL OR SECURITY OF FISSILE MATERIALS, RADIOLOGICAL MATERIALS, AND RELATED EQUIPMENT AT VULNERABLE SITES WORLDWIDE.

(a) PROGRAMS FOR WHICH FUNDS MAY BE ACCEPTED.—Paragraph (2) of section 3132(f) of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (50 U.S.C. 2569(f)) is amended to read as follows:

“(2) PROGRAMS COVERED.—The programs described in this paragraph are any programs within the Office of Defense Nuclear Nonproliferation of the National Nuclear Security Administration.”

(b) EXTENSION.—Paragraph (7) of such section is amended by striking “December 31, 2013” and inserting “December 31, 2018”.

SEC. 3120. COST CONTAINMENT FOR Y-12 URANIUM PROCESSING FACILITY, Y-12 NATIONAL SECURITY COMPLEX, OAK RIDGE, TENNESSEE.

(a) **EXECUTION PHASES FOR PROJECT.**—Project 06-D-141 for the Y-12 Uranium Processing Facility, Y-12 National Security Complex, Oak Ridge, Tennessee, shall be broken into separate execution phases as follows

(1) Phase I, which shall consist of processes associated with building 9212, including uranium casting and uranium chemical processing.

(2) Phase II, which shall consist of processes associated with buildings 9215 and 9998, including uranium metal working, machining, and inspection.

(3) Phase III, which shall consist of processes associated with building 9204-2E, including radiography, assembly, disassembly, quality evaluation, and production certification operations of nuclear weapon secondaries.

(b) **BUDGETING AND AUTHORIZATION FOR EACH PHASE.**—

(1) **BUDGETING FOR EACH PHASE REQUIRED.**—The Secretary of Energy shall budget separately for each phase under subsection (a) of the project referred to in that subsection.

(2) **FUNDING PURSUANT TO SEPARATE AUTHORIZATIONS OF APPROPRIATIONS.**—The Secretary may not proceed with a phase under subsection (a) of the project referred to in that subsection except with funds expressly authorized to be appropriated for that phase by law.

(c) **COMPLIANCE OF PHASES WITH DOE ORDER ON PROGRAM AND PROJECT MANAGEMENT.**—Each phase under subsection (a) of the project referred to in that subsection shall comply with Department of Energy Order 413.3, relating to Program Management and Project Management for the Acquisition of Capital Assets.

(d) **LIMITATION ON COST OF PHASE I.**—The total cost of Phase I under subsection (a) of the project referred to in that subsection may not exceed \$4,200,000,000.

SEC. 3121. AUTHORITY TO RESTORE CERTAIN FORMERLY RESTRICTED DATA TO THE RESTRICTED DATA CATEGORY.

(a) **IN GENERAL.**—Section 142 of the Atomic Energy Act of 1954 (42 U.S.C. 2162) is amended—

(1) in subsection d.—

(A) by inserting “(1)” before “The Commission”; and

(B) by adding at the end the following new paragraphs:

“(2) The Commission may restore to the Restricted Data category any information related to the design of nuclear weapons removed under paragraph (1) if the Commission and the Department of Defense jointly determine that—

“(A) the programmatic requirements that caused the information to be removed from the Restricted Data category are no longer applicable or have diminished;

“(B) the information would be more appropriately protected as Restricted Data; and

“(C) restoring the information to the Restricted Data category is in the interest of national security.

“(3) Information related to the design of nuclear weapons shall be restored to the Restricted Data category under paragraph (2) in accordance with regulations prescribed by the Commission for purposes of that paragraph.”; and

(2) in subsection e.—

(A) by inserting “(1)” before “The Commission”; and

(B) by adding at the end the following new paragraphs:

“(2) The Commission may restore to the Restricted Data category any information concerning atomic energy programs of other nations removed under paragraph (1) if the Commission and the Director of National Intelligence jointly determine that—

“(A) the programmatic requirements that caused the information to be removed from the Restricted Data category are no longer applicable or have diminished;

“(B) the information would be more appropriately protected as Restricted Data; and

“(C) restoring the information to the Restricted Data category is in the interest of national security.

“(3) Information concerning atomic energy programs of other nations shall be restored to the Restricted Data category under paragraph (2) in accordance with regulations prescribed by the Commission for purposes of that paragraph.”.

(b) **TECHNICAL AMENDMENT.**—Paragraph (1) of subsection (e) of such section, as designated by subsection (a)(2)(A) of this section, is further amended by striking “Director of Central Intelligence” and inserting “Director of National Intelligence”.

Subtitle C—Reports

SEC. 3131. REPORT ON ACTIONS REQUIRED FOR TRANSITION OF REGULATION OF NON-NUCLEAR ACTIVITIES OF THE NATIONAL NUCLEAR SECURITY ADMINISTRATION TO OTHER FEDERAL AGENCIES.

Not later than February 28, 2013, the Secretary of Energy shall, acting through the Administrator of the National Nuclear Security Administration, submit to Congress a report on the actions required to transition, to the maximum extent practicable, the regulation of the non-nuclear activities of the National Nuclear Security Administration to other appropriate agencies of the Federal Government by not later than October 1, 2017.

SEC. 3132. REPORT ON CONSOLIDATION OF FACILITIES OF THE NATIONAL NUCLEAR SECURITY ADMINISTRATION.

(a) **REPORT REQUIRED.**—Not later than 180 days after the date of the enactment of this Act, the Nuclear Weapons Council shall submit to the congressional defense committees a report setting forth the assessment of the Council as to the feasibility of consolidating facilities and functions of the National Nuclear Security Administration in order to reduce costs.

(b) **PROCESS FOR CONSOLIDATION.**—If the assessment of the Council in the report under subsection (a) is that excess facilities exist and the consolidation of facilities and functions of the Administration is feasible and would reduce cost, the report shall include recommendations for a process to determine the manner in which the consolidation should be accomplished, including an estimate of the time to be required to complete the process.

(c) **LIMITATION ON AVAILABILITY OF CERTAIN FUNDS PENDING REPORT.**—Amounts authorized to be appropriated by this title and available for the facility projects in the Department of Energy Readiness and Technical Base designated 04-D-125 and 06-D-141 may not be obligated or expended for CD-3, Start of Construction (as found in Department of Energy Order 413.3 B Program and Project Management for the Acquisition of Capital Assets,) until the submittal under subsection (a) of the report required by that subsection.

SEC. 3133. REGIONAL RADIOLOGICAL SECURITY ZONES.

(a) **FINDINGS.**—Congress makes the following findings:

(1) A terrorist attack using high-activity radiological materials, such as in a dirty bomb, could inflict billions of dollars of economic costs and considerable societal and economic dislocation, with effects and costs possibly lasting for years.

(2) It may be easier for terrorists to obtain the materials for, and to fabricate, a dirty bomb than an improvised nuclear device.

(3) Radiological materials are in widespread use worldwide, with estimates of the number of radiological sources ranging from 100,000 to millions.

(4) Many nations have a security and regulatory regime for their radiological sources that is much less developed than that of the United States.

(5) Radiological materials are used at many civilian sites including hospitals, industrial sites, and other locations that have little security, placing these materials at risk of theft.

(6) Many radiological materials have become lost, disused, unwanted, or abandoned, with the Global Threat Reduction Initiative of the National Nuclear Security Administration having recovered more than 30,000 radioactive sources in the United States, repatriated more than 2,400 United States-origin sources from other countries, and helped recover more than 13,000 radioactive sources and radioisotope thermoelectric generators in other countries.

(7) High-activity radiological materials can be used in a dirty bomb.

(b) **SENSE OF CONGRESS.**—It is the sense of Congress that United States and global non-proliferation efforts should place a high priority on programs to secure high-activity radiological sources to reduce the threat of radiological terrorism.

(c) **STUDY.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Administrator of the National Nuclear Security Administration shall submit to the appropriate committees of Congress a study in accordance with paragraph (3).

(2) **CONSULTATION.**—The Administrator may, in conducting the study required under paragraph (1), consult with the Secretary of Homeland Security, the Secretary of State, the Nuclear Regulatory Commission, and such other departments and agencies of the United States Government as the Administrator considers appropriate.

(3) **MATTERS INCLUDED.**—The study under paragraph (1) shall include the following:

(A) An assessment of the radioactive isotopes and associated activity levels that present the greatest risk to national and international security.

(B) A review of current United States Government efforts to secure radiological materials abroad, including coordination with foreign governments, the European Union, the International Atomic Energy Agency, other international programs, and nongovernmental organizations that identify, register, secure, remove, and provide for the disposition of high-risk radiological materials worldwide.

(C) A review of current United States Government efforts to secure radiological materials domestically at civilian sites, including hospitals, industrial sites, and other locations.

(D) A definition of regional radiological security zones, including the subset of the materials of concern to be the immediate focus and the security best practices required to achieve that goal.

(E) An assessment of the feasibility, cost, desirability, and added benefit of establishing regional radiological security zones

in high priority areas worldwide in order to facilitate regional collaboration in—

(i) identifying and inventorying high-activity radiological sources at high-risk sites;

(ii) reviewing national level regulations, inspections, transportation security, and security upgrade options; and

(iii) assessing opportunities for the harmonization of regulations and security practices among the nations of the region.

(F) An assessment of the feasibility, cost, desirability, and added benefit of establishing remote regional monitoring centers that would receive real-time data from radiological security sites, would be staffed by trained personnel from the countries in the region, and would alert local law enforcement in the event of a potential or actual terrorist incident or other emergency.

(G) A list and assessment of the best practices used in the United States that are most critical in enhancing domestic radiological material security and could be used to enhance radiological security worldwide.

(H) An assessment of the United States entity or entities that would be best suited to lead efforts to establish a radiological security zone program.

(I) An estimate of the costs associated with the implementation of a radiological security zone program.

(J) An assessment of the known locations outside the United States housing high-risk radiological materials in excess of 1,000 curies.

(4) FORM.—The study required under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(d) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Armed Services, the Committee on Homeland Security and Governmental Affairs, and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Armed Services, the Committee on Homeland Security, and the Committee on Foreign Affairs of the House of Representatives.

SEC. 3134. REPORT ON LEGACY URANIUM MINES.

(a) REPORT.—

(1) IN GENERAL.—The Secretary of Energy shall undertake a review of, and prepare a report on, abandoned uranium mines at which uranium ore was mined for the weapons program of the United States (hereinafter referred to as “legacy uranium mines”).

(2) MATTERS TO BE ADDRESSED.—The report shall describe and analyze—

(A) the location of the legacy uranium mines on Federal, State, tribal, and private land, taking into account any existing inventories undertaken by Federal agencies, States, and Indian tribes, and any additional information available to the Secretary;

(B) the extent to which the legacy uranium mines—

(i) may pose a potential and significant radiation health hazard to the public;

(ii) may pose some other threat to public health and safety hazard;

(iii) have caused, or may cause, degradation of water quality; and

(iv) have caused, or may cause, environmental degradation;

(C) a ranking of priority by category for the remediation and reclamation of the legacy uranium mines;

(D) the potential cost and feasibility of remediating and reclaiming, in accordance with applicable Federal law, each category of legacy uranium mines; and

(E) the status of any efforts to remediate and reclaim legacy uranium mines.

(b) RECOMMENDATIONS.—The report shall—

(1) make recommendations as to how to ensure most feasibly and effectively and expeditiously that the public health and safety, water resources, and the environment will be protected from the adverse effects of legacy uranium mines; and

(2) make recommendations on changes, if any, to Federal law to address the remediation and reclamation of legacy uranium mines.

(c) CONSULTATION.—In preparing the report, the Secretary of Energy shall consult with any other relevant Federal agencies, affected States and Indian tribes, and interested members of the public.

(d) REPORT TO CONGRESS.—Not later than 18 months after the date of enactment of this Act, the Secretary of Energy shall submit to the Committee on Armed Services and the Committee on Energy and Natural Resources of the Senate and the appropriate Committees of the House of Representatives—

(1) the report; and

(2) the plan and timeframe of the Secretary of Energy for implementing those recommendations of the report that do not require legislation.

SEC. 3135. COMPTROLLER GENERAL OF THE UNITED STATES REVIEW OF PROJECTS CARRIED OUT BY OFFICE OF ENVIRONMENTAL MANAGEMENT OF THE DEPARTMENT OF ENERGY PURSUANT TO THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009.

Section 3134 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2713) is amended—

(1) in subsection (c)—

(A) in paragraph (1), by striking “The Comptroller General shall conduct a review during the period described in paragraph (2), of the following:” and inserting “Beginning on the date of the submittal of the report required under subsection (b)(2), the Comptroller General shall conduct a review of the following:”;

(B) by striking paragraph (2);

(C) by redesignating paragraph (3) as paragraph (2); and

(D) in paragraph (2), as redesignated by subparagraph (C), by striking “the end of the period described in paragraph (2)” and inserting “August 30, 2012”; and

(2) in subsection (d)—

(A) in paragraph (1), by striking “Beginning on the date on which the Comptroller General submits the last report required under subsection (c)(3), the Comptroller General shall conduct a review of the following:” and inserting “Following the submittal of the final report required under subsection (c)(2), the Comptroller General shall conduct a review of the following:”;

(B) in paragraph (2), by striking “Not later than 90 days after submitting the last report required under subsection (c)(3)” and inserting “Within seven months after receiving notification that all American Recovery and Reinvestment Act funds have been expended, but not later than April 30, 2016”.

TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD

SEC. 3201. AUTHORIZATION.

There are authorized to be appropriated for fiscal year 2013, \$29,415,000 for the operation of the Defense Nuclear Facilities Safety Board under chapter 21 of the Atomic Energy Act of 1954 (42 U.S.C. 2286 et seq.).

TITLE XXXV—MARITIME ADMINISTRATION

SEC. 3501. MARITIME ADMINISTRATION.

Section 109 of title 49, United States Code, is amended to read as follows:

“§ 109. Maritime administration

“(a) ORGANIZATION.—The Maritime Administration is an administration in the Department of Transportation.

“(b) MARITIME ADMINISTRATOR.—The head of the Maritime Administration is the Maritime Administrator, who is appointed by the President by and with the advice and consent of the Senate. The Administrator shall report directly to the Secretary of Transportation and carry out the duties prescribed by the Secretary.

“(c) DEPUTY MARITIME ADMINISTRATOR.—The Maritime Administration shall have a Deputy Maritime Administrator, who is appointed in the competitive service by the Secretary, after consultation with the Administrator. The Deputy Administrator shall carry out the duties prescribed by the Administrator. The Deputy Administrator shall be Acting Administrator during the absence or disability of the Administrator and, unless the Secretary designates another individual, during a vacancy in the office of Administrator.

“(d) DUTIES AND POWERS VESTED IN SECRETARY.—All duties and powers of the Maritime Administration are vested in the Secretary.

“(e) REGIONAL OFFICES.—The Maritime Administration shall have regional offices for the Atlantic, Gulf, Great Lakes, and Pacific port ranges, and may have other regional offices as necessary. The Secretary shall appoint a qualified individual as Director of each regional office. The Secretary shall carry out appropriate activities and programs of the Maritime Administration through the regional offices.

“(f) INTERAGENCY AND INDUSTRY RELATIONS.—The Secretary shall establish and maintain liaison with other agencies, and with representative trade organizations throughout the United States, concerned with the transportation of commodities by water in the export and import foreign commerce of the United States, for the purpose of securing preference to vessels of the United States for the transportation of those commodities.

“(g) DETAILING OFFICERS FROM ARMED FORCES.—To assist the Secretary in carrying out duties and powers relating to the Maritime Administration, not more than five officers of the armed forces may be detailed to the Secretary at any one time, in addition to details authorized by any other law. During the period of a detail, the Secretary shall pay the officer an amount that, when added to the officer's pay and allowances as an officer in the armed forces, makes the officer's total pay and allowances equal to the amount that would be paid to an individual performing work the Secretary considers to be of similar importance, difficulty, and responsibility as that performed by the officer during the detail.

“(h) CONTRACTS, COOPERATIVE AGREEMENTS, AND AUDITS.—

“(1) CONTRACTS AND COOPERATIVE AGREEMENTS.—In the same manner that a private corporation may make a contract within the scope of its authority under its charter, the Secretary may make contracts and cooperative agreements for the United States Government and disburse amounts to—

“(A) carry out the Secretary's duties and powers under this section, subtitle V of title 46, and all other Maritime Administration programs; and

“(B) protect, preserve, and improve collateral held by the Secretary to secure indebtedness.

“(2) AUDITS.—The financial transactions of the Secretary under paragraph (1) shall be

audited by the Comptroller General. The Comptroller General shall allow credit for an expenditure shown to be necessary because of the nature of the business activities authorized by this section or subtitle V of title 46. At least once a year, the Comptroller General shall report to Congress any departure by the Secretary from this section or subtitle V of title 46.

“(i) GRANT ADMINISTRATIVE EXPENSES.—Except as otherwise provided by law, the administrative and related expenses for the administration of any grant programs by the Maritime Administrator may not exceed 3 percent.

“(j) AUTHORIZATION OF APPROPRIATIONS.—

“(1) IN GENERAL.—Except as otherwise provided in this subsection, there are authorized to be appropriated such amounts as may be necessary to carry out the duties and powers of the Secretary relating to the Maritime Administration.

“(2) LIMITATIONS.—Only those amounts specifically authorized by law may be appropriated for the use of the Maritime Administration for—

“(A) acquisition, construction, or reconstruction of vessels;

“(B) construction-differential subsidies incident to the construction, reconstruction, or reconditioning of vessels;

“(C) costs of national defense features;

“(D) payments of obligations incurred for operating-differential subsidies;

“(E) expenses necessary for research and development activities, including reimbursement of the Vessel Operations Revolving Fund for losses resulting from expenses of experimental vessel operations;

“(F) the Vessel Operations Revolving Fund;

“(G) National Defense Reserve Fleet expenses;

“(H) expenses necessary to carry out part B of subtitle V of title 46; and

“(I) other operations and training expenses related to the development of waterborne transportation systems, the use of waterborne transportation systems, and general administration.

“(3) TRAINING VESSELS.—Amounts may not be appropriated for the purchase or construction of training vessels for State maritime academies unless the Secretary has approved a plan for sharing training vessels between State maritime academies.”.

DIVISION D—FUNDING TABLES

SEC. 4001. AUTHORIZATION OF AMOUNTS IN FUNDING TABLES.

(a) IN GENERAL.—Whenever a funding table in this division specifies a dollar amount authorized for a project, program, or activity, the obligation and expenditure of the specified dollar amount for the project, program,

or activity is hereby authorized, subject to the availability of appropriations.

(b) MERIT-BASED DECISIONS.—Decisions by agency heads to commit, obligate, or expend funds with or to a specific entity on the basis of a dollar amount authorized pursuant to subsection (a) shall be based on authorized, transparent, statutory criteria, or merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, and other applicable provisions of law.

(c) RELATIONSHIP TO TRANSFER AND PROGRAMMING AUTHORITY.—An amount specified in the funding tables in this division may be transferred or reprogrammed under a transfer or reprogramming authority provided by another provision of this Act or by other law. The transfer or reprogramming of an amount specified in such funding tables shall not count against a ceiling on such transfers or reprogrammings under section 1001 of this Act or any other provision of law, unless such transfer or reprogramming would move funds between appropriation accounts.

(d) ORAL AND WRITTEN COMMUNICATIONS.—No oral or written communication concerning any amount specified in the funding tables in this division shall supercede the requirements of this section.

TITLE XLI—PROCUREMENT

SEC. 4101. PROCUREMENT.

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2013 Request	Senate Authorized
AIRCRAFT PROCUREMENT, ARMY			
FIXED WING			
001	UTILITY F/W AIRCRAFT	18,639	18,639
002	C-12 CARGO AIRPLANE	0	0
003	MQ-1 UAV	518,088	518,088
004	RQ-11 (RAVEN)	25,798	25,798
005	BCT UNMANNED AERIAL VEH (UAVS) INCR 1	0	0
ROTARY			
006	HELICOPTER, LIGHT UTILITY (LUH)	271,983	271,983
007	AH-64 APACHE BLOCK IIIA REMAN	577,115	577,115
008	ADVANCE PROCUREMENT (CY)	107,707	107,707
009	AH-64 APACHE BLOCK IIIB NEW BUILD	153,993	153,993
010	ADVANCE PROCUREMENT (CY)	146,121	146,121
011	AH-64 BLOCK II/WRA	0	0
012	KIOWA WARRIOR (OH-58F) WRA	0	0
013	UH-60 BLACKHAWK M MODEL (MYP)	1,107,087	1,107,087
014	ADVANCE PROCUREMENT (CY)	115,113	115,113
015	CH-47 HELICOPTER	1,076,036	1,076,036
016	ADVANCE PROCUREMENT (CY)	83,346	83,346
MODIFICATION OF AIRCRAFT			
017	C12 AIRCRAFT MODS	0	0
018	MQ-1 PAYLOAD—UAS	231,508	231,508
019	MQ-1 WEAPONIZATION—UAS	0	0
020	GUARDRAIL MODS (MIP)	16,272	16,272
021	MULTI SENSOR ABN RECON (MIP)	4,294	4,294
022	AH-64 MODS	178,805	178,805
023	CH-47 CARGO HELICOPTER MODS (MYP)	39,135	39,135
024	UTILITY/CARGO AIRPLANE MODS	24,842	24,842
025	AIRCRAFT LONG RANGE MODS	0	0
026	UTILITY HELICOPTER MODS	73,804	73,804
027	KIOWA WARRIOR MODS	192,484	192,484
028	AIRBORNE AVIONICS	0	0
029	NETWORK AND MISSION PLAN	190,789	190,789
030	COMMS, NAV SURVEILLANCE	133,191	89,191
	JTRS integration delayed		[-44,000]
031	GATM ROLLUP	87,280	87,280
032	RQ-7 UAV MODS	104,339	104,339
SPARES AND REPAIR PARTS			
033	SPARE PARTS (AIR)	0	0

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2013 Request	Senate Authorized
GROUND SUPPORT AVIONICS			
034	AIRCRAFT SURVIVABILITY EQUIPMENT	34,037	34,037
035	SURVIVABILITY CM	0	0
036	CMWS	127,751	127,751
OTHER SUPPORT			
037	AVIONICS SUPPORT EQUIPMENT	4,886	4,886
038	COMMON GROUND EQUIPMENT	82,511	82,511
039	AIRCREW INTEGRATED SYSTEMS	77,381	77,381
040	AIR TRAFFIC CONTROL	47,235	47,235
041	INDUSTRIAL FACILITIES	1,643	1,643
042	LAUNCHER, 2.75 ROCKET	516	516
	TOTAL, AIRCRAFT PROCUREMENT, ARMY	5,853,729	5,809,729
MISSILE PROCUREMENT, ARMY			
SURFACE-TO-AIR MISSILE SYSTEM			
001	PATRIOT SYSTEM SUMMARY	646,590	646,590
002	MSE MISSILE	12,850	12,850
003	SURFACE-LAUNCHED AMRAAM SYSTEM SUMMARY	0	0
004	HELLFIRE SYS SUMMARY	1,401	1,401
005	JAVELIN (AAWS-M) SYSTEM SUMMARY	81,121	81,121
006	TOW 2 SYSTEM SUMMARY	64,712	64,712
007	ADVANCE PROCUREMENT (CY)	19,931	19,931
008	GUIDED MLRS ROCKET (GMLRS)	218,679	218,679
009	MLRS REDUCED RANGE PRACTICE ROCKETS (RRPR)	18,767	18,767
010	HIGH MOBILITY ARTILLERY ROCKET SYSTEM	12,051	12,051
011	PATRIOT MODS	199,565	199,565
012	ITAS/TOW MODS	0	0
013	MLRS MODS	2,466	2,466
014	HIMARS MODIFICATIONS	6,068	6,068
015	HELLFIRE MODIFICATIONS	0	0
016	SPARES AND REPAIR PARTS	7,864	7,864
017	AIR DEFENSE TARGETS	3,864	3,864
018	ITEMS LESS THAN \$5 MILLION (MISSILES)	1,560	1,560
019	PRODUCTION BASE SUPPORT	5,200	5,200
	TOTAL, MISSILE PROCUREMENT, ARMY	1,302,689	1,302,689
PROCUREMENT OF W&TCV, ARMY			
TRACKED COMBAT VEHICLES			
001	STRYKER VEHICLE	286,818	286,818
002	FCS SPIN OUTS	0	0
MODIFICATION OF TRACKED COMBAT VEHICLES			
003	STRYKER (MOD)	60,881	60,881
004	FIST VEHICLE (MOD)	57,257	57,257
005	BRADLEY PROGRAM (MOD)	148,193	148,193
006	HOWITZER, MED SP FT 155MM M109A6 (MOD)	10,341	10,341
007	PALADIN PIM MOD IN SERVICE	206,101	206,101
008	IMPROVED RECOVERY VEHICLE (M88A2 HERCULES)	107,909	230,909
	Increased production		[123,000]
009	ASSAULT BREACHER VEHICLE	50,039	50,039
010	M88 FOV MODS	29,930	29,930
011	M1 ABRAMS TANK (MOD)	129,090	129,090
012	ABRAMS UPGRADE PROGRAM	74,433	74,433
012A	ADVANCE PROCUREMENT (CY)		91,000
	Advanced procurement Abrams upgrade program		[91,000]
SUPPORT EQUIPMENT & FACILITIES			
013	PRODUCTION BASE SUPPORT (TCV-WTCV)	1,145	1,145
WEAPONS & OTHER COMBAT VEHICLES			
014	INTEGRATED AIR BURST WEAPON SYSTEM FAMILY	506	506
015	M240 MEDIUM MACHINE GUN (7.62MM)	0	0
016	MACHINE GUN, CAL .50 M2 ROLL	0	0
017	LIGHTWEIGHT .50 CALIBER MACHINE GUN	25,183	0
	Program termination		[-25,183]
018	MK-19 GRENADE MACHINE GUN (40MM)	0	0
019	MORTAR SYSTEMS	8,104	8,104
020	M107, CAL. 50, SNIPER RIFLE	0	0
021	XM320 GRENADE LAUNCHER MODULE (GLM)	14,096	14,096
022	M110 SEMI-AUTOMATIC SNIPER SYSTEM (SASS)	0	0
023	M4 CARBINE	0	0
024	CARBINE	21,272	21,272

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2013 Request	Senate Authorized
025	SHOTGUN, MODULAR ACCESSORY SYSTEM (MASS)	6,598	6,598
026	COMMON REMOTELY OPERATED WEAPONS STATION	56,725	56,725
027	HOWITZER LT WT 155MM (T)	13,827	13,827
	MOD OF WEAPONS AND OTHER COMBAT VEH		
028	MK-19 GRENADE MACHINE GUN MODS	0	0
029	M777 MODS	26,843	26,843
030	M4 CARBINE MODS	27,243	27,243
031	M2 50 CAL MACHINE GUN MODS	39,974	39,974
032	M249 SAW MACHINE GUN MODS	4,996	4,996
033	M240 MEDIUM MACHINE GUN MODS	6,806	6,806
034	SNIPER RIFLES MODIFICATIONS	14,113	14,113
035	M119 MODIFICATIONS	20,727	20,727
036	M16 RIFLE MODS	3,306	3,306
037	MODIFICATIONS LESS THAN \$5.0M (WOCV-WTCV)	3,072	3,072
	SUPPORT EQUIPMENT & FACILITIES		
038	ITEMS LESS THAN \$5 MILLION (WOCV-WTCV)	2,026	2,026
039	PRODUCTION BASE SUPPORT (WOCV-WTCV)	10,115	10,115
040	INDUSTRIAL PREPAREDNESS	442	442
	SUPPORT EQUIPMENT & FACILITIES		
041	SMALL ARMS EQUIPMENT (SOLDIER ENH PROG)	2,378	2,378
	SPARES		
042	SPARES AND REPAIR PARTS (WTCV)	31,217	31,217
	TOTAL, PROCUREMENT OF W&TCV, ARMY	1,501,706	1,690,523
	PROCUREMENT OF AMMUNITION, ARMY		
	SMALL/MEDIUM CAL AMMUNITION		
001	CTG, 5.56MM, ALL TYPES	158,313	158,313
002	CTG, 7.62MM, ALL TYPES	91,438	91,438
003	CTG, HANDGUN, ALL TYPES	8,954	8,954
004	CTG, .50 CAL, ALL TYPES	109,604	109,604
005	CTG, 20MM, ALL TYPES	4,041	4,041
006	CTG, 25MM, ALL TYPES	12,654	12,654
007	CTG, 30MM, ALL TYPES	72,154	35,154
	Decrease for excess		[-37,000]
008	CTG, 40MM, ALL TYPES	60,138	0
	Decrease for excess		[-60,138]
	MORTAR AMMUNITION		
009	60MM MORTAR, ALL TYPES	44,375	44,375
010	81MM MORTAR, ALL TYPES	27,471	27,471
011	120MM MORTAR, ALL TYPES	87,811	87,811
	TANK AMMUNITION		
012	CARTRIDGES, TANK, 105MM AND 120MM, ALL TYPES	112,380	112,380
	ARTILLERY AMMUNITION		
013	ARTILLERY CARTRIDGES, 75MM AND 105MM, ALL TYP	50,861	50,861
014	ARTILLERY PROJECTILE, 155MM, ALL TYPES	26,227	26,227
015	PROJ 155MM EXTENDED RANGE XM982	110,329	55,329
	Excalibur I-b round schedule delay		[-55,000]
016	ARTILLERY PROPELLANTS, FUZES AND PRIMERS, ALL	43,924	43,924
	MINES		
017	MINES & CLEARING CHARGES, ALL TYPES	3,775	3,775
	NETWORKED MUNITIONS		
018	SPIDER NETWORK MUNITIONS, ALL TYPES	17,408	3,108
	Program decrease		[-14,300]
	ROCKETS		
019	SHOULDER LAUNCHED MUNITIONS, ALL TYPES	1,005	1,005
020	ROCKET, HYDRA 70, ALL TYPES	123,433	123,433
	OTHER AMMUNITION		
021	DEMOLITION MUNITIONS, ALL TYPES	35,189	35,189
022	GRENADES, ALL TYPES	33,477	33,477
023	SIGNALS, ALL TYPES	9,991	9,991
024	SIMULATORS, ALL TYPES	10,388	10,388
	MISCELLANEOUS		
025	AMMO COMPONENTS, ALL TYPES	19,383	19,383
026	NON-LETHAL AMMUNITION, ALL TYPES	7,336	7,336
027	CAD/PAD ALL TYPES	6,641	6,641
028	ITEMS LESS THAN \$5 MILLION	15,092	15,092
029	AMMUNITION PECULIAR EQUIPMENT	15,692	15,692
030	FIRST DESTINATION TRANSPORTATION (AMMO)	14,107	14,107
031	CLOSEOUT LIABILITIES	106	106

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2013 Request	Senate Authorized
PRODUCTION BASE SUPPORT			
032	PROVISION OF INDUSTRIAL FACILITIES	220,171	220,171
033	CONVENTIONAL MUNITIONS DEMILITARIZATION, ALL	182,461	182,461
034	ARMS INITIATIVE	3,377	3,377
	TOTAL, PROCUREMENT OF AMMUNITION, ARMY	1,739,706	1,573,268
OTHER PROCUREMENT, ARMY			
TACTICAL VEHICLES			
001	SEMITRAILERS, FLATBED	7,097	7,097
002	FAMILY OF MEDIUM TACTICAL VEH (FMTV)	346,115	396,115
	Program increase for USAR		[50,000]
003	FIRETRUCKS & ASSOCIATED FIREFIGHTING EQUIP	19,292	19,292
004	FAMILY OF HEAVY TACTICAL VEHICLES (FHTV)	52,933	52,933
005	PLS ESP	18,035	18,035
006	ARMORED SECURITY VEHICLES (ASV)	0	0
007	MINE PROTECTION VEHICLE FAMILY	0	0
008	FAMILY OF MINE RESISTANT AMBUSH PROTEC (MRAP)	0	0
009	TRUCK, TRACTOR, LINE HAUL, M915/M916	3,619	3,619
010	HVY EXPANDED MOBILE TACTICAL TRUCK EXT SERV	26,859	26,859
011	HMMWV RECAPITALIZATION PROGRAM	0	0
012	TACTICAL WHEELED VEHICLE PROTECTION KITS	69,163	69,163
013	MODIFICATION OF IN SVC EQUIP	91,754	91,754
014	MINE-RESISTANT AMBUSH-PROTECTED (MRAP) MODS	0	0
015	TOWING DEVICE-FIFTH WHEEL	0	0
016	AMC CRITICAL ITEMS, OPA1	0	0
NON-TACTICAL VEHICLES			
017	HEAVY ARMORED SEDAN	0	0
018	PASSENGER CARRYING VEHICLES	2,548	2,548
019	NONTACTICAL VEHICLES, OTHER	16,791	16,791
COMM—JOINT COMMUNICATIONS			
020	JOINT COMBAT IDENTIFICATION MARKING SYSTEM	10,061	10,061
021	WIN-T—GROUND FORCES TACTICAL NETWORK	892,635	892,635
022	SIGNAL MODERNIZATION PROGRAM	45,626	45,626
023	JCSE EQUIPMENT (USREDCOM)	5,143	5,143
COMM—SATELLITE COMMUNICATIONS			
024	DEFENSE ENTERPRISE WIDEBAND SATCOM SYSTEMS	151,636	151,636
025	TRANSPORTABLE TACTICAL COMMAND COMMUNICATIONS	6,822	6,822
026	SHF TERM	9,108	9,108
027	SAT TERM, EMUT (SPACE)	0	0
028	NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE)	27,353	27,353
029	SMART-T (SPACE)	98,656	98,656
030	SCAMP (SPACE)	0	0
031	GLOBAL BRDCST SVC—GBS	47,131	47,131
032	MOD OF IN-SVC EQUIP (TAC SAT)	23,281	23,281
COMM—COMBAT SUPPORT COMM			
033	MOD-IN-SERVICE PROFILER	0	0
COMM—C3 SYSTEM			
034	ARMY GLOBAL CMD & CONTROL SYS (AGCCS)	10,848	10,848
COMM—COMBAT COMMUNICATIONS			
035	ARMY DATA DISTRIBUTION SYSTEM (DATA RADIO)	979	979
036	JOINT TACTICAL RADIO SYSTEM	556,250	526,250
	AMF integration ahead of need		[–30,000]
037	MID-TIER NETWORKING VEHICULAR RADIO (MNVIR)	86,219	86,219
038	RADIO TERMINAL SET, MIDS LVT(2)	7,798	7,798
039	SINGGARS FAMILY	9,001	9,001
040	AMC CRITICAL ITEMS—OPA2	24,601	24,601
041	TRACTOR DESK	7,779	7,779
042	CMMS-ELEC EQUIP FIELDING	0	0
043	SPIDER APLA REMOTE CONTROL UNIT	34,365	13,365
	Funding ahead of need		[–21,000]
044	SOLDIER ENHANCEMENT PROGRAM COMM/ELECTRONICS	1,833	1,833
045	TACTICAL COMMUNICATIONS AND PROTECTIVE SYSTEM	12,984	12,984
046	COMBAT SURVIVOR EVADER LOCATOR (CSEL)	0	0
047	GUNSHOT DETECTION SYSTEM (GDS)	2,332	2,332
048	RADIO, IMPROVED HF (COTS) FAMILY	1,132	1,132
049	MEDICAL COMM FOR CBT CASUALTY CARE (MC4)	22,899	22,899
COMM—INTELLIGENCE COMM			
051	CI AUTOMATION ARCHITECTURE	1,564	1,564
052	RESERVE CA/MISO GPF EQUIPMENT	28,781	28,781

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2013 Request	Senate Authorized
	INFORMATION SECURITY		
053	TSEC—ARMY KEY MGT SYS (AKMS)	23,432	23,432
054	INFORMATION SYSTEM SECURITY PROGRAM-ISSP	43,897	43,897
055	BIOMETRICS ENTERPRISE	0	0
	COMM—LONG HAUL COMMUNICATIONS		
056	TERRESTRIAL TRANSMISSION	2,891	2,891
057	BASE SUPPORT COMMUNICATIONS	13,872	13,872
058	WW TECH CON IMP PROG (WWTCIP)	9,595	9,595
	COMM—BASE COMMUNICATIONS		
059	INFORMATION SYSTEMS	142,133	142,133
060	DEFENSE MESSAGE SYSTEM (DMS)	0	0
061	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM	57,727	57,727
062	PENTAGON INFORMATION MGT AND TELECOM	5,000	5,000
	ELECT EQUIP—TACT INT REL ACT (TIARA)		
065	JTT/CIBS-M	1,641	1,641
066	PROPHET GROUND	48,797	48,797
067	DIGITAL TOPOGRAPHIC SPT SYS (DTSS)	0	0
068	DRUG INTERDICTION PROGRAM (DIP) (TIARA)	0	0
069	DCGS-A (MIP)	184,007	184,007
070	JOINT TACTICAL GROUND STATION (JTGS)	2,680	2,680
071	TROJAN (MIP)	21,483	21,483
072	MOD OF IN-SVC EQUIP (INTEL SPT) (MIP)	2,412	2,412
073	CI HUMINT AUTO REPRINTING AND COLLECTION	7,077	7,077
074	ITEMS LESS THAN \$5 MILLION (MIP)	0	0
	ELECT EQUIP—ELECTRONIC WARFARE (EW)		
075	LIGHTWEIGHT COUNTER MORTAR RADAR	72,594	72,594
076	CREW	15,446	15,446
077	FMLY OF PERSISTENT SURVEILLANCE CAPABILITIES	0	0
078	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES	1,470	1,470
079	CI MODERNIZATION	1,368	1,368
	ELECT EQUIP—TACTICAL SURV. (TAC SURV)		
080	FAAD GBS	7,980	7,980
081	SENTINEL MODS	33,444	33,444
082	SENSE THROUGH THE WALL (STTW)	6,212	0
	Slow execution of prior years appropriations		[–6,212]
083	NIGHT VISION DEVICES	166,516	166,516
084	LONG RANGE ADVANCED SCOUT SURVEILLANCE SYSTEM	0	0
085	NIGHT VISION, THERMAL WPN SIGHT	82,162	82,162
086	SMALL TACTICAL OPTICAL RIFLE MOUNTED MLRF	20,717	20,717
087	COUNTER-ROCKET, ARTILLERY & MORTAR (C-RAM)	0	0
088	BASE EXPEDITARY TARGETING AND SURV SYS	0	0
089	GREEN LASER INTERDICTION SYSTEM (GLIS)	1,014	1,014
090	INDIRECT FIRE PROTECTION FAMILY OF SYSTEMS	29,881	29,881
091	PROFILER	12,482	12,482
092	MOD OF IN-SVC EQUIP (FIREFINDER RADARS)	3,075	3,075
093	FORCE XXI BATTLE CMD BRIGADE & BELOW (FBCB2)	0	0
094	JOINT BATTLE COMMAND—PLATFORM (JBC-P)	141,385	141,385
095	LIGHTWEIGHT LASER DESIGNATOR/RANGEFINDER	0	0
096	MOD OF IN-SVC EQUIP (LLDR)	22,403	22,403
097	COMPUTER BALLISTICS: LHMCB XM32	0	0
098	MORTAR FIRE CONTROL SYSTEM	29,505	29,505
099	COUNTERFIRE RADARS	244,409	244,409
100	ENHANCED SENSOR & MONITORING SYSTEM (WMD)	2,426	2,426
	ELECT EQUIP—TACTICAL C2 SYSTEMS		
101	TACTICAL OPERATIONS CENTERS	30,196	30,196
102	FIRE SUPPORT C2 FAMILY	58,903	58,903
103	BATTLE COMMAND SUSTAINMENT SUPPORT SYSTEM	8,111	8,111
104	FAAD C2	5,031	5,031
105	AIR & MSL DEFENSE PLANNING & CONTROL SYS	64,144	64,144
106	KNIGHT FAMILY	11,999	11,999
107	LIFE CYCLE SOFTWARE SUPPORT (LCSS)	1,853	1,853
108	AUTOMATIC IDENTIFICATION TECHNOLOGY	14,377	14,377
109	TC AIMS II	0	0
110	TACTICAL INTERNET MANAGER	0	0
111	NETWORK MANAGEMENT INITIALIZATION AND SERVICE	59,821	59,821
112	MANEUVER CONTROL SYSTEM (MCS)	51,228	51,228
113	SINGLE ARMY LOGISTICS ENTERPRISE (SALE)	176,901	176,901
114	RECONNAISSANCE AND SURVEYING INSTRUMENT SET	15,209	15,209
	ELECT EQUIP—AUTOMATION		

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2013 Request	Senate Authorized
115	ARMY TRAINING MODERNIZATION	8,866	8,866
116	AUTOMATED DATA PROCESSING EQUIP	129,438	129,438
117	GENERAL FUND ENTERPRISE BUSINESS SYS FAM	9,184	9,184
118	CSS COMMUNICATIONS	20,639	20,639
119	RESERVE COMPONENT AUTOMATION SYS (RCAS)	35,493	35,493
	ELECT EQUIP—AUDIO VISUAL SYS (A/V)		
120	ITEMS LESS THAN \$5 MILLION (A/V)	8,467	8,467
121	ITEMS LESS THAN \$5 MILLION	5,309	5,309
	ELECT EQUIP—SUPPORT		
122	PRODUCTION BASE SUPPORT (C-E)	586	586
123	BCT NETWORK	0	0
124	DEFENSE RAPID INNOVATION PROGRAM	0	0
	CLASSIFIED PROGRAMS		
124A	CLASSIFIED PROGRAMS	3,435	3,435
	CHEMICAL DEFENSIVE EQUIPMENT		
125	PROTECTIVE SYSTEMS	0	0
126	FAMILY OF NON-LETHAL EQUIPMENT (FNLE)	3,960	3,960
127	BASE DEFENSE SYSTEMS (BDS)	4,374	4,374
128	CBRN SOLDIER PROTECTION	9,259	9,259
129	SMOKE & OBSCURANT FAMILY: SOF (NON AAO ITEM)	0	0
	BRIDGING EQUIPMENT		
130	TACTICAL BRIDGING	35,499	35,499
131	TACTICAL BRIDGE, FLOAT-RIBBON	32,893	32,893
	ENGINEER (NON-CONSTRUCTION) EQUIPMENT		
132	HANDHELD STANDOFF MINEFIELD DETECTION SYS-HST	0	0
133	GRND STANDOFF MINE DETECTN SYSM (GSTAMIDS)	0	0
134	ROBOTIC COMBAT SUPPORT SYSTEM (RCSS)	29,106	29,106
135	EXPLOSIVE ORDNANCE DISPOSAL EQPMT (EOD EQPMT)	25,459	25,459
136	REMOTE DEMOLITION SYSTEMS	8,044	8,044
137	<\$5M, COUNTERMINE EQUIPMENT	3,698	3,698
	COMBAT SERVICE SUPPORT EQUIPMENT		
138	HEATERS AND ECU'S	12,210	12,210
139	SOLDIER ENHANCEMENT	6,522	6,522
140	PERSONNEL RECOVERY SUPPORT SYSTEM (PRSS)	11,222	11,222
141	GROUND SOLDIER SYSTEM	103,317	103,317
142	MOUNTED SOLDIER SYSTEM	0	0
143	FORCE PROVIDER	0	0
144	FIELD FEEDING EQUIPMENT	27,417	27,417
145	CARGO AERIAL DEL & PERSONNEL PARACHUTE SYSTEM	52,065	52,065
146	MORTUARY AFFAIRS SYSTEMS	2,358	2,358
147	FAMILY OF ENGR COMBAT AND CONSTRUCTION SETS	31,573	31,573
148	ITEMS LESS THAN \$5 MILLION	14,093	14,093
	PETROLEUM EQUIPMENT		
149	DISTRIBUTION SYSTEMS, PETROLEUM & WATER	36,266	36,266
	MEDICAL EQUIPMENT		
150	COMBAT SUPPORT MEDICAL	34,101	34,101
151	MEDEVAC MISSION EQUIPMENT PACKAGE (MEP)	20,540	20,540
	MAINTENANCE EQUIPMENT		
152	MOBILE MAINTENANCE EQUIPMENT SYSTEMS	2,495	2,495
153	ITEMS LESS THAN \$5 MILLION (MAINT EQ)	0	0
	CONSTRUCTION EQUIPMENT		
154	GRADER, ROAD MTZD, HVY, 6X4 (CCE)	2,028	2,028
155	SKID STEER LOADER (SSL) FAMILY OF SYSTEM	0	0
156	SCRAPERS, EARTHMOVING	6,146	6,146
157	MISSION MODULES—ENGINEERING	31,200	31,200
158	COMPACTOR	0	0
159	LOADERS	0	0
160	HYDRAULIC EXCAVATOR	0	0
161	TRACTOR, FULL TRACKED	20,867	20,867
162	ALL TERRAIN CRANES	4,003	4,003
163	PLANT, ASPHALT MIXING	3,679	3,679
164	HIGH MOBILITY ENGINEER EXCAVATOR (HME)	30,042	30,042
165	ENHANCED RAPID AIRFIELD CONSTRUCTION CAPA	13,725	13,725
166	CONST EQUIP ESP	13,351	13,351
167	ITEMS LESS THAN \$5 MILLION (CONST EQUIP)	9,134	9,134
	RAIL FLOAT CONTAINERIZATION EQUIPMENT		
168	JOINT HIGH SPEED VESSEL (JHSV)	0	0
169	HARBORMASTER COMMAND AND CONTROL CENTER	0	0
170	ITEMS LESS THAN \$5 MILLION (FLOAT/RAIL)	10,552	10,552

		SEC. 4101. PROCUREMENT (In Thousands of Dollars)		
Line	Item	FY 2013 Request	Senate Authorized	
	GENERATORS			
171	GENERATORS AND ASSOCIATED EQUIP	60,302	60,302	
	MATERIAL HANDLING EQUIPMENT			
172	ROUGH TERRAIN CONTAINER HANDLER (RTCH)	0	0	
173	FAMILY OF FORKLIFTS	5,895	5,895	
174	ALL TERRAIN LIFTING ARMY SYSTEM	0	0	
	TRAINING EQUIPMENT			
175	COMBAT TRAINING CENTERS SUPPORT	104,649	104,649	
176	TRAINING DEVICES, NONSYSTEM	125,251	125,251	
177	CLOSE COMBAT TACTICAL TRAINER	19,984	19,984	
178	AVIATION COMBINED ARMS TACTICAL TRAINER	10,977	10,977	
179	GAMING TECHNOLOGY IN SUPPORT OF ARMY TRAINING	4,056	4,056	
	TEST MEASURE AND DIG EQUIPMENT (TMD)			
180	CALIBRATION SETS EQUIPMENT	10,494	10,494	
181	INTEGRATED FAMILY OF TEST EQUIPMENT (IFTE)	45,508	45,508	
182	TEST EQUIPMENT MODERNIZATION (TEMOD)	24,334	24,334	
	OTHER SUPPORT EQUIPMENT			
183	RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT	5,078	5,078	
184	PHYSICAL SECURITY SYSTEMS (OPA3)	46,301	46,301	
185	BASE LEVEL COMMON EQUIPMENT	1,373	1,373	
186	MODIFICATION OF IN-SVC EQUIPMENT (OPA-3)	59,141	59,141	
187	PRODUCTION BASE SUPPORT (OTH)	2,446	2,446	
188	SPECIAL EQUIPMENT FOR USER TESTING	12,920	12,920	
189	AMC CRITICAL ITEMS OPA3	19,180	19,180	
190	TRACTOR YARD	7,368	7,368	
191	UNMANNED GROUND VEHICLE	83,937	71,937	
	Transfer to PE 0604641A at Army request			[-12,000]
192	TRAINING LOGISTICS MANAGEMENT	0	0	
	OPA2			
193	INITIAL SPARES—C&E	64,507	64,507	
	TOTAL, OTHER PROCUREMENT, ARMY	6,326,245	6,307,033	
	JOINT IMPR EXPLOSIVE DEV DEFEAT FUND			
	NETWORK ATTACK			
001	ATTACK THE NETWORK	0	0	
	JIEDDO DEVICE DEFEAT			
002	DEFEAT THE DEVICE	0	0	
	FORCE TRAINING			
003	TRAIN THE FORCE	0	0	
	STAFF AND INFRASTRUCTURE			
004	OPERATIONS	227,414	0	
	Transfer to OCO			[-227,414]
	TOTAL, JOINT IMPR EXPLOSIVE DEV DEFEAT FUND	227,414	0	
	AIRCRAFT PROCUREMENT, NAVY			
	COMBAT AIRCRAFT			
001	EA-18G	1,027,443	1,027,443	
002	ADVANCE PROCUREMENT (CY)	0	0	
003	F/A-18E/F (FIGHTER) HORNET	2,035,131	2,035,131	
004	ADVANCE PROCUREMENT (CY)	30,296	90,296	
	Retain option for additional FY 14 aircraft			[60,000]
005	JOINT STRIKE FIGHTER CV	1,007,632	1,007,632	
006	ADVANCE PROCUREMENT (CY)	65,180	65,180	
007	JSF STOVL	1,404,737	1,404,737	
008	ADVANCE PROCUREMENT (CY)	106,199	106,199	
009	V-22 (MEDIUM LIFT)	1,303,120	1,303,120	
010	ADVANCE PROCUREMENT (CY)	154,202	154,202	
011	H-1 UPGRADES (UH-1Y/AH-1Z)	720,933	720,933	
012	ADVANCE PROCUREMENT (CY)	69,658	69,658	
013	MH-60S (MYP)	384,792	384,792	
014	ADVANCE PROCUREMENT (CY)	69,277	69,277	
015	MH-60R (MYP)	656,866	656,866	
016	ADVANCE PROCUREMENT (CY)	185,896	185,896	
017	P-8A POSEIDON	2,420,755	2,420,755	
018	ADVANCE PROCUREMENT (CY)	325,679	325,679	
019	E-2D ADV HAWKEYE	861,498	861,498	
020	ADVANCE PROCUREMENT (CY)	123,179	123,179	
	AIRLIFT AIRCRAFT			
021	C-40A	0	0	

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2013 Request	Senate Authorized
	TRAINER AIRCRAFT		
022	JPATS	278,884	278,884
	OTHER AIRCRAFT		
023	KC-130J	3,000	3,000
024	ADVANCE PROCUREMENT (CY)	22,995	22,995
025	ADVANCE PROCUREMENT (CY)	51,124	51,124
026	MQ-8 UAV	124,573	124,573
027	STUASLO UAV	9,593	9,593
	MODIFICATION OF AIRCRAFT		
028	EA-6 SERIES	30,062	30,062
029	AEA SYSTEMS	49,999	49,999
030	AV-8 SERIES	38,703	38,703
031	ADVERSARY	4,289	4,289
032	F-18 SERIES	647,306	647,306
033	H-46 SERIES	2,343	2,343
034	AH-1W SERIES	8,721	8,721
035	H-53 SERIES	45,567	45,567
036	SH-60 SERIES	83,527	83,527
037	H-1 SERIES	6,508	6,508
038	EP-3 SERIES	66,374	66,374
039	P-3 SERIES	148,405	148,405
040	E-2 SERIES	16,322	16,322
041	TRAINER A/C SERIES	34,284	34,284
042	C-2A	4,743	4,743
043	C-130 SERIES	60,302	60,302
044	FEWSG	670	670
045	CARGO/TRANSPORT A/C SERIES	26,311	26,311
046	E-6 SERIES	158,332	158,332
047	EXECUTIVE HELICOPTERS SERIES	58,163	58,163
048	SPECIAL PROJECT AIRCRAFT	12,421	12,421
049	T-45 SERIES	64,488	64,488
050	POWER PLANT CHANGES	21,569	21,569
051	JPATS SERIES	1,552	1,552
052	AVIATION LIFE SUPPORT MODS	2,473	2,473
053	COMMON ECM EQUIPMENT	114,690	114,690
054	COMMON AVIONICS CHANGES	96,183	96,183
055	COMMON DEFENSIVE WEAPON SYSTEM	0	0
056	ID SYSTEMS	39,846	39,846
057	P-8 SERIES	5,302	5,302
058	MAGTF EW FOR AVIATION	34,127	34,127
059	RQ-7 SERIES	49,324	49,324
060	V-22 (TILT/ROTOR ACFT) OSPREY	95,856	95,856
	AIRCRAFT SPARES AND REPAIR PARTS		
061	SPARES AND REPAIR PARTS	1,166,430	1,166,430
	AIRCRAFT SUPPORT EQUIP & FACILITIES		
062	COMMON GROUND EQUIPMENT	387,195	387,195
063	AIRCRAFT INDUSTRIAL FACILITIES	23,469	23,469
064	WAR CONSUMABLES	43,383	43,383
065	OTHER PRODUCTION CHARGES	3,399	3,399
066	SPECIAL SUPPORT EQUIPMENT	32,274	32,274
067	FIRST DESTINATION TRANSPORTATION	1,742	1,742
068	CANCELLED ACCOUNT ADJUSTMENTS	0	0
	TOTAL, AIRCRAFT PROCUREMENT, NAVY	17,129,296	17,189,296
	WEAPONS PROCUREMENT, NAVY		
	MODIFICATION OF MISSILES		
001	TRIDENT II MODS	1,224,683	1,224,683
	SUPPORT EQUIPMENT & FACILITIES		
002	MISSILE INDUSTRIAL FACILITIES	5,553	5,553
	STRATEGIC MISSILES		
003	TOMAHAWK	308,970	308,970
	TACTICAL MISSILES		
004	AMRAAM	102,683	102,683
005	SEWINDER	80,226	80,226
006	JSOW	127,609	127,609
007	STANDARD MISSILE	399,482	399,482
008	RAM	66,769	66,769
009	HELLFIRE	74,501	74,501
010	STAND OFF PRECISION GUIDED MUNITIONS (SOPGM)	0	0

SEC. 4101. PROCUREMENT (In Thousands of Dollars)				
Line	Item	FY 2013 Request	Senate Authorized	
011	AERIAL TARGETS	61,518	61,518	
012	OTHER MISSILE SUPPORT	3,585	3,585	
	MODIFICATION OF MISSILES			
013	ESSM	58,194	58,194	
014	HARM MODS	86,721	86,721	
015	STANDARD MISSILES MODS	0	0	
	SUPPORT EQUIPMENT & FACILITIES			
016	WEAPONS INDUSTRIAL FACILITIES	2,014	2,014	
017	FLEET SATELLITE COMM FOLLOW-ON	21,454	21,454	
	ORDNANCE SUPPORT EQUIPMENT			
018	ORDNANCE SUPPORT EQUIPMENT	54,945	54,945	
	TORPEDOES AND RELATED EQUIP			
019	SSTD	2,700	2,700	
020	ASW TARGETS	10,385	10,385	
	MOD OF TORPEDOES AND RELATED EQUIP			
021	MK-54 TORPEDO MODS	74,487	74,487	
022	MK-48 TORPEDO ADCAP MODS	54,281	54,281	
023	QUICKSTRIKE MINE	6,852	6,852	
	SUPPORT EQUIPMENT			
024	TORPEDO SUPPORT EQUIPMENT	46,402	46,402	
025	ASW RANGE SUPPORT	11,927	11,927	
	DESTINATION TRANSPORTATION			
026	FIRST DESTINATION TRANSPORTATION	3,614	3,614	
	GUNS AND GUN MOUNTS			
027	SMALL ARMS AND WEAPONS	12,594	12,594	
	MODIFICATION OF GUNS AND GUN MOUNTS			
028	CIWS MODS	59,303	67,003	
	Buy additional ordnance alteration kits		[7,700]	
029	COAST GUARD WEAPONS	19,072	19,072	
030	GUN MOUNT MODS	54,706	54,706	
031	CRUISER MODERNIZATION WEAPONS	1,591	1,591	
032	AIRBORNE MINE NEUTRALIZATION SYSTEMS	20,607	20,607	
	OTHER			
033	CANCELLED ACCOUNT ADJUSTMENTS	0	0	
	SPARES AND REPAIR PARTS			
034	SPARES AND REPAIR PARTS	60,150	60,150	
	TOTAL, WEAPONS PROCUREMENT, NAVY	3,117,578	3,125,278	
	PROCUREMENT OF AMMO, NAVY & MC			
	NAVY AMMUNITION			
001	GENERAL PURPOSE BOMBS	27,024	27,024	
002	AIRBORNE ROCKETS, ALL TYPES	56,575	56,575	
003	MACHINE GUN AMMUNITION	21,266	21,266	
004	PRACTICE BOMBS	34,319	34,319	
005	CARTRIDGES & CART ACTUATED DEVICES	53,755	53,755	
006	AIR EXPENDABLE COUNTERMEASURES	61,693	61,693	
007	JATOS	2,776	2,776	
008	LRLAP 6" LONG RANGE ATTACK PROJECTILE	7,102	7,102	
009	5 INCH/54 GUN AMMUNITION	48,320	48,320	
010	INTERMEDIATE CALIBER GUN AMMUNITION	25,544	25,544	
011	OTHER SHIP GUN AMMUNITION	41,624	41,624	
012	SMALL ARMS & LANDING PARTY AMMO	65,893	65,893	
013	PYROTECHNIC AND DEMOLITION	11,176	11,176	
014	AMMUNITION LESS THAN \$5 MILLION	4,116	4,116	
	MARINE CORPS AMMUNITION			
015	SMALL ARMS AMMUNITION	83,733	83,733	
016	LINEAR CHARGES, ALL TYPES	24,645	24,645	
017	40MM, ALL TYPES	16,201	16,201	
018	60MM, ALL TYPES	0	0	
019	81MM, ALL TYPES	13,711	3,711	
	Decrease for excess		[-10,000]	
020	120MM, ALL TYPES	12,557	12,557	
021	CTG 25MM, ALL TYPES	0	0	
022	GRENADERS, ALL TYPES	7,634	7,134	
	Decrease for excess		[-500]	
023	ROCKETS, ALL TYPES	27,528	27,528	
024	ARTILLERY, ALL TYPES	93,065	93,065	
025	DEMOLITION MUNITIONS, ALL TYPES	2,047	47	
	Decrease for excess		[-2,000]	

SEC. 4101. PROCUREMENT (In Thousands of Dollars)				
Line	Item	FY 2013 Request	Senate Authorized	
026	FUZE, ALL TYPES	5,297	5,297	
027	NON LETHALS	1,362	1,362	
028	AMMO MODERNIZATION	4,566	4,566	
029	ITEMS LESS THAN \$5 MILLION	6,010	6,010	
PRIOR YEAR SAVINGS				
029B	PRIOR YEAR SAVINGS		–88,300	
	Ammunition change in requirements		[–88,300]	
TOTAL, PROCUREMENT OF AMMO, NAVY & MC		759,539	658,739	
SHIPBUILDING & CONVERSION, NAVY				
OTHER WARSHIPS				
001	CARRIER REPLACEMENT PROGRAM	608,195	608,195	
002	ADVANCE PROCUREMENT (CY)	0	0	
003	VIRGINIA CLASS SUBMARINE	3,217,601	3,217,601	
004	ADVANCE PROCUREMENT (CY)	874,878	1,652,557	
	Advance procurement for 2nd SSN in FY 14		[777,679]	
005	CVN REFUELING OVERHAULS	1,613,392	1,613,392	
006	ADVANCE PROCUREMENT (CY)	70,010	70,010	
007	SSBN ERO	0	0	
008	DDG 1000	669,222	669,222	
009	DDG–51	3,048,658	3,048,658	
010	ADVANCE PROCUREMENT (CY)	466,283	466,283	
011	LITTORAL COMBAT SHIP	1,784,959	1,784,959	
012	ADVANCE PROCUREMENT (CY)	0	0	
AMPHIBIOUS SHIPS				
013	LPD–17	0	0	
014	LHA REPLACEMENT	0	0	
015	JOINT HIGH SPEED VESSEL	189,196	189,196	
AUXILIARIES, CRAFT AND PRIOR YR PROGRAM COST				
016	OCEANOGRAPHIC SHIPS	0	0	
017	ADVANCE PROCUREMENT (CY)	307,300	307,300	
018	OUTFITTING	309,648	309,648	
019	SERVICE CRAFT	0	0	
020	LCAC SLEP	47,930	47,930	
021	COMPLETION OF PY SHIPBUILDING PROGRAMS	372,573	372,573	
TOTAL, SHIPBUILDING & CONVERSION, NAVY		13,579,845	14,357,524	
OTHER PROCUREMENT, NAVY				
SHIP PROPULSION EQUIPMENT				
001	LM–2500 GAS TURBINE	10,658	10,658	
002	ALLISON 501K GAS TURBINE	8,469	8,469	
NAVIGATION EQUIPMENT				
003	OTHER NAVIGATION EQUIPMENT	23,392	23,392	
PERISCOPES				
004	SUB PERISCOPES & IMAGING EQUIP	53,809	53,809	
OTHER SHIPBOARD EQUIPMENT				
005	DDG MOD	452,371	452,371	
006	FIREFIGHTING EQUIPMENT	16,958	16,958	
007	COMMAND AND CONTROL SWITCHBOARD	2,492	2,492	
008	POLLUTION CONTROL EQUIPMENT	20,707	20,707	
009	SUBMARINE SUPPORT EQUIPMENT	12,046	12,046	
010	VIRGINIA CLASS SUPPORT EQUIPMENT	79,870	79,870	
011	LCS CLASS SUPPORT EQUIPMENT	19,865	19,865	
012	SUBMARINE BATTERIES	41,522	41,522	
013	LPD CLASS SUPPORT EQUIPMENT	30,543	30,543	
014	STRATEGIC PLATFORM SUPPORT EQUIP	16,257	16,257	
015	DSSP EQUIPMENT	3,630	3,630	
016	CG MODERNIZATION	101,000	101,000	
017	LCAC	16,645	16,645	
018	UNDERWATER EOD PROGRAMS	35,446	35,446	
019	ITEMS LESS THAN \$5 MILLION	65,998	65,998	
020	CHEMICAL WARFARE DETECTORS	4,359	4,359	
021	SUBMARINE LIFE SUPPORT SYSTEM	10,218	10,218	
REACTOR PLANT EQUIPMENT				
022	REACTOR POWER UNITS	286,859	286,859	
023	REACTOR COMPONENTS	278,503	278,503	
OCEAN ENGINEERING				

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2013 Request	Senate Authorized
024	DIVING AND SALVAGE EQUIPMENT	8,998	8,998
	SMALL BOATS		
025	STANDARD BOATS	30,131	30,131
	TRAINING EQUIPMENT		
026	OTHER SHIPS TRAINING EQUIPMENT	29,772	29,772
	PRODUCTION FACILITIES EQUIPMENT		
027	OPERATING FORCES IPE	64,346	64,346
	OTHER SHIP SUPPORT		
028	NUCLEAR ALTERATIONS	154,652	154,652
029	LCS COMMON MISSION MODULES EQUIPMENT	31,319	31,319
030	LCS MCM MISSION MODULES	38,392	38,392
031	LCS SUW MISSION MODULES	32,897	32,897
	LOGISTIC SUPPORT		
032	LSD MIDLIFE	49,758	49,758
	SHIP RADARS		
033	RADAR SUPPORT	0	0
034	SPQ-9B RADAR	19,777	19,777
035	AN/SQQ-89 SURF ASW COMBAT SYSTEM	89,201	89,201
036	SSN ACOUSTICS	190,874	190,874
037	UNDERSEA WARFARE SUPPORT EQUIPMENT	17,035	17,035
038	SONAR SWITCHES AND TRANSDUCERS	13,410	13,410
039	ELECTRONIC WARFARE MILDEC	0	0
	ASW ELECTRONIC EQUIPMENT		
040	SUBMARINE ACOUSTIC WARFARE SYSTEM	21,489	21,489
041	SSTD	10,716	10,716
042	FIXED SURVEILLANCE SYSTEM	98,896	98,896
043	SURTASS	2,774	2,774
044	MARITIME PATROL AND RECONNAISSANCE FORCE	18,428	18,428
	ELECTRONIC WARFARE EQUIPMENT		
045	AN/SLQ-32	92,270	92,270
	RECONNAISSANCE EQUIPMENT		
046	SHIPBOARD IW EXPLOIT	107,060	107,060
047	AUTOMATED IDENTIFICATION SYSTEM (AIS)	914	914
	SUBMARINE SURVEILLANCE EQUIPMENT		
048	SUBMARINE SUPPORT EQUIPMENT PROG	34,050	34,050
	OTHER SHIP ELECTRONIC EQUIPMENT		
049	COOPERATIVE ENGAGEMENT CAPABILITY	27,881	27,881
050	TRUSTED INFORMATION SYSTEM (TIS)	448	448
051	NAVAL TACTICAL COMMAND SUPPORT SYSTEM (NTCSS)	35,732	35,732
052	ATDLS	0	0
053	NAVY COMMAND AND CONTROL SYSTEM (NCCS)	9,533	9,533
054	MINESWEEPING SYSTEM REPLACEMENT	60,111	60,111
055	SHALLOW WATER MCM	6,950	6,950
056	NAVSTAR GPS RECEIVERS (SPACE)	9,089	9,089
057	AMERICAN FORCES RADIO AND TV SERVICE	7,768	7,768
058	STRATEGIC PLATFORM SUPPORT EQUIP	3,614	3,614
	TRAINING EQUIPMENT		
059	OTHER TRAINING EQUIPMENT	42,911	42,911
	AVIATION ELECTRONIC EQUIPMENT		
060	MATCALs	5,861	5,861
061	SHIPBOARD AIR TRAFFIC CONTROL	8,362	8,362
062	AUTOMATIC CARRIER LANDING SYSTEM	15,685	15,685
063	NATIONAL AIR SPACE SYSTEM	16,919	16,919
064	FLEET AIR TRAFFIC CONTROL SYSTEMS	6,828	6,828
065	LANDING SYSTEMS	7,646	7,646
066	ID SYSTEMS	35,474	35,474
067	NAVAL MISSION PLANNING SYSTEMS	9,958	9,958
	OTHER SHORE ELECTRONIC EQUIPMENT		
068	DEPLOYABLE JOINT COMMAND AND CONT	9,064	9,064
069	MARITIME INTEGRATED BROADCAST SYSTEM	16,026	16,026
070	TACTICAL/MOBILE C4I SYSTEMS	11,886	11,886
071	DCGS-N	11,887	11,887
072	CANES	341,398	341,398
073	RADIAC	8,083	8,083
074	CANES-INTELL	79,427	79,427
075	GPETE	6,083	6,083
076	INTEG COMBAT SYSTEM TEST FACILITY	4,495	4,495
077	EMI CONTROL INSTRUMENTATION	4,767	4,767
078	ITEMS LESS THAN \$5 MILLION	81,755	81,755

SEC. 4101. PROCUREMENT (In Thousands of Dollars)				
Line	Item	FY 2013 Request	Senate Authorized	
SHIPBOARD COMMUNICATIONS				
079	SHIPBOARD TACTICAL COMMUNICATIONS	0	0	
080	SHIP COMMUNICATIONS AUTOMATION	56,870	56,870	
081	MARITIME DOMAIN AWARENESS (MDA)	1,063	1,063	
082	COMMUNICATIONS ITEMS UNDER \$5M	28,522	28,522	
083	SUBMARINE BROADCAST SUPPORT	4,183	4,183	
084	SUBMARINE COMMUNICATION EQUIPMENT	69,025	69,025	
SATELLITE COMMUNICATIONS				
085	SATELLITE COMMUNICATIONS SYSTEMS	49,294	49,294	
086	NAVY MULTIBAND TERMINAL (NMT)	184,825	184,825	
SHORE COMMUNICATIONS				
087	JCS COMMUNICATIONS EQUIPMENT	2,180	2,180	
088	ELECTRICAL POWER SYSTEMS	1,354	1,354	
089	NAVAL SHORE COMMUNICATIONS	0	0	
CRYPTOGRAPHIC EQUIPMENT				
090	INFO SYSTEMS SECURITY PROGRAM (ISSP)	144,104	144,104	
CRYPTOLOGIC EQUIPMENT				
091	CRYPTOLOGIC COMMUNICATIONS EQUIP	12,604	12,604	
OTHER ELECTRONIC SUPPORT				
092	COAST GUARD EQUIPMENT	6,680	6,680	
093	DEFENSE RAPID INNOVATION PROGRAM	0	0	
DRUG INTERDICTION SUPPORT				
094	OTHER DRUG INTERDICTION SUPPORT	0	0	
SONOBUOYS				
095	SONOBUOYS—ALL TYPES	104,677	104,677	
AIRCRAFT SUPPORT EQUIPMENT				
096	WEAPONS RANGE SUPPORT EQUIPMENT	70,753	70,753	
097	EXPEDITIONARY AIRFIELDS	8,678	8,678	
098	AIRCRAFT REARMING EQUIPMENT	11,349	11,349	
099	AIRCRAFT LAUNCH & RECOVERY EQUIPMENT	82,618	82,618	
100	METEOROLOGICAL EQUIPMENT	18,339	18,339	
101	DCRS/DPL	1,414	1,414	
102	AVIATION LIFE SUPPORT	40,475	40,475	
103	AIRBORNE MINE COUNTERMEASURES	61,552	61,552	
104	LAMPS MK III SHIPBOARD EQUIPMENT	18,771	18,771	
105	PORTABLE ELECTRONIC MAINTENANCE AIDS	7,954	7,954	
106	OTHER AVIATION SUPPORT EQUIPMENT	10,023	10,023	
107	AUTONOMIC LOGISTICS INFORMATION SYSTEM (ALIS)	3,826	3,826	
SHIP GUN SYSTEM EQUIPMENT				
108	NAVAL FIRES CONTROL SYSTEM	3,472	3,472	
109	GUN FIRE CONTROL EQUIPMENT	4,528	4,528	
SHIP MISSILE SYSTEMS EQUIPMENT				
110	NATO SEASPARROW	8,960	8,960	
111	RAM GMLS	1,185	1,185	
112	SHIP SELF DEFENSE SYSTEM	55,371	55,371	
113	AEGIS SUPPORT EQUIPMENT	81,614	81,614	
114	TOMAHAWK SUPPORT EQUIPMENT	77,767	77,767	
115	VERTICAL LAUNCH SYSTEMS	754	754	
116	MARITIME INTEGRATED PLANNING SYSTEM—MIPS	4,965	4,965	
FBM SUPPORT EQUIPMENT				
117	STRATEGIC MISSILE SYSTEMS EQUIP	181,049	181,049	
118	SSN COMBAT CONTROL SYSTEMS	71,316	71,316	
119	SUBMARINE ASW SUPPORT EQUIPMENT	4,018	4,018	
120	SURFACE ASW SUPPORT EQUIPMENT	6,465	6,465	
121	ASW RANGE SUPPORT EQUIPMENT	47,930	47,930	
OTHER ORDNANCE SUPPORT EQUIPMENT				
122	EXPLOSIVE ORDNANCE DISPOSAL EQUIP	3,579	3,579	
123	ITEMS LESS THAN \$5 MILLION	3,125	3,125	
OTHER EXPENDABLE ORDNANCE				
124	ANTI-SHIP MISSILE DECOY SYSTEM	31,743	31,743	
125	SURFACE TRAINING DEVICE MODS	34,174	34,174	
126	SUBMARINE TRAINING DEVICE MODS	23,450	23,450	
CIVIL ENGINEERING SUPPORT EQUIPMENT				
127	PASSENGER CARRYING VEHICLES	7,158	7,158	
128	GENERAL PURPOSE TRUCKS	3,325	3,325	
129	CONSTRUCTION & MAINTENANCE EQUIP	8,692	8,692	
130	FIRE FIGHTING EQUIPMENT	14,533	14,533	
131	TACTICAL VEHICLES	15,330	15,330	
132	AMPHIBIOUS EQUIPMENT	10,803	10,803	

		SEC. 4101. PROCUREMENT (In Thousands of Dollars)		
Line	Item	FY 2013 Request	Senate Authorized	
133	POLLUTION CONTROL EQUIPMENT	7,265	7,265	
134	ITEMS UNDER \$5 MILLION	15,252	15,252	
135	PHYSICAL SECURITY VEHICLES	1,161	1,161	
	SUPPLY SUPPORT EQUIPMENT			
136	MATERIALS HANDLING EQUIPMENT	15,204	15,204	
137	OTHER SUPPLY SUPPORT EQUIPMENT	6,330	6,330	
138	FIRST DESTINATION TRANSPORTATION	6,539	6,539	
139	SPECIAL PURPOSE SUPPLY SYSTEMS	34,804	34,804	
	TRAINING DEVICES			
140	TRAINING SUPPORT EQUIPMENT	25,444	25,444	
	COMMAND SUPPORT EQUIPMENT			
141	COMMAND SUPPORT EQUIPMENT	43,165	43,165	
142	EDUCATION SUPPORT EQUIPMENT	2,251	2,251	
143	MEDICAL SUPPORT EQUIPMENT	3,148	3,148	
146	NAVAL MIP SUPPORT EQUIPMENT	3,502	3,502	
148	OPERATING FORCES SUPPORT EQUIPMENT	15,696	15,696	
149	C4ISR EQUIPMENT	4,344	4,344	
150	ENVIRONMENTAL SUPPORT EQUIPMENT	19,492	19,492	
151	PHYSICAL SECURITY EQUIPMENT	177,149	177,149	
152	ENTERPRISE INFORMATION TECHNOLOGY	183,995	183,995	
	CLASSIFIED PROGRAMS			
152A	CLASSIFIED PROGRAMS	13,063	13,063	
	SPARES AND REPAIR PARTS			
153	SPARES AND REPAIR PARTS	250,718	250,718	
	TOTAL, OTHER PROCUREMENT, NAVY	6,169,378	6,169,378	
	PROCUREMENT, MARINE CORPS			
	TRACKED COMBAT VEHICLES			
001	AAV7A1 PIP	16,089	16,089	
002	LAV PIP	186,216	46,216	
	LAV procurement acquisition objective change		[-140,000]	
	ARTILLERY AND OTHER WEAPONS			
003	EXPEDITIONARY FIRE SUPPORT SYSTEM	2,502	2,502	
004	155MM LIGHTWEIGHT TOWED HOWITZER	17,913	17,913	
005	HIGH MOBILITY ARTILLERY ROCKET SYSTEM	47,999	47,999	
006	WEAPONS AND COMBAT VEHICLES UNDER \$5 MILLION	17,706	17,706	
	OTHER SUPPORT			
007	MODIFICATION KITS	48,040	48,040	
008	WEAPONS ENHANCEMENT PROGRAM	4,537	4,537	
	GUIDED MISSILES			
009	GROUND BASED AIR DEFENSE	11,054	11,054	
010	JAVELIN	0	0	
011	FOLLOW ON TO SMAW	19,650	19,650	
012	ANTI-ARMOR WEAPONS SYSTEM-HEAVY (AAWS-H)	20,708	20,708	
	OTHER SUPPORT			
013	MODIFICATION KITS	0	0	
	COMMAND AND CONTROL SYSTEMS			
014	UNIT OPERATIONS CENTER	1,420	1,420	
	REPAIR AND TEST EQUIPMENT			
015	REPAIR AND TEST EQUIPMENT	25,127	25,127	
	OTHER SUPPORT (TEL)			
016	COMBAT SUPPORT SYSTEM	25,822	25,822	
017	MODIFICATION KITS	2,831	2,831	
	COMMAND AND CONTROL SYSTEM (NON-TEL)			
018	ITEMS UNDER \$5 MILLION (COMM & ELEC)	5,498	5,498	
019	AIR OPERATIONS C2 SYSTEMS	11,290	11,290	
	RADAR + EQUIPMENT (NON-TEL)			
020	RADAR SYSTEMS	128,079	128,079	
021	RQ-21 UAS	27,619	27,619	
	INTELL/COMM EQUIPMENT (NON-TEL)			
022	FIRE SUPPORT SYSTEM	7,319	7,319	
023	INTELLIGENCE SUPPORT EQUIPMENT	7,466	7,466	
025	RQ-11 UAV	2,318	2,318	
026	DCGS-MC	18,291	18,291	
	OTHER COMM/ELEC EQUIPMENT (NON-TEL)			
029	NIGHT VISION EQUIPMENT	48,084	48,084	
	OTHER SUPPORT (NON-TEL)			
030	COMMON COMPUTER RESOURCES	206,708	206,708	
031	COMMAND POST SYSTEMS	35,190	35,190	

		SEC. 4101. PROCUREMENT (In Thousands of Dollars)		
Line	Item	FY 2013 Request	Senate Authorized	
032	RADIO SYSTEMS	89,059	89,059	
033	COMM SWITCHING & CONTROL SYSTEMS	22,500	22,500	
034	COMM & ELEC INFRASTRUCTURE SUPPORT	42,625	42,625	
	CLASSIFIED PROGRAMS			
035A	CLASSIFIED PROGRAMS	2,290	2,290	
	ADMINISTRATIVE VEHICLES			
035	COMMERCIAL PASSENGER VEHICLES	2,877	2,877	
036	COMMERCIAL CARGO VEHICLES	13,960	13,960	
	TACTICAL VEHICLES			
037	5/4T TRUCK HMMWV (MYP)	8,052	8,052	
038	MOTOR TRANSPORT MODIFICATIONS	50,269	50,269	
039	MEDIUM TACTICAL VEHICLE REPLACEMENT	0	0	
040	LOGISTICS VEHICLE SYSTEM REP	37,262	37,262	
041	FAMILY OF TACTICAL TRAILERS	48,160	48,160	
042	TRAILERS	0	0	
	OTHER SUPPORT			
043	ITEMS LESS THAN \$5 MILLION	6,705	6,705	
	ENGINEER AND OTHER EQUIPMENT			
044	ENVIRONMENTAL CONTROL EQUIP ASSORT	13,576	13,576	
045	BULK LIQUID EQUIPMENT	16,869	16,869	
046	TACTICAL FUEL SYSTEMS	19,108	19,108	
047	POWER EQUIPMENT ASSORTED	56,253	56,253	
048	AMPHIBIOUS SUPPORT EQUIPMENT	13,089	13,089	
049	EOD SYSTEMS	73,699	73,699	
	MATERIALS HANDLING EQUIPMENT			
050	PHYSICAL SECURITY EQUIPMENT	3,510	3,510	
051	GARRISON MOBILE ENGINEER EQUIPMENT (GMEE)	11,490	11,490	
052	MATERIAL HANDLING EQUIP	20,659	20,659	
053	FIRST DESTINATION TRANSPORTATION	132	132	
	GENERAL PROPERTY			
054	FIELD MEDICAL EQUIPMENT	31,068	31,068	
055	TRAINING DEVICES	45,895	45,895	
056	CONTAINER FAMILY	5,801	5,801	
057	FAMILY OF CONSTRUCTION EQUIPMENT	23,939	23,939	
058	FAMILY OF INTERNALLY TRANSPORTABLE VEH (ITV)	0	0	
059	BRIDGE BOATS	0	0	
060	RAPID DEPLOYABLE KITCHEN	8,365	8,365	
	OTHER SUPPORT			
061	ITEMS LESS THAN \$5 MILLION	7,077	7,077	
	SPARES AND REPAIR PARTS			
062	SPARES AND REPAIR PARTS	3,190	3,190	
	PRIOR YEAR SAVINGS			
062A	PRIOR YEAR SAVINGS			-135,200
	LAV procurement acquisition objective change PY			[-135,200]
	TOTAL, PROCUREMENT, MARINE CORPS	1,622,955	1,347,755	
	AIRCRAFT PROCUREMENT, AIR FORCE			
	TACTICAL FORCES			
001	F-35	3,124,302	3,124,302	
002	ADVANCE PROCUREMENT (CY)	293,400	293,400	
003	F-22A	0	0	
004	C-17A (MYP)	0	0	
	OTHER AIRLIFT			
005	C-130J	68,373	68,373	
006	ADVANCE PROCUREMENT (CY)	0	0	
007	HC-130J	152,212	152,212	
008	ADVANCE PROCUREMENT (CY)	0	0	
009	MC-130J	374,866	374,866	
010	ADVANCE PROCUREMENT (CY)	0	0	
011	HC/MC-130 RECAP	0	0	
012	C-27J	0	0	
	UPT TRAINERS			
013	LIGHT MOBILITY AIRCRAFT	0	0	
014	USAF POWERED FLIGHT PROGRAM	0	0	
	HELICOPTERS			
015	HH-60 LOSS REPLACEMENT/RECAP	60,596	60,596	
016	COMMON VERTICAL LIFT SUPPORT PLATFORM (CVLSP)	0	0	

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2013 Request	Senate Authorized
017	CV-22 (MYP)	294,220	294,220
018	ADVANCE PROCUREMENT (CY)	15,000	15,000
	MISSION SUPPORT AIRCRAFT		
019	CIVIL AIR PATROL A/C	2,498	2,498
020	LIGHT ATTACK ARMED RECON ACFT	0	0
021	RQ-11	0	0
022	STUASLO	0	0
	OTHER AIRCRAFT		
023	INTERIM GATEWAY	0	0
024	TARGET DRONES	129,866	129,866
025	C-37A	0	0
026	RQ-4	75,000	75,000
027	ADVANCE PROCUREMENT (CY)	0	0
028	AC-130J	163,970	163,970
029	ADVANCE PROCUREMENT (CY)	0	0
030	MQ-9	553,530	553,530
031	RQ-4 BLOCK 40 PROC	11,654	11,654
	STRATEGIC AIRCRAFT		
032	B-2A	82,296	82,296
033	B-1B	149,756	149,756
034	B-52	9,781	9,781
035	LARGE AIRCRAFT INFRARED COUNTERMEASURES	28,800	28,800
	TACTICAL AIRCRAFT		
036	A-10	89,919	89,919
037	F-15	148,378	148,378
038	F-16	6,896	6,896
039	F-22A	283,871	283,871
040	F-35 MODIFICATIONS	147,995	147,995
	AIRLIFT AIRCRAFT		
041	C-5	6,967	6,967
042	ADVANCE PROCUREMENT (CY)	0	0
043	C-5M	944,819	944,819
044	ADVANCE PROCUREMENT (CY)	175,800	175,800
045	C-9C	0	0
046	C-17A	205,079	205,079
047	C-21	199	199
048	C-32A	1,750	1,750
049	C-37A	445	445
050	C-130 AMP	0	0
	TRAINER AIRCRAFT		
051	GLIDER MODS	126	126
052	T-6	15,494	15,494
053	T-1	272	272
054	T-38	20,455	20,455
	OTHER AIRCRAFT		
055	U-2 MODS	0	0
056	U-2 MODS	44,477	44,477
057	KC-10A (ATCA)	46,921	46,921
058	C-12	1,876	1,876
059	MC-12W	17,054	17,054
060	C-20 MODS	243	243
061	VC-25A MOD	11,185	11,185
062	C-40	243	243
063	C-130	67,853	67,853
064	C-130 INTEL	0	0
065	C-130J MODS	70,555	70,555
066	C-135	46,707	46,707
067	COMPASS CALL MODS	50,024	50,024
068	RC-135	165,237	165,237
069	E-3	193,099	193,099
070	E-4	47,616	47,616
071	E-8	59,320	71,320
	Restart production line for the JSTARS re-engining program		[12,000]
072	H-1	5,449	5,449
073	H-60	26,227	26,227
074	RQ-4 MODS	9,257	9,257
075	HC/MC-130 MODIFICATIONS	22,326	22,326
076	OTHER AIRCRAFT	18,832	18,832
077	MQ-1 MODS	30,861	30,861

		SEC. 4101. PROCUREMENT (In Thousands of Dollars)		
Line	Item	FY 2013 Request	Senate Authorized	
078	MQ-9 MODS	238,360	238,360	
079	MQ-9 UAS PAYLOADS	93,461	93,461	
080	CV-22 MODS	23,881	23,881	
	AIRCRAFT SPARES AND REPAIR PARTS			
081	INITIAL SPARES/REPAIR PARTS	729,691	729,691	
	COMMON SUPPORT EQUIPMENT			
082	AIRCRAFT REPLACEMENT SUPPORT EQUIP	56,542	56,542	
	POST PRODUCTION SUPPORT			
083	A-10	5,100	5,100	
084	B-1	965	965	
085	B-2A	0	0	
086	B-2A	47,580	47,580	
087	C-5	0	0	
088	KC-10A (ATCA)	13,100	13,100	
089	C-17A	181,703	181,703	
090	C-130	31,830	31,830	
091	C-135	13,434	13,434	
092	F-15	2,363	2,363	
093	F-16	8,506	8,506	
094	HH-60 PPS	0	0	
095	T-6	0	0	
096	OTHER AIRCRAFT	9,522	9,522	
	INDUSTRIAL PREPAREDNESS			
097	INDUSTRIAL RESPONSIVENESS	20,731	20,731	
	WAR CONSUMABLES			
098	WAR CONSUMABLES	89,727	89,727	
	OTHER PRODUCTION CHARGES			
099	OTHER PRODUCTION CHARGES	842,392	842,392	
	DARP			
103	U-2	0	0	
	CLASSIFIED PROGRAMS			
103A	CLASSIFIED PROGRAMS	20,164	20,164	
	PRIOR YEAR SAVINGS			
103B	PRIOR YEAR SAVINGS		-920,748	
	Light attack armed reconnaissance (LAAR) cancellation		[-115,049]	
	Light mobility aircraft cancellation		[-65,296]	
	Common vertical lift support platform (CVLSP) cancellation		[-52,800]	
	C-130 AMP cancellation		[-207,163]	
	RQ-4 Global Hawk Block 30 cancellation		[-480,440]	
	TOTAL, AIRCRAFT PROCUREMENT, AIR FORCE	11,002,999	10,094,251	
	MISSILE PROCUREMENT, AIR FORCE			
	MISSILE REPLACEMENT EQUIPMENT—BALLISTIC			
001	MISSILE REPLACEMENT EQ-BALLISTIC	56,906	56,906	
	TACTICAL			
002	JASSM	240,399	240,399	
003	SIDEWINDER (AIM-9X)	88,020	88,020	
004	AMRAAM	229,637	229,637	
005	PREDATOR HELLFIRE MISSILE	47,675	47,675	
006	SMALL DIAMETER BOMB	42,000	42,000	
	INDUSTRIAL FACILITIES			
007	INDUSTRIAL PREPAREDNESS/POL PREVENTION	744	744	
	CLASS IV			
008	ADVANCED CRUISE MISSILE	0	0	
009	MM III MODIFICATIONS	54,794	54,794	
010	AGM-65D MAVERICK	271	271	
011	AGM-88A HARM	23,240	23,240	
012	AIR LAUNCH CRUISE MISSILE (ALCM)	13,620	13,620	
013	SMALL DIAMETER BOMB	5,000	5,000	
	MISSILE SPARES AND REPAIR PARTS			
014	INITIAL SPARES/REPAIR PARTS	74,373	74,373	
	SPACE PROGRAMS			
015	ADVANCED EHF	557,205	557,205	
016	ADVANCE PROCUREMENT (CY)	0	0	
017	WIDEBAND GAFILLER SATELLITES(SPACE)	36,835	36,835	
018	ADVANCE PROCUREMENT (CY)	0	0	
019	GPS III SPACE SEGMENT	410,294	410,294	

		SEC. 4101. PROCUREMENT (In Thousands of Dollars)		
Line	Item	FY 2013 Request	Senate Authorized	
020	ADVANCE PROCUREMENT (CY)	82,616	82,616	
021	SPACEBORNE EQUIP (COMSEC)	10,554	10,554	
022	GLOBAL POSITIONING (SPACE)	58,147	58,147	
023	DEF METEOROLOGICAL SAT PROG(SPACE)	89,022	89,022	
024	EVOLVED EXPENDABLE LAUNCH VEH(SPACE)	1,679,856	1,679,856	
025	SBIR HIGH (SPACE)	454,251	454,251	
026	ADVANCE PROCUREMENT (CY)	0	0	
	SPECIAL PROGRAMS			
028	DEFENSE SPACE RECONN PROGRAM	0	0	
030	SPECIAL UPDATE PROGRAMS	138,904	138,904	
	CLASSIFIED PROGRAMS			
030A	CLASSIFIED PROGRAMS	1,097,483	1,097,483	
	TOTAL, MISSILE PROCUREMENT, AIR FORCE	5,491,846	5,491,846	
	PROCUREMENT OF AMMUNITION, AIR FORCE			
	ROCKETS			
001	ROCKETS	8,927	8,927	
	CARTRIDGES			
002	CARTRIDGES	118,075	118,075	
	BOMBS			
003	PRACTICE BOMBS	32,393	32,393	
004	GENERAL PURPOSE BOMBS	163,467	163,467	
005	JOINT DIRECT ATTACK MUNITION	101,921	101,921	
	FLARE, IR MJU-7B			
006	CAD/PAD	43,829	43,829	
007	EXPLOSIVE ORDNANCE DISPOSAL (EOD)	7,515	7,515	
008	SPARES AND REPAIR PARTS	1,003	1,003	
009	MODIFICATIONS	5,321	5,321	
010	ITEMS LESS THAN \$5 MILLION	5,066	5,066	
	FUZES			
011	FLARES	46,010	46,010	
012	FUZES	36,444	36,444	
	SMALL ARMS			
013	SMALL ARMS	29,223	29,223	
	TOTAL, PROCUREMENT OF AMMUNITION, AIR FORCE	599,194	599,194	
	OTHER PROCUREMENT, AIR FORCE			
	PASSENGER CARRYING VEHICLES			
001	PASSENGER CARRYING VEHICLES	1,905	1,905	
	CARGO AND UTILITY VEHICLES			
002	MEDIUM TACTICAL VEHICLE	18,547	18,547	
003	CAP VEHICLES	932	932	
004	ITEMS LESS THAN \$5 MILLION	1,699	1,699	
	SPECIAL PURPOSE VEHICLES			
005	SECURITY AND TACTICAL VEHICLES	10,850	10,850	
006	ITEMS LESS THAN \$5 MILLION	9,246	9,246	
	FIRE FIGHTING EQUIPMENT			
007	FIRE FIGHTING/CRASH RESCUE VEHICLES	23,148	23,148	
	MATERIALS HANDLING EQUIPMENT			
008	ITEMS LESS THAN \$5 MILLION	18,323	18,323	
	BASE MAINTENANCE SUPPORT			
009	RUNWAY SNOW REMOV AND CLEANING EQU	1,685	1,685	
010	ITEMS LESS THAN \$5 MILLION	17,014	17,014	
	CANCELLED ACCOUNT ADJUSTMENTS			
011	CANCELLED ACCOUNT ADJUSTMENTS	0	0	
	COMM SECURITY EQUIPMENT(COMSEC)			
012	COMSEC EQUIPMENT	166,559	166,559	
013	MODIFICATIONS (COMSEC)	1,133	1,133	
	INTELLIGENCE PROGRAMS			
014	INTELLIGENCE TRAINING EQUIPMENT	2,749	2,749	
015	INTELLIGENCE COMM EQUIPMENT	32,876	32,876	
016	ADVANCE TECH SENSORS	877	877	
017	MISSION PLANNING SYSTEMS	15,295	15,295	
	ELECTRONICS PROGRAMS			
018	AIR TRAFFIC CONTROL & LANDING SYS	21,984	21,984	
019	NATIONAL AIRSPACE SYSTEM	30,698	30,698	
020	BATTLE CONTROL SYSTEM—FIXED	17,368	17,368	
021	THEATER AIR CONTROL SYS IMPROVEMENTS	23,483	23,483	
022	WEATHER OBSERVATION FORECAST	17,864	17,864	

SEC. 4101. PROCUREMENT (In Thousands of Dollars)				
Line	Item	FY 2013 Request	Senate Authorized	
023	STRATEGIC COMMAND AND CONTROL	53,995	53,995	
024	CHEYENNE MOUNTAIN COMPLEX	14,578	14,578	
025	TAC SIGINT SPT	208	208	
026	DRUG INTERDICTION SPT	0	0	
	SPCL COMM-ELECTRONICS PROJECTS			
027	GENERAL INFORMATION TECHNOLOGY	69,743	69,743	
028	AF GLOBAL COMMAND & CONTROL SYS	15,829	15,829	
029	MOBILITY COMMAND AND CONTROL	11,023	11,023	
030	AIR FORCE PHYSICAL SECURITY SYSTEM	64,521	64,521	
031	COMBAT TRAINING RANGES	18,217	18,217	
032	C3 COUNTERMEASURES	11,899	11,899	
033	GCSS-AF FOS	13,920	13,920	
034	THEATER BATTLE MGT C2 SYSTEM	9,365	9,365	
035	AIR & SPACE OPERATIONS CTR-WPN SYS	33,907	33,907	
	AIR FORCE COMMUNICATIONS			
036	INFORMATION TRANSPORT SYSTEMS	52,464	52,464	
037	BASE INFO INFRASTRUCTURE	0	0	
038	AFNET	125,788	125,788	
039	VOICE SYSTEMS	16,811	16,811	
040	USCENTCOM	32,138	32,138	
	DISA PROGRAMS			
041	SPACE BASED IR SENSOR PGM SPACE	47,135	47,135	
042	NAVSTAR GPS SPACE	2,031	2,031	
043	NUDET DETECTION SYS SPACE	5,564	5,564	
044	AF SATELLITE CONTROL NETWORK SPACE	44,219	44,219	
045	SPACELIFT RANGE SYSTEM SPACE	109,545	109,545	
046	MILSATCOM SPACE	47,592	47,592	
047	SPACE MODS SPACE	47,121	47,121	
048	COUNTERSPACE SYSTEM	20,961	20,961	
	ORGANIZATION AND BASE			
049	TACTICAL C-E EQUIPMENT	126,131	126,131	
050	COMBAT SURVIVOR EVADER LOCATER	23,707	23,707	
051	RADIO EQUIPMENT	12,757	12,757	
052	CCTV/AUDIOVISUAL EQUIPMENT	10,716	10,716	
053	BASE COMM INFRASTRUCTURE	74,528	74,528	
	MODIFICATIONS			
054	COMM ELECT MODS	43,507	43,507	
	PERSONAL SAFETY & RESCUE EQUIP			
055	NIGHT VISION GOGGLES	22,693	22,693	
056	ITEMS LESS THAN \$5 MILLION	30,887	30,887	
	DEPOT PLANT+MTRLS HANDLING EQ			
057	MECHANIZED MATERIAL HANDLING EQUIP	2,850	2,850	
	BASE SUPPORT EQUIPMENT			
058	BASE PROCURED EQUIPMENT	8,387	8,387	
059	CONTINGENCY OPERATIONS	10,358	10,358	
060	PRODUCTIVITY CAPITAL INVESTMENT	3,473	3,473	
061	RAPID IMPROVEMENT PROCUREMENT INOVAT	0	0	
062	MOBILITY EQUIPMENT	14,471	14,471	
063	ITEMS LESS THAN \$5 MILLION	1,894	1,894	
	SPECIAL SUPPORT PROJECTS			
065	DARP RC135	24,176	24,176	
066	DCGS-AF	142,928	142,928	
068	SPECIAL UPDATE PROGRAM	479,446	479,446	
069	DEFENSE SPACE RECONNAISSANCE PROG.	39,155	39,155	
	CLASSIFIED PROGRAMS			
069A	CLASSIFIED PROGRAMS	14,331,312	14,331,312	
	SPARES AND REPAIR PARTS			
071	SPARES AND REPAIR PARTS	14,663	14,663	
	TOTAL, OTHER PROCUREMENT, AIR FORCE	16,720,848	16,720,848	
	PROCUREMENT, DEFENSE-WIDE			
	MAJOR EQUIPMENT, BTA			
001	MAJOR EQUIPMENT, BTA	0	0	
	MAJOR EQUIPMENT, DCAA			
002	ITEMS LESS THAN \$5 MILLION	1,486	1,486	
	MAJOR EQUIPMENT, DCMA			
003	MAJOR EQUIPMENT	2,129	2,129	
	EQUIPMENT			
004	EQUIPMENT	0	0	

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2013 Request	Senate Authorized
	MAJOR EQUIPMENT, DHRA		
005	PERSONNEL ADMINISTRATION	6,147	6,147
	MAJOR EQUIPMENT, DISA		
012	INFORMATION SYSTEMS SECURITY	12,708	12,708
013	GLOBAL COMMAND AND CONTROL SYSTEM	0	0
014	GLOBAL COMBAT SUPPORT SYSTEM	3,002	3,002
015	TELEPORT PROGRAM	46,992	46,992
016	ITEMS LESS THAN \$5 MILLION	108,462	108,462
017	NET CENTRIC ENTERPRISE SERVICES (NCES)	2,865	2,865
018	DEFENSE INFORMATION SYSTEM NETWORK	116,906	116,906
019	PUBLIC KEY INFRASTRUCTURE	1,827	1,827
020	DRUG INTERDICTION SUPPORT	0	0
021	CYBER SECURITY INITIATIVE	10,319	10,319
	MAJOR EQUIPMENT, DLA		
022	MAJOR EQUIPMENT	9,575	9,575
	MAJOR EQUIPMENT, DMACT		
023	MAJOR EQUIPMENT	15,179	15,179
	MAJOR EQUIPMENT, DODEA		
024	AUTOMATION/EDUCATIONAL SUPPORT & LOGISTICS	1,458	1,458
	MAJOR EQUIPMENT, DEFENSE SECURITY COOPERATION AGENCY		
025	EQUIPMENT	0	0
	MAJOR EQUIPMENT, DSS		
026	MAJOR EQUIPMENT	2,522	2,522
	MAJOR EQUIPMENT, DEFENSE THREAT REDUCTION AGENCY		
027	VEHICLES	50	50
028	OTHER MAJOR EQUIPMENT	13,096	13,096
	MAJOR EQUIPMENT, DTSA		
029	MAJOR EQUIPMENT	0	0
	MAJOR EQUIPMENT, MISSILE DEFENSE AGENCY		
030	THAAD	460,728	560,728
	THAAD Interceptors		[100,000]
031	AEGIS BMD	389,626	389,626
032	BMDS AN/TPY-2 RADARS	217,244	217,244
033	RADAR SPARES	10,177	10,177
034	IRON DOME	0	0
	MAJOR EQUIPMENT, NSA		
041	INFORMATION SYSTEMS SECURITY PROGRAM (ISSP)	6,770	6,770
	MAJOR EQUIPMENT, OSD		
042	MAJOR EQUIPMENT, OSD	45,938	45,938
043	MAJOR EQUIPMENT, INTELLIGENCE	17,582	17,582
	MAJOR EQUIPMENT, TJS		
044	MAJOR EQUIPMENT, TJS	21,878	21,878
	MAJOR EQUIPMENT, WHS		
045	MAJOR EQUIPMENT, WHS	26,550	26,550
	CLASSIFIED PROGRAMS		
045A	CLASSIFIED PROGRAMS	555,787	555,787
	AVIATION PROGRAMS		
046	ROTARY WING UPGRADES AND SUSTAINMENT	74,832	74,832
047	MH-47 SERVICE LIFE EXTENSION PROGRAM	0	0
048	MH-60 MODERNIZATION PROGRAM	126,780	126,780
049	NON-STANDARD AVIATION	99,776	37,000
	Transfer to Line 51 at USSOCOM request		[-62,776]
050	TANKER RECAPITALIZATION	0	0
051	U-28	7,530	116,906
	Transfer from Line 49 at USSOCOM request		[62,776]
	USSOCOM UFR		[46,600]
052	MH-47 CHINOOK	134,785	134,785
053	RQ-11 UNMANNED AERIAL VEHICLE	2,062	2,062
054	CV-22 MODIFICATION	139,147	139,147
055	MQ-1 UNMANNED AERIAL VEHICLE	3,963	26,963
	USSOCOM UFR		[23,000]
056	MQ-9 UNMANNED AERIAL VEHICLE	3,952	39,352
	USSOCOM UFR		[35,400]
057	RQ-7 UNMANNED AERIAL VEHICLE	0	0
058	STUASLO	12,945	12,945
059	PRECISION STRIKE PACKAGE	73,013	73,013
060	AC/MC-130J	51,484	51,484
061	MQ-8 UAV	0	0
062	C-130 MODIFICATIONS	25,248	25,248

		SEC. 4101. PROCUREMENT (In Thousands of Dollars)		
Line	Item	FY 2013 Request	Senate Authorized	
063	AIRCRAFT SUPPORT	5,314	5,314	
	SHIPBUILDING			
064	UNDERWATER SYSTEMS	23,037	15,037	
	Transfer to RDDW Line 272 at USSOCOM request		[-8,000]	
065	SEAL DELIVERY VEHICLE	0	0	
	AMMUNITION PROGRAMS			
066	ORDNANCE REPLENISHMENT	113,183	113,183	
067	ORDNANCE ACQUISITION	36,981	36,981	
	OTHER PROCUREMENT PROGRAMS			
068	COMMUNICATIONS EQUIPMENT AND ELECTRONICS	99,838	103,738	
	USSOCOM UFR		[3,900]	
069	INTELLIGENCE SYSTEMS	71,428	71,428	
070	SMALL ARMS AND WEAPONS	27,108	27,108	
071	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	12,767	15,967	
	USSOCOM UFR		[3,200]	
073	MARITIME EQUIPMENT MODIFICATIONS	0	0	
074	COMBATANT CRAFT SYSTEMS	42,348	42,348	
075	SPARES AND REPAIR PARTS	600	600	
077	TACTICAL VEHICLES	37,421	37,421	
078	MISSION TRAINING AND PREPARATION SYSTEMS	36,949	41,949	
	USSOCOM UFR		[5,000]	
079	COMBAT MISSION REQUIREMENTS	20,255	20,255	
080	MILCON COLLATERAL EQUIPMENT	17,590	17,590	
082	AUTOMATION SYSTEMS	66,573	66,573	
083	GLOBAL VIDEO SURVEILLANCE ACTIVITIES	6,549	6,549	
084	OPERATIONAL ENHANCEMENTS INTELLIGENCE	32,335	32,335	
085	SOLDIER PROTECTION AND SURVIVAL SYSTEMS	15,153	15,153	
086	VISUAL AUGMENTATION LASERS AND SENSOR SYSTEMS	33,920	33,920	
087	TACTICAL RADIO SYSTEMS	75,132	75,132	
088	MARITIME EQUIPMENT	0	0	
089	DRUG INTERDICTION	0	0	
090	MISCELLANEOUS EQUIPMENT	6,667	6,667	
091	OPERATIONAL ENHANCEMENTS	217,972	243,272	
	USSOCOM UFR		[25,300]	
092	MILITARY INFORMATION SUPPORT OPERATIONS	27,417	27,417	
	CLASSIFIED PROGRAMS			
092A	CLASSIFIED PROGRAMS	0	0	
	CBDP			
093	INSTALLATION FORCE PROTECTION	24,025	24,025	
094	INDIVIDUAL PROTECTION	73,720	73,720	
095	DECONTAMINATION	506	506	
096	JOINT BIO DEFENSE PROGRAM (MEDICAL)	32,597	32,597	
097	COLLECTIVE PROTECTION	3,144	3,144	
098	CONTAMINATION AVOIDANCE	164,886	164,886	
	TOTAL, PROCUREMENT, DEFENSE-WIDE	4,187,935	4,422,335	
	NATIONAL GUARD & RESERVE EQUIPMENT			
	ARMY RESERVE			
001	MISCELLANEOUS EQUIPMENT	0	0	
	NAVY RESERVE			
002	MISCELLANEOUS EQUIPMENT	0	0	
	MARINE CORPS RESERVE			
003	MISCELLANEOUS EQUIPMENT	0	0	
	AIR FORCE RESERVE			
004	MISCELLANEOUS EQUIPMENT	0	0	
	ARMY NATIONAL GUARD			
005	MISCELLANEOUS EQUIPMENT	0	0	
	AIR NATIONAL GUARD			
006	MISCELLANEOUS EQUIPMENT	0	0	
	NATIONAL GUARD AIRCRAFT			
007	MISCELLANEOUS EQUIPMENT	0	0	
	TOTAL, NATIONAL GUARD & RESERVE EQUIPMENT	0	0	
	JOINT URGENT OPERATIONAL NEEDS FUND			
	JOINT URGENT OPERATIONAL NEEDS FUND			
001	JOINT URGENT OPERATIONAL NEEDS FUND	99,477	99,477	
	TOTAL, JOINT URGENT OPERATIONAL NEEDS FUND	99,477	99,477	
	TOTAL, PROCUREMENT	97,432,379	96,959,163	

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)				
Line	Item	FY 2013 Request	Senate Authorized	
	AIRCRAFT PROCUREMENT, ARMY			
	ROTARY			
009	AH-64 APACHE BLOCK IIIB NEW BUILD	71,000	0	
	Funding ahead of need		[-71,000]	
012	KIOWA WARRIOR (OH-58F) WRA	183,900	183,900	
015	CH-47 HELICOPTER	231,300	231,300	
	TOTAL, AIRCRAFT PROCUREMENT, ARMY	486,200	415,200	
	MISSILE PROCUREMENT, ARMY			
	SURFACE-TO-AIR MISSILE SYSTEM			
004	HELLFIRE SYS SUMMARY	29,100	29,100	
008	GUIDED MLRS ROCKET (GMLRS)	20,553	20,553	
	TOTAL, MISSILE PROCUREMENT, ARMY	49,653	49,653	
	PROCUREMENT OF W&TCV, ARMY			
	MOD OF WEAPONS AND OTHER COMBAT VEH			
036	M16 RIFLE MODS	15,422	15,422	
	TOTAL, PROCUREMENT OF W&TCV, ARMY	15,422	15,422	
	PROCUREMENT OF AMMUNITION, ARMY			
	SMALL/MEDIUM CAL AMMUNITION			
003	CTG, HANDGUN, ALL TYPES	1,500	1,500	
004	CTG, .50 CAL, ALL TYPES	10,000	10,000	
007	CTG, 30MM, ALL TYPES	80,000	80,000	
	MORTAR AMMUNITION			
009	60MM MORTAR, ALL TYPES	14,000	14,000	
010	81MM MORTAR, ALL TYPES	6,000	6,000	
011	120MM MORTAR, ALL TYPES	56,000	56,000	
	ARTILLERY AMMUNITION			
013	ARTILLERY CARTRIDGES, 75MM AND 105MM, ALL TYP	29,956	29,956	
014	ARTILLERY PROJECTILE, 155MM, ALL TYPES	37,044	37,044	
015	PROJ 155MM EXTENDED RANGE XM982	12,300	12,300	
016	ARTILLERY PROPELLANTS, FUZES AND PRIMERS, ALL	17,000	17,000	
	MINES			
017	MINES & CLEARING CHARGES, ALL TYPES	12,000	12,000	
	ROCKETS			
020	ROCKET, HYDRA 70, ALL TYPES	63,635	63,635	
	OTHER AMMUNITION			
023	SIGNALS, ALL TYPES	16,858	16,858	
	MISCELLANEOUS			
028	ITEMS LESS THAN \$5 MILLION	1,200	1,200	
	PRODUCTION BASE SUPPORT			
	TOTAL, PROCUREMENT OF AMMUNITION, ARMY	357,493	357,493	
	OTHER PROCUREMENT, ARMY			
	TACTICAL VEHICLES			
002	FAMILY OF MEDIUM TACTICAL VEH (FMTV)	28,247	28,247	
004	FAMILY OF HEAVY TACTICAL VEHICLES (FHTV)	2,050	2,050	
011	HMMWV RECAPITALIZATION PROGRAM	271,000	271,000	
014	MINE-RESISTANT AMBUSH-PROTECTED (MRAP) MODS	927,400	927,400	
	COMM—INTELLIGENCE COMM			
052	RESERVE CA/MISO GPF EQUIPMENT	8,000	8,000	
	COMM—BASE COMMUNICATIONS			
061	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM(.....	25,000	65,000	
	Transfer from OMA OCO at SOUTHCOM request		[40,000]	
	ELECT EQUIP—TACT INT REL ACT (TIARA)			
069	DCGS-A (MIP)	90,355	90,355	
073	CI HUMINT AUTO REPRINTING AND COLLECTION	6,516	6,516	
	ELECT EQUIP—ELECTRONIC WARFARE (EW)			
075	LIGHTWEIGHT COUNTER MORTAR RADAR	27,646	27,646	
077	FMLY OF PERSISTENT SURVEILLANCE CAPABILITIES	52,000	52,000	
078	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES	205,209	205,209	
	ELECT EQUIP—TACTICAL SURV. (TAC SURV)			
092	MOD OF IN-SVC EQUIP (FIREFINDER RADARS)	14,600	14,600	
099	COUNTERFIRE RADARS	54,585	54,585	
	ELECT EQUIP—TACTICAL C2 SYSTEMS			
102	FIRE SUPPORT C2 FAMILY	22,430	22,430	

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2013 Request	Senate Authorized
103	BATTLE COMMAND SUSTAINMENT SUPPORT SYSTEM	2,400	2,400
112	MANEUVER CONTROL SYSTEM (MCS)	6,400	6,400
113	SINGLE ARMY LOGISTICS ENTERPRISE (SALE)	5,160	5,160
	CHEMICAL DEFENSIVE EQUIPMENT		
126	FAMILY OF NON-LETHAL EQUIPMENT (FNLE)	15,000	15,000
127	BASE DEFENSE SYSTEMS (BDS)	66,100	66,100
	ENGINEER (NON-CONSTRUCTION) EQUIPMENT		
135	EXPLOSIVE ORDNANCE DISPOSAL EQPMT (EOD EQPMT)	3,565	3,565
	COMBAT SERVICE SUPPORT EQUIPMENT		
143	FORCE PROVIDER	39,700	39,700
145	CARGO AERIAL DEL & PERSONNEL PARACHUTE SYSTEM	650	650
	PETROLEUM EQUIPMENT		
149	DISTRIBUTION SYSTEMS, PETROLEUM & WATER	2,119	2,119
	MAINTENANCE EQUIPMENT		
152	MOBILE MAINTENANCE EQUIPMENT SYSTEMS	428	428
153	ITEMS LESS THAN \$5 MILLION (MAINT EQ)	30	30
	TRAINING EQUIPMENT		
175	COMBAT TRAINING CENTERS SUPPORT	7,000	7,000
176	TRAINING DEVICES, NONSYSTEM	27,250	27,250
178	AVIATION COMBINED ARMS TACTICAL TRAINER	1,000	1,000
179	GAMING TECHNOLOGY IN SUPPORT OF ARMY TRAINING	5,900	5,900
	OTHER SUPPORT EQUIPMENT		
183	RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT	98,167	91,167
	Slow execution of prior years appropriations		[-37,000]
	Solar power units		[30,000]
	TOTAL, OTHER PROCUREMENT, ARMY	2,015,907	2,048,907
	JOINT IMPR EXPLOSIVE DEV DEFEAT FUND		
	NETWORK ATTACK		
001	ATTACK THE NETWORK	950,500	850,500
	Program decrease—under execution		[-100,000]
	JIEDDO DEVICE DEFEAT		
002	DEFEAT THE DEVICE	400,000	350,000
	Program decrease—under execution & program delays		[-50,000]
	FORCE TRAINING		
003	TRAIN THE FORCE	149,500	128,500
	Program decrease—under execution & program delays		[-21,000]
	STAFF AND INFRASTRUCTURE		
004	OPERATIONS	175,400	373,814
	Transfer from Base		[227,414]
	Program decrease—excessive contractor service support		[-29,000]
	TOTAL, JOINT IMPR EXPLOSIVE DEV DEFEAT FUND	1,675,400	1,702,814
	AIRCRAFT PROCUREMENT, NAVY		
	COMBAT AIRCRAFT		
011	H-1 UPGRADES (UH-1Y/AH-1Z)	29,800	29,800
	MODIFICATION OF AIRCRAFT		
030	AV-8 SERIES	42,238	42,238
032	F-18 SERIES	41,243	41,243
035	H-53 SERIES	15,870	15,870
038	EP-3 SERIES	13,030	13,030
043	C-130 SERIES	16,737	16,737
048	SPECIAL PROJECT AIRCRAFT	2,714	2,714
054	COMMON AVIONICS CHANGES	570	570
	AIRCRAFT SUPPORT EQUIP & FACILITIES		
062	COMMON GROUND EQUIPMENT	2,380	2,380
	TOTAL, AIRCRAFT PROCUREMENT, NAVY	164,582	164,582
	WEAPONS PROCUREMENT, NAVY		
	TACTICAL MISSILES		
009	HELLFIRE	17,000	17,000
010	STAND OFF PRECISION GUIDED MUNITIONS (SOPGM)	6,500	6,500
	TOTAL, WEAPONS PROCUREMENT, NAVY	23,500	23,500
	PROCUREMENT OF AMMO, NAVY & MC		
	NAVY AMMUNITION		
001	GENERAL PURPOSE BOMBS	18,000	18,000
002	AIRBORNE ROCKETS, ALL TYPES	80,200	80,200
003	MACHINE GUN AMMUNITION	21,500	21,500

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2013 Request	Senate Authorized
006	AIR EXPENDABLE COUNTERMEASURES	20,303	20,303
011	OTHER SHIP GUN AMMUNITION	532	532
012	SMALL ARMS & LANDING PARTY AMMO	2,643	2,643
013	PYROTECHNIC AND DEMOLITION	2,322	2,322
014	AMMUNITION LESS THAN \$5 MILLION	6,308	6,308
	MARINE CORPS AMMUNITION		
015	SMALL ARMS AMMUNITION	10,948	10,948
016	LINEAR CHARGES, ALL TYPES	9,940	9,940
017	40MM, ALL TYPES	5,963	5,963
020	120MM, ALL TYPES	11,605	11,605
021	CTG 25MM, ALL TYPES	2,831	2,831
022	GRENADES, ALL TYPES	2,359	2,359
023	ROCKETS, ALL TYPES	3,051	3,051
024	ARTILLERY, ALL TYPES	54,886	54,886
025	DEMOLITION MUNITIONS, ALL TYPES	1,391	1,391
026	FUZE, ALL TYPES	30,945	30,945
027	NON LETHALS	8	8
029	ITEMS LESS THAN \$5 MILLION	12	12
	TOTAL, PROCUREMENT OF AMMO, NAVY & MC	285,747	285,747
	OTHER PROCUREMENT, NAVY		
	OTHER SHORE ELECTRONIC EQUIPMENT		
070	TACTICAL/MOBILE C4I SYSTEMS	3,603	3,603
	AIRCRAFT SUPPORT EQUIPMENT		
097	EXPEDITIONARY AIRFIELDS	58,200	58,200
	CIVIL ENGINEERING SUPPORT EQUIPMENT		
127	PASSENGER CARRYING VEHICLES	3,901	3,901
128	GENERAL PURPOSE TRUCKS	852	852
129	CONSTRUCTION & MAINTENANCE EQUIP	2,436	2,436
130	FIRE FIGHTING EQUIPMENT	3,798	3,798
131	TACTICAL VEHICLES	13,394	13,394
134	ITEMS UNDER \$5 MILLION	375	375
	COMMAND SUPPORT EQUIPMENT		
149	C4ISR EQUIPMENT	3,000	3,000
151	PHYSICAL SECURITY EQUIPMENT	9,323	9,323
	TOTAL, OTHER PROCUREMENT, NAVY	98,882	98,882
	PROCUREMENT, MARINE CORPS		
	TRACKED COMBAT VEHICLES		
002	LAV PIP	10,000	10,000
	ARTILLERY AND OTHER WEAPONS		
005	HIGH MOBILITY ARTILLERY ROCKET SYSTEM	108,860	108,860
	GUIDED MISSILES		
010	JAVELIN	29,158	29,158
	OTHER SUPPORT		
013	MODIFICATION KITS	41,602	41,602
	REPAIR AND TEST EQUIPMENT		
015	REPAIR AND TEST EQUIPMENT	13,632	13,632
	OTHER SUPPORT (TEL)		
017	MODIFICATION KITS	2,831	2,831
	COMMAND AND CONTROL SYSTEM (NON-TEL)		
019	AIR OPERATIONS C2 SYSTEMS	15,575	15,575
	RADAR + EQUIPMENT (NON-TEL)		
020	RADAR SYSTEMS	8,015	8,015
	INTELL/COMM EQUIPMENT (NON-TEL)		
023	INTELLIGENCE SUPPORT EQUIPMENT	35,310	35,310
	OTHER COMM/ELEC EQUIPMENT (NON-TEL)		
029	NIGHT VISION EQUIPMENT	652	652
	OTHER SUPPORT (NON-TEL)		
030	COMMON COMPUTER RESOURCES	19,807	19,807
032	RADIO SYSTEMS	36,482	36,482
033	COMM SWITCHING & CONTROL SYSTEMS	41,295	41,295
	TACTICAL VEHICLES		
039	MEDIUM TACTICAL VEHICLE REPLACEMENT	10,466	10,466
041	FAMILY OF TACTICAL TRAILERS	7,642	7,642
	ENGINEER AND OTHER EQUIPMENT		
045	BULK LIQUID EQUIPMENT	18,239	18,239
046	TACTICAL FUEL SYSTEMS	51,359	51,359
047	POWER EQUIPMENT ASSORTED	20,247	20,247

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2013 Request	Senate Authorized
049	EOD SYSTEMS	362,658	362,658
	MATERIALS HANDLING EQUIPMENT		
050	PHYSICAL SECURITY EQUIPMENT	55,500	55,500
052	MATERIAL HANDLING EQUIP	19,100	19,100
	GENERAL PROPERTY		
054	FIELD MEDICAL EQUIPMENT	15,751	15,751
055	TRAINING DEVICES	3,602	3,602
057	FAMILY OF CONSTRUCTION EQUIPMENT	15,900	15,900
	TOTAL, PROCUREMENT, MARINE CORPS	943,683	943,683
	AIRCRAFT PROCUREMENT, AIR FORCE		
	STRATEGIC AIRCRAFT		
035	LARGE AIRCRAFT INFRARED COUNTERMEASURES	139,800	139,800
	OTHER AIRCRAFT		
055	U-2 MODS	46,800	46,800
063	C-130	11,400	11,400
067	COMPASS CALL MODS	14,000	14,000
068	RC-135	8,000	8,000
075	HC/MC-130 MODIFICATIONS	4,700	4,700
	AIRCRAFT SPARES AND REPAIR PARTS		
081	INITIAL SPARES/REPAIR PARTS	21,900	21,900
	OTHER PRODUCTION CHARGES		
099	OTHER PRODUCTION CHARGES	59,000	59,000
	TOTAL, AIRCRAFT PROCUREMENT, AIR FORCE	305,600	305,600
	MISSILE PROCUREMENT, AIR FORCE		
	TACTICAL		
005	PREDATOR HELLFIRE MISSILE	34,350	34,350
	TOTAL, MISSILE PROCUREMENT, AIR FORCE	34,350	34,350
	PROCUREMENT OF AMMUNITION, AIR FORCE		
	CARTRIDGES		
002	CARTRIDGES	13,592	13,592
	BOMBS		
004	GENERAL PURPOSE BOMBS	23,211	23,211
005	JOINT DIRECT ATTACK MUNITION	53,923	53,923
	FLARE, IR MJU-7B		
006	CAD/PAD	2,638	2,638
010	ITEMS LESS THAN \$5 MILLION	2,600	2,600
	FUZES		
011	FLARES	11,726	11,726
012	FUZES	8,513	8,513
	TOTAL, PROCUREMENT OF AMMUNITION, AIR FORCE	116,203	116,203
	OTHER PROCUREMENT, AIR FORCE		
	CARGO AND UTILITY VEHICLES		
002	MEDIUM TACTICAL VEHICLE	2,010	2,010
004	ITEMS LESS THAN \$5 MILLION	2,675	2,675
	SPECIAL PURPOSE VEHICLES		
006	ITEMS LESS THAN \$5 MILLION	2,557	2,557
	MATERIALS HANDLING EQUIPMENT		
008	ITEMS LESS THAN \$5 MILLION	4,329	4,329
	BASE MAINTENANCE SUPPORT		
009	RUNWAY SNOW REMOV AND CLEANING EQU	984	984
010	ITEMS LESS THAN \$5 MILLION	9,120	9,120
	ELECTRONICS PROGRAMS		
022	WEATHER OBSERVATION FORECAST	5,600	5,600
	SPCL COMM-ELECTRONICS PROJECTS		
027	GENERAL INFORMATION TECHNOLOGY	11,157	11,157
	ORGANIZATION AND BASE		
049	TACTICAL C-E EQUIPMENT	7,000	7,000
053	BASE COMM INFRASTRUCTURE	10,654	10,654
	MODIFICATIONS		
054	COMM ELECT MODS	8,000	8,000
	PERSONAL SAFETY & RESCUE EQUIP		
055	NIGHT VISION GOGGLES	902	902
	BASE SUPPORT EQUIPMENT		
059	CONTINGENCY OPERATIONS	60,090	60,090
062	MOBILITY EQUIPMENT	9,400	9,400

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2013 Request	Senate Authorized
063	ITEMS LESS THAN \$5 MILLION	9,175	9,175
	CLASSIFIED PROGRAMS		
069A	CLASSIFIED PROGRAMS	2,672,317	2,672,317
	SPARES AND REPAIR PARTS		
071	SPARES AND REPAIR PARTS	2,300	2,300
	TOTAL, OTHER PROCUREMENT, AIR FORCE	2,818,270	2,818,270
	PROCUREMENT, DEFENSE-WIDE		
	MAJOR EQUIPMENT, DISA		
015	TELEPORT PROGRAM	5,260	5,260
	CLASSIFIED PROGRAMS		
045A	CLASSIFIED PROGRAMS	126,201	126,201
	AVIATION PROGRAMS		
061	MQ-8 UAV	16,500	16,500
	OTHER PROCUREMENT PROGRAMS		
068	COMMUNICATIONS EQUIPMENT AND ELECTRONICS	151	151
069	INTELLIGENCE SYSTEMS	30,528	30,528
077	TACTICAL VEHICLES	1,843	1,843
082	AUTOMATION SYSTEMS	1,000	1,000
086	VISUAL AUGMENTATION LASERS AND SENSOR SYSTEMS	108	108
091	OPERATIONAL ENHANCEMENTS	14,758	14,758
	TOTAL, PROCUREMENT, DEFENSE-WIDE	196,349	196,349
	JOINT URGENT OPERATIONAL NEEDS FUND		
001	JOINT URGENT OPERATIONAL NEEDS FUND	100,000	100,000
	TOTAL, JOINT URGENT OPERATIONAL NEEDS FUND	100,000	100,000
	TOTAL, PROCUREMENT	9,687,241	9,676,655

TITLE XLII—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2013 Request	Senate Authorized
		RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY		
		BASIC RESEARCH		
001	0601101A	IN-HOUSE LABORATORY INDEPENDENT RESEARCH	20,860	20,860
002	0601102A	DEFENSE RESEARCH SCIENCES	219,180	219,180
003	0601103A	UNIVERSITY RESEARCH INITIATIVES	80,986	80,986
004	0601104A	UNIVERSITY AND INDUSTRY RESEARCH CENTERS	123,045	123,045
		SUBTOTAL, BASIC RESEARCH	444,071	444,071
		APPLIED RESEARCH		
005	0602105A	MATERIALS TECHNOLOGY	29,041	29,041
006	0602120A	SENSORS AND ELECTRONIC SURVIVABILITY	45,260	45,260
007	0602122A	TRACTOR HIP	22,439	22,439
008	0602211A	AVIATION TECHNOLOGY	51,607	51,607
009	0602270A	ELECTRONIC WARFARE TECHNOLOGY	15,068	15,068
010	0602303A	MISSILE TECHNOLOGY	49,383	49,383
011	0602307A	ADVANCED WEAPONS TECHNOLOGY	25,999	25,999
012	0602308A	ADVANCED CONCEPTS AND SIMULATION	23,507	23,507
013	0602601A	COMBAT VEHICLE AND AUTOMOTIVE TECHNOLOGY	69,062	69,062
014	0602618A	BALLISTICS TECHNOLOGY	60,823	60,823
015	0602622A	CHEMICAL, SMOKE AND EQUIPMENT DEFEATING TECHNOLOGY	4,465	4,465
016	0602623A	JOINT SERVICE SMALL ARMS PROGRAM	7,169	7,169
017	0602624A	WEAPONS AND MUNITIONS TECHNOLOGY	35,218	35,218
018	0602705A	ELECTRONICS AND ELECTRONIC DEVICES	60,300	60,300
019	0602709A	NIGHT VISION TECHNOLOGY	53,244	53,244
020	0602712A	COUNTERMINE SYSTEMS	18,850	18,850
021	0602716A	HUMAN FACTORS ENGINEERING TECHNOLOGY	19,872	19,872
022	0602720A	ENVIRONMENTAL QUALITY TECHNOLOGY	20,095	20,095
023	0602782A	COMMAND, CONTROL, COMMUNICATIONS TECHNOLOGY	28,852	28,852
024	0602783A	COMPUTER AND SOFTWARE TECHNOLOGY	9,830	9,830
025	0602784A	MILITARY ENGINEERING TECHNOLOGY	70,693	70,693
026	0602785A	MANPOWER/PERSONNEL/TRAINING TECHNOLOGY	17,781	17,781
027	0602786A	WARFIGHTER TECHNOLOGY	28,281	28,281
028	0602787A	MEDICAL TECHNOLOGY	107,891	107,891
		SUBTOTAL, APPLIED RESEARCH	874,730	874,730
		ADVANCED TECHNOLOGY DEVELOPMENT		
029	0603001A	WARFIGHTER ADVANCED TECHNOLOGY	39,359	39,359

TITLE XLII—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION—Continued

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION (In Thousands of Dollars)					FY 2013 Request	Senate Authorized
Line	Program Element	Item				
030	0603002A	MEDICAL ADVANCED TECHNOLOGY			69,580	69,580
031	0603003A	AVIATION ADVANCED TECHNOLOGY			64,215	64,215
032	0603004A	WEAPONS AND MUNITIONS ADVANCED TECHNOLOGY			67,613	67,613
033	0603005A	COMBAT VEHICLE AND AUTOMOTIVE ADVANCED TECHNOLOGY			104,359	104,359
034	0603006A	COMMAND, CONTROL, COMMUNICATIONS ADVANCED TECHNOLOGY			4,157	4,157
035	0603007A	MANPOWER, PERSONNEL AND TRAINING ADVANCED TECHNOLOGY			9,856	9,856
036	0603008A	ELECTRONIC WARFARE ADVANCED TECHNOLOGY			50,661	50,661
037	0603009A	TRACTOR HIKE			9,126	9,126
038	0603015A	NEXT GENERATION TRAINING & SIMULATION SYSTEMS			17,257	17,257
039	0603020A	TRACTOR ROSE			9,925	9,925
040	0603105A	MILITARY HIV RESEARCH			6,984	6,984
041	0603125A	COMBATING TERRORISM—TECHNOLOGY DEVELOPMENT			9,716	9,716
042	0603130A	TRACTOR NAIL			3,487	3,487
043	0603131A	TRACTOR EGGS			2,323	2,323
044	0603270A	ELECTRONIC WARFARE TECHNOLOGY			21,683	21,683
045	0603313A	MISSILE AND ROCKET ADVANCED TECHNOLOGY			71,111	71,111
046	0603322A	TRACTOR CAGE			10,902	10,902
047	0603461A	HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRAM			180,582	180,582
048	0603606A	LANDMINE WARFARE AND BARRIER ADVANCED TECHNOLOGY			27,204	27,204
049	0603607A	JOINT SERVICE SMALL ARMS PROGRAM			6,095	6,095
050	0603710A	NIGHT VISION ADVANCED TECHNOLOGY			37,217	37,217
051	0603728A	ENVIRONMENTAL QUALITY TECHNOLOGY DEMONSTRATIONS			13,626	13,626
052	0603734A	MILITARY ENGINEERING ADVANCED TECHNOLOGY			28,458	28,458
053	0603772A	ADVANCED TACTICAL COMPUTER SCIENCE AND SENSOR TECHNOLOGY			25,226	25,226
		SUBTOTAL, ADVANCED TECHNOLOGY DEVELOPMENT			890,722	890,722
ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES						
054	0603305A	ARMY MISSILE DEFENSE SYSTEMS INTEGRATION			14,505	14,505
055	0603308A	ARMY SPACE SYSTEMS INTEGRATION			9,876	9,876
056	0603619A	LANDMINE WARFARE AND BARRIER—ADV DEV			5,054	5,054
057	0603627A	SMOKE, OBSCURANT AND TARGET DEFEATING SYS—ADV DEV			2,725	2,725
058	0603639A	TANK AND MEDIUM CALIBER AMMUNITION			30,560	30,560
059	0603653A	ADVANCED TANK ARMAMENT SYSTEM (ATAS)			14,347	14,347
060	0603747A	SOLDIER SUPPORT AND SURVIVABILITY			10,073	10,073
061	0603766A	TACTICAL ELECTRONIC SURVEILLANCE SYSTEM—ADV DEV			8,660	8,660
062	0603774A	NIGHT VISION SYSTEMS ADVANCED DEVELOPMENT			10,715	10,715
063	0603779A	ENVIRONMENTAL QUALITY TECHNOLOGY—DEM/VAL			4,631	4,631
064	0603782A	WARFIGHTER INFORMATION NETWORK-TACTICAL—DEM/VAL			278,018	278,018
065	0603790A	NATO RESEARCH AND DEVELOPMENT			4,961	4,961
066	0603801A	AVIATION—ADV DEV			8,602	8,602
067	0603804A	LOGISTICS AND ENGINEER EQUIPMENT—ADV DEV			14,605	14,605
068	0603805A	COMBAT SERVICE SUPPORT CONTROL SYSTEM EVALUATION AND ANALYSIS			5,054	5,054
069	0603807A	MEDICAL SYSTEMS—ADV DEV			24,384	24,384
070	0603827A	SOLDIER SYSTEMS—ADVANCED DEVELOPMENT			32,050	32,050
071	0603850A	INTEGRATED BROADCAST SERVICE			96	96
072	0604115A	TECHNOLOGY MATURATION INITIATIVES			24,868	24,868
073	0604131A	TRACTOR JUTE			59	59
074	0604284A	JOINT COOPERATIVE TARGET IDENTIFICATION—GROUND (JCTI-G)/TECHNOLOGY DEV			0	0
075	0604319A	INDIRECT FIRE PROTECTION CAPABILITY INCREMENT 2—INTERCEPT (IFPC2)			76,039	76,039
076	0604775A	DEFENSE RAPID INNOVATION PROGRAM			0	0
077	0604785A	INTEGRATED BASE DEFENSE (BUDGET ACTIVITY 4)			4,043	4,043
078	0305205A	ENDURANCE UAVS			26,196	26,196
		SUBTOTAL, ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES			610,121	610,121
SYSTEM DEVELOPMENT & DEMONSTRATION						
079	0604201A	AIRCRAFT AVIONICS			78,538	78,538
080	0604220A	ARMED, DEPLOYABLE HELOS			90,494	90,494
081	0604270A	ELECTRONIC WARFARE DEVELOPMENT			181,347	181,347
082	0604280A	JOINT TACTICAL RADIO			0	0
083	0604290A	MID-TIER NETWORKING VEHICULAR RADIO (MNVIR)			12,636	12,636
084	0604321A	ALL SOURCE ANALYSIS SYSTEM			5,694	5,694
085	0604328A	TRACTOR CAGE			32,095	32,095
086	0604601A	INFANTRY SUPPORT WEAPONS			96,478	96,478
087	0604604A	MEDIUM TACTICAL VEHICLES			3,006	3,006
088	0604609A	SMOKE, OBSCURANT AND TARGET DEFEATING SYS—ENG DEV			0	0
089	0604611A	JAVELIN			5,040	5,040
090	0604622A	FAMILY OF HEAVY TACTICAL VEHICLES			3,077	3,077
091	0604633A	AIR TRAFFIC CONTROL			9,769	9,769
092	0604641A	TACTICAL UNMANNED GROUND VEHICLE (TUGV)			13,141	25,141
		Transfer from OPA line 191 at Army request				[12,000]
093	0604642A	LIGHT TACTICAL WHEELED VEHICLES			0	0
094	0604661A	FCS SYSTEMS OF SYSTEMS ENGR & PROGRAM MGMT			0	0
095	0604662A	FCS RECONNAISSANCE (UAV) PLATFORMS			0	0
096	0604663A	FCS UNMANNED GROUND VEHICLES			0	0
097	0604664A	FCS UNATTENDED GROUND SENSORS			0	0
098	0604665A	FCS SUSTAINMENT & TRAINING R&D			0	0
099	0604710A	NIGHT VISION SYSTEMS—ENG DEV			32,621	32,621

TITLE XLII—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION—Continued

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2013 Request	Senate Authorized
100	0604713A	COMBAT FEEDING, CLOTHING, AND EQUIPMENT	2,132	2,132
101	0604715A	NON-SYSTEM TRAINING DEVICES—ENG DEV	44,787	44,787
102	0604716A	TERRAIN INFORMATION—ENG DEV	1,008	1,008
103	0604741A	AIR DEFENSE COMMAND, CONTROL AND INTELLIGENCE—ENG DEV	73,333	73,333
104	0604742A	CONSTRUCTIVE SIMULATION SYSTEMS DEVELOPMENT	28,937	28,937
105	0604746A	AUTOMATIC TEST EQUIPMENT DEVELOPMENT	10,815	10,815
106	0604760A	DISTRIBUTIVE INTERACTIVE SIMULATIONS (DIS)—ENG DEV	13,926	13,926
107	0604780A	COMBINED ARMS TACTICAL TRAINER (CATT) CORE	17,797	17,797
108	0604798A	BRIGADE ANALYSIS, INTEGRATION AND EVALUATION	214,270	214,270
109	0604802A	WEAPONS AND MUNITIONS—ENG DEV	14,581	14,581
110	0604804A	LOGISTICS AND ENGINEER EQUIPMENT—ENG DEV	43,706	43,706
111	0604805A	COMMAND, CONTROL, COMMUNICATIONS SYSTEMS—ENG DEV	20,776	20,776
112	0604807A	MEDICAL MATERIEL/MEDICAL BIOLOGICAL DEFENSE EQUIPMENT—ENG DEV	43,395	43,395
113	0604808A	LANDMINE WARFARE/BARRIER—ENG DEV	104,983	104,983
114	0604814A	ARTILLERY MUNITIONS—EMD	4,346	4,346
115	0604817A	COMBAT IDENTIFICATION	0	0
116	0604818A	ARMY TACTICAL COMMAND & CONTROL HARDWARE & SOFTWARE	77,223	77,223
117	0604820A	RADAR DEVELOPMENT	3,486	3,486
118	0604822A	GENERAL FUND ENTERPRISE BUSINESS SYSTEM (GFEBS)	9,963	27,163
		GFEBS realignment per Army request		[17,200]
119	0604823A	FIREFINDER	20,517	20,517
120	0604827A	SOLDIER SYSTEMS—WARRIOR DEM/VAL	51,851	51,851
121	0604854A	ARTILLERY SYSTEMS—EMD	167,797	167,797
122	0604869A	PATRIOT/MEADS COMBINED AGGREGATE PROGRAM (CAP)	400,861	0
		No funds authorized		[–400,861]
123	0604870A	NUCLEAR ARMS CONTROL MONITORING SENSOR NETWORK	7,922	7,922
124	0605013A	INFORMATION TECHNOLOGY DEVELOPMENT	51,463	51,463
125	0605018A	INTEGRATED PERSONNEL AND PAY SYSTEM-ARMY (IPPS-A)	158,646	158,646
126	0605450A	JOINT AIR-TO-GROUND MISSILE (JAGM)	10,000	10,000
127	0605455A	SLAMRAAM	0	0
128	0605456A	PAC–3/MSE MISSILE	69,029	69,029
129	0605457A	ARMY INTEGRATED AIR AND MISSILE DEFENSE (AIAMD)	277,374	277,374
130	0605625A	MANNED GROUND VEHICLE	639,874	639,874
131	0605626A	AERIAL COMMON SENSOR	47,426	47,426
132	0605812A	JOINT LIGHT TACTICAL VEHICLE (JLTV) ENGINEERING AND MANUFACTURING DEVELOPMENT PH	72,295	72,295
133	0303032A	TROJAN—RH12	4,232	4,232
134	0304270A	ELECTRONIC WARFARE DEVELOPMENT	13,942	13,942
		SUBTOTAL, SYSTEM DEVELOPMENT & DEMONSTRATION	3,286,629	2,914,968
		ROD&E MANAGEMENT SUPPORT		
135	0604256A	THREAT SIMULATOR DEVELOPMENT	18,090	18,090
136	0604258A	TARGET SYSTEMS DEVELOPMENT	14,034	14,034
137	0604759A	MAJOR T&E INVESTMENT	37,394	37,394
138	0605103A	RAND ARROYO CENTER	21,026	21,026
139	0605301A	ARMY KWAJALEIN ATOLL	176,816	176,816
140	0605326A	CONCEPTS EXPERIMENTATION PROGRAM	27,902	27,902
141	0605502A	SMALL BUSINESS INNOVATIVE RESEARCH	0	0
142	0605601A	ARMY TEST RANGES AND FACILITIES	369,900	369,900
143	0605602A	ARMY TECHNICAL TEST INSTRUMENTATION AND TARGETS	69,183	69,183
144	0605604A	SURVIVABILITY/LETHALITY ANALYSIS	44,753	44,753
145	0605605A	DOD HIGH ENERGY LASER TEST FACILITY	0	0
146	0605606A	AIRCRAFT CERTIFICATION	5,762	5,762
147	0605702A	METEOROLOGICAL SUPPORT TO ROD&E ACTIVITIES	7,402	7,402
148	0605706A	MATERIEL SYSTEMS ANALYSIS	19,954	19,954
149	0605709A	EXPLOITATION OF FOREIGN ITEMS	5,535	5,535
150	0605712A	SUPPORT OF OPERATIONAL TESTING	67,789	67,789
151	0605716A	ARMY EVALUATION CENTER	62,765	62,765
152	0605718A	ARMY MODELING & SIM X-CMD COLLABORATION & INTEG	1,545	1,545
153	0605801A	PROGRAMWIDE ACTIVITIES	83,422	83,422
154	0605803A	TECHNICAL INFORMATION ACTIVITIES	50,820	50,820
155	0605805A	MUNITIONS STANDARDIZATION, EFFECTIVENESS AND SAFETY	46,763	46,763
156	0605857A	ENVIRONMENTAL QUALITY TECHNOLOGY MGMT SUPPORT	4,601	4,601
157	0605898A	MANAGEMENT HQ—R&D	18,524	18,524
158	0909999A	FINANCING FOR CANCELLED ACCOUNT ADJUSTMENTS	0	0
		SUBTOTAL, ROD&E MANAGEMENT SUPPORT	1,153,980	1,153,980
		OPERATIONAL SYSTEMS DEVELOPMENT		
159	0603778A	MLRS PRODUCT IMPROVEMENT PROGRAM	143,005	143,005
160	0607665A	FAMILY OF BIOMETRICS	0	0
161	0607865A	PATRIOT PRODUCT IMPROVEMENT	109,978	109,978
162	0102419A	AEROSTAT JOINT PROJECT OFFICE	190,422	190,422
163	0203347A	INTELLIGENCE SUPPORT TO CYBER (ISC) MIP	0	0
164	0203726A	ADV FIELD ARTILLERY TACTICAL DATA SYSTEM	32,556	32,556
165	0203735A	COMBAT VEHICLE IMPROVEMENT PROGRAMS	253,959	253,959
166	0203740A	MANEUVER CONTROL SYSTEM	68,325	68,325
167	0203744A	AIRCRAFT MODIFICATIONS/PRODUCT IMPROVEMENT PROGRAMS	280,247	226,247
		Improved turbine engine program delay		[–54,000]

TITLE XLII—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION—Continued

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION (In Thousands of Dollars)				
Line	Program Element	Item	FY 2013 Request	Senate Authorized
168	0203752A	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	898	898
169	0203758A	DIGITIZATION	35,180	35,180
170	0203759A	FORCE XXI BATTLE COMMAND, BRIGADE AND BELOW (FBCB2)	0	0
171	0203801A	MISSILE/AIR DEFENSE PRODUCT IMPROVEMENT PROGRAM	20,733	20,733
172	0203808A	TRACTOR CARD	63,243	63,243
173	0208053A	JOINT TACTICAL GROUND SYSTEM	31,738	31,738
174	0208058A	JOINT HIGH SPEED VESSEL (JHSV)	35	35
176	0303028A	SECURITY AND INTELLIGENCE ACTIVITIES	7,591	7,591
177	0303140A	INFORMATION SYSTEMS SECURITY PROGRAM	15,961	15,961
178	0303141A	GLOBAL COMBAT SUPPORT SYSTEM	120,927	120,927
179	0303142A	SATCOM GROUND ENVIRONMENT (SPACE)	15,756	15,756
180	0303150A	WMMCCS/GLOBAL COMMAND AND CONTROL SYSTEM	14,443	14,443
182	0305204A	TACTICAL UNMANNED AERIAL VEHICLES	31,303	31,303
183	0305208A	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	40,876	40,876
184	0305219A	MQ-1 SKY WARRIOR A UAV	74,618	74,618
185	0305232A	RQ-11 UAV	4,039	4,039
186	0305233A	RQ-7 UAV	31,158	31,158
187	0305235A	VERTICAL UAS	2,387	2,387
188	0307665A	BIOMETRICS ENABLED INTELLIGENCE	15,248	15,248
189	0708045A	END ITEM INDUSTRIAL PREPAREDNESS ACTIVITIES	59,908	59,908
189A	9999999999	CLASSIFIED PROGRAMS	4,628	4,628
		SUBTOTAL, OPERATIONAL SYSTEMS DEVELOPMENT	1,669,162	1,615,162
		TOTAL, RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY	8,929,415	8,503,754
		RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY		
		BASIC RESEARCH		
001	0601103N	UNIVERSITY RESEARCH INITIATIVES	113,690	113,690
002	0601152N	IN-HOUSE LABORATORY INDEPENDENT RESEARCH	18,261	18,261
003	0601153N	DEFENSE RESEARCH SCIENCES	473,070	473,070
		SUBTOTAL, BASIC RESEARCH	605,021	605,021
		APPLIED RESEARCH		
004	0602114N	POWER PROJECTION APPLIED RESEARCH	89,189	89,189
005	0602123N	FORCE PROTECTION APPLIED RESEARCH	143,301	143,301
006	0602131M	MARINE CORPS LANDING FORCE TECHNOLOGY	46,528	46,528
007	0602235N	COMMON PICTURE APPLIED RESEARCH	41,696	41,696
008	0602236N	WARFIGHTER SUSTAINMENT APPLIED RESEARCH	44,127	44,127
009	0602271N	ELECTROMAGNETIC SYSTEMS APPLIED RESEARCH	78,228	78,228
010	0602435N	OCEAN WARFIGHTING ENVIRONMENT APPLIED RESEARCH	49,635	49,635
011	0602651M	JOINT NON-LETHAL WEAPONS APPLIED RESEARCH	5,973	5,973
012	0602747N	UNDERSEA WARFARE APPLIED RESEARCH	96,814	96,814
013	0602750N	FUTURE NAVAL CAPABILITIES APPLIED RESEARCH	162,417	162,417
014	0602782N	MINE AND EXPEDITIONARY WARFARE APPLIED RESEARCH	32,394	32,394
		SUBTOTAL, APPLIED RESEARCH	790,302	790,302
		ADVANCED TECHNOLOGY DEVELOPMENT		
015	0603114N	POWER PROJECTION ADVANCED TECHNOLOGY	56,543	56,543
016	0603123N	FORCE PROTECTION ADVANCED TECHNOLOGY	18,616	18,616
017	0603235N	COMMON PICTURE ADVANCED TECHNOLOGY	0	0
018	0603236N	WARFIGHTER SUSTAINMENT ADVANCED TECHNOLOGY	0	0
019	0603271N	ELECTROMAGNETIC SYSTEMS ADVANCED TECHNOLOGY	54,858	54,858
020	0603640M	USMC ADVANCED TECHNOLOGY DEMONSTRATION (ATD)	130,598	130,598
021	0603651M	JOINT NON-LETHAL WEAPONS TECHNOLOGY DEVELOPMENT	11,706	11,706
022	0603673N	FUTURE NAVAL CAPABILITIES ADVANCED TECHNOLOGY DEVELOPMENT	256,382	256,382
023	0603729N	WARFIGHTER PROTECTION ADVANCED TECHNOLOGY	3,880	3,880
024	0603747N	UNDERSEA WARFARE ADVANCED TECHNOLOGY	0	0
025	0603758N	NAVY WARFIGHTING EXPERIMENTS AND DEMONSTRATIONS	51,819	51,819
026	0603782N	MINE AND EXPEDITIONARY WARFARE ADVANCED TECHNOLOGY	0	0
		SUBTOTAL, ADVANCED TECHNOLOGY DEVELOPMENT	584,402	584,402
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
027	0603128N	UNMANNED AERIAL SYSTEM	0	0
028	0603207N	AIR/OCEAN TACTICAL APPLICATIONS	34,085	34,085
029	0603216N	AVIATION SURVIVABILITY	8,783	8,783
030	0603237N	DEPLOYABLE JOINT COMMAND AND CONTROL	3,773	3,773
031	0603251N	AIRCRAFT SYSTEMS	24,512	24,512
032	0603254N	ASW SYSTEMS DEVELOPMENT	8,090	8,090
033	0603261N	TACTICAL AIRBORNE RECONNAISSANCE	5,301	5,301
034	0603382N	ADVANCED COMBAT SYSTEMS TECHNOLOGY	1,506	1,506
035	0603502N	SURFACE AND SHALLOW WATER MINE COUNTERMEASURES	190,622	190,622
036	0603506N	SURFACE SHIP TORPEDO DEFENSE	93,346	93,346
037	0603512N	CARRIER SYSTEMS DEVELOPMENT	108,871	108,871
038	0603513N	SHIPBOARD SYSTEM COMPONENT DEVELOPMENT	0	0
039	0603525N	PILOT FISH	101,169	101,169
040	0603527N	RETRACT LARCH	74,312	74,312
041	0603536N	RETRACT JUNIPER	90,730	90,730
042	0603542N	RADIOLOGICAL CONTROL	777	777

TITLE XLII—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION—Continued

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2013 Request	Senate Authorized
043	0603553N	SURFACE ASW	6,704	6,704
044	0603561N	ADVANCED SUBMARINE SYSTEM DEVELOPMENT	555,123	555,123
045	0603562N	SUBMARINE TACTICAL WARFARE SYSTEMS	9,368	9,368
046	0603563N	SHIP CONCEPT ADVANCED DESIGN	24,609	24,609
047	0603564N	SHIP PRELIMINARY DESIGN & FEASIBILITY STUDIES	13,710	13,710
048	0603570N	ADVANCED NUCLEAR POWER SYSTEMS	249,748	249,748
049	0603573N	ADVANCED SURFACE MACHINERY SYSTEMS	29,897	29,897
050	0603576N	CHALK EAGLE	509,988	509,988
051	0603581N	LITTORAL COMBAT SHIP (LCS)	429,420	429,420
052	0603582N	COMBAT SYSTEM INTEGRATION	56,551	56,551
053	0603609N	CONVENTIONAL MUNITIONS	7,342	7,342
054	0603611M	MARINE CORPS ASSAULT VEHICLES	95,182	95,182
055	0603635M	MARINE CORPS GROUND COMBAT/SUPPORT SYSTEM	10,496	10,496
056	060364N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	52,331	52,331
057	0603658N	COOPERATIVE ENGAGEMENT	56,512	56,512
058	0603713N	OCEAN ENGINEERING TECHNOLOGY DEVELOPMENT	7,029	7,029
059	0603721N	ENVIRONMENTAL PROTECTION	21,080	21,080
060	0603724N	NAVY ENERGY PROGRAM	55,324	55,324
061	0603725N	FACILITIES IMPROVEMENT	3,401	3,401
062	0603734N	CHALK CORAL	45,966	45,966
063	0603739N	NAVY LOGISTIC PRODUCTIVITY	3,811	3,811
064	0603746N	RETRACT MAPLE	341,305	341,305
065	0603748N	LINK PLUMERIA	181,220	181,220
066	0603751N	RETRACT ELM	174,014	174,014
067	0603755N	SHIP SELF DEFENSE—DEM/VAL	0	0
068	0603764N	LINK EVERGREEN	68,654	68,654
069	0603787N	SPECIAL PROCESSES	44,487	44,487
070	0603790N	NATO RESEARCH AND DEVELOPMENT	9,389	9,389
071	0603795N	LAND ATTACK TECHNOLOGY	16,132	16,132
072	0603851M	JOINT NON-LETHAL WEAPONS TESTING	44,994	44,994
073	0603860N	JOINT PRECISION APPROACH AND LANDING SYSTEMS—DEM/VAL	137,369	137,369
074	0603889N	COUNTERDRUG RDT&E PROJECTS	0	0
075	0603925N	DIRECTED ENERGY AND ELECTRIC WEAPON SYSTEMS	0	0
076	0604272N	TACTICAL AIR DIRECTIONAL INFRARED COUNTERMEASURES (TADIRCM)	73,934	73,934
077	0604279N	ASE SELF-PROTECTION OPTIMIZATION	711	711
078	0604653N	JOINT COUNTER RADIO CONTROLLED IED ELECTRONIC WARFARE (JCREW)	71,300	71,300
079	0604659N	PRECISION STRIKE WEAPONS DEVELOPMENT PROGRAM	5,654	5,654
080	0604707N	SPACE AND ELECTRONIC WARFARE (SEW) ARCHITECTURE/ENGINEERING SUPPORT	31,549	31,549
081	0604775N	DEFENSE RAPID INNOVATION PROGRAM	0	0
082	0604786N	OFFENSIVE ANTI-SURFACE WARFARE WEAPON DEVELOPMENT	86,801	86,801
083	0605812M	JOINT LIGHT TACTICAL VEHICLE (JLTV) ENGINEERING AND MANUFACTURING DEVELOPMENT PH	44,500	44,500
084	0303354N	ASW SYSTEMS DEVELOPMENT—MIP	13,172	13,172
085	0303562N	SUBMARINE TACTICAL WARFARE SYSTEMS—MIP	0	0
086	0304270N	ELECTRONIC WARFARE DEVELOPMENT—MIP	643	643
		SUBTOTAL, ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	4,335,297	4,335,297
		SYSTEM DEVELOPMENT & DEMONSTRATION		
087	0604212N	OTHER HELO DEVELOPMENT	33,978	33,978
088	0604214N	AV—8B AIRCRAFT—ENG DEV	32,789	32,789
089	0604215N	STANDARDS DEVELOPMENT	84,988	84,988
090	0604216N	MULTI-MISSION HELICOPTER UPGRADE DEVELOPMENT	6,866	6,866
091	0604218N	AIR/OCEAN EQUIPMENT ENGINEERING	4,060	4,060
092	0604221N	P-3 MODERNIZATION PROGRAM	3,451	3,451
093	0604230N	WARFARE SUPPORT SYSTEM	13,071	13,071
094	0604231N	TACTICAL COMMAND SYSTEM	71,645	71,645
095	0604234N	ADVANCED HAWKEYE	119,065	119,065
096	0604245N	H-1 UPGRADES	31,105	31,105
097	0604261N	ACOUSTIC SEARCH SENSORS	34,299	34,299
098	0604262N	V-22A	54,412	54,412
099	0604264N	AIR CREW SYSTEMS DEVELOPMENT	2,717	2,717
100	0604269N	EA-18	13,009	13,009
101	0604270N	ELECTRONIC WARFARE DEVELOPMENT	51,304	51,304
102	0604273N	VH-71A EXECUTIVE HELO DEVELOPMENT	61,163	61,163
103	0604274N	NEXT GENERATION JAMMER (NGJ)	187,024	187,024
104	0604280N	JOINT TACTICAL RADIO SYSTEM—NAVY (JTRS-NAVY)	337,480	337,480
105	0604307N	SURFACE COMBATANT COMBAT SYSTEM ENGINEERING	260,616	260,616
106	0604311N	LPD-17 CLASS SYSTEMS INTEGRATION	824	824
107	0604329N	SMALL DIAMETER BOMB (SDB)	31,064	31,064
108	0604366N	STANDARD MISSILE IMPROVEMENTS	63,891	63,891
109	0604373N	AIRBORNE MCM	73,246	73,246
110	0604376M	MARINE AIR GROUND TASK FORCE (MAGTF) ELECTRONIC WARFARE (EW) FOR AVIATION	10,568	10,568
111	0604378N	NAVAL INTEGRATED FIRE CONTROL—COUNTER AIR SYSTEMS ENGINEERING	39,974	39,974
112	0604404N	UNMANNED CARRIER LAUNCHED AIRBORNE SURVEILLANCE AND STRIKE (UCLASS) SYSTEM	122,481	122,481
113	0604501N	ADVANCED ABOVE WATER SENSORS	255,516	255,516
114	0604503N	SSN-688 AND TRIDENT MODERNIZATION	82,620	82,620
115	0604504N	AIR CONTROL	5,633	5,633
116	0604512N	SHIPBOARD AVIATION SYSTEMS	55,826	55,826

TITLE XLII—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION—Continued

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION (In Thousands of Dollars)				
Line	Program Element	Item	FY 2013 Request	Senate Authorized
117	0604518N	COMBAT INFORMATION CENTER CONVERSION	918	918
118	0604558N	NEW DESIGN SSN	165,230	165,230
119	0604562N	SUBMARINE TACTICAL WARFARE SYSTEM	49,141	49,141
120	0604567N	SHIP CONTRACT DESIGN/ LIVE FIRE T&E	196,737	196,737
121	0604574N	NAVY TACTICAL COMPUTER RESOURCES	3,889	3,889
122	0604601N	MINE DEVELOPMENT	8,335	8,335
123	0604610N	LIGHTWEIGHT TORPEDO DEVELOPMENT	49,818	49,818
124	0604654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	10,099	10,099
125	0604703N	PERSONNEL, TRAINING, SIMULATION, AND HUMAN FACTORS	7,348	7,348
126	0604727N	JOINT STANDOFF WEAPON SYSTEMS	5,518	5,518
127	0604755N	SHIP SELF DEFENSE (DETECT & CONTROL)	87,662	87,662
128	0604756N	SHIP SELF DEFENSE (ENGAGE: HARD KILL)	64,079	64,079
129	0604757N	SHIP SELF DEFENSE (ENGAGE: SOFT KILL/EW)	151,489	151,489
130	0604761N	INTELLIGENCE ENGINEERING	0	0
131	0604771N	MEDICAL DEVELOPMENT	12,707	12,707
132	0604777N	NAVIGATION/ID SYSTEM	47,764	47,764
133	0604800M	JOINT STRIKE FIGHTER (JSF)—EMD	737,149	737,149
134	0604800N	JOINT STRIKE FIGHTER (JSF)—EMD	743,926	743,926
135	0605013M	INFORMATION TECHNOLOGY DEVELOPMENT	12,143	12,143
136	0605013N	INFORMATION TECHNOLOGY DEVELOPMENT	72,209	72,209
137	0605018N	NAVY INTEGRATED MILITARY HUMAN RESOURCES SYSTEM (N-IMHRS)	0	0
138	0605212N	CH-53K RDTE	606,204	606,204
139	0605450N	JOINT AIR-TO-GROUND MISSILE (JAGM)	0	0
140	0605500N	MULTI-MISSION MARITIME AIRCRAFT (MMA)	421,102	421,102
141	0204202N	DDG-1000	124,655	124,655
142	0304231N	TACTICAL COMMAND SYSTEM—MIP	1,170	1,170
143	0304503N	SSN-688 AND TRIDENT MODERNIZATION—MIP	0	0
144	0304785N	TACTICAL CRYPTOLOGIC SYSTEMS	23,255	23,255
145	0305124N	SPECIAL APPLICATIONS PROGRAM	0	0
		SUBTOTAL, SYSTEM DEVELOPMENT & DEMONSTRATION	5,747,232	5,747,232
		RDTE&E MANAGEMENT SUPPORT		
146	0604256N	THREAT SIMULATOR DEVELOPMENT	30,790	30,790
147	0604258N	TARGET SYSTEMS DEVELOPMENT	59,221	59,221
148	0604759N	MAJOR T&E INVESTMENT	35,894	35,894
149	0605126N	JOINT THEATER AIR AND MISSILE DEFENSE ORGANIZATION	7,573	7,573
150	0605152N	STUDIES AND ANALYSIS SUPPORT—NAVY	20,963	20,963
151	0605154N	CENTER FOR NAVAL ANALYSES	46,856	46,856
152	0605502N	SMALL BUSINESS INNOVATIVE RESEARCH	0	0
153	0605804N	TECHNICAL INFORMATION SERVICES	796	796
154	0605853N	MANAGEMENT, TECHNICAL & INTERNATIONAL SUPPORT	32,782	32,782
155	0605856N	STRATEGIC TECHNICAL SUPPORT	3,306	3,306
156	0605861N	RDTE&E SCIENCE AND TECHNOLOGY MANAGEMENT	70,302	70,302
157	0605863N	RDTE&E SHIP AND AIRCRAFT SUPPORT	144,033	144,033
158	0605864N	TEST AND EVALUATION SUPPORT	342,298	342,298
159	0605865N	OPERATIONAL TEST AND EVALUATION CAPABILITY	16,399	16,399
160	0605866N	NAVY SPACE AND ELECTRONIC WARFARE (SEW) SUPPORT	4,579	4,579
161	0605867N	SEW SURVEILLANCE/RECONNAISSANCE SUPPORT	8,000	8,000
162	0605873M	MARINE CORPS PROGRAM WIDE SUPPORT	18,490	18,490
163	0305885N	TACTICAL CRYPTOLOGIC ACTIVITIES	2,795	2,795
164	0804758N	SERVICE SUPPORT TO JFCOM, JINTC	0	0
165	0909999N	FINANCING FOR CANCELLED ACCOUNT ADJUSTMENTS	0	0
		SUBTOTAL, RDTE&E MANAGEMENT SUPPORT	845,077	845,077
		OPERATIONAL SYSTEMS DEVELOPMENT		
167	0604402N	UNMANNED COMBAT AIR VEHICLE (UCAV) ADVANCED COMPONENT AND PROTOTYPE DEVELOPMENT	142,282	142,282
168	0604717M	MARINE CORPS COMBAT SERVICES SUPPORT	0	0
169	0604766M	MARINE CORPS DATA SYSTEMS	0	0
170	0101221N	STRATEGIC SUB & WEAPONS SYSTEM SUPPORT	105,892	105,892
171	0101224N	SSBN SECURITY TECHNOLOGY PROGRAM	34,729	34,729
172	0101226N	SUBMARINE ACOUSTIC WARFARE DEVELOPMENT	1,434	1,434
173	0101402N	NAVY STRATEGIC COMMUNICATIONS	19,208	19,208
174	0203761N	RAPID TECHNOLOGY TRANSITION (RTT)	25,566	25,566
175	0204136N	F/A-18 SQUADRONS	188,299	188,299
176	0204152N	E-2 SQUADRONS	8,610	8,610
177	0204163N	FLEET TELECOMMUNICATIONS (TACTICAL)	15,695	15,695
178	0204228N	SURFACE SUPPORT	4,171	4,171
179	0204229N	TOMAHAWK AND TOMAHAWK MISSION PLANNING CENTER (TMPC)	11,265	11,265
180	0204311N	INTEGRATED SURVEILLANCE SYSTEM	45,922	45,922
181	0204413N	AMPHIBIOUS TACTICAL SUPPORT UNITS (DISPLACEMENT CRAFT)	8,435	8,435
182	0204460M	GROUND/AIR TASK ORIENTED RADAR (G/ATOR)	75,088	75,088
183	0204571N	CONSOLIDATED TRAINING SYSTEMS DEVELOPMENT	20,229	20,229
184	0204574N	CRYPTOLOGIC DIRECT SUPPORT	1,756	1,756
185	0204575N	ELECTRONIC WARFARE (EW) READINESS SUPPORT	19,843	19,843
186	0205601N	HARM IMPROVEMENT	11,477	11,477
187	0205604N	TACTICAL DATA LINKS	118,818	118,818
188	0205620N	SURFACE ASW COMBAT SYSTEM INTEGRATION	27,342	27,342

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SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION (In Thousands of Dollars)				
Line	Program Element	Item	FY 2013 Request	Senate Authorized
189	0205632N	MK-48 ADCAP	28,717	28,717
190	0205633N	AVIATION IMPROVEMENTS	89,157	89,157
191	0205658N	NAVY SCIENCE ASSISTANCE PROGRAM	3,450	3,450
192	0205675N	OPERATIONAL NUCLEAR POWER SYSTEMS	86,435	86,435
193	0206313M	MARINE CORPS COMMUNICATIONS SYSTEMS	219,054	219,054
194	0206623M	MARINE CORPS GROUND COMBAT/SUPPORTING ARMS SYSTEMS	181,693	181,693
195	0206624M	MARINE CORPS COMBAT SERVICES SUPPORT	58,393	58,393
196	0206625M	USMC INTELLIGENCE/ELECTRONIC WARFARE SYSTEMS (MIP)	22,966	22,966
197	0207161N	TACTICAL AIM MISSILES	21,107	21,107
198	0207163N	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)	2,857	2,857
199	0208058N	JOINT HIGH SPEED VESSEL (JHSV)	1,932	1,932
204	0303109N	SATELLITE COMMUNICATIONS (SPACE)	188,482	188,482
205	0303138N	CONSOLIDATED AFLOAT NETWORK ENTERPRISE SERVICES (CANES)	16,749	16,749
206	0303140N	INFORMATION SYSTEMS SECURITY PROGRAM	26,307	26,307
207	0303150M	WWWCCS/GLOBAL COMMAND AND CONTROL SYSTEM	500	500
208	0303238N	CONSOLIDATED AFLOAT NETWORK ENTERPRISE SERVICES (CANES)—MIP	0	0
210	0305149N	COBRA JUDY	17,091	17,091
211	0305160N	NAVY METEOROLOGICAL AND OCEAN SENSORS-SPACE (METOC)	810	810
212	0305192N	MILITARY INTELLIGENCE PROGRAM (MIP) ACTIVITIES	8,617	8,617
213	0305204N	TACTICAL UNMANNED AERIAL VEHICLES	9,066	9,066
214	0305206N	AIRBORNE RECONNAISSANCE SYSTEMS	0	0
215	0305207N	MANNED RECONNAISSANCE SYSTEMS	30,654	30,654
216	0305208M	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	25,917	25,917
217	0305208N	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	14,676	14,676
218	0305220N	RQ-4 UAV	657,483	657,483
219	0305231N	MQ-8 UAV	99,600	99,600
220	0305232M	RQ-11 UAV	495	495
221	0305233N	RQ-7 UAV	863	863
222	0305234M	SMALL (LEVEL 0) TACTICAL UAS (STUASLO)	0	0
223	0305234N	SMALL (LEVEL 0) TACTICAL UAS (STUASLO)	9,734	9,734
224	0305237N	MEDIUM RANGE MARITIME UAS	0	0
225	0305239M	RQ-21A	22,343	22,343
226	0308601N	MODELING AND SIMULATION SUPPORT	5,908	5,908
227	0702207N	DEPOT MAINTENANCE (NON-IF)	27,391	27,391
228	0702239N	AVIONICS COMPONENT IMPROVEMENT PROGRAM	0	0
229	0708011N	INDUSTRIAL PREPAREDNESS	54,879	54,879
230	0708730N	MARITIME TECHNOLOGY (MARITECH)	5,000	5,000
230A	9999999999	CLASSIFIED PROGRAMS	1,151,159	1,151,159
		SUBTOTAL, OPERATIONAL SYSTEMS DEVELOPMENT	3,975,546	3,975,546
230B		PRIOR YEAR SAVINGS		-8,832
		Medium range maritime UAS cancellation		[-8,832]
		TOTAL, RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY	16,882,877	16,874,045
		RESEARCH, DEVELOPMENT, TEST & EVAL, AF		
		BASIC RESEARCH		
001	0601102F	DEFENSE RESEARCH SCIENCES	361,787	361,787
002	0601103F	UNIVERSITY RESEARCH INITIATIVES	141,153	141,153
003	0601108F	HIGH ENERGY LASER RESEARCH INITIATIVES	13,094	13,094
		SUBTOTAL, BASIC RESEARCH	516,034	516,034
		APPLIED RESEARCH		
004	0602102F	MATERIALS	114,166	114,166
005	0602201F	AEROSPACE VEHICLE TECHNOLOGIES	120,719	120,719
006	0602202F	HUMAN EFFECTIVENESS APPLIED RESEARCH	89,319	89,319
007	0602203F	AEROSPACE PROPULSION	232,547	232,547
008	0602204F	AEROSPACE SENSORS	127,637	127,637
009	0602601F	SPACE TECHNOLOGY	98,375	98,375
010	0602602F	CONVENTIONAL MUNITIONS	77,175	77,175
011	0602605F	DIRECTED ENERGY TECHNOLOGY	106,196	106,196
012	0602788F	DOMINANT INFORMATION SCIENCES AND METHODS	104,362	104,362
013	0602890F	HIGH ENERGY LASER RESEARCH	38,557	38,557
		SUBTOTAL, APPLIED RESEARCH	1,109,053	1,109,053
		ADVANCED TECHNOLOGY DEVELOPMENT		
014	0603112F	ADVANCED MATERIALS FOR WEAPON SYSTEMS	47,890	47,890
015	0603199F	SUSTAINMENT SCIENCE AND TECHNOLOGY (S&T)	6,565	6,565
016	0603203F	ADVANCED AEROSPACE SENSORS	37,657	37,657
017	0603211F	AEROSPACE TECHNOLOGY DEV/DEMO	81,376	81,376
018	0603216F	AEROSPACE PROPULSION AND POWER TECHNOLOGY	151,152	151,152
019	0603270F	ELECTRONIC COMBAT TECHNOLOGY	32,941	32,941
020	0603401F	ADVANCED SPACECRAFT TECHNOLOGY	64,557	64,557
021	0603444F	MAUI SPACE SURVEILLANCE SYSTEM (MSSS)	29,256	29,256
022	0603456F	HUMAN EFFECTIVENESS ADVANCED TECHNOLOGY DEVELOPMENT	21,523	21,523
023	0603601F	CONVENTIONAL WEAPONS TECHNOLOGY	36,352	36,352
024	0603605F	ADVANCED WEAPONS TECHNOLOGY	19,004	19,004

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SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION (In Thousands of Dollars)				
Line	Program Element	Item	FY 2013 Request	Senate Authorized
025	0603680F	MANUFACTURING TECHNOLOGY PROGRAM	37,045	37,045
026	0603788F	BATTLESPACE KNOWLEDGE DEVELOPMENT AND DEMONSTRATION	31,419	31,419
027	0603924F	HIGH ENERGY LASER ADVANCED TECHNOLOGY PROGRAM	0	0
		SUBTOTAL, ADVANCED TECHNOLOGY DEVELOPMENT	596,737	596,737
ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES				
028	0603260F	INTELLIGENCE ADVANCED DEVELOPMENT	3,866	3,866
029	0603287F	PHYSICAL SECURITY EQUIPMENT	3,704	3,704
030	0603430F	ADVANCED EHF MILSATCOM (SPACE)	229,171	227,671
		Excess funding		[-1,500]
031	0603432F	POLAR MILSATCOM (SPACE)	120,676	120,676
032	0603438F	SPACE CONTROL TECHNOLOGY	25,144	23,144
		Excess funding		[-2,000]
033	0603742F	COMBAT IDENTIFICATION TECHNOLOGY	32,243	32,243
034	0603790F	NATO RESEARCH AND DEVELOPMENT	4,507	4,507
035	0603791F	INTERNATIONAL SPACE COOPERATIVE R&D	652	652
036	0603830F	SPACE PROTECTION PROGRAM (SPP)	10,429	10,429
037	0603850F	INTEGRATED BROADCAST SERVICE—DEM/VAL	19,938	19,938
038	0603851F	INTERCONTINENTAL BALLISTIC MISSILE—DEM/VAL	71,181	71,181
039	0603854F	WIDEBAND GLOBAL SATCOM RDT&E (SPACE)	12,027	12,027
040	0603859F	POLLUTION PREVENTION—DEM/VAL	2,054	2,054
041	0603860F	JOINT PRECISION APPROACH AND LANDING SYSTEMS—DEM/VAL	57,975	57,975
042	0604015F	LONG RANGE STRIKE	291,742	291,742
043	0604283F	BATTLE MGMT COM & CTRL SENSOR DEVELOPMENT	114,417	114,417
044	0604317F	TECHNOLOGY TRANSFER	2,576	2,576
045	0604327F	HARD AND DEEPLY BURIED TARGET DEFEAT SYSTEM (HDBTDS) PROGRAM	16,711	16,711
046	0604330F	JOINT DUAL ROLE AIR DOMINANCE MISSILE	0	0
047	0604337F	REQUIREMENTS ANALYSIS AND MATURATION	16,343	16,343
048	0604422F	WEATHER SATELLITE FOLLOW-ON	2,000	2,000
049	0604436F	NEXT-GENERATION MILSATCOM TECHNOLOGY DEVELOPMENT	0	0
050	0604635F	GROUND ATTACK WEAPONS FUZE DEVELOPMENT	9,423	9,423
051	0604775F	DEFENSE RAPID INNOVATION PROGRAM	0	0
052	0604796F	ALTERNATIVE FUELS	0	0
053	0604830F	AUTOMATED AIR-TO-AIR REFUELING	0	0
054	0604857F	OPERATIONALLY RESPONSIVE SPACE	0	45,000
		Restore Operationally Responsive Space		[45,000]
055	0604858F	TECH TRANSITION PROGRAM	37,558	34,558
		Excess funding		[-3,000]
056	0305164F	NAVSTAR GLOBAL POSITIONING SYSTEM (USER EQUIPMENT) (SPACE)	96,840	96,840
057	0305178F	NATIONAL POLAR-ORBITING OPERATIONAL ENVIRONMENTAL SATELLITE SYSTEM (NPOESS)	0	0
		SUBTOTAL, ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	1,181,177	1,219,677
SYSTEM DEVELOPMENT & DEMONSTRATION				
058	0603840F	GLOBAL BROADCAST SERVICE (GBS)	14,652	14,652
059	0604222F	NUCLEAR WEAPONS SUPPORT	25,713	25,713
060	0604233F	SPECIALIZED UNDERGRADUATE FLIGHT TRAINING	6,583	6,583
061	0604270F	ELECTRONIC WARFARE DEVELOPMENT	1,975	1,975
062	0604280F	JOINT TACTICAL RADIO	2,594	2,594
063	0604281F	TACTICAL DATA NETWORKS ENTERPRISE	24,534	24,534
064	0604287F	PHYSICAL SECURITY EQUIPMENT	51	51
065	0604329F	SMALL DIAMETER BOMB (SDB)—EMD	143,000	143,000
066	0604421F	COUNTERSPACE SYSTEMS	28,797	28,797
067	0604425F	SPACE SITUATION AWARENESS SYSTEMS	267,252	247,252
		Excess funding		[-20,000]
068	0604429F	AIRBORNE ELECTRONIC ATTACK	4,118	4,118
069	0604441F	SPACE BASED INFRARED SYSTEM (SBIRS) HIGH EMD	448,594	446,594
		Excess funding		[-2,000]
070	0604602F	ARMAMENT/ORDNANCE DEVELOPMENT	9,951	9,951
071	0604604F	SUBMUNITIONS	2,567	2,567
072	0604617F	AGILE COMBAT SUPPORT	13,059	13,059
073	0604706F	LIFE SUPPORT SYSTEMS	9,720	9,720
074	0604735F	COMBAT TRAINING RANGES	9,222	9,222
075	0604740F	INTEGRATED COMMAND & CONTROL APPLICATIONS (IC2A)	0	0
076	0604750F	INTELLIGENCE EQUIPMENT	803	803
077	0604800F	F-35—EMD	1,210,306	1,210,306
078	0604851F	INTERCONTINENTAL BALLISTIC MISSILE—EMD	135,437	135,437
079	0604853F	EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM (SPACE)—EMD	7,980	7,980
080	0604932F	LONG RANGE STANDOFF WEAPON	2,004	2,004
081	0604933F	ICBM FUZE MODERNIZATION	73,512	73,512
082	0605213F	F-22 MODERNIZATION INCREMENT 3.2B	140,100	140,100
083	0605221F	NEXT GENERATION AERIAL REFUELING AIRCRAFT	1,815,588	1,728,458
		Excess prior year funds		[-87,130]
084	0605229F	CSAR HH-60 RECAPITALIZATION	123,210	123,210
085	0605278F	HC/MC-130 RECAP RDT&E	19,039	19,039
086	0605931F	B-2 DEFENSIVE MANAGEMENT SYSTEM	281,056	281,056
087	0101125F	NUCLEAR WEAPONS MODERNIZATION	80,200	80,200
088	0207100F	LIGHT ATTACK ARMED RECONNAISSANCE (LAAR) SQUADRONS	0	0

TITLE XLII—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION—Continued

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION (In Thousands of Dollars)				
Line	Program Element	Item	FY 2013 Request	Senate Authorized
089	0207604F	READINESS TRAINING RANGES, OPERATIONS AND MAINTENANCE	310	310
090	0207701F	FULL COMBAT MISSION TRAINING	14,861	14,861
091	0305230F	MC-12	19,949	19,949
092	0401138F	C-27J AIRLIFT SQUADRONS	0	0
093	0401318F	CV-22	28,027	28,027
094	0401845F	AIRBORNE SENIOR LEADER C3 (SLC3S)	1,960	1,960
		SUBTOTAL, SYSTEM DEVELOPMENT & DEMONSTRATION	4,966,724	4,857,594
		RD&E MANAGEMENT SUPPORT		
095	0604256F	THREAT SIMULATOR DEVELOPMENT	22,812	22,812
096	0604759F	MAJOR T&E INVESTMENT	42,236	42,236
097	0605101F	RAND PROJECT AIR FORCE	25,579	25,579
098	0605502F	SMALL BUSINESS INNOVATION RESEARCH	0	0
099	0605712F	INITIAL OPERATIONAL TEST & EVALUATION	16,197	16,197
100	0605807F	TEST AND EVALUATION SUPPORT	722,071	722,071
101	0605860F	ROCKET SYSTEMS LAUNCH PROGRAM (SPACE)	16,200	16,200
102	0605864F	SPACE TEST PROGRAM (STP)	10,051	45,051
		Restore Space Test Program		[35,000]
103	0605976F	FACILITIES RESTORATION AND MODERNIZATION—TEST AND EVALUATION SUPPORT	42,597	42,597
104	0605978F	FACILITIES SUSTAINMENT—TEST AND EVALUATION SUPPORT	27,301	27,301
105	0606323F	MULTI-SERVICE SYSTEMS ENGINEERING INITIATIVE	13,964	13,964
106	0606392F	SPACE AND MISSILE CENTER (SMC) CIVILIAN WORKFORCE	203,766	203,766
107	0702806F	ACQUISITION AND MANAGEMENT SUPPORT	42,430	42,430
108	0804731F	GENERAL SKILL TRAINING	1,294	1,294
109	0909980F	JUDGMENT FUND REIMBURSEMENT	0	0
110	0909999F	FINANCING FOR CANCELLED ACCOUNT ADJUSTMENTS	0	0
111	1001004F	INTERNATIONAL ACTIVITIES	3,851	3,851
		SUBTOTAL, RD&E MANAGEMENT SUPPORT	1,190,349	1,225,349
		OPERATIONAL SYSTEMS DEVELOPMENT		
112	0603423F	GLOBAL POSITIONING SYSTEM III—OPERATIONAL CONTROL SEGMENT	371,595	370,095
		Excess funding		[–1,500]
113	0604263F	COMMON VERTICAL LIFT SUPPORT PLATFORM	0	0
114	0605018F	AF INTEGRATED PERSONNEL AND PAY SYSTEM (AF-IPPS)	91,697	91,697
115	0605024F	ANTI-TAMPER TECHNOLOGY EXECUTIVE AGENCY	17,037	17,037
117	0101113F	B-52 SQUADRONS	53,208	53,208
118	0101122F	AIR-LAUNCHED CRUISE MISSILE (ALCM)	431	431
119	0101126F	B-1B SQUADRONS	16,265	16,265
120	0101127F	B-2 SQUADRONS	35,970	20,970
		Efficiencies		[–15,000]
121	0101313F	STRAT WAR PLANNING SYSTEM—USSTRATCOM	30,889	30,889
122	0101314F	NIGHT FIST—USSTRATCOM	10	10
124	0102326F	REGION/SECTOR OPERATION CONTROL CENTER MODERNIZATION PROGRAM	5,609	5,609
125	0102823F	STRATEGIC AEROSPACE INTELLIGENCE SYSTEM ACTIVITIES	0	0
126	0203761F	WARFIGHTER RAPID ACQUISITION PROCESS (WRAP) RAPID TRANSITION FUND	15,098	15,098
127	0205219F	MQ-9 UAV	147,971	147,971
128	0207040F	MULTI-PLATFORM ELECTRONIC WARFARE EQUIPMENT	49,848	49,848
129	0207131F	A-10 SQUADRONS	13,538	13,538
130	0207133F	F-16 SQUADRONS	190,257	190,257
131	0207134F	F-15E SQUADRONS	192,677	192,677
132	0207136F	MANNED DESTRUCTIVE SUPPRESSION	13,683	13,683
133	0207138F	F-22A SQUADRONS	371,667	371,667
134	0207142F	F-35 SQUADRONS	8,117	8,117
135	0207161F	TACTICAL AIM MISSILES	8,234	8,234
136	0207163F	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)	87,041	87,041
137	0207170F	JOINT HELMET MOUNTED CUEING SYSTEM (JHMCS)	1,472	1,472
138	0207224F	COMBAT RESCUE AND RECOVERY	2,095	2,095
139	0207227F	COMBAT RESCUE—PARARESCUE	1,119	1,119
140	0207247F	AF TENCAP	63,853	63,853
141	0207249F	PRECISION ATTACK SYSTEMS PROCUREMENT	1,063	1,063
142	0207253F	COMPASS CALL	12,094	12,094
143	0207268F	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	187,984	187,984
144	0207277F	ISR INNOVATIONS	0	0
145	0207325F	JOINT AIR-TO-SURFACE STANDOFF MISSILE (JASSM)	7,950	7,950
146	0207410F	AIR & SPACE OPERATIONS CENTER (AOC)	76,315	76,315
147	0207412F	CONTROL AND REPORTING CENTER (CRC)	8,653	8,653
148	0207417F	AIRBORNE WARNING AND CONTROL SYSTEM (AWACS)	65,200	65,200
149	0207418F	TACTICAL AIRBORNE CONTROL SYSTEMS	5,767	5,767
150	0207423F	ADVANCED COMMUNICATIONS SYSTEMS	0	0
152	0207431F	COMBAT AIR INTELLIGENCE SYSTEM ACTIVITIES	5,756	5,756
153	0207438F	THEATER BATTLE MANAGEMENT (TBM) C4I	0	0
154	0207444F	TACTICAL AIR CONTROL PARTY-MOD	16,226	16,226
155	0207445F	FIGHTER TACTICAL DATA LINK	0	0
156	0207448F	C2ISR TACTICAL DATA LINK	1,633	1,633
157	0207449F	COMMAND AND CONTROL (C2) CONSTELLATION	18,086	18,086
158	0207452F	DCAPES	15,690	15,690
159	0207581F	JOINT SURVEILLANCE/TARGET ATTACK RADAR SYSTEM (JSTARS)	24,241	24,241

TITLE XLII—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION—Continued

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION (In Thousands of Dollars)				
Line	Program Element	Item	FY 2013 Request	Senate Authorized
160	0207590F	SEEK EAGLE	22,654	22,654
161	0207601F	USAF MODELING AND SIMULATION	15,501	15,501
162	0207605F	WARGAMING AND SIMULATION CENTERS	5,699	5,699
163	0207697F	DISTRIBUTED TRAINING AND EXERCISES	4,425	4,425
164	0208006F	MISSION PLANNING SYSTEMS	69,377	69,377
165	0208021F	INFORMATION WARFARE SUPPORT	7,159	7,159
166	0208059F	CYBER COMMAND ACTIVITIES	66,888	66,888
174	0301400F	SPACE SUPERIORITY INTELLIGENCE	12,056	12,056
175	0302015F	E-4B NATIONAL AIRBORNE OPERATIONS CENTER (NAOC)	4,159	4,159
176	0303131F	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN)	20,124	20,124
177	0303140F	INFORMATION SYSTEMS SECURITY PROGRAM	69,133	69,133
178	0303141F	GLOBAL COMBAT SUPPORT SYSTEM	6,512	6,512
179	0303150F	GLOBAL COMMAND AND CONTROL SYSTEM	4,316	4,316
180	0303601F	MILSATCOM TERMINALS	107,237	107,237
182	0304260F	AIRBORNE SIGINT ENTERPRISE	129,106	129,106
185	0305099F	GLOBAL AIR TRAFFIC MANAGEMENT (GATM)	4,461	4,461
186	0305103F	CYBER SECURITY INITIATIVE	2,055	2,055
187	0305105F	DOD CYBER CRIME CENTER	285	285
188	0305110F	SATELLITE CONTROL NETWORK (SPACE)	33,773	33,773
189	0305111F	WEATHER SERVICE	29,048	29,048
190	0305114F	AIR TRAFFIC CONTROL, APPROACH, AND LANDING SYSTEM (ATCAL)	43,187	43,187
191	0305116F	AERIAL TARGETS	50,496	50,496
194	0305128F	SECURITY AND INVESTIGATIVE ACTIVITIES	354	354
195	0305145F	ARMS CONTROL IMPLEMENTATION	4,000	4,000
196	0305146F	DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES	342	342
198	0305164F	NAVSTAR GLOBAL POSITIONING SYSTEM (USER EQUIPMENT) (SPACE)	29,621	29,621
199	0305165F	NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE AND CONTROL SEGMENTS)	14,335	14,335
201	0305173F	SPACE AND MISSILE TEST AND EVALUATION CENTER	3,680	3,680
202	0305174F	SPACE INNOVATION AND DEVELOPMENT CENTER	2,430	2,430
203	0305182F	SPACELIFT RANGE SYSTEM (SPACE)	8,760	8,760
204	0305193F	INTELLIGENCE SUPPORT TO INFORMATION OPERATIONS (IO)	0	0
205	0305202F	DRAGON U-2	23,644	23,644
206	0305205F	ENDURANCE UNMANNED AERIAL VEHICLES	21,000	21,000
207	0305206F	AIRBORNE RECONNAISSANCE SYSTEMS	96,735	96,735
208	0305207F	MANNED RECONNAISSANCE SYSTEMS	13,316	13,316
209	0305208F	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	63,501	63,501
210	0305219F	MQ-1 PREDATOR A UAV	9,122	9,122
211	0305220F	RQ-4 UAV	236,265	236,265
212	0305221F	NETWORK-CENTRIC COLLABORATIVE TARGETING	7,367	7,367
213	0305236F	COMMON DATA LINK (CDL)	38,094	38,094
214	0305238F	NATO AGS	210,109	210,109
215	0305240F	SUPPORT TO DCGS ENTERPRISE	24,500	24,500
216	0305265F	GPS III SPACE SEGMENT	318,992	318,992
217	0305614F	JSPOC MISSION SYSTEM	54,645	54,645
218	0305881F	RAPID CYBER ACQUISITION	4,007	4,007
219	0305887F	INTELLIGENCE SUPPORT TO INFORMATION WARFARE	13,357	13,357
220	0305913F	NUDET DETECTION SYSTEM (SPACE)	64,965	64,965
221	0305940F	SPACE SITUATION AWARENESS OPERATIONS	19,586	19,586
222	0307141F	INFORMATION OPERATIONS TECHNOLOGY INTEGRATION & TOOL DEVELOPMENT	0	0
223	0308699F	SHARED EARLY WARNING (SEW)	1,175	1,175
224	0401115F	C-130 AIRLIFT SQUADRON	5,000	5,000
225	0401119F	C-5 AIRLIFT SQUADRONS (IF)	35,115	35,115
226	0401130F	C-17 AIRCRAFT (IF)	99,225	99,225
227	0401132F	C-130J PROGRAM	30,652	30,652
228	0401134F	LARGE AIRCRAFT IR COUNTERMEASURES (LAIRCM)	7,758	7,758
229	0401139F	LIGHT MOBILITY AIRCRAFT (LIMA)	100	100
230	0401218F	KC-135S	0	0
231	0401219F	KC-10S	24,022	24,022
232	0401314F	OPERATIONAL SUPPORT AIRLIFT	7,471	7,471
233	0401315F	C-STOL AIRCRAFT	0	0
234	0408011F	SPECIAL TACTICS / COMBAT CONTROL	4,984	4,984
235	0702207F	DEPOT MAINTENANCE (NON-IF)	1,588	1,588
236	0708012F	LOGISTICS SUPPORT ACTIVITIES	577	577
237	0708610F	LOGISTICS INFORMATION TECHNOLOGY (LOGIT)	119,327	119,327
238	0708611F	SUPPORT SYSTEMS DEVELOPMENT	15,873	15,873
239	0801711F	RECRUITING ACTIVITIES	0	0
240	0804743F	OTHER FLIGHT TRAINING	349	349
241	0804757F	JOINT NATIONAL TRAINING CENTER	0	0
242	0808716F	OTHER PERSONNEL ACTIVITIES	117	117
243	0901202F	JOINT PERSONNEL RECOVERY AGENCY	2,018	2,018
244	0901218F	CIVILIAN COMPENSATION PROGRAM	1,561	1,561
245	0901220F	PERSONNEL ADMINISTRATION	7,634	7,634
246	0901226F	AIR FORCE STUDIES AND ANALYSIS AGENCY	1,175	1,175
247	0901279F	FACILITIES OPERATION—ADMINISTRATIVE	3,491	3,491
248	0901538F	FINANCIAL MANAGEMENT INFORMATION SYSTEMS DEVELOPMENT	100,160	100,160
249	0902998F	MANAGEMENT HQ—ADP SUPPORT (AF)	0	0
249A	9999999999	CLASSIFIED PROGRAMS	11,172,183	11,149,583

TITLE XLII—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION—Continued

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION (In Thousands of Dollars)					FY 2013 Request	Senate Authorized
Line	Program Element	Item				
		Classified reduction				[–4,600]
		Classified reduction				[–18,000]
		SUBTOTAL, OPERATIONAL SYSTEMS DEVELOPMENT			15,867,972	15,828,872
249B		PRIOR YEAR SAVINGS				–78,426
		C–130 AMP cancellation				[–6,509]
		MALD II Cancellation				[–7,917]
		Global Hawk Block 30 cancellation				[–64,000]
		TOTAL, RESEARCH, DEVELOPMENT, TEST & EVAL, AF			25,428,046	25,274,890
		RESEARCH, DEVELOPMENT, TEST & EVAL, DW				
		BASIC RESEARCH				
001	0601000BR	DTRA BASIC RESEARCH INITIATIVE			45,071	45,071
002	0601101E	DEFENSE RESEARCH SCIENCES			309,051	309,051
003	0601110D8Z	BASIC RESEARCH INITIATIVES			19,405	19,405
004	0601117E	BASIC OPERATIONAL MEDICAL RESEARCH SCIENCE			39,676	39,676
005	0601120D8Z	NATIONAL DEFENSE EDUCATION PROGRAM			87,979	87,979
006	0601384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM			50,566	50,566
		SUBTOTAL, BASIC RESEARCH			551,748	551,748
		APPLIED RESEARCH				
007	0602000D8Z	JOINT MUNITIONS TECHNOLOGY			20,615	20,615
008	0602115E	BIOMEDICAL TECHNOLOGY			110,900	110,900
009	0602228D8Z	HISTORICALLY BLACK COLLEGES AND UNIVERSITIES (HBCU) SCIENCE			0	0
010	0602234D8Z	LINCOLN LABORATORY RESEARCH PROGRAM			36,826	36,826
011	0602250D8Z	SYSTEMS 2020 APPLIED RESEARCH			7,898	7,898
012	0602303E	INFORMATION & COMMUNICATIONS TECHNOLOGY			392,421	392,421
013	0602304E	COGNITIVE COMPUTING SYSTEMS			30,424	30,424
014	0602305E	MACHINE INTELLIGENCE			0	0
015	0602383E	BIOLOGICAL WARFARE DEFENSE			19,236	19,236
016	0602384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM			223,269	223,269
017	0602663D8Z	DATA TO DECISIONS APPLIED RESEARCH			13,753	13,753
018	0602668D8Z	CYBER SECURITY RESEARCH			18,985	18,985
019	0602670D8Z	HUMAN, SOCIAL AND CULTURE BEHAVIOR MODELING (HSCB) APPLIED RESEARCH			6,771	6,771
020	0602702E	TACTICAL TECHNOLOGY			233,209	233,209
021	0602715E	MATERIALS AND BIOLOGICAL TECHNOLOGY			166,067	166,067
022	0602716E	ELECTRONICS TECHNOLOGY			222,416	222,416
023	0602718BR	WEAPONS OF MASS DESTRUCTION DEFEAT TECHNOLOGIES			172,352	172,352
024	1160401BB	SPECIAL OPERATIONS TECHNOLOGY DEVELOPMENT			28,739	28,739
		SUBTOTAL, APPLIED RESEARCH			1,703,881	1,703,881
		ADVANCED TECHNOLOGY DEVELOPMENT (ATD)				
025	0603000D8Z	JOINT MUNITIONS ADVANCED TECHNOLOGY			25,612	25,612
026	0603121D8Z	SO/LIC ADVANCED DEVELOPMENT			26,324	26,324
027	0603122D8Z	COMBATING TERRORISM TECHNOLOGY SUPPORT			77,144	65,844
		Reduction due to duplication of effort				[–11,300]
028	0603160BR	COUNTERPROLIFERATION INITIATIVES—PROLIFERATION PREVENTION AND DEFEAT			275,022	275,022
029	0603175C	BALLISTIC MISSILE DEFENSE TECHNOLOGY			79,975	79,975
030	0603200D8Z	JOINT ADVANCED CONCEPTS			0	0
031	0603225D8Z	JOINT DOD-DOE MUNITIONS TECHNOLOGY DEVELOPMENT			20,032	20,032
032	0603264S	AGILE TRANSPORTATION FOR THE 21ST CENTURY (AT21)—THEATER CAPABILITY			3,892	3,892
033	0603274C	SPECIAL PROGRAM—MDA TECHNOLOGY			36,685	36,685
034	0603286E	ADVANCED AEROSPACE SYSTEMS			174,316	174,316
035	0603287E	SPACE PROGRAMS AND TECHNOLOGY			159,704	159,704
036	0603384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—ADVANCED DEVELOPMENT			234,280	234,280
037	0603618D8Z	JOINT ELECTRONIC ADVANCED TECHNOLOGY			6,983	6,983
038	0603648D8Z	JOINT CAPABILITY TECHNOLOGY DEMONSTRATIONS			158,263	158,263
039	0603662D8Z	NETWORKED COMMUNICATIONS CAPABILITIES			25,393	25,393
040	0603663D8Z	DATA TO DECISIONS ADVANCED TECHNOLOGY DEVELOPMENT			13,754	13,754
041	0603665D8Z	BIOMETRICS SCIENCE AND TECHNOLOGY			0	0
042	0603668D8Z	CYBER SECURITY ADVANCED RESEARCH			19,935	19,935
043	0603670D8Z	HUMAN, SOCIAL AND CULTURE BEHAVIOR MODELING (HSCB) ADVANCED DEVELOPMENT			8,235	8,235
044	0603680D8Z	DEFENSE-WIDE MANUFACTURING SCIENCE AND TECHNOLOGY PROGRAM			21,966	51,966
		Industrial Base Innovation Fund				[30,000]
045	0603699D8Z	EMERGING CAPABILITIES TECHNOLOGY DEVELOPMENT			24,662	24,662
046	0603711D8Z	JOINT ROBOTICS PROGRAM/AUTONOMOUS SYSTEMS			0	0
047	0603712S	GENERIC LOGISTICS R&D TECHNOLOGY DEMONSTRATIONS			24,605	24,605
048	0603713S	DEPLOYMENT AND DISTRIBUTION ENTERPRISE TECHNOLOGY			30,678	30,678
049	0603716D8Z	STRATEGIC ENVIRONMENTAL RESEARCH PROGRAM			65,282	65,282
050	0603720S	MICROELECTRONICS TECHNOLOGY DEVELOPMENT AND SUPPORT			72,234	69,234
		DMEA upgrade reduction				[–3,000]
051	0603727D8Z	JOINT WARFIGHTING PROGRAM			8,403	8,403
052	0603739E	ADVANCED ELECTRONICS TECHNOLOGIES			111,008	111,008
053	0603755D8Z	HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRAM			0	0
054	0603760E	COMMAND, CONTROL AND COMMUNICATIONS SYSTEMS			237,859	237,859
055	0603765E	CLASSIFIED DARPA PROGRAMS			3,000	3,000

TITLE XLII—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION—Continued

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION (In Thousands of Dollars)				FY 2013 Request	Senate Authorized
Line	Program Element	Item			
056	0603766E	NETWORK-CENTRIC WARFARE TECHNOLOGY		236,883	236,883
057	0603767E	SENSOR TECHNOLOGY		299,438	299,438
058	0603769SE	DISTRIBUTED LEARNING ADVANCED TECHNOLOGY DEVELOPMENT		12,195	12,195
059	0603781D8Z	SOFTWARE ENGINEERING INSTITUTE		30,036	30,036
060	0603826D8Z	QUICK REACTION SPECIAL PROJECTS		107,002	107,002
061	0603828D8Z	JOINT EXPERIMENTATION		0	0
062	0603828J	JOINT EXPERIMENTATION		21,230	21,230
063	0603832D8Z	DOD MODELING AND SIMULATION MANAGEMENT OFFICE		47,433	47,433
064	0603901C	DIRECTED ENERGY RESEARCH		46,944	46,944
065	0603902C	NEXT GENERATION AEGIS MISSILE		224,077	224,077
066	0603941D8Z	TEST & EVALUATION SCIENCE & TECHNOLOGY		92,602	92,602
067	0603942D8Z	TECHNOLOGY TRANSFER		0	0
068	0604055D8Z	OPERATIONAL ENERGY CAPABILITY IMPROVEMENT		26,244	26,244
069	0303310D8Z	CWMD SYSTEMS		53,946	53,946
070	1160402BB	SPECIAL OPERATIONS ADVANCED TECHNOLOGY DEVELOPMENT		45,317	45,317
071	1160422BB	AVIATION ENGINEERING ANALYSIS		861	861
072	1160472BB	SOF INFORMATION AND BROADCAST SYSTEMS ADVANCED TECHNOLOGY		4,959	4,959
		SUBTOTAL, ADVANCED TECHNOLOGY DEVELOPMENT (ATD)		3,194,413	3,210,113
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		3,194,413	3,210,113
073	0603161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E ADC&P		33,234	33,234
074	0603527D8Z	RETRACT LARCH		21,023	21,023
075	0603600D8Z	WALKOFF		94,624	94,624
076	0603709D8Z	JOINT ROBOTICS PROGRAM		0	0
077	0603714D8Z	ADVANCED SENSOR APPLICATIONS PROGRAM		16,958	18,958
		Reverse cuts to testing			[2,000]
078	0603851D8Z	ENVIRONMENTAL SECURITY TECHNICAL CERTIFICATION PROGRAM		75,941	75,941
079	0603881C	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT		316,929	316,929
080	0603882C	BALLISTIC MISSILE DEFENSE MIDCOURSE DEFENSE SEGMENT		903,172	903,172
081	0603884BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—DEM/VAL		179,023	179,023
082	0603884C	BALLISTIC MISSILE DEFENSE SENSORS		347,012	347,012
083	0603888C	BALLISTIC MISSILE DEFENSE TEST & TARGETS		0	0
084	0603890C	BMD ENABLING PROGRAMS		362,711	362,711
085	0603891C	SPECIAL PROGRAMS—MDA		272,387	272,387
086	0603892C	AEGIS BMD		992,407	992,407
087	0603893C	SPACE TRACKING & SURVEILLANCE SYSTEM		51,313	51,313
088	0603895C	BALLISTIC MISSILE DEFENSE SYSTEM SPACE PROGRAMS		6,912	6,912
089	0603896C	BALLISTIC MISSILE DEFENSE COMMAND AND CONTROL, BATTLE MANAGEMENT & COMMUNICATION		366,552	366,552
090	0603898C	BALLISTIC MISSILE DEFENSE JOINT WARFIGHTER SUPPORT		55,550	55,550
091	0603904C	MISSILE DEFENSE INTEGRATION & OPERATIONS CENTER (MDIOC)		63,043	63,043
092	0603906C	REGARDING TRENCH		11,371	11,371
093	0603907C	SEA BASED X-BAND RADAR (SBX)		9,730	9,730
094	0603913C	ISRAELI COOPERATIVE PROGRAMS		99,836	409,836
		Arrow Weapon System improvements			[20,000]
		Arrow—3 interceptor			[20,000]
		David's Sling short-range BMD			[60,000]
		Iron Dome short-range rocket defense			[210,000]
095	0603914C	BALLISTIC MISSILE DEFENSE TEST		454,400	454,400
096	0603915C	BALLISTIC MISSILE DEFENSE TARGETS		435,747	435,747
097	0603920D8Z	HUMANITARIAN DEMINING		13,231	13,231
098	0603923D8Z	COALITION WARFARE		11,398	11,398
099	0604016D8Z	DEPARTMENT OF DEFENSE CORROSION PROGRAM		3,283	24,083
		Increase for requirements shortfall			[20,800]
100	0604400D8Z	DEPARTMENT OF DEFENSE (DOD) UNMANNED AIRCRAFT SYSTEM (UAS) COMMON DEVELOPMENT		12,368	12,368
101	0604670D8Z	HUMAN, SOCIAL AND CULTURE BEHAVIOR MODELING (HSCB) RESEARCH AND ENGINEERING		5,131	5,131
102	0604775D8Z	DEFENSE RAPID INNOVATION PROGRAM		0	200,000
		Rapid Innovation Program			[200,000]
103	0604787D8Z	JOINT SYSTEMS INTEGRATION COMMAND (JSIC)		0	0
104	0604787J	JOINT SYSTEMS INTEGRATION		3,273	3,273
105	0604828D8Z	JOINT FIRES INTEGRATION AND INTEROPERABILITY TEAM		0	0
106	0604828J	JOINT FIRES INTEGRATION AND INTEROPERABILITY TEAM		7,364	7,364
107	0604880C	LAND-BASED SM-3 (LBSM3)		276,338	276,338
108	0604881C	AEGIS SM-3 BLOCK IIA CO-DEVELOPMENT		420,630	420,630
109	0604883C	PRECISION TRACKING SPACE SENSOR RDT&E		297,375	297,375
110	0604884C	AIRBORNE INFRARED (ABIR)		0	0
111	0604886C	ADVANCED REMOTE SENSOR TECHNOLOGY (ARST)		58,742	58,742
112	0605017D8Z	REDUCTION OF TOTAL OWNERSHIP COST		0	0
113	0303191D8Z	JOINT ELECTROMAGNETIC TECHNOLOGY (JET) PROGRAM		3,158	3,158
		SUBTOTAL, ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		6,282,166	6,814,966
		SYSTEM DEVELOPMENT AND DEMONSTRATION (SDD)			
114	0604051D8Z	DEFENSE ACQUISITION CHALLENGE PROGRAM (DACP)		0	0
115	0604161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E SDD		6,817	6,817
116	0604165D8Z	PROMPT GLOBAL STRIKE CAPABILITY DEVELOPMENT		110,383	110,383
117	0604384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—EMD		311,071	311,071
118	0604709D8Z	JOINT ROBOTICS PROGRAM—EMD		0	0
119	0604764K	ADVANCED IT SERVICES JOINT PROGRAM OFFICE (AITS-JPO)		25,787	25,787

TITLE XLII—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION—Continued

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION (In Thousands of Dollars)					
Line	Program Element	Item	FY 2013 Request	Senate Authorized	
120	0604771D8Z	JOINT TACTICAL INFORMATION DISTRIBUTION SYSTEM (JTIDS)	20,688	20,688	
121	0605000BR	WEAPONS OF MASS DESTRUCTION DEFEAT CAPABILITIES	5,749	5,749	
122	0605013BL	INFORMATION TECHNOLOGY DEVELOPMENT	12,699	12,699	
123	0605018BT	DEFENSE INTEGRATED MILITARY HUMAN RESOURCES SYSTEM (DIMHRS)	0	0	
124	0605020BT	BUSINESS TRANSFORMATION AGENCY R&D ACTIVITIES	0	0	
125	0605021SE	HOMELAND PERSONNEL SECURITY INITIATIVE	387	387	
126	0605022D8Z	DEFENSE EXPORTABILITY PROGRAM	1,859	1,859	
127	0605027D8Z	OUS(D/C) IT DEVELOPMENT INITIATIVES	7,010	7,010	
128	0605070S	DOD ENTERPRISE SYSTEMS DEVELOPMENT AND DEMONSTRATION	133,104	133,104	
129	0605075D8Z	DCMO POLICY AND INTEGRATION	25,269	25,269	
130	0605140D8Z	TRUSTED FOUNDRY	0	0	
131	0605210D8Z	DEFENSE-WIDE ELECTRONIC PROCUREMENT CAPABILITIES	10,238	10,238	
132	0303141K	GLOBAL COMBAT SUPPORT SYSTEM	19,670	19,670	
133	0305304D8Z	DOD ENTERPRISE ENERGY INFORMATION MANAGEMENT (EEIM)	3,556	3,556	
134	0807708D8Z	WOUNDED ILL AND INJURED SENIOR OVERSIGHT COMMITTEE (WII-SOC) STAFF OFFICE	0	0	
		SUBTOTAL, SYSTEM DEVELOPMENT AND DEMONSTRATION (SDD)	694,287	694,287	
ROD&E MANAGEMENT SUPPORT					
135	0604774D8Z	DEFENSE READINESS REPORTING SYSTEM (DRRS)	6,383	6,383	
136	0604875D8Z	JOINT SYSTEMS ARCHITECTURE DEVELOPMENT	3,845	3,845	
137	0604940D8Z	CENTRAL TEST AND EVALUATION INVESTMENT DEVELOPMENT (CTEIP)	144,109	144,109	
138	0604942D8Z	ASSESSMENTS AND EVALUATIONS	2,419	2,419	
139	0604943D8Z	THERMAL VICAR	8,214	8,214	
140	0605100D8Z	JOINT MISSION ENVIRONMENT TEST CAPABILITY (JMETC)	19,380	19,380	
141	0605104D8Z	TECHNICAL STUDIES, SUPPORT AND ANALYSIS	32,266	32,266	
142	0605110D8Z	USD(A&T)—CRITICAL TECHNOLOGY SUPPORT	840	840	
143	0605117D8Z	FOREIGN MATERIEL ACQUISITION AND EXPLOITATION	56,012	56,012	
144	0605126J	JOINT INTEGRATED AIR AND MISSILE DEFENSE ORGANIZATION (JAMDO)	55,508	55,508	
145	0605128D8Z	CLASSIFIED PROGRAM USD(P)	0	0	
146	0605130D8Z	FOREIGN COMPARATIVE TESTING	18,174	18,174	
147	0605142D8Z	SYSTEMS ENGINEERING	43,195	43,195	
148	0605151D8Z	STUDIES AND ANALYSIS SUPPORT—OSD	6,457	6,457	
149	0605161D8Z	NUCLEAR MATTERS—PHYSICAL SECURITY	4,901	4,901	
150	0605170D8Z	SUPPORT TO NETWORKS AND INFORMATION INTEGRATION	6,307	6,307	
151	0605200D8Z	GENERAL SUPPORT TO USD (INTELLIGENCE)	6,601	6,601	
152	0605384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	92,849	92,849	
153	0605502BR	SMALL BUSINESS INNOVATION RESEARCH	0	0	
154	0605502C	SMALL BUSINESS INNOVATIVE RESEARCH—MDA	0	0	
155	0605502D8W	SMALL BUSINESS INNOVATIVE RESEARCH	0	0	
156	0605502D8Z	SMALL BUSINESS INNOVATIVE RESEARCH	0	0	
157	0605502E	SMALL BUSINESS INNOVATIVE RESEARCH	0	0	
158	0605502S	SMALL BUSINESS INNOVATIVE RESEARCH	0	0	
159	0605790D8Z	SMALL BUSINESS INNOVATION RESEARCH (SBIR)/ SMALL BUSINESS TECHNOLOGY TRANSFER (S	1,857	1,857	
160	0605798D8Z	DEFENSE TECHNOLOGY ANALYSIS	12,056	12,056	
161	0605799D8Z	EMERGING CAPABILITIES	0	0	
162	0605801KA	DEFENSE TECHNICAL INFORMATION CENTER (DTIC)	55,454	55,454	
163	0605803SE	R&D IN SUPPORT OF DOD ENLISTMENT, TESTING AND EVALUATION	16,364	16,364	
164	0605804D8Z	DEVELOPMENT TEST AND EVALUATION	15,110	20,110	
		DT&E increase		[5,000]	
165	0605897E	DARPA AGENCY RELOCATION	0	0	
166	0605898E	MANAGEMENT HQ—R&D	69,767	69,767	
167	0606100D8Z	BUDGET AND PROGRAM ASSESSMENTS	4,454	4,454	
168	0606301D8Z	AVIATION SAFETY TECHNOLOGIES	0	0	
169	0203345D8Z	DEFENSE OPERATIONS SECURITY INITIATIVE (DOSI)	2,637	2,637	
170	0204571J	JOINT STAFF ANALYTICAL SUPPORT	0	0	
173	0303166D8Z	SUPPORT TO INFORMATION OPERATIONS (IO) CAPABILITIES	0	0	
174	0303166J	SUPPORT TO INFORMATION OPERATIONS (IO) CAPABILITIES	8,238	8,238	
175	0303169D8Z	INFORMATION TECHNOLOGY RAPID ACQUISITION	0	0	
176	0305103E	CYBER SECURITY INITIATIVE	1,801	1,801	
177	0305193D8Z	INTELLIGENCE SUPPORT TO INFORMATION OPERATIONS (IO)	16,041	16,041	
179	0305400D8Z	WARFIGHTING AND INTELLIGENCE-RELATED SUPPORT	0	0	
180	0804767D8Z	COCOM EXERCISE ENGAGEMENT AND TRAINING TRANSFORMATION (CE2T2)	77,475	77,475	
181	0901585C	PENTAGON RESERVATION	0	0	
182	0901598C	MANAGEMENT HQ—MDA	34,855	34,855	
183	0901598D8W	MANAGEMENT HEADQUARTERS WHS	104	104	
184	0909999D8Z	FINANCING FOR CANCELLED ACCOUNT ADJUSTMENTS	0	0	
184A	9999999999	CLASSIFIED PROGRAMS	64,255	64,255	
		SUBTOTAL, ROD&E MANAGEMENT SUPPORT	887,928	887,928	
OPERATIONAL SYSTEMS DEVELOPMENT					
185	0604130V	ENTERPRISE SECURITY SYSTEM (ESS)	8,866	8,866	
186	0605127T	REGIONAL INTERNATIONAL OUTREACH (RIO) AND PARTNERSHIP FOR PEACE INFORMATION MGMT	3,238	3,238	
187	0605147T	OVERSEAS HUMANITARIAN ASSISTANCE SHARED INFORMATION SYSTEM (OHASIS)	288	288	
188	0607384BP	CHEMICAL AND BIOLOGICAL DEFENSE (OPERATIONAL SYSTEMS DEVELOPMENT)	14,745	14,745	
189	0607828D8Z	JOINT INTEGRATION AND INTEROPERABILITY	0	0	
190	0607828J	JOINT INTEGRATION AND INTEROPERABILITY	5,013	5,013	
191	0208043J	PLANNING AND DECISION AID SYSTEM (PDAS)	3,922	3,922	

TITLE XLII—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION—Continued

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION (In Thousands of Dollars)			FY 2013 Request	Senate Authorized
Line	Program Element	Item		
192	0208045K	C4I INTEROPERABILITY	72,574	72,574
194	0301144K	JOINT/ALLIED COALITION INFORMATION SHARING	6,214	6,214
201	0302016K	NATIONAL MILITARY COMMAND SYSTEM-WIDE SUPPORT	499	499
202	0302019K	DEFENSE INFO INFRASTRUCTURE ENGINEERING AND INTEGRATION	14,498	14,498
203	0303126K	LONG-HAUL COMMUNICATIONS—DCS	26,164	26,164
204	0303131K	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN)	12,931	12,931
205	0303135G	PUBLIC KEY INFRASTRUCTURE (PKI)	6,296	6,296
206	0303136G	KEY MANAGEMENT INFRASTRUCTURE (KMI)	30,948	30,948
207	0303140D8Z	INFORMATION SYSTEMS SECURITY PROGRAM	11,780	11,780
208	0303140G	INFORMATION SYSTEMS SECURITY PROGRAM	191,452	191,452
209	0303140K	INFORMATION SYSTEMS SECURITY PROGRAM	0	0
210	0303149J	C4I FOR THE WARRIOR	0	0
211	0303150K	GLOBAL COMMAND AND CONTROL SYSTEM	36,575	36,575
212	0303153K	DEFENSE SPECTRUM ORGANIZATION	24,278	24,278
213	0303170K	NET-CENTRIC ENTERPRISE SERVICES (NCES)	2,924	2,924
214	0303260D8Z	DEFENSE MILITARY DECEPTION PROGRAM OFFICE (DMDPO)	1,294	1,294
215	0303610K	TELEPORT PROGRAM	6,050	6,050
217	0304210BB	SPECIAL APPLICATIONS FOR CONTINGENCIES	17,058	17,058
220	0305103D8Z	CYBER SECURITY INITIATIVE	0	0
222	0305103K	CYBER SECURITY INITIATIVE	4,189	4,189
223	0305125D8Z	CRITICAL INFRASTRUCTURE PROTECTION (CIP)	10,462	10,462
227	0305186D8Z	POLICY R&D PROGRAMS	6,360	6,360
229	0305199D8Z	NET CENTRICITY	21,190	21,190
232	0305208BB	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	7,114	7,714
		USSOCOM UFR		[600]
235	0305208K	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	3,247	3,247
237	0305219BB	MQ-1 PREDATOR A UAV	1,355	1,355
239	0305231BB	MQ-8 UAV	0	0
240	0305387D8Z	HOMELAND DEFENSE TECHNOLOGY TRANSFER PROGRAM	2,303	2,303
241	0305600D8Z	INTERNATIONAL INTELLIGENCE TECHNOLOGY AND ARCHITECTURES	1,478	1,478
249	0708011S	INDUSTRIAL PREPAREDNESS	27,044	27,044
250	0708012S	LOGISTICS SUPPORT ACTIVITIES	4,711	4,711
251	0902298J	MANAGEMENT HQ—OJCS	4,100	4,100
252	1001018D8Z	NATO AGS	0	0
253	1105219BB	MQ-9 UAV	3,002	3,002
254	1105232BB	RQ-11 UAV	0	0
255	1105233BB	RQ-7 UAV	0	0
256	1160279BB	SMALL BUSINESS INNOVATIVE RESEARCH/SMALL BUS TECH TRANSFER PILOT PROG	0	0
257	1160403BB	SPECIAL OPERATIONS AVIATION SYSTEMS ADVANCED DEVELOPMENT	97,267	97,267
258	1160404BB	SPECIAL OPERATIONS TACTICAL SYSTEMS DEVELOPMENT	821	821
259	1160405BB	SPECIAL OPERATIONS INTELLIGENCE SYSTEMS DEVELOPMENT	25,935	25,935
260	1160408BB	SOF OPERATIONAL ENHANCEMENTS	51,700	51,700
261	1160421BB	SPECIAL OPERATIONS CV-22 DEVELOPMENT	1,822	1,822
262	1160427BB	MISSION TRAINING AND PREPARATION SYSTEMS (MTPS)	10,131	10,131
263	1160429BB	AC/MC-130J	19,647	19,647
264	1160474BB	SOF COMMUNICATIONS EQUIPMENT AND ELECTRONICS SYSTEMS	2,225	2,225
265	1160476BB	SOF TACTICAL RADIO SYSTEMS	3,036	3,036
266	1160477BB	SOF WEAPONS SYSTEMS	1,511	1,511
267	1160478BB	SOF SOLDIER PROTECTION AND SURVIVAL SYSTEMS	4,263	4,263
268	1160479BB	SOF VISUAL AUGMENTATION, LASERS AND SENSOR SYSTEMS	4,448	4,448
269	1160480BB	SOF TACTICAL VEHICLES	11,325	11,325
270	1160481BB	SOF MUNITIONS	1,515	1,515
271	1160482BB	SOF ROTARY WING AVIATION	24,430	24,430
272	1160483BB	SOF UNDERWATER SYSTEMS	26,405	34,405
		Transfer from PDW Line 64 at USSOCOM request		[8,000]
273	1160484BB	SOF SURFACE CRAFT	8,573	8,573
274	1160488BB	SOF MILITARY INFORMATION SUPPORT OPERATIONS	0	0
275	1160489BB	SOF GLOBAL VIDEO SURVEILLANCE ACTIVITIES	7,620	7,620
276	1160490BB	SOF OPERATIONAL ENHANCEMENTS INTELLIGENCE	16,386	16,386
276A	9999999999	CLASSIFIED PROGRAMS	3,754,516	3,754,516
		SUBTOTAL, OPERATIONAL SYSTEMS DEVELOPMENT	4,667,738	4,676,338
		UNDISTRIBUTED		
		UNDISTRIBUTED		–100,000
		DARPA undistributed reduction		[–75,000]
		DARPA classified programs reduction		[–25,000]
		TOTAL, RESEARCH, DEVELOPMENT, TEST & EVAL, DW	17,982,161	18,444,261
		OPERATIONAL TEST & EVAL, DEFENSE		
		ROD&E MANAGEMENT SUPPORT		
001	06051180TE	OPERATIONAL TEST AND EVALUATION	72,501	76,501
		NCR transition		[4,000]
002	06051310TE	LIVE FIRE TEST AND EVALUATION	49,201	49,201
003	06058140TE	OPERATIONAL TEST ACTIVITIES AND ANALYSES	63,566	63,566
		TOTAL, OPERATIONAL TEST & EVAL, DEFENSE	185,268	189,268

TITLE XLII—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION—Continued**SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.**

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION (In Thousands of Dollars)				
Line	Program Element	Item	FY 2013 Request	Senate Authorized
TOTAL, RESEARCH, DEVELOPMENT, TEST & EVAL			69,407,767	69,286,218
SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS.				
SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)				
Line	Program Element	Item	FY 2013 Request	Senate Authorized
060	0603747A	RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES SOLDIER SUPPORT AND SURVIVABILITY	19,860	19,860
		SUBTOTAL, ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	19,860	19,860
		TOTAL, RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY	19,860	19,860
056	0603654N	RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	4,600	4,600
		SUBTOTAL, ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	4,600	4,600
131	0604771N	SYSTEM DEVELOPMENT & DEMONSTRATION MEDICAL DEVELOPMENT	2,173	2,173
		SUBTOTAL, SYSTEM DEVELOPMENT & DEMONSTRATION	2,173	2,173
160	0605866N	ROD&E MANAGEMENT SUPPORT NAVY SPACE AND ELECTRONIC WARFARE (SEW) SUPPORT	5,200	5,200
		SUBTOTAL, ROD&E MANAGEMENT SUPPORT	5,200	5,200
195	0206624M	OPERATIONAL SYSTEMS DEVELOPMENT MARINE CORPS COMBAT SERVICES SUPPORT	6,762	6,762
221	0305233N	RQ-7 UAV	7,600	7,600
230A	9999999999	CLASSIFIED PROGRAMS	33,784	33,784
		SUBTOTAL, OPERATIONAL SYSTEMS DEVELOPMENT	48,146	48,146
		TOTAL, RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY	60,119	60,119
249A	9999999999	RESEARCH, DEVELOPMENT, TEST & EVAL, AF OPERATIONAL SYSTEMS DEVELOPMENT CLASSIFIED PROGRAMS	53,150	53,150
		SUBTOTAL, OPERATIONAL SYSTEMS DEVELOPMENT	53,150	53,150
		TOTAL, RESEARCH, DEVELOPMENT, TEST & EVAL, AF	53,150	53,150
239	0305231BB	RESEARCH, DEVELOPMENT, TEST & EVAL, DW OPERATIONAL SYSTEMS DEVELOPMENT MQ-8 UAV	5,000	5,000
276A	9999999999	CLASSIFIED PROGRAMS	107,387	107,387
		SUBTOTAL, OPERATIONAL SYSTEMS DEVELOPMENT	112,387	112,387
		TOTAL, RESEARCH, DEVELOPMENT, TEST & EVAL, DW	112,387	112,387
		TOTAL, RESEARCH, DEVELOPMENT, TEST & EVAL	245,516	245,516

TITLE XLIII—OPERATION AND MAINTENANCE**SEC. 4301. OPERATION AND MAINTENANCE.**

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)				
Line		Item	FY 2013 Request	Senate Authorized
OPERATION & MAINTENANCE, ARMY				
OPERATING FORCES				
010		MANEUVER UNITS	1,223,087	1,223,087
020		MODULAR SUPPORT BRIGADES	80,574	80,574
030		ECHELONS ABOVE BRIGADE	723,039	723,039
040		THEATER LEVEL ASSETS	706,974	706,974
050		LAND FORCES OPERATIONS SUPPORT	1,226,650	1,226,650
060		AVIATION ASSETS	1,319,832	1,319,832
070		FORCE READINESS OPERATIONS SUPPORT	3,447,174	3,447,174
080		LAND FORCES SYSTEMS READINESS	454,774	454,774
090		LAND FORCES DEPOT MAINTENANCE	1,762,757	1,762,757
100		BASE OPERATIONS SUPPORT	7,401,613	7,401,613
110		FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	3,041,074	3,041,074
120		MANAGEMENT AND OPERATIONAL HQ'S	410,171	410,171
130		COMBATANT COMMANDERS CORE OPERATIONS	177,819	177,819
140		ADDITIONAL ACTIVITIES	0	0

TITLE XLIII—OPERATION AND MAINTENANCE—Continued

SEC. 4301. OPERATION AND MAINTENANCE.

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)				
Line	Item	FY 2013 Request	Senate Authorized	
150	COMMANDERS EMERGENCY RESPONSE PROGRAM	0	0	
160	RESET	0	0	
170	COMBATANT COMMANDERS ANCILLARY MISSIONS	461,333	461,333	
	SUBTOTAL, OPERATING FORCES	22,436,871	22,436,871	
	MOBILIZATION			
180	STRATEGIC MOBILITY	405,496	405,496	
190	ARMY PREPOSITIONING STOCKS	195,349	195,349	
200	INDUSTRIAL PREPAREDNESS	6,379	6,379	
	SUBTOTAL, MOBILIZATION	607,224	607,224	
	TRAINING AND RECRUITING			
210	OFFICER ACQUISITION	112,866	112,866	
220	RECRUIT TRAINING	73,265	73,265	
230	ONE STATION UNIT TRAINING	51,227	51,227	
240	SENIOR RESERVE OFFICERS TRAINING CORPS	443,306	443,306	
250	SPECIALIZED SKILL TRAINING	1,099,556	1,099,556	
260	FLIGHT TRAINING	1,130,627	1,130,627	
270	PROFESSIONAL DEVELOPMENT EDUCATION	191,683	191,683	
280	TRAINING SUPPORT	652,095	652,095	
290	RECRUITING AND ADVERTISING	507,510	507,510	
300	EXAMINING	156,964	156,964	
310	OFF-DUTY AND VOLUNTARY EDUCATION	244,343	244,343	
320	CIVILIAN EDUCATION AND TRAINING	212,477	212,477	
330	JUNIOR ROTC	182,691	182,691	
	SUBTOTAL, TRAINING AND RECRUITING	5,058,610	5,058,610	
	ADMIN & SRVWIDE ACTIVITIES			
350	SERVICEWIDE TRANSPORTATION	601,331	601,331	
360	CENTRAL SUPPLY ACTIVITIES	741,324	741,324	
370	LOGISTIC SUPPORT ACTIVITIES	610,136	610,136	
380	AMMUNITION MANAGEMENT	478,707	478,707	
390	ADMINISTRATION	556,307	539,107	
	GFEBS realignment per Army request		[–17,200]	
400	SERVICEWIDE COMMUNICATIONS	1,547,925	1,547,925	
410	MANPOWER MANAGEMENT	362,205	362,205	
420	OTHER PERSONNEL SUPPORT	220,754	220,754	
430	OTHER SERVICE SUPPORT	1,153,556	1,145,456	
	Decrease for ahead of need request		[–8,100]	
440	ARMY CLAIMS ACTIVITIES	250,970	250,970	
450	REAL ESTATE MANAGEMENT	222,351	222,351	
460	BASE OPERATIONS SUPPORT	222,379	222,379	
470	SUPPORT OF NATO OPERATIONS	459,710	459,710	
480	MISC. SUPPORT OF OTHER NATIONS	25,637	25,637	
490	CLASSIFIED PROGRAMS	1,052,595	1,052,595	
	SUBTOTAL, ADMIN & SRVWIDE ACTIVITIES	8,505,887	8,480,587	
	UNDISTRIBUTED			
	UNDISTRIBUTED		–120,000	
	Unobligated balances		[–120,000]	
	TOTAL, OPERATION & MAINTENANCE, ARMY	36,608,592	36,463,292	
	OPERATION & MAINTENANCE, NAVY			
	OPERATING FORCES			
010	MISSION AND OTHER FLIGHT OPERATIONS	4,918,144	4,918,144	
020	FLEET AIR TRAINING	1,886,825	1,886,825	
030	AVIATION TECHNICAL DATA & ENGINEERING SERVICES	44,032	44,032	
040	AIR OPERATIONS AND SAFETY SUPPORT	101,565	101,565	
050	AIR SYSTEMS SUPPORT	374,827	374,827	
060	AIRCRAFT DEPOT MAINTENANCE	960,802	960,802	
070	AIRCRAFT DEPOT OPERATIONS SUPPORT	37,545	37,545	
080	AVIATION LOGISTICS	328,805	328,805	
090	MISSION AND OTHER SHIP OPERATIONS	4,686,535	4,686,535	
100	SHIP OPERATIONS SUPPORT & TRAINING	769,204	769,204	
110	SHIP DEPOT MAINTENANCE	5,089,981	5,089,981	
120	SHIP DEPOT OPERATIONS SUPPORT	1,315,366	1,315,366	
130	COMBAT COMMUNICATIONS	619,909	619,909	

TITLE XLIII—OPERATION AND MAINTENANCE—Continued

SEC. 4301. OPERATION AND MAINTENANCE.

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)				
Line	Item	FY 2013 Request	Senate Authorized	
140	ELECTRONIC WARFARE	92,364	92,364	
150	SPACE SYSTEMS AND SURVEILLANCE	174,437	174,437	
160	WARFARE TACTICS	441,035	441,035	
170	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY	333,554	333,554	
180	COMBAT SUPPORT FORCES	910,087	910,087	
190	EQUIPMENT MAINTENANCE	167,158	167,158	
200	DEPOT OPERATIONS SUPPORT	4,183	4,183	
210	COMBATANT COMMANDERS CORE OPERATIONS	95,528	95,528	
220	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	204,569	204,569	
230	CRUISE MISSILE	111,884	111,884	
240	FLEET BALLISTIC MISSILE	1,181,038	1,181,038	
250	IN-SERVICE WEAPONS SYSTEMS SUPPORT	87,606	87,606	
260	WEAPONS MAINTENANCE	519,583	519,583	
270	OTHER WEAPON SYSTEMS SUPPORT	300,435	300,435	
280	ENTERPRISE INFORMATION	1,077,924	1,077,924	
290	SUSTAINMENT, RESTORATION AND MODERNIZATION	2,101,279	2,101,279	
300	BASE OPERATING SUPPORT	4,822,093	4,822,093	
	SUBTOTAL, OPERATING FORCES	33,758,297	33,758,297	
	MOBILIZATION			
310	SHIP PREPOSITIONING AND SURGE	334,659	334,659	
320	AIRCRAFT ACTIVATIONS/INACTIVATIONS	6,562	6,562	
330	SHIP ACTIVATIONS/INACTIVATIONS	1,066,329	1,066,329	
340	EXPEDITIONARY HEALTH SERVICES SYSTEMS	83,901	83,901	
350	INDUSTRIAL READINESS	2,695	2,695	
360	COAST GUARD SUPPORT	23,502	23,502	
	SUBTOTAL, MOBILIZATION	1,517,648	1,517,648	
	TRAINING AND RECRUITING			
370	OFFICER ACQUISITION	147,807	147,807	
380	RECRUIT TRAINING	10,473	10,473	
390	RESERVE OFFICERS TRAINING CORPS	139,220	139,220	
400	SPECIALIZED SKILL TRAINING	582,177	582,177	
410	FLIGHT TRAINING	5,456	5,456	
420	PROFESSIONAL DEVELOPMENT EDUCATION	170,746	170,746	
430	TRAINING SUPPORT	153,403	153,403	
440	RECRUITING AND ADVERTISING	241,329	241,329	
450	OFF-DUTY AND VOLUNTARY EDUCATION	108,226	108,226	
460	CIVILIAN EDUCATION AND TRAINING	105,776	105,776	
470	JUNIOR ROTC	51,817	51,817	
	SUBTOTAL, TRAINING AND RECRUITING	1,716,430	1,716,430	
	ADMIN & SRVWD ACTIVITIES			
480	ADMINISTRATION	797,177	797,177	
490	EXTERNAL RELATIONS	12,872	12,872	
500	CIVILIAN MANPOWER AND PERSONNEL MANAGEMENT	120,181	120,181	
510	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	235,753	235,753	
520	OTHER PERSONNEL SUPPORT	263,060	263,060	
530	SERVICEWIDE COMMUNICATIONS	363,213	363,213	
540	MEDICAL ACTIVITIES	0	0	
550	SERVICEWIDE TRANSPORTATION	182,343	182,343	
560	ENVIRONMENTAL PROGRAMS	0	0	
570	PLANNING, ENGINEERING AND DESIGN	282,464	282,464	
580	ACQUISITION AND PROGRAM MANAGEMENT	1,092,123	1,092,123	
590	HULL, MECHANICAL AND ELECTRICAL SUPPORT	53,560	53,560	
600	COMBAT/WEAPONS SYSTEMS	25,299	25,299	
610	SPACE AND ELECTRONIC WARFARE SYSTEMS	64,418	64,418	
620	NAVAL INVESTIGATIVE SERVICE	580,042	580,042	
680	INTERNATIONAL HEADQUARTERS AND AGENCIES	4,984	4,984	
690	CANCELLED ACCOUNT ADJUSTMENTS	0	0	
700	JUDGEMENT FUND	0	0	
710	CLASSIFIED PROGRAMS	537,079	537,079	
	SUBTOTAL, ADMIN & SRVWD ACTIVITIES	4,614,568	4,614,568	
	UNDISTRIBUTED			
	UNDISTRIBUTED		–23,000	
	Unobligated balances		[–23,000]	

TITLE XLIII—OPERATION AND MAINTENANCE—Continued

SEC. 4301. OPERATION AND MAINTENANCE.

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)				
Line	Item	FY 2013 Request	Senate Authorized	
	TOTAL, OPERATION & MAINTENANCE, NAVY	41,606,943	41,583,943	
	OPERATION & MAINTENANCE, MARINE CORPS			
	OPERATING FORCES			
010	OPERATIONAL FORCES	788,055	788,055	
020	FIELD LOGISTICS	762,614	762,614	
030	DEPOT MAINTENANCE	168,447	168,447	
040	MARITIME PREPOSITIONING	100,374	100,374	
050	SUSTAINMENT, RESTORATION & MODERNIZATION	825,039	825,039	
060	BASE OPERATING SUPPORT	2,188,883	2,188,883	
	SUBTOTAL, OPERATING FORCES	4,833,412	4,833,412	
	TRAINING AND RECRUITING			
070	RECRUIT TRAINING	18,251	18,251	
080	OFFICER ACQUISITION	869	869	
090	SPECIALIZED SKILL TRAINING	80,914	80,914	
100	PROFESSIONAL DEVELOPMENT EDUCATION	42,744	42,744	
110	TRAINING SUPPORT	292,150	292,150	
120	RECRUITING AND ADVERTISING	168,609	168,609	
130	OFF-DUTY AND VOLUNTARY EDUCATION	56,865	56,865	
140	JUNIOR ROTC	19,912	19,912	
	SUBTOTAL, TRAINING AND RECRUITING	680,314	680,314	
	ADMIN & SRVWD ACTIVITIES			
150	SERVICEWIDE TRANSPORTATION	39,962	39,962	
170	ACQUISITION AND PROGRAM MANAGEMENT	83,404	83,404	
180	CANCELLED ACCOUNT ADJUSTMENT	0	0	
190	CLASSIFIED PROGRAMS	346,071	346,071	
	SUBTOTAL, ADMIN & SRVWD ACTIVITIES	469,437	469,437	
	TOTAL, OPERATION & MAINTENANCE, MARINE CORPS	5,983,163	5,983,163	
	OPERATION & MAINTENANCE, AIR FORCE			
	OPERATING FORCES			
010	PRIMARY COMBAT FORCES	2,973,141	2,973,141	
020	COMBAT ENHANCEMENT FORCES	1,611,032	1,611,032	
030	AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS)	1,472,806	1,472,806	
040	DEPOT MAINTENANCE	5,545,470	5,545,470	
050	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	1,353,987	1,353,987	
060	BASE SUPPORT	2,595,032	2,595,032	
070	GLOBAL C3I AND EARLY WARNING	957,040	957,040	
080	OTHER COMBAT OPS SPT PROGRAMS	916,200	916,200	
090	JCS EXERCISES	0	0	
100	TACTICAL INTEL AND OTHER SPECIAL ACTIVITIES	733,716	733,716	
110	LAUNCH FACILITIES	314,490	314,490	
120	SPACE CONTROL SYSTEMS	488,762	488,762	
130	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	862,979	862,979	
140	COMBATANT COMMANDERS CORE OPERATIONS	222,429	222,429	
	SUBTOTAL, OPERATING FORCES	20,047,084	20,047,084	
	MOBILIZATION			
150	AIRLIFT OPERATIONS	1,785,379	1,785,379	
160	MOBILIZATION PREPAREDNESS	154,049	154,049	
170	DEPOT MAINTENANCE	1,477,396	1,477,396	
180	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	309,699	309,699	
190	BASE SUPPORT	707,574	707,574	
	SUBTOTAL, MOBILIZATION	4,434,097	4,434,097	
	TRAINING AND RECRUITING			
200	OFFICER ACQUISITION	115,427	115,427	
210	RECRUIT TRAINING	17,619	17,619	
220	RESERVE OFFICERS TRAINING CORPS (ROTC)	92,949	92,949	
230	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	336,433	336,433	
240	BASE SUPPORT	842,441	842,441	
250	SPECIALIZED SKILL TRAINING	482,634	482,634	
260	FLIGHT TRAINING	750,609	750,609	
270	PROFESSIONAL DEVELOPMENT EDUCATION	235,114	235,114	
280	TRAINING SUPPORT	101,231	101,231	

TITLE XLIII—OPERATION AND MAINTENANCE—Continued

SEC. 4301. OPERATION AND MAINTENANCE.

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)				
Line	Item	FY 2013 Request	Senate Authorized	
290	DEPOT MAINTENANCE	233,330	233,330	
300	JUDGEMENT FUND	0	0	
310	RECRUITING AND ADVERTISING	130,217	130,217	
320	EXAMINING	2,738	2,738	
330	OFF-DUTY AND VOLUNTARY EDUCATION	155,170	155,170	
340	CIVILIAN EDUCATION AND TRAINING	175,147	175,147	
350	JUNIOR ROTC	74,809	74,809	
	SUBTOTAL, TRAINING AND RECRUITING	3,745,868	3,745,868	
ADMIN & SRVWD ACTIVITIES				
360	LOGISTICS OPERATIONS	1,029,734	1,029,734	
370	TECHNICAL SUPPORT ACTIVITIES	913,843	913,843	
390	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	303,610	303,610	
400	BASE SUPPORT	1,266,800	1,266,800	
410	ADMINISTRATION	587,654	587,654	
420	SERVICEWIDE COMMUNICATIONS	667,910	667,910	
430	OTHER SERVICEWIDE ACTIVITIES	1,094,509	1,094,509	
440	CIVIL AIR PATROL	23,904	23,904	
450	JUDGEMENT FUND REIMBURSEMENT	0	0	
470	INTERNATIONAL SUPPORT	81,307	81,307	
480	CLASSIFIED PROGRAMS	1,239,040	1,239,040	
	SUBTOTAL, ADMIN & SRVWD ACTIVITIES	7,208,311	7,208,311	
UNDISTRIBUTED				
	UNDISTRIBUTED		–32,000	
	Unobligated balances		[–32,000]	
	TOTAL, OPERATION & MAINTENANCE, AIR FORCE	35,435,360	35,403,360	
OPERATION & MAINTENANCE, DEFENSE-WIDE				
OPERATING FORCES				
010	JOINT CHIEFS OF STAFF	485,708	485,708	
020	SPECIAL OPERATIONS COMMAND	0	5,107,501	
	Transfer from Line 025		[5,091,001]	
	USSOCOM UFR		[16,500]	
025	CLASSIFIED PROGRAMS	5,091,001	0	
	Transfer to Line 020		[–5,091,001]	
	SUBTOTAL, OPERATING FORCES	5,576,709	5,593,209	
TRAINING AND RECRUITING				
030	DEFENSE ACQUISITION UNIVERSITY	147,210	147,210	
040	NATIONAL DEFENSE UNIVERSITY	84,999	84,999	
	SUBTOTAL, TRAINING AND RECRUITING	232,209	232,209	
ADMIN & SRVWD ACTIVITIES				
050	CIVIL MILITARY PROGRAMS	161,294	161,294	
070	DEFENSE BUSINESS TRANSFORMATION AGENCY	0	0	
080	DEFENSE CONTRACT AUDIT AGENCY	573,973	573,973	
090	DEFENSE CONTRACT MANAGEMENT AGENCY	1,293,196	1,293,196	
100	DEFENSE FINANCE AND ACCOUNTING SERVICE	17,513	17,513	
110	DEFENSE HUMAN RESOURCES ACTIVITY	676,186	676,186	
120	DEFENSE INFORMATION SYSTEMS AGENCY	1,346,847	1,346,847	
140	DEFENSE LEGAL SERVICES AGENCY	35,137	35,137	
150	DEFENSE LOGISTICS AGENCY	431,893	431,893	
160	DEFENSE MEDIA ACTIVITY	224,013	224,013	
170	DEFENSE POW/MIA OFFICE	21,964	21,964	
180	DEFENSE SECURITY COOPERATION AGENCY	557,917	540,317	
	Program decrease—Defense Security Assessment		[–2,600]	
	Program decrease—Global Train and Equip		[–15,000]	
190	DEFENSE SECURITY SERVICE		506,662	
	Transfer from Line 280		[506,662]	
200	DEFENSE TECHNOLOGY SECURITY ADMINISTRATION	35,319	35,319	
210	DEFENSE THREAT REDUCTION AGENCY		443,382	
	Transfer from Line 280		[443,382]	
220	DEPARTMENT OF DEFENSE EDUCATION ACTIVITY	2,744,971	2,744,971	
230	MISSILE DEFENSE AGENCY	259,975	259,975	
250	OFFICE OF ECONOMIC ADJUSTMENT	253,437	114,037	
	Decrease for ahead of need request		[–139,400]	

TITLE XLIII—OPERATION AND MAINTENANCE—Continued

SEC. 4301. OPERATION AND MAINTENANCE.

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)				
Line	Item	FY 2013 Request	Senate Authorized	
260	OFFICE OF THE SECRETARY OF DEFENSE	2,095,362	2,095,362	
270	WASHINGTON HEADQUARTERS SERVICE	521,297	521,297	
280	CLASSIFIED PROGRAMS	14,933,801	14,158,757	
	Transfer to Line 190		[-506,662]	
	Transfer to Line 210		[-443,382]	
	Commercial imagery service level agreement		[125,000]	
	Additional ISR Support to Operation Observant Compass		[50,000]	
	SUBTOTAL, ADMIN & SRVWD ACTIVITIES	26,184,095	26,202,095	
	UNDISTRIBUTED			
	UNDISTRIBUTED		5,000	
	Unobligated balances		[-25,000]	
	Impact aid for schools with military dependent students		[25,000]	
	Impact aid for children with severe disabilities		[5,000]	
	TOTAL, OPERATION & MAINTENANCE, DEFENSE-WIDE	31,993,013	32,032,513	
	OPERATION & MAINTENANCE, ARMY RES			
	OPERATING FORCES			
010	MANEUVER UNITS	1,391	1,391	
020	MODULAR SUPPORT BRIGADES	20,889	20,889	
030	ECHELONS ABOVE BRIGADE	592,724	592,724	
040	THEATER LEVEL ASSETS	114,983	114,983	
050	LAND FORCES OPERATIONS SUPPORT	633,091	633,091	
060	AVIATION ASSETS	76,823	76,823	
070	FORCE READINESS OPERATIONS SUPPORT	481,997	481,997	
080	LAND FORCES SYSTEMS READINESS	70,118	70,118	
090	LAND FORCES DEPOT MAINTENANCE	141,205	141,205	
100	BASE OPERATIONS SUPPORT	561,878	561,878	
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	287,399	287,399	
120	MANAGEMENT AND OPERATIONAL HQ'S	52,431	52,431	
130	ADDITIONAL ACTIVITIES	0	0	
	SUBTOTAL, OPERATING FORCES	3,034,929	3,034,929	
	ADMIN & SRVWD ACTIVITIES			
140	SERVICEWIDE TRANSPORTATION	12,995	12,995	
150	ADMINISTRATION	32,432	32,432	
160	SERVICEWIDE COMMUNICATIONS	4,895	4,895	
170	MANPOWER MANAGEMENT	16,074	16,074	
180	RECRUITING AND ADVERTISING	60,683	60,683	
	SUBTOTAL, ADMIN & SRVWD ACTIVITIES	127,079	127,079	
	TOTAL, OPERATION & MAINTENANCE, ARMY RES	3,162,008	3,162,008	
	OPERATION & MAINTENANCE, NAVY RES			
	OPERATING FORCES			
010	MISSION AND OTHER FLIGHT OPERATIONS	616,776	616,776	
020	INTERMEDIATE MAINTENANCE	15,076	15,076	
030	AIR OPERATIONS AND SAFETY SUPPORT	1,479	1,479	
040	AIRCRAFT DEPOT MAINTENANCE	107,251	107,251	
050	AIRCRAFT DEPOT OPERATIONS SUPPORT	355	355	
060	MISSION AND OTHER SHIP OPERATIONS	82,186	82,186	
070	SHIP OPERATIONS SUPPORT & TRAINING	589	589	
080	SHIP DEPOT MAINTENANCE	48,593	48,593	
090	COMBAT COMMUNICATIONS	15,274	15,274	
100	COMBAT SUPPORT FORCES	124,917	124,917	
110	WEAPONS MAINTENANCE	1,978	1,978	
120	ENTERPRISE INFORMATION	43,699	43,699	
130	SUSTAINMENT, RESTORATION AND MODERNIZATION	60,646	60,646	
140	BASE OPERATING SUPPORT	105,227	105,227	
	SUBTOTAL, OPERATING FORCES	1,224,046	1,224,046	
	ADMIN & SRVWD ACTIVITIES			
150	ADMINISTRATION	3,117	3,117	
160	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	14,337	14,337	
170	SERVICEWIDE COMMUNICATIONS	2,392	2,392	
180	ACQUISITION AND PROGRAM MANAGEMENT	3,090	3,090	
	SUBTOTAL, ADMIN & SRVWD ACTIVITIES	22,936	22,936	
	TOTAL, OPERATION & MAINTENANCE, NAVY RES	1,246,982	1,246,982	

TITLE XLIII—OPERATION AND MAINTENANCE—Continued

SEC. 4301. OPERATION AND MAINTENANCE.

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)				
Line	Item	FY 2013 Request	Senate Authorized	
	OPERATION & MAINTENANCE, MC RESERVE			
	OPERATING FORCES			
010	OPERATING FORCES	89,690	89,690	
020	DEPOT MAINTENANCE	16,735	16,735	
030	SUSTAINMENT, RESTORATION AND MODERNIZATION	37,913	37,913	
040	BASE OPERATING SUPPORT	103,746	103,746	
	SUBTOTAL, OPERATING FORCES	248,084	248,084	
	ADMIN & SRVWD ACTIVITIES			
050	SERVICEWIDE TRANSPORTATION	873	873	
060	ADMINISTRATION	14,330	14,330	
070	RECRUITING AND ADVERTISING	8,998	8,998	
080	CANCELLED ACCOUNT ADJUSTMENT	0	0	
	SUBTOTAL, ADMIN & SRVWD ACTIVITIES	24,201	24,201	
	TOTAL, OPERATION & MAINTENANCE, MC RESERVE	272,285	272,285	
	OPERATION & MAINTENANCE, AF RESERVE			
	OPERATING FORCES			
010	PRIMARY COMBAT FORCES	2,089,326	2,089,326	
020	MISSION SUPPORT OPERATIONS	112,992	112,992	
030	DEPOT MAINTENANCE	406,101	406,101	
040	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	71,564	71,564	
050	BASE SUPPORT	364,862	364,862	
	SUBTOTAL, OPERATING FORCES	3,044,845	3,044,845	
	ADMIN & SRVWD ACTIVITIES			
060	ADMINISTRATION	78,824	78,824	
070	RECRUITING AND ADVERTISING	16,020	16,020	
080	MILITARY MANPOWER AND PERS MGMT (ARPC)	19,496	19,496	
090	OTHER PERS SUPPORT (DISABILITY COMP)	6,489	6,489	
100	AUDIOVISUAL	808	808	
	SUBTOTAL, ADMIN & SRVWD ACTIVITIES	121,637	121,637	
	TOTAL, OPERATION & MAINTENANCE, AF RESERVE	3,166,482	3,166,482	
	OPERATION & MAINTENANCE, ARNG			
	OPERATING FORCES			
010	MANEUVER UNITS	680,206	680,206	
020	MODULAR SUPPORT BRIGADES	186,408	186,408	
030	ECHELONS ABOVE BRIGADE	865,628	865,628	
040	THEATER LEVEL ASSETS	112,651	112,651	
050	LAND FORCES OPERATIONS SUPPORT	36,091	36,091	
060	AVIATION ASSETS	907,011	907,011	
070	FORCE READINESS OPERATIONS SUPPORT	751,606	751,606	
080	LAND FORCES SYSTEMS READINESS	60,043	60,043	
090	LAND FORCES DEPOT MAINTENANCE	411,940	411,940	
100	BASE OPERATIONS SUPPORT	995,423	995,423	
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	688,189	688,189	
120	MANAGEMENT AND OPERATIONAL HQ'S	953,716	953,716	
	SUBTOTAL, OPERATING FORCES	6,648,912	6,648,912	
	ADMIN & SRVWD ACTIVITIES			
130	SERVICEWIDE TRANSPORTATION	11,806	11,806	
140	REAL ESTATE MANAGEMENT	1,656	1,656	
150	ADMINISTRATION	89,358	89,358	
160	SERVICEWIDE COMMUNICATIONS	39,513	39,513	
170	MANPOWER MANAGEMENT	7,224	7,224	
180	RECRUITING AND ADVERTISING	310,143	310,143	
	SUBTOTAL, ADMIN & SRVWD ACTIVITIES	459,700	459,700	
	TOTAL, OPERATION & MAINTENANCE, ARNG	7,108,612	7,108,612	
	OPERATION & MAINTENANCE, ANG			
	OPERATING FORCES			
010	AIRCRAFT OPERATIONS	3,559,824	3,559,824	
020	MISSION SUPPORT OPERATIONS	721,225	721,225	
030	DEPOT MAINTENANCE	774,875	774,875	
040	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	270,709	270,709	
050	BASE SUPPORT	624,443	624,443	

TITLE XLIII—OPERATION AND MAINTENANCE—Continued

SEC. 4301. OPERATION AND MAINTENANCE.

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)				
Line	Item	FY 2013 Request	Senate Authorized	
	SUBTOTAL, OPERATING FORCES	5,951,076	5,951,076	
	ADMIN & SRVWD ACTIVITIES			
060	ADMINISTRATION	32,358	32,358	
070	RECRUITING AND ADVERTISING	32,021	32,021	
	SUBTOTAL, ADMIN & SRVWD ACTIVITIES	64,379	64,379	
	TOTAL, OPERATION & MAINTENANCE, ANG	6,015,455	6,015,455	
	MISCELLANEOUS APPROPRIATIONS			
010	US COURT OF APPEALS FOR THE ARMED FORCES, DEFENSE	13,516	13,516	
040	ACQ WORKFORCE DEV FD	274,198	274,198	
020	OVERSEAS HUMANITARIAN, DISASTER AND CIVIC AID	108,759	108,759	
030	COOPERATIVE THREAT REDUCTION	519,111	519,111	
050	ENVIRONMENTAL RESTORATION, ARMY	335,921	335,921	
060	ENVIRONMENTAL RESTORATION, NAVY	310,594	310,594	
070	ENVIRONMENTAL RESTORATION, AIR FORCE	529,263	529,263	
080	ENVIRONMENTAL RESTORATION, DEFENSE	11,133	11,133	
090	ENVIRONMENTAL RESTORATION FORMERLY USED SITES	237,543	237,543	
	TOTAL, MISCELLANEOUS APPROPRIATIONS	2,340,038	2,340,038	
	TOTAL, OPERATION & MAINTENANCE	174,938,933	174,778,133	

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)				
Line	Item	FY 2013 Request	Senate Authorized	
	OPERATION & MAINTENANCE, ARMY			
	OPERATING FORCES			
040	THEATER LEVEL ASSETS	2,758,162	2,758,162	
050	LAND FORCES OPERATIONS SUPPORT	991,396	991,396	
060	AVIATION ASSETS	40,300	40,300	
070	FORCE READINESS OPERATIONS SUPPORT	1,755,445	1,755,445	
080	LAND FORCES SYSTEMS READINESS	307,244	307,244	
100	BASE OPERATIONS SUPPORT	393,165	393,165	
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	250,000	250,000	
140	ADDITIONAL ACTIVITIES	12,524,137	12,524,137	
150	COMMANDERS EMERGENCY RESPONSE PROGRAM	400,000	200,000	
	Program decrease		[–200,000]	
160	RESET	3,687,973	3,687,973	
	SUBTOTAL, OPERATING FORCES	23,107,822	22,907,822	
	ADMIN & SRVWIDE ACTIVITIES			
350	SERVICEMAN TRANSPORTATION	3,238,310	3,238,310	
360	CENTRAL SUPPLY ACTIVITIES	129,000	129,000	
380	AMMUNITION MANAGEMENT	78,022	78,022	
420	OTHER PERSONNEL SUPPORT	137,277	97,277	
	Transfer to OPA OCO Line 061 at SOUTHCOM request		[–40,000]	
430	OTHER SERVICE SUPPORT	72,293	72,293	
490	CLASSIFIED PROGRAMS	1,828,717	1,828,717	
	SUBTOTAL, ADMIN & SRVWIDE ACTIVITIES	5,483,619	5,443,619	
	TOTAL, OPERATION & MAINTENANCE, ARMY	28,591,441	28,351,441	
	OPERATION & MAINTENANCE, NAVY			
	OPERATING FORCES			
010	MISSION AND OTHER FLIGHT OPERATIONS	937,098	937,098	
030	AVIATION TECHNICAL DATA & ENGINEERING SERVICES	1,000	1,000	
040	AIR OPERATIONS AND SAFETY SUPPORT	15,794	15,794	
050	AIR SYSTEMS SUPPORT	19,013	19,013	
060	AIRCRAFT DEPOT MAINTENANCE	201,912	201,912	
070	AIRCRAFT DEPOT OPERATIONS SUPPORT	3,000	3,000	
080	AVIATION LOGISTICS	44,150	44,150	
090	MISSION AND OTHER SHIP OPERATIONS	463,738	463,738	
100	SHIP OPERATIONS SUPPORT & TRAINING	24,774	24,774	
110	SHIP DEPOT MAINTENANCE	1,310,010	1,310,010	
130	COMBAT COMMUNICATIONS	42,965	42,965	
160	WARFARE TACTICS	25,970	25,970	

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2013 Request	Senate Authorized
170	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY	19,226	19,226
180	COMBAT SUPPORT FORCES	1,668,359	1,668,359
190	EQUIPMENT MAINTENANCE	7,954	7,954
250	IN-SERVICE WEAPONS SYSTEMS SUPPORT	94,655	94,655
260	WEAPONS MAINTENANCE	303,087	303,087
290	SUSTAINMENT, RESTORATION AND MODERNIZATION	3,218	3,218
300	BASE OPERATING SUPPORT	143,442	143,442
	SUBTOTAL, OPERATING FORCES	5,329,365	5,329,365
	MOBILIZATION		
340	EXPEDITIONARY HEALTH SERVICES SYSTEMS	31,395	31,395
360	COAST GUARD SUPPORT	254,461	254,461
	SUBTOTAL, MOBILIZATION	285,856	285,856
	TRAINING AND RECRUITING		
400	SPECIALIZED SKILL TRAINING	50,903	50,903
	SUBTOTAL, TRAINING AND RECRUITING	50,903	50,903
	ADMIN & SRVWD ACTIVITIES		
480	ADMINISTRATION	1,377	1,377
490	EXTERNAL RELATIONS	487	487
510	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	6,022	6,022
520	OTHER PERSONNEL SUPPORT	3,514	3,514
550	SERVICEWIDE TRANSPORTATION	184,864	184,864
580	ACQUISITION AND PROGRAM MANAGEMENT	2,026	2,026
620	NAVAL INVESTIGATIVE SERVICE	1,425	1,425
710	CLASSIFIED PROGRAMS	14,556	14,556
	SUBTOTAL, ADMIN & SRVWD ACTIVITIES	214,271	214,271
	TOTAL, OPERATION & MAINTENANCE, NAVY	5,880,395	5,880,395
	OPERATION & MAINTENANCE, MARINE CORPS		
	OPERATING FORCES		
010	OPERATIONAL FORCES	1,921,258	1,921,258
020	FIELD LOGISTICS	1,094,028	1,094,028
030	DEPOT MAINTENANCE	222,824	222,824
060	BASE OPERATING SUPPORT	88,690	88,690
	SUBTOTAL, OPERATING FORCES	3,326,800	3,326,800
	TRAINING AND RECRUITING		
110	TRAINING SUPPORT	215,212	215,212
	SUBTOTAL, TRAINING AND RECRUITING	215,212	215,212
	ADMIN & SRVWD ACTIVITIES		
150	SERVICEWIDE TRANSPORTATION	512,627	512,627
190	CLASSIFIED PROGRAMS	11,701	11,701
	SUBTOTAL, ADMIN & SRVWD ACTIVITIES	524,328	524,328
	TOTAL, OPERATION & MAINTENANCE, MARINE CORPS	4,066,340	4,066,340
	OPERATION & MAINTENANCE, AIR FORCE		
	OPERATING FORCES		
010	PRIMARY COMBAT FORCES	1,494,144	1,494,144
020	COMBAT ENHANCEMENT FORCES	809,531	809,531
030	AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS)	13,095	13,095
040	DEPOT MAINTENANCE	1,403,238	1,403,238
050	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	155,954	155,954
060	BASE SUPPORT	342,226	342,226
070	GLOBAL C3I AND EARLY WARNING	15,108	15,108
080	OTHER COMBAT OPS SPT PROGRAMS	271,390	271,390
100	TACTICAL INTEL AND OTHER SPECIAL ACTIVITIES	25,400	25,400
120	SPACE CONTROL SYSTEMS	5,110	5,110
130	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	52,173	52,173
	SUBTOTAL, OPERATING FORCES	4,587,369	4,587,369
	MOBILIZATION		
150	AIRLIFT OPERATIONS	3,187,211	3,187,211
160	MOBILIZATION PREPAREDNESS	43,509	43,509
170	DEPOT MAINTENANCE	554,943	554,943
180	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	4,431	4,431
190	BASE SUPPORT	9,256	9,256

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2013 Request	Senate Authorized
	SUBTOTAL, MOBILIZATION	3,799,350	3,799,350
	TRAINING AND RECRUITING		
230	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	424	424
240	BASE SUPPORT	1,036	1,036
250	SPECIALIZED SKILL TRAINING	10,923	10,923
260	FLIGHT TRAINING	72	72
270	PROFESSIONAL DEVELOPMENT EDUCATION	323	323
280	TRAINING SUPPORT	352	352
	SUBTOTAL, TRAINING AND RECRUITING	13,130	13,130
	ADMIN & SRVWD ACTIVITIES		
360	LOGISTICS OPERATIONS	100,429	100,429
390	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	47,200	47,200
400	BASE SUPPORT	7,242	7,242
410	ADMINISTRATION	1,552	1,552
420	SERVICEWIDE COMMUNICATIONS	82,094	82,094
430	OTHER SERVICEWIDE ACTIVITIES	582,977	582,977
480	CLASSIFIED PROGRAMS	20,270	20,270
	SUBTOTAL, ADMIN & SRVWD ACTIVITIES	841,764	841,764
	TOTAL, OPERATION & MAINTENANCE, AIR FORCE	9,241,613	9,241,613
	OPERATION & MAINTENANCE, DEFENSE-WIDE		
	OPERATING FORCES		
010	JOINT CHIEFS OF STAFF	2,000	2,000
020	SPECIAL OPERATIONS COMMAND	2,503,060	2,503,060
	SUBTOTAL, OPERATING FORCES	2,505,060	2,505,060
	ADMIN & SRVWD ACTIVITIES		
080	DEFENSE CONTRACT AUDIT AGENCY	30,674	30,674
090	DEFENSE CONTRACT MANAGEMENT AGENCY	69,803	69,803
110	DEFENSE HUMAN RESOURCES ACTIVITY	3,334	3,334
120	DEFENSE INFORMATION SYSTEMS AGENCY	152,925	152,925
140	DEFENSE LEGAL SERVICES AGENCY	102,322	102,322
160	DEFENSE MEDIA ACTIVITY	10,823	10,823
180	DEFENSE SECURITY COOPERATION AGENCY	2,200,000	2,200,000
220	DEPARTMENT OF DEFENSE EDUCATION ACTIVITY	139,830	139,830
260	OFFICE OF THE SECRETARY OF DEFENSE	87,805	87,805
280	CLASSIFIED PROGRAMS	2,522,003	2,522,003
	SUBTOTAL, ADMIN & SRVWD ACTIVITIES	5,319,519	5,319,519
	TOTAL, OPERATION & MAINTENANCE, DEFENSE-WIDE	7,824,579	7,824,579
	OPERATION & MAINTENANCE, ARMY RES		
	OPERATING FORCES		
030	ECHELONS ABOVE BRIGADE	78,600	78,600
050	LAND FORCES OPERATIONS SUPPORT	20,811	20,811
070	FORCE READINESS OPERATIONS SUPPORT	20,726	20,726
100	BASE OPERATIONS SUPPORT	34,400	34,400
	SUBTOTAL, OPERATING FORCES	154,537	154,537
	TOTAL, OPERATION & MAINTENANCE, ARMY RES	154,537	154,537
	OPERATION & MAINTENANCE, NAVY RES		
	OPERATING FORCES		
010	MISSION AND OTHER FLIGHT OPERATIONS	24,834	24,834
020	INTERMEDIATE MAINTENANCE	300	300
040	AIRCRAFT DEPOT MAINTENANCE	13,364	13,364
060	MISSION AND OTHER SHIP OPERATIONS	8,213	8,213
080	SHIP DEPOT MAINTENANCE	929	929
100	COMBAT SUPPORT FORCES	8,244	8,244
140	BASE OPERATING SUPPORT	40	40
	SUBTOTAL, OPERATING FORCES	55,924	55,924
	TOTAL, OPERATION & MAINTENANCE, NAVY RES	55,924	55,924
	OPERATION & MAINTENANCE, MC RESERVE		
	OPERATING FORCES		
010	OPERATING FORCES	22,657	22,657
040	BASE OPERATING SUPPORT	2,820	2,820
	SUBTOTAL, OPERATING FORCES	25,477	25,477

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)				
Line	Item	FY 2013 Request	Senate Authorized	
	TOTAL, OPERATION & MAINTENANCE, MC RESERVE	25,477	25,477	
	OPERATION & MAINTENANCE, AF RESERVE			
	OPERATING FORCES			
010	PRIMARY COMBAT FORCES	7,600	7,600	
030	DEPOT MAINTENANCE	106,768	106,768	
050	BASE SUPPORT	6,250	6,250	
	SUBTOTAL, OPERATING FORCES	120,618	120,618	
	TOTAL, OPERATION & MAINTENANCE, AF RESERVE	120,618	120,618	
	OPERATION & MAINTENANCE, ARNG			
	OPERATING FORCES			
010	MANEUVER UNITS	38,485	38,485	
020	MODULAR SUPPORT BRIGADES	1,959	1,959	
030	ECHELONS ABOVE BRIGADE	20,076	20,076	
040	THEATER LEVEL ASSETS	2,028	2,028	
060	AVIATION ASSETS	183,811	183,811	
070	FORCE READINESS OPERATIONS SUPPORT	43,780	43,780	
100	BASE OPERATIONS SUPPORT	70,237	70,237	
120	MANAGEMENT AND OPERATIONAL HQ'S	20,072	20,072	
	SUBTOTAL, OPERATING FORCES	380,448	380,448	
	ADMIN & SRVWD ACTIVITIES			
160	SERVICEWIDE COMMUNICATIONS	2,000	2,000	
	SUBTOTAL, ADMIN & SRVWD ACTIVITIES	2,000	2,000	
	TOTAL, OPERATION & MAINTENANCE, ARNG	382,448	382,448	
	OPERATION & MAINTENANCE, ANG			
	OPERATING FORCES			
020	MISSION SUPPORT OPERATIONS	19,975	19,975	
	SUBTOTAL, OPERATING FORCES	19,975	19,975	
	TOTAL, OPERATION & MAINTENANCE, ANG	19,975	19,975	
	AFGHANISTAN SECURITY FORCES FUND			
	MINISTRY OF DEFENSE			
010	SUSTAINMENT	2,523,825	2,523,825	
020	INFRASTRUCTURE	190,000	190,000	
030	EQUIPMENT AND TRANSPORTATION	241,521	241,521	
040	TRAINING AND OPERATIONS	758,380	758,380	
	SUBTOTAL, MINISTRY OF DEFENSE	3,713,726	3,713,726	
	MINISTRY OF INTERIOR			
050	SUSTAINMENT	1,305,950	1,305,950	
060	INFRASTRUCTURE	50,000	50,000	
070	EQUIPMENT AND TRANSPORTATION	84,859	84,859	
080	TRAINING AND OPERATIONS	569,868	569,868	
	SUBTOTAL, MINISTRY OF INTERIOR	2,010,677	2,010,677	
	RELATED ACTIVITIES			
090	SUSTAINMENT	18,325	18,325	
100	INFRASTRUCTURE	1,200	1,200	
110	EQUIPMENT & TRANSPORTATION	1,239	1,239	
120	TRAINING AND OPERATIONS	4,000	4,000	
	SUBTOTAL, RELATED ACTIVITIES	24,764	24,764	
	TOTAL, AFGHANISTAN SECURITY FORCES FUND	5,749,167	5,749,167	
	AFGHANISTAN INFRASTRUCTURE FUND			
010	POWER	400,000	350,000	
	Program decrease		[-50,000]	
	TOTAL, AFGHANISTAN INFRASTRUCTURE FUND	400,000	350,000	
	TOTAL, OPERATION & MAINTENANCE	62,512,514	62,222,514	

TITLE XLIV—MILITARY PERSONNEL

SEC. 4401. MILITARY PERSONNEL.

SEC. 4401. MILITARY PERSONNEL (In Thousands of Dollars)		
Item	FY 2013 Request	Senate Authorized
MILITARY PERSONNEL	135,111,799	135,117,799
BAH for Full-time Guard Transition to Active Duty		[6,000]
TOTAL, MILITARY PERSONNEL	135,111,799	135,117,799

SEC. 4402. MILITARY PERSONNEL FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4402. MILITARY PERSONNEL FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)		
Item	FY 2013 Request	Senate Authorized
MILITARY PERSONNEL	14,060,094	14,060,094
TOTAL, MILITARY PERSONNEL	14,060,094	14,060,094

TITLE XLV—OTHER AUTHORIZATIONS

SEC. 4501. OTHER AUTHORIZATIONS.

SEC. 4501. OTHER AUTHORIZATIONS (In Thousands of Dollars)			
Line	Item	FY 2013 Request	Senate Authorized
	WORKING CAPITAL FUND, ARMY		
010	PREPOSITIONED WAR RESERVE STOCKS	60,037	60,037
	TOTAL, WORKING CAPITAL FUND, ARMY	60,037	60,037
	WORKING CAPITAL FUND, AIR FORCE		
010	C-17 CLS ENGINE REPAIR	0	0
020	TRANSPORTATION FALLEN HEROES	0	0
040	SUPPLIES AND MATERIALS (MEDICAL/DENTAL)	45,452	45,452
	TOTAL, WORKING CAPITAL FUND, AIR FORCE	45,452	45,452
	WORKING CAPITAL FUND, DEFENSE-WIDE		
010	DEFENSE LOGISTICS AGENCY (DLA)	39,135	39,135
	TOTAL, WORKING CAPITAL FUND, DEFENSE-WIDE	39,135	39,135
	WORKING CAPITAL FUND, DECA		
010	WORKING CAPITAL FUND, DECA	1,371,560	1,371,560
	TOTAL, WORKING CAPITAL FUND, DECA	1,371,560	1,371,560
	NATIONAL DEFENSE SEALIFT FUND		
010	T-AKE	0	0
020	MPF MLP	38,000	38,000
030	POST DELIVERY AND OUTFITTING	39,386	39,386
040	NATIONAL DEF SEALIFT VESSEL	0	0
050	LG MED SPD RO/RO MAINTENANCE	128,819	128,819
060	DOD MOBILIZATION ALTERATIONS	26,598	26,598
070	TAH MAINTENANCE	29,199	29,199
080	RESEARCH AND DEVELOPMENT	42,811	42,811
090	READY RESERVE FORCE	303,323	303,323
100	MARAD SHIP FINANCING GUARANTEE PROGRAM	0	0
	TOTAL, NATIONAL DEFENSE SEALIFT FUND	608,136	608,136
	DEFENSE HEALTH PROGRAM		
	DHP, OPERATION & MAINTENANCE		
010	IN-HOUSE CARE	8,625,507	8,625,507
020	PRIVATE SECTOR CARE	16,148,263	16,148,263
030	CONSOLIDATED HEALTH SUPPORT	2,309,185	2,309,185
040	INFORMATION MANAGEMENT	1,465,328	1,465,328
050	MANAGEMENT ACTIVITIES	332,121	332,121
060	EDUCATION AND TRAINING	722,081	722,081
070	BASE OPERATIONS/COMMUNICATIONS	1,746,794	1,746,794
070A	UNDISTRIBUTED		452,000
	Restore DOD assumed Savings for TRICARE Proposals		[452,000]

TITLE XLV—OTHER AUTHORIZATIONS—Continued

SEC. 4501. OTHER AUTHORIZATIONS.

SEC. 4501. OTHER AUTHORIZATIONS (In Thousands of Dollars)			
Line	Item	FY 2013 Request	Senate Authorized
	SUBTOTAL, DHP, OPERATION & MAINTENANCE	31,349,279	31,801,279
	DHP, RDT&E		
080	DEFENSE HEALTH PROGRAM	672,977	672,977
	SUBTOTAL, DHP, RDT&E	672,977	672,977
	DHP, PROCUREMENT		
090	DEFENSE HEALTH PROGRAM	506,462	506,462
	SUBTOTAL, DHP, PROCUREMENT		
	TOTAL, DEFENSE HEALTH PROGRAM	32,528,718	32,980,718
	CHEM AGENTS & MUNITIONS DESTRUCTION		
001	OPERATION & MAINTENANCE	635,843	635,843
002	RDT&E	647,351	647,351
003	PROCUREMENT	18,592	18,592
	TOTAL, CHEM AGENTS & MUNITIONS DESTRUCTION	1,301,786	1,301,786
	DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF		
010	DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF	889,545	863,645
	Transfer to Demand Reduction Program		[-25,900]
020	DRUG DEMAND REDUCTION PROGRAM	109,818	135,718
	Expanded drug testing		[25,900]
	TOTAL, DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF	999,363	999,363
	OFFICE OF THE INSPECTOR GENERAL		
010	OPERATION & MAINTENANCE	272,821	331,921
	DoD IG growth plan		[59,100]
020	RDT&E	0	0
030	PROCUREMENT	1,000	1,000
	TOTAL, OFFICE OF THE INSPECTOR GENERAL	273,821	332,921
	TOTAL, OTHER AUTHORIZATIONS	37,228,008	37,739,108

SEC. 4502. OTHER AUTHORIZATIONS FOR OVER-
SEAS CONTINGENCY OPERATIONS.

SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)			
Line	Item	FY 2013 Request	Senate Authorized
	WORKING CAPITAL FUND, ARMY		
010	PREPOSITIONED WAR RESERVE STOCKS	42,600	42,600
	TOTAL, WORKING CAPITAL FUND, ARMY	42,600	42,600
	WORKING CAPITAL FUND, AIR FORCE		
010	C-17 CLS ENGINE REPAIR	230,400	230,400
020	TRANSPORTATION FALLEN HEROES	10,000	10,000
	TOTAL, WORKING CAPITAL FUND, AIR FORCE	240,400	240,400
	WORKING CAPITAL FUND, DEFENSE-WIDE		
010	DEFENSE LOGISTICS AGENCY (DLA)	220,364	220,364
	TOTAL, WORKING CAPITAL FUND, DEFENSE-WIDE	220,364	220,364
	DEFENSE HEALTH PROGRAM		
	DHP, OPERATION & MAINTENANCE		
010	IN-HOUSE CARE	483,326	483,326
020	PRIVATE SECTOR CARE	376,982	376,982
030	CONSOLIDATED HEALTH SUPPORT	111,675	111,675
040	INFORMATION MANAGEMENT	4,773	4,773
050	MANAGEMENT ACTIVITIES	660	660
060	EDUCATION AND TRAINING	15,370	15,370
070	BASE OPERATIONS/COMMUNICATIONS	1,112	1,112
	SUBTOTAL, DHP, OPERATION & MAINTENANCE		
	TOTAL, DEFENSE HEALTH PROGRAM	993,898	993,898

SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2013 Request	Senate Authorized
010	DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF		
	DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF	469,025	469,025
	TOTAL, DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF	469,025	469,025
010	OFFICE OF THE INSPECTOR GENERAL		
	OPERATION & MAINTENANCE	10,766	10,766
	TOTAL, OFFICE OF THE INSPECTOR GENERAL	10,766	10,766
	TOTAL, OTHER AUTHORIZATIONS	1,977,053	1,977,053

TITLE XLVI—MILITARY CONSTRUCTION**SEC. 4601. MILITARY CONSTRUCTION.**

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State or Country and Installation	Project Title	Budget Request	Senate Agreement
ARMY Milcon				
	Alaska			
ARMY	Fort Wainwright	Modified Record Fire Range	10,400	10,400
ARMY	Joint Base Elmendorf-Richardson	Modified Record Fire Range	7,900	7,900
	California			
ARMY	Concord	Lightning Protection System	5,800	5,800
ARMY	Concord	Engineering/Housing Maintenance Shop	3,100	3,100
	Colorado			
ARMY	Fort Carson, Colorado	Digital Multipurpose Training Range	18,000	18,000
	District of Columbia			
ARMY	Fort McNair	Vehicle Storage Building, Installation	7,200	7,200
	Georgia			
ARMY	Fort Benning	Ground Source Heat Transfer System	16,000	16,000
ARMY	Fort Gordon	Modified Record Fire Range	4,000	4,000
ARMY	Fort Gordon	Multipurpose Machine Gun Range	7,100	7,100
ARMY	Fort Gordon	Ground Source Heat Transfer System	12,200	12,200
ARMY	Fort Stewart, Georgia	Digital Multipurpose Training Range	22,000	22,000
ARMY	Fort Stewart, Georgia	Automated Combat Pistol Qual Crse	3,650	3,650
ARMY	Fort Stewart, Georgia	Unmanned Aerial Vehicle Complex	24,000	24,000
	Hawaii			
ARMY	Pohakuloa Training Area	Automated Infantry Platoon Battle Course	29,000	29,000
ARMY	Schofield Barracks	Barracks	41,000	41,000
ARMY	Schofield Barracks	Barracks	55,000	55,000
ARMY	Wheeler Army Air Field	Combat Aviation Brigade Barracks	85,000	85,000
	Kansas			
ARMY	Fort Riley, Kansas	Unmanned Aerial Vehicle Complex	12,200	12,200
	Kentucky			
ARMY	Fort Campbell, Kentucky	Battalion Headquarters Complex	55,000	55,000
ARMY	Fort Campbell, Kentucky	Live Fire Exercise Shoothouse	3,800	3,800
ARMY	Fort Campbell, Kentucky	Unmanned Aerial Vehicle Complex	23,000	23,000
ARMY	Fort Knox	Automated Infantry Squad Battle Course	6,000	6,000
	Missouri			
ARMY	Fort Leonard Wood	Trainee Barracks Complex 3, Ph 2	58,000	58,000
ARMY	Fort Leonard Wood	Vehicle Maintenance Shop	39,000	39,000
ARMY	Fort Leonard Wood	Battalion Complex Facilities	26,000	26,000
	New Jersey			
ARMY	Picatinny Arsenal	Ballistic Evaluation Center	10,200	10,200
ARMY	Joint Base McGuire-Dix-Lakehurst	Flight Equipment Complex	47,000	47,000
	New York			
ARMY	Fort Drum, New York	Aircraft Maintenance Hangar	95,000	95,000
ARMY	U.S. Military Academy	Cadet Barracks	192,000	0
	North Carolina			
ARMY	Fort Bragg	Aerial Gunnery Range	42,000	42,000
ARMY	Fort Bragg	Infrastructure	30,000	0
ARMY	Fort Bragg	Unmanned Aerial Vehicle Complex	26,000	26,000
	Oklahoma			
ARMY	Fort Sill	Modified Record Fire Range	4,900	4,900
	South Carolina			
ARMY	Fort Jackson	Trainee Barracks Complex 2, Ph 2	24,000	24,000
	Texas			
ARMY	Corpus Christi	Aircraft Component Maintenance Shop	13,200	13,200
ARMY	Corpus Christi	Aircraft Paint Shop	24,000	24,000
ARMY	Fort Bliss	Multipurpose Machine Gun Range	7,200	7,200
ARMY	Fort Hood, Texas	Modified Record Fire Range	4,200	4,200
ARMY	Fort Hood, Texas	Training Aids Center	25,000	25,000
ARMY	Fort Hood, Texas	Unmanned Aerial Vehicle Complex	22,000	22,000

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Account	State or Country and Installation	Project Title	Budget Request	Senate Agreement
ARMY	Joint Base San Antonio	Barracks	21,000	21,000
	Virginia			
ARMY	Arlington	Cemetery Expansion Millennium Site	84,000	0
ARMY	Fort Belvoir	Secure Admin/Operations Facility	94,000	94,000
ARMY	Fort Lee	Adv Individual Training Barracks Cplx, Ph2	81,000	81,000
	Washington			
ARMY	Yakima	Convoy Live Fire Range	5,100	5,100
ARMY	Joint Base Lewis-McChord	Battalion Complex	73,000	73,000
ARMY	Joint Base Lewis-McChord	Waste Water Treatment Plant	91,000	91,000
	Italy			
ARMY	Camp Ederle	Barracks	36,000	36,000
ARMY	Vicenza	Simulations Center	32,000	32,000
	Japan			
ARMY	Okinawa	Satellite Communications Facility	78,000	78,000
ARMY	Sagami	Vehicle Maintenance Shop	18,000	18,000
	Korea			
ARMY	Camp Humphreys	Battalion Headquarters Complex	45,000	45,000
	Worldwide Unspec			
ARMY	Unspecified Worldwide Locations	Minor Construction FY 13	25,000	25,000
ARMY	Unspecified Worldwide Locations	Host Nation Support FY 13	34,000	34,000
ARMY	Unspecified Worldwide Locations	Planning and Design FY13	65,173	46,173
Milcon, A—SUBTOTAL			1,923,323	1,598,323
NAVY Milcon				
	Arizona			
NAVY	Yuma	Security Operations Complex	13,300	13,300
NAVY	Yuma	Combat Aircraft Loading Apron	15,985	15,985
	California			
NAVY	Camp Pendleton, California	Comm. Information Systems Ops Complex	78,897	78,897
NAVY	Camp Pendleton, California	San Jacinto Road Extension	5,074	5,074
NAVY	Camp Pendleton, California	MV22 Aviation Simulator Building	4,139	4,139
NAVY	Ventura County	BAMS Maintenance Training Facility	14,843	12,790
NAVY	Miramar	Hangar 5 Renovations & Addition	27,897	27,897
NAVY	San Diego	Entry Control Point (Gate Five)	11,752	11,752
NAVY	San Diego	LCS Training Facility	59,436	59,436
NAVY	Seal Beach	Strategic Systems Weapons Eval. Test Lab	30,594	30,594
NAVY	Twentynine Palms, California	Land Expansion Phase 2	47,270	47,270
NAVY	Coronado	Bachelor Quarters	76,063	76,063
NAVY	Coronado	H-60S Simulator Training Facility	2,478	2,478
	Florida			
NAVY	Jacksonville	BAMS Mission Control Complex	21,980	21,980
	Hawaii			
NAVY	Kaneohe Bay	MV-22 Hangar and Infrastructure	82,630	82,630
NAVY	Kaneohe Bay	Aircraft Staging Area	14,680	14,680
	Mississippi			
NAVY	Meridian	Dining Facility	10,926	10,926
	New Jersey			
NAVY	Earle	Combat System Engineering Building Addition	33,498	33,498
	North Carolina			
NAVY	Camp Lejeune, North Carolina	Staff NCO Academy Facilities	28,986	28,986
NAVY	Camp Lejeune, North Carolina	Base Access and Road—Phase 3	40,904	40,904
NAVY	Cherry Point Marine Corps Air Station	Marine Air Support Squadron Compound	34,310	34,310
NAVY	Cherry Point Marine Corps Air Station	Armory	11,581	11,581
NAVY	New River	Personnel Administration Center	8,525	8,525
	South Carolina			
NAVY	Beaufort	Ground Support Equipment Shop	9,465	9,465
NAVY	Beaufort	Simulated LHD Flight Deck	12,887	12,887
NAVY	Beaufort	Recycling/Hazardous Waste Facility	3,743	3,743
NAVY	Beaufort	Aircraft Maintenance Hangar	42,010	42,010
NAVY	Beaufort	Airfield Security Upgrades	13,675	13,675
NAVY	Parris Island	Front Gate ATFP Improvements	10,135	10,135
	Virginia			
NAVY	Dahlgren	Cruiser/Destroyer Upgrade Training Facility	16,494	16,494
NAVY	Dahlgren	Physical Fitness Center	11,734	11,734
NAVY	Oceana Naval Air Station	A School Barracks	39,086	39,086
NAVY	Portsmouth	Drydock 8 Electrical Distribution Upgrade	32,706	32,706
NAVY	Quantico	The Basic School Student Quarters—Phase 7	31,012	31,012
NAVY	Quantico	Infrastructure—Widen Russell Road	14,826	14,826
NAVY	Quantico	Weapons Training Battalion Mess Hall	12,876	12,876
NAVY	Yorktown	Regimental Headquarters	11,015	11,015
NAVY	Yorktown	Bachelor Enlisted Quarters	18,422	18,422
NAVY	Yorktown	Motor Transportation Facility	6,188	6,188
NAVY	Yorktown	Supply Warehouse Facility	8,939	8,939
NAVY	Yorktown	Armory	4,259	4,259
	Washington			
NAVY	Whidbey Island	EA-18G Flight Simulator Facility	6,272	6,272
NAVY	Kitsap	Explosives Handling Wharf #2 (INC)	280,041	254,241
	Bahrain Island			

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Account	State or Country and Installation	Project Title	Budget Request	Senate Agreement
NAVY	SW Asia	Transient Quarters	41,529	41,529
NAVY	SW Asia	Combined Dining Facility	9,819	9,819
NAVY	Diego Garcia			
	Diego Garcia	Communications Infrastructure	1,691	1,691
	Greece			
NAVY	Souda Bay	Aircraft Parking Apron Expansion	20,493	20,493
NAVY	Souda Bay	Intermodal Access Road	4,630	4,630
	Guam			
NAVY	Joint Region Marianas	North Ramp Parking (Andersen AFB)—INC 2	25,904	0
	Japan			
NAVY	Iwakuni	Maintenance Hangar Improvements	5,722	5,722
NAVY	Iwakuni	Vertical Take-Off and Landing Pad North	7,416	7,416
NAVY	Okinawa	Bachelor Quarters	8,206	8,206
	Romania			
NAVY	Deveselu, Romania	AEGIS Ashore Missile Defense Complex	45,205	45,205
	Spain			
NAVY	Rota	General Purpose Warehouse	3,378	3,378
NAVY	Rota	High Explosive Magazine	13,837	13,837
	Worldwide Unspec			
NAVY	Various Worldwide Locations	BAMS Operational Facilities	34,048	34,048
	Djibouti			
NAVY	Camp Lemonier, Djibouti	Containerized Living and Work Units	7,510	7,510
NAVY	Camp Lemonier, Djibouti	Galley Addition and Warehouse	22,220	22,220
NAVY	Camp Lemonier, Djibouti	Joint HQ/Joint Operations Center Facility	42,730	42,730
NAVY	Camp Lemonier, Djibouti	Fitness Center	26,960	26,960
	Worldwide Unspec			
NAVY	Unspecified Worldwide Locations	Unspecified Minor Construction	16,535	16,535
NAVY	Unspecified Worldwide Locations	MCON Design Funds	102,619	102,619
Milcon, N—SUBTOTAL			1,701,985	1,648,228
AF Milcon				
	Arkansas			
AF	Little Rock AFB	C—130J Fuel Systems Maintenance Hangar	26,000	26,000
AF	Little Rock AFB	C—130J Flight Simulator Addition	4,178	4,178
	Florida			
AF	Tyndall AFB	F—22 ADAL Hangar for Low Observable/Composite	14,750	14,750
	Georgia			
AF	Fort Stewart, Georgia	Air Support Operations Center (ASOC)	7,250	7,250
AF	Moody AFB	HC—130J Simulator Facility	8,500	8,500
	Nebraska			
AF	Offutt AFB	US STRATCOM Replacement Facility, Incr 2	161,000	128,000
	New Mexico			
AF	Holloman AFB	MQ—9 Maintenance Hangar	25,000	25,000
	North Dakota			
AF	Minot AFB	B—52 Add/Alter Munitions AGE Facility	4,600	4,600
	Texas			
AF	Joint Base San Antonio	Dormitory (144 Rm)	18,000	18,000
	Utah			
AF	Hill AFB	F—35 ADAL Hangar 45W/AMU	7,250	7,250
AF	Hill AFB	F—35 Modular Storage Magazines	2,280	2,280
AF	Hill AFB	F—35 ADAL Building 118 for Flight Simulator	4,000	4,000
	Greenland			
AF	Thule Ab	Dormitory (48 PN)	24,500	24,500
	Italy			
AF	Aviano Ab	F—16 Mission Training Center	9,400	9,400
	Worldwide Unspec			
AF	Unspecified Worldwide Locations	Transient Contingency Dormitory—100 Rm	17,625	0
AF	Unspecified Worldwide Locations	Transient Aircraft Hangars	15,032	0
AF	Unspecified Worldwide Locations	Sanitary Sewer Lift/Pump Station	2,000	2,000
AF	Various Worldwide Locations	Unspecified Minor Construction	18,200	18,200
AF	Unspecified Worldwide Locations	Planning and Design	18,635	18,635
Milcon, AF—SUBTOTAL			388,200	322,543
DEF-WIDE Milcon				
	Belgium			
DEFW	Brussels	NATO Headquarters Facility	26,969	26,969
	Worldwide Unspec			
DEFW	Unspecified Worldwide Locations	Energy Conservation Investment Program	150,000	150,000
DEFW	Unspecified Worldwide Locations	Contingency Construction	10,000	10,000
	Texas			
DFAS	Red River Army Depot	DFAS Facility	16,715	16,715
	Illinois			
DISA	Scott AFB	DISA Facility Upgrades	84,111	84,111
	Germany			
DISA	Stuttgart-Patch Barracks	DISA Europe Facility Upgrades	2,413	2,413
	Arizona			
DLA	Yuma	Truck Unload Facility	1,300	1,300

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Account	State or Country and Installation	Project Title	Budget Request	Senate Agreement
	California			
DLA	Def Fuel Support Point—San Diego	Replace Fuel Pier	91,563	91,563
DLA	Edwards Air Force Base	Replace Fuel Storage	27,500	27,500
	Delaware			
DLA	Dover AFB	Replace Truck Off-Load Facility	2,000	2,000
	Florida			
DLA	Hurlburt Field	Construct Fuel Storage Facility	16,000	16,000
	Indiana			
DLA	Grissom ARB	Replace Hydrant Fuel System	26,800	26,800
	Louisiana			
DLA	Barksdale AFB	Upgrade Pumphouse	11,700	11,700
	North Carolina			
DLA	Seymour Johnson AFB	Replace Pipeline	1,850	1,850
	Pennsylvania			
DLA	Def Dist Depot New Cumberland	Replace Sewage Treatment Plant	6,300	6,300
DLA	Def Dist Depot New Cumberland	Replace Communications Building	6,800	6,800
DLA	Def Dist Depot New Cumberland	Replace Reservoir	4,300	4,300
	Guam			
DLA	Andersen AFB	Upgrade Fuel Pipeline	67,500	0
	Guantanamo Bay, Cuba			
DLA	Guantanamo Bay	Replace Truck Load Facility	2,600	2,600
DLA	Guantanamo Bay	Replace Fuel Pier	37,600	37,600
DKentucky				
DODEA	Fort Campbell, Kentucky	Replace Barkley Elementary School	41,767	41,767
	Germany			
DODEA	Vogelweh	Replace Vogelweh Elementary School	61,415	61,415
DODEA	Weisbaden	Weisbaden High School Addition	52,178	52,178
	Japan			
DODEA	Camp Zama	Renovate Zama High School	13,273	13,273
DODEA	Kadena AB	Replace Elementary School	71,772	71,772
DODEA	Kadena AB	Replace Stearley Heights Elementary School	71,773	71,773
DODEA	Zukeran	Replace Zukeran Elementary School	79,036	79,036
DODEA	Sasebo	Replace Sasebo Elementary School	35,733	35,733
	Korea			
DODEA	Osan AFB	Replace Osan Elementary School	42,692	42,692
	United Kingdom			
DODEA	RAF Feltwell	Feltwell Elementary School Addition	30,811	30,811
DODEA	Menwith Hill Station	Replace Menwith Hill Elementary/High School	46,488	46,488
	New York			
MDA	Fort Drum, New York	IDT Complex	25,900	25,900
	Romania			
MDA	Deveselu, Romania	Aegis Ashore Missile Defense System Complex	157,900	157,900
	Colorado			
NSA	Buckley Air Force Base	Denver Power House	30,000	30,000
	Maryland			
NSA	Fort Meade	NSAW Recapitalize Building #1/Site M Inc 1	25,000	25,000
NSA	Fort Meade	High Performance Computing Center Inc 2	300,521	225,521
	Utah			
NSA	Camp Williams	IC CNCI Data Center 1 Inc 4	191,414	191,414
	United Kingdom			
NSA	Menwith Hill Station	MHS Utilities and Roads	3,795	3,795
	California			
SOCOM	Coronado	SOF Indoor Dynamic Shooting Facility	31,170	31,170
SOCOM	Coronado	SOF Close Quarters Combat/Dynamic Shoot Fac	13,969	13,969
SOCOM	Coronado	SOF Mobile Comm Detachment Support Facility	10,120	10,120
	Colorado			
SOCOM	Fort Carson, Colorado	SOF Battalion Operations Complex	56,673	56,673
	Florida			
SOCOM	Eglin AFB	SOF AVFID Ops and Maintenance Facilities	41,695	41,695
SOCOM	Macdill AFB	SOF Joint Special Ops University Fac (USOU)	34,409	34,409
	Hawaii			
SOCOM	Joint Base Pearl Harbor-Hickam	SOF SDVT-1 Waterfront Operations Facility	24,289	24,289
	Kentucky			
SOCOM	Fort Campbell, Kentucky	SOF Landgraf Hangar Extension	3,559	3,559
SOCOM	Fort Campbell, Kentucky	SOF Ground Support Battalion	26,313	26,313
	New Mexico			
SOCOM	Cannon AFB	SOF AC-130J Combat Parking Apron	22,062	22,062
	North Carolina			
SOCOM	Camp Lejeune, North Carolina	SOF Marine Battalion Company/Team Facilities	53,399	53,399
SOCOM	Camp Lejeune, North Carolina	SOF Survival Evasion Resist. Escape Tng Fac	5,465	5,465
SOCOM	Fort Bragg	SOF Support Addition	3,875	3,875
SOCOM	Fort Bragg	SOF Battalion Operations Facility	40,481	50,481
SOCOM	Fort Bragg	SOF Civil Affairs Battalion Complex	31,373	41,373
SOCOM	Fort Bragg	SOF Sustainment Brigade Complex	24,693	34,693
	Virginia			
SOCOM	Joint Exp Base Little Creek—Story	SOF Combat Services Support Facility—East	11,132	11,132
	Washington			
SOCOM	Fort Lewis	SOF Military Working Dog Kennel	3,967	3,967
SOCOM	Fort Lewis	SOF Battalion Operations Facility	46,553	46,553

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Account	State or Country and Installation	Project Title	Budget Request	Senate Agreement
SOCOM	Conus Classified Classified Location	SOF Parachute Training Facility	6,477	6,477
SOCOM	United Kingdom RAF Mildenhall	SOF CV-22 Simulator Facility	6,490	6,490
TMA	California Twentynine Palms, California	Medical Clinic Replacement	27,400	27,400
TMA	Colorado Pikes Peak	High Altitude Medical Research Lab	3,600	3,600
TMA	Illinois Great Lakes	Drug Laboratory Replacement	28,700	28,700
TMA	Scott AFB	Medical Logistics Warehouse	2,600	2,600
TMA	Maryland Annapolis	Health Clinic Replacement	66,500	66,500
TMA	Bethesda Naval Hospital	Temporary Medical Facilities	26,600	26,600
TMA	Bethesda Naval Hospital	Base Installation Access/Appearance Plan	7,000	0
TMA	Bethesda Naval Hospital	Electrical Capacity and Cooling Towers	35,600	35,600
TMA	Fort Detrick	USAMRIID Stage I, Incr 7	19,000	19,000
TMA	Missouri Fort Leonard Wood	Dental Clinic	18,100	18,100
TMA	New Mexico Cannon AFB	Medical/Dental Clinic Replacement	71,023	71,023
TMA	New York Fort Drum, New York	Soldier Specialty Care Clinic	17,300	17,300
TMA	North Carolina Camp Lejeune, North Carolina	Medical Clinic Replacement	21,200	21,200
TMA	Seymour Johnson AFB	Medical Clinic Replacement	53,600	53,600
TMA	South Carolina Shaw AFB	Medical Clinic Replacement	57,200	57,200
TMA	Texas Fort Bliss	Hospital Replacement Incr 4	207,400	107,400
TMA	Joint Base San Antonio	Ambulatory Care Center Phase 3 Incr	80,700	80,700
TMA	Virginia Norfolk	Veterinary Facility Replacement	8,500	8,500
TMA	Germany Rhine Ordnance Barracks	Medical Center Replacement Incr 2	127,000	127,000
TMA	Korea Kunsan Air Base	Medical/Dental Clinic Addition	13,000	13,000
TMA	Osan AFB	Hospital Addition/Alteration	34,600	34,600
DEFW	Worldwide Unspec Unspecified Worldwide Locations	Unspecified Minor Construction	3,000	3,000
DLA	Unspecified Worldwide Locations	Unspecified Minor Construction	7,254	7,254
DDEA	Unspecified Worldwide Locations	Unspecified Minor Construction	4,091	4,091
NSA	Unspecified Worldwide Locations	Unspecified Minor Milcon	3,000	3,000
SOCOM	Unspecified Worldwide Locations	Unspecified Minor Const	10,000	10,000
TJS	Unspecified Worldwide Locations	Exercise Related Minor Construction	6,440	6,440
TMA	Unspecified Worldwide Locations	Minor Construction	5,000	5,000
DEFW	Unspecified Worldwide Locations	Planning and Design	47,978	47,978
DIA	Unspecified Worldwide Locations	Planning and Design	2,919	2,919
DLA	Unspecified Worldwide Locations	Planning & Design	5,000	5,000
DDEA	Unspecified Worldwide Locations	Planning and Design	105,569	105,569
MDA	Unspecified Worldwide Locations	Planning and Design	4,548	4,548
NSA	Unspecified Worldwide Locations	Planning and Design	8,300	8,300
SOCOM	Unspecified Worldwide Locations	Planning and Design	27,620	27,620
TMA	Unspecified Worldwide Locations	Planning and Design	105,700	105,700
WHS	Unspecified Worldwide Locations	Planning and Design	7,928	7,928
Milcon,Def-Wide—SUBTOTAL			3,654,623	3,435,123
Services MILCON—TOTAL			7,668,131	7,004,217
MCon,Army NG				
ARMY, NG	Alabama Fort McClellan	Live Fire Shoot House	5,400	5,400
ARMY, NG	Arkansas Searcy	Field Maintenance Shop	6,800	6,800
ARMY, NG	California Fort Irwin	Maneuver Area Training & Equipment Site Ph3	25,000	25,000
ARMY, NG	Connecticut Camp Hartell	Combined Support Maintenance Shop	32,000	32,000
ARMY, NG	Delaware Bethany Beach	Regional Training Institute Ph1	5,500	5,500
ARMY, NG	Florida Camp Blanding	Combined Arms Collective Training Fac	9,000	9,000
ARMY, NG	Miramar	Readiness Center	20,000	20,000
ARMY, NG	Hawaii Kapolei	Army Aviation Support Facility Ph1	28,000	28,000
ARMY, NG	Idaho Orchard Training Area	ORTC(Barracks)Ph2	40,000	40,000
ARMY, NG	Indiana South Bend	Armed Forces Reserve Center Add/Alt	21,000	21,000

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Account	State or Country and Installation	Project Title	Budget Request	Senate Agreement
ARMY, NG	Terre Haute	Field Maintenance Shop	9,000	9,000
	Iowa			
ARMY, NG	Camp Dodge	Urban Assault Course	3,000	3,000
	Kansas			
ARMY, NG	Topeka	Taxiway, Ramp & Hangar Alterations	9,500	9,500
	Kentucky			
ARMY, NG	Frankfort	Army Aviation Support Facility	32,000	32,000
	Massachusetts			
ARMY, NG	Camp Edwards	Unit Training Equipment Site	22,000	22,000
	Minnesota			
ARMY, NG	Camp Ripley	Scout Reconnaissance Range	17,000	17,000
ARMY, NG	St Paul	Readiness Center	17,000	17,000
	Missouri			
ARMY, NG	Fort Leonard Wood	Regional Training Institute	18,000	18,000
ARMY, NG	Kansas City	Readiness Center Add/Alt	1,900	1,900
ARMY, NG	Monett	Readiness Center Add/Alt	820	820
ARMY, NG	Perryville	Readiness Center Add/Alt	700	700
	Montana			
ARMY, NG	Miles City	Readiness Center	11,000	11,000
	New Jersey			
ARMY, NG	Sea Girt	Regional Training Institute	34,000	34,000
	New York			
ARMY, NG	Stormville	Combined Support Maint Shop Ph1	24,000	24,000
	Ohio			
ARMY, NG	Chillicothe	Field Maintenance Shop Add/Alt	3,100	3,100
ARMY, NG	Delaware	Readiness Center	12,000	12,000
	Oklahoma			
ARMY, NG	Camp Gruber	Operations Readiness Training Complex	25,000	25,000
	Utah			
ARMY, NG	Camp Williams	BEQ Facility (Regional Training Institute)	15,000	15,000
ARMY, NG	Camp Williams	Regional Training Institute Ph2	21,000	21,000
	Washington			
ARMY, NG	Fort Lewis	Readiness Center	35,000	35,000
	West Virginia			
ARMY, NG	Logan	Readiness Center	14,200	14,200
	Wisconsin			
ARMY, NG	Wausau	Field Maintenance Shop	10,000	10,000
	Guam			
ARMY, NG	Barrigada	JFHQ Ph4	8,500	8,500
	Puerto Rico			
ARMY, NG	Camp Santiago	Readiness Center	3,800	3,800
ARMY, NG	Ceiba	Refill Station Building	2,200	2,200
ARMY, NG	Guaynabo	Readiness Center (JFHQ)	15,000	15,000
ARMY, NG	Gurabo	Readiness Center	14,700	14,700
	Worldwide Unspec			
ARMY, NG	Unspecified Worldwide Locations	Unspecified Minor Construction	15,057	15,057
ARMY, NG	Unspecified Worldwide Locations	Planning and Design	26,622	26,622
MCon,Army NG—Subtotal			613,799	613,799
MCon,Air NG				
	California			
AF, NG	Fresno Yosemite IAP ANG	F-15 Conversion	11,000	11,000
	Hawaii			
AF, NG	Joint Base Pearl Harbor-Hickam	TFI—F-22 Combat Apron Addition	6,500	6,500
	New Mexico			
AF, NG	Kirtland AFB	Alter Target Intelligence Facility	8,500	8,500
	Wyoming			
AF, NG	Cheyenne Map	C-130 Flight Simulator Training Facility	6,486	6,486
	Worldwide Unspec			
AF, NG	Various Worldwide Locations	Unspecified Minor Construction	5,900	5,900
AF, NG	Various Worldwide Locations	Planning and Design	4,000	4,000
MCon,Air NG—Subtotal			42,386	42,386
NG MILCON—TOTAL			656,185	656,185
MCon,A Res				
	California			
ARMY, RESERVE	Fort Hunter Liggett	ORTC	64,000	64,000
ARMY, RESERVE	Fort Hunter Liggett	UPH Barracks	4,300	4,300
ARMY, RESERVE	Tustin	Army Reserve Center	27,000	27,000
	Illinois			
ARMY, RESERVE	Fort Sheridan	Army Reserve Center	28,000	28,000
	Maryland			
ARMY, RESERVE	Aberdeen Proving Ground	Army Reserve Center	21,000	21,000
ARMY, RESERVE	Baltimore	Add/Alt Army Reserve Center	10,000	10,000
	Massachusetts			
ARMY, RESERVE	Devens Reserve Forces Training Area	Automatic Record Fire Range	4,800	4,800
ARMY, RESERVE	Devens Reserve Forces Training Area	Combat Pistol/MP Firearms Qualification	3,700	3,700

SEC. 4601. MILITARY CONSTRUCTION (In Thousands of Dollars)				
Account	State or Country and Installation	Project Title	Budget Request	Senate Agreement
ARMY, RESERVE	Nevada Las Vegas	Army Reserve Center/AMSA	21,000	21,000
ARMY, RESERVE	New Jersey Joint Base McGuire-Dix-Lakehurst	Automated Infantry Squad Battle Course	7,400	7,400
ARMY, RESERVE	Washington Joint Base Lewis-McChord	Army Reserve Center	40,000	40,000
ARMY, RESERVE	Wisconsin Fort McCoy	Central Issue Facility	12,200	12,200
ARMY, RESERVE	Fort McCoy	Dining Facility	8,600	8,600
ARMY, RESERVE	Fort McCoy	ECS Tactical Equip. Maint. Facility (TEMF)	27,000	27,000
ARMY, RESERVE	Worldwide Unspec	Unspecified Minor Construction	10,895	10,895
ARMY, RESERVE	Unspecified Worldwide Locations	Planning and Design	15,951	15,951
MCon,A Res—Subtotal			305,846	305,846
Milcon, Naval Res				
NAVY, RESERVE	Arizona Yuma	Reserve Training Facility—Yuma AZ	5,379	5,379
NAVY, RESERVE	Iowa Fort Des Moines	Joint Reserve Center—Des Moines IA	19,162	19,162
NAVY, RESERVE	Louisiana New Orleans	Transient Quarters	7,187	7,187
NAVY, RESERVE	New York Brooklyn	Vehicle Maint. Fac.—Brooklyn NY	4,430	4,430
NAVY, RESERVE	Texas Fort Worth	Commercial Vehicle Inspection Site	11,256	11,256
NAVY, RESERVE	Worldwide Unspec	Planning and Design	2,118	2,118
NAVY, RESERVE	Unspecified Worldwide Locations			
Milcon, Naval Res—Subtotal			49,532	49,532
MCon,AF Res				
AF, RESERVE	New York Niagara Falls IAP	Flight Simulator Facility	6,100	6,100
AF, RESERVE	Worldwide Unspec	Unspecified Minor Construction	2,000	2,000
AF, RESERVE	Various Worldwide Locations	Planning and Design	2,879	2,879
MCon,AF Res—Subtotal			10,979	10,979
Reserve Milcon—TOTAL			366,357	366,357
MILCON Major Accounts—TOTAL			8,690,673	8,026,759
Chem-Demil				
Chem Demil	Colorado Pueblo Depot	Ammunition Demilitarization Facility, Ph XIV	36,000	36,000
Chem Demil	Kentucky Blue Grass Army Depot	Ammunition Demilitarization Ph XIII	115,000	115,000
ChemDemil / NSIP—Total			151,000	151,000
NSIP				
NSIP	Worldwide Unspec NATO Security Investment Program	NATO Security Investment Program	254,163	254,163
NATO Security Investment Program			254,163	254,163
Army Fam Housing				
FH Const,A	Worldwide Unspec Unspecified Worldwide Locations	Family Housing P&D	4,641	4,641
Army Fam Hsg Construction—Subtotal			4,641	4,641
FH Op&Dt,A	Worldwide Unspec			
FH Op&Dt,A	Unspecified Worldwide Locations	Utilities Account	88,112	88,112
FH Op&Dt,A	Unspecified Worldwide Locations	Services Account	13,487	13,487
FH Op&Dt,A	Unspecified Worldwide Locations	Management Account	56,970	56,970
FH Op&Dt,A	Unspecified Worldwide Locations	Miscellaneous Account	620	620
FH Op&Dt,A	Unspecified Worldwide Locations	Furnishings Account	31,785	31,785
FH Op&Dt,A	Unspecified Worldwide Locations	Leasing	203,533	203,533
FH Op&Dt,A	Unspecified Worldwide Locations	Maintenance of Real Property	109,534	109,534
FH Op&Dt,A	Unspecified Worldwide Locations	Privatization Support Costs	26,010	26,010
Army Fam Hsg O&M—Subtotal			530,051	530,051
Army Fam Hsg—TOTAL			534,692	534,692
Navy Fam Housing				

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State or Country and Installation	Project Title	Budget Request	Senate Agreement
Navy Fam Hsg Construction—Subtotal				
FH Const,N	Worldwide Unspec			
FH Const,N	Unspecified Worldwide Locations	Improvements	97,655	97,655
		Design	4,527	4,527
Navy Fam Hsg Construction—Subtotal			102,182	102,182
Navy Fam Hsg O&M—Subtotal				
FH Op&Dt,N	Worldwide Unspec			
FH Op&Dt,N	Unspecified Worldwide Locations	Utilities Account	80,860	80,860
FH Op&Dt,N	Unspecified Worldwide Locations	Furnishings Account	17,697	17,697
FH Op&Dt,N	Unspecified Worldwide Locations	Management Account	62,741	62,741
FH Op&Dt,N	Unspecified Worldwide Locations	Miscellaneous Account	491	491
FH Op&Dt,N	Unspecified Worldwide Locations	Services Account	19,615	19,615
FH Op&Dt,N	Unspecified Worldwide Locations	Leasing	83,774	83,774
FH Op&Dt,N	Unspecified Worldwide Locations	Maintenance of Real Property	85,254	85,254
FH Op&Dt,N	Unspecified Worldwide Locations	Privatization Support Costs	27,798	27,798
Navy Fam Hsg O&M—Subtotal			378,230	378,230
Navy Fam Hsg—TOTAL			480,412	480,412
AF Fam Housing				
FH Con,AF	Worldwide Unspec			
FH Con,AF	Unspecified Worldwide Locations	Improvements	79,571	79,571
		Planning and Design	4,253	4,253
AF Fam Hsg Construction—Subtotal			83,824	83,824
AF Fam Hsg O&M—Subtotal				
FH Op&Dt,AF	Worldwide Unspec			
FH Op&Dt,AF	Unspecified Worldwide Locations	Utilities Account	75,662	75,662
FH Op&Dt,AF	Unspecified Worldwide Locations	Management Account	55,002	55,002
FH Op&Dt,AF	Unspecified Worldwide Locations	Services Account	16,550	16,550
FH Op&Dt,AF	Unspecified Worldwide Locations	Furnishings Account	37,878	37,878
FH Op&Dt,AF	Unspecified Worldwide Locations	Miscellaneous Account	1,943	1,943
FH Op&Dt,AF	Unspecified Worldwide Locations	Leasing	62,730	62,730
FH Op&Dt,AF	Unspecified Worldwide Locations	Maintenance (RPMA RPMC)	201,937	201,937
FH Op&Dt,AF	Unspecified Worldwide Locations	Housing Privatization	46,127	46,127
AF Fam Hsg O&M—Subtotal			497,829	497,829
AF Fam Hsg—TOTAL			581,653	581,653
Def-Wide Fam Hous-				
ing				
FH Op&Dt,D-W	Worldwide Unspec			
FH Op&Dt,D-W	Unspecified Worldwide Locations	Utilities Account	283	283
FH Op&Dt,D-W	Unspecified Worldwide Locations	Utilities Account	12	12
FH Op&Dt,D-W	Unspecified Worldwide Locations	Furnishings Account	4,660	4,660
FH Op&Dt,D-W	Unspecified Worldwide Locations	Furnishings Account	20	20
FH Op&Dt,D-W	Unspecified Worldwide Locations	Services Account	31	31
FH Op&Dt,D-W	Unspecified Worldwide Locations	Management Account	371	371
FH Op&Dt,D-W	Unspecified Worldwide Locations	Furnishings Account	66	66
FH Op&Dt,D-W	Unspecified Worldwide Locations	Leasing	35,333	35,333
FH Op&Dt,D-W	Unspecified Worldwide Locations	Leasing	10,822	10,822
FH Op&Dt,D-W	Unspecified Worldwide Locations	Maintenance of Real Property	567	567
FH Op&Dt,D-W	Unspecified Worldwide Locations	Maintenance of Real Property	73	73
DefWide Fam Hsg O&M—Subtotal			52,238	52,238
DoD FH Imprv Fd				
DoD FH Imprv Fd	Worldwide Unspec			
	Unspecified Worldwide Locations	Family Housing Improvement Fund	1,786	1,786
DoD Fam Hsg Imprv Fd—Subtotal			1,786	1,786
FAM HSG—TOTAL			1,650,781	1,650,781
BRAC IV				
BRAC, A	Worldwide Unspec			
BRAC, N	Base Realignment & Closure, Army	Base Realignment & Closure	79,893	79,893
BRAC, AF	Base Realignment & Closure, Navy	Base Realignment & Closure	146,951	146,951
	Base Realignment & Closure, AF	Base Realignment & Closure	122,552	122,552
BRAC IV—TOTAL			349,396	349,396
2005 BRAC				
ARMY BRAC				
BRAC—Army	Worldwide Unspec			
BRAC—Army	Unspecified Worldwide Locations	USA—121: Fort Gillem, GA	4,976	4,976
BRAC—Army	Unspecified Worldwide Locations	USA—222: Fort McPherson, GA	6,772	6,772
BRAC—Army	Unspecified Worldwide Locations	Program Management Various Locations	20,453	20,453
BRAC—Army	Unspecified Worldwide Locations	USA—223: Fort Monmouth, NJ	9,989	9,989
BRAC—Army	Unspecified Worldwide Locations	USA—36: Red River Army Depot	1,385	1,385

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State or Country and Installation	Project Title	Budget Request	Senate Agreement
BRAC—Army	Unspecified Worldwide Locations	USA—113: Fort Monroe, VA	12,184	12,184
BRAC—Army	Unspecified Worldwide Locations	USA—236: RC Transformation in CT	557	557
BRAC—Army	Unspecified Worldwide Locations	USA—242: RC Transformation in NY	172	172
BRAC—Army	Unspecified Worldwide Locations	USA—253: RC Transformation in PA	100	100
BRAC—Army	Unspecified Worldwide Locations	USA—212: USAR Cmd & Cntrl—New England	222	222
BRAC—Army	Unspecified Worldwide Locations	USA—167: USAR Command and Control—NE	175	175
BRAC—Army	Unspecified Worldwide Locations	IND—112: River Bank Army Ammo Plant, CA	22,431	22,431
BRAC—Army	Unspecified Worldwide Locations	IND—119: Newport Chemical Depot, IN	197	197
BRAC—Army	Unspecified Worldwide Locations	IND—106: Kansas Army Ammunition Plant, KS	7,280	7,280
BRAC—Army	Unspecified Worldwide Locations	IND—110: Mississippi Army Ammo Plant, MS	160	160
BRAC—Army	Unspecified Worldwide Locations	IND—122: Lone Star Army Ammo Plant, TX	11,379	11,379
BRAC—Army	Unspecified Worldwide Locations	MED—2: Walter Reed NMMC, Bethesda, MD	7,787	7,787
BRAC—Army—Subtotal			106,219	106,219
NAVY BRAC				
	Worldwide Unspec			
BRAC—Navy	Unspecified Worldwide Locations	DON—172: NWS Seal Beach, Concord, CA	2,129	2,129
BRAC—Navy	Unspecified Worldwide Locations	DON—138: NAS Brunswick, ME	4,897	4,897
BRAC—Navy	Unspecified Worldwide Locations	DON—157: MCSA Kansas City, MO	39	39
BRAC—Navy	Unspecified Worldwide Locations	DON—84: JRB Willow Grove & Cambria Reg AP	189	189
BRAC—Navy	Unspecified Worldwide Locations	DON—168: NS Newport, RI	1,742	1,742
BRAC—Navy	Unspecified Worldwide Locations	DON—100: Planning, Design and Management	5,038	5,038
BRAC—Navy	Unspecified Worldwide Locations	DON—101: Various Locations	4,176	4,176
BRAC—Navy—Subtotal			18,210	18,210
AF BRAC				
	Worldwide Unspec			
BRAC—Air Force	Unspecified Worldwide Locations	Program Management Various Locations	605	605
BRAC—Air Force	Unspecified Worldwide Locations	MED—57: Brooks City Base, TX	326	326
BRAC—Air Force	Unspecified Worldwide Locations	Comm Add 3: Galena Fol, AK	1,337	1,337
BRAC—Air Force—Subtotal			2,268	2,268
BRAC 2005—TOTAL			126,697	126,697
BRAC IV + BRAC 2005—TOTAL			476,093	476,093
MILCON GRAND TOTAL			11,222,710	10,558,796

TITLE XLVII—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS.

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2013 Request	Senate Authorized
Discretionary Summary By Appropriation		
Energy And Water Development, And Related Agencies		
Appropriation Summary:		
Energy Programs		
Electricity delivery and energy reliability	6,000	0
Atomic Energy Defense Activities		
National nuclear security administration:		
Weapons activities	7,577,341	7,602,341
Defense nuclear nonproliferation	2,458,631	2,458,631
Naval reactors	1,088,635	1,126,621
Office of the administrator	411,279	386,279
Total, National nuclear security administration	11,535,886	11,573,872
Environmental and other defense activities:		
Defense environmental cleanup	5,472,001	5,009,001
Other defense activities	735,702	735,702
Total, Environmental & other defense activities	6,207,703	5,744,703
Total, Atomic Energy Defense Activities	17,743,589	17,318,575
Total, Discretionary Funding	17,749,589	17,318,575
Electricity Delivery & Energy Reliability		
Electricity Delivery & Energy Reliability		
Infrastructure security & energy restoration	6,000	0
Weapons Activities		
Directed stockpile work		

TITLE XLVII—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS—Continued

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS.

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2013 Request	Senate Authorized
Life extension programs		
B61 Life extension program	369,000	369,000
W76 Life extension program	174,931	174,931
Total, Life extension programs	543,931	543,931
Stockpile systems		
B61 Stockpile systems	72,364	72,364
W76 Stockpile systems	65,445	90,445
W78 Stockpile systems	139,207	139,207
W80 Stockpile systems	46,540	46,540
B83 Stockpile systems	57,947	57,947
W87 Stockpile systems	85,689	85,689
W88 Stockpile systems	123,217	123,217
Total, Stockpile systems	590,409	615,409
Weapons dismantlement and disposition		
Operations and maintenance	51,265	51,265
Stockpile services		
Production support	365,405	365,405
Research and development support	28,103	28,103
R&D certification and safety	191,632	191,632
Management, technology, and production	175,844	175,844
Plutonium sustainment	141,685	141,685
Total, Stockpile services	902,669	902,669
Total, Directed stockpile work	2,088,274	2,113,274
Campaigns:		
Science campaign		
Advanced certification	44,104	44,104
Primary assessment technologies	94,000	94,000
Dynamic materials properties	97,000	97,000
Advanced radiography	30,000	30,000
Secondary assessment technologies	85,000	85,000
Total, Science campaign	350,104	350,104
Engineering campaign		
Enhanced surety	46,421	46,421
Weapon systems engineering assessment technology	18,983	18,983
Nuclear survivability	21,788	21,788
Enhanced surveillance	63,379	63,379
Total, Engineering campaign	150,571	150,571
Inertial confinement fusion ignition and high yield campaign		
Diagnostics, cryogenics and experimental support	81,942	81,942
Ignition	84,172	84,172
Support of other stockpile programs	14,817	14,817
Pulsed power inertial confinement fusion	6,044	6,044
Joint program in high energy density laboratory plasmas	8,334	8,334
Facility operations and target production	264,691	264,691
Total, Inertial confinement fusion and high yield campaign	460,000	460,000
Advanced simulation and computing campaign	600,000	600,000
Readiness Campaign		
Nonnuclear readiness	64,681	64,681
Tritium readiness	65,414	65,414
Total, Readiness campaign	130,095	130,095
Total, Campaigns	1,690,770	1,690,770
Readiness in technical base and facilities (RTBF)		
Operations of facilities		
Kansas City Plant	163,602	163,602
Lawrence Livermore National Laboratory	89,048	89,048
Los Alamos National Laboratory	335,978	335,978
Nevada National Security Site	115,697	115,697
Pantex	172,020	172,020
Sandia National Laboratory	167,384	167,384

TITLE XLVII—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS—Continued

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS.

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS (In Thousands of Dollars)		
Program	FY 2013 Request	Senate Authorized
Savannah River Site	120,577	120,577
Y-12 National security complex	255,097	255,097
Total, Operations of facilities	1,419,403	1,419,403
Science, technology and engineering capability support	166,945	166,945
Nuclear operations capability support	203,346	203,346
Subtotal, Readiness in technical base and facilities	1,789,694	1,789,694
Construction:		
13-D-301 Electrical infrastructure upgrades, LANL/LLNL	23,000	23,000
12-D-301 TRU waste facilities, LANL	24,204	24,204
11-D-801 TA-55 Reinvestment project, LANL	8,889	8,889
10-D-501 Nuclear facilities risk reduction Y-12 National security complex, Oakridge, TN	17,909	17,909
09-D-404 Test capabilities revitalization II, Sandia National Laboratories, Albuquerque, NM	11,332	11,332
08-D-802 High explosive pressing facility Pantex Plant, Amarillo, TX	24,800	24,800
06-D-141 PED/Construction, UPFY-12, Oak Ridge, TN	340,000	0
06-D-141 PED/Construction, UPFY-12, Phase I, Oak Ridge, TN	0	340,000
Total, Construction	450,134	450,134
Total, Readiness in technical base and facilities	2,239,828	2,239,828
Secure transportation asset		
Operations and equipment	114,965	114,965
Program direction	104,396	104,396
Total, Secure transportation asset	219,361	219,361
Nuclear counterterrorism incident response	247,552	247,552
Site stewardship		
Operations and maintenance	90,001	90,001
Total, Site stewardship	90,001	90,001
Defense nuclear security		
Operations and maintenance	643,285	643,285
NNSA CIO activities	155,022	155,022
Legacy contractor pensions	185,000	185,000
National security applications	18,248	18,248
Subtotal, Weapons activities	7,577,341	7,602,341
Total, Weapons Activities	7,577,341	7,602,341
Defense Nuclear Nonproliferation		
Nonproliferation and verification R&D		
Operations and maintenance	398,186	398,186
Domestic Enrichment R&D	150,000	150,000
Subtotal, Nonproliferation and verification R&D	548,186	548,186
Nonproliferation and international security	150,119	150,119
International nuclear materials protection and cooperation	311,000	311,000
Fissile materials disposition		
U.S. surplus fissile materials disposition		
Operations and maintenance		
U.S. plutonium disposition	498,979	498,979
U.S. uranium disposition	29,736	29,736
Total, Operations and maintenance	528,715	528,715
Construction:		
99-D-143 Mixed oxide fuel fabrication facility, Savannah River, SC	388,802	388,802
Total, Construction	388,802	388,802
Total, U.S. surplus fissile materials disposition	917,517	917,517
Russian surplus fissile materials disposition	3,788	3,788
Total, Fissile materials disposition	921,305	921,305
Global threat reduction initiative	466,021	466,021

TITLE XLVII—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS—Continued

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS.

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS (In Thousands of Dollars)		
Program	FY 2013 Request	Senate Authorized
Legacy contractor pensions	62,000	62,000
Subtotal, Defense Nuclear Nonproliferation	2,458,631	2,458,631
Total, Defense Nuclear Nonproliferation	2,458,631	2,458,631
Naval Reactors		
Naval reactors development	418,072	418,072
Ohio replacement reactor systems development	89,700	127,686
S8G Prototype refueling	121,100	121,100
Naval reactors operations and infrastructure	366,961	366,961
Construction:		
13-D-905 Remote-handled low-level waste facility, INL	8,890	8,890
13-D-904 KS Radiological work and storage building, KSO	2,000	2,000
13-D-903, KS Prototype Staff Building, KSO	14,000	14,000
10-D-903, Security upgrades, KAPL	19,000	19,000
08-D-190 Expanded Core Facility M-290 recovering discharge station,Naval Reactor Facility, ID	5,700	5,700
Total, Construction	49,590	49,590
Program direction	43,212	43,212
Subtotal, Naval Reactors	1,088,635	1,126,621
Total, Naval Reactors	1,088,635	1,126,621
Office Of The Administrator		
Office of the administrator	411,279	386,279
Total, Office Of The Administrator	411,279	386,279
Defense Environmental Cleanup		
Closure sites:		
Closure sites administration	1,990	1,990
Hanford site:		
River corridor and other cleanup operations	389,347	389,347
Central plateau remediation	558,820	558,820
Richland community and regulatory support	15,156	15,156
Total, Hanford site	963,323	963,323
Idaho National Laboratory:		
Idaho cleanup and waste disposition	396,607	396,607
Idaho community and regulatory support	3,000	3,000
Total, Idaho National Laboratory	399,607	399,607
NNSA sites		
Lawrence Livermore National Laboratory	1,484	1,484
Nuclear facility D&D Separations Process Research Unit	24,000	24,000
Nevada	64,641	64,641
Sandia National Laboratories	5,000	5,000
Los Alamos National Laboratory	239,143	239,143
Total, NNSA sites and Nevada off-sites	334,268	334,268
Oak Ridge Reservation:		
Building 3019	67,525	67,525
OR cleanup and disposition	109,470	109,470
OR reservation community and regulatory support	4,500	4,500
Total, Oak Ridge Reservation	181,495	181,495
Office of River Protection:		
Waste treatment and immobilization plant		
01-D-416 A-E/ORP-0060/Major construction	690,000	690,000
Tank farm activities		
Rad liquid tank waste stabilization and disposition	482,113	482,113
Total, Office of River protection	1,172,113	1,172,113
Savannah River sites:		

TITLE XLVII—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS—Continued

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS.

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS (In Thousands of Dollars)		
Program	FY 2013 Request	Senate Authorized
Savannah River risk management operations	444,089	444,089
SR community and regulatory support	16,584	16,584
Radioactive liquid tank waste:		
Radioactive liquid tank waste stabilization and disposition	698,294	698,294
Construction:		
05-D-405 Salt waste processing facility, Savannah River	22,549	22,549
Total, Radioactive liquid tank waste	720,843	720,843
Total, Savannah River site	1,181,516	1,181,516
Waste Isolation Pilot Plant		
Waste isolation pilot plant	198,010	198,010
Total, Waste Isolation Pilot Plant	198,010	198,010
Program direction	323,504	323,504
Program support	18,279	18,279
Safeguards and Security:		
Oak Ridge Reservation	18,817	18,817
Paducah	8,909	8,909
Portsmouth	8,578	8,578
Richland/Hanford Site	71,746	71,746
Savannah River Site	121,977	121,977
Waste Isolation Pilot Project	4,977	4,977
West Valley	2,015	2,015
Total, Safeguards and Security	237,019	237,019
Technology development	20,000	20,000
Uranium enrichment D&D fund contribution	463,000	0
Subtotal, Defense environmental cleanup	5,494,124	5,031,124
Adjustments		
Use of prior year balances	-12,123	-12,123
Use of unobligated balances	-10,000	-10,000
Total, Adjustments	-22,123	-22,123
Total, Defense Environmental Cleanup	5,472,001	5,009,001
Other Defense Activities		
Health, safety and security		
Health, safety and security	139,325	139,325
Program direction	106,175	106,175
Total, Health, safety and security	245,500	245,500
Specialized security activities	188,619	188,619
Office of Legacy Management		
Legacy management	164,477	164,477
Program direction	13,469	13,469
Total, Office of Legacy Management	177,946	177,946
Defense-related activities		
Defense-related administrative support	118,836	118,836
Office of hearings and appeals	4,801	4,801
Subtotal, Other defense activities	735,702	735,702
Total, Other Defense Activities	735,702	735,702

SA 2787. Ms. COLLINS (for herself and Mr. LIEBERMAN) submitted an amendment intended to be proposed by her to the bill S. 3457, to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 10. PRESCRIPTION DRUG TAKE-BACK PROGRAM FOR MEMBERS OF THE ARMED FORCES AND THEIR DEPENDENTS.

(a) PROGRAM REQUIRED.—The Secretary of Defense and the Attorney General shall jointly carry out a program (commonly referred to as a “prescription drug take-back program”) under which members of the Armed Forces and dependents of members of the Armed Forces may deliver controlled

substances to military medical treatment facilities to be disposed of in accordance with section 302(g) of the Controlled Substances Act (21 U.S.C. 822(g)).

(b) PROGRAM ELEMENTS.—The program required by subsection (a) shall provide for the following:

(1) The delivery of controlled substances under the program to such members of the Armed Forces, medical professionals, and

other employees of the Department of Defense, and to such other acceptance mechanisms, as the Secretary and the Attorney General jointly specify for purposes of the program.

(2) Appropriate guidelines and procedures to prevent the diversion, misuse, theft, or loss of controlled substances delivered under the program.

SA 2788. Ms. COLLINS (for herself and Mr. LIEBERMAN) submitted an amendment intended to be proposed by her to the bill S. 3457, to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . VETERANS ACCESS TO FEDERAL EXCESS AND SURPLUS PROPERTY.

Section 549(c)(3) of title 40, United States Code, is amended—

(1) in subparagraph (A), by striking “or” at the end;

(2) in subparagraph (B)—

(A) in clause (viii), by adding “or” at the end; and

(B) by striking clause (x); and

(3) by adding at the end the following:

“(C) for purposes of providing services to veterans (as defined in section 101 of title 38), to an organization whose—

“(i) membership comprises substantially veterans; and

“(ii) representatives are recognized by the Secretary of Veterans Affairs under section 5902 of title 38.”.

SA 2789. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 3457, to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes; which was ordered to lie on the table; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “Veterans Jobs Corps Act of 2012”.

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Veterans Jobs Corps.
- Sec. 3. Employment of veterans with the Federal Government.
- Sec. 4. Requirement that States recognize military experience of veterans when issuing licenses and credentials to veterans.
- Sec. 5. Support for job searches of veterans through one-stop centers.
- Sec. 6. State consideration of military training in granting certain State certifications and licenses as a condition on the receipt of funds for veterans employment and training.
- Sec. 7. Study on value and utility of a skill credential registry.
- Sec. 8. Minimum funding levels for disabled veterans’ outreach program specialists and local veterans’ employment representatives.
- Sec. 9. Off-base transition training.
- Sec. 10. Expansion of contracting goals and preferences of Department of Veterans Affairs to include small business concerns 100 percent but conditionally owned by veterans.

Sec. 11. Modification of treatment under contracting goals and preferences of Department of Veterans Affairs for small businesses owned by veterans of small businesses after death of disabled veteran owners.

Sec. 12. Treatment of businesses after deaths of servicemember-owners for purposes of Department of Veterans Affairs contracting goals and preferences.

Sec. 13. Special rule for treatment under contracting goals and preferences of Department of Veterans Affairs of small business concerns licensed in community property States.

Sec. 14. 100 percent continuous levy on payment to medicare providers and suppliers.

Sec. 15. Extension of modified pension for certain veterans covered by medicaid plans for services furnished by nursing facilities.

Sec. 16. Revocation or denial of passport in case of certain unpaid taxes.

Sec. 17. Time for payment of corporate estimated taxes.

Sec. 18. Scoring of budgetary effects.

SEC. 2. VETERANS JOBS CORPS.

(a) **ESTABLISHMENT.**—

(1) **IN GENERAL.**—The Secretary of Veterans Affairs shall, in cooperation with the Attorney General, the Secretary of Agriculture, the Secretary of Commerce, the Secretary of Homeland Security, the Secretary of the Interior, and the Commanding General of the United States Army Corps of Engineers, establish a veterans jobs corps to employ veterans—

(A) in conservation, resource management, and historic preservation projects on public lands and maintenance and improvement projects for cemeteries under the jurisdiction of the National Cemetery Administration; and

(B) as firefighters and law enforcement officers.

(2) **ADVISORY INPUT.**—The Secretary of Defense and the Secretary of Labor may provide the Secretary of Veterans Affairs with advice regarding the establishment of the veterans jobs corps.

(b) **CONSERVATION, RESOURCE MANAGEMENT, HISTORIC PRESERVATION, AND CEMETERY MAINTENANCE AND IMPROVEMENT PROJECTS.**—

(1) **IN GENERAL.**—As part of the veterans jobs corps, the Secretary of Veterans Affairs, the Secretary of Agriculture, the Secretary of Commerce, the Secretary of the Interior, and the Commanding General of the United States Army Corps of Engineers shall—

(A) employ veterans to carry out projects described in subsection (a)(1); or

(B) award grants to, or enter into contracts with, State governments, local governments, tribal governments, or nongovernmental entities to employ veterans to carry out projects described in subsection (a)(1).

(2) **PRIORITY.**—In employing or awarding grants or contracts to employ veterans under this subsection, the Secretary of Veterans Affairs, the Secretary of Agriculture, the Secretary of Commerce, the Secretary of the Interior, and the Commanding General of the United States Army Corps of Engineers shall give priority towards the employment of veterans who served on active duty in the Armed Forces on or after September 11, 2001.

(3) **COORDINATION.**—The Secretary of Veterans Affairs shall coordinate the activities of the Attorney General, the Secretary of Agriculture, the Secretary of Commerce, the

Secretary of Homeland Security, the Secretary of the Interior, and the Commanding General of the United States Army Corps of Engineers to employ veterans as part of the veterans jobs corps.

(4) **OVERSIGHT OF PROJECTS.**—The secretaries referred to in paragraph (1) and the Commanding General of the United States Army Corps of Engineers shall each provide oversight of the projects for which they employ veterans under subparagraph (A) of such paragraph or award grants or enter into contracts under subparagraph (B) of such paragraph.

(c) **FIRST RESPONDERS.**—

(1) **FIREFIGHTERS.**—As part of the veterans jobs corps, the Secretary of Homeland Security shall award grants under section 34 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229a) to hire veterans as firefighters.

(2) **LAW ENFORCEMENT OFFICERS.**—As part of the veterans jobs corps, the Attorney General shall award grants under part Q of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd et seq.) to hire veterans as law enforcement officers.

(3) **PRIORITY.**—In awarding grants under this subsection to hire veterans, the Secretary of Homeland Security and the Attorney General shall give priority to the hiring of veterans who served on active duty in the Armed Forces on or after September 11, 2001.

(d) **ASSISTANCE.**—

(1) **IN GENERAL.**—The Secretary of Veterans Affairs may provide assistance to the secretaries described in subsection (a), the Attorney General, and the Commanding General of the United States Army Corps of Engineers to carry out the veterans jobs corps. Such assistance may take the form of a transfer under paragraph (2).

(2) **TRANSFERS.**—Except as otherwise provided in this subsection, of amounts appropriated or otherwise made available to the Secretary of Veterans Affairs to carry out this section, the Secretary of Veterans Affairs may transfer such amounts as the Secretary considers appropriate to carry out the veterans jobs corps to the following:

- (A) The Attorney General.
- (B) The Secretary of Agriculture.
- (C) The Secretary of Commerce.
- (D) The Secretary of Homeland Security.
- (E) The Secretary of the Interior.
- (F) The Commanding General of the United States Army Corps of Engineers.

(3) **ASSISTANCE FOR CONSERVATION, RESOURCE MANAGEMENT, HISTORIC PRESERVATION, AND CEMETERY MAINTENANCE AND IMPROVEMENT PROJECTS.**—

(A) **APPLICATION.**—If a secretary referred to in subsection (b)(1) or the Commanding General of the United States Army Corps of Engineers seeks assistance under paragraph (1) to employ a veteran to carry out a project under subparagraph (A) of subsection (b)(1) or to award a grant or contract to carry out a project under subparagraph (B) of such subsection, such secretary or the Commanding General shall submit to the Secretary of Veterans Affairs an application therefor at such time, in such manner, and containing such information as the Secretary of Veterans Affairs may require.

(B) **SELECTION.**—The Secretary of Veterans Affairs shall, in consultation with the steering committee established under subparagraph (C), award assistance under this paragraph in accordance with such criteria as the steering committee establishes.

(C) **STEERING COMMITTEE.**—

(i) **IN GENERAL.**—The Secretary of Veterans Affairs shall establish a steering committee—

(I) to establish selection criteria for the awarding of assistance under paragraph (1) to employ a veteran to carry out a project under subparagraph (A) of subsection (b)(1) or to award a grant or contract to carry out a project under subparagraph (B) of such subsection; and

(II) to provide the Secretary of Veterans Affairs with advice on awarding assistance under this subsection with respect to projects described in subsection (a)(1) and carrying out the veterans jobs corps under subsection (b).

(ii) COMPOSITION.—The steering committee shall be composed of the following:

(I) The Secretary of Veterans Affairs.

(II) The Secretary of Agriculture.

(III) The Secretary of Commerce.

(IV) The Secretary of the Interior.

(V) The Commanding General of the United States Army Corps of Engineers.

(iii) CHAIRPERSON.—The chairperson of the steering committee shall be the Secretary of Veterans Affairs.

(iv) ADVISORY INPUT.—The Secretary of Defense and the Secretary of Labor may provide advice to the steering committee.

(4) ASSISTANCE FOR FIRST RESPONDERS.—Not more than 10 percent of amounts appropriated or otherwise made available to the Secretary of Veterans Affairs to carry out this section may be transferred to the Attorney General and the Secretary of Homeland Security to employ veterans under subsection (c).

(e) REPORTING FRAMEWORK.—The Secretary of Veterans Affairs shall establish a reporting framework to regularly monitor and evaluate the veterans jobs corps to ensure proper oversight and accountability of the veterans jobs corps.

(f) OUTREACH.—The Secretary of Veterans Affairs shall, in consultation with the Secretary of Labor, ensure that veterans employed under the veterans jobs corps are aware of benefits and assistance available to them under laws administered by the Secretary of Veterans Affairs and benefits and assistance available to them under laws administered by the Secretary of Labor, particularly with respect to education, training, and related benefits that might complement their employment under the veterans jobs corps.

(g) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is available without further appropriation to the Secretary of Veterans Affairs to carry out this section, \$1,000,000,000 for the period of fiscal years 2012 through 2017.

(2) LIMITATION.—Of amounts made appropriated or otherwise made available to carry out this section, not more than five percent may be spent to administer the veterans jobs corps.

(h) VETERAN DEFINED.—In this section, the term “veteran” has the meaning given the term in section 101 of title 38, United States Code.

SEC. 3. EMPLOYMENT OF VETERANS WITH THE FEDERAL GOVERNMENT.

(a) IN GENERAL.—Section 4214 of title 38, United States Code, is amended—

(1) in subsection (b), by adding at the end the following:

“(4)(A) The requirement under this section is in addition to the appointment of qualified covered veterans under the authority under paragraph (1) by the Department of Veterans Affairs and the Department of Defense.

“(B) The head of each agency, in consultation with the Director of the Office of Personnel Management, shall develop a plan for exercising the authority under paragraph (1)

during the five-year period beginning on the date of enactment of the Careers for Veterans Act of 2012.

“(C) The Director of the Office of Personnel Management shall ensure that under the plans developed under subparagraph (B) agencies shall appoint to existing vacancies not fewer than 10,000 qualified covered veterans during the five-year period beginning on the date of enactment of the Careers for Veterans Act of 2012.”;

(2) in subsection (d), in the third sentence, by inserting “(including, during the 5-year period beginning on the date of enactment of the Careers for Veterans Act of 2012, the development and implementation by each agency of the plan required under subsection (b)(4), which shall include information regarding the grade or pay level of appointments by the agency under the plan and whether the appointments are, or are converted to, career or career-conditional appointments)” after “subsection (b) of this section”; and

(3) in subsection (e)—

(A) in paragraph (1)—

(i) in the matter before subparagraph (A), by striking “to the Congress” and inserting “to the appropriate committees of Congress”; and

(ii) in subparagraph (A), by inserting “(including, during the 5-year period beginning on the date of enactment of the Careers for Veterans Act of 2012, the development and implementation by the agency of the plan required under subsection (b)(4), which shall include information regarding the grade or pay level of appointments by the agency under the plan and whether the appointments are, or are converted to, permanent appointments)” before the period; and

(B) by adding at the end the following new paragraph:

“(3) In this subsection, the term ‘appropriate committees of Congress’ means—

“(A) the Committee on Veterans’ Affairs and the Committee on Homeland Security and Governmental Affairs of the Senate; and

“(B) the Committee on Veterans’ Affairs and the Committee on Oversight and Government Reform of the House of Representatives.”;

(b) REPORT.—Not later than 180 days after the date of enactment of this Act, the Director of the Office of Personnel Management shall submit to the appropriate committees of Congress (as defined under section 4214(e)(3) of title 38, United States Code, as amended by subsection (a)) regarding the development of a plan to carry out the amendments made by subsection (a).

SEC. 4. REQUIREMENT THAT STATES RECOGNIZE MILITARY EXPERIENCE OF VETERANS WHEN ISSUING LICENSES AND CREDENTIALS TO VETERANS.

(a) IN GENERAL.—Section 4102A(c) of title 38, United States Code, is amended by adding at the end the following new paragraph:

“(9)(A) As a condition of a grant or contract under which funds are made available to a State under subsection (b)(5) in order to carry out section 4103A or 4104 of this title, the State shall—

“(i) establish a program under which the State administers an examination to each veteran seeking a license or credential issued by the State and issues such license or credential to such veteran without requiring such veteran to undergo any training or apprenticeship if the veteran—

“(I) receives a satisfactory score on completion of such examination, as determined by the State; and

“(II) has not less than 10 years of experience in a military occupational specialty

that, as determined by the State, is similar to a civilian occupation for which such license or credential is required by the State; and

“(ii) submit each year to the Secretary a report on the exams administered under clause (i) during the most recently completed 12-month period that includes, for the period covered by the report the number of veterans who completed an exam administered by the State under clause (i) and a description of the results of such exams, disaggregated by occupational field.

“(B) Not less frequently than once each year, the Secretary shall submit to Congress and the Secretary of Defense a report summarizing the information received by the Secretary under subparagraph (A)(ii).”.

(b) EFFECTIVE DATE.—

(1) EXAMS.—Subparagraph (A) of section 4102A(c)(9) of such title, as added by subsection (a), shall take effect on the date that is one year after the date of the enactment of this Act and shall apply with respect to grants and contracts described in such subparagraph awarded after such date.

(2) REPORTS.—Subparagraph (B) of section 4102A(c)(9), as added by subsection (a), shall take effect on the date that is one year after the date of the enactment of this Act and the Secretary of Labor shall submit the first report under such subparagraph not later than two years after the date of the enactment of this Act.

SEC. 5. SUPPORT FOR JOB SEARCHES OF VETERANS THROUGH ONE-STOP CENTERS.

(a) FURNISHING OF LIST OF INTERNET RESOURCES.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Labor shall furnish each one-stop center with a list of all Internet websites and applications that the Secretary has identified as beneficial for veterans in pursuit of employment to their pursuit.

(b) IDENTIFICATION OF ADDITIONAL RESOURCES.—The Secretary shall coordinate with public and private sector entities to identify Internet websites and applications not already included in a list furnished under subsection (a) that—

(1) match veterans seeking employment with available jobs based on the skills the veterans acquired as members of the Armed Forces; and

(2) allow employers to post information about available jobs.

(c) SUPPLEMENTS.—The Secretary of Labor shall furnish each one-stop center with a list of Internet websites and applications identified under subsection (b).

(d) REPORT.—Not later than 455 days after the date of the enactment of this Act, the Secretary of Labor shall submit to the appropriate committees of Congress a report on the use of the Internet websites and applications identified under subsection (b) for the benefit of veterans in pursuit of employment.

(e) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term “appropriate committees of Congress” means—

(A) the Committee on Veterans’ Affairs and the Committee on Health, Education, Labor, and Pensions of the Senate; and

(B) the Committee on Veterans’ Affairs and the Committee on Education and the Workforce of the House of Representatives.

(2) ONE-STOP CENTER.—The term “one-stop center” means a center described in section 134(c) of the Workforce Investment Act of 1998 (29 U.S.C. 2864(c)).

SEC. 6. STATE CONSIDERATION OF MILITARY TRAINING IN GRANTING CERTAIN STATE CERTIFICATIONS AND LICENSES AS A CONDITION ON THE RECEIPT OF FUNDS FOR VETERANS EMPLOYMENT AND TRAINING.

(a) IN GENERAL.—Section 4102A(c) of title 38, United States Code, is amended by adding at the end the following:

“(9)(A) As a condition of a grant or contract under which funds are made available to a State in order to carry out section 4103A or 4104 of this title for any program year, the Secretary shall require the State—

“(i) to demonstrate that when the State approves or denies a certification or license described in subparagraph (B) for a veteran the State takes into consideration any training received or experience gained by the veteran while serving on active duty in the Armed Forces; and

“(ii) to disclose to the Secretary in writing the following:

“(I) Criteria applicants must satisfy to receive a certification or license described in subparagraph (B) by the State.

“(II) A description of the standard practices of the State for evaluating training received by veterans while serving on active duty in the Armed Forces and evaluating the documented work experience of such veterans during such service for purposes of approving or denying a certification or license described in subparagraph (B).

“(III) Identification of areas in which training and experience described in subclause (II) fails to meet criteria described in subclause (I).”

“(B) A certification or license described in this subparagraph is any of the following that is issued or awarded by a State:

“(i) A license to be a State tested nursing assistant or a certified nursing assistant.

“(ii) A commercial driver's license.

“(iii) An emergency medical technician license EMT-B or EMT-I.

“(iv) An emergency medical technician-paramedic license.

“(C) The Secretary shall share the information the Secretary receives under subparagraph (A)(ii) with the Secretary of Defense to help the Secretary of Defense improve training for military occupational specialties so that individuals who receive such training are able to receive a certification or license described in subparagraph (B) from a State.

“(D) The Secretary of Defense shall provide technical assistance and guidance to States on the training members of the Armed Forces receive for military occupational specialties so that States can make informed decisions with respect to certifying and licensing veterans.”

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to the first program year that begins on or after the date that is one year after the date of the enactment of this Act and each program year thereafter.

(c) MODIFICATION OF TRAINING PROGRAMS FOR MILITARY OCCUPATIONAL SPECIALTIES.—The Secretary of Defense shall work with certification and licensing organizations and the Secretary of Labor to identify commonalities between military occupational specialties and civilian occupations and may revise the training programs for military occupational specialties so that members of the Armed Forces who complete such training programs develop the skills required for certification or licensing in civilian occupations that are similar to the military occupational specialties for which they were trained in the Armed Forces.

SEC. 7. STUDY ON VALUE AND UTILITY OF A SKILL CREDENTIAL REGISTRY.

(a) FEASIBILITY STUDY.—The Secretary of Labor and the Secretary of Education, in consultation with Secretary of Commerce, shall jointly conduct a study to determine the value and utility of a registry of recognized postsecondary credentials valued by employers, individuals, providers of education and training, economic development professionals, State and local officials, and other relevant stakeholders.

(b) CONTENTS.—The study in subsection (a) shall address, at a minimum, the following:

(1) The type of organization, or consortium of organizations, that should manage or operate such a registry.

(2) The administration of such a registry, especially how such administration would be supported with non-Federal funds.

(3) How such a registry would be maintained and kept current so as to be of greatest value.

(4) How the quality and integrity of the credentials cataloged in such a registry would be ensured, so as to be of the greatest value.

(5) How the contents of such a registry could inform the provision of education and training services through Federal education and workforce development programs.

(6) How such a registry would be marketed and utilized so as to be of greatest value.

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Labor and the Secretary of Education shall jointly submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives a report on the results of the study conducted under subsection (a).

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary of Labor and the Secretary of Education \$250,000 to conduct the study required by subsection (a).

(e) DEFINITIONS.—In this section:

(1) INDUSTRY-RECOGNIZED.—The term “industry-recognized”, used with respect to a credential, means a credential that—

(A) is sought or accepted by employers within the industry sector involved as recognized, preferred, or required for recruitment, screening, hiring, or advancement;

(B) is endorsed by a recognized trade or professional association or organization, representing a significant part of the industry sector; and

(C) is a nationally portable credential, meaning a credential that is sought or accepted, across multiple States, as described in subparagraph (A).

(2) RECOGNIZED POSTSECONDARY CREDENTIAL.—The term “recognized postsecondary credential” means a credential consisting of an industry-recognized credential for postsecondary training, a certificate that meets the requirements of subparagraphs (A) and (C) of paragraph (1) for postsecondary training, a certificate of completion of a postsecondary apprenticeship through a program described in Section 122(a)(2)(B) of the Workforce Investment Act of 1998 (29 U.S.C. 2842(a)(2)(B)), or an associate degree or baccalaureate degree awarded by an institution of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001 (a))).

SEC. 8. MINIMUM FUNDING LEVELS FOR DISABLED VETERANS' OUTREACH PROGRAM SPECIALISTS AND LOCAL VETERANS' EMPLOYMENT REPRESENTATIVES.

(a) IN GENERAL.—Clause (iii) of section 4102A(c)(2)(B) of title 38, United States Code, is amended to read as follows:

“(i)(I) In carrying out this paragraph, the Secretary shall establish minimum funding levels and hold-harmless criteria for States.

“(II) Except as provided in subclause (III), at a minimum, the minimum funding levels establish under subclause (I) shall ensure that each State receives sufficient funding to support at least one disabled veterans' outreach program specialist appointed under section 4103A(a)(1) of this title and one local veterans' employment representative assigned under section 4104(b) of this title per 5,000 square miles of service delivery area within the State.

“(III) In determining minimum funding levels under subclause (II), the Secretary may exclude consideration of counties with a population density of less than one person per square mile.”

(b) REPORT.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Labor shall submit to Congress a report on the effect of the amendment made by subsection (a) on veterans who reside in highly rural areas.

(2) ELEMENTS.—The report required by paragraph (1) shall include the following:

(A) A description of the effect of the amendment made by subsection (a) on veterans who reside in highly rural areas.

(B) Such recommendations for legislative or administrative action as the Secretary considers appropriate to improve the provision of contracts and grants under section 4102A(b)(5) of such title to meet the needs of veterans who reside in highly rural areas and are eligible for services furnished under chapter 41 of such title.

(3) HIGHLY RURAL DEFINED.—In this subsection, the term “highly rural”, in the case of an area, means that the area consists of a county or counties having a population of less than seven persons per square mile.

SEC. 9. OFF-BASE TRANSITION TRAINING.

(a) PROVISION OF OFF-BASE TRANSITION TRAINING.—During the three-year period beginning on the date of the enactment of this Act, the Secretary of Labor shall provide the Transition Assistance Program under section 1144 of title 10, United States Code, to eligible individuals at locations other than military installations in not less than three and not more than five States selected by the Secretary.

(b) SELECTION OF LOCATIONS.—In selecting States in which to carry out the training under subsection (a), the Secretary shall select the States with the highest rates of veteran unemployment. The Secretary shall provide such training to veterans at a sufficient number of locations within the selected States to meet the need. The Secretary shall select such locations to facilitate access by participants and may not select any location on a military installation other than a National Guard or reserve facility that is not located on an active duty military installation.

(c) ELIGIBLE INDIVIDUALS.—For purposes of this section, an eligible individual is a veteran or the spouse of a veteran.

(d) INCLUSION OF INFORMATION ABOUT VETERANS BENEFITS.—The Secretary shall ensure that the training provided under subsection (a) generally follows the content of the Transition Assistance Program under section 1144 of title 10, United States Code.

(e) **INTEGRATING SUBJECT MATTER EXPERTS.**—The Secretary of Labor shall include in any contract entered into pursuant to section 1144 of title 10, United States Code, or section 4113 of title 38, United States Code, a requirement to include experts in subject matters relating to human resources practices, including resume writing, interviewing and job searching skills, and the provision of information about post-secondary education.

(f) **ANNUAL REPORT.**—Not later than March 1 of any year during which the Secretary provides training under subsection (a), the Secretary shall submit to Congress a report on the provision of such training.

(g) **COMPTROLLER GENERAL REPORT.**—Not later than 180 days after the termination of the three-year period described in subsection (a), the Comptroller General of the United States shall submit to Congress a report on the training provided under such subsection. The report shall include the evaluation of the Comptroller General regarding the feasibility of carrying out off-base transition training at locations nationwide.

SEC. 10. EXPANSION OF CONTRACTING GOALS AND PREFERENCES OF DEPARTMENT OF VETERANS AFFAIRS TO INCLUDE SMALL BUSINESS CONCERNS 100 PERCENT BUT CONDITIONALLY OWNED BY VETERANS.

Section 8127(1) of title 38, United States Code, is amended—

(1) in paragraph (2), by inserting “unconditionally” before “owned by” each place it appears; and

(2) by adding at the end the following new paragraph:

“(3) The term ‘unconditionally owned’ includes, with respect to ownership of a small business concern, conditional ownership of such small business concern if such business concern is 100 percent owned by one or more veterans.”.

SEC. 11. MODIFICATION OF TREATMENT UNDER CONTRACTING GOALS AND PREFERENCES OF DEPARTMENT OF VETERANS AFFAIRS FOR SMALL BUSINESSES OWNED BY VETERANS OF SMALL BUSINESSES AFTER DEATH OF DISABLED VETERAN OWNERS.

(a) **IN GENERAL.**—Section 8127(h) of title 38, United States Code, is amended—

(1) in paragraph (3), by striking “rated as” and all that follows through “disability.” and inserting a period; and

(2) in paragraph (2), by amending subparagraph (C) to read as follows:

“(C) The date that—

“(i) in the case of a surviving spouse of a veteran with a service-connected disability rated as 100 percent disabling or who dies as a result of a service-connected disability, is 10 years after the date of the veteran’s death; or

“(ii) in the case of a surviving spouse of a veteran with a service-connected disability rated as less than 100 percent disabling who does not die as a result of a service-connected disability, is three years after the date of the veteran’s death.”.

(b) **EFFECTIVE DATE.**—The amendments made by subsection (a) shall take effect on the date that is 180 days after the date of the enactment of this Act and shall apply with respect to contracts awarded on or after such date.

SEC. 12. TREATMENT OF BUSINESSES AFTER DEATHS OF SERVICEMEMBER-OWNERS FOR PURPOSES OF DEPARTMENT OF VETERANS AFFAIRS CONTRACTING GOALS AND PREFERENCES.

(a) **IN GENERAL.**—Section 8127 of title 38, United States Code, is amended—

(1) by redesignating subsections (i) through (l) as subsections (j) through (m), respectively; and

(2) by inserting after subsection (h) the following new subsection (i):

“(i) **TREATMENT OF BUSINESSES AFTER DEATH OF SERVICEMEMBER-OWNER.**—(1) If a member of the Armed Forces owns at least 51 percent of a small business concern and such member is killed in line of duty in the active military, naval, or air service, the surviving spouse or dependent of such member who acquires such ownership rights in such small business concern shall, for the period described in paragraph (2), be treated as if the surviving spouse or dependent were a veteran with a service-connected disability for purposes of determining the status of the small business concern as a small business concern owned and controlled by veterans for purposes of contracting goals and preferences under this section.

“(2) The period referred to in paragraph (1) is the period beginning on the date on which the member of the Armed Forces dies and ending on the date as follows:

“(A) In the case of a surviving spouse, the earliest of the following dates:

“(i) The date on which the surviving spouse remarries.

“(ii) The date on which the surviving spouse relinquishes an ownership interest in the small business concern and no longer owns at least 51 percent of such small business concern.

“(iii) The date that is ten years after the date of the member’s death.

“(B) In the case of a dependent who is not a spouse, the earliest of the following dates:

“(i) The date on which the surviving dependent relinquishes an ownership interest in the small business concern and no longer owns at least 51 percent of such small business concern.

“(ii) The date that is ten years after the date of the member’s death.”.

(b) **EFFECTIVE DATE.**—Subsection (i) of section 8127 of such title, as added by subsection (a), take effect on the date of the enactment of this Act and shall apply with respect to the deaths of members of the Armed Forces occurring on or after such date.

SEC. 13. SPECIAL RULE FOR TREATMENT UNDER CONTRACTING GOALS AND PREFERENCES OF DEPARTMENT OF VETERANS AFFAIRS OF SMALL BUSINESSES CONCERNS LICENSED IN COMMUNITY PROPERTY STATES.

Section 8127 of title 38, United States Code, as amended by section 12, is further amended by adding at the end the following new subsection:

“(n) **SPECIAL RULE FOR COMMUNITY PROPERTY STATES.**—Whenever the Secretary assesses, for purposes of this section, the degree of ownership by an individual of a small business concern licensed in a community property State, the Secretary shall also assess what that degree of ownership would be if such small business concern had been licensed in a State other than a community property State. If the Secretary determines that such individual would have had a greater degree of ownership of the small business concern had such small business concern been licensed in a State other than a community property State, the Secretary shall treat, for purposes of this section, such small business concern as if it had been licensed in a State other than a community property State.”.

SEC. 14. 100 PERCENT CONTINUOUS LEVY ON PAYMENT TO MEDICARE PROVIDERS AND SUPPLIERS.

Paragraph (3) of section 6331(h) of the Internal Revenue Code of 1986 is amended by

striking the period at the end and inserting “, or, with respect to payments made on or after the date which is 180 days after the date of the enactment of the Veterans Jobs Corps Act of 2012, to a Medicare provider or supplier under title XVIII of the Social Security Act.”.

SEC. 15. EXTENSION OF MODIFIED PENSION FOR CERTAIN VETERANS COVERED BY MEDICAID PLANS FOR SERVICES FURNISHED BY NURSING FACILITIES.

Section 5503(d)(7) of title 38, United States Code, is amended by striking “September 30, 2016” and inserting “March 31, 2017”.

SEC. 16. REVOCATION OR DENIAL OF PASSPORT IN CASE OF CERTAIN UNPAID TAXES.

(a) **IN GENERAL.**—Subchapter D of chapter 75 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

“SEC. 7345. REVOCATION OR DENIAL OF PASSPORT IN CASE OF CERTAIN TAX DELINQUENCIES.

“(a) **IN GENERAL.**—If the Secretary receives certification by the Commissioner of Internal Revenue that any individual has a seriously delinquent tax debt in an amount in excess of \$50,000, the Secretary shall transmit such certification to the Secretary of State for action with respect to denial, revocation, or limitation of a passport pursuant to section 16(d) of the Veterans Jobs Corps Act of 2012.

“(b) **SERIOUSLY DELINQUENT TAX DEBT.**—For purposes of this section, the term ‘seriously delinquent tax debt’ means an outstanding debt under this title for which a notice of lien has been filed in public records pursuant to section 6323 or a notice of levy has been filed pursuant to section 6331, except that such term does not include—

“(1) a debt that is being paid in a timely manner pursuant to an agreement under section 6159 or 7122, and

“(2) a debt with respect to which collection is suspended because a collection due process hearing under section 6330, or relief under subsection (b), (c), or (f) of section 6015, is requested or pending.

“(c) **ADJUSTMENT FOR INFLATION.**—In the case of a calendar year beginning after 2012, the dollar amount in subsection (a) shall be increased by an amount equal to—

“(1) such dollar amount, multiplied by

“(2) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year, determined by substituting ‘calendar year 2011’ for ‘calendar year 1992’ in subparagraph (B) thereof.

If any amount as adjusted under the preceding sentence is not a multiple of \$1,000, such amount shall be rounded to the next highest multiple of \$1,000.”.

(b) **CLERICAL AMENDMENT.**—The table of sections for subchapter D of chapter 75 of the Internal Revenue Code of 1986 is amended by adding at the end the following new item:

“Sec. 7345. Revocation or denial of passport in case of certain tax delinquencies.”.

(c) **AUTHORITY FOR INFORMATION SHARING.**—

(1) **IN GENERAL.**—Subsection (l) of section 6103 of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

“(23) **DISCLOSURE OF RETURN INFORMATION TO DEPARTMENT OF STATE FOR PURPOSES OF PASSPORT REVOCATION UNDER SECTION 7345.**—

“(A) **IN GENERAL.**—The Secretary shall, upon receiving a certification described in section 7345, disclose to the Secretary of State return information with respect to a taxpayer who has a seriously delinquent tax

debt described in such section. Such return information shall be limited to—

“(i) the taxpayer identity information with respect to such taxpayer, and

“(ii) the amount of such seriously delinquent tax debt.

“(B) RESTRICTION ON DISCLOSURE.—Return information disclosed under subparagraph (A) may be used by officers and employees of the Department of State for the purposes of, and to the extent necessary in, carrying out the requirements of section 16(d) of the Veterans Jobs Corps Act of 2012.”.

(2) CONFORMING AMENDMENT.—Paragraph (4) of section 6103(p) of such Code is amended by striking “or (22)” each place it appears in subparagraph (F)(ii) and in the matter preceding subparagraph (A) and inserting “(22), or (23)”.

(d) AUTHORITY TO DENY OR REVOKE PASSPORT.—

(1) DENIAL.—

(A) IN GENERAL.—Except as provided under subparagraph (B), upon receiving a certification described in section 7345 of the Internal Revenue Code of 1986 from the Secretary of the Treasury, the Secretary of State may not issue a passport to any individual who has a seriously delinquent tax debt described in such section.

(B) EMERGENCY AND HUMANITARIAN SITUATIONS.—Notwithstanding subparagraph (A), the Secretary of State may issue a passport, in emergency circumstances or for humanitarian reasons, to an individual described in subparagraph (A).

(2) REVOCATION.—

(A) IN GENERAL.—The Secretary of State may revoke a passport previously issued to any individual described in paragraph (1)(A).

(B) LIMITATION FOR RETURN TO UNITED STATES.—If the Secretary of State decides to revoke a passport under subparagraph (A), the Secretary of State, before revocation, may—

(i) limit a previously issued passport only for return travel to the United States; or

(ii) issue a limited passport that only permits return travel to the United States.

(3) HOLD HARMLESS.—The Secretary of the Treasury and the Secretary of State shall not be liable to an individual for any action with respect to a certification by the Commissioner of Internal Revenue under section 7345 of the Internal Revenue Code of 1986.

(e) REVOCATION OR DENIAL OF PASSPORT IN CASE OF INDIVIDUAL WITHOUT SOCIAL SECURITY ACCOUNT NUMBER.—

(1) DENIAL.—

(A) IN GENERAL.—Except as provided under subparagraph (B), upon receiving an application for a passport from an individual that either—

(i) does not include the social security account number issued to that individual, or

(ii) includes an incorrect or invalid social security number willfully, intentionally, negligently, or recklessly provided by such individual,

the Secretary of State is authorized to deny such application and is authorized to not issue a passport to the individual.

(B) EMERGENCY AND HUMANITARIAN SITUATIONS.—Notwithstanding subparagraph (A), the Secretary of State may issue a passport, in emergency circumstances or for humanitarian reasons, to an individual described in subparagraph (A).

(2) REVOCATION.—

(A) IN GENERAL.—The Secretary of State may revoke a passport previously issued to any individual described in paragraph (1)(A).

(B) LIMITATION FOR RETURN TO UNITED STATES.—If the Secretary of State decides to

revoke a passport under subparagraph (A), the Secretary of State, before revocation, may—

(i) limit a previously issued passport only for return travel to the United States; or

(ii) issue a limited passport that only permits return travel to the United States.

(f) EFFECTIVE DATE.—The provisions of, and amendments made by, this section shall take effect on January 1, 2013.

SEC. 17. TIME FOR PAYMENT OF CORPORATE ESTIMATED TAXES.

Notwithstanding section 6655 of the Internal Revenue Code of 1986, in the case of a corporation with assets of not less than \$1,000,000,000 (determined as of the end of the preceding taxable year)—

(1) the amount of any required installment of corporate estimated tax which is otherwise due in July, August, or September of 2013 shall be increased by 0.25 percent of such amount (determined without regard to any increase in such amount not contained in such Code);

(2) the amount of any required installment of corporate estimated tax which is otherwise due in July, August, or September of 2017 shall be increased by 0.50 percent of such amount (determined without regard to any increase in such amount not contained in such Code); and

(3) the amount of the next required installment after an installment referred to in paragraph (1) or (2) shall be appropriately reduced to reflect the amount of the increase by reason of such paragraph.

SEC. 18. SCORING OF BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go-Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

NOTICE OF HEARING

COMMITTEE ON HEALTH, EDUCATION, LABOR,
AND PENSIONS

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in open session on Thursday, September 13, 2012, at 10:30 a.m. in room 430 of the Dirksen Senate Office Building to conduct a hearing entitled “Improving College Affordability: A View From the States.”

For further information regarding this meeting, please contact Leanne Hotek of the committee staff on (202) 224-9243.

PRIVILEGES OF THE FLOOR

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the following staff of the Finance Committee be allowed on the Senate floor for the remainder of the 112th Congress: Sara Butler, Anderson Heiman, Luke Johnson, Rolland Smith, and David Swedman.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HARKIN. Mr. President, I ask unanimous consent that Rebecca

Sadwick and Jessica Flannery of my staff be granted privileges of the floor for the duration of today's session.

The PRESIDING OFFICER. Without objection, it is so ordered.

RESOLUTIONS SUBMITTED TODAY

Mr. BROWN of Ohio. I ask unanimous consent that the Senate proceed to the immediate consideration en bloc of the following resolutions which were submitted earlier today: S. Res. 548, S. Res. 549, and S. Res. 550.

There being no objection, the Senate proceeded to consider the resolutions en bloc.

Mr. BROWN of Ohio. I ask unanimous consent the resolutions be agreed to, the preambles be agreed to, the motions to reconsider be laid upon the table en bloc, with no intervening action or debate, and that any statements related to the resolutions be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolutions were agreed to.

The preambles were agreed to.

The resolutions, with their preambles, read as follows:

S. RES. 548

(Designating the week beginning September 9, 2012, as “National Direct Support Professionals Recognition Week.”)

Whereas direct support professionals, direct care workers, personal assistants, personal attendants, in-home support workers, and paraprofessionals (referred to in this preamble as “direct support professionals”) are the primary providers of publicly funded long term supports and services for millions of individuals with disabilities;

Whereas a direct support professional must build a close, trusted relationship with an individual with disabilities;

Whereas a direct support professional assists an individual with disabilities with the most intimate needs on a daily basis;

Whereas direct support professionals perform a broad range of activities for individuals with disabilities, including preparing meals, managing medications, bathing, dressing, helping with mobility, providing transportation to school, work, and religious and recreational activities, and helping with general daily affairs;

Whereas a direct support professional provides essential support to help keep an individual with disabilities connected to the family and community of the individual;

Whereas direct support professionals enable individuals with disabilities to live meaningful, productive lives;

Whereas direct support professionals are the key to allowing an individual with disabilities to live successfully in the community and avoid more costly institutional care;

Whereas the majority of direct support professionals are female, and many are the sole breadwinners of their families;

Whereas, although direct support professionals work and pay taxes, many are impoverished and are eligible for the same Federal and State public assistance programs that individuals with disabilities depend on;

Whereas Federal policies, State policies, and the opinion of the Supreme Court in *Olmstead v. L.C.*, 527 U.S. 581 (1999) assert the

right of an individual to live in his or her home and community;

Whereas the majority of direct support professionals are employed in home and community-based settings, and the percentage of direct support professionals employed in such settings is projected to increase during this decade;

Whereas there is a documented critical and growing shortage of direct support professionals in every community throughout the United States; and

Whereas many direct support professionals are forced to leave jobs due to inadequate wages and benefits, creating high turnover and vacancy rates, which, research demonstrates, adversely affects the quality of supports provided to individuals with disabilities: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week beginning September 9, 2012, as “National Direct Support Professionals Recognition Week”;

(2) recognizes the dedication and vital role of direct support professionals, direct care workers, personal assistants, personal attendants, in-home support workers, and paraprofessionals (referred to in this resolution as “direct support professionals”) in enhancing the lives of individuals of all ages with disabilities;

(3) appreciates the contribution of direct support professionals in serving needs that are beyond the capacity of millions of families in the United States;

(4) commends direct support professionals as integral participants in the long-term support and services system of the United States; and

(5) finds that the successful implementation of the public policies of the United States depends on the dedication of direct support professionals.

S. RES. 549

(Designating September 2012 as “Campus Fire Safety Month.”)

Whereas, each year, States across the United States formally designate the month of September as “Campus Fire Safety Month”;

Whereas, since January 2000, at least 152 people, including students, parents, and children, have died in campus-related fires;

Whereas 85 percent of those deaths occurred in off-campus residences;

Whereas a majority of college students in the United States live in an off-campus residence;

Whereas many fatal fires have occurred in a building in which the occupants had compromised or disabled the fire safety system;

Whereas automatic fire alarm systems provide the early warning of a fire that is necessary for occupants of a building and the fire department to take appropriate action;

Whereas automatic fire sprinkler systems are a highly effective method of controlling or extinguishing a fire in the early stages, thus protecting the lives of building occupants;

Whereas many college students live in an off-campus residence, fraternity or sorority housing, or a residence hall that is not adequately protected by automatic fire sprinkler systems and automatic fire alarm systems;

Whereas fire safety education is an effective method of reducing the occurrence of fires and the resulting loss of life and property damage;

Whereas college students do not routinely receive effective fire safety education while in college;

Whereas educating young people in the United States about the importance of fire safety is vital to help ensure that young people engage in fire-safe behavior during college and after college; and

Whereas developing a generation of adults who practice fire safety may significantly reduce future loss of life from fires: Now, therefore, be it

Resolved, That the Senate—

(1) designates September 2012 as “Campus Fire Safety Month”; and

(2) encourages administrators of institutions of higher education and municipalities across the United States—

(A) to provide educational programs to all college students in September and throughout the school year;

(B) to evaluate the level of fire safety being provided in both on-campus and off-campus student housing; and

(C) to ensure fire-safe living environments through fire safety education, the installation of fire suppression and detection systems, and the development and enforcement of applicable codes relating to fire safety.

S. RES. 550

(Designating September 13, 2012, as “National Celiac Disease Awareness Day.”)

Whereas according to the National Center for Health Statistics of the Centers for Disease Control and Prevention, celiac disease affects approximately 1 in every 141 people in the United States;

Whereas the majority of people with celiac disease have yet to be diagnosed;

Whereas celiac disease is a chronic inflammatory disorder that is classified as both an autoimmune condition and a genetic condition;

Whereas celiac disease causes damage to the lining of the small intestine, which results in overall malnutrition;

Whereas when a person with celiac disease consumes foods that contain certain protein fractions, that person suffers a cell-mediated immune response that damages the villi of the small intestine, interfering with the absorption of nutrients in food and the effectiveness of medications;

Whereas such problematic protein fractions are found in wheat, barley, rye, and oats, which are used to produce many foods, medications, and vitamins;

Whereas because celiac disease is a genetic disease, there is an increased incidence of celiac disease in families with a known history of celiac disease;

Whereas celiac disease is underdiagnosed because the symptoms can be attributed to other conditions and are easily overlooked by doctors and patients;

Whereas as recently as 2000, the average person with celiac disease waited 11 years for a correct diagnosis;

Whereas ½ of all people with celiac disease do not show symptoms of the disease;

Whereas celiac disease is diagnosed by tests that measure the blood for abnormally high levels of the antibodies of immunoglobulin A, antitissue transglutaminase, and IgA antiendomysium antibodies;

Whereas celiac disease can be treated only by implementing a diet free of wheat, barley, rye, and oats, often called a “gluten-free diet”;

Whereas a delay in the diagnosis of celiac disease can result in damage to the small intestine, which leads to an increased risk for malnutrition, anemia, lymphoma, adenocarcinoma, osteoporosis, miscarriage, con-

genital malformation, short stature, and disorders of the skin and other organs;

Whereas celiac disease is linked to many autoimmune disorders, including thyroid disease, systemic lupus erythematosus, type 1 diabetes, liver disease, collagen vascular disease, rheumatoid arthritis, and Sjögren's syndrome;

Whereas the connection between celiac disease and diet was first established by Dr. Samuel Gee, who wrote, “if the patient can be cured at all, it must be by means of diet”;

Whereas Dr. Samuel Gee was born on September 13, 1839; and

Whereas the Senate is an institution that can raise awareness in the general public and the medical community of celiac disease: Now, therefore, be it

Resolved, That the Senate—

(1) designates September 13, 2012, as “National Celiac Disease Awareness Day”;

(2) recognizes that all people of the United States should become more informed and aware of celiac disease;

(3) calls upon the people of the United States to observe National Celiac Disease Awareness Day with appropriate ceremonies and activities; and

(4) respectfully requests the Secretary of the Senate to transmit a copy of this resolution to the Celiac Sprue Association, the American Celiac Society, and the Celiac Disease Foundation.

ORDERS FOR WEDNESDAY, SEPTEMBER 12, 2012

Mr. BROWN of Ohio. I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. on Wednesday, September 12; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day; that the Senate resume consideration of the motion to proceed to S. 3457, the Veterans Jobs Corps Act, postclosure; that the first 70 minutes be equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half and the majority controlling the latter half; further, that all time during adjournment, recess, and morning business be counted postclosure on the motion to proceed to S. 3457.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. BROWN of Ohio. We will begin consideration of the Veterans Jobs Corps Act tomorrow. Senators will be notified when votes are scheduled.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. BROWN of Ohio. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 7:31 p.m., adjourned until Wednesday, September 12, 2012, at 9:30 a.m.

NOMINATIONS

Executive nominations received by
the Senate:

FEDERAL TRADE COMMISSION

JOSHUA D. WRIGHT, OF VIRGINIA, TO BE A FEDERAL
TRADE COMMISSIONER FOR THE TERM OF SEVEN YEARS
FROM SEPTEMBER 26, 2012, VICE J. THOMAS ROSCH, TERM
EXPIRING.

UNITED STATES INTERNATIONAL TRADE
COMMISSION

F. SCOTT KIEFF, OF ILLINOIS, TO BE A MEMBER OF THE
UNITED STATES INTERNATIONAL TRADE COMMISSION
FOR THE TERM EXPIRING JUNE 16, 2020, VICE DANIEL
PEARSON, TERM EXPIRED.

DEPARTMENT OF STATE

ROSE EILENE GOTTEMOELLER, OF VIRGINIA, TO BE
UNDER SECRETARY OF STATE FOR ARMS CONTROL AND
INTERNATIONAL SECURITY, VICE ELLEN O. TAUSCHER,
RESIGNED.

UNITED STATES AGENCY FOR INTERNATIONAL
DEVELOPMENT

T. CHARLES COOPER, OF MARYLAND, TO BE AN ASSIST-
ANT ADMINISTRATOR OF THE UNITED STATES AGENCY
FOR INTERNATIONAL DEVELOPMENT, VICE JEFFREY J.
GRIECO.

DEPARTMENT OF STATE

ROBERT STEPHEN BEECROFT, OF CALIFORNIA, A CA-
REER MEMBER OF THE SENIOR FOREIGN SERVICE,
CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR
EXTRAORDINARY AND PLENIPOTENTIARY OF THE
UNITED STATES OF AMERICA TO THE REPUBLIC OF IRAQ.

EXTENSIONS OF REMARKS

IN MEMORY OF THOMAS COONAN

HON. JOHN A. BOEHNER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 11, 2012

Mr. BOEHNER. Mr. Speaker, it is my privilege today, on behalf of the men and women of our institution, to honor the American life of Thomas Coonan.

For most Members of Congress, the gateway to the chamber of the United States House of Representatives is the doorway to the Speaker's Lobby.

For many years, Tom Coonan stood at that door in the service of his country and the service of democracy. As a trusted member of the House Chamber security detail and the Office of the Sergeant-at-Arms, it was his post.

For more than 15 years, Tom Coonan stood at the passage to the People's House, where he was a familiar and comforting sight to all who passed regularly through our chamber.

But Tom Coonan was standing vigil for American democracy long before his first day of work for the House.

Before he served his country with the House Sergeant-at-Arms Office, Tom Coonan served his country with distinction in our armed forces.

He began his military career in 1963, and served as an Assistant Intelligence officer, as the commander of Amphibious Group Two, until 1966.

For the next decade and a half Tom held a number of civilian positions. Then, in 1981, once again feeling the tug of his desire to serve the nation he loved, Tom volunteered for a recall to reserve active duty.

Beginning in 1990, he served as the U.S. Commander-in-Chief Pacific's Representative for the Southwest Pacific, Suva, and Fiji.

In September 1995, he joined the House Sergeant-at-Arms Office as a member of the Chamber Security staff. He was always stationed in the Speaker's Lobby—the gateway to the chamber at the heart of the democracy Tom spent most of his adult life protecting.

On August 23, 2012, tragically, while members were away for the August District Work Period, Tom Coonan suffered a fatal heart attack at his home in Washington, DC. He is to be buried with full military honors at Arlington National Cemetery.

For those who served with Tom Coonan, knew him, and were protected by him, his presence is sorely missed. But because of his steadfast and constant service, the vibrant commotion of democracy goes on. And as the House returns this week for legislative business, its members and staff do so with unfailing gratitude for the life he led.

Having stood guard faithfully at the passage to the People's House, Thomas Coonan now stands in the halls of eternity with Our Creator—forever strong, forever vigilant, and forever at peace.

IN MEMORIAM AND REMEMBRANCE OF FIRST SERGEANT ACKEEM PAUL GREEN 369TH HARLEM HELLFIGHTERS—HARLEM YOUTH MARINES, INC.

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 11, 2012

Mr. RANGEL. Mr. Speaker, it is with great sadness that I rise today to share the news of a devastating loss to Harlem and the greater New York City community. We joined with many family members and friends at Memorial Baptist Church to celebrate the life of Harlem Youth Marine Cadet First Sergeant, Ackeem Paul Green, who passed away Sunday, June 3, 2012, from a fatal gunshot wound.

On behalf of our beloved Village of Harlem, my wife Alma and I want to extend our most sincere and heartfelt sympathy, support, and love to my beloved friend, Col. Gregory E. Collins, and the entire family of the First Sergeant Ackeem Paul Green. At the age of 25 he was indeed a promising young man continuing the honorable legacy of his father to better not only himself but his fellow community youth members as well.

Great young men like Ackeem are precious gifts that God has made to help make this world a better and safer place for all of us. First Sergeant Ackeem Paul Green lost his life on the urban battlefield, from gun violence right here at home, while enjoying a game of basketball with friends on a Sunday afternoon. First Sergeant Green was shot in the back by the enemy of illegal guns in the hands of our misguided youth. An enemy that has taken the lives of so many of our promising young carnations and roses and that has declared war throughout every urban neighborhood in the United States of America.

Every time I hear the news that one of our young sons, daughters, fathers, mothers, husbands and wives are struck down by illegal guns in the wrong hands of our misguided young people—it pains my heart with depression and anger. What makes this very difficult for me is that it has taken the life of a young man whose very focus in life was to mentor young men and women and provide them with a positive direction through the principles and leadership of the Harlem Youth Marines and with the values and courage of the United States Marine Corp.

Since the age of 15 Ackeem has committed countless amounts of time and effort to the Harlem Youth Marine Cadets (HYMC). Once Ackeem reached the age limit to serve as a cadet, he remained dedicated and continued to serve the organization through volunteer work. He took time to mentor young cadets and served as a positive and much needed role model to many of our youth both in and outside of HYMC.

The Harlem Youth Marines, Inc. provides instruction in military grooming and development to students willing and eager to learn. This program has supported the youth in my district for over thirty years with an emphasis on youth development through education and discipline. They also provide cadets with the opportunity to indulge in basic military skill building activities such as rappelling, marksmanship, and weapons safety. The children of Harlem have thoroughly benefited from this program through the development of body, mind, and spirit. Ackeem was a remarkable testament of their success.

Mr. Speaker, I know that we, the Village of Harlem, will honor Ackeem's life by ensuring that his young infant son, Ackeem Paul Green, Jr., follows in his father's drill steps and exceeds his dreams and aspirations to be all that he can be. May First Sergeant Ackeem Paul Green's legacy be far remembered and everlasting, as we pick up the flag and defeat this enemy of illegal gun violence that has destroy the lives of our children, families and communities. I ask that you and my colleagues join me in honoring a great young man and an impassioned mentor whose legacy shall be far remembered and everlasting.

ST. JOSEPH'S CATHOLIC CHURCH
100TH ANNIVERSARY

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 11, 2012

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to honor St. Joseph's Slovak Catholic Church of Raritan, Somerset County, New Jersey, which is celebrating 100 years as an important member of the local community.

Since St. Joseph's establishment in 1912, it has been contributing to the religious, cultural and social diversity that has come to define New Jersey. The church was initially founded by immigrants fleeing religious persecution in Slovakia. Many of the early members of the congregation worked in the Woolen Mills, Duke Park and along the railroads crisscrossing the area. Beginning with only a handful of families, the parish of the new St. Joseph's Slovak Catholic Church gathered on October 1, 1912 to form a church society with the goal of raising enough money to build a church where they could practice their faith in their native tongue free from persecution or prejudice.

In 1914, the society raised enough money to purchase a piece of property in Raritan for the construction of a church. The church was formally dedicated in 1915 after a year of construction. Adding to their permanent presence in Raritan, the parish added an adjoining school in 1926. The school initially had a class of 234 students and was focused on providing

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

students with a source of education on their Catholic faith and Slovak heritage.

St. Joseph's provides an exemplary illustration of the benefits of sharing culture and beliefs with others. Religious and cultural centers such as St. Joseph's, provide religious education, philanthropic assistance for those in need, and a greater sense of cultural awareness to the local community while providing a place for people to gather and worship.

The parish of St. Joseph's has been very involved in giving back to the community philanthropically, participating in food bank collections, gathering baby clothing and formula for struggling mothers, and joining other churches in their charitable works. St. Joseph's assistance casts a wide net, helping people from the Raritan area as well as participating in worldwide assistance efforts.

Mr. Speaker, I ask you and my colleagues to join me in congratulating St. Joseph's Slovak Catholic Church for 100 years of dedicated work on behalf of the Great State of New Jersey.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 11, 2012

Mr. COFFMAN of Colorado. Mr. Speaker, on January 20, 2009, the day President Obama took office; the national debt was \$10,626,877,048,913.08.

Today, it is \$ 16,046,680,286,836.39. We've added \$5,419,803,237,923.31 dollars to our debt in 3 years. This is \$5.4 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

CELEBRATING THE 30TH ANNIVERSARY OF UNITY CHURCH IN GRAPEVINE

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 11, 2012

Mr. MARCHANT. Mr. Speaker, it is with great pride that I recognize the 30th anniversary of Unity Church located in Grapevine, Texas. It is an honor for me to celebrate this congregation's achievement and share its history with my fellow colleagues in Congress.

The Unity Church of Northeast Tarrant County, which is now commonly called the Unity Church of Grapevine, held its first worship service in rented hotel facilities on September 12, 1982. The church moved to facilities in Hurst, where they remained until 1991 when the church purchased property at 1970 E. Dove Road in Southlake, Texas.

In January 1996, the church purchased 5,825 acres on Hughes Road, one mile south of downtown Grapevine. The church built a 13,116 square foot building which was dedicated in September, 1996. Funding for the building was through issuance of \$920,000 in

church bonds through American Church Trust. The bonds were re-financed in 2002, providing funding for the start up of Hughes Road Montessori in September, 2003. The Church sold 1.75 acres of back property in 2005 for \$285,000, leaving it with roughly 4 acres. The church received a signing bonus for the property mineral rights from Chesapeake Exploration in 2008 for the amount of \$92,754.50 which was applied against the mortgage. A campaign to pay off the mortgage of \$106,000 by June 1, 2012 began February 12, 2012 from a \$50,000 matching contribution from anonymous donors.

For 26 years, Unity Church in Grapevine has conducted a weekly ministry in the Federal Prison System at Federal Correctional Institute in Fort Worth, Texas. In June 1989, the church received the John Templeton Radio Grant to begin a radio ministry and in 1991 was awarded the first Voice of Unity Award for excellence in broadcasting. Also in 1991, a Care Team was established in the church with its members making hospital calls, nursing home visits, furnishing food for members as needed, and contacting members by phone once a month.

Active in the community, Unity Church of Grapevine assists Grapevine Relief and Community Exchange (GRACE) by furnishing food for the food pantry. The church partners with Grapevine Middle School and has tithed to the school over the past eleven years with funds providing an after school martial arts program, medical assistance, and for needs of students and their families in time of crisis. Members also volunteer as mentors to the students.

Rev. Carol Record has served the Unity Church in Grapevine since its inception. She served as Chaplain of Trinity Springs Pavilion (the County psychiatric hospital), the first woman president of Grapevine Rotary, a member of the Chamber of Commerce, a 26-year volunteer at Federal Correctional Institute, mentor at Grapevine Middle School, and a MHMR Visions Board member. Rev. Record leads the weekly Sunday services, teaches a Bible class each week as well as spiritual growth classes throughout the year. She is a published author, a well known speaker, and a community leader.

Mr. Speaker, on behalf of the 24th Congressional District of Texas, I ask all my distinguished colleagues to join me in congratulating Unity Church in Grapevine on its 30th anniversary.

PERSONAL EXPLANATION

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 11, 2012

Mr. ANDREWS. Mr. Speaker, I was not present for rollcall No. 558; had I been present, I would have voted "aye."

Mr. Speaker, I was not present for rollcall No. 559; had I been present, I would have voted "aye."

REMEMBERING SEPTEMBER 11, 2001

HON. PHIL GINGREY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 11, 2012

Mr. GINGREY of Georgia. Mr. Speaker, I rise today in memory of the nearly three thousand lives lost in the attacks of September 11th. On Patriots Day, we also honor the servicemen and women who have paid the ultimate price in the war on terror. We will never be able to fully honor their sacrifice in the defense of our freedoms.

In the 11 years since the devastation of that day, our anger and sadness have turned to unfaltering resolve and determination. On that terrible day, 19 terrorists believed they would bring America to its knees. They believed our Nation and our people could be defeated by a cowardly attack. They were wrong.

Today, America is a brighter beacon of freedom than she ever has been. We remain a nation inspired by the sacrifices of those before us and committed to the ideals they fought so dearly to protect. Mr. Speaker, we will never forget the loved ones and the heroes lost on that day.

HONORING JOHN TOS

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 11, 2012

Mr. COSTA. Mr. Speaker, I rise today to honor Mr. John Tos of Kings County, California, as he is recognized by the Lemoore Chamber of Commerce as the 2012 Agriculturalist of the Year. A third generation farmer, John has been farming since 1961. John has consistently maintained a deep commitment to his family, faith, and community—which serves as a clear testament to his superior moral character. He is well deserving of this honor.

A passionate and proud son of the agriculturally rich San Joaquin Valley, John has earned the respect and admiration of his friends and neighbors. Tos Farms was started in 1912, north of Hanford in an area called Queen Wilhelmina Colony by Joe Tos, John's grandfather. John's father and his Uncle Larry were the second generation to take over the family farming operation. Since then, John and his son Jeff, along with Bill's son, Mark, have become partners in the farming operation—making Tos Farms, Inc. a four generation, one-hundred year old farming operation. Clearly, the Tos Family is a living example of the American Dream—an illustration of success that shows overcoming adversity and achieving success is possible through hard work and perseverance.

Today, Tos Farms employs an average of 250 to 300 people, many of whom have been with the company for as long as 30 to 40 years.

John is not only being honored by the Lemoore Chamber of Commerce for his exemplary work ethic, he is also being recognized for his meaningful contributions to our community. He and his wife of 50 years, Victoria Tos,

have been members of the Christian Reformed Church, where John has served on the Church Council and as Deacon. In addition, John has dedicated his time to the Hanford Christian and Central Valley Christian School Boards. He was also a member of the California Tree Fruit Agreement (CTFA) for 30 years. Currently, John serves on the Marana and Sierra Village Retirement Homes Board of Directors. John also acts as Director of the California Grape and Tree Fruit League, the Kingsburg Federal Land Bank Association, and the Burris Park Foundation. John's steadfast devotion to his community is evident from his loyalty and extensive contributions to our Valley.

Mr. Speaker, I ask my colleagues to join me in honoring Mr. John Tos for his numerous contributions to California agriculture, the San Joaquin Valley, and our Nation. His selfless nature and strong work ethic, truly exemplifies the best of what our Nation has to offer.

INSTRUCTIONAL LEADERSHIP ACT OF 2012

HON. JOHN P. SARBANES

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 11, 2012

Mr. SARBANES. Mr. Speaker, I rise today to introduce the Instructional Leadership Act of 2012, which will strengthen schools by helping principals become high-performing instructional leaders.

The passage of No Child Left Behind (NCLB) charged school principals with additional responsibilities. They not only serve as organizational leaders, ensuring that school culture and resources support teaching and learning, but they are also accountable for student achievement and the broader goals of NCLB. Unfortunately, principals often lack the appropriate training and resources needed to accomplish these goals. It is time to bring attention to the importance of developing programs that train principals on the best practices to guide instruction in schools, so that they can more effectively support teachers in improving student academic achievement.

The Instructional Leadership Act of 2012 provides grants to State and local educational agencies to drive gains in academic achievement for all children by: 1) Creating innovative programs and sites to train principals in instructional leadership skills including developing a school vision, staff development, and effective instructional practices; 2) Developing pilot programs to evaluate the incorporation of standards of instructional leadership into State principal certifications; and 3) Establishing state-of-the-art principal induction programs that provide mentoring and on-the-job training for new principals.

This legislation is strongly supported by the National Association of Elementary School Principals (NAESP) and the National Association of Secondary School Principals (NASSP), two of the leading organizations working to develop and promote excellence in school leaders. The Instructional Leadership Act of 2012 represents a necessary first step towards developing the next generation of school leaders

who are committed to, and effective in, increasing student achievement. I will continue working to include this bill in the reauthorization of the Elementary and Secondary Education Act during the next Congress, and I urge you to join me in championing our Nation's principals by supporting this important piece of legislation.

PERSONAL EXPLANATION

HON. TIMOTHY V. JOHNSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 11, 2012

Mr. JOHNSON of Illinois. Mr. Speaker, on Monday, September 10, 2012 I had obligations that necessitated my attention in Champaign, Illinois and missed suspension votes on H.R. 6186, which directs FEMA to assess options, methods, and strategies for making voluntary community-based flood insurance policies available through the National Flood Insurance Program. H.R. 2139, which directs the Secretary of the Treasury to mint and issue as legal tender \$1 coins in commemoration of the centennial of the founding of the Lions Clubs International. And lastly, H.R. 6122, which directs the Librarian of Congress to accept in the interest of the Library of Congress, its collections, or its service personal property valued at \$25,000 or less, nonpersonal services, or voluntary and uncompensated personal services.

Had I been present, I would have voted "aye" on the above stated bills.

HONORING NEIL ARMSTRONG

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 11, 2012

Mr. SCHIFF. Mr. Speaker, I rise today to honor the life and legacy of a true American hero, the first human being to walk on the moon, Neil Alden Armstrong.

I had the privilege of meeting Neil Armstrong, and even introduced my son Eli to him at an event commemorating the 40th Anniversary of the *Apollo 11* landing. It has been said that "we're all dreamers," but Neil Armstrong inspired generations of Americans to dream big and reach for the stars, both literally and figuratively. He believed that the yearning to explore is part of what makes us human and his singular achievement on July 20, 1969 still inspires.

A reluctant hero, Mr. Armstrong never used his *Apollo 11* achievement for personal gain. On more than one occasion he questioned his own notoriety, protesting that his walk on the moon was the result of the dedication of more than four hundred thousand people from engineers who designed the Lunar Module to ground controllers who monitored every aspect of the mission, to seamstresses, who stitched by hand the suit that kept him alive on the moon.

The late 1960's was a time of tumult in America, when our nation was riven by Viet-

nam, the struggle for civil rights and the emerging women's movement. In the midst of this, Armstrong's climb down the lunar module's ladder and his "giant leap for mankind" united not just Americans, but people of all nations as they watched. That night . . . July 20th, 1969, countless children—including a nine-year old boy in Framingham, Massachusetts—looked up at the moon and dared to dream.

Neil Armstrong is no longer with us, but it is a remarkable testament that even now—more than four decades after *Eagle* landed on the Moon—the mission of *Apollo 11* still inspires us and challenges us to press forward in the exploration of space.

HONORING THE IZAAK WALTON LEAGUE OF AMERICA'S 90TH AN- NIVERSARY

HON. BETTY MCCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 11, 2012

Ms. MCCOLLUM. Mr. Speaker, I rise today to honor the Izaak Walton League as it celebrates 90 years of defending Minnesota's great outdoors.

In January 1922, a Minnesotan angler named Will Dilg and a group of fisherman created the Izaak Walton League of America in response to the environmental damage they witnessed during the rapid industrialization following World War One. They began a grassroots campaign to educate the public about the environment and worked to influence Congress to adopt pro-conservation legislation.

Just a year after its creation, the Izaak Walton League successfully blocked legislation that threatened wilderness land that is now the Boundary Waters Canoe Area (BWCA). For many years the League was the only organization working to defend this treasured landscape, which has become central to our state's identity. The Izaak Walton League of America would go on to help establish the Upper Mississippi River National Wildlife and Fish Refuge and prove instrumental in passing the federal Clean Water Act in 1972. The Izaak Walton League has always remained true to its founding as a grassroots organization. Their members share my belief that in order to protect our nation's wildlife and natural lands we must focus on bringing communities together around a shared appreciation of nature. They do this through school visits, educational seminars, and hands on volunteer work. In 2005, the League established the National Conservation Scholarship Program to develop future leaders who will carry on the League's mission. Mr. Speaker, it gives me great pride to recognize the Izaak Walton League and all its members on this anniversary and wish them continued success on the next 90 years.

REQUIRE THE VA TO CONSIDER
ALL QUALIFIED VETERANS

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 11, 2012

Mr. COFFMAN of Colorado. Mr. Speaker, we are remiss in our duty to reintegrate those who served in our military into the civilian workforce. The awful truth is that 16.7 percent of Iraq and Afghanistan servicemembers face joblessness upon separation. To help address this problem, I am introducing the Veterans Employment Act of 2012, which will require the Secretary of Veterans Affairs to hire all qualified veterans before considering other applicants. The Department of Veterans Affairs, VA, has a workforce of 318,856 civilians, only 32 percent have actually ever worn the uniform. Increasing the amount of veterans they employ, while decreasing the amount of unemployed veterans, is a commonsense policy that benefits everyone.

The number of claims for veterans' disability benefits that take more than 125 days to complete has reached 560,000 unresolved cases. The VA claims backlog is leaving too many disabled veterans waiting an average of six months to receive the disability benefits they have earned. Worse, the Integrated Disability Evaluation System, IDDES, designed to make the transition from wounded warrior to veteran status more efficient, averages 394 days to process each veteran.

Broadening the presence of veterans working for the VA will ultimately make the organization more responsive to the needs of our veterans. Having served in both the U.S. Army and the Marine Corps, I understand the strong bond of compassion shared between veterans of all uniforms and across all generations. There is a common culture, terminology and expectation of care among military personnel and veterans that have proven to be uncommon to civilians who struggle to connect with them. A dramatic increase in the number of veterans working at the VA is one solution to the systemic inefficiencies that have plagued the department and the reason I am introducing this bill.

My bill will require the VA to consider all qualified veterans for a job. If the VA determines none of those candidates meet the qualifications, only then may they consider non-veteran candidates. The VA will still be required to submit an explanation to the Office of Personnel Management for all veterans passed-over, in accordance with current regulation. No qualifications for employment will be changed or reduced. Requiring the VA to explain their hiring decisions introduces greater transparency into the process.

I look forward to working with my colleagues from both parties to fulfill our commitment to veterans by recognizing their increased value for employment in the VA.

CELEBRATING THE LIFE OF HAR-
LEM'S SOUTHERN STYLE FOOD
ICON, CALVIN COPELAND

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 11, 2012

Mr. RANGEL. Mr. Speaker, I rise to celebrate the life and legacy of another Harlem's Southern Home Style Restaurant owner and Master Chef, Calvin Copeland, who passed away on Thursday morning, August 23. As we remembered and recently celebrated the life of Sylvia Woods, The Queen of Soul Food—certainly for 50 years, Mr. Calvin Copeland and his famed Copeland's Restaurant & Reliable Catering was worthy and reigned with royalty on West 145th Street, between Amsterdam Avenue and Broadway in the Village of West Harlem.

Born in Virginia on May 1, 1925, Mr. Copeland headed north to live with an aunt who taught him her secret recipe to making finger licking good, fried chicken. Never one to forget his southern roots, Mr. Copeland proudly proclaimed Harlem as "the place" that made him famous by cooking and serving his delicious, and often catered, Southern foods and a little bit of live Jazz.

Mr. Copeland started the business in 1958 as a catering service, one of Harlem's first, in a modest storefront on Broadway north of 148th Street. Mr. Copeland baked and decorated cakes and only had but one worker, Ms. Gertrude Clark, who is white and grew up on a farm in upstate New York did whatever else was needed, which often included preparing Southern fare. Quoted in a New York Times Article, she stated, "I had never eaten collard greens in my life, and there I was making fried chicken and souse meat." Ms. Clark later became Copeland's banquet manager.

Mr. Copeland eventually rented the store next door, opened up a hole in the wall, expanded the kitchen and started serving breakfast and lunch, cafeteria style. In 1980, As small business restaurateur, Copeland faced many challenges. In 1981, the restaurant burned to the ground and the insurance company went bankrupt before Mr. Copeland was able to recoup his losses. He lost everything, but the liquor. Back in the day Banks were not prone to lending money to restaurants located in Harlem, but because of the generosity of friends and special loyal worker, Copeland was able to reopen in grandeur. That very special worker was Gertrude Clark who mortgaged her property in upstate New York, which along with a small business loan helped her boss secure financing for a new location, on West 145th Street between Broadway and Amsterdam in Hamilton Heights.

Calvin Copeland became an institution, when he moved his business to 547 West 145th Street and opened Copeland's Restaurant & Bar Lounge and Reliable Catering Service, which was also a community buffet style diner. Copeland's became a destination for black families from as far South as Florida and the Carolinas and as far North as Buffalo, New York to Canada. Black entertainers, like Harry Belafonte and Stevie Wonder; and other notables would stop by when in town.

Desmond Tutu, the retired Anglican archbishop, ate there once, and so did Muhammad Ali and the comedian Richard Pryor, who threw money in the air when he left the restaurant so as to distract the crowd that had surrounded him. Mr. Copeland stated that Natalie Cole was a regular. Michael Jackson came by once for take-out.

One of my fondest memories was the eve of the Mayoral General Election in 1989 when David N. Dinkins and I campaigned at the subway stop on 145th Street and Broadway and ate at Copeland's Restaurant. I don't know if it was the lucky fried chicken, the collard greens or Copeland's corner, but the next day David N. Dinkins won the election and became the first African American and 106th Mayor of the City of New York.

Copeland Restaurant was a place where you can catch Kathy Sharpton, Candi Staton, Lonnie Youngblood, Gloria Lynne and other great Jazz, Gospel and R&B artist perform. Where politicians held court and Harlem players and shakers hung out for breakfast. I miss those fried apples, chicken livers and cat fish, and that amazing banana pudding and sweet potato pie.

Unfortunately, in 2007 due to the economic downturn and poor health, Mr. Copeland had to close. Mr. Copeland always dreamed that one day he would make a comeback to the food business that he loved so much. He was a great teacher and mentor to those in need of a trade to make a decent living. Mr. Copeland trained many into the restaurant business. Even people coming out of prison with no real job options could depend on him for a professional introduction into the culinary arts.

Mr. Speaker, Mr. Calvin Copeland, a Harlem Mainstay was there when rioters burned and looted stores in 1964, when crack cocaine and HIV/AIDS tore families apart, when brownstones were for sale for \$50,000 and few outsiders dared move in. He endured fire and financial ruin, yet each time he picked up the pieces and prospered, as bold and resilient as the neighborhood around him. If he could be the master of his fate, he would live out his days in Harlem. Please join me and my colleagues as we salute another Harlem Icon, Mr. Calvin Copeland who has contributed to the greatness in which Harlem is known.

WEST CALDWELL VOLUNTEER
FIRE DEPARTMENT'S 100TH AN-
NIVERSARY

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 11, 2012

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to honor the West Caldwell Volunteer Fire Department of West Caldwell, Essex County, New Jersey for the celebration of its 100th Anniversary this year.

Although the Borough of West Caldwell received its charter in 1904, it was not until August 5, 1912 that the pressing need for organized protection against fire prompted the incorporation of a fire department. With the help

of an appointed committee, the department soon legitimized, purchasing fire equipment and property for a firehouse, on which the first WCVFD firehouse was built. Additional investments in horse drawn wagons, a 700 foot fire house, and sounding fire alarms further improved the efficiency of the department.

Beginning in 1917 the Borough motorized the department, continuing to purchase automobile fire apparatuses throughout the 1950's and 1960's in response to the demands of industry, business, and an increasing population.

Despite the fact that the department's first initial firehouse no longer stands, in 1968 the West Caldwell Borough constructed a new firehouse. This firehouse, located on 6 Fairfield Avenue, is home to the present day headquarters of the department.

Today, the West Caldwell Volunteer Fire Department clearly maintains its initial principles of teamwork and commitment. Under current Chief James Alvine, the department consists of approximately 60 dedicated individuals who work together to save lives on a daily basis.

It is evident that the West Caldwell Volunteer Fire Department exhibits the unity and teamwork required of the fire service. The merits of courage, pride, and passion that permeate the department serve as a testament to its long withstanding success.

Mr. Speaker, I ask you and my colleagues to join me in congratulating the West Caldwell Volunteer Fire Department of West Caldwell, Essex County, New Jersey, for the achievement of its 100th anniversary.

RECOGNIZING CHET WALKER

HON. FRED UPTON

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 11, 2012

Mr. UPTON. Mr. Speaker, I rise today to recognize Chet Walker of Benton Harbor, Michigan, who was elected to both the Michigan Sports Hall of Fame and the Naismith Memorial Basketball Hall of Fame on September 7, 2012.

Mr. Walker began his career as the star of Benton Harbor High School's basketball team, leading the school to the Class A Boys' state finals in 1958. He then matriculated to Bradley College in Peoria, Illinois, where he became the school's all-time top scorer and rebounder, and was a two-time unanimous First Team All-America pick. Mr. Walker led the Bradley Braves to victory in the 1960 National Invitation Tournament and finished his college career with an outstanding 69–14 win-loss record.

His success as a college athlete caught the attention of the NBA, and after graduation Mr. Walker was drafted by the Syracuse Nationals in the second round. Mr. Walker continued in his tradition of success, and was named to the first ever NBA All-Rookie Team. The rest of his professional basketball career proved to be exceptional: over the span of his 13 years, Mr. Walker scored 18,831 points and grabbed 7,314 rebounds, had a free throw percentage of 79.6, was a seven-time All-Star, and won

the 1967 NBA championship with what is considered by many today to be the greatest basketball team of all time.

Mr. Speaker, I am honored to recognize Mr. Walker's achievements and am glad that he is being properly respected for his contributions by the Michigan Sports Hall of Fame and the Naismith Basketball Hall of Fame. Chet Walker is one of the greatest to ever play the game and we are so proud in southwest Michigan.

IN HONOR OF THE ANDERSON POLICE DEPARTMENT K-9 UNIT

HON. MIKE PENCE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 11, 2012

Mr. PENCE. Mr. Speaker, I was deeply saddened to learn that, for the second time in less than a month, the community of Anderson is mourning the loss of a police dog. On July 26, 2012, Anderson Police Department K-9 Kilo was lost during a shooting that took the life of a Pendleton resident and injured two police officers. Just weeks later, on August 18, 2012, while tracking the scent of a bank robbery suspect, Anderson Police Department K-9 Magnum was shot and eventually succumbed to those wounds.

Both Kilo and Magnum were lost in the line of duty and while some may believe their service is far different from the officers who choose to wear the uniform, those who stand on the thin blue line see police dogs as partners. Kilo and Magnum both were loyal to the end. With their instincts and training, these police dogs were the front line of defense, protecting their human compatriots.

I couldn't be more proud, that in the wake of these tragedies, the community has rallied around the Anderson Police Department. Students at both Anderson Preparatory Academy and Anderson High School have raised funds to help the city bring on another K-9.

Police dogs, like Kilo and Magnum are often visible within our communities and can be very valuable with public outreach efforts. Yet, as we have learned, these animals often are the front line of defense for officers and the public at large.

Let us keep the Anderson Police Department, especially Officers Marty Dulworth and Matt Jarrett, the handlers of Kilo and Magnum, in our prayers. These instances demonstrate that our first responders put our lives ahead of their own on a daily basis. For that, we will be forever grateful.

PERSONAL EXPLANATION

HON. ADAM KINZINGER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 11, 2012

Mr. KINZINGER of Illinois. Mr. Speaker, due to transportation issues beyond my control, I was unable to cast my votes on Monday, September 10, 2012. If able to cast those votes I would have voted Aye on H.R. 6122, to Revoke the Authority of the Librarian of Congress

to accept gifts on behalf of the Library; H.R. 2139, the Lions Club Commemorative Coin Act; and H.R. 6186, to Require a study of community-based flood insurance options.

PERSONAL EXPLANATION

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 11, 2012

Ms. LEE of California. Mr. Speaker, I was not present for rollcall votes 557–559. Had I been able to vote, I would have voted "yes" on all three votes.

TRIBUTE IN HONOR OF PETTY OFFICER 3RD CLASS CLAYTON R. BEAUCHAMP

HON. KAY GRANGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 11, 2012

Ms. GRANGER. Mr. Speaker, I rise today to honor the service of Petty Officer 3rd Class Clayton R. Beauchamp who was killed on August 7, 2012 in Helmand Province, Afghanistan in support of Operation Enduring Freedom. Petty Officer Beauchamp was serving with the 1st Battalion, 1st Marine Regiment, Regimental Combat Team 6, based at Camp Pendleton, California.

Petty Officer Beauchamp was from Weatherford, TX. He graduated from Weatherford High School in 2009 and enlisted in the Navy that July. Petty Officer Beauchamp is one of three siblings who have all chosen to serve in the United States Navy. His brother, Christopher Beauchamp, is a six-year Navy corpsman serving his third tour overseas, and his younger sister, Cheyenne Beauchamp, is in the Navy Security Forces, stationed in Virginia. According to friends, Clay always knew he wanted to serve after high school, and he signed up at the first possible opportunity on his 17th birthday, Jan. 16, 2008, more than a year before graduation.

Petty Officer Beauchamp, a medical corpsman, had earned a Combat Action Ribbon, Navy Marine Corps Achievement Medal, Navy Good Conduct Medal, Navy Expert ribbons in rifle and pistol and the Fleet Marine Force Enlisted Warfare Specialist device, and was posthumously awarded the Purple Heart.

Petty Officer 3rd Class Clayton R. Beauchamp was a true patriot and made the ultimate sacrifice defending his country. I wish to extend my condolences to Petty Officer Beauchamp's parents, Jack and Diana, and his sister Cheyenne and brothers Christopher, Brian and Timothy, and hope that they continue to find solace in his lasting impact on this grateful nation, his fellow soldiers, and our community.

HONORING SONIA GUTIERREZ ON
40 YEARS OF SERVICE TO THE
CARLOS ROSARIO INTER-
NATIONAL PUBLIC CHARTER
SCHOOL

HON. ED PASTOR

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 11, 2012

Mr. PASTOR of Arizona. Mr. Speaker, I ask my colleagues to join me in recognizing the many achievements of Ms. Sonia Gutierrez who is celebrating 40 years of service as President and Founder of the Carlos Rosario International Public Charter School in Washington, DC.

Since 1972, Ms. Gutierrez has dedicated her life to educating and empowering diverse immigrant communities in our nation's capital. In her capacity as Director of the Program of English Instruction for Latin Americans (PEILA), Ms. Gutierrez transformed the small, under-funded English as a Second Language (ESL) program into a comprehensive adult education program, known today as the Carlos Rosario International Public Charter School.

At the school, Ms. Gutierrez has led a highly qualified, diverse, and dedicated team of faculty and staff to improve the lives of over 60,000 adult immigrants. Ms. Gutierrez's passion and tenacity are evident in her unwavering dedication to these individuals, giving them a chance to transform their lives.

Ms. Gutierrez's service has not only impacted the students at Carlos Rosario, but the DC public at-large. Her ongoing leadership and inspired vision provide opportunities for the DC immigrant population to become invested, productive citizens and members of American society who give back to family and community.

Ms. Gutierrez has received recognition from the District of Columbia, the DC Board of Education, national and local Latino organizations, and from organizations in the African-American and the Asian communities. In 2001 she was one of the first four inductees to the Hall of Fame of the National Charter Schools. She holds a Bachelor's degree in Business Administration and a Master's degree in Adult Education specializing in Supervision and Administration of Adult Education Programs. Ms. Gutierrez established the Council of Latino Agencies in 1977 and together with Jose Gutierrez and other community leaders was instrumental in creating the mayor's Office of Latino Affairs.

Ms. Gutierrez continues to make transformative contributions to immigrant and non-immigrant communities alike in DC and nationwide. She is presently focused on ensuring the growth and long term sustainability of the Carlos Rosario School's award-winning model. In 2013, a new workforce development satellite site, located in northeast DC, will be dedicated to Ms. Gutierrez—the Sonia Gutierrez Campus.

Mr. Speaker, in light of all Ms. Sonia Gutierrez has done for the community of Washington, DC, it is only fitting that she be honored for her many years of dedication. Her tireless passion as a principal, counselor, advocate, and organizer has contributed im-

mensely to the betterment of the immigrant community and our community as a whole. I ask that you join me in recognizing Ms. Gutierrez and her continued service.

MOON MAN NEIL ARMSTRONG

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 11, 2012

Mr. POE of Texas. Mr. Speaker, years ago, a view of Earth from 238,900 miles away seemed impossible until Neil Armstrong became the first human to reach the unreachable. On July 20, 1969, Armstrong landed Apollo 11 running on fumes and set foot on the moon, where he left a foot imprint of a little less than an inch deep. "Houston, Tranquility Base here. The Eagle has landed," were the words he radioed in the moment he achieved a national goal and changed the course of space exploration.

In the 2 hours and 19 minutes of the moonwalk, Armstrong became one of the most significant American heroes. His out-of-this-world accomplishment drew the attention of our ambitious nation and people worldwide. Six hundred million viewers watched and listened to his historical landing that day. As he said, "That's one small step for man, one giant leap for mankind." I watched live Armstrong's first steps on the moon on an old black and white T.V. in Texas.

Armstrong was described as a man who "cherished his privacy and always appreciated the expressions of good will from people around the world and all walks of life." Two weeks ago, we lost this man who, in turn, made a national dream come true and inspired people around the world and all walks of life.

He was born August 5, 1939 in Wapakoneta, Ohio. When he was 6, he climbed into a plane for his first ride. His talent was born at a young age when he began crafting model airplanes and had impressively collected enough books for a well-stocked aviation library. His above-average intellect was noticeable in his performance in his high school math and science classes. After his graduation, he attended Purdue University but only stayed two years to go on and fly combat missions in the Korean War as a Navy Pilot. Eight years later, he went back to the university and graduated with a degree in aeronautical engineering. Then, he joined the National Advisory Committee on Aeronautics, later becoming NASA, where he started his path to his historical leap into space. Armstrong made a name for himself during his seven years at a NACA high speed flight station at Edwards Airforce Base in California. His immeasurable accomplishments were rewarded in September of 1962, when NASA chose him to be an astronaut. Little did they know, they also selected the man who would later become the first human to set foot on the moon.

Armstrong thought of himself as a "nerdy" engineer. His family thought of him as a "loving husband, father, grandfather, brother and friend." His colleagues thought of him as a

"daring, yet humble person" and the world thinks of him as one of the greatest heroes of all time.

He left his mark in space and on earth. Whether or not "someone goes up there and cleans up his footprints" like he had hoped, he'll never be forgotten.

And that's just the way it is.

HONORING THE 11TH ANNIVERSARY OF SEPTEMBER 11, 2001

HON. DAN BENISHEK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 11, 2012

Mr. BENISHEK. Mr. Speaker, I wish to recognize the 11th anniversary of the September 11 attacks to commemorate those who perished as well as the first responders, volunteers and bystanders who acted so valiantly on that day we will never forget.

Eleven years later, the events of that tragic day are still vivid. It was a day marked by fire and ash. By dust and smoke. By tears and sorrow. But it was also a day that showed the world what type of people call America home.

While we witnessed the great evil which man is capable of producing, we also saw the great heroism and good nature of America's citizens. It showed the selflessness of our first responders who rushed into burning buildings to save the lives of people they never even met, or the countless people, including residents of Northern Michigan, who stood in long lines to give their own blood or donate their time or materials to rescue workers and the recovery effort.

There were certainly countless other acts of heroism and bravery on that day that the world will never know. Terrorists may have been able to knock down our biggest buildings, but they have never been able to diminish the kindness and generosity that the American people and millions of our neighbors around the globe have in our hearts. On that sad day, residents from all corners of our country reaffirmed what it means to be an American united with our neighbors across this vast land. It is my hope that all Americans can continue to represent the spirit of those who perished through our actions and conduct towards one another.

On behalf of the citizens of Michigan's First Congressional District, I wish to recognize the extraordinary actions of ordinary Americans on that fateful day and express my condolences for those who were lost on September 11, as well as those who lost their lives in the military conflicts that stemmed from this attack. Their heroism and sacrifices will never be forgotten.

LIEUTENANT GENERAL ROBERT
ARTER

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 11, 2012

Mr. GRAVES of Missouri. Mr. Speaker, it is with great pleasure that I rise today to recognize the outstanding service of Lieutenant

General Robert Arter of Lansing, Kansas for receiving the Alexander Doniphan Community Service Award. Lieutenant General Arter exemplifies the attributes of General Alexander W. Doniphan, and has carried on Doniphan's legacy through a lifetime of service.

Lieutenant General Arter has distinguished himself as a military leader since he first received his commission in 1950. He has held numerous command and staff positions including command of the 1st Battalion, 506th Airborne Infantry, 101st Airborne Division (Airmobile) and command of the First Brigade, 101st. His commitment to excellence in leadership and command has led to great recognition, including being named the Commanding General of the United States Army Military District of Washington and Commanding General of the Sixth United States Army. Even after his retirement, he continues to address the needs of both civilians and military as a member of the Governor's Military Affairs Coordinating Council.

Lieutenant General Arter has also been instrumental in the training and education of servicemembers. He has served as the Commanding General of the Third ROTC Region, Deputy Commanding General for the U.S. Training Center in Fort Ord, and as Deputy Commandant, for the U.S. Command and General Staff College. He went on to hold a position as the Superintendent of Wentworth Military Academy, and he maintains an active and vital role in the education of future leaders as Chairman of the U.S. Army Command and General Staff College Foundation.

Lieutenant General Arter has also been committed to furthering business and economic development in his community. He has served as President and CEO of the Armed Forces Bank in Leavenworth, Kansas and remains a member of their board. He is currently Chairman of the Military Affairs Committee of the Greater Kansas City Area Chamber of Commerce and a member of the Business Executives for National Security.

Mr. Speaker, I ask that you join me in applauding Lieutenant General Robert Arter for his selfless acts of generosity through volunteerism. I know Lieutenant General Arter's colleagues, family and friends join with me in thanking him for his commitment to others and wishing him happiness and good health in his future endeavors.

THE 10TH ANNIVERSARY OF THE FEDERAL LONG TERM CARE IN- SURANCE PROGRAM

HON. ELIJAH E. CUMMINGS

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 11, 2012

Mr. CUMMINGS. Mr. Speaker, I rise today to congratulate the Federal Long Term Care Insurance Program on its 10th anniversary. The Program was established by the Long-Term Care Security Act, and I am proud to have been the lead Democratic cosponsor of that legislation. The Program provides long term care coverage to active and retired federal and postal workers and uniformed servicemembers who participate in the pro-

gram, and it covers care received at home, an assisted living facility, or a nursing home. Since the Program's implementation in 2002, it has become the largest private long-term care insurance program in the nation with about 270,000 enrollees. Although it is an employer-sponsored program, 100% of its costs are funded by enrollees, not the federal government or taxpayers.

The Program has increased awareness in the federal community about long term care issues and needs, helped enrollees provide for the high cost of long term care, and provided participants with the opportunity to take control of their future long term care needs. Before we created the Program, long term care services were not covered by Medicare or the Federal Employees Health Benefits Program. The Department of Veterans Affairs offered only limited benefits, while Medicaid provided coverage only to the very poor. Since 2002, the Program has paid out almost \$200 million in claims, with a claim approval rate of 97–98%.

As the American population, and the baby boom generation in particular, continues to age, there will be an increased need for vital long term care services in this country. In 2009, more than \$250 billion was spent nationwide on long term care services, including nursing home and other assisted-living services. According to the Department of Health and Human Services, at least 70% of people over age 65 will require some long term care services at some point in their lives.

I am very pleased to recognize the great achievements of the Federal Long Term Care Insurance Program in assisting enrollees and their families in financing their future long term care needs and in shielding their retirement savings and assets from the increasing costs of long term care services. I look forward to the continued success of the Program as it begins its second decade of voluntary coverage for our dedicated federal community of civilian and postal workers and members of the armed services.

REMEMBERING IDA KEIPER

HON. TIM RYAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 11, 2012

Mr. RYAN of Ohio. Mr. Speaker, Dr. Martin Luther King, Jr. said "everyone can be great because everyone can serve." I rise today to remember and honor the life of a model of service, Ida Keiper. I used to tease her and call her "Mama Keips" because I knew she was Italian and she reminded me so much of my Italian grandmother. She was born in Grindstone, Pennsylvania, in 1935 to the late Antonio and Emma Perazzola. She spent the majority of her adult life in the Mantua, Ohio, area. Her life cannot simply be measured by the number of years raising children, the good Italian meals prepared or the countless hours spent helping with homework. Her service went beyond the walls of her home and stretched across the community.

Ida was a member of numerous organizations such as the PTA, the Boy and Girl

Scouts of America, and the Crestwood Band Patrons. She also served on the Democratic Central Executive Committee for over 20 years and was a member of the Federated Democratic Women of Portage County Ohio. In addition to her volunteer work she was also an active member of The Church of Jesus Christ Kirtland Restoration Branch.

Ida left these thoughts to those she loves: "Goodbye to my family and friends. I hope that the paths we have traveled and passed were good ones. I pray that we will meet again in God's Kingdom. Make the most of and celebrate your gift of life. So grieve for me awhile, if grieve you must, then let your grief be comforted with trust. It's only for awhile that we must part, so bless the memories with your heart."

Ida Keiper passed away August 6, 2012 at the age of 76. Her legacy lives on through her family and the people she touched with her selflessness and generosity. She is survived by her husband, Charles W. Keiper and their four children, Charles W. Keiper II, Faith Keiper, Linda Pallotto and Cindy Iozzia, four grandchildren, Sara, Michael, Spencer, Nathan and Lauren, and five siblings, Pete Perazzola, Nick Perazzola, Stella Nixon, Lundy Fisco and Agnes Pinkney. I offer my condolences to the family and all those whose lives who have been touched by her gentleness and grace. Italian mothers and grandmothers are a special breed and Mama Keips was as special as they come. She will be missed.

COMMENDING THE KINGS MOUNTAIN CHAPTER OF THE SONS OF THE REVOLUTION FOR OBSERV- ING THE 225TH ANNIVERSARY OF THE SIGNING OF THE UNITED STATES CONSTITUTION ON SEP- TEMBER 17

HON. DAVID P. ROE

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 11, 2012

Mr. ROE of Tennessee. Mr. Speaker, I rise today to commend the Kings Mountain Chapter of the Sons of the Revolution for observing the 225th anniversary of the signing of the United States Constitution on September 17. I am proud of these men for remembering Tennessee's part in obtaining our independence.

The limited, constitutional government that we enjoy was made possible by the sacrifice of American patriots. At the Battle of Kings Mountain, the Overmountain Men from Sycamore Shoals, Tennessee defeated British forces, creating a turning point in the Revolutionary War. By taking up arms to free a nation from tyranny, these men exemplified Tennessee's volunteer spirit.

I sincerely thank the Kings Mountain Chapter of the Sons of the Revolution for observing this important day.

IN HONOR OF CAPTAIN ALAN G.
POINDEXTER

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 11, 2012

Mr. FARR. Mr. Speaker, I rise today to honor the life of an American hero, Captain Alan G. Poindexter, United States Navy, simply known as "Dex" to those of us who were blessed to know and work with him. Captain Poindexter's deep sense of patriotism, selfless dedication to others, jovial nature and innate leadership capabilities were evident in all facets of his life. Whether serving his Nation for 26 years as a combat-proven Naval Aviator, decorated Fighter Pilot, experienced Test Pilot, respected Astronaut and Space Shuttle Pilot, esteemed Dean of Students at the U.S. Naval Postgraduate School or, for nearly 30 years, living out his enduring love and respect for his wife—Lisa—and his steadfast devotion to his beloved sons—Zachary and Samuel—"Dex" made a profound difference on our world that will never fade away.

Born on November 5, 1961 in Pasadena, CA, Alan Poindexter grew up in Rockville, MD and Coronado, CA. As a youngster, he served in the Cub Scouts and Boy Scouts and fulfilled his interest in aviation by playing with model aircrafts and watching the Apollo flights. Following his graduation from Coronado High School in 1979, Alan attended junior colleges in both California and Florida.

While in Florida in 1981, Alan met Lisa A. Pfeiffer of Pensacola, FL. They married on December 23, 1983 while Alan was a midshipman in the Georgia Institute of Technology Navy ROTC program. Their son, Zach, was born on August 9, 1985. Alan earned a Bachelor of Aerospace Engineering degree in 1986, graduating with highest honors.

Following his commissioning in the U.S. Navy, and eventual designation as a Naval Aviator in 1988, Alan reported to Fighter Squadron 124 located at Naval Air Station Miramar, CA, for transition to the F-14 Tomcat. Following his initial training, Alan—whose call-sign was now "Dex"—was assigned to Fighter Squadron 211, also at Miramar, and made two deployments to the Arabian Gulf during Operations Desert Storm and Southern Watch. During this time, Alan, his wife, Lisa, and their son, Zach, welcomed a second son, Samuel, on October 30, 1989.

While on his second deployment in 1993, Dex was selected to attend the Naval Postgraduate School/U.S. Naval Test Pilot School Cooperative Program. Following graduation in December 1995, he was assigned as a Test Pilot and Project Officer at the Naval Strike Aircraft Test Squadron (NSATS), Naval Air Station Patuxent River, MD. Dex was with Fighter Squadron 32, NAS Oceana, VA, when he was selected for Astronaut training in June 1998. As a Naval Aviator, Dex logged over 4,000 hours in more than 30 aircraft types with over 450 carrier landings.

Alan reported for Astronaut training in August 1998 and initially served in the Astronaut Office Shuttle Operations Branch performing duties as the lead support astronaut at Kennedy Space Center. He later served as a Cap-

sule Communicator (CAPCOM) for several missions and was a veteran of two space flights—he served as Pilot on STS-122 aboard *Atlantis* from February 7–20, 2008 and from April 5–20, 2010 he was the Commander of STS-131 aboard *Discovery*. During his NASA career, Alan logged over 669 hours in space. After his retirement from NASA in December 2010, Dex returned to the Navy and was assigned to the Naval Postgraduate School as the Dean of Students until his untimely death.

Alan's many decorations include the Defense Meritorious Service Medal, two Legions of Merit, NASA Outstanding Leadership Award, NASA Aviation Safety Award, Navy and Marine Corps Commendation Medal with Combat V and various other service awards. Always active, Alan's recreational interests included motorcycling, cycling, photography, running, weightlifting, boating, hunting, fishing, and spending quality time with family and friends.

But a man is not measured alone by the awards he earned or the medals he wore, nor even for his personal interests, sense of humor and honor, his courage and compassion. It is all of that and more.

Alan's wife, Lisa, and his two loving sons, Zach and Sam, will always remember Alan for his unflinching willingness to be the one who "slept on the rock" at the campsite, so that they could take the more comfortable places. He became fondly, and gratefully, known to them over the years as the "guy who slept on the rock." Nothing greater could be said, with more love, of any man.

Mr. Speaker, I know that I speak on behalf of the entire House, when I offer the Nation's deepest sympathies to Alan's wife, Lisa, his sons Zach and Sam, and to their entire extended family. Captain Alan Poindexter, loving husband and father, fighter pilot, astronaut, and friend, demonstrated for all of us the qualities that characterize the greatness of America.

RECOGNIZING AMTRAK AND ITS IMPORTANT ROLE ON SEP- TEMBER 11, 2001

HON. CORRINE BROWN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 11, 2012

Ms. BROWN of Florida. Mr. Speaker, on this day of remembrance of the tragic events of September 11, 2001, I would like to take this opportunity to thank Amtrak and its employees for its efforts in the minutes, days and weeks following the attacks.

On this very day 11 years ago, Amtrak and its employees worked around the clock to provide one of the only travel options in many parts of this country. Within minutes of the incident, Amtrak jumped into action. It mobilized and established a command center; evacuated a number of stations for inspections of trains and infrastructure; and dispatched police officers and staff throughout Amtrak facilities to patrol and conduct ongoing inspections.

On the Northeast Corridor, Amtrak added about 30 percent more seating capacity to fill

the travel gap. Over 1,600 daily seats were added to long-distance trains and another 300 seats to West Coast trains.

Amtrak also provided transportation to New York City for families and friends of victims, firefighters, police, medical teams, military and other public officials, and even airline crew members. In partnership with the American Red Cross, Amtrak transported thousands of emergency relief kits to New York City. In fact, with the airlines grounded, the U.S. Postal Service turned to Amtrak to carry mail.

Mr. Speaker, on the anniversary of September 11, it is important we reflect on the important role of Amtrak and its employees and it is essential that we maintain our vigilance of the security of all modes of transportation.

LAMENTING THE FACT THAT H.R. 2362 DID NOT PASS

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 11, 2012

Mr. MORAN. Mr. Speaker, I wanted to submit an article printed in the July 27th issue of *The Hill* that came to my attention. Entitled "Native American tribal leaders: Indian Country shouldn't be hostage to far-off conflicts" and written by Native American tribal leaders Eric Bruguier and Lloyd Irvine, the authors lament the fact that the Indian Tribal Trade and Investment Demonstration Project Act (H.R. 2362) failed to secure the necessary votes to pass under a suspension of the rules.

As a cosponsor of this measure, I am also disappointed this measure failed to pass. With the unemployment rate on American Indian reservations averaging between 40 percent and 50 percent, with poverty that transcends generations and incomes and educational attainment all well below the national average, this bill would have enabled foreign investors to partner with Native Americans on reservations to create new businesses and generate income where little to none exists today.

NATIVE AMERICAN TRIBAL LEADERS: INDIAN COUNTRY SHOULDN'T BE HOSTAGE TO FAR-OFF CONFLICTS

(By Eric Bruguier and Lloyd Irvine)

Being able to conduct business easily internationally is the lifeblood of the American economy. Trade provides new markets for American products and know-how, providing choices to foreign consumers and growth and prosperity at home. Yet apparently Congress does not feel that Native Americans deserve to participate.

This week, the House voted on H.R. 2362, a simple yet important piece of legislation that would have allowed Native Americans to do business with foreign companies from any of the 155 countries that are members of the World Trade Organization.

Despite earning the support of 58 percent of House members—and the backing of the National American Indian Housing Council, the National Congress of American Indians, and the National Center for American Indian Enterprise Development—the bill failed to meet the two-thirds majority needed to pass under the expedited process known as suspension. It failed not because of any substantive arguments against the bill's merits but because of pressure from two ethnic lobbies with a history of grievances against

Turkey. And once again, Native Americans are left to suffer.

Current regulations and red tape prevent Native Americans from taking control of their own economic development. If a business wants to lease property to open a store or a factory, that business must first go through a multilayer, multiyear review process required by the Bureau of Indian Affairs, a process that can take up to six years—six years to complete paperwork that takes a week to complete in the rest of the country. Business cannot operate under these conditions. This bill would have changed that.

Rep. Tom Cole (R-Okla.), the only Native American member of Congress, introduced this legislation with the sole intention of creating economic sovereignty for Native Americans. He has firsthand experience of the challenges faced by tribes. Native Americans suffer from the highest poverty and unemployment rates in the country. Compared with the rest of the United States, they are more likely to suffer from drug and alcohol addiction and have less access to quality healthcare.

It was a shock to see a positive and seemingly noncontroversial bill fall short. After all, the bill would provide a clear avenue for foreign investment in Indian Country, streamline archaic and incredibly inefficient regulations that add years of delays to potential business deals, and for the first time allow tribes to enter into business deals as sovereign entities, much like every state in the country can already do. It would do all of these things at no additional cost to the federal government.

H.R. 2362 was also designed to complement H.R. 205, the HEARTH Act, which easily passed the House and Senate and will soon be signed into law. The bills are complementary but different. H.R. 205 was specifically designed to address housing needs on tribal lands but makes no mention of investment from foreign companies. H.R. 2362 invites companies from all 155 WTO countries to invest in Indian Country. It establishes a demonstration project that will help us learn best practices for future business deals. Once we work the kinks out, we would open it up to all tribes.

So why the opposition? One word: Turkey. Turkey and Turkish Americans helped bring this bill to fruition through years of business exchanges and negotiations on how to best facilitate trade and investment with Indian Country. Turkey was the first and only country to send an official delegation to the Reservation Economic Summit, the premiere tribal business conference. Turkey is the only WTO country that has demonstrated an active economic interest in tribal lands. Turkey was mentioned in the text of H.R. 2362 in recognition of these efforts.

But the word “Turkey” in a tribal economic development bill turned into a call to action for special interests. Rather than focusing on the bill’s many economic benefits for tribes and all WTO countries, these communities focused on the word “Turkey”. In the process, they hijacked a bill that has nothing to do with their centuries-old grievances and put an end to promising new economic opportunities for some of the most impoverished people living within America.

Native Americans have too few—not too many—tools for economic development. We need to give them as many options as we can. Tribes should have the power to choose which tools they wish to use to grow their economies.

H.R. 2362 is a good bill that would have spurred economic development on tribal

lands. Instead, it was killed by special interests that chose this opportunity to advance their own agenda. An agenda that has nothing to do with tribal sovereignty.

(Eric Bruguier is the chairman of economic development for the Fort Peck Tribes. Lloyd Irvine is a councilman for the Confederated Salish and Kootenai Tribes.)

AMERICA’S CAMP PENTAGON EXHIBIT

HON. CHELLIE PINGREE

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 11, 2012

Ms. PINGREE of Maine. Mr. Speaker, I rise today to call my colleagues’ attention to an art exhibit on display at the Pentagon.

Over the course of ten years, for one week each summer, a camp in the Berkshires of Massachusetts became “America’s Camp.” This camp welcomed children whose parents or relatives were killed in the September 11, 2001, terrorist attacks on the World Trade Center, the Pentagon, and on American Airlines Flight 93. America’s Camp was a place for these children to experience a traditional recreational summer camp—swimming, canoeing, and singing camp songs. But more importantly, it provided a peer-supported environment where these children could memorialize their lost loved-ones among other children who experienced similar losses. It was a place where the kids could be kids, without the label of being a “9/11 kid,” as was the case in so many other aspects of their lives.

I am extremely proud of an organization in my district—The Center for Grieving Children—for the contribution they made to this special camp. The Center, based in Portland, Maine, has provided loving support to children and families during times of loss through peer support, outreach, and education. It has done so for 25 years and has provided its services free of charge for as long as families have needed them. The Center for Grieving Children has played a role in America’s Camp since its founding. Each year, the Center sent staff and volunteers to camp where they provided “Buddy Central,” a drop-in center where grief facilitators offered support to campers.

An annual art project offered children the opportunity to express their grief as well as their hope at camp. There was a quilt project, a tapestry of loss and love, anger and joy; a “Sky Project,” with stars from each child with their own tributes to loved ones; and the amazing “Feathers of the Phoenix,” with feathers made by the children with images of a person they wished to honor. A collection of these and other art projects has been on display for the past year or so at the Pentagon.

I encourage my colleagues to view this exhibit if given an opportunity to do so. The strength and hope shared by these children hold great power for moving us toward a more peaceful world.

FLORIDA PATRIOT GUARD RIDERS—STANDING FOR THOSE WHO STOOD FOR US

HON. C.W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 11, 2012

Mr. YOUNG of Florida. Mr. Speaker, on this, the somber anniversary of the 9/11 terrorist attacks on our nation, I rise to say thank you to the more than 7,000 members of the Florida Patriot Guard Riders who have provided invaluable support to the families of the fallen and injured servicemembers in the ongoing war against terrorism.

With the motto of “Standing for Those Who Stood for Us”, the Patriot Guard Riders provide motorcycle escorts for our fallen as they take them to their final resting places. They provide escorts for our injured servicemembers as they return home. And they provide color guard support for hundreds of ceremonies throughout our state of Florida and our Nation as we honor those who wear and who have worn the uniform throughout our history.

In the past month alone, hundreds of Patriot Guard Riders joined as we escorted Staff Sergeant Matthew Sitton of Largo, Florida, home to his final resting place. Staff Sergeant Sitton paid the ultimate price for freedom when he was killed by an IED blast in Afghanistan. Thousands and thousands of Matthew’s friends and neighbors, and thousands more who had never met Matthew or his family, lined the streets of Tampa and Pinellas County to say thank you to him and his family as hundreds of Patriot Guard Riders provided a mile long escort to honor this American hero and his equally heroic family.

The Patriot Guard Riders were with us when we opened a Clearwater, Florida exhibit to remind us to never forget the lessons of the Holocaust. They lined the exhibit area with American flags as a tribute to those who served our nation during World War II, “The Greatest Generation” who restored freedom to Europe and freed the Nazi concentration camps.

The Patriot Guard Riders were also with us last week when we opened the new USO Lounge at the Tampa International Airport, to provide a place to support the thousands of troops who pass through Tampa annually, and to support their families when they come to await their return from their deployment and from their hospitalizations. Again, the Patriot Guard Riders lined the halls to show their thanks and their respect for our veterans of all generations as we dedicated this new facility.

Mr. Speaker, the Florida Patriot Guard Riders are led by State Captain Mike Donohoe, and Assistant State Captains Thomas “T-Man” Brown, Al Kaufman, Dave “Buzzard” Clark, Terry Hanifin, and Doug Horton. If space permitted, I would list the names of all 7,000 of the Florida riders who served our nation in uniform and who continue to serve their brothers and sisters in uniform.

The mission of the Patriot Guard Riders throughout our nation is to, “show our sincere respect for our fallen heroes, their families, and their communities.” It is also to, “shield the mourning family and their friends from interruptions created by any protestor or group

of protestors." Both of these missions are critical to our troops and their families. Throughout our nation's war against terrorism, my wife Beverly and I have been asked by the injured Soldiers, Sailors, Marines, Airmen, and Coast Guardsmen at our military and veterans hospitals if the American people continue to support their mission. The Patriot Guard Riders make sure that when these American heroes return home, they know they are loved and appreciated by the people of their hometowns.

Mr. Speaker, it is my hope that my colleagues will stop and say a word of thanks every time they see a Patriot Guard Rider back home in their communities. These men and women do not serve and ride for their own personal recognition. They ride and they stand in formation as a group to say thank you from a grateful nation and to do as their motto states, to "Stand for Those Who Stood for Us."

THE 11TH ANNIVERSARY OF THE SEPTEMBER 11, 2001 ATTACKS ON THE UNITED STATES

HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 11, 2012

Mr. COSTELLO. Mr. Speaker, today we mark the 11th Anniversary of the September 11 attacks on the United States. While we have moved more than a decade beyond that tragedy, the attacks remain an indelible part of our memory. Truly, no one who lived through that day will ever forget it—the horrendous loss of life, the bravery of our first responders, the sense of unity that followed—and it falls to us to ensure that future generations understand the magnitude of the event.

This is particularly so as other events impact our view of how we have reacted to 9/11. The capture and killing of Osama Bin Laden and the removal of our troops from Iraq can be seen as turn-the-corner moments in the war on terror, but the daily hard work of our military and intelligence community must continue—we must remain vigilant. I remember feeling that day and the days that followed that we were in uncharted territory as a nation. As a country and a society, we are learning as we go, adjusting and adapting to the new realities that 9/11 brought upon us and that have ensued since, such as the Arab Spring.

This process can be bumpy, and is ever changing, as we continue to weigh the appropriate balance in our security and foreign policy decisions. What is clear is that we continue to owe a tremendous debt of gratitude to our troops, who risk all in Afghanistan and elsewhere to protect our freedom, and our intelligence professionals, who are also on the front lines of our defense, making critical decisions that keep us safe every day.

More than anything, 11 years later, 9/11 underscores what it means to be an American, where we come together during even the toughest times, weather the storm and move forward. That is what 9/11 means to me, and that is the lesson that will endure for the ages, for all to see.

RECOGNIZING THE ACHIEVEMENTS OF LYNNE YOSHIKO NAKASONE

HON. COLLEEN W. HANABUSA

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 11, 2012

Ms. HANABUSA. Mr. Speaker, I rise today to recognize Lynne Yoshiko Nakasone of Honolulu, Hawaii. The National Endowment for the Arts has named Sensei Nakasone a 2012 National Heritage Fellow for her contributions to the folk and traditional arts. This prestigious lifetime achievement award honors Sensei Nakasone's lifetime commitment to Okinawan classical dance—which is also referred to as Ryukyu dance—and embodies her accomplishments by identifying her as one of our country's Living Treasures.

Sensei Nakasone is originally from Naha, Okinawa but has resided in Hawai'i since her marriage to her loving husband, Clarence, in 1955. At age 6, Sensei Nakasone began to master the techniques of Ryukyuan dance—which dates back to the time of the Ryukyu Kingdom—under the mentorship of Ryosho Kin, a renowned figure in the Okinawan performing arts. In 1956, Sensei Nakasone founded the Hoge Ryu Hana Nizi no Kai Nakasone Dance Academy in Honolulu and for over five decades has been teaching, performing, and choreographing creative dances. Sensei Nakasone's performance skills are second to none but it is her Aloha Spirit that endures the test of time as her passion, knowledge, and kindness have touched countless individuals over the years. There is no doubt in my mind that Sensei Nakasone is deserving of this award for she has dedicated her life towards preserving Okinawan culture while positively impacting others and contributing to the diversity and uniqueness of culture in the United States of America.

Sensei Nakasone has been recognized numerous times in the past, being awarded the Individual Artist Fellowship from the State of Hawai'i, a Legacy Award from the Hawai'i United Okinawa Association, a certificate of commendation from the government of Japan, and a Living Treasure Award by the Hawai'i Buddhist Association. With her award from the National Endowment of the Arts, Sensei Nakasone has deservedly been recognized at every level possible. Her tremendous contributions to the humanities and to us all cannot be underscored and it is truly an honor for us to be able to recognize Sensei Nakasone for sharing her gifts with the world.

On behalf of the First Congressional District of Hawai'i—as well as the entire State of Hawai'i—I would like to extend my warmest aloha and congratulations to Lynne Yoshiko Nakasone, her husband Clarence, and her entire family for being named a 2012 National Heritage Fellow.

PERSONAL EXPLANATION

HON. DONALD A. MANZULLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 11, 2012

Mr. MANZULLO. Mr. Speaker, I missed a series of votes yesterday. If I had been

present, I would have voted "yea" on rollcall No. 557; "yea" on rollcall No. 558; and "yea" on rollcall No. 559.

REMEMBERING 9/11

HON. RUSH D. HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 11, 2012

Mr. HOLT. Mr. Speaker, today our nation pauses to remember another September morning very much like this one, bright and sunny, which began as usual for most of us but ended with nearly 3000 of our citizens dead and our nation once again at war. As we do every year at this time, we remember with sorrow and sympathy the lives lost, the families shattered, and the sense of vulnerability many still feel. But we also remember the heroism of the first responders in New York City, Virginia and Pennsylvania, and we remember the heroism of the passengers of Flight 93, who saved countless others by overpowering the hijackers of their plane before it could cause more tragedy in Washington, DC.

We also remember the determination and unity of purpose we all felt in the days and weeks immediately after those attacks, a determination that has led to the effective dismantlement of Al Qaeda and the imprisonment or death of those responsible for the 9/11 attacks. Our determination to remember can be seen in the National September 11 Memorial and Museum, which is located on the former site of the Twin Towers and which we dedicated last year. Our determination to rebuild can be seen in the Freedom Tower, now known as One World Trade Center, that is steadily rising above the Manhattan skyline right next to the memorial and museum.

There are no words that I or anyone else could ever speak that will assuage the grief and sense of loss sustained by so many, including 700 in my district alone. What we can and must do is remember those lost and rededicate ourselves to rebuilding the country they loved, which in the end is the greatest tribute we could give them.

Each of us may never confront a vicious hijacker, but each of us can confront bigotry and division even in our own communities that destroy our commonality of purpose. Let us hope and pray that we can find within each of us the kind of courage as those Americans showed that day.

WE MUST CONTINUE TO FUND NASA'S "VOYAGER"

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 11, 2012

Mr. SCHIFF. Mr. Speaker, I rise today to pay tribute to the men and women of NASA and Caltech's Jet Propulsion Laboratory, who designed and flew the *Voyager* spacecraft, which have been exploring our solar system for thirty-five years and which are on the cusp of entering interstellar space. Even now, more

than thirty-five years after launch, the *Voyagers* are still transmitting valuable scientific data through NASA's Deep Space Network, which is also managed by JPL.

Voyager 2, which was launched on August 20, 1977 and its twin, *Voyager 1*, which followed on September 5, 1977, were designed to take advantage of a rare alignment of the outer planets that allowed for a "grand tour" of the four gas giants that lie beyond the asteroid belt. The *Voyager* flybys of Jupiter, Saturn, Uranus and Neptune built on the earlier missions of *Pioneer 10* and *11* and revolutionized our understanding of the solar system and particularly the complex Jovian and Saturnian systems with their many and diverse moons. *Galileo*, *Cassini* and other subsequent missions to the outer planets have deepened our knowledge of our planetary neighbors, but they would not have been possible without the path breaking work of the *Voyager* team, many of whose members have devoted decades of their lives and careers to this one program.

Now, *Voyager 1* is poised to become the first manmade object to leave the solar system and venture into the great void of space after completing its primary mission of exploring Jupiter and Saturn in 1980. *Voyager 2*, which went on to Uranus in 1986 and Neptune three years later, is not far behind. Both craft carry a gold "record album" containing sounds and images of Earth if either spacecraft is found by an alien civilization.

Voyager was among many spectaculars of NASA's planetary science program, which has contributed so much to our understanding of our celestial neighborhood and of ourselves. We were recently reminded of this when *Curiosity*, the Mars Science Laboratory, landed on the Red Planet last month. But these missions are not cheap and they take years to design, test and fly. They also require highly specialized teams of engineers and scientists to make them work and to interpret the data they return to Earth. And without missions to work on, this talent pool cannot survive.

That is why I am committed to ensuring that funding for NASA includes sufficient resources for a robust planetary exploration program that will provide for continued investigation of Mars, while also allowing us to visit the many other fascinating places in the solar system, like Jupiter's moon, Europa, which was photographed in detail by *Voyager 2* in July 1979.

We cannot cede our leadership in space exploration and the incredible advances that come with it. I will continue to use my seat on the Appropriations committee to argue for a planetary exploration program that secures our continued place at the head of the table of space-faring nations.

TODAY WE REMEMBER
SEPTEMBER 11, 2001

HON. ROBERT B. ADERHOLT

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 11, 2012

Mr. ADERHOLT. Mr. Speaker, it has been eleven years and we shall never forget the impact that September 11, 2001 made on every American.

Today, eleven years since tragedy struck the shores of America at the hands of Osama bin Laden and his followers, we should all pause for a moment and reflect upon not only the solemnness of this day, but also the strength of American ideals to overcome adversity and persevere.

Today, we should all remember the thousands of people needlessly murdered in New York, Pennsylvania, and Virginia on that fateful day; the brave first responders who rushed into harm's way without concern for the consequences; the thousands of brave men and women that have made the ultimate sacrifice in the course of the war on terror; and the thousands of security, intelligence, and law enforcement officials that continue to work tirelessly to keep our Nation safe and secure.

CELEBRATING THE LIFE OF
BISHOP NORMAN N. QUICK

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 11, 2012

Mr. RANGEL. Mr. Speaker, I rise to celebrate the life of our dear beloved spiritual leader, Bishop Norman N. Quick who passed away on Wednesday, August 1, 2012. The celebration will begin on Tuesday, August 7, as the local Jurisdiction of the Church of God In Christ presided by Bishop Frank O. White, General Board Member and Interim Jurisdictional Prelate will host the first Celebration of Life Service; and on Wednesday, August 8, the National Jurisdiction of the Church of God In Christ, presided by Bishop Charles E. Blake will host the final Celebration of Life Service. Bishop Quick will lie in state for viewing at Childs Memorial Temple Church of God In Christ, where both celebration services will be held.

It is with great sorrow that my wife Alma and I join Harlem and the Church of God In Christ Worldwide Ministry in mourning the death of our beloved Bishop Norman N. Quick who left an unforgettable and indelible mark in all of our spiritual hearts and minds. I am truly thankful for his decades of service to our community, and for the many personal memories that I will cherish forever. Bishop Norman N. Quick was a renowned and outspoken evangelist of the word of Christ, who grew his ministry nationwide and internationally, mentoring young pastors from as far as Africa, Asia and throughout the Caribbean, creating a legacy of evangelists and educators whose ministry will live through his teachings forever. Great men like our beloved Bishop are precious gifts we temporarily have in this world, but their assistance and contributions are far remembered and everlasting. Although he will be missed, his legacy now lives through his flock and through his children and that is a great comfort to all who knew this amazing servant of God.

Bishop Norman N. Quick was installed as Senior Pastor of Faith Temple Church of God In Christ in October 1973, after the death of another historic renowned Evangelist, Bishop Dr. Alvin Alexander Childs, who passed away on Saturday, August 11th of that same year.

In 1974, Bishop Quick renamed the church to Childs Memorial Temple Church of God In Christ in honor of Bishop Dr. Alvin Alexander Childs, who also left an unforgettable and indelible mark on Harlem and in all of our spiritual hearts and minds.

Under the leadership of Bishop Quick and First Lady Sister Verline Quick, Childs Memorial Temple grew larger in its spiritual teachings and ministerial work throughout the West Harlem and "Sugar Hill" community. Childs Memorial Temple offered spiritual and compassionate support through its religious services and social programs. In 1976, Bishop and Sister Quick founded The Childs Memorial Temple Bible Institute for the purpose of promoting their study of the Bible, training Christian Workers and carrying the Gospel to the unsaved.

In 1982, they also established the Childs Memorial Temple Christian Academy, which has, and continues to provide a wholesome and religious education for hundreds of children in the community. Within the cathedral, the United Homeless Organization provides social services such as housing, job placement, and nutritious meals to individuals in need and rejected by society. Childs Memorial Temple houses Boy Scout and Girl Scout Troops that serve both the community and the church.

At a time when drugs, housing abandonment and despair ravaged throughout the neighborhood and community at large, Bishop Quick was one of the founding pastors and churches to form Harlem Congregations for Community Improvement in 1986, where he actively served on the Board of Directors. His success was as much a result of his enormous charming personality and character, as it was of his spiritual work ethic. Bishop Quick's incredible hospitality and personable nature was symbolic of Harlem's rich collective composition that will be remembered forever.

The history of Childs Memorial Temple Church of God In Christ began with the Faith Temple Church of God In Christ under the leadership of Bishop Alvin A. Childs, which was one of the faster growing Pentecostal Churches in New York with over 3,000 members. Thousands of people received spiritual, financial and healing blessings under the dynamic ministry of Bishop Alvin A. Childs and the Faith Temple Church of God In Christ Family. Faith Temple was noted for its 11:00 p.m. radio broadcast where many people started gathering at 10:00 p.m. to hear the radio choir, many outstanding artists, Preachers and the voice of the Bishop, who was matchless as an orator and master 'pulpit'eer. In 1965, at the time of Malcolm X's death, none of Harlem's gaping Cathedrals would open the doors for his funeral. A fearless Bishop A. A. Childs dared to allow Malcolm X's slim body with bullet holes in the chest to be rolled into Faith Temple. Thousands of people lined the streets in front of the church as hundreds squeezed into the 600 seat Temple where actor Ossie Davis delivered the Eulogy. Faith Temple was a friend to all classes of people, Mayors and Governors, rich and poor and the rejected of society.

Mr. Speaker, the Village of Harlem and a very grateful nation extend our sincere and heartfelt support, love, and sympathy to the

Church of God In Christ family as we celebrate the life of our beloved Bishop Norman N. Quick, who now takes his place alongside our other renowned Freedom Fighters, who have contributed and dedicated their entire lives to uplifting the spiritual morality, civil rights, social justice and education equality for all Americans despite race, color or creed.

WHITE MEADOW TEMPLE 60TH ANNIVERSARY

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 11, 2012

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to honor The Congregation of White Meadow Temple of Rockaway Township, Morris County, New Jersey for the celebration of its 60th Anniversary this year.

Initially a popular vacation spot for Jews from New York City and Newark in the 1940s, White Meadow Temple was founded in 1952 as a result of an increasing suburban Jewish population in Rockaway Township. Worship quickly commenced, beginning in 1953. In the years spanning 1955 and 1989, Rabbi Jacob Weitman served as the temple's spiritual leader, overseeing an era blossoming in both membership and dedication.

In 1964 the temple's building at 153 White Meadow Road underwent major renovations to accommodate for an increasing membership. Nearly 20 years later, White Meadow Temple renovated again in 1985, this time building a new sanctuary, two kitchens and additional Hebrew school classrooms.

Strengthening the foundation that Rabbi Weitman and the succeeding Rabbi Ralph Dalin laid, today, White Meadow Temple maintains its Jewish vision and principles while also expanding its involvement in the community. The conservative temple takes pride in its reputation and as a warm, active and egalitarian congregation.

In addition to services, which occur on Shabbat, weekday evenings, and Sunday mornings, the congregation also partakes in the Synagogue's educational and social endeavors. Encouraging participating of younger generations on a spiritual level, the Temple also holds a Junior Congregation and Tot Shabbat services. Ranging from a Nursery School and Kindergarten to Youth groups, Senior Group, and a Women's league, White Meadow Temple offers everyone a chance to get involved and find their niche both in and out of the Jewish community.

After 60 years of passionate leadership, White Meadow Temple is currently overseen by President Marc Levine and services are lead by Rabbi Benjamin Adler. May that clear commitment and involvement of the congregation in the community uphold the mission of the White Meadow Temple and continue to inspire future generations!

Mr. Speaker, I ask you and my colleagues to join me in congratulating The White Meadow Temple of Rockaway Township, Morris County, New Jersey, on reaching their 60th Anniversary.

TRIBUTE TO MITLA CAFÉ

HON. JOE BACA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 11, 2012

Mr. BACA. Mr. Speaker, I rise today to ask Congress to pay tribute to an outstanding business in San Bernardino, California—Mitla Café. This September, Mitla Café will be celebrating its 75th year as their family restaurant serving the people of Southern California.

Mitla Café is the oldest continually operating restaurant in San Bernardino, and one of the oldest Mexican restaurants in Southern California. Mitla Café serves standard Mexican fare—tacos, burritos, and fresh tortillas. They pride themselves in fresh food, which keeps the locals coming back for more. Today, the restaurant remains in its original location, off historic Route 66 in San Bernardino.

This family owned business was founded in 1937, by Lucia and Salvador Rodriguez. Until her passing in 1981, Lucia ran the restaurant with the help of her daughters Theresa, Helen, and Vera. After the death of her mother, Vera continued to manage the restaurant with the same understanding and passion for the community that her mother held. After Vera passed away in 1984, Lucia and Salvador's youngest son, Frank Montano, and his wife Irene continued the family business. Today, Mitla Café is managed by the founders' great-grandson, Steven Oquendo. The family restaurant atmosphere and exceptional food keeps residents coming to Mitla Café even after they have moved out of the area. From my own personal experience, my family and I have always enjoyed dining at Mitla Café.

To celebrate their 75th year anniversary, Mitla Café hosted an event on Saturday September 8th, which featured live music by the Scott Martin Latin Soul Band. Earlier this June, Mitla Café also hosted an anniversary event, featuring Bruce Conte and the Jazz Junkies.

Mr. Speaker, I ask my colleagues to join me in celebrating San Bernardino's oldest restaurant, Mitla Café for their 75th anniversary.

HONORING PEGGY COMBS' PROMOTION TO BRIGADIER GENERAL IN THE UNITED STATES ARMY

HON. RICHARD L. HANNA

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 11, 2012

Mr. HANNA. Mr. Speaker, I rise today to recognize Peggy Combs on her promotion to Brigadier General in the United States Army.

Brigadier General Combs is the commandant of the U.S. Army Chemical, Biological, Radiological and Nuclear School at Fort Leonard Wood, MO. The change of command ceremony was streamed live to her hometown American Legion, R.K. Parkhurst Post 1448 in Oriskany, NY, where both she and her parents are members. Approximately 1,400 members of the community gathered to watch the ceremony.

Brigadier General Combs is the first female general officer to hail from the upstate New

York community, and is the first general with ties to Oriskany since Gen. Nicholas Herkimer, who led local militia during the famed battle of Oriskany during the Revolutionary War.

Brigadier General Combs is the eldest of Jack and Pat Huther's four children and is a 1981 graduate of Oriskany Central School. Brigadier General Combs was the first member of her family to go to college. In 1985, she graduated from the esteemed Syracuse University and received her direct commission as a second lieutenant through the university's Army ROTC program, where she was a distinguished military graduate. Together with her husband Brad, they have raised three grown children. Brigadier General Combs stands as a role model for women and female soldiers throughout the United States of America. Only in America can a young girl from rural upstate New York climb the ranks of the best Army in the world.

Mr. Speaker, on behalf of Congress and the United States of America, I would like to recognize Brigadier General Peggy Combs on her promotion in the United States Army. Brigadier General Combs has been an asset not only to the United States Army but to the people of New York State and certainly Oneida County and her hometown of Oriskany. It is an honor and a privilege to applaud Brigadier General Combs' promotion and I wish her great success as she continues her upward journey in the United States Army.

CONSTITUTION DAY 2012 CELEBRATION—MIAMI

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 11, 2012

Ms. ROS-LEHTINEN. Mr. Speaker, next week, Monday, September 17th is Constitution Day.

This day marks the 225th anniversary of the adoption of the United States Constitution by our Founding Fathers.

On that day in 1787 the members of the Constitutional Convention of Philadelphia reached a watershed moment, collectively adopting the Constitution that embodies the ideals of a new nation and a free people.

Over the course of this upcoming week, Americans from all walks of life will gather to commemorate this sacred document by collectively reading the Constitution in Constitution Day events nationwide.

Tomorrow, at 5:30 p.m. at the Miami History Museum on West Flagler Street, local law firm Higer, Lichter & Givner, in conjunction with History Miami, will host students, veterans, business and community leaders, and all who wish to join, as they gather together to read and honor the Constitution.

This is a wonderful tradition, and I strongly encourage everyone to take part in this important event.

H. RES. 484 AND H.R. 1410

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 11, 2012

Mr. MORAN. Mr. Speaker, I rise in strong support of the two bills before us on human rights in Vietnam. These bills will enhance U.S. efforts to promote media and religious freedom in Vietnam, while communicating our concern and desire to protect the courageous advocates for freedom who risk everything to change their country for the better. I urge my colleagues to support both.

H. Res. 484 condemns the increasing repression by Vietnam's government of community organizers, bloggers, and democracy activists. Across the world, social media has empowered people to push for the rights that should be inherent in their citizenship. It has been like a wind filling the sails of movements pushing for more freedom, stronger accountability, and greater commitment to justice.

But we cannot forget that behind these social media are courageous individuals who risk everything to achieve those goals. This bill will make it clear to the government of Vietnam that their use of vague national security provisions in the penal code has been noted, and that the U.S. Congress will continue to press for freedom for people who are swept into prison under such shameful circumstances.

People like Nguyen Quoc Quan, a peaceful democracy activist and a U.S. citizen, who was arrested while visiting his home country. Recently, his prison sentence under one article has been extended four months under another. He was charged with terrorism under Article 88, and then the prosecutor rescinded that judgment and extended his jail term for "attempting to overthrow the government" under Article 79. We call this what it is: arbitrary, cruel, and unfair, and with this bill we call on the Vietnamese authorities to release all political prisoners, especially activists, writers, and bloggers who have been imprisoned under these provisions of the Vietnamese criminal code.

H.R. 1410 emphasizes that, while the United States will continue to work together with the Government of Vietnam on important issues of mutual concern, we will not increase our commitment of assistance until and unless they make substantial progress on media and religious freedoms, minority rights, access to U.S. refugee programs, and ending trafficking in persons.

This bill will bring hope to Vietnam's courageous democracy advocates that the United

States values their efforts and will keep human rights at the center of our relationship.

The United States has taken important steps to demonstrate that that we hope to build a common future with Vietnam built on cooperation, development, and peace. In recent years, we have maintained a robust program of bilateral aid to Vietnam because it is in our national interest and it is in the interest of the people of Vietnam.

But Vietnam cannot reach its potential as a nation if its people are denied basic rights. And sadly, the government of Vietnam is taking the country backwards in terms of human freedom. These two bills make clear that a good relationship requires progress on this critical issue.

CELEBRATING 90TH BIRTHDAY OF
ALVAR "AL" EDWIN SPERRING

HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 11, 2012

Mr. DENHAM. Mr. Speaker, I rise today to acknowledge and honor the life of a beloved veteran, Alvar "Al" Edwin Sperring on his 90th birthday. Alvar was born in San Francisco, California on September 18, 1922. He is the youngest of five brothers, born to John Edward Sperring and Anna Emily Sperring.

Mr. Sperring's parents moved to Sonoma, California during his early childhood, where he attended local schools and graduated from Sonoma Valley Union High School in 1940. Upon graduation, he went to work for the Pacific Telephone Company in San Francisco as a lineman working throughout Northern California and Nevada.

Alvar was drafted into the United States Army on January 30, 1943, in San Francisco, California. He applied and was accepted for the Aviation Cadet School. He graduated from Pilot School on May 22, 1944, with the rank of Second Lieutenant at Stockton Field, Stockton, California, Class 44-E.

On May 28, 1944, he married his high school sweetheart, Alyda Bernadette Picchi, at St. Edward's Church in San Francisco, California. Together, they raised four sons: Roger, Robert, Ronald, and Randall. He is proud of his six grandsons and six great-grandchildren.

Mr. Sperring's first Air Force assignment was at Muroc Army Air Base in Lancaster, California for B-24 Liberator Bomber Pilot training. In 1945, he served overseas with the 38th Bombardment Squadron stationed in Guam in the Pacific Theater. He was honor-

ably discharged on April 3, 1946, with the rank of First Lieutenant and remained in the U.S. Army Air Force Reserves until November 1963.

Alvar returned to his former employment with Pacific Telephone Company in San Francisco and was promoted to Line Foreman. In 1950, he was transferred to Lodi, California. Lodi had transitioned to a dial system, and he was instrumental in achieving that endeavor. He retired in 1983 with 42 years of loyal and dedicated service in various supervisory capacities.

Alvar is a sixty-year member of The American Legion, active member of International Order of Odd Fellows, Telephone Pioneers, Past Big Sir of Branch 18 Sons in Retirement and one of the early founders of the Lodi Boys and Girls Club. He is a long-time member of the Woodbridge Golf and Country Club, where he plays golf three times a week.

Mr. Speaker, please join me in honoring Alvar E. Sperring and expressing our congratulations on his 90th birthday. Best wishes to him and his family for continued success, happiness, and good health in years to come.

THE ANNIVERSARY OF
SEPTEMBER 11TH

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 11, 2012

Mr. SCHIFF. Mr. Speaker, today, we remember those lost eleven years ago on September 11, 2001. We also remember the extraordinary acts of bravery and heroism performed by courageous passengers and crew on United Flight 93, by the first responders who rushed into burning buildings, and by the thousands of nameless volunteers who provided assistance on that terrible day.

We think, too, of our troops around the world who stand in harm's way, many of whom enlisted in the days and weeks that followed the attack on our country. And of those troops we have lost, and who paid the ultimate price for our liberty.

For millions of Americans, September 11th serves a day of solemn reflection. For others, it has become a day of community—gathering together in remembrance and in service. No matter how we choose to remember, ours is a tribute that is a deeply personal one.

We lost a great deal on that tragic day, but America also revealed herself to be resilient, and more unified and determined than ever.

HOUSE OF REPRESENTATIVES—Wednesday, September 12, 2012

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Ms. BUEKLE).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
September 12, 2012.

I hereby appoint the Honorable ANN MARIE BUEKLE to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 17, 2012, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 11:50 a.m.

CREDIT UNIONS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. In meeting with hundreds of constituents and dozens of small business this summer, one theme emerges repeatedly: The price that American families and small business continue to pay for the near collapse of our economy.

Earlier this year, new examples emerged of manipulation that was harmful, and in some cases potentially illegal, by Wall Street in New York and Fleet Street in London. Financial interests continue their assault on even modest reforms in the Dodd-Frank financial legislation protections for consumers and for the financial system itself. Now, clearly, the elements are a little overly complex and not perfect, but, in part, that's the result of aggressive action from the industry itself assaulting the regulatory process.

On the campaign trail, Governor Romney and his running mate argue for less protection and a return to largely self-regulation of banks that nearly brought the global economy to its knees.

At the same time, the Republican Party's response to the challenges of the mountain of student debt is first to reduce the funding for Pell Grants that help make college more affordable for low-income students, and then they would help fewer student borrowers but help more bankers by giving the lending business back to the private sector—backed by a government guarantee, by the way. Hardly a free-market solution.

Governor Romney famously pointed out that if this doesn't work for you, you can always borrow from your parents. I think most people, not just Republicans or Democrats, Independents, believe that's not the solution. It's more of the problem, even for those students who have parents that could finance them.

There are things that we can do. We should, of course, fight to protect the reforms and the restraints on Wall Street and protect direct, lower-cost lending to college students, but we also might inject a little more competition into the financial marketplace.

Now, for millions of Americans, a little competition to the big banks comes from credit unions who are more on the scale of a community bank. Most are small to medium-sized, very local, and nonprofit, with a volunteer, membership board of directors.

That nonprofit status is important. They not only don't pay taxes; they're not paying dividends to stockholders or multimillion dollar bonuses to CEOs. They use that advantage to lower costs and improve service.

Credit unions are currently prohibited from lending more than 12.25 percent of their assets to business. Now legislation has been proposed to raise this lending cap to a little more than a quarter of the assets. That would be ideal for small business lending.

It wasn't the credit unions on Main Street that almost brought the economy to its knees; it was Wall Street gamblers and, too often, cheaters in the financial sector. They were skirting the law and, in some cases, breaking it. Maybe it's time that we give small businesses a boost by giving commercial banks a little competition.

I hope my colleagues will not just sponsor H.R. 1418, the Small Business Lending Enhancement Act of 2011, but also be an advocate. It will be a strong signal that we truly want competition in the financial arena, that actions have consequences, and small and emerging businesses are our priority. Let's give small business more choices

for financing they need, and let's help credit unions get more capacity to meet that need.

ATTACKED AGAIN ON 9/11

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. POE) for 5 minutes.

Mr. POE of Texas. Madam Speaker, yesterday was the 11th anniversary of the attack on America from 9/11 in 2001 where Americans were killed, and it was an act of terrorism. Yesterday Americans were attacked again in two attacks, in Egypt and in Libya, apparently terrorists attacking us again on 9/11.

The Embassy in Egypt was stormed, the American flag was brought down, and a black flag was raised by those that stormed the compound. In Libya, the consulate was attacked, set afire, and our Ambassador to Libya, Chris Stevens, was murdered and apparently, according to the BBC, his body was carried through the streets of Benghazi.

Both of these places are U.S. sovereign soil, the consulate and the Embassy. The groups or individuals that committed these acts must be found. There's no evidence yet that there was any act by either one of these two governments but by individuals or even by groups.

In Libya, al Qaeda cousins, as I call them, the Ansar al-Sharia, claims responsibility for the murder of our U.S. Ambassador. It's no coincidence that these two attacks occurred nearly at the same time, and they both occurred on the anniversary of September 11.

Immediately, the attackers blamed a movie that was produced as the reason, an excuse and justification for murdering. It's never the fault of a movie; it's never the fault of the United States; it's never the fault of western culture that people are murdered in the name of religion. It's the responsibility and it's the fault, of individuals. The people that need to be held accountable are the ones who committed these specific acts of terror against the United States.

In the past, the United States has always held and went after those that were responsible for this type of conduct. In 1998, when the Kenyan Embassy was attacked and Americans were killed, we responded. Of course we responded in 9/11. We responded after the first World Trade Center bombing. In 1996, when 19 American soldiers were murdered in Saudi Arabia, we responded. In fact, President Bill Clinton said this:

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

The cowards who committed this murderous act must not go unpunished. We will not rest in our efforts to find who is responsible for this outrage, to pursue them and to punish them.

After 9/11, President Bush made this comment:

The search is under way for those who are behind these evil acts. I've directed the full resources of our intelligence and law enforcement communities to find those responsible and bring them to justice.

Madam Speaker, the United States must always respond to terrorists, and we must let them be reminded again and again we will respond in an appropriate manner as we did on 9/11. We must respond today, and we must respond tomorrow. I am encouraged that the President will soon address the Nation on what our response will be.

We must hold those responsible personally accountable because we must let people understand that they need to leave us alone. That is what that message needs to be. We must have justice in these terrorist attacks by these individuals against Americans because, Madam Speaker, justice is what we do in America.

And that's just the way it is.

HONORING PETALUMA NATIONAL LITTLE LEAGUE ALL-STARS

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. WOOLSEY) for 5 minutes.

Ms. WOOLSEY. Madam Speaker, I rise today to salute the Little League 12-year-old All-Stars from my hometown of Petaluma, California. I salute them for their amazing run in the 2012 Little League World Series. I couldn't be prouder of the way they represented our community and themselves.

□ 1010

Even though they fell short of the championship, they distinguished themselves as one of this year's best youth baseball teams, finishing second in the country and third in the world. Even in their final loss to Tennessee, they showed fierce determination, rallying for a 10-run comeback to force extra innings. Each and every player contributed to the effort.

Bradley Smith led the way with an astounding .636 batting average, a tournament-leading 14 hits, a record-breaking 6 doubles, and 11 RBIs, as well as great fielding and pitching. Hance Smith hit .429, leading the team with 4 home runs and knocking more home runs—12—than any other player in the tournament. Daniel “Danny” Marzo hit .348 with a walk-off home run against New Jersey, on top of his outstanding pitching. Cole Tomei batted .333 with clutch hitting and dazzling third-base defense that actually reminded many of Brooks Robinson.

Logan Douglas, who provided great all-around leadership and topnotch re-

lief pitching, also had a .318 batting average, and his 11 runs scored were the second-highest in the tournament. Catchers Austin Paretti and James O'Hanlon provided perfect handling of the pitching staff, with James “Jay-O” contributing timely hits and Austin adding eight runs scored in only eight at-bats.

Dylan Moore, Blake Buhner, and Kempton Brandis all contributed clutch performances, including Kempton's two home runs against Tennessee, Blake's big hit to spark a rally against New Jersey, and Dylan's overall solid work in the field, on the mound, and at bat. Porter Slate scored eight runs out of the leadoff spot while playing stellar defense at second base. Quinton Gago's home run against the Southwest would still be going if it hadn't hit the side of a hill. And his dominant pitching performance against Texas gave the team a huge lift. Andrew White provided outstanding relief pitching, not just in the Little League World Series, but throughout district 35 and regional play.

Madam Speaker, not enough can be said about the coaching staff: Manager Eric Smith, Trevor Tomei, and Mike Slate. Their commitment to the team and to the families was nothing short of remarkable. They just didn't teach the boys skills and fundamentals; they instilled in them poise, determination, and drive.

The Petaluma National League All-Stars are talented ballplayers, but they also succeeded because of grit, hustle, and desire. They revealed themselves to be young men of maturity and strong character. They demonstrated sportsmanship in victory and in defeat. They were models of teamwork and discipline, qualities that will serve them well throughout their lives. These boys exemplify what is best about youth sports, being true to the mission and values of Little League baseball. Their performance on and off the field is a testament to their coaches, their parents, their teachers, and their individual character. These boys are unquestionably champions. They are tomorrow's leaders, and they give confidence for our country's future.

AFGHANISTAN

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina (Mr. JONES) for 5 minutes.

Mr. JONES. Yesterday was a remembrance of a tragedy beyond belief that happened to America on 9/11. There's another tragedy taking place, but it happens to be in Afghanistan. The tragedy is our young men and women are going there to give their life for a corrupt leader and a policy that will never change Afghanistan.

During the August break I had the privilege, like most Members of Con-

gress, to be in my district to speak to numerous civic clubs. Two of the clubs I spoke to were retired military groups, one being the American Legion. Every time I talked about the failed policy in Afghanistan and the need to bring our troops home, I got applause. And I'm not a great speaker. But our military has done everything that it can do.

Three marines from my district at Camp Lejeune were in Afghanistan training Afghans to be policemen, and one of the trainees turned around and shot and killed three marines. This isn't the first time it's happened, and it's not the first time that I've lost marines from the Third District of North Carolina. But the person they were training was an Afghan officer in the police force. It is an absolutely unwinnable situation. The purpose that the former President, Mr. Bush, said we're going to Afghanistan for is to get bin Laden. Well, he's dead. To disperse al Qaeda. It is dispersed.

On the 20th, which is next Thursday, we're going to hold a bipartisan news conference with the author of a book called “Funding the Enemy,” by Douglas Wissing, who spent a number of years embedded with our military in Afghanistan. He has seen the tragedy of the money going to Afghanistan ending up in the coffers of the Taliban to buy weapons to kill our young men and women.

If I could advise Mr. Romney and Mr. Obama, I would say: Listen to the American people on our policy in Afghanistan, because the American people want our troops home. I hear both sides complaining about the debt, the cliffs, sequestration, and all these things. And yet we're spending \$10 billion a month in Afghanistan. And, as “Funding the Enemy” says, we can't even account for most of it. Yet we're going to cut programs here for children and senior citizens. But no, we don't even debate Afghanistan on the floor of the House. That is the tragedy.

Just a few of us on both sides have been speaking out constantly on the failed policy in Afghanistan. The former commandant who has been my adviser for 3 years—I'm not at liberty to say his name for the RECORD—he has said to me:

What do we say to the mother, the father, the wife of the last marine or soldier killed to support a corrupt government and a corrupt leader in a war that cannot be won?

Congress needs to awaken to the fact that we need to bring our troops home in 2013—the spring of 2013 and not the end of 2014.

Madam Speaker, next week I will go to Walter Reed. I will visit the wounded from Afghanistan, some from Iraq. And I will leave with a heavy heart because I will see the broken bodies. I will see the young men and some women that have lost legs, other parts of their bodies, some paralyzed from the waist down, some with burned

faces. And yet the Congress sleeps through this war. I ask my friend on both sides, when we get back in November, let's pass a resolution saying that we need to bring our troops home in 2013.

Madam Speaker, before closing, I've signed over 10,855 letters to families and extended families in America because of my weakness and my mistake on Iraq, a war that never had to be fought. Look at Iraq today. It's falling apart. It's time for us to stop trying to build empires and to rebuild America.

ISSUES FACING THIS CONGRESS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Virginia (Mr. CONNOLLY) for 5 minutes.

Mr. CONNOLLY of Virginia. Madam Speaker, Republicans have pursued an obstructionist agenda since taking control of this body, cynically willing, seemingly, to risk even harm to our economy for political gain. The refusal of House Republicans to even consider compromise has resulted in the 112th Congress becoming among the least productive Congresses ever. The 112th Congress looks like a Potemkin Congress when it comes to measured productivity.

Consider the most simple, straightforward metric: the number of laws passed per Congress. The legislative output of this Congress, a mere 173 public laws passed, is a pittance when compared to the 900 public laws passed by what was called the do-nothing Congress of the Truman era, or the 333 public laws passed in an era of divided government in the 104th Congress.

□ 1020

Or consider one of our most fundamental constitutional responsibilities, funding the government. Once again, the 112th Congress distinguishes itself for sheer incompetence, having managed to pass zero appropriations bills. The 112th Congress looks even worse when directly compared to the Democratic-led 111th Congress, which boasted a productivity level on par with the legislative records during the era of Franklin Delano Roosevelt and Lyndon Baines Johnson in the thirties and sixties, respectively.

The landmark legislation enacted in the 2-year period between 2009 and 2010, from the Recovery Act, the health reform bill, financial regulation, put the meager output of this current Congress to shame.

Further, beyond these big three, at least a dozen other important bills were passed during that time period, including legislation addressing fair pay, student loans, consumer protection, national service, stem cell research, and food safety.

The American people are tired of business as usual. They are tired of Congress waiting until the last possible

moment to avert yet another disaster. They are certainly tired of this House returning from a 37-day summer vacation only to hold a couple of show votes this week before rushing Members out of town again next week, leaving in their wake a sea of critical work that remains undone.

Our country faces serious, daunting challenges that demand action now, which is why I advocated canceling the August recess.

The House now has an opportunity to take decisive action in the coming days on at least two major deadline issues facing Congress: passing a 5-year farm bill and enacting comprehensive postal reform.

Despite the 112th Congress being among the least productive and the most dysfunctional in history, the Senate, not known for its speed, has managed to engage in constructive cooperation and addresses both of these issues in an overwhelmingly bipartisan manner.

On two of the most urgent matters facing this Congress, the Senate has exposed the extreme intransigence of this House Republican majority. Two Republicans, a Democrat, and an Independent, developed the 21st Century Postal Service Act of 2012 which passed the Senate with overwhelming bipartisan support.

On the vital 5-year reauthorization of the farm bill, the Senate again developed a reform bill, the Agriculture Reform, Food, and Jobs Act of 2012, and also passed it with a bipartisan supermajority.

Compromise is at the heart of these bipartisan measures, which are far from perfect and contain provisions I would oppose. However, both bills contain provisions vital to saving the postal service, safeguarding the health of Americans and the American agricultural industry, and providing a critical safety net for American families.

In my perfect world, we would pass my Reform the Postal Service for the 21st Century Act. And I'm sure in the House Republicans' perfect world, we'd pass their House Postal Reform Act of 2011. But in the real world, I do not believe either of our constituents sent us here to stubbornly fight for the partisan perfect at the expense of the American good.

If Republican leadership are willing to compromise on behalf of the American people, they will take up and pass the bipartisan bills, S. 1679 and S. 3240, this week or next. I realize I risk appearing naive for even proposing compromise by taking up and passing Senate bills. But my own experience with my predecessor in the 11th District of Virginia gives me hope.

As many of my colleagues are aware, even though former Congressman Tom Davis is a Republican and I'm a Democrat, we get together and we like to say that we belong to the same polit-

ical party—the party of getting things done. We have roots in local government and that's the ethos of local government, and I appreciate his generosity in working with me in the transition to the 111th Congress.

I recall one extended transition meeting at a local Denny's. We were talking. There was a waitress that was going back and forth. We kind of thought she would recognize us, maybe want to say "hello." In fact, she said, "You need to move on. I need that table."

That's where the American people are. They want us to move on and get our business done so they can get on with theirs.

FARM BILL

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from South Dakota (Mrs. NOEM) for 5 minutes.

Mrs. NOEM. Madam Speaker, today, I wanted to bring to the attention of my colleagues something that is of utmost importance to this country and our food supply and to this Nation's farmers and ranchers. It is the importance of getting a farm bill done.

Growing up on a farm in South Dakota and then farming for years with my family, I certainly recognize how volatile the agriculture industry is. Our producers invest in seed and fertilizer, they put it in the dirt, and they hope that that fall that they have the opportunity to come back and harvest something that will provide for their family and provide food for this country and for this Nation.

The crops that are grown are relied upon to fulfill the need that we have in this country and across the world. Farming's risky, but because growing our food is in the interest of our national security, we provide a safety net that keeps our farmers on the land in good times and in bad times.

As you can see from these maps that I have here with me today, we are suffering through one of those tough times right now. Farmers can't control Mother Nature. Our farmers are facing one of the worst droughts that we've seen in decades. You just have to talk to a veteran farmer today to say that they haven't seen an instance like this since probably the thirties where we had such widespread, long-standing drought that they are suffering through. It has a real impact on folks in rural America, and the rest of America relies on that food to feed their families.

I want my colleagues to get a picture of just how important the farm bill is to this country and to people in the real world. While it may be easy to ignore the drought if you're in Washington, D.C. or in other parts of the

country, when I go home every weekend, and when I was home and traveling all across our State throughout August, it was everywhere around me.

Just yesterday I had the chance to sit down with a couple of producers from South Dakota. Brent and Barb were here from Houghton, South Dakota, and it was evident to me that when I visited with them that their concern was more for the next generation than for getting through a couple of tough days right now.

They spoke of their sons, the love they have for their land, and the responsibility that they feel in feeding this country and making sure that we have a future where the United States can grow its own food to provide for its own people.

They wrote me a letter about what the farm bill means to them, and I wanted to read part of that letter to you:

I know you share our feelings on the importance of the bill. It is not only necessary to us now, but also for our three sons who want to continue our farming operation which has been in our family for four generations. We are so thankful and proud that they want to return to the farm and we want to do all we can to provide them with the same opportunities we have had. The crop insurance portion of the farm bill has truly helped us in the past as we have struggled with wet conditions over parts of the last 20 years. Because of excess moisture, there have been years when we farmed less than half of our total cropland. Now, the tables have turned and we are experiencing drought conditions in some areas of South Dakota and we will again be relying on crop insurance. It is so important to our family farming operation as a business. It has allowed us to stay in business through the tough years.

The safety net this farm bill would provide is crucial to not only rural farmers like us, but our State and country as a whole.

Brent and Barb and other producers across America are in town this week. They were asking this House to take action on a farm bill to give them the certainty that they need to have confidence to plant next year's crop. It will support both rural America but also every single family that's out there buying groceries today.

Later this morning, I'm going to be joining them at a rally that's called the Farm Bill Now rally. And I'll be asking my colleagues to take action to pass a farm bill. We need to get that farm bill done to know what the policies are going to be in the next 5 years. It's right for our producers, it's right for our ranchers and farmers, it's right for this country, and for every family out there who's wanting to put food on the table that they can afford through these tough times.

□ 1030

LIBYA

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. DREIER) for 5 minutes.

Mr. DREIER. Madam Speaker, back in 2009, my good friend and the cochair of the House Democracy Partnership, DAVID PRICE of North Carolina, and I had the opportunity to visit former General—and at that time, U.S. Ambassador—Karl Eikenberry, Ambassador to Afghanistan.

We were at the Ambassador's residence in Kabul, and I was struck with a statement that was made by General Ambassador Eikenberry. He said we have a tendency, as Americans, to express appreciation to men and women in uniform, those men and women who served in our Nation's Armed Forces around the world, but too rarely do we extend our appreciation to the men and women who represent the United States of America in the Foreign Service as diplomats around the world, and General Eikenberry encouraged us to do that. And Mr. PRICE and I have consistently done that in the visits of the House Democracy Partnership to the 17 countries with which we've partnered over the past 7 years.

I have to say that 3 years later, just a few months ago, Mr. PRICE and I were leading a delegation to Afghanistan and we recounted that story to our great diplomat, Ryan Crocker, the U.S. Ambassador to Afghanistan. Ambassador Crocker, when we shared the story with him, reminded us that more U.S. Ambassadors have been killed since the Vietnam War than generals or admirals. We know that down at the Harry S. Truman Building, there is a plaque that lists the names of the 231 U.S. diplomats who have been killed since the first death in 1780. And, Madam Speaker, I have to say that the news that we have of the tragic death of Ambassador Chris Stevens in Benghazi, the U.S. consulate in Libya, is very sad news for all of us.

Now, the upheaval in the Arab world has brought about many great things. For the first time in millennia, there are individuals who have been able to participate in elections and make decisions. But then we get the sad and tragic news that Ambassador Stevens and, according to the early reports, two marines, maybe another Foreign Service officer, were killed in this tragic attack.

I would like to say that we have spent time there. We were just in Libya, Mr. PRICE and I, just a few weeks before Ambassador Stevens arrived, and Libya is a place that has held out great promise. I am determined, as I know Mr. PRICE is, to ensure that the promise that we saw several weeks ago in Libya will not be shattered by the tragic death of Ambassador Stevens.

Madam Speaker, I'm pleased to be joined by my dear friend and colleague, Mr. PRICE, and would like to yield to him at this point.

Mr. PRICE of North Carolina. I thank my colleague for yielding.

Mr. DREIER and I have partnered for many years in the work of the House Democracy Partnership, which we and many others in this body believe in very deeply—that we need to be good colleagues, not just nationally, but internationally. And we need to reach out in ways that can strengthen democracy, strengthen representative institutions, in countries that are friends of our country. We can help encourage and strengthen those parliaments. That's exactly why we visited Libya back in the spring, a delegation led by Mr. DREIER. We were there a few weeks before Ambassador Stevens arrived.

We were struck by the promise of Libya. Of course they've had 42 years of dictatorial rule. The country has been liberated through the efforts of NATO allies. There are still major challenges—obviously, security challenges, as we are learning in a tragic way today—but the country is gradually being secured. Constituent assembly elections have been held and parliamentary elections are on the way. So we have great hope for Libya. We have been and we will be a friend to Libya in helping to realize the promise of the Arab Spring.

Our solemn purpose here today is to mark this tragic loss, the eighth Ambassador in U.S. history to be killed in the line of duty. Our personnel in Libya are dedicated personnel, the best that the U.S. has to offer. The work that they're doing there is challenging and dangerous. The work promotes our national interest and is very, very valuable to Libya and to us. This horrible tragedy is one that we want to mark in this House here today, as we honor the victims of this attack and those who continue to serve.

Mr. DREIER. I thank my friend for his contribution.

Madam Speaker, if I may simply extend condolences to the loved ones of Ambassador Stevens and to say that we need to ensure that those who are responsible for this tragic death are brought to justice. And we need to do everything that we can to continue to encourage the development of the rule of law, self-determination, political pluralism, and, as Mr. PRICE has just said, the development of democratic institutions around the world. It's a universal right, and the United States of America is the single best model for that.

So our thoughts and prayers, again, are with the loved ones of Ambassador Stevens.

WE FIDDLE WHILE THE FISCAL FIRES BURN

The SPEAKER pro tempore. The Chair recognizes the gentleman from Maryland (Mr. HOYER) for 5 minutes.

Mr. HOYER. Madam Speaker, first I want to, of course, associate myself with the remarks from Mr. DREIER and

Mr. PRICE, who have done such terrific work on the spread of democracy, but also to lament the tragic loss of life and the courage displayed by our men and women in our Foreign Service who are deployed abroad to represent the United States, its democracy, and its principles.

Madam Speaker, I regretfully rise, however, to talk about another unhappy subject. Our fiscal house is burning, and in Washington we continue to play and fiddle. We have another 8, perhaps 13, days left, or less than that. I don't know whether we're going to be here in October, but I do know that we're going to be here for a very short time—this week, frankly, doing message bills.

The middle class tax cut which passed the Senate lays fallow somewhere, not brought to this floor, to assure that our middle class citizens would understand that they weren't going to get a tax increase on January 1, give them confidence, give our economy confidence, to help grow our economy.

We have not assured our doctors that the payments for Medicare services to patients will in fact be available. We have not taken substantive action to set aside the sequester with a balanced plan.

There will be a bill on sequester. That will be largely opposed on our side of the aisle because it does not provide for balance. It simply says set aside the sequester, which is the direct result of Republican policies. In fact, the Republicans have offered two bills on the floor which say that sequester is the option of choice if you don't meet certain numbers. They did that in their Cut, Cap and Balance bill, which was enforced how? Through sequestration.

We understand that sequestration is an irrational act. Why is it an irrational act? Because it is as if you have a food budget and a movie budget at home and you have tight finances that week, that month, that year. You don't cut your food budget exactly the same as you cut your movie budget. You say, We're going to forego a movie and make sure we have healthy food on the table. That's what we ought to do.

We ought to have a strategic way and a balanced way to get this deficit that is out of control and needs to be handled under control, and the best way to turn off the sequester is a balanced plan. But what we will see offered on this floor is not a balanced plan, but a plan which says, Do it our way or no way.

Now, very frankly, that's been the history of this Congress. I've served in 16 Congresses. This is the least productive Congress in which I've served. Now, that view is shared by two scholars, Thomas Mann and Norman Ornstein, who wrote in a book and wrote in an op-ed:

We've been studying Washington politics in Congress for more than 40 years and never

have we seen them—meaning the Congress of the United States—as dysfunctional.

The American public share that view, of course, and our poll numbers reflect it; properly so.

Mr. Mann and Mr. Ornstein go on:

In our past writings, we have criticized both parties when we believed it was warranted. Today, however, we have no choice but to acknowledge that the core of the problem lies with the Republican Party.

They went on to say:

The GOP has become an insurgent outlier in American politics. It is ideologically extreme, scornful of compromise, unmoved by conventional understanding of facts, evidence, and science, and dismissive of the legitimacy of the political opposition and, therefore, unwilling to compromise.

That's what our gridlock is caused by, an unwillingness to compromise.

The Senate has passed a farm bill. The Senate has passed a farm bill which would help farmers threatened by drought. As a matter of fact, their own committee has reported out a farm bill, but that farm bill has not been brought to the floor because, apparently, the majority of Republicans aren't for a farm bill. So even their own bill is not brought to the floor, much less a bipartisan-passed farm bill in the United States Senate which could be passed and would get a significant number of Democratic votes—not because we believe it's exactly what we want, but because we believe it is a compromise that will work for America and America's farmers.

□ 1040

Ladies and gentlemen, Madam Speaker, the American public ought to know that in the next few days we're not going to be doing much of anything; not on jobs for Americans, not on the fiscal cliff that confronts us, not on farm bills, not on the Violence Against Women Act, which also passed the United States Senate in a bipartisan, overwhelming fashion. No, we fiddle. We fiddle while the fiscal fires burn.

I would urge my colleagues on both sides of the aisle, my Democratic colleagues and my Republican colleagues—I don't think we're going to get anything done before November 6. I think it's going to be politics, politics as usual. The American public and America will suffer for that. But I think that's what's going to happen.

But I urge my colleagues on both sides of the aisle, and Madam Speaker, I would urge the American people to demand of us that we not perceive the lame duck session as simply a time to further fiddle. It ought to be a time, my colleagues, when we act, we come together, we adopt a balanced, fair plan to get the fiscal house of America in order, to put ourselves on a fiscally sustainable path that is credible, that people believe in, so that the rating agencies, which are now talking about perhaps downgrading the United States

of America, the most creditworthy Nation on Earth—why? Not because we don't have the resources to solve our fiscal problems but because they do not perceive that we have the political will and willingness to do so or the courage.

My colleagues, Americans expect more of us. We ought to expect more of ourselves. We have an obligation, a responsibility. We swore an oath to protect and defend not only the Constitution but the welfare of this country.

Putting our country on a fiscally sustainable path is absolutely essential. I don't think we're going to do it before November 6, but I would hope every one of us, every one of us who comes back here the second week in November, or the end of the second week of November, will pledge ourselves to work together, as Americans, not as Democrats, not as Republicans, not as conservatives, not as liberals or moderates, but as Americans, understanding that the only way every commission that's reported has said we're going to get our house in order is to come together and do so in a balanced way.

And yes, ladies and gentlemen, that means making sure that we deal with revenues. We pay for what we buy. That's what revenues are about. We pay for what we buy. And then we deal with the spiraling cost of health care. Everybody's talked about that. We have to do it. President Clinton talked about that. PAUL RYAN talks about that. We have to do it.

But we can keep the guarantee of Medicare, we can keep the guarantee of Social Security in the process, while getting our fiscal house in order on the entitlement side.

Ladies and gentlemen of this House, we owe it to the American people. The American people expect us to act responsibly. We are fiddling while the fiscal house of America burns.

Let us summon the courage, the judgment, and the personal responsibility each one of us has, that when we return here after the election and, hopefully, the politics are behind us, those 30-second, 60-second ads which misinterpret, misinform, and dissemble are behind us, and we say to all of our citizens who we represent, we are prepared to exercise the courage and judgment to put our country on a fiscally sustainable path that is credible. Not only will rating agencies believe in it, our citizens will believe in it, our businesses will believe in it, and the international community will as well.

HONORING THE LIFE OF NEIL ARMSTRONG

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. OLSON) for 5 minutes.

Mr. OLSON. Madam Speaker, I rise today to honor a true American hero, Neil Armstrong, a space pioneer who profoundly influenced world history.

I can still remember wearing my most prized possession, a blue Fly Me to the Moon T-shirt with the Apollo 11 mission insignia on it. I remember the feeling of seeing those grainy images of Neil on the Sea of Tranquility and, as he put his left foot down on lunar soil, his famous "One small step for man, one giant leap for mankind."

That historical moment changed America forever, and the world changed with us. And Neil Armstrong's quiet heroism helped catapult America to be the global leader. His legacy of American exceptionalism inspired generations of young people to take up science and space exploration.

In the 43 years since his Moon mission, Armstrong believed deeply that America should continue to explore new worlds. Upon learning the Obama administration had canceled NASA's plans to return to the Moon, Neil Armstrong, a very private man, became a vocal critic of this failure and the willingness to allow other nations to surpass America's space leadership. The state of NASA's human space exploration plans, he told Congress last fall, is "lamentably embarrassing and unacceptable."

One of the highlights of my life will always be shaking the hand of my childhood hero. Neil and I were united in our opposition to President Obama's plan to cancel the Constellation program and diminish the priority of human spaceflight in his 2010 budget and National Space Policy documents.

It was humbling to work with Mr. Armstrong and several other Apollo astronauts like Gene Cernan and Jim Lovell to fight to restore a strong NASA budget and develop a comprehensive human space exploration program worthy of America's greatness as explorers.

America needs a clear and purposeful mission worthy of our Nation's continued investment to regain our leading role and remain the dominant human space country in the world.

Our Nation suffers a great loss with Neil Armstrong's passing, but his courage and commitment to greatness live on in the next generation of explorers to come.

For the rest of my time on this planet, I will continue to honor his contributions to American exceptionalism and his legacy by pushing for a strong human space exploration program that will take America to the Moon, to Mars, and beyond.

My thoughts and prayers are with Neil Armstrong's family and the entire NASA family as we cope with this tremendous loss. America mourns with you as we remember Neil's amazing journey.

Neil's philosophy about life is captured best by advice given by one of Neil's Moon-walking brothers, Gene Cernan, when he spoke to a group of students at Sartartia Middle School in

my hometown of Sugar Land, Texas. Gene told the kids, "Always shoot for the Moon, because if you miss, you'll see the stars."

Neil Armstrong gave us the Moon so we can look to the heavens and see the stars. Thank you, Neil.

God bless.

ANGELS IN ADOPTION

The SPEAKER pro tempore. The Chair recognizes the gentleman from Mississippi (Mr. NUNNELEE) for 5 minutes.

Mr. NUNNELEE. Madam Speaker, this week, the Congressional Coalition on Adoption is recognizing the individuals and families from around the country who've enriched the lives of children through foster care and adoption. I rise this morning to share the story of a couple who have dedicated their lives to providing not just a home for children, but a family.

Pat and Sandra Nunnelee, from Tupelo, Mississippi, had lived the American Dream. They married in their teens, and over the next 14 years had four children born into their family. When they married, Pat was working in a low-paying manufacturing job.

□ 1050

But he soon entered the profession of life insurance sales. He possessed a good personality and a strong work ethic. Because of that, he was a natural for the business, and his career advanced quickly both in income and in prestige.

Sandra had a love of infants and a desire to be a nurse. However, she decided to forgo her nursing education and her career in order to get married and then raise a family. Later, she did enter into nursing school. In fact, she graduated from nursing school the same year her oldest child graduated from high school.

By 1980, they were in their mid-forties, and they were enjoying the fruits of their labors together. Pat had become vice president of one of the largest life insurance companies in his State. Sandra was enjoying the love of her life—taking care of newborn babies as an intensive care nurse. They were enjoying a standard of living that neither of them had ever thought possible. In addition, empty nest was in sight. Two of their children were in college, and two others weren't far behind. In short, life was good. They'd worked hard, and they were nearing a stage of life when they could really begin to enjoy it.

But any plans they may have made changed in November of 1980 when a little girl was born prematurely. That month, while America was preparing to celebrate Thanksgiving, we were watching the peaceful transition of power begin in the White House, and we were watching an international hos-

tage crisis. So, when the world is watching Presidents and Ayatollahs, who cares when a little premature girl is born? Thank God somebody did.

This little girl was born with numerous health problems, and the pediatrician's quick diagnosis was that this infant wouldn't live through the night and that medical staff should make her short time on Earth as peaceful as possible. At the conclusion of the shift, Sandra left her patient with the belief that this little girl would not be alive when she got back to work the next morning.

Much to her surprise, when she arrived the next morning for work, the little girl was still alive. She'd proven to have a strong will to live, but she'd been abandoned by her parents. So, after 3 months in the intensive care unit, her pediatrician observed to Sandra one day, We've done miracles for this child, but the one thing we've not been able to give her is a home. She has never had anyone to hold her, to rock her, or to sing to her. Over the next few days, Pat and Sandra became foster parents. She left her job, and the child entered their home.

Child number five.

Three years later, Sunday lunch was interrupted by a desperate knock at the door. Sandra had taken a leave of absence from her job to take care of this little girl, and she volunteered to offer child care to a single mom from the hospital where she worked. That young woman was having a great deal of difficulty coping with the many demands of being a single mom.

She desperately asked, Ms. Nunnelee, would you please take my baby.

Thinking there must be some kind of temporary crisis, the Nunnelees replied, Yes, we'll be glad to take care of your child for a couple of days.

The young mom responded, I don't want you to take him for a couple of days. I want you to take him forever.

Child number six.

Four years after that was another desperate contact, this one a phone call from the County Department of Human Services. An infant boy had been born with very severe heart problems. The doctor's prognosis was that he wouldn't live beyond age 10 or 12. His parents didn't want to keep such a sick child. There were no available foster parents with the medical expertise or the willingness to adopt such a child in that condition.

The desperate social worker said, You've done more than any family should be asked to do, but there is nobody else.

Child number seven.

That child has lived more than a decade beyond the doctor's initial prognosis, and while he still has some health problems, he has recently completed school, and he has moved out on his own. For the first time in 54 years, Pat and Sandra Nunnelee don't have a

child in their home. Oh, holidays, though, are filled with the noise of seven children and their spouses and several grandchildren.

In recounting their decision to commit to raising a second set of children at a time in their lives when their peers would be enjoying life, Pat loves to tell the story of a little boy on the beach. It seems a storm had washed several thousand starfish ashore, and as the tide receded, the stranded starfish were dying in the glaring sun. One by one, a boy began to hurl starfish back into the ocean. A cynical man observed his actions and commented on the futility of such efforts in light of the enormity of the problem.

You are wasting your time. You can never make a difference with so many starfish.

The boy simply hurled another into the sea and replied, I made a difference for that one.

These are true American heroes. Their grandchildren call them Mimi and Pat-daddy. Their friends call them Pat and Sandra. My six brothers and sisters and I are proud to call them Mom and Dad.

THE STORMING OF OUR EMBASSIES: AN ATTACK AGAINST AMERICA

The SPEAKER pro tempore. The Chair recognizes the gentleman from Nebraska (Mr. FORTENBERRY) for 5 minutes.

Mr. FORTENBERRY. Madam Speaker, last year, an intense debate was under way in Congress as to how to respond to the turmoil in Libya. The imminent slaughter of the people of Benghazi by former dictator Qadhafi led the United States to sustain a NATO-led coalition to stop the bloodshed. Now our Ambassador to Libya, Chris Stevens, is dead—killed by the very people we went there to save. Americans can tolerate ingratitude; Americans can tolerate insult, but Americans cannot tolerate the senseless killings of the official representative of our country and three other diplomatic personnel.

The governing structures of Libya must respond in the strongest way. They should publicly state their condemnation and commitment to restoring order. Democracy is not an election. It is the understanding of the protection of the inherent dignity and rights of each person supported by the structures that bring about the just rule of law.

We honor Ambassador Stevens, Foreign Service Officer Sean Smith, and two others whose names I do not yet have for their heroic service. May they rest in peace.

Similarly, in Cairo, Egypt, the storming of our Embassy represents an attack on America. By the norms of international law, custom and tradi-

tion, the scaling of the walls of our Embassy severely threatens America's longstanding relationship with Egypt so fruitfully solidified after the peace accords in the Middle East in the 1970s.

President Morsi must decide: Will his government tolerate chaos and violence? Will he abandon Egypt's leading role as a force for stability in the Middle East? Will he use democracy for the consolidation of power while rejecting its central tenets?

The responsibility of President Morsi's is also to speak swiftly and state clearly that the Egyptian Government, duly elected, is committed to its international responsibilities and the deeper responsibilities of self-government.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 10 o'clock and 58 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SIMPSON) at noon.

PRAYER

Reverend Matthew Mello, the Church of the Resurrection, Lakeland, Florida, offered the following prayer:

Dear God, we give You thanks for giving us another day.

We ask for Your blessings to this legislative body as they govern the welfare of all the people of this great Nation. Endow them with wisdom, discernment, courage, and conviction to engage the issues of our day, and for the generations to come to be better off as a result of all decisions made within this assembly hall.

Bind them together in a shared commitment to You, a passionate patriotism, and a deep dedication to find creative solutions in the concerns that confront us and divide us in these times.

We remember our Ambassador, Christopher Stevens, and his colleagues.

We ask that this be done this day and in the days to come, giving honor and glory to You, our God, and we pray Your blessings be upon us always.

In Your name we pray.
Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Minnesota (Mr. ELLISON) come forward and lead the House in the Pledge of Allegiance.

Mr. ELLISON led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

WELCOMING REVEREND MATTHEW MELLO

The SPEAKER pro tempore. Without objection, the gentleman from Florida (Mr. ROSS) is recognized for 1 minute.

There was no objection.

Mr. ROSS of Florida. Mr. Speaker, I wanted to take a brief moment to say thank you to today's chaplain. I would also like to thank the Speaker for making this possible.

The invocation today was offered by Father Matthew Mello of Resurrection Catholic Church in my hometown of Lakeland, Florida.

Mr. Speaker, in 1963, my mother and father helped found the church Father Mello calls home. And like my parents and most Floridians, Father Mello is a geographic mutt: born in New Jersey, attended grade school in Puerto Rico, went to high school in Florida, attended seminary in Indiana, and studied theology in Chicago.

We don't know if he's a Yankees fan, a Cubs fan, or a White Sox fan. But one thing's for certain: since 1998, Father Mello has been a constant and reassuring presence in the spiritual life of countless residents of my hometown and to my family. His presence in my dad's final year of life was a comfort to him as well as to my family.

Father Mello personifies Christ's instruction to us to be the "servant of all." I firmly believe, as the Bible also says, "that the fervent prayer of a righteous man availeth much." Knowing Father Mello, I have no doubt that today's prayer was heard on high.

I thank him for his prayer today and his lifetime of service.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain 15 further requests for 1-minute speeches on each side of the aisle.

RELEASE OF PASTOR YUCEF NADARKHANI

(Mr. PITTS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PITTS. Mr. Speaker, Pastor Youcef Nadarkhani has been released from prison in Iran. After 3 years of suffering in prison, with the death penalty hanging over his head on false charges, Pastor Youcef is now home with his family. This weekend he was suddenly brought before a court, convicted on a more minor sentence, and granted time served.

While we applaud his release, we cannot forget how Pastor Youcef was abused and falsely accused over the past 3 years. He was subject to intense interrogation. His wife was arrested, taken away from their two young sons for a period of time. His lawyer was arrested on trumped-up charges.

Earlier this year the House drew attention to this persecution when it overwhelmingly passed a resolution calling for the immediate release of Pastor Youcef. We made it clear that the world was watching and would not tolerate the execution of an innocent man.

The Government of Iran continues to abuse religious minorities within its borders: Jews, Sunni Muslims, Baha'is, as well as Christians. Pastor Youcef's release is a victory for human rights, but we cannot forget about the other victims of this corrupt regime.

WIND POWER IS AN AMERICAN SUCCESS STORY

(Mr. BLUMENAUER asked and was given permission to address the House for 1 minute.)

Mr. BLUMENAUER. Mr. Speaker, wind power is an American success story. It is one of our fastest growing manufacturing sectors, with over 500 American-based facilities. It provides us with clean, renewable energy that both consumers and the environment demand.

But, unfortunately, it is threatened with the production tax credit due to expire at the end of the year. I am pleased to join with my fellow Ways and Means Committee member, DAVE REICHERT, from the Northwest, as cosponsor of H.R. 3307, to extend the tax credit so that we don't lose as many as 37,000 jobs to the uncertainty.

Congress shouldn't wait until the end of the year because people need to make investment decisions now. Until we enact a comprehensive energy plan for this century, the production tax credit is key to our energy future: clean, dependable, very low operating cost wind energy.

Please join us as we work to guarantee this production tax credit for our economy and our energy security.

AMERICA UNDER ATTACK

(Mr. BROOKS asked and was given permission to address the House for 1 minute.)

Mr. BROOKS. Mr. Speaker, in Egypt our Embassy walls were scaled and the

American flag ripped apart. In Libya, America's Ambassador and three other Americans were brutally murdered.

Ironically, our own Embassy in Egypt apologized by condemning Americans who exercised their religious and free speech rights as "misguided individuals who hurt the religious feelings of Muslims." The White House, rivaling the Keystone Cops of lore, distanced itself from its own State Department apology.

Let's be clear. In Libya, this White House spent American treasury and risked American lives to topple Muammar Qadhafi, thus empowering those who killed our Ambassador.

Not one to learn from history or its own mistakes, this White House says, America "will work to support a Syrian opposition to hasten the day when Assad falls."

Mr. Speaker, we must stop spending our treasury and risking American lives for those who neither appreciate our sacrifices nor believe in basic liberties like freedom of religion and freedom of speech.

Mr. Speaker, I pray the President is listening.

EXTENSION OF THE PRODUCTION TAX CREDIT

(Mr. PERLMUTTER asked and was given permission to address the House for 1 minute.)

Mr. PERLMUTTER. Mr. Speaker, I too rise to promote the extension of the production tax credit. Thousands of jobs in Colorado and across the Nation are dependent upon this incentive for good, clean energy here in the United States, thousands of manufacturing jobs made right here, wind production right here in America.

In Colorado, we have substantial manufacturing plants with Vestis; we have vendors who supply these particular manufacturers for this good clean energy. Yet we have the production tax credit that's about to expire.

Bipartisan support is in Colorado where we have virtually every Member, Democrats and Republicans, as well as you heard Mr. BLUMENAUER say he has a Republican cosponsor for this. But the Republican leadership will not bring it up, and it's been removed from the platform of the Republican Party.

These are good jobs in America. It's clean energy for our country. It's good for national security. If we make these things, these big windmills in America, we will make it in America.

□ 1210

LIBYA

(Mr. DOLD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DOLD. Mr. Speaker, this is a tragic day for the United States and

for all people across the world who stand for freedom—the freedom of speech and religious tolerance. It is also a day that serves as a powerful reminder of why we hold these core principles, of why each generation of Americans over the past two centuries has proudly fought to preserve and advance them, and of why we must confidently answer the call to do the same today.

My thoughts and prayers are with Ambassador Stevens' family and with the families of the three American diplomats murdered in the attack in Libya.

There is simply no excuse or rationale to be found here. There is absolutely no justification for violence and murder against Americans. This act of terror stands in direct opposition to the freedom and liberty that we champion throughout the world.

This is an extraordinarily volatile time in the Middle East. As Americans, we should expect—we should demand—nothing less than strong leadership from the United States. As is shown by the murder of American officials in Libya today, by the storming of the U.S. Embassy in Egypt yesterday and, most certainly, by Iran's flagrant march toward nuclear weapons, this is no game. I am sickened and outraged by these recent events. It is time to lead.

HIGH UNEMPLOYMENT FOR RETURNING VETERANS

(Mr. HIGGINS asked and was given permission to address the House for 1 minute.)

Mr. HIGGINS. Mr. Speaker, tonight, I will join Members of Congress MIKE QUIGLEY and PAT MEEHAN in an ice hockey game with and to benefit the wounded warriors. The Wounded Warriors is a great organization that takes care of our returning injured soldiers. Congress, however, is not living up to its responsibility to do the same.

The unemployment rate for returning veterans under the age of 24 is 29 percent. Congress just approved \$53 billion for road and bridge repair next year—a very weak response to a big and important issue, particularly when you consider that we just spent \$90 billion rebuilding the roads and bridges of Afghanistan.

If you really want to say "thank you" to the veterans on behalf of a grateful Nation, let's nation-build at home and put our veterans to work in rebuilding the America they so honorably defended.

OUR MILITARY PERSONNEL DESERVE A FAIR MILITARY VOTING PROCESS

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, both at home and abroad, the brave men and women serving in our Armed Forces dedicate their lives to protecting this great Nation. Access to absentee voter registration within our military's ranks has been increasingly difficult due to changing residencies and overseas deployments. In order to make voting for our servicemembers more accessible, Congress passed the Military and Overseas Voter Empowerment Act. Unfortunately, the administration has failed in its implementation.

On Thursday, the House Armed Services Subcommittee on Military Personnel will hold a hearing to investigate these issues in an effort to determine why the Department of Defense has failed to properly implement the legislation. As chairman of the subcommittee, I look forward to hearing witnesses explain and ensure that those serving in our Armed Forces are given the best available access to voter registration. Every reasonable effort should be made to enable a servicemember's ability to vote.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

Our sympathies to the families of Ambassador Christopher Stevens and our Foreign Service officers in Libya and Egypt.

ATTACKS ON OUR DIPLOMATIC MISSIONS IN LIBYA AND EGYPT

(Mr. ELLISON asked and was given permission to address the House for 1 minute.)

Mr. ELLISON. Mr. Speaker, I am deeply disturbed by the attacks on our diplomatic missions in Libya and Egypt. Four Americans have now been killed, including U.S. Ambassador to Libya Chris Stevens. These Americans served bravely and with distinction, and this is a terrible, terrible tragedy. I have seen this amateurish and stupid video, and there is nothing in it, despite the fact that it is deliberately provocative, that could ever justify the murders of these innocent people.

The fact is this must be condemned in the strongest terms. These individuals who didn't like this video—and there is much to dislike about it—could have peacefully protested or could have written letters. They could have registered their disapproval in a number of ways, but they resorted to murder. This is morally objectionable, and the whole world must condemn it. Of course, it doesn't help to provoke people even if you have the right to do so, but it is always wrong to respond with violence and mayhem.

VOICE OF TEXAS, KELLY FROM CROSBY, TEXAS

(Mr. POE of Texas asked and was given permission to address the House

for 1 minute and to revise and extend his remarks.)

Mr. POE of Texas. Mr. Speaker, Texans have shared with me their stories about the businesses that they have built without the help of the Federal Government.

Kelly from Crosby, Texas, wrote me this:

Congressman, you are correct that small business owners carry the full load of government taxes.

On average, our small \$3 million-a-year business pays 35 percent in Federal taxes, pays Social Security of 7.45 percent, Federal unemployment tax, State franchise tax, school district and real estate property taxes, and I am taxed on the computer used to send this email to you. And the President says I didn't build it? I beg to differ. During the first 3 years, my workweek was 80 hours a week. If the Federal Government's debt of \$16 trillion is not brought under control, it will not matter how hard I work, because the dollar's value will be worthless.

Federal Government, fix your spending problem, and put your House in order because small business is watching and thinking, If I ran my business like you run yours, the bank would foreclose.

Mr. Speaker, Kelly is correct. Big Government hasn't built America. American small business owners have built it—on their own.

And that's just the way it is.

THE WIND PRODUCTION TAX CREDIT

(Ms. TSONGAS asked and was given permission to address the House for 1 minute.)

Ms. TSONGAS. Mr. Speaker, I rise today as a member of the Sustainable Energy and Environment Coalition to talk about a critical issue for Massachusetts and our Nation: the wind production tax credit.

Providing a modest credit of 2.2 cents per kilowatt hour generated, it has encouraged over \$75 billion in private investment over the last 5 years. Now 60 percent of the average turbine is manufactured here in the United States. These companies hire a diversity of workers and provide good-paying jobs in a rapidly growing sector of our economy.

Bay Stater Nigel Greene worked for GE Wind as a wind farm parts runner. He says:

I can tell you honestly that nothing gave me more pride in my country than seeing a turbine go from "in-repair" status back to "on-line" and producing clean, renewable power. It is truly a sight to behold.

Last year alone, clean energy jobs in Massachusetts grew 11 percent. If it is allowed to expire, we will lose an important new manufacturing opportunity and too many good-paying American jobs.

IMPLEMENTING THE JOBS ACT

(Ms. HAYWORTH asked and was given permission to address the House

for 1 minute and to revise and extend her remarks.)

Ms. HAYWORTH. Mr. Speaker, during our recess this past month, we held a small business roundtable in our Hudson Valley. Actually, everybody sat, transfixed—all the participants—for an hour and a half while talking about what our small businesses need to do and what we need to do to help our small businesses. One of the key considerations was to ease the climate for creating jobs and growing our businesses.

I am so proud to have supported the JOBS Act with our Democratic and Republican colleagues and with the Senate. It was signed into law, as we all know, in March by the President. Tomorrow, in the Financial Services Committee, we begin to review the implementation of the JOBS Act, and I hope that we can continue to work together to make true progress in growing our small businesses and in helping them by making sure that the path is clear for them to grow and thrive and prosper. This is a great example of how both parties can work together to achieve that goal.

EXTENDING THE PRODUCTION TAX CREDIT

(Mrs. CAPPS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. CAPPS. Mr. Speaker, last month, our Nation reached a significant milestone in the growth of homegrown renewable energy. The United States surpassed 50 gigawatts of installed wind power capacity, which is enough to power over 13 million American households a year. This is a major accomplishment for an industry predicted to deliver only a quarter of that amount a decade ago.

We should be celebrating this success brought about by innovation, hard work, and smart policies. Sadly, the celebration may be a short one if Congress doesn't act swiftly to continue the bipartisan production tax credit, which is a key factor in wind power's expansion. My constituents who work at companies like Clipper Windpower and Infinity Wind Power have told me that letting the PTC lapse would devastate their industry and eliminate thousands of jobs.

It's time to give these companies certainty by taking up a multiyear extension of the PTC without delay. Our country cannot afford to pull the rug out from under a true American success story. Let's renew the production tax credit now and maintain our leadership in transitioning to cleaner, safer sources of energy.

□ 1220

ATTACK ON U.S. CONSULATE

(Mr. YODER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. YODER. Mr. Speaker, just 1 day after the 11th anniversary of the September 11 terrorist attacks on the United States of America, sadly the American flag flies at half staff today at the U.S. Capitol once again following the senseless and tragic attack against our U.S. consulate in Libya, which left four patriotic Embassy workers laying dead.

Among those murdered include American Ambassador Christopher Stevens, marking one of the rare moments in U.S. history where a U.S. Ambassador is killed representing our Nation abroad. This type of cowardly and brutal attack is an outrage, and those responsible should be swiftly brought to justice.

The service of Ambassador Stevens and three other embassy staff will not be forgotten as their service represents everything that our country stands for in promoting peace and democracy and liberty for all peoples across the globe.

Mr. Speaker, God bless the brave men and women who serve our country everywhere, and God bless the United States of America.

IN RECOGNITION OF DELAWARE
SPEAKER OF THE HOUSE BOB
GILLIGAN

(Mr. CARNEY asked and was given permission to address the House for 1 minute.)

Mr. CARNEY. Mr. Speaker, I rise today to recognize Delaware Speaker of the House Bob Gilligan.

In November, Speaker Gilligan will conclude a 40-year career as a member of Delaware's house of representatives, making him the longest-serving member in State history.

Throughout his career, Speaker Gilligan has been one of the most effective leaders in Delaware State government. Speaker Gilligan has been a trusted and compassionate leader during times when Delaware needed him most. He helped lead the State through some of its most difficult fiscal challenges. He championed open government legislation that gave Delawareans unprecedented access to their representatives and oversaw the passage of landmark civil rights reforms. And he did this while maintaining the friendship and respect of his colleagues on both sides of the aisle.

On a personal level, I will always appreciate Speaker Gilligan's friendship and support. He gave me my first job in public service as a legislative fellow, an experience that inspired my work in government and politics.

It has been a real privilege for me to work over the years with Bob, and I

would like to congratulate Speaker Bob Gilligan on an outstanding career and wish him well in his retirement.

CONGRATULATING DR. JAMES J.
LINKSZ

(Mr. FITZPATRICK asked and was given permission to address the House for 1 minute.)

Mr. FITZPATRICK. Mr. Speaker, I rise today to commend and congratulate Dr. James J. Links on the occasion of his retirement from his post as president of the Bucks County Community College in the Commonwealth of Pennsylvania.

As its president for the last 20 years, Dr. Links has led the community college through some of its most ambitious expansions, including new investments in technology, the addition of distance-learning courses, and impressive updates to campus buildings and infrastructure.

William Arthur Wood once said the mediocre teacher tells, the good teacher explains, the superior teacher demonstrates, and the great teacher inspires. During his time at Bucks County Community College, Dr. Links has inspired countless students through his leadership and dedication to providing men and women of all ages from Bucks County with a quality education.

On behalf of the people in Pennsylvania's Eighth Congressional District, I thank Dr. Links for his service to the community, and I wish him the best of luck in all of his future endeavors.

PRODUCTION TAX CREDIT AND
INVESTMENT TAX CREDIT

(Mr. KEATING asked and was given permission to address the House for 1 minute.)

Mr. KEATING. Mr. Speaker, I rise to reiterate my support for the wind production tax credit and the investment tax credit for offshore wind.

The production tax credit has encouraged nearly \$20 billion in nationwide private investment annually over the last 5 years, while the ITC serves as the most fundamental Federal tax incentive for offshore wind development.

As we promote investments that will reduce our dependence on foreign oil and serve as a central part in our fight against climate change, it's essential to remember the spillover of job creation and specialized expertise that will follow.

In Massachusetts, we've witnessed firsthand the critical economic development opportunities of renewable energy projects provided to our States. Our region has undergone an economic regeneration with the development of Cape Wind, the Nation's first offshore wind fund. From the Port of New Bedford, which will serve as the staging area for turbine assembly, to the ferry captains who will provide eco-tours of

the turbines, few communities will not be benefited by this.

Massachusetts is already recognized as one of the top three States for clean energy. We're home to nearly 5,000 individual clean energy companies, and nearly 2 percent of all Massachusetts jobs are now in this field.

It's important, as we go forward, that we not let this void occur, and we fill it with jobs made in America.

WIND PRODUCTION TAX CREDIT

(Mr. POLIS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POLIS. Mr. Speaker, I rise today as a member of the House Sustainable Energy and Environmental Coalition to call on Congress to renew the wind production tax credit.

The wind production tax credit provides a small tax incentive to wind companies to produce clean domestic energy. This tax incentive promotes investment, creates jobs, and encourages deployment of wind energy. At the end of this year, the wind production tax credit expires unless Congress acts.

This tax credit is essential to level the playing field for wind energy. For instance, the oil and gas industry gets around \$40 billion in subsidies over 10 years. If we can eliminate oil and gas subsidies, let's do it. If not, we need to renew the wind production tax credit. The tax credit supports 5,000 jobs in Colorado and 75,000 jobs nationally. We cannot afford to lose these jobs.

Both Democrats and Republicans, Senators and House Members agree we need to extend this commonsense tax credit. I urge my colleagues to work together to extend the wind production tax credit to protect and grow America's thriving wind industry.

EXTEND THE WIND CREDIT NOW

(Mr. LOEBSACK asked and was given permission to address the House for 1 minute.)

Mr. LOEBSACK. Mr. Speaker, I join my colleagues in the Senate to highlight an important issue to Iowa, the wind production tax credit. It expires this year, as has been mentioned, and must be extended immediately.

Inaction has already led to job losses in Iowa and threatens thousands of more jobs in our State. The PTC actually has its roots in Iowa and bipartisanship. Senator GRASSLEY worked for its creation, and it has long had bipartisan support. Last month, the Senate passed a bipartisanship package that included the wind credit. It's past time for the House to act.

Iowa is the second-largest producer of wind energy, and turbine manufacturing involves about 200 companies and 6,000 good paying jobs for Iowans. As we struggle to recover from the

worst recession since the Great Depression, Congress cannot play games with people's jobs and pull the rug out from an industry employing thousands.

Congress must extend the wind credit now before more jobs are lost.

THE ENERGY FUTURE OF AMERICA

(Mr. GARAMENDI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GARAMENDI. Mr. Speaker, today is a day of reflection and sadness, and also determination and resolve. The tragic killing of our Ambassador in Libya and his staff should remind us all of the dangers that exist around the world. So we offer our prayers to the families and to the survivors.

We also need to think about the future in America and about the necessity for developing alternative energy systems. The production tax credit for wind is absolutely essential. I represent two major wind farms, one in Solano and the other in Alameda County. Thousands of jobs across this Nation will be lost unless we extend the wind tax credit. Keep in mind that for a century we have subsidized the oil and gas industry. It's time for us to provide the support necessary to create this industry.

We also ought to be making it in America. One of my bills, H.R. 6217, would require that 85 percent of the content of these turbines and solar systems be made in America.

WE HAVE TO BE PREPARED

(Mr. BURTON of Indiana asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BURTON of Indiana. Mr. Speaker, we had an attack in Cairo on our Embassy yesterday, and we had an attack in Benghazi, and we lost the Ambassador there. He was killed along with three other people.

I've been on the Foreign Affairs Committee now for about 30 years, and I've never seen anything like what we've seen in the northern tier of Africa. All the way across the northern tier, we've seen the spring that they're talking about, and how things are changing and how democracy is coming.

The fact of the matter is Iran is taking advantage of what's going on over there by sending intermediaries into all those countries to undermine them. I was just in the Persian Gulf recently, and there is absolutely no question that Iran is doing everything they can to undermine all those governments over there.

When you look at what happened in Egypt with the Muslim Brotherhood taking over, we in this country ought to be very much aware that this is not

the end of it. It's not going to go away. The administration or the new President, whoever it is that takes office in January, they're going to have to have a very strong foreign policy because we still get about 35 percent of our energy from that region.

This is not going to end right now. It's going to go on. We have to be prepared.

MINNESOTA EDUCATION INVESTMENT AND EMPLOYMENT ACT

GENERAL LEAVE

Mr. HASTINGS of Washington. Mr. Speaker, I ask unanimous consent that all Members have 5 days in which to revise and extend their remarks and include extraneous material on H.R. 5544.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

The SPEAKER pro tempore (Mr. YODER). Pursuant to House Resolution 773 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 5544.

The Chair appoints the gentleman from Idaho (Mr. SIMPSON) to preside over the Committee of the Whole.

□ 1230

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 5544) to authorize and expedite a land exchange involving National Forest System land in the Laurentian District of the Superior National Forest and certain other National Forest System land in the State of Minnesota that has limited recreational and conservation resources and lands owned by the State of Minnesota in trust for the public school system that are largely scattered in checkerboard fashion within the Boundary Waters Canoe Area Wilderness and have important recreational, scenic, and conservation resources, and for other purposes, with Mr. SIMPSON in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Washington (Mr. HASTINGS) and the gentleman from Arizona (Mr. GRIJALVA) each will control 30 minutes.

The Chair recognizes the gentleman from Washington.

Mr. HASTINGS of Washington. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I support H.R. 5544, the Minnesota Education Investment and Employment Act.

This bill will rectify a decades-old injustice that was imposed by Congress during the Carter administration to en-

sure that funding for schools and education in Minnesota is carried on.

When Minnesota became a State, it received certain parcels of land from the Federal Government set aside to help fund education. These lands, known as school trust lands, were specifically established to provide funding for Minnesota public schools. Responsible timber management, mineral development, and other economic uses of these lands would generate the revenue that would benefit every child in the State.

However, in 1978, Congress designated the Boundary Waters Canoe Area Wilderness and a portion of these trust lands became trapped inside the wilderness area and inaccessible, therefore, for economic development. This caused a decline in funding, then, for local schools.

H.R. 5544 would implement a bipartisan plan that was passed by the Minnesota State Legislature and signed by Democrat Governor Dayton to authorize a no-cost land exchange. It would allow Minnesota school trust lands, locked away within the Federal wilderness area, to be exchanged for Federal land from the multiple-use Superior National Forest. State forest lands would be fairly exchanged for Federal forest lands.

But typical of the attitude held by many Democrats that spending more of taxpayers' money will solve the problem, the critics of this bill have suggested that the Federal Government should simply buy these inaccessible trust lands at a potential cost of tens of millions of dollars. This is at the same time when the Federal Government has had more than a \$1 trillion budget deficit for the last 4 years under this President.

However, the much-needed solution in this bill would consolidate State-held lands within the wilderness area and allow the State of Minnesota to access and develop new trust lands from the Superior National Forest. This will benefit State schools at no cost to the Federal taxpayers, with the additional benefit of job creation and economic development.

Let me elaborate on that, Mr. Chairman. It has been shown time and again that States are far more effective managing lands for sustainable use and revenue generation than the Federal Government. For example, in my home State of Washington, they have been able to produce more than a thousand times the revenue for education on 2.2 million acres of State trust land, as opposed to the U.S. Forest Service, which is able to generate only four times that amount, 9 million acres. In other words, regenerate a thousand-percent revenue on one-fourth of the land because it's administered by the State. I think the same principle can apply to Minnesota.

Putting these State lands back to productive use for education will increase funding for schools across the State, while at the same time creating new opportunities for job creation and economic growth.

This bill is more than a land exchange. It's about keeping a promise when Minnesota became a State. It's about correcting the 34-year consequences of Federal action that restricted access to this vital asset. It's about ensuring that children and schools have the funding that they deserve and were promised. So I urge support of this bill.

With that, I reserve the balance of my time.

Mr. GRIJALVA. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, Federal land grants to States for education have resulted in the transfer of more than 77 million acres of land to over 30 States. These well-meaning acts, taken over 200 years ago, have left communities across the country with a fragmented pattern of land ownership.

Through the Northwest Ordinance enacted in 1787, Minnesota was granted 8.3 million acres of school trust lands. Today, the State has only 2.5 million acres left, with 93,000 located in the Boundary Waters Canoe Area Wilderness. Proponents of this legislation claim this will right inequities caused by the designation of the Boundary Waters Canoe Area Wilderness. For most of us, it would seem like common sense to do a land trade, but I think most of us would also want a land trade that is fair to both sides.

The State of Minnesota recently enacted State legislation that would allow an exchange of State and Federal lands. While controversial, it garnered bipartisan support and didn't include language suggesting that we need to waive Federal laws.

As my colleague, Congresswoman MCCOLLUM, will tell us, the State did their job. It is now time for Congress to do our job. Our job is to protect taxpayer assets and the democratic process. Congressman CRAVAACK's bill fails on both of these accounts. We just need to look at the facts.

By failing to require the standard public process that allows all Americans the ability to participate and comment on the exchange of assets, H.R. 5544 robs the citizens of this Nation of their right to participate in the democratic process.

Unlike every other land trade bill brought before this Congress, we have no map showing what Federal lands will go into State ownership for development. Neither the people of Minnesota nor the people of the United States have any idea that we will lose lands critical to protecting drinking water or vital to hunting or motorized recreation. There is no map. The Fed-

eral lands to be traded are not identified.

Three Native American tribes have tribal treaties guaranteeing tribal members the right to hunt, fish and gather in the Superior National Forest. This bill potentially deprives these tribes of their access rights.

Second, by failing to ensure that our assets are appropriately valued as part of the exchange, Congressman CRAVAACK's bill shortchanges the American taxpayer. H.R. 5544 defers to the State of Minnesota to decide the value of Federal lands. When Congress authorizes the sale or exchange of Federal assets, it is our job to make sure the Federal Government is getting a good deal.

Again, for every land exchange this Congress has considered, we have relied on standard appraisal processes that are well understood by real estate professionals and land managers. Overriding this practice is like buying a house based on an appraisal provided by the owner, with the owner admitting they really don't have an updated assessment.

Such a scheme fails to protect the interests of the American taxpayers who own this land. We are not talking about a couple million dollars of taxpayer assets here. Estimates nearly a decade old placed the value of these lands at nearly \$100 million.

Third, it is not clear this legislation is going to accomplish its stated goal: education investment. During committee consideration of this legislation, Minnesota school officials testified that of the \$9,000 per year spent on an average Minnesota student, \$26, less than 1 percent, comes from school trust lands receipts. This entire bill is geared to making up the \$650,000 the State believes it has lost, a mere drop in the bucket for the overall necessary education investment.

□ 1240

An amendment offered by Congressman HASTINGS that is self-executed in the rule shortchanges three counties in Minnesota. Since 1948, Congress has and continues to provide St. Louis, Cook, and Lake Counties mandatory annual payments to compensate them for lost revenues related to the designation of the Boundary Waters Canoe Area Wilderness. Since the passage of the Boundary Waters Canoe Area Wilderness Act, these counties have received nearly \$60 million in compensation from Thyre-Blatnik payments alone. Last year, these payments amounted to \$6 million. Chairman HASTINGS' amendment stops increases in these payments, which CBO estimates would be approximately \$1 million. This is ironic, considering the entire bill is justified on the State estimating the exchange will increase their school trust revenues by \$650,000 a year. Wouldn't it make more sense to go

back and see if we can make better use of the existing money going to the State and to the counties?

Finally, this bill fails to garner broad and bipartisan support. Not one Democrat from the Minnesota delegation has cosponsored the legislation. Nearly 25 organizations in the State have written Congress in opposition to the legislation. Minnesota Backcountry Hunters and Anglers, representing over 2 million hunters and anglers, oppose the bill. The Star Tribune's editorial board says the bill "fails the credibility test" and "is about converting forest land to mining."

Many of us, including myself, have had bills to accelerate the land exchange process. However, those bills have safeguards like ensuring that the public can participate in the process; safeguards like ensuring Uncle Sam won't become Uncle Sucker, leaving taxpayers with a raw deal; safeguards like ensuring treaties guaranteeing access to tribes are not impacted. This bill has none of those safeguards. There are ways to do land exchanges that earn public support, garner bipartisan endorsements, and protect taxpayers. This bill fails on all counts and should be rejected.

Mr. Chairman, I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I am very pleased to yield 8 minutes to the sponsor of this legislation, somebody who has worked extremely hard on behalf of his constituents to correct the injustice that was imposed in 1978, the gentleman from Minnesota (Mr. CRAVAACK).

Mr. CRAVAACK. I thank the chairman for yielding.

I rise today in support of H.R. 5544, the Minnesota Education Investment and Employment Act. This bill supports all schools in the State of Minnesota, creates good-paying jobs in northern Minnesota, and makes the Boundary Waters Canoe Area Wilderness whole for the first time since its creation.

First, a little bit of history. When Minnesota became a State in 1858, sections 16 and 36 of every township were set aside in trust for the benefit of schools. The State could use, lease, or sell the land to raise money for education. In the beginning, the State leaders decided to sell some of the more valuable parcels of school trust lands. But around the turn of the century they realized they needed more sustainable plans and began putting the school trust lands to productive use: timber and mining in my district. As Democrat State Representative Denise Ditttrich has so ably educated me, these lands are not so much owned by the State as held in trust by the State and owned by the schoolchildren of Minnesota. It is the responsibility of school trust fund trustees to maximize the return of these lands for the benefit

of this fund for our children. This is written in the Minnesota constitution.

But in the 1970s, the Federal Government created the Boundary Waters Canoe Area Wilderness. The lands within the Boundary Waters cannot be logged, leased, sold, or mined in order to preserve the unique wilderness character of this pristine land. But as a result of its creation, Minnesota and its students have been faced with an 86,000-acre problem for over 30 years. Eighty-six thousand acres of State-owned school trust lands have been landlocked within the borders of the Boundary Waters and have been unable to produce critical funding for Minnesota public education. It is imperative that we resolve this longstanding problem. Our goal is to preserve and protect the Boundary Waters and allow State-owned school trust lands to raise revenue for Minnesota education. It's a win-win. Unfortunately, Minnesota schoolkids and their teachers have been cheated out of public education funding now for over 34 years.

Finally, after years of inaction, stalling, and dilatory tactics by special interest groups, Republicans and Democrats have come together in Minnesota and said: Enough is enough. On March 22 of this year an overwhelming majority of Democrats and Republicans in the State passed senate file 1750 by a vote of 53-11 to pass the bill. On April 3, the house followed suit, passing their bipartisan bill by 90-41. On April 27, Democrat Governor Mark Dayton signed the bill into law.

H.R. 5544 executes the bipartisan State plan. This bill would exchange State-owned school trust lands trapped in the Boundary Waters Canoe Area Wilderness to the Federal Government in exchange for Federal Government-owned land outside the Boundary Waters. Additionally, this bill includes important provisions that would ensure Minnesotans can maintain their hunting and fishing rights within the Boundary Waters. To be clear, this bill does exempt only the land exchange portion from NEPA. The land exchange itself would have no environmental impact, and any future development would still be subject to strict State and Federal regulations. Again, a land swap is merely a redrawing of maps and has no environmental impact in and of itself.

I want to be very transparent here, though. One of my goals is to have this bill create good-paying jobs in northern Minnesota. The lands listed in senate file 1750 are rich in natural resources. Many of them lie within portions of the Superior National Forest that are already being successfully mined for timber. It's a working forest and creates thousands of good-paying jobs in the region. Northern Minnesotans need these opportunities, and every American benefits from the steel and the lumber that goes into our cars and our homes.

I generally support the aims of NEPA, but obstructionist and special interest groups have a track record of abusing the NEPA process. The State of Minnesota cannot afford to be sued by environmental groups for years into the future just for the sake of blocking this land exchange. I will not allow special interest groups, acting in bad faith, to abuse the NEPA process and use frivolous lawsuits to block and derail this land exchange at the taxpayers' expense. Schoolkids and teachers in Minnesota can't wait years, possibly decades, for this funding. In the school district where I live, North Branch, Minnesota, some classes have 40 kids and the school has been reduced to a 4-day school week. You call this progress?

This legislation will generate a lot of funding for our schools and create good-paying jobs. Importantly, the Minnesota Education Investment and Employment Act would not eliminate a single acre of Boundary Waters land and cost nothing to the American taxpayer. In fact, it would add acreage within the existing wilderness area boundaries while giving Minnesota schoolchildren the land that rightfully belongs to them.

I urge my colleague to support this bill.

Mr. GRIJALVA. I yield such time as she may consume to the gentlelady from Minnesota (Ms. MCCOLLUM).

Ms. MCCOLLUM. The House should not be spending its limited floor time on this bill. The House should be debating the American Jobs Act, the President's plan to put nearly 2 million Americans back to work without adding a dime to the deficit. Instead, today, the Republican majority has a land exchange bill on the floor that is completely unnecessary. I want to stress that. It is unnecessary. The State of Minnesota and the U.S. Forestry Service have all the authority they need to finalize this land exchange—and finalization is what they are working on.

There's a stakeholder process underway in Minnesota to determine this proposed land sale and exchange. And it's underway. And they're going to do it. And they're working on it, with everyone at the table. So why are we debating this bill at all?

I was a State representative for many years, and I worked on a lot of land exchanges. And I have never worked on a land exchange that has been so unnecessary as what I'm being asked to vote on today. This is a reckless bill, and it also sets a terrible precedent.

□ 1250

This legislation does not specify what lands are to be exchanged. Yes, we know about the school's trust fund land, and that's specified, we know where that is, but we don't know what

lands are to be exchanged. We don't know what the finished product is.

Members of Congress are being asked to endorse a land exchange without knowing what lands will be exchanged. This legislation does refer to a bill in the Minnesota State legislature, and the Minnesota State legislation does not include a map of the Federal lands to be exchanged. It does not include a map.

This is the first time in the history of this Congress—of Congress—to bring a bill, a land exchange, to the floor without maps specifying what lands are to be exchanged. The first time in history. Every Member of this House should be asking themselves one simple question: where are the maps?

Now, as I said, I've done many land exchange bills in my service in the Minnesota legislature, and the first rule of all of those land exchange bills is don't forget what you are exchanging out. We always had maps. We had the cost, we had the value, and the public input, and I believe the Minnesota State legislators should be able to finish that process themselves working with the U.S. Forestry, working in a transparent fashion to know exactly what we're voting on.

Why are maps important? Because without a map it's impossible to determine how many Minnesotans could possibly see their property rights threatened by this bill. Can anyone here today tell me how many Minnesota cabin owners could open up their front doors and find a lack of public access to water that they have used and recreated in for years? There's no map. No one can answer that question.

Can anyone tell me how many millions of dollars Minnesota will lose in property value because of issues like this, because of H.R. 5544? No one can answer that question because there are no maps.

This bill could, and I believe will, greatly reduce public access to hunting, fishing, and snowmobiling in areas where the public currently has access. Minnesota Backcountry Hunters and Anglers is a sportsmen's conservation group. They represent over 2 million hunters in Minnesota and anglers as well. The group sent a letter to the U.S. Members of the House this month opposing this bill, and I'd like to quote from it. "It provides no protective measures for how the land may be used, and no assurances that existing activities like hunting and angling would continue." Why? Because there is no map.

There are also 700 miles of snowmobile trails in Superior National Forest that could be at risk because of this bill, trails where public and private trails intermingle and where public and private entities have worked for years raising money and revenues to be able to recreate. But no one can tell me, not Mr. CRAVACK, not Mr. HASTINGS, no

one here, no one can tell me how many trails, lakes, and hunting areas could be closed by this bill because there is no map.

In addition, this bill eliminates the public's ability to participate in any decisionmaking process because it waives the National Environmental Policy Act process.

This is just not the way we do things in Minnesota. We bring people together at the table. We make sure everyone is at the table: the State, the Federal Government, the local governments, the property owners, the hunters, the anglers, the tribal nations, the conservationists, the taxpayers, and yes, the job generators. We make sure that decisions are transparent, and transparency means you have to include a map.

We make sure to get fair market value for land that is sold in exchange so that it's in the best interest of the taxpayers.

As a Member of Congress representing Minnesota, and as a Member of the House Interior Subcommittee, I want to stress I am committed to supporting land exchange so that it is a good deal for Minnesota, a good deal for the American taxpayers, and I'm committed that the process that's in place in Minnesota moves forward.

I serve with those northern legislators. They have fought for years to get something on the table. They deserve to have the process finish and finish correctly. They need good legislation, not bad legislation. Minnesota will produce good legislation.

There is a stakeholders group in Minnesota that is working to determine if the land proposal is fair and transparent. They're not at the table, folks. It does not require a congressional action to finalize their proposal. It does not take congressional action to move forward the legislation that has passed and been signed into law by the Governor.

This bill is unnecessary, it is reckless, and it sets a dangerous precedent for this House for the first time ever to vote on a land exchange without a full, complete map.

The House should defeat H.R. 5544, and it should allow Minnesota to move forward without this interference and this recklessness.

Mr. HASTINGS of Washington. Mr. Chairman, I am pleased to yield 4 minutes to the chairman of the subcommittee that dealt with this legislation, the gentleman from Utah (Mr. BISHOP).

Mr. BISHOP of Utah. Mr. Chairman, you know, we do processes here in government, and hopefully we do them for a reason. But when the process we have harms kids, we should ask ourselves why do we have this slavish devotion to the process.

The problem before the State of Minnesota today is simply Federal action

that took place 34 years ago that took lands guaranteed and devoted to the kids of Minnesota and took them away by Federal action.

I live in a State that does have a State trust lands policy where the use of that school makes a significant contribution to the education of our kids. It wasn't always that way. We took it seriously.

The State of Minnesota now wants to take this process seriously and develop resources that would be beneficial for their kids in a significant way and equalize the process, as we do in my home State, to benefit all the kids that are in public education.

This is one of those situations in which we have had plenty of time to solve this problem but obviously the Federal Government has not moved forward to give to the State of Minnesota what will benefit their kids.

In the hearing we had on this particular bill, the Forest Service said, Yeah, we can do this process. Give us about 4 years to evaluate all of these lands. Our Constitution gives us a right to a speedy trial. I wish it gave us a right to speedy decisions by bureaucrats. In 4 years an entire class of kids can start and finish high school without having any benefit from these lands that were theirs in the first place.

I do not know why those who constantly breathe the air of the Potomac River are the ones who are always wringing their hands and dragging their feet, but it seems to be the same way.

Mr. Chairman, you and I worked in the State legislature, where we had time limits. I had 45 days to get something accomplished or you didn't do it.

I taught school on trimesters. I had 90 days to cover the material, or I didn't get to do it. Can you imagine what would happen if the principal came to me and said, We're going to do our final test on Tuesday. And I said, I'm sorry. I couldn't possibly cover all of that material by Tuesday. Maybe in 4 years from Tuesday I might be able, if you're lucky, to get through the material and actually be ready for that particular test.

One of the issues in this campaign is indeed dealing with permits. What takes my State 45 days on average or less to permit takes the Federal government 307 days on average to do it. That's the process we're talking about here.

The State of Minnesota has a State process in place. It covers tribal issues. It covers all of the issues that are there, and this would take precedence. The State of Minnesota is just as smart as the Federal Forest Service in solving these problems, except the State of Minnesota wants to do it quickly and the Federal Forest Service is not.

This will also eliminate potential delaying litigation using Federal laws to actually do that.

Look. It is simply time for us to realize that if this bill passes, it helps the Forest Service because it takes away inholding problems. It also helps kids of Minnesota because it guarantees a funding source for their education in the future. We should be doing our job and moving us forward and taking this process away from an agency that moves at glacial speed to help kids.

□ 1300

It is time. It's time we do something to help kids instead of harming kids. This bill helps kids, and I am proud to vote for it.

Mr. GRIJALVA. Mr. Chairman, part of the argument is that the Forest Service is dragging its feet and will not allow this process to continue. I would suggest that the Minnesota Legislature came to the realization it was something they needed to do. That process was initiated, legislation was passed, and that process continues. The role of the Federal Government in hindering that does not exist. This was a volition and a decision that Minnesota and its representatives had to take.

On June 22, 1948, President Truman signed legislation into law to authorize the acquisition of private lands within what is now known as the Boundary Waters Canoe Area Wilderness. The legislation was promoted as a way to protect important natural resource values from commercialization and to compensate Cook, Lake, and St. Louis Counties for the loss of private tax revenue.

During the legislative process, Congressman Blatnik argued that counties should receive 12 cents per acre of Federal land for compensation of lost property tax revenues. The Truman administration, arguing that the 12 cents per acre figure was excessive, negotiated compensation to three-quarters of 1 percent of fair market value, which is the way the law was enacted and stands today.

Each year since, these counties have received mandatory payments, adjusted periodically to reflect increased property values. Last year, these payments totaled over \$6 million. Under the funding formula, more Federal lands mean more Federal money. Absent the Hastings amendment, Lake, Cook, and St. Louis Counties, all within the sponsor of this legislation's district, stood to receive another \$1 million annually.

We raised questions regarding this payment from the time the bill was heard in subcommittee until the bill was reported from full committee. In fact, I sent letters to each county commissioner in these counties trying to learn more about how these funds were used. I received two responses. Both indicated they support the current Thye-Blatnik formula and relied on these payments to compensate for lost property tax revenue. Surprisingly, no one

wants to talk about these payments because they would be considered earmarks—earmarks which the sponsor voted against supporting, along with many other members of his caucus.

I represent a district with a lot of Federal lands. My counties get payments through PILT and through Secure Rural Schools. We have to fight like crazy to extend payments every time these bills come for reauthorization. Yet today, we have a bill that purports to be about education funding for Minnesota kids. What kind of role models are we if we can't even have an educated conversation about what Federal money is currently going to Minnesota?

Let's just look at the arithmetic. Minnesota State Representative Denise Dittrich testified before the committee that the State was losing \$650,000 annually from foregone revenues because the State trust lands were within the wilderness area. She supports the enactment of this legislation to make up for the revenue. Yet, because of the Hastings amendment, this legislation actually takes \$1 million in revenue away from the Counties of Lake, Cook, and St. Louis.

Are we robbing Peter to pay Paul? That's the question.

I reserve the balance of my time.

SEPTEMBER 6, 2012.

To: Amelia Jenkins.

Subject: Request from Ranking Member Grijalva related to Thye Blatnik.

DEAR AMELIA, As a county commissioner in Cook County Minnesota I am opposed to any change in the long standing, reasonably established (with the Boundary Waters legislation many years ago) legislation that has, in effect, the Federal Government making payments to Cook, Lake, and St. Louis counties that makes up for property taxes that were lost by locking this land into the federal wilderness system.

There was much local opposition and controversy surrounding the establishment of this wilderness, which was for the benefit of the whole country, and these payments were established to offset taxes lost and create a more positive relationship between these 3 counties and the federal government.

This is one case where the history of the legislation needs to be revisited and reasons for it need to be properly understood.

Thanks,

JIM JOHNSON,
Cook County Commissioner
(District 4,
which includes Cook
County's portion of
the boundary
waters).

LAKE COUNTY, MINNESOTA,
BOARD OF COMMISSIONERS,

Two Harbors, MN, September 10, 2012.

Ranking Member RAÚL GRIJALVA,
Subcommittee on National Parks, Forests and
Public Lands, Committee on Natural Resources,
Longworth House Office Building,
Washington, DC.

DEAR RANKING MEMBER GRIJALVA: This letter is in response to your recent inquiry regarding the 1948 Thye-Blatnik (T-B) Act payments to the Tr-Counties of Northeastern Minnesota. Given the tight timeline of your

request and the limited amount of legislative days remaining in the 112th Congress, I understand the urgency of your request and have tried my best to provide you with the answers to the questions that we received from your staff.

I must begin, by first explaining that there are a couple limitations which I face in attempting to answer your questions. First, Lake County only has a population of 11,000 people and our tax base is very, very, low because over 80% of our large land mass is now government-owned. Thus, we do not have the kinds of resources or readily available personnel to rapidly respond to each of your questions at a deep level of detail. I will try my best, however, to at least cover the basics.

An additional hindrance is this county and several others here in the Arrowhead Region of Northeastern Minnesota were victims of a flood earlier this summer. The President declared us a Federal Disaster Area and we have been just "swamped" with FEMA personnel and state officials helping us to cope with what has been described as a "once in every 500 year flood." Understandably, public safety and getting our roads and bridges repaired along with getting hundreds of homeowners back into their homes, has been and continues to be our number one priority.

BACKGROUND/HISTORY: The following is a brief background and history of the Thye-Blatnik Act, which will hopefully give you some insight into just how this 1 million acre Wilderness, now known as the Boundary Waters Canoe Area Wilderness, came into being. If you research the original title of the bill, HR. 2642, it reads, "A bill to safeguard and consolidate certain areas of exceptional public value . . . within Minnesota". The bill title truly helps to get at the heart of what ultimately lead to the passage of this legislation. The "exceptional value" of the lands located within the Boundary Waters were so deemed because, quite frankly, that's exactly what they were. And, the value of these lands, especially what they meant to the local economy, became the focal point of the deliberations on the bill.

In the following paragraphs and in addition to some historical points, I quote to you some of the direct testimony, written history, and rationale that best describes why Congress concluded that in order to create this eventual million acre wilderness, some sort of adequate compensation had to be given to the affected counties who would be giving up their current and future "priceless" tax base, forever.

Before the bill could be introduced, the commissioners of St. Louis, Lake, and Cook counties objected to further federal acquisition. Their opposition stemmed from the continuing financial distress of these counties. An understanding of their fiscal problems is necessary to comprehend the deep well of opposition in the northern area. In the twenty years following 1925 the taxable property in these counties had been drastically reduced; revenues had declined, expansion seemed unlikely, and hopes for prosperity withered. In Lake County, for example, the assessed value of real property shrank from \$4,000,000 in 1924-25 to \$1,500,000 in 1944-45. Property tax revenue dropped from \$343,000 in 1931 to \$251,000 in 1941.

The obvious way to break the cycle of dependence on outside aid was to expand the local economy in every way possible by using all available natural resources. One such resource was private real estate. However, federal acquisition of land within and outside the roadless areas had eliminated many op-

portunities for real estate developments. The Ely Commercial Club asked that the roadless areas be reduced in size to allow tourist development "on a scale comparable with other sections of the state." With smaller roadless areas it would be possible to develop what they called "now inaccessible resort sites" on lakes supposedly off the track for even occasional canoe trips.

The commercial club objected to the government's purchase of the remaining private lands on the theory that developing them would do "the most good for the most people in the long run. We have no particular ax to grind with dyed-in-the-wool conservationists so long as their plans don't take the bread out of our mouths."

Paul W. Nelson, Lake County's auditor, had foreseen the impact of federal purchases on local taxes as early as 1938. At the time he had justified higher levies on Hubachek's property because the Forest Service had already "removed from our tax rolls" 290,000 acres of land. . . . "You and the other taxpayers will have to absorb the loss," he wrote.

The issue of federal aid in lieu of taxes had been before the Congress since 1938. A joint committee on forestry had hearings and filed a report in March, 1941, recommending (among other things) legislation authorizing "an equitable system of financial contribution to local government in lieu of taxes on forest land removed from the tax rolls through Federal acquisition."

In 1943 the Federal Real Estate Board filed a report on each class of federal real estate, its contribution, if any, to state and local governments, with recommendations for greater equity in lieu of tax contributions. The report noted that the proceeds from national forest timber sales "have not been wholly adequate to protect local taxpayers from undue burdens" when the national forest lands were purchased from private owners. . . . To meet this problem, the real estate board recommended guaranteeing to the counties "a minimum payment equal to a specified percentage of the purchase price." This would give the local governments a dependable source of income with which to plan annual budgets and enable them to use their share of timber revenues to the best advantage. As an acceptable rate of compensation, the board suggested 3/4 of 1 per cent of the taxable value of federal lands.

The best known were the Cordon, Colmer, and McNary bills which differed only in the amount of compensation they proposed. All bills based payments on the fair market value of the national forest lands. The county officials in northeastern Minnesota thought compensation in lieu of taxes would be a great improvement over the intermittent revenues they had received from timber sales, and considered the Colmer and Cordon proposals as models for special legislation affecting their counties.

"The nation ought to pay in considerable part for the preservation of assets in Lake County which benefit the nation," Commissioner M. H. Bickley said the history of federal acquisition proved that "something has always been taken away from us and nothing given back in the way of reimbursement."

We are dealing with human beings and hard dollars." The counties were economically run, and Hubachek had open sympathy "for what will ultimately be their plight" when more than 80 per cent of their lands would be removed from the tax rolls.

The Quetico-Superior program was based on the value of the entire roadless areas to the nation. "If that is true, then the contribution of the country as a whole should be

greater and less of the burden shall fall on the local interests.”

The combined Thye-Blatnik acquisition-compensation bill floated into the congressional stream with dozens of other postwar resources and conservation measures. The modest Thye-Blatnik bill was a compromise proposal that harnessed downstate Minnesota conservationists, northern businessmen, and county officials in a common effort.

Hearings on the Blatnik bill began on April 28, 1947—exactly nineteen years after the introduction of the Shipstead-Nolan bill. Blatnik emphasized compensation for the three counties as “an indispensable part of the bill.” Twelve cents per acre was “an irreducible minimum compensation.” Paul Nelson represented the counties. He was proud, he said, that the Superior forest was called the “playground for the Nation” because the area was more valuable for recreation than timber. But, he asked, “Should the local taxpayers furnish such a playground or should our country as a whole share in the expense of maintaining it?” Unless the nation paid the bill, the measure should be defeated.

Wilson followed Hopkins, describing the rapidity with which the roadless areas were being exploited. The program “to preserve and render accessible for posterity . . . a wilderness that is within reach of all the people of this country” was imperiled. If the bill did not pass, the “whole program of protecting this wilderness will be sunk.”

Discussion of the Blatnik bill centered on the compensation clause. . . . One astute conservationist speculated that unless the counties received 12 cents per acre, they “would undoubtedly like to gamble their potential tax rates from private development in the Roadless Area against the federal reimbursement rate over future years.” On that basis they would try to kill the bill, “demand protection of private property throughout the federal forest, and fight the whole thing as federal interference and bureaucratic control.”

At the end of 1947 Blatnik’s bill was stalled in the House, while Senators Ball and Thye refused to move their measure until the Forest Service and the counties agreed on a rate of compensation. But they also knew that Blatnik and the county commissioners would withdraw their support for the measure if the compensation were reduced or removed.

By reaffirming this statute and by directing the Forest Service to purchase and remove resorts and private properties, Congress gave further definition and weight to the idea of wilderness preservation—an idea that would receive complete expression sixteen years later in the Wilderness Act of 1964.

For the first time in its history, the Forest Service had authority to purchase lands for some purpose other than timber production and watershed protection. In this respect, the Thye-Blatnik Act set one of the most significant precedents in forest policy in forty years. Congress broadened and reaffirmed the principles implicit in the Thye-Blatnik Act in 1964 by passing the Land and Water Conservation Fund Act, a measure providing widespread federal authority for purchasing and developing land for public recreation.

With regards to your individual questions which you asked in your letter to my county here are the answers to your questions:

Level of funding my county has received for the most recent fiscal year in Thye-Blatnik funding?

Answer: Not exactly sure, except that between all three counties we now split ap-

proximately \$6 million per year in total T-B funding. Since each county has approximately one-third of the land mass of the BWCA in each county, rounding-off, that means Lake County received nearly \$2 million in T-B funding. Regardless, as explained in more detail later in this document, this T-B funding is required to be offset against our regular federal PILT payment and that coupled with other variables in the overall national PILT formula, Secure Schools provisions, etc., means that T-B payments simply cannot be looked at in isolation. Ultimately, I was able to document that our latest NET PILT PAYMENT was only \$246,972. With 727,111 acres of federal lands in our county, this certainly doesn’t seem fair.

How is T-B funding used?

Answer: All of the uses you mentioned, but, because of the preponderance of government owned land in our county, we have a very limited tax base. Thus, most T-B dollars are used as part of our general revenue stream.

Has T-B funding decreased in last 10 years?

Answer: No, reappraisals are done once every 10 years, so it would only be in the 11th year that we would know what our next decade’s level of funding will be. The last T-B reappraisal appears to have been done in either 2008 or 2009. Because of the national real estate bubble that occurred during the first decade of this century, I believe we did receive a sizeable increase in our T-B payments, but again, with the offsets that this had against us, I believe not all of that money truly materializes. Also, we won’t know if these higher T-B payments will last when the next appraisal is completed. This is because of the hyper-inflated real estate bubble that occurred throughout much of the last decade.

In conclusion, I believe the deliberations that occurred in Washington during 1947–48 make it abundantly clear there was a consensus that some sort of compensation needed to be given to the local governments of Northeastern Minnesota. That consensus came with the full realization that in order to get this legislation passed into law, Congress would have to help at least partially offset the permanent loss of future tax base and economic activity that this Region would obviously suffer into perpetuity.

There was a clear recognition that the traditional sources of economic activity of this natural resource rich region—mining, logging, summer cottages, and motorized recreation opportunities would now be effectively cut by at least 50%, forever. In the years following Thye-Blatnik we’ve also witnessed passage of the 1964 Wilderness Act along with the Vento-Burton Act of 1978 which added additional economic restrictions and acreage to the BWCA. Counter-arguments have been made that the existence of a very appealing million acre wilderness featuring non-motorized wilderness travel for tourists to enjoy should help offset much of the alternative economic loss. On the surface, such an argument may look appealing. On closer examination, however, what has instead resulted is what economists call a “closed market.”

Such a closed market for the BWCA is best exemplified in the permit system for campers wishing to visit the BWCA. This system effectively “caps” the number of visitors that are annually allowed into the park. In other words, while other regions of America with national parks and federal wilderness areas can at least count on some annual growth in visitors, for the BWCA, the number of visitors is in effect permanently capped at a little over 200,000 visitors. Unfor-

tunately, with an aging population the number of U.S. citizens physically capable of portaging canoes and enduring the elements, this has meant that the annual visitors to the BWCA in recent years has actually been falling. How much? Between 2004–2010, visitor use in the BWCA fell by 12%.

Meanwhile, the 1,000 plus lakes in the BWCA with their tens of thousands of miles of extremely valuable shoreline, goes mostly underutilized and significantly underused. Other lakes in our region outside of the BWCA, currently have lakeshore selling at anywhere from between \$1,000 to \$2,000 a running foot. If one were to apply those kinds of numbers, to the tens of thousands of miles of shoreline in the BWCA that are forever off the tax rolls, one then realizes the incredible economic sacrifice that the people of our three counties have truly made for the greater good of the entire nation.

Finally, it appears that many are not cognizant of the fact of the interplay between the Thye-Blatnik lands and the later (1976) Federal PILT Program formula which all states with federal lands benefit. Although there are many variables that come into play, in essence, our three counties are required to “deduct” from our PILT payments the dollars which we receive from our Thye-Blatnik payments (as are other Section 6903 lands). As a result, this offset means that our Tri counties of Northeastern Minnesota are now receiving only pennies on the PILT dollar than we normally would.

Congressman Grijalva, I assume that this same unintended consequence with the Federal PILT law may also be occurring in your District? I noticed that of the dozen Special Acts of Congress contained in Section 6903 of the Federal PILT Law, both the Thye-Blatnik lands and the 1910 enabling Acts of Arizona and New Mexico are both included. Again, although the intermingling of these various laws gets extremely complicated, I hope that in the near future, we can refocus and begin to work together to help remove some of the real inequities and unintended consequences that are beginning to develop with the interplay of the existing national PILT Law.

Thank you for your interest in this overall issue and hope I have given you sufficient rationale as to why the Thye-Blatnik law found it an absolute necessity to partially compensate our counties for the permanent loss of tax base and our lost future economic viability. Indeed it was a steep price to pay, but something which was a sacrifice which ultimately was made for the greatest good of our entire nation.

Sincerely,

RICH SVE,

Chair, Lake County Board of Commissioners.

Mr. HASTINGS of Washington. Mr. Chairman, I’d advise my friend that I am prepared to close.

Mr. GRIJALVA. Mr. Chairman, among the many flaws in the legislation is a provision waiving compliance with the National Environmental Policy Act of 1969, NEPA. NEPA has been under attack by the Republicans for years. Most famously, former Chairman Pombo led a yearlong effort to undermine the law before leaving Congress.

NEPA stands for two very simple principles: The first is that the Federal Government should think before it acts, and the second is that the Federal Government should listen to the American people before it acts.

NEPA does not dictate outcome. It requires Federal agencies to gather information, consider alternatives, and seek public input before taking action that would significantly impact the environment.

Waiving NEPA means waiving educated decisionmaking, waiving NEPA means waiving transparency, and waiving NEPA means waiving the possibility that the American people should play a role in managing the natural resources which they own.

In the case of H.R. 5544, waiving NEPA means waiving any process for determining which Federal lands will be given to the State, what lands will be traded away, and how will they be chosen. Apparently, that information is to remain secret.

Will lands currently used for recreation or to protect water quality or to preserve critical habitat be traded to the State for logging and mining? We have no way to know.

Waiving NEPA shrouds this land deal in secrecy and insulates it from any public input. Why should any Member in this House oppose allowing his or her constituents to have input in the management of Federal natural resources? Cutting out public input is undemocratic, unwise, and unfair.

Now we have heard claims that NEPA should be waived because it leads to so-called "frivolous" legislation. Of course, "frivolous" is often in the eye of the beholder.

The facts are that NEPA is more than 40 years old, its regulations are flexible and well-settled, and NEPA litigation is fairly rare. What's more, timber companies, cattlemen, mining companies, and other industry plaintiffs file NEPA litigation just as often, if not more, than environmental groups.

We are also told that NEPA causes too much delay. This accusation is also unfounded. NEPA regulations allow for agreed-upon timeframes and page limits to move the process along. Instances when the NEPA process appears to drag on are often the result of an applicant who fails to provide necessary information in a timely fashion or changes the parameters of their project midstream. These anti-NEPA claims are not based on fact and they are a smokescreen, a smokescreen designed to hide the fact that the real goal of exempting this land deal from NEPA is to shield this exchange from public scrutiny.

Later today, Mr. HOLT will have an amendment to restore NEPA compliance for this land deal, and that amendment should be approved. A vote for NEPA is a vote for the idea that average Americans might have something valuable to say about the management of their natural resources. A vote for the bill without NEPA is a vote to shroud this deal in darkness so that its potential impacts on habitat or water

quality or recreation remain hidden from public view.

Mr. Chairman, I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I'll just advise my friend that I am prepared to close if he will yield back.

Mr. GRIJALVA. I will close at this point.

This debate, quite honestly, Mr. Chairman, makes me feel like I'm living in an alternative reality—a reality where the protections of God's bounty on this Earth are nothing more than an opportunity cost for local governments, a reality where we think it's perfectly acceptable to fund our children's education by stealing from the natural resource legacy our forefathers sought to protect, a reality where \$650,000 for St. Paul is more important than \$1 million going to counties most impacted by this exchange, a reality where the basic ability for people to be informed about government actions and to voice their views is blocked by a party that prides itself on the idea of liberty. I don't know about you, but this is not the reality that I want to live in.

We could have brought this bill to the floor today with strong bipartisan support and resolved the real issue of isolated State lands within the Boundary Waters, just like the Minnesota Legislation did. Instead, it is Groundhog Day where antiwilderness and antigovernment philosophies are masked as a concern for education funding when the arithmetic doesn't actually support the argument.

This is a disappointment. This bill is bad for forests, bad for wildlife, bad for the American people, and should be rejected.

I yield back the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I am sitting here absolutely amazed by the debate on this issue. This is really very, very simple.

In 1978, there was no Boundary Waters Canoe Area Wilderness, so there were trust lands in that part of Minnesota that were generating revenue for public schools in Minnesota. So in 1978, Congress passed the Boundary Waters Canoe Area Wilderness and they took that land out of trust. So that means there is a deficiency in trust lands for Minnesota schools. This legislation simply seeks to correct that, nothing more than that. Nothing more than that.

□ 1310

So, in fact, here's another way to put it, Mr. Chairman. If the Boundary Water Canoe Area Wilderness had not been passed, we wouldn't be here today because you would have those trust lands generating revenue. But because it included that area, we are here today.

Now, I heard my good friend from St. Paul talking about the transparency and everybody should be involved in decisionmaking. What happened in 1978 when this 86,000 acres was taken out of trust?

Where was the transparency?

Where was the goodwill that was coming from the Federal Government to the citizens of Minnesota at that time? It apparently wasn't there.

Now, I know the Forest Service can make those adjustments. They don't need an act of Congress to do it; but, Mr. Chairman, it's been 34 years. Don't you think, after 34 years, if the ability were there that it would be done if there was a will on both sides to do so?

Apparently, there might have been a will on both sides, but there are others that were involved that said, no, let's slow the process down. So the Minnesota Legislature said, let's get this thing going, and they passed the legislation, and this simply carries out the act of the legislature that was signed by the Governor. And it's really nothing more than that.

I'm absolutely amazed by the detail that goes on because what comes out of all of this debate, from my point of view which, ironically, comes from Members that represent Minnesota, is they don't trust Minnesotans to make the right decisions as to what part of that national forest would be used for trust lands. I find that mind-boggling.

I think the gentleman from northern Minnesota is doing right by his constituents with this legislation to correct what has happened 34 years ago.

So this is a good piece of legislation, Mr. Chairman. I urge its adoption, and I yield back the balance of my time.

Mrs. BACHMANN. Mr. Chair, I rise today in support of H.R. 5544, the Minnesota Education Investment and Employment Act, which will set in motion a long overdue exchange of federal lands in Northeast Minnesota that will create jobs and unlock millions of dollars each year for our state's schools.

When Minnesota became a state in 1858, the federal government granted each township two plots of land to be developed, leased, or sold exclusively for the benefit of Minnesota schools. Under the Minnesota Constitution and Minnesota Law, these lands must generate revenue for schools. However, when the Boundary Waters Canoe Area Wilderness was created in 1978, 86,000 acres of school trust lands were locked within the boundaries, where logging, mining, and other lucrative activities are prohibited. For over 30 years, these lands have been stripped of their revenue-raising potential and Minnesota students have been missing out on a vital revenue source for needed school improvement projects.

Thankfully, this year, a bipartisan coalition at the Minnesota State Capital, including Democratic Governor Mark Dayton, stood up to special interests and apathy to recoup the important school funding source that was sealed off with the creation of the Boundary Waters. They enacted legislation at the state level to allow an exchange of the school trust lands

contained within the Boundary Waters for federal lands outside the Boundary Waters. Such an exchange would not eliminate a single acre of BWCAW land, but it would enable the creation of well-paying jobs for Minnesotans on the newly acquired lands.

H.R. 5544 will finalize the federal side of this broadly supported exchange, which will greatly benefit Minnesota students, job seekers, and families across the state. I applaud Congressman CRAVAACK for introducing this necessary legislation and I urge my colleagues to join me in supporting it.

The CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

In lieu of the amendment in the nature of a substitute recommended by the Committee on Natural Resources, printed in the bill, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 112-30, modified by the amendment printed in part A of House Report 112-660, is adopted.

The bill, as amended, shall be considered as the original bill for the purpose of further amendment under the 5-minute rule and is considered read.

The text of the bill, as amended, is as follows:

H.R. 5544

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Minnesota Education Investment and Employment Act".

SEC. 2. LAND EXCHANGE, BOUNDARY WATERS CANOE AREA WILDERNESS AND SUPERIOR NATIONAL FOREST, MINNESOTA.

(a) FINDINGS.—Congress makes the following findings:

(1) The State of Minnesota owns multiple parcels of land in the Boundary Waters Canoe Area Wilderness in the Superior National Forest that were granted to the State through sections 16 and 36 of the Enabling Act of 1857 to be held in trust for the benefit of the public school system in the State (in this section referred to as "State trust lands").

(2) The State trust lands were acquired by the State long before the establishment of either the National Forest System or the wilderness area and are scattered in a largely checkerboard fashion amid the Superior National Forest and the wilderness area.

(3) The presence of State trust lands in the wilderness area makes land and resource management in the wilderness area more difficult, costly, and controversial for the United States and the State.

(4) Although the State trust lands were granted to the State to generate financial support for the public school system through the sale or development of natural resources, development of those resources in the wilderness area may be incompatible with managing the wilderness area for recreational, natural, and conservation purposes.

(5) The United States owns land and interests in land in other parts of the State that can be transferred to the State in exchange for the State trust lands without jeopardizing Federal management objectives or needs.

(6) It is in the public interest to exchange, on terms that are fair to the United States and the

State, National Forest System land in the State that has limited recreational and conservation resources for State trust lands located in the wilderness area with important recreational, scenic, and conservation resources for permanent public management and use.

(7) The Legislature of the State of Minnesota, meeting in its 87th Legislative Session, passed (and on April 27, 2012, the Governor of Minnesota approved) S.F. No. 1750 (Chapter 236), section 4 of which adds section 92.80 to the Minnesota Statutes to expedite the exchange of a portion of the State trust lands located within the Boundary Waters Canoe Area Wilderness.

(b) LAND EXCHANGE REQUIRED.—The Secretary of Agriculture shall consummate a land exchange with the State of Minnesota pursuant to section 4 of S.F. No. 1750 (Chapter 236) of the Legislature of the State of Minnesota (section 92.80 of the Minnesota Statutes) to acquire all right, title, and interest of the State in and to certain State trust lands identified as provided in such section in exchange for all right, title, and interest of the United States in and to National Forest System land in the State for inclusion in the State trust lands.

(c) VALUATION OF LANDS FOR EXCHANGE.—Subdivision 4 of section 4 of S.F. No. 1750 (Chapter 236) of the Legislature of the State of Minnesota (section 92.80 of the Minnesota Statutes) shall control for purposes of the examination and value determination of the lands to be exchanged.

(d) SURVEY AND ADMINISTRATIVE COSTS.—The exact acreage and legal description of the land to be exchanged under subsection (b) shall be determined by a survey satisfactory to the Secretary. The State of Minnesota shall be responsible for the costs of the survey and all other administrative costs related to the land exchange.

(e) BOUNDARIES AND MANAGEMENT OF ACQUIRED LAND.—

(1) LAND ACQUIRED BY SECRETARY.—

(A) IN GENERAL.—The land acquired by the Secretary under subsection (b) shall be added to and administered as part of the Boundary Waters Canoe Area Wilderness established pursuant to section 3 of the Wilderness Act (16 U.S.C. 1132(a)), and the Secretary shall modify the boundaries of the wilderness area to reflect inclusion of the acquired lands. Subject to subparagraph (B), the land acquired by the Secretary shall be managed in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.) and other laws and regulations applicable to the National Wilderness Preservation System.

(B) NO EFFECT ON EXISTING FISHING AND HUNTING RIGHTS.—The acquisition of land by the United States under subsection (b) and inclusion of the land in the Boundary Waters Canoe Area Wilderness shall not alter or otherwise affect—

(i) any fishing and hunting rights in existence with respect to the land immediately before the conveyance of the land to the United States; or

(ii) the use of such rights after conveyance.

(2) LAND ACQUIRED BY STATE.—The land acquired by the State of Minnesota under subsection (b) shall be deemed to be State trust lands and shall be held in trust for the benefit of the public school system in the State. It is the sense of Congress that, whenever the land acquired by the State of Minnesota under subsection (b) is not being used for revenue-generating activities, the State should make the land available for other compatible uses, including hunting, fishing, hiking, biking, snowmobiling, and trail riding.

(3) BOUNDARIES OF SUPERIOR NATIONAL FOREST.—The Secretary shall modify the boundaries of the Superior National Forest to reflect the land exchange conducted under this section.

(f) RELATION TO OTHER LAWS.—

(1) LAND AND WATER CONSERVATION FUND ACT.—For purposes of section 7 of the Land and

Water Conservation Fund Act of 1965 (16 U.S.C. 4601-9), the boundaries of the Superior National Forest, as modified by subsection (e)(3), shall be considered to be boundaries of the Superior National Forest as of January 1, 1965.

(2) NOT A MAJOR FEDERAL ACTION.—The land exchange conducted under this section shall not be considered to be a major Federal action.

(3) THYE-BLATNIK ACT.—The Secretary shall not take into consideration the lands acquired by the United States under this Act in determining the appraised value of National Forest System lands in the State of Minnesota used for purposes of making payments to the State of Minnesota under the Act of June 22, 1948, and the Act of June 22, 1956 (commonly known as the Thye-Blatnik Act and Humphrey-Thye-Blatnik-Andresen Act; 16 U.S.C. 577c through 577h).

(g) NO IMPACT ON OTHER LAND EXCHANGES.—The land exchange described in subsection (b) does not affect any land exchange involving National Forest System land in the State of Minnesota underway as of the date of the enactment of this Act.

(h) REPORT.—If the Secretary fails to complete the land exchange described in subsection (b) before the end of the 18-month period beginning on the date of the enactment of this Act, the Secretary shall submit to Congress, not later than 30 days after the end of such period, a report—

(1) specifying the reasons why the exchange has not been completed; and

(2) stating the date by which the Secretary anticipates the conveyance will be completed.

The CHAIR. No further amendment to the bill, as amended, shall be in order except those printed in part B of House Report 112-660. Each such further amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MS. MCCOLLUM

The CHAIR. It is now in order to consider amendment No. 1 printed in part B of House Report 112-660.

Ms. McCOLLUM. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

In section 2(a) (page 3, after line 2), insert the following new paragraph (and redesignate the subsequent paragraph accordingly):

(7) The proposed land exchanged would include land ceded or sold in the Treaty with the Chippewa of 1854, in which the signatory tribes reserved hunting, fishing, and gathering rights on the land ceded. Federal courts have affirmed the continuing existence of those rights. The Secretary of Agriculture shall consult on a government-to-government basis with potentially affected Indian tribes and ensure that the land exchange does not impinge upon treaty rights.

In section 2(e)(1)(B)(i) (page 5, line 7), strike "fishing and hunting rights" and insert "fishing, hunting, and gathering rights".

In section 2(e)(2) (page 5, line 22), insert "gathering," after "fishing,".

In section 2(f) (page 6, after line 13), add the following new paragraph:

(3) NO IMPACT ON TREATY RIGHTS.—Nothing in this Act shall limit, alter, restrict, or abrogate, or be construed to have such effect, on rights to hunt, fish, and gather as reserved in Article 11 of the Treaty of September 30, 1854 (10 Stat. 1109).

The CHAIR. Pursuant to House Resolution 773, the gentlewoman from Minnesota (Ms. MCCOLLUM) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Minnesota.

Ms. MCCOLLUM. Mr. Chairman, as you've already heard here today, H.R. 5544 is missing an awful lot of important details and taxpayer protections. One major omission in this bill is its failure to acknowledge the treaty rights of Minnesota's tribal nations.

Treaty rights are a predominant concern in this land exchange because unspecified lands are under consideration in H.R. 5544 because we don't have a map. They're all within the Superior National Forest, which is governed by the 1854 treaty between the Chippewa nations and the United States Government.

The terms of the treaty guarantee that tribal nations can continue to fish, hunt and gather, and otherwise use the land to support their way of life. However, in its current form, this bill completely ignores the treaty rights of tribal nations.

The Minnesota process that's moving forward in the State of Minnesota includes the tribal nations. We need to make sure that the Fond du Lac Band of Lake Superior Chippewa, the Bois Forte Band of Chippewa, the Grand Portage Band of Lake Superior Chippewa have their treaty obligations protected and met by the United States Government.

The tribal council of Grand Portage of Chippewa has contacted my office to express their great opposition to this bill. Chairwoman Diver of the Fond du Lac Band of Chippewa has sent letters in opposition to Governor Dayton, Secretary Vilsack of Agriculture, Senators FRANKEN, KLOBUCHAR, and to Representative CRAVAACK.

Mr. Chair, at the appropriate time, I have a copy of that letter to submit to the RECORD.

Minnesota's tribes foresee a negative impact of this bill on their guaranteed treaty rights for use of their land because they are not being considered as part of the process under the Cravaack bill.

The quote from Chairwoman Diver's letter, in fact, is:

We oppose the Minnesota Education Investment and Employment Act until suitable tribal consultation has occurred.

The chairwoman also disagrees with the conclusion that the exchange of more than 86,000 acres without government-to-government consultation "shall not be considered to be major Federal action."

It's hard to see how anyone could consider the exchange of land that is

being governed by a Federal treaty with sovereign tribal nations to be anything less than a major Federal action. Yet this bill denies the level of consideration for the exchange.

The amendment that I'm introducing would recognize the reserved fishing, hunting and gathering rights of the tribes and other lands under consideration. The language for this amendment was drafted in consultation with legal representation from the three impacted tribes and from input from the Great Lakes Indian Fish and Wildlife Commission.

This amendment will not solve the fundamental problems of this bill, but it is an effort to respond to the threat against tribal interests and tribal sovereignty that this bill contains. This bill does not change the fact that Minnesota now sees the Federal Government in a jump-start effort to establish a process for Minnesota on how to handle the finishing touches to the land transfer.

Well, I believe at least the tribal voices should be at the table to be heard.

So, Mr. Chair, I do not believe that H.R. 5544 should be moved forward. I will be voting against the bill. I want to be clear about that.

However, if this unnecessary, unclear bill is to proceed, at least at a minimum, we should protect our U.S. government-to-government treaty rights and any land exchange.

Mr. Chair, I yield back the balance of my time.

FOND DU LAC BAND OF LAKE SUPERIOR CHIPPEWA RESERVATION
BUSINESS COMMITTEE,

Cloquet, MN, May 30, 2012.

Re The Minnesota Education Investment and Employment Act.

Hon. MARK DAYTON,
Governor of Minnesota, State Capitol, St. Paul, MN.

DEAR GOVERNOR DAYTON: We oppose the passage of the Minnesota Education Investment and Employment Act until suitable tribal consultation has occurred. The Fond du Lac Band of Lake Superior Chippewa Reservation Business Committee is opposed to the Minnesota Education Investment and Employment Act's exchange of over 86,000 acres of land within the 1854 Ceded Territory without any tribal participation in task force meetings or consultation.

The Fond du Lac Band and the other signatories of the 1854 Treaty of LaPointe, 10 Stat. 1109, retain hunting, fishing, and other usufructuary rights that extend throughout the entire northeast portion of the state of Minnesota (the "Ceded Territory"). In the Ceded Territory, all the Bands have a legal interest in protecting natural resources and all federal agencies share in the federal government's trust responsibility to the Bands to maintain those treaty resources. State agencies also have executive orders affirming the government-to-government relationship between the State of Minnesota and Indian tribal governments located within the State.

The Minnesota Education Investment and Employment Act concludes that it will not affect usufructuary rights and concludes

that the exchange of more than 86,000 acres without government-to-government consultation "[s]hall not be considered to be a major Federal action." We disagree with those conclusions and therefore request consultation regarding the proposed land exchange within the Ceded Territory.

Thank you for your consideration.

Sincerely,

KAREN R. DIVER,
Chairwoman.

Mr. HASTINGS of Washington. Mr. Chairman, I rise in opposition to the amendment.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. HASTINGS of Washington. I yield myself as much time as I may consume.

Mr. Chairman, I respect the gentlelady's concern for Native Americans. As a matter of fact, I will simply say that's one of the reasons when I became chairman of Natural Resources Committee that we had a subcommittee dealing with their issues because I think they were being neglected in the past, and so I share that concern.

But this amendment, honestly, is really not necessary. And I have to say this, Mr. Chairman. At this very last minute here, as we're debating this on the floor, it raises an issue that has not previously been raised.

Let me just go back to the history of this legislation. This issue was not raised at any point during the subcommittee hearing or the full committee markup of this legislation, nor was this issue mentioned in the dissenting views that were filed by the minority in their bill report, nor was this issue raised by the gentlelady from Minnesota's detailed letter opposing this bill that was dated on July 24. So I don't know why it's coming up now when it was not previously raised in the legislative process.

But, Mr. Chairman, I can state very clearly that the Federal Government has a duty to uphold treaty obligations and trust responsibilities to Indian tribes. These will be upheld, and they are not changed by this bill.

There are inherent obligations that the Federal Government has to Indian tribes, and they need to be respected.

This amendment is not necessary and, as written, may potentially raise complex questions about whether the amendment itself would alter the treaty obligations of the Chippewa. The original treaty with the Chippewa of 1854 referred specifically to fishing and hunting rights. This amendment would add the phrase "gathering" to those rights, without any definition of scope of what that means.

Lastly, I will credit the Members, the gentlelady who's sponsoring this legislation, she said last night in the Rules Committee and here just a moment ago that, notwithstanding whether this amendment would pass or not, she would be opposing the bill. I take her

at her word on that. But this is a last-minute issue that had not been raised.

□ 1320

It's not necessary for us to respect and uphold the rights of tribes, and I think it's being offered by somebody, as was stated, who is just simply opposed to the bill.

So for these reasons, I urge my colleagues to oppose the amendment. I understand the gentlelady has yielded back. I urge a "no" vote on the amendment, and I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentlewoman from Minnesota (Ms. MCCOLLUM).

The question was taken; and the Chair announced that the noes appeared to have it.

Ms. MCCOLLUM. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Minnesota will be postponed.

AMENDMENT NO. 2 OFFERED BY MR. HOLT

The CHAIR. It is now in order to consider amendment No. 2 printed in part B of House Report 112-660.

Mr. HOLT. I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

In section 2(b) (page 3, line 12), strike "shall" and insert "may".

In section 2(f) (page 6, beginning line 3), strike "RELATION TO OTHER LAWS.—", "(1)", and paragraph (2) relating to an exception from NEPA requirements.

The CHAIR. Pursuant to House Resolution 773, the gentleman from New Jersey (Mr. HOLT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. HOLT. Mr. Chairman, today we have before us a bill that tells the American taxpayers to take a hike—not to take a walk in the woods, but to give up their place in any decision-making, to get lost, a hike from democracy and engagement in our government—because H.R. 5544 has a provision that would bar all Americans, including Native Americans, from being provided the information about the land exchange to take place and that would bar them from participating in the democratic process of being able to voice their views about the disposition of their property.

My amendment would restore public participation in the development of this proposed land exchange by striking language that would subvert proper environmental review under the National Environmental Policy Act, NEPA. H.R. 5544 continues what we have seen elsewhere on this floor and

on the Resources Committee that can only be called an attack on NEPA.

I wonder what my colleagues have in mind, why they have such a strong knee-jerk reaction to this bipartisan initiative that was signed into law by President Nixon, you may recall. Whatever any of my colleagues may think about the advisability of the underlying bill and the exchange that is proposed here, whatever that exchange may be, I would think my colleagues would at least want this to be done with transparency, full knowledge and public participation.

Public participation should always be of the utmost concern when planning public land projects, but it is particularly critical for the exchange that is proposed here. We aren't talking about a small land exchange. We are talking about tens of thousands of Federal acres that will be going out of Federal ownership and into State ownership for the purposes of mining and logging.

The bill doesn't tell us which parcels will be exchanged. We have no map. We really have no idea. We do know that there are 700 miles of snowmobile trails within the Superior National Forest and that there are thousands of lakes, 77 points of lake access, and 13 fishing piers. We know that hunting is allowed on all of these lands, including lands included within the boundary waters.

We also know that no fewer than 25 groups have written in opposition to this exchange, expressing concerns about their ability to participate in what should be a public process. We also know that 2 million hunters and anglers, represented by the Minnesota Backcountry Hunters and Anglers Association, oppose this bill because, in their words:

Hunters have a vested interest because we now have access to these properties—something that's never guaranteed when management begins switching hands.

Finally, we know why the State of Minnesota wants these Federal lands. They want the lands to generate receipts for their school trust through mining and logging.

So we know some things, but there is much we don't know. There is much that should be brought out to the public. This entire exchange is justified on the State's belief that it is losing \$650,000 a year because it can't mine and log lands within the Boundary Waters Canoe Area Wilderness.

The public deserves to know more about this exchange and to have a voice in the future of these lands. I urge my colleagues to support my amendment, which would ensure that the public can play a role in this exchange if the exchange is to go forward.

I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I rise in opposition to the amendment.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. HASTINGS of Washington. I yield myself 2 minutes.

Mr. Chairman, this amendment would undermine the purposes of the bill by allowing a Cabinet Secretary or even a low-level Federal bureaucrat the authority to override an act of Congress and delay this land exchange.

Let's be specific. This bill directs a land exchange of State lands for Federal forest lands. The simple result of the exchange will be that the boundaries would be State rather than Federal. The management of the lands exchanged in Minnesota will continue to be responsibly managed under State law.

Now, Mr. Chairman, under the U.S. Constitution, it is the legislative branch of government that writes our Nation's laws. It is the responsibility of the executive branch to execute the laws written by Congress. This amendment would result in giving the executive branch the ability to undermine or ignore written law. This land exchange would be subjected to years of costly red tape and bureaucratic foot-dragging. As a matter of fact, Mr. Chairman, that has been going on for 34 years. That's why we are here today.

The priority of the gentleman from Minnesota's bill is the schoolchildren of Minnesota, but it seems the priority of the amendment offered by the gentleman from New Jersey is more Federal red tape to protect Federal bureaucracy and more lawsuits. So I urge the defeat of this amendment.

I reserve the balance of my time.

Mr. HOLT. The chairman must think that it is so inconvenient to deal with a pesky public. Whether this is congressionally mandated or comes about in any way, something of this scale, that of involving the public's land, should involve the public in a very open way in understanding what it will be and in carrying it out. That's all this says. That's all this amendment would do. It would allow the NEPA process, the environmental process that applies to so many things around this country, to apply to this important transaction.

I yield back the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I am very pleased to yield 3 minutes to the sponsor of this legislation, the gentleman from Minnesota (Mr. CRAVAACK).

Mr. CRAVAACK. Mr. Chairman, I rise in opposition to this amendment.

The Secretary already has the authority that the amendment is supposed to possess. That's what got us here in the first place. This amendment would undermine the purposes of the bill by giving the Secretary the option to continue the delaying and obstructing of a land exchange with the State of Minnesota. This is an issue that Minnesota and the Federal Government have been working on for over three decades under existing authorities. This amendment would only continue the status quo, so I must oppose

it. Stalling the process further helps no one, least of all the schoolchildren and teachers of Minnesota.

Mr. Chairman, we've had public input for over 30 years, and that has culminated in the bipartisan State Senate File 1750 that was passed earlier this year by an overwhelming bipartisan vote in the State legislature and signed by Democrat Governor Mark Dayton. The public has spoken. The bill has the support of the people of the Eighth District of Minnesota, and it would execute a bipartisan plan passed by the Minnesota Legislature and signed by the Governor. The only groups that oppose this bill are fringe groups, many of those being from out of State.

This amendment would give the environmentalists free rein to sue the Federal Government and have attorneys' fees paid for by the taxpayers of the United States. I urge my colleagues to oppose this amendment.

In addition, we have heard a couple of times today, Where is the map? Well, here it is. Here is the map. H.R. 5544 no longer contains a direct reference to the Forest Service map because H.R. 5544 is executing a State bill, State File 1750, which does specify lands to be exchanged in section 4 of the bill.

□ 1330

Subsection 3. Priority.

An exchange of the State land under this section shall give priority to the exchanges that provide the most opportunity for revenue generation for the permanent school fund, and priority shall be given to lands within the Superior National Forest in the Mesabi Purchase Unit in St. Louis County and in the following townships of St. Louis County:

Township 59 North, Range 14 West;
Township 59 North, Range 13 West;
Township 60 North, Range 13 West;
Township 60 North, Range 12 West.

The Minnesota DNR has maps of these lands. The Forest Service has maps of these lands. Actually, they're available online.

Last year, the Forest Service prepared maps for an earlier draft of H.R. 5544, but when the State passed Senate File 1750, we changed the references in the bill from the Forest Service maps to the State-passed plan.

The reason why H.R. 5544 doesn't specify lands is because it executes the State plan, which does specify the lands. Again, the maps are available from either the Forest Service or the Minnesota Department of Natural Resources.

Ms. MCCOLLUM. Will the gentleman yield?

Mr. CRAVAACK. I yield to the gentleman from Minnesota.

Ms. MCCOLLUM. Sir, you said that there is designated land on the other half of the exchange, and very well—the school trust lands. Can you show me a map? I know that the State talks about areas.

The CHAIR. The gentleman's time has expired, and the gentleman from Washington has 30 seconds remaining.

Mr. HASTINGS of Washington. Mr. Chairman, I yield myself 30 seconds.

Mr. Chairman, I hear the crocodile tears for no NEPA in this process. I just remind my colleagues that when this area was designated wilderness, NEPA was not involved.

Once the land trade is made, it is subject to the Minnesota Environmental Policy Act. There is a process in which this will be carried out.

I don't support the amendment. I urge a "no" vote on the amendment, and I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from New Jersey (Mr. HOLT).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. HOLT. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New Jersey will be postponed.

AMENDMENT NO. 3 OFFERED BY MR. ELLISON

The CHAIR. It is now in order to consider amendment No. 3 printed in part B of House Report 112-660.

Mr. ELLISON. Mr. Chair, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

In section 2, insert after subsection (b) the following new subsection (and redesignate subsequent subsections accordingly):

(c) PROTECTING PRIVATE PROPERTY AND SMALL BUSINESSES WITHIN AND ADJACENT TO SUPERIOR NATIONAL FOREST.—In determining which National Forest System land to exchange under subsection (b), the Secretary shall not include a parcel of National Forest System land in the exchange if the Secretary determines that the inclusion of the parcel or subsequent use of the parcel is likely to have a negative impact on private property, private property values, or small businesses.

The CHAIR. Pursuant to House Resolution 773, the gentleman from Minnesota (Mr. ELLISON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. ELLISON. Mr. Chair, I rise to present an amendment that would require that as these exchanges go forward, that they would have to be done in a manner that does not hurt private property interests.

There's no doubt that when the exchanges are effected, the people in the forest areas who will acquire them will be looking to mine them, log them, and things like that. But the fact remains that there are other legitimate private property interests there, and these private property interests should be protected.

The bill introduced by my colleague from Minnesota, Representative CRAVAACK, has no protections for areas of high ecological and recreational

value, risks the livelihood of small businesses that rely on the recreational tourists to survive and thrive, and risks the values of private property within the Superior National Forest.

In a region that depends upon \$1.6 billion of revenue from outdoor recreation, we cannot risk our natural lands for the short-term gain of the mining industry. My amendment would simply ensure that no land would be exchanged if it would likely have a negative impact on private or small business interests.

In this House, we often hear it said we should not pick winners and losers. I agree with that. We shouldn't. Therefore, this amendment, if adopted, would protect and ensure that no land would be exchanged if it would likely have a negative impact on private property interests.

Mr. Chair, I would like you to know that the white areas here are private property. As you can see, they're interspersed in the green. As land is transferred down and exchanged, there's a lot of private land next to the forestland, and the private property interests are at risk, and the amendment, if passed, would protect them.

Many studies have found that private property and housing values decrease the closer they are to mines. Just take it from the standpoint of a small business. Many small businesses depend upon protecting the natural resources in the area. Sulfide mining, being considered in this region, can leach sulfuric acid into lakes and rivers, killing aquatic life and ruining someone's small business or fishing resort. Sulfide mining is generating significant public concern and deserves an open, transparent process of evaluation.

Mining has a role in the economy in its right place and with the right protections. But no one denies that it can harm the environment and small businesses if it is done in the wrong place and in the wrong manner.

Mr. Chairman, let me just talk about Jane Koschak. Jane is the owner of the River Point Resort and Outfitting Company located in the Superior National Forest, and she's very concerned about the impact of this bill on her small business. She says the bill will be absolutely devastating to the tourism economy. She says her own town exists on tourism, which is dependent upon clean water and clean air. She also says private property values in the area are already going down from existing drilling. Mining hurts small businesses like Jane's that cater to the anglers, the paddlers, the hikers, and the vacationers in the region.

We need greater transparency. Minnesota landowners and small businesses deserve an open and transparent process, but that's not what we're getting. The State of Minnesota has already created an open process to transfer State lands within the boundary

waters. No Federal legislation is required for this land exchange to take place. We should not be waiving environmental and public comment. At the very least, if we go forward with this misguided bill, we should ensure that private property and small business is protected.

I ask you to support the Ellison amendment and oppose the bill from my colleague in Minnesota.

With that, I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I rise in opposition to the amendment.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. HASTINGS of Washington. Mr. Chairman, I yield myself 1½ minutes.

Mr. Chairman, this amendment is unnecessary, and it would allow the Federal bureaucracy an automatic excuse to stop implementation of this bill when it becomes law. It would provide the Forest Service with vague authorities to simply delay or outright block an act of Congress.

Does that sound familiar?

While presented as property rights protection, the plain fact is that this bill only involves the exchange of lands between State lands and State forestlands. So I want to be very clear that not one square inch of private property is included in this exchange. Again, this is only State and Federal lands.

I have to say, Mr. Chairman, on my committee, a lot of our discussion on a variety of issues talks about private property rights. When we have debate on that and when we have votes on amendments on those issues, I find it rather ironic that the party of the gentleman that is offering this amendment always tends to vote against those amendments that protect private property rights.

Once again, the net result of this amendment would be to give the Federal bureaucracy the ability to slow down carrying out this act.

With that, I reserve the balance of my time.

Mr. ELLISON. Mr. Chairman, how much time do I have remaining?

The CHAIR. The gentleman from Minnesota has 1¼ minutes remaining.

Mr. ELLISON. Mr. Chair, I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Chair, I only have one other speaker and we have the right to close, if the gentleman wants to use his time.

Mr. ELLISON. I appreciate the gentleman's reflection that the exchange is between State land and State land, but it's next to private property land. That's exactly the point of my amendment. If I have a business—better yet, not me, but Jane, who does, in fact, have a business—that is next to a mine that is leaching hazardous material, it will negatively impact her business.

This is not a dispute between public and private. It's a dispute between big private interests and smaller ones.

We're here in Congress to stand up for people who need a voice. I doubt these multinational mining interests need Congress to stand up for them, but the Janes who are running resorts in this forest do. We're simply asking you to adopt an amendment that will stand up for the private property rights of regular citizens who had a dream and fulfilled it of opening a resort, opening a tackle shop, doing things that are deeply rooted in Minnesota's heritage.

With that, I yield back the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I'm pleased to yield the balance of my time to the author of this legislation, Mr. CRAVAACK of Minnesota.

□ 1340

Mr. CRAVAACK. Mr. Chairman, because of the way this amendment is worded, I have some concerns about how it's going to affect mining and timber jobs in the new school district lands.

I yield to the gentleman to explain how he thinks the amendment would affect jobs in the Eighth District of Minnesota concerning mining and lumber.

Mr. ELLISON. If I understand the gentleman's question correctly, I think that it will negatively impact jobs.

Mr. CRAVAACK. Reclaiming my time, Mr. Chairman, I would ask my colleague if he knows how much mining taxes contribute to the State of Minnesota.

I yield to the gentleman.

Mr. ELLISON. The point of my amendment is that this bill, your bill, is going to hurt small business.

Mr. CRAVAACK. Reclaiming my time.

Mr. ELLISON. Look. I'm not going to yield to you if you won't let me answer the question.

Mr. CRAVAACK. He is out of order, Mr. Chairman.

The CHAIR. The gentleman from Minnesota controls the time.

Mr. CRAVAACK. Mr. Chairman, as you can see from the most recent "Mining Tax Guide" from the State of Minnesota, the Eighth District of State of Minnesota contributes \$79.1 million to the State of Minnesota. That is just not inclusive of the income related to taxes from jobs from the mining that will go on in the State of Minnesota.

Is the gentleman opposed to mining in Minnesota? Can he give me an example of how he has supported mining?

I yield to the gentleman.

Mr. ELLISON. If the gentleman is going to let me answer, I will be happy to answer you.

Mr. CRAVAACK. I yield to the gentleman.

Mr. ELLISON. Thank you. I appreciate that. Look, the fact is what you're doing is trying to say that you're going to stand up for the big-money people, as opposed to the cumulative small business people. I think if you put the number of small business people together, your big multinational mining interests that are going to pollute their business—

Mr. CRAVAACK. Reclaiming my time, Mr. Chairman, I'm going to tell my colleague how much mining and timber contributes to the school trust fund.

Mr. Chairman, in the most recent school trust fund report, it shows that mining and timber contributed \$23.17 million in 2011. Now, maybe that doesn't sound like much here inside the Beltway; but I tell you what, that's a lot of money where I come from.

Does the gentleman think that schools in Minneapolis are adequately funded? I'll answer that for you, probably not. Because in North Branch, Minnesota, where I live, public schools just went to 4 days, and then we've got 40 kids in a classroom. I think our teachers and kids could use the extra funding.

Also I'm very interested right now that now the gentleman is very concerned about small business interests in the rural communities. I find that very enlightening.

I yield to the gentleman if he could tell me how a small business would be affected by this land exchange and job creation.

Mr. ELLISON. I will tell you this, about less than 1 percent of money for schools comes from trust lands. It's a very tiny percentage. I mean, so we're going to sacrifice our heritage for a multinational mining company—

Mr. CRAVAACK. Reclaiming my time, obviously the gentleman from Minnesota does not think any money going into the school trust fund is beneficial. Decisions such as these should not be made by Washington bureaucrats in D.C. They should be made by Minnesotans, and that is how we got into this mess in the first place.

The bill merely executes a bipartisan State plan signed by the Governor, State senate file 1750. We cannot trust Washington political appointees with the power to derail this land exchange at the expense of Minnesota schoolchildren and their teachers.

I urge my colleagues to oppose this amendment.

Mr. HASTINGS of Washington. I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Minnesota (Mr. ELLISON).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. ELLISON. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the

amendment offered by the gentleman from Minnesota will be postponed.

AMENDMENT NO. 4 OFFERED BY MR. GRIJALVA

The CHAIR. It is now in order to consider amendment No. 4 printed in part B of House Report 112-660.

Mr. GRIJALVA. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

In section 2, strike subsection (c) (page 3, beginning line 21) and insert the following new subsection:

(c) VALUATION OF LANDS FOR EXCHANGE.—

(1) EQUAL VALUE EXCHANGE REQUIRED.—The fair market value of the land to be exchanged under subsection (b) shall be equal.

(2) APPRAISAL TO DETERMINE FAIR MARKET VALUE OF FEDERAL LAND.—The Secretary shall determine the fair market value of the National Forest System land to be conveyed under subsection (b)—

(A) in accordance with the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); and

(B) based on an appraisal that is conducted in accordance with nationally recognized appraisal standards, including the Uniform Appraisal Standards for Federal Land Acquisition and the Uniform Standards of Professional Appraisal Practice.

The CHAIR. Pursuant to House Resolution 773, the gentleman from Arizona (Mr. GRIJALVA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GRIJALVA. The amendment I am offering does one simple thing and one thing only. It ensures that this land trade is fair and protects the American taxpayers.

For every land exchange undertaken by the Forest Service, the Bureau of Land Management, Park Service, or Fish and Wildlife Service, land managers must ensure taxpayer assets are protected by requiring land appraisals based on accepted Federal standards. This House has considered six different land exchange bills in this Congress. Each and every one of them required standard appraisals for those lands, and they all passed.

But today we have a bill that defers to legislation passed by the State of Minnesota to control the examination and the value determination of Federal lands. This is not how we treat Federal assets. Whether a land exchange is undertaken through an administrative process or through legislation, we require a standard appraisal and equalization payments if the value of the lands considered for exchange are not equal.

Surely we can provide better protections to the taxpayers of this country.

The last estimate, and I will stress estimate of the value of the land in question, was nearly \$100 million. Do we really want to abandon our responsibilities as stewards to Federal taxpayers and waive fair appraisal standards?

Surely we can hold Congressman CRAVAACK's legislation to the same bar and standard we required for Congressman HERGER, Congressman GOSAR, Congresswoman TSONGAS, Congressman McKEON, Congressman AMODEI's bill and, yes, my own bill.

I understand a lot of Members on the other side of the aisle would happily turn over Federal lands to the States. In fact, that position is reflected in their party's platform. But this isn't what we're voting on today. Today we're voting on a land deal that shouldn't turn the taxpayer interests upside down.

I would urge support of my amendment, and I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I rise in opposition to the amendment.

The CHAIR. The gentleman from Washington is recognized for 5 minutes.

Mr. HASTINGS of Washington. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, the purpose of this bill is to ensure a fair exchange of lands on States in Federal areas, and there are protections that were put specifically in the bill. Of course, the big protection is that the Secretary of Agriculture, who is a Federal representative in this process, has to agree. So, I mean, you have got one party, two parties that have to agree, and one of them is Federal. Now what could be more protection than that.

Now, let me go back just a minute. We seem to have to talk about the history of this.

The valuation of the land in 1978, when this wilderness area was developed—I wasn't here, nobody here on the floor that's debating this was here at that time; but I doubt if there was a valuation given to Minnesota at that time, and now they want to come back and say, okay, we have to have a precise valuation on the Federal level.

Come on. This corrects something that was not done in 1978. This amendment simply slows down the process, which I might add, Mr. Chairman, that seems to be what the process is with all four amendments that were taken up to date, slow down the process. Thirty-four years, isn't that long enough?

This is not a good amendment. I urge rejection of it, and I reserve the balance of my time.

Mr. GRIJALVA. I yield the balance of my time to the gentlewoman from Minnesota (Ms. McCOLLUM).

Ms. McCOLLUM. I thank Mr. GRIJALVA.

This is not about slowing down the process, and I know it's not the intention of the Members on the other side to assume my motivations. I know it's not their intention.

This and the amendments that I offered are because there is a process in place in Minnesota that allows for peo-

ple to be at the table, for tribes to be at the table to follow the regular order to have a regular appraisal like everyone else has had, and to have a map on the floor and not start creating a wave of Federal legislation that, to my knowledge, to my knowledge, no one has asked for this legislation to have a vote on the floor today.

There is no Senate companion. There is no urgency; there is no emergency. The State of Minnesota has a process in place; and I will say, as a State legislator, there were times, yes, I didn't think we needed to move forward with the land exchange.

But the northern legislators are convinced, overwhelmingly with the Governor of Minnesota, that this land exchange needs to take place, and it should take place, and I'm not trying to slow it down. I am trying to take this bad legislation and put it aside and let the good legislation and let the regular order that the State of Minnesota has established in order to have these land exchanges move forward. That is my motivation, good legislation, not for the first time in the history of the floor of this House passing a land exchange without a map and for the first time that I've heard not use the regular Federal standard appraisal process.

It sets a bad precedent. I don't think anybody is out to do wrong by the schoolchildren of Minnesota.

□ 1350

My children attended K through higher ed in Minnesota, and I know how strapped we are for cash. And I do believe that there will be very slight amounts of dollars that will go back into school trusts, but that's going to happen whether or not we take this bad vote on this bad bill today or not.

The schoolchildren in Minnesota will be served. This land will be exchanged. The question for this Congress is: Do we do it the right way; do we do it the wrong way; do we set a bad precedent for future land exchange bills; or do we make sure that we allow a fair, open, transparent process that started in Minnesota, finishes in Minnesota?

Mr. HASTINGS of Washington. Will the gentlelady yield?

Ms. McCOLLUM. With that, I yield back the balance of my time.

Mr. HASTINGS of Washington. Do I understand the time on the other side has expired?

The CHAIR. The gentlewoman has yielded back the balance of her time.

Mr. HASTINGS of Washington. Does the gentleman from Arizona still have time?

The CHAIR. No, the gentleman from Arizona yielded the remaining time to the gentlewoman from Minnesota, and she yielded back the balance of her time.

The time is expired.

Mr. HASTINGS of Washington. That is what I was trying to get to.

I am very pleased to yield the balance of my time, again, to the author of this legislation, the gentleman from Minnesota (Mr. CRAVAACK).

The CHAIR. The gentleman is recognized for 3½ minutes.

Mr. CRAVAACK. I rise in opposition to the amendment. This amendment is unnecessary and would only further serve to delay implementation of the overall bill. The valuation of the lands to be exchanged as required by Minnesota senate file 1750 requires that the lands not only be substantially equal in value, but that the valuation is done "in a manner as agreed to between the State commissioner and the authorized representative of the United States." In addition, subsection (d) of H.R. 5544, on page 4, requires the survey to be satisfactory to the Secretary of Agriculture.

We have had 30 years of delay, 30 years of appraisals, 30 years of map-making. We don't need any more. These are the lands of the children of Minnesota, and they're entitled to them.

Mr. Chair, the State knows what the land is worth just as well as the Federal Government. We can do it for lower cost since so much of the work has already been done. The lands have been identified. Here's the map. This section right here and this section right through there.

This amendment is a stall tactic, quite frankly, to increase the administrative burden and increase costs to the State.

Subsection (d) also requires for the State to cover all costs. It is grossly unfair to ask the State to pay for an appraisal and then be made to comply with bureaucratic Federal rules in the process of valuation. The legislation leaves the Secretary ample authority to properly protect taxpayers and does not waive any applicable appraisal standards. Both H.R. 5544 and Minnesota Senate File 1750 require negotiations to be mutually agreed upon, and the lands conveyed to the State would be subject to all applicable State and local laws.

I urge my colleagues to oppose this amendment.

Mr. HASTINGS of Washington. I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. GRIJALVA).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. GRIJALVA. Mr. Chair, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

ANNOUNCEMENT BY THE CHAIR

The CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in

part B of House Report 112-660 on which further proceedings were postponed, in the following order:

Amendment No. 1 by Ms. MCCOLLUM of Minnesota.

Amendment No. 2 by Mr. HOLT of New Jersey.

Amendment No. 3 by Mr. ELLISON of Minnesota.

Amendment No. 4 by Mr. GRIJALVA of Arizona.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT NO. 1 OFFERED BY MS. MCCOLLUM

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Minnesota (Ms. MCCOLLUM) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 201, noes 213, not voting 15, as follows:

[Roll No. 563]

AYES—201

Ackerman	DeGette	Kildee
Altmire	DeLauro	Kind
Andrews	Deutch	Kissell
Baca	Dicks	Kline
Barber	Dingell	Kucinich
Barrow	Doggett	Langevin
Bass (CA)	Dold	Larsen (WA)
Becerra	Donnelly (IN)	Larson (CT)
Berg	Doyle	Lee (CA)
Berkley	Edwards	Levin
Berman	Ellison	Lewis (GA)
Bishop (GA)	Engel	Lipinski
Bishop (NY)	Eshoo	LoBiondo
Blumenauer	Farr	Loebach
Bonamici	Fattah	Lofgren, Zoe
Boren	Finer	Lowey
Boswell	Fitzpatrick	Lujan
Brady (PA)	Frank (MA)	Lungrun, Daniel E.
Braley (IA)	Fudge	Lynch
Camp	Garamendi	Maloney
Capps	Gibson	Markey
Capuano	Gonzalez	Matheson
Carnahan	Green, Al	Matsui
Carney	Green, Gene	McCarthy (NY)
Carson (IN)	Griffith (VA)	McCollum
Castor (FL)	Grijalva	McDermott
Chandler	Gutierrez	McGovern
Chu	Hahn	McIntyre
Cicilline	Hanabusa	McNerney
Clarke (MI)	Hanna	Meeks
Clarke (NY)	Hastings (FL)	Michaud
Clay	Heinrich	Miller (NC)
Cleaver	Higgins	Miller, George
Clyburn	Himes	Moore
Cohen	Hinche	Moran
Cole	Hinojosa	Murphy (CT)
Connolly (VA)	Hochul	Nadler
Conyers	Holt	Napolitano
Cooper	Honda	Neal
Costa	Hoyer	Noem
Costello	Israel	Olver
Courtney	Jackson Lee	Owens
Critz	(TX)	Pallone
Crowley	Johnson (GA)	Pascarella
Cuellar	Johnson, E. B.	Pastor (AZ)
Cummings	Johnson, Sam	Paul
Davis (CA)	Jones	Paulsen
Davis (IL)	Kaptur	Pelosi
DeFazio	Keating	

Perlmutter	Sánchez, Linda T.	Thompson (CA)
Peters	Sanchez, Loretta	Thompson (MS)
Peterson	Sarbanes	Tierney
Pingree (ME)	Schakowsky	Tipton
Polis	Schiff	Tonko
Price (NC)	Schrader	Tsongas
Quigley	Schwartz	Van Hollen
Rahall	Scott (VA)	Velázquez
Rangel	Scott, David	Visclosky
Rehberg	Serrano	Walz (MN)
Reyes	Sewell	Wasserman
Richardson	Sherman	Schultz
Richmond	Shuler	Waters
Ross (AR)	Sires	Watt
Rothman (NJ)	Slaughter	Waxman
Roybal-Allard	Smith (WA)	Wilson (FL)
Ruppersberger	Speier	Woolsey
Rush	Stark	Yarmuth
Ryan (OH)	Sutton	Young (FL)

NOES—213

Adams	Gowdy	Pence
Aderholt	Granger	Petri
Alexander	Graves (GA)	Pitts
Amash	Graves (MO)	Platts
Amodel	Griffin (AR)	Poe (TX)
Austria	Grimm	Pompeo
Bachmann	Guinta	Posey
Bachus	Guthrie	Price (GA)
Barletta	Hall	Quayle
Bartlett	Harper	Reed
Barton (TX)	Harris	Reichert
Bass (NH)	Hartzler	Renacci
Benish	Hastings (WA)	Ribble
Biggart	Hayworth	Rigell
Bilbray	Heck	Rivera
Bilirakis	Hensarling	Roby
Bishop (UT)	Herrera Beutler	Roe (TN)
Black	Huelskamp	Rogers (AL)
Blackburn	Huizenga (MI)	Rogers (KY)
Bonner	Hultgren	Rogers (MI)
Bono Mack	Hunter	Rohrabacher
Boustany	Hurt	Rokita
Brady (TX)	Issa	Rooney
Brooks	Jenkins	Ros-Lehtinen
Buchanan	Johnson (IL)	Roskam
Bucshon	Johnson (OH)	Ross (FL)
Buerkle	Jordan	Royce
Burgess	Kelly	Runyan
Calvert	King (IA)	Scalise
Campbell	King (NY)	Schilling
Canseco	Kingston	Schmidt
Cantor	Kinzinger (IL)	Schock
Capito	Labrador	Schweikert
Carter	Lamborn	Scott (SC)
Cassidy	Lance	Scott, Austin
Chabot	Landry	Sensenbrenner
Chaffetz	Lankford	Sessions
Coble	Latham	Shimkus
Coffman (CO)	LaTourette	Shuster
Conaway	Latta	Simpson
Cravaack	Lewis (CA)	Smith (NE)
Crawford	Long	Smith (NJ)
Crenshaw	Lucas	Smith (TX)
Denham	Luetkemeyer	Southerland
Dent	Lummis	Stearns
DesJarlais	Mack	Stivers
Diaz-Balart	Manzullo	Stutzman
Dreier	Marchant	Sullivan
Duffy	Marino	Terry
Duncan (SC)	McCarthy (CA)	Thompson (PA)
Duncan (TN)	McCaul	Thornberry
Ellmers	McClintock	Tiberi
Emerson	McHenry	Turner (NY)
Farenthold	McKeon	Turner (OH)
Fincher	McKinley	Upton
Flake	McMorris	Walberg
Fleischmann	Rodgers	Walden
Fleming	Meehan	Walsh (IL)
Flores	Mica	Webster
Forbes	Miller (FL)	West
Fortenberry	Miller (MI)	Westmoreland
Fox	Miller, Gary	Whitfield
Franks (AZ)	Mulvaney	Wilson (SC)
Frelinghuysen	Murphy (PA)	Wittman
Gallely	Myrick	Wolf
Gardner	Neugebauer	Womack
Garrett	Nugent	Woodall
Gerlach	Nunes	Yoder
Gibbs	Nunnelee	Young (AK)
Gohmert	Olson	Young (IN)
Goodlatte	Palazzo	
Gosar	Pearce	

NOT VOTING—15

Akin	Butterfield	Holden
Baldwin	Culberson	Jackson (IL)
Broun (GA)	Gingrey (GA)	Ryan (WI)
Brown (FL)	Herger	Towns
Burton (IN)	Hirono	Welch

□ 1418

Messrs. MANZULLO and BISHOP of Utah changed their vote from “aye” to “no.”

Messrs. PERLMUTTER, NEAL, JONES, DOLD, HANNA, DANIEL E. LUNGREN of California and RUSH changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

MOMENT OF SILENCE IN HONOR OF AMBASSADOR STEVENS AND AMERICAN PERSONNEL KILLED IN LIBYA

The Acting CHAIR (Mr. BOEHNER). Last night, Americans received a jolting reminder that freedom remains under siege by forces around the globe who relish violence over free expression and terror over democracy.

The Chair asks that all present rise and observe a moment of silence in honor of Ambassador Stevens and the American personnel killed in Libya.

AMENDMENT NO. 2 OFFERED BY MR. HOLT

The Acting CHAIR (Mr. WOMACK). Without objection, 2-minute voting will continue.

There was no objection.

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New Jersey (Mr. HOLT) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 177, noes 236, not voting 16, as follows:

[Roll No. 564]

AYES—177

Ackerman	Carson (IN)	Davis (IL)
Altmire	Castor (FL)	DeFazio
Andrews	Chandler	DeGette
Baca	Chu	DeLauro
Barber	Cicilline	Deutch
Barrow	Clarke (MI)	Dicks
Bass (CA)	Clarke (NY)	Dingell
Bass (NH)	Clay	Doggett
Becerra	Cleaver	Donnelly (IN)
Berkley	Clyburn	Doyle
Berman	Cohen	Edwards
Bishop (NY)	Connolly (VA)	Ellison
Blumenauer	Conyers	Engel
Bonamici	Cooper	Eshoo
Boswell	Costello	Farr
Brady (PA)	Courtney	Fattah
Braley (IA)	Critz	Filner
Capps	Crowley	Frank (MA)
Capuano	Cuellar	Fudge
Carnahan	Cummings	Garamendi
Carney	Davis (CA)	Gonzalez

Green, Al	Maloney	Rush
Green, Gene	Markey	Ryan (OH)
Grijalva	Matsui	Sánchez, Linda
Gutierrez	McCarthy (NY)	T.
Hahn	McCollum	Sanchez, Loretta
Hanabusa	McDermott	Sarbanes
Hastings (FL)	McGovern	Schakowsky
Heinrich	McIntyre	Schiff
Higgins	McNerney	Schwartz
Himes	Meeks	Scott (VA)
Hincheey	Michaud	Scott, David
Hinojosa	Miller (NC)	Serrano
Hochul	Miller, George	Sewell
Holt	Moore	Sherman
Honda	Moran	Shuler
Hoyer	Murphy (CT)	Sires
Israel	Nadler	Slaughter
Jackson Lee	Napolitano	Smith (WA)
(TX)	Neal	Speier
Johnson (GA)	Olver	Stark
Johnson (IL)	Owens	Sutton
Johnson, E. B.	Pallone	Thompson (CA)
Kaptur	Pascarell	Thompson (MS)
Keating	Pastor (AZ)	Tierney
Kildee	Pelosi	Tonko
Kind	Perlmutter	Towns
Kucinich	Peters	Tsongas
Langevin	Pingree (ME)	Van Hollen
Larsen (WA)	Polis	Velázquez
Larson (CT)	Price (NC)	Visclosky
Lee (CA)	Quigley	Wasserman
Levin	Rahall	Schultz
Lewis (GA)	Rangel	Waters
Lipinski	Reyes	Watt
Loeb sack	Richardson	Waxman
Lofgren, Zoe	Richmond	Welch
Lowey	Rothman (NJ)	Wilson (FL)
Luján	Roybal-Allard	Woolsey
Lynch	Ruppersberger	Yarmuth

NOES—236

Adams	Duffy	Jones
Aderholt	Duncan (SC)	Jordan
Alexander	Duncan (TN)	Kelly
Amash	Ellmers	King (IA)
Amodei	Emerson	King (NY)
Austria	Farenthold	Kingston
Bachmann	Fincher	Kinzing (IL)
Bachus	Fitzpatrick	Kissell
Barletta	Flake	Kline
Bartlett	Labrador	Kluge
Barton (TX)	Lamborn	Lance
Benishak	Fleming	Landry
Berg	Flores	Lankford
Biggart	Forbes	Latham
Bilbray	Fortenberry	Latta
Bilirakis	Fox	Lewis (CA)
Bishop (GA)	Franks (AZ)	LoBiondo
Bishop (UT)	Frelinghuysen	Long
Black	Gallegly	Lucas
Blackburn	Gardner	Luetkemeyer
Bonner	Garrett	Lummis
Bono Mack	Gerlach	Lungren, Daniel
Boren	Gibbs	E.
Boustany	Gibson	Mack
Brady (TX)	Gohmert	Manzullo
Brooks	Goodlatte	Marchant
Buchanan	Gosar	Marino
Bucshon	Gowdy	Matheson
Buerkle	Granger	McCauley
Burgess	Graves (GA)	McClintock
Calvert	Graves (MO)	McHenry
Camp	Griffin (AR)	McKeon
Campbell	Griffith (VA)	McKinley
Canseco	Grimm	McMorris
Cantor	Guinta	Rodgers
Capito	Guthrie	Meehan
Carter	Hall	Mica
Cassidy	Hanna	Miller (FL)
Chabot	Harper	Miller (MI)
Chaffetz	Harris	Miller, Gary
Coble	Hartzer	Mulvaney
Coffman (CO)	Hastings (WA)	Murphy (PA)
Cole	Hayworth	Myrick
Conaway	Heck	Neugebauer
Costa	Hensarling	Noem
Cravaack	Herrera Beutler	Nugent
Crawford	Huelskamp	Nunes
Crenshaw	Huizenga (MI)	Nunnelee
Denham	Hultgren	Olson
Dent	Hunter	Palazzo
DesJarlais	Hurt	Paul
Diaz-Balart	Issa	Paulsen
Dold	Jenkins	Pearce
Dreier	Johnson (OH)	
	Johnson, Sam	

Pence	Roskam	Thompson (PA)
Peterson	Ross (AR)	Thornberry
Petri	Ross (FL)	Tiberi
Pitts	Royce	Tipton
Platts	Runyan	Turner (NY)
Poe (TX)	Scalise	Turner (OH)
Pompeo	Schilling	Upton
Posey	Schmidt	Walberg
Price (GA)	Schrader	Walden
Quayle	Schweikert	Walsh (IL)
Reed	Scott (SC)	Walz (MN)
Rehberg	Scott, Austin	Webster
Reichert	Sensenbrenner	West
Renacci	Sessions	Westmoreland
Ribble	Shimkus	Whitfield
Rigell	Shuster	Wilson (SC)
Rivera	Simpson	Wittman
Roby	Smith (NE)	Wolf
Roe (TN)	Smith (NJ)	Womack
Rogers (AL)	Smith (TX)	Woodall
Rogers (KY)	Southerland	Yoder
Rogers (MI)	Stearns	Young (AK)
Rohrabacher	Stivers	Young (FL)
Rokita	Stutzman	Young (IN)
Rooney	Sullivan	
Ros-Lehtinen	Terry	

NOT VOTING—16

Akin	Culberson	LaTourette
Baldwin	Gingrey (GA)	McCarthy (CA)
Broun (GA)	Herger	Ryan (WI)
Brown (FL)	Hirono	Schock
Burton (IN)	Holden	
Butterfield	Jackson (IL)	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1427

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 3 OFFERED BY MR. ELLISON

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Minnesota (Mr. ELLISON) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 190, noes 225, not voting 14, as follows:

[Roll No. 565]

AYES—190

Ackerman	Capuano	Critz
Altmire	Carnahan	Crowley
Andrews	Carney	Cuellar
Baca	Carson (IN)	Cummings
Baldwin	Castor (FL)	Davis (CA)
Barber	Chandler	Davis (IL)
Barrow	Chu	DeFazio
Bass (CA)	Cicilline	DeLauro
Becerra	Clarke (MI)	Deutch
Berkley	Clarke (NY)	Dicks
Berman	Clay	Dingell
Bishop (GA)	Cleaver	Doggett
Bishop (NY)	Clyburn	Doyle
Blumenauer	Cohen	Edwards
Bonamici	Connolly (VA)	Ellison
Boren	Conyers	Engel
Boswell	Cooper	Eshoo
Brady (PA)	Costa	Farr
Braley (IA)	Costello	Fattah
Capps	Courtney	

Filner	Luján	Rush	Miller (MI)	Roby	Southerland	Gonzalez	Lynch	Rush
Fitzpatrick	Lynch	Ryan (OH)	Miller, Gary	Roe (TN)	Stearns	Green, Al	Maloney	Ryan (OH)
Frank (MA)	Maloney	Sánchez, Linda T.	Murphy (PA)	Rogers (AL)	Stivers	Green, Gene	Markley	Sánchez, Linda T.
Fudge	Markley	Sanchez, Loretta	Neugebauer	Rogers (KY)	Stutzman	Grijalva	Matsui	Sanchez, Loretta
Garamendi	Matsui	Sarbanes	Noem	Rogers (MI)	Sullivan	Gutierrez	McCarthy (NY)	Sarbanes
Gibson	McCarthy (NY)	Schakowsky	Nugent	Rohrabacher	Terry	Hahn	McCollum	Schakowsky
Gonzalez	McCollum	Schiff	Nunes	Rokita	Thompson (PA)	Hanabusa	McDermott	Schiff
Green, Al	McDermott	Schrader	Nunnelee	Rooney	Thornberry	Hanna	McGovern	Schrader
Green, Gene	McGovern	Olson	Palazzo	Ros-Lehtinen	Tiberi	Hastings (FL)	McIntyre	Schwartz
Grijalva	McIntyre	Paul	Palazzo	Roskam	Turner (NY)	Heinrich	McNerney	Scott (VA)
Gutierrez	McNerney	Pearce	Paul	Ross (FL)	Turner (OH)	Higgins	Meeks	Scott, David
Hahn	Meeks	Pence	Pearce	Royce	Upton	Himes	Michaud	Serrano
Hanabusa	Michaud	Petri	Pence	Runyan	Walberg	Hinchey	Miller (NC)	Sewell
Hastings (FL)	Miller (NC)	Pitts	Petri	Scalise	Walden	Hinojosa	Miller, George	Sherman
Heinrich	Miller, George	Platts	Pitts	Schilling	Walsh (IL)	Hochul	Moore	Shuler
Higgins	Moore	Sherman	Platts	Schmidt	Webster	Holt	Moran	Sires
Himes	Moran	Shuler	Poe (TX)	Schock	West	Honda	Murphy (CT)	Slaughter
Hinchey	Mulvaney	Sires	Pompeo	Schweikert	Westmoreland	Hoyer	Nadler	Smith (WA)
Hinojosa	Murphy (CT)	Slaughter	Posey	Scott (SC)	Whitfield	Israel	Napolitano	Speier
Hochul	Nadler	Smith (WA)	Price (GA)	Scott, Austin	Wilson (SC)	Jackson Lee	Neal	Stark
Holt	Napolitano	Speier	Quayle	Sensenbrenner	Wittman	(TX)	Oliver	Sutton
Honda	Neal	Stark	Reed	Sessions	Wolf	Johnson (GA)	Owens	Thompson (CA)
Hoyer	Oliver	Sutton	Rehberg	Shimkus	Womack	Johnson (IL)	Pallone	Thompson (MS)
Israel	Owens	Thompson (CA)	Reichert	Shuster	Woodall	Johnson, E. B.	Pascarell	Tierney
Jackson Lee	Pallone	Thompson (MS)	Renacci	Simpson	Yoder	Jones	Pastor (AZ)	Tonko
(TX)	Pascarell	Tierney	Ribble	Smith (NE)	Young (AK)	Kaptur	Pelosi	Towns
Johnson (GA)	Pastor (AZ)	Tipton	Riggle	Smith (NJ)	Young (IN)	Keating	Perlmutter	Tsongas
Johnson (IL)	Paulsen	Tonko	Rivera	Smith (TX)		Kildee	Peters	Van Hollen
Johnson, E. B.	Pelosi	Towns				Kind	Peterson	Velázquez
Kaptur	Perlmutter	Tsongas				Kissell	Pingree (ME)	Visclosky
Keating	Peters	Van Hollen	Akin	Franks (AZ)	Jackson (IL)	Kucinich	Polis	Walz (MN)
Kildee	Peterson	Velázquez	Broun (GA)	Gingrey (GA)	McCarthy (CA)	Langevin	Price (NC)	Wasserman
Kind	Pingree (ME)	Visclosky	Brown (FL)	Herger	Myrick	Larsen (WA)	Quigley	Schultz
Kissell	Polis	Walz (MN)	Butterfield	Hirono	Ryan (WI)	Larson (CT)	Rahall	Waters
Kucinich	Price (NC)	Wasserman	Culberson	Holden		Lee (CA)	Rangel	Reyes
Langevin	Quigley	Schultz				Levin	Richardson	Watt
Larsen (WA)	Rahall	Waters				Lewis (GA)	Richmond	Welch
Larson (CT)	Rangel	Watt				Lipinski	Ross (AR)	Wilson (FL)
Lee (CA)	Reyes	Welch				Loebach	Rothman (NJ)	Woolsey
Levin	Richardson	Wilson (FL)				Lofgren, Zoe	Roybal-Allard	Yarmuth
Lewis (GA)	Ross (AR)	Woolsey				Lowey	Ruppersberger	
Lipinski	Rothman (NJ)	Yarmuth						
Loebach	Roybal-Allard	Young (FL)						
Lofgren, Zoe	Ruppersberger							
Lowey								

NOES—225

Adams	Dent	Huelskamp
Aderholt	DesJarlais	Huizenga (MI)
Alexander	Diaz-Balart	Hultgren
Amash	Dold	Hunter
Amodei	Donnelly (IN)	Hurt
Austria	Dreier	Issa
Bachmann	Duffy	Jenkins
Bachus	Duncan (SC)	Johnson (OH)
Barletta	Duncan (TN)	Johnson, Sam
Bartlett	Ellmers	Jones
Barton (TX)	Emerson	Jordan
Bass (NH)	Farenthold	Kelly
Benishke	Fincher	King (IA)
Berg	Flake	King (NY)
Biggart	Fleischmann	Kingston
Bilbray	Fleming	Kinzing (IL)
Bilirakis	Flores	Kline
Bishop (UT)	Forbes	Labrador
Black	Fortenberry	Lamborn
Blackburn	Fox	Lance
Bonner	Frelinghuysen	Landry
Bono Mack	Gallely	Lankford
Boustany	Gardner	Latham
Brady (TX)	Garrett	LaTourette
Brooks	Gerlach	Latta
Buchanan	Gibbs	Lewis (CA)
Bucshon	Gohmert	LoBiondo
Buerkle	Goodlatte	Long
Burgess	Gosar	Lucas
Burton (IN)	Gowdy	Luetkemeyer
Calvert	Granger	Lummis
Camp	Graves (GA)	Lungren, Daniel
Campbell	Graves (MO)	E.
Canseco	Griffin (AR)	Mack
Cantor	Griffith (VA)	Manzullo
Capito	Grimm	Marchant
Carter	Guinta	Marino
Cassidy	Guthrie	Matheson
Chabot	McCauley	McCauley
Chaffetz	Hanna	McClintock
Coble	Harper	McHenry
Coffman (CO)	Harris	McKeon
Cole	Hartzer	McKinley
Conaway	Hastings (WA)	McMorris
Cravaack	Hayworth	Rodgers
Crawford	Heck	Meehan
Crenshaw	Hensarling	Mica
Denham	Herrera Beutler	Miller (FL)

NOT VOTING—14

Franks (AZ)	Jackson (IL)
Gingrey (GA)	McCarthy (CA)
Herger	Myrick
Hirono	Ryan (WI)
Holden	

□ 1431

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 4 OFFERED BY MR. GRIJALVA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. GRIJALVA) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 191, noes 223, not voting 15, as follows:

[Roll No. 566]

AYES—191

Ackerman	Carney	Davis (IL)
Altmire	Carson (IN)	DeFazio
Andrews	Castor (FL)	DeGette
Baca	Chandler	DeLauro
Baldwin	Chu	Deutch
Barber	Ciilline	Dicks
Barrow	Clarke (MI)	Dingell
Bass (CA)	Clarke (NY)	Doggett
Becerra	Clay	Donnelly (IN)
Berkley	Cleaver	Doyle
Berman	Clyburn	Edwards
Billbray	Cohen	Ellison
Bishop (GA)	Connolly (VA)	Engel
Bishop (NY)	Conyers	Eshoo
Blumenauer	Cooper	Farr
Bonamici	Costa	Fattah
Boren	Costello	Filner
Boswell	Courtney	Fitzpatrick
Brady (PA)	Critz	Frank (MA)
Braley (IA)	Crowley	Fudge
Capps	Cuellar	Garamendi
Capuano	Cummings	Gerlach
Carnahan	Davis (CA)	Gibson

Adams	Dreier	Kelly
Aderholt	Duffy	King (IA)
Alexander	Duncan (SC)	King (NY)
Amash	Duncan (TN)	Kingston
Amodei	Ellmers	Kinzing (IL)
Austria	Emerson	Kline
Bachmann	Farenthold	Labrador
Bachus	Fincher	Lamborn
Barletta	Flake	Lance
Bartlett	Fleischmann	Lankford
Barton (TX)	Fleming	Latham
Bass (NH)	Flores	LaTourette
Benishke	Forbes	Latta
Berg	Fox	Lewis (CA)
Biggart	Franks (AZ)	LoBiondo
Bilirakis	Frelinghuysen	Long
Bishop (UT)	Gallely	Lucas
Black	Gardner	Luetkemeyer
Blackburn	Garrett	Lummis
Bonner	Gibbs	Lungren, Daniel
Bono Mack	Gohmert	E.
Boustany	Goodlatte	Mack
Brady (TX)	Gosar	Manzullo
Brooks	Gowdy	Marchant
Buchanan	Granger	Marino
Bucshon	Graves (GA)	Matheson
Buerkle	Graves (MO)	McCauley
Burgess	Griffin (AR)	McClintock
Burton (IN)	Griffith (VA)	McHenry
Calvert	Grimm	McKeon
Camp	Guinta	McKinley
Campbell	Guthrie	McMorris
Canseco	Hall	Rodgers
Cantor	Harper	Meehan
Capito	Harris	Mica
Carter	Hartzer	Miller (FL)
Cassidy	Hastings (WA)	Miller (MI)
Chabot	Hayworth	Miller, Gary
Chaffetz	Heck	Mulvaney
Coble	Hensarling	Murphy (PA)
Coffman (CO)	Herrera Beutler	Myrick
Cole	Huelskamp	Neugebauer
Conaway	Huizenga (MI)	Noem
Cravaack	Hultgren	Nugent
Crawford	Hunter	Nunes
Crenshaw	Hurt	Nunnelee
Denham	Issa	Olson
Dent	Jenkins	Palazzo
DesJarlais	Johnson (OH)	Paul
Diaz-Balart	Johnson, Sam	Paulsen
Dold	Jordan	Pearce

NOES—223

Pence	Ros-Lehtinen	Sullivan
Petri	Roskam	Terry
Pitts	Ross (FL)	Thompson (PA)
Platts	Royce	Thornberry
Poe (TX)	Runyan	Tiberi
Pompeo	Scalise	Tipton
Posey	Schilling	Turner (NY)
Price (GA)	Schmidt	Turner (OH)
Quayle	Schock	Upton
Reed	Schweikert	Walberg
Rehberg	Scott (SC)	Walden
Reichert	Scott, Austin	Walsh (IL)
Renacci	Sensenbrenner	Webster
Ribble	Sessions	Westmoreland
Rigell	Shimkus	Whitfield
Rivera	Shuster	Wilson (SC)
Roby	Simpson	Wittman
Roe (TN)	Smith (NE)	Wolf
Rogers (AL)	Smith (NJ)	Womack
Rogers (KY)	Smith (TX)	Woodall
Rogers (MI)	Southerland	Yoder
Rohrabacher	Stearns	Young (AK)
Rokita	Stivers	Young (FL)
Rooney	Stutzman	Young (IN)

NOT VOTING—15

Akin	Fortenberry	Jackson (IL)
Brown (GA)	Gingrey (GA)	Landry
Brown (FL)	Herger	McCarthy (CA)
Butterfield	Hirono	Ryan (WI)
Culberson	Holden	West

□ 1435

So the amendment was rejected.

The result of the vote was announced as above recorded.

The Acting CHAIR (Mr. WOODALL). Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. WOMACK) having assumed the chair, Mr. WOODALL, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 5544) to authorize and expedite a land exchange involving National Forest System land in the Laurentian District of the Superior National Forest and certain other National Forest System land in the State of Minnesota that has limited recreational and conservation resources and lands owned by the State of Minnesota in trust for the public school system that are largely scattered in checkerboard fashion within the Boundary Waters Canoe Area Wilderness and have important recreational, scenic, and conservation resources, and for other purposes, and, pursuant to House Resolution 773, he reported the bill, as amended by that resolution, back to the House.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

□ 1440

MOTION TO RECOMMIT

Mr. ELLISON. I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. ELLISON. I am opposed to the bill.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Ellison moves to recommit the bill H.R. 5544 to the Committee on Natural Resources with instructions to report the same back to the House forthwith with the following amendment:

At the end of section 2(b) (page 3, line 20, of the Rules Committee print), insert the following new sentence: "The Secretary may not include in the exchange under this section any National Forest System land in the State that, as of the date of the enactment of this Act, is used for hunting, fishing, or motorized recreation, including snowmobiling in season."

The SPEAKER pro tempore. The gentleman from Minnesota is recognized for 5 minutes.

Mr. ELLISON. Mr. Speaker, this final amendment to the bill, if adopted, will not kill the bill or send it back to committee. This bill will immediately be voted upon on final passage as amended.

Mr. Speaker, this bill that we're arguing about right now actually is not necessary. The Minnesota State legislature has already decided that in one of the most beautiful wildernesses in our country, the Boundary Waters, that there will be about 86,000 acres transferred out of there into the Superior National Forest. The land will be moved from this wilderness area into the Superior National Forest, and the proceeds will be used to benefit Minnesota schoolchildren.

What this bill actually does is it doesn't actually facilitate the transfer. The Minnesota State legislature has handled that. What it does is it allows the circumvention of the regular process so that Minnesotans who are part of the business community, the school community, the local community, who are part of the recreational community, who have a stake in this thing, that they will be cut out of the deal. They won't be able to have the transparency that is necessary.

Without a doubt, the land that will be transferred will be transferred for the purpose of commercial exploitation, most likely mining. And mining, as you know, may have commercial importance and commercial benefit, but it is a dirty business. It does affect the businesses that are around it.

This bill is designed to help and will help the mining and the timber industry in northern Minnesota. But as we go about this process, we can at least do what we can to make sure that as the transfer takes place, that the outdoor recreational businesses, which are about \$1.6 billion in northeastern Minnesota, do not get sacrificed in the process.

The Superior National Forest and Chippewa National Forest and the Boundary Waters Canoe Area Wilderness make up Minnesota's premiere

outdoor recreation area. They're just beautiful. I can tell you, Mr. Speaker, there's been many a time when I've led young people up to the Boundary Waters so they can get out of the urban environment, into the natural wilderness, and experience what I believe is God's country.

As we effect this change and these land swaps are taking place, and there's no real process—we're bypassing it through this bill—to have real transparency, the interests of the recreational industry, the people who fish, the people who paddle, the people who hunt, and the businesses that supply them are at stake.

My amendment would simply protect the land in these forests currently used for hunting, fishing, snowmobiling, bird watching, and all sorts of other activities, and the commercial interests associated with allowing them to do that.

The land that we're talking about has very high recreational value. The Chippewa and Superior National Forest provide habitat for hunting and game like grouse, deer, or waterfowl. They contain some of the Nation's best fishing lakes, filled with trout, walleye, bass, and pike. I encourage all of you to come and visit. They attract 250,000 visitors every year, Americans of all kinds, but even international visitors, but mostly Minnesotans right from the area and from the Twin Cities.

The fact is the Superior National Forest is the eighth-most visited in the entire National Forest system. They drive, as I mentioned already, Mr. Speaker, \$1.6 billion in tourism and recreation industry in northeastern Minnesota. Thousands of small businesses rely on the National Forest, including everything from resorts, to hunting outfitters, to local restaurants and shops.

I might add, there are almost—in fact, I would say there are no—restaurants or outfitters who name their business after the sulfide mines. No. They call themselves the Boundary Waters Cafe. They name themselves after the beauty and the natural wonder in the area.

This bill puts recreation at risk and the industry that supports it. This bill provides no protection for lands with high recreational value. In fact, it explicitly says that land acquired by the State should be used first for revenue-generating activities, such as mining and logging. This is why hunting and angling groups in Minnesota oppose the bill, including the Minnesota Conservation Foundation, Minnesota Backcountry Hunters and Anglers, and the Minnesota division of the Izaak Walton League.

What's more, Mr. Speaker, the bill does not even identify which lands will be exchanged. We don't even know in this map which private property interests will be affected.

I yield back the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. HASTINGS of Washington. Mr. Speaker, apparently the author of the motion to recommit did not read the underlying bill because what he seeks to do is say you can't exchange land that is open to essentially multiple use, recreational activities. On section 2 of page 5, very specifically in the bill, it says that these activities shall be allowed.

I don't know exactly what point the gentleman is trying to make by offering this motion to recommit, unless it is a political statement of some sort. Even if it's a political statement, I have to say, Mr. Speaker, it falls short in that regard.

Why do I say that? Because last spring, specifically on April 17, we had a bill that this body considered on the floor, H.R. 4089, authored by our colleague from Michigan, Mr. BENISHEK, called the Sportsmen's Heritage Act of 2012. The essence of that bill was to allow hunting and recreation on Federal lands, and yet the author of the motion to recommit is coming down here saying we should have multiple use on this forest, but he voted against the bill, H.R. 4089, this spring.

□ 1450

I have to tell you, Mr. Speaker, the crocodile tears I hear or see from the other side is overwhelming to me. This motion to recommit ought to be defeated. The land exchange that is authored by our colleague from Minnesota rights a wrong that was wrongly made 34 years ago.

I urge my colleagues to vote "no" on the motion to recommit and "yes" on passage.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. ELLISON. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—ayes 183, noes 233, not voting 13, as follows:

[Roll No. 567]

AYES—183

Ackerman	Frank (MA)	Owens
Altmire	Fudge	Pallone
Andrews	Garamendi	Pascrell
Baca	Gonzalez	Pastor (AZ)
Baldwin	Green, Al	Pelosi
Barber	Green, Gene	Perlmutter
Barrow	Grijalva	Peters
Bass (CA)	Gutierrez	Peterson
Becerra	Hahn	Pingree (ME)
Berkley	Hanabusa	Polis
Berman	Hastings (FL)	Price (NC)
Bishop (GA)	Heinrich	Quigley
Bishop (NY)	Higgins	Rahall
Blumenauer	Himes	Rangel
Bonamici	Hinchev	Reyes
Boren	Hinojosa	Richardson
Boswell	Hochul	Richmond
Brady (PA)	Holt	Ross (AR)
Braley (IA)	Honda	Rothman (NJ)
Capps	Hoyer	Roybal-Allard
Capuano	Israel	Ruppersberger
Carnahan	Jackson Lee	Rush
Carney	(TX)	Ryan (OH)
Carson (IN)	Johnson (GA)	Sánchez, Linda
Castor (FL)	Johnson, E. B.	T.
Chandler	Kaptur	Sanchez, Loretta
Chu	Keating	Sarbanes
Cicilline	Kildee	Schakowsky
Clarke (MI)	Kind	Schiff
Clarke (NY)	Kissell	Schrader
Clay	Kucinich	Schwartz
Cleaver	Langevin	Scott (VA)
Clyburn	Larsen (WA)	Scott, David
Cohen	Larson (CT)	Serrano
Connolly (VA)	Lee (CA)	Sewell
Conyers	Levin	Sherman
Cooper	Lewis (GA)	Shuler
Costa	Lipinski	Sires
Costello	Loebach	Slaughter
Courtney	Lofgren, Zoe	Smith (WA)
Critz	Lowey	Speier
Crowley	Luján	Stark
Cuellar	Lynch	Sutton
Cummings	Maloney	Thompson (CA)
Davis (CA)	Markey	Thompson (MS)
Davis (IL)	Matsui	Tierney
DeFazio	McCarthy (NY)	Tonko
DeGette	McCollum	Towns
DeLauro	McDermott	Tsongas
Deutch	McGovern	Van Hollen
Dicks	McIntyre	Velázquez
Dingell	McNerney	Visclosky
Doggett	Meeks	Walz (MN)
Donnelly (IN)	Michaud	Wasserman
Doyle	Miller (NC)	Schultz
Edwards	Miller, George	Waters
Ellison	Moore	Watt
Engel	Murphy (CT)	Waxman
Eshoo	Nadler	Welch
Farr	Napolitano	Wilson (FL)
Fattah	Neal	Woolsey
Filner	Oliver	Yarmuth

NOES—233

Adams	Burgess	Ellmers
Aderholt	Burton (IN)	Emerson
Alexander	Calvert	Farenthold
Amash	Camp	Fincher
Amodei	Campbell	Fitzpatrick
Austria	Canseco	Flake
Bachmann	Cantor	Fleischmann
Bachus	Capito	Fleming
Barletta	Carter	Flores
Bartlett	Cassidy	Forbes
Barton (TX)	Chabot	Fortenberry
Bass (NH)	Chaffetz	Fox
Benishek	Coble	Franks (AZ)
Berg	Coffman (CO)	Frelinghuysen
Biggert	Cole	Galleghy
Bilbray	Conaway	Gardner
Bilirakis	Cravaack	Garrett
Bishop (UT)	Crawford	Gerlach
Black	Crenshaw	Gibbs
Blackburn	Denham	Gibson
Bonner	Dent	Gohmert
Bono Mack	DesJarlais	Goodlatte
Boustany	Diaz-Balart	Gosar
Brady (TX)	Dold	Gowdy
Brooks	Dreier	Granger
Buchanan	Duffy	Graves (GA)
Bucshon	Duncan (SC)	Graves (MO)
Buerkle	Duncan (TN)	Griffin (AR)

Griffith (VA)	Matheson	Ros-Lehtinen
Grimm	McCarthy (CA)	Roskam
Guinta	McCaul	Ross (FL)
Guthrie	McClintock	Royce
Hall	McHenry	Runyan
Hanna	McKeon	Scalise
Harper	McKinley	Schilling
Harris	McMorris	Schmidt
Hartzler	Rodgers	Schock
Hastings (WA)	Meehan	Schweikert
Hayworth	Mica	Scott (SC)
Heck	Miller (FL)	Scott, Austin
Hensarling	Miller (MI)	Sensenbrenner
Herrera Beutler	Miller, Gary	Sessions
Huelskamp	Mulvaney	Shimkus
Huizenga (MI)	Murphy (PA)	Shuster
Hultgren	Myrick	Simpson
Hunter	Neugebauer	Smith (NE)
Hurt	Noem	Smith (NJ)
Issa	Nugent	Smith (TX)
Jenkins	Nunes	Southerland
Johnson (IL)	Nunnelee	Stearns
Johnson (OH)	Olson	Stivers
Jones	Palazzo	Stutzman
Jordan	Paul	Sullivan
Kelly	Paulsen	Terry
King (IA)	Pearce	Thompson (PA)
King (NY)	Pence	Thornberry
Kingston	Petri	Tiberi
Kinzing (IL)	Pitts	Tipton
Kline	Platts	Turner (NY)
Labrador	Poe (TX)	Turner (OH)
Lamborn	Pompeo	Upton
Lance	Posey	Walberg
Landry	Price (GA)	Walden
Lankford	Quayle	Walsh (IL)
Latham	Reed	Webster
LaTourette	Rehberg	West
Latta	Reichert	Westmoreland
Lewis (CA)	Renacci	Whitfield
LoBiondo	Ribble	Wilson (SC)
Long	Rigell	Wittman
Lucas	Rivera	Wolf
Luetkemeyer	Roby	Womack
Lummis	Roe (TN)	Woodall
Lungren, Daniel	Rogers (AL)	Yoder
E.	Rogers (KY)	Young (AK)
Mack	Rogers (MI)	Young (FL)
Manzullo	Rohrabacher	Young (IN)
Marchant	Rokita	
Marino	Rooney	

NOT VOTING—13

Akin	Gingrey (GA)	Johnson, Sam
Broun (GA)	Herger	Moran
Brown (FL)	Hirono	Ryan (WI)
Butterfield	Holden	
Culberson	Jackson (IL)	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There is 1 minute remaining.

□ 1505

Mr. YARMUTH changed his vote from "no" to "aye."

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. HOLT. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 225, noes 189, not voting 15, as follows:

[Roll No. 568]

AYES—225

Adams Granger Palazzo
 Aderholt Graves (GA) Paul
 Alexander Graves (MO) Paulsen
 Amash Griffin (AR) Pearce
 Amodei Griffith (VA) Pence
 Austria Grimm Petri
 Bachmann Guinta Pitts
 Bachus Guthrie Platts
 Barletta Hall Poe (TX)
 Barrow Hanna Pompeo
 Barton (TX) Harper Posey
 Benishek Harris Price (GA)
 Berg Hartzler Quayle
 Biggert Hastings (WA) Reed
 Bilbray Heck Rehberg
 Bilirakis Hensarling Reichert
 Bishop (UT) Herrera Beutler Renacci
 Black Huelskamp Ribble
 Blackburn Huizenga (MI) Rigell
 Bonner Hultgren Rivera
 Bono Mack Hunter Roby
 Boustany Hurt Roe (TN)
 Brady (TX) Issa Rogers (AL)
 Brooks Jenkins Rogers (KY)
 Buchanan Johnson (OH) Rogers (MI)
 Bucshon Jones Rohrabacher
 Buerkle Jordan Rokita
 Burgess Kelly Rooney
 Burton (IN) King (IA) Ros-Lehtinen
 Calvert King (NY) Roskam
 Camp Kingston Hastings (FL)
 Campbell Kinzinger (IL) Hayworth
 Canseco Kline Royce
 Cantor Labrador Runyan
 Capito Lamborn Scalise
 Carter Lance Schilling
 Cassidy Landry Schmidt
 Chabot Lankford Schock
 Chaffetz Latham Schweikert
 Coble LaTourette Scott (SC)
 Coffman (CO) Latta Scott, Austin
 Cole Lewis (CA) Sensenbrenner
 Conaway LoBiondo Sessions
 Cravaack Long Shimkus
 Crawford Lucas Shuster
 Crenshaw Luetkemeyer Simpson
 Denham Lummis Smith (NE)
 Dent Lungren, Daniel Smith (NJ)
 DesJarlais E. Smith (TX)
 Diaz-Balart Mack Southerland
 Dold Manzullo Stearns
 Dreier Marchant Stivers
 Duffy Marino Stutzman
 Duncan (SC) Matheson Sullivan
 Duncan (TN) McCarthy (CA) Terry
 Ellmers McCaul Thompson (PA)
 Emerson McClintock Thornberry
 Farenthold McHenry Tiberi
 Fincher McKeon Tipton
 Flake McKinley Turner (NY)
 Fleischmann McMorris Turner (OH)
 Fleming Rodgers Upton
 Flores Meehan Walberg
 Forbes Mica Walden
 Fortenberry Miller (FL) Walsh (IL)
 Foxx Miller (MI) Webster
 Franks (AZ) Miller, Gary West
 Frelinghuysen Mulvaney Westmoreland
 Gallegly Murphy (PA) Wilson (SC)
 Gardner Myrick Wittman
 Garrett Neugebauer Wolf
 Gibbs Noem Womack
 Gohmert Nugent Woodall
 Goodlatte Nunes Yoder
 Gosar Nunnelee Young (AK)
 Gowdy Olson Young (IN)

NOES—189

Ackerman Blumenauer Clarke (MI)
 Altmire Bonamici Clarke (NY)
 Andrews Boren Clay
 Baca Boswell Cleaver
 Baldwin Brady (PA) Clyburn
 Barber Braley (IA) Cohen
 Bartlett Capps Connolly (VA)
 Bass (CA) Capuano Conyers
 Bass (NH) Carnahan Cooper
 Becerra Carney Costa
 Berkley Carson (IN) Costello
 Berman Castor (FL) Courtney
 Bishop (GA) Chu Critz
 Bishop (NY) Cicilline Crowley

Cuellar Kaptur Rangel
 Cummings Keating Reyes
 Davis (CA) Kildoe Richardson
 Davis (IL) Kind Richmond
 DeFazio Kissell Ross (AR)
 DeGette Kucinich Rothman (NJ)
 DeLauro Langevin Roybal-Allard
 Deutch Larsen (WA) Ruppersberger
 Dicks Larson (CT) Rush
 Dingell Lee (CA) Ryan (OH)
 Doggett Levin Sanchez, Linda
 Donnelly (IN) Lewis (GA) T.
 Doyle Lipinski Sanchez, Loretta
 Edwards Loeb sack Sarbanes
 Ellison Lofgren, Zoe Schakowsky
 Engel Lowey Schiff
 Eshoo Lujan Schrader
 Farr Lynch Schwartz
 Fattah Maloney Scott (VA)
 Filner Markey Scott, David
 Fitzpatrick Matsui Serrano
 Frank (MA) McCarthy (NY) Sewell
 Fudge McCollum Sherman
 Garamendi McDermott Shuler
 Gerlach McGovern Sires
 Gibson McIntyre Slaughter
 Gonzalez McNerney Smith (WA)
 Green, Al Meeks Speier
 Green, Gene Michaud Stark
 Grijalva Miller (NC) Sutton
 Gutierrez Miller, George Thompson (CA)
 Hahn Moore Thompson (MS)
 Hanabusa Murphy (CT) Tierney
 Hastings (FL) Nadler Tonko
 Hayworth Napolitano Towns
 Heinrich Neal Tsongas
 Higgins Oliver Van Hollen
 Himes Owens Velázquez
 Hinchey Pallone Visclosky
 Hinojosa Pascarell Walz (MN)
 Hochul Pastor (AZ) Wasserman
 Holt Pelosi Schultz
 Honda Perlmutter Waters
 Hoyer Peters Watt
 Israel Peterson Waxman
 Jackson Lee Pingree (ME) Welch
 (TX) Polis Wilson (FL)
 Johnson (GA) Price (NC) Woolsey
 Johnson (IL) Quigley Yarmuth
 Johnson, E. B. Rahall Young (FL)

NOT VOTING—15

Akin Culberson Jackson (IL)
 Broun (GA) Gingrey (GA) Johnson, Sam
 Brown (FL) Herger Moran
 Butterfield Hirono Ryan (WI)
 Chandler Holden Whitfield

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1512

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

FISA AMENDMENTS ACT
REAUTHORIZATION ACT OF 2012

Mr. SMITH of Texas. Mr. Speaker, pursuant to House Resolution 773, I call up the bill (H.R. 5949) to extend the FISA Amendments Act of 2008 for five years, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. YODER). Pursuant to House Resolution 773, the amendment in the nature of a substitute recommended by the Committee on the Judiciary printed in the bill is adopted, and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 5949

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “FISA Amendments Act Reauthorization Act of 2012”.

SEC. 2. FIVE-YEAR EXTENSION OF FISA AMENDMENTS ACT OF 2008.

(a) EXTENSION.—Section 403(b) of the FISA Amendments Act of 2008 (Public Law 110–261; 122 Stat. 2474) is amended—

(1) in paragraph (1), by striking “December 31, 2012” and inserting “December 31, 2017”; and

(2) in paragraph (2) in the material preceding subparagraph (A), by striking “December 31, 2012” and inserting “December 31, 2017”.

(b) CONFORMING AMENDMENT.—The heading of section 404(b)(1) of the FISA Amendments Act of 2008 (Public Law 110–261; 122 Stat. 2476) is amended by striking “DECEMBER 31, 2012” and inserting “DECEMBER 31, 2017”.

The SPEAKER pro tempore. The bill shall be debatable for 1 hour, with 40 minutes equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary and 20 minutes equally divided and controlled by the chair and ranking minority member of the Permanent Select Committee on Intelligence.

The gentleman from Texas (Mr. SMITH) and the gentleman from Michigan (Mr. CONYERS) each will control 20 minutes. The gentleman from Michigan (Mr. ROGERS) and the gentleman from Maryland (Mr. RUPPERSBERGER) each will control 10 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. SMITH of Texas. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous materials on H.R. 5949, as amended, and currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SMITH of Texas. I yield myself such time as I may consume.

Mr. Speaker, America and its allies continue to face national security threats from foreign nations, spies, and terrorist organizations. Our national security agencies must be able to conduct surveillance of foreign terrorists and others so we can stop them before they disable our defenses, carry out a plot against our country, or kill innocent Americans.

In 1978, Congress enacted the Foreign Intelligence Surveillance Act to provide procedures for the domestic collection of foreign intelligence. To protect Americans' civil liberties, FISA created Foreign Intelligence Surveillance Courts comprised of sitting Federal court judges.

□ 1520

If the government needs to collect domestic information for national security purposes, it must first request

permission from a FISA judge. This is limited to domestic information. FISA was never intended to apply to the collection of information from non-U.S. persons in foreign countries.

But advances in technology over the last 40 years have changed how overseas communications are transmitted. In 2006, then-Director of National Intelligence, Admiral Mike McConnell, stated that the intelligence community was not collecting approximately two-thirds of the foreign intelligence information that it collected prior to legal interpretations that required the government to obtain individualized FISA court orders for overseas surveillance. To solve the problem, in 2008, Congress passed the FISA Amendments Act to reaffirm our longstanding intent that a court order is not required when a non-U.S. person outside the U.S. is targeted. The act continues the authority to collect intelligence from foreign targets located outside the United States.

The FISA Amendments Act both strengthens our national security and expands civil liberties protections for all Americans. The act requires an individualized court order for the government to target an American anywhere in the world. Under the FISA Amendments Act, the government cannot conduct any surveillance overseas without authorization. The government cannot target individuals unless there is a reasonable belief they are not in the United States, which the government must try to ascertain.

The government cannot intentionally acquire communications when the sender and recipient are both in the United States without an individualized court order from a FISA judge. The government cannot reverse-target individuals overseas in order to monitor those in the United States. This means that the government cannot target a U.S. person simply by monitoring a non-U.S. person that the U.S. person is talking to. And for the first time in history, the government must obtain an individualized court order from the FISA court to target Americans outside the United States.

Foreign surveillance under the FISA Amendments Act is subject to extensive oversight by the administration and Congress. Every 60 days, Justice Department national security officials and the Director of National Intelligence conduct onsite reviews of surveillance conducted pursuant to the FISA Amendments Act. In addition, the Attorney General and the Director of National Intelligence conduct detailed assessments of compliance with court-approved targeting and minimization procedures and provide these amendments to Congress twice a year.

The administration also is required to submit to the Judiciary and Intelligence Committees a copy of any FISA court order opinion or decision. It must also submit the accompanying plead-

ings, briefs, and other memoranda of law from national security officials within the intelligence community that relate to a significant construction or interpretation of any provision of FISA.

This law will expire at the end of this year unless Congress reauthorizes it. President Obama has identified reauthorization of the FISA Amendments Act as the top legislative priority of the intelligence community and requests Congress to extend the law for 5 years. H.R. 5949 is a bipartisan piece of legislation to do just that, extend the FISA Amendments Act to December 31, 2017.

Foreign terrorists continue to search for new ways to attack America. Foreign nations continue to spy on America, to plot cyberattacks, and attempt to steal sensitive information from our military and private sector industries. They are committed to the destruction of our country, and their methods of communication are constantly evolving.

We have a solemn responsibility to ensure that the intelligence community can gather the information it needs to protect our country and protect our citizens. This bipartisan bill ensures that our country will be able to identify and prevent threats to our national security without sacrificing the civil liberties of American citizens.

I urge my colleagues to join me in support of this bill, and I reserve the balance of my time.

Mr. CONYERS. Mr. Speaker, on our side, I would begin our discussion by yielding 3 minutes to the distinguished senior member of Judiciary, ranking member of Immigration, the gentleman from California (Ms. LOFGREN).

Ms. ZOE LOFGREN of California. Mr. Speaker, I urge this body to reject this bill.

The surveillance bill raises several serious constitutional and civil liberties issues that Congress needs to address and has not addressed in this bill, and I'd like to discuss just one of those.

Congress should prohibit the Federal Government from intentionally searching for information on a U.S. person in a data pool amassed lawfully under section 702 of FISA—should such a data ever be amassed—unless the searching official has a warrant.

Now, the FISA Amendments Act of 2008 does not make clear that the government must obtain a warrant prior to searching for information acquired incidentally on a U.S. person in a large pool of data that the government has already lawfully obtained under section 702, should such a data pool ever be amassed. Instead, the information about the U.S. person in such a situation is subject to minimization procedures adopted by the Attorney General, and that must be approved by the FISA court, but that does not explicitly include a warrant requirement, which I think the Constitution requires.

The prohibition on reverse-targeting—where the government deliberately targets a non-U.S. person for the purpose of acquiring information about the U.S. person at the other end of the line—is not a substitute for the warrant requirement to search a database for U.S. persons, should such a database ever be amassed under section 702. Minimization procedures are not a substitute for a warrant in such a case.

Now, I think that the government needs to comply with the Fourth Amendment to the Constitution all the time. I think that the privacy of Americans should not be subject to the lower standard of minimization procedures. That's not in the Constitution. And I think, also, that when we think that we should trade the protections that our Founding Fathers devised for us in the United States Constitution in the effort to buy safety, we're mistaken. We can be safe while still complying with the Constitution of the United States.

I'm mindful that we began this Congress reading most of the United States Constitution on the floor of this House. It's ironic, indeed, that we should be ending this Congress with a bill that does violation to that very body.

I thank the gentleman for yielding. Mr. SMITH of Texas. Mr. Speaker, I yield 5 minutes to the gentleman from California (Mr. DANIEL E. LUNGREN), who is the chairman of the Administration Committee here in the House, a senior member of the Judiciary Committee, and a former attorney general of California.

Mr. DANIEL E. LUNGREN of California. I thank the gentleman for yielding.

Mr. Speaker, I rise in support of the extension of the FISA Amendments Act of 2008.

I would just have to say this is critical to the protection of the American people. With the events over the last couple of days, we need not be reminded of this solemn responsibility 1 day after the 11th anniversary of 9/11.

If you will recall, one of the main points made by the 9/11 Commission in their after-action report was that we, as a Nation, had not done enough—that is, the Government of the United States had not done enough—to connect the dots to warn us sufficiently to protect against the attack which caused the death of over 3,000 on our homeland. In order to connect the dots—that is, the items of information, the intelligence—you have to have the dots, you have to have the intelligence. That's precisely what the extension of these amendments will allow us to do.

But initially, it's important to understand from the outset of this debate what this legislation would do as well as what it does not do.

□ 1530

We are seeking to address the essential need for us to be able to monitor

communications by terrorists and other foreign adversaries located outside the United States. We're not debating the PATRIOT Act here. We're not talking about national security letters. We're not talking about those things that are directed at Americans.

The annual certification procedures provided under the FISA Amendments Act do not allow the targeting of Americans outside the United States. Thus, if an American is targeted anywhere in the world, or if a person is targeted within the United States, an individualized court order is required.

In cases involving a foreign terrorist outside the United States, the Foreign Intelligence Surveillance Court approves annual certifications submitted by the Attorney General and the Director of National Intelligence. This is a court made up of article III judges, judges with lifetime appointments, with the independence that was accorded them under the Constitution.

And I would remind my colleagues that the appellate review, the appellate division of the Foreign Intelligence Surveillance Court, is also comprised of article III judges.

It is important to note we're not providing for warrantless surveillance here. In fact, the FISA Amendments Act has enhanced the statutory protections afforded to U.S. persons under the law. Because it was the first time, under these amendments that we wish to extend, we required an individual FISA court order to conduct overseas intelligence collections on U.S. citizens and permanent residents. Even if they're overseas, we now require that. It was not required by statute before that.

Before that, the Attorney General approved such collections against U.S. persons outside the U.S., pursuant to an executive order of the President. We all know that executive orders of the President can be changed by a President while in office, or a succeeding President.

I would submit that if you are concerned about civil liberties, and I assume everybody in this debate is, returning to the good old days prior to the enactment of the FISA Amendments Act is not a step forward for civil liberties.

It should also be understood that we're not seeking to extend the underlying Foreign Intelligence Surveillance Act in its entirety. Today we're attempting to achieve the rather modest purpose of the 2008 amendments. Again, court approval of annual certification by the DNI, the Director of National Intelligence, and the Attorney General, identifying categories of foreign intelligence agents outside the United States is required. An individualized court order is required in other cases.

The legislative history of FISA is instructive. The House Permanent Select Committee on Intelligence report that

accompanied FISA in the initial act in 1978 clearly expressed Congress' intent to exclude overseas intelligence activities from the reach of FISA. These were the words of that report:

The committee has explored the feasibility of broadening this legislation to apply overseas, but has concluded that certain problems and unique characteristics involved in overseas surveillance preclude the simple extension of this bill to overseas surveillance.

In other words, overseas surveillance was never the focus of the 1978 act. Rather, it focused on domestic surveillance of persons located within the United States to ensure that there were protections in that regard.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. SMITH of Texas. I will yield the gentleman an additional minute.

Mr. DANIEL E. LUNGREN of California. The FISA Amendments Act under consideration here today requires an individualized court order in cases where an American is the target, no matter where they may be located.

Here's the reason why this is important. It is the change in communications, the nature of communications that required us to do the amendments. If we fail to pass this, we will, as former DNI Director McConnell stated, we will lose two-thirds of those dots, those bits of information, the intelligence that we need to connect to protect us. We will put in very much manner the country at risk.

If you look at a simple risk analysis, you have to do threat, you have to do vulnerability, you have to do consequence. We can figure out what the vulnerability is by our inspection of our own resources and infrastructure. We can figure out what the consequences are.

What we have to have, in order to figure out the threat, is a means of collecting intelligence. We have to pass this law, a bipartisan law.

I recall being here and having the former Speaker of the House spend, I think, 7 minutes arguing on behalf of this, and the gentleman who is Number two on the Democratic side as well.

It has never been partisan. Hopefully, we can have bipartisan support expressed in the vote for these amendments.

Mr. CONYERS. Mr. Speaker, I yield myself 15 seconds to let my distinguished colleague and friend from California know that we're in complete agreement with most of what he said, except that all we want to do is limit this to a 3-year measure instead of 5 years. Now, there's a compromise you can't turn away from.

At this point I yield 3 minutes to the distinguished senior member from the Judiciary Committee, JERRY NADLER.

Mr. NADLER. I thank the gentleman.

Mr. Speaker, I rise in opposition to the FISA Amendments Act of 2012. If we had had an opportunity to evaluate

this law based on experience with it, and to consider some amendments and alternatives, this opposition would not be necessary. But the Republican majority has, once again, told the Members of this House and the American people that it's "my way or the highway."

While it is certainly appropriate for our government to gather foreign intelligence, and while some degree of secrecy is obviously necessary, it is also vital in a free society that we limit government, protect the constitutional rights of Americans here and abroad, and limit warrantless spying to genuine foreign intelligence.

Unfortunately, we have seen repeatedly how even the very minimal restraints Congress put on FISA have been violated. We should address those abuses. Congress has an obligation to exert more control over spy agencies than simply to give them a blank check for another 5 years.

The gentleman from Michigan (Mr. CONYERS) had an amendment that would have shortened the sunset by 2 years, but we won't even have a chance to consider it, perhaps because some of our Republican colleagues might also want to support such an amendment. As a result, we will not revisit the law until after the end of the next presidential term.

And if we had cut shorter this extension, we could do what we should have done but haven't: hold hearings, look into how the law is operating, and decide what amendments and protections are necessary to make sure it operates right so that we can collect the intelligence without violating the constitutional rights of Americans.

I had an amendment that would have required the Attorney General to make publicly available a summary of each decision of the FISA court and the FISA court of review that includes a significant construction of section 702, which allows warrantless surveillance, with appropriate security redactions and editing.

Many American citizens and others who have nothing to do with foreign intelligence gathering are caught up in this surveillance, and government has an obligation to protect their rights. The FISA court is supposed to do that, and we need to ensure that the law and the courts are working.

Disclosure of classified information is not needed to know whether the court performs meaningful oversight of the executive branch, applies minimization standards correctly, and whether or not we ought to amend the law.

The gentleman from Wisconsin (Mr. SENSENBRENNER) said, "rather than playing the numbers game, either with the actual targets or the people who are incidentally surveilled, perhaps decisions of the FISA court, particularly the review of the FISA court, appropriately redacted, would be able to give

us the answer to that question. I have always been one that favored disclosure."

The gentleman from Wisconsin is right. If the FISA court is just a rubberstamp of the executive branch, we and the public should know that. And if the court really does provide meaningful oversight and meaningful limitations on the executive branch, we and the public should know that too.

But we won't get to discover that or to debate that. Failure to do so is a dereliction of our constitutional duty to protect the constitutional rights of American citizens and the betrayal of our liberties.

I urge my colleagues to reject this legislation and demand that we properly consider this very important issue by a somewhat shorter extension and by proper hearings and examination of the limitations and the workings of this law.

Mr. SMITH of Texas. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. MCCLINTOCK).

□ 1540

Mr. MCCLINTOCK. I want to thank the chairman for yielding to a contrary point of view.

Mr. Speaker, FISA allows the government to target foreign nationals and to intercept their communications, even those with American citizens, without a warrant, as required by the Fourth Amendment.

Now, we're told don't worry. The law requires that any irrelevant information collected in this manner be disregarded. Well, here is the problem. The enforcement of this provision is, itself, shrouded in secrecy, making the potential for abuse substantial and any remedy unlikely. Secret courts and warrantless surveillance are not compatible with a free society or the English common law or the American Constitution.

We are told FISA is necessary to stop terrorist plots and that this protection trumps privacy or due process concerns. Well, Ben Franklin answered that argument years ago when he warned us that those who can give up essential liberty to obtain a little temporary safety deserve neither liberty nor safety. In fact, America's security is far better assured as a thriving free society in a world that respects her strengths and fears her just vengeance.

Mr. CONYERS. Mr. Speaker, I yield myself 20 seconds to commend the statement by the gentleman from California in this regard. Also, on the subject of transparency, two Senators—one from Oregon, the other from Colorado—asked the Director of National Intelligence how many Americans are affected by this law.

The answer: We don't know.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. CONYERS. I yield myself 10 more seconds.

Now, we don't know if he meant that he didn't want to tell us that he knew or that he honestly didn't know. Either response or explanation is inadequate.

Mr. Speaker, I am pleased to yield 3 minutes to the distinguished gentlelady from Houston, Texas, Ms. SHEILA JACKSON LEE.

Ms. JACKSON LEE of Texas. Thank you, Mr. Chairman.

Mr. Speaker, I am delighted to join the chairman of the full committee and the ranking member of the full committee in this vigorous debate on the Constitution. I am also delighted that the ranking member has indicated, by his reference to the previous speaker, that this is a bipartisan challenge and question about the reauthorization. This does not have a partisan place. It does have a place in the Constitution.

As I do this, might I take just a moment, Mr. Chairman and Mr. Ranking Member, just to acknowledge the loss of our Americans who fell in Libya—Ambassador Stevens and those who were securing him. It is a recognition that we live in a difficult world; but one of the distinctive aspects of America is that we live in a free country, that we are willing to accept the distinctions and differences of all people and that we respect the privacy and the Fourth Amendment.

So I might refresh my fellow colleagues as to what FISA does from the very beginning. It is electronic surveillance, physical searches, the installation and use of pen registers and trap-and-trace devices, and demands for the production of physical items. Although FISA is designed for intelligence gathering and not for the collection of criminal evidence, the law applies to activity to which a Fourth Amendment warrant requirement would apply if they were conducted in a criminal investigation. Members need to understand there are questions of the Fourth Amendment right here. So what those of us who have a concern on this reauthorization are asking for has simple premise:

We want to join with Congressman CONYERS and his simple amendment that allows for greater congressional oversight and the protection of the Fourth Amendment as it relates to Americans by shortening the reauthorization to 2015 from 2017. It intrudes the Congress properly in oversight. In addition, there should be more transparency in the surveillance program, such as requiring the creation of unclassified versions of the intelligence assessments of the surveillance program, requiring the creation of unclassified summaries.

I introduced a simple amendment. We all have respect for the Inspector General's office. That is one independent force of our agencies that most Members of Congress will not chal-

lenge. My amendment would require a report by the Inspector General of the Department of Justice and the Inspector General of the intelligence community on the implementation of the surveillance program under the FISA Amendments Act of 2008.

Now, let me try to find out what the horrifically liberal groups are that are concerned about this. What about the American Library Association? The Association of Research Libraries? The very well-respected Brennan Center for Justice? The Center for Democracy & Technology? The OpenTheGovernment.org?

What we are simply saying today—and we hope our colleagues will listen on both sides of the aisle—is that, yes, we can reauthorize this legislation but that, no, we cannot abdicate the questions of congressional oversight. Today, we had a hearing on the abuse of power. The only issue in abuse of power is whether or not we respect the three branches of government. That is the argument we are making today. Do you respect the three branches of government—the people's House, who represent the people, who by themselves cannot defend themselves against this extensive reauthorization?

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. CONYERS. I yield the gentlelady 30 more seconds.

Ms. JACKSON LEE of Texas. In the course of this particular legislation, we had to contend with such things as warrantless wiretapping. Again, as I indicated, the need for the intruding of the Congress is a respect of the liberties which we want to protect.

So I would ask my colleagues to yield to transparency, to yield to a shorter extension. Make this bill stand on its own two feet juxtaposed to the Constitution. While we mourn those who have fallen, we respect that this is a free country. Today, we are not acting on that freedom by giving up the congressional oversight that is necessary. I ask my colleagues to reject the present form of this bill. I beg the Senate to look more readily at a shorter extension and more transparency.

I rise in opposition to the FISA Amendments Act of 2008. I believe that although we had a chance to discuss this reauthorization in the Judiciary Committee, the full import of this bill is too broad and more debate and consideration is necessary. The fact is not lost on me that this is the 11th year following the attacks of 9–11.

I open my statement with a quote from one of my heroines, and a trailblazer on so many levels, Barbara Jordan, who said: "What the people want is very simple—they want an America as good as its promise."

Over the past year, Senate and House Democrats have worked with their Republican counterparts, the Administration, the intelligence community, and privacy advocates to develop proposals for amendments to FISA that would give the intelligence community the

flexibility it needs to safeguard our nation, while also providing strong protections for civil liberties. A proper balancing is America—as good as its promise.

And in-keeping with the notion of balance, I offered an amendment during the Judiciary Committee Markup of this legislation which simply asked for a report on the implementation of the amendments made by the FISA Amendments Act of 2008. My amendment simply requested that the report include an assessment of the impact of Section 702 of the FISA on the privacy of persons inside the United States. Even with court-approved targeting and minimization procedures in place, the government can and does intercept the communications of U.S. citizens.

It does so without a particularized warrant or a showing of probable cause. This approach to electronic surveillance raises concerns under the Fourth Amendment, which prohibits unreasonable searches, warrantless eavesdropping, and the use of “general warrants.”

The Fourth Amendment to the U.S. Constitution provides a right “of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures.” Many of the government activities discussed in this report have the potential to constitute a search as that term is defined in Fourth Amendment jurisprudence.

Namely, government action constitutes a search when it intrudes upon a person’s “reasonable expectation of privacy,” which requires both that an “individual manifested a subjective expectation of privacy in the searched object” and that “society is willing to recognize that expectation as reasonable.”

The Fourth Amendment and its protections go back to our founding—the ability of the American Patriots to resist unwarranted searches and seizures by the British is inculcated in the American psyche.

Thus, the Fourth Amendment ultimately limits the government’s ability to conduct a range of activities, such as physical searches of homes or offices and listening to phone conversations. As a general rule, the Fourth Amendment requires the government to demonstrate “probable cause” and obtain a warrant (unless a recognized warrant exception applies) before conducting a search.

This rule applies most clearly in criminal investigations. For example, an officer conducting a criminal investigation typically may not search a person’s belongings without first obtaining a warrant that describes the property for which sufficient evidence justifies a search.

The extent to which the Fourth Amendment warrant requirement applies to the government’s collection of information for intelligence gathering and other purposes unrelated to criminal investigations is unclear. Although the surveillance of wire or oral communications for criminal law enforcement purposes was held to be subject to the warrant requirement of the Fourth Amendment in 1967, neither the Supreme Court nor Congress sought to regulate the use of such surveillance for national security purposes at that time.

Several years later, the Supreme Court invalidated warrantless electronic surveillance of domestic organizations for national security purposes, but indicated that its conclusion might differ if the electronic surveillance tar-

geted foreign powers or their agents. A lower court has since upheld the statutory scheme governing the gathering of foreign intelligence information against a Fourth Amendment challenge, despite an assumption that orders issued pursuant to the statute might not constitute “warrants” for Fourth Amendment purposes.

The Supreme Court has not yet directly addressed the issue. However, even if the warrant requirement was found not to apply to searches for foreign intelligence or national security purposes, such searches would presumably be subject to the general Fourth Amendment “reasonableness” test.

In the context of national security, the contours of the Fourth Amendment are necessarily narrowed but not abandoned altogether. The march toward a Big Brother State begins when the people’s rights to privacy and to be free from surveillance are surrendered in toto. All we have to do is look at the recent Jones decision which concerned a purely domestic case in which law enforcement took advantage of high-tech tools to follow a suspected drug dealer. A conservative Roberts Court voted 9–0 to invalidate this search.

It is rare for liberal Democrats and conservative Republicans to agree on much of anything these days, but I am sure that many of my colleagues on the other side would find untargeted procedures under FISA unlawful and thereby unconstitutional. Homeland security is not a Democratic or a Republican issue, it is not a House or Senate issue; it is an issue for all Americans—all of us need to be secure in our homes, secure in our thoughts, and secure in our communications.

It is widely known that the Obama Administration would like a clean, five year reauthorization of the FISA Amendments Act, consistent with the approach taken by the Senate Select Committee on Intelligence this spring. I would also note that there were two voices of dissent in the Senate committee’s proceedings, Senators WYDEN and UDALL who have been champions of national security, privacy, and civil liberties—which are not mutually exclusive.

The FISA Amendments Act of 2008 was designed to provide critically important authority for the U.S. Intelligence Community to acquire foreign intelligence information by targeting foreign persons reasonably believed to be outside of the United States. However, our experts now tell us that there are serious issues with targeting procedures, disclosure of basic information and there is a lack of strong rules on how the information gathered can be used.

“Reverse targeting,” a concept well known to members of this Committee but not so well understood by those less steeped in the arcana of electronic surveillance, is the practice where the government targets foreigners without a warrant while its actual purpose is to collect information on certain U.S. persons.

One of the major concerns that libertarians and classical conservatives, as well as progressives and civil liberties organizations, had with the ill-conceived and now expired Protect America Act of 2007, was that the understandable temptation of national security agencies to engage in reverse targeting is difficult to resist in the absence of strong safeguards to prevent such unauthorized and blanket snooping.

Although Section 1881 of the FISA Amendments Act statutorily forbids such reverse targeting, it is a lingering concern of many civil libertarians which I share.

No doubt there are instances where it may be necessary to target persons within and outside the United States in order to address threats but Congress has made it clear that these exigencies must be subject to review at some point and time.

On the issue of targeting procedures, they were designed to ensure that only people reasonably believed to be outside of the U.S. would be targeted. However, in reality quite the contrary has taken place. There has been bulk collection of information without any targets whatsoever. Ensure transparency by conducting as much public oversight as possible, including releasing basic information about the program, such as the type of information collected and how many Americans and people in the U.S. it has affected.

It is also critical that Foreign Intelligence Surveillance Court opinions and administration interpretations of its authority to collect and use information under the FISA Amendment Act (FAA) become part of the public record and congressional debate.

On the issue of disclosure, there has been a lack of transparency on what type of information is being gathered, who is being picked up and what rights of Americans have been violated.

We must strike a balance between what constitutes “classified” information, and other compelling facts, disclosure of which do not threaten national security.

On the issue of rules, there has been a lack of rules that clearly define how the information is being used. The key is to amend the FISA Amendment Act to ensure that information collected under those programs can be used only in the narrowest of circumstances. The FAA’s minimization procedures should be amended to ensure that this foreign intelligence warrantless surveillance program doesn’t allow information to be repurposed for other government uses.

I understand that there must be a way for the intelligence community to gather vast amounts of information in a manner that makes sense. However, after carefully reviewing these proposals but suffice to say, I am still disturbed about certain aspects of the FISA Amendments of 2008. This Act was not designed for an overreach of power. It was designed to for the intelligence community to conduct meaningful information overseas.

Nearly two centuries ago, Alexis DeTocqueville, who remains the most astute student of American democracy, observed that the reason democracies invariably prevail in any martial conflict is because democracy is the governmental form that best rewards and encourages those traits that are indispensable to martial success: initiative, innovation, resourcefulness, and courage.

Thus, the way forward to victory in the War on Terror is for this country to redouble its commitment to the Bill of Rights and the democratic values which every American will risk his or her life to defend. It is only by preserving our attachment to these cherished values that America will remain forever the home of the free, the land of the brave, and the

country we love. It is not easy for me or any Member of this House to go against the President's wishes on a matter of national security but I am convinced that more debate is necessary, and more consideration of what the FISA Amendments mean to national security and civil liberties.

We are in the throes of a national election for which the candidates have labored for over two years and the American people have seen, for better or worse, what they are about. Why so long: because that is Democracy. And civil liberties, Mr. Speaker, are the essence of the stew of our American Democracy.

I hope that Congress can maintain our oversight function to ensure that law enforcement is well aware of their limitations of surveillance balanced by a strong commitment to protecting this great nation from future harm, and limiting the reauthorization to 2015.

Mr. SMITH of Texas. Mr. Speaker, I yield 4 minutes to the gentleman from South Carolina (Mr. GOWDY), who is a particularly active member of the Judiciary Committee.

Mr. GOWDY. Mr. Chairman, I want to thank you for your leadership on this and a host of other issues on the Judiciary Committee.

Mr. Speaker, this week has provided tragic reminders that the world is a dangerous place. We are targets even from people we have helped in the past—with lethal consequences because we represent freedom, liberty and tolerance even among those with whom we disagree.

Each of us is asked when we go back home to our districts, Can Congress agree on anything? Is there anything that rises above politics anymore? Many of us would like to answer yes. We'd like to tell the people we work for that, yes, on issues of national security and protecting this country, yes, we can come together. We are capable of putting down talking points and red herrings and straw arguments and of picking up something called responsibility.

To say that this reauthorization has bipartisan support is an understatement. This bill passed unanimously in the House Intelligence Committee. For those in shock back home, Mr. Speaker, I'm going to repeat that: this bill passed unanimously. All Democrats, all Republicans on the House Intelligence Committee with access to the most information, not a single "no" vote.

President Bush supported this. Mr. Obama supports this. National security experts support this. Law enforcement officials support it. Our colleagues who served in the FBI and those who are Federal prosecutors and in the military support it. The Democrat-led House passed this bill in 2008 with former Speaker PELOSI giving a glowing speech extolling the virtues of the underlying bill and exhorting her colleagues about the necessity of passing.

All of this happened, Mr. Speaker, because intelligence is the lifeblood of our ability to defend ourselves. It hap-

pened because this bill has nothing to do with Americans on American soil. It passed because this provides protections for Americans who are traveling abroad. It passed because there is ample oversight. It passed because it has the needed checks and balances between the legislative branch and the executive branch and the judicial branch.

So why the opposition? How can you explain supporting something when Ms. PELOSI had the gavel, but you can't support it when Mr. BOEHNER has the gavel?

What I want to do, Mr. Speaker, just for today is: let's put down the red herrings, and let's put down the straw arguments and the misrepresentations. This bill doesn't implicate the Bill of Rights anymore than it implicates any other part of our Constitution—unless you think that foreign nationals who are on foreign land fall within the protections of the United States Constitution, and that is an absurd argument.

□ 1550

Foreign nationals in foreign lands, do they have the right to vote? Do they assert states' rights under the 10th Amendment? Can they claim cruel and unusual punishment? Go to Iran. If you're an Iranian, you go to Iran and assert your Fifth Amendment right to Miranda or your Sixth Amendment right to counsel and see what happens. Yet we're to believe that the Fourth Amendment applies to the entire world? It's absurd.

Mr. Speaker, I'm almost out of time, but I do want to say from the bottom of my heart—what's left of it after having been a prosecutor for 16 years—I want to say this.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. SMITH of Texas. Mr. Speaker, I yield an additional 1 minute to the gentleman.

Mr. GOWDY. I believe you were with us, Mr. Speaker. I believe all of our colleagues were with us on the steps of the Capitol. We came together to remember 9/11 and what we lost and what we still grieve for as a Nation, Mr. Speaker, what we found as a Nation in the aftermath of 9/11. Republicans stood with Democrats on this, the steps of the people's House, and conservatives stood with progressives and moderates, and libertarians beside us. We were just Americans. That was enough on Tuesday. We were united. We were just Americans.

Even for just one fleeting moment, in our desire to honor, protect, and defend, if we can come together, Mr. Speaker, to remember 9/11, surely we can come together to prevent another one.

I ask my colleagues to support this bill.

Mr. CONYERS. Mr. Speaker, no one respects the gentleman from South

Carolina more than I do, but I should advise him that it is incorrect to say that members of the Intelligence Committee didn't support my amendment to shorten the sunset period. I have the names of two of them in front of me right now. I also would advise him that the authority unquestionably affects United States persons, citizens on American soil, that their communications are regularly intercepted, and that would, I think, allow him to join in with some of the rationale for the resistance to this measure as it appears right now.

It's in that spirit that I point out to him that, with the lack of transparency and no oversight, the length of the measure is too long, and that this is being brought up under a closed rule was part of our objections. I think they're in good faith.

Mr. Speaker, I now yield 2 minutes to a distinguished member of the Judiciary Committee, the gentleman from Georgia (Mr. JOHNSON).

Mr. JOHNSON of Georgia. Thank you, Mr. Ranking Member.

Mr. Speaker, I rise in opposition to H.R. 5949, which, without benefit of one oversight hearing by the full Judiciary Committee during the 112th Congress, wants to, for 5 long years, reauthorize expiring provisions of the Foreign Intelligence Surveillance Act without important modifications that are necessary to safeguard the civil liberties and the privacy rights of American citizens.

Although H.R. 5949 is designed to defend the United States against international terrorism and other threats, it has been reported that FISA has resulted in the illegal surveillance of untold numbers of American citizens through data accumulation, also known as overcollection of voice and data communications. Overcollection occurs when the voice and data of American citizens is collected incidentally to the collection of communications of foreigners.

What happens to the data and voice communications of Americans that is incidentally collected without a warrant? What happens to it? What happens to the private voice and data of Americans when it's minimized? These are critical questions, and they deserve critical answers. But as I've said, we've not had one oversight hearing in the full Judiciary Committee on this issue. We've just simply had a markup of this reauthorization bill.

These, and other questions, deserve answers. The Fourth Amendment would ordinarily protect the communications of American citizens. It prohibits unreasonable and warrantless searches and seizures of the communications of American citizens, including warrantless eavesdropping and snooping. But under H.R. 5949, no warrant or showing of probable cause exists where information is overcollected.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. CONYERS. I yield an additional 30 seconds to the gentleman from Georgia.

Mr. JOHNSON of Georgia. In 2009, *The New York Times* described the practice of overcollection as significant and systemic.

Any counterterrorism measure must have a solid constitutional footing and respect the privacy and the civil liberties of American citizens. For that reason, I urge my colleagues to vote against this 5-year reauthorization.

Mr. SMITH of Texas. Mr. Speaker, we're prepared to close on this side, so I reserve the balance of my time.

Mr. CONYERS. Mr. Speaker, I'm pleased to yield 3 minutes to my good friend from Ohio, DENNIS KUCINICH.

Mr. KUCINICH. Thank you very much, Mr. CONYERS.

To my friends on the other side of the aisle who have expressed passion about passing this, you're good Americans, and I respect your position. I respectfully disagree.

We have to defend our country from attacks on the outside. I voted, along with other Members of this Congress, right after 9/11, for the United States to defend itself. But it's equally important that we not lose our freedoms and our constitutional protections while we're engaged in that defense. We take an oath not only to defend the Constitution, but we have to keep in mind that that oath and that Constitution is really part of America's first line of defense.

Think of what it's like to make a phone call, any one of us right now. We make a phone call—even from this Capitol—to call a friend overseas, start talking about matters relating to what's happening in America, what's happening in the world. The way this law is written, without changes, those phone calls could be intercepted. They cannot only be intercepted, but they can be downloaded, transcribed, and stored for future use by the government. I have a problem with that. It's a great concern. What happens is that everyone then becomes suspect when Big Brother is listening.

I don't think that government should have the right to listen in to people's phone calls unless there's a warrant. You have to have probable cause. That's what the Fourth Amendment is about. This bill doesn't have those protections. It extends government's authority to conduct surveillance of persons reasonably believed to be outside the United States for 5 years, and there is a blanket extension, which is an abdication of Congress' constitutional obligation to protect and defend the Constitution and to protect the civil liberties of all Americans.

Given the information we know about our government's past abuse of surveillance authorities, if we pass this

bill without any changes to ensure adequate congressional oversight and transparency, we're losing an opportunity.

Since the amended FISA Act passed in 2008, the government has released very little information on how it uses the powers granted under this act. As the Electronic Frontier Foundation recently pointed out, nobody in the government is willing to answer questions about how many Americans' phone calls or emails have been or are being collected and read without a warrant under the authority of the FISA Amendments Act. So Big Brother is not accountable. Even more disturbing is that it's well known that the government has violated the FISA Amendments Act, despite the broad surveillance authorities it provides the government.

A freedom of information request by the ACLU revealed that violations of the FISA Amendments Act and the Constitution continue to occur on a regular basis, until at least March 2010.

□ 1600

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. CONYERS. I yield the gentleman an additional 30 seconds.

Mr. KUCINICH. According to the ACLU, the law is written so broadly that a phone call by a U.S. citizen to a U.S. citizen overseas discussing general foreign affairs could be listened in on. Section 702 of this act allows the government to intercept the communication of any U.S. citizen absent probable cause, in subversion of their Fourth Amendment rights. So Big Brother is listening.

There's no doubt that Congress is abdicating its responsibility when it passes a blanket extension of this bill without knowing how many Americans have been affected by FISA or the government's interpretation of the law. Without vital civil liberties safeguards and a minimum of transparency, an extension should be rejected.

Big Brother is not accountable. Let's vote against Big Brother. Let's vote to protect the Fourth Amendment.

THE CONSTITUTION PROJECT

REPORT ON THE FISA AMENDMENTS ACT OF 2008

Accordingly, we, the undersigned members of The Constitution Project's Liberty and Security Committee, recommend:

I. Increased Judicial Review of Surveillance Authorizations: The FAA should be amended to require more robust judicial review by the FISC to authorize programmatic surveillance and ensure that it is appropriately focused on foreign intelligence. Specifically:

(a.) Congress should restore the requirement that foreign intelligence be the primary purpose of the programmatic surveillance.

(b.) When seeking approval for programmatic surveillance, the government should be required to (1) explain the foreign intelligence purpose of the proposed surveillance, (2) define the scope of planned inter-

ceptions, and (3) provide a risk assessment and an estimate of reasonably anticipated interceptions of the communications of U.S. persons and individuals located within the United States. The surveillance should only be permitted after the FISC has thoroughly evaluated these submissions to ensure that surveillance is appropriately designed to acquire foreign intelligence information from legitimate targets without interfering with the privacy rights of U.S. persons and individuals located within the United States.

(c.) Additionally, the government should be required to develop and submit to the FISC procedures for determining when an acquisition may be expected to collect communications to or from the United States. Then, in cases where the planned surveillance may reasonably be expected to intercept communications to or from a person reasonably believed to be in the United States, the government should be required to obtain a FISA warrant under pre-FAA standards.

2. Inclusion of Warrant Requirements and Other Safeguards for Post-Collection Use of Information: The FAA should be amended to require that the government obtain a warrant from the FISC before searching collected communications for information on a specific U.S. person, decrypting the identity of a specific U.S. person party to a conversation, or reviewing communications reasonably believed to be to or from the United States. As required under the pre-FAA version of FISA, the warrant should be based upon a showing of probable cause to believe that the target is an agent of a foreign power or has committed a crime, and that evidence of the crime will be found and must name its target(s) with particularity. Moreover, Congress should ensure that collected information is being properly used for foreign intelligence purposes, including at the very least a requirement that authorities obtain a warrant before using data for law enforcement purposes. Finally, Congress should amend the FAA to require more stringent procedures for minimization, including periodic, ongoing FISC review of the implementation and efficacy of such procedures.

3. Increased Reporting and Oversight: More information about the intelligence community's use of the FAA should be provided to Congress and the public. Before reauthorizing the FAA, Congress should demand and review detailed information regarding the operation of the FAA surveillance program to date, including the extent and scope of interceptions of the communications of U.S. persons and individuals located within the United States. Further, the Inspector General of the Intelligence Community should be required to audit these surveillance programs and issue annual reports to Congress regarding how government surveillance has been conducted. In particular, these reports should include: statistics regarding how many U.S. persons' communications have been intercepted by the government; aggregate statistics on the number of intercepted communications in total, and the number of intercepted communications to or from the United States or involving any U.S. person; an analysis of the performance of the government's targeting and minimization procedures; and an explanation of how collected information has been used, including the number of times the information has been used for law enforcement rather than foreign intelligence purposes. These reports should also be provided in an unclassified form released to the public. Additionally, as much as practicable, more information on the FAA

should be released to the public, including important decisions by the FISC and Foreign Intelligence Surveillance Court of Review, redacted as necessary.

Mr. CONYERS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the bill before us today extends the expiration date of the FISA Amendments Act of 2008 from December 31, 2012 to December 31, 2017. I oppose this unwarranted long term extension because neither Congress nor the public yet have an adequate understanding of the impact this law has had on the privacy of American citizens.

The heart of the FISA Amendments Act is section 702, which authorizes the government to intercept the communications of people who are reasonably believed to be foreign persons outside of the U.S. On its face, the statute includes protections for American citizens who may be on the other end of these communications.

But section 702 does not require the government to obtain a warrant—and without more information about how the executive branch uses this authority, we cannot confirm that the privacy of U.S. citizens is adequately protected.

These concerns are more than theoretical. In 2009, the New York Times reported that the NSA had engaged in the “overcollection” of American communications in situations not permitted by law. The government assures us that this problem was an accident and has been corrected—but the report does not inspire confidence in the safeguards we have put in place.

More recently, in a July 26, 2011, letter to Senators RON WYDEN (D-OR) and MARK UDALL (D-CO), the Office of the Director of National Intelligence stated that it is “not reasonably possible” to determine how many U.S. persons have had their communications intercepted under this law. Even if it is difficult to state an exact figure, it is hard to believe that the Director of National Intelligence cannot even guess. The Inspector General of the Intelligence Community didn’t fare any better, and simply deferred to the non-answer provided earlier by the ODNI.

The public deserves better—and it is our responsibility to demand more information in the public record if the government will not provide it.

My colleagues prepared a series of amendments that would have addressed many of these basic oversight needs—without any risk to national security or the integrity of the underlying programs—but under this closed rule, we are not permitted to even debate these moderate changes to the bill on the floor. What is so dangerous about increased oversight that we cannot even debate an amendment?

If we require the government to provide us with unclassified reports, public summaries of key FISA court opinions, and an honest accounting of the number of Americans who have been affected by these programs, we will have gone a long way towards the responsible exercise of our oversight role.

And even if we cannot support these modest changes, we ought to amend this bill to provide for a shorter sunset. Meaningful oversight means revisiting these authorities before

the winter of 2017. We cannot allow an entire presidential administration to pass before we discuss these authorities again—in the 115th Congress.

My amendment would have had the added benefit of linking this sunset to the three expiring provisions created by the USA PATRIOT Act. It would be to our benefit to consider the most controversial aspects of FISA all at once, instead of piecemeal over the course of the next decade. But under this closed process on the floor today, the House has been denied the opportunity to even consider this moderate change to the bill.

In conclusion, the government can and must do a better job of responding to our questions about privacy and other civil liberties. It can do so without risk to national security.

I have no doubt that these expiring authorities are important to the executive branch, but we should not let this opportunity pass without demanding reasonable, meaningful, and public oversight of a highly controversial law.

I urge my colleagues to vote “no” on H.R. 5949.

I yield the balance of my time to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. I thank Ranking Member CONYERS for his courtesy.

For over a decade, I have deeply been concerned about the potential overreach of wiretapping legislation and efforts at the NSA. I have voted repeatedly in the past against unreasonable expansion of any administration’s ability to intrude in the lives of unknown and innocent Americans, and I will do so again today.

I remain confident that the dedicated members of the intelligence community do not need to erode the rights of Americans in order to protect them. Any apparent gains in security that may be achieved are modest and more than outweighed by longer-term potential loss of civil liberties and oversight, the sense of security that each American deserves. I’m troubled by the implications for our Fourth Amendment rights, the absence of meaningful court review, and the risk to American liberties that stem from the FISA Amendments Act.

Frankly I see no reason to rush into voting on a bill so deficient. The American people would be better served if we continued the debate and the examination, had thorough answers from NSA, and took up reauthorization based on a more complete review and process.

In fact, I think as we stand here today on the floor, not even the NSA knows the extent to which the FISA Amendment Act may potentially have been abused. The right approach would be refining this bill and more broadly taking a closer look at what over the last decade has become an intelligence community that is, frankly, some feel, growing out of control.

It’s been over 11 years since 9/11. We ought to be able to get this right. We shouldn’t be rushed into doing something that has significant long-term implications for every American.

You know, take a deep breath and take a step back. There are over 4.2 million Americans who hold a security clearance. That’s more than the entire State of Oregon’s population, and let’s throw in the city of Seattle for good measure. Almost half of them hold Top Secret security clearances, more than people who reside in Maine or Idaho. When you’ve got those millions of people, you have an entity that is cumbersome, potential for abuse, and, frankly, potential to be infiltrated or have mistakes.

Think about it: 9/11 occurred in part not because we didn’t have information. Remember the memo on Bush’s desk warning of a potential attack from bin Laden?

What we are doing at the same time we are eroding American rights? We’re piling on more and more and more information, and it’s going to be extraordinarily difficult to sort through. We risk putting Americans in trouble.

The SPEAKER pro tempore (Mr. REED). The time of the gentleman has expired.

Mr. SMITH of Texas. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, the vote we cast on the FISA Amendments Act tonight will be one of the most important votes we cast in Congress, and it is appropriate we do so during the week of 9/11.

The FISA Amendments Act will continue to allow us to conduct surveillance of terrorists, spies and others who would do us harm. A FISA court order is required if the target is a U.S. citizen, but not if the individual is outside of the United States and not a U.S. citizen.

The FISA Amendments Act was first passed in 2008 overwhelmingly, and it expires at the end of December. This bill extends the law for 5 years. The FISA Amendments Act is a top priority of the intelligence community. It was supported by the Bush administration in 2008 and is strongly endorsed by the Obama administration now. This is a bipartisan bill that enables us to vote to both neutralize threats to our national security and protect the civil liberties of American citizens.

I urge my colleagues to support this bill, and I yield back the balance of my time.

Mr. ROGERS of Michigan. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 5949, which would reauthorize the FISA, the Foreign Intelligence Surveillance Act Amendments Act of 2008, or FAA, as we refer to it, for 5 years.

The FAA is currently set to expire at the end of the year. If that happens, the government will lose a critical tool for protecting Americans against foreign threats, including terrorists, and, as a result, will lose significant intelligence on these foreign targets. I want to emphasize, Mr. Speaker, foreign targets.

We were all reminded yesterday, while looking back on the horrible events of 9/11, of the threat that we face from those seeking to do us harm. Let me reassure you that even though we have been able to disrupt numerous plots over the years, our enemies want to do just as much harm today as they did then, and they just want to do it as badly as they did even 11 years ago.

The original FAA that is being reauthorized was sponsored by Representative REYES in 2008, my Democrat predecessor, as chairman of the Intelligence Committee. It also reflected the work of then leader, Mr. HOYER, to help develop the final product under the previous majority. I have been pleased to work in a collegial, bipartisan manner with my ranking member, Mr. RUPPERSBERGER, on this clean reauthorization bill as well. In fact, the Intelligence Committee reported this bill out unanimously, which doesn't happen all that much around this place.

The administration has also indicated to us that reauthorizing the FAA is its highest national security legislation priority, and on Tuesday issued a statement strongly supporting this bill. I hope we can all recognize this is an issue that is being driven by our national security needs and not by politics.

A few key points on the FAA. First, if we let this authority expire, we will lose a critical intelligence collection tool against foreigners on foreign soil.

□ 1610

If that happens, we lose information on the plans and identities of terrorists, information about the functioning of terrorist groups like al Qaeda and others, information on the intentions and capabilities of weapons proliferators, information on potential cyberthreats to the United States and other critical intelligence about foreign adversaries that threaten the United States of America.

Second, it is important to remember that this authority is focused on allowing the government to conduct intelligence collection targeting foreigners located outside of the United States—I'm going to say that again, Mr. Speaker, targeting foreigners located outside of the United States—and not on Americans located in the United States or anywhere else in the world.

Third, the FAA is subject to a robust oversight structure, including Congress, and I can assure you that the Intelligence Committee takes this responsibility extremely seriously. We have had numerous hearings, Member briefings, and staff briefings since the passage of FAA in 2008. Before the government can collect any intelligence under the FISA Amendments Act, a Federal judge must approve the government's surveillance process, including the targeting and minimization procedures required under the law.

One final point, in addition to the primary authority in FAA to target foreigners located abroad, it actually enhanced the civil liberties protections for Americans by requiring a court order to target an American for collection outside of the United States. Before 2008, the government only needed the Attorney General for approval. If this law expires, so do these enhanced civil liberties protections.

Mr. Speaker, contrary to what some may say, FAA is not about domestic surveillance and it does not authorize a sweeping dragnet of collecting on American communications. This is about foreigners on foreign soil. It is about giving our intelligence professionals the tools they need to quickly and effectively intercept the communications of those outside the United States who seek to do us harm.

Let's not forget the nature of the threat that, almost 11 years ago to the day, took so many lives in such a horrific way. And the examples that we see just yesterday of the ongoing target of U.S. civilians, if they're in the United States or they're in places like Libya, continues to be a threat to the personal safety of those we ask to stand in harm's way and protect and promote the values of the United States.

This is a critical piece of legislation supported by both parties and the President of the United States. Mr. Speaker, I would urge all of our colleagues here to stand united in the defense of the United States and support H.R. 5949.

I reserve the balance of my time.

Mr. RUPPERSBERGER. Mr. Speaker, I yield myself such time as I may consume.

I rise today in favor of the FISA Amendments Act, which is due to expire at the end of this year.

When Chairman ROGERS and I took over the leadership of the House Permanent Select Committee on Intelligence, we made a commitment to work together to ensure the intelligence community has the authorities it needs to effectively protect our country while also protecting the privacy of Americans. I believe we must reauthorize this critical piece of legislation to keep America and her citizens safe. The FISA Amendments Act allows the government to gain important intelligence about terrorists, cyberthreats, weapons of mass destruction, and nuclear weapons that threaten Americans and U.S. interests.

There is a misconception out there that this act permits the surveillance of Americans without a court order. The bill prohibits the targeting of American citizens without a court order, no matter where they're located in the world.

The FISA Amendments Act gives the U.S. Government the authority to collect intelligence information about for-

eigners located outside of the United States. The FISA Amendments Act is subject to aggressive oversight by Congress and the executive branch.

There was an issue in the hearing before the Judiciary Committee about the issue of oversight. In this Congress alone, the House Intelligence Committee has held multiple hearings, briefings, and more than a dozen meetings concerning FISA. In addition, every 60 days the Department of Justice and the Director of National Intelligence conduct detailed onsite reviews to ensure compliance with the provisions of the act.

This is a bipartisan bill that passed out of the House Intelligence Committee by a unanimous vote of 17-0. I understand some Democrats would like a 3-year extension of the FISA Amendments Act, some Republicans requested a 9-year extension. The administration asked for a 5-year extension to take Presidential-year politics out of the process while providing consistency to the intelligence community. I support the President's request for a 5-year extension.

Without reauthorization, this critical tool would be lost, putting our Nation at severe risk. We would not be able to obtain the foreign intelligence necessary to prevent terrorist plots and financial support. I believe the act is critical to protecting our Nation while protecting our Americans' constitutional rights and privacy. I urge my colleagues to support this measure.

I reserve the balance of my time.

Mr. ROGERS of Michigan. I yield 2 minutes to a friend of mine, the gentleman from California (Mr. THOMPSON).

Mr. THOMPSON of California. I thank the chairman for yielding time to me.

Mr. Speaker, I'm one of those Democrats that the ranking member talked about that would prefer a 3-year extension of this measure, but I'm going to vote for H.R. 5949, the FISA Amendments Act Reauthorization Act of 2012, also known as the FAA. I support this legislation because it protects our security, preserves our freedom, and has proven to respect our civil liberties in the process.

In 2008, many of us were rightly concerned about this program being created and used as a back door for collecting information on law-abiding Americans. I voted against the FAA in 2008, in part because of these civil liberty concerns. However, as a member of the House Intelligence Committee, I believe the abuses that we feared have just not materialized.

But let me be clear, and this and future administrations are being given fair warning. My colleagues and I on the House Intelligence Committee will continue to receive reports on FISA information collection. These reports

must continue to be detailed and specific. If there are any abuses or problems stemming from the application of this program, I'm certain that this Congress will move swiftly to correct them. So far, the application of the FAA has gained our trust, but we will continue to verify how the FAA is being used. Trust, but verify.

Mr. Speaker, the FAA provides the tools we need to collect vital counterterrorism information in foreign intelligence. I will vote in favor of H.R. 5949, the FISA Amendments Act.

Mr. ROGERS of Michigan. I reserve the balance of my time.

Mr. RUPPERSBERGER. Mr. Speaker, I yield 1 minute to the gentlelady from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Mr. Speaker, I rise today in opposition to this FISA legislation. I do want to thank my ranking member for yielding to me, despite our difference of opinion.

As a member of the Intelligence Committee, I take the threat of terrorism very seriously, but I believe we are fully capable of protecting our security and safeguarding our precious civil liberties. This law authorizes the government to collect mass electronic communications coming into and going out of the United States so long as no U.S. person in the United States is intentionally targeted. Yet in April 2009, The New York Times reported that the National Security Agency "intercepted private email messages and phone calls of Americans on a scale that went beyond the broad legal limits established by Congress."

Shouldn't our government be required to disclose more about the extent and nature of the surveillance? Is this an authority that should be extended until 2017? Should we at least be able to consider an amendment to reexamine this law in 2013? But no amendments are allowed today.

I urge a "no" vote.

□ 1620

Mr. ROGERS of Michigan. Mr. Speaker, I yield myself such time as I might consume.

It's just important to remember that the due process protections of the United States are alive and well here. This is one of those programs that has an inordinate amount of oversight to make sure that we are not targeting Americans. Not only does the committee participate, but the Department of Justice has a separate review. There are strong internal reviews.

In the odd case where an American is intercepted, there are very strict procedures on how to destroy that information and correct that problem, and it has not happened, hardly frequently at all is the good news, which is why I think there is such bipartisan and strong support of our effort again to collect on foreigners who are outside of the United States, incredibly important.

I continue to reserve the balance of my time.

Mr. RUPPERSBERGER. Mr. Speaker, I yield 1½ minutes to the gentleman from California (Mr. SCHIFF).

Mr. SCHIFF. I thank the gentleman for yielding, and I rise in support of the FISA Amendments Act Reauthorization Act.

This bill reauthorizes intelligence gathering capabilities that are essential to our national security while also protecting the civil liberties of Americans.

The recent events in Libya, Egypt, and elsewhere should serve to remind us all that there remain forces around the world that are determined to kill Americans, injure our interests, and jeopardize our freedoms.

The FAA allows us to obtain critical information about terrorist organizations, nuclear proliferation, and a host of other dangers. These authorities have produced intelligence that's vital to defending the Nation against international terrorism and other threats, which is why Attorney General Holder and DNI Clapper have called reauthorizing the FAA their top legislative priority.

This bill does not authorize spying on Americans. To the contrary, the 2008 FISA Amendments Act ensured that no American, whether within the United States or overseas, would come under surveillance without a court order and a finding of probable cause.

The authorities provided are narrowly tailored to the purpose of protecting the United States from those who would harm us, and I urge an "aye" vote.

Mr. ROGERS of Michigan. Mr. Speaker, I have no further speakers. I am going to continue to reserve and allow the gentleman from Maryland to close.

Mr. RUPPERSBERGER. Mr. Speaker, how much time is remaining?

The SPEAKER pro tempore. The gentleman from Maryland has 5 minutes remaining, and the gentleman from Michigan has 2 minutes remaining.

Mr. RUPPERSBERGER. I yield myself such time as I may consume.

Mr. Speaker, there's been talk about the FISA Amendments Act as a backdoor collection on Americans and does not sufficiently protect civil liberties. This is not the case. We are all Americans. We are Members of Congress. We care about our country. We care about our Constitution, and we care about our privacy and our civil liberties.

Now, the FISA Amendments Act of 2008 actually expands the protections of Americans' civil liberties and privacy interests. Before the FISA Amendments Act in 2008, which became law then, the government needed only the Attorney General's authorization to target an American. Because of the FISA Amendments Act, if the government allows for surveillance of an

American, that American must be overseas and the government must have a FISA court order if they do target an American anywhere in the world. The civil liberties of Americans are better protected than before this act became law in 2008.

Also, as far as oversight, and there have been allegations of not proper oversight. I understand the argument, and I don't disagree with the argument about sunsets. Sunsets are good because they hold us accountable. We can see if there are any abuses, and we can deal with them when we have sunsets.

However, the Department of Justice and the Director of National Intelligence file semi-annual reports with Congress as it relates to the FISA Act. These reports include information about compliance, targeting, and minimization on collections involving the parties that we're focused on.

The Intelligence Committee staff has conducted dozens of meetings about the authorities under the FISA amendments. These meetings have addressed compliance, procedures, authorities, and specific collection.

On the Intelligence Committee, we review, investigate, and debate the FISA Amendments Act. We maintain an ongoing dialogue with the intelligence community to ensure the law is being implemented in how it was intended.

We, as Americans, need to know more about the threats that are out there. Our threats for cyberattacks are occurring as we speak right now. It's very dangerous. These attacks can affect our national security, our grid systems, our banking systems, our air traffic control systems. This bill, this amendment, is part of our protection in dealing with those major issues.

I advise my colleague that I am ready to close, Mr. Speaker.

Mr. ROGERS of Michigan. I reserve with the right to close.

Mr. RUPPERSBERGER. Mr. Speaker, I yield, again, myself such time as I might consume.

The FISA Amendments Act is the result of decades of work to modify a law so we can adapt with changing technology and evolving national security threats. The bill demonstrates what Democrats and Republicans can do when we work together in a bipartisan way. It is uniquely important to put partisanship aside when America's national security is at stake.

We all have the same goal of keeping America safe from terrorist threats, whether on land or sea, in the air or with cyberspace. We also believe strongly, and this is very important, in the Constitution and the protections granted by our Founding Fathers.

The FISA Amendments Act is an important tool that has successfully prevented terrorist attacks on American soil. I know it is critical to our intelligence community.

I commend everyone who participated in this effort, especially the bipartisan leadership of Chairman ROGERS and the other members of the Intelligence Committee on both sides of the aisle. I support this straight reauthorization which President Obama, our Commander in Chief, has said is "vital to protect our Nation."

I will vote for the FISA Amendments Act Reauthorization Act of 2012, and I urge my colleagues to do the same.

I yield back the balance of my time.
Mr. ROGERS of Michigan. Mr. Speaker, I want to thank my ranking member, Mr. RUPPERSBERGER, for the fine bipartisan effort on this important national security issue.

I think the people at home can rest assured that we have taken every precaution to protect our civil liberties, which we all cherish in this Nation, and still have the ability to collect on foreigners overseas seeking to harm this great country, and I want to thank you for your work and commend the President for his letter of support of our bipartisan effort on this important national security issue.

With that, Mr. Speaker, I yield back the balance of my time.

Mr. DINGELL. Mr. Speaker, I rise in opposition to H.R. 5949, the FISA Amendments Reauthorization Act, FAA. Matters of national security are of the utmost importance and we should ensure that the government has the necessary tools to keep America safe. Yet, we must always balance this with protecting the civil liberties of American citizens. Unfortunately, this legislation before us today fails this important test.

I voted against this legislation when it was first passed in 2008 and I continue to have many of the same reservations and objections to the policies set forth by the FAA. I continue to be concerned that the Fourth Amendment rights of American citizens are not adequately protected by this legislation, which is of the utmost importance. Specifically, FAA makes an end-run around the Foreign Intelligence Surveillance Court, FISC, by allowing the government to conduct surveillance without a FISC warrant. Such a broad exercise of power undermines our system of checks and balances and has grave implications for the protection of our constitutional rights. We should be enhancing the role of the FISC to ensure that the rights of American citizens are protected while the government collects intelligence to help defend our nation.

Additionally, the five-year extension provided by this legislation will ensure that regardless of which candidate wins the presidency on November 6, their administration will have these powers for the length of their term. A shorter extension would allow Congress to conduct the proper oversight over the use of these authorities and to better examine whether such authorities are still necessary to ensure the protection of our citizens.

Regardless of who is in the White House, it is the duty of this body to ensure that the power of the executive branch is not unfettered and that proper oversight is conducted. It is in this spirit that I cast my vote against this legislation today.

Mr. PAUL. Mr. Speaker, I rise in strong opposition to the reauthorization of the 2008 FISA Amendments Act, as it violates the Fourth Amendment of our Constitution. Supporters of this reauthorization claim that the United States will be more vulnerable if the government is not allowed to monitor citizens without a warrant. I would argue that we are more vulnerable if we do allow the government to monitor Americans without a warrant. Nothing makes us more vulnerable than allowing the Constitution to be violated.

Passage of this reauthorization will allow the government to listen in to our phone calls, read our personal correspondence, and monitor our activities without obtaining a warrant. Permission for surveillance obtained by a secret FISA court can cover broad categories of targets rather than specific individuals, as the Fourth Amendment requires. Americans who communicate with someone who is suspected of being affiliated with a target group can be monitored without a warrant. The only restriction is that Americans on U.S. soil are not to be the primary targets of the surveillance. That is hardly reassuring. U.S. intelligence agencies are not to target Americans on U.S. soil, but as we all know telephone conversations usually take place between two people. If on the other end of the international conversation is an American, his conversation is monitored, recorded, transcribed, and kept for future use.

According to press reports earlier this summer, the Director of National Intelligence admitted to the Senate that "on at least one occasion" U.S. intelligence collection agencies violated the Constitutional prohibitions on unlawful search and seizure. Without possibility for oversight of the process and with the absence of transparency, we will never know just how many Americans have been wiretapped without warrants.

Creating a big brother surveillance state here is no solution to threats that may exist from abroad. I urge my colleagues to reject these FISA amendments and return to the Constitution.

Mr. VAN HOLLEN. Mr. Speaker, I rise in opposition to the FISA Amendments Reauthorization Act of 2012. Clearly, we must work to ensure that our intelligence and law enforcement communities continue to have the tools they need to protect American citizens. It is critically important, however, that in our effort to defend the liberties we cherish, we not enact measures that erode the very freedoms we seek to protect.

This legislation, in its current form, still contains flaws which fail to ensure robust oversight of this program. Specifically, some of the amendments offered by my colleagues on the Judiciary and Intelligence Committees to increase transparency and shorten the sunset should have been included in the final bill. Unfortunately, we are considering this legislation under a closed rule, and no amendments can be offered to the full House.

We must work to reauthorize this program in a balanced way that provides our experts with the authority they need to protect Americans while upholding the values enshrined in our Constitution. I look forward to working with our colleagues in the Senate to reform these provisions so that we don't need to make the false choice between security and freedom.

The SPEAKER pro tempore. All time for debate on the bill has expired.

Pursuant to House Resolution 773, the previous question is ordered on the bill, as amended.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. RUPPERSBERGER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess for a period of less than 15 minutes.

Accordingly (at 4 o'clock and 29 minutes p.m.), the House stood in recess.

□ 1644

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. REED) at 4 o'clock and 44 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order: H.R. 5949; and suspending the rules and passing H.R. 3857 and H.R. 5865.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

FISA AMENDMENTS ACT REAUTHORIZATION ACT OF 2012

The SPEAKER pro tempore. The unfinished business is the vote on the passage of the bill (H.R. 5949) to extend the FISA Amendments Act of 2008 for five years, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the passage of the bill.

The vote was taken by electronic device, and there were—yeas 301, nays 118, not voting 10, as follows:

[Roll No. 569]

YEAS—301

Ackerman Frelinghuysen McKeon
 Adams Gallegly McKinley
 Aderholt Garamendi McMorris
 Alexander Gardner Rodgers
 Altmire Garrett McNeerney
 Amodei Gerlach Meehan
 Austria Gibbs Mica
 Baca Gingrey (GA) Miller (FL)
 Bachmann Gohmert Miller (MI)
 Bachus Gonzalez Miller (NC)
 Barber Goodlatte Miller, Gary
 Barletta Gosar Mulvaney
 Barrow Gowdy Murphy (PA)
 Bartlett Granger Myrick
 Barton (TX) Graves (GA) Neugebauer
 Bass (NH) Graves (MO) Noem
 Benishek Green, Al Nugent
 Berg Green, Gene Nunes
 Berkley Griffin (AR) Nunnelee
 Berman Griffith (VA) Olson
 Biggert Grimm Palazzo
 Bilbray Guinta Paulsen
 Bilirakis Guthrie Pearce
 Bishop (GA) Gutierrez Pelosi
 Bishop (NY) Hall Pence
 Bishop (UT) Hanabusa Perlmutter
 Black Hanna Peters
 Blackburn Harper Peterson
 Bonner Harris Petri
 Bono Mack Hartzler Pitts
 Boren Hastings (WA) Platts
 Boswell Hayworth Poe (TX)
 Boustany Heck Pompeo
 Brady (TX) Heinrich Posey
 Brooks Hensarling Price (GA)
 Buchanan Herrera Beutler Quayle
 Bucshon Higgins Quigley
 Buerkle Himes Rahall
 Burgess Hinojosa Reed
 Burton (IN) Hochul Rehberg
 Calvert Holden Reichert
 Camp Hoyer Renacci
 Campbell Huelskamp Reyes
 Canseco Huizenga (MI) Ribble
 Cantor Hultgren Richmond
 Capito Hunter Rigell
 Carnahan Hurt Rivera
 Carter Issa Roby
 Cassidy Jenkins Roe (TN)
 Castor (FL) Johnson (OH) Rogers (AL)
 Chabot Johnson, Sam Rogers (KY)
 Chaffetz Jordan Rogers (MI)
 Chandler Kaptur Rohrabacher
 Cicilline Kelly Rokita
 Clyburn King (IA) Rooney
 Coble King (NY) Ros-Lehtinen
 Coffman (CO) Kingston Roskam
 Cole Kinzinger (IL) Ross (AR)
 Conaway Kissell Ross (FL)
 Connolly (VA) Kline Rothman (NJ)
 Cooper Labrador Royce
 Costa Lamborn Runyan
 Cravaack Lance Ruppersberger
 Crawford Landry Ryan (OH)
 Crenshaw Langevin Scalise
 Critz Lankford Schiff
 Cuellar Latham Schilling
 Culberson LaTourette Schmidt
 Denham Latta Schock
 Dent Levin Schwartz
 DesJarlais Lewis (CA) Schweikert
 Deutch Lipinski Scott (SC)
 Diaz-Balart LoBiondo Scott, Austin
 Dicks Loeb sack Scott, David
 Dold Long Sensenbrenner
 Donnelly (IN) Lowey Sessions
 Dreier Lucas Sewell
 Duffy Luetkemeyer Sherman
 Duncan (SC) Lujan Shimkus
 Ellmers Lummis Shuler
 Emerson Lungren, Daniel Shuster
 Farenthold E. Simpson
 Fattah Lynch Sires
 Fincher Mack Smith (NE)
 Fitzpatrick Manzullo Smith (NJ)
 Flake Marchant Smith (TX)
 Fleischmann Marino Smith (WA)
 Fleming Matheson Southerland
 Flores McCarthy (CA) Stearns
 Forbes McCarthy (NY) Stivers
 Fortenberry McCaul Stutzman
 Foxx McHenry Sullivan
 Franks (AZ) McIntyre Terry

Thompson (CA) Walberg
 Thompson (PA) Walden
 Thornberry Walsh (IL)
 Tiberi Webster
 Tipton West
 Turner (NY) Westmoreland
 Turner (OH) Whitfield
 Upton Wilson (SC)

NAYS—118

Amash Gibson
 Andrews Grijalva
 Baldwin Hahn
 Bass (CA) Hastings (FL)
 Becerra Hinchey
 Blumenauer Holt
 Bonamici Honda
 Brady (PA) Israel
 Braley (IA) Jackson Lee
 Capps (TX)
 Capuano Johnson (GA)
 Carney Johnson (IL)
 Carson (IN) Johnson, E. B.
 Chu Jones
 Clarke (MI) Keating
 Clarke (NY) Kildee
 Clay Kind
 Cleaver Kucinich
 Cohen Larsen (WA)
 Conyers Larson (CT)
 Costello Lee (CA)
 Courtney Lewis (GA)
 Crowley Lofgren, Zoe
 Cummings Maloney
 Davis (CA) Markey
 Davis (IL) Matsui
 DeFazio McClintock
 DeGette McCollum
 DeLauro McDermott
 Dingell McGovern
 Doggett Meeks
 Doyle Michaud
 Duncan (TN) Miller, George
 Edwards Moore
 Ellison Moran
 Engel Murphy (CT)
 Eshoo Nadler
 Farr Napolitano
 Filner Neal
 Frank (MA) Oliver
 Fudge Owens

NOT VOTING—10

Akin Herger
 Broun (GA) Hiroo
 Brown (FL) Jackson (IL)
 Butterfield Ryan (WI)

□ 1712

Mrs. MALONEY, Messrs. WATT, HONDA, DINGELL, RANGEL, KILDEE and WAXMAN changed their vote from “yea” to “nay.”

Messrs. CRAWFORD, CLYBURN, YARMUTH, CONNOLLY of Virginia, Ms. KAPTUR, Messrs. BARTLETT and CICILLINE changed their vote from “nay” to “yea.”

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PUBLIC LAW TRANSIT SECURITY AND LOCAL LAW ENFORCEMENT SUPPORT ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 3857) to amend the Implementing Recommendations of the 9/11 Commission Act of 2007 to require the Secretary of Homeland Security to include as an eligible use the sustainment of specialized operational

teams used by local law enforcement under the Transit Security Grant Program, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. TURNER) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 355, nays 62, not voting 12, as follows:

[Roll No. 570]

YEAS—355

Ackerman Courtney
 Aderholt Cravaack
 Alexander Crawford
 Altmire Crenshaw
 Amodei Critz
 Andrews Crowley
 Austria Cuellar
 Baca Cummings
 Bachmann Davis (CA)
 Bachus Davis (IL)
 Baldwin DeFazio
 Barber DeGette
 Barletta DeLauro
 Barrow Denham
 Bartlett Dent
 Bass (CA) Deutch
 Bass (NH) Diaz-Balart
 Becerra Dicks
 Benishek Dingell
 Berg Doggett
 Berkley Dold
 Berman Donnelly (IN)
 Biggert Doyle
 Bilbray Dreier
 Bilirakis Duffy
 Bishop (GA) Duncan (SC)
 Bishop (NY) Edwards
 Bishop (UT) Ellison
 Black Ellmers
 Blackburn Emerson
 Blumenauer Engel
 Bonamici Eshoo
 Bonner Farenthold
 Bono Mack Fattah
 Boren Filner
 Boswell Fincher
 Boustany Fitzpatrick
 Brady (PA) Fleischmann
 Braley (IA) Flores
 Buchanan Forbes
 Bucshon Fortenberry
 Calvert Frank (MA)
 Camp Franks (AZ)
 Canseco Fudge
 Cantor Gallegly
 Capito Garamendi
 Capps Garrett
 Capuano Gerlach
 Carnahan Gibbs
 Carney Gibson
 Carson (IN) Gonzalez
 Carter Gosar
 Castor (FL) Granger
 Chabot Graves (MO)
 Chaffetz Green, Al
 Chandler Green, Gene
 Chu Griffin (AR)
 Cicilline Grijalva
 Clarke (MI) Grimm
 Clarke (NY) Guinta
 Clay Guthrie
 Cleaver Gutierrez
 Clyburn Hahn
 Coffman (CO) Hall
 Cohen Hanabusa
 Cole Hanna
 Conaway Harper
 Connolly (VA) Harris
 Conyers Hastings (FL)
 Cooper Hastings (WA)
 Costa Hayworth
 Costello Heck

Heinrich
 Herrera Beutler
 Higgins
 Himes
 Hinchey
 Hinojosa
 Hochul
 Holden
 Holt
 Honda
 Hoyer
 Huelskamp
 Hultgren
 Hunter
 Israel
 Issa
 Jackson Lee
 (TX)
 Jenkins
 Johnson (GA)
 Johnson (IL)
 Johnson (OH)
 Johnson, E. B.
 Johnson, Sam
 Kaptur
 Keating
 Kelly
 Kildee
 Ellison
 Kind
 King (IA)
 King (NY)
 Kinzinger (IL)
 Kissell
 Kline
 Lance
 Langevin
 Lankford
 Larsen (WA)
 Larson (CT)
 Latham
 LaTourette
 Latta
 Lee (CA)
 Levin
 Lewis (CA)
 Lewis (GA)
 Lipinski
 LoBiondo
 Loeb sack
 Lowey
 Lucas
 Luetkemeyer
 Lujan
 Lungren, Daniel
 E.
 Lynch
 Mack
 Manzullo
 Maloney
 Manzullo
 Marino
 Markey
 Matheson
 Matsui
 McCarthy (CA)
 McCarthy (NY)
 McCaul
 McCollum
 McDermott
 McGovern
 McHenry
 McIntyre
 McKeon
 McKinley

McMorris
Rodgers
McNerney
Meehan
Meeks
Mica
Michaud
Miller (MI)
Miller (NC)
Miller, Gary
Moore
Moran
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Napolitano
Neal
Noem
Nugent
Nunes
Olson
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Paulsen
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Pitts
Platts
Polis
Pompeo
Posey
Price (NC)
Quigley
Rahall
Rangel
Reed
Rehberg
Reichert
Renacci
Reyes

Richardson
Richmond
Rigell
Rivera
Robby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Ros-Lehtinen
Roskam
Ross (AR)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schilling
Schmidt
Schock
Schrader
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, David
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Slaughter

Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stark
Stearns
Stivers
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Tonko
Tsongas
Turner (NY)
Turner (OH)
Upton
Van Hollen
Visclosky
Walberg
Walden
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Webster
Welch
West
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Yarmuth
Yoder
Young (AK)
Young (FL)
Young (IN)

NAYS—62

Adams
Amash
Barton (TX)
Brady (TX)
Brooks
Buerkle
Burgess
Burton (IN)
Cassidy
Coble
Culberson
DesJarlais
Duncan (TN)
Farr
Flake
Fleming
Foxx
Gardner
Gingrey (GA)
Gohmert
Goodlatte

Gowdy
Graves (GA)
Griffith (VA)
Hensarling
Huizenga (MI)
Hurt
Jones
Jordan
Kingston
Kucinich
Labrador
Lamborn
Landry
Lofgren, Zoe
Long
Lummis
Marchant
McClintock
Miller (FL)
Miller, George
Mulvaney

Neugebauer
Nunnelee
Palazzo
Pearce
Petri
Poe (TX)
Price (GA)
Quayle
Ribble
Rooney
Ross (FL)
Scott, Austin
Sensenbrenner
Stutzman
Walsh (IL)
Westmoreland
Woodall
Woolsey

NOT VOTING—12

Akin
Broun (GA)
Brown (FL)
Butterfield

Hartzler
Herger
Hirono
Jackson (IL)

Paul
Ryan (WI)
Towns
Velázquez

□ 1719

Mr. CLEAVER changed his vote from “nay” to “yea.”

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

AMERICAN MANUFACTURING COMPETITIVENESS ACT OF 2012

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 5865) to promote the growth and competitiveness of American manufacturing, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Mrs. BONO MACK) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 339, nays 77, not voting 13, as follows:

[Roll No. 571]

YEAS—339

Ackerman
Aderholt
Alexander
Altmire
Amodei
Andrews
Austria
Baca
Bachmann
Bachus
Baldwin
Barber
Baretta
Barrow
Bartlett
Barton (TX)
Bass (CA)
Bass (NH)
Becerra
Benishek
Berg
Berkley
Berman
Biggett
Billbray
Bilirakis
Bishop (GA)
Bishop (NY)
Black
Blackburn
Blumenauer
Bonamici
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (PA)
Braley (IA)
Buchanan
Bucshon
Buerkle
Calvert
Camp
Cantor
Capito
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chabot
Chaffetz
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Connolly (VA)

Conyers
Cooper
Costa
Costello
Courtney
Cravack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dingell
Issa
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (TN)
Edwards
Ellison
Ellmers
Emmerson
Engel
Eshoo
Farr
Fattah
Filner
Fincher
Fitzpatrick
Fleischmann
Forbes
Fortenberry
Foxx
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gonzalez
Goodlatte
Gosar
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guinta
Guthrie
Gutierrez

Hahn
Hanabusa
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heinrich
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hochul
Holden
Holt
Honda
Hoyer
Hultgren
Hunter
Hurt
Israel
Issa
Jackson Lee
(TX)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kissell
Kucinich
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebach
Loebach
Lofgren, Zoe
Lowey
Lucas
Lujan
Lungren, Daniel
E.
Lynch
Maloney
Manzullo
Marino
Markey
Matheson

Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McCollum
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
McNerney
Meehan
Meeks
Michaud
Miller (NC)
Miller, Gary
Miller, George
Moore
Moran
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Napolitano
Neal
Noem
Nugent
Nunes
Nunnelee
Olson
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Paulsen
Pelosi
Pence
Perlmutter
Peters
Peterson
Pingree (ME)
Platts
Pompeo
Price (NC)

Quigley
Rahall
Rangel
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Richardson
Richmond
Rigell
Rivera
Terry
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rokita
Ros-Lehtinen
Roskam
Ross (AR)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schilling
Schmidt
Schock
Schrader
Schwartz
Schweikert
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shimkus
Shuler

NAYS—77

Adams
Amash
Bishop (UT)
Brady (TX)
Brooks
Burgess
Burton (IN)
Campbell
Canseco
Carter
Cassidy
Conaway
Culberson
Duncan (SC)
Farenthold
Flake
Fleming
Flores
Franks (AZ)
Gardner
Garrett
Gohmert
Gowdy
Granger
Graves (GA)
Hall

Hanna
Heck
Hensarling
Huelskamp
Huizenga (MI)
Jenkins
Johnson (IL)
Jordan
Kingston
Kline
Labrador
Lamborn
Landry
Lankford
Long
Luetkemeyer
Lummis
Mack
Marchant
McClintock
Mica
Miller (FL)
Miller (MI)
Mulvaney
Neugebauer
Palazzo

Pearce
Petri
Pitts
Poe (TX)
Polis
Posey
Price (GA)
Quayle
Rohrabacher
Rooney
Ross (FL)
Scalise
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Smith (NE)
Southernland
Stutzman
Thornberry
Walberg
Webster
Wilson (SC)
Woodall
Yoder

NOT VOTING—13

Akin
Broun (GA)
Brown (FL)
Butterfield
Dicks

Herger
Hirono
Jackson (IL)
Paul
Ryan (WI)

Sullivan
Towns
Velázquez

□ 1727

Mr. CONAWAY changed his vote from “yea” to “nay.”

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF HOUSE JOINT RESOLUTION 117, CONTINUING APPROPRIATIONS RESOLUTION, 2013; AND PROVIDING FOR CONSIDERATION OF H.R. 6365, NATIONAL SECURITY AND JOB PROTECTION ACT

Mr. WOODALL, from the Committee on Rules, submitted a privileged report (Rept. No. 112-667) on the resolution (H. Res. 778) providing for consideration of the joint resolution (H.J. Res. 117) making continuing appropriations for fiscal year 2013, and for other purposes; and providing for consideration of the bill (H.R. 6365) to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to replace the sequester established by the Budget Control Act of 2011, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 6213, NO MORE SOLYNDRAS ACT, AND PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Mr. WOODALL, from the Committee on Rules, submitted a privileged report (Rept. No. 112-668) on the resolution (H. Res. 779) providing for consideration of the bill (H.R. 6213) to limit further taxpayer exposure from the loan guarantee program established under title XVII of the Energy Policy Act of 2005, and providing for consideration of motions to suspend the rules, which was referred to the House Calendar and ordered to be printed.

COMMUNICATION FROM CONSTITUENT SERVICES REPRESENTATIVE, THE HONORABLE J. RANDY FORBES, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from CeJae Johnson, Constituent Services Representative, the Honorable J. RANDY FORBES, Member of Congress:

J. RANDY FORBES,
UNITED STATES CONGRESS,
4th District, VA, September 10, 2012.
Hon. JOHN A. BOEHNER,
Speaker, House of Representatives, Washington,
DC.

DEAR MR. SPEAKER: This is to notify you formally pursuant to Rule VIII of the Rules of the House of Representatives that I have been served with a subpoena, issued by the Chesterfield, Virginia General District Court (Civil) for hearing testimony.

After consultation with the Office of General Counsel, I have determined that compli-

ance with the subpoena is not consistent with the privileges and rights of the House. Sincerely,

CEJAE JOHNSON,
Constituent Services Representative,
Congressman J. Randy Forbes.

LANCE T. SHANER

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to recognize Lance T. Shaner of Centre County, Pennsylvania. This week, on September 13, 2012, Lance will be honored as the 2012 recipient of the Navy League of Central Pennsylvania's Lieutenant Michael P. Murphy Distinguished Citizen Award.

The Navy League of Central Pennsylvania is an organization dedicated to enhancing public awareness of the missions and challenges facing today's Armed Forces, as well as advocating for the well-being of the men and women who serve.

The Lieutenant Michael P. Murphy Distinguished Citizen Award is given to a nonactive duty person whose character, distinguished military or civilian service, and stature draw wholesome comparison to the qualities for which the Navy League of Central Pennsylvania Council strives to promote.

Lance Shaner, chairman of the Shaner Group, is known throughout central Pennsylvania for his various community efforts, which include the Chamber of Business and Industry of Centre County, United Way, Centre Volunteers in Medicine, the Boy Scouts of America, the YMCA, Mount Nittany Medical Center, and many other programs that benefit our community.

I want to thank Lance Shaner for his service to our community, and I congratulate him on this distinguished award.

CORVALLIS WILL NOT BE BULLIED BY CHINA

(Mr. DEFAZIO asked and was given permission to address the House for 1 minute.)

Mr. DEFAZIO. Recently, the Chinese consul general sent a letter to the mayor of Corvallis, a small city in my district. The letter was followed up by personal visits by the vice consul and the deputy consul general. Now, we always welcome visitors, but under these circumstances, we have some concerns.

They are trying to pressure the mayor of the City of Corvallis to compel a local businessman to remove a mural dedicated to free Tibet and Taiwan independence from his downtown building. It was characterized by the local newspaper as a shakedown because the original letter broadly hinted

that it might be in Corvallis' best interest economically to cooperate with the request.

I am shocked and appalled that apparently Chinese professional diplomats have failed to read the Constitution of the United States of America before traveling here to represent their country.

This represents the basis of our representative democracy, our freedom of speech, and our rights, and it will not be bullied by China or any other overseas interest.

HONORING CONGRESSMAN JERRY COSTELLO

The SPEAKER pro tempore (Mr. MCKINLEY). Under the Speaker's announced policy of January 5, 2011, the gentleman from Illinois (Mr. LIPINSKI) is recognized for 60 minutes as the designee of the minority leader.

GENERAL LEAVE

Mr. LIPINSKI. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and to include extraneous material on the subject of my Special Order honoring Congressman JERRY COSTELLO's distinguished service in Congress.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. LIPINSKI. Mr. Speaker, I rise today to honor a great legislator and a close personal friend, Congressman JERRY COSTELLO, who will retire from the House of Representatives at the end of this 112th Congress.

JERRY has long been known as one of the most effective and well-liked Members of Congress since he took office in 1988. It is my honor to lead this Special Order in his honor.

I knew JERRY before I was elected to Congress in 2004. I had the privilege of working in his congressional office in the mid-1990s. Today, we serve together on two House committees: the Transportation and Infrastructure Committee, and the Science, Space, and Technology Committee.

JERRY has been an important mentor to me throughout my time here. I have always been impressed with his work on behalf of his constituents and his work to improve America's transportation network. He is someone who is here to get things done, and he knows how to do it.

His retirement from this body is a loss to us all. Congress will not be the same without JERRY, and I know we would all benefit if we had more colleagues like him.

There are a number of Members on both sides of the aisle who want to speak, so I will continue with the rest of my speech later if we have time. But right now, I want to recognize the gentleman from Oregon (Mr. DEFAZIO).

□ 1740

Mr. DEFAZIO. I thank the gentleman for yielding.

We could devote much more than an hour to JERRY COSTELLO's career in Congress.

I sat next to JERRY on the Transportation and Infrastructure Committee for more than two decades, and there is no more knowledgeable, dedicated advocate in the United States Congress—most recently on aviation issues, but across the board on infrastructure issues which underlie our economy and our productivity and our growth—than JERRY COSTELLO. His work has been phenomenal. He has done more than I could have imagined in his period of time. And we will miss him.

I congratulate him upon a well and hard-earned retirement.

Mr. LIPINSKI. I yield to the gentleman from Alaska (Mr. YOUNG).

Mr. YOUNG of Alaska. I thank the gentleman for yielding.

I apologize to my good friends, but this has to be a two-way street—bipartisan—because I do believe that JERRY was an example of the Congress that I knew and loved where we worked together to solve problems. JERRY was very good at that. I, as chairman of the Transportation Committee, we worked through with Jim Oberstar, and we never had an adversarial vote in that whole period of time because he did believe in bipartisanship for the bills in transportation, not only in his district, but for the Nation as a whole.

JERRY was a gentleman at all times. Sometimes I get a little excited, and he would remind me as the chairman that maybe I could be a little more kinder. I told him that doesn't always work. That worked for JERRY. And I do respect his capability to not only serve in his district, but making sure that this Nation had a transportation system in place that would serve this whole Nation.

I look forward to JERRY's retirement—in a sense. I'm sure he'll do good and great things after this, but we will miss his time in Congress. And as a Republican, I definitely will miss him. I do thank JERRY.

Mr. LIPINSKI. I thank you, Mr. YOUNG.

I want to recognize now the gentleman from Illinois (Mr. DAVIS).

Mr. DAVIS of Illinois. I want to thank my friend from Illinois (Mr. LIPINSKI) for yielding to me.

When I think of JERRY COSTELLO, I think of the fact that those of us in Illinois sort of had two go-to members of the Transportation Committee for many years, Bill Lipinski, who is the Congressman's father, and JERRY COSTELLO. We used to call them the "Gold Dust Twins." One of the reasons is because they had such a great relationship and worked cooperatively to make sure that our State, the State of Illinois, the home of Abraham Lincoln,

was well taken care of in terms of infrastructure, but they also worked for the entire country.

I had an opportunity to travel with JERRY and his wonderful wife a number of times. Of course she is a delightful lady who is a higher education administrator, the president of a community college. And other members of their family are engaged in public service as well as what they do privately. I've never known a more congenial Member of this body or any other legislative body that I've served in than JERRY COSTELLO.

I think he's actually too young to retire, and so I've got a feeling that he's got some other things on his mind, some other things that he's going to do. I think he'll still be fishing down in the East St. Louis area, making sure that the catfish and the other creatures out there give up their habitat and become members of the land gentrity.

So JERRY, take care of yourself. Have all the fun that you can, but I'm certain that there is something else that you're going to be doing.

Mr. LIPINSKI. Next, I want to recognize the gentleman from Connecticut (Mr. LARSON).

Mr. LARSON of Connecticut. I thank the gentleman from Illinois (Mr. LIPINSKI) for organizing this hour and concur with my colleagues that an hour is not nearly enough to highlight the virtues and certainly the public service of our distinguished colleague, JERRY COSTELLO.

JERRY, as has already been said, and his lovely wife, Georgia, their beautiful family, we're all very happy and proud that he will be joined with them. In whatever endeavor he does, we know he will bring the kind of energy, the kind of commitment, and the kind of integrity that he's brought to the floor of the House.

Robert Remini, also from Illinois and a historian, has written a significant history about the House. In his book, he talks about the character of the people that serve here. I'm proud to say that I've had the opportunity to serve with someone who is so genuine, who cares so deeply about this institution, his home State of Illinois, and the people he has served with. He does it the old fashioned way, the Bill Lipinski way, with a handshake and a commitment and always looking you directly in the eye. As DON YOUNG from Alaska indicated, he also has the great capacity to reach across the aisle, understanding implicitly that things don't get done unless we're capable of working together. An incredible wise sense of humor, always sage advice, and an incredible understanding of politics, not only the local flavor of his great State of Illinois, but also the ebb and flow of business here on the floor of the House of Representatives.

He is honored by his colleagues and respected not only for his political ac-

men and his professionalism, but most of all because of the integrity that he brings to this floor each and every day. He will be sorely missed. It's an honor to have served with him. I look forward to a continued relationship with this great man from Illinois, JERRY COSTELLO.

Mr. LIPINSKI. Next, I want to recognize the gentleman from Missouri (Mr. CLAY).

Mr. CLAY. Let me thank my friend from Illinois (Mr. LIPINSKI) for yielding.

Let me say, Mr. Speaker, that I rise today to honor my great friend and colleague, the distinguished senior Member from Illinois (Mr. COSTELLO). Let me also mention that Mr. COSTELLO served in previous Congresses with my father, so he was here when I got here. And our districts are just across the river from each other. He represents southern Illinois, and I represent the city of St. Louis, the Gateway to the West.

As he prepares to retire at the conclusion of the 112th Congress, Congressman COSTELLO has been a trusted friend and mentor to me for the last 12 years. When I first arrived as a freshman Member of Congress in 2001, Congressman COSTELLO was here to greet me and guide me along the right path, and over the years I have continued to rely on his good advice and wise counsel. His departure is a great loss for the State of Illinois, the citizens of the 12th District, and the St. Louis regional delegation.

For the last 24 years, Mr. COSTELLO has been a tireless advocate for southern Illinois and Metro East. He has been a champion for rebuilding and enhancing our transportation infrastructure. The magnificent new Mississippi River bridge that is currently under construction will be a powerful symbol of his legacy of leadership.

Congressman COSTELLO has also been the patron saint of Scott Air Force Base, the largest employer in southern Illinois. Our region, and indeed our Nation, are stronger because of his continuous efforts to preserve and expand this vital national defense asset.

□ 1750

Mr. Speaker, I consider it a great blessing to have had the opportunity to serve with Congressman COSTELLO and to call him my good friend. I honor him for his service to his State, the St. Louis region, and our Nation, and I salute him on a remarkable congressional career.

Mr. LIPINSKI. Thank you, Mr. CLAY. Next I want to recognize the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. First, let me thank the gentleman, Mr. LIPINSKI, for organizing this opportunity to come to the floor today and recognize the remarkable achievements of our dear

friend, my dear friend, Representative JERRY COSTELLO.

I want to thank JERRY, my friend and colleague, for his 24 years of remarkable, outstanding service to his district, to Illinois, and to the country. And although he's retiring at the end of this Congress, I know that his impact will be long-lasting.

Since arriving in Congress in 1999, I have been very fortunate to have JERRY COSTELLO to rely on for advice and guidance and support. And as you hear from one Member after another who gets up and says the same thing, you can see how JERRY COSTELLO has been a friend to so many on both sides of the aisle.

When I came, he and then-Representative Ray LaHood, now Secretary of Transportation, convened routine meetings of the Illinois House delegation to discuss how we could work together to meet the needs of our State. A fierce advocate for southwestern and southern Illinois, JERRY was eager to help all parts of the State to obtain Federal assistance and meet the needs of our constituents.

Our delegation may have had some disagreements on policy, but we were firmly united, under JERRY's leadership, in our desire to bring funding to Illinois to create jobs, improve access to health care, help farmers and promote Illinois businesses.

It wasn't until I was in Congress for a while longer that I realized that not every State delegation met in this manner. It was because of JERRY's leadership, his dedication to getting things done, and his ability to work in a bipartisan manner that the Illinois delegation could get together, not just to talk, but to achieve concrete results.

Throughout his career, JERRY has been a real workhorse. As senior member of the Transportation and Infrastructure Committee and ranking Democrat on the Aviation Subcommittee, he has shaped transportation policy and is responsible for unprecedented improvements in aviation safety. He is a recognized expert on transportation issues, and he is known for his commitment to protecting the interests of travelers, riders and passengers and the rights of transportation workers.

He has brought his policy interests to other areas as well, from his role on the Science, Space and Technology Committee, to his interests in agriculture, education and children.

JERRY COSTELLO is the go-to leader of the Illinois House delegation, and it is easy to see why. It is not just that he loves the State of Illinois and the House of Representatives. It is not just that he can put together strategies to pass legislation or bring Federal assistance to his district. It is his entire being, a calm but determined demeanor, a commonsense approach to

problem-solving, and a welcoming attitude for his beloved constituents and his colleagues.

Throughout my time in Congress, JERRY has been generous in sharing with me his time and his talents, and for that I'm extremely grateful.

I have also been so happy to get to know JERRY's wonderful wife, Georgia. Georgia is the president of Southwestern Illinois College, an advocate for the Illinois Green Economy Network, and she also brings a spirit of public service to her work in improving the community.

My dear friend, JERRY, your record of accomplishments over the past 24 years is enormous. And while you may be retiring from the House of Representatives, I know that you and Georgia will continue to work to inspire and improve the lives of Illinoisans. I thank you for your friendship that I hope will endure and for all that you have done for our great State.

Mr. LIPINSKI. Thank you, Ms. SCHKOWSKY, for your comments.

Next I want to recognize the gentle lady from Texas, who JERRY and I both serve on Transportation and Infrastructure and Science, Space and Technology with, and who's also the ranking member of the Science, Space and Technology Committee, Ms. EDDIE BERNICE JOHNSON.

Ms. EDDIE BERNICE JOHNSON of Texas. Thank you very much, Mr. LIPINSKI, for reserving this hour.

And thank you, Mr. Speaker, for allowing me to speak in honor of a very cherished colleague and a dear friend in the U.S. House of Representatives.

Congressman JERRY COSTELLO, after 24 years of dedicated service, is retiring, and that is a very tall order for me to accept because I have served with him on both of his major committees from the time I came to Congress 20 years ago; and he appears to be, starting this term, a part of a vanishing breed of people who came here to work across the aisles.

When I think of JIMMY DUNCAN, when I think of Mr. YOUNG of Alaska, when I think of Ray LaHood, I think of the camaraderie that we have shared on the committees working together to get things done. And I look up and many of them are leaving. It's so unfortunate that we're losing such a stellar example of the commitment needed to be an effective public servant.

He began his public service at an early age, working in law enforcement while attending college. He has built his career on bipartisanship and dependability and has always kept the needs of his constituents and the American people foremost in his mind and close to his heart.

Congressman COSTELLO is a devoted family man who treasures his wife, Georgia, and their three children and eight grandchildren. And I have shared with Georgia and Lynn, JIMMY DUN-

CAN's wife, trips around the world where we became almost like family.

His companion has given the Congressman a unique perspective, making him much more effective as a Member of Congress.

I remember one time we went on a trip, and at the last minute, Georgia couldn't go and we ended up being seatmates all the way. And he said at the end, I enjoyed you being my seatmate, but you'll never be Georgia. And he was right.

I've had the distinct pleasure of working closely with Congressman COSTELLO on both the House Committees on Transportation and Infrastructure, and Science, Space and Technology. As a matter of fact, I would not be ranking member had he chosen to use his seniority to become the ranking member of Science, Space and Technology.

He's an effective legislator and has shown an unwavering commitment to furthering scientific research and building our Nation's infrastructure. Having served both as chairman and ranking member on the Aviation Subcommittee with Congressman PETRI from Wisconsin, just like two brothers, they have been guests in my district where we did work together on a very bipartisan basis to improve the safety and innovation of the aviation industry.

Mr. Speaker, the bonds that we form with our fellow colleagues in Congress are unlike anything else. You become closer in friendship, and you begin to see people as individuals. This last 2 years, however, has not been the example that I lived with 18 years before that.

Congressman COSTELLO and I developed, over the years, a very special relationship. The House of Representatives is losing a distinguished colleague and one of those from the old guard that we call the bipartisan focus on business people.

I have immense respect for Congressman COSTELLO, and I will miss him dearly. I wish him well, and I wish his family the best in future endeavors. And I do hope that this is not the last of a vanishing breed of the persons who came here to work to get things done and not be so partisan.

□ 1800

I really will miss the camaraderie that we shared with JIMMY DUNCAN, DON YOUNG, Ray LaHood—all the people who can see beyond partisanship.

Mr. LIPINSKI. Thank you, Ms. JOHNSON.

Next, I want to recognize the gentleman from Pennsylvania (Mr. ALTMIRE).

Mr. ALTMIRE. I thank the gentleman from Illinois.

I, too, rise to pay tribute to our great colleague, Congressman JERRY COSTELLO. We've spent a lot of time during

this hour talking about what a great person JERRY COSTELLO is, which is certainly true. He is a kind and decent man. He operates in a bipartisan manner, and he is a friend to nearly everybody in this institution. We could continue to take the entire hour just talking about what a very fine person JERRY COSTELLO is. Yet, when you look at the legislative record over the decades of service that he has offered to his constituency and to the country, there are a few things that stand out.

On the Transportation Committee, JERRY COSTELLO has a long and lasting record of many achievements, but he also has a lot of things he has done back home that those of us in Washington maybe don't see every day. For example, when the Base Closing and Realignment Commission slated for closure a military base in JERRY's district, JERRY COSTELLO did what is nearly impossible—he got the realignment commission to review the facts; he had that decision overturned; and he saved that military base and the thousands of jobs that go with it for his district. That's a lasting achievement he can be proud of.

When you look at things on the Transportation Committee that have lasting significance, a changing in the law to benefit all Americans. There was a tragic, terrible catastrophe—an air disaster in Buffalo several years ago. JERRY COSTELLO took the lead in this Congress and in this country in changing the laws dealing with pilot fatigue and the requirements for the pilots on the planes. That is going to save lives around this country, and that is going to allow for the averting of this type of disaster in the future. That happened because of JERRY COSTELLO's leadership.

So, Mr. Speaker, when we think about the lasting contributions that JERRY COSTELLO has made, yes, many of them are personal. Many of them have to do with the relationships he has built and the friendships he will carry forward into his new career, but let's also remember the many significant legislative achievements for his district that are unparalleled to anyone else's in this institution.

So, JERRY, we wish you the best. We are going to miss you.

Mr. LIPINSKI. Thank you, Mr. ALT-MIRE.

Next, I want to recognize the Democratic whip, the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. I want to thank my friend, Congressman LIPINSKI, for taking on this Special Order.

For someone who had been regaled, as I understand it, earlier, by his colleagues who know him best, before I came to the floor, this is a body in which you get to know people. You get to know their characters, their personalities, their civility, their effectiveness, their work ethic, their patriot-

ism, their willingness to work with others. On all of those counts, all of his colleagues found JERRY COSTELLO to be one of the best among them.

JERRY COSTELLO came to this Congress in the election of 1988. He has been my colleague for all of the years that he has served in this House. I was privileged to come just a few years before JERRY COSTELLO. He was elected by the people of Illinois after an extraordinary career early in life, as a young man. He was not only attending to the court system of Illinois but also as the county executive, as the leader of one of the largest counties in Illinois. He was chosen because of his judgment, chosen because of his good sense, his common sense, chosen because of his effectiveness as a representative of the people. There has not been a day that has gone by that I have served with JERRY COSTELLO that I did not have all of those affirmations affirmed here in this House. So I rise with my friend, Mr. LIPINSKI, to honor JERRY COSTELLO.

Now, we're going to have the opportunity to serve with JERRY COSTELLO for another 3 months at least. JERRY COSTELLO is very much alive. This is not a eulogy. JERRY COSTELLO is someone who is still a young man for whom I see a very bright future. In whatever endeavor he chooses to pursue, he will be successful; and with whomever he works, they will be advantaged. In whatever he does, I know that we're all going to stay in close touch with JERRY COSTELLO.

The preceding speaker and Mr. LIPINSKI—and whose dad before him—now serve on the Transportation and Infrastructure Committee. It is a critical committee of the Congress of the United States, one of the most important in terms of growing jobs and expanding our economy because it invests in the infrastructure, which is the underpinning of a growing economy. My friend Mr. LIPINSKI has fought so hard for legislation to expand manufacturing—a Make It In America agenda item—and has focused on making sure that we have had an infrastructure that has supported manufacturing, the distribution of goods and the transportation of goods to our shores to be sent abroad for purchase by our trading partners.

JERRY COSTELLO was part of the leadership of two of the major transportation bills that have passed this House in recent years, ensuring not only that Illinois received particular attention but that America received particular attention, every part of this America. The best traditions of a Congressman are, yes, in representing his district effectively, but also in understanding that his responsibility is to all of America. JERRY COSTELLO has fulfilled that expectation with flying colors and great effectiveness. We are going to miss JERRY COSTELLO.

But I want to tell JERRY COSTELLO—and I hope he's listening—that we have a few days left to go, and I'm going to look forward to working with him. I am hopeful that, in the lame duck session, we'll address one of the most vexing problems confronting this country, and that is getting ourselves on a fiscally sustainable path. I expect JERRY COSTELLO to be in the leadership of that effort as he has been in the leadership of so many efforts.

Again, Congressman LIPINSKI, I want to thank you for your leadership, for your service, for your commitment to the same kinds of things that JERRY COSTELLO has been committed to in building up this country and in making sure that average working men and women have had jobs and that we have expanded our economy by investing in our economy. So it is appropriate that you lead this Special Order on behalf of a kindred soul, JERRY COSTELLO. You and he represent a real leadership on behalf of growth, jobs, and economic success in America.

We thank JERRY COSTELLO for his service, but we look forward to working with him in whatever capacity he chooses to follow in the years ahead.

Mr. LIPINSKI. Thank you very much, Mr. HOYER.

I just want to wrap up here and continue on in talking about JERRY.

I know JERRY has been extremely popular among his constituents because he is a lifelong resident of his district and always has been focused on helping them. He was born in East St. Louis, Illinois. He attended Assumption High School there, and later graduated from Southwestern Illinois College and Maryville University, which is just across the Mississippi River in St. Louis. After graduating with a bachelor's degree, JERRY worked in various positions in southwestern Illinois, culminating with his election to the House of Representatives in August of 1988 in a special election.

He was known then and is still known today as a person with a special ethic and earnestness to roll up his sleeves and get the job done. Since that time, his accomplishments have been numerous and outstanding. We've heard from many of our colleagues before this about some of his accomplishments. I could spend hours standing up here listing them all, but some of his most important, recent accomplishments include helping to pass four national highway investment bills, seven Federal Aviation Administration bills, and helping to secure funds for a new Mississippi bridge for the residents of Illinois and Missouri.

□ 1810

He has a great reputation for delivering for his district. A couple of examples include helping prevent the closure of Scott Air Force Base, the largest employer in Illinois south of

Springfield, and helping extend St. Louis' Metrolink to St. Clair County, providing public transportation to many thousands of people. He has received recognition as a leading advocate for farmers and for many other causes, including the arts and multiple sclerosis.

His dedication to an effective transportation network in the U.S. has remained steadfast throughout his career. As Mr. ALTMIRE has mentioned, a perfect example of this is his drafting and passing of the Pilot Training Improvement Act of 2009. In response to a tragic plane crash in 2009 in Buffalo, New York, that killed 51 due to lack of rest for the pilot, JERRY wrote a bill that made requirements for pilot rest and training much more stringent. This legislation has resulted in safer travel for millions of Americans. The legislation is a lasting reminder of the fine work JERRY has done while in Congress.

During his time, JERRY has sat in positions of leadership as chairman of the House Aviation Subcommittee on the Transportation and Infrastructure Committee, now serving as ranking member, as well as the ranking member on the Subcommittee on Space and Aeronautics within the Science and Technology Committee. He has always worked in a bipartisan manner on those committees, doing everything he could to make those committees work.

I, and this legislative body, will miss Mr. COSTELLO and the leadership he has provided, but we can all take comfort in knowing that he will be able to spend more time with his wife, Georgia, who serves her community as the president of Southwestern Illinois College; their three children, Jerry, Gina, and John Patrick; and their eight grandchildren, Jay, Austin, Rorey, Ireland, Jerry, Victoria, Georgia, and John Patrick. He will undoubtedly continue to serve his neighbors and all the residents of southwest Illinois in his day-to-day activities.

Please join me in honoring JERRY COSTELLO for his tireless hard work, dedication, and skill serving the people of America and Illinois. I congratulate JERRY and thank him for all he has done for his constituents and for his Nation. I thank you, JERRY, for your mentorship here in Congress, and I wish you the best as you retire from the House of Representatives.

I know, as other speakers before me have said, JERRY is much too young to retire. I'm sure there are many great things that he will be doing, and he will always be remembered as a great man who served his country and served his constituents of Illinois. We will certainly miss him here, and we can certainly use more JERRY COSTELLOS in this body.

With that, I yield back the balance of my time.

Mr. SHULER. Mr. Speaker, I rise today to recognize Congressman COSTELLO on his

pending retirement and thank him for his service to his country and district.

Serving in the House of Representatives since 1988, Congressman COSTELLO has become a key figure in this body, serving as the dean of the Illinois delegation and working across lines to find sensible solutions to the day's most pressing challenges. JERRY has proven himself to be a gentleman whose dedication and service to his constituents and to the United States of America went above and beyond the Halls of Congress.

I had the pleasure of serving alongside Congressman COSTELLO on the Transportation and Infrastructure Committee where I was proud to have called the Congressman not only my colleague, but my friend. I observed as he worked to build the transportation infrastructure in Southern Illinois and the country. Over the years, JERRY has built a reputation for not only his hard work, but also his ability to work with Members of the other party. It is these qualities—work ethic and bipartisan spirit—that will be missed most in Congress.

Mr. Speaker, I congratulate Congressman COSTELLO on his retirement. While his mark on the Nation and his district are permanent, his presence in this chamber will be missed.

Mr. ISRAEL. Mr. Speaker, I rise today to honor my friend Congressman JERRY COSTELLO, and to thank him for his 24 years of service in the House of Representatives working on behalf of the people of the 12th congressional district of Illinois.

JERRY has worked tirelessly during his time in Congress to create jobs and improve the lives of the people of Southwestern and Southern Illinois, as well as in his role on the Aviation Subcommittee. His leadership in aviation is best illustrated by the passage of The Airline Safety and Pilot Training Improvement Act of 2009 in the House, the strongest aviation safety bill passed in 50 years.

I wish JERRY the best of luck in his future endeavors, and know that I speak for many other Members when I say he will be dearly missed.

Mr. SHIMKUS. Mr. Speaker, it is my pleasure to honor a dedicated public servant—Congressman JERRY COSTELLO. JERRY has served the people of Illinois as a law enforcement officer, as St. Clair County Board Chairman, and as a member of this House.

As you know, JERRY and I are from different political parties. But when I first came here to Washington, he was one of the first people to help me and to give me advice. He was always willing to answer my questions—some that probably seemed very basic to him. We found that despite our political differences, our callings were both based in faith—and that has allowed our relationship to grow.

I consider JERRY COSTELLO a close friend and confidant. I cannot remember a single issue relevant to our part of the state that we have disagreed on. It has been a pleasure joining him in working on behalf of Scott Air Force Base, the levee and flood insurance issues we continue to face, and legislation related to industries important to southern Illinois like coal and renewable fuels.

Finally, I want to thank JERRY's wife Georgia and his children Jerry II, Gina and John for sharing their husband and father with all of us. And to Jay, Austin, Rorey, Ireland Keen, Jerry

III, Victoria, Georgia Danielle and John Patrick—I know your grandpa is looking forward to spending more time with each of you.

Thank you, JERRY. May God continue to bless the Costello family.

Mr. MANZULLO. Mr. Speaker, I rise today to celebrate the service of my colleague and good friend, JERRY COSTELLO. I have had the privilege of serving with JERRY for almost 20 years. Perhaps the greatest compliment that I can pay him, especially in this town, is that he remains the same guy today that he was when I first met him in 1993. JERRY is a serious legislator and a thoughtful statesman. He has served his constituents with devotion and distinction, but more than that, he has worked on a broader scale to advance good policy for the betterment of all the citizens of Illinois and those nationwide.

As one of the foremost transportation experts in Congress, JERRY has worked with colleagues on both sides of the aisle to improve America's transportation infrastructure and increase the safety of our skies. JERRY earned the reputation of being a hard worker and an approachable colleague. In his various leadership roles, you could count on JERRY to listen to the needs of your district and provide assistance when able. Even when you find yourself on the other side of a policy issue from JERRY, he treats you with fairness and respect. Differences of opinion with JERRY are never personal, and that is why so many colleagues consider JERRY to be a personal friend.

Given that a Member's staff is a reflection of the Member, it should be no surprise that JERRY assembled a team of considerate and effective public servants. Along with his talented chief of staff, David Gillies, JERRY consistently worked to promote a constructive and collegial environment within the Illinois delegation regardless of which side was in power.

Given his rock-solid reputation, impeccable character, and impressive resume of accomplishment, other colleagues will likely describe JERRY as part of a dying breed of statesmen, a sentiment with which I concur. On behalf of the constituents of Northern Illinois, I thank JERRY for his service and for the infrastructure improvements he supported in our neck of the state. I wish JERRY and Georgia all the best as they begin this new chapter of their lives together.

Mr. SCHOCK. Mr. Speaker, at the beginning of the 113th Congress, the Illinois delegation in the House of Representatives will be missing a familiar face. Representative JERRY COSTELLO, after over two decades of service to the people of southern Illinois, will retire at the end of this term. He leaves Congress with an exemplary record of accomplishments and a long list of friends on both sides of the aisle, and he will truly be missed.

Among the many issues that JERRY worked on during his tenure, he and I share a passion for infrastructure improvements. During my first term, I served on the Transportation and Infrastructure Committee with JERRY, and his example and determination to work with both sides to get things done was invaluable to me. His spirit of putting the people he represented before partisanship is one that all of us, his colleagues, strive to embody as well.

Over the course of his time in the House of Representatives, JERRY earned the respect of

his colleagues and staff, but his successes and achievements in Washington never made him forget where he came from. He and his family maintain their deep roots in Illinois, and every weekend he could be found somewhere in the 12th District holding a town hall, speaking at a local gathering, or participating in a media event.

JERRY's retirement means that Illinois has lost a great Representative, but it retains a great citizen. Whatever he decides to pursue in the coming years, I hope he finds time to get some well-deserved rest and relaxation with his wife and family. I wish him all the best.

Mr. KUCINICH. Mr. Speaker, I rise today in recognition of the life and career of my friend, the Honorable JERRY COSTELLO.

Born and raised in the Midwest, Congressman COSTELLO has dedicated his life to serving the residents of the state of Illinois. Prior to being elected to the U.S. House of Representatives, he had a career in law enforcement and worked as a county bailiff and deputy sheriff. His service to the State of Illinois and St. Clair County in the early days of his career led him to seek office in the House of Representatives in a special election in 1988. He has consistently put the needs of his constituents first for the past 24 years.

Today, Congressman COSTELLO is the most senior member of the Illinois delegation and has been a guide to freshmen members throughout the past dozen Congresses. He has been a leader in areas such as infrastructure and science and technology. JERRY has also been dubbed "the patron saint of Scott Air Force Base," one of the largest employers in the State of Illinois. Above all, the Congressman has been a fearless and dedicated representative of his constituents in southern Illinois.

Mr. Speaker and colleagues, please join me in congratulating our friend and colleague, Congressman JERRY COSTELLO, on 24 years of service to the residents of southern Illinois and the United States of America. His wisdom and leadership will be missed in the halls of Congress.

Mr. CAPUANO. Mr. Speaker, I rise today to speak about my friend Congressman JERRY COSTELLO of Illinois. JERRY is retiring at the end of this session and we wish him well.

By the time I arrived in Congress, JERRY was already a senior Member. I did not know him and had never heard of him. We met through our mutual friend, Congressman RICHARD NEAL. We had a fair amount of mutual background—having been elected executive officials from our home states and having a deep respect for the art of politics and government.

First and foremost, JERRY serves his constituents. We usually sit together during votes and we discuss most of them. I want to hear his opinion and I want to argue with him because we often see things differently. I know for certain that the most important factor he weighs for every vote is what is in the best interest of his constituents and what they would want him to do.

JERRY embraces the concept of compromise. Many newer Members see compromise as defeat—but they are wrong and, hopefully, someday soon they will realize their

fully. Compromise is essential to advance any society—our founders knew it, democracy demands it. Compromise does not mean declaring victory on every aspect of every issue—it means having a clear goal and knowing when you cannot achieve it, it means recognition that some progress is usually better than none, it means that you accept the fact that other people have valuable opinions that they hold as dearly as you hold yours. Unless your constituents want no changes to anything in life, compromise is essential.

JERRY is also a true friend. To me, a friend is not the person who simply tells you how wonderful and correct you are all the time. A true friend knows how to tell you when you are wrong. A true friend stands by you when they can and doesn't hurt you when they cannot. JERRY is a true friend.

Finally, JERRY COSTELLO has his priorities straight—God, country, family, constituents. Religious beliefs are personal. I have told you what he has done for his country and his constituents. But a complete person also has a private life of friends and family. As a friend, I have often heard JERRY boast about his entire family—his parents, his wife, his children, and grandchildren.

As you can see by now, I think JERRY COSTELLO is a wonderful person. I will miss him on the floor. I will miss him in Committee. I will miss sharing an evening meal together. But more importantly, Congress will miss him. America will survive and prosper after he leaves Congress; thankfully, none of us is that important to this House. But JERRY COSTELLO will not be easily replaced in these halls and he will be remembered as a good Member of Congress and a good man.

Ms. RICHARDSON. Mr. Speaker, today I rise to recognize the tireless service and dedication of my friend and colleague, Congressman JERRY COSTELLO of Illinois. Congressman COSTELLO has announced his retirement from the House at the end of the 112th Congress after 24 years of faithful and effective service to the people of the 12th Congressional District of Illinois.

Known to his friends and colleagues simply as "JERRY," Congressman COSTELLO began his career shortly after graduating from high school, working as a law enforcement officer while attending Maryville University. In 1980, Congressman COSTELLO was elected Chairman of the St. Clair County Board, the chief executive of one of Illinois' largest counties, where he gained valuable leadership experience. In 1988, JERRY was elected to Congress.

I have had the privilege of working closely with JERRY throughout my tenure on the Transportation and Infrastructure Committee, on which he has been an influential and a senior Democratic member. JERRY is perhaps the leading expert in the House on aviation issues and I feel fortunate to have been a member of the Aviation Subcommittee when he chaired the panel during the 110th and 111th Congress. Congressman COSTELLO also served as the second ranking Democrat on the Science, Space, and Technology Committee, playing a leading role in writing and passing several major pieces of legislation to improve our Nation's infrastructure and technological advancement.

As Chair of Aviation Subcommittee, JERRY played an indispensable role in passing the \$68 billion Federal Aviation Administration Reauthorization Act. JERRY has worked to pass major bills for our Nation's transportation infrastructure, including obtaining a significant grant for a new Mississippi River Bridge. He also secured the passage of the Airline Safety and Pilot Training Improvement Act of 2009.

JERRY has been a champion of bipartisanship throughout his tenure in the House, and is deeply respected by members on both sides of the aisle. He refused to allow partisanship to keep him from finding the common ground necessary to advance the interests of his constituents and the American people.

JERRY's talent for finding common ground enabled him to assemble and lead the coalition that saved Scott Air Force Base from closure and led his constituents to dub him affectionately as the "Patron Saint of Scott AFB."

I am honored to count JERRY as one of my close friends and colleagues. Throughout his tenure, JERRY has proven to be a shining example of the type of dedication and devotion we should all strive to match. I have long been an admirer of Congressman COSTELLO's work, and we will all surely feel the loss of his presence.

Mr. Speaker, Congressman COSTELLO is a Member's Member: honorable, hardworking, selfless, and dedicated to public service. It has been an honor to serve with him in the People's House. I wish JERRY and his family success and happiness as he embarks upon the next phase of his remarkable career of service, all the best in his future endeavors.

Mr. HULTGREN. Mr. Speaker, I am truly honored to have had a chance to serve in Congress with my colleague and friend, Representative JERRY COSTELLO.

Beloved by his constituents, Congressman COSTELLO has been a staple in southern Illinois for many years. For me personally, he has been a model, a mentor and an example of how to succeed.

In an age of hyper-partisanship, Congressman COSTELLO fearlessly crosses the aisle for his district. Last year, he even championed the No Taxpayer Funding for Abortion Act.

I've also had the pleasure of collaborating with the Congressman on two committees: Science, Space and Technology, and Transportation and Infrastructure. He has been such a mentor for me on these committees during my first term in Congress, and has been a great ally, especially on transportation issues and 2nd amendment rights.

Congressman COSTELLO will be sorely missed, both on these two committees and in the Illinois delegation. On behalf of my staff and the people of the 14th, I thank him sincerely for his service.

Mr. ROSKAM. Mr. Speaker, today, we take time to honor our friend and colleague Congressman JERRY COSTELLO, who retires this year after 24 proud years representing the 12th District of Illinois.

Throughout his career, JERRY earned the respect of his colleagues on both sides of the aisle, and is known as a man dedicated to his family, his community, and public service.

Born and raised in East Saint Louis, JERRY spent his career representing his friends and neighbors first as the Chairman of the St. Clair

County Board, and then as a Member of Congress.

Since coming to Washington, JERRY has worked tirelessly on behalf of his constituents, Illinois farmers, the transportation community and Scott Air Force Base. The State of Illinois will certainly miss having such a senior legislator and consummate professional in Congress.

But this body's loss is the gain of the entire Costello family, especially his wife Georgia, their three children and eight grandchildren. I wish them all the best as they embark on this new chapter of their lives, and congratulate Congressman JERRY COSTELLO on a career of service to Southwestern Illinois.

Mr. RUSH. Mr. Speaker, I rise today to pay tribute to my friend and colleague and the Dean of the Illinois Delegation, Congressman JERRY COSTELLO.

Congressman COSTELLO has been a fixture of these halls since his arrival in 1988. Since my own arrival to Congress in 1993, I have known JERRY COSTELLO to be a kind, diligent, and caring public servant for the people of Illinois and the United States.

Whether working towards FAA reauthorization, creating local jobs, or saving Scott Air Force Base from closure, JERRY COSTELLO has shaped and improved Southwestern Illinois.

I will miss JERRY COSTELLO's collegiality and his leadership. Just because he is departing Congress does not mean there is not much work left for him to do. I look forward to seeing what the next chapter of his life brings and, on behalf of my wife, Carolyn, myself, and the people of the First Congressional District of Illinois, I wish him well on his journey.

Congratulations, JERRY!

Mr. SCHILLING. Mr. Speaker, I rise today in honor of JERRY COSTELLO, who will be retiring at the end of the 112th Congress. We need more Members of Congress like JERRY—Representatives who are willing to reach across the aisle and work to get the job done regardless of party.

There is no limit to what you can accomplish when you don't care who gets the credit. JERRY is one of those guys, and his commitment to Illinois and our country will definitely be missed.

JERRY has served on the Transportation and Infrastructure Committee and has helped enact national highway policy to improve our country's roads and bridges. This is a bipartisan issue and after nine term extensions I am glad that this Congress came together to pass the first multiyear highway bill since 2005. JERRY has been extremely strong on transportation and infrastructure issues and future representatives will have large shoes to fill.

JERRY is a committed family man and early on in my first term, I quickly realized how hard it is to be away from your wife and children so frequently. I respect him for keeping his family home in Illinois, traveling to DC to serve, and returning home. Public service is about serving the people, not serving one's own self.

Over the past 24 years, the people of the 12th district have been fortunate to call JERRY COSTELLO their Congressman. His leadership, bipartisanship, hard work, and dedication to public service will not soon be forgotten. On

behalf of the 17th district, I wish Congressman COSTELLO a happy and healthy retirement. Thank you for your service.

Ms. BROWN of Florida. Mr. Speaker, I rise today to honor a great statesman, a great chairman, and a man who always put his district first. When Congressman COSTELLO retires after a long and distinguished career of service, he will be missed not only by his colleagues, but by the institution of Congress itself.

I am proud to have worked with JERRY COSTELLO as we fought for critical transportation infrastructure funding to prepare our county for the future. His leadership as Chairman and Ranking Member of the Aviation Subcommittees made the world's aviation system more efficient and safer, while facing some of the most challenging times for the industry.

I enjoyed traveling with JERRY and his lovely wife Georgia, who offered great support both personally and professionally for her husband. Together, we went on various congressional delegation fact finding missions to further our understanding of comparative transportation systems around the world, and to augment U.S. relations abroad, particularly with respect to cooperation in the transportation and infrastructure sector.

During his many years of serving in the House, Congressman COSTELLO has always been regarded as a Member who can get things done because of his results-oriented focus, and bipartisan approach to issues. As a senior Democrat on the Transportation and Infrastructure Committee and the second ranking Democrat on the Science, Space and Technology Committee, he has played a major role in writing several major pieces of legislation while focusing on improving the nation's transportation-infrastructure system.

Examples of his effectiveness include helping to write two national highway bills, securing \$150 million for a new Mississippi River Bridge in the last highway bill—one of the largest single earmarks in the legislation—and the passage of the Airline Safety and Pilot Training Improvement Act of 2009. This legislation, the strongest aviation safety bill in over 50 years, enhances airline safety by significantly increasing the flight hours required for commercial first officers and strengthening pilot training.

Additionally, Congressman COSTELLO served four years as Chairman of the House Aviation Subcommittee and now serves as the subcommittee's senior Democrat. In 2007, he wrote and helped pass a \$68 billion bill in the House to reauthorize the programs of the Federal Aviation Administration to ensure that our aviation system remains the best and safest in the world. Two years later, he reintroduced the legislation and it passed the House once again.

In closing, Congressman COSTELLO will be missed in Washington not only for his legislative accomplishments but for his good natured way of interacting with his colleagues and staff. A beloved family man, and a Member who is very well liked on both sides of the political aisle, JERRY contributed a great deal both to the Committee on Transportation and to a general feeling of political collegiality on Capitol Hill.

Ms. SCHAKOWSKY. Mr. Speaker, I rise today to thank my colleague and my dear

friend Representative JERRY COSTELLO for his 24 years of outstanding service to his district, Illinois and the country. Although he is retiring from Congress at the end of this year, his impact will be long-lasting.

Since arriving in Congress in 1999, I have been very fortunate to have JERRY COSTELLO to rely on for advice and guidance. He and then-Representative Ray LaHood, now Secretary of Transportation, convened routine meetings of the Illinois House delegation to discuss how we could work together to meet the needs of our state. A fierce advocate for Southwestern and Southern Illinois, JERRY was eager to help all parts of the state obtain federal assistance and meet the needs of our constituents. Our delegation may have had disagreements on policy, but we were united in our desire to bring funding to Illinois to create jobs, improve access to health care, help farmers, and promote Illinois businesses.

It wasn't until I had been in Congress for a while that I realized not every state delegation met in this manner. It was because of the leadership of JERRY COSTELLO, his dedication to getting things done and his ability to work in a bipartisan manner that the Illinois delegation could get together not just to talk but to achieve concrete results.

Throughout his career, JERRY COSTELLO has been a real workhorse. As a senior member of the Transportation and Infrastructure and ranking Democrat on the Aviation Subcommittee, he has shaped transportation policy and is responsible for unprecedented improvements in aviation safety. He is a recognized expert on transportation issues and he is known for his commitment to protecting the interests of travelers, riders and passengers and the rights of transportation workers. He has brought his policy interests to other areas as well—from his role on the Science, Space and Technology Committee to his interests in agriculture, education and children.

JERRY COSTELLO is the go-to leader of the Illinois House delegation and it is easy to see why. It is not just that he loves the state of Illinois and the House of Representatives. It is not just that he can put together strategies to pass legislation or bring federal assistance to his district. It is his entire being—a calm but determined demeanor, a common-sense approach to problem-solving, and a welcoming attitude for his beloved constituents and his colleagues. Throughout my time in Congress, JERRY has been generous in sharing with me his time and his talents—and for that I am extremely grateful.

I have also been happy to get to know JERRY's wonderful wife, Georgia. Georgia, the president of Southwestern Illinois College and advocate for the Illinois Green Economy Network, also brings the spirit of public service to her work in improving our community.

JERRY, your record of accomplishment over the past 24 years is enormous. While you are retiring from the House of Representatives, I know that you and Georgia will continue to work to improve the lives of Illinoisans. I thank you for your friendship that I hope will endure and for all you've done for our great state.

Mr. GUTIERREZ. Mr. Speaker, I rise in tribute to the gentleman from Illinois, Mr. COSTELLO.

Next year, at the beginning of the 113th Congress, I will reluctantly assume the title of

Dean of the Illinois delegation in the U.S. House of Representatives. I say reluctantly because two things are true. One, to paraphrase Groucho Marx, I would never want to be a Member of a Delegation that would have me as its Dean. Secondly, I have tremendous shoes to fill and a hard act to follow.

The current Dean is my friend, colleague, and mentor Rep. JERRY COSTELLO, who will leave the House at the end of his current term. It saddens me that he is leaving the House and bequeathing the title of Dean to me.

JERRY was re-elected twelve times to represent the people of the exotic and—at least to us in the City of Chicago—distant lands in southern Illinois, anchored by the City of Bellville, JERRY's home town. He has served his district, the people of Illinois and the people of the United States with distinction for 24 years.

His diligent work as a senior member of the Transportation and Infrastructure Committee, the Aviation Subcommittee, and the Science, Space and Technology Committee teaches an important lesson to young Congressmen and women: specialize. JERRY has made transportation a central theme in his career and the work he has done to ensure that infrastructure and transportation systems in Southern Illinois are world class is but one testament to his success.

Together with his wife, Georgia, the distinguished President of Southwestern Illinois College, I know JERRY will continue serving the people of Illinois in some capacity. It is in his nature.

When I came into the House in 1993, JERRY had already been here for more than two terms and helped young people like me find our way. Over the years, we developed a friendship and a kinship. Even as Democrats from the same State, I could not always vote for what he supported and he could not always vote for what I supported, but we could always look beyond that.

The people of Illinois may not even realize it yet, but they will miss JERRY in the House of Representatives. The Democratic Caucus probably doesn't realize how much we will miss JERRY. But I know how much I will miss JERRY and I wish him tremendous success and good luck.

Mr. DOLD. Mr. Speaker, I rise today to join my colleagues in honoring Congressman JERRY COSTELLO on his 24 years of service to this body and the great State of Illinois. As dean of our delegation, Congressman COSTELLO set a great example, especially for me and other freshman Members from our State. He has been a helpful institutional resource and a strong champion for the needs of Illinois.

Congressman COSTELLO has a long tradition of legislative leadership, particularly on transportation issues. During his time in the House, he worked diligently with Members on both sides of the aisle to improve transportation infrastructure across this country. I appreciate his strong work ethic, and commitment to achieving results through a bipartisan manner, and believe this chamber and this country is better for it.

Most importantly, I want to applaud Congressman COSTELLO's unwavering commit-

ment to his constituents in the 12th District of Illinois. For the last quarter century, he has been their strongest advocate in Congress, and the communities in southern Illinois have benefited greatly from his leadership.

I would also like to recognize Congressman COSTELLO's family—his wife, Dr. Georgia COSTELLO, and his three children, Jerry, Gina, and John Patrick—for supporting him during his storied tenure. I wish Congressman COSTELLO and his family all of the best as he leaves Congress, and hope that he finds happiness and fulfillment in all his future endeavors.

Mr. KINZINGER of Illinois. Mr. Speaker, throughout his career as a public servant, Congressman JERRY COSTELLO has displayed a commitment to his fellow citizens, starting with his career in law enforcement and transitioning to become a very successful court administrator. In 1980, he was elected chairman of the St. Clare County Board and acted as its chief executive for 8 years until being elected to Congress from Illinois' 12th district. Congressman COSTELLO's wife, Georgia, has also displayed a dedication to the people and communities of southern Illinois, working as a teacher, school principal, administrator, and most recently, the President of Southwestern Illinois College.

Throughout his 24 years in Congress, Congressman COSTELLO has been a tireless advocate for the 12th district, working to improve the region's economy and enhance its transportation infrastructure. As a senior member of the Transportation and Infrastructure Committee, Congressman COSTELLO helped write two highway bills that included funds for many local projects, including the construction of the New Mississippi River Bridge. He led the push to construct the MetroLink Light Rail, a rail system connecting St. Clare County to the St. Louis region. In addition, Congressman COSTELLO was instrumental in developing southern Illinois' clean-coal industry, working to secure research and funding grants for various local universities.

Congressman COSTELLO served four years as the Chairman of the Aviation Subcommittee, helping to shepherd numerous airline safety and Federal Aviation Administration reform bills into law. One of his most significant legislative accomplishments is helping to write the Airline Safety and Pilot Training Improvement Act of 2009, a bill that increased the required number of commercial pilot training hours and set new rules to limit pilot fatigue.

For his work protecting and enhancing the Scott Air Force Base, Congressman COSTELLO has been recognized as the base's "Patron Saint." He championed the base through numerous rounds of the Base Realignment and Closure process from 1995–2005, establishing Scott as one of America's leading Air Force bases. His efforts not only preserved the base, but brought the Army's Surface Deployment and Distribution Command and added 800 jobs the region.

In my two years working with Congressman COSTELLO, I have had the privilege to get to know and learn from him. The Illinois delegation will surely miss his expertise and leadership. He leaves behind a legacy of being able to work with any Member, regardless of party, to get the job done and do what's best for the

Nation. I am grateful for the time during which I was able to call Congressman COSTELLO my colleague and friend, and wish him all the best in his future endeavors.

Mr. JOHNSON of Illinois. Mr. Speaker, I rise today to pay tribute to my good friend and fellow Illinois Representative, Congressman JERRY COSTELLO.

I can say with sincerity that JERRY COSTELLO, after 24 years of dedication, has gone above and beyond in every way possible to serve the 12th District of Illinois and this nation. Throughout his tenure, Congressman COSTELLO has worked tirelessly to improve the economic standing of Southern Illinois, as well as foster positive change for this nation.

JERRY COSTELLO has been one of the most ardent workers for improving national transportation and has received many honors and recognition over the years for his work on agricultural issues of great importance to Illinois farmers. With his bipartisan approach to issues, Congressman COSTELLO has garnered results time and again for the State of Illinois.

Not only do Congressman COSTELLO and I share this strong, cross-party attitude, but we also sit together on the Committee on Transportation and Infrastructure. Through our work together, I have witnessed first-hand the amount of effort and hard work that he has put into the improvement of transportation infrastructure in the 12th District of Illinois as well as nationwide. Most importantly Congressman COSTELLO never left his district and always came back to Illinois after the session was over. This enabled him to truly stay grounded and in touch with his constituents.

I would take this moment to honor Congressman COSTELLO and all his years of service. Thank you, Congressman JERRY COSTELLO and congratulations on your numerous achievements. I wish you the best of luck in all future endeavors.

Mr. PETRI. Mr. Speaker, as we are approaching the final days of the 112th Congress, I want to join with so many other House Members in paying tribute to my friend and colleague, Representative JERRY COSTELLO.

While JERRY and I have served together on the Transportation and Infrastructure Committee for over 20 years, I really have come to know and admire him during the last six years as we have served together in leadership positions on the Aviation Subcommittee. JERRY was Chairman for four years while I served as the ranking minority member, and this Congress that was reversed with the Republican majority.

But no matter which of us was Chairman, we forged a working relationship based on respect and a desire to work together on a bipartisan basis to get things done. And we have had a productive six years together. We passed the Airline Safety and Pilot Training Improvement Act of 2009, one of the strongest safety bills to pass Congress in a long time. We spent a number of years working on a comprehensive FAA reauthorization bill, which culminated in the signing of the FAA Modernization and Reform Act of 2012 on February 14, 2012.

We have been committed to providing oversight and support for the effort to modernize our air traffic control system, known as NextGen. As we were first starting out together with JERRY as Chairman back in 2007,

we discovered the FAA could not even succinctly tell us just what NextGen actually was. We determined then that a major priority for us was to do all that we could to make sure this program was on track, that the FAA was held accountable for management of the program, and that other stakeholders be involved and consulted in this effort. Just this morning, we held our final NextGen oversight hearing, and I believe that we have been an effective team over the years on this program which is so critical to the future of our aviation system.

There has been much well-deserved concern expressed about the lack of civility and bipartisanship these days in the House. JERRY and I have shown that, even though you may not always agree, when you work through issues to actually accomplish something rather than just trying to score political points, we can do things that improve our nation.

JERRY is one of the workhorses of the House who has been an effective Representative for the 12th District of Illinois. He is a decent and honorable man, and I consider it an honor to have served and worked together with him. My best wishes go to JERRY, his wife Georgia, and the entire family as they begin this new phase in their lives.

Mr. LUJAN. Mr. Speaker, for more than two decades, Congressman JERRY COSTELLO of Illinois has served the people of his district and his state with distinction. Congressman COSTELLO represents the type of individual we need here in this body to advance the important business of our country. As a thoughtful, fair, and dedicated representative, he is held in high esteem by colleagues on both sides of the aisle.

I am pleased to have had the opportunity to serve with him on the Science, Space, and Technology Committee and see firsthand the knowledge and passion that he brings to his role as a leader on the Committee. His Committee colleagues and I have the greatest respect for him, always valuing his opinion on the important issues before us.

While JERRY will be truly missed in the halls of Congress, I thank him for his service and wish him well on his next endeavor. I know that his wife Georgia, his children, and grandchildren will be glad to have more time to spend with him.

Mr. MCNERNEY. Mr. Speaker, I rise today to recognize my colleague, Representative JERRY COSTELLO, who has announced his retirement at the end of this Congress. I am honored to have served with JERRY on two committees, and I respect and admire his bipartisan approach to our work here in Congress.

During my first term here in Congress, JERRY addressed an issue in the Science Committee with the force and backing to make a real impression on me. He has provided us all with a model of how a leader can engage in robust debate with respect and an open mind. Whenever a colleague approached JERRY, he has always been willing to listen and give valuable input.

Congressman COSTELLO has been a wonderful leader and colleague, providing us with a great example of how we can accomplish things in Congress to benefit the areas we represent. The entire country and I thank JERRY for his 24 years of service to his con-

stituents in Illinois and to all Americans, and while I am sorry to see him go, I wish him the best in his next endeavors.

Mr. ROHRBACHER. Mr. Speaker, even though the Science Committee prides itself on bipartisanship, at times, the discussions got a little heated. Luckily, we've had JERRY COSTELLO there to help cool things off. JERRY's business-like approaches and pleasant smile have always been a positive factor in getting things done. Unlike so many of us, JERRY likes to listen as much as he likes to talk. This unique characteristic actually enabled him to disagree in a very agreeable way.

In short, even those of us who do not agree on particular issues, respect and like JERRY COSTELLO. He will be missed on both a personal and professional level. I wish him the best because he has been one of the best.

Mr. QUIGLEY. Mr. Speaker, today I rise to honor my dear friend and colleague Congressman JERRY COSTELLO.

For 24 years Mr. COSTELLO has served the people of Southwestern and Southern Illinois with a will and determination I have long admired. As a member of the Illinois delegation, I have often looked towards his bipartisan work ethic and unique ability to reach across the aisle as a reminder of what can be achieved when lawmakers put the American people before themselves. Congressman COSTELLO "gets it." He's a man of character who has never lost sight of his ultimate purpose: to serve the people of Illinois' 12th District.

Mr. Speaker, Congressman COSTELLO is also a man who has never shied away from working hard to make his goals a reality. After high school, he worked full time as a law enforcement officer in order to pay his way through college. He went on to serve his community administering the region's court services system, and in 1980 he was elected Chairman of the St. Clair County Board.

After proving his ability as a leader, the good people of Southwestern and Southern Illinois saw fit to send Mr. COSTELLO to Congress in 1988, and he took his vision for a new regional Illinois transportation network to the national level. As a senior member of the Transportation and Infrastructure Committee, he has worked tirelessly to expand transit, having championed the \$670 million Mississippi Bridge between Madison County and downtown St. Louis. In addition, through his role on the Aviation Subcommittee, he helped pass some of the toughest aviation safety laws our country has seen in over half a century.

It is because of efforts like these that Congressman COSTELLO has established himself as one of Congress' most effective members, someone who can be counted on to get things done. For the past 24 years the people of the 12th Congressional District of Illinois could rest easy knowing that Congressman JERRY COSTELLO was working hard for them in Washington. His constituents, and those of us who have had the pleasure of working with him, know that if there is a tough task or issue to address, JERRY COSTELLO is the person to see it through.

Mr. COSTELLO has spent most of his life serving the public. He is admired by his family, district and his peers and rarely is there a member who has worked so well across party

lines and accomplished so much during his time in office. I want to thank him for setting an ideal example that we should all strive for when we come to DC. It is part of the larger legacy he leaves in Congress, which will stay with many of us as we continue where he leaves off in working for the American people.

Mr. Speaker, JERRY COSTELLO's presence in the halls of Congress will be sorely missed. I am proud to call Congressman JERRY COSTELLO a friend and wish him all the best as he heads back to Illinois to seek new endeavors.

Mr. MICHAUD. Mr. Speaker, I rise today to honor and pay tribute to my distinguished friend and colleague from Illinois, JERRY COSTELLO, as he enters his final days serving the Prairie State in Congress.

JERRY has been a loyal advocate and dedicated fighter for the people of Southern and Southwestern Illinois in the U.S. House of Representatives. JERRY'S unyielding commitment to Illinois, however, dates back even further—to his early days working as a full-time law enforcement officer as he worked his way through college. No matter how far JERRY traveled, his heart has always remained with his community—and his family, at home in Belleville.

Since I first arrived in Congress in 2003, I have had the privilege of serving as a member of the Transportation and Infrastructure Committee. During our service together, I have continually been impressed by JERRY'S understanding of key issues, especially those pertaining to aviation, as well as his knowledge and passion for the legislative process.

Members of Congress and influential figures on both sides of the aisle have praised Jerry for his willingness to work across party lines to get things done for his constituents and the nation. As the rough winds of partisanship have made getting things done in Washington difficult, Illinois and Congress have benefitted from an experienced pilot who still believes that by working together, Congress can push ahead through turbulence to a better flight plan for our nation.

Mr. Speaker, please join me in honoring my friend and colleague, JERRY COSTELLO, for his eleven terms in Congress and his continued dedication to our nation.

Mr. BISHOP of New York. Mr. Speaker, I rise to recognize my good friend and distinguished colleague from Illinois, Congressman JERRY COSTELLO. It is an honor for me to join my colleagues on both sides of the aisle to commend and thank him for his outstanding leadership and long record of service to this nation.

As this session's adjournment and his retirement approaches, I also wish to take this opportunity to thank JERRY for his friendship and guidance as my senior colleague on the Transportation & Infrastructure Committee, on which I have had the honor of serving with him since I was first elected in 2002. When I first met JERRY, he was already a veteran member of this body with a broad knowledge and understanding of the many important and complicated issues under our committee's jurisdiction.

JERRY'S guidance and counsel in those early years were invaluable to me as a new Member. I have continued to look toward JERRY in this Congress as the standard-bearer for our

committee with an unrivaled insight, institutional knowledge, and vision of the many complex issues facing our nation.

As the former chairman and now ranking member of the aviation subcommittee, JERRY has performed a critical service in shaping federal aviation policies to ensure our system remains unrivaled and the safest in the world. As a senior member of the Science, Space & Technology Committee, JERRY has proven there is no stronger advocate or more successful champion for our nation's space program or national STEM initiatives to better prepare students for a 21st Century economy.

Indeed, JERRY has achieved tremendous success and distinguished himself with an impeccable record of accomplishments in public service and leaves an indelible mark on the House of Representatives.

Mr. Speaker, I wish Congressman JERRY COSTELLO the best of luck in his future endeavors and bid the gentleman from Illinois a fond farewell.

Ms. EDWARDS. Mr. Speaker, I rise to commemorate the congressional career of our colleague, the gentleman and legislator from Illinois' 12th Congressional District, JERRY COSTELLO. It is hard to imagine this Congress, the Science, Space and Technology, SST, Committee, and the Transportation and Infrastructure, T&I, Committee without him as he retires at the end of the 112th Congress. I am happy that he is leaving on his own terms and I wish him every happiness as he moves on to the next phase of life.

When I became a Member of the House of Representatives in 2008, I was new to elected public office. I was given the opportunity to serve on the SST and T&I Committees, both of which I have had the honor of serving with Representative COSTELLO. As a new Member of Congress, there are certain members you observe and seek to emulate. Right away, I admired Rep. COSTELLO's preparation, diligence, and his quiet and tempered leadership.

Throughout my time in the House, I have seen Representative COSTELLO exhibit these qualities time and time again. That is likely why he has managed a feat rare in this day and age, being admired by both Democrats and Republicans as a man who exemplifies public service.

On the T&I Committee, Rep. COSTELLO fought to make air travel safer with the passage of the Federal Aviation Administration Reauthorization Act of 2007. Responding to the crash of a commuter airplane outside of Buffalo, NY, he sought to improve safety standards to ensure better pilot training in 2009.

He has fought tirelessly over his 26 years in the House of Representatives for his constituents by expanding critical infrastructure in the 12th Congressional District of Illinois, growing the local economy, and bringing good paying jobs to the region. Southern Illinois is better off to have had such vigorous and able leadership.

All of us in this institution are referred to as the gentlelady or gentleman from the day we are sworn in as a Member of this body. However, Rep. COSTELLO truly deserves that title since he is a true gentleman. His retirement will leave a void in this House that cannot be filled.

My first four years in Congress, the House of Representatives, and our country are better off thanks to JERRY COSTELLO's public service and efforts. I wish you JERRY, your wife Georgia Cockrum Costello, your children Jerry II, Gina, and John Patrick, and your eight grandchildren continued success, happiness, and hopefully some well-earned rest. I know they have been of tremendous support to you in your service to this House and our nation. You leave behind a legacy of service that others can and should aspire to.

Ms. WILSON of Florida. Mr. Speaker, I rise today to recognize Congressman JERRY COSTELLO, my colleague on the Science, Space and Technology Committee, who is retiring at the end of this Congress after 24 years of service to Illinois' 12th Congressional district.

Congressman COSTELLO began serving his community long before he was an elected official. As a college student, Mr. COSTELLO helped make communities safer by working as a law enforcement officer. Though hard work, dedication and leadership, Mr. COSTELLO earned the respect and trust of his peers, leaders throughout the State of Illinois and most importantly, his community. A few years after graduating from Maryville University, Mr. COSTELLO was elected as Chairman of the St. Clair County Commission Board. Fittingly, when his community was searching for an exceptional leader to replace 22-term Congressman Melvin Price, they turned to Mr. COSTELLO. Over the next 24 years, he would lead his community through some of its most challenging times.

When the Scott Air Force Base, one of his district's largest employers, was facing closure, they turned to Congressman COSTELLO. He not only stood up for them, he delivered. In addition to convincing the Department of Defense (DOD) to keep the base open, he worked with them to bring hundreds of additional jobs to the region.

Congressman COSTELLO has worked in a bipartisan manner to make flying safer and strengthen our nation's infrastructure. He helped write and pass legislation that has pumped billions of dollars into our nation's infrastructure, and heightened aviation industry standards. As Chairman of the House Aviation Subcommittee, Congressman COSTELLO prioritized passenger safety, held airline companies accountable and pushed for innovations rather than accept the status-quo.

While he will be missed in Washington, through his countless contributions, his presence will linger. His wife Georgia, three children, eight grandchildren and constituents will be happy to have him home.

Mr. Speaker, Congressman COSTELLO epitomizes what it means to be a public servant. I am grateful for his 24 years of service to our nation and I encourage my fellow members of Congress to commend him for his service. Thank you Congressman COSTELLO.

Mr. LARSEN of Washington. Mr. Speaker, I rise to salute my friend and colleague, Mr. COSTELLO on over two decades of admirable service to our country and especially to the people of Southern Illinois.

I have been honored to serve with Mr. COSTELLO as a member of the Transportation and Infrastructure Committee, where I have seen firsthand his skill at working on a bipartisan

basis to improve our nation's transportation infrastructure. As the Ranking Member of the Aviation Subcommittee, his patience and willingness to work with all Members of Congress was critical in the passage of the recent Federal Aviation Administration reauthorization bill.

He has provided leadership, guidance and a long-term vision of how we can move our country forward. I am thankful for his friendship and advice over the years, and I wish him the best in his future steps.

Mr. NEAL. Mr. Speaker, I would like to take this opportunity to recognize the retirement of my dear friend, Congressman JERRY COSTELLO. During his tenure in the U.S. House of Representatives, his absolute dedication to the 12th district of Illinois, and his success in passing beneficial legislation has gained him the admiration of colleagues and constituents alike. He is fully committed to the prosperity of the economy, the well-being of his constituents, as well as solving the issues of the day.

As a member of the House Committee on Transportation and Infrastructure, Congressman COSTELLO made his mark through the improvement of the transportation industry for both his district and the nation. He is responsible for the creation of MetroLink extension in St. Clair county and for funding the construction of the Mississippi River Bridge. Congressman COSTELLO is also an active member of the Aviation Subcommittee and the Railroads, Pipelines and Hazardous Materials Subcommittee. He worked relentlessly to pass the Airline Safety and the Pilot Training Improvement Act of 2009, the strongest aviation safety legislation in fifty years, following a passenger jet crash killing fifty-one people. Congressman COSTELLO will also always be remembered as "the patron saint of Scott Air Force Base," for preventing the base's closure in Belleville, IL during the Base Realignment and Closure process and for expanding its operations.

As a senior member of the House Committee of Science and Technology, Congressman COSTELLO is known for his dedication to developing clean coal technology and for providing a voice for Illinois farmers and workers. Due to his many accomplishments, he won the "Friend of Agriculture Award" three times since 2004, the "Labor Man of the Year Award" in 2010, and countless other awards and recognitions.

Having served with him since I was first elected into Congress, I am truly honored to have worked with such a dedicated and passionate member of the House. I am grateful to call Congressman COSTELLO my friend, and I wish him the best in his future endeavors.

Mr. BOSWELL. Mr. Speaker, I rise to pay tribute to a great colleague, a wonderful Member of this House, and a very dear friend, Congressman JERRY COSTELLO.

I have had the great privilege of serving with JERRY COSTELLO on the House Transportation and Infrastructure Committee since I've been in Congress. Over the years, I have learned so much from JERRY and have enjoyed our partnership on the Committee.

During his twenty-four years in Congress, JERRY has been a passionate advocate for his constituents and improving the transportation infrastructure in the Illinois 12th Congressional District. As the Chairman and Ranking Member of the Aviation Subcommittee, he has

been a tireless champion of general aviation and modernizing our aviation system. His effective leadership and extensive knowledge of these issues have led to countless infrastructure improvements in his district and state.

JERRY's commitment to service extended beyond Illinois. When visiting my home state of Iowa, JERRY took the time to meet with some of my constituents to understand the transportation needs of our state and see how potential investments would affect our communities. He took the concerns of Iowans as seriously as those of his own constituents and made certain that these concerns were addressed in Washington.

I will greatly miss working with him, but I wish him and his family my very best wishes for a very bright future.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to honor a cherished colleague and dear friend in the U.S. House of Representatives, Congressman JERRY COSTELLO. After more than twenty-three years of dedicated public service, Congressman COSTELLO will be retiring from the U.S. Congress. Congressman COSTELLO is a true statesman, and he will be sorely missed.

Congressman COSTELLO is a stellar example of the commitment needed to be an effective public servant. He began his public service at an early age, working in law enforcement while attending college. He has built his career on bipartisanship and dependability, and has always kept the needs of his constituents and the American people foremost in his mind and close to his heart. Congressman COSTELLO is a devoted family man, who treasures his wife, Georgia, their three children, and eight grandchildren. His compassion has given Congressman COSTELLO a unique perspective, making him that much more effective as a Member of Congress.

I have had the distinct pleasure of working closely with Congressman COSTELLO on both the House Committees on Transportation and Infrastructure and Science, Space, and Technology. He is an effective legislator, and has shown an unwavering commitment to furthering scientific research and building our Nation's infrastructure. Having served both as Chairman and Ranking Member on the Aviation Subcommittee, Congressman COSTELLO continues to work with his colleagues on a bipartisan basis to improve the safety and innovation of the aviation industry.

Mr. Speaker, the bonds that we form with our fellow colleagues in Congress are unlike anything else, and the friendship Congressman COSTELLO and I have developed over the years is very special to me. The House of Representatives is losing a distinguished colleague, and the constituents of the 12th District of Illinois are losing a loyal advocate. I have immense respect for Congressman COSTELLO. I will miss him dearly, and I wish him and his family all the best in their future endeavors.

Mr. SIRE. Mr. Speaker, I rise today to honor the distinguished career of JERRY COSTELLO. In this vast body, JERRY is well known and admired by Members on both sides of the aisle. Republicans and Democrats alike have praised his tenure since JERRY announced retirement last October. He has served since 1988 and I have had the pleasure of sitting

with him on the Committee on Transportation and Infrastructure for nearly five years.

Serving four years as Chairman of the House Aviation Committee, and now as the Ranking Member, JERRY has been able to drive sound policy to make sure that America's skies are safe. JERRY wrote and played an instrumental role in passing legislation to reauthorize the Federal Aviation Administration. As a member of the Transportation and Infrastructure Committee, he helped write national highway bills and secure \$150 million for the Mississippi River Bridge in his district. JERRY gets the job done and I have been enriched by sitting on the Transportation and Infrastructure Committee with him.

JERRY has been a true and effective advocate for Illinois's 12th Congressional district. His list of accomplishments is long and he truly cares about protecting the interests of his constituents. For example, he was not only able to keep Scott Air Force Base open during several rounds of the Base Realignment and Closure (BRAC) process, but JERRY added 800 jobs. The base is Illinois's largest employer south of Springfield.

While the halls of Congress and particularly the Transportation and Infrastructure Committee will be less bright, I know that JERRY will find joy in his next journey back home in Illinois. I wish him and his family all the best.

Mr. HOLDEN. Mr. Speaker, it is with great appreciation that I rise today to remember and honor the congressional career of my good friend, JERRY COSTELLO. JERRY and I have served together for the last twenty years.

Not only do I consider JERRY a dear friend, but he is also a mentor. He was there to provide sound advice and tutelage when I joined the Transportation and Infrastructure Committee in the 105th Congress. He is widely seen as a leader in Congress on transportation issues. JERRY and I also worked closely together on matters concerning the people of Ireland. JERRY never forgot his ancestral roots in trying to better the lives for the Irish.

It wasn't only in matters before Congress that JERRY provided guidance, but also in life. I had the great fortune of sharing the same travel agent as JERRY which has enriched my life greatly.

JERRY, you will be greatly missed in this body and Congress will greatly miss you. I wish you all the best in your next endeavors and know you will bring your pragmatic approach to the task at hand.

Mr. Speaker and fellow colleagues, please join me in celebrating my dear friend, JERRY COSTELLO.

Mr. CLAY. Mr. Speaker, I rise today to honor my great friend and colleague, the distinguished senior member from Illinois, Mr. COSTELLO, as he prepares to retire at the conclusion of the 112th Congress.

Congressman COSTELLO has been a trusted friend and mentor to me for the last twelve years.

When I first arrived as a freshman Member of Congress in 2001, Congressman COSTELLO was here to greet me and guide me along the right path.

And over the years, I have continued to rely on his good advice and wise counsel.

His departure is a great loss for the State of Illinois, the citizens of the 12th district, and the St. Louis regional delegation.

For the last twenty-four years, Mr. COSTELLO has been a tireless advocate for southern Illinois and metro east.

He has been a champion for rebuilding and enhancing our transportation infrastructure.

The magnificent new Mississippi River Bridge that is currently under construction will be a powerful symbol of his legacy of leadership.

Congressman COSTELLO has also been the patron saint of Scott Air Force Base—the largest employer in southern Illinois.

Our region, and indeed, our nation are stronger because of his continuous efforts to preserve and expand this vital national defense asset.

Mr. Speaker, I consider it a great blessing to have had the opportunity to serve with Congressman COSTELLO and to call him my good friend.

I honor him for his service to his state, the St. Louis region and our nation.

And I salute him on a remarkable congressional career.

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I rise today to honor one of this body's finest members, Congressman JERRY F. COSTELLO, for his long-time service to the Congress.

Mr. COSTELLO has worked on behalf of the people of southern Illinois for more than 24 years, passionately bringing their concerns with him to Washington and diligently partnering with his colleagues to get the job done.

Beyond his service to the people of Illinois' 12th District, Congressman COSTELLO has been a steadfast leader for our nation's transportation infrastructure. He was instrumental in the creation of national highway bills that have become the groundwork for a more prosperous America, and a tireless advocate for aviation measures that have made our skies safer and our airlines stronger.

It has been a privilege to serve in this House with Congressman COSTELLO, and I am proud today to stand with my colleagues and pay tribute to his distinguished career and leadership. We salute a gentleman who has made a positive impact on the lives of those he has served, and who leaves a legacy worthy of this institution. I wish him, his wife Georgia, and his family well on their future endeavors.

Mr. RAHALL. Mr. Speaker, it is my distinct honor to rise and salute my friend and colleague, the distinguished gentleman from Illinois' 12th district, JERRY COSTELLO, as he prepares to conclude 24 years of service to his country and the people of southern Illinois as a Member of the House of Representatives. I have worked with JERRY regularly over the years on a number of bills and issues, but he and I collaborated especially closely these past two years on the Committee on Transportation and Infrastructure as we worked to pass a long-term Federal Aviation Administration (FAA) reauthorization bill. And at every juncture, I never failed to be impressed by his earnest and apparent desire to do right by his constituents and the American people.

JERRY first came to Congress as a freshman Member of the Illinois Delegation after his election in 1988, but, even before he took the oath of office, he had already distinguished himself as a faithful public servant of the people of Illinois through his service in the state

court system and then as chief executive of one of Illinois' largest counties. JERRY came to Congress—and this was apparent to me from some of my earliest collaboration with him—with a strong sense of duty to his constituents and to the public at large. For 24 years, this has been reflected in the strong spirit of bipartisanship in which JERRY works with our colleagues across the aisle. He finds compromises where others cannot.

Whether working with JERRY to advance clean coal or to make our aviation system safer and stronger, I always got the sense he was practically an expert in the subject matter. And, indeed, he was. In 2007, he was instrumental in helping write and secure House passage of a \$68 billion FAA reauthorization. He worked to pass the bill again in 2009, and he negotiated tirelessly with the other body to enact a final bill before the clock ran out last Congress.

Moreover, in the aftermath of the tragic crash of Colgan Flight 3407 in 2009, JERRY wrote and worked in a bipartisan manner to pass an airline safety bill that called for the strongest aviation safety improvements in more than 40 years. The bill made sweeping airline safety and pilot training reforms that have made the traveling public safer. JERRY's vision, knowledge, and leadership resulted in those reforms becoming law.

This Congress, JERRY and I worked very closely as we negotiated with our House and Senate colleagues on a long-term FAA bill. Before that process began, there were probably some who thought "slots" are something you might find in Vegas or Atlantic City. But JERRY would patiently explain the other type of "slots" that loomed large over the FAA bill: slots for airlines to fly to Washington National Airport. Explaining slots—or any complex aviation issue, for that matter—JERRY would boil down years of legislation, rulemaking, and airline mergers and bankruptcies into a few simple words that reflect his good Midwestern common sense.

When JERRY retires at the end of this Congress, we will lose the benefit of his institutional memory, his knowledge of aviation issues from top to bottom, and his bipartisan approach to solving problems and finding common ground. I have no doubt that JERRY's family—his wife, Georgia, his daughter and two sons, and his eight grandchildren—are looking forward to having him closer to home for longer periods of time. On behalf of my colleagues, I would like to thank them for sharing JERRY with us for these 24 years. His good work has made a tremendous difference not only for the people of his district, but for every American who flies, drives, or takes a train in this country.

Mr. Speaker, with great admiration, I salute my friend as he prepares to retire from this body, and I join with my colleagues in extending to him every best wish in his future endeavors.

Mr. CARNAHAN. Mr. Speaker, I rise today in recognition of my colleague and Illinois neighbor Congressman JERRY F. COSTELLO for his tireless efforts in representing part of the St. Louis metro area in Southern Illinois.

His 24 years in the House of Representatives have been distinguished by his exceptional ability to achieve and selfless resolve to advance our nation and our bi-state region.

JERRY's civic work began well before his tenure in Congress. This was apparent even in college, where his eagerness to serve the community he called home led him to divide time between his studies and a job as a full time law enforcement officer. He chose to follow this path after college, and his ingenuity and knowledge of the regional court system made him prominent throughout Illinois. His devotion, practicality, and unwavering focus on his community would see his election as chief executive of one of Illinois' largest counties and eventual rise to Congress.

His career has been marked by leadership and consistent achievement, particularly in the field of transportation, where his record is as extensive as it is impressive. In 2005, he took the lead role to secure \$150 million for a new Mississippi River bridge as part of one of the biggest earmarks in U.S. history because of its classification as a project of national significance. He brought MetroLink to Southern Illinois, a new transportation network that has improved infrastructure and simultaneously boosted and connected the regional economy. I have been proud to serve alongside Congressman COSTELLO on the Transportation and Infrastructure Committee and the Science Committee and I know all his colleagues on both sides of the aisle will deeply miss his leadership and knowledge. Furthermore, his constituents will miss his devotion to improving their lives, creating jobs, and bettering the region's infrastructure.

JERRY's accomplishments exemplify his commitment to issues ranging from safety to poverty, from the economy to defense. His efforts have benefitted not just his district, but the nation as a whole. Beginning in 1995, for example, JERRY undertook a decade-long endeavor to save Illinois' Scott Air Force Base from closure. Continuous efforts to improve base facilities and funding to keep it off the closure list eventually prevailed. The Air Force base is now one of the largest employers in the St. Louis region and ranks among the nation's most important with the operation of the Air Mobility Command.

As the Chairman and Ranking Member of the House Aviation Subcommittee, he has led the effort to modernize our aviation system and helped pass a bill this year that secured the place of our aviation system as the best and safest in the world for years to come. Several years later, he helped write the Airline Safety and Pilot Training Improvement Act of 2009. The bill requires pilots to now log more hours and undergo more rigorous training before being able to pilot commercial airplanes.

This coming January, my good friend JERRY will be retiring.

His decades of service have provided Illinois, the St. Louis bi-state region, and Congress a guiding voice that will be sorely missed. He retires with a legacy that the next generation of American leaders should hope to emulate.

I have been proud to serve alongside JERRY in Congress, serving the same region, and serving on two committees together. I have seen firsthand the incredible work he has done, and the stamp he has left on this place and the impression he has made on all of us who have had the good fortune to work alongside him. While JERRY will no longer be in

Congress, I have no doubt that he will continue to serve his community and his country.

Mr. Speaker, please join me in congratulating JERRY COSTELLO on a successful career and wishing him and his family all the best as he retires. Thank you, JERRY.

GOP DOCTORS CAUCUS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from Michigan (Mr. BENISHEK) is recognized for 60 minutes as the designee of the majority leader.

Mr. BENISHEK. Mr. Speaker, as many of you may know, before coming to Congress, I was a physician in northern Michigan for nearly 30 years, and tonight I want to spend a little time talking to you about Medicare, the President's health care bill, and just health care in general.

In practice, many of my patients were on Medicare, and I know how important medical care is to our seniors. It's an important part of their ability to take care of themselves as they get older. Really, the reason I'm here today is to explain that the GOP and the Republicans want to preserve Medicare for our current seniors and for the youth that are coming up because right now the way Medicare is organized, the trust fund will be out of money within 10 to 12 years. Different accountants have different numbers. But basically, unless we do something, we're going to run out of money. We just don't want that to happen. I want to see people still have access to their care.

In discussing this issue, it seems as if we've been attacked for trying to end Medicare. But if you see that there's a problem with a system that is running out of money and you don't want to address it, that's just not right.

The Doctors Caucus in the House is 18 physicians, nurses, and dentists that represent different areas of the country, and we have a good understanding of health care as it exists right now in America. Certainly, there are problems with health care and access to it. And although we have great health care in America, the problem is it's too expensive. Frankly, the President's health care bill makes it more difficult to keep Medicare viable. Those are a few of the things I want to talk to you about this evening, just touch on to let you understand what I think about how the system is working and how we can improve it.

I don't think it's a partisan issue. I think it's something that we need to discuss. Frankly, I just don't think that some of the people that have passed these laws in Congress really understood what they were doing. They admitted the fact that they passed the bill without really knowing what was in it. I just don't think that's really a good idea.

What is really the problem with Medicare? The problem is that the population of our country is changing. There are more older citizens than there were; in other words, there are 10,000 new Medicare beneficiaries being added each day. Right now, a little over three people are paying into the system for every person that is collecting. Because of the large numbers of people that are being added to the roles, within a few years there are only going to be two people paying in for each person collecting. That creates a problem in the fact that there are not as many people paying in as are receiving benefits. With the cost of health care going up, it makes it a fiscal cliff.

The other big problem that we see with the Medicare situation is the fact that the President's health care law, in order to pay for it, takes \$700 billion out of Medicare. That's a lot of money to take out of Medicare and still expect it to provide care for our seniors, more and more of which are coming on to it every day. I think that there is certainly some waste, fraud, and abuse that can be eliminated, and that will help, but it's just not enough. We have to change the system.

The system that I think we should change to, frankly, is the system of PAUL RYAN and Mr. WYDEN of Oregon, who brought together a program where we can put some changes in for those people under 55 that will allow them to choose between different private insurance plans similar to what Federal employees and Members of Congress have. These private plans would be inspected and reviewed by the government to be sure that they're adequate and give people some flexibility in how they spend their money.

One of the problems I see with Medicare is that the government ends up deciding how to spend the money rather than the patient. The patient, to me, is the one whose money it is. The people who are spending the money should be the ones who are deciding how it's spent, not some government person or bureaucrat in Washington.

Show me the slide on the \$700 billion. I just want to show people the slide that demonstrates what's happened to this money. I represent the northern half of Michigan. We have many small towns and small hospitals in my district. Every little town has their community hospital, and it's hours sometimes to the next facility.

□ 1820

This slide here shows the \$716 billion coming out of the Medicare program, and \$294 billion of that money is payments to hospitals. The President describes the Medicare cuts as cutting waste and overpayments to providers. Well, these hospitals are the ones that are providing the care; and as a doctor, I'd be a provider as well.

But when you cut \$294 billion from our local hospitals, I know, I served on

the board of a hospital. Our hospitals are operating at a razor-thin profit margin. They have to stay in the black, otherwise they go out of business. They can't make their payroll. We've recently had a hospital in our district go bankrupt because of their problems with payments from Medicare.

This is going to continue to happen as we go forward if we allow this President's health care bill to continue with \$156 billion cut from Medicare Advantage, \$111 billion to be cut by IPAB and other provisions, \$66 billion cut from home health care agencies, \$39 billion cut from skilled nursing, \$33 billion from FFS Medicare providers and \$17 billion from hospice care.

These are crucial programs for our seniors. With more and more seniors coming into the program, how are they going to be provided care with less money? I don't see it happening.

What's going to happen is there are going to be fewer hospitals, fewer places for patients to get care, so it's going to be difficult; and in my district we may have to travel hundreds of miles to get seen. I think it's pretty darn scary, to tell you the truth.

Dr. HARRIS, another member of the Doctors Caucus, is here with us tonight. He's from Maryland, and he's an anesthesiologist.

Mr. HARRIS. Will the gentleman yield?

Mr. BENISHEK. I yield to the gentleman from Maryland.

Mr. HARRIS. On those lists of questions of those \$716 billion that's basically going to be transferred from the Medicare program to pay for the President's new health care reform bill, that doesn't even include the over \$300 billion to cuts in physician and provider payments over the next 10 years under the payment reform; is that correct?

Mr. BENISHEK. That's right.

Mr. HARRIS. So it's in addition to that \$700 billion. There's another \$300 billion that's going to get cut from payments to providers. Here's the problem. You know, I think the gentleman from Michigan points it out.

Medicare is going broke, and it's going broke not only because \$700 billion was taken out of it to pay for the President's Affordable Care Act, but another \$300 billion is going to be taken out in the physician payment formula.

Now, the CMS actuaries, and that's the department that runs Medicare and Medicaid, actually projects that the Medicare program could be bankrupt as soon as 2016. Four years from now, the Medicare program could be bankrupt.

Now, I'm glad that as part of November's elections we're going to discuss the future of health care for our seniors, because it is time to say that the emperor has no clothes. Our seniors know it.

They know that when, God forbid, their physician retires, and they go and

try to find another physician, and they're on Medicare, they already know how hard it is to find a physician who can accept them because the reimbursements are already so low.

The payments to physicians are so low already, it's hard to find that primary care doctor. It's hard to find that specialist who needs to take care of you, whether it's for your blood pressure or your diabetes or whatever problem you have; and the problem is only going to get worse.

Now, the President in his budget doesn't deal with it at all. He pretends that Medicare will go on forever and ever just the way it is now. That's just not true.

The Centers for Medicare & Medicaid say it could go broke in as little as 4 years. The Medicare actuaries give it the longest lifetime, 10 more years.

Well, Mr. Speaker, if you're 55 now, that means by the time you're 65, it's broke. If you're 61, according to the Centers for Medicare, it's broke by the time you reach age 65. And if you're on it now and you're 70, it could be broke by the time you're 74.

So we have to stop pretending that the Medicare program is going to work forever the way it is now. It won't, because the President took \$700 billion from it to pay for the Affordable Care Act. There is a scheduled cut to physician payments and to provider payments of over \$300 billion over the next 10 years, and our seniors are already having problems finding those physicians.

But in the Medicare costs, if we don't do anything right now, we don't deal with the program and adjust it for people who are younger—and I have a son who is 27 years old. He is an accountant. He knows numbers, and he knows them backwards and forwards and up and down, better at math than I ever was. He's convinced he will never see a Medicare program because he's seen the books.

Medicare payments are projected to grow substantially from approximately 3.5 percent of our economy to 5.5 percent of our economy by 2035, and the President has no plan to pay for that growth. We know because of the maturing and retiring of the baby boom generation that this is coming.

This is predictable. We can project this. We know that if we don't change the Medicare program to preserve it for future generations and to keep it for the current generation of Medicare recipients, it goes broke. As I mentioned, the physician payment formula in Medicare needs to be fixed or, starting January 1, payments to physicians and providers may go down 30 percent.

Now, Mr. Speaker, if our seniors think it's hard to find someone to take care of them now on Medicare, what do they think it's going to be like when

the government says to those physicians, we're going to pay you 30 percent less starting January 1, and this is all scheduled to happen.

The President has no plan. The President suggested no ideas to Congress on how to deal with that. What we need is leadership on health care, and we're not getting it from the other end of Pennsylvania Avenue.

Already access is an issue because back in 2008, 12 percent of physicians have said they have to stop seeing Medicare patients. We know now that a much larger number limit the number of Medicare patients they care for.

As the gentleman from Michigan knows, we didn't go to medical school to not take care of patients. We didn't go to medical school to have our staff answer a senior calling to say, I'm sorry, but we can't afford to take care of you. But that's exactly the position that the President's plan for Medicare is putting physicians and patients in right now. That's the sad fact.

This emperor has no clothes. The Medicare program is on a path to bankruptcy, and there is no plan from the White House to solve that problem. It merely kicks the can down the road.

We have heard a lot in the last few days and few weeks about Simpson-Bowles coming to the rescue. That's going to solve our fiscal problems; if we just adopt the Simpson-Bowles Commission, all our fiscal problems go away.

Mr. Speaker, as you probably know, Simpson-Bowles decided not to do anything about Social Security and Medicare.

Now, Social Security, it turns out, is pretty solvent. It's going to be there for at least another 20 years, giving us a fair amount of time to solve the problem for future generations. But, again, the Centers for Medicare says we may only have 4 years to solve the Medicare problem before it goes bankrupt.

If our seniors right now think they have problems now getting their health care and finding those primary care doctors and those specialists to take care of them, imagine when the program goes bankrupt.

Now, we have a choice. We can deal with it, or we can kick the can down the road. I'm proud of the Vice Presidential candidate, one of our colleagues, Mr. RYAN, who has decided that the time to kick the can down the road is over. It's time to tell our seniors and Americans what they suspect.

□ 1830

We've been making promises we have no way of keeping. We have been spending money we don't have. And it has to stop. And as the gentleman from Michigan knows, we have some principles in our plan to deal with the bankruptcy of Medicare because, Mr. Speaker, it's not a question of if, it's only a question of when.

So there are a couple of principles. The first principle is: we don't change it for anyone over age 55. If you're in retirement or you're near retirement, you get to keep the very same program right now. But we deal with the fact that physician and provider pay would be cut January 1. We solve that problem. We say you can't do that. That will limit access. So we deal with that issue. We say you have to stop taking \$700 billion from the program to transfer it to pay for the new President's health care reform; to cover Americans who don't have insurance now by taking it from Medicare patients who do have insurance.

So the first principle, no one over age 55 is affected. The second principle is: for those under age 55, Mr. Speaker, if they're listening now, the program is going to be bankrupt when you reach age 65 if we don't do something. We're going to make some commonsense adjustments. We're going to say that you should have access to the same kind of care Congressmen and -women have—a broad range of health care plans you can choose from with the guarantee that for at least two of those plans you will have 100 percent coverage.

We all turn on the TV. We hear the ads: Mr. RYAN's plan will cost \$120,000 for every senior, or \$200,000 in more costs. Here's the problem. People who made the ads didn't read the bill. The bill spells it out quite clearly. Our plan is that seniors—again, people age 55, when they reach age 65—will have a choice of plans just like we have here in Congress. The only difference is we have to pay a part of all our plans. They don't pay for the two lowest-priced plans. If they choose a plan with more options, they may pay something. But they will end up paying even less than they do now.

That's our solution. Let market forces come in and control the cost of health care, control that growth in cost, and allow real coverage for our seniors, for our people age 55, when they reach age 65, and preserve it for future generations so that my son, the accountant, can look at that plan and say, You know what? This balances. You don't have to borrow money from the Chinese to pay for this plan. We don't have to raise taxes to pay for this plan. We actually let market forces work, providing the same coverage that people in Congress get. And it will work.

So, Mr. Speaker, I'm very glad that we have the opportunity to talk about this tonight. I'm very glad that this November and in the months leading up to it we'll have an honest, frank discussion with the American people about the future of health care, the future of health care for our seniors, preserving it, and the future of health care for everyone else under the President's affordable care scheme. Because we know there are problems with it.

Americans understand that when you put the government in charge of something so vital and personal as health care, real problems can occur. And as the gentleman from Michigan has pointed out, we know those problems. They're predictable problems. A majority of Americans have figured it out. Poll after poll after poll says we should deal with the President's Health Care Reform Act by repealing it and replacing it, keeping elements that are good.

Every American either has a pre-existing condition or will have one in their lifetime. Every American. So our plan will have to deal with it. And it does deal with it. And for those people who want to have their children on their policies up until age 25, our plan can deal with it—and does deal with it. But we certainly don't need the Independent Payment Advisory Board, which the gentleman from Michigan is going to discuss, that is going to run health care for Medicare. We certainly don't need the Secretary of Health and Human Services prescribe what plans are going to cover what for every single American. Whether you want it or not, you're paying for it in your plan. Because we know that's only going to drive up the cost.

I'm glad that we're going to have that discussion with the American people because, Mr. Speaker, every American's health care is so important to them and their family. They deserve this discussion. They deserve the chance to go to the ballot box this November and make a choice about what their health care is going to look like in the future. And we're going to have a clear choice. It's going to be a government-run health care plan run by a bureaucrat where costs and access are controlled and rationed, or it's going to be one where the patient and their physician make the choice about their health care, with the government bureaucrat staying out of it, where they belong.

I thank the gentleman from Michigan for yielding.

Mr. BENISHEK. Thank you. I truly appreciate my colleague from Maryland taking a little time to be with us tonight and give us his insight as a physician here on the floor.

I would like to say a few words about IPAB. This is the Independent Payment Advisory Board. This is the mechanism that Mr. Obama's health care plan has for controlling costs. And really, what it is, it's 15 appointed bureaucrats, each making \$165,000 a year, with no congressional oversight, whose only purpose is to reduce Medicare spending. So if the Medicare budget goes up too much and is over the limit, these guys in Washington are going to decide what to cut. They're going to decide if you deserve a PSA prostate test or deserve a mammogram or you deserve a colonoscopy. They're going to decide that they may not pay for

that. If we don't act, this board could be making these kind of decisions as soon as 2015. Denial of payment for care is going to really lead to denial of care for our seniors. I don't think it's fair for these Washington bureaucrats who know nothing about the patient to be making these decisions.

I'm used to taking care of patients, and sometimes we have to make some really difficult decisions. But those decisions have been made between the physician, the patient, and the family, not some bureaucrat in Washington who doesn't know the patient and can't decide if this patient really qualifies for care and should not be denied. So I just think it's so wrong to allow bureaucrats that don't know the patient to be making these decisions, and I just want to make sure people understand the seriousness of this. There's no appeal from this board. There's no getting somebody off this board once they're appointed. It's really unbelievable.

Tonight, also, I have the pleasure of being joined by my colleague from New York, a nurse, Ms. BUERKLE of New York.

Thank you for joining us.

Ms. BUERKLE. Thank you very much to my friend and colleague from Michigan. Thank you for having this Special Order tonight. And I think it's so critical, Mr. Speaker, when the Docs Caucus has this event, and the people who are speaking are people are passionate about health care. Many of us actually came to Congress because we were so concerned regarding the Affordable Care Act. I spent my life as a nurse and later on as an attorney who represented a large teaching hospital. And so I am passionate about health care. As my colleague before me mentioned, there's nothing more personal than one's health care. And this Nation has the highest quality of health care, and we want to make sure we maintain the standard that we have.

I don't think anyone would disagree, Mr. Speaker, that this country needs health care reform. And while this law may have been the most well-intentioned, I disagreed with it philosophically when I decided to run for Congress. But now that I'm in Congress and I have had the opportunity to talk to so many folks in my district, this law, this Affordable Care Act that was supposed to decrease the cost of health care and increase access for Americans, is not going to do that. And let me, if I could, talk just briefly about what is going on in my district.

□ 1840

My district is heavy with "eds and meds," we call it. We have a lot of hospitals in my district, and they're the major employers.

Now, the hospitals have spoken to me. They're concerned because this Affordable Care Act, this ObamaCare law,

will decrease the amount of disproportionate share moneys they give because they treat a population of patients who may not have insurance or who are underinsured. So they're concerned about their fiscal, their financial integrity. Those are the hospitals. Those are providers.

The Affordable Care Act doesn't address the SGR fix, the Medicare reimbursements for physicians. So I've got physicians who are concerned. It also creates a scenario where we will not have enough primary care physicians, internal medicine, psychiatry, those types of physicians who can even render the care. So the providers are concerned, the actual people and facilities who render the care. They're concerned that this law is going to adversely affect them. That's my first concern.

My second concern are my seniors. And in all of this discussion and debate, I think the most disingenuous discussion that's going on out there is the denial as to what this law will do to seniors and their Medicare coverage. I think my colleague ahead of me talked about the moral obligation we have to our seniors. We have a contract with them that when you retire, when you turn 65, Medicare, you've paid into it all your life, and you will be able to have that benefit.

But this law, this Affordable Care Act, cuts Medicare by \$716 billion. Now, there's no program in the world that will not be affected by the loss of that much funding and the funding that's being taken out of Medicare, and it's going to be used to fund the rest of the entitlement in this law.

So seniors really need to understand the threat to Medicare as we know it is this Affordable Care Act. And it has changed Medicare as we know it for our seniors, and this law will affect everyone who's on Medicare.

The discussion about the Ryan budget and the budget we passed out of the House, that discussion is only for those who are 54 and younger. So anyone who is 55 and above, with the Republican proposal for Medicare, can take a deep breath and they can say, My contract with this country, my benefit through Medicare will not be touched, and I can rely and count on that. That's a very important promise that we can make to our seniors.

But this Affordable Care Act can't make that promise to our seniors because it is cutting Medicare, and as my colleague from Michigan talked about, this IPAB board will also affect the kinds of services that our seniors receive.

So every American, especially our seniors, should be concerned about this law that is in place that will go into effect in 2013 and 2014.

So, we've heard from the hospitals and the physicians. They're not happy with this law. We've heard from the

seniors. They're not happy with this law.

I hear from my businesses, my small businesses, those entities that we're trying to get this economy going, and they're concerned because they don't know how this law is going to affect them. They don't know whether or not they're going to have to pay the penalty or pay the tax. They're very concerned because of the uncertainty this creates in their businesses. So, they sit on cash and they don't invest and they don't hire. So my small businesses don't like this Affordable Care Act.

Now, just recently, and we've had a lot of debate about the tax on small medical devices that will occur to any small medical device producer in the country. Now, that's a niche sort of industry. It's one of the only sectors of the economy that has grown. It requires R&D. It requires innovation. It requires real creative production of small medical devices.

I have a well-known company right in my district, and on Monday of this week, they announced that they will cut 10 percent of their workforce directly related to two things. The first is that 2.3 percent excise tax on small medical device producers. Ten percent of that workforce will be done away with because of this Affordable Care Act. The other reason they are cutting their workforce is because of the tax and also because of the fact that, with this Affordable Care Act, hospitals and physicians are not buying new equipment because they, too, are uncertain as to what the Affordable Care Act is going to do to them and their business. So they're not buying new equipment for their hospitals and their offices.

So, now we've got seniors, hospitals, physicians, small medical device companies, businesses very concerned as to how this law is going to affect them.

The Court ruled that it's a tax, and that's why it's constitutional. There's 21 new taxes in this Affordable Care Act. It's going to affect our jobs and our economy. It's going to affect our small businesses. It's not the right direction for this country. Only the practical listening to people over and over again in the district puts that out very, very clearly.

So I think the right thing to do for this Nation—and this House, I'm so proud we have voted to repeal this law twice. We also voted in June to repeal the tax on small medical devices. That's the right thing to do.

The responsible thing to do is enact true health care reform that will really reduce the cost of health care, that will allow patients choice, that will allow them to cross State lines to buy their insurance. It will allow them to keep their insurance even if they lose their job. It will have tort reform in it and bring down the cost of health care. It will repeal the excise tax on small medical devices. It will keep the good pieces.

The two things I hear over and over again: preexisting conditions—and my colleague from Maryland mentioned it. Preexisting conditions, along with keeping your child on your plan until they're 26. Those two could certainly be incorporated in a new truly reformative health care law in this Nation.

So I thank my colleague from Michigan for all of his good work, for his dedication to the health care profession. I'm proud to be a member of the Docs Caucus because we are a group of people who have committed our life to health care. We are passionate about making sure that the United States of America maintains its high quality of health care and also keeps costs and accessibility to the highest standard for the people who live in this country.

Mr. BENISHEK. I thank my colleague from New York for joining us this evening. I appreciate her insight.

I just want to say a couple more things about this tax that she mentioned on medical device manufacturers.

You know, in my district as well, we have a couple of companies that make the drills for orthopedic surgeons where they put in the screws and that sort of thing. This tax is, I think it's a 2.3 percent tax, not on their profits, but on their gross. So even a small startup company that's trying to innovate, which we have in my district, and create a new device that will help people with care, even if they're losing money, they have to pay the tax on any gross receipts they have. That, to me, is like the most regressive part of that tax.

Besides that, it's forcing our medical innovators to move their companies overseas. I mean, you know, people aren't stupid. They realize that if they're going to be taxed here in this country even though they're losing money, they're going to move that manufacturing capability to Europe, and that's already been happening.

So this law is taking the medical innovators in this country—and everyone knows this country has been leading the way in the world in medical innovation for the last hundred years. It's forcing those people to go overseas to do business. That's not good for America. That's taking highly skilled people and asking them to go somewhere else to do business because we have a bad climate for that.

I want to talk just a little bit longer this evening about some real health care reform.

I mean, as I mentioned, the President's health care bill doesn't fix the problem with health care. The problem with health care is it's too expensive. This bill doesn't make it less expensive. It's becoming more expensive. When Medicare runs out of money, the way they're going to fix it is by decreasing payment to the hospitals and doctors that are providing you with care, so they're not going to want to take care of you either.

So let me just talk a little bit about a couple of, I don't know, commonsense ideas that we're talking about on this side of the aisle.

The first of those is health care insurance. I mean, the problem with insurance is it costs too much. So, what can we do to make it cost less? Well, I mean, I like to compare the difference between health insurance and car insurance.

□ 1850

In car insurance, you can choose from a thousand different companies in this country from Florida to California to Wisconsin to Michigan and pick a company that suits your needs, and if you don't like that company, you switch to another company.

Right now, employers control most of the health insurance. We need to have a plan that, number one, gives the individual control over their health insurance so that you can pick a health insurance policy that you like even if the employee next to you chooses a different policy. Why should it have to be the same? Why should you have to carry insurance for acupuncture if you never use acupuncture? Some States actually mandate the coverage of acupuncture. This is why insurance costs so much.

Your car insurance does not pay for an oil change. It does not pay for new tires. It does not pay for routine, small expenses that you can expect because that's not what insurance is for. Insurance is for a catastrophic event. If you want your car insurance to pay for oil changes and new tires, it's going to cost a lot of money because that's not the purpose of insurance. The purpose of insurance is to protect you from a catastrophic event.

That's why the Health Savings Account is an important component of free market health care reform because then you have—for example, say you're working for somebody; instead of paying your health insurance, your employer pays into a Health Savings Account, which is then your money to use for health care. And it comes to you tax free, so you're not paying any taxes on it. It would be the same as if your employer was paying for a health insurance policy for you.

So with that money, then, you could be paying for your routine health care out of that. Now, this is money in your account now, so you may want to choose how you spend that a little carefully because that money is in your Health Savings Account, that's money that belongs to you now, and you can use that any way you want for your health care. Or maybe if you don't even use it all, that would be there for you in your estate once you die for your children. So you want to be careful with that.

So when you're going to go get an MRI for your shoulder, you may not

just go to the place that your doctor may recommend, you may shop around for an MRI. Because I know, for example, that at some places you can get an MRI for \$2,500, at another place you can get an MRI for \$600, the same MRI. Unless you actually kind of look around for it, you're not going to be able to find that deal. You're not going to even know about it because right now you don't even care about it perhaps because your insurance pays it and you have a copay that doesn't affect you. But if you're taking this money out of a Health Savings Account, you're going to be shopping more. That's the power of transparency in cost.

So, looking around to see where you can save money to keep money in your Health Savings Account, and then shopping for insurance that suits your needs, not the needs of the person next to you, but suits your needs so that you may choose an insurance company, like for your car insurance, that differs from our neighbor's but suits you just fine. You may have Chevrolet insurance or you may have Cadillac insurance, but it's your choice. Those are just two things that I think would really diminish the cost of medicine and not involve taking over everything by the government and actually decrease costs.

The other thing that nobody really talks about much in the cost of medicine is the cost of malpractice. Malpractice is something that doctors can be very uncomfortable with, but sometimes injuries do occur. Is it a good result for a patient who's been injured to have to go to court for 5 or 6 years and then have to pay fees for attorneys of 50 to 60 percent of the judgment after 5 or 6 years in court? Is that justice for an injured patient? Frankly, it's not something that doctors want to see.

Doctors want to see, if there is actually an injury, let's have it dealt with in a reasonable fashion. Let's have it adjudicated in an administrative law situation when there has been an injury. A panel of people can decide, yes, there has been actual injury, let's make a judgment, and let's give that patient a judgment, and let's get it done with within several months. That would be better. It would eliminate the entire cost of a trial, the attorney fees and all that, and physicians would like it. Patients would like it, I think, because it would give them speedier access to justice. I think that by doing that we would eliminate a lot of the extra costs that come into medicine.

Right now, if you come into the emergency room for something, a pain in your belly, you're going to get a CAT scan pretty much automatically because the doctor is afraid of being sued. And it doesn't cost him anything, it doesn't cost the patient anything, he's going to order a CAT scan, he's going to order the x-ray, he's going to

order a lot of tests just to protect himself. These are some of the hidden costs of malpractice that people don't really think about. They just think about the cost of malpractice as simply the cost of the doctor's insurance, which can be expensive.

Right now, different States will have different abilities to attract physicians because they have different means of dealing with malpractice. But I think that for the patient, really, we need to have a better system where they get compensated faster and with less aggravation than the system we have now.

So, I think the main thing that we're talking about on this side, we talk about health care reform, is to talk about having a conversation with the American people. Maybe you don't agree with some of these ideas on how to make our health care system better and more efficient. Well, I can understand that. Let's have a conversation. Let's decide how we can do it better.

Let's try a pilot program in one State. Let's allow States to experiment in how to do things. Let's not write a bill of 2,700 pages in the middle of the night that nobody read and then put it on the American people and say it's going to be great, but we don't know what's in it because we haven't read it, and then go through the next 2½ years realizing that it's a mistake. I mean, there definitely needs to be room for improvement in our system, but can't we have this conversation in an open fashion? I think a lot of people even on the other side would realize that, hey, we made a mistake, but isn't it more important to admit that we made a mistake and try to move forward in a fashion that actually cuts cost? We see it's not cutting costs. It's been devastating to the American economy.

I've talked to small business owners across my district over the past 2 years and they say the same things again and again: There's regulations cost us money and our health care cost us money; it's going to make us not be able to hire more people.

So I think we've made some real mistakes here in the past, but now is the time to address them and move forward and try to make some commonsense decisions. Frankly, I'm happy to hear from people with ideas. I hear ideas from people all the time in the district that really make some sense and are certainly worth trying out.

So with that, I want to thank the members of the Physicians Caucus that were here this evening for our evening hour, and I yield back the balance of my time.

PROTECT AMERICA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the Chair recognizes the gentleman from Texas (Mr. GOHMERT) for 30 minutes.

Mr. GOHMERT. Mr. Speaker, at this time I want to yield to my doctor friend from Texas, a former student of Texas A&M University, as myself, a guy who, as a junior in college when I was a senior in college, helped tutor me to make a 98 on the final exam of our accounting course. I yield such time as he may consume to my friend from Texas (Mr. FLORES).

RECOGNIZING AMERICAN HERO BRIAN BACHMANN AND ALL FIRST RESPONDERS ACROSS AMERICA

Mr. FLORES. I would like to thank my friend from Texas (Mr. GOHMERT) for allowing me a few minutes of his time.

Mr. Speaker, I rise today to recognize an American hero, Brian Bachmann, who served as Precinct 1 Constable of Brazos County, Texas, who was killed in the line of duty on August 13, 2012. Also, with yesterday being the 11th anniversary of 9/11, I also want to recognize first responders all across our country.

As I began to write my reflections for this conversation, which I originally delivered on August 18, the words that kept coming to mind to talk about were the words "home" and "celebration."

Before proceeding, I want to remind us of the heroes of Texas District 17. Since I was sworn into office on January 5, 2011, the 17th Congressional District of Texas has lost seven military personnel: Sergeant Scott Burgess; Staff Sergeant Bryan Burgess; Sergeant Edward F. Dixon, III; PFC Jesse Dietrich; Lieutenant Colonel David Cabrera; Captain Nathan Anderson; and Lieutenant Colonel Roy Tisdale.

□ 1900

In addition, we have lost two law enforcement personnel during that time, Deputy Sheriff Taylor from Johnson County; and on August 13, we lost Constable Brian Bachmann. In each case, God called home one of his children and heaven has been celebrating since each of those arrivals.

Brian and I met in early 2010 when we were both running for our respective offices. Neither of us had ever run for public office before; and even though we came from different backgrounds, we formed a great friendship that endured the rigors of tough political campaigns.

Following our victories, we remained great friends. Each time we were together at various events, we always picked up our conversations where we had left off at the prior events. Most of the time we teased each other in these conversations.

The last time I talked to Brian was the Thursday before he was called home by God. We were both volunteers at the Brazos Valley Food Bank's Feast of Caring. We started out by teasing each other again. He began saying that I must not be a very good politician because I was already having to

run again for office, to which I replied, Oh really, Bachmann? From what I've seen, you're the reason we need term limits.

Following that conversation and fellowship, we went back to cleaning tables and serving food. I never appreciated the fact that I wouldn't see him on this Earth again.

This is the Brian Bachmann that I knew, the friendly and always smiling guy who could care less about anyone's title. He was the person that loved our community and would do anything for it. He was the model public servant. However, and more importantly, he was a servant leader who ultimately modeled the words of Jesus in John 15:13 which state: "Greater love hath no man than this that he lay down his life for his friends."

I started this conversation by talking about home and celebration. At the end of each week, I jump on a plane and head home from Washington to Texas. That is where I'm happiest. That's where my wife, Gina is. It is close to our sons, our daughter-in-law and our granddaughter. In short, it is the community that I love. I always celebrate those homecomings, and my sense of excitement always builds as the airliner approaches Bryan/College Station.

The same thing happened on the afternoon of August 13. As Brian's situation changed here on Earth, others were preparing his new home. Brian knew this day would come. However, like the rest of us, he didn't know when, where, or how. But because of his relationship with Christ, he knew that he would someday be able to look forward to going to his next home for eternity. God knew all the details about Brian's homecoming, and the celebration started immediately on the afternoon when he left us.

The Apostle Paul reinforces this in 2 Corinthians 5:8, where he says: "We are confident, I say, and would prefer to be away from the body and at home with the Lord." This is the same knowledge that all Christians have. We know that when our human life ends, we will move to our eternal home with God.

At that moment, on August 13, Brian instantly heard the voices of those who had gone before him welcoming him home but, more importantly, the One who loved Brian enough to die for him held out his nail-pierced hands, embraced him and said, "Howdy, Brian. Welcome to your new home." Those same hands and arms embrace and comfort Brian's family and all of us here now.

About 20 years ago, Max Lucado wrote a book titled "The Applause of Heaven." I'm going to paraphrase the last few paragraphs of that book, as follows:

You'll be home soon. You may not have noticed it, but you're closer to home than ever before. Each moment is

a step taken. Each breath is a page turned. Each day is a mile marker passed, a mountain climbed. You're closer to home than you've ever been.

Just as when my airline flight approaches Bryan/College Station each week, before you know it, your appointed arrival time will come. You'll descend the ramp and enter the city. You'll see the faces that are waiting for you. You'll hear your name spoken by those who love you. And in the back, behind the anxious crowd, the One who would rather die than live without you will remove His pierced hands from His heavenly robe and applaud your arrival.

We should be celebrating Brian's heavenly homecoming here on Earth as well. He is another soldier that fought the good fight and gone home where God has told him, "Well done, good and faithful servant."

Brian's parents, Brad and Carmen, his wife, Donna, and his children, Sam, Amanda, Colby and Caitlyn, can all take comfort in Brian's homecoming because we know that the cross of Jesus has won again.

Brian's sacrifice should remind us that we're all here to serve. It is my prayer that Brian's homecoming reminds us of all our human frailties and the shortness of our time here on this Earth. I'm hopeful that all of us will have the type of relationship with Christ that Brian did, so we will have similar homecomings with Him in heaven.

Let me close by asking everyone here to pray for and support the Bachmann family. Please pray for our country during these troubled times. Please pray for our military men and women who sacrifice to protect us abroad, and please pray for our first responders like Brian Bachmann who protect us here at home.

Brian, we celebrate your homecoming.

I again thank the gentleman for yielding.

The SPEAKER pro tempore (Mr. HUIZENGA of Michigan). The gentleman from Texas will be recognized.

Mr. GOHMERT. How much time is remaining, Mr. Speaker?

The SPEAKER pro tempore. The gentleman has 25 minutes remaining.

Mr. GOHMERT. Mr. Speaker, it's a difficult day, difficult week in the world. And I appreciate the tribute of my friend, BILL FLORES, for a great American hero.

I also want to pay tribute today to our U.S. Ambassador, Chris Stevens, and the three others who were killed in Libya in the service of their country. We grieve for their families. We grieve for their friends and all who may have come to harm and will come to harm; hopefully, no more, but our thoughts and prayers are with them.

It is important, during times when Americans are attacked on American

soil, American buildings are attacked, which is what an American Embassy is, that the world understand that there will be consequences.

For those who sometimes want to ask, well, aren't you a Christian, don't you believe in turning the other cheek? The answer is, yes, individually. But there is a different charge for the government. There is a different charge for the people who have the responsibility of government and protecting the people and their rights.

The United States Government has the obligation to protect our citizens, to protect those who are serving this country, and as far as our military, to give them everything they need to win, whatever it takes, give them rules of engagement to allow them to win, whatever it takes, and then come home.

So it grieves me much, also, to see a time when people are dying, not for a wishy-washy government in Washington, D.C. that can't decide what its priorities are, but for the ideal for which America stands and for what it represents, for what it represents to people who yearn for freedom around the world.

And it does not help when an administration, in response to American attacks on American soil and American individuals, the administration ends up asking Americans to give up their First Amendment rights for which our servicemembers are fighting.

□ 1910

It doesn't help when a general calls an American and asks an American to give up your First Amendment rights rather than proclaiming to the world, We're the United States military. You've attacked our country. You've attacked our brothers and sisters, and you will pay for that.

When we took an oath to defend the Constitution against all enemies, foreign and domestic, it means that when enemies who are foreign enemies attack on American soil—attack Americans because they're Americans—we have an obligation if they were not protected and they got hurt or killed. We have an obligation to those who would serve behind them—to those who are in this country—to protect them for the future.

That doesn't come when an administration or even a general turns around and says, Hey, I know I took an oath to defend the Constitution against all enemies, foreign and domestic, but we think, by your utilizing your First Amendment rights, it may be offending people around the world, so why don't you just subject your First Amendment rights to shari'a law. So it's okay to burn a Bible. That's okay. It's okay to burn a flag. Okay. That's all right. But just, for heaven's sake, don't say anything that might offend someone of the Islamic religion.

I, personally, don't think anybody should do that, but I certainly do think we should defend ourselves against radical Islamists who want to annihilate this country and destroy our way of life. We have an obligation. We took an oath to do that, not an oath to say: Let's give up the Constitution. I took an oath to defend and subject it to shari'a. No, no, no. Let's give that up so that maybe the people who are killing Americans and the people who are attacking our Embassies won't feel so offended, and maybe they won't kill people.

That is not the role of a general. It's not the role of a general to tell former military members that they should never speak out against a Commander in Chief when, as former members of the military, they're in a good place to be able to judge what's going on. It is and it should be a crime within the military to create problems for good order and discipline by publicly demeaning or condemning anyone in your chain of command. In my 4 years at Fort Benning, we knew that. President Carter drove me crazy with his ineptitude, with his inability to make decisions, to make the tough calls, and in his pathetic handling of the attack on our American Embassy in Tehran for which America still pays in the pathetic way it was handled.

For those of us who have been in the military, there is an obligation when you see the same mistakes being repeated. Since you know that those in uniform cannot step up and criticize the chain of command, we have an obligation to do that, and it is not helpful for anyone with stars on his shoulders to tell former military members, Oh, this is not appropriate for you to criticize my boss. How about the person with stars on his shoulders stepping up and doing the criticizing privately on behalf of the soldiers he is supposed to be commanding and protecting?

There are stories that are coming out. Time will tell. This one is from Fox News today. It's entitled "U.S. Officials Suspect Strike on Benghazi Post 'Coordinated,' Timed for 9/11 Anniversary."

U.S. officials are increasingly suspicious that the murder Tuesday of the U.S. Ambassador to Libya, Christopher Stevens, and three other American officials was not the result of a protest against an anti-Islam film, but instead was a coordinated terror strike timed for the 11th anniversary of the September 11 attacks.

A senior administration official told Fox News they are exhaustively investigating every angle of the attack in Benghazi, and an earlier assault on the U.S. Embassy in Cairo, Egypt, and there are early signs the Benghazi assault may have been planned. The official cautioned, though, that the administration has not jumped to any conclusions about what happened, saying it would be "premature" to do so.

The article goes on down, and it quotes different people. One is Pete Hoekstra, the former chairman of the

House Intelligence Committee, who told Fox News that the attack appeared to have the markings of an al Qaeda or an al Qaeda-affiliated strike.

It quotes him as saying:

"We've been talking for years about the desire of Al Qaeda, radical jihadists to celebrate the anniversary of 9/11. All my background, all of the conversations that I've had over the last 18 hours lead many people to believe that this was just more than a mere coincidence."

Hoekstra noted that the supposed protesters—purportedly angry over a film that ridiculed Islam's Prophet Muhammad—didn't attack in Tripoli. They attacked in Benghazi, "where it so happens our Ambassador is." And they happened to be "fully armed and fully equipped," he said.

Hoekstra noted that al Qaeda chief Ayman al-Zawahiri had recently released a video calling on militants to attack Americans in revenge for the killing of an operative in Pakistan. The message said his "blood is calling on you, inciting you to fight and kill the crusaders."

Hoekstra said the film may have been just a cover to carry out such an attack.

Two intelligence officials also said the attack looked "coordinated."

London-based think tank Quilliam reached the same conclusion, saying the Benghazi strike appeared to be a "well-planned terrorist attack that would have occurred regardless of the demonstration (over the film)."

Also, the brother of Zawahiri was nearby during the separate protest at the American Embassy in Cairo on Tuesday.

There is so much going on, but one of the last things that people ought to do is say it's time to give up First Amendment rights. One of the goals that we know of for the Muslim Brotherhood in the United States within 10 years—it was one of their 10-year goals—is to subjugate the U.S. Constitution to shari'a law. There are great patriots who have called upon Americans to, perhaps, make it illegal to speak out and offend or to do anything that might offend worshipers of Islam without saying the same thing about any other religion whether it's Buddhist, Christian, whatever.

If they have their way and if we make the mistake of curtailing our constitutional rights to avoid offending people who want to annihilate us anyway and who want to have an international caliphate where they rule over us anyway—those they don't destroy—we make a major error. There are those who say there should be no criticism among Members of Congress and people in the government as to the handling by the Commander in Chief, but since we know people in uniform cannot speak out when they see mistakes by their commanders, we have an obligation to them to speak out.

But I do make this pledge to my friends across the aisle that, in any criticism, I will endeavor to ensure that I, personally, do not ever make the kind of wild-eyed allegations against this President that were leveled at President Bush by them.

□ 1920

How quickly some people forget.

Also, I understand this is a political season, it is a time when people are running for election and reelection. We all know that. But we have a friend. We have a prime minister of a friendly nation who has been mistreated by this administration, who deserves better treatment by this administration, who deserves to have this administration and this President keep their words that have been given to our friends in Israel, and it wouldn't hurt to meet with such a leader.

We know that in July that there were people who came to the White House for meetings in the White House, one of whom was a member of a known terrorist organization. That terrorist was allowed into the White House. Obviously, from the hearing we had with the Secretary of Homeland Security, Janet Napolitano, from a response she gave to me, she was ignorant of fact that we had a terrorist going into the White House for meetings. But by the next day when she testified, I believe, across in the Senate, she had become aware that we had a member of a terrorist organization meeting in the White House, and apparently this administration intends to continue meeting with members of known terrorist organizations, from what was said back in July.

And yet, the President—though he had time for meetings with known terrorists—will not carve out a little time to meet with the prime minister of our dear friend Israel at a time when Israel and many in the United States suspect that Iran may be 2 months away from having the nukes to carry out another Holocaust. We don't know the specific days there may be, but it would seem that you wouldn't necessarily need a rocket to have pinpoint accuracy if it's carrying a nuclear weapon. And now that we've seen trouble on the borders of Israel, all around Israel almost, it doesn't seem it would be impossible to get one smuggled in. Rockets have been smuggled in by the hundreds that are routinely fired into Israel from the Gaza Strip. That's why there was a legitimate legal blockade to try to prevent those types of things from coming into the Gaza Strip, but they came in anyway, and they continue to come in.

We owe our friend, our ally, who this President has pressured, has cajoled, has ridiculed, has snubbed, and taunted by just saying, Trust us, we'll take care of Iran, don't worry about your national security, trust us. No nation should be told that they cannot invoke self-defense when their nation is at risk of being annihilated.

I remember learning in college that President Eisenhower had ordered that people from towns surrounding areas of these concentration camps where, when totaled together, was 6 million Jews that were killed, murdered, tor-

tured, maimed, and he ordered that the people from the towns be required to come help clean up. The reasoning was so that no one could ever say the Holocaust never happened, because they cleaned up the atrocity. I remember thinking that was a little overboard for General Eisenhower. Really, you had to rub those peoples' noses in such horrible affliction? It hasn't been that long ago that I had these thoughts, and now we have people, like leaders of countries like Iran, that is about to have nuclear weapons if we don't intercede, who have said just that the Holocaust never happened, it was a hoax. Unbelievable.

It is unbelievable to me that in a matter of decades since World War II, since that horrible Holocaust, such an indictment against the human race, that people could do that to one race. It's just almost unfathomable that even in Europe, where those atrocities were committed and genocide was attempted, that we would see this growing anti-Semitism raising its ugly head again. And at the same time anti-Semitism is growing even in Europe, a civilized area, an educated area, it grows around the world, as we see people in the Middle East begin to have dreams of a new Ottoman Empire where every religion will be subjected to some of what we've seen happen in those countries where we helped bring about an Arab spring that's turned into a winter nightmare.

This is not a time to play petty personal games, to snub leaders of friends, of allies, even when you disagree with them, for heaven's sake. Take a little time from a fundraiser, take a little time that you don't go to the golf course, and meet with the leader of a country that sees hatred for its people, anti-Semitism, the racism, the bigotry growing around the world, that is scared for its own existence, that can't be sure we're going to be there with them because of the actions of this administration. Take a little time to meet with them. It is an inconvenient thing to have to be President when you are really best at running for office, but take some time and be President and meet with our friends.

The messages that are going out to those whom we seek to make allies for the future is not a good message. The people that have laid down their lives for the American ideal deserve the best we can give them. So on this day when we grieve and our flags are at half mast for the atrocity committed against our ambassador and others, our thoughts and prayers are with the families, and our thoughts and prayers are that our leadership will become what it should be to protect America.

With that, I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. CULBERSON (at the request of Mr. CANTOR) for today until 3:30 p.m. on account of a family obligation.

Mr. CICILLINE (at the request of Ms. PELOSI) for September 10 and 11 on account of district work.

ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 29 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, September 13, 2012, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS,
ETC.

Under clause 2 of Rule XIV, executive communications were taken from the Speaker's table and referred as follows:

7583. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Administration's final rule — Defense Federal Acquisition Regulation Supplement: Reporting of Government — Furnished Property (DFARS Case 2012-D001) (RIN: 0750-AG83) received August 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

7584. A letter from the Chief, Broadband Division, Wireless Communications Bureau, Federal Communications Commission, transmitting the Commission's final rule — In the Matter: Amendment of Part 101 of the Commission's Rules to Facilitate the Use of Microwave for Wireless Backhaul and Other Uses and to Provide Additional Flexibility to Broadcast Auxiliary Service and Operational Fixed Microwave Licensees; Petition for Rulemaking filed by Fixed Wireless Communications Coalition to Amend Part 101 of the Commission's Rules to Authorize 60 and 80 MHz Channels in Certain Bands for Broadband Communications [WT Docket No.: 10-153] [RM-11602] received August 29, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7585. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Endorsement of Nuclear Energy Institute Guidance for Developing Seismic Hazard Information Requested in the 50.54(F) Letter Dated March 12, 2012 received August 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7586. A letter from the Acting Director, International Cooperation, Department of Defense, transmitting Pursuant to Section 27(f) of the Arms Export Control Act and Section 1(f) of Executive Order 11958, Transmittal No. 3-12 informing of an intent to sign the Memorandum of Understanding with Israel; to the Committee on Foreign Affairs.

7587. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-068, pursuant to the reporting requirements of Section 36(d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

7588. A letter from the Assistant Secretary, Legislative Affairs, Department of State,

transmitting Transmittal No. DDTC 12-081, pursuant to the reporting requirements of Section 36(c) and 36(d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

7589. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-085, pursuant to the reporting requirements of Section 36(c) and 36(d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

7590. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-073, pursuant to the reporting requirements of Section 36(c) and 36(d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

7591. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-099, pursuant to the reporting requirements of Section 36(c) and 36(d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

7592. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-084, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

7593. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-038, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

7594. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-049, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

7595. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-088, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

7596. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-065, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

7597. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-074, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

7598. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-097, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

7599. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-063, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

7600. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-052, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

7601. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-057, pursuant to the reporting requirements of

Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

7602. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-039, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

7603. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-034, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

7604. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-110, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

7605. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-076, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

7606. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-076, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

7607. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-091, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

7608. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-101, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

7609. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-078, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

7610. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-086, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

7611. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-080, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

7612. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-048, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

7613. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-069, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

7614. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-075, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

7615. A letter from the Assistant Secretary, Legislative Affairs, Department of State,

transmitting Transmittal No. DDTC 12-047, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

7616. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-111, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

7617. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-122, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

7618. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries [Docket No.: 110210132-1275-02] (RIN: 0648-XC055) received August 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7619. A letter from the Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries [Docket No.: 110210132-1275-02] (RIN: 0648-XC055) received August 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7620. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Shallow-Water Species Fishery by Vessels Using Trawl Gear in the Gulf of Alaska [Docket No.: 111207737-2141-02] (RIN: 0648-XC056) received August 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7621. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Atlantic Highly Migratory Species; Commercial Gulf of Mexico Non-Sandbar Large Coastal Shark Fishery [Docket No.: 100622276-0569-02] (RIN: 0648-XC080) received August 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7622. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Atlantic Highly Migratory Species; 2012 Atlantic Bluefin Tuna Quota Specifications [Docket No.: 120306154-2241-02] (RIN: 0648-XA920) received August 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7623. A letter from the Attorney, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Mississippi River, Mile Marker 230.0 to Mile Marker 237.0, in the Vicinity of Baton Rouge, LA [Docket Number: USCG-2012-0393] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7624. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Skagway Harbor, Skagway, Alaska for 4th of July Fireworks [Docket Number: USCG-2012-0512] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C.

801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7625. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulation; San Francisco Bay Navy Fleetweek Parade of Ships and Blue Angels Demonstration [Docket Number: USCG-2012-0459] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7626. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulation; Lafourche Bayou, LA [Docket Number: USCG-2011-0926] (RIN: 1625-AA09) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7627. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2012-0329; Directorate Identifier 2011-NM-139-AD; Amendment 39-17127; AD 2012-14-13] (RIN: 2120-AA64) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7628. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Embraer S.A. Airplanes [Docket No.: FAA-2011-1251; Directorate Identifier 2011-NM-017-AD; Amendment 39-17132; AD 2012-15-03] (RIN: 2120-AA64) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7629. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Various Aircraft Equipped with Rotax Aircraft Engines 912 A Series Engine [Docket No.: FAA-2012-0765; Directorate Identifier 2012-CE-028-AD; Amendment 39-17130; AD 2012-15-01] (RIN: 2120-AA64) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7630. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Gulfstream Aerospace LP (Type Certificate Previously Held by Israel Aircraft Industries, Ltd.) Airplanes [Docket No.: FAA-2010-1164; Directorate Identifier 2010-NM-057-AD; Amendment 39-17135; AD 2012-15-06] (RIN: 2120-AA64) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7631. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Gulfstream Aerospace LP (Type Certificate Previously Held by Israel Aircraft Industries, Ltd.) Airplanes [Docket No.: FAA-2012-0675; Directorate Identifier 2012-NM-120-AD; Amendment 39-17131; AD 2012-13-51] (RIN: 2120-AA64) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7632. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Eurocopter Deutschland GmbH Helicopters [Docket No.: FAA-2012-0356; Directorate Identifier 2011-SW-067-AD; Amendment 39-17128; AD 2012-14-14] (RIN: 2120-AA64) received August 28, 2012, pursuant to 5 U.S.C.

801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7633. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30834; Amdt. No. 3471] received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7634. A letter from the Deputy General Counsel, Small Business Administration, transmitting the Administration's final rule — Surety Bond Guarantee Program — Quick Bond Application and Agreement (RIN: 3245-AG39) received August 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Small Business.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HALL: Committee on Science, Space, and Technology. H.R. 3479. A bill to reauthorize Federal natural hazards reduction programs, and for other purposes; with an amendment (Rept. 112-666, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. WOODALL: Committee on Rules. House Resolution 778. Resolution providing for consideration of the joint resolution (H.J. Res. 117) making continuing appropriations for fiscal year 2013, and for other purposes; and providing for consideration of the bill (H.R. 6365) to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to replace the sequester established by the Budget Control Act of 2011 (Rept. 112-667) Referred to the House Calendar.

Mr. SESSIONS: Committee on Rules. House Resolution 779. Resolution providing for consideration of the bill (H.R. 6213) to limit further taxpayer exposure from the loan guarantee program established under title XVII of the Energy Policy Act of 2005, and providing for consideration of motions to suspend the rules (Rept. 112-668). Referred to the House Calendar.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the committees on Transportation and Infrastructure and Natural Resources discharged from further consideration. H.R. 3479 referred to the Committee of the Whole House on the state of the Union, and ordered to be printed.

REPORTED BILL SEQUENTIALLY REFERRED

Under clause 2 of rule XII, bills and reports were delivered to the Clerk for printing, and bills referred as follows:

Mr. KING of New York: Committee on Homeland Security. H.R. 2356. A bill to enhance homeland security by improving efforts to prevent, protect against, respond to, and recover from an attack with a weapon of mass destruction, and for other purposes; with an amendment (Rept. 112-665, Pt. 1); referred to the Committee on Science, Space, and Technology for a period ending not later than November 30, 2012, for consideration of

such provision of the bill and amendment as fall within the jurisdiction of that committee pursuant to clause 1(p), rule X.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII, the following action was taken by the Speaker:

H.R. 2356. Referral to the Committees on Energy and Commerce, Transportation and Infrastructure, Foreign Affairs, Intelligence (Permanent Select), and Science, Space, and Technology for a period ending not later than November 30, 2012.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. MARKEY (for himself and Ms. DEGETTE):

H.R. 6377. A bill to require disclosures to consumers regarding the capability of software to monitor mobile device usage, to require the express consent of the consumer prior to monitoring, and for other purposes; to the Committee on Energy and Commerce.

By Mr. MCNERNEY (for himself and Mr. COSTA):

H.R. 6378. A bill to provide for the designation of, and the award of grant with respect to, air and health quality empowerment zones; to the Committee on Energy and Commerce.

By Mr. CLYBURN (for himself, Mr. DUNCAN of South Carolina, Mr. GOWDY, Mr. MULVANEY, Mr. SCOTT of South Carolina, and Mr. WILSON of South Carolina):

H.R. 6379. A bill to designate the facility of the United States Postal Service located at 6239 Savannah Highway in Ravenel, South Carolina, as the "Representative Curtis B. Inabinett, Sr. Post Office"; to the Committee on Oversight and Government Reform.

By Mr. GIBSON (for himself and Mr. WELCH):

H.R. 6380. A bill to temporarily relieve cost-sharing requirements for Army Corps of Engineers watershed mitigation projects and flood damage reduction projects for counties adversely impacted by Hurricane Irene or Tropical Storm Lee, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. AL GREEN of Texas (for himself, Mr. BACHUS, Mr. CLEAVER, and Mr. HECK):

H.R. 6381. A bill to establish a pilot program to authorize the Secretary of Housing and Urban Development to make grants to nonprofit organizations to rehabilitate and modify homes of disabled and low-income veterans; to the Committee on Financial Services.

By Mr. ISRAEL (for himself and Mr. BERMAN):

H.R. 6382. A bill to hold war crimes suspects and Nazi war criminals accountable by encouraging foreign governments to more efficiently prosecute, extradite, deport, or accept for deportation such war crimes suspects and Nazi war criminals, and for other purposes; to the Committee on Foreign Affairs.

By Ms. EDDIE BERNICE JOHNSON of Texas:

H.R. 6383. A bill to designate the facility of the United States Postal Service located at

2825 Oak Lawn Avenue in Dallas, Texas, as the "William H. 'Bill' Nelson Post Office Building"; to the Committee on Oversight and Government Reform.

By Mr. LARSON of Connecticut (for himself and Mr. TONKO):

H.R. 6384. A bill to amend the Internal Revenue Code of 1986 to increase, expand, and extend the credit for hydrogen-related alternative fuel vehicle refueling property and to increase the investment credit for more efficient fuel cells; to the Committee on Ways and Means.

By Ms. MCCOLLUM (for herself and Mr. LATOURETTE):

H.R. 6385. A bill to direct the United States Fish and Wildlife Service, in coordination with the Army Corps of Engineers, the National Park Service, and the United States Geological Survey, to lead a multiagency effort to slow the spread of Asian Carp in the Upper Mississippi and Ohio River basins and tributaries, and for other purposes; to the Committee on Natural Resources.

By Mrs. MILLER of Michigan (for herself, Mr. ROKITA, and Mr. HARRIS):

H.R. 6386. A bill to amend the National Voter Registration Act of 1993 to require an individual who applies for a motor vehicle driver's license in a new State to indicate whether the new State is to serve as the individual's residence for purposes of registering to vote in elections for Federal office, and for other purposes; to the Committee on House Administration.

By Mr. REED (for himself, Mr. CRITZ, and Mr. RIBBLE):

H.R. 6387. A bill to direct the Secretary of Transportation to issue categorical exclusions from the requirement that an environmental assessment or environmental impact statement be prepared for highway safety improvement projects, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. ROHRBACHER:

H. Con. Res. 137. Concurrent resolution expressing the sense of Congress that the Azeri people, currently divided between Azerbaijan and Iran, have the right to self-determination and to their own sovereign country if they so choose; to the Committee on Foreign Affairs.

By Mr. LANGEVIN (for himself, Mr. RUNYAN, Mr. REICHERT, and Mr. PERLMUTTER):

H. Res. 780. A resolution supporting the goals and ideals of the Olympic movement; to the Committee on Foreign Affairs.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. MARKEY:

H.R. 6377.

Congress has the power to enact this legislation pursuant to the following: Article 1 Section 8.

By Mr. MCNERNEY:

H.R. 6378.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the United States Constitution.

By Mr. CLYBURN:

H.R. 6379.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 7 of the United States Constitution.

By Mr. GIBSON:

H.R. 6380.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the United States Constitution (clauses 1, 3, 14, and 18), which grants Congress the power of Congress to provide for the general welfare of the United States; to regulate interstate commerce; to make rules for the government and regulation of the land and naval forces; and to make all laws necessary and proper for carrying out the powers vested in Congress.

By Mr. AL GREEN of Texas:

H.R. 6381.

Congress has the power to enact this legislation pursuant to the following:

The Constitutional authority to enact this legislation can be found in:

General Welfare Clause (Art. 1 sec. 8 cl. 1) Commerce Clause (Art. 1 sec. 8 cl. 3)

Necessary and Proper Clause (Art. 1 sec. 8 cl. 18)

Constitutional analysis is a rigorous discipline which goes far beyond the text of the Constitution, and requires knowledge of case law, history, and the tools of constitutional interpretation. While the scope of Congress' powers is an appropriate matter for House debate, the listing of specific textual authorities for routine Congressional legislation about which there is no legitimate constitutional concern is a diminishment of the majesty of our Founding Fathers' vision for our national legislature.

By Mr. ISRAEL:

H.R. 6382.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8.

By Ms. EDDIE BERNICE JOHNSON of Texas:

H.R. 6383.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8, Clause 1 of the United States Constitution.

By Mr. LARSON of Connecticut:

H.R. 6384.

Congress has the power to enact this legislation pursuant to the following:

Clause 1, Section 8, Article I

By Ms. MCCOLLUM:

H.R. 6385.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18, which gives Congress the power "To make all Laws which shall be necessary and proper for carrying into Execution the foregoing powers."

By Mrs. MILLER of Michigan:

H.R. 6386.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 4.

By Mr. REED:

H.R. 6387.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 as well as Article I, Section 8, Clause 18

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 190: Ms. SPEIER.

H.R. 733: Mr. WALDEN, Mr. MICA, Mr. CARSON of Indiana, and Mr. FRANKS of Arizona.
 H.R. 854: Mr. FRELINGHUYSEN.
 H.R. 942: Mr. BILBRAY and Mr. KISSELL.
 H.R. 949: Ms. MCCOLLUM.
 H.R. 964: Mr. LANGEVIN.
 H.R. 1048: Mr. SCHIFF, Ms. SCHWARTZ, Ms. SPEIER, and Mrs. DAVIS of California.
 H.R. 1063: Mr. STEARNS and Ms. HANABUSA.
 H.R. 1111: Mr. MILLER of Florida.
 H.R. 1259: Mr. TURNER of New York.
 H.R. 1260: Mr. MICHAUD.
 H.R. 1265: Mr. REED, Mr. BILBRAY, and Mr. AMODEI.
 H.R. 1269: Mr. HONDA.
 H.R. 1322: Mr. BISHOP of New York, Ms. LEE of California, Ms. NORTON, Mr. MCGOVERN, and Mr. LANGEVIN.
 H.R. 1370: Mr. MCHENRY and Mr. HURT.
 H.R. 1386: Ms. BASS of California, Mr. HOLT, and Mr. DAVID SCOTT of Georgia.
 H.R. 1394: Mr. HEINRICH, Mr. YOUNG of Florida, Ms. RICHARDSON, Mr. GRIJALVA, Ms. SPEIER, Mr. PERLMUTTER, Mr. MILLER of North Carolina, Mr. COSTELLO, Ms. SLAUGHTER, Mr. SESSIONS, and Mr. BARLETTA.
 H.R. 1426: Mr. GRIFFIN of Arkansas.
 H.R. 1489: Mr. GUTIERREZ.
 H.R. 1513: Mr. GALLEGLY and Mr. GIBSON.
 H.R. 1517: Mr. MICHAUD.
 H.R. 1523: Mr. OLVER and Ms. SCHAKOWSKY.
 H.R. 1529: Mr. MICHAUD.
 H.R. 1546: Mr. HECK.
 H.R. 1552: Mr. GRIJALVA.
 H.R. 1614: Mr. PAUL.
 H.R. 1648: Mr. SERRANO and Mr. CUMMINGS.
 H.R. 1704: Ms. WATERS.
 H.R. 1709: Mr. MICHAUD.
 H.R. 1755: Mr. SCHIFF.
 H.R. 1842: Mr. SARBANES.
 H.R. 1903: Mr. KUCINICH.
 H.R. 1960: Mr. RIBBLE.
 H.R. 1993: Mr. CULBERSON.
 H.R. 2016: Mr. KEATING.
 H.R. 2052: Mr. CICILLINE.
 H.R. 2364: Mr. CICILLINE.
 H.R. 2382: Mr. CICILLINE, Ms. BONAMICI, Mr. DAVIS of Illinois, and Mr. GRIFFIN of Arkansas.
 H.R. 2466: Mr. DUFFY.

H.R. 2536: Ms. BALDWIN.
 H.R. 2595: Mr. MICHAUD, Ms. BORDALLO, Mr. LANGEVIN, Mr. DENT, and Ms. BALDWIN.
 H.R. 2672: Mr. HEINRICH.
 H.R. 2722: Mr. CICILLINE.
 H.R. 2758: Mr. LEVIN and Ms. FUDGE.
 H.R. 2759: Mr. BERMAN and Mr. RANGEL.
 H.R. 2827: Mr. GRIMM and Mr. SHERMAN.
 H.R. 2854: Mr. BACHUS.
 H.R. 2866: Mr. PASCRELL.
 H.R. 3102: Mr. FITZPATRICK.
 H.R. 3178: Mr. NADLER.
 H.R. 3238: Mr. MICHAUD, Mr. KUCINICH, and Mr. McDERMOTT.
 H.R. 3307: Mr. HEINRICH.
 H.R. 3313: Mr. CICILLINE and Mr. OLVER.
 H.R. 3337: Mr. SOUTHERLAND.
 H.R. 3359: Ms. CHU and Mr. BLUMENAUER.
 H.R. 3423: Mr. MEEKS.
 H.R. 3442: Mr. LYNCH.
 H.R. 3461: Mr. WALDEN.
 H.R. 3481: Mr. HARRIS.
 H.R. 3506: Mr. GRIFFIN of Arkansas.
 H.R. 3648: Ms. PINGREE of Maine.
 H.R. 3661: Mr. GARY G. MILLER of California and Mr. COSTELLO.
 H.R. 3679: Mr. FARR.
 H.R. 4032: Mr. SERRANO.
 H.R. 4084: Mr. CAPUANO.
 H.R. 4124: Mr. STEARNS.
 H.R. 4128: Mr. MICHAUD.
 H.R. 4165: Mr. HEINRICH.
 H.R. 4209: Mr. HOLT, Mr. COURTNEY, Mr. BOSWELL, Mr. GERLACH, Ms. WOOLSEY, Mr. PASTOR of Arizona, Mr. WOLF, Mr. RUNYAN, Mr. RANGEL, and Mr. MICHAUD.
 H.R. 4269: Mr. BACHUS.
 H.R. 4309: Mr. MARCHANT.
 H.R. 4322: Mr. GRAVES of Georgia, Mr. KINGSTON, Mr. KING of Iowa, Mr. HARRIS, Mr. FLEISCHMANN, Mr. PITTS, and Mr. ROE of Tennessee.
 H.R. 4350: Mr. SCHILLING and Mr. JONES.
 H.R. 4369: Mr. GRIFFIN of Arkansas.
 H.R. 4373: Mr. CRITZ.
 H.R. 5647: Mr. PERLMUTTER and Mr. CRITZ.
 H.R. 5746: Mr. BECERRA, Mr. GARY G. MILLER of California, and Ms. LINDA T. SANCHEZ of California.
 H.R. 5851: Mr. BISHOP of New York.

H.R. 5864: Ms. PINGREE of Maine and Mr. STARK.
 H.R. 5914: Mr. COFFMAN of Colorado.
 H.R. 5936: Ms. EDDIE BERNICE JOHNSON of Texas and Mr. VAN HOLLEN.
 H.R. 5969: Mr. POSEY, Mr. FLEMING, Mr. HARRIS, Mr. COLE, and Mr. PITTS.
 H.R. 5970: Mr. POSEY, Mr. FLEMING, Mr. HARRIS, Mr. COLE, Mr. PITTS, and Mr. RIBBLE.
 H.R. 5991: Mr. BILBRAY.
 H.R. 6043: Mr. BUCHSON, Mr. KISSELL, and Mr. GRAVES of Missouri.
 H.R. 6046: Mr. RANGEL and Ms. ESHOO.
 H.R. 6061: Mr. FARR and Mr. DEUTCH.
 H.R. 6087: Mr. WAXMAN and Mr. LATOURETTE.
 H.R. 6134: Mr. OLVER.
 H.R. 6153: Mr. JOHNSON of Georgia.
 H.R. 6163: Mr. STEARNS and Mr. MCCAUL.
 H.R. 6220: Mr. RANGEL and Ms. WILSON of Florida.
 H.R. 6245: Mr. WELCH.
 H.R. 6246: Mr. McDERMOTT, Ms. NORTON, Mr. BISHOP of Georgia, and Mr. POLIS.
 H.R. 6263: Mr. HOLT.
 H.R. 6291: Mr. WELCH, Mr. CRITZ, Mr. COFFMAN of Colorado, and Mr. RIVERA.
 H.R. 6350: Mr. YOUNG of Alaska and Mr. WEST.
 H.R. 6361: Mr. AL GREEN of Texas and Mr. SHERMAN.
 H.R. 6374: Mr. BISHOP of Georgia and Mr. PRICE of Georgia.
 H.J. Res. 118: Mr. WALSH of Illinois.
 H. Con. Res. 129: Mr. KISSELL.
 H. Res. 295: Mr. MARKEY.
 H. Res. 351: Mr. WELCH.
 H. Res. 549: Mr. PASCRELL.
 H. Res. 736: Mr. FARR.
 H. Res. 760: Mr. SIRES, Mr. PETERS, and Mr. PASCRELL.
 H. Res. 774: Mr. KEATING, Mr. CRAWFORD, Mr. GRIFFIN of Arkansas, Ms. LINDA T. SANCHEZ of California, and Mr. SHERMAN.
 H. Res. 776: Ms. BORDALLO and Mr. KING of New York.

SENATE—Wednesday, September 12, 2012

The Senate met at 9:30 a.m. and was called to order by the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Lord of salvation, sometimes we are tempted to doubt Your promises and to feel cynical about the chaos in our world. When these feelings come, help us to remember Your great deeds in our Nation's history, recalling the many victories You have already helped us win.

Continue to lead our lawmakers like a shepherd in green pastures and beside still waters. Nourish their spirit with the food of Your wisdom, soothing their doubts and calming their fears. Give them indefatigable courage for the living of these challenging days, using them as instruments to share hope and encouragement to our Nation and world.

Lord, we thank You today for the life and legacy of Ambassador Chris Stevens.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable KIRSTEN E. GILLIBRAND led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUE).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, September 12, 2012.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York, to perform the duties of the Chair.

DANIEL K. INOUE,
President pro tempore.

Mrs. GILLIBRAND thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Madam President, the Senate will now consider the motion to proceed to S. 3547, the Veterans Jobs Corps Act. Seventy minutes will be equally divided this morning between the two leaders or their designees, with the Republicans controlling the first half and the majority controlling the final half.

We will begin consideration of the Veterans Jobs Corps bill today. It is unfortunate that we are having to go through another couple of filibusters on this bill, but that is what we have been through.

I mentioned yesterday on the floor that for the 6 years we have had a Democratic majority, there have been 380—this makes now 381—filibusters. During the time of Lyndon Johnson, 6 years, the same period of time, there was 1 filibuster—381 to 1. That is the kind of obstruction that has taken place in this body by the Republicans, and it is untoward by any stretch of the imagination. There has never been anything close to this.

HONORING OUR FOREIGN SERVANTS

Mr. REID. I was disturbed and saddened to learn late last night of the deaths of Ambassador Chris Stevens and three other personnel in an attack on the U.S. consulate in Libya. I would be happy to talk by name about them, but their names have not been released at this stage. It doesn't take away from how important the jobs are of these Foreign Service officers.

I join President Obama in condemning these senseless acts of violence. My thoughts are with the families of those who were killed in this horrible attack. It is too often forgotten that American diplomats risk their lives on a daily basis.

I had the good fortune in my days on the Foreign Affairs Committee in the House to travel the world. I always make sure, wherever I go, to visit with the Foreign Service personnel. They are everywhere. There is no group of people—and I tell them this every time I have the opportunity to visit with them—who do more for our country in a positive sense than these Foreign Service officers. They work so hard,

and most of the time their duty stations are very difficult.

For example, take this good man, Ambassador Stevens, who was just confirmed a few months ago. He was a Peace Corps volunteer in Morocco. He taught English there. He was fluent in Arabic, French, and English. He served in the Foreign Service in Jerusalem, Cairo, and Saudi Arabia. He was the Staff Assistant of the Bureau of Near Eastern Affairs. He had an education that was really unbelievably strong and powerful. He graduated from Berkeley. He had a law degree from Hastings, one of the premier law schools in the country. He had a master's degree from the National War College. What a loss to our country.

Our diplomatic corps is filled with admirable and dedicated public servants, and the four Americans who lost their lives yesterday exemplify the courage that happens every day in diplomatic posts around the globe. They learn the language, and they live with the people wherever they go.

As I have indicated, I have traveled to many of the American Embassies abroad. I have always been so impressed and grateful for their leadership, and I communicate that to them every chance I get. We are so fortunate to have had Hillary Clinton leading the State Department for the last 3½ years.

I have indicated that Ambassador Stevens was not a political appointment; he was a Foreign Service officer. As I indicated, he served in the Peace Corps and spent his life giving his time and his talents to drum up democracy and American values around the world.

I support President Obama's directive to increase securing our diplomatic posts around the world and provide whatever resources are necessary to keep our personnel in Libya safe. I will continue to monitor the situation as we learn more about these terrible events.

JAMES BILLINGTON'S 25 YEARS OF SERVICE

Mr. REID. Madam President, Henry Ward Beecher, the famous abolitionist, once said, "A library is not a luxury, but one of the necessities of life." I agree. Our Founding Fathers also agreed, and that is why we have the Library of Congress. The Library of Congress was initially the library of Thomas Jefferson. That is what started the Library of Congress. It was established in 1800. It was this country's first Federal cultural institution. It is the largest library in the world. There are 35

million books and 838 miles of bookshelves. The numbers are staggering. Almost 10,000 new items are added every day.

For 25 years the Librarian of Congress has been Dr. James Billington. He has been a faithful and effective leader. I first got to know Dr. Billington in 1986 when I came to the Senate. There was a little squabble between a couple of the more senior Senators, which was a wonderful opportunity for me because one of the very senior Senators thought that maybe he deserved more than being the chair of the Subcommittee on the Legislative Branch. I grabbed that. I was happy to do that. I loved that experience. I learned a lot about what goes on here and how we pay for things. At that time it was an effort to really hurt the Library of Congress, so I had that opportunity to stand for the Library of Congress. Every time we had a vote, we won and they were not able to damage the Library of Congress.

I got to know Dr. Billington. I had the good fortune to travel once with him to Russia. Dr. Billington, before coming to the Library of Congress, was one of the foremost scholars on the former Soviet Union. He knew everything about that land. He still writes about the new Russia. He is a very stalwart academic. When he took over the Library of Congress in 1987, computers were a scarcity, but he had a vision of what the future should be, and he thought it would be important to digitize the Library's collections and make them available on the Internet. There was a little pushback at first, but, of course, now that is history. That is what happened.

I have such admiration for him as a person. He is a good person not only from an academic standing but as an administrator. I am glad they were unable to slash the Library's budget as they tried, and as a result, people came to a better understanding of what the Library of Congress was all about. I am glad I was able to play a part in that. He has always ensured that the Library of Congress would remain an unmatched resource for knowledge and enlightenment. So it is with pleasure that I congratulate my friend Dr. Billington on 25 years—a quarter of a century—of dedicated service at the Library of Congress.

THE ECONOMY

Mr. REID. Very quickly, Madam President, I was very disappointed to hear Speaker BOEHNER say yesterday that he was giving up on reaching a bipartisan agreement to avoid huge cuts to both domestic and defense programs. I don't feel that way. I can assure everyone within the sound of my voice that I have not given up on finding a reasonable and balanced approach to reducing our debt and avoiding these

difficult cuts. Democrats agree that across-the-board cuts are not the best way to solve the problems. Sequestration is a bitter pill, but we did that on purpose. That was no accident. That is why there was overwhelming support for the budget deficit reduction act to have sequestration. The sequestration was engineered to be hard to take, so it forced us to compromise. It was designed to be tough enough to force the two sides to reach a balanced deal. That is why there was widespread bipartisan support for this.

I hope Speaker BOEHNER will reconsider. I believe it is much too early to give up. I urge my Republican colleagues not to give up on themselves because I am not going to give up on them. It is time for them to stop rooting for the economy to fail and root for Congress to succeed and reach common ground. Remember, the markets are watching our every move, with Moody's saying yesterday that they were thinking of downgrading our debt standing credit rating. This is not the right time to say there is no hope in getting things done. I disagree. I say that the glass is half full, not half empty.

The Speaker's statement came an hour after that reminder from Moody's came forward. We are willing to work. I say that to my friend JOHN BOEHNER and to everyone else. We are willing to negotiate, we are willing to cooperate, we are willing to consider the difficult cuts to programs we hold dear, and I think the Republicans should do the same. So far they have refused. Due to the orders of their leader Grover Norquist, they have refused to raise even a penny of new revenue. They have refused to ask millionaires to contribute their fair share to help reduce the debt and the deficit. And Democrats won't agree to a one-sided solution that lets the superwealthy off the hook while forcing the middle class and those in greatest need to bear all the hardship. I repeat, we are willing to consider difficult cuts to programs we believe are extremely important.

The sequestration is not a perfect legislative tool, but rarely do we do anything legislatively that is perfect. That is the way it has been for generations. But at least it has the benefit of being a balanced approach, and it has the power of law.

Republicans, including Vice Presidential candidate PAUL RYAN, would do well to remember that they voted for the sequestration.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

HONORING OUR FOREIGN SERVANTS

Mr. McCONNELL. Madam President, we learned yesterday, and are receiving reports this morning, of the attacks against the U.S. Embassy in Cairo and the U.S. Consulate in Benghazi, Libya. In Benghazi, our Ambassador Chris Stevens and three other Americans were killed in the service of our Nation. Our thoughts and sympathies today are with the families of these brave Americans.

These attacks remind us of the sacrifices made on a daily basis by foreign service officers, diplomatic security personnel, and our marine security guards. I join my colleagues in strongly condemning the murder of these innocent Americans, and I support employing every available tool at our disposal to ensure the safety of Americans overseas and to hunt down those responsible for these attacks.

Yesterday we commemorated the anniversary of the attacks of September 11, and today we are reminded that brave Americans serve us every day at the risk of their own lives. We honor the Americans we lost in Libya and we will stand united in our response.

Among the things we can agree on in Washington is that the attacks on the United States and its representatives will be met with resolve and that America's presence and defense of our national interests across the globe will not be deterred by the acts of violent extremists.

I yield the floor.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

VETERANS JOBS CORPS ACT OF 2012—MOTION TO PROCEED

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the motion to proceed to S. 3457, which the clerk will report.

The assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 476, S. 3457, a bill to require the Secretary of Veterans Affairs to establish a veterans job corps, and for other purposes.

The ACTING PRESIDENT pro tempore. Under the previous order, the next 70 minutes will be evenly divided and controlled between the two leaders, with Republicans controlling the first half.

The Senator from Tennessee.

MAKING TOUGH CHOICES

Mr. CORKER. Madam President, this is a great Nation.

I was interested to hear the comments of our two leaders today, and I

am saddened, as are all of us here, regarding the news of Ambassador Stevens and three other hard-working public servants who represent us. We are a great Nation. This is a great Nation. People such as those individuals demonstrate the exceptionalism of Americans all around the world.

That is why it saddens me to come to the floor today, on the eve of hearing about whether the Federal Reserve, which will decide tomorrow, is going to print more money. Our markets are volatile each day, trying to figure out and read the minds of what our central bankers are going to do. Two days ago I spoke with one of our leading administration officials—someone whom I respect greatly—who had just attended a meeting in the Asian area where Christine Legarde was speaking to a small group of folks. She is the head of the International Monetary Fund. She stated that the real difference in how the world is going to evolve over the next short term and how the economies of the world are going to react is based upon whether people in Europe and people in the United States of America are going to rise up and deal with the problems they have internally.

I look at what is happening on both sides of the Atlantic, with central bankers printing money to buy debt of great nations—nations that have evolved, that are sophisticated, that are democracies. They pave the way for other cultures to evolve and develop economically themselves. Yet we wake up in a world where because politicians in Europe and politicians here in the United States of America have not risen to deal with the fiscal issues within their own countries, the central bankers are left in a situation where they are printing money and buying debt in order to move a crisis further away from the day we now live in.

I know the majority leader talked about negotiations that are taking place regarding sequester and I know everybody in this body has been involved in some meeting of some kind to deal with the fiscal issues our Nation faces. I realize that over the next 60 days there is likely nothing that we as a body are going to do. I understand that. I don't think anyone in America expects that is going to happen over the next week and a half. We will figure out a way to move out of here and hopefully not do any damage to our country.

What I hope will happen is when we come back after the election, during a lameduck session or shortly thereafter, all of us will get serious about dealing with our Nation's fiscal issues. The majority leader spoke to the economy. I want our economy to do well. I want citizens in Tennessee and New York and all across our country to do well. Yet what we have done over the course of the last year and a half or so is passed silly little bills that have noth-

ing whatsoever to do with sustaining a long-term economy, and we find ourselves again waking up on the eve of finding out whether the Chairman of our Federal Reserve is going to print more money to buy our debt to make it less painful for us and cause us to be in a position where we put off making the tough decisions. I hope the Federal Reserve Chairman tomorrow is going to show the humility he needs to show, that monetary policy has its limits, and it is up to us now to do our job.

So I am saddened today about the news of some wonderful public servants having lost their lives. I wake up every day with a tremendous sense of privilege to serve in this body and to represent people such as those who died, who are living in tough circumstances around the world, to make sure that all of us here are safe. I hope what will happen in this body is that Republicans and Democrats alike will honor the sacrifices, as we honored them yesterday and we today solemnly think about, that people make around this world on our behalf to keep us free and safe, and that we as a body, Republicans and Democrats, are going to rise and do the things we need to do to put in place a real fiscal reform package that will not rely upon the sugar of the Federal Reserve, but that we will do the things we need to do to create a sustained economy.

I believe—and I think most people in this body know it when they think about it—we are one fiscal reform package away from being able to focus on being a great Nation—we are a great Nation—but to be able to focus on that. When we look at where we are as a country, with the tremendous energy resources that 2 years ago we didn't even realize we had in this continent; when we look at the technology breakthroughs that are happening in this great country; when we look at the pharmaceutical breakthroughs that are happening and saving lives around the world, we are one reform package away from putting this problem in our rear-view mirror and focusing on the greatness of this Nation.

So, again, I know we are not going to do anything over the next week and a half and we are not going to do anything over the next 60 days. But I hope Senators from all around this country and House Members from all around this country will come back after this election and have the courage that has been demonstrated so often by so many Americans to make the tough choices that are necessary to put our fiscal woes behind us, to cause this economy to grow, to allow the standard of living of Americans to rise and, candidly, to help lift hundreds of millions of people around this world out of poverty. That is what people are depending on. It is an embarrassment to find ourselves in this position where we are being diminished around the world, because people

are looking at us—the great example to the world of free enterprise and limited government and democracy—and knowing that we don't have that courage today.

So I am hopeful we are going to come back and deal with these issues, we are going to do it in a bipartisan way, and then as a Nation we can continue to focus on our greatness and we can help not only uplift our own citizens through economic growth but help continue to be a beacon to the world.

I yield the floor and note the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. UDALL of Colorado. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

HONORING OUR FOREIGN SERVANTS

Mr. UDALL of Colorado. Madam President, I have been coming to the Senate floor on a daily basis to talk about the importance of the wind production tax credit, and I intend to do so today. But before I bring up that important topic I want to speak to a situation, an incident, that is on everybody's mind; that is, what happened in Libya earlier today.

I think all of us in the Senate adhere, or should adhere, to the concept that politics should cease at the water's edge. I hope in this terrible tragedy that philosophy will hold fast. I, along with all Coloradans, absolutely condemn the murders—and that is what they were—of Ambassador Stevens and other U.S. State Department personnel today in Libya.

I am a member of the Senate Committees on Armed Services and Intelligence, and I know the men and women of our diplomatic corps do absolutely vital work under difficult conditions every single day. Ambassador Stevens was a dedicated public servant who was working in Libya to advance freedom and democracy, and we will continue undeterred in our pursuit of those goals.

We salute the service and sacrifice of all those who were taken from us today, and their families are in our thoughts and prayers.

WIND PRODUCTION TAX CREDIT

Madam President, as I mentioned when I first rose, I am here again on the floor of the Senate to urge all of us to take action on an issue that already has broad bipartisan support; that is, the renewal of the production tax credit for wind energy.

I was back in my home State of Colorado for the August work period, as I know the Presiding Officer and all my colleagues were, and I saw firsthand the very positive effects wind energy

has had on my State of Colorado. I also saw the sobering effects of congressional inaction, which only strengthened my resolve to have extended the production tax credit.

I want to share some specific insights and developments in Colorado and then move to the State I am going to discuss today in a little bit.

Xcel Energy operates in my home State. It has a wide area in the upper Midwest as well, but it announced it had set a record for the amount of electricity generated from wind resources. At one point Xcel's Colorado customers got over half—to be precise, 57 percent—of their electricity generated from wind power. This is a huge success, and it highlights in so many ways the potential that wind energy has to fill a larger and larger portion of our energy portfolio as this industry fully matures.

Sadly, though, I also saw the negative effects of our failure to renew the wind PTC. Vestas Wind systems, which the Presiding Officer is familiar with, does business in Colorado. It announced layoffs last month affecting 2,300 workers worldwide who are manufacturing the turbines themselves, including about 100 workers at Vestas' facilities in Pueblo and Brighton, CO.

This was both predictable and predicted, and it is time for us to act to protect American workers in the wind energy industry. Each day we fail to act to extend the production tax credit, more American jobs are put at risk, and we further cede more of our clean energy leadership to foreign competition. Look no further than Colorado for both the promise of wind energy but also the peril of congressional inaction.

Of course, these effects are not limited to my State. I am biased. I think I represent the best State in the Nation, but every day I come to the floor and I highlight a different State and the positive impacts wind energy has had there. Literally every State in the Nation has a stake in this crucial wind industry space. Today, therefore, I would like to talk about the great State of North Carolina where wind energy has literally boomed in recent years.

North Carolina—as have a lot of States—has seen a tremendous growth in its wind manufacturing sector. What are the numbers? Well, as of 2012, there are at least 17 wind manufacturing facilities in North Carolina that provide jobs to their local communities, and at least one more facility is scheduled to come online soon. The facilities produce everything from steel to lubricants and bearings.

We can see all the green circles which designate where these facilities are all across the great State of North Carolina. Let me focus on one manufacturer in North Carolina. It is PPG Industries. PPG is a major supplier of fiberglass to the wind industry, and there are hun-

dreds of jobs linked to its activities. Their fiberglass facilities are in Shelby and Lexington, which are outside of Charlotte and Greensboro, respectively. Their growing role has been good for not only the company but for North Carolina. In 2010 PPG expanded its presence and brought online an additional furnace and created another 1,800 jobs. In sum, across North Carolina there are over 2,000 good-paying jobs, and those jobs then create a ripple effect.

If we want to look more broadly at North Carolina, they are manufacturing but they also have very significant wind energy potential in the State itself. Offshore wind resources are abundant. The American Wind Energy Association estimates that wind energy could provide enough electricity to power some 800,000 homes. That is not all: Onshore wind resources could also provide a substantial amount of power for the State.

If we look at these numbers, this is an important industry in North Carolina. It certainly has made a difference. But if we do not extend the wind production tax credit, this strong growth in the manufacturing sector plus the potential to harvest the wind in North Carolina is at risk and the years of strong progress we have seen here toward a clean energy future in North Carolina could be literally dashed if the wind production tax credit expires at the end of the year.

Here is the bad news. The wind industry in North Carolina, because they are anticipating the expiration of PTC, is beginning to downsize and shelve expansion plans, predictably. This story is being repeated potentially all over the country. It is heartbreaking. I remain hopeful, however. I am dedicated to extending the PTC. I know the Presiding Officer has been very helpful and very supportive and understands its importance.

A little bit of good news. The Senate Finance Committee passed a bipartisan tax extenders package as we left for our August State work period and it did include an extension of PTC. I want to stress an important point about that effort: The package was bipartisan. I want to see the Senate take up the Finance Committee's legislation immediately and pass it immediately.

In a few hours the House is going to see an interesting discussion. The Presiding Officer served in the House. So did I. They are an equal partner of ours in the Senate. Over a dozen Members in the House are going to take the floor today and express their strong support for American jobs and the extension of the PTC. I am pleased these members of the House Sustainable Energy and Environmental Coalition will be adding their voices to what has become a bipartisan and now bicameral push to extend the PTC.

As I begin to close, let me also talk about the support that is out there in

the country. It is a broad array of groups that have stood and said we think the PTC ought to be extended. The U.S. Chamber of Commerce, the National Governors Association, the Governors' Wind Energy Coalition, the American Farm Bureau Federation and many major national newspapers have all weighed in saying this is important to our country's future.

Members on both sides of the aisle, as I have mentioned, have said the PTC should be extended because they know and they have seen the positive effects of the PTC on their communities and across the country. They also know that wind energy—and renewable energy more generally—is the future. It is the wave of the future. There is no question. All you have to do is look at the rest of the world—look at China, look at Spain, look at Denmark, look at every developed country and the developing countries in Asia and India. They are all investing in clean energy. This is not something they are doing just to feel good. It is where economic growth will occur.

In sum, extending the PTC is a no-brainer. It is common sense. We ought to be doing the job we were sent here to do. We ought to be extending the PTC as soon as possible. PTC equals jobs. We ought to pass it as soon as possible. I am going to continue coming to the floor every day until we finish the job. I will not stop until we vote to protect American jobs. Failure to act has already hurt this vital industry. Continued inaction will result in the loss of thousands of American jobs which then has a ripple effect on the rest of the Nation's economy.

Colleagues, stand with me, stand with the Presiding Officer, stand with American workers. Let's extend the production tax credit now, as soon as possible.

I thank the Chair for her support and her interest.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Maryland.

Ms. MIKULSKI. Madam President, I ask unanimous consent for 10 minutes to address the Senate.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

HONORING OUR FOREIGN SERVANTS

Ms. MIKULSKI. Madam President, last night when I went to sleep I was going over in my mind the speech I wanted to give here today—which is an important day in the history of the American space program. It is the day that President Kennedy challenged us to go to the Moon, to land safely on the Moon and to return safely as well.

When I woke up this morning I woke up to terrible news, to learn that our Ambassador in Libya had been killed by a mob. We've lost Ambassador Chris Stevens. We lost three others at the American Embassy in Libya. It is a terrible tragedy.

At the same time yesterday our Embassy in Cairo was stormed. Thanks to the vigilance of its leadership and our wonderful Marine Corps defending the Embassy, we lost no one in Cairo.

Madam President, I first want to extend to all of the families who lost someone in Libya overnight my extreme and definite condolences and sympathy. I am a little bit at a loss for words because these tragedies that happen to our men and women who serve at our Embassies happen all too frequently and then we say: A grateful nation never forgets; and then we go on to bash our Federal employees and our State Department people, saying: Oh, they have these cushy jobs in exotic places and they must be out eating brie somewhere.

We lost, at the Nairobi bombing, Consul General Bartley, head of our consulate service, who was serving there, one of the highest serving African Americans in our Foreign Service. His son interned there that summer, wanted to be like his dad. They died there. They died there. But he was at his duty station.

It has been almost 15 years. These men and women were serving the United States of America. They were at their duty station. They were trying to help Libya to rise up now to be able to create a government and be able to create opportunity for its own people, and they gave their lives. Ambassador Chris Stevens had already served two tours in Libya but wanted to go back again at this new moment in history, to stand up, to help Libya stand up a true government that was free and would give their people a chance at democracy and participating in a new Middle East.

And then there was Sean Smith, who was a 10-year veteran of the Foreign Service. He was an information management officer. He had served in Iraq. He is a father of two children, a devoted husband. We know what happened to them.

So we must continue our strong partnership with Libya after the fall of Qaddafi. But I call upon the new leadership: Call for calm, call for tolerance. If you are angry, there are ways to do protests and so on. You don't have to go around killing the American Ambassador when our Air Force flew over Libya and our President and our Congress worked to support this new government coming up.

And then there is Cairo. Because of anger over a video—I do not know about this video. I don't know its content but I do know the outcome—that our Embassy in Cairo was stormed. They tore down our American flag. They replaced it with another flag. But it is the flag of the United States of America and our flag is in Egypt. Our flag is in Egypt because we are great allies to the Egyptian Government and great supporters of the Egyptian people

as they come through the Arab spring—again, trying to create a new day and a new way.

I say to Ambassador Patterson and the entire staff, again: Our thoughts and prayers are with you. I was in Cairo. I know what they do every day. I know how, during the Arab spring many of them were locked in the Embassy, trying to keep our government functioning while their own families had to be evacuated. Some did not see their families for 3 weeks because they were inside, they couldn't leave, and we had the most massive evacuation of civilian employees in our history since, really, the beginning of some other armed conflicts.

So I say to those embassy staff, both our wonderful Ambassador, Anne Patterson, but to a lot of the little people who work at the Embassy, the people who keep the commercial commerce office open, the people who are doing the wonderful work with NGOs to show them how to build a free and new kind of society, and also to the foreign nationals who work in our Embassy—we think about you.

I say to the leadership in both countries again: Call for calm, call for tolerance. But I say to my colleagues here, we have to call for calm and tolerance right in this institution. We have to support our men and women in the State Department, our men and women in the military. All who serve overseas are representatives of the United States of America. Whether you are the Peace Corps or the Marine Corps; whether you are the Foreign Service or the commercial service or whatever—you are in the service of the United States of America, promoting our values, trying to help promote democracy and also trying to have economic and strategic cooperation.

I thank our Foreign Service staff. Many of them live in Maryland but that is not the point. They live in the United States of America. So I say to all, when you point your finger and say we don't need a government—I think we do need a government. And when we talk about standing up for our military now, in these tough budget times, absolutely we should. But remember there are others overseas who also carry our flag in very dangerous areas.

Let's start respecting the people who work for our government. Let's make sure they have the right resources to do their job and then let our President, our talented Secretary of State, help work with the other world leaders to do something to bring about stability.

I feel very strongly about this. I guess what you are hearing from Senator MIKULSKI is grief for what has happened in Libya, worry about what has happened in Cairo, tension about what continues to happen in the Middle East, and then frustration about what goes on here. When all is said and done—more gets said than gets done and what is said is often not very good.

The world is watching us here. We are supposed to be the greatest democracy in the world. Not only are we supposed to be, I believe that we are. But democracy begins with us. Democracy is not only something written on a piece of paper which are our founding documents but we have to live what is in those founding documents. We have to, first of all, start with civility, start with respect, start with conversations among ourselves about how we could truly work together to help our country and to help our country help the world.

50TH ANNIVERSARY OF PRESIDENT KENNEDY'S
SPACE FLIGHT SPEECH

This is what it was all about 50 years ago when a young President went to Rice University. The Russians were pounding their chests. They put something up in the air called Sputnik. President Eisenhower had responded. We were going to do something called the National Defense Act. We were promoting math and science to catch up with the world. Does it sound familiar? Then, also, though, our President wanted to do more and he went to Rice University. During that speech he rallied the Nation on why, as part of his vision of the New Frontier, why we should travel into space. That historic day he said:

We choose to go to the moon. We choose to go to the moon in this decade, and do other things, not because they are easy, but because they are hard, because that goal will serve to organize and measure the best of our energies and our skills.

That is how in a robust way we took a nascent space program and transformed it into a space superpower. It literally took us to the frontier of space and took us to a new frontier.

For those 50 years, America continued to lead the way in space and to keep space a peaceful area. Not to militarize space, not to colonize it for a single country, but to explore and along the way in exploring the universe to get to invent science and technology that would help transform our lives here.

America continues to lead the way in space. As an appropriator for the space program I am so proud of what we continue to do—what we continue to do in the area of space exploration, space and space science.

Look at where we are now. We are right up there in the space station. We have completed its development. We are going to do new research that has never been done before and we are part of our wonderful, gallant astronaut program. At the same time, we have invented new technologies to explore the universe. The work for the Hubble Telescope is located in Maryland both at Goddard and the Space Telescope Science Institute.

Most recently, we landed Curiosity on Mars, a robot the size of a Mini Cooper, that will tell us so much about our

nearest neighbor. As President Kennedy might have said, I sent Curiosity to Mars not because it is easy but because it is hard and we are very curious.

Over the summer, we lost two of our great people—two of our great astronauts. We lost Dr. Sally Ride, the first woman to go into space, whom we so admired, and then we lost astronaut Neil Armstrong, who on July 20, 1969, took that giant step for mankind.

Tomorrow at the National Cathedral we will honor Astronaut Neil Armstrong, and later this year at the National Space Museum we will honor Dr. Sally Ride. We not only want to respect our astronauts of the past, we want to respect the astronauts of today and our astronauts of tomorrow. We want to respect all those wonderful young men and women who want to study space and aeronautics, who want to explore the new frontiers of today and will come up with new ideas that will lead to new jobs tomorrow.

We keep asking NASA to do the hard jobs, such as explore the universe, protect the planet, make airplanes safer and more reliable, look beyond the reach of Earth, develop those new technologies, and search for extraterrestrial life out there. Maybe it is out there, maybe it isn't—study Earth as if it were a distant planet. Maybe there is intelligent life on Earth. Let's look for that, and let's look for it right here. We need to continue to broaden our reach, to go beyond low-Earth orbit and also continue our research.

This year, there was a unique, bold partnership when a private company, SpaceX, sent cargo to dock at the International Space Station. No private company and few nations have accomplished that. This year, SpaceX will be joined by another private company, Orbital Science, which will launch from the east coast Spaceport Wallops. They are located in Virginia. It is a Maryland-Virginia cooperation. How exciting.

Our future in space will be built on innovation and discovery, whether it is the commercial rocket industry, the James Webb Space Telescope that will take us well beyond the work of the Hubble, new technologies, including fixing satellites or, again, that mission to planet Earth. New technologies don't just happen; they come from American ingenuity, but they are built through investments. They made America great and they made the missions of the United States worth imitating.

In the last couple weeks the Presiding Officer talked about an exceptional America. America is exceptional because of the daring and the do of people such as our astronauts, because of talented people who think and study and come up with new ideas and because their government backed them.

I wish to conclude by saying I am proud of what President Kennedy an-

nounced. Right here in this body two people teamed up. Actually, it was one person in this body and the other was a Vice President. It was an odd couple. Their names were Vice President Lyndon Johnson and Margaret Chase Smith. Margaret Chase Smith was once the longest serving woman in Congress. I now hold that record. Margaret Chase Smith, from Maine, was a devotee of the space program. President Kennedy set the goal. He gave it to Lyndon, his Vice President, to make the goal into a reality. The Vice President turned to Congress, and Margaret Chase Smith helped carry the weight of the Congress to put in the right policies and the right funding. Isn't that a wonderful story? It is a wonderful story we need to take with us, that when we work together with our President and both parties work across the aisle, that is the new frontier which takes and keeps America an exceptional Nation.

God bless our President Kennedy, all the astronauts who risked their lives, and everyone who worked to create these new frontiers.

I yield the floor and note the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. FRANKEN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. FRANKEN. Madam President, I rise today to express my strong support for the Veterans Jobs Corps Act. I am proud to be a cosponsor of the bill. I would like to thank Senator NELSON for introducing the bill, and I would like to thank Senator MURRAY, chair of the Senate Veterans' Affairs Committee, for bringing this bill to the Senate and for all she has done for our Nation's veterans.

Veterans have done so much for our country, serving courageously in the military, and they have been tested so profoundly and so many times over the last decade. These men and women have done everything for us. We owe them. That means they deserve the best health care and other benefits they have earned from the Department of Veterans Affairs.

And that means a home. Last weekend I was back in Minnesota for Habitat for Humanity, making critical home repairs for a Minnesota Guard veteran, SGT Brian Neill, and his family. Brian is a 23-year veteran of the National Guard, is part of the Minnesota National Guard unit, the legendary Red Bulls, who had their deployment in Iraq extended so that it was one of the longest, if not the longest, deployment in U.S. history.

While Brian was in Iraq, his son was hit by a drunk driver while returning

home from his junior ROTC training. He sustained a severe brain injury and is severely disabled.

In Iraq, Brian, who mentored younger soldiers, saved the life of one of those soldiers. Brian, being a 23-year vet, mentored these young kids. They were in a convoy, and he saw one of them get out and collapse. He recognized the heatstroke and saved his life.

Sergeant Neill himself returned from Iraq suffering from very serious physical and psychological wounds that leave his wife Jane as a caregiver for both Brian and their son. I have to tell you, they are the most wonderful people. It was an amazing experience to help them with home repairs to make sure they will have the home that meets their needs.

But when I talk to veterans in Minnesota these days, the thing I hear most about is jobs, about employment. Jobs mean money, of course, but it means much more. It means a new mission. Without a job, you really cannot reintegrate into your community and start a new phase of your life.

Veterans unemployment in Minnesota, as I am sure it is in the Presiding Officer's State of New York, is way too high. My message to employers in Minnesota is simple: These are the people you want to hire. They have skills. They have discipline. We all have a role to play in making sure veterans have jobs—employers in the private sector, State government, colleges and universities, municipalities, and also the Federal Government.

This is how we do it in Minnesota. Let me give an example. We had several thousand Red Bulls deployed to Kuwait. The Minnesota National Guard recognized that a large number of them were not going to have jobs when they came back, so the Guard and Minnesota's outstanding Department of Employment and Economic Development went upstream, as they say, to Kuwait to get ahead of the problem. They brought corporate leaders from Minnesota, businesses such as Target and Best Buy, and they also brought folks from MNSCU, which is the Minnesota State Colleges and University System, to Kuwait to provide training for the Guard members on entering or reentering the workforce. They were able to share valuable information with the Red Bulls on writing resumes, getting ready for an interview, and doing it well.

One of the problems is that very often soldiers coming back from Afghanistan, coming back from Iraq, from Kuwait, very often in a job interview will say: We did that, we did this, we did that. That is how you think in the military. Employers want to know what you yourself individually did. So it was simple. The employment guys from Target said: Say "I"—you know, little tips like that. And it has been very helpful.

So we all have a role to play. At the Federal level, last year we passed the VOW to Hire Heroes Act that expanded and created new tax credits for businesses that hire veterans. I have been spreading the word in Minnesota—I know the Presiding Officer has been spreading the word in New York—so our businesses know that for every unemployed veteran they hire, they can get a tax credit for up to \$9,600. That is \$9,600 for hiring a veteran who has a service-related disability and then ratchets down a little bit. But this is a good incentive for businesses to be hiring our veterans.

The legislation we are considering today, the Veterans Jobs Corps Act, is the next step that we can and should take at the Federal level. The bill creates a Veterans Job Corps through the Department of Veterans Affairs, in cooperation with other departments, where thousands of veterans will be able to work on conservation and resource management in our Nation's public lands. Under this bill, veterans will have the opportunity to restore and protect parks, forests, and other public lands, whether they be national, State or tribal. Veterans will be hired to maintain the infrastructure and facilities on these public lands. It will also provide funding for veterans to become firefighters and law enforcement officers. It will also provide licensing and certification for certain skills veterans had when they were deployed—emergency medical, nursing assistants, and also drivers. Many men and women drive in these theaters, and to ease their getting certification, this bill does that as well so they can work in our Nation's parks and these national lands that are so treasured.

This is really based on the Civilian Conservation Corps, the CCC from the New Deal, which was created through a combination of actions by Franklin Roosevelt and legislation, of course, by Congress. It was very successful. It was the most popular program of the New Deal. In fact, at that time veterans were specifically included among those who could be enrolled in the CCC. As I said, the CCC was one of the most successful programs to help us get through the Depression.

My wife Franni's uncle James, who died not long ago at the age of 96, worked for the post office, the Postal Service, and served with the U.S. Army postal service in England, France, and Germany during World War II—a "greatest generation" guy. But before that, during the Depression, he joined the Civilian Conservation Corps. He was part of the crew that built the road through Evans Notch, a beautiful, mountainous area at the border of Maine and New Hampshire. My wife is from Maine. This was one of James' proudest achievements in life. If you read his obituary, it was one of the most prominent parts, along with his service during World War II.

That is the kind of thing the Veterans Job Corps can be. We have to do this work on our public lands, our parks, our forests. Our public lands need to be maintained and preserved and improved. Why not put our veterans to work doing it? They have the skills, they have the experience, and they have the discipline. For instance, if you spent a lot of time on duty outside and you work in teams, which is obviously true of a huge number of those who served in Iraq and Afghanistan, you are going to be very well suited for this work. If you built roads in Iraq or Afghanistan, you are well prepared to maintain or manage resources in Minnesota's beautiful parks, forests, trails, and other public lands—under a little less pressure, by the way.

Minnesota has over 227,000 acres of land in 73 State and national park and recreation areas. That does not count our innumerable public lands under more local jurisdiction. Those are some of the most beautiful places in the country—the Boundary Waters Canoe Area, Voyageurs National Park, Superior and Chippewa National Forests, or the trail along the Mississippi and St. Croix Rivers, just to name a few. Those need to be protected, maintained, improved, and restored too. This is important work, and it is dignified work. If you are making sure it is in your obituary 70 years later, you know it is very important, dignified work. What better way to preserve the beauty of these places than having veterans do it, for our heroes to do it.

The bill also incorporates a number of other veterans job provisions from other bills sponsored by my colleagues from both sides of the aisle. The one I started to mention before is the certification-licensure requirements for becoming a nursing assistant or emergency medical technician—I knew I was looking for a word; it was "technician"—and for getting a commercial driver's license. This is also an issue on which my colleague, my senior Senator from Minnesota, Ms. KLOBUCHAR, has spent a lot of time.

The provision in this bill authored by Senator PRYOR also states that they have to take military training into consideration in issuing licenses for those jobs if they want to continue getting Federal funds for some important veteran employment programs that States administer. This will provide an additional incentive for States to make sure that servicemembers' highly relevant training and experience in these fields can be translated into civilian qualifications, eliminating the need for duplicative training and opening the door to many more jobs for highly trained veterans.

I can tell you, after seven USO tours, our men and women in the military are magnificent. They are highly trained and, man, are they disciplined and, man, are they great. They deserve this.

The Veterans Job Corps is a great idea for employing our Nation's veterans doing the important work of preserving, protecting, and improving our Nation's public lands and serving as first responders, police, and firefighters.

It is my strong hope that we will be able to bring debate on this bill to a close, pass it, and have it enacted into law. Our Nation's veterans deserve nothing less.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. COBURN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. FRANKEN). Without objection, it is so ordered.

Mr. COBURN. Mr. President, I come to the floor today to talk about the bill that is pending, and I must say: Here we go again. And let me say that what we are doing today, under the auspices of helping returning veterans get jobs—and there is nothing wrong with wanting to do that and there is nothing wrong with trying to pay for that—is really passing a bill for political reasons so we can say we did things, because this is not going anywhere in the House of Representatives.

A couple of points I would make are that, first, yesterday, on the anniversary of 9/11, we started the consideration of this bill, but this bill has had no hearings, no committee work, and essentially no debate until today, despite the fact that it will affect six different Federal agencies, at a minimum.

Before I discuss the bill itself, though, I want to mention another anniversary. One year ago yesterday, SPC Christopher D. Horton, Army SPC Bret D. Isenhower, and Army PVT Tony J. Potter, Jr. were killed in Afghanistan. They were 1 of 13 Oklahomans from the Oklahoma National Guard serving in Afghanistan who paid the ultimate sacrifice—a pure and noble sacrifice. As we debate a bill that will largely benefit those who have safely returned home after serving their country, it is important that we not forget those who gave the ultimate sacrifice, this pure and noble sacrifice for the benefit of the rest of us.

The bill before the Senate provides \$1 billion—\$1 billion—in mandatory spending. For the folks at home that means it is not subject to appropriations; it will be spent, period, regardless of what we do if we pass this bill and the President signs it—over 5 years for the creation of a new mandatory program called the Veterans Jobs Corps.

One point I will make is that we already have six veterans jobs programs and not one of them has a metric on it to see if it is working. There hasn't

been one hearing to see what the jobs programs we are running now are doing, to measure their effectiveness or their cost effectiveness and see if they are actually performing for veterans what we say we want them to do. Yet we have a bill on the floor that didn't go through that committee, where no hearings were held, and we are going to do the same thing again. Because there is not a metric in this bill.

So what is happening here is we are playing the political election card to say, How could anybody oppose a veterans jobs corps bill? The real question to be asked is: How callous is it to put forth a political bill when we have no idea whether it may or may not work, for the pure political purpose of an election, without looking at the whole of the veterans jobs programs? There is not going to be any congressional oversight on this.

Just 2 weeks ago I released a report on job training in my own State. I was highly effective in looking at every Federal Government job training program, veterans and nonveterans alike, in my State. I looked at every State job training program and then published a report. Here is what the report found.

And, by the way, we have 47 other job training programs, of which 90 percent don't have metrics on them, and we spend \$19 billion a year on those job training programs.

What we found is that State-run, State-financed, State-supported job training programs work in Oklahoma. We actually take our own money, with our own institutions, with our own individuals and our own employees, knowing what businesses and industry and service industries and institutions need, and we match job training to what those needs are and actually put people to work. Consequently, Oklahoma has a 4.7-percent unemployment rate. So we are highly effective at training people for the jobs that are available. But we are not very effective with the Federal programs.

The assessment in Oklahoma—and I am not sure it applies across the country, but it certainly does in Oklahoma—is that we are very good at employing people in the job training industry but not very good with Federal dollars when it comes to training people a life skill to keep them employed.

This legislation is going to provide \$1 billion for the Federal Government to hire veterans on a temporary basis.

I understand that Senator BURR's recommendations are going to be incorporated. That is a marked improvement to the bill. His puts them in line for a career, not a temporary job—which shows the lack of thinking because Senator BURR, the ranking member on VA, couldn't get a hearing. We didn't have a markup, didn't have a chance for ideas to flow through. I am not certain we are going to have

amendments. I have four I would like to offer to the bill that are better pay-fors and will actually improve the bill. I am not sure we are going to do that either.

So we didn't have a hearing, and we didn't have a markup. We come to the floor, and we are not going to have amendments. What is this really all about? Is this about veterans or is this about politicians? I suspect it is about politicians. I suspect it is about elections and not veterans.

The legislation grants broad authority to the Department of Justice, Department of Defense, Department of Labor, Department of Agriculture, Department of Commerce, Department of Homeland Security, the Interior Department, and the Army Corps of Engineers to hire veterans in jobs such as conservation and first responders.

However, to comply with the pay-go rules, we manipulate the system again. We include revenue increases to equal the cost of the bill. We do that by requiring a continuous levy on payments to Medicare providers and suppliers—which is not a bad idea—and also by denying or revoking passports in cases of seriously delinquent taxes. I have heard that is going to be pulled, but nobody knows. Nobody has seen it. That is why we have committees, so we don't have to play with things before we have a base bill and we know what it will do.

The bill already violates the Budget Control Act's allocation for Veterans Affairs funding. It is subject to a 302(f) point of order because it is outside the bounds of their appropriations.

The bill also states a distinct preference for veterans of the current war in Afghanistan and the most recent war in Iraq by stating that these jobs are primarily for veterans who have served since September 11, 2001.

As with the veterans caregiver bill in 2009, this is blatant discrimination against our other veterans. One class of veterans is better than another class of veterans? Tell me how. Is somebody who died in the Vietnam war less honorable than somebody who has given their life in Afghanistan? Yet we are making that distinction in terms of the benefits available to those who served our country honorably.

So we are blatantly discriminating against veterans who served before 9/11. I would also remind us that those veterans didn't have the post-9/11 GI bill. They didn't have the other significant benefits that have come along and been passed down, both paid benefits, family transfer of the post-9/11 bill, or the educational benefits for in-service that the present veterans have.

Another thing I would remind my colleagues is that right now there is a preference in every branch of the Federal Government for hiring veterans. It is already written into law. Since 1944 the Federal Government has stated

that veterans with honorable or general discharges are preferred for hiring in competitive positions and may also be hired without competition in many cases. In other words, they get an absolute preference. Disabled veterans get even a higher preference over non-disabled veterans. Veterans also have priority in retention in terms of government downsizing: If you were a veteran, you don't get downsized; if you are not a veteran, you will.

Senator BURR's bill—which it appears the majority will take and add to their bill rather than replace their bill—will direct the Office of Personnel Management to require that each of the 10,000 job vacancies presently in the Federal Government today should be filled by veterans. This would actually provide a real career path for veterans, not a temporary make-work job slot that will go away as soon as the \$1 billion runs out.

According to a 2011 GAO report, there are six job training programs, which I have outlined, already on the books. They are not working, but they are on the books, and we are spending money on them. We have no metrics to know whether they are working. We have had no oversight hearings to know whether they are working. None has ever been held.

There is the Labor Department's Disabled Veterans Outreach Program. It does job readiness, skills training, retention training, and employment counseling.

The Labor Department's Homeless Veterans Reintegration Project does everything the first one I mentioned does.

The Labor Department's Veterans Employment Representative Program does exactly the same thing as the first two.

The Labor Department's Transition Assistance Program does job search and job readiness training.

The Labor Department's Veterans Affairs Workforce Investment, again, does all the same tasks as the first two I mentioned.

The Veterans Affairs' Rehabilitation for Disabled Veterans Program does nearly everything from job training to employment counseling to job referral to on-the-job training to basic adult literacy.

This bill and those training programs are in addition to the post-9/11 GI bill and the Tuition Assistance Program, which provides 100 percent tuition assistance plus expenses, plus a monthly stipend salary for unemployed or any other veterans to attend college, vocational training, pursue licensure, with fees paid for by the Federal Government, and allows them to transfer this benefit to their spouses.

The question I have, with that benefit—and we are doing another one now for political purposes, not because we really care about veterans—why isn't

this one working? We are going to spend billions on the post-9/11 GI bill, and we are going to pay them at the rate of a noncommissioned officer all the time they are going to college. Why isn't that working? Where is the oversight hearing to see why what we just did 2 years ago isn't working?

Instead, what we are going to do is—which the Congress has done under both Democrats and Republicans—we are going to throw in more money and do another one. Instead of measuring what works and measuring what we are doing, we are going to create another program. Granted, supposedly it is only 5 years.

When it comes to 5 years, what will happen whether it works or not? Nobody will vote against extending the veterans program, will they? How can anyone be against veterans?

So we would not do the hard work of having committee hearings; we would not do the oversight. We would not even change this bill to make sure it has absolute metrics on what it is doing. So we are continuing down the road to bankruptcy, all in the name of putting a bill—that isn't going to pass the House—on the Senate floor so two or three Members of the Senate can go home and claim they did something.

I think it is hypocritical. I don't think it matches the pure valor of the three individuals I mentioned. It doesn't come close. It doesn't measure up. Those 13 Oklahomans who died in Afghanistan this last year from the Oklahoma National Guard, the Thunderbirds, represented the real value of America. This bill doesn't.

The post-9/11 GI bill pays 100 percent of the highest cost public school in any State. So veterans can go to the best public school paid for completely by the government if they are a post-9/11 veteran. They can get the same equivalent pay as a noncommissioned officer the time they are going. That is what we have already got out there.

Without this legislation, today any unemployed veteran who can get into a community college can go for free, receive 3 years' of pay, all their expenses paid, their housing paid—all of those things paid.

Well, if that isn't working, why isn't it working? Where is the hearing to find out why that isn't working? No, we are just going to pass another bill without a hearing, without a committee markup, for politically expedient purposes. Oh, it is just \$1 billion.

Where is our honor? Where is our valor? Where is our sacrifice?

The Department of Defense Tuition Assistance Program, another program, while you are in the military, is paid for. All you have to do is make a C or better—online, off line, whatever way you want to go.

So let me summarize: We have the Tuition Assistance Program, we have the post-9/11 GI bill, we have the GI

bill, we have six separate VA job programs. We have a bill on the floor to do another one, and nobody is asking the question: What is wrong with what we are doing now, and why aren't we fixing it?

If what we are doing now isn't working, why aren't we fixing that? Why aren't we going to allow amendments to fix things? Why are we going to fill the tree and not allow the process that our Founders for designed the Senate to work so that all ideas could be considered?

No, this is a political exercise. I am going to call it what it is. This isn't about veterans; this is about politicians. My hope is that we wake up before our country fails.

When I came to the Senate, the average family's responsibility for public debt per individual was \$26,000. Within the 8 years I have been here, it is now 51,400 and some-odd dollars. We are playing a game. We are thinking short term. We are worried about political careers and elections, but we are not worried about the country. This is about the greatest example of the incompetence of the Congress of United States I have ever seen.

I am for helping veterans, I am for paying for it, and I am for making sure they get rewarded for their service and their sacrifice. This bill isn't it. This is a charade. That is exactly what it is. To call it anything else dishonors the service of those who have defended and protected our country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

HONORING OUR FOREIGN SERVANTS

Mr. BLUMENTHAL. Mr. President, like many of my colleagues, before I begin my remarks on the subject that brings me to the floor today, which is the DREAM Act, I wish to take a moment to reflect on the brutal, unconscionable attacks that occurred on our diplomatic posts in Libya and Egypt. Like many of my colleagues, I am outraged and saddened by the brutal murder of four courageous Americans in a cowardly, unconscionable attack on the U.S. Consulate in Benghazi, Libya. Their families are in the thoughts and prayers of my family as they are for many others of my colleagues.

These great diplomats were patriots and professionals, putting their lives on the line to advance American ideals and interests. Their vital work is done daily by countless Americans, diplomats abroad who serve in every corner of the world.

In my own visit to Libya last year with a number of my colleagues, including Senator MCCAIN and Senator GRAHAM, I saw the vital work and the accomplishments of such brave Americans on the ground as well as the great peril and severe danger they constantly face. I also saw their sense of satisfaction and patriotism in the work they

are doing. I add my voice to that of my colleagues asking for more support for security, enhanced safeguards, and protection for our diplomats in these kinds of situations. They go about their work with understated perseverance and determination as well as constant courage in the face of often chaotic and unpredictable dangers.

The cowardly attacks on these patriots should not deter the people of Libya from moving forward. Neither should it deter us from working together with others abroad who have a common interest in tolerance, freedom of speech, and democracy.

I commend President Obama and Secretary Clinton for their immediate response to this situation, their words of encouragement. I wish Godspeed to the Marine Corps Fleet Anti-terrorism Security Team en route to Libya.

The diplomats who were killed in this tragic and brutal action embodied American values and the highest traditions, not only of the professionals among our career diplomats, but all who serve and sacrifice for this country in uniform in very similar situations of danger—the marines who guard our embassies as well as the other marines and troops who are fighting on foreign soil to uphold our freedoms.

THE DREAM ACT

Those American values in some sense bring me also to the floor today to talk about the DREAM Act and about a young generation of people in our communities across America and across the country who would benefit from this important legislation. Our immigration system right now is broken and is in dire need of comprehensive reform. Any comprehensive immigration reform legislation must include the DREAM Act. I believe the DREAM Act is worthy of adoption without that comprehensive overarching reform because these young Americans in our communities deserve the opportunity to earn their citizenship by contributing to our Nation. That is exactly the opportunity the DREAM Act seeks to afford them.

Over this last recess I was pleased to talk to many of those DREAMers. I was particularly proud to talk to them about the work a number of us are doing here, to try to achieve and make possible this legislation that would enable and empower them to contribute further. I am grateful to Senator DURBIN and others who have championed this measure at the Federal level, much as I have done in the State of Connecticut as attorney general. I was also proud to talk about the Department of Homeland Security's Deferred Action for Childhood Arrivals policy. This policy took effect on August 15 when DHS started to accept applications for deferred action.

Under the Deferred Action for Childhood Arrivals, DREAMers will have a temporary reprieve—and I emphasize

temporary reprieve—from deportation. This policy step is a good one. It is in the right direction. But it affords only a temporary reprieve.

The DREAM Act would afford a permanent path to individuals who qualify: individuals who have entered the United States before the age of 16; they have been brought here by parents who may be undocumented—but young children, many of them much younger than 16, most of them in fact younger than 5 or 6 years old and who have been present in the United States for at least 5 consecutive years prior to enactment of the bill; are here through no fault or action of their own but who want to be here permanently and contribute and give back. They must have graduated from a U.S. high school or have obtained a GED or have been accepted into an institution of higher education. They must be between the ages of 12 and 35 at the time of application and be of good moral character.

These requirements establish a path for people who want to contribute, have come here through no fault of their own, know the United States as the only country where they have ever lived. They usually speak no other language. Their life and their friends and their future are here.

I want to talk, as I hope to do literally every week that I am able, about an individual who embodies the DREAM Act. Her name is Zuly Molina. Her full name, actually, is Zuleyma Molina, but she goes by “Zuly.” She is a proud member of our Connecticut community, one of 11,000 to 20,000 young people living in Connecticut who would benefit from the DREAM Act. Zuly is here with us today through her picture. I want to talk about her life, which has been full of hardships and challenges, but also her future.

She was born in Mexico and brought to America when she was 6 years old. Her family settled in Connecticut—in fact, in New Britain. She had to learn English, which was not easy for her. In fact, she was taunted and bullied because of her lack of language skills. But she was up to the challenge. She learned English. She speaks it absolutely fluently. She decided to go to the library and translate books on her own so that she would have a command of English. She went through the New Britain public schools and graduated from New Britain High School in 2008, but at that point there were additional challenges.

Zuly wanted to stay in Connecticut and perhaps attend 2 years of community college before going to a 4-year institution. But she was not eligible at that point for in-State tuition and the option of staying in Connecticut was simply too expensive.

What did she do? Endlessly resourceful and determined, she decided to commute every day to Bay Path College in Massachusetts. There she

worked in many leadership positions outside the classroom. She was president of Rotaract, which is Rotary's youth service club for young people. She was vice president of the Bay Path Christian Fellowship. She was cocaptain of the cross-country team. And she graduated with a bachelor's degree in biology, becoming the first college graduate in her family.

She felt discouraged even after graduation because she knew she could not apply for many jobs that require documentation. She decided to pursue further education, a master's degree from Bay Path College in occupational therapy. She understands now life will not be easy, but her goals of working for a hospital's feeding program and pursuing an MD are realistic. She hopes she can pursue that profession so she can work for nonprofits that help families with low income—not altogether different from the one where she grew up.

It has taken many years for Zuly to accept and thank her mother for sending her to America. She would be upset—more than upset—if the land of her life, the land that she loves—America—refuses to give her the opportunity to stay here. She has that opportunity temporarily with the Deferred Action for Childhood Arrivals Program. It is an administrative program. It could be ended with a new administration. It could be ended by any administration virtually overnight. She has applied for deferred action and she is undergoing the process, but she deserves more than a temporary reprieve. That is why I stand here urging my colleagues to enable Zuly to come out of the shadows, to seek a career that will enable her to contribute mightily and monumentally to all of us as a doctor, and to raise a family of her own here, as a proud United States citizen.

To these young people who identify as Americans and who were brought to this Nation at young ages as children or infants and who are here through no fault of their own, I urge my colleagues to offer one of the greatest gifts, one of the greatest privileges one can have, which is United States citizenship, so that we can say to the DREAMers on some day soon, “my fellow American.”

Mr. President, I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CARDIN). Without objection, it is so ordered.

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that I be allowed to speak as if in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE RYAN BUDGET

Mr. LAUTENBERG. Mr. President, we are at a moment in time when Americans across the country are confused by what they are hearing; it is hard to discern truth from fiction.

One of the proposals that is being talked about is from the Republican nominee for Vice President, PAUL RYAN, who is known for his budget proposals. We have to look at them squarely and decide what is reliable, what is true, and what is, as I said earlier, fiction.

Those proposals cut taxes for the rich, raise taxes on the middle class, while abandoning the sick, the poor, and our children. The Ryan budget can only be good for one very small group of Americans: the wealthiest among us.

Now, I was fortunate to succeed in business—succeed in a way that would have been impossible to dream about when I was growing up in a poor family. But I was helped by our country's government for my service in the military during the big war.

But in our democracy, each person gets one vote. So what do you do as a candidate for national office when your vision for the country is good for the few and bad for the many? You can pretend it is good for everybody. You can say it will benefit all Americans. In short, you can substitute fiction for truth. This approach was on brilliant display at the Republican Convention when PAUL RYAN claimed the Republican plan would help the middle class—help that, frankly, we believe would take us downhill instead of Operation Uplift.

An article on Fox News' Web site described his convention speech as, “an apparent attempt to set the world record for the greatest number of blatant lies and misrepresentations slipped into a single political speech.”

Fox News, a conservative communications organization. Maybe that is why they call him “Lyn' Ryan.” His speech in Tampa was the most public and extreme example of the smoke-screen he has been blowing around here for a long time. So today I want to look at the numbers in PAUL RYAN's budget because numbers don't lie, even if some politicians do.

It is obvious PAUL RYAN doesn't want us to see the specific programs he would cut, but let's look at the devastating consequences if his cuts were distributed evenly.

Under the Ryan budget, 200,000 preschool children would be kicked off of Head Start rolls in 2014. We have a chart that clearly shows that. Imagine slashing funding for a program designed to help children learn how to learn. In our country today there are many situations where children don't have parental advice or the encouragement of parents to learn. Head Start is

a terrific program because Head Start teaches these children that learning is fun, so that when they enter school they are ready to accept learning and they look at it as something that will be interesting and pleasant and worth doing. RYAN's cuts are shortsighted and they are cruel and they will only harm America's future.

As much as \$115 billion could be cut from education funding over the next decade if we follow the Ryan budget. With less support and rising costs for higher education, young people would be forced to take on more debt in order to attend college. If we were to talk to college students today, we would learn how tough it is, so that when they graduate from college they may have a debt of \$50,000 to \$100,000. And here they want the average college student to take on more. It is an outrage.

Why would anyone put obstacles in front of young people seeking an education? They are not concerned about those who want to learn or how they merge into our society.

I never would have been able to attend Columbia University without help from the government and the GI bill. When we came home from World War II, this country invested in us—and that investment helped create the “greatest generation” and decades of prosperity. The GI bill enabled me to cofound one of America's most successful companies, ADP. That company today employs over 50,000 people in more than 23 countries. But instead of offering a helping hand to this generation's students, the Ryan proposal closes the door in their face.

Under the Ryan budget, government investments in science, technology, and medical research could also be shortchanged—cut by more than \$100 billion over the next 10 years. Medical research funding alone could take a hit of nearly \$6 billion by 2014. This would delay research on new treatments for diseases such as cancer, childhood asthma, and juvenile diabetes. All of these would start to fall by the wayside.

We have a chart that says the Republican budget plan would take \$5.8 billion that would otherwise be used for asthma, juvenile diabetes, cancer, autism, and more. Who would want to deliver a message to a parent in America that says: Your country cannot provide the funds to cure your child's illness?

The Ryan budget also wants to add pain to those dependent on health care programs. Instead of reassuring seniors that they can look forward to retirement in good health, he adds anxiety with cuts. He has proposed to end Medicare as we know it, giving seniors a voucher instead of a guarantee. If that voucher can't cover the cost of needed medical services, this is the Republicans' attitude: Too bad. You are on your own. If RYAN succeeds, tell the Medicare beneficiaries that their costs

for medical services can be increased at the will of insurance companies.

RYAN's plan says: All right, cut Medicaid—that is a program for the impoverished—cut Medicaid by more than \$800 billion over a 10-year period. Medicaid is there to provide vital resources for expectant mothers and nursing home care for seniors. We created Medicare and Medicaid to be there for seniors and the poor when they get sick. RYAN, with that sharp knife of his, wants to cut funding and break that promise. It is shameful.

A budget isn't just a collection of numbers; it is an expression of principles and priorities, and we shouldn't look at a budget like an auditor. We should see it as a way to fulfill the obligations of our democracy and to be there for those who need help. A budget sets forth a vision for our Nation's future and makes a statement about what counts in America and what are our values.

So when we see the budget authored by PAUL RYAN called “marvelous” by Mitt Romney—Mitt Romney, candidate for President of the United States called this budget by PAUL RYAN and the budget passed by the House Republicans “marvelous”—we should be deeply disturbed. It is an outrage for Republicans to say we should give the wealthiest Americans more tax breaks as they increase the burden on a middle class already struggling to afford the essentials. Who are we going to fight for, middle-class families or the multimillionaires?

In our country last year, 400 people made over \$200 million on average. Should they carry their fair share of the country's opportunities and continue to invest in the country rather than shepherd the funds for their own personal use?

Everybody knows we cannot build a house from the chimney down and we cannot build a balanced society by soaking the poor to feed the rich. At a time when our economy is fighting strong headwinds, when too many Americans are out of work, PAUL RYAN and his running mate offer the same old prescription: tax cuts for the rich and austerity for everybody else. We will not hear this from him. PAUL RYAN likes to distract and distort. He has been hiding the truth about his budget so the American people do not truly know what is going on.

The bottom line is this: PAUL RYAN knows very well he cannot afford to tell the American people what his real agenda is because he knows what would happen. There would be no more buyers for what he is selling. Americans are now seeing the values the Republican Party and their new leader PAUL RYAN are fighting for.

We let the Republicans have their way for 8 years, and it led to the worst economic crisis since the Great Depression.

Very often we will hear them say: Obama has not done what he should have done. There are 4 million more people working now in the private sector than there were just two years ago and people are excited about the health care plan because they know this health plan is going to help them be better, have wellness in their lives. It ultimately will reduce costs substantially.

It goes that way. But rather than help those who could use a boost, could use some support—could use it to make sure their kids get educated or to help their parents, the people who built the strength of this country over the years, past generations—rather than help them, let's protect those, the wealthiest, who do not need the help.

During World War II, there was an excess profits tax. That tax was there, designed to take some of the excess profits that companies were making. Now we ought to apply the same logic. We have people fighting for their lives in Afghanistan and other places. Instead of saying let's make sure everybody feels like they are included in this great democracy of ours, they are saying: No, let them take care of themselves. As a matter of fact, it was suggested by Mitt Romney, the candidate for President—he said these college students ought to borrow from their parents. In many cases, the parents are struggling to keep food on the table or pay the rent or the mortgage.

Enough is enough. There is too much at stake to let ourselves be fooled by their tricks once again. We have to support the programs that have been working. Perfectly? Not yet, but they are getting better all the time. More people are going to work and more people view America as an opportunity for them to succeed in life.

HONORING OUR FOREIGN SERVANTS

While I have the floor, I wish to pay my respects to Ambassador Chris Stevens' family and to note that four American heroes were murdered yesterday at the American embassy in Benghazi, Libya, people who had an assignment to make sure their country, America, was working in Libya to try to bridge the gaps that might exist. It is a terrible tragedy that happened. We all have to note our sorrow.

My deepest condolences are with their families, their friends and loved ones as they mourn the loss of these patriots. This is a tragedy about which all Americans are deeply saddened.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. McCAIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCAIN. Mr. President, I ask unanimous consent that I be allowed to engage in a colloquy with the Senator from Connecticut, Mr. LIEBERMAN, and Senator GRAHAM from South Carolina.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Arizona is recognized.

HONORING OUR FOREIGN SERVANTS

Mr. MCCAIN. Mr. President, it is with a heavy heart that I rise today to speak about the horrific attack yesterday on the U.S. Consulate in Benghazi that killed four American citizens. The two confirmed thus far to be among the dead are Sean Smith, an Air Force veteran turned State Department information management officer, and Ambassador Chris Stevens, one of America's finest and bravest Foreign Service officers.

I did not know Sean Smith—I know he was a great American who served his country—but I had gotten to know Chris Stevens quite well. In Ambassador Chris Stevens' death, the Libyan people have lost a great champion and believer in the peaceful aspirations of their democratic revolution; the American people have lost a selfless and dedicated servant of our interests and our values, and I have lost a friend.

My thoughts and prayers today are with Chris's family and the loved ones of his fallen colleagues. May God grant them comfort in their time of grief.

Our most urgent order of business now is to make sure our citizens still living and serving in Libya and Egypt and elsewhere across the region and the world are safe. Americans look to the governments in Libya and Egypt and elsewhere to meet their responsibilities in this regard. We also look to the Libyan Government to ensure that those responsible for yesterday's attack in Benghazi are swiftly brought to justice. In all of these critical tasks, we are confident that our government will provide all necessary assistance and support.

Yesterday's attacks are an important reminder that so many of America's civilians and diplomats and development professionals are risking everything—everything—to advance our Nation's interests and values abroad. We must do everything in our power to ensure their security.

At the same time, our thoughts turn to broader concerns: the mourning of our fallen friends, and how we as a Nation should respond to these tragic events.

One of my most memorable meetings with Chris Stevens was last April in Benghazi. As U.S. Envoy to the Libyan opposition, Chris had traveled to Benghazi at great personal risk to represent the country he loved so much while Libya was still gripped in a brutal fight for freedom. It was clear there was nowhere that Chris would rather have been than Libya. We spent the

day together, meeting Libyan opposition leaders and many ordinary citizens, who spoke movingly about how much the opportunity to finally live in freedom meant to them, and how grateful they were for America's support. Chris Stevens embodied that support, and his passion for his mission was infectious.

I kept in touch with him often and frequently after my visit. I was very happy when President Obama nominated him to be America's Ambassador to the new Libya. The last time I saw Chris Stevens was shortly after he had taken his post, during my most recent visit to Tripoli. I especially remember the lighter moments we spent together, including when Chris insisted on personally making me a cappuccino, a task that he carried out with as much pride and proficiency as his diplomatic mission.

That was on the morning of July 7—the day Libyans voted in their first election in half a century. Chris Stevens and I spent the day together again, traveling around Tripoli, visiting polling places, and speaking with Libyan voters. We met a man whose father had been murdered by Qadhafi's henchmen. We met a woman whose brothers had recently given their lives fighting for their country's liberation. We met countless others, including many older Libyans, who were voting for the first time in their lives. And everywhere we went, we were greeted by crowds of cheering Libyans, bursting with pride and eager to shake our hands and express their gratitude for America's support. It was one of the most moving experiences of my life, and it was only made better by the fact that I got to share it with our outstanding Ambassador, Chris Stevens.

What we saw together on that day was the real Libya—the peaceful desire of millions of people to live in freedom and democracy, the immense gratitude they felt for America's support for them, and their strong desire to build a new partnership between our nations. That is why I am not surprised that senior Libyan leaders were among the first to condemn the horrific attack that killed Chris and his colleagues. And that is why I was not surprised to learn from our Secretary of State that many Libyans fought to defend our people and our consulate in Benghazi when they came under attack, that some were wounded while doing so, and that it was Libyans who sought to get Chris and his colleagues to the hospital. And that is why we cannot afford to view the despicable acts of violence perpetrated yesterday by a small group of fanatics as in any way representative of the country and the people of Libya. That is not the real Libya, the Libya Chris Stevens knew and learned to love so well.

After such a heartbreaking loss for our Nation, I know many Americans

are asking whether the United States was naive or mistaken to support the vast movement for change that is known as the Arab spring. I know many Americans may feel a temptation, especially with so many domestic and economic challenges facing us here at home, to distance ourselves from people and events in Libya and Egypt and elsewhere in the Middle East. We cannot afford to go down that path.

Yesterday's attack in Benghazi was the work of a small group of violent extremists, whose goals and actions could not be more at odds with those of the people and government of Libya. The Libyan revolution began peacefully and was dedicated throughout to the ideals of freedom and justice and democratic change. When Libyans turned out by the millions to elect a new government in July, they gave the plurality of their vote not to religious fanatics but to a political party led by a moderate technocrat and committed to friendship with the United States.

Libyans arose last year to free themselves from exactly the kinds of murderers and terrorists who killed our American citizens yesterday in Benghazi. Their enemies are our enemies, and they remain as committed as ever to imposing their evil ideology through violence on people in Libya and the Middle East, and ultimately on us. They want to hijack the Arab spring for their own insidious purposes. If we turn our backs now on the millions of people in Libya and Egypt and Syria and other countries across the Middle East—people who share so many of our values and interests, people who are the true authors of the Arab spring—we will hand our common enemies—the terrorists and extremists—the very victory they seek.

We were right to take the side of the Libyan people and others in the region who share their peaceful aspirations. We would be gravely mistaken to walk away from them now. To do so would not only be a betrayal of everything Chris Stevens and his colleagues believed in and ultimately gave their lives for, it would be a betrayal of America's highest values and our own enduring national interest in supporting people in the Middle East and the world who want to live in peace and freedom.

Mr. President, I am pleased to be joined by my friend from Connecticut. I know he shares with me the sorrow that we and all Americans feel at the loss of a brave and dedicated American. But it will be a long time before we forget Chris Stevens because he will stand as a shining example of patriotism and love of country.

Chris Stevens was not unaware of the danger he faced. He was privy to intelligence information, and others. But he went forward and did his job with a smile, with love of his country, and

love of the country where he was serving. I cannot be more proud of Ambassador Chris Stevens.

The PRESIDING OFFICER (Mr. MERKLEY). The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, I thank my friend from Arizona for his very eloquent statement. I associate myself with it.

It strikes me, as I listen, that it was no accident that these violent extremists launched this attack on the American consulate in Benghazi, Libya, on 9/11, on September 11—a day of infamy in our history, a day when people across our country and around the world were commemorating the worst terrorist attack in our history, which was September 11, 2001.

Those who perpetrated the attack on the consulate in Benghazi, which resulted in the death of our Ambassador Chris Stevens carried out an act of terrorism and barbarism that they hope will sow fear and hatred between Americans and Muslims, just as Osama bin Laden and his followers hoped that attack of 9/11, 2001, would do 11 years ago. But we did not let bin Laden succeed then, and we will not let these violent extremists who killed Chris Stevens yesterday in Benghazi succeed in dividing America and the West from Muslims and the Arab world. Good, well-intentioned people in both great communities will rise and join together to renounce these extremists and killers.

I want to speak for a moment about Ambassador Stevens.

Simply put, Chris Stevens was one of the finest, bravest, most spirited, most talented diplomats in our Nation's service.

As a volunteer in the Peace Corps, he served in Morocco, where he was inspired to pursue a lifetime of service in the Middle East. When the uprising against Muammar Qadhafi began in February of last year, Chris was the deputy chief of mission at our Embassy in Tripoli, Libya.

He was evacuated, along with other American personnel, from the country, but returned to Libya within weeks as the Special Envoy of the United States of America to the opposition there—courageously slipping into rebel-held Benghazi onboard a cargo freighter. It was an act of bravery that typified Chris Stevens' service to our country and his devotion to our Nation's ideals and his commitment to build bridges between Americans and Arabs, Americans and Muslims.

Chris remained in Benghazi throughout the war, standing with the people of Libya during some of the darkest and most difficult hours in their struggle for freedom.

He became, in fact, the bright symbol of America, a heroic and inspiring figure to many Libyans, as Senator MCCAIN and Senator GRAHAM and I heard during our visits, and was thus

the natural choice of President Obama to become our Ambassador to Tripoli after the Qadhafi regime fell. This is also why his death at the hands of violent extremists in Benghazi, which was the seat of the revolution against Qadhafi, is so tragic and infuriating. Of course, we still do not know what happened at our consulate in Benghazi yesterday, but what is clear is that these attackers have to be apprehended and must be punished.

I am encouraged but not surprised by the statements of Libya's leaders condemning this attack. I say I am not surprised because these statements of condemnation of those who killed Chris Stevens are consistent with what I know the leaders of the new Libya to be, what I know to be their profound admiration and love for Chris Stevens and their respect and gratitude for the United States of America. We look now to the Libyan Government to act swiftly and decisively and to our own government to provide the Libyans whatever support they need to find the attackers and killers.

While a specific group of individuals was responsible for this evil act and their target immediately was the Americans in that consulate—but really their target was the new order in Libya, and they were animated in this by an ideology that is now all too familiar to us that we cannot ignore or excuse. This hateful and violent ideology is a threat not just to the lives of Americans like Chris Stevens and the three others who died yesterday in Benghazi but to the future of Libya and the future of the Muslim world. It is the exact opposite of the ideals that inspired millions of Libyans to rise up last year against Qadhafi to realize their dreams of a life of dignity, democracy, and human rights. For that reason, it is imperative now for those Libyan people themselves to echo their leaders and condemn this violence and take on the extremists who have taken shelter in their midst and who threaten to hijack their revolution and imperil the future of their country, returning them to days as dark as under Qadhafi.

I know the overwhelming majority of Libyans reject this violent extremist agenda. They want a good education for their children. They want foreign investment that will create jobs and raise their standard of living. After 42 years of despair and oppression under Qadhafi, they badly want again to be part of the world, part of the modern world. The United States should stand ready and willing to help them on that path.

The fact is that the people who killed Chris Stevens yesterday in Benghazi do not represent the people of Libya or their elected leadership. But these killings require confronting the extremist minority that imperils this future, the fanatics who want a clash of civilizations between the Muslims and

the West and who will try to justify their violence in the name of Islam. They are wrong. They are mistaken. They are on the wrong side of history.

Finally, let me come back home and say—to echo what Senator MCCAIN just said—that I know there will be some here in our country who in the wake of this attack will be tempted to argue that it shows that America's support for the Libyan revolution was naive or mistaken, that the Arab spring will ultimately be defined not by a desire for democracy and freedom among the people of the Middle East and Arab world but by the dark fanaticism of al-Qaida and its associates and that the United States should give up trying to support people in this part of the world and instead retrench back here at home. That would be terribly wrong. That would misunderstand the motivations of the people who have risen in the Arab world to overthrow the totalitarian governments that dominated their lives. They do not want the fanaticism of al-Qaida. They want the bright light of a democratic future.

We cannot allow what happened yesterday to be a victory for the extremists and the terrorists because to do so would be a betrayal of everything Ambassador Chris Stevens stood for, which is to say a betrayal of America's best ideals.

I note the presence on the floor of the Senator from South Carolina. I would yield to him at this time.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. GRAHAM. I will be brief. There is not a whole lot to be added to the eloquent statements of my two friends other than to be here and to let the family of Chris Stevens know that we saw in their loved one what you saw—a wonderful man who did great things with a life cut way too short.

I do not think most Americans can ever appreciate the leadership Chris provided in Libya and throughout the world at a time when we needed it the most. So America has lost one of her greatest diplomats, the Libyans have lost one of their best friends, and the family has lost their dear loved one.

The one thing I can say for sure—Senator LIEBERMAN just mentioned it—do not compound this tragedy. The worst possible outcome is to take the death of this wonderful, noble man and use it as an excuse to withdraw from Libya and the region and turn it over to the thugs who killed him. Chris would not want that, it is not in our national security interest, and Republicans and Democrats do not want that.

To the American people who are weary and frustrated, I totally get it. But the Arab spring—call it what you like—is a historic opportunity to change things in the Middle East. It will not come without a fight.

What we are trying to do in the Middle East and what the people in the Middle East are trying to do is have a better

life for themselves. If you are a young person, you have been exposed to life outside of the corrupt country in which you live and you see it can be better and, quite frankly, you are demanding it can be better. You are demanding a better say if you are a young woman. You are demanding economic opportunity if you come from a certain class, not available to you today. And Chris Stevens risked his life because he understood that those demands were just and in our best interests. The people whom we are fighting and the people the Libyan people are fighting are the ones who have no interest in this agenda of being able to choose a better path for young women, being able to be tolerant, open, accept free markets, and to have a place where people can live their own dreams.

The world which we are fighting—your dreams are defined by the Aya-tollah. Your aspirations are defined by someone else's view of where you should go and what you should be based on their interpretation of God's plan for you. That, to me, is so unacceptable that it compels people like Chris Stevens to risk their lives. That is what is at stake.

The good news is that we will beat these folks. The ace in the hole is that the people in Libya, Egypt, Tunisia, Afghanistan, and Iraq now have been exposed to a different way of life. Given the capacity, they have the will to fight back. But if we think this is going to be done without a struggle, we are kidding ourselves. Chris knew that. He knew the fight that was going on for the heart and soul of the Arab spring in Libya was a fight worth engaging in and, yes, risking one's life for. What more can you say about a fellow human being, an American, than the fact that they realized their time on Earth could be best spent in service of a cause, as Senator MCCAIN said, greater than themselves. Chris understood what was at stake. He went to a place he did not have to go. He accepted risks he could have avoided. He did it for all the right reasons.

The one thing we should all unite around is that what compelled Chris Stevens to risk his life is absolutely in our national security interest; that is, to get the Mideast right, have a second opportunity never known before in the Mideast to live in peace with people who in the past wanted to kill us all. I am convinced that if we stick with it and we learn the lessons of Chris Stevens' life, we will eventually prevail because the ones who want to kill us all are really a minority. The ones who would live with us in peace if they could just need our help. Let it be said that Chris Stevens was there to help.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. I thank my friend for his eloquent words. I would also like to again emphasize that there were four

brave Americans—four. Sean Smith was one of them, a truly great American. There are two others—we do not even know their identity. So I hope the families who have suffered this loss appreciate that we grieve for all. We had the opportunity of knowing Chris Stevens. I did meet Sean Smith and the others. We mourn for them, and we thank them for their service to this Nation.

I ask my friend from Connecticut, wouldn't the worst legacy of Chris Stevens' service to this country be a movement of the United States to withdraw, to fortress America, to renounce our service to the world in helping these countries achieve the same democracy and freedom for which our forefathers strived? I do not mean to use his death as any kind of political agenda, but I remember him well enough to know that the worst outcome of this tragedy would be for the United States to withdraw. In fact, I am confident that if he were here, he would be urging us to get right back in, bring these extremists to justice, and press on with the democracy and freedom the people of Libya deserve and have earned at great loss of blood and treasure.

Mr. LIEBERMAN. Mr. President, I could not agree more with my friend from Arizona. It would really dishonor the service of Chris Stevens and the other three Americans who served us in Libya if their murders by these extremists led us to retrench and pull out of Libya and stop supporting the new Libyan Government, democratically elected, pull out of other parts of the Arab world. That would be exactly the opposite of what Ambassador Stevens devoted his life to. As I mentioned, inspired by his experience as a Peace Corps volunteer in Morocco, he devoted the rest of his life to service on America's behalf in the Middle East. The last thing he would want this murder to do is to lead us to pull out, leave the area.

It would also be the fondest hope of the attackers, the extremists. Why do they attack? They attack to kill individual people, but they really attack to, as I said before, push America out and create a war between the Western world, America, and Islam. It is not natural. It is not the direction in which history is going. History is going much more toward integration. In fact, the revolution in Libya, which has gone so successfully when you consider the 40 years of dictatorship under which they lived—they held a free election. They elected what I would describe as a moderate rule-of-law slate to run the country. But those uprisings in Libya, Egypt, Tunisia, and now in Syria are the most profound rejection and defeat for the extremism of al-Qaida and its allies and presumably this group who attacked the American consulate in Benghazi yesterday. I understand that

the results of some of the first elections are unclear, in some sense unsettled to some people here, but the fact is they have chosen democracy. People are self-governing, and they are looking for a better life. That is exactly the opposite of what bin Laden, al-Qaida, and I would guess the people who killed Chris Stevens yesterday desire.

Senator MCCAIN is absolutely right. I can almost hear Chris Stevens saying: Come on. Get up. Stay in the fight. Do not surrender to the crazies, to the fanatics, to the violent extremists. Stand with the overwhelming majority, with the people of Libya, who want what we want—a better future for themselves and their families.

Mr. MCCAIN. I wish to say in conclusion that I thank my old and dear friend from Connecticut and the Senator from South Carolina.

Finally, I would share with my colleagues that on last July 7 I was in Tripoli with Chris Stevens and it was the first free and fair election the Libyan people ever experienced. As we went from polling place to polling place, we met people who had lost brothers, husbands, fathers, mothers, and sisters at the hands of one of the more brutal butchers who has ever been on Earth, Muammar Qadhafi.

That night we went to the square, where some 200,000 people were driving around, honking horns, celebrating, and waving Libyan flags. It was a really auspicious start. And as Senator LIEBERMAN pointed out, it was a moderate group who were elected to govern Libya by the people of Libya. Chris Stevens was recognized by all of them. They knew Chris Stevens and they knew what he represented—the United States of America.

So those are memories I will never forget, and I hope his family will appreciate the magnificent service he provided to this Nation.

Mr. President, I yield the floor.

Mr. LIEBERMAN. Mr. President, I would suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. ROCKEFELLER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROCKEFELLER. Mr. President, before I say what I originally came down here to say, I want to join my colleagues in condemning the senseless, horrible attack at the U.S. Consulate in Libya and pay tribute to the four Americans, including our Ambassador there, Chris Stevens, who were killed. I think all of us hope the killers will be brought to justice quickly, and I suspect that will be the case.

Our country has lost four true public servants in the part of public service which is the least known and sometimes the most important. It is a high

calling, public service in general, but especially in dangerous places around the world. Ambassador Stevens was a serious, dedicated, and highly experienced diplomat with a tremendous depth of expertise in Libya and the region. He and his colleagues spent their lives working on behalf of the United States of America and I hope their proud families and the entire diplomatic corps know we are deeply grateful as a people.

This cowardly attack is a setback, but it will not stop us from our mission of promoting freedom and democracy for the people of Libya, and it should not. It will not keep our diplomats from their important work overseas.

I remember when I was a student in Japan, the Ambassador there at the time, back in the early 1960s, was a fellow named Dr. Edwin Reischauer, who was probably at that time the pre-eminent Japanologist in America. He was a gentle, wonderful, marvelous person whom the Japanese loved. He was stabbed in one of those senseless things that happen. It can happen on American streets, but it can happen on the streets of other countries, even with security. Some mad person got in and stabbed him in a traditional Japanese manner with a Japanese sword. It was a horrible event, but he survived and it enlarged his legend. There was no bitterness from his family or his wife, and it didn't set anything back. The person was brought to justice.

Now I wish to speak also about other ways we must join together to help those who serve our country, and that is in creating job opportunities for our unemployed veterans. We have many veterans, and too many of them are unemployed or homeless. I am now talking about the Veterans Jobs Corps Act. This is a responsible investment and we should do it promptly.

Standing for our veterans has been one of my top priorities since I began public service. You can't help but be that way if you live in West Virginia. I suspect it is true in Oregon and lots of places all over the country. By definition it is true, but it is always personal, and in the Senate it has never waned.

Before I was a Senator, the person who held my seat for a long time was Senator Jennings Randolph. I took his place on the Veterans Committee and I have been on it now for 28 years. It is a glorious committee, brilliantly led now by Senator PATTY MURRAY. I was chairman once myself, perhaps not quite so brilliantly.

So many brave servicemembers, men and women, have fought to defend our way of life. People say that, and it is true, and they protect us each and every day. After such courageous and selfless actions, the least we can do is make sure when they return home they get good jobs, because they deserve those good jobs.

Military experience builds leadership, dedication, bravery, and teamwork, and these traits are learned from working on the frontlines. Not everything in the military happens on the frontlines, but I just happen to be talking about that particular aspect in my short remarks. No experience could prepare these workers better for the jobs they hope to do after they leave their military service.

I have a nephew who has just come back from Afghanistan. He may be 23, maybe 25, but he is almost unreachable in his strength, his patriotism, and what has happened to him as a human being internally, intellectually, and in broad vision. He has grown so large and so great. He has a job, so I am not talking about him, but with so many brave servicemembers—men and women—we need to pay attention to them when they come home.

Political rhetoric and partisanship have no business delaying efforts to help our veterans. Everybody likes to talk about veterans—actually, a lot of bills do pass but not as many bills as should. Veterans did not delay or decline when we called them for deployment, so we should not delay now.

It is tragic that the unemployment rate for younger returning veterans is so much higher than the national unemployment rate. In 2011, the unemployment rate for young male veterans was over 29 percent, more than 11 percent higher than nonveterans of precisely the same age. It is heartbreaking that those who bravely served face unemployment or homelessness. This bill will not solve all problems, but it will solve many of them.

West Virginians understand the importance of military service. With nearly 170,000 West Virginian veterans, we need to be sure they have our full support: getting a job, getting health care, and getting their pensions. These words come out of one's mouth easily; getting the job done is harder.

The Veterans Job Corps Act invests in our veterans and in our communities. Veterans would have a new opportunity to serve and protect America by gaining priority placement in first responder positions, such as police officers, firefighters, and emergency medical technicians. That makes sense, doesn't it? Our veterans have the experience and the instinct to do these jobs—they did it while they served—and our communities need their help.

I don't know what is going to happen to the budget, but it is not going to be rosy and happy, and we need to have those jobs which help protect us and keep us safe in play, for our veterans and for others too. It would create conservation and resource management jobs for veterans, enlisting them in efforts to rebuild America through restoration of our forests, parks, coasts, and public lands. I think the Presiding Officer would agree that is important.

The Veterans Job Corps Act would establish a pilot program to provide veterans with access to the Internet and computers to assist in job searches and would offer the military's Transition Assistance Program to eligible veterans—and their spouses—at sites outside military installations in order to make it easier to relocate and pursue job opportunities.

The legislation would also provide veterans in rural areas, such as West Virginia and Oregon, with greater access to career specialists to help them write resumes and prepare for interviews and therefore to find jobs. The programs in the Veterans Job Corps Act are supported by a fully paid-for \$1 billion investment in our veterans' futures. It is a responsible effort to support our veterans and provide help for communities across America.

In closing, I would like to especially thank Leader REID and Chairman MURRAY for working with me to protect West Virginian jobs as part of this bill. The Veterans Job Corps Act is an important investment in our Nation's veterans and our economy, and I hope we can quickly move this bill through the Congress.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. KLOBUCHAR). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mrs. MURRAY. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. MURRAY. Madam President, I want to first join with the many Senators today who have strongly condemned the violent attacks against the men and women serving bravely in our diplomatic corps. The senseless murders in Libya are a reminder of the dangers these public servants take on every day and the courage they show in furthering our diplomatic goals all across the globe. We are all so grateful to them. My thoughts and prayers go out to Ambassador Chris Stevens and the other victims of the attack, and I stand with the President, as we all do, in supporting efforts to secure those who continue to serve us abroad.

I have come to the floor today to respond to the statements that were made here earlier, that are completely inaccurate, about the bill we are currently considering on the floor, the Veterans Job Corps bill. In particular, I want to respond to the baseless and frankly offensive charges the Senator from Oklahoma made, insinuating that supporters of this bill don't "really care about veterans" and that this bill "isn't about veterans."

I have been working on veterans issues in the Senate for nearly two decades and in all of that time, under Democratic and Republican-controlled

Senates, under administrations of both parties and in times of war and peace, if there was one issue I have seen that rises above the day-to-day bomb throwing that often characterizes the debate here, it has been the care and benefits for our veterans.

We can certainly disagree about policy, of course. We can fight with all of our hearts for what we think is right. But never—never—have I seen accusations that one party or one group was not fighting for what they believed to be right for our veterans. In fact, the accusations leveled on the floor here earlier today were one of the biggest departures from the spirit of cooperation around veterans issues I have seen in my time in the Senate. So I am here today to set the record straight about the steps this bill takes to put our veterans back to work.

In doing so, I will not question the motives or the degree to which those who may oppose this legislation care for our veterans because, as chairman of the Senate Veterans' Affairs Committee myself, I see Republicans' commitment every single day. I will not level allegations designed to make our veterans political pawns and I certainly will not mislead anyone about what we have set out to do. I will not because honestly I believe our veterans deserve far better. What they and the American people deserve is the truth.

The truth is that caring for our veterans and helping to provide them with the training they need to find jobs when they return home is a cost of the wars we have fought for the last decade. The truth is that less than 1 percent of U.S. citizens serve and sacrifice for the well-being of the other 99 percent. The truth is that what the Senator from Oklahoma calls a charade is an effort to give those veterans as many avenues as possible to find work. It is an effort to give them the economic security and self-esteem that only a job can provide and that is so essential to their return home.

I understand it has taken some in the Senate a long time to come to grips with the fact that our fiscal commitment we owe to those who wear the uniform does not end the day they are discharged. The truth is, it is not enough to give our veterans a pat on the back for their military service. We also have to give them a helping hand in the job market today. As the jobs report that was released last month reminds us, we have over 720,000 unemployed veterans across the Nation, including over 225,000 veterans who served since September 11. Despite what the Senator from Oklahoma may have said, this bill makes the resources available to all of them. In fact, that is exactly why we brought this bill forward.

What we need right now is an "all hands on deck," "all of the above" strategy. That is why in fact this bill

includes both Democratic and Republican ideas. This is a bill that will increase training and hiring opportunities for all veterans, using proven job training programs from across the country. For instance, it increases grants under the COPS and SAFER Programs that we have seen work to train and hire qualified veterans to work as police officers, firefighters, and other first responders. This is at a time when 85 percent of law enforcement agencies were forced to reduce their budgets last year. It comes at a time when we face a \$10 billion maintenance backlog for our public lands. This bill will help training and hire veterans to restore and protect our national, State, and tribal forests, our parks, and our other public lands.

Because training and hiring veterans has never been and should never be an effort that divides us, we have included a host of Republican ideas into this bill. We included a bill from Senator TOOMEY that gives veterans increased access to computers and Internet tools to help them find jobs in in-demand areas in their own communities. We included a bill sponsored by Senator BOOZMAN that will increase transition assistance programs for eligible veterans and their spouses. And we included a very important provision from Senators on both sides of the aisle that will help force our States to consider the military experience of our veterans when they issue licenses and certifications—something we have all heard when we go home.

We figured this comprehensive bipartisan approach would certainly be enough to gain Republican support, even if it did come as we are, of course, inching closer to an election. But over the course of the last 48 hours or so we have heard that Republicans, including Senator BURR, who is the ranking member of my committee, had an alternative version of the bill that Republicans wanted to push forward. The bill of Senator BURR includes a system to have States certify military experience for jobs skills and helps veterans get hired into the Federal workforce, among a number of other provisions. It appeared to all of us that this late alternative might derail what I believe can be and ought to be a bipartisan effort. But again, we are committed to making this a bipartisan effort. So, instead of showing our veterans that we are just about gridlock and partisanship, here is what we have done.

Because, as I said before, this has to be an "all of the above" approach, we have, therefore, added every one of the provisions in the alternative offered by Senator BURR to our bill. Now I believe we have an even more bipartisan, more inclusive bill on the floor right now awaiting action. This is a bill that is paid for with offsets that both Republicans and Democrats have supported. It is a bill unquestionably that rep-

resents ideas from both sides of the aisle, including now from the chairman and the ranking member of the Senate Veterans' Affairs Committee.

There is no reason now that Republicans should not join us in passing this bill and passing it quickly, because this does not have to be an either/or situation. Neither party has the magic bullet to solve these problems, so we have to open as many proven opportunities to employment as we can.

You know, veterans are out there watching and waiting. They are tired of excuses and they certainly have no stomach for the kind of political posturing they saw earlier today, that comes only at their expense.

I know some Republicans have pointed to the calendar as the reason for their opposition to this bill. Honestly, I wish it were not September and we did not have to deal with the silly season here in Washington, DC. But who could care less about what month it is or how many days out from an election we are? Here is the issue: Nearly 1 million unemployed veterans are looking for work today. They are concerned about what jobs are available in their communities. Their concern is what training program they can take advantage of and what is being done to honor their two or three tours overseas.

This is a bill now that offers them new resources to answer those questions. It is a bill that will help them serve their community and help them provide honorably for their families. I truly hope now, with the change we have added to the alternative bill offered by Senator BURR, we will have overcome our last hurdle before passage.

I come to the floor today to urge Republicans to join us now in rising above politics as we have done time and time again for our veterans. Ignore the calendar and the never-ending chatter about who is up and who is down. That is not what this is about. This is about making sure our veterans come first this and every week and that we intend to keep our commitment to them for their services.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. WHITEHOUSE). Without objection, it is so ordered.

Ms. KLOBUCHAR. Mr. President, I am here to talk about the important Veterans Job Corps Act of 2012 that is on the floor of the Senate. But I did wish to first express my thoughts, as so many of my colleagues have done on both sides of the aisle, that I strongly condemn the attacks in Egypt and

Libya. I have been deeply saddened by the death of our Ambassador there as well as several other American citizens, and I join all Americans in not only condemning these attacks but also in sending my prayers and thoughts to the families of those killed by those senseless and horrific acts of violence.

On to the Veterans Corps Job Act. As we all know, as we have seen by this horrific violence and by what we have seen overseas and in the Mideast, our troops face that every single day when they are there, as do our diplomats. They face that kind of threat. When they come home to this country, we must treat them with great dignity and respect.

I have always believed that when we ask our young men and women to fight in defense of our Nation, we make a promise that we will give them the resources they need to complete their mission. We also promise to take care of them when they come home to this country. When they signed up to serve, there was no waiting line, and when they come home to the United States of America and they need a job or they need health care or need an education, there should never be a waiting line.

As a Senator from Minnesota, fighting for our veterans has been a major focus. While we do not have an Active-Duty base, we have the fifth largest National Guard in the country. Given that our population is only 22nd in the country, we can see we have a lot of people who want to serve our country and sign up to serve on the frontline. We have worked to cut through the redtape and streamline credentialing to help servicemembers transition their military skills into good-paying jobs at home. To give just one example, right now returning paramedics are too often unable to count the medical training they receive in the military toward receiving a license to become a civilian emergency medical technician.

That is why I introduced the Veterans to Paramedics Act to fix that problem by encouraging States to give paramedics credit for the medical training they have already received in the military. Not only does this help our veterans, it also helps relieve the shortage of emergency medical personnel, especially in our rural areas, where we have seen those shortages.

With commonsense solutions such as these, we cannot only fulfill our commitment to our veterans but we can also help lift our economy and make sure people who have the skills fill the jobs we have available. This is what the Veterans Job Corps Act is all about, fulfilling our promise to our veterans, ensuring training and the opportunities they need to find good-paying jobs and strengthening our Nation in the process.

To list just a few of the important provisions in this bill, first, the Vet-

erans Jobs Corps Act gives veterans a new opportunity to serve and protect America by granting them prioritized placement in first responder positions such as police, firefighters, and emergency medical technicians.

Second, this bill would create conservation and resource management jobs for veterans, enlisting their help in building a stronger and more beautiful America through the restoration of our forests, parks, coasts, and public lands.

Third, the Veterans Jobs Corps Act would establish a pilot program to provide veterans with access to the Internet and computers to assist in job searches, a key bipartisan provision first introduced by my colleagues across the aisle.

Fourth, the Veterans Jobs Corps Act would especially help rural veterans find employment by granting them greater access to career specialists who can help them write résumés, prepare for interviews, and find jobs. We know all too often the amazing experience and leadership experience they have had overseas fighting for our country does not always translate the terms and the words and the ways described by the résumé into truly explaining what it is to a potential employer. That is why this skill training is so important.

This would also allow eligible veterans and spouses to enroll in the military's innovative Transition Assistance Program at sites outside military installations so they can relocate or return home in pursuit of job opportunities. This is a key benefit in my State of Minnesota, as I noted, which is very rural and also has no military bases.

The fact is, our returning veterans have battle-tested skills that are available to employers in all kinds of fields. This is something companies in my State have recognized. In fact, our business community, small and large, is already leading the way in reaching out to servicemembers before they have even begun the process of transitioning home. In April of this year, when Minnesota's 34th Infantry Division, known as the Red Bulls, was still deployed in Kuwait, representatives from several major companies in Minnesota actually flew into Kuwait to help the soldiers spruce up their résumés and prepare them for job interviews. All across Minnesota, large and small companies are targeting their recruitment efforts on returning servicemembers. This is the type of initiative we need.

In recent months, the unemployment rate for Minnesota veterans who have served since 9/11 has hit nearly 23 percent, almost double the national average for veterans of the Iraq and Afghanistan war. An unemployment rate that high among the men and women who have served and sacrificed for our Nation is unacceptable, especially

when our State's unemployment rate is, in fact, at 5.8 percent.

I truly believe that with initiatives such as those launched by private sector companies in our State, with training programs such as those created by this critical legislation, we are going to turn this situation around. That is why I am calling on all my colleagues to support the Veterans Jobs Corps Act. This important bill, which is fully paid for, goes a long way in providing our returning veterans the leg up they need in transitioning to the civilian workforce.

Minnesota has always been a State that understands the debt we owe to men and women who have served and sacrificed for us. I call on all my colleagues to vote for this bill and to take a step toward fulfilling that debt. This is the least we can do for the people who have fought and died to protect our values, freedoms, democracy, and human rights.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. Mr. President, the Veterans Jobs Corps bill, properly written, could be a positive piece of legislation. And I am not speaking about the intent of the bill, whether it can be done effectively, but as ranking Republican on the Budget Committee, I have to point out that this bill violates the budget. It violates the principles of common sense and good management, and it is the typical reason this government is on an unsustainable financial path. It is the typical reason of why we are going broke.

This bill will cost \$1 billion over 5 years in spending on a new program. It claims to be offset by new taxes and new revenue sources, but my staff has worked on it and has confirmed there is a 302(f) Budget Act point of order against this Veterans Jobs Corps Act and the managers' amendment, and I am confident that if and when it is raised, the Parliamentarian will agree. There is a budget point of order against this bill because it violates the Veterans Affairs Committee's allocation for budget authority and outlays for what was agreed to in the Budget Control Act.

There was a limit to how much we would spend on the Veterans Affairs Committee. They had a limit on the number of dollars they got. It was part of the August agreement—the Budget Control Act—of a little over a year ago this past August. This is serious. We told the American people we would raise the debt ceiling by about \$2.1 trillion but we were going to cut spending.

We would immediately raise the debt ceiling and allow \$2.1 trillion more in spending, but we promised we would reduce spending over the next 10 years by that same amount. That was the agreement. The President signed it, our Democratic colleagues supported it, and it passed. The debt ceiling was raised, so the government continued to go forward. We were borrowing 40 cents of every dollar we spent in the U.S. Government. If we had not raised the amount of money we could borrow in this country, the entirety of government expenditures would have been reduced immediately by 40 percent. So that is how big a hole we are in.

What this new bill does, with good purpose, is it spends \$1 billion more than we agreed to spend. So then what occurs? What occurs is, if a person objects to that and raises the budget point of order, the Senate has to waive it openly, publicly, before the American people. We have to say we can't find money within our budget to spend \$1 billion more, but we are going to spend it anyway, and every penny of it either has to be borrowed or will be paid for by increased revenues somewhere. So that's what we are going to vote on. I intend to raise the Budget Point of Order.

But it is even worse than that. Some say, "Well, over 10 years we promise to raise enough money to pay for this, that over the 10-year period we will raise the \$1 billion. Don't worry about it. These tax increases and revenue enhancements will pay for it. Count on us."

I hate to say it, but it is not so. We have in this bill at least one-third the amount of money that would be spent by the jobs corps bill coming from a well-known gimmick, a manipulation of an accounting system around here that allows us to spend more money than we have, and it scores not as an expenditure but as being a proper, valid pay-for. And it is as bogus as a three-dollar bill. I say without danger of contradiction that this is a gimmick. If a private company were to do this and utilize this method to manipulate and mislead stockholders, they would have a lawsuit against the officers of the corporation. They would. It is totally bogus.

Let me explain how this is done. This has been done before. I have offered a bill called the Honest Budget Act. Senator OLYMPIA SNOWE joined me in that, and that would have eliminated a number of misleading gimmicks and fraudulent activities, including this one. Now, to explain, there is a certain corporate tax revenue we get from corporations, and the drafters of this bill cleverly got the idea that they could just accelerate the amount of money from fiscal year 2014 into fiscal year 2013. They would bring that money back into 2013 and collect it just a little bit earlier, and they could then say:

We have another \$135 million in revenue in 2013, so we can spend that money, and it doesn't cost anything because we have this new money and it is paid for.

So this new Veterans Jobs Corps bill will be partially paid for. About one-third of its total cost will be paid for by collecting corporate revenue taxes sooner. But think about that, if the corporation pays its taxes a few months earlier—it pays it in fiscal year 2013—then it won't owe them in 2014, will it? If they were planning on paying them in 2014, now, they don't have to pay them in 2014. So the hole has moved from 2013 to 2014. We moved the money over here, but we won't have the revenue the next year that we would normally have had. And that is to be done over 5 years.

In the fifth year—which is where our colleagues wanted the number to fall—it shows as if we had a \$392 million total increase in revenue. The money, added up each year over 5 years, plus increases, totals \$392 million. Isn't that great? We didn't raise taxes. All we did is call in a little money a little earlier, and we have netted \$392 million, right? Wrong. Year 6 is where the revenue doesn't come in, and in year 6 it shows that we will bring into the U.S. Treasury \$392 million less because that money was collected early in the previous year—\$392 million less in year 6. It never is a net increase to the U.S. Treasury, although it might appear to be, according to the conventions of accounting the CBO uses around here. And CBO knows this is true. They would tell anyone the same thing if they were to ask about this. They know exactly what this system is. But they follow their rules, and in the fifth year it suggests we have a \$392 million surplus from this advance collection of corporate taxes, and that is not so.

So, my colleagues, this is a problem for us. We do not need to continue down this pathway. We need to be honest with the American people. The President of the United States should be objecting to this kind of stuff. He should say: No, you can't play that game. The majority leader, Senator REID, should be saying: No, that is a manipulation. The budget chairman, Senator CONRAD, ought to say: No, it violates the Budget Act. This isn't the way to do it.

Now, the alternative bill authored by Senator BURR is an honest piece of legislation and would do much of the same thing; however, it does not violate the Budget Act and is therefore not subject to a budget point of order.

This legislation could have been crafted that way, too. But being as greedy as I guess we are, rather than having to face up to a little bit of the difficulty of finding a couple of hundred million dollars, out of \$3.7 trillion we will spend next year, we would rather manipulate it this way.

So what did we mean in August a year ago when we said we were going to cut spending by \$2.1 trillion over 10 years? Was that just a joke? Is this the kind of thing we are going to do every time a bill comes along that has some appeal to it and we wish to support? Are we not willing to stand up and pay for the legislation? Is there no waste, fraud, and abuse in this government that we couldn't work on? There certainly is.

This government is mismanaged, it is out of control, and the Chief Executive spends his days getting on an airplane going somewhere to make a speech. What we need is somebody in the shop managing the taxpayers' money. And when Congress tries to play these gimmicks, we need a President that says, No. That is what this country needs. Until we get that, we are never going to bring spending under control.

What do my President and my Democratic colleagues in the Senate say? Send more money. We can't cut anything. We have no ability to find savings. We need more money, American people. Send more to Washington, private sector. It doesn't make a whole lot of difference in an economic sense where it comes from. It is all a further drain out of the private sector, so the public sector can spread the money around and maybe solicit some votes in the process.

This is how we got into this fix. I am concerned about it. I do not think we should go forward with the legislation as drafted. Perhaps some compromise can be reached. Senator BURR has worked hard on it. Maybe our Democratic colleagues can get together and put up a veterans jobs bill that is honestly paid for. I know they could. And if it is worth it and we can find ways to make the tough choices that we are paid to do and set priorities, and help veterans find jobs through some sort of mechanism such as this, then let's do it. But let's pay for it, and let's don't use these gimmicks. Let's don't go about it in a way that misleads the American people about how much the legislation is truly costing.

I feel strongly about it. I am getting frustrated about it. It is always: Well, it is just a few hundred million here and a few hundred million there, and the bill needs to pass, and don't raise these problems now, we are slowing down the machine, we have a lot of things to do. It doesn't look as if we are so busy right now, but people think we have things to do and they don't want to have to wrestle with the minutiae of a few hundred million dollars a year. But we should do that. If we do that every day and if we stay within the budget amount we agreed to last August, we will have made some improvement in the overall debt course of America.

To make clear, the Budget Control Act agreement called for a reduction of

\$2.1 trillion in spending over 10 years. During that time, we were projected to spend \$47 trillion. So the net reduction would be from \$47 trillion to \$45 trillion. Surely the Republic is not going to sink into the ocean if we reduce our spending from \$47 trillion to \$45 trillion. Surely we can find that. It is not enough. We need to do about three times that much at a minimum, and we can do that, too. This is still a substantial increase in spending. This is not a cut in spending over 10 years. At the current rate of spending, we spend about \$37 trillion. So we are going from \$47 trillion to \$45 trillion over 10 years instead of \$37 trillion over 10 years. It is still a major increase in spending over 10 years, but we are told that is impossible; all we can possibly do is \$2.1 trillion in reductions.

The President was claiming credit for reaching this agreement, but the budget he submitted this year wiped out the entire \$2.1 trillion. It wiped out the entire sequester and raised taxes by \$1.5 trillion in increased spending and about \$1.8 trillion in increased taxes; no cuts at all under his budget; actually a spending increase over the trajectory we were already on, which is an unsustainable trajectory.

I know I am being frank about this. Some can say this is a political argument. Well, we are in a political season, and I believe what I have said is accurate. I believe what I have said is true. I believe a budget point of order lies against this bill because it spends more than the Veterans' Affairs is allocated to spend, and we need to vote on it. It is this kind of breaking the budget and spending more than we agreed that has helped put us in this fix, and we need somebody to help bring order out of chaos.

We are on an unsustainable path. This Nation is on the wrong track. We are on the track to decline and debt and financial crisis, not the road to prosperity. We cannot continue in this path.

Ersine Bowles and Senator Simpson before the Budget Committee told us that we have never faced in this country a more predictable debt crisis. That was their joint statement, "never faced a more predictable financial crisis." What they told us was: We are on an unsustainable path. If we stay on this path, we will have some sort of debt crisis, another 2008 or 2007 recession caused by a financial bubble. And for the U.S. Government, what a disaster that would be if, as we are struggling to get people back to work and get the economy on the rise, we have a financial crisis again putting us back into recession. We need to avoid that. We have got to be mature and honest about our money. We have got to get our debt under control.

This bill violates the deemed allocations included in the Budget Control Act. It violates sound principles of fi-

nancial policy. It contains a major gimmick, really a bogus allocation of over \$300 million that claims to exist that does not exist at all. We need to fix that.

Mr. President, I appreciate the opportunity to share these remarks.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BENNET. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS

Mr. BENNET. Mr. President, I ask unanimous consent the Senate stand in recess subject to the call of the Chair.

There being no objection, the Senate, at 5:54 p.m., recessed until 8:46 p.m., and reassembled when called to order by the Presiding Officer (Mr. MERKLEY).

VETERANS JOBS CORPS ACT OF 2012—MOTION TO PROCEED

The PRESIDING OFFICER. All time having expired, the question is on agreeing to the motion.

Mr. REID. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be a sufficient second. There is a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Hawaii (Mr. INOUE), the Senator from South Dakota (Mr. JOHNSON), the Senator from Louisiana (Ms. LANDRIEU), and the Senator from Virginia (Mr. WEBB) are necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Texas (Mr. CORNYN), the Senator from Nebraska (Mr. JOHANNIS), the Senator from Illinois (Mr. KIRK), and the Senator from Florida (Mr. RUBIO).

Further, if present and voting, the Senator from Texas (Mr. CORNYN) would have voted "yea."

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 84, nays 8, as follows:

[Rollcall Vote No. 192 Leg.]

YEAS—84

Akaka	Boozman	Chambliss
Alexander	Boxer	Coats
Ayotte	Brown (MA)	Cochran
Barrasso	Brown (OH)	Collins
Baucus	Burr	Conrad
Begich	Cantwell	Coons
Bennet	Cardin	Corker
Bingaman	Carper	Crapo
Blumenthal	Casey	Durbin

Enzi	Levin	Risch
Feinstein	Lieberman	Roberts
Franken	Lugar	Rockefeller
Gillibrand	Manchin	Sanders
Graham	McCaill	Schumer
Grassley	McCaskill	Shaheen
Hagan	McConnell	Shelby
Harkin	Menendez	Snowe
Hatch	Merkley	Stabenow
Heller	Mikulski	Tester
Hoeven	Moran	Thune
Hutchison	Murkowski	Toomey
Isakson	Murray	Udall (CO)
Kerry	Nelson (NE)	Udall (NM)
Klobuchar	Nelson (FL)	Vitter
Kohl	Portman	Warner
Kyl	Pryor	Whitehouse
Lautenberg	Reed	Wicker
Leahy	Reid	Wyden

NAYS—8

Blunt	Inhofe	Paul
Coburn	Johnson (WI)	Sessions
DeMint	Lee	

NOT VOTING—8

Cornyn	Johnson (SD)	Rubio
Inouye	Kirk	Webb
Johanns	Landrieu	

The motion was agreed to.

VETERANS JOBS CORPS ACT OF 2012

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 3457) to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes.

The PRESIDING OFFICER. The majority leader.

AMENDMENT NO. 2789

(Purpose: In the nature of a substitute.)

Mr. REID. Mr. President, on behalf of Senator MURRAY, I call up the substitute amendment, No. 2789.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID], for Mrs. MURRAY, proposes an amendment numbered 2789.

(The amendment is printed in the RECORD of Tuesday, September 11, 2012, under "Text of Amendments.")

Mr. REID. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 2808 TO AMENDMENT NO. 2789

Mr. REID. Mr. President, I have a first-degree perfecting amendment which is at the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 2808 to amendment No. 2789.

The amendment is as follows:

At the end, add the following new section:

Sec. ____.

This Act shall become effective 7 days after enactment.

Mr. REID. Mr. President, I ask for the yeas and nays on that amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.
The yeas and nays were ordered.

AMENDMENT NO. 2809 TO AMENDMENT NO. 2808

Mr. REID. Mr. President, I have a second-degree amendment at the desk.
The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 2809 to amendment No. 2808.

The amendment is as follows:

In the amendment, strike "7 days" and insert "6 days".

CLOTURE MOTION

Mr. REID. Mr. President, I have a cloture motion on the substitute amendment which is at the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the substitute amendment No. 2789 to S. 3457, a bill to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes.

Harry Reid, Bill Nelson, Carl Levin, Tom Harkin, Jeff Bingaman, Christopher A. Coons, Kirsten E. Gillibrand, Patrick J. Leahy, Bernard Sanders, Daniel K. Inouye, Benjamin L. Cardin, Al Franken, Barbara Boxer, Ron Wyden, Robert Menendez, Robert P. Casey, Jr., Barbara Mikulski.

AMENDMENT NO. 2810

Mr. REID. Mr. President, I have an amendment at the desk to the language proposed to be stricken.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 2810 to the language proposed to be stricken by amendment No. 2789.

The amendment is as follows:

At the end, add the following new section:
Sec. _____.

This Act shall become effective 5 days after enactment.

Mr. REID. Mr. President, I ask for the yeas and nays on that amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 2811 TO AMENDMENT NO. 2810

Mr. REID. Mr. President, I have a second-degree amendment at the desk.
The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 2811 to amendment No. 2810.

The amendment is as follows:

In the amendment, strike "5 days" and insert "4 days".

MOTION TO COMMIT WITH AMENDMENT NO. 2812

Mr. REID. Mr. President, I have a motion to commit the bill with instructions which is at the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] moves to commit the bill, S. 3457, to the Committee on Veterans' Affairs with instructions to report back forthwith with an amendment numbered 2812.

The amendment is as follows:

At the end, add the following new section:
Sec. _____.

This Act shall become effective 3 days after enactment.

Mr. REID. I ask for the yeas and nays on the motion.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 2813

Mr. REID. Mr. President, I have an amendment to the instructions at the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 2813 to the instructions (Amendment No. 2812) to commit S. 3457.

The amendment is as follows:

In the amendment, strike "3 days" and insert "2 days".

Mr. REID. Mr. President, I ask for the yeas and nays on that amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 2814 TO AMENDMENT NO. 2813

Mr. REID. Mr. President, I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 2814 to amendment No. 2813.

The amendment is as follows:

In the amendment, strike "2 days" and insert "1 day".

CLOTURE MOTION

Mr. REID. Mr. President, I have a cloture motion to the bill, which is at the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on S. 3457, a bill to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes.

Harry Reid, Bill Nelson, Carl Levin, Tom Harkin, Jeff Bingaman, Christopher A. Coons, Kirsten E. Gillibrand, Patrick J. Leahy, Bernard Sanders, Daniel K. Inouye, Benjamin L. Cardin, Al Franken, Barbara Boxer, Ron Wyden, Robert Menendez, Robert P. Casey, Jr., Barbara Mikulski.

Mr. REID. Mr. President, I ask unanimous consent that the mandatory quorum under rule XXII be waived on the cloture motions just filed.

The PRESIDING OFFICER. Without objection, it is so ordered.

FAMILY AND BUSINESS TAX CUT CERTAINTY ACT OF 2012—MOTION TO PROCEED

Mr. REID. Mr. President, I now move to proceed to Calendar No. 499, S. 3521.

The PRESIDING OFFICER. The clerk will report the motion to proceed.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 499, S. 3521, a bill to amend the Internal Revenue Code of 1986 to extend certain expiring provisions.

Mr. REID. Mr. President, now that the Senate has finally adopted the motion to proceed to the veterans jobs bill, we have brought to a close the 380th filibuster during my time as majority leader—less than 6 years. And just now, to start to bring debate to close on the veterans jobs bill itself, I have had to file the 381st cloture motion during my 5½ years as leader. That is 381 cloture motions filed in just 6 years. Actually, it is less than that.

For comparison, in the 6 years that Lyndon Johnson was majority leader, he had to file one cloture motion. This has become outrageous. The peoples' time is being wasted. We just finished 30 hours of nothing. We are now starting our next 30 hours of nothing, just standing around looking at each other.

Filibusters have increased in recent years, but this is really unbelievable what has happened. The level of Republican obstruction has increased dramatically. It has increased dramatically just in the last few years.

We do not have to fight over everything. A veterans jobs bill, does that deserve a fight? When we were in recess subject to the call of the Chair, an Afghan veteran was brought out here. He is missing one leg. He is 25 years old. He is an Army veteran. He is trying to hang on to his other leg. The pages who are in here, I called them up and introduced them to this young man. I wanted them to see what all of this talk is about, of people who sacrifice for our country. Hopefully this man will be well enough after some more rehabilitation time that he can go out and look for a job. He will have at least one artificial limb.

This is a veterans jobs bill that is being held up for what reason? I do not know—or do I know? The Bureau of Labor Statistics reports there are about 200,000 unemployed post-9/11 veterans, approaching a quarter of a million. And as our Nation appropriately winds down our military commitments abroad, we can expect increased numbers of newly separated veterans to enter the workforce.

The veterans jobs bill is a \$1 billion investment in our veterans. This bill would increase training and hiring opportunities for veterans. It would help to create jobs for veterans.

I commend Senator NELSON of Florida and the chairman of the Veterans' Affairs Committee, Senator MURRAY, for their hard work on this bill. Unfortunately, I have already received word that the Republican Senators are simply unwilling to pass this measure. One Republican Senator, for example, is insisting on a vote on something related to Pakistan.

Another Senator has filed a right-to-work amendment. Yet another Republican Senator has filed the Department of Defense authorization bill as an amendment to this bill. As important as Pakistan and many other issues are, the Senate ought to be able to focus on this young man who was here in the well this evening. We ought to be focusing on creating jobs for veterans.

Now, we all know what is happening over here. The Republican leader, you have to admire him, he stuck to it. His No. 1 goal is to defeat President Obama, and that is why we have not been able to legislate. Everything has been stopped. Everything. We have been able to push through a few things but not many.

As always, I will do everything I can to work with Senators to get consent agreements to provide for consideration of this legislation. Hopefully we can reach such agreement. I do not have much hope, but I am always, I guess, hopeful. But in the meantime, I will do what I need to do to ensure that the Senate can vote on this important measure. I will do what I can to help create jobs for America's veterans. We need to do it for everyone, but could we just not agree on veterans?

I know we are now 30 hours postcloture. We all know the drill. Scores and scores of times—the Presiding Officer is a new Member of this Senate, relatively new. He has served going on two Congresses. But he is an expert at watching this. The Senator from Oregon has watched this, and he understands what is going on, and it is not very good.

So the time will run out on this 30 hours from whenever the vote was turned in. First of all, we just—it is easy to get—especially when I am used to the Ryan math mixed up on numbers a little bit. So let's go back where we were.

We just completed and wasted 30 hours. I had to file cloture now on the underlying bill. I have done that. Now we have to wait 2 days for this to ripen. The 2 days is going to expire on Friday.

Now, we are going to vote on Friday, but it is not going to be at a time convenient to everybody. We are going to come in shortly after midnight tomorrow night, and we are going to vote on this. Then the 30 hours can start run-

ning, and then we will vote Saturday generally.

If people cannot work together to help veterans, then we are going to make sure the American public knows what is going on here. So we will not vote tomorrow night, but we will vote—it has to be anytime 2 days from now. We can do that tomorrow night or actually Friday morning early, a little after midnight.

I am sorry I got a little mixed up on 30 hours, 2 days for something to ripen. Then, as I said, I have been very confused because of the Ryan math. It has been difficult for me to accept all of that.

The PRESIDING OFFICER. The Senator from Kentucky.

UNANIMOUS CONSENT REQUEST—S. 3457

Mr. PAUL. Mr. President, where to start? I mean, what a charade and what a farce. The majority filibusters their own bills. They fill up the amendment tree. They do not even pretend like they are going to work with the other side. How do they expect to pass legislation if they will not allow any input from the other party? A charade and a farce.

As far as helping that young veteran, our soldiers went to war in Afghanistan to get bin Laden. We finally got bin Laden, and we got him with the help of Dr. Shakil Afridi. I do not hear one peep from the other side, I do not see one bit of concern for the man who helped get bin Laden.

Our soldiers went to Afghanistan. That young man lost a limb. A young man in my town also lost three limbs. They did it to get this horrible mass murderer bin Laden. This happened, and this is why we went to war. We are going to do nothing to support the man who helped us get bin Laden?

We send good money after bad. Billions of dollars have been squandered in Pakistan. Pakistan then tortures the man who helped America get bin Laden. And we do nothing. I have asked for 15 minutes to vote on this issue—15 minutes. No one is obstructing this for any sort of personal vendetta. I am more than happy to work with the majority. I care deeply about the veterans. I care deeply about housing and helping the veterans who have fought for their country. But this is about whether we as a country and the American taxpayers will be asked to send good money after bad to allies that are not acting like allies.

Today we are reminded that our enemies are relentless, but we are also reminded that our so-called allies are not acting like allies at all. We are saddened by the assassination of Ambassador Stevens and his fellow workers, and we are appalled by the lack of protection for our embassies by our supposed allies. We send billions of taxpayer dollars abroad. And what do we get in return? Disrespect, disdain, and now ultimately violence.

I have two amendments I wish to call up. First, not one penny should be sent to Libya until the assassins are delivered to justice. Not one penny should go to Egypt until they guarantee the safety and protection of our embassies.

Second, not one more penny should go to Pakistan until the doctor who helped us get bin Laden is freed. Is it too much to ask of the Senate? I am more than willing to cooperate. I am more than willing to let those go home who want to go home and campaign. I know it is going to be a tough election for the other side. But the thing is, I am more than willing to let them go home anytime.

I do this because it is important that our allies act like allies. It is important that we have a vote, that this Senate go on record and say: Do you support the American taxpayer? Do you want to help the man who helped us get bin Laden?

I ask unanimous consent to set aside the pending amendments and call up amendment No. 2783 and also another amendment that is at the desk and yet to be numbered.

The PRESIDING OFFICER. Is there objection?

Mr. REID. I object.

The PRESIDING OFFICER. Objection is heard.

The majority leader.

Mr. REID. Mr. President, the Senator from Kentucky says there is no input from the minority, but, in fact, the substitute amendment we are going to vote on in the next day or two which is now pending before us has numerous provisions authored by Senate Republicans.

I respect the interest of the Senator from Kentucky in relation to Pakistan, Egypt, Libya, but every now and then the Senate should be able to focus on a small good thing. To veterans this is a big thing. I like helping them. So I understand my friend's tenacity. But I also understand how the Senate operates.

I just think my friend from Kentucky maybe should have run for Secretary of State rather than the Senate.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business with Senators allowed to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO JULIE HASQUET

Mr. BEGICH. Mr. President, I wish to recognize Julie Hasquet, my longtime press secretary and dedicated staff members, whose way with words, quick wit, and sharp pen has served me and the people of Alaska very well for over 9 years. Julie had a tall task working for my then new mayoral administration for the Municipality of Anchorage as we brought down blighted buildings, drove out drug dealers, and culled out the "cat lady" in an effort to clean up the city. Julie staged press events all over town with backdrops that included bulldozers, jackhammers, demolition crews and even a wrecking ball painted as a pumpkin to take down a dilapidated gas station one cold Halloween afternoon.

A former television news reporter, Julie expertly guest hosted talk radio shows where she would interview and cajole her own guests, including me, to discuss politics, policy, police, and issues of the day with the ease of a well-seasoned pundit. She used those skills in the mayor's office and in the U.S. Senate to write more than 4,500 press releases, thousands of tweets and texts, and to bring our office into the Facebook age with quips, quotes, and photos to tell the whole story as it was unfolding.

Over the years I have watched with pride as Julie has balanced family life with civic duty, raising two smart, talented, daughters, Shelby and Savannah, participating in many charitable organizations, and volunteering at events while spending time with her many friends.

Julie spends her spare time pursuing every kind of Alaskan activity from triathlons to target practice and scrapbooking to snow-machining. Julie's love of Alaska shines through everything she does and her ability to tell Alaskans their own story, in as few words as possible, is a rare talent indeed.

While Julie may be leaving the wild world of politics now, or so she thinks, I commend her and thank her for each and every one of her well said words and a job extraordinarily well done.

OVARIAN CANCER AWARENESS MONTH

Mr. RUBIO. Mr. President, today I wish to express support for women across America who are battling ovarian cancer and their families and friends who stand with them in their fight. It is estimated 22,280 women will be diagnosed with ovarian cancer this year. Of these women, 15,500 of them will lose the battle against this disease—1,040 of the women who will lose the battle this year live in Florida. To put those numbers in perspective, this year, across America, 3 percent of new cancer diagnoses in women will be ovarian cancer, but ovarian cancer will

account for 6 percent of female cancer deaths this year.

September marks National Ovarian Cancer Awareness Month, which is why I chose now to bring attention to this disease. Ovarian cancer is the ninth most common cancer in women and the fifth leading cause of cancer-related deaths because ovarian cancer is a unique cancer—there are no screening tests or early detection tests available. However, if ovarian cancer is treated before it has spread past the ovary, the 5-year survival rate is 93 percent. Sadly, only 15 percent of ovarian cancer diagnoses happen in this early stage, making the overall 5-year survival a mere 46 percent.

Until a screening test is developed, the best we can do to protect our wives, daughters, sisters, nieces, mothers, grandmothers, aunts, and friends is to bring awareness to the risk factors, signs, and symptoms of ovarian cancer. I urge my colleagues to help educate women about the potential warning signs to help with early diagnosis, which is the best method to save lives.

ADDITIONAL STATEMENTS

TRIBUTE TO JOYE KELLEY

• Mr. BOOZMAN. Mr. President, today I wish to recognize the career of Joye Kelley who is retiring as the president of the Rogers Board of Education after a lifetime of service and dedication to education.

Joye Kelley has been a fixture of the Rogers School Board for more than 29 years serving 20 of those years as president. During her decades of service, Joye has been a visionary for expansion and growth of a school system challenged to meet the needs of the growing population. During her years on the board, Joye ushered in many improvements to schools including the construction of 14 new schools to accommodate the tremendous growth.

Joye has led the Rogers School District to be one of the best districts in Arkansas establishing the mission that welcomes all students and works to help each student succeed. The result of her vision and leadership is the creation of an award-winning education system that is recognized nationally. Both Rogers High School and Heritage High School have been named among the top 1,000 high schools in the country by U.S. News & World Report. Both are ranked in the top five schools in Arkansas, and the school district is home to a National Blue Ribbon School.

Joye sets a great example of being a hands-on leader, insisting that the board members tour all 23 school campuses at the beginning of the school year to make sure students are provided with a quality learning environment. Joye's husband, Gene, estimates

that she spends up to 1,000 hours each year in service to schools.

Perhaps one of Joye's greatest achievements was her influence on education funding in Arkansas and encouraging the State to make it a priority. Her courage to lead the Rogers School Board to challenge education funding helped pave the path for a better education system in Arkansas for students no matter what school district they are enrolled in or where they live.

I had the privilege of serving with Joye as a member of the school board. Her expertise and vision made a lasting mark that will be enjoyed by the community and students for generations after she no longer presides over school board meetings.

Joye has displayed dedication, perseverance and commitment to education. I appreciate her friendship and am grateful for her years of service and efforts devoted to improving the education of Arkansas students.●

IDAHO HOMETOWN HERO MEDAL

• Mr. CRAPO. Mr. President, today I wish to acknowledge the second year of the presentation of the Idaho Hometown Hero Medal and congratulate the 2012 recipients of this esteemed honor.

This award was established by Drs. Fahim and Naeem Rahim, who, in addition to their professional and medical service, have a belief in community service and a desire to give back to the community and our country. After receiving the Ellis Island Medal of Honor, they decided to return to Idaho and start the Idaho Hometown Hero award to recognize and celebrate individuals who embody the spirit of philanthropy while showing remarkable commitment in both their personal and professional lives. Their efforts to recognize those working for the betterment of our communities play an important role in inspiring all of us.

I am honored to be among the 2011 recipients of this medal, and I congratulate the 2012 award recipients and recognize the efforts of the Rahim brothers, the award's committee members, the cosponsors, volunteers, and other organizations supporting this honor. Ten extraordinary individuals are 2012 Hometown Hero award recipients: Don Aslett, a businessman, author, and builder of Pocatello's Museum of Clean; Cpl Phillip Baldwin, a Marine veteran of Afghanistan now training for the Paralympics; Jonathan Cree, M.D., a physician and medical educator; Patti Farrell, a women's advocate and founder of the Drive for the Cure; Warren E. Nyer, a nuclear energy expert and last survivor of the Manhattan Project; Jody Olsen, a lifelong athlete and promoter of the Southeastern Idaho Senior Games; Rudolfo M. Pena, a teacher, coach, and advocate for Latino education projects; and Bonnie Stoddard, newspaper writer and expert

in the history of Clark County. In addition to these awards, there were two honorary medals awarded posthumously to Steve Appleton, the past chief executive officer of Micron Technology and founder of the Micron Foundation, who is survived by his wife and four children, and SGT Ryan Sharp, an Army veteran of Afghanistan, who passed away in December 2011 from injuries received in Kandahar Province.

Those honored through the 2012 Hometown Hero Medal have demonstrated a commitment to hard work, self-improvement, and community service. It is a great privilege to help recognize their outstanding talent and dedication to fellow Idahoans and Americans. I congratulate and thank all of the award recipients for your efforts to strengthen our communities and commend Fahim and Naeem and all those involved with this effort on the second anniversary of the award.●

TRIBUTE TO JENNIFER JOY PINNIGER

● Mr. INHOFE. Mr. President, I would like to take this opportunity to congratulate Jennifer Joy Pinniger upon her retirement as president and CEO of the National Stone, Sand & Gravel Association, NSSGA. Joy joined the National Stone Association in December 1996, and she has been “Romancing the Stone” ever since. To her that means helping decisionmakers, the aggregates workforce, and the public understand the purpose and value of the aggregates, or the stone, sand and gravel industry. She has focused NSSGA’s advocacy on those issues with the most potential impact on the industry, always aware that the most effective advocates are those members of NSSGA who work every day to produce the construction materials essential to the built environment.

Joy has reminded me on several occasions that her father’s roots are in Oklahoma, although as a Navy officer he moved his family around the world. Prior to joining NSSGA, Joy served very ably as chief of staff to former Senator John Warner and as an aide to Virginia Governor John Dalton before that.

Joy has championed the industry in meetings with administration regulatory agencies, always intent on finding solutions that will not only be positive for the aggregates industry but that are right for America. The Rocks Gallery in the Smithsonian Museum of Natural History is an example of an NSSGA-member endowed opportunity for the aggregates story to be told from the vantage point of a world-renowned educational institution—an example of teamwork between innovative members and the NSSGA team quarter-backed by Joy Pinniger.

I have had the pleasure of working with Joy as she led the NSSGA’s advo-

cacy for passage of the last two surface transportation authorization bills. Joy realized early on that involvement of the public—those affected by the need to get to and from jobs on a daily basis, to take parents to the doctor, to attend children’s soccer games; in reality all of us—was critical to success in moving surface transportation legislation forward. She worked tirelessly facilitating NSSGA member contacts with community leaders and lawmakers to build momentum for this often overlooked national priority. Success came in the form of passage of SAFETEA-LU in 2005 and MAP-21 in 2012.

Joy’s advocacy leadership extended well beyond transportation to those regulatory issues affecting the aggregates industry. She continually emphasized the industry’s ethics and credibility through NSSGA member company commitments to safety and health resulting in 11 years of record-breaking achievements.

With diplomatic leadership, Joy’s policy, management, and motivational strength has helped NSSGA members reinforce message and guide relation bridges to fend off unjustified regulations like tightened standards for “farm dust,” and legislation that does not accurately distinguish aggregates operations from others.

Joy Pinniger has led the National Stone, Sand & Gravel Association with distinction and integrity. I will miss her steadfast leadership, but congratulate her on her retirement and extend best wishes for whatever she chooses to do next.●

NORTHEAST WISCONSIN TECHNICAL COLLEGE

● Mr. KOHL. Mr. President, today I wish to recognize and congratulate Northeast Wisconsin Technical College for its 100th anniversary.

Northeast Wisconsin Technical College, founded in 1912 as the City Vocational Schools in Green Bay and Marinette, has grown exponentially in size and impact over the past century. From its earliest offerings of courses in machine shop, woodworking, bookkeeping, and shorthand to today’s workforce development in business management, engineering technologies and web development, it has maintained a commitment to providing students with exceptional hands-on training in traditional, new and emerging sectors.

I am proud to have supported NWTC throughout my time in the Senate, working to secure funding for various educational programs and the N.E.W. Clinic, where patients have access to much needed, quality medical care while the next generation of health care workers receives exceptional, hands-on training. The N.E.W. Clinic, like NWTC, has become a tremendous asset to the residents of Wisconsin.

Today, NWTC graduates more students than all other Green Bay area colleges combined, preparing tens of thousands of students for careers through its 180 programs of study. For the last 2 years, NWTC has rated in the top 10 percent of community colleges nationally as ranked by the Aspen Institute.

Northeast Wisconsin Technical College has built a strong reputation and steadfast foundation that helps support and grow the regional economy. With statistics showing that 95 percent of its 2011 graduates continue to work in Wisconsin and 73 percent remain in the region, NWTC also shapes the local economy. Students, thousands of area businesses, their employees, and the entire region all benefit from NWTC’s commitment to building partnerships and alliances that help everyone succeed.

On behalf of our entire Nation, I join the people of Wisconsin in recognizing and commending Northeast Wisconsin Technical College for providing 100 years of outstanding service and quality education to its students. Today, we honor the leaders who founded the college, and all of the faculty, staff, and students who enrich Wisconsin’s long, proud tradition of excellence in education.●

ENTERPRISE COMMUNITY PARTNERS

● Ms. MIKULSKI. Mr. President, today I wish to honor an outstanding non-profit in Columbia, MD, Enterprise Community Partners, on the occasion of its 30th Anniversary.

In 1982, Jim Rouse and his wife Patty founded Enterprise Community Partners as a neighborhood-based partnership to revitalize communities. They founded Enterprise with the ambitious goal of making sure every American lives in a decent, affordable home. Over the years, this organization has grown to be a leading provider of capital and expertise for affordable housing in thriving communities. Today, Terri Ludwig leads the organization as it continues on the important work of its founders.

Enterprise Community Partners has invested more than \$11.5 billion to build and preserve nearly 300,000 affordable rental and for-sale homes and create more than 410,000 jobs nationwide. This includes almost \$1.2 billion invested directly in Maryland—building and preserving thousands of homes in the State. Because of Enterprise, over 14,000 individuals and families have a place to call home in Maryland.

As a member of the Transportation-HUD Appropriations Subcommittee, I put money in the federal checkbook to build and protect our communities. Providing safe, affordable and adequate housing has always been one of my top priorities. Safe, sustainable, and affordable housing is essential for community growth and stability. Kids in

quality housing do better in schools, neighborhoods have much less crime, and communities are stronger.

In 1992, I worked with Senator Kit Bond to create the HOPE VI program which revolutionized public housing by leveraging public and private resources to replace dangerous and run-down public housing projects with mixed-income communities that integrated schools, businesses and community services alongside public, affordable and market rate housing.

HOPE VI has been successful in transforming communities and transforming the lives of people living in public housing. Enterprise has been an important partner in stabilizing Baltimore's stressed communities and encouraging investment by residents and businesses so that neighborhoods in Baltimore remain places to live, work, shop and worship.

Enterprise stories include families who, due to a reduction in hours at work and layoffs, are at risk of foreclosure; young adults who age out of foster care and face homelessness; and homeless individuals with disabilities. Enterprise develops and preserves affordable housing in communities linking people to opportunities for success.

The Enterprise Green Communities Initiative is the first national framework for green affordable housing. The 5-year, \$555 million initiative plans to build more than 8,500 environmentally healthy homes for low-income families. It provides grants, financing, tax credit equity and technical assistance to developers who meet Green Communities Criteria for affordable housing that promotes health, conserves energy and natural resources, and provides easy access to jobs, schools, and services.

Four years ago, Enterprise announced the formation of the Save America's Neighborhoods Campaign, a coalition of national and local organizations concerned about the foreclosure crisis' impacts on communities. The coalition's efforts were important contributors to establishing the Neighborhood Stabilization Program at the U.S. Department of Housing and Urban Development, which offers grants to help families and communities at risk of foreclosure.

Enterprise should be recognized for its work to sustain and restore thriving communities nationwide. Enterprise tackles some of the toughest problems in our communities and continues to transform both communities and families throughout the country. They invest in neighborhoods that are working together to solve their own problems for the collective good of the community.

I thank the volunteers, staff, board members and foundations supporting Enterprise Community Partners for all of their work, for their commitment to each other, for their commitment to community, and for their commitment

to Maryland. And I congratulate you on this milestone.●

RECOGNIZING LACASSE BAT COMPANY

● Ms. SNOWE. Mr. President, as you are aware, baseball is considered our national pastime. Every spring millions of Americans eagerly await the crack of a wooden bat as baseball and softball season begin. With this in mind, today I rise to recognize and commend the success of LaCasse Bat Company, located in Skowhegan, ME and its owner, Jesse LaCasse.

Mr. LaCasse is a former local baseball standout, playing at Saint Joseph's College of Maine, where he earned a degree in Sports Management. While in college, he was inducted into the Saint Joseph's Athletic Hall of Fame. As a hitting fanatic who was driven by his love of the game, he began manufacturing wooden bats for his personal use in 2006. The custom bats caught on with his summer league teammates, and soon he was making bats for individual players, adding a logo and the player's name to the design.

LaCasse Bat Company, a one-person operation, was founded in 2008 using local Maine materials in production. From cutting the trees to the final product, each step of the development of these bats is meticulously crafted. LaCasse Bat Company uses premium quality wood and makes bats from solid ash, birch, beech, and maple. Mr. LaCasse turns each bat by hand on a wood lathe, a process which takes roughly 15 to 20 minutes, and brands it with his logo. Through this careful method, Mr. LaCasse is able to fine-tune the balance of the bat and make each bat distinctive to the individual player. This personal touch and dedication to craftsmanship contributes to the truly unique nature of each hand-made bat.

In 2010, LaCasse Bat Company teamed with Subway Restaurants to handcraft four custom-colored bats to be donated at the 2010 Senior League World Series held in Bangor, ME. These were the first colored bats made by LaCasse Bats and each features the green, yellow, and white colors of the Subway franchises.

Since the exposure of the 2010 Senior World Series, LaCasse has seen a high demand for tailor-made and colored bats. LaCasse Bats takes every aspect of personalization into account, offering customization of handle, barrel, and logo colors and sizes, as well as the specific bat weight and type of wood. LaCasse Bats currently supplies teams from Little League through college in the United States and Europe, with most of its sales coming from Maine. As sales continue to grow, Mr. LaCasse hopes someday one of his bats will make it to the plate in Major League Baseball.

As a small business, LaCasse Bat Company's success in just a few short years has been exceptional. It is inspiring to know that entrepreneurs such as Mr. LaCasse continue to draw upon their passion, ingenuity, and energy to develop new businesses. I extend my congratulations to Jesse LaCasse for his tremendous effort and offer my best wishes for the continued growth and success for LaCasse Bat Company.●

SERVICES CENTER FEDERAL CREDIT UNION

● Mr. THUNE. Mr. President, today I recognize the Services Center Federal Credit Union, SCFCU, a member-owned, not-for-profit financial cooperative located in Yankton, Springfield, and Parkston, SD.

Chartered on April 2, 1962, this year marks the 50th anniversary of the SCFCU. As a community charter, membership is open to all who live or work in Bon Homme or Yankton Counties. Building upon their mission of being responsive to their members' needs by providing competitive financial services, their membership has grown to nearly 6,500 Bon Homme and Yankton County residents.

As a credit union member myself, I understand firsthand the benefit of a credit union membership. Credit unions are a part of the community and they are well aware of the specific needs of their members. Their commitment to providing the best possible service is commendable, especially in the financial environment we are faced with today.

The SCFCU commemorated their 50th anniversary during their annual meeting held in Yankton, SD, on June 23, 2012. I would like to offer my congratulations to the leaders and membership of the SCFCU on this milestone anniversary and wish them continued prosperity in the years to come.●

TRIBUTE TO LARRY MIZEL

● Mr. UDALL of Colorado. Mr. President, I rise today to pay tribute to a great Coloradan—Larry A. Mizel—on the occasion of his 70th birthday on September 14.

There are few Coloradans who embody the spirit of the Centennial State as well as my friend Larry, and it is a privilege today for me to be able to share my thoughts about him with my Senate colleagues.

Larry is many things to many people, but at root, I think of Larry as an independent thinker; a savvy businessman; a man who cares about the world, his community and his family; and a man whose philanthropic reach is as wide as the Rocky Mountains are tall.

I ask my colleagues to indulge me while I talk a bit about Larry and recount some of his most notable accomplishments. The list is long, but his work stands as a model for others.

Larry always has believed in the value of a good education, and his own educational history is impressive. He graduated with a bachelor's degree in business administration from the University of Oklahoma in 1964, and 3 years later, Larry received his law degree from the esteemed University of Denver College of Law.

From there, Larry took off at warp speed.

In 1972, Larry founded the company that became M.D.C. Holdings, Inc., which is one of the Nation's top homebuilders. M.D.C. is the parent corporation to Richmond American Homes and is a New York Stock Exchange-listed company.

Forty years after founding M.D.C., Larry still serves as chairman and chief executive officer of the company. That is an amazing run, with a lot more to come, I hope and predict.

Under Larry's visionary leadership, M.D.C. consistently has maintained one of the strongest financial positions in the industry.

But it is not just profits that distinguish M.D.C. M.D.C. also is known for its high-quality work. For example, M.D.C. has the distinction of being one of the few homebuilding-based companies to receive an investment-grade rating from all three rating agencies.

Larry has never been one to rest on his laurels. In addition to M.D.C., he has pursued other business ventures. Larry was a founder and, until 1996 chairman of the board of Asset Investors Corporation, a New York Stock Exchange-listed real estate investment trust, as well as of Commercial Assets Inc., a real estate investment trust that traded on the American Stock Exchange. In addition, Larry served as chairman of the board of directors of Omnibank, a multi-bank holding company, until its sale to KeyCorp in 1995.

Yet, Larry is known in Colorado for more than these business-world accomplishments, as impressive as they are. Larry stands as a shining example to Coloradans about how to enrich the communities in which we live and to give voice to those who sometimes cannot speak loudly enough for themselves.

Larry has been actively involved in numerous charitable, religious, and community causes, some that reach beyond our borders.

For example, there are few leaders in Colorado who care as deeply as Larry does about issues related to Israel and to Jews around the world. Larry is a member of the national board of directors of the American Israel Public Affairs Committee better known as AIPAC which works to ensure a strong United States-Israel relationship.

Larry also is one of the founders of the Simon Wiesenthal Center, an international human rights organization, based in Los Angeles, CA. He has served as the International Chairman

of the board of trustees of the Wiesenthal Center since 2003. As most of us know, the Wiesenthal Center helps to accomplish goals that Larry holds dear—namely, promoting tolerance and combating racism and anti-Semitism around the world.

It bears noting that the educational arm of the Wiesenthal Center—the Museum of Tolerance—is a recipient of the 2004 Tolerance Award given at the United Nations. It is a world-class human rights laboratory and learning center dedicated to challenging visitors to confront important contemporary issues.

Closer to home, Larry also founded the Mizel Arts and Culture Center—known as the MACC—located in Denver at the Jewish Community Center. The MACC aims to illuminate the human experience through performing, visual, and literary arts for the Jewish community and the community at large.

Larry's interests and expertise in international affairs extend far. For example, he is a life member of the Council on Foreign Relations, an independent organization dedicated to finding solutions to the challenging foreign policy choices facing the United States and other countries—choices made all the more challenging after the terrorist attacks of 9/11.

Thankfully, Larry has brought his business acumen into the public policy arena. For example, in 1986 Larry founded and served as the inaugural chairman of Colorado Concern, an organization committed to promoting sustainable business growth and advancing the economic well-being of Colorado. I am privileged to work closely with Colorado Concern, especially in these tough economic times, when we are all searching for innovative ways to get our Nation back on sounder economic footing.

Larry also is a founding member of the Denver Rustlers, a group that has given him the opportunity to work with other Colorado business leaders to support community youth. As with Colorado Concern, I have been fortunate to participate in events with the Denver Rustlers. From raising scholarship money, to supporting participants at the Junior Livestock Sale at the annual Colorado State Fair in Pueblo, to opening the Denver Rustlers Kids Cafe in 1994 to combat childhood hunger, Larry has been instrumental in the Denver Rustlers' positive effect on children's lives.

I also want to take a moment to underline another great love of Larry's—another pursuit that fills Coloradans with pride. Larry is the founder of the Mizel Museum in Denver. The Mizel Museum provides regular artistic and educational programs that promote community understanding and tolerance for residents of the Rocky Mountain region. It is a stunning facility that makes a big difference in our state.

As part of the Mizel Museum and its related Mizel Institute, in 2004 Larry founded another crown jewel: the Counterterrorism Education Learning Lab, better known as the CELL. The CELL is a nonprofit institution dedicated to the prevention of terrorism through education. Located in Denver, the CELL's exhibit was developed in consultation with world-renowned thought leaders and award-winning artists.

As Larry points out, it is the only exhibit of its kind in the world and has evolved into a greater institute for terrorism prevention and preparedness training. Through its acclaimed exhibits, distinguished speakers series, and training programs, the CELL has impacted thousands of individuals and has helped to enhance our public safety. Many Members of this Chamber have visited the CELL and have witnessed firsthand the power of its dynamic programs and interactive exhibits.

In early 2012, I was proud to colead, with Larry and the CELL, a public event that examined our Nation's foreign policy challenges 10 years after the 9/11 terrorist attacks. It is a testament to Larry that the event was able to attract a broad range of top national security experts, Members of Congress, policymakers, the media, and members of the public.

Over the years, many acclaimed organizations have recognized Larry's work and his philanthropy. I want to name some of the honors that he has received.

In 1987, Larry received the National Humanitarian Award from National Jewish Health, a global leader in the research and treatment of respiratory, immune and related diseases.

In 1996, Larry was named honorary dean of the University of Denver's Burns School of Real Estate and Construction Management.

In 2001, he was one of the recipients of the distinguished Ellis Island Medal of Honor, which gives tribute to the immigrant experience and individual achievement.

In 2002, Larry was awarded the title Honorary Irishman by the Ancient Order of Hibernians, a Catholic-Irish-American Fraternal Organization founded in 1836, for his work supporting the Heroes of 9/11.

In 2005, Larry received the Defenders of Freedom Award from the National Homeland Defense Foundation, an organization that is dedicated to securing freedom in the fields of homeland defense and security.

In 2010, he was awarded the Ben S. Wendelken Special Trustees' Award by Colorado's El Pomar Foundation, for embodying the spirit of service and giving through his life's work.

And in 2011, Larry received the Steve Ross Lifetime Achievement Award from the Milken Institute and was named a Colorado State Patrol Honorary Colonel.

I could go on and on, but I think these examples help illustrate the scope of Larry's work and his life passions and the way that he is valued in our community.

I would be remiss if I did not also recognize the people closest to Larry—his family. He cares deeply for them. Larry and his wife Carol have two grown children and five grandchildren.

Mr. President, I want to close with this observation. There are very few leaders who have brought our community together since September 11, 2001, like Larry has. Larry has rallied Coloradans together literally to remember the heroes and victims of 9/11 and to rise up against the evils of terrorism. It is what he does best: He assembles diverse groups of people, finds their commonality, and marshals them toward a noble purpose. Larry cares greatly about the security of the United States, as well as our allies worldwide. And he will stop at nothing to try to create a world where people do not live under the constant threat of attack, whether by persecutors, terrorists, or other enemies.

Today Colorado thanks a great American—Larry A. Mizel—for a lifetime of good work—and many more years to come. Happy 70th birthday, Larry.●

HONORING FRANK WILLETO

● Mr. UDALL of New Mexico. Mr. President, in the annals of our Nation's military history, the Navajo Code Talkers will always be remembered. They were a small group of marines, but their impact was far beyond their numbers. Their skills were crucial to American victory in the Pacific during World War II. They turned their Native language into an unbreakable code, and wielded that power as a great force in securing Allied victory.

Today, we mourn the loss of one of those heroic men. On June 23, Mr. Frank Chee Willetto died at his home in Pueblo Pintado, NM. Mr. Willetto was 87 years old. His life was a remarkable story of valor, of dedication, and of service.

Mr. Willetto was born and raised in Crownpoint, NM. In January 1944 he enlisted with the U.S. Marines, 6th Division. He trained for 8 weeks as a Navajo Code Talker. He served in the Pacific Theater in the Saipan and Okinawa campaigns.

Frank Willetto and his fellow Navajo Code Talkers joined a fight for freedom in a world that did not always accord freedom to them. They knew firsthand the ugly face of discrimination, of intolerance. U.S. law had recognized Native Americans as citizens for only 17 years when our country entered World War II.

And yet, many Native Americans bravely served during World War II, served at a higher percentage rate than

the general population. And among them were Frank Willetto and the legendary Navajo Code Talkers.

Mr. Willetto was awarded the Congressional Silver Medal. Our Nation is forever in debt to him and his fellow Navajo Code Talkers. But that is only part of his story. When he came home from war, he devoted his life to his community. He worked for many years with the Bureau of Indian Affairs and then with the Department of Education.

In 1974, he was elected as a Navajo tribal councilman. He was later elected president of Pueblo Pintado Chapter. He also served as a judge on the Navajo Supreme Judicial Council and as vice president of the Navajo Nation.

Last November, Mr. Willetto testified before the Senate Committee on Indian Affairs. He shared his experiences in the military, and he reminded us all how important it is that our veterans receive the benefits they were promised. He was a tireless advocate for housing and health benefits for veterans. Frank Willetto lived a long and productive life, and to the end he was steadfast in his efforts to help others.

His was a life of service, of defending others in time of war, and serving others in times of peace. A life that is inspiring to all who knew him, and who mourn him now. We remember Frank Willetto, and we honor his legacy when we hold true to the ideals that he lived: honor, courage, commitment. I extend my sincere sympathies to Mr. Willetto's family, to his many friends, and to his community.●

RECOGNIZING RICK BARTOW

● Mr. WYDEN. Mr. President, today a part of the Pacific Northwest is coming to Washington, DC. Thanks to the immensely creative and dedicated work of artist Rick Bartow and his team, two wooden pole sculptures will be placed in the garden of the Smithsonian National Museum of the American Indian. Atop one pole sits a bear and the other pole a raven, representing the healer and the rascal, respectively. The Bear pole is 27 feet tall, and the Raven pole, 23 feet tall. The poles—collectively titled “We Were Always Here”—will face the Washington Monument and overlook the National Mall.

The artist behind this project, Rick Bartow, is a Native American of Wiyot and Yurok heritage who was born in Newport, OR. His previous work has been shown throughout the world, including his Cedar Mill Pole, which was displayed at the White House in 1997. When you hear Mr. Bartow discuss his art, his process, and the world around him, you realize that you are listening to one of the country's foremost artistic minds.

That talent is clearly showcased in “We Were Always Here.” The level of detail, history, and meaning in each pole is truly amazing. The poles are

based on Native beliefs, but the message and meaning behind them are universal. For example, Mr. Bartow explains that the repeated horizontal patterns on each pole, “symbolize successive waves, generations following generations, an accumulation of wisdom and knowledge.” This idea that we can learn from our ancestors and from history is critical to the progress of our Nation and is one that is beautifully captured through these sculpture poles.

Thanks to the tireless efforts of Mr. Bartow and his team, folks visiting the Smithsonian National Museum of the American Indian or walking the National Mall will now be able to look upon these sculptures and gain an understanding of the important role the Native American community has in Oregon and throughout our country.

It is important to note that it is not only Oregon that is represented in these poles, but rather the Pacific Northwest. The two trees from which they are carved—a 1200 and 500 year old cedar—are from our northern neighbors, Washington State, and artists from around the area contributed in the creation of these sculptures. This sense of community is a staple of the Pacific Northwest and one that is represented in “We Were Always Here.”

I want to commend Mr. Bartow and his team for their great work, and I encourage everyone to get out and experience “We Were Always Here” by visiting the American Indian Museum or The National Mall.●

MESSAGE FROM THE HOUSE

At 2:58 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 538. An act to require the establishment of customer service standards for Federal agencies.

H.R. 1410. An act to promote freedom and democracy in Vietnam.

H.R. 1464. An act to develop a strategy for assisting stateless children from North Korea, and for other purposes.

H.R. 2800. An act to amend the Violent Crime Control and Law Enforcement Act of 1994 to reauthorize the Missing Alzheimer's Disease Patient Alert Program.

H.R. 4057. An act to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to develop a comprehensive policy to improve outreach and transparency to veterans and members of the Armed Forces through the provision of information on institutions of higher learning, and for other purposes.

H.R. 4264. An act to help ensure the fiscal solvency of the FHA mortgage insurance programs of the Secretary of Housing and Urban Development, and for other purposes.

H.R. 4305. An act to authorize the Attorney General to provide a grant to assist Federal, State, tribal, and local law enforcement agencies in the rapid recovery of missing individuals.

H.R. 4631. An act to amend title 5, United States Code, to institute spending limits and

transparency requirements for Federal conference and travel expenditures, and for other purposes.

H.R. 6028. An act to authorize the Assistant Secretary of Homeland Security (Transportation Security Administration) to modify screening requirements for checked baggage arriving from preclearance airports, and for other purposes.

H.R. 6080. An act to make improvements in the enactment of title 41, United States Code, into a positive law title and to improve the Code.

H.R. 6131. An act to extend the Undertaking Spam, Spyware, And Fraud Enforcement With Enforcers beyond Borders Act of 2006, and for other purposes.

H.R. 6185. An act to improve security at the State and local courthouses.

H.R. 6189. An act to eliminate unnecessary reporting requirements for unfunded programs under the Office of Justice Programs.

H.R. 6215. An act to amend the Trademark Act of 1946 to correct an error in the provisions relating to remedies for dilution.

The message also announced that the House has agreed to the following concurrent resolution, without amendment:

S. Con. Res. 17. Concurrent resolution expressing the sense of Congress that Taiwan should be accorded observer status in the International Civil Aviation—Organization (ICAO).

The message further announced that the House has passed the following bill, with amendment, in which it requests the concurrence of the Senate:

S. 710. An act to amend the Solid Waste Disposal Act to direct the Administrator of the Environmental Protection Agency to establish a hazardous waste electronic manifest system.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 538. An act to require the establishment of customer service standards for Federal agencies; to the Committee on Homeland Security and Governmental Affairs.

H.R. 1410. An act to promote freedom and democracy in Vietnam; to the Committee on Foreign Relations.

H.R. 1464. An act to develop a strategy for assisting stateless children from North Korea, and for other purposes; to the Committee on Foreign Relations.

H.R. 2800. An act to amend the Violent Crime Control and Law Enforcement Act of 1994 to reauthorize the Missing Alzheimer's Disease Patient Alert Program; to the Committee on the Judiciary.

H.R. 4057. An act to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to develop a comprehensive policy to improve outreach and transparency to veterans and members of the Armed Forces through the provision of information on institutions of higher learning, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 4264. An act to help ensure the fiscal solvency of the FHA mortgage insurance programs of the Secretary of Housing and Urban Development, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 4305. An act to authorize the Attorney General to provide a grant to assist Federal,

State, tribal, and local law enforcement agencies in the rapid recovery of missing individuals; to the Committee on the Judiciary.

H.R. 4631. An act to amend title 5, United States Code, to institute spending limits and transparency requirements for Federal conference and travel expenditures, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 6028. An act to authorize the Assistant Secretary of Homeland Security (Transportation Security Administration) to modify screening requirements for checked baggage arriving from preclearance airports, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 6080. An act to make improvements in the enactment of title 41, United States Code, into a positive law title and to improve the Code; to the Committee on the Judiciary.

H.R. 6185. An act to improve security at State and local courthouses; to the Committee on the Judiciary.

H.R. 6189. An act to eliminate unnecessary reporting requirements for unfunded programs under the Office of Justice Programs; to the Committee on the Judiciary.

H.R. 6215. An act to amend the Trademark Act of 1946 to correct an error in the provisions relating to remedies for dilution; to the Committee on the Judiciary.

MEASURES PLACED ON THE CALENDAR

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 6131. An act to extend the Undertaking Spam, Spyware, And Fraud Enforcement With Enforcers beyond Borders Act of 2006, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-7344. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a report relative to eliminating barriers to firms that are not traditional suppliers to the Department of Defense that wish to contract with the Department; to the Committee on Armed Services.

EC-7345. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, the Department of Defense's Biennial Report to Congress; to the Committee on Armed Services.

EC-7346. A communication from the Principal Deputy Under Secretary of Defense (Personnel and Readiness), transmitting the report of an officer authorized to wear the insignia of the grade of brigadier general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-7347. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations" ((44 CFR Part 67) (Docket No. FEMA-2012-0003)) received during adjournment of the Senate in the Office of the Presi-

dent of the Senate on August 22, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC-7348. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations" ((44 CFR Part 67) (Docket No. FEMA-2012-0003)) received during adjournment of the Senate in the Office of the President of the Senate on August 22, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC-7349. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations" ((44 CFR Part 67) (Docket No. FEMA-2012-0003)) received during adjournment of the Senate in the Office of the President of the Senate on August 22, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC-7350. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations" ((44 CFR Part 67) (Docket No. FEMA-2012-0003)) received during adjournment of the Senate in the Office of the President of the Senate on August 22, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC-7351. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to a transaction involving U.S. exports to Ireland; to the Committee on Banking, Housing, and Urban Affairs.

EC-7352. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to a transaction involving U.S. exports to United Arab Emirates (U.A.E.); to the Committee on Banking, Housing, and Urban Affairs.

EC-7353. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to a transaction involving U.S. exports to Saudi Arabia; to the Committee on Banking, Housing, and Urban Affairs.

EC-7354. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to a transaction involving U.S. exports to the Federative Republic of Brazil (Brazil); to the Committee on Banking, Housing, and Urban Affairs.

EC-7355. A communication from the Under Secretary, Department of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to Libya that was originally declared in Executive Order 13566 of February 25, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-7356. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency declared in Executive Order 13224 of September 23, 2001, with respect to persons who commit, threaten to commit, or support terrorism; to the Committee on Banking, Housing, and Urban Affairs.

EC-7357. A communication from the Deputy Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to persons undermining democratic processes

or institutions in Zimbabwe declared in Executive Order 13288; to the Committee on Banking, Housing, and Urban Affairs.

EC-7358. A communication from the Acting Director, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, the Office of Management and Budget's report of the estimated cost of assets purchased under the Emergency Economic Stabilization Act of 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC-7359. A communication from the Associate General Counsel for Legislation and Regulations, Office of Housing, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled "Federal Housing Administration (FHA): Strengthening Risk Management Through Responsible FHA-Approved Lenders" (RIN2502-AJ13) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC-7360. A communication from the Assistant General Counsel, General Law, Ethics, and Regulation, Department of the Treasury, transmitting, pursuant to law, (3) reports relative to vacancies within the Department, received during adjournment of the Senate in the Office of the President of the Senate on August 22, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC-7361. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility" ((44 CFR Part 64) (Docket No. FEMA-2012-0003)) received in the Office of the President of the Senate on September 10, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC-7362. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Changes in Flood Elevation Determinations" ((44 CFR Part 65) (Docket No. FEMA-2012-0003)) received during adjournment of the Senate in the Office of the President of the Senate on August 28, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC-7363. A communication from the Director of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the report of a rule entitled "Risk-Based Capital Guidelines: Market Risk" (RIN3064-AD70) received in the Office of the President of the Senate on September 10, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC-7364. A communication from the Secretary, Division of Corporation Finance, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Disclosure of Payments by Resource Extraction Issuers" (RIN3235-AK85) received during adjournment of the Senate in the Office of the President of the Senate on August 28, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC-7365. A communication from the Secretary, Division of Corporation Finance, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Conflict Minerals" (RIN3235-AK84) received during adjournment of the Senate in the Office of the President of the Senate on August 23, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC-7366. A communication from the Regulatory Specialist, Office of the Comptroller

of the Currency, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Risk-Based Capital Guidelines: Market Risk" (RIN1557-AC99) received in the Office of the President of the Senate on September 11, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC-7367. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Dinotefuran; Pesticide Tolerances" (FRL No. 9359-6) received in the Office of the President of the Senate on September 11, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7368. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Polyoxin D zinc salt; Amendment to an Exemption from the Requirement of a Tolerance" (FRL No. 9360-6) received in the Office of the President of the Senate on September 11, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7369. A communication from the Secretary of the Commission, Division of Swap Dealer and Intermediary Oversight, Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled "Confirmation, Portfolio Reconciliation, Portfolio Compression, and Swap Trading Relationship Documentation Requirements for Swap Dealers and Major Swap Participants" (RIN3038-AC96) received in the Office of the President of the Senate on September 11, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7370. A communication from the Administrator, U.S. Energy Information Administration, Department of Energy, transmitting, pursuant to law, a report entitled "Annual Energy Outlook 2012"; to the Committee on Energy and Natural Resources.

EC-7371. A communication from the Chairman of the Federal Energy Regulatory Commission, transmitting, pursuant to law, a report relative to the progress made in licensing and constructing the Alaska Natural Gas Pipeline; to the Committee on Energy and Natural Resources.

EC-7372. A communication from the Assistant Secretary for Insular Affairs, Department of the Interior, transmitting, pursuant to law, a report entitled "Impact of the Compacts of Free Association on Guam: Fiscal Year 2004 through Fiscal Year 2011"; to the Committee on Energy and Natural Resources.

EC-7373. A communication from the Administrator of the U.S. Energy Information Administration, Department of Energy, transmitting, pursuant to law, a report entitled "The Availability and Price of Petroleum and Petroleum Products Produced in Countries Other Than Iran"; to the Committee on Energy and Natural Resources.

EC-7374. A communication from the Assistant Secretary of Land and Minerals Management, Bureau of Safety and Environmental Enforcement, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Oil and Gas and Sulphur Operations on the Outer Continental Shelf—Increased Safety Measures for Energy Development on the Outer Continental Shelf" (RIN1014-AA02) received during adjournment of the Senate in the Office of the President of the Senate on August 22, 2012; to the Committee on Energy and Natural Resources.

EC-7375. A communication from the Assistant Secretary, Legislative Affairs, Depart-

ment of State, transmitting, pursuant to law, a Memorandum of Justification relative to Pakistan (OSS-2012-1292); to the Committee on Foreign Relations.

EC-7376. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a Memorandum of Justification relative to Pakistan (OSS-2012-1293); to the Committee on Foreign Relations.

EC-7377. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 12-064, of the proposed sale or export of defense articles and/or defense services to a Middle East country regarding any possible effects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Foreign Relations.

EC-7378. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 12-123, of the proposed sale or export of defense articles and/or defense services to a Middle East country regarding any possible effects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Foreign Relations.

EC-7379. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 12-116, of the proposed sale or export of defense articles and/or defense services to a Middle East country regarding any possible effects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Foreign Relations.

EC-7380. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 12-107, of the proposed sale or export of defense articles and/or defense services to a Middle East country regarding any possible effects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Foreign Relations.

EC-7381. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 12-103, of the proposed sale or export of defense articles and/or defense services to a Middle East country regarding any possible effects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Foreign Relations.

EC-7382. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 12-118, of the proposed sale or export of defense articles and/or defense services to a Middle East country regarding any possible effects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Foreign Relations.

EC-7383. A communication from the Assistant Secretary, Bureau of Political-Military

Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 12-095, of the proposed sale or export of defense articles and/or defense services to a Middle East country regarding any possible effects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Foreign Relations.

EC-7384. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 12-111, of the proposed sale or export of defense articles and/or defense services to a Middle East country regarding any possible effects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Foreign Relations.

EC-7385. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 12-127, of the proposed sale or export of defense articles and/or defense services to a Middle East country regarding any possible effects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Foreign Relations.

EC-7386. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report prepared by the Department of State on progress toward a negotiated solution of the Cyprus question covering the period April 1, 2012 through May 31, 2012; to the Committee on Foreign Relations.

EC-7387. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to section 36(c) of the Arms Export Control Act (Transmittal No. DDTC 12-091); to the Committee on Foreign Relations.

EC-7388. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to section 36(c) of the Arms Export Control Act (Transmittal No. DDTC 12-069); to the Committee on Foreign Relations.

EC-7389. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to section 36(c) of the Arms Export Control Act (Transmittal No. DDTC 12-047); to the Committee on Foreign Relations.

EC-7390. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to section 36(c) of the Arms Export Control Act (Transmittal No. DDTC 12-122); to the Committee on Foreign Relations.

EC-7391. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to section 36(c) of the Arms Export Control Act (Transmittal No. DDTC 12-111); to the Committee on Foreign Relations.

EC-7392. A communication from the Acting Secretary of Commerce, transmitting, pursuant to law, a report relative to the export to the People's Republic of China of an item not detrimental to the U.S. space launch industry; to the Committee on Foreign Relations.

EC-7393. A communication from the Assistant Legal Adviser for Treaty Affairs, Depart-

ment of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2012-0112–2012-0118); to the Committee on Foreign Relations.

EC-7394. A communication from the Acting Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled "Report of the Attorney General to the Congress of the United States on the Administration of the Foreign Agents Registration Act of 1938, as amended for the six months ending December 31, 2011"; to the Committee on Foreign Relations.

EC-7395. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report relative to the Jacksonville Harbor Mile Point Navigation Study, Duval County, Florida project; to the Committee on Environment and Public Works.

EC-7396. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report relative to the Ohio River Shoreline, Paducah, Kentucky Reconstruction project; to the Committee on Environment and Public Works.

EC-7397. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report relative to the San Clemente Shoreline in Orange County, California; to the Committee on Environment and Public Works.

EC-7398. A communication from the Director of Congressional Affairs, Office of Nuclear Reactor Regulation, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "NRC Staff Position on Applying Surveillance Requirements 3.0.2 and 3.0.3 to Administrative Controls Program Tests" (RIS 2012-10) received during adjournment of the Senate in the Office of the President of the Senate on August 30, 2012; to the Committee on Environment and Public Works.

EC-7399. A communication from the Director of Congressional Affairs, Office of New Reactors, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Requirements for Maintenance of Inspections, Tests, Analyses, and Acceptance Criteria" (RIN3150-AI77) received during adjournment of the Senate in the Office of the President of the Senate on August 30, 2012; to the Committee on Environment and Public Works.

EC-7400. A communication from the Director of Congressional Affairs, Office of Nuclear Reactor Regulation, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Compliance with Order EA-12-050, Reliable Hardened Containment Vents" (JLD-ISG-2012-02) received in the Office of the President of the Senate on September 10, 2012; to the Committee on Environment and Public Works.

EC-7401. A communication from the Director of Congressional Affairs, Office of Nuclear Reactor Regulation, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Compliance with Order EA-12-049, Order Modifying Licenses with Regard to Requirements for Mitigation Strategies for Beyond-Design-Basis External Events" (JLD-ISG-2012-01) received in the Office of the President of the Senate on September 10, 2012; to the Committee on Environment and Public Works.

EC-7402. A communication from the Chief of the Listing Branch, Fish and Wildlife Service, Department of the Interior, trans-

mitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Determination of Endangered Status for the Chupadera Springsnail and Designation of Critical Habitat" (RIN1018-AV86) received during adjournment of the Senate in the Office of the President of the Senate on August 23, 2012; to the Committee on Environment and Public Works.

EC-7403. A communication from the Chief of the Listing Branch, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for *Ipomopsis polyantha* (Pagosa sky-rocket), *Penstemon debilis* (Parachute beardtongue), and *Phacelia submutica* (DeBeque phacelia)" (RIN1018-AX75) received during adjournment of the Senate in the Office of the President of the Senate on August 23, 2012; to the Committee on Environment and Public Works.

EC-7404. A communication from the Chief of the Listing Branch, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Endangered Status for 23 Species on Oahu and Designation of Critical Habitat for 124 Species" (RIN1018-AV49) received during adjournment of the Senate in the Office of the President of the Senate on August 23, 2012; to the Committee on Environment and Public Works.

EC-7405. A communication from the Principal Deputy Assistant Secretary for Fish and Wildlife and Parks, National Wildlife Refuge System, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "2012-2013 Refuge-Specific Hunting and Sport Fishing Regulations" (RIN1018-AY37) received in the Office of the President of the Senate on September 10, 2012; to the Committee on Environment and Public Works.

EC-7406. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Attainment Plan for the Philadelphia-Wilmington, Pennsylvania-New Jersey-Delaware 1997 Fine Particulate Matter Non-attainment Area" (FRL No. 9719-4) received during adjournment of the Senate in the Office of the President of the Senate on August 23, 2012; to the Committee on Environment and Public Works.

EC-7407. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Indiana; Volatile Organic Compounds; Architectural and Industrial Maintenance Coatings" (FRL No. 9720-2) received during adjournment of the Senate in the Office of the President of the Senate on August 23, 2012; to the Committee on Environment and Public Works.

EC-7408. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans and Designations of Areas for Air Quality Planning Purposes; Tennessee; Bristol; Determination of Attaining Data for the 2008 Lead Standards" (FRL No. 9720-8) received during adjournment of the Senate in the Office of the President of the Senate on August 23, 2012; to the Committee on Environment and Public Works.

EC-7409. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to the California State Implementation Plan, San Diego County, Antelope Valley and Monterey Bay Unified Air Pollution Agencies" (FRL No. 9718-1) received during adjournment of the Senate in the Office of the President of the Senate on August 23, 2012; to the Committee on Environment and Public Works.

EC-7410. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to the California State Implementation Plan, San Joaquin Valley Unified Air Pollution Control District" (FRL No. 9714-1) received during adjournment of the Senate in the Office of the President of the Senate on August 23, 2012; to the Committee on Environment and Public Works.

EC-7411. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "2012 Technical Corrections, Clarifying and Other Amendments to the Greenhouse Gas Reporting Rule, and Confidentiality Determinations for Certain Data Elements of the Fluorinated Gas Source Category" (FRL No. 9714-3) received during adjournment of the Senate in the Office of the President of the Senate on August 23, 2012; to the Committee on Environment and Public Works.

EC-7412. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Maryland; Preconstruction Requirements—Prevention of Significant Deterioration and Nonattainment New Source Review; Correction" (FRL No. 9723-3) received during adjournment of the Senate in the Office of the President of the Senate on August 28, 2012; to the Committee on Environment and Public Works.

EC-7413. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Washington; Determination of Clean Data for the 2006 24-Hour Fine Particulate Standard for the Tacoma, Pierce County Nonattainment Area" (FRL No. 9723-4) received during adjournment of the Senate in the Office of the President of the Senate on August 28, 2012; to the Committee on Environment and Public Works.

EC-7414. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to the California State Implementation Plan, South Coast Air Quality Management District (SCAQMD)" (FRL No. 9711-2) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2012; to the Committee on Environment and Public Works.

EC-7415. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions of Five California Clean Air Act Title V Operating Permits Programs" (FRL No. 9724-2) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2012; to

the Committee on Environment and Public Works.

EC-7416. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Standards of Performance for Petroleum Refineries; Standards of Performance for Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After May 14, 2007" (FRL No. 9672-3) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2012; to the Committee on Environment and Public Works.

EC-7417. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Polychlorinated Biphenyls (PCBs): Revisions to Manifesting Regulations" (FRL No. 9703-1) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2012; to the Committee on Environment and Public Works.

EC-7418. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Nonconformance Penalties for On-highway Heavy-Duty Diesel Engines" (FRL No. 9716-5) received in the Office of the President of the Senate on September 11, 2012; to the Committee on Environment and Public Works.

EC-7419. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Delaware; Section 110(a) (2) Infrastructure Requirements for the 2008 Lead National Ambient Air Quality Standards" (FRL No. 9725-3) received in the Office of the President of the Senate on September 11, 2012; to the Committee on Environment and Public Works.

EC-7420. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; West Virginia; Section 110(a) (2) Infrastructure Requirements for the 2008 Lead National Ambient Air Quality Standards" (FRL No. 9725-1) received in the Office of the President of the Senate on September 11, 2012; to the Committee on Environment and Public Works.

EC-7421. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Ocean Dumping; Designation of Ocean Dredged Material Disposal Sites Offshore of Yaquina Bay, Oregon" (FRL No. 9724-7) received in the Office of the President of the Senate on September 11, 2012; to the Committee on Environment and Public Works.

EC-7422. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; California; Determinations of Attainment for the 1997 8-Hour Ozone Standard" (FRL No. 9726-6) received in the Office of the President of the Senate on September 11, 2012; to the Committee on Environment and Public Works.

EC-7423. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmit-

ting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Virginia; Revisions to the State Implementation Plan Approved by EPA through Letter Notice Actions" (FRL No. 9724-8) received in the Office of the President of the Senate on September 11, 2012; to the Committee on Environment and Public Works.

EC-7424. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; State of Missouri; Maximum Allowable Emission of Particulate Matter from Fuel Burning Equipment Used for Indirect Heating" (FRL No. 9726-2) received in the Office of the President of the Senate on September 11, 2012; to the Committee on Environment and Public Works.

EC-7425. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; West Virginia; Amendments to West Virginia's Ambient Air Quality Standards" (FRL No. 9725-4) received in the Office of the President of the Senate on September 11, 2012; to the Committee on Environment and Public Works.

EC-7426. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Michigan; PSD and NSR Regulations" (FRL No. 9725-6) received in the Office of the President of the Senate on September 11, 2012; to the Committee on Environment and Public Works.

EC-7427. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "National Emission Standards for Hazardous Air Pollutants from the Pulp and Paper Industry" (FRL No. 9684-7) received in the Office of the President of the Senate on September 11, 2012; to the Committee on Environment and Public Works.

EC-7428. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "25-Year Average Segment Rates and Adjusted 24-Month Average Segment Rates Used for Pension Funding" (Notice 2012-55) received during adjournment of the Senate in the Office of the President of the Senate on August 28, 2012; to the Committee on Finance.

EC-7429. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Applicable Federal Rates" (Notice 2012-24) received during adjournment of the Senate in the Office of the President of the Senate on August 28, 2012; to the Committee on Finance.

EC-7430. A communication from the Program Manager, Office of the Secretary, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Health Information Technology: Standards, Implementation Specifications, and Certification Criteria for Electronic Health Record Technology, 2014 Edition; Revisions to the Permanent Certification Program for Health Information Technology" (RIN0991-AB82) received during adjournment of the Senate in the Office of

the President of the Senate on August 27, 2012; to the Committee on Health, Education, Labor, and Pensions.

EC-7431. A communication from the Program Manager, Office of the Secretary, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Privacy Act, Exempt Record System" (Docket No. FDA-2011-N-0252) received during adjournment of the Senate in the Office of the President of the Senate on August 28, 2012; to the Committee on Health, Education, Labor, and Pensions.

EC-7432. A communication from the Program Manager, Office of the Secretary, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Privacy Act; Implementation" (Docket No. NIH-2011-0001) received during adjournment of the Senate in the Office of the President of the Senate on August 28, 2012; to the Committee on Health, Education, Labor, and Pensions.

EC-7433. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Administrative Simplification: Adoption of a Standard for a Unique Health Plan Identifier; Addition to the National Provider Identifier Requirements; and a Change to the Compliance Date for the International Classification of Diseases, 10th Edition (ICD-10-CM and ICD-10-PCS) Medical Data Code Sets" (RIN0938-AQ13) received in the Office of the President of the Senate on September 11, 2012; to the Committee on Health, Education, Labor, and Pensions.

EC-7434. A communication from the Deputy Director for Policy, Legislative and Regulatory Department, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled "Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits" (29 CFR Part 4022) received during adjournment of the Senate in the Office of the President of the Senate on August 23, 2012; to the Committee on Health, Education, Labor, and Pensions.

EC-7435. A communication from the Assistant General Counsel for Regulatory Services, Office of Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled "Final Priority; Technical Assistance on State Data Collection, Analysis, and Reporting-National IDEA Technical Assistance Center on Early Childhood Longitudinal Data Systems" (CFDA No. 84.373Z) received during adjournment of the Senate in the Office of the President of the Senate on August 23, 2012; to the Committee on Health, Education, Labor, and Pensions.

EC-7436. A communication from the Assistant General Counsel for Regulatory Services, Office of Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled "Final Priorities and Definitions; State Personnel Development Grants" (CFDA No. 84.323A) received during adjournment of the Senate in the Office of the President of the Senate on August 23, 2012; to the Committee on Health, Education, Labor, and Pensions.

EC-7437. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Agreements and Memoranda of Understanding Between the Food and

Drug Administration and Other Departments, Agencies, and Organizations" (Docket No. FDA-2012-N-0205) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2012; to the Committee on Health, Education, Labor, and Pensions.

EC-7438. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Animal Drugs, Feeds, and Related Products; Regulation of Carcinogenic Compounds in Food-Producing Animals" (Docket No. FDA-2010-N-0612) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2012; to the Committee on Health, Education, Labor, and Pensions.

EC-7439. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Food Additives Permitted for Direct Addition to Food for Human Consumption; Vitamin D2 Bakers Yeast" (Docket No. FDA-2009-F-0570) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2012; to the Committee on Health, Education, Labor, and Pensions.

EC-7440. A communication from the Inspector General, Railroad Retirement Board, transmitting, pursuant to law, a report relative to the Office of Inspector General's budget request for the fiscal year 2014; to the Committee on Health, Education, Labor, and Pensions.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. ROCKEFELLER, from the Committee on Commerce, Science, and Transportation, without amendment:

S. 46. A bill to reauthorize the Coral Reef Conservation Act of 2000, and for other purposes (Rept. No. 112-210).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. HELLER:

S. 3530. A bill to require the Secretary of Defense to establish a process to determine whether individuals claiming certain service in the Philippines during World War II are eligible for certain benefits despite not being on the Missouri List, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BLUMENTHAL:

S. 3531. A bill to amend the Internal Revenue Code of 1986 to increase, expand, and extend the credit for hydrogen-related alternative fuel vehicle refueling property and to increase the investment credit for more efficient fuel cells; to the Committee on Finance.

By Mrs. HUTCHISON (for herself and Mr. CARDIN):

S. 3532. A bill to amend the Internal Revenue Code of 1986 to clarify the treatment of church pension plans, and for other purposes; to the Committee on Finance.

By Mrs. HUTCHISON:

S. 3533. A bill to amend title II of the Social Security Act to extend the solvency of

the Social Security Trust Funds by increasing the normal and early retirement ages under the Social Security program and modifying the cost-of-living adjustments in benefits; to the Committee on Finance.

By Mr. MENENDEZ (for himself and Mr. KIRK):

S. 3534. A bill to amend the statute of limitations for civil actions regarding terrorist acts; to the Committee on the Judiciary.

By Ms. KLOBUCHAR (for herself and Mr. HOEVEN):

S. 3535. A bill to direct the Secretary of Energy to establish a pilot program to award grants to nonprofit organizations for the purpose of retrofitting nonprofit buildings with energy-efficiency improvements; to the Committee on Energy and Natural Resources.

By Mr. BLUMENTHAL (for himself, Ms. MIKULSKI, Mr. UDALL of New Mexico, Mr. HELLER, Mr. WEBB, and Ms. CANTWELL):

S. 3536. A bill to amend the Internal Revenue Code of 1986 to extend the work opportunity credit for hiring veterans, and for other purposes; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. LUGAR (for himself, Mr.

KERRY, Mr. REID, Mr. MCCONNELL, Mr. AKAKA, Mr. ALEXANDER, Ms. AYOTTE, Mr. BARRASSO, Mr. BAUCUS, Mr. BEGICH, Mr. BENNET, Mr. BINGAMAN, Mr. BLUMENTHAL, Mr. BLUNT, Mr. BOOZMAN, Mrs. BOXER, Mr. BROWN of Massachusetts, Mr. BROWN of Ohio, Mr. BURR, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CHAMBLISS, Mr. COATS, Mr. COBURN, Mr. COCHRAN, Ms. COLLINS, Mr. CONRAD, Mr. COONS, Mr. CORKER, Mr. CORNYN, Mr. CRAPO, Mr. DEMINT, Mr. DURBIN, Mr. ENZI, Mrs. FEINSTEIN, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Mrs. HAGAN, Mr. HARKIN, Mr. HATCH, Mr. HELLER, Mr. HOEVEN, Mrs. HUTCHISON, Mr. INHOFE, Mr. INOUE, Mr. ISAKSON, Mr. JOHANNES, Mr. JOHNSON of Wisconsin, Mr. JOHNSON of South Dakota, Mr. KIRK, Ms. KLOBUCHAR, Mr. KOHL, Mr. KYL, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEE, Mr. LEVIN, Mr. LIEBERMAN, Mr. MANCHIN, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MENENDEZ, Mr. MERKLEY, Ms. MIKULSKI, Mr. MORAN, Ms. MURKOWSKI, Mrs. MURRAY, Mr. NELSON of Nebraska, Mr. NELSON of Florida, Mr. PAUL, Mr. PORTMAN, Mr. PRYOR, Mr. REED, Mr. RISCH, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. RUBIO, Mr. SANDERS, Mr. SCHUMER, Mr. SESSIONS, Mrs. SHAHEEN, Mr. SHELBY, Ms. SNOWE, Ms. STABENOW, Mr. TESTER, Mr. THUNE, Mr. TOOMEY, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mr. VITTER, Mr. WARNER, Mr. WEBB, Mr. WHITEHOUSE, Mr. WICKER, and Mr. WYDEN):

S. Res. 551. A resolution commending the 4 American public servants who died in Benghazi, Libya, including Ambassador J. Christopher Stevens, for their tireless efforts on behalf of the American people and condemning the violent attack on the United

States consulate in Benghazi; considered and agreed to.

By Mr. FRANKEN (for himself, Mr. LUGAR, Mrs. MURRAY, Mr. WARNER, Mr. AKAKA, Mr. SANDERS, Mr. CARDIN, Mr. BEGICH, Mr. WEBB, and Mr. LEVIN):

S. Res. 552. A resolution recognizing the month of October 2012 as "National Principals Month"; considered and agreed to.

By Mr. KOHL (for himself, Ms. MIKULSKI, Ms. COLLINS, Mr. ENZI, Mr. SANDERS, Mr. BLUMENTHAL, and Mr. CASEY):

S. Res. 553. A resolution designating September 22, 2012, as "National Falls Prevention Awareness Day" to raise awareness and encourage the prevention of falls among older adults; considered and agreed to.

ADDITIONAL COSPONSORS

S. 202

At the request of Mr. PAUL, the names of the Senator from Alaska (Mr. BEGICH) and the Senator from Texas (Mrs. HUTCHISON) were added as cosponsors of S. 202, a bill to require a full audit of the Board of Governors of the Federal Reserve System and the Federal reserve banks by the Comptroller General of the United States before the end of 2012, and for other purposes.

S. 426

At the request of Mr. SANDERS, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 426, a bill to strengthen student achievement and graduation rates and prepare young people for college, careers, and citizenship through innovative partnerships that meet the comprehensive needs of children and youth.

S. 563

At the request of Mrs. BOXER, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 563, a bill to provide for equal access to COBRA continuation coverage.

S. 634

At the request of Mr. SCHUMER, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 634, a bill to ensure that the courts of the United States may provide an impartial forum for claims brought by United States citizens and others against any railroad organized as a separate legal entity, arising from the deportation of United States citizens and others to Nazi concentration camps on trains owned or operated by such railroad, and by the heirs and survivors of such persons.

S. 827

At the request of Mr. DEMINT, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 827, a bill to allow a State to combine certain funds and enter into a performance agreement with the Secretary of Education to improve the academic achievement of students.

S. 1438

At the request of Mr. JOHNSON of Wisconsin, the name of the Senator from

Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 1438, a bill to provide that no agency may take any significant regulatory action until the unemployment rate is equal to or less than 7.7 percent.

S. 1512

At the request of Mr. CARDIN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1512, a bill to amend the Internal Revenue Code of 1986 and the Small Business Act to expand the availability of employee stock ownership plans in S corporations, and for other purposes.

S. 1910

At the request of Mr. LIEBERMAN, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 1910, a bill to provide benefits to domestic partners of Federal employees.

S. 2283

At the request of Mr. TESTER, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 2283, a bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to include procedures for requests from Indian tribes for a major disaster or emergency declaration, and for other purposes.

S. 2371

At the request of Mr. RUBIO, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 2371, a bill to amend the National Labor Relations Act to permit employers to pay higher wages to their employees.

S. 2885

At the request of Mr. LIEBERMAN, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 2885, a bill to amend title 10, United States Code, to provide for the award of the Purple Heart to members of the Armed Forces who are killed or wounded in a terrorist attack perpetrated within the United States.

S. 3049

At the request of Mr. BEGICH, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 3049, a bill to amend title 39, United States Code, to expand the definition of homeless veteran for purposes of benefits under the laws administered by the Secretary of Veterans Affairs.

S. 3269

At the request of Mr. PAUL, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 3269, a bill to provide that no United States assistance may be provided to Pakistan until Dr. Shakil Afridi is freed.

S. 3391

At the request of Ms. KLOBUCHAR, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 3391, a bill to amend section 353 of the Public Health Service Act

with respect to suspension, revocation, and limitation of laboratory certification.

S. 3397

At the request of Mr. HATCH, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 3397, a bill to prohibit waivers relating to compliance with the work requirements for the program of block grants to States for temporary assistance for needy families, and for other purposes.

S. 3405

At the request of Mr. HELLER, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 3405, a bill to amend title 38, United States Code, to treat small businesses bequeathed to spouses and dependents by members of the Armed Forces killed in line of duty as small business concerns owned and controlled by veterans for purposes of Department of Veterans Affairs contracting goals and preferences, and for other purposes.

S. 3459

At the request of Mr. BINGAMAN, the names of the Senator from Oregon (Mr. WYDEN) and the Senator from Delaware (Mr. COONS) were added as cosponsors of S. 3459, a bill to amend the Department of Energy High-End Computing Revitalization Act of 2004 to improve the high-end computing research and development program of the Department of Energy, and for other purposes.

S. 3520

At the request of Mr. MERKLEY, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 3520, a bill to require a portion of closing costs to be paid by the enterprises with respect to certain refinanced mortgage loans, and for other purposes.

S. 3522

At the request of Mr. MENENDEZ, the names of the Senator from Vermont (Mr. LEAHY), the Senator from Alaska (Mr. BEGICH), the Senator from North Carolina (Mrs. HAGAN) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of S. 3522, a bill to provide for the expansion of affordable refinancing of mortgages held by the Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation.

S. 3525

At the request of Mr. TESTER, the names of the Senator from West Virginia (Mr. MANCHIN), the Senator from Missouri (Mrs. McCASKILL), the Senator from North Carolina (Mrs. HAGAN), the Senator from Colorado (Mr. BENNET), the Senator from Alaska (Mr. BEGICH), the Senator from Montana (Mr. BAUCUS), the Senator from Michigan (Ms. STABENOW) and the Senator from Virginia (Mr. WARNER) were added as cosponsors of S. 3525, a bill to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes.

S.J. RES. 44

At the request of Mr. KOHL, the names of the Senator from Michigan (Ms. STABENOW) and the Senator from Michigan (Mr. LEVIN) were added as cosponsors of S.J. Res. 44, a joint resolution granting the consent of Congress to the State and Province Emergency Management Assistance Memorandum of Understanding.

S.J. RES. 48

At the request of Mr. JOHNSON of Wisconsin, the names of the Senator from Arkansas (Mr. BOOZMAN) and the Senator from Tennessee (Mr. CORKER) were added as cosponsors of S.J. Res. 48, a joint resolution disapproving the rule submitted by the Internal Revenue Service relating to the health insurance premium tax credit.

S.J. RES. 50

At the request of Mr. HATCH, the names of the Senator from Indiana (Mr. COATS), the Senator from Oklahoma (Mr. INHOFE), the Senator from Maine (Ms. COLLINS) and the Senator from Tennessee (Mr. CORKER) were added as cosponsors of S.J. Res. 50, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Office of Family Assistance of the Administration for Children and Families of the Department of Health and Human Services relating to waiver and expenditure authority under section 1115 of the Social Security Act (42 U.S.C. 1315) with respect to the Temporary Assistance for Needy Families program.

S. RES. 401

At the request of Mr. WHITEHOUSE, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. Res. 401, a resolution expressing appreciation for Foreign Service and Civil Service professionals who represent the United States around the globe.

S. RES. 448

At the request of Mrs. BOXER, the names of the Senator from New York (Mr. SCHUMER) and the Senator from Wisconsin (Mr. KOHL) were added as cosponsors of S. Res. 448, a resolution recognizing the 100th anniversary of Hadassah, the Women's Zionist Organization of America, Inc.

AMENDMENT NO. 2785

At the request of Mr. BEGICH, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of amendment No. 2785 intended to be proposed to S. 3457, a bill to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes.

AMENDMENT NO. 2786

At the request of Mr. MCCAIN, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of amendment No. 2786 intended to be proposed to S. 3457, a bill to require the Secretary of Veterans

Affairs to establish a veterans jobs corps, and for other purposes.

AMENDMENT NO. 2789

At the request of Mrs. MURRAY, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of amendment No. 2789 proposed to S. 3457, a bill to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. HUTCHISON (for herself and Mr. CARDIN):

S. 3532. A bill to amend the Internal Revenue Code of 1986 to clarify the treatment of church pension plans, and for other purposes; to the Committee on Finance.

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that this statement be included in the RECORD upon introduction of my legislation, the Church Plan Clarification Act of 2012, with Senator CARDIN.

Today, my colleague Senator CARDIN and I are reintroducing this legislation, which refines the language included in our previous bill, S. 143.

Our goal is to resolve an unfortunate application of our current pension rules on church pension beneficiaries, and protect the retirement security of ministers and church lay workers.

Church pensions are critically important compensation plans that help support over one million clergy members across the country in their retirement—particularly those who dedicated their careers to serving in economically disadvantaged congregations.

Some of these plans date back to the 18th Century, and they are designed to ensure that our pastors and lay staff, who are often paid lower salaries, have adequate resources during their retirement years.

Today, denominational church plans provide benefits to an estimated one million-plus ministers, church workers, and their dependents, most of them working for small churches throughout the nation.

Church plans developed structures and mechanisms that reflect the differing church polities they serve and their unique status has been recognized in law.

However, recent IRS regulations governing 403(b) pension programs and legislative changes have resulted in uncertainty and compliance issues for church pension plans. In response, Senator CARDIN and I sent a letter to the Internal Revenue Service informing them of our legislation, nothing that the unintended consequences of their regulations may negatively affect church ministers and church lay workers.

I hope we can work to provide clarity for these distinctive plans and resolve this issue before the end of the year.

This unequal treatment is simply unfair, and it is time we correct it.

I ask my colleagues to join Senator CARDIN and me today in establishing parity for the beneficiaries of church pensions by supporting this necessary, long overdue fix to the Internal Revenue Code.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 3532

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Church Plan Clarification Act of 2012".

SEC. 2. CHURCH PLAN CLARIFICATION.

(a) APPLICATION OF CONTROLLED GROUP RULES TO CHURCH PLANS.—

(1) IN GENERAL.—Section 414(c) of the Internal Revenue Code of 1986 is amended—

(A) by striking "For purposes" and inserting the following:

"(1) IN GENERAL.—For purposes", and

(B) by adding at the end the following new paragraph:

"(2) CHURCH PLANS.—

"(A) GENERAL RULE.—Except as provided in subparagraphs (B) and (C), for purposes of this subsection and subsection (m), an organization that is otherwise eligible to participate in a church plan as defined in subsection (e) shall not be aggregated with another such organization and treated as a single employer with such other organization unless—

"(i) one such organization provides directly or indirectly at least 80 percent of the operating funds for the other organization during the preceding tax year of the recipient organization, and

"(ii) there is a degree of common management or supervision between the organizations.

For purposes of this subparagraph, a degree of common management or supervision exists only if the organization providing the operating funds is directly involved in the day-to-day operations of the other organization.

"(B) NONQUALIFIED CHURCH-CONTROLLED ORGANIZATIONS.—Notwithstanding the provisions of subparagraph (A), for purposes of this subsection and subsection (m), an organization that is a nonqualified church-controlled organization shall be aggregated with one or more other nonqualified church-controlled organizations, or with an organization that is not exempt from tax under section 501, and treated as a single employer with such other organizations, if at least 80 percent of the directors or trustees of such organizations are either representatives of, or directly or indirectly controlled by, the first organization. For purposes of this subparagraph, a 'nonqualified church controlled organization' shall mean a church-controlled organization described in section 501(c)(3) that is not a qualified church-controlled organization described in section 3121(w)(3)(B).

"(C) PERMISSIVE AGGREGATION AMONG CHURCH-RELATED ORGANIZATIONS.—Organizations described in subparagraph (A) may

elect to be treated as under common control for purposes of this subsection. Such election shall be made by the church or convention or association of churches with which such organizations are associated within the meaning of subsection (e)(3)(D), or by an organization determined by such church or convention or association of churches to be the appropriate organization for making such election.

“(D) PERMISSIVE DISAGGREGATION OF CHURCH-RELATED ORGANIZATIONS.—For purposes of subparagraph (A), in the case of a church plan (as defined in subsection (e)), any employer may permissively disaggregate those entities that are not churches (as defined in section 403(b)(12)(B)) separately from those entities that are churches, even if such entities maintain separate church plans.

“(E) ANTI-ABUSE RULE.—For purposes of subparagraphs (A) and (B), the anti-abuse rule in Treasury Regulation section 1.414(c)-5(f) shall apply.”

(2) EFFECTIVE DATE.—The amendments made by this subsection shall apply to taxable years beginning before, on, or after the date of the enactment of this Act.

(b) APPLICATION OF CONTRIBUTION AND FUNDING LIMITATIONS TO 403(b) GRANDFATHERED DEFINED BENEFIT PLANS.—

(1) IN GENERAL.—Section 251(e)(5) of the Tax Equity and Fiscal Responsibility Act of 1982 (Public Law 97-248), is amended—

(A) by striking “403(b)(2)” and inserting “403(b)”, and

(B) by inserting before the period at the end the following: “, and shall be subject to the applicable limitations of section 415(b) of such Code as if it were a defined benefit plan under section 401(a) of such Code and not the limitations of section 415(c) of such Code (relating to limitation for defined contribution plans).”

(2) EFFECTIVE DATE.—The amendments made by this subsection shall apply as if included in the enactment of the Tax Equity and Fiscal Responsibility Act of 1982.

(c) AUTOMATIC ENROLLMENT BY CHURCH PLANS.—

(1) IN GENERAL.—This subsection shall supersede any law of a State which would directly or indirectly prohibit or restrict the inclusion in any church plan (as defined in this subsection) of an automatic contribution arrangement.

(2) DEFINITION OF AUTOMATIC CONTRIBUTION ARRANGEMENT.—For purposes of this subsection, the term “automatic contribution arrangement” means an arrangement—

(A) under which a participant may elect to have the plan sponsor make payments as contributions under the plan on behalf of the participant, or to the participant directly in cash, and

(B) under which a participant is treated as having elected to have the plan sponsor make such contributions in an amount equal to a uniform percentage of compensation provided under the plan until the participant specifically elects not to have such contributions made (or specifically elects to have such contributions made at a different percentage).

(3) NOTICE REQUIREMENTS.—

(A) IN GENERAL.—The plan administrator of an automatic contribution arrangement shall, within a reasonable period before such plan year, provide to each participant to whom the arrangement applies for such plan year notice of the participant's rights and obligations under the arrangement which—

(i) is sufficiently accurate and comprehensive to apprise the participant of such rights and obligations, and

(ii) is written in a manner calculated to be understood by the average participant to whom the arrangement applies.

(B) ELECTION REQUIREMENTS.—A notice shall not be treated as meeting the requirements of subparagraph (A) with respect to a participant unless—

(i) the notice includes an explanation of the participant's right under the arrangement not to have elective contributions made on the participant's behalf (or to elect to have such contributions made at a different percentage),

(ii) the participant has a reasonable period of time, after receipt of the notice described in clause (i) and before the first elective contribution is made, to make such election, and

(iii) the notice explains how contributions made under the arrangement will be invested in the absence of any investment election by the participant.

(4) EFFECTIVE DATE.—This subsection shall take effect on the date of the enactment of this Act.

(d) ALLOW CERTAIN PLAN TRANSFERS AND MERGERS.—

(1) IN GENERAL.—Section 414 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

“(z) CERTAIN PLAN TRANSFERS AND MERGERS.—

“(1) IN GENERAL.—Under rules prescribed by the Secretary, except as provided in paragraph (2), no amount shall be includible in gross income by reason of—

“(A) a transfer of all or a portion of the account balance of a participant or beneficiary, whether or not vested, from a plan described in section 401(a) or an annuity contract described in section 403(b), which is a church plan described in subsection (e) to an annuity contract described in section 403(b), if such plan and annuity contract are both maintained by the same church or convention or association of churches,

“(B) a transfer of all or a portion of the account balance of a participant or beneficiary, whether or not vested, from an annuity contract described in section 403(b) to a plan described in section 401(a) or an annuity contract described in section 403(b), which is a church plan described in subsection (e), if such plan and annuity contract are both maintained by the same church or convention or association of churches, or

“(C) a merger of a plan described in section 401(a), or an annuity contract described in section 403(b), which is a church plan described in subsection (e) with an annuity contract described in section 403(b), if such plan and annuity contract are both maintained by the same church or convention or association of churches.

“(2) LIMITATION.—Paragraph (1) shall not apply to a transfer or merger unless the participant's or beneficiary's benefit immediately after the transfer or merger is equal to or greater than the participant's or beneficiary's benefit immediately before the transfer or merger.

“(3) QUALIFICATION.—A plan or annuity contract shall not fail to be considered to be described in sections 401(a) or 403(b) merely because such plan or account engages in a transfer or merger described in this subsection.

“(4) DEFINITIONS.—For purposes of this subsection:

“(A) CHURCH.—The term ‘church’ includes an organization described in subparagraph (A) or (B)(ii) of subsection (e)(3).

“(B) ANNUITY CONTRACT.—The term ‘annuity contract’ includes a custodial account de-

scribed in section 403(b)(7) and a retirement income account described in section 403(b)(9).”

(2) EFFECTIVE DATE.—The amendment made by this subsection shall apply to transfers or mergers occurring after the date of the enactment of this Act.

(e) INVESTMENTS BY CHURCH PLANS IN COLLECTIVE TRUSTS.—

(1) IN GENERAL.—In the case of—

(A) a church plan (as defined in section 414(e) of the Internal Revenue Code of 1986), including a plan described in section 401(a) of such Code and a retirement income account described in section 403(b)(9) of such Code, and

(B) an organization described in section 414(e)(3)(A) of such Code the principal purpose or function of which is the administration of such a plan or account,

the assets of such plan, account, or organization (including any assets otherwise permitted to be commingled for investment purposes with the assets of such a plan, account, or organization) may be invested in a group trust otherwise described in Internal Revenue Service Revenue Ruling 81-100 (as modified by Internal Revenue Service Revenue Rulings 2004-67 and 2011-1), or any subsequent revenue ruling that supersedes or modifies such revenue ruling, without adversely affecting the tax status of the group trust, such plan, account, or organization, or any other plan or trust that invests in the group trust.

(2) EFFECTIVE DATE.—This subsection shall apply to investments made after the date of the enactment of this Act.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 551—COMMENDING THE 4 AMERICAN PUBLIC SERVANTS WHO DIED IN BENGHAZI, LIBYA, INCLUDING AMBASSADOR J. CHRISTOPHER STEVENS, FOR THEIR TIRELESS EFFORTS ON BEHALF OF THE AMERICAN PEOPLE AND CONDEMNING THE VIOLENT ATTACK ON THE UNITED STATES CONSULATE IN BENGHAZI

Mr. LUGAR (for himself, Mr. KERRY, Mr. REID, Mr. McCONNELL, Mr. AKAKA, Mr. ALEXANDER, Ms. AYOTTE, Mr. BARRASSO, Mr. BAUCUS, Mr. BEGICH, Mr. BENNET, Mr. BINGAMAN, Mr. BLUMENTHAL, Mr. BLUNT, Mr. BOOZMAN, Mrs. BOXER, Mr. BROWN of Massachusetts, Mr. BROWN of Ohio, Mr. BURR, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CHAMBLISS, Mr. COATS, Mr. COBURN, Mr. COCHRAN, Ms. COLLINS, Mr. CONRAD, Mr. COONS, Mr. CORKER, Mr. CORNYN, Mr. CRAPO, Mr. DEMINT, Mr. DURBIN, Mr. ENZI, Mrs. FEINSTEIN, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Mrs. HAGAN, Mr. HARKIN, Mr. HATCH, Mr. HELLER, Mr. HOEVEN, Mrs. HUTCHISON, Mr. INHOFE, Mr. INOUE, Mr. ISAKSON, Mr. JOHANNIS, Mr. JOHNSON of Wisconsin, Mr. JOHNSON of South Dakota, Mr. KIRK, Ms. KLOBUCHAR, Mr. KOHL, Mr. KYL, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEE, Mr. LEVIN, Mr. LIEBERMAN, Mr. MANCHIN, Mr. MCCAIN,

Mrs. MCCASKILL, Mr. MENENDEZ, Mr. MERKLEY, Ms. MIKULSKI, Mr. MORAN, Ms. MURKOWSKI, Mrs. MURRAY, Mr. NELSON of Nebraska, Mr. NELSON of Florida, Mr. PAUL, Mr. PORTMAN, Mr. PRYOR, Mr. REED, Mr. RISCH, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. RUBIO, Mr. SANDERS, Mr. SCHUMER, Mr. SESSIONS, Mrs. SHAHEEN, Mr. SHELBY, Ms. SNOWE, Ms. STABENOW, Mr. TESTER, Mr. THUNE, Mr. TOOMEY, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mr. VITTER, Mr. WARNER, Mr. WEBB, Mr. WHITEHOUSE, Mr. WICKER, and Mr. WYDEN) submitting the following resolution; which was considered and agreed to:

S. RES. 551

Whereas on September 11, 2012, 4 American public servants, including United States Ambassador to Libya, John Christopher Stevens, and Sean Smith, were killed in a reprehensible and vicious attack on the United States consulate in Benghazi, Libya;

Whereas Ambassador Stevens—

(1) was a courageous and exemplary representative of the United States;

(2) had spent 21 years in the Foreign Service;

(3) was deeply passionate about representing the United States through his diplomatic service; and

(4) was an ardent friend of the Libyan people;

Whereas Ambassador Stevens served as Special Envoy to the Libyan Transitional National Council in Benghazi during the 2011 Libyan revolution;

Whereas Ambassador Stevens was a dear friend of the Senate, having served on the staff of the Committee on Foreign Relations of the Senate in 2006 and 2007 as a distinguished Pearson Fellow;

Whereas Foreign Service Information Management Officer Sean Smith—

(1) was a husband and a father of 2 children;

(2) joined the Department of State 10 years ago; and

(3) had served in the Foreign Service, before arriving in Benghazi, in Baghdad, Pretoria, Montreal, and The Hague;

Whereas the 2 other individuals from Ambassador Stevens' team who perished in the attack made great sacrifices and showed bravery in taking on a difficult post in Libya;

Whereas the violence in Benghazi coincided with an attack on the United States Embassy in Cairo, Egypt, which was also swarmed by an angry mob of protesters on September 11, 2012;

Whereas on a daily basis, United States diplomats, military personnel, and other public servants risk their lives to serve the American people; and

Whereas throughout this Nation's history, thousands of Americans have sacrificed their lives for the ideals of freedom, democracy, and partnership with nations and people around the globe.

Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the dedicated service and deep commitment of the 4 American public servants, including Ambassador John Christopher Stevens and Sean Smith, in assisting the Libyan people as they navigate the complex currents of democratic transition marked in this case by profound instability;

(2) praises Ambassador Stevens, who represented the highest tradition of American public service, for his extraordinary record

of dedication to the United States' interests in some of the most difficult and dangerous posts around the globe;

(3) sends its deepest condolences to the families of those American public servants killed in Benghazi;

(4) commends the bravery of Foreign Service Officers, United States Armed Forces, and public servants serving in harm's way around the globe and recognizes the deep sacrifices made by their families; and

(5) condemns, in the strongest possible terms, the despicable attacks on American diplomats and public servants in Benghazi and calls for the perpetrators of such attacks to be brought to justice.

SENATE RESOLUTION 552—RECOGNIZING THE MONTH OF OCTOBER 2012 AS “NATIONAL PRINCIPALS MONTH”

Mr. FRANKEN (for himself, Mr. LUGAR, Mrs. MURRAY, Mr. WARNER, Mr. AKAKA, Mr. SANDERS, Mr. CARDIN, Mr. BEGICH, Mr. WEBB, and Mr. LEVIN) submitted the following resolution; which was considered and agreed to:

S. RES. 552

Whereas the National Association of Secondary School Principals and the National Association of Elementary School Principals have declared the month of October 2012 to be “National Principals Month”;

Whereas principals are educational visionaries, instructional and assessment leaders, disciplinarians, community builders, budget analysts, facilities managers, and administrators of legal and contractual obligations;

Whereas principals work collaboratively with teachers and parents to develop and implement a clear mission, high curriculum standards, and performance goals;

Whereas principals create school environments that facilitate great teaching and learning and continuous school improvement;

Whereas the vision, actions, and dedication of principals provide the mobilizing force behind any school reform effort; and

Whereas the celebration of National Principals Month would honor elementary school, middle school, and high school principals, and recognize the importance of principals in ensuring that every child has access to a high-quality education: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the month of October 2012 as “National Principals Month”; and

(2) honors the contribution of principals in the elementary schools, middle schools, and high schools of the United States by supporting the goals and ideals of National Principals Month.

SENATE RESOLUTION 553—DESIGNATING SEPTEMBER 22, 2012, AS “NATIONAL FALLS PREVENTION AWARENESS DAY” TO RAISE AWARENESS AND ENCOURAGE THE PREVENTION OF FALLS AMONG OLDER ADULTS

Mr. KOHL (for himself, Ms. MIKULSKI, Ms. COLLINS, Mr. ENZI, Mr. SANDERS, Mr. BLUMENTHAL, and Mr. CASEY) submitted the following resolution; which was considered and agreed to:

S. RES. 553

Whereas older adults, 65 years of age and older, are the fastest-growing segment of the population in the United States, and the number of older adults in the United States will increase from 35,000,000 in 2000 to 72,100,000 in 2030;

Whereas 1 out of 3 older adults in the United States falls each year;

Whereas falls are the leading cause of injury, death, and hospital admissions for traumatic injuries among older adults;

Whereas, in 2010, approximately 2,300,000 older adults were treated in hospital emergency departments for fall-related injuries, and more than 650,000 were subsequently hospitalized;

Whereas, according to the Centers for Disease Control and Prevention, in 2008, more than 20,000 older adults died from injuries related to unintentional falls;

Whereas, according to the Centers for Disease Control and Prevention, the total cost of fall-related injuries for older adults is \$80,900,000,000, including more than \$28,300,000,000 in direct medical costs;

Whereas the Centers for Disease Control and Prevention estimate that if the rate of increase in falls is not slowed, the annual cost under the Medicare program will reach \$59,600,000,000 by 2020; and

Whereas evidence-based programs show promise in reducing falls and facilitating cost-effective interventions, such as comprehensive clinical assessments, exercise programs to improve balance and health, management of medications, correction of vision, and reduction of home hazards: Now, therefore, be it

Resolved, That the Senate—

(1) designates September 22, 2012, as “National Falls Prevention Awareness Day”;

(2) commends the Falls Free Coalition and the falls prevention coalitions in 43 States and the District of Columbia for their efforts to work together to increase education and awareness about the prevention of falls among older adults;

(3) encourages businesses, individuals, Federal, State, and local governments, the public health community, and health care providers to work together to promote the awareness of falls in an effort to reduce the incidence of falls among older adults in the United States;

(4) urges the Centers for Disease Control and Prevention to continue developing and evaluating strategies to prevent falls among older adults that will translate into effective fall prevention interventions, including community-based programs;

(5) encourages State health departments, which provide significant leadership in reducing injuries and injury-related health care costs by collaborating with colleagues and a variety of organizations and individuals, to reduce falls among older adults; and

(6) recognizes proven, cost-effective falls prevention programs and policies and encourages experts in the field to share their best practices so that their success can be replicated by others.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2790. Mr. BLUMENTHAL (for himself, Ms. SNOWE, and Mr. BEGICH) submitted an amendment intended to be proposed by him to the bill S. 3457, to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes; which was ordered to lie on the table.

SA 2791. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 3457, supra; which was ordered to lie on the table.

SA 2792. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 3457, supra; which was ordered to lie on the table.

SA 2793. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 3457, supra; which was ordered to lie on the table.

SA 2794. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 3457, supra; which was ordered to lie on the table.

SA 2795. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill S. 3457, supra; which was ordered to lie on the table.

SA 2796. Mr. HATCH (for himself and Mr. BROWN of Massachusetts) submitted an amendment intended to be proposed by him to the bill S. 3457, supra; which was ordered to lie on the table.

SA 2797. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 3457, supra; which was ordered to lie on the table.

SA 2798. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 3457, supra; which was ordered to lie on the table.

SA 2799. Ms. SNOWE (for herself, Ms. LANDRIEU, Mr. COBURN, and Mr. KERRY) submitted an amendment intended to be proposed by her to the bill S. 3457, supra; which was ordered to lie on the table.

SA 2800. Mr. PORTMAN (for himself and Mr. BEGICH) submitted an amendment intended to be proposed by him to the bill S. 3457, supra; which was ordered to lie on the table.

SA 2801. Ms. SNOWE submitted an amendment intended to be proposed by her to the bill S. 3457, supra; which was ordered to lie on the table.

SA 2802. Ms. SNOWE (for herself and Mr. BEGICH) submitted an amendment intended to be proposed by her to the bill S. 3457, supra; which was ordered to lie on the table.

SA 2803. Mr. BROWN, of Ohio submitted an amendment intended to be proposed by him to the bill S. 3457, supra; which was ordered to lie on the table.

SA 2804. Mr. PRYOR (for himself, Mr. BOOZMAN, and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill S. 3457, supra; which was ordered to lie on the table.

SA 2805. Mr. PRYOR submitted an amendment intended to be proposed by him to the bill S. 3457, supra; which was ordered to lie on the table.

SA 2806. Mr. BOOZMAN submitted an amendment intended to be proposed by him to the bill S. 3457, supra; which was ordered to lie on the table.

SA 2807. Mr. BROWN, of Ohio (for himself, Mr. SANDERS, and Mr. BEGICH) submitted an amendment intended to be proposed by him to the bill S. 3457, supra; which was ordered to lie on the table.

SA 2808. Mr. REID proposed an amendment to amendment SA 2789 proposed by Mrs. MURRAY to the bill S. 3457, supra.

SA 2809. Mr. REID proposed an amendment to amendment SA 2808 proposed by Mr. REID to the amendment SA 2789 proposed by Mrs. MURRAY to the bill S. 3457, supra.

SA 2810. Mr. REID proposed an amendment to the bill S. 3457, supra.

SA 2811. Mr. REID proposed an amendment to amendment SA 2810 proposed by Mr. REID to the bill S. 3457, supra.

SA 2812. Mr. REID proposed an amendment to the bill S. 3457, supra.

SA 2813. Mr. REID proposed an amendment to amendment SA 2812 proposed by Mr. REID to the bill S. 3457, supra.

SA 2814. Mr. REID proposed an amendment to amendment SA 2813 proposed by Mr. REID to the amendment SA 2812 proposed by Mr. REID to the bill S. 3457, supra.

SA 2815. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 3457, supra; which was ordered to lie on the table.

SA 2816. Ms. COLLINS (for herself, Mr. LIEBERMAN, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by her to the bill S. 3457, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2790. Mr. BLUMENTHAL (for himself, Ms. SNOWE, and Mr. BEGICH) submitted an amendment intended to be proposed by him to the bill S. 3457, to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. ____ . VICTORY FOR VETERANS STAMP.

(a) IN GENERAL.—Title 39, United States Code, is amended by inserting after section 414 the following:

“§ 414a. Victory for Veterans stamp

“(a) In order to provide members of the public an opportunity to honor their veterans by supporting veterans’ employment programs, to reduce the deficit, and to preserve the vital role of the United States Postal Service, the Postal Service shall issue a special stamp (referred to in this section as the ‘Victory for Veterans Stamp’) in accordance with the provisions of this section.

“(b) The Victory for Veterans Stamp—

“(1) shall not be valid for purposes of postage; and

“(2) shall be offered at a cost equal to 25 cents.

“(c)(1) The amounts becoming available from the sale of the Victory for Veterans Stamp shall be used as follows:

“(A) One-third of such amounts shall be transferred to the Department of Veterans Affairs for purposes of funding vocational rehabilitation programs for veterans under chapter 31 of title 38.

“(B) One-third of such amounts shall be transferred to the general fund of the Treasury for purposes of deficit reduction.

“(C) One-third of such amounts shall be used by the Postal Service to satisfy obligations incurred under section 2005.

“(2) Amounts transferred under this subsection to an agency under paragraph (1)(A) or (1)(B) shall be made under such arrangements as the Postal Service shall by mutual agreement with such agency establish in order to carry out the purposes of this section.

“(3) For purposes of this section, the term ‘amounts becoming available from the sale of the Victory for Veterans Stamp’ means—

“(A) the total amounts received by the Postal Service that it would not have received but for the enactment of this section, reduced by

“(B) an amount sufficient to cover reasonable costs incurred by the Postal Service in carrying out this section, including those attributable to the printing, sale, and distribu-

tion of the Victory for Veterans Stamp under this section, as determined by the Postal Service under regulations that it shall prescribe.

“(d) Amounts transferred under subsection (c)(1)(A) to the Department of Veterans Affairs shall not be taken into account in any decision relating to the level of appropriations or other Federal funding to be furnished in any year to the Department.

“(e) The Victory for Veterans Stamp shall be made available to the public beginning on such date as the Postal Service shall by regulation prescribe, but in no event later than 6 months after the date of the enactment of this section.

“(f) The Postmaster General shall include in each report rendered under section 2402 information concerning the operation of this section.”.

(b) CONFORMING AMENDMENT.—The table of sections for title 39, United States Code, is amended by inserting after the item relating to section 414 the following:

“414a. Victory for Veterans stamp.”.

SA 2791. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 3457, to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. ____ . VETERANS EDUCATION OUTREACH PROGRAM.

(a) ESTABLISHMENT.—Chapter 36 of title 38, United States Code, is amended by adding at the end of subchapter II the following new section:

“§ 3697B. Veterans education outreach program

“(a) IN GENERAL.—The Secretary shall provide funding for offices of veterans affairs at institutions of higher learning, as defined in section 3452(f), in accordance with this section.

“(b) PAYMENTS TO INSTITUTIONS OF HIGHER LEARNING.—(1)(A) The Secretary shall, subject to the availability of appropriations, make payments to any institution of higher learning, under and in accordance with this section, during any fiscal year if the number of persons eligible for services from offices assisted under this section at the institution is at least 50, determined in the same manner as the number of eligible veterans or eligible persons is determined under section 3684(c) of this title.

“(B) The persons who are eligible for services from the offices assisted under this section are persons receiving educational assistance administered by the Department of Veterans Affairs, including assistance provided under chapter 1606 of title 10.

“(2) To be eligible for a payment under this section, an institution of higher learning or a consortium of institutions of higher learning, as described in paragraph (3), shall submit an application to the Secretary. The application shall—

“(A) set forth such policies, assurances, and procedures that will ensure that—

“(i) the funds received by the institution, or each institution in a consortium of institutions described in paragraph (3), under this section will be used solely to carry out this section;

“(ii) for enhancing the functions of its veterans education outreach program, the applicant will expend, during the academic year for which a payment is sought, an amount equal to at least the amount of the award

under this section from sources other than this or any other Federal program; and

“(iii) the applicant will submit to the Secretary such reports as the Secretary may require or as are required by this section;

“(B) contain such other statement of policies, assurances, and procedures as the Secretary may require in order to protect the financial interests of the United States;

“(C) set forth such plans, policies, assurances, and procedures as will ensure that the applicant will maintain an office of veterans' affairs which has responsibility for—

“(i) veterans' certification, outreach, recruitment, and special education programs, including the provision of or referral to educational, vocational, and personal counseling for veterans; and

“(ii) providing information regarding other services provided veterans by the Department, including the readjustment counseling program authorized under section 1712A of this title and the programs carried out under chapters 41 and 42 of this title; and

“(D) be submitted at such time or times, in such manner, in such form, and contain such information as the Secretary determines necessary to carry out the functions of the Secretary under this section.

“(3) An institution of higher learning which is eligible for funding under this section and which the Secretary determines cannot feasibly carry out, by itself, any or all of the activities set forth in paragraph (2)(C), may carry out such program or programs through a consortium agreement with one or more other institutions of higher learning in the same community.

“(4) The Secretary shall not approve an application under this subsection unless the Secretary determines that the applicant will implement the requirements of paragraph (2)(C) within the first academic year during which it receives a payment under this section.

“(c) AMOUNT OF PAYMENTS.—(1)(A) Subject to subparagraph (B), the amount of the payment which any institution shall receive under this section for any fiscal year shall be \$100 for each person who is described in subsection (b)(1)(B).

“(B) The maximum amount of payments to any institution of higher learning, or any branch thereof which is located in a community which is different from that in which the parent institution thereof is located, in any fiscal year is \$150,000.

“(2)(A) The Secretary shall pay to each institution of higher learning which has had an application approved under subsection (b) the amount which it is to receive under this section. If the amount appropriated for any fiscal year is not sufficient to pay the amounts which all such institutions are to receive, the Secretary shall ratably reduce such payments. If any amount becomes available to carry out this section for a fiscal year after such reductions have been imposed, such reduced payments shall be increased on the same basis as they were reduced.

“(B) In making payments under this section for any fiscal year, the Secretary shall apportion the appropriation for making such payments, from funds which become available as a result of the limitation on payments set forth in paragraph (1)(B), in an equitable manner.

“(d) COORDINATION AND PROVISION OF ASSISTANCE, TECHNICAL CONSULTATION, AND INFORMATION.—The Secretary, in carrying out the provisions of this section, shall seek to assure the coordination of programs assisted under this section with other programs car-

ried out by the Department pursuant to this title, and the Secretary shall provide all assistance, technical consultation, and information otherwise authorized by law as necessary to promote the maximum effectiveness of the activities and programs assisted under this section.

“(e) BEST PRACTICES AND ADMINISTRATION.—(1) From the amounts made available for any fiscal year under subsection (f), the Secretary shall retain one percent or \$20,000, whichever is less, for the purpose of collecting information about exemplary veterans educational outreach programs and disseminating that information to other institutions of higher learning having such programs on their campuses. Such collection and dissemination shall be done on an annual basis.

“(2) From the amounts made available under subsection (f), the Secretary may retain not more than two percent for the purpose of administering this section.

“(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$6,000,000 for fiscal year 2012 and each fiscal year thereafter.”

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 36 of title 38, United States Code, is amended by inserting after the item relating to section 3697A the following new item:

“3697B. Veterans education outreach program.”

SA 2792. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 3457, to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. ____ . DEPARTMENT OF LABOR PROGRAM TO SECURE JOB OPPORTUNITIES FOR VETERANS.

(a) DEFINITIONS.—In this section:

(1) COVERED VETERAN.—In this subsection, the term “covered veteran” means a veteran with traumatic brain injury or post-traumatic stress disorder.

(2) SECRETARY.—The term “Secretary” means the Secretary of Labor, acting through the Assistant Secretary for Disability Employment Policy.

(3) VETERAN.—The term “veteran” means a veteran, as defined in section 101 of title 38, United States Code.

(b) TECHNICAL ASSISTANCE.—The Secretary shall carry out a program through which the Secretary shall—

(1) provide technical assistance to prospective employers and employers of covered veterans, to enable the prospective employers and employers to employ and retain covered veterans;

(2) provide technical assistance for entities in the workforce development system, to enable the entities to help covered veterans obtain employment and succeed in that employment;

(3) receive referrals for technical assistance described in paragraphs (1) and (2) from reserve components described in section 101 of title 10, United States Code, business organizations, and Federal agencies; and

(4) conduct outreach concerning such technical assistance through regional offices of the Department of Labor.

(c) INFORMATION ON BEST PRACTICES.—The Secretary shall disseminate information on best practices related to assisting covered veterans in obtaining employment and devel-

oping strategies to succeed in that employment. The Secretary shall disseminate the information to business organizations and employers (including veteran-owned businesses), human resource organizations, government agencies, and Federal contractors.

(d) INTERAGENCY WORKING GROUP.—

(1) ESTABLISHMENT OF WORKING GROUP.—The Secretary shall establish a working group, consisting of representatives of Federal agencies with programs that assist covered veterans in obtaining or maintaining employment.

(2) DUTIES OF WORKING GROUP.—The working group shall share information on best practices, share resources, and develop a plan, for providing such assistance to the covered veterans. The working group shall submit the plan to the heads of the Federal agencies.

(3) FUNCTIONS OF FEDERAL AGENCIES.—Each head of a Federal agency receiving the plan shall consider the plan and make appropriate changes to carry out functions that assist covered veterans in obtaining and maintaining employment.

SA 2793. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 3457, to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. ____ . IMPROVEMENTS TO PLANS FOR VETERANS WITH TRAUMATIC BRAIN INJURY FOR REHABILITATION AND REINTEGRATION INTO THE COMMUNITY.

Section 1710C(b) of title 38, United States Code, is amended—

(1) by redesignating paragraphs (3) through (5) as paragraphs (5) through (7), respectively; and

(2) by inserting after paragraph (2) the following new paragraphs:

“(3) With respect to individuals who are veterans described in subsection (b) of section 3120 of this title, participation in programs of independent living services provided under subsection (a) of such section.

“(4) Employment support services provided under section 1718(d)(2) of this title.”

SA 2794. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 3457, to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. ____ . DISPOSAL OF CONTROLLED SUBSTANCES.

The Administrator of the Drug Enforcement Administration shall enter into a memorandum of understanding with the Secretary of Veterans Affairs establishing procedures under which a veteran may deliver a controlled substance to an employee of the Veterans Health Administration to be disposed of in accordance with section 302(g) of the Controlled Substances Act (21 U.S.C. 822(g)).

SA 2795. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill S. 3457, to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ NATIONAL RIGHT TO WORK.

(a) AMENDMENTS TO THE NATIONAL LABOR RELATIONS ACT.—

(1) RIGHTS OF EMPLOYEES.—Section 7 of the National Labor Relations Act (29 U.S.C. 157) is amended by striking “except to” and all that follows through “authorized in section 8(a)(3)”.

(2) UNFAIR LABOR PRACTICES.—Section 8 of the National Labor Relations Act (29 U.S.C. 158) is amended—

(A) in subsection (a)(3), by striking “: *Provided, That*” and all that follows through “retaining membership”;

(B) in subsection (b)—

(i) in paragraph (2), by striking “or to discriminate” and all that follows through “retaining membership”;

(ii) in paragraph (5), by striking “covered by an agreement authorized under subsection (a)(3) of this section”; and

(C) in subsection (f), by striking clause (2) and redesignating clauses (3) and (4) as clauses (2) and (3), respectively.

(b) AMENDMENT TO THE RAILWAY LABOR ACT.—Section 2 of the Railway Labor Act (45 U.S.C. 152) is amended by striking paragraph Eleven.

SA 2796. Mr. HATCH (for himself and Mr. BROWN of Massachusetts) submitted an amendment intended to be proposed by him to the bill S. 3457, to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. ____ EXCLUSION OF MEDICAL DEVICES SOLD UNDER THE TRICARE FOR LIFE PROGRAM OR VETERAN'S HEALTH CARE PROGRAMS FROM TAX ON SUCH DEVICES.

(a) IN GENERAL.—Subsection (b) of section 4191 of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

“(3) EXCLUSION OF MEDICAL DEVICES SOLD UNDER THE TRICARE FOR LIFE PROGRAM OR VETERAN'S HEALTH CARE PROGRAMS.—Such term shall not include any device which is sold to individuals covered under the TRICARE for Life program or the veteran's health care program under chapter 17 of title 38, United States Code, any portion of the cost of which is paid or reimbursed under either such program.”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to sales after the date of the enactment of this Act.

SA 2797. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 3457, to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

SEC. ____ DEPARTMENT OF DEFENSE AND DEPARTMENT OF VETERANS AFFAIRS ACTIONS ON INELIGIBILITY OF CERTAIN PROPRIETARY INSTITUTIONS OF HIGHER EDUCATION FOR PARTICIPATION IN PROGRAMS OF EDUCATIONAL ASSISTANCE.

(a) DEPARTMENT OF VETERANS AFFAIRS.—

(1) IN GENERAL.—Subchapter II of chapter 36 of title 38, United States Code, is amended by inserting after section 3681 the following new section:

“§ 3681A. Ineligibility of certain proprietary institutions of higher education for participation in Department of Veterans Affairs programs of educational assistance

“(a) IN GENERAL.—Upon receipt of a notice from the Secretary of Education under clause (iii) of section 487(d)(2)(A) of the Higher Education Act of 1965 (20 U.S.C. 1094(d)(2)(A)) that a proprietary institution of higher education is ineligible for participation in or receipt of funds under any program of Federal educational assistance by reason of such section, the Secretary of Veterans Affairs shall ensure that no educational assistance under the provisions of law specified in subsection (b) is available or used for education at the institution for the period of institutional fiscal years covered by such notice.

“(b) COVERED ASSISTANCE.—The provisions of law specified in this subsection are the provisions of law on educational assistance through the Department under chapters 30, 31, 32, 33, 34, and 35 of this title.

“(c) NOTICE ON INELIGIBILITY.—(1) The Secretary of Veterans Affairs shall take appropriate actions to notify persons receiving or eligible for educational assistance under the provisions of law specified in subsection (b) of the application of the limitations in section 487(d)(2) of the Higher Education Act of 1965 to particular proprietary institutions of higher education.

“(2) The actions taken under this subsection with respect to a proprietary institution shall include publication, on the Internet website of the Department that provides information to persons described in paragraph (1), of the following:

“(A) The name of the institution.

“(B) The extent to which the institution failed to meet the requirements of section 487(a)(24) of the Higher Education Act of 1965.

“(C) The length of time the institution will be ineligible for participation in or receipt of funds under any program of Federal educational assistance by reason of section 487(d)(2)(A) of that Act.

“(D) The nonavailability of educational assistance through the Department for enrollment, attendance, or pursuit of a program of education at the institution by reason of such ineligibility.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 36 of such title is amended by inserting after the item relating to section 3681 the following new item:

“3681A. Ineligibility of certain proprietary institutions of higher education for participation in Department of Veterans Affairs programs of educational assistance.”.

(b) DEPARTMENT OF DEFENSE.—

(1) IN GENERAL.—Chapter 101 of title 10, United States Code, is amended by inserting after section 2008 the following new section:

“§ 2008a. Ineligibility of certain proprietary institutions of higher education for participation in Department of Defense programs of educational assistance

“(a) IN GENERAL.—Upon receipt of a notice from the Secretary of Education under clause (iii) of section 487(d)(2)(A) of the Higher Education Act of 1965 (20 U.S.C. 1094(d)(2)(A)) that a proprietary institution of higher education is ineligible for participation in or receipt of funds under any program of Federal educational assistance by reason of such section, the Secretary of Defense shall ensure that no educational assistance under the provisions of law specified in subsection (b) is available or used for edu-

cation at the institution for the period of institutional fiscal years covered by such notice.

“(b) COVERED ASSISTANCE.—The provisions of law specified in this subsection are the provisions of law on educational assistance through the Department of Defense as follows:

“(1) This chapter.

“(2) Chapters 105, 106A, 1606, 1607, and 1608 of this title.

“(3) Section 1784a of this title.

“(c) NOTICE ON INELIGIBILITY.—(1) The Secretary of Defense shall take appropriate actions to notify persons receiving or eligible for educational assistance under the provisions of law specified in subsection (b) of the application of the limitations in section 487(d)(2) of the Higher Education Act of 1965 to particular proprietary institutions of higher education.

“(2) The actions taken under this subsection with respect to a proprietary institution shall include publication, on the Internet website of the Department of Defense that provides information to persons described in paragraph (1), of the following:

“(A) The name of the institution.

“(B) The extent to which the institution failed to meet the requirements of section 487(a)(24) of the Higher Education Act of 1965.

“(C) The length of time the institution will be ineligible for participation in or receipt of funds under any program of Federal educational assistance by reason of section 487(d)(2)(A) of that Act.

“(D) The nonavailability of educational assistance through the Department for enrollment, attendance, or pursuit of a program of education at the institution by reason of such ineligibility.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 101 of such title is amended by inserting after the item relating to section 2008 the following new item:

“2008a. Ineligibility of certain proprietary institutions of higher education for participation in Department of Defense programs of educational assistance.”.

SEC. ____ PROGRAM PARTICIPATION AGREEMENTS FOR PROPRIETARY INSTITUTIONS OF HIGHER EDUCATION.

Section 487 of the Higher Education Act of 1965 (20 U.S.C. 1094) is amended—

(1) in subsection (a)(24)—

(A) by inserting “that receives funds provided under this title” before “, such institution”; and

(B) by striking “other than funds provided under this title, as calculated in accordance with subsection (d)(1)” and inserting “other than Federal educational assistance, as defined in subsection (d)(5) and calculated in accordance with subsection (d)(1)”; and

(2) in subsection (d)—

(A) in the subsection heading, by striking “NON-TITLE IV” and inserting “NON-FEDERAL EDUCATIONAL”;

(B) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by inserting “that receives funds provided under this title” before “shall”;

(ii) in subparagraph (B)—

(I) in clause (i), by striking “assistance under this title” and inserting “Federal educational assistance”; and

(II) in clause (ii)(I), by inserting “, or on a military base if the administering Secretary for a program of Federal educational assistance under clause (ii), (iii), or (iv) of paragraph (5)(B) has authorized such location” before the semicolon;

(iii) in subparagraph (C), by striking “program under this title” and inserting “program of Federal educational assistance”;

(iv) in subparagraph (E), by striking “funds received under this title” and inserting “Federal educational assistance”; and

(v) in subparagraph (F)—

(I) in clause (iii), by striking “under this title” and inserting “of Federal educational assistance”; and

(II) in clause (iv), by striking “under this title” and inserting “of Federal educational assistance”;

(C) in paragraph (2)—

(i) by striking subparagraph (A) and inserting the following:

“(A) INELIGIBILITY.—

“(i) IN GENERAL.—Notwithstanding any other provision of law, a proprietary institution of higher education receiving funds provided under this title that fails to meet a requirement of subsection (a)(24) for two consecutive institutional fiscal years shall be ineligible to participate in or receive funds under any program of Federal educational assistance for a period of not less than two institutional fiscal years.

“(ii) REGAINING ELIGIBILITY.—To regain eligibility to participate in or receive funds under any program of Federal educational assistance after being ineligible pursuant to clause (i), a proprietary institution of higher education shall demonstrate compliance with all eligibility and certification requirements for the program for a minimum of two institutional fiscal years after the institutional fiscal year in which the institution became ineligible. In order to regain eligibility to participate in any program of Federal educational assistance under this title, such compliance shall include meeting the requirements of section 498 for such 2-year period.

“(iii) NOTIFICATION OF INELIGIBILITY.—The Secretary of Education shall determine when a proprietary institution of higher education that receives funds under this title is ineligible under clause (i) and shall notify all other administering Secretaries of the determination.

“(iv) ENFORCEMENT.—Each administering Secretary for a program of Federal educational assistance shall enforce the requirements of this subparagraph for the program concerned upon receiving notification under clause (iii) of a proprietary institution of higher education’s ineligibility.”; and

(ii) in subparagraph (B)—

(I) in the matter preceding clause (i)—

(aa) by striking “In addition” and all that follows through “education fails” and inserting “Notwithstanding any other provision of law, in addition to such other means of enforcing the requirements of a program of Federal educational assistance as may be available to the administering Secretary, if a proprietary institution of higher education that receives funds provided under this title fails”; and

(bb) by striking “the programs authorized by this title” and inserting “all programs of Federal educational assistance”; and

(II) in clause (i), by inserting “with respect to a program of Federal educational assistance under this title,” before “on the expiration date”;

(D) in paragraph (4)(A), by striking “sources under this title” and inserting “Federal educational assistance”; and

(E) by adding at the end the following:

“(5) DEFINITIONS.—In this subsection:

“(A) ADMINISTERING SECRETARY.—The term ‘administering Secretary’ means the Secretary of Education, the Secretary of De-

fense, the Secretary of Veterans Affairs, the Secretary of Homeland Security, or the Secretary of a military department responsible for administering the Federal educational assistance concerned.

“(B) FEDERAL EDUCATIONAL ASSISTANCE.—The term ‘Federal educational assistance’ means funds provided under any of the following provisions of law:

“(i) This title.

“(ii) Chapter 30, 31, 32, 33, 34, or 35 of title 38, United States Code.

“(iii) Chapter 101, 105, 106A, 1606, 1607, or 1608 of title 10, United States Code.

“(iv) Section 1784a of title 10, United States Code.”.

SA 2798. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 3457, to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. ____ GRANTS FOR TRAINING OF VETERANS WHO OWN SMALL BUSINESSES ON APPLYING FOR FEDERAL CONTRACTS.

(a) IN GENERAL.—The Secretary of Veterans Affairs may award a grant to a non-profit organization to assist such organization in providing training to a veteran who is an owner of a small business concern on how to apply for and win a contract with the Federal Government.

(b) MAXIMUM AMOUNTS.—

(1) IN GENERAL.—The total amount of grants awarded under subsection (a) may not exceed \$1,000,000.

(2) INDIVIDUAL GRANT AMOUNTS.—A grant awarded under subsection (a) may not exceed \$200,000.

(c) MATCHING FUNDS.—The Secretary may award a grant under subsection (a) to a non-profit organization to conduct training only if the organization agrees to make contributions toward the cost of conducting such training, from non-Federal sources, in an amount equal to not less than the amount of the grant.

(d) SMALL BUSINESS CONCERN DEFINED.—In this section, the term “small business concern” has the meaning given such term under section 3 of the Small Business Act (15 U.S.C. 632).

SA 2799. Ms. SNOWE (for herself, Ms. LANDRIEU, Mr. COBURN, and Mr. KERRY) submitted an amendment intended to be proposed by her to the bill S. 3457, to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. ____ NATIONAL VETERANS BUSINESS DEVELOPMENT CORPORATION.

(a) IN GENERAL.—The Small Business Act (15 U.S.C. 631 et seq.) is amended by striking section 33 (15 U.S.C. 657c).

(b) CORPORATION.—On and after the date of enactment of this Act, the National Veterans Business Development Corporation and any successor thereto may not represent that the corporation is federally chartered or in any other manner authorized by the Federal Government.

(c) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) SMALL BUSINESS ACT.—The Small Business Act (15 U.S.C. 631 et seq.), as amended by this section, is amended—

(A) by redesignating sections 34 through 45 as sections 33 through 44, respectively;

(B) in section 9(k)(1)(D) (15 U.S.C. 638(k)(1)(D)), by striking “section 34(d)” and inserting “section 33(d)”;

(C) in section 33 (15 U.S.C. 657d), as so redesignated—

(i) by striking “section 35” each place it appears and inserting “section 34”;

(ii) in subsection (a)—

(I) in paragraph (2), by striking “section 35(c)(2)(B)” and inserting “section 34(c)(2)(B)”;

(II) in paragraph (4), by striking “section 35(c)(2)” and inserting “section 34(c)(2)”;

(III) in paragraph (5), by striking “section 35(c)” and inserting “section 34(c)”;

(iii) in subsection (h)(2), by striking “section 35(d)” and inserting “section 34(d)”;

(D) in section 34 (15 U.S.C. 657e), as so redesignated—

(i) by striking “section 34” each place it appears and inserting “section 33”;

(ii) in subsection (c)(1), by striking section “34(c)(1)(E)(ii)” and inserting section “33(c)(1)(E)(ii)”;

(E) in section 36(d) (15 U.S.C. 657i(d)), as so redesignated, by striking “section 43” and inserting “section 42”;

(F) in section 39(d) (15 U.S.C. 657l(d)), as so redesignated, by striking “section 43” and inserting “section 42”;

(G) in section 40(b) (15 U.S.C. 657m(b)), as so redesignated, by striking “section 43” and inserting “section 42”.

(2) TITLE 10.—Section 1142(b)(13) of title 10, United States Code, is amended by striking “and the National Veterans Business Development Corporation”.

(3) TITLE 38.—Section 3452(h) of title 38, United States Code, is amended by striking “any of the” and all that follows and inserting “any small business development center described in section 21 of the Small Business Act (15 U.S.C. 648), insofar as such center offers, sponsors, or cosponsors an entrepreneurship course, as that term is defined in section 3675(c)(2).”.

(4) FOOD, CONSERVATION, AND ENERGY ACT OF 2008.—Section 12072(c)(2) of the Food, Conservation, and Energy Act of 2008 (15 U.S.C. 636g(c)(2)) is amended by striking “section 43 of the Small Business Act, as added by this Act” and inserting “section 42 of the Small Business Act (15 U.S.C. 657o)”.

(5) VETERANS ENTREPRENEURSHIP AND SMALL BUSINESS DEVELOPMENT ACT OF 1999.—Section 203(c)(5) of the Veterans Entrepreneurship and Small Business Development Act of 1999 (15 U.S.C. 657b note) is amended by striking “In cooperation with the National Veterans Business Development Corporation, develop” and inserting “Develop”.

SA 2800. Mr. PORTMAN (for himself and Mr. BEGICH) submitted an amendment intended to be proposed by him to the bill S. 3457, to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes; which was ordered to lie on the table; as follows:

On page 18, between lines 5 and 6, insert the following:

SEC. 7. IDENTIFICATION OF UNCLAIMED AND ABANDONED HUMAN REMAINS.

(a) SENSE OF CONGRESS.—Congress recognizes the tireless work and dedication of the members of the Missing in America Project, in conjunction with numerous veterans service organizations, in identifying the unclaimed remains of veterans.

(b) IDENTIFICATION OF UNCLAIMED OR ABANDONED HUMAN REMAINS.—The Secretary of

Veterans Affairs shall cooperate with veterans service organizations to assist entities in possession of unclaimed or abandoned human remains in determining if any such remains are the remains of veterans or other individuals eligible for burial in a national cemetery.

(C) **BURIAL OF UNCLAIMED OR ABANDONED HUMAN REMAINS.**—

(1) **FUNERAL EXPENSES.**—Section 2302(a)(2) of title 38, United States Code, is amended by striking “who was a veteran of any war or was discharged or released from the active military, naval, or air service for a disability incurred or aggravated in line of duty, whose body is held by a State (or a political subdivision of a State), and”.

(2) **TRANSPORTATION COSTS.**—Section 2308 of such title is amended—

(A) by striking “Where a veteran” and all that follows through “compensation, the” and inserting “(a) IN GENERAL.—The”;

(B) in subsection (a), as designated by subparagraph (A), by inserting “described in subsection (b)” after “of the deceased veteran”; and

(C) by adding at the end the following new subsection:

“(b) **DECEASED VETERAN DESCRIBED.**—A deceased veteran described in this subsection is any of the following veterans:

“(1) A veteran who dies as the result of a service-connected disability.

“(2) A veteran who dies while in receipt of disability compensation (or who but for the receipt of retirement pay or pension under this title, would have been entitled to compensation).

“(3) A veteran whom the Secretary determines is eligible for funeral expenses under section 2302 of this title by virtue of the Secretary determining that the veteran has no next of kin or other person claiming the body of such veteran pursuant to subsection (a)(2)(A) of such section.”.

SA 2801. Ms. SNOWE submitted an amendment intended to be proposed by her to the bill S. 3457, to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

SEC. 10. DOMICILE REQUIREMENT FOR COMMERCIAL DRIVER'S LICENSE.

Section 31311(a)(12) of title 49, United States Code, is amended to read as follows:

“(12)(A) Except as provided in subparagraphs (B) and (C), the State may issue a commercial driver's license only to an individual who operates or will operate a commercial motor vehicle and is domiciled in the State.

“(B) Under regulations prescribed by the Secretary, the State may issue a commercial driver's license to an individual who—

“(i) operates or will operate a commercial motor vehicle; and

“(ii) is not domiciled in a State that issues commercial driver's licenses.

“(C) The State may issue a commercial driver's license to an individual who—

“(i) operates or will operate a commercial motor vehicle;

“(ii) is a member of the active duty military, military reserves, National Guard, active duty United States Coast Guard or Coast Guard Auxiliary; and

“(iii) is not domiciled in the State, but whose temporary or permanent duty station is located in the State.”.

SA 2802. Ms. SNOWE (for herself and Mr. BEGICH) submitted an amendment intended to be proposed by her to the bill S. 3457, to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. ____ SPECTRUM INCENTIVE AUCTION BIDDING CREDIT.

Not later than 180 days after the date of enactment of this Act, the Federal Communications Commission shall establish a program to promote the hiring of veterans by providing an eligible bidder in an incentive auction conducted under section 309(j)(8)(G) of the Communications Act of 1934 (47 U.S.C. 309(j)(8)(G)) a bidding credit if the workforce of the eligible bidder is comprised of not less than a minimum percentage of veterans to be determined by the Federal Communications Commission in consultation with the Secretary of Veterans Affairs.

SA 2803. Mr. BROWN of Ohio submitted an amendment intended to be proposed by him to the bill S. 3457, to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. ____ ADDITIONAL ASSISTANCE UNDER POST-9/11 EDUCATIONAL ASSISTANCE FOR VETERANS PURSUING A DEGREE IN SCIENCE, TECHNOLOGY, ENGINEERING, OR MATH.

(a) IN GENERAL.—Subchapter II of chapter 33 of title 38, United States Code, is amended by inserting after section 3316 the following new section:

“**§3316A. Additional educational assistance for veterans pursuing a degree in science, technology, engineering, or math**

“(a) IN GENERAL.—The Secretary shall pay to each individual entitled to educational assistance under this chapter who is pursuing a program of education described in subsection (b) an amount equal to \$2,000 per academic year, or fraction thereof for enrollment lasting less than one academic year. Amounts payable to an individual under this section are in addition to any other amounts payable to such individual under this chapter.

“(b) **COVERED PROGRAMS OF EDUCATION.**—A program of education described in this subsection is a program of education with a focus (as determined in accordance with regulations prescribed by the Secretary for purposes of this section) on science, technology, engineering, or math.

“(c) **FREQUENCY OF PAYMENT.**—Payment of the amount payable under subsection (a) shall be made in a lump-sum amount for the entire quarter, semester, or term, as applicable, of the program of education at the start of the commencement of such quarter, semester, or term.”.

(b) **CLERICAL AMENDMENT.**—The table of sections at the beginning of chapter 30 of such title is amended by inserting after the item relating to section 3020 the following new item:

“3316A. Additional educational assistance for veterans pursuing a degree in science, technology, engineering, or math.”.

SA 2804. Mr. PRYOR (for himself, Mr. BOOZMAN, and Mr. WYDEN) submitted

an amendment intended to be proposed by him to the bill S. 3457, to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes; which was ordered to lie on the table; as follows:

On page 18, between lines 5 and 6, insert the following:

SEC. 7. PROVISION OF STATUS UNDER LAW BY HONORING CERTAIN MEMBERS OF THE RESERVE COMPONENTS OF THE ARMED FORCES AS VETERANS.

(a) IN GENERAL.—Chapter 1 of title 38, United States Code, is amended by inserting after section 107 the following new section:

“**§107A. Honoring as veterans certain persons who performed service in the reserve components**

“Any person who is entitled under chapter 1223 of title 10 to retired pay for nonregular service or, but for age, would be entitled under such chapter to retired pay for nonregular service shall be honored as a veteran but shall not be entitled to any benefit by reason of this section.”.

(b) **CLERICAL AMENDMENT.**—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 107 the following new item:

“107A. Honoring as veterans certain persons who performed service in the reserve components.”.

SA 2805. Mr. PRYOR submitted an amendment intended to be proposed by him to the bill S. 3457, to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. ____ UNENFORCEABILITY OF AGREEMENTS TO ARBITRATE DISPUTES ARISING UNDER USERRA.

(a) IN GENERAL.—Subchapter III of chapter 43 of title 38, United States Code, is amended by adding at the end the following new section:

“**§4328. Unenforceability of agreements to arbitrate disputes**

“(a) **PROTECTION OF EMPLOYEE RIGHTS.**—Notwithstanding any other provision of law, any clause of an agreement between an employer and an employee that requires arbitration of a dispute arising under this chapter shall not be enforceable.

“(b) **EXCEPTIONS.**—(1) Subsection (a) shall not apply with respect to any dispute if, after such dispute arises, the parties involved knowingly and voluntarily agree to submit such dispute to arbitration.

“(2) Subsection (a) shall not preclude the enforcement of any of the rights or terms of a valid collective bargaining agreement.

“(c) **VALIDITY AND ENFORCEMENT.**—Any issue as to whether this section applies to an arbitration clause shall be determined by Federal law. Except as otherwise provided in chapter 1 of title 9, the validity or enforceability of an agreement to arbitrate referred to in subsection (a) or (b)(1) shall be determined by a court, rather than the arbitrator, regardless of whether the party resisting arbitration challenges the agreement to arbitrate specifically or in conjunction with other terms of the agreement.

“(d) **APPLICATION.**—This section shall apply with respect to all contracts and agreements between an employer and an employee in force before, on, or after the date of the enactment of this section.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 4327 the following new item:

“4328. Unenforceability of agreements to arbitrate disputes.”.

(c) APPLICATION.—The provisions of section 4328 of title 38, United States Code, as added by subsection (a), shall apply to—

(1) any failure to comply with a provision of or any violation of chapter 43 of title 38, United States Code, that occurs before, on, or after the date of the enactment of this Act; and

(2) to all actions or complaints filed under such chapter 43 that are pending on or after the date of the enactment of this Act.

SEC. ____ . EXPANSION OF EMPLOYMENT AND REEMPLOYMENT RIGHTS OF MEMBERS OF UNIFORMED SERVICES TO INCLUDE PROTECTION FOR ABSENCES FROM EMPLOYMENT FOR MEDICAL TREATMENT RELATING TO SERVICE-CONNECTED INJURIES AND ILLNESSES.

(a) IN GENERAL.—Section 4303(13) of title 38, United States Code, is amended by inserting “a period for which a person is absent from a position of employment for the purpose of medical or dental treatment for an injury or illness incurred or aggravated in line of duty during a period of service in the uniformed services,” after “for any such duty.”.

(b) FMLA.—

(1) RULE OF CONSTRUCTION.—For purposes of that section 4303(13) and each covered provision—

(A) the reference in that section 4303(13) to a period for which a person is absent from a position of employment for the purpose of medical or dental treatment shall not be considered to be a reference to a period of leave under a covered provision; and

(B) the person’s employer shall not designate the period of absence as such a period of leave, unless the person requests and obtains the leave under the corresponding covered provision.

(2) DEFINITION.—In this subsection, the term “covered provision” means—

(A) title I of the Family and Medical Leave Act of 1993 (29 U.S.C. 2601 et seq.), including the application of that title under the Congressional Accountability Act of 1995 (2 U.S.C. 1301 et seq.) and chapter 5 of title 3, United States Code; and

(B) subchapter V of chapter 63 of title 5, United States Code.

SEC. ____ . SUSPENSION, TERMINATION, OR DEBARMENT OF CONTRACTORS FOR REPEATED VIOLATIONS OF EMPLOYMENT OR REEMPLOYMENT RIGHTS OF MEMBERS OF UNIFORMED SERVICES.

(a) IN GENERAL.—Subchapter III of chapter 43 of title 38, United States Code, is further amended by adding at the end the following new section:

“§ 4329. Suspension, termination, or debarment of contractors

“(a) GROUNDS FOR SUSPENSION, TERMINATION, OR DEBARMENT.—Payment under a contract awarded by a Federal executive agency may be suspended and the contract may be terminated, and the contractor who made the contract with the agency may be suspended or debarred in accordance with the requirements of this section, if the head of the agency determines that the contractor as an employer has repeatedly failed or refused to comply with a provision of this chapter.

“(b) CONDUCT OF SUSPENSION, TERMINATION, AND DEBARMENT PROCEEDINGS.—A contracting officer who determines in writing that cause for suspension of payments, termination, or suspension or debarment exists shall initiate an appropriate action, to be conducted by the agency concerned in accordance with applicable law, including Executive Order 12549 or any superseding executive order, the Federal Acquisition Regulation, and any other regulations prescribed to implement the law or executive order.

“(c) EFFECT OF DEBARMENT.—A contractor debarred by a final decision under this section is ineligible for award of a contract by a Federal executive agency, and for participation in a future procurement by a Federal executive agency, for a period specified in the decision, not to exceed 5 years.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 43 of such title, as amended by section 2, is further amended by inserting after the item relating to section 4328, as added by such section, the following new item:

“4329. Suspension, termination, or debarment of contractor.”.

(c) REGULATIONS.—Not later than 180 days after the date of the enactment of this Act, the Federal Acquisition Regulatory Council shall amend the Federal Acquisition Regulation to carry out section 4329 of title 38, United States Code, as added by subsection (a).

(d) EFFECTIVE DATE.—Section 4329 of title 38, United States Code, as added by subsection (a), shall apply with respect to failures and refusals to comply with provisions of chapter 43 of such title occurring on or after the date of the enactment of this Act.

SA 2806. Mr. BOOZMAN submitted an amendment intended to be proposed by him to the bill S. 3457, to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. ____ . LIMIT ON AWARDS AND BONUSES TO EMPLOYEES OF THE DEPARTMENT OF VETERANS AFFAIRS.

For each of fiscal years 2013 through 2017, the Secretary of Veterans Affairs may not pay more than \$357,613,229 in awards or bonuses under chapter 45 or 53 of title 5, United States Code, or any other awards or bonuses authorized under such title.

TITLE II—TRANSFER OF CERTAIN EMPLOYMENT PROGRAMS

SEC. 201. TRANSFER OF DEPARTMENT OF LABOR VETERANS PROGRAMS TO DEPARTMENT OF VETERANS AFFAIRS.

(a) TRANSFER OF FUNCTIONS.—

(1) IN GENERAL.—Effective October 1, 2014, there shall be transferred to the Secretary of Veterans Affairs all functions performed under the following programs of the Department of Labor, and all personnel, assets, and liabilities pertaining to such programs, immediately before such transfer occurs:

(A) Job counseling, training, and placement services for veterans under chapter 41 of title 38, United States Code.

(B) Federal Government employment services by the Secretary of Labor under section 4214 of such title.

(C) Administration of employment and reemployment rights of members of the uniformed services under chapter 43 of such title.

(D) Homeless veterans reintegration programs under chapter 20 of such title.

(E) Employment and veterans benefits training under the Transition Assistance Program under section 1144 of title 10, United States Code.

(2) MEMORANDUMS OF AGREEMENT.—The Secretary of Veterans Affairs shall enter into memorandums of agreement with the Secretary of Labor and with States (as defined in section 4101(6) of title 38, United States Code), as the Secretary of Veterans Affairs determines necessary, to implement the transition of the programs specified under paragraph (1).

(3) RULE OF CONSTRUCTION.—Nothing in this title may be construed to affect the role and responsibility of the Secretary of Labor with respect to programs not administered by the Assistant Secretary of Labor for Veterans’ Employment and Training Service as of the day before the date of the enactment of this Act that are specified under paragraph (1).

(b) BUDGET REQUEST.—Under section 1105 of title 31, United States Code, the President shall include in the President’s budget request for the Department of Veterans Affairs for fiscal year 2015, and for each subsequent fiscal year, funding requested for the functions referred to in subsection (a)(1).

(c) REFERENCES.—Any reference in any other Federal law, Executive order, rule, regulation, or delegation of authority, or any document of or pertaining to a department or office from which a function is transferred by this title—

(1) to the head of such department or office is deemed to refer to the head of the department or office to which such function is transferred; or

(2) to such department or office is deemed to refer to the department or office to which such function is transferred.

(d) EXERCISE OF AUTHORITIES.—Except as otherwise provided by law, a Federal official to whom a function is transferred by this title may, for purposes of performing the function, exercise all authorities under any other provision of law that were available with respect to the performance of that function to the official responsible for the performance of the function immediately before the effective date of the transfer of the function under this title.

(e) SAVINGS PROVISIONS.—

(1) LEGAL DOCUMENTS.—All orders, determinations, rules, regulations, permits, grants, loans, contracts, agreements, certificates, licenses, and privileges—

(A) that have been issued, made, granted, or allowed to become effective by the President, the Secretary of Labor, the Secretary of Veterans Affairs, any officer or employee of any office transferred by this title, or any other Government official, or by a court of competent jurisdiction, in the performance of any function that is transferred by this title, and

(B) that are in effect on the effective date of such transfer (or become effective after such date pursuant to their terms as in effect on such effective date), shall continue in effect according to their terms until modified, terminated, superseded, set aside, or revoked in accordance with law by the President, any other authorized official, a court of competent jurisdiction, or operation of law.

(2) PROCEEDINGS.—This title shall not affect any proceedings or any application for any benefits, service, license, permit, certificate, or financial assistance pending on the date of the enactment of this Act before an office transferred by this title, but such proceedings and applications shall be continued. Orders shall be issued in such proceedings,

appeals shall be taken therefrom, and payments shall be made pursuant to such orders, as if this title had not been enacted, and orders issued in any such proceeding shall continue in effect until modified, terminated, superseded, or revoked by a duly authorized official, by a court of competent jurisdiction, or by operation of law. Nothing in this subsection shall be considered to prohibit the discontinuance or modification of any such proceeding under the same terms and conditions and to the same extent that such proceeding could have been discontinued or modified if this title had not been enacted.

(3) **SUITS.**—This title shall not affect suits commenced before the date of the enactment of this Act, and in all such suits, proceedings shall be had, appeals taken, and judgments rendered in the same manner and with the same effect as if this title had not been enacted.

(4) **NONABATEMENT OF ACTIONS.**—No suit, action, or other proceeding commenced by or against the Department of Labor or the Secretary of Labor, or by or against any individual in the official capacity of such individual as an officer or employee of an office transferred by this title, shall abate by reason of the enactment of this Act.

(5) **CONTINUANCE OF SUITS.**—If any Government officer in the official capacity of such officer is party to a suit with respect to a function of the officer, and under this title such function is transferred to any other officer or office, then such suit shall be continued with the other officer or the head of such other office, as applicable, substituted or added as a party.

(6) **ADMINISTRATIVE PROCEDURE AND JUDICIAL REVIEW.**—Except as otherwise provided by this title, any statutory requirements relating to notice, hearings, action upon the record, or administrative or judicial review that apply to any function transferred by this title shall apply to the exercise of such function by the head of the Federal agency, and other officers of the agency, to which such function is transferred by this title.

(f) **TRANSFER OF ASSETS.**—Except as otherwise provided in this title, so much of the personnel, property, records, and unexpended balances of appropriations, allocations, and other funds employed, used, held, available, or to be made available in connection with a function transferred to an official or agency by this title shall be available to the official or the head of that agency, respectively, at such time or times as the Director of the Office of Management and Budget directs for use in connection with the functions transferred.

(g) **DELEGATION AND ASSIGNMENT.**—Except as otherwise expressly prohibited by law or otherwise provided in this title, an official to whom functions are transferred under this title (including the head of any office to which functions are transferred under this title) may delegate any of the functions so transferred to such officers and employees of the office of the official as the official may designate, and may authorize successive re-delegations of such functions as may be necessary or appropriate. No delegation of functions under this section or under any other provision of this title shall relieve the official to whom a function is transferred under this title of responsibility for the administration of the function.

(h) **AUTHORITY OF DIRECTOR OF THE OFFICE OF MANAGEMENT AND BUDGET WITH RESPECT TO FUNCTIONS TRANSFERRED.**—

(1) **DETERMINATIONS.**—If necessary, the Director of Management and Budget shall make any determination of the functions that are transferred under this title.

(2) **INCIDENTAL TRANSFERS.**—The Director, at such time or times as the Director shall provide, may make such determinations as may be necessary with regard to the functions transferred by this title, and to make such additional incidental dispositions of personnel, assets, liabilities, grants, contracts, property, records, and unexpended balances of appropriations, authorizations, allocations, and other funds held, used, arising from, available to, or to be made available in connection with such functions, as may be necessary to carry out the provisions of this title. The Director shall provide for the termination of the affairs of all entities terminated by this title and for such further measures and dispositions as may be necessary to effectuate the purposes of this title.

(i) **CERTAIN VESTING OF FUNCTIONS CONSIDERED TRANSFERS.**—For purposes of this title, the vesting of a function in a department or office pursuant to reestablishment of an office shall be considered to be the transfer of the function.

(j) **AVAILABILITY OF EXISTING FUNDS.**—Existing appropriations and funds available for the performance of functions, programs, and activities terminated pursuant to this title shall remain available, for the duration of their period of availability, for necessary expenses in connection with the termination and resolution of such functions, programs, and activities.

(k) **DEFINITIONS.**—For purposes of this title—

(1) the term “function” includes any duty, obligation, power, authority, responsibility, right, privilege, activity, or program; and

(2) the term “office” includes any office, administration, agency, bureau, institute, council, unit, organizational entity, or component thereof.

SEC. 202. DEPUTY UNDER SECRETARY OF VETERANS AFFAIRS FOR VETERANS' EMPLOYMENT AND TRAINING.

(a) **IN GENERAL.**—Subsection (a) of section 4102A of title 38, United States Code, is amended to read as follows:

“(a) **DEPUTY UNDER SECRETARY FOR VETERANS' EMPLOYMENT AND TRAINING.**—There is established within the Department a Deputy Under Secretary for Veterans' Employment and Training, who shall formulate and implement all departmental policies and procedures to carry out the purposes of this chapter, chapter 20, and chapter 43 of this title and the Transition Assistance Program under section 1144 of title 10, United States Code.”.

(b) **CLERICAL AMENDMENTS.**—Chapter 41 of title 38, United States Code, is amended as follows:

(1) The section heading of section 4102A of such title is amended to read as follows:

“§ 4102A. Deputy Under Secretary for Veterans' Employment and Training; program functions; Regional Administrators”.

(2) The item relating to such section in the table of sections at the beginning of such chapter is amended to read as follows:

“4102A. Deputy Under Secretary for Veterans' Employment and Training; program functions; Regional Administrators.”.

(c) **EFFECTIVE DATE.**—The amendments made by this section shall take effect on October 1, 2014.

SEC. 203. CONSOLIDATION OF DISABLED VETERANS OUTREACH PROGRAM AND LOCAL VETERANS' EMPLOYMENT REPRESENTATIVES.

(a) **CONSOLIDATION.**—

(1) **IN GENERAL.**—Section 4104 of title 38, United States Code, is amended to read as follows:

“§ 4104. Veteran employment specialists

“(a) **REQUIREMENT FOR EMPLOYMENT BY STATES.**—(1) Subject to approval by the Secretary, a State shall employ and assign such full- or part-time veteran employment specialists in an agency of the State as the State determines appropriate and efficient to carry out the following:

“(A) Employment, training, and placement services under this chapter.

“(B) Intensive services under this chapter to meet the employment needs of eligible veterans with the following priority in the provision of services:

“(i) Special disabled veterans.

“(ii) Other disabled veterans.

“(iii) Other eligible veterans in accordance with priorities determined by the Secretary taking into account applicable rates of unemployment and the employment emphases set forth in chapter 42 of this title.

“(2) In the provision of services in accordance with this subsection, maximum emphasis in meeting the employment and training needs of veterans shall be placed on assisting economically or educationally disadvantaged veterans.

“(b) **PRINCIPAL DUTIES.**—As principal duties, veteran employment specialists shall—

“(1) conduct outreach to employers in the area to assist veterans and disabled veterans in gaining employment, including conducting seminars for employers and, in conjunction with employers, conducting job search workshops and establishing job search groups; and

“(2) facilitate employment, training, and placement services furnished to veterans and disabled veterans in a State under the applicable State employment service delivery systems.

“(c) **REQUIREMENT FOR QUALIFIED VETERANS.**—(1) Except as provided by paragraph (2), a State shall, to the maximum extent practicable, employ qualified veterans to carry out the services referred to in subsection (a). Preference shall be given in the appointment of such specialists to qualified disabled veterans. Preference shall be accorded in the following order:

“(A) To qualified service-connected disabled veterans.

“(B) If no veteran described in subparagraph (A) is available, to qualified eligible veterans.

“(C) If no veteran described in subparagraph (A) or (B) is available, then to qualified eligible persons.

“(2) During any period in which more than 10 percent of the individuals employed to carry out the services referred to in subsection (a) are non-veterans, the preference accorded under paragraph (1) shall be as follows:

“(A) To qualified service-connected disabled veterans.

“(B) If no veteran described in subparagraph (A) is available, to qualified eligible veterans.

“(3)(A) Each State that employs a veteran employment specialist under this section shall submit to the Secretary an annual report on the qualifications used by the State in making hiring determinations for such specialists and the salary structure under which such specialists are compensated.

“(B) The Secretary shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives an annual report summarizing the reports submitted under subparagraph (A).

“(C) The first report submitted by the Secretary under subparagraph (B) shall include an evaluation of whether the pay for veteran employment specialists should be scheduled on a standard basis for each State and include locality pay.”

“(d) PART-TIME EMPLOYEES.—A part-time veteran employment specialist shall perform the functions of a veteran employment specialist under this section on a halftime basis.”

“(e) REPORTING.—Each veteran employment specialist shall be administratively responsible to the manager of the employment service delivery system and shall provide reports, not less frequently than quarterly, to the manager of such office and to the Director for Veterans’ Employment and Training for the State regarding compliance with Federal law and regulations with respect to special services and priorities for eligible veterans and eligible persons.”

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by striking the item relating to section 4104 and inserting the following new item:

“4104. Veteran employment specialists.”

(3) TRAINING.—The Secretary of Veterans Affairs shall ensure that an individual who is a veteran employment specialist under section 4104 of title 38, United States Code, as amended by paragraph (1), is properly trained to carry out the duties of such position.

(b) CONFORMING AMENDMENTS.—Such title is further amended—

(1) by striking section 4103A and by striking the item relating to such section in the table of sections at the beginning of chapter 41 of such title;

(2) in section 4102A—

(A) in subsection (b)—

(i) in paragraph (5)—

(I) by striking subparagraph (B) and redesignating subparagraph (C) as subparagraph (B);

(II) by amending subparagraph (A) to read as follows:

“(A) veteran employment specialists appointed under section 4104(a) of this title; and”;

(III) in subparagraph (B), as so redesignated, by striking “such specialists and representatives described in subparagraphs (A) and (B)” and inserting “such representatives described in subparagraph (A)”;

(ii) in paragraph (7), by striking “disabled veterans’ outreach program specialists and through local veterans’ employment representatives” and inserting “veteran employment specialists”;

(B) in subsection (c)—

(i) in paragraph (1)—

(I) by striking “sections 4103A(a) and” and inserting “section”; and

(II) by striking “section 4103A or”;

(ii) in paragraph (2)(A)—

(I) in clause (i)(I)—

(aa) by striking “disabled veterans’ outreach program specialists and local veterans’ employment representatives” and inserting “veteran employment specialists”; and

(bb) by striking “sections 4103A and 4104” and inserting “section 4104”;

(II) in clause (iii), by striking “disabled veterans’ outreach program specialist or a local veterans’ employment representative” and inserting “veteran employment specialist”;

(iii) in paragraph (4), by striking “4103A or”;

(iv) in paragraph (5), by striking “disabled veterans’ outreach program specialist and local veterans’ employment representative”

and inserting “veteran employment specialist”;

(v) in paragraph (7), by striking “4103A or”; and

(vi) in paragraph (8)(A)—

(I) by striking “4103A or”; and

(II) by striking “disabled veterans’ outreach program specialist or a local veterans’ employment representative” and inserting “veteran employment specialist”; and

(C) in subsection (f)(1), by striking “disabled veterans’ outreach program specialists and local veterans’ employment representatives” and inserting “veteran employment specialists”;

(3) in section 4109(a), by striking “disabled veterans’ outreach program specialists, local veterans’ employment representatives” and inserting “veteran employment specialists”;

(4) in section 4112(d)—

(A) in paragraph (1), by striking “disabled veterans’ outreach program specialist” and inserting “veteran employment specialist”; and

(B) by striking paragraph (2) and redesignating paragraph (3) as paragraph (2); and

(5) in section 3672(d)(1), by striking “disabled veterans’ outreach program specialists under section 4103A” and inserting “veteran employment specialists appointed under section 4104(a)”.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2014.

SEC. 204. ADDITIONAL TECHNICAL AND CONFORMING AMENDMENTS.

(a) CHAPTER 41.—Chapter 41 of title 38, United States Code, as amended by this title, is further amended as follows:

(1) By striking “Assistant Secretary of Labor for Veterans’ Employment and Training” each place it appears and inserting “Deputy Under Secretary for Veterans’ Employment and Training”.

(2) By striking “Department of Labor” each place it appears and inserting “Department”.

(3) By striking “Secretary of Labor” each place it appears and inserting “Secretary”.

(4) In section 4101, by striking paragraph (8).

(5) In section 4102A(b)—

(A) in paragraph (1), by striking “such Assistant Secretary” and inserting “such Deputy Under Secretary”; and

(B) in paragraph (3), by striking “and consulting with the Secretary of Veterans Affairs”.

(6) In section 4105(b), by striking “and the Secretary of Veterans Affairs” both places it appears.

(7) In section 4106(a), by striking “chapters 42 and” and inserting “chapter”.

(8) By striking section 4108.

(9) In the table of sections at the beginning of such chapter, by striking the item relating to section 4108.

(10) In section 4110(d), by striking paragraph (1) and redesignating paragraphs (2) through (6) as paragraphs (1) through (5), respectively.

(11) In section 4110A(b), by striking “Congress” and inserting “the Committees on Veterans’ Affairs of the Senate and House of Representatives”.

(12) In subsections (b) through (h) of section 4114, by striking “Assistant Secretary” each place it appears and inserting “Deputy Under Secretary”.

(b) CHAPTER 42.—Chapter 42 of title 38, United States Code, is amended as follows:

(1) In section 4212(c), by striking “include as part” and inserting “shall transmit to the Secretary of Veterans Affairs for inclusion as part”.

(2) In section 4215(d)(1)—

(A) by striking “In the” and inserting “For inclusion as part of the”; and

(B) by striking “shall evaluate” and inserting “shall transmit to the Secretary of Veterans Affairs an evaluation of”.

(c) CHAPTER 43.—Chapter 43 of title 38, United States Code, is amended as follows:

(1) In section 4303, by striking paragraph (11).

(2) By striking “Secretary of Veterans Affairs” each place it appears and inserting “Secretary”.

(3) In section 4321, by striking “(through the Veterans’ Employment and Training Service)”.

(4) In section 4332(a)(1), by striking “of Labor”.

(5) In section 4333, by striking “, the Secretary of Defense, and the Secretary of Veterans Affairs” and inserting “and the Secretary of Defense”.

(d) CHAPTER 20.—Chapter 20 of title 38, United States Code, is amended as follows:

(1) In section 2003(a)(4), by striking “of the Department of Labor”.

(2) In section 2011(g)(2), by striking “the Department of Labor,”.

(3) In section 2021—

(A) by striking “Secretary of Labor” each place it appears and inserting “Secretary”;

(B) in subsection (c)—

(i) by striking the subsection heading and inserting the following:

“(c) ADMINISTRATION THROUGH DEPUTY UNDER SECRETARY FOR VETERANS’ EMPLOYMENT AND TRAINING.—”; and

(ii) by striking “Assistant Secretary of Labor for Veterans’ Employment and Training” and inserting “Deputy Under Secretary for Veterans’ Employment and Training”.

(4) In section 2021A—

(A) by striking “Secretary of Labor” each place it appears and inserting “Secretary”;

(B) in subsection (d)—

(i) by striking the subsection heading and inserting the following:

“(d) ADMINISTRATION THROUGH DEPUTY UNDER SECRETARY FOR VETERANS’ EMPLOYMENT AND TRAINING.—”; and

(ii) by striking “Assistant Secretary of Labor for Veterans’ Employment and Training” and inserting “Deputy Under Secretary for Veterans’ Employment and Training”.

(5) In Section 2023—

(A) in subsection (a), by striking “and the Secretary of Labor (hereinafter in this section referred to as the ‘Secretaries’)”; and

(B) by striking “Secretaries” each place it appears and inserting “Secretary”.

(6) In section 2065(b)(5), by striking subparagraph (E) and redesignating subparagraphs (F) through (H) as subparagraphs (E) through (G), respectively.

(7) In section 2066(a)(3), by striking subparagraph (A) and redesignating subparagraphs (B) through (G) as subparagraphs (A) through (F), respectively.

(e) OTHER PROVISIONS OF TITLE 38.—Title 38, United States Code, is further amended as follows:

(1) In section 542(a)(2)(B), by striking clause (i) and redesignating clauses (ii) and (iii) as clauses (i) and (ii), respectively.

(2) In section 544(a)(2)(B), by striking clause (i) and redesignating clauses (ii) through (vi) as clauses (i) through (v), respectively.

(3) In section 3118(b), by striking “and the Assistant Secretary for Veterans’ Employment in the Department of Labor”.

(4) In section 3119(c), by striking “Education, the Assistant Secretary for Veterans’ Employment in the Department of Labor,”.

(5) In section 3121(a)(3)—

(A) by striking “, (B)” and inserting “and (B)”;

(B) by striking “, and (C) one representative of the Assistant Secretary of Labor for Veterans’ Employment and Training of the Department of Labor. (b) The Secretary shall, on a regular basis, consult with and seek the advice of the Committee with respect to the administration of veterans’ rehabilitation programs under this title”.

(6) In section 3692(a), by striking “and the Assistant Secretary of Labor for Veterans’ Employment and Training shall be ex officio members” and inserting “an ex officio member”.

(7) In section 6306—

(A) in subsection (a), by striking “shall arrange with the Secretary of Labor for the State employment service to match” and inserting “shall ensure that the State employment service matches”; and

(B) in subsection (b), by striking “, in consultation with the Secretary of Labor.”.

(f) TITLE 10.—

(1) TAP PROGRAM.—Section 1144 of title 10, United States Code, is amended—

(A) by striking “Secretary of Labor” each place it appears and inserting “Secretary of Veterans Affairs”;

(B) in subsection (a)—

(i) in paragraph (1), by striking “, the Secretary of Homeland Security, and the Secretary of Veterans Affairs” and inserting “and the Secretary of Homeland Security”; and

(ii) in paragraph (2), by striking “, the Secretary of Homeland Security, and the Secretary of Veterans Affairs shall cooperate with the Secretary of Labor” and inserting “and the Secretary of Homeland Security shall cooperate with the Secretary of Veterans Affairs”;

(C) in subsection (d)(1), by striking “Department of Labor to” and inserting “Department of Veterans Affairs to”; and

(D) in the heading, by striking “: Department of Labor”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 58 of title 10, United States Code, is amended by striking the item relating to section 1144 and inserting the following new item:

“1144. Employment assistance, job training assistance, and other transitional services.”.

(g) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2014.

SEC. 205. STUDY AND REPORT ON TRANSFER OF PROGRAMS.

(a) STUDY.—The Secretary of Veterans Affairs and the Secretary of Labor shall jointly conduct a study on implementing—

(1) the transfer of functions under section 201; and

(2) the amendments made by this title.

(b) MATTERS INCLUDED.—The study conducted under subsection (a) shall include the following:

(1) A comprehensive discussion of the improvements to services for veterans made by the transfer of functions under section 201.

(2) An analysis of the personnel, assets, and liabilities of the Department of Labor and the Department of Veterans Affairs that would be involved in such transfer.

(3) An analysis of the Deputy Under Secretary for Veterans’ Employment and Training established under section 4102A(a) of title 38, United States Code, as amended by this title, including—

(A) an explanation of where such position would exist within the organization chart of the Department;

(B) to whom such position would report to; and

(C) the functions that would be carried out by such a position.

(4) A detailed estimate of the cost to the Federal Government to implement such transfer, including any costs or savings resulting from—

(A) carrying out such implementation; and

(B) the Secretary of Veterans Affairs carrying out the functions so transferred.

(5) A plan to implement such transfer, including—

(A) a detailed time line of such implementation;

(B) a list of the rules, regulations, and laws in effect on the date of the study that would need to be revised for such implementation;

(C) a list of the memorandums of agreement entered into with Federal or State departments or agencies that would need to be revised for such implementation;

(D) a detailed description of how to effectively enforce the administration of employment and employment rights of members of the uniformed services under chapter 43 of title 38, United States Code, during such implementation; and

(E) how the transfer of employees will be implemented, including—

(i) options available to employees who do not want to be transferred;

(ii) the locations of where former Department of Labor employees will be assigned in the Department of Veterans Affairs; and

(iii) any organizational changes required in the Department of Veterans Affairs to accommodate such new employees.

(6) A detailed plan to train employees who carry out activities under section 4104 of title 38, United States Code, to carry out the functions so transferred, including—

(A) how current training manuals would need to be revised;

(B) whether the Secretary of Veterans Affairs or the Secretary of Labor would have responsibility for any such revision; and

(C) where such employees would be located.

(7) Any other issues the Secretaries consider appropriate.

(c) REPORT.—Not later than one year after the date of the enactment of this title, the Secretaries shall jointly submit to the Committees on Veterans’ Affairs of the House of Representatives and the Senate a report on the study conducted under subsection (a), including—

(1) the recommendation of each Secretary as to best implement the transfer of functions described in such study;

(2) the advantages and disadvantages of such transfer;

(3) a list of regulatory and statutory actions required to implement such transfer that are not included under this title;

(4) the amount of time each Secretary determines necessary to carry out such transfer;

(5) whether, to carry out such transfer, any interoperability capabilities will need to be developed to electronically exchange information between the Department of Veterans Affairs and employees who were formerly under the Department of Labor before such transfer;

(6) whether each Secretary plans to continue collaborating with the other Secretary after such transfer is completed, including an explanation of such planned collaboration;

(7) an estimate of the training required to carry out the functions so transferred, including the number of employees requiring training and for which programs; and

(8) any other matters the Secretaries consider appropriate.

SA 2807. Mr. BROWN, of Ohio (for himself, Mr. SANDERS, and Mr. BEGICH) submitted an amendment intended to be proposed by him to the bill S. 3457, to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes; which was ordered to sit on the table; as follows:

On page 23, after line 20, add the following:

SEC. 10. ACCESS TO NATIONAL WAR MEMORIALS BY TOURS ORGANIZED BY VETERANS SERVICE ORGANIZATIONS.

The Secretary of Veterans Affairs and the Secretary of the Interior (acting through the Director of the National Park Service) shall jointly—

(1) establish procedures for veterans service organizations to register for annual visitor passes to the Korean War Veterans Memorial, National World War II Memorial, and the Vietnam Veterans Memorial that would facilitate veterans service organizations in bringing groups of veterans and immediate family members of the veterans to visit those memorials; and

(2) provide for a reduction or waiver of the visitor fees, and a reduction in the paperwork requirements, applicable to veterans service organizations in bringing groups of veterans and immediate family members of the veterans to visit the memorials described in paragraph (1).

SA 2808. Mr. REID proposed an amendment to amendment SA 2789 proposed by Mrs. MURRAY to the bill S. 3457, to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes; as follows:

At the end, add the following new section: Sec. ____.

This Act shall become effective 7 days after enactment.

SA 2809. Mr. REID proposed an amendment to amendment SA 2808 proposed by Mr. REID to the amendment SA 2789 proposed by Mrs. MURRAY to the bill S. 3457, to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes; as follows:

In the amendment, strike “7 days” and insert “6 days”.

SA 2810. Mr. REID proposed an amendment to the bill S. 3457, to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes; as follows:

At the end, add the following new section: Sec. ____.

This Act shall become effective 5 days after enactment.

SA 2811. Mr. REID proposed an amendment to amendment SA 2810 proposed by Mr. REID to the bill S. 3457, to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes; as follows:

In the amendment, strike “5 days” and insert “4 days”.

SA 2812. Mr. REID proposed an amendment to the bill S. 3457, to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes; as follows:

At the end, add the following new section:
 Sec. ____.
 This Act shall become effective 3 days after enactment.

SA 2813. Mr. REID proposed an amendment to amendment SA 2812 proposed by Mr. REID to the bill S. 3457, to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes; as follows:

In the amendment, strike "3 days" and insert "2 days".

SA 2814. Mr. REID proposed an amendment to amendment SA 2813 proposed by Mr. REID to the amendment SA 2812 proposed by Mr. REID to the bill S. 3457, to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes; as follows:

In the amendment, strike "2 days" and insert "1 day".

SA 2815. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 3457, to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . LIMITATION OF FOREIGN ASSISTANCE TO LIBYA AND EGYPT.

(a) **PROHIBITION.**—Except as provided under subsection (b), no amounts may be obligated or expended to provide any direct United States assistance, loan guarantee, or debt relief to the Government of Egypt or the Government of Libya.

(b) **WAIVER AND CERTIFICATION.**—Beginning 60 days after the date of the enactment of this Act, the President may waive the prohibition under subsection (a) with respect to the Government of Libya or the Government of Egypt if the President certifies to Congress that—

(1) the Government is cooperating or has cooperated fully with investigations into the September 11, 2012, attack on the United States consulate in Benghazi, Libya, or the September 11, 2012, attack on the United States Embassy in Cairo, Egypt, as the case may be; and

(2) all identifiable persons associated with organizing, planning, or participating in the attack—

(A) have been identified by the Federal Bureau of Investigations and

(B) are in the custody of the United States Government.

(c) **REPORT ON UNSECURED WEAPONS IN LIBYA.**—Not later than 90 days after the date of the enactment of this Act, the President shall submit a report to Congress examining the extent to which advanced weaponry remaining unsecured after the fall of Moammar Qaddafi was used by the individuals responsible for the September 11, 2012, attack on the United States consulate in Benghazi, Libya.

(d) **RULE OF CONSTRUCTION.**—Nothing in this section may be construed as an authorization for the use of military force.

SA 2816. Ms. COLLINS (for herself, Mr. LIEBERMAN, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by her to the bill S. 3457, to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes; which was ordered to lie on the table.

At the end, add the following:

SEC. 10. PRESCRIPTION DRUG TAKE-BACK PROGRAM FOR MEMBERS OF THE ARMED FORCES, THEIR DEPENDENTS, AND VETERANS.

(a) **PROGRAM FOR MEMBERS OF THE ARMED FORCES AND DEPENDENTS.**—The Secretary of Defense and the Attorney General shall jointly carry out a program (commonly referred to as a "prescription drug take-back program") under which members of the Armed Forces and dependents of members of the Armed Forces may deliver controlled substances to military medical treatment facilities to be disposed of in accordance with section 302(g) of the Controlled Substances Act (21 U.S.C. 822(g)).

(b) **PROGRAM FOR VETERANS.**—The Secretary of Veterans Affairs and the Attorney General shall jointly carry out a program under which veterans may deliver controlled substances to be disposed of in accordance with section 302(g) of the Controlled Substances Act.

(c) **PROGRAM ELEMENTS.**—The programs required by this section shall provide for the following:

(1) In the case of the program required by subsection (a), the delivery of controlled substances under the program to such members of the Armed Forces, medical professionals, and other employees of the Department of Defense, and to such other acceptance mechanisms, as the Secretary of Defense and the Attorney General jointly specify for purposes of the program.

(2) In the case of the program required by subsection (b), the delivery of controlled substances under the program to such employees of the Veterans Health Administration of the Department of Veterans Affairs, and to such other acceptance mechanisms, as the Secretary of Veterans Affairs and the Attorney General jointly specify for purposes of the program.

(3) Appropriate guidelines and procedures to prevent the diversion, misuse, theft, or loss of controlled substances delivered under such programs.

NOTICE OF HEARING

SUBCOMMITTEE ON WATER AND POWER

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Subcommittee on Water and Power of the Committee on Energy and Natural Resources. The hearing will be held on Wednesday, September 19, 2012, at 9:30 a.m., in room SD-366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of this hearing will be to hear testimony on four items:

S. 3265, a bill to amend the Federal Power Act to remove the authority of the Federal Energy Regulatory Commission to collect land use fees for land that has been sold, exchanged, or otherwise transferred from Federal owner-

ship but that is subject to a power site reservation;

H.R. 2842, Bureau of Reclamation Small Conduit Hydropower Development and Rural Jobs Act of 2012;

S. 3464, Mni Wiconi Project Act Amendments of 2012; and

S. 3483, Crooked River Collaborative Water Security Act.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510-6150, or by email to Meagan Gins@energy.senate.gov.

For further information, please contact Sara Tucker at (202) 224-6224 or Meagan Gins at (202) 224-0883.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on September 12, 2012, at 2 p.m. in room 253 of the Russell Senate Office Building. The Committee will conduct a hearing entitled, "The Path from LEO to Mars."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on September 12, 2012, at 9:30 a.m., in room 366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS AND SUBCOMMITTEE ON CLEAN AIR AND NUCLEAR SAFETY

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works and the Subcommittee on Clean Air and Nuclear Safety be authorized to meet during the session of the Senate on September 12, 2012, at 10 a.m. in Dirksen 406 to conduct a hearing entitled, "Oversight Hearing: NRC's Implementation of Recommendations for Enhancing Nuclear Reactor Safety in the 21st Century."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on September 12, 2012, at 10 a.m., to conduct a hearing entitled, "Update on the Crisis in Syria and Iran".

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on September 12, 2012, at 2:45 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on September 12, 2012, at 10 a.m. to conduct a hearing entitled "Moving from Scandal to Strategy: The Future of the General Services Administration."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on September 12, 2012, at 10 a.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "The Citizens United Court and the Continuing Importance of the Voting Rights Act."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON VETERANS' AFFAIRS

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session on September 12, 2012, in room 418 of the Senate Russell Office Building beginning at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that Andrea Chapman, Claire Green, Sarah Weaver, Sterling Laudon, Owen Haacke, James Mathis, and Joseph Steffens, staff of the Finance Committee, be granted the privilege of the floor for the remainder of the 112th Congress.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. LIEBERMAN. Mr. President, I ask unanimous consent that Robert Morus, an intern in the office of the Senator from Oregon, be granted the privilege of the floor for the balance of the day.

The PRESIDING OFFICER. Without objection, it is so ordered.

ACCEPTING AND DEPICTING FREDERICK DOUGLASS STATUE

Mr. REID. I ask unanimous consent that the Senate proceed to the consideration of H.R. 6336.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 6336) to direct the Joint Committee on the Library to accept a statue depicting Frederick Douglass from the District of Columbia and to provide for the permanent display of the statue in Emancipation Hall of the United States Capitol.

There being no objection, the Senate proceeded to consider the bill.

Mr. DURBIN. Mr. President, the statues and busts in the U.S. Capitol depicting distinguished Americans number more than 120. However, among the collection are only two African Americans, Dr. Martin Luther King, Jr. and Sojourner Truth. This disparity fails to acknowledge the historically significant contributions of African Americans to our Nation. I am pleased that passage of H.R. 6336 today begins to address this need to display in the U.S. Capitol the statues and busts of outstanding African Americans whose contributions to the country deserve such recognition.

In my fiscal year 2013 Senate Financial Services and General Government appropriations bill reported by the committee on June 14, I included a provision to permit the District of Columbia to donate and the Joint Committee on the Library to accept a statue of Frederick Douglass for placement in the United States Capitol. All costs of the transportation and placement of the statue would be borne by the District of Columbia. Subsequently, I joined Senator SCHUMER in introducing a free-standing resolution for acquisition of the Douglass statue. The House acted on its own measure and unanimously approved it earlier this week.

Frederick Douglass was one of the most influential orators and writers of the 19th century, an advocate for abolitionism, women's suffrage, and the equality of all people. He worked tirelessly on behalf of emancipation. As a pivotal figure in Underground Railroad activities, he was an inspiration to enslaved Americans who aspired to freedom and equal rights.

As one of our Nation's most powerful voices for justice and the equality of all people, Frederick Douglass' writings and teachings still speak to Americans today. Moving a statue of Frederick Douglass to the Emancipation Hall not only will recognize the accomplishments of one of the most important political activists in American history, it also will help correct the imbalance of influential African Americans honored in the halls of our Nation's Capitol.

It is particularly fitting that this long overdue legislation will be enacted near the commemoration of the

150th anniversary of President Abraham Lincoln's signing of the preliminary proclamation on September 22, 1862, that paved the way for the Emancipation Proclamation to be signed on January 1, 1863.

Mr. SCHUMER. Mr. President, I rise today to praise my Senate and House colleagues for passing H.R. 6336, a bill that will allow a statue of American hero and Rochester resident, Frederick Douglass, to reside permanently in the U.S. Capitol. I am proud that after a 5-year delay, Congress is acting to ensure that millions of visitors who come to Washington every year will see Frederick Douglass among the pantheon of statues of great Americans in our Capitol.

I want to thank my good friend and colleague Senator DICK DURBIN for working with me and co-sponsoring the Senate bill that would ultimately lead to the passage of H.R. 6336. I also want to thank Representatives LUNGREN and BRADY for their bipartisan support in the House that helped bring this bill to the Senate for final passage. Lastly, I want to especially thank Delegate NORTON for her tireless efforts towards bringing the statue of this great American to our Capitol.

Bringing Frederick Douglass to the U.S. Capitol is an important step toward ensuring that Americans depicted in the art of the Capitol reflect the true heritage of our Nation and the people who have helped to make it great. Currently there are only two African Americans depicted in the U.S. Capitol: Sojourner Truth in Emancipation Hall and the Rev. Martin Luther King, Jr. in the Rotunda. There is little doubt that more needs to be done to make sure that a greater diversity of outstanding Americans is represented in the U.S. Capitol. There is no doubt that a statue of Frederick Douglass, a man of towering influence not only during his lifetime in the 19th century but also, through his writings and actions, to the present day, has earned a place in our Capitol.

He was born into slavery in Maryland, and at the age of 20 escaped to freedom. After living in Massachusetts, he moved to Rochester, NY, where he spent 25 highly productive and influential years and gained prominence as a leading national voice for the causes of human freedom and equality.

During his time in Rochester, he published and edited *The North Star*, the most prominent African American newspaper in the country. Douglass was also a leader in the Underground Railroad in Rochester and Western New York. His influential best-selling autobiography, *Narrative of the Life of Frederick Douglass*, served as a rallying cry for the abolitionist movement and helped bring an end to that cruel institution.

During the Seneca Falls Convention, a historic gathering near Geneva, NY,

to promote women's rights in 1848, Douglass participated as the only African American and one of only 37 men out of 300 attendees. Douglass' presence at the convention in Seneca Falls visibly displayed his belief that the women's rights movement and that of emancipation went hand-in-hand. Douglass' beliefs on equality helped shape our great country and inspired generations of men and women elected to serve here in the halls of Congress. The passage of H.R. 6336 rightfully guarantees that Douglass' legacy will forever be recognized in the Capitol of a grateful Nation.

Mr. REID. I ask unanimous consent that the bill be read three times and passed, the motion to reconsider be laid upon the table, with no intervening action or debate, and any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 6336) was ordered to a third reading, was read the third time, and passed.

COMMENDING THE FOUR AMERICAN PUBLIC SERVANTS WHO DIED IN BENGHAZI, LIBYA, INCLUDING AMBASSADOR J. CHRISTOPHER STEVENS, AND CONDEMNING THE VIOLENT ATTACK OF THE UNITED STATES CONSULATE IN BENGHAZI

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 551.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 551) commending the 4 American public servants who died in Benghazi, Libya, including Ambassador J. Christopher Stevens, for their tireless efforts on behalf of the American people, and condemning the violent attack on the United States consulate in Benghazi.

There being no objection, the Senate proceeded to consider the resolution.

Mr. KERRY. Mr. President, the deaths of Ambassador Stevens and his team are heartbreaking. It is easy for a lot of people to forget that our diplomats are on the frontlines of the world's most dangerous places and they are there trying to make the world a safer and better place at great risk to themselves and their families.

Chris Stevens was all that and more. He was a foreign service professional down to his toes, a guy who had served on the Foreign Relations Committee and embraced tough odds and tough assignments overseas. He had the guts and grit to serve as our envoy during the rebellion, and his presence there reminded Libyans that America stood with them for freedom in the face of violence. He was continuing that noble work as Ambassador with enormous skill.

He was an important part of the work we are doing in Libya, and we will not let this deplorable violence turn back the progress he helped make possible. Let's remember that Libyans fought to protect the consulate and rescue the Americans inside, and that Libyans took Chris to a hospital in a desperate and potentially dangerous attempt to save his life. Indeed, the best way to honor his memory and that of the four American public servants who perished in Benghazi is to continue their work. The United States must continue to support the aspirations of the people of Libya for political reform based on democratic and human rights and the development of an inclusive government that ensures freedom, opportunity, and justice for the people of Libya. This is what Chris Stevens would have wanted.

The violence in Cairo and Benghazi is unacceptable and unjustifiable. The stupidity of one filmmaker, no matter how offensive, is not now, and never, a rationale for violence. A despicable act like this hurts us all—Americans and peaceful people who aspire to build their own democracy. I commend President Obama for committing to bring the perpetrators of this attack to justice, and I am confident that this is precisely what the United States Government will do.

This is one of those moments when Americans must unite as Americans. It is exactly the wrong time to throw political punches. It is a time to restore calm and proceed wisely.

Mrs. FEINSTEIN. Mr. President, I rise today to pay tribute to a man who was killed in service to his country, a man who hails from my State of California, Ambassador John Christopher Stevens.

I was shocked and saddened to learn of the deaths of Ambassador Stevens and the other three Americans who were killed during the horrible attack on our consulate in Benghazi, Libya. My deepest condolences go out to their families. They remain in my thoughts and prayers.

He was struck down in the consulate by an act of mob violence which should never have taken place. There is simply no justification for this type of action and I condemn it in the strongest terms.

I would like to begin by telling you a little bit about this dedicated public servant, someone with a unique and distinguished biography.

Born and raised in Piedmont CA, Ambassador Stevens graduated from Piedmont High School before receiving his undergraduate degree from the University of California at Berkeley in 1982 and a J.D. from the University of California's Hastings College of Law in 1989.

Before he joined the Foreign Service in 1991, he was an international trade lawyer in Washington, DC, and from 1983 to 1985 he was a Peace Corps volunteer in Morocco.

His overseas postings were consequential and showed he was an effective Foreign Service officer. He served as the deputy principal officer and political section chief in Jerusalem, a political officer in Damascus, a consular/political officer in Cairo, and a consular/economic officer in Riyadh.

In addition to his service abroad, Ambassador Stevens was the director of the Office of Multilateral Nuclear and Security Affairs, a Pearson Fellow with the Senate Foreign Relations Committee, special assistant to the Under Secretary for Political Affairs, Iran desk officer, and staff assistant in the Bureau of Near Eastern Affairs.

He also served twice in Libya before becoming Ambassador: as deputy chief of mission at our Embassy in Tripoli from 2007 to 2009 and special representative to the Libyan Transitional Council from March 2011 to November 2011.

In May 2012, he became the first U.S. Ambassador to Libya following the fall of Qadhafi.

As you can see, he had a long and distinguished career as one of our top diplomats, someone who learned the language and culture of a region of the world critical to U.S. national security interests.

Clearly, this was someone who was committed to helping the Libyan people achieve their goal of a free and democratic country after decades of brutal dictatorship.

As Ambassador, he immediately went to work to help Libya build a new future, engaging government officials, academics, businessmen, and civil society leaders on a daily basis.

Sadly, his term as Ambassador and his service to his country ended far too soon.

This attack and the assault on our Embassy in Cairo serve as sobering reminders that we must continue to pay attention to the events in the countries involved in the Arab Spring.

While in some countries like Egypt and Libya autocrats have fallen and the people have elected new leadership, tensions remain high and uncertainty about the future abounds.

There is still a lot of work to be done to ensure that these countries fully embrace democracy, human rights, and the rule of law.

It is critical that those responsible for these acts are brought to justice. And I call on the Governments of Libya and Egypt to work closely with the administration to ensure that this does not happen again.

Ambassador Stevens was one of our best. He will be sorely missed.

Mr. REID. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, that all Senators be added as cosponsors to the resolution, and all statements related to the resolution be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 551) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 551

Whereas on September 11, 2012, 4 American public servants, including United States Ambassador to Libya, John Christopher Stevens, and Sean Smith, were killed in a reprehensible and vicious attack on the United States consulate in Benghazi, Libya;

Whereas Ambassador Stevens—

(1) was a courageous and exemplary representative of the United States;

(2) had spent 21 years in the Foreign Service;

(3) was deeply passionate about representing the United States through his diplomatic service; and

(4) was an ardent friend of the Libyan people;

Whereas Ambassador Stevens served as Special Envoy to the Libyan Transitional National Council in Benghazi during the 2011 Libyan revolution;

Whereas Ambassador Stevens was a dear friend of the Senate, having served on the staff of the Committee on Foreign Relations of the Senate in 2006 and 2007 as a distinguished Pearson Fellow;

Whereas Foreign Service Information Management Officer Sean Smith—

(1) was a husband and a father of 2 children;

(2) joined the Department of State 10 years ago; and

(3) had served in the Foreign Service, before arriving in Benghazi, in Baghdad, Pretoria, Montreal, and The Hague;

Whereas the 2 other individuals from Ambassador Stevens' team who perished in the attack made great sacrifices and showed bravery in taking on a difficult post in Libya;

Whereas the violence in Benghazi coincided with an attack on the United States Embassy in Cairo, Egypt, which was also swarmed by an angry mob of protesters on September 11, 2012;

Whereas on a daily basis, United States diplomats, military personnel, and other public servants risk their lives to serve the American people; and

Whereas throughout this Nation's history, thousands of Americans have sacrificed their lives for the ideals of freedom, democracy, and partnership with nations and people around the globe.

Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the dedicated service and deep commitment of the 4 American public servants, including Ambassador John Christopher Stevens and Sean Smith, in assisting the Libyan people as they navigate the complex currents of democratic transition marked in this case by profound instability;

(2) praises Ambassador Stevens, who represented the highest tradition of American public service, for his extraordinary record of dedication to the United States' interests in some of the most difficult and dangerous posts around the globe;

(3) sends its deepest condolences to the families of those American public servants killed in Benghazi;

(4) commends the bravery of Foreign Service Officers, United States Armed Forces, and public servants serving in harm's way around the globe and recognizes the deep sacrifices made by their families; and

(5) condemns, in the strongest possible terms, the despicable attacks on American diplomats and public servants in Benghazi and calls for the perpetrators of such attacks to be brought to justice.

NATIONAL PRINCIPALS MONTH

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to S. Res. 552.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 552) recognizing the month of October 2012 as "National Principals Month."

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements relating to the resolution be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 552) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 552

Whereas the National Association of Secondary School Principals and the National Association of Elementary School Principals have declared the month of October 2012 to be "National Principals Month";

Whereas principals are educational visionaries, instructional and assessment leaders, disciplinarians, community builders, budget analysts, facilities managers, and administrators of legal and contractual obligations;

Whereas principals work collaboratively with teachers and parents to develop and implement a clear mission, high curriculum standards, and performance goals;

Whereas principals create school environments that facilitate great teaching and learning and continuous school improvement;

Whereas the vision, actions, and dedication of principals provide the mobilizing force behind any school reform effort; and

Whereas the celebration of National Principals Month would honor elementary school, middle school, and high school principals, and recognize the importance of principals in ensuring that every child has access to a high-quality education: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the month of October 2012 as "National Principals Month"; and

(2) honors the contribution of principals in the elementary schools, middle schools, and high schools of the United States by supporting the goals and ideals of National Principals Month.

NATIONAL FALLS PREVENTION AWARENESS DAY

Mr. REID. Mr. President, I ask unanimous consent the Senate proceed to S. Res. 553, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 533) designating September 22, 2012, as "National Falls Prevention Awareness Day" to raise awareness and encourage the prevention of falls among older adults.

There being no objection, the Senate proceeded to the resolution.

Mr. REID. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table, with no intervening action or debate, and any related statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 533) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 553

Whereas older adults, 65 years of age and older, are the fastest-growing segment of the population in the United States, and the number of older adults in the United States will increase from 35,000,000 in 2000 to 72,100,000 in 2030;

Whereas 1 out of 3 older adults in the United States falls each year;

Whereas falls are the leading cause of injury, death, and hospital admissions for traumatic injuries among older adults;

Whereas, in 2010, approximately 2,300,000 older adults were treated in hospital emergency departments for fall-related injuries, and more than 650,000 were subsequently hospitalized;

Whereas, according to the Centers for Disease Control and Prevention, in 2008, more than 20,000 older adults died from injuries related to unintentional falls;

Whereas, according to the Centers for Disease Control and Prevention, the total cost of fall-related injuries for older adults is \$80,900,000,000, including more than \$28,300,000,000 in direct medical costs;

Whereas the Centers for Disease Control and Prevention estimate that if the rate of increase in falls is not slowed, the annual cost under the Medicare program will reach \$59,600,000,000 by 2020; and

Whereas evidence-based programs show promise in reducing falls and facilitating cost-effective interventions, such as comprehensive clinical assessments, exercise programs to improve balance and health, management of medications, correction of vision, and reduction of home hazards: Now, therefore, be it

Resolved, That the Senate—

(1) designates September 22, 2012, as "National Falls Prevention Awareness Day";

(2) commends the Falls Free Coalition and the falls prevention coalitions in 43 States and the District of Columbia for their efforts to work together to increase education and awareness about the prevention of falls among older adults;

(3) encourages businesses, individuals, Federal, State, and local governments, the public health community, and health care providers to work together to promote the awareness of falls in an effort to reduce the incidence of falls among older adults in the United States;

(4) urges the Centers for Disease Control and Prevention to continue developing and evaluating strategies to prevent falls among older adults that will translate into effective

fall prevention interventions, including community-based programs;

(5) encourages State health departments, which provide significant leadership in reducing injuries and injury-related health care costs by collaborating with colleagues and a variety of organizations and individuals, to reduce falls among older adults; and

(6) recognizes proven, cost-effective falls prevention programs and policies and encourages experts in the field to share their best practices so that their success can be replicated by others.

ORDERS FOR THURSDAY,
SEPTEMBER 13, 2012

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. tomorrow, Thursday, September 13, 2012; that following the prayer and pledge, the Journal of proceedings be approved to date, the

morning hour be deemed expired, and the time for the two leaders be reserved for their use later in the day; that I be recognized and the first hour be equally divided and controlled between the two leaders or their designees, with the majority controlling the first half and the Republicans the final half.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. REID. Mr. President, this evening I filed cloture on the substitute amendment to S. 3457, the Veterans Jobs Corps Act and on the underlying bill. As a result, the filing deadline for first-degree amendments to the substitute amendment and S. 3457 is 1 p.m. tomorrow.

Under the rule, the cloture votes in relation to the Veterans Jobs Corps Act will occur on Friday. I talked about it earlier this evening, and we will decide what time we are going to do that tomorrow. We hope we can reach an agreement to have the vote or votes tomorrow. If not, if all time is used, we will be voting this weekend, including tomorrow, late at night.

ADJOURNMENT UNTIL 10 A.M.
TOMORROW

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 9:38 p.m., adjourned until Thursday, September 13, 2012, at 10 a.m.

EXTENSIONS OF REMARKS

CHAMPAIGN NATIVE, TYLER
MCGILL, WINS OLYMPIC GOLD IN
SWIMMING

HON. TIMOTHY V. JOHNSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 2012

Mr. JOHNSON of Illinois. Mr. Speaker, I rise today to recognize the achievements of Olympic Swimming Gold Medalist Tyler McGill.

Champaign native, Tyler McGill, took home Olympic Gold last month. McGill was part of the 4X100-meter medley relay team that won gold in London.

McGill, born and raised in Champaign, Illinois, was a State Champion swimmer at Champaign Central High School, and went on to become an All-American swimmer at Auburn University.

Tyler has consistently been one of the top butterfly swimmers in the country. He qualified for the London Games, finishing second behind Michael Phelps at the USA Swimming Trials, with a time of 51.31 seconds.

In London Tyler qualified third for the finals of the 100-meter butterfly, eventually finishing seventh. His medal opportunity came shortly after his seventh place finish as he swam the butterfly leg during the prelims of the 4X100-meter medley relay. USA went on to capture gold in that event and McGill took home some hardware.

I would like to congratulate Tyler's parents, Jeff and Susan, for the encouragement and support they have given Tyler over the years to become the exceptional Olympian that he is today.

PERSONAL EXPLANATION

HON. DAVID N. CICILLINE

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 2012

Mr. CICILLINE. Mr. Speaker, on the Legislative Day of September 10, 2012, upon request of a leave of absence, a series of votes were held. Had I been present for these rollcall votes, I would have casted the following votes: On Motion to Suspend the Rules and Pass H.R. 6122, To revise the authority of the Librarian of Congress to accept gifts and bequests on behalf of the Library, and for other purposes (Roll No. 557)—I vote "Yes"; On Motion to Suspend the Rules and Pass, as Amended H.R. 2139, Lions Clubs International Century of Service Commemorative Coin Act (Roll No. 558)—I vote "Yes"; On Motion to Suspend the Rules and Pass H.R. 6186, To require a study of voluntary community-based flood insurance options and how such options could be incorporated into the national flood insurance program (Roll No. 559)—I vote "Yes."

On the Legislative Day of September 11, 2012, upon request of a leave of absence, a series of votes were held. Had I been present for these rollcall votes, I would have casted the following votes: On Ordering the Previous Question for H. Res. 773, Providing for consideration of H.R. 5544, to authorize and expedite a land exchange involving National Forest System land in the State of Minnesota for the public school system, and for consideration of H.R. 5949, to extend the FISA Amendments Act of 2008 for 5 years (Roll No. 560)—I vote "No"; On Agreeing to the Resolution H. Res. 773, Providing for consideration of H.R. 5544, to authorize and expedite a land exchange involving National Forest System land in the State of Minnesota for the public school system, and for consideration of H.R. 5949, to extend the FISA Amendments Act of 2008 for 5 years (Roll No. 561)—I vote "No"; and On Motion to Suspend the Rules and Pass, as Amended H.R. 4264, FHA Emergency Fiscal Solvency Act (Roll No. 562)—I vote "Yes."

RECOGNIZING OVARIAN CANCER AWARENESS MONTH

HON. DARRELL E. ISSA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 2012

Mr. ISSA. Mr. Speaker, I rise today in support of tens of thousands of women and their families. In 2012, over 22,000 women will be diagnosed with ovarian cancer. Tragically, 15,500 will die from this disease. Ovarian cancer is the deadliest gynecological cancer among American women.

This September, we recognize Ovarian Cancer Awareness Month, honoring those who have battled cancer—and those who continue to struggle with the disease. Their courage is an inspiration to all of us and a reminder that together, we can beat ovarian cancer.

With early diagnosis, ovarian cancer is survivable. Over 95% of women who detect ovarian cancer during the early stages of the disease defeat the disease. By learning the symptoms, checking their family histories and visiting with their doctors, women can detect ovarian cancer before it's too late.

No one and no family should have to face ovarian cancer without the knowledge necessary to detect and defeat it. Along with my fellow Congressmen and citizens, I am proud to have helped fight ovarian cancer. In 2005, I joined my colleagues to create a federal educational campaign for gynecological cancer, urging the Center for Disease Control and the Office of Women's Health to cooperate with non-profits to raise cancer awareness among women and health practitioners.

That year, I also successfully introduced Johanna's Law. In memory of Johanna Silver,

who lost her life to cancer after a three and a half month battle with ovarian cancer, Johanna's Law has helped increase awareness of gynecological cancers.

I urge all members to recognize and remember Ovarian Cancer Awareness Month and the impact of cancer upon our community.

RECOGNIZING THE 175TH ANNIVERSARY OF ZION LUTHERAN CHURCH

HON. PETER J. ROSKAM

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 2012

Mr. ROSKAM. Mr. Speaker, I am pleased to rise today to congratulate Zion Lutheran Church on its 175th Anniversary. On September 30th, Zion Lutheran Church will celebrate its legacy of faith and service.

Founded in 1837, Zion Lutheran Church is the second oldest established church in the State of Illinois. Spanning three different centuries, Zion Lutheran Church has helped make Bensenville a better place to live, learn, and worship. Members of the Zion Lutheran Church community have helped share the grace of God with others by helping establish 11 additional Lutheran churches in DuPage County. Over the years, Zion Lutheran Church has brought hope and fellowship to countless individuals and families.

Zion-Concord Lutheran School is also commemorating its 156th Anniversary this year. Since its inception, Zion-Concord Lutheran School has succeeded in its mission to provide families with a high quality Christian education and to nurture and enrich its students through the teaching of Holy Scripture.

Mr. Speaker and Distinguished Colleagues, please join me in recognizing these significant milestones for the Zion Lutheran Church and Zion-Concord Lutheran School, and in wishing them many more years of achievement and faithful service. May God bless the congregation on this special occasion.

SUPPORT OF OVARIAN CANCER MONTH

HON. DAVID LOEBSACK

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 2012

Mr. LOEBSACK. Mr. Speaker, I rise today to express my support for women and families affected by ovarian cancer. In 2012, it is estimated that approximately 22,280 women will be diagnosed with ovarian cancer and 15,500 will die of the disease. In Iowa alone an estimated 190 women will die from ovarian cancer

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

this year. Too many American women—sisters, daughters, nieces, wives, friends, neighbors, and coworkers—are losing their lives to this disease.

Ovarian cancer is the ninth most common cancer among women and the fifth leading cause of cancer-related deaths, making it the deadliest of gynecologic cancers. If ovarian cancer is treated before it spreads, the five-year survival rate is 93 percent. Currently, only 15 percent of ovarian cancers are found at such an early stage and overall the relative five-year survival rate is 46 percent. I urge my colleagues to help make women aware of the potential warning signs to prevent future deaths.

September is National Ovarian Cancer Awareness Month—an important time during which ovarian cancer organizations, advocates, and others will be helping to raise awareness about the disease and its symptoms. As a member of the bipartisan House Cancer Caucus, I urge my colleagues and their staff to join me in recognizing September as National Ovarian Cancer Awareness Month and to join us year round in working to increase public knowledge about this deadly disease and work towards a cure.

HONORING THE UNIVERSITY OF
NOTRE DAME DU LAC ON THE
OCCASION OF ITS 170 YEARS IN
SOUTH BEND, INDIANA

HON. JOE DONNELLY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 2012

Mr. DONNELLY of Indiana. Mr. Speaker, I rise today joined by members of the Indiana delegation, Senators DAN COATS and RICHARD LUGAR, Representatives LARRY BUCSHON, DAN BURTON, ANDRÉ CARSON, MIKE PENCE, TODD ROKITA, MARLIN STUTZMAN, PETE VISCLOSKEY, and TODD YOUNG to honor The University of Notre Dame du Lac on the occasion of its 170 years in South Bend, Indiana. The University has made significant contributions to the United States of America since its founding in 1842 by Rev. Edward F. Sorin, C.S.C. Fortified by a deep faith in God and an unwavering commitment to the common good, the University has impacted the Nation's history, its educational accomplishments, and its outreach and ministry to the vulnerable and the poor.

As Fr. Sorin sought to bridge the education gap in the expanding frontier, he began a history that intertwined with and influenced the history of our Nation. During World War II, Notre Dame established a Naval center that trained 12,000 officers in South Bend, Indiana, an episode that is commemorated yearly in a respectful football rivalry.

Notre Dame has been a leader in promoting diversity in higher education and American culture, especially the pioneering work of Fr. Theodore Hesburgh as the guiding voice of the Civil Rights Commission that crafted the framework to end segregation with the Civil Rights Act of 1964. An association with the Peace Corps goes back to the agency's founding in 1961, when the first volunteers were trained on campus under the strong sup-

port of Fr. Hesburgh; since then, more than 800 Notre Dame graduates have entered the Peace Corps, more than from any other Catholic college or university.

Notre Dame's dedication to educational excellence is reflected in its highly ranked Mendoza College of Business and Law School in addition to a well-regarded School of Architecture. Its research programs have made great contributions to national science and health over the years, ranging from the discovery of synthetic rubber by Fr. Julius Nieuwland in the 1920's to the mapping of the mosquito genome in this century as a way to prevent the spread of malaria and other diseases. More recently, the Nuclear Science Laboratory began construction on a new nuclear accelerator, the first accelerator the National Science Foundation has funded in nuclear physics in nearly a quarter century.

The University encourages research and innovation as evidenced by Innovation Park at Notre Dame which connects aspiring innovators with Notre Dame faculty, students and resources, collaborates with industry experts, and supports entrepreneurs.

Notre Dame continues to build on its inspiring legacy of service which has left a positive and lasting impact on the soul of this Nation for over 170 years. Its Summer Service Learning Program has provided some 4,000 undergraduate students with a scholarship to perform eight weeks of community service in the communities of Notre Dame alumni clubs across the Nation. The Alliance for Catholic Education, ACE, sends nearly 200 recent graduates each year to teach in about 100 understaffed Catholic schools across the country.

The administrators, faculty, students and graduates, have provided leadership that has helped shape our Nation—and the world—with approximately eighty percent (80%) of Notre Dame students active in social service each year through the University's Center for Social Concerns. In addition, the Notre Dame family contributes more than 400,000 hours of volunteer service each academic year.

The University's mission is to cultivate in its students not only an appreciation for the great achievements of human beings, but also a love of God and a disciplined sensibility to the poverty, injustice, and oppression that burden the lives of so many. Its aim is to create a sense of human solidarity and concern for the common good that will bear fruit as learning becomes service to justice. Notre Dame makes our Nation stronger and deserves our deepest appreciation.

Once again, we offer congratulations to the University of Notre Dame and join the Northern Indiana Center for History as they celebrate Notre Dame's 170 years of vision, leadership, and engagement in the community, the State, the country, and the world.

HONORING THE LIFE OF J.R.

“DICK” BIRDWELL

HON. BILL FLORES

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 2012

Mr. FLORES. Mr. Speaker, today I rise to pay tribute to J.R. “Dick” Birdwell, a proud life-

long Aggie and former City Councilman of College Station, Texas, and Mayor and City Councilman of Lake Jackson, Texas. He passed on April 4th at the age of 81, only two days after he and his beloved wife Joyce celebrated their 59th wedding anniversary.

Dick Birdwell was born in Stephenville and moved to College Station in 1945. He graduated from A&M Consolidated High School and went on to receive his undergraduate and masters degrees from Texas A&M University. While at A&M he was a member of the Ross Volunteers and a battalion commander in the Corps of Cadets.

Birdwell was a longtime Dow Chemical Company employee in Houston; Brisbane, Australia; Lake Jackson, Texas; and Baton Rouge, Louisiana. After retiring he returned to College Station.

Mayor Birdwell served the citizens of Lake Jackson as Councilman and Mayor from 1979 to 1982, he also served as Councilman of College Station for three terms, serving two consecutive terms from 1988 to 1992, and a third term from 1996 to 1998.

While serving on City Council, Birdwell was known to extensively study the issues and was not shy about expressing his ideas. He was always well prepared for council meetings and showed pride in serving his community.

While residing in College Station, Birdwell would begin to serve his community through numerous engineering organizations, as a mediator for the Dispute Resolution Agency of Brazos County, as an active member of the Rotary Club of College Station, and as a docent for both the George Bush Presidential Library and Museum and the Texas A&M Sports Museum.

Even after leaving City Council, Birdwell would take on other city causes such as a petition drive that led to freezing property taxes for senior citizens and the disabled. He would also serve on the cemetery board and as an alternate member of the zoning board of adjustments.

College Station Mayor Nancy Berry may have said it best when she described the passing of Dick Birdwell as “a phenomenal loss for our community.”

Today I pay tribute to a great Aggie who served College Station with honor and great respect. I know I am not alone as I say thank you, Dick Birdwell, for all that you have done for the Aggie community.

SUPPORT OF HOME HEALTH CARE

HON. DAVID LOEBSACK

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 2012

Mr. LOEBSACK. Mr. Speaker, I rise today to express my support for home health care providers and care givers. As we look for ways to ensure that Medicare remains solvent in the years to come and continues to provide affordable, quality health care to our nation's seniors, it is important to highlight those initiatives that are currently working well and saving money for the program.

Studies have shown that home health care services have saved Medicare \$2.8 billion dollars over three years. This is because it is

often less expensive to care for Medicare beneficiaries in their own homes than a skilled nursing facility or hospital setting. Further, quality care at home can prevent these more costly and intrusive interventions in the first place, as well as prevent repeat hospitalizations.

Home health care also provides a more convenient and comfortable standard of living both for those receiving care and their families. The advantage of being home with your loved ones can make the world of difference in positive health outcomes. This is particularly important in rural areas like many parts of my district, where there often are fewer providers and choices when it comes to nursing care.

As we work to find cost savings, it is important to keep in mind that home health care providers deliver quality, effective health care to our seniors and helps to keep Medicare costs down.

CELEBRATING THE 80TH ANNIVERSARY OF THE FRANKLIN D. ROOSEVELT DEMOCRATIC CLUB

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 2012

Mr. VISCLOSKY. Mr. Speaker, it is my distinct pleasure to congratulate the members of the Hammond, Indiana Franklin D. Roosevelt Democratic Club as they celebrate the organization's 80th anniversary. In honor of this momentous occasion, the Franklin D. Roosevelt Club will be hosting an anniversary banquet on September 15, 2012 at the Restaurant at Lost Marsh in Hammond, Indiana.

The Franklin D. Roosevelt Club of Hammond, Indiana was founded by forty-two members of Polish ancestry on December 3, 1932. The Club has grown over the years, and currently consists of 110 members. The mission of the Franklin D. Roosevelt Club is to "maintain high standards and secure the best possible candidate for the Democratic Party." Since its inception, club members have selflessly given their time and support to the community of Northwest Indiana. The residents of Northwest Indiana truly benefit from the Club's "Candidates' Night," which is held the week before each primary and general election. This is an outstanding opportunity for voters to meet candidates and discuss with them the needs of their community. For their significant contributions to upholding the ideals of the democratic process in their communities and throughout Northwest Indiana, the members and leaders of the Franklin D. Roosevelt Club are to be highly commended.

The dedication and generosity of the Club and its members has also been evidenced over the years by their innumerable charitable acts to those in need throughout the broader community, irrespective of their political beliefs. I also must acknowledge the sheer kindness the members of the Club show to all.

I still fondly recall the first Franklin D. Roosevelt Club meeting I attended in March of 1983. I didn't know anyone in the Club when I entered St. Casimir Hall. But through the graciousness of the late President Ed Nawracaj

and his wife, Sophie, as well as Wally and Paula Skibinski, Dorrie Kometz, and many others, I was welcomed as a lifelong friend and left the hall "knowing everyone."

The warmth a "total stranger" enjoyed that evening, and many to follow, remain forever in this Member's heart.

At this time, I would like to acknowledge the 2012 Franklin D. Roosevelt Club officers. They are: President Gregory J. Sanchez, First Vice President Kay Pucalik, Second Vice President Leslie Stanish, Secretary Barney Stodola, Treasurer Mary T. Hildebranski, Sergeant at Arms Brian Krupinski, Chaplain Reverend Stephen D. Kosinski, and Trustees Diana Beyer, Joe Scasny, and Rosemary Wojdyla.

Mr. Speaker, I ask that you and my other distinguished colleagues join me in honoring and congratulating the members of the Hammond, Indiana Franklin D. Roosevelt Democratic Club on the 80th anniversary of their organization. The work of this truly admirable organization is a great asset to the people of Northwest Indiana, and for their selfless service, the leadership and members of the Club are worthy of the highest praise, and I am proud to serve as their representative in Washington, D.C.

REMEMBERING ANN ARNOLD

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 2012

Mr. BURGESS. Mr. Speaker, I rise today to honor the life of Ann Arnold. After a decades-long battle with leukemia, she passed away earlier this month at the age of 67. Ms. Arnold is the longtime president and CEO of the Texas Association of Broadcasters, and served as the press secretary to former Texas Governor Mark White.

Ms. Arnold was always fascinated by the media and its ability to uncover the truth. She founded her junior high school newspaper and moonlighted for community newspapers, covering evening city council and school board meetings. In 1968, she earned a journalism degree from the University of Texas at Austin. To pay her way through college, Ms. Arnold worked three jobs; including working at the Capitol Bureau of the Dallas Times-Herald. In 1966, she received the Headlines Award.

After graduation, Ms. Arnold joined the Capitol Bureau of United Press International. That same year she married her high-school sweetheart, Reg Arnold. In 1980, Ms. Arnold joined the Fort Worth Star-Telegram's Capitol staff. In 1983, she became the press secretary for Governor Mark White, the first Texas woman in history to hold the position.

Shortly after Governor White lost his bid for re-election to a second term, Ms. Arnold was diagnosed with leukemia. Although she was told that she only had six months to two years to live, twenty years later, and after an experimental treatment at Houston's M.D. Anderson Cancer Center, Ms. Arnold was still going strong and became an icon of hope statewide.

As executive director of the Texas Association of Broadcasters, and through her work at the Texas Capitol, before Congress and the

Federal Communications Commission, Ms. Arnold was influential in helping broadcasters achieve a positive business climate in Texas. Ms. Arnold also positioned the Texas Association of Broadcasters as a primary defender of Texas' open government laws and was repeatedly recognized for her achievements on behalf of the industry. In 2001, she received the Freedom of Information Foundation of Texas' James Madison Award with then Attorney General JOHN CORNYN.

During her tenure at the Texas Association of Broadcasters, Ms. Arnold doubled station membership, expanded an array of member services for stations, recruited top professional staff, and oversaw the construction of the association's permanent home just blocks from the Texas Capitol. In 2007, Ms. Arnold received the Texas Association of Broadcasters' "Lifetime Achievement Award".

Ms. Arnold's successes with the broadcast industry and local communities throughout Texas have strengthened the communities she worked with and her passion and dedication will certainly be missed. I would like to extend my sincerest condolences to Ms. Arnold's family and friends.

MAJOR DONALD HOLLEDER

HON. JACK KINGSTON

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 2012

Mr. KINGSTON. Mr. Speaker, I rise today to recognize the life and accomplishments of Donald Holleder, Major, United States Army.

Donald Holleder was born on August 3, 1934, in Buffalo, New York. He was an outstanding high school athlete, and was sought after by some of America's most prestigious universities. But Donald Holleder chose to attend the United States Military Academy at West Point, even forgoing a National Football League draft selection by the New York Giants in 1956 to serve as an officer in the Army.

Don Holleder was, by nature, a selfless man who subordinated himself to the greater good of the team, whether that team was on the football field or the field of battle. He was the embodiment of a true leader, willing to endure personal sacrifice so that others could succeed, even at risk to his own personal safety.

Major Holleder's actions in Vietnam on the morning of October 17th, 1967 at the Battle of Ong Thanh were unparalleled in their bravery. According to eyewitness accounts documented in the Army's recommendation for award, his actions to save wounded soldiers under enemy fire were above and beyond the call of duty. After several requests to be permitted to assist his men, the Brigade Commander relented and gave his approval. Having voluntarily gone outside the perimeter, armed with only a .45 caliber pistol and advised of the peril he faced, he ran several times into no-man's land, risking his own life to save others. Stabilizing a rapidly deteriorating situation and reestablishing command, this Brigade staff officer saved many lives before he was mortally wounded.

On April 27th, 2012, Major Donald Holleder was posthumously awarded the Distinguished

Service Cross in recognition of his sacrifice. His actions were indeed so notable and involved risk of life so extraordinary that he clearly deserves to be set apart from his comrades, exemplifying the timeless values of courage and sacrifice that this award is intended to honor.

RECOGNIZING THE 10TH ANNIVERSARY OF ENABLE AMERICA

HON. C. W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 2012

Mr. YOUNG of Florida. Mr. Speaker, I rise today to commemorate the 10th Anniversary of Enable America, a first of its kind organization entirely dedicated to reducing unemployment among people with disabilities. This organization has assisted countless people with disabilities in finding a job and the belief that "good things happen when people have jobs" underpins their efforts.

Enable America was founded by Richard Salem, a man intimately familiar with the disabled community. After losing his eyesight as a teenager, Richard's parents were the main drivers behind his continued inclusion in the public high school system, which later allowed him to graduate cum laude from Belmont Abbey College. In pursuing a law degree, he was the first blind student to attend Duke Law School, graduating with distinction in 1972. Now, 40 years later, Richard is not only a successful lawyer, as the founding partner of the Tampa-based Salem Law group, he is also a tireless advocate for those living with disabilities and life-changing diseases.

Knowing that the support he received was one of the keys to his success, Richard founded Enable America in 2002 as a nonprofit organization that is focused on increasing employment among the 54 million Americans with disabilities, including wounded warriors and disabled veterans. With more than 70 percent of adults with disabilities wanting to work so that they can live independently, the programs that Enable America has developed helps them to achieve this goal. Enable America's committed staff knows that having a job gives people "self-esteem, independence and pride. They have a place in the community and are able to grow and become their own person."

In assisting people with disabilities to find a job, Enable America directly confronts the misinformation or misunderstandings about the disabled community, which often hinders people with disabilities from finding employment. Enable America's two-pronged approach was developed specifically to help connect the disabled community with the business community. First, they host Community Connection Meetings across the nation, which assist with the creation of a national information-sharing network comprised of local community task forces devoted to eliminating the barriers to employment for disabled individuals. Second, Enable America hosts a series of meetings with business leaders, managers, resource professionals and speakers to encourage prospective employers to hire disabled job seekers by demonstrating the many benefits of hir-

ing disabled employees and by answering questions that businesses may have about issues such as personnel policies, taxes and insurance.

Beyond connecting people with disabilities with business leaders, Enable America also provides disability employee mentoring. This program provides people with disabilities with real-world experience in the workplace by matching mentees with business mentors that are looking to improve diversity and increase employment opportunities. Today, I have the privilege to host one of these mentees in my Washington, D.C. office. William "Bill" Rockwood, who is currently pursuing a law degree at Georgetown, does not allow his learning disability to stop him from embracing new experiences and taking advantage of opportunities when they come along. Programs like Enable America, which offered Bill a unique mentoring opportunity, not only provide an irreplaceable experience for the mentees, but also afford mentors an impactful look at the contributions they can make in any work environment.

Finally, Enable America assists our wounded warriors as they return to active duty or civilian life. These brave men and women who have served our country in combat deserve all the assistance that we can provide. Military service members, past and present, possess a great sense of honor and traits any employer would find valuable—duty, commitment, and loyalty. Enable America honors their service and sacrifice by showing businesses that investing in our nation's veterans and honoring their service to our nation is not charity, but a smart decision.

Mr. Speaker, as you can see this organization is truly making a difference in the lives of those living with disabilities. I ask my colleagues to join with me today in recognizing this important milestone and to wish Enable America continued success in the future.

HONORING LT COL KRISTINE SWAIN FOR 21 YEARS OF SERVICE TO THE UNITED STATES AIR FORCE

HON. ROBERT J. WITTMAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 2012

Mr. WITTMAN. Mr. Speaker, I rise today to recognize Lieutenant Colonel Kristine Swain for her 21 years of dedicated service to our great country. Lt Col Swain graduated from the United States Air Force Academy in 1991, and a year later earned her Master of Arts in Russian studies from the University of Kansas. During Lt Col Swain's 21 years of exceptional service she has served in South Korea, Saudi Arabia, Alaska, England, Kosovo, Italy, and Belgium.

During Lt Col Swain's three year assignment in Brussels she authored position papers for use by both the Secretary of Defense and Secretary of State for negotiations dealing with the Russian incursion into Georgia. She was awarded her second Defense Meritorious Service Medal in part for translating complex and delicate guidance into concrete NATO

policy and action. Lt Col Swain is currently serving as associate professor of history at the Air Force Academy where she has authored a new course in Russian history and co-authored an innovative senior level course on the Cold War. We are all indebted to the selfless service members such as Lt Col Swain and many others who courageously defend our great nation.

IN HONOR OF JULIAN ROGERS

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in honor of Julian Rogers, a member of the Cuyahoga County Council serving the Tenth District.

Councilman Rogers was elected to the Cuyahoga County Council in 2010 and currently chairs the Environment and Sustainability Committee. He is also the current Executive Director of Education Voters Ohio, a statewide, nonprofit organization that works to improve the quality of public education throughout Ohio.

Prior to serving the residents of Cuyahoga County, Councilman Rogers worked as the senior assistant to the Chief Executive Officer at the Cleveland Municipal School District (CMSD) for a span of seven years. During that time, he also served as a Liaison to the Office of the Mayor for five years. Preceding his work with the CMSD and City of Cleveland, Rogers worked on Mary Boyle's campaign for the U.S. Senate, as a Regional Director for America Coming Together, served as a delegate to the 2004 Democratic National Convention, co-founded Blue 88 and served as Field Director for the Cuyahoga County Arts and Culture levy which helps provide over \$16 million a year to support arts and culture in the community. Additionally he has been appointed to the Board of Trustees of the Greater Cleveland Regional Transit Authority in 2006 and 2009, and has served as a Program Associate for Public Policy and Research for the Community Partnership for Arts and Culture.

Councilman Rogers is the recipient of several awards and honors including the Emerging Leader Award bestowed upon him by Congresswoman Stephanie Tubbs-Jones and the U.S. Congressional Black Caucus in 2006 and Congresswoman Marcia Fudge in 2009.

Mr. Speaker and colleagues, please join me in honoring Julian Rogers, a dedicated member of the Cuyahoga County Council.

CONGRATULATING THE BAY AREA COMMUNITY FOUNDATION

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 2012

Mr. KILDEE. Mr. Speaker, I rise today to congratulate the Bay Area Community Foundation on obtaining their National Standards for U.S. Community Foundations accreditation

from the Community Foundations Standards Board.

The Community Foundations National Standards Board was established as a supporting organization of the Council on Foundations, a nonprofit membership association of grant making foundations and corporations, to administer the National Standards. This board is responsible for upholding the quality, value, and integrity of the National Standards for U.S. Community Foundations, the first and only accredited program of its kind.

In the United States, community foundations serve tens of thousands of donors, administer more than \$40 billion in charitable funds, and address the core concerns of more than 700 communities and regions. With such a presence—nationally and within local communities—comes responsibility.

Achieving confirmation and reconfirming compliance with National Standards is a rigorous process, guaranteeing that every community foundation that receives the designation has adhered to excellent philanthropic practice. This program requires community foundations to document their policies for governance, donor services, investments, grantmaking, community leadership, and administration.

The Bay Area Community Foundation of Bay City, Michigan has obtained its National Standards accreditation by demonstrating a commitment to operational quality, integrity, accountability, and adherence to the highest standards for grantmaking.

Mr. Speaker, please join me in congratulating the Bay Area Community Foundation on receiving its National Standards accreditation and in commending the foundation's dedicated service to Bay City and other communities in Michigan.

IN HONOR OF PERNEL JONES, JR.

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in honor of Pernel Jones, Jr., a member of the Cuyahoga County Council serving the Eighth District.

Councilman Jones attended the Baltimore Polytechnic Institutes in 1989 and later received his Bachelor of Science from the University of Maryland in 1991. In 1992, he was named as a Licensed Funeral Director. He currently acts as the Director of Community Relations for the Pernel Jones and Sons Funeral Home which has been offering services to the Greater Cleveland area since 1973.

Councilman Jones was elected to the Cuyahoga County Council in 2010 and is the current Chair of the Public Works and Contracting Committee. He is a strong advocate of retaining jobs and promoting the creation of new jobs. He believes in promoting trust and confidence in the local government through effective and accountable leadership, and he intends to maintain the moral and legal obligations of the charter government, so that they may provide the best possible social service to the community at hand.

Mr. Speaker and colleagues, please join me in honoring Pernel Jones, Jr., a dedicated member of the Cuyahoga County Council.

**NATIONAL OVARIAN CANCER
AWARENESS MONTH**

HON. LOUISE McINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 2012

Ms. SLAUGHTER. Mr. Speaker, I rise today to recognize September as National Ovarian Cancer Awareness Month. This is an important time to raise awareness about the disease and its symptoms. In 2012, it is estimated that approximately 22,280 women will be diagnosed with ovarian cancer and 15,500 will die of the disease.

Ovarian cancer is the ninth most common cancer among women and the fifth leading cause of cancer-related deaths, making it the deadliest gynecologic cancer. If ovarian cancer is treated before it spreads outside the ovary, the five-year survival rate is 93 percent. Currently, only 15 percent of ovarian cancers are found at such an early stage and overall the five-year survival rate is 46 percent.

I urge my colleagues to help make women aware of the potential warning signs to prevent future deaths. Experts recommend that women see a gynecologist if they experience any of the often subtle symptoms of ovarian cancer daily for more than a few weeks. Four major symptoms of ovarian cancer include bloating, pelvic or abdominal pain, difficulty eating or feeling full quickly, and frequent or urgent need to urinate. I ask all of my colleagues to become familiar with these symptoms and to share the information with their friends, family, staff, and constituents.

Because no ovarian cancer screening or early detection test exists, organizations such as the Ovarian Cancer National Alliance stress that "until there's a test, awareness is best." I commend the Ovarian Cancer National Alliance for its steadfast commitment to make women aware of the risk factors, signs, and symptoms of ovarian cancer and for its advocacy on behalf of women and families touched by this devastating disease.

I also want to mention a few very important federal programs that are providing hope to those with ovarian cancer. The National Cancer Institute, NCI, at the National Institutes of Health does crucial research work in all areas of cancer, including ovarian cancer. These efforts will hopefully one day lead to breakthroughs that reduce ovarian cancer incidence, mortality, and morbidity. NCI has more than 550 active research projects on ovarian cancer in its cancer research portfolio.

Another important program is the Centers for Disease Control and Prevention's (CDC) Ovarian Cancer Control Initiative. This initiative works to coordinate and fund health activities working toward early detection and improved treatment options. CDC also plays a critical role in disseminating information about ovarian cancer risk factors, signs, and symptoms to women, health professionals, and the public. It is imperative that these programs continue to receive adequate funding in order

to perform basic research and then translate that research into results for women with or at-risk for this terrible disease.

I encourage all Members of Congress and staff to join me this month in bringing greater awareness to ovarian cancer and to help educate the women in your life about the risk factors, signs, and symptoms of ovarian cancer. Together we can help save lives from ovarian cancer.

IN HONOR OF C. ELLEN CONNALLY

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in honor of C. Ellen Connally, a member of the Cuyahoga County Council serving the Ninth District.

Councilwoman Connally graduated with a Bachelor of Science degree from Bowling Green State University, a master's degree and Juris Doctorate from Cleveland State University, and is a Ph.D. candidate at the University of Akron. She has served as a Visiting and Adjunct Professor at the University of Akron College of Law and is a former President of the Board of Trustees of Bowling Green State University.

Before representing the Ninth District of Cuyahoga County, Councilwoman Connally was a law clerk in the Eighth District Court of Appeals in Ohio, a Magistrate in the Cuyahoga County Common Pleas Court, Probate Division, and was subsequently elected to the Cleveland Municipal Court. She served the court as Judge for 24 years. She was the first female, African-American Democrat elected to the Bench in Ohio and the first to be elected without first being appointed. In addition to her position as Judge, Councilwoman Connally has also served as a Special Prosecutor for the City of Cleveland and Foreman of the Cuyahoga County General Jury.

Councilwoman Connally was elected to the Cuyahoga County Council in 2010. She is the current President of the Cuyahoga County Council. She shares her time representing the Ninth District with other various roles in her community, including serving as President of the Board of Trustees of the Breast Cancer Fund of Ohio and the Vice President of the Board of Community Action Against Addiction.

Mr. Speaker and colleagues, please join me in honoring C. Ellen Connally, President of the Cuyahoga County Council, who is dedicated to serving the citizens of Cuyahoga County.

**COMMENDING NEW PROVIDENCE
HIGH SCHOOL ON BEING NAMED
TOP PUBLIC HIGH SCHOOL IN
NEW JERSEY**

LEONARD LANCE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 2012

Mr. LANCE. Mr. Speaker, I rise today to commend New Providence High School on

being named the top public high school in New Jersey by New Jersey Monthly Magazine. This is an accomplishment of which the school and the community should be very proud.

New Providence High School has been a model of success. It has been continually ranked among the top public schools in the state for its high test scores and curriculum. New Providence High School has excelled in nearly every major aspect of students' education with fine teachers and a supportive staff. New Providence High School was named a 2011 National Blue Ribbon School by the Department of Education. This is the highest honor a school can receive in the Nation.

New Providence High School has truly executed the school district's motto "Dedicated to Excellence." I congratulate the students, faculty members, parents and members of the community for these outstanding distinctions.

IN HONOR OF JACK H. SCHRON, JR.

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in honor of Jack H. Schron, Jr., a member of the Cuyahoga County Council serving the Sixth District.

Councilman Schron graduated in 1970 from Florida Southern College with a Bachelor of Science degree and received his Juris Doctorate in 1975 from Ohio Northern University. Following his licensure to practice law in both Ohio and Florida, Councilman Schron served in the United States Army legal corps, from which he retired as a Lieutenant Colonel after 28 years of service.

In addition to his military service, the Councilman has also acted as President and Chief Executive Officer of Jergens, Inc. for over 25 years while also co-founding Tooling University—an internet education business. In addition to his professional career, Schron served a twelve year tenure on the Chagrin Falls Board of Education and was a member of the Clean Ohio Council, the Manufacturing Advocacy and Growth Network, and Wire-net—an economic development organization that works to serve manufacturing businesses in the Cleveland, Ohio area.

Elected to the Cuyahoga County Council in 2010, Councilman Schron is Chair of the Economic Development and Planning Committee.

Mr. Speaker and colleagues, please join me in honoring Jack Schron, a dedicated member of the Cuyahoga County Council.

ON THE TRAGIC SIKH TEMPLE
SHOOTING

HON. AL GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 2012

Mr. AL GREEN of Texas. Mr. Speaker, I would like to stand in solidarity with the fami-

lies as well as the victims of the Sikh Temple shooting in Milwaukee, Wisconsin, which took place on Sunday, August 5, 2012.

Six people were killed and four wounded, including a police officer, in this horrific violence as people sought to peacefully worship with family and neighbors in their sanctuary. Observation and practice of one's religion should be inviolate, but on that fateful Sunday, it was so heinously violated.

While what causes someone to do such a dastardly deed will remain a mystery to all, faith will console where reason cannot. We can find some solace in the heroism displayed by those in the line of fire, who as ordinary citizens and first-responders risked their lives and limbs to protect others.

The shooter, blinded by ignorance and hate, underestimated the strength and resolve of the Sikh community. Upon hearing of the shooting, Sikh congregations around the country dedicated their services to the victims of the shooting. The Sikh community will overcome this tragedy and we as a country will support them because what impacts them directly impacts all indirectly.

IN HONOR OF CHARLES M.
GERMANA

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in honor of Charles M. "Chuck" Germana, a member of the Cuyahoga County Council serving the Fourth District.

In 1971, Councilman Germana began a career as an Independent Insurance Agent with the Four Star Insurance Agency in Parma, Ohio and has continued his work with the agency since then. He has been a 32-year Board member, Treasurer, and two-time President of the Parma Area Chamber of Commerce. He has been an active member of the Northeast Ohio City Council Association having served as a Board member, Treasurer, Vice President and President. He is also actively involved in the Parma Hospital Health Care Foundation.

Since being elected to the Cuyahoga County Council in 2010, Councilman Germana has been named the Chair of the Intergovernmental Relations and Collaboration Committee and has advocated for a charter government that inspires confidence in the electorate through an open, ethical, transparent and fair manner of holding all meetings and transactions.

Mr. Speaker and colleagues, please join me in honoring Chuck Germana, a dedicated member of the Cuyahoga County Council.

WVOW RADIO 60 YEARS OF SERVICE IN LOGAN COUNTY, WEST VIRGINIA

HON. NICK J. RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 2012

Mr. RAHALL. Mr. Speaker, I rise today to honor the work of a local radio station in the heart of the coalfields of southern West Virginia. This year, WVOW Radio celebrates 60 years of excellence in journalism and service to the greater Logan County area and beyond.

In 1954, Mr. Bill Becker, an attorney, and his lovely wife, Mrs. Martha Jane Becker, an educator, took on the management of a struggling two-year old AM radio station in Logan County. Not only did they take on the management of the station, but they put their heart and soul into the daily operation of this station, often adding their personal touches to the programming, advertisements, and live-remotes. In fact, many of my constituents can fondly recall WVOW's annual Christmas programming, "Santa Claus", in which Bill and Martha Jane added their very own personal touch.

You see, in rural West Virginia, our local media, especially local radio, play a critical role in our communities. Yes, they are known for their music, sports, and commercials, but more importantly, and maybe less noticed, is the invaluable service this station has provided to its listeners in literally saving lives.

For instance, when an earthen dam broke in the Buffalo Creek area of Logan County in February of 1972, WVOW was the first to warn nearby residents to evacuate their homes immediately, undoubtedly saving countless lives from the wake of destruction that loomed near. Also, during this summer's widespread derecho and heat wave that swept through my Congressional District, WVOW was a victim of the mass power outages that we all experienced. However, they knew they had the obligation to their listeners to get back on the air and pass along critical, potentially life-saving, information. Through their hard work and sheer determination, the station was able to get back on the air and provide the much needed information to their audiences.

While these are just two examples of the essential role WVOW has played in our communities through their history, there are countless other stories of how, through news coverage and public service announcements, they have kept citizens informed and helped raise public consciousness on a variety of quality of life issues.

In an era where mega media corporations are chasing the all-mighty dollar, WVOW has remained steadfast to Bill and Martha Jane Becker's philosophy—first aired 60 years ago—a rock solid commitment to always serve their even-more-all-mighty listeners, first and foremost.

I ask that my colleagues join me today in wishing a Happy 60th Birthday to WVOW Radio in Logan, West Virginia, and to extend our best wishes to their dedicated and talented staff for 60 more productive and blessed years!

IN HONOR OF SUNNY M. SIMON

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in honor of Sunny M. Simon, a member of the Cuyahoga County Council serving the Eleventh District.

Councilwoman Simon earned her Bachelor of Science Degree with Honors from John Carroll University and her Juris Doctorate with Honors from the Case Western Reserve University School of Law. She owns a private law practice, is a member of the Cleveland Metropolitan Bar Association as a part of the Family Law section, and has served as a volunteer magistrate for Juvenile Court in South Euclid.

Councilwoman Simon was elected to the South Euclid City Council in 1999 where she not only served on the Finance, Legislative, Safety, Public Utilities, Planning and Zoning Committees, but also served as Council President.

Now as a member of the Cuyahoga County Council, she is serving as the Vice-President of the Council and the Chair of the Justice Affairs Committee. Councilwoman Simon is a strong supporter of the development of community policing initiatives, of strong services for senior residents, and of conservation, sustainability, and smart land use initiatives. She is also the founder of the South Euclid Humane Society and the South Euclid dog park.

Mr. Speaker and colleagues, please join me in honoring Sunny Simon, a dedicated member of the Cuyahoga County Council.

IN SUPPORT OF NATIONAL OVARIAN CANCER AWARENESS MONTH

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 2012

Mr. BURTON of Indiana. Mr. Speaker, I rise today to ask my colleagues to join me in recognizing September as National Ovarian Cancer Awareness Month. In 2012 alone, it is estimated that roughly 22,280 American women will be diagnosed with ovarian cancer; and 15,500 will die from this insidious disease. Because most women are diagnosed in later stages of the disease, ovarian cancer has the highest mortality rate of all types of gynecological cancer, and it is the fifth-leading cause of cancer death among women. In fact, the five year survival rate is only 45 percent—not much higher than when the War on Cancer was declared 41 years ago!

The word “cancer” evokes powerful emotions. Along with many of my colleagues, I know firsthand how devastating cancer can be to the individual who has been diagnosed as well as their family. Throughout September, all across the Nation, men and women will come together for events to both raise awareness of this terrible scourge and to show their support for the women and families struggling with this horrible disease. When September ends though, the fight against ovarian cancer will go on.

Without a reliable screening test, our greatest weapon against this disease is awareness. If your mother, aunt, sister, wife or daughter experiences any of the following symptoms for more than a few weeks, strongly urge her to talk with her doctor or gynecologist immediately: bloating, pelvic or abdominal pain, difficulty eating or feeling full quickly, frequent or urgent need to urinate.

If everyone in this chamber learns and shares these symptoms with just one person, and asks that person to pass the information forward to just one other person; and so on, and so on; we can spare thousands of women and their families the extraordinary suffering that comes with a late-stage cancer diagnosis. The more women and health professionals know about the symptoms and risk factors associated with ovarian cancer the more lives that can be saved.

Our ultimate goal, however, should be the complete eradication of this disease. Research holds the key to identifying better treatments for ovarian cancer, as well as the development of a critically-needed screening test.

The Department of Defense Ovarian Cancer Research Program plays a key role in supporting unique ovarian cancer research and has already seen some breakthroughs in the fight against ovarian cancer. Adequate funding will allow the program to maintain current research and expand innovative investigations into much-needed early detection and screening or early detection tools.

The National Cancer Institute (NCI) at the National Institutes of Health does crucial research work in all areas of cancer, including ovarian cancer. These efforts will hopefully one day lead to breakthroughs that reduce ovarian cancer incidence, mortality, and morbidity. NCI has more than 550 active research projects on ovarian cancer in its cancer research portfolio. Additionally, NCI supports the Gynecologic Oncology Group, which promotes clinical and basic research, and four ovarian cancer Specialized Programs of Research Excellence, or SPORES, to focus on translational research and turning scientific discoveries into applicable solutions or treatments.

Finally, the Centers for Disease Control and Prevention's (CDC) Ovarian Cancer Control Initiative works to coordinate and fund health activities working toward early detection and improved treatment options. CDC also plays a critical role in disseminating information about ovarian cancer risk factors, signs, and symptoms to women, health professionals, and the public.

We owe it to the women in our lives to fund the research necessary to purge this threat of cancer entirely. I fully understand the financial challenges facing our country, but I believe it is imperative that these programs continue to receive adequate funding in order to perform basic research and then translate that research into results for women with or at-risk for this terrible disease.

Mr. Speaker, I urge my colleagues to join me in recognizing September as National Ovarian Cancer Awareness Month; and to wear Teal—the official color for ovarian cancer, like pink is for breast cancer, throughout September to show your support.

IN HONOR OF YVONNE CONWELL

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in honor of Yvonne Conwell, a member of the Cuyahoga County Council serving the Seventh District.

Upon graduating from Cleveland State University, Councilwoman Conwell has spent her time serving others, especially families and children. She has served at Parmadale, an organization that provides support to at-risk children, including those that may be severely emotionally disturbed and with Jewish Family Services assisting those with diagnosed developmental disabilities. Professionally, Conwell has worked for Cleveland Healthcare for the Homeless (now known as Care Alliance), at Bridgeway, Inc. providing case management to fifty individuals facing mental and physical challenges, and at Oriana House helping coordinate services for individuals re-entering the community after incarceration. Councilwoman Conwell also served five years as the Director of Outreach for the Cuyahoga County Recorder's office.

Together with her husband, Councilwoman Conwell donates much of her time to helping support local food drives and festivals whose admissions are food items for the needy, activities known as “Harvest for Hunger.” The Conwells have also established a charity of their own, “Operation Helping Hands of Greater Cleveland”—an organization with the mission of providing needy families with infant items, clothing, and financial support.

Now as a representative of the Seventh District of the Cuyahoga County Council, Councilwoman Conwell serves as the Chair of the Human Resources, Procurement, Appointments, and Equity Committee.

Mr. Speaker and colleagues, please join me in honoring Yvonne Conwell, a dedicated member of the Cuyahoga County Council.

HONORING NEA JAZZ MASTER
JIMMY HEATH**HON. JOHN CONYERS, JR.**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 2012

Mr. CONYERS. Mr. Speaker, legendary jazz artist Jimmy Heath will be honored this year by the Congressional Black Caucus Foundation, CBCF, at the Jazz Issue Forum and Concert that will take place during the 42nd Annual Legislative Conference, ALC. Mr. Heath will also perform at the concert, which will take place on Thursday, September 20, 2012, at the Walter E. Washington Convention Center, in Washington, DC. Mr. Heath will receive the 2012 CBCF ALC Jazz Legacy Award for his six decades of contributions to jazz and world culture.

The oldest living member of the Philadelphia-bred Heath Brothers jazz family (bassist Percy and drummer Albert); Jimmy Heath rose to prominence during the forties, as a member

of the Howard McGhee Big Band. In 1948 at the age of 21, he performed in the First International Jazz Festival in Paris with McGhee, sharing the stage with Coleman Hawkins, Slam Stewart, and Erroll Garner. One of the earliest of Mr. Heath's own big bands (1947–48) in Philadelphia included John Coltrane, Benny Golson, Specs Wright, Cal Massey, Johnny Coles, Ray Bryant, and Nelson Boyd. He also played with and composed for Dizzy Gillespie, Miles Davis, Kenny Dorham, Milt Jackson, and Art Blakey. During his career, Mr. Heath has performed on more than 100 record albums, including 7 with The Heath Brothers and 12 as a leader. He has also written more than 125 compositions, many of which have become jazz standards, including C.T.A., and Gingerbread Boy. He has minted over 20 critically acclaimed recordings, including Really Big!, Love and Understanding, New Picture, Little Man, Big Band, and Endurance.

Mr. Heath first worked as an educator with Jazzmobile, New York City's premier not-for-profit jazz program. In 1987, he was appointed Professor of Music at the Aaron Copland School of Music at Queens College, City University of New York. Professor Heath created the Jazz Program at Queens College, where he taught and mentored a generation of musicians, before retiring in 2004. He also taught jazz at Housatonic College and The New School for Social Research. In October 1997, two of Mr. Heath's former students, trumpeters Darren Barrett and Diego Urcola, placed first and second in the Thelonious Monk International Jazz Competition.

Mr. Heath is among the most honored of our nation's musicians. In 2003, he was presented with the prestigious National Endowment for the Arts, NEA, Jazz Master Award. He is the recipient of three honorary doctorates, including one from Julliard. He is the first jazz musician to be so honored by Julliard and has also received The Julliard Service to the Arts Centennial Award. He has received 3 Grammy Nominations, Howard University's Benny Golson Award and The Thelonious Monk Founder's Award among many other honors.

In 2010, he co-wrote *I Walked With Giants: The Autobiography of Jimmy Heath*, with Joseph McLaren (Temple University Press). Mr. Heath is still actively creative as a tenor and soprano saxophonist, composer and arranger.

Mr. Speaker, Jimmy Heath is a living jazz treasure and I urge all members to join me in commending him for his magnificent contribution to American and World culture.

IN HONOR OF MICHAEL
GALLAGHER

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in honor of Michael Gallagher, a member of the Cuyahoga County Council serving the Fifth District.

In 1999, Councilman Gallagher began his public service career as a member of Strongsville's City Council, a position he held

for eleven years. During his time as a Strongsville Council member, he served on or chaired most of the council committees, served as a representative of the council to the Strongsville School Board and served as president for his final three years before his 2010 resignation. In 2009, he retired as Deputy Court Administrator of Ohio's Eighth District Court of Appeals in order to fulfill a campaign promise for his election to the Cuyahoga County Council.

Councilman Gallagher was elected to the Cuyahoga County Council in 2010 and is now the Chair of the Public Safety Committee.

Some of his achievements outside of public office include his membership in the Strongsville Rotary Club and Strongsville Chamber of Commerce. He has served as a Trustee on the Hospital Board of Southwest General Hospital for more than ten years and founded the Strongsville Youth Commission nine years ago. As a result of his dedication to his community, Councilman Gallagher was the recipient of the 2007 Franklin A. Polk Public Servants Award granted by the Cuyahoga County Bar Foundation.

Mr. Speaker and colleagues, please join me in honoring Councilman Michael Gallagher, a dedicated member of the Cuyahoga County Council.

HONORING JANE SMITH OF
ESSEXVILLE, MICHIGAN

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 2012

Mr. KILDEE. Mr. Speaker, on June 20, 2012 a dedicated public servant and civic leader, Jane Smith, passed away and it is fitting that we honor and recognize her public service and commitment.

Jane Smith's inspired leadership, vision and courage has been an immense inspiration to those who believe every human being is endowed with dignity. She spent more than 30 years working to ensure the well-being of our most vulnerable children as a child protective services worker for the State of Michigan. When Robert F. Kennedy was asked how his obituary should read, he responded that he hoped that he made a contribution that improved the world by lessening the suffering of children. For her entire adult life, on a daily basis, Jane Smith lessened the suffering of children. After she retired, Jane Smith continued her compassionate life and dedication. She volunteered on political campaigns, was an active member of the Bay County Democratic Party and in 2004 was appointed chair of the Bay County Department of Human Services Board. She also actively supported the Alice and Jack Wirt Library.

Jane Smith was born May 7, 1945 in Pontiac, Michigan. She graduated from Rochester High School in 1963 and Michigan State University in 1967. She is survived by her brothers, nephews nieces and great-nieces and nephews and her many friends who deeply miss her wit, opinion and stories.

Mr. Speaker, please join me in honoring Jane Smith, a woman whose life was an inspiration to us all.

RECOGNIZING VIRGINIA
INDUSTRIES FOR THE BLIND

HON. ROBERT HURT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 2012

Mr. HURT. Mr. Speaker, I rise today to recognize Virginia Industries for the Blind, an Ability One organization that began in Charlottesville that empowers blind and visually impaired Virginians in achieving their maximum level of employment and career development.

With 19 locations throughout Virginia, the organization employs approximately 150 people, including over 100 whom are blind or visually impaired.

In May, I had the opportunity to witness firsthand the good work that Virginia Industries for the Blind does for our local communities. Virginia Industries for the Blind operates retail stores on military bases and in federal buildings throughout Virginia. From making the mattresses used by our heroes in the United States Navy to the reflective vests that hard-working Virginians depend on for safety, Virginia Industries for the Blind gives back to our community in more ways than one.

Today, I hope my colleagues will join me in commending Virginia Industries for the Blind for their service to our local communities.

IN HONOR OF BONADINE P.
"BONNIE" NGUYEN

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 2012

Mr. KUCINICH. Mr. Speaker, I rise today to honor Bonadine P. "Bonnie" Nguyen who passed away on Thursday, August 16, 2012 at the age of 70 after battling an illness over the past three years. She is survived by her husband of 25 years, Le; her four sons Paul, Matthew, Andrew, and Jason; her brother, Richard; and her two sisters, Carol and Tina.

Bonnie was born on June 16, 1942 in Columbus, Ohio and lived there until moving to the Cleveland area where she spent the last 31 years of her life. She became a Licensed Practical Nurse, a profession she held for 34 years, and spent most of her career with the Century Oak Care Center in Berea, Ohio—a center that opened in 1987 as a response to an increased demand in quality nursing home facilities.

When not working, she enjoyed traveling with her mother and spending time with her children; attending weddings, picnics, and family get-togethers; dancing; and watching Cleveland Indians baseball.

Mr. Speaker and colleagues, please join me in honoring the life of Bonnie Nguyen.

SEPTEMBER IS NATIONAL OVARIAN CANCER AWARENESS MONTH

HON. C. W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 2012

Mr. YOUNG of Florida. Mr. Speaker, I rise today to recognize September as National Ovarian Cancer Awareness Month and to urge my colleagues to use this time to raise awareness and help increase public knowledge about this deadly disease and its symptoms. In 2012, it is estimated that approximately 22,280 women in the United States will be diagnosed with ovarian cancer and 15,500 will die of the disease. In my state, Florida, an estimated 1,040 women will die from ovarian cancer this year. Too many American women—sisters, daughters, nieces, wives, friends, neighbors, and coworkers—are losing their lives to this disease.

Ovarian cancer is currently the ninth most common cancer among women and the fifth leading cause of cancer-related deaths, making it the deadliest of the gynecologic cancers. If ovarian cancer is treated before it has spread outside the ovary, the five-year survival rate is 93 percent. Currently, only 15 percent of ovarian cancers are found at such an early stage and overall the relative five-year survival rate is 46 percent. I urge Members of this House to help make women aware of the potential warning signs to prevent future deaths. This is especially vital because physicians acknowledge that symptoms can be vague and may be associated with other medical conditions.

Despite increased knowledge and treatments for many once-deadly cancers, ovarian cancer's risk factors, symptoms, and causes are not well understood. Experts recommend that women see a gynecologist if they experience any of the often subtle symptoms of ovarian cancer daily for more than a few weeks, these include bloating, difficulty eating, and pelvic or abdominal pain. I ask all of my colleagues to become familiar with the symptoms and to share the information with their friends, family, staff, and constituents.

Research also holds the key to identifying better treatments for ovarian cancer, as well as the development of a screening test. That is why as Chairman of the House Appropriations Subcommittee on Defense I have made it an annual priority to assist in funding the highly successful Department of Defense Ovarian Cancer Research Program. For nearly two decades now this program has played a key role in supporting unique ovarian cancer research and has already seen some breakthroughs in the fight against ovarian cancer. Continued federal funding will allow the program to maintain current research and expand innovative investigations into much-needed early detection tools and screening.

As we continue our work on establishing funding priorities for the coming fiscal year, it is my hope that my colleagues remember the important work of the DoD Ovarian Cancer Research Program and other federal initiatives aimed at reducing ovarian cancer incidence and mortality. We must all work together to bring greater awareness to ovarian cancer and

help educate the women in our life about the risk factors, signs, and symptoms of this devastating disease.

MADISON COUNTY BICENTENNIAL

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 2012

Mr. SHIMKUS. Mr. Speaker, I rise today to honor the 200th birthday of my home county, Madison County, Illinois. Situated in southwestern Illinois, Madison County is one of the fastest growing and most diverse counties in Illinois. Whether it is the suburban hustle and bustle of Collinsville and Godfrey, the rural small-town atmosphere of Grantfork and Alhambra, the industrial might of Granite City and Wood River, the farming communities around St. Jacob and Worden, the university neighborhoods of Edwardsville, the historic charm of Alton and Highland, or the new and expanding developments in Maryville and Bethalto, Madison County has something for everyone.

Madison County is proud of its history, and optimistic about its future. Our county has produced towering figures of history, literally and figuratively: being home to Robert Wadlow, the world's tallest man, as well as the great Senator Paul Simon, jazz legend Miles Davis, and the abolitionist publisher Elijah Lovejoy. Our county was founded by Swiss, Italian, Hungarian, and Lithuanian immigrants. They farmed, mined, and worked in mills. Governor Ninian Edwards—for whom Edwardsville is named—chose President James Madison as our county's namesake.

On behalf of the more than a quarter-million proud residents of Madison County, I invite you to visit and see the National Great Rivers Museum in Alton, our many historic Route 66 sites, the Piasa Bird outside Alton, and the Lewis and Clark Historic Site. The fine, hard-working men and women of all walks of life who make our communities and our county an excellent place to live, work and raise a family welcome you.

I congratulate County Board President Alan Dunstan, and my many other friends and neighbors in Madison County on celebrating the bicentennial. May our home county continue to grow and prosper for another 200 years and beyond.

HONORING PETER PALMER FOR A LIFETIME OF DEDICATED PUBLIC SERVICE

HON. LEONARD LANCE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 2012

Mr. LANCE. Mr. Speaker, I rise today to commend Peter Palmer of Bernardsville, New Jersey, for his lifetime of public service. Peter was born and raised in Bernardsville, where he lives to this day. Peter has been in public service since a young age and has remained an active servant throughout his life.

Peter joined the U.S. Signal Corps as a young man and was honorably discharged as First Lieutenant. Peter began his time in public office in 1962 when he was elected to the school board. He served two full terms and was elected to the Bernardsville Borough Council where he served for sixteen years. He quickly formed a reputation of honesty and integrity. He became Mayor and served a distinguished decade of accomplishment. He joined the Somerset County Board of Chosen Freeholders where he has served a county-wide constituency. In 2011, Peter received the high honor of being named "Freeholder of the Year" by the New Jersey Association of Counties. The group noted his leadership and ability.

I know Peter personally and I have seen his fine work firsthand. I join Peter's spouse, Kathleen, and his friends and colleagues in congratulating him on his of tenure selfless public service to Bernardsville, Somerset County and the State of New Jersey.

NASHVILLE SOFTBALL

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 2012

Mr. SHIMKUS. Mr. Speaker, I rise today to salute the achievements of the Nashville Hornets softball team, which earlier this month brought home its second state championship.

The Hornets put together a stellar 35–4 season this year, swept through the regional and the sectional, and knocked off two of the state's top teams at the state finals in order to claim the title. I want to congratulate Coach Dempsey Witte, who led this team to the title in only his second year as head coach, as well as his assistants: Wayne Harre, Charlie Heck, Bethany Hinkle and Jordan Farris. I especially want to extend my congratulations to the members of the 2012 Hornets state championship softball team who worked so hard all year to achieve this goal: Alana Czajkowski, Emily Thompson, Mollie Borowiak, Jordi Harre, Lauren O'Daniell, Hannah Yung, Nellie Snead, Nicole Deering, Kiley Pelker, Abbi Liske, Daley Buchanan, Briah Winchester, Maci Ingram and Shayne Harre.

These student-athletes, and their coaches, have represented themselves, their school and their community in a first-rate fashion, and I join with the other Members of this House in congratulating them, and wishing them all the best in their future academic and athletic endeavors.

ROCHESTER, NEW YORK OLYMPIC CHAMPIONS

HON. LOUISE McINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 2012

Ms. SLAUGHTER. Mr. Speaker, I rise today to congratulate a group of Olympic champions from my home area of Rochester. All

Rochesterians—and Americans—are incredibly proud of these dedicated athletes who have trained to be the best and who achieved their dreams at the XXX Olympic Games in London.

Abby Wambach led the United States Women's Soccer team to their third straight Olympic gold medal. Abby grew up in Rochester, NY where she played soccer and basketball at Our Lady of Mercy High School, and was named to Parade Magazine's high school All-America team. She attended the University of Florida, where she was a first-team All American and led her team to the Final Four in her senior season. In 2001, Abby joined the Women's National Team and played in her first Olympic games in Athens in 2004, contributing four goals and one assist to the gold-medal effort for Team USA. She missed the 2008 games in Beijing because of a broken leg sustained in a collision in the final match before the Olympics. Abby was back with a vengeance in 2012, however, and scored a goal in every game leading up to the final match where the USA was victorious in dramatic fashion.

Jenn Suhr soared to a hard-fought Olympic gold in the Pole Vault. Jenn was born in Fredonia, NY and was a multi-sport athlete at Fredonia High School, playing softball, basketball, soccer, and track and field. As a senior in high school in 2000, Jenn won the New York State pentathlon. She then went on to Roberts Wesleyan College in Rochester and focused her athletic energy on basketball and track and field. Not only did she take her basketball team to the NCCAA national championship game and become the team's all-time leading scorer in basketball with 1,819 points, but she also graduated with a degree in psychology and began a graduate degree in school psychology. Jenn did not even begin working on her pole vaulting skills until 2004, but she quickly proved her excellence in the sport. She was an Olympic silver medalist in 2008 in Beijing, and fought her way to the gold medal in London.

Meghan Musnicki was one of the women's eight team who rowed to their second straight Olympic gold in London. Meghan was born in Naples, NY and attended Canandaigua Academy for high school, where she played soccer and basketball. She first picked up an oar as a freshman in college at St. Lawrence University in 2001. Later Meghan transferred to Ithaca College, where she helped row her team to NCAA Championships in 2004 and 2005, including an undefeated season in 2004. Meghan graduated from Ithaca College with a degree in psychology. She was first selected to the U.S. National Rowing Team in 2010, after narrowly missing a chance at the Olympics in 2008, and was part of two World Championship eight boat teams prior to winning the gold in her first Olympic games in 2012.

Ryan Lochte swam to five medals in the 2012 Olympics, adding two golds, two silvers and a bronze to bring his total to 11 medals over three Olympic games. Ryan was born in Rochester, NY and attended school in Canandaigua before his family moved to Florida, where his father coached swimming. He was a 7-time NCAA Champion while swimming for the University of Florida and was

named an NCAA All-American twenty-four times. Even more laudable than Ryan's athletic achievements is his commitment to raising awareness for Duchenne Muscular Dystrophy, a neuromuscular illness to which Ryan lost a family member. He has helped Parent Project Muscular Dystrophy "Go for the Gold" by raising money for research projects towards finding a cure for the disease.

Henrik Rummel rowed with his team to a bronze medal in men's four race of the 2012 London Olympics. Born in Denmark, Rummel moved to Pittsford, NY with his family in 2000 and attended Pittsford Mendon High School. Previously a basketball player and a skier, Henrik began rowing on the Pittsford Crew Team in 2001. He made his first national team just three years later in 2004. Henrik was recruited to Harvard, where he studied applied mathematics and economics while rowing for one of the most renowned crew teams in the country. He swept the Harvard-Yale regatta in 2008 and 2009 and won gold in the pair with coxswain at the 2009 World Rowing Championships. Henrik's bronze medal with the men's four came in his first Olympics games.

Jason Turner competed in sport shooting events in London for the third time as an Olympian. Jason is originally from Rush, NY and graduated from McQuaid Jesuit High School. At just 12 years old, Jason began shooting competitively in 1987, and was named to the 2004 Olympic team in the free pistol and 10m air pistol events. He won a bronze medal in the 10-meter Air Pistol at the 2008 Olympics in Beijing. In London, Jason finished 34th with a score of 569 in the qualifying round.

Kara Lynn Joyce spent time in both Irondequoit and Webster, NY as she grew up, and still holds two school records in Webster. She attended the University of Georgia where she was an All-American three years in a row, and became the first female swimmer to win the 50-meter, 100-meter and 200-meter freestyle events. The London Olympics were also the third for Kara, who earned a pair of silver medals in the 2004 Olympics in Athens, and two more silvers in the 2008 Olympics in Beijing. Kara competed in the 50m free in London, and after finishing her heat tied with two other swimmers for sixteenth and final semifinal spot, treated fans to an exciting swim-off that was won by the host country's swimmer.

Jim Boeheim, best known to Western New Yorkers as the Hall of Fame coach of the Syracuse University men's basketball team, traveled to London to coach in his second Olympic games as an assistant coach for the USA Basketball team. Jim is a native of Lyons, NY and graduated from Lyons Central High School before attending Syracuse University where he attained a degree in social science. His remarkable career as a college basketball coach, which includes 34 consecutive years at one school—and the record for most career wins at one school—has now been enriched by leading the U.S. men's basketball team to two gold medals.

Gloria Peek made history in London as an assistant coach for the first-ever women's boxing event at the Olympics. Making history was nothing new for Gloria, a native of Geneva, NY and a former counselor for juvenile delinquents in Rochester, who was banned

from amateur boxing in the 1970's for being a woman. She founded the Montgomery Boxing Club in the basement of the West Avenue Methodist Church in Fairport, NY in 1988 to keep young people off the streets, and she helped them finish school, apply to college and find jobs. At the 2012 Olympic games, Gloria helped coach the three women who qualified for the U.S. boxing team, including Claressa Shields, the first woman—and only member of the 2012 U.S. boxing team—to win Olympic gold.

Mr. Speaker, I am extremely proud of these men and women who dedicated themselves to excellence, and took advantage of the opportunity of the Olympic games to showcase to the world what Rochester can do. I look forward to following their future careers, as well as those of all the young Rochesterians that they have undoubtedly inspired to pursue dreams of their own.

HIGHLAND 175TH ANNIVERSARY

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 2012

Mr. SHIMKUS. Mr. Speaker, today I rise to recognize the 175th birthday of the great city of Highland, Illinois. Originally settled in 1831 by the Swiss immigrant Koepfli family, and named Helvetia, or New Switzerland, Highland got its name five years later when a local man, General Joseph Semple, commented that the area reminded him of his native Scotland. A year after that, in 1837, Highland was formally chartered as a city. The town still retains its connection to Switzerland, partnering with the Koepfli's home in Switzerland, Sursee, as a Sister City since the 1970s, and hosting numerous festivals each year honoring the Swiss and German roots of the community.

Highland was the home of Louis Latzer, also known as the Father of Pet Milk, because he was the man who perfected the process of condensing milk, thereby making milk, and its myriad health benefits, available to large numbers of people. Mr. Latzer's homestead and museum remain open today in Highland for visitors.

Today, Highland is home to 9,919 people, the Highland Bulldogs, and many fine civic clubs, churches, and businesses, large and small. In September, the city will celebrate the 175th Jubilee, a three-day celebration of Highland's proud past, while looking toward a bright future.

I want to congratulate Mayor Joe Michaelis and Lynn Hargus, President of the Highland Historical Society, along with their staffs and volunteers, for all of their hard work organizing this fall's Jubilee. I especially want to salute all the hard-working citizens of Highland, past and present, who have made the community such a great place to live and work. I am proud to represent such an outstanding community, and I want to wish them another 175 years of success.

RECOGNIZING CARONDELET
VILLAGE

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 2012

Ms. McCOLLUM. Mr. Speaker, today I rise to recognize the August 23, 2012 ritual celebration of the new Carondelet Village in Saint Paul, Minnesota, a shared vision of the Sisters of St. Joseph of Carondelet and Presbyterian Homes and Services to raise the standard for older adult living in this community.

The Sisters of St. Joseph of Carondelet have long used their faith to forge relationships to promote the common good throughout our community. They understand that working for the good of all requires all elements of the human condition to be addressed. This is the idea that guided the Carondelet Village project—designing a community where all aspects of the lives of seniors could be nurtured and strengthened. They found an excellent partner in Presbyterian Homes and Services.

Presbyterian Homes and Services has been addressing the housing and health needs of the senior community in Minnesota since 1946. Striving to do more than just meet housing needs, Presbyterian Homes also works continuously to improve the quality of its buildings and the care it provides for the older adult community. Seeing a need for senior living in Saint Paul, it drew upon decades of experience to address it. With the Sisters of St. Joseph, Presbyterian Homes posed the question of how to attend to the needs of seniors as a whole, rather than merely providing a place to live.

When the Sisters of St. Joseph and Presbyterian Homes came together, they created a community that respects diversity and provides a space for spiritual development in order to enrich the lives of residents and their families.

The Carondelet Village is a place that enables residents to reach their highest potential. At the heart of the Village is the embodiment of this vision—the Carondelet Circle—a community space where residents can work on their art, faith, health or just grab a cup of coffee.

Neighbors met the Sisters of St. Joseph and Presbyterian Home plan with praise and intense interest. Before ground was even broken, seniors began placing reservations. By the time the doors opened in December of 2011, the Village was nearly at full occupancy.

Mr. Speaker, it is my honor to recognize Carondelet Village and the successful efforts of the Sisters of St. Joseph and Presbyterian Homes in providing needed housing and a supportive community for older residents of Minnesota.

A TRIBUTE TO DON TOLLEFSON

HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 2012

Mr. BRADY of Pennsylvania. Mr. Speaker, I rise today to honor Mr. Don Tollefson for his

years of dedicated journalism in the city of Philadelphia. For almost 40 years, Don Tollefson has represented the essence of sports in the Delaware Valley.

Moving to Philadelphia in 1975, Don Tollefson held the position of Sportscaster and Sports Director for Channel 6 News. Don is most notably known for his years of service at Fox 29. Don was the co-host of Good Day Philadelphia for several years and also hosted a variety of sports-related programs including The Ray Rhoades Show and Eagles Game Day Live. More recently, Don has reported preseason games and halftime shows for the Philadelphia Eagles and co-hosts the show Eagles Game Plan.

Don Tollefson's contributions to the area stretch further than his journalism. Don is the creator of a non-profit motivational program, One Child Saved, that brings together athletes, entertainers and people in the television industry to talk to disadvantaged children. One Child Saved teaches under-privileged kids the importance of anti-hatred and anti-violence, while motivating the children to pursue careers.

Mr. Speaker, I encourage my colleagues to join me in honoring Don Tollefson and thanking him for his years of service and dedication to the city of Philadelphia.

GOREVILLE BLACKCATS

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 2012

Mr. SHIMKUS. Mr. Speaker, I rise today to honor the achievements of a state championship softball team from Goreville, Illinois.

After a number of successful seasons, including a close call last year, the Goreville Blackcats finally reached the IHSA softball state finals this year. But they did more than just show up: the Blackcats swept through the semifinals and finals without allowing their opponents to score a single run, en route to the program's first state championship.

I want to extend my congratulations to Coach Shanna Massey, who also won her 100th career game this year, and her assistant coach Teresa Cash. But I especially want to congratulate the members of the 2012 Goreville Blackcats state championship team: Ashlee Webb, Sydnee Rushing, Taylor Odom, Laenya Maze, McKenzie Schaede, Shelby Miller, Alison Webb, Haley Darnell, Hannah Murley, Brittny Pritchett, Micaela Allred, Kaylee Webb and Tiffani Shadowns. They have made history for their school and made their community proud.

I join with the other Members of this House in congratulating to the Blackcats, and wishing them best of luck in all their academic and athletic endeavors.

TRIBUTE TO MAJOR GENERAL
PHILLIP E. MCGHEE'S 33 YEARS
OF SERVICE TO OUR NATION

HON. C. W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 2012

Mr. YOUNG of Florida. Mr. Speaker, I rise to pay tribute to Major General Phillip E. McGhee, for his extraordinary dedication to duty and service to the United States of America. Major General Phillip E. McGhee will retire as the Director of the Army Budget. His service spans over thirty-three years active military duty of which he served selflessly dedicated, extra-ordinary effort both peacetime and combat to the United States Army.

Commissioned a second lieutenant in the Infantry in 1979, after his graduation from Columbus State University with a bachelor's degree in Business, Major General McGhee went to his first assignment as an Infantry Platoon leader with the 2nd Battalion, 39th Infantry Regiment, 9th Infantry Division at Fort Lewis, Washington. Following his transfer into the Finance Corps, Major General McGhee has served around the world in a wide variety of finance and comptroller leadership assignments throughout his illustrious career culminating as the Director of the Army Budget at the Department of the Army, Washington, DC, responsible for the Army's \$245 billion current budget.

Major General McGhee has been decorated with the Distinguished Service Medal, the Legion of Merit, the Bronze Star, the Defense Meritorious Service Medal, and the Senior Parachutist Badge, just to name a few.

The United States Army and the Nation will dearly miss one of its most respected and valued leaders as Major General Phillip E. McGhee retires and moves back into his role as a citizen. We will miss his humility, selflessness, candor and integrity. Major General Phillip E. McGhee's exemplary leadership and selfless devotion to duty has touched fully three generations of Soldiers and their families and will be greatly missed.

Mr. Speaker, it has been a pleasure to recognize Major General McGhee's long and distinguished career today and also acknowledge the great benefit to the Nation he has provided as the Director of the Army Budget. On behalf of a grateful Nation, I join my colleagues today in recognizing and commending Major General McGhee for a lifetime of service to his country. For all he and his family have given and continue to give to our country, we are in their debt. We wish him, his wife Candy, their son Shawn and his wife, Stacey, and his two granddaughters, Hailey and Aiden, all the best as they continue on in their life's journey.

YOU HAVE NO IDEA

HON. WILLIAM L. OWENS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 2012

Mr. OWENS. Mr. Speaker, I rise today to submit the following work that was offered to

me on behalf of Marine Corporal Jessie Kent Fletcher, a constituent and wounded warrior who honorably served our country in Afghanistan.

YOU HAVE NO IDEA

You!
You have no idea!
What kind of magnificent men so appear!
Who so wear that uniform, whose fine hearts
will not so break or bend!
All in their most heroic shades of green, who
upon them we all now so depend!
Yea, you have no idea!
Of what kind of fighting machines!
Are all of these here, The United States Marines!
Jager!
Who do so courageously appear, and move all
out into that darkness all without such
fear!
Yea, you have no idea!
How much they so love this country tis of
thee,
and how much they do so truly believe!
For in life, each person but has their own
destiny . . .
To give up, or to lead! To inspire you and
me!
To so set their sights ever higher, all in what
they want to be!
Yea, you have no idea!
And what kind of magnificent families,
that they all so have at home who they must
now all so leave!
You have no idea!
How heroes are so made!
Magnificent men like JFK,
who go so boldly forth all out into harm's
way!
From this Empire State,
New York . . . Jessie . . . whose heart is so
very Gotham this very day!
Snipers, all so setting their sights high on
victory,
hunters who All In Strength In Honor Do So
All Believe!
Lone wolves out on the hunt,
who move without being seen!
Watch out enemy! Hunt It! Hunt It!
For today is judgement day . . .
And now its time for you to sleep! To pay!
Who can make a shot from a mile away in
enemy country,
you would not believe!
You, have no idea how they will fight to be
free!
With nerves of steel,
and patience and concentration so very deep!
Yea, you have no idea . . .
of what their fine souls are so made up of so
very deep down!
As melding into that landscape as they so
disappear,
as all out there on their own,
all out on their most courageous ways van-
ishing into the air . . .
Yea, you have no idea . . .
how much self control that it all so takes
. . .
How much stealth and patience,
while an enemy but stands just a few feet
away . . .
For Snipers are not so made, but born to be
great!
For it is something that which inside is so
innate!
With such instincts that which so help them
to live on . . .
night after night, and day after day . . .
Setting their sights on victory, as they cali-
brate . . .
As so stealth fully they all so make their
ways!

The ones who for an eternity will ever so
wait,
just to get that shot made!
As it was on one such fateful day,
when death almost came Jessie's way . . .
When, it so took all that he so had . . .
but to just so live but one more day!
And yes, you have no idea of all of that
heartache that it so takes!
When, you so realize that you have so lost
your strong legs . . .
And what it so takes,
to somehow to begin each new day . . .
Yea, you have no idea!
Of the kind of pain and heartache,
that Jessie has so faced!
And the amount courage and faith that it all
so takes,
you would so amaze!
While, against all odds . . . Maximus . . .
Oh yes you Jessie just like a God you would
not so fade!
Setting your sights on recovery,
as we so watched you and so realized how fu-
ture angels are so made!
As you never ran out of ammo,
as your fine heart would somehow reload!
To take your soul to higher places for all us
to behold!
While, all around you heartache would so ex-
plode!
Yea you have no idea!
How much it takes and how many tears!
But, The Angels up in heaven . . .
all of this can so see and feel!
And our Lord's tears for you Jessie . . .
are all so very real!
Because, he has some idea!
Because, he's been with you from the begin-
ning so very close!
When, you got that second shot at life!
Between, the cross hairs of life and death
. . .
when your will to live so meant the most!
As you Jessie so set your sights on life!
As with your courage and all of your
strength,
all of us you have so blessed!
Teaching us all what the word hero so
means!
And if ever I had a son!
I'd pray that he'd have a heart,
as half as great as your strong one!
Yea, Jessie I have no idea . . .
as to how and to what new heights your fine
heart will so run!
And how upon your face,
I so see a smile as bright as the morning sun!
But, one day up in Heaven Jessie you will so
run . . .
As thy will be done!
And Jessie,
how you find the strength and the courage, I
have no idea!
As I so see your sights are so set on Heaven,
so very quite clear!

COMMUNITY FOUNDATION OF SARASOTA COUNTY

HON. VERN BUCHANAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 2012

Mr. BUCHANAN. Mr. Speaker, I rise to congratulate the Community Foundation of Sarasota County on obtaining accreditation from the Community Foundations National Standards Board.

The Community Foundations National Standards Board was established as a sup-

porting organization of the Council on Foundations, a nonprofit membership association of grantmaking foundations and corporations, to administer the National Standards. This board is responsible for upholding the quality, value, and integrity of the National Standards for U.S. Community Foundations, the first and only accreditation of its kind.

In the United States, community foundations serve tens of thousands, administer more than \$40 billion in charitable funds, and address the core concerns of more than 700 communities and regions. With such a presence—nationally and within local communities—comes great responsibility.

Achieving confirmation and reconfirming compliance with National Standards is a rigorous process, guaranteeing that every community foundation that receives the designation has adhered to excellent philanthropic practice. This program requires community foundations to document their policies for governance, donor services, investments, grantmaking, community leadership, and administration.

The Community Foundation of Sarasota County obtained its National Standards accreditation by demonstrating a commitment to operations quality, integrity, accountability, and adherence to the highest standards for grantmaking. For over 32 years, they have been making the important connection between individuals' personal memories, passions, dreams and the fulfillment of their charitable goals.

Oh behalf of the residents of Sarasota, I congratulate the Community Foundation of Sarasota County on receiving its National Standards accreditation and commend the foundation's dedicated service to Sarasota. I would also like to recognize its exceptional efforts to enrich our community. We hope to see the foundation continue to grow and have a lasting impact for our community.

TRIBUTE TO MAJOR GENERAL ROBERT J. KASULKE'S 32 YEARS OF SERVICE TO OUR NATION

HON. C. W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 2012

Mr. YOUNG of Florida. Mr. Speaker, I rise to pay tribute to Major General Robert J. Kasulke, for his extraordinary dedication to duty and service to the United States of America. Major General Robert J. Kasulke will retire as the Commanding General of the Army Reserve Medical Command (ARMEDCOM) on October 1, 2012. His military service spans over thirty-two years of dedicated selfless service to the United States Army Reserve.

Major General Kasulke is a graduate of Fordham University where he received a Bachelor of Science degree in Biology in 1971 and earned a Masters in Public Administration from the Syracuse University Maxwell School of Citizenship and Public Administration in 1996. He earned his degree in Medicine in 1975 and received a direct commission in the Medical Corps in 1980 following graduation from the State University of New York, Syracuse, College of Medicine while completing a Fellowship in Vascular Surgery.

Major General Kasulke has served in the U.S. Army Reserve since 1980 and held assignments as General Surgeon, 5503d U.S. Army Hospital, 912th Combat Support Hospital and Chief of Surgery of the 376th Combat Support Hospital. He commanded Detachments 1, 2 and 3 of the 310th Field Hospital and the 865th Combat Support Hospital. He was appointed as the Commander of the 8th Medical Brigade in May 2001. From March of 2005 through March of 2009 he served as the Deputy Surgeon for Mobilization, Readiness and Reserve Affairs.

While serving as the Commander of the 8th Medical Brigade, Major General Kasulke was selected to the Army Reserve Forces Policy Committee in Washington DC, and to the General Officer Medical Advisory Committee. Through these two prestigious committees, Major General Kasulke became the voice of the medical profession for the 77th Regional Support Command and the United States Army Reserve at the beginning of the Global War on Terrorism.

Major General Kasulke instituted a highly successful Innovative Readiness Training program in support of an American Indian program named: Walking Shield American Indian Society. Operation Walking Shield deployed military doctors, dentists, nurses, and other medical personnel to various American Indian reservations to help address the serious health challenges that existed in those austere areas in five states over a period of five years. The soldiers deploying to these sites returned with enhanced skills in their medical field and with the knowledge they have served their nation in a unique and meaningful way.

Major General Kasulke was also instrumental in creating a partnership with Kings County Medical Center, New York for a trauma training program which included the Jacobi Medical Center, New York. These partnerships proved to be an invaluable asset for training medical personnel for the type of trauma injuries those medical Soldiers would see within a combat theater of operations. The partnership augmented medical readiness of medical Army Reserve soldiers, and improved the training readiness of hundreds of medical personnel in the United States Army Reserve.

While serving as the Deputy Surgeon General for Mobilization, Readiness and Reserve Affairs, Major General Kasulke was the Senior United States Army Reserve Medical Department Officer acting as the representative and advisor to the Army Surgeon General. During his tenure he was instrumental in improving the joint medical readiness of the United States Army Reserve and National Guard. Major General Kasulke influenced and enhanced Army Reserve medical unit readiness by developing and increasing the number of joint medical exercises which sought to build and develop clinical training programs for Reserve clinicians. Furthermore, he improved support to the Surgeon General by building a United States Army Reserve Medical Consultant Staff, which was the first ever for the Surgeon General's office.

Major General Kasulke's career is culminating with his assignment as the Commander of the Army Reserve Medical Command, at the C. W. Bill Young Armed Forces Reserve Center in Pinellas Park, Florida. Here, Major

General Kasulke was the driving force for the Reserve Component Soldier Medical Support Center. This program coupled with the Medical Management Activity rapidly evaluates permanent profiles of Soldiers across the Army Reserve. Under Major General Kasulke's stewardship, over 3,300 medically not ready profiles were reviewed resulting in a cost savings of over \$88 million, and directly returning over 1,500 Soldiers back to duty. The Medical Management Activity also downgraded approximately 3,500 profiles which equates to \$120 million in cost savings returning Soldiers back to their formations in a ready and deployable status.

In his civilian career, Major General Kasulke is a board certified vascular surgeon. He is also board certified in general surgery and quality assurance. He is certified in medical regulating and HIV medicine. He is also a founding member of the American Hospice Organization. He authored or co-authored several articles or chapters in numerous books and periodicals. He also serves as Assistant Editor for The Federal Practitioner and The Journal of Military Medicine for Vascular and General Surgery. Major General Kasulke serves as Chair, Director, or member for over seven community, county, or regional boards of directors. He also serves on five military associations and was most recently elected to serve as President for the Congress of the International Organization of Medical Reservists.

The Army Medical Department, the United States Army, and the Nation will dearly miss one of its most respected and valued leaders as Major General Robert J. Kasulke retires. We will miss his humility, selflessness, candor and integrity. Major General Robert J. Kasulke's exemplary leadership and selfless devotion to duty has touched fully over three generations of Soldiers and their Families.

On behalf of a grateful Nation, I join my colleagues today in recognizing and commending Major General Robert J. Kasulke for a lifetime of service to his country. For all he and his family have given and continue to give to our country, we are in their debt. We wish him, his wife Catherine, daughter Kristen, and son Stephen, all the best in his retirement.

LOCAL OLYMPIANS

HON. MICHAEL F. DOYLE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 2012

Mr. DOYLE. Mr. Speaker, I would like to congratulate and recognize the Pittsburghers who competed in the 2012 London Olympic Games.

We are proud in Pittsburgh to be a city of champions with deep-rooted team spirit and winning traditions. These Olympians have reached the pinnacle of accomplishment in their sports, and today I would like to salute their unyielding pursuit of excellence. These hometown heroes embody the ambition, resilience, courage, and dogged work ethic that the people of Western Pennsylvania deeply admire. I would like to individually recognize each of these outstanding athletes.

Cassidy Krug attended Montour High School and Stanford University, where she was unbeaten in diving dual meet competitions. The NCAA champion, three time All-American, and 10-time national champion was coached by both of her parents—her father, the head diving coach at the University of Pittsburgh and her mother, a coach at the Pitt Aquatic Club team. She briefly retired before making a comeback to compete in diving in London, coming in 7th in the women's 3m springboard. She now plans to pursue a career in writing.

Trevor Barron of Bethel Park, a race-walking prodigy, studies computer science at Colorado College. He started suffering seizures from epilepsy at age 8 and underwent multiple brain surgeries to overcome them. Thankfully, he is now seizure-free, and throughout the trying episodes, Barron exhibited an extraordinary zeal to achieve greatness. Barron won the U.S. National Junior Olympics every year from 2003 to 2006. He set the American record in the men's 20,000 meter race-walk at the 2012 Olympic trials. He finished 26th in London setting an American record in the event.

Allison Schmitt, two-time Olympian and six-time Olympic medalist hails from the city of Pittsburgh. She took bronze in the 4x200 meter freestyle relay at her Olympic debut in Beijing. This time around she swam the anchor leg in two relays bringing home the bronze in the 4x100 meter freestyle relay and the gold in the 4x100 meter medley relay. She also won silver in the 400 meter freestyle and gold in the 200 meter freestyle. Schmitt, known for her fun-loving nature and infectious positive attitude, is headed back to the University of Georgia for her senior year.

Swin Cash of McKeesport helped the U.S. basketball team to its fifth straight gold medal at the Olympics. The team is on a 41-game winning streak in the Olympics, usually winning by nearly 30 point margins. Cash played basketball for UConn, leading the Huskies to National Championships in 2000 and 2002, when she was named the Most Outstanding Player of the Final Four. The second pick in the 2002 WNBA draft, she was selected by the Detroit Shock, and led the team to its first WNBA Championship the following year. This is her second gold at the Olympics, as she also played on the 2004 U.S. team in Athens. Cash has graciously given back to the community in McKeesport through her charity "Cash for Kids" which uses sports and cultural activities to encourage kids to "get in the game" on and off the court.

Jake Herbert graduated from North Allegheny High School in Pittsburgh. The two-time NCAA Champion studied communications at Northwestern University, where he was the best wrestler in the school's history. Herbert posted a perfect 34-0 record in his final season and a 149-4 career record, the fifth best percentage in NCAA history. He was a recipient of college wrestling's top honor, the Hodge Trophy. Herbert went on to win silver at the 2009 World Championships and to compete at the London Olympics, where he just missed out in the repechage on a shot at the bronze medal match. This fierce competitor sported a hefty fan club of about 65 friends and family members waving terrible towels in the crowd.

Amanda Polk grew up in Pittsburgh and graduated from Oakland Catholic High School,

where she first began rowing. She studied biochemistry at the University of Notre Dame where she was part of the first NCAA team bid in the team's history and was a four time All-American. Polk took silver in the four at the 2009 World Championships, then won gold in the eight in 2010 and 2011. She recently won gold and set a world best time in the women's eight at the 2012 World Rowing Cup in Lucerne. Polk has consistently been a strong part of the eight that is dominating women's rowing and she was an alternate in London. Unbeaten since 2006, the women were golden again in London, successfully defending their title from Beijing and solidifying what Polk's teammate, Susan Francia, has rightfully dubbed an "American Dynasty."

Lauren Crandall grew up in Doylestown, PA and went to school in North Allegheny. She was first named to the U.S. National field hockey team when she was a sophomore at Wake Forest. In 2006, Crandall was named the ACC Tournament Most Valuable Player. A veteran of the international field hockey scene, she has 173 international caps, or tournament appearances, which is the second most on the team. Now a two-time Olympian, she helped the team to an 8th place finish in Beijing and captained Team USA in London to come in 12th place. Crandall is going to DeVry University to pursue a master's degree in public administration with a concentration on non-profit organizations.

Christa Harmotto was originally recruited to play volleyball from a 6th grade gym class. She went on to play at Hopewell High School and then at Penn State where she studied education. She and her team won national titles in 2007 and 2008 and she ended her career with a .433 career hitting percentage, the second best in NCAA history. Harmotto played basketball abroad professionally, where she sharpened her skills gearing up for the Games and now she has a silver medal from the London Olympics indoor volleyball competition to show for it. She plans to continue playing and training for Rio in 2016.

Lauryn Williams, a track and field star, was born in Pittsburgh. Williams studied finance at the University of Miami, where she was the 2004 NCAA Champion at the 100 meter. A three-time World Champion, Williams took home the silver medal in the 100 meter at the 2004 Games and came in fourth in the event in 2008. She competed in the 4x100 meter relay in Beijing but an incomplete pass of the baton put the team out of medal contention. In London, Williams ran the anchor leg of the women's 4x100 meter in the qualification round, and the team went on to win gold in event. Williams aims to finish 100 meter races in under 11 seconds. Every time she goes "sub 11," she has pledged to give out a \$1000 scholarship to a female athlete in her senior year of high school. The 2006 Visa Humanitarian of the Year, she is deeply invested in her community as part of USA Track and Field's "Be a Champion" community outreach, through volunteering with hearing impaired elementary school students, and through her female athlete scholarship fund.

I applaud all of these extraordinary athletes for their unbreakable spirits, their indomitable will to win, and their thrilling achievements. Training involves serious sacrifices. These

athletes put in the work day in and day out, then they put it all on the line on the world stage with gutsy performances full of heart. I want to commend their family and friends who have supported their Olympic dreams and helped them keep striving to be stronger, get faster, and reach farther. And to these Olympians, I want to wish you a hearty congratulations and I want you to know that we in Pittsburgh are proud of yinz!

OVARIAN CANCER AWARENESS MONTH

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 2012

Ms. WOOLSEY. Mr. Speaker, I rise today to recognize September as National Ovarian Cancer Awareness Month. Too many American women—sisters, daughters, nieces, wives, friends, neighbors, and coworkers—are losing their lives to this disease. This year alone, more than 20,000 women will be diagnosed with ovarian cancer and more than 15,000 will die of the disease.

Ovarian cancer is the ninth most common cancer among women, and the deadliest of gynecologic cancers. If ovarian cancer is treated before it spreads, the five-year survival rate is 93 percent. But, because there is no ovarian cancer screening or early detection test, many women won't learn their diagnosis until the odds are against them.

We must do everything we can to make women aware of the risk factors, signs, and symptoms of ovarian cancer before it is too late. Doctors recommend that women see a gynecologist if they experience any of the symptoms of ovarian cancer daily for more than a few weeks. We must all become familiar with the early symptoms and share this information.

I urge my colleagues to join me in supporting investments in medical research. We must ensure that the National Institutes of Health, the National Cancer Institute, and the Centers for Disease Control and Prevention, are receiving the funding they need to put an end to ovarian cancer. Investments in medical research will lead to breakthroughs in screening, early detection, and treatment.

Today, I stand with the ovarian cancer community in their efforts to increase awareness of the symptoms, boost federal funding for ovarian cancer awareness, and expand federal research to improve treatments and develop a desperately needed screening or early detection test.

Please join me in recognizing September as National Ovarian Cancer Awareness Month to increase public knowledge about this deadly disease and save lives.

TRIBUTE TO COLONEL CORLISS
GADSDEN'S 29 YEARS OF SERVICE
TO OUR NATION

HON. C. W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 2012

Mr. YOUNG of Florida. Mr. Speaker, I rise to pay tribute to Colonel Corliss Gadsden, for her extraordinary dedication to duty and service to the United States of America. Colonel Corliss Gadsden will retire as the Army Reserve Medical Command's Operations Officer (G-3) on October 1, 2012. Her service spans over twenty-nine years of military duty to the United States Army Reserve.

Colonel Corliss Gadsden has served her country with integrity, dedication, and visionary leadership for over 29 years. She has constantly and consistently achieved and surpassed every mission assigned to her. During the early days of the Global War on Terrorism, while assigned as the United States Army Reserve Europe Medical Plans Officer, she was responsible for activating three medical units to support the European Regional Medical Command resulting in the right mix of medical professionals deploying to hostile environments to ensure the highest quality medical care for deployed United States service members.

Ever conscious of maintaining the operational posture of Army Reserve Soldiers' she focused and honed in on the medical and Soldier skills. In 2002, she was responsible for increasing the United States Army Reserve Force Projection footprint to support the ever-growing Overseas Deployment Training missions from 400 Soldiers to over 1,000 Soldiers. During 2003 and 2004 she led the efforts to deploy over 800 individual healthcare providers in support of OPERATION IRAQI FREEDOM, OPERATION ENDURING FREEDOM, and OPERATION JOINT GUARDIAN while sourcing medical units for all active operations in United States Central Command, European Command, and the continental United States based support missions.

In 2006, while serving in the United States Army Reserve Command's Surgeon Office as the Chief, Medical Plans and Operations her planning was critical in maintaining the continuity of operations while transitioning from the ten Regional Readiness Commands to four Regional Support Commands and simultaneously maintaining the United States Army Reserve Command's medical operations in light of the ongoing base realignment and closure mission. She planned, coordinated, and conducted quarterly synchronization meetings ensuring the prioritized, timely, and maximized use of the Individual Ready Reserve and Individual Mobilization Augmentation Soldiers in support of global Overseas Contingency Operations.

In 2007 she was recognized by the Commanding General of the Army Reserve and Secretary of the Army for her herculean efforts in the mobilization and deployment of thousands of Army Reserve Soldiers. Colonel Gadsden, partnered with the Department of the Army G-3 and the United States Army Medical Command in developing the blueprint

for the Warrior Transition Units and led the initial staffing efforts which proved to be instrumental in the care and transition of our wounded warriors returning home from the Global War on Terror.

Colonel Gadsden's selfless service and commitment to her Soldiers has distinguished her among her peers. She was instrumental in transforming the Army Reserve Medical Commands from a strategic force to an operational force. As the interim Chief of Staff for Western Regional Medical Command she expanded the command from a six-state region to a 20-state region in less than one year while ensuring the continuity of care for over 358,000 beneficiaries. As the Army Reserve Medical Command's G-3 she led the staff through a deliberate and comprehensive mission analysis which resulted in trained and ready medical units to support the Combatant Commands and enhance continental U.S. based mobilization platforms with a stable medical support plan. Colonel Gadsden's contributions to the Army have been immense.

On behalf of a grateful Nation, I join my colleagues today in recognizing and commending Colonel Corliss Gadsden for a lifetime of service to her country. For all she and her family have given and continue to give to our country, we are in their debt. We wish her all the best in her well-deserved retirement.

CONGRATULATING THE SAGINAW COMMUNITY FOUNDATION

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 2012

Mr. KILDEE. Mr. Speaker, I rise today to congratulate the Saginaw Community Foundation on obtaining their National Standards for U.S. Community Foundations accreditation from the Community Foundations Standards Board.

The Community Foundations National Standards Board was established as a supporting organization of the Council on Foundations, a nonprofit membership association of grant making foundations and corporations, to administer the National Standards. This board is responsible for upholding the quality, value, and integrity of the National Standards for U.S. Community Foundations, the first and only accreditation program of its kind.

In the United States, community foundations serve tens of thousands of donors, administer more than \$40 billion in charitable funds, and address the core concerns of more than 700 communities and regions. With such a presence—nationally and within local communities—comes responsibility.

Achieving confirmation and reconfirming compliance with National Standards is a rigorous process, guaranteeing that every community foundation that receives the designation has adhered to excellent philanthropic practice. This program requires community foundations to document their policies for governance, donor services, investments, grantmaking, community leadership, and administration.

The Saginaw Community Foundation of Saginaw, Michigan has obtained its National

Standards accreditation by demonstrating a commitment to operational quality, integrity, accountability, and adherence to the highest standards for grantmaking.

Mr. Speaker, please join me in congratulating the Saginaw Community Foundation on receiving its National Standards accreditation and in commending the foundation's dedicated service to Saginaw and other communities in Michigan.

REMEMBERING THE LIFE OF MILAGROS "MILLIE" MUNOZ

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 2012

Ms. ROS-LEHTINEN. Mr. Speaker, it is with great sadness that I bring news to the U.S. Congress that, last month, on Monday, August 6, the South Florida community and the Munoz family lost a courageous and strong woman: Milagros "Millie" Munoz.

I have twice previously come to the floor to speak of Millie, and the debilitating disorder from which she suffered: Dystonia. Millie was a remarkable woman described by all who knew her as "the sweetest person," who was strong even in the face of the inescapable pains of dystonia. Through all of it—her pain; her rigorous physical therapy sessions—Millie always greeted everyone with that warm, unmistakable smile of hers.

As a Member of Congress, it is my duty to help call attention to, and raise awareness of disorders such as dystonia to the American public. Together we can work together and call for additional research, with the hope that one day a cure may be found.

Right now, dystonia is a virtually unknown condition that stems from major neurological diseases. It causes the involuntary spasm and contraction of muscles that robs those affected of the freedom to move. The condition is often misdiagnosed; Millie herself was often told by doctors that "it was all in her head." It was only until her friend and doctor, Cynthia Gonzalez, astutely recognized Millie's symptoms as dystonia, that her mind could be put at ease.

Millie's case stands as an example of why more Americans should be aware of dystonia; so that more can be done to prevent it and others like Millie don't have to suffer unnecessarily in the future. People should know her story so that Millie's courage in the face of adversity does not get forgotten.

Millie may be gone, but her courage and resilience will be her lasting legacy. All of our hearts are a little heavier this week in South Florida as we honor and remember Milagros "Millie" Munoz. We should not mourn the loss of a life, but rather celebrate the memory of a life lived.

Mr. Speaker, her passing is not the end, but the beginning of a new future; a future where others need not suffer from disorders like dystonia. And we here in Congress can help facilitate that future.

HONORING THE LEGACY OF LUIS MARTINEZ

HON. JOSÉ E. SERRANO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 2012

Mr. SERRANO. Mr. Speaker, it is with great pleasure that I rise today to recognize Luis Martinez for his outstanding commitment and dedication to the Latino community in New York City and in Puerto Rico.

Luis Martinez was born in San Juan, Puerto Rico. Luis arrived in New York in 1954 and shortly thereafter enlisted in the United States Air Force, where he served our country honorably for 24 years. While Luis was in the service, as a non-commissioned officer, he played and participated in baseball tournaments throughout Puerto Rico, including in San Juan, Aguadilla, Bayamon, and Mayaguez. Luis also participated in All-Squad athletic competitions in Japan, Guam, California, North Carolina, and New Jersey.

Today, Luis is an active member of a variety of groups. He focuses many of his efforts in increasing sports participation in the Latino community. Luis is Vice President for Community Affairs for the Hispanic-American Sports Coalition, which was founded in 1992. The Hispanic-American Sports Coalition is an umbrella group for all sports activities within the Latino community. The group organizes tournaments for youth athletes in baseball, basketball, and soccer, in addition to conducting training for players, coaches, and league officials. One of the most notable, popular, and exciting events that the Hispanic-American Sports Coalition hosts is the Latino Little League World Series for 10–12 year olds, held in Red Hook, Brooklyn over a period of three days every Labor Day Weekend. This tournament has drawn the enthusiastic support of New York City Mayors, New York State Governors, and other public figures and distinguished personalities.

Luis is also a committee member of Latino Sports, Inc., as well as the Latino Sports Writers and Broadcasters Association. The latter group is responsible for annually selecting the most valuable Hispanic baseball players in the National and American Leagues. Luis is also the founder of the The Greater New York Cosmopolitan Amateur Baseball Association, Inc.

However, Luis is also an accomplished photojournalist for the weekly newspaper La Voz Hispana, the magazines Discomundo and Espectaculos, as well as the newspaper Impacto. Through his photography he has documented the day to day life of Puerto Ricans and Latinos in New York City, providing an unparalleled photographic history of one of the most vibrant communities in New York. Luis has also contributed to his community as president for 15 years of the Lower East Side Hispanic Committee, Inc. In recognition of all his work he was awarded the Ramon Emerito Betances Award from the National Puerto Rican Parade.

Mr. Speaker, Luis Martinez has made an outstanding contribution to his community. His extraordinary dedication and devotion in bringing athletic opportunities to youngsters is remarkable. His multifaceted background as a

photojournalist, community leader, and sports enthusiast has enriched the lives of thousands of New Yorkers. Mr. Speaker, I ask that my colleagues join me in recognizing a gifted individual, Luis "White Shoes" Martinez.

RECOGNIZING THE TRINKA DAVIS VETERANS VILLAGE

HON. LYNN A. WESTMORELAND

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 2012

Mr. WESTMORELAND. Mr. Speaker, I come to you today to recognize the grand opening of the Trinka Davis Veterans Village in Carrollton, Georgia on September 28, 2012. This is a momentous event for the 3rd district, and I am proud to help honor their great service to our nation's brave veterans.

The Trinka Davis Veterans Village would not have been possible without the \$17 million donation from the Trinka Davis Foundation. Ms. Katherine "Trinka" Rynne Davis was a Carroll County business leader who was profoundly impacted after learning of the difficulties our veterans and their families face on a daily basis. She founded the Trinka Davis Foundation on November 9, 2004 and focused the majority of the funding on improving the lives of our soldiers and healing the trauma from deployment in Afghanistan and Iraq.

Following her unexpected death, Ms. Davis left her entire estate to her foundation. Over \$25 million was left to aid our veterans and their families. In working with the Atlanta VA Medical center, the Foundation developed the concept of the Veterans Village to best serve the needs of our local veterans in rehabilitating injuries and problems faced upon coming home; such as loss of limbs, traumatic brain injuries, depression, PTSD, unemployment, and loss of homes.

The Trinka Davis Veterans Village has been built to serve as both a medical office and community living center for veterans across Georgia. Through regional research, the Foundation Board learned that veterans in the Bowden and Atlanta area needed a Community Based Outpatient Clinic and nursing facility in Carrollton, Georgia. Without the donations from the Trinka Davis Foundation, the construction and operation of the village would never have become a reality. The facility anticipates around 3,000 veterans in the area will use the primary care services, and with 42 beds, rehabilitation will be more accessible than before. The facility will have a family-centered approach to treatment and will let residents and family members of the village be more involved in their care. The Trinka Davis Veterans Village will also provide home-based care for patients who cannot travel to the clinic.

I would like to thank Trinka Davis, who I know is smiling down from above, her wonderful Foundation and the Atlanta VA for their hard work and donations to make the Veterans Village possible. The Trinka Davis Veterans Village is a great step in improving veteran care in our great state and helps us to give back to our veterans who have given everything so that we can live free.

CONGRATULATING EAST TENNESSEE FOUNDATION IN KNOXVILLE, TENNESSEE

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 2012

Mr. DUNCAN of Tennessee. Mr. Speaker, today I wish to congratulate East Tennessee Foundation in Knoxville, Tennessee, on obtaining its National Standards for U.S. Community Foundations accreditation from the Community Foundations National Standards Board.

East Tennessee Foundation is headed by my longtime friend Michael McClamroch.

Mike is one of the hardest working and finest men I know, and I am very proud of his leadership of East Tennessee Foundation and all the great work it does for East Tennessee.

In the United States, community foundations serve tens of thousands of donors, administer more than \$40 billion in charitable funds, and address the core concerns of more than 700 communities and regions.

Achieving this accreditation is a rigorous process, demonstrating that East Tennessee Foundation has a commitment to the highest standards possible.

I want to again congratulate my friend, Mike McClamroch, and East Tennessee Foundation on receiving its National Standards accreditation and commend the foundation's dedicated service to East Tennessee.

IN HONOR OF LIEUTENANT COLONEL BILL RHEA STARNES

HON. H. MORGAN GRIFFITH

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 2012

Mr. GRIFFITH of Virginia. Mr. Speaker, on behalf of myself and Representative PHIL ROE, I submit these remarks in honor of Lieutenant Colonel Bill Rhea Starnes, a veteran and distinguished pilot, who was prematurely taken from us on August 24, 2012.

As a member of both the United States Air Force and the Tennessee Army National Guard, Bill gallantly served our country for 39 years. At the ripe old age of 14, his love for aviation was first cultivated when his father taught him how to fly a plane. After graduating from East Tennessee State University, Bill continued his flight training at Fort Rucker in Alabama. Following flight school, Bill served in Vietnam, where he flew approximately 800 combat hours. In 2005 and 2006, he was deployed to Kosovo. Throughout his military career, Bill demonstrated the courage, fortitude, and wisdom that a nation prays for and a military dreams of having. He was the recipient of nearly 50 awards including the Bronze Star, the Meritorious Service Medal, and air medals with valor and army commendation.

Even down to his voicemail—"Hello, it's Bill. Learn as if you will live forever, and live as if you will die tomorrow."—Bill embodied a strong desire to live life to the fullest. Though he didn't reside in the Ninth District, I assure

you, Bill was an active member of our community. As the chief pilot for K-VA-T Food Stores and Central Coal Company, he was even said to be a "fixture" at the Virginia Highlands Airport.

A committed family man, a man who loved God and his country, and a friend of many, Bill will be greatly missed by his colleagues and those he served. My thoughts and prayers go out to his wife, Lisa; his two sons; his father; his family; and his friends.

Well known for his exceptional goodwill and dedication to the United States military and our community, I am honored to pay tribute to this man's many contributions. His legacy and influence will be long remembered throughout our region.

HONORING MEL BIRDWELL

HON. BILL FLORES

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 2012

Mr. FLORES. Mr. Speaker, today I rise to recognize and honor Mrs. Mel Birdwell, the wife of Texas State Senator Brian Birdwell. She has been one of the most active and visible spouses of a Hood County elected official on the local, state or national level.

For three years Mrs. Birdwell has served on the board of the Republican Women of Hood County. During this time she has assisted with expanding the party, as well as, securing copies of the Constitution and Declaration of Independence to give to every 5th grade student in every Hood County elementary school.

Mrs. Birdwell has served on the board of the Boys and Girls Club of Hood County where she had extensive positive influences for the children in our community.

One of Mrs. Birdwell's most significant accomplishments would be to that of her and Senator Birdwell's Face the Fire Ministry. This ministry assists burn survivors and wounded servicemen and women and their families. Mrs. Birdwell and her husband began this ministry after her husband's recovery from severe burns due to the 9/11 terrorist attack of the Pentagon. Because her husband's duties as Senator require much of his attention, Mel has single-handedly taken charge of the ministry.

Mrs. Birdwell is also a role model for wives and mothers everywhere in her loyalty to her husband. When presented by the military with a form for her signature which read "soldier's death imminent within 72 hours", Mrs. Birdwell fought for them to do whatever it takes to ensure the survival of her husband. Her never ending fight for his life and God's intervention is why we have Senator Birdwell with us today.

In 2002, Mrs. Birdwell was presented with the fourth annual Robertson McQuilkin Award for Commitment to Marriage by Family Life Ministries. In 2004, the Department of the Army recognized her 17 plus years of service to the Army family with the Outstanding Civilian Service Medal.

Today we recognize and honor Mrs. Mel Birdwell's devotion, dedication and loyalty to our Nation, our state, our county, and her family.

PERSONAL EXPLANATION

HON. GREGG HARPER

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 2012

Mr. HARPER. Mr. Speaker, on rollcall Nos. 557 (H.R. 6122), 558 (H.R. 2139), 559 (H.R. 6186), 560 (H. Res. 773), 561 (H. Res. 773), and 562 (H.R. 4264) I am not recorded as I was detained in my district due to the death of Dr. Bill Causey, my first Pastor, and close friend. I was asked to speak at his funeral.

Had I been present, I would have voted "aye".

IN RECOGNITION OF ERIN DALY
AND THE BEGINNING FARMER
AND RANCHER DEVELOPMENT
PROGRAM TEAM FOR RECEIVING
THE 2012 USDA SECRETARY'S
HONOR AWARD

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 2012

Mr. BISHOP of Georgia. Mr. Speaker, it is my great honor to extend a heartfelt congratulations to Ms. Erin Daly and the rest of the Beginning Farmer and Rancher Development Program team at the National Institute of Food and Agriculture for being selected to receive a 2012 U.S. Department of Agriculture (USDA) Secretary's Honor Award in the category of "assisting rural communities to create prosperity so they are self-sustaining, repopulating, and economically thriving." The team and its program leader, Dr. S. (Suresh) Sureshwaran, will be honored on September 12, 2012 at the Research, Education, and Economics (REE) Mission Area ceremony and the USDA 64th Annual Secretary's Honor Awards Ceremony, both in Washington, DC.

I am especially pleased because Erin has served as a Brookings Institution Legis Congressional Fellow in my Washington, DC. office since January of this year. She works on issues including agriculture, particularly as it pertains to the Farm Bill and authorization issues; environment; food safety and Food and Drug Administration issues; nutrition/hunger; HBCUs; immigration; and trade. Not only is Erin a great asset to my office, but she has also become a steadfast resource for my staff and the constituents of the Second Congressional District of Georgia. I have personally witnessed her hard work and dedication and I know this prestigious award recognizing exemplary leadership and public service is very well-deserved.

The Beginning Farmer and Rancher Development Program (BFRDP) was authorized in the 2008 Food, Conservation, and Energy Act and is administered by the National Institute for Food and Agriculture (NIFA) of the USDA. The purpose of the program is to assist farmer and rancher producers who have little or no farming experience and to provide the knowledge, skills, and tools they need to make informed decisions and improve their rate of success. As of 2010, more than 5,000 new

and potential farmers had participated in BFRDP training events, including webinars, seminars, roundtable discussions, internships, mentorships, on-farm field days, etc.

In Georgia, BFRDP has awarded grants to the Development of Socially Disadvantaged Farmers and Ranchers in Alabama, Georgia, Mississippi and South Carolina Program; the Cultivating Sustainable and Organic Beginning Farmers and Ranchers in Georgia Program; and the Urban Oasis Beginning Farmer Training Program. These grants have greatly assisted beginning farmers and ranchers in Georgia in obtaining the knowledge and skills necessary to manage a successful farm, improve their rural communities, and contribute to the local, state, and national economy.

Mr. Speaker, on behalf of the residents of Georgia's Second Congressional District and the members of my staff, I ask my colleagues to join me today in recognizing Erin Daly and the Beginning Farmer and Rancher Development Program team for their strong commitment and valuable contributions to beginning farmers and their rural communities. I am extremely proud of Erin and I know she will continue to do great things in my office and at USDA.

TRIBUTE TO COMMAND SERGEANT
MAJOR ROGER B. SCHULZ'S 36
YEARS OF SERVICE TO OUR NA-
TION

HON. C. W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 2012

Mr. YOUNG of Florida. Mr. Speaker, I rise to pay tribute to Command Sergeant Major Roger B. Schulz, for his extraordinary dedication to duty and service to the United States of America. Command Sergeant Major Roger B. Schulz will retire as Command Sergeant Major and Senior Enlisted Advisor to the Army Reserve Medical Command on October 1, 2012. His service spans over thirty-six years of military duty to the United States Army Reserve.

Command Sergeant Major Schulz has served in numerous assignments throughout his career and participated in many operations, including OPERATION JACKFROST and OPERATION BRIMFROST conducted in Alaska, and OPERATION BRIGHT STAR conducted in Egypt. He supported OPERATION DESERT STORM while stationed at Fort McCoy, WI, and deployed to Baghdad in support of OPERATION IRAQI FREEDOM.

Command Sergeant Major Schulz began his career as an Infantryman; serving for twelve years holding the positions of Rifleman through Platoon Sergeant. Following his time in the Infantry, Command Sergeant Major Schulz dedicated himself to the education of future Army leaders. He has served as an Instructor, Team Sergeant and Senior Instructor, 4th Army Light Fighter Academy; Brigade Operations Sergeant, 4th Brigade, 91st Division; Division Operations Sergeant, 91st Division; Battalion Operations Sergeant, Training Support Battalion, 104th Division; Chief of Operations, Primary Leader Development Course

Manager and First Sergeant, U.S. Army Non-commissioned Officer's Academy; Deputy Commandant/Director of Instruction, U.S. Army Noncommissioned Officer's Academy; Installation Command Sergeant Major; Commandant, U.S. Army Noncommissioned Officer's Academy and Commander, 12th Battalion, 6th Brigade, 104th Division; and Commander, Company A, United States Army Sergeants Major Academy.

In 2003, Command Sergeant Major Schulz was assigned to the 3rd Medical Command where he was instrumental in the development of two Army Medical Department accredited schools in Iraq. His career is culminating at the Army Reserve Medical Command, where he is responsible for the discipline, morale, welfare, and education of over 28,000 Soldiers. Through his guidance and leadership the command sustainment rate was over 91%. He initiated the first Sergeant Audi Murphy Board for the command and set the requirements for the continued success of the program.

The Army Medical Department, the United States Army, and the Nation will dearly miss one of its most respected and a valued leader as Command Sergeant Major Roger B. Schulz retires. We will miss his humility, selflessness, candor and integrity. Command Sergeant Major Roger B. Schulz's exemplary leadership and selfless devotion to duty has touched fully three generations of Soldiers and their families.

On behalf of a grateful Nation, I join my colleagues today in recognizing Command Sergeant Major Roger B. Schulz for a lifetime of service to his country. For all he and his family have given and continue to give to our country; we are in their debt. We wish him and his wife, Command Sergeant Major Tommie Schulz, all the best in his retirement.

PERSONAL EXPLANATION

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 2012

Mr. GEORGE MILLER of California. Mr. Speaker, on September 10, 2012, I was unavoidably detained. Had I been present, I would have voted as follows: on rollcall vote No. 557, I would have voted "yea"; on rollcall vote No. 558, I would have voted "yea"; on rollcall vote No. 559, I would have voted "yea."

HONORING MRS. ALOYSIA FOUCHE

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 2012

Ms. LEE of California. Mr. Speaker, I rise today to honor the extraordinary career of Mrs. Aloysia Fouché, owner and CEO of Fouché's Hudson Funeral Home, Inc., as she is awarded a 2012 Living Legends of Funeral Service award from the One Hundred Black Women of Funeral Service Organization.

A trailblazer in the funeral business for nearly three decades, Mrs. Fouche transitioned into the funeral profession after the passing of her late husband and founder of the Funeral Home, Mr. Aramis Fouche. At a time when African-American women business owners were few and far between, Mrs. Fouche achieved her five-year business plan within two years. She brought greater financial solvency and extensive facility improvements to the business, which continues to thrive today—in spite of a difficult economic climate.

Fouche's Hudson Funeral Home continues to be a source of pride in the Bay Area, serving our local African-American community with diligence and personalized care. A former educator, with a master's degree in Curriculum Development, Mrs. Fouche was also a fearless principal, as well as a celebrated teacher and instructor of media studies. Among her numerous accolades and associations, Mrs. Fouche was named Teacher of the Year, oversaw many of her students' award-winning animation films, and produced a weekly television program for parents to enhance their children's at-home learning.

In addition to her proud membership with the One Hundred Black Women of Funeral Service Organization, Mrs. Fouche is active in NFD&MA, Alpha Kappa Alpha Sorority, Friends of Father Augustine Tolton, and Phi Delta Kappa National Fraternity. Mrs. Fouche has also spent countless hours supporting and volunteering for local organizations aiding the underserved through food assistance, education scholarships, veterans services, faith ministries and AIDS awareness and prevention. She has also traveled the world extensively and counts tennis and dance among her hobbies.

As Fouche's Hudson Funeral Home management, staff and supporters look forward to its centennial anniversary in 2014, the receipt of Mrs. Fouche's Living Legends honor is timely and well-deserved. Thank you to all of the One Hundred Black Women of Funeral Service for being leaders in your communities and for providing families dignity, closure and excellent care.

On behalf of California's 9th Congressional District, Mrs. Aloysia Fouche, I salute you. Your many years of service have made an indelible mark in our community. Thank you for your continued work, and best wishes to you and your loved ones in the years to come.

IN RECOGNITION OF THE
PARALYMPIANS IN LONDON,
ENGLAND

HON. ALLEN B. WEST

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 2012

Mr. WEST. Mr. Speaker, I rise today to recognize the outstanding achievements of a class of athletes whose stories embody the classic American values of perseverance and commitment to excellence.

I am speaking of the laudable Paralympians who represented our nation in the Paralympic Games in London.

There is perhaps no better event to remind us of the unwavering desire for greatness, in-

herent in every American, than the Paralympic Games. The Olympic Games in London have amplified the patriotic spirit that unites us as Americans and reminds us, with each American medal, of our grand fortune as citizens of this blessed country and our legacy of exceptionalism.

Paralympic athletes complement the narrative of our history by reinforcing the notion that determination and dedication trump any of the hurdles circumstance may send our way. Their remarkable achievements as Paralympians alike shatter misconceptions that physical disability implies shortcoming of any kind. I am proud to stand alongside them and support them as emissaries of the United States.

Their rousing individual stories prove just as remarkable as the event itself. As a Member of the House of Representatives from south Florida, I am overjoyed to represent five inspiring Paralympians.

Justin Zook, a young man from Ft. Lauderdale, Florida, has quite the résumé. Justin competed on the United States Swim Team in the London Paralympics, and earned a gold medal in the men's 100 meter backstroke. In his special event, Justin has won a total of three gold medals in the 100 meter backstroke. He has set impressive world records in the 50 meter backstroke, 100 meter backstroke and 400 meter freestyle. He has represented Team USA for the past two Paralympic Games in the S10 division, winning gold and bronze medals at both appearances. Justin's record of excellence charges on, never affected by his disability.

In addition to his marked brilliance in the realm of swimming, Justin remains committed to his academics as he pursues an MBA in Sport Management at Florida Atlantic University and ultimately strives for the position of Athletics Director at an NCAA Division I institution. His focus and determination to excel in all aspects of life are qualities deserving of the utmost respect.

Paul Callahan, of Palm Beach, Florida competed in the Three-Person Keelboat Sonar sailing event along with two other team members, and came in seventh place. Paul currently serves as the Chief Executive Officer of "Sail to Prevail", a non-profit corporation whose mission dates back to 1982 and seeks to provide disabled children and adults with the opportunity to overcome adversity through therapeutic sailing. Paul's championing of "Sail to Prevail" is reflected in his own experience and story.

After an accident during his junior year at Harvard rendered Paul a C4–5 quadriplegic in 1979, he returned to school after years of therapy, obtained a degree from the prestigious Harvard Business School, and worked at Goldman Sachs for a number of years. Paul left Wall Street to join the team at "Sail for Prevail", where he learned to sail nearly 15 years after his accident and cultivated the sailing expertise and philosophy that would eventually lead him to become part of the United States Sailing Team in 1998, and a participant with the 2000 and 2012 Paralympic teams. Paul's dedication to providing the means and occasions for disabled individuals to sail alongside their able-bodied counterparts reflects his vision to create bigger and better op-

portunities for disabled athletes to counter the physical and psychological challenges that can sometimes come with disability. Among many other notable qualities, Paul's tenacity and love for his craft makes him a standout athlete and Paralympian.

Noah Yablong is a recent graduate of the University of Arizona with a degree in mechanical engineering from Ocean Ridge, Florida. Noah's immense talent qualified him to travel with Team USA to compete in the London Paralympics in the sport of wheelchair tennis. In the London Paralympics, Noah qualified to compete up to round 32 in the wheelchair men's tennis doubles, along with his teammate Steve Baldwin. He also succeeded in making it to round 64 in the wheelchair men's singles. Noah's athletic endeavors, achieved in spite of the disease that limits his mobility, have provided him with opportunities of travel and sport that most American athletes can only imagine. Noah has visited five of the seven continents for tennis, and represented the United States in the World Team Cup three times.

Noah's story is a classic one that speaks to the American spirit of perseverance. A participant in every sport imaginable, Noah's athletic experiences before his diagnosis included basketball, baseball, soccer, tennis, golf, and swimming. At age ten, Noah was diagnosed with Legg Calve Perthes, a rare and degenerative hip disease that makes it exceedingly difficult for him to walk and run. A devoted athlete through and through, the thirty hours of weekly training Noah dedicates to his craft extinguishes the assumption that disabilities limit accomplishments, and ultimately dreams. Noah's story, like Paul's, is a testament to the power of hard work and proves inspirational to all Americans, regardless of background or circumstance.

A fourth example of athletic excellence is Brad Johnson, a member of the United States Paralympic Sailing Team three times over and a lawyer by trade. Never limited by the automobile accident that severed both of his legs, Brad began his career as a nationally-renowned athlete and Paralympian by participating in the national sit-volleyball team after graduating from law school. Brad's love for sailing was one that he cultivated relatively recently, illustrated by the fact that he took up the sport at the age of thirty. Nearly a decade and a half later, Brad has managed to collect a variety of medals and championships that distinguish him as truly one of the best in both sit-volleyball and sailing. Along with one of his teammates Paul Callahan, he placed seventh in the Three-Person Keelboat Sonar sailing event.

After Brad medaled at the 2004 Athens Paralympic Games in the sonar class of sailing, he returned to sit-volleyball and traveled to Rio de Janeiro, Brazil as part of the winning-U.S. Men's Sitting Volleyball Team in 2007. In 2010, Brad attended the Sitting Volleyball World Championships as a participant of Team USA, where the team placed tenth. As a practicing attorney and Paralympian residing in Pompano Beach, Florida, Brad maintains a full schedule, but always seeks to integrate his love for sport, determination in his career, and commitment to changing perceptions toward disability in his

daily life. The versatility and activism with which Brad approaches his craft makes me proud to represent him.

Scott Danberg resides in Cooper City, Florida and represents one of the most recognized athletes in the Games. Scott competed in the past four consecutive Paralympic Games, which makes his appearance in London his fifth Paralympic Games. While there, he placed seventh in the men's discus throw. Over the 20-plus years that Scott has competed, he has garnered accolades in a variety of events as part of the U.S. Track and Field Team. His distinction in the events of javelin, shot put and powerlifting characterize Scott as an outstandingly talented athlete, which speaks to the discipline he shows in his personal life, as well as his competitive life.

Scott works as the Director of Fitness at Pritikin Longevity Center inventura, Florida, a company dedicated to promoting a holistic approach to health that focuses on nutrition, exercise and mind-body health. As a Master's of Kinesiology and a Ph.D. candidate in Leadership and Education, it is clear that Scott's true passion lies in his desire to harmonize all of his strengths, talents, by inspiring others to also achieve their dreams. Scott's lifestyle and achievements distinguish him as an exceptional Floridian and one that I am honored to represent. I enjoyed watching him compete in both the shot put and discus categories in the Games, and commend him for leading by example.

These great Paralympians are some of the best athletes that our country has to offer. Their will to succeed is not limited, but rather encouraged by the adversity they have faced. These men are defined by so much more than their disabilities. They are defined by their fearlessness, by their steadfast movement forward in pursuing bigger and better, by their medals, by their families and communities, by their hearts, and by the American spirit built in each of them.

Justin, Paul, Noah, Brad, and Scott set an example for men, women, and children in every way. During the 2012 Paralympic Games, they made all Americans and our Nation proud.

IN MEMORY OF FATHER BEITING

HON. HAROLD ROGERS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 2012

Mr. ROGERS of Kentucky. Mr. Speaker, I rise today to pay tribute to Reverend Monsignor Ralph Beiting, a compassionate, self-sacrificing man, who devoted his life to bettering the lives of those in eastern Kentucky. On August 9, 2012, Father Beiting joined his generous God in heaven at the age of 88 following a brief illness. His heart for the impoverished and his sincere generosity to those in need has touched the lives of others and he will be forever remembered in Appalachia and the Commonwealth of Kentucky.

After World War II, Father Beiting began serving the people of eastern Kentucky with countless social service programs. Born and raised in northern Kentucky, Father Beiting

first traveled to Appalachia in 1946, encountering a new kind of poverty, one not seen even during the Great Depression. His compassion and sympathy for rural families developed then as he made it his mission to help the impoverished and needy of my region. In 1950, Beiting returned to eastern Kentucky to help launch a church, and although this committed Catholic Priest was not always welcomed with open arms, Beiting continued his work of never letting the poor go untended.

In 1957, Beiting launched a fully-integrated summer camp for boys from poor families in the counties where he ministered. By 1964, his ministry had developed into the Christian Appalachian Project, CAP, an interdenominational, non-profit organization that serves Kentucky's mountain residents. Today CAP stands as the 15th largest human services charity in the nation. A warehouse and thrift store in Louisa also bears Beiting's name. The Father Beiting Appalachian Mission Center distributes food, clothing, furniture, and provides four local thrift stores with low-cost merchandise, in keeping with Beiting's spirit of meeting physical and human needs. In fact, Beiting spent much of his time personally delivering food, clothing and household goods to help the needy in eastern Kentucky.

Father Beiting's legacy of charity, love of Kentuckians, and volunteer efforts is an inspiration all across our region. Always sharing God's love with everyone he met, Beiting served as a bright light for thousands of Appalachian families in need. On behalf of my wife Cynthia and myself, I want to extend our deepest heartfelt sympathies to his family, friends, and those he served with in Appalachia. Our region will miss this great man.

Mr. Speaker, I ask my colleagues to join me in honoring the late Father Beiting, a true man of God, who dedicated a lifetime of service to bettering the lives of those in eastern Kentucky.

HONORING THE PETALUMA NATIONAL LITTLE LEAGUE ALL STARS

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 2012

Ms. WOOLSEY. Mr. Speaker, I rise today to offer my heartfelt congratulations to the Petaluma National Little League All Stars for their amazing run in the 2012 Little League World Series. I couldn't be prouder of the way they represented our community and themselves.

Even though they fell short of the national championship, they distinguished themselves as one of the nation's and the world's best youth baseball teams. More than 6,500 teams from around the globe entered the tournament, and the boys from Petaluma finished second in the United States and third in the world. They played more games than any other team in the tournament, winning five and losing two. Even in their final loss to Tennessee, they showed fierce determination and a refusal to give up, rallying for a 10-run comeback to force the game into extra innings.

Bradley Smith led the way with an astounding .636 batting average, a tournament-leading 14 hits, a record-breaking 6 doubles and 11 RBI, as well as great fielding and pitching.

Hance Smith hit .429, leading the team with 4 home runs and knocking home more runs (12) than any other player in the Little League World Series.

Daniel Marzo hit .348 with a walk-off game-winning home run in extra innings against New Jersey, on top of his outstanding pitching.

Cole Tomei batted .333 with clutch hitting and dazzling third base defense that reminded many of Brooks Robinson.

Logan Douglas, who provided great all-around leadership and top-notch relief pitching, also had a .318 batting average, and his 11 runs scored were the second-highest in the tournament.

Catchers Austin Paretto and James O'Hanlon provided perfect handling of the pitching staff throughout the tournament, with James contributing timely hits and Austin adding 8 runs scored in only 8 at-bats.

Dylan Moore, Blake Buhrer and Kempton Brandis all contributed clutch performances, including Kempton's two home runs against Tennessee; Blake's big hit to spark a rally against New Jersey; and Dylan's overall solid work in the field, on the mound and at bat.

Porter Slate scored 8 runs out of the leadoff slot while playing stellar defense at second base.

Quinton Gago's home run against the Southwest would still be going if it hadn't hit the side of a hill. And his dominant pitching performance against Texas gave the team a huge lift.

Andrew White provided outstanding relief pitching, not just in the Little League World Series (where he earned the team's only save), but throughout District 35 and regional play.

Not enough can be said about the coaching staff, led by manager Eric Smith. He, pitching coach Trevor Tomei and assistant coach Mike Slate built a cohesive group that gasped and applied the fundamentals of the game. Their commitment to the team and the families was nothing short of remarkable. They didn't just teach the boys on-the-field skills; they instilled in them poise, determination and drive.

The Petaluma National Little League All Stars are talented ballplayers, but they also succeeded because of grit, hustle and desire. Most importantly, at every step along the way, they revealed themselves to be poised young men of strong character. They demonstrated sportsmanship in victory and in defeat. They were models of teamwork and discipline, qualities that will serve them well throughout their lives.

And they were backed up by a tight-knit community that couldn't have been more enthusiastic and supportive. There were generous fundraising efforts to allow family members to travel to Williamsport to see the games in person. There was hardly a movie theater, restaurant or bar in town that wasn't showing the games. Their effort was inspiring. It filled us with pride. What fun it was to see them have so much fun.

The Petaluma National Little League All-Stars exemplify what is best about youth

sports. They have been true to the mission and values of Little League Baseball. Their performance on and off the field is a testament to their coaches, their parents and their teachers. These boys are unquestionably champions. They are America's future, giving us great confidence for our country. Today we honor and salute the Petaluma National Little League All-Stars.

RECOGNIZING SEPTEMBER AS NATIONAL OVARIAN CANCER AWARENESS MONTH

HON. RAÚL M. GRIJALVA

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 2012

Mr. GRIJALVA. Mr. Speaker, I rise today to express my support for women and families affected by ovarian cancer. In 2012, it is estimated that approximately 22,280 women will be diagnosed with ovarian cancer and 15,500 will die of the disease. In my state, Arizona, an estimated 11,090 women will die from ovarian cancer this year. Too many American women—sisters, daughters, nieces, wives, friends, neighbors, and coworkers—are losing their lives to this disease.

Because ovarian cancer screening or early detection test do not currently exist, organizations stress that “until there’s a test, awareness is best.” I commend the Ovarian Cancer National Alliance for its steadfast commitment to make women aware of the risk factors, signs, and symptoms of ovarian cancer and for its advocacy on behalf of women and families touched by this devastating disease. I also would like to commend the Ovarian Cancer National Alliance’s Partner Member groups in Arizona.

Experts recommend that women see a gynecologist if they experience any of the often subtle symptoms of ovarian cancer daily for more than a few weeks. Four major symptoms of ovarian cancer include bloating, pelvic or abdominal pain, difficulty eating or feeling full quickly, and frequent or urgent need to urinate. I ask all of my colleagues to become familiar with these symptoms and to share the information with their friends, family, staff, and constituents.

Ovarian cancer is the ninth most common cancer among women and the fifth leading cause of cancer-related deaths, making it the deadliest of gynecologic cancers. If ovarian cancer is treated before it has spread outside the ovary, the five-year survival rate is 93 percent. Currently, only 15 percent of ovarian cancers are found at such an early stage and overall the relative five-year survival rate is 46 percent. I urge my colleagues to help make women aware of the potential warning signs to prevent future deaths. Experts acknowledge that symptoms can be vague and may be associated with other medical conditions, however, as the saying goes, it is better to be safe than sorry.

September is National Ovarian Cancer Awareness Month—an important time during which ovarian cancer organizations, advocates, and others will be helping to raise awareness about the disease and its symp-

toms. Teal is the official color for ovarian cancer, like pink is for breast cancer. My staff and I will be wearing teal or teal ribbons to indicate our support of the ovarian cancer community and their efforts, including increasing awareness of the symptoms, boosting federal funding for ovarian cancer awareness, and expanding federal research to improve treatments and support the development of a desperately needed screening or early detection test.

I urge my colleagues and their staffs to join me in recognizing September as National Ovarian Cancer Awareness Month and to join with us in wearing teal throughout September to increase public knowledge about this deadly disease.

HONORING CITY COUNCILMAN GREG NORDBAK

HON. LINDA T. SÁNCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 2012

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, I rise today to recognize Greg Nordbak and his 18 years of public service to the people of Whittier, California. Greg and his wife Donna have called Whittier home since 1980, and they have been fixtures in Whittier civic life ever since.

Since beginning the first of his five terms on the Whittier City Council in 1994, Greg has worked tirelessly to ensure Whittier remains safe for its residents and economically vibrant for its business community. Under his tenure, Whittier has seen the creation of various city resources such as the Whittier Greenway Trail acquisition and development, the construction of the Parnell Park Community and Senior Center, a new Whittier Police Headquarters Building, Pio Pico State Historic Park Renovation, the Uptown Whittier Specific Plan, the Whittier Boulevard Specific Plan, and release of Fred C. Nelles property for development.

Over the years, Greg’s civic involvement has grown exponentially to include proudly serving as Chairman of the San Gabriel Basin Water Quality Authority (WQA), as past president of the Gateway Cities Council of Governments, as a former Board Member of the Whittier Rio Hondo AIDS Project (WRHAP), as well as volunteering with the Boys and Girls Club of Whittier, the Skills Foundation, and the Rio Hondo Chapter of the American Red Cross.

Over the past decade, Greg has always worked to ensure that Whittier operates on firm financial footing and never outside its fiscal means. While the broader economy has impacted many cities throughout Southern California, Whittier has managed to maintain funding for all city services and capital improvement projects. Greg Nordbak is a big reason why Whittier can continue to deliver for its residents.

From one public servant to another, I praise Greg Nordbak and commend him on his many years of outstanding public service and dedication to the City of Whittier and the community. Whittier would not be the community it is today without him.

A TRIBUTE TO NEIL ARMSTRONG, A TRUE AMERICAN HERO

HON. BILL POSEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 2012

Mr. POSEY. Mr. Speaker, I rise today to pay tribute to an American hero, Neil Alden Armstrong whose recent passing has impacted not only family members and those who were close to him, but also a nation that will forever salute his unforgettable step onto the surface of our moon.

Born August 5, 1930; Armstrong lifted off the runway for the first time at the age of two on a Ford Trimotor nicknamed “The Tin Goose.” As a young man, he found a passion in flying planes, becoming flight certified early in life at the age of fifteen. It is no surprise that he studied aerospace engineering at Purdue University as a member of the Naval Reserve Officer Training Corps under the Holloway Plan.

After completing two years of college, Armstrong was ordered to enroll in flight training in Pensacola, Florida on the path to becoming an active duty Naval Aviator. Armstrong’s resolute character and bravery reached a new pedestal after he was shot down in combat during the Korean War. He returned to Purdue University, graduated in 1955, and took an assignment to continue his Navy service at Edward’s Air Force Base, where he subsequently earned a masters degree in aeronautics. Soon after, he flew as a civilian pilot for NASA’s parent agency, the National Advisory Committee for Aeronautics (NACA), in Cleveland, Ohio.

As a test pilot, Armstrong was exposed to innovative military aircraft, playing a central role in helping to refine and improve aeronautic technologies. Armstrong’s ascension as a strong leader was inevitable as respect for his reliable character and yet humble personality was recognized within the ranks of the military and space elite.

In 1958, after a successful tenure piloting aircraft as both a civilian and military airman, Armstrong was recruited into the Air Force’s “Man in Space Soonest,” division. He piloted some of the earliest aircraft to be engineered to breach the Earth’s atmosphere and outpace the speed of sound surpassing 4,000 miles per hour. This was a very exciting era in space innovation, which remains close to our hearts in Florida’s Space Coast, where many residents, including myself, were fortunate enough to be employed by NASA’s Apollo program in the late 1960’s.

Over the course of Armstrong’s career as an astronaut he logged thousands of hours in preparation for space travel. Relentless in the pursuit to harvest knowledge, he became a college professor after his retirement from NASA. Armstrong’s commitment to his work and his unwavering receptiveness of challenge after challenge set a precedent, hand in hand, complimenting the world-shadowing message of the American space revolution. He was not simply a man with a technical ability to fly, rather a renaissance example of humble character and passionate conviction for the advancement of humankind.

Those of us who were alive on July 20, 1969, will never forget what we felt as an American space pioneer, Neil Armstrong, stepped from the lunar module and was the first human to place foot on the moon. "That's one small step for man, one giant leap for mankind" are a constant reminder of human achievement and American ingenuity and they serve as a constant reminder to that the seemingly impossible can be achieved.

An American icon has passed after eighty-two fulfilling years. Neil Armstrong's chronicled achievements will be forever observed in history and he will never be forgotten as the father of lunar exploration. He was a wonderful human being, a true gentleman, honest, sincere, and seemingly unaffected by his many accomplishments and notoriety. He will continue to serve as a role model and an inspiration for generations to come.

HONORING THE LIFE AND SERVICE
OF NORTHWEST FLORIDA'S BE-
LOVED DR. WILLIAM "BILL"
MALOY

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 2012

Mr. MILLER of Florida. Mr. Speaker, I rise today to recognize the life and service of Northwest Florida's beloved William "Bill" Maloy.

Dr. Maloy was born in Des Moines, Iowa and grew up in Omaha, Nebraska. During World War II, he answered the call of duty and served our Nation with honor and distinction in the United States Navy. He was awarded the Silver Star for his gallantry in action. After the war, Dr. Maloy attended the University of Nebraska where he earned a bachelor's and master's degree in education, while also being commissioned into the Naval Reserves. He was recalled to active duty during the Korean War and came to Pensacola, Florida, intending to pursue a naval career; however, Dr. Maloy soon realized that he had a true passion and aptitude for teaching, and after the end of the war, he dedicated himself to education.

Dr. Maloy began his teaching career in Northwest Florida as a teacher and assistant dean at Pensacola High School (PHS). After two years at PHS, Dr. Maloy moved to Tallahassee to pursue his doctorate degree in educational technology. This experience led Dr. Maloy to appreciate the important role that technology would play in education, and he proved to be a strong proponent of integrating technology into the curriculum throughout his career. After completing his doctorate in 1958, Dr. Maloy moved back to Pensacola to serve as Assistant Principal at Escambia High School.

In 1959, Dr. Maloy began working with the Florida Department of Education, helping to spearhead Florida's first efforts to utilize new technology as a teaching tool. During the Cuban Missile Crisis, Dr. Maloy again answered our nation's call and served as Executive Officer and subsequently Commanding Officer of the USS *Tweedie*, a *Butler*-class de-

stroyer escort. After finishing his service, he accepted a position at Florida State University, where he became Assistant Dean of the College of Education. His expertise and dedication to education led him to serve as Education Advisor to two Florida governors, before becoming the Senior Civilian Advisor to the Chief of Naval Education and Training. In 1978, he was appointed to the Florida Board of Regents, the governing body for the State University System of Florida, and helped oversee the state's public universities.

In 1992, Dr. Maloy was elected as Superintendent of Schools in Escambia County. As Superintendent, he was credited with beginning the technological revolution in the school district, and he helped move the district to the forefront of instructional education technology adopting applications to help improve student experience and performance. In 1996, he retired as Superintendent and moved to the University of West Florida where he taught until his retirement in 2009.

Dr. Maloy was a loving and dedicated husband and father who instilled in his children the importance of education in helping to improve the lives of every child in America. Two of Dr. Maloy's sons went on to become educators, continuing the family legacy of promoting excellence in education. Family was everything to Dr. Maloy, and he was a true inspiration to his four children, fourteen grandchildren and one great-grandchild.

To some, Dr. Bill Maloy will be remembered as a world-class educator and innovator who saw the importance of technology in education and helped to implement it in the classroom. To others, he will be remembered as a true patriot who served his country with honor and distinction in World War II and the Korean War. To his family, he will most fondly be remembered as a loving husband, father, grandfather and great-grandfather. His contributions to education in Northwest Florida and throughout the entire State have improved the lives of countless students.

Mr. Speaker, on behalf of the United States Congress, it gives me great pride to honor the life and selfless service of Dr. William "Bill" Maloy. My wife Vicki joins me in extending our most sincere condolences to the entire Maloy family.

CELEBRATING THE ROCKLEDGE
JUNIOR LEAGUE BASEBALL
TEAM'S WORLD SERIES VICTORY

HON. BILL POSEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 2012

Mr. POSEY. Mr. Speaker, I rise today to congratulate the Rockledge Junior League Baseball team for winning the Junior League World Series championship at Heritage Park in Taylor, Michigan on August 18, 2012.

Thirty-two years after the Junior League Baseball World Series was established in 1981, Rockledge became the tenth Florida team to bring home a championship.

The team dominated across the state of Florida, with a record of 11-0. Rockledge continued forward to defeat five state champions

from Virginia, Tennessee, North Carolina, Georgia, and Alabama. They traveled for 1,158 miles and 19 hours to Michigan with a record of 16-0 as the USA Southeast regional title holder, and triumphed to become the USA bracket leader. Only team Aruba, the international title holder, was standing between the ambitions of Rockledge team members, who were led by Manager David Clanton and Coaches Tom Hall and Robbie Robedeau.

The championship began with a quick 5-2 lead as Rockledge asserted its presence. Justin Robedeau, Kevin Clanton, Trevor Payne, Andrew Parrish, Mason Studstill, Blake Beyel, Brady Martello, Michael Hall, Gavin Spinneweber, and Jackson Parker each maintained their confidence while Aruba inched closer, shortening the gap 9-8 in the 6th inning.

The Rockledge All Stars kept their composure and brought home a 12-10 win in the 8th inning. Managed by an exceptional coaching staff, each teammate played a major role in winning the World Series title, with a final 22-0 post season record. We salute the Rockledge Junior League Baseball team for their success and the measure to which they represented our community and state.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, September 13, 2012 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

SEPTEMBER 14

9:30 a.m.

Armed Services

To receive a closed briefing on the situation in Syria.

SVC-217

2:30 p.m.

Indian Affairs

To hold hearings to examine the nomination of Kevin K. Washburn, of New Mexico, to be Assistant Secretary of the Interior for Indian Affairs.

SD-628

SEPTEMBER 19

9:30 a.m.

Energy and Natural Resources
Water and Power Subcommittee

To hold hearings to examine S. 3265, to amend the Federal Power Act to remove the authority of the Federal Energy Regulatory Commission to collect land use fees for land that has been sold, exchanged, or otherwise transferred from Federal ownership but that is subject to a power site reservation, H.R. 2842, to authorize all Bureau of Reclamation conduit facilities for hydropower development under Federal Reclamation law, S. 3464, to amend the Mni Wiconi Project Act of 1988 to facilitate completion of the Mni Wiconi Rural Water Supply System, and S. 3483, to amend the Wild and Scenic Rivers Act to adjust the Crooked River boundary, to provide water certainty for the City of Prineville, Oregon.

SD-366

10 a.m.

Health, Education, Labor, and Pensions

Business meeting to consider S. 3391, to amend section 353 of the Public Health Service Act with respect to suspension, revocation, and limitation of laboratory certification, an original bill entitled, "Recalcitrant Cancer Research Act of 2012", S. 1440, to reduce preterm labor and delivery and the risk of pregnancy-related deaths and complications due to pregnancy, and to reduce infant mortality caused by prematurity, and nomination lists in the Public Health Service.

SD-430

Homeland Security and Governmental Affairs

To hold hearings to examine homeland threats and agency responses.

SD-342

Judiciary

To hold hearings to examine certain nominations.

SD-226

2 p.m.

Aging

To hold hearings to examine eliminating waste and fraud in Medicare, focusing

on an examination of prior authorization requirements for power mobility devices.

SD-562

2:15 p.m.

Foreign Relations

Business meeting to consider S. 2215, to create jobs in the United States by increasing United States exports to Africa by at least 200 percent in real dollar value within 10 years, S. 2318, to authorize the Secretary of State to pay a reward to combat transnational organized crime and for information concerning foreign nationals wanted by international criminal tribunals, S. 3310, to direct the President, in consultation with the Department of State, United States Agency for International Development, Millennium Challenge Corporation, and the Department of Defense, to establish guidelines for United States foreign assistance programs, S. 3331, to provide for universal intercountry adoption accreditation standards, S. 3341, to require a quadrennial diplomacy and development review, S. Con. Res. 50, expressing the sense of Congress regarding actions to preserve and advance the multistakeholder governance model under which the Internet has thrived, S. Res. 516, expressing the sense of the Senate on the restitution of or compensation for property seized during the Nazi and Communist eras, S. Res. 466, calling for the release from prison of former Prime Minister of Ukraine Yulia Tymoshenko, S. Res. 543, to express the sense of the Senate on international parental child abduction the nominations of Richard G. Olson, of New Mexico, to be Ambassador to the Islamic Republic of Pakistan, Department of State, and John Hardy Isakson, of Georgia, and Patrick J. Leahy, of Vermont, both to be a Representative of the United States of America to the Sixty-seventh Session of the General Assembly of the United Nations, and lists in the Foreign Service.

S-116, Capitol

2:30 p.m.

Commerce, Science, and Transportation

To hold hearings to examine five years of the "America COMPETES Act", focusing on progress, challenges, and next steps.

SR-253

Judiciary

Constitution, Civil Rights and Human Rights Subcommittee

To hold hearings to examine hate crimes and the threat of domestic extremism.

SD-226

Homeland Security and Governmental Affairs

Oversight of Government Management, the Federal Workforce, and the District of Columbia Subcommittee

To hold hearings to examine investing in an effective Federal workforce.

SD-342

SEPTEMBER 20

2 p.m.

Homeland Security and Governmental Affairs

Investigations Subcommittee

To hold hearings to examine offshore profit shifting and the U.S. tax code.

SD-G50

2:15 p.m.

Indian Affairs

To hold an oversight hearing to examine advancing the Federal-tribal relationship through self-governance and self-determination.

SD-628

SEPTEMBER 25

2 p.m.

Homeland Security and Governmental Affairs

Federal Financial Management, Government Information, Federal Services, and International Security Subcommittee

To hold hearings to examine improving financial accountability at the Department of Defense.

SD-342

SENATE—Thursday, September 13, 2012

The Senate met at 10 a.m. and was called to order by the Honorable TOM UDALL, a Senator from the State of New Mexico.

PRAYER

The PRESIDING OFFICER. Today's opening prayer will be offered by Rev. Father Marcel Rainville from St. Michael's College in Burlington, VT.

The guest Chaplain offered the following prayer:

With humble hearts, let us pray.

Gracious God, You make us stewards of Your creation so that in all things we may honor the gift of life which You bestow on us each day.

We pray for these our elected officials as they work to perform the sacred mission of service taken up on behalf of all the citizens of this Nation that thirsts for God. Guide them with good judgments in the exercise of their duties. May Your spirit of wisdom abide with them in shaping a more benevolent world according to Your great love, and may the hearts of Your people, especially these present, be open to the needs of all our brothers and sisters.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable TOM UDALL led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUE).

The legislative clerk read the following letter:

U.S. SENATE,

PRESIDENT PRO TEMPORE,

Washington, DC, September 13, 2012.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TOM UDALL, a Senator from the State of New Mexico, to perform the duties of the Chair.

DANIEL K. INOUE,

President pro tempore.

Mr. UDALL thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

FAMILY AND BUSINESS TAX CUT CERTAINTY ACT OF 2012—MOTION TO PROCEED

Mr. REID. Mr. President, I move to proceed to Calendar No. 499, S. 3521.

The ACTING PRESIDENT pro tempore. The clerk will report the motion to proceed.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 499, S. 3521, a bill to amend the Internal Revenue Code of 1986 to extend certain expiring provisions.

Mr. REID. Mr. President, I yield to my friend from Vermont.

The ACTING PRESIDENT pro tempore. The Senator from Vermont is recognized.

GUEST CHAPLAIN FATHER MARCEL RAINVILLE

Mr. SANDERS. Mr. President, I am delighted that Father Marcel Rainville has offered the opening prayer for the Senate this morning, and I thank him very much for joining us in doing so.

Father Rainville is a native of Vermont. He is a distinguished member of the Society of St. Edmund, an order which has a very long history in our State. Established in Vermont first at Keeler's Bay in 1891 and then in Swanton in 1895, the Society of St. Edmund still has its headquarters in Vermont. The society founded St. Michael's College, which was officially incorporated in 1913 as the first Catholic college in the State of Vermont with the authority to grant college degrees. The Edmundites have long stood for justice and civil rights in our country, including in Selma, AL, where they have a mission. The society has established a successful alternative school for African-American boys in New Orleans. The Edmundites have as a major part of their vocation the mission to help those who are most in need, and we appreciate all of the good work they do.

Father Rainville was born in Swanton, VT. He was ordained as a priest in the Society of St. Edmund, and this year marks the 40th anniversary of his ordination. Father Marcel spent part of his life as a priest serving in the Edmundite mission in Venezuela, working with and sustaining the impoverished in a barrio in Caracas. He currently resides in Winooski Park, VT, where he has also served as chaplain. He currently serves as the director of formation for the Society of St. Edmund.

It gives me great pride that he has given the opening prayer today in the Senate, and all of Vermont appreciates the wonderful work he has done. He is a kind and gentle human being and is much beloved in our State. I thank him again for being with us today, and I

thank the Chaplain for his help in arranging this visit.

ORDER OF BUSINESS

Mr. REID. Mr. President, last night cloture was filed on the substitute amendment and the underlying bill, the veterans jobs bill. If we are unable to reach an agreement to move up the timing of the cloture vote, then we will have to have these votes as early as we can under rule XXII. Under such a scenario, the first rollcall vote on cloture on the substitute amendment would occur shortly after 1 a.m. Friday morning, and that is tonight. If there are 60 votes to cut off the filibuster on the substitute amendment, then there will be up to 30 hours postcloture on the substitute amendment prior to a vote on its adoption which would occur at 7:30 a.m. Saturday morning. Immediately following the vote on the adoption of the substitute amendment, the Senate will proceed to the cloture vote on the underlying bill as amended. If cloture is invoked on the bill as amended, then there will be up to 30 hours postcloture prior to a vote on passage of the bill as amended. The vote on passage would occur about 2:30 p.m. Sunday afternoon.

That is for the information of all Senators. Until we get this worked out, everybody better stay right where they are and not go places because we will have votes every day. We will then be able to finish this work on Sunday sometime late in the afternoon, and then, of course, with the Jewish holidays on Monday and Tuesday, we would come back and work on the CR and a couple of other things beginning Wednesday.

SCHEDULE

Mr. President, in the next hour, after I finish my remarks and Senator MCCONNELL finishes his remarks, the majority will control the first half and the Republicans will control the final half. It will be 1 hour that will be equally divided.

VETERANS JOBS CORPS ACT

Mr. President, as we know, it is Thursday, which means Republicans have once again forced the Senate to waste the better part of a week jumping through procedural hoops that do not do have one positive outcome for our country. This week the Senate waited out yet another filibuster. It was the 380th filibuster in the 6 years I have been the leader in the Senate. This time the Republicans are not just obstructing a measure that would create jobs, which they have done many times, they are obstructing the measure that would create jobs for the men and women who risked their lives over

the past 11 years to protect our freedom.

Each year 200,000 servicemembers re-enter the workforce. The Veterans Jobs Corps Act, which is before this body, would invest in those returning veterans, easing the transition back to civilian life with job-training programs and priority hiring for first responder positions. If young veterans want to continue their service to country and community by becoming police officers, firefighters, or rescue workers, we should do everything we can to help them achieve that goal. This legislation would also create jobs for veterans restoring forests, parks, coasts, and public lands. The least we can do for those who have fought for this country abroad is to ensure they never have to fight for a job when they come home.

The legislation that is before this body should sail through the Senate with bipartisan support. Remember, the substitute amendment is a bipartisan measure worked on by Senator BURR and others on the Republican side, but this worthy legislation has met one Republican stall tactic after another. Not only has this bill faced a strong series of procedural hurdles, the Republicans have larded it up with unrelated ideological amendments. That is what they want to do anyway. While some of these amendments are certainly important, they don't belong in any jobs measure, let alone a jobs measure that would assist returning veterans.

Unfortunately, I am not surprised to see the Grand Old Party blocking a jobs bill. After all, that has been their tactic all this Congress. It has really been their tactic for 4 years. Republican leader MITCH MCCONNELL said so himself. During the darkest days of the great recession, he said his No. 1 goal was to defeat President Obama—not to create jobs, not to do anything to boost the economy, but to defeat President Obama. Obviously, it is still true today. I am dismayed to see them blocking a jobs bill aimed at protecting those who protect this great Nation. This is really a new low for the Republicans. At a time when 175,000 post-9/11 veterans are out of work, and many of them are homeless, we can't afford to waste time with election-year politics.

Less than 3 weeks before his death, President John F. Kennedy wrote:

As we express our gratitude, we must never forget the highest appreciation is not to utter words, but to live by them.

It is time that the Senate show its gratitude to a new generation of veterans with deeds. It is my hope that my Republican colleagues will find it in themselves to put American veterans first and political aspirations second.

This bill could pass today and we could send it to the House and have the President sign it within a matter of days. It is a shame if that doesn't happen. I have gone over the schedule with

everyone within the sound of my voice, and I hope we can move forward.

Mr. President, will you announce the schedule of the day.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

ORDER OF BUSINESS

Under the previous order, the next hour will be equally divided and controlled between the two leaders or their designees, with the majority controlling the first half.

Mr. REID. Mr. President, I suggest the absence of a quorum and that the time be equally charged.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. CANTWELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Ms. CANTWELL. Mr. President, I ask the indulgence of my colleague from West Virginia. We thought the minority leader was coming to the floor to speak so we have gotten a little behind, but I appreciate his indulgence for me to recognize a very important Washingtonian.

HONORING OUR FOREIGN SERVANTS

However, before I start, I wish to take a moment to say that my thoughts and prayers are with the families of the victims of the horrific attack that happened in Libya, and that it is now time to remember all of the men and women who serve our country abroad at these embassies and to thank them for their service and hope for their protection.

REMEMBERING GEORGE HICKMAN, TUSKEGEE AIRMAN

Ms. CANTWELL. Mr. President, on a chilly day in January of 2009, Americans watched with pride as Barack Obama stood before the Nation and took the Presidential oath of office. For some, that experience was another milestone in a long journey to ensure America lives up to the idea that this country was built for everyone. The election of an African-American President shattered a barrier that many thought would never happen.

The American struggle for civil rights has produced many seminal moments, including Rosa Parks and the Montgomery bus boycott, Martin Luther King at the march on Washington, and Jackie Robinson stepping to the plate for the first time. Before all of these events, however, there were the Tuskegee Airmen.

George Hickman, a Washington resident and a Tuskegee Airman, was truly part of America's "greatest generation." They were a catalyst for an

eventual desegregation of the entire U.S. military. On March 19, 1941, the 99th Pursuit Squadron was formed at Tuskegee Institute in Alabama.

When the United States was waging war against tyranny abroad, the members of what became known as the Tuskegee Airmen fought it; they fought the globe for us. Breaking barriers is never easy. At the time, the competence and patriotism of these African-Americans sometimes were openly questioned, but the Tuskegee Airmen didn't listen to those critics. They were fighting for what this country could be, not what it was.

In the first class of graduates there were only five, but before the war ended almost 1,000 pilots went through training at Tuskegee. Of those, 450 flew planes in the 99th Squadron and the 332nd Fighter Group in missions across Europe. They used the steely resolve they had shown in the face of racism to their advantage.

The 99th conducted bomber escort missions with stunning success. They flew 200 of 205 of these missions without a loss of a single bomber to the enemy aircraft.

The 332nd group achieved just as much. The Red Tail fighters came to be feared in the skies because of the feats like the one Lieutenant Pierson pulled off when he took out a German destroyer in the Harbor of Trieste, Italy, with just a 50-caliber machine gun.

Equally important were the Tuskegee pilots who broke barriers at home. They may not have participated in combat, but they proved they were instrumental in powering the American military that eventually won the war. Amidst jeers and insults, the Tuskegee Airmen quietly went about their job with grace. Through grit and determination they barreled through dead ends and blocked doors and shined a light for others to follow.

President Obama acknowledged as much when he said: "My career in public service was made possible by the path heroes like the Tuskegee Airmen trail-blazed."

These important Tuskegee Airmen were pioneers, and among them was George Hickman from Seattle, proud and smiling as always, as we can see in this photograph.

So I rise today to honor the life of this American hero and loyal Washingtonian. George Hickman passed away on August 19 at the age of 88. We owe George Hickman a great deal because beneath that big smile lay a quiet determination and courageous spirit that helped him make America a better place for all.

George grew up in St. Louis, MO. He loved building model planes which he bought for 10 cents at Woolworth's, and he dreamed of becoming a pilot. At age 18 he pursued that dream.

When he graduated from high school in 1943, George trained with the Army's

all African-American 99th Pursuit Squadron in Tuskegee, AL. He was a Tuskegee Airman and one of our Nation's first African-American pilots.

George's passion for aviation continued after his service was up, and as a mechanic with the Tuskegee Airmen he developed skills that allowed him to succeed in and graduate from college. Eventually George brought his expertise to Boeing when he moved to Seattle in 1955. Over a 29-year history he rose through the ranks at Boeing, but that is not where this story ends.

George was also an uplifting spirit, and he had the most radiant smile. We can see that from this picture. That smile was there for his community, his family, and everyone who met him. George became a well-known figure at Seattle sporting events for the University of Washington Huskies and the Seattle Seahawks. In fact, people called him "our lucky charm."

For more than 40 years, he served as a press attendant and usher at UW sporting events. George never missed a game, including Rose Bowls, and he was there to give moral support to everyone. He even went to the basketball and volleyball games and gave high fives to everyone on the court.

As the University of Washington basketball coach Lorenzo Romar put it: "He is a guy that is selfless. He is always trying to lift someone else up."

I also wondered, seeing this picture of George many times before today, if it was the steely reserve of being an airman that grounded him for what he considered to be really important in life; that is, lifting up other people. That is exactly what George did. The University of Washington community lifted up George too. They helped collect enough money so he could travel to Washington, DC, to be part of President Obama's inauguration, along with 188 other Tuskegee Airmen. Some estimates are that more than half of those Tuskegee Airmen who attended the inauguration are no longer with us.

With George's passing, certainly there is one more angel in heaven with a very big smile on his face, but here on Earth we have one fewer American hero from the Tuskegee Airmen days to tell his story. So, today, I encourage all Americans to learn about the story of the Tuskegee Airmen. For those in the Pacific Northwest, I encourage people to visit the Museum of Flight in Seattle and the Northwest African American Museum because they both have exhibits on display that showcase this epic story. It is a great opportunity to reflect on the people who inspired our Nation's founding ideals and who ended up changing the course of American history.

George Hickman may no longer be with us, but he will always be remembered for that very big smile, especially by those he touched in his life. His spirit will live on. It is almost as if

he is saying in that picture: You can get it done. We can get it done.

His legacy lives on through his children Regena, Sheri, Vincent, and Shauniel, as well as his grandchildren and great-grandchildren. We will all carry on this legacy with the U.S. military and the trailblazing Tuskegee Airmen. George's spirit will also carry on back home at Husky Stadium and at Hec Edmundson Pavilion. Many people, including the Seattle City Council, those at the university, and the Seahawks have all honored him in their special ways.

So on behalf of a grateful nation, it is my pleasure to submit a resolution to honor the life of an American hero, a great Washingtonian, George Hickman. As his wife Doris summed it up: "George loved his family and enjoyed life to the fullest."

George Hickman was a true American hero and an inspiration for all of us. I hope we agree to this resolution.

Ms. CANTWELL. Thank you, Mr. President. I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from West Virginia.

VETERANS JOBS CORPS ACT OF 2012

Mr. MANCHIN. Mr. President, first of all, I wish to thank my colleague and good friend from the State of Washington, Senator CANTWELL, for honoring and recognizing a true American hero. We have had so many of them, and we still have so many, and I wish to thank her for that.

As the country mourns for those we have lost in Libya and those who remain in harm's way to keep us all safe, we are reminded of the sacred debt we owe the men and women who put their lives on the line for us every day. No matter the generation and no matter the war, America's soldiers, sailors, marines, and airmen are always tough, always determined, and always victorious. Even when we have asked the impossible of them, they have served us well.

However, how well have we served them? How well have we kept our sacred promise to care for those who, as Abraham Lincoln said, "have borne the battle" for us and for this great country of ours?

The Veterans Jobs Corps Act is an opportunity to make good on that promise, but it is more than an opportunity; it is an obligation. It is also a duty and, most importantly, it is a privilege. It is one of the best welcome home celebrations we could give the men and women in our armed forces, as well as the 9/11 generation of their families—more than 1 million military spouses and 2 million children, many of whom have lived their entire lives in a nation at war.

Today, one of our Nation's great challenges is a new generation of veterans coming home to a weak economy. Those veterans are disciplined and have some of the best training in

the world, but now those veterans who fought in Iraq and Afghanistan now fight for jobs.

The unemployment rate for these post-9/11 veterans is 10.9 percent, according to the Bureau of Labor Statistics this past August, and that is well above the national average. That is unacceptable. That is why every day in the U.S. Senate I will stand with our veterans—as I know the Acting President pro tempore does and all of our colleagues—24/7. That is why one of my top priorities in the Senate has been—and will continue to be—to make sure there are good jobs for our returning veterans.

I am particularly pleased that the Veterans Jobs Corps Act includes provisions to provide veterans with access to the Internet and computers to assist them in their job searches. This is important because, as we all know, today's veterans are tech-savvy.

I have talked with Labor Secretary Solis about establishing an Internet portal for job seekers, and I will be working closely with the Secretary to make sure this provision of the act is up and running as quickly as possible.

I do, however, suggest that we amend the legislation so it is abundantly clear that employment opportunities available through the Veterans Jobs Corps are maintained on one—only one—Internet portal—a simple, one-stop center for job seekers. In this technology age, we need a central clearinghouse to match veterans with available jobs.

I also want to propose two more amendments to the Veterans Jobs Corps Act that might have been overlooked.

First, as written, the legislation addresses commercial driver's licenses, CDLs, as we know them, but not construction equipment or heavy equipment operating licenses. I suggest we amend the legislation to include reciprocity on licensure, which, clearly, will make it easier for veterans to get jobs operating this heavy equipment at construction and mining sites. They have been doing these jobs already every day in the military. There is no reason why they should have to face a complete new hurdle to get a new license for the same work here at home.

And second, I would like the legislation to encourage Members of Congress to lead by example and hire qualified veterans for openings in all of our offices both here and at home. I proudly display the "I Hire Veterans" logo in my office, and many of our colleagues do. I have made this a commitment to every veteran: that we will do all we can to put them back into employment. But we must all lead by example.

As members of the Veterans Jobs Caucus, we must do everything we can to end the unemployment crisis our veterans are facing. In fact, while I was in my great State of West Virginia during our most recent State work period,

I had the privilege of working with a private sector partner, DuPont—International DuPont—which has joined the “I Hire Veterans” project. They have committed that for all of their new hires, at least 10 percent will be veterans. That is tremendous. This project is our new yellow ribbon and, as I have always said, if you want to really help a vet, hire a vet and then do business with folks who also hire vets.

I have seen firsthand the positive impact veterans have on our economy. Leadership, teamwork, commitment, and trust—these are the hallmark qualities of all of our military heroes. And these are skills every American business—big or small—needs and can use today.

Like every generation of warriors, today's young veterans make great hires. Their resumes include maturity, crisis management skills, and loyalty, and those resumes should be at the top of every stack of a person looking for a good employee today.

Patriotism has many requirements and one requirement is to keep faith with those who have worn the uniform of the United States of America. It is one thing to recall President Lincoln's immortal words and the commitment to those who have “borne the battle.” It is another to live by them—to always stand with the men and women who have kept this Nation safe and free.

They answered the call. We must do so as well. And I am so proud to support this legislation.

Three million veterans have returned from military service over the past 10 years, and another 1 million are expected to return to civilian life over the next 5 years.

Can we rise to the challenge, the way our warriors did in Iraq and Afghanistan? Can we make sure our economy is ready for them? Of course we can. And just as importantly, we must.

So I ask all of my colleagues—Democrats and Republicans—to please vote “yes” on this most important piece of legislation.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Colorado is recognized.

Mr. UDALL of Colorado. Mr. President, I commend my colleague from West Virginia for his eloquent and articulate and powerful remarks about the importance of standing with our veterans. We have work to do, as Abraham Lincoln so powerfully put it. I want to acknowledge the great work of my colleague from West Virginia.

Mr. MANCHIN. I thank the Senator.

WIND PRODUCTION TAX CREDIT

Mr. UDALL of Colorado. Mr. President, I am here, as I have been on many a morning over the last number of months, to urge all of us to work together in order to extend the production tax credit for wind energy. The

PTC, as it is known, is going to expire in a few months. That impending expiration not only threatens the jobs of tens of thousands of Americans but also threatens the continued prosperity of an industry that has seen tremendous growth over the last decade. We simply cannot let that happen. But each day we fail to act—and, in effect, abdicate our basic responsibility to support job creation—we are allowing jobs to be exported and we are truly abandoning a part of the bright future of American manufacturing.

I have had the opportunity over the last several months, as I mentioned, to come to the floor and talk about the benefits of the production tax credit in individual States. Today I think it is timely and appropriate to highlight the great State of Arizona—a State I have a special affinity for, as does the Acting President pro tempore. We were both born and raised in Tucson, and we both, I know, share a sense of pride because Arizona has adopted a renewable electricity standard such as we have in Colorado, such as we have in the Acting President pro tempore's State of New Mexico. The important part is not just the adoption of that standard but Arizona's commitment to renewable energy has truly produced results.

When you think about Arizona, you think about solar resources. The Sun shines many a day in Arizona. But it is also home to more than ample wind resources. In fact, the studies show that Arizona has enough wind potential to provide 40 percent—40 percent—of the State's current electricity needs. That is according to the National Renewable Energy Laboratory.

Arizona is not letting that wind go to waste. It completed its first commercial wind project in 2009, and it has been steadily adding capacity ever since. This first project was the Dry Lake Wind Project, which is a wind farm comprised of 30 turbines in Navajo County, which is up in the northeastern section of the State, familiar to the Acting President pro tempore, quite near his home State of New Mexico.

But Arizona is not stopping with this one project. There are at least seven wind manufacturers in Arizona that are creating good-paying jobs, and I want to mention one, Southwest Windpower. It is a national leader in the small wind market, and it has a manufacturing facility up in Flagstaff, which is in Coconino County, in the center of the northern part of Arizona.

These online wind projects already power over 33,000 homes, and, as I have highlighted, current projects under construction are likely to drastically multiply that number. Why is this important? Well, we have clean, renewable energy that creates American jobs. You talk about a virtuous cycle. This is one.

There is a large wind project proposed in Arizona. It is the Mohave

County Wind Farm. It is up in the northwestern section of Arizona. It will produce 500 megawatts of electricity. Mr. President, 500 megawatts would power 110,000 homes per year. As importantly, that is an investment of hundreds of millions of dollars and, conservatively, it would create nearly 1,000 jobs. Those are impressive numbers.

Why do I bring up this proposed project? Well, I bring it up because this investment is at risk. The BLM, under Secretary Salazar's leadership, has fast-tracked this project, and it is scheduled to begin construction next year. But our inaction here literally will thwart those plans. Without an extension of the production tax credit, the future of this project and the jobs and the clean energy it will produce are in jeopardy. That is flat out unacceptable. We have to act here in the Congress in order for the immense potential of wind power to be realized.

I want to talk today about something I have not mentioned previously on the upside. When we produce power from wind in the arid West, we save an enormous amount of water. Recent estimates project that for every 1,000 megawatts of new wind power produced, we save over 818 million gallons of water on an annual basis. I do not have to tell the Acting President pro tempore we are in a period of extreme drought not only in the Southwest but in the Midwest. When you add in the fact that Arizona has a very arid climate, fresh water supplies become increasingly precious. So when we take steps to reduce the demand for that fresh water, we make a downpayment on the future of the Southwest. Of course, we know that well in Colorado. We are the headwaters of some of the most significant major rivers that feed the water needs of the States all around us. But if we let the PTC expire, we risk all the jobs, the manufacturing, the water savings that would have really positive effects on our economy.

I see my good friend from Arizona is here, and I want to conclude. But I want to conclude on this note: This is not a partisan issue. On both sides of the aisle, we have strong support for the production tax credit.

Just last month, the Finance Committee included an extension of the production tax credit on a strong bipartisan vote. Our good friend, Senator GRASSLEY from Iowa, has led the effort here in the Congress, and we have support in both Houses. So I want to make a plea to all of us: Let's act in a bipartisan fashion. Let's renew the production tax credit.

The production tax credit simply equals jobs. So we ought to pass it as soon as possible because the production tax credit equals jobs, and that is job one here for those of us in the Senate.

In the House yesterday a group of Members—over a dozen of them—made

this effort bicameral. They talked on the floor of the House about how the PTC has benefited their districts. Their remarks highlighted what I have been saying for months: Without the PTC, thousands of good-paying American jobs will likely be lost or shipped overseas. There is no reason that should happen. Let's pass the production tax credit extension as soon as possible.

I thank the Acting President pro tempore for his interest and his support.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from South Dakota is recognized.

Mr. THUNE. Mr. President, I ask unanimous consent to enter into a colloquy with my colleagues from Arizona, Alabama and New Hampshire.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

SEQUESTRATION

Mr. THUNE. Mr. President, we come to the floor today to talk about the sequestration and the looming fiscal cliff. Unfortunately, the White House missed an important deadline last week by failing to provide Congress and the American people with a required report that details the administration's plan for implementing the \$1.2 trillion sequester that is scheduled to take effect on January 2 of next year, less than 4 months from now.

That report on both defense and non-defense cuts came about because the administration ignored repeated requests to provide Congress and the American people with details about the impact that sequestration is going to have on critical programs, particularly with regard to our military and national defense. Members of both parties agreed that it was necessary for the White House to produce this information, and so we were glad to see that Sequestration Transparency Act bill passed, a bill with which Senator SESSIONS, Senator MCCAIN, and others of us were involved. The law required the administration to produce by September 6, last week, a report on how they intended to implement sequestration. Yet so far we have not seen that report. Here we are, it is a week later, and so far President Obama has chosen to ignore a requirement that he signed into law just over a month ago.

All Americans are required to play by the rules and follow the laws of the land. It seems to me, at least, the administration owes the American people and the Congress, under the law that was passed, a report that would detail the proposal they have with regard to the sequestration that is going to occur the first of next year.

I think the reason that is important—it is important for a lot of reasons, but we do not have a lot of time here. If we are going to do something to avert what would be a catastrophe

for our national security interests, we have to take the steps that are necessary to do that. Well, it is very hard to come up with a replacement or an alternative to what the administration proposes when we do not know what the administration is proposing.

So we are hoping that when we get this report, which I hope will be soon since it is now a week overdue, we get an idea about what the administration proposes to do and then Congress can move forward, hopefully, with an alternative that would avert what would be a major disaster, as has been described by our military leadership in this country, to America's national security interests. I know the Senator from Arizona, the Senator from Alabama, and others will detail some of that, but I think it is important to point out what some of the President's own advisers have said.

The Secretary of Defense Leon Panetta has issued repeated warnings about the negative impact these cuts will have on our military, saying, "It would do catastrophic damage to our military and its ability to protect this country."

General Odierno, Chief of Staff of the Army, said that "cuts of this magnitude would be catastrophic to the military." He went on to say that "these cuts would incur an unacceptable level of strategic and operational risk."

It is interesting, there is a book out now by Washington Post reporter Bob Woodward, who describes President Obama and then-OMB Director Jack Lew when they were going through this process as insisting on these defense cuts during the debt ceiling negotiation. It is clear they wanted to use these defense cuts as leverage to get tax increases.

In fact, if we breach the fiscal cliff, if we go over the fiscal cliff, it is now being predicted by the Congressional Budget Office that that will drive unemployment beyond 9 percent next year and plunge the country into yet another recession. In fact, they project—CBO does—that the GDP will contract by 2.9 percent during the first half of next year and by 5 percent over the entire year. Federal Reserve Chairman Ben Bernanke has also said that estimates "do not incorporate the additional negative effects likely to result from public uncertainty about how these matters will be resolved."

We are heading toward a train wreck. We are heading toward a disaster for America's national security interests. It all started with the fact that this Chamber has not produced a budget for now 3 years in a row. This is what you end up with when you do not have a budget. We do not have a blueprint on how we are going to spend \$3.6 trillion of the American taxpayers' money, so we ended up with a budget control act which was cobbled together at the last

minute to avoid a crisis on the debt limit last summer which put in place a supercommittee designed to come up with these cuts. When the committee failed, this sequestration process was triggered. That was last November. We have had almost a whole year now for the administration to put forward their plan about how they would implement this sequestration, these across-the-board cuts that disproportionately impact our national security spending.

It is a disservice to the American people, disservice to the Congress for the administration not only to have not put something out prior to, but now since we passed legislation that was signed into law just a month ago that required the President to put forward this report, not to have received it yet so that we can have the time that is necessary to take the action that is necessary to avoid what would be a catastrophe and a disaster for America's national security interests.

I hope we will receive that report. This fiscal cliff is real. It is not just the Congressional Budget Office; a lot of the outside analysts have looked at this and come to the same conclusion; that is, if something is not done to avert these cuts and to deal with the tax increases that will occur on the first of next year, we will go over a fiscal cliff, and that could be incredibly dangerous and have catastrophic consequences for America's national security interests but also for our economy and for jobs.

I would like to yield to my colleague from Arizona, Senator MCCAIN, one of the most respected voices on national security issues and someone who has been very active on this sequester issue and trying to get the Defense Department to at least let us know what they are intending to do with regard to the cuts that are going to impact the national security interests of this country.

I yield to the Senator from Arizona.

Mr. MCCAIN. Mr. President, I ask unanimous consent that I be included in the colloquy with the Senator from South Dakota, the Senator from Alabama, and, naturally, the Senator from New Hampshire as well.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MCCAIN. Mr. President, I think the Senator from South Dakota has laid out the problem. One of the regrets that I think all of us have is the failure of this message to get to the American people: the loss of 1 million defense jobs, \$1 trillion taken out of our economy, the devastation to our national security that has been so graphically described by our Secretary of Defense and our uniformed chiefs. And still I think most Americans do not understand how the word "sequestration" applies in this particular situation. Now, maybe when this report—thanks

to the legislation sponsored by the Senator from South Dakota—comes out as to the effects, it will give more visibility to the train wreck we are facing. It is a train wreck.

I would like to remind my colleagues again that the President cut \$78 billion from defense in 2011. The budget request this year cut an additional \$487 billion over the next decade, and this is another approximately \$480 billion in addition to that. That is why our uniformed service chiefs say they will not be able to carry out their missions if this sequestration takes place.

And the President of the United States, whose title is “Commander in Chief,” has said, as far as I know, one, that he wants us to agree to tax increases. There have been some comments he has made about, well, after the election, maybe we will sit down. That is not the job of the Commander in Chief of the Armed Forces whose No. 1 priority is this Nation’s security. The job of the President of the United States is to prevent the catastrophic consequence of sequestration on our Nation’s national security.

I stand ready—and I know my colleagues do—I stand ready to go over to the White House and sit down with the President of the United States and say: How can we avert this catastrophe for our Nation’s defense? What is the answer? Well, as soon as the Republicans agree to tax increases, or, after the election, maybe we can sit down. Meanwhile, the Pentagon has to plan. They have to plan on what their budget is, on what their capabilities are going to be, what their acquisitions are going to be, how we are going to pay, make sure the pay and benefits of our men and woman who are serving are kept up.

I will yield to my friend from Alabama in just a second, but this is really an incredibly frustrating situation. We are not going to take up the Defense authorization bill anytime soon. We are going through a veterans jobs act that never had a hearing, sponsored by a person who is not a member of the Veterans’ Affairs Committee. There are six veterans jobs programs already in being today. Then I read in some of these periodicals that we are going to take up a bill from the Senator from Montana concerning some kind of hunting deal.

Meanwhile, the Senate refuses to take up the National Defense Authorization Act, which has to do with defending this Nation. What is the role of the President of the United States on this issue? I ask my colleagues, are we, for the first time in 50 years—the first time in 50 years—not going to pass and send to the President’s desk for signature a defense authorization bill? Instead, we will go back and forth filing cloture and arguing on amendments and on which will be allowed or not allowed, fill up the tree, blah, blah, blah. Yet the majority leader of the Senate

cannot take up the national defense authorization bill, the most important piece of legislation this body considers, and it may be that we do not take it up for the first time in 50 years.

We must address the issue of sequestration. I again commit to making compromises, to doing things I otherwise would not agree to, because we cannot allow this train wreck that will endanger the lives of our citizens to take place. Do not take my word for it. Take the word of the Secretary of Defense appointed by the President of the United States and our uniformed chiefs appointed by the President of the United States with the advice and consent of the Senate that this is a devastating challenge to our national security. We just found out in the last couple of days that the world we live in is a very dangerous one.

I thank my colleagues for their involvement.

I yield to the Senator from Alabama.

Mr. SESSIONS. Mr. President, I think we should listen to Senator MCCAIN. Senator MCCAIN made a point that I think he understands. He is the ranking Republican on the Armed Services Committee. He has served his Nation with a career in the military. And we have a Commander in Chief who is not leading. We have a majority leader in the U.S. Senate who is not leading. We are about to have no Defense authorization bill this year for the first time in 50 years.

I would also note that this will be the first time since I have been in the Senate in maybe—I do not know how long—that we have passed not a single appropriations bill, zero, including a defense appropriations bill. It is going to be part of some massive, ominous CR for 6 months without any real oversight or thought as to how that money will be spent.

I am a member of the Armed Services Committee and ranking member of the Budget Committee. I would like to point out how these cuts that, as Senator THUNE established, were driven by the White House when they set up this committee last August—and we committed to reducing spending by \$2.1 trillion over 10 years. Instead of spending \$47 trillion, they would reduce it to \$45 trillion. We are spending now at the rate of \$36 trillion over 10. We are still increasing spending over current rates, but it would not be quite as much.

But the way this fell is remarkable. I wanted to show this chart. Under the fallback sequester, the defense budget shrinks while nondefense spending soars. Under the budget as proposed and in law today, the Defense Department, unless we take action to fix this sequestration, would have a reduction of 11 percent over 10 years in its programs, while the remaining five-sixths of the Federal Government—defense is only one-sixth—would get a 35-percent increase. This is the kind of poor man-

agement we ought to not allow to happen. The Secretary of Defense said it would be “catastrophic.” The Chairman of the Joint Chiefs said it would be “catastrophic.” Yet that is where we are heading.

We need leadership now. It will take place in January. We need to fix it now because defense contractors and military budget people in the Department of Defense are right now trying to wrestle with what to do about it.

This is not acceptable. So you say—they might say: The Defense Department has received dramatic increases. It ought to take more cuts.

We have heard that said. It is really not so. Let me show you some things about spending. From 2008 through 2011, these are the increases in spending by department or major program. Food stamps has gone up 100 percent—double. Medicaid went up 37 percent from 2008 through 2011. The Defense Department has increased 10 percent and basically last year had very little increase. The perception is that the Defense Department is the one that is driving the increases in spending. That is not accurate. Let me point out that under the Budget Control Act agreement of August 1 year ago, they totally exempted food stamps from any reduction, they totally exempted Medicaid from any reduction—not a dime—and that is why the cuts fall disproportionately on defense, and Social Security has no reduction. So these are things we need to understand as we wrestle with how to manage the people’s money.

I thank Senator THUNE for his leadership. To Senator MCCAIN, I just would say this is not a good way to do business. I don’t believe it will eventually become law. But right now it is causing disruption in the Defense Department, in our procurement for the Defense Department. We need to do something about it sooner rather than later. It is very disappointing the Commander in Chief, the Chief Executive, doesn’t see this problem and begin to provide leadership right now to fix it.

I see my colleague from New Hampshire, a fabulous new addition to both the Budget Committee and the Armed Services Committee, has come to the floor. I am so pleased with her grasp of defense issues and her passion about it. Senator AYOTTE.

Ms. AYOTTE. Mr. President, I ask unanimous consent to enter into this colloquy with my colleagues.

The PRESIDING OFFICER (Mr. CASEY). Without objection, it is so ordered.

Ms. AYOTTE. It is an honor certainly to speak after the Senator from Alabama, who is the ranking Republican on the Senate Budget Committee. He knows better than anyone else here, as my colleague from South Dakota said, had we done a budget for our country, we wouldn’t find ourselves in a situation such as this, where we are going to

put our national security at risk. It has been over 3 years since this body has done a budget. I think it is outrageous. Having been elected in 2010, I am so angry about that, I have signed up to support the bill that says we shouldn't get paid until we have a budget because where we end up is with this sequestration deal.

This is a lesson we should learn when we have an absence of leadership, when we have a majority leader who thinks it is foolish to have a budget, when we have absence of leadership from our Commander in Chief, who doesn't think this is a priority to resolve. The President should be calling all of us to the table to resolve this because of national security. Without resolving it, we end up putting our country at risk. The foremost responsibility we have in representing the American people under our Constitution is to keep them safe. If we don't do that, we have nothing else.

We have seen the events over the last few days, as Senator MCCAIN has described them. He is the ranking member of the Armed Services Committee and certainly someone known as being more knowledgeable about national security than anyone else in this body. I believe he is right. It is a dangerous time in the world right now. We are faced with Iran trying to acquire nuclear capability, we have the Middle East unraveling right now, and there is an absence of American leadership, unfortunately.

If we take, in addition to the \$487 billion in reductions we are already planning for the Department of Defense, another \$500 billion off that, with what we see happening around the world and the risks to our country—terrorists who still want to kill us for who we are and what we believe in—then as our own Secretary of Defense has said, this sequestration will be catastrophic, leading to a hollow force, shooting ourselves in the head. That is what our Secretary of Defense has said. Irresponsible.

Mr. MCCAIN. May I ask the Senator from New Hampshire, is it not true we went to her State and met with a major defense industry in the State of New Hampshire that employs thousands of people?

Ms. AYOTTE. Yes, we did. In fact, I was at the same major defense employer in my State on Monday the same employer we went to—BAE.

Mr. MCCAIN. What do they say?

Ms. AYOTTE. They say they are worried about sequestration because there are thousands of jobs at stake in New Hampshire. But more important, there is the capacity to make sure our troops have the very best equipment, the very best technology, and that we can prevent attacks on our country. When we send our troops into harm's way, we need to know they are protected. We have a responsibility to them.

There are jobs at stake and there is safety to our troops. When we talk about hollowing out our force, we mean putting our troops at risk and, finally, not only that, but we think about our safety. So there are real jobs at stake. As the Senator from Arizona has said, my State estimates 3,600 jobs on the defense end and over 1 million jobs in this country.

Let's face it, I saw the workers, I have talked to them, and they are very worried we are not going to take up our responsibility; that there is an absence of leadership. Where is the Commander in Chief on this? Of all the things the President has responsibility for, this cannot be punted until after an election. This should not be used as a bargaining chip for other goals he wants to accomplish—increasing taxes in this country. He should be at the table right now. We are all willing to sit down and listen to ideas and to compromise with the other side, but we need the leadership of our President to do that.

I understand the President may be too busy campaigning to do that, but this is too important to leave until after an election.

Mr. MCCAIN. Could I ask the Senator from Alabama, is it not true, if these cuts are enacted in the fashion they are designed right now, we are going to have a serious impact on our economy, to the point where it could result in even negative growth, according to objective studies?

Mr. SESSIONS. The Congressional Budget Office and others, as Senator THUNE indicated, have said if the tax increases are imposed and the sequester cuts are done, we could go back into another recession. The last thing we need to get this budget under control and our finances under control is another recession. It would be unthinkable for us to take action that would put us in that kind of context.

As Senator MCCAIN knows, there are requirements the defense contractors—any government contractor—has when they know they are not going to be able, under the law, to keep the number of people employed. They have to send them a notice they are going to be laid off in advance so they have an opportunity to find other work. They are preparing to send out those notices now, and that has a depressing effect on the economy as well, I think. It is a very serious matter for the economy.

But most important to me is, when we start playing games with production and procurement of weapon systems and things, it costs the government more money. Wouldn't the Senator agree? If a contractor is producing 100 widgets and then they go to 50 widgets, then back to 100, doesn't the government often have to pay penalties and doesn't it drive up cost?

Mr. MCCAIN. Wouldn't that also be true if a defense contractor today lit-

erally has no ability to make plans for what their company or corporation would be expected to do on January 1 of 2013?

Mr. SESSIONS. Absolutely; that is correct. Under the law, these cuts will take place in January. That will happen unless we pass a law to change it—unless we take action to change it. What, are we going to wait until December 31? Is that when we are going to deal with this?

As Senator AYOTTE suggests, we should do it now because it is the responsible thing to do to fix this problem and not leave the Defense Department in turmoil. They will not even send an answer to our request—Senator THUNE, myself, Senator MCCAIN—on where the cuts are going to occur, I guess because they do not want to or they do not know yet. But this is turmoil within the Department.

Mr. THUNE. If the Senator from Alabama will yield on that, I think it is important again to point out this could be avoided. Actually, the House of Representatives passed a budget trying to avoid it. They addressed this in their budget. They restricted these reductions, did away with the 50 percent whack the Defense Department would get, which is disproportionate relative to their share of the budget. Defense represents 20 percent or about one-sixth of the budget, as the Senator from Alabama pointed out, but it gets 50 percent of the cuts.

But the House of Representatives passed a budget that the Democrats have been down here attacking for the last couple days—the “Ryan” budget or the House-passed budget. At least they had a budget. We haven't had a budget for 3 years in the Senate.

Mr. MCCAIN. Isn't that known as chutzpah—to come down and attack the other body's budget when we haven't done a budget for 3 years, which is required by law?

I have to hand it to them—I have to hand it to them. I congratulate my friends on the other side of the aisle who come down and attack the other body's budget when they haven't done one in 3 years. Congratulations for new levels of hypocrisy.

Ms. AYOTTE. If the Senator from Arizona will yield, I too would call that hypocrisy. I mean, when there is no plan in the Senate for the fiscal state of the country, when the other side seems unwilling to actually do the work of the Budget Committee, when the majority leader calls it foolish—and by the way, when the President's own budget gets zero votes—

Mr. MCCAIN. Yes, the President did have a budget. It got zero votes. Not a single Member on the other side of the aisle voted for their own President's budget. Yet they will come down and attack a budget proposal which, by the way, puts us on a path to a balanced budget, and there is certainly no proposal I have ever seen coming from the

other side. In fact, the answer, according to them, is spend more money—spend more money. Let's have more of everything. Obviously, that has not been a very successful approach over the last 3½ years.

Again, I don't mean to be too repetitive, but here we are and what are we debating—a jobs bill. It sounds great. It sounds great: a veterans jobs bill. What could be better or more important? We have six veterans jobs programs that haven't succeeded. The fact is we are not addressing the needs of the men and women in the military who will be veterans someday. We are not providing them with the equipment, the training, and the wherewithal to defend this Nation by both ignoring sequestration and not taking up the National Defense Authorization Act.

My friends, I think the American people see through this charade we are conducting in these last few days before we go out to campaign and see if we can find and meet any Americans who are still in that 11 percent who say they still approve of Congress.

Mr. SESSIONS. We are going to have a lot more unemployed veterans if we don't fix this sequester because it is clearly going to cause the Defense Department to reduce personnel in a significant number; wouldn't the Senator agree?

Mr. MCCAIN. I totally agree.

Mr. SESSIONS. Senator THUNE mentioned the Ryan budget, a historic budget which changes the debt course of America and puts us on a path to prosperity and not decline. It is an honest budget, and it fixes this sequester.

I would ask Senator THUNE, doesn't the budget passed by the House do that? Isn't that proof that if we put our heads together, we can develop a way of dealing with this sequester; that it is not impossible to do?

Mr. THUNE. Right, and it passed months ago. We all talk about the jobs impact, the Warren Act notices that are going to go out, and all the uncertainty created by not knowing what the impact of this is going to be, but the House of Representatives passed a budget months ago which spelled out in clear detail how they would avoid these Draconian cuts to the national security budget, replaced them with alternatives by finding reductions in spending in other areas of the budget, and put a budget out that actually accomplished that objective and avoided what we all know is going to be a disaster and a train wreck at the end of the year.

So what happens? The Senate—the world's greatest deliberative body—doesn't pass a budget for the third year in a row. Here we are, at the eleventh hour, less than 4 months away from when this would take effect, with defense contractors sending out pink

slips to employees in the very near future, and the Senate has done nothing to avoid what we know is a very predictable crisis.

Everybody knows this is coming. The Congressional Budget Office is predicting it, the Federal Reserve is predicting it, outside analysts are predicting it. Everybody knows the combination of tax increases on January 1 and the dramatic cuts in the Defense Department are going to take the country into a place economically that we don't want to go. In most cases, according to the CBO, they have said it is going to take us back into a recession. They are predicting a 2.9-percent contraction in the economy in the first 6 months of next year and unemployment over 9 percent.

It is not as though we don't see this coming. Yet here we are, as Senator MCCAIN pointed out, talking about small-ball stuff. We are doing things that in somebody's opinion I am sure is important, but we know we have a disaster looking us right in the eye, and we aren't doing anything to address it.

Again, it all starts with the failure by this institution, the Senate—the world's greatest deliberative body—not able to pass a budget, its most fundamental responsibility. The ranking member of the Budget Committee, the Senator from Alabama, knows full well. The Senator from New Hampshire is also a member of that committee. I am not sure why our committee exists if we aren't going to pass a budget, but we haven't done it now under the Democratic leadership here in the United States for 3 consecutive years.

Mr. SESSIONS. Mr. President, I do believe we are at a point in history that this Congress has the responsibility. Sequester cannot be carried out in the way it is written today. It will do severe damage to the Defense Department. We are going to fix it at some point. It only makes good sense and good business for us to fix it now, to avoid the disruptions that are ongoing in our Department of Defense.

Now I say we will fix it. I know there are a number of friends of the President who have long desired severe cuts in the Defense Department. He said he doesn't, but he at this point is taking action that I can only conclude indicates he favors these reductions to occur. The only way he might not do it is if we have the tax increase he wishes to see occur.

Mr. THUNE. On that point, it looks as if what they are doing is running out the clock, doesn't it? They have a requirement by September 6—last week—to produce at least their proposal. It is by law. We passed it. He signed it into law back in August. It was required last week, and we haven't seen it yet. It looks to me what they are doing is trying to run the clock out, hoping Congress is going to go home to campaign and they will not have had to do

anything to deal with this—until the lameduck, at which point they can use defense cuts as leverage to try to get tax increases.

It is pretty plain what is going on here. But they have a requirement under the law to produce that. They haven't done it. The Senator from Alabama and I were authors of that legislation. The Senator from New Hampshire has been a great leader in trying to get the administration to put their proposal for implementation in front of us. That hasn't happened. That is, I think, the only conclusion anybody can draw.

Mr. SESSIONS. The Senator from New Hampshire has campaigned on this and talked about these issues. I guess it has been frustrating to serve on the Budget Committee and the Armed Services Committee and to see as much dysfunction as has occurred.

Ms. AYOTTE. It has. We have to do a budget, I would say to the Senators from Alabama and South Dakota, for our country. And we need to make sure that we protect our national security. That is why this problem has to be solved now. We need leadership from the President as Commander in Chief.

I would point out, in response to the comments of the Senator from South Dakota, not only has the Department of Defense ignored this law of producing a plan as to how they are going to implement sequestration; the administration went so far as to have the Department of Labor issue an order saying: Employers, don't comply with the law of the Warren Act to tell employees that your job may be at risk and issue a layoff notice.

That is how far the administration is going in not wanting to take this issue head on. But it is too important to the American people. We have got to resolve it. We are willing to try to resolve it. I am the cosponsor of another bill that would come up with alternative spending reductions to resolve it. We have got to do it now. We owe this to the American people. We owe this to our men and women in uniform.

Again, if we do a budget and we do what is right for our country, we would never find ourselves in this situation.

I see the Republican leader here. We certainly wish to hear from the Republican leader and would end this colloquy and yield back our time to the leader.

Mr. THUNE. Mr. President, I yield back the remainder of our time.

The PRESIDING OFFICER. The Republican leader.

MIDDLE EAST UNREST

Mr. MCCONNELL. Mr. President, the attacks this week on our diplomats, our installations, and diplomatic security personnel have reminded all of us of the service of these brave Americans—the service they render to our country every single day, from the deadly attacks on a U.S. diplomatic

station in Benghazi, to the attack on our embassy in Cairo, and now another attack on another embassy last night in Yemen; four Americans are dead; our flag is being desecrated. This is a moment for Americans to show our closest allies in the Middle East that we stand with them unequivocally. No mixed signals. Neither Israel nor any of our allies should ever have any reason to doubt that resolve.

I am encouraged that Turkey has condemned the violence in Benghazi. There is absolutely no justification for what happened in Cairo, Benghazi, or Yemen. None. We must do everything within our power to protect our representatives overseas and hunt down those responsible for these attacks.

There were warnings yesterday that other attacks on other embassies may be imminent. This is a gravely serious moment. But America does not shrink from the defense of its core values or its interests overseas. We must project strength.

The unrest in the Middle East—in Libya, Egypt, and especially the Sinai, Yemen, and Syria—presents a profound and formidable challenge to our interests, in addition to the U.S. Central Command, and to our allies. None of our Nation's enemies—al-Qaida, other violent extremists, Hezbollah, and especially Iran—should view this moment as a window of American vulnerability. Now is the moment to send a clear signal to longstanding allies such as Israel that they can rely on our support. And every member of our armed services, diplomatic corps, and intelligence community should know they have our support and gratitude in the challenging days that lie ahead.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

THE RYAN BUDGET

Mr. ROCKEFELLER. Mr. President, I rise today to talk about the so-called Ryan budget plan, endorsed and fully absorbed by Governor Romney—which, when you read it, is nothing more than a diabolical blueprint for slashing services that help families, seniors, and children all across the country.

The Ryan-Romney plan—which is the centerpiece of the Republican Presidential campaign, and certainly will grow more so—has finally come under the new scrutiny that it needed as people got a good look at it leading up to the GOP convention last month. I, for one, have been ashamed of this document for much longer. I was proud the Senate voted against it, although it was equally discouraging that a majority of the House voted for it.

I am here today because I want to set the record straight on what, in my judgment, the Ryan-Romney plan would do to people in my home State of West Virginia, to the Presiding Officer's home State, and to the country.

The Ryan budget proposal tackles the deficit by shredding something

called the safety net. If people aren't clear what that is, it is the net of public policy underneath the worst possible situation that somebody can come to in terms of health care or inability to live. Families have counted on that safety net for years in rough times, because they have had that safety net and they have used that safety net.

In essence, the unbalanced Ryan proposal guts programs for seniors, people who are disabled, children, families struggling to make ends meet, and then—most fascinating—turning those cuts into \$4 trillion worth of tax breaks for the very wealthiest Americans and corporations. And people say class warfare, but it is mathematics. They give the average millionaire a tidy little tax cut of \$265,000 under the Ryan-Romney plan while desperately undermining our economy.

He says he hopes his plan will balance the budget by 2040. That is not very encouraging, and it is probably optimistic on his part if it were ever to take place. The Ryan plan does not contribute a single penny to deficit reduction, which is the great problem we are facing and which we are going to deal with—not a single penny.

Consider how they shred health care, with \$2.9 trillion in health care cuts, not just from repealing health care reform—an amazing thing to do—but also by gutting Medicare and Medicaid. In the passing of the health care act, all of a sudden 30 million Americans—by no means all those who are uninsured—get health insurance coverage. The act makes sure that they get health insurance coverage. The Ryan budget, backed by Romney, would take that possibility away from 30 million people who have lived without health insurance for many years.

The Ryan-Romney plan would take Medicare that more than 50 million seniors rely on and turn it into a privatized voucher system. I know this has been said, and it has been said because it is true. They would cap how much the government spends on seniors' health care, regardless of their health care needs—letting profit-seeking private health insurance companies decide what to cover and what not to cover. That alone would cost every individual senior an additional \$6,000 per year if that plan were to come into effect. If seniors are not able to pay the difference, then they are simply out of luck under the Ryan-Romney budget plan.

This plan also rips apart the Medicaid Program by turning it into a block grant program. On this one, I get pretty indignant. Right now, Medicaid is a lifeline to 70 million Americans, including families and children living in or near poverty. Medicaid today provides long-term care for more than half of seniors in the United States of America. They can spend down—get rid

of their assets—so they qualify for Medicaid so they can get long-term care. There isn't anybody in this country who isn't going to be faced with long-term care. The difference is that some can pay for it and some will have families absorb it through love and cultural tradition, but most can't. They have to have help. There is a little bit that is Medicare, but it is virtually Medicaid that provides long-term care. That is when you are in your declining years. That is when you are approaching death. That is when you are at your most dangerous and vulnerable situation. That is when you are scared. That is when your children come from other States to try to help—but then they start spending down the money they have saved for their kids to go to college. It is a desperate situation, even as it is today with full Medicaid coverage. This would affect those who need care at home, a lot of home health, and it would also affect seniors in nursing homes in terrible ways.

The fact is that middle-income families in this country cannot afford the \$80,000 or more per year that it costs to keep a loved one in a nursing home in something called long-term care. The only way to do it without bankrupting the entire family is with the help of Medicaid. Yes, it is a big program. Yes, we are going to have to face reality in some respects on its size. But scaling back Medicaid the way they do it in the Ryan-Romney plan so badly hurts American families, and it forces State governments to do things which they are not going to be able to afford to do. They are going to have to cut services or they are going to have to go more deeply into debt themselves.

So the real prospect is of people in their seventies, eighties, nineties, et cetera, with no long-term care because of a theological point of view that government is awful—but what this is awful to is people. It is just terrible for people. The Ryan-Romney plan would mean millions more Americans could not afford basic health care—and we know what happens next. More people will get sick with untreated illnesses. Then health care costs will go up for everyone.

That implies that people get health care. Yes, they do because they can go to the emergency room of a hospital. They will not always get services, but for the most part they get those services. But they are not paying for that; the average American is, which adds about \$2,000 to their family budget every year, paying for other people's health care because the uninsured do not have insurance and therefore they have no place to go. The idea of repealing the health care act and taking 30 million Americans—really, if we had more money we would have done the 45 or 50 million who are really uninsured and underinsured and taken care of them, but we did not have the money to do that.

The nursing homes and the 1.8 million people who work there would be forced to slash their services or close their doors or certainly turn away seniors. In their frenzy to repeal health care reform, and with not a single proposal to replace it—the great silence—Ryan-Romney would also completely undo all of the new consumer protections to fight back against cruel health insurance practices.

I chair the Commerce Committee. That is about all we dealt with for the past 2 years, health insurance companies and their practices. It is pretty depressing. For example, the new provision ending discrimination by health insurance companies against people with preexisting conditions—that is law. Under Ryan-Romney that would end. I reiterate, women who are pregnant, millions of Americans who have diabetes, people with asthma, people with acne, have frequently been just turned down by health insurance companies when they ruled the roost. Now they don't rule the roost under the new health care bill, and a lot of money is being rebated to American people who were overcharged.

The reform we passed allows parents to keep their children on their insurance plan until the kids are 26 years old. That is one of the most popular aspects in the country. That would disappear under the Ryan-Romney budget plan.

There is a lot of lack of understanding of the health care bill, and it is not wildly popular in some parts of the country. Where you and I come from, Mr. President, that is true. But, on the other hand, when one thinks of it as a bill, people do not know what is in it. When one explains to people what is in it and give them examples, such as up until the age of 26 children can stay on their family's health insurance plan; curtailing the restrictions of lifetime limits, the annual limits first and then lifetime limits in 2014, they are lifted so people get the health care they need.

Pretty much every night on television we see stories of kids born with some terrible set of health problems. I remember one I talked with, an 8-year-old boy who had cancer, and his family. He had run into his annual lifetime limit. He died. This was 2 years ago. He died. He would not have died under the health care act, but the Romney-Ryan people want to scrap all that.

One thing that is very well known is the prescription drug doughnut hole, which our reform bill actually had closed. It is a very big deal. It is very hard to understand how that comes about. What is a doughnut hole? But seniors understand it because they spend quite a lot of time paying premiums to health insurance companies but getting no benefits or health care coverage during that period in which they are in the doughnut hole. We

stopped that in the health care bill. That would be repealed. They open that doughnut hole right back up, the Ryan-Romney budget plan, putting that \$4,200 a year right back on the shoulders of our individual seniors all across the country.

We can see a pattern here. It is absolutely appalling. It is appalling. They do not talk about it, but even Social Security is threatened by their plans. Social Security is a contract the American people have made with themselves. Virtually everyone pays in throughout their working years so that everyone has a safety net when they retire or they become disabled or they die young and have others in their family to care for—leaving a surviving spouse and children to struggle without help. Under our bill, of course, nothing is changed. They want to change that.

PAUL RYAN, for whatever reason, has been trying, since 2004, to privatize Social Security. He just flatout has. He can say what he wants. He can say he doesn't think that anymore—he actually doesn't say that, but that is what he believes because if someone has been doing something for the past 10 years, they probably believe in it pretty strongly—meaning he would like to see the American people bet their retirement savings on the stock market, which is usually not stable. I don't buy that. West Virginia seniors do not buy that.

Think back to 2008 when the financial crisis hit. If every American had privatized Social Security accounts then, their retirement security would have been wiped out. Instead, while many people lost a whole lot of money in that stock market crash back then, their Social Security benefits were safe, and they knew it.

People are fragile. Not everybody is a venture capitalist or an entrepreneur. Not everybody is born wealthy. People are living at the edge. Psychologically, they are living even more closely to the edge. Fear comes to them easily. So when we do something good like pass a health care bill which is going to help them, and then people come in and say they are going to repeal the whole act and everything about it, and then, yes, something about Social Security too—it is cruel. It is appalling and it is cruel. We need to protect and strengthen Social Security, not destroy it.

Don't just take that from me. There is far-ranging opposition to the Ryan-Romney budget plan from economists to religious leaders. A group of Catholic Bishops—this interested me greatly because the candidate for Vice President on the Republican ticket said he got his sort of social values from his Catholic teaching.

There is a group of Catholic Bishops recently who asked Republicans to stop championing RYAN's proposals because they were appalled by it—Catholics are

very strong on fairness for people and always have been—because it is so hurtful to the poor. It fails their morality test.

My colleague, Senator KENT CONRAD, shared with us this week an amazing quote that I cannot stop myself from giving to you because it was from one of Ronald Reagan's economic advisers, a fellow named Bruce Bartlett, which bears repeating. He said the following:

Distributionally, the Ryan plan is a monstrosity. The rich would receive huge tax cuts while the social safety net would be shredded to pay for [those tax cuts]. Even as an opening bid to begin budget negotiations with the Democrats, the Ryan plan cannot be taken seriously. It is less of a wish list than a fairy tale utterly disconnected from the real world, backed up by make-believe numbers and unreasonable assumptions. Ryan's plan isn't even an act of courage [Bruce Bartlett says]; it's just pandering to the Tea Party.

I think Mr. RYAN is of the tea party, so I don't know of his need to pander to it. But anyway that is what this Reagan person indicated.

A real act of courage would have been for him to admit, as all serious budget analysts know, that revenues will have to rise well above 19 percent of GDP to stabilize the debt.

In the coming weeks and months we will continue to hear a lot of back-and-forth about the heartless policy proposals coming from PAUL RYAN and Members of Congress who support his plan. This is a deadly serious debate—deadly serious, with enormous consequences for our country and for every person in it.

It is my sincere and urgent hope that as more Americans come to understand exactly where the Ryan-Romney plan would take our Nation and its life-saving programs and others, that they will decide to run in the opposite direction away from it. The Republican budget is a slap in the face to millions of Americans. We can and will reduce our deficit. We are going to do that because we have to. There is a strong and enduring consensus on that point. But we do not have to do it this way, and we must not do it this way.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. HOEVEN. Mr. President, I rise today to speak on the veterans jobs bill. That is the legislation before us. We voted on it last night, and we will likely be voting on it again today and possibly tomorrow. I rise to speak on that bill.

I have in fact offered an amendment to the bill because we should do all we can to support our veterans. It is very important. They put their very lives on the line for us, and we need to do all we can to support them. But we need to do it the right way, and that is why I am offering this amendment. We are talking about creating jobs for our veterans. The right way to do that is long-

term jobs, quality employment, not short-term stimulus-type jobs. That is exactly why I am offering this amendment to the legislation that would include approval of the Keystone XL Pipeline project.

The VFW, the Veterans of Foreign Wars, is an organization that does a tremendous amount for our veterans. We all know the VFW. We all know the great work they do on behalf of our veterans. The VFW is already working to help returning vets get jobs—and that is great. They are working to help our returning veterans get jobs constructing the Keystone XL Pipeline.

The only problem is those jobs are in Canada. Those jobs are in Canada because they have not approved the Keystone XL Pipeline in the United States. After 4-plus years, it is still in the permitting process. Since the administration has approved the project, we need to step up and approve the project, and we can do that. This amendment would do that.

I want to talk a little bit about what the VFW is doing to help veterans get jobs in the energy industry by doing things such as building the Keystone XL Pipeline, as I mentioned, right now in Canada. VetJobs is a job placement company of which the VFW owns 10 percent, so it is partially owned by the VFW. They are working with the Edmonton Economic Development Corps to hire Canadians in Edmonton and the surrounding area in Alberta. Of course, we can see that is where the pipeline is being constructed in Canada. They are working right now to hire vets to work on such things as the construction of the Keystone XL Pipeline.

Several days ago I spoke with Ted Daywalt. Ted Daywalt is the CEO of VetJobs. He told me that in Alberta they have listings in 17 different job categories and they could use between 12,000 and 15,000 people in Alberta, Canada, just working in the energy industry. Why not put those veterans to work right here at home? We all want to have good-quality jobs, but we want to have it near our home and not have to go to a different country to get that job.

The Perryman Group estimates that the Keystone XL Pipeline will create 15,000 to 20,000 direct construction jobs right away, and that it will create thousands and thousands of permanent jobs in addition to those construction jobs. That is without spending any tax dollars, that is without adding to the deficit, that is without adding to the debt, and that is jobs here at home, not in Canada. Also, TransCanada, the company building the Keystone XL Pipeline, gives a hiring preference to veterans. They give a hiring preference to veterans in Canada and they give a hiring preference to veterans in the United States.

In fact, they also sponsor a program that is actually delivered by a non-

profit entity called Helmets to Hardhats. They train returning veterans so they can do these kinds of jobs. So we can make these quality, long-term, permanent jobs available right away here in the United States by supporting this amendment. In addition, we get more safe, dependable, reliable energy.

Has anyone checked gas prices recently? It is more than \$3.80 a gallon on average in this country. That is more than double what it was when this administration started in office.

There is another benefit as well. We reduce our dependence on oil from the Middle East. Now compare this legislation to the Veterans Job Corps proposal we are looking at in the bill that is under consideration right now on the Senate floor. The Veterans Jobs Corps proposal spends \$1 billion. At this time we are \$16 trillion in debt, and that is growing. We have legislation that spends \$1 billion to create government jobs for our veterans. Well, let's take a look at those jobs. We want to create 20,000 jobs with that \$1 billion, so that means \$50,000 a job for 1 year. Then what do we do? We spent \$1 billion, we created a bunch of temporary jobs for 1 year. Then what do our veterans do? Do we spend more to try to keep this going? Where does this go?

Instead of doing that, by approving this legislation I have offered, we can create thousands of more jobs and we don't spend anything and it creates tax revenues, it creates economic activity, and it reduces the deficit. It also helps us generate more energy for this country instead of more government spending, a bigger deficit, and temporary jobs.

I think our veterans would very much appreciate knowing that they are working on producing and transporting more energy for the country and that they are helping to reduce gas prices at the pump for our hard-working taxpayers and our consumers. I think they would also appreciate the fact that we are working to reduce our dependence on oil from the Middle East. Maybe that way we would not have to send them back to the Middle East for energy or security reasons. I think our veterans would appreciate that.

The proposal we are putting forward creates permanent jobs, and it creates them the right way. I encourage support for it because it is about supporting and creating jobs in this country the right way and supporting jobs for our veterans.

This amendment is about jobs, and it will help our veterans. It is about energy that will help hard-working Americans with gas prices at the pump. It is about economic growth which will help our economy. Economic growth and better control of spending is what we need to do to address the deficit and the debt. This legislation is about energy security, to make our Nation more energy secure.

Here are my concluding questions: Why wouldn't we vote on this amendment? Why wouldn't we have a vote on this amendment? Why wouldn't we approve it for the benefit of our economy, for the benefit of the American people in our country and for the benefit of our veterans?

I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RYAN BUDGET PLAN

Mr. SCHUMER. Mr. President, it is nice to see PAUL RYAN back in Congress. It will be even nicer to see him back as a full-time Member in January.

There has been a lot of controversy about Mr. RYAN and some of the things he states, why he states them, and the contrast with what he says and what he has done. Perhaps the least credible claim of all about Congressman RYAN is the idea that he is a serious deficit hawk and that his budget is a serious attempt at deficit reduction. He is not and it is not.

The Paul Ryan budget is about ideology rather than commonsense solutions to the country's economic and fiscal problems. As more and more people are learning, it certainly is not about, as Bill Clinton said, arithmetic.

In RYAN's budget, any savings achieved by his plan to privatize Medicare and gut investments in the middle-class do not go to reducing the deficit. He is saying he is creating that pain because we need the pain for deficit reduction. He uses all those savings to pay for further tax cuts to the wealthy.

This chart explains it pretty well. Independent studies have found that the Ryan budget would raise taxes on the middle class up to \$2,600. People earning between \$50,000 and \$100,000 pay \$1,300 more a year, people earning between \$100,000 and \$200,000 pay \$2,600 more a year, and then there is a whopping savings to people whose income is over \$200,000.

As a result of the massive giveaways to the wealthiest Americans, the Congressional Budget Office found that RYAN's plan failed to balance the budget until 2040. But even this conclusion relies on rosy assumptions supplied to CBO by RYAN himself.

RYAN's plan could take longer to improve the fiscal outlook under a more realistic set of assumptions, even taking the unrealistically rosy assumptions that RYAN stipulates in his budget, for instance, that revenue levels would be 19 percent of GDP. That is almost certainly not true. His plan would not balance the budget until 2040.

Independent experts, such as the non-partisan Tax Policy Center, challenged these assumptions. Under more realistic assumptions, RYAN's plan would take far longer to balance the budget and cause the Federal debt to rise even further.

Moreover, RYAN's spending cuts are totally unrealistic. Outside of Medicare and Medicaid, Mr. RYAN would slash the government, including defense, to 3.75 percent of GDP by 2050. Defense alone is 4.6 percent today. According to CBO the total has never been below 8 percent since World War II and defense has never been below 3 percent. Mr. RYAN would either have to make massive defense cuts—the very same defense cuts he decried on the campaign trail yesterday—or he would need to virtually eliminate the rest of the government, such as transportation, security, education, FBI, scientific research, and food testing. We know that is not going to happen.

The larger point is this: In terms of deficit reduction, the Ryan plan is—there is no other way to state it—a fraud.

This should come as no surprise. After all, Congressman RYAN supported the Bush policies that got us into this deep fiscal hole in the first place. From the Bush tax cuts to two unfunded wars to the unpaid-for creation of Medicare Part D, Congressman RYAN's fingerprints are all over the big-spending Bush policies that turned Bill Clinton's surpluses into the record deficits inherited by Barack Obama.

RYAN voted against the Simpson-Bowles framework. When PAUL RYAN had a chance to walk the walk on deficit reduction, he joined all the other House Republicans on the Commission in voting down the report. He urged Speaker BOEHNER to abandon the grand bargain talks with President Obama.

The New York Times reported that during the summer of 2011, RYAN appealed to Representative CANTOR to cut off negotiations between the Speaker and the White House because he didn't feel the terms of the emerging agreement adhered strictly enough to his conservative principles and the deal might politically benefit President Obama.

It is not a secret the Ryan budget both hurts the middle class and does nothing for deficit reduction. The only people who would benefit are the very wealthy and, God bless them, they are doing well in America, but as recent statistics just showed, they are the only people gaining in income.

One other thing I wish to add about Mr. RYAN, he seems like a nice man, a nice family, but his recent speeches have been so revealing. He did the same thing yesterday, once again showing he has learned nothing from the mistakes he has made in the last few weeks. When it comes to the big debates facing our country, PAUL RYAN either has

an extremely poor memory or he has a tendency to play fast and loose with the facts. In one speech, Congressman RYAN falsely blamed President Obama for shuttering the GM plant that actually announced it was closing during President Bush's term; for \$716 million in Medicare savings that Congressman RYAN included in his own budget; and, third, for the Simpson-Bowles blueprint that Congressman RYAN himself voted against. That is just a sampling.

Just yesterday he did it again. There you go again, PAUL RYAN. He was giving a speech back in Wisconsin when he blamed the President—solely the President—for the year-end trigger, the sequestration, that was part of the Budget Control Act. Never mind that Congressman RYAN voted for the very same sequestration himself. Never mind it was his side's idea, in fact, to hold our credit rating hostage in the first place and insist on these dollar-for-dollar cuts he now decries. Never mind the fact that we all know that if PAUL RYAN had opposed the sequestration proposal—the chairman of the Budget Committee in the House—it certainly would have failed. Now he goes to Wisconsin and said the President is to blame for sequestration. It is the same thing he did with Simpson-Bowles. It is not fair. It is not right. All we can do is shake our heads at this “what is good for me is not good for you” kind of double standard.

I would say to PAUL RYAN: You haven't learned much from your mistakes in the past few weeks. There you go again. Your budget proves it, and even your speeches, including the one yesterday, prove it again.

I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER (Mrs. HAGAN). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mrs. MURRAY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. MURRAY. Madam President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

VAWA REAUTHORIZATION

Mrs. MURRAY. Madam President, today marks 18 years to the day since President Clinton signed the Violence Against Women Act into law. Since that day, this law has protected countless women across the country, as seen most directly by the fact that annual rates of domestic violence have dropped by more than 60 percent.

Today also marks a far less celebratory day in the history of this critical bill. That is because today is also the 139th day of delay by the House of Representatives since the Senate passed an inclusive, bipartisan

VAWA bill by a vote of 68 to 31. It marks 139 days since House Republicans decided not to follow suit and to instead pass a version of our legislation that stripped vital protections included in our Senate bill—provisions that protect some of the most at-risk women in our country.

It has now been 139 days since 15 Senate Republicans stood to join with us to pass this legislation because they knew the history of this bill. They knew that every time the Violence Against Women Act has been reauthorized, it has consistently included bipartisan provisions to expand protections to women who were not previously covered. They understand that domestic violence protections for all women shouldn't be a Democratic or a Republican issue.

I hope Speaker BOEHNER and our colleagues in the House hear this: We are not backing down and we will keep fighting because 139 days is inexcusable. In fact, 1 day is inexcusable. It is now long past time for Speaker BOEHNER to look beyond ideology and partisan politics. Their obstruction clearly is taking a toll on women across this country.

In fact, for Native and immigrant women and LGBT individuals, every moment our inclusive legislation to reauthorize VAWA is delayed is another moment they are left without the resources and protection they deserve. The numbers are staggering. One in three—one in three—Native women will be raped in their lifetime, two in five are victims of domestic violence, and Native women are killed at 10 times the rate of the national average.

These shocking statistics aren't isolated to one group of women; 25 to 35 percent of women in the LGBT community experience domestic violence in their relationship, and three in four abused immigrant women never entered the process to obtain legal status even though they were eligible because their abuser husbands never filed the paperwork.

While these numbers are frightening, what is even tougher is when we sit down face to face with women who are at risk of being left out of this bill. Over this last August recess I held a number of roundtables in different corners of my State with women who had been trapped in abusive relationships. Many of them are from the communities of the women whom the House Republicans refuse to extend these provisions to. Through painful memories and many tears, they told me about how they feel all alone. Numerous women who are immigrants talked about how they were scared for themselves or their children, so they didn't report their husbands or boyfriends. Tribal women talked about how not only have they been abused but how they then had to watch their abuser do the same thing to other women on their reservation with no recourse.

Every moment the House of Representatives continues to delay is another moment these women and 30 million women similar to them are left without the protections they deserve.

These statistics should make it perfectly clear to our colleagues in the other Chamber that their current inaction has a real impact on the lives of women across America who are affected by violence. Where a person lives, their immigration status, whom they love should not determine whether the perpetrators of domestic violence are brought to justice.

These women cannot afford any further delay—not on this bill. We all know what it will take to move this bill forward: leadership from Speaker BOEHNER. Today, the effort we started in the Senate in May—an effort that will continue for as long as it takes—is a call for the very same thing: leadership. It is time for Speaker BOEHNER to look beyond ideology and partisan politics. It is time for him to look at the history of a bill that again and again has been supported and expanded by both Republicans and Democrats.

For 18 years this bill has expanded protection for vulnerable women. For the last 139 days, Speaker BOEHNER and House Republicans have put this legacy at risk. It is time for them to do the right thing and pass the Senate's inclusive bipartisan Violence Against Women Act.

Senator LEAHY, who is chair of the Judiciary Committee, will be here shortly. He has put tremendous effort into making sure this bill is passed in a way that includes women across this country. We owe him a debt of gratitude, as well as all the members of the Judiciary Committee, some of whom will be here over the next hour to talk.

Again, we are here to remind everyone there are women in this country who do not receive the protections of the domestic violence law that was passed. We are here to make sure we are going to stand for them and keep pushing until Speaker BOEHNER takes up this bill and passes it to protect women.

I see Senator LEAHY arriving on the floor just as I was speaking about him. He will be speaking about this issue. We owe him a debt of gratitude for standing for women across this country but especially for, this time, fighting to make sure this is an inclusive bill, passed on a bipartisan vote out of the Senate, and one that will change the lives of so many women. We owe it to them and Speaker BOEHNER owes it to them to take up this bill and pass it.

Thank you. I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Madam President, I thank the distinguished Senator for her kind comments. She knows that this, whether in Washington State or the State of Vermont, is a major issue.

She has voted for and supported the Leahy-Crapo bill, as has the distinguished Presiding Officer. I have said so many times on this floor that violence is violence is violence and abuse is abuse is abuse, and this should not be a partisan issue.

Two weeks ago, in Tampa, Republican leaders from Congress and around the country sought to make clear their commitment to advancing causes important to women. Well, I will say as a Democrat I was pleased to see that commitment from the Republican Party. But now I hope they will put those words into action and prove that this was not just campaign rhetoric. While they have not asked me for advice, I would give some advice to my Republican friends. If they do want to show their commitment to women, one significant step Republicans should take would be to help us reauthorize the Violence Against Women Act.

It was signed into law 18 years ago today—18 years ago today. I remember that day. I was there. As one of those who helped draft it, I was so proud to see it signed into law.

This landmark bill, which fundamentally changed the way our country responds to domestic and sexual violence, expired, though, 1 year ago this month. There is no good reason why we cannot all work together to see that this life-saving law is reauthorized immediately. It should not be a Republican or Democratic issue. It is an American issue. How can people say they are not opposed to violence against women?

Just yesterday, the Republican attorney general from Utah and the Democratic attorney general from Maryland—people who have completely different philosophies—called on Congress to pass the Senate bill, which covers all victims, including immigrant women. In their guest column in *Politico*, the two noted that the bipartisan Senate bill would give “a significant boost for law enforcement and public safety.” At the same time, they said the politically charged House bill “seeks to turn a bipartisan concern for abuse survivors into a partisan wedge” and “dramatically roll[s] back important protections for battered immigrant women and their children.”

Madam President, I ask unanimous consent that the *Politico* column, along with a statement released today by Attorney General Holder on the 18th anniversary of the Violence Against Women Act, be printed in the *RECORD* at the end of my comments.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. LEAHY. You hear these continued calls for action. We know the Leahy-Crapo reauthorization bill passed the Senate with a strong bipartisan majority of 68 votes. Every woman in the Senate—Republican and Democrat alike—voted for it. But Re-

publican leaders in both the House and the Senate have hidden behind a procedural technicality. They refuse to allow the House to vote on the Senate bill.

Well, that obstruction has to end. Too many lives are on the line to play these political games. Here in the Senate, we have twice asked Republican leaders to agree to take up a House revenue bill, substitute the bipartisan Senate VAWA bill, and send it to the House immediately to overcome this procedural concern. Each time they have refused this commonsense resolution. This contrasts how we moved forward earlier this year using the same process to overcome similar technical hurdles with both the Transportation bill and the FAA reauthorization legislation. So with a little bit of cooperation from the other side we could move VAWA now.

People watching this and listening to this might think: Well, these are technical and arcane procedures. They are technical and arcane procedures. But they are stopping us from moving forward with the Violence Against Women Act. We can set them aside for Transportation and the FAA—both important things—but if you are somebody who has been battered and abused, if you are near death, do not talk to that person about technicalities.

I have said many times on this floor—I still have nightmares from some of the crime scenes I went to as a young prosecutor. It was always at 2 and 3 and 4 o'clock in the morning. The ones easiest to handle were those where the victim lived, although sometimes just barely. I remember riding in the ambulance with a victim on the way to the emergency room to find out what happened. Many other times we were there waiting for the coroner to arrive because the body was on the floor.

I wish everybody who is hiding behind these technicalities would come with those of us from both parties, those of us who have been prosecutors, who have gone to those crime scenes. I guarantee you, they would be back here saying: Get rid of those technicalities.

I cannot understand the House Republican leadership hiding behind this excuse to avoid debating and voting on the bipartisan Senate bill. This is a good bill. It brought Republicans and Democrats together in this body across the political spectrum. The House Republican leadership should stop blocking it on this obscure technicality. The Speaker can waive the technicality. The House could vote on the Senate bill any time.

I would like to see people stand up and say: Yes, I want to stop violence against women or I am going to vote “no.” Right now they are allowed to vote “maybe.” No victim wants to hear

“maybe.” They want us to do something. Both in the House and the Senate, we have a privileged position as Members. Do not hide behind a technicality. Have the courage—have the courage—to stand up and vote “yes” or “no.”

The House Republicans could have allowed a vote on the text of the Senate bill as a House amendment or a House bill. Instead, they are choosing to hold up VAWA reauthorization for all victims. Please reconsider. Move forward with us to protect all victims of violence. And if you are unwilling to do that, if you are going to stand behind this, do not go home and campaign and say you have a commitment to women.

Battered women are in all categories. They go across all political spectrums. They go across all economic spectrums. Do not go back home and say: I am standing up for you. No, you are not standing up. You are hiding. You are hiding. You are hiding behind a technicality. Well, these victims cannot hide. They are sought out, and they become victims. Let's do something for them.

Our bill was developed with the input of victims and the service providers who work with them day in and day out. It helps women who are victims of terrible crimes—the very people we claim we want to support and protect. It does so in important and responsible ways. Do not go home and say: I stand up for all of you; do not go home and say: I am standing for law enforcement; do not go home and say: I want people protected when you refuse to step around a procedural motion and protect them. Do not be that hypocritical.

We have only a few precious days left this Congress to reauthorize the Violence Against Women Act. If the Republican leadership wants to help end domestic and sexual violence, well then, do so. Now is the time to act. Do not hide behind fiction. Have the courage to stand up and say you are on the side of victims. And if you are not on their side, then stand up and vote against them. Do not vote “maybe.” Do not hide behind a technicality. It is time to make good on our promise to the victims of these horrible crimes. Helping them—no matter who they are—has to be our goal. Their lives depend upon it. Our lives do not depend upon it, but their lives depend upon it. They are counting on us. It is time to stand up.

I yield the floor.

EXHIBIT 1

[From Politico, Sept. 11, 2012]

WEAKENING VIOLENCE AGAINST WOMEN ACT
BETRAYS IMMIGRANT VICTIMS

(By Mark Shurtleff and Doug Gansler)

All women who have lived through violence and abuse should have the certainty that the law will protect them—no matter their race, creed, color, religion or immigration status. Unfortunately, Congress is now considering proposals that would erode this

certainty—and its failure to act is already causing harm.

We urge congressional leaders to move forward now to reauthorize the Violence Against Women Act, without provisions harmful to immigrants.

As long-time law enforcement leaders, we know this act is crucial. Since passage in 1994, it has helped cut domestic violence by more than half. Still, the scourge of domestic violence remains a serious problem: One in four women experiences an act of domestic violence or sexual assault in her lifetime, and three women die every day at the hands of abusive husbands or partners.

Rates of trafficking women—often from one abusive context to another—are also alarmingly high. Roughly 100,000 survivors of human trafficking live in the United States today, according to the State Department, whose estimates suggest as many as 17,500 foreign-born victims are illegally brought in each year.

We need every available tool to fight these serious crimes, so we fully support reauthorization of the Violence Against Women Act—but not in a dangerously altered form that would harm vulnerable immigrant women.

We don't use “dangerously” lightly. When the House sought reauthorization, legislators made changes that dramatically roll back important protections for battered immigrant women and their children—leaving them vulnerable to abuse and, worse, death at the hands of an abuser.

Several House provisions would further endanger immigrant survivors of human trafficking and domestic abuse. These provisions would leave them no legal way to break the cycle of violence in which they are trapped and leave law enforcement no way to bring perpetrators to justice. The changes, for example, would discourage immigrant survivors from calling the police, for fear of immigration issues—so police can't intervene and save their lives.

For many of these women, immigration status is one more weapon that abusers use to intimidate them. Abusers often threaten, “You can't call the police. They'll just deport you.”

Under the existing law, our response is clear: “He's wrong. You're safe.” If we certify that a victim was helpful to law enforcement during an investigation, she can seek special legal immigration status—known as a U visa.

But the House bill would make this visa temporary and take away an immigrant survivor's incentive to come forward. “He's wrong; you're safe” would be replaced with the far less reassuring message “You'll have to wait and see.”

What kind of person does the U visa help? Consider “Stephanie,” an immigrant living in Maryland who lacked work authorization. She had already been sexually harassed by work supervisors when a stranger followed her into a room in the building where she was working and tried to rape her. Stephanie was able to fight him off and immediately reported the incident to police, who found the man nearby and arrested him.

After reporting the terrible crime, Stephanie learned she would be eligible for a U visa for her cooperation with police and the state's attorney. Her assistance helped get a rapist off the streets. Today, Stephanie has her U visa and is confident and self-supporting.

The House bill would silence thousands of women like Stephanie and derail our efforts to put their attackers behind bars. Worse, it would further endanger some of the very

women whom the Violence Against Women Act is meant to help.

In late August, we received a reminder of reauthorization's urgency. Our immigration authorities announced that they had reached the limit of 10,000 U visas for the current fiscal year, leaving a six-week gap before the new fiscal year brings a fresh allotment. In the meantime, lives are at risk.

The Senate's bipartisan reauthorization bill would increase that visa limit to 15,000, a significant boost for law enforcement and public safety.

The law enforcement community now has 17 years of experience with the Violence Against Women Act and has used it successfully to combat human trafficking, sexual assault and domestic violence. We have relied on it to protect survivors of all stripes and hold their abusers accountable.

These abusers don't differentiate by race, creed, color, religion or immigration status. In seeking justice for survivors, neither should we.

The House version of the Violence Against Women Act reauthorization seeks to turn a bipartisan concern for abuse survivors into a partisan wedge. Congress must not let partisanship stand in the way of our work to protect all women, and their families, from harm.

DEPARTMENT OF JUSTICE

Office of Public Affairs

[For Immediate Release—Thursday,
September 13, 2012]

STATEMENT FROM ATTORNEY GENERAL ERIC
HOLDER ON THE 18TH ANNIVERSARY OF THE VI-
OLENCE AGAINST WOMEN ACT

Attorney General Eric Holder released the following statement today on the 18th anniversary of the Violence Against Women Act: “Since the landmark Violence Against Women Act (VAWA) became law 18 years ago today, VAWA has vastly improved our ability to address domestic violence, dating violence, sexual assault, and stalking and has helped countless victims of these crimes get access to needed services. It's important to remember that none of this progress has been inevitable—it has been the result of the tireless work of advocates, law enforcement, prosecutors, and others. On the front lines of this effort, the Office on Violence Against Women administers VAWA programs, providing states, territories, local and tribal governments, and nonprofit organizations with critical resources to initiate and sustain efforts to reduce and stop violence against women. As Congress moves to consider reauthorizing this critical law, we urge lawmakers to come together on a bipartisan basis, as it has historically, to pass a VAWA reauthorization that expands rather than limits victim access to justice and strengthens law enforcement and prosecutorial tools to seek justice and hold violators accountable. VAWA has been strengthened each time it has been reauthorized, with bipartisan support, and this year after 18 years of progress, it should be no different.”

Mr. LEAHY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mrs. BOXER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. BOXER. Madam President, before Senator LEAHY leaves the floor, I want to thank him from the bottom of my heart. What he has shown is that he can team up in a bipartisan way to help the women of this country avoid needless, senseless, dangerous violence. I thank the Senator, and I stand here to support his efforts.

The Leahy-Crapo bill is the bill we need to pass. Why? Because it is the bill that includes everyone. We do not want to leave out 30 million people. We do not want to leave 30 million people out of the Violence Against Women Act. That is what the House of Representatives does because they leave out immigrant people, they leave out the gay and lesbian community, they leave out students and Native Americans.

When you look at those women and those groups, you find out, indeed, they have a very high percentage of violence in their communities—violence against women that leaves women in deep trouble and threatens their lives. So only the Leahy-Crapo bill—only the Senate bill—which passed here with such a great number of votes can include everyone.

So if you take, for example, Cristina, in my home State of California, whose boss threatened her with deportation unless she complied with his demands for sex, she is not covered in the House bill. This is a woman who is essentially being held hostage by her boss. He is using his power over her, and she is not covered by the House bill.

The House bill, again, fails to protect LGBT individuals when they have problems with abusive partners and have been turned away in the past from shelters because the Violence Against Women Act did not cover the LGBT community.

Mika is a student who struggled to get her college to enforce a restraining order against her boyfriend after he had assaulted her and stalked her. She should not have had to struggle. Under the Leahy-Crapo Senate Violence Against Women Act, Mika will be covered.

Then-Senator JOE BIDEN, now Vice President BIDEN, wrote the Violence Against Women Act. It was a long time ago. I was in the House, and I was so honored when JOE BIDEN came and asked me to carry the House version of the bill. I did that, and I remember being so proud because JOE was such a leader on this and he had the faith in me to ask me to help him.

But I can tell you, it was a struggle to get it done. It took several years to get it done. And when I got to the Senate, I watched JOE BIDEN team up with Senator HATCH, and I helped them on the floor. I was only able to get a portion of the bill passed in the House, so there was a lot more we needed to do, and we did it.

I want to read a statement that Vice President BIDEN made today—he just

sent it out—because it speaks to this issue. He said:

Eighteen years ago today, the landmark Violence Against Women Act was signed into law. It was founded on the basic premise that every woman deserves to be safe from violence, and since its passage, we have made tremendous strides towards achieving that goal. We gave law enforcement and the courts more tools to combat domestic violence and hold offenders accountable. We created a national hotline to direct victims to life-saving assistance. And since VAWA passed, annual rates of domestic violence have dropped by more than 60 percent.

It is important to reflect on what Vice President BIDEN is saying. Because of the Violence Against Women Act, we have seen a drop in the annual rate of domestic violence by more than 60 percent. And now we are here to say: Let's make it even better by including 30 million people who were left out of the bill.

Quoting the Vice President, he says:

But we still have much work to do. Three women still die every day as a result of domestic violence. One in five women have been raped, many as teenagers, and one in six women have been victims of stalking.

He writes:

While women and girls face these devastating realities every day, reauthorization of the strengthened VAWA languishes in Congress. VAWA is just as important today as when it first became law, and I urge Congress to keep the promise we made to our daughters and our granddaughters on that day—that we would work together to keep them safe.

In closing, because I see Senator COONS is here—we are so happy he is here to talk on this issue, I feel it is important to note that over 900 groups nationwide have signed a letter in support of the bill that includes these 30 million people—that includes everyone. We know this law is working. On today, the 18th anniversary of the VAWA being signed into law by Bill Clinton, let's pass this legislation and send it to President Obama, legislation that strengthens the law, is bipartisan like the Leahy-Crapo bill, and includes everyone.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. COONS. Madam President, I rise today in honor of the 18th anniversary of the signing of the Violence Against Women Act into law. As my good friend and colleague the Senator from California has just reminded all of us, it was my home State Senator, now our Vice President, JOE BIDEN, whose leadership in getting the Violence Against Women Act signed into law in the first place, moved us in this country toward a society that is more just, that is more safe, that is more welcoming.

It is, in my view, incredibly discouraging that we are fighting today in the Congress a battle that he made such great early progress on and that should have been won decades ago. Why must

we fight in 2012 such a protracted legislative battle to maintain, strengthen, and secure the rights of more than half of the population of this country and to extend the lifesaving programs supported by VAWA to those who need them of every background all across our country?

It cannot be that it is because those who oppose VAWA's reauthorization believe that violence against women is no longer a threat. In my own home county, New Castle County, DE, earlier this year a man was arrested after a horrifying assault on his ex-girlfriend, committed in front of all five of her children. The victim's teenage son called 9-1-1 in a panic, terrified. This incident, one of sadly many in my home community, is just another stark example of how domestic violence continues to hurt and harm not just its victims but entire families, not just the woman or occasionally men who are the victims of domestic violence but the children who witness it and whose lives are changed by it.

In a world where this sort of violence continues to happen in all our communities, we still need the Violence Against Women Act. We need it to be reauthorized. We need it to be reauthorized and strengthened. We need it to be reauthorized, strengthened, and broadened. It has been a full year since VAWA expired, and still we do not have a reauthorization signed into law. Reauthorization is a real opportunity, one built into the initial act, that requires us as a body, the House and Senate together, to sit down and sift through the data and to examine how these programs can be better, stronger, more efficient, and more effective. Every 5 years we have to take a hard look at where we are failing and where we are succeeding in this important work against domestic violence, the scourge that lives in the dark throughout our community.

Here in the Senate we have done that work. The House, sadly, has not. In my view, we must not let them be a roadblock to the critical progress we have been called upon to make. This is our time to make the necessary changes to improve VAWA and to reauthorize it, and we will not back down.

In this year's reauthorization we made a number of critical changes, positive changes, and two that are particularly important to me: First, ensuring that every victim of abuse in this country is able to count on the law to protect them, regardless of who they are, where they live, or whom they love; and, second, ensuring that we reduce bureaucracy and strengthen accountability, to ensure that taxpayer dollars authorized through VAWA are spent wisely, responsibly, and effectively.

The Senate reauthorization moves us forward by adding protections for victims of domestic violence regardless of

their sexual orientation. The reality is, as we learned in reexamining VAWA and the experiences of the last 5 years, sadly the reality is that lesbian, gay, bisexual, and transgender Americans experience domestic violence at the same percentage as relationships in the general population, a shocking 25 to 30 percent of all relationships. Yet nearly half of LGBTQ victims are turned away from domestic violence shelters and one-quarter are unjustly arrested as if they were the perpetrators.

The Senate reauthorization makes plain that discrimination is not the policy of these United States. It says no program funded by Federal VAWA dollars can turn away a domestic violence victim because of their sexual orientation or their gender identity, whether the victim is gay or straight, American Indian, White, Black, or Latino. In my view, and the view of so many in this Chamber, they deserve protection from abuse and justice for their abusers.

There are two other important changes in this VAWA reauthorization as passed through the Senate, both of which help ensure we bring perpetrators to justice no matter who their victims are or where their crimes are committed. These provisions support victims of crime committed on tribal lands and help law enforcement to secure needed testimony from victims who are unwilling to come forward due to reasonable fear of deportation.

So in total I think all three of these important changes to the substance and scope of VAWA strengthen it, carry forward its initial spirit, and are completely appropriate things for this Senate and the House to do in our every 5-year reconsideration and reauthorization of VAWA.

It is important to remember that VAWA goes beyond basic justice for our fellow citizens. It supports the investigation and prosecution of violent crime. Delaying this reauthorization means denying essential tools to law enforcement officers in my home State of Delaware and the Presiding Officer's home State of North Carolina and all across our country.

As someone who used to be directly responsible for a county police department, who worked in close partnership with all of the different elements, all the different nonprofit groups and civic and community groups, all of the elements from corrections to law enforcement to advocates to providers of services that were brought together in a positive and cohesive way by VAWA, I know how important this is to a holistic approach to combating domestic violence.

If we are to tackle a problem this large, this pervasive, this dangerous, we need well-trained and dedicated law enforcement officers. We also need support from the whole community to provide the whole broad range of services

that can continue to make progress in pressing back on this evil in our country.

In Delaware, that is exactly what we have done. In Delaware, VAWA has fostered a community of those dedicated to reducing violence, allowing each group to reinforce the other, and adding value that individual programs alone could not create. VAWA touches on everything from transitional housing to national hotlines, from the safe exchange of children to increased awareness on college campuses, from law enforcement grants in rural communities to sexual assault service programs in urban communities—not only for women, for men, for children but for whole families and whole communities.

VAWA is an important piece of legislation, and that it sits unauthorized in the other Chamber of this Congress is, to me, a great shame and a great tragedy. We must not allow this anniversary of its initial signing into law to pass without redoubling our efforts and redoubling our commitment.

My colleagues who oppose this reauthorization put all of this progress at risk. Their insistence on excluding some of our friends and neighbors just because of their background or their sexual orientation is unconscionable. We will keep fighting to secure VAWA reauthorization this year because the safety of our communities depends upon it and simple justice calls for it.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. KLOBUCHAR. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. KLOBUCHAR. Madam President, I am here today to talk about the Violence Against Women Reauthorization Act which, as you know, we passed in April with the leadership of Senator LEAHY and with the cosponsorship of Senator CRAPO. We got that strong bipartisan bill through the Senate on a 68-to-31 vote.

As you know, all women Senators, Democrats and Republicans, supported that bill, just like the two prior reauthorizations from 2000 and 2006. This bill improves the current law in many ways to better address domestic violence, sexual assault, and stalking. We have heard from a long list of experts in our Judiciary Committee about the changes that were needed for this reauthorization, and we incorporated those ideas and language from people on the front line.

As a result, this bill, this bipartisan reauthorization bill, is strongly supported by law enforcement, victim service providers, and faith groups

across the country. I want to talk about some of the ways that this reauthorization bill builds upon the improvement that past reauthorizations made, but first I think it is important to mention the bipartisan bill does not ignore the current budget climate. It consolidates 13 programs in only 4. So when I hear about the old bill, to keep it going, this bill is actually better from an efficiency standpoint. It consolidates 13 programs into 4 in an effort to reduce duplication and bureaucratic redtape. It also cuts the authorization level for VAWA by more than \$135 million a year. That is a 17-percent decrease from the 2006 reauthorization. So this was a clear acknowledgement that our country is going to have to make some changes in our fiscal situation as we go into this next year. That was one of the reasons this new bill, this reauthorization, was so important.

We are doing more with less. No existing grant program receives an increase in authorization levels in this bill, and the legislation creates only one new program, at \$5 million a year. That new program will support travel efforts to combat domestic violence on reservations.

In terms of policy, one of the biggest changes in this year's violence against women reauthorization is a greater focus on preventing and responding to sexual assault. We still have a lot of work to do in reducing sexual assault in America where nearly one in five women has been raped at some point in their lives, and over 42 percent were raped before the age of 18.

As a former prosecutor, I am all too aware of the fact that prosecution and conviction rates for sexual assault are among the lowest for any violent crime. So in an effort to solve that problem, this year's reauthorization opens funding to programs that are more directly responsive to the needs of sexual assault survivors.

I woke up this morning and read my town newspaper in the Twin Cities and saw that a 30-year-old rape-murder case was solved—30 years old. You think of the new technology that is available. It was solved because they kept the DNA from the scene. They were able to match it to someone in another State who had been imprisoned. They were able to charge that case. Think of the justice for those family members and also for the rest of the country where, hopefully, this conviction will be made. They will be able to make sure that person is behind bars forever.

Those are the kinds of things that happen in this day with the new technology, but unless we have people trained to use that technology, unless we have people who are able to work with victims, unless we have victims who feel comfortable coming forward when they are sexually assaulted or a victim of domestic assault, none of it

means anything to this system. That is why the VAWA bill is so important.

Another area of improvement in this bill is the effort to more effectively provide services to victims from traditionally underserved communities. This bill adds new definitions that will help make sure VAWA-funded programs provide a variety of services that address the needs of racial and ethnic minorities.

As Chairman LEAHY's committee report points out, studies indicated that women of color are reluctant to turn to traditional domestic violence programs, and culturally specific programming may be more effective in meeting their needs. Our recent National Institute of Justice study found that women of color may be less likely to receive all the services they need.

Domestic violence and sexual assault are problems that affect everyone in this country, and this new bill, this reauthorization bill, recognizes that fact. The Senate version of the VAWA reauthorization also includes a number of improvements that specifically address the needs of women living in tribal areas. It is a sad reality that Native American women experience rates of domestic violence and sexual assault that are significantly higher than the national average. So the VAWA reauthorization strengthens existing efforts to confront the ongoing epidemic of violence on tribal lands by expanding the tools available to Federal law enforcement.

The Judiciary Committee worked closely with the Indian Affairs Committee to craft the most effective responses to the frighteningly high levels of domestic violence and sexual assault in tribal areas. One important provision gives tribal courts jurisdiction over a non-Native American who has committed acts of domestic violence against Native American women in a small subset of cases that meet three specific criteria: No. 1, the crime must have occurred on a reservation; No. 2, the crime must be domestic violence; and No. 3, the defendant must live on a reservation. Why did we do this? Because we know a lot of these cases weren't being reported. These cases weren't being prosecuted. It is very difficult sometimes for State and Federal authorities, with their limited resources, to come in and handle these cases. It was simply a pragmatic response to a legal issue, and it is something which, as I said, in the Senate got broad bipartisan support. We have a significant Native American population in my State, so this change and several others will be very helpful in cracking down on these crimes.

Finally, I will briefly mention one part of this reauthorization on which I worked hard. And I see Senator HUTCHISON of Texas in the Chamber, and it is good to see her because I am going to be talking about the amend-

ment she and I worked on together, and that is an updating of our stalking laws.

Current law focuses on what the victim knows and requires prosecutors to show that the victim experienced a certain level of fear in order to secure a conviction. But sometimes the victims of stalkers, particularly high-tech stalkers—stalkers who are putting camera equipment and little peepholes in hotel rooms, stalkers who are using the Internet—aren't even aware of what the stalker is doing until later, until suddenly they see a picture of themselves undressing or a picture of themselves without clothes on the Internet being distributed across the entire country, across the entire world, which is a real case that happened in this country with a sports reporter.

Those are the kinds of things we are now seeing. So while they are experiencing it, they do not have that level of fear because it happens later. What we have done—Senator HUTCHISON and I and others—is to update the stalking law she was involved in before I even came to the Senate. We have updated that law to make it as sophisticated as the people who are committing these crimes.

This is just a sampling of some of the important changes in this reauthorization bill. It is basically about making the Violence Against Women Act, which has been so important to our country and to women in this country, making it more efficient and updating it for where the real needs are. Things change over time. We learn new law enforcement techniques, and we have to be able to put those into action. That is what this is about.

For me, this is about Officer Shawn Schneider, an officer in Lake City, MN, who got called to a scene to respond to a domestic violence crime. He went up to the front door, the door opened, and there was a 17-year-old victim with a clearly agitated, mentally ill perpetrator, her boyfriend, who ends up shooting Officer Schneider. He died a few days later, leaving behind a widow and three little kids, and his funeral was right around the holidays. The last time his family had been in church was for the church pageant for Christmas. The next time his family walked down the aisle of that church was for his funeral—the funeral of a little girl's father. She was wearing a blue dress covered in stars. That is what I remember—a little girl walking down the aisle of that church at her father's funeral.

When I see that kind of thing, I know one thing: Domestic violence just doesn't have one victim; domestic violence makes an entire family a victim, an entire community and an entire nation. And when that officer was called to that scene, he didn't ask: Oh, is the victim an American Indian? Is the victim gay? Is the victim a woman or a

man? He did his job. He showed up at the scene. Now it is time for us to do our job. The House of Representatives should pass this bill, and we should get this done.

I thank the Presiding Officer, and I yield the floor.

THE PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Madam President, I am pleased to follow the Senator from Minnesota because we did work on a piece of legislation, which she perfected. It was my bill that first passed on stalking that would take the antistalking laws nationwide because so often it happens across State lines, and so we had to put it all together so that if someone did cross State lines to stalk a woman or her children or a man or anyone, that would be prosecutable.

I was so pleased Senator KLOBUCHAR then came with a bill which I was proud to cosponsor which updated the technology criminals now use to harass, scare and really make life miserable for people they know. I had a stalker myself for about 12 years. I didn't know him, but he certainly did make my life different, that is for sure. And sometimes it is worse than what I experienced because there are actual threats.

I will never forget the time I got a call from an attorney in the U.S. Attorney's Office in Austin, TX, and he said: I just wanted you to know we got our first conviction under your antistalking law. It was a man who was harassing his ex-wife and his children, threatening them with a gun, and we were able to put him away and make that family a lot safer. I thought, you know, we live to actually know something we have done makes a difference. So I thank the Senator from Minnesota for carrying that forward.

HONORING OUR FOREIGN SERVANTS

I rise today, Madam President, to talk about Neil Armstrong and about NASA, but I can't stand here today with what is going on in the Middle East and not say that I join the thousands and maybe millions of others who mourn the loss of a U.S. Ambassador who was killed in Libya. You know, I would mourn any U.S. Ambassador who is killed in the line of duty, but it makes it even harder when we know this one was doing such a great job. Christopher Stevens had dedicated his life really trying to make peace and trying to be a force for the positive in the Middle East. He was our Ambassador to Libya.

I am sad to say it appears this was a plot. It was not an accident. It wasn't something that happened because he happened to be in the consulate. It apparently was a premeditated murder of our Ambassador. And I know the whole country mourns the loss of someone who tried so hard to do what is right and to then have this happen. So I want to pay my respects to him and to all who knew and worked with him.

In the travels I have been fortunate to make as a U.S. Senator, I am always so impressed with the representatives of the United States in our embassies and consulates throughout the world. Our Foreign Service representatives do a fabulous job. They take their lives and put them in danger sometimes, especially in countries that are strife-torn, as certainly Libya is right now and Egypt as well. So my great respect goes out to our Foreign Service community, and I think we have just been reminded of the service they give and the sacrifices they make.

HONORING NEIL ARMSTRONG

Madam President, I wish to speak today about the life of a gentle giant, Neil Armstrong, and also about the future of NASA. This all came together this week because I have just returned from the National Cathedral, where I joined congressional colleagues, Senators, and many others in paying our final respects to a man who unquestionably was a true American hero. Of course, we know Neil Armstrong made world history when he stepped out on the Moon's surface for the first time an American had done so and he uttered those words that will be forever enshrined in American consciousness.

They say that some seek fame and some have it thrust on them, but Neil Armstrong was the rare man who earned his fame and yet shied away from it at every turn. He preferred to live the life of, as he described it himself, "a white-sock, pocket-protector, nerdy engineer." He chose to live a private life rather than bask in well-deserved glory. For that, he was more than a hero, he was a role model we would all be fortunate to follow. We have too few of those today. Neil Armstrong served his country in Korea, where he was a fighter pilot and was shot down. He certainly served at NASA, which we all know, and he served his community as a professor at the University of Cincinnati. He was a serious, dedicated scientist who loved what he did and just wanted to get the job done.

There is a story told about him of an incident that occurred during training before the Moon landing where his vehicle forced an ejection. His only injury was biting his own tongue, but it was a near-death incident nonetheless. It was a very lucky escape. Another astronaut saw Neil working at his desk and said he had heard about Neil being thrown out of his vehicle. Then he asked when it happened, and Neil said: About an hour ago. The astronaut—Alan Bean—later told Neil's biographer:

I can't think of another person, let alone another astronaut, who would have just gone back to his office after ejecting a fraction of a second before getting killed.

I was lucky enough to know Neil Armstrong. We first met when he, *Apollo 13* commander Jim Lovell, and Gene

Cernan expressed concern over the administration's proposal to abandon NASA's manned space exploration program. They wrote an open letter. And let me tell you, when the first and last men to set foot on the Moon had an issue with the direction of NASA, everybody listened. It was a rare occasion that these astronaut leaders would speak publicly on such an issue, and considering Neil's propensity to shy away from the spotlight, it had even more significance. But he thought it was important, and a great bipartisan number of our colleagues agreed it was important that he chose to speak out on this very important issue.

The plan proposed canceling the existing space exploration program and suspending plans to build a replacement for the space shuttle. It placed immediate reliance on commercial capabilities, which at the time were undeveloped and unproven. Neil was particularly concerned about leaning too heavily on commercial crew vehicles because he rightly believed NASA should have ultimate ownership and stewardship of the next phase of deep space exploration.

When I asked if that group would testify before the Senate Commerce Committee and give us the benefit of their immense experience, Neil Armstrong and Gene Cernan were able to do so. Their testimony in May of 2010 helped us craft the NASA Reauthorization Act of 2010, which we managed to pass with a balanced plan that prioritized NASA's development of future exploration beyond low Earth orbit, while putting significant resources into commercial development of crew vehicles to the space station. We passed it unanimously in the Senate, very bipartisan, and we passed it on Neil Armstrong's birthday—on August 5, 2010.

When the space shuttle was retired, some thought the space program was ended. You know, I took a group of Cub Scouts to Johnson Space Center in Houston just a few months ago. They have a great program for our Scouts—well, for any group who actually wants to go and spend the night at the visitor's center at Johnson Space Center. They get to tour NASA and hear about the great feats of our country in space. And one of the little boys said to our NASA administrator at Johnson: Gosh, I am really sorry the space program is ending. And I was shocked and the administrator was shocked, and we said: Oh, but it is not ending. The space program is not ending.

If we allow people to think, if we allow our young—possibly the next generation of astronauts and scientists—to think the program is ending, are they going to be inspired to take those courses in aeronautical engineering that will give them the background to propel them to the next level of space exploration that is going to do things maybe we haven't even thought

of yet? We would eliminate the potential that manned space exploration can produce in the next decade.

We had a hearing in the Commerce Committee yesterday where we heard from NASA scientists about the Mars rover called *Curiosity*.

It was just breathtaking to hear the advancements that we have made with that rover that is now plodding around exploring the dirt and the rocks and the atmosphere on Mars.

One of the scientists pointed out that these NASA programs aren't just about exploration, they result in technologies that we use every day and that make our lives better right here on Earth. One pointed out that *Curiosity* is the first step in the next frontier of space, probing the atmosphere and geology of Mars. Each mission will build on the success of the last, and these robots and rovers that are going up now will be the precursors to the time when we put people—astronauts—on Mars.

There are myriads of practical results from NASA's programs, and there are many reasons to keep them alive and fully funded, but I think the astronauts—Neil Armstrong, Jim Lovell, and Gene Cernan put it best in their open letter:

America's space accomplishments earned the respect and admiration of the world. Science probes were unlocking the secrets of the cosmos. Space technology was providing instantaneous worldwide communication; orbital sentinels were helping man understand the vagaries of nature. Above all else, the people around the world were inspired by the human exploration of space and the expanding of man's frontier. It suggested that what had been thought to be impossible was now within reach.

Gene Cernan was one of those who gave the eulogy today at Neil Armstrong's memorial service at the National Cathedral. He gave a personal account. They were very close friends. They went fishing together. They had a long-term and lasting mutual respect, admiration, and friendship.

America cannot lose its preeminence in space. We are the leaders of the free world, and we are the natural leaders beyond its atmosphere. This is not done in dominance or hegemony but to ensure that technology can be used for our economic benefit. The satellites we have discovered with the space exploration have transformed communications, and satellite-guided missiles have given us defense capabilities that hit the target with less collateral damage.

This is my last of 19 wonderful years in the United States Senate, during which I have championed and fought for NASA and our manned spacecraft and space flight programs. I have worked with so many dedicated colleagues on both sides of the aisle, and I am proud of what we have accomplished. I am asking that my colleagues do not let all of the hard work of the past be for nothing. We saved the

manned exploration program, but there is so much more to be done. NASA must continue to be a priority.

I am a budget cutter. I will match anyone with the budget cutting that I think we need to do in this country. But the key for Congress is to remember what the Constitution says: The purse strings belong to Congress. So our responsibility is to set that cap on spending—set that cap at the lowest level we can and cover our functions that are necessary to run the government of this country.

The normal average spending of the Federal Government is about 20 percent of our gross domestic product. We are up to 24 percent in the last few years. We have to come back. We have to come back to 20. We may have to go to 18 in order to end at 20, but we must not refuse to set the priorities that will make sure we have a strong economy in the future. We must invest in the programs that will yield the benefits that will keep our economy going, our people working, and our engineers able to continue to produce the great things that have happened in our space program, in our medical research, and more.

This is so important to all of us. America's competitiveness depends on maintaining our dominance in science and technology. We cannot do it without NASA. Neil Armstrong left his mark on the American people and on generations around the globe. This is his enduring legacy. Ours must be to maintain the great organization—NASA—that made him a legend and helped make America the greatest Nation on Earth.

Madam President, I yield the floor.

The PRESIDING OFFICER (Mrs. McCASKILL). The Senator from Rhode Island.

CLIMATE CHANGE

Mr. WHITEHOUSE. Madam President, I am here on the floor again today, as I try to be every week, to speak about the continuing effects of carbon pollution on our planet, on our climate, and on our oceans. We have been away for the August recess, so it has been a while since I have done that.

August has been somewhat eventful. We have had two party conventions, and we have had continued news about what is happening to our climate and to our world.

The National Oceanic and Atmospheric Administration reported that July was the hottest month ever in the contiguous United States in their 118 years of keeping records. According to NOAA's State of the Climate reports, nearly 63 percent of the country experienced moderate to exceptional drought in July and August. It is affecting all sorts of folks—farmers, obviously. Unexpectedly high spring temperatures, for instance, decimated the tart cherry production in northwest Michigan where 75 percent of the country's tart

cherries are grown. Freezing weather, followed by a warmer than usual spring, destroyed the cherry buds, and more than 90 percent of that crop was lost. Grapes and peaches and apple harvests were also affected. Losses from this are estimated at \$210 million, making this year the worst year on the books for Michigan fruit, just to give one example.

Electricity generation, of all things, was also affected. Over the weekend, a Washington Post article documented electricity-generating facilities are struggling to supply consistent levels of electric generation because of these drought conditions. Lake Mead, Hoover Dam's reservoir, fell 103 feet below its targeted capacity. Low water levels have hindered barge transport of coal up the Mississippi River. Eight coal-fired and nuclear power plants in Illinois needed special permission to discharge cooling water that exceeded their Federal clean water permit ceiling of 90 degrees.

NASA scientist James Hansen published a study last month concluding that the 2011 heat waves in Texas and in Oklahoma, as well as the heat wave at that time in Russia, were likely caused by climate change—by the carbon pollution that we are emitting—with the analysis that what the carbon pollution in our climate does is to load the climate dice in favor of more and more extreme storms and extreme conditions like these heat waves.

Last week, the University of Colorado's National Snow and Ice Data Center and NASA announced together that Arctic Sea ice has reached a record low of 1.58 million square miles—nearly 70,000 square miles smaller than the previous modern low. Of course, there are still weeks to go in the melting season, and so it will be a lower record than that.

In the past three decades the annual average temperatures have increased twice as much over the Arctic as over the rest of the world. The Arctic is really the leading edge for the climate changes that are occurring as a result of our carbon pollution. The average extent of the Arctic Sea ice has declined by 25 to 30 percent, and the rate of that decline is accelerating. Habitats are changing, extreme weather is increasing, species are moving, oceans are warming and rising, and Republicans and special interests are denying. They insist on keeping their heads in the sand. In this case, given the source of much of the denial propaganda, it is probably safe to say that they have their heads in the oil sands.

The conventions that took place over August were instructive. I believe history will look back at the Republican Convention as a disgrace of climate denial in the face of the mounting facts. By contrast, President Obama pointed out clearly, simply, and plainly that carbon pollution is heating our planet,

that climate change is not a hoax, that more droughts and floods and wildfires are not a joke, that they are a threat to our children's future. I applaud the President for his leadership in this way.

He was not the only Democratic leader to touch on this issue. Senator KERRY—who gave a brilliant and passionate speech on the floor before the August recess—in his remarks said this:

Despite what you heard in Tampa, an exceptional country does care about the rise of the oceans and the future of the planet. That is a responsibility from the Scriptures. And that, too, is a responsibility of the leader of the free world.

President Clinton, in his wonderful magisterial speech, lauded the agreement the Obama administration made with the management, labor, and environmental groups to double car mileage. He pointed out:

That was a good deal. It will make us more energy independent. It will cut greenhouse gas emissions. And according to several analyses, over the next 20 years, it'll bring another half a million good new jobs into the American economy.

Congressman BARNEY FRANK of Massachusetts reminded us of the Romney who understood climate change, who said he was for climate change—I think he meant he was doing something about climate change—back when he was Governor of Massachusetts. He reminded us: Now there's a Romney who believes it is a myth.

Secretary Ken Salazar, who served with real distinction in the Senate, said of the deniers:

Mock our sacred responsibility as stewards of God's Earth. Their attitude isn't just sad; it's reckless and it's backward.

Tom Steyer is the cofounder of Advanced Energy Economy. He said this about Governor Romney:

Governor Romney's road to the future will lead to dirty air and increasing climate volatility, uncertainty over energy prices and less security, not more.

He contrasted that with President Obama. "President Obama's road to the future," he said, "will lead us to energy independence, energy security, a safer and cleaner environment, and countless new jobs that can never be outsourced."

And as silent and mocking as the Republican convention and the Republican candidate were on this issue, they have doubled down since then. Over the weekend on "Meet the Press," Mr. Romney restated that he is "not in this race to slow the rise of the oceans or to heal the planet." His energy plan makes no mention whatsoever of climate change or of promoting renewable energy technology. Instead, it details how the United States can exploit what the platform calls the domestic "cornucopia of carbon-based energy resources."

Our platform makes it clear that we take this seriously.

We know that global climate change is one of the biggest threats of this generation—an economic, environmental and national security catastrophe in the making. We affirm the science of climate change, commit to significantly reducing the pollution that causes climate change, and know we have to meet this challenge by driving smart policies that lead to greater growth in clean energy generation and result in a range of economic and social benefits.

In our national security platform we state:

The national security threat from climate change is real, urgent and severe. The change wrought by a warming planet will lead to new conflicts over refugees and resources; new suffering from drought and famine; catastrophic natural disasters and the degradation of vital ecosystems across the globe.

By contrast, the Republican platform calls on Congress to take quick action to prohibit the EPA from moving forward with new greenhouse gas regulations.

We are at history's junction, as shown by these two conventions and these two platforms. The Republicans would take us back into the past on a tide of propaganda and denial to serve the special interests of the polluters. The Obama administration would take us forward to compete successfully in the world for clean energy innovation, clean energy technology, and clean energy jobs. It would allow us to meet our responsibility to our children and grandchildren to leave them a world as good as the one that was left to us. And it would, in addition, show that this great experiment in human liberty, the United States of America, this great democracy, is not for sale.

The findings that we made in our platform I will quote again: "We know that global climate change is one of the biggest threats of this generation . . . and we affirm the science of climate change" follows the very strong findings of the American scientific community, indeed the world scientific community. Back in October 2009, a letter from a coalition of respected scientific organizations said this:

Observations throughout the world make it clear that climate change is occurring, and rigorous scientific research demonstrates that the greenhouse gases emitted by human activities are the primary driver. These conclusions are based on multiple independent lines of evidence, and contrary assertions are inconsistent with an objective assessment of the vast body of peer-reviewed science.

These were esteemed organizations: American Chemical Society, American Meteorological Society, American Society of Agronomy, Botanical Society of America, and many others. They do not think the jury is out on this question. They know that in fact the verdict is in and we now have a responsibility to ourselves and to the future to act.

Recently, Dr. Richard Muller, a converted climate skeptic, released find-

ings from his research—which was, ironically, partially funded by the Koch brothers—that the Earth's land temperature has increased by 2.5 degrees Fahrenheit over the past 250 years and 1.5 degrees of that over the past 50 years. He states, "moreover, it appears likely that essentially all of this increase results from the human emission of greenhouse gases."

Another benchmark was a monitoring station in the Arctic that measured carbon dioxide at 400 parts per million for the first time. This is 50 parts per million higher than the maximum contraction of carbon in the atmosphere at which scientists predict a stable climate, and it is well outside the 170 parts per million to 370 parts per million range for carbon in our atmosphere that has persisted for the last 8,000 centuries.

Essentially all of human development has taken place within a range of 170 to 300 parts per million in our atmosphere and we just broke, in the Arctic, 400 parts per million for the first time. We are not just off the road and over the chatter strip. We are way out of history's line.

Again, we are at a junction in history. I urge we go forward, that we drive our country toward successful competition for a clean energy future, that we meet our responsibility to our children and our grandchildren, and that we prove to ourselves and to the rest of the world that our great American experiment in human liberty is not for sale to the polluting industries.

I yield the floor.

THE ECONOMY

Mr. BARRASSO. Madam President, I wish to take a few minutes today to talk about our Nation's economy. This speech is not about the economy that we wish we had; this speech is not about the economy that we used to have; this is about the economy that we have today.

By now, Americans are all too familiar with the bad economic news. The front page of today's Wall Street Journal provides little respite from that bad news. It reads, and here is the headline, front page: "Household Income Sinks To '95 Level."

Let me say that again: "Household Income Sinks To '95 Level."

The President talks about moving forward. But the reality is that the American paychecks are moving backward. The article goes on to describe a report from the Census Bureau, a report that illustrates what millions of Americans already know. We are not better off than where we were last year or the year before or the year before that. In fact, the Census Bureau data shows that household incomes in 2011 fell for the fourth consecutive year. Hard-working Americans do not need census data to tell them this, they know it. All they need to do is look at their paycheck. For many it is significantly smaller.

While paychecks continue to shrink, the cost of everyday living has gone up. Gasoline prices have gone up another 30 cents a gallon in just over a month. Americans recently paid the highest price ever on a Labor Day weekend for gasoline. One out of every seven people in America is now on food stamps.

In 2008, that was before President Obama's election, the poverty rate was 13.2 percent, and 38.8 million Americans were in poverty. This week's numbers show a 16-percent increase in just 3 years. Poverty rates remain stuck at their highest level since 1993.

I made many of the same points last week in the response to the President's weekly address, but I believe it is important to make them again. While many Americans worry about their shrinking paycheck, far too many others have no paycheck at all. Today, 23 million Americans are unemployed or underemployed. Many of these folks are our friends, our neighbors, and family members. The undeniable truth is President Obama is on track to have the worst jobs record of any President since World War II.

When the President was hyping his so-called stimulus program, his economic team claimed unemployment would not go above 8 percent and would be below 6 percent by now. Instead, it has been higher than 8 percent for 43 straight months. According to last week's jobs data, unemployment dropped from 8.3 percent to 8.1 percent. Why does that happen? It didn't drop because of newly created jobs. It dropped because 368,000 Americans simply gave up looking for work. They just gave up.

With the stimulus bill, the President promised jobs. The only thing he delivered was not jobs but more debt. It is bad enough that the stimulus was wasted. Even worse, he borrowed the money, much of it from China.

The reality is that America is not better off than it was 4 years ago. In terms of global competitiveness, the United States has dropped for 4 straight years. When President Obama took office, we were No. 1 in the world. Now we are No. 7. Why? American businesses are at a competitive disadvantage. That is because of our tax rates. They are the highest in the developed world. American businesses are being asked to create jobs in the face of a regulatory onslaught the likes of which we have never seen before.

Americans know what works. What works here in this country is low taxes, reasonable regulations, and living within our means.

President John Kennedy understood that. He said:

Persistently large deficits would endanger our economic growth and our military and defense commitments abroad.

He said that 50 years ago, in 1962. Washington's budget deficit that year, in 1962, was \$7 billion. From \$7 billion

then to \$1.2 trillion this year. For every year since he has taken office, President Obama has spent at least \$1 trillion more than Washington took in—all of it borrowed. And there is no end in sight.

According to the Congressional Budget Office, the government ran a \$192 billion deficit last month alone. This is the highest deficit ever for the month of August.

Under his watch, government continues to spend too much, borrow too much, and grow bigger every day. President Obama's record of failure has come at a great cost to our country and to our future. The President's policies have failed to produce the results, the accountability, and the solutions that the American people deserve. The Obama administration is simply not moving our country forward.

A healthy economy comes from a growing private sector. Yet the President doesn't seem to appreciate or value the private sector. Remember, he said if you have a business you didn't build it, someone else did? In Wyoming and in communities all across this country there are bakers and florists and dry cleaners and farmers who did build their businesses and whose families have been working in them for generations. Those business owners know what President Obama does not. They understand, as Ronald Reagan put it, that you can't be for big government, big taxes, and big bureaucracy, and still be for the little guy.

As a Nation we are being bled by overspending, we are being choked by regulations, and we are being paralyzed by a lack of affordable energy. Just look at one of the President's favorite legislative accomplishments, the President's health care law. The American people knew what they wanted from health care reform. They wanted the care they need, from a doctor they choose, at a lower cost. Instead, what did they get? They got a \$700 billion cut to Medicare, a government mandate that everyone must buy insurance, funding for IRS agents to investigate you, but too little money for doctors to treat you.

Similar to health care, the American people know exactly what they want from our Nation's energy policy. What they want is energy security. Yet the President continues to block the Keystone XL Pipeline and the oil and the jobs that come with it. The President has wasted millions and millions in taxpayer dollars on Solyndra, and the President continues to stifle domestic production of affordable American energy sources such as coal while driving up energy bills for the American people.

Since energy security is not a priority for this President, what about financial security for our children and grandchildren? Washington has piled a mountain of debt on the backs of fu-

ture generations, and the President keeps adding more. On his watch, the national debt just passed \$16 trillion, with no end in sight.

President Obama says he deserves a grade of incomplete on his handling of the economy, but people only ask for an incomplete grade when they know they are failing. He is now asking all of us to give him more time. The question is, Can we afford to give him that time?

As I said in the beginning of this address on the floor of the Senate, it is not about the economy we wish we had or the economy we used to have; it is about the economy we have today. It is about reality. Instead of giving President Obama 4 more years to continue the policies that have not worked and are not working, it is time for a change.

A SECOND OPINION

Madam President, I would also like to take a few moments today to talk, as I do each week in the Senate, as a physician and give a doctor's second opinion about the health care law.

I come to the Senate floor just about every week to talk about the health care law. I have practiced medicine in Wyoming for one-quarter of a century. I have taken care of families and many patients on Medicare. What I wish to do today is talk about the health care law's impact specifically on our seniors who rely on Medicare for their health care. Specifically, I wish to talk about how this law is going to impact those living in rural and frontier areas such as Wyoming.

I know it can be very challenging for people living in rural communities to get the care they need, especially from a doctor they choose. The associated press recently described this issue in an article entitled "Boomers retiring to rural areas won't find doctors." The story highlighted the trouble Nina Musselman from rural Oregon had finding a new family physician when her previous doctor moved away.

After 1 year of going to different physicians who would treat her temporarily, she finally found a new permanent provider. The words she used to describe her experience were: "It's a sad situation for seniors." Unfortunately, because of the President's health care law, the situation for seniors—especially those living in rural communities—is only expected to get worse. The article not only confirms that fewer doctors are working in rural areas but also that the program pays rural doctors less for a procedure. This fact, combined with the cuts to the program scheduled to take place under the health care law, means seniors in rural areas will have greater difficulty finding a doctor to take care of them.

Mark Pauly, a professor of health care management at the University of Pennsylvania put it this way: If the cuts to Medicare are allowed to go

through, "the doctors are saying: We're out of here."

Professor Pauly adds:

The least they [the doctors] are saying is: "We'll treat Medicare patients like we treat Medicaid patients," which is mostly not.

Over the past 2 weeks the Republicans and Democratic parties have held their nominating conventions. The Nation has had an opportunity to hear from both Governor Romney and President Obama about their accomplishments and their visions for America.

After hearing the President's speech, I was struck by the fact that he barely mentioned his health care law. The newspaper Politico stated: "In back-to-back speeches, Obama and Vice President JOE BIDEN all but ignored the Affordable Care Act."

It isn't surprising, given the fact that the law remains deeply unpopular with the majority of the American people. In fact, the latest Rasmussen poll found that half the people surveyed support repealing the health care law.

The President and Washington Democrats might be trying to avoid the law. As a physician who practiced in Wyoming, I believe the topic is too important to ignore. All seniors, especially those in rural America, need to know how this law will impact their ability to get the care they need.

Previously, the Institute of Medicine found that there are fewer primary care physicians—as well as other medical specialists—per capita in rural areas compared to urban areas. It is not just primary care physicians and it is not just specialists, it is both. So while people in rural America make up 20 percent of the Nation's population, they are only served by about 9 percent of the Nation's physicians.

The Kaiser Family Foundation tells us the beneficiaries in rural areas account for at least 60 percent of the Medicare populations in Mississippi, Montana, North Dakota, South Dakota, Vermont, and Wyoming. This is why I have such a passion for ensuring that all our seniors, no matter where they live, can receive their Medicare benefits. Unfortunately, all America knows is that the President's health care law made significant cuts to Medicare.

Specifically, the Congressional Budget Office told us the law takes over \$700 billion from the Medicare Program. This money will not be used to improve the health care received by seniors but, rather, to pay for a whole new government program for someone else. In fact, if the cuts in the health care law are implemented, the nonpartisan Actuary at the Centers for Medicare and Medicaid Services found that Medicare payments for inpatient hospital services would eventually be only 39 percent of private insurance rates.

The situation facing physicians is not any better. The actuary at CMS reported that in 2009 Medicare paid physicians approximately 80 percent of private insurance rates. Under current law, if the cuts are allowed to move forward, Medicare will eventually only pay about 26 percent of the rate of private insurance. There is no question that the ramifications of these cuts will directly impact the ability of seniors to receive the health care they need.

As Professor Timothy Jost noted in the *New England Journal of Medicine*:

If the gap between private and Medicare rates continues to grow—

As it is under this law—

health care providers may well abandon Medicare.

For the millions of seniors who rely on Medicare, losing access to the program is simply not acceptable.

When the President passed his health care law, he proudly stated he was expanding health care coverage for millions of Americans. What he failed to mention is that this expanding coverage is being bought at the expense of American seniors.

Washington Democrats have long argued that the cuts to Medicare will do two things at the same time. They say it will expand health coverage for the uninsured and extend the life of the Medicare trust fund.

In Wyoming and all across the country people know we cannot spend the same money twice. Apparently, the President and supporters of his health care law, right here in this body, think they can. Their logic defies math and it defies common sense.

As a former Director of the Congressional Budget Office, Douglas Holtz-Eakin stated in a recent op-ed: "Any suggestion that Medicare will last longer is an illusion—not a fact."

America's seniors cannot afford the spending illusions contained in the health care law. Congress must act and repeal the law before Medicare is transformed from a vital program into an empty promise.

With that, I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HARKIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SANDERS). Without objection, it is so ordered.

THE RYAN BUDGET

Mr. HARKIN. Mr. President, I said earlier this week when we came in on Monday that every day I would come to the floor—and other Senators I know are coming to the floor—to let the American people know what Mr. Romney and Mr. RYAN are trying to

hide from them. What they are trying to hide is what their blueprint is for America, where they want to take the country. People listen to all of their speeches on the campaign trail, but show me your budget and I will show you what your priorities are.

A budget is a blueprint, and we have from Mr. RYAN, our colleague in the House, his budget. I think, if I am not mistaken, it has been passed twice in the House and I think almost every Republican voted for it; the same as here in the Senate. So if Mr. RYAN and Mr. Romney were to be elected to the Presidency and Vice Presidency, they would then be able to move their budget through under a little-known procedure called reconciliation. It is a fancy word, but all it means is that it would go through with 51 votes.

I think it is important for the American people to know what is in that budget, what is in that blueprint for America. That is why this week I have taken the time to talk about the impact of the budget on health care and on education. Today I wish to talk about the impact of this budget on where I live—rural America, in the Midwest, where the occupant of the Chair lives. What is the impact of the Ryan budget on those of us who live in small towns, in rural communities, those who live on farms, and ranchers in the West? What is the impact?

First of all, I think it is important to step back and take a look at the Ryan budget blueprint overall. What it does is it further decimates the middle class in America. The very centerpiece of the Ryan budget is a dramatic shift of even more wealth to those at the top, targeting huge new tax cuts for the richest 2 percent.

For those making over \$1 million a year—I have used this chart before and I will continue to use it—for those making over \$1 million, they would get \$265,000 more in tax breaks. That is added on to \$129,000 that they already get from the Bush tax cuts. So under the Ryan plan, if a person makes over \$1 million a year, they will get \$394,000 in tax cuts. They are entitled to that. That is an entitlement. If a person makes that much money, they are entitled to get that tax cut. So when we hear people talking about entitlements, remember, it is not just the poor, it is the rich too. They get a lot of entitlements.

They are going to have all of these new tax cuts. The total is \$4.5 trillion over 10 years. Where do they get that money? They don't want to say how they would pay for it, but we have to look at the budget. The Ryan Republican budget would partially offset the tax cuts by making deep, Draconian cuts to programs that protect the middle class and are essential to quality of life in our country—everything from education, student grants and loans, law enforcement, clean air and clean

water, food safety, medical research, highways, bridges and other infrastructure, agriculture, and energy.

As I said before, the Republican plan would end Medicare. The Ryan budget ends Medicare. They keep saying: Well, it ends it as we know it. Well, as we know it, that is what it is. It replaces Medicare with voucher care. Voucher care, not Medicare; voucher care. It would completely destroy Medicare. They say: Well, people can take their vouchers and keep Medicare, if they like, or they can go out and get a private plan. If one is a healthy elderly person, they might be able to get a cheap plan out there someplace. So all of the healthy elderly leave Medicare, which leaves only the sickest and the poorest in Medicare, so the costs skyrocket and it becomes unsupportable. That is the way to destroy Medicare.

Again, they talk a lot—Mr. RYAN and Mr. Romney—about reducing the deficit and balancing the budget. Even under the most rosy assumptions, the Ryan budget does not balance the budget until the year 2040—28 years from now. Mr. RYAN is a true acolyte of former Vice President Cheney who, in a very unguarded moment, said deficits don't matter. Well, they obviously didn't, because we see how much the deficits went up under the Bush-Cheney administration. I always say Mr. RYAN has also—he won't say it but his budget shows it—they don't think deficits matter either because they have deficits for the next 28 years.

Again, when I tell people this, when I outline the budget for folks back home, they say, You must be kidding; nothing could be that extreme. Well, the Ryan plan is extreme and unbalanced, and I am not making it up. Even former House Speaker Newt Gingrich criticized the Ryan budget. He called it rightwing social engineering. Well, all I can say is Newt got that one right. But that is Newt. Let's listen to the economic adviser to the icon of the modern day Republican Party, President Ronald Reagan. This is what he said. Let's hear what Mr. Bartlett said. He said: "Distributionally, the Ryan plan is a monstrosity. The rich would receive huge tax cuts while the social safety net would be shredded to pay for them. . . ."

A monstrosity. This is the economic adviser to President Reagan. President Reagan wouldn't have a chance in today's Republican Party, not with the Ryan budget.

Again, the Ryan budget is radical—radical—in shrinking the size of government to what it was more than a half a century ago.

Today I wish to focus specifically on the devastating impact of the Romney-Ryan budget on American agriculture and on our quest for clean renewable energy and energy independence. The Ryan budget would make deep reductions in our Federal commitment to

America's farmers and ranchers, to rural communities, and to consumers, especially consumer safety. The Ryan budget calls for reducing funding for agriculture conservation over 10 fiscal years by \$16 billion below the funding levels that we have now in the present farm bill. That amounts to about a 24.5-percent reduction in conservation of soil and water. Our Nation cannot afford to back off on our commitment to agricultural conservation, not at a time when climate and weather are becoming more variable and damaging to the land and when farmers and ranchers need to keep increasing production to meet demands from a growing population.

More and more demands are being put on our land with a changing climate and that is why conservation funding is so critically important. Farmers and ranchers have made tremendous progress on conservation. Yet about a quarter—one-fourth—of U.S. cropland is still deteriorating from excess soil erosion.

Concerning water quality, nitrates in the Mississippi River and its tributaries were 10 percent higher in 2008 than they were 20 years ago. There have been no consistent nitrate declines in the past 30 years. Here are a couple of photographs to illustrate what I am talking about. This is a nice, pastoral view looking over some rolling cropland. This is a gully. We can see they put up some plastic here to stop it, but this is where the rain comes down, hits it, washes it off, down into the ditches. That is sort of the "before" photo. That is before conservation practices. Let's take a look at the same picture after we have used Federal conservation plans and the farmer's own money. Look what we have now—a nice, grassy waterway that absorbs all of that rain. That is what conservation does.

Concerning water quality, here is another picture. It is a picture of a gully washer, and we see the land being eroded there, the stream bank being eroded. That was before. This is what it looks like afterward—a nice stream with clean water, a lot of bank protection, a lot of trees. In fact, the farmhouse we saw in the last picture we can barely see above the tree line in this picture. That is what conservation does. The Ryan budget decimates that. It would cut 24.5 percent, almost 25 percent, of all of the funding for conservation in America at a time when we know what is happening in the Mississippi River, with all of the nitrates going down the Mississippi River, with the land erosion. As I said, at a time when our farmers are being asked to produce even more and more to meet a growing population.

Also, this doesn't just affect farmers, it affects all of us. Some people might say: Conservation, sure, that looks nice, saving the water and soil, but

what does that have to do with me, because I live in Los Angeles or San Francisco or some place such as that. It has to do with the quality of life in America and it has to do with whether we are going to preserve the bountiful land that we have for future generations and whether we are going to commit ourselves to having clean water and cleaning up our rivers and our streams and to prevent our soil from flowing down the river.

That is conservation.

Another troubling feature of the Ryan budget is that it would impose new tighter limits on money appropriated for rural housing, rural water and wastewater systems, and economic development, as well as other vital Department of Agriculture functions such as food safety and agricultural research, education, and extension.

The Ryan budget adopted by the House would overall cut the funding for, as we said, nondefense domestic appropriations by about 18.9 percent, compared to the current appropriations levels, and that is for next year, that is for 2014 and for years thereafter.

Let's consider rural development programs at the Department of Agriculture. For fiscal year 2012, we appropriated \$2.4 billion. That is for rural development. That money provides assistance to rural housing, rural cooperatives and other small businesses, and rural water and wastewater systems. That figure for fiscal year 2012 that I gave you—\$2.4 billion—was already 9 percent below the 2011 appropriation for rural development. The 2011 appropriation was 11 percent below the fiscal year 2010 funding.

What would the Ryan budget do? Slash another 19 percent—18.9 percent—from rural development funding. That would amount to a cut of roughly \$454 million in 2014—a half-billion dollars in cuts to wastewater systems, rural cooperatives, and rural housing.

Consider the food and agricultural research, education, and extension sponsored by the Department of Agriculture. The fiscal year 2012 appropriation for this was \$2.3 billion. Again, that was a slight reduction from appropriations in recent years. It was \$2.3 billion in fiscal year 2012, and in fiscal year 2010 it was \$2.59 billion. So we have already taken some reductions. We already know our current levels of investment in Federal food and agricultural research are falling far behind what is needed to meet the challenges I just spoke about, the challenges of producing food, more food to meet a growing world population, the need for exports, to do it in an environmentally benign way, which saves soil and water for future generations.

Well, the Ryan budget, again, lops off another 18.9 percent. That would be about \$435 million in 2014—a half-billion dollars from these vital programs. Again, these do not just affect farmers, these affect all of us.

Take food safety—just food safety. People like to know when they buy food someplace—they have a high expectation it is not going to make them sick. Well, the fiscal year 2012 appropriation was \$2.5 billion for the FDA, the Food and Drug Administration, and \$1 billion for the Food Safety and Inspection Service. That is the Department of Agriculture. That is FSIS, the Food Safety and Inspection Service, that deals with Federal meat and poultry inspection. The FDA handles everything else.

Now, if the Ryan budget were adopted, again, there would be an 18.9-percent cut to both the FDA and the Food Safety and Inspection Service. Listen to this. That would be a cut of about \$472 million from the Food and Drug Administration—to inspect our food and our drugs to make sure they are safe—and a cut of about \$189 million from the Food Safety and Inspection Service that inspects meat and poultry. So consumers would have much less assurance in the safety of their food.

Need I remind people that the Senate and the House just passed this year a proposal to reauthorize the Food and Drug Administration, to give them more duties, more responsibilities, to do more inspections of food coming into this country from overseas. President Obama signed that into law. It was supported by Republicans and Democrats, consumers, pharmaceutical companies, and food companies. Everybody supported it—a great bill.

Now, here is the Ryan budget. They are going to take about a half-billion dollars out of that per year. So we might have given them the authority in the authorization bill, but then we are going to cripple it and cut them off at the knees. We are going to cut them off—if we adopt the Ryan budget—by taking about a half-billion dollars a year from the FDA.

Let's take a look at what it would do about energy because this not only means a lot to Iowa, it means a lot to our country in terms of moving ahead to develop renewable, safe, domestically grown energy.

The Ryan budget claims that President Obama has stifled domestic energy production by blocking or delaying the production of oil—both onshore and offshore—and gas. But what he fails to acknowledge is that under President Obama we have already opened vast expanses of public lands for oil and gas exploration, and production of both has increased—by 13 percent for domestic oil; 12 percent for natural gas—since 2008.

But most egregious about the Ryan budget is that it completely ignores and, again, hinders our development of renewable energy.

Wind power. Wind power in America has now provided over 35 percent of the new electricity generation capacity installed in the United States over the

last 5 years. In the last 5 years, wind energy accounts for 35 percent of all of that.

The wind power industry has doubled its electricity contribution four times just since 2000. Shown on this chart I have in the Chamber has been the growth of wind power capacity in the United States since 2000. It has doubled it four times and is continuing to grow.

The wind power industry now accounts for 75,000 American jobs—75,000 American jobs—heavily concentrated in California, Colorado, Texas, Iowa, Illinois, Michigan, Ohio, and Pennsylvania. Well, Mr. Romney has said he wants to do away with the production tax credit, wipe all that out.

I wonder how the people of California and Texas and Colorado and Iowa and Illinois and Michigan and Ohio and Pennsylvania might feel about that—not to mention the other States where they are just now beginning to develop their wind energy potential?

So the Ryan budget does away with the production tax credit, and Mr. Romney has given his stamp of approval on that.

Now, likewise, with liquid fuels. Americans clearly want to increase production and use of domestic renewable fuels. We have responded in the past with tax credits and renewable fuel use requirements, the renewable fuels mandate. Small business entrepreneurs have built ethanol and biodiesel biorefineries all across the country. They now supply about 10 percent of the fuel used in our gasoline-powered autos and trucks.

That is 10 percent that no longer comes from outside our borders. And here is the expansion, as shown on this chart, of all of the biorefineries in the United States just in the last few years. Look how they have grown. There are a lot of jobs there—a lot of jobs, a lot of liquid fuels. In fact, if you look at the chart showing the expansion of liquid fuels and the decrease of imports of oil, they just about match. Just take a look.

Going back to 2000, this line shows the increase in ethanol production and this line shows the decrease in oil imports. Boy, they just about match. As ethanol production has gone up, oil imports have gone down.

Well, the Ryan budget basically says we should roll back all this Federal intervention—just roll it back. But they say it is OK for the oil companies to go offshore and drill offshore, drill in very fragile areas of our country. I would not be surprised if they wanted to open up Yellowstone Park to oil and gas exploration pretty soon.

I just want to share the Iowa experience, if I might, about renewable energy because I think it speaks to the potential that we have nationwide.

Up until a decade ago—10 years ago—my State of Iowa was nearly 100 percent dependent on energy imports. All

of our gasoline and diesel came from out of State. Most of our electricity came from out of State—coal. By contrast, today Iowa generates about 20 percent of its electricity from in-state wind power facilities. We now have about 7,000 jobs in the wind power industry. We build the turbines, we build the blades, we build the towers—everything—there. We are teaching a whole new generation of young Americans at our community colleges how to fix, repair, replace, and maintain our wind generators.

So instead of paying others for imported coal or for coal-based electricity from other States, Iowans are using their money to build and install and operate their own wind turbines and generating electricity from our own in-state renewable wind resources.

For liquid fuels it is the same. It is remarkable. As I said, remember, Iowa imported all of its oil and gas 10 years ago—gasoline. Iowa now has 54 biorefineries producing about 4 billion gallons of ethanol and biodiesel a year. That is 50 percent more than the total amount of liquid fuels that we consume in a year. So Iowa, in 10 years, has gone from a total importer of liquid fuels to a net exporter. We make more than 50 percent more than we actually use, so we get to export to other States. Again, that is good-paying jobs. It is a renewable resource, with higher incomes for farmers. It helps Iowa's economy better than the economies of the Mideast oil states.

So America can follow in Iowa's footsteps but only if we continue the energy policies that have enabled these achievements. We need to extend the production tax credit to expand wind power and other renewable electric systems across the country, such as solar electric. The Ryan budget does not account for that. The Ryan budget drops all of these investments, in renewable biofuels also.

So, again, as I said, each day we have looked at the Ryan budget and how it affects health, how it affects education. Senator BOXER from California and others have come out and talked about how it affects our transportation infrastructure in America. But I also wanted to point out what it does to our renewable energy sector and what it does to agriculture, especially conservation, and how it would decimate our efforts to ensure clean water and stop soil erosion in all of our States.

So before I close, I just want to provide a broader context so we understand the consequences of the Romney-Ryan budget. Going back to the 1930s, the American people have supported and strengthened a kind of unique American social contract. That social contract says we will prepare our young and we will care for our elderly. That contract says: If you work hard and play by the rules, you will be able to rise to the middle class or even be-

yond. That social contract says a cardinal role of government is to provide a ladder or ramp of opportunity so that every American can realistically—realistically—aspire to the American dream.

Well, in one document, the Romney-Ryan budget would rip up that social contract, shred it. Do not take my word. Let's go back to Mr. Bartlett's quote again that I had right at the beginning. Do not take my word for it. It is right here. This is Ronald Reagan's economic adviser. He says:

Distributionally, the Ryan plan is a monstrosity. The rich would receive huge tax cuts while the social safety net would be shredded to pay for them.

How far do you think Ronald Reagan would get today with this Republican Party with that kind of statement?

So, again, the Ryan budget would rip up that sort of contract, replace it with a sort of survival-of-the-fittest, winner-take-all. It is sort of "tough luck; you are on your own." If you were born wealthy, if you live in the right circumstances, you are OK, or if you win the lottery, God bless you. You are OK if you win the lottery, but otherwise, tough luck, you are on your own.

I agree with what President Clinton said last week when he said there are two competing philosophies here. One is the Romney-Ryan budget philosophy of "you are on your own." The other philosophy is what I think we have been proposing; that is, we are all better off when it is a "we are all in it together" philosophy. Again, the Ryan budget, the Romney-Ryan budget is a blueprint for where they want to take America. This is not just some phony liberal thing thrown out here. This is their budget. This tells you where they want to go. It is a blueprint for a building. It is a blueprint for what they want America to become. Well, I do not think that is the kind of America my neighbors and I would find acceptable, certainly not one they find acceptable for their kids.

Mr. RYAN said that he had developed his views on his budget—they were formed by Catholic social teaching. Well, I don't know; I went to Catholic schools most of my life, and that is not what I was taught. I was not taught that you are on your own, that government has no responsibility whatsoever to ensure that you have decent health, safety, education, that you have a decent retirement so that you do not get put in the poorhouse. I was taught that we are all in this together. I see the bishops say the same. The Catholic bishops say the Ryan budget fails the moral test—fails the moral test. They reiterated their demand that the Federal budget protect the poor, and I said the GOP measures fail to meet this moral criteria.

So, again, I have taken this floor every day. I intend to take it every day from now until whenever we adjourn to

keep pointing out, along with other Senators, what is in this Romney-Ryan budget. It is really scary.

A lot of times when we go out campaigning, we tell people: This is the most important election ever. How many times have you heard that one? This is the most important election ever. You hear both sides saying that. Well, I have been through a lot of elections. I have said that a lot of times. I will not say that. I am not going to tell anyone this is the most important election ever, but I will say this: This is the scariest election I have seen in my lifetime—the scariest. Oh, sure, we have had our differences before with Republicans and Democrats. That is OK. That is fine. That is the political give-and-take. And even under President Reagan, who was more conservative than any President we have had since probably Herbert Hoover or before, you know, sure they moved the country in a more conservative direction, but it wasn't like this. It wasn't anything close to what this Ryan budget is doing. Even Presidents who have run in the past, maybe with the exception of Barry Goldwater, but I do not know much about his budget—I dare say I bet it was not this bad. I bet it was not anything close to this. This is why this is scary. This is turning America back to where we were before Roosevelt. I do not mean Franklin Roosevelt, I mean Theodore Roosevelt. That is how far back they would turn this country.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

THE FARM BILL

Ms. STABENOW. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. STABENOW. I first wish to thank Senator HARKIN as chair of the Health, Education, Labor, and Pensions Committee and past chair of the Agriculture Committee for his words of concern regarding the House budget as it relates to agriculture. I share those concerns and I thank him for speaking out on that. It is just one more reason to pass a farm bill. We need to get a farm bill done right now.

Let me say to all of my colleagues, and particularly in the House because we have done our job in the Senate and we are ready to complete the task of getting a farm bill, we now only have 17 days, 17 days until the current farm bill expires on September 30. Seventeen days. We know as a practical matter, because the House says they are leaving next Friday, it is actually shorter, but we have 17 days before the end of the month, before the current policy expires and we begin to see a phase-in of policies that end up going back to 1949 by the first of the year on sub-

sidies and planting restrictions and a whole range of things that cost a lot of money and make no sense.

I am asking that the House come together, as we did in the Senate when we passed our bipartisan farm bill on June 21, and pass a farm bill in the House. We passed the Agricultural Reform, Food, and Jobs Act by a bipartisan vote of 64 to 35. I believe the votes are there in the House of Representatives if there is a willingness to have a bipartisan vote. I believe that together, Democrats and Republicans, there are enough votes to pass it, and the House has time to act. They are completing the continuing resolution today, and my understanding is there is nothing else of substance that is on the agenda for next week. And even if there was, 1 day—1 day—is all we are asking, 1 day to bring up and do the work for rural America, for agriculture, ranchers across the country, to create a 5-year farm bill policy that includes disaster assistance that will work for all parts of agriculture. We are asking for 1 day.

Farmers across the country have been hit hard by disasters, as we know—very, very hard. It has been devastating for many of our ranchers and farmers between late frosts and the severe drought this year. We need to get a farm bill done. Why is that? Because the farm bill is also a disaster bill.

I can speak from the standpoint of Michigan, where the warmth in March and then the late deep freeze eliminated almost all of our tart cherries. We are No. 1 in the country in tart cherries. We do not have any. Sweet cherries, apples, peaches hit, grapes, and that, along with the drought, means that every single county in Michigan is under a disaster declaration right now. We address that in the farm bill we passed.

By the way, disaster assistance is in the farm bill the Senate passed, fully paid for with savings within the farm bill.

We reinstate the livestock disaster program, and we make it permanent. We make it permanent. We support specialty crop growers who need crop insurance and do not have it now, such as our cherry growers. Tart cherry growers cannot purchase crop insurance because there is no crop insurance. In addition to helping them in the short run, we need to make sure we are ready for the future, and we do that in this bill.

We put in place a new dairy program to make sure we are not seeing farmers go bankrupt. And our Presiding Officer from Vermont certainly understands and has led efforts. I remember 2009, 2010, what was happening, what we had to do. We know the current policy is a disaster waiting to happen for dairy. So kicking the can down the road, doing some long-term extension, and not taking any action on the farm bill

is a disaster for dairy, which, by the way, is the No. 1 single commodity in my State as well.

We need to get the farm bill done.

We make sure those who have lost crop this year because of the early warm spring and late frost as well as our livestock operators and others get help not just for the future but this year, 2012. That is in the Senate-passed farm bill. It is also, by the way, in the House committee-passed farm bill, which is what the Speaker and the Republican leadership should be taking up on the floor of the House.

We also strengthen conservation, which is so critical because unlike the Dust Bowl of the thirties where soil was swirling around and all that was happening at that time, despite the horrible drought, soil is on the ground. Why? Because of conservation efforts and policies that have made a difference. We need to continue and strengthen that as we do in our farm bill for the future. It is critical that we move forward on conservation.

So the House taking up a farm bill addresses the disaster assistance that needs to be addressed for our farmers and ranchers in a responsible way. It is paid for within the savings of the farm bill. And we make sure we do not have other disasters happening by not moving forward with improvements in policy for commodities such as dairy.

I am proud of what we did in the Senate. It was bipartisan. We tried very hard. I worked very hard to create an opportunity where there was enough time in the summer for the House to be able to take action. We moved, as we all know, quickly, both in committee—Senator ROBERTS and I and all of our colleagues, with the leadership support on the floor, moved quickly in June to pass a bill so that there would be all of July and the beginning of August until the break for the House to act so that we could then go to conference committee in August and come back right now and pass a final farm bill, which is what should have happened. So now we are in plan B, which is at least—at least the House of Representatives ought to be doing their job in passing the farm bill so we can work on this in October and come back in November before the full Congress.

I commend the leadership of the Agriculture Committee in the House and have great confidence that, working together with them, we can come together on our differences and put together a responsible, effective deficit reduction farm bill in the final analysis. But we can't get there until the House gives us some kind of a bill to work with.

So I am asking the Speaker, I am asking the Republican leadership to take just 1 day, 1 day for rural America, 1 day for farmers and ranchers across this country so that we can address disaster assistance and long-term economic policy for rural America.

The House leadership, the Republican leadership heard yesterday from hundreds of farmers from all over the country that we need a farm bill now. There were over 80 different groups who put that rally together to make it very clear that they do not want a stopgap measure, that they do not want to kick the can down the road or do another 1-year extension; they just want us to get it done and to get it done right now. Many of these farmers are in the middle of harvest. It is the earliest corn harvest in 25 years because of the drought. They took time from work to come here at their own expense, their own time to give a very clear message to the House Republican leadership. It is time to get this done.

Frankly, it is past time to get it done. We have heard that the House wants to do a 1-year extension of current policy, but we are not going to support that. Do we really want to continue for another year the subsidies, such as the direct payments we eliminated in the Senate farm bill, the subsidies that go to people regardless of whether they are even growing the crop for which they are getting the subsidies? We eliminated four different subsidies and instead listened to farmers across this country to strengthen crop insurance. That is what we heard from Michigan to Kansas, from California to all across this country, that we need to strengthen crop insurance, and that is what we have done.

Do we really want to be in a situation where one more time there is not action on deficit reduction? The one piece of legislation we have passed in a bipartisan way that reduces the deficit of this country is our farm bill. Amazingly, we have \$23 billion in reduced spending, in deficit reduction, which goes away with an extension. It won't happen if we kick the can down the road, so we need to get this done.

I understand there are some in the House who don't believe we ought to invest in any kind of agricultural policy. I know there are those who think we shouldn't invest in nutrition or conservation of land and water or agricultural policy or energy jobs or a whole range of things, such as rural development, supporting our small rural towns. I understand they do not want to do a farm bill. I also know there are some folks who don't like the reforms we have. They want to continue those payments. I understand that. But I believe the majority of people in the House, just like the majority of the people in the Senate, will come together if given the opportunity and vote for reform, for deficit reduction, for a strengthened crop insurance program, other risk management tools for our farmers, a disaster assistance program that is permanent for livestock producers, help for our food growers, strong nutrition policy that includes focusing on waste, fraud, and abuse,

rural development, and a streamlined, more effective conservation policy that creates flexibility and tools for our farmers as well as those who want to hunt and fish and protect our open spaces. I believe a majority of the House wants to get that done.

I think it is very important, with 17 days left, that we remember what this is about. There are 16 million people in this country who work because of agriculture—16 million people. We talk a lot about jobs and job policies. I don't know of any we have debated on this floor that have impacted 16 million people and their families, and we came together to get this done because we understood that.

Right now, despite the best efforts of the Committee on Agriculture in the House on a bipartisan basis to report a bill, the House leadership—the Republican leadership—will not take 1 day—1 day—to focus on 16 million jobs, economic development, quality of life in rural America for those who have been hit so hard by this economy, and the jobs of the future we have in this farm bill. Time is running out. Time is running out. We need to get this done. We understand that.

Farmers know that when there is work to be done, they can't kick the can down the road. When a crop is ready for harvest, a farmer can't say: Gee, I am tired; I will do it next week. When the crop needs to be harvested, they have to get up and go do it. They do what needs to be done. And we had folks who came here yesterday, who left their fields and who basically said: Even though I have a lot of work to do at home, I have to go to the U.S. House of Representatives to tell the Republican leadership that it is time to get the job done.

Mr. President, I would like to put into the RECORD a letter that was sent from 13 different leadership organizations on agriculture in this country. I will explain what is in it, but I ask unanimous consent to have printed in the RECORD a letter dated September 7, 2012, to Senators REID and MCCONNELL.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

SEPTEMBER 7, 2012.

Hon. HARRY REID,
Majority Leader, U.S. Senate,
Washington, DC.

Hon. MITCH MCCONNELL,
Minority Leader, U.S. Senate,
Washington, DC.

DEAR MAJORITY LEADER REID AND MINORITY LEADER MCCONNELL: The undersigned farm organizations support finding a path forward to reaching agreement on a new five-year farm bill before current program authorities expire on Sept. 30. We were disappointed that the House did not consider the House Agriculture Committee's bill before the August recess. That bill, and the bill passed by the Senate in June, would provide the disaster relief our farm and ranch families need at this time.

Instead, the House passed a separate disaster bill just before the recess that would

make supplemental agricultural disaster assistance available for Fiscal Year 2012. Specifically, the bill would retroactively extend the Livestock Indemnity Program (LIP), the Livestock Forage Program (LFP), the Emergency Livestock Assistance Program (ELAP) and the Tree Assistance Program (TAP) so that producers are helped for Fiscal Year 2012. All of those programs expired in 2011. Offsets to pay for the disaster assistance would come from imposing caps on two conservation programs, the Conservation Stewardship Program (CSP) and the Environmental Quality Incentives Program (EQIP).

We know that some Senators will return from the recess and encourage you to consider the House-passed measure. This is something our groups do not support. We strongly urge you to refrain from this as we fear that passage of a bill similar to the House bill could result in further delays in completing a full five-year farm bill.

In addition, almost identical provisions to retroactively extend these four programs are included in the Senate-passed farm bill and the bill reported by the House Agriculture Committee, and these provisions are paid for in the context of the measures included in the disaster bill. Those measures would likely be included in any conference committee report. It is imperative that we pass a comprehensive, long-term farm bill. Farmers and ranchers always face decisions that carry very serious financial ramifications, such as planting a crop, buying land or building a herd, and we need clear and confident signals from our lawmakers.

Assistance for cattle and sheep producers is very important, and we strongly support helping them in the five-year farm bill, but it is also important to provide assistance to producers of other types of livestock and fruits and vegetables. The House disaster assistance bill does not help hog or poultry producers and only provides limited assistance via the grazing program for the dairy industry. The bill does not help dairy producers who are not located in a designated disaster county with grazing assistance and does not address high feed prices for dairy, hog or poultry producers. Many producers of fruits and vegetables may not have crop insurance available to them as a risk management tool, and they too need some type of help, which this package does not address. The Senate-passed farm bill contains many new, improved and reauthorized risk management tools. It is a more comprehensive response to this year's and future years' drought and other disasters that impact crop and livestock production.

The Congressional Budget Office scored the House-passed disaster bill as costing \$383 million. That expense is offset by cuts of \$639 million from the CSP and EQIP programs, leaving \$256 million to go towards deficit reduction. If the House simply passed the five-year farm bill passed by the committee on a bipartisan basis, this disaster bill would not be necessary. The bill costs more than \$600 million and would not provide relief to livestock producers less than a month earlier than a farm bill debated and passed in September. Agriculture will already contribute a minimum of \$23 billion in deficit reduction by passing the farm bill. We do not need to provide additional deficit reduction in this package only month before we reduce the deficit far more than agriculture's "fair share."

Both the Senate and the House Agriculture Committees have produced reform-minded, bipartisan bills that address many of the core principles we believe are important,

such as strengthening crop insurance as a reliable risk management tool. We remain committed to attempting to pass a five-year farm bill as soon as possible, including the long-term provisions it includes, which would help alleviate the emergency conditions we are seeing across the country.

American Farm Bureau Federation, American Soybean Association, National Association of Wheat Growers, National Barley Growers Association, National Corn Growers Association, National Farmers Union.

National Milk Producers Federation, National Sunflower Association, Northarvest Bean Growers Association, United Fresh Produce Association, U.S. Canola Association, USA Dry Pea & Lentil Council, Western Growers.

Ms. STABENOW. Mr. President, this letter was sent to Majority Leader REID and Republican Leader McCONNELL on behalf of the American Farm Bureau, American Soybean Association, the National Association of Wheat Growers, National Barley Growers Association, National Corn Growers Association, National Farmers Union, National Milk Producers Federation, National Sunflower Association, Northarvest Bean Growers Association, United Fresh Produce Association, U.S. Canola Association, U.S. Dry Pea and Lentil Council, and the Western Growers, all saying: Don't do something short term; do the farm bill. They are all saying: Don't do some short-term effort that is only focused on disaster. Don't do an effort that does not complete the job.

In regard to consideration of the House-passed disaster measure, they say:

We strongly urge you to refrain from this as we fear that passage of a bill similar to the House bill could result in further delays in completing a full 5-year farm bill.

These provisions retroactively are in the Senate-passed bill and the bill reported from the House Agriculture Committee. They are paid for within the context of the farm bill. And they know, as we know, that in the final bill we present, they will be included. We certainly are going to include comprehensive disaster assistance, but they are asking us to do it in the context of a 5-year farm bill. That is what everyone is saying in farm country, in rural America, that it is not enough to just do a little bit here and there. And on top of that, it is not necessary. It is not necessary. We have a comprehensive disaster assistance bill within the contents of the farm bill. So does the House committee. We just need 1 day. There are 17 days left, and we are asking the House Republican leadership to invest 1 day in American agriculture, and I hope they will do it.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

Mr. TESTER. Mr. President, I would like to ask the chairwoman of the Agriculture Committee if she would be kind enough to stay for a few questions.

I came to talk today about the Veterans Jobs Corps Act, but agriculture and food security is very important to this country.

First of all, I wish to commend the chairwoman of the Senate Agriculture Committee for putting out an agriculture bill that I think really meets the needs of this country and definitely the agricultural community.

First of all, I just have to ask—the Agriculture bill sent out of the Senate provides a good safety net for those in production agriculture. I know the Senator took that into account. Whether you are a dairy producer, a corn producer, a wheat producer, or whatever, it is there.

The Senator comes from the State of Michigan. That is a little different from Montana, but we both know the Midwest has been under incredible drought. There have been fires all over this country. I talked to the ranking member on the train yesterday, and he was talking about fires in Kansas, and we have had fires in Montana.

Is there disaster assistance in this bill, if the House were to take it up and pass it? Would we have to worry about that being taken care of in the farm bill?

Ms. STABENOW. I wish to thank my friend from Montana, who, by the way, is a farmer. I have called him more than one time in Montana, and he has said: I am in the field. I am getting off the tractor. So he speaks with great authority. And the answer is yes, there is comprehensive disaster assistance paid for in the savings of our farm bill.

Mr. TESTER. So if we combine that with the safety net, if we don't do a farm bill, as the House wants to do, and just have an extension, what will happen to that \$23 billion in taxpayer savings?

Ms. STABENOW. It goes away. There is no \$23 billion in taxpayer savings if we don't pass the farm bill.

Mr. TESTER. And if it is extended, would it, in fact, cost the taxpayers? That \$23 billion would not only go away, but wouldn't the taxpayers have to pay for any kind of disaster extension?

Ms. STABENOW. No question, we would be paying for disaster assistance. By the way, the reforms go away, and I know the Senator from Montana supports the reforms in the bill. We would see those subsidies continue—direct payments and so on—and we would be rolling back to a whole era of planting restrictions and huge subsidies back from the 1940s and 1950s.

Mr. TESTER. One more point. If this farm bill goes away in 17 days, the farmers out there who need help from the bank to get an operating loan to continue on the next year, what will happen to those folks?

Ms. STABENOW. The Senator raises a very important question because economic certainty means that farmers

and ranchers are going to be able to know what is happening next year and can go to the bank and get those operating loans and plan for next year what they are going to plant. All that certainty will be gone. Everybody talks about how we need certainty for the future and the economy, and I couldn't agree more. This will do more to disrupt rural America and our ability to have a stable food supply and agriculture than anything else.

Mr. TESTER. Once again I wish to thank the chairwoman of the Senate Agriculture Committee for such a great job passing a responsible bill out of committee and getting it through the Senate itself. The only thing I would like to say is, to my knowledge, the House works on majority rule. I doubt it would even take 1 day. If they want to roll up their sleeves and get after this, they could get the Senate farm bill passed there.

Remember, this farm bill saves \$23 billion, it provides a safety net for agriculture, has a great disaster component to it, and provides the kind of certainty for people to know, when they go to the bank, which is most farmers, and get that operating loan, they have a backstop that the bankers can depend on to offer that loan. So I thank the Senator for her great work.

VETERANS JOBS CORPS ACT

Mr. President, I rise today to call on the Senate to pass the Veterans Jobs Corps Act. Veterans and their families make great sacrifices so we can live freely in the greatest Nation in the world. Too many of our veterans return home and struggle to find good jobs. Our veterans deserve better. They earn our everlasting respect with their service and our best efforts to help them get good jobs when their service ends—jobs that will improve the communities they live in and jobs that will help us grow our economy.

This bill takes good ideas from both sides of the aisle and does just that. It increases training and hiring opportunities for veterans using proven job-training initiatives, and it will give local governments the resources to hire qualified veterans as police officers, firefighters, and other first responders. At a time when local budgets around the country are tight, putting qualified veterans to work protecting our communities is smart policy.

The Veterans Jobs Corps Act also helps rural America by training and hiring veterans to help restore and protect America's forests, parks, refuges, and veterans cemeteries. This is an important step forward, but investing in rural America must also mean investing in the veterans who are from rural America. That is why I added a provision to the bill that would bring more veterans jobs counselors to rural States across this country, including Montana.

Job counselors work closely with veterans and local employers to connect

former servicemembers with good jobs close to home. These counselors develop extensive knowledge of local job and training opportunities and maintain a list of resources that prepare veterans to enter the workforce. Right now the Labor Department allocates job counselors based solely on population without taking into account the distances that folks have to travel in rural America. That often means veterans in my State of Montana travel hundreds of miles for the employment assistance they have earned, and it leaves the six job counselors we have to cover tens of thousands of veterans over an area the size of the entire northeast border.

My provision will fix this imbalance. It will give large and rural States such as Montana enough job counselors to serve all parts of the State and help to ensure that they are developing relationships with veterans and employers that will put more veterans back to work.

The Veterans Jobs Corps Act is fully paid for, and it shouldn't be controversial at a time when our veterans continue to struggle or at a time when more and more veterans continue to return from the battlefields in Afghanistan. Our veterans fought hard for this country, and their families have sacrificed much. We owe it to them to put aside political differences and to pass this bill. It is a responsible measure that will make our communities safer, preserve our most treasured places, and will move this country forward. Our veterans earned nothing less.

I especially want to thank Senator BILL NELSON for his leadership on this important bill. It deserves the support of the Senate.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BLUMENTHAL. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. SHAHEEN). Without objection, it is so ordered.

Mr. BLUMENTHAL. Madam President, like many of my colleagues, I am very proud to support the Veterans Jobs Corps Act of 2012.

Very simply, this measure keeps faith with our veterans, offers them employment opportunities commensurate not only with what they have given to the country, what they have served and sacrificed to accomplish and give back, but also with their skills and talents and gifts that have been enhanced and enlarged by their military service. This measure addresses the chronic and persistent problem of unemployment among our young veterans. It is a searing indictment of our Nation that unemployment among

these young veterans is many percentage points higher than the average population.

What is happening in this country is that a new generation is returning home—a new generation of veterans ready to work, wanting to serve in civilian life just as they had in the military. With the ending of the war in Iraq and the winding down of our presence in Afghanistan, 200,000 servicemembers are transitioning to the civilian workforce every year.

In July 2011 there were 232,000 post-9/11 era veterans unemployed. That is 12.4 percent as an unemployment rate. The August jobs report of this year shows that the most recent unemployment rate for post-9/11 veterans is 10.9 percent, and for Connecticut it is just under 10 percent.

There are many more statistics that show unemployment rates for these young veterans—particularly for our enlisted men and women coming back from Iraq and Afghanistan—are higher, some would estimate double the average rate across the population. They are an indictment of our commitment and our obligation unfulfilled so far by the greatest Nation in the history of the world.

Too often in our history we have failed to keep faith, and we have left veterans behind. I have advocated measures in health care, counseling, training, and employment opportunities. But I want to focus on one measure in particular where all of us joined forces and reached a consensus as recently as last November.

The Veterans Jobs Corps Act of 2012 is a new measure that would provide opportunities in conservation and in other kinds of public service, firefighting, and police. But there is an existing measure whose very life is threatened because it will expire in 2012. This measure is the VOW to Hire Heroes Act, specifically the tax credits under those measures for hiring unemployed or disabled veterans. Those tax credits will expire at the end of this year unless they are renewed. That is the reason I am introducing legislation, along with cosponsors Senators WEBB, CANTWELL, TOM UDALL, HELLER, and MIKULSKI, that extends the VOW to Hire Heroes Act tax credit through the end of 2016.

This measure is important to be extended because it offers these veterans new opportunities, and promotes and incentivizes employers to put our veterans to work.

Hiring a veteran is not only the right thing to do to honor the men and women who have sacrificed, the men and women of our country, it also makes good business sense. Veterans are among our most highly skilled, capable, disciplined, reliable, and dedicated workers. Businesses ought to relish their services. Countless businesses big and small have already found that

veterans are a tremendous asset to their workforce. This bill is important to build on the measures we have in place. Simply, it makes these veterans even more attractive.

Last month I visited the Arna Machine Company in Bristol, CT, and I talked with a young veteran whose name is Nick Saucier, a former Army sniper who served in Afghanistan and now works there as a machinist. Being a former Army sniper, Nick knows about precision and care, taking your time to be on target. He is now training to use computer-assisted manufacturing software with the same care and precision and discipline that he developed in his Army training as a sniper.

While I was at Arna, I talked to Stephen Shanahan, the president of the company, who is very proud and rightly proud of having 42 employees and growing in this tough economy. He is hiring and he said to me these tax credits have helped him fill positions with young qualified personnel who are veterans.

I have also worked with Congressman CHRIS MURPHY to survey manufacturers about veteran hiring. This legislation is the result of those conversations and discussions, the data and the feedback we received, as well as consultation with my friend Bud Bucha, who has helped me time and again address the challenges facing veterans.

These tax credits will expire, they will end unless we renew them. We owe it to our veterans, to our business community, to manufacturers and small businesses that want to do the right thing, to make sure they have this incentive. I have heard from employers and veterans firsthand that many of them were not aware of this tax credit, so I have proposed as part of this legislation increased measures to create awareness and spread the word about these tax incentives so that big companies with their tax attorneys, but also smaller companies that may not have the consultants and the accountants to do this kind of work, know of it and take advantage of it.

This measure also simplifies the process for veterans and small businesses to take advantage of the tax incentives. Currently, to be a "qualified veteran," individuals must gain approval through a local employment agency, which can be unnecessarily time consuming and burdensome to them and to the potential employer. This bill offered today would modify the Work Opportunity Tax Credit process to allow individuals to be considered qualified veterans for tax purposes if they simply provide a DD 214, have an honorable discharge, and valid proof of unemployment.

This bill would also extend the amount of time employers have to take advantage of tax credits for hiring unemployed or disabled veterans, enhancing its use to countless small businesses as well as veterans. It would

allow employers to take advantage of these tax credits for an additional 4 years, providing returning service men and women with a clear path to employment when they need it, and they will need it over these 4 years.

I am very honored that this bill has been endorsed by the Veterans of Foreign Wars and the American Legion, which have been championing employment opportunities for veterans.

I urge my colleagues to continue their support for veterans by supporting this legislation which will create more good jobs. We owe our veterans more good jobs. And it will grow our economy.

Let me say, finally, nearly three-quarters of a million veterans—to be more precise, 742,000 men and women—are eligible for the employer hiring tax credits. Let's do the right thing. Let's extend these tax credits. We adopted them overwhelmingly last November in the VOW to Hire Heroes Act. We have it in our power and it is our obligation to meet this challenge. For our veterans we should do no less.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

Mr. PAUL. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

FOREIGN AID

Mr. PAUL. Madam President, last evening I had a spirited exchange with the majority leader. The exchange was over whether we should send billions of dollars, billions of dollars we technically don't even have, to foreign countries that disrespect us, foreign countries that have tortured people who are friends of America.

In Pakistan, Dr. Shakil Afridi helped us to get bin Laden. He has been tortured, kept in prison, and now been given a life sentence. I have asked one simple thing. I want to have 15 minutes, have a discussion, and have a vote on whether we should continue to send money to Pakistan. I have said we should send not one penny to Pakistan until this doctor is released. We offered at one time a \$50 million reward for help in getting bin Laden. Young men and women sacrificed their limbs to go to Afghanistan, many sacrificed their lives to go to Pakistan to get bin Laden. And this man who helped get bin Laden, we are now letting him rot in a prison. We are now letting this man spend the rest of his life in prison.

Do you know what this administration did? About a month ago they gave Pakistan about \$1 billion more. Do you know how Pakistan responded? The head of the security agency for Pakistan said very snidely and with a great deal of arrogance: Come back and talk to us in 10 years about Dr. Afridi. They are going to keep him in prison for the

rest of his life if he is not killed. His life has been threatened. Other prisoners and the public have threatened his family's life.

Is this how we treat a friend of America? I have asked for 15 minutes to have a vote. Why don't they want to have a vote? Because they know the American people are with me. If you ask the question, "Should we send money to countries that don't like us and disrespect us?" 80 to 90 percent of the American people are with me.

They are afraid to vote on this issue. I have been giving them a chance to debate this for 6 weeks now. We have spent the whole week up here not having a debate because they do not want to have a vote because they know if they vote their position, which is to send your money to Pakistan and to Egypt and to Libya, the American people will not like it. So they are not willing to stand in the broad daylight and vote to continue this aid. They just do not want to have the vote.

Last evening the majority leader said that his concern is over the veterans benefits bill. I also am concerned, so I have reconsidered my amendment. My amendment before would return the money to the Treasury and to counteract the debt. We would take the somewhere between \$3 billion and \$4 billion and send it back to the Treasury. But if what is holding this up is that the majority leader thinks this is not in any way connected with veterans benefits, why don't we take half of the \$4 billion that we would not send to Pakistan, let's take that half of that and put that into veterans benefits. I am willing to triple the size of the veterans benefits bill if we will take the money from where we should not be spending it.

Some will stand and they will argue: Gosh, we have to be engaged in Pakistan because they have nuclear weapons. I am not saying disengage. I am just saying you don't have to bribe people to be our friend. We don't have the money anyway. We have to borrow the money from China to send it to Pakistan. I am not saying don't have relations with Pakistan. Many in Pakistan have been sympathetic to our country. Many in Pakistan have helped our country. But many in Pakistan, with a wink and a nod, look at us, take our money and laugh at us. They cash our check and they laugh at us.

The American people are tired of this. Our Treasury is bare. There is a multitude of reasons why we should not continue to send good money after bad. Compound that with the tragedy that has occurred over the last couple of days, the tragedy of our Ambassador being assassinated in Libya and three of his fellow workers killed; the tragedy of our embassy being attacked in Egypt. We give Egypt \$3 billion a year, and do you know what? Egypt cannot protect or will not protect our em-

bassy. There was a phone call to the embassy from someone in Egypt saying the mob is coming. A phone call is not enough. Do you think they could have sent soldiers and tanks to protect our embassy? They gave us a phone call saying the mob is coming.

Egypt needs to act as our ally if they want to continue to cash our checks. My position is: Not one penny more for Libya or Egypt or Pakistan until they act as our allies. Some say we have to keep sending it. Fine, let's send it when they act as our allies. Let's send it when they start behaving as civilized nations and come to their senses.

I have an amendment, and I am going to ask unanimous consent to bring this amendment forward. I may be surprised, but I think the other side is going to object. I will be asking for 15 minutes of the Senate's time to vote on ending this aid. Instead, we are taking half of the \$4 billion we are squandering overseas and giving to people who don't like us and putting it toward the deficit and using the other half of that aid and putting it into veterans' benefits.

If we are really talking about veterans' benefits and really serious about providing money for the veterans, let's take it from an area which is insulting to veterans. Let's take it from a country that insults every veteran in this country, Pakistan. Our men and women gave their lives to fight a war in Afghanistan and in neighboring Pakistan to get the chief architect of 9/11, bin Laden. Let's memorialize those people who sacrificed their lives and the veterans by saying we are not going to give money to a country that disrespects and disavows everything we have done over the last 10 years to combat terrorism.

I ask unanimous consent we resume consideration of S. 3457, set aside the pending amendments, and call up my amendment No. 2838.

The PRESIDING OFFICER. Is there objection?

Mr. KERRY. Madam President, reserving the right to object, let me first mention that, sadly, this afternoon we learned one of the four people who were killed in Libya, Glen Doherty, is a Massachusetts native, a former Navy Seal and State Department security official who was guarding and caring for the Ambassador and taking care of the wounded people there.

As Senator MCCAIN, Senator LINDSEY GRAHAM, and Senator LIEBERMAN said on the floor yesterday, I believe cutting the aid to any of these countries right now in this fashion is not the way to honor the memory of Ambassador Chris Stevens. He went there in great danger to help that country be free and have an opportunity for democracy. Glen Doherty did the same thing. He put his life on the line in order to help the Libyans.

The Senator from Kentucky might be surprised to know that the Libyan people—by vast numbers—are grateful to the United States and are mourning the death of Ambassador Stevens. I heard the Senator from Kentucky—frankly, in a kind of arrogant statement is really the only way I can frame it—say several times: Start behaving like a civilized nation. Well, by whose standard and when? The Libyan and Egyptian Governments didn't do what is happening there. The Yemen Government sent its people to protect our people, and we helped negotiate the transfer of authority to this new government in Yemen.

Are they having difficulties? Yes. Go back and look at the United States of America in the 1700s. We had some difficulties. We had to write slavery out of the Constitution, not to mention a bunch of other things. It takes time. The arrogance of suggesting that we are going to judge whether they are civilized today or tomorrow because a mob or a bunch of militants took matters into their own hands would just be so self-defeating and such a narrow effort that anyone could possibly conceive.

I ask if the Senator has ever been to Pakistan? Has the Senator ever been to Egypt? The Senator doesn't want to answer. I presume that means he has not. He ought to go to Egypt and see what those people are struggling to do. There was a revolution in Tehrir Square. It wasn't an Islamic revolution; it was a generational revolution, a bunch of young people with smart phones tweeting and Googling each other trying to touch the world and have a future. The Senator wants to cut off American assistance to these nascent democratic efforts?

Whatever happened to the great commitment of the conservative movement in America to freedom and democracy and to help it develop? Just turn our back on it and pull out the aid? What the heck. Because we don't think they are civilized. I find it kind of stunning when the Senator says: Foreign countries that aren't friendly. The countries didn't do these things. It is the militant extremists and radical terrorists within those countries whom those people are struggling to beat back.

Right now there are troops in the western part of Pakistan losing their lives by fighting extremists. Cut off the aid, and we send the message: If you don't do exactly what we say, exactly when we say, exactly the way we want, we are not going to give you the pittance we give you.

We give less than 1 percent of the entire budget of the United States of America. Less than 1 percent goes into all of our foreign operations, all of our embassies, our security, and our aid. It is 1 percent. The impact is extraordinary. The Senator wants to just cut it off? OK.

We have 130,000 troops in Afghanistan, and they are largely supplied now somewhat from the northern route that has been created. They are also supplied from Karachi by road all the way over the Khyber Pass and down into Afghanistan. We have gone through a long process of working with the Pakistanis to be able to renew and do that.

As everybody knows, we have decimated al-Qaida in the western part of their country. Civilians are being killed in their country in an effort to protect our country. They have endured that. Their political system has endured that, and we are just going to turn around and say we are going to pull the aid out and we only want to do it with 15 minutes on the floor of the Senate? Here is a major policy consideration, and we just want 15 minutes because it is that simple.

These are four countries which are all critical to the future of the region in the Middle East. Egypt is an essential partner with respect to the potential of peace in the Middle East, one-quarter of the Arab world.

I have been to Egypt many times. I have sat with the new President, President Morsi, and I have met with others engaged in this transformation. They are trying to be a legitimate democracy. Yes, their people won the election, and we are not exactly on the same page, but that is what happens in democracies. That is what happens when people vote. Are we not going to respect their democracy?

I just say to my friend from Kentucky, there are critical issues at stake. We are not buying it. What we are doing is trying to help them to be able to make this transformation to a full-throated, full-blooded democracy that can respect its court system and its elected institutions, and it doesn't come easily.

Their police were decimated in the course of the revolution. There was corruption and they are working to change that. There is a whole unbelievable transformation taking place. It is not going to be pretty. It is difficult. There are a lot of unscrupulous people we all know have hated us for a long time who would love to get the upper hand. If we pull out, we give them the upper hand. Stay there and we have an opportunity to do what Chris Stevens, Glen Doherty, and a lot of other people were doing, which is stand and fight for the interest of the United States of America because we have real interests in those places. That is what this is about.

First of all, it deserves more than 15 minutes. Secondly, it is not appropriate to do it on a veterans bill where we desperately need to get this help to our veterans. Do it freestanding. We ought to do it in the proper way. Do it through our committee. We will have a hearing. I am happy to have that done

properly. This is not the way to do it, and this is not the moment to do it. It would have a profoundly negative impact that could contribute to even more violence and not stem it if that were our reaction.

Madam President, I do object, and hopefully at some point I will be happy to have this debate. It is a worthwhile one, but this is not the time and this is not the bill.

The PRESIDING OFFICER. Objection is heard.

Mr. KERRY. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. SESSIONS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

VETERANS JOBS CORPS ACT

Mr. SESSIONS. Madam President, the Veterans Jobs Corps bill creates a new mandatory program that would cost \$1 billion over 5 years. As the ranking Republican on the Budget Committee and someone who is committed to ensuring that we honor our commitments as part of our process in the Senate, I am concerned about the cost of the bill and the fact that it violates our budget agreement entered into last year.

The spending on this new program is to be offset by, we are told, \$119 million in direct spending reductions and \$1.132 billion in new taxes. So it is a tax-and-spend bill.

My staff on the Senate Budget Committee has confirmed that there is a 302(f) Budget Act point of order against the Veterans Jobs Corps Act with the managers' amendment as it is presently. So that is the situation. So when I say we have confirmed that, what I mean is that we have talked to the Budget Committee chairman, Senator CONRAD, and his staff, and they have confirmed our conclusion that this violates the Budget Control Act.

The 302(f) point of order lies against this bill because the Veterans Jobs Corps bill, as amended, would cause an increase in the budget authority and outlays above the Veterans' Affairs Committee's allocation that was deemed by the Budget Control Act. The Veterans Jobs Corps bill would specifically cause an increase in budget authority and outlays above the Veterans' Affairs Committee's allocation by \$61 million in 2013 and \$480 million between the 5 years of 2013 and 2017. So the budget gimmicks in the Veterans Jobs Corps Act are significant and very troubling.

The CBO accounting procedures don't catch this, but it is very real. They don't catch it because the people who wrote the legislation wrote it in a way so they could avoid the proper score from the CBO in this process.

The bill shifts the timing of corporate income tax payments so that it appears to collect \$135 million in additional revenue in 2013. What does that mean? A month or so before these payments are due, they accelerate the receipt of those payments. The payments fall in this year, and bingo, we say we have another \$135 million we can spend. Isn't that wonderful. We just accelerate the date and the time that it would be paid. However, this is simply a smoke-and-mirrors scheme since the timing shift in payments will lead to exactly \$135 million less in taxes collected in 2014. In other words, if we were planning on collecting \$135 million next year and we collect it this year, the people who owed the money next year don't owe it anymore; they have already paid it. So there is a hole in next year. I have offered under the Honest Budget Act, along with Senator OLYMPIA SNOWE and other colleagues, legislation that would end this pernicious gimmick. It is worse than a gimmick.

This bill uses the exact same mechanism in 2017 and in 2018. The bill collects \$392 million more in tax payments in 2017, but—and I have the chart from the Congressional Budget Office—it collects \$392 million less in 2018. Do my colleagues follow me? We just accelerate the money, we spend the money, we get it this year, but we don't get it the next year. So over a period of time, this is a gimmick. It creates no new real money, but it creates the appearance of having real money and it is the appearance of money that is being spent, not real money. This is just one of the examples of how this country is going broke.

If this gimmick was not included, the Veterans Jobs Corps bill would increase the deficit by \$38 million in 2013 and by \$324 million over the period of 2013 through 2017. About one-third of the total expenditure of the bill is based on this gimmick. Our Democratic colleagues have used this budget gimmick to claim that it decreases the deficit by \$97 million in 2013 and by \$68 million in 2013 through 2017, a 5-year period.

I believe these points about the Federal budget process are indisputable. I know what CBO says about it. If we look at their numbers and we examine it over a period of 6 years, we see clearly that the money is not there. I invite any member who wants to suggest that this is real money the U.S. Treasury is receiving to come to the floor and explain how they think they are correct. I don't believe that I am in error.

To put it simply, the money my Democratic colleagues claim in the bill as revenue isn't there. It appears to be there on paper, but that is not the truth. The American people need to know the truth.

We simply spend more money on the Veterans' Affairs Committee alloca-

tions than was agreed to in the Budget Control Act. We are already violating that. We have done it already this year. As a result, we have eroded the small, but significant steps we took to bring some spending under control.

The Budget Control Act would have reduced spending by \$2.1 trillion over 10 years for the entire U.S. budget. Well, how much is that? We know that \$2.1 trillion is a lot. It is a lot, but we plan to spend \$47 trillion over that 10 years. So we would be reducing our projected spending from \$47 trillion to \$45 trillion over 10 years. Surely we can do that. That is not a cut, because if we spend for 10 years at the current level of spending, we would be spending \$37 trillion, so we are still increasing spending from \$37 trillion to \$45 trillion, just not \$47 trillion. And the Republic is not going to sink into the ocean with those kinds of cuts, but it would begin to put us on a path of honesty and responsibility and end the unsustainable debt course we are now on.

I am not happy about this. I will make this budget point of order formally when we get back on the bill. I don't know when that will be because for right now we have gotten off of it. But I want my colleagues to know what the situation is, because it may be at 1 o'clock tomorrow morning when we have that done.

I wish to say this: This Congress has had the worst record in decades, maybe in 100 years. We haven't had a budget for over 3 years. We haven't dealt with the sequester that has to be dealt with before the end of the year.

This Senate—not the House but this Senate—has not passed a single appropriations bill. To my knowledge, I say to my colleague Senator HATCH, I don't believe we have ever failed to have a single bill, although several times we have only had a few. But now we have none, and they have made it a policy of the majority party not to bring up a single bill so we can cobble it all together in some big omnibus CR and pass it in the dead of night, maybe on Christmas Eve, after the election is over. We should have been doing that all year long.

We haven't dealt with the tax increases that are going to hammer the economy in January, and we haven't passed a budget in over 1,000 days. The House has passed a good budget which would change the debt course of America and put us on a sound path. They sent over a Defense authorization bill. They sent over a Defense appropriations bill, and most of the appropriations bills, until it became clear Senator REID said we are not going to pass them anymore. They sent over other good legislation that is dying in the Senate.

There are ways to help veterans get jobs. There are already six jobs programs for veterans now—six of them now. Maybe they could be improved or

fixed, and if we do it right, we could create a bill that helps veterans get jobs without violating the budget.

Before I yield the floor, I am pleased to see my colleague Senator HATCH, the ranking member of the Senate Finance Committee. His leadership on the Judiciary Committee and Finance Committee is well-known in this body and I am honored to serve with him.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

UNFINISHED BUSINESS

Mr. HATCH. Madam President, I wish to thank my colleague, who makes a lot of very important points here today, and I hope everyone in this body is paying attention.

Back in June I came to the floor to discuss the many items of unfinished business the Congress must take up before the end of the year. Among those items are a number of tax-related issues that simply cannot be put off without inflicting more damage on our economy and on our American taxpayers.

When I spoke on the floor regarding this tax agenda 3 months ago, I used this chart right here.

Sadly, as you can see from this chart, things have not changed since then. We still need to resolve the death tax. As you can see, death tax relief is the third one down listed on the chart. It will expire at the end of 2012. We need to act in order to prevent a hike in the death tax in 2013. Unfortunately, rather than work to prevent an increase in the death tax, a number of my colleagues voted earlier this summer to expand it significantly.

While we have passed a bill through the Finance Committee, the Senate has yet to act on the tax extenders, which expired 9 months ago. As you can see, we have not done the tax extenders, either, on the floor.

We still have not acted to address the alternative minimum tax, or AMT, which is set to hit millions of Americans if we do not act to patch it. That is right there as the second item on this chart. This issue of the AMT, the alternative minimum tax, needs to be discussed in some detail because the failure to resolve the AMT is emblematic of the failure of this administration to take even the most basic steps to protect American families from the tax increases looming at the end of this year. Nearly 4 million families paid the AMT in 2011. Yet, if nothing is done to address the AMT in this session, an additional 27 to 28 million families will be hit with a surprise AMT tax increase on tax day next April. Now, that bears repeating. There are 27 or 28 million families who have heretofore not been hit by the AMT who will be hit if Congress fails to act before the end of this year. But even that does not tell the whole story. More than twice that number, that is, 60 million American

families, will have to fill out the AMT—alternative minimum tax—worksheet on their tax forms just to determine whether they owe anything under the AMT. This is a textbook example of the administrative burden and deadweight loss that our complicated Tax Code imposes on the American economy. For those who will be hit by the AMT, this is not just a reality that will hit on April 15 of next year, it is a reality today. Those families ensnared by the AMT are required to make estimated tax payments, and Monday of next week, September 17, the third such payment is due.

The AMT has become a unique burden because of the way it is structured. Unlike most provisions in the Tax Code, the level of income exempt from the AMT is not automatically adjusted for inflation. For 11 years, we have passed legislation to temporarily raise the AMT exemption, which was originally meant for only 155 millionaires who did not pay any taxes. But each time we face an expiration of one of these temporary raises—like we do again this year—we risk seeing the AMT return to its permanent level. Over time, that becomes more and more problematic as more and more Americans have incomes that reach the unadjusted AMT income level. These temporary exemption increases have been enacted to prevent millions of middle-class American families from falling prey to the AMT. But now, the closer we get to the end of 2012 without another AMT patch, the more likely it becomes that the tax will hit an unprecedented number of American families.

Ultimately, we need a permanent fix for the AMT. This annual shell game needs to come to an end. This tax was initially created over 50 years ago to address 155 high-income individuals who paid zero in income taxes—155 people. Because of its poor design, today an additional 27 million Americans, many squarely in the middle class, are now threatened by the AMT.

The President and his allies assure us that AMT relief is a top priority, but that seems to be just more talk. The President's budget proposed a permanent fix to the AMT by replacing it with a so-called Buffett tax, but the President's math just never added up. Supposedly, nonpartisan policy experts and fact checkers have been eager beavers when it comes to criticizing the math in Governor Romney's tax proposal, but maybe they should check the President's math as well.

If we do not eliminate the AMT, it will hit millions and millions of American taxpayers, unjustly so. The President claims a permanent fix is a priority of his. In his fiscal year 2013 budget, he proposed to offset it with the Buffett tax. People treat the President's fiscal year 2013 budget as though it never happened. In some sense, I un-

derstand that. It received not a single vote in the U.S. Senate, even with his own party controlling the Chamber. But that said, it is the President's budget. He wrote it. He presented it. He owns it. And how does it add up? Consider the math on his permanent AMT fix. Again, he proposes to replace the AMT—ostensibly helping middle-class taxpayers—with the Buffett tax—ostensibly hurting the evil rich. That sounds great until you look at the numbers. How much revenue loss would there be from a permanent AMT fix? Madam President, \$864 billion, to be exact. And how much would the Buffett tax yield? Fifty billion dollars—a little less, actually. So the Buffett tax misses the target by over 94 percent. The President would need to increase his Buffett tax by over 1,600 percent to fill in the gap. There are not enough Pinocchios in all of Disney World to describe the phoniness that is the President's AMT proposal.

Ultimately, the AMT needs to go in its entirety. It will probably go as part of comprehensive tax reform. Unfortunately, President Obama and his campaign are undercutting the prospects for tax reform every day with their dishonest attacks on Governor Romney's tax proposal, a key element of which has been endorsed by the Chairman of the President's own Export Council even as his desperate campaign attacks that same feature. But absent a permanent AMT fix, a temporary patch is both a viable and a necessary option.

So here we are, with all of these must-address measures. We have the AMT, tax extenders, the death tax, sequestration, and, of course, the expiration of the 2001–2003 tax relief that threatens to throw our economy into another recession. Yet, at a moment crying out for Presidential leadership, we get campaign partisanship. The President and his allies only seem concerned about getting past the next election. At a time when serious solutions to our fiscal crisis are demanded, they offer no plans of their own. We hear that we need to stay the course, but the course we are on has provided us with four straight trillion-dollar-plus deficits and a debt that threatens not only our long-term but immediate fiscal well-being.

The President's suggestion that we can solve these problems by cutting defense spending and raising taxes on the wealthy is a parody of serious fiscal policy. It might be good for a bumper sticker, a college sociology seminar, or an Occupy Wall Street sit-in, but the numbers do not add up.

The President's mantra is that tax increases on the rich are all that is necessary to pay every bill and balance every budget. That is not an oversimplification. If you watch the President's campaign commercials, the only thing he says about balancing the budget is that he wants to “ask the

wealthy to pay a little more.” If that is truly the extent of the President's plan for solving our fiscal crisis, he is either being dishonest or he needs to invest in a new calculator.

Let me give an example. Our Nation currently faces what some, including Federal Reserve Chairman Ben Bernanke, have called a fiscal cliff. With tax relief scheduled to expire at the end of this year, our Nation faces the possibility of being thrown into another recession. According to the CBO, that outcome is a certainty if the tax relief signed by both Presidents Bush and Obama is allowed to expire under current economic conditions. Yet, rather than working with the Republicans in Congress to extend that tax relief—tax relief that originally passed with bipartisan support and was extended in a similar fashion in 2010—President Obama has opted to hold American taxpayers hostage in order to extract a tax increase for those making more than \$250,000 a year. And why? Not to help the economy and not to reduce the deficit but for electoral votes. The President and his supporters claim these tax increases are necessary if we are to get our fiscal house in order, but if you do the math, the President's proposal would only raise enough revenue to reduce this year's deficit by 5 percent. It would be just enough to fund the government's activities for about a week.

Whether we are talking about the Buffett tax in the context of the AMT discussion or the President's fixation with raising the top marginal tax rates in the midst of a historically weak economic recovery, it is clear that the President and his allies in Congress are not serious about addressing the issues most important to the American people. These issues will not go away after the election, but the President has offered no positive program for getting us out of this mess. And I have gotten quite a kick out of them saying Governor Romney should be more specific on what he is doing. Where is the President's plan? What is he going to do? How are we going to get out of this fiscal mess? Not a doggone thing being said except things that do not add up mathematically—to borrow a very important phrase by a person from the Democratic Party during our convention.

Now, the President might envision himself as this century's Franklin Roosevelt, but in this campaign the only thing President Obama has to offer is fear—fear itself. His failure to offer solutions does not just have a theoretical impact, this failure of leadership hits real people in a real way. Do not just ask those making their quarterly tax payments on Monday. Ask any small business owner whether they are worried about their taxes going up next year. Ask any American who is having trouble making ends meet if they are

concerned that Congress has neglected to address so many issues that will dramatically impact their financial well-being.

When the Senate recesses next week until after Election Day, I wonder what my colleagues in the majority will tell their constituents when they are asked why Congress has not acted on these items. This checklist right here that we were talking about before, all of those are important. We have to do those. My guess is they will say it all had to wait until after the election. That is all they can say because if they were to come clean, they would have to admit that they did not want to pass any of these things. They were more interested in campaigning on our tax problems than on fixing them.

If we go until the end of the year without addressing these pressing issues, the wound to our Nation's economic and fiscal well-being will be entirely self-inflicted. These are matters that could have and should have been addressed months ago, and we need to address all of those issues. That we have arrived at this point—three-quarters of the way through the year—without fixing these problems should be an embarrassment to the President and those in Congress who are supportive of his agenda.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Madam President, I have a parliamentary inquiry. What is the parliamentary situation as it exists?

The PRESIDING OFFICER. The Senate is on the motion to proceed to S. 3521.

Mr. MCCAIN. Is the pending legislation open for amendment?

The PRESIDING OFFICER. It is not. The Senate is on the motion to proceed.

Mr. MCCAIN. How long has the Senate been on the motion to proceed?

The PRESIDING OFFICER. The Senate went to the motion this morning.

Mr. MCCAIN. I thank the Presiding Officer.

DEFENSE AUTHORIZATION

I was just glancing through the often-read calendar of business here that we chop down a lot of trees to provide on every Senator's desk on a daily basis. It is the Calendar of Business for Thursday, September 13. On page 58, for order No. 419, is S. 3254, by Mr. LEVIN, "a bill to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes." This was reported and placed on the calendar on June 4, 2012. So for nearly 4 months we have had the Defense authorization bill pending on the legislative calendar.

Meanwhile, we have been taken up with other important items, such as the one we are considering now, one that praises, as we all do, our veterans, with efforts for our veterans to obtain jobs. We already have six veterans job-training programs, but, what the heck, let's have another one.

Meanwhile, the men and women who are serving in the military, who will be veterans, are not having authorized the equipment, the training, the programs, the health care, family support systems for military families, for example, strengthening training, oversight, and the prevention of military sexual assault, ensuring that reductions in military personnel are matched with comparable savings in civilian personnel and contractors over the next 5 years, without sacrificing mission-critical capabilities. It authorizes \$135 billion for military personnel, for the men and women who are serving today, including the cost of pay allowances, bonuses, and a 1.7-percent much-deserved, across-the-board pay raise for all members of the uniformed armed services. It also includes nearly \$1 billion in unemployment benefits for members who leave military service and cannot find civilian jobs. It authorizes all our major weapons systems and every piece of equipment large or small that the Department of Defense needs and the men and women need who are still fighting in a war.

We found out in the last day or so that we still live in an extremely dangerous world. It authorizes \$525 billion for the Defense Department, \$88 billion for operations in Afghanistan and around the world, and \$17.8 billion to maintain our nuclear deterrent. I think we have just seen with the tragic death of our Ambassador that al-Qaida and other extremist organizations are making a comeback in places such as Iraq and Afghanistan; certainly extremists were present in Libya in the tragic death of four Americans.

This legislation enhances the capabilities of our military and partners to counter and ultimately defeat al-Qaida and its regional affiliates which remain intent on attacking the United States and our interests.

But there is an issue that all of us are concerned about, cyber warfare, those attacks that we know are coming sooner or later. This legislation improves the ability of our Armed Forces to counter nontraditional threats focusing on terrorism cyber warfare and the proliferation of weapons of mass destruction.

I could go on and on about the importance of this legislation which has been before this body for 4 months. And what has the Democratic leader of this Senate done? We are about to go out of session next week without addressing the most important responsibility of this Senate and their elected representatives which is our Nation's defense.

In the meantime, when we take up bills, the majority leader "fills up the tree." A lot of people do not know what that means. That means we cannot have an amendment. Then we vote and we drop that particular piece of legislation. Then the next week we will take up a piece of legislation that somehow will enhance the majority leader's ability to maintain his position as majority leader, certainly not believing that that legislation will actually be passed by the Senate.

Every year for 51 years the Senate has passed the Defense authorization bill, it has gone to conference and been signed by the President of the United States. The majority leader of the Senate and the Members on the other side of this body have been derelict in their duties, and we are about for the first time in 50 years not to authorize what the men and women who are putting their lives on the line for us every single day need very badly.

You know, sometimes my colleagues wonder why the American people hold us in such low esteem. If we cannot enact legislation that has us carry out our most important duties as representatives of the people, including the men and women in the military, then I am surprised that so many Americans still approve of the way Congress operates.

What have we watched here on the floor of the Senate for the last 4 months since this bill was put on the calendar and could have been taken up, debated and passed by the Senate as we have every year for 50 years? The majority leader of the Senate has refused to bring this bill before the body for debate, discussion, amendment and passage, our most solemn responsibility.

All I can say is, shame, shame, shame that we have not fulfilled the responsibilities to the men and women who are sacrificing their very lives on our behalf, a failure of colossal proportions. All I can say is I believe that the American people are aware, and I believe the American people deserve a lot better than they are getting from this body.

I yield the floor.

The PRESIDING OFFICER (Mr. COONS.) The Senator from New Hampshire is recognized.

Ms. AYOTTE. Mr. President, I want to follow up on the comments of the distinguished ranking member on the Senate Armed Services Committee who, of course, through his own service and sacrifice for our country knows too well how important it is for us to stand with our men and women in uniform. I wanted to follow up on what he said.

This body is about to go out and adjourn next week without passing a Defense authorization bill. It would be the first time in over 50 years in the history of our country. There is no plan that we have heard from the majority leader as to when we will take up this

incredibly important legislation for our country.

What Senator MCCAIN has already outlined addresses issues such as pay for our soldiers and the equipment they need and benefits they deserve and they have earned, and all of the important issues that impact the protection of our country, and making sure we stand in faith with our men and women in uniform.

But I have to say that, unfortunately, this is part of a pattern of where we are right now in the Senate. It is very disappointing. I got elected in 2010. I know the Presiding Officer did as well. I came here because I saw that our country was in trouble. At the time I ran, we were \$13 trillion in debt. Now we are \$16 trillion in debt.

I have the privilege of serving on the Senate Armed Services Committee. It really is a privilege. I am the wife of an Iraq war veteran, very proud of our men and women in uniform. I take that responsibility very seriously. But here we stand, about to adjourn without taking up Defense authorization, so important to our men and women in uniform. Here we stand about to adjourn with our military facing what is called sequestration, which is an across-the-board cut which our own military leaders have said will hollow out our force, will undermine our military security for generations. These are the words of our own Secretary of Defense, will break faith with our men and women in uniform. If we do not take action before January 1, this happens to our military, on top of the fact that we have not taken up Defense authorization.

But not only that, it has been 3 years since the Senate has taken up a budget for our country, which is one of the reasons we find ourselves in the situation with the hatchet coming to our military in January.

On top of that, the majority leader has not brought forward one appropriations bill that would go with, if done in the right way, the appropriate budgeting and responsible budgeting process for this Nation. Let's identify some of the appropriations bills. None of them has come to the floor. But there are two important ones I can think of for our men and women in uniform, the Defense appropriations and also the appropriations for our veterans. Yet none of that has come to the floor, and here we are about to adjourn next week, not doing the people's business, the reason why people sent us here. If we cannot have a budget and we cannot take care of the foremost responsibilities of the American people, which is to keep them safe through preventing draconian defense cuts that are going to undermine and break faith with our military, and, by the way also will cost us a million jobs coming in January, along with I did not even mention our tax rates are expiring, yet we are all

leaving town, I think it is irresponsible.

I would call on the majority leader to bring up the Defense authorization bill now. Why can't we do a budget for this country? Without a budget, how are we ever going to address the fiscal issues that are burning and have led us to be \$16 trillion in debt?

I stand here today to talk about why we should bring the Defense authorization to the floor. I certainly do not want to be part of a Senate that for the first time in 50 years has not passed that Defense authorization bill for our men and women in uniform.

Here is what is important as well. In the Senate Armed Services Committee we passed Defense authorization out of committee unanimously. At a time when I understand the American people are looking at us saying, there is too much partisanship, we see you fighting too much, this is a bill that passed with unanimous support from Republicans and Democrats from that committee. So in terms of a bill we can bring to the floor that is incredibly important to our country, incredibly important to our men and women in uniform, and a bipartisan bill, I cannot think of a better thing to do for our men and women in uniform, rather than continuing to have what we have seen from the majority leader, which is sort of political show votes rather than doing the real work the American people have sent us here to do.

Defense authorization should be on the top of our list, preventing our military from these receiving these devastating cuts that are going to diminish our national security at a very troubling time in the world, and also averting this fiscal crisis that is coming in January. I think we should stay to do that. I think the American people would expect nothing less of us.

I thank the Presiding Officer. I know the Senator ran in 2010. I am sure you heard this when you ran for office. We need to do better by the American people. I know this. We owe it to our brave men and women in uniform to pass Defense authorization—bring it to the floor, debate it robustly, and then make sure it goes forward.

The House passed their Defense authorization on May 18. We should do our job here as well and take it up right away. I hope the majority leader will do that.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I thank Senator AYOTTE. She is a great member of the Budget Committee and a very active and aggressive member of the Armed Services Committee. She is the wife of an Iraq veteran, and knows and cares about these issues and contributes greatly. She and some of our other new Members have been flabbergasted to see how little has been ac-

complished in the 2 years they have been here. In my experience, Senator AYOTTE, this is the worst performance in the 16 years I have ever seen in the Senate. It may be the worst performance in 100 years.

As the Senator mentioned, the House passed the Defense authorization act in May. They passed a Defense appropriations bill in July. We have had all summer and done nothing. The Senator is so correct. We had some intense and good debate in the Armed Services Committee over that bill. Yet when it finished, we had a unanimous vote. I thought that was special. So why did the bill not get brought up? I do not know. I feel as if we have missed an opportunity to do our duty. Not only have we not had a budget, not only have we not had a Defense Authorization bill or a Defense appropriations bill, we have not had 1 of the 12 appropriation bills brought to the floor, not 1. I believe that has never happened perhaps ever before, at least in maybe a century. The decision that was made by the Democratic leader was supported by his conference. He cannot just do things that his conference does not support, so they have decided not to do this. We end up at the end of the year with this massive CR with multiple changes. They say it will be a clean continuing resolution to fund the government for 6 months at the same level of funding. That is not exactly accurate. There are some things in it. But it is not the way to do business—to have every one of the bills cobbled together, all 12 appropriations bills cobbled together, in one 6-month, half-year, appropriations bill. Because, you see, as of September 30, if we don't pass the appropriations bills, the government shuts down. Under the law and the Constitution this government cannot spend a dime that Congress has not appropriated. That is the way the government works. We have to appropriate money before some bureaucrat can spend it.

The House has done their duty but not the Senate. We have not passed a single one. So what will happen to avoid the entire government being shut down, the entire Defense Department being hammered? What will we do? We will pass a continuing resolution that continues to fund the government. For now, we understand it will be 6 months, and that would be a substitute for doing what we should have done. What will we do 6 months from now? Will we have another 6-month CR or will we actually pass appropriations bills?

I appreciate the leadership of Senator AYOTTE and her participation. I have heard her express her frustration as a new member of the Budget Committee that we haven't had a budget and didn't bring one up in the Budget Committee and didn't vote on it. As the ranking member of the Budget Committee, it was a deeply disappointing

thing for me. That was a decision made by the majority leader, Senator REID, who said it would be foolish to have a budget. Now we have gone about 1,233 days without a budget in this country and it has created this kind of dysfunction in our government. I don't think it is acceptable. I don't believe there is an excuse for it. I believe it has been done purely for politics, and that is not good, not when the men and women in uniform are serving us, at risk of their lives, losing life and limb on behalf of this Congress because we sent them there and asked them to undertake a dangerous job. Yet we can't even get together and get a bill to the floor.

I would say we worked hard in the Armed Services Committee. A bill Senator LEVIN and Senator McCAIN led us to pass was passed unanimously. It was bipartisan. There were some things I would have liked to have seen done differently, and Senator McCAIN and Senator LEVIN may have had different ideas, but we couldn't get everyone to agree with everything we liked. We did, however, get a pretty good bill and it was within the budget and it was the kind of legislation we need to pass.

So the House has passed their authorization bill, within the budget, and similar to our bill. We should be able to conference and produce legislation in a reasonable amount of time. But when a bill such as that comes to the floor, people are entitled to have amendments. They are entitled to offer an amendment, as Senator PAUL wants, to cut off funding for some foreign aid we have been putting out. But some people don't want to vote on that. It might not be an easy vote, but this is the Senate. People are entitled to offer amendments, they are entitled to have votes on issues they believe in and they campaigned on and they advocate and they are entitled to get their vote. But if it is a tough vote, it seems around here the leadership on the other side doesn't want us to talk about it. They do not want to be on record as voting. So that is a disappointment to us.

I think Senator McCAIN spoke with clarity. He spoke as a man who served his country, who has been in harm's way, who suffered on behalf of our country, who understands foreign policy, who understands the Defense Department, and understands Congress. His comments were solid, on point and correct, and I hope all Americans listen to him.

I appreciate the opportunity of sharing my disappointment at this point and just want to make one last point before I yield the floor.

Senator McCAIN, earlier today, and I and others, talked about the sequester. That has to be fixed by the beginning of next year. It needs to be fixed now. We can fix it now. We will fix it, in my opinion, sometime between now and the end of the year. It would be so much better if we brought it up, con-

fronted the difficulties of the sequester and fixed it now rather than leaving a cloud over the Defense Department.

If we somehow fail to alter this sequester, this bill that is currently on the floor—the Veterans Jobs Corps Act—becomes very insignificant because we are going to be laying off so many members of our military who maybe just recently got back from a deployment overseas, in harm's way, who would like to make a career in the U.S. military. Maybe that is their plan and they all of a sudden get a blue slip. All of a sudden they hear Congress couldn't confront the sequester, we don't have money, and we are going to have to lay them off.

Don't think that is not possible. Because if this sequester goes in place, we are going to have to reduce personnel numbers in our military significantly. We have already taken almost \$500 billion out of the Defense Department over 10 years. The sequester would take even more—an additional \$492 billion in this sequester—and it cannot be done without more personnel reductions.

We have already assumed a decline of military personnel with the overseas deployments going down—some decline. But this would be a rapid, dramatic decline to meet the demands of the cuts of the sequester that are unwisely being imposed at this point, and it would cause substantial layoffs as well as substantial procurement problems.

So I hope we will think about that as we go forward. If we can't get it done before we recess, it needs to be done promptly. It should have been done this summer, and I feel like the leadership of the Senate should have been active in that. I think the President of the United States should have talked to his Secretary of Defense, who said the sequester would be catastrophic, would hollow out the military. He should have talked to Secretary Panetta, and he should be over here with Congress providing some leadership, saying: Mr. REID, fix this sequester. We cannot allow it to happen. I am the Chief Executive of the U.S. Government, I am the Commander in Chief of the U.S. military, and you are going to do damage to the military of the United States. It is my responsibility as President to insist that you and Congress get this thing done. I am prepared to provide leadership and suggestions and help to get it done.

Has the President done that? No. He has not said one word about our advancing or putting any effort into leadership that would lead us to fix this problem. I think that is disappointing. I have to say it is. Maybe others think it is all right for him to lead from behind, to sit in the White House and go make speeches and not worry about the sequester and not worry about the fact we haven't passed a Defense bill. I don't think so. I think you are still

President of the United States, even when you are running for reelection. I think a phone call or two to the Senate leadership would get the ball moving. That is about all it takes, frankly.

It seems to me the White House is perfectly happy with inaction. That is the bottom line, in my opinion. They are perfectly happy. They want to tell the Republicans: If you don't raise taxes, like we want taxes to be raised, we are going to hammer the Defense Department. But he is Commander in Chief. He has a moral obligation to those men and women, to make sure we are safe and they are treated fairly. I don't think that is responsible.

I yield the floor, and I suggest the absence of a quorum.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

FAILED ECONOMICS

Mr. MCCONNELL. Mr. President, anyone who happened to be watching the Senate floor a little earlier today got a taste of why, in the midst of a national job crisis, Americans are still in danger of being slammed by one of the biggest tax hikes in history; why the U.S. military is today at risk of cuts that would devastate national security; and why there is now a very good chance another major ratings agency will downgrade our Nation's credit.

There is a reason all these things may actually happen, and it has nothing whatsoever to do with the Republicans:

The Nation is at risk of an entirely avoidable economic calamity because the President of the United States and the Democrats who control the Senate would rather spend their time picking apart PAUL RYAN and his budget plan—which the House has already passed—than producing one of their own. They would rather sit on the sidelines and hope people focus on the other guy's attempts to solve our most pressing domestic problems than bother to do anything about them themselves. This has been the Democratic M.O. for 2 long years, and it is a disgrace.

Later today the House will pass a 6-month continuing resolution to fund the government beyond the end of the month. Why? Well, because Democrats refuse to do the basic work of government. The Democratic Senate hasn't passed a budget in more than 3 years. This year they haven't passed a single appropriations bill. For 2 years Democrats have done nothing—nothing but cast blame.

The law says Democrats have to pass a budget. A simple majority can pass a budget. The law has been ignored. The President proposed a budget of his own. They have opposed that one as well.

The Nation is just 3½ months away from going off a fiscal cliff, and they actually seem to welcome it because

their overriding goal isn't to help the American people find work, it isn't to get a handle on the debt, it isn't to give small businesses a boost, it is to make government even bigger than it already is. And they are perfectly willing to let the country plunge into an even deeper economic mess to ensure they get the bigger government they want. That is how extreme Washington Democrats have become.

They are on an ideological crusade. They spent the first 2 years of this Presidency putting their policies in place, and when they lost their big majorities in Congress they decided to sit on their hands rather than change their approach, as all of these challenges built and built and built.

For 2 years this President got absolutely everything he wanted legislatively. Aided by giant majorities in both Houses of Congress and goaded on by a chief of staff who told him to brush aside any pleas for bipartisanship, he spent 2 years putting into place the big government agenda he and his liberal allies had dreamed of—an agenda so extreme that their biggest challenge was making sure Members of their own party didn't defect.

The results of those efforts are clear for all to see. Unemployment has been above 8 percent for 43 straight months. Growth is an anemic 1.5 percent, the slowest recovery since the Great Depression. The Federal debt is a stratospheric \$16 trillion. A full 15 percent of Americans are now on food stamps. The Census Bureau said just yesterday that household incomes have declined every year of the Obama administration, and one out of six Americans is living in poverty. And the labor participation rate—the percentage of those who can work who are actually working—is at its lowest point in decades.

If we count people who have given up looking for work, unemployment is above 11 percent, not the 8 percent we read about. These are the grim realities of the Obama economy. And make no mistake, the framework for it was laid in 2009 and 2010.

So, yes, President Obama and Governor Romney have different philosophies on how to lead America back to prosperity. But the biggest difference is this: One of them has had 4 years to implement his vision, and it should be obvious to everyone it has been a total failure. It has failed to lift us out of a jobs crisis. It has helped prevent the type of recovery we all know is entirely possible. Yet all we get from the President or from Democrats in Congress is feel-good rhetoric, attacks on Republicans who are actually working to solve our problems, and political show votes that are deliberately designed to fail.

Blame the other guy and maybe people will not notice your own refusal to lead or the implications of your own vi-

sion. Because, make no mistake, in order to fund the government this President wants, there would be no choice but to go after the very middle class he claims to be fighting for.

That is the dirty little secret behind the President's vision for America. That is the math he didn't mention in Charlotte, and that is the real story about what has been going on around here for 2 long years. The President and Democrats in Congress laid the foundation for the economy we are in right now. They were so sure it would work that the President said if it didn't, he wouldn't deserve reelection. Well, it didn't.

So for the last 2 years Republicans in Congress have done everything we could to convince the President to go in a different direction, to change course. He didn't. He doubled down on the same failed policies, and when he wasn't able to get them through Congress, he blamed Republicans for the consequences. Well, blaming us for the results of his policies is almost as ridiculous as concluding that the vision behind them will be any more successful over the next 4 years than it has been over the last 4 years.

It is time for Democrats, from the President on down, to stop blaming others and to start leading. Our problems are too serious and our challenge is too urgent to wait another day to act.

TRIBUTE TO JAMES BILLINGTON

Mr. MCCONNELL. Mr. President, tomorrow the Librarian of Congress, Dr. Jim Billington, will mark 25 years on the job, and so I would like to just say a few words of congratulations in honor of his service.

Dr. Billington has enjoyed a distinguished career. He is a Rhodes Scholar, earned his doctorate from Oxford, served in the Army, and taught history at Harvard and Princeton. He is a renowned author and a Russian scholar, advising numerous Members of Congress, administration officials, and even Presidents.

Dr. Billington's tenure at the Library of Congress has been exemplary. His most significant contribution is certainly his vision to bring the Library of Congress into the 21st century by digitalizing its collection. Because of his actions, Dr. Billington has expanded the Library of Congress's reach into thousands of educational institutions and millions of homes here and throughout the world. Under Dr. Billington's leadership, the Library of Congress has strengthened and flourished.

So today we honor and we thank Dr. Jim Billington for an outstanding job leading the Library of Congress for the past 25 years. We wish him continued success and thank him for a lifetime of service to inspiring and educating others.

Dr. Billington, congratulations.

Mr. SCHUMER. Mr. President, I too wish to offer congratulations and gratitude to Dr. James H. Billington on the occasion of his 25th Anniversary as Librarian of Congress on September 14, 2012.

Dr. Billington was sworn into office as the 13th Librarian of Congress on September 14, 1987, after being nominated by Ronald Reagan and unanimously confirmed by the U.S. Senate. A distinguished Rhodes Scholar, author, and humanitarian, he has received over 40 honorary doctorates and has authored several books on Russia and the former Soviet Union. Earlier in his career he served in the U.S. Army and taught history at Harvard and Princeton Universities. Later he went on to become the director of the Woodrow Wilson International Center for Scholars in Washington, D.C. where he founded the Kennan Institute for Advanced Russian Studies and seven other new programs as well as the Wilson Quarterly.

Mr. Billington's tenure at the Library has been remarkable for his vision, his commitment to excellence, and for the wide-ranging intellect and experience he has applied to making the Library of Congress one of the most respected citadels of knowledge in the world.

Dr. Billington led the Library into the digital age, giving on-line access to its many treasures to Members of Congress and people throughout the world with the Library of Congress National Digital Library Program, the THOMAS data base, and the Open World Program. He oversaw the establishment of the Kluge Center, an endowment fostering scholarly interaction between world thinkers and policy makers that includes a million-dollar prize honoring lifetime achievement in the study of humanity. His encouragement and enthusiastic leadership led to the creation of the Packard Campus Audio-Visual Conservation Center which consolidated all of the Library's recorded sound and film collection in a single, state-of-the-art facility for conservation and permanent archival storage. These are just some of the many accomplishments for which he will be long remembered.

Dr. Billington has also overseen the restoration of the Thomas Jefferson and John Adams buildings. Today, the Thomas Jefferson building, with its pristinely restored marble columns, staircases, mosaics, and paintings is considered to be one of the most beautiful public buildings in America.

As Chairman of the Joint Committee on the Library and Chairman of the Senate Committee on Rules and Administration, I extend my appreciation to Dr. Billington for his visionary leadership and extraordinary accomplishments that have made the Library of Congress, one of our greatest national institutions, the remarkable place that it is today.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. THUNE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. THUNE. Mr. President, I ask unanimous consent that I be allowed to speak as if in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE RYAN BUDGET

Mr. THUNE. Mr. President, all week my Democratic colleagues in the Senate have been coming to the floor and using scare tactics and demagoguery on the so-called Ryan budget. Of course, what they are referring to is the budget that was passed by the House of Representatives months ago.

I suppose it is fair anytime someone produces something to have that criticized, critiqued, scrutinized, looked at, and discussed. But at the same time it seems if someone is going to attack the product that somebody else had put forward the natural follow-up question would be: So what are you proposing? Where is your budget proposal?

I think it begs the question on behalf of the American people that the Democrats in the Senate who want to attack the House-passed budget haven't produced a budget of their own.

It has been over 1,200 days—1,232 to be precise—that we have not considered a budget in the Senate. For those who are trying to do that arithmetic in their minds right now, that is 3 years and 4 months—3 years and 4 months without a budget in the U.S. Senate. That, at the same time that we continue to get bad news about the economy.

This week we received news that Moody's intends, if we end up going over the fiscal cliff next year, to downgrade America's credit rating. That would follow with other credit rating agencies that have already made that assumption about the American economy and the American fiscal situation. We also received notice last week that the World Economic Forum had downgraded America's global competitiveness.

When President Obama took office in January 2009, America was ranked first in the world when it comes to global competitiveness. We dropped down to fourth or fifth in the last year or two. But just in the last couple of weeks, the World Economic Forum has dropped the United States even further. We are now seventh in the world when it comes to global competitiveness.

The reasons they cite for that are many, but it comes back to the basic issues of spending and debt and taxes

and regulations and redtape and the cost of doing business in this country. It seems as though the Democratic solution is to tax more so we can spend more. Raise taxes to grow government. That seems to be the only solution the other side is willing to put forward.

Now, when I say that is the only solution, that is what we hear coming out of the White House in terms of the so-called fiscal cliff and in terms of the response to dealing with the sequester: Well, we could do away with the sequester if we just had more revenues. If Washington could just raise more money—more tax revenues—from the American people, this problem would all go away.

But what it misses is the fact that the real issue in Washington, DC, isn't that we tax too little; it is that we spend too much. Washington has a spending problem that needs to be corrected. At least the House of Representatives put forward a budget plan that addressed the fundamental problems that plague our Nation's fiscal situation.

You look at what we are facing in terms of obligations, liabilities, responsibilities in the years in the future—Medicare, Social Security, Medicaid, other programs—they continue to grow at two or three times the rate of inflation. That is not sustainable. That is going to lead us to bankruptcy. We are on an unsustainable fiscal path. The trajectory we are on today cannot be sustained over time. Yet we have not seen any proposal put forward by the Democrats here in the Senate—not just for this last year but the year before that and the year before that. It has been 3 years and 4 months now since the Democrats in the Senate have put a budget on the floor that we would have an opportunity to vote on and to give the American people at least an idea about where we want to lead this country.

So when they come down here, hour after hour, day after day, night after night, attacking the House-passed budget, I think the American people have to say to the Democrats here in the Senate: Where is your plan? Where is your budget? Show us what you would do. Show us how you would address the fiscal crisis we are facing.

The answer is, there is none, it is nada, it is zero. There is not one, no budget, no plan, not this year or the year before or the year before that. For 3 years and 4 months now there has not been a budget put on the floor of the Senate for us to vote on, for us to discuss, for us to have any kind of conversation about the future of this country and what we are going to do to address the fiscal crisis that we all acknowledge exists.

This is the most predictable crisis, as has been pointed out, in American history. We all know where we are headed. You can look at the numbers. It is not

complicated. It is not rocket science. It is simply a function of math and the math is working against us, and every day we wait it becomes more complicated, difficult, and problematic, I believe, for us to solve this problem, and it further threatens the future and puts at risk our children and grandchildren and the quality of life and the standard of living they are going to experience and enjoy in their lifetimes.

When the ratings agencies such as Moody's come out and say that this fiscal cliff, if we go over it, means a downgrade in the credit rating of the United States, when you have organizations such as the World Economic Forum say that the United States is now seventh when it comes to global competitiveness as opposed to first—which is where it was when the President took office—we all should take notice. It is another flashing light, another warning sign, another red flag, if you will, that things are not well in the United States of America. Yet the only proposal that has been put forward that would address that is the budget passed by the House of Representatives. Why? Because the U.S. Senate again has not passed a budget. We have not produced a budget now for over 3 years.

It is interesting because one of my Democratic colleagues who was down here talking earlier this week described the budget as a set of values; in attacking the House-passed budget, that somehow the House-passed budget represented the wrong values. It did not represent, somehow, American values. If the budget represents a set of values, what does it mean, then, when you do not have one? If you do not have a budget, what does that say about your values?

It seems to me, at least, that at least the House of Representatives, to their credit, has put forward a proposal that, whether or not you agree with it, does address the fundamental problems we have as a Nation; that is, out-of-control Federal spending, a trajectory with regard to entitlement programs that literally will bankrupt the country, and a Tax Code that is overly complicated that needs to be reformed. Those were all addressed in the House budget. A lot of people attacked the whole idea in the House budget with regard to Medicare reform, which is referred to as premium support. Premium support is not a new idea. It is something that was popularized by liberal think tanks years ago. In fact, this year the House-proposed idea, when it comes to premium support, was something advanced by Representative PAUL RYAN and Senator WYDEN here in the U.S. Senate. It was a bipartisan idea.

It was also something advocated by the Rivlin-Domenici task force that looked at our fiscal situation, made recommendations, and when it came to

the notion of how to reform Medicare, premium support was something that was put forward as something that could be a new idea that can save the government—the taxpayers—money, introduce competition in the same way that the Medicare Part D Program has introduced competition and actually saved money over what it was proposed to cost.

It is not a new idea. It is an idea that has been tried. When Medicare Part D was adopted, the premium support concept was included as part of that and you can see the results of that have led to lower costs, much lower costs than were predicted. Frankly, that is, I believe, because it introduced the element of competition into the whole way we deliver health care services under Medicare. That was something that was proposed and built upon, developed as part of the budget that was passed in the House of Representatives. But, again, it is something that is not new around here. It has had lots of support in the past from Democrats.

It seems to me at least that if we know what we have today is not working, we ought to be willing to at least entertain a discussion and conversation about some ideas that might actually solve the problem and might work. Yet here in the Senate for 3 years we have not had a budget.

Some would argue that the President of the United States has put forward a budget. In fact, as a matter of I guess delivering a set of papers to the Congress, he did do that. But I would argue and I think most would agree it was not a serious effort. It certainly was not a meaningful attempt to address the issue of spending and debt or entitlement reform and that was evidenced by the fact that when it was put on the floor in the Senate to be voted on, it was defeated by a vote of 97 to 0. In the previous year the House of Representatives had a vote on the President's budget. That year it was voted down in the House by something like 419 or 420 to 0. The President's budget for 2 consecutive years here in the Senate has not received one vote from any Democrat in either the House or the Senate.

That should speak volumes about the President's attempt to do this. I think what it suggests is it was not serious, it did not make a real effort at trying to address the issues of spending and debt and getting the economy growing again and reforming our Tax Code and driving down the cost of doing business in this country instead of increasing the costs, which is something that seems to be happening every single day. As I travel across my State of South Dakota and listen to businesses from other parts of the country, I hear over and over again that the cost of doing business is making us uncompetitive. We continue to be saddled with regulations, with requirements, with mandates, with taxes. Those sorts

of things, the redtape of doing business, are making it incredibly difficult for our small businesses and job creators to get this economy back on its feet and get it growing again.

I would simply say in response to the attacks that have been leveled by my colleagues on the other side on the proposal that was advanced and put forward by the House Republicans, that it would bode well if you want to have a debate about priorities, if you want to have a debate about values and if you want to have a debate about budgets, to have one. It starts with a budget. We don't have one. We do not have any plan for how we are going to deal with the very factors, the very elements that led organizations such as Moody's and the World Economic Forum to determine that the United States credit rating is in jeopardy and that our global competitiveness has dropped from first in the world to seventh.

Those are things I think we ought to be talking about, and you cannot start talking about those things unless you have a plan, unless you have a budget that describes what you would do to address the drivers of Federal spending, the drivers of Federal debt.

Again I cannot emphasize this enough: the only thing I hear coming out of my colleagues on the other side to address it is we need more revenues. We need to raise more taxes. We don't have enough revenue. If we could raise more revenue we could solve all those problems. I say to my colleagues what we have here in Washington, DC, is not a revenue issue, we have a spending problem. Washington does not tax too little, it spends too much. That is why we need to get spending under control, but it starts with the budget.

I think it behooves our colleagues on the other side, as they come down here day after day and berate and attack and suggest somehow that the budget that was passed by the House of Representatives is not representative of American values, to come down here with something of their own that might lay out a plan that actually does address Medicare reform, Medicaid reform, tax reform—the things that we know have to be dealt with in the future if we are going to hand a better and more prosperous and stronger Nation to our children and our grandchildren. That simply has not happened.

They can come down here and say what they want, but when there is no budget, there is no blueprint, there is no plan, then there is no path forward that addresses these difficult, complicated challenges and problems that face us and face our Nation in the future. I hope we eventually see that. I hope the President will come to the table and that we can sit down and talk about how we are going to solve the fiscal cliff we are headed over at the end of this year. Again, it is not

just the credit rating, it is not just global competitiveness, it is the American economy that is at stake as well. The Congressional Budget Office has said if we go over this fiscal cliff where taxes go up on January 1, where these disproportionate cuts take effect on the military budget, we are looking at an economic recession next year, a contraction of the economy of 2.9 percent and unemployment above 9 percent. This is about America's standing, about our competitiveness, and it is about jobs in the economy, fundamentally. It is high time that we had help and cooperation and an idea, perhaps, from the other side about how they would solve these problems. I hope we will get that.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, first I note Senator GRASSLEY is on the floor and I thank him for the courtesy of allowing me to go next.

I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE FARM BILL

Mr. CARDIN. Mr. President, I take this time on behalf of Maryland farmers. They are hurting, along with many farmers around the Nation, because of the devastation from the drought. I am talking on behalf of the poultry farmers. As the Presiding Officer knows, in the Delmarva peninsula the impact they have had from the drought on the corn crop makes it extremely difficult to make ends meet. I am talking about dairy farmers in western Maryland. We have a robust agricultural community. It is one of the largest parts of our economy. That is true in just about every State in the Nation. We have seen the worst drought in 50 years. It is affecting 42 States in this Union. This is widespread. Congress needs to act.

First we should encourage our colleagues in the House of Representatives to take up and pass the farm bill that we have passed. That was a bipartisan bill. It was a bill that was debated in this Chamber. It is a bill that would help our agricultural community to get through this crisis brought about by extreme weather. As I mentioned, the farm bill was a bipartisan effort. It dealt with many components that would help segments of our agricultural community as a result of the conditions from the drought. Let me mention a few.

The livestock disaster provision that expired in 2011 in the farm bill is strengthened, it is made retroactive back to 2012, and it would help those who are in the cattle producing part of agriculture get through the conditions of this drought. Seventy-two percent of the cattle-producing areas are affected by the drought. It is going to have an effect on our entire country. We have a

responsibility to make sure our farm policies help them get through the unusually disastrous weather conditions. As I mentioned earlier—and the Presiding Officer being from Delaware knows the poultry industry has suffered unbelievably. The reason, quite frankly, is—and I will talk a little bit more about this—the price to produce a chick in the poultry industry is so much dependent on the price for feed and corn. The corn price is extremely high as a result, in part, of the drought conditions.

The farm bill we passed would help the corn producers which, in fact, would help the poultry industry, so it is an important part of the farm bill. From my fruit and vegetable growers, the reform in the Crop Insurance Program would help them during these very tough times.

Let me mention the conservation programs. I know Chairman STABENOW has talked about this frequently on the floor, but the farm bill we passed reforms the conservation programs and allows our farmers to do the right thing. One of the things we learned from the Dust Bowl—the crisis we confronted in the 1930s—was that we have to take care of and protect our water and soil. We need to be attentive to water and soil. After the Dust Bowl crisis, we passed in the Congress different types of conservation acts.

The farm bill we passed in this House consolidates, reforms, and strengthens the conservation programs so our farmers can do the right thing not only for producing today but producing tomorrow and taking care of the circumstances we know Mother Nature will be throwing at us. We can't do anything about that until the House takes up the farm bill. They have yet to take it up.

I urge my colleagues in the other body to take up this bill. We need to do that for many reasons, one of which, of course, is the extreme conditions that the agricultural community in this country is confronting as a result of this drought.

Let me talk specifically about poultry. On the Delmarva Peninsula, the poultry industry is in crisis. It is in crisis. The Senator from Delaware, the Presiding Officer, understands this. Seventy-five percent of the cost to produce poultry is in the price of feed. The poultry industry uses corn for feed. They need to have corn. At the present time, corn is approaching \$9 a barrel. What does that mean? If the price is at that rate, it would cost about \$2 per pound to produce a chick for market. The retail price is \$2 a pound. It doesn't take too much of an economic background to know we cannot make it under those economic conditions.

Our poultry industry needs help. They need to be competitive, and it is difficult to do that when we are so de-

pendent upon the price of corn. The problem with corn is we are competing uses. It is not only used in the food chain, it is used as an energy source as a result of corn-based ethanol, which distorts the food chain.

I have introduced legislation, along with Senator BOOZMAN and Senator MIKULSKI, that would modify the renewable fuel standards. Those are the standards which require a certain percentage of our renewables in corn ethanol. It would modify that, and let me explain how. It would link the amount of corn ethanol required for the renewable food standards to the amount of the corn supply. That makes sense. When we have more corn, fine, we can meet the renewable standards. But this year we have had drought conditions so we have much less corn. As a result, corn is going up in price, making it very difficult for our poultry industry. So then the requirements would be reduced. We think that makes sense. That is using market forces to help meet our energy needs but also to help deal with the realities of the poultry industry.

I have also joined with Senator HAGAN, Senator CHAMBLISS, Senator PRYOR, and Senator BOOZMAN in authoring a letter to the Environmental Protection Agency calling for them to waive the renewable fuel standards conventional ethanol product mandate for this year. Again, let the farmers be able to compete. Don't let us distort the marketplace.

Let me just say, in summary, agriculture is critically important to this country for many reasons. It is one of the largest parts of our economy, it is important for our national security, and it is part of our way of life. We lead the world in agriculture productivity. It is important for us on international trade and all the reasons I mentioned. We need to be attentive to how we deal with agriculture in this country. We need a farm and agricultural policy.

The farm bill we passed is necessary to be enacted or we are going to have a lapse in our agricultural programs. We have done our work. It is critically important before the House goes home that they take up the farm bill. I hope they will pass our farm bill in order to help farmers in Maryland and around the Nation. I then hope we would also pay special attention to the poultry industry, to recognize that because of the price of corn related not just to the food chain but to energy we have a responsibility to help an industry that is so dependent upon corn as a commodity to produce the poultry product.

We need to help our agricultural community to do the right thing. It is important for our country, and I urge my colleagues to pay attention to these issues before we recess for the fall elections.

With that, I yield the floor.

The PRESIDING OFFICER (Mr. BLUMENTHAL). The Senator from Iowa.

Mr. GRASSLEY. I come to the floor to discuss the State of our economy and to give suggestions on how to improve it. But before I go to the main purpose of why I came here, I wish to say to the Senator from Maryland that I agree with him. The House of Representatives ought to take up a farm bill. I hope they will, and that is my urging.

I also wish to take advantage of the opportunity to explain a little bit about ethanol and how that works in with the situation he brought up about increasing feed for chickens or any other animals.

This year, farmers planted 96 million acres of corn. There were more acres of corn planted than in any other year since 1938. Most of that is because of the ethanol industry. If we didn't have the ethanol industry, we would normally plant somewhere between 80 and 85 million acres of corn.

Let's assume we never heard of the word "ethanol" or the product ethanol, that it didn't even exist, and farmers planted the usual 80 to 85 million acres of corn. Let's also assume we had the same drought we had this year—over about two-thirds of the United States—and the corn crop is going to be reduced because of it. If we planted 80 to 85 million acres of corn and we had the same drought, we would still have the high price of grain we have right now, but we wouldn't have ethanol to blame for it.

So the marketplace is bringing about the increased production of corn because of feed, fuel, and fiber. We should not be scapegoating ethanol, because if we didn't have ethanol to blame, we wouldn't be planting 95 or 96 million acres of corn. We would be planting about 80 to 85 million acres of corn and we would still have the same high price and the same problem for the poultry producers.

ECONOMIC LEADERSHIP

Now to the point that I came to the Senate floor. We all recognize our Nation faces challenging times. We have had years with unemployment at unacceptable levels and anemic economic growth that shows no sign of lifting us out of the situation. Meanwhile, rampant government spending, which we were promised would jump-start the economy and create jobs, has instead displaced private sector investment and choked off job creation. More and more Americans are starting to doubt that their children and grandchildren will have better opportunities than they had, not to mention the fact that they will be forced to pay for all that spending.

We keep being told by President Obama and members of his party that change is just around the corner. If we just keep doing what we are doing, things will get better. After almost 4 years of failed policy and dashed hopes, that line is wearing thin. Fortunately,

our problems are not insurmountable and the solutions are common sense. All that is needed is sufficient leadership to make the tough decisions.

In fact, this is the same situation Great Britain faced in the 1970s. Britain was mired in debt and even had to go to the IMF for a bailout. Successive British Prime Ministers had recognized the looming financial problem for years but failed to get the budget under control. At that time, in the 1970s, Britain was known as the "sick man of Europe." Still, as in this country, interest groups that benefited from public spending threatened to bring down any British Government that even considered measures to control spending.

We see those same forces in the Congress of the United States telling us we can't cut anywhere. In fact, Britain did face massive strikes in the winter of 1978 to 1979, better known as the winter of discontent.

As a result of the inability of several different Prime Ministers to take the difficult steps necessary to turn things around, many pundits started to speculate Britain had become ungovernable. There were even many British politicians who had decided the best they could accomplish was to manage the economic and political decline of Britain. We hear the term in the United States of a "new norm." I hope we aren't getting into that same attitude the British had in the 1970s.

But they had a leader who came along by the name of Margaret Thatcher. She utterly rejected the notion that decline was an option. In fact, she was famous for repeating the phrase: "There is no alternative." So I would like to take those words, "there is no alternative," as a guiding point for us in the Congress, Republican or Democrat, that we have to do something.

"There is no alternative." Prime Minister Thatcher meant that control of the policy based on uncontrolled spending had failed. If economic recovery was the goal, the only alternative was the free market. This meant cutting spending, reducing growth-inhibiting income taxes, and reining in government micromanagement of business—things we hear from the private sector in the United States today.

Despite the hard lessons of experience, the prevailing economic theory of the day still held: that government spending was good for the economy and that government central planners could operate more efficiently than private business left alone.

That is the situation she was describing in Britain. However, for us in the United States, whether it is government or the private sector, it is like asking: Are 535 Members of Congress smarter to determine the direction of the economy or are the 308 million people outside of the Congress in the United States better prepared to do it, and which will do the most good?

Now, Thatcher faced intense opposition both from true believers in the stimulus ideology and from those with a vested interest in the status quo, but having rejected national decline, as she did, as an option, there really was no alternative. She explained to the British public why her course of action was necessary and stood up to the special interests that stood in the way of prosperity. We hear from our constituents we ought to do something about those special interests, but we don't seem to do much about it.

When the media began speculating she would fail to follow through and that she would lose her spine and make a U-turn as so many of her predecessors had done, Mrs. Thatcher's response was: "You turn if you want to . . . The lady's not for turning."

What Prime Minister Thatcher provided for Britain is very simple: Leadership. That is what the United States needs today.

Most Americans I talk to believe in our opportunity society and refuse to accept that the American dream of a better life for our children is dead or that there is a new norm or that America is in decline. For those of us who feel that way, restoring the dynamic American free market economy is essential. In the words of Margaret Thatcher, there is no alternative. We must reduce spending. There is no alternative. We must have low, simple, and stable taxes. There is no alternative. And there is no alternative to reducing and reforming the growing regulatory burden.

During the last 3½ years, the national debt has grown by more than \$5 trillion—an increase of 50 percent. This year will be the fourth consecutive year with trillion-dollar annual deficits. These deficits and a Federal debt that now totals \$16 trillion are, in fact, dampers on private sector job creation.

When Washington takes and spends the wealth created in the private sector, it crowds out new investments that would have been made by businesses and entrepreneurs, investments that would have resulted in the creation of new wealth and job opportunities for more Americans. The out-of-control spending has created a stagnant economy with unemployment stuck above 8 percent now for 42 consecutive months.

Economic freedom must replace bigger government. Economic growth must be our top priority, and fiscal discipline in Washington is a prerequisite to sustainable economic growth. In the words of Prime Minister Thatcher, there is no alternative.

The 4-year experiment attempting to increase economic prosperity by growing government and managing the economy through government intervention has failed. To address the anemic economic recovery and get America back to work, we must reduce the

size and scope of the Federal Government. In the words of Prime Minister Thatcher, there is no alternative.

Again, our Nation is \$16 trillion in debt. How much is \$16 trillion? Well, if we started counting to 16 trillion one second at a time, it would take a person over 500,000 years to reach that level.

The Federal Government will spend more than \$11 trillion just on Medicare and Medicaid over the next 10 years. Medicare and Medicaid serve a vital role in providing health care services to individuals who are poor, elderly, or disabled. But just because those programs have operated a certain way for 47 years doesn't mean they operate efficiently, even though we all agree they are part of the social fabric of America and must be maintained. If we want to save those programs for future generations, the current path of just saying no to every proposal and every special interest is not an option. In the words of Prime Minister Thatcher, there is no alternative. There is no alternative but to look at their very structure and ask the question: Can we do better?

As we begin to take the steps to pull ourselves out of this fiscal mess, we also need to reform how Washington does business so we don't find ourselves in this situation again. One major step that could produce long-term fiscal discipline is a balanced budget amendment, but if we passed that today it would not get us out of the hole we are in. However, once we get out of the hole, it is going to keep us from getting into it again.

The national debt now is reaching a point where if we do not intervene with a constitutional amendment for a balanced budget, it is going to become unsustainable. Mere laws have not controlled deficit spending because Congress can always change a law when it becomes politically expedient. I went through this one time because I was an author with a former Senator in this body by the name of Harry Byrd from the State of Virginia, not West Virginia. He and I worked together when I was a Member of the House. We got legislation passed requiring a balanced budget. For 15 years that law was on the books and never in those 15 years was there ever a balanced budget.

So it makes it very clear that statutes will not control deficit spending. I concluded a long time ago that a constitutional amendment is a "must" to provide Congress with necessary discipline. The example right now of Europe's debt situation is sobering. Nations that allow debt to grow out of control risk default.

Think of Greece as an example. If we do not take effective, corrective action, the European future could be ours, and maybe sooner than we think. The time for tinkering around the edges of the budget is over. We must take bold action to address the debt

crisis before it is too late. In the words of Prime Minister Thatcher, there is no alternative.

Another area crying out for decisive action is our voluminous Tax Code. Uncertainty in our Tax Code and the threat of higher taxes is like an anchor preventing our economy from setting sail. At the end of the year, the across-the-board tax relief first enacted in 2001 and 2003 will expire. Its expiration will lead to a higher tax bill for virtually every taxpayer, representing one of the largest tax increases in the history of the country, and, as my colleagues know, that can happen without even a vote of Congress. Federal Reserve Chairman Ben Bernanke has testified about the negative impact of higher taxes on a fragile economy.

More importantly, I hear from employers that uncertainty about the future makes it difficult to plan, take risks, and make decisions to expand and hire. Tax certainty must be a priority in creating a progrowth environment. In the words of Prime Minister Thatcher, there is no alternative.

Even President Obama has acknowledged the negative impact of tax increases on economic growth saying we shouldn't raise taxes in a recession. We remember because he campaigned on tax increases in 2008, but before he was even sworn in he warned people we can't have that tax increase now because we are in a recession. Nevertheless, nearly every day our President is on the campaign trail in 2012 talking about tax increases on the so-called rich claiming them to pay their fair share. But I have never had a definition from the President of the United States of what a fair share is.

However, the so-called rich already pay the overwhelming majority of Federal taxes. Do my colleagues know that the top 20 percent of households currently account for 95 percent of Federal income taxes? Moreover, the top 1 percent we hear so much about bears nearly 40 percent of the Federal income tax burden. It is no wonder our job sector, especially the nearly 1 million small businesses targeted by the President's tax increase, are reluctant to make business decisions and invest in this climate when taxes are going to go so high at the end of this year. There are businesses ready to expand and create jobs. There are millions of dollars in private sector investment waiting to be invested and to create jobs. But businesses are holding back, waiting for the heavy boot of higher taxes to drop. It is time we replaced divisiveness and demagoguery with a progrowth tax policy.

This country does not need more taxes; we need more taxpayers. The way to get more taxpayers is to get more people working. The way to get more people working is to encourage that investment. We need to take the uncertainty out of the present political

environment here that has an impact on the economy.

When businesses and entrepreneurs are willing to put everything on the line by opening a new business or expanding an existing business, we must assure them that they will be able to enjoy the fruits of their success, not punish them with a higher tax bill which takes money out of their cashflow. When a business operates on cashflow, they cannot hire people if they don't have the cash.

So we must act decisively to stop job-killing taxes from going up. In the words of Prime Minister Thatcher, there is no alternative.

It isn't just the threat, though, of taxes that has caused uncertainty and held back private sector investment. The threat of costly new regulations has paralyzed many industries. In fact, I hear more complaints from small businesses about regulation than I do this biggest tax increase in the history of the country coming before us this December.

During the past few years, thousands of new Federal rules were finalized. Those who view government intervention into private enterprise as positive might say: So what.

All of these rules come with real costs. This administration has issued about 200 major rules that each have an impact of \$100 million or more. A Gallup poll taken at the end of last year found that compliance with government regulations is the single biggest issue facing small business owners today. When 70 percent of the new jobs in America are created by small business, we ought to be concerned about what these small businesspeople are saying is their No. 1 problem.

On top of the outright cost of new regulation and the compliance burden, the uncertainty about when a new regulation might come down makes businesses reluctant to expand. In recent years we have seen regulation on top of regulation. No one knows when the next one will appear or how much it will cost.

During the Great Depression, the avalanche of new agencies with newfound regulatory powers led to businesses sitting on large amounts of cash, even in industries that were not yet affected by the new regulations because the uncertainty about who would be targeted next froze private sector investment. Now we are seeing pretty much the same thing today.

It would be one thing if these were essential protections for the environment or public health as proponents often claim, but for many of these new regulations the cost of compliance outweighs the public benefit.

It doesn't make any sense to try to regulate dust on farms when there is no practical way to stop the wind blowing. Still, I don't know how many years the EPA has been working on

what they call a "fugitive dust rule." Does it make any sense to make a dairy farmer fill out pages of documents to prove they have a plan in place in the case of an accidental milk spill? Well, they considered that regulation, but it was too outlandish that they made a public announcement they were not going to do that. Then why was EPA wasting time considering these regulations in the first place? There are legitimate forms of pollution that need attention, but even then the EPA seems intent on overkill.

Did the Utility MACT rule, which was intended to limit mercury emissions from powerplants, really need to be the single most expensive regulation in EPA history?

In addition to this rule, powerplants that rely on coal, like most of those in my State of Iowa, are facing a whole new string of overlapping rules with their own compliance deadlines and paperwork.

These include the Cross-State Air Pollution Rule, the National Ambient Air Quality Standards, regulation of greenhouse gas emissions, cooling water intake regulations, clean water effluent guidelines, and coal ash regulations.

Taken separately, each of these may have some justification, but when you put them all together, the cost and compliance burden is enormous, especially on small utilities.

Yesterday there was a delegation of Iowa rural electric cooperatives in my office explaining exactly how costly this was to them and their consumers.

That leads many people to suspect that the real motivation for this burst of regulation is an ideological drive to artificially raise the cost of electricity generation using coal, which would hurt the economy in places such as Iowa that rely on coal for cost-effective energy. A regulatory approach that imposes excessive costs for little or no benefit does not do anyone any good.

Regulatory agencies should be held accountable for meeting the cost-benefit test and also—a little more difficult to measure—the commonsense test. The deluge of regulations in recent years and the uncertainty—there is that word again: "uncertainty"—about what is coming next is acting like a wet blanket on our economy. We must put an immediate stop to unnecessary, costly new regulations. In the words of Prime Minister Thatcher, there is no alternative.

In the long run, we need comprehensive regulatory reform. The Constitution vests all legislative powers in the Congress, which is directly accountable to the American people. However, over the years, Congress has delegated more and more authority to unelected and unaccountable bureaucrats. And once delegated, it is difficult to take back. As a result, then, we have a massive administrative state full of well-meaning but unelected government officials

who have great power to write regulations with the force of law, with little or no democratic accountability.

This has led to the implementation of major policy decisions that impact the economy and the lives of the American people that likely would never have been approved if they would have had to have been voted on by the Congress.

That is why I am an original cosponsor of the Regulations From the Executive in Need of Scrutiny Act. REINS is the acronym. The REINS Act would require every major Federal regulation to come before both Houses of Congress for a vote and be signed by the President before it can be implemented. This will allow voters to hold their Members of Congress accountable for ill-conceived regulations. It would be a check on the mistake that Congress makes by delegating so much power in the first place. It would also provide more transparency and predictability to the regulatory process, thus reducing job-killing uncertainty.

Reforms such as the REINS Act would be a major change in how Washington does business, and that upsets a lot of apple carts. In the words of Prime Minister Thatcher, there is no alternative.

If we want economic growth and jobs, if we want a brighter future for America, we cannot afford to dither any longer. We need leadership like Britain had under Margaret Thatcher that is willing to tell all the special interests and all the political power players, there is no alternative.

We must take steps I have outlined to reinvigorate the free market economy. Just like Britain in 1979, there is no alternative.

We have tried President Obama's theory on economic stimulus. It was supposed to keep unemployment under 8 percent, and it has never been under 8 percent since the day he signed it. We saw a massive expansion of government and deficit spending as a result. More than \$800 billion was spent on a failed economic stimulus bill that was supposed to keep unemployment down. We all know how that turned out.

Government spending in the process has reached unprecedented levels. Today, the size of government—if you combine local, State, and Federal—is 40 percent of our gross domestic product. One hundred years ago, it was 8 percent. If it were true that government spending creates economic growth, then we should be living high off the hog today, but it is not.

The private sector creates jobs. It is the responsibility of the government to merely create an environment that leads to job growth. Remember a very basic premise: Government consumes well. It does not create well. Through economic freedom, entrepreneurs are free to innovate and prosper. This economic success leads to higher stand-

ards of living and a better quality of life. Importantly, these gains do not then come at the expense of others. Because, contrary to what some around here would have you believe, when someone produces a product or a service that others want, they are creating new wealth and everyone is better off. But too often around here, we think matters of the economy are a zero-sum game.

One person's prosperity, then, does not come at the expense of another's. In fact, business success and economic growth lift all boats through employment gains, higher wages, and greater value to the consumer.

We sometimes hear it implied that individual success cannot be achieved without government involvement or intervention. Some people seem to believe that an individual's success must come at somebody else being deprived or that the success was only achieved collectively and with the help of government. This line of thinking concludes that government and society is, therefore, entitled to some of the fruits of that individual's labor. This line of thinking is in stark contradiction to our country's founding principles that government exists to protect the individual's right to life, liberty, and the pursuit of happiness. Happiness is not found in a government paycheck redistributing what somebody else earned. In fact, government dependence leads to resentment.

By contrast, this great American dream of ours is based on individual Americans working hard and earning their own success.

A country with an increasing number of citizens dependent on a government that lives beyond its means and redistributes what remains of a once great economy would, then, cease to be the great America that we have had for 225 years. Such a future is unacceptable to most Americans, just as it was unacceptable to Prime Minister Thatcher, who said, there is no alternative.

The American dream is our birthright and our obligation to posterity. We must return to progrowth policies and an opportunity society. There is no alternative.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. SHAHEEN. I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRAVEL TOURISM

Mrs. SHAHEEN. Mr. President, anybody who has been outside today knows

that we had a beautiful day, and the last couple of days have been beautiful, so it is hard to believe that the summer is actually coming to a close. But as it does end, I wanted to take a few minutes this afternoon to highlight something that is very important to us in New Hampshire and to the country. That is tourism, particularly the outdoor industry association and its importance to local economies in New Hampshire and across this country.

New Hampshire has long recognized the importance of conservation and the economic benefits that come from supporting outdoor recreation. Our beautiful State, like Connecticut, has an abundance of natural treasures, the White Mountain National Forest, our scenic lakes, our coastline—we may only have 18 miles of coastline but it is beautiful, with beautiful beaches and rocky coves.

These treasures draw visitors from across New England, from all over the world. Protecting these natural resources is not just good for the environment, it is also critical for our economy. In fact, the outdoor recreation economy supports 53,000 jobs in New Hampshire alone, 6.1 million American jobs across the country. That is more than we have in the construction industry, in the finance and insurance industries or in the education industry. And even in this time of economic recovery, outdoor recreation produces \$646 billion in direct consumer spending.

Again, that is more than the pharmaceutical industry, motor vehicle parts, and household utilities. Americans today spend nearly as much on snow sports as they do on Internet access, and considerably more on bike gear and trips than on airplane tickets and fees. This is all detailed in a report called the Outdoor Recreation Economy, which is a very interesting analysis of what the outdoor recreation economy means to this country.

I recently had the opportunity to visit Eastern Mountain Sports. EMS is a New Hampshire-based business that specializes in outdoor apparel and equipment. At EMS, I saw the direct economic benefit that comes from our support for the development and conservation of outdoor recreation areas. I had a chance to talk to some of the 300 or so employees at EMS. They have stores throughout the east coast, and they are just one example of the countless businesses that have grown strong, thanks to the careful stewardship of our beautiful areas in this country, of the landscapes that so many of their customers visit.

One of the ways we have preserved the great outdoors at the Federal level is through the Land and Water Conservation Fund. The fund was created in 1965. It protects lands, forests, State and local parks, and critical wildlife habitat. This critical program also

helps ensure hunting and fishing access, something also very important to New Hampshire. It supports battlefields, trails, sporting facilities, and outdoor recreation opportunities in every State.

Every year since I arrived in the Senate in 2009, I have led a letter with Senator LEAHY of Vermont to appropriators that supports robust funding for the Land and Water Conservation Fund. The most recent letter was signed by 44 Senators from both sides of the aisle, a very strong showing of bipartisanship from supporters who know this is a program that works for the environment and works for small business.

I am also pleased to cosponsor legislation—bipartisan legislation—that is led by Senator BINGAMAN, which would permanently authorize the Land and Water Conservation Fund with dedicated funding. In New Hampshire, the LWCF has supported more than 650 local recreation and conservation projects and it helps protect locations such as the White Mountain National Forest, the Appalachian Trail, the Umbagog National Wildlife Refuge, and the Silvio Conte Wildlife Refuge.

These scenic locations, whether they are enjoyed for relaxation or exercise, support jobs and local economies by increasing the demand for outdoor recreation equipment and by attracting visitors to our State. Those visitors eat in our restaurants, they shop at our small businesses, they stay in some of the most beautiful hotels you will find anywhere in America.

The outdoor economy supports tourism, and tourism should be recognized as the economic engine that it is throughout this country. The travel and tourism industry is one of the top 10 industries in 48 States in the country. It supports over 14 million American jobs. In New Hampshire, travel and tourism is our second largest industry, supporting over 60,000 jobs.

I had the opportunity yesterday with a number of small business owners and representatives from New Hampshire to visit Brand USA, which is the national initiative that is the result of travel and tourism legislation passed by the Senate and Congress in 2010 to begin advertising the United States outside of this country. They have advertisements now in Canada, in the UK, and in markets that are important as we think about how we can attract visitors to the United States. In New Hampshire, it is not difficult to see why tourism is so important. Visitors are drawn to New Hampshire for our charming attractions, for our landscapes, for our foliage—which is about to begin, actually—and they provide a beautiful environment for families to spend time together.

During August my husband and I actually had the opportunity to take all of our grandchildren—our 7 grand-

children; actually, our entire family, 14 of us—up to the White Mountains. We stayed at the Mount Washington Hotel, which is at the base of Mount Washington. It is a beautiful hotel where the Bretton Woods monetary conference was held back in the late 1940s. We had a great time. We went hiking, my oldest grandson went fishing with his father, one of my granddaughters went horseback riding with my daughter, we visited the flume, which is a naturally occurring gorge in New Hampshire, and we ended the several days we were there visiting at a place called Clark's Trading Post, which is a great family business in New Hampshire. They work with black bears that roam the woods of New Hampshire, and they have been working with them for 50 years, so it is a real trained-bear show. In addition to that, they have attractions from New England, they have a railroad, and it is just a great place for the family to spend the afternoon. This was a wonderful trip. It brought our family closer. It allowed the cousins to visit with each other. We came back rested, restored, and we had a great time investing in New Hampshire businesses.

As our family saw last month, conservation programs such as LWCF are part of what we need to do to make sure those kinds of experiences are available to everybody in New Hampshire and across this country. They are a part of our responsibility to safeguard our environmental heritage. More than that, as the outdoor recreation economy shows, as so many reports show, they are an economic imperative that supports millions of jobs nationwide.

I am going to continue to work to strengthen programs such as the Land and Water Conservation Fund and to promote tourism and the outdoor recreation economy, and I urge all of my colleagues to join these efforts because they not only protect America's great outdoors, they support the businesses and the outdoor recreation economy they sustain.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mrs. MURRAY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. DURBIN). Without objection, it is so ordered.

Mrs. MURRAY. Mr. President, I have come to the floor this evening to make a few things abundantly clear about the Veterans Jobs Corps legislation the Senate is currently considering.

First and foremost, the bill in front of us is fully paid for, using offsets that both Republicans and Democrats have supported in the past. So this bill is paid for.

Secondly, no matter what Republicans try to tell us, this is a bill that includes ideas from both sides of the aisle. In fact, of the 12 provisions in this bill, 8 of them started as Republican ideas.

We in fact included Senator BURR's entire alternative to this bill to make it even more bipartisan. On top of that, we have included bills that are sponsored by Senator TOOMEY, Senator BOOZMAN, Senator JOHANNES, and Senator ISAKSON. So don't let anybody tell you we have not been inclusive in this process.

We know on this side that we do not have a monopoly of good ideas to help solve the problems of veterans who are looking for work today, and that is why we have included as many avenues to employment as possible in this legislation.

Finally and most importantly, I want to make sure that everyone who is considering voting for the budget point of order that Senator SESSIONS has been out here talking about and indicated he may raise knows exactly what is at stake. Believe me, every single veteran in the country needs to know what is at stake as well. What his budget point of order says is we are now going to draw a line in the sand on what we will provide for our Nation's veterans. It does not matter if the bill is paid for. The point of order puts a pricetag on the care of veterans and then says not a dime more.

This point of order really ties our hands. It says even at a time of war, even at a time when nearly one in five young veterans is out of work, at a time when the veterans' suicide rate is skyrocketing and when more young veterans are becoming homeless, we are done; veterans are on their own.

It says even if we find offsets for new investments and ideas to aid our Nation's heroes—we paid for it—tough luck; nothing you can do. It says countless bills waiting for consideration in the Senate, sponsored by Republicans and Democrats, can be tossed along the wayside.

When are we going to realize that our veterans are a cost of these wars; that helping to give them the skills and training to find work is a cost of war; that their transition home is a cost of war and it is a cost we are going to face, not just this year or next year or 10 years from now but for the rest of the lives of these men and women? When are we going to realize it is not enough to pat our veterans on the back for their service but not give them a helping hand when they come home? The budget point of order says we have done enough for veterans.

I say we cannot do enough. Less than 1 percent of U.S. citizens have served. Less than 1 percent of U.S. citizens have served for the well-being of the other 99 percent. It is simply wrong for us to say we are out of help.

Veterans across the country are watching, they are waiting, and they are tired of excuses. They want to see we can get this bill to the finish line.

I know some Republicans have pointed to the calendar as a reason for their opposition to this bill. Honestly I wish it were not September either and we did not have to deal with politics here in Washington, DC. But, you know, who could care less about what month it is or how many days out we are from an election? The nearly 1 million unemployed veterans looking for work. When you talk to them, their concern is not what month it is or how many days before election, it is about what jobs are available in their community. What training program can they take advantage of. What is being done to honor their two or three or more tours overseas.

Our answer cannot be that we are all out of options. It cannot be that their service was worth only so much. I am here to urge Republicans to join us this evening in rising above politics as we have done time and time again throughout history for our veterans, to ignore the calendar and do what is right. Let's send a message from the Senate that our veterans come first; that we will keep our end of the bargain; that we will never put a price on the commitment we owe them.

I urge my colleagues to join me in waiving the budget point of order when it is offered later this evening.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. Pursuant to the Senator's request, the clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. WHITEHOUSE). Without objection, it is so ordered.

Mr. SESSIONS. Mr. President, earlier our colleague, Senator MURRAY, complained that objections to the Veterans Jobs Corps bill was political—I think that was the thrust of part of her remarks—and that we should just pass it and move on.

My sole problem with the legislation—and Senator MURRAY, as a member of the Budget Committee understands this—is it violates the budget and is subject to a budget point of order. It would spend more money on this legislation than the veterans committee is authorized to spend. If we do that, we are supposed to vote on it, and a budget point of order would lie, and those who want to waive the budget would move to waive the budget and we would vote. It takes 60 votes to waive the duly agreed upon spending limits we have in that regard. That was part of the Budget Control Act in which we raised the debt ceiling by \$2.1 trillion.

We agreed to put some limits on spending—not much but some. Here we are already, after several different prior violations of the budget, back at it again. So that is the concern.

Senator BURR has offered legislation that would help solve the problem of unemployment among veterans, and his doesn't violate the budget. We could support it. I would note that the veterans committee never had a hearing on this. Therefore, nobody ever studied it, called expert witnesses, had hearings in public, or examined witnesses to find out if this plan is the best way to help veterans who are unemployed. We have six programs already that do this. Maybe it would be better to consolidate some of them and add a little to it. Maybe some of them ought to be eliminated and a new program that is outlined in the Murray amendment could be utilized to do that. But we have had no real opportunity to do that.

So what is the politics? I would say the politics is that the majority party and the majority leader, do not want to talk about real issues of great importance, so this bill is brought up and utilized to fill up the whole week. So we are not going to take up several other pieces of legislation that are important.

It was suggested that those Republicans who don't favor this way of dealing with unemployment of veterans—if we don't do that, we don't like veterans and we don't like people who have served our country and we are insensitive about that. Let me ask a question. If those on the other side care about veterans—if they say this bill, which would cost \$900 million, which is a lot of money but not that much in terms of what we deal with—so if we don't support this bill, they say we don't care about veterans. So let me pose this question: If my democratic colleagues care about our men and women in uniform who serve our country and veterans, how could they oppose authorizing the Defense bill?

Senator REID, the majority leader, blocked bringing up the bipartisan-approved Defense authorization bill. It has been passed every year for over 50 years. That amounts to \$631 billion. If we don't pass that, we are not taking care of the pay raise for military men and women and a lot of other initiatives that are in there. I would just point out to my colleagues that it passed the Senate Armed Services Committee on a bipartisan basis—not just on a bipartisan basis, unanimously. Yet Senator REID will not bring it up. The House has passed the Defense authorization bill. They passed it in May. We have never brought it to the floor. The leader has refused to bring it to the floor.

I suggest if my colleagues have a question about the jobs bill for veterans for us, why don't we ask this

question: What do they think of the military if they will not bring up a military authorization bill? Do they care about them?

What about the Defense appropriations bill? The House has passed the Defense appropriations bill. The Appropriations Committee of the Senate has passed the Defense appropriations bill. It is on the Senate floor waiting to be called up and voted on. It is not being voted on, and we are, again, talking about \$600 billion. But this \$900 million bill is taking up the whole week and the other bill will not even be brought up.

One more question: If my Democratic colleagues are concerned about veterans and jobs, what about the sequester? We are on track to hammer the Defense Department with half of the budget cuts. The Defense Department makes up about one-sixth of the Federal Government spending. It is going to take half of the cuts. It has already taken almost \$500 billion in cuts. This would be another \$492 billion in cuts to the Defense Department. Secretary Panetta, the Secretary of Defense, has told the President and the whole world this would be catastrophic. It would hollow out the military. It would endanger our ability to fulfill our mission, but we are on track to have that go into effect—those cuts take place in January—and we are going to have military officials reduce dramatically, if that occurs, the number of men and women in uniform. We are going to have people coming off the battlefield in Iraq and Afghanistan and other places wanting to make a career out of the military, thinking they could make a career out of the military, and all of a sudden, because of this sequester, they are going to walk in and they will get a pink slip. "Sorry, we don't need you anymore. Good luck."

We have plans under the cuts that are in place in the Defense Department to draw down the number of personnel. This would be dramatically more. Where are they going to get jobs? Many of the people who would also lose their jobs in that process work for defense contractors or civilian employees of the Department of Defense who also are veterans, who got jobs as civilian employees in the Department of Defense. They will be laid off.

Why aren't we dealing with the sequester? Earlier today Senator McCAIN said it was a shame that we are not dealing with these issues. "Shame, shame, shame," Senator McCAIN said. I think that is right. Yet we are having the spectacle of the majority party in this Congress attacking the Republicans for not liking the military because we don't agree to a budget-busting bill on how to create jobs. That has never been through the committee for veterans, jobs for veterans—never been through the committee and never had a proper process.

I do not agree with that. We have a serious problem in this Senate. We have a majority party in this Senate that is refusing to undertake the basic requirements of the U.S. Senate. We have not passed a budget. We have not passed a single appropriations bill. We certainly did not pass a Defense appropriations bill. The Defense authorization bill, as has been noted, was passed for 50-plus years. It will not be even brought up to have debate on, and it passed the committee unanimously.

What is this? This is a fear, it seems to me, a political fear. And the political fear is, if you bring up these bills, Democrats might have to vote on amendments and things, and they do not want to vote. If you get to bring a budget to the floor, well, you have a right to offer amendments about the future financial course of America, and we get to have full debate about it, and talk about it, and offer amendments and be on record as to what we believe in, how much debt we think we can sustain in this country.

They do not want to do that. Senator REID said it is foolish to have a budget. It is not foolish to have a budget, of course. That is why we are in such a fix today, I would suggest.

So can we do more for veterans? I think we can do more, and I think we can help them with their employment circumstances. I served 10 years in the Army Reserve. One of my duties was to be the representative for the employer support of the Guard and Reserve, and that was to ensure that people who were called up for our National Guard or our Army Reserve or go on active duty—to make sure when they come back they get the job they had, they will not lose their employment position as a result of serving their country. That is one of the things we did.

When I was a U.S. attorney, I prosecuted some cases—and we won—where I felt people had lost their job as a result of being called up to military service. That is not acceptable. We need to protect our men and women. I have a history of that.

But this bill does not guarantee that we are going to use the money wisely that is being spent. So I am amazed we are using our last hours here to move forward a bill that violates the budget when we do not have to. Senator BURR's bill does not violate the budget, and it will, I am confident, do the job, do the same kind of job for helping veterans get jobs. This is very odd, to suggest that somehow those of us on this side are using politics to block a benefit to veterans. Give me a break. That is kind of an odd charge, isn't it?

I would say that people on our side are standing and asking principled questions. Yes, we want to do more for veterans. Yes, we hope to help them find jobs. But we agreed just last August to spending limits. We agreed just last August, in exchange for raising the

debt ceiling \$2 trillion, to reduce some spending—not a lot, but some spending. Here we are, just over a year later, and we are already busting those limits we agreed to. It is not right, and it cannot be the kind of thing we should be doing.

One more thing, and it is obvious to those of us in the Senate, if we take a minute to think about it; and that is, sustaining the budget point of order, not waiving the budget, does not kill the Murray bill or the Burr bill. It simply says, go back to committee, have a real hearing, bring a bill forward that actually stays within the budget. That is all it says to do.

If we continue this process—and we have done it several times already this year—of violating the budget, pretty soon the budget numbers we have are going to be worthless. That would be my concern. Let's send the legislation back to committee, let's have a hearing, let's let a bill come forward, let's consider the six jobs programs for veterans that are already in place, see if they need to be improved, expanded, consolidated, how this bill should be passed to complement those programs, and see if we do not get the maximum benefit for veterans for every dollar the taxpayers have sent to us.

To the extent to which we spend a dime above the budget, it is either borrowed or paid for by new taxes. There is no doubt about it. There are new taxes in this bill, new revenue that is in this bill. Some of it is gimmicky, I have to tell you, and it is not the way we should do business, in my view.

I appreciate the opportunity to share these thoughts. I believe the budget point of order should not be waived. We should not spend more than the deemed budget allocations allow. We should send this bill back to committee, tell them to get busy on a thorough review of the jobs situation of veterans, and come forward and produce a bill we can pass that does the job and does not violate the budget. We spend \$3,700 billion. We ought to be able to find \$900 million somewhere in that budget to meet this challenge.

I thank the Chair and yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, I ask unanimous consent that on Wednesday, September 19, following any leader remarks, the Senate resume consideration of S. 3457, and notwithstanding rule XXII, it be in order for Senator MCCONNELL or his designee to raise a budget point of order against the substitute amendment No. 2789; that if a

budget point of order is raised, the majority leader or his designee be recognized for a motion to waive the applicable budget points of order; that the time until 12 noon be equally divided between the two leaders or their designees on the motion to waive; that upon the use or yielding back of time, the Senate proceed to vote on the motion to waive; that if the motion to waive the applicable budget points of order is not agreed to, the cloture motions with respect to the substitute and the underlying bill be withdrawn and the bill be returned to the calendar and the majority leader then be recognized; that if the motion to waive is agreed to, at a time to be determined by the majority leader, after consultation with the Republican leader and notwithstanding rule XXII, the motion to commit be withdrawn; that all pending amendments be withdrawn with the exception of the pending substitute amendment No. 2789; that there be 30 minutes of debate, equally divided between the two leaders or their designees; that upon the use or yielding back of time, the Senate proceed to vote on the motion to invoke cloture on the substitute amendment No. 2789; if cloture is invoked, the remaining postcloture time be yielded back and the Senate then proceed to vote in relation to the substitute amendment No. 2789; that following that vote, the Senate proceed to vote on the motion to invoke cloture on S. 3457, as amended, if amended; and if cloture is invoked, the postcloture time be yielded back, the bill be read a third time and the Senate proceed to vote on passage of the bill as amended, if amended, and following the vote on passage, the majority leader be recognized; if cloture is not invoked on the substitute amendment No. 2789, the cloture motion on the underlying bill be withdrawn and the bill be returned to the calendar; further, that no amendments, motions or points of order be in order to the substitute amendment or the bill other than those listed in this agreement; finally, that when the Senate receives H.J. Res. 117, the continuing resolution for fiscal year 2013, it be placed on the calendar; that on Wednesday, September 19, it be in order for the majority leader to move to proceed to H.J. Res. 117 and file cloture on the motion to proceed; finally, that if a cloture motion is filed, notwithstanding rule XXII, the vote on the motion to invoke cloture on the motion to proceed to H.J. Res. 117 occur at 2:15 p.m., on Wednesday, September 19.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. DURBIN. Mr. President, I ask unanimous consent the Senate proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMENDING CONGRESSMAN JERRY COSTELLO

Mr. DURBIN. Mr. President, I would like to take a moment to thank a man who has been a good friend to me and a strong advocate for working people in our home State of Illinois, across America and beyond.

Congressman JERRY COSTELLO has represented the 12th Congressional District of Illinois in the House of Representatives for nearly a quarter century. We served together for 8 years in the House, from 1988 to 1996.

Congressman COSTELLO will be retiring at the end of this Congress. He has flown home nearly every weekend for 24 years. He and I have shared more flights between Washington and Illinois than either of us can count. I will miss his company on those flights, and all of us in the Illinois congressional delegation will miss his leadership and good counsel in our ranks.

JERRY COSTELLO and I were both born in East St. Louis, IL, which was a hard-scrabble, working class town even back then. JERRY's family lived in Holy Angels Parish and I was a St. Elizabeth Parish kid, but we were both taught by the Marianist brothers at Assumption High School, home of the Pioneers.

JERRY's family moved to Belleville, IL, when JERRY was in high school and his dad was elected St. Clair County sheriff. In seventh grade, he met the love of his life, Georgia Cockrum. They married when they were just 18.

JERRY put himself through college working as a court bailiff. He also worked as a deputy sheriff, probation officer and court administrator.

In 1980 he was elected St. Clair County Board chairman, making him CEO of one of Illinois' largest counties.

In 1988 he won a special election to fill the term of a longtime Congressman who had died in office. Mel Price was a veritable legend who had served in Congress since before JERRY COSTELLO was born.

I remember when JERRY COSTELLO was sworn in. I was one of the newer members of the Illinois delegation back then. Welcoming him to our delegation that day were Illinois Senators Paul Simon and Alan Dixon, along with Congressmen Sid Yates, Frank Annunzio, Ken Gray and me.

We kidded JERRY and called him "Landslide" because of his narrow margin of victory. It was the one and only time in his congressional career that he had a close election.

The 12th Congressional District in southern and southwest Illinois runs along the Mississippi River, from Alton south to Cairo. It is a mix of agricultural and industrial communities including East St. Louis, Belleville, Carbondale and Granite City.

People there don't care much about political labels, they care about results—and that is what JERRY COSTELLO has always focused on. He is pragmatic and bipartisan.

The Almanac of American Politics said it well. JERRY COSTELLO: As practical and district-minded as any member of the House. If it can be done, COSTELLO will surely do it.

He has fought for smart, responsible economic policies. He supported historic deficit reduction bills in 1993 and 1997 that helped produce the first balanced budget in a generation. Four years ago when our Nation was on the verge of economic collapse, he voted for the Recovery Act to help prevent a second Great Depression.

On that day 24 years ago that he was sworn in, JERRY COSTELLO expressed interest in serving on the House Public Works and Transportation Committee. He won that assignment. Today he is the senior Democrat on the House Transportation Aviation Subcommittee, an assignment he has used to keep the aerospace industry alive and well in southern Illinois.

He has also been a relentless advocate for aviation safety. He has had a hand in every major aviation safety bill over the past decade. Congressman COSTELLO's legacy will be safer skies and runways for America.

No one in Congress has a better understanding of or a stronger commitment to improving America's transportation infrastructure.

JERRY COSTELLO has helped write three national Transportation bills. We served together on the conference committee for the most recent Transportation Act, which passed earlier this year. It was a bipartisan victory that will create or save 3 million good jobs, strengthen America's infrastructure and provide the certainty that transportation planners and builders need.

Building modern, regional transportation networks to support economic development and improve people's quality of life has always been one of his top priorities.

JERRY COSTELLO has been involved in every major transportation project in the St. Louis-Metro East region for the last 30 years, from construction of the Clark Bridge to the New Mississippi River Bridge connecting St. Louis and East St. Louis.

He helped bring light rail to the Metro East region and he helped lead

the effort to create a high-speed rail corridor connecting St. Louis and Chicago. He helped pass the strongest airline safety law in 50 years. His leadership was critical in securing the funding to strengthen the flood control levees and dams along the Mississippi River and in the adoption of new flood insurance maps that are fair and equitable.

The first vote JERRY COSTELLO cast in Congress was a "yes" vote to help bring a South Africa trade sanctions bill to the floor for debate. He has remained a committed, consistent champion of basic human rights and worker rights—including worker safety and the right to bargain collectively.

He has fought for fair trade, for efforts to create good jobs in America, and against rewarding companies for shipping American jobs overseas. He has voted to make college more affordable, and he helped pass the Affordable Care Act. Presidents and Congresses tried for a century to pass comprehensive health care. JERRY COSTELLO bravely cast one of the votes that finally got the job done.

Coal lies below 65 percent of Illinois' surface. It could be a real economic and energy boon to America—if we can find a way to use it safely and cleanly. JERRY COSTELLO has fought for cutting-edge new technologies and public-private partnerships including FutureGen and the new Prairie State Energy Campus that can advance clean coal exploration and bring thousands of good new jobs to Illinois. He has also been a strong supporter of expanding the use of biofuels—a move that would help our environment, boost our energy security and benefit Illinois farmers.

Scott Air Force Base is the largest employer in Illinois south of Springfield. When the future of the base hung in the balance during successive rounds of BRAC closings between 1995 and 2005, JERRY COSTELLO led the effort to maintain and expand its missions. Instead of shutting down, Scott Air Force Base actually added 800 new jobs and when then-Defense Secretary Robert Gates visited Scott in 2007 he hailed it as one of America's three most important air bases.

Congressman JOHN SHIMKUS has called JERRY COSTELLO the "patron saint of Scott Air Force Base" and he's right. JERRY's energy and skill did more to save Scott Air Force Base from being closed by the BRAC process than any other factor.

Loretta and I want to thank JERRY's wife, Georgia, their three grown children, Jerry, John and Gina, and their eight grandchildren for sharing so much of their husband, father and grandfather with our State and our Nation all these years.

JERRY has said that he might like to teach government next. He would be good at it. The success of our democracy depends on our ability to solve

hard problems by reaching honorable compromises. JERRY COSTELLO could teach that lesson because he has lived it. Whatever his future holds, I wish my old friend the best of luck and I want to thank him again for all he has done for our State and our Nation.

I now ask unanimous consent to enter Senator KIRK's statement honoring Congressman COSTELLO's service to the State of Illinois into the RECORD following my remarks.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Mr. KIRK. Mr. President, I rise today to give thanks to the dean of Illinois' House of Representatives delegation, Congressman JERRY COSTELLO, who has announced his retirement after more than two decades of service in the Congress. Congressman COSTELLO has been a fixture in the halls of the Capitol long before I took office in 2001, and we will miss his leadership and dedication to the people of the 12th Congressional District.

From his senior position on the House Transportation and Infrastructure Committee, he has been a tireless advocate for our Nation's road, rail, waterway and aviation infrastructure. His work to improve southwestern Illinois' levee system in particular will pay lasting dividends for his district's safety and economic development.

Congressman COSTELLO has been such an effective legislator not just because of his knowledge of the issues, but also due to his ability to work across the aisle. In a time of increasing partisanship in Washington, Congressman COSTELLO has established himself as a bipartisan partner, more interested in delivering for his district than scoring political points. This fact is underscored by his close relationship with our colleague Congressman JOHN SHIMKUS. Together, they have advanced numerous priorities for southern Illinois, including their support for clean, domestic energy production.

But his work on behalf of the men and women of Scott Air Force Base is what I believe will be one of his lasting legacies. Congressman COSTELLO fought to keep Scott open during Base Realignment and Closure Commission process and has been a strong advocate for the base's core medical, communications, and logistics missions, along with the communities that surround Scott.

I know I speak for our entire delegation when I wish Congressman COSTELLO a happy and well-earned retirement. His leadership will be missed.

2012 PARALYMPIC GAMES

Mr. DURBIN. Mr. President, this past Sunday, the closing ceremonies of the 2012 summer Paralympic games were held in London. More than 4,200 athletes seated in the arena were joined by 80,000 cheering spectators to celebrate the culmination of 11 days of athletic achievement with parades, fireworks, and music.

Of the 227 American athletes competing in this year's London games, 20 are members or veterans of the U.S. Armed Forces, including three Active Duty servicemembers. This is especially noteworthy given that it was disabled British World War II veterans using sports as rehabilitation who

founded what has become today's modern Paralympic games.

Among those representing Team USA in the London Paralympic games were many athletes from Illinois, including a number of students and alumni of the University of Illinois' acclaimed Adapted Varsity Athletics Program.

Evanston native Greta Neimanas arrived at her second Paralympic games as a 7-time national champion, 13-time world championship medalist and ParaPan Am games gold medalist. A longtime patient of the Rehabilitation Institute of Chicago (RIC) and an inspiration to many of RIC's younger patients, she competed in both track and road cycling events in London.

Joe Berenyi left London with three Paralympic medals: a gold, a silver, and a bronze. The cyclist, who was born in Aurora, IL, also set a world record on his way to becoming the Paralympic champion in the men's individual C3 Pursuit. A father of three, Joe returned to Oswego this week where he was surprised by a parade of family and friends in his honor.

Centennial High School graduate Nichole Millage of Champaign won her second silver medal in sitting volleyball as a member of the women's team. Even before winning silver in Beijing, Nichole saw the amputation of her left leg as an opportunity, not a disability.

Born in Chicago, Justin Zook is a three-time Paralympic gold medalist and world recordholder. Justin's victory in the 100-meter backstroke in London was all the more impressive given his disability reclassification on the eve of the games, placing him alongside athletes with a lower level of physical disability than he had competed against previously.

University of Illinois junior Tatyana McFadden, who goes by the nickname "Lady Velocity," won four medals in London: three gold and one bronze. She competed in the 100, 400, 800, and 1,500 meters and the marathon and was only prevented from medaling in all five by a punctured tire during the marathon. She still came in ninth. As a leading voice advocating for disability rights, her motto is "Sports is my passion, paving access for others is my purpose."

Born and raised in Chicago, Eric Barber has been playing wheelchair basketball for 20 years. He captured his second Paralympic medal this year in London as a member of the bronze-winning U.S. men's wheelchair basketball team. Eric was also a member of the wheelchair basketball team that won bronze in Sydney in 2000.

Joining him on the men's wheelchair basketball team was former University of Illinois point guard Steve Serio, who led the U.S. team with 20 points and recorded four rebounds and eight assists during the team's bronze-medal game against host Great Britain.

Team captain Will Waller was the third Illini on the men's wheelchair basketball team at his fourth Paralympic games.

Jennifer Chew represented the University of Illinois on the women's wheelchair basketball team. When not training herself, she manages the Denver Lady Nuggets basketball team and assistant coaches the Junior Rolling Nuggets basketball team.

Teammate and fellow Illini Sarah Castle was in London at her fourth Paralympic games but only her second as a basketball player. Sarah competed at the 2000 and 2004 Paralympic games as a swimmer—winning silver in Sydney—before a shoulder injury prompted her to pursue wheelchair basketball instead.

Paralympian Adam Bleakney has competed in wheelchair racing events ranging from 100 meters to the marathon in the 2000, 2004, 2008, and now 2012 summer games. Adam completed both his undergraduate and graduate education at the University of Illinois in Champaign, where he now serves as head coach of the wheelchair track team.

Three-time Chicago Marathon winner Josh George claimed bronze in London in the men's 800 meters. After graduating with honors from the University of Illinois, Josh continued to participate in the school's program as a volunteer assistant coach. When not racing, he works at Intelliwheels, a start-up that develops innovative wheelchair technologies at the University of Illinois' EnterpriseWorks.

Anjali Forber-Pratt began wheelchair racing when she was just 9 years old. She went on to win a total of four gold, six silver, and two bronze medals at the Junior National Wheelchair Games before claiming two bronze medals at the Paralympic games in Beijing and competing in the 100, 200, and 400 meters in London. Anjali embodies her personal motto, "Dream, Drive, Do" not only as an athlete but also as a student—she holds three degrees from the University of Illinois, including her doctorate.

Illinois freshman Ray Martin dominated the track, sweeping the men's 100, 200, 400, 800 meters. His impressive four gold medals placed him at the top of the medal count for Illini athletes.

Since competing in his first marathon in 2007, Aaron Pike has become one of the top wheelchair racers in America in the event. At the University of Illinois, he led the Illini to four straight finals of the National Intercollegiate Wheelchair Basketball Tournament, and two titles.

Jessica Galli of Savoy has competed in four Paralympic games, where she has won one gold, one bronze, and four silver medals. She holds both a bachelor's and a master's degree from the University of Illinois, where she also competed on the wheelchair track team. She serves as an advocate for

disabled athletes through her work on the U.S. Olympic Committee's Athletes' Advisory Council, Wheelchair and Ambulatory Sports USA, and USA Wheelchair Track and Field.

In a momentous year for Brian Siemann, he not only competed in his first Paralympic games, but he will also graduate from the University of Illinois, where he is currently a senior. The 2012 U.S. Paralympic National Champion in the 100 and 200 meters, Brian lives his favorite quote: "Don't stop believing."

Recent University of Illinois graduate Ryan Chalmers competed as a collegiate athlete in both basketball and track, where his multisport talent earned him an athletic scholarship. Ryan chose track over basketball before being selected as a member of Team USA for the 2012 Paralympics.

After an intense summer training in Champaign, Amanda McGrory competed in London in five events, including the 800, 1,500, 5,000 and the marathon. The University of Illinois graduate began as a sprinter but changed her mind after her first marathon, one of the sport's most grueling events.

Although she hadn't ever competed in a marathon until moving to Champaign to attend the University of Illinois just a few years ago, Susannah Scaroni represented the United States in the distance event in London. A member of the Illini track and road racing team, this was her first Paralympics.

It is no coincidence that so many of Illinois' Paralympians are current students or alumni of the University of Illinois at Urbana-Champaign. Since becoming the first in the Nation to open its doors to those with disabilities in 1949, our State's flagship university has become a world leader in disability sports. The University of Illinois' adaptive sports program draws athletes from across the globe, and has sent students, alumni or coaches to every Paralympics since 1960.

Just as their nondisabled counterparts, the athletic ability and tenacious commitment of each and every one of these athletes serves as an inspiration to their friends, their families, and to Americans across the country. Although each faces some form of physical limitation, these athletes accept no limits on what they can achieve.

I congratulate all of Team USA's athletes on their success at this year's Paralympic games, and especially those from Illinois. It is an honor to represent them.

VOTE EXPLANATION

Ms. LANDRIEU. Mr. President, I regret having missed the September 12, 2012, vote on the motion to proceed to S. 3457, the Veterans Jobs Corps Act of 2012.

Had I been present, I would have voted in favor of the motion to proceed to the Veterans Jobs Corps Act of 2012. I am a proud supporter of our Nation's veterans, and I believe this bill will provide our veterans with much needed support in order to start new careers.

REAUTHORIZING THE EB-5 REGIONAL CENTER PROGRAM

Mr. LEAHY. Mr. President, today, the House of Representatives passed S. 3245, legislation to reauthorize the job-creating EB-5 Regional Center Program for an additional 3 years. In addition to this important program, the legislation also prevents the expiration of three other immigration programs important to Senator CONRAD, Senator HATCH, and Senator GRASSLEY.

I am very pleased the House acted with such strong bipartisan support, and I commend House Judiciary Committee chairman LAMAR SMITH for his quick action on the bill. Once again I thank the Judiciary Committee's ranking member, Senator GRASSLEY, for his partnership on this legislation.

Passage of this legislation in the House today will ensure that the job-creating EB-5 Regional Center Program will continue. Today's action will allow the U.S. Citizenship and Immigration Services to continue to improve and grow the program administratively and will give me and other interested lawmakers, agency officials, and private citizens the time needed to consider and find consensus on lasting statutory improvements to the program so that it may continue as a permanent and vital part of our immigration system. Most importantly, it will allow American entrepreneurs to continue building job-creating development projects around the country.

This program is and will remain a productive part of America's immigration system. Like Canada, Australia, New Zealand, and the United Kingdom, the United States is right to provide the world's citizens the opportunity to immigrate to its shores based upon investment. This program welcomes people from around the world who devote substantial investment capital to American businesses to invigorate American communities. And it does so at no cost to the American taxpayer. Moreover, those who immigrate through this program will purchase real estate and other goods, enroll their children in our schools, colleges, and universities, pay taxes, and enrich the communities in which they will live and work.

As the availability of credit in the United States has become restricted, particularly for new and small businesses, many have turned to this program for capital. The program's growth over the last several years has been significant. And with increased growth comes the need for the law to keep

pace and for the administering agency to adapt to this growth and devote the necessary resources. As we move forward, I look forward to continuing my work on comprehensive legislation to make this program an efficient, more productive, and permanent part of our immigration law. We have already seen many instances of the way in which this program can harness together many individual investments to do big things in many communities. But the law can and will benefit from some improvement in the coming months, and I stand ready to work with any Senators who recognize the value and potential of this program.

Our immigration law provides 10,000 visas each year for this program. When this program reaches the point at which it is fully subscribed, based on the minimum required investment amount and the statutory job creation requirement, it has the potential to direct \$5 billion in foreign capital investment into American communities each year, with the potential for the creation of 100,000 American jobs. And that calculation does not take into account the domestic capital that can be attracted when projects are capitalized and carried out through this program or the ancillary benefits that communities experience when local economies are strengthened, nor does it account for the immeasurable contributions that new Americans make to our communities across the country every day.

We all recognize the need to take steps to do whatever we can to spur our economy and create jobs for American citizens. I have no doubt that the action taken unanimously by the Senate on August 3 and the decisive action taken by the House of Representatives today to complete the legislative process on this bill will help us meet this shared goal.

2012 OLYMPIANS

Mr. LEVIN. Mr. President, every 4 years families across the United States and around the world come together as summer begins to wind to a close to watch as supremely gifted athletes from across the globe showcase their talents in peaceful competition. The many thrilling moments that comprise this 16-day span are both awe-inspiring and riveting, and I congratulate each of the athletes who competed in the 2012 Olympic games in London for their effort, sacrifice and competitive spirit. Being an Olympian is a tremendous feat and is the product of a relentless commitment to intense, event-specific training, coupled with the drive, determination, and perseverance to excel. These events and these athletes captured our imagination, and once again, reminded us that achievement is limited only by our will and our audacity to dream big.

Representing their country in London is an experience these athletes will

cherish for a lifetime. They leave with new bonds and new friendships borne of mutual respect. London was a welcoming and gracious host for these athletes, their family and friends, as well as the multitudes of fans that witnessed these enthralling sporting events firsthand. The venues were breathtaking, and the opening and closing ceremony was a feast for the senses, taking us on a splendid journey through history and foreshadowing what was to come. I, along with many across Michigan, applaud their effort.

There were many firsts at these games. For the first time, a woman was a member of every Olympic delegation, including a Saudi Arabian woman competing bravely for her home country. The London games also featured the debut of women's boxing. It was particularly gratifying to watch a Flint Northwestern High School student earn the first gold medal in Women's Boxing for the United States. The poise, quickness and grit of Flint native Claressa Shield displayed en route to her victory was a delight to watch. There was also Oscar Pistorius, a bold and graceful athlete who has overcome many obstacles to compete alongside able-bodied athletes as peers.

And none of us will forget Michael Phelps, who followed up his brilliance in Athens with another dramatic and impressive performance in London, solidifying his place among the greatest Olympians of all time. The medal total for this Michigan Wolverine is astonishing—22 Olympic medals, 18 of them gold.

Nor will we forget the passion and spunk of the "Fierce Five", led by DeWitt's own Jordyn Weiber. Jordyn experienced a range of emotion at these games, from the high of winning the team gold in gymnastics for the United States to disappointment of falling just short of qualifying, by the narrowest of margin, for the highly coveted individual All-Around title. Her grace in both victory and disappointment set a fine example for aspiring young gymnasts.

And there was two-time Olympian Allison Schmitt, who earned three gold medals in swimming to increase her lifetime Olympic medal total to six.

As evidenced by these and other impressive performances, Michigan was well-represented in London. Impressively, 30 athletes with strong ties to Michigan competed in these games, including Chas Betts in wrestling, Tia Brooks in track, Tyler Clary in swimming, Ellis Coleman in wrestling, Desiree Davila in track, Geena Gall in track, Jake Herbert in wrestling, Charlie Houchin in swimming, Connor Jaeger in swimming, Kara Lynn Joyce in swimming, Ken Jurkowski in rowing, Justin Lester in wrestling, Spenser Mango in wrestling, Sam Mikulak in gymnastics, Brett Newlin in rowing, Jamie Nieto in track, Tom Peszek in

rowing, Jeff Porter in track, Ben Provisor in wrestling, Dathan Ritzenhein in track, Daryl Szarenski in shooting, Davis Tarwater in swimming, Sarah Trowbridge in rowing, Peter Vanderkaay in swimming, Lauryn Williams in track, and Sarah Zelenka in rowing.

In addition to these outstanding American athletes, Michiganians proudly witnessed a number of talented athletes from other nations with strong ties to Michigan compete in these games, including Eric Alejandro in track, Bradley Ally in swimming, George Bovell in swimming, Nate Brannen in track, Syque Caesar in gymnastics, Milorad Cavic in swimming, Franklin Gomez in wrestling, Janine Hanson in rowing, Barry Murphy in swimming, Wu Peng in swimming, Krista Phillips in basketball, Tiffany Porter in track, Nicole Sifuentes in track, and Nick Willis in track.

The joy and excitement on the faces of these fine athletes as they fulfilled their dream to compete against the best in the world was infectious. Their determination was searing. Watching them compete in a gracious way as the world tuned in reminds us of what is possible. They navigated cultural differences, overcame language barriers and set aside historical disputes to engage in fair, peaceful competition. While it is in many ways symbolic, it is nonetheless significant. It reminds us all that we are a human family and that respect and dignity is deserved for all.

Barbara and I are honored to salute the many athletes with ties to Michigan who competed in London. Their hard work was evident; their skill was exquisite; and the competition that resulted was fascinating to watch. The inspiring example of excellence these athletes have put forth will not soon be forgotten. In homes across our State, young people are working a little harder, setting their goals a little higher and aspiring to equal or exceed the athletic prowess displayed in London time and time again. Our future is a little brighter as a result of each of them.

WORLD WAR II VETERANS

Mr. TESTER. Mr. President, On September 23, nearly 100 World War II veterans from Montana will be visiting our Nation's Capital.

With a great deal of honor and respect, I extend a hearty Montana welcome to each and every one of them.

Together, they will visit the World War II Memorial and share stories about their service. This journey will no doubt bring about a lot of memories. I hope it will give them a deep sense of pride also.

What they achieved together almost 70 years ago was remarkable. That memorial is a testament to the fact that

a grateful nation will never forget what they did nor what they sacrificed. To us, they were the greatest generation. They left the comforts of their family and their communities to confront evil from Iwo Jima to Bastogne. Together, they won the war in the Pacific by conquering an empire and liberated a continent by defeating Hitler and the Nazis.

To them, they were simply doing their jobs. They enlisted in unprecedented numbers to defend our freedoms and our values. They represented the very best of us and made us proud.

From a young age I remember playing the bugle at the memorial services of veterans of the first two world wars. It instilled in me a profound sense of respect I will never forget.

Honoring the service of every generation of American veterans is a Montana value. I deeply appreciate the work of the Big Sky Honor Flight, a nonprofit organization that made this trip and the first trip in June possible.

To the World War II veterans making the trip, I salute you. We will always be grateful, and we will never forget your service or sacrifice.

ADDITIONAL STATEMENTS

CONGRATULATING THE NEVADA COMMUNITY FOUNDATION

• Mr. HELLER. Mr. President, today I wish to congratulate one of my home State's local leaders in charitable giving, the Nevada Community Foundation, on obtaining its National Standards for U.S. Community Foundations accreditation from the Community Foundations National Standards Board.

The Foundation's commitment to the highest philanthropic standards for operational quality, integrity, and accountability has continuously provided the citizens of southern Nevada with invaluable services and leadership in their neighborhoods.

In the fall of 1988, the Nevada Community Foundation was incorporated as the first community foundation of Nevada. Designed to be a center of philanthropy for Nevada, the foundation is dedicated to improving the lives of current and future generations of southern Nevadans. By encouraging philanthropy, providing leadership, and promoting grant lending, the Nevada Community Foundation has worked tirelessly to meet the needs of southern Nevada. The foundation is committed to supporting local services, including education, social services, health, arts and culture, and the environment.

Serving the southern region of the Silver State for more than 24 years, the Nevada Community Foundation has remained a trusted philanthropic partner and champion for community investment. I applaud the Foundation's values of community, humility, and stewardship that have helped to enrich our

communities and hope that they serve as an example for others within the state.

Today, I ask my colleagues to join me in recognizing the Nevada Community Foundation on receiving its National Standards accreditation. On behalf of the residents of southern Nevada, I congratulate the Nevada Community foundation on this accomplishment and commend the foundation's dedication to my home State.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. McCathran, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 12:55 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 3857. An act to amend the Implementing Recommendations of the 9/11 Commission Act of 2007 to require the Secretary of Homeland Security to include as an eligible use the sustainment of specialized operational teams used by local law enforcement under the Transit Security Grant Program, and for other purposes.

H.R. 5544. An act to authorize and expedite a land exchange involving National Forest System land in the Laurentian District of the Superior National Forest and certain other National Forest System land in the State of Minnesota that has limited recreational and conservation resources and lands owned by the State of Minnesota in trust for the public school system that are largely scattered in checkerboard fashion within the Boundary Waters Canoe Area Wilderness and have important recreational, scenic, and conservation resources, and for other purposes.

H.R. 5865. An act to promote the growth and competitiveness of American manufacturing.

H.R. 5949. An act to extend the FISA Amendments Act of 2008 for five years.

ENROLLED BILL SIGNED

At 6:39 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 6336. An act to direct the Joint Committee on the Library to accept a statue depicting Frederick Douglass from the District of Columbia and to provide for the perma-

nent display of the statue in Emancipation Hall of the United States Capitol.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 3857. An act to amend the Implementing Recommendations of the 9/11 Commission Act of 2007 to require the Secretary of Homeland Security to include as an eligible use the sustainment of specialized operational teams used by local law enforcement under the Transit Security Grant Program, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 5544. An act to authorize and expedite a land exchange involving National Forest System land in the Laurentian District of the Superior National Forest and certain other National Forest System land in the State of Minnesota that has limited recreational and conservation resources and lands owned by the State of Minnesota in trust for the public school system that are largely scattered in checkerboard fashion within the Boundary Waters Canoe Area Wilderness and have important recreational, scenic, and conservation resources, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

H.R. 5865. An act to promote the growth and competitiveness of American manufacturing; to the Committee on Commerce, Science, and Transportation.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

H.R. 5949. An act to extend the FISA Amendments Act of 2008 for five years.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-7441. A communication from the President of the United States, transmitting, pursuant to law, a report relative to an alternative plan for pay increases for civilian Federal employees covered by the General Schedule and certain other pay systems for 2013; to the Committee on Homeland Security and Governmental Affairs.

EC-7442. A communication from the Associate General Counsel for General Law, Department of Homeland Security, transmitting, pursuant to law, a report relative to a vacancy in the position of Acting Commissioner, U.S. Customs and Border Protection, received in the Office of the President of the Senate on September 10, 2012; to the Committee on Homeland Security and Governmental Affairs.

EC-7443. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-439, "Compulsory/No Fault Motor Vehicle Insurance Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-7444. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-440, "Automated Traffic En-

forcement Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-7445. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-441, "Anacostia River Clean Up and Protection Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-7446. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-442, "Immigration Detainer Compliance Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-7447. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-443, "Access to Selective Service Registration Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-7448. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-444, "DOC Inmate Processing and Release Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-7449. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-445, "Block Party Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-7450. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-446, "Pesticide Education and Control Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-7451. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-447, "Anacostia Waterfront Environmental Standards Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-7452. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-448, "Regulation of Body Artists and Body Art Establishments Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-7453. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled, "District of Columbia Agencies' Compliance with Small Business Enterprise Expenditure Goals through the 3rd Quarter of Fiscal Year 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-7454. A communication from the Executive Director, Commodity Futures Trading Commission, transmitting, pursuant to law, the Commission's fiscal year 2012 FAIR Act inventory; to the Committee on Homeland Security and Governmental Affairs.

EC-7455. A communication from the Chief of the Planning and Regulatory Affairs Branch, Food and Nutrition Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Food Distribution Program on Indian Reservations: Administrative Funding Allocations" (RIN0584-AD85) received in the Office of the President of the Senate on September 10, 2012; to the Committee on Homeland Security and Governmental Affairs.

EC-7456. A communication from the Chairman of the National Transportation Safety

Board, transmitting, pursuant to law, the Board's amended Fiscal Year 2011 Annual Report on The Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC-7457. A communication from the Secretary of Housing and Urban Development, transmitting, pursuant to law, the Office of the Inspector General's Semiannual Report for the period of October 1, 2012 through March 31, 2012; to the Committee on Homeland Security and Governmental Affairs.

EC-7458. A communication from the Director of the Acquisition Policy and Legislation Branch, Office of the Chief Procurement Officer, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Homeland Security Acquisition Regulation (HSAR); Revision Initiative" (RIN1601-AA28) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2012; to the Committee on Homeland Security and Governmental Affairs.

EC-7459. A communication from the Administrator, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, a report relative to the cost of response and recovery efforts for FEMA-3345-EM in the State of West Virginia having exceeded the \$5,000,000 limit for a single emergency declaration; to the Committee on Homeland Security and Governmental Affairs.

EC-7460. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report relative to three violations of the Antideficiency Act occurring in an Indian Health Services (IHS) account; to the Committee on Appropriations.

EC-7461. A communication from the Assistant Secretary of Defense (Global Strategic Affairs), transmitting, pursuant to law, a report entitled "Report on Proposed Obligations for Cooperative Threat Reduction, September 2012"; to the Committee on Armed Services.

EC-7462. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Updated Statements of Legal Authority for the Export Administration Regulations" (RIN0694-AF78) received in the Office of the President of the Senate on September 12, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC-7463. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2012-0119—2012-0122); to the Committee on Foreign Relations.

EC-7464. A communication from the Program Manager, Centers for Disease Control and Prevention, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Specifications for Medical Examinations of Underground Coal Miners" (RIN0920-AA21) received in the Office of the President of the Senate on September 12, 2012; to the Committee on Health, Education, Labor, and Pensions.

EC-7465. A communication from the Program Manager, Centers for Disease Control and Prevention, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "World

Trade Center Health Program; Addition of Certain Types of Cancer to the List of WTC-Related Health Conditions" (RIN0920-AA49) received in the Office of the President of the Senate on September 12, 2012; to the Committee on Health, Education, Labor, and Pensions.

EC-7466. A communication from the Senior Procurement Executive/Deputy Chief Acquisition Officer, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Federal Acquisition Circular 2005-61, Introduction" (FAC 2005-61) received in the Office of the President of the Senate on September 12, 2012; to the Committee on Homeland Security and Governmental Affairs.

EC-7467. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled, "Audit of the Closure and Consolidation of 23 D.C. Public Schools"; to the Committee on Homeland Security and Governmental Affairs.

EC-7468. A communication from the Special Inspector General for Iraq Reconstruction, transmitting, pursuant to law, the Quarterly Report for July 2012; to the Committee on Homeland Security and Governmental Affairs.

EC-7469. A communication from the Acting Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled "Debt Collection Recovery Activities of the Department of Justice for Debts Referred to the Department for Collection Annual Report for Fiscal Year 2011"; to the Committee on the Judiciary.

EC-7470. A communication from the Federal Liaison Officer, Patent and Trademark Office, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "CPI Adjustment of Patent Fees for Fiscal Year 2013" (RIN0651-AC55) received in the Office of the President of the Senate on September 10, 2012; to the Committee on the Judiciary.

EC-7471. A communication from the Secretary, Judicial Conference of the United States, transmitting, a report of proposed legislation entitled "Criminal Judicial Procedure, Administration, and Technical Amendments Act of 2012"; to the Committee on the Judiciary.

EC-7472. A communication from the Director, Administrative Office of the United States Courts, transmitting, pursuant to law, a report entitled "2011 Report of Statistics Required by the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005"; to the Committee on the Judiciary.

EC-7473. A communication from the President, American Academy of Arts and Letters, transmitting, pursuant to law, a report relative to the Academy's activities during the year ending December 31, 2011; to the Committee on the Judiciary.

EC-7474. A joint communication from the Chair and Vice Chair, Federal Election Commission, transmitting, pursuant to law, the Commission's fiscal year 2014 budget request; to the Committee on Rules and Administration.

EC-7475. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled "Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) Quarterly Report to Congress; Third Quarter of Fiscal Year 2012"; to the Committee on Veterans' Affairs.

EC-7476. A communication from the Director of the Regulation Policy and Manage-

ment Office of the General Counsel, Veterans Health Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Sharing Information Between the Department of Veterans Affairs and the Department of Defense" (RIN2900-AN95) received in the Office of the President of the Senate on September 10, 2012; to the Committee on Veterans' Affairs.

EC-7477. A communication from the Director of the Regulation Policy and Management Office of the General Counsel, Veterans Health Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Guide and Service Dogs" (RIN2900-AN51) received in the Office of the President of the Senate on September 10, 2012; to the Committee on Veterans' Affairs.

EC-7478. A communication from the Program Manager, Information Sharing Environment, Office of the Director of National Intelligence, transmitting, pursuant to law, a report entitled, "Annual Report to the Congress on the Information Sharing Environment"; to the Select Committee on Intelligence.

EC-7479. A communication from the Program Manager, Information Sharing Environment, Office of the Director of National Intelligence, transmitting, pursuant to law, a cover letter, without the listed attachment, relative to the report entitled "Annual Report to the Congress on the Information Sharing Environment"; to the Select Committee on Intelligence.

EC-7480. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zones; Fourth of July Fireworks Displays within the Captain of the Port Charleston Zone, SC" (RIN1625-AA00) (Docket No. USCG-2012-0384) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7481. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Rocketts Red Glare Fireworks, Ancarrow's Landing Park, James River, Richmond, VA" (RIN1625-AA00) (Docket No. USCG-2012-0114) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7482. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Baltimore Air Show, Patapsco River, Baltimore, MD" (RIN1625-AA00) (Docket No. USCG-2012-0076) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7483. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; America's Cup World Series, East Passage, Narragansett Bay, Rhode Island" (RIN1625-AA00) (Docket No. USCG-2011-1172) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7484. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant

to law, the report of a rule entitled "Spiny Lobster Fishery of the Gulf of Mexico and South Atlantic; Amendment 11" (RIN0648-BB44) received during adjournment of the Senate in the Office of the President of the Senate on August 8, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7485. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Arrowtooth Flounder in the Bering Sea and Aleutian Islands Management Area" (RIN0648-XC129) received during adjournment of the Senate in the Office of the President of the Senate on August 8, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7486. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries Off West Coast States; Pacific Coast Groundfish Fishery Management Plan; Trawl Rationalization Program" (RIN0648-BC00) received during adjournment of the Senate in the Office of the President of the Senate on August 8, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7487. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Atlantic Highly Migratory Species; 2012 Atlantic Bluefin Tuna Quota Specifications" (RIN0648-XA920) received during adjournment of the Senate in the Office of the President of the Senate on August 8, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7488. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Western Pacific Pelagic Fisheries; Revised Swordfish Trip Limits in the Hawaii Deep-Set Longline Fishery" (RIN0648-BB48) received during adjournment of the Senate in the Office of the President of the Senate on August 8, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7489. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Taking of Marine Mammals Incidental to Commercial Fishing Operations; Bottlenose Dolphin Take Reduction Plan" (RIN0648-BA34) received during adjournment of the Senate in the Office of the President of the Senate on August 8, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7490. A communication from the Acting Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries Off West Coast States; Coastal Pelagic Species Fisheries; Annual Specifications" (RIN0648-XB045) received during adjournment of the Senate in the Office of the President of the Senate on August 13, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7491. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Revisions to Framework Adjustment 47 to the Northeast Multispecies Fishery Management Plan and Sector Annual Catch Entitlements; Updated Annual Catch Limits for

Sectors and the Common Pool for Fishing Year 2012" (RIN0648-BB62) received during adjournment of the Senate in the Office of the President of the Senate on August 10, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7492. A communication from the Acting Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; Red Snapper Management Measures" (RIN0648-BB91) received during adjournment of the Senate in the Office of the President of the Senate on August 13, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7493. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries Off West Coast States; Coastal Pelagic Species Fisheries; Annual Specifications" (RIN0648-XA882) received during adjournment of the Senate in the Office of the President of the Senate on August 22, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7494. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Comprehensive Annual Catch Limit Amendment Supplement" (RIN0648-BB93) received during adjournment of the Senate in the Office of the President of the Senate on August 22, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7495. A communication from the Acting Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Gulf of Alaska; Final 2012 and 2013 Harvest Specifications for Groundfish; Correction" (RIN0648-XA711) received during adjournment of the Senate in the Office of the President of the Senate on August 22, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7496. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; Amendment 32 Supplement" (RIN0648-AY56) received during adjournment of the Senate in the Office of the President of the Senate on August 22, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7497. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Atlantic Highly Migratory Species; North and South Atlantic Swordfish Quotas and Management Measures" (RIN0648-BB75) received during adjournment of the Senate in the Office of the President of the Senate on August 22, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7498. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Atlantic Highly Migratory Species; Electronic Dealer Reporting Requirements" (RIN0648-

BA75) received in the Office of the President of the Senate on September 10, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7499. A communication from the Deputy Assistant Administrator for Operations, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Groundfish of the Gulf of Alaska; Amendment 88; Correction" (RIN0648-BC23) received during adjournment of the Senate in the Office of the President of the Senate on August 8, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7500. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries" (RIN0648-XC055) received during adjournment of the Senate in the Office of the President of the Senate on August 17, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7501. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Shallow-Water Species Fishery by Vessels Using Trawl Gear in the Gulf of Alaska" (RIN0648-XC056) received during adjournment of the Senate in the Office of the President of the Senate on August 17, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7502. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Atlantic Highly Migratory Species; Commercial Gulf of Mexico Non-Sandbar Large Coastal Shark Fishery" (RIN0648-XC080) received during adjournment of the Senate in the Office of the President of the Senate on August 17, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7503. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Reef Fish Fishery of the Gulf of Mexico; 2012 Commercial Accountability Measure and Closure for Gulf of Mexico Gray Triggerfish" (RIN0648-XC076) received during adjournment of the Senate in the Office of the President of the Senate on August 17, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7504. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Chinook Salmon Bycatch Management in the Gulf of Alaska Pollock Fishery; Amendment 93" (RIN0648-BB24) received during adjournment of the Senate in the Office of the President of the Senate on August 22, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7505. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; 'Other Rockfish' in the Central Regulatory Area of the Gulf of Alaska" (RIN0648-XC167) received in the Office of the President of the Senate on September 10, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7506. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Northeast Multispecies Fishery; White Hake Trimester Total Allowable Catch Area Closure for the Common Pool Fishery" (RIN0648-XC153) received in the Office of the President of the Senate on September 11, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7507. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Squid in the Bering Sea and Aleutian Islands Management Area" (RIN0648-XC119) received during adjournment of the Senate in the Office of the President of the Senate on August 8, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7508. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; 2012-2013 Accountability Measure and Closure for Gulf King Mackerel in Western Zone" (RIN0648-XC160) received in the Office of the President of the Senate on September 11, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7509. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Deep-Water Species Fishery by Vessels Using Trawl Gear in the Gulf of Alaska" (RIN0648-XC142) received in the Office of the President of the Senate on September 11, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7510. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Snapper-Grouper Fishery of the South Atlantic; 2012 Recreational Accountability Measure and Closure for South Atlantic Golden Tilefish" (RIN0648-XC025) received during adjournment of the Senate in the Office of the President of the Senate on August 17, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7511. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Temporary Change for Recurring Fireworks Display within the Fifth Coast Guard District, Pamlico River and Tar River; Washington, NC" ((RIN1625-AA00) (Docket No. USCG-2012-0097)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7512. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Approval of Classification Societies" ((RIN1625-AB35) (Docket No. USCG-2007-27668)) received during adjournment of the Senate in the Office of the President of the Senate on August 8, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7513. A communication from the Attorney-Advisor, U.S. Coast Guard, Department

of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Validation of Merchant Mariners' Vital Information and Issuance of Coast Guard Merchant Mariner's Licenses and Certificates of Registry (MMLs)" ((RIN1625-AA85) (Docket No. USCG-2004-17455)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7514. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Alternate Tonnage Threshold for Oil Spill Response Vessels" ((RIN1625-AB82) (Docket No. USCG-2011-0966)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7515. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Swim Events in the Captain of the Port New York Zone; Hudson River, East River, Upper New York Bay, Lower New York Bay; New York, NY" ((RIN1625-AA00) (Docket No. USCG-2011-1000)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7516. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Navigation and Navigable Waters; Technical, Organizational and Conforming Amendments" ((RIN1625-AB86) (Docket No. USCG-2012-0306)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7517. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Validation of Merchant Mariners' Vital Information and Issuance of Coast Guard Merchant Mariner's Documents (MMDs)" ((RIN1625-AB81) (Docket No. USCG-2003-14500)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7518. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Carbon Dioxide Fire Suppression Systems on Commercial Vessels" ((RIN1625-AB44) (Docket No. USCG-2006-24797)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, with an amendment in the nature of a substitute and an amendment to the title:

S. 2170. A bill to amend the provisions of title 5, United States Code, which are commonly referred to as the "Hatch Act" to eliminate the provision preventing certain

State and local employees from seeking elective office, clarify the application of certain provisions to the District of Columbia, and modify the penalties which may be imposed for certain violations under subchapter III of chapter 73 of that title (Rept. No. 112-211).

By Mr. AKAKA, from the Committee on Indian Affairs, without amendment:

S. 2389. A bill to deem the submission of certain claims to an Indian Health Service contracting officer as timely.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. SCHUMER:

S. 3537. A bill to require all recreational vessels to have and post passenger capacity limits and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. JOHANNES (for himself and Mr. TESTER):

S. 3538. A bill to reform laws relating to small public housing agencies, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. KERRY:

S. 3539. A bill to encourage the adoption and use of certified electronic health record technology by safety net providers and clinics; to the Committee on Finance.

By Mr. TESTER:

S. 3540. A bill to reduce Federal advertising budgets; to the Committee on Homeland Security and Governmental Affairs.

By Mr. NELSON of Nebraska (for himself and Mr. JOHANNES):

S. 3541. A bill to amend section 520 of the Housing Act of 1949 to revise the census data and population requirements for areas to be considered as rural areas for purposes of such Act; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. KLOBUCHAR (for herself and Mr. BLUNT):

S. 3542. A bill to authorize the Assistant Secretary of Homeland Security (Transportation Security Administration) to modify screening requirements for checked baggage arriving from preclearance airports, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. CORNYN (for himself and Mrs. HUTCHISON):

S. 3543. A bill to exempt from the Lacey Act Amendments of 1981 certain water transfers by the North Texas Municipal Water District and the Greater Texoma Utility Authority; to the Committee on Environment and Public Works.

By Mr. BROWN of Ohio (for himself, Mr. SCHUMER, and Ms. STABENOW):

S. 3544. A bill to make available funds from the Emergency Economic Stabilization Act of 2008 for funding pension benefits with respect to former employees of Delphi Corporation; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. GRASSLEY (for himself and Mr. FRANKEN):

S. 3545. A bill to amend title 11 of the United States Code to clarify the rule allowing discharge as a nonpriority claim of governmental claims arising from the disposition of farm assets under chapter 12 bankruptcies; to the Committee on Finance.

By Mr. JOHNSON of South Dakota (for himself, Mr. AKAKA, Mr. TESTER, Mr.

UDALL of New Mexico, and Mr. FRANKEN):

S. 3546. A bill to amend the Native American Programs Act of 1974 to reauthorize a provision to ensure the survival and continuing vitality of Native American languages; to the Committee on Indian Affairs.

By Mr. KERRY (for himself, Mr. LIEBERMAN, Mr. SANDERS, and Mr. BLUMENTHAL):

S. 3547. A bill to amend the Lacey Act Amendments of 1981 to clarify provisions enacted by the Captive Wildlife Safety Act, to further the conservation of certain wildlife species, and for other purposes; to the Committee on Environment and Public Works.

By Mr. AKAKA:

S. 3548. A bill to clarify certain provisions of the Native American Veterans' Memorial Establishment Act of 1994; to the Committee on Indian Affairs.

By Mrs. GILLIBRAND:

S. 3549. A bill to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to provide grants for the revitalization of waterfront brownfields, and for other purposes; to the Committee on Environment and Public Works.

By Mr. BLUMENTHAL (for himself and Mr. HARKIN):

S. 3550. A bill to amend the Higher Education Act of 1965 to protect students from deceptive practices and high-pressure sales by institutions of higher education, to provide a waiting period for students to make enrollment decisions, to guard against misrepresentation, to standardize and elevate institutional disclosures, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DEMINT (for himself and Mr. CORKER):

S. 3551. A bill to require investigations into and a report on the September 11–13, 2012, attacks on the United States missions in Libya, Egypt, and Yemen, and for other purposes; to the Committee on Foreign Relations.

By Ms. STABENOW (for herself and Mr. ROBERTS):

S. 3552. A bill to reauthorize the Federal Insecticide, Fungicide, and Rodenticide Act; considered and passed.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mrs. BOXER (for herself and Mr. CORNYN):

S. Res. 554. A resolution calling on the Government of the People's Republic of China to facilitate the immediate and unconditional release of Gao Zhisheng, and for other purposes; to the Committee on Foreign Relations.

By Mr. CONRAD (for himself, Mr. ENZI, and Mr. CARDIN):

S. Res. 555. A resolution supporting the goals and ideals of "National Save for Retirement Week", including raising public awareness of the various tax-preferred retirement vehicles and increasing personal financial literacy; to the Committee on Health, Education, Labor, and Pensions.

By Mr. INHOFE:

S. Res. 556. A resolution expressing the sense of the Senate that foreign assistance funding to the Governments of Libya and Egypt should be suspended until the President certifies to Congress that both govern-

ments are providing proper security at United States embassies and consulates pursuant to the Vienna Convention on Consular Relations; to the Committee on Foreign Relations.

By Mr. KERRY (for himself, Mr. LUGAR, Mrs. FEINSTEIN, Mr. LEAHY, Mr. UDALL of Colorado, Mr. LIEBERMAN, Mr. KIRK, Mr. MCCAIN, and Mrs. BOXER):

S. Res. 557. A resolution honoring the contributions of Lodi Gyaltzen Gyari as Special Envoy of His Holiness the Dalai Lama and in promoting the legitimate rights and aspirations of the Tibetan people; to the Committee on Foreign Relations.

By Mr. REID:

S. Res. 558. A resolution congratulating the athletes from the State of Nevada and throughout the United States who participated in the 2012 Olympic and Paralympic Games as members of the United States Olympic and Paralympic Teams; to the Committee on Commerce, Science, and Transportation.

ADDITIONAL COSPONSORS

S. 621

At the request of Mr. ROCKEFELLER, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 621, a bill to amend the Surface Mining Control and Reclamation Act of 1977 to provide for use of excess funds available under that Act to provide for certain benefits, and for other purposes.

S. 755

At the request of Mr. WYDEN, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 755, a bill to amend the Internal Revenue Code of 1986 to allow an offset against income tax refunds to pay for restitution and other State judicial debts that are past-due.

S. 810

At the request of Ms. CANTWELL, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 810, a bill to prohibit the conducting of invasive research on great apes, and for other purposes.

S. 821

At the request of Mr. LEAHY, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 821, a bill to amend the Immigration and Nationality Act to eliminate discrimination in the immigration laws by permitting permanent partners of United States citizens and lawful permanent residents to obtain lawful permanent resident status in the same manner as spouses of citizens and lawful permanent residents and to penalize immigration fraud in connection with permanent partnerships.

S. 829

At the request of Mr. CARDIN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 829, a bill to amend title XVIII of the Social Security Act to repeal the Medicare outpatient rehabilitation therapy caps.

S. 996

At the request of Mr. ROCKEFELLER, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 996, a bill to amend the Internal Revenue Code of 1986 to extend the new markets tax credit through 2016, and for other purposes.

S. 998

At the request of Mr. AKAKA, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of S. 998, a bill to amend title IV of the Employee Retirement Income Security Act of 1974 to require the Pension Benefit Guaranty Corporation, in the case of airline pilots who are required by regulation to retire at age 60, to compute the actuarial value of monthly benefits in the form of a life annuity commencing at age 60.

S. 1171

At the request of Mr. SCHUMER, the names of the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. 1171, a bill to amend the Internal Revenue Code of 1986 to extend the exclusion from gross income for employer-provided health coverage for employees' spouses and dependent children to coverage provided to other eligible dependent beneficiaries of employees.

S. 1301

At the request of Mr. LEAHY, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 1301, a bill to authorize appropriations for fiscal years 2012 through 2015 for the Trafficking Victims Protection Act of 2000, to enhance measures to combat trafficking in persons, and for other purposes.

S. 1324

At the request of Mrs. BOXER, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 1324, a bill to amend the Lacey Act Amendments of 1981 to prohibit the importation, exportation, transportation, and sale, receipt, acquisition, or purchase in interstate or foreign commerce, of any live animal of any prohibited wildlife species, and for other purposes.

S. 1512

At the request of Mr. CARDIN, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of S. 1512, a bill to amend the Internal Revenue Code of 1986 and the Small Business Act to expand the availability of employee stock ownership plans in S corporations, and for other purposes.

S. 1894

At the request of Mr. SCHUMER, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1894, a bill to deter terrorism, provide justice for victims, and for other purposes.

S. 1910

At the request of Mr. LIEBERMAN, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1910, a bill to provide benefits to domestic partners of Federal employees.

S. 1966

At the request of Ms. AYOTTE, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 1966, a bill to direct the Secretary of Homeland Security to reform the process for enrolling, activating, issuing, and renewing Transportation Worker Identification Credentials so that applicants are not required to visit a designated enrollment center more than once.

S. 2046

At the request of Ms. MIKULSKI, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 2046, a bill to amend the Immigration and Nationality Act to modify the requirements of the visa waiver program and for other purposes.

S. 2172

At the request of Ms. SNOWE, the name of the Senator from Massachusetts (Mr. BROWN) was added as a cosponsor of S. 2172, a bill to remove the limit on the anticipated award price for contracts awarded under the procurement program for women-owned small business concerns, and for other purposes.

S. 2234

At the request of Mr. BLUMENTHAL, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 2234, a bill to prevent human trafficking in government contracting.

S. 2288

At the request of Ms. LANDRIEU, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 2288, a bill to amend title XXVII of the Public Health Service Act to preserve consumer and employer access to licensed independent insurance producers.

S. 2620

At the request of Mr. SCHUMER, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 2620, a bill to amend title XVIII of the Social Security Act to provide for an extension of the Medicare-dependent hospital (MDH) program and the increased payments under the Medicare low-volume hospital program.

S. 3196

At the request of Ms. SNOWE, the name of the Senator from Massachusetts (Mr. BROWN) was added as a cosponsor of S. 3196, a bill to establish the National Women's High-Growth Business Bipartisan Task Force, and for other purposes.

S. 3197

At the request of Ms. SNOWE, the name of the Senator from Massachu-

setts (Mr. BROWN) was added as a cosponsor of S. 3197, a bill to reauthorize the women's business center program of the Small Business Administration, and for other purposes.

S. 3204

At the request of Mr. JOHANNIS, the name of the Senator from Montana (Mr. BAUCUS) was added as a cosponsor of S. 3204, a bill to address fee disclosure requirements under the Electronic Fund Transfer Act, and for other purposes.

S. 3244

At the request of Mr. FRANKEN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 3244, a bill to amend the Higher Education Opportunity Act to add disclosure requirements to the institution financial aid offer form and to amend the Higher Education Act of 1965 to make such form mandatory.

S. 3248

At the request of Mr. ENZI, the name of the Senator from Nebraska (Mr. NELSON) was added as a cosponsor of S. 3248, a bill to designate the North American bison as the national mammal of the United States.

S. 3252

At the request of Mr. PORTMAN, the name of the Senator from Nevada (Mr. REID) was added as a cosponsor of S. 3252, a bill to provide for the award of a gold medal on behalf of Congress to Jack Nicklaus, in recognition of his service to the Nation in promoting excellence, good sportsmanship, and philanthropy.

S. 3402

At the request of Mr. CASEY, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 3402, a bill to require the Secretary of Labor to maintain a publicly available list of all employers that relocate a call center overseas, to make such companies ineligible for Federal grants or guaranteed loans, and to require disclosure of the physical location of business agents engaging in customer service communications, and for other purposes.

S. 3426

At the request of Mr. MERKLEY, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 3426, a bill to amend the Truth in Lending Act to address certain issues related to the extension of consumer credit, and for other purposes.

S. 3457

At the request of Mr. NELSON of Florida, the names of the Senator from Pennsylvania (Mr. CASEY) and the Senator from West Virginia (Mr. MANCHIN) were added as cosponsors of S. 3457, a bill to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes.

S. 3463

At the request of Mr. FRANKEN, the names of the Senator from Maryland

(Mr. CARDIN) and the Senator from Hawaii (Mr. AKAKA) were added as cosponsors of S. 3463, a bill to amend title XVIII of the Social Security Act to reduce the incidence of diabetes among Medicare beneficiaries.

S. 3477

At the request of Mrs. BOXER, the names of the Senator from California (Mrs. FEINSTEIN), the Senator from Maryland (Mr. CARDIN) and the Senator from Maryland (Ms. MIKULSKI) were added as cosponsors of S. 3477, a bill to ensure that the United States promotes women's meaningful inclusion and participation in mediation and negotiation processes undertaken in order to prevent, mitigate, or resolve violent conflict and implements the United States National Action Plan on Women, Peace, and Security.

S. 3485

At the request of Mr. BROWN of Ohio, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. 3485, a bill to limit the authority of States to tax certain income of employees for employment duties performed in other States.

S. 3522

At the request of Mr. MENENDEZ, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 3522, a bill to provide for the expansion of affordable refinancing of mortgages held by the Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation.

S. 3536

At the request of Mr. BLUMENTHAL, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 3536, a bill to amend the Internal Revenue Code of 1986 to extend the work opportunity credit for hiring veterans, and for other purposes.

S.J. RES. 50

At the request of Mr. HATCH, the names of the Senator from North Dakota (Mr. HOEVEN), the Senator from Texas (Mrs. HUTCHISON), the Senator from Tennessee (Mr. ALEXANDER), the Senator from Georgia (Mr. ISAKSON) and the Senator from South Carolina (Mr. GRAHAM) were added as cosponsors of S.J. Res. 50, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Office of Family Assistance of the Administration for Children and Families of the Department of Health and Human Services relating to waiver and expenditure authority under section 1115 of the Social Security Act (42 U.S.C. 1315) with respect to the Temporary Assistance for Needy Families program.

S. RES. 543

At the request of Mrs. BOXER, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. Res. 543, a resolution to express the

sense of the Senate on international parental child abduction.

AMENDMENT NO. 2782

At the request of Mr. MCCONNELL, his name was added as a cosponsor of amendment No. 2782 intended to be proposed to S. 3457, a bill to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes.

AMENDMENT NO. 2790

At the request of Mr. BLUMENTHAL, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of amendment No. 2790 intended to be proposed to S. 3457, a bill to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes.

AMENDMENT NO. 2801

At the request of Ms. SNOWE, the names of the Senator from Washington (Mrs. MURRAY) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of amendment No. 2801 intended to be proposed to S. 3457, a bill to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. KERRY:

S. 3539. A bill to encourage the adoption and use of certified electronic health record technology by safety net providers and clinics; to the Committee on Finance.

Mr. KERRY. Mr. President, the American Recovery and Reinvestment Act of 2009, ARRA, provided Medicare and Medicaid incentive payments to providers that adopt and meaningfully use electronic health records, EHRs, in their practices. While this program has helped thousands of providers, practices, and hospitals nationwide, many safety net providers and clinics have not been able to benefit from the Medicaid EHR incentives.

Safety net providers serve as a critical entry point into the health care system, and provide essential health care services for millions of low-income, uninsured and underinsured individuals. Given that Medicaid eligibility levels are so low in many States, it is difficult for many safety net providers to meet the 30 percent Medicaid threshold required to participate in the Medicaid EHR incentive program even though their patients are predominantly low-income. Congress addressed this problem only for practitioners working in federally-qualified health centers and rural health centers by creating a 30 percent "needy" threshold in ARRA for those providers. Unfortunately, ARRA fails to provide a similar standard for other providers serving low-income individuals.

The Medicaid Information Technology to Enhance Community Health,

MITECH, Act of 2012 seeks to eliminate the barriers that prevent safety net providers from qualifying from Medicaid EHR incentives. Specifically, it would expand eligibility for meaningful use incentives to providers that practice predominantly in a qualified safety net clinic, QSNCL. The act defines a QSNCL as a clinic or network of clinics that is operated by a private non-profit or public entity and that has at least 30 percent of its patient volume attributable to needy individuals. The act also directs the Secretary of Health and Human Services to develop a methodology to allow these clinics to be eligible for meaningful use payments as an entity, similar to the current process that exists for hospitals.

I would like to thank the 13 national organizations who have been integral to the development of this legislation and who have endorsed it today, including the Association of State and Territorial Health Officials, the HIV Medicine Association, Mental Health America, the National Association of Public Hospitals, the National Family Planning and Reproductive Health Association, and the Trust for America's Health.

The MITECH Act will allow safety net clinics to better communicate with patients about necessary screenings, help ensure compliance with prescription drugs, and will strengthen the safety net which provides essential care to so many Americans. It is my hope that we can move forward with this bill in a bipartisan manner. I ask all of my colleagues to support this important legislation.

By Mr. GRASSLEY (for himself and Mr. FRANKEN):

S. 3545. A bill to amend title 11 of the United States Code to clarify the rule allowing discharge as a nonpriority claim of governmental claims arising from the disposition of farm assets under chapter 12 bankruptcies; to the Committee on Finance.

Mr. GRASSLEY. Mr. President, I rise today to introduce, along with Senator FRANKEN, the Family Farmer Bankruptcy Tax Clarification Act of 2012. This bill addresses the recent United States Supreme Court case *Hall v. United States*. In a 5-4 decision, the Supreme Court ruled the provision I inserted into the 2005 Bankruptcy Abuse Prevention and Consumer Protection Act did not accomplish what we intended. The Family Farmer Bankruptcy Tax Clarification Act of 2012 corrects this and clarifies that bankrupt family farmers reorganizing their debts are able to treat capital gains taxes owed to a governmental unit, arising from the sale of farm assets during a bankruptcy, as general unsecured claims. This bill will remove the Internal Revenue Service's veto power over a bankruptcy reorganization plan's confirmation, giving the family

farmer a chance to reorganize successfully.

In 1986 Congress enacted Chapter 12 of the Bankruptcy Code to provide a specialized bankruptcy process for family farmers. In 2005 Chapter 12 was made permanent. Between 1986 and 2005 we learned what aspects worked and did not work for family farmers reorganizing in bankruptcy. One problematic area was where a family farmer needed to sell assets in order to generate cash for the reorganization. Specifically, a family farmer would have to sell portions of the farm to generate cash to fund a reorganization plan so that the creditors could receive payment. Unfortunately, in situations like this, the family farmer is selling land that has been owned for a very long time, with a very low cost basis. Thus, when the land is sold, the family farmer is hit with a substantial capital gains tax, which is owed to the Internal Revenue Service.

Under the Bankruptcy Code, taxes owed to the Internal Revenue Service receive priority treatment. Holders of priority claims must receive payment in full, unless the claim holder agrees to be treated differently. This creates problems for the family farmer who needs the cash to pay creditors to reorganize. However, since the Internal Revenue Service has the ability to require full payment, they hold veto power over a plan's confirmation, which means in many instances the plan will not be confirmed. This does not make sense if the goal is to give the family farmer a fresh start. Thus, in 2005 Congress said that in these limited situations, the taxes owed to the Internal Revenue Service could be treated as general, unsecured debt. This removed the government's veto power over plan confirmation and paved the way for family farmers to reorganize successfully.

However, in *Hall v. United States*, the Supreme Court ruled that despite Congress's express goal of helping family farmers, the language inserted into the Bankruptcy Code in 2005 conflicted with the Tax Code. The *Hall* case was one of statutory interpretation. There is no question what Congress was trying to do; rather, did Congress use the correct language? My goal, along with others at the time, was to relieve family farmers from having their reorganization plans fail because of huge tax liabilities to the federal government. Justice Breyer noted this in the dissent: "Congress was concerned about the effect on the farmer of collecting capital gains tax debts that arose during (and were connected with) the Chapter 12 proceedings themselves. . . . The majority does not deny the importance of Congress' objective. Rather, it feels compelled to hold that Congress put the Amendment in the wrong place." *Hall v. United States*, 132

S.Ct. 1882, 1897, 2012, Breyer, J., dissenting, internal citations and quotations omitted.

As a result of the Hall case, family farmers facing bankruptcy now find themselves caught in an unfortunate situation. The rules have changed and must be corrected in order to provide certainty and clarity in the law. The Family Farmer Bankruptcy Tax Clarification Act of 2012 will provide the clarity needed to help family farmers reorganize in bankruptcy.

This bill strikes the current language in the Bankruptcy Code, which the Supreme Court said does not work, 11 U.S.C. § 1222(a)(2)(A) and inserts a new 11 U.S.C. § 1222(a)(5). The new provision transforms all government claims arising as a result of the sale or transfer of post-petition farm assets into unsecured, non-priority claims, notwithstanding any language in the Internal Revenue Code to the contrary. The bill also provides new sections for treatment of these claims during the bankruptcy process. The bill recognizes that some asset sales may occur post-confirmation. As a result, we also provide a mechanism for plan modification as a result of these sales, if used for the specified purpose of reorganization, to assist in reorganization. Finally, we make a technical change to 11 U.S.C. § 1228(a), which practitioners and commentators have long argued is needed. This technical change is within the limited scope of this clarification bill, as it provides greater certainty and clarity that has troubled courts and practitioners alike.

I recognize the end of this session of Congress is near and the time to do something is short. However, we have been fine tuning this legislation to ensure it properly corrects the Hall case. We will seek to do what we can during the remaining Congressional calendar to fix the problem this year. Should we run out of time, then we will maintain our focus on this problem into the next year. The Family Farmer Bankruptcy Tax Clarification Act of 2012 ensures that what Congress sought to do in 2005 actually occurs. In the wake of the Hall decision, clarification is needed to help ensure family farmers facing bankruptcy will have a chance to reorganize successfully.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 3545

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Family Farmer Bankruptcy Tax Clarification Act of 2012”.

SEC. 2. CLARIFICATION OF RULE ALLOWING DISCHARGE TO GOVERNMENTAL CLAIMS ARISING FROM THE DISPOSITION OF FARM ASSETS UNDER CHAPTER 12 BANKRUPTCIES.

(a) IN GENERAL.—Section 1222(a) of title 11, United States Code, is amended—

(1) in paragraph (2), by striking “unless—” and all that follows through “the holder” and inserting “unless the holder”;

(2) in paragraph (3), by striking “and” at the end;

(3) in paragraph (4), by striking the period at the end and inserting “; and”; and

(4) by adding at the end the following:

“(5) notwithstanding the application of the rules under subchapter V of chapter 1 of the Internal Revenue Code of 1986, and without regard to whether the claim arose before or after the filing of the petition, provide for the treatment and payment of any unsecured claim owed to a governmental unit by the debtor or the estate that arises as a result of the sale, transfer, exchange, or other disposition of any farm asset used in the debtor’s farming operation as an unsecured claim that is not entitled to priority under section 507.”.

(b) POSTPETITION CLAIMS RELATING TO SALE, TRANSFER, EXCHANGE, OR OTHER DISPOSITION OF FARM ASSETS.—

(1) IN GENERAL.—Section 1222 of title 11, United States Code, is amended by adding at the end the following:

“(e)(1) A governmental unit may file a proof of claim for a claim described in subsection (a)(5) that arises after the date on which the petition is filed.

“(2)(A) Except as provided in subparagraph (B), if a governmental unit has not filed a proof of claim under paragraph (1) for a claim described in subsection (a)(5), after the date that is 120 days after the date on which the claim arises, the trustee or the debtor may file proof of such claim.

“(B)(i) For a claim described in subsection (a)(5) that is a tax for which a return is due, if the debtor or trustee has provided notice as described in clause (ii) and the governmental unit has not filed a proof of claim under paragraph (1), after the date that is 180 days after the date on which the debtor or trustee provides the notice, the debtor or the trustee may file proof of such claim.

“(ii) Notice as described in this clause is notice by the debtor or the trustee—

“(I) indicating the intent to file the applicable claim;

“(II) setting forth the amount of the claim;

“(III) that includes a copy of the filed return relating to the claim; and

“(IV) that is delivered to the governmental unit at the address designated for requests made under section 505(b)(1)(A).

“(3) A claim filed under paragraph (1) or (2) shall be allowed or disallowed under section 502, but shall be determined as of the date such claim arises, and shall be allowed under section 502(a), (b), or (c) of this title, or disallowed under section 502(d) or 502(e) of this title the same as if such claim had arisen before the date of the filing of the petition.”.

(2) MODIFICATION OF PLAN AFTER CONFIRMATION.—Section 1229(a) of title 11, United States Code, is amended—

(A) in paragraph (2), by striking “or” at the end;

(B) in paragraph (3), by striking the period at the end and inserting “; or”; and

(C) by adding at the end the following:

“(4) provide for the payment of a claim described in section 1222(a)(5) that arose after the date on which the petition is filed.”.

(c) TECHNICAL CORRECTION.—Section 1228(a) of title 11, United States Code, is amended in the matter preceding paragraph (1)—

(1) by inserting a comma after “all debts provided for by the plan”; and

(2) by inserting a comma after “allowed under section 503 of this title”.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to any bankruptcy case that—

(1) is pending on the date of enactment of this Act and relating to which an order of discharge under section 1228 of title 11, United States Code, has not been entered; or

(2) commences on or after the date of enactment of this Act.

By Mr. KERRY (for himself, Mr. LIEBERMAN, Mr. SANDERS, and Mr. BLUMENTHAL):

S. 3547. A bill to amend the Lacey Act Amendments of 1981 to clarify provisions enacted by the Captive Wildlife Safety Act, to further the conservation of certain wildlife species, and for other purposes; to the Committee on Environment and Public Works.

Mr. KERRY. Mr. President, today I am introducing the Big Cats and Public Safety Protection Act to protect public safety, improve animal welfare, assist international big cat conservation, and to help clarify the existing patchwork of current state regulation. This is a companion for legislation previously introduced in the House by Representatives HOWARD MCKEON and LORETTA SANCHEZ. Amazingly, it is unknown even how many big cats such as lions, cougars, leopards, and cheetahs live or are bred in private possession in the United States. This bill would prevent the private possession and breeding of big cats, while still allowing properly accredited zoos and wildlife sanctuaries to continue to operate in the critical conservation and animal welfare roles that they occupy today.

Why is this legislation so important? First, this is a public safety issue, which was made tragically clear almost a year ago in Zanesville, Ohio, when the owner of a backyard zoo opened the cages of his tigers, leopards, lions, wolves, bears, and monkeys before killing himself. Wild animals were literally roaming the streets where children were playing and people were going about their daily lives. Sadly, the situation gave police no choice but to shoot and kill almost 50 animals, including 38 big cats, before they could enter populated areas. Public safety officials were, understandably, not trained or equipped to deal with large exotic animals especially 300 pound tigers. This tragedy should serve as a chilling wakeup call about our lack of safeguards around large, wild species being kept as pets. In the past 11 years in the United States, incidents involving captive big cats have resulted in the deaths of 21 people, 16 adults and 5 children. During the same time period, there have been 246 maulings, 253 escapes, 143 big cat deaths, and 128 confiscations.

This is also an animal welfare issue. Research shows that the captive big cat community is characterized by a

systemic culture of inhumane mistreatment of the animals. One major reason for this is that once individual big cats have outgrown the infancy stage when they are most profitable, they are often warehoused in terrible conditions. Because private ownership is allowed to continue, many sanctuaries for mistreated or unwanted big cats are at or nearing capacity and lack financial reserves to provide greater assistance. The recent closure of a major sanctuary in Texas that had over 50 big cats has made matters worse.

Third, this is a matter of conservation. Tigers, for example, are extremely endangered by poaching and trade, and illegal tiger products continue to be smuggled into the U.S. from foreign countries. One of the biggest threats to wild tigers is the demand for tiger parts and products, and leakage of captive tiger parts and products into the illegal market continues to encourage demand, perpetuating poaching and threatening remaining wild populations.

Finally, this bill will address the current patchwork state regulation. There are still two states that have no regulations or permits at all regarding private ownership of exotic animals including big cats. Seven other States have little to no regulations of private ownership of exotic animals including big cats. Another 14 states allow big cat possession only with a state permit, and 27 states and the District of Columbia have enacted full bans on private ownership of big cats, though all of those exempt federally-licensed exhibitors. Given the risks I have already outlined, this kind of regulatory patchwork is simply unacceptable and could be dangerous.

I believe that the Big Cats and Public Safety Protection Act will help ensure that lions, tigers, and other potentially dangerous big cats do not threaten public safety, harm global conservation efforts, or end up living in squalid conditions where they are subject to mistreatment and cruelty.

A number of organizations are supportive of this bill, including the International Fund for Animal Welfare, the Humane Society of the United States, Born Free USA, Big Cat Rescue, the Animal Welfare Institute, and the World Wildlife Foundation.

I would like to recognize Senators LIEBERMAN, SANDERS, and BLUMENTHAL as original cosponsors of this bill. I look forward to continued progress in enhancing the protection and conservation of wild big cats and in increasing public safety from the dangers of these untamed animals.

By Mr. AKAKA:

S. 3548. A bill to clarify certain provisions of the Native American Veterans Memorial Establishment Act of 1994; to the Committee on Indian Affairs.

Mr. AKAKA. Mr. President, as Chairman of the Committee on Indian Affairs, I am introducing legislation to make technical corrections to the National Native American Veterans' Memorial Act of 1994.

The 1994 Act honors the profound contributions of Native Veterans by authorizing the construction of a National Native American Veterans' Memorial. Unfortunately, technical issues with the law have made it difficult to move forward with the Memorial. The bill I am introducing today seeks to alleviate those obstacles.

My legislation would make technical corrections in order to allow the National Museum of American Indian to join the National Congress of American Indians in the fundraising efforts for the Memorial. In addition, my bill would allow the Memorial to be constructed on the property provided for by the National Museum of American Indian Act.

Per capita, American Indians, Alaska Natives, and Native Hawaiians serve at a higher rate in the Armed Forces than any other group of Americans. Native peoples have served in all of the Nation's wars since the Revolutionary War. A memorial in their honor is well-deserved and long overdue.

My non-controversial, no cost, technical amendments bill will make it easier to construct the authorized memorial to honor our Native Veterans.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 554—CALLING ON THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA TO FACILITATE THE IMMEDIATE AND UNCONDITIONAL RELEASE OF GAO ZHISHENG, AND FOR OTHER PURPOSES

Mrs. BOXER (for herself and Mr. CORNYN) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 554

Whereas Gao Zhisheng is a prominent Chinese human rights lawyer known for representing religious minority groups, factory workers, coal miners, and victims of government land seizures;

Whereas, in 2001, the Ministry of Justice of the People's Republic of China listed Gao Zhisheng as one of the top ten lawyers in China;

Whereas the Government of the People's Republic of China arrested Gao Zhisheng on August 15, 2006, and prevented him from meeting with chosen legal counsel;

Whereas, on December 22, 2006, Gao Zhisheng was convicted of inciting subversion and received a suspended sentence of three years subject to five years of probation;

Whereas, in September 2007, authorities in China apprehended and detained Gao Zhisheng for 50 days;

Whereas Gao Zhisheng claimed that during his detention, government officials threat-

ened his life and tortured him, including beating him with electrified batons, urinating on him, leaving him tied up for hours, and holding lighted cigarettes close to his eyes and nose;

Whereas the Government of the People's Republic of China arrested and detained Gao Zhisheng again on February 4, 2009;

Whereas Gao Zhisheng's whereabouts were unknown until March 2010, when he resurfaced, only to be arrested once more on April 20, 2010;

Whereas, on November 19, 2010, the United Nations Working Group on Arbitrary Detention determined Gao Zhisheng's ongoing detention to be arbitrary and in violation of international law;

Whereas Gao Zhisheng was held for 20 months before officials in China informed his family in December 2011 that he was being held at the Shay County Prison in remote Xinjiang, China;

Whereas authorities allowed Gao Zhiyi to visit his brother, Gao Zhisheng, in the Shay County Prison for 30 minutes on March 24, 2012, but then warned him not to speak to the media or he would not be allowed to visit his brother again;

Whereas the arbitrary arrest and detention of attorneys who represent minority groups and human rights activists could have a chilling effect on other attorneys working with similar clients;

Whereas Article 9 of the International Covenant on Civil and Political Rights, adopted at New York December 16, 1966, to which the Government of the People's Republic of China is a signatory, states, "No one shall be subjected to arbitrary arrest or detention.;"

Whereas the International Covenant on Civil and Political Rights also guarantees the right to freedom of expression;

Whereas the wife of Gao Zhisheng, Geng He, and their two children have been afforded protection as political asylees in the United States;

Whereas the United States Government has authorized Gao Zhisheng to enter the United States, based on his family's successful claim of political asylum; and

Whereas the continued detention of Gao Zhisheng, with limited or no access to family or legal counsel, by the Government of the People's Republic of China is a source of grave concern to the United States Senate: Now, therefore, be it

Resolved, That the Senate calls on the Government of the People's Republic of China—

(1) to immediately facilitate continued access to Gao Zhisheng by his family and lawyers;

(2) to facilitate the immediate and unconditional release of Gao Zhisheng, including allowing Mr. Gao to leave China to come to the United States to be reunited with his family, should he wish to do so; and

(3) to release all persons in China who have been arbitrarily detained.

SENATE RESOLUTION 555—SUPPORTING THE GOALS AND IDEALS OF "NATIONAL SAVE FOR RETIREMENT WEEK", INCLUDING RAISING PUBLIC AWARENESS OF THE VARIOUS TAX-PREFERRED RETIREMENT VEHICLES AND INCREASING PERSONAL FINANCIAL LITERACY

Mr. CONRAD (for himself, Mr. ENZI, and Mr. CARDIN) submitted the following resolution; which was referred

to the Committee on Health, Education, Labor, and Pensions:

S. RES. 555

Whereas people in the United States are living longer, and the cost of retirement is increasing significantly;

Whereas Social Security remains the bedrock of retirement income for the great majority of the people of the United States but was never intended by Congress to be the sole source of retirement income for families;

Whereas recent data from the Employee Benefit Research Institute indicates that, in the United States, less than 3% of workers or their spouses are currently saving for retirement, and the actual amount of retirement savings of workers is much less than the amount needed to adequately fund their retirement years;

Whereas the financial literacy of workers in the United States is important to their understanding of the need to save for retirement;

Whereas saving for retirement is a key component to overall financial health and security during retirement years, and the importance of financial literacy in planning for retirement must be advocated;

Whereas many workers may not be aware of their options in saving for retirement or may not have focused on the importance of, and need for, saving for retirement;

Whereas many employees have available to them, through their employers, access to defined benefit and defined contribution plans to assist them in preparing for retirement, yet many of those employees may not be taking advantage of those plans at all or to the full extent allowed by Federal law;

Whereas the need to save for retirement is important even during economic downturns or market declines, which make continued contributions all the more important;

Whereas all workers, including public and private sector employees, employees of tax-exempt organizations, and self-employed individuals, can benefit from developing personal budgets and financial plans that include retirement savings strategies and taking advantage of tax-preferred retirement savings vehicles; and

Whereas October 21 through October 27, 2012, has been designated as "National Save for Retirement Week": Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of "National Save for Retirement Week", including raising public awareness of the importance of saving adequately for retirement;

(2) supports the need to raise public awareness of the availability of a variety of ways to save for retirement which are favored under the Internal Revenue Code of 1986 and are utilized by many people in the United States, but which should be utilized by more; and

(3) calls on the States, localities, schools, universities, nonprofit organizations, businesses, other entities, and the people of the United States to observe National Save for Retirement Week with appropriate programs and activities, with the goal of increasing the retirement savings and personal financial literacy of all people in the United States.

SENATE RESOLUTION 556—EXPRESSING THE SENSE OF THE SENATE THAT FOREIGN ASSISTANCE FUNDING TO THE GOVERNMENTS OF LIBYA AND EGYPT SHOULD BE SUSPENDED UNTIL THE PRESIDENT CERTIFIES TO CONGRESS THAT BOTH GOVERNMENTS ARE PROVIDING PROPER SECURITY AT UNITED STATES EMBASSIES AND CONSULATES PURSUANT TO THE VIENNA CONVENTION ON CONSULAR RELATIONS

Mr. INHOFE submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 556

Resolved, That it is the sense of the Senate that foreign assistance funding to the Governments of Libya and Egypt should be suspended until the President certifies to Congress that both governments are providing, and will provide in the future, security necessary to protect United States personnel in and around the United States embassies and consulates in these two countries, pursuant to the Vienna Convention on Consular Relations, done at Vienna April 24, 1963.

SENATE RESOLUTION 557—HONORING THE CONTRIBUTIONS OF LODI GYALTSEN GYARI AS SPECIAL ENVOY OF HIS HOLINESS THE DALAI LAMA AND IN PROMOTING THE LEGITIMATE RIGHTS AND ASPIRATIONS OF THE TIBETAN PEOPLE

Mr. KERRY (for himself, Mr. LUGAR, Mrs. FEINSTEIN, Mr. LEAHY, Mr. UDALL of Colorado, Mr. LIEBERMAN, Mr. KIRK, Mr. MCCAIN, and Mrs. BOXER) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 557

Whereas Lodi Gyaltzen Gyari, who was born in Nyarong, Kham in 1949, was recognized according to Tibetan Buddhist tradition as a reincarnate lama and began his monastic studies at 4 years of age in Lhumorhab Monastery, which was located in what is now Kardze Prefecture, Sichuan Province;

Whereas, in 1958, 9-year-old Lodi Gyari fled Nyarong with his family to avoid pursuit by the Chinese People's Liberation Army and was said to have led his group to safety in India through prayer and divinations;

Whereas Lodi Gyari, as a young man in India, began a career-long commitment to the Tibetan struggle against Chinese oppression in Tibet, becoming editor for the Tibetan Freedom Press, founder of the Tibetan Review, the first English language journal published by Tibetans in exile, and a founding member of the Tibetan Youth Congress;

Whereas Lodi Gyari served as a civil servant in the Central Tibetan Administration of His Holiness the Dalai Lama, as Chairman of the Tibetan Parliament in exile, and as a Deputy Cabinet Minister for the Departments of Religious Affairs and Health and Cabinet Minister for the Department of Information and International Relations;

Whereas, in 1991, Lodi Gyari moved to the United States in the capacity of Special Envoy of His Holiness the Dalai Lama and

was soon after selected to be President of the International Campaign for Tibet;

Whereas, for 3 decades Lodi Gyari has met with leaders and diplomats of governments around the world and with Members of the United States Congress and parliaments of other nations—

(1) to explain the Tibetan position with regard to engagement with China;

(2) to urge supportive strategies and policies from governments;

(3) to explain the Dalai Lama's "Middle Way" philosophy of seeking genuine autonomy for Tibet within the People's Republic of China that contributes to harmony between the Tibetan and Chinese peoples; and

(4) to promote Tibetan statecraft as the Dalai Lama's senior ambassador-at-large;

Whereas, during his time as Special Envoy based in Washington, D.C., Congress approved many policy and programmatic measures on Tibet, which served to institutionalize the Tibet issue within the Government of the United States, most notably the establishment of a Special Coordinator on Tibetan Issues within the Department of State and support for Tibetan refugees;

Whereas, in 1999, Lodi Gyari became a United States citizen;

Whereas in May 1998, His Holiness the Dalai Lama authorized Special Envoy Lodi Gyari to be the principal person to reestablish contact with the Chinese government on the Tibetan issue;

Whereas, between September 2002 and January 2010, Lodi Gyari led the Dalai Lama's negotiating team in 9 formal rounds of meetings with Chinese officials with tireless drive and immense skill, winning the respect of the international community;

Whereas Lodi Gyari presented the Chinese government with the Memorandum on Genuine Autonomy for the Tibetan People and its accompanying Note, thus detailing the Tibetan side's vision for a political solution for Tibet consistent within the framework of the Chinese constitutional and laws on autonomy;

Whereas Lodi Gyari, in service to the Dalai Lama, came to represent in national capitals around the world, the great hope and conviction that the rights of Tibetans could be protected and their repression could be ended;

Whereas, in the personally and professionally difficult task of representing Tibetan interests in dialogue with the People's Republic of China, Lodi Gyari demonstrated spirit, intelligence, and extraordinary tact, and brought civility, reason and a measure of mutual understanding to the Tibetan-Chinese relationship;

Whereas Lodi Gyari has credited the far-sighted wisdom of His Holiness the Dalai Lama in empowering the Tibetan people by his devolution of his political authority to an elected Tibetan leadership; and

Whereas, Lodi Gyari resigned his position, effective June 1, 2012, in the context of the deteriorating situation inside Tibet, including increasing incidents of Tibetan self-immolations, and expressing deep frustration over the lack of positive response from the Chinese side in their nearly 10-year dialogue, and in respect for the process of the devolution of political power to the elected Tibetan leaders: Now, therefore, be it

Resolved, That the Senate—

(1) honors the service of Lodi Gyaltzen Gyari as Special Envoy of His Holiness the Dalai Lama;

(2) commends the achievements of Lodi Gyaltzen Gyari in building an international coalition of support for Tibet that recognizes—

(A) the imperative to preserve the distinct culture and religious traditions of Tibet; and

(B) that the Tibetan people are entitled under international law to their own identity and dignity and genuine autonomy within the People's Republic of China that fully preserves the rights and dignity of the Tibetan people;

(3) acknowledges the role of Lodi Gyaltsen Gyari, as a naturalized United States citizen, to promoting understanding in the United States of the Tibetan people, their culture and religion, and their struggle for genuine autonomy, human rights, dignity, and the preservation of unique linguistic, cultural, and religious traditions; and

(4) strongly supports a political solution for Tibet within the People's Republic of China that satisfies the legitimate grievances and aspirations of the Tibetan people.

SENATE RESOLUTION 558—CONGRATULATING THE ATHLETES FROM THE STATE OF NEVADA AND THROUGHOUT THE UNITED STATES WHO PARTICIPATED IN THE 2012 OLYMPIC AND PARALYMPIC GAMES AS MEMBERS OF THE UNITED STATES OLYMPIC AND PARALYMPIC TEAMS

Mr. REID submitted the following resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. RES. 558

Whereas the 2012 Olympic Games were held in London, England from July 27, 2012, to August 12, 2012, and the 2012 Paralympic Games were held in London, England from August 29, 2012, to September 9, 2012;

Whereas 532 Olympians and 227 Paralympians competed on behalf of Team USA in London, England;

Whereas the great State of Nevada contributed 4 athletes to the United States Olympic Team and 1 athlete to the United States Paralympic Team;

Whereas the Olympians and Paralympian from the State of Nevada proudly represented the United States in competition and displayed an admirable dedication to the spirit of the Olympic Games;

Whereas Amanda Bingson of Las Vegas, Nevada, competed in the Olympic Women's Hammer Throw event;

Whereas Jacob Dalton of Reno, Nevada, competed in the Olympic Men's Gymnastics Floor Exercise and Men's Team events;

Whereas Connor Fields of Las Vegas, Nevada, competed in the Olympic Men's BMX event;

Whereas Michael Hunter II of Las Vegas, Nevada, competed in the Olympic Men's Heavyweight Boxing event;

Whereas Courtney Jordan of Henderson, Nevada, competed in the Paralympic Women's 400m Freestyle, 100m Breaststroke, 100m Backstroke, 200m Individual Medley, 50m Freestyle, and 100m Freestyle events;

Whereas Ms. Jordan won silver medals in the 400m Freestyle, 50m Freestyle, and 100m Freestyle, and a bronze medal in the 100m Backstroke;

Whereas the citizens of the State of Nevada and the people of the United States stand united in respect and admiration for the Nevadan Olympians and Paralympian, and the athletic accomplishments, sportsmanship, and dedication of those athletes to

excellence in the 2012 Olympics and Paralympics;

Whereas the many accomplishments of the Nevadan Olympians and Paralympian would not have been possible without the hard work and dedication of many others, including the United States Olympic Committee, the relevant United States National Governing Bodies, and the many administrators, coaches, and family members who provided critical support for the athletes: Now, therefore, be it

Resolved, That the Senate extends sincere congratulations for the accomplishments and gratitude for the sacrifices of the athletes from the State of Nevada and throughout the United States on the United States Olympic and Paralympic Teams and to everyone who supported the efforts of those athletes at the 2012 Olympics and Paralympics.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2817. Mr. MANCHIN submitted an amendment intended to be proposed by him to the bill S. 3457, to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes; which was ordered to lie on the table.

SA 2818. Mr. MANCHIN submitted an amendment intended to be proposed by him to the bill S. 3457, supra; which was ordered to lie on the table.

SA 2819. Mr. MANCHIN submitted an amendment intended to be proposed by him to the bill S. 3457, supra; which was ordered to lie on the table.

SA 2820. Mr. LEVIN (for himself, Ms. LANDRIEU, and Mr. COCHRAN) submitted an amendment intended to be proposed by him to the bill S. 3457, supra; which was ordered to lie on the table.

SA 2821. Mrs. BOXER submitted an amendment intended to be proposed by her to the bill S. 3457, supra; which was ordered to lie on the table.

SA 2822. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill S. 3457, supra; which was ordered to lie on the table.

SA 2823. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 3457, supra; which was ordered to lie on the table.

SA 2824. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 3457, supra; which was ordered to lie on the table.

SA 2825. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 3457, supra; which was ordered to lie on the table.

SA 2826. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 3457, supra; which was ordered to lie on the table.

SA 2827. Mrs. SHAHEEN (for herself and Mr. PORTMAN) submitted an amendment intended to be proposed by her to the bill S. 3457, supra; which was ordered to lie on the table.

SA 2828. Mr. HOEVEN (for himself and Mr. MANCHIN) submitted an amendment intended to be proposed by him to the bill S. 3457, supra; which was ordered to lie on the table.

SA 2829. Ms. KLOBUCHAR (for herself and Mr. ENZI) submitted an amendment intended to be proposed by her to the bill S. 3457, supra; which was ordered to lie on the table.

SA 2830. Mr. COCHRAN submitted an amendment intended to be proposed to amendment SA 2789 proposed by Mrs. MUR-

RAY to the bill S. 3457, supra; which was ordered to lie on the table.

SA 2831. Mr. COCHRAN submitted an amendment intended to be proposed by him to the bill S. 3457, supra; which was ordered to lie on the table.

SA 2832. Mr. HOEVEN (for himself and Mr. MANCHIN) submitted an amendment intended to be proposed to amendment SA 2789 proposed by Mrs. MURRAY to the bill S. 3457, supra; which was ordered to lie on the table.

SA 2833. Ms. LANDRIEU submitted an amendment intended to be proposed to amendment SA 2789 proposed by Mrs. MURRAY to the bill S. 3457, supra; which was ordered to lie on the table.

SA 2834. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill S. 3457, supra; which was ordered to lie on the table.

SA 2835. Ms. LANDRIEU submitted an amendment intended to be proposed to amendment SA 2789 proposed by Mrs. MURRAY to the bill S. 3457, supra; which was ordered to lie on the table.

SA 2836. Mr. LIEBERMAN (for himself, Ms. COLLINS, Mr. CARPER, and Mr. BROWN of Massachusetts) submitted an amendment intended to be proposed by him to the bill S. 3457, supra; which was ordered to lie on the table.

SA 2837. Ms. LANDRIEU (for herself, Ms. SNOWE, and Mrs. SHAHEEN) submitted an amendment intended to be proposed by her to the bill S. 3457, supra; which was ordered to lie on the table.

SA 2838. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 3457, supra; which was ordered to lie on the table.

SA 2839. Mr. HATCH submitted an amendment intended to be proposed to amendment SA 2782 submitted by Mr. BURR and intended to be proposed to the bill S. 3457, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2817. Mr. MANCHIN submitted an amendment intended to be proposed by him to the bill S. 3457, to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. ____ . REPORT ON ESTABLISHMENT OF VETERANS JOBS WEBSITE.

Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report—

(1) assessing the feasibility and advisability of the establishment by the Secretary of Veterans Affairs of a website designed specifically for public and private sector employers to advertise employment opportunities for veterans; and

(2) estimating the funds and other resources required to establish and maintain such a website.

SA 2818. Mr. MANCHIN submitted an amendment intended to be proposed by him to the bill S. 3457, to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes; which was ordered to lie on the table; as follows:

On page 13, between lines 18 and 19, insert the following:

“(v) Any other license to operate equipment or engage in a trade.

SA 2819. Mr. MANCHIN submitted an amendment intended to be proposed by him to the bill S. 3457, to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. ____ SENSE OF THE SENATE ON EMPLOYMENT BY MEMBERS OF CONGRESS OF VETERANS AND MEMBERS OF THE NATIONAL GUARD AND RESERVES.

It is the sense of the Senate that Members of Congress should lead by example by hiring qualified veterans and members of the National Guard and Reserves for open positions on their personal and committee staff.

SA 2820. Mr. LEVIN (for himself, Ms. LANDRIEU and Mr. COCHRAN) submitted an amendment intended to be proposed by him to the bill S. 3457, to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. ____ REDESIGNATED AREAS.

Section 3(p)(4)(C) of the Small Business Act (15 U.S.C. 632(p)(4)(C)) is amended—

(1) in clause (i), by striking “or” at the end;

(2) in clause (ii), by striking the period at the end and inserting “; or”; and

(3) by adding at the end the following:

“(iii) September 30, 2013.”.

SA 2821. Mrs. BOXER submitted an amendment intended to be proposed by her to the bill S. 3457, to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. ____ CONTRIBUTIONS TO THE HOMELESS VETERANS ASSISTANCE FUND.

(a) IN GENERAL.—Subchapter A of chapter 61 of the Internal Revenue Code of 1986 is amended by adding at the end the following new part:

“PART IX—CONTRIBUTIONS TO THE HOMELESS VETERANS ASSISTANCE FUND

“Sec. 6098. Contributions to the Homeless Veterans Assistance Fund.

“SEC. 6098. CONTRIBUTIONS TO THE HOMELESS VETERANS ASSISTANCE FUND.

“(a) IN GENERAL.—Every individual, with respect to the taxpayer’s return for the taxable year of the tax imposed by chapter 1—

“(1) may designate that a specified portion (not less than \$1) of any overpayment of tax shall be paid over to the Homeless Veterans Assistance Fund in accordance with the provisions of section 9512, and

“(2) in addition to any payment (if any) under paragraph (1), may make a contribution to the United States of an additional amount which shall be paid over to such Fund.

“(b) MANNER AND TIME OF DESIGNATION AND CONTRIBUTION.—A designation and contribution under subsection (a) may be made with respect to any taxable year—

“(1) at the time of filing the return of the tax imposed by chapter 1 for such taxable year, or

“(2) at any other time (after such time of filing) specified in regulations prescribed by the Secretary.

Such designation and contribution shall be made in such manner as the Secretary prescribes by regulations except that, if such designation is made at the time of filing the return of the tax imposed by chapter 1 for such taxable year, such designation shall be made either on the first page of the return or on the page bearing the taxpayer’s signature.

“(c) OVERPAYMENTS TREATED AS REFUNDED.—For purposes of this title, any portion of an overpayment of tax designated under subsection (a) shall be treated as—

“(1) being refunded to the taxpayer as of the last date prescribed for filing the return of tax imposed by chapter 1 (determined without regard to extensions) or, if later, the date the return is filed, and

“(2) a contribution made by such taxpayer on such date to the United States.”.

(b) HOMELESS VETERANS ASSISTANCE FUND.—Subchapter A of chapter 98 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section: “SEC. 9512. HOMELESS VETERANS ASSISTANCE FUND.

“(a) CREATION OF TRUST FUND.—There is established in the Treasury of the United States a trust fund to be known as the ‘Homeless Veterans Assistance Fund’, consisting of such amounts as may be appropriated or credited to such fund as provided in this section or section 9602(b).

“(b) TRANSFERS TO TRUST FUND.—There are hereby appropriated to the Homeless Veterans Assistance Fund amounts equivalent to the amounts designated and contributed under section 6098.

“(c) EXPENDITURES.—

“(1) IN GENERAL.—Subject to paragraphs (2) and (3), amounts in the Homeless Veterans Assistance Fund shall be available (and shall remain available until expended) to the Department of Veterans Affairs, in consultation with the Department of Labor Veterans Employment and Training Service and Department of Housing and Urban Development, for the purpose of providing services to homeless veterans, through—

“(A) the development and implementation of new and innovative strategies to prevent and end veteran homelessness, and

“(B) any homeless veteran program administered by the Department of Veterans Affairs, the Department of Labor Veterans Employment and Training Service, and the Department of Housing and Urban Development.

“(2) ADDITIONAL ALLOCATIONS.—The Secretary of Veterans Affairs is authorized to make transfers from the amounts described in paragraph (1) to the Department of Labor Veterans Employment and Training Service and the Department of Housing and Urban Development for the purpose of supporting programs that serve homeless veterans.

“(3) ADVANCE NOTICE.—The Secretary of Veterans Affairs, in collaboration with the Secretary of Labor and Secretary of Housing and Urban Development, shall submit a detailed expenditure plan for any amounts in the Homeless Veterans Assistance Fund to the Committees on Veterans’ Affairs and Committees on Appropriations of the House of Representatives and of the Senate not later than 60 days prior to any expenditure of such amounts.

“(d) PRESIDENT’S ANNUAL BUDGET INFORMATION.—Beginning with the President’s annual budget submission for fiscal year 2014 and every year thereafter, the Department of Veterans Affairs, the Department of Labor, and the Department of Housing and Urban Development shall include a description of the use of funds from the Homeless Veterans

Assistance Fund from the previous fiscal year and the proposed use of such funds for the next fiscal year.”.

(c) CLERICAL AMENDMENTS.—

(1) The table of parts for subchapter A of chapter 61 of the Internal Revenue Code of 1986 is amended by adding at the end the following new item:

“PART IX—CONTRIBUTIONS TO THE HOMELESS VETERANS ASSISTANCE FUND”.

(2) The table of sections for subchapter A of chapter 98 of such Code is amended by adding at the end the following new item:

“Sec. 9512. Homeless Veterans Assistance Fund.”.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

SA 2822. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill S. 3457, to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. ____ SMALL BUSINESS PROCUREMENT.

Part 19 of the Federal Acquisition Regulation, section 15 of the Small Business Act (15 U.S.C. 644), and any other applicable laws or regulations establishing procurement requirements relating to small business concerns (as defined in section 3 of the Small Business Act (15 U.S.C. 632)) may not be waived with respect to any contract awarded under any program or other authority under this Act or an amendment made by this Act.

SEC. ____ PROHIBITION ON WAIVER OF REQUIREMENTS REGARDING DEPARTMENT OF VETERANS AFFAIRS CONTRACTING GOALS AND PREFERENCES.

Neither section 8127 nor section 8128 of title 38, United States Code, may be waived with respect to any contract awarded under any program or other authority under this Act or any amendment made by this Act.

SA 2823. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 3457, to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. ____ TERMINATION OF TAXPAYER FINANCING OF PRESIDENTIAL ELECTION CAMPAIGNS.

(a) TERMINATION OF DESIGNATION OF INCOME TAX PAYMENTS.—Section 6096 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

“(d) TERMINATION.—This section shall not apply to taxable years beginning after December 31, 2011.”.

(b) TERMINATION OF FUND AND ACCOUNT.—

(1) TERMINATION OF PRESIDENTIAL ELECTION CAMPAIGN FUND.—

(A) IN GENERAL.—Chapter 95 of subtitle H of such Code is amended by adding at the end the following new section:

“SEC. 9014. TERMINATION.

“The provisions of this chapter shall not apply with respect to any presidential election (or any presidential nominating convention) after the date of the enactment of this section, or to any candidate in such an election.”.

(B) TRANSFER OF EXCESS FUNDS TO GENERAL FUND.—Section 9006 of such Code is amended by adding at the end the following new subsection:

“(d) TRANSFER OF FUNDS REMAINING AFTER TERMINATION.—The Secretary shall transfer all amounts in the fund after the date of the enactment of this section to the general fund of the Treasury, to be used only for reducing the deficit.”.

(2) TERMINATION OF ACCOUNT.—Chapter 96 of subtitle H of such Code is amended by adding at the end the following new section:

“SEC. 9043. TERMINATION.

“The provisions of this chapter shall not apply to any candidate with respect to any presidential election after the date of the enactment of this section.”.

(c) CLERICAL AMENDMENTS.—

(1) The table of sections for chapter 95 of subtitle H of such Code is amended by adding at the end the following new item:

“Sec. 9014. Termination.”.

(2) The table of sections for chapter 96 of subtitle H of such Code is amended by adding at the end the following new item:

“Sec. 9043. Termination.”.

SA 2824. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 3457, to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 14 and all that follows and insert the following:

SEC. 14. EXTENSION OF MODIFIED PENSION FOR CERTAIN VETERANS COVERED BY MEDICAID PLANS FOR SERVICES FURNISHED BY NURSING FACILITIES.

Section 5503(d)(7) of title 38, United States Code, is amended by striking “September 30, 2016” and inserting “March 31, 2017”.

SEC. 15. REVOCATION OR DENIAL OF PASSPORT IN CASE OF CERTAIN UNPAID TAXES.

(a) IN GENERAL.—Subchapter D of chapter 75 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

“SEC. 7345. REVOCATION OR DENIAL OF PASSPORT IN CASE OF CERTAIN TAX DELINQUENCIES.

“(a) IN GENERAL.—If the Secretary receives certification by the Commissioner of Internal Revenue that any individual has a seriously delinquent tax debt in an amount in excess of \$50,000, the Secretary shall transmit such certification to the Secretary of State for action with respect to denial, revocation, or limitation of a passport pursuant to section 15(d) of the Veterans Jobs Corps Act of 2012.

“(b) SERIOUSLY DELINQUENT TAX DEBT.—For purposes of this section, the term ‘seriously delinquent tax debt’ means an outstanding debt under this title for which a notice of lien has been filed in public records pursuant to section 6323 or a notice of levy has been filed pursuant to section 6331, except that such term does not include—

“(1) a debt that is being paid in a timely manner pursuant to an agreement under section 6159 or 7122, and

“(2) a debt with respect to which collection is suspended because a collection due process hearing under section 6330, or relief under subsection (b), (c), or (f) of section 6015, is requested or pending.

“(c) ADJUSTMENT FOR INFLATION.—In the case of a calendar year beginning after 2012,

the dollar amount in subsection (a) shall be increased by an amount equal to—

“(1) such dollar amount, multiplied by

“(2) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year, determined by substituting ‘calendar year 2011’ for ‘calendar year 1992’ in subparagraph (B) thereof.

If any amount as adjusted under the preceding sentence is not a multiple of \$1,000, such amount shall be rounded to the next highest multiple of \$1,000.”.

(b) CLERICAL AMENDMENT.—The table of sections for subchapter D of chapter 75 of the Internal Revenue Code of 1986 is amended by adding at the end the following new item:

“Sec. 7345. Revocation or denial of passport in case of certain tax delinquencies.”.

(c) AUTHORITY FOR INFORMATION SHARING.—(1) IN GENERAL.—Subsection (1) of section 6103 of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

“(23) DISCLOSURE OF RETURN INFORMATION TO DEPARTMENT OF STATE FOR PURPOSES OF PASSPORT REVOCATION UNDER SECTION 7345.—

“(A) IN GENERAL.—The Secretary shall, upon receiving a certification described in section 7345, disclose to the Secretary of State return information with respect to a taxpayer who has a seriously delinquent tax debt described in such section. Such return information shall be limited to—

“(i) the taxpayer identity information with respect to such taxpayer, and

“(ii) the amount of such seriously delinquent tax debt.

“(B) RESTRICTION ON DISCLOSURE.—Return information disclosed under subparagraph (A) may be used by officers and employees of the Department of State for the purposes of, and to the extent necessary in, carrying out the requirements of section 15(d) of the Veterans Jobs Corps Act of 2012.”.

(2) CONFORMING AMENDMENT.—Paragraph (4) of section 6103(p) of such Code is amended by striking “or (22)” each place it appears in subparagraph (F)(ii) and in the matter preceding subparagraph (A) and inserting “(22), or (23)”.

(d) AUTHORITY TO DENY OR REVOKE PASSPORT.—

(1) DENIAL.—

(A) IN GENERAL.—Except as provided under subparagraph (B), upon receiving a certification described in section 7345 of the Internal Revenue Code of 1986 from the Secretary of the Treasury, the Secretary of State may not issue a passport to any individual who has a seriously delinquent tax debt described in such section.

(B) EMERGENCY AND HUMANITARIAN SITUATIONS.—Notwithstanding subparagraph (A), the Secretary of State may issue a passport, in emergency circumstances or for humanitarian reasons, to an individual described in subparagraph (A).

(2) REVOCATION.—

(A) IN GENERAL.—The Secretary of State may revoke a passport previously issued to any individual described in paragraph (1)(A).

(B) LIMITATION FOR RETURN TO UNITED STATES.—If the Secretary of State decides to revoke a passport under subparagraph (A), the Secretary of State, before revocation, may—

(i) limit a previously issued passport only for return travel to the United States; or

(ii) issue a limited passport that only permits return travel to the United States.

(3) HOLD HARMLESS.—The Secretary of the Treasury and the Secretary of State shall not be liable to an individual for any action

with respect to a certification by the Commissioner of Internal Revenue under section 7345 of the Internal Revenue Code of 1986.

(e) REVOCATION OR DENIAL OF PASSPORT IN CASE OF INDIVIDUAL WITHOUT SOCIAL SECURITY ACCOUNT NUMBER.—

(1) DENIAL.—

(A) IN GENERAL.—Except as provided under subparagraph (B), upon receiving an application for a passport from an individual that either—

(i) does not include the social security account number issued to that individual, or

(ii) includes an incorrect or invalid social security number willfully, intentionally, negligently, or recklessly provided by such individual,

the Secretary of State is authorized to deny such application and is authorized to not issue a passport to the individual.

(B) EMERGENCY AND HUMANITARIAN SITUATIONS.—Notwithstanding subparagraph (A), the Secretary of State may issue a passport, in emergency circumstances or for humanitarian reasons, to an individual described in subparagraph (A).

(2) REVOCATION.—

(A) IN GENERAL.—The Secretary of State may revoke a passport previously issued to any individual described in paragraph (1)(A).

(B) LIMITATION FOR RETURN TO UNITED STATES.—If the Secretary of State decides to revoke a passport under subparagraph (A), the Secretary of State, before revocation, may—

(i) limit a previously issued passport only for return travel to the United States; or

(ii) issue a limited passport that only permits return travel to the United States.

(f) EFFECTIVE DATE.—The provisions of, and amendments made by, this section shall take effect on January 1, 2013.

SEC. 16. NO MORTGAGE INTEREST DEDUCTION FOR MILLIONAIRES AND BILLIONAIRES.

(a) IN GENERAL.—Section 163(h)(4) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

“(G) NO DEDUCTION FOR MILLIONAIRES AND BILLIONAIRES.—

“(i) IN GENERAL.—Except as provided in clause (ii), no deduction shall be allowed by reason of paragraph (2)(D) for any taxable year with respect to any taxpayer with an adjusted gross income equal to or greater than \$1,000,000 for such taxable year.

“(ii) TERMINATION.—Clause (i) shall not apply to any taxable year beginning after the date on which the aggregate savings from the elimination of the deductions and credits for millionaires attributable to the enactment of sections 16 through 22 of the Veterans Jobs Corps Act of 2012 matches dollar for dollar the increase of expenditures attributable to the enactment of sections 2 through 14 of such Act.”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2012.

SEC. 17. NO RENTAL EXPENSE DEDUCTION FOR MILLIONAIRES AND BILLIONAIRES.

(a) IN GENERAL.—Section 212 of the Internal Revenue Code of 1986 is amended by adding at the end the following new flush sentence:

“Paragraph (2) shall not apply for any taxable year with respect to any taxpayer with an adjusted gross income equal to or greater than \$1,000,000 for such taxable year. The preceding sentence shall not apply to any taxable year beginning after the date on which the aggregate savings from the elimination of the deductions and credits for millionaires

attributable to the enactment of sections 16 through 22 of the Veterans Jobs Corps Act of 2012 matches dollar for dollar the increase of expenditures attributable to the enactment of sections 2 through 14 of such Act.”.

(b) **EFFECTIVE DATE.**—The amendment made by this section shall apply to taxable years beginning after December 31, 2012.

SEC. 18. NO GAMBLING LOSS DEDUCTION FOR MILLIONAIRES AND BILLIONAIRES.

(a) **IN GENERAL.**—Section 165(d) of the Internal Revenue Code of 1986 is amended by adding at the end the following: “In the case of a taxpayer with an adjusted gross income equal to or greater than \$1,000,000 for the taxable year, the preceding sentence shall not apply for any taxable year beginning before the date on which the aggregate savings from the elimination of the deductions and credits for millionaires attributable to the enactment of sections 16 through 22 of the Veterans Jobs Corps Act of 2012 matches dollar for dollar the increase of expenditures attributable to the enactment of sections 2 through 14 of such Act.”.

(b) **EFFECTIVE DATE.**—The amendment made by this section shall apply to taxable years beginning after December 31, 2012.

SEC. 19. NO DISCHARGE OF INDEBTEDNESS DEDUCTION FOR MILLIONAIRES AND BILLIONAIRES.

(a) **IN GENERAL.**—Section 108 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

“(j) **NO DEDUCTION FOR MILLIONAIRES AND BILLIONAIRES.**—

“(1) **IN GENERAL.**—Except as provided in paragraph (2), no exclusion shall be allowed by reason of this section for any taxable year with respect to any taxpayer with an adjusted gross income equal to or greater than \$1,000,000 for such taxable year.

“(2) **TERMINATION.**—Paragraph (1) shall not apply to any taxable year beginning after the date on which the aggregate savings from the elimination of the deductions and credits for millionaires attributable to the enactment of sections 16 through 22 of the Veterans Jobs Corps Act of 2012 matches dollar for dollar the increase of expenditures attributable to the enactment of sections 2 through 14 of such Act.”.

(b) **EFFECTIVE DATE.**—The amendment made by this section shall apply to taxable years beginning after December 31, 2012.

SEC. 20. NO ELECTRIC PLUG-IN VEHICLE TAX CREDIT FOR MILLIONAIRES AND BILLIONAIRES.

(a) **IN GENERAL.**—Section 30D(f) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

“(8) **NO CREDIT FOR MILLIONAIRES AND BILLIONAIRES.**—

“(A) **IN GENERAL.**—Except as provided in subparagraph (B), no credit described in subsection (c)(2) shall be allowed under this section for any taxable year with respect to any taxpayer with an adjusted gross income equal to or greater than \$1,000,000 for such taxable year.

“(B) **TERMINATION.**—Subparagraph (A) shall not apply to any taxable year beginning after the date on which the aggregate savings from the elimination of the deductions and credits for millionaires attributable to the enactment of sections 16 through 22 of the Veterans Jobs Corps Act of 2012 matches dollar for dollar the increase of expenditures attributable to the enactment of sections 2 through 14 of such Act.”.

(b) **EFFECTIVE DATE.**—The amendment made by this section shall apply to taxable years beginning after December 31, 2012.

SEC. 21. NO HOUSEHOLD AND DEPENDENT CARE CREDIT FOR MILLIONAIRES AND BILLIONAIRES.

(a) **IN GENERAL.**—Section 21 of the Internal Revenue Code of 1986 is amended by redesignating subsection (f) as subsection (g) and by inserting after subsection (e) the following new subsection:

“(f) **NO CREDIT FOR MILLIONAIRES AND BILLIONAIRES.**—

“(1) **IN GENERAL.**—Except as provided in paragraph (2), no credit shall be allowed under this section for any taxable year with respect to any taxpayer with an adjusted gross income equal to or greater than \$1,000,000 for such taxable year.

“(2) **TERMINATION.**—Paragraph (1) shall not apply to any taxable year beginning after the date on which the aggregate savings from the elimination of the deductions and credits for millionaires attributable to the enactment of sections 16 through 22 of the Veterans Jobs Corps Act of 2012 matches dollar for dollar the increase of expenditures attributable to the enactment of sections 2 through 14 of such Act.”.

(b) **EFFECTIVE DATE.**—The amendment made by this section shall apply to taxable years beginning after December 31, 2012.

SEC. 22. NO RESIDENTIAL ENERGY EFFICIENT PROPERTY CREDIT FOR MILLIONAIRES AND BILLIONAIRES.

(a) **IN GENERAL.**—Section 25D(e) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

“(9) **NO CREDIT FOR MILLIONAIRES AND BILLIONAIRES.**—

“(A) **IN GENERAL.**—Except as provided in subparagraph (B), no credit shall be allowed under this section for any taxable year with respect to any taxpayer with an adjusted gross income equal to or greater than \$1,000,000 for such taxable year.

“(B) **TERMINATION.**—Subparagraph (A) shall not apply to any taxable year beginning after the date on which the aggregate savings from the elimination of the deductions and credits for millionaires attributable to the enactment of sections 16 through 22 of the Veterans Jobs Corps Act of 2012 matches dollar for dollar the increase of expenditures attributable to the enactment of sections 2 through 14 of such Act.”.

(b) **EFFECTIVE DATE.**—The amendment made by this section shall apply to taxable years beginning after December 31, 2012.

SEC. 23. SCORING OF BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

SA 2825. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 3457, to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 8 and all that follows and insert the following:

SEC. 8. EXTENSION OF MODIFIED PENSION FOR CERTAIN VETERANS COVERED BY MEDICAID PLANS FOR SERVICES FURNISHED BY NURSING FACILITIES.

Section 5503(d)(7) of title 38, United States Code, is amended by striking “September 30, 2016” and inserting “March 31, 2017”.

SEC. 9. REVOCATION OR DENIAL OF PASSPORT IN CASE OF CERTAIN UNPAID TAXES.

(a) **IN GENERAL.**—Subchapter D of chapter 75 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

“SEC. 7345. REVOCATION OR DENIAL OF PASSPORT IN CASE OF CERTAIN TAX DELINQUENCIES.

“(a) **IN GENERAL.**—If the Secretary receives certification by the Commissioner of Internal Revenue that any individual has a seriously delinquent tax debt in an amount in excess of \$50,000, the Secretary shall transmit such certification to the Secretary of State for action with respect to denial, revocation, or limitation of a passport pursuant to section 9(d) of the Veterans Jobs Corps Act of 2012.

“(b) **SERIOUSLY DELINQUENT TAX DEBT.**—For purposes of this section, the term ‘seriously delinquent tax debt’ means an outstanding debt under this title for which a notice of lien has been filed in public records pursuant to section 6323 or a notice of levy has been filed pursuant to section 6331, except that such term does not include—

“(1) a debt that is being paid in a timely manner pursuant to an agreement under section 6159 or 7122, and

“(2) a debt with respect to which collection is suspended because a collection due process hearing under section 6330, or relief under subsection (b), (c), or (f) of section 6015, is requested or pending.

“(c) **ADJUSTMENT FOR INFLATION.**—In the case of a calendar year beginning after 2012, the dollar amount in subsection (a) shall be increased by an amount equal to—

“(1) such dollar amount, multiplied by

“(2) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year, determined by substituting ‘calendar year 2011’ for ‘calendar year 1992’ in subparagraph (B) thereof.

If any amount as adjusted under the preceding sentence is not a multiple of \$1,000, such amount shall be rounded to the next highest multiple of \$1,000.”.

(b) **CLERICAL AMENDMENT.**—The table of sections for subchapter D of chapter 75 of the Internal Revenue Code of 1986 is amended by adding at the end the following new item:

“Sec. 7345. Revocation or denial of passport in case of certain tax delinquencies.”.

(c) **AUTHORITY FOR INFORMATION SHARING.**—

(1) **IN GENERAL.**—Subsection (1) of section 6103 of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

“(23) **DISCLOSURE OF RETURN INFORMATION TO DEPARTMENT OF STATE FOR PURPOSES OF PASSPORT REVOCATION UNDER SECTION 7345.**—

“(A) **IN GENERAL.**—The Secretary shall, upon receiving a certification described in section 7345, disclose to the Secretary of State return information with respect to a taxpayer who has a seriously delinquent tax debt described in such section. Such return information shall be limited to—

“(i) the taxpayer identity information with respect to such taxpayer, and

“(ii) the amount of such seriously delinquent tax debt.

“(B) **RESTRICTION ON DISCLOSURE.**—Return information disclosed under subparagraph

(A) may be used by officers and employees of the Department of State for the purposes of, and to the extent necessary in, carrying out the requirements of section 9(d) of the Veterans Jobs Corps Act of 2012.”

(2) CONFORMING AMENDMENT.—Paragraph (4) of section 6103(p) of such Code is amended by striking “or (22)” each place it appears in subparagraph (F)(ii) and in the matter preceding subparagraph (A) and inserting “(22), or (23)”.

(d) AUTHORITY TO DENY OR REVOKE PASSPORT.—

(1) DENIAL.—

(A) IN GENERAL.—Except as provided under subparagraph (B), upon receiving a certification described in section 7345 of the Internal Revenue Code of 1986 from the Secretary of the Treasury, the Secretary of State may not issue a passport to any individual who has a seriously delinquent tax debt described in such section.

(B) EMERGENCY AND HUMANITARIAN SITUATIONS.—Notwithstanding subparagraph (A), the Secretary of State may issue a passport, in emergency circumstances or for humanitarian reasons, to an individual described in subparagraph (A).

(2) REVOCATION.—

(A) IN GENERAL.—The Secretary of State may revoke a passport previously issued to any individual described in paragraph (1)(A).

(B) LIMITATION FOR RETURN TO UNITED STATES.—If the Secretary of State decides to revoke a passport under subparagraph (A), the Secretary of State, before revocation, may—

(i) limit a previously issued passport only for return travel to the United States; or

(ii) issue a limited passport that only permits return travel to the United States.

(3) HOLD HARMLESS.—The Secretary of the Treasury and the Secretary of State shall not be liable to an individual for any action with respect to a certification by the Commissioner of Internal Revenue under section 7345 of the Internal Revenue Code of 1986.

(e) REVOCATION OR DENIAL OF PASSPORT IN CASE OF INDIVIDUAL WITHOUT SOCIAL SECURITY ACCOUNT NUMBER.—

(1) DENIAL.—

(A) IN GENERAL.—Except as provided under subparagraph (B), upon receiving an application for a passport from an individual that either—

(i) does not include the social security account number issued to that individual, or

(ii) includes an incorrect or invalid social security number willfully, intentionally, negligently, or recklessly provided by such individual,

the Secretary of State is authorized to deny such application and is authorized to not issue a passport to the individual.

(B) EMERGENCY AND HUMANITARIAN SITUATIONS.—Notwithstanding subparagraph (A), the Secretary of State may issue a passport, in emergency circumstances or for humanitarian reasons, to an individual described in subparagraph (A).

(2) REVOCATION.—

(A) IN GENERAL.—The Secretary of State may revoke a passport previously issued to any individual described in paragraph (1)(A).

(B) LIMITATION FOR RETURN TO UNITED STATES.—If the Secretary of State decides to revoke a passport under subparagraph (A), the Secretary of State, before revocation, may—

(i) limit a previously issued passport only for return travel to the United States; or

(ii) issue a limited passport that only permits return travel to the United States.

(f) EFFECTIVE DATE.—The provisions of, and amendments made by, this section shall take effect on January 1, 2013.

SEC. 10. NO MORTGAGE INTEREST DEDUCTION FOR MILLIONAIRES AND BILLIONAIRES.

(a) IN GENERAL.—Section 163(h)(4) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

“(G) NO DEDUCTION FOR MILLIONAIRES AND BILLIONAIRES.—

“(i) IN GENERAL.—Except as provided in clause (ii), no deduction shall be allowed by reason of paragraph (2)(D) for any taxable year with respect to any taxpayer with an adjusted gross income equal to or greater than \$1,000,000 for such taxable year.

“(ii) TERMINATION.—Clause (i) shall not apply to any taxable year beginning after the date on which the aggregate savings from the elimination of the deductions and credits for millionaires attributable to the enactment of sections 10 through 16 of the Veterans Jobs Corps Act of 2012 matches dollar for dollar the increase of expenditures attributable to the enactment of sections 2 through 8 of such Act.”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2012.

SEC. 11. NO RENTAL EXPENSE DEDUCTION FOR MILLIONAIRES AND BILLIONAIRES.

(a) IN GENERAL.—Section 212 of the Internal Revenue Code of 1986 is amended by adding at the end the following new flush sentence:

“Paragraph (2) shall not apply for any taxable year with respect to any taxpayer with an adjusted gross income equal to or greater than \$1,000,000 for such taxable year. The preceding sentence shall not apply to any taxable year beginning after the date on which the aggregate savings from the elimination of the deductions and credits for millionaires attributable to the enactment of sections 10 through 16 of the Veterans Jobs Corps Act of 2012 matches dollar for dollar the increase of expenditures attributable to the enactment of sections 2 through 8 of such Act.”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2012.

SEC. 12. NO GAMBLING LOSS DEDUCTION FOR MILLIONAIRES AND BILLIONAIRES.

(a) IN GENERAL.—Section 165(d) of the Internal Revenue Code of 1986 is amended by adding at the end the following: “In the case of a taxpayer with an adjusted gross income equal to or greater than \$1,000,000 for the taxable year, the preceding sentence shall not apply for any taxable year beginning before the date on which the aggregate savings from the elimination of the deductions and credits for millionaires attributable to the enactment of sections 10 through 16 of the Veterans Jobs Corps Act of 2012 matches dollar for dollar the increase of expenditures attributable to the enactment of sections 2 through 8 of such Act.”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2012.

SEC. 13. NO DISCHARGE OF INDEBTEDNESS DEDUCTION FOR MILLIONAIRES AND BILLIONAIRES.

(a) IN GENERAL.—Section 108 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

“(j) NO DEDUCTION FOR MILLIONAIRES AND BILLIONAIRES.—

“(1) IN GENERAL.—Except as provided in paragraph (2), no exclusion shall be allowed by reason of this section for any taxable year

with respect to any taxpayer with an adjusted gross income equal to or greater than \$1,000,000 for such taxable year.

“(2) TERMINATION.—Paragraph (1) shall not apply to any taxable year beginning after the date on which the aggregate savings from the elimination of the deductions and credits for millionaires attributable to the enactment of sections 10 through 16 of the Veterans Jobs Corps Act of 2012 matches dollar for dollar the increase of expenditures attributable to the enactment of sections 2 through 8 of such Act.”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2012.

SEC. 14. NO ELECTRIC PLUG-IN VEHICLE TAX CREDIT FOR MILLIONAIRES AND BILLIONAIRES.

(a) IN GENERAL.—Section 30D(f) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

“(8) NO CREDIT FOR MILLIONAIRES AND BILLIONAIRES.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), no credit described in subsection (c)(2) shall be allowed under this section for any taxable year with respect to any taxpayer with an adjusted gross income equal to or greater than \$1,000,000 for such taxable year.

“(B) TERMINATION.—Subparagraph (A) shall not apply to any taxable year beginning after the date on which the aggregate savings from the elimination of the deductions and credits for millionaires attributable to the enactment of sections 10 through 16 of the Veterans Jobs Corps Act of 2012 matches dollar for dollar the increase of expenditures attributable to the enactment of sections 2 through 8 of such Act.”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2012.

SEC. 15. NO HOUSEHOLD AND DEPENDENT CARE CREDIT FOR MILLIONAIRES AND BILLIONAIRES.

(a) IN GENERAL.—Section 21 of the Internal Revenue Code of 1986 is amended by redesignating subsection (f) as subsection (g) and by inserting after subsection (e) the following new subsection:

“(f) NO CREDIT FOR MILLIONAIRES AND BILLIONAIRES.—

“(1) IN GENERAL.—Except as provided in paragraph (2), no credit shall be allowed under this section for any taxable year with respect to any taxpayer with an adjusted gross income equal to or greater than \$1,000,000 for such taxable year.

“(2) TERMINATION.—Paragraph (1) shall not apply to any taxable year beginning after the date on which the aggregate savings from the elimination of the deductions and credits for millionaires attributable to the enactment of sections 10 through 16 of the Veterans Jobs Corps Act of 2012 matches dollar for dollar the increase of expenditures attributable to the enactment of sections 2 through 8 of such Act.”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2012.

SEC. 16. NO RESIDENTIAL ENERGY EFFICIENT PROPERTY CREDIT FOR MILLIONAIRES AND BILLIONAIRES.

(a) IN GENERAL.—Section 25D(e) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

“(9) NO CREDIT FOR MILLIONAIRES AND BILLIONAIRES.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), no credit shall be allowed

under this section for any taxable year with respect to any taxpayer with an adjusted gross income equal to or greater than \$1,000,000 for such taxable year.

“(B) **TERMINATION.**—Subparagraph (A) shall not apply to any taxable year beginning after the date on which the aggregate savings from the elimination of the deductions and credits for millionaires attributable to the enactment of sections 10 through 16 of the Veterans Jobs Corps Act of 2012 matches dollar for dollar the increase of expenditures attributable to the enactment of sections 2 through 8 of such Act.”.

(b) **EFFECTIVE DATE.**—The amendment made by this section shall apply to taxable years beginning after December 31, 2012.

SEC. 17. SCORING OF BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go-Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

SA 2826. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 3457, to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 38, strike line 11 and all that follows through page 39, line 7, and insert the following:

SEC. 17. CONSOLIDATION OF VETERANS EMPLOYMENT ASSISTANCE PROGRAMS.

(a) **IN GENERAL.**—The Secretary of Labor and the Secretary of Veterans Affairs shall take such actions as may be necessary to consolidate the programs described in subsection (b) into a single program to be carried out by the Secretary of Veterans Affairs.

(b) **PROGRAMS.**—The programs described in this subsection are the following:

(1) Disabled Veterans’ Outreach Program of the Department of Labor.

(2) Homeless Veterans’ Reintegration Project of the Department of Labor.

(3) Local Veterans’ Employment Representative Program of the Department of Labor.

(4) Transition Assistance Program of the Department of Labor.

(5) Veterans’ Workforce Investment Program of the Department of Labor.

(6) Vocational Rehabilitation for Disabled Veterans of the Department of Veterans Affairs.

(c) **METRICS.**—The Secretary of Veterans Affairs shall establish metrics to assess the program resulting from consolidation under subsection (a).

SA 2827. Mrs. SHAHEEN (for herself and Mr. PORTMAN) submitted an amendment intended to be proposed by her to the bill S. 3457, to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

TITLE II—ENERGY SAVINGS AND INDUSTRIAL COMPETITIVENESS

SEC. 201. SHORT TITLE.

This title may be cited as the “Energy Savings and Industrial Competitiveness Act of 2012”.

Subtitle A—Buildings

PART I—BUILDING ENERGY CODES

SEC. 211. GREATER ENERGY EFFICIENCY IN BUILDING CODES.

(a) **DEFINITIONS.**—Section 303 of the Energy Conservation and Production Act (42 U.S.C. 6832) is amended—

(1) by striking paragraph (14) and inserting the following:

“(14) **MODEL BUILDING ENERGY CODE.**—The term ‘model building energy code’ means a voluntary building energy code and standards developed and updated through a consensus process among interested persons, such as the IECC or the code used by—

“(A) the Council of American Building Officials;

“(B) the American Society of Heating, Refrigerating, and Air-Conditioning Engineers; or

“(C) other appropriate organizations.”; and

(2) by adding at the end the following:

“(17) **IECC.**—The term ‘IECC’ means the International Energy Conservation Code.

“(18) **INDIAN TRIBE.**—The term ‘Indian tribe’ has the meaning given the term in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103).”.

(b) **STATE BUILDING ENERGY EFFICIENCY CODES.**—Section 304 of the Energy Conservation and Production Act (42 U.S.C. 6833) is amended to read as follows:

“SEC. 304. UPDATING STATE BUILDING ENERGY EFFICIENCY CODES.

“(a) **IN GENERAL.**—The Secretary shall—

“(1) encourage and support the adoption of building energy codes by States, Indian tribes, and, as appropriate, by local governments that meet or exceed the model building energy codes, or achieve equivalent or greater energy savings; and

“(2) support full compliance with the State and local codes.

“(b) **STATE AND INDIAN TRIBE CERTIFICATION OF BUILDING ENERGY CODE UPDATES.**—

“(1) **REVIEW AND UPDATING OF CODES BY EACH STATE AND INDIAN TRIBE.**—

“(A) **IN GENERAL.**—Not later than 2 years after the date on which a model building energy code is updated, each State or Indian tribe shall certify whether or not the State or Indian tribe, respectively, has reviewed and updated the energy provisions of the building code of the State or Indian tribe, respectively.

“(B) **DEMONSTRATION.**—The certification shall include a demonstration of whether or not the energy savings for the code provisions that are in effect throughout the State or Indian tribal territory meet or exceed—

“(i) the energy savings of the updated model building energy code; or

“(ii) the targets established under section 307(b)(2).

“(C) **NO MODEL BUILDING ENERGY CODE UPDATE.**—If a model building energy code is not updated by a target date established under section 307(b)(2)(D), each State or Indian tribe shall, not later than 2 years after the specified date, certify whether or not the State or Indian tribe, respectively, has reviewed and updated the energy provisions of the building code of the State or Indian tribe, respectively, to meet or exceed the target in section 307(b)(2).

“(2) **VALIDATION BY SECRETARY.**—Not later than 90 days after a State or Indian tribe

certification under paragraph (1), the Secretary shall—

“(A) determine whether the code provisions of the State or Indian tribe, respectively, meet the criteria specified in paragraph (1); and

“(B) if the determination is positive, validate the certification.

“(c) **IMPROVEMENTS IN COMPLIANCE WITH BUILDING ENERGY CODES.**—

“(1) **REQUIREMENT.**—

“(A) **IN GENERAL.**—Not later than 3 years after the date of a certification under subsection (b), each State and Indian tribe shall certify whether or not the State and Indian tribe, respectively, has—

“(i) achieved full compliance under paragraph (3) with the applicable certified State and Indian tribe building energy code or with the associated model building energy code; or

“(ii) made significant progress under paragraph (4) toward achieving compliance with the applicable certified State and Indian tribe building energy code or with the associated model building energy code.

“(B) **REPEAT CERTIFICATIONS.**—If the State or Indian tribe certifies progress toward achieving compliance, the State or Indian tribe shall repeat the certification until the State or Indian tribe certifies that the State or Indian tribe has achieved full compliance, respectively.

“(2) **MEASUREMENT OF COMPLIANCE.**—A certification under paragraph (1) shall include documentation of the rate of compliance based on—

“(A) independent inspections of a random sample of the buildings covered by the code in the preceding year; or

“(B) an alternative method that yields an accurate measure of compliance.

“(3) **ACHIEVEMENT OF COMPLIANCE.**—A State or Indian tribe shall be considered to achieve full compliance under paragraph (1) if—

“(A) at least 90 percent of building space covered by the code in the preceding year substantially meets all the requirements of the applicable code specified in paragraph (1), or achieves equivalent or greater energy savings level; or

“(B) the estimated excess energy use of buildings that did not meet the applicable code specified in paragraph (1) in the preceding year, compared to a baseline of comparable buildings that meet this code, is not more than 5 percent of the estimated energy use of all buildings covered by this code during the preceding year.

“(4) **SIGNIFICANT PROGRESS TOWARD ACHIEVEMENT OF COMPLIANCE.**—A State or Indian tribe shall be considered to have made significant progress toward achieving compliance for purposes of paragraph (1) if the State or Indian tribe—

“(A) has developed and is implementing a plan for achieving compliance during the 8-year-period beginning on the date of enactment of this paragraph, including annual targets for compliance and active training and enforcement programs; and

“(B) has met the most recent target under subparagraph (A).

“(5) **VALIDATION BY SECRETARY.**—Not later than 90 days after a State or Indian tribe certification under paragraph (1), the Secretary shall—

“(A) determine whether the State or Indian tribe has demonstrated meeting the criteria of this subsection, including accurate measurement of compliance; and

“(B) if the determination is positive, validate the certification.

“(d) **STATES OR INDIAN TRIBES THAT DO NOT ACHIEVE COMPLIANCE.**—

“(1) REPORTING.—A State or Indian tribe that has not made a certification required under subsection (b) or (c) by the applicable deadline shall submit to the Secretary a report on—

“(A) the status of the State or Indian tribe with respect to meeting the requirements and submitting the certification; and

“(B) a plan for meeting the requirements and submitting the certification.

“(2) FEDERAL SUPPORT.—For any State or Indian tribe for which the Secretary has not validated a certification by a deadline under subsection (b) or (c), the lack of the certification may be a consideration for Federal support authorized under this section for code adoption and compliance activities.

“(3) LOCAL GOVERNMENT.—In any State or Indian tribe for which the Secretary has not validated a certification under subsection (b) or (c), a local government may be eligible for Federal support by meeting the certification requirements of subsections (b) and (c).

“(4) ANNUAL REPORTS BY SECRETARY.—

“(A) IN GENERAL.—The Secretary shall annually submit to Congress, and publish in the Federal Register, a report on—

“(i) the status of model building energy codes;

“(ii) the status of code adoption and compliance in the States and Indian tribes;

“(iii) implementation of this section; and

“(iv) improvements in energy savings over time as result of the targets established under section 307(b)(2).

“(B) IMPACTS.—The report shall include estimates of impacts of past action under this section, and potential impacts of further action, on—

“(i) upfront financial and construction costs, cost benefits and returns (using investment analysis), and lifetime energy use for buildings;

“(ii) resulting energy costs to individuals and businesses; and

“(iii) resulting overall annual building ownership and operating costs.

“(e) TECHNICAL ASSISTANCE TO STATES AND INDIAN TRIBES.—The Secretary shall provide technical assistance to States and Indian tribes to implement the goals and requirements of this section, including procedures and technical analysis for States and Indian tribes—

“(1) to improve and implement State residential and commercial building energy codes;

“(2) to demonstrate that the code provisions of the States and Indian tribes achieve equivalent or greater energy savings than the model building energy codes and targets;

“(3) to document the rate of compliance with a building energy code; and

“(4) to otherwise promote the design and construction of energy efficient buildings.

“(f) AVAILABILITY OF INCENTIVE FUNDING.—

“(1) IN GENERAL.—The Secretary shall provide incentive funding to States and Indian tribes—

“(A) to implement the requirements of this section;

“(B) to improve and implement residential and commercial building energy codes, including increasing and verifying compliance with the codes and training of State, tribal, and local building code officials to implement and enforce the codes; and

“(C) to promote building energy efficiency through the use of the codes.

“(2) ADDITIONAL FUNDING.—Additional funding shall be provided under this subsection for implementation of a plan to achieve and document full compliance with residential and commercial building energy codes under subsection (c)—

“(A) to a State or Indian tribe for which the Secretary has validated a certification under subsection (b) or (c); and

“(B) in a State or Indian tribe that is not eligible under subparagraph (A), to a local government that is eligible under this section.

“(3) TRAINING.—Of the amounts made available under this subsection, the State may use amounts required, but not to exceed \$750,000 for a State, to train State and local building code officials to implement and enforce codes described in paragraph (2).

“(4) LOCAL GOVERNMENTS.—States may share grants under this subsection with local governments that implement and enforce the codes.

“(g) STRETCH CODES AND ADVANCED STANDARDS.—

“(1) IN GENERAL.—The Secretary shall provide technical and financial support for the development of stretch codes and advanced standards for residential and commercial buildings for use as—

“(A) an option for adoption as a building energy code by local, tribal, or State governments; and

“(B) guidelines for energy-efficient building design.

“(2) TARGETS.—The stretch codes and advanced standards shall be designed—

“(A) to achieve substantial energy savings compared to the model building energy codes; and

“(B) to meet targets under section 307(b), if available, at least 3 to 6 years in advance of the target years.

“(h) STUDIES.—The Secretary, in consultation with building science experts from the National Laboratories and institutions of higher education, designers and builders of energy-efficient residential and commercial buildings, code officials, and other stakeholders, shall undertake a study of the feasibility, impact, economics, and merit of—

“(1) code improvements that would require that buildings be designed, sited, and constructed in a manner that makes the buildings more adaptable in the future to become zero-net-energy after initial construction, as advances are achieved in energy-saving technologies;

“(2) code procedures to incorporate measured lifetimes, not just first-year energy use, in trade-offs and performance calculations; and

“(3) legislative options for increasing energy savings from building energy codes, including additional incentives for effective State and local action, and verification of compliance with and enforcement of a code other than by a State or local government.

“(i) EFFECT ON OTHER LAWS.—Nothing in this section or section 307 supersedes or modifies the application of sections 321 through 346 of the Energy Policy and Conservation Act (42 U.S.C. 6291 et seq.).

“(j) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section and section 307 \$200,000,000, to remain available until expended.”.

(c) FEDERAL BUILDING ENERGY EFFICIENCY STANDARDS.—Section 305 of the Energy Conservation and Production Act (42 U.S.C. 6834) is amended by striking “voluntary building energy code” each place it appears in subsections (a)(2)(B) and (b) and inserting “model building energy code”.

(d) MODEL BUILDING ENERGY CODES.—Section 307 of the Energy Conservation and Production Act (42 U.S.C. 6836) is amended to read as follows:

“SEC. 307. SUPPORT FOR MODEL BUILDING ENERGY CODES.

“(a) IN GENERAL.—The Secretary shall support the updating of model building energy codes.

“(b) TARGETS.—

“(1) IN GENERAL.—The Secretary shall support the updating of the model building energy codes to enable the achievement of aggregate energy savings targets established under paragraph (2).

“(2) TARGETS.—

“(A) IN GENERAL.—The Secretary shall work with State, Indian tribes, local governments, nationally recognized code and standards developers, and other interested parties to support the updating of model building energy codes by establishing 1 or more aggregate energy savings targets to achieve the purposes of this section.

“(B) SEPARATE TARGETS.—The Secretary may establish separate targets for commercial and residential buildings.

“(C) BASELINES.—The baseline for updating model building energy codes shall be the 2009 IECC for residential buildings and ASHRAE Standard 90.1-2010 for commercial buildings.

“(D) SPECIFIC YEARS.—

“(i) IN GENERAL.—Targets for specific years shall be established and revised by the Secretary through rulemaking and coordinated with nationally recognized code and standards developers at a level that—

“(I) is at the maximum level of energy efficiency that is technologically feasible and life-cycle cost effective, while accounting for the economic considerations under paragraph (4);

“(II) is higher than the preceding target; and

“(III) promotes the achievement of commercial and residential high-performance buildings through high performance energy efficiency (within the meaning of section 401 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17061)).

“(ii) INITIAL TARGETS.—Not later than 1 year after the date of enactment of this clause, the Secretary shall establish initial targets under this subparagraph.

“(iii) DIFFERENT TARGET YEARS.—Subject to clause (i), prior to the applicable year, the Secretary may set a later target year for any of the model building energy codes described in subparagraph (A) if the Secretary determines that a target cannot be met.

“(iv) SMALL BUSINESS.—When establishing targets under this paragraph through rulemaking, the Secretary shall ensure compliance with the Small Business Regulatory Enforcement Fairness Act of 1996 (5 U.S.C. 601 note; Public Law 104-121).

“(3) APPLIANCE STANDARDS AND OTHER FACTORS AFFECTING BUILDING ENERGY USE.—In establishing building code targets under paragraph (2), the Secretary shall develop and adjust the targets in recognition of potential savings and costs relating to—

“(A) efficiency gains made in appliances, lighting, windows, insulation, and building envelope sealing;

“(B) advancement of distributed generation and on-site renewable power generation technologies;

“(C) equipment improvements for heating, cooling, and ventilation systems;

“(D) building management systems and SmartGrid technologies to reduce energy use; and

“(E) other technologies, practices, and building systems that the Secretary considers appropriate regarding building plug load and other energy uses.

“(4) ECONOMIC CONSIDERATIONS.—In establishing and revising building code targets

under paragraph (2), the Secretary shall consider the economic feasibility of achieving the proposed targets established under this section and the potential costs and savings for consumers and building owners, including a return on investment analysis.

“(c) TECHNICAL ASSISTANCE TO MODEL BUILDING ENERGY CODE-SETTING AND STANDARD DEVELOPMENT ORGANIZATIONS.—

“(1) IN GENERAL.—The Secretary shall, on a timely basis, provide technical assistance to model building energy code-setting and standard development organizations consistent with the goals of this section.

“(2) ASSISTANCE.—The assistance shall include, as requested by the organizations, technical assistance in—

“(A) evaluating code or standards proposals or revisions;

“(B) building energy analysis and design tools;

“(C) building demonstrations;

“(D) developing definitions of energy use intensity and building types for use in model building energy codes to evaluate the efficiency impacts of the model building energy codes;

“(E) performance-based standards;

“(F) evaluating economic considerations under subsection (b)(4); and

“(G) developing model building energy codes by Indian tribes in accordance with tribal law.

“(3) AMENDMENT PROPOSALS.—The Secretary may submit timely model building energy code amendment proposals to the model building energy code-setting and standard development organizations, with supporting evidence, sufficient to enable the model building energy codes to meet the targets established under subsection (b)(2).

“(4) ANALYSIS METHODOLOGY.—The Secretary shall make publicly available the entire calculation methodology (including input assumptions and data) used by the Secretary to estimate the energy savings of code or standard proposals and revisions.

“(d) DETERMINATION.—

“(1) REVISION OF MODEL BUILDING ENERGY CODES.—If the provisions of the IECC or ASHRAE Standard 90.1 regarding building energy use are revised, the Secretary shall make a preliminary determination not later than 90 days after the date of the revision, and a final determination not later than 15 months after the date of the revision, on whether or not the revision will—

“(A) improve energy efficiency in buildings compared to the existing model building energy code; and

“(B) meet the applicable targets under subsection (b)(2).

“(2) CODES OR STANDARDS NOT MEETING TARGETS.—

“(A) IN GENERAL.—If the Secretary makes a preliminary determination under paragraph (1)(B) that a code or standard does not meet the targets established under subsection (b)(2), the Secretary may at the same time provide the model building energy code or standard developer with proposed changes that would result in a model building energy code that meets the targets and with supporting evidence, taking into consideration—

“(i) whether the modified code is technically feasible and life-cycle cost effective;

“(ii) available appliances, technologies, materials, and construction practices; and

“(iii) the economic considerations under subsection (b)(4).

“(B) INCORPORATION OF CHANGES.—

“(i) IN GENERAL.—On receipt of the proposed changes, the model building energy

code or standard developer shall have an additional 270 days to accept or reject the proposed changes of the Secretary to the model building energy code or standard for the Secretary to make a final determination.

“(ii) FINAL DETERMINATION.—A final determination under paragraph (1) shall be on the modified model building energy code or standard.

“(e) ADMINISTRATION.—In carrying out this section, the Secretary shall—

“(1) publish notice of targets and supporting analysis and determinations under this section in the Federal Register to provide an explanation of and the basis for such actions, including any supporting modeling, data, assumptions, protocols, and cost-benefit analysis, including return on investment; and

“(2) provide an opportunity for public comment on targets and supporting analysis and determinations under this section.

“(f) VOLUNTARY CODES AND STANDARDS.—Notwithstanding any other provision of this section, any model building code or standard established under this section shall not be binding on a State, local government, or Indian tribe as a matter of Federal law.”

PART II—WORKER TRAINING AND CAPACITY BUILDING

SEC. 221. BUILDING TRAINING AND ASSESSMENT CENTERS.

(a) IN GENERAL.—The Secretary of Energy shall provide grants to institutions of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)) and Tribal Colleges or Universities (as defined in section 316(b) of that Act (20 U.S.C. 1059c(b))) to establish building training and assessment centers—

(1) to identify opportunities for optimizing energy efficiency and environmental performance in buildings;

(2) to promote the application of emerging concepts and technologies in commercial and institutional buildings;

(3) to train engineers, architects, building scientists, building energy permitting and enforcement officials, and building technicians in energy-efficient design and operation;

(4) to assist institutions of higher education and Tribal Colleges or Universities in training building technicians;

(5) to promote research and development for the use of alternative energy sources and distributed generation to supply heat and power for buildings, particularly energy-intensive buildings; and

(6) to coordinate with and assist State-accredited technical training centers, community colleges, Tribal Colleges or Universities, and local offices of the National Institute of Food and Agriculture and ensure appropriate services are provided under this section to each region of the United States.

(b) COORDINATION AND NONDUPLICATION.—

(1) IN GENERAL.—The Secretary shall coordinate the program with the Industrial Assessment Centers program and with other Federal programs to avoid duplication of effort.

(2) COLLOCATION.—To the maximum extent practicable, building, training, and assessment centers established under this section shall be collocated with Industrial Assessment Centers.

Subtitle B—Building Efficiency Finance

SEC. 231. LOAN PROGRAM FOR ENERGY EFFICIENCY UPGRADES TO EXISTING BUILDINGS.

Title XVII of the Energy Policy Act of 2005 (42 U.S.C. 16511 et seq.) is amended by adding at the end the following:

“SEC. 1706. BUILDING RETROFIT FINANCING PROGRAM.

“(a) DEFINITIONS.—In this section:

“(1) CREDIT SUPPORT.—The term ‘credit support’ means a guarantee or commitment to issue a guarantee or other forms of credit enhancement to ameliorate risks for efficiency obligations.

“(2) EFFICIENCY OBLIGATION.—The term ‘efficiency obligation’ means a debt or repayment obligation incurred in connection with financing a project, or a portfolio of such debt or payment obligations.

“(3) PROJECT.—The term ‘project’ means the installation and implementation of efficiency, advanced metering, distributed generation, or renewable energy technologies and measures in a building (or in multiple buildings on a given property) that are expected to increase the energy efficiency of the building (including fixtures) in accordance with criteria established by the Secretary.

“(b) ELIGIBLE PROJECTS.—

“(1) IN GENERAL.—Notwithstanding sections 1703 and 1705, the Secretary may provide credit support under this section, in accordance with section 1702.

“(2) INCLUSIONS.—Buildings eligible for credit support under this section include commercial, multifamily residential, industrial, municipal, government, institution of higher education, school, and hospital facilities that satisfy criteria established by the Secretary.

“(c) GUIDELINES.—

“(1) IN GENERAL.—Not later than 180 days after the date of enactment of this section, the Secretary shall—

“(A) establish guidelines for credit support provided under this section; and

“(B) publish the guidelines in the Federal Register; and

“(C) provide for an opportunity for public comment on the guidelines.

“(2) REQUIREMENTS.—The guidelines established by the Secretary under this subsection shall include—

“(A) standards for assessing the energy savings that could reasonably be expected to result from a project;

“(B) examples of financing mechanisms (and portfolios of such financing mechanisms) that qualify as efficiency obligations;

“(C) the threshold levels of energy savings that a project, at the time of issuance of credit support, shall be reasonably expected to achieve to be eligible for credit support;

“(D) the eligibility criteria the Secretary determines to be necessary for making credit support available under this section; and

“(E) notwithstanding subsections (d)(3) and (g)(2)(B) of section 1702, any lien priority requirements that the Secretary determines to be necessary, in consultation with the Director of the Office of Management and Budget, which may include—

“(i) requirements to preserve priority lien status of secured lenders and creditors in buildings eligible for credit support;

“(ii) remedies available to the Secretary under chapter 176 of title 28, United States Code, in the event of default on the efficiency obligation by the borrower; and

“(iii) measures to limit the exposure of the Secretary to financial risk in the event of default, such as—

“(I) the collection of a credit subsidy fee from the borrower as a loan loss reserve, taking into account the limitation on credit support under subsection (d);

“(II) minimum debt-to-income levels of the borrower;

“(III) minimum levels of value relative to outstanding mortgage or other debt on a building eligible for credit support;

“(IV) allowable thresholds for the percent of the efficiency obligation relative to the amount of any mortgage or other debt on an eligible building;

“(V) analysis of historic and anticipated occupancy levels and rental income of an eligible building;

“(VI) requirements of third-party contractors to guarantee energy savings that will result from a retrofit project, and whether financing on the efficiency obligation will amortize from the energy savings;

“(VII) requirements that the retrofit project incorporate protocols to measure and verify energy savings; and

“(VIII) recovery of payments equally by the Secretary and the retrofit.

“(3) EFFICIENCY OBLIGATIONS.—The financing mechanisms qualified by the Secretary under paragraph (2)(B) may include—

“(A) loans, including loans made by the Federal Financing Bank;

“(B) power purchase agreements, including energy efficiency power purchase agreements;

“(C) energy services agreements, including energy performance contracts;

“(D) property assessed clean energy bonds and other tax assessment-based financing mechanisms;

“(E) aggregate on-meter agreements that finance retrofit projects; and

“(F) any other efficiency obligations the Secretary determines to be appropriate.

“(4) PRIORITIES.—In carrying out this section, the Secretary shall prioritize—

“(A) the maximization of energy savings with the available credit support funding;

“(B) the establishment of a clear application and approval process that allows private building owners, lenders, and investors to reasonably expect to receive credit support for projects that conform to guidelines;

“(C) the distribution of projects receiving credit support under this section across States or geographical regions of the United States; and

“(D) projects designed to achieve whole-building retrofits.

“(d) LIMITATION.—Notwithstanding section 1702(c), the Secretary shall not issue credit support under this section in an amount that exceeds—

“(1) 90 percent of the principal amount of the efficiency obligation that is the subject of the credit support; or

“(2) \$10,000,000 for any single project.

“(e) AGGREGATION OF PROJECTS.—To the extent provided in the guidelines developed in accordance with subsection (c), the Secretary may issue credit support on a portfolio, or pool of projects, that are not required to be geographically contiguous, if each efficiency obligation in the pool fulfills the requirements described in this section.

“(f) APPLICATION.—

“(1) IN GENERAL.—To be eligible to receive credit support under this section, the applicant shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary determines to be necessary.

“(2) CONTENTS.—An application submitted under this section shall include assurances by the applicant that—

“(A) each contractor carrying out the project meets minimum experience level criteria, including local retrofit experience, as determined by the Secretary;

“(B) the project is reasonably expected to achieve energy savings, as set forth in the

application using any methodology that meets the standards described in the program guidelines;

“(C) the project meets any technical criteria described in the program guidelines;

“(D) the recipient of the credit support and the parties to the efficiency obligation will provide the Secretary with—

“(i) any information the Secretary requests to assess the energy savings that result from the project, including historical energy usage data, a simulation-based benchmark, and detailed descriptions of the building work, as described in the program guidelines; and

“(ii) permission to access information relating to building operations and usage for the period described in the program guidelines; and

“(E) any other assurances that the Secretary determines to be necessary.

“(3) DETERMINATION.—Not later than 90 days after receiving an application, the Secretary shall make a final determination on the application, which may include requests for additional information.

“(g) FEES.—

“(1) IN GENERAL.—In addition to the fees required by section 1702(h)(1), the Secretary may charge reasonable fees for credit support provided under this section.

“(2) AVAILABILITY.—Fees collected under this section shall be subject to section 1702(h)(2).

“(h) UNDERWRITING.—The Secretary may delegate the underwriting activities under this section to 1 or more entities that the Secretary determines to be qualified.

“(i) REPORT.—Not later than 1 year after commencement of the program, the Secretary shall submit to the appropriate committees of Congress a report that describes in reasonable detail—

“(1) the manner in which this section is being carried out;

“(2) the number and type of projects supported;

“(3) the types of funding mechanisms used to provide credit support to projects;

“(4) the energy savings expected to result from projects supported by this section;

“(5) any tracking efforts the Secretary is using to calculate the actual energy savings produced by the projects; and

“(6) any plans to improve the tracking efforts described in paragraph (5).

“(j) FUNDING.—

“(1) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section \$400,000,000 for the period of fiscal years 2012 through 2021, to remain available until expended.

“(2) ADMINISTRATIVE COSTS.—Not more than 1 percent of any amounts made available to the Secretary under paragraph (1) may be used by the Secretary for administrative costs incurred in carrying out this section.”

Subtitle C—Industrial Efficiency and Competitiveness

PART I—MANUFACTURING ENERGY EFFICIENCY

SEC. 241. STATE PARTNERSHIP INDUSTRIAL ENERGY EFFICIENCY REVOLVING LOAN PROGRAM.

Section 399A of the Energy Policy and Conservation Act (42 U.S.C. 6371h-1) is amended—

(1) in the section heading, by inserting “**and industry**” before the period at the end; and by redesignating subsections (h) and (i) as subsections (i) and (j), respectively; and

(3) by inserting after subsection (g) the following:

“(h) STATE PARTNERSHIP INDUSTRIAL ENERGY EFFICIENCY REVOLVING LOAN PROGRAM.—

“(1) IN GENERAL.—The Secretary shall carry out a program under which the Secretary shall provide grants to eligible lenders to pay the Federal share of creating a revolving loan program under which loans are provided to commercial and industrial manufacturers to implement commercially available technologies or processes that significantly—

“(A) reduce systems energy intensity, including the use of energy-intensive feedstocks; and

“(B) improve the industrial competitiveness of the United States.

“(2) ELIGIBLE LENDERS.—To be eligible to receive cost-matched Federal funds under this subsection, a lender shall—

“(A) be a community and economic development lender that the Secretary certifies meets the requirements of this subsection;

“(B) lead a partnership that includes participation by, at a minimum—

“(i) a State government agency; and

“(ii) a private financial institution or other provider of loan capital;

“(C) submit an application to the Secretary, and receive the approval of the Secretary, for cost-matched Federal funds to carry out a loan program described in paragraph (1); and

“(D) ensure that non-Federal funds are provided to match, on at least a dollar-for-dollar basis, the amount of Federal funds that are provided to carry out a revolving loan program described in paragraph (1).

“(3) AWARD.—The amount of cost-matched Federal funds provided to an eligible lender shall not exceed \$100,000,000 for any fiscal year.

“(4) RECAPTURE OF AWARDS.—

“(A) IN GENERAL.—An eligible lender that receives an award under paragraph (1) shall be required to repay to the Secretary an amount of cost-match Federal funds, as determined by the Secretary under subparagraph (B), if the eligible lender is unable or unwilling to operate a program described in this subsection for a period of not less than 10 years beginning on the date on which the eligible lender first receives funds made available through the award.

“(B) DETERMINATION BY SECRETARY.—The Secretary shall determine the amount of cost-match Federal funds that an eligible lender shall be required to repay to the Secretary under subparagraph (A) based on the consideration by the Secretary of—

“(i) the amount of non-Federal funds matched by the eligible lender;

“(ii) the amount of loan losses incurred by the revolving loan program described in paragraph (1); and

“(iii) any other appropriate factor, as determined by the Secretary.

“(C) USE OF RECAPTURED COST-MATCH FEDERAL FUNDS.—The Secretary may distribute to eligible lenders under this subsection each amount received by the Secretary under this paragraph.

“(5) ELIGIBLE PROJECTS.—A program for which cost-matched Federal funds are provided under this subsection shall be designed to accelerate the implementation of industrial and commercial applications of technologies or processes (including distributed generation, applications or technologies that use sensors, meters, software, and information networks, controls, and drives or that have been installed pursuant to an energy savings performance contract, project, or strategy) that—

“(A) improve energy efficiency, including improvements in efficiency and use of water, power factor, or load management;

“(B) enhance the industrial competitiveness of the United States; and

“(C) achieve such other goals as the Secretary determines to be appropriate.

“(6) EVALUATION.—The Secretary shall evaluate applications for cost-matched Federal funds under this subsection on the basis of—

“(A) the description of the program to be carried out with the cost-matched Federal funds;

“(B) the commitment to provide non-Federal funds in accordance with paragraph (2)(D);

“(C) program sustainability over a 10-year period;

“(D) the capability of the applicant;

“(E) the quantity of energy savings or energy feedstock minimization;

“(F) the advancement of the goal under this Act of 25-percent energy avoidance;

“(G) the ability to fund energy efficient projects not later than 120 days after the date of the grant award; and

“(H) such other factors as the Secretary determines appropriate.

“(7) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this subsection, \$400,000,000 for the period of fiscal years 2012 through 2021.”

SEC. 242. COORDINATION OF RESEARCH AND DEVELOPMENT OF ENERGY EFFICIENT TECHNOLOGIES FOR INDUSTRY.

(a) IN GENERAL.—As part of the research and development activities of the Industrial Technologies Program of the Department of Energy, the Secretary shall establish, as appropriate, collaborative research and development partnerships with other programs within the Office of Energy Efficiency and Renewable Energy (including the Building Technologies Program), the Office of Electricity Delivery and Energy Reliability, and the Office of Science that—

(1) leverage the research and development expertise of those programs to promote early stage energy efficiency technology development;

(2) support the use of innovative manufacturing processes and applied research for development, demonstration, and commercialization of new technologies and processes to improve efficiency (including improvements in efficient use of water), reduce emissions, reduce industrial waste, and improve industrial cost-competitiveness; and

(3) apply the knowledge and expertise of the Industrial Technologies Program to help achieve the program goals of the other programs.

(b) REPORTS.—Not later than 2 years after the date of enactment of this Act and biennially thereafter, the Secretary shall submit to Congress a report that describes actions taken to carry out subsection (a) and the results of those actions.

SEC. 243. REDUCING BARRIERS TO THE DEPLOYMENT OF INDUSTRIAL ENERGY EFFICIENCY.

(a) DEFINITIONS.—In this section:

(1) INDUSTRIAL ENERGY EFFICIENCY.—The term “industrial energy efficiency” means the energy efficiency derived from commercial technologies and measures to improve energy efficiency or to generate or transmit electric power and heat, including electric motor efficiency improvements, demand response, direct or indirect combined heat and power, and waste heat recovery.

(2) INDUSTRIAL SECTOR.—The term “industrial sector” means any subsector of the

manufacturing sector (as defined in North American Industry Classification System codes 31-33 (as in effect on the date of enactment of this Act)) establishments of which have, or could have, thermal host facilities with electricity requirements met in whole, or in part, by onsite electricity generation, including direct and indirect combined heat and power or waste recovery.

(3) SECRETARY.—The term “Secretary” means the Secretary of Energy.

(b) REPORT ON THE DEPLOYMENT OF INDUSTRIAL ENERGY EFFICIENCY.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report describing—

(A) the results of the study conducted under paragraph (2); and

(B) recommendations and guidance developed under paragraph (3).

(2) STUDY.—The Secretary, in coordination with the industrial sector, shall conduct a study of the following:

(A) The legal, regulatory, and economic barriers to the deployment of industrial energy efficiency in all electricity markets (including organized wholesale electricity markets, and regulated electricity markets), including, as applicable, the following:

(i) Transmission and distribution interconnection requirements.

(ii) Standby, back-up, and maintenance fees (including demand ratchets).

(iii) Exit fees.

(iv) Life of contract demand ratchets.

(v) Net metering.

(vi) Calculation of avoided cost rates.

(vii) Power purchase agreements.

(viii) Energy market structures.

(ix) Capacity market structures.

(x) Other barriers as may be identified by the Secretary, in coordination with the industrial sector.

(B) Examples of —

(i) successful State and Federal policies that resulted in greater use of industrial energy efficiency;

(ii) successful private initiatives that resulted in greater use of industrial energy efficiency; and

(iii) cost-effective policies used by foreign countries to foster industrial energy efficiency.

(C) The estimated economic benefits to the national economy of providing the industrial sector with Federal energy efficiency matching grants of \$5,000,000,000 for 5- and 10-year periods, including benefits relating to—

(i) estimated energy and emission reductions;

(ii) direct and indirect jobs saved or created;

(iii) direct and indirect capital investment;

(iv) the gross domestic product; and

(v) trade balance impacts.

(D) The estimated energy savings available from increased use of recycled material in energy-intensive manufacturing processes.

(3) RECOMMENDATIONS AND GUIDANCE.—The Secretary, in coordination with the industrial sector, shall develop policy recommendations regarding the deployment of industrial energy efficiency, including proposed regulatory guidance to States and relevant Federal agencies to address barriers to deployment.

SEC. 244. FUTURE OF INDUSTRY PROGRAM.

(a) IN GENERAL.—Section 452 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17111) is amended by striking the sec-

tion heading and inserting the following: “**future of industry program**”.

(b) DEFINITION OF ENERGY SERVICE PROVIDER.—Section 452(a) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17111(a)) is amended—

(1) by redesignating paragraphs (3) through (5) as paragraphs (4) through (6), respectively; and

(2) by inserting after paragraph (3):

“(5) ENERGY SERVICE PROVIDER.—The term ‘energy service provider’ means any private company or similar entity providing technology or services to improve energy efficiency in an energy-intensive industry.”.

(c) INDUSTRIAL RESEARCH AND ASSESSMENT CENTERS.—

(1) IN GENERAL.—Section 452(e) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17111(e)) is amended—

(A) by redesignating paragraphs (1) through (5) as subparagraphs (A) through (E), respectively, and indenting appropriately;

(B) by striking “The Secretary” and inserting the following:

“(1) IN GENERAL.—The Secretary”;

(C) in subparagraph (A) (as redesignated by subparagraph (A)), by inserting before the semicolon at the end the following: “, including assessments of sustainable manufacturing goals and the implementation of information technology advancements for supply chain analysis, logistics, system monitoring, industrial and manufacturing processes, and other purposes”; and

(D) by adding at the end the following:

“(2) CENTERS OF EXCELLENCE.—

“(A) IN GENERAL.—The Secretary shall establish a Center of Excellence at up to 10 of the highest performing industrial research and assessment centers, as determined by the Secretary.

“(B) DUTIES.—A Center of Excellence shall coordinate with and advise the industrial research and assessment centers located in the region of the Center of Excellence.

“(C) FUNDING.—Subject to the availability of appropriations, of the funds made available under subsection (f), the Secretary shall use to support each Center of Excellence not less than \$500,000 for fiscal year 2012 and each fiscal year thereafter, as determined by the Secretary.

“(3) EXPANSION OF CENTERS.—The Secretary shall provide funding to establish additional industrial research and assessment centers at institutions of higher education that do not have industrial research and assessment centers established under paragraph (1), taking into account the size of, and potential energy efficiency savings for, the manufacturing base within the region of the proposed center.

“(4) COORDINATION.—

“(A) IN GENERAL.—To increase the value and capabilities of the industrial research and assessment centers, the centers shall—

“(i) coordinate with Manufacturing Extension Partnership Centers of the National Institute of Standards and Technology;

“(ii) coordinate with the Building Technologies Program of the Department of Energy to provide building assessment services to manufacturers;

“(iii) increase partnerships with the National Laboratories of the Department of Energy to leverage the expertise and technologies of the National Laboratories for national industrial and manufacturing needs;

“(iv) increase partnerships with energy service providers and technology providers to leverage private sector expertise and accelerate deployment of new and existing technologies and processes for energy efficiency, power factor, and load management;

“(v) identify opportunities for reducing greenhouse gas emissions; and

“(vi) promote sustainable manufacturing practices for small- and medium-sized manufacturers.

“(5) OUTREACH.—The Secretary shall provide funding for—

“(A) outreach activities by the industrial research and assessment centers to inform small- and medium-sized manufacturers of the information, technologies, and services available; and

“(B) a full-time equivalent employee at each center of excellence whose primary mission shall be to coordinate and leverage the efforts of the center with—

“(i) Federal and State efforts;

“(ii) the efforts of utilities and energy service providers;

“(iii) the efforts of regional energy efficiency organizations; and

“(iv) the efforts of other centers in the region of the center of excellence.

“(6) WORKFORCE TRAINING.—

“(A) IN GENERAL.—The Secretary shall pay the Federal share of associated internship programs under which students work with or for industries, manufacturers, and energy service providers to implement the recommendations of industrial research and assessment centers.

“(B) FEDERAL SHARE.—The Federal share of the cost of carrying out internship programs described in subparagraph (A) shall be 50 percent.

“(C) FUNDING.—Subject to the availability of appropriations, of the funds made available under subsection (f), the Secretary shall use to carry out this paragraph not less than \$5,000,000 for fiscal year 2012 and each fiscal year thereafter.

“(7) SMALL BUSINESS LOANS.—The Administrator of the Small Business Administration shall, to the maximum practicable, expedite consideration of applications from eligible small business concerns for loans under the Small Business Act (15 U.S.C. 631 et seq.) to implement recommendations of industrial research and assessment centers established under paragraph (1).”.

SEC. 245. SUSTAINABLE MANUFACTURING INITIATIVE.

(a) IN GENERAL.—Part E of title III of the Energy Policy and Conservation Act (42 U.S.C. 6341) is amended by adding at the end the following:

“SEC. 376. SUSTAINABLE MANUFACTURING INITIATIVE.

“(a) IN GENERAL.—As part of the Industrial Technologies Program of the Department of Energy, the Secretary shall carry out a sustainable manufacturing initiative under which the Secretary, on the request of a manufacturer, shall conduct onsite technical assessments to identify opportunities for—

“(1) maximizing the energy efficiency of industrial processes and cross-cutting systems;

“(2) preventing pollution and minimizing waste;

“(3) improving efficient use of water in manufacturing processes;

“(4) conserving natural resources; and

“(5) achieving such other goals as the Secretary determines to be appropriate.

“(b) COORDINATION.—The Secretary shall carry out the initiative in coordination with the private sector and appropriate agencies, including the National Institute of Standards and Technology to accelerate adoption of new and existing technologies or processes that improve energy efficiency.

“(c) RESEARCH AND DEVELOPMENT PROGRAM FOR SUSTAINABLE MANUFACTURING AND IN-

DUSTRIAL TECHNOLOGIES AND PROCESSES.—As part of the Industrial Technologies Program of the Department of Energy, the Secretary shall carry out a joint industry-government partnership program to research, develop, and demonstrate new sustainable manufacturing and industrial technologies and processes that maximize the energy efficiency of industrial systems, reduce pollution, and conserve natural resources.

“(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be to carry out this section \$10,000,000 for the period of fiscal years 2012 through 2021.”.

(b) TABLE OF CONTENTS.—The table of contents of the Energy Policy and Conservation Act (42 U.S.C. prec. 6201) is amended by adding at the end of the items relating to part E of title III the following:

“Sec. 376. Sustainable manufacturing initiative.”.

SEC. 246. STUDY OF ADVANCED ENERGY TECHNOLOGY MANUFACTURING CAPABILITIES IN THE UNITED STATES.

(a) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, the Secretary shall enter into an arrangement with the National Academy of Sciences under which the Academy shall conduct a study of the development of advanced manufacturing capabilities for various energy technologies, including—

(1) an assessment of the manufacturing supply chains of established and emerging industries;

(2) an analysis of—

(A) the manner in which supply chains have changed over the 25-year period ending on the date of enactment of this Act;

(B) current trends in supply chains; and

(C) the energy intensity of each part of the supply chain and opportunities for improvement;

(3) for each technology or manufacturing sector, an analysis of which sections of the supply chain are critical for the United States to retain or develop to be competitive in the manufacturing of the technology;

(4) an assessment of which emerging energy technologies the United States should focus on to create or enhance manufacturing capabilities; and

(5) recommendations on leveraging the expertise of energy efficiency and renewable energy user facilities so that best materials and manufacturing practices are designed and implemented.

(b) REPORT.—Not later than 2 years after the date on which the Secretary enters into the agreement with the Academy described in subsection (a), the Academy shall submit to the Committee on Energy and Natural Resources of the Senate, the Committee on Energy and Commerce of the House of Representatives, and the Secretary a report describing the results of the study required under this section, including any findings and recommendations.

SEC. 247. INDUSTRIAL TECHNOLOGIES STEERING COMMITTEE.

The Secretary shall establish an advisory steering committee that includes national trade associations representing energy-intensive industries or energy service providers to provide recommendations to the Secretary on planning and implementation of the Industrial Technologies Program of the Department of Energy.

PART II—SUPPLY STAR

SEC. 251. SUPPLY STAR.

Part B of title III of the Energy Policy and Conservation Act (42 U.S.C. 6291) is amended by inserting after section 324A (42 U.S.C. 6294a) the following:

“SEC. 324B. SUPPLY STAR PROGRAM.

“(a) IN GENERAL.—There is established within the Department of Energy a Supply Star program to identify and promote practices, recognize companies, and, as appropriate, recognize products that use highly efficient supply chains in a manner that conserves energy, water, and other resources.

“(b) COORDINATION.—In carrying out the program described in subsection (a), the Secretary shall—

“(1) consult with other appropriate agencies; and

“(2) coordinate efforts with the Energy Star program established under section 324A.

“(c) DUTIES.—In carrying out the Supply Star program described in subsection (a), the Secretary shall—

“(1) promote practices, recognize companies, and, as appropriate, recognize products that comply with the Supply Star program as the preferred practices, companies, and products in the marketplace for maximizing supply chain efficiency;

“(2) work to enhance industry and public awareness of the Supply Star program;

“(3) collect and disseminate data on supply chain energy resource consumption;

“(4) develop and disseminate metrics, processes, and analytical tools (including software) for evaluating supply chain energy resource use;

“(5) develop guidance at the sector level for improving supply chain efficiency;

“(6) work with domestic and international organizations to harmonize approaches to analyzing supply chain efficiency, including the development of a consistent set of tools, templates, calculators, and databases; and

“(7) work with industry, including small businesses, to improve supply chain efficiency through activities that include—

“(A) developing and sharing best practices; and

“(B) providing opportunities to benchmark supply chain efficiency.

“(d) EVALUATION.—In any evaluation of supply chain efficiency carried out by the Secretary with respect to a specific product, the Secretary shall consider energy consumption and resource use throughout the entire lifecycle of a product, including production, transport, packaging, use, and disposal.

“(e) GRANTS AND INCENTIVES.—

“(1) IN GENERAL.—The Secretary may award grants or other forms of incentives on a competitive basis to eligible entities, as determined by the Secretary, for the purposes of—

“(A) studying supply chain energy resource efficiency; and

“(B) demonstrating and achieving reductions in the energy resource consumption of commercial products through changes and improvements to the production supply and distribution chain of the products.

“(2) USE OF INFORMATION.—Any information or data generated as a result of the grants or incentives described in paragraph (1) shall be used to inform the development of the Supply Star Program.

“(f) TRAINING.—The Secretary shall use funds to support professional training programs to develop and communicate methods, practices, and tools for improving supply chain efficiency.

“(g) EFFECT OF IMPACT ON CLIMATE CHANGE.—For purposes of this section, the impact on climate change shall not be a factor in determining supply chain efficiency.

“(h) EFFECT OF OUTSOURCING OF AMERICAN JOBS.—For purposes of this section, the outsourcing of American jobs in the production

of a product shall not count as a positive factor in determining supply chain efficiency.

“(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section \$10,000,000 for the period of fiscal years 2012 through 2021.”

PART III—ELECTRIC MOTOR REBATE PROGRAM

SEC. 261. ENERGY SAVING MOTOR CONTROL REBATE PROGRAM.

(a) ESTABLISHMENT.—Not later than January 1, 2012, the Secretary of Energy (referred to in this section as the “Secretary”) shall establish a program to provide rebates for expenditures made by entities for the purchase and installation of a new constant speed electric motor control that reduces motor energy use by not less than 5 percent.

(b) REQUIREMENTS.—

(1) APPLICATION.—To be eligible to receive a rebate under this section, an entity shall submit to the Secretary an application in such form, at such time, and containing such information as the Secretary may require, including—

(A) demonstrated evidence that the entity purchased a constant speed electric motor control that reduces motor energy use by not less than 5 percent; and

(B) the physical nameplate of the installed motor of the entity to which the energy saving motor control is attached.

(2) AUTHORIZED AMOUNT OF REBATE.—The Secretary may provide to an entity that meets the requirements of paragraph (1) a rebate the amount of which shall be equal to the product obtained by multiplying—

(A) the nameplate horsepower of the electric motor to which the energy saving motor control is attached; and

(B) \$25.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$5,000,000 for each of fiscal years 2012 and 2013, to remain available until expended.

PART IV—TRANSFORMER REBATE PROGRAM

SEC. 271. ENERGY EFFICIENT TRANSFORMER REBATE PROGRAM.

(a) DEFINITION OF QUALIFIED TRANSFORMER.—In this section, the term “qualified transformer” means a transformer that meets or exceeds the National Electrical Manufacturers Association (NEMA) Premium Efficiency designation, calculated to 2 decimal points, as having 30 percent fewer losses than the NEMA TP-1-2002 efficiency standard for a transformer of the same number of phases and capacity, as measured in kilovolt-amperes.

(b) ESTABLISHMENT.—Not later than January 1, 2012, the Secretary of Energy (referred to in this section as the “Secretary”) shall establish a program to provide rebates for expenditures made by owners of commercial buildings and multifamily residential buildings for the purchase and installation of a new energy efficient transformers.

(c) REQUIREMENTS.—

(1) APPLICATION.—To be eligible to receive a rebate under this section, an owner shall submit to the Secretary an application in such form, at such time, and containing such information as the Secretary may require, including demonstrated evidence that the owner purchased a qualified transformer.

(2) AUTHORIZED AMOUNT OF REBATE.—For qualified transformers, rebates, in dollars per kilovolt-ampere (referred to in this paragraph as “kVA”) shall be—

(A) for 3-phase transformers—

(i) with a capacity of not greater than 10 kVA, \$15;

(ii) with a capacity of not less than 10 kVA and not greater than 100 kVA, the difference between 15 and the quotient obtained by dividing—

(I) the difference between—

(aa) the capacity of the transformer in kVA; and

(bb) 10; by

(II) 9; and

(iii) with a capacity greater than or equal to 100 kVA, \$5; and

(B) for single-phase transformers, 75 percent of the rebate for a 3-phase transformer of the same capacity.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$5,000,000 for each of fiscal years 2012 and 2013, to remain available until expended.

Subtitle D—Federal Agency Energy Efficiency

SEC. 281. ADOPTION OF PERSONAL COMPUTER POWER SAVINGS TECHNIQUES BY FEDERAL AGENCIES.

(a) IN GENERAL.—Not later than 360 days after the date of enactment of this Act, the Secretary of Energy, in consultation with the Secretary of Defense, the Secretary of Veterans Affairs, and the Administrator of General Services, shall issue guidance for Federal agencies to employ advanced tools allowing energy savings through the use of computer hardware, energy efficiency software, and power management tools.

(b) REPORTS ON PLANS AND SAVINGS.—Not later than 180 days after the date of the issuance of the guidance under subsection (a), each Federal agency shall submit to the Secretary of Energy a report that describes—

(1) the plan of the agency for implementing the guidance within the agency; and

(2) estimated energy and financial savings from employing the tools described in subsection (a).

SEC. 282. AVAILABILITY OF FUNDS FOR DESIGN UPDATES.

Section 3307 of title 40, United States Code, is amended—

(1) by redesignating subsections (d) through (h) as subsections (e) through (i), respectively; and

(2) by inserting after subsection (c) the following:

“(d) AVAILABILITY OF FUNDS FOR DESIGN UPDATES.—

“(1) IN GENERAL.—Subject to paragraph (2), for any project for which congressional approval is received under subsection (a) and for which the design has been substantially completed but construction has not begun, the Administrator of General Services may use appropriated funds to update the project design to meet applicable Federal building energy efficiency standards established under section 305 of the Energy Conservation and Production Act (42 U.S.C. 6834) and other requirements established under section 3312.

“(2) LIMITATION.—The use of funds under paragraph (1) shall not exceed 125 percent of the estimated energy or other cost savings associated with the updates as determined by a life-cycle cost analysis under section 544 of the National Energy Conservation Policy Act (42 U.S.C. 8254).”

SEC. 283. BEST PRACTICES FOR ADVANCED METERING.

Section 543(e) of the National Energy Conservation Policy Act (42 U.S.C. 8253(e)) is amended by striking paragraph (3) and inserting the following:

“(3) PLAN.—

“(A) IN GENERAL.—Not later than 180 days after the date on which guidelines are established under paragraph (2), in a report sub-

mitted by the agency under section 548(a), each agency shall submit to the Secretary a plan describing the manner in which the agency will implement the requirements of paragraph (1), including—

“(i) how the agency will designate personnel primarily responsible for achieving the requirements; and

“(ii) a demonstration by the agency, complete with documentation, of any finding that advanced meters or advanced metering devices (as those terms are used in paragraph (1)), are not practicable.

“(B) UPDATES.—Reports submitted under subparagraph (A) shall be updated annually.

“(4) BEST PRACTICES REPORT.—

“(A) IN GENERAL.—Not later than 180 days after the date of enactment of the Energy Savings and Industrial Competitiveness Act of 2012, the Secretary of Energy, in consultation with the Secretary of Defense and the Administrator of General Services, shall develop, and issue a report on, best practices for the use of advanced metering of energy use in Federal facilities, buildings, and equipment by Federal agencies.

“(B) UPDATING.—The report described under subparagraph (A) shall be updated annually.

“(C) COMPONENTS.—The report shall include, at a minimum—

“(i) summaries and analysis of the reports by agencies under paragraph (3);

“(ii) recommendations on standard requirements or guidelines for automated energy management systems, including—

“(I) potential common communications standards to allow data sharing and reporting;

“(II) means of facilitating continuous commissioning of buildings and evidence-based maintenance of buildings and building systems; and

“(III) standards for sufficient levels of security and protection against cyber threats to ensure systems cannot be controlled by unauthorized persons; and

“(iii) an analysis of—

“(I) the types of advanced metering and monitoring systems being piloted, tested, or installed in Federal buildings; and

“(II) existing techniques used within the private sector or other non-Federal government buildings.”

SEC. 284. FEDERAL ENERGY MANAGEMENT AND DATA COLLECTION STANDARD.

Section 543 of the National Energy Conservation Policy Act (42 U.S.C. 8253) is amended—

(1) by redesignating the second subsection (f) (as added by section 434(a) of Public Law 110-140 (121 Stat. 1614)) as subsection (g); and

(2) in subsection (f)(7), by striking subparagraph (A) and inserting the following:

“(A) IN GENERAL.—For each facility that meets the criteria established by the Secretary under paragraph (2)(B), the energy manager shall use the web-based tracking system under subparagraph (B)—

“(i) to certify compliance with the requirements for—

“(I) energy and water evaluations under paragraph (3);

“(II) implementation of identified energy and water measures under paragraph (4); and

“(III) follow-up on implemented measures under paragraph (5); and

“(ii) to publish energy and water consumption data on an individual facility basis.”

SEC. 285. ELECTRIC VEHICLE CHARGING INFRASTRUCTURE.

Section 804(4) of the National Energy Conservation Policy Act (42 U.S.C. 8287c(4)) is amended—

(1) in subparagraph (A), by striking “or” after the semicolon;

(2) in subparagraph (B), by striking the period at the end and inserting “; or”; and

(3) by adding at the end the following:

“(C) a measure to support the use of electric vehicles or the fueling or charging infrastructure necessary for electric vehicles.”.

SEC. 286. FEDERAL PURCHASE REQUIREMENT.

Section 203 of the Energy Policy Act of 2005 (42 U.S.C. 15852) is amended—

(1) in subsections (a) and (b)(2), by striking “electric energy” each place it appears and inserting “electric, direct, and thermal energy”;

(2) in subsection (b)(2)—

(A) by inserting “, or avoided by,” after “generated from”; and

(B) by inserting “(including ground-source, reclaimed, and ground water)” after “geothermal”;

(3) by redesignating subsection (d) as subsection (e); and

(4) by inserting after subsection (c) the following:

“(d) SEPARATE CALCULATION.—Renewable energy produced at a Federal facility, on Federal land, or on Indian land (as defined in section 2601 of the Energy Policy Act of 1992 (25 U.S.C. 3501))—

“(1) shall be calculated (on a BTU-equivalent basis) separately from renewable energy used; and

“(2) may be used individually or in combination to comply with subsection (a).”.

SEC. 287. STUDY ON FEDERAL DATA CENTER CONSOLIDATION.

(a) IN GENERAL.—The Secretary of Energy shall conduct a study on the feasibility of a government-wide data center consolidation, with an overall Federal target of a minimum of 800 Federal data center closures by October 1, 2015.

(b) COORDINATION.—In conducting the study, the Secretary shall coordinate with Federal data center program managers, facilities managers, and sustainability officers.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to Congress a report that describes the results of the study, including a description of agency best practices in data center consolidation.

Subtitle E—Miscellaneous

SEC. 291. OFFSETS.

(a) ZERO-NET ENERGY COMMERCIAL BUILDINGS INITIATIVE.—Section 422(f) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17082(f)) is amended by striking paragraphs (2) through (4) and inserting the following:

“(2) \$50,000,000 for each of fiscal years 2009 through 2012;

“(3) \$100,000,000 for fiscal year 2013; and

“(4) \$200,000,000 for each of fiscal years 2014 through 2018.”.

(b) ENERGY SUSTAINABILITY AND EFFICIENCY GRANTS AND LOANS FOR INSTITUTIONS.—Subsection (j) of section 399A of the Energy Policy and Conservation Act (42 U.S.C. 6371h-1) (as redesignated by section 241(2)) is amended—

(1) in paragraph (1), by striking “through 2013” and inserting “and 2010, \$100,000,000 for each of fiscal years 2011 and 2012, and \$250,000,000 for fiscal year 2013”; and

(2) in paragraph (2), by striking “through 2013” and inserting “and 2010, \$100,000,000 for each of fiscal years 2011 and 2012, and \$425,000,000 for fiscal year 2013”.

(c) WASTE ENERGY RECOVERY INCENTIVE PROGRAM.—Section 373(f)(1) of the Energy

Policy and Conservation Act (42 U.S.C. 6343(f)(1)) is amended—

(1) by redesignating subparagraph (B) as subparagraph (D); and

(2) by striking subparagraph (A) and inserting the following:

“(A) \$100,000,000 for fiscal year 2008;

“(B) \$200,000,000 for each of fiscal years 2009 and 2010;

“(C) \$100,000,000 for each of fiscal years 2011 and 2012; and”.

(d) ENERGY-INTENSIVE INDUSTRIES PROGRAM.—Section 452(f)(1) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17111(f)(1)) is amended—

(1) in subparagraph (D), by striking “\$202,000,000” and inserting “\$102,000,000”; and

(2) in subparagraph (E), by striking “\$208,000,000” and inserting “\$108,000,000”.

SEC. 292. ADVANCE APPROPRIATIONS REQUIRED.

The authorization of amounts under this title and the amendments made by this title shall be effective for any fiscal year only to the extent and in the amount provided in advance in appropriations Acts.

SA 2828. Mr. HOEVEN (for himself and Mr. MANCHIN) submitted an amendment intended to be proposed by him to the bill S. 3457, to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the amendment, add the following:

SEC. 19. KEYSTONE XL PERMIT APPROVAL.

(a) IN GENERAL.—Notwithstanding Executive Order No. 13337 (3 U.S.C. 301 note), Executive Order No. 11423 (3 U.S.C. 301 note), section 301 of title 3, United States Code, and any other Executive order or provision of law, no presidential permit shall be required for the pipeline described in the application filed on May 4, 2012, by TransCanada Corporation to the Department of State for the northern portion of the Keystone XL pipeline from the Canadian border to the South Dakota/Nebraska border.

(b) ENVIRONMENTAL IMPACT STATEMENT.—The final environmental impact statement issued by the Secretary of State on August 26, 2011, regarding the pipeline referred to in subsection (a), shall be considered to satisfy all requirements of the National Environment Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(c) INTRASTATE PORTION.—Nothing in this section affects the ongoing work of the State of Nebraska with regard to the fully intrastate portion of the Keystone XL pipeline.

SA 2829. Ms. KLOBUCHAR (for herself and Mr. ENZI) submitted an amendment intended to be proposed by her to the bill S. 3457, to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . GRANTS FOR EMERGENCY MEDICAL SERVICES PERSONNEL TRAINING FOR VETERANS.

Section 330J(c)(8) of the Public Health Service Act (42 U.S.C. 254c-15(c)(8)) is amended by inserting before the period the following: “, including, as provided by the Secretary, may use funds to provide to military veterans required coursework and training

that take into account, and are not duplicative of, previous medical coursework and training received when such veterans were active members of the Armed Forces, to enable such veterans to satisfy emergency medical services personnel certification requirements, as determined by the appropriate State regulatory entity”.

SA 2830. Mr. COCHRAN submitted an amendment intended to be proposed to amendment SA 2789 proposed by Mrs. MURRAY to the bill S. 3457, to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes; which was ordered to lie on the table; as follows:

On page 9, strike lines 24 and 25 and insert the following:

(1) IN GENERAL.—There is authorized to be appropriated to the Secretary of Veterans

SA 2831. Mr. COCHRAN submitted an amendment intended to be proposed by him to the bill S. 3457, to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes; which was ordered to lie on the table; as follows:

On page 9, strike lines 4 and 5 and insert the following:

(1) IN GENERAL.—There is authorized to be appropriated to the Secretary of Veterans

SA 2832. Mr. HOEVEN (for himself and Mr. MANCHIN) submitted an amendment intended to be proposed to amendment SA 2789 proposed by Mrs. MURRAY to the bill S. 3457, to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the amendment, add the following:

SEC. 19. KEYSTONE XL PERMIT APPROVAL.

(a) IN GENERAL.—Notwithstanding Executive Order No. 13337 (3 U.S.C. 301 note), Executive Order No. 11423 (3 U.S.C. 301 note), section 301 of title 3, United States Code, and any other Executive order or provision of law, no presidential permit shall be required for the pipeline described in the application filed on May 4, 2012, by TransCanada Corporation to the Department of State for the northern portion of the Keystone XL pipeline from the Canadian border to the South Dakota/Nebraska border.

(b) ENVIRONMENTAL IMPACT STATEMENT.—The final environmental impact statement issued by the Secretary of State on August 26, 2011, regarding the pipeline referred to in subsection (a), shall be considered to satisfy all requirements of the National Environment Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(c) INTRASTATE PORTION.—Nothing in this section affects the ongoing work of the State of Nebraska with regard to the fully intrastate portion of the Keystone XL pipeline.

SA 2833. Ms. LANDRIEU submitted an amendment intended to be proposed to amendment SA 2789 proposed by Mrs. MURRAY to the bill S. 3457, to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. ____ VETERANS' BUSINESS CENTER PROGRAM; OFFICE OF VETERANS BUSINESS DEVELOPMENT.

(a) IN GENERAL.—Section 32 of the Small Business Act (15 U.S.C. 657b) is amended by striking subsection (f) and inserting the following:

“(f) ONLINE COORDINATION.—

“(1) DEFINITION.—In this subsection, the term ‘veterans’ assistance provider’ means—

“(A) a veterans’ business center established under subsection (g);

“(B) an employee of the Administration assigned to the Office of Veterans Business Development; and

“(C) a veterans business ownership representative designated under subsection (g)(13)(B).

“(2) ESTABLISHMENT.—The Associate Administrator shall establish an online mechanism to—

“(A) provide information that assists veterans’ assistance providers in carrying out the activities of the veterans’ assistance providers; and

“(B) coordinate and leverage the work of the veterans’ assistance providers, including by allowing a veterans’ assistance provider to—

“(i) distribute best practices and other materials;

“(ii) communicate with other veterans’ assistance providers regarding the activities of the veterans’ assistance provider on behalf of veterans; and

“(iii) pose questions to and request input from other veterans’ assistance providers.

“(g) VETERANS’ BUSINESS CENTER PROGRAM.—

“(1) DEFINITIONS.—In this subsection—

“(A) the term ‘active duty’ has the meaning given that term in section 101 of title 10, United States Code;

“(B) the term ‘private nonprofit organization’ means an entity that is described in section 501(c) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of such Code;

“(C) the term ‘Reservist’ means a member of a reserve component of the Armed Forces, as described in section 10101 of title 10, United States Code;

“(D) the term ‘Service Corps of Retired Executives’ means the Service Corps of Retired Executives authorized under section 8(b)(1);

“(E) the term ‘small business concern owned and controlled by veterans’—

“(i) has the same meaning as in section 3(q); and

“(ii) includes a small business concern—

“(I) not less than 51 percent of which is owned by one or more spouses of veterans or, in the case of any publicly owned business, not less than 51 percent of the stock of which is owned by one or more spouses of veterans; and

“(II) the management and daily business operations of which are controlled by one or more spouses of veterans;

“(F) the term ‘spouse’, relating to a veteran, service-disabled veteran, or Reservist, includes an individual who is the spouse of a veteran, service-disabled veteran, or Reservist on the date on which the veteran, service-disabled veteran, or Reservist died;

“(G) the term ‘veterans’ business center program’ means the program established under paragraph (2)(A); and

“(H) the term ‘women’s business center’ means a women’s business center described in section 29.

“(2) PROGRAM ESTABLISHED.—

“(A) IN GENERAL.—The Administrator, acting through the Associate Administrator, shall establish a veterans’ business center

program, under which the Associate Administrator may provide financial assistance to a private nonprofit organization to conduct a 5-year project for the benefit of small business concerns owned and controlled by veterans, which may be renewed for one or more additional 5-year periods.

“(B) FORM OF FINANCIAL ASSISTANCE.—Financial assistance under this subsection may be in the form of a grant, a contract, or a cooperative agreement.

“(3) VETERANS’ BUSINESS CENTERS.—Each private nonprofit organization that receives financial assistance under this subsection shall establish or operate a veterans’ business center (which may include establishing or operating satellite offices in the region described in paragraph (5) served by that private nonprofit organization) that provides to veterans (including service-disabled veterans), Reservists, and the spouses of veterans (including service-disabled veterans) and Reservists—

“(A) financial advice, including training and counseling on applying for and securing business credit and investment capital, preparing and presenting financial statements, and managing cash flow and other financial operations of a small business concern;

“(B) management advice, including training and counseling on the planning, organization, staffing, direction, and control of each major activity and function of a small business concern;

“(C) marketing advice, including training and counseling on identifying and segmenting domestic and international market opportunities, preparing and executing marketing plans, developing pricing strategies, locating contract opportunities, negotiating contracts, and using public relations and advertising techniques; and

“(D) advice, including training and counseling, for Reservists and the spouses of Reservists.

“(4) APPLICATION.—

“(A) IN GENERAL.—A private nonprofit organization desiring to receive financial assistance under this subsection shall submit an application to the Associate Administrator at such time and in such manner as the Associate Administrator may require.

“(B) 5-YEAR PLAN.—Each application described in subparagraph (A) shall include a 5-year plan on proposed fundraising and training activities relating to the veterans’ business center.

“(C) DETERMINATION AND NOTIFICATION.—Not later than 60 days after the date on which a private nonprofit organization submits an application under subparagraph (A), the Associate Administrator shall approve or deny the application and notify the applicant of the determination.

“(D) AVAILABILITY OF APPLICATION.—The Associate Administrator shall make every effort to make the application under subparagraph (A) available online.

“(5) ELIGIBILITY.—The Associate Administrator may select to receive financial assistance under this subsection—

“(A) a Veterans Business Outreach Center established by the Administrator under section 8(b)(17) on or before the day before the date of enactment of this subsection; or

“(B) private nonprofit organizations located in various regions of the United States, as the Associate Administrator determines is appropriate.

“(6) SELECTION CRITERIA.—

“(A) IN GENERAL.—The Associate Administrator shall establish selection criteria, stated in terms of relative importance, to evaluate and rank applicants under paragraph

(5)(C) for financial assistance under this subsection.

“(B) CRITERIA.—The selection criteria established under this paragraph shall include—

“(i) the experience of the applicant in conducting programs or ongoing efforts designed to impart or upgrade the business skills of veterans, and the spouses of veterans, who own or may own small business concerns;

“(ii) for an applicant for initial financial assistance under this subsection—

“(I) the ability of the applicant to begin operating a veterans’ business center within a minimum amount of time; and

“(II) the geographic region to be served by the veterans’ business center;

“(iii) the demonstrated ability of the applicant to—

“(I) provide managerial counseling and technical assistance to entrepreneurs; and

“(II) coordinate services provided by veterans services organizations and other public or private entities; and

“(iv) for any applicant for a renewal of financial assistance under this subsection, the results of the most recent examination under paragraph (10) of the veterans’ business center operated by the applicant.

“(C) CRITERIA PUBLICLY AVAILABLE.—The Associate Administrator shall—

“(i) make publicly available the selection criteria established under this paragraph; and

“(ii) include the criteria in each solicitation for applications for financial assistance under this subsection.

“(7) AMOUNT OF ASSISTANCE.—The amount of financial assistance provided under this subsection to a private nonprofit organization for each fiscal year shall be—

“(A) not less than \$150,000; and

“(B) not more than \$200,000.

“(8) FEDERAL SHARE.—

“(A) IN GENERAL.—

“(i) INITIAL FINANCIAL ASSISTANCE.—Except as provided in clause (ii) and subparagraph (E), a private nonprofit organization that receives financial assistance under this subsection shall provide non-Federal contributions for the operation of the veterans’ business center established by the private nonprofit organization in an amount equal to—

“(I) in each of the first and second years of the project, not less than 33 percent of the amount of the financial assistance received under this subsection; and

“(II) in each of the third through fifth years of the project, not less than 50 percent of the amount of the financial assistance received under this subsection.

“(ii) RENEWALS.—A private nonprofit organization that receives a renewal of financial assistance under this subsection shall provide non-Federal contributions for the operation of the veterans’ business center established by the private nonprofit organization in an amount equal to not less than 50 percent of the amount of the financial assistance received under this subsection.

“(B) FORM OF NON-FEDERAL SHARE.—Not more than 50 percent of the non-Federal share for a project carried out using financial assistance under this subsection may be in the form of in-kind contributions.

“(C) TIMING OF DISBURSEMENT.—The Associate Administrator may disburse not more than 25 percent of the financial assistance awarded to a private nonprofit organization before the private nonprofit organization obtains the non-Federal share required under this paragraph with respect to that award.

“(D) FAILURE TO OBTAIN NON-FEDERAL FUNDING.—

“(i) IN GENERAL.—If a private nonprofit organization that receives financial assistance under this subsection fails to obtain the non-Federal share required under this paragraph during any fiscal year, the private nonprofit organization may not receive a disbursement under this subsection in a subsequent fiscal year or a disbursement for any other project funded by the Administration, unless the Administrator makes a written determination that the private nonprofit organization will be able to obtain a non-Federal contribution.

“(ii) RESTORATION.—A private nonprofit organization prohibited from receiving a disbursement under clause (i) in a fiscal year may receive financial assistance in a subsequent fiscal year if the organization obtains the non-Federal share required under this paragraph for the subsequent fiscal year.

“(E) WAIVER OF NON-FEDERAL SHARE.—

“(i) IN GENERAL.—Upon request by a private nonprofit organization, and in accordance with this subparagraph, the Administrator may waive, in whole or in part, the requirement to obtain non-Federal funds under subparagraph (A) for a fiscal year. The Administrator may not waive the requirement for a private nonprofit organization to obtain non-Federal funds under this subparagraph for more than a total of 2 fiscal years.

“(ii) CONSIDERATIONS.—In determining whether to waive the requirement to obtain non-Federal funds under this subparagraph, the Administrator shall consider—

“(I) the economic conditions affecting the private nonprofit organization;

“(II) the impact a waiver under this subparagraph would have on the credibility of the veterans' business center program;

“(III) the demonstrated ability of the private nonprofit organization to raise non-Federal funds; and

“(IV) the performance of the private nonprofit organization.

“(iii) LIMITATION.—The Administrator may not waive the requirement to obtain non-Federal funds under this subparagraph if granting the waiver would undermine the credibility of the veterans' business center program.

“(9) CONTRACT AUTHORITY.—A veterans' business center may enter into a contract with a Federal department or agency to provide specific assistance to veterans, service-disabled veterans, Reservists, or the spouses of veterans, service-disabled veterans, or Reservists. Performance of such contract shall not hinder the veterans' business center in carrying out the terms of the grant received by the veterans' business centers from the Administrator.

“(10) EXAMINATION AND DETERMINATION OF VIABILITY.—

“(A) EXAMINATION.—

“(i) IN GENERAL.—The Associate Administrator shall conduct an annual examination of the programs and finances of each veterans' business center established or operated using financial assistance under this subsection.

“(ii) FACTORS.—In conducting the examination under clause (i), the Associate Administrator shall consider whether the veterans' business center has failed—

“(I) to provide the information required to be provided under subparagraph (B), or the information provided by the center is inadequate;

“(II) the center has failed to comply with a requirement for participation in the veterans' business center program, as determined by the Assistant Administrator, including—

“(aa) failure to acquire or properly document a non-Federal share;

“(bb) failure to establish an appropriate partnership or program for marketing and outreach to small business concerns;

“(cc) failure to achieve results described in a financial assistance agreement; and

“(dd) failure to provide to the Administrator a description of the amount and sources of any non-Federal funding received by the center;

“(III) to carry out the 5-year plan under in paragraph (4)(B); or

“(IV) to meet the eligibility requirements under paragraph (5).

“(B) INFORMATION PROVIDED.—In the course of an examination under subparagraph (A), the veterans' business center shall provide to the Associate Administrator—

“(i) an itemized cost breakdown of actual expenditures for costs incurred during the most recent full fiscal year;

“(ii) documentation of the amount of non-Federal contributions obtained and expended by the veterans' business center during the most recent full fiscal year; and

“(iii) with respect to any in-kind contribution under paragraph (8)(B), verification of the existence and valuation of such contributions.

“(C) DETERMINATION OF VIABILITY.—The Associate Administrator shall analyze the results of each examination under this paragraph and, based on that analysis, make a determination regarding the viability of the programs and finances of each veterans' business center.

“(D) DISCONTINUATION OF FUNDING.—

“(i) IN GENERAL.—The Associate Administrator may discontinue an award of financial assistance to a private nonprofit organization at any time if the Associate Administrator determines under subparagraph (C) that the veterans' business center operated by that organization is not viable.

“(ii) RESTORATION.—The Associate Administrator may continue to provide financial assistance to a private nonprofit organization in a subsequent fiscal year if the Associate Administrator determines under subparagraph (C) that the veterans' business center is viable.

“(11) PRIVACY REQUIREMENTS.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), a veterans' business center established or operated using financial assistance provided under this subsection may not disclose the name, address, or telephone number of any individual or small business concern that receives advice from the veterans' business center without the consent of the individual or small business concern.

“(B) EXCEPTION.—A veterans' business center may disclose information described in subparagraph (A)—

“(i) if the Administrator or Associate Administrator is ordered to make such a disclosure by a court in any civil or criminal enforcement action initiated by a Federal or State agency; or

“(ii) to the extent that the Administrator or Associate Administrator determines that such a disclosure is necessary to conduct a financial audit of a veterans' business center.

“(C) ADMINISTRATION USE OF INFORMATION.—This paragraph does not—

“(i) restrict access by the Administrator to program activity data; or

“(ii) prevent the Administrator from using information not described in subparagraph (A) to conduct surveys of individuals or small business concerns that receive advice from a veterans' business center.

“(D) REGULATIONS.—The Administrator shall issue regulations to establish standards

for requiring disclosures under subparagraph (B)(ii).

“(12) REPORT.—

“(A) IN GENERAL.—Not later than 60 days after the end of each fiscal year, the Associate Administrator shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report on the effectiveness of the veterans' business center program in each region during the most recent full fiscal year.

“(B) CONTENTS.—Each report under this paragraph shall include, at a minimum, for each veterans' business center established or operated using financial assistance provided under this subsection—

“(i) the number of individuals receiving assistance from the veterans' business center, including the number of such individuals who are—

“(I) veterans or spouses of veterans;

“(II) service-disabled veterans or spouses of service-disabled veterans; or

“(III) Reservists or spouses of Reservists;

“(ii) the number of startup small business concerns formed by individuals receiving assistance from the veterans' business center, including—

“(I) veterans or spouses of veterans;

“(II) service-disabled veterans or spouses of service-disabled veterans; or

“(III) Reservists or spouses of Reservists;

“(iii) the gross receipts of small business concerns that receive advice from the veterans' business center;

“(iv) the employment increases or decreases of small business concerns that receive advice from the veterans' business center;

“(v) to the maximum extent practicable, the increases or decreases in profits of small business concerns that receive advice from the veterans' business center; and

“(vi) the results of the examination of the veterans' business center under paragraph (10).

“(13) COORDINATION OF EFFORTS AND CONSULTATION.—

“(A) COORDINATION AND CONSULTATION.—To the extent practicable, the Associate Administrator and each private nonprofit organization that receives financial assistance under this subsection shall—

“(i) coordinate outreach and other activities with other programs of the Administration and the programs of other Federal agencies;

“(ii) consult with technical representatives of the district offices of the Administration in carrying out activities using financial assistance under this subsection; and

“(iii) provide information to the veterans business ownership representatives designated under subparagraph (B) and coordinate with the veterans business ownership representatives to increase the ability of the veterans business ownership representatives to provide services throughout the area served by the veterans business ownership representatives.

“(B) VETERANS BUSINESS OWNERSHIP REPRESENTATIVES.—

“(i) DESIGNATION.—The Administrator shall designate not fewer than 1 individual in each district office of the Administration as a veterans business ownership representative, who shall communicate and coordinate activities of the district office with private nonprofit organizations that receive financial assistance under this subsection.

“(ii) INITIAL DESIGNATION.—The first individual in each district office of the Administration designated by the Administrator as a

veterans business ownership representative under clause (i) shall be an individual that is employed by the Administration on the date of enactment of this subsection.

“(14) EXISTING CONTRACTS.—An award of financial assistance under this subsection shall not void any contract between a private nonprofit organization and the Administration that is in effect on the date of such award.

“(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated—

“(1) to carry out subsections (a) through (f), \$2,000,000 for each of fiscal years 2013 through 2015; and

“(2) to carry out subsection (g)—

“(A) \$8,000,000 for fiscal year 2013;

“(B) \$8,500,000 for fiscal year 2014; and

“(C) \$9,000,000 for fiscal year 2015.”.

(b) GAO REPORTS.—

(1) DEFINITIONS.—In this subsection—

(A) the terms “small business concern” and “veteran” have the meanings given those terms under section 3 of the Small Business Act (15 U.S.C. 632); and

(B) the terms “Reservist”, “small business concern owned and controlled by veterans”, and “veterans’ business center program” have the meanings given those terms in section 32(g) of the Small Business Act, as added by this section.

(2) REPORT ON ACCESS TO CREDIT.—

(A) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Comptroller General of the United States shall submit a report regarding the ability of small business concern owned and controlled by veterans to access credit to—

(i) the Committee on Veterans’ Affairs and the Committee on Small Business and Entrepreneurship of the Senate; and

(ii) the Committee on Veterans’ Affairs and the Committee on Small Business of the House of Representatives.

(B) CONTENTS.—The report submitted under subparagraph (A) shall include an analysis of—

(i) the sources of credit used by small business concerns owned and controlled by veterans and percentage of the credit obtained by small business concern owned and controlled by veterans that is obtained from each source;

(ii) the default rate for small business concerns owned and controlled by veterans separately for each source of credit described in clause (i), as compared to the default rate for the source of credit for small business concerns generally;

(iii) the Federal lending programs available to provide credit to small business concerns owned and controlled by veterans;

(iv) gaps, if any, in the availability of credit for small business concerns owned and controlled by veterans that are not being filled by the Federal Government or private sources;

(v) obstacles faced by veterans in trying to access credit;

(vi) the extent to which deployment and other military responsibilities affect the credit history of veterans and Reservists; and

(vii) the extent to which veterans are aware of Federal programs targeted towards helping veterans access credit.

(3) REPORT ON VETERANS’ BUSINESS CENTER PROGRAM.—

(A) IN GENERAL.—Not later than 60 days after the end of the second fiscal year beginning after the date on which the veterans’ business center program is established, the Comptroller General of the United States shall evaluate the effectiveness of the vet-

erans’ business center program, and submit to Congress a report on the results of that evaluation.

(B) CONTENTS.—The report submitted under subparagraph (A) shall include—

(i) an assessment of—

(I) the use of amounts made available to carry out the veterans’ business center program;

(II) the effectiveness of the services provided by each private nonprofit organization receiving financial assistance under the veterans’ business center program;

(III) whether the services described in clause (ii) are duplicative of services provided by other veteran service organizations, programs of the Small Business Administration, or programs of another Federal department or agency and, if so, recommendations regarding how to alleviate the duplication of the services; and

(IV) whether there are areas of the United States in which there are not adequate entrepreneurial services for small business concerns owned and controlled by veterans and, if so, whether there is a veterans’ business center established under the veterans’ business center program providing services to that area; and

(ii) recommendations, if any, for improving the veterans’ business center program.

(c) REPORTING REQUIREMENT FOR INTER-AGENCY TASK FORCE.—Section 32(c) of the Small Business Act (15 U.S.C. 657b(c)) is amended by adding at the end the following:

“(4) REPORT.—Not less frequently than twice each year, the Administrator shall submit to Congress a report on the appointments made to and activities of the task force.”.

SEC. ____ . EXTENSION OF MODIFIED PENSION FOR CERTAIN VETERANS COVERED BY MEDICAID PLANS FOR SERVICES FURNISHED BY NURSING FACILITIES.

Section 5503(d)(7) of title 38, United States Code, is amended by striking “September 30, 2016” and inserting “June 30, 2017”.

SA 2834. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill S. 3457, to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . VETERANS TECHNOLOGY PILOT PROGRAM.

(a) DEFINITIONS.—In this section—

(1) the term “Administrator” means the Administrator of the General Services Administration;

(2) the term “Executive department” has the same meaning as in section 101 of title 5, United States Code;

(3) the term “qualified veteran” means a veteran who the Secretary determines is in need of access to a computer to search and apply for employment;

(4) the term “Secretary” means the Secretary of Veterans Affairs; and

(5) the term “veteran” has the meaning given that term in section 101 of title 38, United States Code.

(b) PILOT PROGRAM.—

(1) ESTABLISHMENT.—Not later than 120 days after the date of enactment of this Act, the Secretary, in coordination with the Administrator, shall establish a pilot program to provide to qualified veterans not less than 25 percent of the Government-owned computers that would otherwise be disposed of during each year at no cost or reduced cost.

(2) PURPOSES OF PROGRAM.—The pilot program established under paragraph (1) shall be designed to—

(A) encourage and facilitate employment opportunities for and the entrepreneurship of veterans;

(B) assist the Secretary of Labor in carrying out section 5 of this Act; and

(C) reduce the overall unemployment of veterans.

(3) TERMINATION.—The authority to carry out the pilot program under this subsection shall terminate 3 years after the date on which the Secretary establishes the pilot program.

(c) REPORT.—

(1) REPORT REQUIRED.—Not later than 180 days after the date of enactment of this Act, the Secretary, in coordination with the Administrator, shall submit to the Committee on Veterans’ Affairs of the Senate and the Committee on Veterans’ Affairs of the House of Representatives a report describing—

(A) the number of Government-owned computers in the 5 largest Executive departments during the 2-year period ending on the date of enactment of this Act, including the number of working computers, nonworking computers, desktop computers, and laptop computers;

(B) the number of Government-owned computers disposed of by the 5 largest Executive departments during the 2-year period ending on the date of enactment of this Act, including the number of such computers that were working computers, nonworking computers, desktop computers, or laptop computers;

(C) the procedures of the 5 largest Executive departments for the disposal of Government-owned computers; and

(D) the plans of the Secretary, in coordination with the Administrator, for carrying out the pilot program under subsection (b), including any plans to give priority to veterans who are disabled.

(2) DETERMINATION OF LARGEST EXECUTIVE DEPARTMENTS.—For purposes of paragraph (1), the 5 largest Executive departments shall be determined on the basis of the number of employees of each Executive department and the total amount appropriated to each Executive department for the fiscal year preceding the date of enactment of this Act.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary such sums as may be necessary to carry out this section.

SA 2835. Ms. LANDRIEU submitted an amendment intended to be proposed to amendment SA 2789 proposed by Mrs. MURRAY to the bill S. 3457, to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. ____ . VETERANS’ BUSINESS CENTER PROGRAM; OFFICE OF VETERANS BUSINESS DEVELOPMENT.

(a) IN GENERAL.—Section 32 of the Small Business Act (15 U.S.C. 657b) is amended by striking subsection (f) and inserting the following:

“(f) ONLINE COORDINATION.—

“(1) DEFINITION.—In this subsection, the term ‘veterans’ assistance provider’ means—

“(A) a veterans’ business center established under subsection (g);

“(B) an employee of the Administration assigned to the Office of Veterans Business Development; and

“(C) a veterans business ownership representative designated under subsection (g)(13)(B).

“(2) ESTABLISHMENT.—The Associate Administrator shall establish an online mechanism to—

“(A) provide information that assists veterans’ assistance providers in carrying out the activities of the veterans’ assistance providers; and

“(B) coordinate and leverage the work of the veterans’ assistance providers, including by allowing a veterans’ assistance provider to—

“(i) distribute best practices and other materials;

“(ii) communicate with other veterans’ assistance providers regarding the activities of the veterans’ assistance provider on behalf of veterans; and

“(iii) pose questions to and request input from other veterans’ assistance providers.

“(g) VETERANS’ BUSINESS CENTER PROGRAM.—

“(1) DEFINITIONS.—In this subsection—

“(A) the term ‘active duty’ has the meaning given that term in section 101 of title 10, United States Code;

“(B) the term ‘private nonprofit organization’ means an entity that is described in section 501(c) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of such Code;

“(C) the term ‘Reservist’ means a member of a reserve component of the Armed Forces, as described in section 10101 of title 10, United States Code;

“(D) the term ‘Service Corps of Retired Executives’ means the Service Corps of Retired Executives authorized under section 8(b)(1);

“(E) the term ‘small business concern owned and controlled by veterans’—

“(i) has the same meaning as in section 3(q); and

“(ii) includes a small business concern—

“(I) not less than 51 percent of which is owned by one or more spouses of veterans or, in the case of any publicly owned business, not less than 51 percent of the stock of which is owned by one or more spouses of veterans; and

“(II) the management and daily business operations of which are controlled by one or more spouses of veterans;

“(F) the term ‘spouse’, relating to a veteran, service-disabled veteran, or Reservist, includes an individual who is the spouse of a veteran, service-disabled veteran, or Reservist on the date on which the veteran, service-disabled veteran, or Reservist died;

“(G) the term ‘veterans’ business center program’ means the program established under paragraph (2)(A); and

“(H) the term ‘women’s business center’ means a women’s business center described in section 29.

“(2) PROGRAM ESTABLISHED.—

“(A) IN GENERAL.—The Administrator, acting through the Associate Administrator, shall establish a veterans’ business center program, under which the Associate Administrator may provide financial assistance to a private nonprofit organization to conduct a 5-year project for the benefit of small business concerns owned and controlled by veterans, which may be renewed for one or more additional 5-year periods.

“(B) FORM OF FINANCIAL ASSISTANCE.—Financial assistance under this subsection may be in the form of a grant, a contract, or a cooperative agreement.

“(3) VETERANS’ BUSINESS CENTERS.—Each private nonprofit organization that receives financial assistance under this subsection

shall establish or operate a veterans’ business center (which may include establishing or operating satellite offices in the region described in paragraph (5) served by that private nonprofit organization) that provides to veterans (including service-disabled veterans), Reservists, and the spouses of veterans (including service-disabled veterans) and Reservists—

“(A) financial advice, including training and counseling on applying for and securing business credit and investment capital, preparing and presenting financial statements, and managing cash flow and other financial operations of a small business concern;

“(B) management advice, including training and counseling on the planning, organization, staffing, direction, and control of each major activity and function of a small business concern;

“(C) marketing advice, including training and counseling on identifying and segmenting domestic and international market opportunities, preparing and executing marketing plans, developing pricing strategies, locating contract opportunities, negotiating contracts, and using public relations and advertising techniques; and

“(D) advice, including training and counseling, for Reservists and the spouses of Reservists.

“(4) APPLICATION.—

“(A) IN GENERAL.—A private nonprofit organization desiring to receive financial assistance under this subsection shall submit an application to the Associate Administrator at such time and in such manner as the Associate Administrator may require.

“(B) 5-YEAR PLAN.—Each application described in subparagraph (A) shall include a 5-year plan on proposed fundraising and training activities relating to the veterans’ business center.

“(C) DETERMINATION AND NOTIFICATION.—Not later than 60 days after the date on which a private nonprofit organization submits an application under subparagraph (A), the Associate Administrator shall approve or deny the application and notify the applicant of the determination.

“(D) AVAILABILITY OF APPLICATION.—The Associate Administrator shall make every effort to make the application under subparagraph (A) available online.

“(5) ELIGIBILITY.—The Associate Administrator may select to receive financial assistance under this subsection—

“(A) a Veterans Business Outreach Center established by the Administrator under section 8(b)(17) on or before the day before the date of enactment of this subsection; or

“(B) private nonprofit organizations located in various regions of the United States, as the Associate Administrator determines is appropriate.

“(6) SELECTION CRITERIA.—

“(A) IN GENERAL.—The Associate Administrator shall establish selection criteria, stated in terms of relative importance, to evaluate and rank applicants under paragraph (5)(C) for financial assistance under this subsection.

“(B) CRITERIA.—The selection criteria established under this paragraph shall include—

“(i) the experience of the applicant in conducting programs or ongoing efforts designed to impart or upgrade the business skills of veterans, and the spouses of veterans, who own or may own small business concerns;

“(ii) for an applicant for initial financial assistance under this subsection—

“(I) the ability of the applicant to begin operating a veterans’ business center within a minimum amount of time; and

“(II) the geographic region to be served by the veterans’ business center;

“(iii) the demonstrated ability of the applicant to—

“(I) provide managerial counseling and technical assistance to entrepreneurs; and

“(II) coordinate services provided by veterans services organizations and other public or private entities; and

“(iv) for any applicant for a renewal of financial assistance under this subsection, the results of the most recent examination under paragraph (10) of the veterans’ business center operated by the applicant.

“(C) CRITERIA PUBLICLY AVAILABLE.—The Associate Administrator shall—

“(i) make publicly available the selection criteria established under this paragraph; and

“(ii) include the criteria in each solicitation for applications for financial assistance under this subsection.

“(7) AMOUNT OF ASSISTANCE.—The amount of financial assistance provided under this subsection to a private nonprofit organization for each fiscal year shall be—

“(A) not less than \$150,000; and

“(B) not more than \$200,000.

“(8) FEDERAL SHARE.—

“(A) IN GENERAL.—

“(i) INITIAL FINANCIAL ASSISTANCE.—Except as provided in clause (ii) and subparagraph (E), a private nonprofit organization that receives financial assistance under this subsection shall provide non-Federal contributions for the operation of the veterans’ business center established by the private nonprofit organization in an amount equal to—

“(I) in each of the first and second years of the project, not less than 33 percent of the amount of the financial assistance received under this subsection; and

“(II) in each of the third through fifth years of the project, not less than 50 percent of the amount of the financial assistance received under this subsection.

“(ii) RENEWALS.—A private nonprofit organization that receives a renewal of financial assistance under this subsection shall provide non-Federal contributions for the operation of the veterans’ business center established by the private nonprofit organization in an amount equal to not less than 50 percent of the amount of the financial assistance received under this subsection.

“(B) FORM OF NON-FEDERAL SHARE.—Not more than 50 percent of the non-Federal share for a project carried out using financial assistance under this subsection may be in the form of in-kind contributions.

“(C) TIMING OF DISBURSEMENT.—The Associate Administrator may disburse not more than 25 percent of the financial assistance awarded to a private nonprofit organization before the private nonprofit organization obtains the non-Federal share required under this paragraph with respect to that award.

“(D) FAILURE TO OBTAIN NON-FEDERAL FUNDING.—

“(i) IN GENERAL.—If a private nonprofit organization that receives financial assistance under this subsection fails to obtain the non-Federal share required under this paragraph during any fiscal year, the private nonprofit organization may not receive a disbursement under this subsection in a subsequent fiscal year or a disbursement for any other project funded by the Administration, unless the Administrator makes a written determination that the private nonprofit organization will be able to obtain a non-Federal contribution.

“(ii) RESTORATION.—A private nonprofit organization prohibited from receiving a disbursement under clause (i) in a fiscal year

may receive financial assistance in a subsequent fiscal year if the organization obtains the non-Federal share required under this paragraph for the subsequent fiscal year.

“(E) WAIVER OF NON-FEDERAL SHARE.—

“(i) **IN GENERAL.**—Upon request by a private nonprofit organization, and in accordance with this subparagraph, the Administrator may waive, in whole or in part, the requirement to obtain non-Federal funds under subparagraph (A) for a fiscal year. The Administrator may not waive the requirement for a private nonprofit organization to obtain non-Federal funds under this subparagraph for more than a total of 2 fiscal years.

“(ii) **CONSIDERATIONS.**—In determining whether to waive the requirement to obtain non-Federal funds under this subparagraph, the Administrator shall consider—

“(I) the economic conditions affecting the private nonprofit organization;

“(II) the impact a waiver under this subparagraph would have on the credibility of the veterans’ business center program;

“(III) the demonstrated ability of the private nonprofit organization to raise non-Federal funds; and

“(IV) the performance of the private nonprofit organization.

“(iii) **LIMITATION.**—The Administrator may not waive the requirement to obtain non-Federal funds under this subparagraph if granting the waiver would undermine the credibility of the veterans’ business center program.

“(9) **CONTRACT AUTHORITY.**—A veterans’ business center may enter into a contract with a Federal department or agency to provide specific assistance to veterans, service-disabled veterans, Reservists, or the spouses of veterans, service-disabled veterans, or Reservists. Performance of such contract shall not hinder the veterans’ business center in carrying out the terms of the grant received by the veterans’ business centers from the Administrator.

“(10) EXAMINATION AND DETERMINATION OF VIABILITY.—

“(A) EXAMINATION.—

“(i) **IN GENERAL.**—The Associate Administrator shall conduct an annual examination of the programs and finances of each veterans’ business center established or operated using financial assistance under this subsection.

“(ii) **FACTORS.**—In conducting the examination under clause (i), the Associate Administrator shall consider whether the veterans’ business center has failed—

“(I) to provide the information required to be provided under subparagraph (B), or the information provided by the center is inadequate;

“(II) the center has failed to comply with a requirement for participation in the veterans’ business center program, as determined by the Assistant Administrator, including—

“(aa) failure to acquire or properly document a non-Federal share;

“(bb) failure to establish an appropriate partnership or program for marketing and outreach to small business concerns;

“(cc) failure to achieve results described in a financial assistance agreement; and

“(dd) failure to provide to the Administrator a description of the amount and sources of any non-Federal funding received by the center;

“(III) to carry out the 5-year plan under in paragraph (4)(B); or

“(IV) to meet the eligibility requirements under paragraph (5).

“(B) **INFORMATION PROVIDED.**—In the course of an examination under subparagraph (A),

the veterans’ business center shall provide to the Associate Administrator—

“(i) an itemized cost breakdown of actual expenditures for costs incurred during the most recent full fiscal year;

“(ii) documentation of the amount of non-Federal contributions obtained and expended by the veterans’ business center during the most recent full fiscal year; and

“(iii) with respect to any in-kind contribution under paragraph (8)(B), verification of the existence and valuation of such contributions.

“(C) **DETERMINATION OF VIABILITY.**—The Associate Administrator shall analyze the results of each examination under this paragraph and, based on that analysis, make a determination regarding the viability of the programs and finances of each veterans’ business center.

“(D) DISCONTINUATION OF FUNDING.—

“(i) **IN GENERAL.**—The Associate Administrator may discontinue an award of financial assistance to a private nonprofit organization at any time if the Associate Administrator determines under subparagraph (C) that the veterans’ business center operated by that organization is not viable.

“(ii) **RESTORATION.**—The Associate Administrator may continue to provide financial assistance to a private nonprofit organization in a subsequent fiscal year if the Associate Administrator determines under subparagraph (C) that the veterans’ business center is viable.

“(11) PRIVACY REQUIREMENTS.—

“(A) **IN GENERAL.**—Except as provided in subparagraph (B), a veterans’ business center established or operated using financial assistance provided under this subsection may not disclose the name, address, or telephone number of any individual or small business concern that receives advice from the veterans’ business center without the consent of the individual or small business concern.

“(B) **EXCEPTION.**—A veterans’ business center may disclose information described in subparagraph (A)—

“(i) if the Administrator or Associate Administrator is ordered to make such a disclosure by a court in any civil or criminal enforcement action initiated by a Federal or State agency; or

“(ii) to the extent that the Administrator or Associate Administrator determines that such a disclosure is necessary to conduct a financial audit of a veterans’ business center.

“(C) ADMINISTRATION USE OF INFORMATION.—This paragraph does not—

“(i) restrict access by the Administrator to program activity data; or

“(ii) prevent the Administrator from using information not described in subparagraph (A) to conduct surveys of individuals or small business concerns that receive advice from a veterans’ business center.

“(D) **REGULATIONS.**—The Administrator shall issue regulations to establish standards for requiring disclosures under subparagraph (B)(ii).

“(12) REPORT.—

“(A) **IN GENERAL.**—Not later than 60 days after the end of each fiscal year, the Associate Administrator shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report on the effectiveness of the veterans’ business center program in each region during the most recent full fiscal year.

“(B) **CONTENTS.**—Each report under this paragraph shall include, at a minimum, for each veterans’ business center established or

operated using financial assistance provided under this subsection—

“(i) the number of individuals receiving assistance from the veterans’ business center, including the number of such individuals who are—

“(I) veterans or spouses of veterans;

“(II) service-disabled veterans or spouses of service-disabled veterans; or

“(III) Reservists or spouses of Reservists;

“(ii) the number of startup small business concerns formed by individuals receiving assistance from the veterans’ business center, including—

“(I) veterans or spouses of veterans;

“(II) service-disabled veterans or spouses of service-disabled veterans; or

“(III) Reservists or spouses of Reservists;

“(iii) the gross receipts of small business concerns that receive advice from the veterans’ business center;

“(iv) the employment increases or decreases of small business concerns that receive advice from the veterans’ business center;

“(v) to the maximum extent practicable, the increases or decreases in profits of small business concerns that receive advice from the veterans’ business center; and

“(vi) the results of the examination of the veterans’ business center under paragraph (10).

“(13) COORDINATION OF EFFORTS AND CONSULTATION.—

“(A) **COORDINATION AND CONSULTATION.**—To the extent practicable, the Associate Administrator and each private nonprofit organization that receives financial assistance under this subsection shall—

“(i) coordinate outreach and other activities with other programs of the Administration and the programs of other Federal agencies;

“(ii) consult with technical representatives of the district offices of the Administration in carrying out activities using financial assistance under this subsection; and

“(iii) provide information to the veterans business ownership representatives designated under subparagraph (B) and coordinate with the veterans business ownership representatives to increase the ability of the veterans business ownership representatives to provide services throughout the area served by the veterans business ownership representatives.

“(B) VETERANS BUSINESS OWNERSHIP REPRESENTATIVES.—

“(i) **DESIGNATION.**—The Administrator shall designate not fewer than 1 individual in each district office of the Administration as a veterans business ownership representative, who shall communicate and coordinate activities of the district office with private nonprofit organizations that receive financial assistance under this subsection.

“(ii) **INITIAL DESIGNATION.**—The first individual in each district office of the Administration designated by the Administrator as a veterans business ownership representative under clause (i) shall be an individual that is employed by the Administration on the date of enactment of this subsection.

“(14) **EXISTING CONTRACTS.**—An award of financial assistance under this subsection shall not void any contract between a private nonprofit organization and the Administration that is in effect on the date of such award.

“(h) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated—

“(1) to carry out subsections (a) through (f), \$2,000,000 for each of fiscal years 2013 through 2015; and

“(2) to carry out subsection (g)—
 “(A) \$8,000,000 for fiscal year 2013;
 “(B) \$8,500,000 for fiscal year 2014; and
 “(C) \$9,000,000 for fiscal year 2015.”.

(b) GAO REPORTS.—

(1) DEFINITIONS.—In this subsection—

(A) the terms “small business concern” and “veteran” have the meanings given those terms under section 3 of the Small Business Act (15 U.S.C. 632); and

(B) the terms “Reservist”, “small business concern owned and controlled by veterans”, and “veterans’ business center program” have the meanings given those terms in section 32(g) of the Small Business Act, as added by this section.

(2) REPORT ON ACCESS TO CREDIT.—

(A) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Comptroller General of the United States shall submit a report regarding the ability of small business concern owned and controlled by veterans to access credit to—

(i) the Committee on Veterans’ Affairs and the Committee on Small Business and Entrepreneurship of the Senate; and

(ii) the Committee on Veterans’ Affairs and the Committee on Small Business of the House of Representatives.

(B) CONTENTS.—The report submitted under subparagraph (A) shall include an analysis of—

(i) the sources of credit used by small business concerns owned and controlled by veterans and percentage of the credit obtained by small business concern owned and controlled by veterans that is obtained from each source;

(ii) the default rate for small business concerns owned and controlled by veterans separately for each source of credit described in clause (i), as compared to the default rate for the source of credit for small business concerns generally;

(iii) the Federal lending programs available to provide credit to small business concerns owned and controlled by veterans;

(iv) gaps, if any, in the availability of credit for small business concerns owned and controlled by veterans that are not being filled by the Federal Government or private sources;

(v) obstacles faced by veterans in trying to access credit;

(vi) the extent to which deployment and other military responsibilities affect the credit history of veterans and Reservists; and

(vii) the extent to which veterans are aware of Federal programs targeted towards helping veterans access credit.

(3) REPORT ON VETERANS’ BUSINESS CENTER PROGRAM.—

(A) IN GENERAL.—Not later than 60 days after the end of the second fiscal year beginning after the date on which the veterans’ business center program is established, the Comptroller General of the United States shall evaluate the effectiveness of the veterans’ business center program, and submit to Congress a report on the results of that evaluation.

(B) CONTENTS.—The report submitted under subparagraph (A) shall include—

(i) an assessment of—

(I) the use of amounts made available to carry out the veterans’ business center program;

(II) the effectiveness of the services provided by each private nonprofit organization receiving financial assistance under the veterans’ business center program;

(III) whether the services described in clause (ii) are duplicative of services pro-

vided by other veteran service organizations, programs of the Small Business Administration, or programs of another Federal department or agency and, if so, recommendations regarding how to alleviate the duplication of the services; and

(IV) whether there are areas of the United States in which there are not adequate entrepreneurial services for small business concerns owned and controlled by veterans and, if so, whether there is a veterans’ business center established under the veterans’ business center program providing services to that area; and

(ii) recommendations, if any, for improving the veterans’ business center program.

(c) REPORTING REQUIREMENT FOR INTER-AGENCY TASK FORCE.—Section 32(c) of the Small Business Act (15 U.S.C. 657b(c)) is amended by adding at the end the following:

“(4) REPORT.—Not less frequently than twice each year, the Administrator shall submit to Congress a report on the appointments made to and activities of the task force.”.

SA 2836. Mr. LIEBERMAN (for himself, Ms. COLLINS, Mr. CARPER, and Mr. BROWN, of Massachusetts) submitted an amendment intended to be proposed by him to the bill S. 3457, to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

**TITLE II—FIRE GRANTS
 REAUTHORIZATION**

SEC. 201. SHORT TITLE.

This title may be cited as the “Fire Grants Reauthorization Act of 2012”.

SEC. 202. AMENDMENTS TO DEFINITIONS.

(a) IN GENERAL.—Section 4 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2203) is amended—

(1) in paragraph (3), by inserting “, except as otherwise provided,” after “means”;

(2) in paragraph (4), by striking “‘Director’ means” and all that follows through “‘Agency;’” and inserting “‘Administrator of FEMA’ means the Administrator of the Federal Emergency Management Agency;”;

(3) in paragraph (5)—

(A) by inserting “Indian tribe,” after “county,”; and

(B) by striking “and ‘firecontrol’” and inserting “and ‘fire control’”;

(4) by redesignating paragraphs (6) through (9) as paragraphs (7) through (10), respectively;

(5) by inserting after paragraph (5), the following:

“(6) ‘Indian tribe’ has the meaning given that term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b) and ‘tribal’ means of or pertaining to an Indian tribe;”;

(6) by redesignating paragraphs (9) and (10), as redesignated by paragraph (4), as paragraphs (10) and (11);

(7) by inserting after paragraph (8), as redesignated by paragraph (4), the following:

“(9) ‘Secretary’ means, except as otherwise provided, the Secretary of Homeland Security;”;

(8) by amending paragraph (10), as redesignated by paragraph (6), to read as follows:

“(10) ‘State’ has the meaning given the term in section 2 of the Homeland Security Act of 2002 (6 U.S.C. 101).”.

(b) CONFORMING AMENDMENTS.—

(1) ADMINISTRATOR OF FEMA.—The Federal Fire Prevention and Control Act of 1974 (15

U.S.C. 2201 et seq.) is amended by striking “Director” each place it appears and inserting “Administrator of FEMA”.

(2) ADMINISTRATOR OF FEMA’S AWARD.—Section 15 of such Act (15 U.S.C. 2214) is amended by striking “Director’s Award” each place it appears and inserting “Administrator’s Award”.

SEC. 203. ASSISTANCE TO FIREFIGHTERS GRANTS.

Section 33 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229) is amended to read as follows:

“SEC. 33. FIREFIGHTER ASSISTANCE.

“(a) DEFINITIONS.—In this section:

“(1) ADMINISTRATOR OF FEMA.—The term ‘Administrator of FEMA’ means the Administrator of FEMA, acting through the Administrator.

“(2) AVAILABLE GRANT FUNDS.—The term ‘available grant funds’, with respect to a fiscal year, means those funds appropriated pursuant to the authorization of appropriations in subsection (q)(1) for such fiscal year less any funds used for administrative costs pursuant to subsection (q)(2) in such fiscal year.

“(3) CAREER FIRE DEPARTMENT.—The term ‘career fire department’ means a fire department that has an all-paid force of firefighting personnel other than paid-on-call firefighters.

“(4) COMBINATION FIRE DEPARTMENT.—The term ‘combination fire department’ means a fire department that has—

“(A) paid firefighting personnel; and

“(B) volunteer firefighting personnel.

“(5) FIREFIGHTING PERSONNEL.—The term ‘firefighting personnel’ means individuals, including volunteers, who are firefighters, officers of fire departments, or emergency medical service personnel of fire departments.

“(6) INSTITUTION OF HIGHER EDUCATION.—The term ‘institution of higher education’ has the meaning given such term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

“(7) NONAFFILIATED EMS ORGANIZATION.—The term ‘nonaffiliated EMS organization’ means a public or private nonprofit emergency medical services organization that is not affiliated with a hospital and does not serve a geographic area in which the Administrator of FEMA finds that emergency medical services are adequately provided by a fire department.

“(8) PAID-ON-CALL.—The term ‘paid-on-call’ with respect to firefighting personnel means firefighting personnel who are paid a stipend for each event to which they respond.

“(9) VOLUNTEER FIRE DEPARTMENT.—The term ‘volunteer fire department’ means a fire department that has an all-volunteer force of firefighting personnel.

“(b) ASSISTANCE PROGRAM.—

“(1) AUTHORITY.—In accordance with this section, the Administrator of FEMA may award—

“(A) assistance to firefighters grants under subsection (c); and

“(B) fire prevention and safety grants and other assistance under subsection (d).

“(2) ADMINISTRATIVE ASSISTANCE.—The Administrator of FEMA shall—

“(A) establish specific criteria for the selection of grant recipients under this section; and

“(B) provide assistance with application preparation to applicants for such grants.

“(c) ASSISTANCE TO FIREFIGHTERS GRANTS.—

“(1) IN GENERAL.—The Administrator of FEMA may, in consultation with the chief

executives of the States in which the recipients are located, award grants on a competitive basis directly to—

“(A) fire departments, for the purpose of protecting the health and safety of the public and firefighting personnel throughout the United States against fire, fire-related, and other hazards;

“(B) nonaffiliated EMS organizations to support the provision of emergency medical services; and

“(C) State fire training academies for the purposes described in subparagraphs (G), (H), and (I) of paragraph (3).

“(2) MAXIMUM GRANT AMOUNTS.—

“(A) POPULATION.—The Administrator of FEMA may not award a grant under this subsection in excess of amounts as follows:

“(i) In the case of a recipient that serves a jurisdiction with 100,000 people or fewer, the amount of the grant awarded to such recipient shall not exceed \$1,000,000 in any fiscal year.

“(ii) In the case of a recipient that serves a jurisdiction with more than 100,000 people but not more than 500,000 people, the amount of the grant awarded to such recipient shall not exceed \$2,000,000 in any fiscal year.

“(iii) In the case of a recipient that serves a jurisdiction with more than 500,000 but not more than 1,000,000 people, the amount of the grant awarded to such recipient shall not exceed \$3,000,000 in any fiscal year.

“(iv) In the case of a recipient that serves a jurisdiction with more than 1,000,000 people but not more than 2,500,000 people, the amount of the grant awarded to such recipient shall not exceed \$6,000,000 for any fiscal year.

“(v) In the case of a recipient that serves a jurisdiction with more than 2,500,000 people, the amount of the grant awarded to such recipient shall not exceed \$9,000,000 in any fiscal year.

“(B) AGGREGATE.—

“(i) IN GENERAL.—Notwithstanding subparagraphs (A) and (B) and except as provided under clause (ii), the Administrator of FEMA may not award a grant under this subsection in a fiscal year in an amount that exceeds the amount that is one percent of the available grant funds in such fiscal year.

“(ii) EXCEPTION.—The Administrator of FEMA may waive the limitation in clause (i) with respect to a grant recipient if the Administrator of FEMA determines that such recipient has an extraordinary need for a grant in an amount that exceeds the limit under clause (i).

“(3) USE OF GRANT FUNDS.—Each entity receiving a grant under this subsection shall use the grant for one or more of the following purposes:

“(A) To train firefighting personnel in—

“(i) firefighting;

“(ii) emergency medical services and other emergency response (including response to natural disasters, acts of terrorism, and other man-made disasters);

“(iii) arson prevention and detection;

“(iv) maritime firefighting; or

“(v) the handling of hazardous materials.

“(B) To train firefighting personnel to provide any of the training described under subparagraph (A).

“(C) To fund the creation of rapid intervention teams to protect firefighting personnel at the scenes of fires and other emergencies.

“(D) To certify—

“(i) fire inspectors; and

“(ii) building inspectors—

“(I) whose responsibilities include fire safety inspections; and

“(II) who are employed by or serving as volunteers with a fire department.

“(E) To establish wellness and fitness programs for firefighting personnel to ensure that the firefighting personnel are able to carry out their duties as firefighters, including programs dedicated to raising awareness of, and prevention of, job-related mental health issues.

“(F) To fund emergency medical services provided by fire departments and non-affiliated EMS organizations.

“(G) To acquire additional firefighting vehicles, including fire trucks and other apparatus.

“(H) To acquire additional firefighting equipment, including equipment for—

“(i) fighting fires with foam in remote areas without access to water; and

“(ii) communications, monitoring, and response to a natural disaster, act of terrorism, or other man-made disaster, including the use of a weapon of mass destruction.

“(I) To acquire personal protective equipment, including personal protective equipment—

“(i) prescribed for firefighting personnel by the Occupational Safety and Health Administration of the Department of Labor; or

“(ii) for responding to a natural disaster or act of terrorism or other man-made disaster, including the use of a weapon of mass destruction.

“(J) To modify fire stations, fire training facilities, and other facilities to protect the health and safety of firefighting personnel.

“(K) To educate the public about arson prevention and detection.

“(L) To provide incentives for the recruitment and retention of volunteer firefighting personnel for volunteer firefighting departments and other firefighting departments that utilize volunteers.

“(M) To support such other activities, consistent with the purposes of this subsection, as the Administrator of FEMA determines appropriate.

“(d) FIRE PREVENTION AND SAFETY GRANTS.—

“(1) IN GENERAL.—For the purpose of assisting fire prevention programs and supporting firefighter health and safety research and development, the Administrator of FEMA may, on a competitive basis—

“(A) award grants to fire departments;

“(B) award grants to, or enter into contracts or cooperative agreements with, national, State, local, tribal, or nonprofit organizations that are not fire departments and that are recognized for their experience and expertise with respect to fire prevention or fire safety programs and activities and firefighter research and development programs, for the purpose of carrying out—

“(i) fire prevention programs; and

“(ii) research to improve firefighter health and life safety; and

“(C) award grants to institutions of higher education, national fire service organizations, or national fire safety organizations to establish and operate fire safety research centers.

“(2) MAXIMUM GRANT AMOUNT.—A grant awarded under this subsection may not exceed \$1,500,000 for a fiscal year.

“(3) USE OF GRANT FUNDS.—Each entity receiving a grant under this subsection shall use the grant for one or more of the following purposes:

“(A) To enforce fire codes and promote compliance with fire safety standards.

“(B) To fund fire prevention programs, including programs that educate the public about arson prevention and detection.

“(C) To fund wildland fire prevention programs, including education, awareness, and

mitigation programs that protect lives, property, and natural resources from fire in the wildland-urban interface.

“(D) In the case of a grant awarded under paragraph (1)(C), to fund the establishment or operation of a fire safety research center for the purpose of significantly reducing the number of fire-related deaths and injuries among firefighters and the general public through research, development, and technology transfer activities.

“(E) To support such other activities, consistent with the purposes of this subsection, as the Administrator of FEMA determines appropriate.

“(4) LIMITATION.—None of the funds made available under this subsection may be provided to the Association of Community Organizations for Reform Now (ACORN) or any of its affiliates, subsidiaries, or allied organizations.

“(e) APPLICATIONS FOR GRANTS.—

“(1) IN GENERAL.—An entity seeking a grant under this section shall submit to the Administrator of FEMA an application therefor in such form and in such manner as the Administrator of FEMA determines appropriate.

“(2) ELEMENTS.—Each application submitted under paragraph (1) shall include the following:

“(A) A description of the financial need of the applicant for the grant.

“(B) An analysis of the costs and benefits, with respect to public safety, of the use for which a grant is requested.

“(C) An agreement to provide information to the national fire incident reporting system for the period covered by the grant.

“(D) A list of other sources of funding received by the applicant—

“(i) for the same purpose for which the application for a grant under this section was submitted; or

“(ii) from the Federal Government for other fire-related purposes.

“(E) Such other information as the Administrator of FEMA determines appropriate.

“(3) JOINT OR REGIONAL APPLICATIONS.—

“(A) IN GENERAL.—Two or more entities may submit an application under paragraph (1) for a grant under this section to fund a joint program or initiative, including acquisition of shared equipment or vehicles.

“(B) NONEXCLUSIVITY.—Applications under this paragraph may be submitted instead of or in addition to any other application submitted under paragraph (1).

“(C) GUIDANCE.—The Administrator of FEMA shall—

“(i) publish guidance on applying for and administering grants awarded for joint programs and initiatives described in subparagraph (A); and

“(ii) encourage applicants to apply for grants for joint programs and initiatives described in subparagraph (A) as the Administrator of FEMA determines appropriate to achieve greater cost effectiveness and regional efficiency.

“(f) PEER REVIEW OF GRANT APPLICATIONS.—

“(1) IN GENERAL.—The Administrator of FEMA shall, after consultation with national fire service and emergency medical services organizations, appoint fire service personnel to conduct peer reviews of applications received under subsection (e)(1).

“(2) APPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to activities carried out pursuant to this subsection.

“(g) **PRIORITIZATION OF GRANT AWARDS.**—In awarding grants under this section, the Administrator of FEMA shall consider the following:

“(1) The findings and recommendations of the peer reviews carried out under subsection (f).

“(2) The degree to which an award will reduce deaths, injuries, and property damage by reducing the risks associated with fire-related and other hazards.

“(3) The extent of the need of an applicant for a grant under this section and the need to protect the United States as a whole.

“(4) The number of calls requesting or requiring a fire fighting or emergency medical response received by an applicant.

“(h) **ALLOCATION OF GRANT AWARDS.**—In awarding grants under this section, the Administrator of FEMA shall ensure that of the available grant funds in each fiscal year—

“(1) not less than 25 percent are awarded under subsection (c) to career fire departments;

“(2) not less than 25 percent are awarded under subsection (c) to volunteer fire departments;

“(3) not less than 25 percent are awarded under subsection (c) to combination fire departments and fire departments using paid-on-call firefighting personnel;

“(4) not less than 10 percent are available for open competition among career fire departments, volunteer fire departments, combination fire departments, and fire departments using paid-on-call firefighting personnel for grants awarded under subsection (c);

“(5) not less than 10 percent are awarded under subsection (d); and

“(6) not more than 2 percent are awarded under this section to nonaffiliated EMS organizations described in subsection (c)(1)(B).

“(i) **ADDITIONAL REQUIREMENTS AND LIMITATIONS.**—

“(1) **FUNDING FOR EMERGENCY MEDICAL SERVICES.**—Not less than 3.5 percent of the available grant funds for a fiscal year shall be awarded under this section for purposes described in subsection (c)(3)(F).

“(2) **STATE FIRE TRAINING ACADEMIES.**—

“(A) **MAXIMUM SHARE.**—Not more than 3 percent of the available grant funds for a fiscal year may be awarded under subsection (c)(1)(C).

“(B) **MAXIMUM GRANT AMOUNT.**—The Administrator of FEMA may not award a grant under subsection (c)(1)(C) to a State fire training academy in an amount that exceeds \$1,000,000 in any fiscal year.

“(3) **AMOUNTS FOR PURCHASING FIRE-FIGHTING VEHICLES.**—Not more than 25 percent of the available grant funds for a fiscal year may be used to assist grant recipients to purchase vehicles pursuant to subsection (c)(3)(G).

“(j) **FURTHER CONSIDERATIONS.**—

“(1) **ASSISTANCE TO FIREFIGHTERS GRANTS TO FIRE DEPARTMENTS.**—In considering applications for grants under subsection (c)(1)(A), the Administrator of FEMA shall consider—

“(A) the extent to which the grant would enhance the daily operations of the applicant and the impact of such a grant on the protection of lives and property; and

“(B) a broad range of factors important to the applicant's ability to respond to fires and related hazards, such as the following:

“(i) Population served.

“(ii) Geographic response area.

“(iii) Hazards vulnerability.

“(iv) Call volume.

“(v) Financial situation, including unemployment rate of the area being served.

“(vi) Need for training or equipment.

“(2) **APPLICATIONS FROM NONAFFILIATED EMS ORGANIZATIONS.**—In the case of an application submitted under subsection (e)(1) by a nonaffiliated EMS organization, the Administrator of FEMA shall consider the extent to which other sources of Federal funding are available to the applicant to provide the assistance requested in such application.

“(3) **AWARDING FIRE PREVENTION AND SAFETY GRANTS TO CERTAIN ORGANIZATIONS THAT ARE NOT FIRE DEPARTMENTS.**—In the case of applicants for grants under this section who are described in subsection (d)(1)(B), the Administrator of FEMA shall give priority to applicants who focus on—

“(A) prevention of injuries to high risk groups from fire; and

“(B) research programs that demonstrate a potential to improve firefighter safety.

“(4) **AWARDING GRANTS FOR FIRE SAFETY RESEARCH CENTERS.**—

“(A) **CONSIDERATIONS.**—In awarding grants under subsection (d)(1)(C), the Administrator of FEMA shall—

“(i) select each grant recipient on—

“(I) the demonstrated research and extension resources available to the recipient to carry out the research, development, and technology transfer activities;

“(II) the capability of the recipient to provide leadership in making national contributions to fire safety;

“(III) the recipient's ability to disseminate the results of fire safety research; and

“(IV) the strategic plan the recipient proposes to carry out under the grant;

“(ii) give special consideration in selecting recipients under subparagraph (A) to an applicant for a grant that consists of a partnership between—

“(I) a national fire service organization or a national fire safety organization; and

“(II) an institution of higher education, including a minority-serving institution (as described in section 371(a) of the Higher Education Act of 1965 (20 U.S.C. 1067q(a))); and

“(iii) consider the research needs identified and prioritized through the workshop required by subparagraph (B)(i).

“(B) **RESEARCH NEEDS.**—

“(i) **IN GENERAL.**—Not later than 90 days after the date of the enactment of the Fire Grants Reauthorization Act of 2012, the Administrator of FEMA shall convene a workshop of the fire safety research community, fire service organizations, and other appropriate stakeholders to identify and prioritize fire safety research needs.

“(ii) **PUBLICATION.**—The Administrator of FEMA shall ensure that the results of the workshop are made available to the public.

“(C) **LIMITATIONS ON GRANTS FOR FIRE SAFETY RESEARCH CENTERS.**—

“(i) **IN GENERAL.**—The Administrator of FEMA may award grants under subsection (d) to establish not more than 3 fire safety research centers.

“(ii) **RECIPIENTS.**—An institution of higher education, a national fire service organization, and a national fire safety organization may not directly receive a grant under subsection (d) for a fiscal year for more than 1 fire safety research center.

“(5) **AVOIDING DUPLICATION.**—The Administrator of FEMA shall review lists submitted by applicants pursuant to subsection (e)(2)(D) and take such actions as the Administrator of FEMA considers necessary to prevent unnecessary duplication of grant awards.

“(k) **MATCHING AND MAINTENANCE OF EXPENDITURE REQUIREMENTS.**—

“(1) **MATCHING REQUIREMENT FOR ASSISTANCE TO FIREFIGHTERS GRANTS.**—

“(A) **IN GENERAL.**—Except as provided in subparagraph (B), an applicant seeking a grant to carry out an activity under subsection (c) shall agree to make available non-Federal funds to carry out such activity in an amount equal to not less than 15 percent of the grant awarded to such applicant under such subsection.

“(B) **EXCEPTION FOR ENTITIES SERVING SMALL COMMUNITIES.**—In the case that an applicant seeking a grant to carry out an activity under subsection (c) serves a jurisdiction of—

“(i) more than 20,000 residents but not more than 1,000,000 residents, the application shall agree to make available non-Federal funds in an amount equal to not less than 10 percent of the grant awarded to such applicant under such subsection; and

“(ii) 20,000 residents or fewer, the applicant shall agree to make available non-Federal funds in an amount equal to not less than 5 percent of the grant awarded to such applicant under such subsection.

“(2) **MATCHING REQUIREMENT FOR FIRE PREVENTION AND SAFETY GRANTS.**—

“(A) **IN GENERAL.**—An applicant seeking a grant to carry out an activity under subsection (d) shall agree to make available non-Federal funds to carry out such activity in an amount equal to not less than 5 percent of the grant awarded to such applicant under such subsection.

“(B) **MEANS OF MATCHING.**—An applicant for a grant under subsection (d) may meet the matching requirement under subparagraph (A) through direct funding, funding of complementary activities, or the provision of staff, facilities, services, material, or equipment.

“(3) **MAINTENANCE OF EXPENDITURES.**—An applicant seeking a grant under subsection (c) or (d) shall agree to maintain during the term of the grant the applicant's aggregate expenditures relating to the uses described in subsections (c)(3) and (d)(3) at not less than 80 percent of the average amount of such expenditures in the 2 fiscal years preceding the fiscal year in which the grant amounts are received.

“(4) **WAIVER.**—

“(A) **IN GENERAL.**—Except as provided in subparagraph (C)(ii), the Administrator of FEMA may waive or reduce the requirements of paragraphs (1), (2), and (3) in cases of demonstrated economic hardship.

“(B) **GUIDELINES.**—

“(i) **IN GENERAL.**—The Administrator of FEMA shall establish and publish guidelines for determining what constitutes economic hardship for purposes of this paragraph.

“(ii) **CONSULTATION.**—In developing guidelines under clause (i), the Administrator of FEMA shall consult with individuals who are—

“(I) recognized for expertise in firefighting, emergency medical services provided by fire services, or the economic affairs of State and local governments; and

“(II) members of national fire service organizations or national organizations representing the interests of State and local governments.

“(iii) **CONSIDERATIONS.**—In developing guidelines under clause (i), the Administrator of FEMA shall consider, with respect to relevant communities, the following:

“(I) Changes in rates of unemployment from previous years.

“(II) Whether the rates of unemployment of the relevant communities are currently and have consistently exceeded the annual national average rates of unemployment.

“(III) Changes in percentages of individuals eligible to receive food stamps from previous years.

“(IV) Such other factors as the Administrator of FEMA considers appropriate.

“(C) CERTAIN APPLICANTS FOR FIRE PREVENTION AND SAFETY GRANTS.—The authority under subparagraph (A) shall not apply with respect to a nonprofit organization that—

“(i) is described in subsection (d)(1)(B); and

“(ii) is not a fire department or emergency medical services organization.

“(I) GRANT GUIDELINES.—

“(1) GUIDELINES.—For each fiscal year, prior to awarding any grants under this section, the Administrator of FEMA shall publish in the Federal Register—

“(A) guidelines that describe—

“(i) the process for applying for grants under this section; and

“(ii) the criteria that will be used for selecting grant recipients; and

“(B) an explanation of any differences between such guidelines and the recommendations obtained under paragraph (2).

“(2) ANNUAL MEETING TO OBTAIN RECOMMENDATIONS.—

“(A) IN GENERAL.—For each fiscal year, the Administrator of FEMA shall convene a meeting of qualified members of national fire service organizations and, at the discretion of the Administrator of FEMA, qualified members of emergency medical service organizations to obtain recommendations regarding the following:

“(i) Criteria for the awarding of grants under this section.

“(ii) Administrative changes to the assistance program established under subsection (b).

“(B) QUALIFIED MEMBERS.—For purposes of this paragraph, a qualified member of an organization is a member who—

“(i) is recognized for expertise in firefighting or emergency medical services;

“(ii) is not an employee of the Federal Government; and

“(iii) in the case of a member of an emergency medical service organization, is a member of an organization that represents—

“(I) providers of emergency medical services that are affiliated with fire departments; or

“(II) nonaffiliated EMS providers.

“(3) APPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to activities carried out under this subsection.

“(m) ACCOUNTING DETERMINATION.—Notwithstanding any other provision of law, for purposes of this section, equipment costs shall include all costs attributable to any design, purchase of components, assembly, manufacture, and transportation of equipment not otherwise commercially available.

“(n) ELIGIBLE GRANTEE ON BEHALF OF ALASKA NATIVE VILLAGES.—The Alaska Village Initiatives, a non-profit organization incorporated in the State of Alaska, shall be eligible to apply for and receive a grant or other assistance under this section on behalf of Alaska Native villages.

“(o) TRAINING STANDARDS.—If an applicant for a grant under this section is applying for such grant to purchase training that does not meet or exceed any applicable national voluntary consensus standards, including those developed under section 647 of the Post-Katrina Emergency Management Reform Act of 2006 (6 U.S.C. 747), the applicant shall submit to the Administrator of FEMA an explanation of the reasons that the training proposed to be purchased will serve the needs of the applicant better than training that meets or exceeds such standards.

“(p) ENSURING EFFECTIVE USE OF GRANTS.—

“(1) AUDITS.—The Administrator of FEMA may audit a recipient of a grant awarded under this section to ensure that—

“(A) the grant amounts are expended for the intended purposes; and

“(B) the grant recipient complies with the requirements of subsection (k).

“(2) PERFORMANCE ASSESSMENT.—

“(A) IN GENERAL.—The Administrator of FEMA shall develop and implement a performance assessment system, including quantifiable performance metrics, to evaluate the extent to which grants awarded under this section are furthering the purposes of this section, including protecting the health and safety of the public and firefighting personnel against fire and fire-related hazards.

“(B) CONSULTATION.—The Administrator of FEMA shall consult with fire service representatives and with the Comptroller General of the United States in developing the assessment system required by subparagraph (A).

“(3) ANNUAL REPORTS TO ADMINISTRATOR OF FEMA.—Not less frequently than once each year during the term of a grant awarded under this section, the recipient of the grant shall submit to the Administrator of FEMA an annual report describing how the recipient used the grant amounts.

“(4) ANNUAL REPORTS TO CONGRESS.—

“(A) IN GENERAL.—Not later than September 30, 2013, and each year thereafter through 2017, the Administrator of FEMA shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Science and Technology of the House of Representatives a report that provides—

“(i) information on the performance assessment system developed under paragraph (2); and

“(ii) using the performance metrics developed under such paragraph, an evaluation of the effectiveness of the grants awarded under this section.

“(B) ADDITIONAL INFORMATION.—The report due under subparagraph (A) on September 30, 2016, shall also include recommendations for legislative changes to improve grants under this section.

“(q) AUTHORIZATION OF APPROPRIATIONS.—

“(1) IN GENERAL.—There is authorized to be appropriated to carry out this section—

“(A) \$750,000,000 for fiscal year 2013; and

“(B) for each of fiscal years 2014 through 2017, an amount equal to the amount authorized for the previous fiscal year increased by the percentage by which—

“(i) the Consumer Price Index (all items, United States city average) for the previous fiscal year, exceeds

“(ii) the Consumer Price Index for the fiscal year preceding the fiscal year described in clause (i).

“(2) ADMINISTRATIVE EXPENSES.—Of the amounts appropriated pursuant to paragraph (1) for a fiscal year, the Administrator of FEMA may use not more than 5 percent of such amounts for salaries and expenses and other administrative costs incurred by the Administrator of FEMA in the course of awarding grants and providing assistance under this section.

“(3) CONGRESSIONALLY DIRECTED SPENDING.—Consistent with the requirements in subsections (c)(1) and (d)(1) that grants under those subsections be awarded on a competitive basis, none of the funds appropriated pursuant to this subsection may be used for any congressionally directed spending item (as defined under the rules of the Senate and the House of Representatives).

“(r) SUNSET OF AUTHORITIES.—The authority to award assistance and grants under this section shall expire on the date that is 10 years after the date of the enactment of the Fire Grants Reauthorization Act of 2012.”.

SEC. 204. STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE.

(a) IMPROVEMENTS TO HIRING GRANTS.—

(1) TERM OF GRANTS.—Subparagraph (B) of section 34(a)(1) of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229a(a)(1)) is amended to read as follows:

“(B) Grants made under this paragraph shall be for 3 years and be used for programs to hire new, additional firefighters.”.

(2) LIMITATION OF PORTION OF COSTS OF HIRING FIREFIGHTERS.—Subparagraph (E) of such section is amended to read as follows:

“(E) The portion of the costs of hiring firefighters provided by a grant under this paragraph may not exceed—

“(i) 75 percent in the first year of the grant;

“(ii) 75 percent in the second year of the grant; and

“(iii) 35 percent in the third year of the grant.”.

(b) CLARIFICATION REGARDING ELIGIBLE ENTITIES FOR RECRUITMENT AND RETENTION GRANTS.—The second sentence of section 34(a)(2) of such Act (15 U.S.C. 2229a(a)(2)) is amended by striking “organizations on a local or statewide basis” and inserting “national, State, local, or tribal organizations”.

(c) MAXIMUM AMOUNT FOR HIRING A FIREFIGHTER.—Paragraph (4) of section 34(c) of such Act (15 U.S.C. 2229a(c)) is amended to read as follows:

“(4) The amount of funding provided under this section to a recipient fire department for hiring a firefighter in any fiscal year may not exceed—

“(A) in the first year of the grant, 75 percent of the usual annual cost of a first-year firefighter in that department at the time the grant application was submitted;

“(B) in the second year of the grant, 75 percent of the usual annual cost of a first-year firefighter in that department at the time the grant application was submitted; and

“(C) in the third year of the grant, 35 percent of the usual annual cost of a first-year firefighter in that department at the time the grant application was submitted.”.

(d) WAIVERS.—Section 34 of such Act (15 U.S.C. 2229a) is amended—

(1) by redesignating subsections (d) through (i) as subsections (e) through (j), respectively; and

(2) by inserting after subsection (c) the following:

“(d) WAIVERS.—

“(1) IN GENERAL.—In a case of demonstrated economic hardship, the Administrator of FEMA may—

“(A) waive the requirements of subsection (c)(1); or

“(B) waive or reduce the requirements in subsection (a)(1)(E) or subsection (c)(2).

“(2) GUIDELINES.—

“(A) IN GENERAL.—The Administrator of FEMA shall establish and publish guidelines for determining what constitutes economic hardship for purposes of paragraph (1).

“(B) CONSULTATION.—In developing guidelines under subparagraph (A), the Administrator of FEMA shall consult with individuals who are—

“(i) recognized for expertise in firefighting, emergency medical services provided by fire services, or the economic affairs of State and local governments; and

“(ii) members of national fire service organizations or national organizations representing the interests of State and local governments.

“(C) CONSIDERATIONS.—In developing guidelines under subparagraph (A), the Administrator of FEMA shall consider, with respect to relevant communities, the following:

“(i) Changes in rates of unemployment from previous years.

“(ii) Whether the rates of unemployment of the relevant communities are currently and have consistently exceeded the annual national average rates of unemployment.

“(iii) Changes in percentages of individuals eligible to receive food stamps from previous years.

“(iv) Such other factors as the Administrator of FEMA considers appropriate.”.

(e) IMPROVEMENTS TO PERFORMANCE EVALUATION REQUIREMENTS.—Subsection (e) of section 34 of such Act (15 U.S.C. 2229a), as redesignated by subsection (d)(1) of this section, is amended by inserting before the first sentence the following:

“(1) IN GENERAL.—The Administrator of FEMA shall establish a performance assessment system, including quantifiable performance metrics, to evaluate the extent to which grants awarded under this section are furthering the purposes of this section.

“(2) SUBMITTAL OF INFORMATION.—”.

(f) REPORT.—

(1) IN GENERAL.—Subsection (f) of section 34 of such Act (15 U.S.C. 2229a), as redesignated by subsection (d)(1) of this section, is amended by striking “The authority” and all that follows through “Congress concerning” and inserting the following: “Not later than September 30, 2014, the Administrator of FEMA shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Science and Technology of the House of Representatives a report on”.

(2) CONFORMING AMENDMENT.—The heading for subsection (f) of section 34 of such Act (15 U.S.C. 2229a), as redesignated by subsection (d)(1) of this section, is amended by striking “SUNSET AND REPORTS” and inserting “REPORT”.

(g) ADDITIONAL DEFINITIONS.—

(1) IN GENERAL.—Subsection (i) of section 34 of such Act (15 U.S.C. 2229a), as redesignated by subsection (d)(1) of this section, is amended—

(A) in the matter before paragraph (1), by striking “In this section, the term—” and inserting “In this section:”;

(B) in paragraph (1)—

(i) by inserting “The term” before “‘fire-fighter’ has”; and

(ii) by striking “; and” and inserting a period;

(C) by striking paragraph (2); and

(D) by inserting at the end the following:

“(2) The terms ‘Administrator of FEMA’, ‘career fire department’, ‘combination fire department’, and ‘volunteer fire department’ have the meanings given such terms in section 33(a).”.

(2) CONFORMING AMENDMENT.—Section 34(a)(1)(A) of such Act (15 U.S.C. 2229a(a)(1)(A)) is amended by striking “career, volunteer, and combination fire departments” and inserting “career fire departments, combination fire departments, and volunteer fire departments”.

(h) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—Subsection (j) of section 34 of such Act (15 U.S.C. 2229a), as redesignated by subsection (d)(1) of this section, is amended—

(A) in paragraph (6), by striking “and” at the end;

(B) in paragraph (7), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(8) \$750,000,000 for fiscal year 2013; and

“(9) for each of fiscal years 2014 through 2017, an amount equal to the amount authorized for the previous fiscal year increased by the percentage by which—

“(A) the Consumer Price Index (all items, United States city average) for the previous fiscal year, exceeds

“(B) the Consumer Price Index for the fiscal year preceding the fiscal year described in subparagraph (A).”.

(2) ADMINISTRATIVE EXPENSES.—Such subsection (j) is further amended—

(A) in paragraph (9), as added by paragraph (1) of this subsection, by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and moving the left margin of such clauses, as so redesignated, 2 ems to the right;

(B) by redesignating paragraphs (1) through (9) as subparagraphs (A) through (I), respectively, and moving the left margin of such subparagraphs, as so redesignated, 2 ems to the right;

(C) by striking “There are” and inserting the following:

“(1) IN GENERAL.—There are”; and

(D) by adding at the end the following:

“(2) ADMINISTRATIVE EXPENSES.—Of the amounts appropriated pursuant to paragraph (1) for a fiscal year, the Administrator of FEMA may use not more than 5 percent of such amounts to cover salaries and expenses and other administrative costs incurred by the Administrator of FEMA to make grants and provide assistance under this section.”.

(3) CONGRESSIONALLY DIRECTED SPENDING.—Such subsection (j) is further amended by adding at the end the following:

“(3) CONGRESSIONALLY DIRECTED SPENDING.—Consistent with the requirement in subsection (a) that grants under this section be awarded on a competitive basis, none of the funds appropriated pursuant to this subsection may be used for any congressionally direct spending item (as defined under the rules of the Senate and the House of Representatives).”.

(i) TECHNICAL AMENDMENT.—Section 34 of such Act (15 U.S.C. 2229a) is amended by striking “Administrator” each place it appears and inserting “Administrator of FEMA”.

(j) CLERICAL AMENDMENT.—Such section is further amended in the heading by striking “EXPANSION OF PRE-SEPTEMBER 11, 2001, FIRE GRANT PROGRAM” and inserting the following: “STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE”.

(k) SUNSET OF AUTHORITY TO AWARD HIRING GRANTS.—Such section is further amended by adding at the end the following:

“(k) SUNSET OF AUTHORITIES.—The authority to award assistance and grants under this section shall expire on the date that is 10 years after the date of the enactment of the Fire Grants Reauthorization Act of 2012.”.

SEC. 205. SENSE OF CONGRESS ON VALUE AND FUNDING OF ASSISTANCE TO FIREFIGHTERS AND STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE PROGRAMS.

It is the sense of Congress that—

(1) the grants and assistance awarded under sections 33 and 34 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229 and 2229a) have proven equally valuable in protecting the health and safety of the public and firefighting personnel throughout the United States against fire and fire-related hazards; and

(2) providing parity in funding for the awarding of grants and assistance under both

such sections will ensure that the grant and assistance programs under such sections can continue to serve their complementary purposes.

SEC. 206. REPORT ON AMENDMENTS TO ASSISTANCE TO FIREFIGHTERS AND STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE PROGRAMS.

(a) IN GENERAL.—Not later than September 30, 2016, the Comptroller General of the United States shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Science and Technology of the House of Representatives a report on the effect of the amendments made by this title.

(b) CONTENTS.—The report required by subsection (a) shall include the following:

(1) An assessment of the effect of the amendments made by sections 203 and 204 on the effectiveness, relative allocation, accountability, and administration of the grants and assistance awarded under sections 33 and 34 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229 and 2229a) after the date of the enactment of this Act.

(2) An evaluation of the extent to which the amendments made by sections 203 and 204 have enabled recipients of grants and assistance awarded under such sections 33 and 34 after the date of the enactment of this Act to mitigate fire and fire-related and other hazards more effectively.

SEC. 207. STUDIES AND REPORTS ON THE STATE OF FIRE SERVICES.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term “Administrator” means the Administrator of the United States Fire Administration.

(2) CAREER FIRE DEPARTMENT, COMBINATION FIRE DEPARTMENT, VOLUNTEER FIRE DEPARTMENT.—The terms “career fire department”, “combination fire department”, and “volunteer fire department” have the meanings given such terms in section 33(a) of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229(a)), as amended by section 203.

(3) FIRE SERVICE.—The term “fire service” has the meaning given such term in section 4 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2203).

(b) STUDY AND REPORT ON COMPLIANCE WITH STAFFING STANDARDS.—

(1) STUDY.—The Administrator shall conduct a study on the level of compliance with national voluntary consensus standards for staffing, training, safe operations, personal protective equipment, and fitness among the fire services of the United States.

(2) SURVEY.—

(A) IN GENERAL.—In carrying out the study required by paragraph (1), the Administrator shall carry out a survey of fire services to assess the level of compliance of such fire services with the standards described in such paragraph.

(B) ELEMENTS.—The survey required by subparagraph (A) shall—

(i) include career fire departments, volunteer fire departments, combination fire departments, and fire departments serving communities of different sizes, and such other distinguishing factors as the Administrator considers relevant;

(ii) employ methods to ensure that the survey accurately reflects the actual rate of compliance with the standards described in paragraph (1) among fire services; and

(iii) determine the extent of barriers and challenges to achieving compliance with the standards described in paragraph (1) among fire services.

(C) AUTHORITY TO CARRY OUT SURVEY WITH NONPROFIT.—If the Administrator determines

that it will reduce the costs incurred by the United States Fire Administration in carrying out the survey required by subparagraph (A), the Administrator may carry out such survey in conjunction with a nonprofit organization that has substantial expertise and experience in the following areas:

- (i) The fire services.
- (ii) National voluntary consensus standards.
- (iii) Contemporary survey methods.
- (3) REPORT ON FINDINGS OF STUDY.—

(A) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, the Administrator shall submit to Congress a report on the findings of the Administrator with respect to the study required by paragraph (1).

(B) CONTENTS.—The report required by subparagraph (A) shall include the following:

(i) An accurate description, based on the results of the survey required by paragraph (2)(A), of the rate of compliance with the standards described in paragraph (1) among United States fire services, including a comparison of the rates of compliance among career fire departments, volunteer fire departments, combination fire departments, and fire departments serving communities of different sizes, and such other comparisons as Administrator considers relevant.

(ii) A description of the challenges faced by different types of fire departments and different types of communities in complying with the standards described in paragraph (1).

(c) TASK FORCE TO ENHANCE FIREFIGHTER SAFETY.—

(1) ESTABLISHMENT.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Homeland Security shall establish a task force to be known as the “Task Force to Enhance Firefighter Safety” (in this subsection referred to as the “Task Force”).

(2) MEMBERSHIP.—

(A) IN GENERAL.—Members of the Task Force shall be appointed by the Secretary from among the general public and shall include the following:

(i) Representatives of national organizations representing firefighters and fire chiefs.

(ii) Individuals representing standards-setting and accrediting organizations, including representatives from the voluntary consensus codes and standards development community.

(iii) Such other individuals as the Secretary considers appropriate.

(B) REPRESENTATIVES OF OTHER DEPARTMENTS AND AGENCIES.—The Secretary may invite representatives of other Federal departments and agencies that have an interest in fire services to participate in the meetings and other activities of the Task Force.

(C) NUMBER; TERMS OF SERVICE; PAY AND ALLOWANCES.—The Secretary shall determine the number, terms of service, and pay and allowances of members of the Task Force appointed by the Secretary, except that a term of service of any such member may not exceed 2 years.

(3) RESPONSIBILITIES.—The Task Force shall—

(A) consult with the Secretary in the conduct of the study required by subsection (b)(1); and

(B) develop a plan to enhance firefighter safety by increasing fire service compliance with the standards described in subsection (b)(1), including by—

(i) reviewing and evaluating the report required by subsection (b)(3)(A) to determine

the extent of and barriers to achieving compliance with the standards described in subsection (b)(1) among fire services; and

(ii) considering ways in which the Federal Government, States, and local governments can promote or encourage fire services to comply with such standards.

(4) REPORT.—

(A) IN GENERAL.—Not later than 180 days after the date on which the Secretary submits the report required by subsection (b)(3)(A), the Task Force shall submit to Congress and the Secretary a report on the activities and findings of the Task Force.

(B) CONTENTS.—The report required by subparagraph (A) shall include the following:

(i) The findings and recommendations of the Task Force with respect to the study carried out under subsection (b)(1).

(ii) The plan developed under paragraph (3)(B).

(d) STUDY AND REPORT ON THE NEEDS OF FIRE SERVICES.—

(1) STUDY.—The Administrator shall conduct a study—

(A) to define the current roles and activities associated with fire services on a national, State, regional, and local level;

(B) to identify the equipment, staffing, and training required to fulfill the roles and activities defined under subparagraph (A);

(C) to conduct an assessment to identify gaps between what fire services currently possess and what they require to meet the equipment, staffing, and training needs identified under subparagraph (B) on a national and State-by-State basis; and

(D) to measure the impact of the grant and assistance program under section 33 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229) in meeting the needs of fire services and filling the gaps identified under subparagraph (C).

(2) REPORT.—Not later than 2 years after the date of the enactment of this title, the Administrator shall submit to Congress a report on the findings of the Administrator with respect to the study conducted under paragraph (1).

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Administrator to carry out this section—

(1) \$600,000 for fiscal year 2013; and

(2) \$600,000 for fiscal year 2014.

SA 2837. Ms. LANDRIEU (for herself, Ms. SNOWE, and Mrs. SHAHEEN) submitted an amendment intended to be proposed by her to the bill S. 3457, to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . LOW-INTEREST REFINANCING UNDER THE LOCAL DEVELOPMENT BUSINESS LOAN PROGRAM.

Section 1122(b) of the Small Business Jobs Act of 2010 (15 U.S.C. 696 note) is amended by striking “2 years” and inserting “3 years and 6 months”.

SA 2838. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 3457, to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . TRANSFER OF AMOUNTS APPROPRIATED FOR ASSISTANCE TO PAKISTAN, YEMEN, EGYPT, AND LIBYA.

Of the amounts appropriated or otherwise made available for fiscal year 2012 for direct United States assistance to the Governments of Pakistan, Yemen, Egypt, or Libya that remain available for expenditure as of the date of the enactment of this Act—

(1) the President shall transfer 50 percent to the Secretary of Veterans Affairs for purposes of the veterans job corps; and

(2) the President shall transfer 50 percent to the Treasury of the United States to be used for deficit reduction.

SEC. ____ . LIMITATION ON FOREIGN ASSISTANCE TO PAKISTAN.

No amounts may be obligated or expended to provide any direct United States assistance to the Government of Pakistan unless the President certifies to Congress that—

(1) Dr. Shakil Afridi has been released from prison in Pakistan; and

(2) any criminal charges brought against Dr. Afridi, including treason, have been dropped; and

(3) if necessary to ensure his freedom, Dr. Afridi has been allowed to leave Pakistan.

SEC. ____ . LIMITATION ON FOREIGN ASSISTANCE TO YEMEN, EGYPT, AND LIBYA.

(a) PROHIBITION.—Except as provided under subsection (b), no amounts may be obligated or expended to provide any direct United States assistance, loan guarantee, or debt relief to the Government of Yemen, the Government of Egypt, or the Government of Libya.

(b) WAIVER AND CERTIFICATION.—Beginning 60 days after the date of the enactment of this Act, the President may waive the prohibition under subsection (a) with respect to the Government of Yemen, the Government of Libya, or the Government of Egypt if the President certifies to Congress that—

(1) the Government is cooperating or has cooperated fully with investigations into the September 12, 2012, attack on the United States Embassy in Sanaa, Yemen, the September 11, 2012, attack on the United States consulate in Benghazi, Libya, or the September 11, 2012, attack on the United States Embassy in Cairo, Egypt, as the case may be; and

(2) all identifiable persons associated with organizing, planning, or participating in the attack—

(A) have been identified by the Federal Bureau of Investigations or the Central Intelligence Agency and arrested by local authorities; and

(B) have been transferred to United States custody.

(c) REPORT ON UNSECURED WEAPONS IN LIBYA.—Not later than 90 days after the date of the enactment of this Act, the President shall submit a report to Congress examining the extent to which advanced weaponry remaining unsecured after the fall of Moammar Qaddafi was used by the individuals responsible for the September 11, 2012, attack on the United States consulate in Benghazi, Libya.

SEC. ____ . USE OF SAVINGS FROM LIMITATIONS ON ASSISTANCE.

Of the amounts saved as a result of the prohibitions on assistance in the immediately preceding section—

(1) 50 percent shall be made available to the Secretary of Veterans Affairs for purposes of the veterans job corps; and

(2) 50 percent shall be used for deficit reduction.

SA 2839. Mr. HATCH submitted an amendment intended to be proposed to

amendment SA 2782 submitted by Mr. BURR and intended to be proposed to the bill S. 3457, to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 10. FEDERAL EMPLOYEES RETIREMENT SYSTEM AGE AND RETIREMENT TREATMENT FOR CERTAIN RETIREES OF THE ARMED FORCES.

(a) INCREASE IN MAXIMUM AGE LIMIT FOR POSITIONS SUBJECT TO FERS.—

(1) LAW ENFORCEMENT OFFICERS.—Section 3307(e) of title 5, United States Code, is amended—

(A) in paragraph (1), by inserting “or (3)” after “paragraph (2)”; and

(B) by adding at the end the following:

“(3) The maximum age limit for an original appointment to a position as a law enforcement officer (as defined in section 8401(17)) shall be 47 years of age, in the case of an individual who on the effective date of such appointment is eligible to receive retired pay or retainer pay for military service, or pension or compensation from the Department of Veterans Affairs instead of such retired or retainer pay.”.

(2) OTHER POSITIONS.—The maximum age limit for an original appointment to a position as a member of the Capitol Police or Supreme Court Police, nuclear materials courier (as defined under section 8401(33) of such title), or customs and border protection officer (as defined in section 8401(36) of such title) shall be 47 years of age, in the case of an individual who on the effective date of such appointment is eligible to receive retired pay or retainer pay for military service, or pension or compensation from the Department of Veterans Affairs instead of such retired or retainer pay.

(b) ELIGIBILITY FOR ANNUITY.—Section 8412(d) of such title is amended—

(1) in paragraph (1), by striking “or” at the end;

(2) in paragraph (2), by adding “or” at the end; and

(3) by inserting after paragraph (2) the following:

“(3) after becoming 57 years of age and completing 10 years of service as a law enforcement officer, member of the Capitol Police or Supreme Court Police, nuclear materials courier, customs or border protection officer, or any combination of such service totaling 10 years, if such employee—

“(A) is originally appointed to a position as a law enforcement officer, member of the Capitol Police or Supreme Court Police, nuclear materials courier, or customs and border protection officer on or after the effective date of this paragraph under section 10(e) of the Careers for Veterans Act of 2012; and

“(B) on the date that original appointment met the requirements of section 3307(e)(2) of this title or section 10(a)(2) of the Careers for Veterans Act of 2012.”.

(c) MANDATORY SEPARATION.—Section 8425 of such title is amended—

(1) in subsection (b)(1), in the first sentence, by inserting “, except that a law enforcement officer, nuclear materials courier, or customs and border protection officer eligible for retirement under section 8412(d)(3) shall be separated from the service on the last day of the month in which that employee becomes 57 years of age” before the period;

(2) in subsection (c), in the first sentence, by inserting “, except that a member of the

Capitol Police eligible for retirement under section 8412(d)(3) shall be separated from the service on the last day of the month in which that employee becomes 57 years of age” before the period; and

(3) in subsection (d), in the first sentence, by inserting “, except that a member of the Supreme Court Police eligible for retirement under section 8412(d)(3) shall be separated from the service on the last day of the month in which that employee becomes 57 years of age” before the period.

(d) COMPUTATION OF BASIC ANNUITY.—Section 8415(e) of such title is amended—

(1) in paragraph (1), by striking “total service as” and inserting “civilian service as a law enforcement officer, member of the Capitol Police or Supreme Court Police, nuclear materials courier, customs and border protection officer, or air traffic controller that, in the aggregate,”; and

(2) in paragraph (2), by striking “so much of such individual’s total service as exceeds 20 years” and inserting “the remainder of such individual’s total service”.

(e) EFFECTIVE DATE.—This section (including the amendments made by this section) shall take effect 60 days after the date of enactment of this Act and shall apply to appointments made on or after that effective date.

NOTICE OF HEARING

PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

Mr. LEVIN. Mr. President, I would like to announce for the information of the Senate and the public that the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs has scheduled a hearing entitled, “Offshore Profit Shifting and the U.S. Tax Code.” The Subcommittee will examine the shifting of profits offshore by U.S. multinational corporations and how such activities are affected by the Internal Revenue Code and related regulations. Witnesses will include representatives from the Internal Revenue Service, the Financial Accounting Standards Board, multinational corporations, and an accounting firm. A final witness list will be available Tuesday, September 18, 2012.

The Subcommittee hearing has been scheduled for Thursday, September 20, 2012, at 2 p.m., in Room G-50 of the Dirksen Senate Office Building. For further information, please contact Elise Bean of the Permanent Subcommittee on Investigations at (202) 224-9505.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON FOREIGN RELATIONS

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on September 13, 2012, at 10:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the

Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate, to conduct a hearing entitled “Improving College Affordability: A View From the States” on September 13, 2012, at 10:30 a.m. in room 430 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON INDIAN AFFAIRS

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet during the session of the Senate on September 13, 2012, in room SD-628 of the Dirksen Senate Office Building, at 2:15 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on September 13, 2012, at 10 a.m., in SD-226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

The PRESIDING OFFICER. Without objection, it is so ordered.

PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on September 13, 2012, at 9:30 a.m., to conduct a hearing entitled, “Social Security Disability Programs: Improving the Quality of Benefit Award Decisions.”

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on September 13, 2012, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON SECURITIES, INSURANCE, AND INVESTMENT

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs Subcommittee on Securities, Insurance, and Investment be authorized to meet during the session of the Senate on September 13, 2012, at 10 a.m., to conduct a hearing entitled “Holding the CFPB Accountable: Review of Semi-Annual Report to Congress.”

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. HARKIN. Mr. President, I ask unanimous consent that Michael

Mederos and Alexis Florczak of my staff be granted floor privileges for the duration of today's proceedings.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TESTER. Mr. President, I ask unanimous consent that Nick Artuso, an intern in the office of Senator BLUMENTHAL, be granted the privilege of the floor for the duration of this afternoon's session.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE PESTICIDE REGISTRATION IMPROVEMENT EXTENSION ACT OF 2012

Mr. DURBIN. Mr. President, I ask unanimous consent the Senate proceed to the consideration of S. 3552, introduced earlier today.

The PRESIDING OFFICER. The clerk will report the bill by title.

The bill clerk read as follows:

A bill (S. 3552) to reauthorize the Federal Insecticide, Fungicide, and Rodenticide Act.

There being no objection, the Senate proceeded to consider the bill.

Mr. DURBIN. Mr. President, I ask unanimous consent the bill be read three times and passed, the motion to reconsider be laid upon the table, with no intervening action or debate, and any related statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 3552) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 3552

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Pesticide Registration Improvement Extension Act of 2012".

SEC. 2. PESTICIDE REGISTRATION IMPROVEMENT.

(a) MAINTENANCE FEES.—

(1) FEES.—Section 4(i) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136a-1(i)) is amended—

(A) in paragraph (5)—

(i) in subparagraph (C), by striking "aggregate amount of" and all that follows through the end of the subparagraph and inserting "aggregate amount of \$27,800,000 for each of fiscal years 2013 through 2017.";

(ii) in subparagraph (D)—

(I) in clause (i), by striking "shall be" and all that follows through the semicolon and inserting "shall be \$115,500 for each of fiscal years 2013 through 2017."; and

(II) in clause (ii), by striking "shall be" and all that follows through the period and inserting "shall be \$184,800 for each of fiscal years 2013 through 2017.";

(iii) in subparagraph (E)(i)—

(I) in subclause (I), by striking "shall be" and all that follows through the semicolon and inserting "shall be \$70,600 for each of fiscal years 2013 through 2017."; and

(II) in subclause (II), by striking "shall be" and all that follows through the period and inserting "shall be \$122,100 for each of fiscal years 2013 through 2017.";

(iv) in subparagraph (F)—

(I) by striking "paragraph (3)" and inserting "this paragraph"; and

(II) by striking "Humans" and inserting "Human";

(v) by redesignating subparagraphs (F) through (H) as subparagraphs (G) through (I), respectively;

(vi) by inserting after subparagraph (E) the following:

"(F) FEE REDUCTION FOR CERTAIN SMALL BUSINESSES.—

"(i) DEFINITION.—In this subparagraph, the term 'qualified small business entity' means a corporation, partnership, or unincorporated business that—

"(I) has 500 or fewer employees;

"(II) during the 3-year period prior to the most recent maintenance fee billing cycle, had an average annual global gross revenue from all sources that did not exceed \$10,000,000; and

"(III) holds not more than 5 pesticide registrations under this paragraph.

"(ii) WAIVER.—Except as provided in clause (iii), the Administrator shall waive 25 percent of the fee under this paragraph applicable to the first registration of any qualified small business entity under this paragraph.

"(iii) LIMITATION.—The Administrator shall not grant a waiver under clause (ii) to a qualified small business entity if the Administrator determines that the entity has been formed or manipulated primarily for the purpose of qualifying for the waiver."; and

(vii) in subparagraph (I) (as redesignated by clause (v)), by striking "2012" and inserting "2017";

(B) in paragraph (6)—

(i) by striking "2014" and inserting "2019"; and

(ii) by striking "paragraphs (1) through (5)" and inserting "paragraph (1)";

(C) by striking paragraphs (1), (2), (3), (4), and (7); and

(D) by redesignating paragraphs (5) and (6) as paragraphs (1) and (2), respectively.

(2) CONFORMING AMENDMENTS.—

(A) Section 4 of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136a-1) is amended—

(i) in subsection (d)(5)(B)(ii)(III), by striking "subsection (i)(1)" and inserting "this section";

(ii) in subsection (j), by striking "subsection (i)(5)" and inserting "subsection (i)(1)"; and

(iii) in subsection (k)(5)—

(I) in the first sentence, by striking "subsection (i)(5)(C)(ii)" and inserting "subsection (i)(1)(C)(ii)"; and

(II) in the third and sixth sentences, by striking "subsection (i)(5)(C)" each place it appears and inserting "subsection (i)(1)(C)".

(B) Section 33(b)(7)(F) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136w-8(b)(7)(F)) is amended—

(i) by striking "section 4(i)(5)(E)(ii)" each place it appears in clauses (i), (ii)(I), and (iv)(I) and inserting "section 4(i)(1)(E)(ii)";

(ii) by striking "section 4(i)(5)(E)(ii)(I)(bb)" each place it appears in clauses (ii)(II) and (iv)(II) and inserting "section 4(i)(1)(E)(ii)(I)(bb)"; and

(iii) in clause (iv)(II)—

(I) by striking "applicable." and inserting "applicable"; and

(II) by striking "revenues" and inserting "revenue".

(3) EXTENSION OF PROHIBITION ON TOLERANCE FEES.—Section 408(m)(3) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 346a(m)(3)) is amended by striking "September 30, 2012" and inserting "September 30, 2017".

(4) REREGISTRATION AND EXPEDITED PROCESSING FUND.—

(A) SOURCE AND USE.—Section 4(k)(2)(A) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136a-1(k)(2)(A)) is amended—

(i) by inserting ", to enhance the information systems capabilities to improve the tracking of pesticide registration decisions," after "paragraph (3)" each place it appears; and

(ii) in clause (i)—

(I) by inserting "offset" before "the costs of reregistration"; and

(II) by striking "in the same portion as appropriated funds".

(B) EXPEDITED PROCESSING OF SIMILAR APPLICATIONS.—Section 4(k)(3)(A) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136a-1(k)(3)(A)) is amended—

(i) in the matter preceding clause (i), by striking "2008 through 2012, between 1/8 and 1/4" and inserting "2013 through 2017, between 1/8 and 1/4";

(ii) in clause (i), by striking "new"; and

(iii) in clause (ii), by striking "any application" and all that follows through "that—" and inserting "any application that—".

(C) ENHANCEMENTS OF INFORMATION TECHNOLOGY SYSTEMS FOR IMPROVEMENT IN REVIEW OF PESTICIDE APPLICATIONS.—Section 4(k) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136a-1(k)) is amended—

(i) by redesignating paragraphs (4) and (5) as paragraphs (5) and (6), respectively;

(ii) by inserting after paragraph (3) the following:

"(4) ENHANCEMENTS OF INFORMATION TECHNOLOGY SYSTEMS FOR IMPROVEMENT IN REVIEW OF PESTICIDE APPLICATIONS.—

"(A) IN GENERAL.—For each of fiscal years 2013 through 2017, the Administrator shall use not more than \$800,000 of the amounts made available to the Administrator in the Reregistration and Expedited Processing Fund for the activities described in subparagraph (B).

"(B) ACTIVITIES.—The Administrator shall use amounts made available from the Reregistration and Expedited Processing Fund to improve the information systems capabilities for the Office of Pesticide Programs to enhance tracking of pesticide registration decisions, which shall include—

"(i) the electronic tracking of—

"(I) registration submissions; and

"(II) the status of conditional registrations;

"(ii) enhancing the database for information regarding endangered species assessments for registration review;

"(iii) implementing the capability to electronically review labels submitted with registration actions; and

"(iv) acquiring and implementing the capability to electronically assess and evaluate confidential statements of formula submitted with registration actions."; and

(iii) in the first sentence of paragraph (6) (as redesignated by clause (i)), by striking "to carry out the goals established under subsection (1)" and inserting "for the purposes described in paragraphs (2), (3), and (4) and to carry out the goals established under subsection (1)".

(b) PESTICIDE REGISTRATION SERVICE FEES.—

(1) AMOUNT OF FEES.—Section 33(b) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136w-8(b)) is amended—

(A) by striking paragraph (3) and inserting the following:

“(3) SCHEDULE OF COVERED APPLICATIONS paragraph (6), the schedule of covered pes- responding registration service fees shall be
AND REGISTRATION SERVICE FEES.—Subject to ticide registration applications and cor- as follows:

“TABLE 1. — REGISTRATION DIVISION — NEW ACTIVE INGREDIENTS

EPA No.	New CR No.	Action	Decision Review Time (Months) (1)	Registration Service Fee (\$)
R010	1	New Active Ingredient, Food use (2) (3)	24	569,221
R020	2	New Active Ingredient, Food use; reduced risk (2) (3)	18	569,221
R040	3	New Active Ingredient, Food use; Experimental Use Permit application; establish temporary tolerance; submitted before application for registration; credit 45% of fee toward new active ingredient application that follows (3)	18	419,502
R060	4	New Active Ingredient, Non-food use; outdoor (2) (3)	21	395,467
R070	5	New Active Ingredient, Non-food use; outdoor; reduced risk (2) (3)	16	395,467
R090	6	New Active Ingredient, Non-food use; outdoor; Experimental Use Permit application; submitted before application for registration; credit 45% of fee toward new active ingredient (3)	16	293,596
R110	7	New Active Ingredient, Non-food use; indoor (2) (3)	20	219,949
R120	8	New Active Ingredient, Non-food use; indoor; reduced risk (2) (3)	14	219,949
R121	9	New Active Ingredient, Non-food use; indoor; Experimental Use Permit application; submitted before application for registration; credit 45% of fee toward new active ingredient application that follows (3)	18	165,375
R122	10	Enriched isomer(s) of registered mixed-isomer active ingredient (2) (3)	18	287,643
R123	11	New Active Ingredient, Seed treatment only; includes agricultural and non-agricultural seeds; residues not expected in raw agricultural commodities (2) (3)	18	427,991
R125 New	12	New Active Ingredient, Seed treatment; Experimental Use Permit application; submitted before application for registration; credit 45% of fee toward new active ingredient application that follows (3)	16	293,596

(1) A decision review time that would otherwise end on a Saturday, Sunday, or federal holiday, will be extended to end on the next business day.

(2) All requests for new uses (food and/or nonfood) contained in any application for a new active ingredient or a first food use are covered by the base fee for that new active ingredient or first food use application and retain the same decision time review period as the new active ingredient or first food use application. The application must be received by the agency in one package. The base fee for the category covers a maximum of five new products. Each application for an additional new product registration and new inert approval that is submitted in the new active ingredient application package or first food use application package is subject to the registration service fee for a new product or a new inert approval. All such associated applications that are submitted together will be subject to the new active ingredient or first food use decision review time. In the case of a new active ingredient application, until that new active ingredient is approved, any subsequent application for another new product containing the same active ingredient or an amendment to the proposed labeling will be deemed a new active ingredient application, subject to the registration service fee and decision review time for a new active ingredient. In the case of a first food use application, until that first food use is approved, any subsequent application for an additional new food use or uses will be subject to the registration service fee and decision review time for a first food use. Any information that (a) was neither requested nor required by the Agency, and (b) is submitted by the applicant at the applicant's initiative to support the application after completion of the technical deficiency screening, and (c) is not itself a covered registration application, must be assessed 25% of the full registration service fee for the new active ingredient or first food use application.

(3) Where the action involves approval of a new or amended label, on or before the end date of the decision review time, the Agency shall provide to the applicant a draft accepted label, including any changes made by the Agency that differ from the applicant-submitted label and relevant supporting data reviewed by the Agency. The applicant will notify the Agency that the applicant either (a) agrees to all of the terms associated with the draft accepted label as amended by the Agency and requests that it be issued as the accepted final Agency-stamped label; or (b) does not agree to one or more of the terms of the draft accepted label as amended by the Agency and requests additional time to resolve the difference(s); or (c) withdraws the application without prejudice for subsequent resubmission, but forfeits the associated registration service fee. For cases described in (b), the applicant shall have up to 30 calendar days to reach agreement with the Agency on the final terms of the Agency-accepted label. If the applicant agrees to all of the terms of the accepted label as in (a), including upon resolution of differences in (b), the Agency shall provide an accepted final Agency-stamped label to the registrant within 2 business days following the registrant's written or electronic confirmation of agreement to the Agency.

“TABLE 2. — REGISTRATION DIVISION — NEW USES

EPA No.	New CR No.	Action	Decision Review Time (Months) (1)	Registration Service Fee (\$)
R130	13	First food use; indoor; food/food handling (2) (3)	21	173,644
R140	14	Additional food use; Indoor; food/food handling (3) (4)	15	40,518
R150	15	First food use (2) (3)	21	239,684

“TABLE 2. — REGISTRATION DIVISION — NEW USES—Continued

EPA No.	New CR No.	Action	Decision Review Time (Months) (1)	Registration Service Fee (\$)
R160	16	First food use; reduced risk (2) (3)	16	239,684
R170	17	Additional food use (3) (4)	15	59,976
R175 New	18	Additional food uses covered within a crop group resulting from the conversion of existing approved crop group(s) to one or more revised crop groups. (3) (4)	10	59,976
R180	19	Additional food use; reduced risk (3) (4)	10	59,976
R190	20	Additional food uses; 6 or more submitted in one application (3) (4)	15	359,856
R200	21	Additional food uses; 6 or more submitted in one application; reduced risk (3) (4)	10	359,856
R210	22	Additional food use; Experimental Use Permit application; establish temporary tolerance; no credit toward new use registration (3) (4)	12	44,431
R220	23	Additional food use; Experimental Use Permit application; crop destruct basis; no credit toward new use registration (3) (4)	6	17,993
R230	24	Additional use; non-food; outdoor (3) (4)	15	23,969
R240	25	Additional use; non-food; outdoor; reduced risk (3) (4)	10	23,969
R250	26	Additional use; non-food; outdoor; Experimental Use Permit application; no credit toward new use registration (3) (4)	6	17,993
R251 New	27	Experimental Use Permit application which requires no changes to the tolerance(s); non-crop destruct basis (3)	8	17,993
R260	28	New use; non-food; indoor (3) (4)	12	11,577
R270	29	New use; non-food; indoor; reduced risk (3) (4)	9	11,577
R271	30	New use; non-food; indoor; Experimental Use Permit application; no credit toward new use registration (3) (4)	6	8,820
R273	31	Additional use; seed treatment; limited uptake into raw agricultural commodities; includes crops with established tolerances (e.g., for soil or foliar application); includes food or non-food uses (3) (4)	12	45,754
R274	32	Additional uses; seed treatment only; 6 or more submitted in one application; limited uptake into raw agricultural commodities; includes crops with established tolerances (e.g., for soil or foliar application); includes food and/or non-food uses (3) (4)	12	274,523

(1) A decision review time that would otherwise end on a Saturday, Sunday, or federal holiday, will be extended to end on the next business day.

(2) All requests for new uses (food and/or nonfood) contained in any application for a new active ingredient or a first food use are covered by the base fee for that new active ingredient or first food use application and retain the same decision time review period as the new active ingredient or first food use application. The application must be received by the agency in one package. The base fee for the category covers a maximum of five new products. Each application for an additional new product registration and new inert approval that is submitted in the new active ingredient application package or first food use application package is subject to the registration service fee for a new product or a new inert approval. All such associated applications that are submitted together will be subject to the new active ingredient or first food use decision review time. In the case of a new active ingredient application, until that new active ingredient is approved, any subsequent application for another new product containing the same active ingredient or an amendment to the proposed labeling will be deemed a new active ingredient application, subject to the registration service fee and decision review time for a new active ingredient. In the case of a first food use application, until that first food use is approved, any subsequent application for an additional new food use or uses will be subject to the registration service fee and decision review time for a first food use. Any information that (a) was neither requested nor required by the Agency, and (b) is submitted by the applicant at the applicant's initiative to support the application after completion of the technical deficiency screening, and (c) is not itself a covered registration application, must be assessed 25% of the full registration service fee for the new active ingredient or first food use application.

(3) Where the action involves approval of a new or amended label, on or before the end date of the decision review time, the Agency shall provide to the applicant a draft accepted label, including any changes made by the Agency that differ from the applicant-submitted label and relevant supporting data reviewed by the Agency. The applicant will notify the Agency that the applicant either (a) agrees to all of the terms associated with the draft accepted label as amended by the Agency and requests that it be issued as the accepted final Agency-stamped label; or (b) does not agree to one or more of the terms of the draft accepted label as amended by the Agency and requests additional time to resolve the difference(s); or (c) withdraws the application without prejudice for subsequent resubmission, but forfeits the associated registration service fee. For cases described in (b), the applicant shall have up to 30 calendar days to reach agreement with the Agency on the final terms of the Agency-accepted label. If the applicant agrees to all of the terms of the accepted label as in (a), including upon resolution of differences in (b), the Agency shall provide an accepted final Agency-stamped label to the registrant within 2 business days following the registrant's written or electronic confirmation of agreement to the Agency.

(4) Amendment applications to add the new use(s) to registered product labels are covered by the base fee for the new use(s). All items in the covered application must be submitted together in one package. Each application for an additional new product registration and new inert approval(s) that is submitted in the new use application package is subject to the registration service fee for a new product or a new inert approval. However, if a new use application only proposes to register the new use for a new product and there are no amendments in the application, then review of one new product application is covered by the new use fee. All such associated applications that are submitted together will be subject to the new use decision review time. Any application for a new product or an amendment to the proposed labeling (a) submitted subsequent to submission of the new use application and (b) prior to conclusion of its decision review time and (c) containing the same new uses, will be deemed a separate new-use application, subject to a separate registration service fee and new decision review time for a new use. If the new-use application includes non-food (indoor and/or outdoor), and food (outdoor and/or indoor) uses, the appropriate fee is due for each type of new use and the longest decision review time applies to all of the new uses requested in the application. Any information that (a) was neither requested nor required by the Agency, and (b) is submitted by the applicant at the applicant's initiative to support the application after completion of the technical deficiency screen, and (c) is not itself a covered registration application, must be assessed 25% of the full registration service fee for the new use application.

“TABLE 3. — REGISTRATION DIVISION — IMPORT AND OTHER TOLERANCES

EPA No.	New CR No.	Action	Decision Review Time (Months) (1)	Registration Service Fee (\$)
R280	33	Establish import tolerance; new active ingredient or first food use (2)	21	289,407
R290	34	Establish import tolerance; additional food use	15	57,882
R291	35	Establish import tolerances; additional food uses; 6 or more crops submitted in one petition	15	347,288
R292	36	Amend an established tolerance (e.g., decrease or increase); domestic or import; applicant-initiated	11	41,124
R293	37	Establish tolerance(s) for inadvertent residues in one crop; applicant-initiated	12	48,510
R294	38	Establish tolerances for inadvertent residues; 6 or more crops submitted in one application; applicant-initiated	12	291,060
R295	39	Establish tolerance(s) for residues in one rotational crop in response to a specific rotational crop application; applicant-initiated	15	59,976
R296	40	Establish tolerances for residues in rotational crops in response to a specific rotational crop petition; 6 or more crops submitted in one application; applicant-initiated	15	359,856
R297 New	41	Amend 6 or more established tolerances (e.g., decrease or increase) in one petition; domestic or import; applicant-initiated	11	246,744
R298 New	42	Amend an established tolerance (e.g., decrease or increase); domestic or import; submission of amended labels (requiring science review) in addition to those associated with the amended tolerance; applicant-initiated (3)	13	53,120
R299 New	43	Amend 6 or more established tolerances (e.g., decrease or increase); domestic or import; submission of amended labels (requiring science review) in addition to those associated with the amended tolerance; applicant-initiated (3)	13	258,740

(1) A decision review time that would otherwise end on a Saturday, Sunday, or federal holiday, will be extended to end on the next business day.

(2) All requests for new uses (food and/or nonfood) contained in any application for a new active ingredient or a first food use are covered by the base fee for that new active ingredient or first food use application and retain the same decision time review period as the new active ingredient or first food use application. The application must be received by the agency in one package. The base fee for the category covers a maximum of five new products. Each application for an additional new product registration and new inert approval that is submitted in the new active ingredient application package or first food use application package is subject to the registration service fee for a new product or a new inert approval. All such associated applications that are submitted together will be subject to the new active ingredient or first food use decision review time. In the case of a new active ingredient application, until that new active ingredient is approved, any subsequent application for another new product containing the same active ingredient or an amendment to the proposed labeling will be deemed a new active ingredient application, subject to the registration service fee and decision review time for a new active ingredient. In the case of a first food use application, until that first food use is approved, any subsequent application for an additional new food use or uses will be subject to the registration service fee and decision review time for a first food use. Any information that (a) was neither requested nor required by the Agency, and (b) is submitted by the applicant at the applicant's initiative to support the application after completion of the technical deficiency screening, and (c) is not itself a covered registration application, must be assessed 25% of the full registration service fee for the new active ingredient or first food use application.

(3) Where the action involves approval of a new or amended label, on or before the end date of the decision review time, the Agency shall provide to the applicant a draft accepted label, including any changes made by the Agency that differ from the applicant-submitted label and relevant supporting data reviewed by the Agency. The applicant will notify the Agency that the applicant either (a) agrees to all of the terms associated with the draft accepted label as amended by the Agency and requests that it be issued as the accepted final Agency-stamped label; or (b) does not agree to one or more of the terms of the draft accepted label as amended by the Agency and requests additional time to resolve the difference(s); or (c) withdraws the application without prejudice for subsequent resubmission, but forfeits the associated registration service fee. For cases described in (b), the applicant shall have up to 30 calendar days to reach agreement with the Agency on the final terms of the Agency-accepted label. If the applicant agrees to all of the terms of the accepted label as in (a), including upon resolution of differences in (b), the Agency shall provide an accepted final Agency-stamped label to the registrant within 2 business days following the registrant's written or electronic confirmation of agreement to the Agency.

“TABLE 4. — REGISTRATION DIVISION — NEW PRODUCTS

EPA No.	New CR No.	Action	Decision Review Time (Months) (1)	Registration Service Fee (\$)
R300	44	New product; or similar combination product (already registered) to an identical or substantially similar in composition and use to a registered product; registered source of active ingredient; no data review on acute toxicity, efficacy or CRP – only product chemistry data; cite-all data citation, or selective data citation where applicant owns all required data, or applicant submits specific authorization letter from data owner. Category also includes 100% re-package of registered end-use or manufacturing-use product that requires no data submission nor data matrix. (2) (3)	4	1,434
R301	45	New product; or similar combination product (already registered) to an identical or substantially similar in composition and use to a registered product; registered source of active ingredient; selective data citation only for data on product chemistry and/or acute toxicity and/or public health pest efficacy, where applicant does not own all required data and does not have a specific authorization letter from data owner. (2) (3)	4	1,720
R310	46	New end-use or manufacturing-use product with registered source(s) of active ingredient(s); includes products containing two or more registered active ingredients previously combined in other registered products; requires review of data package within RD only; includes data and/or waivers of data for only: <ul style="list-style-type: none"> ● product chemistry and/or ● acute toxicity and/or ● public health pest efficacy and/or ● child resistant packaging. (2) (3) 	7	4,807
R314 New	47	New end use product containing two or more registered active ingredients never before registered as this combination in a formulated product; new product label is identical or substantially similar to the labels of currently registered products which separately contain the respective component active ingredients; requires review of data package within RD only; includes data and/or waivers of data for only: <ul style="list-style-type: none"> ● product chemistry and/or ● acute toxicity and/or ● public health pest efficacy and/or ● child resistant packaging. (2) (3) 	8	6,009
R315 New	48	New end-use non-food animal product with submission of two or more target animal safety studies; includes data and/or waivers of data for only: <ul style="list-style-type: none"> ● product chemistry and/or ● acute toxicity and/or ● public health pest efficacy and/or ● animal safety studies and/or ● child resistant packaging (2) (3) 	9	8,000
R320	49	New product; new physical form; requires data review in science divisions (2) (3)	12	11,996
R331	50	New product; repack of identical registered end-use product as a manufacturing-use product; same registered uses only (2) (3)	3	2,294
R332	51	New manufacturing-use product; registered active ingredient; unregistered source of active ingredient; submission of completely new generic data package; registered uses only; requires review in RD and science divisions (2) (3)	24	256,883
R333 New	52	New product; MUP or End use product with unregistered source of active ingredient; requires science data review; new physical form; etc. Cite-all or selective data citation where applicant owns all required data. (2) (3)	10	17,993
R334 New	53	New product; MUP or End use product with unregistered source of the active ingredient; requires science data review; new physical form; etc. Selective data citation. (2) (3)	11	17,993

(1) A decision review time that would otherwise end on a Saturday, Sunday, or federal holiday, will be extended to end on the next business day.

(2) An application for a new end-use product using a source of active ingredient that (a) is not yet registered but (b) has an application pending with the Agency for review, will be considered an application for a new product with an unregistered source of active ingredient.

(3) Where the action involves approval of a new or amended label, on or before the end date of the decision review time, the Agency shall provide to the applicant a draft accepted label, including any changes made by the Agency that differ from the applicant-submitted label and relevant supporting data reviewed by the Agency. The applicant will notify the Agency that the applicant either (a) agrees to all of the terms associated with the draft accepted label as amended by the Agency and requests that it be issued as the accepted final Agency-stamped label; or (b) does not agree to one or more of the terms of the draft accepted label as amended by the Agency and requests additional time to resolve the difference(s); or (c) withdraws the application without prejudice for subsequent resubmission, but forfeits the associated registration service fee. For cases described in (b), the applicant shall have up to 30 calendar days to reach agreement with the Agency on the final terms of the Agency-accepted label. If the applicant agrees to all of the terms of the accepted label as in (a), including upon resolution of differences in (b), the Agency shall provide an accepted final Agency-stamped label to the registrant within 2 business days following the registrant's written or electronic confirmation of agreement to the Agency.

“TABLE 5. — REGISTRATION DIVISION — AMENDMENTS TO REGISTRATION

EPA No.	New CR No.	Action	Decision Review Time (Months) (1)	Registration Service Fee (\$)
R340	54	Amendment requiring data review within RD (e.g., changes to precautionary label statements) (2) (3)	4	3,617
R345 New	55	Amending non-food animal product that includes submission of target animal safety data; previously registered (2) (3)	7	8,000
R350	56	Amendment requiring data review in science divisions (e.g., changes to REI, or PPE, or PHI, or use rate, or number of applications; or add aerial application; or modify GW/SW advisory statement) (2) (3)	9	11,996
R351 New	57	Amendment adding a new unregistered source of active ingredient. (2) (3)	8	11,996
R352 New	58	Amendment adding already approved uses; selective method of support; does not apply if the applicant owns all cited data (2) (3)	8	11,996
R371	59	Amendment to Experimental Use Permit; (does not include extending a permit's time period) (3)	6	9,151

(1) A decision review time that would otherwise end on a Saturday, Sunday, or federal holiday, will be extended to end on the next business day.

(2) (a) EPA-initiated amendments shall not be charged registration service fees. (b) Registrant-initiated fast-track amendments are to be completed within the timelines specified in FIFRA Section 3(c)(3)(B) and are not subject to registration service fees. (c) Registrant-initiated fast-track amendments handled by the Antimicrobials Division are to be completed within the timelines specified in FIFRA Section 3(h) and are not subject to registration service fees. (d) Registrant initiated amendments submitted by notification under PR Notices, such as PR Notice 98–10, continue under PR Notice timelines and are not subject to registration service fees. (e) Submissions with data and requiring data review are subject to registration service fees.

(3) Where the action involves approval of a new or amended label, on or before the end date of the decision review time, the Agency shall provide to the applicant a draft accepted label, including any changes made by the Agency that differ from the applicant-submitted label and relevant supporting data reviewed by the Agency. The applicant will notify the Agency that the applicant either (a) agrees to all of the terms associated with the draft accepted label as amended by the Agency and requests that it be issued as the accepted final Agency-stamped label; or (b) does not agree to one or more of the terms of the draft accepted label as amended by the Agency and requests additional time to resolve the difference(s); or (c) withdraws the application without prejudice for subsequent resubmission, but forfeits the associated registration service fee. For cases described in (b), the applicant shall have up to 30 calendar days to reach agreement with the Agency on the final terms of the Agency-accepted label. If the applicant agrees to all of the terms of the accepted label as in (a), including upon resolution of differences in (b), the Agency shall provide an accepted final Agency-stamped label to the registrant within 2 business days following the registrant's written or electronic confirmation of agreement to the Agency.

“TABLE 6. — REGISTRATION DIVISION — OTHER ACTIONS

EPA No.	New CR No.	Action	Decision Review Time (Months) (1)	Registration Service Fee (\$)
R124	60	Conditional Ruling on Preapplication Study Waivers; applicant-initiated	6	2,294
R272	61	Review of Study Protocol applicant-initiated; excludes DART, pre-registration conference, Rapid Response review, DNT protocol review, protocol needing HSRB review	3	2,294
R275 New	62	Rebuttal of agency reviewed protocol, applicant initiated	3	2,294
R370	63	Cancer reassessment; applicant-initiated	18	179,818

(1) A decision review time that would otherwise end on a Saturday, Sunday, or federal holiday, will be extended to end on the next business day.

“TABLE 7. — ANTIMICROBIALS DIVISION — NEW ACTIVE INGREDIENTS

EPA No.	New CR No.	Action	Decision Review Time (Months) (1)	Registration Service Fee (\$)
A380	64	Food use; establish tolerance exemption (2) (3)	24	104,187
A390	65	Food use; establish tolerance (2) (3)	24	173,644
A400	66	Non-food use; outdoor; FIFRA §2(mm) uses (2) (3)	18	86,823
A410	67	Non-food use; outdoor; uses other than FIFRA §2(mm) (2) (3)	21	173,644
A420	68	Non-food use; indoor; FIFRA §2(mm) uses (2) (3)	18	57,882
A430	69	Non-food use; indoor; uses other than FIFRA §2(mm) (2) (3)	20	86,823
A431	70	Non-food use; indoor; low-risk, low-toxicity food-grade active ingredient(s); efficacy testing for public health claims required under GLP and following DIS/TSS or AD-approved study protocol (2) (3)	12	60,638

(1) A decision review time that would otherwise end on a Saturday, Sunday, or federal holiday, will be extended to end on the next business day.

(2) All requests for new uses (food and/or nonfood) contained in any application for a new active ingredient or a first food use are covered by the base fee for that new active ingredient or first food use application and retain the same decision time review period as the new active ingredient or first food use application. The application must be received by the agency in one package. The base fee for the category covers a maximum of five new products. Each application for an additional new product registration and new inert approval that is submitted in the new active ingredient application package or first food use application package is subject to the registration service fee for a new product or a new inert approval. All such associated applications that are submitted together will be subject to the new active ingredient or first food use decision review time. In the case of a new active ingredient application, until that new active ingredient is approved, any subsequent application for another new product containing the same active ingredient or an amendment to the proposed labeling will be deemed a new active ingredient application, subject to the registration service fee and decision review time for a new active ingredient. In the case of a first food use application, until that first food use is approved, any subsequent application for an additional new food use or uses will be subject to the registration service fee and decision review time for a first food use. Any information that (a) was neither requested nor required by the Agency, and (b) is submitted by the applicant at the applicant's initiative to support the application after completion of the technical deficiency screening, and (c) is not itself a covered registration application, must be assessed 25% of the full registration service fee for the new active ingredient or first food use application.

(3) Where the action involves approval of a new or amended label, on or before the end date of the decision review time, the Agency shall provide to the applicant a draft accepted label, including any changes made by the Agency that differ from the applicant-submitted label and relevant supporting data reviewed by the Agency. The applicant will notify the Agency that the applicant either (a) agrees to all of the terms associated with the draft accepted label as amended by the Agency and requests that it be issued as the accepted final Agency-stamped label; or (b) does not agree to one or more of the terms of the draft accepted label as amended by the Agency and requests additional time to resolve the difference(s); or (c) withdraws the application without prejudice for subsequent resubmission, but forfeits the associated registration service fee. For cases described in (b), the applicant shall have up to 30 calendar days to reach agreement with the Agency on the final terms of the Agency-accepted label. If the applicant agrees to all of the terms of the accepted label as in (a), including upon resolution of differences in (b), the Agency shall provide an accepted final Agency-stamped label to the registrant within 2 business days following the registrant's written or electronic confirmation of agreement to the Agency.

“TABLE 8. — ANTIMICROBIALS DIVISION — NEW USES

EPA No.	New CR No.	Action	Decision Review Time (Months) (1)	Registration Service Fee (\$)
A440	71	First food use; establish tolerance exemption (2) (3) (4)	21	28,942
A450	72	First food use; establish tolerance (2) (3) (4)	21	86,823
A460	73	Additional food use; establish tolerance exemption (3) (4) (5)	15	11,577
A470	74	Additional food use; establish tolerance (3) (4) (5)	15	28,942
A471 New	75	Additional food uses; establish tolerances; 6 or more submitted in one application (3) (4) (5)	15	173,652
A480	76	Additional use; non-food; outdoor; FIFRA §2(mm) uses (4) (5)	9	17,365
A481 New	77	Additional non-food outdoor uses; FIFRA §2(mm) uses; 6 or more submitted in one application (4) (5)	9	104,190
A490	78	Additional use; non-food; outdoor; uses other than FIFRA §2(mm) (4) (5)	15	28,942
A491 New	79	Additional non-food; outdoor; uses other than FIFRA §2(mm); 6 or more submitted in one application (4) (5)	15	173,652
A500	80	Additional use; non-food, indoor, FIFRA §2(mm) uses (4) (5)	9	11,577
A501 New	81	Additional non-food; indoor; FIFRA §2(mm) uses; 6 or more submitted in one application (4) (5)	9	69,462
A510	82	Additional use; non-food; indoor; uses other than FIFRA §2(mm) (4) (5)	12	11,577

“TABLE 8. — ANTIMICROBIALS DIVISION — NEW USES—Continued

EPA No.	New CR No.	Action	Decision Review Time (Months) (1)	Registration Service Fee (\$)
A511 New	83	Additional non-food; indoor; uses other than FIFRA §2(mm); 6 or more submitted in one application (4) (5)	12	69,462

(1) A decision review time that would otherwise end on a Saturday, Sunday, or federal holiday, will be extended to end on the next business day.

(2) All requests for new uses (food and/or nonfood) contained in any application for a new active ingredient or a first food use are covered by the base fee for that new active ingredient or first food use application and retain the same decision time review period as the new active ingredient or first food use application. The application must be received by the agency in one package. The base fee for the category covers a maximum of five new products. Each application for an additional new product registration and new inert approval that is submitted in the new active ingredient application package or first food use application package is subject to the registration service fee for a new product or a new inert approval. All such associated applications that are submitted together will be subject to the new active ingredient or first food use decision review time. In the case of a new active ingredient application, until that new active ingredient is approved, any subsequent application for another new product containing the same active ingredient or an amendment to the proposed labeling will be deemed a new active ingredient application, subject to the registration service fee and decision review time for a new active ingredient. In the case of a first food use application, until that first food use is approved, any subsequent application for an additional new food use or uses will be subject to the registration service fee and decision review time for a first food use. Any information that (a) was neither requested nor required by the Agency, and (b) is submitted by the applicant at the applicant's initiative to support the application after completion of the technical deficiency screening, and (c) is not itself a covered registration application, must be assessed 25% of the full registration service fee for the new active ingredient or first food use application.

(3) If EPA data rules are amended to newly require clearance under section 408 of the FFDCA for an ingredient of an antimicrobial product where such ingredient was not previously subject to such a clearance, then review of the data for such clearance of such product is not subject to a registration service fee for the tolerance action for two years from the effective date of the rule.

(4) Where the action involves approval of a new or amended label, on or before the end date of the decision review time, the Agency shall provide to the applicant a draft accepted label, including any changes made by the Agency that differ from the applicant-submitted label and relevant supporting data reviewed by the Agency. The applicant will notify the Agency that the applicant either (a) agrees to all of the terms associated with the draft accepted label as amended by the Agency and requests that it be issued as the accepted final Agency-stamped label; or (b) does not agree to one or more of the terms of the draft accepted label as amended by the Agency and requests additional time to resolve the difference(s); or (c) withdraws the application without prejudice for subsequent resubmission, but forfeits the associated registration service fee. For cases described in (b), the applicant shall have up to 30 calendar days to reach agreement with the Agency on the final terms of the Agency-accepted label. If the applicant agrees to all of the terms of the accepted label as in (a), including upon resolution of differences in (b), the Agency shall provide an accepted final Agency-stamped label to the registrant within 2 business days following the registrant's written or electronic confirmation of agreement to the Agency.

(5) Amendment applications to add the new use(s) to registered product labels are covered by the base fee for the new use(s). All items in the covered application must be submitted together in one package. Each application for an additional new product registration and new inert approval(s) that is submitted in the new use application package is subject to the registration service fee for a new product or a new inert approval. However, if a new use application only proposes to register the new use for a new product and there are no amendments in the application, then review of one new product application is covered by the new use fee. All such associated applications that are submitted together will be subject to the new use decision review time. Any application for a new product or an amendment to the proposed labeling (a) submitted subsequent to submission of the new use application and (b) prior to conclusion of its decision review time and (c) containing the same new uses, will be deemed a separate new-use application, subject to a separate registration service fee and new decision review time for a new use. If the new-use application includes non-food (indoor and/or outdoor), and food (outdoor and/or indoor) uses, the appropriate fee is due for each type of new use and the longest decision review time applies to all of the new uses requested in the application. Any information that (a) was neither requested nor required by the Agency, and (b) is submitted by the applicant at the applicant's initiative to support the application after completion of the technical deficiency screen, and (c) is not itself a covered registration application, must be assessed 25% of the full registration service fee for the new use application.

“TABLE 9. — ANTIMICROBIALS DIVISION — NEW PRODUCTS AND AMENDMENTS

EPA No.	New CR No.	Action	Decision Review Time (Months) (1)	Registration Service Fee (\$)
A530	84	New product; identical or substantially similar in composition and use to a registered product; no data review or only product chemistry data; cite-all data citation, or selective data citation when applicant owns all required data, or applicant submits specific authorization letter for data owner. Category also includes 100% re-package of registered end-use or manufacturing-use product that requires no data submission nor data matrix. (2) (3)	4	1,159
A531	85	New product; identical or substantially similar in composition and use to a registered product; registered source of active ingredient; selective data citation only for data on product chemistry and/or acute toxicity and/or public health pest efficacy, where applicant does not own all required data and does not have a specific authorization letter from data owner. (2) (3)	4	1,654
A532	86	New product; identical or substantially similar in composition and use to a registered product; registered active ingredient; unregistered source of active ingredient; cite-all data citation except for product chemistry; product chemistry data submitted (2) (3)	5	4,631
A540	87	New end use product; FIFRA §2(mm) uses only (2) (3)	5	4,631
A550	88	New end-use product; uses other than FIFRA §2(mm); non-FQPA product (2) (3)	7	4,631
A560	89	New manufacturing-use product; registered active ingredient; selective data citation (2) (3)	12	17,365

“TABLE 9. — ANTIMICROBIALS DIVISION — NEW PRODUCTS AND AMENDMENTS—Continued

EPA No.	New CR No.	Action	Decision Review Time (Months) (1)	Registration Service Fee (\$)
A570	90	Label amendment requiring data review (3) (4)	4	3,474
A572 New	91	New Product or amendment requiring data review for risk assessment by Science Branch (e.g., changes to REI, or PPE, or use rate) (2) (3) (4)	9	11,996

(1) A decision review time that would otherwise end on a Saturday, Sunday, or federal holiday, will be extended to end on the next business day.

(2) An application for a new end-use product using a source of active ingredient that (a) is not yet registered but (b) has an application pending with the Agency for review, will be considered an application for a new product with an unregistered source of active ingredient.

(3) Where the action involves approval of a new or amended label, on or before the end date of the decision review time, the Agency shall provide to the applicant a draft accepted label, including any changes made by the Agency that differ from the applicant-submitted label and relevant supporting data reviewed by the Agency. The applicant will notify the Agency that the applicant either (a) agrees to all of the terms associated with the draft accepted label as amended by the Agency and requests that it be issued as the accepted final Agency-stamped label; or (b) does not agree to one or more of the terms of the draft accepted label as amended by the Agency and requests additional time to resolve the difference(s); or (c) withdraws the application without prejudice for subsequent resubmission, but forfeits the associated registration service fee. For cases described in (b), the applicant shall have up to 30 calendar days to reach agreement with the Agency on the final terms of the Agency-accepted label. If the applicant agrees to all of the terms of the accepted label as in (a), including upon resolution of differences in (b), the Agency shall provide an accepted final Agency-stamped label to the registrant within 2 business days following the registrant's written or electronic confirmation of agreement to the Agency.

(4) (a) EPA-initiated amendments shall not be charged registration service fees. (b) Registrant-initiated fast-track amendments are to be completed within the timelines specified in FIFRA Section 3(c)(3)(B) and are not subject to registration service fees. (c) Registrant-initiated fast-track amendments handled by the Antimicrobials Division are to be completed within the timelines specified in FIFRA Section 3(h) and are not subject to registration service fees. (d) Registrant initiated amendments submitted by notification under PR Notices, such as PR Notice 98-10, continue under PR Notice timelines and are not subject to registration service fees. (e) Submissions with data and requiring data review are subject to registration service fees.

“TABLE 10. — ANTIMICROBIALS DIVISION — EXPERIMENTAL USE PERMITS AND OTHER TYPE OF ACTIONS

EPA No.	New CR No.	Action	Decision Review Time (Months) (1)	Registration Service Fee (\$)
A520	92	Experimental Use Permit application, Non-Food Use (2)	9	5,789
A521	93	Review of public health efficacy study protocol within AD, per AD Internal Guidance for the Efficacy Protocol Review Process; Code will also include review of public health efficacy study protocol and data review for devices making pesticidal claims; applicant-initiated; Tier 1	3	2,250
A522	94	Review of public health efficacy study protocol outside AD by members of AD Efficacy Protocol Review Expert Panel; Code will also include review of public health efficacy study protocol and data review for devices making pesticidal claims; applicant-initiated; Tier 2	12	11,025
A524 New	95	New Active Ingredient, Experimental Use Permit application; Food Use Requires Tolerance. Credit 45% of fee toward new active ingredient application that follows. (2)	18	138,916
A525 New	96	New Active Ingredient, Experimental Use Permit application; Food Use Requires Tolerance Exemption. Credit 45% of fee toward new active ingredient application that follows. (2)	18	83,594
A526 New	97	New Active Ingredient, Experimental Use Permit application; Non-Food, Outdoor Use. Credit 45% of fee toward new active ingredient application that follows. (2)	15	86,823
A527 New	98	New Active Ingredient, Experimental Use Permit application; Non-Food, Indoor Use. Credit 45% of fee toward new active ingredient application that follows. (2)	15	58,000
A528 New	99	Experimental Use Permit application, Food Use; Requires Tolerance or Tolerance Exemption (2)	15	20,260
A529 New	100	Amendment to Experimental Use Permit; requires data review or risk assessment (2)	9	10,365
A523 New	101	Review of protocol other than a public health efficacy study (i.e., Toxicology or Exposure Protocols)	9	11,025

“TABLE 10. — ANTIMICROBIALS DIVISION — EXPERIMENTAL USE PERMITS AND OTHER TYPE OF ACTIONS—Continued

EPA No.	New CR No.	Action	Decision Review Time (Months) (1)	Registration Service Fee (\$)
A571 New	102	Science reassessment: Cancer risk, refined ecological risk, and/or endangered species; applicant-initiated	18	86,823

(1) A decision review time that would otherwise end on a Saturday, Sunday, or federal holiday, will be extended to end on the next business day.

(2) Where the action involves approval of a new or amended label, on or before the end date of the decision review time, the Agency shall provide to the applicant a draft accepted label, including any changes made by the Agency that differ from the applicant-submitted label and relevant supporting data reviewed by the Agency. The applicant will notify the Agency that the applicant either (a) agrees to all of the terms associated with the draft accepted label as amended by the Agency and requests that it be issued as the accepted final Agency-stamped label; or (b) does not agree to one or more of the terms of the draft accepted label as amended by the Agency and requests additional time to resolve the difference(s); or (c) withdraws the application without prejudice for subsequent resubmission, but forfeits the associated registration service fee. For cases described in (b), the applicant shall have up to 30 calendar days to reach agreement with the Agency on the final terms of the Agency-accepted label. If the applicant agrees to all of the terms of the accepted label as in (a), including upon resolution of differences in (b), the Agency shall provide an accepted final Agency-stamped label to the registrant within 2 business days following the registrant's written or electronic confirmation of agreement to the Agency.

“TABLE 11. — BIOPESTICIDES AND POLLUTION PREVENTION DIVISION — MICROBIAL AND BIOCHEMICAL PESTICIDES; NEW ACTIVE INGREDIENTS

EPA No.	New CR No.	Action	Decision Review Time (Months) (1)	Registration Service Fee (\$)
B580	103	New active ingredient; food use; petition to establish a tolerance (2)	19	46,305
B590	104	New active ingredient; food use; petition to establish a tolerance exemption (2)	17	28,942
B600	105	New active ingredient; non-food use (2)	13	17,365
B610	106	New active ingredient; Experimental Use Permit application; petition to establish a temporary tolerance or temporary tolerance exemption	10	11,577
B611 New	107	New active ingredient; Experimental Use Permit application; petition to establish permanent tolerance exemption	12	11,577
B612 New	108	New active ingredient; no change to a permanent tolerance exemption (2)	10	15,918
B613 New	109	New active ingredient; petition to convert a temporary tolerance or a temporary tolerance exemption to a permanent tolerance or tolerance exemption (2)	11	15,918
B620	110	New active ingredient; Experimental Use Permit application; non-food use including crop destruct	7	5,789

(1) A decision review time that would otherwise end on a Saturday, Sunday, or federal holiday, will be extended to end on the next business day.

(2) All requests for new uses (food and/or nonfood) contained in any application for a new active ingredient or a first food use are covered by the base fee for that new active ingredient or first food use application and retain the same decision time review period as the new active ingredient or first food use application. The application must be received by the agency in one package. The base fee for the category covers a maximum of five new products. Each application for an additional new product registration and new inert approval that is submitted in the new active ingredient application package or first food use application package is subject to the registration service fee for a new product or a new inert approval. All such associated applications that are submitted together will be subject to the new active ingredient or first food use decision review time, except where the new inert approval decision review time is greater than that for the new active ingredient, in which case the associated new active ingredient will be subject to the new inert approval decision review time. In the case of a new active ingredient application, until that new active ingredient is approved, any subsequent application for another new product containing the same active ingredient or an amendment to the proposed labeling will be deemed a new active ingredient application, subject to the registration service fee and decision review time for a new active ingredient. In the case of a first food use application, until that first food use is approved, any subsequent application for an additional new food use or uses will be subject to the registration service fee and decision review time for a first food use. Any information that (a) was neither requested nor required by the Agency, and (b) is submitted by the applicant at the applicant's initiative to support the application after completion of the technical deficiency screening, and (c) is not itself a covered registration application, must be assessed 25% of the full registration service fee for the new active ingredient or first food use application.

“TABLE 12. — BIOPESTICIDES AND POLLUTION PREVENTION DIVISION — MICROBIAL AND BIOCHEMICAL PESTICIDES; NEW USES

EPA No.	New CR No.	Action	Decision Review Time (Months) (1)	Registration Service Fee (\$)
B630	111	First food use; petition to establish a tolerance exemption (2)	13	11,577
B631	112	New food use; petition to amend an established tolerance (3)	12	11,577
B640	113	First food use; petition to establish a tolerance (2)	19	17,365
B643 New	114	New Food use; petition to amend tolerance exemption (3)	10	11,577
B642 New	115	First food use; indoor; food/food handling (2)	12	28,942
B644 New	116	New use, no change to an established tolerance or tolerance exemption (3)	8	11,577
B650	117	New use; non-food (3)	7	5,789

(1) A decision review time that would otherwise end on a Saturday, Sunday, or federal holiday, will be extended to end on the next business day.

(2) All requests for new uses (food and/or nonfood) contained in any application for a new active ingredient or a first food use are covered by the base fee for that new active ingredient or first food use application and retain the same decision time review period as the new active ingredient or first food use application. The application must be received by the agency in one package. The base fee for the category covers a maximum of five new products. Each application for an additional new product registration and new inert approval that is submitted in the new active ingredient application package or first food use application package is subject to the registration service fee for a new product or a new inert approval. All such associated applications that are submitted together will be subject to the new active ingredient or first food use decision review time. In the case of a new active ingredient application, until that new active ingredient is approved, any subsequent application for another new product containing the same active ingredient or an amendment to the proposed labeling will be deemed a new active ingredient application, subject to the registration service fee and decision review time for a new active ingredient. In the case of a first food use application, until that first food use is approved, any subsequent application for an additional new food use or uses will be subject to the registration service fee and decision review time for a first food use. Any information that (a) was neither requested nor required by the Agency, and (b) is submitted by the applicant at the applicant's initiative to support the application after completion of the technical deficiency screening, and (c) is not itself a covered registration application, must be assessed 25% of the full registration service fee for the new active ingredient or first food use application.

(3) Amendment applications to add the new use(s) to registered product labels are covered by the base fee for the new use(s). All items in the covered application must be submitted together in one package. Each application for an additional new product registration and new inert approval(s) that is submitted in the new use application package is subject to the registration service fee for a new product or a new inert approval. However, if a new use application only proposes to register the new use for a new product and there are no amendments in the application, then review of one new product application is covered by the new use fee. All such associated applications that are submitted together will be subject to the new use decision review time. Any application for a new product or an amendment to the proposed labeling (a) submitted subsequent to submission of the new use application and (b) prior to conclusion of its decision review time and (c) containing the same new uses, will be deemed a separate new-use application, subject to a separate registration service fee and new decision review time for a new use. If the new-use application includes non-food (indoor and/or outdoor), and food (outdoor and/or indoor) uses, the appropriate fee is due for each type of new use and the longest decision review time applies to all of the new uses requested in the application. Any information that (a) was neither requested nor required by the Agency, and (b) is submitted by the applicant at the applicant's initiative to support the application after completion of the technical deficiency screen, and (c) is not itself a covered registration application, must be assessed 25% of the full registration service fee for the new use application.

“TABLE 13. — BIOPESTICIDES AND POLLUTION PREVENTION DIVISION — MICROBIAL AND BIOCHEMICAL PESTICIDES; NEW PRODUCTS

EPA No.	New CR No.	Action	Decision Review Time (Months) (1)	Registration Service Fee (\$)
B652 New	118	New product; registered source of active ingredient; requires petition to amend established tolerance or tolerance exemption; requires 1) submission of product specific data; or 2) citation of previously reviewed and accepted data; or 3) submission or citation of data generated at government expense; or 4) submission or citation of scientifically-sound rationale based on publicly available literature or other relevant information that addresses the data requirement; or 5) submission of a request for a data requirement to be waived supported by a scientifically-sound rationale explaining why the data requirement does not apply (2)	13	11,577
B660	119	New product; registered source of active ingredient(s); identical or substantially similar in composition and use to a registered product; no change in an established tolerance or tolerance exemption. No data review, or only product chemistry data; cite-all data citation, or selective data citation where applicant owns all required data or authorization from data owner is demonstrated. Category includes 100% re-package of registered end-use or manufacturing-use product that requires no data submission or data matrix. For microbial pesticides, the active ingredient(s) must not be re-isolated. (2)	4	1,159

“TABLE 13. — BIOPESTICIDES AND POLLUTION PREVENTION DIVISION — MICROBIAL AND BIOCHEMICAL PESTICIDES; NEW PRODUCTS—Continued

EPA No.	New CR No.	Action	Decision Review Time (Months) (1)	Registration Service Fee (\$)
B670	120	New product; registered source of active ingredient(s); no change in an established tolerance or tolerance exemption; requires: 1) submission of product specific data; or 2) citation of previously reviewed and accepted data; or 3) submission or citation of data generated at government expense; or 4) submission or citation of a scientifically-sound rationale based on publicly available literature or other relevant information that addresses the data requirement; or 5) submission of a request for a data requirement to be waived supported by a scientifically-sound rationale explaining why the data requirement does not apply. (2)	7	4,631
B671	121	New product; unregistered source of active ingredient(s); requires a petition to amend an established tolerance or tolerance exemption; requires: 1) submission of product specific data; or 2) citation of previously reviewed and accepted data; or 3) submission or citation of data generated at government expense; or 4) submission or citation of a scientifically-sound rationale based on publicly available literature or other relevant information that addresses the data requirement; or 5) submission of a request for a data requirement to be waived supported by a scientifically-sound rationale explaining why the data requirement does not apply. (2)	17	11,577
B672	122	New product; unregistered source of active ingredient(s); non-food use or food use with a tolerance or tolerance exemption previously established for the active ingredient(s); requires: 1) submission of product specific data; or 2) citation of previously reviewed and accepted data; or 3) submission or citation of data generated at government expense; or 4) submission or citation of a scientifically-sound rationale based on publicly available literature or other relevant information that addresses the data requirement; or 5) submission of a request for a data requirement to be waived supported by a scientifically-sound rationale explaining why the data requirement does not apply. (2)	13	8,269
B673 New	123	New product MUP/EP; unregistered source of active ingredient(s); citation of Technical Grade Active Ingredient (TGAI) data previously reviewed and accepted by the Agency. Requires an Agency determination that the cited data supports the new product. (2)	10	4,631
B674 New	124	New product MUP; Repack of identical registered end-use product as a manufacturing-use product; same registered uses only (2)	4	1,159
B675 New	125	New Product MUP; registered source of active ingredient; submission of completely new generic data package; registered uses only. (2)	10	8,269
B676 New	126	New product; more than one active ingredient where one active ingredient is an unregistered source; product chemistry data must be submitted; requires: 1) submission of product specific data, and 2) citation of previously reviewed and accepted data; or 3) submission or citation of data generated at government expense; or 4) submission or citation of a scientifically-sound rationale based on publicly available literature or other relevant information that addresses the data requirement; or 5) submission of a request for a data requirement to be waived supported by a scientifically-sound rationale explaining why the data requirement does not apply. (2)	13	8,269
B677 New	127	New end-use non-food animal product with submission of two or more target animal safety studies; includes data and/or waivers of data for only: <ul style="list-style-type: none"> • product chemistry and/or • acute toxicity and/or • public health pest efficacy and/or • animal safety studies and/or • child resistant packaging (2) 	10	8,000

(1) A decision review time that would otherwise end on a Saturday, Sunday, or federal holiday, will be extended to end on the next business day.

(2) An application for a new end-use product using a source of active ingredient that (a) is not yet registered but (b) has an application pending with the Agency for review, will be considered an application for a new product with an unregistered source of active ingredient.

“TABLE 14. — BIOPESTICIDES AND POLLUTION PREVENTION DIVISION — MICROBIAL AND BIOCHEMICAL PESTICIDES; AMENDMENTS

EPA No.	New CR No.	Action	Decision Review Time (Months) (1)	Registration Service Fee (\$)
B621	128	Amendment; Experimental Use Permit; no change to an established temporary tolerance or tolerance exemption.	7	4,631
B622 New	129	Amendment; Experimental Use Permit; petition to amend an established or temporary tolerance or tolerance exemption.	11	11,577
B641	130	Amendment of an established tolerance or tolerance exemption.	13	11,577
B680	131	Amendment; registered source of active ingredient(s); no new use(s); no changes to an established tolerance or tolerance exemption. Requires data submission. (2)	5	4,631
B681	132	Amendment; unregistered source of active ingredient(s). Requires data submission. (2)	7	5,513
B683 New	133	Label amendment; requires review/update of previous risk assessment(s) without data submission (e.g., labeling changes to REI, PPE, PHI). (2)	6	4,631
B684 New	134	Amending non-food animal product that includes submission of target animal safety data; previously registered (2)	8	8,000

(1) A decision review time that would otherwise end on a Saturday, Sunday, or federal holiday, will be extended to end on the next business day.

(2) (a) EPA-initiated amendments shall not be charged registration service fees. (b) Registrant-initiated fast-track amendments are to be completed within the timelines specified in FIFRA Section 3(c)(3)(B) and are not subject to registration service fees. (c) Registrant-initiated fast-track amendments handled by the Antimicrobials Division are to be completed within the timelines specified in FIFRA Section 3(h) and are not subject to registration service fees. (d) Registrant initiated amendments submitted by notification under PR Notices, such as PR Notice 98-10, continue under PR Notice timelines and are not subject to registration service fees. (e) Submissions with data and requiring data review are subject to registration service fees.

“TABLE 15. — BIOPESTICIDES AND POLLUTION PREVENTION DIVISION — STRAIGHT CHAIN LEPIDOPTERAN PHEROMONES(SCLPS)

EPA No.	New CR No.	Action	Decision Review Time (Months) (1)	Registration Service Fee (\$)
B690	135	New active ingredient; food or non-food use. (2)	7	2,316
B700	136	Experimental Use Permit application; new active ingredient or new use.	7	1,159
B701	137	Extend or amend Experimental Use Permit.	4	1,159
B710	138	New product; registered source of active ingredient(s); identical or substantially similar in composition and use to a registered product; no change in an established tolerance or tolerance exemption. No data review, or only product chemistry data; cite-all data citation, or selective data citation where applicant owns all required data or authorization from data owner is demonstrated. Category includes 100% re-package of registered end-use or manufacturing-use product that requires no data submission or data matrix. (3)	4	1,159
B720	139	New product; registered source of active ingredient(s); requires: 1) submission of product specific data; or 2) citation of previously reviewed and accepted data; or 3) submission or citation of data generated at government expense; or 4) submission or citation of a scientifically-sound rationale based on publicly available literature or other relevant information that addresses the data requirement; or 5) submission of a request for a data requirement to be waived supported by a scientifically-sound rationale explaining why the data requirement does not apply. (3)	5	1,159
B721	140	New product; unregistered source of active ingredient. (3)	7	2,426
B722	141	New use and/or amendment; petition to establish a tolerance or tolerance exemption. (4) (5)	7	2,246
B730	142	Label amendment requiring data submission. (4)	5	1,159

(1) A decision review time that would otherwise end on a Saturday, Sunday, or federal holiday, will be extended to end on the next business day.

(2) All requests for new uses (food and/or nonfood) contained in any application for a new active ingredient or a first food use are covered by the base fee for that new active ingredient or first food use application and retain the same decision time review period as the new active ingredient or first food use application. The application must be received by the agency in one package. The base fee for the category covers a maximum of five new products. Each application for an additional new product registration and new inert approval that is submitted in the new active ingredient application package or first food use application package is subject to the registration service fee for a new product or a new inert approval. All such associated applications that are submitted together will be subject to the new active ingredient or first food use decision review time, except where the new inert approval decision review time is greater than that for the new active ingredient, in which case the associated new active ingredient will be subject to the new inert approval decision review time. In the case of a new active ingredient application, until that new active ingredient is approved, any subsequent application for another new product containing the same active ingredient or an amendment to the proposed labeling will be deemed a new active ingredient application, subject to the registration service fee and decision review time for a new active ingredient. In the case of a first food use application, until that first food use is approved, any subsequent application for an additional new food use or uses will be subject to the registration service fee and decision review time for a first food use. Any information that (a) was neither requested nor required by the Agency, and (b) is submitted by the applicant at the applicant's initiative to support the application after completion of the technical deficiency screening, and (c) is not itself a covered registration application, must be assessed 25% of the full registration service fee for the new active ingredient or first food use application.

(3) An application for a new end-use product using a source of active ingredient that (a) is not yet registered but (b) has an application pending with the Agency for review, will be considered an application for a new product with an unregistered source of active ingredient.

(4) (a) EPA-initiated amendments shall not be charged registration service fees. (b) Registrant-initiated fast-track amendments are to be completed within the timelines specified in FIFRA Section 3(c)(3)(B) and are not subject to registration service fees. (c) Registrant-initiated fast-track amendments handled by the Antimicrobials Division are to be completed within the timelines specified in FIFRA Section 3(h) and are not subject to registration service fees. (d) Registrant initiated amendments submitted by notification under PR Notices, such as PR Notice 98-10, continue under PR Notice timelines and are not subject to registration service fees. (e) Submissions with data and requiring data review are subject to registration service fees.

(5) Amendment applications to add the new use(s) to registered product labels are covered by the base fee for the new use(s). All items in the covered application must be submitted together in one package. Each application for an additional new product registration and new inert approval(s) that is submitted in the new use application package is subject to the registration service fee for a new product or a new inert approval. However, if a new use application only proposes to register the new use for a new product and there are no amendments in the application, then review of one new product application is covered by the new use fee. All such associated applications that are submitted together will be subject to the new use decision review time. Any application for a new product or an amendment to the proposed labeling (a) submitted subsequent to submission of the new use application and (b) prior to conclusion of its decision review time and (c) containing the same new uses, will be deemed a separate new-use application, subject to a separate registration service fee and new decision review time for a new use. If the new-use application includes non-food (indoor and/or outdoor), and food (outdoor and/or indoor) uses, the appropriate fee is due for each type of new use and the longest decision review time applies to all of the new uses requested in the application. Any information that (a) was neither requested nor required by the Agency, and (b) is submitted by the applicant at the applicant's initiative to support the application after completion of the technical deficiency screen, and (c) is not itself a covered registration application, must be assessed 25% of the full registration service fee for the new use application.

“TABLE 16. — BIOPESTICIDES AND POLLUTION PREVENTION DIVISION — OTHER ACT

EPA No.	New CR No.	Action	Decision Review Time (Months) (1)	Registration Service Fee (\$)
B614 New	143	Conditional Ruling on Preapplication Study Waivers; applicant-initiated	3	2,294
B615 New	144	Rebuttal of agency reviewed protocol, applicant initiated	3	2,294
B682	145	Protocol review; applicant initiated; excludes time for HSRB review	3	2,205

(1) A decision review time that would otherwise end on a Saturday, Sunday, or federal holiday, will be extended to end on the next business day.

“TABLE 17. — BIOPESTICIDES AND POLLUTION PREVENTION DIVISION — PLANT INCORPORATED PROTECTANTS (PIPS)

EPA No.	New CR No.	Action	Decision Review Time (Months) (1)	Registration Service Fee (\$)
B740	146	Experimental Use Permit application; no petition for tolerance/tolerance exemption. Includes: 1) non-food/feed use(s) for a new (2) or registered (3) PIP; 2) food/feed use(s) for a new or registered PIP with crop destruct; 3) food/feed use(s) for a new or registered PIP in which an established tolerance/tolerance exemption exists for the intended use(s). (4)	6	86,823
B750	147	Experimental Use Permit application; with a petition to establish a temporary or permanent tolerance/tolerance exemption for the active ingredient. Includes new food/feed use for a registered (3) PIP. (4)	9	115,763
B770	148	Experimental Use Permit application; new (2) PIP; with petition to establish a temporary tolerance/tolerance exemption for the active ingredient; credit 75% of B771 fee toward registration application for a new active ingredient that follows; SAP review. (5)	15	173,644
B771	149	Experimental Use Permit application; new (2) PIP; with petition to establish a temporary tolerance/tolerance exemption for the active ingredient; credit 75% of B771 fee toward registration application for a new active ingredient that follows.	10	115,763

“TABLE 17. — BIOPESTICIDES AND POLLUTION PREVENTION DIVISION — PLANT INCORPORATED PROTECTANTS (PIPS)—Continued

EPA No.	New CR No.	Action	Decision Review Time (Months) (1)	Registration Service Fee (\$)
B772	150	Application to amend or extend an Experimental Use Permit; no petition since the established tolerance/tolerance exemption for the active ingredient is unaffected.	3	11,577
B773	151	Application to amend or extend an Experimental Use Permit; with petition to extend a temporary tolerance/tolerance exemption for the active ingredient.	5	28,942
B780	152	Registration application; new (2) PIP; non-food/feed.	12	144,704
B790	153	Registration application; new (2) PIP; non-food/feed; SAP review. (5)	18	202,585
B800	154	Registration application; new (2) PIP; with petition to establish permanent tolerance/tolerance exemption for the active ingredient based on an existing temporary tolerance/tolerance exemption.	12	231,585
B810	155	Registration application; new (2) PIP; with petition to establish permanent tolerance/tolerance exemption for the active ingredient based on an existing temporary tolerance/tolerance exemption. SAP review. (5)	18	289,407
B820	156	Registration application; new (2) PIP; with petition to establish or amend a permanent tolerance/tolerance exemption of an active ingredient.	15	289,407
B840	157	Registration application; new (2) PIP; with petition to establish or amend a permanent tolerance/tolerance exemption of an active ingredient. SAP review. (5)	21	347,288
B851	158	Registration application; new event of a previously registered PIP active ingredient(s); no petition since permanent tolerance/tolerance exemption is already established for the active ingredient(s).	9	115,763
B870	159	Registration application; registered (3) PIP; new product; new use; no petition since a permanent tolerance/tolerance exemption is already established for the active ingredient(s). (4)	9	34,729
B880	160	Registration application; registered (3) PIP; new product or new terms of registration; additional data submitted; no petition since a permanent tolerance/tolerance exemption is already established for the active ingredient(s). (6) (7)	9	28,942
B881	161	Registration application; registered (3) PIP; new product or new terms of registration; additional data submitted; no petition since a permanent tolerance/tolerance exemption is already established for the active ingredient(s). SAP review. (5) (6) (7)	15	86,823
B883 New	162	Registration application; new (2) PIP, seed increase with negotiated acreage cap and time-limited registration; with petition to establish a permanent tolerance/tolerance exemption for the active ingredient based on an existing temporary tolerance/tolerance exemption. (8)	9	115,763
B884 New	163	Registration application; new (2) PIP, seed increase with negotiated acreage cap and time-limited registration; with petition to establish a permanent tolerance/tolerance exemption for the active ingredient. (8)	12	144,704
B885 New	164	Registration application; registered (3) PIP, seed increase; breeding stack of previously approved PIPs, same crop; no petition since a permanent tolerance/tolerance exemption is already established for the active ingredient(s). (9)	9	86,823
B890	165	Application to amend a seed increase registration; converts registration to commercial registration; no petition since permanent tolerance/tolerance exemption is already established for the active ingredient(s).	9	57,882
B891	166	Application to amend a seed increase registration; converts registration to a commercial registration; no petition since a permanent tolerance/tolerance exemption already established for the active ingredient(s); SAP review. (5)	15	115,763

“TABLE 17. — BIOPESTICIDES AND POLLUTION PREVENTION DIVISION — PLANT INCORPORATED PROTECTANTS (PIPS)—Continued

EPA No.	New CR No.	Action	Decision Review Time (Months) (1)	Registration Service Fee (\$)
B900	167	Application to amend a registration, including actions such as extending an expiration date, modifying an IRM plan, or adding an insect to be controlled. (10) (11)	6	11,577
B901	168	Application to amend a registration, including actions such as extending an expiration date, modifying an IRM plan, or adding an insect to be controlled. SAP review. (10) (11)	12	69,458
B902	169	PIP protocol review	3	5,789
B903	170	Inert ingredient tolerance exemption; e.g., a marker such as NPT II; reviewed in BPPD.	6	57,882
B904	171	Import tolerance or tolerance exemption; processed commodities/food only (inert or active ingredient).	9	115,763

(1) A decision review time that would otherwise end on a Saturday, Sunday, or federal holiday, will be extended to end on the next business day.

(2) New PIP = a PIP with an active ingredient that has not been registered.

(3) Registered PIP = a PIP with an active ingredient that is currently registered.

(4) Transfer registered PIP through conventional breeding for new food/feed use, such as from field corn to sweet corn.

(5) The scientific data involved in this category are complex. EPA often seeks technical advice from the Scientific Advisory Panel on risks that pesticides pose to wildlife, farm workers, pesticide applicators, non-target species, as well as insect resistance, and novel scientific issues surrounding new technologies. The scientists of the SAP neither make nor recommend policy decisions. They provide advice on the science used to make these decisions. Their advice is invaluable to the EPA as it strives to protect humans and the environment from risks posed by pesticides. Due to the time it takes to schedule and prepare for meetings with the SAP, additional time and costs are needed.

(6) Registered PIPs stacked through conventional breeding.

(7) Deployment of a registered PIP with a different IRM plan (e.g., seed blend).

(8) The negotiated acreage cap will depend upon EPA's determination of the potential environmental exposure, risk(s) to non-target organisms, and the risk of targeted pest developing resistance to the pesticidal substance. The uncertainty of these risks may reduce the allowable acreage, based upon the quantity and type of non-target organism data submitted and the lack of insect resistance management data, which is usually not required for seed-increase registrations. Registrants are encouraged to consult with EPA prior to submission of a registration application in this category.

(9) Application can be submitted prior to or concurrently with an application for commercial registration.

(10) For example, IRM plan modifications that are applicant-initiated.

(11) EPA-initiated amendments shall not be charged fees.

“TABLE 18. — INERT INGREDIENTS, EXTERNAL REVIEW AND MISCELLANEOUS ACTIONS

EPA No.	New CR No.	Action	Decision Review Time (Months) (1)	Registration Service Fee (\$)
I001	172	Approval of new food use inert ingredient (2) (3)	12	18,000
I002 New	173	Amend currently approved inert ingredient tolerance or exemption from tolerance; new data (2)	10	5,000
I003 New	174	Amend currently approved inert ingredient tolerance or exemption from tolerance; no new data (2)	8	3,000
I004 New	175	Approval of new non-food use inert ingredient (2)	8	10,000
I005 New	176	Amend currently approved non-food use inert ingredient with new use pattern; new data (2)	8	5,000
I006 New	177	Amend currently approved non-food use inert ingredient with new use pattern; no new data (2)	6	3,000
I007 New	178	Approval of substantially similar non-food use inert ingredients when original inert is compositionally similar with similar use pattern (2)	4	1,500
I008 New	179	Approval of new polymer inert ingredient, food use (2)	5	3,400
I009 New	180	Approval of new polymer inert ingredient, non food use (2)	4	2,800
I010 New	181	Petition to amend a tolerance exemption descriptor to add one or more CASRNs; no new data (2)	6	1,500
M001 New	182	Study protocol requiring Human Studies Review Board review as defined in 40 CFR 26 in support of an active ingredient (4)	9	7,200

“TABLE 18. — INERT INGREDIENTS, EXTERNAL REVIEW AND MISCELLANEOUS ACTIONS—
Continued

EPA No.	New CR No.	Action	Decision Review Time (Months) (1)	Registration Service Fee (\$)
M002 New	183	Completed study requiring Human Studies Review Board review as defined in 40 CFR 26 in support of an active ingredient (4)	9	7,200
M003 New	184	External technical peer review of new active ingredient, product, or amendment (e.g., consultation with FIFRA Scientific Advisory Panel) for an action with a decision timeframe of less than 12 months. Applicant initiated request based on a requirement of the Administrator, as defined by FIFRA § 25(d), in support of a novel active ingredient, or unique use pattern or application technology. Excludes PIP active ingredients. (5)	12	58,000
M004 New	185	External technical peer review of new active ingredient, product, or amendment (e.g., consultation with FIFRA Scientific Advisory Panel) for an action with a decision timeframe of greater than 12 months. Applicant initiated request based on a requirement of the Administrator, as defined by FIFRA § 25(d), in support of a novel active ingredient, or unique use pattern or application technology. Excludes PIP active ingredients. (5)	18	58,000
M005 New	186	New Product: Combination, Contains a combination of active ingredients from a registered and/or unregistered source; conventional, antimicrobial and/or biopesticide. Requires coordination with other regulatory divisions to conduct review of data, label and/or verify the validity of existing data as cited. Only existing uses for each active ingredient in the combination product. (6) (7)	9	20,000
M006 New	187	Request for up to 5 letters of certification (Gold Seal) for one actively registered product.	1	250
M007 New	188	Request to extend Exclusive Use of data as provided by FIFRA Section 3(c)(1)(F)(ii)	12	5,000
M008 New	189	Request to grant Exclusive Use of data as provided by FIFRA Section 3(c)(1)(F)(vi) for a minor use, when a FIFRA Section 2(l)(2) determination is required	10	1,500

(1) A decision review time that would otherwise end on a Saturday, Sunday, or federal holiday, will be extended to end on the next business day.

(2) If another covered application is associated with and dependent upon a pending application for an inert ingredient action, each application will be subject to its respective registration service fee. The decision review time for the other associated covered application will be extended to match the PRIA due date of the pending inert ingredient action, unless the PRIA due date for the other associated covered action is further out, in which case it will be subject to its own decision review time. If the application covers multiple ingredients grouped by EPA into one chemical class, a single registration service fee will be assessed for approval of those ingredients.

(3) If EPA data rules are amended to newly require clearance under section 408 of the FFDCA for an ingredient of an antimicrobial product where such ingredient was not previously subject to such a clearance, then review of the data for such clearance of such product is not subject to a registration service fee for the tolerance action for two years from the effective date of the rule.

(4) Any other covered application that is associated with and dependent on the HSRB review will be subject to its separate registration service fee. The decision review times for the associated actions run concurrently, but will end at the date of the latest review time.

(5) Any other covered application that is associated with and dependent on the SAP review will be subject to its separate registration service fee. The decision review time for the associated action will be extended by the decision review time for the SAP review.

(6) An application for a new end-use product using a source of active ingredient that (a) is not yet registered but (b) has an application pending with the Agency for review, will be considered an application for a new product with an unregistered source of active ingredient.

(7) Where the action involves approval of a new or amended label, on or before the end date of the decision review time, the Agency shall provide to the applicant a draft accepted label, including any changes made by the Agency that differ from the applicant-submitted label and relevant supporting data reviewed by the Agency. The applicant will notify the Agency that the applicant either (a) agrees to all of the terms associated with the draft accepted label as amended by the Agency and requests that it be issued as the accepted final Agency-stamped label; or (b) does not agree to one or more of the terms of the draft accepted label as amended by the Agency and requests additional time to resolve the difference(s); or (c) withdraws the application without prejudice for subsequent resubmission, but forfeits the associated registration service fee. For cases described in (b), the applicant shall have up to 30 calendar days to reach agreement with the Agency on the final terms of the Agency-accepted label. If the applicant agrees to all of the terms of the accepted label as in (a), including upon resolution of differences in (b), the Agency shall provide an accepted final Agency-stamped label to the registrant within 2 business days following the registrant's written or electronic confirmation of agreement to the Agency.”;

(B) in paragraph (6)—

(i) in subparagraph (A)—

(I) by striking “October 1, 2008” and inserting “October 1, 2013”; and

(II) by striking “September 30, 2010” and inserting “September 30, 2015”; and

(ii) in subparagraph (B)—

(I) by striking “October 1, 2010” and inserting “October 1, 2015”; and

(II) by striking “September 30, 2010” and inserting “September 30, 2015”; and

(C) in paragraph (8)(C)(ii)—

(i) in subclause (I), by striking “or” at the end;

(ii) in subclause (II), by striking the period at the end and inserting “; or”; and

(iii) by adding at the end the following:

“(III) on the basis that the Administrator rejected the application under subsection (f)(4)(B).”.

(2) PESTICIDE REGISTRATION FUND.—Section 33(c)(3)(B) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136w–8(c)(3)(B)) is amended—

(A) in clause (i), by striking “2008 through 2012” and inserting “2013 through 2017”; and

(B) in clause (ii), by striking “grants” and all that follows through the end of the clause

and inserting “grants, for each of fiscal years 2013 through 2017, \$500,000.”; and

(C) in clause (iii), by striking “2008 through 2012” and inserting “2013 through 2017”.

(3) ASSESSMENT OF FEES.—Section 33(d) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136w–8(d)) is amended—

(A) in paragraph (2), by striking “2002” each place it appears and inserting “2012”; and

(B) by striking paragraph (4); and

(C) by redesignating paragraph (5) as paragraph (4).

(4) REFORMS TO REDUCE DECISION TIME REVIEW PERIODS.—Section 33(e) of the Federal

Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136w-8(e)) is amended by striking "Pesticide Registration Improvement Act of 2003" and inserting "Pesticide Registration Improvement Extension Act of 2012".

(5) DECISION TIME REVIEW PERIODS.—Section 33(f) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136w-8(f)) is amended—

(A) in paragraph (1), by striking "Pesticide Registration Improvement Renewal Act, the Administrator shall publish in the Federal Register" and inserting "Pesticide Registration Improvement Extension Act of 2012, the Administrator shall make publicly available";

(B) in paragraph (2), by striking "appearing in the Congressional Record on pages S10409" and all that follows through the period and inserting "provided under subsection (b)(3)."; and

(C) in paragraph (4)—

(i) in subparagraph (A), by inserting "and fee" before the period; and

(ii) in subparagraph (B)—

(I) by striking "(B) COMPLETENESS OF APPLICATION" and all that follows through "Not later" in clause (i) and inserting the following:

"(B) INITIAL CONTENT AND PRELIMINARY TECHNICAL SCREENINGS.—

"(i) SCREENINGS.—

"(I) INITIAL CONTENT.—Not later";

(II) in clause (i) (as so designated) by adding at the end the following:

"(II) PRELIMINARY TECHNICAL SCREENING.—After conducting the initial content screening described in subclause (I) and in accordance with clause (iv), the Administrator shall conduct a preliminary technical screening—

"(aa) not later than 45 days after the date on which the decision time review period begins (for applications with decision time review periods of not more than 180 days); and

"(bb) not later than 90 days after the date on which the decision time review period begins (for applications with decision time review periods greater than 180 days).";

(III) by striking clause (ii) and inserting the following:

"(ii) REJECTION.—

"(I) IN GENERAL.—If the Administrator determines at any time before the Administrator completes the preliminary technical screening under clause (i)(II) that the application failed the initial content or preliminary technical screening and the applicant does not correct the failure before the date that is 10 business days after the applicant receives a notification of the failure, the Administrator shall reject the application.

"(II) WRITTEN NOTIFICATION.—The Administrator shall make every effort to provide a written notification of a rejection under subclause (I) during the 10-day period that begins on the date the Administrator completes the preliminary technical screening.";

(IV) in clause (iii)—

(aa) in the heading, by inserting "INITIAL CONTENT" before "SCREENING";

(bb) in the matter preceding subclause (I), by inserting "content" after "initial"; and

(cc) in subclause (II), by striking "contains" and inserting "appears to contain"; and

(V) by adding at the end the following:

"(iv) REQUIREMENTS OF PRELIMINARY TECHNICAL SCREENING.—In conducting a preliminary technical screening of an application, the Administrator shall determine if—

"(I) the application and the data and information submitted with the application are accurate and complete; and

"(II) the application, data, and information are consistent with the proposed labeling and any proposal for a tolerance or exemption from the requirement for a tolerance under section 408 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 346a), and are such that, subject to full review under the standards of this Act, could result in the granting of the application.".

(6) REPORTS.—Section 33(k) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136w-8(k)) is amended—

(A) in paragraph (1), by striking "March 1, 2014" and inserting "March 1, 2017";

(B) in paragraph (2)—

(i) in subparagraph (A)—

(I) in clause (vi)(V), by striking "and" at the end;

(II) in clause (vii)(II), by inserting "and" at the end; and

(III) by adding at the end the following:

"(viii) the number of extensions of decision time review periods agreed to under subsection (f)(5) along with a description of the reason that the Administrator was unable to make a decision within the initial decision time review period";

(ii) in subparagraph (E), by striking "and" at the end;

(iii) in subparagraph (F), by striking the period and inserting a semicolon; and

(iv) by adding at the end the following:

"(G) a review of the progress made toward—

"(i) carrying out section 4(k)(4) and the amounts from the Reregistration and Expedited Processing Fund used for the purposes described in that section;

"(ii) implementing systems for the electronic tracking of registration submissions by December 31, 2013;

"(iii) implementing a system for tracking the status of conditional registrations, including making nonconfidential information related to the conditional registrations publicly available by December 31, 2013;

"(iv) implementing enhancements to the endangered species knowledge database, including making nonconfidential information related to the database publicly available;

"(v) implementing the capability to electronically submit and review labels submitted with registration actions;

"(vi) acquiring and implementing the capability to electronically assess and evaluate confidential statements of formula submitted with registration actions by December 31, 2014; and

"(vii) facilitating public participation in certain registration actions and the registration review process by providing electronic notification to interested parties of additions to the public docket;

"(H) the number of applications rejected by the Administrator under the initial content and preliminary technical screening conducted under subsection (f)(4);

"(I) a review of the progress made in updating the Pesticide Incident Data System, including progress toward making the information contained in the System available to the public (as the Administrator determines is appropriate); and

"(J) an assessment of the public availability of summary pesticide usage data.";

(C) by adding at the end the following:

"(4) OTHER REPORT.—

"(A) SCOPE.—In addition to the annual report described in paragraph (1), not later than October 1, 2016, the Administrator shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and For-

estry of the Senate a report that includes an analysis of the impact of maintenance fees on small businesses that have—

"(i) 10 or fewer employees; and

"(ii) annual global gross revenue that does not exceed \$2,000,000.

"(B) INFORMATION REQUIRED.—In conducting the analysis described in subparagraph (A), the Administrator shall collect, and include in the report under that subparagraph, information on—

"(i) the number of small businesses described in subparagraph (A) that are paying maintenance fees; and

"(ii) the number of registrations each company holds.".

(7) TERMINATION OF EFFECTIVENESS.—Section 33(m) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136w-8(m)) is amended—

(A) in paragraph (1), by striking "2012" and inserting "2017"; and

(B) in paragraph (2)—

(i) in subparagraph (A)—

(I) in the heading, by striking "2013" and inserting "2018";

(II) by striking "2013," and inserting "2018,"; and

(III) by striking "September 30, 2012" and inserting "September 30, 2017";

(ii) in subparagraph (B)—

(I) in the heading, by striking "2014" and inserting "2019";

(II) by striking "2014," and inserting "2019,"; and

(III) by striking "September 30, 2012" and inserting "September 30, 2017";

(iii) in subparagraph (C)—

(I) in the heading, by striking "2014" and inserting "2019"; and

(II) by striking "September 30, 2014" and inserting "September 30, 2019"; and

(iv) in subparagraph (D), by striking "2012" each place it appears and inserting "2017".

(c) EFFECTIVE DATE.—This section and the amendments made by this section take effect on October 1, 2012.

(d) RELATIONSHIP TO OTHER LAW.—In the case of any conflict between this section (including the amendments made by this section) and a joint resolution making continuing appropriations for fiscal year 2013 (including any amendments made by such a joint resolution), this section and the amendments made by this section shall control.

STATE AND PROVINCE EMERGENCY MANAGEMENT ASSISTANCE MEMORANDUM OF UNDERSTANDING

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S.J. Res. 44.

The PRESIDING OFFICER. The clerk will report the joint resolution by title.

The bill clerk read as follows:

A joint resolution (S.J. Res. 44) granting the consent of Congress to the State and Province Emergency Management Assistance Memorandum of Understanding.

There being no objection, the Senate proceeded to consider the joint resolution.

Mr. DURBIN. Mr. President, I ask unanimous consent that the joint resolution be read a third time and passed, the motion to reconsider be laid upon

the table, with no intervening action or debate, and any statements related to the joint resolution be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The joint resolution (S.J. Res. 44) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S.J. RES. 44

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CONGRESSIONAL CONSENT.

Congress consents to the State and Province Emergency Management Assistance Memorandum of Understanding entered into between States of Illinois, Indiana, Ohio, Michigan, Minnesota, Montana, North Dakota, Pennsylvania, New York, and Wisconsin, and the Canadian Provinces of Alberta, Manitoba, Ontario, and Saskatchewan. The compact is substantially as follows:

“ARTICLE I—PURPOSE AND AUTHORITIES

“The State and Province Emergency Management Assistance Memorandum of Understanding, hereinafter referred to as the ‘compact’, is made and entered into by and among such of the jurisdictions as shall enact or adopt this compact, hereinafter referred to as ‘participating jurisdictions’. For the purposes of this compact, the term ‘jurisdictions’ may include any or all of the States of Illinois, Indiana, Ohio, Michigan, Minnesota, Montana, North Dakota, Pennsylvania, New York, and Wisconsin, and the Canadian Provinces of Alberta, Manitoba, Ontario, and Saskatchewan, and such other States and provinces as may hereafter become a party to this compact. The term ‘States’ means the several States, the Commonwealth of Puerto Rico, the District of Columbia, and all territorial possessions of the United States. The term ‘Province’ means the 10 political units of government within Canada.

“The purpose of this compact is to provide for the possibility of mutual assistance among the participating jurisdictions in managing any emergency or disaster when the affected jurisdiction or jurisdictions ask for assistance, whether arising from natural disaster, technological hazard, manmade disaster or civil emergency aspects of resources shortages.

“This compact also provides for the process of planning mechanisms among the agencies responsible and for mutual cooperation, including civil emergency preparedness exercises, testing, or other training activities using equipment and personnel simulating performance of any aspect of the giving and receiving of aid by participating jurisdictions or subdivisions of participating jurisdictions during emergencies, with such actions occurring outside emergency periods.

“ARTICLE II—GENERAL IMPLEMENTATION

“Each participating jurisdiction entering into this compact recognizes that many emergencies may exceed the capabilities of a participating jurisdiction and that intergovernmental cooperation is essential in such circumstances. Each participating jurisdiction further recognizes that there will be emergencies that may require immediate access and present procedures to apply outside resources to make a prompt and effective response to such an emergency because few, if any, individual jurisdictions have all the re-

sources they need in all types of emergencies or the capability of delivering resources to areas where emergencies exist.

“On behalf of the participating jurisdictions in the compact, the legally designated official who is assigned responsibility for emergency management is responsible for formulation of the appropriate inter-jurisdictional mutual aid plans and procedures necessary to implement this compact, and for recommendations to the participating jurisdiction concerned with respect to the amendment of any statutes, regulations, or ordinances required for that purpose.

“ARTICLE III—PARTICIPATING JURISDICTION RESPONSIBILITIES

“(a) FORMULATE PLANS AND PROGRAMS.—It is the responsibility of each participating jurisdiction to formulate procedural plans and programs for inter-jurisdictional cooperation in the performance of the responsibilities listed in this section. In formulating and implementing such plans and programs the participating jurisdictions, to the extent practical, may—

“(1) share and review individual jurisdiction hazards analyses that are available and determine all those potential emergencies the participating jurisdictions might jointly suffer, whether due to natural disaster, technological hazard, man-made disaster or emergency aspects of resource shortages;

“(2) share emergency operations plans, procedures, and protocols established by each of the participating jurisdictions before entering into this compact;

“(3) share policies and procedures for resource mobilization, tracking, demobilization, and reimbursement;

“(4) consider joint planning, training, and exercises;

“(5) assist with alerts, notifications, and warnings for communities adjacent to or crossing participating jurisdiction boundaries;

“(6) consider procedures to facilitate the movement of evacuees, refugees, civil emergency personnel, equipment, or other resources into or across boundaries, or to a designated staging area when it is agreed that such movement or staging will facilitate civil emergency operations by the affected or participating jurisdictions; and

“(7) provide, to the extent authorized by law, for temporary suspension of any statutes or ordinances that impeded the implementation of responsibilities described in this section.

“(b) REQUEST ASSISTANCE.—The authorized representative of a participating jurisdiction may request assistance of another participating jurisdiction by contacting the authorized representative of that jurisdiction. These provisions only apply to requests for assistance made by and to authorized representatives. Requests may be verbal or in writing. If verbal, the request must be confirmed in writing within 15 days of the verbal request. Requests must provide the following information:

“(1) A description of the emergency service function for which assistance is needed and of the mission or missions, including but not limited to fire services, emergency medical, transportation, communications, public works and engineering, building inspection, planning and information assistance, mass care, resource support, health and medical services, and search and rescue.

“(2) The amount and type of personnel, equipment, materials, and supplies needed and a reasonable estimate of the length of time they will be needed.

“(3) The specific place and time for staging of the assisting participating jurisdictions’s

response and a point of contact at the location.

“(c) CONSULTATION AMONG PARTICIPATING JURISDICTION OFFICIALS.—There shall be periodic consultation among the authorized representatives who have assigned emergency management responsibilities.

“ARTICLE IV—LIMITATION

“It is recognized that any participating jurisdiction that agrees to render mutual aid or conduct exercises and training for mutual aid will respond as soon as possible. It is also recognized that the participating jurisdiction rendering aid may withhold or recall resources to provide reasonable protection for itself, at its discretion. To the extent authorized by law, each participating jurisdiction will afford to the personnel of the emergency contingent of any other participating jurisdiction while operating within its jurisdiction limits under the terms and conditions of this agreement and under the operational control of an officer of the requesting participating jurisdiction the same treatment as is afforded similar or like human resources of the participating jurisdiction in which they are performing emergency services. Staff comprising the emergency contingent continue under the command and control of their regular leaders but the organizational units come under the operational control of the emergency services authorities of the participating jurisdiction receiving assistance. These conditions may be activated, as needed, by the participating jurisdiction that is to receive assistance or upon commencement of exercises or training for mutual aid and continue as long as the exercises or training for mutual aid are in progress, the emergency or disaster remains in effect or loaned resources remain in the receiving participating jurisdictions, whichever is longer. The receiving participating jurisdiction is responsible for informing the assisting participating jurisdiction when services will no longer be required.

“ARTICLE V—LICENSES AND PERMITS

“Whenever a person holds a license, certificate, or other permit issued by any participating jurisdiction evidencing the meeting of qualifications for professional, mechanical, or other skills, and when such assistance is requested by the receiving participating jurisdiction, such person is deemed to be licensed, certified, or permitted by the jurisdiction requesting assistance to render aid involving such skill to meet an emergency or disaster, subject to such limitations and conditions as the requesting jurisdiction prescribes by Executive order or otherwise.

“ARTICLE VI—LIABILITY

“Any person or entity of a participating jurisdiction rendering aid in another jurisdiction pursuant to this compact is considered an agent of the requesting jurisdiction for tort liability and immunity purposes. Any person or entity rendering aid in another jurisdiction pursuant to this compact is not liable on account of any act or omission in good faith on the part of such forces while so engaged or on account of the maintenance or use of any equipment or supplies in connection therewith. Good faith in this article does not include willful misconduct, gross negligence, or recklessness.

“ARTICLE VII—SUPPLEMENTARY AGREEMENTS

“Because it is probable that the pattern and detail of the compact for mutual aid among 2 or more participating jurisdictions may differ from that among the participating jurisdictions that are party to this compact, this compact contains elements of

a broad base common to all participating jurisdictions, and nothing in this compact precludes any participating jurisdiction from entering into supplementary agreements with another jurisdiction or affects any other agreements already in force among participating jurisdictions.

"Supplementary agreements may include, but are not limited to, provisions for evacuation and reception of injured and other persons and the exchange of medical, fire, public utility, reconnaissance, welfare, transportation and communications personnel, equipment, and supplies.

"ARTICLE VIII—WORKERS' COMPENSATION AND DEATH BENEFITS

"Each participating jurisdiction shall provide, in accordance with its own laws, for the payment of workers' compensation and death benefits to injured members of the emergency contingent of that participating jurisdiction and to representatives of deceased members of those forces if the members sustain injuries or are killed while rendering aid pursuant to this compact, in the same manner and on the same terms as if the injury or death were sustained within their own jurisdiction.

"ARTICLE IX—REIMBURSEMENT

"Any participating jurisdiction rendering aid in another jurisdiction pursuant to this compact shall, if requested, be reimbursed by the participating jurisdiction receiving such aid for any loss or damage to, or expense incurred in, the operation of any equipment and the provision of any service in answering a request for aid and for the costs incurred in connection with those requests. An aiding participating jurisdiction may assume in whole or in part any such loss, damage, expense, or other cost or may loan such equipment or donate such services to the receiving participating jurisdiction without charge or cost. Any 2 or more participating jurisdictions may enter into supplementary agreements establishing a different allocation of costs among those jurisdictions. Expenses under article VIII are not reimbursable under this section.

"ARTICLE X—IMPLEMENTATION

"(a) This compact is effective upon its execution or adoption by any 1 State and 1 province, and is effective as to any other jurisdiction upon its execution or adoption thereby: subject to approval or authorization by the United States Congress, if required, and subject to enactment of provincial or State legislation that may be required for the effectiveness of the Memorandum of Understanding.

"(b) Additional jurisdictions may participate in this compact upon execution or adoption thereof.

"(c) Any participating jurisdiction may withdraw from this compact, but the withdrawal does not take effect until 30 days after the governor or premier of the withdrawing jurisdiction has given notice in writing of such withdrawal to the governors or premiers of all other participating jurisdictions. The action does not relieve the withdrawing jurisdiction from obligations assumed under this compact prior to the effective date of withdrawal.

"(d) Duly authenticated copies of this compact in the French and English languages and of such supplementary agreements as may be entered into shall, at the time of their approval, be deposited with each of the participating jurisdictions.

"ARTICLE XI—SEVERABILITY

"This compact is construed to effectuate the purposes stated in Article I. If any provi-

sion of this compact is declared unconstitutional or the applicability of the compact to any person or circumstances is held invalid, the validity of the remainder of this compact and the applicability of the compact to other persons and circumstances are not affected.

"ARTICLE XII—CONSISTENCY OF LANGUAGE

"The validity of the arrangements and agreements consented to in this compact shall not be affected by any insubstantial difference in form or language as may be adopted by the various states and provinces."

SEC. 2. INCONSISTENCY OF LANGUAGE.

The validity of the arrangements consented to by this Act shall not be affected by any insubstantial difference in their form or language as adopted by the States and provinces.

SEC. 3. RIGHT TO ALTER, AMEND, OR REPEAL.

The right to alter, amend, or repeal this Act is hereby expressly reserved.

EXPRESSING APPRECIATION FOR UNITED STATES FOREIGN AND CIVIL SERVICE PROFESSIONALS AROUND THE GLOBE

Mr. DURBIN. Mr. President, I ask unanimous consent the Senate proceed to Calendar No. 386, S. Res. No. 401.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

A resolution (S. Res. 401) expressing appreciation for Foreign Service and Civil Service professionals who represent the United States around the globe.

There being no objection, the Senate proceeded to consider the resolution.

Mr. DURBIN. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements related to the resolution be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 401) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 401

Whereas the United States Foreign Service was established by Congress in 1924 to professionalize the country's diplomatic and consular services and advance freedom, democracy, and security for the benefit of the people of the United States and the international community;

Whereas the United States Agency for International Development was established in 1961 to support the foreign policy goals of the United States through economic, development, and humanitarian assistance;

Whereas the Department of State and the United States Agency for International Development together employ more than 27,000 United States nationals in the Foreign Service and Civil Service dedicated to promoting United States interests around the world;

Whereas Foreign Service personnel deploy to Asia, Africa, the Americas, Australia, Europe, the Middle East, and Southeast Asia on a permanent, rotating basis to defend and promote United States priorities abroad;

Whereas many Foreign Service employees spend months or years away from families and loved ones on assignment to dangerous or inhospitable posts where family members are not permitted;

Whereas numerous Department of State and United States Agency for International Development employees have lost their lives while serving abroad;

Whereas strong and purposeful United States diplomacy and development, carried out by a diverse, professionally educated, and well-trained force of Foreign Service and Civil Service professionals, are the most cost-effective means to protect and advance United States interests abroad;

Whereas the promotion of commercial engagement by United States businesses in foreign markets and targeted international development projects support economic prosperity, job creation, and opportunities for United States business and industry;

Whereas United States diplomats are often the first line of defense against international conflict and transnational security threats;

Whereas Foreign Service and Civil Service professionals have worked to support the members of the United States Armed Forces involved in critical national security missions and military engagements in dangerous and unstable regions;

Whereas Foreign Service and Civil Service professionals administer emergency assistance in crisis situations; and

Whereas the contributions of Foreign Service and Civil Service professionals to the global advancement of international understanding, American ideals, and the promotion of freedom and democracy around the world should be commended: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes and gives special appreciation to the Foreign Service and Civil Service personnel of the Department of State, the United States Agency for International Development, and other United States Government agencies that promote and protect United States priorities abroad; and

(2) owes a debt of gratitude to these individuals, and their families, who put public service and pride in their country ahead of comfort, convenience, and even safety in service to the United States and the global community.

MEASURE READ THE FIRST TIME—H.R. 5949

Mr. DURBIN. Mr. President, I understand there is a bill at the desk. I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The bill clerk read as follows:

A bill (H.R. 5949) to extend the FISA Amendments Act of 2008 for five years.

Mr. DURBIN. I now ask for a second reading, and in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection is heard. The bill will be read for the second time on the next legislative day.

ORDERS THROUGH WEDNESDAY, SEPTEMBER 19, 2012

Mr. DURBIN. I ask unanimous consent when the Senate completes its

business today, it adjourn until 2 p.m. on Monday, September 17, 2012, for a pro forma session only, with no business conducted; that following the pro forma session, the Senate adjourn until 10 a.m. on Wednesday, September 19, 2012; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for their use later in the day; that the majority leader be recognized and that following the remarks of the two leaders, the Senate resume consideration of S. 3457, the Veterans Jobs Corps Act, under the previous order; that following the vote on the motion to waive the Budget Act with respect to the substitute amendment, No. 2789, the majority leader be recognized, and that following his remarks the Senate recess until 2:15 p.m. to allow for the weekly caucus meetings.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. DURBIN. The Senate will be in pro forma session on Monday and out of session on Tuesday in order to accommodate Rosh Hashanah. The next rollcall vote will be at noon on Wednesday. There will also be a cloture vote on the motion to proceed to the continuing resolution at 2:15 p.m. next Wednesday.

ADJOURNMENT UNTIL MONDAY, SEPTEMBER 17, 2012, at 2 P.M.

Mr. DURBIN. If there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 8:03 p.m., adjourned until Monday, September 17, 2012, at 2 p.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF COMMERCE

MARK DOMS, OF MARYLAND, TO BE UNDER SECRETARY OF COMMERCE FOR ECONOMIC AFFAIRS, VICE REBECCA M. BLANK, RESIGNED.

AMTRAK BOARD OF DIRECTORS

CHRISTOPHER R. BEALL, OF OKLAHOMA, TO BE A DIRECTOR OF THE AMTRAK BOARD OF DIRECTORS FOR A TERM OF FIVE YEARS, VICE DONNA R. MCLEAN, TERM EXPIRED.

METROPOLITAN WASHINGTON AIRPORTS AUTHORITY

WILLIAM SHAW MCDERMOTT, OF MASSACHUSETTS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE METROPOLITAN WASHINGTON AIRPORTS AUTHORITY FOR A TERM EXPIRING NOVEMBER 22, 2017, VICE ROBERT CLARKE BROWN, TERM EXPIRED.

NINA MITCHELL WELLS, OF NEW JERSEY, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE METROPOLITAN WASHINGTON AIRPORTS AUTHORITY FOR A TERM EXPIRING MAY 30, 2018, VICE CHARLES DARWIN SNELLING, TERM EXPIRED.

DEPARTMENT OF STATE

DEBORAH ANN MCCARTHY, OF FLORIDA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF LITHUANIA.

UNITED NATIONS

JOAN M. PRINCE, OF WISCONSIN, TO BE AN ALTERNATE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SIXTY-SEVENTH SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS.

TED R. DINTERSMITH, OF VIRGINIA, TO BE AN ALTERNATE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SIXTY-SEVENTH SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS.

MILLENNIUM CHALLENGE CORPORATION

LORNE W. CRANER, OF VIRGINIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE MILLENNIUM CHALLENGE CORPORATION FOR A TERM OF TWO YEARS. (RE-APPOINTMENT)

BROADCASTING BOARD OF GOVERNORS

JEFFREY SHELL, OF CALIFORNIA, TO BE A MEMBER OF THE BROADCASTING BOARD OF GOVERNORS FOR A TERM EXPIRING AUGUST 13, 2015, VICE WALTER ISAACSON, TERM EXPIRED.

JEFFREY SHELL, OF CALIFORNIA, TO BE CHAIRMAN OF THE BROADCASTING BOARD OF GOVERNORS, VICE WALTER ISAACSON, RESIGNED.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

BRUCE CARTER, OF FLORIDA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE ARTS FOR A TERM EXPIRING SEPTEMBER 3, 2018, VICE ROBERT BRETLEY LOTT, TERM EXPIRED.

JOHN UNSWORTH, OF MASSACHUSETTS, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2016, VICE JEAN B. ELSHTAIN, TERM EXPIRED.

JAMES MADISON MEMORIAL FELLOWSHIP FOUNDATION

MARTIN O'MALLEY, OF MARYLAND, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE JAMES MADISON MEMORIAL FELLOWSHIP FOUNDATION FOR A TERM EXPIRING NOVEMBER 5, 2018. (REAPPOINTMENT)

MARTIN O'MALLEY, OF MARYLAND, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE JAMES MADISON MEMORIAL FELLOWSHIP FOUNDATION FOR THE REMAINDER OF THE TERM EXPIRING NOVEMBER 5, 2012, VICE JOE MANCHIN III.

BARRY GOLDWATER SCHOLARSHIP AND EXCELLENCE IN EDUCATION FOUNDATION

WALTER G. SECADA, OF FLORIDA, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE BARRY GOLDWATER SCHOLARSHIP AND EXCELLENCE IN EDUCATION FOUNDATION FOR A TERM EXPIRING MARCH 3, 2016, VICE LAURIE STENBERG NICHOLS, TERM EXPIRED.

STEWART M. DE SOTO, OF ILLINOIS, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE BARRY GOLDWATER SCHOLARSHIP AND EXCELLENCE IN EDUCATION FOUNDATION FOR A TERM EXPIRING AUGUST 11, 2016, VICE CHARLES P. RUCH, TERM EXPIRED.

MORRIS K. UDALL AND STEWART L. UDALL FOUNDATION

ANNE J. UDALL, OF OREGON, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE MORRIS K. UDALL AND STEWART L. UDALL FOUNDATION FOR A TERM EXPIRING OCTOBER 6, 2016. (REAPPOINTMENT)

IN THE AIR FORCE

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be brigadier general

COL. ROBERT J. BECKLUND

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be major general

BRIG. GEN. MARK E. BARTMAN
BRIG. GEN. STANLEY J. OSSERMAN, JR.
BRIG. GEN. THOMAS A. THOMAS, JR.
BRIG. GEN. ERIC G. WELLER
BRIG. GEN. JAMES C. WITHAM

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be brigadier general

COLONEL GLEN M. BAKER
COLONEL JEFFREY D. BUCKLEY
COLONEL ANTHONY J. CARRELLI
COLONEL TIMOTHY J. CATHCART
COLONEL ANDREW J. DONNELLY
COLONEL HAROLD S. EGGENSERPERGER
COLONEL JAMES O. EIFERT
COLONEL BRYAN P. FOX
COLONEL RICKY D. GIBNEY
COLONEL CHRISTOPHER A. HEGARTY
COLONEL JOHN P. HRONEK II
COLONEL PAUL HUTCHINSON
COLONEL KEVIN J. KEEHN
COLONEL RICHARD W. KELLY
COLONEL CHRISTOPHER J. KNAPP
COLONEL MICHAEL E. MANNING
COLONEL CLAYTON W. MOUSHON
COLONEL JILL J. NELSON
COLONEL MICHAEL A. NOLAN
COLONEL MICHAEL L. OGLE
COLONEL RONALD E. PAUL
COLONEL STEPHEN E. RADER
COLONEL SAMUEL H. RAMSAY III
COLONEL WILLIAM B. RICHY
COLONEL ADALBERTO RIVERA
COLONEL SAMI D. SAID
COLONEL ANTHONY E. SCHIAVI
COLONEL JOHN D. SLOCUM
COLONEL RONALD W. SOLBERG
COLONEL RANDALL A. SPEAR, JR.

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

WILLIAM A. CHRISTMAS

HOUSE OF REPRESENTATIVES—Thursday, September 13, 2012

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. AUSTRIA).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
September 13, 2012.

I hereby appoint the Honorable STEVE AUSTRIA to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 17, 2012, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 11:50 a.m.

AFGHANISTAN

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina (Mr. JONES) for 5 minutes.

Mr. JONES. First, I join the American people and the Members of Congress in extending my deepest sympathy to the families of the four Americans killed yesterday in Libya. It was such a tragedy.

Mr. Speaker, there's another tragedy. It's called Afghanistan. Like most of my colleagues, last month, I was home. I've been here in Washington 3 days. Back home, as well as the last 3 days here, more and more people are coming in concerned about budget cuts, worried about sequestration. We all are hearing it. Yet there's no debate about Afghanistan. It just keeps going on and on and on.

I'm pleased to say that next Thursday, a group of Democrats and Republicans have joined me for a press conference. The author of this book, called "Funding the Enemy," subtitled, "How U.S. Taxpayers Bankroll the Taliban," Douglas Wissing, is coming to Washington next Thursday, and we will hold a news conference at 10 o'clock. The

reason for this is to continue to remind Congress the American people have been speaking out about pulling our troops out of Afghanistan sooner rather than later. I hope that this news conference with Mr. Wissing will continue to beat the drum of bringing our troops home in 2013, not 2014. That's the President's plan. That's the plan that most Republicans in leadership have agreed to. But that's the end of 2014. How many more young men and women have to give their life, their legs, their arms for a failed policy?

In this book, "Funding the Enemy," and also at the news conference, we will have the former Inspector General of Afghanistan, who is a marine general. General Fields will join Douglas Wissing and a group of Republicans and Democrats to talk about the failed policy and how many times we send millions and millions and millions of dollars to Afghanistan and it never gets to the villages it's supposed to help; how many times we send millions and millions of dollars to Afghanistan and it's not accounted for. Somebody has taken the money. It's America's money. It's the money that we could be using here to save programs and to save jobs. But, again, Congress is not talking about Afghanistan.

I will continue to come to the floor, Mr. Speaker, and talk about the waste of life, the waste of money, and how it's unfair to the American taxpayer. And more importantly, it's unfair to the military families. Many of the marines in my district—and I'm sure in the United States Army—have been to Afghanistan three and four times. Truthfully, nothing has changed. If I could have been an adviser to the President, I would have said: Mr. Obama, you got bin Laden. You have dispersed al Qaeda. Let's bring our troops home. That has not happened—and it will not happen until 2014. I think 2014 will slip into 2015.

So it's my hope that after this election that those of us who I hope win come back here and let's take a new approach and look at Afghanistan. Whether it's Mr. Obama or Mr. Romney, let's try to prevail upon them as a Congress to start bringing the troops out in the spring of 2014. It's not fair to the families. It's not fair to broken bodies of those who return with lost legs.

Mr. Speaker, before I close, as I do many, many times, I ask God to please bless our men and women in uniform, to please bless the families of our men and women in uniform, to please hold

in His arms the families who have given a child dying for freedom in Afghanistan and Iraq. I ask God to bless my colleagues in the House and the Senate. And I will ask God three times, Mr. Speaker, please God, please God, please God, continue to bless America.

UNFINISHED BUSINESS IN THIS CONGRESS

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Texas (Ms. JACKSON LEE) for 5 minutes.

Ms. JACKSON LEE of Texas. I would like to join my colleague in asking for the blessings on this Nation and to remind America that we gathered on Tuesday, together, in commemoration and recognition of 9/11. But America also needs us to do better. And I speak in the backdrop of a horrific tragedy that we are all reminded of in the loss of Americans in what continues to be an attack on our values. That's why it's important for us to shed all that partisanship leads to and the lack of bringing forth bills that would help all of America.

So I am here this morning to remind us of work yet undone, that we just had 61 bills that have been signed into law this year, the fewest in more than 60 years. In all of 2011, only 90 bills were signed into law. And so we know in the last session, the 111th Congress, 258 bills were signed into law. We have got to do better. And the most difficult thing that I rise and speak about is the lack of presenting on the floor of the House the President's jobs bill, the American Jobs Act, that would invest in small business, that would create an opportunity for those who have lost their unemployment to be extended, to create summer jobs and part-time jobs, to be able to ensure that there is job training, and to make sure that we say to America: we are your partner in job creation. Why haven't we been able to overcome those who would stand in the way on the other side of the aisle for putting forth the American Jobs Act? It is to help the American people.

We have not been able to tackle, if you will, postal reform. Those are jobs. Those are people who work to make America's commerce travel from place to place. I have spoken to small businesses, and they say the U.S. Postal Service is their lifeline for their small business. They can actually make a profit by using the U.S. Postal Service. Senior citizens who receive their Social Security checks, sometimes in the mail, many times we know online, but

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

are connected to the post office. They're connected to the letter carriers. They're connected to the local post office in their neighborhood. How do I know? Because of the outpouring of concern for the closing of a post office on Mesa Road in the 18th Congressional District, my congressional district.

□ 1010

So I am interested in this Congress not being known by the do-nothing Congress, do-nothing Republican Congress. I want us to work together and be able to say that these items need to be put forward for the American people. What do we have to say, now looking toward sequestration? We realize that you cannot cut discretionary funding. We realize that 50 million Americans are suffering from food insecurity, and we have a \$13 billion to \$16 billion cut in the supplemental nutritional program. That simply cannot be. That cannot be the record of this Congress. No jobs, no postal reform, cutting food that people need, and, of course, staring down at our men and women in the United States military where resources that they need may be cut.

So I am asking that we may be reminded that there are those who have written, Norm Ornstein and Thomas Mann, that in studying Washington politics in Congress for more than 4 years, this is their quote, they have never seen such a dysfunctional place. We can do better. We must do better.

Democrats are ready to work to pass the American jobs bill, to pass postal reform, to pass bills dealing with helping to improve the lives of Americans, to ensuring that no American goes to bed hungry, and that we welcome our troops home and provide for their families. That's the Congress that we should be known for. That's what America is all about.

I ask that God blesses this Nation, but this Congress recognize that we have to be busy until He comes. Let's get busy for the American people. Democrats are busy and want to work to succeed to do what is right for America.

VOICE OF TEXAS, JEFFREY FROM LEAGUE CITY, TEXAS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. POE) for 5 minutes.

Mr. POE of Texas. Mr. Speaker, Texans have been sharing with me their stories and lives about their businesses that they have built without the help of an out-of-control government. The responses were a testament to the tenacity of the American people.

Jeffrey, from League City, Texas, wrote me this:

I am the son of a single mother. I grew up watching my mom work two and sometimes

three jobs to support us. She never took one penny of government assistance.

When I was 8 years old, I lied about my age and took three paper routes that had morning/evening and Sunday delivery.

At the age of 11, I took a job as a short-order cook at a 24-hour diner working from 11 p.m. to 7 a.m., went to school, played sports, went home, grabbed a quick dinner, slept for a few hours, and went back to work.

I did my homework while standing over a grill in the kitchen.

In the summer months, I would squeeze in a second job working in a service station.

I went into the Marine Corps upon high school graduation at the age of 17. I spent 6½ years in the military.

Upon being honorably discharged, I entered the Houston Police Academy. I have been an officer in Houston, Texas, for the past 27½ years. I worked 17 years undercover in the narcotics division, the rest has been in patrol.

My wife is an educator. We have two sons, a 19-year-old Lance Corporal in the Marine Corps on his way to Afghanistan and a 7-year-old. We live day to day, paycheck to paycheck, and are on the verge of losing everything if our taxes go up along with the cost of living.

Meanwhile, I see folks on government (giveaway programs) with Smart phones, flat screen TVs and newer cars than I can afford, cable TV, and Internet, and living in nicer apartments than I could afford while I was trying to save 17 years for my first house.

Sir, my family and I have built this life. Don't tell me that government built this life for me. That is a lie.

Mr. Speaker, Jeffrey is not alone. Contrary to the misinformed views of some, the American people are the backbone of this Nation, not government. Government is not the solution. It's the problem. Government encourages some Americans to live off the hard work of others. Government promotes a social philosophy that it will give away more free stuff to some while it takes and punishes people who work.

People, not government, take business risks. People work and make sacrifices in an effort to pursue the American Dream, and people, not government, suffer the loss if the business is not a success. But Big Government wants to take credit for what American workers have done.

Government doesn't make America, Mr. Speaker. People make America.

And that's just the way it is.

TRANS-PACIFIC PARTNERSHIP

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. DEFAZIO) for 5 minutes.

Mr. DEFAZIO. I thank the Speaker.

About 27 miles away from here, secret negotiations are ongoing. A number of us have asked to be allowed to observe the negotiations because it will have a dramatic impact on the future of the United States of America and our economy, but no Member of Congress has been allowed into these negotiations. This is over something called the Trans-Pacific Partnership. It's es-

entially NAFTA for the whole Pacific Rim.

Now, imagine how well that's going to work. NAFTA, of course, has cost the U.S. hundreds of thousands of jobs in many industries.

Now, this is a new agreement, a new forum, the President has put his stamp on it, it is called a living agreement, meaning it's being negotiated among a small number of relatively small countries, but the U.S. is running the show. But later on, other countries, like Japan and China, can plug in.

We know very little about what's being negotiated because, again, the documents are all kept secret from Members of Congress. They have been shared, however, with 600 corporations who, at the click of a mouse, can access them through a secure site online. But yet no Member of Congress is allowed to see these documents, no one representing the American people.

Now, the problem is that we have had some leaks, and the analysis is if Japan is allowed to join, and the U.S. is trying to get Japan to join, we'll lose 90,000 automotive jobs immediately. This is yet another example of failed trade policy of the United States of America.

It is also rumored—again remember, no elected representative of the American people is allowed to view these documents which 600 U.S. corporations are allowed to review and annotate and make suggestions on—that it would have intellectual property restrictions that would far exceed those that were already rejected by the elected representatives of the American people, the House and the Senate, so-called SOPA and PIPA.

These intellectual property restrictions in this agreement, it is rumored, will far exceed those already rejected, yet they would be binding on the United States of America, again going around our elected representatives.

It is also rumored that the U.S. pharmaceutical industry is seeking to roll back previous reforms that even George Bush negotiated in the U.S.-Peru FTA that enhanced access to affordable medicines. The pharmaceutical industry doesn't like inexpensive, affordable, life-saving medicines. That would be rolled back.

Further, it would allow drug companies to challenge the price formularies in Canada. Remember, U.S. citizens can buy drugs made by U.S. companies in the U.S. much more cheaply in Canada than here because the Canadian government negotiates on their behalf. It's rumored that this agreement would force Canada to raise their drug prices.

It is also rumored that it might actually prohibit the United States Government from negotiating or allowing under part D Medicare—pharmaceutical companies and insurance companies are involved but the insurance companies can negotiate under authority of law lower drug prices. It may

also prohibit the drug formulary for Medicaid which saves hundreds of millions and billions of dollars a year, and the VA, which provides our veterans with low-cost pharmaceuticals.

All of those things may be preempted by this Trans-Pacific Partnership.

□ 1020

Now, this is really an extraordinary thing that this is being done in secret and no Member of Congress is allowed to review it.

It has one chapter we know about, which is so egregious that Australia has said they have to have a total exemption. And the U.S. has said, sure, okay. We understand you want to protect your people. We'll let you do that, but we don't want to protect ours.

This is a little provision, similar to NAFTA, which gives corporations the power to challenge in foreign tribunals—not U.S. courts—our domestic laws that protect consumers and the environment. We would now give this authority to corporations, if China accesses to this, that are run by the Communist Government of China because they own many of the corporations in their country. The People's Liberation Army owns those corporations.

This is extraordinary. Six hundred corporations have access to this document, but no Member of Congress has access to this document, and yet this is the trade future. This is the 21st century trade agreement, we're told by this administration.

Further, the chief negotiator for the United States has said it's his greater desire that China become part of this because then China would be bound by these rules. Oh, yeah, I heard that before. We used to vote annually on China's trade performance and we had a stick called "most-favored-nation status." When we gave up that stick—I voted against it—we gave them permanent most-favored-nation status, then they could join the World Trade Organization. But they said, don't worry, now they'll have to follow the rules. Guess what? They don't. And if they get in this agreement, they won't follow the rules either.

Kiss our economy good-bye if this secret agreement goes through.

FARM BILL

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from South Dakota (Mrs. NOEM) for 5 minutes.

Mrs. NOEM. Mr. Speaker, as we approach the end of this week, we come even closer to the date on which our farm bill will expire, which is on September 30, in just a short period of time.

Yesterday, we had a rally here on the Capitol grounds that hundreds of farmers from across the Nation came together and talked about the impor-

tance of doing a farm bill now. That was the driving theme because we recognize the responsibility that farmers across this Nation have to feed our families and to make sure that they have food that they can put on the tables across this world.

Recently, I received a letter from some producers in South Dakota. Myron and Mary are real people, and they live near Wall, South Dakota. I wanted to read this letter for you today. They have a farming and ranching operation that they have had since 1969 near the Badlands of South Dakota. They farm around 750 acres of corn and wheat in South Dakota, and like many producers, they're struggling through this drought that has afflicted our country. I want to read a portion of that letter to you:

Our area was designated extreme drought early July. The corn usually yields 60 bushels per acre; wheat, 50 bushels per acre; safflower, 1,200 pounds per acre; alfalfa, 1 ton per acre. This year, the corn was cut for hay and silage, the safflower yielded half, and the alfalfa was next to nothing. We usually raise enough hay to meet our needs. To date, we have spent \$120,000 to buy hay, and we still need more.

The farm bill is important to our operation in two areas in particular: Number one, crop insurance that is all inclusive (hail, fire, drought); and, number two, disaster assistance as provided in the last farm bill but expired last year. Disaster assistance is desperately needed now due to the drought.

It is the time of year to plant wheat and to wean calves, which we will do. We don't know if it will rain, but if we knew that a farm bill was in place, we could make the decisions whether to maintain our cowherd numbers and if we plant crop. Please pass a farm bill before the end of the year.

I want you to take a look at this picture that's next to me that is a cornfield in South Dakota. It was taken a while ago. If you would look at this field, traditionally, when this picture was taken, that corn should be lush and green; it would be setting ears, it would be building test weight, and it would be ready for harvest. Instead, these stalks are falling over due to the drought. They weren't able to provide much in growth and are struggling. This corn, more than likely, will be cut for silage—for feed for cattle—instead of returning on the investment for the producers that planted it hoping to get a crop.

We need to give Myron and Mary and producers such as those that own this corn and their families that depend on the food grown in this country the certainty of a farm bill. We cannot wait for the next disaster. We need to do our job. We need to continue to provide for our families across this country that need affordable food policies and depend upon this country and the security that a strong food program can bring them through doing a farm bill now.

POVERTY

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. LEE) for 5 minutes.

Ms. LEE of California. Mr. Speaker, as cofounder of the Congressional Out of Poverty Caucus, I rise today to call for an immediate response to the ongoing crisis of poverty in our Nation.

The census numbers released yesterday underscore the urgent need to act boldly and to create jobs in this country, to protect our safety net, and to target resources where they are needed—basically, to communities of color, low-income communities, those communities, rural areas, who were hit hardest by the economic downturn.

It's really beyond shameful that over 45 million Americans, including over 16 million children, are living in poverty in the wealthiest nation in the world. The data also shows a wide racial disparity, with the poverty rates for whites standing at 9.8 percent, while the rates for African Americans and Hispanics remain unacceptably high at 27.6 percent and 25.3 percent, respectively.

In 2005, I founded the Congressional Out of Poverty Caucus because of the rising tide of poverty. Some of us saw this unfortunate day coming. That was beginning under the failed policies of the previous administration.

Of course, we also know the terrible economic impact of the massive financial crisis that they left us on their way out of office. With the swift efforts of President Obama and congressional Democrats, we are finally beginning to dig ourselves out of the hole that was left by the Bush administration and slowly moving the poverty rate in the right direction.

Mr. Speaker, we must do more and we can do more.

One of the most critical responsibilities we have as a government is to promote and enact policies that keep our middle class strong and provide opportunities and a safety net for those striving and fighting to become middle class and to get into the ranks of the middle class, to enhance their quality of life. But far too many Americans are continuing to suffer joblessness and have dropped out of the middle class and into poverty because of this Republican do-nothing Congress.

Republicans in Congress have continually blocked efforts to extend and expand vital safety net programs which safeguard millions of American families and children who face stark realities of unemployment, hunger, and homelessness. Further, their continued blocking of critical Federal support to our States and localities has caused widespread layoffs of dedicated public servants like teachers, police officers, and firefighters in communities all across the country.

This attack on our country's public servants has had a particularly hard

impact on communities of color and on women across the country. I just have to tell you, African Americans and women have long found job opportunities in the public sector, in public employment. African Americans, in particular, often found work with the city or the State because of racial bias and barriers and obstacles in the private sector.

Mr. Speaker, the American people know that you can't have it both ways. Government spending cannot kill jobs on one hand, when spent on hiring teachers and police officers, and create jobs on the other hand. And those services are desperately needed throughout our country. We need more police officers on the street.

My colleagues on the other side of the aisle must begin to accept the reality of history. Federal investments in our Nation's infrastructure, in our schools, and in programs that help struggling families are critical to boosting our economy and spurring our economic recovery.

Tax cuts for millionaires don't pay for themselves; they create massive deficits and weaken our country.

Markets don't regulate themselves. Deregulation allows rampant fraud and creates massive bubbles that inevitably burst and threaten our entire economy.

We need a balanced approach that ensures that every American pays their fair share and is invested in a united and prosperous future for all Americans of every background. We need a balanced approach that ensures that millionaires and billionaires pay their fair share so that we can reignite the American Dream for all.

How this Nation treats the least of these is not just a measure of our Nation's moral priorities, but it will directly impact whether the American Dream survives and thrives for all. Let us not forget that our greatest strength is the freedom and opportunity that our democracy created to allow us to work together to build the largest and most prosperous middle class the world has ever known.

□ 1030

But this means that we must reduce and we must eliminate poverty. And I hope in the few days that we're left that this Congress will come together and figure out a way to pass the President's American Jobs Act, because in that legislation we have critical investment to rehire our police officers, teachers and firefighters who desperately need their jobs, but also the services are desperately needed in our communities.

COMMEMORATING NEIL ARMSTRONG

The SPEAKER pro tempore. The Chair recognizes the gentleman from Alabama (Mr. BROOKS) for 5 minutes.

Mr. BROOKS. Mr. Speaker, I represent Alabama's Fifth Congressional District, home to NASA's Marshall Space Flight Center, home to the Saturn V rocket that carried American astronauts to the Moon.

Today, the Fifth District's talented scientists, engineers, and others work tirelessly to develop the Space Launch System for manned space flight both to and beyond low Earth orbit.

In the early 1960s, President John F. Kennedy challenged America to do the impossible, send an astronaut to the Moon and safely return him. As a young boy in the 1960s, I vividly remember the Earth tremble, dishes rattle, and windows pulsate as America tested our Saturn V rocket on nearby Redstone Arsenal. In 1969, America's hard work paid off.

I will never forget watching the grainy, black-and-white footage on TV as American astronaut Neil Armstrong stepped onto the lunar dust. The thrill of that moment, our pride in America, our awe of what Americans could do have belonged to all Americans ever since. Armstrong's walk on the Moon helped define America and changed world history as we left Earth behind and ventured into the mysteries of space.

Neil Armstrong was an accomplished aerospace engineer, Navy pilot, astronaut, and the first man to walk on the Moon. Neil Armstrong will be forever immortalized as a brave and great explorer.

Toward the end of his life, Neil Armstrong spoke frequently and passionately about the future of manned space flight. Neil Armstrong understood that American exceptionalism is in jeopardy and may be lost to future generations.

As a member of the House Science, Space, and Technology Committee, I recently had the privilege to meet Neil Armstrong during a public hearing on NASA's Space Launch System, the Orion Multipurpose Crew Vehicle, and America's role in space. During that hearing, Neil Armstrong expressed concerns about the direction of America's space program.

Neil Armstrong testified, and I quote:

The past year has been frustrating to NASA observers as they tried to understand NASA's plans and progress. NASA leadership enthusiastically assured the American people that the agency was embarking on an exciting new age of discovery in the cosmos. But the realities of the termination of the shuttle program, the cancellation of existing rocket launcher and spacecraft programs, the layoffs of thousands of aerospace workers, and the outlook for American space activity throughout the next decade were difficult to reconcile with the agency assertions.

Neil Armstrong continued, and again I quote:

So, much has been accomplished. But NASA, hobbled by cumbersome limitations, has been unable to articulate a master plan that

excites the imagination and provides a semblance of predictability to the aerospace industry.

Neil Armstrong concluded by testifying, and again I quote:

Predicting the future is inherently risky, but the proposed Space Launch System includes many proven and reliable components which suggest that its development could be relatively trouble free. If that proves to be so, it would bode well for exploration.

In the midst of America's current economic malaise and deficit-ridden Federal spending on programs that do nothing or little to advance technology or humanity's condition, I share Neil Armstrong's concern for the future of NASA and whether Washington has the inspirational leadership exhibited by President Kennedy in the 1960s, or "the right stuff" that is essential for space exploration.

Today, American astronauts hitch a ride from Russia. Oh, how far we have fallen. Quite frankly, America and the human condition beg for the White House leadership once shown by President Kennedy, but which now is sorely lacking.

Mr. Speaker, there is a whole universe out there waiting for us to explore. Just as America did in the 1960s, today's Americans can accomplish what is seemingly impossible. All America lacks is the vision needed to help us understand where we should go and the leadership needed to get us there.

Mr. Speaker, America will best honor the memory of Neil Armstrong and his achievements by striving for the American exceptionalism exemplified by Neil Armstrong in continuing his dream of manned space flight and exploration.

TAKE POLITICS OUT OF THE POST OFFICE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Georgia (Mr. JOHNSON) for 5 minutes.

Mr. JOHNSON of Georgia. Mr. Speaker, I rise today to urge my colleagues in this do-nothing Congress to take politics out of the post office.

The post office was explicitly authorized in article I, section 8, clause 7 of the United States Constitution. It began its operations on July 26, 1775, and Ben Franklin was appointed the first Postmaster General. That's a long time ago.

It has a legal obligation to serve everyone, regardless of geography, and at a uniform cost with uniform services. And it has exclusive access to boxes that are marked "U.S. Postal" or "U.S. Post Office." And it also competes with private package delivery services.

In 2006, Congress forced the United States Postal Service to pre-fund 100 percent of retiree insurance premiums. No other company, public or private, is forced to comply with such an unnecessary and destructive policy.

Mr. Speaker, House Republicans cited declining mail volumes and a growing labor force as the primary reasons why the 2006 legislation was necessary. Yet 2005, 2006, and 2007 were the highest volume years in U.S. Postal Service history. In fact, 2006 was the highest volume year ever.

Mr. Speaker, the real motivation behind the 2006 legislation was to break the back of a public sector union and privatize the mailing industry. Why else would Congress alter an entity that hasn't taken a dime of United States taxpayers' money in 30 years?

According to the Congressional Research Service, the U.S. Postal Service was self-supporting since 1971, using postage sales to fund operations. The Postal Service was so profitable that it returned money to the Treasury every single year, while providing free services to the visually impaired and persons overseas.

If the Postal Service was a private corporation, or if it had been a private corporation at that time, my colleagues across the aisle would have hailed it as the model of economic success and sung its praises from sea to shining sea.

Since the pre-funding mandate of 2006, however, the Postal Service has nearly crumbled under the weight of its pension costs. How does an organization that had robust profits for 30 years, leading up to the 2006 legislation, suddenly start running deficits and lose \$25 billion between 2007 and 2011?

How did the U.S. Postal Service go from no debt in 2006 to over \$13 billion in debt today?

Many of my colleagues on the other side have well-connected friends who advocate for Postal Service privatization. I'm here to connect the dots for the American people.

Instead of wasting time today, this do-nothing Congress should vote to stop the damage inflicted upon the United States Postal Service by passing H.R. 1351. This bipartisan postal reform bill protects the hardworking employees of the Postal Service.

The U.S. Postal Service was not in danger of becoming insolvent until Congress decided to meddle in its affairs. It's hypocritically inconsistent for my friends on the other side of the aisle to talk about government being the problem, while they don't acknowledge that they created a big problem for the post office. It is hypocritical.

Mr. Speaker, the Postal Service already missed a \$5.5 billion payment in August. Congress must act before the post office defaults on another payment later this month. Instead of scheduling political votes that highlight our differences, let's stop the madness and do what is in the best interest of the American people, the economy, and communities across the Nation.

The Postal Service employs 700,000 of our fellow citizens, over 17,000 of whom are from my State of Georgia.

□ 1040

One-third are military veterans who deliver 212 billion pieces of mail to over 144 million locations. This is the middle class that's doing this. If privatization advocates like the Koch brothers get their wish, the Postal Service will slowly be destroyed, causing good jobs to be lost and allowing companies to raise prices of delivery. Taking action to strengthen the Postal Service's finances is not just good for the letter carriers and postmasters; it's also good for business. There is \$1.3 trillion in mailing industry proceeds out there that support 7 million private sector jobs. The time to act, ladies and gentlemen, is now.

HUNGER STRIKE UNDERWAY BY PRO-DEMOCRACY ACTIVISTS IN CUBA

The SPEAKER pro tempore. The Chair recognizes the gentleman from Florida (Mr. DIAZ-BALART) for 5 minutes.

Mr. DIAZ-BALART. Mr. Speaker, just 90 miles away from the coast of the United States there exists a murderous, terrorist regime on the island of Cuba. It is a regime that harbors terrorists, that funds terrorism, that has even held an American hostage since the summer of '09, and that denies all basic human rights to its people.

Currently, 26 pro-democracy activists, it has been reported, have initiated a hunger strike. It started with Jorge Luis Garcia Perez Antunez on September 7 of 2012 in order to protest the brutal oppression by the Castro thugs against the Cuban people and against the political prisoners, and it has now been joined, as I said, by another 25.

You're not going to see that on the front pages of the newspapers. These are individuals who, for some reason, the press will not cover. The only thing you'll see about the Castro regime is, frankly, the beauty of the beaches and the island and the fact that they have old cars—such a quaint thing. It's not quaint when your human rights are violated and when you are forced to drive 50-year-old automobiles—if you're lucky to even get one of those.

Since these individuals, these heroes, are for some reason being denied the coverage that they deserve, I come to the floor to mention who they are—these heroes that we have to support, that we have to defend, and that we can never forget. So I am going to read their names.

I mentioned Jorge Luis Garcia Perez Antunez. Jorge Vazquez Chaviano, Arturo Conde Zamora, Yerandi Martinez Rodriguez, Orlando Almenares Reyes, Luis Enrique Ponce Sanchez,

Roberley Villalobos Torres, Israel Robert Isaac, Yuniel Alvarez Garcia, Luis Enrique Santos Caballero, Yosmel Martinez Corcho, Alberto Reyes Morales, Marta Beatriz Roque Cabello—by the way, who is a very well-known pro-democracy leader of Cuba and whose health is, frankly, in poor shape—Omar Pedrosu Suarez, Yadira Rodriguez Bombino, Ibis Maria Rodriguez Gonzalez, Fermin Zamora Vazquez, Yasmani Nicle Abad, Leonardo Cancio Santana, Pedro Fernandez Vega Cortes, Arcelio Lopez Rojas, Misahel Valdes Diaz, and Jorge Luis Recio Arias.

These heroes, these pro-democracy activists and heroes, have stood up and are standing up to the Castro dictatorship with whatever they have, including their health and their bodies. They need our prayers. They need our support. They need our solidarity at this pivotal time in their struggle for Cuba's freedom.

Mr. Speaker, may God protect these brave heroes. May the international community demonstrate the solidarity that they deserve—and yes, we here in the United States Congress and in this country must continue to work to do what we can to help them and others achieve their final day of freedom.

THE FUTURE LEADERSHIP OF CONGRESS AND THE COUNTRY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Vermont (Mr. WELCH) for 5 minutes.

Mr. WELCH. Mr. Speaker, the American people are going to make a decision on November 6 about the future leadership of this Congress and this country, and they face, as they do every 4 years, two fundamental questions. The first: Who can be in charge of the cash register? Who will best manage the economy? The second: Who will be a firm hand in protecting America's foreign policy interests? If we look at the past 2 years with this Republican-led Congress, which has accomplished nothing and, in fact, has done damage, the question on who is best in charge of the cash register is quite clear.

The Ryan budget that was passed by this House and that stalled in the Senate would actually increase the debt. The whole point, supposedly, of the Republican agenda coming into Congress was to lower the debt. The budget they passed would increase it by \$6 trillion. Why is that? Well, first of all, many of the proponents of this budget are the folks who voted for policies that actually exploded the debt: the war in Iraq on the credit card; nation-building in Afghanistan on the credit card; the prescription drug program unpaid for on the credit card. Those policies played a very big role in getting us into the debt that we have.

Then the Ryan budget, which is supposedly the blueprint to reduce the

debt, increases it by \$6 trillion in 10 years. Why? Because it increases those Bush tax cuts that were never paid for and would lower their Republican Presidential candidate's effective tax rate to 1 percent. Secondly, it vastly increases Pentagon spending beyond what even the Pentagon is asking for. Even though it then imposes savage cuts on domestic discretionary spending—making it really difficult to do scientific research, to help our kids go to college—the net result is a \$6 trillion increase in the debt.

On foreign policy, no responsibility is so vested in one person—the President of the United States—when guiding American foreign policy. It needs a firm hand, a calm voice, a person who thinks before he speaks, who aims before he fires. The recent tragedy of losing our ambassador and three other brave civil servants from the State Department is an indication that the Republican Presidential candidate lacks the temperament to do that job.

Why is it that in the first statement that he made after the loss of four American lives he descended into what essentially was tactical politics—arguing about the wording of a communique from the American Embassy in Egypt? Is it really the case that we in America cannot defend the right of free speech and promote religious tolerance?

We need a President—and have a President—who is thoughtful, who is firm, who can act with conviction and clarity, and does it in a sober way that is going to defend and promote American political and foreign policy interests.

NO MORE SOLYNDRAS ACT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Florida (Mr. STEARNS) for 5 minutes.

Mr. STEARNS. Mr. Speaker and my colleagues, later today, we will begin debate on the rule for H.R. 6213, the No More Solyndras Act, which, along with my chairman, FRED UPTON of Michigan, I am proud to sponsor. This legislation is a culmination of an intensive and thorough 18-month investigation by the Subcommittee on Oversight and Investigations, which I chair, and will fix the problems we have uncovered.

Specifically, the No More Solyndras Act will phase out the Department of Energy's grossly mismanaged loan guarantee program by prohibiting DOE from issuing any loan guarantees for applications submitted after December 31, 2011, and it will provide taxpayers strong, new protection for any pending participants in this program.

□ 1050

The bill provides greater loan guarantee transparency by requiring the DOE to report to Congress on the decisionmaking process, and, of course, the

details of the loan. The bill also prohibits DOE from restructuring the terms of any guarantee and forbids the subordination of United States taxpayers' dollars at any time to private investors and holds the Department of Energy officials accountable for their actions by imposing penalties by failing to follow this law.

As many of you know, Solyndra was the first recipient of a DOE loan guarantee from title XVII of the Energy Policy Act of 2005 and, frankly, was the poster child for President Obama's stimulus-driven green economy. It was also the first stimulus-backed recipient of a DOE loan guarantee to file for bankruptcy just 2 years after the loan closed, and 6 months after DOE restructured the loan and subordinated taxpayers' interest to two wealthy and well-connected investors, all but ensuring taxpayers won't see a dime.

Other DOE loan recipients have also struggled. Three of the first five companies which received loan guarantees issued by the DOE Loan Guarantee program—Solyndra, Beacon, and Abound Solar—have all filed for bankruptcy, losing hundreds of millions of dollars of taxpayers' money that will never, ever be recovered. The other two companies are struggling, also. Nevada Geothermal has substantial debts and no positive cash flow, and First Wind had to withdraw their planned IPO and also has substantial debt to boot.

On behalf of the American taxpayers, we had a duty to figure out what went wrong with Solyndra, the loan guarantee, and whether the loan guarantee program was properly managed. The Solyndra investigation has been thorough and methodical. The Energy and Commerce Committee requested and received and reviewed documents from every executive branch agency connected to Solyndra, and interviewed more than a dozen administration officials who played key roles in the loan guarantee program. The committee has also reviewed documents produced by the Solyndra investors, as well as DOE's independent consultant and their legal advisers.

As the committee's investigation revealed, the Obama administration put Solyndra's loan on the fast track for political reasons, despite repeated red flags and warnings in 2009 from the Office of Management and Budget and DOE officials about the company's financial condition in the market for Solyndra's product. Were they viable? It is clear that DOE failed to adequately monitor the loan guarantee, blindly writing checks to Solyndra as the company hemorrhaged cash throughout the year 2010.

When the warnings came to fruition and Solyndra was out of cash in the autumn of 2010, the Obama administration doubled down on its bad debt and bad bet, restructuring Solyndra's loan in early 2011 and putting wealthy in-

vestors at the front of the line in front of taxpayers, which is a clear violation of the Energy Policy Act of 2005. Right up to the bankruptcy filing, the administration was willing to take extraordinary measures to keep Solyndra afloat for political reasons and ensure that the first loan guarantee was not going to be a failure.

The investigation also showed that the DOE failed to consult with the Treasury Department as simply required by the Energy Policy Act prior to issuing a conditional commitment to Solyndra and that Treasury didn't even play a role in simply reviewing the restructuring. The No More Solyndras Act will correct this by ensuring that Treasury is actively involved in the loan process to protect our taxpayers.

Mr. Speaker, the Solyndra investigation and the No More Solyndras Act are a great example of how congressional oversight should work. We asked the tough questions, collected all the facts, identified the problem, and now we're offering good legislation.

I encourage all my colleagues to support H.R. 6213, the No More Solyndras Act, to ensure that the mistakes and misguided decisions that occurred never, ever happen again.

IN CELEBRATION OF BILL KLING

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ) for 5 minutes.

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I rise to celebrate the life of a beloved member of our south Florida veterans community, William "Bill" Kling, who passed away on August 6 at the age of 84.

Bill was a devoted husband and father; and he is survived by his two children, Marsha Mittentag and Steven Kling. My thoughts and prayers go out to them, to Bill's extended family, and to all of his friends and colleagues who share in mourning this loss.

Bill was a member of our Greatest Generation of Americans who served our Nation as a radar technician for the Navy during World War II. But Bill's service to our Nation was far from over when he returned from war. In fact, it was just beginning.

Bill Kling became a national leader and one of the strongest advocates for our Nation's veterans. He was dedicated to helping generations of veterans as they returned to civilian life. He worked tirelessly to make sure our veterans were getting the benefits they deserved—from education under the GI Bill to quality health care through our VA system.

I'm sure my Florida colleagues will agree that Bill was a force to be reckoned with, ever brightening our congressional doorways, pushing the urgency of the issue at hand. I know we

are grateful for the remarkable legacy he leaves behind, and he will be sorely missed.

I had the distinct pleasure of working with Bill for the last 23 years and have witnessed firsthand the many ways he helped thousands of veterans in Florida. I'm also proud to have called Bill my friend. For the past 7 years, Bill served as the chairman of my Military Academy Nominations Board where he helped the next generation of military leaders realize the dream of serving the country they love.

For 8 years, he served on the Florida Commission on Veterans' Affairs, and for the past 27 years he was the president of the Broward County Veterans Council. He also led the Jewish War Veterans and was a member of the American Legion, Veterans of Foreign Wars, and the Disabled American Veterans.

The list of superlatives for Bill shows him as the great American that he was. Bill was inducted into the Broward Senior Hall of Fame, received the Humanitarian of the Year award from the Dolphin Democrats, and changed the shape of veterans services in south Florida. In particular, he helped bring the Alexander "Sandy" Nininger Veterans' Nursing Home to Pembroke Pines in 2001 and worked with other veterans to create the South Florida National Cemetery in Palm Beach in 2007.

One of Bill's greatest accomplishments and lasting legacies was ensuring that veterans would have easy access to quality medical care. Bill noticed that too often veterans in Broward County had to travel too far to go to a VA facility to get the care that they needed. With that in mind, he helped open the Oakland Park VA Outpatient Clinic more than two decades ago.

When the building the clinic occupied began deteriorating, Bill worked to open a brand-new facility. Even though this effort took years, Bill kept a smile on his face and kept working to overcome every obstacle, because that's just how Bill operated.

So in 2008, a new 98,000-square-foot clinic opened in Sunrise, and fittingly on Bill's birthday. I think it's fair to say that without Bill Kling, this wonderful center that serves thousands of our veterans each year might not ever exist.

With that in mind, I'm honored to announce that next week my good friend, Congressman TED DEUTCH, also of Florida, and I will file legislation, along with many other members of the Florida delegation, that will rename the Broward Outpatient Clinic as the William "Bill" Kling VA Clinic.

This is such a fitting way to memorialize and thank Bill Kling. With passage of this bill, every veteran who walks through the doors of the Broward VA Clinic will know the name

of the man who did so much for so many.

Mr. Speaker, I look forward to the passage of this legislation so we may pay fitting tribute to a great American, William "Bill" Kling.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendment a bill of the House of the following title:

H.R. 6336. An act to direct the Joint Committee on the Library to accept a statue depicting Frederick Douglass from the District of Columbia and to provide for the permanent display of the statue in Emancipation Hall of the United States Capitol.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 10 o'clock and 59 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

Reverend Kris Holzmeyer, Second Baptist Church, Clinton, Tennessee, offered the following prayer:

Heavenly Father, we come to You this day with praise upon our lips. You are worthy of all glory and honor. You are faithful, and You hear us when we call.

We come to You this day to say thank you. You have given to us a free and prosperous Nation in which to live. We know that You and You alone are the provider of that freedom and prosperity.

We also come before You acknowledging our great sins as a Nation. We ask Your forgiveness as we seek Your will for the future of our country.

As our leaders gather in this room to discuss the business of this day, bless them with wisdom and knowledge to make the best possible decisions for our citizens. And may their actions, their words, and their motives bring You honor and glory.

We ask these things in the name of Jesus Christ, our Lord.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Illinois (Mr. SCHILLING) come forward and lead the House in the Pledge of Allegiance.

Mr. SCHILLING led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

WELCOMING REVEREND KRIS HOLZMEYER

The SPEAKER. Without objection, the gentleman from Tennessee (Mr. FLEISCHMANN) is recognized for 1 minute.

There was no objection.

Mr. FLEISCHMANN. It is my pleasure to welcome Kris Holzmeyer in joining me here on the House floor to give the opening prayer.

Pastor Holzmeyer recently served as an associate pastor at the Second Baptist Church in Clinton, Tennessee, a town in my district. With a desire to serve the Lord in both word and deed, Kris has authored two devotionals: "The First Responder Field Manual" and "Lessons from the Locker Room." A passionate advocate for international adoption, Kris advocated for adoption awareness and established the Kyle Reagan Foundation, which raises money to help adopt children from abroad.

In Tennessee, Kris has been active as well in coordinating the 2012 Anderson County National Day of Prayer, in running the Summer Skills Basketball Camp at Second Baptist Church, and in ministering to local officials.

In addition to his strong ties to Tennessee, Kris also has a Washington connection. He served as assistant communications director for the D. James Kennedy Center for Christian Statesmanship on Capitol Hill from 2004 to 2006. While on Capitol Hill, he performed outreach to Members and staff.

A native of Indiana, Kris received his BA from the University of Southern Indiana and his master's degree from Liberty Baptist Theological Seminary. Along with his wife, Missy, and his children, Kyle and Sammi, I would like to thank Kris, and I am pleased that he could join us in prayer.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. CHAFFETZ). The Chair will entertain 15 further requests for 1-minute speeches on each side of the aisle.

WE NEED A FARM BILL NOW

(Mr. CRAWFORD asked and was given permission to address the House for 1 minute.)

Mr. CRAWFORD. During the month of August, I traveled throughout my Arkansas district, listening to the challenges family farmers are facing with record drought conditions. Even though the House did pass an important drought relief package, we need to pass a farm bill. We must acknowledge the role that farm families play in our Nation's economy.

The success story of Arkansas and American agriculture can continue if Congress acts to pass sound policies. The message from my constituents and rural America is clear: We need a farm bill now. The farm bill needs to be a priority of the House, as it is critically important not only to my home State of Arkansas but to all of rural America.

At a time when many Americans have lost faith in the ability of Congress to accomplish great things, a comprehensive farm bill has the potential to be an example of what can be done when we put aside partisan politics and pass sound policy. We need a farm bill now.

FARM BILL

(Ms. HOCHUL asked and was given permission to address the House for 1 minute.)

Ms. HOCHUL. Imagine if our farmers did their jobs the way Congress has been doing its job. I know what you're thinking. We'd all starve, wouldn't we? We've got a job to do, folks, and you just heard it from my colleague on the other side of the aisle.

There is no reason that our pleas for help on behalf of our farmers should go unheeded. We've been asking since early this summer to give the farmers the certainty they need to be able to do their jobs on our behalf in order to protect our food security, which is linked to our national security. It expires in a couple of weeks.

I don't want to go home and my colleagues don't want to go home—we don't want to leave this body—until we do our jobs on behalf of the farmers. If anyone thinks that a 6-month extension—kicking the can down the road—is sufficient, well, I encourage you to go visit my farmers, particularly my dairy farmers—the McCormacks, the Berwangers, the Nobles, the Zittels, the Kerners—who are the people I've met over our 5-week break who thought for sure we'd be able to pull together in a bipartisan way and do it.

There is still time, Mr. Speaker. I don't want to go home. Let's not go home until we take care of our farmers and get the job done right.

HONORING THE LIFE OF GLENN "SKIDS" SMITH

(Mr. SCHILLING asked and was given permission to address the House for 1 minute.)

Mr. SCHILLING. Mr. Speaker, on September 1 of 2012, a tragedy occurred at the Quad City Air Show when a 30-year-old L-39 fighter jet fell from the sky, claiming the life of a veteran pilot.

Glenn Smith, or "Skids," as he is remembered by his fellow Hoppers of Frisco, Texas, never shied away from adventure. He lived life to the fullest as a certified scuba diver, as a licensed sailor, and as a self-proclaimed "struggling" golfer. Nearly three decades ago, he took one of the greatest risks and started what would eventually become a successful business. In 2006, Skids retired to pursue his true passion—flying. Restoring and flying fighter jets wasn't just a hobby to him; it was a way to share a piece of our Nation's history with people across the country.

Skids will always be remembered by those he motivated through his mission to educate the general public and to inspire kids to work hard in school, aim high in life, and have fun. Skids' enthusiasm for life will truly be missed. My thoughts and prayers are with the family and friends and teammates he leaves behind.

WE WILL STAND AGAINST TERRORISM

(Ms. JACKSON LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON LEE of Texas. Mr. Speaker, I join in asking for calm, along with Secretary Clinton, in this violent and tumultuous world, and particularly with regard to the actions that are going on in Yemen, Cairo, and certainly Libya. I offer my deepest sympathy to those who lost their lives.

I stand again to say, as the Secretary indicated this morning, that the American people and the American Government had absolutely nothing to do with this heinous film, but we reject the horrible and horrific violence.

I am also saddened to hear that resources probably prevented some of the reinforcing of some of our Embassies. We cannot shortchange the securing of the homeland, and as we go forward in dealing with sequestration, I beg that we understand that we must protect those who serve us overseas, including the United States military.

But I call for peace. I know the American people realize that no religion should be denigrated, but we cannot accept and will not accept and will stand against any violence against the American people or those who serve us in a civilian manner with honor and dignity.

To their families, I offer my deepest sympathy and a commitment that we will stand against terrorism.

A LONG-TERM DEBT SOLUTION TO THE COUNTRY'S FISCAL CLIFF

(Ms. JENKINS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JENKINS. This week, Moody's threatened to downgrade the U.S.' credit rating if Washington fails yet again to deal with the long-term debt problem. This is not news. We were downgraded last year, but instead of acting to fix the problem, this administration racked up a \$1 trillion deficit for the fourth year in a row, and now we face a fiscal cliff that could cause another recession.

Enough with the short-term fixes, patches, gimmicks, and tricks. They only make the problem worse. This country needs a comprehensive budget and tax reform. This means a simpler Tax Code that is more fair and efficient, and it means fundamental spending reform that will save Medicare.

We have a rare opportunity to put this country back on the right track to ensure a more prosperous future for our children. Let's take it. It's time to put the American people first.

□ 1210

THE 60TH ANNIVERSARY OF MOUNT CARMEL SCHOOL

(Mr. SABLAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SABLAN. Mr. Speaker, I ask you to join me in celebrating the 60th anniversary of Mount Carmel School and its proud record serving students in the Northern Mariana Islands from their elementary through high school years.

Since opening its doors, the school has constantly expanded, adding new facilities, state-of-the-art information technology, and the standards-based curriculum, with accreditation from the Western Association of Schools and Colleges.

Mount Carmel School has cultivated some of our islands' most notable business, government, and community leaders. As elected officials, doctors, attorneys, car mechanics, cooks, carpenters, teachers, and business executives, the school's alumni stand as inspiring pillars in our community. From humble beginnings in 1952, the school has evolved into an institution whose name is synonymous with educational excellence in our community.

I offer my congratulations to all of those who have been affiliated with Mount Carmel School over these past 60 years: teachers, staff, students, alumni, and parents. I have every confidence that the next 60 years will be

marked by the same level of accomplishment.

Go, Knights.

NO MORE SOLYNDRAS ACT

(Mr. BOUSTANY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BOUSTANY. Mr. Speaker, I rise today in support of the No More Solyndras Act. It ensures that taxpayers are never left on the hook for hundreds of millions of dollars for any future President's risky bets. This legislation phases out the Department of Energy's flawed loan guarantee program. It seeks to stop future debacles like the recent \$535 million loan guarantee for the California solar panel manufacturer called Solyndra.

This administration refuses to promote legitimate and safe domestic energy resources by issuing moratoriums in the Gulf of Mexico and needlessly delaying very important projects like the Keystone pipeline. Instead, it chooses to roll the dice on unproven technologies that result in bankruptcies with hundreds of millions of wasted taxpayer dollars. That's not a way to move forward.

In south Louisiana, we know when it comes to energy production, domestic resources are waiting to be tapped safely, environmentally sound. Whether it's oil or natural gas or any other source, we must harness the resources of our land to create jobs here at home and to make sure that hardworking families aren't forced to feel the pain at the pump.

LET'S GET BACK TO WORK

(Mr. CICILLINE asked and was given permission to address the House for 1 minute.)

Mr. CICILLINE. Mr. Speaker, I rise today to speak about the responsibility that this institution has to the American people to finish the work they sent us here to do.

Partisan gridlock may make 2012 one of the Congress' least productive years in decades. That's why this institution has seen some of the lowest public approval ratings in history.

The American people expect better from their elected officials. They know that Members of Congress should be acting like adults and working with Members on the other side of the aisle to get things done. Each of us should remember the people we serve: the seniors who worked for years to secure a successful retirement, the students who took out loans to help pay for college, the middle class families who are concerned about their long-term economic security.

Rather than meeting for only 8 days this month, as Republicans propose, let's remain here, pass the American

Jobs Act that the President proposed over a year ago, put aside partisanship, roll up our sleeves, and get back to work for the people we serve.

IN TRIBUTE TO AMBASSADOR CHRIS STEVENS

(Mr. DANIEL E. LUNGREN of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, it is with a heavy heart that all Americans reflect upon the tragic loss of life in the American consulate in Benghazi. When one of our own pays the ultimate sacrifice in the service of our Nation, we're all touched by the loss. All four of these brave Americans will forever be remembered in the annals of American history as heroes.

In particular, I would like to take the time to pay tribute to Ambassador Chris Stevens, a native of northern California. Although I did not know the Ambassador personally, his father, Senior Assistant Attorney General Jan Stevens, ably served our State in the California Department of Justice while I served as attorney general of my home State.

This tragedy hits close to home with all of the employees of the California Department of Justice who work with Jan Stevens. I wish to join with them, with friends and family members of the Stevens, and with all Americans in offering our thoughts and prayers as we mourn the loss of Ambassador Chris Stevens.

COACH JIM CALHOUN

(Mr. COURTNEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COURTNEY. Mr. Speaker, in a few short hours, a giant in the State of Connecticut, Coach Jim Calhoun, is going to announce his retirement after 26 years of leading the men's basketball program.

When he arrived 26 years ago, it was an also-ran program. Today, he has secured three national championships, he was inducted into the Hall of Fame, and the NBA is populated with graduates like Ray Allen, Emeka Okafor, and Kemba Walker, who are all-stars and really make the State of Connecticut so proud.

He also has performed hundreds of acts of personal kindness, small and large, Coaches vs. Cancer, the Yukon Cardiology Health Center program, and his latest passion, which is to help families with the scourge of autism.

Coach Calhoun is not just a great coach, he's a really good person. To him and his wife, Pat, on behalf of the people of the Second Congressional District, I want to extend my con-

gratulations for his great leadership and career, and wish them all the success in the world as they begin a new chapter in their wonderful lives.

NATIONAL CHILDHOOD OBESITY AWARENESS MONTH

(Ms. FUDGE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. FUDGE. Mr. Speaker, I rise today on behalf of America's 12½ million obese youth. I stand on behalf of America's 3.7 million low-income children between the ages of 2 and 4 who are either overweight or obese. Millions of our children depend on school meals and the generosity of food pantries for most of their nutrients. These are the children I've come to speak to you about today.

September is National Childhood Obesity Awareness Month, the month when Americans are reminded of the plight facing our children if we don't ensure they receive better meals and build an environment that promotes physical activity.

It is time to get involved in the well-being of every child in America. So join me. Make a difference in a child's life during National Childhood Obesity Awareness Month and all year long.

MEDICARE CLASS WARFARE

(Mr. AL GREEN of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. AL GREEN of Texas. Mr. Speaker, I refuse to participate in what I call "Medicare class warfare." I refuse to pit those who are 55 and above against those who are under 55.

Mr. Speaker, I believe that those of us who are above 55 ought to want the same health care for those who are under 55 that we're going to receive.

I refuse to participate in Medicare class warfare. I believe that those who are at the dawn of life should know that they will have the same health care benefits that we will have at the twilight of life.

Again, I refuse to participate in Medicare class warfare.

WATERBURY, VERMONT, THE BEST BEER TOWN IN NEW ENGLAND

(Mr. WELCH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WELCH. Mr. Speaker, today I rise to bring attention to the town of Waterbury, Vermont.

There was an article in The Boston Globe identifying it as the best beer town in New England. In this small town, beer pilgrims from across the

country flock to appreciate and enjoy the finest beer in America. It's the quality of the beer that's brewed that's really revered. Let me just tell you about a few.

It's the home to the Alchemist cannery, which makes an IPA called Heady Topper. I can tell you personally that it's really good. The Beer Advocate, the bible of the beer community, rates it as the third best in the world. The beer is sold in cans, but it sells out early, so get there early.

It's not hard to see why it's so popular when it's the third best in the world, but there are others there. Waterbury is the home to a number of restaurants: the Prohibition Pig, the Blackback Pub, and Arvad's, to name a few with great beers.

Vermont is coming back from Hurricane Irene. In Waterbury, it's one beer at a time.

□ 1220

CONGRESS IS DYSFUNCTIONAL

(Mr. MILLER of North Carolina asked and was given permission to address the House for 1 minute.)

Mr. MILLER of North Carolina. Mr. Speaker, many of my Democratic colleagues today have criticized Republicans in Congress as do-nothings, but my own view is a little different.

It is certainly true that the Nation has real needs. Economists tell us that legislation held hostage here would create millions of jobs and put many Americans back to work. Instead of addressing those needs, Congress is just dysfunctional.

But considering what Republicans in Congress want to do, it is a great blessing that Congress has done next to nothing. They have repeatedly voted to repeal health care reform—33 times according to one count—as if denying health insurance for preexisting conditions would put Americans back to work.

They have voted to gut or eliminate the funding for Wall Street reform—putting us right back where we were 5 years ago with the Bush administration policies that created the painful downturn that we are now in—and at least 55 times voted to restrict women's reproductive rights and access to affordable health care, which included repeated attempts to eliminate funding for Planned Parenthood. It is hard to see that as a job creation agenda.

Mr. Speaker, better to do nothing than what they want to do.

CUT TAXES FOR AVERAGE AMERICANS AND REBUILD OUR INFRASTRUCTURE

(Mr. JOHNSON of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JOHNSON of Georgia. Mr. Speaker, I am ready to cut taxes for Americans, average Americans, the middle class and rebuild our infrastructure.

Unfortunately, after wasting the last 2 years and after spending the entire month of August at home without making even the slightest effort to fix the Nation's economy, the Tea Party Republicans plan to adjourn next week for another 6 weeks after being here for 8 days. Instead of going on vacation, why don't we fix the Nation's business? Why don't we handle the business that we have to take care of?

We act like petulant children around here. These Tea Party Republicans stick to their obstinate demand to cut taxes for millionaires and turn Medicare into a voucher program. We can't afford to continue to handle our business like this.

Ladies and gentlemen, it's time for Congress to get to work. I think we should stay here and not leave for another 6 weeks, leaving the Nation's business hanging.

PROVIDING FOR CONSIDERATION OF H.R. 6213, NO MORE SOLYNDRAS ACT, AND PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Mr. SESSIONS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 779 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 779

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 6213) to limit further taxpayer exposure from the loan guarantee program established under title XVII of the Energy Policy Act of 2005. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed 90 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 112-31. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report,

shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. It shall be in order at any time on the legislative day of September 20, 2012, or September 21, 2012, for the Speaker to entertain motions that the House suspend the rules, as though under clause 1 of rule XV.

The SPEAKER pro tempore. The gentleman from Texas is recognized for 1 hour.

Mr. SESSIONS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman, my friend from Massachusetts (Mr. MCGOVERN), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. SESSIONS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SESSIONS. Mr. Speaker, House Resolution 779 provides for a structured rule for consideration of H.R. 6213. This rule provides for the discussion and opportunities for Members of the minority and the majority to participate in this debate.

I rise today in support of this rule and the underlying bill. The underlying legislation ensures that all American taxpayers will never again be forced to pay hundreds of millions of dollars because of this administration's politically motivated risky bets.

H.R. 6213 draws on the lessons learned from the failed Department of Energy Loan Guarantee Program, which invested \$535 million into a solar energy company named Solyndra. Unfortunately, Solyndra went bankrupt, leaving hardworking Americans with a check for over half a billion dollars.

Solyndra has become synonymous with the Obama administration's reckless spending programs that have done nothing to create the jobs our country so desperately needs, nor those that had been promised by the President of the United States and the Democratic Party. Despite warnings that the company was unsustainable and would

surely fail, the administration was blinded by their political agenda and committed over half a billion dollars in taxpayer dollars to a privately held company.

In fact, during a 2011 restructuring of the loan, the administration placed private investors ahead of taxpayers when it came to reimbursement in the event of bankruptcy. Given these practices, it's no wonder that our current President has created budget deficits in excess of \$1 trillion each year he has served as President.

In addition to ensuring that the Federal Government does not throw taxpayer dollars after the investments, H.R. 6213 also highlights the need of the Federal Government to stop proping up failed companies which cannot support themselves in the open market. The Federal Government should not guarantee hundreds of millions of dollars in taxpayer-backed loans to companies that do not have a business model that supports sufficient private investment. The administration should not pretend to be a venture capitalist with taxpayers' money.

In testimony before the Rules Committee yesterday, Congressman ED WHITFIELD, chairman of the Energy and Commerce Subcommittee on Energy and Power, testified that the DOE loan guarantee programs spent \$15 billion, but only created 1,175 jobs.

□ 1230

That means that each job created cost taxpayers \$12.8 million. These statistics demonstrate what House Republicans have been saying for years—this country cannot tax and spend its way to prosperity. Instead, we must encourage the free enterprise system by preventing over-regulation and promoting pro-growth policies, including tax policies that do not push jobs overseas, that create a better free enterprise system, that create not just jobs but also careers for Americans. And they should be designed to incentivize private investment, which is known, Mr. Speaker, as the free enterprise system.

Ultimately, the No More Solyndras Act puts an end to an ineffective government program, protects taxpayers from financing the administration's wish list of projects, and establishes necessary oversight to hold executive branch officials accountable for their actions.

I encourage my colleagues to vote "yes" on the rule and "yes" on the underlying bill, and I reserve the balance of my time.

Mr. MCGOVERN. I want to thank the gentleman from Texas, my friend Mr. SESSIONS, for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

Mr. Speaker, I rise in opposition to this structured rule. Yes, Mr. Speaker, the Republicans have brought up yet another closed process in what was

supposed to be a more open and democratic House. After 2 years of broken promises, we shouldn't be surprised by this action. And we shouldn't be surprised that the Republicans are bringing up this overtly political bill just 55 days before election. H.R. 6213, the No More Solyndras Act, is just political theater. It's a bill that's going nowhere. We know the Senate won't consider it. The only thing it does is give the Republicans another talking point to use on the campaign trail.

My friends on the other side of the aisle are trying to make it seem like there was a big conspiracy to inappropriately give money to Solyndra, a company that was trying to manufacture solar panels here in the United States. They claim that there was a political effort to award Solyndra funds in an improper, and possibly illegal, way. And in doing so, they are attacking a Department of Energy loan guarantee program that allows private investors to invest billions of dollars in order to create thousands of jobs here in America.

The Republican response to a company that went bankrupt after receiving Federal loans—a company that was manufacturing alternative-energy products here in the United States—was to begin investigations that turned into political witch hunts. And those investigations appear to have led us to this point by consideration of this bill that purports to end the loan guarantee program altogether. Of course, the reality is that those investigations have really been used as ammunition on the campaign trail.

But what the Republicans claim they're doing today and what they're really doing are two different things. They say that they're eliminating the loan guarantee program, getting rid of it completely. But what this bill really does is bar the Department of Energy from considering new applications submitted after December 31, 2011. That leaves \$34 billion in the pipeline for applications for the Department of Energy loan guarantee program that were submitted before December 31, 2011. And there's no deadline on when these applications must be approved.

Not only that, but most of the available loan guarantee funding is for fossil fuel and nuclear projects. That's right, Republicans are claiming to end this loan guarantee program but are still allowing it to spend tens of billions of dollars. And they are still picking and choosing the winners and losers by putting an artificial end date on the application submissions. The result will be billions more in loan guarantees for projects dealing with nuclear and fossil fuels like coal and oil and much less for wind, solar, and hydro projects.

America should be about innovation, about creating new things. We're the country that put a man on the Moon. We're the country that created the car,

airplane, and iPad. We should be fostering, not stifling, innovation, especially in energy like wind, solar, and hydro. Yet the Republican leadership is showing, once again, that political victory is more important than American success; that winning this election is more important than fostering American manufacturing and leadership in areas like alternative energy.

Mr. Speaker, this is just another example of how this Republican leadership likes to talk the talk but not walk the walk. In this case, they say they don't like the loan guarantee program, but they want their own pet industries to be able to use it. It's another example of how their rhetoric doesn't match up with their actions.

But we've seen this hypocrisy for years now. This is the same Republican Party that opposed the stimulus plan, but requested and touted funding from that same stimulus plan. In fact, Republican Members in this House have requested loan guarantees for businesses they support, including those in the nuclear industry; but they oppose this program for alternative-energy businesses that want to manufacture in America. And this is the flip-flopping that kind of makes my head spin.

It's clear that my Republican friends don't let the facts get in the way of their political argument. It's a fact that this loan guarantee program is a success. For example, this loan program has ultimately supported 40 projects that help keep 60,000 people employed during this economic downturn alone. It's also a fact that the Solyndra bankruptcy represented a fraction of the entire loan guarantee program. In fact, loans and loan guarantee programs only cost taxpayers 94 cents for every \$100 invested. That's a pretty good return on investment.

Mr. Speaker, I agree with the Republicans that Congress needs a robust oversight program that examines the executive branch and ensures that they are not overstepping their bounds. It's ironic that these Republicans are conducting a vigorous oversight plan of President Obama, but simply looked the other way when it came to the oversight of the Bush administration.

But there's oversight and then there's overreach. Republicans looked into this issue, they held hearings, and conducted an investigation. And despite their claims of political manipulation, there is simply no evidence of such manipulation. Don't take my word for it. Bloomberg Business Week reported that there was "no evidence of wrongdoing." And The Washington Post reported: "The records do not establish that anyone pressured the Energy Department to approve the Solyndra loan to benefit political contractors."

Mr. Speaker, we all know what this is. This is an election year stunt, political theater that is more appropriate

for the campaign trail rather than the House of Representatives. It's a bill that supporters claim will do something that it simply will not do. And this closed process is, once again, breaking Speaker BOEHNER's promise of a more open House.

This is a bad bill, it's a bad rule, and I urge my colleagues to vote "no" on the bill and the underlying bill.

Mr. Speaker, I just would like to close with one observation. We have just returned from a recess. If the rumor mill is true, we will only be in session for 8 days before the election. I'm hearing that we're going to probably give away the first week in October. And given the fact that we're here such a short time, one would think that this would be an opportunity to come together and to pass legislation that both sides can agree on—legislation that might, in fact, help stimulate economic growth; might, in fact, help put people back to work; might address some of the real challenges that the American people are facing. We don't have to agree on everything to agree on something. And that something we agree on, we ought to be able to come together and pass it.

Yet what we're doing during these 8 days is debating hot-button issues and bills that are going nowhere. This is a hot-button issue. They will be debating another hot-button issue later. Hot button, hot button, hot button. Never any legislation that has any real meaning in the lives of the American people.

Bring the President's jobs bill to the floor. Let us have that debate. Let us be able to have a vote on whether or not we ought to invest in our economy and invest in our people. My Republican friends are squandering this opportunity. I think one thing is clear, and I think it's evident by the low esteem that the Congress is now held in by the American people: the American people want us to work on their behalf. And I understand the lust in this place for political power and winning elections and winning elections. I used to think that good government was good politics.

But what we are doing here for these 8 days, with the exception of passing a continuing resolution, which is kicking the can down the road on a whole bunch of other budgetary issues, what we're doing these 8 days is nothing meaningful, nothing that matters to anybody. And I just think that that's a sad commentary on the leadership of this House.

With that, I reserve the balance of my time.

□ 1240

Mr. SESSIONS. Mr. Speaker, I yield myself such time as I may consume.

I know that our Democrat friends think it's absolutely nothing to lose half a billion dollars that a government made a decision on. But what they

really don't like is when we bring that up, when we say part of the job of being a Member of Congress as a policy body is to look at the mistakes that were made. We certainly have looked at mistakes that Republicans and Democrats, administrations and others, have made. But to ignore an issue would be a mistake.

This is not just Solyndra. It was the process of a political agenda that did not, could not pass the smell test and even make it out in the real world. It was a political agenda that was so wanted by an administration that they gave lots of money, not just half a billion here, but to other companies.

You know, today's legislation certainly highlights Solyndra as a failure in the DOE, Department of Energy's loan program, but it should be mentioned that there were other companies, not just Solyndra.

It's really a political process that said, Let's go do this thing whether it makes sense or not, whether it makes money. The companies went bankrupt.

Part of this comes from you've got a lot of people in the administration that wouldn't even recognize a business plan if they saw one. They do recognize taxpayer dollars, plenty of those that were made available by this excessive spending. But accountability is now what Democrats don't like when we're saying let's look at what happened, what materialized.

So Solyndra is not just a one-time or one-company failure of an otherwise what would be called a successful program. It's not. This simply became the poster child, and we believe that we shouldn't repeat this failure. We believe we should effectively talk about it on the floor of the House of Representatives. We should take some bit of time. We're not here beating anybody up. You never even heard me mention names behind the administration or who made these decisions or who pushed it. We're not trying to do that.

We're simply trying to say that we believe half a billion dollars, and a review of that, should become available in the light of day, to not just Members of Congress; but we should vote on it and say we drew a conclusion with some issues.

So we believe any objective evaluation of the facts reveals some issues of Federal dollars of a plan that should be stopped, has stopped, but that we should at least tell what the results were. That's what we're doing here today.

I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, you know what, one of the things that Speaker BOEHNER promised was a more open House and this would be a place where we could actually deliberate and various points of view would be heard.

I want to now yield 3 minutes to the gentleman from Texas (Mr. GREEN), the

ranking member of the Energy and Commerce Subcommittee on Environment and Economy whose amendment was not made in order, so he will not have an opportunity to debate it here on the floor.

Mr. GENE GREEN of Texas. Thank you for the time.

Mr. Speaker, Members, the original law that this bill amends today was actually created, the loan program, was in the Energy Policy Act of 2005, passed by a Republican Congress and signed by a Republican President. The law does need to have minor reforms, but this bill goes way too far.

The majority had the opportunity in our committee of Energy and Commerce to work in a bipartisan fashion to actually fix the problems with the loan guarantee program. I offered an amendment to the Rules Committee that had been supported by Republicans in our committee, but not a majority of the Republicans, to fix the problems with the program and find middle ground that would be suitable to both Democrats and Republicans alike.

But the majority chose a different path. They decided to forge ahead with a partisan messaging bill that stands no chance of becoming law even when it passes the House today. So despite the name, this bill will not prevent another Solyndra. It's the worst of election-year politics.

We had a chance to work together, something the American people want to see; and one of the things we were sent here to do was fix a broken program. Instead, we're playing more politics one more time.

The bill is bad policy. It doesn't do what conservatives want to do, so the Heritage Foundation opposes it. It doesn't do what the liberals want to do. It eliminates a well-balanced, bipartisan agreement struck years ago, so it isn't what moderates want to do. It's legislating without accountability.

The majority doesn't care that it's bad policy because it will never become law.

Instead, I urge my colleagues to find the bipartisanship. Let's take this opportunity to fix the problem that we see and craft a bipartisan bill. This is a chance to show our country that Congress can do things.

One of the reasons Congress has a 10 percent approval rating is we're not legislating. We're messaging. This is probably the worst example of it. We're talking past each other. This is a chance to show our country that Congress can do things. Instead, this partisan circus helps confirm the belief that Congress is broken, and it's working against the interest of the American people.

I urge a "no" vote on the rule and support a bipartisan effort to really make sure there are no more Solyndras.

Mr. SESSIONS. Mr. Speaker, I yield myself such time as I may consume.

I would like to go to the report. Let's see what the report out of the Energy and Commerce Committee said. I am quoting what would be on page 5:

However, the Bush administration did not approve any loan guarantees under the program. This was due partly to the fact that the DOE office implementing the program was slow in being set up, and that program funding only became available in 2007. But even after the Bush DOE had the program up and running, it ran into difficulties finding applicants whose energy projects are meritorious.

In other words, they could not find somebody who is asking for the loan who could present a good business plan of not just profit and loss, but where it would fit in the marketplace to even be considered successful. This is the reason why the Bush administration and Republicans did not do that because they could see failure in the marketplace written all over it even as early as 2007.

I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, let me again repeat for my colleagues what Bloomberg Business Week reported, and I quote again: "There was no evidence of any wrongdoing." The Washington Post reported: "The records do not establish that anyone pressured the Energy Department to approve the Solyndra loan to benefit political contributors."

I mean, you know, it's clear what's going on here.

Again, bringing this bill, a bill that's going nowhere—we heard about the bridges to nowhere; this is the legislation to nowhere—I think is bad enough, but then bringing it up under a closed process.

The gentleman from Massachusetts, the distinguished ranking member on the Committee on Natural Resources, had three amendments. All three of them were denied by the Rules Committee, including a Buy America provision. What a radical idea that we should make it in America and we should buy it in America. That radical amendment was denied by the Rules Committee. It's hard to believe.

With that, I yield 4 minutes to the gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. Mr. Speaker, in the history of this whole program, it was started for the nuclear industry. Pete Domenici, 2005. Why? Because there hadn't been a new nuclear power plant built in 30 years out in the free market so they needed the Federal Government to come in and prop it up on crutches. That's the only way it would work.

So when President Obama took over, he said, Well, maybe we should do something for solar as well. Of course, the coal industry, the oil industry, the nuclear industry, they recoiled in fear that there would actually be competi-

tion in the marketplace. When one solar company got in trouble, the Republicans pounced on solar. They pounced on wind. They pounced. That's why, by the way, the Republicans are going to allow the wind tax breaks to expire this year, but they're going to keep all of the oil tax breaks on the books.

So here we are today and they have something called the No More Solyndras Act. Ah. Except for the \$88 billion that they're going to grandfather in in terms of the application date that they have selected.

□ 1250

So, who qualifies for that? Well, \$76.5 billion would be the nuclear industry, \$11.9 billion would be the coal industry. Ah, I get it now. It's not the No More Solyndras Act; it's the "Only \$88.4 Billion More for Nuclear and Coal No More Solyndras Act of 2012." It's just the same kind of tilted playing field that the Republicans have always had. Nuclear, oil, coal, great. Wind and solar finally getting going—12,000 new megawatts of wind installed in the United States this year; 3,200 megawatts of solar installed in the United States this year—that puts the fear of the marketplace in the coal and the nuclear and the oil industry brain. So that's why we're out here with this "kill solar and save nuclear and coal" with this incredible amount of money.

Now, as the gentleman from Massachusetts said, I had an amendment that I requested the Rules Committee put in place, and that is that if your company last year lost \$540 million or more, you could not qualify for a loan guarantee. Remember, Solyndra lost \$538 million, so I picked \$540 million. And if your company is on the verge of being delisted by the New York Stock Exchange and has already reached junk bond status with S&P's and Moody's, come on, you cannot qualify. I mean, come on. We're not having Federal taxpayer money go to companies on the verge of being delisted and that have already reached junk bond status.

They all voted "no" in the committee. When I had my amendment put up before the Rules Committee, they rejected it. Now, why did they reject it? Because the United States Enrichment Corporation lost \$540 million last year; it's on the verge of being delisted on the stock exchange; it's reached junk bond status; but yet nuclear will qualify. So I said, well, we can't invest in that kind of a company.

As the gentleman from Massachusetts said, the same thing is true for buying American. If we're going to have these loan guarantees, let's at least make sure that they are American jobs. They wouldn't put that amendment in order as well.

This whole issue here is basically one of this favored oil-above-all agenda, not all of the above—not when you say

tax breaks for oil companies continue and wind companies die; not when you have loan guarantees that continue on for nuclear and coal, but not for wind, not for solar. It's just so transparent. It's just arithmetic, ladies and gentlemen. Solyndra loses 538, the Enrichment Corporation—nuclear—loses 540. The arithmetic is pretty simple: They both should not qualify. But not these guys, no, no.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. MCGOVERN. I yield the gentleman an additional 1 minute.

Mr. MARKEY. Not these guys, oh, no—no, no, no, because it's not marketplace. There's no rhyme or reason to it until you start to think about what has always been their agenda. That has always been the fossil fuel industry agenda.

I would abolish the entire program. You want to abolish this program? Abolish it. Put the vote out here, I'll vote for it. Get rid of the loan guarantee program, then let solar and wind and nuclear and coal and oil all compete in the free marketplace for private capital investment. You want to know what that would do? It would put the fear of Adam Smith in the heart of the nuclear industry because they would receive no private investment, none. It takes the Federal Government providing a crutch. So it then requires the Republican Party to take away the loan guarantees for the competition. Well, they're giving the loan guarantees, Federal taxpayer loan guarantees, to industries that otherwise could not get any money in the private sector. The United States Enrichment Corporation can't get any private sector investment. Nuclear power industry, this loan guarantee program—two for \$8 billion for a program that is already \$1 billion over the two Vogtle plants in Georgia. The whole thing is bad arithmetic for the American taxpayer.

Mr. SESSIONS. Mr. Speaker, we're now well into the political extremism that we see many times that exhibits itself not just here on the floor of the House of Representatives but really all across this country—those people that want gasoline to rise substantially because they really don't like gasoline. They really don't like the underpinning of how this country uses the energy that we have. Whether it's natural gas, they attack natural gas. If it's nuclear—which is a non-emitting source of pollution—they attack that. This crowd that really doesn't like free enterprise and what I believe is the heartland of this country, manufacturing, which has really taken off as a result of effective use of natural resources in this country through natural gas and the availability of nuclear power and the availability of oil, which fuels our cars to where we can use the resources that were given us effectively.

What they want to do is they want to tax these industries higher so that

prices go up, so that consumers have to pay a lot more money. What they forget is that the cars that we fuel, the electricity that we need is the cleanest and the best here in America. The way these are produced are American jobs. The way they're consumed is about American jobs. The way that consumers pay for them and pay for these advantages is American jobs. And here we're looking at how half a billion dollars worth of taxpayer money was put into an effort that not only not ever got off the ground, it quickly went into bankruptcy because it did not meet the marketplace challenges.

I'm not opposed to competition; I think we stand for competition. But don't push a narrow environmentalist policy, go to the White House, go to the Department of Energy and try and fund these on taxpayer dollars only to see that, whoops, we made a mistake, and then act like, whoops, we don't want anybody to know.

All we're trying to suggest today is that Republicans do believe in American jobs. We do believe in American industry. We do believe in the energy industry. We believe in effective use of resources because we're trying to keep jobs here. Their narrow, political, environmentalist policy is what will diminish American jobs, it will diminish our ability to effectively use the resources that we have in this country, and it will put us in a circumstance—for instance, with the Keystone pipeline—where we could use energy from a friendly neighbor to fuel American needs at a good price and avoid what may happen if we get into a circumstance overseas in the Middle East where we would be held hostage, held hostage by those that have the energy that we need, when we could be having it not only close to home, but in our own home, energy made in America.

So, Republicans, look, all we're trying to say is a half a billion dollars that was wasted, somebody ought to recognize that we shouldn't be doing that. That's what Republicans are doing here today.

I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, let me just respond by saying when the Republicans talk about jobs, I don't know whether to laugh or cry. Let me go back to what we were talking about earlier with Mr. MARKEY.

Mr. MARKEY had an amendment—let me read it. It would prevent guarantees from being granted unless the applicant certifies that at least 75 percent of materials and components required for construction, manufacturing, or operations are produced in the United States of America. Any facility at which construction, manufacturing, or operations are to be carried out must also be located in the United States of America. This amendment is not even allowed to be debated on this House floor. The Republicans in the Rules

Committee said: Absolutely not. Absolutely not.

So, if we're going to be talking about jobs, I mean, maybe we're here about different jobs. I'm talking about jobs in America; maybe my friends are talking about creating more jobs overseas. We need more jobs here. And if you're serious about that, why wouldn't you allow that amendment to be brought up and debated on the House floor?

With that, Mr. Speaker, I yield 3 minutes to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. This bill ought to be renamed the "No More Solyndras, But More Money for Nuclear White Elephants Loan Program."

My friends on the other side of the aisle like to talk about the free enterprise system, but I'm sure that you're aware that Wall Street won't invest in nuclear power. The nukes can't get money from the free enterprise system, so they want government to bail them out.

This bill claims to reduce wasteful spending on energy projects, but it's actually an attack on renewable energy. The real effect is laid bare by the effective date of the bill, which grandfathers the worst of the worst of the worst energy boondoggles.

□ 1300

Specifically, it allows nuclear power loan guarantee projects to proceed, even though some create exposure for the Federal Government of about 15 times the exposure created by Solyndra—and these programs, these nuclear loan programs, are more likely to fail.

One of the biggest loan guarantees for nuclear, not even necessary. This is not my assessment. It's the assessment of Kevin Marsh, the President of South Carolina Electric & Gas Company, which is attempting to build a new nuclear power plant. He said, on a call to analysts and investors:

We're confident in our ability to finance this project without a loan guarantee. It could be in the 8 to 10 billion-dollar range.

So the conflict here is, generally, Wall Street isn't investing. But you get a group of investors that think they can, but are they leveraging against the hope of government involvement? I don't know.

Truth is nuclear power plants are simply not viable without massive government subsidies, which eclipse subsidies for renewable energies by orders of magnitude.

The Congressional Budget Office has had this to say about nuclear loan guarantees:

The CBO considers the risk of default on such loan guarantees to be very high—well above 50 percent.

Dale Klein, former Chairman of the Nuclear Regulatory Commission, cautioned that nuclear plants will not move off the blackboard and into con-

struction, not as long as natural gas remains as cheap and plentiful as it is today.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. MCGOVERN. I yield the gentleman an additional 1 minute.

Mr. KUCINICH. An article opposing the bill, by Autumn Hanna and Henry Sokolski in the National Review Online, states:

The total number of projects this bill grandfathers isn't publicly available. Par for the course with this highly secretive program. We know it's a lot. Our research points to nearly 100 projects that claim to have applied.

If this was really about being fiscally responsible with taxpayers' money, we'd be targeting the projects that have the highest probability of failing and carry the highest price tag and preclude them. But the bill does the opposite.

What we should be doing is continuing our efforts to invest in renewables, understanding some of them may not work, but that's the future. It's cleaner. It's safety. It protects the globe. That's where the jobs of tomorrow are.

We have to stop China from eating our lunch on these alternative energy projects. We have to reclaim this for America. Bring the jobs here. Create the jobs here.

The money's there. Don't go giving it to nuclear. Nuclear is dead in the water unless government tries to resurrect it by giving away billions of dollars in taxpayers' money that will never be recovered.

Mr. SESSIONS. Mr. Speaker, I think it's very obvious that what Republicans are trying to do is to keep American jobs. We're trying to utilize the free enterprise system, the natural resources that we have in America—clean natural gas, the abundance of other power that we have, including coal, including nuclear—opportunities to keep America strong and keep jobs here, and that's why we're really opposed to the loan guarantees and the things which might take on additional debt and risk by the government. But, more importantly, if it can't be funded within the free enterprise system, then it can't stand on its own.

Mr. Speaker, at this time I'd like to yield 1 minute to the gentleman from California (Mr. MCCLINTOCK), one of my colleagues.

Mr. MCCLINTOCK. I thank the gentleman for yielding.

Mr. Speaker, this bill ends the title XVII loan guarantees that produced Solyndra and so many other alternate energy scams that cost Americans hundreds of millions of dollars while the politically connected perpetrators of these scams walked away wealthy men and women. But this measure does still put taxpayers on the hook to loan out billions of dollars more to at least 50

additional shady, alternate energy schemes that had been submitted under the same title prior to January 1. So there will be more Solyndras under this bill.

I'd offered an amendment to pull the plug on the applications, but I was told, Don't bother; the Rules Committee won't allow the amendment to be brought to the floor.

So I support the bill, but I do agree with my friend from Ohio that the title, "No More Solyndras Act," is a bit misleading. I would suggest an alternative, the "50 More Solyndras and Then We'll Stop Wasting Your Money, Really, We Promise, Act."

Mr. MCGOVERN. Mr. Speaker, I want to thank the gentleman who just spoke for pointing out how bad this rule is. He's on the other side of the aisle, and even though I disagree with the amendment he had, he ought to have been able to offer it to the floor. I hope that he will join with us in opposing this rule because I don't think his leadership will get the message if he rewards bad behavior by giving them a vote.

At this point, I would like to yield 3 minutes to the gentleman from Pennsylvania (Mr. FATTAH).

Mr. FATTAH. I thank the gentleman.

I'm opposed to the rule, I'm opposed to the bill, but I'm really opposed to the thinking behind this.

This is like a Back to the Future or the Flat Earth Society or something. I don't know how we would have a space program if one failure stopped the whole show. I don't know how—we would never. I mean, Michael Jordan was kicked off his high school basketball team, but he eventually learned how to put the ball in the basket.

The notion that, as the greatest Nation on Earth, we're going to cede to others alternative energy programs, that somehow we're unwilling to go through what is necessary to be successful in this field, doesn't make any sense.

Now, President Bush signed this into law. It's a great program. In fact, James Rogers, who's the CEO of Duke Energy, said just a few days ago that, in terms of energy, America is so much better off because of this administration's all-of-the-above strategy. For the first time in 30 years, we've got nuclear plants that have been licensed. We have natural gas. We've got oil. We have renewables.

I've supported these loan guarantee programs. And like any loan program, you might have some loans that perform and some loans that don't perform. The vast majority of these loans perform very, very well, and America is better off for it.

I was at the Israeli Embassy last night speaking to a group of scientists. They've been so far ahead of us on renewable energy it's a shame. We have seen what Germany's done on wind.

This party that is in the majority here, that wants to do away with the

wind energy credit, I don't know what the notion here is that somehow we, as a country, are not prepared to pay the price for progress. We have not won every battle in wars that we've been in, but we've won the war.

And so this a company in which things, the numbers didn't add up for us. It's like one of our rockets or satellites not performing properly. But the head of NASA says that we're not in a business in which we cannot take risks. We have to take risks. And when it comes to energy, our country has to be prepared to take risks.

Now, it was Albert Einstein who said we cannot use the same level of thinking to solve problems that we used to create these problems.

This country and our status as the leading Nation in the world requires us to take risks. And if this majority is so unimpressed with the ability of Americans and Americans to innovate and to compete in the renewable sector like others around the world who are also getting help from their governments, that is unfortunate. But, for me, I believe that America has to take risks. We're going to lose, we're going to win, but at the end of the day, as we learn and go forward, it will allow us to continue to be number one.

Mr. SESSIONS. Mr. Speaker, at this time, I have no additional speakers and reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield myself the balance of my time.

We ought to have a debate in this Chamber on energy, on an energy policy, whether or not we should invest in innovation, whether or not we should invest in renewable, green, clean energy. I believe we should.

My friends on the other side believe not just in the status quo, they believe in going backwards. They believe in investing, not in new technologies, but in the old technologies.

□ 1310

But we should have that debate here.

This bill really is not that debate, because this bill is a political stunt. It is not anything real. It is not anything that is going anywhere. This is just politics as usual, and that's what makes this so frustrating.

Mr. Speaker, I'm going to end where I began in my opening, which is to say we're only here for a few days. I mean, I've never been part of a Congress that has worked less than this Congress and that has produced less than this Congress. Today's Roll Call has a great piece: "Congress on Pace to be the Least Productive." Is that what my friends on the other side of the aisle are aspiring to—to be known as the least productive Congress?

We're back for these few days. We ought to do something meaningful for the American people. We ought to be debating a jobs bill. We ought to bring the President's jobs bill to the floor. If

you don't want to vote for it, vote against it, but at least we'd be doing something of substance. We ought to be extending tax breaks for middle-income Americans. Why would you leave town without making sure that middle-income Americans continue to get their tax breaks?

We ought to have a responsible farm bill passed and signed into law. As we're running out of time, we're told that's probably not going to happen at all. We ought to be talking about legislation that will actually strengthen this country, that will help improve the quality of education and give more access to education for our young people.

We are doing none of those things. We are squandering this opportunity. With the exception of passing a continuing resolution, which is tantamount to kicking the can down the road, these 8 days that we have been back in session have been useless. They have just been about politics. That is why the American people are so sick and tired of this Congress. That is why the approval rating is so low. They want us to come to Washington to legislate and deliberate on issues that will make a positive difference in their lives. Instead, what we have is the same old, same old—politics as usual. There has to be some common ground between Republicans and Democrats on energy. Let's find that common ground and move forward. Enough with the political stunts. It is time to start doing the people's business, and this is not it.

So I urge my colleagues, Mr. Speaker, to vote against this, again, restrictive rule that denies a multitude of amendments, including an amendment that would make sure the jobs that we are talking about are in America. Buy American. What is so wrong with even debating that? We're not even given that opportunity. So vote against this restrictive rule, and vote against the underlying bill.

I yield back the balance of my time.

Mr. SESSIONS. I yield myself the balance of my time.

Mr. Speaker, obviously, we can see that today's legislation answers the question. It ends the debate about Solyndra. Taxpayers know the committee did its work. It held a Rules Committee hearing. Half a billion dollars was lost by Solyndra. We're not down here jumping up and down. We haven't even raised our voices. We simply said that we think that a better process could have taken place, and they're arguing we never should have even had this on the floor—that we don't need any feedback, that everybody already knows. Here is what they know.

We lost half a billion dollars by one company. At least two others had the same outcome where they did not produce anything. They went belly up—bankrupt. We just think that the

administration—government—is really not in the business and shouldn't be in the business—despite what we've heard—of pushing the envelope. Let's go out and invest whether it makes sense or not.

Losing money is still a bad proposition. Republicans think it's a bad proposition. There have been lots of arguments today that the government did the right thing, that this administration did the right thing. I think that the facts of the case say that half a billion dollars in a process that didn't work—we need to hear the feedback, and we need to close the books on it. The rule is here to do exactly that—to place on the floor the opportunity for us to debate now the facts of the case, which is exactly what will happen.

I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. MCGOVERN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

PROVIDING FOR CONSIDERATION OF HOUSE JOINT RESOLUTION 117, CONTINUING APPROPRIATIONS RESOLUTION, 2013; AND PROVIDING FOR CONSIDERATION OF H.R. 6365, NATIONAL SECURITY AND JOB PROTECTION ACT

Mr. WOODALL. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 778 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 778

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the joint resolution (H.J. Res. 117) making continuing appropriations for fiscal year 2013, and for other purposes. All points of order against consideration of the joint resolution are waived. The joint resolution shall be considered as read. All points of order against provisions in the joint resolution are waived. The previous question shall be considered as ordered on the joint resolution and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations; and (2) one motion to recommit.

SEC. 2. Upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 6365) to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to replace the sequester established by the Budget Control Act of 2011. All points of order against consideration of the bill are waived. The bill shall be considered as read.

All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on the bill and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on the Budget; and (2) one motion to recommit.

The SPEAKER pro tempore. The gentleman from Georgia is recognized for 1 hour.

Mr. WOODALL. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to my good friend from Florida (Mr. HASTINGS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. WOODALL. I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. WOODALL. House Resolution 778 is a closed rule for the consideration of two bills, H.R. 6365, which is the National Security and Job Protection Act, and H.J. Res. 117, which is the Continuing Appropriations Resolution for FY13.

Mr. Speaker, I'm a freshman on the Rules Committee. It's a good committee to be on. I enjoy it. I get to work with learned Members like my friend from Florida, who is across the aisle, but it falls to me to handle continuing resolution bills. As you'll remember, when we showed up at the beginning of 2011, there was a lot of unfinished business from 2010, and we went right into continuing resolution act to continuing resolution act to continuing resolution act—sometimes 2 and 3 weeks at a time. That's no way to run a government. It's no way to have a Congress.

My friend from Florida and I disagree on a great deal of policy, but we believe that a deliberative process yields better results than the "right here, right now, hurry up and wait" kind of mentality that this body so often adopts. So what we've done here today with this bill, with this H.J. Res. 117, is to say we understand that the appropriations responsibilities of this Congress have not yet been completed. The Constitution gives this Congress—not just this body, but this Congress—the responsibility of providing appropriations for this Nation.

Now, as the Speaker knows full well, this House has set about getting its business done. We divided those appropriations bills up across a number of bills. The Commerce-Justice-Science bill passed this House with a bipartisan majority. It went to the Senate, and the Senate had no floor action whatsoever. Mr. Speaker, you know that the

Energy and Water bill passed this House with a bipartisan majority. It went to the Senate, and the Senate did nothing with it whatsoever. You know that the Homeland Security bill passed this body—again, with a bipartisan majority. It went to the Senate, and the Senate took no action. I can go on and on and on. There is the leg branch bill, the military construction bill, the defense bill, on and on and on.

So here we are. We don't have control over the Senate. We only have control over what goes on here in this body, and I've got to tell you that I'm proud as a freshman that we've set about getting our business done. With one deliberative bill at a time and one open rule on appropriations bills at a time, we allowed every Member of this body to come to the floor to offer their amendments and to have their voices heard in order to produce the very best work product that we could produce. I might add, Mr. Speaker, that we did that at a funding level even lower than what the American taxpayer asked of us in the Budget Control Act. I'm very proud of that work.

□ 1320

But in the absence of the Senate taking action, Mr. Speaker, we have to move on. The American people are going to have a referendum in this country. They're going to have a referendum on what fiscal responsibility means.

We're going to have an election in November, and new House Members are going to come and new Senate Members are going to come. The administration may change. We're going to have that opportunity for all of us as citizens to speak out in November and choose a path for 2013. But our business today, Mr. Speaker, is making sure the doors stay open moving into 2013.

As my colleagues know, in the absence of action, Mr. Speaker, government offices begin to close on October 1 of this year, one by one—national parks, veterans services, Social Security services, Medicare services. That's not the kind of governing responsibility that we all swore an oath to uphold.

So I'm pleased to be here today, Mr. Speaker, to bring this rule to the floor to say, yes, we have gotten our work done in this House, but we've been stymied by the leadership in the Senate that has not scheduled votes on these bills, but we will not allow the American taxpayer and American citizens to pay the price of inaction by the United States Senate. We will make sure that government services continue with this great referendum that this great Republic will have in November. It's a 6-month continuing resolution, Mr. Speaker, and it will solve that need.

This rule also, Mr. Speaker, provides for consideration of H.R. 6365. It's called the National Security and Job

Protection Act, but what it is is a sequester replacement bill. Mr. Speaker, I don't know that I've ever been more disgusted in my 18 months in this body.

We came together here in this House in a bipartisan fashion. We passed the Budget Control Act, which gave six House Members and six Senate Members—six Republicans, six Democrats—12 Members of this Congress, esteemed Members of this Congress, talented, bright, conscientious, American-loving Members of this Congress, an opportunity to look at our entire budget. They didn't just look at the \$3.8 trillion that we'd spend this year, Mr. Speaker, not just that \$3.8 trillion, but next year, and the year after that, and the year after that, well into the three-generational window. It was hundreds of trillions of dollars these 12 men and women had an opportunity to look at to find bipartisan agreement.

About 4 months they worked on that project, Mr. Speaker, and you know how that story turns out. After 4 months of labor by 12 of the brightest, most conscientious Members of this body—six Republicans, six Democrats, six House Members, six Senate Members—looking at hundreds of trillions of dollars in tax expenditures in social programs, in taxes and tax cuts, they agreed on absolutely nothing. Not one dollar out of hundreds of trillions did they come together on. That was a tremendous disappointment.

As you know, Mr. Speaker, in order to try to bring agreement to that body, we passed legislation that implemented what they called the sequester, to say, if against all odds this joint select committee were to fail—candidly, it was not on my radar screen that they would. This was a solemn responsibility. These were talented Members who were assigned to it. But if they were to fail, we would implement automatic spending cuts that would achieve the kind of budget reductions that every American knows that we need. The problem in this town is spending, and the sequester said we will not fail on this opportunity to address it.

Well, that sequester goes into effect in January of next year, and hardest hit will be the United States military. Again, this was a device that was put into place not because folks thought it was the best policy in the room, but to be there as the hammer to say surely this 12-member committee, this joint select committee will come to the agreement that will bring us back from this fiscal cliff. They didn't. Now this sequester hangs over the head of not just the United States military, but over Medicare, over social programs.

Again, Mr. Speaker, I'm just so proud to be a freshman Member of this House. This House said back in the spring that is an unacceptable outcome. It was never intended to be the outcome. No one ever desired that it be the outcome, and we can change that outcome.

So we passed a sequester replacement right here in this House that went into mandatory spending programs, which is where the real problem is in the budget, as we all know, and said let's replace the sequester that may harm defense—cuts that are going to deal with our military, that are going to put our national security at risk, and let's replace those with spending reductions that make sense.

Again, we passed that in the House. The Senate has taken no action whatsoever.

I don't mean to suggest, Mr. Speaker, that they've taken no action on our bill. They most certainly have not. They're under no obligation to. It's the right thing to do, but they're under no obligation. They are under an obligation to do something about it. They are under an obligation to stand up and listen to the same constituents that my colleague from Florida and I listen to to say there must be action. We must prevent this tremendous threat to our readiness, to our troops, and to our troops' families.

This bill, introduced in this body by Colonel ALLEN WEST of Florida, gives us an opportunity to do just that in the bipartisan, open-minded way that I think has characterized the 18 months that I've served in this House because of the leadership of folks like you, Mr. Speaker. It doesn't say you have to use the House-passed bill already.

Was it a good bill? Absolutely. Was it the right answer? I believe that it is.

But what it says is use the House-passed bill or use something like it. If you can find a better plan, if the Senate, in its wisdom, can find a better plan, that's going to work, too. It's not our way or the highway. It's that we know that there's a right way and a wrong way to deal with our budget challenges, and we want to do it the right way.

Mr. Speaker, I rise in strong support of this rule. I rise in strong support of the two underlying provisions, as well. I look forward to the debate on that this afternoon. We're going to be able to debate these individually, which I believe is the right way to handle questions of this magnitude and this importance.

With that, I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank my good friend from my neighboring State of Georgia, whom I consider to be one of the most conscientious, hardworking individuals in the Congress, and I appreciate the fact that he's 18 months here in the Congress. He and I know that he understands this institution considerably, having worked here for a number of years, and I'm grateful the process allows and he has allowed that I receive the traditional 30 minutes.

Mr. Speaker, this rule provides, as has been said, for consideration of two bills. To identify them again, H.J. Res. 117 is the Continuing Appropriations Resolution, and H. Res. 6365 is the National Security and Job Protection Act.

When my colleague began his remarks, he said the magic words, "This is a closed rule." When I was, as he, 18 months in the House in 1992 and I would be on radio, people were talking about how awful it was that the Democrats had so many closed rules. The Democrats lost the election that following year in 1994, and one of the leading reasons was closed rules. Yet we find ourselves on something as important as the financial circumstances of this country coming to the floor at the 11th hour with a closed rule, and, in fact, not having many more days that we are scheduled to be here, but having absolutely no reason why we could not be here at any point in time between now and the time that our financial circumstances would begin to be, as they are, much worse. Maybe the Republicans should have added a third entitled resolution. I would call it the "No More Getting Anything Done in This Congress Act," because that is the message of this particular package.

This continuing resolution is merely a reminder that my friends in the majority were unable to complete work on the regular appropriations bills.

□ 1330

Instead of devoting congressional time to tackling the needs of essential government programs, Republicans have spent the summer trying to repeal the health care law, giving away benefits to the oil and gas industry, and chipping away repeatedly at women's rights.

Now, my colleague is correct in many respects to point out that the other body presents us with challenges, but it is not as if the other body has not done something. Let me tell you one of the measures that I have a continuing interest in because of my constituency, and that is that the Senate has passed a farm bill for a 5-year extension.

What my colleagues or leadership on the Republican side will not do is put that farm bill here on the floor even though we are faced in this country with a residual from one of the worst droughts that America has ever experienced. Even though food prices for all of the people in this country are continuously rising, here we are with this time that the chair of the Agriculture Committee and the ranking member begging the leadership, cannot find time for it to be on this floor. Instead of devoting our time to tackling the needs of essential government programs, we decide that we're going to attack women's rights.

Now, suddenly, you seem to have awakened to the looming, described,

fiscal cliff. It's kind of good that you've noticed; but rather than address this challenge head on, the Republicans are pushing a bill that doesn't do anything. The sequester replacement does not actually prevent the sequester with a prudent mix, and every panel that has looked at this says that we have to have a prudent mix of spending cuts and revenue increases. What the Republicans simply do is kick the can down the road, which is no surprise.

I said in an earlier Rules meeting, and it was during the Olympics, that if kicking the can down the road were an Olympic sport, then Congress and the Republican majority would win gold, bronze, silver, and tin. This poor can doesn't have much more space to be kicked on, and I can tell you it places the burden on someone else to deal with this in the future. And this is what my Republican colleagues would call fiscal responsibility?

We got into this mess because of the massive deficits the Republicans piled on this country. Two wars in the Middle East not paid for, huge tax cuts for the wealthiest Americans—for those among us that are in a high-paying position—and huge, unpaid prescription drug benefits are all things that Republican Members in this House voted for despite the huge costs that would be imposed.

In fact, just 61 bills have been signed into law this year, the fewest in more than 60 years. In all of 2011, only 90 bills were signed into law. When Democrats controlled both Chambers in 2010, 258 bills were signed into law.

Now, I don't want to sound like I'm the only person who is making this observation that is being made. Let me cite two people, especially here inside the Beltway, that have made this observation, and that are generally respected as nonpartisan and accepted as experts by Republicans and Democrats.

We on this side are not the only ones who have noticed the lack of productivity that I just identified with the 61 bills. Norman Ornstein and Thomas Mann wrote in a Washington Post column, the two gentlemen, and I am quoting them:

We have been studying Washington politics and Congress for more than 40 years, and never have we seen them this dysfunctional. In our past writings, we have criticized both parties when we believed it was warranted. Today, however, we have no choice but to acknowledge that the core of the problem lies with the Republican Party.

That's from two particularly nonpartisan observers that everybody around here recognizes as experts. Now we are asked to support the Romney-Ryan vision of America, which ignores any responsibility for today's economic difficulties and instead demands that those who have the least in this great country should sacrifice the most. While Republicans last year were fighting tooth and nail to default on our debt obligations and crash the econ-

omy, millions of Americans were fighting to keep their jobs and millions lost them.

Millions of Americans were fighting to pay off their mortgages, and millions could not pay them. Millions of Americans were seeking access to quality health care, and they could not afford it. Millions of children of parents who wanted them to go to college are finding themselves without the capacity to get a decent education largely for the reasons that I have suggested.

But under the Romney-Ryan vision those priorities should take a back seat to increase defense spending, and yet give more tax cuts for the wealthiest among us in our society. When it comes to Medicare and Medicaid, student loans and public safety, the Republicans are quick to dismiss billions of dollars in essential funding with a wave of their hand and the crocodile tears of deficit reduction. But when the defense contractors stand to lose just \$1, Republicans suddenly find their fighting spirit and cry about a weakening America.

It's a shame, Mr. Speaker, that Republicans can't shake off their do-nothing indolence to fight as hard for all Americans as they do for the richest.

We have a long list of programs, tax cuts, and activities set to expire at the end of this year; but rather than confront those challenges head on, Republicans are wasting our time with do-nothing bills. I suppose that when you have absolutely no ideas to offer besides tax cuts for those that are better off among our society, you may as well campaign on a platform of "we have no ideas or even a plan to offer." But the American people need and deserve much more.

Mr. Speaker, I reject the Republican notion that a do-nothing Congress can help grow our economy, create more jobs, and address the many challenges facing this Nation from crumbling infrastructure to the impossibly high cost of education; and I also reject the Romney-Ryan vision that the only solution, at least that they have offered to these challenges, is tax cuts that help the rich and increase military spending.

My Republican colleagues paint a very pessimistic vision, Mr. Speaker, of a country where it appears to them that we have given up on trying to better everyone's lives and instead use the public's resources to enrich those who have already made it.

But I believe differently. We can afford to invest in our future. We can afford to create jobs. We can afford to make the choices now that will reap benefits for future generations—right now.

I reserve the balance of my time.

□ 1340

Mr. WOODALL. Mr. Speaker, I yield myself such time as I may consume,

before I yield to my freshman colleague from Pennsylvania, to say to my friend from Florida, I don't think you heard the word "Democrat" come out of my mouth during my presentation except to talk about those things on which we cooperated together. There are absolutely challenges in this Chamber, but the challenges I'm talking about are challenges with the United States Senate.

Democrats and Republicans in this body came together to pass 7 of the 12 appropriations bills this cycle. We began back in April. Far from being an 11th-hour solution, we began, as the Constitution requires us to begin, one piece of legislation at a time in the most open process this body can implement, Mr. Speaker, where every Member of this body gets to offer any amendment that they desire. Seven appropriations bills we've moved through this body, Mr. Speaker. And then it became apparent, as the Senate has moved not one of 12 bills, that that process was going to be fruitless—fruitless.

Again, is that what the American people want from us? Absolutely not. Are we doing what the American people deserve in this body? Absolutely we are. In my 18 months, I have not found it to be a Republican-Democratic problem. I've found it to be a problem of ideas.

I said to my friend from Florida, I know that he believes in his heart every single word that he has just enunciated. He speaks for inspiration, Mr. Speaker. I have the great pleasure of sitting behind him on the dais in the Rules Committee, so it's always his words that inspire me before it's my turn to take the microphone.

My constituents back home, they say, ROB, what have you learned in 18 months with a voting card? I said, What I have learned is it's not theater on the other side of the aisle. Folks aren't taking to the microphone for their 15 seconds of fame on television. They're taking to the microphone with heartfelt beliefs that they know in their heart to be a reflection of their constituents back home.

And so as we hear two different presentations about what it is we're doing today—a presentation that suggests it's an 11th-hour, last-minute process versus that presentation that says we've done it all right in the openness of day, and here, 4 weeks before the deadline approaches us, we are going to take action to make sure that uncertainty does not further slow this economy.

I'm told, Mr. Speaker, that the fewer days Congress is in session, the higher the stock market goes because at least nothing bad happens here. We're the problem, Mr. Speaker. Government is not the solution. Government is too often the problem.

The last Congress that passed as few bills as this Congress has passed, it was

the 104th Congress, when Republicans took control of this House for the first time in over 60 years, because they were elected then not to expand the size and scope of government but to improve the size and scope of government, to reform those processes.

What my friend from Florida says about 2005, 2006, unfunded priority after unfunded priority, I'd love to tell him he's wrong, but he's absolutely right. He's absolutely right. The American taxpayer knew it, and Republicans in this Chamber paid the price for it in the very next election. That's the ace in the hole for America, Mr. Speaker, the American taxpayer. They're paying attention to what happens here.

My colleague may believe that we're on the wrong track. I'll tell you, in 18 months, I've never been more proud for what this institution has done. We're going to find out when the American taxpayer speaks out in that referendum November 6.

With that, Mr. Speaker, there are 87 new freshmen in this freshman class and two more added. I yield 2 minutes to a freshman colleague from Pennsylvania (Mr. MARINO).

Mr. MARINO. Mr. Speaker, I rise today regarding the Continuing Appropriations Resolution.

This week's violent ambush at the United States Embassy in Cairo and the brutal attacks against U.S. diplomats in Benghazi serve as a blunt reminder that countries in the Middle East have been increasingly unstable and anti-American. The brutal attacks also emphasize the fact that the United States cannot continue to use taxpayer dollars to bankroll countries, with no conditions. We should immediately suspend all funding for those countries that refuse to meet strict conditions and fail to take adequate measures to prevent the loss of American lives.

Egypt has been one of the five top countries receiving the most U.S. aid over the past decade, and President Obama said he doesn't think we would consider Egypt an ally. Certain countries continue to serve as a safe haven for those who wish to cause harm to Americans and tear down our fundamental principles of freedom and liberty. Such actions merit repercussions, not a continued free flow of American tax dollars.

When our Nation has a debt of more than \$16 trillion and people in my district in Pennsylvania are struggling to find jobs to support their families, it is past time that we reconsider funding to people that wish harm on the United States. It is time to end the practice of appeasement and take a staunch position regarding Libya, Egypt, and others in order to ensure a more calculated, tactful approach.

Mr. HASTINGS of Florida. Mr. Speaker, before yielding to my good friend and colleague, Mr. MCGOVERN, I would just urge my colleague from

Pennsylvania to know that all of us are mindful, and rightfully should be concerned, about what's transpired in the Middle East. But he cites to one set of finances, and I would urge that he look at how and why the United States is involved in a compact with the Egypt military for the moneys that are distributed there, and not base it on what is happening today but look at what has happened throughout the years to assist in stabilizing that area. It didn't just happen overnight. It happened as a result of a serious compact in peace negotiations.

I am very pleased to yield 3 minutes to my good friend, the gentleman from Massachusetts (Mr. MCGOVERN).

Mr. MCGOVERN. I want to thank my colleague for the time, and I rise in very strong opposition to this rule and to the underlying legislation.

Mr. Speaker, if I could create a rule that would best sum up the Republican leadership of this House over the past 2 years, this would be it, because this rule represents everything we have seen over the length of this Congress. It's a closed rule that stifles debate, and it's a rule that makes in order partisan, meaningless legislation that will do nothing—absolutely nothing—to address the real issues facing the American people.

I voted against the sequester because it was a lousy idea and a terrible way to run a government.

But let's be clear: This bill does not stop the sequester. It simply kicks the can down the road once again and prohibits any effort to address our fiscal situation that raises a single dime of revenue. The Republican approach is not fair, it is not balanced, and it stands no chance of becoming law.

Meanwhile, back in the real world, the American people are wondering why Congress isn't focused on their concerns. Where is the comprehensive jobs legislation, like the Make it In America plan? Nowhere to be found. Where is the middle class tax cut bill that passed the Senate? Not on this House floor. Where is the bipartisan farm bill and drought relief bill that passed the Senate, or the Violence Against Women Act or postal reform? Not here on this floor. Where is the big, bipartisan, balanced plan to reduce the deficit? Not here. And where—and this one really bugs me, Mr. Speaker—where in the world is a full and fair debate on the war in Afghanistan?

It's absolutely stunning to me that Governor Romney accepted the nomination of his party and asked the American people for their votes to be Commander in Chief without even mentioning the longest war in U.S. history, a war that continues to do this and continues to claim the lives of American servicemen and -women, a war for which we are borrowing tens of billions of dollars every month.

Apparently, the Republican leadership of this House would like to ignore

these big issues and instead focus on meaningless sound bites for their 30-second political commercials. It is no wonder that the public has the lowest regard for Congress in history. I guess the Republican plan is to do next to nothing and to get out of town as quickly as possible—even though we just got back from a 5-week recess—and hope that the American people don't notice we were even here.

It's a sad day for the people's House, Mr. Speaker. And let me remind my colleagues, Mr. Speaker, this is the people's House. It is not the House of Big Oil, it is not the House of Big Banks, Big Business, or special interest super PACs. This is the people's House, and I hope the people take it back.

I urge my colleagues to reject this rule.

□ 1350

Mr. WOODALL. Mr. Speaker, I yield myself such time as I may consume.

I'd just like to remind my colleague from Massachusetts how we ended up here; and, again, we ended up in a way I think that we can all be proud of.

Take ourselves back to April of this year. Again, this is the 2013 funding bill we're talking about. We sit here in September of 2012, we're talking about funding 2013 spending. We began this process back in April on the floor of this House, bill after bill after bill passing in a bipartisan way.

The Military Construction, Veterans' Affairs bill, Mr. Speaker. What could be more important and what could be more bipartisan? Passed this House 407-12. We went through that bill, Mr. Speaker. We went to every single Member of this Chamber. Not just 435, Mr. Speaker. We went to every delegate as well and said do you have a voice that needs to be heard on this floor on this issue and gave every Member that opportunity.

At the end of that, Mr. Speaker, which was just a free-for-all of democracy right here—it was our Republic at its best—this House came together, 407-12, to pass that bill. Mr. Speaker, 226 Republicans, most of our number, 181 Democrats, most of their number, passed that bill—407-12 for our military and our veterans. That bill didn't see the light of day on the Senate side, Mr. Speaker.

Our failure to pass this continuing resolution today sees those dollars go to zero. Far from being an abdication of responsibility, this is the height of taking responsibility. Abdication of responsibility has already happened. I can't fix it. I can't change it. We did our business here in this House. But we are being held hostage. And by "we," I mean we, the citizens of this country. I mean "we," the voters of this country. Those with the priorities of this land, we are being held hostage by a Senate that is finding other priorities, priorities other than military construction and our veterans.

Mr. Speaker, it doesn't end there with Military Construction. It goes on. It goes through Leg Branch appropriations, Homeland Security appropriations, Energy and Water appropriations, Transportation and Housing and Urban Development appropriations.

How about Transportation and Housing and Urban Development, Mr. Speaker? I mean, when you listen to some of the voices on this floor, there's a reason, there's a benefit to being a Southerner and talking slow. It gives your blood pressure time to come down just a little bit before the words begin to come out of your mouth, because Transportation, including mass transit, Housing and Urban Development, those programs for the neediest among us, passed this House 261-163 in a huge bipartisan majority; 182 Republicans, 79 Democrats came together to say let's focus on the priorities of our constituents back home.

Transportation and Housing and Urban Development. Let's move that bill through this body. Again, Mr. Speaker, in the most open process this institution can imagine where every single Member has a chance to be heard, where every single Member can offer their amendments right here in the well.

There are no voices that are being quieted here. We all represent American citizens back home. It's their voices that get shut out.

Do we have a closed rule today on this continuing resolution? We do.

I think back, Mr. Speaker, I know you do, too, to H.R. 1, back in the spring of 2011. It's the only continuing resolution I've ever known of that came under an open rule, and boy did we have a show of democracy here.

It began on a Tuesday, Mr. Speaker. Congress was supposed to adjourn by Thursday afternoon; but by early in the morning on Thursday, it was clear we were nowhere near done. As a freshman, I was a little cynical about this process. I had a suspicion the leadership was going to close that process down because Members had planes to catch and events to go to, and after all, all it was was a continuing appropriations bill.

You know what this leadership said, Mr. Speaker? They said not on our watch. We're going to go into Thursday night. And I don't mean Thursday night at 9. I mean Thursday night past midnight. We're going to go all night long. We're going to go all night long into Friday. We're going to go Friday to noon and Friday through dinner and all night long on Friday night. We finished at 5 a.m. on Saturday morning.

Mr. Speaker, I jumped on the first flight out of National. Flew home. Did a town hall meeting no later than 3 hours after we adjourned that Saturday morning. I was on fire because this House gave every single Member a chance to offer every single amend-

ment that their constituents would have them do. That was extraordinary.

We can't do that every day. We can't go marathon sessions 5 days, day and night. I'm young and vigorous, Mr. Speaker, but I've got to tell you, some folks may not be able to handle it. I'm with you, Mr. HASTINGS, if you're ready to go those days and nights. I'll do them with you.

But we did that, those 12 appropriations bills. We did that in this body. Not all in one package, but one at the time, at the time, and the Senate said no.

Our choice here today is do we close the doors at these agencies? Do we close the doors on these social services? Do we go through another one of those government shutdown scenarios that benefit absolutely no one, or do we do the right thing which is observe our budget caps, continue to reduce spending? That's right, Mr. Speaker, you know as well as I do on these appropriations bills, on this discretionary spending we spent less in 2011 than they spent in 2010. We spent less in 2012 than we spent in 2011. And if we pass this bill, we'll spend less in 2013 than we spent in 2012.

It hasn't happened since before World War II. Three years in a row, Mr. Speaker, of this body coming together and telling the American people we can do better with less. That's what this bill is about today, Mr. Speaker.

Again, strong supporter of this rule. Strong supporter of the two underlying measures.

I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself such time as I may consume.

My good friend from Georgia speaks out of both sides of his mouth. On the one hand, you're saying that we began this process open and this democracy flourished, and you were so passionate about it until when we left at 5 a.m. in the morning you rushed home and you were on fire.

I'm curious to know when we finish up here, ostensibly tomorrow afternoon, what is it that would cause us not to be able to be here and allow, as you put it, every Member to have his or her say for their constituents on this measure?

But, no, we're here on a closed rule.

I understand that the government has to continue and that's why we are doing a continuing resolution, but I also know we could have done an omnibus bill, and I also know that my colleague and others were the ones that caused this country to come to the brink and our credit rating to be assaulted; and you are going to tell me that we can't stay here tomorrow, that we can't come back here after the holidays or tomorrow and stay here if need be to get this done?

But, no, we're doing it now before April so that when we come back, we

will be faced with the same crisis, and the only thing that's going to change is the faces and the places that the people come from, and all I'm saying is let's do it now. Let's do those things that you were talking about. And if it requires 5 a.m. in the morning, let's do it at 5 a.m. in the morning. I'm 76 and I'm still staying up. I don't know about you.

Mr. WOODALL. Will the gentleman yield?

Mr. HASTINGS of Florida. I yield to my colleague from Georgia.

Mr. WOODALL. I'm grateful to my friend for yielding.

I'd say to the gentleman, I think we would be here until 5 a.m. yet again. But our experience, as was our experience on H.R. 1, is time and time again we do the people's work here and the Senate says, no. I have had no indication from the Senate that they will accept anything in that body except this continuing resolution.

Mr. HASTINGS of Florida. Reclaiming my time, first I ask my colleague. You know and I know you have farm interests in Georgia the same as I do, not necessarily the same, but we have farm interests in Georgia and farm interests in Florida. The Senate did pass the farm bill.

Can my colleague tell me why we don't have the farm bill on the floor during all of this period of time? We could at least do that in light of the disaster relief that took place.

Mr. WOODALL. If the gentleman will yield?

Mr. HASTINGS of Florida. I yield to my friend.

Mr. WOODALL. I'd say that I regret I'm not high enough up the chain to know all the strategic decisions, but I will tell you that the bill that came out of the Senate is a sad 2-year bill that provides absolutely no certainty to any of the farmers in my district. It spends more and provides less certainty.

□ 1400

The farmers in my district say, ROB, we need a farm bill, but why can't you do it right? And I know my colleague would agree with me.

Mr. HASTINGS of Florida. Where did you get the number 2-year rather than 5-year bill from? Because the 5-year proposal is what the chair of the Agriculture Committee, your and my colleague, Mr. LUCAS, is seeking to offer. But I don't want to get us caught in the weeds.

Let me go ahead and yield 2 minutes to my friend, the distinguished gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. Could I inquire of the Chair how much time remains?

The SPEAKER pro tempore. There are 10 minutes remaining for the gentleman from Florida.

Mr. KUCINICH. I thank Mr. HASTINGS for the opportunity to rise in opposition to the rule for the CR.

The continuing resolution contains \$99.9 billion in the Overseas Contingency Operation funds to continue the war in Afghanistan and to fund other operations in the so-called "war on terror." This is on top of over \$1.3 trillion we've already spent in waging war abroad.

This is a war that costs U.S. taxpayers \$2 billion a week. It's a war that, according to the Congressional Research Service, has cost the lives of nearly 2,000 U.S. servicemembers and has resulted in another 17,519 being injured, yet the war seems to have fallen from headlines and our national conscience, and this is wrong.

We cannot afford another \$100 billion on a war that will never result in stability in Afghanistan or the region. This war against Afghanistan boomeranged against the Soviet Union; it's boomeranging against our country.

When you look at the amount of money that is being spent—not just for the war, but for the United States Pentagon, we're looking at a fiscal '13 budget of \$613 billion, spending more money than every other country in the world almost combined for so-called "defense."

Now, we have an obligation to defend our country, but we also have an obligation for housing, for health care, for education, for retirement security. If you're concerned about Congress regaining authority under article I, section 8, then we should be voting to end this war right now by striking the money for it. If you're concerned about the debt, then we should be voting to end this war by taking money away from funding and then you could contribute that to resolving the debt. If you're concerned about emboldening radicals in other countries who are following in on the wake of our invasions, then we should be taking the money out of this for more war. If you're concerned about the budget, that it doesn't have enough for jobs and housing and health care and education and energy and the environment, then end the war now, vote against it. If you're concerned about America taking steps to create peace, then we should get this money out of this budget which creates more war.

This is time for us to reclaim our country, which we're losing not just to war, but to a national security state like yesterday when we voted as a House—I voted against it—to empower security agencies to be able to intercept the phone calls of anybody in the United States who makes calls internationally.

We have got to reclaim our Nation. This CR doesn't do it. This is the same old, same old, same old war, national security state, forget the real needs of the American people. I'm going to vote against this rule and I'm going to vote against the underlying bill.

Mr. WOODALL. Mr. Speaker, I'd say to my friend from Florida that I have no further speakers remaining.

Mr. HASTINGS of Florida. I also have no further speakers and I'm prepared to close, and I thank the distinguished gentleman.

I also would like to offer an apology to my colleague. I committed a parliamentary faux pas when I said you speak out of both sides of your mouth. In the heat of the moment, I guess what I was trying to say is you said one thing one way than you said at another point in time, so I offer you my deepest, my apologies.

Mr. Speaker, we will soon start another long district work period even though we haven't given the middle class an extension of tax cuts for the next year. If we defeat the previous question, I'm going to offer an amendment to the rule to ensure that the House won't leave town until middle class tax cuts are signed into law. The first step is to give this House a vote on the middle class tax cut, introduced by Mr. LEVIN, which is the same proposal the Senate has already passed and the President is eager to sign.

So, Mr. Speaker, I ask unanimous consent to insert the text of the amendment in the RECORD, along with extraneous material, immediately prior to the vote on the previous question.

The SPEAKER pro tempore (Mr. GARDNER). Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. HASTINGS of Florida. Mr. Speaker, there is an upside to the Republicans' "do-nothing" Congress. First, it creates a clear contrast between the Republicans and Democrats.

Democrats want to press forward with meaningful ideas to create jobs, improve access to affordable health and education, and invest in the kinds of programs that bring about progress and prosperity for all Americans. I believe that my friends in the majority want to push legislation that either cuts taxes for the wealthiest among us, or increases spending on the military, or does nothing more than pay the bills today—play politics while accomplishing nothing.

This is not about the deficit. The United States doesn't lack the money to prioritize our future. What we do lack is the political willpower and leadership necessary to set gainful priorities.

The Romney-Ryan vision for America is nothing more than a reckless sellout to the ideological extremes of the Republican Party, a party that is utterly dominated at this point in our history by a Tea Party dogma which cares more to preserve tax cuts for the rich than to be about the business of ensuring the well-being of our entire society.

The so-called "sacrifices" continually demanded by the Republican ma-

jority in order to provide ever more money for foreign wars and tax cuts for the wealthy are shortchanging the future of this Nation. Continuing to move further to the right—or to the left—does not constitute progress. Furthermore, the closed-door negotiations and closed process is truly disheartening and does not reflect the democracy that is supposed to be the hallmark of this institution.

I urge my colleagues to vote "no" and defeat the previous question, and I urge a "no" vote on the rule.

I yield back the balance of my time. Mr. WOODALL. Mr. Speaker, I yield myself such time as I may consume.

I appreciate my colleague for his words. A lot of folks, Mr. Speaker, have the burden of working with folks whose motives they question. I have the great benefit of working on the Rules Committee with a team of folks whose motives I absolutely never question because I know folks are operating from their heart and from their constituents' best interest.

Let me say, because we talk so much about productivity down here on this floor, Mr. Speaker, The Washington Times did an article earlier this year on productivity in the House and the Senate. They called it "the futility index"—the futility of all the efforts in the body. They said the Senate ranked number one of all the years that they've been keeping records; less activity going on in the Senate by a large margin than ever before. Then they came to the House and they said, you know what, it's true the House hasn't passed a lot of bills. As you know, Mr. Speaker, we outlawed all of those silly commemorative bills that were not about the people's business but were about folks and their campaigns. Those no longer come to the floor. We eliminated a whole portion of that that was not about the people's business. What The Washington Times said was this: that we had more time in this House in session than all but 10 Congresses since they began keeping records and that we had more debate in this House, Mr. Speaker, than all but two Congresses on record; more debate, more discussion about those ideas and those priorities that are important to the American people.

Now, I have to tell you, Mr. Speaker, there's not a man or woman in my district that defines success by how many bills the President of the United States will sign; or if they do, they find those things to be inversely proportional. They don't want us to take over any new industries; they don't want us to regulate any new industries; they don't want us to pick any more winners and losers. They want us to stop. And even better than stopping, they want us to roll those things back.

We're having that debate in America, Mr. Speaker: Who are we? Who are we as Americans? Who are we as a people?

And what is so wonderful about this country, despite all of our differences there has always been more that unites Americans than that divides us, always. You can't pick up a newspaper today, Mr. Speaker, without them talking about the ideological divide in this country being as stark as it has ever been, but there is still more that unites us than divides us.

I believe, when we come into this election in November, Mr. Speaker, we're going to have the largest voter turnout in American history. I have no idea what they're going to conclude. But I believe in this country, and I believe that if more of us are at the ballot box participating in this Republic—as we are required, duty bound to do—we're going to end up with a better result.

□ 1410

I look at the young faces in this Chamber, Mr. Speaker. I like to think of myself as young, but I'm in my forties. The gentleman from Florida expressed his age, despite his youthful vigor. It's about the young people, Mr. Speaker.

And when the gentleman says America is strong enough that we can handle all of these growing debt challenges, I say to the gentleman, I admire his optimism but I disagree with his conclusion. The numbers I look at tell me, if I take everything from everybody, if I take everyone's house, everyone's car, everyone's bank account, if I nationalize every single company in this country, if I take it at all and put it in a bank account today, I still can't pay the hundreds of trillions of dollars in promises that this Federal Government has made to generations to come.

We don't have a problem in this country, Mr. Speaker, that we're not taxing people enough. Our problem is that we're spending too much.

I serve on the Budget Committee as well as the Rules Committee, and we took that challenge on head-on, head-on, Mr. Speaker. They call some things the third rail of politics. We said, in this House, in a bipartisan way, the third rail of politics is failing to deal with these challenges. Failing to deal with these challenges is the problem; dealing with them is the solution.

This wasn't a solution that everyone agreed with. It was a solution that got the only bipartisan majority in this entire town. And we did it not once, but twice, Mr. Speaker.

This is not a happy day. I usually come to the floor; I talk about how excited I am to be here because we're going to do an open rule and we're going to have the Republic at its best. That's not today.

That day was May 10 on the Commerce-Justice-State appropriations bill, where we had every voice heard. That day was July 19 on the Defense

Department bill, where we had every voice heard passing those bills in huge bipartisan fashion. That day was June 6, when we did it with the Energy and Water bill, huge bipartisan majority; and again on June 7 with the Homeland Security bill, and the Legislative Branch bill on June 8; May 31 on Military Construction, on and on and on, Transportation, HUD, June 29.

We've done those things, and the silence on the Senate side is deafening. We could do all those bills again, but this House has already spoken. The people have already spoken. And this continuing resolution gives this body and the American people 6 months for that referendum in November, for every voting-age man and woman in this country to come out and have their voice heard.

We've done all we can do in this body, Mr. Speaker.

Mr. HASTINGS of Florida. Will my colleague yield?

Mr. WOODALL. I would be happy to yield to my friend.

Mr. HASTINGS of Florida. I just want to ask, 6 months from now, when we come back, if you and I are here, will you commit that we would have that debate 6 months from now under an open rule?

Mr. WOODALL. Reclaiming my time, I have had no prouder moment than our debate on H.R. 1—no prouder moment.

Though I will say to the gentleman, as the gentleman knows quite well, it is frustrating that we can't do the business today. We tried.

As the gentleman from Florida knows, we tried all of these appropriation bills. They weren't 6-month bills. They weren't 2-week bills. They were entire FY13 bills, and we did them right. We did them the way they were supposed to be done. Some people won, some people lost, but, in the end, a bipartisan majority came together and passed every single one. That's what we should be doing here, Mr. Speaker, and we have.

The American people are going to decide in November: Is the problem the House? Is the problem the Senate? Is the problem the executive branch? I have my own suspicions, but I trust the American people more than I trust any other vote that we make in this House, Mr. Speaker.

Again, I rise in strong support of this rule. I rise in strong support of the two underlying bills, the continuing resolution bill and our opportunity job protection sequester replacement bill.

I urge my colleagues to support the rule. I urge my colleagues to support the two underlying bills.

Ms. JACKSON LEE of Texas. Mr. Speaker, I rise in support of H. Res. 778, the Rule providing for consideration of H.J. Res. 117, making further continuing appropriations for the beginning of the 2013 Fiscal Year. This measure will continue to assure funding for all fed-

eral government agencies and allow the government to continue its day to day operations through March of 2013.

I am quick to note Mr. Speaker the attempt by the Rules Committee Ranking Member, Ms. SLAUGHTER to amend the rule for H.R. 6365 to make in order and provide the appropriate waivers for amendment #1 offered by the Budget Committee Ranking Member Mr. VAN HOLLEN, which would have replaced the entire sequester for 2013 with savings from specific policies that reflect a much-needed balanced approach to deficit reduction. The entire House should have been allowed to debate Mr. VAN HOLLEN's measure even though I had serious concerns about the substance. Nevertheless, the debate is one that we should have.

I rise in support of making further continuing appropriations for the beginning of the 2013 Fiscal Year. This measure will continue to assure funding for all federal government agencies and allow the government to continue its day to day operations through March 27 of 2013.

I am also rising in support of helping families in Houston cope.

I am rising in support of Texans who need critical Federal Government goods and services.

I rise in support of people who are clinging to their jobs—the working poor.

I rise in support of those on Medicaid who are beholden to the governor of Texas who is in the business of rejecting federal funds and then using them to prop up his budget numbers.

I rise in support of the elderly.

I rise in support of military veterans.

I rise in support of children.

Today, the House will consider H.J. Res. 117, Six-Month Continuing Resolution. This Continuing Resolution will fund the government through March 27, 2013. The Senate is expected to consider the House-passed Continuing Resolution next week.

The Continuing Resolution reflects a bipartisan agreement between Congressional Republicans, Congressional Democrats, and the White House—and will prevent a government shutdown and maintain the programs and services critical to the American people.

The Continuing Resolution ("CR") ensures a total rate of operations for FY 2013 at \$1.047 trillion—the level for FY 2013 discretionary spending that was agreed to as part of the Budget Control Act of 2011 (PL 112-25).

As a starting point, the CR continues funding at the current rate of operations for federal agencies, programs and services. To meet the agreement to ensure the rate of operations at \$1.047 trillion, a government-wide, across-the-board increase of 0.6 percent over the base rate is also included.

The CR caps funding for Overseas Contingency Operations (OCO) for FY 2013 at the President's FY 2013 request of \$88.5 billion—which is \$26.6 billion below the FY 2012 OCO funding level. OCO is not included under the \$1.047 trillion cap.

The CR continues funding for the FEMA Disaster Relief Fund at last year's level, with this disaster relief funding also not included under the \$1.047 trillion cap.

The CR includes a clean, six-month extension of TANF (Temporary Assistance for

Needy Families). Without this extension, cash assistance and work support for working families would stop in FY 2013.

The CR extends the current pay freeze for federal employees, which includes Members of the House of Representatives and Senators, as requested by the President.

The CR also includes various provisions, often needed in a longterm CR, to ensure adequate funding of certain key government operations and services through the six-month period, including provisions allowing additional funding for such things as:

The Veterans Administration to meet an increase in the disability claims workload.

The Interior Department and the Forest Service for wildfire suppression efforts.

The FCC to conduct spectrum auctions.

Nuclear weapons modernization efforts, to ensure the security of our nuclear stockpile.

Sustaining Homeland Security cybersecurity efforts.

I urge my colleagues to pass this Rule and the underlying Continuing Resolution.

The material previously referred to by Mr. HASTINGS of Florida is as follows:

AN AMENDMENT TO H. RES. 778 OFFERED BY
MR. HASTINGS OF FLORIDA

At the end of the resolution, add the following new sections:

SEC. 3. Upon completion of consideration of House Resolution 746 the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 15) to amend the Internal Revenue Code of 1986 to provide tax relief to middle-class families. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 4. Clause 1(c) of rule XIX shall not apply to the consideration of the bill specified in section 3 of this resolution.

SEC. 5. Immediately upon adoption of this resolution, the House shall proceed to the consideration in the House of the resolution (H. Res. 746) prohibiting the consideration of a concurrent resolution providing for adjournment or adjournment sine die unless a law is enacted to provide for the extension of certain expired or expiring tax provisions that apply to middle-income taxpayers if called up by Representative Slaughter of New York or her designee. All points of order against the resolution and against its consideration are waived.

(The information contained herein was provided by the Republican Minority on mul-

multiple occasions throughout the 110th and 111th Congresses.)

THE VOTE ON THE PREVIOUS QUESTION: WHAT
IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's *Precedents of the House of Representatives* (VI, 308-311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

Because the vote today may look bad for the Republican majority they will say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

In Deschler's *Procedure in the U.S. House of Representatives*, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alter-

native views the opportunity to offer an alternative plan.

Mr. WOODALL. I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HASTINGS of Florida. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question on House Resolution 778 will be followed by 5-minute votes on adoption of House Resolution 778, if ordered; adoption of House Resolution 779, by the yeas and nays; and the motion to suspend the rules on H.R. 1775.

The vote was taken by electronic device, and there were—yeas 235, nays 178, not voting 16, as follows:

[Roll No. 572]

YEAS—235

Adams	Ellmers	Labrador
Aderholt	Emerson	Lamborn
Alexander	Farenthold	Lance
Amash	Fincher	Landry
Amodeli	Fitzpatrick	Lankford
Austria	Flake	Latham
Bachmann	Fleischmann	LaTourette
Bachus	Fleming	Latta
Barletta	Flores	Lewis (CA)
Bartlett	Forbes	LoBiondo
Barton (TX)	Fortenberry	Long
Bass (NH)	Fox	Lucas
Benishek	Franks (AZ)	Luetkemeyer
Biggart	Frelinghuysen	Lummis
Bilbray	Galleghy	Lungren, Daniel
Bilirakis	Gardner	E.
Bishop (UT)	Garrett	Mack
Black	Gerlach	Manzullo
Blackburn	Gibbs	Marchant
Bonner	Gibson	Marino
Bono Mack	Gingrey (GA)	Matheson
Boren	Goodlatte	McCarthy (CA)
Boustany	Gosar	McCaul
Brady (TX)	Gowdy	McClintock
Brooks	Granger	McHenry
Buchanan	Graves (GA)	McIntyre
Bucshon	Graves (MO)	McKeon
Buerkle	Griffin (AR)	McKinley
Burgess	Griffith (VA)	McMorris
Burton (IN)	Grimm	Rodgers
Calvert	Guinta	Meehan
Camp	Guthrie	Mica
Campbell	Hall	Miller (FL)
Canseco	Hanna	Miller (MI)
Cantor	Harper	Miller, Gary
Capito	Harris	Mulvaney
Carter	Hartzler	Murphy (PA)
Cassidy	Hastings (WA)	Myrick
Chabot	Hayworth	Neugebauer
Chaffetz	Heck	Noem
Coble	Hensarling	Nugent
Coffman (CO)	Herrera Beutler	Nunes
Cole	Huelskamp	Nunnelee
Conaway	Huizenga (MI)	Olson
Costa	Hultgren	Palazzo
Cravaack	Hunter	Paul
Crawford	Hurt	Paulsen
Crenshaw	Issa	Pearce
Culberson	Jenkins	Pence
Denham	Johnson (IL)	Petri
Dent	Johnson (OH)	Pitts
DesJarlais	Johnson, Sam	Platts
Dold	Jordan	Poe (TX)
Donnelly (IN)	Kelly	Pompeo
Dreier	King (IA)	Posey
Duffy	Kingston	Price (GA)
Duncan (SC)	Kinzinger (IL)	Quayle
Duncan (TN)	Kline	Reed

Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Scalise
Schilling
Schmidt
Schock
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shinkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry

NAYS—178

Ackerman
Altmire
Andrews
Baca
Baldwin
Barber
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Gohmert
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Israel
Jackson Lee
(TX)
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loeb sack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Napolitano
Neal
Oliver
Owens
Pallone
Pascarell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (MS)
Tierney
Tonko
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NOT VOTING—16

Akin
Berg
Broun (GA)
Clever
Diaz-Balart
Herger
Jackson (IL)
King (NY)
Michaud
Nadler
Ross (AR)
Ryan (WI)
Schweikert
Sires
Thompson (CA)
Towns

□ 1436

Messrs. CAPUANO, FARR, Mrs. MCCARTHY of New York, and Mr. WELCH changed their vote from “yea” to “nay.”

Mrs. HARTZLER changed her vote from “nay” to “yea.”

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. HASTINGS of Florida. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 232, noes 182, not voting 15, as follows:

[Roll No. 573]

AYES—232

Adams
Aderholt
Alexander
Amash
Amodei
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishke
Biggert
Blibray
Blirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Hunter
Coffman (CO)
Cole
Conaway
Cravack
Crawford
Crenshaw
Culberson
Denham
Dent
DesJarlais
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Elmiers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris
Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Petri
Pitts
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (IA)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Fox
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (IA)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris
Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Petri
Pitts
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (IA)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta

Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shinkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOES—182

Ackerman
Altmire
Andrews
Baldwin
Barber
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Gohmert
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Israel
Jackson Lee
(TX)
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kildee
Kind
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loeb sack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Miller (NC)
Moore
Moran
Murphy (CT)
Napolitano
Neal
Oliver
Owens
Pallone
Pascarell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Wilson (FL)
Woolsey
Yarmuth

NOT VOTING—15

Akin
Berg
Broun (GA)
Clever
Diaz-Balart
Herger
Jackson (IL)
King (NY)
Michaud
Miller, George
Nadler
Ross (AR)
Ryan (WI)
Towns
Welch

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1443

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 6213, NO MORE SOLYNDRAS ACT, AND PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

The SPEAKER pro tempore. The unfinished business is the vote on adoption of the resolution (H. Res. 779) providing for consideration of the bill (H.R. 6213) to limit further taxpayer exposure from the loan guarantee program established under title XVII of the Energy Policy Act of 2005, and providing for consideration of motions to suspend the rules, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the resolution.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 232, nays 182, not voting 15, as follows:

[Roll No. 574]

YEAS—232

Adams	DesJarlais	Huelskamp
Aderholt	Diaz-Balart	Huizenga (MI)
Alexander	Dold	Hultgren
Amash	Dreier	Hunter
Amodei	Duffy	Hurt
Austria	Duncan (SC)	Issa
Bachmann	Duncan (TN)	Jenkins
Bachus	Ellmers	Johnson (IL)
Barletta	Farenthold	Johnson (OH)
Bartlett	Fincher	Johnson, Sam
Barton (TX)	Fitzpatrick	Jordan
Bass (NH)	Flake	Kelly
Benishek	Fleischmann	King (IA)
Biggert	Fleming	Kingston
Bilbray	Flores	Kinzinger (IL)
Bilirakis	Forbes	Kissell
Bishop (UT)	Fortenberry	Kline
Black	Fox	Labrador
Blackburn	Franks (AZ)	Lamborn
Bonner	Frelinghuysen	Lance
Bono Mack	Gallegly	Landry
Boustany	Gardner	Lankford
Brady (TX)	Garrett	Latham
Brooks	Gerlach	LaTourette
Bucshon	Gibbs	Latta
Buerkle	Gibson	Lewis (CA)
Burgess	Gingrey (GA)	LoBiondo
Burton (IN)	Gohmert	Long
Calvert	Goodlatte	Lucas
Camp	Gosar	Luetkemeyer
Campbell	Gowdy	Lummis
Canseco	Granger	Lungren, Daniel E.
Cantor	Graves (GA)	
Capito	Graves (MO)	Mack
Carter	Griffin (AR)	Manzullo
Cassidy	Griffith (VA)	Marchant
Chabot	Grimm	Marino
Chaffetz	Guinta	McCarthy (CA)
Coble	Guthrie	McCaul
Coffman (CO)	Hall	McClintock
Cole	Hanna	McHenry
Conaway	Harper	McIntyre
Costa	Harris	McKeon
Cravaack	Hartzler	McKinley
Crawford	Hastings (WA)	McMorris
Crenshaw	Hayworth	Rodgers
Culberson	Heck	Meehan
Denham	Hensarling	Mica
Dent	Herrera Beutler	Miller (FL)

Miller (MI)	Rivera	Smith (TX)
Miller, Gary	Roby	Southerland
Mulvaney	Roe (TN)	Stearns
Murphy (PA)	Rogers (AL)	Stivers
Myrick	Rogers (KY)	Stutzman
Neugebauer	Rogers (MI)	Sullivan
Noem	Rohrabacher	Terry
Nugent	Rokita	Thompson (PA)
Nunes	Rooney	Thornberry
Nunnelee	Ros-Lehtinen	Tiberi
Olson	Roskam	Tipton
Palazzo	Ross (FL)	Turner (NY)
Paul	Royce	Turner (OH)
Paulsen	Runyan	Upton
Pence	Scalise	Walberg
Petri	Schilling	Walden
Pitts	Schmidt	Walsh (IL)
Platts	Schock	Webster
Poe (TX)	Schweikert	West
Pompeo	Scott (SC)	Westmoreland
Posey	Scott, Austin	Whitfield
Price (GA)	Sensenbrenner	Wilson (SC)
Quayle	Sessions	Wittman
Reed	Shimkus	Wolf
Rehberg	Shuler	Womack
Reichert	Shuster	Woodall
Renacci	Simpson	Yoder
Ribble	Smith (NE)	Young (FL)
Rigell	Smith (NJ)	Young (IN)

NAYS—182

Ackerman	Frank (MA)	Olver
Altmire	Fudge	Owens
Andrews	Garamendi	Pallone
Baca	Gonzalez	Pascarell
Baldwin	Green, Al	Pastor (AZ)
Barber	Green, Gene	Pearce
Barrow	Grijalva	Pelosi
Bass (CA)	Gutierrez	Perlmutter
Becerra	Hahn	Peters
Berkley	Hanabusa	Peterson
Berman	Hastings (FL)	Pingree (ME)
Bishop (GA)	Heinrich	Polis
Bishop (NY)	Higgins	Price (NC)
Blumenauer	Himes	Quigley
Bonamici	Hinchey	Rahall
Boren	Hinojosa	Rangel
Boswell	Hirono	Reyes
Brady (PA)	Hochul	Richardson
Braley (IA)	Holden	Richmond
Brown (FL)	Holt	Rothman (NJ)
Butterfield	Honda	Roybal-Allard
Capps	Hoyer	Ruppersberger
Capuano	Israel	Rush
Carnahan	Jackson Lee	Ryan (OH)
Carney	(TX)	Sánchez, Linda T.
Carson (IN)	Johnson (GA)	Sanchez, Loretta
Castor (FL)	Johnson, E. B.	Sarbanes
Chandler	Jones	Schakowsky
Chu	Kaptur	Schiff
Cioccilline	Keating	Schrader
Clarke (MI)	Kildee	Schwartz
Clarke (NY)	Kind	Scott (VA)
Clay	Kucinich	Scott, David
Clyburn	Langevin	Serrano
Cohen	Larsen (WA)	Sewell
Connolly (VA)	Larson (CT)	Sherman
Conyers	Lee (CA)	Sires
Cooper	Levin	Slaughter
Costello	Lewis (GA)	Smith (WA)
Courtney	Lipinski	Speier
Critz	Loeb sack	Stark
Crowley	Lofgren, Zoe	Sutton
Cuellar	Lowe	Thompson (CA)
Cummings	Lujan	Thompson (MS)
Davis (CA)	Lynch	Tierney
Davis (IL)	Maloney	Tonko
DeFazio	Markey	Tsongas
DeGette	Matheson	Van Hollen
DeLauro	Matsui	Velázquez
Deuch	McCarthy (NY)	Visclosky
Dicks	McCollum	Walz (MN)
Dingell	McDermott	Wasserman
Doggett	McGovern	Schultz
Donnelly (IN)	McNerney	Waters
Doyle	Meeks	Watt
Edwards	Miller (NC)	Waxman
Ellison	Miller, George	Welch
Engel	Moore	Wilson (FL)
Eshoo	Moran	Woolsey
Farr	Murphy (CT)	Yarmuth
Fattah	Napolitano	
Filner	Neal	

NOT VOTING—15

Akin	Emerson	Nadler
Berg	Herger	Ross (AR)
Broun (GA)	Jackson (IL)	Ryan (WI)
Buchanan	King (NY)	Towns
Cleaver	Michaud	Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1451

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

STOLEN VALOR ACT OF 2012

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 1775) to amend title 18, United States Code, to establish a criminal offense relating to fraudulent claims about military service, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. SMITH) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 410, nays 3, not voting 16, as follows:

[Roll No. 575]

YEAS—410

Ackerman	Buchanan	Critz
Adams	Bucshon	Crowley
Aderholt	Buerkle	Cuellar
Alexander	Burgess	Culberson
Altmire	Burton (IN)	Cummings
Amodei	Butterfield	Davis (CA)
Andrews	Calvert	Davis (IL)
Austria	Camp	DeFazio
Baca	Campbell	DeGette
Bachmann	Canseco	DeLauro
Bachus	Cantor	Denham
Baldwin	Capito	Dent
Barber	Capps	DesJarlais
Barletta	Capuano	Deutsch
Barrow	Carnahan	Diaz-Balart
Bartlett	Carney	Dicks
Barton (TX)	Carson (IN)	Dingell
Bass (CA)	Carter	Doggett
Bass (NH)	Cassidy	Dold
Becerra	Castor (FL)	Donnelly (IN)
Benishek	Chabot	Doyle
Berkley	Chaffetz	Dreier
Berman	Chandler	Duffy
Biggert	Chu	Duncan (SC)
Bilbray	Cicilline	Duncan (TN)
Bilirakis	Clarke (MI)	Edwards
Bishop (GA)	Clarke (NY)	Ellison
Bishop (NY)	Clay	Ellmers
Bishop (UT)	Clyburn	Emerson
Black	Coble	Engel
Blackburn	Coffman (CO)	Eshoo
Blumenauer	Cohen	Farenthold
Bonamici	Cole	Farr
Bonner	Conaway	Fattah
Bono Mack	Connolly (VA)	Finler
Boren	Conyers	Fincher
Boswell	Cooper	Fitzpatrick
Boustany	Costa	Flake
Brady (PA)	Costello	Fleischmann
Brady (TX)	Courtney	Fleming
Braley (IA)	Cravaack	Flores
Brooks	Crawford	Forbes
Brown (FL)	Crenshaw	Fortenberry

Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guinta
Guthrie
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson Lee
(TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
Kingston
Kinzinger (IL)
Kissell
Kline
Kucinich
Labrador
Lamborn
Lance
Landry
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Levin
Lewis (CA)

Lewis (GA)
Lipinski
LoBiondo
Loebach
Lofgren, Zoe
Long
Lowe
Lucas
Luetkemeyer
Lujan
Lummis
Lungren, Daniel
E.
Lynch
Mack
Maloney
Manzullo
Marchant
Marino
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
McNerney
Meehan
Meeks
Mica
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Moran
Mulvaney
Murphy (CT)
Murphy (PA)
Nadler
Napolitano
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Oliver
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Pearce
Pence
Perlmutter
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quayle
Quigley
Rahall
Rangel
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)

Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schilling
Schmidt
Schock
Schradner
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stark
Stearns
Stivers
Stutzman
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Tonko
Tsongas
Turner (NY)
Turner (OH)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden
Walsh (IL)
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Woolsey
Yarmuth
Yoder
Young (AK)
Young (FL)
Young (IN)

NAYS—3

Amash Miller, George Paul

NOT VOTING—16

Akin King (NY) Ross (AR)
Berg Michaud Ryan (WI)
Broun (GA) Moore Smith (NE)
Cleaver Myrick Towns
Herger Neal
Jackson (IL) Pelosi

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1459

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

The title was amended so as to read: "A bill to amend title 18, United States Code, with respect to fraudulent representations about having received military decorations or medals."

A motion to reconsider was laid on the table.

Stated for:

Mr. GEORGE MILLER of California. Mr. Speaker, on September 13, 2012, I inadvertently voted "nay" on Roll No. 575. I ask that the record reflect that I intended to vote "yea," to approve H.R. 1775.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF HOUSE RESOLUTION 177

Mr. HULTGREN. Mr. Speaker, I ask unanimous consent to remove my name as a cosponsor of House Resolution 177.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

CONTINUING APPROPRIATIONS RESOLUTION, 2013

Mr. ROGERS of Kentucky. Mr. Speaker, pursuant to the rule adopted earlier today, I call up the joint resolution (H.J. Res. 117) making continuing appropriations for fiscal year 2013, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. Pursuant to House Resolution 778, the joint resolution is considered read.

The text of the joint resolution is as follows:

H.J. RES. 117

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, for the several departments, agencies, corporations, and other organizational units of Government for fiscal year 2013, and for other purposes, namely:

SEC. 101. (a) Such amounts as may be necessary, at a rate for operations as provided

in the applicable appropriations Acts for fiscal year 2012 and under the authority and conditions provided in such Acts, for continuing projects or activities (including the costs of direct loans and loan guarantees) that are not otherwise specifically provided for in this joint resolution, that were conducted in fiscal year 2012, and for which appropriations, funds, or other authority were made available in the following appropriations Acts:

(1) The Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2012 (division A of Public Law 112-55), except for the appropriations designated by the Congress as being for disaster relief in section 735 of such Act.

(2) The Commerce, Justice, Science, and Related Agencies Appropriations Act, 2012 (division B of Public Law 112-55), except for the appropriation designated by the Congress as being for disaster relief in the second paragraph under the heading "Department of Commerce—Economic Development Administration—Economic Development Assistance Programs" in such Act.

(3) The Department of Defense Appropriations Act, 2012 (division A of Public Law 112-74).

(4) The Energy and Water Development Appropriations Act, 2012 (division B of Public Law 112-74).

(5) The Financial Services and General Government Appropriations Act, 2012 (division C of Public Law 112-74).

(6) The Department of Homeland Security Appropriations Act, 2012 (division D of Public Law 112-74).

(7) The Department of the Interior, Environment, and Related Agencies Appropriations Act, 2012 (division E of Public Law 112-74).

(8) The Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2012 (division F of Public Law 112-74).

(9) The Legislative Branch Appropriations Act, 2012 (division G of Public Law 112-74).

(10) The Military Construction and Veterans Affairs and Related Agencies Appropriations Act, 2012 (division H of Public Law 112-74).

(11) The Department of State, Foreign Operations, and Related Programs Appropriations Act, 2012 (division I of Public Law 112-74).

(12) The Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2012 (division C of Public Law 112-55), except for the appropriations designated by the Congress as being for disaster relief under the heading "Department of Transportation—Federal Highway Administration—Emergency Relief" and in the last proviso of section 239 of such Act.

(13) The Disaster Relief Appropriations Act, 2012 (Public Law 112-77), except for appropriations under the heading "Corps of Engineers—Civil".

(b) Whenever an amount designated for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 (in this section referred to as an "OCO/GWOT amount") in an Act described in paragraph (3) or (10) of subsection (a) that would be made available for a project or activity is different from the amount requested in the President's fiscal year 2013 budget request, the project or activity shall be continued at a rate for operations that would be permitted by, and such designation shall be applied to, the amount

in the President's fiscal year 2013 budget request.

(c) The rate for operations provided by subsection (a) is hereby increased by 0.612 percent. Such increase shall not apply to OCO/GWOT amounts or to amounts incorporated in this joint resolution by reference to the Disaster Relief Appropriations Act, 2012 (Public Law 112-77).

SEC. 102. (a) No appropriation or funds made available or authority granted pursuant to section 101 for the Department of Defense shall be used for (1) the new production of items not funded for production in fiscal year 2012 or prior years; (2) the increase in production rates above those sustained with fiscal year 2012 funds; or (3) the initiation, resumption, or continuation of any project, activity, operation, or organization (defined as any project, subproject, activity, budget activity, program element, and subprogram within a program element, and for any investment items defined as a P-1 line item in a budget activity within an appropriation account and an R-1 line item that includes a program element and subprogram element within an appropriation account) for which appropriations, funds, or other authority were not available during fiscal year 2012.

(b) No appropriation or funds made available or authority granted pursuant to section 101 for the Department of Defense shall be used to initiate multi-year procurements utilizing advance procurement funding for economic order quantity procurement unless specifically appropriated later.

SEC. 103. Appropriations made by section 101 shall be available to the extent and in the manner that would be provided by the pertinent appropriations Act.

SEC. 104. Except as otherwise provided in section 102, no appropriation or funds made available or authority granted pursuant to section 101 shall be used to initiate or resume any project or activity for which appropriations, funds, or other authority were not available during fiscal year 2012.

SEC. 105. Appropriations made and authority granted pursuant to this joint resolution shall cover all obligations or expenditures incurred for any project or activity during the period for which funds or authority for such project or activity are available under this joint resolution.

SEC. 106. Unless otherwise provided for in this joint resolution or in the applicable appropriations Act for fiscal year 2013, appropriations and funds made available and authority granted pursuant to this joint resolution shall be available until whichever of the following first occurs: (1) the enactment into law of an appropriation for any project or activity provided for in this joint resolution; (2) the enactment into law of the applicable appropriations Act for fiscal year 2013 without any provision for such project or activity; or (3) March 27, 2013.

SEC. 107. Expenditures made pursuant to this joint resolution shall be charged to the applicable appropriation, fund, or authorization whenever a bill in which such applicable appropriation, fund, or authorization is contained is enacted into law.

SEC. 108. Appropriations made and funds made available by or authority granted pursuant to this joint resolution may be used without regard to the time limitations for submission and approval of apportionments set forth in section 1513 of title 31, United States Code, but nothing in this joint resolution may be construed to waive any other provision of law governing the apportionment of funds.

SEC. 109. Notwithstanding any other provision of this joint resolution, except section

106, for those programs that would otherwise have high initial rates of operation or complete distribution of appropriations at the beginning of fiscal year 2013 because of distributions of funding to States, foreign countries, grantees, or others, such high initial rates of operation or complete distribution shall not be made, and no grants shall be awarded for such programs funded by this joint resolution that would impinge on final funding prerogatives.

SEC. 110. This joint resolution shall be implemented so that only the most limited funding action of that permitted in the joint resolution shall be taken in order to provide for continuation of projects and activities.

SEC. 111. (a) For entitlements and other mandatory payments whose budget authority was provided in appropriations Acts for fiscal year 2012, and for activities under the Food and Nutrition Act of 2008, activities shall be continued at the rate to maintain program levels under current law, under the authority and conditions provided in the applicable appropriations Act for fiscal year 2012, to be continued through the date specified in section 106(3).

(b) Notwithstanding section 106, obligations for mandatory payments due on or about the first day of any month that begins after October 2012 but not later than 30 days after the date specified in section 106(3) may continue to be made, and funds shall be available for such payments.

SEC. 112. Amounts made available under section 101 for civilian personnel compensation and benefits in each department and agency may be apportioned up to the rate for operations necessary to avoid furloughs within such department or agency, consistent with the applicable appropriations Act for fiscal year 2012, except that such authority provided under this section shall not be used until after the department or agency has taken all necessary actions to reduce or defer non-personnel-related administrative expenses.

SEC. 113. Funds appropriated by this joint resolution may be obligated and expended notwithstanding section 10 of Public Law 91-672 (22 U.S.C. 2412), section 15 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2680), section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (22 U.S.C. 6212), and section 504(a)(1) of the National Security Act of 1947 (50 U.S.C. 414(a)(1)).

SEC. 114. (a) Section 147 of Public Law 111-242, as added by Public Law 111-322, shall be applied by substituting the date specified in section 106(3) of this joint resolution for "December 31, 2012" each place it appears.

(b) Notwithstanding any other provision of law, any statutory pay adjustment (as defined in section 147(b)(2) of the Continuing Appropriations Act, 2011 (Public Law 111-242)) otherwise scheduled to take effect during fiscal year 2013 but prior to the date specified in section 106(3) of this joint resolution may take effect on the first day of the first applicable pay period beginning after the date specified in section 106(3).

SEC. 115. (a) Each amount incorporated by reference in this joint resolution that was previously designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 or as being for disaster relief pursuant to section 251(b)(2)(D) of such Act is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of such Act or as being for disaster relief

pursuant to section 251(b)(2)(D) of such Act, respectively.

(b) Of the amount made available by section 101 for "Social Security Administration—Limitation on Administrative Expenses", \$483,484,000 is additional new budget authority specified for purposes of subsection 251(b)(2)(B) of the Balanced Budget and Emergency Deficit Control Act of 1985.

(c) Section 5 of Public Law 112-74 shall apply to amounts designated in subsection (a) for Overseas Contingency Operations/Global War on Terrorism.

SEC. 116. (a) Not later than 30 days after the date of the enactment of this joint resolution, each department and agency in subsection (c) shall submit to the Committees on Appropriations of the House of Representatives and the Senate, for the period through the date specified in section 106(3) of this joint resolution, a spending, expenditure, or operating plan—

(1) at the program, project, or activity level (or, for national intelligence programs funded in the Department of Defense Appropriations Act, at the expenditure center and project level); or

(2) as applicable, at any greater level of detail required for funds covered by such a plan in an appropriations Act referred to in section 101, in the joint explanatory statement accompanying such Act, or in committee report language incorporated by reference in such joint explanatory statement.

(b) Not later than 30 days after the date on which any sequestration is ordered by the President under section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985, each department and agency in subsection (c) shall submit to the Committees on Appropriations of the House of Representatives and the Senate the spending, expenditure, or operating plan required under subsection (a), updated to reflect any adjustments to funding as a result of the sequestration and any extension of the date specified in section 106(3) of this joint resolution.

(c) The departments and agencies to which this section applies are as follows:

- (1) The Department of Agriculture.
- (2) The Department of Commerce.
- (3) The Department of Defense.
- (4) The Department of Education.
- (5) The Department of Energy.
- (6) The Department of Health and Human Services.
- (7) The Department of Homeland Security.
- (8) The Department of Housing and Urban Development.
- (9) The Department of the Interior.
- (10) The Department of Justice.
- (11) The Department of Labor.
- (12) The Department of State and United States Agency for International Development.
- (13) The Department of Transportation.
- (14) The Department of the Treasury.
- (15) The Department of Veterans Affairs.
- (16) The National Aeronautics and Space Administration.
- (17) The National Science Foundation.
- (18) The Judiciary.
- (19) With respect to amounts made available under the heading "Executive Office of the President and Funds Appropriated to the President", agencies funded under such heading.
- (20) The Federal Communications Commission.
- (21) The General Services Administration.
- (22) The Office of Personnel Management.
- (23) The National Archives and Records Administration.
- (24) The Securities and Exchange Commission.

(25) The Small Business Administration.
(26) The Environmental Protection Agency.

(27) The Indian Health Service.
(28) The Smithsonian Institution.
(29) The Social Security Administration.
(30) The Corporation for National and Community Service.

(31) The Corporation for Public Broadcasting.

(32) The Food and Drug Administration.
(33) The Commodity Futures Trading Commission.

(34) The Central Intelligence Agency.
(35) The National Security Agency.
(36) The National Reconnaissance Office.
(37) The Defense Intelligence Agency.
(38) The National Geospatial Intelligence Agency.

(39) The Office of the Director of National Intelligence.

SEC. 117. Not later than November 1, 2012, and each month thereafter through the month following the period covered by this joint resolution, the Director of the Office of Management and Budget shall submit to the Committees on Appropriations of the House of Representatives and the Senate a report on all obligations incurred by each department and agency in the period covered by this joint resolution. Such report shall—

(1) set forth obligations by account;
(2) compare the obligations incurred in the period covered by the report to the obligations incurred in the same period in fiscal year 2012; and

(3) specify each executive branch account for which funds made available by this joint resolution are apportioned at a different rate for operations than the rate otherwise provided in section 101, with an estimate of the different rate otherwise provided in such section and the total obligations estimated to be incurred under this joint resolution for such account.

SEC. 118. Section 726(15) of division A of Public Law 112-55 shall be applied to amounts made available by this joint resolution without regard to the first proviso of such section.

SEC. 119. Notwithstanding section 101, amounts are provided for “Department of Agriculture—Domestic Food Programs—Food and Nutrition Service—Commodity Assistance Program”, at a rate for operations of \$253,952,000, of which \$186,935,000 shall be for the Commodity Supplemental Food Program.

SEC. 120. (a) Amounts made available under section 101 for “Department of Commerce—National Oceanic and Atmospheric Administration—Procurement, Acquisition and Construction” may be apportioned up to the rate for operations necessary to maintain the planned launch schedules for the Joint Polar Satellite System and the Geostationary Operational Environmental Satellite system.

(b) Not later than 30 days after the date of enactment of this joint resolution, the Director of the Office of Management and Budget shall submit to the Committees on Appropriations of the House of Representatives and the Senate a plan to maintain the launch schedules and life cycle cost estimates established in fiscal year 2012 for the satellite systems described in subsection (a) and options for reducing costs, including management costs.

SEC. 121. Through the earlier of the date specified in section 106(3) of this joint resolution or the date of the enactment of an Act authorizing appropriations for fiscal year 2013 for military activities of the Department of Defense, no appropriation or funds

made available or authority granted pursuant to section 101 for the Department of Defense shall be used to—

(1) retire, divest, realign, or transfer aircraft of the Air Force;

(2) disestablish or convert any unit associated with aircraft described in paragraph (1) or any unit of the Air National Guard or Air Force Reserve; or

(3) retire C-23 Sherpa aircraft.

SEC. 122. The authority provided by section 801 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2399) shall continue in effect, notwithstanding subsection (f) of such section, through the earlier of the date specified in section 106(3) of this joint resolution or the date of the enactment of an Act authorizing appropriations for fiscal year 2013 for military activities of the Department of Defense.

SEC. 123. The authority provided by section 572(b)(4) of the National Defense Authorization Act for Fiscal Year 2006 (20 U.S.C. 7703b(b)(4)) shall continue in effect through the earlier of the date specified in section 106(3) of this joint resolution or the date of the enactment of an Act authorizing appropriations for fiscal year 2013 for military activities of the Department of Defense.

SEC. 124. In addition to any other transfer authority available to the Department of Defense, the Secretary of Defense may transfer an amount designated for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 made available by this joint resolution for the Department of Defense between such appropriations, to be merged with and to be available for the same purposes, and the same time period, as the appropriation or fund to which transferred. The Secretary of Defense shall notify the congressional defense committees not fewer than 15 days prior to any transfer made pursuant to this section.

SEC. 125. (a) Notwithstanding section 101, amounts are provided for “Department of Energy—National Nuclear Security Administration—Weapons Activities” at a rate for operations of \$7,577,341,000.

(b) Section 301(c) of title III of division B of Public Law 112-74 shall not apply to amounts made available by this section.

SEC. 126. In addition to the amounts otherwise made available by section 101 for “Department of Energy—National Nuclear Security Administration—Defense Nuclear Non-proliferation”, an additional amount is made available for domestic uranium enrichment research, development, and demonstration at a rate for operations of \$100,000,000.

SEC. 127. Section 14704 of title 40, United States Code, shall be applied to amounts made available by this joint resolution by substituting the date specified in section 106(3) of this joint resolution for “October 1, 2012”.

SEC. 128. Notwithstanding any other provision of this joint resolution, except section 106, the District of Columbia may expend local funds under the heading “District of Columbia Funds” for such programs and activities under title IV of H.R. 6020 (112th Congress), as reported by the Committee on Appropriations of the House of Representatives, at the rate set forth under “District of Columbia Funds—Summary of Expenses” as included in the Fiscal Year 2013 Budget Request Act of 2012 (D.C. Act 19-381), as modified as of the date of the enactment of this joint resolution.

SEC. 129. Notwithstanding section 101, amounts are provided for “District of Colum-

bia—Federal Funds—Federal Payment for Emergency Planning and Security Costs in the District of Columbia” at a rate for operations of \$24,700,000, of which not less than \$9,800,000 shall be used for costs associated with the Presidential Inauguration.

SEC. 130. Notwithstanding section 101, amounts are provided for “General Services Administration—Expenses, Presidential Transition” for necessary expenses to carry out the Presidential Transition Act of 1963 (3 U.S.C. 102 note), at a rate for operations of \$8,947,000, of which not to exceed \$1,000,000 is for activities authorized by sections 3(a)(8) and (9) of such Act.

SEC. 131. (a) Notwithstanding section 101, amounts are provided for “Executive Office of the President—Office of Administration—Presidential Transition Administrative Support” to carry out the Presidential Transition Act of 1963 (3 U.S.C. 102 note) at a rate for operations of \$8,000,000.

(b) Such funds may be transferred to other accounts in this joint resolution or any other Act that provide funding for offices within the Executive Office of the President and the Office of the Vice President to carry out the Presidential Transition Act of 1963 (3 U.S.C. 102 note).

SEC. 132. Notwithstanding section 101, the fifth proviso under the heading “Federal Communications Commission—Salaries and Expenses” in division C of Public Law 112-74 shall be applied by substituting “\$98,739,000” for “\$85,000,000”.

SEC. 133. Notwithstanding any other provision of this joint resolution, amounts made available by section 101 for “Department of the Treasury—Departmental Offices—Salaries and Expenses” and “Department of the Treasury—Office of Inspector General—Salaries and Expenses” may be used for activities in connection with section 1602(e) of the Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act of 2012 (subtitle F of title I of division A of Public Law 112-141).

SEC. 134. Notwithstanding section 101, amounts are provided for “Office of Government Ethics—Salaries and Expenses” at a rate for operations of \$18,664,000, of which \$5,000,000 shall be for development and deployment of the centralized, publicly accessible database required in section 11(b) of the STOCK Act (Public Law 112-105).

SEC. 135. Notwithstanding section 101, amounts are provided for “Small Business Administration—Business Loans Program Account” for the cost of guaranteed loans as authorized by section 7(a) of the Small Business Act and section 503 of the Small Business Investment Act of 1958 at a rate for operations of \$333,600,000.

SEC. 136. (a) Amounts made available by this joint resolution for “Department of Homeland Security—U.S. Customs and Border Protection—Salaries and Expenses” shall be obligated at the rate for operations necessary to maintain the staffing levels (including by backfilling vacant positions) of Border Patrol agents, Customs and Border Protection officers, and Air and Marine interdiction agents in effect at the end of the fourth quarter of fiscal year 2012, or, with respect to Border Patrol agents, at such greater levels as may otherwise be required in the second proviso under the heading “U.S. Customs and Border Protection—Salaries and Expenses” in division D of Public Law 112-74. Any increase of the rate for operations for such purpose under this subsection shall be derived by adjusting amounts otherwise made available within such account by this

joint resolution, without regard to the restrictions on reprogramming in section 503 of division D of Public Law 112-74.

(b) Not later than 15 days after the date of the enactment of this joint resolution, the Commissioner of U.S. Customs and Border Protection shall submit to the Committees on Appropriations of the House of Representatives and the Senate a detailed expenditure plan for “Department of Homeland Security—U.S. Customs and Border Protection—Salaries and Expenses” at the program, project, and activity level that specifies how the Commissioner will maintain staffing levels as required under subsection (a) through the date specified in section 106(3) of this joint resolution.

SEC. 137. (a) Notwithstanding section 101, amounts are provided for “Department of Homeland Security—National Protection and Programs Directorate—Infrastructure Protection and Information Security” at a rate for operations of \$1,170,243,000, of which \$328,000,000 is for Network Security Deployment, and \$218,000,000 is for Federal Network Security that may be obligated at a rate for operations necessary to establish and sustain essential cybersecurity activities, including procurement and operations of continuous monitoring and diagnostics systems and intrusion detection systems for civilian Federal computer networks.

(b) Not later than 15 days after the date of the enactment of this joint resolution, the Secretary of Homeland Security shall submit to the Committees on Appropriations of the House of Representatives and the Senate an expenditure plan for essential cybersecurity activities described in subsection (a) of this section for the period through the date specified in section 106(3) of this joint resolution.

SEC. 138. The authority provided by section 532 of Public Law 109-295 shall continue in effect through the date specified in section 106(3) of this joint resolution.

SEC. 139. Section 550(b) of Public Law 109-295 (6 U.S.C. 121 note) shall be applied by substituting the date specified in section 106(3) of this joint resolution for “October 4, 2012”.

SEC. 140. (a) Notwithstanding section 101, amounts are provided for “Department of the Interior—Department-wide Programs—Wildland Fire Management” at a rate for operations of \$726,473,000.

(b) In addition to the amounts provided under subsection (a), there is appropriated \$23,000,000 for an additional amount for fiscal year 2013 for “Department of the Interior—Department-wide Programs—Wildland Fire Management”, to remain available until expended, for repayment to other appropriations accounts from which funds were transferred in fiscal year 2012 for wildfire suppression.

SEC. 141. (a) Notwithstanding section 101, amounts are provided for “Department of Agriculture—Forest Service—Wildland Fire Management” at a rate for operations of \$1,971,390,000.

(b) In addition to the amounts provided under subsection (a), there is appropriated \$400,000,000 for an additional amount for fiscal year 2013 for “Department of Agriculture—Forest Service—Wildland Fire Management”, to remain available until expended, for repayment to other appropriations accounts from which funds were transferred in fiscal year 2012 for wildfire suppression.

SEC. 142. Section 411(h)(4)(A) of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1240a(h)(4)(A)) is amended to read as follows:

“(A) IN GENERAL.—The annual amount allocated under subparagraph (A) or (B) of section 402(g)(1) to any State or Indian tribe that makes a certification under subsection (a) of this section in which the Secretary concurs shall be reallocated and available for grants under section 402(g)(5).”.

SEC. 143. The authority provided by section 331 of the Department of the Interior and Related Agencies Appropriations Act, 2000 (enacted by reference in section 1000(a)(3) of Public Law 106-113; 16 U.S.C. 497 note) shall continue in effect through the date specified in section 106(3) of this joint resolution.

SEC. 144. (a) The following sections of the Federal Insecticide, Fungicide, and Rodenticide Act shall continue in effect through the date specified in section 106(3) of this joint resolution:

(1) Subparagraphs (C) through (E) of section 4(i)(5) (7 U.S.C. 136a-1(i)(5)(C)-(E));

(2) Section 4(k)(3) (7 U.S.C. 136a-1(k)(3)); and

(3) Section 33(c)(3)(B) (7 U.S.C. 136w-8(c)(3)(B)).

(b)(1) Section 4(i)(5)(H) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136a-1(i)(5)(H)) shall be applied by substituting the date specified in section 106(3) of this joint resolution for “September 30, 2012”.

(2) Notwithstanding section 33(m)(2) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136w-8(m)(2)), section 33(m)(1) of such Act (7 U.S.C. 136w-8(m)(1)) shall be applied by substituting the date specified in section 106(3) of this joint resolution for “September 30, 2012”.

(c) Section 408(m)(3) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 346a(m)(3)) shall be applied by substituting the date specified in section 106(3) of this joint resolution for “September 30, 2012”.

SEC. 145. Section 163 of Public Law 111-242, as amended by Public Law 111-322, is further amended—

(a) in subsection (b), by striking “2012-2013” and inserting “2013-2014”; and

(b) by inserting at the end the following:

“(c) Not later than December 31, 2013, the Secretary of Education shall submit a report to the Committees on Appropriations and Health, Education, Labor, and Pensions of the Senate and the Committees on Appropriations and Education and the Workforce of the House of Representatives, using data required under existing law (section 1111(h)(6)(A) of Public Law 107-110) by State and each local educational agency, regarding the extent to which students in the following categories are taught by teachers who are deemed highly qualified pursuant to 34 C.F.R. 200.56(a)(2)(ii) as published in the Federal Register on December 2, 2002:

“(1) Students with disabilities.

“(2) English Learners.

“(3) Students in rural areas.

“(4) Students from low-income families.”.

SEC. 146. The first proviso under the heading “Department of Health and Human Services—Administration for Children and Families—Low Income Home Energy Assistance” in division F of Public Law 112-74 shall be applied to amounts made available by this joint resolution by substituting “2013” for “2012”.

SEC. 147. Notwithstanding section 101, amounts are provided for “Department of Health and Human Services—Administration for Children and Families—Refugee and Entrant Assistance” at a rate for operations of \$900,000,000. Amounts made available by this section may be obligated up to a rate for operations necessary to maintain program op-

erations at the level provided in fiscal year 2012, as necessary to accommodate increased demand.

SEC. 148. Activities authorized by part A of title IV and section 1108(b) of the Social Security Act shall continue through the date specified in section 106(3) of this joint resolution, in the manner authorized for fiscal year 2012, and out of any money in the Treasury of the United States not otherwise appropriated, there are hereby appropriated such sums as may be necessary for such purpose. Grants and payments may be made pursuant to this authority on a quarterly basis through the second quarter of fiscal year 2013 at the level provided for such activities for the corresponding quarter of fiscal year 2012.

SEC. 149. Notwithstanding any other provision of this joint resolution, there is appropriated for payment to the heirs at law of Donald M. Payne, late a Representative from the State of New Jersey, \$174,000.

SEC. 150. Notwithstanding section 101, amounts are provided for “Department of Veterans Affairs—Departmental Administration—General Operating Expenses, Veterans Benefits Administration” at a rate for operations of \$2,164,074,000.

SEC. 151. The authority provided by section 315(b) of title 38, United States Code, shall continue in effect through the date specified in section 106(3) of this joint resolution.

SEC. 152. (a) Section 120 of division C of Public Law 112-55 shall not apply to amounts made available by this joint resolution.

(b) During the period covered by this joint resolution, section 1102 of Public Law 112-141 shall be applied—

(1) in subsection (a)(1), by substituting “\$39,143,582,670” for “\$39,699,000,000”;

(2) in subsection (b)(10), as if the limitation applicable through fiscal year 2011 applied through fiscal year 2012; and

(3) in subsection (c)(5), by treating the reference to section 204 of title 23, United States Code, as a reference to sections 202 and 204 of such title.

SEC. 153. The matter under the heading “Department of Transportation—National Highway Traffic Safety Administration—Highway Traffic Safety Grants” in division C of Public Law 112-55 shall be applied to amounts made available by this joint resolution by treating each reference to section 2001(a)(11) of Public Law 109-59 under such heading as a reference to section 31101(a)(6) of Public Law 112-141.

SEC. 154. The matter under the heading “Department of Transportation—Federal Transit Administration—Formula and Bus Grants” in division C of Public Law 112-55 shall be applied to amounts made available by this joint resolution by substituting “49 U.S.C. 5305, 5307, 5310, 5311, 5318, 5322(d), 5335, 5337, 5339, and 5340” for “49 U.S.C. 5305, 5307, 5308, 5309, 5310, 5311, 5316, 5317, 5320, 5335, 5339, and 5340 and section 3038 of Public Law 105-178, as amended” each place it appears.

SEC. 155. Section 601(e)(1)(B) of division B of Public Law 110-432 shall be applied by substituting the date specified in section 106(3) of this joint resolution for “4 years after such date”.

This joint resolution may be cited as the “Continuing Appropriations Resolution, 2013”.

The SPEAKER pro tempore. The gentleman from Kentucky (Mr. ROGERS) and the gentleman from Washington (Mr. DICKS) each will control 30 minutes.

The Chair recognizes the gentleman from Kentucky.

GENERAL LEAVE

Mr. ROGERS of Kentucky. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.J. Res. 117.

The SPEAKER pro tempore (Mr. THORNBERRY). Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. ROGERS of Kentucky. Mr. Speaker, I yield myself such time as I may consume.

This 6-month continuing resolution, Mr. Speaker, will keep the government's doors open and its wheels turning until March 27, 2013. It's a necessary bill that ensures that the Congress is doing its job, even if this is not our preferred way of going about doing it.

Funding for the government in short increments is not the right way to govern and not something that should be common practice.

It's essential to our Nation's financial future that the Congress complete these important appropriations bills in regular order.

However, the Senate failed to act on any of the 12 appropriations bills this year, instead choosing to default on their most basic fiscal duty in the name of election-year politics.

Over the past few months, the House did its very best to support the core functions of the government and provide responsible levels for critical programs and services. In fact, the Appropriations Committee considered all 12 bills, fulfilling our duty as shepherds of Federal tax dollars and our responsibility as representatives of the people in this country.

I'm deeply disappointed that this work is now on hold and that Congress will not complete this work before the end of the fiscal year this September 30.

Though we have found ourselves in this undesirable position, it does not mean we can't yet act responsibly.

This CR is a good-faith effort to provide limited, but fair, funding for government programs. It sticks with the agreement the House leadership made with the Senate and the White House to continue government operations at the Budget Control Act-approved level of \$1.047 trillion, thereby avoiding the perils of a threatened government shutdown.

This legislation is very limited in scope. Funding levels have been held at rates essentially consistent with the current fiscal year. It makes minor changes to prevent detrimental or catastrophic or irreversible changes to Federal programs and to ensure good government.

This includes provisions to allow additional funding for things like nuclear weapons modernization efforts, wildfire

suppression, maintaining current border security staffing levels, more help to process veterans' disability claims, and things of that sort. Essential.

We've also made sure that we will take care of these individuals, businesses, and communities affected by the recent natural disasters like Hurricane Isaac. We provide \$6.4 billion in additional disaster funding. This funding will prevent any lapse in critical assistance to those already working to recover from these catastrophes, as well as adequate financial resources, should any need arise in the future.

□ 1510

The bill also protects critical funding for our national defense, maintaining last year's levels for Department of Defense programs which the Senate and the White House have sought to significantly cut.

Mr. Speaker, my committee will stand ready and will stand at the ready to continue the appropriations process. We intend to use the lame-duck session to the fullest extent. Just because this CR will last until March 27 of next year, we will not rest on our laurels until that time. We will do as much as we can to allow ample time to complete that essential work.

Mr. Speaker, we have to pass this important bill to maintain the continuity of our government and to prevent its shutdown and to continue the vital programs and services for our people, for our Nation, and for the stability of our economy.

I ask for support, Mr. Speaker, of this critical legislation.

I reserve the balance of my time.

Mr. DICKS. Mr. Speaker, I yield myself such time as I may consume.

While I would prefer to be doing our regular appropriation bills, I support this continuing resolution. H.J. Res. 117 avoids a government shutdown by continuing the full range of Federal activities at last year's rate of operations, plus six-tenths of 1 percent. The CR also preserves the agreement on spending levels and the reforms in budgeting for disaster relief as set out in the Budget Control Act.

On defense, the CR caps overseas contingency operations at the President's request for FY 2013 at \$88.5 billion instead of continuing last year's level of \$115.1 billion, a reduction of \$26.6 billion.

The CR grants some flexibility for transferring funds within OCO since last year's priorities do not meet this year's defense needs in the region. Beyond that, however, the CR is stringent on defense. DOD requested limited authority for new starts and changes in production and procurement rates. Those requests were all denied.

The CR includes only a handful of spending anomalies, providing additional funding only where absolutely necessary.

Wildland fire suppression receives more funds than last year's level. The Interior Department and the Forest Service have already spent all of their FY12 fire suppression funding, in addition to \$400 million that was reprogrammed to respond to a harsh fire season.

VA operating expenses are also increased because disability claims are expected to increase significantly in FY 2013 as more vets return.

Without an increase above last year's level, the launch schedule for the weather satellites would be delayed, causing significant gaps in data collection essential for severe weather forecasting.

Increases are provided for the Supplemental Nutrition Assistance Program, or SNAP, child nutrition, and Commodity Supplemental Food program, which all need additional funds to meet current caseloads.

There are even fewer extensions of expiring authorizations. Only those affecting spending are addressed.

The CR includes a 6-month clean extension of TANF. Without the extension, cash assistance and work support for working families would stop at the start of FY 2013.

The CR also specifies the LIHEAP State allocation formula to ensure that States receive adequate funding for the winter heating season.

I must mention two concerns.

First, I am very disappointed that we have yet to enact a single FY13 bill in the Congress even though we passed seven bills in the House of Representatives. I know Chairman ROGERS shares my disappointment. A CR is not a replacement for the appropriations process. Federal agencies need much more direction than what is provided in a CR, and I believe this measure serves to underscore the need for timely, regular appropriation bills.

Lastly, I am deeply concerned that the threat of a sequester inhibits current economic growth and slows job creation. The sooner we deal with all the fiscal cliff issues, the sooner our economic recovery will be strengthened. Just yesterday, Moody's threatened a potential downgrade of the U.S. Government's credit rating in 2013 unless Congress averts the fiscal cliff. I wish we could turn off sequestration in this CR and enact a balanced package of deficit reduction to replace it. Unfortunately, any serious discussion seems impossible until after the election.

As Chairman ROGERS said, this is a streamlined CR, free of any new riders and negotiated in a bipartisan fashion. I urge my colleagues to support this legislation.

I want to commend the chairman for working so hard and being so diligent in his efforts to restore regular order in the appropriation process, and I concur in his judgment that we should try to

put together an omnibus between now and the holidays in order to get our work done this year. That would be the best course of action, rather than waiting until March.

Again, let's vote for this CR and do our work and get it done.

I reserve the balance of my time.

Mr. ROGERS of Kentucky. Mr. Speaker, the gentleman I will introduce next has served on the Defense Appropriations Subcommittee for over 30 years, as has the previous speaker, Mr. DICKS, served over 30 years as well. These two gentlemen, the previous speaker and the upcoming speaker, are the House's experts, in my judgment, on military matters. So I yield such time as he may consume to the former chairman of the full committee, and also now the chairman of the Defense Subcommittee, the gentleman from Florida (Mr. YOUNG).

Mr. YOUNG of Florida. Thank you, Mr. Chairman.

Mr. Speaker, I use this time to rise to present the Defense appropriations bill for fiscal year 2013, and that's what I had planned to do. But then, all of a sudden, I realized I already did that 2 months ago; and the House, in a strong, bipartisan vote of more than 330 votes passed this good bill that Mr. DICKS and I had worked so long and hard to prepare and to present. We were really excited about getting to the Senate and having the Senate make their mark and then go to conference and get this bill on the law books.

It's important that our national defense and the members of our military have some certainty in what they're going to be able to do in the next fiscal year. But that was not to be. We were rolling along with that bill, and we had passed seven other appropriations bills, thanks to Mr. ROGERS getting us back to regular order. His committee had already voted out all but one of the appropriations bills. We had passed seven in the House before we got the message. The Senate leader said the Senate will pass no appropriations bills this year. There's something wrong with that.

I'd like to read the Constitution, and I recommend it. It's good reading.

Article I, section 9, says, "No money shall be drawn from the Treasury, but in consequence of appropriations made by law." That's what it means to pass these appropriations bills.

The end of the fiscal year is only a few weeks away. This Constitution would come into play. The government would have no money to function. Portions of the government would have to be closed down. You've heard it referred to, a government shutdown. We're going to have to pass this CR because we don't want a government shutdown.

The Defense appropriations bill was a very good bill. It was a bipartisan bill. There were some great initiatives that

we had included and the House supported in that bill. We got to keep two of those initiatives as anomalies, and that's all.

So it's important that as soon as the Congress reconvenes, when it does, we get back to this Defense appropriations bill and pass it for sure.

One of the anomalies had to do with prohibiting the Air Force from undertaking any of the new aircraft retirements or relocations of aircraft and associated missions that were identified in their fiscal year 2013 budget request. That needs to be in here. This affects all of our States. All of our Governors, all of our adjutant generals weighed in on this issue. We did get that, as an anomaly, in the bill.

But we need to get to work on this Defense appropriations bill as soon as we possibly can and get it into law so that our military, the members of our military, the men and women who wear the uniform, those at the Pentagon who do the management, who do the planning, they have to know what it is they're going to be able to do, what money will they have available. And then they're facing sequestration, which also has to be avoided somehow, one way or another.

But when the Constitution is ignored—which is happening with our brothers and sisters in the other body—things don't work right, and we've got to get them right. In the lame-duck session, we have got to take care of these problems and get to work on this Defense appropriations bill. We've got to find some way to persuade those who serve in the other body. If their leadership doesn't want to do it, there are ways to apply pressure to the leadership to get the job done that the Constitution requires.

□ 1520

Mr. Speaker, I thank Chairman ROGERS for the good job he's done, and I thank him for the time that he has given to me today.

Mr. DICKS. I yield 2½ minutes to the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. I thank Ranking Member DICKS for yielding.

Mr. Speaker, I rise, reluctantly, to support this 6-month fiscal 2013 continuing resolution. It is unfortunate we have before us a continuing resolution that only kicks the can down the road a bit, again, but does not represent the regular order to which our institution must return for sound governance of our Republic.

House Republicans have left the House with no choice but to support this measure or we will face another government shutdown. I'm sure we will hear from our Republican colleagues that the Senate didn't pass any appropriation bills, and that's why we're here considering a temporary bill.

The reality is that the unwillingness of the House Republicans to keep their

word is why we have a short-term continuing resolution before us toward. The bipartisan agreement in the Budget Control Act provided for \$2.2 trillion in balanced deficit reduction and included strict spending caps for future appropriations.

But rather than keeping to the bipartisan agreement, the Republican leadership rammed through the House a radical Ryan budgetary agenda that seeks to burden the middle class and seniors with the entire burden of reducing our debt while giving millionaires and billionaires more tax cuts. That is totally irresponsible.

House leadership wasted precious floor time with fiscal 13 appropriation bills that everyone knew were destined to languish. We should have spent our time debating comprehensive jobs legislation, a farm bill, and legislation to save the U.S. Postal Service.

Nevertheless, under the circumstances of hyperpartisanship, I commend Chairman ROGERS and Ranking Member DICKS for crafting a clean continuing resolution that also addresses other important issues such as wildlife management, veterans benefits, Small Business Administration loan guarantees, and nutrition assistance.

In particular, I want to commend the chairman and ranking member for providing sufficient funding for the Commodity Supplemental Food Program so food assistance is not taken away from low-income senior citizens across our country, whose calls at food banks have gone up 20 percent.

The Commodity Supplemental Food Program is a vital weapon in our fight against the real hunger that millions of our fellow citizens confront daily. Ninety-seven percent of these individuals are low-income seniors.

The program needed a slight increase to keep up with real food inflation, and rather than provide the resources to keep up with inflation, the House Republican FY 13 appropriation bill proposed to slash funding.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. DICKS. I yield an additional 15 seconds.

Ms. KAPTUR. I thank the gentleman. The appropriation bill would have resulted in 55,000 participants, predominantly seniors, being cut off vital nutrition assistance per month. So I'm pleased that this CR provides their necessary support.

And while I regret that House Republicans leaders favor kicking the can down the road instead of addressing the important budgetary issues America faces, I urge my colleagues to adopt this resolution so we can prevent the Republicans from forcing another potential government shutdown.

Mr. ROGERS of Kentucky. I reserve the balance of my time.

Mr. DICKS. I yield 2 minutes to the distinguished gentleman from Indiana (Mr. VISCLOSKEY).

Mr. VISCLOSKY. I thank the gentleman for yielding.

I rise today to express my great appreciation for the tireless efforts Chairman ROGERS and Ranking Member DICKS have expended in this Congress and this fiscal year. They, the other committee Members, and the committee staff have applied their expertise and a tremendous amount of energy and effort in their attempt to return the appropriations process to the regular order. To their credit, Chairman ROGERS and Mr. DICKS have allowed this body to pass more than a majority of our bills.

While I support the continuing resolution, I am abjectly disappointed that the Congress is, once again, going to fail at one of its most fundamental responsibilities. We are all elected to make discrete decisions about Federal programs. By being unable or unwilling to pass individually negotiated appropriation bills, we are doing a great disservice to our constituents and to our country by not providing the guidance necessary for Federal programs to operate effectively.

As the ranking member of the Energy and Water Subcommittee, I would like to highlight the National Nuclear Security Administration as an example of where this CR does not provide the necessary oversight for good government. The agency is plagued by dramatic cost increases on nearly every major task under its jurisdiction. The poster child of this inability to accurately estimate cost is the Life Extension Program for the B-61 bomb, the pricetag of which has gone from \$4 to \$10 billion.

And I would also be remiss if I did not mention my disappointment that an anomaly for the United States Enrichment Cooperation is included in the CR. The government has subsidized this company for far too long, and we shouldn't continue to throw good money after bad. I believe that the national security arguments for this program are inconsistent and unpersuasive, and while USEC may have a pressing need for a bailout, there is no immediate defense requirement.

In closing, I do support the CR because it is timely and bipartisan, but we need to break the habit of perpetually kicking every hard decision and deadline down the road.

Mr. ROGERS of Kentucky. I reserve the balance of my time.

Mr. DICKS. I yield 2 minutes to the distinguished gentlewoman from New York (Mrs. LOWEY), the ranking member of the Foreign Operations Subcommittee.

Mrs. LOWEY. Mr. Speaker, I rise in support of the continuing resolution. Two of Congress' primary responsibilities are setting Federal spending levels and being a good steward of taxpayer dollars. We should all agree that

is best accomplished when we comb through the budget, line by line, to enact responsible spending bills.

That became impossible when the majority walked away from the agreement in last year's Budget Control Act. As a result, the House engaged in a futile attempt to adopt bills that simply don't add up to the spending levels already agreed upon.

A temporary blanket extension of funding doesn't allow us to prioritize increased investments in STEM education, biomedical research, clean energy, infrastructure, advanced manufacturing, and job training initiatives that will grow our economy and create jobs. And a CR also inhibits our efforts to root out wasteful spending.

I will support this bill. We must keep the government operating. However, next year, we must work across the aisle to ensure adequate investments in activities that will facilitate economic growth and best serve our national interest.

I would also like to take a moment to thank my good friend, NORM DICKS. It has been a privilege to serve on the committee with you, and your expertise, steady hand, and leadership will be greatly missed.

Mr. DICKS. I yield 2 minutes to the distinguished gentleman from North Carolina (Mr. PRICE), who's the ranking member on the Homeland Security Subcommittee.

Mr. PRICE of North Carolina. Mr. Chairman, a continuing resolution is a sign that a budget has failed. And this appropriations process was destined to fail from the start as Republicans unilaterally abandoned the Budget Control Act statutory spending caps in favor of the unworkable caps of the Ryan budget.

This 6-month stopgap spending bill proves that the Ryan budget is a lemon. A lemon's a car that won't start, and the Ryan budget is still a nonstarter because it's out of step with the Budget Control Act, with our priorities, and with our values.

While the CR avoids the worst of the Ryan budget's cuts to education, infrastructure, and research, this isn't the way Congress should be budgeting. We should be considering final appropriations bills for Homeland Security and other agencies, or an omnibus bill, that would provide certainty about funding levels for fiscal 2013.

The whole notion of a 6-month CR begs the question: If we can pass a 6-month bill, why not return to the regular order and pass a 12-month bill?

I'm pleased that the CR incorporates a number of "anomalies" which accommodate the Department of Homeland Security's need for flexibility in both cybersecurity and Customs and Border Protection personnel. By providing funds for both the EINSTEIN 3 system and for Federal network security, we're ensuring the Federal Government is

prepared to tackle the next generation of cyberattacks before they disrupt the Federal network.

□ 1530

On the other hand, I remain concerned that, by not enacting the committee product, we are providing inadequate funding for FEMA first responder grants and for the science and technology directorate. These accounts were badly underfunded in 2012, and passing a CR rather than our 2013 bill continues the shortfall.

Now, the CR, some say, at least lets us keep the government open. Well, we're really in bad shape if the best we can say for ourselves is that we're keeping the government open! Any such claim of success simply underscores how low the bar was set earlier in the current Congress as House Republicans forced the country to lurch from one manufactured crisis to the other. We must do better.

Mr. ROGERS of Kentucky. Mr. Speaker, I yield myself such time as I may consume to engage with the ranking member and clarify some apparent confusion on this CR's provision regarding cybersecurity, if the gentleman would engage.

The language in section 137 of the CR, regarding cybersecurity, is explicit and clear. The phrase that's apparently in question refers solely to the Federal Network Security program. The Federal Network Security is a limited program that provides security systems on government networks, not private. So no funds are for any new executive order. No funds or language expands any DHS authorities, and none of the funds or language in this section has anything to do with the regulation of private sector infrastructure, and we have confirmed that in writing with the Department of Homeland Security.

Without this anomaly, the program will be suspended due to the lack of available funding, and the monitoring of Federal civilian networks will be further delayed, leaving them vulnerable to infiltration and subsequent breach. That's all we are trying to prevent with this provision.

Let me also add that this provision is an abbreviated version of what is contained in both the House-passed and Senate-reported fiscal year 2013 appropriations bills—something our committees have been working on all year.

With all of that said, I now yield to the committee's distinguished ranking member, the gentleman from Washington (Mr. DICKS), who I believe agrees with this clarification.

Mr. DICKS. I thank the distinguished chairman for yielding on this vital matter, and I completely concur with his stated clarification on this CR's funding and language regarding cybersecurity.

I strongly supported the inclusion of this anomaly, and see it as essential

but also limited in scope to only the securing of our vulnerable Federal civilian networks. This provision does not intrude upon the authorizers' jurisdiction or enable a new executive order in any way.

Mr. ROGERS of Kentucky. I reserve the balance of my time.

Mr. DICKS. I yield back the balance of my time.

Mr. ROGERS of Kentucky. Before I yield back, Mr. Speaker, let me take a moment to talk about the ranking member.

Mr. DICKS, as I said before, has served on this committee for 30-plus years. I'm not exactly sure how many. How many is it? It is 36 years. He has been a very, very dedicated member of the committee, including—and most especially—of the Defense Subcommittee on which he has served for, I think, 34 years. Before that, he was an aide to a Member of Congress, so he has wide, deep experience in this body.

Maybe just as importantly, perhaps even more so, is the dedication that he has given to the country through his service in the Congress. I, personally, have found him to be a close friend. He has also been a great partner in this appropriations process since I have become the chairman of the committee. He has been helpful in a thousand instances. His heart is in the right place. His mind is on the business of serving the public, especially the military part of that service.

We're going to miss NORM DICKS around here. He is going to leave a large hole in our hearts but also in the business of this body and this Congress, so we wish him well as he embarks upon a new career, perhaps, and a new way of life, perhaps. I've got an idea there are going to be a few fish involved in that future, but we are going to miss NORM DICKS for all that he has meant to us.

This may be the last bill that he has a part in. I hope, perhaps, there will be something in the lame duck; but in case there is not, I wanted to be sure that we said some words of deep, profound thanks to a patriot who has served his country as few others have. I wish NORM DICKS the very, very best as he embarks on the next phase of his life.

I will be happy to yield to the gentleman.

Mr. DICKS. I want to thank the chairman for his very kind remarks. It has been a deep pleasure working with you and your very able staff. I think one of the reasons for the success of trying to restore regular order is that we've had good staff cooperation at all levels. I want to thank our staff, both the majority and minority, for their excellent work.

It has been a great pleasure working with you. Again, let's hope we can convince people that we should get our work done so when we come back in

the lame duck session we can finally put the omnibus bill together for 2013 and get this accomplished. I know that's what the chairman wants and that that's what I want, but I appreciate his kind remarks. I appreciate his courtesy and his leadership of our committee. Thank you.

Mr. ROGERS of Kentucky. Finally, Mr. Speaker, I want to mention staff. As the ranking member has said, none of this would be here but for this wonderful staff that we are blessed with.

Bill Inglee on the majority side, the clerk; Will Smith, his deputy; and all of the staff on the subcommittees and the full committee have worked day and night—weekends included—on this bill. For that we are deeply appreciative. Then David Pomerantz on the minority side and all of the staff on the minority side, both full committee and subcommittees, have equally worked as hard and, most of the time, together on the same thing. So we want to thank them for the deep service that they've given to us.

With that, Mr. Speaker, I yield back the balance of my time.

Ms. CHU. Mr. Speaker, we know that in too many states and districts across the country, students with the greatest needs are being taught by teachers with little or no training, including those enrolled in alternative route teacher preparation programs. That's why I am so glad this legislation requires the Department of Education to provide Congress—and the nation—with comprehensive information on the extent to which our highest-need students, including students with disabilities, English learners, students from rural communities, and low-income students, are being taught by teachers-in-training who are enrolled in alternative route programs, disaggregated by state and district, as well as by student subgroups. The data that will be included in this report should be made public and disseminated to parents and other interested parties so that is understandable and actionable. Specifically, the provision requires:

The Secretary of Education must submit a report to Congress by 12/31/13 that provides a comprehensive picture, with state-level and LEA data, on the extent to which the following categories of students are taught by alternative route teachers-in-training who are deemed "highly qualified" pursuant to 34 CFR 200.56(a)(2)(ii): students with disabilities, English learners, students in rural areas, and students from low-income families. 34 CFR 200.56(a)(2)(ii) is the regulation that allows individuals participating in alternative route programs but who have not yet completed their full state certification to be labeled "highly qualified." This regulation was struck down by the Ninth Circuit in the *Renee v. Duncan* lawsuit, but written into statute in the December 2010 CR.

To produce the report required by this amendment, states and LEAs will be required to compile the data that they are already required to have under Section 1111(h)(6)(A) of NCLB regarding the professional qualifications of all their teachers, including: "Whether the teacher has met State qualification and licens-

ing criteria for the grade levels and subject areas in which the teacher provides instruction.

"Whether the teacher is teaching under emergency or other provisional status through which State qualification or licensing criteria have been waived.

"The baccalaureate degree major of the teacher and any other graduate certification or degree held by the teacher, and the field of discipline of the certification or degree."

This data will provide essential information to parents, to educators and to policy makers so that informed decisions can be made so that we can strengthen one of our nation's most valuable assets, our public schools. We will be in a much better position to look at our neediest students and our neediest rural and urban school districts and determine the extent to which well prepared teachers are or are not equitably distributed. Mr. Speaker, I look forward to receiving this important report from the Secretary on December 31, 2013.

Mr. HONDA. Mr. Speaker, I am pleased to rise in support of an important provision that is included in this Continuing Resolution. This provision will enable the collection of essential information that we have long sought to make determinations about whether teachers are equitably distributed among our high needs schools. It will also help us understand which teachers are working with underserved students.

In many places, teachers-in-training are serving as teachers of record. While we know this, we do not know exactly where they are concentrated around the country or which subgroups of students they are primarily teaching. Data points are available for some locales, but not nationally. This provision will require the Department of Education to gather information about the extent to which students with high needs are being taught by teachers with the least amount of preparation, including students with disabilities, English language learners, low-income students and students in rural areas and report this information to Congress by December 31, 2013.

It is my hope that this report will require States and LEAs to compile the data that districts are already required to have under the Parents' Right to Know Section of NCLB regarding the professional qualifications of all their teachers.

I look forward to receiving this important report. The information presented will assist Congress, the public, parents and educators in making informed decisions about policy and practice.

Mr. VAN HOLLEN. Mr. Speaker, this Continuing Resolution will fund the government through March 27, 2013, avoid a government shutdown and maintain critical programs and services for the American people. It is not in every respect the bill I would have written, but it is consistent with the Budget Control Act of 2011 and reflects the bipartisan and bicameral agreement that is possible at this time.

H.J. Res. 117 funds the government at an annualized rate of \$1.047 trillion, meets the President's request for Overseas Contingency Operations and includes modest increases for activities including cybersecurity, wildfire suppression and processing disability claims at the Veterans Administration.

While I am gratified that today's legislation also includes a clean, six-month extension of the Temporary Assistance for Needy Families (TANF) program, I regret that H.J. Res 117 continues to block common sense light bulb efficiency standards that would benefit consumers and the environment. Additionally, after two years of frozen pay, I believe federal workers should receive President Obama's recommended .5% cost-of-living adjustment at the beginning of the fiscal year.

Mr. HOLT. Mr. Speaker, I rise in support of the Continuing Resolution (H.J. Res. 117) to fund the federal government through March 2013.

This bipartisan spending bill staves off the devastating costs recommended by my Republican colleagues and instead continues the funding levels for the operations of federal agencies at last year's levels. I am pleased that this measure extends the services on which New Jersey families rely such as Small Business Administration, SBA, loan guarantees, Veterans Administration, VA, disability claims, and natural disaster relief. It preserves the necessary funding for Temporary Assistance for Needy Families, TANF, and Supplemental Nutrition Assistance Program, SNAP.

This compromise is by no means perfect, however. I am disappointed that this measure does not take any steps to invest in innovation, improve math and science education, make college more affordable, or help grow industries such as biotechnology and clean energy. I regret that this bill freezes the pay of hardworking federal employees who have already had years of pay freeze. Under this spending bill, no new programs will be funded. Unfortunately, this means that none of the important new programs—such as anti-distracted driving campaigns—authorized in the recently passed MAP-21 transportation bill can begin.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 778, the previous question is ordered.

The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. Pursuant to clause 1(c) of rule XIX, further consideration of House Joint Resolution 117 is postponed.

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NATIONAL SECURITY AND JOB PROTECTION ACT

Mr. GARRETT. Mr. Speaker, pursuant to House Resolution 778, I call up the bill (H.R. 6365) to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to replace the sequester established by the Budget Control Act of 2011, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 778, the bill is considered read.

The text of the bill is as follows:

H.R. 6365

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “National Security and Job Protection Act”.

SEC. 2. FINDINGS.

Congress finds the following:

(1) Current law requires that there be across-the-board cuts, known as a “sequester”, imposed on January 2, 2013. The sequester will result in a 10 percent reduction in non-military personnel programs of the Department of Defense and an 8 percent reduction in certain domestic programs, such as the National Institutes of Health (NIH) and border security.

(2) Intended as a mechanism to force action, there is bipartisan agreement that the sequester going into place would undercut key responsibilities of the Federal Government.

(3) As the Administration stated in its fiscal year 2013 budget request, “[Sequestration] would lead to significant cuts to critical domestic programs such as education and research and cuts to defense programs that could undermine our national security. . . . [C]uts of this magnitude done in an across-the-board fashion would be devastating both to defense and non-defense programs.” (The Budget of the United States Government, Fiscal Year 2013, p. 24, February 13, 2012).

(4) On March 29, 2012, The House of Representatives passed H. Con. Res. 112, the budget resolution for fiscal year 2013, which includes reconciliation instructions directing House Committees to craft legislation that would achieve the savings required to replace the sequestration called for in fiscal year 2013, as established by the Budget Control Act of 2011.

(5) On May 10, 2012, the House of Representatives passed H.R. 5652, the Sequestration Replacement Reconciliation Act of 2012, which would replace the \$98 billion sequestration of discretionary spending called for in 2013, as established by the Budget Control Act of 2011, by making changes in law to reduce direct spending by \$310 billion through fiscal year 2022.

(6) An analysis of the impact of the sequestration prepared for the Chairman of the House Armed Services Committee found that if left in place, sequestration would cut the military to its smallest size since before the Second World War, all while we are still a nation at war in Afghanistan, facing increased threats from Iran and North Korea, unrest in the Middle East, and a rising China.

(7) Major consequences identified by the House Armed Services Committee include the following:

(A) 200,000 soldiers and Marines separated from service, bringing our force well below our pre-9/11 levels.

(B) Ability to respond to contingencies in North Korea or Iran at jeopardy.

(C) The smallest ground force since 1940.

(D) A fleet of fewer than 230 ships, the smallest level since 1915.

(E) The smallest tactical fighter force in the history of the Air Force.

(F) Our nuclear triad that has kept the U.S. and 30 of our allies safe for decades will be in jeopardy.

(G) Reductions of 20 percent in defense civilian personnel.

(H) Two BRAC rounds of base closings. (House Armed Services Committee memo en-

titled “Assessment of Impacts of Budget Cuts”, September 22, 2011).

(8) Secretary Panetta and the professional military leadership have also looked at the impact of sequestration and reached similar conclusions.

(9) Secretary Panetta stated, “If the maximum sequestration is triggered, the total cut will rise to about \$1 trillion compared with the FY 2012 plan. The impacts of these cuts would be devastating for the Department. . . . Facing such large reductions, we would have to reduce the size of the military sharply. Rough estimates suggest after ten years of these cuts, we would have the smallest ground force since 1940, the smallest number of ships since 1915, and the smallest Air Force in its history.” (Secretary Panetta, Letter to Senator John McCain, November 14, 2011).

(10) General Dempsey, Chairman of the Joint Chiefs of Staff, stated, “[S]equestration leaves me three places to go to find the additional money: operations, maintenance, and training. That's the definition of a hollow force.”

(11) The individual branch service chiefs echoed General Dempsey:

(A) “Cuts of this magnitude would be catastrophic to the military. . . . My assessment is that the nation would incur an unacceptable level of strategic and operational risk.” —General Ray T. Odierno, Chief Of Staff, United States Army.

(B) “A severe and irreversible impact on the Navy's future” —Admiral Jonathan W. Greenert, Chief of Naval Operations.

(C) “A Marine Corps below the end strength that's necessary to support even one major contingency.” —General James F. Amos, Commandant of the Marine Corps.

(D) “Even the most thoroughly deliberated strategy may not be able to overcome dire consequences.” —General Norton A. Schwartz, Chief of Staff, United States Air Force (Testimony of Service Chief before House Armed Services Committee, November 2, 2011).

(12) According to an analysis by the House Appropriations Committee, the sequester will also have a significant impact on non-defense discretionary programs, including the following:

(A) Automatically reducing Head Start by \$650 million, resulting in 75,000 fewer slots for children in the program.

(B) Automatically reducing the National Institutes of Health (NIH) by \$2.4 billion, an amount equal to nearly half of total NIH spending on cancer this year.

(C) A reduction of approximately 1,870 Border Patrol Agents (a reduction of nearly 9 percent of the total number of agents).

(13) Beyond the negative impacts sequestration will have on defense readiness, it will also undermine the industrial base needed to equip our armed forces with the weapons and technology they need to complete their mission. A study released by the National Association of Manufacturers suggests that 1.1 million workers in the supply chain could be adversely affected, including 3.4 percent of workers in the aerospace industry, 3.3 percent of the workforce in the shipbuilding industry and 10 percent of the workers in the search and navigation equipment industry.

SEC. 3. CONDITIONAL REPLACEMENT FOR FY 2013 SEQUESTER.

(a) CONTINGENT EFFECTIVE DATE.—This section and the amendments made by it shall take effect upon the enactment of—

(1) the Act contemplated in section 201 of H. Con. Res. 112 (112th Congress) that achieves at least the deficit reduction called for in such section for such periods; or

(2) similar legislation that achieves outlay reductions within five years after the date of enactment that equal or exceed the outlay reductions flowing from the budget authority reductions mandated by sections 251A(7)(A) and 251A(8) of the Balanced Budget and Emergency Deficit Control Act of 1985, as in force immediately before the date of enactment of this Act, as it applies to direct spending in the defense function for fiscal year 2013 combined with the outlay reductions flowing from the amendment to section 251A(7)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 made by subsection (c) of this section.

(b) REVISED 2013 DISCRETIONARY SPENDING LIMIT.—Paragraph (2) of section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended to read as follows:

“(2) with respect to fiscal year 2013, for the discretionary category, \$1,047,000,000,000 in new budget authority.”.

(c) DISCRETIONARY SAVINGS.—Section 251A(7)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended to read as follows:

“(A) FISCAL YEAR 2013.—

“(i) FISCAL YEAR 2013 ADJUSTMENT.—On January 2, 2013, the discretionary category set forth in section 251(c)(2) shall be decreased by \$19,104,000,000 in budget authority.

“(ii) ENFORCEMENT OF DISCRETIONARY SPENDING CAPS.—OMB shall issue a supplemental report consistent with the requirements set forth in section 254(f)(2) for fiscal year 2013 using the procedures set forth in section 253(f) on April 15, 2013, to eliminate any discretionary spending breach of the spending limit set forth in section 251(c)(2) as adjusted by clause (i), and the President shall issue an order to eliminate the breach, if any, identified in such report.”.

(d) ELIMINATION AND CONDITIONAL REPLACEMENT OF THE FISCAL YEAR 2013 SEQUESTERATION FOR DIRECT SPENDING.—

(1) ELIMINATION.—Any sequestration order issued by the President under the Balanced Budget and Emergency Deficit Control Act of 1985 to carry out reductions to direct spending for the defense function (050) for fiscal year 2013 pursuant to section 251A of such Act shall have no force or effect.

(2) CONDITIONAL REPLACEMENT.—To the extent that legislation enacted pursuant to section 3(a)(2) achieves outlay reductions that exceed the outlay reductions flowing from the budget authority reductions required in section 251A(8) of the Balanced Budget and Emergency Deficit Control Act of 1985, as in force immediately before the date of enactment of this Act, the direct spending reductions for the nonsecurity category for fiscal year 2013 otherwise required to be ordered pursuant to such section shall be reduced by that amount, and Congress so designates for such purpose.

SEC. 4. PRESIDENTIAL SUBMISSION.

Not later than October 15, 2012, the President shall transmit to Congress a legislative proposal that meets the requirements of section 3(a)(2) of this Act.

The SPEAKER pro tempore. The gentleman from New Jersey (Mr. GARRETT) and the gentleman from Maryland (Mr. VAN HOLLEN) each will control 30 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. GARRETT. I ask unanimous consent that all Members have 5 legisla-

tive days in which to revise and extend their remarks and include extraneous material on H.R. 6365.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. GARRETT. At this time, Mr. Speaker, I yield 3½ minutes to myself.

Mr. Speaker, under current law, there will be a \$110 billion across-the-board cut known as sequester. It will be imposed in this country on January 2, 2013, resulting in a 10 percent reduction in the Department of Defense programs and an 8 percent reduction in certain domestic programs as well.

In May of this year, the House passed a bill to deal with this. That was H.R. 5652, the Sequester Replacement Reconciliation Act. What this legislation would do is it would replace that sequester of 2013 with commonsense spending cuts and reforms. Unfortunately, we have seen a lack of leadership both over in the Senate and in the White House. The Senate has failed to act on this legislation—the Senate, where all good bills go to die, so too with this, or any sequester replacement bill. Today the House will once again try to responsibly fix the sequester.

The National Security and Job Protection Act would ensure our national security, but at the same time we do that, we'll cut spending. The National Security and Job Protection Act would do two things quickly. First, it would turn off the sequester of Congress, enacting the House-passed reconciliation bill or similar legislation that achieves equal levels of deficit reduction. Secondly, the National Security and Job Protection Act would require the President of the United States to submit to Congress a legislative proposal to replace the sequester with an alternative no later than October 15 of this year.

Up until this point, we have seen absolutely no leadership, we have seen no plan from the President to fix this sequester problem, but yet there is strong bipartisan agreement that the sequester, as it is right now, is bad policy and should be re-prioritized. Once again, the President has failed to lead in this area, failed to put forward a credible response, failed to put forward a legislative proposal, and the Senate has failed as well. The result is that in less than 100 days we will see reductions that our own Secretary Panetta says will hollow out our Armed Forces and make totally arbitrary reductions in other spending programs.

Not only has the President failed to lead in this area, he has failed to put forward a plan. The President has also failed—and this is important—to submit to Congress a report, as law requires him to do so, detailing specifically how this administration would implement the sequester.

Mr. Speaker, after months, literally months, of stonewalling Congress on how this administration would implement the sequester, Congress now comes to the floor because we are forced to pass legislation requiring the President to submit a detailed sequester implementation program. When that legislation became law, as we said, the President's response has been no response. Rather than him doing his homework, the President has simply taken a pass on this matter and instead has provided Congress with nothing, and he is not even meeting the requirements of the law. It is an example, I think, to use the President's own word, of an “incomplete” by this President on his report card.

That the President lacks leadership is simply stunning to this Member and to the American people as well. As I say, the Senate is no better for failing to respond in this matter. The Senate refuses to take up any bill or to replace the sequester whatsoever.

Today, Mr. Speaker, we again come here passing legislation to try to solve this problem, to fix the sequester, to make sure that these draconian cuts do not go in place now. We're not saying that it has to be the House-passed bill that passed. We're also asking the President to put forward his own legislative proposal, for the Senate to act before the legislation takes effect.

Americans are looking for leadership, and they're getting it from the House of Representatives today.

With that, I reserve the balance of my time.

Mr. VAN HOLLEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this is really quite a charade we're engaged in here today on the floor of the House of Representatives. Let's just flash back a year ago to how we got to this spot.

At that time, our Republican colleagues threatened that the United States would default on its full faith and credit, that we wouldn't pay the bills that we already incurred, that this Congress had already voted for, and threatened to tank the economy unless we passed their version of the budget, the Ryan budget, the budget that came out of the House Budget Committee. In order to prevent the United States from defaulting, everybody got together—the House, the Senate, and the President—and they passed the Budget Control Act. To hear our Republican colleagues today, you'd think they had nothing to do with the Budget Control Act. We heard the chairman of the Budget Committee, Mr. RYAN, on television the other day not wanting to associate himself with that.

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The reality is he voted for it. The Speaker of the House said he got 98

percent of what he wanted. Here's the Speaker of the House after we passed the Budget Control Act:

I got 98 percent of what I wanted. I'm pretty happy.

Now we are faced with the consequences of the Budget Control Act. What did it do? Two things: It cut spending, discretionary spending over 10 years by a trillion dollars by putting in spending caps, and it created a sequester process.

There's agreement in this House that allowing the meat-ax sequester agreements to take place would really be a stupid thing to do. There's agreement on that.

The issue is: How do we replace that? How do we achieve a similar amount of deficit reduction to replace that sequester?

We hear our Republican colleagues say there is no leadership from the President; they haven't heard any alternatives. That's just not true.

There are lots of alternatives that have been put on the table. They just don't like the alternatives. And do you know why? Because the Democratic alternatives to the sequester, and the one put forward by the President, takes the same balanced approach that's been recommended by bipartisan commissions.

They say that in order to tackle our deficit we should make additional cuts. But we should also eliminate a lot of special interest tax breaks for Big Oil companies. We should ask the very wealthy to go back to paying a little bit more in taxes, about what they were paying when President Clinton was President, the last time we balanced our budget.

The President has submitted that. In fact, a year ago the President sent down a plan right here on how we could take a balanced approach to deficit reduction.

Just yesterday in the Rules Committee, on behalf of my Democratic colleagues, we proposed a substitute that would totally have replaced the sequester, again through a mix of cuts, cutting some of the excessive agriculture subsidies, but also raising revenue by cutting some of the big breaks for Big Oil companies and asking the wealthiest to chip in a little bit more.

Our Republican colleagues who say they want a big open debate on the floor here, they denied us even a vote on that amendment. We're not going to get to vote today on that amendment. Instead, we're voting on this resolution that, even if we pass it and the Senate passes it and the President would sign it, it would do nothing about the sequester—nothing. That's why I said this is a charade.

We had an option to bring to the floor of this House a real substitute proposal that, if we passed it, it would have removed the sequester, made sure that there are no cuts to defense and

nondefense under the sequester. We don't get to vote on that today. Instead, we're voting on something that is totally meaningless.

They say they're going to ask the President to submit a report to the Congress. He's already done it. He did it a year ago. They just don't like it because it takes a balanced approach, because it does ask Big Oil companies to give up some of their big taxpayer subsidies.

So, Mr. Speaker, let's end the charade. The moment our Republican colleagues come to the conclusion that it's more important to protect defense spending than it is to protect special interest tax breaks for Big Oil companies, we can move on and deal with this in a balanced way, the same way bipartisan commissions have recommended. I reserve the balance of my time.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair would remind all Members that it is inappropriate to traffic the well while a Member is speaking.

Mr. GARRETT. Mr. Speaker, I yield 5 minutes to the sponsor of the legislation before us, the gentleman from Florida (Mr. WEST), who recognizes that while the President may have presented a plan to this Congress, that bill went down 414-0, and to the Senate 97-0.

Mr. WEST. I want to thank my colleague for allowing me to come here.

This is not a charade. I served 22 years in the United States military, and I was part of a reduction in force coming out of Desert Shield/Desert Storm, and I know what these types of cuts will do to the military. Also, this is what these types of cuts will do to non-defense discretionary.

The sequestration will put at risk all that we have accomplished in education and weaken programs that help children, serve young families, send young people and adults to college and make the middle class American Dream possible.

Secretary of Education, Arne Duncan.

Secretary of Defense:

This mechanism of sequestration will force defense cuts that, in my view, would do catastrophic damage to our military and the ability to be able to protect our country.

I think right now, Mr. Speaker, it's very simple. George Santayana had a quote back in the 1920s and said:

Those who fail to learn from history are doomed to repeat it.

At the end of World War I, we cut our military, then came World War II. At the end of World War II, we cut our military, then came the Korean War. At the end of the Korean War, we, of course, did the exact same thing, and, of course, we had to chase communism all over the world, Vietnam.

As I spoke about earlier, I participated in the RIF after Desert Shield/Desert Storm. This sequestration does one simple thing: It takes the Army and Marine Corps down to 1940s levels.

It puts 200,000 of our men and women in uniform on the streets.

It makes our United States Navy go to 1915 levels. Currently, we have a naval force of 283 warships. It goes down to 230.

It takes our Air Force down to the smallest Air Force we have had in modern history, when we created the United States Air Force. It cuts non-tactical fighter squadrons.

If you talk to any of our service chiefs, if you listen to the Chairman of the Joint Chiefs who talks about hollowing out this force, we should not be doing this at a time when we all see what is happening in the world right now, when the United States of America has had a sovereign piece of its territory attacked. We have had an Ambassador that has lost his life. The message that we are going to send is that we are going to do nothing?

This legislation says, very simply, we have passed a plan out of the House. The Senate, if you don't like our plan, come up with your own plan. Mr. President, you are the Commander in Chief. Come up with a plan.

One of the things that you learn as a young officer, that if you ever get into a firefight, you are ever in an ambush, to do nothing means that people lose their lives. I will not stand here and do nothing at this time because those are my friends still in uniform; those are my relatives that are still in uniform.

Now, I did not have the ability to be selected to be on the supercommittee—maybe because I have only been here as a freshman—but that does not mean that I will not be an adult and present a solution that says, very simply, If you don't like what we passed in the House, then do something. Come up with a plan.

We just heard the debate about the continuing resolution, a continuing resolution we have been forced into because we have a Senate that has not passed a budget in close to 3 years. We have a Senate that has not taken up any appropriations bills.

Well, I will tell you—and I will reach out to my colleagues from the other side—at least here in the House we have done something. But we have been forced into a position with this sequestration to say we have got to come up with a solution. The supercommittee did not meet its enacted mandate.

Does that mean we're going to stop? Does that mean that we're going to look at the men and women in uniform and say we will allow this to happen? Did that mean that we're going to look at other people that are affected by these non-defense discretionary cuts?

All I'm saying is, with this piece of legislation, those who have come up with a plan, tell us what you want so that we do not have this occur. Think about the second- and third-order effects that will come to this.

We are talking about the people that will be lost in uniform.

Mr. VAN HOLLEN. Will the gentleman yield?

Mr. WEST. No, I will not yield, so please—thank you.

We're talking about the Department of Defense civilian positions that would be lost. We're talking about the defense industrial base, the technology that is going to develop the next generation of weapons systems for our men and women that will be lost. We're talking about a critical decision for the way ahead for the United States of America.

And I understand what has been said about this balanced approach that the President sent over in his fiscal year 2013 budget. They had \$1.9 trillion of new taxes, but yet it never balances at any time. If it was such a good plan, such a good budget, no one here took it up. That's my concern.

This is a last chance for us to be the adults, to do something, to stave off this sequestration. The House voted. The House sent a piece of legislation out in May. The House voted on the Sequestration Transparency Act. We still have not gotten anything.

The Director of the OMB, Mr. Jeffrey Zients, testified before the Armed Services Committee he has no plan. All he did was sit there and say that, if you guys would stop with these tax cuts not being brought up on the rich, then this would not happen.

What is a fair share when the top 1 percent pays close to 37 percent of taxes? That's not the debate, Mr. Speaker. The debate is what we're going to do about this sequestration.

□ 1600

Mr. VAN HOLLEN. Mr. Speaker, I yield myself such time as I may consume.

We've heard before that there was this vote on the President's plan and that it got no votes. We had a vote on a fake President's plan. When we actually had to vote on the Democratic alternative, which the White House made clear was closer to their plan than the one that was put up for a fake vote, it got a huge vote from our Democratic colleagues.

I would just ask Mr. WEST to read his own amendment. Because if you read the bill, it's pretty clear if we were to pass it and the Senate was to pass it and the President would sign it, it doesn't make the sequester go away. No, it doesn't make the sequester go away. It calls for action. In fact, it says the President should submit a plan within a certain period of time. It's right here in your bill: Presidential submission not later than October 15, 2012. The President shall transmit to the Congress a legislative proposal.

Mr. WEST. If the gentleman will yield, it says that it would be replaced. If you come up with a plan, it will be replaced.

Mr. VAN HOLLEN. Exactly. And reclaiming my time, that's exactly right.

That's exactly what it says. But you tell the President what his plan has to do. You tell the President that his plan cannot include one penny of revenue for the purpose of reducing the deficit. In other words, you say the President's plan has got to look like your plan.

So, Mr. Speaker, the issue here is not whether the President has a plan or not. He does have a plan. Our Republican colleagues don't like it because it says that it's more important to protect defense spending and protect domestic spending like NIH than it is to protect special interest tax loopholes. And I see the chairman of the Armed Services Committee on the floor, and I respect him greatly. That's the position he took last October. Here's what he said when he was asked:

"If it came that I had only two choices, one was a tax increase and one was a cut in defense over and above where we already are, I would go to strengthen defense."

That is the President's position. That's the President's position, Mr. WEST. He said we need to take a balanced approach to reducing the deficit. We need to combine cuts. But we also should end special interest tax breaks for the big oil companies. George Bush himself said when you've got oil above \$50 a barrel, you don't need these ridiculous incentives to keep them drilling. And we should ask very wealthy individuals, frankly, to pay the same tax rate that the people who work for them do; the same effective tax rate. And we should eliminate some of these ag subsidies.

Now you asked about other proposals. I have a proposal in my hand. I took it to the House Rules Committee yesterday. It would have totally replaced the sequester. If we actually voted on this, it would replace the sequester for defense and nondefense. You know how we do it? We do it through cuts to big ag subsidies, we do it by eliminating subsidies for the big oil companies, and yes, we ask people making more than a million dollars a year to pay a little bit more because we think it's more important to do that than allow these cuts to defense to take place and all the consequences you talk about, and we think it's important to protect investments in places like NIH, people who are fighting to try and find cures for diseases.

So, Madam Speaker, the issue is not whether we replace the sequester. The President's got a proposal. I've got a proposal. It's how we do it. And, again, our Republican colleagues have doubled down on this idea that you're going to protect every tax break that's out there before you protect spending on our national defense.

I reserve the balance of my time.

Mr. GARRETT. Before we hear from our leader, I yield 15 seconds to the gentleman from Florida (Mr. WEST).

Mr. WEST. We voted to cut defense spending by \$487 billion. We're talking

about additional. And when you talk about raising these taxes, Ernst & Young had an independent report that talked about the adverse ramifications that will come from raising taxes.

Obviously, one thing we fail to understand, small business operators, subchapter S corps, LLCs, you're going to ruin this economy and more job losses by raising those taxes.

Mr. VAN HOLLEN. Madam Speaker. I yield myself such time as I may consume.

I just would ask the gentleman, and I would yield to him for an answer, whether he means Bain Capital is a small business.

Mr. WEST. I'm not talking about Bain Capital. You said raise taxes on individuals. I'm talking about personal income.

Mr. VAN HOLLEN. Madam Speaker, reclaiming my time. Mr. WEST, when Mr. Romney and Mr. RYAN and all our Republican colleagues cite those figures about passthroughs, that includes companies like Bain Capital. It also includes some Fortune 100 companies. The President has put forward a proposal that says let's act right now to extend tax relief to 98 percent of the American people and 97 percent of all passthrough businesses.

It's true we don't think that Bain Capital needs a big additional tax break when we've got a big deficit that we should deal with in what we think should be a balanced way.

I reserve the balance of my time.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mrs. MILLER of Michigan). Members are reminded to direct their remarks to the Chair.

Mr. GARRETT. I yield 1 minute to our leader, the gentleman from Virginia (Mr. CANTOR).

Mr. CANTOR. I want to thank the gentleman from New Jersey and commend the gentleman from Florida on bringing this bill forward.

Madam Speaker, the bill before us is not about tax rates. Because I think that that issue will be resolved one way or another here shortly in this election. We know that there's a difference between the two sides. Unfortunately, our counterparts on the other side of the aisle think it's very important in this tough economy to raise taxes. We don't believe that, Madam Speaker. The bill before us simply asks the President to give us his plan for replacing the first year of cuts in the sequester.

It has been 126 days since we passed our plan to responsibly replace the sequester with cuts that maintain our fiscal discipline. Our plan controls unchecked government spending and reduces wasteful and duplicative programs. But still there has been no action and no proposal coming from the other side of the Capitol, coming from the other side of the aisle.

It has been 126 days since the President said he would veto our plan. But he has failed to put forward an alternative. And the letter that some of us Republican leaders wrote on July 14 asking the President to engage with us to come and find a bipartisan solution to the sequestration, that letter has gone unanswered.

Madam Speaker, inaction carries a very high risk. Instability and unprecedented political transformation throughout the Middle East, a civil war in Syria, Iran's dogged pursuit of nuclear weapons in support for terrorism, as well as challenges posed by a rising China and geostrategic shifts in the Asia Pacific make maintaining American military preeminence as important as ever. And the deadly and tragic attacks on Ambassador Chris Stevens, Foreign Service Information Management Office Sean Smith, and two other Americans at our consulate in Benghazi, Libya, make clear that Islamic extremist terrorism remains a tremendous threat to the Middle East, the United States, and the international community.

If the cuts in the sequester go forward, they will fundamentally weaken our current and long-term security and our ability to meet challenges we're facing. Implementing these cuts will mean reductions in shipbuilding, aircraft and missiles, shrinking our current force to levels not seen since before World War II. And that means fewer defense-related jobs. According to a study conducted by the Aerospace Industries Association, the job losses will reach 2 million. Let me put that in perspective. The economy added less than 100,000 jobs last month. Worse, more people dropped out of the labor force than were added to it. Under the sequester, unemployment would soar from its current level up to 9 percent, setting back any progress the economy has made. According to the same study, the jobs of more than 200,000 Virginians, my own State, are on the line. A small business in my district called Produce Source Partners, which provides fresh food to military bases, says the sequester threatens the jobs of their 200 employees. Another small company in Virginia, HI-TEST Laboratories, could be forced to reduce their staff by as much as 30 percent. Removing these jobs from the community will shrink the local economy and set back an already underutilized business zone. That same predicament faces hundreds of hardworking men and women in towns from here to California.

Madam Speaker, we are here today asking the President simply to come forward with a plan. We are here today because the minority has failed to work with us to find a solution to prevent these cuts that would hollow out our military and result in massive layoffs.

Madam Speaker, the House has acted. Now we need leadership, Mr. President.

□ 1610

Mr. VAN HOLLEN. Madam Speaker, I yield myself such time as I may consume.

It's hard to know where to begin because—I hope everyone was listening very carefully. If we allow these spending cuts to take place, we will lose hundreds of thousands of jobs in Virginia alone. Thousands of jobs around the country.

You know, I've heard a lot of complaints from our Republican colleagues about the recovery bill and the fact that we had to do some emergency spending to prevent the loss of millions of jobs. You know what? That worked. And here our Republican colleagues here today are saying that we've got to make sure the spending cuts don't take place because if we do, it will result in a lot of lost jobs.

Well, you know what? It takes jobs to build an aircraft carrier, absolutely. It also creates jobs when you invest in trying to repair and modernize our roads and our bridges, our infrastructure.

The President submitted a jobs bill more than a year ago to this House to do exactly that. Let's invest more in modernizing our infrastructure. We haven't had a single vote on the President's jobs bill.

So I'm really glad to hear our Republican colleagues say that if we make these kinds of cuts, it's going to result in lost jobs because you know what? You are right about that.

The debate today is not about whether we should prevent the sequester from taking place. As I said, we should. It's how we do that.

I heard again from the Republican leader the President doesn't have a plan. He has a plan. They just don't like his plan. They don't like his plan because it takes a balanced approach. It says, you know what? In addition to cuts, we should also ask people who make more than a million dollars a year to contribute a little more to reducing our national deficit and preventing the sequester. We should ask big oil companies to give up their taxpayer subsidies.

So, the question, Madam Speaker, is not whether we replace the sequester. There are lots of plans that I've already talked about. The one in my hand, I offered it yesterday. I can't get a vote on it today.

The issue is not whether; it's how. We should take a balanced approach.

I yield now 3 minutes to the gentlelady from Pennsylvania (Ms. SCHWARTZ).

Ms. SCHWARTZ. Madam Speaker, I'm pleased to participate in this debate in some ways, although I do have to say that this is not really the kind

of honest debate that we need to be having. We should be having a conversation. We should have been having a conversation well before now about how we would avoid sequester and do it in a bipartisan way and do it in a balanced way. That is not what is happening. Right now what we're seeing is a Republican plan without that kind of conversation, without that kind of willingness to find common ground or balanced approach.

The Federal budget is about choices. The choices we make matter. Do we choose to protect our seniors, to grow the middle class, to make smart investments in our economy, to be able to reach agreement on deficit reduction in a way that is fair to the American people or not?

Republicans have made their choices, their priorities, and their values very clear. Once again, they are wasting America's time playing politics instead of working to find that common ground.

Sequestration was put in place to push us, to force us in Congress to work together on a bipartisan, balanced approach to deficit reduction. We knew it would be tough. We all knew we would not want to implement sequester, that that would be difficult. But we put on the table what needed to get done if we couldn't have that kind of conversation, and we have not yet seen the Republican leadership in the House be willing to engage in that kind of serious deficit reduction conversation that takes a balanced approach, respects our obligation to Americans and our future.

Today's legislation does not move us any closer to achieving the goal of deficit reduction done in a balanced way, in a fair way, in a real way. We know we must reduce the Nation's deficit in a balanced and fiscally responsible manner. We've seen every bipartisan independent commission tell us that.

It means, and they've told us and we know, that we have to take some hard hits in spending cuts, that we have to require greater efficiency and greater effectiveness from all sectors of government, that we must do this with a balance, with increased revenue. It cannot be done without it.

In order to build economic growth in our Nation, we need to do all of this. Deficit reduction means spending cuts, it means increased revenue, it means a balanced approach if we're going to grow the economy for now and the future.

The Republicans in Congress have rejected this balanced approach, and in doing so they have made it clear that they are not serious about deficit reduction. They are, in fact, willing to add \$800 billion to our deficit with tax breaks to the wealthiest. That's what this legislation does today. They are adding \$2 trillion more in defense spending, more than the Pentagon has

said it needs to keep us safe and defend our Nation. They're willing to do this at the expense of our middle class, our seniors, and our economic recovery.

The Republican approach to replacing the sequester means that we will be less prepared to compete in the 21st century economy. Now is not the time to make drastic cuts in transportation and infrastructure, in innovation and clean energy, or in education and health care. And that's what this would do.

The Republican plan creates false and unfair choices for the American people.

Let's get serious. Let's have some real solutions. Let's move forward on deficit reduction and economic growth for the American people.

Mr. GARRETT. Madam Speaker, I would now like to yield 5 minutes to the gentleman from California (Mr. McKEON) who recognizes that it is really not a balanced plan to say that we want to raise \$3 on every American in taxes and only \$1 in spending reductions, and it is not a balanced plan to say that we want to pick and choose winners and losers when it comes to the Tax Code reform.

Mr. McKEON. Madam Speaker, I rise in strong support of the National Security and Jobs Protection Act offered by Mr. WEST from Florida. I have the privilege of serving on the Armed Services Committee with him, and I thank him for his leadership in bringing this important bill forward at this time.

It boggles my mind, Madam Speaker, that we are standing here ready to wipe out our national defense at a time when we turn on the TV in the morning and see the Middle East erupting, when we see Iran moving forward on their plans to achieve a nuclear weapon, when we see China increasing their defense spending while we're cutting ours.

People need to understand that we have cut \$487 billion starting October 1 over the next 10 years out of our defense. And on top of that, we have added this problem of sequestration, which adds another 500, \$600 billion over the next 10 years starting January 2.

The first \$487 billion, some thought was put into, and plans. Even though we had to adjust our strategy that we've had since World War II, we've had to cut back. We know that we won't be able to carry out the missions that we've been called on to do in the future, but we will be able to survive, according to our military leaders.

But the sequestration—we held five hearings last September with all of our former military leaders, our current military leaders, former chairmen and Secretaries of these committees, and to a man, every single one said that the sequestration would hollow out and wipe out our national defense.

We would take the Navy back to the size it was in World War I, the Armed

Forces, the ground forces back to the size they were in 1940, and the Air Force back to the smallest it's been since it was created. How does anybody think that given these times that is not a stupid thing to be doing?

The way the sequestration would take effect is you just pull out the budget and take a percentage—the administration hasn't told us yet what percentage; it's probably going to be about 15, 20 percent—off of every single line item. So mowing the lawn at Fort Dix will have the same priority as ammunition for the troops in Afghanistan. How can anybody think that that is a smart idea?

You know, we have a Constitution of the United States, and it tells us how we should operate here in this Congress. It says one body passes a bill, the other body passes a bill, a conference is formed, you work out your differences, you take it back for final passage, and send it to the President to be signed into law.

The House has acted. We took tough votes. We accomplished our objective of paying for the first year of sequestration, not just the defense cuts, but all of the cuts across the board, to move it back, pay for the first year, move it back into a time where we're less stressed with the election upon us, where we could do it in a less political environment, and the Senate hasn't acted. In 126 days, the Senate hasn't acted. Excuse me. The other body hasn't acted.

□ 1620

Madam Speaker, they don't like our bill; I understand that. All they have to do is pass another bill, get it to conference, and then we'll work out the differences. We accomplished ours through cuts, they can accomplish theirs through increasing taxes, and then we can work out a difference. All the gentleman on the other side says is, They've presented a plan and we don't like their plan.

Well, a plan is nothing. What they have to do is pass a bill. Show us. Get the votes, pass a bill, and then go to the conference. It's in the Constitution. That's how we operate. And it's important enough that we should all act like adults and follow the Constitution and get it done. Our Nation, our security depends on it, and we don't have much time left to do it.

Madam Speaker, I think it's very important that we pass this bill. I encourage my colleagues to vote for it. Let's act like adults. Let's earn our salaries here. Let's get this job done.

Madam Speaker, I rise in strong support of the National Security and Jobs Protection Act offered by Mr. WEST, whom I have the pleasure of serving with on the Armed Services Committee. We all know that in less than 4 months, the automatic across-the-board cuts known as sequestration will go into full effect, significantly reducing funding for our national defense and vital domestic programs.

Mr. WEST and members of our committee understand just how much these draconian cuts will undermine our constitutional obligation to provide for the common defense. They will result in the United States having the smallest Army since World War II, the smallest Navy since World War I and the smallest Air Force in U.S. history. That is why President Obama's own Secretary of Defense, Leon Panetta, has said the pending sequester is devastating and akin to shooting ourselves in the head.

So the natural question is—what is our government doing to stop sequestration? On May 10, 2012, the United States House of Representatives passed a measured and responsible proposal to deal with this impending threat, H.R. 5652, the Sequester Replacement Reconciliation Act of 2012. Yet, 126 days later the Senate has not acted. The President has not acted.

Madam Speaker, the House is prepared to work with the President and the Senate on alternatives to sequestration. We urge them to come to the table. That's what Mr. WEST's legislation does. Our colleagues in the Senate tell the press that they are negotiating a deal. Well they have been talking about that for a year now. It is time to put something down on paper and get it passed. We must not allow the well being of our troops and our national security to be used as a bargaining chip in this debate.

Just this week we were reminded at how unstable and dangerous our world is. The killing of Americans in Benghazi on the anniversary of Sep 11th is a reminder and a challenge to every member of this body that we must put our national security and our national interests first.

As one senior military official recently told me, America's inability to govern ourselves past sequestration plays directly into the hands of those who spread a narrative of American decline and will ultimately thrust us into a more dangerous world.

This legislation will require President Obama to live up to his obligation as Commander-in-Chief and submit his alternative plan to replace sequestration, while encouraging the United States Senate to do the same. Let us also not forget that it was the President who put defense "squarely on the table" last summer in the negotiations for the Budget Control Act.

Madam Speaker, we are running out of time before the draconian cuts in sequestration take effect. There are 111 days remaining. We need to work together to find a solution. I urge members to vote "yes" on this legislation.

Mr. VAN HOLLEN. Madam Speaker, I yield myself such time as I may consume.

I agree with the chairman of the Armed Services Committee; we should act like adults.

We agree that the sequester cuts are done in a stupid, meat-ax way. We also agree with what the chairman of the Armed Services Committee said last October when, if it came to choosing between allowing all of the terrible consequences that he rightly spoke about and taking a balanced approach to deficit reduction which included

some additional revenue, he would accept the balanced approach.

Mr. McKEON. Will the gentleman yield?

Mr. VAN HOLLEN. I will yield for a very quick question.

Mr. McKEON. You presented something that I said when I was asked after a speech what I would do, given two bad choices. But you don't have anything on the floor yet. You haven't passed a bill, so I don't even have the opportunity to vote for increased taxes because you haven't passed a bill yet.

Thank you.

Mr. VAN HOLLEN. Thank you, Mr. Chairman.

We wanted to give you that opportunity yesterday, which is why I went to the House Rules Committee with this substitute—which is in my hand, Mr. Chairman—that said you can replace the sequester right away if you're willing to cut some big ag subsidies, which I thought we were all agreed that we could do, but also get rid of some of the subsidies for the Big Oil companies, not some of the smaller producers, the big five, and you ask folks over \$1 million to pay the same effective rate that people who work for them pay.

I agree with what you said last October, which is that it's more important to prevent the kind of cuts that we're talking about here today to defense and non-defense than it is to protect tax breaks for Big Oil companies.

Mr. Chairman, I wanted to vote. We wanted to vote. If the Rules Committee will allow us a vote, you can do it right now. In fact, the thing I have in my hand, the substitute, if we passed it, would actually replace the sequester. The resolution on the floor doesn't replace the sequester, even if it goes to the White House.

I now yield 3 minutes to the gentleman from Michigan, the distinguished ranking member of the Ways and Means Committee, Mr. LEVIN.

Mr. LEVIN. Well, I have now been here 30 years, with 26 on the Ways and Means Committee. So why are we at this point of serious impasse? I think a major reason is that the radical right has taken over House Republicans. Balance is considered surrender; compromise is considered retreat.

Indeed, since the passage of the Budget Control Act in August of 2011, the Republicans have made sequestration even more likely. Before August of last year, the Republican position was no new revenues. The Bush tax cuts for the very wealthy were untouchable. But in their budget passed this March, the Republicans not only said that the Bush tax cuts for the wealthy must continue, but also they should be expanded. They are doubling down on a policy of tax cuts for the wealthiest while annual income stagnation continues for the middle class, and we have the worst income inequality in

generations. So, in a word, they went from bad to worse, furthering the likelihood of sequestration.

Under the Ryan budget and the so-called tax reform fast-track bill they passed last month, a recent analysis concluded that the average millionaire would lock in an average tax cut of \$330,000, while the average person making less than \$200,000 would see their taxes rise by \$4,500.

I support tax reform, but so far Republicans have refused to say which policies they would eliminate to pay for it. It's been dodge and deception.

Half of the money in individual income tax expenditures is in the lower rates for capital gains and dividends, and they propose to cut those rates even further, Mr. RYAN down to zero on capital gains. Most of those benefits go to those making over \$1 million. Most of the other major tax expenditures—mortgage interest, health insurance, education benefits that would have to be decimated—are mainly middle class benefits.

This bill ignores the fact that the President put forward a balanced deficit reduction package over a year ago that would have cut the deficit by \$4 trillion over 10 years.

I close by emphasizing the word, "balanced." Essentially, the Republican Party that I've known over the years has become very deeply imbalanced in terms of the mainstream of America.

Mr. GARRETT. Madam Speaker, at this time I'd like to yield 2 minutes to another gentleman from California (Mr. CAMPBELL), who understands that we are in fact presenting a balanced approach inasmuch as we present the options to either pass this legislation that the House already did or an alternative.

Mr. CAMPBELL. I thank the gentleman for yielding.

Madam Speaker, I had made some notes I was going to say, but I'm now going to go off script as the gentleman from Maryland, who I genuinely like and respect, made some comments to which I feel I must respond.

The gentleman referred to, as the President does often, additional taxes on domestic energy, for which they use the pejorative "Big Oil," and taxes on job creators, for which they are creating a pejorative, "the rich," and that these two things will solve all ills.

Well, by my count, when we did the budget this year in the Budget Committee, the Democrats used those two taxes to pay for seven, by my count, different items of spending.

Now, let me explain what that's like. It's like this:

Here is a dollar. This is one dollar, a single dollar. If I go into a store and spend it and buy these breath mints, the dollar will be gone and I will have the breath mints. I cannot now take this dollar into six more stores and buy

six more bits of breath mints because the dollar is gone. I spent it. So you cannot use the same tax increases to pay for everything that are multiple times what those tax increases will ever raise.

Now, I understand this is a political talking point. I get it. Look, we all do those. I get it. But this is not a game. We saw this week, with the reprehensible assassination of Ambassador Stevens, that our national defense is not a game—it is definitely not a game now—and our economy is not a game, as millions of people who are out of work can attest. This is a real proposal. We're asking the President for a real proposal and not a political talking point, and we need to solve this problem.

Mr. VAN HOLLEN. Madam Speaker, I want to thank my friend from California for those comments, and I would just say this:

I have in my hand a proposal, a substitute amendment. If we passed it, it would prevent the sequester from taking place on defense and non-defense in a balanced way. You spend these things one time to get rid of the sequester.

The chairman of the Armed Services Committee said he wished he had an opportunity to vote on something like this, and I say to him, I wish the Rules Committee had given him that opportunity.

With that, I yield 3 minutes to the gentleman from Maryland, the distinguished Democratic whip, Mr. HOYER.

Mr. HOYER. I thank the gentleman for yielding.

I tell my friend from California whose dollar was at issue here, the gentleman from California, I will tell you with all due respect and affection, your party, over the last 10 years, took that dollar and they bought those mints; and they went to the six subsequent stores and they gave them a credit card for the next mints they bought. It's time to pay the bill.

Mr. CAMPBELL. Will the gentleman yield?

Mr. HOYER. I have a very short time, but I wanted to make that point that you kept buying mints; you just didn't keep paying.

Madam Speaker, this bill is another instance of this Republican caucus walking away from its responsibility. The budget sequester was never intended to be a solution in and of itself. It was meant to be the blunt instrument to force compromise. Unfortunately, "compromise" is a dirty word around here in some quarters.

To lay out conditions, as this bill does, requiring one side to concede before negotiations even begin—and while solving only part of the problem—disregards sequestration's fundamental purpose: to be equally unacceptable to both sides that it forces compromise.

□ 1630

This bill, which I strongly oppose, essentially says, let's pretend. Let's pretend we don't have a deficit challenge. It says, let's pretend that we can solve our problems by cutting domestic spending alone.

No rational human being believes that's the case. No cuts to Republicans' favored programs, no elimination of tax loopholes for oil companies or anybody else, no increases in revenue by asking the wealthiest to contribute a little more to setting our country on a sound path.

We're collecting the lowest amount of revenues we've collected in 70 years in this country, and we haven't cut spending, and we increased spending in the last administration very substantially. By the way, a greater percentage than this administration has increased the deficits: 86 percent versus 41 percent. Check the figures.

What we need, Madam Speaker, is pragmatism, principle, and serious governing. We need to be honest with the American people. Both bipartisan commissions that explored that issue concluded that the best solution is a balanced approach that addresses revenues, entitlements, and targeted cuts to domestic and defense spending. To achieve such a balanced solution, we need something that is sorely lacking in this House: courage, and a willingness to compromise, to come together, to reason together, and to make tough decisions together.

Sequester is the direct result of Republican policies and is a part of the Republican strategy to cut spending.

You keep saying, well, it's the Democrats. This is not a Democratic policy. It's an irrational policy, but it's in your bills and in your rules.

Now, instead of working with Democrats to turn off the sequester, Republicans are trying to paint the sequester as a Democratic initiative. That is false, untrue.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. VAN HOLLEN. I yield the gentleman another minute.

Mr. HOYER. The Republican cut, cap and balance bill enforces its cuts and its caps. How? Through sequestration. That's what you voted for.

After the agreement was reached on the Budget Control Act that put the sequester in place, Speaker BOEHNER said, "I got 98 percent of what I wanted." Now our Republican colleagues are attempting to undo the sequester in a way that let's them off the hook politically but puts America at risk financially.

Democrats have an alternative—Mr. VAN HOLLEN just spoke of it—that would repeal the sequester for a year by asking that the wealthiest in our country, why, because they can help a little more, not because they're bad. God bless them. And by the way, we're most of those as well, folks.

I hope my friends on the other side of the aisle, who I know are as deeply concerned about our deficits and debt as I am, will join Democrats in defeating this bill and sending a message that only by working together can we find the solutions we need. America expects that of us.

Mr. GARRETT. Madam Speaker, at this time I yield 3 minutes to the gentleman from Oklahoma (Mr. LANKFORD).

Mr. LANKFORD. Madam Speaker, let's review. We have \$16 trillion in debt, and it's climbing every single day. We have no budget from the Senate for the last 3 years. The President's budget got exactly zero votes in the House and in the Senate. And the Federal Government has dramatically increased spending, which has led to this spending-driven crisis.

Let me show you what I mean by that. Five years ago, in 2007, the Federal Treasury received in \$2.5 trillion in revenue, the same amount that's estimated to come in this year in revenue, \$2.5 trillion 5 years ago, \$2.5 trillion now.

Five years ago, total spent by the Federal Government, \$2.7 trillion, now \$3.7 trillion. That almost looks like a \$1 trillion difference in spending, which equals the same amount as our deficit.

It's amazing to me. When we process through this, the problem is crystal clear. It's just the solution that seems to evade us in this process.

Now, some would say, tell you what we need to do. We've increased spending \$1 trillion, let's just increase taxes as well and that will solve the issue.

I would say, why are we spending money we don't have?

Last summer, we agreed that we would cut some spending and put a group of people together in a room and let them work out a plan to find \$1 trillion in cuts. The back-up, the emergency back-up plan was that we would cut across the board if a solution wasn't found, 10 percent for security, 8 percent for everything else.

Now, no one wants across-the-board cuts that are that huge. A 1 percent cut in agencies would be no big deal. I can't imagine any agency couldn't handle 1 percent. Two percent, no big deal. Maybe even 3 percent. But you start to climb up, and it really begins to cut into some agencies that are actually very efficient. Other agencies, you could do a 50 percent cut and it would be fine.

The problem is an across-the-board cut becomes a very big issue for us. Treating every line item the same is a mistake. Every part is not the same in our budget.

Let me give you an example. At my house, on a Saturday afternoon, I'll open up a Dr. Pepper can at my house and my very cute, red-headed 12-year-old daughter will walk up and say, Daddy, can we split that? I will almost

always smile at her and say, sure, I'll take the liquid, you take the can and we'll split it even. To which she says to me, that's not really fair.

But it again comes back to the same point: not all parts are the same. If we do across-the-board cuts in every area, that is not the best way to do it.

Now, I guarantee you, you allow this House to go item by item through this budget, we will find \$100 billion in cuts next year. I guarantee you. But doing across-the-board cuts into FBI, it cuts into our defense, it cuts into Border Patrol, it cuts into the basics and the heart of what we're doing; and we cannot do that.

The House passed a very specific plan for dealing with this last May. It is complete for us. Now it's time for the Senate to actually do their job, and it's time for the President to send that over to us.

Mr. VAN HOLLEN. I reserve the balance of my time.

Mr. GARRETT. Madam Speaker, I yield 4 minutes to the gentleman from California (Mr. CALVERT).

Mr. CALVERT. Mr. Speaker, I rise in support, obviously, of H.R. 6365, the National Security and Job Protection Act.

Do we need any more evidence than recent events in Egypt and Libya to oppose these devastating cuts and what it would do to our Nation security? I don't think so.

If sequestration occurs, it would cut the military to its smallest size since before World War II. All the while, we're still a Nation at war in Afghanistan, facing unrest and aggression in the Middle East, increased threats from Iran, China, and North Korea.

In addition to the 10 percent cut to defense, our domestic programs would have, such as health, science, research, education, border security, an additional 8 percent cut.

In May, this House passed the only plan that's been presented thus far to prevent and replace sequestration, last May, by providing and making commonsense reforms to our fast-growing government that's on auto pilot spending programs and to avert the spending-driven economic crisis that's before us.

Well, we've seen no signs of leadership from the White House or the Senate. But the House will act again today with H.R. 6365, the National Security and Job Protection Act. The House will lead, where others have not.

This legislation sends a clear statement that the House is ready to carry out our budgetary responsibilities. We just need willing partners. The President, the Senate, House Republicans and Democrats, we all agree on a common goal: replace the sequester to protect important domestic programs, our fragile economy, our national security and our troops.

This bill is a path to that solution. Make no mistake, if sequestration goes

into effect, America will compromise a legacy of superiority on the land, on the sea, and in the air and potentially send our economy spiraling back into a recession.

I urge my colleagues to vote in favor of this bill, and I would hope that we could pass this with a large number and get on with it.

□ 1640

Mr. VAN HOLLEN. I now yield 1 minute to the distinguished Democratic leader, the gentlelady from California (Ms. PELOSI).

Ms. PELOSI. As we come to the floor this afternoon to talk about this sequester issue, the clock is ticking. Every moment we delay in dealing with the budget issue is a moment of time that does not increase confidence in our economy, that does not bring more certainty to our economic situation, and that does not reduce the deficit.

I heard the previous speaker say that this legislation that is on the floor would end sequestration. It does not. That is one of the major differences between it and the Democratic proposal put forth by Mr. VAN HOLLEN. Unfortunately, afraid of debate on the floor, the Republicans on the Rules Committee did not allow Mr. VAN HOLLEN's proposal to come to the floor today so that we could have a vote on it; but even with that, we can have a debate on it.

The debate is about fairness. It's about balance. It's about living up to our responsibilities. It's about saying, yes, we all have to compromise—there will be cuts; we need revenue; we want growth. That's what Mr. VAN HOLLEN's proposal does. It does, indeed, replace the sequestration. It is a better plan. It actually does end sequestration, as I mentioned, through a mix of cuts and revenues.

The reason we have a problem here is that our Republican colleagues have refused to have one red cent from the wealthiest people in our country contribute to resolving this fiscal crisis, this budget crisis—not one red cent. If they cared as much about defense as they say, 1 year ago they would have agreed to a plan with fairness and balance, where we would have had growth on the table, making decisions about revenue and about cuts to produce growth and not getting into a situation that called for across-the-board cuts in defense and in our domestic budget.

This is really silly. It's really silly. It's not serious. It's a charade, this bill that they have on the floor today. It just keeps making matters worse as the clock keeps ticking. So I urge my colleagues to reject this mirage of a bill that poses as a suggestion and to support, instead, ideas that are being advanced by Mr. VAN HOLLEN. I don't like everything about it. We've cut over \$1 trillion. That's how we got through last year—all cuts, no revenue.

You need only see how we differ by just looking at the Ryan-Romney Republican budget. Their blueprint says we're going to end Medicare; we're going to make seniors pay \$6,000 more as we end Medicare; and we're going to give tax cuts to the wealthiest people in our country. That's not fair and that's not balanced, but that is what would happen if the Republican bill were to become law. It would enact the Ryan bill. So I urge my colleagues to think very seriously about this, because people sent us here to find solutions. We must resolve this.

When the Speaker of the House says, I'm not confident we can do this, we are confident we can do anything we set our minds to, and we certainly have to be confident that we can honor our responsibilities to the American people. We all have to go to the table and be willing to yield, willing to compromise. We had to do it with President Bush, Senior, and with President Bush on his recovery package for our country. Democrats cooperated with both of those Presidents when we were in the majority.

Why is it that the Republicans in the House see no reason to compromise even at the risk of the full faith and credit of the United States of America? even at the expense of the health of our economy? even at the expense of jobs for the American people?

Vote "no" on this mirage. Support what Mr. VAN HOLLEN is putting forth. Let's get moving because the clock is ticking.

Mr. GARRETT. I yield 4 minutes to the gentleman from South Carolina (Mr. MULVANEY).

Mr. MULVANEY. I thank the gentleman from New Jersey.

I saw the gentleman from Maryland this morning on television. It was the first time I had heard, Madam Speaker, of his proposal. So I had a chance to take a look at it today, and I also had a chance to look at the CBO report that was performed on it. I saw some interesting things that I don't know if we've discussed fully here today.

It raises taxes by \$85 billion over the 10-year window. According to the CBO, it raises spending by almost \$80 billion. This is a refrain that I used to hear a lot when I was younger—taxes and spending, taxes and spending, raise taxes and increase spending. I thought it was gone from today's party across the aisle, but evidently, here it is—alive and well—in Mr. VAN HOLLEN's substitute offering, raising taxes by \$85 billion and raising spending by \$80 billion, which is a net reduction of the deficit of \$5 billion over 10 years. According to the CBO, it actually increases the deficit by \$55 billion in the first year.

It does that, by the way, in part and parcel by offering what they call the Buffett rule. The last time I came to this well, I believe the gentleman from

Maryland and I had a nice exchange about whether or not my amendment was a gimmick. It was the amendment regarding the President's budget. I seem to remember someone else calling the Buffett rule a gimmick. In my research in coming over here today, I found out that it was, in fact, the President of the United States who called the Buffett rule a gimmick. So I'm wondering now if the President believes that part of the gentleman from Maryland's offering is, in fact, a gimmick because it encompasses the Buffett rule in its entirety.

I compare all of this, Madam Speaker, to the offering that we have before you with our bill. That bill reduces the deficit by at least \$237 billion over the same 10 years. Theirs reduces it by \$5 billion—raising taxes. According to the CBO, ours reduces the deficit by at least \$237 billion. That's the smallest number the CBO gives us. It also gives us four times as much in deficit reduction in the first year as does the BCA that it seeks to replace. Again, theirs increases the deficit by \$55 billion in the first year. Ours decreases it by more than the BCA it seeks to replace. Our offering does that without asking anybody to pay more money to the government. People pay enough money to the government. We spend their money improperly. It's not that we don't take enough from them. We take enough money from our citizens. We spend it improperly.

So, when I finished looking at this, I thought to myself, I think it would be great to have this come up for a vote. I'm disappointed that the Rules Committee did not give Mr. VAN HOLLEN the chance to bring it to the floor. It has happened to me before, and for that, I am sympathetic. At the same time, I know that he has a chance to do that still. We are going to finish this debate here in a few minutes; and before we vote, there is going to be a motion to recommit. The gentleman from Maryland could easily offer his amendment as the motion to recommit. In fact, I would welcome the opportunity to see that debate. I would welcome the opportunity here, 60 days before an election, to have my colleagues across the aisle come over and say, We want to raise your taxes. Would you please reelect us. I want that on the floor. I'm disappointed the Rules Committee did not bring it. I would love to see if that's really what our colleagues across the aisle stand for.

I heard it described by the gentlelady from California a few minutes ago as a better plan. I think we are doing a disservice by not allowing a vote on this particular bill, because it is not a better plan, and I think the vote here would bear that out, not just on our side of the aisle. I would be curious to see if that's what our colleagues stand for—more taxes, more spending here 60 days before an election.

I encourage folks to support our bill. Our bill cuts spending, lets people keep their money, and still allows us to end the sequester.

□ 1650

Mr. VAN HOLLEN. Madam Speaker, I wish Mr. MULVANEY were more persuasive with his colleagues because we agree. I wish we had a vote on this. We're happy to have that debate. In fact, that's what we've been having on the floor today.

We heard a lot from our colleagues about the devastating impact of these cuts on defense and other things, and we agree, which is why we think it's appropriate to ask people who earn more than a \$1 million a year to help contribute a little bit more to our deficit so that we don't have to see these consequences.

I now yield 1½ minutes to the gentleman from New York (Mr. NADLER).

Mr. NADLER. Madam Speaker, addressing our debt is a critical long-term goal, but it's not our immediate problem. Right now, our immediate problem is high unemployment, and our economy needs efforts to spur job growth. The expiration of the Bush-era tax cuts, particularly those targeted toward the middle class, and the start of unparalleled across-the-board \$1.2 trillion spending cuts mandated by the Budget Control Act sequestration provision, threatened further job growth.

Looking just at sequestration, there is rare agreement. Not the President, not the Congress, not anyone ever wanted or expected the sequestration measures to take effect. Why? Because we have a jobs problem, and the spending cuts demanded by sequestration are a huge jobs killer.

Republicans argue that this steep cut would risk defense-related jobs, and they're right. According to the Economic Policy Institute, these cuts would kill 1.3 million defense jobs in the first 3 years. But the Republicans completely ignore that the domestic spending cuts will also kill an estimated 1.3 million jobs in the same timeframe. Put another way, sequestration will kill 2.6 million American jobs in just 3 years. We simply must stop the sequestration-mandated spending cuts disaster, but this bill won't do that.

This bill mandates draining tens of billions of dollars of Federal spending next year, reducing the already draconian domestic spending caps, and doing all of this without adding a single dollar of additional revenue. The outcome is virtually the same. This Republican bill will still kill a couple of million American jobs. Talk about driving off a cliff.

Basic economics tells us that during good times, with low unemployment, government should reduce the national debt, but that to support job growth, government must not reduce spending

during recessions. Now when we suffer from high unemployment, the proposed spending cuts, particularly those of the magnitude Republicans are proposing, would be disastrous. When we get to 5 percent unemployment, then we should start worrying about spending cuts. Right now, jobs are the issue.

Madam Speaker, I urge a "no" vote on H.R. 6365.

Madam Speaker, I rise in strong opposition to H.R. 6365.

While there is wide bipartisan agreement that getting control of our debt is a critical long-term goal, there is also agreement that unemployment is unacceptably high and that our economy remains in need of major efforts to spur job growth.

As we grapple with these issues, there are two significant events approaching at the end of the year that many have argued could send our economy careening off the so-called fiscal cliff: (1) expiration of the Bush-era tax cuts, particularly those targeted toward the middle class, and (2) the start of unparalleled, across-the-board \$1.2 trillion spending cuts mandated by last summer's Budget Control Act sequestration provision.

On the tax question, we are where we've remained for years now—the President and Democrats agree that we can't afford to foot the bill for tax breaks for the wealthiest among us, while the Republicans continue to be beholden to the don't-tax-even-millionaires-and-billionaires plan.

But on sequestration, there is rare agreement. The simple truth is that no one—not the president, not the Congress, not anyone—ever wanted or expected the sequestration to take effect. Why? Because we have a jobs problem, and the spending cuts demanded by mandatory sequestration are a huge jobs killer.

In 2013 alone, sequestration would require that defense and discretionary domestic programs each incur an across-the-board \$54.7 billion cut. Republicans have been spending a lot of time talking about the effects this steep cut would have on defense-related jobs. And they are right. According to the Economic Policy Institute, these cuts would result in the loss of 1.3 million defense jobs in just the first three years.

But, Madam Speaker, that is not the end of the story. The Republicans completely ignore the almost identical job loss from the mandated domestic spending cuts—also about 1.3 million jobs lost in three years, according to EPI.

Put another way, if we don't stop it, sequestration will be responsible for killing 2.6 million American jobs.

So we simply must stop the sequestration mandated spending cuts.

But this bill won't do that—at least, not really. H.R. 6365 still mandates (1) draining tens of billions of dollars of federal spending next year, (2) reducing the already draconian spending caps as outlined in the BCA, and (3) doing all this without adding one single dollar of additional revenue. So the outcome is the same—the Republicans would still kill a couple of million American jobs.

Talk about driving off a cliff.

But we won't hear about that from the Republicans, as they are too busy dancing as

fast as they can to rewrite their role in setting up this self-made disaster in the first place.

During last summer's debt ceiling debate—another game of chicken where Republicans held our economy hostage—Republicans demanded a dollar-for-dollar spending cut in order to raise the debt limit so our nation wouldn't, for the first time ever, default on our debts. Sure, there was the charade of reaching compromise through the so-called super committee. But it should come as no surprise to anyone in this Chamber that we are where we are today. Republicans wanted deep cuts that would kill millions of jobs, and we now stand on the brink of implementing them.

Basic economics tells us that, if you want to support jobs and build the economy, government must not reduce spending during recessions. In good times, when unemployment is low, government should build surpluses to pay down the debt. In bad times, when unemployment is high, government should run deficits to make up for slowed private sector spending and to spur job growth. That is why what President Clinton did in the 90s—balancing the budget and beginning to pay down the national debt during a good economic time—was so good, and why what President Bush did—enacting huge tax cuts and running large deficits during a time of low unemployment, when he should have been paying down the national debt—was so devastating. Now, when we suffer from high unemployment, proposed spending cuts—particularly those of the magnitude Republicans are proposing—would be disastrous. When unemployment is down to five percent, then we can think about spending cuts. Now we must spur employment, and not enact these job-killing spending cuts.

Madam Speaker, it is imperative that we stop the misguided and self-made disaster that sequestration, or equivalent spending cuts, will bring. But H.R. 6365 won't do it. I urge a no vote.

Mr. GARRETT. Madam Speaker, I advise my colleague from Maryland that I have no further speakers at this time, and I reserve the balance of my time.

Mr. VAN HOLLEN. May I ask how much time remains on each side.

The SPEAKER pro tempore. The gentleman from Maryland has 3 minutes remaining, and the gentleman from New Jersey has 5 minutes remaining.

Mr. VAN HOLLEN. I yield 1½ minutes to the distinguished lady from Texas, Ms. SHEILA JACKSON LEE.

Ms. JACKSON LEE of Texas. Thank you very much to the ranking member of the Budget Committee.

Madam Speaker, we rise today to try to bring some logic and sense, because as Americans debate sequestration, they throw their hands up and say, What is that? What is that in the minds of children and the elderly? What does that mean in a real rational way of coming together and saying there are some cuts and there are some revenue increases to be able to invest in the American public?

In order to create jobs, you expend dollars, you invest in research and development, you help to create opportunities for small businesses, you help to

promote manufacturing. That's how you create jobs.

But let me tell you what the underlying bill says. This bill will only take effect one year later. It has no opportunity, no desire, and no rationale to raise revenue. Every thinking economist says that we must raise revenue in order to reduce the deficit and continue to spend dollars to invest in the American public.

Do you want your military families to be on food stamps? Do you want 50 million Americans to suffer food insecurity? Do you want these Americans to suffer? That would include seniors on Meals on Wheels, home care, adult protective services. Millions of children, one-third of them, depend on these social service block grants, child protective services, foster care and child care. This also includes 1 million disabled, respite care or transportation. Do you want to, as I said, continue the food insecurity for 60 million children?

All I can say is that this bill not only kicks the can down the road; it kicks the mountain down the road. Let's vote against this bill. Let's sit down at the table, boost revenue, and invest in the American people.

Mr. VAN HOLLEN. Madam Speaker, I yield 45 seconds to the gentleman from Vermont (Mr. WELCH).

Mr. WELCH. Madam Speaker, we have a very serious debt problem in this country. We have a very serious jobs problem in this country. Both of those serious problems are solvable. The impediment is political.

This is exhibit A of a dysfunctional Congress. The supercommittee failed this Congress when the leadership on the Republican side implemented these sequester cuts. We all know they make no sense from an economic standpoint, but it puts the burden back on us to come up with the balanced approach that every American knows is the only way forward, a balance of revenues, a balance with entitlement reform, and the Pentagon making a contribution to solve our problems. That is what is going to create jobs, and that is what is going to create fiscal stability.

Mr. VAN HOLLEN. Madam Speaker, I yield myself the remainder of my time.

Madam Speaker, the issue all afternoon has not been whether we should replace the sequester. Yes, we should. The issue has been how we do that.

We've heard our Republican colleagues talk about the devastating impact of the sequester on defense and nondefense. We agree. That's why we put forward a plan to replace the sequester in the balanced way that has been recommended by bipartisan groups through a combination of cuts, but also revenues generated by things like closing the tax loopholes for big oil companies. Our Republican colleagues have just doubled down on the

position that it's more important to protect tax breaks for big oil companies and very wealthy individuals than it is to protect our investment in spending in defense or other important national priorities. That's what this debate is all about.

I hope we will reject this proposal and adopt a more balanced one.

With that, Madam Speaker, I yield back the balance of my time.

Mr. GARRETT. Madam Speaker, I yield myself the balance of my time.

Madam Speaker, I began this day being interviewed by a group of southern college students, and the primary question that they asked was why can't Congress seem to work in a more bipartisan manner, work across the aisle, work with the other Chamber. I had to explain to them what was about to occur here on the floor; that one of the most seminal issues that we have to deal with in this country is fiscal matters and also our defense matters that this House, led by Republicans, have done everything we possibly could to make sure that this country stands strong fiscally and stands strong in a defense posture, as well. We've reached across the aisle, and we've reached across to the Senate in a bipartisan manner to effectuate that.

We have passed a budget out of this House only to find that bill go to the Senate where as they say "all good bills go to die," and not have anything come back. We've communicated to the President of the United States that we want to work with him on a budget, only to see his own budget come to the Senate and fail 97-0, and come to this House and fail 414-0, not getting any Democrat or Republican support for that bill, as well.

We have reached across the aisle. We have tried to work on the fiscal matters and the defense matters when it comes to the sequester. We recognize the devastating impact that this will have on our defense posture in this country. As other Members have already come to the floor, in light of all the past circumstances that have come across this country in the last decade, in light of the memorial services that we just held, all of us, in a bipartisan manner out on those steps just days ago on September 11, in light of what has just been in the newspaper in the last several days of our embassies being attacked and Americans killed on American soil, we realize the important significance of making sure that we have a strong defense at this point in time.

I ask anyone who considers this legislation to vote "yes" in favor of this legislation, and anyone who would stand and vote "no" against trying to make sure that we're strong fiscally and trying to make sure that we are strong in the defense posture as well, anyone who would vote "no," I would ask them how do they when they go

through the airport leaving here or coming to Washington, look anyone in uniform in the eye and say that they voted against a bill to make sure that there would not be the defense cuts here.

□ 1700

The other side of the aisle has no answer for that. Their only answer today, and as it's been ever since I've been here in Congress, is to say the solution to all problems is what? Raising taxes. As I said before, they want to raise \$3 in taxes for every \$1 in spending cuts.

We do not have a revenue problem in this country; we have a spending problem in this country. You know, there is an old saying that goes, if there is a dime left on the table in Washington, someone, primarily from the other side of the aisle I would suggest, will find a dollar's worth of use for spending it, and I think that's the case here. If they raise the taxes 3 to 1, they will find \$30 worth of spending to increase.

As the gentleman from California pointed out, that was the example every single time in the Budget Committee. Every single time it was suggested for spending cuts, they were opposed. They would always use the same spending cuts to further increase spending elsewhere.

The gentleman from California makes the reference to spending a dollar every time for—what was it?—for breath mints, I think it was. Well, quite candidly, after listening to this debate, and after listening to the debate continuously in Budget Committee over years, I always leave there, as I will leave here tonight, with a sour taste in my mouth if the other side of the aisle does not agree to begin to work with us in a bipartisan manner to make sure that this country is strong fiscally, to make sure that this country is strong in a defense posture as well.

I would urge all of my colleagues from both sides of this aisle to vote "yea" on this legislation.

With that, I yield back the balance of my time.

Ms. MCCOLLUM. Madam Speaker, I rise in opposition to the so-called National Security and Jobs Protection Act. This legislation is another attempt by House Republicans to force severe spending cuts that would harm middle class families, while protecting tax breaks for millionaires.

This bill is an election year talking point, not a genuine solution to preventing massive across-the-board budget cuts looming in January 2013. The nonpartisan Congressional Budget Office determined this legislation would do nothing to prevent budget sequestration. H.R. 6365 cannot take effect unless a separate bill implementing the policies of the House Republican Budget becomes law. The House Republican Budget turns Medicare into a voucher program, runs deficits for 29 years, provides trillions of dollars in additional tax cuts to millionaires and billionaires, and forces

layoffs for thousands of police officers, firefighters, and teachers. President Obama and the Democratic Senate would never impose such a radical and destructive plan on America's families and communities.

The American people should be thankful H.R. 6365 will never become law, since it embodies the same flawed policies as the House Republican Fiscal Year 2013 Budget Resolution. It seeks to replace the budget sequester House Republicans originally supported with cuts to America's women, children, seniors, and middle class families. H.R. 6365 insulates the Defense Department from spending reductions even though the Pentagon's budget doubled over the past decade and the war in Iraq is over. H.R. 6365 refuses to ask millionaires and billionaires to share the sacrifices it demands of middle class families.

The budget sequester must be prevented from taking effect. House Democrats are ready to compromise and vote to replace the sequester with a balanced deficit reduction plan that includes a combination of spending reductions and revenue increases. Every mainstream economist agrees this is the only approach that will reduce long-term deficits and avoid plunging the economy back into recession. Regrettably, the bill on the floor today chooses ideology over compromise and prolongs the wait for the solutions our economy needs to grow and create jobs.

I urge my colleagues to oppose H.R. 6365.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 778, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. VAN HOLLEN. Madam Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. VAN HOLLEN. Madam Speaker, I am opposed.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Van Hollen moves to recommit the bill H.R. 6365 to the Committee on the Budget with instructions to report the same back to the House forthwith, with the following amendment:

Strike sections 3 and 4 and insert the following:

SEC. 3. BALANCED DEFICIT REDUCTION THAT PROTECTS MIDDLE CLASS TAX CUTS AND REQUIRES EVERYONE TO PAY THEIR FAIR SHARE.

(a) **CONDITIONAL ELIMINATION OF SEQUESTERATION.**—Sections 251A(7) through 251A(11) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall have no force or effect upon enactment of subsequent deficit reduction legislation containing savings over 10 years that meet or exceed the outlay changes that would have resulted from those provisions.

(b) **REQUIREMENTS OF DEFICIT REDUCTION LEGISLATION.**—Deficit reduction legislation enacted pursuant to subsection (a) shall—

(1) require upper income taxpayers to pay their fair share by instituting a "Buffett rule";

(2) extend middle class tax cuts while allowing components of the tax extensions that benefit upper income beneficiaries to expire as scheduled under current law; and

(3) include targeted spending cuts.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Maryland is recognized for 5 minutes in support of his motion.

Mr. VAN HOLLEN. Madam Chair, let's just flash back to a year ago when we were working on the Budget Control Act, and it's, I think, worth reminding everybody what the Speaker of the House, Mr. BOEHNER, said at that time:

I got 98 percent of what I wanted. I'm pretty happy.

That's what the Speaker of the House said about the Budget Control Act.

We now find ourselves here trying to find a way to prevent these across-the-board meat-ax cuts from taking place in the defense budget and the non-defense budget. There is agreement that that would be a stupid way to deal with our deficit, so there's no dispute there.

The issue is: What do we do to replace the sequester, to achieve deficit reduction, but do it in a reasonable and credible way?

That's where the rub is.

What Democrats have said is we need to do it in the way that bipartisan groups have proposed that we do it, through a combination of additional cuts in a targeted way, not in a meat-ax, across-the-board way.

But, yes, we also have to ask the very wealthiest Americans to contribute more to reducing the deficit, because the math is pretty simple. If you don't ask very wealthy people to contribute one more penny to reducing the deficit, then you have to hit everybody else much harder. You have to hit seniors on Medicare harder. You have to reduce dramatically our investment in our kids' education. You have to cut investments in infrastructure, our roads and bridges. Those are the consequences of not taking a balanced approach.

So we say, when it comes to the sequester, we should avoid all the terrible things our colleagues have said and which we agree with. Let's take a balanced approach to do doing it.

You know what? The President submitted a plan to do just that, more than a year ago. It's not that he doesn't have a plan; it's our Republican colleagues don't like the plan. Why? Because he says we don't need to provide these big taxpayer giveaways to the Big Oil companies anymore. We don't need to cut dramatically into things like Medicaid and Medicare when we should be asking seniors to pay a little bit more. Let's ask them to pay what they were paying when President Clinton was President. That's the last time we balanced our budget.

The question is: How do we do it?

The President submitted a proposal. As I said earlier, I took a proposal yesterday to the Rules Committee that would have done this in a balanced approach. Our colleagues say they want an open, democratic process. We haven't had a vote on that.

Instead, we're going to have a vote on something that actually, even if it passes the House and the Senate and is signed by the President, doesn't do anything to eliminate the sequester, doesn't do a thing. It just says that the President has to come up with a plan. But they tell him what it has to do. They say it cannot be balanced. It cannot include any revenue. It has to be across the board in cuts.

Now let's talk a minute about taxes.

The President has called upon this Congress to immediately enact tax relief to 98 percent of the American people, let's do it now before they expire at the end of this year, and our Republican colleagues say, No, no. Nobody gets tax relief unless very wealthy people get a bonus tax break, because everybody on the President's proposal gets tax relief on the first \$250,000 of their income. Our Republican colleagues say, No; unless people like Mitt Romney get an extra tax break, nobody gets tax relief.

You know what? The President's proposal provides tax relief to 97 percent of all pass-through businesses. The Republican colleagues say, No; unless you're going to give businesses like Bain Capital a bonus tax break, we can't ask them to contribute one more penny to reducing the deficit.

Let's talk about jobs. It was really interesting to hear our Republican colleagues talk today about the fact that, if you allow these budget cuts to take place, it will have devastating impacts on the jobs in this country.

You know what? A year ago this month, the President submitted a proposal to this Congress, a jobs initiative. It called for investing more in our infrastructure, in our roads and in our bridges, to help put more persons back to work. We have 14 percent unemployment in the construction industry.

So here are our Republican colleagues saying, Well, we can't allow any of these cuts to take place because people who were building tanks will lose their jobs. And we agree; spending that money on defense has consequences. But how is it that spending money on roads and bridges and infrastructure doesn't also put people back to work? That's what the President proposed a year ago. Not a single vote on the President's jobs bill. There were 37 votes to repeal ObamaCare, but not one vote on the President's jobs bill.

So, Madam Speaker, whether it's acting on the jobs bill, which has been sitting here for more than a year, or acting on the President's proposal to immediately extend tax relief to 97 percent of the American people, or whether it's taking a responsible balanced

approach to replacing the sequester, let's do what bipartisan groups have recommended and take that balanced way to build our economy and reduce our deficit.

I yield back the balance of my time.

Mr. GARRETT. Madam Speaker, I rise in opposition to the motion.

The SPEAKER pro tempore. The gentleman from New Jersey is recognized for 5 minutes.

Mr. GARRETT. The seminal question, I think, to those who are watching deliberations here on the floor tonight, they are asking themselves the question: Are you better off today than you were 4 years ago?

When you look at the economy, you have to answer that question with a resounding, "No." Poverty is continuously up year after year after year, at the highest levels in this country we have seen since back in 1995, when one out of seven people in this country now find themselves, unfortunately, on food stamps.

□ 1710

Forty-seven million of our friends and neighbors find themselves in that situation. One out of six Americans will be on Medicaid. Are you better off today than you were in the past? Absolutely not. And that's why it's astonishing as I stand here to listen to the other side of the aisle and the proposals that they presented so far and that they have over the years.

For the last hour of the debate, the gentleman from Maryland has been saying one or two basic things, but one primary thing is that he went to Rules last night, that he had a plan. He pulled out his plan and he said, This is what the solution is. This is how we solve the problem. But the problem was that that mean old Rules Committee just wouldn't allow him to have it come down to the floor tonight.

Well, my friend and colleague from South Carolina made the recommendation to him: Take that proposal. If that is truly the answer in your heart, it's the right answer, that is truly the way to go, and lay it out. If you really do believe that the solution to the problem is by raising taxes to the tune of \$85 billion and cutting spending to the extent that there's only a net reduction of \$5 billion; if you truly do believe, as you said for the last hour, that the way to resolve the issue of sequester is by raising taxes by \$3 for every \$1 in cuts; if you truly believe, and for the last hour, as he has said, that is the solution to the problem, then he could have come here and presented an alternative in this format. But he has not done so.

Mr. VAN HOLLEN. Will the gentleman yield?

That's just not true. We asked the Parliamentarian, and they said we couldn't bring it in that format because of the rule.

Mr. GARRETT. Reclaiming my time, what we have here before us is a lack of direction, a lack of leadership that America is so looking for out of Washington. The American public is looking for leadership from Washington. They're not seeing it from the President, who has failed to present a budget that would get any single vote in either the House or the Senate—97-0, 414-0. They're looking for the Senate to demonstrate some degree of vision, some degree of leadership by taking any of the bills that we send over to them, whether it's the budget or the sequester legislation, and showing that they can pass that legislation. They're looking for some degree of vision from the other side of the aisle in the House as well on these matters to make sure that we can stand up fiscally and a strong defense, and they're seeing a lack of vision here by the other side of the House as well.

We know what writings tell us: A Nation without vision leads to a people that will perish. Well, Madam Speaker, I can tell you this: that the route these last 2 years, this Republican-controlled Congress has shown vision with our strong budget, with our sequester bill, and now with this bill as well to present the option to the other side, to the Senate, and to the President to make sure that we can defend this Nation strong militarily and fiscally as well.

I would encourage all my colleagues to vote "no" on this motion to recommit, and I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. VAN HOLLEN. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

THE SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—yeas 170, nays 247, not voting 12, as follows:

[Roll No. 576]

YEAS—170

Ackerman
Andrews
Baca
Baldwin
Barber
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Bonamici
Boswell
Brady (PA)

Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chu
Cielline
Clarke (MI)
Clarke (NY)
Clay

Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)

DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Israel
Jackson Lee
(TX)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind

Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Loebach
Loftgren, Zoe
Lowey
Lujan
Lynch
Maloney
Markley
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Oliver
Owens
Pallone
Pascarella
Pastor (AZ)
Pelosi
Perlmutter
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson

Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NAYS—247

Adams
Aderholt
Alexander
Altmire
Amash
Amodei
Austria
Bachmann
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishke
Berg
Biggart
Bliray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford

Crenshaw
Culberson
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foss
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris

Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
Lipinski
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lunnen, Daniel
E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock

McHenry	Price (GA)	Shuster	Fleming	Latta	Rogers (AL)	Lynch	Perlmutter	Sherman
McIntyre	Quayle	Simpson	Flores	Lewis (CA)	Rogers (KY)	Maloney	Peters	Shuler
McKeon	Reed	Smith (NE)	Forbes	LoBiondo	Rogers (MI)	Markey	Peterson	Sires
McKinley	Rehberg	Smith (NJ)	Fortenberry	Long	Rohrabacher	Matheson	Pingree (ME)	Slaughter
McMorris	Reichert	Smith (TX)	Fox	Lucas	Rokita	Matsui	Pollis	Smith (WA)
Rodgers	Renacci	Southerland	Franks (AZ)	Luetkemeyer	Rooney	McCarthy (NY)	Price (NC)	Speier
Meehan	Ribble	Stearns	Frelinghuysen	Lummis	Ros-Lehtinen	McClintock	Quigley	Stark
Mica	Rigell	Stivers	Galleghy	Lungren, Daniel E.	Roskam	McCollum	Rahall	Sutton
Miller (FL)	Rivera	Stutzman	Gardner	Mack	Ross (FL)	McDermott	Rangel	Thompson (CA)
Miller (MI)	Roby	Sullivan	Garrett	Manzullo	Royce	McGovern	Reyes	Thompson (MS)
Miller, Gary	Roe (TN)	Terry	Gerlach	Marchant	Runyan	McIntyre	Richardson	Tierney
Mulvaney	Rogers (AL)	Thompson (PA)	Gibbs	Marino	Ryan (WI)	McNerney	Richmond	Tonko
Murphy (PA)	Rogers (KY)	Thornberry	Gibson	McCarthy (CA)	Scalise	Meeks	Rothman (NJ)	Tsongas
Myrick	Rogers (MI)	Tiberi	Gingrey (GA)	McCauley	Schilling	Michaud	Roybal-Allard	Van Hollen
Neugebauer	Rohrabacher	Tipton	Gohmert	McHenry	Schmidt	Miller (NC)	Ruppersberger	Velázquez
Noem	Rokita	Turner (NY)	Goodlatte	McKeon	Schock	Miller, George	Rush	Visclosky
Nugent	Rooney	Turner (OH)	Gosar	McKinley	Schweikert	Moore	Ryan (OH)	Walz (MN)
Nunes	Ros-Lehtinen	Upton	Gowdy	McMorris	Scott (SC)	Moran	Sánchez, Linda T.	Wasserman
Nunnelee	Roskam	Walberg	Granger	Rodgers	Scott, Austin	Murphy (CT)	Sanchez, Loretta	Schultz
Olson	Ross (FL)	Walden	Graves (GA)	Meehan	Sensenbrenner	Nadler	Sarbanes	Waters
Palazzo	Royce	Walsh (IL)	Graves (MO)	Mica	Sessions	Napolitano	Schakowsky	Watt
Paul	Runyan	Webster	Griffin (AR)	Miller (FL)	Shimkus	Neal	Schiff	Waxman
Paulsen	Ryan (WI)	West	Griffith (VA)	Miller (MI)	Shuster	Olver	Schrader	Welch
Pearce	Scalise	Westmoreland	Grimm	Smith (NE)	Simpson	Owens	Schwartz	Wilson (FL)
Pence	Schilling	Whitfield	Guinta	Smith (NJ)	Smith (NE)	Pallone	Scott (VA)	Wolf
Peters	Schmidt	Wilson (SC)	Guthrie	Mulvaney	Smith (TX)	Pascarell	Scott, David	Woolsey
Peterson	Schock	Wittman	Hall	Murphy (PA)	Southerland	Pastor (AZ)	Serrano	Yarmuth
Petri	Schweikert	Wolf	Hanna	Myrick	Stearns	Paul	Sewell	
Pingree (ME)	Scott (SC)	Womack	Harper	Neugebauer	Stivers	Pelosi		
Pitts	Scott, Austin	Woodall	Harris	Noem	Stutzman	Akin	Garamendi	Ross (AR)
Platts	Sensenbrenner	Yoder	Hartzer	Nugent	Sullivan	Blumenauer	Herger	Towns
Poe (TX)	Sessions	Young (AK)	Hastings (WA)	Nunes	Terry	Broun (GA)	Jackson (IL)	
Pompeo	Shimkus	Young (FL)	Hayworth	Nunnelee	Thompson (PA)	Burton (IN)	King (NY)	
Posey	Shuler	Young (IN)	Heck	Olson	Thornberry			
			Hensarling	Palazzo	Tiberi			
			Huelskamp	Paulsen	Tipton			
			Huizenga (MI)	Pearce	Turner (NY)			
			Hultgren	Pence	Turner (OH)			
			Hunter	Petri	Upton			
			Hurt	Pitts	Walberg			
			Issa	Platts	Walden			
			Jenkins	Poe (TX)	Walsh (IL)			
			Johnson (OH)	Pompeo	Webster			
			Johnson, Sam	Posey	West			
			Jordan	Price (GA)	Westmoreland			
			Kelly	Quayle	Whitfield			
			King (IA)	Reed	Wilson (SC)			
			Kingston	Rehberg	Wittman			
			Kinzinger (IL)	Reichert	Womack			
			Kline	Renacci	Woodall			
			Lamborn	Ribble	Yoder			
			Lance	Rigell	Young (AK)			
			Landry	Rivera	Young (FL)			
			Lankford	Roby	Young (IN)			
			Latham	Roe (TN)				

NOT VOTING—12

Akin	Critz	Johnson (GA)
Bachus	Garamendi	King (NY)
Blumenauer	Herger	Ross (AR)
Broun (GA)	Jackson (IL)	Towns

□ 1733

Messrs. KISSELL, FORTENBERRY and LIPINSKI changed their vote from “yea” to “nay.”

Mr. BERMAN changed his vote from “nay” to “yea.”

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. VAN HOLLEN. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 223, noes 196, not voting 10, as follows:

[Roll No. 577]

AYES—223

Adams	Brady (TX)	Cravaack
Aderholt	Brooks	Crawford
Alexander	Buchanan	Crenshaw
Amodei	Bucshon	Culberson
Austria	Buerkle	Denham
Bachmann	Burgess	Dent
Bachus	Calvert	DesJarlais
Barletta	Camp	Diaz-Balart
Bartlett	Campbell	Dold
Benishek	Canseco	Donnelly (IN)
Berg	Cantor	Dreier
Biggert	Capito	Duffy
Bilbray	Carter	Duncan (SC)
Bilirakis	Cassidy	Ellmers
Bishop (UT)	Chabot	Emerson
Black	Chaffetz	Farenthold
Blackburn	Coble	Fincher
Bonner	Coffman (CO)	Fitzpatrick
Bono Mack	Cole	Flake
Boustany	Conaway	Fleischmann

Ackerman	Connolly (VA)	Heinrich
Altmire	Conyers	Herrera Beutler
Amash	Cooper	Higgins
Andrews	Costa	Himes
Baca	Costello	Hinchey
Baldwin	Courtney	Hinojosa
Barber	Critz	Hirono
Barrow	Crowley	Hochul
Barton (TX)	Cuellar	Holden
Bass (CA)	Cummings	Holt
Bass (NH)	Davis (CA)	Honda
Becerra	Davis (IL)	Hoyer
Berkley	DeFazio	Israel
Berman	DeGette	Jackson Lee
Bishop (GA)	DeLauro	(TX)
Bishop (NY)	Deutch	Johnson (GA)
Bonamici	Dicks	Johnson (IL)
Boren	Dingell	Johnson, E. B.
Boswell	Doggett	Jones
Brady (PA)	Doyle	Kaptur
Braley (IA)	Duncan (TN)	Keating
Brown (FL)	Edwards	Kildee
Butterfield	Ellison	Kind
Burgess	Engel	Kissell
Capuano	Eshoo	Kucinich
Carnahan	Farr	Labrador
Carney	Fattah	Langevin
Carson (IN)	Filner	Larsen (WA)
Castor (FL)	Frank (MA)	Larson (CT)
Chandler	Fudge	LaTourette
Chu	Gonzalez	Lee (CA)
Cicilline	Green, Al	Levin
Clarke (MI)	Green, Gene	Lewis (GA)
Clarke (NY)	Grijalva	Lipinski
Clay	Gutierrez	Loebach
Cleaver	Hahn	Lofgren, Zoe
Clyburn	Hanabusa	Lowey
Cohen	Hastings (FL)	Luján

NOES—196

Heinrich	Herrera Beutler
Higgins	Himes
Hinchey	Hinojosa
Hirono	Hochul
Holden	Holt
Honda	Hoyer
Israel	Jackson Lee
(TX)	Johnson (GA)
Johnson (IL)	Johnson, E. B.
Jones	Kaptur
Keating	Kildee
Kind	Kissell
Kucinich	Labrador
Langevin	Larsen (WA)
Larson (CT)	LaTourette
Lee (CA)	Levin
Lewis (GA)	Lipinski
Lofgren, Zoe	Loebach
Lowey	Lofgren, Zoe
Luján	Lowey

NOT VOTING—10

Akin	Garamendi	Ross (AR)
Blumenauer	Herger	Towns
Broun (GA)	Jackson (IL)	
Burton (IN)	King (NY)	

□ 1742

Mrs. SCHMIDT and Mr. GOWDY changed their vote from “no” to “aye.” So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

CONTINUING APPROPRIATIONS
RESOLUTION, 2013

The SPEAKER pro tempore. Pursuant to clause 1(c) of rule XIX, further consideration of the joint resolution (H.J. Res. 117) making continuing appropriations for fiscal year 2013, and for other purposes, will now resume.

The Clerk read the title of the joint resolution.

MOTION TO RECOMMIT

Mr. BARBER. Madam Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the joint resolution?

Mr. BARBER. I am opposed in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Barber moves to recommit the joint resolution H.J. Res. 117 to the Committee on Appropriations with instructions to report the same back to the House forthwith with the following amendment:

At the end of the joint resolution (before the short title), insert the following:

SEC. 156. (a) FULL YEAR FUNDING FOR MILITARY PERSONNEL ACCOUNTS.—Notwithstanding section 106, appropriations and funds made available and authority granted pursuant to this joint resolution (including section 101(c)) for the following accounts of the Department of Defense shall remain available until September 30, 2013:

- (1) "Military Personnel, Army".
- (2) "Military Personnel, Navy".
- (3) "Military Personnel, Marine Corps".
- (4) "Military Personnel, Air Force".
- (5) "Reserve Personnel, Army".
- (6) "Reserve Personnel, Navy".
- (7) "Reserve Personnel, Marine Corps".
- (8) "Reserve Personnel, Air Force".
- (9) "National Guard Personnel, Army".
- (10) "National Guard Personnel, Air Force".

(b) PERFORMANCE OF MEDICAL DISABILITY EXAMINATIONS BY CONTRACT PHYSICIANS.—The authority provided by section 704 of the Veterans Benefits Act of 2003 (38 U.S.C. 5101 note) shall continue in effect through the date specified in section 106(3) of this joint resolution.

(c) TREATMENT OF HOMELESS AND SERIOUSLY MENTALLY ILL VETERANS.—The authority provided by section 2031 of title 38, United States Code, shall continue in effect through the date specified in section 106(3) of this joint resolution.

(d) ADDITIONAL SERVICES FOR HOMELESS AND SERIOUSLY MENTALLY ILL VETERANS.—The authority provided by section 2033 of title 38, United States Code, shall continue in effect through the date specified in section 106(3) of this joint resolution.

Mr. ROGERS of Kentucky (during the reading). Madam Speaker, I ask unanimous consent that the reading be dispensed with.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arizona is recognized for 5 minutes in support of his motion.

□ 1750

Mr. BARBER. Madam Speaker, I am offering this amendment to improve this legislation and truly show this Chamber's support for our veterans and men and women in uniform by preventing their pay and services from being impacted by a potential government shutdown next year. The underlying bill we are voting on today lacks key provisions that are needed to protect our veterans in Active Duty military. My amendment will add these provisions.

My amendment will ensure that our patriotic military men and women are not victims of partisan gridlock. My amendment ensures that basic military pay will not be interrupted in a potential shutdown. My amendment guarantees that our Armed Forces will be paid for the entire year, not just for the 6-month duration authorized by this continuing resolution.

Unfortunately, Congress has failed to do its job, and we cannot allow a government shutdown to impact the basic pay of our men and women in uniform. This is a guarantee and an assurance that they have a right to expect we will uphold no matter what.

My amendment also addresses the fact that three critical Veterans Administration authorizations are set to expire at the end of the year.

The first is for Contract Medical Disability Authority. Without this extension which my amendment provides, the VA would not be able to pay for contract medical exams from discretionary funds. This could significantly delay veterans' receipt of benefits.

The second authorization which my amendment extends would give the VA the authority to establish sites to treat homeless veterans and those with mental illness. Without this extension, the VA would not be able to provide these essential services at these sites.

The third VA authorization set to expire helps the VA provide housing and treatment to homeless veterans with a serious mental illness. Again, without this extension, the VA would no longer be able to provide for therapeutic transitional housing assistance for veterans who are homeless or who have a serious mental illness.

Our veterans stepped forward when we asked them to serve this great Nation. In return, it is our undeniable responsibility to help them find employment when they are able to work and to care for them when they are not. Tonight, there are about 70,000 homeless veterans who will sleep on the streets of our country. This is a situation that is absolutely deplorable, and we must act to provide them with the assistance they deserve.

None of what I've proposed here should be a partisan issue. This is about keeping our sacred promise to those who have defended our freedoms. There are nearly 100,000 veterans in my southern Arizona district and two military installations—Davis-Monthan Air Force Base in Tucson, where I grew up and where my father was deployed, and Fort Huachuca in Sierra Vista and the 162nd Fighter Wing of the Air National Guard just across the district line.

I am offering this amendment in thinking of the men and women who are stationed there and across this Nation and across the world. During our recent work period, I went to the airport in Tucson to honor the men and women of our Army National Guard as they left for deployment in Afghanistan. I told them and their families, on behalf of all of us, how grateful we are for their service. Today, I ask you to join with me in putting action behind those words. This is not a partisan issue. We can and must find common ground in this Chamber on this very issue.

This morning, my colleague Congressman PLATTS and I introduced a bipartisan bill, the Veterans Health Care Access Act. Our bill will make it easier for veterans to get access to the health care they need. What other issue we face is more important than this to both sides of the aisle than supporting our Armed Forces and our veterans?

At a time when we need to get services to our veterans who are newly returning home from Iraq and Afghani-

stan, we cannot be creating uncertainty and allowing a lapse of service or pay. This is about the Army sergeant I met on the flight going home who is now diagnosed with post-traumatic stress disorder and traumatic brain injury and who will soon be medically discharged. He deserves to know that we will stand up for him and others like him.

Let me say again that the passage of this amendment will not prevent the passage of the underlying bill. I urge my Republican and Democratic colleagues alike to vote "yes" on this final amendment and to support our military and to support our veterans.

I yield back the balance of my time.

PARLIAMENTARY INQUIRY

Mr. BURTON of Indiana. Madam Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. BURTON of Indiana. As I understand it, Madam Speaker, there is foreign aid money in this bill, and I want to know if any of it is going to Libya or Egypt. Our Embassies have been attacked. An ambassador has been killed. The Muslim Brotherhood runs Egypt—and we're going to give them money? I would like to have an answer.

The SPEAKER pro tempore. The Chair cannot respond to that inquiry. That is a matter for debate.

Mr. ROGERS of Kentucky. I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. ROGERS of Kentucky. Madam Speaker, I rise in strong opposition to the motion to recommit. This procedural motion is nothing more than a dilatory tactic designed to score political points for the cameras.

We have worked fervently and in good faith to put together a CR that meets the Nation's critical needs for the next 6 months. We did take care of our veterans in this bill. We did take care of our troops. With the enactment of this CR, the funding for veterans will be \$2.1 billion more than last year. The CR provides all the funds necessary for our troops' pay raise.

The only problem is, in order for the checks to go out, the Senate has to pass an authorization bill, which they've been sitting on for months. It's time for the Senate to act on behalf of our troops and our veterans.

Now, we've got to pass this CR to keep the government open and to keep the doors from closing on their government, yet the Democrats want to put a roadblock to passing this one piece of legislation that keeps the government running. The last time I checked, Madam Speaker, if you closed down the government, the Nation's most deserving—our troops and veterans—would not get a single dollar of the benefits that they deserve. So this bill is necessary.

With the November elections on the horizon, we should not be surprised that the other side wants to put politics ahead of doing our work—as usual. The American people expect us to stop the partisan bickering and get our work done. The time for idle talk is over. Enough is enough. We've got bipartisan agreement on this bill. The House, the Senate—both parties—and the White House have signed off on this bill. The motion is not needed, it is not helpful, and the money is in the bill. Stop the political posturing, and make our citizens proud. Vote “no.”

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. BARBER. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to recommit House Joint Resolution 117 will be followed by 5-minute votes on passing House Joint Resolution 117, if ordered; and suspending the rules and passing S. 3245.

The vote was taken by electronic device, and there were—ayes 189, noes 232, not voting 8, as follows:

[Roll No. 578]

AYES—189

Ackerman	Critz	Holt
Altmire	Crowley	Honda
Andrews	Cuellar	Hoyer
Baca	Cummings	Israel
Baldwin	Davis (CA)	Jackson Lee
Barber	Davis (IL)	(TX)
Barrow	DeFazio	Johnson (GA)
Bass (CA)	DeGette	Johnson, E. B.
Becerra	DeLauro	Jones
Berkley	Deutch	Kaptur
Berman	Dicks	Keating
Bishop (GA)	Dingell	Kildee
Bishop (NY)	Doggett	Kind
Bonamici	Donnelly (IN)	Kissell
Boren	Doyle	Kucinich
Boswell	Edwards	Langevin
Brady (PA)	Ellison	Larsen (WA)
Braley (IA)	Engel	Larson (CT)
Brown (FL)	Eshoo	Lee (CA)
Butterfield	Farr	Levin
Capps	Fattah	Lewis (GA)
Capuano	Filner	Lipinski
Carnahan	Frank (MA)	Loeb sack
Carney	Fudge	Lofgren, Zoe
Carson (IN)	Garamendi	Lowey
Castor (FL)	Gonzalez	Lujan
Chandler	Green, Al	Lynch
Chu	Green, Gene	Maloney
Cicilline	Grijalva	Markey
Clarke (MI)	Gutierrez	Matheson
Clarke (NY)	Hahn	Matsui
Clay	Hanabusa	McCarthy (NY)
Cleaver	Hastings (FL)	McCollum
Clyburn	Heinrich	McDermott
Cohen	Higgins	McGovern
Connolly (VA)	Himes	McIntyre
Conyers	Hinchey	McNerney
Cooper	Hinojosa	Meeks
Costa	Hirono	Michaud
Costello	Hochul	Miller (NC)
Courtney	Holden	Miller, George

Moore	Reyes
Moran	Richardson
Murphy (CT)	Richmond
Nadler	Rothman (NJ)
Napolitano	Roybal-Allard
Neal	Ruppersberger
Oliver	Rush
Owens	Ryan (OH)
Pallone	Sanchez, Linda
Pascarell	T.
Pastor (AZ)	Sanchez, Loretta
Paul	Sarbanes
Pelosi	Schakowsky
Perlmutter	Schiff
Peters	Schrader
Peterson	Schwartz
Pingree (ME)	Scott (VA)
Platts	Scott, David
Polis	Serrano
Price (NC)	Sewell
Quigley	Sherman
Rahall	Shuler
Rangel	Sires

NOES—232

Adams	Frelinghuysen
Aderholt	Gallegly
Alexander	Gardner
Amash	Garrett
Amodei	Gerlach
Austria	Gibbs
Bachmann	Gibson
Bachus	Gingrey (GA)
Barletta	Gohmert
Bartlett	Goodlatte
Barton (TX)	Gosar
Bass (NH)	Gowdy
Benishek	Granger
Berg	Graves (GA)
Biggert	Graves (MO)
Bilbray	Griffin (AR)
Bilirakis	Griffith (VA)
Bishop (UT)	Grimm
Black	Guinta
Blackburn	Guthrie
Bonner	Hall
Bono Mack	Hanna
Boustany	Harper
Brady (TX)	Harris
Brooks	Hartzler
Buchanan	Hastings (WA)
Bushon	Posey
Buerkle	Heck
Burgess	Hensarling
Burton (IN)	Herrera Beutler
Calvert	Huelskamp
Camp	Huizenga (MI)
Campbell	Hultgren
Canseco	Hunter
Cantor	Hurt
Capito	Issa
Carter	Jenkins
Cassidy	Johnson (IL)
Chabot	Johnson (OH)
Chaffetz	Johnson, Sam
Coble	Jordan
Coffman (CO)	Kelly
Cole	King (IA)
Conaway	Kingston
Cravaack	Kinzing (IL)
Crawford	Kline
Crenshaw	Labrador
Culberson	Lamborn
Denham	Lance
Dent	Landry
DesJarlais	Lankford
Diaz-Balart	Latham
Dold	LaTourette
Dreier	Latta
Duffy	Lewis (CA)
Duncan (SC)	LoBiondo
Duncan (TN)	Long
Ellmers	Lucas
Emerson	Luetkemeyer
Farenthold	Lummis
Fincher	Lungren, Daniel
Fitzpatrick	E.
Flake	Mack
Fleischmann	Manzullo
Fleming	Marchant
Flores	Marino
Forbes	McCarthy (CA)
Fortenberry	McCauley
Fox	McClintock
Franks (AZ)	McHenry

Slaughter	Terry
Smith (WA)	Thompson (PA)
Speier	Thornberry
Stark	Tiberi
Sutton	Tipton
Thompson (CA)	Turner (NY)
Thompson (MS)	Turner (OH)
Tierney	Upton
Tonko	
Tsongas	
Van Hollen	Akin
Velázquez	Blumenauer
Visclosky	Broun (GA)
Walz (MN)	
Wasserman	
Schultz	
Waters	
Watt	
Waxman	
Welch	
Wilson (FL)	
Woolsey	
Yarmuth	

Walberg	Wittman
Walden	Wolf
Walsh (IL)	Womack
Webster	Woodall
West	Yoder
Westmoreland	Young (AK)
Whitfield	Young (FL)
Wilson (SC)	Young (IN)

NOT VOTING—8

Herger	Ross (AR)
Jackson (IL)	Towns
King (NY)	

□ 1813

So the motion to motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the joint resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. DICKS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 329, noes 91, not voting 9, as follows:

[Roll No. 579]

AYES—329

Ackerman	Chaffetz	Frelinghuysen
Aderholt	Chandler	Fudge
Alexander	Chu	Gallegly
Amodei	Cicilline	Garamendi
Andrews	Clarke (MI)	Garrett
Austria	Clarke (NY)	Gerlach
Baca	Clay	Gibbs
Bachus	Cleaver	Gibson
Baldwin	Clyburn	Gonzalez
Barber	Coble	Goodlatte
Barletta	Coffman (CO)	Granger
Barrow	Cohen	Graves (GA)
Bartlett	Cole	Green, Al
Bass (CA)	Conaway	Green, Gene
Bass (NH)	Connolly (VA)	Griffin (AR)
Becerra	Costa	Grijalva
Benishek	Courtney	Grimm
Berkley	Cravaack	Guinta
Berman	Crawford	Guthrie
Biggert	Critz	Gutierrez
Bilbray	Crowley	Hahn
Bilirakis	Cuellar	Hanabusa
Bishop (GA)	Culberson	Hanna
Bishop (NY)	Cummings	Harper
Bishop (UT)	Davis (CA)	Harris
Black	DeFazio	Hastings (FL)
Blackburn	DeGette	Hastings (WA)
Bonamici	DeLauro	Hayworth
Bonner	Denham	Heck
Boren	Dent	Heinrich
Boswell	Deutch	Hensarling
Brady (PA)	Diaz-Balart	Herrera Beutler
Brady (TX)	Dicks	Higgins
Braley (IA)	Dingell	Himes
Brown (FL)	Doggett	Hinchey
Buchanan	Dold	Hinojosa
Bucshon	Donnelly (IN)	Hirono
Buerkle	Doyle	Hochul
Burgess	Dreier	Holden
Butterfield	Duffy	Holt
Calvert	Edwards	Honda
Camp	Ellison	Hoyer
Campbell	Ellmers	Huizenga (MI)
Cantor	Engel	Hultgren
Capito	Eshoo	Hunter
Capps	Farenthold	Hurt
Carnahan	Farr	Israel
Carney	Fattah	Issa
Carson (IN)	Filner	Jackson Lee
Carter	Fitzpatrick	(TX)
Cassidy	Fleischmann	Jenkins
Castor (FL)	Fortenberry	Johnson (GA)

Johnson (OH)
Johnson, E. B.
Johnson, Sam
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
Kingston
Kinzinger (IL)
Kline
Lance
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loeb sack
Lofgren, Zoe
Long
Lowey
Lucas
Luetkemeyer
Lujan
Lungren, Daniel
E.
Lynch
Maloney
Manzullo
Marino
Markey
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McCollum
McGovern
McHenry
McKinley
McMorris
Rodgers
McNerney
Meehan
Meeks
Mica
Michaud
Miller (MI)
Miller (NC)
Moore
Moran
Mulvaney
Murphy (CT)

Murphy (PA)
Myrick
Nadler
Napolitano
Neal
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Pearce
Pelosi
Pence
Perlmutter
Peters
Pingree (ME)
Pitts
Platts
Polis
Pompeo
Price (GA)
Price (NC)
Quigley
Rahall
Rangel
Reed
Reichert
Renacci
Reyes
Ribble
Richardson
Richmond
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Ruppersberger
Ryan (OH)
Ryan (WI)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Scalise

NOES—91

Adams
Altmire
Amash
Bachmann
Barton (TX)
Berg
Bono Mack
Boustany
Brooks
Burton (IN)
Canseco
Capuano
Chabot
Conyers
Cooper
Costello
Crenshaw
Davis (IL)
DesJarlais
Duncan (SC)
Duncan (TN)
Emerson
Fincher
Flake
Fleming
Flores
Forbes
Foxy
Frank (MA)
Franks (AZ)
Gardner

Gingrey (GA)
Gohmert
Gosar
Gowdy
Graves (MO)
Griffith (VA)
Hall
Hartzler
Huelskamp
Johnson (IL)
Jones
Jordan
Kissell
Kucinich
Labrador
Lamborn
Landry
Lee (CA)
Lummis
Mack
Marchant
Matheson
McClintock
McDermott
McIntyre
McKeon
Miller (FL)
Miller, Gary
Neugebauer
Noem
Oliver

Schakowsky
Schiff
Schock
Schwartz
Scott (VA)
Scott, Austin
Scott, David
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuster
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southernland
Speier
Stivers
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Tonko
Turner (NY)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Womack
Woodall
Yarmuth
Young (AK)
Young (FL)
Young (IN)

Paul
Peterson
Petri
Poe (TX)
Posey
Quayle
Rehberg
Rigell
Ross (FL)
Rush
Schilling
Schmidt
Schneider
Schweikert
Scott (SC)
Sensenbrenner
Shuler
Simpson
Stark
Stearns
Stutzman
Tsongas
Turner (OH)
Walsh (IL)
Wilson (SC)
Wittman
Wolf
Woolsey
Yoder

NOT VOTING—9

Akin
Blumenauer
Broun (GA)
Herger
Jackson (IL)
King (NY)
Miller, George
Ross (AR)
Towns

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE
The SPEAKER pro tempore (during the vote). There is 1 minute remaining.

□ 1820

Mr. GRAVES of Missouri changed his vote from “aye” to “no.”

Mr. WELCH changed his vote from “no” to “aye.”

So the joint resolution was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REAUTHORIZING CERTAIN VISA PROGRAMS

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (S. 3245) to extend by 3 years the authorization of the EB-5 Regional Center Program, the E-Verify Program, the Special Immigrant Nonminister Religious Worker Program, and the Conrad State 30 J-1 Visa Waiver Program, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. SMITH) that the House suspend the rules and pass the bill.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 412, nays 3, not voting 14, as follows:

[Roll No. 580]

YEAS—412

Ackerman
Adams
Aderholt
Alexander
Altmire
Amodei
Andrews
Austria
Baca
Bachmann
Bachus
Baldwin
Barber
Barletta
Barrow
Bartlett
Barton (TX)
Bass (CA)
Bass (NH)
Becerra
Benishak
Berg
Berkley
Berman
Biggart
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Bonamici
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Brooks
Brown (FL)
Buchanan
Bucshon
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Capps
Capuano
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castor (FL)
Chabot
Chaffetz
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison

Ellmers
Emerson
Engel
Farenthold
Farr
Fattah
Finer
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Guinta
Guthrie
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hoehly
Hochul
Holden
Holt
Honda
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson Lee
(TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
Kingston
Kinzinger (IL)
Kissell
Kline
Kucinich
Labrador

Lamborn
Lance
Landry
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loeb sack
Lofgren, Zoe
Long
Lowey
Lucas
Luetkemeyer
Lujan
Lummis
Lungren, Daniel
E.
Lynch
Mack
Maloney
Manzullo
Marchant
Marino
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
McNerney
Meehan
Meeks
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Moore
Moran
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Napolitano
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Oliver
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Pearce
Pelosi
Pence
Perlmutter
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quayle
Quigley
Rahall
Rangel
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Richardson
Richmond
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Ruppersberger
Rush
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schilling
Schmidt
Schock
Schneider
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (TX)
Southernland
Speier
Stark
Stearns
Stivers
Stutzman
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Tonko
Tsongas
Turner (NY)
Turner (OH)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden
Walsh (IL)
Walz (MN)
Wasserman
Schultz
Waters
Watt

Waxman
Webster
Welch
West
Westmoreland
Whitfield

Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall

Woolsey
Yarmuth
Yoder
Young (AK)
Young (FL)
Young (IN)

NAYS—3

Amash

Gohmert

Paul

NOT VOTING—14

Akin
Blumenauer
Broun (GA)
Buerkle
Chandler

Cole
Eshoo
Grimm
Herger
Jackson (IL)

King (NY)
Ross (AR)
Ryan (WI)
Towns

□ 1827

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

CONDEMNING THE SHOOTING THAT KILLED SIX INNOCENT PEOPLE AT THE SIKH TEMPLE OF WISCONSIN IN OAK CREEK, WISCONSIN, ON AUGUST 5, 2012

Mr. FARENTHOLD. Mr. Speaker, I ask unanimous consent that the Committee on Oversight and Government Reform be discharged from further consideration of House Resolution 775, and ask for its immediate consideration in the House.

The Clerk read the title of the resolution.

The SPEAKER pro tempore (Mr. MULVANEY). Is there objection to the request of the gentleman from Texas?

There was no objection.

The text of the resolution is as follows:

H. RES. 775

Whereas on Sunday, August 5, 2012, a shooting took place at the Sikh Temple of Wisconsin in Oak Creek, Wisconsin;

Whereas as a result of the shooting, six innocent individuals lost their lives while preparing to attend a Sunday morning worship;

Whereas three individuals were severely injured in the attack;

Whereas many individuals and members of the Sikh community selflessly sought to aid and protect others above their own safety; and

Whereas the quick action of law enforcement officials prevented additional losses of life: Now, therefore, be it

Resolved, That the House of Representatives—

(1) condemns the senseless attack at the Sikh Temple of Wisconsin in Oak Creek, Wisconsin, on Sunday, August 5, 2012;

(2) offers condolences to the families, friends, and loved ones who were killed in the attack and expresses hope for the full recovery of those injured in the attack;

(3) honors the selfless, dedicated service of—

(A) the emergency response teams and law enforcement officials who responded to the attack; and

(B) law enforcement officials who continue to investigate the attack; and

(4) remains hopeful, as additional details regarding the attack are gathered, that the citizens of this country will come together,

united in a shared desire for peace and justice while standing with the Sikh community to grieve the loss of life.

The resolution was agreed to.

A motion to reconsider was laid on the table.

SOLIDARITY WITH THE SIKH COMMUNITY

(Mr. ROYCE asked and was given permission to address the House for 1 minute.)

Mr. ROYCE. Mr. Speaker, I would like to speak in favor of the resolution I coauthored with the Wisconsin delegation here in solidarity with the Sikh community in Oak Creek and the Sikh community all across the United States.

In a strange coincidence, I had a previously scheduled meeting in California at a Sikh temple on the very day when that murderous attack in Oak Creek occurred. Obviously, our discussion shifted to the subject of that premeditated attack.

I was able to hear about the plight of being targeted because of one's religion, the plight of being targeted for one's appearance.

We are in a constant struggle against bad ideas, despicable ideas.

Passing this resolution will not ease the pain of those affected by this tragedy, but it does show to the world that people from across the United States can unite and denounce bigoted violence.

Our great country is rooted in religious tolerance. The Constitution makes freedom of religion first and foremost. There is no place in this country for religious-motivated terrorism, and this resolution that we passed reaffirms that.

I end by thanking Mr. RYAN and the Wisconsin delegation for their efforts on this resolution, but also I thank the leadership of both parties here today for working with us to make sure that this resolution came to the floor.

NO MONEY FOR LIBYA OR EGYPT

(Mr. BURTON of Indiana asked and was given permission to address the House for 1 minute.)

Mr. BURTON of Indiana. Mr. Speaker, I'm really disappointed today. We passed a CR for 6 months, and it contained language in there that was supposedly designed to keep Libya and Egypt from getting funds. My colleagues overwhelmingly voted for it. I do not criticize them for that.

But I do feel very strongly in my heart that we made a mistake by not, in the Rules Committee, passing an amendment which would make sure that the money in that bill for foreign assistance did not go to Libya or Egypt.

I read the document that they put out, and it does not prohibit the money

from getting to Libya and Egypt. The Muslim Brotherhood runs Egypt. They hate the United States, and their President has said he wanted to model his country after Iran.

In Libya, they killed our Ambassador and scaled the walls. They burned our flag. They did it in Egypt, and they held up the al Qaeda flag; and we're going to give them money. It makes no sense.

If the American people were paying attention to this right now, they would raise hell.

HUNGER STRIKES IN CUBA

(Mr. RIVERA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RIVERA. Mr. Speaker, this Monday, prominent Cuban dissident Marta Beatriz Roque launched a hunger strike in order to draw attention to the unwavering attempts by the Castro dictatorship to suppress pro-democracy supporters. She has since been joined in her hunger strike by an additional 25 dissidents. Roque suffers from diabetes, and her water-only fast could easily kill her in days.

Castro's thugs have continually increased the level of repression against the opposition movement. It is intolerable that this has become the "norm" in Cuban society. Jailing, beating, and detaining peaceful protestors who are simply demanding their basic human rights is not the norm. It is unacceptable.

The Castro brothers will continue their violent and abusive ways and will stop at nothing to remain in power. How bad do things need to get before the international community finally recognizes the plight of the Cuban people? These brave men and women continue to risk their lives every day, and we must call attention to their struggle.

RUSSIA PNTR

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from California (Mr. DREIER) is recognized for 60 minutes as the designee of the majority leader.

GENERAL LEAVE

Mr. DREIER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks on the subject of my Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DREIER. Mr. Speaker, I rise today to talk about an issue that both Democrats and Republicans, and virtually every American, is talking

about, and people all over the world are talking about. What is that issue? How do we increase global economic growth; and here in this country, how do we create more good American jobs.

It's obviously a key part of the Presidential campaign. We have Democrats and Republicans daily stand in the well of the House of Representatives and offer proposals, talk about their ideas as to how we can create good jobs.

We have the sad report of 380,000 people who fell off the rolls even looking for jobs. We have literally millions of our fellow Americans who are looking for jobs, and we have many businesses that are struggling.

One of the great challenges that President Obama put forward was the goal of doubling our exports, and we all know that he very much wanted to do that. We, as Members of Congress, came together after a decade, and we finally were able to successfully pass market-opening opportunities for U.S. workers to sell their goods and provide our services in Panama, Colombia, and South Korea.

□ 1840

It took us a long time to get there. I know that it's easy to point the finger of blame, but the fact is we've been ready for a long time. This institution was ready for a long time, Democrats and Republicans alike, and we were finally able to get the legislation up here from down on Pennsylvania Avenue, and we were able to make it happen with strong bipartisan votes on all three of those agreements.

Well, Mr. Speaker, with recognition that opening up markets around the world for U.S. goods and services is a key way to create jobs here—because, again, as we debated the Panama, Colombia, and Korea Trade Agreements, there were Members on both sides of the aisle who stood up and argued in behalf of those great agreements—we now have before us what I believe is an absolute no-brainer, but tragically it's created some political consternation over a lot of confusion.

We know that the idea of seeing countries join the WTO, the World Trade Organization, creates a scenario whereby they have to comply with a rules-based trading system. We know that once they enter the WTO, there are constraints imposed on them along with the benefits that they get for their membership in the WTO. And there was a lot of negotiation, a lot of talk about Russia's entry into the World Trade Organization. The idea of seeing Russia forced to comply with a system that would prevent them from engaging in discriminatory practices, from engaging in the kinds of acts that prevent products and services from getting into their country, the structure of having to comply with a rules-based system is something that membership in the WTO forces and creates.

Again, there were a lot of negotiations. The last was dealing with a border dispute with Georgia that was resolved, and that was resolved several months ago. That put into place a structure that allowed, on August 22—last month—for Russia to enter the World Trade Organization.

Russia is part of the WTO. They are now, having been for over 3 weeks, a member of the World Trade Organization. That means, as I said, tremendous benefits that Russia gets. They have 140 million consumers, and there are going to be opportunities for countries around the world to export into Russia. We, last year, exported \$11 billion of goods and services into the WTO. But guess what, Mr. Speaker? We're not at the table anymore. We've lost out on our chance to be able to sell our goods and services into Russia, that market of 140 million consumers.

Now, why is it that we've lost out? Well, we haven't been able to have a vote here in the Congress on Russia's accession into the WTO. Why hasn't that happened? Well, I hate to be political—even though this is the time of year when people are especially political—but we need to get this sent up here to the Congress so that we can put together what I know is going to be broad bipartisan support to make this happen. When it comes up, I know that we will see tremendous support on the Republican side of the aisle. And I say that because I'm particularly proud of the 73 newly elected Republican Members of Congress. Of the 87, 73 sent a letter to President Obama saying that they believe it very important for us to open up that market, so that if we all have this desire of creating more good jobs in the United States, let's open up that market to 140 million consumers. Well, unfortunately we're still waiting for that.

And I know that it's not just Republicans who are in support of this, Mr. Speaker. We have Democrats who are passionately and strongly in support of it. My very dear friend from New York (Mr. MEEKS) says he's going to join us. We've got other colleagues of ours who are going to join us in just a minute. But I want to say that this is something that absolutely should be done.

Now, I talked about the fact that I believe it's a no-brainer, but I recognize that there is a lot of political consternation about this because it's Russia. We all know that Russia has an absolutely horrendous human rights policy. We know that Russia has engaged in trying to expand its sphere to other former republics of the Soviet Union. We know that there is tremendous corruption and cronyism that exists in Russia today, and it is not acceptable. It is not acceptable to any of us.

Now, there are some, Mr. Speaker, who argue that for us to deny the U.S. an opportunity to have a vote on PNTR—basically repealing Jackson-

Vanik and allowing us to proceed with this—would be a good thing and it would send a message to Russia, when in fact the exact opposite is the case. There is nothing that we could do as the United States of America that would be a greater boost to supporting the perpetuation of the aberrant behavior that we have seen from Russia than for us to deny a vote on permanent normal trade relations that would see us, then, have access to that market.

I said that last year we exported \$11 billion of goods and services to Russia. If we could pass PNTR here, projections are that by 2017 we would double that from \$11 billion to \$22 billion. Now, what does that mean? It means more good U.S. jobs. And what does it mean? It means an expansion of our American values. It means, again, this forced compliance with a rules-based trading system. It means creating a structure that will allow us to undermine the kind of political repression that exists in Russia.

Our sticking our head in the sand would be just plain wrong. Now, those are not just my words, Mr. Speaker. We, on the 12th of March, received a letter from seven of the most prominent and outspoken human rights activists in Russia. They, in a letter, an open letter that was sent to those of us who are considering this issue, said the following. Now this is from these very, very prominent dissidents and activists, some of whom I'm sure have been imprisoned. They've had long histories of being opposition leaders to Vladimir Putin. So in the letter that they sent to us, Mr. Speaker, they said:

Some politicians in the United States argue that the removal of Russia from Jackson-Vanik would help no one but the current Russian undemocratic political regime. That assumption is flat wrong. Although there are obvious problems with democracy and human rights in modern Russia, the persistence on the books of the Jackson-Vanik amendment does not help to solve them at all. Moreover, it brings direct harm. It limits Russia's competitiveness in international markets for higher value-added products, leaving Russia trapped in its current petro-state model of development and preventing it from transforming into a modern, diversified, and more high-tech economy. This helps Mr. Putin and his cronies.

At the end of the day, those who defend the argument that Jackson-Vanik's provisions should still apply to Russia in order to punish Putin's anti-democratic regime only darken Russia's political future, hamper its economic development, and frustrate its democratic aspirations.

Mr. Speaker, I'd like to include this letter from the seven dissidents in the RECORD in its entirety, underscoring how critically important it is for us to take this action so that we can boost those who are struggling to improve the plight of those Russians who are seeing their human rights jeopardized based on the current policies.

MARCH 12, 2012.

REMOVE RUSSIA FROM JACKSON-VANIK!

Removal of Russia from the provisions of the Cold War era Jackson-Vanik Amendment has long been an issue of political debate. Although the outdated nature and irrelevance of the amendment is widely recognized, some politicians in the United States argue that the removal of Russia from Jackson-Vanik would help no one but the current Russian undemocratic political regime.

That assumption is flat wrong. Although there are obvious problems with democracy and human rights in modern Russia, the persistence on the books of the Jackson-Vanik Amendment does not help to solve them at all. Moreover, it brings direct harm. It limits Russia's competitiveness in international markets for higher value-added products, leaving Russia trapped in its current petro-state model of development and preventing it from transforming into a modern, diversified and more hi-tech economy.

This helps Mr. Putin and his cronies, who continue to benefit from control over raw materials exports and who have no real interest in diversifying Russia's economy. During the period of their rule, dependence on oil and gas exports has become even greater than before. Needless to say, hanging in a petro-state limbo prevents the emergence in Russia of an independent and advanced middle class, which should be the main source of demand for pro-democracy political transformation in the future. More and more talented and creative Russians are leaving the country because there are better opportunities for finding good jobs in hi-tech industries abroad.

At the end of the day, those who defend the argument that Jackson-Vanik's provisions should still apply to Russia in order to punish Putin's anti-democratic regime only darken Russia's political future, hamper its economic development, and frustrate its democratic aspirations.

Jackson-Vanik is also a very useful tool for Mr. Putin's anti-American propaganda machine: it helps him to depict the United States as hostile to Russia, using outdated cold-war tools to undermine Russia's international competitiveness.

We, leading figures of the Russian political opposition, strongly stand behind efforts to remove Russia from the provisions of the Jackson-Vanik Amendment. Jackson-Vanik is not helpful in any way—neither for promotion of human rights and democracy in Russia, nor for the economic interests of its people. Sanctions which harm the interests of ordinary Russians are unhelpful and counter-productive—much more effective are targeted sanctions against specific officials involved in human rights abuse, like those named in the Senator Benjamin Cardin's list in the Sergey Magnitsky case (Senate Bill 1039).

It is time to remove Russia from Jackson-Vanik!

SERGEY ALEKSASHENKO,
Political Council member, People's Freedom Party (Parnas).

ALEXANDER LEBEDEV,
Independent businessman and politician.

VLADIMIR MILOV,
Leader, "Democratic Choice" movement.

ALEXEY NAVALNY,
Attorney and civil activist.

BORIS NEMTSOV,
Co-chairman, People's Freedom Party

(Parnas), "Solidarity" movement.
ILYA PONOMAREV,
State Duma member, Just Russia Party.
VLADIMIR RYZHKOV,
Co-chairman, People's Freedom Party (Parnas).

I also want to say that as we look at this question of job creation and economic growth, it's not something that, again, is at all partisan, and it's something that transcends this institution. We have received a number of letters—and let me see if I can dig this one up here. We have a bipartisan letter from Governors across this country that was sent just weeks ago, on the 25th of July. It was sent to us by Governors from Alabama, Arkansas, California, Connecticut, Delaware, Georgia, Iowa, Michigan, Mississippi, North Dakota, South Carolina, South Dakota, Utah, Vermont, and Washington, a broad cross-section geographically and politically, Democrats and Republicans. All these Governors were signatories to this letter in which they say:

As Governors, we know from firsthand experience in our States that expanding opportunities for international trade and attracting foreign investment are essential to promoting U.S. economic growth and creating new and better jobs right here in America. Russia's impending membership in the World Trade Organization offers a significant opportunity to increase our trade and investment with the world's ninth-largest economy.

So I've got to say, Mr. Speaker, you can understand why I see this as a no-brainer.

□ 1850

To me, this is a pretty simple thing. But I recognize that some might believe that it's a reward to Russia and to Vladimir Putin, and I stand with them for all the reasons that they're opposing it. But I argue that the reasons that they and I oppose the actions of Vladimir Putin underscore why we need to ensure that the U.S. is at the table.

And so, with the President having stated that he has this goal of doubling U.S. exports, and we've got 140 million consumers there who very much want to have access to U.S.-manufactured products, to our goods and services, we need to get it done.

And why don't I begin, since I see a number of my colleagues here, by recognizing my very good friend from New York (Mr. MEEKS), who has joined us. As I recognize Mr. MEEKS, I'd like to say that a number of Members have come up to me from both sides of the aisle, Mr. Speaker, and indicated that they very much wanted to be able to be here this evening to talk about this.

With that, I would like to yield time to my very good friend from New York (Mr. MEEKS).

Mr. MEEKS. Mr. Speaker, I'd like to thank my friend from California (Mr.

DREIER). And he's correct. This is a bipartisan bill that makes common sense, just common sense that we get this done.

So, as I stand here today, I say to you, it is the right thing for America, it is the right thing for businesses in America, and it's the right thing for us to create jobs in America, passing PNTR for Russia.

Mr. DREIER said Russia is the ninth largest market in the world and wants the United States-manufactured goods and services, and U.S. companies are eager to supply Russia's rapidly expanding consumer market. So why are we waiting to make this happen?

While we wait, the failure of the United States Congress to grant permanent normal trade relations to Russia has compromised the competitiveness of United States businesses, hindered the increase of export of goods and services, and stood in the way of growth for United States domestic jobs.

On August 22, the Russian Federation joined the World Trade Organization, concluding nearly 20 years of negotiations and discussions with the United States and about 150 other WTO members. And during these years, it wasn't easy, but Russia did complete numerous reforms of its businesses and trade practices and of its legal system to conform to the norms of the international community and to the WTO rules. These reforms will benefit—not hurt, benefit—U.S. companies. It puts them in a rules-based system.

Now, since August 22, Russia has significantly opened its markets to more than 150 WTO trading partners, with the sole exception—the sole exception—the United States of America. That means that, since August 22, businesses from more than 150 WTO member countries with, again, the sole exception of those of the United States, have conducted trade with Russian counterparts protected by the WTO dispute resolution mechanisms. And while we wait to act, U.S. businesses are at a competitive disadvantage.

Business analysts say that the U.S. exporters currently underperform with respect to Russia. They predict that with PNTR, U.S. trade with Russia could admittedly double over the next 5 years.

Now, I'm from New York, and I just look at what it means for New York, just a small piece. In New York, where exports to Russia nearly reached a half a billion dollars in 2001, half a billion dollars, now, that's a big deal. But when you consider the transportation, the shipping, the customs brokers, the airport personnel jobs involved, the potential economic impact is tremendous.

Clearly, increased trade is good for New York, but it's also good for every State in the United States and stands to benefit every State. Every State, I

repeat, stands to benefit from the new opportunity to sell more American goods and services to Russia through PNTR. So, I say we've got to get it right.

Let me just conclude by saying this. I also am the ranking Democrat on Europe, and as I go and talk to a number of the nations who used to be part of the USSR, some who still have some conflicts with Russia, one of the things that I want to talk to them about, well, what do you think?

A, are you happy to be in the WTO? They all said yes.

B, should we get rid of Jackson-Vanik and make sure that we're able to trade? They all said yes, that it sends the right message and it compels Russia to play by some rules, and we then have a referee in which to make sure they do that.

So I'm hopeful that we get this together and, before we leave here, we pass PNTR for Russia, because every single day that we don't, we're losing out on creating jobs here in America.

I look forward to working with you, and hopefully we'll get this done.

Mr. DREIER. Mr. Speaker, I thank my friend for his very thoughtful comments, and I would just like to underscore this notion of doubling our exports. Taking that level from \$11 billion in the next 5 years to \$22 billion will inure to the benefit of New York, of California, of Minnesota, of Louisiana, and it will provide benefits all across this country.

And at the same time, it will help us deal with this human rights question, which is such an important one, because I haven't talked about it, but obviously including the legislation that deals with the very tragic death of Sergey Magnitsky, who was a lawyer in Russia who was raising questions and, basically, a whistleblower of raising concerns about the behavior of the Russian Government. He was left to die in prison. And we, with this legislation, will be ensuring that those who are responsible are brought to justice and that it never happens again.

And so I think that, all the way around, this can be a win-win for the cause of human rights and for the cause of creating jobs right here, and I thank my friend from New York for his thoughtful contribution.

We're very pleased to be joined, Mr. Speaker, by my good friend from Minnesota, with whom I've been privileged to travel and has a great understanding and grasp of the issue of globalization and how opening up new markets around the world will benefit his constituents. And I'm happy to yield to my friend.

Mr. PAULSEN. Well, I thank the chairman for yielding.

And let me just first say, with the bipartisan support of this important issue, which I will concur in comments from Mr. MEEKS, but I want to say I

want to thank Mr. DREIER, the chairman, because I think we're having these types of discussions on the floor today thanks to his many years of leadership to educate all of us in the House on a bipartisan basis about the benefits of trade, about selling American, and his leadership in establishing this Free Trade Caucus has been so valuable to me as a newer Member. And I know that our country is in great gratitude, and we're going to miss your leadership down the road, Mr. Chairman, in the future.

Let me just say that I also want to rise in strong support for passing this permanent normal trade relations status with Russia. We must pass this legislation to give American manufacturers, American farmers, and American service providers a fair chance to compete and then win and sell more of their goods in the markets of Russia.

□ 1900

Russia joined the WTO already. They already joined the World Trade Organization back on August 22. They've already begun to open their markets to the rest of the world, so now there are about 150 countries, except the United States, that can fully benefit from much better access to the Russian marketplace. Additionally, all of these nations, except the United States, can benefit from Russia's WTO entrance commitments, including stronger international property protections, greater transparency, recourse to the WTO's dispute settlement procedures if Russia fails to meet its commitments.

Until Congress approves PNTR, the United States cannot claim all the benefits that go along with Russia's entrance into the WTO membership obligations. From the President's Export Council, we've already heard some great statistics that are real. They are real, Mr. Speaker. They estimate that U.S. exports to Russia will double and triple over the next 5 years if we pass PNTR, adding jobs here in the United States. These are jobs in manufacturing; these are service jobs; these are jobs in high-tech; and all across the spectrum of other industries. There is no doubt that Russia's demand for foreign services and goods is growing. This is a country with a population of 142 million people. It has got a rapidly growing middle class.

I will speak in particular about a company, Medtronic, which is a medical device manufacturer based in Minnesota, my home State. It's one of the companies that will lose out if we don't pass permanent normal trade relations soon. And Russia, as I mentioned, is one of the fastest-growing markets. It is also a fast-growing market for medical devices and medical technology. It's a key player in the Russian medical device market. In fact, since 2005, there have been 10,000 Russian health care professionals who have been

trained in Medtronic technologies. In the last 5 years, these Medtronic technologies and therapies have benefited about 70,000 patients across Russia.

So Russia has now agreed to substantial tariff reductions for imported medical devices. Russian tariffs on these products will average about 5 percent. It is going to give U.S. medical technology companies the opportunity to significantly expand into the Russian market. Meanwhile, Russia PNTR does not require any tariff reductions or market liberalization by the United States. Yet all of this will go away and all of this will be at risk if we do not act in passing PNTR with Russia in the near future here.

Mr. Speaker, I would just say that the approval of Russia PNTR is a critical step towards ensuring that U.S. companies can benefit from Russia's WTO ascension and remain competitive in the markets today. Until we do that, all other WTO countries will continue to grab market share, market share that is much more difficult to grab back in today's global, competitive environment. So, when I think of a competitor and a company like Medtronic that's based in Minnesota, we want to make sure that their workers and their ingenuity and their innovation is going to continue to grow and prosper so we can sell American across the world. In other words, U.S. companies are being left behind as our competitors continue to grow in this very profitable market of medical devices, losing ground we may never be able to make up.

With other countries gaining this head start now in the Russian market, our time is running out, so this PNTR really benefits the United States. I hope that we act next week, Mr. Chairman, before we head back for the election season because this is critical for jobs; it's bipartisan; the President can claim great ownership and credit for this as well if we act soon. I will do all I can to continue to work with you, Mr. Chairman, to move this forward as well.

Mr. DREIER. If I could reclaim my time, I thank my friend for his very strong commitment to this.

I would like to expand on this Medtronic example for a moment, if I could, because we talk about big pictures; we talk about numbers; we say, yes, we want to create jobs, but the example of Medtronic is very clearly a specific opportunity.

I wonder if my friend has any examples or if he has talked to executives at Medtronic about the benefits of opening up that market in Russia, because it's true. We are horrified at the crony capitalism that exists in Russia, and we are horrified at the human rights violations that exist, but there are also many very, very good, dedicated, hard-working Russian people who would like to have an opportunity to have access to many of the products that are made

right here in the United States. I know my friend and I have traveled around the globe, and one of the things that consistently comes forward is people saying we want to be able to purchase goods from the United States of America, goods manufactured in the United States of America.

I wonder if my friend might tell us a little bit about the success of Medtronic and what has happened and exactly what benefit we would see created for jobs here and also for the consumers in Russia.

Mr. PAULSEN. I will just say that, whether it's a company like a Medtronic or an agricultural-based company like a Cargill, which is based in my district in Minnesota as well, clearly there is the opportunity to sell American knowing that 95 percent of the world's consumers are outside of the United States. This opportunity in Russia with huge market share is going to mean more medical devices being sold in Russia. These are life-improving, these are life-saving technologies, and there is no doubt in a competitive environment that European companies are trying to access that market and are moving forward to do that. So a world-class leader like a Medtronic is going to have a vacuum unless it's able to move forward and unless Congress acts to give permanent normal trade relations.

Mr. DREIER. In reclaiming my time, my friend is absolutely right, and I just want to again express appreciation to his commitment to our Trade Working Group, which is on a wide range of issues. We've been able to focus on creating jobs for millions of Americans as we have sought to recognize the benefits of exports and imports as well when it comes to improving the standard of living and the quality of life for our fellow Americans. He has been very dedicated to his constituents, and I appreciate your participation this evening, too.

I am also very pleased to see that we are joined by my very good friend from Louisiana, another hardworking member of the House Ways and Means Committee and someone who understands the world extraordinarily well. I would like to recognize my friend Mr. BOUSTANY.

Mr. BOUSTANY. Thank you, Chairman DREIER.

Let me say thank you, first of all, for your tremendous service to our country in your capacity as a Member of Congress and as chairman of the Rules Committee. I want to thank you for your leadership on international trade and in promoting America's role in international trade. I also want to thank you for your friendship and for your wise counsel. I've enjoyed the time I've been able to travel with you.

Mr. DREIER. We've still got months to go.

Mr. BOUSTANY. We still do, but I'll say this: I'll miss having you here, and

I look forward to keeping in touch in the future.

Mr. DREIER. Absolutely, we should do that.

Mr. BOUSTANY. Thank you for organizing this round of speeches tonight to talk about this crucial piece of legislation that we need to pass because what it will do will be to ensure a level playing field for U.S. workers, U.S. farmers, employers who are competing for business in Russia.

Now, we all know that, until Russia came into the WTO, it was a very difficult place to get market access for our businesses, especially, certainly, large companies, but small companies, mid-sized firms. I believe it is vital for Congress to grant Russia permanent normalized trade relations by removing them from the Jackson-Vanik amendment. If we don't do this, if we don't terminate that provision and grant PNTR, Russia will deny or could certainly deny U.S. exporters some of the market-opening concessions it has made to join the WTO, and the United States would not be able to challenge those actions in a rule-based system through the WTO's dispute settlement system.

This is critically important, especially if we talk about small- and mid-sized firms that are in manufacturing that want to export. They need that kind of rules-based system to work within. Otherwise, they don't have the recourse to fight protracted battles in a difficult market like Russia's.

Of course, it's with some trepidation that we undertake this as we know that the relationship between our two countries is somewhat tenuous. We know very well about Russia's human rights abuses. We know about the poor respect for the rule of law. We've heard extensive stories about the corruption. The reality, though, is that Russia has now become a full-fledged member of the World Trade Organization, and to avoid putting the U.S. at a disadvantage, we need to move forward and grant permanent normalized trade relations.

I'll say this: that the best thing we can do as a country from a foreign policy standpoint with our relationship with Russia is to move forward with normalizing trade relations with Russia. If you want to see political reforms in Russia, if you want to clean up the corruption, if you want to see the rule of law flourish in Russia, our commercial relationship with Russia is critical because it will help build a strong, vibrant middle class in Russia, which will help bring about political reforms there and help overall in the world of security. At the same time, it's a win-win because this grants the United States' businesses and farmers access to a market which will help create good-paying, high-paying jobs here in the U.S.

PNTR will also make permanent the trade status the United States has ex-

tended to Russia on an annual basis for more than a decade. So we're not doing anything new. We're permanently normalizing this, which essentially grants Russia the same access to the U.S. market that all of our other trading partners enjoy.

□ 1910

This is nothing new or anything special for Russia. Rather, it is far more important for the United States, for our manufacturers, our service providers, our agriculture interests who are seeking open access into the Russian market.

In an attempt to continue a level playing field for international trade, the WTO requires members to extend normal trade relations to all other WTO members on an unconditional basis, unless a country does not want to apply WTO rules to another country. After 18 years of negotiations, Russia officially became a member of the WTO on August 22 of this year. Currently, the United States has a condition that is placed on Russia. It dates back to the 1970s when the Soviet Union had restrictive immigration policies preventing Jews from leaving its territory.

Congress passed the Jackson-Vanik amendment to the Trade Act of 1974. However, since 1992, the United States has certified annually that Russia complies with the Jackson-Vanik amendment's provisions, and we have conferred normal trade relations on an annual basis to Russia. Only by graduating Russia from the Jackson-Vanik amendment, making these normal trade relations permanent will the U.S. be able to be in full compliance with its WTO obligations, enabling U.S. businesses and farmers to enjoy all the trade concessions and commitments that Russia has made in order to join the WTO.

Mr. DREIER. I'll just reclaim my time there to underscore the very important point that my friend has made, Mr. Speaker.

We all know that the intentions behind the Jackson-Vanik amendment were very good. We saw horrendous policies from the Soviet Union in a wide range of areas. Virtually everything they did was bad as the Soviet Union, a totalitarian country. But the denial of opportunities for Jews to emigrate, especially going back to Israel, is what led to that amendment to the 1974 agreement.

I would like to ask my friend to repeat again—he said that we've had complete compliance that we've been able to certify for now exactly two long decades since 1992. That's 20 years ago, 1992 to 2012. For 20 years, we've had annual certification because there has been an opportunity in Russia since, thank God, the Soviet Union came down with the work of so many people. We saw it come down, and we now have

seen really what you would call a Cold War-era provision that has been left in place for two decades.

Why in the world would we still have this? It seems to me that it's the right thing for us to do to ensure that we sweep this aside so that we can move ahead with these market-opening opportunities. I assume that's the point the gentleman was making.

I'm happy to yield to my friend.

Mr. BOUSTANY. That's exactly right. This is a Cold War relic, this amendment that was put into place. The gentleman is correct that since 1992, we've on an annual basis waived its provisions, but we now need to move forward. The world has changed.

As we look to move forward with expanding market access for our farmers, our businesses, especially small and mid-sized firms, it's critical that we grant permanent normalized trade relations if we're going to maintain U.S. competitiveness globally. Right now we're slipping. We're losing our competitive edge.

A country like China, for instance, has consummated well over 100 trade agreements just in the last couple of years. We have done three, and it took us 5 years since the Bush administration to put in place three relatively small trade agreements. We need to take advantage of the WTO structure. And with Russia coming on board as the ninth largest economy, we have a huge opportunity to promote American competitiveness and American business interests at no cost to us. Staying out of this hurts us, and that's why we need to move forward.

If we don't act to grant PNTR to Russia, our Nation's dedicated workforce, our determined business community, we'll be left at a competitive disadvantage, vis-a-vis our foreign competitors. Given the slow growth of our economy and the continued high unemployment rate, we can't allow this to happen. And with Europe struggling, this is an important market to help with global growth by helping U.S. growth and jobs in the United States.

I was a cosponsor of the vital legislation to grant PNTR to Russia, to place additional reporting requirements, of course, on both Russia and the U.S. administration. These conditions ensure that Russia implements its WTO obligations and those obligations are enforced.

Some will raise the question of, Wait a minute, we had a problem with China when they came onto the WTO, and we're still struggling with that. We have learned from that process, and we have additional safeguards in this agreement that will help make sure that Russia fully maintains its obligations under permanent normalized trade relations.

Mr. DREIER. Reclaiming my time just to underscore this point, this notion that the WTO, which is an entity

that stems from an agreement that the postwar leaders put together in 1947 called the General Agreement on Tariffs and Trade, the idea behind that was to diminish tariff and nontariff barriers. When we saw in the early 1990s the WTO put into place, the idea is to see issues like intellectual property violations, which we know are rampant around the world, in Russia, and we have intellectual property violations here in the United States, as well. We see lots of retaliatory action that is taken. With the structure of the WTO, there is pressure to live with a rules-based trading system to deal with these kinds of corrupt practices that go on with great regularity.

I'm happy to further yield to my friend.

Mr. BOUSTANY. If we're going to work through these commercial types of agreements and eliminate the corruptions, the abuses, the intellectual property theft, we have to make the rules-based system work. And the WTO framework which basically grew out of the general agreement on tariffs and trade in the 1940s is that mechanism, and it works. That's what allows us to make a claim against China, for instance, when they're doing abusive practices. It is an equalizer. It basically puts in place a framework that ensures that trade is conducted fairly and openly. That's what U.S. workers and U.S. farmers are looking for.

It's also very important as a critical piece to maintaining global security. If we focus on international economics, commercial relationships through open navigation of the seas, open trade, we're going to see less conflict in the world. I think this is critical from a security standpoint, and it's critical from a standpoint of economic prosperity for the United States. As the United States continues to face economic challenges, our national exports have remained relatively strong. They've probably kept us out of a recession over the last several quarters.

Mr. DREIER. If I could reclaim my time, I think the gentleman makes a very important point about what I like to refer to as the interdependence of economic and political liberalization.

We know people in this country are hurting. We all have constituents who are having a difficult time keeping a roof over their head, keeping food on the table. People have lost their jobs and their homes. We know it's been very tough. We know again that creating markets for these workers is very important. So seeing the standard of living improve throughout the rest of the world creates new markets for us, and it leads to political liberalization.

As we see that the many people in Russia who are suffering have opportunities to improve their quality of life and their standard of living by buying U.S. goods and services, it seems to me that's going to lead towards greater

pressure for political reform, to address these human rights problems, to address the crony capitalism that exists, to address the kind of outrageous behavior that we see with great regularity from Vladimir Putin.

I'm happy to further yield to my friend.

Mr. BOUSTANY. I agree with that.

Any of these things that will help promote the development of a middle class in these other countries, whether it be China or Russia in this particular class, creates a new consumer class for American goods.

Now, we're all patriotic. We want to buy American. I love to go to the store, and I'll buy something; and if the label says "Made in America," I feel good. I feel good about it. Most Americans do. But by God, I want a Russian mother to buy something on the shelf that says "Made in America." We need to sell America, sell American goods overseas. That's where 95 percent of the world's consumers are, and our economy has been too much mired in domestic consumption at the expense of not looking into the outside world to export American-made goods to these consumers who live outside the United States.

By normalizing our trade relationship with Russia, we will create the mechanism to do that with Russia. This will increase critical sales of American goods and services to Russia. Not only that, we will create very good high-paying jobs here in the United States. This is definitely a win-win situation.

We spoke about Russia being the ninth largest world economy, importing more than \$400 billion in goods and services. And as some of my colleagues may be aware, Louisiana, my State—it's a small State, but it's seventh among the 50 States in total exports because of our location on the Gulf of Mexico and our waterways and our ports.

□ 1920

In the first quarter of 2012, Louisiana farmers and small businesses exported nearly \$14.25 billion in goods and services to the rest of the world. In fact, in 2011, Louisiana exported \$135 million worth of goods to Russia, which created a lot of good jobs in Louisiana.

Louisiana was a top supplier of PVC plastics to Russia in 2011, with \$21.4 million in exports, but exporters in the EU and in China still accounted for more than 60 percent of Russian imports of that particular material. We have an opportunity to grow this if we grant this kind of permanent, normalized trade relations.

Mr. DREIER. Reclaiming my time, just to underscore again, PVC is that material that's used in sprinklers. And I see this PVC material. I have been very familiar with it for many years.

What my friend is saying is there is an opportunity for exports to exceed

the \$24 million coming from Louisiana to Russia, but right now we're seeing other parts of the world transcend that. By virtue of the fact that they have access to that consumer market in Russia, it's denying the people of Louisiana from being able to see an increase in the level of exports of PVC material into Russia.

I yield to the gentleman.

Mr. BOUSTANY. That's exactly right. Louisiana produces a PVC plastic, or looking for opportunities to get into that market, and yet they're being superseded by countries in Europe and China.

In fact, Russia, when it joined the WTO, agreed to reduce its average tariffs on plastic products from 10 percent to 6.2 percent. If we don't do this, we're going to be subject to higher tariffs, putting us at a major competitive disadvantage, and our foreign competitors will take advantage of this. Again, we'll have the mechanisms in place, if we do grant trade relations, to have a dispute mechanism in place to ensure that Russia keeps its commitments to our workers, our businesses back here at home.

Now, there's no reason not to move forward with this, and I hope that we can see some action on this relatively soon, because as each day kicks by, we are losing competitiveness.

One last tidbit of information, Louisiana doesn't have large Fortune 500 companies. We have a couple, but we have a lot of small- and mid-sized firms that are manufacturers, and we are a leader in manufacturing on the small scale in the energy sector with equipment and services that are vital to energy production, energy security globally.

These companies would love to get into the Russian market, to have the right protections of law so that they could sell their goods and services. This would lead to a lot of economic activity in Louisiana. It would help, you know, create good-paying jobs once again, help promote our energy sector, development and manufacturing in the energy sector, of which Louisiana—and the United States, frankly—has been a leader.

Congress must continue to support these kinds of agreements to boost our economy here at home to create job opportunities, good-paying job opportunities right here at home. That's why it's so important to move forward on this.

Mr. DREIER. Well, Mr. Speaker, let me express my appreciation for the very thoughtful remarks. The dedication that my friend has shown to his Louisiana constituents and the American people is, really, very, very respected in this institution. And I want him to know how much, Mr. Speaker, I do appreciate his understanding of what it's going to take to create more jobs in Louisiana for the people there who are struggling and working so hard.

One issue that I wanted to mention, I talked about it earlier, but I think is very important, and it's really what's led to people who are in opposition to this, and that is this question of human rights. We have horror story after horror story.

I have stood in this well and several times talked about the relationship that I developed with a man who is currently in prison in Russia, and this man's name is Mikhail Khodorkovsky. He was in the energy business, a company called Yukos. He was one of the most successful, dedicated, and hard-working Russians. He was one of the greatest philanthropists in Russia, giving huge sums of money to support many, many charitable causes.

But, Mr. Speaker, he was guilty of one thing and one thing only: He was not a supporter of Vladimir Putin. And he sat in my office in the Rules Committee, right upstairs here, and, having visited him in Moscow and then having him visit me here in the Capitol. He said that he was nervous, and he was concerned that he was going to face some consequences for his opposition to Vladimir Putin.

Today I'm embarrassed to say how I reacted. I laughed. I said, The Soviet Union no longer exists. We have moved to a country that is independent, free, strong, vibrant, moving away from corruption, and, you, Mr. Khodorkovsky—Mikhail, I was calling him then—I said, You are, in fact, one of the most successful people in the country. There's no way that you would face that kind of threat.

Well, Mr. Speaker, tragically, we saw Mikhail Khodorkovsky jailed for 7 years, and then we saw an extension, another 7-year extension of his sentence. I will tell you that that is one of the reasons, because of the dedication that I have to the name of Mikhail Khodorkovsky, who at this moment is suffering in a prison in Russia, it is for that reason that I want us to take every step that we can to ensure that we bring about the kind of reform and the change that is essential.

What we've done in this legislation, Mr. Speaker, is we have dealt with a specific case where a man died. Sergey Magnitsky was relatively young. He was in his thirties, a lawyer who raised questions and concerns about the behavior of Vladimir Putin's Russia. For that, he was sentenced to prison. He was beaten, tortured, and left to die.

That has raised concern here in the United States and around the world. That kind of action is not acceptable, and we have to do everything that we can to ensure that those who are responsible are brought to justice and that it never, ever happens again.

Mr. Speaker, I'm happy to say that in this legislation we have the so-called Magnitsky bill, which was reported unanimously out of our House Foreign Affairs Committee. This meas-

ure has passed the Senate. We need to see the melding of these. We need to see this put together and passed so that we can say that we're going to expand our American values, creating jobs in the United States by opening up this market and, at the same time, saying we will ensure that whoever is responsible for this kind of outrageous behavior is brought to justice. We're seeing, obviously, horrendous human rights violations take place around the globe.

Yesterday morning I stood here to talk about our great, great Ambassador, an amazing Foreign Service Officer who represented the United States in Damascus, Jerusalem, and other spots in the world in his dedicated career. Tragically, Chris Stevens was killed, as we all know.

We are seeing a very, very dangerous world, and that's why it's important for us to stand up and take action, and that's exactly what this measure calling for the U.S. to be at the table with Russia by granting PNTR will do.

Again, my friend has said it perfectly. Mr. PAULSEN said it. Mr. MEEKS said it. My colleague, I know, in his talking points that I submitted for the record, Mr. MORAN, would have said it. KEVIN BRADY, the chairman of the Trade Subcommittee had to go to a meeting, but he very much wanted to be a part of our presentation this evening, and he passionately believes that this is the way for us to most effectively deal with the very, very serious problems that we have on economic growth and on human rights violations. I hope, I hope that we will be able to see passage as soon as possible.

Again, I know that this is the time of year, as I said at the very outset, just weeks before the election, to be very partisan. This is something that we can have a bipartisan victory on.

That's why, Mr. Speaker, I'd like to implore President Obama to get engaged on this. I know that there are many issues, again, looking at Africa and the Middle East. I know he is campaigning in his quest to be reelected. This is something that Democrats and Republicans in the House will pass with strong support if he will get engaged and work with us, work with us to ensure that we can bring this together.

□ 1930

And so I hope very much that he will do that in the coming days and weeks to underscore his goal of creating jobs.

I'd like to further yield to my friend. It looks like he'd like to offer something.

Mr. BOUSTANY. I thank the chairman for yielding some time back to me. I share his sentiments about the situation with human rights and liberty. America has always been the beacon of liberty—individual liberty. And it's also been the hope of the world with regard to human rights. And we

have to understand, the American public has to understand that one of the most important tools that we have as a Nation is our economic strength. And it comes from each and every one of us in this country—from a plumber to a mechanic or someone engaged in small manufacturing, our farmers. That economic strength comes from each and every one of us. It wells up into the mighty country that we have.

We think about American might in terms of military might. Yes, it's a great and wondrous thing, but our economic strength is even more important. And the way we use that to influence events in the world to help promote liberty, to promote human rights is to engage in trade. And the surest way that we're going to help promote changes in Russia for the better is to help that middle class. And by engaging in trade, that middle class will be stronger, it will be wealthier, it will want to engage; and that will lead to serious political reforms.

The last thing I want to say is I share your sentiments with regard to Ambassador Stevens. He was a wonderful man. He served his country in many hotspots, difficult places. He was fearless. And I would also say that we oftentimes talk about our military men and women and we put them up on the pedestal, where we should, rightly so, but we forget to talk about our diplomats and our foreign service officers who do the same sorts of things, putting themselves in harm's way in these very tough places around the world. They are extremely patriotic. They do their duty. They make us all proud. We lost a great patriot with Ambassador Stevens.

Mr. DREIER. Mr. Speaker, I thank my friend for his very thoughtful contribution on that. As we talk about human rights violations and the kind of threat that exists to those lovers of freedom around the world, I will say that just a couple of hours ago I talked to a friend of mine who is Libyan. In fact, his father was the lead opposition for four decades to Muammar Qadhafi in Libya. And he was in tears in our conversation, saying that the people of Libya owe everything to the United States of America. He said Benghazi would have been completely lost were it not for the United States of America and what it is that we did to bring about the kind of liberation that they so desperately needed, having been repressed for 42 years under Muammar Qadhafi.

And he went on to say that as we look at Libya, it's important to note that the tragic murder of Ambassador Stevens did not come from the people of Libya. It came from individuals, a few individuals. He said the people of Libya love the American people and revere the American people. I suspect that as we're talking about Russian PNTR that the same thing exists in

Russia. Because they're living with great oppression. They're living with what is little more than an authoritarian dictatorship with the kind of crony capitalism and the violations of human rights that we're speaking of. Mr. Speaker, the people of Russia—and I know many Russians; we all do—have great respect and love for us as well.

So, again, our goal is to bring an end to repressive policies and use, as my friend so eloquently said, the economic strength of the United States that is exemplified in every American who is working in whatever capacity at all to see our economy grow. Because we're the only complete superpower left in the world today, the only complete superpower. By virtue of that, I mean militarily, economically, and geopolitically. And we have to step up to the plate and continue to exercise that strong leadership role; and passage of permanent normal trade relations, taking this step will go a long way towards doing just that.

Mr. Speaker, I thank all of my friends who participated. And I know, as I've asked for general leave, others who wanted to be here who were unable to are going to be joining in submitting statements for the RECORD.

With that, I yield back the balance of my time.

Mr. MORAN. Mr. Speaker, I rise today to underscore the importance of immediate approval legislation to repeal Jackson-Vanik establish U.S. permanent normal trade relations with Russia.

There is demonstrated and widespread bipartisan support for Russian PNTR among our colleagues in the House, as well as in the Senate. And we cannot and should not wait to pass this legislation which will greatly benefit American business and their employees as they seek entrée into the expanding Russian market.

We all share serious concerns with the ongoing human and political rights situation in the Russian Federation, but the maintenance Jackson-Vanik does nothing to address those concerns.

What it does do is deny the United States and our business the ability to fully take advantage of the benefits of Russian accession to the WTO both in terms of market access and trade enforcement.

PNTR will provide the United States with important benefits at no cost to us.

With PNTR, American companies will be able to take full advantage of lower Russian tariffs, stronger IP protections, and other market-opening concessions that the Russians agreed to as part of joining the World Trade Organization.

Last month's WTO accession promises to open that country large and growing consumer market to exporters around the world.

Unfortunately, because we have yet to establish PNTR with Russia, all the members of the WTO except the United States are now fully benefiting from increased access to the growing Russian market, which is the world's 9th largest economy.

Unlike the United States, other countries also have the ability to use the WTO's dispute

settlement process to help ensure Russia honors its new WTO commitments. This is particularly important in a market such as Russia's which is relatively new to market capitalism and continues to present serious problems for foreign businesses.

Anders Aslund and Gary Hufbauer from the Peterson Institute for International Economics predict that U.S. exports to Russia should double within 5 years after accession to the WTO. Evidence from countries that joined the WTO between 2000 and 2010 suggest this statistic to be true, and maybe even a conservative estimation. If Exports to Russia grow at the same rate as they did for exports to Ukraine and the Baltics, exports could triple, approaching \$30 billion. This would place Russia among America's large second tier-markets, such as Australia, India and France.

Every day we have not passed PNTR is a day where we put this opportunity in jeopardy by according a competitive advantage to non-American companies doing business in Russia.

We have the opportunity now to pass bipartisan legislation that advances American economic interests, which should not dither and continue to allow the partisan politics of election season to prevent us from grasping that opportunity.

PROGRESSIVE CAUCUS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from Minnesota (Mr. ELLISON) is recognized for 60 minutes as the designee of the minority leader.

Mr. ELLISON. Mr. Speaker, my name is KEITH ELLISON. I'm the cochair of the Progressive Caucus. Tonight, I come before the people on the floor of the House of Representatives to discuss important issues facing our economy and the huge challenges that our Nation is facing, particularly with regard to the events that are going to take shape right after the election.

The Progressive Caucus has come together, Mr. Speaker, and thought very carefully about what a deal would look like and should look like. I want to talk about that tonight. I want to go into what we call the Deal for All and to elaborate on some of the complexities that are facing our country and how this is a time where we really need to focus on the real core of what is important to make sure that as all these fiscal matters come together, the United States and the people of America, particularly the working people, come out on top and in the right space.

Before I dive into that, Mr. Speaker, I do want to yield just for a moment to talk about the great service of Ambassador Chris Stevens. Ambassador Stevens was a dedicated public servant, and he and the individuals who lost their lives in Benghazi recently have to be remembered for the dedicated service that they lent to our country. It's important to note that Chris Stevens loved Libya, loved Libyans; and it's not

any accident that Libyans took to the streets not to attack America, but really Libyans came to the street holding up placards apologizing for the act of these terrorists who killed Americans and Libyans when they assaulted the consulate in Benghazi, and many of them held up placards extolling the great virtues of Chris Stevens. And it's important to point out that as Americans are watching these things unfold across the Middle East, that the last thing Chris Stevens would want would be for us to withdraw or pull out of Libya.

This horrible incident that occurred in Benghazi was not done by the Libyan people. It was done by terrorists who have nothing but contempt for the democracy in Libya, which is unfolding; and that is why they would take their action against the consulate as they did do. But it's important to note that there were about seven Libyans who died. The numbers are yet coming in. Of course, they're subject to being revised. But there were a number of Libyans who lost their lives trying to defend that consulate. And I think Americans should keep that in mind. They also should keep in mind that as the outbreak of these protests across the Middle East—you have one in Yemen, you have them in Libya, you have them in Egypt—it is important to point out that leaders of these countries have apologized for these things, particularly Yemen and Libya. And Egypt eventually got there.

And it's important to point out that Americans should know that this is not representative of certainly the will of the Libyan people. And there are a lot of people across the region who support the United States and support a good relationship with the United States. We should not allow ourselves to be confused by these events. I could easily see how people could be; but when you see dedicated public servants risking their lives to build bridges, the last thing we want to do is withdraw and abandon these relationships that have been fought hard for and now have been paid for in the blood of our heroes, Ambassador Chris Stevens being one of them.

So I do want to just wrap up this section of my discussion tonight and just point out Chris Stevens, a dedicated servant of the United States, a dedicated and committed man who has gone and offered the ultimate sacrifice on behalf of his country to build bridges between people and particularly to help build democracy in the weak state of Libya, a state that threw off a dictator.

Chris Stevens went there to help the people and to help them build a democracy, and he must be remembered for his great sacrifice and also that of the individuals who lost their lives with him, four Americans and several Libyans. And as the names come forward

and as their names are released, we'll come back to this microphone and share the information with the people.

□ 1940

So now let's talk about the business we're here to talk about, Madam Speaker. Tonight, we're talking about the Progressive Caucus message. The Congressional Progressive Caucus is the organization in Congress dedicated to talking about what's good for the average working American, making sure that the average American's interests are looked out and regarded highly as we move forward.

I want to talk a little bit about the Budget For All, and not only the Budget For All, but also the Deal For All.

I want to get right to the point. Everybody is talking about the fiscal cliff. The sequestration cuts are going to come into effect. These are significant cuts both in military and non-military domestic discretionary spending, which will be devastating to important programs like transportation, like health care, like research, like education. They'll put significant cuts in these important programs, lay off a lot of people, perhaps even exacerbating our already too-high unemployment rate.

But not only that, we see that the Bush tax cuts will expire, the payroll tax will expire, the so-called doc fix will expire, the AMT will expire. There's a number of things coming together, and many people who watch the news know that after this election, we're going to see a significant amount of activity around how we Members of Congress will be able to pull our fiscal situation back together in a way that hopefully avoids big cuts to important programs, hopefully avoids great pain that working class people might suffer if we don't come together and come up with some deal.

You've heard a lot of discussion about a grand bargain. But if we do any deal, the core values of the deal, we need to say first and upfront what this deal must include.

The first thing this deal must include, and I'll start with this poster here, Madam Speaker, is protection for America's social safety net. Let me start with a quote from President Roosevelt where he says: "Every man, woman, and child is a partner." In 2012, these words come to life when we see that more than 58 million people rely on Medicaid. That's a lot of people, Madam Speaker; 48 million rely on Medicare; more than 61 million rely on Social Security.

So with the idea in mind that everybody is included, everybody counts, everybody is contemplated in our American life, it's important to point out that as we move forward with this Deal For All, or any deal that we might have, that it's important to maintain the social safety net, particularly in

very difficult economic times. If you slice Medicaid, Medicare, Social Security, you are going to literally be harming the interests of millions and millions of Americans. Therefore, a key feature of any deal will be preservation of benefits for the people who need them most—Medicare, Medicaid, Social Security.

Madam Speaker, the next slide, the next poster here is a poster that talks about how we need to move our Nation's military towards the ability to deal with 21st-century threats. That will mean that we need to do some changes, some adjustments; and Cold War-era weapons systems are just not what this particular moment calls for.

So the second feature of the Deal For All will be that the military, which has seen its budget literally double since 2001, will have to share and do some paring down, but not just paring down, literally advancing. But some of these old Cold War-era weapons systems and some of these things that are fit for dealing with the Soviet Union just aren't necessary any more. They're expensive, cost a lot of money, and they don't help us meet the threats we're facing right now.

So the second feature of the Deal For All would be moving our military to a position where it's dealing with 21st-century threats, not simply maintaining old expensive programs that we don't really need.

The third feature of the Deal For All would be that we would ask Americans who have been well-to-do Americans, people who have benefited tremendously under the Bush tax cuts, to do a little more. Now, I know my friends in the Republican caucus and some conservatives often say that taxes, why would you want to punish somebody for being successful. Well, we think that America has done so much for so many that to help pay a little bit more to this country that you love is not a punishment. In fact, it's actually something that we would expect people to do. And there's a lot of very well-to-do people who agree with that point of view.

We actually have a piece of an idea called the Buffett rule because a very rich man says that, hey, a rich man like Warren Buffett should not be paying a lower tax rate than his secretary, which he does.

So Americans of various economic classes agree taxes are not a punishment. They are the cost of funding a civilized society; and if we're going to meet the budget challenges facing our Nation, we're going to have to get some revenue, and it might well come from the people who have benefited so much under the Bush-era tax cuts.

Then, finally, but perhaps most importantly, Madam Speaker, we need to get Americans to work. This is a key feature of what any Deal For All must include.

So tonight, we're talking about the Deal For All, and we're talking about the fiscal cliff, and we're talking about what any fair agreement would have to include. This is not bargaining chips, Madam Speaker. All four of these things are key. In order to have a safe, sound budget fix or grand bargain, we're going to have to have something to get Americans back to work, and we're talking about an infrastructure bank, a longer-term transportation bill, various things I'm going to talk about tonight.

But putting Americans back to work, asking the military to share in the cuts, and to revamp our military for a 21st-century world.

Three, asking the top 2 percent to pay a little bit more by allowing the Bush-era tax cuts to expire for the top echelon. It would only mean that the top rates would go from 35 to 39½ percent.

Finally, we're going to protect Social Security, Medicare, and Medicaid because these programs are essential and vital, particularly in times where people are truly having tough economic times.

□ 1950

So that's where we start the conversation tonight, focused on dealing with a proper resolution to these huge budget fights that we are about to have because so many important features of our fiscal reality are coming to expiration on December 31.

So I want to say that this deal that I think that we should have, we should work on, Mr. Speaker, and this Budget for All, this Deal for All as well, it's something that I think we can reach, we should reach. The American people need us to try to work toward a solution. This is why the Progressive Caucus has come together and said this is what we should do:

We should have a deal. The deal will be comprehensive, a deal that could help us avoid the harsh realities of sequestration, that could avoid the complete expiration of all the Bush tax cuts or the extension of all the Bush tax cuts, a deal that will help us do the doc fix and do all the things we need to do.

We do need some kind of agreement, but the agreement has to have some key benchmarks. I've laid them out to you, and I'll just repeat:

Ask the richest to help pay the freight for America;

Ask the military to share in the cuts; good, safe, sound cuts that will help position us for the 21st century are available;

We need to make sure that we protect those who benefit from Social Security, Medicare, and Medicaid;

And, most importantly, we need to grow the economy by investing in jobs.

But we have had some difficulty getting together, and I'm not surprised.

Colleagues on the other side of the aisle, on the Republican side of the aisle, have been, Mr. Speaker, slow to try to come together and work out the deals that we need, but we do extend our hand. Hopefully, we will be able to come together and work out these problems because the American people depend upon us to do that.

But I do want to say that we have seen some real challenges over the course of the year just in terms of getting things done. So I think this is the time when we really need to come together and focus on what's needed. But in order to be fair, Mr. Speaker, I think the people should know what some of the real serious challenges that we've been facing are.

I just want to make note right now that we have had a Congress where obstruction has been the norm. It doesn't have to stay that way—and I urge colleagues on all sides of the aisle to work together. But I'll never forget being in this Chamber just about a year ago, a little more than a year ago, when, because of obstructionism, we could not come together. The Republican caucus refused to vote to raise the debt ceiling, something that had been done literally dozens of times both under Democrats and Republicans. But they refused to do it, and this political rancor resulted in the downgrade of America's bond rating.

This was a tragic moment that happened a year ago, but it marks the obstruction that we've seen. Hopefully, this kind of obstruction will not be what we see going forward.

But I think it's important that much of the obstruction that we began to see had to do with the budgetary position that we saw starting with the Congress from the very beginning. The bottom line is that it started with the idea that we could only have massive cuts and no revenue. Our colleagues even continue to this day to talk about how terrible the economy continues to be, but their only prescription for fixing it is to take, as President Obama said, two tax cuts for the wealthiest Americans and call us in the morning. That's funny, but it's, sadly, true as well. Tax cuts seems to be their only prescription for all problems facing the American economy.

We started out this Congress with a budget being laid out. It was talked about as the Ryan budget, but really it was the Republican budget. He may have been the author of it, but they all voted for it, embraced it. But this budget, where we started out with massive cuts, didn't balance for a long, long time. The budget never really added up, and it still doesn't.

So in order to get to a deal or some kind of grand bargain to deal with our fiscal challenges that are coming right up soon, we need a new spirit of cooperation, and it cannot be based on the budget that was offered by PAUL

RYAN and backed by the Republican Congress. Like I said, it didn't add up.

The fact is that my Republican friends think that businesses always want a tax cut. I owned a small business myself. I was a lawyer. I had a law firm. I had staff that I had to pay. I had machines I had to purchase. I had rent that I had to pay. I had a payroll that I had to make. What I needed was clients coming through the door so that would justify me adding and hiring more people. But just tax cuts alone is not what small business people need. What they really need is greater demand, which is what we're not addressing if we don't deal with the key feature in the Deal for All, which is to invest in jobs.

If people can't buy, Mr. Speaker, then stores can't sell; if stores can't sell, they can't hire; and if they can't hire, people can't buy. This is the heart of the problem: slack demand, high unemployment, people who do have jobs nervous about making purchases. This is the heart of the problem and what we've got to address. Misunderstanding these simple ideas about the importance of the American consumer having enough wherewithal to buy things that they need is really part of the heart of this problem that we're in right now.

This idea of thinking that, oh, yeah, just a tax cut will solve the problem, or, oh, yeah, and get rid of all the health and safety regulations, too, these two things could never bring America prosperity. But making sure that Americans are working and optimistic about their economic future will absolutely help this economy, and it's what we've got to do. I think through the Deal for All, any bargain we come to will put us on the right footing as long as we keep those key features in place.

So here's the thing: We've got to get to the point where we're working together. The key to that is to scrap this budget, this Ryan budget the Republicans have adopted. We've got to scrap that idea that we can't raise any taxes, that raising taxes is bad, that taxes are wrong, and that taxes are always a problem and that they're a punishment. We've got to scrap that idea. We know better than that.

So many of our colleagues even signed pledges that they wouldn't raise taxes, and this, of course, has been a problem. The only pledge I say around here is the Pledge of Allegiance.

But the fact is that we've got to scrap this idea so that when we face this real serious fiscal cliff, some people are calling, that we are able to negotiate. This means letting go of some of our long-held attachments, starting with the so-called Ryan Republican budget and these no-tax pledges. If we were able to do that, we could solve our problems.

Again, it's not all tax raising. It's going to be cuts, too. We have some

ideas about where we can cut in a way that makes our country stronger, but there will have to be a mixture of both of these things.

I just want to talk a little bit about the Ryan Republican budget and just to help dramatize what some of the key problems are with it and why it's not workable and why we need to reject it as we move into this fiscal time. We're going to have to deal with this fiscal cliff, as has been named.

One of the key features of why it's not going to work and why it's wrong is that it ends the Medicare guarantee. It replaces it with vouchers. Some people around here like to talk about ObamaCare. Well, I far prefer ObamaCare to voucher care. And it makes it dangerously more expensive for seniors and the disabled. We don't want to put seniors in a more precarious financial situation, which is what the Ryan voucher care idea would do.

The Ryan budget, adopted by the Republicans, would also cut Medicaid funding by 34 percent. It cuts away tens of millions of needy people and turns the program into an underfunded block grant program. This is a sad way to treat some of our most vulnerable citizens. And you should know, Mr. Speaker, that Medicaid actually impacts seniors, too, because so much of the money that funds nursing home care is from Medicaid. So it's not just Medicare. Medicaid cuts, 34 percent, would be very harmful.

The Ryan budget also cuts transportation by 25 percent. Now, transportation is a job creator. Transportation puts Americans to work—building roads, bridges, transit, helping people get from here to there. I can imagine high-speed railcars.

I'm from Minnesota. I'd love to see us have a high-speed train from Duluth to Minneapolis to Chicago. It would be a great thing. It would put lots of people back to work, and it would improve productivity. It would allow people, after it's built, to get from here to there faster so they can get to meetings, so they can do what they need to do, and stop the bottleneck, cut down on carbon emissions and move people around, not just cars.

□ 2000

Transportation, a huge job creator, cut 25 percent in the Ryan budget.

Cuts education by 40 percent, 45 percent. Now, if there's one engine of economic development, having smarter, better-trained people has got to be the core of that, and yet education is cut by 45 percent in the Ryan budget.

So the bottom line is, these are some of the key things that are wrong with this budget. There are many more. I plan on talking about them.

But I want to just return to my theme a little bit, Madam Speaker, to say that we are facing a fiscal cliff. Americans do need to focus on it and

do need to call their Members of Congress and say focus on the job at hand. We need you to focus your attention. We do know all these things are expiring. What are you people in Congress going to do about it?

What we're saying we've got to do about it in the Progressive Caucus is that we do need to come together and have a deal, but the deal has to have four pieces. And I'll repeat, Madam Speaker.

We need to make sure the military shares in the cuts by being more efficient. We need to make sure that we protect Social Security, Medicare, and Medicaid. And we need to make sure that we are putting jobs up front and investing in American jobs to a very large degree. And we need to ask the wealthiest among us to contribute a little bit more so we can meet our budgetary challenges. That's what the Progressive Caucus says we need to do.

We've had difficulty coming together because, well, quite frankly, obstruction, Republican obstruction has made it difficult to move forward and do anything.

Why did we have the obstruction?

Because we started out with signing pledges that we won't raise taxes, and we had a Ryan budget that imposed significant and deep cuts that have already resulted in a number of public sector workers being laid off and Federal employees having a reduction in their health care. And so these things, this sort of obstructive nature and insisting on cuts only, has been the source of the problem.

In order to get to a solution, we need people to come off these rigid positions so that we can do the people's business.

I mean, just to sort of like think about the level of obstruction, I already mentioned, Madam Speaker, last August, how dramatic it was when the Republican majority refused to raise the debt ceiling and caused us to have a downgrade in our bond rating. That was a sad moment.

But we've also wasted a lot of time. For example, we voted 32 times to repeal ObamaCare. And I do call it ObamaCare because Obama does care, which is more than I can say for some. But in this time, we had time for cutting or voting to repeal ObamaCare 32 times, but we didn't have any time to offer serious fixes to the economy.

And I just want to mention that President Obama, to his credit, has done, I think, great and excellent work in offering solutions. They just simply, Madam Speaker, have been ignored. I mean, it's really kind of sad when you think about the fact that the President has offered real serious and important solutions to the problems of the Nation and yet, they really, really have not been seriously addressed.

For example, the President called us all here and talked about the American Jobs Act. This is a great piece of legis-

lation. But, do you know, Madam Speaker, we've never even had a vote on it. We never even had an opportunity to say who wants the American Jobs Act. It was simply something that the Republican majority in the House wouldn't even address.

The fact is that there were great ideas in this bill, and I just want to talk a little bit about those ideas because I think that they would really do a lot of good.

It includes a national infrastructure bank bill, a proposal that we would be able to fund by the Federal Government putting some seed money and then leveraging that money, that public money, with some private sector bonds. We would then have a fund of money that we could then use to make investment in important infrastructure that would be a key and important element of the program.

We would be able to make investments in the transmission lines that would help take wind energy from the western part of my State in Minnesota and bring it to where the population centers are.

We would be able to improve our grid and have a smart grid that would make energy use much more efficient and much more effective. And we would be able to use this infrastructure bank bill to be able to fund programs all over the United States where we wouldn't only build things that we need, we would improve them.

The American Society of Civil Engineers has addressed this issue, Madam Speaker, and what they said is about \$2.3 trillion of infrastructure maintenance needs to be done. You know, I come from the city of Minneapolis and in my city, about 5 years ago we had a bridge fall into the Mississippi River.

Maintenance in this country is critical. We have bridges that are old and deteriorating all over this country. We have bridges that are in need of repair, roads as well.

And we also have other projects that need to be taken care of in terms of our grid, in terms of wastewater treatment, in terms of all types of important infrastructure tools, but we are not investing in them. In fact, we're relying on the things that our grandparents gave us. We're relying on Eisenhower-era infrastructure because we haven't, in our age, focused on the needs of the American people to have an infrastructure bill.

You know, just to talk a little bit more about the American Jobs Act, it would also extend cutting payroll taxes in half for 98 percent of businesses. It would also offer a complete payroll tax holiday for added workers or increased wages. It would extend 100 percent expensing throughout this year, and if we were to pass it, maybe even longer. And this continues to be an effective way to incentivize new investment.

And also, it would address and reform regulatory reductions to help entrepreneurs and small businesses access capital. We do need to help small business people be able to get the money they need to do investment in their company, and that means access to capital.

The American Jobs Act would also have a returning heroes hiring tax credit for veterans. This is something we addressed already, which is a great thing, but it would move on from there, and it would prevent up to 280,000 teacher layoffs.

Madam Speaker, you should know, we have had, now, about 30 months of private sector growth. But we have had also significant number of months of public sector layoffs, mostly teachers. This is because of these draconian cuts that the Federal Government has made, and State governments have been affected by and, therefore, city and local governments. But we would be able to address these massive public sector worker layoffs, which are really hurting our economy. And of course, teachers have been some of the most negatively impacted of all.

We also would move from that idea to another great one: modernizing at least 35,000 public schools across the country. You know, our public schools across this Nation, our kids go there, they spend hours and hours a day trying to learn there. But many of them are in very bad repair. Some 35,000 public schools need help. We can support new science labs, Internet-ready classrooms, and renovations to schools across the country in rural and urban America.

The American Jobs Act, with all these great ideas, never got a shot in this Congress. It would, as I said, call for infrastructure investment with a national infrastructure bank, which I've talked about already.

I didn't mention airport improvements. I did mention waterways. But it would put literally thousands of workers back on the job.

And also, we need to wire up this country. We would expand access to high speed wireless, as part of a plan for freeing up the Nation's spectrum.

□ 2010

Now, I want to just remind you, Madam Speaker, that our Nation at one time didn't have the entire country on the electrical grid. There was a program called Rural Electrification, which was a program under the Roosevelt administration by which our Nation just decided that you would not have to leave the countryside, the rural areas, to take advantage of electric lights, but we would wire the whole country—and we did.

The new wiring, the new Rural Electrification program, is connecting all of America with high-speed wireless. This is a project we should embark on.

It's worthy, and it would help improve economic activity. It would help revitalize rural communities, and people wouldn't have to move to the urban centers for work. It would be a great thing.

The American Jobs Act also included pathways back to work for Americans looking for work. Of course, we have a serious unemployment problem, and we see some of our friends on the Republican side of the aisle shaking their fingers, criticizing. Well, where are the jobs? I remember Speaker BOEHNER asking, Where are the jobs? Often, when I hear that from my colleagues, I think to myself, well, the jobs are in the American Jobs Act. Can we take it up? Can we have a vote on it?

There is something we can do for Americans who are looking for work. One of the most innovative reforms to the unemployment insurance program in 40 years is a program which is part of an extension of the unemployment insurance to prevent 5 million Americans who are looking for work from losing their benefits.

The President's plan would include innovative work-based reforms to prevent layoffs and give States greater flexibility to use unemployment insurance benefits to fund and support job seekers, including things like, one, work sharing, unemployment insurance for workers whose employers choose work sharing over layoffs; two, a new bridge-to-work program, a plan that builds on and improves innovative State programs and where those displaced workers take temporary voluntary work and pursue on-the-job training; three, innovative entrepreneurship and wage insurance programs. States could also be empowered to implement wage insurance to help reemploy older workers in programs that make it easier for the unemployed workers to start their own businesses.

So these are a number of things contained in the American Jobs Act which we have never had a shot at, and it's a key feature of what we propose in the Deal For All: get to work. We've got a country to rebuild. This is absolutely the case, but if the Republican majority would allow us to take up the American Jobs Act, I am confident there is something in there that my colleagues would like.

Maybe they'd like the \$4,000 tax credit to employers for hiring long-term unemployed workers. That would be a great benefit to workers and employers.

They might like another feature of the American Jobs Act, that of prohibiting employers from discriminating against unemployed workers when hiring. We know now that many workers who have been out of work and out of the market for a while are asked, Do you have a job? No. Have you been unemployed? If the answer is—yes, for a certain amount of time—well, we're

not going to hire you, which simply prolongs the problem. These are valuable workers with good skills, and they should have a shot in getting back into the workforce.

We might also find support for expanding job opportunities for low-income youth and adults through a fund for successful approaches for subsidized employment, innovative training programs and summer and year-round jobs for youth. One of the groups of people that has been really hard hit during this recession is young people. The American Jobs Act proposed by President Obama addresses youth employment; yet we haven't had a chance to deal with it because of Republican obstructionism.

I want to encourage all of my colleagues on both sides of the aisle to let go of their attachments. Let go of the pledges. Let go of the Ryan budget. Let's come together to solve our problems. Many of them can be found in the American Jobs Act.

For example, there is a whole section in there on tax relief for every American worker and family. Now, I don't think we need to extend tax cuts for the richest folks, because they don't need them; but when people do need them, Democrats are happy to cut taxes, and we have. We cut payroll taxes for about 160 million workers. We could extend that if the President's plan will expand the payroll tax cut passed last year. Another thing is allowing more Americans to refinance their mortgages at today's near 4 percent interest rates. It would put nearly \$2,000 a year in a family's pocket.

But the American Jobs Act—an excellent vehicle for putting Americans back to work—never really had a shot because, as the minority leader in the Senate said, the number one priority for the Republican caucus was to make President Obama a one-term President. Is it right to make getting rid of Obama your top priority when we have so many Americans out of work and when we have an economy that really has never come back? I think that is not a good thing, and I wish we could move away from that and start focusing on the things that people really, really, really need.

In fact, I go back to the Deal For All, which is the Progressive Caucus' idea for how we negotiate what the basic foundation of any deal needs to be. It's simple the way things are shaping up. After all the dust has settled from the 2012 election, an average middle class family could face tax increases of \$2,000 unless Congress acts. That's how important it is for us to do something and to act. This fiscal cliff they talk about is an opportunity to address the budget in a responsible way that grows our economy and puts Americans back to work.

We talked about the American Jobs Act. There are other great ideas, as

well; but too many folks in Washington and too many folks here in the Capitol would rather cut Medicare, Medicaid and Social Security, which are benefits that millions of Americans depend on.

As I said, this particular chart shows it all. When you see the huge numbers of people who rely on Medicare, Medicaid and Social Security, rather than getting together and working on a problem, they'd rather cut Medicare, Medicaid and Social Security benefits that millions of Americans depend on and raise taxes on middle class Americans to protect tax breaks for millionaires and billionaires. It's as simple as that.

So let's just take a look at what's at risk, Madam Speaker. One in every four families depends on our Social Security system—61 million folks, including 36 million retired Americans. It's important for people to remember that Social Security also cares for people with disabilities and survivor benefits for people who have parents who pass on. So many children in this country today are surviving on those benefits which some of us in Congress are trying to protect and others are trying to cut. Nearly every American senior can depend on Medicare to cover health care costs.

Turning Medicare into a voucher system, as the Republicans have proposed, would not only make seniors pay thousands more for Medicare—about \$6,000 more estimated—but it would leave as many 65- and 66-year-olds without any health care coverage at all, which would be a shame. It would return our Nation to a time when seniors were in desperate and bad shape.

So that's why the Progressive Caucus is proposing the Deal For All. They are commonsense proposals that would solve our deficit problems and protect the American middle class.

The Deal For All says that any plan cannot slash benefits for millions of America's seniors, children and disabled Americans who depend on Social Security, Medicare and Medicaid.

The Deal For All says we must make and ask and expect that the wealthiest 2 percent pay their fair share of taxes and close loopholes that let companies ship jobs overseas.

The Deal For All makes smart cuts to defense spending—not just any old cuts, smart cuts, efficient cuts—to focus our Armed Forces on combating 21st-century risks.

The Deal For All also calls for any plan to invest in America's future by putting Americans back to work.

Yes, we are facing a fiscal cliff, as some call it, but that doesn't mean the middle class should get pushed over the edge of that cliff.

□ 2020

If working and middle class people are going to take a hit in tough times, it shouldn't be to pay for tax breaks for

rich folks and millionaires and billionaires and oil companies. It's time for all Americans of every economic situation to step up and do what's right for this country, and it's time we had a deal in Washington that reflects our values.

I just want to elaborate on this a little bit by telling you, Madam Speaker, about how the Progressive Caucus has been bringing experts together to study this issue. This is not just something we've thought up. We've brought experts from the field, economists, people who really focus hard and have expertise in Social Security, Medicare, Medicaid, jobs, how to reduce the military budget in a wise way. We've brought folks together to discuss this.

In fact, yesterday was one of the hearings that we've had, and the Progressive Caucus was hard at work holding a hearing. We're going to put some of it online so people can see it. We had these experts from across the political spectrum—some conservatives—to detail the best ways to avoid the fiscal cliff and to rejuvenate the economy without harming essential protections for the middle class. The pending fiscal cliff is an enormous opportunity to address our jobs crisis. I say "jobs" first, Madam Speaker, and then we need to put our country on the path to fiscal health.

The Progressive Caucus is laying the groundwork to make sure that any agreement reflects these core values. Our bipartisan panel yesterday confirmed that the best way to grow our economy is from the middle out, not from the top down. No trickle down. We also cannot expect to put Americans back to work unless we protect Social Security, Medicare, Medicaid, and ask the wealthiest to contribute their fair share.

We had Larry Korb come in, and he is a person with an extensive background, a very wise gentleman, is politically on the conservative side, but has done a lot of important research on how we can reduce our military footprint in a smart way. Mr. Larry Korb was a very well-prepared witness and shared his views and was really a big help as he laid out his presentation.

I just want to share with you a little bit about what he had to say, Madam Speaker, because it really was fascinating. I would urge people to check out Mr. Korb's presentation online. He had a number of things that would really provoke a lot of important thought, and they're online. You can go to the Progressive Caucus Web site and see some of that.

Let me talk a little bit about what he said. Mr. Larry Korb was asked how best to summarize his take on the current defense budget, and he pointed to our poster, this one right here. Mr. Korb made himself very clear when he said, Don't pay for a 20th-century military in the 21st century, which I think

sums it up. I'll elaborate more on what he had to say, but we had another expert who I think I would like to direct people to listen to, Ms. Maya Rockey Moore. She is the chair of the National Committee to Preserve Social Security and Medicare. She said, "Changes to programs must be based on what is best for the beneficiaries, not on what is expedient for reducing America's debt." She also went on to add that Social Security, Medicare, and Medicaid are vital to the economic and health security of millions of senior Americans.

Chad Stone was also there, and he talked about the jobs picture. He actually referenced our poster right here, as well. Chad Stone, he is the chief economist for the Center on Budget and Policy Priorities. He said that piling tax cuts on will only lead to draconian cuts in programs that millions of Americans rely on. So we can't go with this cuts-only approach. We've got to have some jobs, and we've got to have some investment.

Steve Wamhoff from the Citizens for Tax Justice put it best. He said:

I think all of us here agree that the most important job for Congress right now is to help the economy to create jobs. Tax cuts are one of the least effective tools to accomplish this goal.

We had a great lineup. I urge folks to go on our Web site and study what they had to say. But I do want to go back for a moment to just talk about the ideas Larry Korb had to share. He mentioned sequestration. He said that sequestration is certainly not a smart way to cut the defense budget because it's just an across-the-board cut, but close analysis and careful cuts and strategic ones could help a lot. He talked about how the Pentagon actually is pretty well endowed. He talked about how if the automatic sequestration defense cuts were to go into effect the fiscal year of 2013, non-war expenditures of the 2013 base, he said the budget will be reduced by about \$55 billion down to what is about \$500 billion and remain at that level in real terms for quite a while. He said that this will result in total reduction of about \$500 billion over a decade from the projected levels in defense spending. He also went on to note that it also means that the Pentagon will still be spending more in 2013 after sequestration than it did in 2006. So they're not going to be poor by any means.

At the height of the Iraq war in 2006, we still would have been spending more than that if sequestration goes into effect, but he's not just saying do sequestration. He's actually promoting a strategic and smart way to do some cuts. He says that the United States military can do well, defend our Nation, and protect our country for about \$500 billion, and that seems to make sense to me. We'd still be spending so much more than any other country in the world.

He went on to also note that in short the military really doesn't have a resource problem. They have what they need to defend the country. He noted that if sequestration goes into effect, it would not be ideal to just do across-the-board cuts, but there are a number of weapon systems that could be retired and a number of strategies for reducing the military budget that would not hurt national security, but would really put our country in a position where we are dealing with our financial problems in a forthright way. I think that it makes sense to really look carefully at these ideas.

Maya Rockey Moore went on to note, when she talked about Social Security, that it does not contribute to our Nation's deficit. If you look at Social Security, it actually runs a surplus, and we don't need to cut Social Security. What we need to do is to recognize that this important program is a program that has been one of the most successful in the history of the United States; and if we abandon our commitment to our seniors and the disabled, we will be abandoning a core principle of our country.

Mr. Chad Stone was important in his testimony, as well. As we wrapped up, I was most impressed that it's not just about cuts, that we also need to grow our way out of this recession. That means investing in jobs. I think the American Jobs Act and many other things would put us farther down the line if we were to make those proper investments.

That's what I want to say about the economy tonight. I'd like to urge people, Madam Speaker, to focus their attention on the so-called "fiscal cliff." It is coming up. We will see expiration of the Bush tax cuts. We will see expiration of the payroll tax. We will see expiration of the doc fix. We will see expiration of the AMT. There will be a number of things coming together all at the same time. There will be budgetary negotiations.

But no matter what they are, they've got to include protection of our social safety net: Social Security, Medicare, and Medicaid. The military must share in the cuts. The wealthiest Americans must help us get some revenue. Finally, we've got to put jobs up front and center and grow this economy.

With that, Madam Speaker, I yield back the balance of my time.

□ 2030

ADMINISTRATION IN REVIEW

The SPEAKER pro tempore (Mrs. NOEM). Under the Speaker's announced policy of January 5, 2011, the Chair recognizes the gentleman from Texas (Mr. GOHMERT) for 30 minutes.

Mr. GOHMERT. Madam Speaker, in the summer of 1973, it was a real honor for me to be selected to go on an ex-

change program. Of course I had to borrow the money to go and had to pay that back by working hard to take care of the loan, but I went on an exchange program to the Soviet Union, 1973, that summer. It was quite an eye-opener for me.

Despite how wonderful the country was made to sound and how great it was that the government, they proclaimed, was the safety net for everybody in the country, they were proclaiming because the government was in charge of everything and in charge of everybody's business, there was 100 percent employment. They talked about how wonderful their socialized medicine was.

There were eight Americans on this program that were allowed into the Soviet Union that summer, and we all had very different backgrounds, had different political views. There were a lot of big hearts in the group on both ends of the political spectrum.

But, for me, a kid growing up in east Texas, it was an extraordinary education. Because even though people talked about how wonderful it was to have socialized medicine, everybody had a safety net because the government was the safety net, that country's economic system was rotting from within.

I went to a medical school. It reminded me of pictures of American medical schools from 40 to 50 years before. We went to an economic exhibition, kind of like a world's fair in Moscow, at one point. It reminded me of the pictures from a 1940 or early 1950s world's fair, you know, things like tractors sitting out there with people oohing and aahing over tractors. I'm going, good grief, because I knew we didn't need a world's fair to see tractors like that. You could go to any used tractor dealer and find tractors that nice in the U.S., but everybody was told how wonderful it was.

During the course of the summer, during the course of my time down in the Ukraine, I got to be good friends with a few of the students there. They were very standoffish at first. I spoke some Russian back in those days, and they spoke better English than I did Russian. But one guy in particular, he'd bring his dictionary with him and translate, because both of us—you know, it's amazing. You take a language course—I had two years of Russian at Texas A&M. You know, you're taught to converse about, "I'm going to the library" and "I have a dog" and these kinds of things, but when you want to talk about really serious life issues, we weren't prepared for those things. We needed a dictionary so we could get our ideas across.

At one point he said, "You seem surprised that our country wouldn't want better." He grabbed my shirt and he said, "We don't have material this good." I just had, you know, a regular

polo-type shirt. He said, "We don't have material this good for our individuals, and we fought two world wars on our soil. We don't have it as good as you do in your country, that's obvious. But people will always be reluctant to leave the best they've ever known for something they're not sure about."

When we got to 1989 and the Soviet Union fell because of the economic disease and decay that was pushed into the death spiral by President Reagan's actions, followed by President George H. W. Bush, it collapsed. Then we began to see all of the economic problems that were eating away at that country because the government tried to be the safety net for everything and everybody, and it won't work that way.

At a collective farm, way out from Kiev, I was surprised. I have worked on farms and ranches, and you usually try to get your work done before midafternoon when the sun gets its hottest, and that means you start early, start as close to daybreak as you can, and mid-morning is prime time.

Here it was midmorning, and these farmers were sitting around in the shade there in the farming village. I had been looking out at these fields. You could hardly tell what was cultivated and what wasn't. They looked terrible.

They had some really nice gardens right around their individual dwelling places. Yeah, those were kept up. Those they got to have for themselves. But the fields just didn't look good at all.

I tried to be nice, and in my best Russian I could, I said, "When do you work out in the fields?" They kind of laughed, and one of them said in Russian, "I make the same number of rubles if I'm here or if I'm out there, so I'm here."

Boy, was that a lesson in why a big, huge, nothing but safety net country can't work. Free markets work until they decide it's time to be socialistic, progressive, whatever you want to call it, and so they go that way. Then the free market forces fail because they have been taken over by progressive socialist structures.

Now, it's a good thought. I mean, it's a wonderful idea to think, gee, well, we'll just decree, as did the Pilgrims, as did the early New Testament Church, we'll just bring everything into a common storehouse and split it equally. It sounds like a great idea.

As the Apostle Paul found, as the Pilgrims found, eventually you have to say, You know what? This isn't working out very well. We're going to have to have some strict rules. The Pilgrims found, if you divide it up into private property and allowed people to eat what they grew, not only do they grow enough for themselves, but they actually would grow enough to use, trade, barter, sell, and that could be very effective.

I heard my friend across the aisle mentioning earlier about the so-called Ryan voucher care, and I know they know—and in fairness to my friend PAUL RYAN, and it was great to see him on the floor this evening—that actually anybody over 55 gets Medicare. The Paul Ryan proposal, it's not exactly like the bill that I previously proposed, but, you know, my friend's brilliant. He's on the right track. He says, if you're over 55, you get Medicare.

Now, I would go a step further, because I know what's being proposed for those under 55 is going to end up being so much better giving control back to patients, getting control back between the doctor and the patients instead of having an insurance company or the government between the patient and the doctor.

This business is a safety net. Clearly, they're not talking safety net. They're talking government takeover of everything.

□ 2040

But PAUL RYAN's plan would make sure that those under 55 had health care—and had it affordable. And so there are all kinds of reforms that need to be made. We did not need a full takeover of health care by the government.

My friend had mentioned that, because we kept passing bills to repeal ObamaCare—and actually there were very few bills that dealt with a massive repeal of ObamaCare, but there were many bills that picked out specific parts. Look, friends across the aisle, you surely don't want to be responsible for this terrible part of ObamaCare. So when people go back and say, Oh, you voted to repeal it 33 times, well, there were different aspects, and we couldn't even get our friends to vote to repeal parts that they knew, once they found out after they passed it, what was in it. Wouldn't even vote for things to be repealed that they knew would not be good.

My friend said that, basically, the President called us here and asked us to pass his American Jobs Act. And I was so glad he brought that up. I'd about forgotten about the American Jobs Act. He came and stood right there, Madam Speaker, and told us, I forget, 16, 17 times: Pass my bill, right here, right now, over and over. And so I kept wanting to get a copy of the bill. He was chastising us for not passing it. Well, show it to me. Let me see it. So we kept calling the White House trying to get it. A week later, it was clear there was no bill.

So I figured, well, if there's no bill, and he keeps running around the country spending all the taxpayers' money flying around on Air Force One, what sounded and looked like campaign stops, but government paid for it all—so he's out there saying over and over

and over, Tell Congress to pass my American Jobs Act. Pass the American Jobs Act. He had banners: Pass the American Jobs Act. American Jobs Act. I thought, Well, good grief, if he's going to keep telling us we need to pass the American Jobs Act, there really ought to be one. So I put a 2-page bill together that would eliminate the 35 percent tariff that we put on all American-made goods here in America, made by any company in America. It's called a corporate tax; an insidious tax because it deceives people into thinking that, gee, if you tax the evil old mean corporations, then we don't have to pay it. Baloney. If a corporation, a company doesn't pass that tax on to its customers, clients, people buying its services, then they go out of business. That's how it works. Thirty-five percent tax. The highest tariff that any country in the world puts on its own goods. And we were doing that. So mine says, let's eliminate that. And we'd heard from people around the world that, good grief, if you just dropped your corporate tax 12 percent, manufacturing jobs would come flooding back into this country.

You want to talk about pro-union. I know this side of the aisle wants to see the government unions grow more and more. I can never understand that. I can understand retired government workers needing a union because they don't have leverage. But to have government workers in a country where the government is the people. All of us that are elected here, we're public servants. Everybody that is hired by the Federal Government is supposed to be a government servant. We work for the people of America. Why in the world would you need a union to conspire against the people of America? Because, obviously, the role of any government union would be to get government bigger and bigger and more and more benefits, to the detriment of those who are paying for all of that. So, anyway, I don't understand why we need Federal Government unions. Neither did Franklin D. Roosevelt. But that's where all this goes.

By the way, when we eventually got a copy of the President's idea of a Jobs Act, we found that although he had been telling everybody in America he was only going to increase taxes on millionaires and billionaires, what he did was increase taxes on everybody that made over \$125,000 individually. He said he was going after Big Oil. He's going to end the giveaways to Big Oil. But when you look to around page 130 or so, the pages that dealt with oil companies, they were not going to affect the Big Oil companies at all. But since 94, 95 percent of all the oil and gas wells in America are drilled and operated by independent oil companies, run by Americans, you look at what was eliminated, it was really only the things that were going to devastate the

independents, some of them basically mom-and-pop-type services that worked on oil wells, gas wells. It's going to shut them down. They wouldn't be able to afford business. It would eliminate the passthrough deduction for investing in wells. If the independents can't get people to invest in the wells, they can't drill them. But the Big Oil companies, they don't have to get people to invest in oil wells. They've got enough money to do that.

It was incredible. I couldn't believe it. I got it to CPAs that do work for independent oil and gas companies, small ones, and they were saying, Oh, my word. If this goes into law, we'll be out of business. We can't stay in business. What does that do? It ends 94, 95 percent of the oil and gas wells in America. It also means that gasoline goes up even further than the doubling that this President has already done.

Oh, wind energy. We heard about wind energy, smart grid. Think about it. We've had these hearings in our Natural Resources Committee. DOC HASTINGS has done a fabulous job. Amazing the stuff you find out. And what we found out even just this week, last week, actually, when you talk about using wind or solar energy, since wind doesn't blow all the time and sun doesn't shine all time, and since we don't have an effective way to hold electricity, there's no massive battery that we've developed yet that holds significant amounts of electricity, so you have to use that electricity immediately, because you can't hold it. When we get to the point where we have some way to hold electricity, then we're on our way. Then solar, wind, those things will be a whole lot more helpful. But as it is, if you declare we're going to have to have wind energy and we're going to have to use solar energy, then for those times when the wind is not blowing or the sun is not shining but people still need electricity, then you're going to have to have a coal-fired power plant, you're going to have to have a natural-gas powered plant, a nuclear powered plant.

So you're going to have to have all of those things standing by to produce the energy when these other things don't. You're going to have to have different sets of wires taking electricity from the regular power plants and also send them out to the windmills way out wherever they are, where they're out there chopping up endangered species, birds and all, and bring that electricity in. You're going to end up having to have different wires going out to solar places. And so actually you're going to be paying two and three times as much for energy because you have to have two to three times the infrastructure just so that you can say we're getting some of our power from wind and from sun.

What it did was set up more government. You read the bill like I did—and

yes, I'm anal enough, I read some of these stupid bills, including the President's idea of a Jobs Act. It created more government. It took over more control over the Internet. It took over more control of cable. It's just a disaster.

So I hear about the President's great ideas for helping the economy, and I say thank goodness the President didn't pass that disaster because the economy would be doing even far worse. Well, except for the people that suck out the millions and hundreds of millions and billions, like the President's friends at Solyndra and things like that.

□ 2050

By the way, I see today this article, September 13, 2012: "AP reports weekly U.S. jobless aid applications jump to 382,000," by Christopher Rugaber.

Anyway, jobless claims jump to a 2-month high. Not exactly the progress the President says was happening.

I've been mentioning, ever since I found out from Gold Star parents Billy and Karen Vaughn, they told me two-thirds of the deaths and the wounds of our military in Afghanistan have occurred under President Obama. I couldn't believe that. So we got the official numbers. I've got a poster around here somewhere. I don't have time to use it right now.

But when we got the official numbers, it turns out 70 percent of those who have been killed in Afghanistan have been killed under President Obama's command, even though he's been in command in Afghanistan only half the time of President Bush. Eighty-four percent of those people losing arms, legs, hands, terribly disabling wounds from IEDs and other injury sources, 84 percent of those have occurred under Commander in Chief Obama compared to the 16 percent that occurred under President Bush in Afghanistan.

Article here from Breitbart by Tony Lee:

On the somber 11th anniversary of the 9/11 attacks, nearly 2,000 members of the U.S. military have died in Afghanistan since the war started in response to the attacks in 2011.

By the way, this President Obama, when he was running for President, called it the "good war."

But this article by Tony Lee goes on and points out what I've been talking about ever since Billy and Karen brought that to my attention, and I was greatly sorry that I did not know that without them pointing it out to me.

It was also interesting to read an article by John Nolte, 12 September, 2012. Obviously, I like the guy. I like his cynicism. He says:

Oh, that awful Mitt Romney. Just a few minutes before the White House itself disavowed the Cairo Embassy apologizing for

free speech, Romney rightfully condemned the appeasing statement in no uncertain terms. And as a result, all day long, the corrupt media has been on a rampage to make Romney pay for the unpardonable sin of criticizing Their Precious One.

You see, there's no precedent for a political opponent immediately criticizing a sitting President after a foreign policy crisis. Oh, wait.

Then it has reference to other articles where that's gone on, a flashback to Kerry slamming Bush. Over and over it's happened when it's a Republican President.

The article says:

So with the entire institution of the media circling the wagons for Obama today, in a futile attempt to rescue him from his own foreign policy blunders, we now have CBS News riding to the rescue in order to give the same President who condemned Romney before he condemned the terrorists an opportunity to further politicize this tragedy:

"There's a broader lesson to be learned here. Governor Romney seems to have a tendency to shoot first and aim later."

That's what President Obama had to say. Yes, that's the President talking about spouting off too quickly.

But the President is right about Mitt Romney: guilty as charged. Romney did shoot first to defend the principles of free speech that the people who work for Obama in Cairo were so eager to fritter away. Yes, that damn Mitt Romney saw this outrageous example of simpering in the face of terror coming from American officials and immediately spoke out against it.

It goes on to make a great point. Romney stood up for free speech.

The movie that's been fussed about sounds like a ridiculous thing that should not be done, except that this is America where people, whether it's Howard Stern or anybody else, they have a right to say things, no matter how offensive they may be, unless they go so far that they actually harm other people.

Another article: "No Record of Intel Briefings for Obama Week Before Embassy Attacks." This was written by Wynton Hall, 12 September, 2012, and it points out:

According to the White House calendar, there is no public record of President Barack Obama attending his daily intelligence briefing—known as the Presidential Daily Brief (PDB)—in the week leading up to the attacks on the U.S. Embassy in Cairo and the murder of U.S. Libyan Ambassador Chris Stevens and three American members of his staff.

I've got to say. I read an account and a story of the administration reporting the name of one of the other three killed as part of the Libyan Embassy personnel. They gave that man's name, pointed out he was a former SEAL team member but was in a private security force. Then, according to the article, the administration reported that he was killed while running for cover.

Madam Speaker, I know something about SEAL team members. In the mind of a SEAL team member or a former SEAL team member, he is never running for cover. He is running for a

place, if at all, from which to launch a better attack. Even in death, this administration can't be respectful to the people that have laid down their lives for this administration.

Even though the White House says that, gee, the President does read briefings, he just hasn't been getting them personally, I would hope that he would start doing that. There are people's lives at stake, and he is President. He's such a fantastic campaigner, and I know it's inconvenient, but I sure hope that he'll get back to being President.

To give credit where credit is due, it was very wonderful of the President to take a minute and a half or whatever it was, a minute, minute and a half, to pay tribute to those who laid down their lives for their country at the Libya Embassy where they didn't have adequate security, and where this administration enabled al Qaeda and others to take over the government. It was nice of him to take a minute and a half to pay tribute to them giving their lives in the middle of his campaign event before he went on with the celebration.

I recall President George W. Bush. People here know we certainly had our differences, and I certainly disagreed with him on a number of things. But I had great respect for the man. He said:

How can I go play golf when I am Commander in Chief and I have sent soldiers, our military, into harm's way? It just doesn't feel right for me to be out on a golf course having a good time when our men and women are in harm's way.

But it did look like a fun celebration there that President Obama was having in Las Vegas.

Another article: "Libyan Official: U.S. At Fault in Attacks." Written by Awr Hawkins, 12 September, 2012.

He points out that although the head of Libya's National Assembly has formally apologized for the killing of U.S. Ambassador Christopher Stevens, other higher-ranking Libyan officials refuse to apologize and continue to contend the U.S. is to blame.

The story talks about those contentions. Hey, it was our fault. Kind of like the ridiculous claims that sometimes those of us who were judges or prosecutors heard from a guilty rape defendant who said, "Well, you know, she was asking for it." Excuse me?

That was abominable what happened at the Libyan Embassy. It is a tragic fact that this administration, against the will of Congress, without even asking what the will of Congress was, said, Well, gee, the U.N., Organization of Islamic Conference, they want us there. So, why not? We ought to go. That's all he needed. He didn't care what Congress thought.

He enabled them. He used American bombers. And then when the American public obviously was upset, eventually, that it was taking so long—hey, hey, keep in mind, it's not the U.S.; it's

NATO. He may not have gotten a briefing that let him know that over 60 percent of the NATO military is American military.

Here's a flashback article. I just think it's important, when these terrible things are happening around the world, that we take a quick look at how we got where we are so maybe we don't keep doubling down on things that get Americans killed and hurt our national security. This article by Dana Loesch, 12 September 2012, "Flashback: Obama Admin Endorsed Muslim Brotherhood," it points out from a New York Times article even August 1 this year, it said:

Leon E. Panetta, the United States Defense Secretary, said on Tuesday that President Mohammed Morsi of Egypt was "his own man," a strong declaration of American support for Mr. Morsi, a former leader of the Muslim Brotherhood whose future course in Egypt remains a great unknown to the Obama administration.

Well, it didn't keep us from enabling him to be there.

Another article: "Obama Admits He Lost Egypt As American Ally." It goes on to talk about how the President, because of our turning our back, or stabbing a man with whom this administration had made agreements, who was trying to uphold the Israeli-Egyptian Accord that was brokered by President Carter—one nice thing that President Carter did. President Obama now admits, well, they're not really an enemy, but they're not an ally. We lost them as an ally because of the incompetence of this administration.

"Obama Declines Meeting With Netanyahu," and let me just finish with this. Although he doesn't have time for Netanyahu, apparently he has time to attend a Jay-Z and Beyonce fundraiser. They're fabulous entertainers, I understand that. But there's a country to run, there are Americans being killed, and it's time somebody around this town picked up the responsibility and acted responsibly. I don't think doing a CR is the way to do it, but certainly not running off to fundraisers when people are giving their

lives for you on foreign soil is the way to go either.

With that, I yield back the balance of my time.

ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 6336. An act to direct the Joint Committee on the Library to accept a statue depicting Frederick Douglass from the District of Columbia and to provide for the permanent display of the statue in Emancipation Hall of the United States Capitol.

ADJOURNMENT

Mr. GOHMERT. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 2 minutes p.m.), the House adjourned until tomorrow, Friday, September 14, 2012, at 9 a.m.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports concerning the foreign currencies and U.S. dollars utilized for Official Foreign Travel during the second and third quarters of 2012 pursuant to Public Law 95-384 are as follows:

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, ROBERT KAREM, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JUNE 10 AND JUNE 18, 2012

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Robert Karem	6/10	6/13	South Korea		1,050.03						1,050.03
	6/10	6/18	Japan		2,262.29						2,262.29
Committee total											3,312.32

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

MR. ROBERT KAREM, July 25, 2012.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, BARRY JACKSON, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN AUG. 5 AND AUG. 13, 2012

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Barry Jackson	8/5	8/8	Vietnam		812.00		³ 14455				15267.00
	8/8	8/10	Cambodia		349.00						349.00
	8/10	8/12	Burma		512.00						512.00
	8/12	8/13	Malaysia		255.00						255.00
Committee total											16,383.00

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

³ Airfare inclusive for entire trip.

MR. BARRY JACKSON, Sept. 12, 2012.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO ESTONIA, RUSSIA, GEORGIA, AND IRELAND, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JUNE 29 AND JULY 8, 2012

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Kevin McCarthy	6/30	7/2	Estonia		652.00		(3)				652.00
Hon. Peter Roskam	6/30	7/2	Estonia		652.00		(3)				652.00
Hon. Mac Thornberry	6/30	7/2	Estonia		652.00		(3)				652.00
Hon. Tom Rooney	6/30	7/2	Estonia		652.00		(3)				652.00
Hon. Kay Granger	6/30	7/2	Estonia		652.00		(3)				652.00
Hon. Mike Kelly	6/30	7/2	Estonia		652.00		(3)				652.00
Hon. Adrian Smith	6/30	7/2	Estonia		652.00		(3)				652.00
Hon. Karen Bass	6/30	7/2	Estonia		652.00		(3)				652.00

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO ESTONIA, RUSSIA, GEORGIA, AND IRELAND, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JUNE 29 AND JULY 8, 2012—Continued

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Tim Berry	6/30	7/2	Estonia		652.00		(³)				652.00
Natalie Buchanan	6/30	7/2	Estonia		652.00		(³)				652.00
Brittany Carey	6/30	7/2	Estonia		652.00		(³)				652.00
Erica Elliott	6/30	7/2	Estonia		652.00		(³)				652.00
Emily Murry	6/30	7/2	Estonia		652.00		(³)				652.00
Stephen Pinkos	6/30	7/2	Estonia		652.00		(³)				652.00
Hon. Kevin McCarthy	7/2	7/5	Russia		1,308.00		550.00				1,858.00
Hon. Peter Roskam	7/2	7/5	Russia		1,308.00		550.00				1,858.00
Hon. Mac Thornberry	7/2	7/5	Russia		1,308.00		550.00				1,858.00
Hon. Tom Rooney	7/2	7/5	Russia		1,308.00		550.00				1,858.00
Hon. Kay Granger	7/2	7/5	Russia		1,308.00		612.00				1,920.00
Hon. Mike Kelly	7/2	7/5	Russia		1,308.00		612.00				1,920.00
Hon. Adrian Smith	7/2	7/5	Russia		1,308.00		550.00				1,858.00
Hon. Karen Bass	7/2	7/5	Russia		1,308.00		550.00				1,858.00
Tim Berry	7/2	7/5	Russia		1,308.00		550.00				1,858.00
Natalie Buchanan	7/2	7/5	Russia		1,308.00		550.00				1,858.00
Brittany Carey	7/2	7/5	Russia		1,308.00		550.00				1,858.00
Erica Elliott	7/2	7/5	Russia		1,308.00		550.00				1,858.00
Emily Murry	7/2	7/5	Russia		1,308.00		550.00				1,858.00
Stephen Pinkos	7/2	7/5	Russia		1,308.00		550.00				1,858.00
Hon. Kevin McCarthy	7/5	7/7	Georgia		596.00		(³)				596.00
Hon. Peter Roskam	7/5	7/7	Georgia		596.00		(³)				596.00
Hon. Mac Thornberry	7/5	7/7	Georgia		596.00		(³)				596.00
Hon. Tom Rooney	7/5	7/7	Georgia		596.00		(³)				596.00
Hon. Kay Granger	7/5	7/7	Georgia		596.00		(³)				596.00
Hon. Mike Kelly	7/5	7/7	Georgia		596.00		(³)				596.00
Hon. Adrian Smith	7/5	7/7	Georgia		596.00		(³)				596.00
Hon. Karen Bass	7/5	7/7	Georgia		596.00		(³)				596.00
Tim Berry	7/5	7/7	Georgia		596.00		(³)				596.00
Natalie Buchanan	7/5	7/7	Georgia		596.00		(³)				596.00
Brittany Carey	7/5	7/7	Georgia		596.00		(³)				596.00
Erica Elliott	7/5	7/7	Georgia		596.00		(³)				596.00
Emily Murry	7/5	7/7	Georgia		596.00		(³)				596.00
Stephen Pinkos	7/5	7/7	Georgia		596.00		(³)				596.00
Hon. Kevin McCarthy	7/7	7/8	Ireland		411.00		(³)				411.00
Hon. Peter Roskam	7/7	7/8	Ireland		411.00		(³)				411.00
Hon. Mac Thornberry	7/7	7/8	Ireland		411.00		(³)				411.00
Hon. Tom Rooney	7/7	7/8	Ireland		411.00		(³)				411.00
Hon. Kay Granger	7/7	7/8	Ireland		411.00		(³)				411.00
Hon. Mike Kelly	7/7	7/8	Ireland		411.00		(³)				411.00
Hon. Adrian Smith	7/7	7/8	Ireland		411.00		(³)				411.00
Hon. Karen Bass	7/7	7/8	Ireland		411.00		(³)				411.00
Tim Berry	7/7	7/8	Ireland		411.00		(³)				411.00
Natalie Buchanan	7/7	7/8	Ireland		411.00		(³)				411.00
Brittany Carey	7/7	7/8	Ireland		411.00		(³)				411.00
Erica Elliott	7/7	7/8	Ireland		411.00		(³)				411.00
Emily Murry	7/7	7/8	Ireland		411.00		(³)				411.00
Stephen Pinkos	7/7	7/8	Ireland		411.00		(³)				411.00
Committee total											49,300.00

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

³ Military air transportation.

HON. KEVIN MCCARTHY, Aug. 7, 2012.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO LIBERIA, TUNISIA, KENYA, MADAGASCAR, AND MOROCCO, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JUNE 30 AND JULY 9, 2012

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. David Dreier	6/30	7/2	Liberia		500.00		(³)				500.00
Hon. David Price	6/30	7/2	Liberia		500.00		(³)				500.00
Hon. Ed Whitfield	6/30	7/2	Liberia		500.00		(³)				500.00
Hon. Susan Davis	6/30	7/2	Liberia		500.00		(³)				500.00
Hon. Mike Ross	6/30	7/2	Liberia		500.00		(³)				500.00
Hon. Gwen Moore	6/30	7/2	Liberia		500.00		(³)				500.00
Barry Jackson	6/30	7/2	Liberia		500.00		(³)				500.00
Brad Smith	6/30	7/2	Liberia		500.00		(³)				500.00
Thomas Wickham	6/30	7/2	Liberia		500.00		(³)				500.00
Rachael Leman	6/30	7/2	Liberia		500.00		(³)				500.00
John Lis	6/30	7/2	Liberia		500.00		(³)				500.00
Robert Lawrence	6/30	7/2	Liberia		500.00		(³)				500.00
Hon. David Dreier	7/2	7/4	Tunisia		396.00		(³)				396.00
Hon. David Price	7/2	7/4	Tunisia		396.00		(³)				396.00
Hon. Ed Whitfield	7/2	7/4	Tunisia		396.00		(³)				396.00
Hon. Susan Davis	7/2	7/4	Tunisia		396.00		(³)				396.00
Hon. Mike Ross	7/2	7/4	Tunisia		396.00		(³)				396.00
Hon. Gwen Moore	7/2	7/4	Tunisia		396.00		(³)				396.00
Barry Jackson	7/2	7/4	Tunisia		396.00		(³)				396.00
Brad Smith	7/2	7/4	Tunisia		396.00		(³)				396.00
Thomas Wickham	7/2	7/4	Tunisia		396.00		(³)				396.00
Rachael Leman	7/2	7/4	Tunisia		396.00		(³)				396.00
John Lis	7/2	7/4	Tunisia		396.00		(³)				396.00
Robert Lawrence	7/2	7/4	Tunisia		396.00		(³)				396.00
Hon. David Dreier	7/4	7/6	Kenya		700.00		(³)				700.00
Hon. David Price	7/4	7/6	Kenya		700.00		(³)				700.00
Hon. Ed Whitfield	7/4	7/6	Kenya		700.00		(³)				700.00
Hon. Susan Davis	7/4	7/6	Kenya		700.00		(³)				700.00
Hon. Mike Ross	7/4	7/6	Kenya		700.00		(³)				700.00
Hon. Gwen Moore	7/4	7/6	Kenya		700.00		(³)				700.00
Barry Jackson	7/4	7/6	Kenya		700.00		(³)				700.00
Brad Smith	7/4	7/6	Kenya		700.00		(³)				700.00
Thomas Wickham	7/4	7/6	Kenya		700.00		(³)				700.00

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO LIBERIA, TUNISIA, KENYA, MADAGASCAR, AND MOROCCO, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JUNE 30 AND JULY 9, 2012—Continued

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Rachael Leman	7/4	7/6	Kenya		700.00		(³)				700.00
John Lis	7/4	7/6	Kenya		700.00		(³)				700.00
Robert Lawrence	7/4	7/6	Kenya		700.00		(³)				700.00
Hon. David Dreier	7/6	7/8	Madagascar		474.00		(³)				474.00
Hon. David Price	7/6	7/8	Madagascar		474.00		(³)				474.00
Hon. Ed Whitfield	7/6	7/8	Madagascar		474.00		(³)				474.00
Hon. Susan Davis	7/6	7/8	Madagascar		474.00		(³)				474.00
Hon. Mike Ross	7/6	7/8	Madagascar		474.00		(³)				474.00
Hon. Gwen Moore	7/6	7/8	Madagascar		474.00		(³)				474.00
Barry Jackson	7/6	7/8	Madagascar		474.00		(³)				474.00
Brad Smith	7/6	7/8	Madagascar		474.00		(³)				474.00
Thomas Wickham	7/6	7/8	Madagascar		474.00		(³)				474.00
Rachael Leman	7/6	7/8	Madagascar		474.00		(³)				474.00
John Lis	7/6	7/8	Madagascar		474.00		(³)				474.00
Robert Lawrence	7/6	7/8	Madagascar		474.00		(³)				474.00
Hon. David Dreier	7/8	7/9	Morocco		250.00		(³)				250.00
Hon. David Price	7/8	7/9	Morocco		250.00		(³)				250.00
Hon. Ed Whitfield	7/8	7/9	Morocco		250.00		(³)				250.00
Hon. Susan Davis	7/8	7/9	Morocco		250.00		(³)				250.00
Hon. Mike Ross	7/8	7/9	Morocco		250.00		(³)				250.00
Hon. Gwen Moore	7/8	7/9	Morocco		250.00		(³)				250.00
Barry Jackson	7/8	7/9	Morocco		250.00		(³)				250.00
Brad Smith	7/8	7/9	Morocco		250.00		(³)				250.00
Thomas Wickham	7/8	7/9	Morocco		250.00		(³)				250.00
Rachael Leman	7/8	7/9	Morocco		250.00		(³)				250.00
John Lis	7/8	7/9	Morocco		250.00		(³)				250.00
Robert Lawrence	7/8	7/9	Morocco		250.00		(³)				250.00
Committee totals											27,840.00

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.³ Military air transportation.

HON. DAVID DREIER, Aug. 1, 2012.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON AGRICULTURE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2012

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Tim Holden	5/20	5/21	South Korea		338.90	(³)					338.90
	5/21	5/24	China		1,115.89	(³)					1,115.89
	5/24	5/26	India		582.63	(³)					582.63
	5/26	5/27	Germany		291.00	(³)					291.00
Hon. Glenn Thompson	6/09	6/10	Azerbaijan		270.00	(³)					270.00
	6/10	6/11	Afghanistan		16.00	(³)					16.00
	6/11	6/13	Pakistan		549.00	(³)					549.00
	6/13	6/14	Bahrain		46.00	(³)					46.00
	6/14	6/15	Yemen			(³)					
	6/15	6/16	Egypt		92.00	(³)					92.00
Committee total											

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.³ Military air transportation.

HON. FRANK D. LUCAS, Chairman.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON APPROPRIATIONS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2012

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Barbara Lee	4/2	4/3	Uganda		305.00						305.00
Misc. delegation costs								150.00			150.00
Commercial Airfare											
Hon. Jack Kingston	4/2	4/3	Rwanda		337.75						337.75
Local ground transportation							126.48				126.48
Commercial Airfare							204.00				204.00
Hon. John R. Carter	4/20	4/22	United Arab Emirates		429.00						429.00
	4/22	4/23	Afghanistan		28.00						28.00
	4/23	4/24	Qatar		341.00						
Misc. delegation costs								166.80			166.80
Commercial Airfare							5,411.90				5,411.90
Hon. Steven C. LaTourette	4/3	4/5	Turkey		894.66		(³)				894.66
	4/5	4/6	Israel		498.00		(³)				498.00
	4/6	4/8	Jordan		588.00		(³)				588.00
	4/8	4/9	Ireland		243.59		(³)				243.59
Misc. delegation costs								1,766.11			1,766.11
Hon. Steve Austria	4/3	4/5	Turkey		894.66						894.66
	4/5	4/6	Israel		498.00		(³)				498.00
	4/6	4/8	Jordan		588.80		(³)				588.80
	4/8	4/8	Ireland		243.59		(³)				243.59
Misc. delegation costs								1,766.11			1,766.11
Hon. Jack Kingston	6/09	6/10	Azerbaijan		373.00		(³)				373.00
	6/10	6/11	Afghanistan		56.00		(³)				56.00
	6/11	6/13	Pakistan		622.00		(³)				622.00
	6/13	6/14	Bahrain		124.00		(³)				124.00
	6/14	6/15	Yemen		226.62		(³)				266.05

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON APPROPRIATIONS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2012—Continued

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
	6/15	6/16	Egypt		266.05		(³)				266.05
Committee total					7,557.72		5,742.38		3,849.02		17,149.12

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.³ Military air transportation.

HON. HAROLD ROGERS, Chairman.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ARMED SERVICES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2012

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Visit to Ghana, Tanzania, United Arab Emirates with CODEL Inhofe, April 9–16, 2012:											
Hon. Jeff Miller	4/9	4/11	Ghana		31.14						31.14
	4/11	4/14	Tanzania		180.50						180.50
	4/14	4/16	United Arab Emirates		84.76						84.76
	4/16	4/17	Germany		10.00						10.00
Visit to Afghanistan, United Arab Emirates with CODEL Gochmert, April 19–23, 2012:											
Hon. Madeleine Z. Bordallo	4/20	4/21	United Arab Emirates		337.33						337.33
	4/21	4/22	Afghanistan		28.00						28.00
	4/22	4/23	United Arab Emirates		359.38						359.38
Commercial airfare							7,504.70				7,504.70
Visit to Afghanistan, Bahrain, Belgium, May 18–23, 2012:											
Hon. Martha Roby	5/19	5/20	Belgium		112.00						112.00
	5/20	5/21	Afghanistan		28.00						28.00
	5/21	5/22	Bahrain		365.19						365.19
	5/22	5/23	Ireland		111.00						111.00
Hon. Susan Davis	5/19	5/20	Belgium		112.00						112.00
	5/20	5/21	Afghanistan		28.00						28.00
	5/21	5/22	Bahrain		365.19						365.19
	5/22	5/23	Ireland		111.00						111.00
Hon. Kathy Hochul	5/19	5/20	Belgium		112.00						112.00
	5/20	5/21	Afghanistan		28.00						28.00
	5/21	5/22	Bahrain		365.19						365.19
	5/22	5/23	Ireland		111.00						111.00
Jaime Cheshire	5/19	5/20	Belgium		112.00						112.00
	5/20	5/21	Afghanistan		28.00						28.00
	5/21	5/22	Bahrain		365.00						365.00
	5/22	5/23	Ireland		111.00						111.00
Debra Wada	5/22	5/23	Ireland		111.00						111.00
	5/20	5/21	Afghanistan		28.00						28.00
	5/21	5/22	Bahrain		365.19						365.19
	5/22	5/23	Ireland		111.00						111.00
Delegation expenses			Bahrain					106.10			106.10
Visit to India, China, South Korea, Germany with CODEL Kline, May 18–27, 2012:											
Hon. Mike McIntyre	5/20	5/21	South Korea		338.90						338.90
	5/21	5/24	China		1,115.89						1,115.89
	5/24	5/26	India		582.63						582.63
	5/26	5/27	Germany		291.00						291.00
Visit to Uganda, Kenya with CODEL Coons, May 25–31, 2012:											
Hon. Adam Smith	5/26	5/29	Uganda		198.00						198.00
	5/29	5/31	Kenya		46.00						46.00
Paul Arcangeli	5/26	5/29	Uganda		198.00						198.00
	5/29	5/31	Kenya		286.00						286.00
Visit to Tanzania, Senegal, Tunisia, May 29–June 5, 2012:											
Craig Greene	5/31	6/1	Tanzania		546.00						546.00
	6/1	6/2	Senegal		760.73						760.73
	6/4	6/5	Tunisia		196.00						196.00
Commercial airfare							15,782.00				15,782.00
Paul Arcangeli	5/30	6/1	Tanzania		546.00						546.00
	6/1	6/2	Senegal		388.00						388.00
Commercial airfare							15,782.00				15,782.00
Debra Wada	5/30	6/1	Tanzania		546.00						546.00
	6/1	6/2	Senegal		760.73						760.73
	6/4	6/5	Tunisia		196.00						196.00
Commercial airfare							15,782.00				15,782.00
Timothy McClees	5/30	6/1	Tanzania		546.00						546.00
	6/1	6/2	Senegal		760.73						760.73
	6/4	6/5	Tunisia		196.00						196.00
Commercial airfare							15,782.00				15,782.00
Delegation expenses			Tunisia					134.91			134.91
Visit to Germany, Burkina Faso, Niger, May 29–June 5, 2012:											
Peter Villano	5/30	5/31	Germany		114.00						114.00
	5/31	6/2	Niger		435.36						435.36
	6/2	6/4	Burkina Faso		281.95						281.95
Commercial airfare							11,648.00				11,648.00
Mark Lewis	5/30	5/31	Germany		114.00						114.00
	5/31	6/2	Niger		435.36						435.36
	6/2	6/4	Burkina Faso		281.95						281.95
Commercial airfare							11,648.00				11,648.00
Visit to Denmark, Romania, France, United Kingdom, Germany, June 8–18, 2012:											
Hon. Michael Turner	6/9	6/10	Denmark		145.00						145.00
	6/10	6/11	Germany		177.00						177.00

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ARMED SERVICES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2012—Continued

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Hon. Loretta Sanchez	6/11	6/13	United Kingdom		1,024.78						1,024.78
	6/13	6/16	France		2,252.95						2,252.95
	6/16	6/17	Romania		92.00						92.00
	6/9	6/10	Denmark		145.00						145.00
	6/10	6/11	Germany		177.00						177.00
Timothy Morrison	6/11	6/13	United Kingdom		1,024.78						1,024.78
	6/13	6/16	France		2,252.95						2,252.95
	6/16	6/17	Romania		92.00						92.00
	6/9	6/10	Denmark		145.00						145.00
	6/10	6/11	Germany		177.00						177.00
Leonor Tomero	6/11	6/13	United Kingdom		1,024.78						1,024.78
	6/13	6/16	France		2,252.95						2,252.95
	6/16	6/17	Romania		92.00						92.00
	6/9	6/10	Denmark		145.00						145.00
	6/10	6/11	Germany		177.00						177.00
Delegation expenses	6/11	6/13	United Kingdom		1,024.78						1,024.78
	6/13	6/16	France		2,252.95						2,252.95
	6/16	6/17	Romania		92.00						92.00
	6/9	6/10	Denmark		145.00						145.00
	6/10	6/11	Germany		177.00						177.00
Visit to Afghanistan, Pakistan, Qatar, June 11–16, 2012:											
Hon. Robert Wittman	6/13	6/14	Afghanistan		28.00						28.00
Commercial airfare	6/14	6/15	Pakistan		294.00						294.00
Hon. K. Michael Conaway	6/13	6/14	Afghanistan		28.00						28.00
Commercial airfare	6/14	6/15	Pakistan		294.00						294.00
Hon. Steven Palazzo	6/13	6/14	Afghanistan		28.00						28.00
Commercial airfare	6/14	6/15	Pakistan		294.00						294.00
Michele Pearce	6/13	6/14	Afghanistan		28.00						28.00
Commercial airfare	6/14	6/15	Pakistan		294.00						294.00
Paul Lewis	6/13	6/14	Afghanistan		28.00						28.00
Commercial airfare	6/14	6/15	Pakistan		294.00						294.00
Alex Gallo	6/13	6/14	Afghanistan		28.00						28.00
Commercial airfare	6/14	6/15	Pakistan		294.00						294.00
Delegation expenses			Pakistan								
Visit to South Korea, Japan, June 9–18, 2012:											
Roger Zakheim	6/10	6/13	South Korea		1,050.03						1,050.03
Commercial airfare	6/13	6/18	Japan		2,527.52						2,527.52
Jenness Simler	6/10	6/13	South Korea		1,050.03						1,050.03
Commercial airfare	6/13	6/18	Japan		2,256.12						2,256.12
Michael Casey	6/10	6/13	South Korea		1,050.03						1,050.03
Commercial airfare	6/13	6/18	Japan		2,256.12						2,256.12
Delegation expenses											
Visit to Japan, South Korea, June 9–15, 2012:											
Jeanette James	6/10	6/12	Japan		750.63						750.63
Commercial airfare	6/12	6/15	South Korea		1,050.00						1,050.00
Jeanette James	6/10	6/12	Japan		750.63						750.63
Commercial airfare	6/12	6/15	South Korea		1,050.00						1,050.00
Delegation expenses			South Korea								
Visit to Azerbaijan, Afghanistan, Pakistan, Bahrain, Yemen, Egypt with CODEL Platts, June 8–16, 2012:											
Hon. John Fleming	6/9	6/10	Azerbaijan		249.75						249.75
Commercial airfare	6/10	6/11	Afghanistan		56.00						56.00
Commercial airfare	6/11	6/13	Pakistan		427.63						427.63
Commercial airfare	6/13	6/14	Bahrain		124.00						124.00
Commercial airfare	6/14	6/15	Yemen		226.62						226.62
Commercial airfare	6/15	6/16	Egypt		174.05						174.05
Visit to France, June 17–19, 2012:											
Timothy Morrison	6/17	6/19	France		1,096.00						1,096.00
Commercial airfare											
Leonor Tomero	6/17	6/19	France		1,096.00						1,096.00
Commercial airfare											
Committee total					48,213.61		188,200.00		7,599.07		244,012.68

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. HOWARD P. "BUCK" McKEON, Chairman, July 31, 2012.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON THE BUDGET, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2012

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Tom Price	4/3	4/5	Turkey		759.00		(³)				759.00
	4/5	4/6	Israel		493.00		(³)				493.00
	4/6	4/8	Jordan		588.80		(³)				588.80
	4/8	4/9	Ireland		243.59		(³)				243.59
Jennafer Spealman	4/3	4/5	Turkey		759.00		(³)				759.00
	4/5	4/6	Israel		493.00		(³)				493.00
	4/6	4/8	Jordan		588.80		(³)				588.80

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON THE BUDGET, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND
JUNE 30, 2012—Continued

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Control Room	4/8	4/9	Ireland		243.59		(³)				243.59
Control Room	4/2	4/5	Turkey						1,027.32		1,027.32
Parking Fees	4/5	4/6	Israel						340.00		340.00
	4/3	4/9					105.00				105.00
Committee total					4,168.78		105.00		1,367.32		5,641.10

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.³ Military air transportation.

HON. PAUL RYAN, Chairman, July 27, 2012.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON EDUCATION AND THE WORKFORCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND
JUNE 30, 2012

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. John Kline	5/20	5/21	Republic of Korea		338.90		(³)				338.90
Hon. Virginia Fox	5/20	5/21	Republic of Korea		338.90		(³)				338.90
Hon. David "Phil" Roe	5/20	5/21	Republic of Korea		338.90		(³)				338.90
Hon. Tim Walberg	5/20	5/21	Republic of Korea		338.90		(³)				338.90
Elizabeth Barrett Karr	5/20	5/21	Republic of Korea		338.90		(³)				338.90
Angelyn Shapiro	5/20	5/21	Republic of Korea		338.90		(³)				338.90
Casey Buboltz	5/20	5/21	Republic of Korea		338.90		(³)				338.90
Delegation expenses	5/20	5/21	Republic of Korea						5,800.76		5,800.76
Hon. John Kline	5/21	5/24	People's Republic of China		1,115.89		(³)				1,115.89
Hon. Virginia Fox	5/21	5/24	People's Republic of China		1,115.89		(³)				1,115.89
Hon. David "Phil" Roe	5/21	5/24	People's Republic of China		1,115.90		(³)				1,115.89
Hon. Tim Walberg	5/21	5/24	People's Republic of China		1,115.90		(³)				1,115.89
Elizabeth Barrett Karr	5/21	5/24	People's Republic of China		1,115.90		(³)				1,115.89
Angelyn Shapiro	5/21	5/24	People's Republic of China		1,115.90		(³)				1,115.89
Casey Buboltz	5/21	5/24	People's Republic of China		1,115.89		(³)				1,115.89
Delegation expenses	5/21	5/24	People's Republic of China						7,137.92		7,137.92
Hon. John Kline	5/24	5/26	India		582.63		(³)				582.63
Hon. Virginia Fox	5/24	5/26	India		582.63		(³)				582.63
Hon. David "Phil" Roe	5/24	5/26	India		582.63		(³)				582.63
Hon. Tim Walberg	5/24	5/26	India		582.63		(³)				582.63
Elizabeth Barrett Karr	5/24	5/26	India		582.63		(³)				582.63
Angelyn Shapiro	5/24	5/26	India		582.63		(³)				582.63
Casey Buboltz	5/24	5/26	India		582.63		(³)				582.63
Delegation expenses	5/24	5/26	India						5,387.97		5,387.97
Hon. John Kline	5/26	5/27	Germany		291.00		(³)				291.00
Hon. Virginia Fox	5/26	5/27	Germany		291.00		(³)				291.00
Hon. David "Phil" Roe	5/26	5/27	Germany		291.00		(³)				291.00
Hon. Tim Walberg	5/26	5/27	Germany		291.00		(³)				291.00
Elizabeth Barrett Karr	5/26	5/27	Germany		291.00		(³)				291.00
Angelyn Shapiro	5/26	5/27	Germany		291.00		(³)				291.00
Casey Buboltz	5/26	5/27	Germany		291.00		(³)				291.00
Committee total					16,298.94				18,326.65		34,625.59

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.³ Military or transportation.

HON. JOHN KLINE, Chairman, July 27, 2012.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ENERGY AND COMMERCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND
JUNE 30, 2012

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Mary Bono Mack	4/13	4/15	Colombia		214.00		(³)				214.00
Hon. Michael Burgess	4/20	4/20	United Arab Emirates		143.00		10,779.00				19,922.00
Hon. Phil Gingrey	6/9	6/10	Denmark		340.00		(³)				340.00
	6/10	6/13	England		360.00		(³)				360.00
	6/13	6/13	Scotland		290.00		(³)				290.00
	6/13	6/16	France		492.00		(³)				492.00
	6/16	6/17	Romania		250.00		(³)				250.00
Committee total					2,089.00		10,779.00				21,868.00

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.³ Military air transportation.

HON. FRED UPTON, Chairman, Aug. 3, 2012.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON FINANCIAL SERVICES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND
JUNE 30, 2012

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Andre Carson	4/3	4/5	Turkey		1,097.61		(³)				1,097.61

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON FINANCIAL SERVICES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND
JUNE 30, 2012—Continued

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
	4/5	4/6	Israel		498.00		(³)				498.00
	4/6	4/8	Jordan		588.00		(³)				588.00
Hon. Keith Ellison	4/1	4/5	Saudi Arabia		1,857.58		16,813.20				18,670.78
Hon. Stevan Pearce	4/9	4/10	Ghana		241.14		(³)				241.14
	4/10	4/13	Tanzania		635.57		(³)				635.57
	4/14	4/15	United Arab Emirates		398.80		(³)				398.80
	4/15	4/16	Germany		175.06		(³)				175.06
Hon. Thaddeus McCotter	4/20	4/22	Taiwan		582.69		(³)				582.69
	4/22	4/25	South Korea		1,013.00		(³)				1,013.00
Hon. Donald Manzullo	6/9	6/11	Denmark		651.32		(³)				651.32
	6/11	6/12	France		235.68		(³)				235.68
Hon. Bill Huizenga	6/9	6/11	Denmark		828.00		(³)				828.00
	6/11	6/12	France		324.00		(³)				324.00
Committee total					10,722.14		16,813.20				27,535.34

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.³ Military air transportation.

HON. SPENCER BACHUS, Chairman, July 31, 2012.7

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON FOREIGN AFFAIRS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND
JUNE 30, 2012

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Karen Bass	5/26	5/29	Uganda		928.68		8,851.90				9,780.58
Eric Williams	5/26	5/29	Uganda		851.95		1,934.60				2,786.55
	5/29	6/1	Kenya		964.13		(³)				964.13
	6/1	6/2	Tanzania		195.84		(³)				195.84
	6/2	6/3	Egypt		174.05		(³)				174.05
Gregory Simpkins	3/31	4/4	Nigeria		1,483.96		12,094.76				13,578.72
Algene Sajery	3/31	4/4	Nigeria		1,615.00		9,970.80				11,585.80
Hon. Dan Rohrabacher	4/23	4/24	Qatar		453.00		4,342.10				4,795.10
Paul Berkowitz	4/23	4/24	Qatar		453.00		4,342.10				4,795.10
Hon. Steve Chabot	5/19	5/20	India		237.00		12,487.00		633.18		13,357.18
	5/20	5/22	Laos		293.00		81.31				374.31
	5/22	5/23	Burma		158.00						158.00
	5/24	5/25	Yemen		49.00						49.00
Kevin Fitzpatrick	5/19	5/20	India		241.00		12,487.00				12,728.00
	5/20	5/22	Laos		288.00						288.00
	5/22	5/23	Burma		158.00						158.00
	5/24	5/25	Yemen		29.00						29.00
Hon. Christopher Smith	6/10	6/16	Bolivia		801.89		9,838.17				10,640.06
Sheri Rickert	6/10	6/16	Bolivia		764.44		9,838.17				10,602.61
Priscilla Koepke	6/10	6/14	Thailand		728.85		8,825.20		253.31		9,807.36
	6/14	6/16	Cambodia		491.65				160.36		652.01
Dennis Halpin	6/10	6/14	Thailand		737.00		7,499.50				8,236.50
	6/14	6/16	Cambodia		468.00		5,398.70				5,866.70
Lisa Williams	6/10	6/14	Thailand		847.00		7,534.50				8,381.50
	6/14	6/16	Cambodia		513.00		5,398.70				5,911.70
Hon. Ileana Ros-Lehtinen	5/20	5/22	Taiwan		545.08		(³)		8,926.08		9,471.16
	5/22	5/25	South Korea		1,023.10		(³)		2,678.30		3,701.40
Hon. Jean Schmidt	5/20	5/22	Taiwan		545.07		(³)				545.07
	5/22	5/25	South Korea		1,023.10		(³)				1,023.10
Hon. Dan Burton	5/20	5/22	Taiwan		713.61		(³)				713.61
	5/22	5/25	South Korea		1,023.10		(³)				1,023.10
Dennis Halpin	5/20	5/22	Taiwan		545.07		(³)				545.07
	5/22	5/25	South Korea		1,023.10		(³)				1,023.10
Jay Henderson	5/20	5/22	Taiwan		545.07		(³)				545.07
	5/22	5/25	South Korea		1,023.10		(³)				1,023.10
Brad Goehner	5/20	5/22	Taiwan		545.07		(³)				545.07
	5/22	5/25	South Korea		1,023.10		(³)				1,023.10
Janelle Perez	5/20	5/22	Taiwan		545.07		(³)				545.07
	5/22	5/25	South Korea		1,023.10		(³)				1,023.10
Andrew Lee	5/20	5/22	Taiwan		545.07		(³)				545.07
	5/22	5/25	South Korea		1,023.10		(³)				1,023.10
Hon. Connie Mack	4/13	4/15	Colombia		1,127.37		(³)			17,497.00	18,624.37
Hon. Jeff Duncan	4/13	4/15	Colombia		1,127.37		(³)				1,127.37
Hon. David Rivera	4/13	4/15	Colombia		1,127.37		(³)				1,127.37
Hon. Albio Sires	4/13	4/15	Colombia		1,127.37		(³)				1,127.37
Eddy Acevedo	4/13	4/15	Colombia		1,127.37		(³)				1,127.37
Peter Quilter	4/13	4/15	Colombia		1,127.37		(³)				1,127.37
Jason Steinbaum	4/13	4/15	Colombia		1,127.37		(³)				1,127.37
Hubbell Knapp	4/13	4/15	Colombia		1,127.37		(³)				1,127.37
Kristin Jackson	4/13	4/15	Colombia		1,127.37		(³)				1,127.37
Hon. Tom Marino	6/9	6/10	Azerbaijan		323.00		(³)				323.00
	6/10	6/11	Afghanistan		6.00		(³)				6.00
	6/11	6/13	Pakistan		572.00		(³)				572.00
	6/13	6/14	Bahrain		74.00		(³)				74.00
	6/14	6/15	Yemen		176.62		(³)				176.62
	6/15	6/16	Egypt		216.05		(³)				216.05
Hon. Karen Bass	4/10	4/14	Guatemala		979.08		914.50				1,893.58
Hon. Renee Ellmers	5/18	5/20	Belgium		112.00		(³)				112.00
	5/20	5/21	Afghanistan		11.00		(³)				11.00
	5/21	5/22	Bahrain		365.19		(³)				365.19
	5/22	5/23	Ireland		111.00		(³)				111.00
Hon. Dana Rohrabacher	4/20	4/23	United Arab Emirates		1,485.00		1,284.70				2,769.70
Paul Berkowitz	4/20	4/21	United Arab Emirates		480.00		1,284.70				1,764.70
	4/21	4/22	Afghanistan		28.00		(³)				28.00
	4/22	4/23	United Arab Emirates		645.00		(³)				645.00
Greg McCarthy	5/4	5/5	Belgium		348.05		3,995.90				4,343.95
	5/5	5/6	Jordan		310.00		(³)				310.00
	5/6	5/8	Iraq								

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON FOREIGN AFFAIRS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND
JUNE 30, 2012—Continued

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
	5/8	5/9	Kuwait								
Committee total					43,026.67		128,404.31		30,148.23		201,579.21

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

³ Military air transportation.

HON. ILEANA ROS-LEHTINEN, Chairman, July 31, 2012.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON HOMELAND SECURITY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND
JUNE 30, 2012

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Sheila Jackson Lee	4/14	4/15	Colombia		530.09		⁴ 898.1				1,428.19
Hon. Henry Cuellar	4/13	4/15	Colombia		999.50		(³)				995.00
Per diem returned					(63.47)						(63.47)
Hon. Mike Rogers	3/31	4/2	China		750.86		12,518.50				13,269.36
	4/2	4/3	Korea		393.05						393.05
	4/3	4/6	Japan		1,360.40						1,360.40
Per diem returned					(75.00)						(75.00)
Hon. Billy Long	3/31	4/2	China		750.86		12,449.50				13,200.36
	4/2	4/3	Korea		393.05						393.05
	4/3	4/6	Japan		1,360.40						1,360.40
Hon. Sheila Jackson Lee	4/2	4/3	Korea		393.05		12,262.90				12,655.95
	4/3	4/5	Japan		882.25						882.25
Mike Russell	3/31	4/2	China		750.86		7,252.70				8,003.56
	4/2	4/3	Korea		393.05						393.05
	4/3	4/6	Japan		1,360.40						1,360.40
Per diem returned					(135.00)						(135.00)
Amanda Parikh	3/31	4/2	China		750.86		13,553.50				14,304.36
	4/2	4/3	Korea		393.05						393.05
	4/3	4/6	Japan		1,360.40						1,360.40
Per diem returned					(50.00)						(50.00)
Marisela Salayandia	3/31	4/2	China		750.86		13,295.50				14,046.36
	4/2	4/3	Korea		393.05						393.05
	4/3	4/6	Japan		1,360.40						1,360.40
Control room (CODEL Rogers)	3/31	4/1	China						509.13		509.13
Telephone charges	4/1	4/1	China						79.05		79.05
Hon. Patrick Meehan	4/3	4/5	Turkey		729.00		(³)				729.00
	4/5	4/6	Israel		493.00						493.00
	4/6	4/8	Jordan		310.00						310.00
	4/8	4/9	Ireland		297.00						297.00
Kevin Gundersen	4/3	4/5	Turkey		729.00		(³)				729.00
	4/5	4/6	Israel		493.00						493.00
	4/6	4/8	Jordan		310.00						310.00
	4/8	4/9	Ireland		297.00						297.00
Per diem returned					(92.00)						(92.00)
Committee total					17,102.85		71,332.60				89,023.63

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

³ Military air transportation.

⁴ Returned military air transportation.

HON. PETER T. KING, Chairman, July 18, 2012.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND
JUNE 30, 2012

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Thomas Alexander	5/4	5/5	Belgium		542.10						
	5/5	5/6	Jordan		275.00						
	5/6	5/8	Iraq								
	5/8	5/9	Kuwait								
Commercial airfare							3,597.50				
James Lewis	5/4	5/5	Belgium		527.98						
	5/5	5/6	Jordan		287.56						
	5/6	5/8	Iraq								
	5/8	5/9	Kuwait								
Commercial airfare							3,597.50				
Carlos Uriarte	5/4	5/5	Belgium		542.10						
	5/5	5/6	Jordan		289.50						
	5/6	5/8	Iraq								
	5/8	5/9	Kuwait								
Commercial airfare							3,597.50				
Hon. Todd Platts	6/9	6/10	Azerbaijan		323.00						
	6/10	6/11	Afghanistan		16.00						
	6/11	6/13	Pakistan		556.50						
	6/13	6/14	Bahrain		56.00						
	6/14	6/15	Yemen		202.37						
	6/15	6/16	Egypt		266.05						
Delegation expenses			Pakistan						1,045.25		
Delegation expenses			Egypt						2,396.10		
Delegation expenses			Bahrain						293.91		
Hon. Stephen Lynch	6/9	6/10	Azerbaijan		373.00						
	6/10	6/11	Afghanistan		56.00						

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2012—Continued

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Ashok Pinto	6/11	6/13	Pakistan		622.00						
	6/13	6/14	Bahrain		124.00						
	6/14	6/15	Yemen		226.62						
	6/15	6/16	Egypt		266.05						
	6/9	6/10	Azerbaijan		334.19						
	6/10	6/11	Afghanistan		11.00						
	6/11	6/13	Pakistan		537.43						
Tyler Grimm	6/13	6/14	Bahrain		109.00						
	6/14	6/15	Yemen		169.62						
	6/15	6/16	Egypt		256.05						
	6/9	6/10	Azerbaijan		310.00						
	6/10	6/11	Afghanistan		37.47						
	6/11	6/13	Pakistan		526.00						
	6/13	6/14	Bahrain		114.00						
Bruce Fernandez	6/14	6/15	Yemen		204.62						
	6/15	6/16	Egypt		231.39						
	6/9	6/10	Azerbaijan		347.00						
	6/10	6/11	Afghanistan								
	6/11	6/13	Pakistan		572.00						
	6/13	6/14	Bahrain		124.00						
	6/14	6/15	Yemen		226.62						
	6/15	6/16	Egypt		243.05						
Committee total											24,263.03

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. DARRELL E. ISSA, Chairman, Aug. 13, 2012.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2012

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Donna Edwards	5/19	5/20	Belgium		112.00		(³)		55.88		167.88
	5/20	5/21	Afghanistan		28.00		(³)				28.00
	5/21	5/22	Bahrain		365.19		(³)		69.09		434.28
	5/22	5/23	Ireland		111.00		(³)		33.27		144.27
Hon. Eddie Bernice Johnson	6/29	6/30	Latvia		258.00		(³)				258.00
	7/1	7/3	Kazakhstan		730.00		(³)				730.00
	7/3	7/5	Kyrgyz Republic		622.00		(³)				622.00
	7/5	7/6	Tajikistan		325.00		(³)				325.00
	7/6	7/7	Uzbekistan		279.00		(³)				279.00
	7/7	7/8	Spain		399.00		(³)				399.00
Committee total					3,229.19				158.24		3,387.43

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.³ Military air transportation.

HON. RALPH M. HALL, Chairman, Aug. 2, 2012.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON SMALL BUSINESS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2012

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²

HOUSE COMMITTEES

Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☒¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. SAM GRAVES, Chairman, July 31, 2012.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2012

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Randy Hultgren	4/3	4/4	Turkey		329.00		(³)				329.00
	4/4	4/5	Turkey		430.00		(³)				430.00
	4/5	4/6	Israel		493.00		(³)				493.00
	4/6	4/8	Jordan		310.00		(³)				310.00
	4/8	4/9	Ireland		297.00		(³)				297.00
Committee total					1,859.00						1,859.00

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.³ Military air transportation.

HON. JOHN L. MICA, Chairman, July 30, 2012.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON VETERANS' AFFAIRS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2012

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Jeff Denham	6/30	7/2	Slovakia		992.00				1,714.85		2,706.85
Committee total					992.00				1,714.85		2,706.85

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. JEFF MILLER, Chairman, Aug. 10, 2012.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, PERMANENT SELECT COMMITTEE ON INTELLIGENCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2012

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Kathryn Wheelbarger	4/09	4/19	Asia		1,805.46						
Commercial aircraft							16,203.00				18,008.46
Ashley Lowry	4/09	4/19	Asia		1,805.46						
Commercial aircraft							16,203.00				18,008.46
Carly Scott	4/09	4/19	Asia		1,805.46						
Commercial aircraft							16,203.00				18,008.46
Hon. Mac Thornberry	4/10	4/12	SE Asia		566.00						
	4/12	4/14	SE Asia		628.00						
	4/14	4/15	SE Asia		437.00						
Commercial aircraft							11,643.20				13,274.20
Hon. Devin Nunes	4/10	4/12	SE Asia		566.00						
	4/12	4/14	SE Asia		628.00						
	4/14	4/15	SE Asia		437.00						
Commercial aircraft							12,520.60				14,151.60
Geof Kahn	4/10	4/12	SE Asia		566.00						
	4/12	4/14	SE Asia		628.00						
	4/14	4/15	SE Asia		437.00						
Commercial aircraft							11,643.20				13,274.20
Amanda Rogers Thorpe	4/10	4/12	SE Asia		566.00						
	4/12	4/14	SE Asia		628.00						
	4/14	4/15	SE Asia		437.00						
Commercial aircraft							11,643.20				13,274.20
Hon. Mike Rogers	4/29	4/30	Asia/Middle East		156.00						
	4/30	5/02	Asia/Middle East								
Commercial aircraft							14,457.62				14,613.62
Hon. Dutch Ruppersberger	4/29	4/30	Asia/Middle East		156.00						
	4/30	5/02	Asia/Middle East								
Commercial aircraft							14,457.62				14,613.62
Michael Allen	4/29	4/30	Asia/Middle East		156.00						
	4/30	5/2	Asia/Middle East								
Commercial aircraft							14,457.62				14,613.62
Mike Shank	4/29	4/30	Asia/Middle East		156.00						
	4/30	5/2	Asia/Middle East								
Commercial aircraft							14,457.62				14,613.62
Hon. Devin Nunes	5/20	5/21	Asia		470.50						
	5/21	5/22	Asia		573.45						
Commercial aircraft							12,292.80				
George Pappas	5/20	5/21	Asia		470.50						
	5/21	5/22	Asia		573.45						
Commercial aircraft							12,292.80				13,336.75
Hon. Michele Bachmann	5/20	5/22	Asia		416.97						
	5/22	5/24	Asia		1,054.38						
	5/24	5/25	Asia		368.01						
Commercial aircraft							17,108.70				18,948.06
Hon. Devin Nunes	5/22	5/24	Asia		1,054.38						
	5/24	5/25	Asia		368.01						
Commercial aircraft							12,144.10				13,566.49
Hon. Dutch Ruppersberger	5/20	5/22	Asia		416.97						
	5/22	5/24	Asia		1,054.38						
	5/24	5/25	Asia		368.01						
Commercial aircraft							11,930.90				13,770.26
Hon. Adam Schiff	5/20	5/22	Asia		416.97						
	5/22	5/24	Asia		1,054.38						
	5/24	5/25	Asia		368.01						
Commercial aircraft							15,399.90				17,239.26
Darren Dick	5/20	5/22	Asia		416.97						
	5/22	5/24	Asia		1,054.38						
	5/24	5/25	Asia		368.01						
Commercial aircraft							14,006.70				15,846.06
Susan Phalen	5/20	5/22	Asia		416.97						
	5/22	5/24	Asia		1,054.38						
	5/24	5/25	Asia		368.01						
Commercial aircraft							14,006.70				15,846.06
Robert Minehart	5/20	5/22	Asia		416.97						
	5/22	5/24	Asia		1,054.38						
	5/24	5/25	Asia		368.01						
Commercial aircraft							11,930.00				13,769.36
Chelsey Campbell	6/10	6/11	Central America		83.00						
	6/11	6/13	Central America		398.00						481.00
Commercial aircraft											
Sarah Geffroy	6/10	6/11	Central America		83.00						
	6/11	6/13	Central America		398.00						481.00
Commercial aircraft											
Alonzo Robertson	6/10	6/11	Central America		83.00						
	6/11	6/13	Central America		398.00						481.00
Commercial aircraft											
Hon. Jeff Miller	6/10	6/11	SE Asia		208.00						
	6/11	6/14	SE Asia		628.29						
	6/14	6/17	SE Asia		553.89						
Commercial aircraft							14,978.60				16,368.78
George Pappas	6/10	6/11	SE Asia		208.00						

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, PERMANENT SELECT COMMITTEE ON INTELLIGENCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2012—Continued

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Commercial aircraft Linda Cohen	6/11	6/14	SE Asia		628.29						
	6/14	6/17	SE Asia		920.31						
	6/10	6/11	SE Asia		208.00		14,978.60				16,735.20
	6/11	6/14	SE Asia		628.29						
Commercial aircraft	6/14	6/17	SE Asia		920.31						
							14,978.60				16,735.20
Committee total											340,058.54

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. MIKE ROGERS, Chairman, July 31, 2012.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

7635. A letter from the Director, Program Development and Regulatory Analysis, Department of Agriculture, transmitting the Department's final rule — Water and Waste Disposal Loans and Grants (RIN: 0572-AC26) received August 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7636. A letter from the Under Secretary, Department of Defense, transmitting The Fiscal Year 2011 Inventory of Contracts for Services for the Military Departments, Defense Agencies, and Department of Defense Field Activities; to the Committee on Armed Services.

7637. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: Inflation Adjustment of Threshold for Acquisition of Right-Hand Drive Passenger Sedans (DFARS Case 2012-D016) (RIN: 0750-AH65) received August 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

7638. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations [Docket ID: FEMA-2012-0003] received August 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

7639. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility [Docket ID: FEMA-2012-0003] [Internal Agency Docket No.: FEMA-8241] received August 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

7640. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations [Docket ID: FEMA-2012-0003] received August 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

7641. A letter from the Associate General Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting the Department's final rule — Supplemental Standards of Ethical Conduct for Employees of the Department of Housing and Urban Development [Docket No.: FR-5542-F-02] (RIN: 2501-AD55) received

August 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

7642. A letter from the Assistant General Counsel for Regulatory Services, Department of Education, transmitting the Department's final rule — Final priority; National Institute on Disability and Rehabilitation Research (NIDRR)—Disability and Rehabilitation Research Projects and Centers Program—Rehabilitation Research and Training Center (RRTCs) on Vocational Rehabilitation (VR) and Developing Strategies to Meet Employer Needs in Changing Economic Environments [CDFA Number: 84.133B-1] received August 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

7643. A letter from the Assistant Secretary for Special Education and Rehabilitative Services, Department of Education, transmitting the Department's final rule — Final Priority; Technical Assistance on State Data Collection, Analysis, and Reporting — National IDEA Technical Assistance Center on Early Childhood Longitudinal Data Systems [CDFA Number: 84.373Z] received August 22, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

7644. A letter from the Assistant General Counsel for Regulatory Services, Department of Education, transmitting the Department's final rule — Final Priority; Technical Assistance on State Data Collection, Analysis, and Reporting — National IDEA Technical Assistance Center on Early Childhood Longitudinal Data Systems [CDFA Number: 84.373Z] received August 22, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

7645. A letter from the Assistant General Counsel for Regulatory Services, Department of Education, transmitting the Department's final rule — Final Priorities and Definitions; State Personnel Development Grants received August 22, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

7646. A letter from the Director, Directorate of Construction, Occupational Safety and Health Administration, Department of Labor, transmitting the Department's final rule — Cranes and Derricks in Construction: Demolition and Underground Construction [Docket: ID-OSHA-2007-0066] (RIN: 1218-AC61) received August 22, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

7647. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — In the Matter of Amendment of Section 73.202(b), Table of Allotments, FM

Broadcast Stations (Westfield, New York) [MB Docket No.: 12-51] (RM-11647) received August 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7648. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — NRC Regulatory Issue Summary 2012-09 Endorsement of Nuclear Energy Institute Guidance for Using an Alternative Method to Manage Cumulative Fatigue at Nuclear Power Reactor Sites received August 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7649. A letter from the Auditor, Office of the District of Columbia Auditor, transmitting copy of the report entitled "District of Columbia Agencies' Compliance with Small Business Enterprise Expenditure Goals through the 3rd Quarter of Fiscal Year 2012", pursuant to D.C. Code section 47-117(d); to the Committee on Oversight and Government Reform.

7650. A letter from the Chairman and Chief Executive Officer, Farm Credit Administration, transmitting in accordance with Pub. L. 105-270, the Federal Activities Inventory Reform Act of 1998 (FAIR Act), the Administration's inventory of commercial activities until June 2012; to the Committee on Oversight and Government Reform.

7651. A letter from the Chairman, National Capitol Planning Commission, transmitting the Commission's annual report for FY 2011 prepared in accordance with the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Oversight and Government Reform.

7652. A letter from the Chair, Cost Accounting Standards Board (Acting Administrator, OFPP), Office of Management and Budget, transmitting the Office's final rule — Cost Accounting Standards: Cost Accounting Standards 412 and 413 — Cost Accounting Standards Pension Harmonization Rule received August 22, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

7653. A letter from the Chief, Branch of Listing, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for *Ipomopsis polyantha* (Pagosa skyrocket), *Penstemon debilis* (Parachute beardtongue), and *Phacelia submutica* (DeBeque phacelia) [Docket No.: FWS-R6-ES-2011-0040] (RIN: 1018-AX75) received August 22, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7654. A letter from the Branch Chief, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Endangered Status for 23 Species on Oahu and Designation of Critical Habitat for 124 Species [Docket No.: FWS-R1-ES-2010-0043] (RIN: 1018-AV49) received August 22, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7655. A letter from the Director, Administrative Office of the United States Courts, transmitting the 2011 Report of Statistics Required by the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005; to the Committee on the Judiciary.

7656. A letter from the Federal Liaison Officer, Department of Commerce, transmitting the Department's final rule — Revision of Patent Term Adjustment Provisions Relating to Appellate Review [Docket No.: PTO-P-2011-0058] (RIN: 0651-AC63) received August 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

7657. A letter from the Federal Liaison Officer, Department of Commerce, transmitting the Department's final rule — Changes to Implement Miscellaneous Post Patent Provisions of the Leahy-Smith America Invents Act [Docket No.: PTO-P-2011-0072] (RIN: 0651-AC66) received August 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

7658. A letter from the Acting Assistant Attorney General, Department of Justice, transmitting the Department's report on stalking for 2010; to the Committee on the Judiciary.

7659. A letter from the Acting Assistant Attorney General, Department of Justice, transmitting the fourth annual report of the NICS Improvement Amendments Act of 2007; to the Committee on the Judiciary.

7660. A letter from the Under Secretary and Director, Patent and Trademark Office, transmitting the Office's final rule — International Trademark Classification Changes [Docket No.: PTO-T-20123-0027] (RIN: 0651-AC80) received August 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

7661. A letter from the Attorney, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Belle Pass Dredge Operations, Belle Pass, Mile Marker 1.0 to Mile Marker (-0.2), Port Fourchon, Lafourche Parish, LA [Docket No.: USCG-2012-0392] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7662. A letter from the Attorney, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Kemah Boardwalk Summer Season Fireworks, Galveston Bay, Kemah, TX [Docket Number: USCG-2012-0240] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7663. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zones; Catawba Island Club Fire Works Catawba Island Club, Port Clinton, OH; Pacing for Recovery, Lake Erie, Sterling State Park, Monroe, MI; Put-In-Bay Fireworks, Fox's the Dock Pier, South Bass Island, Put-In-Bay, OH [Docket No.: USCG-2012-0374] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7664. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety and Security Zones; OPSAIL 2012 Connecticut, Thames River, New London, CT [Docket Number: USCG-2011-1029] (RIN: 1625-AA87) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7665. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — OPSAIL 2012 Virginia, Port of Hampton Roads, VA [Docket Number: USCG-2012-0174] (RIN: 1625-AA00, AA08, AA11) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7666. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; City of Ogdensburg Fireworks, St. Lawrence River, Ogdensburg, NY [Docket No.: USCG-2012-0608] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7667. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Village of Sackets Harbor, Lake Ontario, Sackets Harbor, NY [Docket No.: USCG-2012-0460] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7668. A letter from the Attorney, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Bay Village Independence Day Fireworks, Lake Erie, Bay Village, OH [Docket No.: USCG-2012-0553] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7669. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Conneaut 4th of July Festival, Lake Erie, Conneaut, OH [Docket Number: USCG-2012-0480] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7670. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; A Salute to our Heroes Fireworks, Hamlin Beach State Park, Hamlin, NY [Docket Number: USCG-2012-0354] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7671. A letter from the Chairman, Department of Transportation, transmitting the Department's final rule — Regulations Governing Fees for Services Performed in Connection With Licensing and Related Services — 2010 Update [Docket No.: EP 542 (Sub-No. 20)] received August 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7672. A letter from the NASA Chief Scientist, National Aeronautics and Space Administration, transmitting the Administration's final rule — Research Misconduct [Docket No.: NASA-0031] (RIN: 2700-AD84) received August 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science, Space, and Technology.

7673. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Update of Weighted Average Interest

Rates, Yield Curves, and Segment Rates [Notice 2012-53] received August 22, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7674. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the 2011 annual report on the operation of the Enterprise for the Americas Initiative and the Tropical Forest Conservation Act; jointly to the Committees on Foreign Affairs and Agriculture.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of the rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. LUCAS: Committee on Agriculture. H.R. 6083. A bill to provide for the reform and continuation of agricultural and other programs of the Department of Agriculture through fiscal year 2017, and for other purposes; with an amendment (Rept. 112-669. Referred to the Committee of the Whole House on the state of the Union).

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 3409. A bill to limit the authority of the Secretary of the Interior to issue regulations before December 31, 2013, under the Surface Mining Control and Reclamation Act of 1977 (Rept. 112-670). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. WHITFIELD (for himself, Mr. COHEN, Mr. MORAN, and Ms. SCHAKOWSKY):

H.R. 6388. A bill to amend the Horse Protection Act to designate additional unlawful acts under the Act, strengthen penalties for violations of the Act, improve Department of Agriculture enforcement of the Act, and for other purposes; to the Committee on Energy and Commerce.

By Mr. LAMBORN:

H.R. 6389. A bill to replace automatic spending cuts with targeted reforms, and for other purposes; to the Committee on the Budget, and in addition to the Committees on Ways and Means, Energy and Commerce, Education and the Workforce, the Judiciary, House Administration, Natural Resources, Rules, Appropriations, Agriculture, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CUMMINGS (for himself, Ms. WATERS, Mr. RANGEL, Ms. MATSUI, Mr. CARSON of Indiana, and Mr. WATT):

H.R. 6390. A bill to establish a grant program to enhance existing secondary education programs for the purpose of teaching high school students about the Constitution of the United States and the constitutions of the individual States; to the Committee on Education and the Workforce.

By Mr. POE of Texas:

H.R. 6391. A bill to terminate the designation of the Islamic Republic of Pakistan as a major non-NATO ally, and for other purposes; to the Committee on Foreign Affairs.

By Ms. BALDWIN:

H.R. 6392. A bill to amend part D of title XVIII of the Social Security Act to permit the Secretary of Health and Human Services to negotiate covered part D drug prices, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BARBER (for himself and Mr. PLATTS):

H.R. 6393. A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to consider the best interest of the veteran when determining whether the veteran should receive certain contracted health care, to amend the Wounded Warrior Act to improve access to certain medical care for former members of the Armed Forces with severe injuries or illnesses, and for other purposes; to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POLIS (for himself, Mr. HINOJOSA, and Mr. QUIGLEY):

H.R. 6394. A bill to facilitate affordable workforce homeownership in, and develop the full-time resident communities of, high tourism areas, and for other purposes; to the Committee on Financial Services, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BACA:

H.R. 6395. A bill to provide homeowners with additional protections and safeguards against foreclosure, and for other purposes; to the Committee on Financial Services.

By Mr. BRALEY of Iowa:

H.R. 6396. A bill to establish a grant program to test and mitigate radon levels in public schools, and for other purposes; to the Committee on Energy and Commerce.

By Mr. CAMPBELL:

H.R. 6397. A bill to prohibit Fannie Mae and Freddie Mac from purchasing, the FHA from insuring, and the Department of Veterans Affairs from guaranteeing, making, or insuring, a mortgage that is secured by a residence or residential structure located in a county in which the State has used the power of eminent domain to take a residential mortgage; to the Committee on Financial Services, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GERLACH (for himself and Mr. NEAL):

H.R. 6398. A bill to amend the Internal Revenue Code of 1986 to modify and extend the credit for nonbusiness energy property; to the Committee on Ways and Means.

By Mr. HEINRICH (for himself, Mr. LUJAN, and Mr. PEARCE):

H.R. 6399. A bill to amend the Native American Programs Act of 1974 to reauthorize a provision to ensure the survival and continuing vitality of Native American languages; to the Committee on Education and the Workforce.

By Mr. McDERMOTT:

H.R. 6400. A bill to amend the Public Health Service Act to authorize grants to

States for the purpose of assisting the States in operating an RDOCS program in order to provide for the increased availability of primary health care services in health professional shortage areas; to the Committee on Energy and Commerce.

By Mr. MEEHAN (for himself, Mr. LOEBACK, Mr. BUCSHON, and Mr. BILIRAKIS):

H.R. 6401. A bill to require the Secretary of Labor to carry out a pilot program on providing veterans with access at One-Stop Centers to Internet websites to facilitate online job searches, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. MORAN:

H.R. 6402. A bill to amend the Public Health Service Act to authorize grants to 10 States for demonstration projects for the expansion of State registries on childhood immunization or health to include data on body mass index (BMI), collected and submitted to the State by health care providers; to the Committee on Energy and Commerce.

By Mr. MURPHY of Connecticut:

H.R. 6403. A bill to provide for grants in lieu of expensing under the Internal Revenue Code of 1986 for energy efficient commercial buildings placed in service by manufacturers; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RYAN of Ohio (for himself, Ms. SUTTON, and Mr. ANDREWS):

H.R. 6404. A bill to make available funds from the Emergency Economic Stabilization Act of 2008 for funding pension benefits with respect to former employees of Delphi Corporation; to the Committee on Financial Services, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SLAUGHTER:

H.R. 6405. A bill to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to provide grants for the revitalization of waterfront brownfields, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Transportation and Infrastructure, and Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SPEIER (for herself and Mr. PLATTS):

H.R. 6406. A bill to expand whistleblower protections to non-Federal employees whose disclosures involve misuse of Federal funds; to the Committee on Oversight and Government Reform, and in addition to the Committees on Armed Services, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TIERNEY (for himself and Mr. GEORGE MILLER of California):

H.R. 6407. A bill to ensure that students and taxpayers receive the full value of their education investments; to the Committee on Education and the Workforce.

By Mr. WALSH of Illinois:

H.R. 6408. A bill to amend the Help America Vote Act of 2002 to require each indi-

vidual who desires to vote in an election for Federal office to provide the appropriate election official with a government-issued photo identification, and for other purposes; to the Committee on House Administration.

By Ms. WOOLSEY (for herself, Mr. GEORGE MILLER of California, and Mr. KILDEE):

H.R. 6409. A bill to streamline the administration of whistleblower protections for private sector employees; to the Committee on Education and the Workforce, and in addition to the Committees on the Judiciary, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. JACKSON LEE of Texas (for herself, Mr. JOHNSON of Georgia, Mrs. CHRISTENSEN, and Mr. RUSH):

H.J. Res. 119. A joint resolution expressing support for designation of September 2012 as "Gospel Music Heritage Month" and honoring gospel music for its valuable and long-standing contributions to the culture of the United States; to the Committee on Oversight and Government Reform.

By Mr. SAM JOHNSON of Texas (for himself, Mr. LATOURETTE, and Mr. BECERRA):

H.J. Res. 120. A joint resolution providing for the appointment of Barbara Barrett as a citizen regent of the Board of Regents of the Smithsonian Institution; to the Committee on House Administration.

By Mrs. DAVIS of California (for herself, Mr. POLIS, and Mr. GRIJALVA):

H. Res. 781. A resolution expressing support for designation of the month of October 2012 as National Principals Month; to the Committee on Education and the Workforce.

By Mr. BOSWELL (for himself and Mr. McDERMOTT):

H. Res. 782. A resolution supporting the goals and ideals of National Suicide Prevention and Awareness Month; to the Committee on Energy and Commerce.

By Mr. McCAUL:

H. Res. 783. A resolution expressing the sense of the House of Representatives with respect to the attacks on United States diplomats in Libya and Egypt; to the Committee on Foreign Affairs.

By Mrs. SCHMIDT (for herself, Mr. CHABOT, Mr. TURNER of Ohio, Mr. JORDAN, Mr. LATTA, Mr. JOHNSON of Ohio, Mr. AUSTRIA, Mr. BOEHNER, Ms. KAPTUR, Mr. KUCINICH, Ms. FUDGE, Mr. TIBERI, Ms. SUTTON, Mr. LATOURETTE, Mr. STIVERS, Mr. RENACCI, Mr. RYAN of Ohio, Mr. GIBBS, and Mr. HALL):

H. Res. 784. A resolution celebrating the life and achievements of Neil A. Armstrong, a United States patriot who humbly and selflessly served his country, State, and community as a naval aviator, test pilot, astronaut, aeronautical engineer, university professor, and businessman; to the Committee on Science, Space, and Technology.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. WHITFIELD:

H.R. 6388.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 which grants Congress the power to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. LAMBORN:

H.R. 6389.

Congress has the power to enact this legislation pursuant to the following:

The Preamble of the Constitution identifies "providing for the common defense" as one of the core responsibilities of the federal government. Additionally, Article 1 Section 8 clauses 11, 12, 13, 15, and 16 make clear national defense was a priority for the founders as they drafted the Constitution. Furthermore, this legislation restores a proper balance of power between the federal government and state governments as the 10th Amendment intended.

By Mr. CUMMINGS:

H.R. 6390.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mr. POE of Texas:

H.R. 6391.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 14

By Ms. BALDWIN:

H.R. 6392.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution.

By Mr. BARBER:

H.R. 6393.

Congress has the power to enact this legislation pursuant to the following:

Clause 18 section 8 of article I of the Constitution.

By Mr. POLIS:

H.R. 6394.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 1 (relating to the general welfare of the United States); and Article I, section 8, clause 3 (relating to the power to regulate interstate commerce).

By Mr. BACA:

H.R. 6395.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the U.S. Constitution.

By Mr. BRALEY of Iowa:

H.R. 6396.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. CAMPBELL:

H.R. 6397.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of section 8 of article I of the Constitution of the United States.

By Mr. GERLACH:

H.R. 6398.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. HEINRICH:

H.R. 6399.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article I, Section 8 of the United States Constitution.

By Mr. McDERMOTT:

H.R. 6400.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 1.

By Mr. MEEHAN:

H.R. 6401.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Article I, Section 8, Clause 18.

By Mr. MORAN:

H.R. 6402.

Congress has the power to enact this legislation pursuant to the following:

This legislation is authorized by Article 1, Section 8, Clause 1, which grants Congress, authority regarding Defence [sic] and general Welfare of the United States.

By Mr. MURPHY of Connecticut:

H.R. 6403.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8.

By Mr. RYAN of Ohio:

H.R. 6404.

Congress has the power to enact this legislation pursuant to the following:

The above mentioned legislation is based upon the following Section 8 statement:

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Ms. SLAUGHTER:

H.R. 6405.

Congress has the power to enact this legislation pursuant to the following:

Art. I, Sec. 8, cl. 1

Art. I, Sec. 8, cl. 18

By Ms. SPEIER:

H.R. 6406.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8 of the United States Constitution.

By Mr. TIERNEY:

H.R. 6407.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, Section 8 of the United States Constitution.

By Mr. WALSH of Illinois:

H.R. 6408.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 4, Clause 1: The Times, Places, and Manner of holding Elections for Senators and Representatives, shall be prescribed by each state by the legislature thereof; but the Congress may at any time by Law make or such Regulations, except as to the Places of choosing Senators.

By Ms. WOOLSEY:

H.R. 6409.

Congress has the power to enact this legislation pursuant to the following:

This bill is introduced under the powers granted to Congress under Article 1 of the Constitution.

By Ms. JACKSON LEE of Texas:

H.J. Res. 119.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8, Clause 1 of the United States Constitution.

By Mr. SAM JOHNSON of Texas:

H.J. Res. 120.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 17, giving Congress exclusive jurisdiction over the District of Columbia. That clause was cited as the authority for the government's ability to accept the original Smithsonian donation and the creation of the Smithsonian Institution via the Act of August 10, 1846.

Article 1, Section 8, Clause 18, the Necessary and Proper clause, which provides the power to enact legislation necessary to effectuate one of the earlier enumerated powers, such as the authority granted in Article 1, Section 8, Clause 17 referred to above.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 100: Mr. YODER.
H.R. 191: Mr. REYES.
H.R. 327: Ms. BALDWIN.
H.R. 382: Mr. ELLISON.
H.R. 414: Mr. SARBANES.
H.R. 456: Mr. BARBER.
H.R. 458: Mr. KEATING.
H.R. 733: Mrs. ROBY and Mr. BARBER.
H.R. 860: Mr. SMITH of New Jersey and Mr. BARBER.
H.R. 890: Mr. MARINO.
H.R. 998: Mr. BARBER.
H.R. 1054: Mr. ELLISON.
H.R. 1084: Mr. GIBSON.
H.R. 1137: Mr. CICILLINE.
H.R. 1206: Mr. TURNER of Ohio and Mr. FLORES.
H.R. 1236: Mr. SHULER.
H.R. 1265: Mr. HUELSKAMP.
H.R. 1370: Mr. ROGERS of Kentucky and Mr. TURNER of Ohio.
H.R. 1404: Mr. CUMMINGS.
H.R. 1416: Ms. BALDWIN.
H.R. 1479: Mr. DEFazio.
H.R. 1485: Mr. AMODEI.
H.R. 1513: Mr. COBLE.
H.R. 1653: Mr. HINOJOSA and Mr. DAVID SCOTT of Georgia.
H.R. 1895: Ms. EDWARDS.
H.R. 1910: Ms. RICHARDSON, Mr. CUMMINGS, and Ms. TSONGAS.
H.R. 1946: Mr. BACHUS.
H.R. 1984: Mr. OLVER.
H.R. 2077: Mr. HUELSKAMP, Mr. MULVANEY, Mrs. LUMMIS, Mr. HULTGREN, Mr. WOMACK, Mr. ROONEY, Mr. DESJARLAIS, Mr. MCCAUL, and Mr. WILSON of South Carolina.
H.R. 2082: Mr. REED.
H.R. 2088: Ms. ROYBAL-ALLARD, Mr. CONNOLLY of Virginia, Mr. CONYERS, Mr. PASTOR of Arizona, Ms. DELAURO, Mr. BRADY of Pennsylvania, Ms. SLAUGHTER, Mr. BOSWELL, Ms. BERKLEY, Ms. WASSERMAN SCHULTZ, Mr. BARBER, and Mr. MILLER of North Carolina.
H.R. 2353: Mr. HARRIS.
H.R. 2492: Ms. JENKINS, Mr. BACA, Ms. BASS of California, and Mr. DANIEL E. LUNGREN of California.
H.R. 2505: Mr. MATHESON.
H.R. 2524: Mr. WELCH.
H.R. 2530: Mr. CRITZ.
H.R. 2547: Mr. BERMAN.
H.R. 2672: Mr. SIRES.
H.R. 2730: Mr. BERMAN, Mrs. NAPOLITANO, and Ms. MOORE.
H.R. 2953: Mr. ELLISON.
H.R. 3097: Mr. HERGER and Mr. KINGSTON.
H.R. 3098: Mr. HERGER.
H.R. 3125: Mr. McKEON, Ms. ESHOO, Ms. WOOLSEY, and Mr. FARR.
H.R. 3144: Mr. BUCSHON.
H.R. 3238: Mr. BLUMENAUER, Mr. MEEKS, Ms. BORDALLO, Mr. MCGOVERN, and Ms. HANABUSA.

H.R. 3269: Mr. KING of Iowa.
H.R. 3423: Mr. PITTS, Ms. RICHARDSON, Ms. WASSERMAN SCHULTZ, and Mr. DEFazio.
H.R. 3485: Mr. RANGEL, Mr. KUCINICH, Mr. CONYERS, Mr. PASTOR of Arizona, Mr. PASCRELL, Ms. DELAURO, Ms. HIRONO, Mr. BRADY of Pennsylvania, Mr. BOSWELL, Ms. SLAUGHTER, and Mr. BARBER.
H.R. 3511: Mr. VISCLOSKEY.
H.R. 3612: Mr. FATTAH and Mr. KILDEE.
H.R. 3665: Mr. COURTNEY.
H.R. 3773: Mr. GRIFFIN of Arkansas.
H.R. 3783: Ms. ROS-LEHTINEN and Mr. BERMAN.
H.R. 3790: Mr. HASTINGS of Florida and Mr. GEORGE MILLER of California.
H.R. 3842: Mr. YODER.
H.R. 4007: Ms. BUERKLE.
H.R. 4066: Mr. DOLD, Mr. BASS of New Hampshire, Mr. DONNELLY of Indiana, Mrs. MYRICK, Mr. PASCRELL, Mr. MORAN, and Mr. JONES.
H.R. 4120: Mr. SMITH of New Jersey, Mr. MARKEY, and Mr. MILLER of North Carolina.
H.R. 4165: Mr. RUSH.
H.R. 4183: Mr. SHULER.
H.R. 4250: Mr. COBLE and Mr. GALLEGLY.
H.R. 4296: Mr. PITTS.
H.R. 4378: Mr. BOSWELL, Mrs. MCMORRIS RODGERS, Mr. MICHAUD, Mr. MORAN, and Mr. BLACK.
H.R. 4405: Mrs. CAPPS.
H.R. 4965: Ms. BUERKLE, Mr. FRANKS of Arizona, and Mr. OWENS.
H.R. 4972: Mr. ELLISON.

H.R. 5741: Ms. KAPTUR and Mr. GRIFFIN of Arkansas.
H.R. 5745: Mr. FILNER.
H.R. 5747: Mr. ROTHMAN of New Jersey.
H.R. 5817: Mr. OWENS and Mr. WALBERG.
H.R. 5840: Mr. THOMPSON of Mississippi, Mr. ENGEL, Mr. TURNER of Ohio, Ms. WOOLSEY, and Ms. RICHARDSON.
H.R. 5879: Mr. BRALEY of Iowa.
H.R. 5909: Ms. SCHAKOWSKY.
H.R. 5925: Mr. MILLER of Michigan and Mr. FORTENBERRY.
H.R. 5942: Mr. RANGEL, Mr. GONZALEZ, Mr. COFFMAN of Colorado, and Mr. LEWIS of Georgia.
H.R. 5943: Mr. ELLISON, Mr. SCHILLING, and Mr. COBLE.
H.R. 5977: Mr. LAMBORN and Mr. MARCHANT.
H.R. 5979: Mr. GINGREY of Georgia.
H.R. 6107: Mr. TOWNS, Ms. WOOLSEY, and Mr. MCGOVERN.
H.R. 6118: Mr. LIPINSKI.
H.R. 6139: Mr. STIVERS.
H.R. 6150: Ms. WATERS, Mr. STARK, and Mr. KIND.
H.R. 6155: Mr. FITZPATRICK, Mr. BOSWELL, Mr. PERLMUTTER, and Ms. BROWN of Florida.
H.R. 6163: Mr. BACHUS.
H.R. 6170: Mr. KING of New York, Ms. KAPTUR, Ms. CASTOR of Florida, Mr. LIPINSKI, and Ms. LINDA T. SANCHEZ of California.
H.R. 6218: Mr. QUIGLEY.
H.R. 6220: Mr. ELLISON.
H.R. 6278: Mr. LIPINSKI.
H.R. 6292: Mrs. MALONEY.

H.R. 6307: Mr. POLIS.
H.R. 6310: Mr. HIMES.
H.R. 6320: Mr. MURPHY of Pennsylvania.
H.R. 6325: Mr. ISRAEL.
H.R. 6331: Ms. PELOSI, Mr. FARR, Ms. ESHOO, Mr. GEORGE MILLER of California, Ms. RICHARDSON, and Mr. TOWNS.
H.R. 6349: Mr. GRIFFIN of Arkansas.
H.J. Res. 92: Mr. SARBANES.
H.J. Res. 118: Mr. HERGER, Mr. BUCSHON, Mr. MICA, Mr. NEUGEBAUER, Mr. ROSS of Florida, Mr. SCOTT of South Carolina, Mr. GINGREY of Georgia, Mr. HASTINGS of Washington, Mr. GOSAR, and Mr. ADERHOLT.
H. Con. Res. 116: Mr. REED and Mr. BRALEY of Iowa.
H. Con. Res. 129: Mr. MCCAUL, Mr. HARPER, and Ms. SUTTON.
H. Res. 134: Mr. POSEY and Mr. GARDNER.
H. Res. 564: Mr. PASCRELL.
H. Res. 705: Mr. HULTGREN.
H. Res. 772: Ms. FOXX.
H. Res. 777: Mr. BASS of New Hampshire.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H. Res. 177: Mr. HULTGREN.

EXTENSIONS OF REMARKS

CELEBRATING INTERNATIONAL DOT DAY

HON. BRUCE L. BRALEY

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 13, 2012

Mr. BRALEY of Iowa. Mr. Speaker, I rise today to commend International Dot Day. This September 15th marks the annual celebration of International Dot Day, which encourages students' creativity by asking them to make their own unique mark on the world. This year's celebration will involve more than half of a million children in all fifty states and on six continents.

International Dot Day was inspired by the children's book "The Dot" by Peter H. Reynolds. The book tells the story of a student named Vashti who doubts her own abilities as an artist until her teacher encourages her to make a single mark on the page. The single dot she creates in art class and her teacher's encouragement starts a journey of creativity and discovery for Vashti who goes on to inspire other students to be creative in their own ways.

Mr. Speaker, creativity and genius are important attributes for students of all ages to pursue, and I applaud my constituent Terry Shay, an educator from Waterloo, IA, who founded Dot Day in 2009, to inspire his students to make their own mark. Mr. Shay has helped inspire other educators around the world to encourage their own students by sharing the message in Peter Reynolds' inspirational book.

I would like to take this opportunity to officially recognize September 15th as International Dot Day, and I wish Mr. Shay and other educators well as they continue encouraging creativity in their students.

**HONORING MAJOR GENERAL
JANET L. COBB, USAR**

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 13, 2012

Mr. BONNER. Mr. Speaker, I rise to extend congratulations to a distinguished South Alabamian who was recently promoted to the rank of major general in the United States Army Reserve. Maj. Gen. Janet Cobb's service to her country is a credit to the professionalism and dedication of our military and we are proud to have her call South Alabama home.

Maj. Gen. Cobb is a graduate of Foley High School and the University of Alabama. After enlisting in the Army Reserve in 1974, she was commissioned a Second Lieutenant in May 1978 from the University of Alabama

ROTC program. Maj. Gen. Cobb is a graduate of the U.S. Army Command and General Staff College and the U.S. Army War College.

Maj. Gen. Cobb has commanded at the Detachment, Battalion, Brigade, General Officer and Directorate command levels. Her deployments include 1184th Transportation Terminal Unit, Saudi Arabia (July–November 1991), 1184th Transportation Terminal Battalion, Port of Ash Shuaybah, Kuwait (November 2002–May 2003), 598th Transportation Group (Terminal) Rotterdam, The Netherlands (2007), and the Central Command Deployment & Distribution Operations Center, Camp Arifjan, Kuwait (2011). In July 2012, Maj. Gen. Cobb completed a six-month mobilization at the Pentagon where she served as Assistant Deputy Chief of Staff (Operations), Office of the Deputy Chief of Staff for Logistics (G–4). She is currently assigned to the Pentagon as Assistant Deputy Chief of Staff, Mobilization and Training (Reserve Component Integration), Department of the Army (G–4).

While still a colonel, Janet commanded the 1184th Transportation Terminal Battalion from Mobile during the second Gulf War. Of her service, the Mobile Press Register observed, "Under Cobb's command, the 1184th became well-known among coalition forces in Kuwait not only for unloading a record amount of U.S. military cargo through a Kuwaiti port in 2003, but also for staging a Mobile-style Mardi Gras parade over there, in which Moon Pies, beads and cups were thrown."

Her awards include the Bronze Star, the Meritorious Service Medal with oak leaf clusters, and the Joint Achievement Medal.

In civilian life, Maj. Gen. Cobb is employed with Kaiser Realty, Inc. in Gulf Shores. She is a resident of the Barnwell community in south Baldwin County.

Mr. Speaker, I join my fellow Alabamians in not only expressing deep pride in Maj. Gen. Cobb's contributions to her country, but also in offering our heartfelt congratulations for her recent promotion and wish her all the best in the future.

**RECOGNIZING PACIFIC METALLURGICAL AS A FINALIST FOR THE
2012 KING COUNTY EXECUTIVE'S
SMALL BUSINESS AWARDS**

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 13, 2012

Mr. SMITH of Washington. Mr. Speaker, I rise to honor Pacific Metallurgical in Kent, Washington for being named a finalist for the 2012 King County Executive's Small Business Awards, in the Exporting Small Business of the Year category. The Exporting Small Business award is given to small businesses that have increased international sales in new and existing markets.

Pacific Metallurgical is an innovative heat treating business that was founded in 1967. The family-owned company was one of the first commercial heat-treat suppliers in the King County region. The company has since grown and the company is today offering new equipment and technology worldwide.

Mr. Speaker, it is with great pleasure that I congratulate Pacific Metallurgical. Advanced companies like Pacific Metallurgical help to stimulate our local and national economies through trade and growth.

**TRIBUTE TO ALABAMA
BUSINESSMAN LARRY DRUMMOND**

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 13, 2012

Mr. BONNER. Mr. Speaker, I rise to pay tribute to Elbert Allen "Larry" Drummond, Vice Chairman of Drummond Company, Inc., who passed away on July 30, 2012, at the age 68. Larry Drummond was a leader among the Alabama business community and a devotee to preserving Alabama's abundance of natural resources.

Larry Drummond was born August 3, 1943, in Birmingham. His early life was spent with his family in the Walker County town of Sipsey. His father had been a coal miner for Debardeleben Coal Company and had decided in 1935 to start his own mine, the beginning of what is now Drummond Company, Inc.

He attended Walker County High School in Jasper where he was co-captain and named to the all-county football team. He also played baseball at Walker and was selected for the East-West All-Star Game in Birmingham.

He earned a bachelor's degree in Commerce and Business Administration from the University of Alabama in 1965. He also earned a master's degree in accounting the following year before entering the University of Alabama School of Law, where he was awarded the Juris Doctor degree in 1969. During breaks in college, Larry worked in various areas of Drummond Coal operations—preparing a site for mining, drilling at a new mine, cleaning coal for loading, and work at other operations.

Returning home with his law degree in hand, he rejoined his family's company. Over the years, he was heavily involved with domestic and international coal sales. Along with his brothers, Larry was instrumental in fostering business relationships with Japan that continue today. He later assumed additional complex responsibilities as Vice Chairman of the corporation and Chairman of its Executive Committee.

Larry was active in a variety of civic and educational organizations in Walker County and Alabama. He was a member of the Alabama and the American Bar Associations. At

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

the University of Alabama, he was a member of the President's Cabinet and of the Board of Visitors of the Culverhouse School of Commerce. The Culverhouse School recognized him in 2003 with a Career Achievement Award.

He served on the boards of the Walker Area Community Foundation and the Alabama Conservation and Natural Resources Foundation. He also served as a board member for the Alabama Conservation and Natural Resources Foundation and the American Family Business Institute. He was a member of United Way of Central Alabama's Le Societe National. In 2011 Larry was inducted into the Alabama Academy of Honor and into the Alabama Business Hall of Fame.

Larry also possessed an abiding love for the outdoors and enjoyed working closely with the Boy Scouts of America. He was a director of the Black Warrior Council of the Boy Scouts, which presented him with the Silver Beaver Award.

His leadership of one of Alabama's top energy companies and his stewardship of our environmental resources will be sorely missed.

On behalf of the people of Alabama, I would like to extend my heartfelt condolences to his wife, Abbie; brothers, Garry and John; daughter, Terri; sons, Scott and Patrick; five grandchildren, extended family and many friends. You are all in our thoughts and prayers.

TAKE POLITICS OUT OF POST OFFICE

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 13, 2012

Mr. JOHNSON of Georgia. Mr. Speaker, I rise today to urge my colleagues to take politics out of the Post Office.

In 2006, Congress passed legislation that forced the United States Postal Service to pre-fund 100 percent of retiree health and insurance premiums. No other company, public or private, is forced to comply with this inherently destructive policy.

On September 30, of this year, the law requires a payment of \$5.6 billion to fund pension obligations. This will do more than cost the USPS precious dollars. It also threatens the very life of the postal service and it will cost hard-working postal employees the dignity and respect that goes along with a hard day's work.

Mr. Speaker, House Republicans cited declining physical mail volumes and a growing USPS labor force as the primary reasons why the 2006 legislation was necessary. Yet, 2005, 2006, and 2007 were the highest volume years in the USPS's 200 year history. In fact, 2006 was the highest volume year ever for the USPS. And how did House Republicans expect the Postal Service to deal with the additional 2 million addresses being added to their delivery routes each year? By hoping and praying that the mail gets delivered?

Mr. Speaker, the 2006 legislation was solely intended to break the back of a public sector union and privatize the mailing industry. Why else would Congress alter an entity that hasn't

used a dime of tax payer's money in 30 years?

According to the Congressional Research Service, the USPS was self-supporting since 1971, using revenues from postage sales to fund its operating costs. In fact, the Postal Service was so profitable, Mr. Speaker, that it returned money to the Treasury every single year while providing free services to visually impaired persons and overseas voters. If the Postal Service were a private corporation during that time, my colleagues across the aisle would have hailed it as the model of economic success and sung its praises from sea to shining sea for paying dividends to shareholders.

In the years after Republicans dumped the pre-funding mandate into the lap of the USPS, the Postal Service has nearly crumbled under the weight of spiking pension costs. Mr. Speaker, how does an organization that had robust profits for 30 plus years leading up to the 2006 legislation suddenly start running deficits and lose \$25.4 billion between 2007 and 2011? How did the USPS go from no debt in 2006 to over \$13 billion in debt today?

The answer is simple—my friends across the aisle wanted to continue their assault on public sector unions. They chose to pass a bill they knew would cause massive deficits for the USPS. They chose to commit the USPS to payments they knew it could not afford. They created this problem for the USPS and now they refuse to be part of the solution.

Mr. Speaker, House Republicans should abide by the phrase "If it ain't broke, don't fix it."

Many of my colleagues on the other side have well-connected friends, such as the Koch Brothers, who publicly advocate for postal service privatization. I am here to connect the dots for the American people. I repeat, we must "take politics out of the post office."

Instead of wasting time today, we should vote to stop the damage inflicted upon the USPS by this body and remove these absurd constraints by passing H.R. 1351, the United States Postal Service Pension Obligation Recalculation and Restoration Act. We must protect the hard working employees of the Postal Service by passing legislation to fix this blunder.

The USPS was not in danger of becoming insolvent until Congress decided to meddle in its affairs.

Mr. Speaker, the Postal Service already missed a \$5.5 billion payment in August. This body must act before the Post Office defaults on another payment later this month. Instead of scheduling symbolic votes that highlight our differences, let's stop the madness and do what is best for the American people, the economy, and communities across the nation.

Mr. Speaker, it is vital that we keep our Postal Service in good financial standing. The Postal Service employs 700,000 of our fellow citizens, 17,751 of whom are in the state of Georgia; one third are military veterans who deliver 212 billion pieces of mail to over 144 million locations.

If big corporations and the Koch Brothers get their wish, the Postal Service will slowly be destroyed, causing good jobs to be lost and allowing companies to raise prices of delivery.

The American people deserve a Postal Service reform bill that will allow the Post Of-

fice to continue its operations and not reduce or restructure them.

Taking action to strengthen the Postal Service's finances is not just good for letter carriers and post masters, it is also good for business. There is a \$1.3 trillion mailing industry in the U.S. that supports between 7–8 million private sector jobs that is heavily dependent on a healthy and efficient Postal Service.

The time to act is now.

WELCOMING THE EIGHTH HONOR FLIGHT SOUTH ALABAMA TO WASHINGTON, DC

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 13, 2012

Mr. BONNER. Mr. Speaker, it is with great pride that I recognize Honor Flight South Alabama and the World War II veterans this very special organization is bringing on its eighth flight to Washington, D.C. on September 19, 2012.

Founded by the South Alabama Veterans Council, Honor Flight South Alabama is an organization whose mission is to fly heroes from southwest Alabama to see their national memorial.

Almost seven decades have passed since the end of World War II and, regrettably, it took nearly as long to complete work on the memorial that honors the spirit and sacrifice of the 16 million who served in the U.S. Armed Forces and the more than 400,000 who died. Sadly, many veterans did not live long enough to hear their country say "thank you," yet for those veterans still living, Honor Flight provides for many their first—and perhaps only—opportunity to see the National World War II Memorial, which honors their service and sacrifice.

This Honor Flight begins at dawn when the veterans will gather at historic Fort Whiting in Mobile and travel to Mobile Regional Airport to board a chartered flight to Washington. During their time in their nation's capital, the veterans will visit the World War II Memorial, Arlington National Cemetery, and other memorials.

The veterans will return to Mobile Regional Airport that evening, where some 1,000 people are expected to greet them.

Mr. Speaker, the September 19, 2012, journey of heroes from South Alabama is an appropriate time for us to pause and thank them—and all of the soldiers who fought in World War II. They collectively—and literally—saved the world. They personify the very best America has to offer, and I urge my colleagues to take a moment to pay tribute to their selfless devotion to our country and the freedoms we enjoy.

I salute each of the veterans who made the trip to Washington. May we never forget their valiant deeds and tremendous sacrifices: Hector Anderson, Eason Andrews, Robert Andry, Charles Baggett, James Ballard, Robert Barnes, Edward Beasley, Tommie Beasley, Joseph Betbeze, Jr., William C. Betbeze, Elmore Blake, Floyd Bivens, Nolan Black, Robert Bock, Richard Bolks, Samuel Branch, William Branscomb, Bernard Bringham, Wilton Brunson, Benjamin Canavella, Millard Carter, William Chapman, John Cherry, John

Clark, Joseph Collie, William Colvin, O.S. Conerly, Jr., Benjamin Cooper, Bob Copley, Quincie Curtis, James Dailey, Carroll Darby, James Daves, John Davis, Perry Davis, Jeffrey Davis, Glenn Dehlin, William Douglas, Robert Drollinger, Robert Eastburn, Russell Faulkner, William Fox, Frank Frith, Aubrey Fulford, Luther Fuller, William Gilly, Edward Gold, Schauss Greben, Horace Gray, Doyle Griffiths, Michael Guarino, Nathan Gulley, Lawrence Hansen, Joe Harris, Jr., Thomas Harris, Jr., William Hatter, Benjamin Hays, Jr., Felix Hills, Jr., George Holladay, Robert Hughes, James Hummer, Alfred Hyde, Willard Johnson, Junior Keller, Roger King, Albert Kinnison, Joseph Knapp, Fred Levin, Lonza Lewis, Bernard Losse, Marjorie Markert, George Massengale, Jr., James Mathews, Jr., Elbert McCall, John McClelland, Eugene McGuire, Amy McHenry, Harold McLain, Olen McManus, Cecil McMullan, Bert Milling, Douglas Modling, Roland Montalvo, John Motes, Norman Mullen, Lloyd Mullen, Arthur Perez, Jr., Riley Pettis, Hiram Phillips, Rufus Pinkerton, Charles Reaves, I.G. Reeves, Hilburn Richards, James Robertson, Rudolph Rolison, Sr., Will Sawyer, Herman Shaddix, Dayton Shell, John Sheppard, John Shiver, Jr., William Smith, William Spaulding, James Stapleton, Preston Stengel, Ross Street, Robert Tanner, Donald Thomson, Shelby Trice, Alexander Trione, Etheridge Turner, John Vickers, Ray Wadsworth, Robert Wallace, Thomas Warner, Jr., Ennis Warren, Harold Watters, Jr., Billy West, Sr., Vernon Whiteside, Lavaine Williams, Walter Williams, and Ross Wingo.

COMMENDING PRESIDENT NURSULTAN NAZARBAYEV AND THE REPUBLIC OF KAZAKHSTAN FOR LEADING THE WAY ON GLOBAL NUCLEAR DISARMAMENT

HON. ENI F.H. FALEOMAVAEGA

OF AMERICAN SAMOA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 13, 2012

Mr. FALEOMAVAEGA. Mr. Speaker, I rise today to enter into the CONGRESSIONAL RECORD my recent speech before the international conference From a Nuclear Test Ban to a Nuclear-Weapons-Free World held in Astana, Kazakhstan on August 29, 2012.

For historical purposes, I am also including a parliamentary appeal for nuclear abolition as well as a news article dated August 30, 2012 announcing Kazakhstan's launch of the ATOM project to support the global movement against nuclear tests.

The ATOM project, an acronym for "Abolish Testing. Our Mission" is an international petition campaign designed to unify public opinion against nuclear weapons testing. The ATOM project is the initiative of the Nazarbayev Center, and I encourage any person who opposes nuclear weapons to sign this online petition to the governments of the world calling for the permanent step to stop nuclear testing. Interested persons may sign the petition at www.TheATOMProject.org.

STATEMENT OF THE HONORABLE ENI F. H. FALEOMAVAEGA BEFORE THE INTERNATIONAL CONFERENCE FROM A NUCLEAR TEST BAN TO A NUCLEAR-WEAPONS-FREE WORLD HELD IN ASTANA, KAZAKHSTAN ON AUGUST 29, 2012

Distinguished Guests:

On December 2, 2009, the United Nations General Assembly unanimously adopted resolution 64/35 which declares August 29 the International Day against Nuclear Tests in recognition of President Nursultan Nazarbayev's historic decision in 1991 on August 29 to close down the world's second largest nuclear test site and dismantle the world's fourth largest nuclear arsenal at Semipalatinsk.

The resolution—which was initiated by Kazakhstan and sponsored and cosponsored by many other governments—calls for increasing awareness and education "about the effects of nuclear weapon test explosions or any other nuclear explosions and the need for their cessation as one of the means of achieving the goal of a nuclear-weapon-free world."

In 2011, we commemorated the 20th anniversary of President Nazarbayev's courageous act and, on March 7, 2012, the people of the Republic of the Marshall Islands through their Nitijela at its 33rd Constitutional Regular Session passed a resolution calling for President Nazarbayev to be awarded the Nobel Peace Prize in tribute to victims and survivors of Cold War nuclear testing.

The President of the Marshall Islands, the Honorable Christopher J. Loeak, noted that the Committee has only recognized those who have inspected nuclear test sites or talked about the need to cooperate. At no time has the Committee bestowed the award for the actual abolishment of nuclear weaponry. So I join with the people and parliament of the Marshall Islands, and urge you to do the same, in calling upon the Nobel Peace Prize Committee to honor President Nazarbayev for promoting peace by changing the course of world history for the better.

Unlike any other government, the Republic of the Marshall Islands shares the same history and experience as Kazakhstan, having also been used as a nuclear testing ground during the Cold War. From 1946–1958, the United States began testing nuclear weapons in the Republic of the Marshall Islands and, during that period, the United States conducted 67 nuclear tests with an equivalent yield of 7,000 Hiroshima bombs.

On March 1, 1951, the United States detonated a 15 megaton hydrogen bomb code-named BRAVO in the Marshall Islands. The bomb was equivalent to 1,000 Hiroshima-sized bombs and was acknowledged as the greatest nuclear explosion ever detonated. The BRAVO test evaporated six islands and created a mushroom cloud of 25 miles in diameter.

On August 29, 1949, the Soviet Union conducted its first nuclear explosion code-named 'First Lightning' at the Semipalatinsk Test Site in eastern Kazakhstan. From 1949–1989, the Soviet Union conducted 456 nuclear tests in Semipalatinsk and the cumulative power of those explosions is estimated to be equal to the power of 2,500 Hiroshima-sized bombs.

As a result of Soviet nuclear testings more than 1.5 million Kazakhs were exposed to nuclear radiation. As a result of U.S. testings, the people of the Marshall Islands were also exposed to the horrific effects of radiation poisoning. Neither the Soviet Union nor the U.S. have fulfilled their obligation in cleaning up the mess they left behind as a result

of their Cold War arms race. Instead, they turn a blind eye to the human suffering that carries forward today.

This is why I will continue to speak out and praise President Nazarbayev for his choice to renounce nuclear weaponry. My position regarding this matter is no different than the position the United States took during a joint meeting between President Obama and President Nazarbayev on April 11, 2010 when President Obama stated that "the U.S. appreciates the leadership of President Nazarbayev and the contribution of Kazakhstan to nuclear disarmament and nonproliferation."

While I applaud President Obama for stating on April 6, 2010 that "the United States will not conduct nuclear testing and will seek ratification of the Comprehensive Test Ban Treaty (CTBT)" which bans all nuclear explosions in all environments, I believe, as the theme of this conference suggests, it is time to move from a nuclear test ban to a nuclear-weapons free world.

After all, the CTBT, like the Nuclear Non Proliferation Treaty (NPT), is based on a flawed and outdated premise. The NPT asserts that only five nations—the nuclear weapons states—namely, the United States, Russia, the United Kingdom, France, and China (which also happen to be the five permanent members of the United Nations Security Council)—will pursue nuclear disarmament and share their technology for peaceful purposes if non-nuclear states agree never to acquire nuclear weapons. The NPT also states that only the United States, Russia, the United Kingdom, China, and France are permitted to own nuclear weapons because only they possessed nuclear weapons at the time the treaty was open for signature in 1968.

The world has changed since 1968. No longer can non-nuclear states support the outdated premise of the NPT and none of us should settle for what the CTBT offers, particularly since the signatories of the NPT are among the worst violators of the nuclear code.

From 1949–1990, Russia conducted over 700 nuclear tests. In roughly the same time period, the U.S. conducted over 1000 nuclear tests. Since 1964, China has conducted more than 43 nuclear tests. Between 1960 and 1991, France conducted more than 200 nuclear tests and, in 1996, despite being a signatory of the NPT, France broke a world moratorium conducting 6 more tests at Moruroa Atoll in the South Pacific while the Nuclear Suppliers Group (NSG) silently consented.

It is time for all of us to say enough is enough. It is time for the world to follow Kazakhstan's lead and begin the process of dismantling. If Kazakhstan can dismantle a nuclear arsenal which was larger than the combined nuclear arsenals of Great Britain, France and China combined, then certainly the United States, Russia, the United Kingdom, France, and China can also do what is right.

Some twenty years ago, President Nazarbayev emerged to champion the cause of a nuclear weapons free world, and no other leader before or since has done what he has done to advance the rights of the human person by promoting nuclear disarmament among possessor states and preventing proliferation to new states.

As President Loeak stated, "Had Kazakhstan retained the nuclear arsenal it inherited after achieving independence and following the collapse of the Soviet Union in 1991, Kazakhstan could have altered the fragile peace brought about by the Cold War. But

knowing the price Kazakhs and Marshallese paid to preserve international peace, President Nazarbayev chose to renounce and disarm."

For this, the man deserves to be commended again and again. I commend President Nazarbayev for his initiative to move the world from a nuclear test ban to a nuclear-weapons free world, and for and on behalf of the people of Kazakhstan—and the Republic of the Marshall Islands—and all others now and yet to come—it is my sincere hope that we will hold together and stand firm in our support of this great cause.

PARLIAMENTARY APPEAL FOR NUCLEAR ABOLITION: FROM A NUCLEAR TEST BAN TO A NUCLEAR WEAPONS FREE WORLD ADOPTED IN ASTANA, KAZAKHSTAN 29 AUGUST 2012

Parliamentarians, mayors, disarmament experts, and civil society representatives meeting in Astana, Kazakhstan at the international conference "From a Nuclear Test Ban to a Nuclear Weapons Free World" held on the International Day Against Nuclear Tests 29 August 2012, make the following appeal to parliaments and governments around the world:

Legislators and governments have a responsibility to protect the security of citizens living within their jurisdictions and to protect their respective localities and the global commons for future generations.

The catastrophic humanitarian and environmental consequences from the nuclear tests in Semipalatinsk, Kazakhstan—and from other nuclear test sites around the world—demonstrate that the effects of any use of nuclear weapons are uncontrollable in time and space.

The possession of nuclear weapons generates a threat of their proliferation and use that pose risks to current and future generations that are unacceptable, unnecessary, unsustainable and contrary to basic ethical considerations and international humanitarian law.

The approximately \$100 billion spent annually on nuclear weapons by a few States consumes intellectual, scientific and financial resources desperately required to meet the environmental, social and human security needs of the 21st Century.

Some nations, like Kazakhstan, have decided to unilaterally abandon the possession of nuclear weapons and achieved greater security and prosperity as a result. Many nations, including all those in the Southern Hemisphere and a number in the Northern Hemisphere such as in Central Asia, have enhanced their security through establishing regional nuclear-weapon-free zones.

The United Nations General Assembly and the States Parties to the nuclear Non-Proliferation Treaty have called on States to establish the framework for a nuclear-weapons free world through negotiations on a nuclear weapons convention or package of agreements.

United Nations Secretary General Ban Ki-moon has circulated a Five-Point Plan for Nuclear Disarmament which includes a Model Nuclear Weapons Convention as a guide to such negotiations. The UNSG's plan has been supported by unanimous resolution of the Inter-Parliamentary Union representing over 150 parliaments and by various resolutions in national parliaments.

We commend President Nursultan Nazarbayev and the Republic of Kazakhstan for leadership in the global nuclear disarmament process including the closure of the Semipalatinsk nuclear test site on 29 August 1991, and the decision to voluntarily re-

nounce the fourth largest nuclear arsenal in the world.

We also commend Kazakhstan for initiating the UN International Day Against Nuclear Tests, which was established by unanimous resolution of the United Nations General Assembly, with the aim to contribute to the goals of nuclear disarmament, non-proliferation, a worldwide ban on nuclear tests, and a world free from nuclear weapons.

We welcome moves by the Nuclear Weapon States to complete the ratification process for the protocols to nuclear weapon-free zone treaties, as steps to significantly strengthen the architecture of regional and international security.

We welcome in particular the negotiations between the Central Asian States on one side, and China, France, Russia, the United Kingdom, and the United States on the other side, on the protocols to the Central Asian Nuclear-Weapon-Free Zone, and call for its early completion.

We support the new initiative of President Nazarbayev of the Republic of Kazakhstan for the adoption, within the UN of a Universal Declaration on the achievement of a nuclear-weapon-free world, as another important step towards the adoption of a nuclear weapons convention.

We are strengthened in our resolve to advance nuclear disarmament measures, by having visited the former Semipalatinsk Nuclear Test Site, where Soviet nuclear weapons were tested for more than forty years. 468 surface and underground nuclear tests were conducted from 1949 to 1989. One 50 megaton test alone was several thousand times more powerful than the bombs dropped on Hiroshima and Nagasaki. The tests have caused immeasurable medical and economic related suffering and death to millions of people.

Further progress needs to be made with concrete actions to achieve the abolition of nuclear weapons, according to a multilateral, transparent, irreversible and verifiable schedule.

Therefore, we call on parliaments and governments to:

(a) maintain existing moratoria against nuclear tests, and fully support the Comprehensive Nuclear Test Ban Treaty, including full ratification and entry-into-force, financing and support for the international monitoring network;

(b) halt any further production of nuclear weapons;

(c) operationalize the reduction of the role of nuclear weapons in their security doctrines;

(d) establish prohibitions against nuclear weapons through action in their own legislatures;

(e) establish guidelines that prohibit investment of public funds in enterprises engaged directly in manufacturing nuclear weapons or their delivery systems;

(f) establish additional regional nuclear weapon free zones, as appropriate, especially in the Middle East, North East Asia and the Arctic;

(g) commence preparatory work to build the framework for a nuclear weapons free world including through negotiations on a nuclear weapons convention or package of agreements.

We all stand united in our common determination to build nuclear-weapons-free world.

We pledge to act on and share this Appeal with legislative forums, decision makers and society.

Adopted in Astana on 29 August 2012.

[From the Astana Times, Aug. 30, 2012]

KAZAKHSTAN LAUNCHES ATOM PROJECT TO SUPPORT GLOBAL MOVEMENT AGAINST NUCLEAR TESTS

(By Galia Nurzhanova and George D. Gleboff)

ASTANA.—President Nursultan Nazarbayev announced the launch of The ATOM Project in connection with the UN International Day against Nuclear Tests at a major international conference in Astana on August 29, 2012.

The conference, "From a Nuclear Test Ban to a Nuclear-Weapons-Free World", brought together hundreds of government and parliament leaders, former heads of state, nuclear disarmament experts, leaders of international organizations and anti-nuclear activists from more than 70 nations.

Under the project, any person who opposes nuclear weapons can sign an online petition to the governments of the world calling for the permanent stop to nuclear testing and to achieve the early entry into force of the Comprehensive Test Ban Treaty.

The ATOM Project—based at www.TheATOMProject.org—is an international petition campaign designed to unify global public opinion against nuclear weapons testing. The ATOM Project went live in late August with international television and social media campaigns.

The project is an initiative of the Nazarbayev Center, whose mandate, in part, is to continue and broaden Kazakhstan's legacy of fighting for a world free of nuclear weapons and weapons testing, to promote nuclear responsibility, nuclear disarmament and nuclear nonproliferation according to the vision of the Kazakhstan President.

The ATOM Project, whose name is an acronym for "Abolish Testing. Our Mission", will tell the tragic and hopeful stories of survivors of nuclear testing from the region of Semey, Kazakhstan, the site of more than 450 Soviet-era nuclear tests. The survivors and their children and grandchildren continue to suffer from illness, disease and severe deformities caused by exposure to nuclear radiation during and after the testing, which took place 100 miles outside of the city, then called Semipalatinsk.

"We have an opportunity to once more remind the world about tragic consequences of the nuclear testing, and push the global community towards more decisive actions to achieve final and definitive ban of such testing. In this regard, Kazakhstan launches today the International campaign, The ATOM Project," President Nazarbayev said in his speech.

"Under the project, any human being on Earth, who stands against nuclear weapons, can sign an online petition urging governments of the world to abandon nuclear tests forever and ensure early entry into force of the Comprehensive Nuclear Ban Treaty. I urge the participants of the conference and all the people of the goodwill to support the ATOM Project and to make the creation of the non-nuclear world our main goal," the President added.

Speaking at the conference, German Foreign Minister Guido Westerwelle thanked President Nazarbayev for launching the Project and firmly supported it.

Karipbek Kuyukov, the famous second-generation survivor of the nuclear tests who was born armless and went on to become a famous artist inspiring many with his life example, became an honorary ambassador of the project. He gave an emotional speech at the conference which he concluded by saying: "Let us not repeat the mistakes of the past! I call on all the people to help stop the

nuclear weapons testing around the world! Nuclear test sites must be closed! Let our sky be clean and our children be healthy! I do not have arms to hug all of you and to express my gratitude for participation in this conference, but I have a heart and it belongs to you! Let your families live in peace and serenity!"

According to its organizers, the ATOM Project seeks to affect real and lasting change by engaging millions of global citizens to stop nuclear weapons testing by joining together to show the world's leaders that its citizens deserve and demand a world safe from additional nuclear weapons testing.

Meanwhile, participants at the conference included politicians and experts from both nuclear weapon states and non-nuclear weapon states: Valentina Matviyenko, President of the Federation Council of the Russian Federation; Miroslav Jenca, Special Representative of the UN Secretary General who read a message from the UN Secretary General; Eni F.H. Faleomavaega, U.S. Congressman (D-American Samoa); Douglas Roche, the founder of the Middle Powers Initiative and the founding chairman of the Parliamentarians for Nuclear Non-Proliferation and Disarmament; Gareth Evans, Co-chair of the International Commission on Nuclear Non-Proliferation & Disarmament and former Australian Foreign Minister. Parliamentary leaders in attendance included speakers, chairmen of committees and legislators from the parliaments of Afghanistan, Azerbaijan, Bulgaria, Canada, India, Iraq, Israel, New Zealand, Pakistan, Russia, Turkey, the United Kingdom, and dozens of others, as well as members from the European Parliament.

The conference objective was to create an additional momentum for the global nuclear disarmament movement, and to mark the United Nations International Day against Nuclear Tests on August 29 which aims to raise public awareness on the effects of global nuclear weapons tests and highlight the importance of banning such tests as a step towards achieving a safer world.

The timeline of implementing the anti-nuclear initiatives pursued by Kazakhstan indicates that the country is steadily moving in the direction of disarmament, non-proliferation and nuclear-weapons-free-world.

On August 29, 1991, President Nazarbayev of the then Kazakh Soviet Socialist Republic, defying the pressure from the Soviet authorities, shut down the Semipalatinsk nuclear test site in eastern Kazakhstan. In the early 1990s, Kazakhstan voluntarily renounced nuclear weapons, the world's fourth largest nuclear arsenal, inherited from the former Soviet Union, and by 1995 fully rid itself of the nuclear weapons.

In 2000, the Semipalatinsk nuclear test site was completely closed and its infrastructure dismantled, and in 2006 a nuclear weapons free zone in Central Asia was established under the Treaty of Semipalatinsk.

In 2009, the UN General Assembly voted unanimously to designate August 29 the International Day against Nuclear Tests.

In addition to the fact that anti-nuclear initiatives pursued by Kazakhstan have become important prerequisites for political and economic development for the country, they have created a favorable environment for the continuous improvement of its status in the international arena.

Kazakhstan has remained a steadfast activist in the area of nuclear disarmament and nonproliferation given the legacy of nuclear weapons testing and the effect those tests had on the more than 1.5 million people in eastern Kazakhstan.

The ATOM Project is seen as a logical next step in the country's efforts to achieve the goal of building a nuclear weapons free world.

HONORING MR. JAMES FLOYD CLEVELAND

HON. RODNEY ALEXANDER

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 13, 2012

Mr. ALEXANDER. Mr. Speaker, I rise today to honor the life of Mr. James Floyd Cleveland, who passed away on July 31 at the age of 88.

Mr. Cleveland was a truly wonderful example of a man who lived the American dream. Born on December 17, 1923, he was a cultivator of corn, cotton, soybeans, hogs and cattle on his family farm for over 60 years. He was widely known to have the best okra and mustard greens in town. Moreover, many deemed him the "Historian" for his long life and incredible ability to bring oral history to life.

Having accepted Christ at an early age, Mr. Cleveland was baptized in 1939 and dedicated much of his time to good works, notably as an active member of St. Matthew Benevolent Society and Secretary of the Lily Lodge number 5911 in Rapides Station, Louisiana.

Mr. Cleveland enjoyed 57 years of married life with Bernice Jones. Mrs. Cleveland preceded him in death on January 6, 2011, but not a day went by that he didn't speak lovingly of seeing her again. Their union produced a daughter, Sheila Joyce Bryant, who married Arthur R. Bryant. His two granddaughters, Rachel Joyce and Bathsbeba Felice were the joys of his life.

As a leader in his community, he strived to make life better for others. He rose to the occasion after the 1965 United States Voting Rights Act and was instrumental in ensuring African-Americans registered and cast their votes for the first time. He was appointed to the Rapides Parish Election process and served as Key Custodian from 1991 to 2006, always going above and beyond in his civic duty.

We all have much to learn from the life and legacy of Mr. Cleveland, who lived a quiet and honorable life as one of the farmers who feeds America. To say that Mr. Cleveland left his fingerprint on the world is an understatement. He was a friend to many and an example for all who had the good fortune to know him.

Mr. Speaker, I ask my colleagues to join me in paying tribute to the late Mr. James Floyd Cleveland.

LEONEL MANZANO OLYMPIC MEDAL

HON. K. MICHAEL CONAWAY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 13, 2012

Mr. CONAWAY. Mr. Speaker, I rise today to congratulate a local hero in the 11th District of Texas, Leonel Manzano. Leo won the Silver

medal in the Men's 1500 Meter race in the 2012 Olympic games, sealing his place in Olympic history and becoming an iconic figure in our district.

An Olympian is more than just an athlete—they are a representative of our nation. For the last four years, our athletes have invested blood, sweat, tears, and an extraordinary amount of time in the journey to become the best they can be. In a greater notion, this journey is what America is all about: the opportunity for all to achieve the highest echelons of success. And Leo, as a Silver Medalist, has proven an excellent representative of our District, state, and what our nation represents.

Leo rose from humble beginnings and from an early age, he demonstrated his athletic prowess. This did not go unnoticed. Soon, he was winning track and field titles, nine in total, while attending Marble Falls High School. After building an unparalleled resume on the track at the University of Texas, Leo began to compete professionally where, again, he continued to receive awards and special recognition. In 2008, all of Leo's hard work paid off when he earned a spot on the U.S. Olympic team. While Leo did not win a medal in 2008, when the 2012 Games came around, Leo was ready to make history. He became the first U.S. man to win a medal in the men's middle distance in 44 years.

We are proud of Leo. While we are excited about his medal and awards, we are proud of Leo because he is one of us and he represented the best of America. His story is an inspiration to our children and proves that even though you may be from a small town, no dream is too big. Again, I congratulate Leo on this amazing accomplishment, his dedication and hard work, and an outstanding career.

ST. ANTHONY BASEBALL

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 13, 2012

Mr. SHIMKUS. Mr. Speaker, I rise today to acknowledge the achievements of a state champion baseball team from Effingham, Illinois.

The St. Anthony Bulldogs had not visited the IHSA baseball state finals since before any of the current players were born. But this year, behind third-year coach Kenny Miller, the Bulldogs charged to a 31–1 record and defeated Tuscola 6–1 for the state championship.

I want to congratulate Coach Miller and Assistant Coach Grant Keller, and especially the members of the 2012 St. Anthony Bulldogs state champion baseball team: Zach Gardewine, Thomas Stephens, Ben Hecht, Jacob Lorenz, Austin Bushur, Charlie Schultz, Scott Renfrow, Kyle Burgois, Neil Williams, Michael Kabbes, Reed Willenborg, Cody Pike, Jared Having, Eli Dasenbrock, Alex Hoelscher, Conner Greene, Braden Puckett and Michael Stehens. They have represented themselves, their school and their community in a first-rate fashion, and I am proud to join with the other Members of this House in congratulating them,

and wishing them all the best in their future athletic and academic endeavors.

PRESERVING HOME HEALTH CARE UNDER MEDICARE

HON. DENNIS A. ROSS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 13, 2012

Mr. ROSS of Florida. Mr. Speaker, the President has twice told the American public, through his budget and deficit reduction proposals, that he believes our seniors should be paying more for Medicare if they want to stay in their homes. Twice in the past two years, President Obama has proposed mandating that Medicare beneficiaries pay—for the first time since the Medicare program came into existence—an additional out of pocket charge for their home health care services. Twice, President Obama has told seniors that they must choose between getting their care at home, where they have lived for years, and moving away from their homes, their belongings, and their communities to get their daily care at a nursing home or hospital.

Mr. Speaker, this choice is not only unnecessary, it is inefficient. Home health care providers deliver care management services, vital daily care, and in-home health care services at a low cost. We shouldn't tell our seniors, our parents, that they must choose between their home or their health care. We should keep home health care free of co-payments to ensure that they have the ability to remain in their homes, in their communities, and with their families and memories.

This is just another example of why "Medicare as we know it" will be bankrupt in ten years. Seniors who prefer home health care should always retain that option and be provided choices of plans that will ensure their wishes are granted, rather than live at the whim of unelected and unaccountable bureaucrats. Dignity, care, and being home are small comforts when one is ill, or dying. But, eliminating a cost effective provision of care that current seniors expect, paid into and bargained for, is wrong. Medicare must change for the future, and seniors deserve choice, but for those currently or near entering the system, the rules should not be changed at the last minute.

IN RECOGNITION OF THE HONORABLE SAM JOHNSON

HON. PETE SESSIONS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 13, 2012

Mr. SESSIONS. Mr. Speaker, I rise today to recognize my dear friend and colleague, the Honorable SAM JOHNSON. He is this year's recipient of the Maurice Acers Champion of Free Enterprise Lifetime Achievement Award from the Texas Association of Business.

Congressman JOHNSON has been a long time champion for the free enterprise system in America. After twenty-nine years of dedi-

cated service in the United States Air Force, Congressman JOHNSON started a home-building business in North Dallas. He knows firsthand the challenges of starting a business and of the pride in building and maintaining something entirely of your own making. He has continued to advocate for the free enterprise system because he understands its importance. This notion of allowing individuals to make their own economic decisions and grasp the opportunities available in this country is the essence of the American entrepreneurial spirit. It spurs innovation, nurtures creativity, and led to the economic growth and development of our great Nation. Congressman JOHNSON'S continued support for the free enterprise system speaks loudly of his belief in the individual and the tremendous potential each and every American possesses.

From a decorated military career to serving in the Texas House of Representatives and now proudly representing the 3rd Congressional District of Texas in the U.S. House of Representatives, Congressman JOHNSON has devoted his life to public service. His life story is one that exemplifies the American Dream—that dedication, hard work, and perseverance can lead to great success. He has given his life to serving our country because he believes in a better tomorrow for the next generation.

It is my great honor and privilege to congratulate my friend, Congressman JOHNSON, on receiving this prestigious award. Mr. Speaker, I ask my esteemed colleagues to join me in congratulating Congressman JOHNSON on this great honor, and I would like to take this time to thank him for his service.

IN HONOR OF THE 100TH ANNIVERSARY OF THE MONTEREY COUNTY FREE LIBRARIES

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 13, 2012

Mr. FARR. Mr. Speaker, I rise today to honor the 100th anniversary of the Monterey County Free Libraries. Author and broadcaster Studs Terkel once said, "All you need in life is truth and beauty and you can find both at the Public Library." Well, for the last century, Monterey County's library system has offered up beauty and truth in abundance.

On August 6, 1912, the Monterey County Board of Supervisors established the Monterey County Free Libraries. On September 2, 1913 Miss Anne Hadden started as the first County Librarian. In her first six months she opened five branches. By 1923 she and others had established branches in 105 locations. Some were simple reading rooms housed in private residences, schools, and stores; the Big Sur branch was located in the Post Office. In those early days Miss Hadden used every means at her disposal to distribute books to the far corners of the county: by train, by car, and even on foot. Indeed, a photograph of Anne Hadden delivering books by burro has become an iconic image of the whole library system.

Today, the Free Libraries still function under the authority of the Monterey County Board of

Supervisors. The County Librarian operates seventeen branch libraries, two bookmobiles, a library-by-mail program, and also maintains collections in schools. Books for all ages and interests in regular and large print, books on tape, CD's, DVD's and videos, magazines, electronic resources and materials in English, Spanish, Korean and Vietnamese are available to the community. The libraries also maintain ten homework centers and a literacy program. All together they provide services to 220,000 people over 3,250 square miles.

Mr. Speaker, I congratulate the Free Libraries on their 100th anniversary and know that I speak for the whole House in saluting them on this joyous occasion.

HONORING ST. JOHN OF THE CROSS PARISH SCHOOL FOR BEING NAMED A BLUE RIBBON SCHOOL

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 13, 2012

Mr. LIPINSKI. Mr. Speaker, I rise today to congratulate St. John of the Cross Parish School, an exemplary Catholic school in Western Springs, Illinois, for receiving the prestigious 2012 U.S. Department of Education National Blue Ribbon School Award. As a member of this parish, I am especially happy to see the hard work of the students, teachers, administrators, and parents recognized, and I want to congratulate Principal Kathleen Gorman, as well as our pastor, Rev. David P. Dowdle.

In 1982, the Department of Education established the National Blue Ribbon Schools Program to recognize public and private schools boasting high or significantly improved achievement. The program's goal is to identify attributes of thriving American schools in order to replicate their success in other schools. St. John of the Cross is one of only 50 private schools across the Nation to be named as a National Blue Ribbon School this year. This is a great achievement for everyone at the school and all members of the parish.

The mission of St. John of the Cross Parish School is to provide a safe and dynamic Catholic environment where faith is nourished and knowledge grows. The school offers challenging educational experiences that foster success, promote unity, and respect the individuality of each student. Since 1961, the school has prided itself on multi-generational Catholic traditions and achievement. St. John of the Cross has maintained a strong Catholic identity and strong academic standards throughout its history. In 2011, the school proudly celebrated its 50th anniversary.

St. John of the Cross Parish School offers programs from preschool through eighth grade and attracts students from Western Springs and surrounding communities, currently enrolling 630 students. Since its founding, the school has been supported by the St. John of the Cross Parish and has grown to become one of the largest Catholic schools in Chicago's Archdiocese. St. John of the Cross Parish School offers impressive science, technology, and art facilities as well as a wide

range of student activities. All students are involved in the religious activities of the parish and participate in a variety of service projects. Today, the school benefits from the hard work and dedication of its principal, Kathleen Gorman, as well as its assistant principals, Zita Wheeling and Tom Clausing. This award recognizes the time and hard work of the teachers and students, as well as the critical support and involvement of the students' parents and the entire parish community. I am delighted that the excellent work and success of St. John of the Cross Parish School has been acknowledged on a national stage.

Please join me in celebrating the accomplishments of St. John of the Cross Parish School and all the National Blue Ribbon award winners. Their pursuit of academic excellence is inspiring, and I hope that their success can serve as a model for schools across the Nation.

IN RECOGNITION OF THE 225TH
BIRTHDAY OF ROBESON COUNTY,
NC

HON. LARRY KISSELL

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 13, 2012

Mr. KISSELL. Mr. Speaker, I rise today in honor of Robeson County, NC, and the celebration of its 225th Birthday. Incorporated in 1787 from Bladen County, Robeson, North Carolina's largest county, is home to roughly 134,000 residents. Named after Colonel Thomas Robeson of the Revolutionary War, it boasts a rich American history. Col. Robeson served as one of the leaders at the Battle of Elizabethtown, an important battle won by the American patriots.

Robeson County is also home to the Lumbee American Indian tribe, and according to the U.S. Census, has the ninth largest population of American Indians in the United States, making up 38% of the population. Robeson County is truly a diverse county. Robeson is also home to the University of North Carolina at Pembroke, a historically Native American college.

Today, I ask all Members of Congress to join me in honoring Robeson County and its citizens, as irreplaceable assets to North Carolina, the state which I am proud to represent.

IN RECOGNITION OF THE 100TH AN-
NIVERSARY OF THE CLEVELAND
MUNICIPAL COURT

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 13, 2012

Mr. KUCINICH. Mr. Speaker, I rise to recognize the Cleveland Municipal Court which is celebrating its 100th anniversary this Saturday evening, September 15, 2012, with a Centennial Gala.

The Cleveland Municipal Court was established by an act of the Ohio General Assembly

in 1911. The Court, originally located on the northwest corner of Public Square, opened its doors at 9:30 a.m. on January 2, 1912. Court was gavelled to order that morning by Chief Bailiff Charles Selzer following opening remarks by Cleveland Municipal Court Chief Justice William H. McGannon and Judges David B. Cull and George P. Baer. The other judges on the original municipal court bench were William B. Beebe, Samuel E. Kramer, Manuel V. Levine, and Fielder Sanders. Peter J. Henry was the original Clerk of the Court who served in that position for 35 years.

The Cleveland Municipal Court is the second oldest municipal court in the nation. Unlike the Justices of the Peace it replaced, the judges were required to be legally trained and were elected by the people rather than appointed by politicians. Also groundbreaking for its time, the Cleveland Municipal Court paid its judges and staff salaries which did not depend on the fines they levied on those they found guilty.

Today, the Cleveland Municipal Court is located in the Justice Center Complex in Downtown Cleveland and consists of 13 elected judges and 14 magistrates, along with bailiffs and other administrative and support staff. The court handles misdemeanor crimes, including traffic, domestic, nuisance and other offenses, as well as civil cases if the total damages are \$15,000 or less. Its housing court has jurisdiction over criminal cases involving violations of Cleveland's housing, building, fire, zoning, health, waste collection, sidewalk, agriculture and air pollution codes. The housing court also hears civil cases involving landlord/tenant disputes.

Prominent judges who have served on the Cleveland Municipal Court include the late Carl B. Stokes who drew national attention as the first African-American mayor of one of the ten biggest cities in the United States. Our late colleague Stephanie Tubbs Jones also served as a Cleveland Municipal Court judge prior to her election as Cuyahoga County Prosecutor and later as a Member of the U.S. House of Representatives. I am proud to have served as Clerk of Court from 1975 to 1977.

Mr. Speaker and colleagues, please join me in recognizing the important work that the Cleveland Municipal Court does. The Cleveland Municipal Court is one of the great institutions of our democratic system in bringing impartial justice to the people of Cleveland for the last 100 years and well into the future.

RECOGNIZING THE HEROIC ACTS
OF TRANSPORTATION SECURITY
OFFICERS JODY WELLMAN,
JAMES BOSTWICK, AND CHRIS-
TOPHER HASTINGS

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 13, 2012

Mr. SMITH of Washington. Mr. Speaker, I rise to recognize the heroic acts of bravery undertaken by Jody Wellman, James Bostwick, and Christopher Hastings of Washington State, who saved the lives of two individuals.

On the morning of Saturday, August 11, 2012, Transportation Security Officers (TSOs)

Jody Wellman, James Bostwick, and Christopher Hastings intervened at a time of crisis to save the lives of a man and a woman who suffered a car accident on Interstate-5 in Washington State.

After colliding with a concrete utility box and sign post in the median of the interstate, a vehicle caught fire with a 21-year-old soldier from Joint Base Lewis-McChord and a 29-year-old female passenger inside. These courageous TSOs pulled off the interstate to assist the two passengers out of the vehicle, which burst into flames shortly thereafter. There is no doubt that these two lives were saved because of the heroic efforts of these three brave officers.

Mr. Speaker, I ask my colleagues to join me in recognizing Jody Wellman, James Bostwick, and Christopher Hastings, who exemplify the spirit of service and commitment to one's community.

HONORING ROBERT FRANK
OHRENSCHALL

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 13, 2012

Ms. WOOLSEY. Mr. Speaker, I rise today with both pride and sadness to honor my friend Robert Frank Ohrenschall, a Marin County businessman, entrepreneur, philanthropist, and community leader who passed away on August 28, 2012 in San Rafael, CA. Bob was known for his intelligence, wit, and compassionate heart combined with warmth that enabled him to connect with people.

Born on June 9, 1926, Bob grew up in Baltimore, Maryland, graduating from Boys' Latin School in 1944. After receiving a B.A. in American History from Yale University, he first moved to New York City to work for an ad agency, and then served as a U.S. Navy lieutenant during the Korean War. After his military service, Bob came to San Francisco, where he worked for an ad agency and met his future wife, Susan Page. He and Sue were married in 1955 and settled in Greenbrae to raise their four children. In 1960, Bob and his partner Huntley Soyster founded Soyster & Ohrenschall, a San Francisco-based design company which became the leading firm in the field.

After the company was acquired in the mid-1980s, Bob was able to devote more time to other interests. Travelling, reading, and family time were among his favorite pastimes. He and Sue visited close to 50 countries and enjoyed visiting their children and grandchildren on the West Coast and in Spain.

Bob's philanthropy demonstrated his commitment to a broad range of local, national, and international causes, from education to the environment to medical needs in developing countries. He devoted his talent, energy, and personal resources to numerous organizations, including the Eisenhower Institute, San Francisco State University College of Business, Romberg Tiburon Center for Environmental Studies, Tiburon-Belvedere Rotary Club, WiRED International and International Diplomacy Council. He also supported the

Hoover Institution at Stanford University, Boys' Latin School and College of Marin.

From successful business executive to devoted family man, dedicated naval officer to compassionate philanthropist, Bob was a very gifted and caring individual who touched many lives. He connected with people across the political spectrum, referring to himself as my "embedded republican friend."

In addition to his wife, Bob is survived by his four children, Mark, Ross, Page, and Sally, and their families.

Mr. Speaker, Robert Frank Ohrenschall leaves a legacy that will inspire generations to come. I ask you to join me in honoring his life.

IN HONOR OF OHIO STATE REPRESENTATIVE NICHOLAS J. CELEBREZZE

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 13, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in honor of State Representative Nicholas J. Celebrezze of Ohio's 15th House District.

Representative Celebrezze graduated from the University of Akron in Ohio with a bachelor's degree with Honors from the Bliss Institute of American Politics. He later received his Juris Doctorate from the Cleveland Marshall College of Law. In 2004, he was admitted to practice law in Ohio. He currently owns and operates a local, family-owned law firm.

Before being elected to the Ohio General Assembly, Representative Celebrezze was a Parma City Councilman for six years, chairing the Planning Committee which created a regional approach that led to \$3.7 million of improvements towards solving the City's long history of standing sewer problems. While on the Parma City Council, his background as a former Cuyahoga County Adult Probation Officer and Assistant County Prosecutor motivated him to advocate for a strong sense of community safety and to become involved in a successful campaign to build two new local fire stations.

Now as a member of the Ohio House of Representatives, Representative Celebrezze sits on the Local Government and Transportation, Public Safety, and Homeland Security Committees. In addition to his legislative duties, Representative Celebrezze is also active in the community participating in Parma Jaycees, the Parma and Ohio Bar Associations, the North East Ohio City Council Association, the Justinian Forum, is the elected Chairman of the Partisan Ohio Sports Club, and was named the official color commentator for the local PACTV televised high school soccer games in 2011.

Mr. Speaker and colleagues, please join me in honoring the achievements of State Representative Nicholas J. Celebrezze.

HONORING TOM LABONGE

HON. JANICE HAHN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 13, 2012

Ms. HAHN. Mr. Speaker, I rise to honor Los Angeles City Councilman Tom LaBonge, a distinguished public servant, who is receiving the 2012 Jack Webb Award for his commitment and support for the men and women of the Los Angeles Police Department. Tom's parents gave him a deep love for the City of Angels. His civic spirit was inspired as a teenager when he served on Mayor Tom Bradley's Youth Council. In 1976, upon earning his undergraduate degree from California State University Los Angeles, he joined the staff of Councilwoman Peggy Stevenson, 13th District, and later he moved to work for John Ferraro, Council President.

Over the course of 15 years as an aide to John Ferraro, Tom learned the value of public service. In spite of the demands of working for the Council President, Tom still found time to coach LAPD's football team, the Centurions.

Later, as chief of field operations for Mayor Riordan, Tom oversaw a staff of deputies assigned to neighborhoods throughout every region of the 465-square-mile city and acted as the Mayor's special representative at community events.

In 2011, Tom won a special election to represent the people of the 4th City Council District. As his tenure in the Council winds down, Tom remains busy promoting the city he loves and working diligently to make Los Angeles a better place to live, work, and play.

Whether tackling issues that impact his constituents or coaching cops on the gridiron, Tom's life has been devoted to service and as such, he has earned this award. It is truly a privilege to be his friend.

RECOGNIZING THE WORK OF REVEREND RALPH CARNEY

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 13, 2012

Mr. SMITH of Washington. Mr. Speaker, I rise to honor the life and work of Reverend Ralph Carney. Since 1999, Father Ralph Carney has served as the Catholic Chaplain at Madigan Medical Center in Washington State, conducting mass and ministering to both patients and staff. His passing is a great loss to the community at Joint Base Lewis-McChord.

Rev. Carney was born in 1923. During World War II, he was a sailor along the South American coast and during his career, would serve in the Navy, Air Force, and Army.

Following World War II, Father Carney became ordained as a Catholic priest. Rev. Carney went on to serve as a chaplain for the Air Force and Army. In 1964, Rev. Carney went to Vietnam to work with combat soldiers. Upon his retirement from the Army, he began working at Western State Hospital and after he was a priest at St. John Bosco Catholic Church in Lakewood, WA.

Rev. Carney began working at Madigan Army Medical Center in 1999 and continued his work there until his passing on August 26, 2012 at age 89. He was deeply passionate about serving those who serve our country. Never being one to slow down, Rev. Carney continued his work up until his last days.

Mr. Speaker, it is with great honor that I celebrate the life of Father Carney. His service to our country and the men and women who serve to defend it will not be forgotten.

IN HONOR OF OHIO STATE REPRESENTATIVE MIKE FOLEY

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 13, 2012

Mr. KUCINICH. Mr. Speaker, I rise today to honor State Representative Mike Foley of Ohio's 14th House District.

Representative Foley was appointed to represent the 14th District in May of 2006 and won the formal election in November of that same year; he has now been serving for four terms.

Representative Foley's legislative career has been marked by his passion and advocacy for housing issues, as exemplified by his current role as Chairman of the Housing Urban Revitalization Committee. In the mid-1980s, he became a community organizer for the St. Clair-Superior Coalition where he took responsibility for neighborhood safety and block club organization. He later became a field representative for Cleveland's Community Relations Board followed by roles as a court administrator, personal bailiff, and judicial clerk at the Cleveland Municipal Housing Court.

In 1997, Representative Foley began work at the Cleveland Tenants Organization where he eventually became Executive Director during his 9 year tenure. His work with the organization helped bring in over \$160 million in affordable housing projects performed by local union laborers and helped organize the largest rent strike in Ohio history—a protest against a 25 percent rent increase towards senior citizens by out-of-state landlords.

Representative Foley also advocates for issues such as alternative energy, the environment, retiree benefits, consumer rights and tax code reform. He serves as a member of the Alternative Energy; Civil and Commercial Law; and Ways and Means committees.

Mr. Speaker and colleagues, please join me in honoring the achievements of State Representative Mike Foley.

CRISTINA DIDONE—SUCCESS IN AMERICA

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 13, 2012

Mr. POE of Texas. Mr. Speaker, since her days as a little girl in Argentina, Cristina Didone (Dee dough ne) dreamed of a new day owning a business.

Although she loved her homeland she looked thousands of miles away to the land of real opportunity—America.

Like millions before her she yearned and worked to come to America.

Even though her visa was denied three times she pursued her American dream and eventually a working visa was granted.

Once in the United States in 1990 she created a business involving her two passions: the Law and English.

So she started Kansas City Translations a firm specializing in training individuals in legal interpretations.

Finally in 1999 she got to Texas as fast as she could and created CD Language solutions—a Global legal translations company in Houston for oil, gas & technology firms.

Just recently Cristina was recognized by the Hispanic Chamber of Commerce as Hispanic Female Entrepreneur of the Year.

As we get ready to celebrate Hispanic Heritage Month I would like to recognize this successful and tenacious American businesswoman that believed in herself and America.

And that's just the way it is.

IN HONOR OF OHIO STATE
REPRESENTATIVE KENNETH YUKO

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 13, 2012

Mr. KUCINICH. Mr. Speaker, I rise today to honor State Representative Kenneth "Kenny" Yuko of Ohio's 7th House District.

Representative Yuko started his career as a clothing buyer for Polsky's Department Store; however, he soon found he was developing a passion for union organizing and advocating for workers' rights. His first job in public service, which spanned 30 years, was with the Laborers' Local #860 Union. Not only did he act as a union organizer for 25 years, but he also earned several awards, including the 2000 Organizing Award.

Now as a State Representative, Mr. Yuko advocates for workers' rights as well as increased health care access and Multiple Sclerosis awareness. In 2004, he worked to pass H.B. 379, designating March as MS Awareness Month in Ohio. His efforts with this bill earned him Ohio Health Advocacy Network's 2006 award for Legislator of the Year. He also serves as a ranking member of the House Commerce, Labor and Technology committee and a member of the Health and Aging and Veterans Affairs Committees.

Outside of his duties as State Representative, Mr. Yuko holds a place on the Bureau of Workers Compensation Oversight Committee, Unemployment Advisory Committee, Ohio Historical Society Board (ex-officio), and is an active member of the Cancer, Fire, Housing and Mental Health caucuses.

Mr. Speaker and colleagues, please join me in honoring the achievements of State Representative Kenny Yuko.

CONGRATULATING MOUNT CARMEL SCHOOL 60TH ANNIVERSARY

**HON. GREGORIO KILILI CAMACHO
SABLAN**

OF THE NORTHERN MARIANA ISLANDS
IN THE HOUSE OF REPRESENTATIVES

Thursday, September 13, 2012

Mr. SABLAN. Mr. Speaker, sixty years ago, Capuchin priest Father Arnold Bendowski together with a convent of the Mercedarian Sisters of Berriz and the parishioners of Mount Carmel Church established Mount Carmel School, which became the very first school in the Northern Mariana Islands to graduate a class of students from high school.

Today, I ask you to join me in celebrating this 60th anniversary of the founding of Mount Carmel School and to recognize the school's proud history of educating Northern Marianas students from their elementary through high school years.

Enrollment steadily increased throughout the 1960s, 1970s, and 1980s. Building success, in 1993 Bishop Tomas A. Camacho hired Sister Mary Angela Perez of Religious Sisters of Mercy to be President of Mount Carmel School and gave her a broad mandate to lift the standard of education at the school to a new level. Under her leadership, Mt. Carmel was incorporated; and in 1994 a review team from the Western Association of Schools and Colleges granted Accreditation Candidacy status. Eventually, this action led to the school becoming the first non-public school in the Northern Marianas accredited for a full six-year term.

Throughout these 60 years of development and growth Mount Carmel School has garnered a reputation for academic excellence, sending many graduates to top postsecondary institutions. Mount Carmel maintains this commitment, announcing this year that the school is adopting the National Standards and Benchmarks for Effective Catholic Elementary and Secondary Schools, formulated by Catholic educators from across the nation.

Supporting the academic, Mt. Carmel has also developed a diverse range of extra-curricular activities, which have led to acclaimed theatrical productions and championship teams participating in the Academic Challenge Bowl, the Attorney General's Cup, Forensics, Mock Trial, and We the People programs. In line with findings of the National Center for Education Statistics, the school has decided now to grant academic credit for student participation in this kind of extracurricular activity, a policy that has been linked to improved attendance, academic achievement, and a commitment to continuing education beyond high school.

In addition to shaping the minds of our future leaders, Mount Carmel School has helped mold their spiritual conscience and social consciousness. Leadership at the school continually impress upon students their personal responsibility as members of a community. The school recently launched a service learning program, to augment its theology curriculum, and also introduced an innovative anti-bullying program, all to guide student awareness of how best to participate in the larger society of which they are a part.

Mt. Carmel understands its own social responsibility, too. The Northern Marianas community today faces the same financial challenges as Americans elsewhere in our nation. In response, Mt. Carmel has committed to new initiatives offering financial assistance to families that want a Catholic education for their children.

From its humble beginnings in 1952, the school has evolved into an institution whose name is synonymous with excellence in our community. Mt. Carmel has cultivated many of our islands' most notable business, government, and community leaders. Alumni from all walks of life stand as inspiring pillars in our community.

I offer my congratulations to all those who have been affiliated with the school over these past 60 years—teachers, staff, students, alumni, and parents. I am confident that the next 60 years will be marked by the same level of accomplishment.

Congratulations, Knights!

IN HONOR OF OHIO STATE REPRESENTATIVE SANDRA WILLIAMS

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 13, 2012

Mr. KUCINICH. Mr. Speaker, I rise today to honor State Representative Sandra Williams of Ohio's 11th District.

Before taking a position in the State House, Representative Williams began her career in criminal justice. She served as a member of the United States Army Reserve between 1987 and 1995. She later held positions as a corrections officer, probation officer, parole officer and mediator.

Her first job in the State House was as a legislative aide, a position she held for five years while gaining much needed insight and credentials that eventually earned her the trust of the voters she would soon represent. Representative Williams was first elected to be a State Representative in 2006 and is now in her third term. She is a ranking member of the House Public Utilities Committee and a member of the Criminal Justice and Economic and Small Business Committees.

In addition to her legislative career, Representative Williams is a member of the Federated Democratic Women of Ohio, the National Council of Negro Women, the Improved Benevolent and Protective order of Elks, Ohio Democratic Women's Caucus, National Association for the Advancement of Colored People, and the Black Women's Political Action Committee. She also donates much of her time to the Cleveland Food Bank as a volunteer and is a former Street Club President and precinct committee person.

Mr. Speaker and colleagues, please join me in honoring the achievements of State Representative Sandra Williams.

RECOGNIZING THE GROUND
BREAKING OF THE 9/11 MEMO-
RIAL AT SOUTH KING FIRE AND
RESCUE

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 13, 2012

Mr. SMITH of Washington. Mr. Speaker, I rise to recognize the groundbreaking of the 9/11 Memorial at the South King Fire and Rescue Station 64 in Federal Way, Washington. The memorial will include a steel beam from the World Trade Center to honor the firefighters, police officers, and citizens who lost their lives when terrorists coordinated the attacks on September 11, 2001.

In 2011, Lt. Scott Mahlen and firefighter Sven Schievink drove to New York to retrieve the beam. During the 55 hour-long journey, the men were supported by friends and fire stations across the country. After returning to Federal Way, the community worked for the next year to raise money for the memorial.

The South King Firefighters Foundation plans to finish the memorial by September 11, 2013. This project serves as a reminder of how deeply the tragedy of 9/11 affected Americans across the country, and the steel from this beam represents the strength and resilience of the United States in the aftermath of unimaginable tragedy.

Mr. Speaker, it is with great honor that I recognize the work of the men and women of South King Fire and Rescue to construct a powerful memorial for the victims of the 9/11 attacks. When completed, this memorial will be an important reminder of those who lost their lives and the men and women who continue to protect our country every day.

HONORING THE CENTER FOR
INDEPENDENT LIVING

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 13, 2012

Ms. LEE of California. Mr. Speaker, I rise today to honor the 40th Anniversary of the Center for Independent Living, Inc. (CIL). For four decades, CIL has continued to champion the rights and abilities of people with disabilities to lead self-determined lives marked by activism, equality and community engagement. The first organization of its kind, CIL has made the Bay Area an international model of accessibility, inspiring Independent Living centers in 20 other countries, as well as 400 facilities in the U.S. alone.

This evening, supporters and friends, including esteemed California Governor, Edmund Gerald "Jerry" Brown, Jr., gather in the birthplace of the independent living movement, Berkeley, CA. Moreover, the festivities take place at the new, fully accessible Ed Roberts Campus disability service center and transit hub—named for the local founding father of the disability rights movement, Ed Roberts, who was also one of CIL's co-creators. Someone I had the honor to know and work with.

In 1972, what started as a student-organized Physically Disabled Students Program (PDSP) at the University of California, Berkeley branched into the formal incorporation of a Center for Independent Living cofounded by students Ed Roberts, Hale Zukas and Jan McEwan Brown along with community supporters. In the years that followed, CIL became a powerful catalyst for pervasive social change.

Operating on the principle that people with disabilities know best how to meet the needs of others with disabilities and that the strongest most vibrant communities are those that embrace all people, CIL has been a driving force in shaping public policy. Its successes include state and federal disability rights laws, including, Section 504 of the Rehabilitation Act and the Americans with Disabilities Act.

From early insistence on Berkeley curb cuts and transit station elevators, to working directly with municipal and state agencies and hosting the first National Conference on Independent Living in 1975, CIL became an integral support network—giving people the knowledge and tools to assert their civil rights.

In accordance with a core tenet of CIL's mission, the Center provides comprehensive programs with wraparound services that most effectively meet the needs of people with disabilities. Working with federal, state, county, city and private funding, CIL provides services in assistive technology and repairs, employment and housing, building modifications, Independent Living skills, Deaf Services, information counseling, referrals, personal attendants, travel training, and networking for community organizing. CIL's Employment Academy and Living Well Senior Program, as well as its Mentors, Advocacy and Peer Services (M.A.P.S) program for physically disabled youth and young adults, offer targeted income, wellbeing and mentorship benefits.

As someone with a sister who has been disabled with Multiple Sclerosis since 1974, I personally know the many challenges faced by people with disabilities. Therefore, I honor and salute the Center for Independent Living for its vision and steadfast hard work in meeting these challenges in magnificent ways.

CIL has proven that communities benefit when people with disabilities are given opportunities to live, work and participate as equal citizens. The Center for Independent Living is more than a destination for disability services; It's a gathering place, a place to find common cause and friendship, and a place to learn and grow. Ultimately, CIL is a place that teaches and empowers all of us to strive for independence through social and economic equality.

On behalf of California's 9th Congressional District, I want to extend my congratulations on this important, 40-year milestone. I thank all of the many people who have contributed to the continued success of the Center for Independent Living, Inc. and wish you the very best in the coming years.

IN HONOR OF OHIO STATE REP-
RESENTATIVE ARMOND BUDISH

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 13, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in honor of State Representative Armond Budish of Ohio's 8th House District.

In 2006, Budish was elected as a State Representative to the 127th General Assembly. He was named Speaker of the House for the 128th General Assembly and is currently the Democratic Leader of the House for the 129th General Assembly. Leader Budish is a Ranking Minority Member of the Financial Institutions, Real Estate and Securities Committee and a member of the Unified Long-Term Care Budget workgroup.

Leader Budish received his Bachelor's Degree with Honors from Swarthmore College and his Juris Doctorate, Order of the Coif from the New York University Law School. Upon graduation, he clerked in Washington D.C. for a Federal Judge. He later joined the Hahn Loeser and Parks law firm in Cleveland, Ohio. In 1993, he opened the Budish, Solomon, Steiner and Peck law firm in Beachwood, Ohio which specializes in consumer and elder law and continues to act as partner.

In addition to his position as Democratic Leader, Representative Budish hosts "Golden Opportunities," a television show on the local Channel 3 news station aimed at informing seniors and their families. He has also written several books and national publications and has penned a column for The Cleveland Plain Dealer and Columbus Dispatch entitled, "You and the Law," for the past 25 years.

Mr. Speaker and colleagues, please join me in honoring the achievements of State Representative Armond Budish.

CONGRATULATING JAMESVILLE
MIDDLE SCHOOL ON THEIR DES-
IGNATION AS A NATIONAL BLUE
RIBBON SCHOOL

HON. G.K. BUTTERFIELD

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 13, 2012

Mr. BUTTERFIELD. Mr. Speaker, I rise to congratulate Jamesville Middle School in Jamesville, North Carolina for being honored by the U.S. Department of Education as a 2012 National Blue Ribbon School.

Since 1982, the Department of Education has recognized elementary, middle, and high schools whose students excelled or showed significant academic improvement on state or national assessments with the National Blue Ribbon School designation. This year, Jamesville Middle School is being recognized, along with 268 other schools nationwide, for its academic performance.

During the last two school years, students from Jamesville Middle School demonstrated academic excellence—earning performance composites of 91 and 93 percent on the North Carolina End-of-Grade Tests. These scores

have distinguished Jamesville Middle School as one of the top five schools within a six county region in eastern North Carolina. As a result, the North Carolina State Board of Education and the North Carolina Department of Public Instruction named Jamesville Middle School an Honor School of Excellence two years in a row.

Mr. Speaker, I commend the students, faculty, and parents of Jamesville Middle School for their commitment to academic excellence. Quality primary and secondary education are essential for academic success and lifelong achievement. The Blue Ribbon School designation is a great testament to the Jamesville community's commitment to prepare their children for the future.

Mr. Speaker, I ask my colleagues to join me in honoring and celebrating Jamesville Middle School's recognition as a 2012 National Blue Ribbon school.

IN HONOR OF OHIO STATE REPRESENTATIVE JOHN E. BARNES, JR.

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 13, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in honor of State Representative John E. Barnes, Jr. of Ohio's 12th House District.

Representative Barnes is the son of former Cleveland City Councilman, John E. Barnes, Sr. who instilled in him a sense of value of service to others. Representative Barnes received a master's degree from Case Western Reserve University, professional education from Harvard University, an Honorary Doctorate from Chancellor University, and was a student at the Katholieke University in Leuven, Belgium.

Representative Baker first served as a State Legislator from 1999 to 2002, during which he participated as a member of the Ohio Legislative Black Caucus' official visit to South Africa in 2001. He was also responsible for bringing millions of dollars to his district to support economic development and job creation initiatives. As a State Representative for the second time, he now sits on the Ways and Means; Health and Aging; and Economic and Small Business Committees.

In addition to his place in the Ohio House of Representatives, Representative Barnes has held positions as Chairman of the Ohio Commission on African American Males, a Cabinet-Level Director in the Administration of Former Cleveland Mayor, Jane L. Campbell, Director of Cleveland's Department of Community Relations, and a Senior Tax Auditor and Investigator for the City's Division of Taxation.

Mr. Speaker and colleagues, please join me in honoring the achievements of State Representative John Barnes, Jr.

200TH ANNIVERSARY OF THE
DEATH OF SACAGAWEA

HON. KRISTI L. NOEM

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 13, 2012

Mrs. NOEM. Mr. Speaker, I wish to speak today to commemorate the 200th anniversary of the reported death of Sacagawea, and to celebrate the contributions she made to our country's development. She was only around 25 years old at the time of her death, but she accomplished much in her short life.

Sacagawea is remembered for guiding Captains Meriwether Lewis and William Clark, who were leading the Corps of North Western Discovery Expedition commissioned by President Thomas Jefferson in the early 1800s. This journey took them from Missouri to the far reaches of the Pacific Northwest, and back again.

Sacagawea was born around 1788 and was the daughter of a Shoshone chief. She was later kidnapped by an enemy of her tribe and married by the time she was only thirteen to a French-Canadian fur trapper. In 1804, she was commissioned by Lewis and Clark with her husband to serve as interpreters and joined the expedition with her newborn baby during the years 1804–1806. They led the expedition westward thousands of miles along the Missouri River and helped Lewis and Clark reach the Pacific Ocean before returning east.

Unfortunately, her life story came to an abrupt end when Sacagawea was reported to have died on December 20, 1812 near present day Kenel, South Dakota. Despite her untimely death, her contributions to our nation and rich cultural heritage continue to live on to this day. We commemorate her life on this year that marks the bicentennial anniversary of her reported death.

In the following weeks, Encounters of the Prairie, the South Dakota Chapter of the Lewis and Clark Trail Heritage Foundation, will meet in order to commemorate the anniversary of the reported death of Sacagawea. I admire her unique and inspiring heritage and her role in the history of this country. Sacagawea walked thousands of miles carrying her infant on her back, all the while using her skills as a guide and as an interpreter. After 200 years, Sacagawea is remembered for her abilities, perseverance, and impacts on this country and will continue to inspire us all.

IN HONOR OF OHIO STATE REPRESENTATIVE NICKIE J. ANTONIO

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 13, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in honor of State Representative Nickie J. Antonio of Ohio's 13th House District.

Prior to public service, Representative Antonio was a former special education teacher, an Executive Director at a non-profit for women's drug and alcohol treatment programs, an

administrator for a multi-county HIV/AIDS group, an adjunct professor at Cleveland State University in Women's Studies and Public Administration. She served over two decades as a consultant to various non-profits and government agencies in Northeast Ohio.

In 2005, Representative Antonio was elected to the Lakewood City Council where she sat for a total of five years, chairing the Economic Development; Housing; and Human Services committees and also sat as a member of the Public Works and Finance Committees. While a Lakewood council representative, she served on the Lakewood Hospital Board for four years, fought to retain funding for senior programs and services, and was a founder of the Lakewood Relations Advisory Commission which is aimed at promoting citizen human rights and expanding the scope of existing intimidation laws.

As a State Representative, Antonio sits on the Commerce and Labor; Education, Health, and Aging; and Ohio House Committees. She also earned an appointment to the Joint Legislative Committee for Long-Term Care Services and Supports as well as the Commission on Developmental Disabilities. She serves as a policy co-chair for the Ohio Women's Legislative Caucus, is a member of the Ohio House Progressive Caucus, and is a past chair of both the American Cancer Society Relay for Life Event and the Cuyahoga Democratic Women's Caucus where she continues to sit on the steering committee.

Mr. Speaker and colleagues, please join me in honoring the achievements of State Representative Nickie J. Antonio.

RECOGNIZING THE C.A.S.T. FOR
KIDS FOUNDATION

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 13, 2012

Mr. SMITH of Washington. Mr. Speaker, I rise to honor the "Catch a Special Thrill" (C.A.S.T.) for Kids Foundation, based in Renton, Washington. Since 1991, this organization and its founder Jim Owens have worked to partner volunteers who love fishing with people with special needs for fishing excursions. Today, the foundation hosts three different programs; C.A.S.T. for Kids, the Fishing Kids Program, and the Take a Warrior Fishing Program.

The C.A.S.T. for Kids Program held its first event at Banks Lake in Eastern Washington in 1992. Today, events are held in 22 States across the country. This program helps children with special needs and their caretakers experience the outdoors and spend time on the water. This program also helps educate the community about the abilities of children with special needs and the value of providing this type of experience to those young individuals.

The Fishing Kids Program was established in 1996 to give young people living in urban areas exposure to fishing. Expert anglers volunteer to teach children fishing techniques, angler ethics, fish identification and water safety—giving young people the skills they

need to begin a lifelong hobby. Kids also leave the program with a rod and reel to keep and continue using.

In 2011, the foundation launched a new program called Take a Warrior Fishing. The first event was held at Joint Base Lewis-McChord. This program connects transitioning military personnel and their families to increase interactions and appreciation for the outdoors. This also gives returning servicemembers a therapeutic outlet by spending time on the water and in the outdoors.

Mr. Speaker, it is with great honor that I recognize the work of the C.A.S.T. for Kids Foundation. Their creative solutions to helping kids and servicemembers by introducing them to the sport of fishing helps a wide variety of special needs individuals in our communities.

CELEBRATING MACEDONIA'S INDEPENDENCE DAY

HON. CANDICE S. MILLER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 13, 2012

Mrs. MILLER of Michigan. Mr. Speaker, I rise today to recognize the Macedonian Community in honor of their Independence Day. On September 8, 1991, the Republic of Macedonia voted to officially gain its independence from the former Yugoslavia beginning a new era in the proud history of the Macedonian people. By approving the referendum, the people decided that it was time for their country to forge its own path. This 21st anniversary of their independence provides us all an opportunity to recognize the Macedonian Community's significant contributions both within our country, and throughout the world.

Macedonia has been a dedicated ally to the United States in the Global War on Terror and has done much to promote liberty and democracy throughout Europe and the world. With American cooperation and support, Macedonia has emerged as a center of multi-cultural peace and stability in a part of the world known for strife and ethnic tensions. Their staunch support of freedom makes them a model for other countries in the region, and their commitment to a U.S.-Macedonia relationship will lead to a richer, more prosperous future for citizens of both countries.

As a way to recognize this partnership, I started the first Congressional Caucus on Macedonia and Macedonian-Americans. This Caucus is a bipartisan group of members of Congress dedicated to maintaining and strengthening a positive and mutually beneficial relationship between the United States and the Republic of Macedonia, as well as advocating for the concerns and interests of the Macedonian community in the United States.

Michigan's 10th District has one of the largest populations of Macedonian-Americans in the Nation. I would like to acknowledge their contributions to our District and our State, and I look forward to continuing that relationship as we deal with the problems facing our great Nation.

Again, congratulations to the Macedonian community for their achievements as we commemorate the anniversary of their independence.

IN HONOR OF OHIO STATE REPRESENTATIVE NAN BAKER

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 13, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in honor of State Representative Nan Baker of Ohio's 16th House District.

Before joining the Ohio General Assembly, Representative Baker was a member of the Westlake Board of Education and served three terms as Westlake City Councilwoman. She has been an active member of the West Shore Chamber of Commerce for 18 years where she served two years as president and currently serves on the Board of Trustees. She has continued to be an avid business owner for over 30 years while remaining active in her community. She is involved with the Community Advisory Board for St. John Medical Center, Westlake Kiwanis, Westlake/North Olmsted League of Women Voters, Westside Professional Women's Connection and the Westlake/Westshore Arts Council.

Over the years, Representative Baker's hard work and dedication to public service has earned her several honors and awards including the 1999 Honored Woman of the Year awarded by the Westlake/North Olmsted League of Women Voters, a Certificate of Special U.S. Congressional Recognition, the Cleveland State University David C. Sweet Award given to alumni for distinguished elected service, the Hugh Dawson Award given by the West Shore Chamber of Commerce for outstanding service to the business community, and in 2009, the Chuck McDonald Council of Smaller Enterprises Advocacy Award for her service and dedication to small business.

Currently as a State Representative in her second term, Representative Baker chairs the Economic and Small Business Development committee and is a member of the Education; Local Government; and Ways and Means Committees.

Mr. Speaker and colleagues, please join me in honoring the achievements of State Representative Nan Baker.

IN HONOR OF THE SIX SIKH AMERICANS SLAIN ON AUGUST 5, 2012

HON. JERRY McNERNEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 13, 2012

Mr. McNERNEY. Mr. Speaker, today I rise to ask my colleagues to join me in honoring the memory of the six Sikh Americans that were shot and killed in a senseless act of violence on August 5, 2012.

Bhai Seeta Singh, Bhai Parkash Singh, Bhai Ranjit Singh, Satwant Singh Kaleka, Subegh Singh, and Parmjit Kaur Toor were slain without regard to human dignity or the sanctity of life. The people of my district and Americans across the Nation stand in solidarity with the Sikh community. Violence against any group is unacceptable, and I offer my prayers and condolences to the families of the victims in Wisconsin and to Sikhs everywhere.

Hate, particularly hate speech, is all too common in today's world. The Sikh community's unified and peaceful response to this hateful attack demonstrates the resilient spirit of the Sikh people. They have shown the world their love of peace, and it is my hope that we can all learn from the Sikh community in the wake of this tragedy.

In this great country, there is no room for the prejudice, intolerance and stereotypes that perpetuate hate acts and hate language. I stand beside the Sikh people as they continue to have the strength and dignity to be proud of their long heritage. To show such grace when faced with such a senseless act of violence is a true testament of their honorable culture.

I had the unique privilege to stand vigil with the Sikh people from my district. To join together in the face of such animosity was an honor. I commend the Sikh community in my district and around the country for their courageous response.

It is for these reasons that I ask my colleagues to join me in honoring the memory of the six Sikh Americans who were killed on August 5, 2012.

HONORING POINT REYES NATIONAL SEASHORE

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 13, 2012

Ms. WOOLSEY. Mr. Speaker, I rise today to honor Point Reyes National Seashore in Marin County, CA, on the occasion of its 50th anniversary. Millions of people—and flora and fauna—have benefitted from the law President John F. Kennedy signed on September 13, 1962, "to save and preserve, for the purpose of public recreation, benefit, and inspiration, a portion of the diminishing seashore of the United States that remains undeveloped."

Celebrating with the theme of A Natural Sanctuary, A Human Haven, Point Reyes National Seashore (PRNS) truly embodies these values. From its pristine beaches and forests to its ranches and grasslands, the area provides recreational and cultural resources as well as habitat for a wide variety of species. And nearly one-third of known marine mammal species feed in the waters just off the park's coast.

The Point Reyes peninsula has an unusually rich history. Coast Miwok Indians inhabited the peninsula 500 years ago, and, in 1579, Sir Francis Drake and his crew became the first Europeans to meet the Miwoks when they stopped to replenish water and supplies. The survivors of a shipwrecked Manila galleon came ashore a few decades later, foreshadowing a history of shipwrecks that led to the establishment of dramatic lighthouses and lifesaving stations that exist today. In the 19th century, ranchos were developed by Mexican land grantees, and ranching continues today in pastoral zones in which cows share the landscape with native birds, plants, and animals. Lying on the San Andreas Fault, PRNS also displays the effects of the 1906 San Francisco earthquake, the sign of geological

land in motion as the peninsula moves north at the rate of two inches a year.

This special area was first conceived as a park in 1938, and today it hosts over two million visitors a year. It is one of the country's most visited national parks.

Mr. Speaker, it takes hard work by many visionary and dedicated people to create and maintain a jewel like Point Reyes National Seashore. I am proud to congratulate all of them on 50 years of providing A Natural Sanctuary, A Human Haven.

HONORING VAN P. BARBIERI

HON. JANICE HAHN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 13, 2012

Ms. HAHN. Mr. Speaker, I rise to honor Van P. Barbieri, who passed away on September 5, 2012. Van P. Barbieri was born on August 27, 1940 in San Pedro, California. He was a gentle, quiet man, who was never overbearing in expressing his ideas and thoughts about making our community better. He served on the Board of Directors of several local organizations. He was an affable San Pedro High School graduate who became one of the top real estate salesmen on the Palos Verdes Peninsula for 35 years, most recently at the Miraleste office of Remax, and was a former president of the California Real Estate Association.

To those in sports, he is remembered as the former boxing publicist for the Olympic Auditorium during the arena's heyday and a close friend and aide-de-camp for Pro Football Hall of Fame coach, George Allen. He was given the distinct honor of being inducted into the California Boxing Hall of Fame.

He is survived by his loving wife, Mary; mother, Eva; brothers and sisters-in-law, Dennis, (Lucretia), Anthony, (Linda) and John; several step children and grandchildren; and of course, countless friends. He was loved by all and will be missed dearly.

IN HONOR OF OHIO STATE REPRESENTATIVE MARLENE ANIELSKI

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 13, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in honor of State Representative Marlene Anielski of Ohio's 17th House District.

Representative Anielski holds a Bachelor of Arts degree from the University of Akron and a Master of Business Administration from Cleveland State University where she also received her certification as an Ohio Certified Public Manager.

Representative Anielski's political career began with her role as Walton Hills' Councilwoman, a position she held for two years before being elected Mayor of Walton Hills. She served as Mayor/Safety Director of the City for ten years between 2000 and 2010. In 2011,

she was elected to her first term as Ohio State Representative in the Ohio General Assembly. She is a member of the Economic and Small Business Development; Education; Finance and Appropriations; Public Utilities; and Joint Bingo and Skill Based Gaming Committees. Representative Anielski has also opposed legislation that would allow for drilling for oil and natural gas in state parks and other state owned lands.

In addition to her responsibilities as a member of the State House, Representative Anielski is active in her community. She donates much of her time to various national, state, and local organizations including the Small Communities Council of the National League of Cities, the Mayors' and Municipalities Automotive Coalition, the Chambers of Commerce, and Junior Achievement.

Mr. Speaker and colleagues, please join me in honoring the achievements of State Representative Marlene Anielski.

RECOGNIZING MASTER CHIEF PETTY OFFICER (RET.) JOHN R. BRINKHEIDE FOR HIS MORE THAN 20 YEARS OF HONORABLE SERVICE TO THE U.S. NAVY

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 13, 2012

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise today to thank and commend Master Chief Petty Officer (Ret.) John Robert Brinkheide, of Dale City, Virginia, for his more than 20 years of honorable and courageous service to the United States Navy, his subsequent 17 years of service supporting the Department of Defense in the private sector, and his continued service to our community. We are fortunate to have among us veterans with MCPO Brinkheide's sense of duty and continued commitment to public service.

MCPO Brinkheide enlisted in the U.S. Navy in 1962 and completed electronics school the same year. From 1962 to 1964 he served aboard the USS *Semmes*, a ship he describes as truly unique, tied together by a crew committed to its mission and one another. His service aboard the USS *Semmes* instilled in him his sense of professionalism and ethics that guided him throughout the entirety of his military and professional career. He attended advanced electronics school in 1965 and then served for three years in Vietnam aboard an in-river LST. After completing his tour in Vietnam, MCPO Brinkheide served aboard the USS *America* from 1969 to 1976 and was promoted to Master Chief Petty Officer. MCPO Brinkheide's last few years at sea were served aboard the USS *Nashville* as the Electronics Material Officer from 1976 to 1980. MCPO Brinkheide spent his last year with the Navy working on strategic communications for the Naval Electronic Systems Command performing oversight of electronic equipment acquisitions.

After retiring from the Navy in 1981, he began a long career working for a contractor supporting the Department of Defense, specializing in systems acquisitions. Since retiring

from the Navy, Mr. Brinkheide has actively worked to better his community through the Knights of Columbus and served as the Grand Knight of the John Paul I Council of Dale City, Virginia, from 2006 to 2007. MCPO Brinkheide also worked tirelessly for 24 years to help organize and implement the Prince William County Tree Trimming Day of Remembrance, a ceremony held to honor those who died in alcohol and drug-related vehicle crashes.

Mr. Speaker, I ask that my colleagues rise to join me in recognizing and thanking John R. Brinkheide for his steadfast and selfless service to our country and for his ongoing contributions to the betterment of our community.

CONGRATULATING JENNIFER POTTER ON HER RETIREMENT

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 13, 2012

Mr. SMITH of Washington. Mr. Speaker, I rise to honor and congratulate Jennifer Potter, the President and CEO of the Initiative for Global Development (IGD), on her retirement.

Jennifer joined the group who would found IGD in 2003 with a goal to reduce global poverty through economic growth and investment. Under her leadership as President and CEO, the Seattle-based organization grew from an ambitious idea to a widely recognized international organization. Jennifer has also led IGD's efforts to direct more than \$100 million in investments to the developing world and altered the way governments and businesses engage in these areas. Her recent focus on African communities has opened the door for employment opportunities and increased their access to various markets.

Jennifer's true passion for non-profit work stems from her service in the Peace Corps and experience leading multiple urban planning and development organizations. She has also served on various boards of organizations focused on international policy. Her inspirational drive and vision will be difficult to replace, and her efforts to eliminate world hunger will always be remembered and appreciated.

Mr. Speaker, it is with great pleasure that I recognize and congratulate Jennifer Potter on her retirement. I wish her the best in all her future endeavors.

RECOGNIZING DR. NEAL A. YOUNG

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 13, 2012

Ms. NORTON. Mr. Speaker, I rise today to recognize the accomplishments of District of Columbia resident Dr. Neal A. Young, recipient of the 2012 Samuel J. Heyman Service to America Medal for Science and Environment. These prestigious awards, presented annually by the Partnership for Public Service, honor outstanding achievements by federal employees in nine categories.

Dr. Young is the Chief of the Hematology Branch, National Heart, Lung and Blood Institute at the National Institutes of Health (NIH) and the director of the NIH Center for Human Immunology, Autoimmunity and Inflammation. His pioneering laboratory and clinical research, together with his clinical practice and mentoring, has saved the lives of thousands of people throughout the world suffering from bone marrow failure syndromes, all while serving as a federal employee. During his federal service, Dr. Young has become the world's foremost expert in the difficult area of bone marrow failure, and the treatment protocols he developed for aplastic anemia are considered best practice. Currently, Dr. Young, who developed methods for testing for the B19 parvovirus, has a vaccine for the virus in clinical trials. He also has dedicated himself to training the next generation of hematology clinicians-researchers, and his students have gone on to lead departments throughout the world. We are particularly pleased and proud that a scientist with Dr. Young's accomplishments is a resident of our city, where his example will especially inspire the budding young scientists among our children.

At a time when many federal employees feel beleaguered, Dr. Young's award puts a face on the term "federal employee." Earlier this year, I introduced H. Res. 682, which expresses the sense of the House of Representatives in support of our outstanding federal employees, who are the best educated and most highly qualified broadly based workforce in the country. Dr. Young is a distinguished representative of federal employees at every level, who give their best to their work for the American people. The residents of the District of Columbia, many of whom also are federal employees, join me in congratulating Dr. Young, a distinguished D.C. resident who exemplifies our high quality federal employees and is now honored by our nation as one of our most remarkable scientists.

Mr. Speaker, I ask the House to join me in honoring Dr. Neal Young for his outstanding accomplishments in science and for his continuous commitment to public service.

RECOGNIZING CAPTAIN (RET.)
THOMAS BOYCE FOR HIS 28
YEARS OF SERVICE TO THE U.S.
NAVY

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 13, 2012

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise today to thank and commend Captain (Ret.) Thomas Boyce of Alexandria, Virginia for his 28 years of honorable service to the United States Navy and for his subsequent 30 of support to the Navy in the private sector. Captain Boyce's long career both in the Navy and in business speaks to his deep patriotism and commitment to protecting our nation. He is a veteran of the wars in both Korea and Vietnam, and his tremendous sacrifice and dedicated service to this country truly merit our highest praise.

CAPT Boyce graduated from the U.S. Naval Academy in 1951. After receiving his commis-

sion, he served in Korea aboard several mine-sweeping ships. From 1962 to 1964 he served aboard the USS *Semmes*, a ship for which he served on the commissioning team and helped oversee the construction. He credits the ship's command with instilling the esprit de corps needed for the USS *Semmes* to become one of the most successful missile firing ships in the Navy. From 1964 to 1970, CAPT Boyce served under the Naval Surface Missile System Office while assigned shore duty. During the early 1970s, he served aboard the USS *Niagara Falls*, a fast combat logistics ship that replenished ports in Vietnam. CAPT Boyce finished his naval career in 1979 at the Naval Air Systems Command.

After retiring, CAPT Boyce began an equally long career working for a naval contractor applying his unique skill set to managing the building of twenty LMSR ships. Used extensively by the Navy, LMSRs have significantly expanded the Navy's sealift capabilities and have been integral to the missions in Iraq and Afghanistan. CAPT Boyce recently retired for a second time and is looking forward to spending time with his wife, Barbara, and continuing his work on the board of the USS *Semmes* DDG-18 Association.

Mr. Speaker, I ask that my colleagues rise to join me in recognizing and thanking Thomas Boyce for his committed and selfless service to our country.

IN RECOGNITION OF JOSE JOEL
GARCIA

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 13, 2012

Mr. STARK. Mr. Speaker, I rise today to pay tribute to Jose Joel Garcia, who is retiring from his position as Chief Executive Officer of Tiburcio Vasquez Health Center, Inc., a multi-site and multi-service community health center in Southern Alameda County, California. Mr. Garcia has provided exemplary leadership to Tiburcio Vasquez Health Center since August 1992 and has expanded the organization to include a myriad of clinical and social services through multiple facilities.

Prior to his appointment as CEO of Tiburcio Vasquez, Mr. Garcia held academic appointments at UC Berkeley's Graduate School of Public Health and the Graduate School of Business at the University of Colorado. Between 1982 and 1993, he helped develop and direct a multidisciplinary bi-national graduate student exchange program known as the University of California-Universidad de Guadalajara "Intercambio Academico."

Mr. Garcia received his undergraduate degree in Political Science from the University of California, Santa Barbara and a law degree from the Boalt School of Law at the University of California, Berkeley. He is an active member of state and federal bars and has published research on health policy, law and administration in the United States and abroad. His professional and social justice contributions have advanced health access through the creation of a local, statewide and national nonprofit health care infrastructure and a focus

on strengthening community-based self-governance at health centers.

In recognition of his contributions, Mr. Garcia has received numerous awards. He currently serves on the Executive Committee and the Board of Directors of the Primary Care Association, which he co-founded. He is a Board Member of the Alameda Health Consortium and Community Health Center network. His past affiliations include directing Centro Legal de La Raza, co-founding the Berkeley Primary Access Clinic, and past Chairperson and Board Member of Eden Medical Center. He served for five years on the Board of Directors of the University of California, Berkeley Alumni Association.

I join Jose Joel Garcia's colleagues, friends and family in applauding his outstanding career in numerous arenas to benefit others. While he is stepping down from his CEO role at Tiburcio Vasquez Health Center, he will remain affiliated with the organization in some capacity. This is good news as Mr. Garcia has played a major role in shaping health care delivery in Alameda County. We will welcome his continuing leadership skills, talent, intellect, and experience.

PERSONAL EXPLANATION

HON. MARTIN HEINRICH

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 13, 2012

Mr. HEINRICH. Mr. Speaker, on September 10, 2012, I unfortunately missed three votes, which included rollcall numbers 557, 558 and 559.

If I had been present, I would have voted "yes" on rollcall vote 557.

If I had been present, I would have voted "yes" on rollcall vote 558.

If I had been present, I would have voted "yes" on rollcall vote 559.

IN CELEBRATION OF THE
TUSKEGEE-MOREHOUSE FOOT-
BALL CLASSIC

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 13, 2012

Mr. BISHOP of Georgia. Mr. Speaker, I rise today to salute a classic gridiron rivalry—the "Matchless Classic of All Historically Black College Football Classics"—the 77th Annual Tuskegee-Morehouse Football Classic. This year, the Tuskegee University Golden Tigers will come face-to-face with the Morehouse College Maroon Tigers on the green grass of A.J. McClung Memorial Stadium in Columbus, Georgia on Saturday, October 6, 2012 at 2:00 p.m.

A rivalry that began in 1902 with the teams playing each other seventy-six times in over 100 years, the Tuskegee-Morehouse Football Classic has the distinction of being one of the longest running NCAA Division II classics in the nation. It first began as an entertainment event for the African-American civilian community and African-American U.S. Army soldiers

in the Columbus-Fort Benning, GA and Phenix City, AL area. Today, its primary purpose is to help raise funds for scholarships to help young men and women attend college.

In 1955, Mr. Gordon H. Kitchen, Mr. A.J. McClung, and Mr. Carl Haygood formed the Classic Committee. The Committee continues to operate the Classic and has preserved the mission of its legendary founders and past leadership. This year, the Committee will welcome Dr. Robert Michael Franklin, Jr., the Tenth President of Morehouse College; Dr. Gilbert L. Rochon, the Sixth President of Tuskegee University; and Dr. Beverly Tatum, the Ninth President of Spelman College to the Classic.

This year will also mark the eighth year the Tuskegee-Morehouse Football Classic will be played in the A.J. McClung Memorial Stadium, which was named for the late Honorable A.J. McClung, a 1933 graduate of Tuskegee University, Chairman Emeritus of the Tuskegee-Morehouse Football Classic and 29-year member of the Columbus Council who served as acting Mayor of Columbus in 1973.

A longstanding tradition, the weeks leading up to the Classic are filled with excitement and anticipation. The Tuskegee-Morehouse Classic Parade is a widely attended fanfare. There is a week-long schedule of events including church services, recruitment activities, a media press conference, a golf tournament, President/Queens Brunch, VIP Reception and spirited tailgating.

Throughout the years, the two teams have taken the field to play with the highest quality and standards of college football. The players and coaches train and work tirelessly to ensure a memorable classic, and the marching bands, the Piperettes, Mahogany in Motion, cheerleaders, flag teams and other auxiliary units put on spectacular shows while the fans and observers cheer loudly and proudly for their teams.

Mr. Speaker, I ask that my colleagues join me in saluting the Golden Tigers of Tuskegee University as they come face-to-face with the Maroon Tigers of Morehouse College. Naturally, I will be cheering for my beloved Alma Mater, Morehouse College. Despite the outcome, however, the 77th Annual Tuskegee-Morehouse Football Classic is sure to be a memorable affair overflowing with spirit, pride, and tradition.

CONGRATULATING PAUL ROBERT CHENEVEY AND SANDRA JEAN CHENEVEY ON THEIR 50TH ANNIVERSARY

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 13, 2012

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise today to congratulate Paul Robert Chenevey and Sandra Jean Chenevey on their 50th wedding anniversary on August 11th. Paul and Sandra are both professional musicians. Paul was an orchestra conductor and a Professor of Music for more than 40 years at Westminster College in New Wilmington, Pennsylvania. Sandra was a piano

instructor at Grove City College, Slippery Rock University, and at Westminster College.

In addition to their shared love of music, Paul and Sandra share a passion for travelling the globe, and recently journeyed to Antarctica, fulfilling their goal of visiting all seven continents. It is fitting, therefore, that Paul and Sandra celebrate their momentous anniversary with another trip, this time to the Washington, D.C. region, to spend time with their children, Stephen Michael Chenevey of Alexandria, Virginia, and my constituent, Catherine Anne Chenevey of Gainesville, Virginia.

I ask my colleagues to join me in congratulating Paul and Sandra on their 50th anniversary, and in wishing them many more, wherever their travels may take them.

RECOGNIZING THE TECHNOLOGY ACCESS FOUNDATION ACADEMY

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 13, 2012

Mr. SMITH of Washington. Mr. Speaker, I rise to honor the Technology Access Foundation (TAF) Academy, located in Kent, Washington and part of the Federal Way Public Schools, for winning the Schools of Distinction award for being the top middle school in mathematics instruction.

Each year, the Intel Corporation honors elementary, middle and high schools from across the country for excellence in math and science education. Award winners in the math and science categories for each level receive \$10,000 to support efforts to remain at the cutting edge of preparing students for careers in the 21st century.

The TAF Academy opened in 2008 as a unique partnership between the Federal Way Public Schools and the Technology Access Foundation. It is a public middle and high school that receives additional support from the Technology Access Foundation to give students topnotch education in science, technology, engineering, and math. Students take rigorous classes that prepare them for college and eventually careers in the ever-changing and increasingly competitive global job market.

Mr. Speaker, it is with great honor that I recognize the hard work of students, teachers, parents, and administrators of the Technology Access Foundation Academy. The academy's focus on science, technology, engineering and math will be greatly beneficial to its students and to our country.

INTRODUCTION OF THE WATERFRONT BROWNFIELDS REVITALIZATION ACT

HON. LOUISE McINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 13, 2012

Ms. SLAUGHTER. Mr. Speaker, today I am proud to reintroduce the Waterfront Brownfields Revitalization Act. This bill will authorize a much needed grant program to as-

sist communities that are overcoming the unique challenges of waterfront brownfields and fostering innovative approaches to remediation.

America's industrial heritage was established along the banks of its rivers, lakes and coasts. Our nation's vast and interconnected natural water system helped provide the power that fueled our rise to international prominence, and allowed us to move our manufactured goods efficiently to all corners of the country. However, that legacy also includes many decades of environmental contamination on the waterfront. Abandoned factories, dilapidated mills and underutilized ports can be found along the shores of many metropolitan areas. As localities seek to reconnect with their waterfronts and revitalize their downtowns, brownfield barriers threaten to derail community efforts to create jobs, promote recreational opportunities, restore the ecology, increase tourism, and grow their tax base.

Waterfront brownfields present challenges beyond typical environmental assessment and cleanup projects. Hydrology, water quality, wetlands, endangered species, habitat, dredged materials, flooding, environmental infrastructure, navigation, and other considerations must be carefully addressed so as not to exacerbate existing site contamination. Typically, waterfront brownfields require the involvement of multiple governmental agencies. As such, waterfront brownfields require special attention and resources to overcome their larger hurdles.

In my own district, the City of Rochester, NY is currently working to revitalize its beautiful waterfront, while attempting to cope with the unique challenges that waterfront brownfields present. The city is undertaking a major community revitalization strategy to redevelop its port and waterfront area into a mixed use development, which will include housing, commercial, retail, and educational uses, enhanced recreation, new parks and open space, and improved public access to Lake Ontario, the Genesee River and the surrounding ecosystem. However, because the Port of Rochester and surrounding waterways were used extensively for industrial purposes from the late 1800s into the first half of the 20th century, significant environmental remediation will be required prior to redevelopment.

Mr. Speaker, Rochester is not alone in facing these types of complicated and expensive challenges to redevelopment. Cities all across the country are dealing with similar roadblocks as they try to engage corporate waterfront real estate into their redevelopment plans, from Yuma, AZ and Portland, OR in the west, to Savannah, GA, and Philadelphia, PA in the east, and almost everywhere in between where lakes and rivers exist.

My bill recognizes that the federal government can be an effective partner to communities interested in reconnecting with their waterfronts. Specifically, this legislation would authorize the U.S. Environmental Protection Agency to establish a waterfront brownfields pilot demonstration program to provide localities and other eligible entities with up to \$500,000 to assess and cleanup waterfront brownfields. The bill would also establish an interagency taskforce on waterfront brownfields restoration to identify barriers and

potential solutions to waterfront brownfields revitalization, and seek methods for federal interagency collaboration on such projects.

As cities across the country struggle to thrive in a changing global economy, and as our communities work to rebuild local economies, it is imperative that Congress do all that it can to help these cities redevelop and succeed. Industrialization and manufacturing helped make this country the power that it is today and remediating the contamination left behind will revive areas in cities across the nation that once were feared to be lost. This legislation will give these cities the flexibility and support they need to redevelop in an environmentally safe way, and utilize their waterfront as an incredible economic asset. I urge my colleagues to show their support for these communities by supporting this bill.

H.J. RES. 117—THE CONTINUING APPROPRIATIONS ACT FOR FISCAL YEAR 2013 AND H.R. 6365—THE NATIONAL SECURITY AND JOB PROTECTION ACT

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 13, 2012

Mr. DINGELL. Mr. Speaker, I rise today in great frustration. It is a sad state of affairs when one of the few bipartisan achievements of this Congress is to delay major federal spending decisions for another six months. I will reluctantly support H.J. Res. 117, the Continuing Appropriations Act for Fiscal Year 2013, so funding for the government can continue, but I want to be clear that this is no way to run the country. We need to return to regular order and consider each of the 12 appropriations bills individually and in their entirety. A failure to do so is an abdication of the duty of Congress as enumerated by our most sacred document, the Constitution.

I oppose the next bill, H.R. 6365, which has an interesting name. In reality, it is nothing more than a disingenuous attempt to back out of the bipartisan deal struck last year in the Budget Control Act (BCA). We all agree that sequestration should be avoided, but it should be done within the framework of the BCA, instead of bypassing the deal to which we all agreed. I have long said everything should be on the table as we seek to reduce our deficit. I believe a balanced approach for doing so is the only legitimate way forward. H.R. 6365 abandons this approach by implementing deeper cuts in domestic programs so as to increase defense spending, and avoiding sequestration entirely. This is a cynical attempt at balancing our Nation's books. It does not ask the wealthiest among us to contribute a penny more to our country's needs. We must be fighting for the middle class and making smart, targeted investments to grow our economy and to create jobs, not needlessly slashing important domestic programs to protect millionaires and billionaires.

Congress has little time remaining to prevent sequestration from going into effect. I call on all members to come together and help find a serious, balanced solution to deal with

our deficit, instead of engaging in political theatrics by passing H.R. 6365.

RECOGNIZING THE 50TH ANNIVERSARY OF THE MOSBY WOODS NEIGHBORHOOD IN FAIRFAX, VIRGINIA

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 13, 2012

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise to recognize the 50th Anniversary of the Mosby Woods neighborhood in Fairfax, Virginia.

The mid-20th century was a time of rapid change in the Washington, DC suburbs. The booming post war economy brought many thousands of new residents to the area. As a result of this growth, the population of the Town of Fairfax grew from 1,946 in 1950 to 13,385 by 1960.

During the summer of 1961, the Yeonas Development Corporation began construction of Mosby Woods. The name of the neighborhood was inspired by the 100th anniversary of the Civil War and commemorates Colonel John S. Mosby, who was active throughout Northern Virginia. In February of 1962, the first residents moved into their new homes.

The Mosby Woods Community Association was incorporated in the summer of 1963. Over the years it has represented the community before the City of Fairfax and Fairfax County Governments. The Association also has provided social opportunities and sponsored community events, such as the annual neighborhood picnic, the Halloween parade and the holiday house-decorating contest.

In 1981, after twenty years of being divided by the City/County boundary, the neighborhood was finally united in the City of Fairfax. The boundary change effort, led by the Mosby Woods Community Association, is an example of successful civic activism benefiting the entire community.

Many residents have lived in the neighborhood twenty, thirty, or even forty years, and a number of original owners are still in the homes they bought in the 1960s.

In recent years, second-generation residents have been returning to the neighborhood where they grew up to raise their own families. When asked why they made this decision, the answer is typically "it's a great place to live." Much of that "greatness" is attributed to the quality of the home construction, the Fairfax County Public School system, the benefits of living in Fairfax City and the "small town" feel of the neighborhood. Mosby Woods is a village in a small city in a huge metropolis.

Mr. Speaker, I ask my colleagues to join me in celebrating the 50th Anniversary of the Mosby Woods neighborhood in Fairfax, Virginia, and in congratulating the Mosby Woods Community Association for its long history of civic leadership and community involvement. I wish the residents of Mosby Woods the best as they celebrate the history of their community.

IN HONOR OF PEACE CORPS DIRECTOR AARON WILLIAMS

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 13, 2012

Mr. FARR. Mr. Speaker, I rise today to honor my dear friend, Peace Corps Director Aaron Williams. After three incredible years of service, Director Williams is stepping down as the 18th Director of the Peace Corps. Without question, Director Williams leaves behind an amazing legacy that will benefit future generations of Peace Corps Volunteers and the communities in which they serve.

Director Williams was only the fourth Peace Corps Director to have been a Volunteer and, from day one, he wove that on-the-ground experience into his leadership. He understood the importance of a Peace Corps that draws from the full strength of America's citizens, and he put a laser sharp focus on expanding the diversity of the Volunteer ranks. Under Director Williams' leadership, Peace Corps formed a partnership with AARP; strengthened recruitment at Historically Black Colleges and Universities, Hispanic Serving Institutions, and Tribal Colleges; and established new partnerships with Minority Serving Institutions. And the results of his efforts are clear. Today, 20% of Volunteers are minorities and 7% are over the age of 50.

And this diversity of background and skill is desperately needed. The Peace Corps of today faces a world of increasingly complex global challenges that cannot be solved by one single entity. Director Williams broke down silos to forge and strengthen partnerships with established development entities including FAO, PSI, and the Special Olympics to promote best practices, leverage resources, and maximize impact. He also rolled out safety and security reforms, many of which were codified into law, to ensure that Volunteers, particularly women, have the support they need and deserve. Without a doubt, Director Williams has significantly enhanced Peace Corps' capacity to meet 21st century development challenges.

Director Williams worked shoulder-to-shoulder with presidents and prime ministers, world and thought leaders, and current and former Volunteers to help Peace Corps fulfill President John F. Kennedy's initial vision of world peace and friendship. Director Williams has made Peace Corps as relevant today as it was at its inception 51 years ago. As war and conflict flare around the world, Peace Corps has shown the world a hopeful, uplifting side of America that reflects our fundamental values of peace, prosperity, and progress. This could not be possible without Director Williams' vision, leadership, and spirit.

Mr. Speaker, it's been a pleasure to work with this great man from the south side of Chicago. I will miss collaborating with him, but I wish him the very best in the next stage of his life. Director Williams, thank you for your friendship and your service. The world is a better place for your leadership.

HONORING SAMUEL COULSON

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 13, 2012

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Samuel Coulson of Weston, Missouri. Samuel is a very special young man who has been named a finalist for the 2012 Broadcom MASTERS, a program of the Society for Science & the Public.

The Broadcom MASTERS (Math, Applied Science, Technology and Engineering for Rising Stars) is a science fair program designed for students in the sixth, seventh and eighth grades. Samuel is one of 30 finalists representing 29 schools in 17 states who were selected from more than 1,400 students who entered the competition. Samuel will be here in Washington starting September 28 to show his project and compete for prizes, including the top scholarship award of \$25,000 from the Henry Samueli Foundation.

Mr. Speaker, I proudly ask you to join me in commending Samuel Coulson for his accomplishments in being named a finalist for the 2012 Broadcom MASTERS and in wishing him the best of luck in the competition and all of his promising future endeavors.

PERSONAL EXPLANATION

HON. TRENT FRANKS

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 13, 2012

Mr. FRANKS of Arizona. Mr. Speaker, had I been present for rollcall vote No. 565, I would have voted "no."

RECOGNIZING THE KONA KAI COFFEE COMPANY AS A FINALIST FOR THE 2012 KING COUNTY EXECUTIVE'S SMALL BUSINESS AWARDS

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 13, 2012

Mr. SMITH of Washington. Mr. Speaker, I rise to honor and congratulate Kona Kai Coffee Company in Kent, Washington for being named a finalist for the 2012 King County Executive's Small Business Awards, in the Workforce Development Small Business of the Year category.

Kona Kai Coffee Company started off as a small business with the vision of creating Hawaiian coffee products in the Northwest. Today, the company maintains a strong workforce that is diverse and highly skilled.

The Workforce Development Small Business of the Year award is given to those businesses that recognize the importance of on-the-job training, partnerships with other businesses, involvement of the community, benefits of educational institutions, and apprenticeships. Kona Kai Coffee Company has contrib-

uted greatly to the King County region and economy by practicing these ideas.

Mr. Speaker, it is with great pleasure that I honor Kona Kai Coffee Company. Businesses like Kona Kai Coffee Company that care deeply about the future of their employees deserve to be recognized and appreciated.

COMMEMORATING VERSAILLES HIGH SCHOOL'S 1962 FOOTBALL TEAM ON THE 50TH ANNIVERSARY OF THEIR STATE CHAMPIONSHIP

HON. BEN CHANDLER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 13, 2012

Mr. CHANDLER. Mr. Speaker, today it is with great pride that I commemorate the 50th anniversary of Versailles High School's 1962 Kentucky state football championship. This commemoration has a special significance to me as my late grandfather, former Governor of Kentucky A.B. "Happy" Chandler, was on the sidelines cheering the football team to victory in the county where I was later born and raised.

The 1962 Yellow Jackets were one of the smallest football teams ever to win a Kentucky state championship, but what they may have lacked in size they made up for in their sheer determination and athletic skill. Led by the 1962 Central Kentucky Conference Coach of the Year John Snowden, this group of gritty underdogs confounded the experts by winning game after game and defying expectations.

On the day of the state championship game, more than half of the population of Woodford County was in attendance to root on the fan favorite Yellow Jackets. On that cold, windy Thanksgiving Day, the fans watched their Yellow Jackets overcome a bigger, stronger, and heavily favored opponent. The Yellow Jackets emerged victorious and claimed their memorable 1962 Kentucky state championship trophy.

Mr. Speaker, it is a great honor to have this momentous anniversary celebrated in my home district. The "Boys of '62" truly represent Kentucky's passion and dedication to the game of football. This group of individuals will always be remembered as one of Kentucky's finest, and we will continue to celebrate their accomplishments for years to come.

TRIBUTE TO CARLI LLOYD AND MATTHEW EMMONS

HON. JON RUNYAN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 13, 2012

Mr. RUNYAN. Mr. Speaker, I rise today to pay tribute to two New Jersey natives, Carli Lloyd and Matthew Emmons. Carli and Matthew both competed in the 2012 London Olympic Games and proudly represented the United States of America.

Carli Lloyd, who currently resides in Mt. Laurel, New Jersey, graduated from Rutgers

University in 2005 with a degree in exercise science and sports studies. Carli was a midfielder for the United States Women's Soccer Team in 2008 and 2012, both of which won gold medals. In addition, Carli is a two-time FIFA Women's World Cup Team member, a three-time NCAA All-American, and in 2008 won the U.S. Soccer Female Athlete of the Year Award.

Matthew Emmons, born in Mount Holly, New Jersey, graduated in 2003 with an accounting degree from the University of Alaska-Fairbanks. He is a three-time Olympian, having competed in the 2004, 2008, and most recently, the 2012 Olympic Games. In London, Matthew placed 35th in the 10m air rifle and captured the bronze medal in the men's three-position rifle. Another outstanding highlight in Matthew's career came in 2002 when he brought home the gold in the men's 50-meter rifle prone event at the 2002 World Championships.

I congratulate Carli and Matthew on all of their achievements and am so proud of them for representing New Jersey and the United States in the 2012 Olympic Games. I urge my colleagues to join me in recognizing these fantastic American athletes.

HONORING FRED BERRY

HON. JOHN F. TIERNEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 13, 2012

Mr. TIERNEY. Mr. Speaker, I rise today to pay tribute to a gentleman and true public servant: Massachusetts State Senate Majority Leader Frederick E. Berry. Several months ago, Senator Berry announced that he would be retiring from the Massachusetts Senate after 30 years of service. He will be sorely missed.

Fred Berry was born on December 20, 1949 with cerebral palsy. At that time, doctors said he would never walk or talk—but Fred proved them all wrong. He attended Massachusetts State Hospital School and later Bishop Fenwick High School in Peabody, where he graduated in 1968. He then attended Boston College, graduating in 1972.

In 1979, Fred was elected to the Peabody City Council, and, in 1982, he was elected to the Massachusetts Senate. During his tenure in the Senate, Fred served on multiple committees and assumed numerous leadership roles. In 2003, he was elected by his colleagues to be the Senate Majority Leader, which is a position he continues to hold today.

Fred's thirty year career is filled with memorable moments and achievements. His accomplishments are too long to list here, but they include the following: creating separate Departments of Mental Health and Mental Retardation; providing crime victims the right to be heard during the judicial process, allowing victims to receive financial compensation and establishing the Massachusetts Victim and Witness Assistance Board; creating the Children's Trust Fund, a public-private partnership to create programs to end child abuse; founding the Massachusetts Legislative Children's Caucus; requiring insurance companies to cover Early

Intervention benefits for children born with developmental delays; requiring private insurance companies to cover medically necessary autism treatments, including evidence-based behavioral health treatments; fighting against efforts to reduce Medicaid benefits for individuals with mental health and addiction disorders; and filing legislation that allowed Salem State College—my alma mater—to achieve university status.

In addition to his legislative work, Fred is a passionate advocate for children and families who are struggling. In 1982, shortly after he was first elected to the Massachusetts Senate, Fred established the Fred Berry Charitable Fund. Over the next thirty years, he would work tirelessly to raise over \$1 million to benefit children and families in need. As Fred recently told the Boston Globe, "I felt I could use my notoriety to help others. Nonprofits always need money, but never have the time to raise it. . . . To be honest, it hurt fund-raising for my campaigns. People said, 'I already gave to Fred.'" But in his heart, Fred knew it was the right thing to do.

I want to wish Fred and his wife Gayle all of the best. For those of us who know Fred, we anxiously await the next chapter in what has been a remarkable life.

RECOGNIZING MOSBY FARMS AS A FINALIST FOR THE 2012 KING COUNTY EXECUTIVE'S SMALL BUSINESS AWARDS

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 13, 2012

Mr. SMITH of Washington. Mr. Speaker, I rise to honor and congratulate Mosby Farms in Auburn, Washington for being named a finalist for the 2012 King County Executive's Small Business Awards, in the category of Rural Small Business of the Year.

Mosby Farms is a family-owned farming business that began in 1977. The Mosby family has grown conventional and organic foods for decades, while giving back to their community by donating thousands of pounds of food weekly.

The Rural Small Business of the Year award recognizes the achievements of the rural industry. Mosby Farms excels at what they do and represents the King County area proudly.

Mr. Speaker, it is with great pleasure that I honor and congratulate Mosby Farms as a finalist this year. Rural businesses offer many opportunities for work and promote economic growth in agricultural and rural communities throughout our nation.

IN RECOGNITION OF THE PUBLIC SERVICE OF MICHAEL BORDEN

HON. SPENCER BACHUS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 13, 2012

Mr. BACHUS. Mr. Speaker, Members of Congress are always far more effective when

they find loyal, dedicated staff to fight alongside them. These essential employees provide us with invaluable political advice, propose policy solutions to the problems facing our nation, and often work around the clock to accomplish the most important tasks. One of the staff members on the Financial Services Committee, Michael Borden, has been a valuable asset since he joined us back in 2007. Unfortunately, today is Michael's last day with the Committee; however, his distinguished record of public service will continue to benefit the American people long after he leaves Capitol Hill.

Back in the fall of 2008, the Federal government took unprecedented action to respond to the economic crisis. During this time, Michael provided sound advice to Members of the Committee and kept all of us informed under fast changing circumstances. This was an unprecedented time and Michael was here on weekends and late into the night to help Members prepare for the debate and understand the consequences of their votes.

Michael has a passion for ensuring the right policy is achieved. His commitment and expertise are unmatched on many key issues. On an issue dear to me—shielding children from the scourge of Internet gambling, Michael was integral in efforts to ensure that our kids are protected from becoming addicted to gambling at an early age. Michael also worked to ensure homebuyers are protected during the most important financial transaction of their lives with the SAFE Act, which ensures that mortgage originators are honest and fair with their customers. Michael worked to help Republican Members devise a strategy to wind down Fannie Mae and Freddie Mac after they received the biggest taxpayer-funded bailout of them all, and to develop legislative solutions to protect taxpayers from further losses. While we didn't always have the votes for the policy solutions we wanted, I received the sound advice I needed from a trusted member of my team, and I will always be grateful for his service.

Michael has been a trusted and valued adviser to both experienced and new House Members, and a mentor to countless members of our staff. His sound advice, counsel and acerbic sense of humor will be sorely missed. He never sugar-coated anything (his blunt nature and his waistline wouldn't tolerate it) and always gave us his honest opinion on what action we should take, even if it's not what we wanted to hear. There is no doubt that American taxpayers, consumers, and other stakeholders have been well-served by Michael's commitment to sound public policy.

It is with appreciation and gratitude that I take this opportunity to permanently commemorate Michael's service to our committee Members and to our nation.

RESTORING THE DOCTORS OF OUR COUNTRY THROUGH SCHOLARSHIPS ACT OF 2012

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 13, 2012

Mr. McDERMOTT. Mr. Speaker, of all of the challenges facing our nation's health-care sys-

tem, perhaps the most neglected is the gaping hole in our workforce of primary-care physicians. One estimate projects a shortage of 45,000 primary-care doctors by 2020. Due to the retirement of a generation of physicians, the aging of our population, and the entry into the system of some 30 million newly insured thanks to the Affordable Care Act, we do not have enough primary-care doctors to meet the demand, and the problem will continue to worsen without a major initiative to produce new doctors.

Primary-care doctors are the front lines of our physician workforce. Under the right conditions, they oversee and coordinate health care for their patients. They educate patients on how to prevent illness and manage chronic conditions. They are the medical generalists who establish long-lasting bonds with patients throughout their lives. Proper primary care is also one of the keys to containing health-care costs. On the other hand, inadequate primary care leads to neglected and mismanaged conditions, which causes costly emergencies and illnesses downstream.

I am introducing the RDOCS Act to help solve this problem. Modeled after the successful ROTC program, RDOCS offers full scholarships to medical students in exchange for a 5-year service commitment in a medically underserved area. RDOCS will be administered by the states, which will send RDOCS scholars to their state-operated medical schools. RDOCS officers (as they are known after graduation) will then become licensed and serve as primary-care doctors in their state of residence. The program is authorized to start immediately and begin graduating its first additional 4,000 new primary-care doctors in 2020, and 20,000 new doctors by 2024.

Thanks to the Affordable Care Act, we are going to get close to universal health coverage in the United States. But universal coverage will not be meaningful if we don't have enough doctors to serve our population. I am optimistic that Congress can demonstrate leadership in restoring our doctor workforce for the next generation.

HONORING SPECTRUM LGBTQ CENTER

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 13, 2012

Ms. WOOLSEY. Mr. Speaker, I rise today to honor Spectrum LGBTQ Center on the occasion of its 30th anniversary. Located in Marin County, CA, Spectrum has been a leader and an integral part of the community for three decades.

With a mission "to promote acceptance, understanding, and full inclusion for lesbian, gay, bisexual, and transgender people," Spectrum has engaged in mobilizing and advocating for people who are LGBTQ, Lesbian Gay Bisexual Transgender Questioning, and their friends, families, and supporters.

Founded by the Reverend Jane Spahr in 1982 as a support program for LGBT youth in Marin, Spectrum has grown under the leadership of current director Paula Pilecki. The

agency now provides programs for seniors, counseling, advocacy, training, and public awareness and coordinates with organizations around the North Bay. This year, it launched the Spectrum LGBT Equality Pledge for businesses and professional organizations that want to show their support.

Mr. Speaker, thanks to organizations like Spectrum LGBT Center, we have seen progress over the last 30 years in rights for LGBTQ individuals. There is still much work to do, and we will continue to rely on Spectrum until full equality is achieved. Congratulations to Paula Pilecki and the staff at Spectrum on their 30th anniversary.

HONORING ALBERT PERISHO

HON. JANICE HAHN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 13, 2012

Ms. HAHN. Mr. Speaker, I rise to honor Albert Perisho, who passed away at home peacefully on August 2012. Albert was born September 9, 1931 in Long Beach, California. Al graduated from Banning High School in 1949 and then enlisted in the United States Marine Corps to serve in the Korean conflict. He met the love of his life, Myrt Van Meter, while working in Long Beach. Al and Myrt were married 59 years. In 1954, he became a member of the International Longshore and Warehouse Union. He served there until he retired in 1994. He was elected for 4 terms as President for Local 63 and 2 1/2 terms as Secretary Treasurer.

While retired, he stayed active with the Southern California Pensioners Club and served as President. Al was recognized as Man of the Year by the City of Los Alamitos, the Los Angeles Long Beach Harbor, and the ILWU Southern California Pensioners Club. He was also a volunteer with the Red Cross disaster relief.

Al loved fishing in the High Sierras and had a great sense of humor. He was the kind of friend everyone wanted. He was a loving husband, father, grandfather, and brother. He is survived by his wife, Myrt; daughter, Cheri Phillips; son in law, Bill Phillips; son, Terry Perisho; daughter in law, Candy Perisho; son, Jack Perisho; daughter in law, Vanetta Perisho; grandchildren, Shaun, Christy, Jake, and Jacquie; and his brother, Tom Harvey. He was loved by all and will be missed dearly.

RECOGNIZING NESBY AND ASSOCIATES AS A FINALIST FOR THE 2012 KING COUNTY EXECUTIVE'S SMALL BUSINESS AWARDS

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 13, 2012

Mr. SMITH of Washington. Mr. Speaker, I rise to honor and congratulate Nesby and Associates in Renton, Washington for being named a finalist for the 2012 King County Executive's Small Business Awards, in the Minority Small Business of the Year category.

Nesby and Associates is a development consulting firm that encourages consumers and companies to invest in diverse markets. The company succeeds by having a large clientele, ranging from the local to the national levels.

The Minority Small Business of the Year award is only presented to extraordinary minority-owned businesses that have shown significant growth and contributions to the King County community. Currently, 13 percent of the businesses in the King County region are minority-owned and Nesby and Associates and many others make tremendous contributions to the region's economic strength.

Mr. Speaker, it is with great pleasure that I honor Nesby and Associates. The firm proudly represents the growing numbers of minority-owned businesses in our community and throughout our nation.

HONORING MIKE OGLE, DEDICATED SERVANT TO EASTERN WASHINGTON'S VETERANS

HON. CATHY McMORRIS RODGERS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 13, 2012

Mrs. McMORRIS RODGERS. Mr. Speaker, I rise today to honor Mike Ogle, a dedicated servant who spent countless hours assisting our Eastern Washington veterans at the Spokane Veterans Outreach Center.

While America's service members and veterans have answered the call of duty and have served with dignity and honor, similarly Mike Ogle answered the call of duty to serve our veterans in Eastern Washington. A twenty-four year Air Force veteran, while working at the Spokane Veterans Outreach Center, Mike dutifully helped veterans by providing outreach, counseling, and resource referral.

However, his story goes beyond simply wanting to help Eastern Washington's veterans. Serving in the Air Force, Mike spent a great deal of time in the Middle East and was deployed for a combined total of nearly eight years. This experience enabled Mike to be one of the best advocates for veterans in Eastern Washington. Quite simply: Mike spoke their language and whenever he interacted with a veteran, the veteran knew that they had found a friend.

Working at the Spokane Veteran Outreach Center, Mike Ogle spent most of his days traveling in a custom-fitted RV called the Mobile Vet Center. Through the Mobile Vet Center, Mike spoke to Eastern Washington's veterans about housing, medical care, and employment opportunities. In addition, Mike diligently took time to generate a constructive game plan with each veteran he saw. More importantly, Mike made a point to follow up with each and every veteran that he met.

So today, I am thankful for Mike Ogle's selfless, energetic dedication to our veterans in Eastern Washington.

HONORING THE CITY OF WESTON

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 13, 2012

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize the City of Weston, Missouri, as the residents celebrate the 175th anniversary of the founding of their community.

Weston was a mid-nineteenth century Missouri River port community, the second largest port on the river, second only to St. Louis. In 1850, over 300 steamboats a year docked at the Port of Weston. The population soared to 5,000, surpassing both Kansas City and St. Joseph. Floods, fires, and the Civil War contributed to a decline in population, but not in spirit. In 1972, a major portion of the early town was designated an Historic District and placed on the National Register of Historic Places having retained a substantial portion of its early residences and commercial structures. Weston is a gem in the 6th Congressional District featuring antebellum homes, museums, walking tours, and a historic shopping district. Many of the antique, home furnishing, gift shops and restaurants are located in buildings built prior to the Civil War.

Mr. Speaker, I proudly ask you to join me in celebrating with the City of Weston during their 175th anniversary festivities.

CELEBRATING GONZAGA UNIVERSITY 125TH ANNIVERSARY

HON. CATHY McMORRIS RODGERS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 13, 2012

Mrs. McMORRIS RODGERS. Mr. Speaker, I rise today to congratulate Gonzaga University in Spokane, Washington as it celebrates its 125th anniversary. I take great pride in representing this nationally-recognized institution of higher learning.

In 1881, Father Joseph Cataldo, S.J., a Jesuit from the Rocky Mountain Mission, decided to establish a school for boys along the banks of the Spokane River. With \$936 in silver dollars, Father Cataldo purchased 320 acres of land. Six years later, on September 17, 1887, Gonzaga College officially opened its doors serving 18 students.

For the last 125 years, Gonzaga University has transformed itself to meet the educational needs of an expanding region. First in 1912, the School of Law was established to meet the Inland Northwest's legal demands. Then in 1921, the School of Business was formed to help bolster commerce with skilled business leaders. Seven years later the School of Education opened its doors to prepare teachers to meet the needs of a rapidly growing community. In 1934, when hydroelectricity was being developed as a new regional power source and engineers were needed to build dams, Gonzaga established a School of Engineering. And in 1975, the School of Professional Studies was created to educate health care professionals and prepare community leaders for the demands of the next century.

Today, Gonzaga University is one of our nation's premier institutions of higher learning, educating more than 7,800 students. While at Gonzaga students can choose from over 75 fields of study, select from 25 master's degree programs, and pursue doctoral degrees in Law and Leadership. In addition, Gonzaga students cheer on and participate in varsity soccer, baseball, golf, tennis, track, rowing, and of course perennial powerhouse men and women's basketball teams.

So today, it is my grant honor to recognize Gonzaga University for achieving this historic 125-year milestone and applaud the entire University community—students, staff, faculty, alumni, and supporters—for the contributions they have made to Eastern Washington throughout the years. The Zag Spirit is alive and well, 125 years and counting.

IN RECOGNITION OF THE CANOE
RIVER AQUIFER ADVISORY COM-
MITTEE

HON. WILLIAM R. KEATING

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 13, 2012

Mr. KEATING. Mr. Speaker, I rise today to recognize the Canoe River Aquifer Advisory Committee as the organization celebrates its twenty-fifth year of service.

The Canoe River Aquifer Advisory Committee, otherwise known as CRAAC, is comprised of representatives from the Massachusetts towns of Foxborough, Sharon, Mansfield, Easton, and Norton. Its many duties include educating the public about the benefits of preserving the beautiful Canoe River Aquifer, a wetland region that flows for nearly sixteen miles through these five towns, as well as emphasizing the importance of protecting the delicate ecosystem that is found within the region. Since CRAAC was formally created by the Massachusetts State Legislature in October of 1987, nearly forty individuals have served on the committee, ranging from town selectmen to local residents who care deeply about their local environment. Currently, each town sends three appointed members to the Committee, and these individuals work diligently to ensure that the aquifer—which pro-

vides the five towns with approximately half of their water supplies—remains viable and well-cared for. As this region has been declared an Area of Critical Environmental Concern by the Commonwealth of Massachusetts and designated as a Sole Source Aquifer by the federal government, the work that this committee does to ensure its protection is essential.

Today, the work that CRAAC does to protect the Canoe River Aquifer ranges from advising municipal officials and residents on developmental impacts and conservation practices to sponsoring educational conferences and meetings. The committee is highly regarded by the people of Massachusetts, and it is seen as a statewide model for a volunteer-run regional environmental entity. I have witnessed CRAAC's success over the years, and I am confident that the committee will continue to serve as an example of what can be done at the local level to preserve the unique landscapes of Massachusetts.

Mr. Speaker, it brings me great joy to recognize the Canoe River Aquifer Advisory Committee. I urge my colleagues to join me in thanking its members for all that they have done for their local environment, and in congratulating the Committee for twenty-five successful years of service.

CELEBRATING TELECT,
INCORPORATION'S 30TH ANNI-
VERSARY

HON. CATHY McMORRIS RODGERS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 13, 2012

Mrs. McMORRIS RODGERS. Mr. Speaker, I rise today to celebrate the 30th anniversary of Telect, Incorporation, one of the premier family-run, independent businesses in eastern Washington.

On September 13, 1982, Bill and Judi Williams, later joined by their son Wayne, set out to build an independent company that would transform the communications industry. Thirty years later, their focus remains the same: simplify telecommunication networks by providing innovative solutions.

Headquartered in Liberty Lake, Washington, Telect's history of service and innovation,

along with a business model driven by entrepreneurialism and dynamic energy, positions them to be the lead provider for the global communications industry. At the heart of the company, Telect designs, manufactures, and integrates connectivity and power solutions for the communications industry by offering power distribution and protection panels and management systems.

However, their story goes beyond simply creating equipment for the telecommunication industry. To celebrate their 30th anniversary, Telect President and CEO Wayne Williams, and Vice President and CFO Stan Hilbert are exchanging tradeshow and boardrooms for the open road on their motorcycles. Ride with Telect, a national business and motorcycle tour, will hit the road during the months of August and September. Traveling 11,000 miles, Ride with Telect will enable the business to travel to their customer's location and interact with them one-on-one. Williams, Hilbert, and other members of the Ride with Telect team will thank customers, showcase products, and develop new relationships in this face-to-face product roadshow celebration.

Through the last thirty years, the Williams family has effectively integrated their faith into developing a successful business. Demonstrating commitment to God, country, and their community by serving on various boards including the Washington Policy Center, Greater Spokane Incorporated, and the Public Facilities District Board, Bill and Judi have given their time to eastern Washington. In addition, Telect has been the recipient of numerous awards including being named the Washington Family Business of the Year in 1994, Gonzaga's University Ethics Award in 2001, and AGORA Business and Community Lifetime Achievement Award in 2007. I applaud the Williams' family integrity and generous contributions to our community.

So today, I am encouraged by this family-run, independent business that instead of taking the road well traveled, decided to venture out and explore the open road. Congratulations to Telect, Incorporation for their many successes during their first thirty years and I eagerly anticipate their upcoming innovations for eastern Washington and the rest of the telecommunications industry in the next thirty years.

HOUSE OF REPRESENTATIVES—*Friday, September 14, 2012*

The House met at 9 a.m. and was called to order by the Speaker pro tempore (Mr. BISHOP of Utah).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,

September 14, 2012.

I hereby appoint the Honorable ROB BISHOP to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,

Speaker of the House of Representatives.

PRAYER

Monsignor Stephen Rossetti, Associate Professor, the Catholic University of America, Washington, DC, offered the following prayer:

Good and gracious God, today more than ever, we are aware that we are small, that we are made of the Earth, and that we are mortal. In our weakness, may You be our shield. In our humility, may You be our strength. In our mortality, may You be our source of eternal life. May people of every party and nation unite together in their human frailty. May they proclaim with one voice and one heart that we are one people united in serving You and in loving our brothers and sisters. Our prayer today is small. Our voice is weak. We trust that You incline Your ear and You will hear this simple prayer. We thank You.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Rhode Island (Mr. CICILLINE) come forward and lead the House in the Pledge of Allegiance.

Mr. CICILLINE led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to five requests

for 1-minute speeches on each side of the aisle.

PRESIDENT'S LACK OF LEADERSHIP IS ENDANGERING AMERICAN FAMILIES

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, on Tuesday, the 11th anniversary of September 11, 2001, there was a cowardly, murderous terrorist attack at the American consulate in Benghazi, Libya. Our Embassy was breached in Cairo, Egypt, with the American flag being desecrated.

Unfortunately, the President's failed leadership has led to weakness, reducing the Army to the smallest size since 1939, reducing the Navy to the smallest fleet since 1916, and reducing the Air Force to the smallest size since it was created. This endangers our national security and puts American families and our allies at risk. Additionally, the President supports sequestration and has done nothing to halt the defense budget cuts which will limit the capabilities of our Armed Forces while destroying hundreds of thousands of jobs.

American families deserve better. To continue to promote democracy and peace, we must implement President Ronald Reagan's approach of providing peace through strength. The bias of the coordinated disinformation of the liberal media is a disgrace to journalism.

In conclusion, God bless our troops, and we will never forget September 11th in the global war on terrorism.

UNFINISHED BUSINESS

(Mr. CICILLINE asked and was given permission to address the House for 1 minute.)

Mr. CICILLINE. Mr. Speaker, I rise today to implore my colleagues on the other side of the aisle to put aside politics and get to work on behalf of the American people.

Just 61 bills have been signed into law this year, the fewest in more than 60 years. There have been two noted congressional historians, Norm Ornstein and Thomas Mann, who have said:

We have no choice but to acknowledge that the core of the problem lies with the Republican Party.

They go on to say:

Today, thanks to the GOP, compromise has gone out the window in Washington.

Despite this reality, we have to get some important work done for those who sent us here. Republicans continue to choose politics over policy, ignoring critical legislation which requires our attention.

After returning from a 5-week recess, the House Republican leadership has scheduled only 5 days in session in September, despite this growing list of important challenges facing our country.

While we voted 33 times to repeal the Affordable Care Act and passed a budget that ends the guarantee of Medicare, much work remains, including extending tax cuts for the middle class, comprehensive jobs legislation like the Make It In America agenda, reauthorizing the Violence Against Women Act, postal reform, and a big, balanced plan to reduce the deficit.

I ask my colleagues on the other side of the aisle, let's get to work.

PEYTON BELL

(Mr. BARROW asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BARROW. Mr. Speaker, I rise today to pay tribute to Peyton Bell, who's moved on from my staff after 2 years of service to the citizens of Georgia's 12th District.

A native Augustan, Peyton came highly recommended after graduating from Rhodes College and interning with the U.S. Senate. He began as a legislative correspondent but was quickly promoted, becoming my point man on veterans' affairs issues. His hard work was rewarded with more work, and he assumed the dual roles of legislative assistant and press secretary, no small feat.

Peyton has recently taken on two new roles, having married the former Kate Parker this July, and enrolling in the University of Georgia School of Law this fall. I know he will handle these responsibilities the way he handles life—with humor, enthusiasm, and dedication.

Peyton, you have the appreciation of many grateful constituents and of this proud Congressman. Thank you for a job well done.

REMEMBERING SAN DIEGO VICTIMS OF LIBYA ATTACK

(Mrs. DAVIS of California asked and was given permission to address the House for 1 minute.)

Mrs. DAVIS of California. Mr. Speaker, San Diegans are very sad today because they learned yesterday that two

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

of the Libya victims were from the San Diego area. As we know, they were killed in the consulate in Benghazi, protecting fellow Americans there with Ambassador Chris Stevens and Sean Smith.

The two victims from San Diego were Tyrone Woods and Glen Doherty. In talking about Mr. Doherty, a friend said:

You never take off your uniform. You hang it in the closet, but everything that went along with it is still there. All the training and the dedication that you have to your Nation is what drives these guys.

And also for Tyrone Woods, a friend said:

If there were more people like him, the country would be in much better shape. We need people to keep doing what he was doing because he really believed in freedom, and he really believed in the United States.

As we know, these were two highly decorated military SEALs who had left the community of SEALs and were serving with the consulate there and with the State Department in Libya. We certainly celebrate their life and we mourn their death. I want to recognize their families and let them know that our thoughts and our prayers are with them.

CONSTITUTION AND CITIZENSHIP DAY

(Mr. CUMMINGS asked and was given permission to address the House for 1 minute.)

Mr. CUMMINGS. Mr. Speaker, this fall we will walk to voting booths in every community across this Nation to elect our leaders. Our right to vote is one of many rights guaranteed by our Constitution. Yet every election cycle, millions of young Americans fail to exercise this right, often because they do not realize the importance of doing so.

On September 17, we will celebrate the 225th anniversary of the signing of our Nation's Constitution. To mark that momentous anniversary, this week I introduced the Constitution and Citizenship Day Act of 2012, H.R. 6390.

This bill would support expanded education about our Constitution by enabling high school students to organize special events to mark Constitution and Citizenship Day.

Our young people should be given every opportunity to learn what our democracy means and to partake in it. The Congress is the living embodiment of our Constitution's provisions. I invite all Members on both sides of the aisle to join me in cosponsoring this legislation to ensure that future generations understand their rights, duties, and responsibilities.

□ 0910

JOB TRAINING

(Mr. CLARKE of Michigan asked and was given permission to address the

House for 1 minute and to revise and extend his remarks.)

Mr. CLARKE of Michigan. Mr. Speaker, yesterday I met a young entrepreneur who owns a remanufacturing business headquartered in Metro Detroit. In spite of his success, he faces one major challenge—he can't hire enough people with the skills necessary to rebuild the products that could be sold around the world. So that's why I ask this House, this Congress, to stay in session to do our work so that we can train our people, especially our young people, for the jobs that exist in this country that are going unfilled; train them with the skills that they need to sell and rebuild the best products that can be sold worldwide. This is how we can create more jobs in our economy and make the United States an even stronger contributor to our world.

NO MORE SOLYNDRAS ACT

GENERAL LEAVE

Mr. UPTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 6213.

The SPEAKER pro tempore (Mr. STEARNS). Is there objection to the request of the gentleman from Michigan?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 779 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 6213.

The Chair appoints the gentleman from Utah (Mr. BISHOP) to preside over the Committee of the Whole.

□ 0912

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 6213) to limit further taxpayer exposure from the loan guarantee program established under title XVII of the Energy Policy Act of 2005, with Mr. BISHOP of Utah in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Michigan (Mr. UPTON) and the gentlewoman from Colorado (Ms. DEGETTE) each will control 45 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. UPTON. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I care about America's energy future, and I certainly care about America's fiscal future as well. For those two reasons, I would urge every one of us here to vote "yes" on the No More Solyndras Act.

On the energy front, I continue to advocate concrete measures towards

achieving North American energy independence. That includes approving the Keystone XL pipeline, it includes increasing conventional and renewable energy production from Federal lands, and eliminating unnecessary EPA red tape on coal and other fossil fuels. These and other pro-energy measures are part of the all-of-the-above energy agenda that has been championed by the Energy and Commerce Committee here in the House.

But support for this agenda also requires us to pull the plug on existing programs that simply aren't working. And the Department of Energy's title XVII loan guarantee program is simply not advancing the ball on an all-of-the-above energy goal. The No More Solyndras Act, this bill, phases out this costly, ineffective and, frankly, very mismanaged program.

Our extensive investigation of Solyndra uncovered a story worse than anyone could have imagined. It is amazing to me that the administration gave a half-billion dollar loan guarantee to a company that its own experts predicted would fail, a company so dysfunctional that it burned through this giant handout and went bankrupt in 2 years. Even worse, when it became clear to the administration that Solyndra was in trouble, it chose to double down on the risky bet, gambling even more taxpayer dollars with a desperate loan restructuring instead of trying to cut its losses and move on.

Solyndra is the most visible but far from the only example of title XVII failures. In fact, it is hard to point to a single loan guarantee success under this program. Developing new energy sources and technologies is an important part of our all-of-the-above approach, but it is clear that this loan guarantee program is ineffective at best, and counterproductive at worst.

Further, I'm stunned by the cavalier manner in which the administration squandered all of these taxpayer dollars, yet says it has no regrets, no apologies about its handling of the program and continues to declare it an "enormous success." If the administration can't learn anything about irresponsible spending from Solyndra, is it any wonder that we are running still a trillion-dollar annual deficit and just saw the national debt eclipse the \$16 trillion figure. Burning money is one source of energy that the country doesn't need. That's why this bill prevents any costly repeats of Solyndra by prohibiting any new loan guarantees and subjecting pending ones to very stringent safeguards.

What's most disturbing about this unprecedented spending is that it is not necessary to secure a brighter future. The private sector is more than willing to step in and provide the necessary cash and energy if only we

would let them. What we need is a Keystone economy, not a Solyndra economy. What we need is a privately funded investment, not taxpayer-funded boondoggles.

The goal of the North American energy independence plan certainly is in reach, as well as millions of new jobs that would certainly go with it, but we aren't going to get there through title XVII Department of Energy loan guarantees—no, we're not.

This investigation uncovered a problem, and now we have a thoughtful bill to fix it so that it cannot happen again. The next step is for the House to pass this bill and hopefully get the Senate to take it up as well. We need to pass the No More Solyndras Act.

I reserve the balance of my time.

Ms. DEGETTE. Mr. Chairman, I yield myself such time as I may consume.

During my time in Congress, one important lesson that I've learned is that good oversight results in good legislation, and biased and partisan oversight results in biased and partisan legislation. The No More Solyndras Act is a good example of that rule. It's bad legislation born of part biased and partisan oversight.

The Oversight and Investigation Subcommittee, on which I sit as ranking member, investigated the Solyndra loan in excruciating detail, but after 18 months, 300,000 pages of documents, 14 interviews with key officials, five hearings, and three subpoenas, my colleagues on the other side of the aisle have failed to prove any of their inflammatory accusations that they've leveled at the administration. Instead, they simply repeat one unproven allegation after another, trying to score political points, ignoring key exculpatory evidence, and making misleading accusations about the Solyndra loan based on cherry-picked evidence.

Now, the loan guarantee program was actually developed in 2005 as part of the Energy Policy Act by the Bush administration. It was developed with the thought that as we look at development of domestic energy sources like oil and gas, we should also look at development of alternative energy sources like wind and solar. So this program was passed by a Republican Congress, with a Republican President in the White House, in order to do such a thing.

It's important to note that the Solyndra loan, the first application was made under the Bush administration. It was then funded under the Obama administration. What happened was, once this loan was thoroughly vetted by the career employees at the Department of Energy and funded, the market conditions changed. China decided to flood the market with cheap solar panels, causing Solyndra's business model to change.

Now, the career employees—many of whom had been there under a Repub-

lican and Democratic administration at the Department of Energy—had a decision to make: they could walk away from \$500 million of U.S. taxpayer money or they could try to restructure the loan in the hope of recovering that money, and that was the decision that they made. The facts simply do not support the over-the-top allegations that there was anything wrong with this decision.

Now, let me be clear, Mr. Chairman, my job is not to defend the administration. If something improper occurred on this loan, I would want to know about it, and I would want to expose it. But what the evidence showed is that the career officials and the Bush and Obama administration appointees who worked on the loan told our investigators that political considerations played no role in the decisions on Solyndra.

□ 0920

They told us that there was no improper pressure to rush key decisions on the loan, to approve the loan, or to change the terms of the loan. Each and every one of these officials confirm that there were no corners cut in the process and that decisions were made purely on the merits.

As David Frantz, a career civil servant who has served as Director of the loan guarantee program since 2007 under the Bush administration, said:

... through the whole history of the program, from its inception to today, it has not been driven by any political considerations whatsoever.

But the Republicans ignored the evidence before the committee and they repeatedly made insinuations that were simply not correct. For example, my Subcommittee Chairman STEARNS claimed that the committee's investigation:

... reveals a startlingly cozy relationship between wealthy donors and the President's confidants, especially in matters related to Solyndra.

But this statement is exactly the opposite of what the committee found. Chairman STEARNS was referring to unproven allegations of White House political favoritism on behalf of the Solyndra investor George Kaiser, a supporter of President Obama.

But the committee interviewed two key White House decisionmakers, Adi Kumar and Heather Zichal, about their interaction with Mr. Kaiser. The committee learned that at the time the Solyndra loan was being reviewed, neither of these officials had any knowledge of Mr. Kaiser's support for the President, nor did they have any role in the substantive decisions about the loan. These are the key officials Republicans claimed were at the center of the White House's improper activities, and yet they had no knowledge of Mr. Kaiser's political support and no involvement in the decisions on the loan.

These facts directly contradict the allegations that we've been seeing repeatedly in the press for these many months, and they contradict the findings in the bill that we're debating today. That's why I have an amendment which will come up in a few minutes to strip some of the inaccurate findings out of the bill. These facts don't seem to matter to my friends on the other side of the aisle, though.

Throughout the investigation, Democrats urged the chairman to take a different path. We asked for responsible oversight that could actually shed light on why this company failed and what legislation might be needed to advance our energy security and our domestic clean energy sector.

Despite our requests, Republicans refused to hold hearings on the competitive challenges U.S. manufacturers face in the global clean energy market. They refused to seek testimony from the largest private equity investors in Solyndra to understand why the company attracted so much private capital, and they refused to invite DOE witnesses to take a serious look at the legal and financial rationale behind the subordination of the government position in the Solyndra loan.

This was not a fair, complete, or effective investigation. It sure was long, though. But the result, the legislation before us, is also not fair, complete, or effective.

The bill does nothing to advance our Nation's energy security or to save taxpayer money. It ignores the benefits of the DOE loan programs: 300 million gallons of gasoline saved, the world's largest solar plants, the Nation's first electric vehicle manufacturing facilities, and tens of billions of dollars in private investment dollars off the sidelines and into the American economy.

The legislation does allow DOE to award \$34 billion in future loan guarantees, but it prohibits the DOE from considering any new applications. Refusing to allow DOE to even consider cutting-edge applications is not the way to advance innovative energy technologies in this country. And the legislation also ties DOE's hands in the event a loan recipient needs additional capital, removing an important and legal refinancing tool that the DOE and independent observers agree can help save and protect taxpayer funds.

It's clear this legislation is a political exercise. It does nothing but attempt to keep the word "Solyndra" in the news and to give a platform to repeat these accusations. And it's a shame, because what we should be doing today is working together, in a bipartisan way, to find a complete energy policy that will help us, for national defense and for economic reasons, become independent from foreign oil and create new, clean energy that's domestically based.

It's disappointing legislation, and for that reason, Mr. Chairman, I urge Members to vote "no".

I reserve the balance of my time.

Mr. UPTON. Mr. Chairman, before I yield to the Chairman of the Oversight Subcommittee, let me yield myself 1½ minutes just to respond.

While it's true that the program was signed into law by President Bush in '05, I would note that the Bush administration did not issue a single loan guarantee, in large part because it struggled to identify any company whose energy products were both meritorious and yet unable to secure private financing. So, further, Bush's OMB actually reviewed this project, the Solyndra loan guarantee application, but it rejected it in January of 2009 in the waning days because of the concerns over the long-term viability of the project.

Now, this administration would go ahead with over \$15 billion in loan guarantees through 2011. Solyndra, Abound Solar, Beacon Power, they've all gone bankrupt. And I'm afraid this is just the tip of the iceberg, which was why we moved ahead with this legislation.

Without our action, without the action of our committee, there was strong belief, in fact, that this administration was going to go ahead yet with hundreds of millions of dollars more for Solyndra. That's not the answer to this thing. That's not how to save it.

Our role at Energy and Commerce, we had a very aggressive chairman, CLIFF STEARNS, the chairman of the Oversight Investigation Subcommittee. He led the investigation. He identified the many faults, and now we've come back with corrective legislation to make sure that it doesn't happen again. That's our role.

With that, I yield 5 minutes to the gentleman from Florida (Mr. STEARNS), the very able chairman of the Oversight and Investigation Subcommittee.

Mr. STEARNS. I thank the distinguished chairman. And let me say that we are here this morning because the Oversight Committee, under the leadership of Mr. UPTON, and myself as chair were able to define the problems.

Now, on that side of the aisle, they obviously are going to defend the administration. But you can't defend an administration that lost \$535 million, and they did so in a way that violated the Energy Policy Act of 2005.

Now, the ranking member, Ms. DEGETTE, indicated that nothing was done wrong. I think if she looks carefully at the evidence, obviously, a lot was done wrong because the Energy Policy Act said you cannot subordinate taxpayers' money to the two hedge funds which they did in the case of the Solyndra loan.

And also, I think when you look at the evidence, you'll see that there's

wholly mismanagement by the administration and the Department of Energy. And actually, there were so many warning signs that, in the end, this loan should have never gone forward. And these warnings came from the administration.

So, my colleagues, I rise in strong support of H.R. 6213, the No More Solyndras Act, which I am proud to join with Chairman UPTON in sponsoring. And as mentioned, this is a culmination of 18 months of thorough investigation by our Subcommittee on Oversight and on Investigations.

Solyndra, as many of you know, was a California-based solar panel manufacturer that not only went bankrupt, but was also raided by the FBI a week later, and ultimately lost almost a half a billion dollars.

Now, my colleagues, this bill was systematically put together carefully. It will phase out the Department of Energy's grossly mismanaged loan guarantee program by simply stopping DOE from issuing any loan guarantees for applications submitted after December 31, 2011. But, for those applications submitted prior to the December 2011 cut-off date, the legislation allows them to remain eligible to receive a guarantee but subjects them to tougher, tougher scrutiny, and provides taxpayers strong new protections, including—let me outline these four basic protections.

□ 0930

(1) forbidding the subordination of U.S. taxpayers' dollars at any time to private investors;

(2) requiring the Department of Energy to submit to Congress a transparency report that details the specifics of any new loan program that is going to be guaranteed by our taxpayers;

(3) requiring the Department of Energy to first consult with Treasury prior to any restructuring of a guarantee; and

(4) holding DOE officials accountable for their actions by imposing penalties on them for failing to follow the law.

Certainly, the folks on this side of the aisle would agree, that if we have continued subordination and if these people do it in violation of this act, there should be some accountability.

As many of you know, Solyndra was the first recipient, as Mr. UPTON mentioned, of a DOE loan guarantee under title XVII of the Energy Policy Act of 2005. It also holds the dubious title as the first stimulus-backed recipient of a DOE loan guarantee to actually go bankrupt just 2 years after the loan closed and 6 months after DOE restructured the loan. So it didn't take long for these folks to end up in bankruptcy. And when they were out of cash, the Obama administration doubled down on their bad debt.

Now, why would the administration double down on their bad debt? I think

we'll go into that further as we get into this debate.

They attempted to restructure Solyndra's loan and subordinate the interest of the taxpayer to two very, very wealthy and well-connected investors, all but ensuring taxpayers will never, ever see a dime.

Other DOE loan recipients have also struggled. Three of the first five companies which received loan guarantees issued by DOE's Loan Guarantee Program—Solyndra, Beacon, Abound Solar—have all filed for bankruptcy, losing hundreds of millions of taxpayer dollars that will never, ever be recovered. Two other companies are struggling, my colleagues. Nevada Geothermal has substantial debt and no positive cash flow, and First Wind had to withdraw their planned IPO and also has substantial debt.

So, on behalf of the American taxpayers, we had a duty to figure out what went wrong with the Solyndra loan guarantee and whether the Loan Guarantee Program was properly managed. I think, as we go into this debate, we will show that it was not well managed.

The CHAIR. The time of the gentleman has expired.

Mr. UPTON. I yield the gentleman 2 additional minutes.

Mr. STEARNS. As pointed out by Chairman UPTON, the investigation was methodical; it was systematic; it was thorough; and it was over an 18-month period. It took us almost 8 months after we issued a subpoena in November to try to even get the administration to respond.

The Energy and Commerce Committee requested, received and reviewed documents from every executive branch agency that was connected to Solyndra, and it interviewed more than a dozen administration officials who played key roles in the loan guarantee. The committee has also reviewed documents produced by Solyndra's investors, as well as by DOE's independent consultant and legal adviser.

As the committee's investigation revealed, the Obama administration put Solyndra's loan on a fast track for political reasons despite repeated red flags and warnings in 2009 from the Office of Management and Budget and DOE officials about the company's financial condition and, actually, about the market for the product they were trying to sell, which was that they couldn't do it. It's clear that DOE failed to adequately monitor the loan guarantee, blindly writing check after check to Solyndra as the company hemorrhaged cash throughout 2010.

When the warnings came to fruition and Solyndra was out of cash in the autumn of 2010, the Obama administration doubled down on its bad bet, restructuring Solyndra's loan in early 2011 and putting wealthy investors at

the front of the line, ahead of taxpayers, which was a clear violation of the Energy Policy Act. Right up to the bankruptcy filing, my colleagues, the administration was willing to take extraordinary measures to keep Solyndra afloat for political reasons and ensure that the first loan, which was their poster child, would not be a failure.

The investigation also showed that DOE failed to consult with the Treasury Department, which was part of the law and which they should have done as required by the Energy Policy Act, prior to issuing a conditional commitment to Solyndra, and that Treasury didn't even play a role in reviewing the restructuring, which was also a violation of the Energy Policy Act of 2005.

The No More Solyndras Act will stop that, and it will correct this by ensuring that Treasury is actively involved in the loan process to protect taxpayers. This investigation and this No More Solyndras Act are great examples of how congressional oversight should work. Our investigation uncovered a problem, and this legislation will fix it.

In closing, I would like to thank the staff of the Subcommittee on Oversight and Investigations, in particular, Todd Harrison, Karen Christian, Alan Slobodin, John Stone and Carl Anderson and my Legislative Director, James Thomas, for their dedication and hard work during this investigation.

Ms. DEGETTE. Mr. Chairman, I yield 5½ minutes to the gentleman from Illinois (Mr. RUSH).

I also ask unanimous consent that the ranking member of the full committee, the gentleman from California (Mr. WAXMAN), control the rest of the time on this side of the aisle.

The CHAIR. The gentleman from California (Mr. WAXMAN) will control the time.

Mr. RUSH. First of all, I want to commend Mr. WAXMAN and thank him for leading us on the subcommittee in such a profound and effective way, leading the minority on the subcommittee and also on the full committee.

Mr. Chairman, this is much to do about nothing. As a matter of fact, I would strongly urge the members of this committee and the members of the majority side of the committee to get on their feet and apologize to the American people for this waste of time, energy, and resources because this piece of legislation that we have before us is legislation that doesn't solve any of the American people's problems, that doesn't acknowledge any of their concerns, and that certainly doesn't speak to the pain that they are suffering day to day, moment by moment, week by week as we stand here posturing solely for a few political points in the November election.

I would ask the Members of this body to refer to comments made just about 30 days ago in USA Today. It was an article dated August 15, 2012, entitled,

"This Congress could be least productive since 1947."

The authors analyzed records of the U.S. House's Clerk's Office and determined that, in 2012, a measly 2 percent of the close to 4,000 bills introduced by Members of the 112th Congress became law—that 2 percent of 4,000 bills actually became law. We are not proud of these figures. I want to quote from this article:

These statistics make the 112th Congress, covering 2011–2012, the least productive 2-year gathering on Capitol Hill since the end of World War II. Not even the 80th Congress, which President Truman called the "do-nothing Congress" in 1948, passed as few laws as the current one, records show.

Mr. Chairman, here we go again. It's another charade, another empty gesture, another misguided approach, another insensitive response to the pain and the plight of the problems of the American people. Here we go again. On this floor today is another prime example for the American people of why this has been the least effective Congress in over 60 years.

After taking the last 6 weeks off, we come back into session here in Washington, D.C., for a pathetic 8 days total in the month of September. And what are we doing? Instead of working on bipartisan legislation to create jobs and put Americans back to work, my Republican colleagues—you men and women on the other side—come back here to Washington and bring to this floor yet one more ill-conceived, unwanted, and unnecessary messaging bill, its only purpose being to gather some political advantages over the Obama administration.

□ 0940

Shame on you. We need to apologize to the American people. This no-more-innovation bill is not a serious piece of legislation.

The CHAIR. The time of the gentleman has expired.

Mr. WAXMAN. I yield an additional 2 minutes to the gentleman from Illinois.

Mr. RUSH. My Republican colleagues, you know full well that this bill would never become law. It would die before it even gets to the front door of the Senate. Yet here we are in front of the cameras hoping to score more political points before we head into this fall election.

As the ranking member of the Energy and Power Subcommittee, which is where this horrendous excuse for legislation originated, I must confess, unfortunately, that the subcommittee and the Energy and Commerce Committee as a whole have certainly contributed to the do-nothing, accomplished-nothing label for this 112th Congress. With over 30 hearings and over a dozen subcommittee and full committee hearings on bills that have originated from the Energy and Power Subcommittee, Congress has enacted

one piece of legislation. We've had 30 hearings and one piece of legislation, and that is part of our record.

While this would be a sad and pitiful record at any time, it is even more egregious when you look at all of the extreme weather events that have occurred in this past year and is a reminder of why the work of the Energy and Power Subcommittee, the Energy and Commerce Committee, and this Congress overall is so necessary and so important.

The CHAIR. The time of the gentleman has again expired.

Mr. WAXMAN. I yield an additional 1 minute to the gentleman from Illinois.

Mr. RUSH. This past summer, two-thirds of the country experienced severe drought, causing crops to wither and spurring the earliest corn harvest in 25 years. At the same time, the water levels in four of the five Great Lakes has plummeted due to high evaporation rates and insufficient rainfall.

While America burns, House Republicans twiddle their thumbs and have brought messaging bills to the floor of the Congress instead of working in a bipartisan fashion to address the real issues facing the American people.

It is past time for this Congress, it is past time for my Republican colleagues to get serious with the business of governing and not just voting on political posturing legislation to express their displeasure over President Obama.

I urge my colleagues to vote "no" on this piece of legislation.

Mr. UPTON. Mr. Chairman, I would like to include in the RECORD an exchange of letters between the Energy and Commerce Committee, and the Committee on Science, Space, and Technology.

HOUSE OF REPRESENTATIVES, COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY,

Washington, DC, September 10, 2012.

Hon. FRED UPTON,
Chairman, Committee on Energy and Commerce,
Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN UPTON: I am writing to you regarding H.R. 6213, the No More Solyndras Act. This legislation was referred initially to both the Committee on Energy and Commerce and the Committee on Science, Space, and Technology. H.R. 6213 was marked up by the Committee on Energy and Commerce on July 31, 2012.

I recognize and appreciate your desire to bring this legislation before the House of Representatives in an expeditious manner, and accordingly, I will waive further consideration of this bill in Committee. This, of course, being conditional on our mutual understanding that language negotiated with the Science, Space, and Technology Committee will be included in this or any similar legislation considered on the House floor. However, agreeing to waive consideration of this bill should not be construed as waiving, reducing, or affecting the jurisdiction of the Committee on Science, Space, and Technology.

Additionally, the Committee on Science, Space, and Technology expressly reserves its authority to seek the appointment of conferees during any House-Senate conference

that may be convened on this, or any similar legislation. I ask for your commitment to support any request by the Committee for conferees on H.R. 6213 as well as any similar or related legislation.

I ask that a copy of this letter and your response be included in the report on H.R. 6213 and also be placed in the Congressional Record during consideration of the bill on the House floor.

I look forward to working with you as we prepare to pass this important legislation.

Sincerely,

RALPH M. HALL,
*Chairman, Committee
on Science, Space,
and Technology.*

Enclosure.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, September 10, 2012.

Hon. RALPH M. HALL,
*Chairman, Committee on Science, Space, and
Technology, Rayburn House Office Building,
Washington, DC.*

DEAR CHAIRMAN HALL: Thank you for your letter regarding H.R. 6213, the "No More Solyndras Act." As you noted, there are provisions of the bill that fall within the Rule X jurisdiction of the Committee on Science, Space, and Technology.

I appreciate your willingness to forgo action on H.R. 6213, and I agree that your decision should not prejudice the Committee on Science, Space, and Technology with respect to the appointment of conferees or its jurisdictional prerogatives on this or similar legislation, for which you will have my support.

I will include a copy of your letter and this response in the report on H.R. 6213 and the Congressional Record during consideration of H.R. 6213 on the House floor.

Sincerely,

FRED UPTON,
Chairman.

With that, I yield 3 minutes to the gentleman from Georgia, Dr. GINGREY.

Mr. GINGREY of Georgia. Mr. Chairman, I thank the chairman of the committee for yielding to me.

I want to respond to my Democratic colleague from Illinois who just spoke, my Democratic colleague who is the ranking member of a subcommittee of Energy and Commerce, the Subcommittee on Energy and Power.

Mr. Chairman, as you know, he used all of his allotted time plus additional time to talk and rail about a do-nothing Congress. I want to remind the gentleman and I want to remind all of my colleagues that this bill, this No More Solyndras Act that we are bringing to the House floor today, comes from another subcommittee of Energy and Commerce, a subcommittee of which the gentleman from Illinois is not a member. That subcommittee, as you all know, is the Subcommittee on Oversight and Investigation.

The gentleman made some points in regard to the public looking at us as a do-nothing Congress, and in many ways that's true. Not a lot has been done, and not a lot has been accomplished. But it sounds like he is suggesting that we members of the Oversight and Investigation Committee of Energy and Commerce, or, for that matter, any

subcommittee on oversight and investigation of any standing committee of the House of Representatives, should sit back and do nothing because it's an election year.

Colleagues, it's an election year every 2 years. It's a Presidential election year every 4 years. We have our work to do.

I feel very compelled to stand here before you today and compliment, in the highest way, the chairman of this Subcommittee on Oversight and Investigation of Energy and Commerce in the House of Representatives, a distinguished Member with well over 20 years of service. You all know that he'll be retiring from this body after this year. I am so proud to be on that committee, to work with him, to have an opportunity to see how he handled this 18-month investigation of this Solyndra loan program through the Department of Energy, and how flawed that it was, and how diligent he was in trying to get the information necessary to connect the dots. Yes, even, indeed, issuing subpoenas to get the information. I am proud of the overall chairman of the committee, FRED UPTON, the gentleman from Michigan, in regard to being very careful and deliberate and working with the other side of the aisle, not making a rush to judgment, but a very careful and planned investigation to finally get to where we are today. And I'm extremely proud of the work of the staff of the Subcommittee on Oversight and Investigation.

The CHAIR. The time of the gentleman has expired.

Mr. UPTON. I yield an additional 1 minute to the gentleman from Georgia.

Mr. GINGREY of Georgia. The bottom line, my colleagues, is we have work to do. If we're members of Oversight and Investigation, we have got to ferret out waste, fraud, abuse, corruption. Any program of the Federal Government that takes money from we, the taxpayer, whether it's a loan or a grant or whatever, we have to investigate, to look, to make sure that these programs are being done in the right way and not for political purposes. To promote an industry? Yes. But to make sure that this applicant is reasonable, that due diligence has occurred, that they have a good business plan, that they're not burning cash, and that we're not putting good money after bad. In this case, Mr. Chairman, it was \$550 million. This is just one of three failed programs. Abound is another one. Beacon Power is another one. That is three out of the first four. There was something wrong in River City.

We're altogether correct and right in ending this program. That is why I stand here today, and I encourage each and every Member on both sides of the aisle to vote "yes" on the No More Solyndras Act.

Mr. WAXMAN. Mr. Chairman, at this time, I yield 5 minutes to the gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. I thank the gentleman from California, and I compliment the gentleman from California on his fight on this issue because we're right down to something, which is one of the greatest political frauds of all time being perpetrated here on the House floor. It is a monument to the political cynicism of the Republican Party that we have such a bill out here on the floor today. It is a tribute to the control that the fossil fuel and nuclear industry now has over the Republican Party. We have a bill out here on the House floor which purports to make sure that the program which gave loans to Solyndra is ended.

□ 0950

The name of the bill is No More Solyndras, meaning no more Federal loans to these speculative energy projects, which could ultimately wind up taking money out of the pockets of American taxpayers. That's what they say they are doing. No more Solyndras, meaning end that program. But what does their bill do?

Well, their bill says no more Solyndras, but it should be amended to say the only \$88.4 billion more for nuclear and coal no more Solyndras act of 2012, because what the Republicans do is that they grandfather in all of these applications, \$75.6 billion for nuclear, \$11.9 billion for coal, 88.4 billion for nuclear and coal.

Now, it will be one thing if they were saying, ah, but we have made a determination that the solar industry, the wind industry—that's risky. But the nuclear industry, oh, that's just the safest industry ever—except for one thing. When this program was put on the books in 2005, it was Pete Domenici from New Mexico who put the program on the books in order to provide a crutch for the nuclear industry. Then when the Bush administration was even apprehensive about giving out any loans, the Republicans then began to pressure the Bush administration to give out loans to the nuclear industry, which it did not want to do.

Senator Domenici actually put a hold on former Congressman Nussle even being named to the head of the OMB until he promised he was going to give out loans to the nuclear industry. That's the history of this program: nuclear, nuclear, nuclear.

The last year the Republicans were in control of the House and the Senate, what did they do? Well, in the loan guarantee program, they left in \$32 billion for nuclear and coal and cut out the \$17 billion in loan guarantees for wind and solar. Get the picture? Nuclear, coal—they like it. Wind and solar—they hate it.

To be more clear about it, the nuclear and the coal industry hate it because wind and solar are taking off

across this country: 12,000 new megawatts of wind this year; 3,200 new megawatts of solar this year. It is taking off as these other two industries are going down. This level playing field was just too much, too much for the Republicans.

Adam Smith is spinning in his grave so quickly that he would qualify for a new energy tax break under the Republican program. That's how crazy all of this is.

Get to the bottom line. I made an amendment in the committee. I said, okay, Solyndra lost \$535 million. You can see the crocodile tears how concerned they are about this loan guarantee program. So I said okay, no energy loan guarantee recipient who lost more than \$540 million last year is eligible for a loan guarantee.

Now, what I was talking about, the United States Enrichment Corporation, a nuclear company that last year and this year has been put on the warning list to be delisted from the New York Stock Exchange, which S&P and Moody's have dropped down to junk bond status, and the Republicans are saying they are so concerned about the standards.

The CHAIR. The time of the gentleman has expired.

Mr. WAXMAN. Mr. Chairman, I yield the gentleman an additional 1 minute.

Mr. MARKEY. Here is a company basically teetering on the brink of bankruptcy, with the Federal Government already having given it, that company, an additional \$1 billion from Federal taxpayers to keep it afloat. The Republicans all voted "no." We're not going to set up any standards. We're not going to have any rules. When the Southern Company wanted \$8 billion for two nuclear power plants, even though it's \$1 billion over cost already, the Republicans say no problem, it's nuclear.

So this is a pretty clear line here. It's an all-out assault on solar and wind, all-out. It's been going on for a year and a half. This is the next installment; it's all about the future.

They're locked into the past, the Republican Party, that old way that has failed. As this new marketplace has opened up, they are doing everything they can to undermine that new future of solar and wind while tilting the playing field so that nuclear and coal continue to qualify for Federal taxpayer subsidies.

Vote "no" on this only \$88.4 billion dollars more for nuclear and fossil no more Solyndras act.

Mr. UPTON. Mr. Chairman, I yield myself 30 seconds.

I would just say that although it's true that DOE has \$34 billion in loan guarantee authority remaining, DOE is actually capped at \$22 billion for nuclear projects, so the argument that this act creates a loophole that would allow up to \$100 billion in new nuclear

projects is simply not right, and the projects that are in the application pipeline—remember those remain in the pipeline through December of last year—they are not limited to nuclear. In fact, there are only six active nuclear-related applications in that queue. The other 40-plus include solar, biomass, wind, a whole number of things.

I yield 3 minutes to the gentleman from Texas (Mr. BURGESS).

Mr. BURGESS. I thank the gentleman for yielding. You know, today's vote culminates a nearly 2-year investigation into how the administration has mismanaged the Department of Energy's loan guarantee program, allowing the loss of \$535 million in the interest of gaining a political win on solar energy.

Emails and documents show that the White House and political appointees at the Department of Energy had a heavy hand in pushing the Solyndra application forward despite multiple misgivings, misgivings from the credit committee at the Department of Energy, both in President Bush's administration before and career staff at the Office of Management and Budget and the Department of Treasury.

Moreover, when it was clear that by rushing the Solyndra application it actually could result in a very embarrassing bankruptcy for the President, the Department of Energy pushed for a questionable legal move that actually subordinated the taxpayer interests below that of private equity interests, a move that we have now seen will result in the complete annihilation of the \$535 million from the perspective of the taxpayer.

But one of the glaring issues that the investigative committee uncovered was that because no penalties existed in the 2005 loan guarantee authorization, officials at the Department of Energy had nothing to fear in actually breaking the law as it was written by our committee and passed by this Congress.

Indeed, the Department of Energy intentionally hid its head in the sand refusing to consult with either Department of Energy or Department of Justice for an outside reading on whether subordination could be a legitimate option. Instead, Department of Energy stopped an outside law firm's analysis, created a tortured memo justifying what they had already decided they would do, that is, place taxpayer dollars below the interests of private equity.

For this reason, I welcomed the opportunity to work with Chairman UPTON and Chairman STEARNS to add explicit language to provide for penalties for those officials who violate the terms of the authorization which created the loan guarantee program. It is time that those in the agency that dole out millions of dollars and choose to ignore the law be held accountable.

Indeed, the public understands this concept very well. Any employee in the private sector who ignores their boss's instructions and loses millions of dollars in company money is going to face immediate sanctions, including losing their job. No one has lost their job over Solyndra.

Public employees should be no different from private employees. This is an important bill. Today's vote will be a win for every citizen concerned about good government and our fiscal future. It's time to end failed government programs that are driving us over a fiscal cliff. This is a major step in the right direction.

□ 1000

Mr. WAXMAN. Mr. Chairman, I yield 5 minutes to the dean of the House, the chairman emeritus of our committee, the gentleman from Michigan (Mr. DINGELL).

Mr. DINGELL. I thank the gentleman.

I rise, first, to salute the gentleman from Florida and to express to him my affection and respect and good wishes as he leaves the Congress, and also to my good friend, the chairman of the committee, Mr. UPTON.

I would observe, however, if anybody were to put a monument like this to me, I would bend this cane of mine over his head. This is perhaps one of the sorriest things I have seen done. It is like the mule: it has neither pride of parentage nor hope of posterity. It isn't going anywhere. It accomplishes precisely nothing. It has a series of findings which are totally unrelated to facts and don't mean anything and don't help us with the problems before us. It is a piece of legislation which was adopted by this Congress with the full support of all of my Republican friends over there who are now shying away from their parentage of the basic legislation.

I say to my Luddite friends: This is not going to accomplish anything. I would point out to you it isn't going to pass the Senate. It isn't going to be signed by the President. It doesn't address any of the problems that are before us. It grandfathers everybody in and says there will be nothing new.

But what does it really do? It hurts our efforts to see to it that we are able to remain competitive in high-tech, new energy undertakings, which are the hope and the future of this country. That's what it does. That's why, if I were on that side of the aisle, I would have a red face.

And I would point out that this proposal was backed by my Republican friends, led by Mr. BARTON, supported by my dear friend, Mr. UPTON, and all of my good Republican friends. All of a sudden they find that Solyndra has lost money and has gone bankrupt. Why? Because the Chinese knocked the bottom out of the market for solar panels.

Why? A governmental economy has killed another American industry.

The future of this country is to compete in high-tech jobs in the new kind of undertakings where we can whip the world. But there is a major capital problem for those companies, and they will not prosper and this country will not prosper unless we provide mechanisms to see to it that they can do the things they did.

The Oversight and Investigations Committee has had no end of hearings on it and has thrown subpoenas around like popcorn at a circus, but they haven't found anything. And the committee has brought forward this miserable, hopeless piece of legislation in the expectation that it's going to do something, and that something is, of course, to try to help my Republicans with their election campaign.

Now, this is a laudable thing if you're a Republican. But if you're an American, this is not helping our country and this is not benefiting anybody. What the result of this legislation is is more wasted time on the floor of the House.

What my Republican colleagues won't admit to you is this is the sorriest session of the Congress in history. I think it outranks the do-nothing 80th Congress, and that was a session where we accomplished precisely nothing in this great body.

I would observe to my dear friends that if you want to do something, let's get down to dealing with jobs. Let's get down to dealing with the economy. Let's work to see to it that we address our foreign policy questions and the problems that the United States faces. Let's complete a budget. Not a thing of that is done. I heard that this particular session of this Congress has done 60 bills. When I walk over, I always ask my staff, "Which post offices are we naming today?" That's what we have done.

If you're looking for a record of accomplishment, look in the Senate, which is the cave in the winds which usually does very little. But they are putting us to shame because they are, in fact, legislating while we are over here dithering around with a nonsensical piece of legislation that accomplishes nothing except to try to vindicate a failed investigation where subpoenas were thrown around like rice at a wedding.

I say it is time for us to buckle down if we're going to go on here with some pride in our faces and with our heads held up. Let's go out on a piece of legislation that accomplishes something. This accomplishes nothing except to make a few people who couldn't do their job feel good.

So my counsel to the House is: Let's vote this nonsense down. Let's decide that we're going to do something right around here for a change, even though it's late in the session.

Mr. Chairman, why are we spending time on this deplorable piece of legislation when we should be doing the work of the people? We should be passing bipartisan legislation to continue our economic recovery and create jobs for the unemployed. This is no more than a sorry attempt to stick it in the eye of our president when really what we are doing is sticking it to the American worker.

For this entire Congress, the Oversight and Investigations Subcommittee has piddled unsuccessfully, call it an investigation of the Solyndra loan. As members of this body know, I am a strong proponent of fighting government waste and corruption through vigorous oversight regardless of what Administration is in charge. However, time and time again, this investigation refused to focus on the issues at hand and instead engaged in a political witch hunt in an attempt to embarrass this Administration. A witch hunt is not what this country needs; what we need are investments in innovative technologies and sources of energy so America does not fall further behind countries such as China, Korea, Germany, and others who are subsidizing innovative energy technology. We must take charge in innovation and this investigation and the bill before us fails to do either.

The end result of this investigation is a bill that does nothing more than to stifle innovation, prevent job creation, and subverts a program that was created through bipartisan legislation and signed into law by a Republican president. We have underinvested in energy for decades and commercial deployment, with U.S. investments, will actually make our companies more competitive in the global market. By freezing this loan program, Republicans will only stifle another opportunity to put our economy back on the right path and create new jobs.

I, along with all of the chairmen of the Energy and Commerce Committee, the Speaker, and the Majority Leader worked in a bipartisan way in 2005 to create this loan program that would invest in our economy and our workforce. The legislation and the loan program were then signed into law by a Republican president. The investigation uncovered no undue political influence from the White House. What has changed the mind of the Speaker, the Majority Leader, and Republican leadership to undo that bipartisan cooperation?

We cannot simply be the House of "no." We can and we must do better for the sake of our country. I must ask my Republican colleagues, is your priority this Congress to build partisan talking points or build a stronger American economy that can compete in the global economy of the 21st century? I hope it is the latter because I know I was elected to do the work of the people and I hope my colleagues on the other side of the aisle will start doing the same.

Mr. UPTON. Mr. Chair, may I inquire how much time is remaining on both sides?

The CHAIR. The gentleman from Michigan has 24½ minutes remaining, and the gentleman from California has 17 minutes remaining.

Mr. UPTON. Mr. Chair, I yield 30 seconds to the gentleman from Florida (Mr. STEARNS).

Mr. STEARNS. I would say to the dean of the House of Representatives, I appreciate sincerely his compliments and his kind words about me. The words he used by calling us Luddites, of course, refers to the 19th century textile workers who objected to the machinery being used.

I would really say to Mr. DINGELL that he is Luddite because you folks are objecting to letting the free market work. Just because other countries subsidize their energy sector to diversify their portfolios doesn't mean that we should, too. In fact, you saw the editorial recently in *The Wall Street Journal* how the Chinese subsidize, and now all their solar panel companies are going bankrupt, too.

Mr. UPTON. Mr. Chairman, I yield 3 minutes to the gentleman from Kentucky, (Mr. WHITFIELD), the chairman of the Energy and Commerce Subcommittee.

ANNOUNCEMENT BY THE CHAIR

The CHAIR. The Chair would take the opportunity to remind all Members to direct their remarks to the Chair.

Mr. WHITFIELD. First, I want to thank the chairman of the full committee and the chairman of the Oversight Committee, Mr. STEARNS, for the great effort they did over the last year-and-a-half of bringing the facts of these loan programs to the Congress and to the American people. I'm also personally glad that we have the opportunity to talk about this issue today because transparency is vitally important, I believe, for the American people.

This legislation applies to two loan guarantee programs at the Department of Energy, section 1703 loans and section 1705 loans. The 1703 program was adopted in 2005. Most of us in here voted for it. President Bush was in the White House at that time, but no loan guarantees were issued under President Bush under that program. The second program was 1705, which was part of President Obama's stimulus package.

Now, I believe that the President made a mistake, and maybe it was deliberate, maybe it wasn't, but I don't think that he ever had a sound policy to help stimulate the economy in America. I believe that his stimulus program, particularly this loan guarantee program, he was using that as an opportunity to push an agenda to move America into green energy before America was able to go to green energy.

And he loaned \$538 million to Solyndra, a company of which Mr. George Kaiser, one of the President's major political donors, was a part owner. That company went bankrupt. And not only did it go bankrupt, but the bankruptcy's terms were such that the venture capitalist, the private capitalist, Mr. Kaiser, and others would get their money back before the taxpayers did. And so this 1705 program and the

1703 program, in my view, put the government in as a venture capitalist in risky projects.

□ 1010

We know they're risky because Solyndra's already bankrupt, Abound Solar is bankrupt, Beacon Power is bankrupt, Nevada Geothermal has no positive cash flow, First Wind has withdrawn its IPO and is having significant financial problems.

So the President was not really developing a sound policy to stimulate the economy. He was providing money to risky ventures to push America into green energy before the technology was really available.

So this legislation simply puts an end to the program.

The CHAIR. The time of the gentleman has expired.

Mr. UPTON. I yield the gentleman an additional 1 minute.

Mr. WHITFIELD. Now, I would be the first to say that there's still \$34 billion left. We have 50 companies that have presented applications to the Department of Energy. They've spent a lot of money. So to just cut it off right now would be basically unfair. I would like to end it right now. But it would be unfair.

But let me just finish with this note.

The Department of Energy's own Web site said that because of these loan guarantee programs, 1,175 new jobs were created in America in green energy. Guess what? Each job cost \$12.8 million. Now, if you're a hardworking taxpayer out there, I don't think you want your taxpayer dollars going to risky ventures in which private capitalists get their money back before anyone else does and for every job created it costs \$12.8 million.

Let's pass this legislation.

Mr. WAXMAN. Mr. Chairman, I yield 3 minutes to the gentlelady from the State of California (Ms. MATSUI).

Ms. MATSUI. Mr. Chairman, the No More Solyndras Act is just the latest scheme by the majority party to distract from the real issues that affect our economy and to attack America's clean energy investments and future.

While Solyndra did not achieve its goals, other projects did, and they have made great investments in clean energy infrastructure and job creation.

Not every investment works out, as the private sector well knows. One failure is not a valid reason to condemn the entire DOE loan guarantee program, a program created in a bipartisan manner to further our energy independence and spur economic growth. In fact, an independent report by Herb Allison earlier this year confirms that the program actually holds less risk than originally envisioned when Congress first created and funded the program.

American companies are fighting an uphill battle against foreign countries

that aggressively subsidize their clean energy industries. Last year, China and Germany both heavily invested in their clean energy future. We cannot and should not depend on foreign-made clean energy technologies.

In order to remain competitive in the global marketplace, the Federal Government must continue to play an active role in encouraging and promoting investment in clean energy technologies. Not only does this support help spur innovation, but the loan guarantee program has already generated \$40 billion of direct private investment in the U.S. economy and is supporting 60,000 direct jobs in American clean energy industries.

My home district of Sacramento, California, is home to nearly 14,000 clean technology jobs and houses more than 230 clean technology companies. These are small business owners who understand the need for Federal investment to help level the playing field at home and in the global marketplace. These companies hold the promise of making us the world leader in clean energy technology while simultaneously creating good-paying jobs, lowering energy prices, and preserving and protecting our environment.

This partisan bill would take us backwards in this pursuit, and I urge my colleagues to vote against it.

Mr. UPTON. Mr. Chairman, I yield 2 minutes to a member of the committee, the gentleman from Colorado (Mr. GARDNER).

Mr. GARDNER. I thank Chairman UPTON for his leadership on the Solyndra investigation, and I also thank Chairman STEARNS for the great work that you did to really, no pun intended, bring this issue to light, the work that has happened over the past year with Solyndra.

Last week was the 1-year anniversary of Solyndra's chapter 11 bankruptcy filing, an anniversary that was by no means met with ticker tape parades around the country.

I've held 74 town meetings in my district. At each one, people talk about responsibility, the responsibility of the Federal Government to watch how our dollars are being spent to make sure that Federal taxpayer dollars are being spent wisely.

Then they talk about Solyndra. They don't talk about Solyndra and say, you know, you should have kept giving them money. Why didn't those people keep giving Solyndra money? They talk about how did it happen in the first place. How did a committee that said "no" then come back and say "yes"? How did a committee succumb to political pressure to put on a press conference for the Vice President so they could have great celebrations about spending a trillion dollars more in our stimulus bill?

If people on the floor are so excited about Solyndra, why aren't they in-

vesting their money into it? But instead, they're putting their hope into a government program so that government program can take the risk, and in fact it did. It took the bankruptcy.

Well, the sun has set on the Solyndra scandal, and it's a good thing, too, because the American people are tired of waste and abuse and fraud, and that's exactly what happened here.

The fact is half a billion dollars in taxpayer money is gone, and I can't believe hearing the debate today that defends Solyndra, that defends the abuse of taxpayer dollars that says we should have done more. We shouldn't have done more. We shouldn't have done it at all. The fact that this company had a credit rating that they knew they were in trouble. The Department of Energy's oversight failed.

I support this bill. Let's protect the taxpayer dollars.

Mr. WAXMAN. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, this is not serious legislation. It's a political bill. In fact, much of the bill is composed of inaccurate and misleading congressional findings. The bill repeats baseless and unproven allegations of wrongdoing that are not supported by the whole 18-month investigation of the Solyndra loan guarantee.

There is no fraud. There is no wrongdoing. There is a loss of money because this was a loan guarantee for a new way to deal with solar energy, and it was not successful when the Chinese dropped the price of their solar energy panel, which meant that Solyndra could not compete successfully.

In an attempt to invent a scandal, House Republicans have spent the last year and a half lambasting the whole loan guarantee program. They ignore the successes of that loan guarantee program.

The successes, and you'd never know it from the Republican rhetoric, are DOE programs that are expected to support nearly 60,000 jobs and save nearly 300 million gallons of gasoline per year by supporting six power generation projects that are now complete, nine projects that are sending power to the electric grid, one of the world's largest wind farms in Oregon, one of the largest concentrated solar generation projects in California, one of the largest photovoltaic solar power plants in Arizona. So they concentrate, the Republicans do, on a failure.

Now, when you have risky projects, because they are new ways to have alternative energy sources, you're not always going to have a success. That's why these projects need government loan guarantees.

Now, the Republicans say, this is so terrible. We should never have had this program to start with. They're not going to allow another Solyndra. But they don't end the program. If you wanted to terminate the loan guarantee program, this bill's not for you.

□ 1020

Despite their rhetoric, this bill does not end, phase out, or defund the loan guarantee program. Under this legislation, the Department of Energy can use its existing authority, up to \$34 billion in additional loan guarantees, in the years to come without any limit. The only limit they have is that no new applicants can come in and ask for funds, only those applicants that have had their applications submitted by the end of last year.

The gentleman from Kentucky said, well, that's only fair. But why is that fair? This is supposed to be a program that's going to invest in clean energy to enhance our international competitiveness and address the challenges of energy security and climate change. Instead, this bill prevents new, innovative projects from competing for loan guarantees. And, as Mr. MARKEY from Massachusetts pointed out, most of those that are pending now are nuclear projects, so they create a winners list of about 50 projects that would be eligible for loan guarantees.

If you wanted to end the loan project, the whole loan legislation, just do it. But they don't do it. That's why Taxpayers for Common Sense opposes the bill. The Heritage Foundation, National Taxpayers Union, the Competitive Enterprise Institute—all conservative groups—have raised serious concerns about this legislation.

The whole point of a loan guarantee program is supposed to be to support innovative technologies, and we need to support innovative technologies or other countries will be way ahead of us in the development of these technologies. The market will not fund these technologies because they are not proven yet, and that's why we need government backing for them.

This bill doesn't move us forward on clean energy in this country. We shouldn't create a list of winners and then ignore all of the other potential clean energy projects. We do not have time, Mr. Chairman, for phony political messaging bills. We have real problems to solve.

The CHAIR. The time of the gentleman has expired.

Mr. WAXMAN. I yield myself an additional 30 seconds.

We should be spending this time extending the tax credits for wind power. That would save tens of thousands of clean energy jobs. We should be spending this time developing responsible policies to reduce carbon emissions that are contributing to the record droughts, wildfires, storms, and floods that have been linked to climate change. But this bill is just more of the same: more political rhetoric, more bad policy, but no real solutions to the problems we face. We should reject this flawed legislation.

I reserve the balance of my time.

The CHAIR. The Committee will rise informally.

The Speaker pro tempore (Mr. GARDNER) assumed the chair.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed a bill and agreed to a joint resolution of the following titles in which the concurrence of the House is requested:

S. 3552. An act to reauthorize the Federal Insecticide, Fungicide, and Rodenticide Act.

The message also announced that the Senate agreed to S.J. Res. 44, joint resolution granting the consent of Congress to the State and Province Emergency Management Assistance Memorandum of Understanding.

The SPEAKER pro tempore. The Committee will resume its sitting.

NO MORE SOLYNDRAS ACT

The Committee resumed its sitting.

Mr. UPTON. Mr. Chairman, I'd just remind my friend from California that the Department of Justice tells us that there is still an active criminal investigation as to the Solyndra matter.

I yield 1 minute to the gentleman from Kansas (Mr. POMPEO), a member of the committee.

Mr. POMPEO. Mr. Chairman, I wanted to come down to support this piece of legislation. It's important to America and to the taxpayers to protect them. I want to thank Chairman STEARNS and Chairman UPTON for letting me participate in this important investigation.

Just yesterday, two facts that I think support us completely in passing this legislation. Yesterday, that conservative jewel, The New York Times, reported that Mr. Spinner, who was critical to pushing this loan guarantee through when the Obama administration was inclined to reject it but kept pushing and whose wife was counsel to the company, was reported by The New York Times to be the number 10 bundler for this administration.

Also yesterday, we had a hearing in which we saw that America has the opportunity to become energy independent within the next decade if the Federal Government will just get out of the way and stop picking winners and losers as we have done with these Department of Energy loan guarantees for far too long. I'm confident that we can move away from this program. I'd urge all of my colleagues to support it.

The conservative groups of the American Conservative Union, AFP, Americans for Tax Reform, Heritage Action, Let Freedom Ring, and the National Taxpayers Union have all submitted letters in support of this legislation.

It's time to end this loan guarantee program, and we should do it today.

Mr. WAXMAN. Mr. Chairman, may I inquire how much time each side has on the debate?

The CHAIR. The gentleman from California has 9 minutes remaining. The gentleman from Michigan has 16³/₄ minutes remaining.

Mr. WAXMAN. I reserve the balance of my time.

Mr. UPTON. Mr. Chairman, at this point, I will yield 3 minutes to the chairman of the Science Committee, the gentleman from Texas (Mr. HALL).

Mr. HALL. Mr. Chairman, I, of course, rise in support of H.R. 6213.

This bill makes more important changes to better protect taxpayer funds spent under the Department of Energy's title XVII loan guarantee authority. I thank Chairman UPTON for his good work and his committee.

The Science, Space, and Technology Committee has jurisdiction over the commercial application of energy technology. One purpose of the title XVII loan guarantee program is to move energy technologies from research and development to commercial application. As part of our oversight responsibility for this program, we examined it on numerous occasions, including earlier this year as part of a hearing in which we received testimony from Energy Secretary Steven Chu. The poster child for this poor judgment is Solyndra, which President Obama famously touted as a "true engine of economic growth" for the United States.

Most Americans are familiar with Solyndra's story, in which the Department of Energy gambled half a billion taxpayer dollars to support a failing solar company whose leading investors, I'm sorry to say, were major fundraisers and supporters of our President. Less well known is that the DOE made 25 other gambles under the program's section 1705 authority, staking a total of approximately \$16 billion of American taxpayer money on what they call green energy companies with risky business models similar to that of Solyndra. I am also sorry to say that many of these companies also have ties to the current administration through investors that are major donors, bundlers, and advocates.

If more of these companies fail, the Department of Energy made clear that it could restructure loan agreements in the same manner that it handled Solyndra, placing political supporters and private investors at the front of the line while leaving taxpayers holding the bag. This legislation would absolutely prevent that from happening again by requiring that taxpayer dollars are not subordinate to private finance should more bankruptcies result from this program.

Further, the bill seeks to limit taxpayer risk by prohibiting DOE from making new loan guarantee awards for projects from applications submitted after December 31, 2011.

These are necessary fixes to a troubled program, and I urge Members to support the underlying legislation.

I appreciate the Committee on Energy and Commerce. Again, Mr. Chairman, thank you for working with the Committee on Science, Space, and Technology to further improve the bill in advance of it being brought to the floor.

Mr. WAXMAN. Mr. Chairman, may I inquire through the Chair how many speakers there are on the other side of the aisle?

Mr. UPTON. We have two speakers that are here, and we've got a couple that are in the queue that may or may not make it.

Mr. WAXMAN. I continue to reserve my time.

Mr. UPTON. Mr. Chairman, I yield 2 minutes to the gentlelady, my good friend from North Carolina (Ms. FOXX).

Ms. FOXX. Thank you, Chairman UPTON, for yielding me time and bringing this important bill to the floor.

Mr. Chairman, the Obama administration has failed the American people by squandering half a billion of our hard-earned tax dollars on costly, unproven projects. This legislation puts the brakes on the Obama administration's habit of trying to play the role of venture capitalist with the taxpayers' money.

We need to stop the inept largesse of Big Government bureaucrats that prompted Solyndra's ex-CEO, Chris Gronet, to write that "The Bank of Washington continues to help us." That outrageous statement serves as a shining example of the disregard Solyndra had for American taxpayers and the fact that they believed our government would let them get away with it.

This legislation is needed to protect against the politically charged, reckless spending binges that stream from this administration. The record-breaking spending and historical deficits that will burden future generations courtesy of this administration need to end in order to strengthen our economy and build for a brighter future.

We need an all-of-the-above energy policy to achieve energy security, but it needs to be a responsible plan, a plan that keeps our fiscal priorities in order and provides free market solutions without unnecessary, job-killing government burdens.

I urge my colleagues to support this legislation.

□ 1030

Mr. WAXMAN. Mr. Chairman, I reserve the balance of my time.

Mr. UPTON. Mr. Chairman, I yield 2 minutes to the gentleman from Tennessee (Mr. DUNCAN).

Mr. DUNCAN of Tennessee. Mr. Chairman, I rise in strong support of this legislation. I first want to commend Chairman UPTON and especially my longtime friend, Chairman STEARNS, for bringing this important legislation to the floor this morning.

Mr. Chairman, I have read and heard for many years that almost 80 percent of small businesses fail within the first 5 years. Thousands of small businesses, many thousands, have failed over the last 10 or 20 years. Many of those would have made it if government had given them \$100,000. Most of them would have succeeded or survived if the government had given them \$1 million.

The government gave Solyndra \$535 million, over half a billion dollars, and yet, they squandered it and failed, as we've heard today, in about 2 years. What a ridiculous scandal this is. And I'm grateful to Chairman STEARNS for shedding so much light on this. And yet, unfortunately, it's only the tip of a very big iceberg.

Our friends on the other side frequently attack the oil industry on their subsidies; yet no industry in this Nation has received nearly as many subsidies, loans, or tax breaks as has the solar energy over the years. And yet the solar energy provides, even after all of these massive subsidies and loans and tax breaks, a little less than one percent of our total energy.

The government should not be picking winners and losers. I have nothing against solar energy if it can stand on its own feet, but it certainly cannot do so at this time. And so I rise in strong support for this legislation.

But I rise mainly to commend Chairman STEARNS, with whom I've served for so many years. Unfortunately, he will not be returning in the next Congress, and I think this is a tremendous loss for this Nation. I've worked with him on many things. I have not seen any Member or known any Member of this Congress who has been more conscientious, who has worked harder, and who has tried to study legislation any more than he has. And I want to especially commend him.

Mr. WAXMAN. Mr. Chairman, I yield myself such time as I may consume.

I want to point out, as I speak under our time, that the way I heard the last speaker, he can't be accurate in his statement that we have spent more money on wind and solar than any other source of energy. When you look at the tax breaks that the oil companies have been getting for year after year after year, we spend far more money through the tax system for the oil industry than we are for wind and solar.

In 2005, the Congress adopted the loan guarantee program—2005. That was when President Bush was president. And this loan guarantee program was supposed to be there to help energy projects. Most of the loan guarantees people were thinking about at that time were the nuclear energy loans to help those projects.

When President Obama took office, he wanted to accomplish two goals. He wanted us to move in a different direction to level the playing field, not just

put more money in the hands of the oil and coal companies, but to give an incentive for the state-of-the-art projects in the area of wind and solar and other renewable sources of energy so that we could have a more diverse portfolio of sources of energy so that we wouldn't have all of our eggs in the basket of the oil and coal industries, and especially in the area of oil where we're so dependent on other countries to give us that oil. We're so dependent on oil that we're adding to the greenhouse gas emissions that cause climate change.

So, in the stimulus bill, in 2009, President Obama wanted to use this loan guarantee program and enhance it to move in a different direction in the energy area. But he also wanted to create new jobs. That was what the stimulus bill was all about, creating jobs for people right away.

Let me point out that the projects being built as a result of this legislation, are state-of-the-art, groundbreaking projects that would not be built without this program. And I want to give a good example.

The Ivanpah concentrated solar power facility is being completed in the California desert. It will be the largest facility of its kind in the world. When complete, it will have three, 450-foot towers that collect solar energy from tens of thousands of mirrors called heliostats. In a matter of months, this facility will begin sending clean, renewable power to the electric grid. It is an amazing achievement.

The Republicans keep saying that this whole program has created just 1,100 jobs. And then they take that 1,100, and they talk about how much money has been spent, and then they say it's X number of dollars per job. But this one project puts the lie to that statement because it's employing not 1,100, but 2,100 construction workers.

Don't construction worker jobs count? We need more of them.

As a CEO who invested \$300 million in the project put it:

This project never would have happened without the Federal Government's support. There's just no private sector financing for a cutting-edge technology project. There are other solar thermal projects out there, but none of this magnitude, and this would be considered first of a kind in the financing world.

Now, let's look at this jobs claim that the Republicans have been throwing around. They talk about how this is not creating jobs, but they're ignoring 13,000 construction jobs, pretending that providing a loan to a company is the same thing as just spending the money. And then we lose it forever.

But, you know, these are loans. They don't take into consideration the fact that loans get paid back, and most of the money has been used for successful programs. They are working on absurd assumptions.

Independent experts reviewing the loan portfolio have made it clear that

DOE is likely to be repaid the vast majority of the funds it has loaned out. So I support the loan guarantee program.

I don't support this bill because I don't think we ought to end it. But this bill does not end the loan guarantee program. It continues it for 30-something billion dollars—\$34 billion. \$34 billion. They want to continue the program because they will then have a choice, through this program, to fund those solar energy projects and other projects that already have applications. But they won't be able to consider anything else that might produce new breakthroughs, might produce more jobs, might produce the future for this country in the energy area, which is the future for our economy.

So I just want people to understand: this is all a sham. The Republicans are just trying to put out propaganda using Solyndra. They've been dancing on the grave of Solyndra for so long. Enough is enough. Our country needs to move forward in this area.

Mr. Chairman, I reserve the balance of my time.

Mr. UPTON. Mr. Chairman, I yield 2 minutes to the gentleman from Iowa (Mr. LATHAM).

Mr. LATHAM. I thank the chairman for the opportunity to speak today.

Mr. Chairman, I rise today in strong support for H.R. 6213, the No More Solyndras Act. I'm proud to be an original cosponsor of this bill, which will protect American taxpayers from losses under failed, unaccountable Federal loan guarantee programs.

The bill will end the controversial loan program created in the failed stimulus bill, under which the Obama administration provided an ill-advised \$535 million loan guarantee to the solar company Solyndra, which subsequently went bankrupt.

The legislation would also enforce new accountability standards for applications that have already been accepted under the program.

□ 1040

I understand the desire to do something to help American businesses succeed, but allowing freewheeling, government-knows-best bureaucrats to put billions of taxpayer dollars at risk with no accountability is not the way to do it.

Let's be clear, Mr. Chairman. The government should not be in the business of picking winners and losers. It's time to end wasteful government spending, to protect taxpayer dollars, and to empower the private sector over government. With that, I urge my colleagues to support this bill.

Mr. UPTON. Mr. Chairman, I might just say we are prepared to close. If the gentleman from California is going to be the final speaker and is prepared to close, we can get to the amendments.

Mr. WAXMAN. I have another speaker.

The CHAIR. The gentleman from California should be made aware that he has 3 minutes total remaining in his time.

Mr. WAXMAN. Mr. Chairman, I yield the balance of my time to the gentleman from Texas (Mr. GENE GREEN), a very important member of our committee.

Mr. GENE GREEN of Texas. I thank our ranking member for allowing me to speak.

Mr. Chairman, as a member of the Energy and Commerce Committee's Oversight and Investigations Subcommittee, I have been involved in the investigation of the Solyndra loan for several months.

During the investigation, I learned that the Department of Energy made a mistake, and I join my colleagues on both sides of the aisle in expressing my frustration that such a mistake could have happened. I was angered even more to find out that the taxpayers' investment would be paid back after the investments of outside investors. I believed we explicitly outlawed this in the Energy Policy Act of 2005. The Department of Energy did what other administrations have done—they went lawyer shopping to find a legal opinion that allowed them to do what they wanted.

This shouldn't have happened. Early on, it appeared the best way to make sure there would be no more Solyndras was to close this loophole, something I believed there would have been bipartisan support to do. Instead, my Republican friends—smelling blood in the water—decided to take a different approach. They are pursuing more political theater, virtually ensuring that the loan guarantee program will continue to be broken. Worse yet, the bill doesn't even accomplish what they want to do, so their allies, like the Heritage Foundation, oppose it.

When we go home this weekend, we will once again be confronted with frustrated constituents who will be asking us, Why can't you work together in Washington? After seeing this bill pass on a mostly party-line vote, what are we supposed to tell them—that we were faced with the opportunity to cut government waste, to close a loophole and to protect the interest of the taxpayers but that we didn't do it?

We are passing a bill that will never become law. The problems we identified in the Solyndra investigation will continue to exist, and we will be leaving our constituents on the hook for future Solyndras. I urge my colleagues to vote against the bill. It is bad policy and undoes a bipartisan compromise from 2005. Instead, let's work together to find common ground and pass a bill that will fix the problems without the politics.

The CHAIR. The time of the gentleman has expired.

Mr. UPTON. How much time do I have remaining on this side?

The CHAIR. The gentleman from Michigan has 9 minutes remaining.

Mr. UPTON. Mr. Chairman, I yield the balance of the time that I control to the gentleman from Florida (Mr. STEARNS).

Mr. STEARNS. Mr. Chairman and my colleagues, in a recent editorial by The Wall Street Journal, dated September 11, 2012, entitled, "China's Solyndra Economy," the owner of a solar panel company in China was unable to repay \$3 billion in a bank loan that was guaranteed for his solar panel company. Do you know what happened? He leaped from a sixth floor building because he couldn't repay it.

This editorial outlines an unfailing description of all of these different solar panel companies in China that could not repay their loan guarantees. In fact, this summer, the New York Stock Exchange-listed company LDK Solar, which is the world's second largest polysilicon solar wafer producer, defaulted on \$95 million owed to over 20 suppliers. The company lost \$600 million in just the fourth quarter of 2011 and another \$200 million in the first quarter of 2012, and it has already shed 10,000 jobs.

It goes on in this article to point out that the Chinese are doing the wrong thing—they're picking winners and losers—and these people who are losing are the people who can't pay back their loan guarantees. Some people in Washington seem to feel that we should compete with China. We have this China envy. In fact, this is what the President said:

I will not cede the wind or solar or battery industry to China because we refuse to make the same commitment here.

Now, given what this editorial says and what happened in China, I would think the President of the United States would have to rethink his position. So many in Washington have developed this serious case of China envy, seeing it as an exemplar case of how to run an economy. In fact, the Chinese, the Beijing mandarins, are no better at picking winners and losers, and are just as prone to blowing money as we are here in the United States with these beltway boondoggles. So, if people are concerned about this program and don't think this legislation is necessary, just take a few moments to read this editorial, which outlines the problems with solar panels in China.

I would say to my distinguished ranking member from Colorado (Ms. DEGETTE) that she and I both know the mission of our Oversight and Investigations Subcommittee is to extirpate—to root out—waste, fraud, and abuse. If it happens anywhere, we should step forward, and that's what we did in the Solyndra investigation. We attempted to understand what the problem was in order to come to grips with what happened. It took us 18 months. It took us

almost 8 months to get back the emails from our subpoenas back in November. We were systematic, and we tried to do it without a huge amount of political rhetoric, and I think we accomplished that. The ultimate result of this investigation is the No More Solyndras Act, H.R. 6213. What this bill does is to basically answer some fundamental questions, and it takes the lessons that we learned from this investigation and puts them into this bill.

I reach out to my Democrat colleagues on this. The gentleman from Texas (Mr. GENE GREEN) was on the floor just recently, and he indicated he also agreed with us about the subordination. If I understood what he said, he said it was wrong for the administration to subordinate in violation of the law. In fact, I thought I'd take a few moments and, perhaps, actually read what the law says in dealing with subordination. It's section 1702, Terms and Conditions, in the Energy Policy Act of 2005. These are the exact words that, I believe, Mr. GREEN, Democrat from Texas, agrees with, that the administration should not have subordinated taxpayer money.

In the paragraph dealing with subordination—these are the exact words, and I'll read this carefully—"the obligation shall be subject to the condition that the obligation is not subordinate to other financing." That seems crystal clear. Yet, the Department of Energy, after talking to lawyers outside of the DOE who indicated they couldn't subordinate, still parsed the legal language so that they could.

It's very disturbing—and I say this honestly—that David Frantz, the executive director of the loan guarantee program, under oath, said he wanted to continue to subordinate loan guarantees. Now, that's an absolute fact—under oath. The DOE still has a senior loan officer who wants to subordinate. So how in the world could we not pass this legislation and allow the DOE to continue to subordinate and push taxpayers behind—what?—hedge funds? What financial instruments are they going to allow them to subordinate to? He wouldn't elucidate.

So the bottom line here is that the administration still wants to subordinate. That's why I tell everybody on the Democrats' side that you have to—and should—vote for this bill because, in the end, you're going to support David Frantz, the executive director of the loan guarantee program, who wants to continue to subordinate.

Now, here are the key lessons learned—and I'm going to do a colloquy with myself, Mr. Chairman. I think they'll answer the questions the way I want, but I'll answer them the right way.

□ 1050

Did the administration ignore several red flags raised by the Department of

Energy and OMB about Solyndra's financial condition in the market for products? Yes.

Did the Department of Energy fail to consult with Treasury prior to issuing a conditional commitment to Solyndra as required by the Energy Policy Act of 2005? Yes.

Did the administration's desire to highlight the stimulus result in DOE pushing the Solyndra loan guarantee out the door? Yes.

Did the Department of Energy fail to adequately monitor the loan guarantee as Solyndra's financial condition simply deteriorated in 2010? Absolutely, yes.

Did the DOE subordinate its interest in the loan guarantee to two Solyndra investors, which was contrary to the Energy Policy Act prohibition on subordination? Absolutely, yes.

Did Treasury play any role in reviewing the restructuring when DOE was moving forward on Solyndra? The answer to that is "no." Definitely no. They did not. In fact, numerous times through email, Treasury showed that they wanted to consult with DOE.

Did DOE consult with the Department of Justice about the subordination? You would think if they were going to parse the legal language on something that was in violation of the Energy Policy Act, section 1702, Terms and Conditions, you'd think they would go to the Department of Justice and say, "What do you think of our parsed language?" No, they didn't. They decided not to consult with Justice.

In the end, the items that I mention, the key lessons I learned from this investigation show demonstratively that this bill is absolutely required. Each of the seven areas I outlined and gave you definitive answers, each of these answers is included in this bill. And based upon what we see in China and what we see happening in the solar industry, we should not risk taxpayers' loans for any more of these loan guarantees if it's going to endanger taxpayers' money.

I'll just conclude by again reminding my colleagues of the mismanagement and the poor executive oversight by Secretary Chu back in 2011. He said, "We are confident we can repay the loans." He was wrong, and that's why this bill is needed.

With that, I yield back the balance of my time.

[From the Wall Street Journal, Sept. 11, 2012]

CHINA'S SOLYNDRA ECONOMY (By Patrick Chovanec)

On Aug. 3, the owner of Chengxing Solar Company leapt from the sixth floor of his office building in Jinhua, China. Li Fei killed himself after his company was unable to repay a \$3 million bank loan it had guaranteed for another Chinese solar company that defaulted. One local financial newspaper called Li's suicide "a sign of the imminent collapse facing the Chinese photovoltaic industry" due to overcapacity and mounting debts.

President Barack Obama has held up China's investments in green energy and high-speed rail as examples of the kind of state-led industrial policy that America should be emulating. The real lesson is precisely the opposite. State subsidies have spawned dozens of Chinese Solyndras that are now on the verge of collapse.

Unveiled in 2010, Beijing's 12th Five-Year Plan identified solar and wind power and electric automobiles as "strategic emerging industries" that would receive substantial state support. Investors piled into the favored sectors, confident the government's backing would guarantee success. Barely two years later, all three industries are in dire straits.

This summer, the NYSE-listed LDK Solar, the world's second largest polysilicon solar wafer producer, defaulted on \$95 billion owed to over 20 suppliers. The company lost \$589 million in the fourth quarter of 2011 and another \$185 million in the first quarter of 2012, and has shed nearly 10,000 jobs. The government in LDK's home province of Jiangxi scrambled to pledge \$315 million in public bailout funds, terrified that any further defaults could pull down hundreds of local companies.

Chinese solar companies blame many of their woes on the antidumping tariffs recently imposed by the U.S. and Europe. The real problem, however, is rampant overinvestment driven largely by subsidies. Since 2010, the price of polysilicon wafers used to make solar cells has dropped 73%, according to Maxim Group, while the price of solar cells has fallen 68% and the price of solar modules 57%. At these prices, even low-cost Chinese producers are finding it impossible to break even.

Wind power is seeing similar overcapacity. China's top wind turbine manufacturers, Goldwind and Sinovel, saw their earnings plummet by 83% and 96% respectively in the first half of 2012, year-on-year. Domestic wind farm operators Huaneng and Datang saw profits plunge 63% and 76%, respectively, due to low capacity utilization. China's national electricity regulator, SERC, reported that 53% of the wind power generated in Inner Mongolia province in the first half of this year was wasted. One analyst told China Securities Journal that "40-50% of wind power projects are left idle," with many not even connected to the grid.

A few years ago, Shenzhen-based BYD (short for "Build Your Dreams") was a media darling that brought in Warren Buffett as an investor. It was going to make China the dominant player in electric automobiles. Despite gorging on green energy subsidies, BYD sold barely 8,000 hybrids and 400 fully electric cars last year, while hemorrhaging cash on an ill-fated solar venture. Company profits for the first half of 2012 plunged 94% year-on-year.

China's high-speed rail ambitions put the Ministry of Railways so deeply in debt that by the end of last year it was forced to halt all construction and ask Beijing for a \$126 billion bailout. Central authorities agreed to give it \$31.5 billion to pay its state-owned suppliers and avoid an outright default, and had to issue a blanket guarantee on its bonds to help it raise more. While a handful of high-traffic lines, such as the Shanghai-Beijing route, have some prospect of breaking even, Prof. Zhao Jian of Beijing Jiaotong University compared the rest of the network to "a 160-story luxury hotel where only 11 stories are used and the occupancy rate of those floors is below 50%."

China's Railway Ministry racked up \$1.4 billion in losses for the first six months of

this year, and an internal audit has uncovered dangerous defects due to lax construction on 12 new lines, which will have to be repaired at the cost of billions more. Minister Liu Zhijun, the architect of China's high-speed rail system, was fired in February 2011 and will soon be prosecuted on corruption charges that reportedly include embezzling some \$120 million. One of his lieutenants, the deputy chief engineer, is alleged to have funneled \$2.8 billion into an offshore bank account.

Many in Washington have developed a serious case of China-envy, seeing it as an exemplar of how to run an economy. In fact, Beijing's mandarins are no better at picking winners, and just as prone to blow money on boondoggles, as their Beltway counterparts.

In his State of the Union address earlier this year, President Obama declared, "I will not cede the wind or solar or battery industry to China. . . because we refuse to make the same commitment here." Given what's really happening in China, he may want to think again.

Ms. CHRISTENSEN. Mr. Chair, here we go again! Republicans have spent 18 months and millions of taxpayer dollars looking into the Obama Administration's energy loan guarantee to Solyndra. The Oversight Subcommittee has held 7 hearings on Solyndra in 2011. And now they propose another Anti-Obama bill, based not on facts but on politics. These are the facts:

The energy loan program was created under the Bush administration, and President Bush's Department of Energy invited Solyndra to fully apply for a loan guarantee.

Solyndra was praised as a successful, innovative company both before and after it received the loan guarantee.

Solyndra was just one of 30 companies in a portfolio that was expected to support more than 60,000 jobs.

After more than a year of costly investigations, House Republicans have "turned up no evidence of wrong doing."

President Obama's investment in clean energy is paying off, creating jobs around the country.

Despite these facts, the Republicans are determined to waste taxpayers' money on bad bills that will set bad precedents. No one has refuted that there are needed improvements to the program. Independent findings have stated that DOE is already implementing recommendations to improve the program. Introducing legislation like the "No More Solyndra Act" is unnecessary and it not only penalizes potentially good programs because of one bad incident, it can kill the kind of innovation in energy that we need. This is especially true for districts like mine with one of the highest if not the highest energy costs at 45 cents per kilowatt. We need the innovation that the DOE program provides and this bill would kill.

It is important that the federal government play a prominent role in promoting energy efficiency. This bill which restricts the ability of the Department of Energy to provide competitive loan guarantees to alternative energy businesses to support innovation is not a solution to challenges DOE has had with the energy loan guarantee but another attack on the administration. These loan guarantees are important to the development of a strong clean energy industry and jobs it would create.

I urge a "no" vote on this bill.

Mr. DeFAZIO. Mr. Chair, today, I am voting in favor of H.R. 6213. First and foremost, the American taxpayer should not take a backseat to venture capitalists. This bill ensures that any loan default falls first on the company's investors and remaining assets instead of on the taxpayer.

The Department of Energy's loan guarantee program needs better oversight to protect taxpayers from the financial risks of emerging technologies in a competitive and volatile energy market.

I am also concerned that the loan guarantee program, which was created under the Bush administration in 2005, heavily favors thermal industries—including coal. This money would be better spent on innovative, cutting-edge technologies that will reduce our reliance on fossil fuels, cut greenhouse gases responsible for global warming, and make the United States more energy independent.

Limited federal dollars should go to creating high-wage, high-tech jobs that can't be exported—they should not be used to subsidize the largest energy companies that have benefited from billions of dollars in taxpayer subsidies and decades of federal support.

That's why I am also voting for Representative WAXMAN's amendment. H.R. 6213 allows DOE to use its existing authority to award \$34 billion in loan guarantees to projects on the Republican-deemed "winners' list." This is a list of 50 or so applications that were submitted to DOE prior to the end of 2011. More than three-quarters of the applications are from the nuclear and coal industries.

By voting in favor of Representative WAXMAN's amendment, I support allowing DOE to consider new applications until the remaining loan guarantee dollars are exhausted. This will create a level playing field for all technologies including renewables like wind, solar, and biomass.

Ms. SCHAKOWSKY. Mr. Chair, I rise in opposition to H.R. 6213, the "No More Solyndras Act." This hyper-partisan legislation would prevent Department of Energy loan guarantees for the most promising energy technologies and commit our country to the technologies of the past.

American renewable energy is thriving, with many success stories demonstrating the value of continuing the Loan Guarantee Program.

One example is Prologis, a company that received a partial loan guarantee of \$1.4 billion through the 1705 program to complete Project Amp, an effort to install solar panels at 750 buildings across the country which will add reliable energy to our electric grid. The project will employ more than 1,000 workers nationwide, including in my home state of Illinois, and have the capacity to power 90,000 homes once completed.

Another promising example is First Solar, an Arizona-based company that has partnered with leading private investors—including Berkshire Hathaway—to finance and build a 290-MW solar power plant. That project is supported by a DOE loan guarantee and will soon be providing clean, renewable electricity for the taxpayers who helped fund it.

All told, the DOE's existing loan guarantees will put 60,000 Americans to work and will prevent millions of tons of CO₂ from being emitted into our air. H.R. 6213 could prevent the

next Prologis or First Solar from taking off, and it would put our country at an incredible disadvantage compared to China, Germany, and a number of other countries that are making substantial investments in clean energy.

Solyndra has been used as a red herring to attack DOE loan guarantees and thus undermine America's commitment to clean energy. But H.R. 6213 would not end the DOE Loan Guarantee Program. It would restrict DOE loan guarantees to proposals submitted before 2012. That would not save taxpayers a dime, but it would prevent the most promising technological advances from receiving consideration for DOE loan guarantees.

There is of course a trade-off in investing in nascent technologies. Sometimes it won't work out. But as the demand for energy rises, emerging technologies in the United States will need our support to compete with China, whose solar industry received \$30 billion in government subsidies in 2010. Because of the Loan Guarantee Programs, U.S. investment in clean energy edged China last year, but if we abandon our commitment to investment in the most promising renewable energy technologies, we will again fall behind. That would be a reckless and irreversible decision.

We owe it to the next generation to foster the investment that will make American energy production the envy of the world over the next century. We will not accomplish that goal by clinging to the technologies of the past. We must dedicate ourselves to the goal of energy independence, which is impossible without our support of emerging energy technologies.

Mr. LEVIN. Mr. Chair, the bill before the House is not a serious effort at legislating. Instead, once again, the Republican Majority is using Floor time to try and score political points.

Let's be honest about what's going on here. The legislation should include a disclaimer: "This bill supports the partisan, political interests of House Republicans, who approve this message."

Seldom has the nation faced such a backlog of serious problems, yet the Republican Leadership squanders time on political messaging bills like this one.

Double standard. Every year the taxpayers shell out \$4 billion in unjustified subsidies to the Big 5 oil companies. Two years ago, BP's Deep Water Horizon well spilled millions of barrels of oil into the Gulf of Mexico. Do Republicans come to the Floor with a "No More BP Spills" bill? Do they take away the unjustified subsidies to Big Oil? No.

Two years ago in my home state of Michigan, the Embridge oil pipeline spilled 800,000 gallons of heavy crude and fouled the Kalamazoo River. Do House Republicans come to the Floor with a "No More Embridge Pipeline Spills" bill? No. Instead they work to rush through the permitting on the Keystone pipeline.

Hypocrisy. Republicans like to decry clean energy grants and loan guarantee programs when many House Republicans, including several Committee Chairmen and their party's nominee for vice president, have themselves written to the Obama Administration to express support for taxpayer support for projects that benefit companies in their states.

Let's be clear. The bill before the House is not about improving U.S. energy policy or creating jobs.

Instead of wasting time on a bill that will never become law, we need to invest in renewable energy, and take the steps necessary to allow United States companies to compete with those in China and other nations to supply the world's growing demand for wind turbines, solar panels, and advanced batteries.

We should renew and expand the 48C Advanced Energy Manufacturing Tax Credit that supports American-made clean energy manufacturing. By any measure, 48C was wildly successful. Republicans should join us in extending it.

We should also renew without delay the Renewable Energy Production Tax Credit, which has spurred clean, renewable, domestically-produced wind energy across the country—and the jobs that go with it. American jobs are on the line here. 37,000 jobs will be lost next year if the credit is allowed to expire.

It is time for congressional Republicans to stop their political games and get to work on legislation to spur investment, expand clean energy manufacturing, and put Americans back to work.

Mr. SENSENBRENNER. Mr. Chair, I rise today in support of H.R. 6213, the No More Solyndras Act, as I believe it serves as a critical step in correcting the glaring missteps of the Department of Energy's failed loan guarantee program. Through a lack of due diligence, and apparent political pressure, the Obama Administration risked tax dollars in companies whose failures should have been foreseeable. Congress must learn from these mistakes and ensure that future tax dollars are not wasted.

I am greatly troubled that several of the initial recipients of the section 1705 loan guarantee program have declared bankruptcy. The most high profile of these was Solyndra, the California solar company that received \$535 million in loan guarantees, but DOE also bet wrong by supporting Beacon Power, Ener 1, and Abound Solar. After Solyndra's failure, Congress investigated how DOE was awarding its money. We found that DOE ignored obvious deficiencies in these companies' business structures and rushed much of the decision making process in the name of political expedience. To put it bluntly, DOE attempted to pick winners and losers and it failed miserably.

When news of this reckless use of tax dollars became public, my constituents were rightfully outraged. In a time of record debt, DOE's gambling with tax dollars on shaky companies is indefensible. The American people expect more from their government. However, in an apparent disregard for its history of failures, DOE is insisting that it will continue to consider loan guarantees, putting millions more tax dollars at risk.

The No More Solyndras Act takes the necessary steps to protect the American taxpayer. By sunseting DOE's loan guarantee authority, we are shielding taxpayers from future losses associated with these risky loans. Further, greater transparency and ensuring no subordination of tax dollars are important to providing taxpayer protection. While I would like for more aggressive legislation that would end the loan guarantee program altogether, I believe the No More Solyndras Act is needed to begin correcting the flaws of the DOE program.

Mr. VAN HOLLEN. Mr. Chair, contrary to all the rhetoric around this legislation, H.R. 6213 does not terminate the Title 17 loan guarantee program. In fact, when Republicans were offered a chance to end this Bush-era initiative in the Energy and Commerce Committee, the motion failed by a vote of 3–39.

Instead, H.R. 6213 retains the \$34 billion of existing loan guarantee authority—and then arbitrarily limits the competition for that authority to the roughly 50 projects that had submitted their applications before the end of 2011. In other words, under this bill, a loan guarantee commitment can be issued in 2020 to a company that applied in 2010—but any better, cheaper or more promising proposal that arises between now and then need not apply.

This is the worst kind of governing by bumper sticker, and it has unfortunately become emblematic of the Republican majority in the 112th Congress.

Mr. Chair, we can and should be investing in clean energy. We simply cannot afford to cede this rapidly growing market to the Chinese and other international competitors. In that regard, the Title 17 loan guarantee program has caused tens of billions of dollars in private capital to be invested in clean energy projects. It has helped double renewable energy generation. It has created 60,000 jobs and saved over 300 million gallons of gasoline. And it has done all of this with a default rate of 3 percent, which is less than the half the default rate in the federal student loan program whose current interest rates a bipartisan majority in this House recently voted to extend.

It is time to stop demagoguing and time to start governing. I urge a no vote.

The CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

In lieu of the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce, printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 112–31. That amendment in the nature of a substitute shall be considered as read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 6213

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “No More Solyndras Act”.

SEC. 2. FINDINGS.

The Congress makes the following findings:

(1) President Obama took office amidst a weak economy and high unemployment, yet he remained committed to advancing an expansive “green jobs” agenda that received substantial funding with the passage of the American Recovery and Reinvestment Act of 2009, commonly known as the stimulus package.

(2) The stimulus package allocated \$90 billion to various green energy programs, and related

appropriations provided \$47 billion for loan guarantees authorized under title XVII of the Energy Policy Act of 2005 (42 U.S.C. 16511 et seq.).

(3) Such title XVII authorized the Secretary of Energy to issue loan guarantees for projects that avoid, reduce, or sequester air pollutants or greenhouse gases and employ new or significantly improved technologies compared with commercial technologies in service at the time the guarantee is issued.

(4) Loan guarantees issued under such title XVII were required to provide a reasonable prospect of repayment and were expressly required to be subject to the condition that the obligation is not subordinate to other financing.

(5) The stimulus package expanded such title XVII by adding section 1705 to include projects that use commercial technology for renewable energy systems, electric power transmission systems, and leading-edge biofuels projects and by appropriating \$6,000,000,000 in funding to pay the credit subsidy costs for section 1705 loan guarantees for projects that commence construction no later than September 30, 2011.

(6) The Department of Energy, since the enactment of the stimulus package, has issued loan guarantees under such title XVII for 28 projects totaling \$15,100,000,000 under the section 1705 program, and, according to the Government Accountability Office, issued conditional loan guarantees for four projects totaling \$4,400,000,000 under the section 1705 program and four projects totaling \$10,600,000,000 under the section 1703 program.

(7) Three of the first five companies that received section 1705 loan guarantees for their projects, Solyndra, Inc., Beacon Power Corporation, and Abound Solar, Inc., have declared bankruptcy.

(8) The bankruptcy of the first section 1705 loan guarantee recipient, Solyndra, Inc., could result in a loss to taxpayers of over \$530,000,000.

(9) The investigation of the Solyndra loan guarantee by the Committee on Energy and Commerce has demonstrated that the review in 2009 of the Solyndra application by the Department of Energy and the Office of Management and Budget was driven by politics and ideology and divorced from economic reality where the Department of Energy ignored concerns about the company's financial condition and market for its products.

(10) Despite an express provision in such title XVII prohibiting subordination of the United States taxpayers' financial interest, the Department of Energy restructured the Solyndra loan guarantee in February 2011, resulting in the taxpayers losing priority to Solyndra's investors in the event of a default.

(11) The Inspector General of the Department of the Treasury concluded that it was unclear whether the Department of Energy's consultation requirement with the Secretary of the Treasury on the Solyndra loan guarantee was met; that the consultation that did occur was rushed with the Department of the Treasury expressing that “the train really has left the station on this deal”; and that no documentation was retained as to how the Department of the Treasury's serious concerns with the loan guarantee were addressed.

(12) The Government Accountability Office concluded that the Department of Energy Loan Guarantee Program under title XVII has treated applicants inconsistently; that the Department of Energy did not follow its own process for reviewing applications and documenting its analysis and decisions, increasing the likelihood of taxpayer exposure to financial risk from a default; and that the Department of Energy's absence of adequate documentation made it difficult for the Department to defend its decisions on loan guarantees as sound and fair.

(13) A memorandum prepared for the President dated October 25, 2010, from Carol Browner, Ron Klain, and Larry Summers, principal advisors to the President, noted the risk presented by loan guarantee projects because most of the projects had little "skin in the game" from private investors.

(14) A January 2012 report conducted at the request of the Chief of Staff to the President concluded that the portfolio of projects the Department of Energy included in the loan program were higher risk investments that private capital markets do not generally invest in.

(15) The Department of Energy's section 1705 program has expired but the Department of Energy has announced that it will continue to consider applications for loan guarantees under the section 1703 program.

(16) The Department of Energy has approximately \$34,000,000,000 in remaining lending authority to issue new loan guarantees under the section 1703 program.

SEC. 3. SUNSET.

(a) NO NEW APPLICATIONS.—The Secretary of Energy shall not issue any new loan guarantee pursuant to title XVII of the Energy Policy Act of 2005 (42 U.S.C. 16511 et seq.) for any application submitted to the Department of Energy after December 31, 2011.

(b) PENDING APPLICATIONS.—With respect to any application submitted pursuant to section 1703 or 1705 of the Energy Policy Act of 2005 before December 31, 2011:

(1) No guarantee shall be made until the Secretary of the Treasury has provided to the Secretary of Energy a written analysis of the financial terms and conditions of the proposed loan guarantee, pursuant to section 1702(a) of the Energy Policy Act of 2005 (42 U.S.C. 16512(a)).

(2) The Secretary of the Treasury shall transmit the written analysis required under paragraph (1) to the Secretary of Energy not later than 30 days after receiving the proposal from the Secretary of Energy.

(3) Before making a guarantee under such title XVII, the Secretary of Energy shall take into consideration the written analysis made by the Secretary of the Treasury under paragraph (1).

(4) If the Secretary of Energy makes a guarantee that is not consistent with the written analysis provided by the Secretary of the Treasury under paragraph (1), not later than 30 days after making such guarantee the Secretary of Energy shall transmit to the Committee on Energy and Commerce and the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a written explanation of any material inconsistencies.

(c) TRANSPARENCY.—

(1) REPORTS TO CONGRESS.—Not later than 60 days after making a guarantee as provided in subsection (b), the Secretary of Energy shall transmit to the Committee on Energy and Commerce and the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report that includes information regarding—

(A) the review and decisionmaking process utilized by the Secretary in making the guarantee;

(B) the terms of the guarantee;

(C) the recipient; and

(D) the technology and project for which the loan guarantee will be used.

(2) PROTECTING CONFIDENTIAL BUSINESS INFORMATION.—A report under paragraph (1) shall provide all relevant information, but the Secretary shall take all necessary steps to protect confidential business information with respect to the recipient of the loan guarantee and the technology used.

SEC. 4. RESTRUCTURING OF LOAN GUARANTEES.

With respect to any restructuring of the terms of a loan guarantee issued pursuant to title XVII of the Energy Policy Act of 2005, the Secretary of Energy shall consult with the Secretary of the Treasury regarding any restructuring of the terms and conditions of the loan guarantee, including any deviations from the financial terms of the loan guarantee.

SEC. 5. RESTATING THE PROHIBITION ON SUBORDINATION.

Section 1702(d)(3) of the Energy Policy Act of 2005 (42 U.S.C. 16512(d)(3)) is amended by striking "is not subordinate" and inserting "", including any reorganization, restructuring, or termination thereof, shall not at any time be subordinate".

SEC. 6. ADMINISTRATIVE ACTIONS AND CIVIL PENALTIES.

(a) IN GENERAL.—Any Federal official who is responsible for the issuance of a loan guarantee under title XVII of the Energy Policy Act of 2005 in a manner that violates the requirements of such title or of this Act shall be—

(1) subject to appropriate administrative discipline provided for under title 5 of the United States Code, or any other applicable Federal law, including, when circumstances warrant, suspension from duty without pay or removal from office; and

(2) personally liable for a civil penalty in an amount of at least \$10,000 but not more than \$50,000 for each violation.

(b) DEFINITION.—For purposes of this section, the term "Federal official" means—

(1) an individual serving in a position in level I, II, III, IV, or V of the Executive Schedule, as provided in subchapter II of chapter 53 of title 5, United States Code; and

(2) an individual serving in a Senior Executive Service position, as provided in subchapter II of chapter 31 of title 5, United States Code.

SEC. 7. GAO STUDY OF FEDERAL SUBSIDIES IN ENERGY MARKETS.

(a) IN GENERAL.—The Comptroller General shall conduct a study of the Federal subsidies in energy markets provided from fiscal year 2003 through fiscal year 2012.

(b) FOCUS.—The study required under subsection (a) shall have particular focus on Federal subsidies in energy markets provided in support of—

(1) electricity production, transmission, and consumption;

(2) transportation fuels and infrastructure;

(3) energy-related research and development; and

(4) facilities that manufacture energy-related components.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Energy and Commerce and the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report that describes the results of the study conducted under subsection (a), including an identification and quantification of—

(1) costs to the United States Treasury;

(2) impacts on United States energy security;

(3) impacts on electricity prices, including any potential negative pricing impact on wholesale electricity markets;

(4) impacts on transportation fuel prices;

(5) impacts on private energy-related industries not benefitting from Federal subsidies in energy markets;

(6) any Federal subsidies in energy markets that are provided to foreign persons or corporations; and

(7) subsidies and direct financial interest any of the 15 foreign countries with the largest gross domestic product are providing to support energy markets in their respective countries.

(d) DEFINITION.—For purposes of this section, the term "Federal subsidies" means Federal grants, direct loans, loan guarantees, and tax credits, and other programmatic activities targeted at energy markets and related sectors, relating to specific energy technologies.

The CHAIR. No amendment to that amendment in the nature of a substitute shall be in order except those printed in House Report 112-668. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MS. DEGETTE

The CHAIR. It is now in order to consider amendment No. 1 printed in House Report 112-668.

Ms. DEGETTE. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 2, after line 21, insert the following new paragraph:

(6) The Department of Energy estimates that projects funded under the title XVII program are expected to create 60,000 jobs.

Page 3, lines 13 through 21, amend paragraph (9) to read as follows:

(9) An investigation by the Subcommittee on Oversight and Investigation of the Committee on Energy and Commerce of the House of Representatives determined that the Solyndra loan determination was based on the best professional judgment of career Department of Energy and Office of Management and Budget officials, without political or ideological interference from Obama Administration political appointees or career officials.

Page 3, lines 22 through 24, strike "Despite an express" and all that follows through "financial interest," and insert "Title XVII provides that taxpayer interests cannot be subordinated in the origination of a loan, but does not state whether subordination is allowed during restructuring of a loan. The Department of Energy General Counsel determined that in such cases subordination was allowed under the law, and".

Page 4, after line 14, insert the following new paragraph:

(12) Department of the Treasury officials testified before the Subcommittee on Energy and Power of the Committee on Energy and Commerce of the House of Representatives on October 14, 2011, and stated that their consultation on the Solyndra loan guarantee was not rushed. In interviews conducted by the Subcommittee on Oversight and Investigation of the Committee on Energy and Commerce of the House of Representatives, Office of Management and Budget officials indicated that their review of the Solyndra loan, and the review of Department of Energy officials, was thorough, complete, and fair, and based on reasonable economic assumptions about the company's future.

Page 5, line 12, insert "This report found that the portfolio of projects under title XVII was strong, performing within the risk confines established by the Congress, and would cost the Government \$2,000,000,000 less

than initially expected." after "generally invest in."

The CHAIR. Pursuant to House Resolution 779, the gentlewoman from Colorado (Ms. DEGETTE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Colorado.

Ms. DEGETTE. Mr. Chairman, sadly, this deeply flawed legislation we are considering today is the result of a political investigation, not a fact-based investigation. The majority has ignored the benefits of the DOE loan program and has consistently ignored evidence uncovered in the investigation that contradicts their predetermined view of events. All you have to do is look at the six pages of partisan findings at the beginning of the bill as proof that this is really just a witch hunt.

What my amendment does is it at least attempts to fix the most egregious parts of the false and misleading legislative findings so that at least the record will attempt to be clear and honest.

The first findings I deal with in my amendment are these findings in paragraph 9 that say:

The review in 2009 of the Solyndra application by the Department of Energy and OMB was "driven by politics and ideology, and divorced from economic reality where the Department of Energy ignored concerns about the company's financial condition and market for its products."

That is so blatantly partisan. Our committee's oversight work found that the Solyndra loan determination was based on thorough, unbiased, and fair analysis of DOE and OMB officials without political or ideological influence from Obama administration political appointees or from career officials.

These findings also ignore the fact that each and every one of the 20 witnesses we questioned in interviews and in hearings told us unequivocally there was no political influence on this loan guarantee, that no corners were cut in the review, and that all decisions were made purely on the merits. Shame on the majority for just putting this blatantly false allegation in these findings.

Mr. Chairman, there are also other findings in the legislation that are inaccurate and should be removed. The findings state that the DOE acted illegally in subordinating the Solyndra loan, and Chairman STEARNS talked quite a bit about this in his closing remarks on the substance of the bill. But when looking at the facts, this is simply not the case. What the law says is in the initial granting of the loan guarantee, the government position shall not be subordinated, but DOE's general counsel carefully analyzed the law and determined that subordination in the restructuring would be allowed legally. This opinion was supported by others in the administration, and by outside

experts consulted as part of the committee investigation.

Chairman STEARNS talks about talking to independent lawyers who said that the subordination was not legal. Sadly, he refused to call any of those lawyers to testify before our committee. Furthermore, he refused to call the lawyers at the Department of Energy or DOJ who had said subordination was legal, despite repeated requests by myself and Chairman WAXMAN that they should come in.

Here's my question: If subordination was already illegal as the majority claims, why are we considering legislation that makes it illegal? Why doesn't the Department of Justice just go and prosecute these people? It just doesn't make sense. That's why my amendment also replaces the misleading findings about subordination with an honest set of facts.

Mr. Chairman, the findings also ignore the important successes of title XVII and the ATVM loan programs. In total, the DOE loan programs are creating 60,000 jobs and saving nearly 300 million gallons of gasoline a year. The title XVII and ATVM programs have supported six power generation projects that are already complete and nine projects that are sending power to the electricity grid. The program is funding one of the world's largest wind farms; the world's largest concentrated solar generation project; the world's largest photovoltaic solar power plant, as we heard from Mr. WAXMAN; and the Nation's first two all-electric vehicle manufacturing facilities. The programs have allowed private investors to come off the sidelines to invest tens of billions of dollars and create thousands of jobs.

Now, several of my friends on the other side of the aisle, including Chairman STEARNS, and my dear friend from Kentucky (Mr. WHITFIELD), said we should just cede leadership in this to other countries. If other countries like China are investing money, well, too bad for us; we should cede the leadership in solar to them.

I do not think this is the right place for the U.S. to go. For that reason, I believe my amendment should be adopted. Let's have the findings of fact be accurate. Vote "yes" on the DeGette amendment.

With that, I yield back the balance of my time.

Mr. STEARNS. Mr. Chairman, I rise in opposition to the amendment.

The CHAIR. The gentleman from Florida is recognized for 5 minutes.

Mr. STEARNS. Mr. Chairman, there are three components to her amendment. The first one is so surprising that she would make this claim that the title XVII program created 60,000 new jobs. Of course, if you go to the Department of Energy's own Web site and you add up the actual number of the permanent jobs in that program,

the number is 1,174, according to DOE's own Web site.

□ 1100

How could she possibly come down here and say 60,000 jobs because she includes the ATVM program, which is not part of title XVII, the Advanced Technology Vehicle Program.

First of all, anybody that votes for her amendment supports voting for something that is patently false, patently wrong.

The second portion of her amendment is based upon the fact that she thinks that the decision to loan Solyndra taxpayer money was based upon personal judgment. But throughout all of the emails we received, we show, whether it was OMB or Department of Treasury or even the Department of Energy, they all showed that this program was not going to make it.

Then the last portion of her amendment, which is really the heart, I think, of what her amendment is trying to do, she is saying that the counsel for the Department of Energy determined it was satisfactory to subordinate taxpayers. This is contrary to what I read earlier, Mr. Chairman, which clearly shows it's in violation of the Energy Policy Act of 2005. You cannot subordinate taxpayers.

In fact, even while they were doing this—I want to read you an email between OMB staff regarding Solyndra and this shows the optics of the whole thing. This email is between OMB staff regarding Solyndra:

While the company may avoid default with restructuring—vis-à-vis subordination—there's also a good chance it will not. At that point additional funds will have been put at risk. Recoveries may be lower and questions will be asked.

So, the bottom line is even after they parsed the language illegally, it was clear from the OMB that they weren't going to make it. So the Department of Energy's legal analysis was a post facto to try to subordinate to make this survive for political reasons.

Why did they want to make Solyndra succeed? Because it was a poster child. It was the one that the President has touted, Vice President BIDEN touted. They went out there and said we have to make this continue to work, all the while the subordination was illegal.

Now, OMB's Treasury staff believed the DOE had stretched the language of the Energy Policy Act beyond the limits when it agreed to subordinate it. The email I read to you and also further emails I could elicit, which we don't have time for, will show that OMB and Treasury believed that the Department of Energy was wrong in parsing the language to do this. DOE made a questionable, tortured determination of the law in order to justify a decision they had already made.

We want to stop that. That's why this No More Solyndras bill is required.

They say that the Treasury consultation was not rushed.

The Treasury Department's own inspector general found that the consultation was rushed, and the cause was a press release that DOE wanted to issue to tout the Solyndra loan guarantee. We don't want that to happen again. Treasury wasn't brought in; a collapse of the credit committee and credit review board that had approved the conditional amendment. Treasury was given 1 day to review the deal, subordination of \$535 million. Treasury own's emails that were produced to the committee said that the staff felt jammed.

Mr. Chairman, I think the long and short of it is when you look at the DeGette amendment, it's clear that this has been repudiated by the 18-month investigation. It shows the information that she has in here is incorrect, is patently wrong.

I would say in conclusion to all my colleagues who are listening, subordination of taxpayers' money should stop. If we don't pass this bill, David Frantz, senior loan officer at the Department of Energy, will continue to subordinate.

If you believe in subordination, then you vote against this bill. But if you believe the taxpayers should be protected and taxpayers should not be put at risk, and if they are at risk, they should have the first opportunity to get their money back in a bankruptcy, then you should vote for our bill, No More Solyndras, and you should vote against the DeGette amendment.

Mr. Speaker, may I ask how much time I have remaining?

The SPEAKER pro tempore. The gentleman from Florida has 10 seconds remaining.

Mr. STEARNS. I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Colorado (Ms. DEGETTE).

The question was taken; and the Chair announced that the ayes appeared to have it.

Mr. STEARNS. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Colorado will be postponed.

AMENDMENT NO. 2 OFFERED BY MR. WAXMAN

The CHAIR. It is now in order to consider amendment No. 2 printed in House Report 112-668.

Mr. WAXMAN. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 5, line 23, through page 6, line 2, strike subsection (a) (and redesignate the subsequent subsections accordingly).

The CHAIR. Pursuant to House Resolution 779, the gentleman from Cali-

fornia (Mr. WAXMAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. WAXMAN. Mr. Chairman, House Republicans have repeatedly claimed that this bill will terminate the Loan Guarantee Program. No more Solyndras, no more loan guarantees, but that's not true.

Let's be clear. This bill does not terminate the Loan Guarantee Program. It doesn't phase it out, it doesn't end it, it doesn't sunset it, it leaves it in place. It allows the Department of Energy to use its existing authority to issue \$34 billion in new loan guarantees.

DOE could issue those loans tomorrow, they can do it next year, they can do it 20 years from now. This bill creates no end date for this program.

After lambasting this Bush-era program for more than a year, House Republicans are leaving it in place to issue tens of billions of dollars more in loan guarantees, and that's a fact. Here's what the Republican bill actually does. It arbitrarily picks winners and losers by prohibiting DOE from considering any application for a loan guarantee submitted after December 31, 2011. When you say those are the only guarantees that can be considered, it creates winners, and anything else is a loser, because it can't even be considered.

There are 50 projects that are eligible for loan guarantees. Everyone else, no matter how groundbreaking or promising the technology, loses.

Under the Republican bill, we're still going to have a loan guarantee program issuing tens of billions of dollars of guarantees. The only question is whether the latest technologies can be considered.

Under the Republican bill, no breakthrough technologies can be looked at to compete with the older technologies that submitted applications by the end of September 2011.

That makes no sense. Does anyone believe that there are no new ideas out there that would be worth considering in the years to come? Of course not. Let's allow the best projects to compete for the funding.

Now, one of our colleagues on the Republican side of the aisle said, well, it's only fair to let those applications that are pending be considered. Why is it only fair? We don't owe them any money. We don't owe them a loan guarantee.

If you wanted to end the loan guarantee program, you should end the loan guarantee program. What is unfair is to say that those are the only ones that can be considered.

Renewable energy is a critical part what we need to reduce our carbon pollution and prevent unchecked climate change and the disasters that come with it. Breakthroughs in renewable

energy are occurring on a steady basis. These breakthroughs promise greater efficiency at lower prices, and yet this legislation walks away from technological breakthroughs in renewable energy by prohibiting DOE from even considering them.

Suppose the technological breakthrough is not in renewables. Suppose the application is for a coal plant with carbon capture and storage. What a breakthrough that would be? Coal could be continued to be used without further concern about harm to the environment. Coal is ubiquitous. It's already available, and we could use it without harm.

Yet, a loan guarantee for such a possible technology would not be able to be considered. Suppose it was for a next-generation nuclear plant, and they wanted to submit an application. They can't under the Republican bill.

□ 1110

So my amendment eliminates the arbitrary provision that prevents DOE from considering any application submitted after 2011. It keeps all the other provisions of the bill, even ones I disagree with; but it would ensure the DOE can use its remaining funds to provide loan guarantees to the best, most innovative energy projects.

I want to be clear. My amendment does not increase or decrease the amount of loan guarantees that can be awarded under this program. If my amendment fails, DOE will still have \$34 billion to award in loan guarantees, should it choose to. If my amendment passes, it will still be the same amount of money.

I urge support for the amendment.

Mr. STEARNS. Mr. Chairman, I rise in opposition to the amendment.

The CHAIR. The gentleman from Florida is recognized for 5 minutes.

Mr. STEARNS. My colleagues, this amendment would allow the title XVII loan guarantee program to go on, continue indefinitely. The committee's 18-month investigation made one thing, I think, absolutely clear: the title XVII loan guarantee program must be eliminated. The No More Solyndras Act accomplishes this goal. It's wholly supported by the Oversight and Investigation Subcommittee and by the full committee. We support an all-of-the-above national energy policy that embraces a diverse range of traditional and alternative energy resources, but we don't support the Federal Government playing venture capitalist with taxpayer money.

The gentleman from California mentions innovation. I would submit to him that the iPhone, the iPad, and the iPod all came without the government picking winners and losers. The government has a role in fostering the development of new energy technologies, but primarily through research and development. The committee's investigation made clear that the government

should not be in the business of picking winners and losers. And like the editorial that I put into the RECORD earlier from The Wall Street Journal, China is in the same fix as we are, and a lot of their solar panel companies are going bankrupt. The government needs to get out of the loan guarantee business altogether, and that's why we need to pass this bill.

With that, I yield 2 minutes to the gentleman from Pennsylvania (Mr. MURPHY).

Mr. MURPHY of Pennsylvania. White House adviser Larry Summers said it best. When one of Solyndra's own investors was astonished to learn his startup firm qualified for this massive DOE earmark, Summers replied the government is a "crappy venture capitalist." Nearly 3 years later and \$1 billion in losses to taxpayers later, isn't it clear the Department of Energy loan program has failed?

Many of us want our country to implement a comprehensive, successful energy-independence strategy that uses clean coal, nuclear, clean natural gas, and other sources. That's why Chairman UPTON's bill included an amendment I authored to have the GAO examine the kind of subsidies and assistance foreign governments give to their energy companies. But after an 18-month investigation by the committee, the truth is the current loan program, as it stands, cannot be salvaged. We found that the loopholes created in this program by thwarting the letter and spirit of the law have shaken its foundation.

Solyndra was rushed, reckless, and political. It was rushed because the entire stimulus loan program was built to get money out the door quickly. The law originally said they had to pay it back, complete the projects, and the taxpayers had to be paid back first. These taxpayer safety nets were removed. Second, it was reckless. Officials at OMB, DOE, Treasury, and outside investment professionals all warned that Solyndra was doomed to fail. Even Solyndra employees questioned its longevity. Finally, it was political. Campaign bundler George Kaiser made 16 visits to the White House about Solyndra. This committee uncovered emails between Kaiser and White House officials on Solyndra. There were internal deliberations about how the White House could mask the bad news of Solyndra's bankruptcy.

Those are the facts. It's time to turn out the lights on Solyndra and this DOE loan guarantee program. I urge a "no" vote on the amendment and support for the bill.

Mr. STEARNS. How much time do I have remaining?

The CHAIR. The gentleman from Florida has 2 minutes remaining.

Mr. STEARNS. In an ideal world, the government would never really have gone down this road to create these

loan guarantee programs in the first place. I think all of us realize that. While eliminating the program outright is admittedly appealing, and I think a lot of us on this side of the aisle want to do that, we must be mindful of the fact that applicants in the queue have already invested significant time and financial resources towards simply securing their loan guarantee, and they have really narrowed their financing options also in reliance of the existence of this program.

So the question would be, when we thought about this: Is it fair to change the rules in the middle of the game? We're the United States Government. We hear all the time that the government changes the rules. We should be striving to reduce risk caused by the Federal Government, not create it. That's why I said in my statement here that we have to be mindful of the fact so many applicants have already committed themselves and put their time in.

But I think we can learn from this Solyndra debacle. And based upon this amendment by Mr. WAXMAN, I think we realize that in the end that the No More Solyndras Act tackles all the points that he's concerned about.

Mr. Chairman, I urge a "no" vote on the Waxman amendment, and I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from California (Mr. WAXMAN).

The question was taken; and the Chair announced that the ayes appeared to have it.

Mr. STEARNS. Mr. Chair, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

ANNOUNCEMENT BY THE CHAIR

The CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 112-668 on which further proceedings were postponed, in the following order:

Amendment No. 1 by Ms. DEGETTE of Colorado.

Amendment No. 2 by Mr. WAXMAN of California.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT NO. 1 OFFERED BY MS. DEGETTE

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Colorado (Ms. DEGETTE) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amend-

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 169, noes 238, not voting 22, as follows:

[Roll No. 581]

AYES—169

Andrews	Fudge	Owens
Baca	Garamendi	Pallone
Baldwin	Gonzalez	Pascarell
Barber	Green, Al	Pastor (AZ)
Bass (CA)	Green, Gene	Pelosi
Becerra	Grijalva	Perlmutter
Berkley	Hahn	Peters
Berman	Hanabusa	Pingree (ME)
Bishop (GA)	Hastings (FL)	Polis
Bishop (NY)	Higgins	Price (NC)
Bonamici	Himes	Quigley
Boswell	Hinchey	Rahall
Brady (PA)	Hinojosa	Rangel
Braley (IA)	Hirono	Richardson
Brown (FL)	Holden	Richmond
Butterfield	Holt	Rothman (NJ)
Capps	Honda	Roybal-Allard
Capuano	Hoyer	Ruppersberger
Carnahan	Israel	Rush
Carney	Jackson Lee	Ryan (OH)
Carson (IN)	(TX)	Sánchez, Linda
Castor (FL)	Johnson (GA)	T.
Chu	Kaptur	Sarbanes
Ciциlline	Keating	Schakowsky
Clarke (MI)	Kildee	Schiff
Clarke (NY)	Kind	Schrader
Clay	Kissell	Schwartz
Cleaver	Kucinich	Scott (VA)
Clyburn	Langevin	Scott, David
Cohen	Larsen (WA)	Serrano
Connolly (VA)	Larson (CT)	Sewell
Conyers	Lee (CA)	Sherman
Cooper	Levin	Shuler
Costa	Lewis (GA)	Sires
Costello	Loebach	Slaughter
Courtney	Lofgren, Zoe	Smith (WA)
Critz	Lowey	Stark
Crowley	Luján	Sutton
Cuellar	Maloney	Thompson (CA)
Cummings	Markey	Thompson (MS)
Davis (CA)	Matsui	Tierney
Davis (IL)	McCarthy (NY)	Tonko
DeFazio	McCollum	Tsongas
DeGette	McDermott	Van Hollen
DeLauro	McGovern	Velázquez
Deutch	McIntyre	Visclosky
Dicks	McNerney	Walz (MN)
Dingell	Meeks	Wasserman
Doggett	Michaud	Schultz
Doyle	Miller (NC)	Waters
Edwards	Miller, George	Watt
Ellison	Moore	Waxman
Engel	Moran	Welch
Eshoo	Murphy (CT)	Wilson (FL)
Farr	Nadler	Woolsey
Fattah	Napolitano	Yarmuth
Filner	Neal	
Frank (MA)	Oliver	

NOES—238

Adams	Boren	Cravaack
Aderholt	Boustany	Crawford
Alexander	Brady (TX)	Crenshaw
Altmire	Brooks	Culberson
Amash	Buchanan	Denham
Amodeli	Bucshon	Dent
Austria	Buerkle	DesJarlais
Bachmann	Burgess	Diaz-Balart
Bachus	Burton (IN)	Dold
Barletta	Calvert	Donnelly (IN)
Barrow	Camp	Dreier
Bartlett	Campbell	Duffy
Barton (TX)	Canseco	Duncan (SC)
Bass (NH)	Cantor	Duncan (TN)
Benishek	Capito	Ellmers
Berg	Carter	Emerson
Biggert	Cassidy	Farenthold
Bilbray	Chabot	Fincher
Bilirakis	Chaffetz	Fitzpatrick
Bishop (UT)	Chandler	Flake
Black	Coffman (CO)	Fleischmann
Bonner	Cole	Fleming
Bono Mack	Conaway	Flores

Forbes
Fortenberry
Foss
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herrera Beutler
Hochul
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry

Lankford
Latham
Latta
Lewis (CA)
Lipinski
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Lynch
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris
Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Peterson
Petri
Pitts
Platts
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble

Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Roskam
Ross (FL)
Royce
Runyan
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Conyers
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—22

Ackerman
Akin
Blackburn
Blumenauer
Broun (GA)
Coble
Gutierrez
Heinrich

Herger
Jackson (IL)
Johnson, E. B.
LaTourette
Mack
Poe (TX)
Reyes
Ros-Lehtinen

□ 1139

Messrs. CAMPBELL and WEBSTER changed their vote from “aye” to “no.”

Messrs. SHULER and OWENS changed their vote from “no” to “aye.” So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 2 OFFERED BY MR. WAXMAN

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. WAXMAN) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 170, noes 231, not voting 28, as follows:

[Roll No. 582]

AYES—170

Altmire
Andrews
Baca
Baldwin
Barber
Bass (CA)
Bass (NH)
Becerra
Berkley
Berman
Bilbray
Bishop (GA)
Bishop (NY)
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Honda
Hoyer
Carson (IN)
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Lamborn
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsock
Lofgren, Zoe
Lowe
Lujan
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore

NOES—231

Adams
Aderholt
Alexander
Amash
Amodei
Austria
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Benishke
Berg
Biggart
Bilirakis
Bishop (UT)
Black
Bonner
Bono Mack
Boren
Boswell

Fattah
Filner
Frank (MA)
Fudge
Garamendi
Gibson
Gonzalez
Green, Al
Green, Gene
Grijalva
Hahn
Hanabusa
Hastings (FL)
Higgins
Himes
Hinchey
Hinojosa
Hirono
Holden
Holt
Capuano
Honda
Hoyer
Israel
Jackson Lee
(TX)
Johnson (GA)
Kaptur
Keating
Schiff
Kildee
Kind
Kissell
Kucinich
Lamborn
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsock
Lofgren, Zoe
Lowe
Lujan
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore

Forbes
Fortenberry
Foss
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gibbs
Gingrey (GA)
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herrera Beutler
Hochul
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lance
Landry
Lankford
Latta
Lewis (CA)
LoBiondo

NOT VOTING—28

Ackerman
Akin
Blackburn
Blumenauer
Broun (GA)
Coble
Gerlach
Gohmert
Gutierrez
Heinrich

Herger
Jackson (IL)
Johnson, E. B.
Jones
Latham
LaTourette
Mack
Napolitano
Peterson
Poe (TX)

Reyes
Ros-Lehtinen
Ross (AR)
Ryan (WI)
Sanchez, Loretta
Speier
Sullivan
Towns

ANNOUNCEMENT BY THE CHAIR

The CHAIR (during the vote). There is 1 minute remaining.

□ 1143

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIR. The question is on the amendment in the nature of a substitute.

The amendment was agreed to.

The CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. WOMACK) having assumed the chair, Mr. BISHOP of Utah, Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration

the bill (H.R. 6213) to limit further taxpayer exposure from the loan guarantee program established under title XVII of the Energy Policy Act of 2005, and, pursuant to House Resolution 779, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the amendment in the nature of a substitute.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. MARKEY. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. MARKEY. I am opposed to the bill in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Markey moves to recommit the bill H.R. 6213 to the Committee on Energy and Commerce with instructions to report the same back to the House forthwith with the following amendments:

Page 7, after line 6, insert the following new paragraph:

(5) BUY AMERICA REQUIREMENT TO CREATE JOBS.—No guarantee shall be made pursuant to an application unless the applicant certifies to the Secretary of Energy that—

(A) at least 75 percent of the materials and components required for construction, manufacturing, or operations to be carried out under the part of the project for which the guarantee is applicable will be produced in the United States, unless the Secretary has waived the applicability of this subparagraph based on a determination that it is not feasible to source specific components domestically; and

(B) any project for which the guarantee is applicable will be located in the United States.

At the end of the bill, add the following new subsection:

SEC. 8. CREATING AMERICAN JOBS WITH THE WIND ENERGY PRODUCTION TAX CREDIT.

Section 3(a) shall only have the force and effect of law for such period of time as the credit allowed under section 45 of the Internal Revenue Code of 1986 is in effect for facilities described in subsection (d)(1) of such section 45.

□ 1150

Mr. MARKEY (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The SPEAKER pro tempore. The gentleman from Massachusetts is recognized for 5 minutes in support of his motion.

Mr. MARKEY. Mr. Speaker, I rise in support of this motion to level the playing field for wind energy and for the guarantee of American jobs coming out of this No More Solyndras Act. This is the final amendment to this bill. It will not kill the bill. It will not send the bill back to committee. If adopted, the bill will immediately proceed to final passage, as amended.

My motion will ensure that we will only give tens of billions of dollars worth of loan guarantees that are authorized under this No More Solyndras Act as long as we will also avoid raising taxes on the wind industry by \$4 billion a year, which is what is going to happen if we allow the production tax credit to expire at the end of this year.

What is already happening in the wind industry? Well, ladies and gentlemen, the wind industry says that we are going to lose 40,000 jobs next year in the wind industry. What has already happened in the last 2 months? Jobs are already being lost in this country because the Republicans are allowing the production tax credit for wind to expire even as they authorize these tens of billions of dollars of new projects for nuclear, for coal. We're not saying that wind should be treated separately, specially. All we want is equal treatment for wind—equal treatment.

What's happening in Iowa? Last month, Clipper Wind Company lost 174 jobs in Iowa—gone. Last week, Gamesa, with 165 jobs in Pennsylvania—gone. This past Tuesday, Molded Fiber Glass in South Dakota, with 92 jobs in the wind industry—gone. By this time next year, 40,000 jobs in the wind industry—gone. There are 1,700 jobs already gone, and we are on our way to 40,000 jobs lost in the wind industry. That's part one of this amendment.

What is the second part of the amendment? The second part says, if the Republicans are going to authorize these tens of billions of loan guarantees in this No More Solyndras Act, then 75 percent of all of the equipment made under these loan guarantees is to be made here in America and with American workers making that equipment under their bill. If we are going to be doing this, make it in America, and 75 percent of all the equipment should come from our country.

Why is this amendment even necessary? Well, when the Ryan budget came out here on the House floor in February of 2011, one month after they took over, the Ryan budget cut clean energy by 90 percent. What happened in April out here on the House floor? They cut wind and solar by \$17 billion and kept in all of the money for nuclear and coal. That's not a level playing field. That's going after wind. That's going after solar. In this bill, what do they do? Basically, what they say is they can keep in \$88.5 billion for nuclear and for coal loan guarantees, but for wind and solar, we're sorry.

What we are saying in this amendment is let's have a level playing field. Let's make sure that wind is given the opportunity to flourish in the marketplace. Let's not tilt the playing field so that wind is a guaranteed loser in Iowa, in Pennsylvania, in Colorado, in States all across this country which are right now facing a 40,000 job loss. That's what this is all about. Don't give \$4 billion a year to the oil industry and say that it can't be touched and at the same time cut \$4 billion from the wind industry, which is an industry that created 12,000 new megawatts of electricity in our country this year.

So this amendment is very simple. It says keep the \$4 billion for the wind industry so that we don't lose 40,000 wind jobs in the next 6 months in State after State after State in our country—States that are already beginning to see those losses—and let's make sure that 75 percent of all of the equipment that's made under this loan guarantee program is made by American workers here in the United States. Vote "yes" for this recommittal motion. Make it here in America.

I yield back the balance of my time.

Mr. UPTON. Mr. Speaker, I claim the time in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from Michigan is recognized for 5 minutes.

Mr. UPTON. I will be brief.

I would just note that the projects contemplated under title XVII aren't your usual run-of-the-mill, brick and mortar construction projects. Usually, they are advanced energy projects that require highly specialized equipment, complex components, and they aren't always available domestically. Extending the wind tax credit will be, in fact, part of the larger debate that the House will have as we look at all of the expiring tax provisions, and I certainly look for Mr. MARKEY's support as we look to extend all of those later on, particularly for his good folks in the State of Massachusetts.

This has been a very long and extensive investigation, and I will tell you that CLIFF STEARNS, the chairman of our Oversight Subcommittee, has done a very good job as we have tried to get to the very bottom of this mess. It is our job—that of every one of us here—to look wherever we can to find fraud and abuse and mismanagement in any Federal program, to identify it, and then come back and fix it so that it cannot happen again. No more Solyndras. That's what this bill does. It is a credit to the investigatory team and to Mr. STEARNS' leadership. We need to defeat this motion to recommit and pass the bill.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. MARKEY. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—ayes 175, noes 234, not voting 20, as follows:

[Roll No. 583]

AYES—175

Altmire	Filner	Napolitano
Andrews	Frank (MA)	Neal
Baca	Fudge	Olver
Baldwin	Garamendi	Pallone
Barber	Gonzalez	Pascrell
Bass (CA)	Green, Al	Pastor (AZ)
Becerra	Green, Gene	Pelosi
Berkley	Grijalva	Perlmutter
Berman	Gutierrez	Peters
Bishop (GA)	Hahn	Peterson
Bishop (NY)	Hanabusa	Pingree (ME)
Bonamici	Hastings (FL)	Price (NC)
Boren	Higgins	Quigley
Boswell	Himes	Rahall
Brady (PA)	Hinchey	Rangel
Braley (IA)	Hinojosa	Reyes
Brown (FL)	Hirono	Richardson
Butterfield	Holden	Richmond
Capps	Holt	Rothman (NJ)
Capuano	Honda	Roybal-Allard
Carnahan	Hoyer	Ruppersberger
Carney	Israel	Rush
Carson (IN)	Jackson Lee	Ryan (OH)
Castor (FL)	(TX)	Sánchez, Linda
Chandler	Johnson (GA)	T.
Chu	Kaptur	Sarbanes
Cicilline	Keating	Schakowsky
Clarke (MI)	Kildee	Schiff
Clarke (NY)	Kind	Schrader
Clay	Kissell	Gohmert
Cleaver	Kucinich	Gosar
Clyburn	Langevin	Myrick
Cohen	Larsen (WA)	Neugebauer
Connolly (VA)	Larson (CT)	Noem
Conyers	Lee (CA)	Nugent
Cooper	Levin	Nunes
Costa	Lewis (GA)	Nunnelee
Costello	Lipinski	Olson
Courtney	Loebach	Owens
Critz	Lofgren, Zoe	Palazzo
Crowley	Lowey	Paul
Cuellar	Luján	Paulsen
Cummings	Lynch	Pearce
Davis (CA)	Maloney	Pence
Davis (IL)	Markey	Petri
DeFazio	Matsui	Pitts
DeGette	McCarthy (NY)	
DeLauro	McCollum	
Deutch	McDermott	
Dicks	McGovern	
Dingell	McIntyre	
Doggett	McNerney	
Donnelly (IN)	Meeks	
Doyle	Michaud	
Edwards	Miller (NC)	
Ellison	Miller, George	
Engel	Moore	
Eshoo	Moran	
Farr	Murphy (CT)	
Fattah	Nadler	

NOES—234

Adams	Bachus	Berg
Aderholt	Barletta	Biggert
Alexander	Barrow	Bilbray
Amash	Bartlett	Bilirakis
Amodei	Barton (TX)	Bishop (UT)
Austria	Bass (NH)	Black
Bachmann	Benishek	Bonner

Bono Mack	Hastings (WA)	Platts
Boustany	Hayworth	Polis
Brady (TX)	Heck	Pompeo
Brooks	Hensarling	Posey
Buchanan	Herrera Beutler	Price (GA)
Bucshon	Hochul	Quayle
Buerkle	Huelskamp	Reed
Burgess	Huizenga (MI)	Rehberg
Burton (IN)	Hultgren	Reichert
Calvert	Hunter	Renacci
Camp	Hurt	Ribble
Campbell	Issa	Rigell
Canseco	Jenkins	Rivera
Cantor	Johnson (IL)	Roby
Capito	Johnson (OH)	Roe (TN)
Carter	Johnson, Sam	Rogers (AL)
Cassidy	Jordan	Rogers (KY)
Chabot	Kelly	Rogers (MI)
Chaffetz	King (IA)	Rohrabacher
Coffman (CO)	King (NY)	Rokita
Cole	Kingston	Rooney
Conaway	Kinzinger (IL)	Ros-Lehtinen
Cravaack	Kline	Roskam
Crawford	Labrador	Ross (FL)
Crenshaw	Lamborn	Royce
Culberson	Lance	Runyan
Denham	Landry	Scalise
Dent	Lankford	Schilling
DesJarlais	Latham	Schmidt
Diaz-Balart	Latta	Schock
Dold	Lewis (CA)	Schweikert
Dreier	LoBiondo	Scott (SC)
Duffy	Long	Scott, Austin
Duncan (SC)	Lucas	Sensenbrenner
Duncan (TN)	Luetkemeyer	Sessions
Eilmers	Lummis	Shimkus
Emerson	Lungren, Daniel	Shuler
Farenthold	E.	Shuster
Fincher	Manzullo	Simpson
Fitzpatrick	Marchant	Smith (NE)
Flake	Marino	Smith (NJ)
Fleischmann	Matheson	Smith (TX)
Fleming	McCarthy (CA)	Southerland
Flores	McCaul	Stearns
Forbes	McClintock	Stivers
Fortenberry	McHenry	Stutzman
Fox	McKeon	Sullivan
Franks (AZ)	McKinley	Terry
Frelinghuysen	McMorris	Thompson (PA)
Gallegly	Rodgers	Thornberry
Gardner	Meehan	Tiberi
Garrett	Mica	Tipton
Gerlach	Miller (FL)	Turner (NY)
Gibbs	Miller (MI)	Turner (OH)
Gibson	Miller, Gary	Upton
Gingrey (GA)	Mulvaney	Walberg
Gohmert	Murphy (PA)	Walden
Gosar	Myrick	Walsh (IL)
Gowdy	Neugebauer	Webster
Granger	Noem	West
Graves (GA)	Nugent	Westmoreland
Graves (MO)	Nunes	Whitfield
Griffin (AR)	Nunnelee	Whitman
Grimm	Olson	Wilson (SC)
Guinta	Owens	Wittman
Guthrie	Palazzo	Wolf
Hall	Paul	Womack
Hanna	Paulsen	Woodall
Harper	Pearce	Yoder
Harris	Pence	Young (AK)
Hartzler	Petri	Young (FL)
	Pitts	Young (IN)

NOT VOTING—20

Ackerman	Heinrich	Poe (TX)
Akin	Herger	Ross (AR)
Blackburn	Jackson (IL)	Ryan (WI)
Blumenauer	Johnson, E. B.	Sanchez, Loretta
Broun (GA)	Jones	Speier
Coble	LaTourette	Towns
Goodlatte	Mack	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1212

Messrs. CONYERS and MEEKS changed their vote from “no” to “aye.” So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. MARKEY. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 245, noes 161, not voting 23, as follows:

[Roll No. 584]

AYES—245

Adams	Gallegly	McKinley
Aderholt	Garamendi	McMorris
Alexander	Gardner	Rodgers
Amash	Garrett	McNerney
Amodei	Gerlach	Meehan
Austria	Gibbs	Mica
Bachmann	Gingrey (GA)	Miller (FL)
Bachus	Gohmert	Miller (MI)
Barletta	Gosar	Miller, Gary
Barrow	Gowdy	Mulvaney
Bartlett	Granger	Murphy (PA)
Barton (TX)	Graves (GA)	Myrick
Benishek	Griffin (AR)	Neugebauer
Berg	Griffith (VA)	Noem
Biggert	Grimm	Nugent
Bilirakis	Guinta	Nunes
Bishop (GA)	Guthrie	Nunnelee
Bishop (UT)	Hall	Olson
Black	Hanna	Owens
Bonner	Harper	Palazzo
Bono Mack	Harris	Paul
Boren	Hartzler	Paulsen
Boswell	Hastings (WA)	Pearce
Boustany	Hayworth	Pence
Brady (TX)	Heck	Peterson
Brooks	Hensarling	Petri
Buchanan	Herrera Beutler	Pitts
Bucshon	Hochul	Platts
Buerkle	Huelskamp	Pompeo
Burgess	Huizenga (MI)	Posey
Burton (IN)	Hultgren	Price (GA)
Calvert	Hunter	Quayle
Camp	Hurt	Rahall
Campbell	Issa	Reed
Canseco	Jenkins	Rehberg
Cantor	Johnson (IL)	Reichert
Capito	Johnson (OH)	Renacci
Carter	Johnson, Sam	Ribble
Cassidy	Jordan	Rigell
Chabot	Kelly	Rivera
Chaffetz	King (IA)	Roby
Chandler	King (NY)	Roe (TN)
Coffman (CO)	Kingston	Rogers (AL)
Cole	Kinzinger (IL)	Rogers (MI)
Conaway	Kissell	Rohrabacher
Cravaack	Kline	Rokita
Crawford	Labrador	Rokita
Crenshaw	Lamborn	Rooney
Critz	Lance	Ros-Lehtinen
Culberson	Landry	Roskam
DeFazio	Lankford	Ross (FL)
Denham	Latham	Royce
Dent	Latta	Runyan
DesJarlais	Lewis (CA)	Scalise
Diaz-Balart	Lipinski	Schilling
Donnelly (IN)	LoBiondo	Schmidt
Dreier	Loebach	Schock
Duffy	Long	Schweikert
Duncan (SC)	Lucas	Scott (SC)
Duncan (TN)	Luetkemeyer	Scott, Austin
Ellmers	Lummis	Sensenbrenner
Emerson	Lungren, Daniel	Sessions
Farenthold	E.	Shimkus
Fincher	Lynch	Shuler
Fitzpatrick	Manzullo	Shuster
Flake	Marchant	Simpson
Fleischmann	Marino	Smith (NE)
Fleming	Matheson	Smith (NJ)
Flores	McCarthy (CA)	Smith (TX)
Forbes	McCaul	Southerland
Fortenberry	McClintock	Stearns
Fox	McHenry	Stivers
Franks (AZ)	McIntyre	Stutzman
Frelinghuysen	McKeon	Sullivan

Terry
Thompson (PA)
Thornberry
Tiberti
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg

Walden
Walsh (IL)
Walz (MN)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman

Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

Stated against:

Mr. HIGGINS. Mr. Chair, earlier today I missed rollcall vote 584, on final passage of H.R. 6213. Had I been present, I would have voted "no."

PERSONAL EXPLANATION

Mr. GOODLATTE. Mr. Speaker, on rollcall Nos. 583 and 584, I was unavoidably detained. Had I been present, I would have voted "no" on the Motion to Recommit and "aye" on final passage of H.R. 6213.

PERSONAL EXPLANATION

Mr. ROSS of Arkansas. Mr. Speaker, on Thursday, September 13th, 2012 and Friday, September 14th, I was not present for rollcall votes 572–584.

Had I been present for rollcall 572, I would have voted "no."

Had I been present for rollcall 573, I would have voted "no."

Had I been present for rollcall 574, I would have voted "aye."

Had I been present for rollcall 575, I would have voted "aye."

Had I been present for rollcall 576, I would have voted "no."

Had I been present for rollcall 577, I would have voted "no."

Had I been present for rollcall 578, I would have voted "aye."

Had I been present for rollcall 579, I would have voted "aye."

Had I been present for rollcall 580, I would have voted "aye."

Had I been present for rollcall 581, I would have voted "no."

Had I been present for rollcall 582, I would have voted "no."

Had I been present for rollcall 583, I would have voted "aye."

Had I been present for rollcall 584, I would have voted "aye."

PESTICIDE REGISTRATION IMPROVEMENT EXTENSION ACT OF 2012

Mr. LUCAS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 3552) to reauthorize the Federal Insecticide, Fungicide, and Rodenticide Act, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. NUGENT). Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

The text of the bill is as follows:

S. 3552

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Pesticide Registration Improvement Extension Act of 2012".

SEC. 2. PESTICIDE REGISTRATION IMPROVEMENT.

(a) MAINTENANCE FEES.—

(1) FEES.—Section 4(i) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136a–1(i)) is amended—

(A) in paragraph (5)—

(i) in subparagraph (C), by striking "aggregate amount of" and all that follows through the end of the subparagraph and inserting "aggregate amount of \$27,800,000 for each of fiscal years 2013 through 2017.";

(ii) in subparagraph (D)—

(I) in clause (i), by striking "shall be" and all that follows through the semicolon and inserting "shall be \$115,500 for each of fiscal years 2013 through 2017."; and

(II) in clause (ii), by striking "shall be" and all that follows through the period and inserting "shall be \$184,800 for each of fiscal years 2013 through 2017.";

(iii) in subparagraph (E)(i)—

(I) in subclause (I), by striking "shall be" and all that follows through the semicolon and inserting "shall be \$70,600 for each of fiscal years 2013 through 2017."; and

(II) in subclause (II), by striking "shall be" and all that follows through the period and inserting "shall be \$122,100 for each of fiscal years 2013 through 2017.";

(iv) in subparagraph (F)—

(I) by striking "paragraph (3)" and inserting "this paragraph"; and

(II) by striking "Humans" and inserting "Human";

(v) by redesignating subparagraphs (F) through (H) as subparagraphs (G) through (I), respectively;

(vi) by inserting after subparagraph (E) the following:

"(F) FEE REDUCTION FOR CERTAIN SMALL BUSINESSES.—

"(i) DEFINITION.—In this subparagraph, the term 'qualified small business entity' means a corporation, partnership, or unincorporated business that—

"(I) has 500 or fewer employees;

"(II) during the 3-year period prior to the most recent maintenance fee billing cycle, had an average annual global gross revenue from all sources that did not exceed \$10,000,000; and

"(III) holds not more than 5 pesticide registrations under this paragraph.

"(ii) WAIVER.—Except as provided in clause (iii), the Administrator shall waive 25 percent of the fee under this paragraph applicable to the first registration of any qualified small business entity under this paragraph.

"(iii) LIMITATION.—The Administrator shall not grant a waiver under clause (ii) to a qualified small business entity if the Administrator determines that the entity has been formed or manipulated primarily for the purpose of qualifying for the waiver."; and

(vii) in subparagraph (I) (as redesignated by clause (v)), by striking "2012" and inserting "2017";

(B) in paragraph (6)—

(i) by striking "2014" and inserting "2019"; and

(ii) by striking "paragraphs (1) through (5)" and inserting "paragraph (1)";

(C) by striking paragraphs (1), (2), (3), (4), and (7); and

(D) by redesignating paragraphs (5) and (6) as paragraphs (1) and (2), respectively.

(2) CONFORMING AMENDMENTS.—

(A) Section 4 of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136a–1) is amended—

(i) in subsection (d)(5)(B)(ii)(III), by striking "subsection (i)(1)" and inserting "this section";

(ii) in subsection (j), by striking "subsection (i)(5)" and inserting "subsection (i)(1)"; and

NOES—161

Altmire
Andrews
Baca
Baldwin
Barber
Bass (CA)
Bass (NH)
Becerra
Berkley
Berman
Bilbray
Bishop (NY)
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Dold
Doyle
Edwards
Ellison
Engel
Eshoo
Farr

Fattah
Filner
Frank (MA)
Fudge
Gibson
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Himes
Hinchey
Hinojosa
Hirono
Holden
Holt
Honda
Hoyer
Israel
Jackson Lee
(TX)
Johnson (GA)
Kaptur
Keating
Kildee
Kind
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lofgren, Zoe
Lowey
Lujan
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal

Olver
Pallone
Pascarelli
Pastor (AZ)
Pelosi
Perlmutter
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rangel
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sanchez, Linda
T.
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Slaughter
Smith (WA)
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Tsongas
Van Hollen
Velázquez
Visclosky
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NOT VOTING—23

Ackerman
Akin
Blackburn
Blumenauer
Broun (GA)
Coble
Goodlatte
Graves (MO)

Heinrich
Herger
Higgins
Jackson (IL)
Johnson, E. B.
Jones
LaTourette
Mack

Meeks
Poe (TX)
Ross (AR)
Ryan (WI)
Sanchez, Loretta
Speier
Townes

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1219

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. GRAVES of Missouri. Mr. Speaker, on rollcall No. 584, I was inadvertently detained. Had I been present, I would have voted "aye."

(iii) in subsection (k)(5)—

(I) in the first sentence, by striking “subsection (i)(5)(C)(ii)” and inserting “subsection (i)(1)(C)(ii)”;

(II) in the third and sixth sentences, by striking “subsection (i)(5)(C)” each place it appears and inserting “subsection (i)(1)(C)”.

(B) Section 33(b)(7)(F) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136w-8(b)(7)(F)) is amended—

(i) by striking “section 4(i)(5)(E)(ii)” each place it appears in clauses (i), (ii)(I), and (iv)(I) and inserting “section 4(i)(1)(E)(ii)”;

(ii) by striking “section 4(i)(5)(E)(ii)(I)(bb)” each place it appears in clauses (ii)(II) and (iv)(II) and inserting “section 4(i)(1)(E)(ii)(I)(bb)”;

(iii) in clause (iv)(II)—

(I) by striking “applicable.” and inserting “applicable”;

(II) by striking “revenues” and inserting “revenue”.

(3) EXTENSION OF PROHIBITION ON TOLERANCE FEES.—Section 408(m)(3) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 346a(m)(3)) is amended by striking “September 30, 2012” and inserting “September 30, 2017”.

(4) REREGISTRATION AND EXPEDITED PROCESSING FUND.—

(A) SOURCE AND USE.—Section 4(k)(2)(A) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136a-1(k)(2)(A)) is amended—

(i) by inserting “, to enhance the information systems capabilities to improve the tracking of pesticide registration decisions,” after “paragraph (3)” each place it appears; and

(ii) in clause (i)—

(I) by inserting “offset” before “the costs of reregistration”; and

(II) by striking “in the same portion as appropriated funds”.

(B) EXPEDITED PROCESSING OF SIMILAR APPLICATIONS.—Section 4(k)(3)(A) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136a-1(k)(3)(A)) is amended—

(i) in the matter preceding clause (i), by striking “2008 through 2012, between ½ and ¾” and inserting “2013 through 2017, between ½ and ¾”;

(ii) in clause (i), by striking “new”; and

(iii) in clause (ii), by striking “any application” and all that follows through “that—” and inserting “any application that—”.

(C) ENHANCEMENTS OF INFORMATION TECHNOLOGY SYSTEMS FOR IMPROVEMENT IN REVIEW OF PESTICIDE APPLICATIONS.—Section 4(k) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136a-1(k)) is amended—

(i) by redesignating paragraphs (4) and (5) as paragraphs (5) and (6), respectively;

(ii) by inserting after paragraph (3) the following:

“(4) ENHANCEMENTS OF INFORMATION TECHNOLOGY SYSTEMS FOR IMPROVEMENT IN REVIEW OF PESTICIDE APPLICATIONS.—

“(A) IN GENERAL.—For each of fiscal years 2013 through 2017, the Administrator shall use not more than \$800,000 of the amounts made available to the Administrator in the Reregistration and Expedited Processing Fund for the activities described in subparagraph (B).

“(B) ACTIVITIES.—The Administrator shall use amounts made available from the Reregistration and Expedited Processing Fund to

improve the information systems capabilities for the Office of Pesticide Programs to enhance tracking of pesticide registration decisions, which shall include—

“(i) the electronic tracking of—

“(I) registration submissions; and

“(II) the status of conditional registrations;

“(ii) enhancing the database for information regarding endangered species assessments for registration review;

“(iii) implementing the capability to electronically review labels submitted with registration actions; and

“(iv) acquiring and implementing the capability to electronically assess and evaluate confidential statements of formula submitted with registration actions.”; and

(iii) in the first sentence of paragraph (6) (as redesignated by clause (i)), by striking “to carry out the goals established under subsection (1)” and inserting “for the purposes described in paragraphs (2), (3), and (4) and to carry out the goals established under subsection (1)”.

(b) PESTICIDE REGISTRATION SERVICE FEES.—

(1) AMOUNT OF FEES.—Section 33(b) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136w-8(b)) is amended—

(A) by striking paragraph (3) and inserting the following:

“(3) SCHEDULE OF COVERED APPLICATIONS AND REGISTRATION SERVICE FEES.—Subject to paragraph (6), the schedule of covered pesticide registration applications and corresponding registration service fees shall be as follows:

“TABLE 1. — REGISTRATION DIVISION — NEW ACTIVE INGREDIENTS

EPA No.	New CR No.	Action	Decision Review Time (Months) (1)	Registration Service Fee (\$)
R010	1	New Active Ingredient, Food use (2) (3)	24	569,221
R020	2	New Active Ingredient, Food use; reduced risk (2) (3)	18	569,221
R040	3	New Active Ingredient, Food use; Experimental Use Permit application; establish temporary tolerance; submitted before application for registration; credit 45% of fee toward new active ingredient application that follows (3)	18	419,502
R060	4	New Active Ingredient, Non-food use; outdoor (2) (3)	21	395,467
R070	5	New Active Ingredient, Non-food use; outdoor; reduced risk (2) (3)	16	395,467
R090	6	New Active Ingredient, Non-food use; outdoor; Experimental Use Permit application; submitted before application for registration; credit 45% of fee toward new active ingredient (3)	16	293,596
R110	7	New Active Ingredient, Non-food use; indoor (2) (3)	20	219,949
R120	8	New Active Ingredient, Non-food use; indoor; reduced risk (2) (3)	14	219,949
R121	9	New Active Ingredient, Non-food use; indoor; Experimental Use Permit application; submitted before application for registration; credit 45% of fee toward new active ingredient application that follows (3)	18	165,375
R122	10	Enriched isomer(s) of registered mixed-isomer active ingredient (2) (3)	18	287,643
R123	11	New Active Ingredient, Seed treatment only; includes agricultural and non-agricultural seeds; residues not expected in raw agricultural commodities (2) (3)	18	427,991

“TABLE 1. — REGISTRATION DIVISION — NEW ACTIVE INGREDIENTS—Continued

EPA No.	New CR No.	Action	Decision Review Time (Months) (1)	Registration Service Fee (\$)
R125 New	12	New Active Ingredient, Seed treatment; Experimental Use Permit application; submitted before application for registration; credit 45% of fee toward new active ingredient application that follows (3)	16	293,596

(1) A decision review time that would otherwise end on a Saturday, Sunday, or federal holiday, will be extended to end on the next business day.

(2) All requests for new uses (food and/or nonfood) contained in any application for a new active ingredient or a first food use are covered by the base fee for that new active ingredient or first food use application and retain the same decision time review period as the new active ingredient or first food use application. The application must be received by the agency in one package. The base fee for the category covers a maximum of five new products. Each application for an additional new product registration and new inert approval that is submitted in the new active ingredient application package or first food use application package is subject to the registration service fee for a new product or a new inert approval. All such associated applications that are submitted together will be subject to the new active ingredient or first food use decision review time. In the case of a new active ingredient application, until that new active ingredient is approved, any subsequent application for another new product containing the same active ingredient or an amendment to the proposed labeling will be deemed a new active ingredient application, subject to the registration service fee and decision review time for a new active ingredient. In the case of a first food use application, until that first food use is approved, any subsequent application for an additional new food use or uses will be subject to the registration service fee and decision review time for a first food use. Any information that (a) was neither requested nor required by the Agency, and (b) is submitted by the applicant at the applicant's initiative to support the application after completion of the technical deficiency screening, and (c) is not itself a covered registration application, must be assessed 25% of the full registration service fee for the new active ingredient or first food use application.

(3) Where the action involves approval of a new or amended label, on or before the end date of the decision review time, the Agency shall provide to the applicant a draft accepted label, including any changes made by the Agency that differ from the applicant-submitted label and relevant supporting data reviewed by the Agency. The applicant will notify the Agency that the applicant either (a) agrees to all of the terms associated with the draft accepted label as amended by the Agency and requests that it be issued as the accepted final Agency-stamped label; or (b) does not agree to one or more of the terms of the draft accepted label as amended by the Agency and requests additional time to resolve the difference(s); or (c) withdraws the application without prejudice for subsequent resubmission, but forfeits the associated registration service fee. For cases described in (b), the applicant shall have up to 30 calendar days to reach agreement with the Agency on the final terms of the Agency-accepted label. If the applicant agrees to all of the terms of the accepted label as in (a), including upon resolution of differences in (b), the Agency shall provide an accepted final Agency-stamped label to the registrant within 2 business days following the registrant's written or electronic confirmation of agreement to the Agency.

“TABLE 2. — REGISTRATION DIVISION — NEW USES

EPA No.	New CR No.	Action	Decision Review Time (Months) (1)	Registration Service Fee (\$)
R130	13	First food use; indoor; food/food handling (2) (3)	21	173,644
R140	14	Additional food use; Indoor; food/food handling (3) (4)	15	40,518
R150	15	First food use (2) (3)	21	239,684
R160	16	First food use; reduced risk (2) (3)	16	239,684
R170	17	Additional food use (3) (4)	15	59,976
R175 New	18	Additional food uses covered within a crop group resulting from the conversion of existing approved crop group(s) to one or more revised crop groups. (3) (4)	10	59,976
R180	19	Additional food use; reduced risk (3) (4)	10	59,976
R190	20	Additional food uses; 6 or more submitted in one application (3) (4)	15	359,856
R200	21	Additional food uses; 6 or more submitted in one application; reduced risk (3) (4)	10	359,856
R210	22	Additional food use; Experimental Use Permit application; establish temporary tolerance; no credit toward new use registration (3) (4)	12	44,431
R220	23	Additional food use; Experimental Use Permit application; crop destruct basis; no credit toward new use registration (3) (4)	6	17,993
R230	24	Additional use; non-food; outdoor (3) (4)	15	23,969
R240	25	Additional use; non-food; outdoor; reduced risk (3) (4)	10	23,969
R250	26	Additional use; non-food; outdoor; Experimental Use Permit application; no credit toward new use registration (3) (4)	6	17,993
R251 New	27	Experimental Use Permit application which requires no changes to the tolerance(s); non-crop destruct basis (3)	8	17,993
R260	28	New use; non-food; indoor (3) (4)	12	11,577
R270	29	New use; non-food; indoor; reduced risk (3) (4)	9	11,577

“TABLE 2. — REGISTRATION DIVISION — NEW USES—Continued

EPA No.	New CR No.	Action	Decision Review Time (Months) (1)	Registration Service Fee (\$)
R271	30	New use; non-food; indoor; Experimental Use Permit application; no credit toward new use registration (3) (4)	6	8,820
R273	31	Additional use; seed treatment; limited uptake into raw agricultural commodities; includes crops with established tolerances (e.g., for soil or foliar application); includes food or non-food uses (3) (4)	12	45,754
R274	32	Additional uses; seed treatment only; 6 or more submitted in one application; limited uptake into raw agricultural commodities; includes crops with established tolerances (e.g., for soil or foliar application); includes food and/or non-food uses (3) (4)	12	274,523

(1) A decision review time that would otherwise end on a Saturday, Sunday, or federal holiday, will be extended to end on the next business day.

(2) All requests for new uses (food and/or nonfood) contained in any application for a new active ingredient or a first food use are covered by the base fee for that new active ingredient or first food use application and retain the same decision time review period as the new active ingredient or first food use application. The application must be received by the agency in one package. The base fee for the category covers a maximum of five new products. Each application for an additional new product registration and new inert approval that is submitted in the new active ingredient application package or first food use application package is subject to the registration service fee for a new product or a new inert approval. All such associated applications that are submitted together will be subject to the new active ingredient or first food use decision review time. In the case of a new active ingredient application, until that new active ingredient is approved, any subsequent application for another new product containing the same active ingredient or an amendment to the proposed labeling will be deemed a new active ingredient application, subject to the registration service fee and decision review time for a new active ingredient. In the case of a first food use application, until that first food use is approved, any subsequent application for an additional new food use or uses will be subject to the registration service fee and decision review time for a first food use. Any information that (a) was neither requested nor required by the Agency, and (b) is submitted by the applicant at the applicant's initiative to support the application after completion of the technical deficiency screening, and (c) is not itself a covered registration application, must be assessed 25% of the full registration service fee for the new active ingredient or first food use application.

(3) Where the action involves approval of a new or amended label, on or before the end date of the decision review time, the Agency shall provide to the applicant a draft accepted label, including any changes made by the Agency that differ from the applicant-submitted label and relevant supporting data reviewed by the Agency. The applicant will notify the Agency that the applicant either (a) agrees to all of the terms associated with the draft accepted label as amended by the Agency and requests that it be issued as the accepted final Agency-stamped label; or (b) does not agree to one or more of the terms of the draft accepted label as amended by the Agency and requests additional time to resolve the difference(s); or (c) withdraws the application without prejudice for subsequent resubmission, but forfeits the associated registration service fee. For cases described in (b), the applicant shall have up to 30 calendar days to reach agreement with the Agency on the final terms of the Agency-accepted label. If the applicant agrees to all of the terms of the accepted label as in (a), including upon resolution of differences in (b), the Agency shall provide an accepted final Agency-stamped label to the registrant within 2 business days following the registrant's written or electronic confirmation of agreement to the Agency.

(4) Amendment applications to add the new use(s) to registered product labels are covered by the base fee for the new use(s). All items in the covered application must be submitted together in one package. Each application for an additional new product registration and new inert approval(s) that is submitted in the new use application package is subject to the registration service fee for a new product or a new inert approval. However, if a new use application only proposes to register the new use for a new product and there are no amendments in the application, then review of one new product application is covered by the new use fee. All such associated applications that are submitted together will be subject to the new use decision review time. Any application for a new product or an amendment to the proposed labeling (a) submitted subsequent to submission of the new use application and (b) prior to conclusion of its decision review time and (c) containing the same new uses, will be deemed a separate new-use application, subject to a separate registration service fee and new decision review time for a new use. If the new-use application includes non-food (indoor and/or outdoor), and food (outdoor and/or indoor) uses, the appropriate fee is due for each type of new use and the longest decision review time applies to all of the new uses requested in the application. Any information that (a) was neither requested nor required by the Agency, and (b) is submitted by the applicant at the applicant's initiative to support the application after completion of the technical deficiency screen, and (c) is not itself a covered registration application, must be assessed 25% of the full registration service fee for the new use application.

“TABLE 3. — REGISTRATION DIVISION — IMPORT AND OTHER TOLERANCES

EPA No.	New CR No.	Action	Decision Review Time (Months) (1)	Registration Service Fee (\$)
R280	33	Establish import tolerance; new active ingredient or first food use (2)	21	289,407
R290	34	Establish import tolerance; additional food use	15	57,882
R291	35	Establish import tolerances; additional food uses; 6 or more crops submitted in one petition	15	347,288
R292	36	Amend an established tolerance (e.g., decrease or increase); domestic or import; applicant-initiated	11	41,124
R293	37	Establish tolerance(s) for inadvertent residues in one crop; applicant-initiated	12	48,510
R294	38	Establish tolerances for inadvertent residues; 6 or more crops submitted in one application; applicant-initiated	12	291,060
R295	39	Establish tolerance(s) for residues in one rotational crop in response to a specific rotational crop application; applicant-initiated	15	59,976

“TABLE 3. — REGISTRATION DIVISION — IMPORT AND OTHER TOLERANCES—Continued

EPA No.	New CR No.	Action	Decision Review Time (Months) (1)	Registration Service Fee (\$)
R296	40	Establish tolerances for residues in rotational crops in response to a specific rotational crop petition; 6 or more crops submitted in one application; applicant-initiated	15	359,856
R297 New	41	Amend 6 or more established tolerances (e.g., decrease or increase) in one petition; domestic or import; applicant-initiated	11	246,744
R298 New	42	Amend an established tolerance (e.g., decrease or increase); domestic or import; submission of amended labels (requiring science review) in addition to those associated with the amended tolerance; applicant-initiated (3)	13	53,120
R299 New	43	Amend 6 or more established tolerances (e.g., decrease or increase); domestic or import; submission of amended labels (requiring science review) in addition to those associated with the amended tolerance; applicant-initiated (3)	13	258,740

(1) A decision review time that would otherwise end on a Saturday, Sunday, or federal holiday, will be extended to end on the next business day.

(2) All requests for new uses (food and/or nonfood) contained in any application for a new active ingredient or a first food use are covered by the base fee for that new active ingredient or first food use application and retain the same decision time review period as the new active ingredient or first food use application. The application must be received by the agency in one package. The base fee for the category covers a maximum of five new products. Each application for an additional new product registration and new inert approval that is submitted in the new active ingredient application package or first food use application package is subject to the registration service fee for a new product or a new inert approval. All such associated applications that are submitted together will be subject to the new active ingredient or first food use decision review time. In the case of a new active ingredient application, until that new active ingredient is approved, any subsequent application for another new product containing the same active ingredient or an amendment to the proposed labeling will be deemed a new active ingredient application, subject to the registration service fee and decision review time for a new active ingredient. In the case of a first food use application, until that first food use is approved, any subsequent application for an additional new food use or uses will be subject to the registration service fee and decision review time for a first food use. Any information that (a) was neither requested nor required by the Agency, and (b) is submitted by the applicant at the applicant's initiative to support the application after completion of the technical deficiency screening, and (c) is not itself a covered registration application, must be assessed 25% of the full registration service fee for the new active ingredient or first food use application.

(3) Where the action involves approval of a new or amended label, on or before the end date of the decision review time, the Agency shall provide to the applicant a draft accepted label, including any changes made by the Agency that differ from the applicant-submitted label and relevant supporting data reviewed by the Agency. The applicant will notify the Agency that the applicant either (a) agrees to all of the terms associated with the draft accepted label as amended by the Agency and requests that it be issued as the accepted final Agency-stamped label; or (b) does not agree to one or more of the terms of the draft accepted label as amended by the Agency and requests additional time to resolve the difference(s); or (c) withdraws the application without prejudice for subsequent resubmission, but forfeits the associated registration service fee. For cases described in (b), the applicant shall have up to 30 calendar days to reach agreement with the Agency on the final terms of the Agency-accepted label. If the applicant agrees to all of the terms of the accepted label as in (a), including upon resolution of differences in (b), the Agency shall provide an accepted final Agency-stamped label to the registrant within 2 business days following the registrant's written or electronic confirmation of agreement to the Agency.

“TABLE 4. — REGISTRATION DIVISION — NEW PRODUCTS

EPA No.	New CR No.	Action	Decision Review Time (Months) (1)	Registration Service Fee (\$)
R300	44	New product; or similar combination product (already registered) to an identical or substantially similar in composition and use to a registered product; registered source of active ingredient; no data review on acute toxicity, efficacy or CRP-only product chemistry data; cite-all data citation, or selective data citation where applicant owns all required data, or applicant submits specific authorization letter from data owner. Category also includes 100% re-package of registered end-use or manufacturing-use product that requires no data submission nor data matrix. (2) (3)	4	1,434
R301	45	New product; or similar combination product (already registered) to an identical or substantially similar in composition and use to a registered product; registered source of active ingredient; selective data citation only for data on product chemistry and/or acute toxicity and/or public health pest efficacy, where applicant does not own all required data and does not have a specific authorization letter from data owner. (2) (3)	4	1,720
R310	46	New end-use or manufacturing-use product with registered source(s) of active ingredient(s); includes products containing two or more registered active ingredients previously combined in other registered products; requires review of data package within RD only; includes data and/or waivers of data for only: <ul style="list-style-type: none"> ● product chemistry and/or ● acute toxicity and/or ● public health pest efficacy and/or ● child resistant packaging. (2) (3) 	7	4,807

“TABLE 4. — REGISTRATION DIVISION — NEW PRODUCTS—Continued

EPA No.	New CR No.	Action	Decision Review Time (Months) (1)	Registration Service Fee (\$)
R314 New	47	New end use product containing two or more registered active ingredients never before registered as this combination in a formulated product; new product label is identical or substantially similar to the labels of currently registered products which separately contain the respective component active ingredients; requires review of data package within RD only; includes data and/or waivers of data for only: <ul style="list-style-type: none"> • product chemistry and/or • acute toxicity and/or • public health pest efficacy and/or • child resistant packaging. (2) (3) 	8	6,009
R315 New	48	New end-use non-food animal product with submission of two or more target animal safety studies; includes data and/or waivers of data for only: <ul style="list-style-type: none"> • product chemistry and/or • acute toxicity and/or • public health pest efficacy and/or • animal safety studies and/or • child resistant packaging (2) (3) 	9	8,000
R320	49	New product; new physical form; requires data review in science divisions (2) (3)	12	11,996
R331	50	New product; repack of identical registered end-use product as a manufacturing-use product; same registered uses only (2) (3)	3	2,294
R332	51	New manufacturing-use product; registered active ingredient; unregistered source of active ingredient; submission of completely new generic data package; registered uses only; requires review in RD and science divisions (2) (3)	24	256,883
R333 New	52	New product; MUP or End use product with unregistered source of active ingredient; requires science data review; new physical form; etc. Cite-all or selective data citation where applicant owns all required data. (2) (3)	10	17,993
R334 New	53	New product; MUP or End use product with unregistered source of the active ingredient; requires science data review; new physical form; etc. Selective data citation. (2) (3)	11	17,993

(1) A decision review time that would otherwise end on a Saturday, Sunday, or federal holiday, will be extended to end on the next business day.

(2) An application for a new end-use product using a source of active ingredient that (a) is not yet registered but (b) has an application pending with the Agency for review, will be considered an application for a new product with an unregistered source of active ingredient.

(3) Where the action involves approval of a new or amended label, on or before the end date of the decision review time, the Agency shall provide to the applicant a draft accepted label, including any changes made by the Agency that differ from the applicant-submitted label and relevant supporting data reviewed by the Agency. The applicant will notify the Agency that the applicant either (a) agrees to all of the terms associated with the draft accepted label as amended by the Agency and requests that it be issued as the accepted final Agency-stamped label; or (b) does not agree to one or more of the terms of the draft accepted label as amended by the Agency and requests additional time to resolve the difference(s); or (c) withdraws the application without prejudice for subsequent resubmission, but forfeits the associated registration service fee. For cases described in (b), the applicant shall have up to 30 calendar days to reach agreement with the Agency on the final terms of the Agency-accepted label. If the applicant agrees to all of the terms of the accepted label as in (a), including upon resolution of differences in (b), the Agency shall provide an accepted final Agency-stamped label to the registrant within 2 business days following the registrant's written or electronic confirmation of agreement to the Agency.

“TABLE 5. — REGISTRATION DIVISION — AMENDMENTS TO REGISTRATION

EPA No.	New CR No.	Action	Decision Review Time (Months) (1)	Registration Service Fee (\$)
R340	54	Amendment requiring data review within RD (e.g., changes to precautionary label statements) (2) (3)	4	3,617
R345 New	55	Amending non-food animal product that includes submission of target animal safety data; previously registered (2) (3)	7	8,000
R350	56	Amendment requiring data review in science divisions (e.g., changes to REI, or PPE, or PHI, or use rate, or number of applications; or add aerial application; or modify GW/SW advisory statement) (2) (3)	9	11,996
R351 New	57	Amendment adding a new unregistered source of active ingredient. (2) (3)	8	11,996

“TABLE 5. — REGISTRATION DIVISION — AMENDMENTS TO REGISTRATION—Continued

EPA No.	New CR No.	Action	Decision Review Time (Months) (1)	Registration Service Fee (\$)
R352 New	58	Amendment adding already approved uses; selective method of support; does not apply if the applicant owns all cited data (2) (3)	8	11,996
R371	59	Amendment to Experimental Use Permit; (does not include extending a permit's time period) (3)	6	9,151

(1) A decision review time that would otherwise end on a Saturday, Sunday, or federal holiday, will be extended to end on the next business day.

(2) (a) EPA-initiated amendments shall not be charged registration service fees. (b) Registrant-initiated fast-track amendments are to be completed within the timelines specified in FIFRA Section 3(c)(3)(B) and are not subject to registration service fees. (c) Registrant-initiated fast-track amendments handled by the Antimicrobials Division are to be completed within the timelines specified in FIFRA Section 3(h) and are not subject to registration service fees. (d) Registrant initiated amendments submitted by notification under PR Notices, such as PR Notice 98-10, continue under PR Notice timelines and are not subject to registration service fees. (e) Submissions with data and requiring data review are subject to registration service fees.

(3) Where the action involves approval of a new or amended label, on or before the end date of the decision review time, the Agency shall provide to the applicant a draft accepted label, including any changes made by the Agency that differ from the applicant-submitted label and relevant supporting data reviewed by the Agency. The applicant will notify the Agency that the applicant either (a) agrees to all of the terms associated with the draft accepted label as amended by the Agency and requests that it be issued as the accepted final Agency-stamped label; or (b) does not agree to one or more of the terms of the draft accepted label as amended by the Agency and requests additional time to resolve the difference(s); or (c) withdraws the application without prejudice for subsequent resubmission, but forfeits the associated registration service fee. For cases described in (b), the applicant shall have up to 30 calendar days to reach agreement with the Agency on the final terms of the Agency-accepted label. If the applicant agrees to all of the terms of the accepted label as in (a), including upon resolution of differences in (b), the Agency shall provide an accepted final Agency-stamped label to the registrant within 2 business days following the registrant's written or electronic confirmation of agreement to the Agency.

“TABLE 6. — REGISTRATION DIVISION — OTHER ACTIONS

EPA No.	New CR No.	Action	Decision Review Time (Months) (1)	Registration Service Fee (\$)
R124	60	Conditional Ruling on Preapplication Study Waivers; applicant-initiated	6	2,294
R272	61	Review of Study Protocol applicant-initiated; excludes DART, pre-registration conference, Rapid Response review, DNT protocol review, protocol needing HSRB review	3	2,294
R275 New	62	Rebuttal of agency reviewed protocol, applicant initiated	3	2,294
R370	63	Cancer reassessment; applicant-initiated	18	179,818

(1) A decision review time that would otherwise end on a Saturday, Sunday, or federal holiday, will be extended to end on the next business day.

“TABLE 7. — ANTIMICROBIALS DIVISION — NEW ACTIVE INGREDIENTS

EPA No.	New CR No.	Action	Decision Review Time (Months) (1)	Registration Service Fee (\$)
A380	64	Food use; establish tolerance exemption (2) (3)	24	104,187
A390	65	Food use; establish tolerance (2) (3)	24	173,644
A400	66	Non-food use; outdoor; FIFRA §2(mm) uses (2) (3)	18	86,823
A410	67	Non-food use; outdoor; uses other than FIFRA §2(mm) (2) (3)	21	173,644
A420	68	Non-food use; indoor; FIFRA §2(mm) uses (2) (3)	18	57,882
A430	69	Non-food use; indoor; uses other than FIFRA §2(mm) (2) (3)	20	86,823
A431	70	Non-food use; indoor; low-risk, low-toxicity food-grade active ingredient(s); efficacy testing for public health claims required under GLP and following DIS/TSS or AD-approved study protocol (2) (3)	12	60,638

(1) A decision review time that would otherwise end on a Saturday, Sunday, or federal holiday, will be extended to end on the next business day.

(2) All requests for new uses (food and/or nonfood) contained in any application for a new active ingredient or a first food use are covered by the base fee for that new active ingredient or first food use application and retain the same decision time review period as the new active ingredient or first food use application. The application must be received by the agency in one package. The base fee for the category covers a maximum of five new products. Each application for an additional new product registration and new inert approval that is submitted in the new active ingredient application package or first food use application package is subject to the registration service fee for a new product or a new inert approval. All such associated applications that are submitted together will be subject to the new active ingredient or first food use decision review time. In the case of a new active ingredient application, until that new active ingredient is approved, any subsequent application for another new product containing the same active ingredient or an amendment to the proposed labeling will be deemed a new active ingredient application, subject to the registration service fee and decision review time for a new active ingredient. In the case of a first food use application, until that first food use is approved, any subsequent application for an additional new food use or uses will be subject to the registration service fee and decision review time for a first food use. Any information that (a) was neither requested nor required by the Agency, and (b) is submitted by the applicant at the applicant's initiative to support the application after completion of the technical deficiency screening, and (c) is not itself a covered registration application, must be assessed 25% of the full registration service fee for the new active ingredient or first food use application.

(3) Where the action involves approval of a new or amended label, on or before the end date of the decision review time, the Agency shall provide to the applicant a draft accepted label, including any changes made by the Agency that differ from the applicant-submitted label and relevant supporting data reviewed by the Agency. The applicant will notify the Agency that the applicant either (a) agrees to all of the terms associated with the draft accepted label as amended by the Agency and requests that it be issued as the accepted final Agency-stamped label; or (b) does not agree to one or more of the terms of the draft accepted label as amended by the Agency and requests additional time to resolve the difference(s); or (c) withdraws the application without prejudice for subsequent resubmission, but forfeits the associated registration service fee. For cases described in (b), the applicant shall have up to 30 calendar days to reach agreement with the Agency on the final terms of the Agency-accepted label. If the applicant agrees to all of the terms of the accepted label as in (a), including upon resolution of differences in (b), the Agency shall provide an accepted final Agency-stamped label to the registrant within 2 business days following the registrant's written or electronic confirmation of agreement to the Agency.

“TABLE 8. — ANTIMICROBIALS DIVISION — NEW USES

EPA No.	New CR No.	Action	Decision Review Time (Months) (1)	Registration Service Fee (\$)
A440	71	First food use; establish tolerance exemption (2) (3) (4)	21	28,942
A450	72	First food use; establish tolerance (2) (3) (4)	21	86,823
A460	73	Additional food use; establish tolerance exemption (3) (4) (5)	15	11,577
A470	74	Additional food use; establish tolerance (3) (4) (5)	15	28,942
A471 New	75	Additional food uses; establish tolerances; 6 or more submitted in one application (3) (4) (5)	15	173,652
A480	76	Additional use; non-food; outdoor; FIFRA §2(mm) uses (4) (5)	9	17,365
A481 New	77	Additional non-food outdoor uses; FIFRA §2(mm) uses; 6 or more submitted in one application (4) (5)	9	104,190
A490	78	Additional use; non-food; outdoor; uses other than FIFRA §2(mm) (4) (5)	15	28,942
A491 New	79	Additional non-food; outdoor; uses other than FIFRA §2(mm); 6 or more submitted in one application (4) (5)	15	173,652
A500	80	Additional use; non-food, indoor, FIFRA §2(mm) uses (4) (5)	9	11,577
A501 New	81	Additional non-food; indoor; FIFRA §2(mm) uses; 6 or more submitted in one application (4) (5)	9	69,462
A510	82	Additional use; non-food; indoor; uses other than FIFRA §2(mm) (4) (5)	12	11,577
A511 New	83	Additional non-food; indoor; uses other than FIFRA §2(mm); 6 or more submitted in one application (4) (5)	12	69,462

(1) A decision review time that would otherwise end on a Saturday, Sunday, or federal holiday, will be extended to end on the next business day.

(2) All requests for new uses (food and/or nonfood) contained in any application for a new active ingredient or a first food use are covered by the base fee for that new active ingredient or first food use application and retain the same decision time review period as the new active ingredient or first food use application. The application must be received by the agency in one package. The base fee for the category covers a maximum of five new products. Each application for an additional new product registration and new inert approval that is submitted in the new active ingredient application package or first food use application package is subject to the registration service fee for a new product or a new inert approval. All such associated applications that are submitted together will be subject to the new active ingredient or first food use decision review time. In the case of a new active ingredient application, until that new active ingredient is approved, any subsequent application for another new product containing the same active ingredient or an amendment to the proposed labeling will be deemed a new active ingredient application, subject to the registration service fee and decision review time for a new active ingredient. In the case of a first food use application, until that first food use is approved, any subsequent application for an additional new food use or uses will be subject to the registration service fee and decision review time for a first food use. Any information that (a) was neither requested nor required by the Agency, and (b) is submitted by the applicant at the applicant's initiative to support the application after completion of the technical deficiency screening, and (c) is not itself a covered registration application, must be assessed 25% of the full registration service fee for the new active ingredient or first food use application.

(3) If EPA data rules are amended to newly require clearance under section 408 of the FFDCA for an ingredient of an antimicrobial product where such ingredient was not previously subject to such a clearance, then review of the data for such clearance of such product is not subject to a registration service fee for the tolerance action for two years from the effective date of the rule.

(4) Where the action involves approval of a new or amended label, on or before the end date of the decision review time, the Agency shall provide to the applicant a draft accepted label, including any changes made by the Agency that differ from the applicant-submitted label and relevant supporting data reviewed by the Agency. The applicant will notify the Agency that the applicant either (a) agrees to all of the terms associated with the draft accepted label as amended by the Agency and requests that it be issued as the accepted final Agency-stamped label; or (b) does not agree to one or more of the terms of the draft accepted label as amended by the Agency and requests additional time to resolve the difference(s); or (c) withdraws the application without prejudice for subsequent resubmission, but forfeits the associated registration service fee. For cases described in (b), the applicant shall have up to 30 calendar days to reach agreement with the Agency on the final terms of the Agency-accepted label. If the applicant agrees to all of the terms of the accepted label as in (a), including upon resolution of differences in (b), the Agency shall provide an accepted final Agency-stamped label to the registrant within 2 business days following the registrant's written or electronic confirmation of agreement to the Agency.

(5) Amendment applications to add the new use(s) to registered product labels are covered by the base fee for the new use(s). All items in the covered application must be submitted together in one package. Each application for an additional new product registration and new inert approval(s) that is submitted in the new use application package is subject to the registration service fee for a new product or a new inert approval. However, if a new use application only proposes to register the new use for a new product and there are no amendments in the application, then review of one new product application is covered by the new use fee. All such associated applications that are submitted together will be subject to the new use decision review time. Any application for a new product or an amendment to the proposed labeling (a) submitted subsequent to submission of the new use application and (b) prior to conclusion of its decision review time and (c) containing the same new uses, will be deemed a separate new-use application, subject to a separate registration service fee and new decision review time for a new use. If the new-use application includes non-food (indoor and/or outdoor), and food (outdoor and/or indoor) uses, the appropriate fee is due for each type of new use and the longest decision review time applies to all of the new uses requested in the application. Any information that (a) was neither requested nor required by the Agency, and (b) is submitted by the applicant at the applicant's initiative to support the application after completion of the technical deficiency screen, and (c) is not itself a covered registration application, must be assessed 25% of the full registration service fee for the new use application.

“TABLE 9. — ANTIMICROBIALS DIVISION — NEW PRODUCTS AND AMENDMENTS

EPA No.	New CR No.	Action	Decision Review Time (Months) (1)	Registration Service Fee (\$)
A530	84	New product; identical or substantially similar in composition and use to a registered product; no data review or only product chemistry data; cite-all data citation, or selective data citation when applicant owns all required data, or applicant submits specific authorization letter for data owner. Category also includes 100% re-package of registered end-use or manufacturing-use product that requires no data submission nor data matrix. (2) (3)	4	1,159
A531	85	New product; identical or substantially similar in composition and use to a registered product; registered source of active ingredient; selective data citation only for data on product chemistry and/or acute toxicity and/or public health pest efficacy, where applicant does not own all required data and does not have a specific authorization letter from data owner. (2) (3)	4	1,654
A532	86	New product; identical or substantially similar in composition and use to a registered product; registered active ingredient; unregistered source of active ingredient; cite-all data citation except for product chemistry; product chemistry data submitted (2) (3)	5	4,631
A540	87	New end use product; FIFRA §2(mm) uses only (2) (3)	5	4,631
A550	88	New end-use product; uses other than FIFRA §2(mm); non-FQPA product (2) (3)	7	4,631
A560	89	New manufacturing-use product; registered active ingredient; selective data citation (2) (3)	12	17,365
A570	90	Label amendment requiring data review (3) (4)	4	3,474
A572 New	91	New Product or amendment requiring data review for risk assessment by Science Branch (e.g., changes to REI, or PPE, or use rate) (2) (3) (4)	9	11,996

(1) A decision review time that would otherwise end on a Saturday, Sunday, or federal holiday, will be extended to end on the next business day.

(2) An application for a new end-use product using a source of active ingredient that (a) is not yet registered but (b) has an application pending with the Agency for review, will be considered an application for a new product with an unregistered source of active ingredient.

(3) Where the action involves approval of a new or amended label, on or before the end date of the decision review time, the Agency shall provide to the applicant a draft accepted label, including any changes made by the Agency that differ from the applicant-submitted label and relevant supporting data reviewed by the Agency. The applicant will notify the Agency that the applicant either (a) agrees to all of the terms associated with the draft accepted label as amended by the Agency and requests that it be issued as the accepted final Agency-stamped label; or (b) does not agree to one or more of the terms of the draft accepted label as amended by the Agency and requests additional time to resolve the difference(s); or (c) withdraws the application without prejudice for subsequent resubmission, but forfeits the associated registration service fee. For cases described in (b), the applicant shall have up to 30 calendar days to reach agreement with the Agency on the final terms of the Agency-accepted label. If the applicant agrees to all of the terms of the accepted label as in (a), including upon resolution of differences in (b), the Agency shall provide an accepted final Agency-stamped label to the registrant within 2 business days following the registrant's written or electronic confirmation of agreement to the Agency.

(4) (a) EPA-initiated amendments shall not be charged registration service fees. (b) Registrant-initiated fast-track amendments are to be completed within the timelines specified in FIFRA Section 3(c)(3)(B) and are not subject to registration service fees. (c) Registrant-initiated fast-track amendments handled by the Antimicrobials Division are to be completed within the timelines specified in FIFRA Section 3(h) and are not subject to registration service fees. (d) Registrant initiated amendments submitted by notification under PR Notices, such as PR Notice 98-10, continue under PR Notice timelines and are not subject to registration service fees. (e) Submissions with data and requiring data review are subject to registration service fees.

“TABLE 10. — ANTIMICROBIALS DIVISION — EXPERIMENTAL USE PERMITS AND OTHER TYPE OF ACTIONS

EPA No.	New CR No.	Action	Decision Review Time (Months) (1)	Registration Service Fee (\$)
A520	92	Experimental Use Permit application, Non-Food Use (2)	9	5,789
A521	93	Review of public health efficacy study protocol within AD, per AD Internal Guidance for the Efficacy Protocol Review Process; Code will also include review of public health efficacy study protocol and data review for devices making pesticidal claims; applicant-initiated; Tier 1	3	2,250
A522	94	Review of public health efficacy study protocol outside AD by members of AD Efficacy Protocol Review Expert Panel; Code will also include review of public health efficacy study protocol and data review for devices making pesticidal claims; applicant-initiated; Tier 2	12	11,025
A524 New	95	New Active Ingredient, Experimental Use Permit application; Food Use Requires Tolerance. Credit 45% of fee toward new active ingredient application that follows. (2)	18	138,916
A525 New	96	New Active Ingredient, Experimental Use Permit application; Food Use Requires Tolerance Exemption. Credit 45% of fee toward new active ingredient application that follows. (2)	18	83,594
A526 New	97	New Active Ingredient, Experimental Use Permit application; Non-Food, Outdoor Use. Credit 45% of fee toward new active ingredient application that follows. (2)	15	86,823
A527 New	98	New Active Ingredient, Experimental Use Permit application; Non-Food, Indoor Use. Credit 45% of fee toward new active ingredient application that follows. (2)	15	58,000
A528 New	99	Experimental Use Permit application, Food Use; Requires Tolerance or Tolerance Exemption (2)	15	20,260
A529 New	100	Amendment to Experimental Use Permit; requires data review or risk assessment (2)	9	10,365
A523 New	101	Review of protocol other than a public health efficacy study (i.e., Toxicology or Exposure Protocols)	9	11,025
A571 New	102	Science reassessment: Cancer risk, refined ecological risk, and/or endangered species; applicant-initiated	18	86,823

(1) A decision review time that would otherwise end on a Saturday, Sunday, or federal holiday, will be extended to end on the next business day.

(2) Where the action involves approval of a new or amended label, on or before the end date of the decision review time, the Agency shall provide to the applicant a draft accepted label, including any changes made by the Agency that differ from the applicant-submitted label and relevant supporting data reviewed by the Agency. The applicant will notify the Agency that the applicant either (a) agrees to all of the terms associated with the draft accepted label as amended by the Agency and requests that it be issued as the accepted final Agency-stamped label; or (b) does not agree to one or more of the terms of the draft accepted label as amended by the Agency and requests additional time to resolve the difference(s); or (c) withdraws the application without prejudice for subsequent resubmission, but forfeits the associated registration service fee. For cases described in (b), the applicant shall have up to 30 calendar days to reach agreement with the Agency on the final terms of the Agency-accepted label. If the applicant agrees to all of the terms of the accepted label as in (a), including upon resolution of differences in (b), the Agency shall provide an accepted final Agency-stamped label to the registrant within 2 business days following the registrant's written or electronic confirmation of agreement to the Agency.

“TABLE 11. — BIOPESTICIDES AND POLLUTION PREVENTION DIVISION — MICROBIAL AND BIOCHEMICAL PESTICIDES; NEW ACTIVE INGREDIENTS

EPA No.	New CR No.	Action	Decision Review Time (Months) (1)	Registration Service Fee (\$)
B580	103	New active ingredient; food use; petition to establish a tolerance (2)	19	46,305
B590	104	New active ingredient; food use; petition to establish a tolerance exemption (2)	17	28,942
B600	105	New active ingredient; non-food use (2)	13	17,365
B610	106	New active ingredient; Experimental Use Permit application; petition to establish a temporary tolerance or temporary tolerance exemption	10	11,577

“TABLE 11. — BIOPESTICIDES AND POLLUTION PREVENTION DIVISION — MICROBIAL AND BIOCHEMICAL PESTICIDES; NEW ACTIVE INGREDIENTS—Continued

EPA No.	New CR No.	Action	Decision Review Time (Months) (1)	Registration Service Fee (\$)
B611 New	107	New active ingredient; Experimental Use Permit application; petition to establish permanent tolerance exemption	12	11,577
B612 New	108	New active ingredient; no change to a permanent tolerance exemption (2)	10	15,918
B613 New	109	New active ingredient; petition to convert a temporary tolerance or a temporary tolerance exemption to a permanent tolerance or tolerance exemption (2)	11	15,918
B620	110	New active ingredient; Experimental Use Permit application; non-food use including crop destruct	7	5,789

(1) A decision review time that would otherwise end on a Saturday, Sunday, or federal holiday, will be extended to end on the next business day.

(2) All requests for new uses (food and/or nonfood) contained in any application for a new active ingredient or a first food use are covered by the base fee for that new active ingredient or first food use application and retain the same decision time review period as the new active ingredient or first food use application. The application must be received by the agency in one package. The base fee for the category covers a maximum of five new products. Each application for an additional new product registration and new inert approval that is submitted in the new active ingredient application package or first food use application package is subject to the registration service fee for a new product or a new inert approval. All such associated applications that are submitted together will be subject to the new active ingredient or first food use decision review time, except where the new inert approval decision review time is greater than that for the new active ingredient, in which case the associated new active ingredient will be subject to the new inert approval decision review time. In the case of a new active ingredient application, until that new active ingredient is approved, any subsequent application for another new product containing the same active ingredient or an amendment to the proposed labeling will be deemed a new active ingredient application, subject to the registration service fee and decision review time for a new active ingredient. In the case of a first food use application, until that first food use is approved, any subsequent application for an additional new food use or uses will be subject to the registration service fee and decision review time for a first food use. Any information that (a) was neither requested nor required by the Agency, and (b) is submitted by the applicant at the applicant's initiative to support the application after completion of the technical deficiency screening, and (c) is not itself a covered registration application, must be assessed 25% of the full registration service fee for the new active ingredient or first food use application.

“TABLE 12. — BIOPESTICIDES AND POLLUTION PREVENTION DIVISION — MICROBIAL AND BIOCHEMICAL PESTICIDES; NEW USES

EPA No.	New CR No.	Action	Decision Review Time (Months) (1)	Registration Service Fee (\$)
B630	111	First food use; petition to establish a tolerance exemption (2)	13	11,577
B631	112	New food use; petition to amend an established tolerance (3)	12	11,577
B640	113	First food use; petition to establish a tolerance (2)	19	17,365
B643 New	114	New Food use; petition to amend tolerance exemption (3)	10	11,577
B642 New	115	First food use; indoor; food/food handling (2)	12	28,942
B644 New	116	New use, no change to an established tolerance or tolerance exemption (3)	8	11,577
B650	117	New use; non-food (3)	7	5,789

(1) A decision review time that would otherwise end on a Saturday, Sunday, or federal holiday, will be extended to end on the next business day.

(2) All requests for new uses (food and/or nonfood) contained in any application for a new active ingredient or a first food use are covered by the base fee for that new active ingredient or first food use application and retain the same decision time review period as the new active ingredient or first food use application. The application must be received by the agency in one package. The base fee for the category covers a maximum of five new products. Each application for an additional new product registration and new inert approval that is submitted in the new active ingredient application package or first food use application package is subject to the registration service fee for a new product or a new inert approval. All such associated applications that are submitted together will be subject to the new active ingredient or first food use decision review time. In the case of a new active ingredient application, until that new active ingredient is approved, any subsequent application for another new product containing the same active ingredient or an amendment to the proposed labeling will be deemed a new active ingredient application, subject to the registration service fee and decision review time for a new active ingredient. In the case of a first food use application, until that first food use is approved, any subsequent application for an additional new food use or uses will be subject to the registration service fee and decision review time for a first food use. Any information that (a) was neither requested nor required by the Agency, and (b) is submitted by the applicant at the applicant's initiative to support the application after completion of the technical deficiency screening, and (c) is not itself a covered registration application, must be assessed 25% of the full registration service fee for the new active ingredient or first food use application.

(3) Amendment applications to add the new use(s) to registered product labels are covered by the base fee for the new use(s). All items in the covered application must be submitted together in one package. Each application for an additional new product registration and new inert approval(s) that is submitted in the new use application package is subject to the registration service fee for a new product or a new inert approval. However, if a new use application only proposes to register the new use for a new product and there are no amendments in the application, then review of one new product application is covered by the new use fee. All such associated applications that are submitted together will be subject to the new use decision review time. Any application for a new product or an amendment to the proposed labeling (a) submitted subsequent to submission of the new use application and (b) prior to conclusion of its decision review time and (c) containing the same new uses, will be deemed a separate new-use application, subject to a separate registration service fee and new decision review time for a new use. If the new-use application includes non-food (indoor and/or outdoor), and food (outdoor and/or indoor) uses, the appropriate fee is due for each type of new use and the longest decision review time applies to all of the new uses requested in the application. Any information that (a) was neither requested nor required by the Agency, and (b) is submitted by the applicant at the applicant's initiative to support the application after completion of the technical deficiency screen, and (c) is not itself a covered registration application, must be assessed 25% of the full registration service fee for the new use application.

“TABLE 13. — BIOPESTICIDES AND POLLUTION PREVENTION DIVISION — MICROBIAL AND BIOCHEMICAL PESTICIDES; NEW PRODUCTS

EPA No.	New CR No.	Action	Decision Review Time (Months) (1)	Registration Service Fee (\$)
B652 New	118	New product; registered source of active ingredient; requires petition to amend established tolerance or tolerance exemption; requires 1) submission of product specific data; or 2) citation of previously reviewed and accepted data; or 3) submission or citation of data generated at government expense; or 4) submission or citation of scientifically-sound rationale based on publicly available literature or other relevant information that addresses the data requirement; or 5) submission of a request for a data requirement to be waived supported by a scientifically-sound rationale explaining why the data requirement does not apply (2)	13	11,577
B660	119	New product; registered source of active ingredient(s); identical or substantially similar in composition and use to a registered product; no change in an established tolerance or tolerance exemption. No data review, or only product chemistry data; cite-all data citation, or selective data citation where applicant owns all required data or authorization from data owner is demonstrated. Category includes 100% re-package of registered end-use or manufacturing-use product that requires no data submission or data matrix. For microbial pesticides, the active ingredient(s) must not be re-isolated. (2)	4	1,159
B670	120	New product; registered source of active ingredient(s); no change in an established tolerance or tolerance exemption; requires: 1) submission of product specific data; or 2) citation of previously reviewed and accepted data; or 3) submission or citation of data generated at government expense; or 4) submission or citation of a scientifically-sound rationale based on publicly available literature or other relevant information that addresses the data requirement; or 5) submission of a request for a data requirement to be waived supported by a scientifically-sound rationale explaining why the data requirement does not apply. (2)	7	4,631
B671	121	New product; unregistered source of active ingredient(s); requires a petition to amend an established tolerance or tolerance exemption; requires: 1) submission of product specific data; or 2) citation of previously reviewed and accepted data; or 3) submission or citation of data generated at government expense; or 4) submission or citation of a scientifically-sound rationale based on publicly available literature or other relevant information that addresses the data requirement; or 5) submission of a request for a data requirement to be waived supported by a scientifically-sound rationale explaining why the data requirement does not apply. (2)	17	11,577
B672	122	New product; unregistered source of active ingredient(s); non-food use or food use with a tolerance or tolerance exemption previously established for the active ingredient(s); requires: 1) submission of product specific data; or 2) citation of previously reviewed and accepted data; or 3) submission or citation of data generated at government expense; or 4) submission or citation of a scientifically-sound rationale based on publicly available literature or other relevant information that addresses the data requirement; or 5) submission of a request for a data requirement to be waived supported by a scientifically-sound rationale explaining why the data requirement does not apply. (2)	13	8,269
B673 New	123	New product MUP/EP; unregistered source of active ingredient(s); citation of Technical Grade Active Ingredient (TGAI) data previously reviewed and accepted by the Agency. Requires an Agency determination that the cited data supports the new product. (2)	10	4,631

“TABLE 13. — BIOPESTICIDES AND POLLUTION PREVENTION DIVISION — MICROBIAL AND BIOCHEMICAL PESTICIDES; NEW PRODUCTS—Continued

EPA No.	New CR No.	Action	Decision Review Time (Months) (1)	Registration Service Fee (\$)
B674 New	124	New product MUP; Repack of identical registered end-use product as a manufacturing-use product; same registered uses only (2)	4	1,159
B675 New	125	New Product MUP; registered source of active ingredient; submission of completely new generic data package; registered uses only. (2)	10	8,269
B676 New	126	New product; more than one active ingredient where one active ingredient is an unregistered source; product chemistry data must be submitted; requires: 1) submission of product specific data, and 2) citation of previously reviewed and accepted data; or 3) submission or citation of data generated at government expense; or 4) submission or citation of a scientifically-sound rationale based on publicly available literature or other relevant information that addresses the data requirement; or 5) submission of a request for a data requirement to be waived supported by a scientifically-sound rationale explaining why the data requirement does not apply. (2)	13	8,269
B677 New	127	New end-use non-food animal product with submission of two or more target animal safety studies; includes data and/or waivers of data for only: <ul style="list-style-type: none"> ● product chemistry and/or ● acute toxicity and/or ● public health pest efficacy and/or ● animal safety studies and/or ● child resistant packaging (2) 	10	8,000

(1) A decision review time that would otherwise end on a Saturday, Sunday, or federal holiday, will be extended to end on the next business day.

(2) An application for a new end-use product using a source of active ingredient that (a) is not yet registered but (b) has an application pending with the Agency for review, will be considered an application for a new product with an unregistered source of active ingredient.

“TABLE 14. — BIOPESTICIDES AND POLLUTION PREVENTION DIVISION — MICROBIAL AND BIOCHEMICAL PESTICIDES; AMENDMENTS

EPA No.	New CR No.	Action	Decision Review Time (Months) (1)	Registration Service Fee (\$)
B621	128	Amendment; Experimental Use Permit; no change to an established temporary tolerance or tolerance exemption.	7	4,631
B622 New	129	Amendment; Experimental Use Permit; petition to amend an established or temporary tolerance or tolerance exemption.	11	11,577
B641	130	Amendment of an established tolerance or tolerance exemption.	13	11,577
B680	131	Amendment; registered source of active ingredient(s); no new use(s); no changes to an established tolerance or tolerance exemption. Requires data submission. (2)	5	4,631
B681	132	Amendment; unregistered source of active ingredient(s). Requires data submission. (2)	7	5,513
B683 New	133	Label amendment; requires review/update of previous risk assessment(s) without data submission (e.g., labeling changes to REI, PPE, PHI). (2)	6	4,631
B684 New	134	Amending non-food animal product that includes submission of target animal safety data; previously registered (2)	8	8,000

(1) A decision review time that would otherwise end on a Saturday, Sunday, or federal holiday, will be extended to end on the next business day.

(2) (a) EPA-initiated amendments shall not be charged registration service fees. (b) Registrant-initiated fast-track amendments are to be completed within the timelines specified in FIFRA Section 3(c)(3)(B) and are not subject to registration service fees. (c) Registrant-initiated fast-track amendments handled by the Antimicrobials Division are to be completed within the timelines specified in FIFRA Section 3(h) and are not subject to registration service fees. (d) Registrant initiated amendments submitted by notification under PR Notices, such as PR Notice 98-10, continue under PR Notice timelines and are not subject to registration service fees. (e) Submissions with data and requiring data review are subject to registration service fees.

“TABLE 15. — BIOPESTICIDES AND POLLUTION PREVENTION DIVISION — STRAIGHT CHAIN LEPIDOPTERAN PHEROMONES(SCLPS)

EPA No.	New CR No.	Action	Decision Review Time (Months) (1)	Registration Service Fee (\$)
B690	135	New active ingredient; food or non-food use. (2)	7	2,316
B700	136	Experimental Use Permit application; new active ingredient or new use.	7	1,159
B701	137	Extend or amend Experimental Use Permit.	4	1,159
B710	138	New product; registered source of active ingredient(s); identical or substantially similar in composition and use to a registered product; no change in an established tolerance or tolerance exemption. No data review, or only product chemistry data; cite-all data citation, or selective data citation where applicant owns all required data or authorization from data owner is demonstrated. Category includes 100% re-package of registered end-use or manufacturing-use product that requires no data submission or data matrix. (3)	4	1,159
B720	139	New product; registered source of active ingredient(s); requires: 1) submission of product specific data; or 2) citation of previously reviewed and accepted data; or 3) submission or citation of data generated at government expense; or 4) submission or citation of a scientifically-sound rationale based on publicly available literature or other relevant information that addresses the data requirement; or 5) submission of a request for a data requirement to be waived supported by a scientifically-sound rationale explaining why the data requirement does not apply. (3)	5	1,159
B721	140	New product; unregistered source of active ingredient. (3)	7	2,426
B722	141	New use and/or amendment; petition to establish a tolerance or tolerance exemption. (4) (5)	7	2,246
B730	142	Label amendment requiring data submission. (4)	5	1,159

(1) A decision review time that would otherwise end on a Saturday, Sunday, or federal holiday, will be extended to end on the next business day.

(2) All requests for new uses (food and/or nonfood) contained in any application for a new active ingredient or a first food use are covered by the base fee for that new active ingredient or first food use application and retain the same decision time review period as the new active ingredient or first food use application. The application must be received by the agency in one package. The base fee for the category covers a maximum of five new products. Each application for an additional new product registration and new inert approval that is submitted in the new active ingredient application package or first food use application package is subject to the registration service fee for a new product or a new inert approval. All such associated applications that are submitted together will be subject to the new active ingredient or first food use decision review time, except where the new inert approval decision review time is greater than that for the new active ingredient, in which case the associated new active ingredient will be subject to the new inert approval decision review time. In the case of a new active ingredient application, until that new active ingredient is approved, any subsequent application for another new product containing the same active ingredient or an amendment to the proposed labeling will be deemed a new active ingredient application, subject to the registration service fee and decision review time for a new active ingredient. In the case of a first food use application, until that first food use is approved, any subsequent application for an additional new food use or uses will be subject to the registration service fee and decision review time for a first food use. Any information that (a) was neither requested nor required by the Agency, and (b) is submitted by the applicant at the applicant's initiative to support the application after completion of the technical deficiency screening, and (c) is not itself a covered registration application, must be assessed 25% of the full registration service fee for the new active ingredient or first food use application.

(3) An application for a new end-use product using a source of active ingredient that (a) is not yet registered but (b) has an application pending with the Agency for review, will be considered an application for a new product with an unregistered source of active ingredient.

(4) (a) EPA-initiated amendments shall not be charged registration service fees. (b) Registrant-initiated fast-track amendments are to be completed within the timelines specified in FIFRA Section 3(c)(3)(B) and are not subject to registration service fees. (c) Registrant-initiated fast-track amendments handled by the Antimicrobials Division are to be completed within the timelines specified in FIFRA Section 3(h) and are not subject to registration service fees. (d) Registrant initiated amendments submitted by notification under PR Notices, such as PR Notice 98-10, continue under PR Notice timelines and are not subject to registration service fees. (e) Submissions with data and requiring data review are subject to registration service fees.

(5) Amendment applications to add the new use(s) to registered product labels are covered by the base fee for the new use(s). All items in the covered application must be submitted together in one package. Each application for an additional new product registration and new inert approval(s) that is submitted in the new use application package is subject to the registration service fee for a new product or a new inert approval. However, if a new use application only proposes to register the new use for a new product and there are no amendments in the application, then review of one new product application is covered by the new use fee. All such associated applications that are submitted together will be subject to the new use decision review time. Any application for a new product or an amendment to the proposed labeling (a) submitted subsequent to submission of the new use application and (b) prior to conclusion of its decision review time and (c) containing the same new uses, will be deemed a separate new-use application, subject to a separate registration service fee and new decision review time for a new use. If the new-use application includes non-food (indoor and/or outdoor), and food (outdoor and/or indoor) uses, the appropriate fee is due for each type of new use and the longest decision review time applies to all of the new uses requested in the application. Any information that (a) was neither requested nor required by the Agency, and (b) is submitted by the applicant at the applicant's initiative to support the application after completion of the technical deficiency screen, and (c) is not itself a covered registration application, must be assessed 25% of the full registration service fee for the new use application.

“TABLE 16. — BIOPESTICIDES AND POLLUTION PREVENTION DIVISION — OTHER ACT

EPA No.	New CR No.	Action	Decision Review Time (Months) (1)	Registration Service Fee (\$)
B614 New	143	Conditional Ruling on Preapplication Study Waivers; applicant-initiated	3	2,294
B615 New	144	Rebuttal of agency reviewed protocol, applicant initiated	3	2,294
B682	145	Protocol review; applicant initiated; excludes time for HSRB review	3	2,205

(1) A decision review time that would otherwise end on a Saturday, Sunday, or federal holiday, will be extended to end on the next business day.

“TABLE 17. — BIOPESTICIDES AND POLLUTION PREVENTION DIVISION — PLANT INCORPORATED PROTECTANTS (PIPS)

EPA No.	New CR No.	Action	Decision Review Time (Months) (1)	Registration Service Fee (\$)
B740	146	Experimental Use Permit application; no petition for tolerance/tolerance exemption. Includes: 1) non-food/feed use(s) for a new (2) or registered (3) PIP; 2) food/feed use(s) for a new or registered PIP with crop destruct; 3) food/feed use(s) for a new or registered PIP in which an established tolerance/tolerance exemption exists for the intended use(s). (4)	6	86,823
B750	147	Experimental Use Permit application; with a petition to establish a temporary or permanent tolerance/tolerance exemption for the active ingredient. Includes new food/feed use for a registered (3) PIP. (4)	9	115,763
B770	148	Experimental Use Permit application; new (2) PIP; with petition to establish a temporary tolerance/tolerance exemption for the active ingredient; credit 75% of B771 fee toward registration application for a new active ingredient that follows; SAP review. (5)	15	173,644
B771	149	Experimental Use Permit application; new (2) PIP; with petition to establish a temporary tolerance/tolerance exemption for the active ingredient; credit 75% of B771 fee toward registration application for a new active ingredient that follows.	10	115,763
B772	150	Application to amend or extend an Experimental Use Permit; no petition since the established tolerance/tolerance exemption for the active ingredient is unaffected.	3	11,577
B773	151	Application to amend or extend an Experimental Use Permit; with petition to extend a temporary tolerance/tolerance exemption for the active ingredient.	5	28,942
B780	152	Registration application; new (2) PIP; non-food/feed.	12	144,704
B790	153	Registration application; new (2) PIP; non-food/feed; SAP review. (5)	18	202,585
B800	154	Registration application; new (2) PIP; with petition to establish permanent tolerance/tolerance exemption for the active ingredient based on an existing temporary tolerance/tolerance exemption.	12	231,585
B810	155	Registration application; new (2) PIP; with petition to establish permanent tolerance/tolerance exemption for the active ingredient based on an existing temporary tolerance/tolerance exemption. SAP review. (5)	18	289,407
B820	156	Registration application; new (2) PIP; with petition to establish or amend a permanent tolerance/tolerance exemption of an active ingredient.	15	289,407
B840	157	Registration application; new (2) PIP; with petition to establish or amend a permanent tolerance/tolerance exemption of an active ingredient. SAP review. (5)	21	347,288
B851	158	Registration application; new event of a previously registered PIP active ingredient(s); no petition since permanent tolerance/tolerance exemption is already established for the active ingredient(s).	9	115,763

“TABLE 17. — BIOPESTICIDES AND POLLUTION PREVENTION DIVISION — PLANT INCORPORATED PROTECTANTS (PIPS)—Continued

EPA No.	New CR No.	Action	Decision Review Time (Months) (1)	Registration Service Fee (\$)
B870	159	Registration application; registered (3) PIP; new product; new use; no petition since a permanent tolerance/tolerance exemption is already established for the active ingredient(s). (4)	9	34,729
B880	160	Registration application; registered (3) PIP; new product or new terms of registration; additional data submitted; no petition since a permanent tolerance/tolerance exemption is already established for the active ingredient(s). (6) (7)	9	28,942
B881	161	Registration application; registered (3) PIP; new product or new terms of registration; additional data submitted; no petition since a permanent tolerance/tolerance exemption is already established for the active ingredient(s). SAP review. (5) (6) (7)	15	86,823
B883 New	162	Registration application; new (2) PIP, seed increase with negotiated acreage cap and time-limited registration; with petition to establish a permanent tolerance/tolerance exemption for the active ingredient based on an existing temporary tolerance/tolerance exemption. (8)	9	115,763
B884 New	163	Registration application; new (2) PIP, seed increase with negotiated acreage cap and time-limited registration; with petition to establish a permanent tolerance/tolerance exemption for the active ingredient. (8)	12	144,704
B885 New	164	Registration application; registered (3) PIP, seed increase; breeding stack of previously approved PIPs, same crop; no petition since a permanent tolerance/tolerance exemption is already established for the active ingredient(s). (9)	9	86,823
B890	165	Application to amend a seed increase registration; converts registration to commercial registration; no petition since permanent tolerance/tolerance exemption is already established for the active ingredient(s).	9	57,882
B891	166	Application to amend a seed increase registration; converts registration to a commercial registration; no petition since a permanent tolerance/tolerance exemption already established for the active ingredient(s); SAP review. (5)	15	115,763
B900	167	Application to amend a registration, including actions such as extending an expiration date, modifying an IRM plan, or adding an insect to be controlled. (10) (11)	6	11,577
B901	168	Application to amend a registration, including actions such as extending an expiration date, modifying an IRM plan, or adding an insect to be controlled. SAP review. (10) (11)	12	69,458
B902	169	PIP protocol review	3	5,789
B903	170	Inert ingredient tolerance exemption; e.g., a marker such as NPT II; reviewed in BPPD.	6	57,882
B904	171	Import tolerance or tolerance exemption; processed commodities/food only (inert or active ingredient).	9	115,763

(1) A decision review time that would otherwise end on a Saturday, Sunday, or federal holiday, will be extended to end on the next business day.

(2) New PIP = a PIP with an active ingredient that has not been registered.

(3) Registered PIP = a PIP with an active ingredient that is currently registered.

(4) Transfer registered PIP through conventional breeding for new food/feed use, such as from field corn to sweet corn.

(5) The scientific data involved in this category are complex. EPA often seeks technical advice from the Scientific Advisory Panel on risks that pesticides pose to wildlife, farm workers, pesticide applicators, non-target species, as well as insect resistance, and novel scientific issues surrounding new technologies. The scientists of the SAP neither make nor recommend policy decisions. They provide advice on the science used to make these decisions. Their advice is invaluable to the EPA as it strives to protect humans and the environment from risks posed by pesticides. Due to the time it takes to schedule and prepare for meetings with the SAP, additional time and costs are needed.

(6) Registered PIPs stacked through conventional breeding.

(7) Deployment of a registered PIP with a different IRM plan (e.g., seed blend).

(8) The negotiated acreage cap will depend upon EPA's determination of the potential environmental exposure, risk(s) to non-target organisms, and the risk of targeted pest developing resistance to the pesticidal substance. The uncertainty of these risks may reduce the allowable acreage, based upon the quantity and type of non-target organism data submitted and the lack of insect resistance management data, which is usually not required for seed-increase registrations. Registrants are encouraged to consult with EPA prior to submission of a registration application in this category.

(9) Application can be submitted prior to or concurrently with an application for commercial registration.

(10) For example, IRM plan modifications that are applicant-initiated.

(11) EPA-initiated amendments shall not be charged fees.

“TABLE 18. — INERT INGREDIENTS, EXTERNAL REVIEW AND MISCELLANEOUS ACTIONS

EPA No.	New CR No.	Action	Decision Review Time (Months) (1)	Registration (\$)
I001	172	Approval of new food use inert ingredient (2) (3)	12	18,000
I002 New	173	Amend currently approved inert ingredient tolerance or exemption from tolerance; new data (2)	10	5,000
I003 New	174	Amend currently approved inert ingredient tolerance or exemption from tolerance; no new data (2)	8	3,000
I004 New	175	Approval of new non-food use inert ingredient (2)	8	10,000
I005 New	176	Amend currently approved non-food use inert ingredient with new use pattern; new data (2)	8	5,000
I006 New	177	Amend currently approved non-food use inert ingredient with new use pattern; no new data (2)	6	3,000
I007 New	178	Approval of substantially similar non-food use inert ingredients when original inert is compositionally similar with similar use pattern (2)	4	1,500
I008 New	179	Approval of new polymer inert ingredient, food use (2)	5	3,400
I009 New	180	Approval of new polymer inert ingredient, non food use (2)	4	2,800
I010 New	181	Petition to amend a tolerance exemption descriptor to add one or more CASRNs; no new data (2)	6	1,500
M001 New	182	Study protocol requiring Human Studies Review Board review as defined in 40 CFR 26 in support of an active ingredient (4)	9	7,200
M002 New	183	Completed study requiring Human Studies Review Board review as defined in 40 CFR 26 in support of an active ingredient (4)	9	7,200
M003 New	184	External technical peer review of new active ingredient, product, or amendment (e.g., consultation with FIFRA Scientific Advisory Panel) for an action with a decision timeframe of less than 12 months. Applicant initiated request based on a requirement of the Administrator, as defined by FIFRA § 25(d), in support of a novel active ingredient, or unique use pattern or application technology. Excludes PIP active ingredients. (5)	12	58,000
M004 New	185	External technical peer review of new active ingredient, product, or amendment (e.g., consultation with FIFRA Scientific Advisory Panel) for an action with a decision timeframe of greater than 12 months. Applicant initiated request based on a requirement of the Administrator, as defined by FIFRA § 25(d), in support of a novel active ingredient, or unique use pattern or application technology. Excludes PIP active ingredients. (5)	18	58,000
M005 New	186	New Product: Combination, Contains a combination of active ingredients from a registered and/or unregistered source; conventional, antimicrobial and/or biopesticide. Requires coordination with other regulatory divisions to conduct review of data, label and/or verify the validity of existing data as cited. Only existing uses for each active ingredient in the combination product. (6) (7)	9	20,000
M006 New	187	Request for up to 5 letters of certification (Gold Seal) for one actively registered product.	1	250
M007 New	188	Request to extend Exclusive Use of data as provided by FIFRA Section 3(c)(1)(F)(ii)	12	5,000
M008 New	189	Request to grant Exclusive Use of data as provided by FIFRA Section 3(c)(1)(F)(vi) for a minor use, when a FIFRA Section 2(l)(2) determination is required	10	1,500

(1) A decision review time that would otherwise end on a Saturday, Sunday, or federal holiday, will be extended to end on the next business day.

(2) If another covered application is associated with and dependent upon a pending application for an inert ingredient action, each application will be subject to its respective registration service fee. The decision review time for the other associated covered application will be extended to match the PRIA due date of the pending inert ingredient action, unless the PRIA due date for the other associated covered action is further out, in which case it will be subject to its own decision review time. If the application covers multiple ingredients grouped by EPA into one chemical class, a single registration service fee will be assessed for approval of those ingredients.

(3) If EPA data rules are amended to newly require clearance under section 408 of the FFDCA for an ingredient of an antimicrobial product where such ingredient was not previously subject to such a clearance, then review of the data for such clearance of such product is not subject to a registration service fee for the tolerance action for two years from the effective date of the rule.

(4) Any other covered application that is associated with and dependent on the HSRB review will be subject to its separate registration service fee. The decision review times for the associated actions run concurrently, but will end at the date of the latest review time.

(5) Any other covered application that is associated with and dependent on the SAP review will be subject to its separate registration service fee. The decision review time for the associated action will be extended by the decision review time for the SAP review.

(6) An application for a new end-use product using a source of active ingredient that (a) is not yet registered but (b) has an application pending with the Agency for review, will be considered an application for a new product with an unregistered source of active ingredient.

(7) Where the action involves approval of a new or amended label, on or before the end date of the decision review time, the Agency shall provide to the applicant a draft accepted label, including any changes made by the Agency that differ from the applicant-submitted label and relevant supporting data reviewed by the Agency. The applicant will notify the Agency that the applicant either (a) agrees to all of the terms associated with the draft accepted label as amended by the Agency and requests that it be issued as the accepted final Agency-stamped label; or (b) does not agree to one or more of the terms of the draft accepted label as amended by the Agency and requests additional time to resolve the difference(s); or (c) withdraws the application without prejudice for subsequent resubmission, but forfeits the associated registration service fee. For cases described in (b), the applicant shall have up to 30 calendar days to reach agreement with the Agency on the final terms of the Agency-accepted label. If the applicant agrees to all of the terms of the accepted label as in (a), including upon resolution of differences in (b), the Agency shall provide an accepted final Agency-stamped label to the registrant within 2 business days following the registrant's written or electronic confirmation of agreement to the Agency.”;

(B) in paragraph (6)—
(i) in subparagraph (A)—
(I) by striking “October 1, 2008” and inserting “October 1, 2013”; and
(II) by striking “September 30, 2010” and inserting “September 30, 2015”; and
(ii) in subparagraph (B)—
(I) by striking “October 1, 2010” and inserting “October 1, 2015”; and
(II) by striking “September 30, 2010” and inserting “September 30, 2015”; and
(C) in paragraph (8)(C)(ii)—
(i) in subclause (I), by striking “or” at the end;
(ii) in subclause (II), by striking the period at the end and inserting “; or”; and
(iii) by adding at the end the following:
“(III) on the basis that the Administrator rejected the application under subsection (f)(4)(B).”.

(2) PESTICIDE REGISTRATION FUND.—Section 33(c)(3)(B) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136w-8(c)(3)(B)) is amended—

(A) in clause (i), by striking “2008 through 2012” and inserting “2013 through 2017”;
(B) in clause (ii), by striking “grants” and all that follows through the end of the clause and inserting “grants, for each of fiscal years 2013 through 2017, \$500,000.”; and
(C) in clause (iii), by striking “2008 through 2012” and inserting “2013 through 2017”.

(3) ASSESSMENT OF FEES.—Section 33(d) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136w-8(d)) is amended—

(A) in paragraph (2), by striking “2002” each place it appears and inserting “2012”;
(B) by striking paragraph (4); and
(C) by redesignating paragraph (5) as paragraph (4).

(4) REFORMS TO REDUCE DECISION TIME REVIEW PERIODS.—Section 33(e) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136w-8(e)) is amended by striking “Pesticide Registration Improvement Act of 2003” and inserting “Pesticide Registration Improvement Extension Act of 2012”.

(5) DECISION TIME REVIEW PERIODS.—Section 33(f) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136w-8(f)) is amended—

(A) in paragraph (1), by striking “Pesticide Registration Improvement Renewal Act, the Administrator shall publish in the Federal Register” and inserting “Pesticide Registration Improvement Extension Act of 2012, the Administrator shall make publicly available”;
(B) in paragraph (2), by striking “appearing in the Congressional Record on pages S10409” and all that follows through the period and inserting “provided under subsection (b)(3).”; and
(C) in paragraph (4)—

(i) in subparagraph (A), by inserting “and fee” before the period; and
(ii) in subparagraph (B)—
(I) by striking “(B) COMPLETENESS OF APPLICATION” and all that follows through “Not

later” in clause (i) and inserting the following:

“(B) INITIAL CONTENT AND PRELIMINARY TECHNICAL SCREENINGS.—

“(i) SCREENINGS.—

“(I) INITIAL CONTENT.—Not later”;
(II) in clause (i) (as so designated) by adding at the end the following:

“(II) PRELIMINARY TECHNICAL SCREENING.—

After conducting the initial content screening described in subclause (I) and in accordance with clause (iv), the Administrator shall conduct a preliminary technical screening—

“(aa) not later than 45 days after the date on which the decision time review period begins (for applications with decision time review periods of not more than 180 days); and
“(bb) not later than 90 days after the date on which the decision time review period begins (for applications with decision time review periods greater than 180 days).”;

(III) by striking clause (ii) and inserting the following:

“(ii) REJECTION.—

“(I) IN GENERAL.—If the Administrator determines at any time before the Administrator completes the preliminary technical screening under clause (i)(II) that the application failed the initial content or preliminary technical screening and the applicant does not correct the failure before the date that is 10 business days after the applicant receives a notification of the failure, the Administrator shall reject the application.
“(II) WRITTEN NOTIFICATION.—The Administrator shall make every effort to provide a written notification of a rejection under subclause (I) during the 10-day period that begins on the date the Administrator completes the preliminary technical screening.”;

(IV) in clause (iii)—
(aa) in the heading, by inserting “INITIAL CONTENT” before “SCREENING”;
(bb) in the matter preceding subclause (I), by inserting “content” after “initial”; and
(cc) in subclause (II), by striking “contains” and inserting “appears to contain”; and
(V) by adding at the end the following:

“(iv) REQUIREMENTS OF PRELIMINARY TECHNICAL SCREENING.—In conducting a preliminary technical screening of an application, the Administrator shall determine if—

“(I) the application and the data and information submitted with the application are accurate and complete; and
“(II) the application, data, and information are consistent with the proposed labeling and any proposal for a tolerance or exemption from the requirement for a tolerance under section 408 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 346a), and are such that, subject to full review under the standards of this Act, could result in the granting of the application.”.

(6) REPORTS.—Section 33(k) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136w-8(k)) is amended—

(A) in paragraph (1), by striking “March 1, 2014” and inserting “March 1, 2017”;

(B) in paragraph (2)—

(i) in subparagraph (A)—

(I) in clause (vi)(V), by striking “and” at the end;
(II) in clause (vii)(II), by inserting “and” at the end; and
(III) by adding at the end the following:

“(viii) the number of extensions of decision time review periods agreed to under subsection (f)(5) along with a description of the reason that the Administrator was unable to make a decision within the initial decision time review period.”;

(ii) in subparagraph (E), by striking “and” at the end;

(iii) in subparagraph (F), by striking the period and inserting a semicolon; and
(iv) by adding at the end the following:

“(G) a review of the progress made toward—
“(i) carrying out section 4(k)(4) and the amounts from the Reregistration and Expedited Processing Fund used for the purposes described in that section;
“(ii) implementing systems for the electronic tracking of registration submissions by December 31, 2013;
“(iii) implementing a system for tracking the status of conditional registrations, including making nonconfidential information related to the conditional registrations publicly available by December 31, 2013;
“(iv) implementing enhancements to the endangered species knowledge database, including making nonconfidential information related to the database publicly available;
“(v) implementing the capability to electronically submit and review labels submitted with registration actions;
“(vi) acquiring and implementing the capability to electronically assess and evaluate confidential statements of formula submitted with registration actions by December 31, 2014; and
“(vii) facilitating public participation in certain registration actions and the registration review process by providing electronic notification to interested parties of additions to the public docket;
“(H) the number of applications rejected by the Administrator under the initial content and preliminary technical screening conducted under subsection (f)(4);
“(I) a review of the progress made in updating the Pesticide Incident Data System, including progress toward making the information contained in the System available to the public (as the Administrator determines is appropriate); and
“(J) an assessment of the public availability of summary pesticide usage data.”;

(C) by adding at the end the following:

“(4) OTHER REPORT.—

“(A) SCOPE.—In addition to the annual report described in paragraph (1), not later than October 1, 2016, the Administrator shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that includes an

analysis of the impact of maintenance fees on small businesses that have—

“(i) 10 or fewer employees; and
“(ii) annual global gross revenue that does not exceed \$2,000,000.

“(B) INFORMATION REQUIRED.—In conducting the analysis described in subparagraph (A), the Administrator shall collect, and include in the report under that subparagraph, information on—

“(i) the number of small businesses described in subparagraph (A) that are paying maintenance fees; and

“(ii) the number of registrations each company holds.”.

(7) TERMINATION OF EFFECTIVENESS.—Section 33(m) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136w-8(m)) is amended—

(A) in paragraph (1), by striking “2012” and inserting “2017”; and

(B) in paragraph (2)—

(i) in subparagraph (A)—

(I) in the heading, by striking “2013” and inserting “2018”;

(II) by striking “2013,” and inserting “2018,”; and

(III) by striking “September 30, 2012” and inserting “September 30, 2017”;

(ii) in subparagraph (B)—

(I) in the heading, by striking “2014” and inserting “2019”;

(II) by striking “2014,” and inserting “2019,”; and

(III) by striking “September 30, 2012” and inserting “September 30, 2017”;

(iii) in subparagraph (C)—

(I) in the heading, by striking “2014” and inserting “2019”; and

(II) by striking “September 30, 2014” and inserting “September 30, 2019”; and

(iv) in subparagraph (D), by striking “2012” each place it appears and inserting “2017”.

(c) EFFECTIVE DATE.—This section and the amendments made by this section take effect on October 1, 2012.

(d) RELATIONSHIP TO OTHER LAW.—In the case of any conflict between this section (including the amendments made by this section) and a joint resolution making continuing appropriations for fiscal year 2013 (including any amendments made by such a joint resolution), this section and the amendments made by this section shall control.

Mr. LUCAS. Mr. Speaker, I rise to voice my support of S. 3552, the Pesticide Registration Improvement Extension Act of 2012, and recognize myself for such time as I may consume.

I want to first thank my colleague, the Ranking Member for his assistance with this legislation. This bill has been included in the Agriculture Committee reported farm bill which we hope to consider in due course.

While there are many USDA-related programs reauthorized in the committee legislation, this one is among a small list of anomalies in that it is a program administered by the EPA. Additionally, the absence of this reauthorization would necessitate significant increases in appropriations to cover the shortfall, as well as risk the imposition of exorbitant costs on our constituents further jeopardizing an already abysmal economic recovery.

The original Pesticide Registration Improvement Act, PRIA, was a landmark law enacted on January 23, 2004. Congress reauthorized PRIA, now known as “PRIA 2”, for another five years on October 9, 2007. PRIA re-invented EPA’s procedures for processing ap-

plications for pesticide registrations and other related actions, including establishing specific timelines with corresponding fee schedules.

Under PRIA 1, the Agency’s Office of Pesticide Programs was required to process applications within timeframes specified for each of the 50 categories of registration actions. That number has since increased, and would be set at 189 under the proposed reauthorization.

PRIA retained and increased the product maintenance fees that support re-registration and tolerance reassessment authorized under the Food Quality Protection Act. Pesticide registrants paid \$110 million in maintenance fees during the authorization of PRIA and registrants are scheduled to pay \$139 million in maintenance fees for the five year period to be covered by the proposed “PRIA 3.”

PRIA established a prohibition against the collection of other registration fees, as distinct from registration service fees, authorized under the Federal Insecticide, Fungicide and Rodenticide Act, FIFRA. PRIA also suspended the Agency’s authority to collect tolerance fees which had been authorized by the Federal Food, Drug and Cosmetic Act, FFCA.

In the absence of this reauthorization, substantially higher fees whose authority is suspended by this legislation would be collected with the revenue going directly to the U.S. Treasury where it would be unavailable to EPA’s Pesticide Program. This would necessitate the discretionary appropriation of new funds to carry out pesticide review activities and eliminate the transparency and accountability measures enacted in PRIA which have placed effective checks on the EPA.

The legislation before us today: extends the authority of EPA to collect maintenance fees until 2017; extends the prohibition on collection of other registration and tolerance fees to 2019 and 2017, respectively; establishes a small business cap; allocates funds for EPA to use for the enhancement and improvement of “IT” systems for the registration of pesticides and tracking of key information; amends the percentage of maintenance fees devoted to review of inert ingredients; increases registration service fees during the life of PRIA 3 by 2.5 percent; provides that the Administrator shall identify reforms in processing that would allow it to improve decision times beyond those provided for in the Act; and cites new schedule of decision review times.

I urge my colleagues to support this legislation.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. LUCAS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill just considered.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

□ 1230

LEGISLATIVE PROGRAM

(Mr. HOYER asked and was given permission to address the House for 1 minute.)

Mr. HOYER. Mr. Speaker, I yield to my friend from Virginia, the majority leader, for the purpose of inquiring about the schedule for the week to come.

Mr. CANTOR. Mr. Speaker, I thank the gentleman from Maryland, the Democratic whip, for yielding.

Mr. Speaker, on Monday and Tuesday, no votes are expected in the House. On Wednesday, the House will meet at noon for morning-hour and 2 p.m. for legislative business. Votes will be postponed until 6:30 p.m. On Thursday, the House will meet at 10 a.m. for morning-hour and noon for legislative business. On Friday, the House will meet at 9 a.m. for legislative business. Last votes of the week are expected no later than 3 p.m.

Mr. Speaker, the House will consider a number of bills under suspension of the rules next week, including a prioritization of visas for foreign graduates of American universities in the STEM fields, an issue being championed by Chairman LAMAR SMITH, the gentleman from Texas, as well as BOB GOODLATTE from Virginia and RAÚL LABRADOR from Idaho. A complete list of suspensions will be announced by the close of business today.

In addition, Mr. Speaker, the House will consider H.J. Res. 118, sponsored by Chairman DAVE CAMP, which provides for congressional disapproval of the rules submitted by the Department of Health and Human Services relating to waivers of work requirements with respect to the Temporary Assistance for Needy Families program.

The House will also consider H.R. 3409, the Stop the War on Coal Act, sponsored by BILL JOHNSON of Ohio, which is a package of bills to expand domestic energy production and help create American jobs.

Lastly, Mr. Speaker, Members are advised that with the Senate’s expected passage of the continuing resolution, we no longer anticipate votes in the House during the week of October 1. This is a change from the original House calendar.

Mr. HOYER. I thank the gentleman for his information with respect to what we’re going to consider next week, and also I was going to ask him, but he has already indicated, that he does not expect the scheduled week of meeting in October to occur. I thank him for that information. That would indicate essentially then, therefore, that we have approximately a little over a day and a half or a day and three-quarters remaining before the election.

I want to ask the gentleman, first of all, there’s been a lot of talk about the work that has not been done:

We have not done the jobs bill that I've been urging us to consider.

We have not addressed the middle class tax cut in a way that we'll deal with that and on which I think both sides agree. We have disagreement on tax cuts for those who are not in the middle class.

The farm bill, I want to discuss that in a second. The farm bill.

The Violence Against Women Act and the middle class tax cut have both passed the United States Senate.

Postal reform, there is also an agreement on that in the United States Senate.

Obviously sequestration.

And I want to talk a little bit about the fiscal cliff, Mr. Leader.

But in the farm bill, as you know we have a discharge petition that is pending, which is somewhat unusual in that our party has initiated a discharge petition to ask you to bring to the floor a bill that your committee reported out of committee. That's somewhat unusual in these discharge petitions. A number of Republicans have signed on to that as you know.

As a matter of fact, we understand your suggestion to some that they do sign—not you, personally, excuse me. But that there's been some suggestion they sign on to that as an indication of their support for the farm bill.

The Senate passed a farm bill, 64-35, Mr. Leader. We are hoping that that bill can be brought to the floor next week. It's not on the calendar. But in light of the fact that 16 Republicans voted in favor of it in the Senate, it's clear that it does have broad bipartisan support.

The Ag Committee here in this House reported out a bill 35-11. That bill has, of course, not been brought to the floor.

We don't have much time left, as you've just announced. Even if we count Thursday as a full day and even if we count Friday as a full day of next week, we have essentially 2 days and then suspension votes on Wednesday night.

Many farmers are facing the worst droughts they've seen in many years. We passed a drought bill here that is not agreed to by the Senate. In fact, the farm community, as I think the gentleman probably knows, perhaps not unanimously, but in large number, opposes the drought bill that we passed, and the reason they oppose it is because—and I think you were absolutely right, Mr. Majority Leader, when you talked over the past years about certainty. The farmers are opposed to the drought bill that we passed in the House because it doesn't give them any certainty. They think a 5-year bill is preferable. They've seen two-thirds of the Senate, almost, pass a bill, and they hope we would pass that.

I would ask the gentleman, therefore, if there is any, I was going to ask for

assurance, but if there is any possibility that we're going to consider a farm bill, either the House bill as reported out overwhelmingly from the Republican-chaired committee or the Senate bill that was passed in a bipartisan fashion, is there any possibility that before we leave here, in consideration of the crisis that confronts many in the farm community, that we will consider that bill?

I yield to my friend.

Mr. CANTOR. I thank the gentleman.

Before I get to the farm bill, I would just like to respond to the initial statements about the House's work in terms of jobs and taxes.

The gentleman well knows that we have sent to the Senate well over 30 measures that are job-creating bills that will help improve the environment for small business men and women to actually begin to invest and create jobs again.

We've also, as the gentleman knows, passed H.R. 8, the Job Protection and Recession Prevention Act. We did that on August 1. It was a bipartisan vote, including 19 House Democrats. This followed up on over 20 hearings on tax reform in this Congress. What we did in that bill, Mr. Speaker, as the gentleman recalls, is we made sure that taxes are not going to go up on anybody right now because of the economic situation that exists throughout this country. We don't believe that it is a desirable outcome to see taxes go up on anyone and to take more of their money right now while they're having a difficult time getting through the month.

That is why, Mr. Speaker, we continue to stand on the side of the hard-working taxpayers, and we ask the gentleman to please, when he cites the fact that we didn't pass his job bill, we passed a jobs bill. We passed numerous jobs bills—in fact, over 30 jobs bills—sitting in the Senate. The inaction has been on the Senate.

So, Mr. Speaker, with the gentleman's question about the farm bill, I, in fact, just came out of a meeting with one of his members to talk about the farm bill. We're trying to look for ways forward. Yes, there can be a possibility that we act again on the issue of the disaster of the drought. As the gentleman rightly said, we passed a drought relief bill on the livestock issue. It's sitting over in the Senate. Again, inaction.

The gentleman indicates the reason for opposition to that bill. There is nothing in the bill that is controversial. It's a fact that some who insist on having something else in the bill didn't have it. Well, one thing we know in common is we're all for allowing the relief on the livestock issue for the farmers.

Why can't we get that done? Why can't we just finally decide to say, You know what? There are some areas of

disagreement, and we realize that, reasonable people do, and certainly in election season it sort of emphasizes that, unfortunately. But we also know there are things in common. Addressing the livestock drought issue is something we do have in common. We passed that out of the House.

Mr. Speaker, I would say to the gentleman any indication that he could give that perhaps there would be some movement on that would be, I think, a positive thing for the farmers. We continue to work on how to go forward, and, yes, there could be a possibility there is some action next week on the issue of the farm bill, looking to find ways that we can work together on issues that we all support, not issues that divide us.

□ 1240

Mr. HOYER. I think the comments of the gentleman are interesting and I appreciate his comments.

We do have agreement in the Senate on a farm bill; they voted for it with 64 votes—almost two-thirds of the Senate. We may not have agreement, but we had a bill that came out of the Republican-led committee, your committee, with over a two-thirds vote, and neither one of those have been brought to the floor? So we're arguing on something that we had pretty significant disagreement on—yes, there were some Democrats that voted for the drought relief, particularly from farm country. I can understand their view. But the farm community is opposed to the drought relief bill—not unanimously, but in significant part.

So the gentleman points out that we ought to pass that on which we have agreement. Let me suggest to him that 98 percent of Americans and 97 percent of small business people agree on not having a tax increase. The gentleman is worried about those people who are making about \$20,000 a month. Some of them don't feel well off, I understand that; but I'm worried about the people who are making \$2,000 a month, very frankly. I'm worried about the people who are getting by and who are having trouble. We need to give them assurance.

The gentleman just said that we ought to be able to act on that on which we agree. Maybe I'm incorrect, but I would tell the gentleman on this side of the aisle, we will produce the overwhelming majority of votes on our side of the aisle for a bill that ensures that there will be no tax increase on those who are making, either individually under \$200,000 a year, or as a husband and wife \$250,000 a year. I assure the gentleman that I will produce and we will produce on this side well over 180 votes for that proposition. So I tell my friend all he has to do is produce 40 votes, but I think he will produce many more than that. Because unless he says I'm wrong, I think when you say nobody ought to get a tax increase, we

have agreement—and that's just what the gentleman is talking about, where we have an agreement—we have an agreement that nobody under \$250,000, couple, \$200,000, individual, should get a tax increase on January 1 of this year.

We could pass that bill, in my opinion, next week. We could pass it under the suspension calendar, in my opinion. We could send it to the Senate. They've already passed a bill. They've already passed a bill through the Senate which adopted that proposition. So we have the majority votes in the Senate, and I would hope we would have almost unanimity in the Senate on that proposition. But I think what I hear the gentleman saying is, unless we have agreement on 100 percent, the fact that we agree on 98 percent and 97 percent, we're not going to move the bill.

Now, I agree with the gentleman, if we have agreement, that's something central that we have agreement on, I would hope we could move it.

I yield to my friend.

Mr. CANTOR. Mr. Speaker, I thank the gentleman for yielding.

I would say that there is not agreement right now that we ought to raise taxes in this economy. The reason is, Mr. Speaker, that we are concerned about those individuals that the gentleman speaks about that perhaps may be out of work, or underemployed, or trying to make it and having a real difficult time. We're concerned about those people, and the best thing we can do is create a job and see them go back to work.

We saw that this summer Ernst & Young put out a study demonstrating that his tax policy—the gentleman's tax policy, the President's plan to raise taxes—is going to destroy 710,000 jobs, slash \$200 billion from the economy, and lower wages for all working Americans by 1.8 percent. That's what that study said.

So, no, there's not agreement that we should raise taxes like that because if you raise taxes, there are going to be less jobs, there is going to be less growth. We're trying to focus on those people who need to get back to work, who want to get back to work. That's where the agreement is—that we all want to help people. We just don't believe that you help people right now by laying down a tax increase, putting more money into the government that can't seem to figure out a way to fix the problem once and for all. That's what we want to do, fix that problem, help those people.

Mr. HOYER. I thank the gentleman for his response—I don't think it answered my question.

We understand that you want to see no tax increases, no additional contributions from people making \$1 million net taxable income or more, or \$10 million taxable income. We understand you don't want to do it. We don't agree

on that. You're correct. But we do agree on the fact that 98 percent of Americans who make less than \$200,000 individually, less than \$250,000 as a couple, those 98 percent of Americans and 97 percent of small businesses ought not to get a tax increase on January 1. Very frankly, you didn't respond to me; I presume you agree with that.

What you don't agree with is that, if we don't do it all on something we disagree with—that's what's causing gridlock in Congress. That's what's causing this Congress to be the least productive Congress in which I have served in 32 years. That's what's causing us to not listen to one another, talk by one another, and not agree. That's why the farm bill hasn't been passed; that's why the Violence Against Women bill has not been passed; that's why the postal reform has not been passed; that's why middle class tax cuts have not been passed; because if you don't get it all, you don't want to do any of it.

I say respectfully to the majority leader, we agree that 98 percent of Americans ought not to get a tax increase. We do disagree on whether or not those who are better off can make a contribution to bringing this deficit down and dealing with our debt. What the gentleman responded was, unless we're for 100 percent, we're not going to be for any. That's what I hear you saying.

I yield to my friend.

Mr. CANTOR. I thank the gentleman for yielding.

Again, no, that's not why these bills haven't passed. First of all, the Violence Against Women Act passed out of this House. It's sitting over in the Senate because the Senate's got its own bill that has a blue slip problem. Let the legislative process work over there, send us a bill, and we'll get something done. The gentleman did not, on his side, overwhelmingly join us in the VAWA bill. Okay. So the fact that the minority didn't get their way, they wouldn't join us on the bill. We went and did our work.

And I'll say more to the gentleman, Mr. Speaker. The postal reform bill, the fact of the matter is his side, Mr. Speaker, the minority will not agree to reforms. Everyone knows the post office needs reforms. Everyone knows the debt that that organization continues to incur and lays on the U.S. taxpayers. We're trying to fix that problem. But because the gentleman and his colleagues refuse to go along with reforms like a 5-day delivery—this is something that the President supports. But because his side refuses to go along with trying to reform that organization, we can't move. Again, it's this insistence: We can't do that. We all know that's common sense. Common sense is reforming the postal service—something everyone knows needs reform. That's why that bill didn't pass, Mr. Speaker.

We've got another issue on the farm bill. There are issues of policy differences. And the gentleman knows throughout last year we went through a lot of these policy differences in the SNAP program and the rest. We have GAO recommendations year in and year out about that program, but unwillingness on the part of the minority to ever engage in a discussion of real reform in those programs.

Again, let's remember what we're talking about in a farm bill. Most of it by far are not farm programs, they're food programs. Again, raising the question of how it is we're going to go forward, we need to understand the specifics and know there are real policy differences. Yes, we're all willing to work together—or at least we are on this side. So I really take exception with the gentleman's assertions that somehow we're sitting here demanding everything. No. We want to work together and set aside differences and agree on things we can find in common. That's how anybody in everyday life tries to run their business or run their family. It's not all or nothing. It's not black or white.

Mr. HOYER. I said we agreed on 98 percent. The gentleman has not said we don't agree on 98 percent.

He brought up a lot of stuff on the farm bill and other pieces of legislation. The farm bill, you're not bringing your own bill to the floor. Forget about what we think on this side. You reported out a farm bill. You reported out a farm bill some 4 or 5 months ago—I'm not sure exactly when, but it's been months ago—and you haven't brought it to the floor. It's not a question of whether we agree or not; your own bill you haven't brought to the floor.

Now, in terms of the Violence Against Women Act, you knew that the Senate wouldn't do that and the President said he was going to veto it. You didn't sit down with the President to do it because you wanted to exclude some people. You wanted to exclude some people who were subject to domestic violence in this country when all the experts say if you exclude people, we don't get reports, we can't get domestic abusers out of circulation, if you will. So I think the gentleman's characterization is not accurate, I would say with all due respect.

Mr. CANTOR. Would the gentleman yield for that fact? Because that's not true, Mr. Speaker.

Mr. HOYER. Which is not true? I said a number of things.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members will please address their remarks to the Chair.

Mr. CANTOR. Mr. Speaker, I would say to the gentleman, it's not true. We don't want to exclude anybody from the benefits under VAWA, and he knows that. It was simply a matter of

new language inserted by the Senate that, really, we don't want to deny those benefits to anyone. We want everyone to have the benefits and not exclude some by specifically identifying others, and the gentleman knows that. It's unfair to characterize anything we're trying to do to exclude people from benefits when they are subject to domestic abuse. All of us care about those victims.

□ 1250

Mr. HOYER. Mr. Speaker, I thank the gentleman for his observations. We have a difference of opinion on whether or not they want to exclude people, because the Senate bill was inclusive, and every woman Member, Republican, of the United States Senate voted for it. Every one. That was the difference between the two bills, those who were included, and a more specific group that are now included, which we think they ought to be. But we also think there aren't people who were included who need to be, and that was the difference between the two bills.

So, Mr. Speaker, with all due respect, I think my characterization was absolutely accurate. But it's interesting, Mr. Speaker, that we still haven't answered the question. We tend to want to talk about other things.

Ninety-eight percent of Americans should not get a tax increase on January 1 who are making less than \$200,000 individually, or \$250,000 as a family. I think we agree on that, Mr. Speaker. Now, I haven't heard that we don't agree on that. But we agree on that, which means that there are 2 percent on which we do not agree, and that bill has not been brought to the floor, that passed the United States Senate, dealing with that 98 percent or 97 percent of small businesses.

Now, Mr. Speaker, it seems to me if we have agreement on 98 percent, and the President of the United States will sign that bill, the majority leader knows that, I know it and the American people know it. He will sign that bill.

That bill has not moved, not because of the 98 percent, but because of the 2 percent. That's my contention, Mr. Speaker. I believe that is accurate because the Senate has passed a bill that deals with the 98 percent.

We ought to pass that bill. We ought to pass it before we leave here next week, which will be the last few days of this session before the election. And the American people at least ought to have that on the floor.

And, yes, if you want to assert that we want to raise additional revenues to meet our debt so that our children are not put deeply into debt; and, yes, those of us who are doing better can pay a little more to make sure that our children aren't in debt when they get to be adults; yes, we can have that debate.

Bring the bill to the floor, and let us pass the Senate bill. And I would hope our Republican colleagues would join us and say, at least we're going to take care of the 98 percent, and then we'll argue about the 2 percent. We'll argue about whether or not that's good policy or bad policy, whether it hurts the economy or grows the economy.

Very frankly, I tell my friend, the majority leader, I was here in 1993, and the gentleman was not, I believe. But I was here in 1993 when we raised revenues on the upper 1½ percent, 1¾ percent of the American taxpayers. Your side said, as that study which we think is a flawed study said, that it would hurt the economy, it would increase the deficit, and it would increase unemployment. And as the gentleman well knows, it did exactly the opposite, in conjunction with an extraordinary growth in the private sector, which your party said would be hurt by the action in 1993, which your party unanimously opposed.

You're taking the same contention now, and that study took the same proposition. It was wrong then; it is wrong now.

I would hope, very sincerely, that we could agree on that on which we agree, because we agree on 98 percent, and let that move and not hold it hostage to the 2 percent on which we do not agree. I yield to my friend.

Mr. CANTOR. Mr. Speaker, I thank the gentleman for yielding again.

First of all I'd ask, was there over 8 percent unemployment then? That's the first thing, Mr. Speaker.

We are about trying to do something to get people back to work. And if you're worried about the 98 percent, which we all are, the best thing we can do is to make sure there are more jobs. And so our objection to the gentleman's proposal to raise taxes is the fact that that tax hike that he's advocating is going to affect 53 percent of all small business income. The Joint Committee on Tax says that.

Mr. HOYER. Reclaiming my time, just so we're accurate, but not 53 percent of small businesses, and the gentleman knows that. It's a misleading figure, because 53 percent of the income comes from a very small percentage of so-called small businesses that are not, in our opinion, small businesses at all.

The gentleman can correct me if he believes that 53 percent of small businesses, because it is our contention that 97 percent of small businesses, really small businesses, people who are working hard making it from day to day and trying to grow businesses and create jobs, 97 percent of small businesses will not be affected by our proposal.

If the gentleman thinks I'm incorrect, I'll be glad to hear that.

I yield to the gentleman.

Mr. CANTOR. I thank the gentleman.

Mr. Speaker, the point is about jobs. Okay?

And the jobs come from the small businesses who are generating income. If you want to help people who are creating jobs, don't raise their taxes, especially when unemployment is over 8 percent.

It's about jobs. I mean, that's the thing, Mr. Speaker. We always hear somehow that we're favoring some big bad business. No, we're about the businesses who create jobs. Small businesses, according to the Small Business Administration definition, create jobs.

So, Mr. Speaker, just because, in the gentleman's mind, somehow somebody he doesn't like because they're so successful gets a benefit, the overwhelming majority of the people who will not get a tax hike under our plan will go out and create a job.

Mr. HOYER. Reclaiming my time, Mr. Speaker, it is an absurd assertion that people I don't like. I would hope the gentleman would retract that. It has nothing to do with people we like or don't like.

Mr. CANTOR. I absolutely retract that, Mr. Speaker. I absolutely retract that. But the gentleman continues to malign people who he feels don't deserve the same treatment on taxes. And what we're saying, if they're successful, that means they're creating jobs. That's the prescription we need right now is more jobs.

Our policy is about helping those small businessmen and women who are creating jobs so we can finally do something to bring this unemployment down and get people back to work. That's all.

Mr. HOYER. I thank the gentleman.

Mr. Speaker, one of the greatest challenges to growing our economy is our debt and deficit and the uncertainty of the tax policy. That is one. Every economist will tell you that; and certainly every businessperson will tell you that, large, medium or small.

And none of us on this side of the aisle have used pejorative—I have not used pejorative terms with respect to large, medium or small businesses. That's not an issue at all.

It is an issue as to whether or not we're going to continue to explode this deficit and debt, Mr. Speaker, or whether we're going to ask some of us to contribute, some of us, i.e., perhaps Members of this floor, to pay a little more so our children don't confront large deficits and debt.

We heard a lot about personal responsibility in the Republican convention; we ought to take personal responsibility.

And the gentleman continues to talk about job creation. We want job creation. We have a Make It in America agenda that, unfortunately, hasn't moved. We have a jobs bill that was offered by this President that economists say would have created a million more

jobs. It lays, still, on a desk somewhere, untended to, unconsidered and unpassed by this House—notwithstanding the fact that the leader and I have discussed that, moving that bill to the floor on numerous occasions.

I lament the fact when we talk about this again, he has not said once that we don't agree on the 98 percent, that we don't agree on the 97 percent. I think the reason he hasn't said we don't agree on it is because we do agree on it. He said he doesn't want anybody to get a tax increase.

And by the way, that tax increase, as the gentleman well knows, will result as a result of the 2001 and 2003 tax bills passed by the Republicans in this House and in the Senate and signed by George Bush. That's why those taxes are going up on January 1, because you sunsetted that tax increase. You didn't make it permanent.

Why did you do that?

For scoring purposes, because you knew that it would score great deficits.

I want to tell the gentleman, additionally, Mr. Speaker, that unemployment was 7 percent. The reason Bill Clinton won the election was because the economy was going downhill. That's the same reason Barack Obama won the election.

And he talks about jobs. A policy that was unanimously opposed, Mr. Speaker, by the Republican side of the aisle in the House and in the Senate created 22 million private sector jobs. We know something about creating private sector jobs.

Notwithstanding the fact your contention on your side of the aisle, not yours personally, Mr. Leader, was that if we adopted that program, you took the same argument you're taking right now, right now, that raising additional revenues to bring our deficit and debt down would undermine the creation of jobs.

□ 1300

In 1993, you were demonstrably wrong. I don't mean you personally. Mr. Speaker, I'm simply referring to the Republican Party's position on that. They were demonstrably wrong—22 million new jobs. In '01 and '03, you argued that if we bring taxes down on the people you're talking about and everybody else that we would explode the creation of jobs.

You lost jobs in the private sector over those 8 years, Mr. Leader—I'm sure you know that—about 600,000 net. You lost 4 million jobs in 2008, in the last year of the Bush administration. You lost 818,000 jobs in the last month; 818,000 jobs were lost in the last month of the Bush administration and under these policies, which we apparently have to pass again, or we won't take care of the 98 percent of Americans who are hoping that they will be assured that they will not get a tax increase as of January 1 and the 97 per-

cent of small businesses that will be assured that they will not get a tax increase, which will stabilize our consumers, stabilize our small businesses, and help our economy.

Mr. Speaker, I believe that we, perhaps, have exhausted this conversation—I understand that—but it is lamentable that this is another instance when we continue to talk about bills for message purposes that we know the President won't sign—that he said he won't sign—and that we know the Senate won't pass; and we allow those 98 percent of Americans to twist in the wind because we will not deal with the other 2 percent. We are prepared to debate that, of course, and discuss it and vote on it; but I am very sorry that we, apparently, will not see in the next 2½ days remaining before the election that we address the middle class tax cuts.

I yield to the gentleman if he wants to say anything further. I have one more subject I want to cover.

Mr. CANTOR. Mr. Speaker, I think the differences are very plain. The gentleman has a way of simplifying things. According to what I took from what the gentleman just said, if we'd just raised taxes, all those jobs wouldn't have been lost, and everything would have been fine. Again, our proposition is completely the opposite.

We believe that we've got a real spending problem here, Mr. Speaker. We've got a problem with an unwillingness to reform some programs. The gentleman talks about Members having to pay more when, in fact, it was our side that put forward the proposal that we should actually allow and require Members as well as Federal employees to pay more towards their retirements. The gentleman wasn't supportive of that. We've got some serious unfunded obligations at the Federal level. The American people know that. We are trying to solve problems. The problems are not solved by raising taxes.

Now, if the gentleman is so intent on raising taxes—again, because there is a 2 percent that he just wants to pay more—I ask the gentleman to join us in actually fixing the problem that all experts say you can't tax your way out of and you can't grow your way out of.

You've got to reform the programs. Mr. Speaker, we've been the only ones to put forward a plan that even begins to solve the problem—the President has not; the Senate has not; and the gentleman has not.

It's about solving problems, producing results for the hardworking taxpayers of this country who so desperately want to see us go forward, reclaim America in its true aspirational sense and be that place of opportunity.

Mr. HOYER. Mr. Speaker, I hear the gentleman. I presume he refers to the Ryan budget as the plan to do that. Of course, the Ryan budget does not balance the budget in a quarter of a century. The gentleman knows that. The

Ryan budget, of course, undermines the security of Medicare for people.

The majority leader mentions Federal employees. The fact of the matter is—and this is my position, Mr. Speaker, and is the subject I wanted to talk about—we need to get America on a fiscally sustainable, credible path. That is the single most important objective that this Congress ought to be addressing. Very frankly, it was addressed in a plan called the Simpson-Bowles plan. Perfectly? No. Would we all agree on every aspect? No, but it was a plan that said we have to have a balanced approach to doing this. We had to deal with entitlements; we had to deal with revenues, and we are now collecting 14.8 percent of revenues. That's lower than at any point in time in the last 70 years.

We have underpriced our product; and if we were a business, we would have been bankrupt a long time ago. We have deep pockets, and we can keep borrowing so that we can keep spending without putting in a PAYGO discipline that we had in the nineties that helped balance the budget 4 years in a row—the only administration in the lifetime of anybody hearing, seeing, or knowing that we are here, but that has been done. It was done because we paid for what we bought.

Mr. Speaker, we are going to have an opportunity—not in the next 2 days of this session before the election—but we are going to have a lame duck. We are going to have to come back here, and we are going to have to do some serious things. We need to as Americans—not as Democrats, not as Republicans—have a conviction that we need to come back here and not walk away from our responsibilities.

Very frankly, with the Bowles-Simpson, every Republican member of that group from the House walked away from it—voted “no” and said, No, we will not agree. So it didn't get the 14 votes that it needed to be brought to this floor. I think that's a sad fact. That should have had a robust debate and perhaps a modification, but it was a plan that said to all Americans that we're all going to have to be in this together—a balanced plan, Mr. Speaker, to get a handle on the debt and deficit that confronts this country that is hurting our economy, hurting our people, hurting our credibility.

The S&P downgraded us not because we didn't have the resources to solve our problems. Standard & Poor's downgraded the United States of America for the first time in the lifetime of anybody I know—and perhaps in history—because they didn't know whether we had the political will and courage to address this debt and deficit that confronts and puts our country in danger.

Mike Mullen, the Chairman of the Joint Chiefs of Staff, when asked what was the biggest security problem confronting America, didn't respond, Iraq,

Iran. He didn't respond, terrorists. He didn't respond, other enemies around the world. He said the biggest security concern that he had—the Chairman of the Joint Chiefs of Staff—was the fiscal challenge that was not being addressed in America. Mr. Speaker, we need to address it.

My friend the majority leader, he and I have worked together on a number of things. We've worked on a number of things this session that we've passed in a bipartisan fashion. I would hope that he and I would both commit ourselves to, during the lame duck session, doing our responsibility to America and to our constituents in reaching a Bowles-Simpson, Domenici-Rivlin, Gang of Six. Almost every economist who has spoken to this issue has said you need a balanced plan. If we simply have sold our souls to Grover Norquist on asking people to help bring this debt and deficit down, we will not succeed; but if we summon the courage and the will to solve this problem, we can do it.

I am hopeful that my friend the majority leader and I will work together over the next number of weeks, between now and November 6, to establish the preface for acting in the lame duck session in a responsible, cooperative, consensus-seeking fashion to get this country on a fiscally sustainable, credible path. If we do that, we could redeem this Congress' performance, and I hope we will do that.

I don't know whether the majority leader wants to make a comment on that.

□ 1310

Mr. CANTOR. Mr. Speaker, I thank the gentleman.

I'm going to try and make sure that I don't bring on even more because I know our colleagues are waiting to speak.

I would say to the gentleman there is not unanimity on his side, as he knows, on Bowles-Simpson. In fact, the minority leader rejected Bowles-Simpson and the President has not endorsed Bowles-Simpson, which is part of the issue that the gentleman seeks some clarification on, which is: Where is the plan to get us out of this? The President was unwilling to even adopt that.

The gentleman I think knows the reason why our side rejects Bowles-Simpson. We believe there are some good things in Bowles-Simpson, and I do look forward to working with the gentleman to see if we can work together in a cooperative fashion to get some results and resolve this cloud hanging over the economy. I'm looking forward to that.

But Bowles-Simpson, number one, is not this so-called balanced approach, unless you say \$1.22 in new taxes with \$1 in cuts is balanced. We don't believe so, because we believe it has a detrimental impact on the growth of the economy.

We also believe that the Bowles-Simpson revenue target of 21 percent of GDP is the highest target and something that exceeds that which we've been at pretty much over the last 70-something years, save for 3 years. We believe that that is too much of a revenue flow into Washington for Washington to make the decisions.

We've got an issue there about the amount of taxes and the size of government. Yes, it's a totally legitimate discussion point, but it's an issue. It's not just rejection out of hand like the minority leader and the President have said. They reject that. We say this is why, and then we also say the disproportionate driver of the deficit is health care entitlements. The gentleman and I both agree upon that. How are we going to deal with it?

Bowles-Simpson leaves in place the structural nature of those programs now and doesn't address this fundamental problem of growing unfunded liabilities. We want to solve that so that the safety net programs are there for the future and save them. That's our position.

So I do look forward to working with the gentleman. There are some great things about tax reform in Bowles-Simpson. I want to work with the gentleman on that, and, if we can, have a conversation about resolving the deficit and the spending.

Again, I'm trying not to invoke any more time, Mr. Speaker.

Mr. HOYER. I look forward to working with him as well, Mr. Speaker, because there is a no more important issue that confronts us as a Congress or us as a people, and no act that we could do would give more confidence, not only to our own people, but to people around the world, that America has got its financial house in order. We need to do that. We can argue the specifics one way or the other, but, Mr. Speaker, we do have a difference.

We had that difference in 1993, and we argued about it. We won that argument on the vote, and we won it, in my opinion, on performance. We argued again on it in 2001 and 2003, and we believe we lost on that argument, which is why we were in the deepest recession at the end of the last administration that this country has been in my lifetime, and I'm not one of the younger Members of this body.

I am, with the majority leader, hopeful that we can work together and come to agreement on that on which we agree and move forward. The American people, I think, hope that as well, Mr. Speaker.

With that, I yield back the balance of my time.

ADJOURNMENT TO TUESDAY, SEPTEMBER 18, 2012

Mr. CANTOR. Mr. Speaker, I ask unanimous consent that when the

House adjourns today, it adjourn to meet at noon on Tuesday, September 18, 2012; and when the House adjourns on that day, it adjourn to meet at noon on Wednesday, September 19, 2012, for morning-hour debate and 2 p.m. for legislative business.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

IT IS TIME TO PUT GOVERNING OVER POLITICS

(Mr. WITTMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WITTMAN. Mr. Speaker, I rise today with disappointment. I'm disappointed that this Nation's leaders have once again kicked the can down the road instead of making tough and important decisions on our Nation's spending.

Yesterday, the House passed a continuing resolution without my vote to simply continue to fund government into the 2013 fiscal year at current levels as catastrophic cuts loom on the horizon set to hit in January of 2013. Sequestration, as these cuts are known, threaten our national security. An estimated 200,000 jobs in Virginia will be lost, jobs that support our warfighters and their mission around the world.

Mr. Speaker, we have 16 days to the beginning of a new fiscal year, yet Congress has delayed tough decisions again. These delays are unconscionable. These delays are unacceptable. Congress should stay in Washington and stop ignoring the reality of these looming cuts.

It is time to put governing over politics.

HONORING NEIL ARMSTRONG

(Ms. JACKSON LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON LEE of Texas. Mr. Speaker, it is a great privilege for me to rise on the floor of the House today to pay tribute to astronaut Neil Armstrong, an American hero.

Yesterday, at the National Cathedral, we paid tribute to him as a national hero and recognize that his name will forever be a testament to our Nation's will to prevail in the challenge for successful space exploration and push the boundaries, going where no man has gone before.

As a 12-year member of the House Science Committee and a member of the Space and Aeronautics Subcommittee, I can tell you that I am deeply indebted, but also embedded with the idea of human space exploration. How can I not be, representing

and coming from the community where NASA Johnson Space Center is.

Today I rise in tribute to all of them and recognize the greater leadership that Neil Armstrong gave as a humble American. He, along with fellow astronauts Buzz Aldrin and Michael Collin, shared a most significant time in our history—one small step for man, but a great and gigantic step for humanity.

Right now in Houston, we are celebrating 50 years of human space exploration at the Hyatt Regency, commemorating NASA Johnson. I want to thank Dr. Mae Jemison and all those who came after this great hero for continuing the dream. They can count on me as a Member of the United States Congress to fight again for human space exploration.

Thank you, Neil Armstrong, an American hero. May you rest in peace.

WE NEED TO WORK TOGETHER TO CREATE JOBS

(Mr. DOLD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DOLD. Mr. Speaker, this is not what economic recovery looks like. Last Friday's painful jobs report showed for every one American job that was created, four people simply exited the labor force. In fact, the percentage of Americans participating in the labor force today is lower than it has been at any time since September 1981.

Mr. Speaker, this is a national crisis. Over 23 million Americans remain unemployed, underemployed, or have simply given up looking for work. Our Nation's GDP growth was lower in this year's second quarter than the first. The average monthly jobs created is less this year than last.

Washington has tried a trillion dollar stimulus, 4 straight years of trillion dollar deficits, yet unemployment has remained above 8 percent for over 43 consecutive months. The American people are honestly asking themselves: Am I better off today than I was \$6 trillion ago?

Mr. Speaker, we need to work together to empower businesses to create jobs and grow our economy, which is why I've introduced a bipartisan, bicameral jobs bill, the Global Investment in America Jobs Act. This isn't about politics. It's about the millions of Americans who are unemployed and seeking opportunities for a better future.

□ 1320

GRANT TRADE WITH RUSSIA

(Mr. REICHERT asked and was given permission to address the House for 1 minute.)

Mr. REICHERT. Mr. Speaker, I am speaking in favor today of granting

Russia permanent normal trade relations. I would like to emphasize this will hold only benefits for the United States. There is no downside for us unless we fail to act.

While we wait to consider this legislation, our global competitors are racing ahead, taking advantage of their new access to Russian markets. U.S. exports to Russia could double in the next 5 years. Currently exports to Russia support over 1,400 jobs in my State. Passing this bill will increase America's export goods and services substantially, and this growth and trade will serve as a no-cost job creator.

If we fail to act, U.S. companies, farmers, and workers will not receive the benefits of Russia's membership, nor will the U.S. Government have authority to hold Russia accountable under WTO rules.

Mr. Speaker, it is my sincere hope that we can come together and pass this legislation. Grant Russia permanent normal trade relations.

112TH CONGRESS IN REVIEW

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from Virginia (Mr. MORAN) is recognized for 60 minutes as the designee of the minority leader.

Mr. MORAN. Mr. Speaker, next week, following Senate action on a 6-month continuing resolution to keep the Federal government funded until March 27 of 2013, Congress is likely to adjourn until after the fall elections.

Really? Seriously. In other words, over the next 53 days before the election, this House will be in session about 1¼ days. It's a sad state of affairs, and the best that this House can do is to punt all spending decisions on this year's budget to the next Congress.

But that's what we just did this week. Before we adjourn, there will be no resolution on the budget, there will be no resolution on the sequester, \$1.2 trillion, that is causing disruption throughout the country and particularly among the entire Federal Government, especially the defense industry, which will have to absorb half of that sequester. It could affect directly about a million jobs, about 2 million jobs indirectly, but we're not going to do anything about it.

There will be no resolution on tens of billions of dollars of expiring measures before the election. We'll do nothing on the farm bill. We'll do nothing on postal reform. We'll do nothing on dozens of other important issues on which the public is counting on us to do something. The most basic and fundamental responsibilities our constituents sent us to Washington to address are being left unresolved.

I proudly served in this institution for more than 20 years. Never have I

seen this House so unproductive and so dysfunctional. I served during the so-called Gingrich revolution. I served during Mr. Clinton's administration and during Mr. Bush's administration, but this House has never been less functional.

Our Nation is suffering from high unemployment and the residual effects of the worst economic downturn since the Great Depression. Of course, our current situation is the result of two deep tax cuts in 2001 and 2003, which primarily benefited those who needed tax cuts the least; two wars, neither of which were ever paid for; and an expansion of Medicare which was not paid for. That's what's put us in this deep hole, plus the fact that we deregulated the financial industry.

The American people, the working class Americans, their median income didn't go up. In fact, it edged downward so they had less disposable money. They borrowed from the one asset they had, which had been appreciating real estate, their home, and they borrowed on their credit cards.

Now, after the economy imploded, their home values declined. In fact, almost 70 percent of African American families lost almost 70 percent of their household wealth, Hispanic Americans over 60 percent, white Americans lost more than 16 percent of their household wealth. They obviously don't have the money to be spending again.

They have learned their lesson: they are not going to keep borrowing. Their home values are down, so they can't borrow as much off their real estate. Then you don't get those cold calls from people suggesting that you can borrow more money off your home and consolidate your credit cards. They're not coming. People aren't borrowing, and it's understandable. That's why our economy is in such a deep recession, why it's so difficult to pull out of it.

Now, Mr. HOYER pointed out that we tried something different in the 1990s from what we tried in the first decade of the 21st century. When President Clinton balanced the Federal budget, those who were in the House majority now all voted against it. In fact, every Republican voted against it. It was a pure party-line vote. The deciding vote was cast by a freshman Member from Pennsylvania who lost her seat as a result, but it passed.

We have some empirical evidence as to what happened. I remember during the debate it was suggested that if this passed that, in fact, we would see deep unemployment, we would go into a recession, millions of people would be out of their jobs, and it was the wrong thing to do. I remember the words of Mr. Gingrich, Mr. Armey and others.

Well, we have empirical evidence, as I say. We know exactly what did happen. We did raise taxes on the people at the top, raised up to 39.6 percent. Those

folks in the top tax bracket actually brought home more after-tax income than at any time in American history.

Everyone was better off. About 22 million new jobs were created. That number seems as though it's in a different world today, when we struggled so hard to create jobs but, just think of all the job creation we experienced, one of the lowest levels of poverty. The rising tide lifted all boats. It worked.

But beyond a strong economy and to some extent because of that strong economy, we were able to get control over the Federal deficit and in fact, for the last 3 years of the Clinton administration we had a surplus.

Mr. Gore was derisively scorned for talking about the lockbox, but the lockbox was all about putting some of that surplus aside to pay for the retirement and health costs of the baby boom generation.

□ 1330

I'm a member of that baby boom generation. We haven't all retired. But there's more than 70 million of us. Many of us feel we should pay for our own expenses. That would have enabled us to do so, but that wasn't what happened.

Mr. Gore lost the election. Or at least I should say rather than Mr. Bush being elected, the Supreme Court selected him. But it's done. We took a very different course of action. The \$5.6 trillion surplus that was projected at the end of the Clinton administration was almost immediately lost with two very deep tax cuts that, as I say, did not benefit the middle class. They benefited people who needed them the least. Then we declared two wars. You certainly can't pay for two wars with two deep tax cuts.

We expanded Medicare. It cost a lot more than it should have, I think, because we put a provision in that forbid the Federal Government from negotiating with the drug providers in order to get the lowest rate for Medicare beneficiaries, using the leverage of the Federal Government. We couldn't do that. We had to pay retail prices. And so the Veterans Administration, which can negotiate, can use the leverage of such a large pool of buyers. They pay a fraction of the price that we pay under the part D program of Medicare.

But all that was done. It made people happy, temporarily. The term "sugar high" was used. Well, this was kind of a "fiscal sugar high." And now we're paying the price. Now we're paying the price for the fiscal policy that didn't work. As I say, we have empirical evidence that it did not work. The question is: Where do we go from here?

Now we hear from the other side what sounds a lot like the campaign of about 12 years ago: more tax cuts is the answer. We're hearing a lot of bellicose rhetoric about getting reengaged militarily in the Middle East. After finally

concluding the Iraq war, we're talking about military involvement with Iran. We're talking about deregulation, of repealing Dodd-Frank regulations on the financial industry; repealing the Affordable Care Act, even though this country spends twice as much per person on health care. And yet we don't live as long and we're not as healthy as other countries that spend half what we spend. The reason is that we pay for the quantity of services provided, almost regardless of the quality of the care that we're paying for.

The Affordable Care Act is all about reversing that. It's about using best practices; about reimbursing hospitals and doctors and other health care providers based upon how effective their treatments, their analyses, their procedures are in making the patient well. We reward best practices, and in fact we're going to reduce reimbursement for hospitals that keep seeing the same patient over and over again for the same illness. People get infections actually in the hospital. And for any number of other reasons that drive up the cost of health care in this country, other countries have resolved more efficiently, effectively, and in the better interest of the patient.

So we're going to try to turn that around while we include everyone and while we make everyone pay in the same way that we do with Social Security and Medicare. You pay in advance when you're young and healthy so that you'll have insurance when you're older and sicker. That's the whole idea. That's what the individual mandate is all about. It simply makes sense. It made sense in Massachusetts when Mr. Romney was Governor there. It's working there. People are happy with it. We ought to apply it here and certainly not repeal it. But that's what we're hearing: repeal regulations, repeal the Affordable Care Act, more tax cuts, and more bellicose rhetoric. I think that's what got us in much of this situation in the first place.

On the other side, the President understands that while we're certainly not losing 800,000 jobs a month, as we were at the end of the Bush administration, the glass is at least half full. We ought not drain it so that it's empty again, but we ought to build on our successes. Now if we're going to build on those successes, regardless of who's elected President, the legislative branch needs to do its job. That's why it's so troubling that with all the things that need to be done, now, today, over the next 53 days, Members of Congress are going to be nowhere in sight, at least certainly not up on Capitol Hill doing the public's business. We'll be out in our districts politicking, seeking votes. It's going to be a tough record to run on.

Now, we can go back in history and compare what we're doing now with the past. I do think it's informative to

suggest that this is not just unfounded political rhetoric suggesting this is a dysfunctional, do-nothing Congress. We have empirical evidence. We have facts. We have statistics. In fact, in Roll Call—I want to give them credit for this—page B-9 yesterday, September 13, the headline is: "Congress on Pace to Be Least Productive." They have a chart. We have the very good people who support our work, who I hope will get a break over the next 53 days. At least that's something positive.

But they have blown up this chart. I'll read it, because the title is: "A Dubious Historical Distinction." From high-water marks in the 1950s. Remember the 1950s? That was when we passed the GI Bill that put our returning veterans to work, got them higher education, enabled them to buy a home. It really created the middle class, thanks to Franklin Roosevelt, Harry Truman, and Dwight Eisenhower. And then Dwight Eisenhower followed up by building the interstate highway system, laying down physical infrastructure in this country, employing hundreds of thousands of people in the process.

Imagine what we would be without an interstate highway system, the numbers of towns and communities that would have been marginalized in our economy without an opportunity to be on a road that led from one place to another and that you could stop and you could buy something and you could stay overnight and you could decide, well, this is a nice town; maybe I want to put roots down here.

But you only do that if it's accessible. The interstate highway system made the whole country accessible. But from the 1950s, Congress has passed fewer bills, enacted fewer laws over time. But even compared with recent years, this Congress, the 112th Congress, has shown a remarkable lack of lawmaking activity.

Now, this is not some kind of partisan rag. This is Roll Call, which is clearly bipartisan, nonpartisan. The 112th Congress, this Congress, during its first year passed the fewest bills, really, in our lifetimes, the middle of the last century. This is public laws enacted. We had a high point up here way back in the 84th Congress. And now look at it; it looks like a ski slope.

□ 1340

We've gone from 1,028 laws to 151.

In terms of bills passed, in the House, here you go, in the 84th Congress, 4,628 bills. Now, maybe not all of those were of consequence, but at least it shows they were doing something.

Here you go. All the way down to this. Now look at this. You get down here to the 100th and then, boom, you drop off a cliff. Less than 600 bills; 4,628 bills back in the 84th Congress to 598, less than 600 bills here today in this Congress. Yet for the next 53 days, we'll be in session for about 1¼ days.

I don't think that I'm talking about something that ought not be of concern to everyone. And I'm not exaggerating. This is unbelievable.

You know, through the course of the history of this Congress, of this institution, really, that's what I mean to say because this Congress is not typical. The approaches have oftentimes been different between the two political parties. But Republicans and Democrats in past Congresses have worked across the aisle. We have found common ground. We have enacted legislation when it was needed to stimulate the economy. We have helped the unemployed. We have helped families struggling. We have reached out to the poor, not with handouts but with a helping hand to create greater opportunity. The outcome is never going to be the same. But people ought to have some sense of equal opportunity, of getting a fair break in this economy.

We've maintained this Nation's infrastructure. Today, there's more than \$2 trillion of unmaintained infrastructure needs in this country. Roads and bridges and transit and rail and ports and airports. Seaports and airports are going neglected—\$2 trillion. Millions of jobs.

There are jobs in this country. There are skilled jobs. There are jobs that should get paid a good wage. And there are jobs that will pay an investment, a dividend, for years to come. They're investments, not expenditures. They're investments. We'll see the benefit of them for generations to come, and yet we can't even get the American Jobs Act enacted, which is primarily to invest in the physical infrastructure of this country, as well as the human infrastructure, putting money into education and research and innovation and to the things that are going to give us a stronger economy, a more stable society, a more inclusive society, a fairer society. That's what the American Jobs Act does.

But we can't get it through this body.

You know, when Ronald Reagan faced down a recession in the early 1980s, he proudly signed a transportation authorization bill that raised the tax on gasoline in order to maintain our Nation's highways and transit systems, and he called it a jobs bill, and Democrats supported it, and it was enacted. It helped get us out of that recession. It strengthened our economy, and it's still paying dividends for generations to come.

Same thing with President Eisenhower with the interstate highway system.

When President Obama urged Congress more than a year ago to consider the American Jobs Act, because it was a plan to get Americans back to work by investing in our Nation's infrastructure, nonpartisan, apolitical economists estimated that it would create

2.6 million jobs and protect an additional 1.6 million existing jobs.

So 4 million jobs were at stake. Yet he was given a cold shoulder, primarily driven by a fairly substantial bloc of what some people refer to as Tea Party Republicans, whatever the proper designation is, an anti-government attitude.

I think that the government has a role, particularly in a recession, to get us back on our feet so that the private economy can take over.

It's not relying on the Federal Government, but is looking to the Federal Government to be there when we need it to give some, yes, and I'll say the world "stimulus" to the private sector. That's what the American Jobs Act was all about.

Today, the House leadership and too many of its rank-and-file members think economic stimulus is a dirty word. In fact, you'd think that the Federal Government is some kind of alien enterprise. The Federal Government is us. We should be proud of the Federal Government. People who work for the Federal Government are the least corruptible large civil service in the entire world. The fact is that they consistently have been the most effective in dealing with our problems and making us, enabling us, to have a more inclusive society and a more prosperous economy.

We just had a debate today over the issue that has become the rallying cry for anti-government politicians, Solyndra. Solyndra failed. It's half a billion dollars. The private sector put a billion dollars in. That loan represented some of the less than 2 percent of failures of that guaranteed loan program. The estimate when it was established was it would be about a 10 percent failure rate. It's been about 2 percent.

The private sector saw fit to put a billion dollars of its own money in. The Obama administration deferred to the private sector and said, yeah, if you put your money in, we will not take back what money is left. If in fact they do fail, you get it first. We'll subordinate the government loan. That turned out to be a mistake. It's a preference towards the private sector. I don't think you should argue with the good intent, the reliance upon the private sector; but the public sector, the taxpayers suffered a loss.

Yet substantial advances have been made in solar power and wind energy. The reason why Solyndra went under is that the Chinese Government figured this out, figured out that we can't be so reliant upon fossil fuels, that the future is not with fossil fuels, it's with sustainable forms of clean energy from the sun and from the wind.

So they've already gotten to the point where they can manufacture solar devices that capture the sun and heat and energy from the sun.

In fact, if you go over there, you see that their robots are even more sophisticated than ours. They're likely to put us out of business in that area, too. Their robots go smoothly like that. Ours go like some kind of jerk dance, you know. I can't do it. I can't even dance the whatever they call it. But the fact is it's herky-jerky motion, many of our robots. Theirs are smooth, very precise because they knew to invest in that kind of technology, and they're investing in solar panels. So they dumped those solar panels on our economy, and that's why Solyndra went under.

We can't lose out to communist countries, to state-owned enterprises. We have to be at the cutting edge.

□ 1350

We've got the best schools. We've got the most creative people. Yet China, they've decided that over the next decade 70 percent of their preschool children from 1 to 5 are going to have at least 3 years of preschool education because they understand that in the earliest years of a child's life, that's when the brain is most absorbent. They're going to invest in early childhood. And yet what does our budget, the budget that was passed through the House—obviously the Democratic side voted against it—what does it do? It eliminates 200,000 Head Start slots, cuts money for early childhood education, eliminates the child care tax credit.

Think about this. Not only is the child care tax credit—and I don't want to digress too much, but 10 million single mothers with small children would go deeper into poverty, but 2 million—that's what I want to focus on—2 million mothers with small children would have to leave the workforce where they're getting paid roughly minimum wage, just enough to support their rent and food on the table, they would be faced with the choice of either giving up their job, going on welfare again, or locking their small children in an apartment because they can't afford child care.

Is that really who we are as a country? Is that where our priorities are? Is that how we're going to compete in the future with countries like China and countries in Asia and Brazil and India? No, it's not. I trust the American people understand that. But that's all related to this Solyndra mess, the way that it's mischaracterized, the reason people don't understand what it's really about.

So, again, the House voted No More Solyndras. They rejected the amendment that was made by Mr. MARKEY that says if we're going to continue to give \$4 billion of tax subsidies to fossil fuel companies that extract oil and gas from publicly owned land—land owned by the taxpayers—if we're going to continue to give these tax subsidies to the industries who are the wealthiest

corporations in the world, many of whom pay no taxes because of these subsidies, if we're going to continue to do that while at the same time as this bill that was passed today would take away subsidies for wind and solar power, we should at least reconsider the tax subsidies we give to the industries that need it the least. At least let's be fair about it. Let's save those billions of dollars every year of subsidies going to the wealthiest corporations for extracting natural resources owned by the American people and then boosting the price of oil at the gas pump.

We continue to pay more than we should at the pump. But they're a corporation. They're going to maximize their wealth. They're going to pay the minimum taxes they can get away with. Yet this body wants to eliminate efforts to come up with clean, sustainable sources of energy comparable to what our competitors in the global economy are doing.

I know all that's a digression, but, you know, it's all related.

The fact is that the one thing that this Congress has proven it can do is nothing. For those most dependent upon the Federal Government's willingness to reach out a helping hand to help them climb ladders of economic opportunity, the attitude of the majority in this Congress has been: You're on your own, survival of the fittest, winner take all. That's been the tax policy. That's been the spending policy. As far as I'm concerned, that's not what made this country great; it's what has gotten this country into the economic circumstances that we face today.

Now, there's a drought brought on by a changing climate—climate change. People in the House majority want to deny even the existence of climate change even when it's standing right in front of us, facing us with all these extreme violent storms, with the fact that this has been the warmest year on record. Yet they want to deny climate change because it's brought about by human action, human decisions, decisions made by groups such as the American Congress to protect the fossil fuel industry, which is the primary contributor to global warming. As a result, all of this warmer weather, these droughts, these violent storms are bringing devastating economic injury to thousands of America's farmers.

And what has been the reaction of the House leadership? The Republican majority has chosen to block a farm bill from even being considered on the House floor even though it passed the Senate with an overwhelming vote, bipartisan vote, and yet we can't bring it up on the House floor. Instead, the House leadership has wasted time on the House floor with legislation designed to dismantle the Affordable Care Act, eliminate the prospect of

more secure and affordable health care for millions of Americans.

Three dozen times we've had votes to repeal the Affordable Care Act, knowing that the Senate understands how important it is to the American people and how important it is in the long run to get a grip on this economy, understanding that our corporations can't continue to pay the kind of money they're having to pay for health care that is less effective than the health care provided by every other industrialized country. The Senate understands it. The House doesn't get it, and so we keep having these votes that are pure political posturing.

Of course the House Republican leadership as well has wasted floor time voting to dismantle just about every landmark environmental law, blaming laws passed in the 1970s and the 1990s as the cause for today's high unemployment rate, laws that were passed, many of them, in the Nixon administration and the George H.W. Bush administration. The Nixon administration created the Environmental Policy Act, and it saved hundreds of thousands—if not millions—of lives, children that have not been afflicted with asthma, people who have not gotten the kind of illnesses that they were vulnerable to because we have had cleaner air and water. But now we can't even update it with the latest technology and the latest information. EPA has been the prime target of these budget cuts.

So we now have—I think it's been about 38 individual votes that have been taken to destroy environmental laws and regulations. Those votes, most of them, have died in the Senate, fortunately, but is that really what this institution should be all about?

When our children look back on the opportunities that this House of Representatives had to secure a better future for them, be it a pathway toward a balanced budget so they don't have to pay off the debt of their parents and grandparents or better, more affordable opportunities for their educational advancement, elementary and secondary education assistance so we don't have to lay off hundreds of thousands of teachers—we've laid off almost a quarter of a million teachers now throughout the country as a result of the recession and as a result of local and State legislators not being willing to invest in education—or the Pell Grants, which enable lower income families who have students who have worked hard to be able to afford college, those opportunities are being lost, as well as the opportunity to have a cleaner alternative energy future which would have generated more than 40,000 jobs. Instead, in the effort to eliminate financial help for wind and solar power, we've already cut about 2,000 jobs, and I guess it's closer to 3,000 jobs now.

□ 1400

With the elimination of guaranteed loans, we're looking at nearly 40,000 jobs in an industry that represents the future for our children and grandchildren that other global competitors are investing in.

They will look at this Congress and rightly blame us for not seizing on those opportunities. Disappointment would be an inadequate word to describe the public's proper assessment of this Congress.

But, Madam Speaker, it's not over yet. We'll have a lame duck session. We'll have an election in November. This country will choose which path it wants to go forward. Does it want to revisit the policy, the first 8 years of the 21st century?

Does it want to look at what happened in the last decade of the 20th century, compare the results, and then assess in which direction we need to be going?

The empirical evidence is there. The opportunity will be present on November 6 to choose which path this country will take.

It's clear, Madam Speaker, that the path this Congress has been on, this 112th Congress, is not the path that leads to a better, more prosperous future for our children and grandchildren.

Madam Speaker, I yield back the balance of my time.

A CHOICE OF TWO FUTURES

The SPEAKER pro tempore (Mrs. ELLMERS). Under the Speaker's announced policy of January 5, 2011, the gentleman from Georgia (Mr. WOODALL) is recognized for 60 minutes as the designee of the majority leader.

Mr. WOODALL. Madam Speaker, I appreciate the time. You know, you and I, Madam Speaker, are freshmen in this House. And I've learned a few things about coming down to the floor from watching my colleagues, about how to make a good impression. You know, everybody's back in their offices watching the proceedings on TV, or folks back in the district watching it on TV. And I see our colleagues come, and they'll take the podium down to the very lowest level so that when they walk up to the podium they'll be able to drag it all the way up to the top and look big and strong and powerful.

You know, in the 18 months that you and I have served here, Madam Speaker, we've gotten a lot of advice about how to look good. We've gotten a lot of advice about how to tell the good story, how to spin the good tale.

And as I listened to my friend from Virginia make his presentation earlier, I thought, you know what? He and I are looking at exactly the same set of facts and we are drawing exactly the opposite set of conclusions. And that makes it so hard to legislate here, Madam

Speaker, because you and I, as part of this freshman class, we don't care two hoots about what looks good. What we care about is what is good.

We don't care about trying to make people believe it's the truth, we care about actually finding the truth, and that's been the challenge up here in the 18 months that you and I have had a voting card.

I have beside me, Madam Speaker, a chart that has been down on this floor a number of times. It's called A Choice of Two Futures, and you've seen it, Madam Speaker. It's the one that shows the red line of current spending promises. It's the one that goes all the way back to 1940, Madam Speaker. It shows debt as a percent of GDP.

It shows back at the end of World War II when we were fighting the Nazis, we were fighting the Japanese, we were fighting to defend freedom and democracy around the globe. In the name of ending that world war, we borrowed 100 percent of our economy. Our national debt grew to 100 percent the size of our economy. And that was an investment well made, Madam Speaker, having defended the liberty of citizens around the world.

But we're right back in that same place today, Madam Speaker. This chart goes from 1940 all the way out to 2080. It's 140 years of past policy and projected policy. And what it shows is that today, America is on the verge of carrying that same debt burden.

We're not in the middle of a world war to defend freedom and liberty. We're not in the middle of fighting the Nazis and trying to prevent a hostile takeover of the world. But we've borrowed 100 percent the size of our economy.

But that's not even the most damning part of this chart, Madam Speaker. What we see is, represented by this red line, if we do nothing, Madam Speaker, if our freshman class had never come to this town, if we closed the Congress, if we closed the White House, if we never passed a new law and never made a new promise, this red line represents the promises already made. And what we see is debt rising to 200 percent, 300 percent, 400 percent, 500 percent the size of our economy, levels that economists tell us will never be sustainable. And that's if we don't make one new promise on the floor of this House.

My colleague from Virginia spoke passionately about the need for child care in this country; spoke eloquently about families at home struggling to balance the demands of work and the demands of child care. You see it in your district, Madam Speaker, I see it in my district. He's absolutely right about the struggles that every single American family faces and, from his words, believes in his heart that the right way to address those challenges in my small town of Peachtree Corners, Georgia, is with a Federal program, a

program that comes right down the street here, maybe from the Department of Health and Human Services, maybe from the Department of Education, but that somehow we can create a program here in Washington, D.C., that will be the absolute best and most efficient way to deal with my family's challenges and my neighbors' challenges back in Peachtree Corners, Georgia.

Madam Speaker, what I've learned, I serve on the Budget Committee and the Rules Committee and, listening to my colleagues talk, I somehow thought that perhaps there were some dollars here in Washington, D.C., that came from somewhere other than my constituents' pockets. But I've learned that's not the case, that every single dollar that this institution spends, every single commitment that the administration makes, every single project that the Senate wants to fund, every single dollar comes out of the pockets of my constituents back home, and your constituents back home, Madam Speaker.

So when we talk about—I think the phrase my friend from Virginia used was the anti-government forces on Capitol Hill. I don't know who those forces are. I feel like he was talking about me and this freshman class. I don't know of any anti-government forces.

What I know about are folks who talk about what's the right level of government to get the American taxpayer the absolute best value for their tax dollar. And who are those folks who honestly believe that the best value for their tax dollar, back in Peachtree Corners, Georgia, is to take that dollar out of the back pocket of a hardworking taxpayer in Peachtree Corners, move it through the Gwinnett County government, move it through the State of Georgia government, bring it up here to the Federal Government, then send it back down to a Federal agency that's going to send it back down to a State agency that's going to send it back over to a county government in order to provide child care.

Who believes that's the absolute best and most efficient way to spend an American tax dollar?

And that's the battle that we have here in this House. It's not about government and anti-government. It's about good government and bad government.

You know, we're here in the Federal Government, Madam Speaker, the Federal Government, and there are responsibilities that we have, making war, one of our responsibilities, defending our border, one of our responsibilities, maintaining the postal roads, one of our responsibilities.

□ 1410

But there are so many other levels of government—State government, county government, local government—that

can fulfill some of these needs that my colleagues seem to believe only the Federal Government is right to fulfill.

I want to go back to this chart, Madam Speaker. This is the chart of promises already made.

So often I pick up the newspaper, and it sounds like everybody is just complaining up here in Washington, D.C.—that it's all about pointing fingers and that it's not about solving problems. What I am so proud of in the 18 months you and I have been here under the leadership of some senior members, like the gentleman from Indiana, is that we have not only identified the problem, which is a crushing debt burden that threatens the economic security, not just of our children and of our grandchildren, but of our very Republic, but that we've promulgated a solution. It's represented here on the chart by this green line that's labeled "the path to prosperity."

I'm just so proud I serve on the Budget Committee. My chairman is PAUL RYAN. This House came together—and you don't hear that a lot on the front pages of newspapers. This House came together in a bipartisan way to pass a budget not just once—we passed it for the first time in 2011—but again in this year, 2012, and we've been waiting on the Senate to act. It's our constitutional obligation to pass that budget each and every year. The President has offered one each and every year, the House has passed one each and every year, but the Senate has failed to act.

We laid out line item by line item as to how we would prevent this most certain destruction of economic liberty and security in our land. It's represented by this green line. It stretches out from 2012 all the way out to 2051. You don't run up trillion-dollar debts like we're running up and solve it overnight. You just can't. You can't run up 100 percent of your GDP in debt and solve it overnight. We don't have that kind of money. We can't levy that kind of tax burden on the American people, but we can solve it over time. We can keep it from getting worse today, and we can make it better tomorrow. That's what our plan is. I think that's so important, Madam Speaker.

Again, when I listen to it and when I read about it in the newspaper, it's finger-pointing. It's who's to blame and whose fault is it and why didn't they do better. I don't care whose fault it was. I don't care who got us here. My knowledge of history tells me there is a lot of blame to go around. I care about who is going to get us out of here, about who is going to solve these problems, about who is going to move us from the precipice of economic disaster back to the robust American economy for which we are known around the globe. This House has passed that plan, Madam Speaker, not once but twice.

What I show here is the budget that the President has introduced. I want to

give this President his due. I come down here—and we saw it with the rule that I managed yesterday, and we see it in some of the presentations on the other side of the aisle. You come down here, and it's as if the other side is just evil and that's why nothing works. That's just not true at all. There are honest, hardworking men and women on both sides of this aisle who represent constituents back home who just have very different understandings of who we are as a people, some of whom have different hopes and dreams about where we will go as a people, some of whom have different needs that they're asking the government to meet.

This President got more done in the first 2 years of his term than most Presidents get done in eight. He was incredibly effective. Now, I would argue that he was incredibly effective in doing things that are destroying the very fabric of freedom in this country, but he was incredibly effective. Of course, he won with a majority of the vote here in this Nation, Madam Speaker, and he is campaigning to win again this fall—a smart guy, an effective guy, with a completely different understanding of who we are as a people and where we should go as a Nation than the one that I have, but he is a talented politician nonetheless.

He has honored his legal requirement to submit a budget to this Congress each and every year that he has been in office, and that's important because that distinguishes him from the United States Senate, which also has a legal obligation to submit a budget and has refused to do so for the last 3 years. You wonder why it is we can't come together on funding priorities, Madam Speaker. For 3 years, the Senate has said, We're not going to tell you what we're interested in doing. We're not going to provide you with any ideas, and because we won't move it, the House product can't move, and the President doesn't have anything to work with. So you see the kind of economic turmoil that we're in today, but the President, to his credit, has submitted a budget each and every year with his priorities.

This is the budget that he submitted for 2012. This was just last February. The law required it and he complied with it, but he's running for reelection. He has got his fingers on the pulse of the American people for what they need and what they desire and what they want from the United States Government—again, all attuned towards the election in November—but the budget that he submitted raises taxes, as the gentleman from Virginia advocated, by \$2 trillion on the American people.

Now, if you want to know how much a trillion is, Madam Speaker, I speak to a lot of school groups back home, and we try to break those zeros into

things that matter. If you began on the day that Jesus Christ was born and if you wasted \$1 million a day, 7 days a week from the day Jesus Christ was born through today, you would have to throw away \$1 million a day every day, 7 days a week for another 734 years to throw away your first \$1 trillion—your first. The President proposes to raise taxes on the American people by \$2 trillion.

Folks say, ROB, we have debts. We have bills to pay. We may have to raise taxes to do it, they say. He raises taxes by \$2 trillion, but raises spending by even more. That's what we're talking about here, Madam Speaker.

Here is the chart of the promises we've already made, the unsustainable path of spending that we have already committed to as a Nation. It is spending that has to be reduced. It is spending that has to be cut. They are priorities that have to be reset and reorganized. The President in his budget this year said, not only are we going to spend all of that, but we're going to spend \$2 trillion more such that we're going to tax the American people an additional \$2 trillion, but we're going to raise the debt faster than if we hadn't passed a budget at all.

There are 2 trillion new dollars coming into the Treasury but so much more new spending going out the door that the debt actually rises faster under the President's plan for 2013 and '14 and '15 and '16. It rises faster under the President's plan in 2017 and '18 and '19 and '20. You have to go all the way out to 2021. I blew it up here on the chart because I know folks won't be able to see it back in their offices. Here is 2021, which is represented by this sliver of green way out there at the end of this chart. It says, if we agree to the President's budget and if we raise taxes by \$2 trillion on the American people—with all of this new spending that he would like to do as well way out in 2021—we'll borrow just a little bit less money than if we'd done nothing at all.

I say that, Madam Speaker, because folks aren't here bickering over nothing. Folks are up here advocating at the top of their lungs for their vision of America. It's the greatest experiment in the history of the world, where people would govern themselves, a Republic as never before seen in world history. We started that Republic here. We are maintaining that Republic here. I would tell you we are dutybound to pass that Republic on, not just to our children and to our grandchildren, but for generations to come; but we have come to a nexus in our history where we disagree on who we are as a people.

The President—incredibly effective, incredibly talented in running for reelection, in trying to enunciate those hopes and dreams that the American people will respond to and endorse and reelect him based on—believes and advocates, even with this crushing bur-

den of debt which every single economist agrees is unsustainable going into the future, that over the next 10 years we do not one thing about it. In fact, we raise taxes by \$2 trillion. We exacerbate it and we make it worse.

That's not who this House is, Madam Speaker. That's not why you and I ran for Congress. That's not why folks left their families. That's not why folks got off the sidelines and said, I've got to stay at home and complain about it or I can run for Congress and do something about it. We elected 99 new Members in this House last fall—99 new Members, Republicans and Democrats, coming from all walks of life—to say that we can do better, that we can be a part of the solution. We don't have to point the finger of blame. We can actually put forward solutions—and we have. Again, you don't read that in the newspaper, Madam Speaker. It's no wonder folks are so disgusted with what happens in this town because, when you read about what's happening in this town, it's pretty disgusting.

□ 1420

I want to talk about some of the good news. I have four bars here, Madam Speaker. Fiscal year 2010, Federal Government discretionary spending, fiscal year 2011, fiscal year 2012, and fiscal year 2013. This fiscal year 2010, Madam Speaker, that was money that was spent before you and I came to Congress. That was money that was spent while my Republican colleagues were in the minority, while we had Democrats running the White House and the U.S. House and the U.S. Senate. There was one-party control. We had one-party Republican control from 2000 to 2006. We had one-party Democratic control from 2008 to 2010. Spending levels, discretionary spending—folks say, “ROB, doesn't all spending begin in the House?” No, it does not. For the most part, two-thirds of the budget is comprised of mandatory spending, spending that does not come through the House each and every year, but discretionary spending comes through the House. This \$1.27 trillion comes through the House for us to make a decision on each and every year.

Mr. Speaker, you know the story, the decisions we've been making. When you and I arrived, we joined our senior Republican colleagues here, we created a new Republican majority here in this House. For FY 2011, the first year in which you and I served, we reduced spending. I'm not talking about Washington, D.C., funny math. I'm not talking about where you raise spending by \$10 and call it a cut. I'm talking about actual U.S. dollars going out the door in discretionary spending.

When we came into this Congress and we took on FY 2011 appropriations, we reduced it from \$1.27 trillion to \$1.21 trillion, \$64 billion less—not inflation adjusted, actual dollars—\$64 billion

less in 2011 than in 2012. You say, “ROB, that’s not enough.” You’re absolutely right, it’s not enough. We only have a small amount of control over the budget here. We’re going to do what we can, when we can. We went on to 2012, reduced it again down to \$1.18 trillion. That’s another \$31 billion reduction, and \$31 billion is not enough. No, of course it’s not enough. Is the history in the country that we raise it and raise it and raise it? Yes, it is. Have we changed that history for the first time since World War II, Madam Speaker? You better believe it.

It has not happened in this land since the end of World War II that a Congress year after year after year, and now after year, reduces the discretionary spending going out the door because it wasn’t just that we spent less in 2011 than we spent in 2010, we spent less in 2012 than we spent in 2011, and with the bill that we passed on the floor of this House yesterday, we are now on track to spend less in 2013 than we spent in 2012.

Just to be clear, Madam Speaker, we talked so much about what goes on here on the House floor. When I show you the path of fiscal despair that is ahead of us with this redline, the current path if we do nothing, and I show you the green line, the solution that we proposed in this House, it’s important to note that the green line is just what we’ve proposed. We’ve passed it in a bipartisan way. We’ve passed it twice in a bipartisan way, but the Senate has never taken it up. The President has promised he would never implement it. It is something that we see as a vision of prosperity for this country, but we cannot get agreement from the Senate or the White House to implement.

That idea is distinguished from what we’ve done with discretionary spending, where these bills have passed the House, have passed sometimes a kicking and screaming Senate, and have been signed into law by the President of the United States. This is not an aspirational goal that I have here, Madam Speaker. This is the law of the land.

Madam Speaker, all the easy choices are gone. They were gone before you and I got here. They may well have been gone before my colleague from Indiana got here. The easy choices have all been made already. The only thing that is left are the hard choices.

Madam Speaker, you know as well as I do when we talk about cutting spending, when we talk about reducing the size and scope of the Federal Government, every dollar we spend comes from back home. Every dollar we spend comes out of the wallets of our constituents back home. We get to choose where we want to spend that money. As a voter back home, I can choose to send it to my city government, I can send it to my county government, I can send it to my State government, I can

send it to my Federal Government. But who back home around the water cooler or the coffee pot says, Golly, what we need in this country is efficiency and thrift? We want it done really well and really fast, and we want it done for the lowest possible price. Let’s see. Let’s send it to Washington, D.C., let them do it, and I bet they’ll get it right. Who says that? Nobody says that. Here we are trying to nationalize the entire health care system in this country in the name of efficiency and lower costs. No, we’re not going to get it right. I say let’s keep it in the hands of the private sector. Some folks may say give it to our city government, some folks may say give it to our county government. Nobody says let’s send it to Washington, D.C.

So when we’re making these reductions, when we’re trying to be thrifty with the dollars that we have seized from American taxpayers out of their paychecks each and every month, there’s not one anti-government advocate in this town, but there are good government advocates in this town. Whether you sit on the Republican side of the aisle or the Democratic side of the aisle, one thing on which we can all agree is that the Federal Government has let us down.

The gentleman from Virginia made a passionate case for why it is we need to fund green energy. I happen to have the largest manufacturer of high-efficiency solar panels in America in my district, and I believe in green energy. What I don’t believe in is crony capitalism. That’s what we saw in Solyndra, crony capitalism where the political contributors get the taxpayer dollars, where hundreds of millions of dollars can be wasted with no accountability whatsoever. That’s not good for anyone. That’s not good for the left, that’s not good for the right, and that is not good for a single American taxpayer. We’re talking about good government here.

Madam Speaker, I daresay as I look at this chart to my left of decreasing Federal spending, actual dollars going down, not just for 1 year, not just for 2 years, but now for 3 years in a row, that that would not have happened but for the American people speaking out in the 2010 election and sending 99 new Members to this Congress. We had lots of Members here who believe in thrift, who believe in efficiency, who believe in making sure the taxpayer gets their maximum value out of every tax dollar, but there were not enough. There were not enough. I can’t tell you how many times from back home I watched the gentleman from Indiana alone as he advocated for good government, alone on the floor of the House trying to make a difference. The American people sent 99 new faces here, new minds, new ideas, and it’s made this difference.

Madam Speaker, I don’t have any idea how the next election is going to

turn out, but I’m absolutely certain with every fiber of my being that we’re going to have the largest voter turnout in American history come November 6. I know this: If there’s one thing I trust in this country beyond the United States Constitution and the King James Bible, it’s the American people. When more Americans turn out in November than ever before to make a decision about who we are as a Nation, where we’re going as a Nation, and who shall lead this Nation, we’re going to get it right. I don’t have any idea which direction that’s going to go, but I trust the American people.

Madam Speaker, Newt Gingrich said it best when he was down in Georgia speaking during the presidential campaign. He said:

This year, we do not need a presidential candidate we can believe in. We need candidates who believe in us.

It’s one of the distinguishing features on the floor of this House, Madam Speaker. Do you believe in the American people? Do you trust the American people? Do you know in your heart that the American people left to their own devices will get it right every time? Or do you believe they just can’t handle it, and it’s up to Washington, D.C., to solve those issues for them?

We’re going to find out on November 6 where the hearts and minds of the American people are, Madam Speaker. But you see on these charts behind us the kind of success that we can have as a Nation, as a people in turning the good ship America when the American people turn out to the polls and send back to Washington those folks who care more about the future of this country than they care about themselves.

With that, Madam Speaker, I yield back the balance of my time.

□ 1430

FOREIGN AFFAIRS

The SPEAKER pro tempore. Under the Speaker’s announced policy of January 5, 2011, the Chair recognizes the gentleman from Indiana (Mr. BURTON) for the remainder of the hour as the designee of the majority leader.

Mr. BURTON of Indiana. Madam Speaker, I have been in this Congress for a long, long time, and I have been frustrated a lot. I think maybe I have learned a little bit. For any of my colleagues who are in their offices watching on television, I thought I would make a few comments about some of the things that I hope that they will take as a little bit of a lesson for them down the road.

I have been on the Foreign Affairs Committee for 30 years, and the first thing I have learned is you can’t make the world over in our image no matter how hard we try. There are different

cultures, different people, different religions, tribal, all kinds of things.

When we go into another part of the world and try to make them like us, we cause a lot of problems, we cost a lot of lives, and we lose a lot of money. We should always realize, in the back of our minds, that we should do what's in the interest of the United States of America first, last, and always and not try to make the world look like us.

The second thing that I think my colleagues, I hope they realize is that we're going to have to work with some pretty unsavory persons sometimes.

Muammar Qadhafi was a terrible, terrible tyrant in Libya. When Ronald Reagan had to deal with him after he bombed a nightclub that killed a lot of Americans in Germany, Ronald Reagan flew the planes over and bombed Qadhafi, and Qadhafi wasn't a problem any more. A lot of people were killed, he was almost killed, and he realized that terrorism from his country was not going to stand.

Qadhafi was not a problem for the United States from then on. Now, he was a problem in his country. He killed a lot of people, and there might have been some more carnage, but it was in his country.

Because of that, we went into Libya, spent billions of dollars of our money. We drove him out of office and had him killed. Now there's chaos over there, and they killed our Ambassador. They tortured him, I understand—I won't go into details, but it was pretty bad. They killed three other people, they burned our flag, and the place is in chaos.

What did we get when we got rid of Qadhafi? He was a bad guy. He was terrible to his own people. But what we have now is a complete chaotic situation in that part of Africa. The same thing is true in Tunisia. Then, of course, our President went over to Egypt, and he gave a speech talking about how we had to all get along, and how there ought to be democracy in Egypt.

Now, Mubarak, who was the dictator over there, was a bad guy; but he had lived up to what we call the Camp David accords. The United States and Egypt worked together to make sure there was peace in the Middle East, and there wasn't any war going on involving Israel or anything else.

But we led the fight to get rid of Mubarak. We did it, along with some help, and now Mubarak is gone and we have the Muslim Brotherhood. A lot of people don't know much about the Muslim Brotherhood, but they have been judged a terrorist organization in the past. I was told, and everybody else was told, when the Muslim Brotherhood left that there was going to be democracy, freedom, and human rights in Egypt. We had 78 Coptic Christians just murdered recently.

As you know, they came over, and a mob—and it was planned, everybody

knows about it—it wasn't because of that movie. They came over, and they scaled the walls of the U.S. Embassy, they burned the American flag, and they ran around waving the radical Muslim flag. They touted their radical leaders as the future leaders of that area. Osama bin Laden, they were carrying his picture around saying, we support Osama bin Laden.

Now, this is a country that we just gave \$1.5 billion to, our money. The reason we gave them that money is because we've been paying them for years and years to make sure that they lived with the Camp David Peace Accords, which meant that there would be peace between Egypt and Israel and throughout the Middle East. Mubarak is gone, the Muslim Brotherhood's in charge, and there's chaos in Egypt, and the entire Middle East is threatened further.

When you look across the northern tier of Africa, I hope my colleagues will realize, we've tried to create governments that agree with us and look like us and that will be tokens of the United States of America. Instead of leaving them alone, we have helped create chaos.

Now, I just got back from the Persian Gulf recently. I was in Bahrain, and Bahrain is a friend of ours. We have the Fifth Fleet there, which patrols the entire Persian Gulf, protecting those waterways, and we get about 35 percent of our energy from that part of the world.

Iran is sending people into that country to undermine that government and stir up the people. It's the same thing that happened in Libya, the same thing happened in Egypt, and now it's happening in the Persian Gulf states. We get a third of our energy from there. If we don't get that energy, if we don't become energy independent, we are going to have the lights off one of these days, and we're going to be paying about \$5 or \$6, \$7, \$8 a gallon for gasoline. It will hurt the entire economy.

Now, this isn't baloney; this is fact. The radicals are working that entire region to take over, and we're trying to help these radicals or have helped these radicals or have helped these radicals in a number of countries, and now we've got a real chaotic mess on our hands.

Yesterday, my colleagues overwhelmingly passed a continuing resolution. Most people don't know what that is, but it's a spending bill that takes us from now until March of next year. I came down to the floor when the discussion was going on the recommittal motion, and I said, tell me, is any of that money going to Libya or Egypt? Nobody would answer me. I can tell you right now additional monies are going to go to Libya, additional money is going to go to Egypt, and both of those countries are not friends of the United States.

A gentlewoman from Congress told me yesterday she was in Egypt not

long ago, and she talked to one of the members of the Muslim Brotherhood. She said, What are the goals that you have? He said, Our goal is the Muslim Brotherhood is to have the al Qaeda flag, the Muslim Brotherhood flag, fly over the White House in the United States.

He may have been exaggerating a little, but if you look at what the Muslim Brotherhood has said just recently, and their new president, they said they weren't going to involve themselves so deeply in government over there. They took over the legislative branch, they have taken over the presidency. Their president recently said he wanted to model their government after Iran.

Egypt is the biggest country in the Middle East, but we went in there. Our President went in there and gave a speech. We said we wanted to change that and get rid of the dictator, Mubarak, who was not a good guy. At least he supported the Camp David Peace Accords, which Jimmy Carter worked on, all the way up to now, and now we've got a chaotic situation over there. We can't make the world over in our image.

We should not try to nation-build. You know, I supported it. I supported our efforts when we went into Iraq because I thought we had to get rid of Saddam Hussein, and I thought we had to stop the movement of radical Islam in its tracks. I thought democracy would be a good thing there.

If you look at what's happened, the democracy there is, although it's a fledgling democracy, is very rocky, and they are very close to Iran. They have met with the Iranian leaders, Ahmadinejad, and so this nation-building we did in Iraq right now I think is still tenuous.

□ 1440

I'm not sure it's going to work out. And we spent billions and billions and maybe trillions of dollars over there and lost a lot of lives. And then in Afghanistan. And I support going after the Taliban. I think we ought to get rid of those guys. We ought to stop the terrorists. It's extremely important. But the one thing that I think that's very important when we go after these guys is we make absolutely sure that we're going to get them and we're going to win. And the problem we had with Afghanistan after losing all these lives and costing all this money is that we're going to pull out in about a year and a half, and, in my opinion, that whole area is going to be again in a state of turmoil and we will have spent billions of dollars, our treasure, and a lot of lives, and it will still not be stabilized. And I think that's really unfortunate because of the problems that we thought we were going to solve by going in there.

One of the things that bothers me is every time we have a war, we think we

can have a war that's antiseptic. That we're not going to kill any civilians. You can go in and attack an area and kill the Taliban or al Qaeda, and you have to be real careful that you don't damage or kill civilians. And as a result, al Qaeda and the Taliban, they hide behind civilians. They go into schools and churches and they go into hospitals because they know that they can't be attacked unless we go in and there are innocent lives lost.

We've faced the same thing in World War II. And people don't remember this, but we had to do things to win that war to stop Adolf Hitler, Mussolini, and Tojo that we would never want to do. We firebombed Dresden, Germany. We firebombed Berlin. We dropped nuclear weapons on Hiroshima and Nagasaki. We killed millions of innocent human beings. But that was the horrible cost of war.

Now, today, with the television and the Internet and everything else, we go to war and the next day you see somebody that's injured, a woman, a child, and they say, This is horrible. We can't conduct this war. So our military is handcuffed. They say that they can't go in and go after these guys in certain areas because of the potential civilian casualties. And you can't run a war like that. You either go in to win or you don't go in at all. And we should not risk American lives and treasure unless we're going in to win.

That's why when I think back on Iraq, I think that maybe we should have gone in and beat the hell out of Saddam Hussein, let them know that we weren't going to put up with that, and then pulled out and say, Hey, you've got a country, you run it properly. But if you conduct yourself in the way you did before, we'll be back. It would have scared Iran to death. It would have scared the Taliban to death. But instead, we went in there to nation build. And 10, 12 years later we face much of the same thing that we faced back then.

The other thing I think that's important for Congress to do—and we don't do it—is when the administration, I don't care whether it's a Democrat or Republican administration, when they make a mistake, we in the Congress must speak out. We must not just go along with the administration, whoever it is, because we want to keep a good relationship with them. Our responsibility as Congress is to make sure that the Government of the United States doesn't go awry. And I've seen time and time again in the years I've been here where Presidents have made a mistake and we stay here and we're strangely silent.

We have to speak up. We have to let the American people know when mistakes are made and that we have to correct them. And we must not let unelected bureaucrats decide all of our foreign policy. We have people at the

State Department, people in our government, people who are unelected who make decisions that really lead us in the wrong direction. And I speak, again, for the administration and the State Department when I talk about Libya. We went in there and what did we get? We got rid of Qadhafi. Now there's chaos. Now they're attacking our embassy and burning our flag and waving around al Qaeda flags and talking about how the world will be better off if all the Muslim radicals are in charge.

The same thing is true in Egypt. We went in and got rid of Mubarak. And what did we get? We got the Muslim Brotherhood, a radical Muslim fundamentalist group that wants to destroy the freedoms that we believe in, not to mention our best ally in the entire region, Israel. And Israel is the only place over there that we can count on if everything goes wrong. And so our State Department and the administration and previous administrations have made these kinds of mistakes, and we've been strangely, strangely silent.

So I would just like to end up by saying to my colleagues we should profit from our past mistakes. We should make sure that we don't try to nation build. We can't make the world over in our image. It's not possible. We have to work with unsavory leaders sometimes, people that we don't like, that we don't think are good people, because of stability in the region and because of America's interests. Our interests ought to be number one.

The protection of our country ought to be number one. The protection of our soldiers and the people who go to war and the people of this country ought to be number one. And of secondary importance are the lives of these people in these countries that are radical. But we haven't been doing that. But that ought to be our number one goal, the United States, first, last, and always. And we should not turn over to unelected bureaucrats the control of our foreign policy. We should listen to them. We should have our ambassadors over there. We should have good people over there like the ambassador that just lost his life. But the final decisions ought to be brought before the committees of the Congress, and we ought to discuss them and we ought to participate in the decision-making process with the Commander in Chief and not let unelected leaders, bureaucrats make those decisions.

Finally, we must remember we should never go to war unless we realize the cost that is going to be involved. You cannot win an antiseptic war. You can have a tenuous peace. We had that in Korea. We still have a potential war over there in the 38th parallel. We didn't go in, and we didn't win it, so now we have the Communists up north and the freedom-loving people

down south. We went into North Africa, into Somalia, and we tried to nation build there. And we had to pull out because you couldn't get it done. We've gone all over the place and tried to nation build, and we've gone all over the world and tried to make the world over in our image, and we've gone all over the world and tried to fight antiseptic wars, and they just don't work.

If you're going to fight a war, you have to go in and win it and then leave and do what is right for America. You can't stay there for 8, 10, 12 years and try to nation build. Because ultimately you lose a lot of life, you spend our treasure, and you don't get the job done. And I'm a conservative. I'm one of those guys that is one of the strongest supporters of the military in the entire Congress, and I'm one of those people they call a hawk and one of those people that says: Get the bad guys, wherever they are.

But I've learned over the past 30 years that you have to do certain things if you're going to make America great and survive as a Nation. And those things are very important. You can't make the world over in our image. You have to work with some leaders in other parts of the world that are not savory people because of our interests and our stability. You can't spend our money and our treasure and the lives of Americans without going in to win. And you can't fight an antiseptic war.

If we go in, and we go in to win, we're going to have to take some innocent lives. And it's a tragic thing. But that's the way that war is. And the reason Dwight Eisenhower and the American forces were so great and so successful in World War II in Europe and in Japan was because we went in and we did what had to be done to win. And if we hadn't done that, we might all be speaking German today.

I yield back the balance of my time.

□ 1450

CURRENT EVENTS AND LESSONS FROM HISTORY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the Chair recognizes the gentleman from Texas (Mr. GOHMERT) for 30 minutes.

Mr. GOHMERT. Thank you, Madam Speaker.

The things that are going on right now in the world are deeply troubling. For those of us who have studied history, it becomes even more disturbing when we make the same mistakes again, mistakes that get people killed who have entrusted their lives to their government, who say, I'm willing to lay down my life for you. I give my life in service to you.

As some of the military, some of our outstanding military in Afghanistan

this year have told me sincerely, I'm willing to lay down my life for my country. Please don't waste my life.

The decisions of a President who has never really gotten involved in foreign affairs, his experience before coming into public office is as a community organizer. That can be fine if you adequately study history and really understand, not from the standpoint of an Indonesian school child and the limited viewpoint that that may yield, but from the standpoint of someone who has studied history inside and out and understands such things as the axiom that when a nation's enemies see that nation's strongest ally or allies pulling away from it, that's when they move. The old axiom that among nations, weakness is provocative.

Two years ago, I'd seen an article, and this may have been the one I'd seen because the title is "Obama votes against Israel." This is an article dated May 29, 2010. And it points out in the article that the White House sided with Israel's enemies, something that this Nation didn't normally do, and basically demanding that Israel disclose all their nukes.

Well, those who study the Bible, biblical history, may recall that King Hezekiah was a very good king in Israel, and things went pretty well, but Isaiah was sent to confront Hezekiah about what he had done with visitors who had come from Babylon.

God knew what had been done. But Isaiah asked and Hezekiah explained, and this is the New Texas Paraphrase Version, but in essence he said, You know, all of these wonderful leaders came over from Babylon, so I showed them all of our treasure, and if you get into the strict interpretations, the translation, he basically says, I showed them our armory, all of our defenses.

Isaiah points out, You fool. You're going to lose the country because you've done this. No matter what point in history you are, when a nation shows all its defenses to its enemies, that information at some point in time will be used to take down such a foolish nation.

Even when a nation discloses all of their defenses to friends, to staunch allies—because as we've seen, we thought the U.S. had an ally in Castro in Cuba, and yet once he was in power, he turned rather remarkably against the United States. Those things happen. Power changes in different countries; and if they have information, if they have weaponry, if they have the where-withal, then sometimes a former friend can turn into an enemy.

So it was no surprise to me, being a student of history, that when it came out through the media that, gee, the Obama administration has taken a shocking position when looked at historically against Israel's well-being, then was it a shock that the flotilla left within only mere days to go chal-

lenge the blockade at the Gaza Strip? Nobody should have been surprised by that because the world, Israel's enemies, had been shown that this administration was willing to pander to Israel's enemies to try to make Israel's enemies think, you know, hey, we're one of you guys. We're just friends. We want to be friends with everybody.

It doesn't work that way. You don't throw your friends under the bus, and you don't gain friends by paying off enemies. It has never worked. It will never work. It gets people killed.

So Israel's been in a bit of a bind.

When we see the way this fiasco over the last year and a half has been handled, some might say, look, this is no time to be talking about these things. For goodness sake, decisions are being made as I speak that will either let people live or get people killed. If we don't talk about it now, when will we talk about it? Let the historians write that nobody would stand up and say this is a mistake? Let's don't repeat the terrible chapters of history. Let's get it right.

All of us who served in the United States armed services took an oath and had it cross our mind, you know, the time may come where I do have to lay down my life for my country. But after I had a soldier say that in Afghanistan, I had to realize, you know, I had that in the back of my mind. I'm willing to lay down my life. I hope it doesn't get wasted.

Well, the thing is every American that has laid down their lives for their country didn't do it for this administration or any other. There are ideals that this country was founded on and stands for even now.

But we're in the midst of a crisis, and part of it created by our own mis-handling, and we have got to make sure that we do not continue to make the same mistakes and continue to pander to our enemies and continue to provoke them by showing weakness.

We owe the lives that have been laid down that are even now coming, being brought back into this country. We owe them an obligation to make sure that others do not lose their lives unless it really counts.

I come over here nauseated today upon hearing reports about—and I pray God they're not accurate—about what may have happened during the 8 hours or so the body of our great ambassador was missing.

But, we also know, well, gee, the Embassy in Cairo released a statement and they were basically condemning anybody that would produce a provocative film that might offend Muslims. Good grief. How many movies have been produced that provoke and insult those of us who are Christians? Thank God that most of us, as Christians, understand that that does not justify going and killing people and burning people and burning up buildings.

We understand that we believe in freedom of speech, that God gave us freedom to make choices. So in the most ideal country, others will have freedom to choose right and freedom to choose wrong.

□ 1500

But if it's too wrong, we have criminal laws, domestically, to deal with those issues. But you would hope someone, before any further action is taken to condemn Americans for using freedom of speech here, would analyze the situation—as they did not before they first condemned and even had a general officer of our military call and ask about maybe not producing a film, not pushing it out there, whatever it was he asked: Don't use your First Amendment rights that I'm supposed to be fighting for you to have. Don't use those. That will make my job easier.

Well, actually, the general doesn't know, it makes it more difficult.

Let's look at this. Let's analyze it a moment. A friend, Patrick Poole, asked a question that made me start asking questions. Let's look at it. We heard about this film that all of a sudden on 9/11—shouldn't that ring a bell—on 9/11 provoked riots. It provoked people in Cairo climbing up the walls of our Embassy. And it's easy to watch these things happen. You know historically that people will push the envelope, and these people did in Cairo: Well, I wonder if the soldiers will stop us if we go up to the wall.

And maybe they go up and spray-paint on the wall: Ooh, nobody stopped us from there. How about if we climb on the wall?

Well, no soldiers. They watched. They didn't do anything; they just watched.

Oh, let's push it a little further. Let's climb up the walls. Wow, we're up here on top of the walls and these soldiers that are supposed to protect the Embassy have done nothing. Let's take down the American flag; that's always popular here. Let's run up an al Qaeda-type flag.

And nothing was done. That is provocative in its weakness.

Now, this film is still a mystery. It should make people go: Wait a minute. This doesn't make sense that all of a sudden this film provoked nations of people, masses of people to come out and riot and it would cause them to kill an Ambassador and innocent people, this film.

Let's look at this a little more carefully. Then you find a story that it actually turns out there's a report that this movie came out in July. So a movie that nobody notices, nobody pays any attention to comes out in July. Well, if this ridiculous movie, this insulting movie that insults Muslims, we're told—I haven't seen it, don't plan to—but it came out in July, how on 9/11, all of a sudden, does this movie cause people to be killed?

I would humbly submit that a lesson to learn here is that when American citizens utilize their free speech rights, their freedoms of religion, that the President and everyone under his command is not to direct that people can't use their freedom of speech and freedom of religion; they're to protect them. The messages that should come out from an administration are not: Don't use your freedom of speech and freedom of religion because we don't want to offend anyone. I'm offended all the time. You don't go kill people because of it.

Although it's not recognized under shari'a law, under Western law in a Western civilization—we dealt with this all the time in the court over which I was a judge—provoking words, no matter how insulting, provoking words are never a defense to a physical assault, much less murder. That's what we believe in this country. That's what Western civilizations believe. We should be defending that civilized concept, not pandering to people who are being inflamed by our enemies.

So then we find out that the inflammation of people who would kill American citizens and an American Ambassador were inflamed by this film that came out in July, but it was not until it was released through the Egyptian media that it started firing people up. Wow, isn't that remarkable? Right before 9/11. Well, now, if it's an insulting movie—and from the information we have, the Muslim Brotherhood is basically in control in Egypt. The Muslim Brotherhood basically could shut down any Egyptian media source, but yet they produce or they get this information, they get the film out. Not only that, because there are some Muslims that may not speak English that might be inflamed into a fire that will burn down buildings and kill people, we'd better interpret that into their language.

Gee, why would a foreign country—who this President says has been our ally, and then he said they're not our ally, but they're not our enemy, and then we hear, well, actually, we do consider them an ally. Whatever they are, a friend does not take some obscure film that nobody noticed, interpret it into a language that it knows will inflame people who will kill Americans and put it out there. That's not a friend. That's an enemy of the United States of America. And it is an insult to this government and to the American people that this body would vote for a continuing resolution that allowed the potential for more money to go to enemies that would put out films that will inflame people, that get Americans killed.

We owe those who have given their lives better than this, and we owe those who are serving us abroad and serving here at home and may be sent better than this. So there are those

who may say we should not be talking about this. If we don't talk about it now, others may give their lives. Let's save their lives for something more important than a mistake by an administration.

Our Ambassador to Libya is a hero. I've been to too many funerals of brave men and women who have given their lives for this country. So when I read a report or a media source that discloses the name of a former SEAL team member who is acting as private security at our facility in Libya and the report is—doesn't put it in quotes, but the report says that the administration released the information that this former SEAL member was killed while running for cover.

Now, I recognize that there are enough in the mainstream media who are so loyal, they take their marching orders—they may not lay down their lives, but they will lay down their reputations for this administration. Somebody may be willing to come forward and say, You know what? It's not exactly what the administration said. Maybe we misinterpreted that in the story.

It doesn't matter. The story came out, and the administration owes those who have given their lives for this administration better than that. Because I can guarantee you, I know enough SEAL members and I know enough SEAL team members that that SEAL team member was not running for cover when he was killed. If he was running, it was to get to a place from which he could conduct a better assault upon the enemy. That's the way they think. They don't think, "Run for cover." They think, "Where can I get to the best position to fight, to save those entrusted to my care?"

That's an insult, and I hope I never see another report like that from this administration or any Republican administration, because it's an insult and we owe better than that to those who are fighting for us.

Who made the decision in the Egyptian Government, in the Egyptian media to take this July obscure, and from what we hear, pitifully made film and blow it up in the Middle East, figuratively speaking—figuratively speaking, blow it up in the Middle East—so that people who heard it and saw it would blow up Americans?

□ 1510

Who made that decision? And who made the decision—we need to know—who made the decision to release a statement that was provocative in its weakness in saying, you know what, people over here are getting upset because some idiot made a film back in the United States, and so we need to be sure not to insult Muslims.

When have I ever seen anything from this administration say, you know what, we need to not make films in

Hollywood that insult Christians, people like Mother Teresa, that deserve better treatment than that. When have I seen that?

We haven't, because this has been, in the past, a free country, where we have freedom of speech and freedom to make stupid, ridiculous, insulting movies.

But the obscure film this State Department apologized for had to be translated. It was translated by somebody. It had to be put on Egyptian television by somebody. Who could that have been?

And I would submit that until we find out, there should not be a dime of American money nor money that Americans have had to borrow in order to send to Egypt. It shouldn't go over there. It shouldn't go to Libya.

And it's time we wake up and quit playing stupid, silly games like this administration is doing with our dear friend, Israel, and understand decisions have consequences. And when this administration sided with Israel's enemies in May of 2010, it had consequences. People were hurt. People were killed.

When this administration, perhaps pouting, whatever the reason, well, I'm going to—and Beyonce, Jay-Z, I understand they're fantastic entertainers. But you've got a country named Israel that has been a friend, that has enemies at the gate, and there's not a better way to say it.

While we are pandering and playing and actually trying to make our enemies like us by offering to buy them offices in Qatar, to let their murdering thugs out so they can murder again, while we're playing these games thinking, gee, maybe our enemy will start liking us, the enemy is at the gate. And those centrifuges that are spinning in Iran are a modern-day mass of gas chambers that are being constructed for Israelis and for Americans.

Read what their leaders have said. Listen to what their leaders have said.

There's one way to stop them, that is, to be serious that we will take out anyone who wants to annihilate Americans or America. And when they know we're serious, we may not have to go do it. But it cannot be a bluff. People need to know the American people will not allow innocent American citizens to be target practice.

And for those who do not know enough history to know that in the song that our marines are so proud of, that I, as a grade school child, learned to sing in public school, to the shores of Tripoli, marines have been fighting our country's battles. Those shores of Tripoli came when the Muslim Barbary pirates were attacking American ships. And at that early time in our history, we didn't have a navy. Earlier we did not have marines. And it was flabbergasting to people like Thomas Jefferson who were sent over there to negotiate.

Why in the world would you attack Americans? We've never attacked you. You ought to look at us as peace-loving. And it was a shock when they were told that actually, under our religion, we believe that if we die while attacking infidels, which we consider you to be, we go straight to paradise.

Jefferson and others were shocked. This doesn't mesh with most world religions. What religion would think it okay where actually you would get to paradise by killing innocent people?

Thank God that the vast majority of Muslims don't believe that. But it is pure folly to ignore those that do.

We owe those who serve the United States of America better than this. And to those who would say this is a political season, we should not be talking about anything but jobs, I would say before this economy can thrive, we have got to fulfill our oath to provide for the common defense because an economy won't last much longer if we don't protect those who are Americans here and abroad.

I pray for the wisdom of President Obama, for the Secretary of State Hillary Clinton, for those who are serving abroad these United States of America, and for our leaders in Congress, that though we are so close to an election, what will matter more is the fulfillment of our oath and the protection, as best we can, of those who are trying to protect us.

With that, I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. JONES (at the request of Mr. CANTOR) for today after 11:40 a.m. on account of personal reasons.

Mr. HEINRICH (at the request of Ms. PELOSI) for today.

Ms. EDDIE BERNICE JOHNSON of Texas (at the request of Ms. PELOSI) for today on account of district official business.

SENATE JOINT RESOLUTION REFERRED

A joint resolution of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S.J. Res. 44. Joint resolution granting the consent of Congress to the State and Province Emergency Management Assistance Memorandum of Understanding; to the Committee on Foreign Affairs.

ADJOURNMENT

Mr. GOHMERT. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 18 minutes p.m.), under its previous order, the House adjourned until Tuesday, September 18, 2012, at noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

7675. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations (Unincorporated Areas of Mingo County, West Virginia, et al.); [Docket ID: FEMA-2012-0003] received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

7676. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations (Unincorporated Areas of Chickasaw County, Iowa, et al.); [Docket ID: FEMA-2012-0003] received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

7677. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations (Maui County, Hawaii, et al.); [Docket ID: FEMA-2012-0003] received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

7678. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations (Unincorporated Areas of Washington County, Alabama, et al.); [Docket ID: FEMA-2012-0003] received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

7679. A letter from the Assistant Secretary for Special Education and Rehabilitative Services, Department of Education, transmitting the Department's final rule — Final priorities and definitions; State Personnel Development Grants [CDFA Number: 84.323A] received August 22, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

7680. A letter from the Under Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), a six-month periodic report on the national emergency with respect to Libya that was declared in Executive Order 13566 of February 25, 2011; to the Committee on Foreign Affairs.

7681. A letter from the Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Atlantic Highly Migratory Species; North and South Atlantic Swordfish Quotas and Management Measures [Docket No.: 120606145-2251-01] (RIN: 0648-BB75) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7682. A letter from the Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Comprehensive Annual Catch Limit Amendment Supplement [Docket No.: 120409403-2218-02] (RIN: 0648-BB93) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7683. A letter from the Deputy Assistant Administrator for Regulatory Programs,

NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Chinook Salmon Bycatch Management in the Gulf of Alaska Pollock Fishery; Amendment 93 [Docket No.: 110627357-2209-03] (RIN: 0648-BB24) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7684. A letter from the Acting Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Gulf of Alaska; Final 2012 and 2013 Harvest Specifications for Groundfish; Correction [Docket No.: 111207737-2232-03] (RIN: 0648-XA711) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7685. A letter from the Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; Amendment 32 Supplement [Docket No.: 100217095-2258-06] (RIN: 0648-AY56) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7686. A letter from the Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries Off West Coast States; Coastal Pelagic Species Fisheries; Annual Specifications [Docket No.: 120312182-2239-02] (RIN: 0648-XA882) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7687. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Electric Zoo Fireworks, East River, Randall's Island, NY [Docket No.: USCG-2012-0588] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7688. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulation; Battle on the Bay Powerboat Race Atlantic Ocean, Fire Island, NY [Docket No.: USCG-2012-0629] (RIN: 1625-AA08) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7689. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone, Temporary Change for Recurring Fifth Coast Guard District Fireworks Displays, Cavalier Golf & Yacht Club Independence Day Fireworks Display, Broad Bay; Virginia Beach, VA [Docket No.: USCG-2012-0227] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7690. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Sheboygan Harbor Fest, Sheboygan, WI [Docket No.: USCG-2012-0539] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7691. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Special

Local Regulation and Safety Zones; Marine Events in Captain of the Port Sector Long Island Sound Zone [Docket No. USCG-2012-0111] (RIN: 1625-AA00; 1625-AA08) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7692. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Artic Drilling and Support Vessels, Pudget Sound, Washington [Docket Number: USCG-2012-0508] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7693. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone, Temporary Change for Recurring Fireworks Display within the Fifth Coast Guard District, Pamlico River and Tar River, Washington, NC [Docket No.: USCG-2012-0097] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7694. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Flagship Niagara Mariners Ball Fireworks, Presque Isle Bay, Erie, PA [Docket No.: USCG-2012-0349] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7695. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zones; Annually Recurring Marine Events in Coast Guard Southeastern New England Captain of the Port Zone [Docket No.: USCG-2011-1026] (RIN: 1625-AA08; AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7696. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone for Fireworks Display, Potomac River, National Harbor Access Channel; Oxon Hill, MD [Docket Number: USCG-2012-0507] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7697. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zones; Fireworks Displays in Captain of the Port Long Island Sound Zone [Docket Number: USCG-2012-0477] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7698. A letter from the Attorney, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations; OPSAIL 2012 Connecticut, Niantic Bay, Long Island Sound, Thames River and New London Harbor, New London, CT [Docket Number: USCG-2012-0066] (RIN: 1625-AA08) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7699. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Race on the Lake, Onondaga Lake, Syracuse, NY [Docket No.: USCG-2012-0347] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7700. A letter from the Attorney Advisor, Department of Homeland Security, transmit-

ting the Department's final rule — Safety Zone; Richmond-Essex County Fourth of July Fireworks, Rappahannock River, Tappahannock, VA [Docket No.: USCG-2012-0300] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7701. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulation; East Tawas Offshore Gran Prix, Tawas Bay; East Tawas, MI [Docket No.: USCG-2012-0556] (RIN: 1625-AA08) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7702. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone for Fifth Coast Guard District Fireworks Display Pasquotank River; Elizabeth City, NC [Docket No.: USCG-2012-0543] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7703. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Major Motion Picture Filming, Cape Fear River; Wilmington, NC [Docket Number: USCG-2012-0515] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7704. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Grand Hotel 125th Anniversary Fireworks Celebration, Mackinaw Island, Michigan [Docket No.: USCG-2012-0533] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7705. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Airplanes [Docket No.: FAA-2012-0271; Directorate Identifier 2011-NM-196-AD; Amendment 39-17118; AD 2012-14-04] (RIN: 2120-AA64) received July 31, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7706. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Eurocopter Deutschland GmbH Helicopters [Docket No.: FAA-2012-0704; Directorate Identifier 2012-SW-040-AD; Amendment 39-17113; AD 2012-13-11] (RIN: 2120-AA64) received July 31, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7707. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2012-0149; Directorate Identifier 2011-NM-255-AD; Amendment 39-17117; AD 2012-14-03] received July 31, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7708. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2011-0304; Directorate Identifier 2010-NM-103-AD; Amendment 39-17095; AD 2012-12-15] (RIN: 2120-AA64) received July 31, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7709. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Vertol (Type Certificate currently held by Columbia Helicopters, Inc. (CHI)) and Kawasaki Heavy Industries, Limited Helicopters (Kawasaki) [Docket No.: FAA-2012-0730; Directorate Identifier 2012-SW-048-AD; Amendment 39-17124; AD 2012-14-10] (RIN: 2120-AA64) received July 31, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7710. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — BEA SYSTEMS (OPERATIONS) LIMITED Airplanes [Docket No.: FAA-2012-0189; Directorate Identifier 2011-NM-133-AD; Amendment 39-17102; AD 2012-12-22] (RIN: 2120-AA64) received July 31, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7711. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2012-0104; Directorate Identifier 2011-NM-279-AD; Amendment 39-17107; AD 2012-13-05] (RIN: 2120-AA64) received July 31, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7712. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; PZL Swidnick S.A. Helicopters [Docket No.: FAA-2012-0703; Directorate Identifier 2010-SW-019-AD; Amendment 39-17112; AD 2012-13-10] (RIN: 2120-AA64) received July 31, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7713. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Various Transport Category Airplanes [Docket No.: FAA-2012-0102; Directorate Identifier 2012-NM-004-AD; Amendment 39-17072; AD 2012-11-09] (RIN: 2120-AA64) received July 31, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7714. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Turbomeca S.A. Turboshaft Engines [Docket No.: FAA-2012-0057; Directorate Identifier 2012-NE-04-AD; Amendment 39-17100; AD 2012-12-20] (RIN: 2120-AA64) received July 31, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SMITH of Texas: Committee on the Judiciary. H.R. 2299. A bill to amend title 18, United States Code, to prohibit taking minors across State lines in circumvention of laws requiring the involvement of parents in abortion decisions (Rept. 112-671). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 6060. A bill to amend Public Law 106-392 to maintain annual base funding for the Upper Colorado and

San Juan fish recovery programs through fiscal year 2019 (Rept. 112-672). Referred to the Committee of the Whole House on the state of the Union.

Mr. UPTON: Committee on Energy and Commerce. H.R. 6190. A bill to direct the Administrator of the Environmental Protection Agency to allow for the distribution, sale, and consumption in the United States of remaining inventories of over-the-counter CFC epinephrine inhalers (Rept. 112-673). Referred to the Committee of the Whole House on the state of the Union.

REPORTED BILL SEQUENTIALLY REFERRED

Under clause 2 of rule XII, bills and reports were delivered to the Clerk for printing, and bills referred as follows:

Mr. MICA: Committee on Transportation and Infrastructure. H.R. 2903. A bill to reauthorize the programs and activities of the Federal Emergency Management Agency, with an amendment; (Rept. 112-674, Pt. 1); Referred to the Committee on Homeland Security for a period ending not later than September 17, 2012, for a period ending not later than September 17, 2012, for consideration of such provisions of the bill and amendment as fall within the jurisdiction of that committee pursuant to clause 1(j) of rule X.

TIME LIMITATION OF REFERRED BILLS

Pursuant to clause 2 of rule XII, the following actions were taken by the Speaker:

H.R. 940. Referral to the Committee on Ways and Means extended for a period ending not later than November 16, 2012.

H.R. 1838. Referral to the Committee on Agricultural extended for a period ending not later than November 16, 2012.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. SCALISE (for himself, Mrs. BLACKBURN, Mr. BROOKS, Mr. BURTON of Indiana, Mr. DIAZ-BALART, Mr. GINGREY of Georgia, Mr. HARRIS, Mrs. HARTZLER, Mr. HUELSKAMP, Mr. JOHNSON of Ohio, Mr. LUETKEMEYER, Mrs. MYRICK, Mr. SHIMKUS, Mr. WESTMORELAND, Mr. YOUNG of Florida, and Mr. ROKITA):

H.R. 6410. A bill to amend the Internal Revenue Code of 1986 to provide for taxpayers making donations with their returns of income tax to the Federal Government to pay down the public debt; to the Committee on Ways and Means.

By Mr. ELLISON (for himself, Mr. CONYERS, Mr. STARK, Mr. FILNER, Ms. WOOLSEY, Mr. MCGOVERN, and Ms. LEE of California):

H.R. 6411. A bill to impose a tax on certain trading transactions to strengthen our financial security, expand opportunity, and stop shrinking the middle class; to the Committee on Ways and Means.

By Ms. ZOE LOFGREN of California (for herself, Mr. GUTIERREZ, Mr. GONZALEZ, Mr. CONYERS, Mr. GEORGE MILLER of California, Ms. ROYBAL-

ALLARD, Mr. HINOJOSA, Mrs. NAPOLITANO, Mr. SABLAN, Mr. HONDA, Ms. ESHOO, and Ms. MATSUI):

H.R. 6412. A bill to amend the Immigration and Nationality Act to provide for immigrant visas for certain advanced STEM graduates, and for other purposes; to the Committee on the Judiciary.

By Mr. BLUMENAUER (for himself, Mr. PETRI, Ms. SCHWARTZ, and Ms. SCHAKOWSKY):

H.R. 6413. A bill to amend title XVIII of the Social Security Act to cover transitional care services to improve the quality and cost effectiveness of care under the Medicare Program; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BISHOP of New York (for himself, Mr. RUNYAN, Mr. KING of New York, and Mr. ISRAEL):

H.R. 6414. A bill to amend the Housing and Community Development Act of 1974 to set-aside community development block grant amounts in each fiscal year for grants to local chapters of veterans service organizations for rehabilitation of their facilities; to the Committee on Financial Services.

By Mr. FINCHER:

H.R. 6415. A bill to facilitate prompt and efficient adjusting of insurance claims in the case of natural and other disasters and losses, to encourage licensing of insurance claims adjusters, and for other purposes; to the Committee on Financial Services.

By Mr. FORTENBERRY:

H.R. 6416. A bill to amend section 520 of the Housing Act of 1949 to revise the requirements for areas to be considered as rural areas for purposes of such Act; to the Committee on Financial Services.

By Ms. JACKSON LEE of Texas:

H.R. 6417. A bill to provide for research and education with respect to triple-negative breast cancer, and for other purposes; to the Committee on Energy and Commerce.

By Mr. KING of Iowa (for himself and Mr. HUELSKAMP):

H.R. 6418. A bill to repeal a certain rule relating to nutrition standards in the national school lunch and school breakfast programs, and for other purposes; to the Committee on Education and the Workforce.

By Mr. LARSEN of Washington (for himself, Mr. HONDA, Mr. CLEAVER, Ms. MOORE, Mr. BUTTERFIELD, Mr. MORAN, and Ms. SCHWARTZ):

H.R. 6419. A bill to amend the Help America Vote Act of 2002 to permit an individual who is subject to a requirement to present identification as a condition of voting in an election for Federal office to meet such requirement by signing an affidavit attesting to the individual's identification, and for other purposes; to the Committee on House Administration.

By Mr. CLARKE of Michigan (for himself, Mr. LARSON of Connecticut, Mr. LEWIS of Georgia, and Mr. DAVIS of Illinois):

H.R. 6420. A bill to improve the effectiveness and performance of Federal financial assistance programs, simplify Federal financial assistance application and reporting requirements, and improve the delivery of services to the public; to the Committee on Oversight and Government Reform.

By Mrs. MALONEY (for herself, Ms. BORDALLO, Ms. BROWN of Florida, Mrs. CAPPS, Mr. CICILLINE, Ms.

CLARKE of New York, Ms. DELAURO, Mrs. EMERSON, Mr. GRIJALVA, Mr. HINCHEY, Mr. HONDA, Ms. LEE of California, Ms. MATSUI, Mr. MCGOVERN, Ms. MOORE, Mr. MORAN, Mr. RANGEL, Ms. RICHARDSON, and Ms. SCHAKOWSKY):

H.R. 6421. A bill to establish the Commission to Study the Potential Creation of a National Women's History Museum, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MORAN (for himself and Mr. CRENSHAW):

H.R. 6422. A bill to establish a program to provide grants to nonprofit organizations to enable such organizations to assign and support volunteers to assist foreign countries in the administration of their natural resources in an environmentally sustainable manner; to the Committee on Foreign Affairs, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POSEY (for himself and Mrs. BIGGERT):

H.R. 6423. A bill to exclude insurance companies from the Federal Depository Insurance Corporation's "orderly liquidation authority"; to the Committee on Financial Services.

By Mr. POSEY:

H.R. 6424. A bill to provide that a former Member of Congress or former Congressional employee who receives compensation as a lobbyist shall not be eligible for retirement benefits or certain other Federal benefits; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. ROS-LEHTINEN:

H.R. 6425. A bill to revise the boundaries of the John H. Chafee Coastal Barrier System Saddlebunch Keys Unit FL-57; to the Committee on Natural Resources.

By Mr. SARBANES (for himself, Mr. BOSWELL, Mr. BRADY of Pennsylvania, Mr. CAPUANO, Mr. CONYERS, Mr. DEUTCH, Mr. DINGELL, Mr. DOGETT, Ms. EDWARDS, Mr. ELLISON, Mr. ENGEL, Mr. HOLT, Mr. LEWIS of Georgia, Mr. MCGOVERN, Mr. GEORGE MILLER of California, Mr. GRIJALVA, Mr. NADLER, Ms. PINGREE of Maine, Mr. POLIS, Mr. PRICE of North Carolina, Ms. LINDA T. SANCHEZ of California, Ms. SCHAKOWSKY, Mr. SCOTT of Virginia, Mr. SRES, Mr. TONKO, Mr. VAN HOLLEN, Mr. WELCH, Mr. YARMUTH, Ms. BONAMICI, Ms. DELAURO, Mr. LARSON of Connecticut, and Mr. COURTNEY):

H.R. 6426. A bill to reform the financing of Congressional elections by encouraging grassroots participation in the funding of campaigns, and for other purposes; to the Committee on House Administration, and in addition to the Committees on Ways and Means, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMITH of Washington:

H.R. 6427. A bill to amend title IV of the Social Security Act to create a competitive self-sustainable social services grant program to provide workforce development opportunities and training to people with barriers to employment under the program of block grants to States for temporary assistance for needy families, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WELCH (for himself and Mr. COSTA):

H.R. 6428. A bill to provide for the expansion of affordable refinancing of mortgages held by the Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation; to the Committee on Financial Services.

By Mr. CROWLEY (for himself, Mr. PASCRELL, Mr. BERMAN, Ms. CHU, Mrs. LOWEY, Mr. ELLISON, Mr. STARK, Mr. SERRANO, Ms. SPEIER, Mr. MORAN, Ms. MOORE, Mr. SHERMAN, Ms. RICHARDSON, Mr. ISRAEL, Mr. CONNOLLY of Virginia, Ms. LEE of California, Ms. MATSUI, Mr. HONDA, Ms. BONAMICI, Ms. ZOE LOFGREN of California, Mr. BECERRA, Mr. FARR, Ms. BORDALLO, Mr. AL GREEN of Texas, Mr. SMITH of Washington, Mr. FILNER, Mr. DANIEL E. LUNGREN of California, Mr. LUJÁN, Mr. VAN HOLLEN, Mr. HEINRICH, Mr. TOWNS, Mr. LARSEN of Washington, Mr. LEVIN, Mr. HOLT, Mr. RYAN of Ohio, Mr. MEEKS, Mr. BLUMENAUER, Ms. BASS of California, Mr. MCDERMOTT, Ms. SCHAKOWSKY, Ms. NORTON, Mr. PETERS, Mr. WILSON of South Carolina, Mr. CAPUANO, Mr. GRIJALVA, Mr. DINGELL, Mr. HASTINGS of Florida, Mr. GEORGE MILLER of California, Mr. COSTA, Ms. JACKSON LEE of Texas, Mr. BURTON of Indiana, Mr. DOGGETT, Mr. RANGEL, Mr. FALGOUT, Ms. DEGETTE, Mrs. NAPOLITANO, Mrs. MALONEY, Mr. ROTHMAN of New Jersey, Ms. MCCOLLUM, Mrs. MCCARTHY of New York, Mr. CLARKE of Michigan, Ms. LORETTA SANCHEZ of California, Mr. CONYERS, Mr. SCOTT of Virginia, Mr. OLVER, Ms. EDWARDS, Mr. LEWIS of Georgia, Mr. NADLER, Mr. MCGOVERN, Mr. HINCHEY, Mr. WELCH, Ms. HAHN, Mr. PIERLUISI, Mr. KIND, Mr. RUSH, Mr. WAXMAN, Mr. SCHIFF, Mr. MARKEY, Mr. SIREN, Mr. JOHNSON of Georgia, Mr. DAVIS of Illinois, Mr. ENGEL, Mr. KUCINICH, Ms. BERKLEY, Mr. ACKERMAN, Ms. TSONGAS, Ms. ESHOO, and Mr. MCNERNEY):

H. Res. 785. A resolution condemning the discrimination, hate crimes, racism, bigotry, bullying and brutal violence perpetrated against Sikh-Americans, and all acts of vandalism against Sikh Gurdwaras in the United States; to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. SCALISE:

H.R. 6410.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution

By Mr. ELLISON:

H.R. 6411.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clauses 1,3 and 18.

By Ms. ZOE LOFGREN of California:

H.R. 6412.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 4 of the Constitution.

By Mr. BLUMENAUER:

H.R. 6413.

Congress has the power to enact this legislation pursuant to the following:

This bill modifies the Social Security Act, which Congress enacted pursuant to its powers under the commerce clause of the U.S. Constitution, as well as its powers to tax and spend for the general welfare. Congress has the power under those provisions to enact this legislation as well.

By Mr. BISHOP of New York:

H.R. 6414.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mr. FINCHER:

H.R. 6415.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8.

By Mr. FORTENBERRY:

H.R. 6416.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority for this bill is pursuant to Article I, Section 8, Clause 18 of the United States Constitution.

By Ms. JACKSON LEE of Texas:

H.R. 6417.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8, Clause 1 of the United States Constitution.

By Mr. KING of Iowa:

H.R. 6418.

Congress has the power to enact this legislation pursuant to the following:

This legislation repeals a rule made by an Executive agency pursuant to an act of Congress. This bill is intended to correct the agency's errant interpretation of Congress' intent as expressed in the authorizing legislation, and, as such, follows the responsibility that Congress has, under Article 1, Section. 1, to exercise all legislative powers of the United States.

By Mr. LARSEN of Washington:

H.R. 6419.

Congress has the power to enact this legislation pursuant to the following:

As described in Article 1, Section 1 "all legislative powers herein granted shall be vested in a Congress."

By Mr. CLARKE of Michigan:

H.R. 6420.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18 and Article 1, Section 8, Clause 1 of the United States Constitution.

By Mrs. MALONEY:

H.R. 6421.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2. The Congress shall have Power to dispose of and

make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

By Mr. MORAN:

H.R. 6422.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States grants Congress the authority to enact this legislation.

By Mr. POSEY:

H.R. 6423.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mr. POSEY:

H.R. 6424.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 5, Clause 2

Article I, Section 6, Clause 1

By Ms. ROS-LEHTINEN:

H.R. 6425.

Congress has the power to enact this legislation pursuant to the following:

Article IV

Section 3

Clause 2

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

By Mr. SARBANES:

H.R. 6426.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution under the General Welfare Clause.

By Mr. SMITH of Washington:

H.R. 6427.

Congress has the power to enact this legislation pursuant to the following:

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States . . .

By Mr. WELCH:

H.R. 6428.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18: The Congress shall have Power To . . . make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof . . .

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 139: Mr. BISHOP of New York and Mr. ENGEL.

H.R. 502: Mr. SCHIFF.

H.R. 592: Mr. KUCINICH.

H.R. 718: Mr. DENT.

H.R. 787: Mr. YODER.

H.R. 831: Ms. CASTOR of Florida.

H.R. 835: Mr. ROSKAM.

H.R. 860: Mr. MCCAUL, Ms. CHU, and Mr. BLUMENAUER.

H.R. 998: Mr. GEORGE MILLER of California.

H.R. 1057: Mr. CICILLINE.

H.R. 1093: Mr. SCHOCK.
H.R. 1116: Mr. BOSWELL and Mr. WATT.
H.R. 1244: Mr. QUIGLEY.
H.R. 1381: Ms. ZOE LOFGREN of California.
H.R. 1426: Mr. CONNOLLY of Virginia.
H.R. 1513: Ms. BASS of California.
H.R. 1537: Mr. VAN HOLLEN, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. KIND.
H.R. 1543: Mr. PERLMUTTER and Ms. PINGREE of Maine.
H.R. 1704: Mr. AL GREEN of Texas and Mr. ACKERMAN.
H.R. 1755: Mr. BISHOP of New York.
H.R. 1810: Mr. COSTA.
H.R. 1845: Mr. BRALEY of Iowa, Mr. SMITH of New Jersey, and Ms. CHU.
H.R. 1903: Mr. AL GREEN of Texas.
H.R. 1910: Mr. JONES.
H.R. 1942: Mr. MORAN.
H.R. 1946: Mr. PERLMUTTER.
H.R. 2040: Mrs. HARTZLER, Mr. REED, Mr. SMITH of Texas, and Mr. PEARCE.
H.R. 2077: Mr. STUTZMAN and Mr. ROYCE.
H.R. 2187: Mr. TIERNEY.
H.R. 2194: Ms. WATERS.
H.R. 2245: Mr. BOREN.
H.R. 2382: Mr. ELLISON and Mr. ENGEL.
H.R. 2402: Mr. AMASH.
H.R. 2492: Mr. CUELLAR, Mr. COBLE, and Mr. WOLF.
H.R. 2557: Mrs. HARTZLER.
H.R. 2649: Mr. WOMACK.
H.R. 2698: Ms. MCCOLLUM.
H.R. 2954: Ms. ZOE LOFGREN of California.
H.R. 2982: Mr. CALVERT.
H.R. 3057: Mr. CRAWFORD.
H.R. 3067: Mr. LIPINSKI, Mr. WATT, and Mr. FORTENBERRY.
H.R. 3151: Mr. MILLER of North Carolina.
H.R. 3238: Ms. WILSON of Florida, Mr. ANDREWS, Mr. LUJÁN, and Mr. GRIJALVA.
H.R. 3269: Mr. MORAN.
H.R. 3307: Ms. SUTTON and Mr. LUJÁN.
H.R. 3379: Mr. GOSAR.
H.R. 3423: Mr. CRAWFORD, Mr. FILNER, Ms. LINDA T. SÁNCHEZ of California, and Mrs. ROBY.
H.R. 3437: Ms. JACKSON LEE of Texas.
H.R. 3485: Ms. WASSERMAN SCHULTZ, Mr. MILLER of North Carolina, and Mr. ANDREWS.
H.R. 3522: Mr. TIERNEY, Ms. WASSERMAN SCHULTZ, Ms. LORETTA SANCHEZ of California, and Mr. DOYLE.
H.R. 3658: Ms. EDWARDS, Mr. CHABOT, Mr. TIERNEY, and Ms. ZOE LOFGREN of California.
H.R. 3760: Mr. RUNYAN.
H.R. 3773: Mr. CRAWFORD.
H.R. 3798: Mr. HIGGINS, Mr. ENGEL, Mr. LANCE, Mr. BRADY of Pennsylvania, and Mr. FRELINGHUYSEN.

H.R. 4049: Mr. ELLISON.
H.R. 4066: Mr. CASSIDY, Mr. BARROW, and Mr. ROSKAM.
H.R. 4137: Ms. NORTON.
H.R. 4184: Mr. FARR and Mr. CICILLINE.
H.R. 4227: Mr. SCHIFF.
H.R. 4250: Mr. NUGENT and Mr. COFFMAN of Colorado.
H.R. 4373: Mr. COURTNEY.
H.R. 4972: Mr. THOMPSON of California.
H.R. 5542: Mr. OWENS and Mr. SCHIFF.
H.R. 5647: Ms. BALDWIN.
H.R. 5817: Ms. NORTON and Mr. CAMP.
H.R. 5840: Mr. PASCRELL and Mr. HANNA.
H.R. 5860: Mr. KUCINICH.
H.R. 5905: Mr. ENGEL and Mr. CAPUANO.
H.R. 5914: Mr. JOHNSON of Ohio and Mr. CARSON of Indiana.
H.R. 5943: Ms. PINGREE of Maine.
H.R. 5959: Mr. SARBANES.
H.R. 5998: Mr. FRELINGHUYSEN.
H.R. 6043: Mr. GERLACH.
H.R. 6149: Mr. CLARKE of Michigan.
H.R. 6155: Ms. MATSUI, Mr. BLUMENAUER, Mr. SCHIFF, Mr. BOREN, and Mr. CICILLINE.
H.R. 6157: Mr. BOSWELL, Ms. BROWN of Florida, and Mr. PERLMUTTER.
H.R. 6163: Ms. CASTOR of Florida.
H.R. 6174: Mr. BACHUS and Mr. GRIFFITH of Virginia.
H.R. 6221: Ms. RICHARDSON, Mr. KEATING, and Mr. LANGEVIN.
H.R. 6242: Mr. COOPER and Mr. BURTON of Indiana.
H.R. 6316: Ms. TSONGAS.
H.R. 6331: Ms. BORDALLO.
H.R. 6372: Mr. HECK.
H.R. 6381: Ms. WATERS, Mrs. BIGGERT, Mr. BARROW, and Ms. JACKSON LEE of Texas.
H.R. 6401: Mr. ANDREWS and Mr. STIVERS.
H.J. Res. 118: Mr. SOUTHERLAND, Mr. GRAVES of Georgia, Mr. CULBERSON, and Mr. PRICE of Georgia.
H.J. Res. 119: Mr. THOMPSON of Mississippi, Mr. CLYBURN, Mr. RICHMOND, Mr. BUTTERFIELD, Mr. LEWIS of Georgia, Ms. LEE of California, Ms. BROWN of Florida, Ms. WILSON of Florida, Ms. CLARKE of New York, Mr. HASTINGS of Florida, Ms. FUDGE, Mr. BARROW, Mr. KISSELL, Ms. HAHN, Mr. SCHRADER, Mr. BOREN, Mr. ROGERS of Alabama, Mr. ALEXANDER, Mr. BOUSTANY, Mr. BACHUS, Mr. PASTOR of Arizona, Mr. FINCHER, Mr. COOPER, Mr. BARTLETT, Ms. SEWELL, Mr. BISHOP of Georgia, Mr. CONNOLLY of Virginia, and Mr. BARBER.
H. Con. Res. 107: Ms. WOOLSEY.
H. Con. Res. 129: Ms. MCCOLLUM.

H. Res. 111: Mr. RIBBLE, Mr. FARENTHOLD, and Mr. MCNERNEY.
H. Res. 134: Ms. BALDWIN.
H. Res. 687: Mr. MORAN.
H. Res. 714: Ms. HIRONO.
H. Res. 730: Mr. WOLF.
H. Res. 734: Ms. LEE of California.
H. Res. 759: Ms. LEE of California.
H. Res. 760: Mr. ELLISON, Mr. KEATING, Mrs. NAPOLITANO, Mr. ROTHMAN of New Jersey, Mr. LYNCH, Mr. LUJÁN, Ms. TSONGAS, Ms. SLAUGHTER, and Mr. SCHIFF.
H. Res. 763: Mr. ROYCE.

DISCHARGE PETITIONS

Under clause 2 of rule XV, the following discharge petition was filed:

Petition 5, September 13, 2012, by Mr. BRUCE BRALEY on House Resolution 739, was signed by the following members: Bruce L. Braley, Leonard L. Boswell, Kristi L. Noem, Kurt Schrader, Larry Kissell, Ed Perlmutter, Jim Cooper, Jim Costa, Rubén Hinojosa, Christopher P. Gibson, John Garamendi, Peter Welch, Joe Courtney, William L. Owens, Timothy J. Walz, Jean Schmidt, Timothy V. Johnson, Kathleen C. Hochul, Jo Ann Emerson, Jason Altmire, Eric A. “Rich” Crawford, Jeff Fortenberry, Ben Chandler, Mike McIntyre, Chellie Pingree, Denny Rehberg, David Loebsack, Charles A. Gonzalez, Danny K. Davis, Joe Donnelly, Rick Berg, Mark S. Critz, Michael F. Doyle, Tim Holden, Nick J. Rahall II, Heath Shuler, Timothy H. Bishop, Bob Filner, Tammy Baldwin, Scott R. Tipton, Marcy Kaptur, Renee L. Ellmers, James R. Langevin, Michael H. Michaud, John W. Olver, Louise McIntosh Slaughter, Betty McCollum, Lois Capps, John Barrow, Paul Tonko, Rick Larsen, Sheila Jackson Lee, Ed Pastor.

DISCHARGE PETITIONS— ADDITIONS OR DELETIONS

The following Members’ names were withdrawn from the following discharge petition:

Petition 5 by Mr. BRALEY on House Resolution 739: Scott R. Tipton, Renee L. Ellmers.

EXTENSIONS OF REMARKS

INTRODUCTION OF THE GRASSROOTS DEMOCRACY ACT

HON. JOHN P. SARBANES

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, September 14, 2012

Mr. SARBANES. Mr. Speaker, I rise today to introduce legislation that will build a new paradigm for the financing of congressional campaigns. The Grassroots Democracy Act is a package of reforms designed to combat the influence of concentrated money in politics, raise civic engagement, and to amplify the voice of everyday Americans in our nation's electoral process. Through a three-pronged, comprehensive approach, we can ensure Americans' voices are heard over the din of big money that has dominated our politics and our public policy for too long.

First, the legislation provides Americans with a \$50 refundable tax credit/coupon to contribute to their preferred candidates for congressional office. With average Americans newly empowered to participate in campaign giving, candidates will have more incentive to re-engage with everyday voters rather than spending disproportionate amounts of time fundraising from moneyed interests.

Next, the legislation multiplies the impact of grassroots donations (\$100 or less). For candidates who forego PAC money and are willing and able to earn broad-based support from grassroots donors in their district or state, a public match will be available on grassroots donations. Suddenly, the \$50 contribution can become a \$300 contribution—matched at a rate of \$5 to \$1. For those candidates who agree to take only grassroots donations, the \$50 contribution can become a \$550 contribution—matched at a rate of \$10 to \$1. By democratizing the donor base and amplifying the impact of grassroots contributions, participating candidates will be able to run a viable, competitive campaign, while staying connected to the needs of the constituents they represent.

Lastly, the legislation prevents super PACs and other big money organizations—the products of the Citizens United and other recent court rulings—from drowning out the voice of the people. In elections where outside spending significantly outpaces national norms, grassroots supported candidates will have access to a People's Fund—to make sure their voice can still be heard. Once total non-candidate spending reaches a certain decibel level, grassroots supported candidates will have the opportunity to apply for an additional 1:1 match on their grassroots base, providing the immediate, supplemental support necessary to ensure the marketplace of ideas remains competitive.

Capitol Hill is full of well-intentioned people who came to Washington with noble goals and deeply held principles. Most ran for Congress

out of a strong desire to serve their community and the broader American public. The problem is the moment they decide to run for office they become distracted—distracted by the endless need for more money to win the election.

The Grassroots Democracy Act represents a path forward. Together, these reforms provide can begin to combat the influence of concentrated money in politics, raise civic engagement, and amplify the political voice of the American electorate. A new paradigm of financing campaigns will liberate candidates from dependence on special interests and big money, ensuring our public policy is truly fashioned in the interest of the public.

RECOGNIZING THE DISTINGUISHED CAREER OF BARBARA TACHOVSKY

HON. JIM GERLACH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 14, 2012

Mr. GERLACH. Mr. Speaker, I rise today to congratulate Barbara Tachovsky on her retirement as President of Paoli Hospital after 26 years of service to the Hospital and in the field of healthcare.

Under President Tachovsky's leadership, Paoli Hospital earned accreditation as the only Level II Trauma Center in Chester County, which alleviated the need for victims of traumatic injury to be transported further away for emergency treatment and saved countless lives. Additionally, Paoli Hospital was recognized four times as a Top 100 Hospital by Thomson Reuters and as a Best Regional Hospital in five specialties by US News and World Report. During her tenure, Paoli also received the Premier Award for Quality two years in a row, as well as numerous certifications for providing outstanding care and achieving operational efficiency.

Mr. Speaker, in light of her years of exemplary service to her community and a litany of sterling accomplishments too long to record, I ask that my colleagues join me today in recognizing Barbara Tachovsky for her invaluable contributions to the quality of life of the citizens of Chester County, Pennsylvania and the surrounding region.

THE POWER OF ONE: ODE TO MS. NATASHA TRETHEWEY

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 14, 2012

Mr. JOHNSON of Georgia. Mr. Speaker, I submit the following.

One can never underestimate the power of the heart and mind,

One can never make changes if One never puts in the time

One can be as powerful as a nation of many if One desires to be

One can make the difference in being a captive or living free

One can set many on the path to harmony in the universe

One becomes the master musician when One helps others to rehearse

One can be the difference in making war and violence cease

One can be essential for a world of harmony and peace

One can show herself friendly and gain friends throughout the world

One can give words to help mold young boys and girls

One can be the voice of many—urging justice for all

One can make the difference in whether we stand or fall

One can change the world by giving a helping hand

One, such as you, Ms. Trethewey with your love for all of man

For Ms. Natasha Trethewey, 19th U.S. Poet Laureate, Penned July 4th, 2012 by Eric Charles®.

RECOGNIZING KAREN RAPP AND CATHLEEN SCARBOROUGH OF GOVERNOR MIFFLIN MIDDLE SCHOOL

HON. JIM GERLACH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 14, 2012

Mr. GERLACH. Mr. Speaker, I rise today to congratulate Karen Rapp and Cathleen Scarborough for their establishment and implementation of the "Adopt a Veteran Program" at Governor Mifflin Middle School which served to educate children about our great nation and the heroic citizens who defend it.

In the "Adopt a Veteran Program," led and coordinated by Karen and Cathleen, nine students were appointed by their teachers to interview three Governor Mifflin Middle School staff members who are also war veterans. Comprehensive interviews were undertaken and short biographies written about the veterans and their military experiences. Photographs and other mementos supplemented these biographies and the entire project was posted in a display case for all students to view.

Karen and Cathleen's efforts brought both recognition to the faculty veterans and greater insight and appreciation of America's citizen-soldiers to their students.

Mr. Speaker, in light of their efforts in establishing and implementing the "Adopt a Veteran" program, I ask that my colleagues join me today in recognizing Karen Rapp and Cathleen Scarborough of the Governor Mifflin Middle School, Berks County, Pennsylvania.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

HONORING THE INAUGURAL MS.
DELILAH BEASLEY TEA AND
HONORING MS. BELVA DAVIS
FOR A LIFETIME OF ACHIEVE-
MENT

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 14, 2012

Ms. LEE of California. Mr. Speaker, I rise today to honor the enduring legacy of two extraordinary, trailblazing women journalists, the late Delilah Beasley and retiring Bay Area icon Belva Davis, as they continue to inspire future generations of young women of color, many of whom will be part of the new Alameda County headquarters of Girls Inc. in Oakland, CA. This extraordinary occasion, hosted by the Progressive Oakland Women for Empowerment and Reform (P.O.W.E.R.), is a testament to what is possible when we work together to celebrate, connect and transform the lives of women: past, present and future.

Today, supporters and friends, including esteemed California Governor, Edmund Gerald "Jerry" Brown, Jr., and venerable faith leader Rev. Dr. J. Alfred Smith, Sr., have gathered to pay tribute to women who changed the face of journalism in the Bay Area and beyond through their intellect and tenacity. Moreover, event proceeds will be donated to the Girls Inc. Building Fund.

In honor of the first annual tea in her name, we recognize American historian and Oakland Tribune newspaper columnist Delilah Leontium Beasley as a true Bay Area unsung hero. Born in 1871, Ms. Beasley's journalism career began by writing short pieces for a black Ohio newspaper called the Cleveland Gazette. In her over 50-year career, Ms. Beasley spent 25 years as a resident of Oakland. And, California and Bay Area communities are forever changed as a result of the far-reaching effects of her transformative work.

She spent nine years scouring University of California, Berkeley library archives to produce *The Negro TrailBlazers of California*, a groundbreaking and prolific chronicle of California Black History throughout the 1800s. Published in 1919, her book focused on the achievements and sacrifices of black pioneers including prominent stories of women. From 1925 to 1934, she continued her commitment to championing communities of color as the first African American woman to be published regularly in a major newspaper. As an Oakland Tribune columnist, Ms. Beasley gained local acclaim for her positive stories about the Black community and her ability to reach mainstream audiences. She was also a long-time local activist who fought for integration in every level of civic and social life, including helping to spearhead California's first anti-lynching bill. Delilah Beasley should be in the halls of every museum and on the pages of every American history book. This annual event represents a new opportunity make her story and achievements known far and wide.

Today, this legacy continues with the presentation of a P.O.W.E.R Lifetime Achievement Award to eight-time local Emmy winner Belva Davis. As the first African-American woman TV journalist in the Western United States,

Ms. Davis is a living legend who tore down media barriers and defied racist stereotypes. For nearly five decades, Ms. Davis has continued to forge ahead, protecting the legacy of women like Delilah Beasley and paving the way for girls like those in Girls Inc. She began her bold career in 1964—the midst of the Civil Rights Movement—ignoring risk and personal attack to cover history in the making.

A respected anchor for news programs on KPIX-TV and KRON-TV, Ms. Davis has covered high-profile local, national and global news events, interviewing world leaders and U.S. presidents over the decades. Famed for her strong, 19-year presence as the host of public television's, "This Week in Northern California," Ms. Davis will be sorely missed by a bevy of fans, including community leaders, celebrities, colleagues and Bay Area residents. Though her final broadcast will air November 9, 2012, she will continue her role as a long-time community advocate.

Therefore, on behalf of the residents of California's 9th Congressional District, I thank Ms. Belva Davis for a lifetime of service and congratulate her upon receipt of this honor. I thank P.O.W.E.R for their vital work to support the achievement of women and girls, and wish them many more years of successful celebrations of the commemorative, "Ms. Delilah Beasley Tea."

HONORING LINCOLN "ED" BURTON
FOR HIS SERVICE AS STATE
CONSERVATIONIST FOR USDA'S
NATURAL RESOURCES CON-
SERVATION SERVICE IN CALI-
FORNIA

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 14, 2012

Mr. THOMPSON of California. Mr. Speaker, I rise today with my colleagues, Representatives FARR, GARAMENDI, MCNERNEY, and WOOLSEY, to recognize Lincoln "Ed" Burton, State Conservationist of USDA's Natural Resources Conservation Service in California for the past 7 years, and a conservationist with that Agency in numerous western states for the past 48 years. Mr. Burton has dedicated his life to helping farmers and ranchers find conservation solutions to natural resource concerns in ways that respect both the economic and environmental contributions made by agricultural producers.

Mr. Burton has become known for his inclusiveness, diplomacy, and transparent, leadership style in administering and strategically investing \$840 million in federal conservation funding to protect natural resources on cropland, rangeland and non-industrial forestland. He has expanded and enhanced wildlife habitat for common and impaired species—notably the Greater Sage Grouse.

Mr. Burton has contributed to the long-term preservation of farmland, essential to our Nation's ability to feed itself. Under his watch, farmers voluntarily enrolled historical wetlands for long-term protection so that today the Agency is responsible for the restoration of one fourth of California's current functioning wetlands.

Mr. Burton's leadership provided water quality planning and implementation services on more than 1400 dairies in California, helping the industry address the regulatory requirements they faced amid difficult economic times to protect the quality of California's surface and groundwater while helping to maintain economic viability for one of the State's top agricultural industries.

Mr. Burton oversaw a significant expansion in the air quality achievements of the Agency, helping farmers claim emissions reductions of over 1600 tons of nitrogen oxides each year.

Mr. Burton has been a staunch advocate for conservation planning to make the best possible advancements in the management and health of cropland, rangeland and forests, protecting on-farm soil, water, air and habitat resources in a manner that is acceptable and consistent with economic sustainability.

Mr. Speaker, it is appropriate at this time that we recognize our public servant, Ed Burton, for his visionary leadership and contributions to California's natural resources and his dedication to our agricultural communities.

RECOGNIZING THE 250TH ANNIVER-
SARY OF THE BOROUGH OF
WOMELSDORF

HON. JIM GERLACH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 14, 2012

Mr. GERLACH. Mr. Speaker, I rise today to congratulate the Borough of Womelsdorf, Berks County, Pennsylvania on its 250th anniversary.

Founded by five German farmers, Msrs. Weiser, Brown, Fidler, Schaeffer and Kobel during the 1720s, the area that would become the Borough of Womelsdorf has enjoyed a rich and storied history. One of these original settlers, Conrad Weiser, came to America in 1709 when his father, Johann Conrad Weiser, migrated from the German principality of Wurttemberg to England before settling on the New York frontier. In 1729, Conrad Weiser brought his wife and children to the Tulpehocken region, settling on 200 acres near the present town of Womelsdorf. In 1749, "Tulpehocken Eisenhammer" was the first industry founded when John George Nickoll and Michael Miller built a forge to produce "barr iron" at a location less than two miles north of Womelsdorf. This establishment was later known as "Charming Forge." In 1760, John Womelsdorf received in conveyance the land that would become the present day Borough of Womelsdorf and, in 1762, sold the first lots in the town he had established.

While the Borough of Womelsdorf has changed a great deal throughout its history, it still retains much of the charm from its historic past. Pre-Revolutionary buildings continue to stand in close proximity to modern structures. Today, the Borough of Womelsdorf and its citizens continue to make valuable contributions to the quality of the economic and social life of Berks County while preserving the history of its past.

Mr. Speaker, I ask that my colleagues join me today in congratulating the Borough of

Womelsdorf and its remarkable history on the occasion of its 250th anniversary and to extend best wishes for the Borough's continued prosperity and longevity.

RECOGNIZING TERRY JONES ON
THE OCCASION OF HIS RETIRE-
MENT FROM THE WOLF TRAP
FOUNDATION

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 14, 2012

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise along with my colleagues, Rep. FRANK WOLF and Rep. JIM MORAN, to recognize and commend Terrence D. "Terry" Jones on the occasion of his retirement after 17 years of distinguished service as President and CEO of the Wolf Trap Foundation. Terry's career in the performing arts spans more than 40 years, and he leaves a rich legacy both on and off the stage that will benefit the arts community and Northern Virginia for years to come.

During his tenure, Terry helped fulfill and then expand Wolf Trap's mission of providing a world-class platform for aspiring and accomplished artists alike at the majestic Filene Center and the 18th century Barns at Wolf Trap. Thanks to his innovative spirit, the Foundation continues to set new attendance and fundraising records. As the guiding force behind America's only National Park for the performing arts, Terry has positioned Wolf Trap as a leader not only in the arts, but also in connecting education, technology and environmental stewardship through the arts and inspiring passion for those pursuits in a new generation. And though its artistic scope is on the national and global stages, Terry has made sure that Wolf Trap also is a resource for our local communities.

In 2003, Terry helped lead the fund-raising effort to establish a National Center for Education on the Wolf Trap campus. The nonprofit focuses on early childhood arts education but serves as a resource for the entire community, particularly local school children. More recently, Wolf Trap partnered with the U.S. Department of Education on a project to integrate STEM (Science, Technology, Engineering and Math) education into the arts.

Terry also has strengthened Wolf Trap's connection to its environmental roots. In 2007, he launched the Foundation's "Go Green" program with the stretch goal of making Wolf Trap carbon neutral. To date, the program has decreased the park's carbon footprint by 20% and cut landfill waste in half. Wolf Trap has been designated as a Climate Friendly Park by the EPA and National Park Service. Terry also led the effort to establish the National Council on the Arts and Environment and a partnership with the Aspen Institute on a nationwide Summit on the Arts and the Environment.

Prior to taking the helm at Wolf Trap, Terry served as CEO and artistic Director of the Krannert Center for the Performing Arts at the University of Illinois at Champaign-Urbana. He previously served as General Manager of Clowes Memorial Hall in Indianapolis, Assist-

ant Dean of the College of Fine Arts at Butler University, and he also founded the Bradford Repertory Theater in Vermont.

Throughout his distinguished career, Terry has received local and national recognition. He received the Distinguished Alumni Achievement Award from his alma mater, the University of Kansas, was named Washingtonian of the Year in 2006 by Washingtonian Magazine, and was recognized by his peers with the Fan Taylor Distinguished Service Award from the Association of Performing Arts Presenters. During his tenure as Foundation president, Wolf Trap also has received numerous awards and accolades.

Beyond these accomplishments, we want to recognize Terry's exemplary role not just as an arts advocate and executive, but also as an individual. When asked in an interview what he loves most about his job, he said: "People—I don't think you could do this job if you didn't enjoy people and didn't like being around people." We can all recognize and appreciate Terry's unequivocal commitment to his craft and our community.

Mr. Speaker, Terry Jones has left a tangible, lasting imprint on the rich history of our National Park for the Performing Arts, and his legacy will continue to inspire a new generation of artists. We wish Terry, his wife, Polly, and their family the continued success as he enters this next act of his life, and we ask our colleagues to join us in expressing our appreciation for his tremendous contributions to the arts, our nation and the Northern Virginia community.

IN HONOR OF MAYOR FRANK
JACKSON

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, September 14, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in honor of Mayor Frank G. Jackson, the 56th Mayor of Cleveland, for being named the 2012 Black Professional of the Year by the Black Professionals Association Charitable Foundation (BPACF).

Born and raised in Cleveland's Central neighborhood, Mayor Jackson attended Cleveland Public Schools. Upon graduating from Max S. Hayes High School, he served in the United States Army during the Vietnam War. Mayor Jackson later earned an associate's degree from Cuyahoga Community College and a bachelor's degree in History and Urban Studies from Cleveland State University (CSU). He also would earn a master's and law degree from CSU.

Prior to taking on his role as Mayor of Cleveland, Jackson held a number of roles in public service. He began his career in the Cleveland Municipal Court Clerk's Office as an Assistant City Prosecutor. Mayor Jackson was first elected to public office in 1989 as a Cleveland City Councilman. He served the residents of Cleveland's 5th Ward in his capacity as a councilman until 2005. He also served as the Cleveland City Council President from 2002 to 2005 before being elected as the Mayor of Cleveland. He took office in

January 2006, dedicating the past several years of his life to the residents of the City of Cleveland.

As Mayor of Cleveland, Jackson has made strong contributions to the advancement of equality and has worked tirelessly to increase opportunities for the economically and socially disadvantaged. Mayor Jackson has supported subsidized affordable housing in Cleveland to ensure everyone has a roof over their heads. Moreover he has labored to include low income Clevelanders in the decision-making process, rather than alienating them. Additionally he is focused on improving the education experience of students in the Cleveland Metropolitan School District; safety conditions for residents by improving the relationship between local law enforcement and the community; and tirelessly working on the continued economic development of the City of Cleveland.

Mr. Speaker and colleagues, please join me in congratulating Mayor Frank Jackson on being named the 2012 Black Professional of the Year.

HONORING THE VETERANS OF THE
SEPTEMBER 18, 2012 EASTERN
IOWA HONOR FLIGHT

HON. DAVID LOEBSACK

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 14, 2012

Mr. LOEBSACK. Mr. Speaker, next week, over 80 Iowa veterans of the Greatest Generation will travel to our nation's capital. Accompanied by volunteer guardians, these veterans will travel to Washington, DC to visit the monument that was built in their honor.

For many of these veterans, next Tuesday, September 18th will be the first time they will see the National World War II Memorial. I am deeply honored to be joining them for a rally on September 17th to wish them well on their trip and to personally thank these heroes.

I am proud to have a piece of marble from the quarry that supplied the marble that built the World War II Memorial in my office. Like the memorial that it built, that piece of marble reminds me of the sacrifices of a generation of Americans. When our country was threatened, they rose to defend not just our nation, but the freedoms, democracy, and values that make our country the greatest nation on earth. They did so as one people and one country. Their sacrifices and determination in the face of great threats to our way of life are both humbling and inspiring.

The sheer magnitude of what the Greatest Generation accomplished, not just in war but in the peace that followed, continues to inspire us today. They did not seek to be tested both abroad by a war that fundamentally challenged our way of life and at home by the Great Depression and the rebuilding of our economy that followed. But, when called upon to do so, they defended and then rebuilt our nation to make it even stronger. Their patriotism, service, and great sacrifice not only defined their generation—they stand as a testament to the fortitude of our nation and the American people.

I am tremendously proud to provide an early welcome to the Eastern Iowa Honor Flight and Iowa's veterans of the Second World War to our nation's capital next week. On behalf of every Iowan I represent, I thank them for their service to our country.

HONORING MARGARET SCHUELKE

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 14, 2012

Mr. JOHNSON of Georgia. Mr. Speaker, I submit the following proclamation.

Whereas, many years ago a virtuous woman of God accepted her calling to serve the citizens in DeKalb County and the state of Georgia; and

Whereas, Ms. Margaret Schuelke began her career in service working diligently to assist citizens in need, as director of Project Community Connections, Inc., she has and continues to assist individuals and families experiencing homelessness with permanent housing placements; and

Whereas, this phenomenal woman has shared her time and talents, giving the citizens of our district a friend to help those in need, a fearless leader and a servant to all wanting to ensure that the system works for everyone; and

Whereas, Ms. Margaret Schuelke is a cornerstone in our community that has enhanced the lives of thousands for the betterment of our District and Nation; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to honor and recognize Ms. Margaret Schuelke for her outstanding leadership and service to our district and to congratulate her for being chosen as a Champion of Change by the White House;

Now therefore, I, HENRY C. "HANK" JOHNSON, JR. do hereby proclaim August 29, 2012 as Ms. Margaret Schuelke Day in the 4th Congressional District of Georgia.

Proclaimed, this 29th day of August, 2012.

IN RECOGNITION OF THE 100TH ANNIVERSARY OF CLEVELAND CATHOLIC CHARITIES

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, September 14, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in recognition of the 100th anniversary of Cleveland Catholic Charities.

Cleveland Catholic Charities was first established by Cleveland Diocese's Bishop John Farrelly in 1912 as a response to the failing institutions that were designed to assist those in need and Cleveland's orphans. Throughout the past century, Cleveland Catholic Charities has expanded their services to encompass children, adolescents, families, seniors, people with disabilities and the impoverished and homeless. Meal delivery, transportation services, adult day activities, substance abuse

support groups, parenting classes, job placement training, and mental health counseling are among a sampling of the programs provided.

Today, the nearly 2,000 employees of Cleveland Catholic Charities work to build a just and compassionate society that respects the dignity of every person. Though Cleveland Catholic Charities' impact on Northeast Ohioans is immeasurable, in the last year alone 330,000 people were served, 100,000 emergency services were provided and more than three million meals were served.

The centennial celebration of Cleveland Catholic Charities will be held on Saturday, September 15, 2012 and will feature the Inaugural Class of the Hall of Hope which includes Bishop John P. Farrelly (Bishop of Cleveland 1909–1921); Bishop Charles H. LeBlond (First Director of Charity in the Diocese of Cleveland, 1912–1933); Sisters of Charity of St. Augustine; Rev. Walter H. Jenne (Secretary for Social Concerns in the Diocese of Cleveland, 1980–1994); and J. Thomas Mullen (Secretary of Catholic Charities Health and Human Services, 1994–2010). Additionally, the event will include a special tribute to the Most Reverend Anthony M. Pilla, Bishop Emeritus, as the "Man of the Century" in recognition of his unwavering support of Catholic Charities.

Mr. Speaker and colleagues, please join me in recognizing the 100th anniversary of Cleveland Catholic Charities.

COMMENDING WILLIAM PAUL DILLON ON 40 YEARS OF MINISTRY AND SERVICE

HON. TIM WALBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, September 14, 2012

Mr. WALBERG. Mr. Speaker, today, I rise to commend Mr. William Paul Dillon, who has dedicated 40 years of ministry and service to Chicago's inner city.

Born into a family devoted to urban ministry, Mr. Dillon's grandfather and father both served as superintendents of the Sunshine Gospel Mission in Chicago, Illinois, a mission where I also had the opportunity to minister. At an early age, Mr. Dillon accepted Christ into his heart and began volunteering at the mission and working as a camp counselor. Though he did not feel a call to ministry, aspiring to work in the aviation industry for the hometown United Airlines, Mr. Dillon's father convinced him to attend Moody Bible Institute to better prepare him for a career as a Christian in business. Intending to only stay for a year, Mr. Dillon stayed for three and earned his diploma in 1965.

Mr. Dillon's time at Moody fostered an appreciation for the city. His studies took him to a startup church on the south side of Chicago, where he taught Sunday school and allowed him to develop his gifts for teaching and administration. Still intending to follow his dreams of working in the airline industry, he continued his studies and eventually earned a degree in Business Administration and an MBA from Murray State University.

Yet even with his MBA in hand, the Lord had a different plan for Mr. Dillon. A down

economy meant few jobs in the airline industry, and he found work as the youth pastor of Salem Evangelical Free Church in the Humboldt Park neighborhood of Chicago. It is here that Mr. Dillon grew to love the community and see the challenges faced by inner city youth. Equipped with little beyond his understanding of business, he and his wife, Sandy, started the Inner City Impact ministry to serve and disciple local youth.

Inner City Impact has grown over the years, from an initial focus on young children, to a full-fledged inner city mission that has put down roots in the communities that it serves. Over time, three churches have developed out of the efforts of Inner City Impact, along with high school outreach programs in Humboldt Park and Cicero. Now headquartered in the Logan Square community, Inner City Impact continues to serve some of Chicago's toughest neighborhoods through after school clubs, camps, leadership development programs and sports leagues.

In addition to his ministry work, Mr. Dillon is an author and frequent speaker on college campuses and to other Christian ministries. He also serves as president of People Raising, an organization which helps missionaries and Christian organizations fundraise. The Dillons attend Arlington Heights Evangelical Free Church, and they have three grown children.

In 2005, Moody Bible Institute recognized Mr. Dillon for his service in naming him the Alumnus of the Year. As a fellow Moody alum, I believe this honor is well-deserved, as Mr. Dillon's life testimony captures the essence of what it means to uncover the truth of God's Word and apply it to life.

Although Mr. Dillon has already dedicated four decades to ministry, from those early days on the sidewalks of Humboldt Park, to his current mission in Cicero, I am confident that the first 40 years are only the beginning, and that his work is not done yet!

IN RECOGNITION OF THE FRIENDS OF THE ISRAEL DEFENSE FORCES

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, September 14, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in recognition of the Friends of the Israel Defense Forces (FIDF).

Established in 1981 by a group of Holocaust survivors, FIDF is committed to providing for the wellbeing of those who serve in the Israel Defense Forces. It initiates and helps support educational, social, cultural and recreational programs and facilities for the young men and women soldiers of Israel, as well as the families of fallen soldiers. FIDF's headquarters is located in New York City, but also has 14 regional offices in the United States and one office in Panama.

The Ohio Chapter of FIDF was established in 1995 and is led by co-chairs, Richard Sodof and Elie Weiss. On September 11, 2012, the Ohio Chapter of FIDF honored Mr. Robert Goldberg at its Gala Dinner.

Mr. Goldberg is currently the Chairman of the Cleveland American Israel Public Affairs

Committee. He is an active member of his Israeli and Cleveland communities. Due to his dedication to the Jewish community, Mr. Goldberg has been the recipient of several awards including the Tree of Life Award, Jewish Community Federation Leadership Award, Eisenmann Award and Young Leadership Award.

Mr. Speaker and colleagues, please join me in recognizing Mr. Robert Goldberg and the Ohio Chapter of the Friends of the Israel Defense Forces.

HONORING COLONEL JOHN R.
BOULÉ II

HON. TIMOTHY H. BISHOP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, September 14, 2012

Mr. BISHOP of New York. Mr. Speaker, it is with great appreciation for his service to the people of my district that I thank and recognize Colonel John R. Boulé II, commander of the New York district of the U.S. Army Corps of Engineers. I have known Colonel Boulé since he assumed command of the New York District in 2009 and have been proud to work with him on Long Island to improve navigation and protect our shores, which have a direct effect on the local economy.

Covering not only Long Island, the New York district is responsible for the Corps' water resource development, navigation and regulatory activities in northeastern New Jersey, eastern and south-central New York State, and parts of Vermont, Massachusetts and Connecticut. The district is also responsible for design and construction at Army and Air Force installations in New Jersey, New York and overseas in Greenland. Colonel Boulé also holds the title of Supervisor of New York Harbor.

Under Colonel Boulé's leadership, my district has directly benefited from maintenance dredging of Shinnecock Inlet, Lake Montauk Harbor and the Long Island Intracoastal Waterway. We have also benefited from the completion of the Orient Harbor (Route 25) emergency shoreline stabilization and the execution of the feasibility cost share agreement with the Town of Brookhaven for the Forge River ecosystem restoration study. Furthermore, we successfully completed an agreement with the U.S. Department of Interior on a tentative federally supported plan for the Fire Island to Montauk Point reformulation study.

Colonel Boulé is originally from Plattsburgh, New York and graduated in 1986 from the U.S. Military Academy at West Point with a Bachelors of Science in Civil Engineering. After earning two masters of science degrees from Stanford University and his professional engineer certification, he taught hydrology in the Department of Civil and Mechanical Engineering at the United States Military Academy.

Colonel Boulé served in a variety of operational, command and staff assignments in the U.S. and overseas. His most recent assignment was Assistant Director of Civil Works at the U.S. Army Corps of Engineers' headquarters in Washington, D.C. where he performed numerous duties until attending senior

service college at the Industrial College of the Armed Forces (ICAF) where he earned a masters of science in national resource strategy as a distinguished graduate in June, 2009.

Colonel Boulé's previous assignments include serving with the 16th Engineer Battalion, 1st Armored Division in Furth, Germany. As a captain, he volunteered for service in Operation Desert Storm with the 27th Engineer Battalion. He then served as a staff officer and company commander with the 41st Engineer Battalion, 10th Mountain Division, deploying his unit to south Florida and Somalia in support of Operation Hurricane Andrew Relief and Operation Restore Hope. After company command, Colonel Boulé performed duties as a division plans officer. As a major, he served as the battalion executive officer of the 1st Battalion, 1st Infantry Regiment.

Upon graduating with distinction from the Naval Command and Staff College, Colonel Boulé relocated to Korea, serving as a battalion executive officer for the 2nd Engineer Battalion, 2nd Infantry Division. Following this tour, he was assigned to the Pentagon on Army staff, serving in the G-8, with specific duties managing current force modernization and setting the force operations. In June, 2004, Colonel Boulé assumed command of the 62nd Engineer Battalion at Fort Hood, Texas. Beginning in December, 2005, Colonel Boulé led the battalion on a one-year deployment to Iraq in support of the 4th Infantry Division.

Colonel Boulé's decorations include the Legion of Merit, the Bronze Star Medal, six awards of the Meritorious Service Medal, the Ranger Tab, and the Combat Action Badge.

Mr. Speaker, it is evident from his long list of accomplishments and accolades that Colonel Boulé has dedicated his life to serving our great nation. I am honored to have worked with him to improve our nation's coastal waterways and the lives of Long Island residents. I wish him the best of luck in his future endeavors and thank him again on behalf of the First Congressional District of New York.

HONORING PASTOR MICHAEL
BENTON

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 14, 2012

Mr. JOHNSON of Georgia. Mr. Speaker, I submit the following Proclamation.

Whereas, in the Fourth Congressional District of Georgia, there are many individuals who are called to contribute to the needs of our community through leadership and service; and

Whereas, Pastor Micheal Benton has given of himself to lead Fairfield Baptist Church these past thirty-five years; and

Whereas, Pastor Micheal Benton under the guidance of God has pioneered and sustained Fairfield Baptist Church as an instrument in our community that betters the spiritual, physical and mental welfare of our citizens; and

Whereas, this remarkable and tenacious man of God has shared his time and talents for the betterment of our community for the

past thirty five (35) years by preaching the gospel, singing the gospel and living the gospel; and

Whereas, Pastor Micheal Benton is a spiritual warrior, a man of compassion, a man of great courage, a fearless leader and a servant to all, but most of all a visionary who has shared with not only Fairfield Baptist Church, but with DeKalb County and the world his passion to spread the gospel of Jesus Christ; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to honor and recognize Pastor Micheal Benton for his leadership and service for our District as he celebrates his 35th Pastoral anniversary;

Now Therefore, I, HENRY C. "HANK" JOHNSON, JR. do hereby proclaim September 23, 2012 as Pastor Micheal Benton Day in the 4th Congressional District of Georgia.

Proclaimed, This 23rd day of September, 2012.

IN HONOR OF MR. DAVID
GREENSPAN

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, September 14, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in honor of David Greenspan, a member of the Cuyahoga County Council serving the First District.

Greenspan is a native of Atlanta, Georgia and has lived in Cuyahoga County for the past three years. While living in the Atlanta suburb of Sandy Springs, David served on a committee that organized the incorporation of the new city. In Atlanta, David worked for Atlanta Olympic Broadcasting, Turner Media Consultants, and the PGA TOUR Radio Network.

David currently serves as the Chief Financial Officer for LeanStream Media, Inc. and is also the Managing Partner of Green Elk Consulting Services, LLC. His bachelor's degree in Accounting and Business Administration from Troy University, in addition to his work experience in business and finance, has made him an asset to the Cuyahoga County Council. David is also a member of the Government Relations Committee for the Beck Center for the Performing Arts and Glen's Homeowners Association, and has recently held positions on the City of Westlake's Board of Zoning Appeals.

Mr. Speaker and colleagues, please join me in honoring David Greenspan, a member of the Cuyahoga County Council serving the First District.

COMMEMORATING THE 400TH ANNIVERSARY OF BIRTH OF ANNE
BRADSTREET

HON. JOHN F. TIERNEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, September 14, 2012

Mr. TIERNEY. Mr. Speaker, I rise today and join my constituents in commemorating the

400th anniversary of the birth of Anne Bradstreet, who is considered by many to be America's first published poet.

Anne Bradstreet was born in England but is believed to have arrived in America in 1630. Her work, which includes such poems as "To My Dear and Loving Husband" and "Verses Upon the Burning of Our House," has been taught in high school and college classrooms across the country. Anne Bradstreet reportedly lived for several years in North Andover, which is located in my district. In fact, some believe that Anne Bradstreet may be buried in the Old Burying Ground in North Andover.

On the occasion of the 400th anniversary of Anne Bradstreet's birth, Karen Kline of North Andover and other members of the Friends of Anne Bradstreet Steering Committee are continuing their efforts to raise awareness about Anne Bradstreet's work and her contribution to history and the literary canon.

PAYING TRIBUTE TO COMMANDER
MARC A. HONE, AS HE PREPARES
TO RETIRE AFTER 21
YEARS OF SERVICE TO THE
UNITED STATES NAVY AND TO
OUR NATION

HON. NORMAN D. DICKS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Friday, September 14, 2012

Mr. DICKS. Mr. Speaker, I rise to pay tribute to Commander Marc A. Hone, as he prepares to retire after 21 years of service to the United States Navy and to the United States of America.

I have worked with Commander Hone personally over the past 4 years—first in 2009, when he was a Defense Legislative Fellow assigned to my office, and then for 3 years as an Appropriations Liaison in the Office of the Assistant Secretary of the Navy (Financial Management and Comptroller). I would like to share with you some highlights of Marc's career.

Commander Hone graduated from the U.S. Naval Academy in 1991 with a Bachelor of Science Degree in Political Science. After commissioning, nuclear operator and submarine training, he reported to his first ship, USS *Hammerhead* (SSN 663), where he served as Reactor Control and Fire Control Assistant. After taking the ship to inactivation at Puget Sound Naval Shipyard, the Shipyard in my district in Bremerton, he transferred to USS *Atlanta* (SSN 712) as the Chemical and Radiological Control Assistant where he qualified as a Nuclear Engineer Officer. He later served at sea as Navigator and Operations Officer on USS *Olympia* (SSN 717), completing two deployments to the Western Pacific and Arabian Gulf.

Marc also served with distinction in a variety of assignments ashore: as a Flag Aide to the President of the Board of Inspection and Survey; as the Staff Warfare Officer (Submarines) for the British Royal Navy's Maritime Battle Staff in Portsmouth, United Kingdom; as the Executive Officer of Submarine Learning Facility, Norfolk; and as the Deputy Director of Fleet Training at U.S. Fleet Forces Command.

In 2007, he served as a Counter IED Liaison Officer in Kabul, Afghanistan—supporting our Embassy and the U.S. military headquarters located there.

After completing a Defense Legislative Fellowship, Commander Hone reported to his current assignment as a Congressional Liaison, managing a diverse portfolio containing the Submarine Warfare, Intelligence, and Navy Energy accounts. For 3 years, Marc has demonstrated exceptional leadership and foresight, engaging Members of the Appropriations Committee and the Defense Subcommittee Staff to provide information essential to resourcing the Navy for its role as the world's preeminent sea power. In an increasingly difficult budget environment, Commander Hone provided essential support in shepherding three Navy budgets through the appropriations process. Marc served the Navy and our Nation with integrity, insight and dedication. My office, the Subcommittee Staff, and I have found him to be a pleasure to work with and all respect his professionalism.

Mr. Speaker, on behalf of a grateful nation, I join my colleagues today in saying thank you to Commander Marc A. Hone for his extraordinary dedication to duty and steadfast service to this country throughout his distinguished career. We wish Marc, his wife Marie, and his daughters Natasha and Katarina "Fair Winds and Following Seas" as he leaves the Naval Service.

IN HONOR OF SENATOR SHIRLEY
A. SMITH

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, September 14, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in honor of Senator Shirley A. Smith of the State of Ohio's 21st Senate District.

Senator Smith began her career as a radio talk-show host interviewing prominent politicians and community leaders for a major Cleveland station before changing pace and working for a television network affiliate.

Beginning in 1999, Senator Smith served 8 years as an Ohio House Representative from the 10th district until assuming office in the Ohio Senate in 2007. Throughout her legislative career, she has been a strong advocate for the socially and economically disadvantaged as displayed through her membership on the Senate Health, Human Services and Aging; Finance; Reference; Criminal Justice; and Rules Committees. She also serves as Assistant Minority Leader, acts as State Director for the Women Legislators' Lobby, and has served as both the Secretary and President of the Ohio Legislative Black Caucus.

Senator Smith's hard work and dedication throughout the years has earned her a Fannie Mae Foundation Fellowship at Harvard University, the Legislator of the Year Award in 2006 for her work with dental hygiene, a feature in the Crusader Newspaper acknowledging her work to repeal Ohio's use of the death penalty, and interviews on both MSNBC and Fox News Network's "The Morning Show with Mike and Juliet" advocating for the passage of

Senate Bill 197, nicknamed the "Second Chance Bill."

Mr. Speaker and colleagues, please join me in honoring the achievements of Ohio Senator Shirley A. Smith.

RECOGNIZING THE WORK OF
PEOPLE FOR PUGET SOUND

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Friday, September 14, 2012

Mr. SMITH of Washington. Mr. Speaker, I rise to honor the work of the People for Puget Sound organization. For twenty years, this organization has been a strong voice for protecting one of the Pacific Northwest region's most valuable assets: the Puget Sound. After achieving many victories to protect the waterway, People for Puget Sound is transferring its programs to other organizations and concluding its operations.

Established in 1991, People for Puget Sound has worked to restore the fish and wildlife in the Puget Sound by creating clean and healthy land and waters that can be enjoyed by future generations. The organization worked to educate people who work and live throughout the Puget Sound basin about the shared responsibilities in protecting this resource.

Throughout its history, People for Puget Sound hosted countless events to bring volunteers out to restore habitats. Restoration ecologists worked throughout the Puget Sound region to give citizens the tools to protect the Sound where they work and live.

In addition to educating and engaging the public, People for Puget Sound has been a fierce advocate for the protection of environmental safeguards. For years, volunteers have gathered annually to speak with their representatives about steps that could be taken to clean up the Puget Sound.

Mr. Speaker, it is with great honor that I recognize the valuable work of People for Puget Sound. Although the organization is dissolving, I know the values and dedication of its staff and thousands of members from across the region will continue to protect the Puget Sound.

HONORING PASTOR MARQUES L.
FLETCHER

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 14, 2012

Mr. JOHNSON of Georgia. Mr. Speaker, I submit the following proclamation.

Whereas, Pastor Marques L. Fletcher is celebrating thirteen (13) years in ministry this year as Pastor of Young Street Community Baptist Church; and

Whereas, Pastor Marques L. Fletcher, under the guidance of God has pioneered and sustained Young Street Community Baptist Church, as an instrument in our community that uplifts the spiritual, physical and mental welfare of our citizens; and

Whereas, this remarkable and tenacious man of God has given hope to the hopeless, fed the hungry and is a beacon of light to those in need; and

Whereas, Pastor Fletcher is a spiritual warrior, a man of compassion, a fearless leader and a servant to all, but most of all a visionary who has shared not only with his Church, but with our District and the world his passion to spread the gospel of Jesus Christ; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to honor and recognize Pastor Marques L. Fletcher as he celebrates his thirteenth Pastoral Anniversary at Young Street Community Baptist Church;

Now therefore, I, HENRY C. "HANK" JOHNSON, JR. do hereby proclaim September 16, 2012 as Pastor Marques L. Fletcher Day in the 4th Congressional District of Georgia.

Proclaimed, this 16th day of September, 2012.

IN HONOR OF COUNCILMAN
TERRELL PRUITT

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, September 14, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in honor of Councilman Terrell Pruitt, who is currently serving as the representative for Ward 1 on the Cleveland City Council.

Councilman Pruitt has been representing Ward 1, which includes the Lee-Harvard and Miles neighborhoods on the southeast side of Cleveland, since 2008. Since coming to office, the Councilman has focused on the continued development of his community. He has worked tirelessly to maintain a safe community in which Clevelanders can thrive while making constituent services a top priority.

Councilman Pruitt has been a strong advocate of education and understands the impact that it can have on a community. He has maintained a close relationship with the Cleveland Metropolitan School District and supports policies that will increase the quality of education in the District. He has volunteered his time and service to the Governor's Close the Gap Campaign which helps supports students at the local high school to ensure their educational success. Along with his support of education, Councilman Pruitt continues to work towards ensuring a positive job outlook for his constituents by providing job training and continuing education opportunities.

Outside of his position as Councilman, Pruitt served tours in Afghanistan, led hurricane relief missions in Louisiana and serves as the Captain in the Ohio Army National Guard.

Mr. Speaker and Colleagues, please join me in honoring Cleveland City Councilman Terrell Pruitt.

INTRODUCING MEDICARE
TRANSITIONAL CARE ACT OF 2012

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Friday, September 14, 2012

Mr. BLUMENAUER. Mr. Speaker, today, together with a group of bipartisan cosponsors, I am proud to introduce the Medicare transitional Care Act of 2012, legislation to aid patient transitions from one care setting to another within our health care system. The legislation will improve patient health outcomes, reduce hospital readmissions, and save valuable healthcare resources.

When people leave the hospital after an operation or illness, they are often overwhelmed by a complicated and risky road to recovery. Patients frequently report difficulty remembering clinical instructions, confusion over medications, and in cases where multiple providers are involved, can receive conflicting instructions from different providers.

A study published in April 2009 in the New England Journal of Medicine found that almost one third of Medicare beneficiaries studied who were discharged from a hospital were re-hospitalized within 90 days. Additionally, one-half of the individuals re-hospitalized had not visited a physician since their discharge, suggesting a lack of follow-up care. The study estimated that Medicare spent \$17.4 billion in 2004 on unplanned re-hospitalizations.

In its June 2012 Report, Medicare Payment Advisory Commission, MedPAC, highlighted the need for an explicit payment for transitional care services, given the documented evidence that effective and coordinated care transitions improve health outcomes, reduce readmission rates, and generate significant savings to the U.S. health care system. The Congressional Budget Office has echoed these findings. In a report documenting lessons from Medicare's demonstration projects, the CBO emphasized that "programs that smoothed transitions (for example, by providing additional education and support to patients moving from a hospital to a nursing facility or between a primary care provider and a specialist) tended to have fewer hospital admissions."

There are some well-established and peer-reviewed programs that could be adopted. For example, the Transitions Care Model, which assigns a transitional care nurse during the transition period, has resulted in cost savings of approximately \$5,000 per patient. Other models also have demonstrated savings, such as the Care Transitions Intervention model, which provides patients with a transitions coach and self-management tools, has reduced hospital readmission rates from 20 percent to 12.8 percent, while Project Better Outcomes for Older adults through Safe Transitions, BOOST, which provides hospitals with management tools and mentoring programs to improve the discharge transition process, resulted in lower rates of mortality and 30-day readmissions rates dropped from 25.5 percent to 8.5 percent for those under age 70.

It is our hope that stakeholders involved in the care delivery system will carefully evaluate this legislation and provide comments or sug-

gested improvements to me and the other sponsors. We are interested in ensuring that the legislation's terms are adequately tailored to the different circumstances and settings in which these transitions occur.

Providing a transitional care benefit within Medicare will help coordinate care, develop a care plan for patients and their caregivers, identify potential health risks, and prevent unnecessary hospitalizations. I thank my cosponsors and look forward to working with my colleagues to advance this legislation.

IN HONOR OF MR. DALE MILLER

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, September 14, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in honor of Dale Miller, a member of the Cuyahoga County Council serving the Second District.

Councilman Miller was born in Cleveland, Ohio in 1949 and graduated from Garfield Heights High School in 1967. He attended Case Western Reserve University in Cleveland, earning a bachelor's degree in psychology. Dale later earned a doctoral degree in clinical psychology from the University of Utah, before eventually returning to his hometown of Cleveland shortly after graduation.

Dale has been active in public service throughout his life. As a college student, he was an intern for United States Senator Howard Metzenbaum. He served on the Cleveland City Council for nine terms beginning in 1979, in the Ohio House of Representatives from 1997 to 2006, and in the Ohio Senate from 2006 to 2010. He chose not to seek reelection to the Ohio Senate in 2010, deciding instead to run for the new Cuyahoga County Council.

Throughout his career, Miller has been honored on numerous occasions. He is the recipient of a Louis Stokes Award, State Leadership Award, and Community Leadership Award. He was also named the Legislator of the Year by the AFL-CIO and Public Children's Association of Ohio in 2005.

Mr. Speaker and colleagues, please join me in honoring my friend, Dale Miller, a member of the Cuyahoga County Council with a proven dedication to serving his fellow Ohioans for more than 30 years.

HONORING GEORGE BROWN

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, September 14, 2012

Mr. ENGEL. Mr. Speaker, George Brown has served as the City Clerk of the City of Mount Vernon since 2009 and before that as Deputy City Clerk from 2004. He is a native son of the City who received his primary education there. He went on to graduate with an Associates Degree in Applied Science from the Business Institute of Westchester and a Bachelor of Science Degree from Manhattan College.

He retired from Consolidated Edison to bring his 32 years of corporate experience in Customer Service, Accounting, Conflict Resolution, and Corporate Safety to City governance. He is involved with and received awards from many community and civic organizations. He has volunteered as a Celebrity Chef Cook for the YMCA and Delta Sigma Theta Sorority, was Event Co-Chairperson for Mount Vernon Relay for Life of the American Cancer Society, and Team Captain of Harlem Relay for Life of American Cancer Society.

He is a District Leader of the Mount Vernon Democrat City Committee, a member of the Black Democrats of Westchester, Past Vice President of the Mount Vernon Boys and Girls Club Board of Directors, Prince Hall Mason of the State of New York, St. Joseph Lodge #117 F&AM, having served 12 years as Grand Lecturer under five Grand Masters. He received the 33rd Degree, the highest degree in Masonry in May 2009. He has been a member of Elejmal Temple #185 of the AEONMS INC. since 1994 and in December, 2011 was elected Illustrious Potentate of Elejmal Temple #185.

George Brown is first and foremost a family man and one who loves laughter. He is also devoutly spiritual and every Sunday you will find him at the Greater Centennial AME Zion Church, where he is a proud member.

He is a man of the community, one who is unselfish in giving to his community. It is because of people like George Brown that communities grow and prosper and I am proud to join in honoring him for his service to his community.

INTERNATIONAL CONSERVATION CORPS ACT OF 2012

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 14, 2012

Mr. MORAN. Mr. Speaker, today I am pleased to join my colleague ANDER CRENSHAW in introducing the "International Conservation Corps Act of 2012" (ICCA), legislation that will mobilize our large and growing community of retired conservation experts, in a voluntary capacity, to support the efforts of developing countries to sustainably manage their natural resources.

There is a significant deficit in the capability of most developing countries to successfully manage their natural resources, which is fundamental to sustainable development, poverty alleviation, conflict avoidance, good governance, and regional security. Countries with a great wealth of natural resources are often cursed with devastating poverty, corruption and civil war arising from disputes over control and distribution of these resources.

The International Conservation Corps Act will harness the vast experience of the United States in natural resource management and connect it with developing countries to help them operate and develop more sustainable programs. Modeled after the Peace Corps, the ICCA program would offer retired land managers, both public and private sector employees, geologists, biologists, and park rangers

the opportunity to volunteer their services to the foreign country. The ICCA would cover the expenses necessary to deploy volunteers in other countries such as airfare, food, and lodging. The program will utilize volunteers who have long practical experience and are respected in their fields, and who are enthusiastic about opportunities to apply their knowledge and skills to assist other countries.

Under this proposal, the State Department would screen foreign government requests for assistance. Cleared requests would be forwarded to the Interior Department which would craft a prospectus that awards competitive grants to the nonprofit that assembles the best volunteer team and most meritorious application. Federal administrative costs would be minimal, ensuring tax payer funds are spent almost exclusively on "boots on the ground." No more than \$10 million could be appropriated per year. The cost of this program would be fully offset with savings from unexpended balances.

This proposal will be both a modest commitment and highly effective way to stretch our foreign aid dollars in advancing our national security interests of environmental stewardship, conflict avoidance, sustainable development and poverty alleviation.

I urge my colleagues to support this important legislation. Let's take advantage of this unique opportunity represented by the wave of highly qualified retiring U.S. professionals to help developing countries establish good governance.

IN HONOR OF OHIO STATE REPRESENTATIVE BILL PATMON

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, September 14, 2012

Mr. KUCINICH. Mr. Speaker, I rise today to honor State Representative Bill Patmon of Ohio's 10th House District.

Representative Patmon served as a member of the Cleveland City Council for 12 years between 1990 and 2001. During his time as a Councilman, he served as Chairman of the Council Finance Committee and the Employment and Affirmative Action Committee as well as Vice Chairman of the Safety, Community Development, and Utilities Committee. Following his tenure as Councilman, Representative Patmon was then elected to the Ohio State Congress in 2011 where he sits as a member of the Education; State Government and Elections; and Transportation, Public Safety, and Homeland Security Committees.

Representative Patmon has been a member of the National Association for the Advancement of Colored People, a member of the Board of Trustees for the Regional Transit Authority, a Special Consultant to the late Councilwoman, Fannie M. Lewis, and a member of the Harvard University Professional Fellows Program at the John F. Kennedy School of Government.

He is currently the President of East Erie Enterprise LLC which provides professional consulting in regards to community, economic development, and municipal finance. He is

also a political analyst for the local Channel 3 News station. Representative Patmon is the proud recipient of such honors as the 1997 National League of Cities Cultural Diversity Award.

Mr. Speaker and colleagues, please join me in honoring the achievements of State Representative Bill Patmon.

HONORING SUSAN BRADLEY

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 14, 2012

Mr. JOHNSON of Georgia. Mr. Speaker, I submit the following Proclamation.

Whereas, Forty years ago a virtuous woman of God accepted her calling to serve in the Federal Government at the Centers for Disease Control; and

Whereas, Ms. Susan Bradley began her career with the CDC with a willingness to lead and a passion to serve. Today she retires after providing exemplary service to the CDC and our community, and

Whereas, this phenomenal woman has shared her time and talents, giving the citizens of our district a friend to help those in need, a fearless leader and a servant to all wanting to ensure that the system works for everyone; and

Whereas, Ms. Susan Bradley is a cornerstone in our community that has enhanced the lives of thousands for the betterment of our District and Nation; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to honor and recognize Ms. Susan Bradley on her retirement from the CDC and to wish her well in her new endeavors;

Now Therefore, I, HENRY C. "HANK" JOHNSON, JR. do hereby proclaim August 30, 2012 as Ms. Susan Bradley Day In the 4th Congressional District of Georgia.

Proclaimed, This 30th day of August, 2012.

CONGRATULATING DR. THOMAS K. MCINERNY, THE NEW PRESIDENT-ELECT OF THE AMERICAN ACADEMY OF PEDIATRICS

HON. LOUISE MCINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, September 14, 2012

Ms. SLAUGHTER. Mr. Speaker, it is my esteemed honor and privilege to recognize Dr. Thomas K. McInerney of Rochester, N.Y., as the next elected President of the American Academy of Pediatrics (AAP). The AAP is the nation's largest pediatric organization, with a membership of 60,000 primary care pediatricians, pediatric medical subspecialists, and pediatric surgical specialists dedicated to the health, safety, and well-being of infants, children, adolescents, and young adults.

Dr. McInerney is Associate Chair for Clinical Affairs and Professor of Pediatrics at the University of Rochester Medical Center and Golisano Children's Hospital, and has worked

as a primary care pediatrician at Panorama Pediatric Group in Rochester, N.Y., for 40 years. After earning his medical degree at Harvard Medical School, Dr. McInerney completed his residency at Cincinnati Children's Hospital and Boston Children's Hospital. Dr. McInerney has held numerous elected and appointed positions, including the AAP Task Force on Mental Health, the Task Force on Immunization, and the Steering Committee on Quality Improvement and Management. He has served as President of Chapter I, District II (Upstate NY), Treasurer of District II, and has served on the board of directors and as chief medical officer of the Rochester Community Individual Practice Association, a physician-run organization dedicated to maintaining a community-wide panel of health care professionals to provide high quality, cost-effective, and accessible health care to 500,000 residents of the Greater Rochester Area.

It is our responsibility to ensure that children grow up in a safe and healthy environment—protecting children's health must be our top priority. This is why I am so pleased to see that dedicated doctors such as Dr. McInerney are recognized for their achievements.

Dr. McInerney has spent decades working to protect the children and families of the Rochester area and now has the opportunity to broaden his positive impact nationwide. As President-elect, Dr. McInerney has stated that he will work with legislators and stakeholders to ensure that children have access to quality health care. I am confident that Dr. McInerney will be a strong and dedicated leader in protecting the health of our nation's children.

Mr. Speaker, I ask my colleagues to join me in warmly congratulating Dr. McInerney upon his election as President of AAP.

IN HONOR OF OHIO STATE
REPRESENTATIVE MIKE DOVILLA

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, September 14, 2012

Mr. KUCINICH. Mr. Speaker, I rise today to honor State Representative Mike Dovilla of Ohio's 18th House District.

In addition to being a State Representative, Mr. Dovilla is also a U.S. Navy veteran, small business owner, adjunct professor and non-profit leader.

Representative Dovilla is a Lieutenant in the U.S. Navy Reserves with over eight years of commissioned service, including a 12-month deployment to Iraq. While in Iraq, he served as Deputy Officer-in-Charge leading a 25-person Baghdad-based intelligence headquarters which acted as a counter-improvised explosive device brigade. His reserve assignments have included a position with the Chief Naval Operations and the Office of Naval Intelligence. He is currently serving with a U.S. Forces, Japan reserve unit in Akron, Ohio. His military awards include the Defense Meritorious Service Medal, the Navy and Marine Corps Achievement Medal, and the Army Achievement Medal.

Outside of the military, Representative Dovilla has served as a Presidential appointee

at the U.S. Office of Personnel Management; a senior advisor to former U.S. Senator, George Voinovich; a Presidential Management Fellow at the U.S. Department of State; a manager of The Dovilla Group—his strategic consulting firm; a German Marshall Fund of the United States' American Marshall Memorial Fellow; a volunteer at University Hospitals Rainbow Babies and Children's Hospital; and a member of the Kiwanis Club of Berea, American Legion Post 91 in Berea, and Veterans of Foreign Wars Post 3445 of Strongsville. He was elected to the Ohio General Assembly in 2010 where he is currently serving his first term.

Mr. Speaker and colleagues, please join me in honoring the achievements of State Representative Mike Dovilla.

IN RECOGNITION OF
BARCELONETA, PUERTO RICO

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, September 14, 2012

Mr. PALLONE. Mr. Speaker, I rise today to celebrate Barceloneta, Puerto Rico on its recognition at the Puerto Rican Heritage Statewide Parade of New Jersey's 51st Annual Banquet Gala and Puerto Rican Ilustres. Please join me in welcoming the representatives of Barceloneta to the State of New Jersey.

Founded in 1881, Barceloneta is named for its founder Bonocio Llenza Feliu's hometown of Barcelona, Spain. Due to the vast pineapple plantations across much of the town, it acquired the nickname of La Ciudad de las Piñas, or pineapple city. Barceloneta is located at the northern end of Puerto Rico, along the Atlantic Ocean and is traversed by the Grande de Manatí River.

Today, Barceloneta is known as the Industrial City as it once served as the largest pharmaceutical complex in the world with 14 industries present. It is an ideal location for the facilities because it has underground water reservoirs and the purity of Barceloneta's water requires little treatment to produce their products. Many manufacturers remain today, including Merck Sharp and Dohme; Pfizer; and Abbott Laboratories. Barceloneta is a unique commercial area with the first and one of the largest outlet malls in Puerto Rico, which also serves as a travel destination. Its tourism is also bolstered by its famous black sand beaches, most popular among them Playa La Palmita, Playa Puerto de las Vacas and Playa Las Criollas.

Many notable individuals hail from Barceloneta, including Sixto Escobar, Puerto Rico's first boxing world champion. The Honorable Wanda J. Rosario Soler was elected as Barceloneta's first female mayor in 2012. Mayor Rosario Soler is focused on economic development and tourism to ensure the continued success of Barceloneta.

Mr. Speaker, once again, please join me in celebrating Barceloneta, Puerto Rico and thanking the Puerto Rican Heritage Statewide Parade of New Jersey for honoring the town at its 51st Annual Banquet Gala and Puerto Rican Ilustres.

A TRIBUTE TO STOCK CAR RACING
LEGEND DUMONT SMITH

HON. BILL POSEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 14, 2012

Mr. POSEY. Mr. Speaker, I rise to pay tribute to stock car racing legend Dumont Smith of Satellite Beach, Florida who passed away on Labor Day at the age of 81.

A hard-working building contractor by trade, Dumont Smith was born near Union Cross, North Carolina, and at an early age developed a love for racing. In 1946, at just 15 years old, Dumont began his stock car racing career on the dirt oval speedways in North Carolina. He won the first race he ever entered, after starting 44th in the field with a car he built in his back yard with his cousin Jimmy Caudle. Then, after hanging around and watching High Point, North Carolina driver Fred Harb work on his car at a nearby shop, Dumont refined his car-building skills.

A big part of Dumont Smith's early racing was done at Bowman Gray Stadium in Winston-Salem, NC, where he was racing fairly regularly by 1948. That year was also NASCAR's very first year of operation, and Dumont was one of its pioneer members. In fact, when Dumont surrendered his NASCAR license after coming to Florida to race on the independent tracks, it was Richard Petty who took over Dumont's registered car number 43.

Dumont's racing career in Florida saw many titles and track championships as he raced for various car owners and excited fans across the state. He won the Florida State Late Model Governor's Cup in 1967 at the Golden Gate Speedway in Tampa, the Late Model Championship in 1968 and 1969 at the Palm Beach Fairgrounds Speedway in West Palm Beach and the 1969 Late Model Championships at New Smyrna Speedway in New Smyrna Beach and Treasure Coast Raceway in Fort Pierce.

At the Eau Gallie Speedway in Melbourne, a local track I once owned and raced on many times, Dumont won a staggering 6 late model championships in 1962, 1963, 1964, 1966, 1968 and 1969. He was also the Platinum Coast 100 annual event winner for five years and held the track record in 1967. In all, his racing career in Florida lasted through 1976.

As a building contractor, Dumont along with his brothers, Percy and Jack, plus his cousins Percy Hedgecock and Jimmy Caudle, founded Satellite Beach by developing most of the initial housing neighborhoods. Dumont actually built his first house in North Carolina in 1948 at the age of 17. Just the year before, he had met his wife-to-be, Sarah. They were married in 1949, and December of 2012 would have been their 63rd anniversary. Dumont is survived by his wife Sarah, his son Lance, his daughter Linda and three grandchildren Brandon, Amber and Grant.

My favorite Dumont Smith story is from the 1966 Governor's Cup, the year before he won. Dumont was running second to Bobby Brack with just a few laps to go. Instead of driving through Bobby, running him off the track, Dumont made a bold choice—risk second place and try to pass on the outside around the turn.

But the track was very slick from all the grease and leaky oil, and Dumont lost the number two position to ultimately finish fourth.

One of the spectators next to me commented that it wasn't a smart move; that Dumont gave up a sure second place. I simply replied that Dumont didn't race to finish second, he came to win. And Dumont was an honorable racer. He raced to win straight-up, no dirty tricks or rough driving. That's just one of the many qualities I liked so much about Dumont and why he had so many fans.

HONORING BISHOP EDDIE L. LONG

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 14, 2012

Mr. JOHNSON of Georgia. Mr. Speaker, I submit the following proclamation.

Whereas, Bishop Eddie L. Long, is celebrating twenty-five (25) years as pastor of New Birth Missionary Baptist Church this year and providing leadership to his church on an international level; and

Whereas, Bishop Eddie L. Long, under the guidance and calling of God began preaching the word of God to members of New Birth Missionary Baptist Church as pastor in 1987 and today is celebrating a milestone; and

Whereas, from North Carolina to Atlanta, Georgia, he has transformed, trail blazed and taught the gospel; fed the hungry and assisted those in the community in need; and

Whereas, this man of God has been a blessing to us as a spiritual leader, an educator and a community leader; and

Whereas, Bishop Long has given of himself these past twenty five years to build up the community and has spread the gospel of Jesus Christ; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to recognize Bishop Eddie L. Long, as he celebrates his 25th Pastoral Anniversary;

Now therefore, I, HENRY C. "HANK" JOHNSON, JR. do hereby proclaim August 19, 2012 as Bishop Eddie L. Long Day in the 4th Congressional District of Georgia.

Proclaimed, this 19th day of August, 2012.

IN CELEBRATION OF THE 65TH BIRTHDAY OF THE UNITED STATES AIR FORCE

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 14, 2012

Mr. BISHOP of Georgia. Mr. Speaker, I rise today to pay tribute to the United States Air Force for 65 years of innovative progress and strong, steadfast defense of our nation. Over the last 65 years, the brave men and women who have served in the Air Force have made significant contributions in defending our homeland and safeguarding our liberties.

A celebration commemorating the 65th Birthday of the Air Force will be held at the Museum of Aviation at Robins Air Force Base

in Georgia on Saturday, September 15, 2012, at 6 p.m. Lieutenant General Andrew Busch, Vice Commander of the Air Force Materiel Command will be the guest speaker for the evening.

The United States Air Force was officially founded on September 18, 1947. However, its history and legacy go back even further. Less than four years after the Wright brothers flew the world's first airplane, the U.S. Army Signal Corps formed an Aeronautical Division in 1907. Known by several different titles and serving a number of purposes, the precursors of the Air Force were instrumental in World War I and especially World War II. Today, the United States Air Force, with its cutting-edge technology and distinguished manpower, is a superior and well-respected authority of air and space.

Shortly before the establishment of the Air Force, on September 1, 1941, construction began on the new Georgia Air Depot located sixteen miles south of Macon, Georgia. At the time of its dedication in 1943, the Depot Commander, Col. Charles E. Thomas, renamed it the Warner Robins Army Air Depot in honor of his mentor and the "father of logistics" of the Air Force, Brig. Gen. Augustine Warner Robins. Now known as Warner Robins Air Logistics Center and Robins Air Force Base, this former dairy farm pastureland would become the largest industrial installation in Georgia and one of the nation's finest defense assets.

Robins Air Force Base employs a workforce of over 25,584 civilians, contractors and members of the military. It is a vital part of the economy in Middle Georgia and brings in billions of dollars each year to the surrounding communities. Through my ongoing interaction with Robins Air Force Base personnel, one of the things I have come to admire most is their remarkable interaction with the people of Middle Georgia.

Furthermore, Robins Air Force Base, along with the United States Air Force, is a strong advocate of diversity and hence is able to recruit and train the most talented men and women to become the most distinguished officers and personnel in the United States Armed Forces.

The vast success and numerous achievements and victories of the Air Force would not be possible without the talented manpower that drives, or rather, flies, it. The ideas that manifest into state-of-the-art technology, the hands that build and operate it, and the minds that make the decisions that impact one life or millions of lives are all due to the diligence, creativity, and dedication of a people united in sharing and protecting the ideals of America.

Mr. Speaker, I ask my colleagues to join me today in paying tribute to the men and women who, over the last 65 years, have served or currently serve in the United States Air Force. Their outstanding valor and patriotic service have made the United States Air Force the best in the world.

HONORING JACQUELINE C. ALLEN

HON. GWEN MOORE

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, September 14, 2012

Ms. MOORE. Mr. Speaker, I submit the following.

Whereas, Jacqueline C. Allen, the reigning matriarch of our family was born seventy-five years ago on June 26, 1937, in St. Louis, Missouri; and

Whereas, in the early 50's "Jackie" and her family made the decision to move from Missouri to Wisconsin. "Jackie" and her family resided in what I call the "center of the universe" Racine, Wisconsin for approximately three years before moving to what is now the 4th Congressional District of Wisconsin, which includes the City of Milwaukee; and

Whereas, Jackie continued her education in Milwaukee receiving certification in Early Childhood Development from the University of Wisconsin, Milwaukee; and

Whereas, not only did Jackie work creatively and lovingly with children from infancy to K-5, but Jackie also distinguished herself in the following careers: as a Housing Counselor for the City of Milwaukee where she assisted hundreds of residents in peril of foreclosure; Jackie was also a compassionate and competent Special Liaison with the Milwaukee District Attorney's office in outreach and support of battered women; and

Whereas, Jackie was honored by being selected as "Queen of Protocol" for the opening ceremonies of Milwaukee's historic African World Festival; and

Whereas, in the early 70's Jackie was one of the original organizers of the Welfare Warriors, a group that empowers predominantly women of every race, creed and color and continues to impact our country and community to this present day; and

Whereas, a portrait of Jackie has been on display in the Milwaukee Public Library system for several decades as a tribute to Jacqueline C. Allen as one of Milwaukee, Wisconsin's most "positive people"; and

Whereas, as a family we are well aware that not only is Jackie positive but she is also persistent and powerful. Jackie has positively impacted her family decade after decade and generation after generation.

Therefore, it is with the utmost pride that I will stand on the floor of the House of Representatives in Washington, DC and convey to my colleagues and residents across the country the love and joy that I shared on July 22, 2012 on the occasion of the 75th Platinum Birthday Jubilee of my loyal constituent and my loving sister, Ms. Jacqueline C. Allen.

To God be the Glory!

HONORING DEACON ELI McKENZIE

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 14, 2012

Mr. JOHNSON of Georgia. Mr. Speaker, I present the following U.S. Citizen of Distinction.

Whereas, we are saddened by the death of Deacon Eli McKenzie, Jr., Ph.D., because our lives have been touched by the life of this one man; and

Whereas, Deacon Eli McKenzie's work is present in our district and his church, Fairfield Baptist Church in Lithonia, Georgia; also through the work of his beloved fraternity, Omega Psi Phi Fraternity, Inc.; and

Whereas, this highly effective motivator utilized his skills to aid in the growth and development of his church and community; and

Whereas, he gave of himself, his time and talent as he served his family, friends and community; and

Whereas, Deacon Eli McKenzie, Jr., Ph.D., was a husband, a son, a father, a brother and a friend; a man of great integrity who remained true to the uplifting of our community; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to bestow a special recognition on Deacon Eli McKenzie, Jr., Ph.D., for his leadership, friendship and service to all as a citizen of great worth and so noted distinction;

Now therefore, I, HENRY C. "HANK" JOHNSON, JR. do hereby attest to the 112th Congress of the United States that Deacon Eli McKenzie, Jr., Ph.D., of Decatur, DeKalb County, Georgia is deemed worthy and deserving of this "Congressional Recognition" by declaring Deacon Eli McKenzie, Jr., Ph.D. U.S. Citizen of Distinction in the 4th Congressional District.

Proclaimed, this 25th day of August, 2012.

NEIL ARMSTRONG TRIBUTE

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, September 14, 2012

Ms. JACKSON LEE of Texas. Mr. Speaker, I rise today to offer my gratitude to the great American and Astronaut, Neil Armstrong.

Neil Armstrong is a name that will forever be a testament to our nation's will to prevail in the challenge for successful space exploration and push the boundaries—going where no man has gone before.

Neil Armstrong was truly an American hero and icon. He represented the ingenuity and the passion for exploration and discovery that is the hallmark of our nation.

It may have been a "small step," but when he became the first person to set foot on the moon, it changed the course of history, making the impossible possible. His legacy will live on each time we dare to dream beyond what seems possible.

I am sure that everyone in this House and around this great nation has some memory of where they were and what they were doing when they saw Neil Armstrong become the first human being to walk on the Moon as commander of the *Apollo 11* mission.

Neil Armstrong was born in Wapakoneta, Ohio on August 5, 1930. He joined the Navy and flew as a naval aviator from 1949 until 1952. In 1955 he made the decision to join the National Advisory Committee for Aeronautics' Lewis Flight Propulsion Laboratory and later

transferred to the high speed flight station at Edwards Air Force Base, California to become a civilian aeronautical test research pilot for NASA.

Mr. Armstrong, along with his fellow astronauts, Buzz Aldrin and Michael Collin, shared the most significant accomplishment of modern man—they were the first people to successfully complete a voyage to and walk on the Moon.

On July 11, 1969, Armstrong, boarded the *Apollo 11* spacecraft and departed for the Moon. Four days later he arrived landed our lunar module in the Moon's sea of tranquility.

While Astronaut Collins remained with the orbiting Mother Ship, Neil Armstrong, said "One small step for man, one giant leap for Mankind," and took the first step on the Moon's surface. At that moment Neil Armstrong changed Mankind and the Earth.

At that moment in history, America along with the world celebrated the fantastic milestone—science fiction had become science fact—Neil Armstrong and his fellow Astronauts had accomplished through the help of thousands back on earth and Heaven's blessings.

Mr. Speaker, I hope that in honoring Neil Armstrong, we as Americans will renew young people's interests preparing for careers in mathematics and science.

IN RECOGNITION OF THE 75TH ANNIVERSARY OF THE FIRST CLEVELAND MOSQUE

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, September 14, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in recognition of the 75th anniversary of the First Cleveland Mosque.

The First Cleveland Mosque was founded in 1937 by Al Hajj Imam Wali Akram, and is among the oldest Islamic organizations in the U.S. Imam Wali Akram's goal in establishing the mosque was to have a place to entertain and educate the Muslim community.

In 1984, Al Hajj Imam Mahmoud A. Akram took over as the Imam of the First Cleveland Masjid and served until 1989. Since 1989, the grandson of Imam Wali Akram, Imam Abbas Ahmad, has been leading a congregation of hundreds of members. The First Cleveland Mosque embraces and propagates the fundamental teachings of Islam through service to the community according to the Quran and Sunnah of the Prophet Muhammad.

In celebration of the First Cleveland Mosque's 75th anniversary, members will gather for a number of events being held on September 14th and 15th, 2012. Events include prayer, several speakers, a silent auction and a banquet.

Mr. Speaker and colleagues, please join me in the First Cleveland Mosque, as it celebrates 75 years of serving as a place of worship for hundreds of Greater Cleveland residents.

RECOGNIZING THE 35TH ANNIVERSARY OF THE CONGRESSIONAL MANAGEMENT FOUNDATION

HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Friday, September 14, 2012

Mr. COHEN. Mr. Speaker, I would like to congratulate the Congressional Management Foundation (CMF) for its 35th anniversary. Over the past 35 years CMF has aided this body so that the Members can provide our constituents with better services both here in DC and in districts all across this nation.

Through online webinars and publications on best practices, CMF provides many services that improve communications between DC and district staffers. Keeping it Local—the Congressional Management Foundation's detailed guidebook on managing state and district offices—allows local managers and staff to maximize their involvement and productivity with constituents.

Among the many pieces of advice Keeping it Local has to offer, some of the most important items include its step-for-step instruction on how to establish and carry out a coordinated agenda, manage citizen outreach, organize district events while also maintaining superior communication networks between offices. The materials provided in this book and other CMF publications have helped my staff run our offices more effectively both at home and on Capitol Hill. On behalf of my staff, I would like to personally thank CMF and congratulate them on their 35th anniversary of serving Congress.

CONGRATULATIONS TO YORKTOWN HIGH SCHOOL FOR BEING NAMED A NATIONAL BLUE RIBBON SCHOOL

HON. MIKE PENCE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 14, 2012

Mr. PENCE. Mr. Speaker, I rise to recognize an exemplary school in Indiana's Sixth Congressional District. Yorktown High School in Yorktown, Indiana, has been named a National Blue Ribbon School by the U.S. Department of Education. Yorktown High School earned this recognition for its excellence in education, showcased through its high-performing students as measured by state assessments or nationally-normed tests.

Yorktown High School has been a staple of the community, serving students in grades 9–12 for more than 100 years with a dedication to core beliefs, including that curriculum and instruction will be research or evidence-based with student achievement being measured to ensure continuous progress. Also, it holds fast to the core belief that school leaders will expect and support ongoing improvement of teaching and student performance and that students will learn and perform best when stakeholders maintain high expectations. Not only does Yorktown High School boast a graduation rate of 95 percent, but in 2011, seniors

at Yorktown High School passed AP exams at a rate of 30 percent, compared to the national average for public schools of 18.1 percent.

I want to congratulate Yorktown High School students, administrators and teachers for earning this prestigious award. You have made not just Yorktown, but the entire Hoosier state proud.

A TRIBUTE TO THE 132ND FIGHTER WING

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 14, 2012

Mr. LATHAM. Mr. Speaker, I rise today to call attention to the outstanding work being done every day in Des Moines, Iowa by members of the 132nd Fighter Wing of the Iowa Air National Guard.

As we are well aware, the U.S. Air Force has recently proposed a reduction of hundreds of Iowa Air Guard positions and the retirement of the Wing's F-16 aircraft, included in cuts to the Air National Guard nationwide. In the face of this uncertainty, the fine men and women that make up the 132nd Fighter Wing have done what Iowans do best—let their work ethic speak for itself. I am honored to congratulate them on the four major national level awards they have attained in the last six months alone. The awards include the NGAUS Distinguished Flying Unit, Major General John J. Pesch Flight Safety Trophy, Maintenance Effectiveness Award in the Medium Category, and the ARC Logistics Activity of the Year Award. These awards affirm the 132nd as the Top Logistics Readiness Squadron and Top Maintenance organization in the entire Air National Guard.

Yesterday, this House passed H.J. Resolution 117 with my support which contained a crucial provision that places a moratorium on the proposed retirement of the 132nd Fighter Wing's F-16s, along with other proposed aircraft retirements from the Air National Guard. I do not believe that the Air Force's recommendation to close this fighter wing was based on thorough cost-benefit analysis. I will continue working to ensure that defense spending decisions are based on solid data and strengthening our national security, and working to fight for the permanent protection the members of the 132nd Fighter Wing deserve.

Mr. Speaker, the men and women that comprise the nationally acclaimed 132nd Fighter Wing in Des Moines are some of the most experienced in the Air Force. They are crucial contributors to our nation's security, both at home and abroad, and this body is wise for standing with them and pressing for more accountable decision making by the Pentagon. I ask my colleagues in the House to join me in congratulating the Iowa Air Guard on their recent achievements as we look forward to many more to come. May God continue to watch over all of our soldiers, and their families, across the world and here at home.

INTRODUCTION OF THE NATIONAL WOMEN'S HISTORY MUSEUM COMMISSION ACT OF 2012

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, September 14, 2012

Mrs. MALONEY. Mr. Speaker, I rise today to introduce the National Women's History Museum Commission Act of 2012. I am proud to be joined in this effort by my friend and colleague Delegate ELEANOR HOLMES NORTON, as well as by Senator SUSAN COLLINS.

This bipartisan bill, which has also been introduced by Senator COLLINS, creates a new commission to examine the feasibility and cost of building a National Women's History Museum, NWHM, on or near the National Mall.

This commission will be a bipartisan, eight member body comprised of two members appointed by the Senate Majority Leader, two members appointed by the Speaker of the House of Representatives, two members appointed by the Minority Speaker of the Senate, and two members will be appointed by the House of Representatives Minority Leader. All appointees will need to demonstrate a commitment to the research and study of women's history.

Most importantly, no federal dollars will be spent on this important, new museum. The work of the NWHM Commission would be paid for entirely with private funds.

Women's history has taken a backseat to the hundreds of years of written and available narrative focusing on men. Women are largely missing from textbooks, memorials, and museum exhibits. Of the 210 statues in the United States Capitol, only 9 are of female leaders. Across the country, less than 5 percent of the 2,400 national historic landmarks chronicle women's achievements.

The museums and memorials in our nation's capital reveal what we as Americans value. Today, we have museums dedicated to many important people and issues of interest, including flight, postage stamps, and law enforcement. But we still do not have a museum dedicated to woman's history and their contribution to building our great country.

A vital part of achieving equal rights for women is acknowledging and commemorating the deep and lasting impacts women have made in history. This bill would provide us with a blueprint of steps to take in order to finally honor 53% of our population. Certainly, women should be honored for their many contributions that are the very fabric of our country.

I urge my colleagues to join me in filling this void and honoring our Nation's foremothers by cosponsoring the National Women's History Museum Commission Act.

HONORING MAJOR WALTER D. GRAY

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 14, 2012

Mr. JOHNSON of Georgia. Mr. Speaker, I present the following U.S. Citizen of Distinction.

Whereas, our lives have been touched by the life of this one man . . . who has given of himself in order for others to stand; and

Whereas, U.S. Air Force Major Walter D. Gray served our nation with honor and gave his life answering a call to duty; and

Whereas, Major Gray never asked for fame or fortune, nor found a job too small or too big; but gave of himself, his time, his talent and his life to uplift those in need by demonstrating unwavering commitment to protecting and serving the citizens of the United States of America; and

Whereas, he was a husband, a father, a son, a brother and a friend; he was also our warrior, a man of great integrity who remained true to the uplifting and service to our nation; and

Whereas, the U.S. Representative of the Fourth District of Georgia recognizes Major Walter D. Gray as a citizen of great worth and so noted distinction;

Now Therefore, I, HENRY C. "HANK" JOHNSON, JR. do hereby attest to the 112th Congress that Major Walter D. Gray is deemed worthy and deserving of this "Congressional Honor" by declaring Major Walter D. Gray U.S. Citizen of Distinction in the 4th Congressional District of Georgia.

Proclaimed, this 17th day of August, 2012.

RECOGNIZING RUMFORD INDUSTRIAL GROUP

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, September 14, 2012

Mr. GRAVES of Missouri. Mr. Speaker, on July 25, 2012, the Committee on Small Business held a hearing examining how, despite the harrowing recession and tough economy, some small business owners have grown by innovating and strategically adapting their business models in order to find success. In the days leading up to the hearing, the Rumford Industrial Group, a small firm in Centerville, Ohio, sent me a letter highlighting their successes as well as noting the tough choices their company must make every day. As our Nation's job creators, small businesses, continue to struggle with economic uncertainty, I rise today to submit the Rumford Industrial Group's statement as a testament to the perseverance, innovation, and hard work accomplished by America's small business men and women every day. Their commitment to their businesses, employees, and communities is critical to this nation's future success.

RUMFORD INDUSTRIAL GROUP,
Centerville, OH, July 20, 2012.

HOUSE OF REPRESENTATIVES,
House Small Business Committee,
Washington, DC.

DEAR CHAIRMAN GRAVES: Thank you for the opportunity to discuss our successes and our concerns during this challenging time.

Rumford Industrial Group is a small industrial distribution company located in Dayton Ohio. Incorporated in 1980 by Jim Rumford we are your typical sales organization. The economic climate in 1980 wasn't very favorable for starting a company. Interest rates were around 18% and banks just weren't lending anyway.

We've made investments over the years to stay ahead of the competition and as our company grows, we hire. Our group currently numbers 40 over a 5 state territory.

As a sales organization it is our responsibility to provide certain functions to support our sales staff. These include but aren't limited to: Office/warehouse (of which we're about to break ground on a new 8500 sq ft facility); accounting/bookkeeping department; shipping/receiving capabilities; customer service; order taking; marketing department; technical support; sales consultants; application company.

By having a fully functional office to support our sales field we are able to increase our presence in our industrial accounts by making our sales staff more efficient. This increases our sales and allows us to expand our internal and external organizations.

In 2009 when the economy tanked we lost 40% of our business. We chose to use our savings accounts to keep people employed instead of laying them off. We believe most small businesses in this country would do the same if they had the option. We were fortunate when in August of 2010 business started picking up and we were able to gain back 25% of the previous year's losses. Still down but not as far. In 2011 we were up 25% over 2010 and so far for 2012 we are running at a 35% increase in business. How are we managing this? Well, we went back to the basics. We started calling our customers, knocking on doors and sending email newsletters to let the customer base know about our capabilities. Basically we implemented a great marketing campaign.

Typically in economic downturns our business does very well as we rebuild and salvage component equipment in the industrial sector. This last downturn didn't just close factories and facilities, they were torn down. Automotive plants that covered hundreds of acres of land are gone. The industries that support big business were just gone. We were fortunate to survive and one of the main reasons for this is that we carry no debt. By not having debt to service we can focus on our mission of effectively educating employees and customers on providing reliable lasting solutions for the repair and reclamation of buildings, structures, machinery and equipment.

I'd like to make an important note. Our success and our survival as a small business is in no part due to the actions of the government. Indeed, the government could have eased lines of credit for small businesses and reduced the paperwork burden to obtain temporary financing, but it either did not happen or the bureaucracy was too burdensome.

During the economic downturn between 2008 and 2011, we tried to expand our business into the military, specifically the Army. Our focus was to improve the preservation and maintenance of Army equipment and we had numerous meetings with Army officials. Un-

fortunately, the Army has little focus on reducing the life cycle cost of their equipment and focuses more on quick fixes, thus spending more on maintenance and equipment over time. Indeed, there are few in the government capable of making life cycle determinations during acquisition decisions. After three years of trying to have meaningful discussions and meetings to change the Army's maintenance focus, we returned to our basic commercial roots working with companies who are interested in saving money. We are disappointed by a general lack of business acumen in the government. The tax code needs to be completely abolished and rewritten to either a fair or flat tax where everyone pays their fair share, not just the wealthy.

In discussions around our community here are some bullet points that other small business owners would like to see us share with you.

1) Keystone Pipeline needs to be completed.

2) Fracking needs to be allowed to move forward.

3) SBA—Guarantees were put in place during the financial crisis and then removed. We'd like to see them reinstated.

4) Obamacare is proving to be burdensome, expensive and doesn't solve the health care problems.

5) Frustration with lack of federal budget and imbalance in receipts vs. expenditures.

6) Extend Bush tax cuts for all. This gives us the ability to make plans.

7) The unceasing attacks by the administration and certain members of Congress on the hard won success of numerous small business men and women who are the backbone of employment in our nation is despicable. To call successful small persons wealthy and to add additional tax burdens such as the Obama Health Plan will hurt employment and investments.

8) We would like the paperwork associated with small business loans significantly reduced.

Small businesses can grow and improve the nation's unemployment situation if we have the same access to capital at rates similar to large companies. There is a difference between low risk and no risk and too many financial institutions have taken the no risk approach.

Rumford Industrial Group is proud of its accomplishments. We have weathered poor economic conditions through hard work and sacrifice, reducing debt, and by making prudent financial decisions. It has not been easy and many of the government's policy decisions have not improved conditions. We look for actions the House Small Business Committee can take to reduce burdensome rules and regulations that will help small business gain faster access to credit, reduce bureaucratic oversight, and promote a tax structure that encourages small businesses to grow in both revenue and employment. Small business is the cornerstone of the great American success story where personal sacrifice can lead to a better life for all the citizens of America.

With Respect,

STEPHANIE RUMFORD.

PERSONAL EXPLANATION

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Friday, September 14, 2012

MR. BLUMENAUER. Mr. Speaker, due to the birth of my daughter's first child, my first

grandchild, I was unable to be in Washington, DC for votes on Thursday afternoon and Friday, September 13 and 14, 2012. Had I been present for votes those days, I would have voted as follows:

Rollcall vote 576: I would have voted in favor of the Van Hollen motion to recommit with instructions, legislation that would eliminate sequestration entirely, provided that subsequent deficit reduction is enacted that equals or exceeds sequestration's deficit reduction over 10 years. The Motion would also provide that such subsequent deficit reduction legislation be balanced by requiring upper income taxpayers pay their fair share, protecting middle class tax cuts, and including targeted spending cuts.

Rollcall vote 577: I would have voted against H.R. 6365 that would irresponsibly have offered a cuts-only approach to deficit reduction and placed the enormous burden of those cuts solely on the non-defense discretionary budget and, by extension, squarely on the backs of the most vulnerable.

Rollcall vote 578: I would have voted in favor of the Barber motion to recommit that would add a provision to the bill that extends the funding for Military, Reserve, and National Guard personnel for the full fiscal year, as well as extending coverage of disability examinations and the treatment and additional services for homeless and mentally ill veterans.

Rollcall vote 579: Despite certain reservations, I would have voted in favor of H.J. Res. 117—Continuing Appropriations Resolution, 2013 to continue funding the government's operations for six additional months.

Rollcall vote 580: I would have voted in favor of S. 3245 bill to extend by 3 years the authorization of the EB-5 Regional Center Program, the E-Verify Program, the Special Immigrant Nonminister Religious Worker Program, and the Conrad State 30 J-1 Visa Waiver Program.

Rollcall vote 581: I would have voted in favor of the DeGette Amendment to make changes to the findings section of the bill, demonstrating that the loan restructuring complied with the law and highlighting that the projects funded to date are expected to create 60,000 jobs.

Rollcall vote 582: I would have voted in favor of the Waxman Amendment allowing the program to continue to provide financing to innovative energy projects.

Rollcall vote 583: I would have voted in favor of the Motion to Recommit, which would require that 75 percent of any materials used in projects receiving funding under the Incentives for Innovative Technologies program be produced in the United States. In addition, the Motion to Recommit would require the enactment of H.R. 6213 to be contingent on extension of the Production Tax Credit, which would further stimulate the clean energy economy.

Rollcall vote 584: I would have voted against H.R. 6213, the No More Solyndras Act, which arbitrarily picks winners and losers in the alternative energy field. By setting a cut-off date of December 30, 2011, House Republicans are prioritizing older technologies—those most likely to fail—at the expense of newer, more innovative projects.

PERSONAL EXPLANATION

HON. GWEN MOORE

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, September 14, 2012

Ms. MOORE. Mr. Speaker, I was absent for one vote in the House of Representatives on Thursday afternoon (September 13).

Had I been present, I would have voted "yea" on rollcall No. 575—H.R. 1775—Stolen Valor Act of 2011.

HONORING MARSHALLS
DISTRIBUTION CENTER**HON. HENRY C. "HANK" JOHNSON, JR.**

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 14, 2012

Mr. JOHNSON of Georgia. Mr. Speaker, I submit the following proclamation.

Whereas, we encourage viable businesses in our community to provide our citizens with the goods and services they need to survive and thrive; and

Whereas, in 1982, Marshalls Distribution Center set up shop in Decatur, Georgia to serve the citizens of DeKalb County, Georgia and communities far and near; and

Whereas, the lives of thousands have been touched by this good corporate citizen which is an active partner in the community; and

Whereas, Marshalls Distribution Center continues to be a resource for citizens in DeKalb County with excellent service, providing employment opportunities and providing products that contribute to the local and national economies; and

Whereas, the U.S. Representative of the Fourth District of Georgia is officially honoring and congratulating Marshalls Distribution Center on their 30th Anniversary as a business anchor in our District;

Now therefore, I, HENRY C. "HANK" JOHNSON, JR. do hereby proclaim September 14, 2012 as Marshalls Distribution Center Day in the 4th Congressional District of Georgia.

Proclaimed, this 14th day of September, 2012.

A TRIBUTE TO IOWA'S RED BULLS

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 14, 2012

Mr. LATHAM. Mr. Speaker, I rise today to recognize and congratulate the Iowa National Guard's own Red Bulls for being awarded the Citizen Patriot Unit Award by the U.S. Department of Defense. The Citizen Patriot Award for Distinguished Service is a prestigious award that is given annually to only one individual and one military unit across the entire Department of Defense.

The Iowa National Guard's Red Bulls, formally known as the 2nd Brigade Combat Team, 34th Infantry Division, set themselves above the rest through their substantial con-

tributions to the security and defense of the nation while serving in Afghanistan in support of Operation Enduring Freedom. The Red Bulls have a storied history as some of the most dependable soldiers in the Army, and the Citizen Patriot Award truly reflects the nation's gratitude for what they have accomplished together.

In July 2010, the Red Bulls' unit departed Iowa in one of the largest single deployments since World War II. After arriving in Afghanistan in November of that year, Task Force Red Bulls conducted comprehensive counter insurgency operations and also partnered with the Afghan National Security Forces. These men achieved the mission goals they were assigned at the highest possible standard amidst the painful loss of four servicemembers who gave the ultimate sacrifice for their country. Sergeant Brent M. Maher of Honey Creek, Specialist Donald L. Nichols of Shell Rock, Staff Sergeant James A. Justice of Grimes, and Sergeant 1st Class Terry L. Pasker of Cedar Rapids are Iowan heroes who will never be forgotten.

Mr. Speaker, I am in awe of the Red Bulls' commitment and sacrifices in order to make our country safer. Each and every member of this elite unit represents the best of Iowa's work ethic and patriotism. They make me proud to be an Iowan, and I thank them from the bottom of my heart. I invite my colleagues in the House to join me in congratulating the Red Bulls on attaining the Citizen Patriot Unit Award and welcoming them home. We will forever appreciate their extraordinary service.

HONORING VIRGINIA CHAMBLEE'S
40 YEARS OF PUBLIC SERVICE**HON. KENNY MARCHANT**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, September 14, 2012

Mr. MARCHANT. Mr. Speaker, it is with great pride that I recognize Virginia Chamblee for her 40 years of service as a City of Bedford employee. It is an honor for me to celebrate Ms. Chamblee's remarkable career with my fellow colleagues in Congress.

Virginia Chamblee began her career with the City of Bedford on May 5, 1972, working at the city library. In 1982, the City of Bedford opened a new senior center located at 2819 R.D. Hurt Parkway. Prior to the opening of the senior center, the Bedford city leadership deemed her as a perfect fit as the center's supervisor. On July 1, 1982, Ms. Chamblee transitioned into the center supervisor role, and on October 17, 1982, the center opened under her care and guidance.

Virginia Chamblee established programs that have become senior center traditions. In the first week of the center's opening, the Monday Night Dance was established where it has continued to this day. Likewise, the Christmas Luncheon began in 1982 and has developed into one of the largest North Texas senior community pot luck lunches. Another notable tradition from the opening year was the weekly jam sessions, which began as music lessons but developed into a community orchestra of nearly 20 members.

Virginia Chamblee has spent the majority of her life serving her community. Throughout her distinguished career, she has been a dedicated and conscientious employee who has always championed seniors. She is known for her kindness, gentle spirit, and willingness to listen to any problem and extend a helping hand.

Mr. Speaker, on behalf of the 24th Congressional District of Texas, I ask all my distinguished colleagues to join me in honoring Virginia Chamblee for her 40 years of public service with the City of Bedford.

RECOGNITION OF EMPLOYEES OF
THE OFFICERS AND THE INSPECTOR
GENERAL OF THE U.S.
HOUSE OF REPRESENTATIVES
WITH 25 YEARS OF SERVICE TO
THE HOUSE AND RECIPIENTS OF
THE HOUSE EMPLOYEE EXCELLENCE
AWARD**HON. DANIEL E. LUNGEN**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 14, 2012

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I rise today to congratulate and recognize outstanding employees of the Officers (Clerk of the House, Sergeant at Arms, and Chief Administrative Officer) and the Inspector General of the U.S. House of Representatives who have reached the milestone of 25 years of service to the U.S. House of Representatives, as well as the recipients of the House Employee Excellence Award.

The House's most important asset is its dedicated and exceptional employees, whose work, often behind the scenes, is vital in keeping the operations and services of the House running smoothly and efficiently. The employees we recognize today are acknowledged and commended for their hard work, dedication, professionalism, support of House Members, their staffs and constituents, and for their contributions day-in and day-out to the overall operations of the House. These employees have a wide range of responsibilities that support the legislative process, ensure the security of the institution, maintain our technology and service infrastructure, and contribute to a more effective and efficiently operating House support structure. They have accomplished many great things in a wide range of activities, and the House of Representatives and its Members, staff, and the general public, are better served because of them.

We honor the individuals named below for 25 years of dedicated service to the House. Collectively, this group has provided four hundred and twenty-five (425) years of service to the U.S. House of Representatives:

Kevin M. Allison, Office of the Chief Administrative Officer

Harold Blakney, Office of the Chief Administrative Officer

Thomas H. Blatnik, Office of the Sergeant at Arms

Clarence G. Butler, Office of the Chief Administrative Officer

David Carreiro, Office of the Clerk

Darren Dahlstrom, Office of the Chief Administrative Officer

Scott Derrick, Office of the Chief Administrative Officer

Kelda Y. Dunklin, Office of the Chief Administrative Officer

Wesley D. Jones, Office of the Chief Administrative Officer

Kent Kahler, Office of the Chief Administrative Officer

Kevin S. Kelley, Office of the Chief Administrative Officer

Ronald M. Mullvain, Office of the Chief Administrative Officer

Sandra Q. Pilkerton, Office of the Chief Administrative Officer

Deborah M. Robertson, Office of the Chief Administrative Officer

Joe T. Taylor, Office of the Chief Administrative Officer

Kimberly von Harders, Office of the Chief Administrative Officer

Richard E. Wright, Office of the Chief Administrative Officer

We also recognize and congratulate four House employees for receiving the Employee Excellence Award. This is a merit-based award, given to one employee from each House Officer organization, and the Office of Inspector General. Selected employees exhibited outstanding overall job performance and displayed a willingness to go above and beyond the call of duty throughout the last year. We honor the individuals named below for receiving this prestigious award.

Monica Barnabae, Paige Beatty, and The HRCOC Staff, Office of the Chief Administrative Officer

Stefan J. Bieret, Office of the Sergeant at Arms

Charles M. McGee, Office of the Clerk

Joseph C. Picolla, Office of Inspector General

On behalf of the entire House community, I extend congratulations and once again recognize and thank these employees for their professionalism and commitment to the U.S. House of Representatives as a whole, and in particular to their respective House Officers and the Inspector General. Their long hours and hard work are invaluable, and their years of unwavering service, dedication, and commitment to the House set an example for their colleagues and other employees who will follow in their footsteps. I celebrate our honorees, and I am proud to stand before you and the nation on their behalf to recognize the importance of their public service.

HONORING CARLA LAEMMLE ON HER 103RD BIRTHDAY

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 14, 2012

Mr. BERMAN. Mr. Speaker, it is my pleasure to rise in recognition of Carla Laemmle on the occasion of her 103rd birthday.

Carla is the niece of Carl Laemmle, who founded Universal Studios. She grew up on the Universal Studios lot in the early days of the San Fernando Valley, the area I now represent. She began her long professional acting career at the age of 16 with an uncredited role

as the prima ballerina in the original silent film version of the Phantom of the Opera, demonstrating her many years of training in classical dance. Carla is perhaps best known for her role in Dracula, starring Bela Lugosi. Her role in Dracula made her the person who spoke the first line of dialogue ever in a horror movie. She is now the last surviving cast member of both films.

Carla acted and danced in many more films, including Broadway Melody, in which she danced out of an oyster shell in a scene designed by famous artist and fashion designer Erté. That film became the first musical to win a Best Picture Oscar at the Academy Awards. And, more than eighty years after her debut on the silver screen, Carla will return to theaters soon in a new horror movie, Mansion of Blood.

Carla continues to make her home in Hollywood, CA—a place that is home for her in a way that few others will ever experience. She will celebrate her remarkable milestone with four generations of Laemmle family members, many of whom have remained in Los Angeles.

Please join me in wishing Carla a very happy birthday and many happy returns.

CRANIOFACIAL ACCEPTANCE MONTH

HON. LOU BARLETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 14, 2012

Mr. BARLETTA. Mr. Speaker, I rise to recognize September as Craniofacial Acceptance Month.

Today, there are approximately 100,000 babies born in the United States each year with a craniofacial disorder affecting the head, neck, extremities, and/or organs. It can be caused by a birth defect, disease or trauma. In many cases, reconstructive surgery can correct these problems early, often while the children are still infants. Additionally, over the past 30 years, the medical community has made great strides in improving the quality of life for those affected by this disorder.

Craniofacial disorders not only take a physical, mental, and social toll on the individual, but on family and friends as well. Being accepted by others is a natural human desire, but it's not always easy for children born with these facial disfigurements to fit in, especially in school and social settings. Craniofacial Acceptance Month encourages individuals and organizations to promote awareness and acceptance in their community and support programs and services available to individuals with facial differences. We must always remember there is a heart beyond each face.

Mr. Speaker, I commend the organizations, such as Children's Craniofacial Association, and the American citizens who have aided those affected by a craniofacial disorder.

HONORING THE VOLUSIA HONOR AIR PROGRAM, VOLUNTEERS AND DONORS

HON. JOHN L. MICA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 14, 2012

Mr. MICA. Mr. Speaker, I rise today to honor the Volusia Honor Air program. This program is designed to honor and recognize the veterans we often refer to as the "Greatest Generation."

Over the past 5 years, the Volusia Honor Air program has provided an opportunity for our World War II Veterans from the central Florida area to travel to Washington, DC to visit the memorial built in their honor. That one-day event for these World War II heroes is one of the most special in their lives and is certainly well deserved.

Since the first flight in 2008, the program has accommodated more than 1,000 veterans in hosting a special visit to their memorial. The flight on September 29, 2012, will mark the 10th and final flight for the program.

I would like to first recognize the Volusia County Rotary Clubs who helped arrange and underwrite this program. Let me also pay special tribute to Volusia Honor Air Chairman Bill Mancinik for his leadership and the countless others whose services and donations have been essential to making the program such an overwhelming success.

While it is impossible to list every guardian who accompanied the veterans, I would like to thank each and every one of them for their time and dedication in honoring these heroes.

However, I would like to specifically name the leaders of each flight and those committee members whose tireless efforts in organizing these intricate trips to Washington have made the events go so smoothly.

The leaders of the ten flights are Chairman Bill Mancinik, Ray Heffington, Mike Hill, Bernadette Britz-Parker, Brad Strickland, Roger Baumgartner, Morgan Gilreath, Mike Brooks, Geof Felton and Wayne Gordin.

Serving on the Volusia Honor Air Committee are Chairman Bill Mancinik, Jeff Bumb, Mike White, John Cheney, Gloria Denston, Paul Goldberg, David Brannon, Russell Kelton, Andy Grose, Bob Lloyd, Mary Kay Everts, Judi Whitaker, and Jack Ross.

As we all know, it takes more than just the dedication of those who volunteer; specifically it takes a lot of money to make these events happen. Thankfully, the Volusia Honor Air program has had a host of generous donors over the years helping to underwrite the expenses for our WWII Veterans to make their trip to Washington.

These generous donors include the County of Volusia, Florida, the Paul B. and Constance D. Hunter Charitable Foundation, Inc., Embry-Riddle Aeronautical University, Cambata Aviation International, LLC, Florida Game Promotions, LLC, Coggins Auto Group, American Legion Posts and Auxiliaries, VFW Posts and Auxiliaries, the Rotary Club of Daytona Beach, the DeLand Breakfast Rotary, R. Michael Hill, Staed Family Associates, Steve and Bernadette Parker, the Rotary Club of DeLand, the Rotary Club of Downtown DeLand, Daytona

State College, Morgan and Beth Gilreath, Meeting Matters Plus, Inc., TD Bank, Wayne Gordin, Homewood Suites by Hilton, the DeLand Elks #1463, Conrad Yelvington, Majors Medical Supply, Inc., Sweetwater Medical Central, Halifax Hospital, and Florida Hospital in Ormond Beach.

It has been my honor and pleasure to accompany our veterans during most of these trips to Washington and I will always remember the satisfaction, joy and solace I have witnessed in these remarkable men and women and often their family members as they visited our most cherished memorials in our nation's capital.

I ask my colleagues to join me in recognizing and congratulating the Volusia Honor Air Program and the service of all of our World War II veterans.

REMEMBERING WILLIAM F.
FAHERTY, JR. FOR A LIFETIME
OF DEDICATED SERVICE

HON. LEONARD LANCE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, September 14, 2012

Mr. LANCE. Mr. Speaker, I rise today to honor and remember the life of William F. Faherty. Bill dedicated his life to his family and often answered the call of public service. Born in Trenton, Bill was raised in New Jersey, graduated from Rutgers University and has more recently lived in Allamuchy.

Bill became a leader in the government of his home city of Trenton and was a banking executive with First National Bank. He was later called to serve in many positions in state government. He was appointed deputy commissioner of the Department of Banking and Insurance by Governor Richard Hughes. He was named executive director of the New Jersey European Trade Mission to England, France and West Germany by Governor Brendan Byrne. Governor Tom Kean selected him to be executive director of finance for the Governor's Management Improvement Firm. He was involved in planning that continues to bring enjoyment to millions of people being instrumental in the development of the Meadowlands, home of his beloved Giants, and the birth of gaming in Atlantic City. He selflessly served governors of both parties putting service ahead of partisanship.

Bill also was a man of charity. He raised many funds for the Robert F. Kennedy Memorial Foundation and the State Council on the Arts and was a trustee of the New Jersey State Police Memorial Association. He was a member of various boards of directors, including those of the Waterloo Foundation, Hackettstown Community Hospital and the Battleship New Jersey Commission and was a member of the board of trustees for Rutgers Business School, the Partnership for a Drug Free New Jersey and the Drumthwacket Foundation.

Bill was devoted to his loving wife, Saralan, his predeceased son William F. Faherty III, daughters, Faith Faherty Cust and Hope Faherty, son-in-law, Jack Cust, brother, Patrick, and four grandchildren and two great-grandchildren.

I join William Faherty's family and friends in remembering him for his public service to the State of New Jersey, his love of his family and the lives touched by his philanthropic work.

50TH ANNIVERSARY OF MADISON'S SHAKESPEARE THEATRE OF NEW JERSEY

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, September 14, 2012

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to honor the Shakespeare Theatre of New Jersey, Madison, Morris County as they begin their 50th Anniversary season this year.

The proud tradition of the Shakespeare Theatre of New Jersey began in 1963, when Paul Barry and Phillip Dorian formed the New Jersey Shakespeare Festival in Cape May. Their Festival was met with such success that the group was offered a permanent home on the campus of Drew University in Madison, New Jersey in 1972.

The Shakespeare Theatre has been dedicated to bringing the classics of Shakespeare and classical playwrights alive for audiences for 50 years. The Theatre's plays and outreach programs have showcased live theater to diverse audiences throughout the state and have also served as the training ground for the newest talents on the stage.

To improve the theater experience for all patrons, the Theater has undergone a number of lasting and unique changes over its history. The first of these changes was the construction of the F.M. Kirby Shakespeare Theatre in 1998. This space arose out of the Shakespeare Theater's desire to create a lasting performing space that could meet the artistic demands of its schedule and provide an intimate setting for patrons to view the performances. This state of the art facility features modern theater lighting, sound and seating as well as complete handicapped accessibility. With just over 300 seats none of which is more than 32 feet from the stage, the F.M. Kirby Shakespeare Theater provides a truly unique venue to view theater.

Debating in 2002, the Shakespeare Theater of New Jersey's Outdoor Amphitheater on the campus of the College of St. Elizabeth, allows patrons to view the arts from a whole new perspective. The outdoor space takes its inspiration from the Theater of Dionysus in Athens and hopes to transport viewers back in time through a wide range of classical theatrical offerings and is one of the only theatres of its kind in the United States.

The Theatre's newest addition is a 49,000 square foot renovated factory in Florham Park that will serve as a training and rehearsal space. The new facility will be filled with office spaces, scene and costume shops as well as multiple rehearsal and classroom spaces, greatly enhancing the educational and outreach capacities of the Theatre. This space will allow the Theatre to enhance current stage offerings and provide a future of unique performance and shows.

Through its mission statement and commitment to the arts in New Jersey, the Shake-

speare Theatre of New Jersey has proven to be a pillar of the local community and a large contributor to the arts in New Jersey.

Mr. Speaker, I ask you and my colleagues to join me in congratulating the Shakespeare Theater of New Jersey, Madison as they celebrate their 50th season and their continuing contributions to New Jersey's vibrant arts community.

HONORING KEVIN FRECHETTE

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, September 14, 2012

Mr. SMITH of New Jersey. Mr. Speaker, at the request of the colleagues and friends of Kevin Frechette of Howell, New Jersey, I submit the fitting tribute they composed following the sad news of his passing at the young age of 52.

KEVIN FRECHETTE, GOVERNMENT RELATIONS EXECUTIVE, NEW JERSEY PUBLIC SERVICE ACTIVIST, LIFE-LONG MONMOUTH COUNTY RESIDENT PASSES AWAY

Kevin Frechette, 52, of Howell, NJ, passed away peacefully at his home on September 5, 2012. Mr. Frechette, who leaves behind a beloved son, Kyle Frechette, also of Howell, a student at Ramapo College, was a Senior Vice President and General Manager at MWW, an independent global public relations firms with offices across the nation including a headquarters in East Rutherford and an office in Trenton, NJ.

Mr. Frechette ran MWW's Trenton office and worked for the company for 12 years. As a member of the firm, Mr. Frechette was influential in the creation and funding of NJ211, a toll-free, state-assisted hotline that directs New Jersey residents to available community resources, and was critical in successful efforts to curb the privatization of the New Jersey Turnpike. A respected and knowledgeable figure at the Statehouse in Trenton, noted for his sense of humor, good nature and humility, he was a consultant to many leading New Jersey businesses and nonprofits such as NJCURE, Parsons Corporation, the New Jersey State Library, the Jewish Federation of New Jersey and dozens of other prominent organizations. In a previous career, Kevin served as a court house and political reporter at the Daily Register of Monmouth County.

Before joining MWW, Mr. Frechette spent eight years as the Deputy Director of Press and District Operations in the New Jersey General Assembly Majority Office, where he worked with lawmakers on issues of media relations, marshaling district resources, connecting with constituents and overall communications strategies. He also served as Chief of Staff to NJ Assemblyman and later State Senator Joe Kyrrillos.

Mr. Frechette was born in Holy Name Hospital in Teaneck, NJ and grew up and lived in Monmouth County nearly all his life. He was a product of Holmdel Township Schools and also lived in Little Silver, Red Bank and, most recently, Howell, New Jersey.

He received a degree in Mass Communications from St. Bonaventure University. Active in politics at a young age, he served in Student Government in Holmdel High School where he also played a leading role in the school's production of "Bye Bye Birdie." His family members were long-time parishioners at St. Catherine's Church in Holmdel, NJ.

Among friends, Mr. Frechette was known for his sharp wit and sense of humor, but also for the truly selfless way he cared for people. Even while sick, he would visit friends in the hospital as if his illness was irrelevant. Mr. Frechette was known for being very honorable with a relentless work ethic in every aspect of life; it earned him the respect and love of all he came in touch with. Ultimately, Mr. Frechette had two great passions in life, his son Kyle, over whom he doted, and music, which he collected and immersed himself in throughout his life.

In addition to his son Kyle, Mr. Frechette leaves behind his parents, Charles Frechette, a former manager at Anchor Glass, and his mother, Virginia Bishop Frechette, formerly the assistant editor of *The Catholic Digest*, and author of the children's book, "Fighting Father Duffy." He is survived by five loving siblings, all of whom adored him, Pam Galiastro (husband: Frank); Robin Kjersgaard; Jim Frechette; Charles "Chip" Frechette (wife Donna); Chris Frechette (wife Heidi); Ami Miano (late husband Charles); Kelly Davidson (husband: Alistair), and six nieces and nephews: Farrah Rizzo, Jamie and Kristen Galiastro; Ryan Kjersgaard; and Tara and Noah Miano. Mr. Frechette is a grandson of the late Jim Bishop, the syndicated columnist and author of 22 books, including "The Day Christ Died" and "The Day Lincoln Was Shot."

HONORING BOB BROWN OF
MISSOURI

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, September 14, 2012

Mr. LONG. Mr. Speaker, I rise today to recognize Bob Brown, a legendary high school basketball coach in the state of Missouri, veteran, and member of the 2012 Springfield Area Sports Hall of Fame induction class.

With 672 career victories and 12 playoff appearances to his name, Bob's impressive track record has earned him quite a distinguished reputation in both the sports arena and in the community.

His remarkable career began at Richland High and concluded at Springfield Catholic. He amassed 367 victories and a state runner-up title in 1966 with the famed "Jolly Green Giants", who were 27-1 that season, during his 20-year tenure at Parkview. Bob even had the opportunity to coach his son, Bill Brown, at Parkview.

During his coaching career Bob won a state championship at Bolivar in 1960, runner-up with Parkview in 1966, and third place with Richland in 1956 and Parkview in 1981.

In addition to his exemplary coaching career, Bob is a veteran of the Missouri National Guard. Beginning in 1956 he served 32 years until ending his career as a full Colonel in 1988. During this period he served as Chief of Plans and Operations at Headquarters Stark, as Commandant of the Missouri Military Academy, and Commander of the Medical Battalion.

Mr. Speaker, Bob Brown's contributions to our community are far-reaching and the lives he has affected are uncountable, and it is an honor to recognize him.

THE CLAIMS LICENSING ADVANCEMENT FOR INTERSTATE MATTERS ACT (CLAIM) ACT

HON. STEPHEN LEE FINCHER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Friday, September 14, 2012

Mr. FINCHER. Mr. Speaker, I rise today to introduce a bill I believe will help consumers save millions of dollars in insurance costs and create more jobs. I am proud to introduce the Claims Licensing Advancement for Interstate Matters Act, known as the CLAIM Act.

Under current law, independent claims adjusters face a hodgepodge of inconsistent state regulations that only serve to delay the prompt adjustment of claims for natural disasters, car accident victims, and other tragedies in life. The CLAIM Act would provide specific relief during a natural disaster. In areas designated by the President of the United States as a "Disaster Area," independent claims adjusters who meet certain criteria would be eligible to adjust claims for losses notwithstanding the state the adjuster is licensed.

Every independent claims adjuster must take a license examination in each state in which they work. This requires adjusters to take time off from their job and travel to each state in which they seek a license. This is a costly burden on the claims adjusters, the companies that employ them, and ultimately, the consumer. Sadly, it is the consumer who currently pays for these costs in higher premiums.

Today, it is my pleasure to introduce a bill that would end this costly burden. The CLAIM Act would lead to a process that would provide independent claims adjusters licensing reciprocity so their home-state license is valid in any other state. To be clear the CLAIM Act does not create a new federal law and does not "federalize" the insurance industry. The CLAIM Act respects states' rights to continue to regulate their individual insurance industries. Rather, the CLAIM Act would urge the National Association of Insurance Commissioners to adopt a model licensing standard for state regulation for independent claims adjusters that each individual State would adopt. The CLAIM Act would make sure that each state keeps its independence to adopt rules as they see fit and recognizes that State insurance regulators are best situated to address insurance licensing standards.

The goal of this bill is to streamline the claims adjustment process so that individual claims adjusters can respond in the fastest possible and most cost-effective manner possible. I look forward to further discussing the issues of reciprocity and the CLAIM Act as we move forward in the Committee process.

CONGRATULATING KAYLA
HARRISON AND HOLLEY MANGOLD

HON. MICHAEL R. TURNER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, September 14, 2012

Mr. TURNER of Ohio. Mr. Speaker, I want to take this opportunity to congratulate two

women from southwest Ohio who represented the United States in competition at the Games of the XXXth Olympiad this summer in London, England.

Kayla Harrison, a native of Middletown, Ohio, entered the Olympic Games ranked number one in the United States and number four in the world. Kayla competed in the 172-pound women's division defeating four competitors along the way to becoming the first United States judo athlete to win Olympic Gold. Kayla's success serves as a role model for thousands of young girls to pursue their dreams and reach their goals.

Holley Mangold, a native of Dayton, Ohio, a former junior national champion, competed in the 165-pound plus division and was one of two American women weightlifters to qualify for the London Olympic Games. Holley began competitive weight lifting in 2008 and competed in two events at the London Games. Although a wrist injury kept Holley from winning an Olympic medal, her competitiveness and determination has won the hearts of sports fans throughout our community, our State and our Nation.

Mr. Speaker, through hard work, discipline and determination, these young women trained vigorously for the opportunity to compete against the world's finest athletes. They represented our country with grace and sportsmanship, and have made all of us from Dayton and Ohio proud.

ONE YEAR ANNIVERSARY OF EPIC
SUSQUEHANNA RIVER FLOOD

HON. LOU BARLETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 14, 2012

Mr. BARLETTA. Mr. Speaker, I rise to remember the one-year anniversary of the devastation communities in my district faced when Hurricane Irene and Tropical Storm Lee brought an epic 500-year flood to the Susquehanna River.

In September 2011, when the creeks and rivers first started rising, I immediately returned to Northeastern Pennsylvania to help my constituents. I witnessed firsthand the devastation and destruction caused by this historic flooding. Over the past year, I spent time surveying the damage to our communities, our homes, and our regional economy. I met with people who lost everything: their jobs as local businesses closed; their homes; and their prized possessions and treasured keepsakes, which were destroyed and gone forever. I met with small business owners who didn't know if they would be able to reopen their doors. I met with local officials who didn't know how their towns would afford to repair their streets and keep their police officers, firefighters, and emergency responders working extra hours.

Despite all of this devastation, the citizens of Pennsylvania's 11th District rose above their own needs, though great, and thought of others. I saw neighbors open their homes and wallets to care for flood victims. I met volunteers who spent their evenings and weekends cleaning up senior citizens' basements. I witnessed our community's citizens coming together with hope and determination to repair

the destruction from the flood. Even with the enormous strength of our combined efforts, I realized that our Federal Government must provide a better response to natural disasters.

In Washington, I have been working to improve the assistance the Federal Government provides natural disaster victims. For the past year, I have aimed to lower the Small Business Administration (SBA) disaster loan interest rates for all Americans who have been the unfortunate victims of natural disasters. On September 23, 2011, I introduced H.R. 3042, the Disaster Loan Fairness Act of 2011. On August 2, 2012, I revised my original legislation and introduced H.R. 6296, the Disaster Loan Fairness Act of 2012. This measure allows for SBA loans at a discounted market-based interest rate for homeowners and small business owners who were hit by flooding or other natural disasters and in which the president has declared a major disaster. Critically, the interest rate can never be greater than 4 percent, which will make a tremendous difference to those seeking to rebuild their homes and restart their lives. Most importantly, this bill will restore American lives, save American businesses, and protect American jobs.

Mr. Speaker, over the past year, I have seen the very best of humanity in Northeastern Pennsylvania in these people who lost everything. I commend those citizens who have helped their family, friends, neighbors, and strangers in this time of need. Rest assured, I will never forget the devastation caused by the flooding after Hurricane Irene and Tropical Storm Lee, and I will continue to support improved federal natural disaster assistance.

HONORING REV. DR. MYRTLE
OWENS SMITH

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, September 14, 2012

Mr. ENGEL. Mr. Speaker, America was settled by people with a strong belief in God. To this day that conviction has carried through with churches in all neighborhoods of our country forming a bond that holds them and us together.

Here in the Bronx we have one such church, the Emmanuel Baptist Church, under

the inspired pastoring of the Rev. Dr. Myrtle Owens Smith who is celebrating her tenth anniversary as Pastor of the church.

She is the first female black pastor of the Emmanuel Baptist Church and in her decade of service to her flock she has honored the past by renovating the church to keep its historical heritage and while enhancing the future by planning the installation of solar panels.

Rev. Dr. Smith is a community oriented minister who regularly attends Community Board meetings, donated a new kitchen for the church, maintains excellent relationships with local elected officials, accommodates community mission outreach programs such as Soup and Sock Ministry and provides food and clothing and HIV testing. She also encourages a thriving Youth Ministry and, on a broader front, was the first female pastor asked by the Foreign Mission Board to accompany them to Ghana.

This is the tip of the iceberg regarding Rev. Dr. Myrtle Owens Smith and her spiritual and corporal contributions to her community. I join with her congregants in congratulating her on ten wonderful and fruitful years and with them wish her many more years pastoring her flock.

HONORING WALTER MYERS, SR.

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 14, 2012

Mr. JOHNSON of Georgia. Mr. Speaker, I submit the following Proclamation.

Whereas, the birth of Walter Myers, Sr., in the state of South Carolina in the 1800's began the Myers family lineage which has blessed us with descendants that have helped to shape our nation; and

Whereas, the Myers Family has produced many well respected citizens and the patriarchs and matriarchs of the Myers family are pillars of strength that have touched many throughout our nation, family members of the past and present; and

Whereas, in our beloved Fourth Congressional District of Georgia, we are honored to have members of the Myers family for they are some of our most beloved citizens in our District; and

Whereas, family is one of the most honored and cherished institutions in the world, we

take pride in knowing that families such as the Myers family have set aside this time to fellowship with each other, honor one another and to pass along history to each other by meeting at this year's family reunion in DeKalb County, Georgia; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to honor and recognize the Myers family;

Now therefore, I, HENRY C. "HANK" JOHNSON, JR. do hereby proclaim September 1, 2012 as Myers Family Reunion Day in the 4th Congressional District of Georgia.

Proclaimed, this 1st day of September, 2012.

RECOGNIZING SEATTLE CHOCOLATES AS A FINALIST FOR THE 2012 KING COUNTY EXECUTIVE'S SMALL BUSINESS AWARDS

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Friday, September 14, 2012

Mr. SMITH of Washington. Mr. Speaker, I rise to honor and congratulate Seattle Chocolates in Tukwila, Washington for being named a finalist for the 2012 King County Executive's Small Business Awards, in the Woman Small Business of the Year category.

Seattle Chocolates was founded in 1992 by CEO Jean Thompson as a gourmet chocolate company that specializes in truffles and truffle bars. Their confections are carefully made with fine European chocolate in the King County region.

The Woman Small Business of the Year award recognizes a women-owned business that has made significant contributions to the community and economy. Currently, 28.7 percent of businesses in the King County region are women-owned and operated. King County is also ranked one of the highest among U.S. counties for women-owned businesses.

Mr. Speaker, it is with great pleasure that I honor Seattle Chocolates. Small businesses like Seattle Chocolates inspire women and create jobs. I commend Seattle Chocolates for representing our community and women-owned businesses all across the nation.

SENATE—Monday, September 17, 2012

The Senate met at 2 and 13 seconds p.m., and was called to order by the Honorable CHRISTOPHER COONS, a Senator from the State of Delaware.

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APPOINTMENT OF ACTING
PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUE).

The assistant bill clerk read as follows:

U.S. SENATE,
PRESIDENT PRO TEMPORE
Washington, DC, September 17, 2012.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable CHRISTOPHER COONS, a Senator from the State of Delaware, to perform the duties of the Chair.

DANIEL K. INOUE,
President pro tempore.

Mr. COONS thereupon assumed the chair as Acting President pro tempore.

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ADJOURNMENT UNTIL 10 A.M.,
WEDNESDAY, SEPTEMBER 19, 2012

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate stands adjourned until 10 a.m. on Wednesday, September 19, 2012.

Thereupon, the Senate, at 2 and 41 seconds p.m., adjourned until Wednesday, September 19, 2012, at 10 a.m.

EXTENSIONS OF REMARKS

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, September 18, 2012 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

SEPTEMBER 19

9:30 a.m.

Foreign Relations

To hold hearings to examine the nomination of Robert Stephen Beecroft, of California, to be Ambassador to the Republic of Iraq, Department of State.

SD-419

Energy and Natural Resources

Water and Power Subcommittee

To hold hearings to examine S. 3265, to amend the Federal Power Act to remove the authority of the Federal Energy Regulatory Commission to collect land use fees for land that has been sold, exchanged, or otherwise transferred from Federal ownership but that is subject to a power site reservation, H.R. 2842, to authorize all Bureau of Reclamation conduit facilities for hydropower development under Federal Reclamation law, S. 3464, to amend the Mni Wiconi Project Act of 1988 to facilitate completion of the Mni Wiconi Rural Water Supply System, and S. 3483, to amend the Wild and Scenic Rivers Act to adjust the Crooked River boundary, to provide water certainty for the City of Prineville, Oregon.

SD-366

10 a.m.

Health, Education, Labor, and Pensions

Business meeting to consider S. 3391, to amend section 353 of the Public Health Service Act with respect to suspension, revocation, and limitation of laboratory certification, an original bill entitled, "Recalcitrant Cancer Research Act of 2012", S. 1440, to reduce preterm labor and delivery and the risk of pregnancy-related deaths and complications due to pregnancy, and to reduce infant mortality caused by pre-

maturity, and nomination lists in the Public Health Service.

SD-430

Homeland Security and Governmental Affairs

To hold hearings to examine homeland threats and agency responses.

SD-342

Judiciary

To hold hearings to examine the nominations of Katherine Polk Failla, to be United States District Judge for the Southern District of New York, Pamela Ki Mai Chen, to be United States District Judge for the Eastern District of New York, Troy L. Nunley, to be United States District Judge for the Eastern District of California, Sheri Polster Chappell, to be United States District Judge for the Middle District of Florida, and Mark A. Barnett, of Virginia, to be a Judge of the United States Court of International Trade.

SD-226

2:15 p.m.

Foreign Relations

Business meeting to consider S. 2215, to create jobs in the United States by increasing United States exports to Africa by at least 200 percent in real dollar value within 10 years, S. 2318, to authorize the Secretary of State to pay a reward to combat transnational organized crime and for information concerning foreign nationals wanted by international criminal tribunals, S. 3310, to direct the President, in consultation with the Department of State, United States Agency for International Development, Millennium Challenge Corporation, and the Department of Defense, to establish guidelines for United States foreign assistance programs, S. 3331, to provide for universal intercountry adoption accreditation standards, S. 3341, to require a quadrennial diplomacy and development review, S. Con. Res. 50, expressing the sense of Congress regarding actions to preserve and advance the multistakeholder governance model under which the Internet has thrived, S. Res. 516, expressing the sense of the Senate on the restitution of or compensation for property seized during the Nazi and Communist eras, S. Res. 466, calling for the release from prison of former Prime Minister of Ukraine Yulia Tymoshenko, S. Res. 543, to express the sense of the Senate on international parental child abduction, the nominations of Richard G. Olson, of New Mexico, to be Ambassador to the Islamic Republic of Pakistan, Joseph E. Macmanus, of New York, to be Representative of the United States of America to the International Atomic Energy Agency, with the rank of Ambassador, and to be Representative of the United States of America to the Vienna Office of the United Nations, with the rank of Ambassador, Walter North, of Washington, to be Ambassador to Papua New Guinea, and to serve concurrently and without additional com-

pensation as Ambassador to the Solomon Islands and Ambassador to the Republic of Vanuatu, Sharon English Woods Villarosa, of Texas, to be Ambassador to the Republic of Mauritius, and to serve concurrently and without additional compensation as Ambassador to the Republic of Seychelles, Dawn M. Liberi, of Florida, to be Ambassador to the Republic of Burundi, and Stephen D. Mull, of Virginia, to be Ambassador to the Republic of Poland, all of the Department of State, and John Hardy Isakson, of Georgia, and Patrick J. Leahy, of Vermont, both to be a Representative of the United States of America to the Sixty-seventh Session of the General Assembly of the United Nations, and lists in the Foreign Service.

S-116, Capitol

2:30 p.m.

Commerce, Science, and Transportation

To hold hearings to examine five years of the "America COMPETES Act", focusing on progress, challenges, and next steps.

SR-253

Judiciary

Constitution, Civil Rights and Human Rights Subcommittee

To hold hearings to examine hate crimes and the threat of domestic extremism.

SH-216

Homeland Security and Governmental Affairs

Oversight of Government Management, the Federal Workforce, and the District of Columbia Subcommittee

To hold hearings to examine investing in an effective Federal workforce.

SD-342

Aging

To hold hearings to examine eliminating waste and fraud in Medicare, focusing on an examination of prior authorization requirements for power mobility devices.

SD-562

SEPTEMBER 20

8:30 a.m.

Foreign Relations

To receive a closed briefing on the security of United States diplomatic and consular missions.

SVC-217

10 a.m.

Commerce, Science, and Transportation

To hold hearings to examine business practices in the household goods moving industry.

SR-253

Environment and Public Works

To hold hearings to examine the "Water Resources Development Act", focusing on growing the economy and protecting public safety.

SD-406

Finance

To hold a joint hearing with the House Committee on Ways and Means to examine tax reform and the tax treatment of capital gains.

HVC-210

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Health, Education, Labor, and Pensions

To hold hearings to examine pension modernization for a 21st century workforce.

SD-430

Judiciary

Business meeting to consider H.R. 2471, to amend section 2710 of title 18, United States Code, to clarify that a video tape service provider may obtain a consumer's informed, written consent on an ongoing basis and that consent may be obtained through the Internet, S. 3486, to implement the provisions of the Hague Agreement and the Patent Law Treaty, S. 1894, to deter terrorism, provide justice for victims, S. 3250, to amend the DNA Analysis Backlog Elimination Act of 2000 to provide for Debbie Smith grants for auditing sexual assault evidence backlogs and to establish a Sexual Assault Forensic Evidence Registry, S. 3523, Innovative Design Protection Act, and the nomination of William Joseph Baer, of Maryland, to be an Assistant Attorney General, Department of Justice.

SD-226

Banking, Housing, and Urban Affairs

Securities, Insurance and Investment Subcommittee

To hold hearings to examine computerized trading.

SD-538

2 p.m.

Foreign Relations

East Asian and Pacific Affairs Subcommittee

To hold hearings to examine maritime territorial disputes and sovereignty issues in Asia.

SD-419

Homeland Security and Governmental Affairs

Investigations Subcommittee

To hold hearings to examine offshore profit shifting and the U.S. tax code.

SD-G50

2:15 p.m.

Indian Affairs

Business meeting to consider S. 65, to reauthorize the programs of the Department of Housing and Urban Development for housing assistance for Native Hawaiians, S. 2024, to make technical amendment to the T'uf Shur Bien Preservation Trust Area Act, S. 3546, to amend the Native American Programs Act of 1974 to reauthorize a provision to ensure the survival and continuing

vitality of Native American languages, S. 3548, to clarify certain provisions of the Native American Veterans' Memorial Establishment Act of 1994, H.R. 2467, to take certain Federal lands in Mono County, California, into trust for the benefit of the Bridgeport Indian Colony, to be immediately followed by an oversight hearing to examine advancing the Federal-tribal relationship through self-governance and self-determination.

SD-628

2:30 p.m.

Intelligence

To hold closed hearings to examine certain intelligence matters.

SH-219

SEPTEMBER 25

2 p.m.

Homeland Security and Governmental Affairs

Federal Financial Management, Government Information, Federal Services, and International Security Subcommittee

To hold hearings to examine improving financial accountability at the Department of Defense.

SD-342

HOUSE OF REPRESENTATIVES—*Tuesday, September 18, 2012*

The House met at noon and was called to order by the Speaker pro tempore (Mr. HARRIS).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
September 18, 2012.

I hereby appoint the Honorable ANDY HARRIS to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Gracious God, we give You thanks for giving us another day.

You have blessed us with all good gifts, and with thankful hearts, we express our gratitude. You have created us with opportunities to serve other people in their need, to share together in respect and affection, and to be faithful in the responsibilities we have been given.

In this moment of prayer, please grant to the Members of this people's House the gifts of wisdom and discernment, that in their words and actions they will do justice, love with mercy, and walk humbly with You.

May all that is done this day be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair will lead the House in the Pledge of Allegiance.

The SPEAKER pro tempore led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ADJOURNMENT

The SPEAKER pro tempore. Without objection, the House stands adjourned

until noon tomorrow for morning-hour debate.

There was no objection.

Accordingly (at 12 o'clock and 2 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, September 19, 2012, at noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

7715. A letter from the Secretary, Commodity Futures Trading Commission, transmitting the Commission's "Major" final rule — Registration of Intermediaries (RIN: 3038-AC96) received September 4, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7716. A letter from the Secretary, Commodity Futures Trading Commission, transmitting the Commission's "Major" final rule — Further Definition of "Swap", "Security-Based Swap", and "Security-Based Swap Agreement": Mixed Swaps; Security-Based Swap Agreement Recordkeeping [Release No.: 33-9338; 34-67453; File No. S7-16-11] (RIN: 3235-AK65) received August 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7717. A letter from the Chief, Planning and Regulatory Affairs Branch, Department of Agriculture, transmitting the Department's final rule — Food Distribution Program on Indian Reservations: Administrative Funding Allocations [FNS-2012-0020] (RIN: 0584-AD85) received September 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7718. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Nitric Acid; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2012-0116; FRL-9338-2] received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7719. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Pendimethalin; Pesticide Tolerances [EPA-HQ-OPP-2011-0521; FRL-9360-5] received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7720. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Pesticides; Microbial Pesticide Definitions and Applicability; Clarification and Availability of Test Guideline [EPA-HQ-OPP-2010-0670; FRL-9338-9] (RIN: 2070-AJ80) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7721. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agen-

cy's final rule — Thifensulfuron Methyl; Pesticide Tolerances [EPA-HQ-OPP-2011-0564; FRL-9360-2] received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7722. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Bifenthrin; Pesticide Tolerances [EPA-HQ-OPP-2009-1008; FRL-9361-6] received September 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7723. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Cloyralid; Pesticide Tolerances [EPA-HQ-OPP-2011-0569; FRL-9361-5] received September 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7724. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Changes in Flood Elevation Determinations [Docket ID: FEMA-2012-0003] received September 4, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

7725. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility (Callaway County, Missouri, et al.) [Docket ID: FEMA-2012-0003] [Internal Agency Docket No.: FEMA-8243] received September 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

7726. A letter from the Associate General Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting the Department's final rule — Homeless Emergency Assistance and Rapid Transition to Housing: Continuum of Care Program [Docket No.: FR-5476-I-01] (RIN: 2506-AC29) received August 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

7727. A letter from the Associate General Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting the Department's final rule — Federal Housing Administration: Strengthening Risk Management Through Responsible FHA-Approved Lenders [Docket No.: FR-5622-F-01] (RIN: 2502-AJ13) received September 5, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

7728. A letter from the Regulatory Specialist, LRA, Department of the Treasury, transmitting the Department's "Major" final rule — Risk-Based Capital Guidelines: Market Risk [Docket ID: OCC-2012-0002] (RIN: 1557-AC99) received September 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

7729. A communication from the President of the United States, transmitting the Office of Management and Budget's report required by the Sequestration Transparency Act of 2012; (H. Doc. No. 112-140); to the Committee on the Budget and ordered to be printed.

7730. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's final rule —

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Specifications for Medical Examinations of Underground Coal Miners [Docket No.: CDC-2011-0013; NIOSH-225] (RIN: 0920-AA21) received September 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

7731. A letter from the Director, Office of Whistleblower Protection Program, Occupational Safety and Health Administration, transmitting the Administration's final rule — Procedures for the Handling of Retaliation Complaints Under the Employee Protection Provision of the Surface Transportation Assistance Act of 1982 (STAA), as Amended [Docket Number: OSHA-2008-0026] (RIN: 1218-AC36) received August 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

7732. A letter from the Deputy Director for Policy, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule — Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Paying Benefits received August 30, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

7733. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's "Major" final rule — Administrative Simplification: Adoption of a Standard for a Unique Health Plan Identifier; Addition to the National Provider Identifier Requirements; and a Change to the Compliance Date of the International Classification of Diseases, 10th Edition (ICD-10-CM and ICD-10-PCS) Medical Data Code Sets [CMS-0040-F] (RIN: 0938-AQ13) received September 4, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7734. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Agreements and Memoranda of Understanding Between the Food and Drug Administration and Other Departments, Agencies, and Organizations [Docket No.: FDA-2012-N-0205] received August 31, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7735. A letter from the Director, Regulations and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Food Additives Permitted for Direct Addition to Food for Human Consumption; Vitamin D2 Bakers Yeast [Docket No.: FDA-2009-F-0570] received August 31, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7736. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Animal Drugs, Feeds, and Related Products; Regulation of Carcinogenic Compounds in Food-Producing Animals [Docket No.: FDA-2010-N-0612] received August 31, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7737. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; Tennessee: Knoxville; Determination of Attaining Data for the 1997 Annual and 2006 24-Hour Fine Particulate Matter Standards [EPA-R04-OAR-2010-0153; FRL-9708-2] received August 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7738. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Maryland; Preconstruction Requirements-Prevention of Significant Deterioration and Nonattainment New Source Review; Correction [EPA-R03-OAR-2011-0866; FRL-9723-3] received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7739. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Washington; Determination of Clean Data for the 2006 24-Hour Fine Particulate Standard for the Tacoma, Pierce County Nonattainment Area [EPA-R10-OAR-2012-0380; FRL-9723-4] received September 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7740. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Florida: New Source Review-Prevention of Significant Deterioration; Fine Particulate Matter (PM_{2.5}) [EPA-R04-OAR-2012-0555; FRL-9728-1] received September 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7741. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of State Implementation Plans Revisions; Infrastructure Requirements for the 1997 8-Hour Ozone National Ambient Air Quality Standards; North Dakota [EPA-R08-OAR-2010-0300; FRL-9715-1] received September 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7742. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — National Priorities List, Final Rule No. 55 [EPA-HQ-SFUND-2000-0002, EPA-HQ-SFUND-2003-0010, EPA-HQ-SFUND-2011-0647, 0653, EPA-HQ-SFUND-2012-0146, 0147, 0062, 0063, 0065, 0066, 0067, 0068, 0070, and 0071; FRL-9722-6] received September 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7743. A letter from the Assistant Chief, International Bureau, Federal Communications Commission, transmitting the Commission's final rule — In the Matter of Review of Foreign Ownership Policies for Common Carrier and Aeronautical Radio Licensees under Section 310(b)(4) of the Communications Act of 1934, as Amended [IB Docket No.: 11-133] received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7744. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — In the Matter of Amendment of Section 73.622(i), Post-Transition Table of DTV Allotments, Television Broadcast Stations (Greenville, North Carolina) [MD Docket No.: 12-130] received August 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7745. A letter from the Associate Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting the Commission's final rule — In the Matters of: Connect America Fund; A National Broadband Plan for Our Future; Establishing

Just and Reasonable Rates for Local Exchange Carriers; High-Cost Universal Service Support; Developing a Unified Inter-carrier Compensation Regime; Federal-State Joint Board on Universal Service; Lifeline and Link-up; Universal Service Reform-Mobility Fund [WC Docket No.: 10-90] [GN Docket No.: 09-51] [WC Docket No.: 07-135] [WC Docket No.: 05-337] [CC Docket No.: 01-92] [CC Docket No.: 49-45] [WC Docket No.: 03-109] [WT Docket No.: 10-208] received September 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7746. A letter from the Acting Secretary of the Commission, Federal Trade Commission, transmitting the Commission's final rule — Telemarketing Sales Rule Fees (RIN: 3084-AA98) received September 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7747. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Compliance with Order EA-12-049, Order Modifying Licenses with Regard to Requirements for Mitigation Strategies for Beyond-Design-Basis External Events [JLD-ISG-2012-01] received September 5, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7748. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Guidance for Evaluation of Diversity and Defense-In-Depth in Digital Computer-Based Instrumentation and Control Systems [Branch Technical Position 7-19] received August 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7749. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — NRC Regulatory Issue Summary 2012-10: NRC Staff Position on Applying Surveillance Requirements 3.0.2 and 3.0.3 to Administrative Controls Program Tests received August 31, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7750. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Requirements for Maintenance of Inspections, Tests, Analyses, and Acceptance Criteria [NRC-2012-0012] (RIN: 3150-AI77) received August 31, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7751. A communication from the President of the United States, transmitting a notification of additional security forces for the protection of U.S. personnel in Libya, pursuant to 50 U.S.C. 1543(a); (H. Doc. No. 112-141); to the Committee on Foreign Affairs and ordered to be printed.

7752. A letter from the Executive Director, Commodity Futures Trading Commission, transmitting the Commission's Year 2012 Inventory of Commercial Activities, as required by the Federal Activities Inventory Reform Act of 1998; to the Committee on Oversight and Government Reform.

7753. A letter from the Principal Deputy Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting the Department's final rule — Special Regulations, Areas of the National Park System, Mammoth Cave National Park, Bicycle Routes [NPS-MACA-10037; 5531-SZM] (RIN: 1024-AD80) received September 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7754. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries Off West Coast States; Pacific Coast Groundfish Fishery Management Plan; Trawl Rationalization Program [Docket No.: 120312181-2279-01] (RIN: 0648-BC00) received August 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7755. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Squid in the Bering Sea and Aleutian Islands Management Area [Docket No.: 111213751-2102-02] (RIN: 0648-XC119) received August 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7756. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Spiny Lobster Fishery of the Gulf of Mexico and South Atlantic; Amendment [Docket No.: 110908576-2240-02] (RIN: 0648-BB44) received August 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7757. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Arrowtooth Flounder in the Bering Sea and Aleutian Islands Management Area [Docket No.: 111213751-2102-02] (RIN: 0648-XC129) received August 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7758. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Western Pacific Pelagic Fisheries; Revised Swordfish Trip Limits in the Hawaii Deep-Set Longline Fishery [Docket No.: 120330236-2236-02] (RIN: 0648-BB48) received August 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7759. A letter from the Deputy Assistant Administrator for Operations, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Groundfish of the Gulf of Alaska; Amendment 88; Correction [Docket No.: 120613165-2167-01] (RIN: 0648-BC23) received August 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7760. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; "Other Rockfish" in the Central Regulatory Area of the Gulf of Alaska [Docket No.: 111207737-2141-02] (RIN: 0648-XC167) received September 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7761. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Atlantic Highly Migratory Species; Electronic Dealer Reporting Requirements [Docket No.: 110208116-2233-02] (RIN: 0648-BA75) received September 21, 2012, pursuant

to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7762. A letter from the Office Director, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Expansion of Fagatele Bay National Marine Sanctuary, Regulatory Changes, and Sanctuary Name Change (RIN: 0648-BA24) received August 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7763. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Arrowtooth Flounder in the Bering Sea and Aleutian Islands Management Area [Docket No.: 111213751-2102-02] (RIN: 0648-XC129) received September 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7764. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Deep-Water Species Fishery by Vessels Using Trawl Gear in the Gulf of Alaska [Docket No.: 111207737-2141-02] (RIN: 0648-XC142) received September 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7765. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Northeast Multispecies Fishery; White Hake Trimester Total Allowable Catch Area Closure for the Common Pool Fishery [Docket No.: 120109034-2171-01] (RIN: 0648-XC153) received September 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7766. A letter from the Federal Liaison Officer, Department of State, transmitting the Department's final rule — Changes to Implement Derivation Proceedings [Docket No.: PTO-P-2011-0086] (RIN: 0651-AC74) received September 10, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

7767. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulation for Marine Events, Chesapeake Bay Workboat Race, Back River, Messick Point; Poquoson, Virginia [Docket No.: USCG-2012-0169] (RIN: 1625-AA08) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7768. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; NOAA Vessel Rueben Lasker Launch, Marinette, Wisconsin [Docket No.: USCG-2012-0492] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7769. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Bay Swim V, Presque Isle Bay, Erie, PA [Docket No.: USCG-2012-0163] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7770. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Special

Local Regulations; Ocean State Tall Ships Festival 2012, Narragansett Bay, Rhode Island [Docket No.: USCG-2012-00073] (RIN: 1625-AA08) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7771. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations for Marine Events; Potomac River, National Harbor Access Channel, MD [Docket No.: USCG-2012-0276] (RIN: 1625-AA08) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7772. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulation; Upper Mississippi River, Mile 842.0 to 840.0 [Docket No.: USCG-2012-0312] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7773. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Barbara Harder Wedding Fireworks, Lake Erie, Lake View, NY [Docket No.: USCG-2012-0568] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7774. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; GR Symphony Fireworks Display, Kalamazoo Lake, Saugatuck, Michigan [Docket No.: USCG-2012-0570] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7775. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Atlantic Intracoastal Waterway; Emerald Isle, NC [Docket No.: USCG-2012-0432] (RIN: 1625-AA00) received August 30, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7776. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Atlantic Intracoastal Waterway; Oak Island, NC [Docket No.: USCG-2012-0431] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7777. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Major Motion Picture Filming, Atlantic Intracoastal Waterway; Southport, NC [Docket USCG-2012-0577] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7778. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Nautical City Festival Air Show, Rogers City, MI [Docket No.: USCG-2012-0389] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7779. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Security Zones; Seattle's Seafair Fleet Week Moving Vessels, Puget Sound, WA [Docket No.: USCG-2011-1126] (RIN: 1625-AA87) received

August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7780. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zones; 2012 Republican National Convention, Captain of the Port St. Petersburg Zone, Tampa, FL [Docket No.: USCG-2011-0922] (RIN: 1625-AA87) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7781. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Sheffield Lake Fireworks, Lake Erie, Sheffield Lake, OH [Docket No.: USCG-2012-0501] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7782. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone, Atlantic Intracoastal Waterway; Wrightsville Beach, NC [Docket No.: USCG-2012-0368] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7783. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone: Sea World San Diego Fireworks, Mission Bay; San Diego, CA [Docket No.: USCG-2012-0497] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7784. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations; ODBA Draggin' on the Waccamaw, Atlantic Intracoastal Waterway, Bucksport, SC [Docket No.: USCG-2012-0201] (RIN: 1625-AA08) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7785. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone, Barrel Recovery, Lake Superior; Duluth, MN [Docket No.: USCG-2012-0491] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7786. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone, Fourth of July Fireworks Event, Pagan River, Smithfield, VA [Docket No.: USCG-2012-0377] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7787. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Olde Ellison Bay Days Fireworks Display, Ellison Bay, Wisconsin [Docket No.: USCG-2012-0536] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7788. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Approval of Classification Societies [Docket No.: USCG-1625-AB35] (RIN: 1625-AB35) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7789. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Buffalo July 4th Fireworks, Lake Erie, Buffalo, NY [Docket No.: USCG-2012-0554] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7790. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Cleveland Yachting Club Fireworks, Lake Erie, Rocky River, OH [Docket No.: USCG-2012-0567] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7791. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Wicomico Community Fireworks Rain Date, Great Wicomico River, Mila, VA [Docket No.: USCG-2012-0425] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7792. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone and Special Local Regulation; 2012 Macy's 4th of July Fireworks and Spectator Viewing Areas, Hudson River, NY [Docket No.: USCG-2012-0405] (RIN: 1625-AA00; 1625-AA08) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7793. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Hudson Valley Triathlon, Ulster Landing, Hudson River, NY [Docket No.: USCG-2012-0537] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7794. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Navigation and Navigable Waters; Technical, Organizational, and Conforming Amendments [Docket No.: USCG-2012-0306] (RIN: 1625-AB86) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7795. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone: Sea World San Diego Fireworks, Mission Bay; San Diego, CA [Docket No.: USCG-2012-0435] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7796. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Fireworks Display, Potomac River, Charles County, Newburg, MD [Docket No.: USCG-2012-0563] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7797. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Port Valdez, Alaska Maritime Highway System Ferry Terminal [Docket No.: USCG-2012-0641] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7798. A letter from the Attorney, Department of Homeland Security, transmitting

the Department's final rule — Safety Zone; International Bridge 50th Anniversary Celebration Fireworks, St. Mary's River, U.S. Army Corps of Engineers Locks, Sault Sainte Marie, MI [Docket No.: USCG-2012-0200] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7799. A letter from the Attorney, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Marine Week Cleveland, Lake Erie, Cleveland, OH [Docket No.: USCG-2012-0462] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7800. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone: Portage Cove, Haines, AK for 4th of July Fireworks Presentation [Docket Number: USCG-2012-0576] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7801. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zones; Annual Fireworks Events in the Captain of the Port Detroit Zone [Docket Number: USCG-2012-0313] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7802. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations; Annual Bayview Mackinac Race [Docket Number: USCG-2012-0403] (RIN: 1625-AA08) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7803. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Wrangell Harbor, Wrangell, Alaska for 4th of July Fireworks [Docket Number: USCG-2012-0565] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7804. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Port of Dutch Harbor; Dutch Harbor, Alaska [Docket Number: USCG-2012-0545] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7805. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations for Marine Events, Temporary Change of Dates for Recurring Marine Events in the Fifth Coast Guard District, Wrightsville Channel; Wrightsville Beach, NC [Docket No.: USCG-2012-0341] (RIN: 1625-AA08) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7806. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulation; Strugeon Bay Ship Canal, Sturgeon Bay, WI [Docket No.: USCG-2011-1109] (RIN: 1625-AA09) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7807. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety

Zone; Tom Graves Memorial Fireworks, Port Bay, Wolcott, NY [Docket No.: USCG-2012-0584] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7808. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Navigation and Navigable Waters; Technical, Organizational, and Conforming Amendments; Corrections [Docket No.: USCG-2012-0306] (RIN: 1625-AB86) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7809. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone: San Diego Symphony POPS Fireworks; San Diego, CA [Docket No.: USCG-2012-0490] received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7810. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone: Newburgh to Beacon Swim, Newburgh, Hudson River, NY [Docket No.: USCG-2012-0538] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7811. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone: Sacramento River Closure for Aerial Cable Installation, Sacramento, CA [Docket No.: USCG-2012-0376] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7812. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Swim Events in the Captain of the Port New York Zone; Hudson River, East River, Upper New York Bay, Lower New York Bay; New York, NY [Docket No.: USCG-2011-1000] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7813. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone: Fireworks Display in Captain of the Port, Puget Sound Zone [Docket No.: USCG-2012-0526] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7814. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone: Fireworks for NC NENA/APCO Conference, Cape Fear River, Wilmington, NC [Docket No.: USCG-2012-0624] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7815. A letter from the Attorney, Department of Homeland Security, transmitting the Department's final rule — Safety Zone: Olcott Fireworks, Lake Ontario, Olcott, NY [Docket Number USCG-2012-0351] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7816. A letter from the Attorney, Department of Homeland Security, transmitting the Department's final rule — Safety Zone: City of Tonawanda July 4th Celebration, Niagara River, Tonawanda, NY [Docket No.: USCG-2012-0352] (RIN: 1625-AA00) received

August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7817. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Navigation and Navigable Waters; Technical, Organizational, and Conforming Amendments [Docket No.: USCG-2012-0306] (RIN: 1625-AB86) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7818. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone: Can-Am Festival Fireworks, Black River Bay, Sackets Harbor, NY [Docket No.: USCG-2012-0617] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7819. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone: Canal Fest of the Tonawandas, Erie Canal, Tonawanda, NY [Docket No.: USCG-2012-0609] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7820. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone: Flying Magazine Air Show, Lake Winnebago, Oshkosh, WI [Docket No.: USCG-2012-0635] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7821. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone: Old Fashion 4th of July Fireworks, Presque Isle Bay, Erie, PA [Docket No.: USCG-2012-0465] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7822. A letter from the Attorney, Department of Homeland Security, transmitting the Department's final rule — Safety Zone: Independence Day Fireworks Celebration for the City of Richmond, Richmond Inner Harbor, Richmond, CA [Docket No.: USCG-2012-0419] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7823. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone: Crescent City Fourth of July Fireworks Event, Crescent City, CA [Docket No.: USCG-2012-0141] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7824. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone: Keweenaw Waterway, Hancock, MI [Docket Number: USCG-2012-0469] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7825. A letter from the Attorney, Department of Homeland Security, transmitting the Department's final rule — Safety Zone: Alexandria Bay Chamber of Commerce, St. Lawrence River, Alexandria Bay, NY [Docket Number: USCG-2012-0353] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7826. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Anchorage Regulations; Narragansett Bay and Rhode Island Sound, RI [Docket No.: USCG-2009-1131] (RIN: 1625-AA01) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7827. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30855; Amdt. No. 3490] received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7828. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30856; Amdt. No. 3491] received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7829. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Modification of Class E Airspace; Plentywood, MT [Docket No.: FAA-2012-0310; Airspace Docket No. 12-ANM-6] received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7830. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Modification of VOR Federal Airways V-10, V-12, and V-508 in the Vicinity of Olathe, KS [Docket No.: FAA-2012-0055; Airspace Docket No. 11-ACB-12] (RIN: 2120-AA66) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7831. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Fort Morgan, CO [Docket No.: FAA-2012-0289; Airspace Docket No. 12-ANM-5] received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7832. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Arcadia, FL [Docket No.: FAA-2012-0365; Airspace Docket No. 12-ASO-22] received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7833. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30853; Amdt. No. 3488] received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7834. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30854; Amdt. No. 3489] received August 28, 2012, pursuant to 5 U.S.C.

801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7835. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Modification of Class E Airspace; Billings, MT [Docket No.: FAA-2012-0316; Airspace Docket No. 12-ANM-1] received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7836. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class C Airspace; Colorado Springs, CO [Docket No.: FAA-2012-0564; Airspace Docket No. 12-AWA-4] received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7837. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Honeywell International, Inc. Global Navigation Satellite Sensor Units [Docket No.: FAA-2012-0758; Directorate Identifier 2012-CE-027-AD; Amendment 39-17129; AD 2012-14-15] (RIN: 2120-AA64) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7838. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2012-0035; Directorate Identifier 2011-NM-178-AD; Amendment 39-17094; AD 2012-12-14] (RIN: 2120-AA64) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7839. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Airplanes [Docket No.: FAA-2011-1089; Directorate Identifier 2011-NM-110-AD; Amendment 39-17097; AD 2012-12-17] (RIN: 2120-AA64) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7840. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Voluntary Licensing of Amateur Rocket Operations [Docket No.: FAA-2012-0318; Amdt. No. 400-4] (RIN: 2120-AJ84) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7841. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — 2012 Marginal Production Rates [Notice 2012-50] received September 4, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7842. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Integrated Hedging Transactions of Qualifying Debt [TD 9598] (RIN: 1545-BK98) received September 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7843. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Property Traded on an Established Market [TD 9599] (RIN: 1545-BJ71) received September 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7844. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule —

Recharacterization (Rev. Rul. 2012-25) received September 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7845. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — 25-Year Average Segment Rates and Adjusted 24-Month Average Segment Rates Used for Pension Funding [Notice 2012-55] received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7846. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Applicable Federal Rates — September 2012 (Rev. Rul. 2012-24) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 3319. A bill to allow the Pascua Yaqui Tribe to determine the requirements for membership in that tribe; with an amendment (Rept. 112-675). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 5987. A bill to establish the Manhattan Project National Historical Park in Oak Ridge, Tennessee, Los Alamos, New Mexico, and Hanford, Washington, and for other purposes (Rept. 112-676). Referred to the Committee of the Whole House on the state of the Union.

Mr. CAMP: Committee on Ways and Means. House Joint Resolution 118. Resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Office of Family Assistance of the Administration for Children and Families of the Department of Health and Human Services relating to waiver and expenditure authority under section 1115 of the Social Security Act (42 U.S.C. 1315) with respect to the Temporary Assistance for Needy Families program (Rept. 112-677, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. KLINE: Committee on Education and the Workforce. House Joint Resolution 118. Resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Office of Family Assistance of the Administration for Children and Families of the Department of Health and Human Services relating to waiver and expenditure authority under section 1115 of the Social Security Act (42 U.S.C. 1315) with respect to the Temporary Assistance for Needy Families program (Rept. 112-677, Pt. 2). Referred to the Committee of the Whole House on the state of the Union.

DISCHARGE OF COMMITTEE

(The following action occurred on September 17, 2012)

Pursuant to clause 2 of rule XIII the Committee on Homeland Security discharged from further consideration. H.R. 2903 referred to the Committee of the Whole House on the state of the Union, and ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. SMITH of Texas (for himself, Mr. GOODLATTE, Mr. CUELLAR, Mr. LABRADOR, Mr. DREIER, Mr. ROYCE, Mr. GRIFFIN of Arkansas, Mr. GALLAGLY, Mr. DANIEL E. LUNGREN of California, Mr. CHABOT, Mr. ISSA, Mr. FRANKS of Arizona, Mr. POE of Texas, Mr. CHAFFETZ, Mr. LEWIS of California, Mr. HERGER, Mr. BACHUS, Mr. CALVERT, Mr. MANZULLO, Mrs. MYRICK, Ms. GRANGER, Mr. SESSIONS, Mr. BILBRAY, Mr. FLAKE, Mrs. BLACKBURN, Mr. CARTER, Mr. NEUGEBAUER, Mr. CONAWAY, Mr. DENT, Mr. MCCAUL, Mr. PEARCE, Mr. CASSIDY, Mr. COFFMAN of Colorado, Mr. ROE of Tennessee, Mr. THOMPSON of Pennsylvania, Ms. BUEKLE, Mr. GRIMM, Mr. HANNA, Mr. HULTGREN, Mr. LANKFORD, Mr. MCKINLEY, Mr. PALAZZO, Mr. SCHWEIKERT, Mr. STIVERS, Mr. YODER, and Mr. ROSKAM):

H.R. 6429. A bill to amend the Immigration and Nationality Act to promote innovation, investment, and research in the United States, to eliminate the diversity immigrant program, and for other purposes; to the Committee on the Judiciary.

By Mr. BOEHNER (for himself, Mr. CANTOR, Ms. PELOSI, and Mr. HOYER):

H. Res. 786. A resolution honoring the four United States public servants who died in Libya and condemning the attacks on United States diplomatic facilities in Libya, Egypt, and Yemen; to the Committee on Foreign Affairs.

By Mr. NEUGEBAUER:

H. Res. 787. A resolution expressing support for designation of September 2012 as "National Prostate Cancer Awareness Month"; to the Committee on Energy and Commerce.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. SMITH of Texas:

H.R. 6429.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 4 of the Constitution

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 998: Mr. SCHRADER.

H.R. 1006: Mr. GRIFFITH of Virginia.

H.R. 1831: Mr. HANNA.

H.R. 1860: Mr. GENE GREEN of Texas.

H.R. 1910: Mr. WESTMORELAND.

H.R. 2069: Mr. DENHAM and Mr. MICHAUD.

H.R. 2492: Mr. GUINTA.

H.R. 3032: Mr. RUPPERSBERGER.

H.R. 3110: Mr. OWENS.

H.R. 3423: Mr. CULBERSON.

H.R. 3432: Ms. WOOLSEY.

H.R. 3506: Mr. BRALEY of Iowa.	H.R. 6043: Mr. DENT and Ms. ZOE LOFGREN	LEWIS of Georgia, and Mr. CLARKE of Michi-
H.R. 4066: Mr. RUNYAN.	of California.	gan.
H.R. 4336: Mr. HULTGREN.	H.R. 6292: Ms. VELÁZQUEZ.	H.J. Res. 118: Mr. ROKITA, Ms. FOXX, Mr.
H.R. 5742: Mr. FITZPATRICK.	H.R. 6361: Mr. MICHAUD.	CARTER, Mr. ROE of Tennessee, Mr. WALBERG,
H.R. 5907: Ms. LEE of California.	H.R. 6387: Mr. LANKFORD.	Mr. DESJARLAIS, and Mr. BARLETTA.
H.R. 5943: Mrs. BLACKBURN, Mr. BOREN, Ms.	H.R. 6419: Mr. MEEKS, Mr. BECERRA, Ms.	H. Con. Res. 122: Mr. CULBERSON.
BALDWIN, Mr. DUFFY, and Mr. CRITZ.	EDWARDS, Mr. FILNER, Mr. CUMMINGS, Mr.	H. Res. 776: Mr. MCCAUL and Mr. WEST.
		H. Res. 783: Mr. LANCE and Mr. BILIRAKIS.

EXTENSIONS OF REMARKS

PERSONAL EXPLANATION

HON. PAUL RYAN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 18, 2012

Mr. RYAN of Wisconsin. Mr. Speaker, during the course of the week, I was absent for legislative business; had I been present, I would have cast the following votes:

Rollcall 557—H.R. 6122—On Motion to Suspend the Rules and Pass—“yes.”

Rollcall 558—H.R. 2139—On Motion to Suspend the Rules and Pass, as Amended—“yes.”

Rollcall 559—H.R. 6186—On Motion to Suspend the Rules and Pass—“yes.”

Rollcall 560—H. Res. 773—On Ordering the Previous Question—“yes.”

Rollcall 561—H. Res. 773—On Agreeing to the Resolution—“yes.”

Rollcall 562—H.R. 4264—On Motion to Suspend the Rules and Pass, as Amended—“yes.”

Rollcall 563—H.R. 5544—On Agreeing to the Amendment—“no.”

Rollcall 564—H.R. 5544—On Agreeing to the Amendment—“no.”

Rollcall 565—H.R. 5544—On Agreeing to the Amendment—“no.”

Rollcall 566—H.R. 5544—On Agreeing to the Amendment—“no.”

Rollcall 567—H.R. 5544—On Motion to Recommit with Instructions—“no.”

Rollcall 568—H.R. 5544—On Passage—“yes.”

Rollcall 569—H.R. 5949—On Passage—“yes.”

Rollcall 570—H.R. 3857—On Motion to Suspend the Rules and Pass, as Amended—“yes.”

Rollcall 571—H.R. 5865—On Motion to Suspend the Rules and Pass, as Amended—“no.”

Rollcall 572—H. Res. 778—On Ordering the Previous Question—“yes.”

Rollcall 573—H. Res. 778—On Agreeing to the Resolution—“yes.”

Rollcall 574—H. Res. 779—On Agreeing to the Resolution—“yes.”

Rollcall 575—H.R. 1775—On Motion to Suspend the Rules and Pass, as Amended—“yes.”

Rollcall 580—S. 3245—On Motion to Suspend the Rules and Pass—“yes.”

Rollcall 581—H.R. 6213—On Agreeing to the Amendment—“no.”

Rollcall 582—H.R. 6213—On Agreeing to the Amendment—“no.”

Rollcall 583—H.R. 6213—On Motion to Recommit with Instructions—“no.”

Rollcall 584—H.R. 6213—On Passage—“yes.”

RECOGNIZING SARKIS TATIGIAN

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 18, 2012

Ms. NORTON. Mr. Speaker, I rise today to ask the House of Representatives to join me in recognizing Sarkis Tatigian, who will celebrate 70 years of combined military and federal civil service on September 26, 2012. At the age of 90, Mr. Tatigian shows no signs of slowing down. Retirement eligible since 1973, he still finds work far more exciting than the prospect of retirement. As Associate Director of the Small Business Programs Office at Naval Sea Systems Command (NAVSEA) he is not only a champion for the Navy's mission critical work but also for providing opportunities for small business growth and development.

Mr. Tatigian has always been fascinated by the possibilities of the world around him. In fact, his hobby of radio communication led to his career in the Navy. In July 1942, he took the oath of office for a war service appointment as a Jr. Inspector of Radio at the Naval Aircraft Factory in the Philadelphia Navy Yard. In 1944, Mr. Tatigian arrived in Washington, D.C. to work as part of the Navy's BAT program which was developing an aircraft-launched air-to-surface radar-guided glide bomb being developed for use in the war. The BAT became operational in January 1945 as the first naval aircraft-launched guided weapon.

After leaving military service in 1946, Mr. Tatigian returned to the Navy as a civil service employee with the Bureau of Ordinance in Washington, D.C. He began his distinguished career as a small business analyst for the bureau. While in this position, Mr. Tatigian developed a Small Business Mobile Exhibit that traveled coast-to-coast visiting state capitals and cities with populations exceeding 400,000, and received congressional recognition for his organizational efforts on the exhibit.

In June 1979, he was appointed Associate Director of the Small and Disadvantaged Business Utilization Office, the position he continues to hold today in the current NAVSEA Small Business Programs Office. The experience and technical background Mr. Tatigian gained from serving his country allow him to interface with the engineering and technical communities at NAVSEA with great ease and understanding, another benefit of his long and distinguished career. Mr. Tatigian has received numerous awards including the U.S. Navy's Meritorious Civilian Service Award.

Although an expert in business processes, he is still committed to finding innovative yet strategic ways to prepare his office for the future. When asked why he continues to work, Tatigian responds, “If you love what you do, it's not really work.” I ask the House to join

me in commending Sarkis Tatigian for his outstanding accomplishments as a federal employee and his continued commitment to the work of the Navy.

COMMENDATION FOR THE CREW OF THE USS “WEST VIRGINIA”

HON. NICK J. RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 18, 2012

Mr. RAHALL. Mr. Speaker, since this nation's earliest beginnings, America's navel defense has played an integral, essential role in the survival, sustenance and ultimate prosperity of this country.

From our French ally's blockade during the Battle at Yorktown to our unparalleled command of the seven seas today to maintain peace abroad and here at home, the men and women of the United States Navy continue to serve and defend in a long and proud tradition.

Perhaps no greater service in size and scope has been witnessed in our nation's remarkable naval history than that of our Pacific Fleet in World War II. The Pacific theater of war on the high seas and islands called for extraordinary men and women of the highest caliber and perseverance.

Today, it is my great privilege and honor to recognize the crew of one ship in the Pacific Fleet, which made an immortal mark in naval history and the preservation of liberty. The crew members of the USS *West Virginia* will gather one more time, perhaps for the last time, in my State of West Virginia at the end of September this year. West Virginians welcome these sons of our namesake ship.

Since at least 1955, they have met in reunion, to warm old friendships and forge new ones. They bring their wives and enjoy venues around the country, though we know the upcoming West Virginia reunion will hold a particularly warm place in their hearts. They revel in the “Wee Vee's” history and those who served aboard her. They enjoy swapping stories still fresh in their now well-seasoned memories.

But beyond the camaraderie, the chance to flesh out new histories of their venerable voyages and ensuing battles, and the opportunity to trip the light fantastic once more with an inviting dinner dance, there is an ancient noble cause these brave American souls continue to answer with humility, dignity and honor.

They continue their commitment to serve our nation by recording and sharing their legacy aboard the USS *West Virginia* on their website and in their newsletters, thus illuminating lessons for ensuing generations who can certainly benefit from them tremendously. Through the decades, what has become a labor of love for their membership is, in truth,

● This “bullet” symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

the life blood of our Republic for the rest of us. If only we will listen and learn.

I ask my colleagues and countrymen to visit their web page at www.usswestvirginia.org to witness the first-hand accounts of the life aboard the West Virginia—the guts and glory, the courage and valor of battles exhibited by those who served aboard this ship. A ship that was resurrected from the depths of Pearl Harbor to serve in the battles at Midway, Leyte Gulf, Surigao Straits, Mindoro Island, Lingayen Gulf, Iwo Jima, and Okinawa.

Today, as a nation, we commend these distinguished seamen, these dedicated sailors for their service and their sacrifice and that of their fallen brothers in battle and over the decades. Let their experiences guide our purpose and path as we face the future.

Mr. Speaker, where would this nation be without such men as these? We humbly thank the Almighty for sharing them with us.

I am happy to report that on September 30th, the USS *West Virginia* reunion will travel to my hometown of Beckley, West Virginia, to witness a true wonder of American Naval history. They will tour the Raleigh County Veterans Museum and inspect a magnificent, half-ton scale model of the USS *West Virginia*.

The replica's master designer, architect and builder is none other than our own, Jim Toler, who has dedicated seventeen years of his time and talent to complete this unique homage to a ship and its sailors. Jim's outstanding service and dedication in preserving our veterans' heritage stand as a sterling monument in its own right. We are truly blessed by his many good works on behalf of so many others.

Mr. Speaker, I close with lyrics adopted for the Naval Hymn. They reflect the prayers of a grateful nation for those of our greatest generation, who once and forever more serve a ship named, the *West Virginia*:

"O Father, King of earth and sea,
We dedicate this ship to thee.
In faith we send her on her way;

In faith to thee we humbly pray:
O hear from heaven our sailor's cry
And watch and guard her from on high!
"And when at length her course is run,
Her work for home and country done,
Of all the souls that in her sailed
Let not one life in thee have failed;
But hear from heaven our sailor's cry,
And grant eternal life on high!"

CELEBRATING HER MAJESTY
QUEEN ELIZABETH II ON THE
OCCASION OF HER JUBILEE

HON. JAMES A. HIMES

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 18, 2012

Mr. HIMES. Mr. Speaker, recently I was asked by a resident of Connecticut's Fourth Congressional District to enter into the RECORD a letter from Ambassador Joseph Verner Reed to Her Majesty Queen Elizabeth II on the occasion of her Jubilee.

GREENWICH, CT,

June 12, 2012.

YOUR MAJESTY, Congratulations on Your Diamond Jubilee!

I put pen to paper to send You these few lines. We watched every frame of the Jubilee—every 'moving part' was superb. You looked so elegant as did Prince Philip. And, The 'Young' have won the hearts of millions!

I salute You for the magnificent job You have done and accomplished over the many decades of Your Reign. Your wisdom in these changing times is admirable.

Both Mrs. Reed and I have the most wonderful memories of Your State Visit to the US of A (May, 1991) when I served as Chief of Protocol of The White House. We were thrilled to be Your traveling hosts to Florida and Texas. Your Team was 'the best' led by Lord Airlie.

It was yours truly who was responsible for the 'protocol gaffe' of 'The Talking Hat' at the Welcome Ceremony on the South Lawn.

Wherever I go on Mission for the United Nations to the nations of the Commonwealth I can start up a warm conversation with the history of 'The Talking Hat'.

You said it all when You kindly asked me to join You on the *Britannia* in Cyprus during a Commonwealth meeting—When I arrived You pointed at me and said, "You should have 'The Talking Hat' on your tombstone!"

We hope and pray that the Duke of Edinburgh regains full health.

With respect, admiration and every good wish.

Long May You Reign!

JOSEPH VERNER REED.

GREENWICH, CT

June 12, 2012.

DEAR MR. GEIDT, I hope you have recovered from the Jubilee!

I appreciate Her Majesty must be inundated with messages and correspondence in connection with the Jubilee. I hesitated to write to Her Majesty but, was so overwhelmed with the Jubilee events that I could not resist sending Her Majesty these few lines.

Mrs. Reed and I think that Her Majesty and Prince Philip have accomplished the most wonderful job during Her Reign.

We will always be mindful of the fabulous ten days we spent steering Her Majesty's Team during Her State Visit to the US of A in the Spring of 1991. Of course, 'The Talking Hat' at the Welcome ceremony at The White House was a protocol fiasco which is still talked about in Federal City. Barbara (Mrs. Bush) has never forgiven me! Her Majesty won the hearts of all of Washington when the day after the "gaffe" Her Majesty came to the Rostrum of the House of Representatives and looked out across the jammed Chamber and in a distinct magisterial voice and facial expression said . . .

'I hope you can see me today!'

If and when things calm down and you see fit to have Her Majesty look over my letter please present it to Her.

With special thanks and good wishes,

JOSEPH VERNER REED.

HOUSE OF REPRESENTATIVES—Wednesday, September 19, 2012

The House met at noon and was called to order by the Speaker pro tempore (Mr. WOMACK).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
September 19, 2012.

I hereby appoint the Honorable STEVE WOMACK to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 17, 2012, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 1:50 p.m.

END THE WAR IN AFGHANISTAN

The SPEAKER pro tempore. The Chair recognizes the gentleman from Massachusetts (Mr. MCGOVERN) for 5 minutes.

Mr. MCGOVERN. Mr. Speaker, for several years now I have come to the floor of the House and called for an end to the war in Afghanistan, the longest war in the history of the United States. I have been joined by others—some Democrats, some Republicans, some liberals, some conservatives—who have consistently raised their voices in opposition to the war.

Today, once again, I stand here in the aftermath of more senseless killings of Americans, not only by Taliban forces, but by forces associated with the Afghan Government—a government we support and are told to trust.

It is hard to believe that in the midst of a Presidential campaign so little is being said about the war. During the Republican National Convention, nominee Mitt Romney never once mentioned the war or the troops in his acceptance speech—not even a sentence, not a phrase, nothing. As one who has been to Afghanistan twice, met with

our troops, talked to returning veterans and been to visit them in the hospital, I find that silence shocking and offensive.

I also find offensive the fact that this House of Representatives has refused to even debate this issue. When the Department of Defense authorization bill came to the floor earlier this year, the Republican leadership of this House refused to allow a bipartisan amendment that I and WALTER JONES of North Carolina offered. That amendment called for an accelerated withdrawal of American forces from Afghanistan. The chairman of the Rules Committee at the time said there were a lot of other important issues to be debated on the defense bill. My question is: What in the world is more important than this war?

The Afghan Government is one of the most corrupt in the world. Our troops have already accomplished their mission, not only ridding Afghanistan of al Qaeda, but killing Osama bin Laden. By the way, they got him in Pakistan, not Afghanistan. So why are we still there?

There is a culture in Washington that engulfs both Republicans and Democrats; it is a culture that makes it easy to go to war but impossible to get out.

There is no question that ending the war in Afghanistan will be messy; there is no nice, neat way to do it. There will be no signing of a peace treaty, no grand parade.

The President tells us that we will turn over control of security operations to the Afghans by 2014, but it is unclear how many U.S. forces will remain or what their role will be.

And Mitt Romney says nothing.

Mr. Speaker, there ought to be a major portion of this Presidential campaign dedicated to the issue of Afghanistan. Vague deadlines or generalities no longer suffice. Too many brave American service men and women have paid with their lives. And while candidates talk about the debt our government carries, no one points out that we borrow the billions to pay for this war. We don't even pay for it; it goes on the credit card. And we've been doing this for over a decade in this Congress. We can't spend one additional penny to feed hungry children or create a single job or build a single bridge without finding an offset; yet when it comes to war, there are no offsets, no new revenue, just another blank check. Something is terribly wrong with this picture.

Finally, I would remind my colleagues here in the House that we are all responsible for this war, and we are complicit in the silence, lack of debate, and lack of oversight. That is wrong. We owe our service men and women so much better. We owe this country better.

End the war and bring our troops home now.

CONGRATULATING NATIONAL HISPANA LEADERSHIP INSTITUTE ON THE CELEBRATION OF 25TH ANNIVERSARY

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. ROYBAL-ALLARD) for 5 minutes.

Ms. ROYBAL-ALLARD. Mr. Speaker, as we celebrate Hispanic Heritage Month, I rise to pay tribute to the National Hispana Leadership Institute. Later this year, NHLI alumnae will gather in Washington, D.C., to celebrate the 25th anniversary of the founding of this nationally recognized leadership development institute.

A national Latina organization based in Washington, D.C., NHLI was founded in 1987 in response to the U.S. Department of Labor's Glass Ceiling Initiative. This seminal study found that while minorities and women were making substantial gains in entering the workforce, they were not equally represented at mid and senior level management positions in government or corporate sectors. The study also found that Latinas were significantly underrepresented on corporate boards and in nonprofit and political arenas.

Over the past 25 years, NHLI has become a vital resource for Latinas and a key player in cultivating Latina leaders serving America today. In partnership with Harvard University and the Center for Creative Leadership, NHLI graduates have become a formidable cadre of well-educated, highly skilled, and committed Latina leaders. They are a veritable "who's who" in many communities and disciplines, and the impact of their collective leadership is felt throughout the country.

Through various mentoring initiatives and community service projects, NHLI alumnae have directly impacted thousands of Latinas in every State and in Puerto Rico. Its network and leadership projects have helped create new nonprofit organizations and influenced various others, including: The National Latino Children's Institute, Voto Latino, Powerful Latinas, Las

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Comadres, Positive Directions, Latina Giving Circle, and Poder PAC, to name a few.

Finally, I would be remiss if I did not mention the founders of this great organization. This prestigious group includes Maria Elena Torano, the Honorable Maria Antonietta Berriozabal, the Honorable Ramona Martinez, Gloria Rodrigues, the Honorable Raul Yzaguirre, and former Governor Bill Richardson. Through their vision and leadership, NHLI's programs have become the model for Latina empowerment in this country.

Again, my sincere congratulations to the National Hispana Leadership Institute on the celebration of their 25th anniversary.

VOTER SUPPRESSION

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. REYES) for 5 minutes.

Mr. REYES. Mr. Speaker, I rise this morning to try to lend a little bit of perspective on a strategy that we have seen evolving across our country, and that strategy I think threatens to undermine one of the most basic rights and principles that we have as United States citizens, and that is the right to vote.

Unfortunately, in many States—my State included, in Texas—there's a strategy to pass what is called a voter identification law, seeking to solve a problem that apparently across the country does not exist, and that is people voting that don't have that right, and trying to give the impression that this problem is prevalent throughout our country.

As we look back at our history, I think we should all be proud of the significant strides in increasing and strengthening the electoral process for all. Let's not forget that originally, under our Constitution, only white males over the age of 21 were eligible to vote. It took several amendments to our Constitution to fully extend this right to all minorities—women and young people ages 18 and older.

□ 1210

But it took us even longer, it appears, given the current situation, to live up to these ideals.

As a child growing up in El Paso on a farm, I can remember my father talking to us about that sacred right to participate and to vote.

Here is a poll tax that was charged for that right back in 1955, made out to my dad. Back then it was \$1.75. Today, under the current strategy, that, the equivalent of this poll tax, could be as much as \$20, \$25, or \$30 for an identification card.

So who does that hurt? Who does that impact the most? It's the elderly, it's the young people, and it's minorities.

And while some people may think, well, \$1.75, that wasn't much to pay for the right to vote or, today, \$20, \$25, \$30 isn't that much to exercise the privilege of voting, the fundamental issue here is that that is an inherent right guaranteed by our Constitution.

But even if we wanted to look at it from an economic standpoint, in 2012 dollars, here is what that \$1.75 poll tax bought back in 1955. A gallon of milk was 88 cents; bread, 15 cents; chicken, 44 cents a pound; cheese, 45 cents, and so on so that for a man and his spouse, paying two poll taxes, it would be \$3.50. This is what they would have spent that money on, and often did, rather than paying a poll tax of \$1.75.

Today, the milk is \$1.99; bread is \$1.99; chicken, 99 cents a pound; cheese, \$2.50, to the point to where, for paying one poll tax or one identification card, you could get these comparative amounts of groceries.

So the fundamental question we must ask ourselves when people talk about taking our country back, when people talk about the right to vote, these are the kinds of issues that impact us. These are the kinds of things that throughout our history many of us have fought to protect the rights of all citizens to participate in the electoral process, fundamentally guaranteed under our Constitution.

While I understand the intent of these laws, it is designed to supposedly prevent voter fraud and impersonation, the result affects individual participation in the inherent right to vote: requiring an ID, and considering the difficulties that citizens face in the process of acquiring those State-issued identification cards, which ultimately undermines the right to vote.

This is a serious issue. All of us who teach our children and our grandchildren that the most fundamental right to participate is protected by our Constitution have to remind them. I know I have talked to my children and have shown them this poll tax to remind them that freedom is not free, that people must understand their obligations as citizens.

THE DO-NOTHING CONGRESS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Connecticut (Mr. COURTNEY) for 5 minutes.

Mr. COURTNEY. Mr. Speaker, one of the great football coaches in American history was Vince Lombardi, from Green Bay, Wisconsin, who, again, was very famous for his inspiring speeches to his players and to his staff. And one of his most famous quotes was:

Winners never quit and quitters never win.

I wish, Mr. Speaker, that the Republican leadership in the House would go back and read Mr. Lombardi's words when they made the decision this past Friday to basically quit on the Amer-

ican people and say that we are going to recess this week after conclusion of business on Friday for the next 7 weeks.

This is at a time when not only the eyes of the country are on this Chamber to get much needed critical decisions made; but, frankly, the eyes of the world are watching this Congress to see whether or not, again, financial markets will have any horizon in terms of tax policy, in terms of budget policy, and in terms of a whole host of basic fundamental issues like the farm bill, like the post office functioning that, when on Friday, this place clears out after Mr. BOEHNER's decision to recess, are going to be left hanging for the next 7 weeks.

Again, this is not a problem for the House in terms of inaction by the Senate. The Senate passed a farm bill. They passed a bipartisan farm bill last June; and today we stand here with farmers who are getting up in the morning and going out and milking cows or picking crops, and they have programs which literally are expiring every minute. The Dairy Price Support programs expired on August 30, so dairy farmers up in eastern Connecticut, where I come from, whose feed costs are out of sight and whose fuel costs are out of sight, again, have absolutely no structure and no basic understanding of how they are going to continue to survive, because this place won't move forward on a farm bill with the dairy support structure, the Dairy Security Act, which was built in by the Senate with the bill that they passed.

Again, the Senate has acted; the Senate passed a bill. They have a bill which extends crop insurance for 5 years. So for all those farmers out in the Midwest who have seen their corn crops literally burn up in a historic drought, the fact of the matter is they have absolutely no idea about what the future holds because this Chamber will not take up a farm bill and do its constitutional duty and get its work done.

Again, the post office, which fell into not just technical but actual real bankruptcy a month ago because of the structure of its pension costs, the Senate has passed a postal reform bill which adjusts the finances of that system, again, with bipartisan support and will allow the postal service to have some confidence that its operations and its post offices around the country can have some modicum of a future. This Chamber will not take up a postal reform bill between now and this Friday or for the following 7 weeks.

These are just two basic, sort of fundamental, programs which, in the past, Congress has done on a bipartisan basis without any of the drama and stress that the Speaker's decision to quit, to use Coach Lombardi's phraseology, is now creating. There are much larger issues, of course, which everyone is waiting for this Congress to act on.

Sequestration: I have shipyard workers in Groton, Connecticut, who get up every morning to build nuclear submarines. They don't know whether or not on January 1, whether the chain saw set up in the sequestration mechanism is going to go through the defense budget.

We have a fiscal cliff whereby middle class families don't know what their tax rates are going to be after January. We have physician fees under the Medicare program which, again, fall off a cliff on January 1.

With all of these issues hanging out there, we still, though, have a Republican leadership in the House which has made the decision to go home on Friday for the next 7 weeks.

Again, Coach Lombardi had it right: winners never quit and quitters never win. This leadership is quitting, not only on the Members that are prepared to roll up their sleeves and compromise and do hard work to get measures like the farm bill and the postal bill and budget policy settled once and for all. They are quitting on the American people. That is unacceptable leadership for the trust, the public trust with which they have been given.

This morning's New York Times has a story: "Congress Nearing the End of a Session Where Partisan Input Impeded Output," and they show the numbers that this is the least productive Congress in a century.

Back when Harry Truman was President, he campaigned against the do-nothing Congress. That Congress enacted 906 bills in the 2 years during which it was convened. As of this week, this Congress has enacted 173, a quarter of the do-nothing Congress which Harry Truman made infamous and famous in American history.

We can do better as a Nation. We can get a farm bill passed. We can pass a postal reform bill which will keep that system alive. We can do budget policy. We can create a horizon for this country, which the American people sent us here to do, not go home and campaign.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 20 minutes p.m.), the House stood in recess.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 2 p.m.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Loving God, we give You thanks for giving us another day.

We pray this day, O Lord, for peace in our world, that freedom will flourish and righteousness will be done.

The attention of our Nation is drawn toward an impending election, but there is work yet to be done.

Send Your spirit upon the Members of this people's House that they might judiciously balance seemingly irreconcilable interests. Help them to execute their consciences and judgments with clarity and purity of heart so that all might stand before You honestly and trust that You can bring forth righteous fruits from their labors.

Bless this day and every day, and may all that is done be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Ohio (Mr. KUCINICH) come forward and lead the House in the Pledge of Allegiance.

Mr. KUCINICH led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 15 requests for 1-minute speeches on each side.

BRING OUR TROOPS HOME IN 2013

(Mr. JONES asked and was given permission to address the House for 1 minute.)

Mr. JONES. Mr. Speaker, today I had the privilege and honor to visit Walter Reed Hospital to say thank you to our wounded from Afghanistan and Iraq, and I saw those who have lost both arms and legs. It's just so sad to go there.

That brings me today to the floor to thank the chairman of the Armed Services Appropriations Committee, C.W. "Bill" Young, who has come out and said it's time to bring our troops home from Afghanistan, and I quote:

I think we should remove ourselves from Afghanistan as quickly as we can.

Mr. Speaker, that brings me to a couple of comments. I called a former commandant of the Marine Corps 3 years ago and asked him to advise me

on Afghanistan, and he has, and he has been very loyal. I want to read his comments:

I am more convinced than ever that we need to get out of Afghanistan. When our "friends" turn out to be our "enemy," it is time to pull the plug. We are now nothing more than a recruiting poster for every malcontent in the Middle East. We need to wake up.

I would say to the Speaker, I would say to the leadership of the Republican Party, join us in bringing our troops home in the year 2013. No more should die for a lost cause like Afghanistan.

GENETICALLY MODIFIED ORGANISMS

(Mr. KUCINICH asked and was given permission to address the House for 1 minute.)

Mr. KUCINICH. Mr. Speaker, in 1992, the Food and Drug Administration decided that genetically modified organisms were the functional equivalent of conventional foods.

They arrived at this decision without testing GMOs for allergenicity, toxicity, antibiotic resistance, and functional characteristics. As a result, hundreds of millions of acres of GMO crops were planted in America without the knowledge or consent of the American people, no safety testing, no long-term health studies.

The FDA has received over a million comments from citizens demanding labeling of GMOs. Ninety percent of Americans agree.

Why no labeling? I'll give you one reason. The influence and the corruption of the political process by Monsanto. Monsanto has been a prime mover in GMO technology, a multi-million dollar GMO lobby here and a major political contributor. There is a chance that Monsanto's grip will be broken in California, where a GMO labeling initiative is on the ballot. Here in Congress my legislation, H.R. 3553, will provide for a national labeling bill.

Americans have a right to know if their food is genetically engineered. It's time for labeling. It's time for people to know how their food is being produced.

TIME FOR A DIVORCE WITH PAKISTAN

(Mr. POE of Texas asked and was given permission to address the House for 1 minute.)

Mr. POE of Texas. Mr. Speaker, the United States granted Pakistan major non-NATO ally status to help us fight al Qaeda and the Taliban. This status gives special foreign aid and defense benefits such as an expedited arms sales process. But Pakistan has proved it's no friend to America.

Pakistan said "no" when we asked it to go after the terrorist havens. Pakistan twice tipped off terrorists making

IEDs that kill Americans. Pakistan's intelligence arm, the ISI, helped the Haqqani network, a designated foreign terrorist organization, to attack our embassy. Pakistan arrested and convicted the doctor who helped us locate Osama bin Laden, the world's number one terrorist.

I believe some of the money that we have given them goes to the Taliban, but Pakistan has given us no reason to trust them. They are a disloyal ally, a Benedict Arnold friend.

I've introduced H.R. 6391 to strip Pakistan of its major non-NATO ally status. We don't need to pay Pakistan to betray us. They will do it for free.

Time for a divorce with Pakistan.

And that's just the way it is.

FOUR STRAIGHT YEARS OF TRILLION DOLLAR DEFICITS

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, the President has burdened the Nation with 4 straight years of trillion dollar deficits and has added more than \$5 trillion to our national defense. His failed policies have done nothing but make our economy worse. Now he wants to turn our debt crisis into a defense crisis. The President's own Secretary of Defense has said the looming half-trillion dollars in defense cuts would "hollow out the force and inflict severe damage to our national defense."

So far the President has refused to offer any alternatives whatever. House Republicans remain committed to slashing spending and reducing the deficit but not by arbitrarily cutting funding that supports our troops and their families. That's why we passed specific, commonsense reforms to replace these dangerous cuts.

It's time for the President to help us rescue our Nation's defenders from these imminent cuts before they take effect and our national security is further compromised.

□ 1410

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. WOMACK). Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

ENDANGERED FISH RECOVERY PROGRAMS EXTENSION ACT OF 2012

Mr. BISHOP of Utah. Mr. Speaker, I move to suspend the rules and pass the

bill (H.R. 6060) to amend Public Law 106-392 to maintain annual base funding for the Upper Colorado and San Juan fish recovery programs through fiscal year 2019.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6060

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Endangered Fish Recovery Programs Extension Act of 2012".

SEC. 2. EXTENSIONS OF AUTHORITY UNDER PUBLIC LAW 106-392; REPORT.

Section 3(d)(2) of Public Law 106-392 is amended—

(1) by striking "2011" each place it appears and inserting "2019";

(2) by striking "2008" and inserting "2018"; and

(3) by inserting before "Nothing in this Act" the following: "Such report shall also describe the Recovery Implementation Programs actions and accomplishments to date, the status of the endangered species of fish and projected dates for downlisting and delisting under the Endangered Species Act of 1973, and the utilization of power revenues for annual base funding."

SEC. 3. INDIRECT COST RECOVERY RATE FOR RECOVERY PROGRAMS.

Section 3 of Public Law 106-392 is amended by adding at the end the following new subsection:

"(i) LIMITATION ON INDIRECT COST RECOVERY RATE.—The indirect cost recovery rate for any transfer of funds to the U.S. Fish and Wildlife Service from another Federal agency for the purpose of funding any activity associated with the Upper Colorado River Endangered Fish Recovery Program or the San Juan River Basin Recovery Implementation Program shall not exceed three percent of the funds transferred. In the case of a transfer of funds for the purpose of funding activities under both programs, the limitation shall be applied to the funding amount for each program and may not be allocated unequally to either program, even if the average aggregate indirect cost recovery rate would not exceed three percent."

SEC. 4. LIMITATION ON TRAVEL FOR ADVOCACY PURPOSES.

At the end of Public Law 106-392, add the following new section:

"SEC. 5. LIMITATION ON TRAVEL FOR ADVOCACY PURPOSES.

"No Federal funds may be used to cover any expenses incurred by an employee or detailee of the Department of the Interior to travel to any location (other than the field office to which that individual is otherwise assigned) to advocate, lobby, or attend meetings that advocate or lobby for the Recovery Implementation Programs."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. BISHOP) and the gentleman from Arizona (Mr. GRIJALVA) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

Mr. BISHOP of Utah. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and in-

clude extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. BISHOP of Utah. Mr. Speaker, I yield myself such time as I may consume.

This is a good bill. It's got a great sponsor. Everyone should vote for it.

I reserve the balance of my time.

Mr. GRIJALVA. I yield myself such time as I may consume.

H.R. 6060 authorizes the use of power revenues to fund two recovery programs in the Upper Colorado and San Juan Rivers. Since 2011, Reclamation has continued to fund these programs at a cost of about \$3 million annually, using its existing authority.

We support the intent of H.R. 6060 to recover listed species while allowing water and power operations to continue. We share the administration's commitment to this program. We also welcome the majority's recognition that compliance with the Endangered Species Act does not mean that water and power projects in the West go dry or go dark. This program provides ESA compliance for 2,320 water projects. These projects deliver more than 3.7 million acre-feet of water per year to Wyoming, Utah, Colorado, Arizona, and New Mexico.

We are concerned, however, that the Republican rules only allow for the reauthorization of this program to 2019 versus the original goal of 2023. While we agree this legislation should move, it should be clear that, at least on our side of the aisle, our commitment to this program through 2023 has not changed.

I reserve the balance of my time.

Mr. BISHOP of Utah. I am pleased to yield 2 minutes to my colleague who shares a border with me in our districts, the gentleman from Colorado (Mr. TIPTON).

Mr. TIPTON. I thank Chairman BISHOP for yielding. Chairman BISHOP, I would also like to thank you for your leadership in leading the efforts on this important piece of legislation.

The Upper Colorado and San Juan River Basins provide key water and power resources in the Third Congressional District of Colorado and other districts in Colorado, Wyoming, Utah, Arizona, and New Mexico. These rivers are also home to four native fish species at risk of a "jeopardy" finding under the Endangered Species Act. Such a finding would impose on western constituents dramatic losses in water availability and hydropower reduction, resulting in lost jobs and increased power rates at a time when we can least afford it.

The Endangered Fish Recovery Act of 2012 extending the authorization for the Upper Colorado and San Juan Fish Recovery Implementation programs

will continue necessary efforts to recover four endangered fish species and provide compliance for Federal, tribal, and non-Federal water projects. These programs are supported by a broad swath of stakeholders, from local towns and counties to environmental groups and private industry, and are excellent examples of local solutions in lieu of onerous Federal management and overregulation.

I'm also pleased to see the cost reforms in this extended authorization. H.R. 6060 limits overhead to 3 percent and prohibits Federal employees from traveling to Washington, D.C., to lobby for their programs—activities well beyond the bounds of their purview. These cost savings and their measures will allow for greater allocation of resources to species recovery.

I'm optimistic that these programs can reach their goals in the coming year, recover the species in jeopardy, and safeguard the economic well-being of our communities, jobs, and everything connected with these efforts.

Mr. GRIJALVA. I yield back the balance of my time.

Mr. BISHOP of Utah. I think some of my staff thought I should be a little bit more expansive in my remarks. So this is a really good bill with a really good sponsor.

Actually, this is one of those things where the nice part is, for this mitigation plan that will allow these projects to go forward, taxpayers are paying no money. It's paid by the utility ratepayers of this particular area. If this is not reauthorized, it may put that part in jeopardy. And we did put some guidelines in there to protect so that the overhead that can be charged to the utility ratepayers has a potential limit on it.

It's a good bill. With that, I urge its adoption, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. BISHOP) that the House suspend the rules and pass the bill, H.R. 6060.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

MESCALERO APACHE TRIBE LEASING AUTHORIZATION ACT

Mr. BISHOP of Utah. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1461) to authorize the Mescalero Apache Tribe to lease adjudicated water rights, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1461

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Mescalero Apache Tribe Leasing Authorization Act".

SEC. 2. DEFINITIONS.

In this Act:

(1) ADJUDICATED WATER RIGHTS.—The term "adjudicated water rights" means water rights that were adjudicated to the Tribe in *State v. Lewis*, 116 N.M. 194, 861 P. 2d 235 (1993).

(2) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(3) STATE.—The term "State" means the State of New Mexico.

(4) TRIBE.—The term "Tribe" means the Mescalero Apache Tribe.

SEC. 3. AUTHORIZATION TO LEASE ADJUDICATED WATER RIGHTS.

(a) IN GENERAL.—Notwithstanding any other provision of law, subject to subsections (b) and (c), the Tribe may lease, enter into a contract with respect to, or otherwise transfer to another party, for another purpose, or to another place of use in the State, all or any portion of the adjudicated water rights.

(b) STATE LAW.—In carrying out any action under subsection (a), the Tribe shall comply with all laws (including regulations) of the State with respect to the leasing or transfer of water rights.

(c) ALIENATION; MAXIMUM TERM.—

(1) ALIENATION.—The Tribe shall not permanently alienate any adjudicated water rights.

(2) MAXIMUM TERM.—The term of any water use lease, contract, or other agreement under this section (including a renewal of such an agreement) shall be not more than 99 years.

(d) LIABILITY.—The Secretary shall not be liable to the Tribe or any other person for any loss or other detriment resulting from a lease, contract, or other arrangement entered into pursuant to this section.

(e) PURCHASES OR GRANTS OF LAND FROM INDIANS.—The authorization provided by this Act for the leasing, contracting, and transfer of the adjudicated water rights shall be considered to satisfy any requirement for authorization of the action by treaty or convention imposed by section 2116 of the Revised Statutes (25 U.S.C. 177).

(f) PROHIBITION ON FORFEITURE.—The non-use of all or any portion of the adjudicated water rights by a lessee or contractor shall not result in the forfeiture, abandonment, relinquishment, or other loss of all or any portion of the adjudicated water rights.

(g) APPLICABILITY.—This Act shall not apply to leasing, contracting, or transfer of the adjudicated water rights on the Tribe's reservation.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. BISHOP) and the gentleman from Arizona (Mr. GRIJALVA) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

Mr. BISHOP of Utah. I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. BISHOP of Utah. Mr. Speaker, I am pleased to yield such time as he

may consume to the author of this particular bill, who does a great job in representing his constituents—and this is one of those examples—the gentleman from New Mexico (Mr. PEARCE).

Mr. PEARCE. This bill is straightforward and simple. It allows the Mescalero Apache Indian Tribe to permit or lease or transfer their water rights for a term up to 99 years. The courts decided that they would have these rights back in 1993, but we need the legislation that would permit it. This effort is bipartisan. It's even pursued in both the House and the Senate—Senator BINGAMAN has a bill—so it's non-controversial. It simply does the right thing. It's important. It allows the tribe self-determination and it also gives them economic opportunities. The leasing of the water rights will provide them with revenues that they desperately need.

It's for the best interest of all New Mexicans. During this current drought, water is of scarce supply in New Mexico, and this would allow the tribe to lease water to communities that are desperately needing water at this point. It's important to the tribes. It's important to New Mexico.

I recommend that all vote for H.R. 1461, and urge its passage.

Mr. GRIJALVA. I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 1461, legislation that would authorize the Mescalero Apache Tribe of New Mexico to lease its adjudicated and quantified water rights for up to 99 years, pursuant to State law.

There is a tremendous need for water in south central New Mexico among the Mescalero Apache Tribe's non-Indian neighbors. The tribe has approximately 2,300 acre-feet of water to meet this need, which it is ready to lease to the surrounding communities. Revenue generated by such leasing would be used to fund basic tribal government services such as a senior care center, infrastructure development, and academic scholarships.

Because the tribe's water rights were quantified by adjudication, legislation is necessary to authorize the tribe to lease its water. H.R. 1416 provides this simple authorization that would not only make the tribe's valuable resource available to those in need, but also give the tribe a much-needed source of additional government revenue.

During the subcommittee hearing on the bill the administration expressed concern that H.R. 1461 did not limit tribal authority for leasing water to off-reservation locations and that such a clarification was needed to prevent possible application of State law to on-reservation water leases. Committee staff worked together to amend H.R. 1461 to clarify that the tribe's authorities are limited to off-reservation water leases. The tribe can now be assured that State law will never apply

to on-reservation water leases, pursuant to H.R. 1461.

Mr. Speaker, we support H.R. 1461, and I reserve the balance of my time.

□ 1420

Mr. BISHOP of Utah. Could I inquire if my colleague has any other speakers?

Mr. GRIJALVA. No, I don't, Mr. Chairman.

I yield back the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, this is one of those bills where the minority and the majority have worked with the tribe to clarify. This applies to off-reservation water, their leasing authority. If the tribe still stays in place, it's intact. It's a technical amendment that has been cleared by all interested parties and moves us forward.

I urge its adoption, and I yield back the balance of our time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. BISHOP) that the House suspend the rules and pass the bill, H.R. 1461, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

ALLOWING PASCUA YAQUI TRIBE TO DETERMINE REQUIREMENTS FOR MEMBERSHIP

Mr. BISHOP of Utah. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3319) to allow the Pascua Yaqui Tribe to determine the requirements for membership in that tribe, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3319

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. REQUIREMENTS FOR MEMBERSHIP DETERMINED BY TRIBE.

Section 3 of Public Law 95-375 (25 U.S.C. 1300f-2) is amended to read as follows:

"SEC. 3. For the purposes of section 1 of this Act, membership of the Pascua Yaqui Tribe shall consist of any United States citizen of Pascua Yaqui blood enrolled by the tribe."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. BISHOP) and the gentleman from Arizona (Mr. GRIJALVA) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

Mr. BISHOP of Utah. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. BISHOP of Utah. Mr. Speaker, since I doubt very seriously if I can get through any kind of statement and say "Pascua Yaqui" Tribe accurately, it would be my intent, if I could, to yield 10 minutes to the gentleman from Arizona to explain his bill. It's a good bill, we support it, and he can say it properly.

I reserve the balance of my time.

Mr. GRIJALVA. Mr. Speaker, I yield myself such time as I may consume.

I appreciate Chairman BISHOP's indulgence at this point.

Mr. Speaker, I rise in support of H.R. 3319, a bill that would authorize the Pascua Yaqui Tribe to set its own membership criteria by replacing congressionally mandated criteria that artificially limited enrollment to certain Yaqui people based on application deadlines and other requirements that do not reflect tribal input.

H.R. 3319 reflects the modern congressional policy of allowing federally recognized tribes to set their own membership criteria. The bill eliminates current membership requirements imposed by statute and replaces them with a requirement that members possess any degree of Indian blood as determined by the tribe. The Pascua Yaqui Tribe, like all federally recognized tribes, has the inherent right to determine its own membership without restrictions imposed by the Federal Government.

Mr. Speaker, I ask my colleagues to support the passage of H.R. 3319, and I yield back the remainder of my time.

Mr. BISHOP of Utah. Mr. Speaker, the House actually passed a bill similar to this on tribal membership that recognized a tribe in Texas last year, so there is precedent for this event. I would therefore have no objection to the passing of this resolution today and urge Members' support of it.

With that, I yield back all the remainder of the time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. BISHOP) that the House suspend the rules and pass the bill, H.R. 3319, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

HONORING THE FOUR UNITED STATES PUBLIC SERVANTS WHO DIED IN LIBYA

Ms. ROS-LEHTINEN. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 786) honoring the four United States public servants who died in Libya and condemning the attacks on United States diplomatic facilities in Libya, Egypt, and Yemen.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 786

Whereas, on September 11, 2012, terrorists attacked the United States consulate in Benghazi, Libya, killing four United States citizens, including the United States Ambassador to Libya, John Christopher Stevens, Foreign Service Information Management Officer Sean Smith, and security officers Tyrone S. Woods and Glen A. Doherty, and injured other United States citizens;

Whereas, on September 11, 2012, violent protesters stormed the United States embassy in Cairo, Egypt, committing acts of vandalism and violence and endangering the welfare of United States diplomats;

Whereas, on September 13, 2012, violent protestors were repelled from an attempt to storm the United States embassy in Sana'a, Yemen;

Whereas Ambassador Stevens was a champion of the Libyan people's efforts to remove Muammar Qaddafi from power, and served as Special Envoy to the Libyan Transitional National Council in Benghazi during the 2011 Libyan revolution;

Whereas, on a daily basis, United States diplomats, military personnel, foreign service nationals and locally employed staff, and other public servants make professional and personal sacrifices to faithfully serve the United States and its people to advance the ideals of freedom, democracy, and human dignity around the globe;

Whereas many United States diplomatic facilities remain threatened by terrorist attacks or violent protests in the wake of these attacks; and

Whereas Article 22 of the Vienna Convention on Diplomatic Relations obligates host governments to "take all appropriate steps to protect the premises of the [diplomatic] mission against any intrusion or damage and to prevent any disturbance of the peace of the mission or impairment of its dignity." Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes the selfless commitment to United States national security and to Libya's hard-won, transitional democracy by the brave United States citizens who lost their lives in the unjustified attack on the United States consulate in Benghazi, Libya;

(2) expresses its deepest condolences to the families and loved ones of those United States public servants killed in Benghazi, Libya;

(3) condemns in the strongest possible terms the terrorists who planned and conducted the attack on the United States consulate in Benghazi, Libya, and those who vandalized the United States embassies in Cairo, Egypt, and Sana'a, Yemen;

(4) expresses profound concern about the security situation in Libya, Egypt, and Yemen, and with the continuing threat posed to the region and United States interests by extremists and terrorists;

(5) appreciates the actions of those who sought to protect the United States diplomats and diplomatic facilities;

(6) reaffirms that nothing can justify terrorism or attacks on innocent civilians and diplomatic personnel;

(7) calls upon all governments to continue to work closely with the United States Department of State to ensure security of diplomatic facilities throughout their countries, to secure their borders, and to aggressively combat terrorists and extremists who operate within their sovereign territory;

(8) calls upon the Governments of Libya, Egypt, and Yemen, in full cooperation with the United States Government, to investigate and bring to justice the perpetrators of these attacks; and

(9) reiterates the United States commitment to promoting its core values, including support for democracy, universal human rights, individual and religious freedom, and respect for human dignity.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Florida (Ms. ROS-LEHTINEN) and the gentleman from New York (Mr. ENGEL) each will control 20 minutes.

The Chair recognizes the gentlewoman from Florida.

GENERAL LEAVE

Ms. ROS-LEHTINEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to insert extraneous material into the RECORD on this measure.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Florida?

There was no objection.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

I want to thank Speaker BOEHNER, Leader CANTOR, Leader PELOSI, and Mr. HOYER for spearheading this critical resolution about the recent terrorist attacks.

Our thoughts and our prayers are with the families of Ambassador Christopher Stevens, Sean Smith, Tyrone Woods, and Glenn Doherty, and all of those injured in the attack. Our condolences must also go out to the entire U.S. diplomatic corps.

On the 11th anniversary of the attacks of September 11, 2001, radical Islamists attacked the United States mission in Benghazi, and our Ambassador and three other State Department personnel were murdered. Concurrently, in Cairo, our Embassy was assaulted by a mob of extremists who breached its walls and desecrated our American flag.

Since that fateful day, Mr. Speaker, we have witnessed a dramatic escalation of anti-American protests and actions throughout the region, from assaulting the Embassy in Tunis to the attack on peacekeepers in the Sinai.

The premise that the violence and the protests are solely based on that obscure, hateful video is patently false. Rather, it is symptomatic of a broader effort by our enemies in the region to foment hatred of the U.S. Yet the hesitation on the part of this administration and the schizophrenia in response to this latest crisis is a cause for concern.

The U.S. has nothing for which to apologize, including the exercise of freedom of expression. Surrendering our principles before an unruly mob or violent extremists will only embolden the likes of al Qaeda and reinforce the notion that more attacks against the

United States will change core American policies and American principles.

The perpetrators of the attacks must be held accountable by our allies in the region, and the administration must take the lead. There is no excuse whatsoever for attacking diplomatic missions and murdering diplomats. The administration must place the governments on notice that their conduct during this crisis will determine the nature of our relations moving forward.

The Libyan and Yemeni Governments have both apologized for and strongly condemned the attacks on U.S. diplomatic posts in their host countries. They have been fully cooperating with us. By contrast, the Egyptian Government took over a day to issue a weak statement discouraging violence against foreign embassies, but it was, alas, too little, too late.

This cannot happen again, and Congress will be closely monitoring the ongoing protests and reassessing our assistance packages and our approaches based on the responses of the governments to assaults on our embassies and our institutions.

The lack of a firm response will undermine our U.S. interests in the region. We must clearly articulate and implement a policy that rewards our allies, encourages moderate forces within the region, and punishes our enemies.

At this critical moment, Mr. Speaker, the United States must reaffirm support for our friends and allies and clearly differentiate them from our enemies.

□ 1430

The United States must continue to stand up for American values and stand with the voices of moderation.

With that, Mr. Speaker, I reserve the balance of my time.

Mr. ENGEL. Mr. Speaker, I yield myself such time as I may consume, and I rise in strong support of this resolution honoring Ambassador Chris Stevens, Sean Smith, Glen Doherty, and Tyrone Woods, four patriotic Americans who lost their lives in a cowardly and despicable attack on the United States consulate in Benghazi, Libya.

On a daily basis, the men and women of the State Department assume great risks in dangerous locations all over the world. They conduct diplomacy, promote democracy, build civil society, educate, mediate, negotiate, and defend U.S. interests worldwide. They are the face of America abroad; and our country is safer, freer, and more prosperous because of what they do.

Ambassador Stevens was one of our best and brightest—and most courageous. He had served in Israel, Egypt, Syria, and Saudi Arabia; but Libya became the centerpiece and defining mission of his career. He was on the ground in Benghazi leading U.S. diplo-

matic efforts from the earliest days of the revolution. He worked tirelessly on behalf of U.S.-Libyan relations and the well-being of U.S. citizens living in Libya. I am particularly angry that this sickening attack occurred in a country that the U.S., with Chris Stevens in the lead, did so much to liberate.

Ambassador Stevens will be missed for his knowledge of the Middle East, his exemplary commitment to service, his warming and welcoming personality, and his basic human decency.

Sean Smith, a Foreign Service information officer, was a father and 10-year veteran of the U.S. State Department. Prior to arriving in Benghazi, he served in Brussels, Baghdad, Victoria, Montreal, and The Hague.

Glen Doherty was a former Navy SEAL from Boston. He was killed while serving on the Ambassador's security detail and helping to evacuate the wounded.

Tyrone Woods spent two decades as a SEAL, was a father of three, and had worked protecting diplomats in dangerous posts for the past 2 years.

Mr. Speaker, our thoughts and prayers are with the families of all the dedicated public servants whose lives were lost.

Libya owes the American people a full investigation of this incident, in complete cooperation with U.S. authorities. The killers must be found and brought to justice. I stand by ready to assist in any way I can.

With that, Mr. Speaker, I reserve the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I reserve the balance of my time.

Mr. ENGEL. Mr. Speaker, I yield 5 minutes to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. I certainly join with my colleagues in mourning the passing, under tragic circumstances, of Ambassador Stevens, as well as the deaths of Sean Smith and security officers Tyrone Woods and Glen Doherty, as well as all those who were injured. I think that all of us can agree that what happened to Ambassador Stevens and the rest of the diplomatic staff should concern everyone, concern all Americans. These attacks were wrong, and it's appropriate that we honor Ambassador Stevens.

The resolution, as I read it, is not complete, though, because this discussion that we're having here on the floor is missing some elements; and I'd like to bring them forward right now.

We have to ask the question: Why was that consulate in Benghazi, Libya, so lightly defended to begin with? Did anyone know that Benghazi was still a flash point? I mean, we overthrew the government. Did anyone know that when the government fell, al Qaeda's flag was flying over Benghazi? Did anyone know about al Qaeda's presence in Libya that came after the war? That

would have been a constant factor to be mindful of with respect to protecting those who serve. Why wasn't more care given to protect U.S. personnel?

The other thing is, there were warnings in diplomatic circles, specifically with respect to Libya, because of the ferment that has been going on in the broader Muslim world. These are concerns that should be discussed by the Congress. It doesn't take away anything from the sacrifice that was given, but we have to ask some questions here.

We also have to be aware that U.S. policy in Libya is murky at best and a huge mistake at worst. We had debates on this floor about Libya, and we know that Congress was not consulted. The current issue of *Vanity Fair* is worth the attention of every Member of Congress because it made it abundantly clear on what is a prime constitutional responsibility of Congress. Article I, section 8, the power to declare war, was essentially usurped by the administration. This is not a small matter. Would we have been in Libya if Congress had had an upfront vote immediately?

Two days ago, we celebrated Constitution Day. Are we celebrating the Constitution every day or just one day? There are consequences for not following the Constitution; there are consequences for our citizens here at home and citizens abroad. This needs to be brought up in the context of this debate.

We cannot pretend that United States policy—which often lacks congressional involvement—with drones flying over Yemen and Somalia and Pakistan and Afghanistan and innocents killed, that there's not going to be blow-back or a backlash. It is wrong for any of our people to have their lives on the line where they lose their lives. It's awful.

I stand here today in support of this resolution only because I want to be on record as joining my colleagues on this matter of making sure that we pay tribute to those whose lives were put on the line for this country. But let me tell you, we cannot ignore the deeper questions here: Why wasn't that consulate well defended? We cannot ignore the question: Why wasn't Congress consulted on the decision to go to war against Libya? There are consequences for these things.

The whole country should mourn Ambassador Stevens' death and the deaths of all of those who proudly serve this country who were taken in this fit of outrage that swept across Libya, but we need to remember a few other things too about how we got there and why those people who put their lives on the line to serve, why their lives were put in jeopardy.

Ms. ROS-LEHTINEN. Mr. Speaker, I am so pleased to yield 1 minute to our esteemed majority leader, the gentleman from Virginia (Mr. CANTOR).

Mr. CANTOR. I thank the gentle lady for her leadership in bringing this resolution forward.

Mr. Speaker, I rise today in support of this resolution to condemn the violence against our diplomatic missions in Libya, Egypt, Yemen, and elsewhere.

We acknowledge and honor the personal sacrifice of the brave Americans who gave their lives in service to our Nation. U.S. Ambassador Chris Stevens, Foreign Service Information Management Officer Sean Smith, and Security Officers Tyrone Woods and Glen Doherty tragically lost their lives far from home in Benghazi, Libya, where they were promoting American interests and helping the Libyan people secure the hard-fought gains of the revolution. These heroes died upholding the liberty, democracy, and moderation we value as a Nation.

In the wake of their deaths and the ongoing protests and violence, Americans want to know what our strategy is for protecting our diplomats, our interests, and our values in a region that is undergoing a profound—and unfortunately sometimes violent—political transformation.

□ 1440

Americans are rightly worried about the anti-Americanism and Islamic extremism that has reared its head. I share the concern that Americans have about the situation in the Middle East, and I believe the President should explain his strategy for navigating the uncertain waters before us.

But I know that one policy we must not pursue is to turn our back on this troubled region. Withdrawing from the region would embolden the extremists and justify Osama bin Laden's strategy, leaving the moderates who share our values and who desire democracy to combat the forces of violence alone.

We are not alone in this fight. From Morocco to Indonesia, there are brave Muslims who oppose violence, who desire good relations with the United States, who respect religious freedom, and who risk their lives by preaching tolerance and moderation. We should redouble our efforts to stand with these Muslims who seek to protect a great religion from being subverted by extremists.

We should not abandon Libya because terrorists seek to undermine a government that is making progress towards establishing a democracy and that is joining the fight against terrorism.

Egypt's democratic revolution is unfinished, and much work remains to ensure that its first election is not its last. We should work with Egypt's leaders to help them build a democracy that respects individual rights, women, and religious freedom while being clear that we will not tolerate policies that give any ground to terrorists or undermine our security or that of our ally Israel.

American assistance is not an entitlement, and Congress expects Egypt's new leaders to respect the parameters and conditions of our generous aid.

America must not abandon its partners, just as we should not apologize for our perceived sins. We must demonstrate leadership. We should lead a coalition against the radical mullahs in Iran who foment instability and support extremists throughout the region. America should combat Iran's support for terrorism and thwart its aspirations for nuclear weapons.

America should be leading an international effort to bring overwhelming pressure on the Assad regime in Syria to end, once and for all, its state sponsorship of terrorism and to bring about a new government in Syria before that society fractures beyond repair.

Mr. Speaker, America has long been a force for good and stability in the Middle East. When we have retreated in the past from playing this role, we have paid dearly. Withdrawing from Lebanon in the 1980s ceded that country to Syria and Hezbollah. Failing to respond to al Qaeda's attacks in the 1990s led Osama bin Laden to believe he could attack the American homeland.

The extremists in the region believe today, as bin Laden believed then, that we do not have the stomach to defend our friends and our interests, that we will abandon the Middle East. We must prove them wrong by responding to this challenge with purpose and strength. We must stand with our friends and hold our enemies to account.

Mr. ENGEL. I have no further speakers. I yield back the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, in closing, I would like to reinforce a few points. First, our thoughts and our prayers are with the families of the American diplomats murdered in Libya as we stand with them in this difficult time.

Secondly, there is no excuse whatsoever for attacking diplomatic missions and murdering diplomats.

Third, the U.S. has nothing for which to apologize. Let us not apologize for the exercise of freedom of expression. The perpetrators of these attacks must be held accountable.

Finally, the United States Congress will be reassessing our assistance packages based on the responses of the various affected governments to assaults on our embassies and our institutions. Nothing can justify the terrorist attacks carried out against our fellow Americans, our diplomatic posts, and our U.S. interests around the world.

The Americans killed were committed to helping the Libyan people, committed to help them secure a better, more stable, more peaceful future. Yet, radicals, the radicals who seek to

hijack such freedom, security, and prosperity from the people of the Middle East and in North Africa, those who deny their own people basic human rights and universal freedoms, answered our dedication and our commitment of these courageous Americans by burning our mission and killing our diplomats.

So let us be clear: no apologies are needed. Nothing justifies these violent actions.

And to the people throughout the Middle East, North Africa, and throughout the world who are oppressed, the United States and our personnel overseas stand with you. We stand for freedom, despite the threats from extremist elements.

With that, Mr. Speaker I yield back the balance of my time.

Mr. SMITH of New Jersey. Mr. Speaker, I want to thank you and the other members of our House leadership for introducing this important, bi-partisan resolution.

Tragically, our country will now be commemorating not only the terrorist attacks of September 11, 2001, but also the attacks on the United States consulate in Benghazi, Libya, that occurred on the same date last week.

The four U.S. citizens who lost their lives, especially Ambassador John Christopher Stevens, and those who were injured in this unjustified act of violence demonstrated an extraordinary commitment to our country's national security and Libya's democracy. I would like to convey my heartfelt condolences to the families of the victims.

I also want to express my ongoing support and gratitude for all the Foreign Service men and women who are promoting American values and interests abroad. It is on occasions such as this that we are reminded of the many sacrifices that they make in service to our country. In addition to living in foreign lands away from their families and adapting to new cultures and languages, many of them daily face the possible ultimate sacrifice of their lives. The violence that occurred last week at our diplomatic missions in several countries must renew our national commitment to doing our best to ensure their safety.

Mr. Speaker, there is no justification for the recent attacks on U.S. diplomatic missions and the taking of innocent American lives in Benghazi. All governments must take appropriate measures to ensure the security of U.S. diplomatic facilities within their borders, and to end these acts of terrorism.

Ms. RICHARDSON. Mr. Speaker, I rise in support of H. Res. 786, which honors the four exceptional public servants who gave their lives in service to the United States and condemns the attacks on United States' diplomatic facilities in Libya, Egypt, and Yemen.

I would like to extend my condolences and sympathy in this time of great loss to the families of these four heroes.

Mr. Speaker, John Christopher Stevens, the United States Ambassador to Libya; Sean Smith, Foreign Service Information Management Officer; and Tyrone S. Woods and Glen A. Doherty, Security Officers, were among the finest members of our diplomatic corps. They

dedicated their lives to promote peace, support prosperity, and protect American citizens while advancing the interests of the United States abroad.

Ambassador Stevens was a champion of the Libyan people's efforts to remove Muammar Qaddafi from power and served as Special Envoy to the Libyan Transitional National Council in Benghazi during the 2011 Libyan revolution.

Foreign Service Information Management Officer Sean Smith, and security officers Tyrone S. Woods and Glen A. Doherty as well as the United States' citizens that were injured in these attacks made professional and personal sacrifices to faithfully serve the United States and its people to advance the ideals of freedom, democracy, and human dignity around the globe.

They are heroes and their contributions and sacrifices in service to America and the cause of freedom will never be forgotten.

Mr. Speaker, I strongly support this resolution in its condemnation of the terrorists who planned and conducted the attack on the United States consulate in Benghazi, Libya, and those who vandalized the United States embassies in Cairo, Egypt, and Sana'a, Yemen. The resolution also reaffirms that nothing can justify terrorism or attacks on innocent civilians and diplomatic personnel.

Most importantly, the bill calls upon the Governments of Libya, Egypt, and Yemen, in full cooperation with the United States Government, to investigate and bring to justice the perpetrators of these attacks.

Finally, the resolution reiterates the United States' commitment to promoting its core values, including support for democracy, universal human rights, individual and religious freedom, and respect for human dignity.

Mr. Speaker, we are fortunate indeed to live in a country that produces exceptional men like Chris Stevens, Sean Smith, Tyrone Woods, and Glen Doherty. Their selfless devotion to our nation's ideals and values will forever mark them as American heroes. I hope their families can take consolation in the fact that they will live on in the memories of the grateful nation they gave their lives to serve.

It is for these reasons that I support H. Res. 786 and ask for a moment of silence in memory of Chris Stevens, Sean Smith, Tyrone Woods, and Glen Doherty.

Ms. MCCOLLUM. Mr. Speaker, I rise today in strong support of H. Res. 786. I join President Obama, Secretary of State Clinton and my colleagues in Congress in condemning these attacks in the strongest possible terms. The attacks on our embassies in Cairo, Egypt and Sana, Yemen and the violent assault on our consulate in Benghazi, Libya were shocking and unacceptable.

My thoughts and prayers are with the families of the four U.S. embassy employees, including Ambassador Christopher Stevens, who lost their lives in the attack. Their courageous service represents the very best of America and their sacrifice will not be forgotten. Every day, America's diplomats serve their country by promoting our interests and values around the world. This difficult task becomes even more daunting and important in unstable countries where young democracies are struggling to take root in the presence of violent oppo-

nents and in the shadow of historical oppression.

As our nation grieves this loss we must also strengthen our resolve. The changes brought by the Arab Spring are still unfolding. It is crucial for the United States to engage in these countries and support their transition to stable democracies that respect religious rights, human rights, especially the rights of women.

In closing, the outpouring of condolences from the citizens of Libya, including those in Benghazi, is heartening. I was struck by the image of a young Libyan women holding a sign written in English so it would be understood by Americans that said "Thugs and killers don't represent Benghazi or Islam." Ambassador Stevens believed these voices would ultimately triumph in Libya and we honor his memory by standing steadfast with them in their democratic journey.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and agree to the resolution, H. Res. 786.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

COUNTERING IRAN IN THE WESTERN HEMISPHERE ACT OF 2012

Ms. ROS-LEHTINEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3783) to provide for a comprehensive strategy to counter Iran's growing presence and hostile activity in the Western Hemisphere, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3783

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Countering Iran in the Western Hemisphere Act of 2012".

SEC. 2. FINDINGS.

Congress finds the following:

(1) The United States has vital political, economic, and security interests in the Western Hemisphere.

(2) Iran is pursuing cooperation with Latin American countries by signing economic and security agreements in order to create a network of diplomatic and economic relationships to lessen the blow of international sanctions and oppose Western attempts to constrict its ambitions.

(3) According to the Department of State, Hezbollah, with Iran as its state sponsor, is considered the "most technically capable terrorist group in the world" with "thousands of supporters, several thousand members, and a few hundred terrorist operatives," and officials from the Iranian Islamic Revolutionary Guard Corps (IRGC) Qods Force have been working in concert with Hezbollah for many years.

(4) The IRGC's Qods Force has a long history of supporting Hezbollah's military, paramilitary, and terrorist activities, providing it with guidance, funding, weapons,

intelligence, and logistical support, and in 2007, the Department of the Treasury placed sanctions on the IRGC and its Qods Force for their support of terrorism and proliferation activities.

(5) The IRGC's Qods Force stations operatives in foreign embassies, charities, and religious and cultural institutions to foster relationships, often building on existing socioeconomic ties with the well established Shia Diaspora, and recent years have witnessed an increased presence in Latin America.

(6) According to the Department of Defense, the IRGC and its Qods Force played a significant role in some of the deadliest terrorist attacks of the past two decades, including the 1994 attack on the AMIA Jewish Community Center in Buenos Aires, by generally directing or supporting the groups that actually executed the attacks.

(7) Reports of Iranian intelligence agents being implicated in Hezbollah-linked activities since the early 1990s suggest direct Iranian government support of Hezbollah activities in the Tri-Border Area of Argentina, Brazil, and Paraguay, and in the past decade, Iran has dramatically increased its diplomatic missions to Venezuela, Bolivia, Nicaragua, Ecuador, Argentina, and Brazil. Iran has built 17 cultural centers in Latin America, and it currently maintains 11 embassies, up from 6 in 2005.

(8) Hezbollah and other Iranian proxies with a presence in Latin America have raised revenues through illicit activities, including drug and arms trafficking, counterfeiting, money laundering, forging travel documents, pirating software and music, and providing haven and assistance to other terrorists transiting the region.

(9) Bolivia, Cuba, Ecuador, Nicaragua, and Venezuela expressed their intention to assist Iran in evading sanctions by signing a statement supporting Iran's nuclear activities and announcing at a 2010 joint press conference in Tehran their determination to "continue and expand their economic ties to Iran" with confidence that "Iran can give a crushing response to the threats and sanctions imposed by the West and imperialism".

(10) The U.S. Drug Enforcement Administration concluded in 2008 that almost one-half of the foreign terrorist organizations in the world are linked to narcotics trade and trafficking, including Hezbollah and Hamas.

(11) In October 2011, the United States charged two men, Manssor Arbabsiar, a United States citizen holding both Iranian and United States passports, and Gholam Shakuri, an Iran-based member of Iran's IRGC Qods Force, with conspiracy to murder a foreign official using explosives in an act of terrorism. Arbabsiar traveled to Mexico with the express intent to hire "someone in the narcotics business" to carry out the assassination of the Saudi Arabian Ambassador in the United States. While in the end, he only engaged a U.S. Drug Enforcement Agency informant posing as an associate of a drug trafficking cartel, Arbabsiar believed that he was working with a member of a Mexican drug trafficking organization and sought to send money to this individual in installments and not in a single transfer.

(12) In February 2011, actions by the Department of the Treasury effectively shut down the Lebanese Canadian Bank. Subsequent actions by the United States Government in connection with the investigation into Lebanese Canadian Bank resulted in the indictment in December 2011 of Ayman Joumaa, an individual of Lebanese nationality, with citizenship in Lebanon and Co-

lombia, and with ties to Hezbollah, for trafficking cocaine to the Los Zetas drug trafficking organization in Mexico City for sale in the United States and for laundering the proceeds.

SEC. 3. STATEMENT OF POLICY.

It shall be the policy of the United States to use a comprehensive government-wide strategy to counter Iran's growing hostile presence and activity in the Western Hemisphere by working together with United States allies and partners in the region to mutually deter threats to United States interests by the Government of Iran, the Iranian Islamic Revolutionary Guard Corps (IRGC), the IRGC's Qods Force, and Hezbollah.

SEC. 4. DEFINITIONS.

In this Act:

(1) **WESTERN HEMISPHERE.**—The term "Western Hemisphere" means the United States, Canada, Mexico, the Caribbean, South America, and Central America.

(2) **RELEVANT CONGRESSIONAL COMMITTEES.**—The term "relevant congressional committees" means the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

SEC. 5. REQUIREMENT OF A STRATEGY TO ADDRESS IRAN'S GROWING HOSTILE PRESENCE AND ACTIVITY IN THE WESTERN HEMISPHERE.

(a) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall conduct an assessment of the threats posed to the United States by Iran's growing presence and activity in the Western Hemisphere and submit to the relevant congressional committees the results of the assessment and a strategy to address Iran's growing hostile presence and activity in the Western Hemisphere.

(b) **MATTERS TO BE INCLUDED.**—The strategy described in subsection (a) should include—

(1) a description of the presence, activities, and operations of Iran, the Iranian Islamic Revolutionary Guard Corps (IRGC), its Qods Force, Hezbollah, and other terrorist organizations linked to Iran that may be present in the Western Hemisphere, including information about their leaders, objectives, and areas of influence and information on their financial networks, trafficking activities, and safe havens;

(2) a description of the terrain, population, ports, foreign firms, airports, borders, media outlets, financial centers, foreign embassies, charities, religious and cultural centers, and income-generating activities in the Western Hemisphere utilized by Iran, the IRGC, its Qods Force, Hezbollah, and other terrorist organizations linked to Iran that may be present in the Western Hemisphere;

(3) a description of the relationship of Iran, the IRGC, its Qods Force, and Hezbollah with transnational criminal organizations linked to Iran and other terrorist organizations in the Western Hemisphere, including information on financial networks and trafficking activities;

(4) a description of the relationship of Iran, the IRGC, its Qods Force, Hezbollah, and other terrorist organizations linked to Iran that may be present in the Western Hemisphere with the governments in the Western Hemisphere, including military-to-military relations and diplomatic, economic, and security partnerships and agreements;

(5) a description of the Federal law enforcement capabilities, military forces, State and local government institutions, and other critical elements, such as nongovern-

mental organizations, in the Western Hemisphere that may organize to counter the threat posed by Iran, the IRGC, its Qods Force, Hezbollah, and other terrorist organizations linked to Iran that may be present in the Western Hemisphere;

(6) a description of activity by Iran, the IRGC, its Qods Force, Hezbollah, and other terrorist organizations linked to Iran that may be present at the United States borders with Mexico and Canada and at other international borders within the Western Hemisphere, including operations related to drug, human, and arms trafficking, human support networks, financial support, narco-tunneling, and technological advancements that incorporates—

(A) with respect to the United States borders, in coordination with the Governments of Mexico and Canada and the Secretary of Homeland Security, a plan to address resources, technology, and infrastructure to create a secure United States border and strengthen the ability of the United States and its allies to prevent operatives from Iran, the IRGC, its Qods Force, Hezbollah, or any other terrorist organization from entering the United States; and

(B) within Latin American countries, a multiagency action plan, in coordination with United States allies and partners in the region, that includes the development of strong rule-of-law institutions to provide security in such countries and a counterterrorism and counter-radicalization plan to isolate Iran, the IRGC, its Qods Force, Hezbollah, and other terrorist organizations linked to Iran that may be present in the Western Hemisphere from their sources of financial support and counter their facilitation of terrorist activity; and

(7) a plan—

(A) to address any efforts by foreign persons, entities, and governments in the region to assist Iran in evading United States and international sanctions;

(B) to protect United States interests and assets in the Western Hemisphere, including embassies, consulates, businesses, energy pipelines, and cultural organizations, including threats to United States allies;

(C) to support United States efforts to designate persons and entities in the Western Hemisphere for proliferation activities and terrorist activities relating to Iran, including affiliates of the IRGC, its Qods Force, and Hezbollah, under applicable law including the International Emergency Economic Powers Act; and

(D) to address the vital national security interests of the United States in ensuring energy supplies from the Western Hemisphere that are free from the influence of any foreign government that would attempt to manipulate or disrupt global energy markets.

(c) **DEVELOPMENT.**—In developing the strategy under this section, the Secretary of State shall consult with the heads of all appropriate United States departments and agencies, including the Secretary of Defense, the Director of National Intelligence, the Secretary of Homeland Security, the Secretary of the Treasury, the Attorney General, and the United States Trade Representative.

(d) **FORM.**—The strategy under this section shall be submitted in unclassified form, but may contain a classified annex if necessary.

SEC. 6. SENSE OF CONGRESS.

It is the sense of Congress that the Secretary of State should keep the relevant congressional committees continually informed on the hostile actions of Iran in the Western Hemisphere.

SEC. 7. RULE OF CONSTRUCTION.

Nothing in this Act shall be construed to limit the rights or protections enjoyed by United States citizens under the United States Constitution or other Federal law, or to create additional authorities for the Federal Government that are contrary to the United States Constitution and United States law.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Florida (Ms. ROS-LEHTINEN) and the gentleman from New York (Mr. ENGEL) each will control 20 minutes.

The Chair recognizes the gentlewoman from Florida.

GENERAL LEAVE

Ms. ROS-LEHTINEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to insert extraneous material into the RECORD on this measure.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Florida?

There was no objection.

Ms. ROS-LEHTINEN. I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support today of H.R. 3783, the Countering Iran in the Western Hemisphere Act of 2012, a bill introduced by my good friend, Mr. DUNCAN, an esteemed member of our Foreign Affairs Committee. I would like to thank him for his hard work on the issues addressed in this important bill.

In February, the Committee on Foreign Affairs held a hearing entitled "Ahmadinejad's Tour of Tyrants and Iran's Agenda in the Western Hemisphere" in order to examine the threat to U.S. national security posed by Iran and Iranian-sponsored activities in the Western Hemisphere. One month later, this bipartisan measure was unanimously adopted by our Committee on Foreign Affairs.

Mr. Speaker, as we have witnessed in the last few weeks, the violence perpetrated by extremists in the Middle East against our embassies and our consulates undermines our foreign policy objectives, and we must prevent these vicious attacks from occurring in our region.

Let us not forget that 18 years ago, Iranian so-called diplomats readily partnered with Hezbollah, a U.S.-designated foreign terrorist organization, to carry out a deadly attack against the AMIA Jewish Community Center in Buenos Aires, Argentina. Iran has only increased its subversive action since then, and over the past decade the regime has increased diplomatic and economic ties between Iran and the radical regimes in Latin America.

Iran's Ahmadinejad made two trips to Latin America this year to visit his fellow tyrants: the Castro brothers in Cuba, Ortega in Nicaragua, Correa in Ecuador, Chavez in Venezuela, and Morales in Bolivia.

In an attempt to promote its extremist propaganda, the Iranian regime re-

cently launched a Spanish television network to reach a larger international audience centered in the Western Hemisphere. More embassies and cultural centers have opened in Bolivia, Ecuador, Nicaragua, Colombia, Chile, and Uruguay, in addition to its existing diplomatic missions in Cuba, Argentina, Brazil, Mexico, and Venezuela.

According to a U.S. intelligence analyst, these diplomatic missions are simply fronts for Iran to carry out its nefarious activities in the region and a potential platform to increase the presence of the Qods Force operatives, a designated foreign terrorist organization and an arm of the Revolutionary Guard of Iran.

□ 1450

According to media reports, Hezbollah, which is Iran's proxy, has established a training base in Nicaragua. It is also concerning that the Ortega regime in Nicaragua does not require any visas for Iranian officials to enter the country, which can then become the gateway to enter the United States through our southern border. Ten days ago, there were news reports stating that several alleged Hezbollah members were arrested in Mexico. Iran has worked tirelessly to promote its extremist ideologies and support efforts to undermine the democratic governments throughout the region.

H.R. 3783 requires the Secretary of State to outline a U.S. Government-wide strategy to fight the aggressive actions of Iran and its proxies such as Hezbollah in the Western Hemisphere toward a comprehensive policy stance that will protect U.S. security interests.

This legislation calls for the administration to develop a plan to secure the U.S. borders with Canada and Mexico and to prevent operatives from entering the United States. It also calls for a plan to isolate Iran and its proxies from their sources of financial support, and it addresses efforts by foreign persons, entities, and governments in the region that may be assisting Iran in evading sanctions.

Lastly, it develops a plan to protect U.S. interests and assets in our Western Hemisphere, including embassies, consulates, businesses, and cultural organizations. We must ensure that the United States is actively monitoring this threat and that it takes appropriate steps to counter the Iranian regime's agenda in our hemisphere. I strongly support the passage of this legislation.

With that, Mr. Speaker, I reserve the balance of my time.

Mr. ENGEL. Mr. Speaker, I yield myself such time as I may consume.

I rise in strong support of H.R. 3783, the Countering Iran in the Western Hemisphere Act of 2012.

I would like to thank the sponsor of this legislation, Mr. DUNCAN, and the

chairman of the Foreign Affairs Committee, Ms. ROS-LEHTINEN, for their leadership on this issue.

This bill makes available \$1 million of Andean counternarcotics funding for the State Department to generate an assessment of the challenge posed to our country by Iran's presence and hostile activity in the Western Hemisphere, as well as a strategy to address whatever threats we may face from the Iranian regime.

Tehran's pursuit of a nuclear weapons capability, its continued support for international terrorism, and its abuse of basic human rights require the United States to maintain extreme vigilance in monitoring and countering its threats around the world. Though our goal has not yet been realized, thanks to the leadership of Congress and the Obama administration, more pressure has been placed on the Iranian regime than ever before. While Iran's behavior poses a clear and obvious danger to its own people, its neighbors, and to our ally Israel, its presence closer to our shores also deserves watchful attention.

The Foreign Affairs Committee has heard significant testimony on this issue from both the administration and private sources. In my capacity of first as chairman and now as ranking member of the Western Hemisphere Subcommittee on the Foreign Affairs Committee, I think there is ample evidence that Iran is up to no good in the Western Hemisphere.

Iranian President Mahmoud Ahmadinejad has openly and defiantly signaled to the U.S. in his six trips to our hemisphere that he is trolling for friends. Although it seems what Iran actually places on the table of the countries he visits is a stack of unmet promises, it is important that the U.S. Government remain vigilant and dig much deeper into the nature and effectiveness of these Iranian regime actions.

None of this occurs in a vacuum. Iran was complicit in the horrific bombings of the Israeli embassy in Buenos Aires and of the AMIA Jewish Community Center, also in Buenos Aires, which I have visited on numerous occasions. This happened in the first half of the 1990s, so it can easily be said that the first terrorist attacks on Latin American soil happened with Iran in control. We also have evidence of Iran's increasing willingness to conduct an attack on U.S. soil, such as the discovery this year of a twisted Iranian plot to assassinate the Saudi Ambassador here in Washington.

We must be alert to any Iranian attempts to circumvent sanctions and stand against efforts to curry favor with our neighbors to loosen those sanctions. We should continue to monitor intelligence links and watch the Iranian diplomatic corps, given its historical involvement in nefarious acts.

We should keep a close eye on financial transactions; the chaotic nexus of drug money and terrorism in this region, in particular, deserves serious notice.

Finally, it is important to express that my support for this legislation is not in any way an indication that the Obama administration has not taken this issue seriously. The President has himself stated that his administration will continue to monitor Iran's activities in the Western Hemisphere closely, and I have personally engaged enough administration officials to be persuaded that they understand the gravity of the situation and are giving it the attention it deserves.

Still, we must be particularly vigilant toward the relationship between Iran and Venezuela, given the opacity of the ties between the regimes governing each country and the anti-American bombast of their leaders. However, there are some positive notes in our region. I would like to extend my appreciation to Brazil, the largest democracy in the hemisphere outside of the United States, which, under President Rousseff, has significantly cooled its relationship with Iran and has cast important votes in the U.N. Human Rights Council critical of the Iranian regime.

Today's polarization and bluster in Washington on so many issues can have the effect of making it difficult to separate fact from fiction. We cannot let that happen here. The stakes are too high. So, with this legislation, we provide both a strong signal to the administration to continue to monitor this situation closely as well as the resources to look across U.S. agency efforts and enforcement capabilities to make sure they are in lockstep.

I urge my colleagues to support this legislation, and I reserve the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I proudly yield 4 minutes to the gentleman from South Carolina (Mr. DUNCAN), a member of our House Committee on Foreign Affairs as well as a member of the Homeland Security and Natural Resources Committees. More importantly, he is the author of this bill today.

Mr. DUNCAN of South Carolina. Thank you, Madam Chairwoman, for your leadership on this very important issue.

I want to pause to thank the gentleman from New York (Mr. HIGGINS) for his leadership on the other side of the aisle.

Last week, Congress took a rare break from our work here and from partisanship. We came together to remember those who died on 9/11 and during the war on terrorism. We stood together on the Capitol steps, and we pledged that we would never forget the heartbreaking events of that fateful day. One of the ways we can honor the memory of those who lost their lives is

to be prepared so that our country will never again experience such a tragedy.

Mr. Speaker, that's why I'm standing before you today, thanking you and the Members of the body for putting partisanship aside and for working together to keep our families and our communities safe from new and emerging threats to our Nation.

We are all aware of the Iranian nuclear threat in the Middle East and globally, but there is another potential threat from Iran and its proxies that is closer to home. That threat is an emerging Iranian-backed terror network here in the Western Hemisphere. What we already know is very alarming.

We know about last October's foiled Iranian plot to assassinate the Saudi Arabian Ambassador to the U.S. here on American soil.

We know that Iran has vastly expanded its diplomatic and economic footprint in Latin America. For example, we know about the Department of Defense's 2012 Annual Report on Iran that stated:

During the past three decades, Iran has methodically cultivated a network of sponsored terrorist surrogates capable of targeting U.S. and Israeli interests.

Just this month, the Brazilian journal *Veja* and others reported on a police seizure in Bolivia of 2 tons of minerals believed initially to contain uranium but more likely tantalum, which is the mineral that is in demand for, among other things, nuclear reactors and missile parts.

We know that 2 weeks ago an Israeli news organization revealed that Iran has established a Hezbollah terrorist training base in northern Nicaragua with operatives "being trained at the base to attack Israeli and U.S. targets in the event of a raid on Iranian nuclear installations."

□ 1500

And we know that just last week, press reports revealed that three suspected Hezbollah members were arrested just south of our border in Mexico.

None of this should come as a surprise. Iran has publicly stated that increasing their presence and ties to Latin America is one of their top foreign policy objectives; however, we must have the capabilities to defend ourselves from potential Iranian attacks here on the homeland. We must be able to clearly identify this emerging threat and develop strategies which include working with our neighbors here in this hemisphere to prevent Iran from being a danger to our country here at home.

Mr. Speaker, that's why this bill, H.R. 3783, establishes a strong U.S. posture, policy, and relationship with Latin American countries. It protects U.S. interests and assets in the Western Hemisphere, such as embassies,

consulates, energy pipelines, and cultural organizations, including threats to U.S. allies. It addresses the vital national security interests of the United States by ensuring that energy supplies from the Western Hemisphere are free from the influence of any foreign government that would attempt to manipulate or disrupt global energy markets.

This bill requires a secure U.S. border with the U.S. working in coordination with the governments of Mexico and Canada to prevent Iranian operatives from entering the United States. This bill counters the efforts by foreign persons, entities, and governments in the region which may assist Iran in evading U.S. and international sanctions.

Mr. Speaker and Madam Chairwoman, I urge that Members of this body come together and vote for this very important issue, H.R. 3783.

Last week marked the 11th anniversary of al Qaeda's attacks on the World Trade Center and the Pentagon. Al Qaeda, responsible for the tragic deaths of nearly 3,000 people on 9/11, has long operated with extensive ties to the Government of Iran. The 9/11 Commission documented that al Qaeda operatives traveled to Iran to receive training in explosives in the 1990s, that "Iran facilitated the transit of al Qaeda members into and out of Afghanistan before 9/11, and that some of these were future 9/11 hijackers." This past February, the Treasury Department designated the Iranian Ministry of Intelligence and Security for its support of terrorist groups including al Qaeda.

Today, the Iranian regime continues pursuing nuclear weapons against U.S. and international sanctions. It warns of striking U.S. military bases with its ballistic missiles in the event of an attack on Iran. It bullies the global energy market with its threats to block the Strait of Hormuz. Last October's foiled Iranian plot to assassinate the Saudi Ambassador to the U.S. revealed, as DNI Director Clapper stated, a change in "calculus" and a willingness "to conduct an attack in the United States." This year alone, a string of assassination attempts by Iran and Hezbollah in Azerbaijan, Bulgaria, Thailand, Georgia, and Kenya have only intensified this drumbeat.

Add to these dangers a growing Iranian presence in the Western Hemisphere and we have a serious security threat that demands a U.S. response. Since 2005, Iran has increased its embassies from 6 to 11 and built 17 cultural centers in Latin America. Iran's diplomacy has led to soaring trade with Latin American countries. Brazil increased its exports to Iran seven-fold over the past decade to an annual level of \$2.12 billion. Iranian trade with Argentina and Ecuador has grown, and economic contracts between Iran and Venezuela have exploded to more than \$20 billion in trade and cooperation agreements.

Iran has also boosted its military ties with Latin America. The Defense Department assesses "with high confidence that during the past three decades Iran has methodically cultivated a network of sponsored terrorist surrogates capable of targeting U.S. and Israeli interests." The U.S. Army War College's Strategic Studies Institute has labeled this threat

tied to the explosion of relationships between transnational crime and criminalized states in Latin America an “emerging tier-one national security priority.” Two weeks ago, an Israeli news organization published a story that “Iran has established a Hezbollah terrorist training base in northern Nicaragua” with operatives “being trained at the base to attack Israeli and U.S. targets in the event of a raid on Iranian nuclear installations.” Last week, press reports revealed that three suspected Hezbollah members were arrested in Mexico.

None of this should come as any surprise to us. Iran has publicly stated that “the promotion of all-out cooperation with Latin American countries is among the top priorities of the Islamic Republic’s foreign policy.” A 2009 dossier by Israel’s Ministry of Foreign Affairs put it bluntly: “since Ahmadinejad’s rise to power, Tehran has been promoting an aggressive policy aimed at bolstering its ties with Latin American countries with the declared goal of ‘bringing America to its knees.’”

The U.S. must have the capabilities to defend itself from a potential Iranian attack on the homeland. We must have a strong posture in our region and deepening relationships with our neighbors, so we can protect U.S. interests and keep the Western Hemisphere free from hostile agents of foreign influence. We must have secure borders to prevent Iranian operatives from entering the U.S. It is unconscionable that we should let Iran use Latin American countries as a base to prepare for potential attacks against the U.S. homeland. Iran poses an incalculable risk to the safety of the U.S. homeland. Our duty is to ensure we provide for the defense of this country, and the American people expect no less. I ask for your support of this legislation.

Mr. ENGEL. Mr. Speaker, I now yield 4 minutes to my friend and colleague from the great State of New York, who is the lead Democratic sponsor of this bill, Mr. HIGGINS.

Mr. HIGGINS. First, I want to thank JEFF DUNCAN for his leadership and friendship on this issue and for his hard work on this. It’s a very important bill that obviously enjoys bipartisan support.

I rise in support of H.R. 3783, the Countering Iran in the Western Hemisphere Act. This important legislation is of particular interest to western New York, and it addresses a pressing national security concern for the United States.

Mr. Speaker, Hezbollah, otherwise known as the “party of God” in Arabic, is a militant Shia organization committed to violent jihad. It is based in Lebanon, but serves as a proxy for Iran, Syria, and Venezuela. During hearings in the House Committee on Homeland Security, we heard expert testimony linking Hezbollah to criminal activity throughout the Western Hemisphere. We learned that there are roughly 80 Hezbollah operatives in the 15-nation region of Latin America and that it is involved in the South American drug trade and radicalization efforts in Mexico.

We also learned that Hezbollah has an active presence in four cities in Can-

ada and 15 cities in the United States. I questioned the witnesses about Hezbollah’s activity in North America. I asked, If Hezbollah is not targeting the United States, what are they doing here? The response was that these activities were not significant because they were largely limited to fundraising. Mr. Speaker, I don’t see the distinction between terrorist activity and fundraising for terrorist activity. If Hezbollah and, by proxy, Iran are using safe havens in and around the United States, we must have a strategy to address it.

As I said, this is of particular concern to western New York because one of the communities in which Hezbollah has a presence is Toronto, which is 90 miles north of Buffalo. The Buffalo-Niagara region is within 500 miles of 55 percent of the United States population and 62 percent of the Canadian population. Our Peace Bridge is the busiest border crossing between the United States and Canada. Our Niagara Power Project is the largest energy producer in New York State, and the Department of Homeland Security, citing budgetary constraints, just dropped our preparedness funding. You can understand if we don’t feel comfortable with Hezbollah 90 miles away for those who live in Buffalo.

Mr. Speaker, this bill would address the threat Hezbollah poses to communities like mine. It requires the State Department to conduct a thorough assessment of the threats we face and to develop a strategy in coordination with our allies and partners in the region to address Hezbollah’s growing presence and activity in the Western Hemisphere.

Again, I want to thank my colleague, JEFF DUNCAN, for his work on this issue and his leadership on this issue. I also want to thank Chairwoman ROS-LEHTINEN and Ranking Member BERMAN for their support.

I urge passage of this bill.

Ms. ROS-LEHTINEN. Mr. Speaker, I’m pleased to yield 3 minutes to the gentleman from New York (Mr. TURNER), a member on the House Committee on Foreign Affairs, Veterans’ Affairs, and Homeland Security Committee.

Mr. TURNER of New York. Mr. Speaker, I thank the gentleman from South Carolina for introducing this resolution.

I rise today in strong support of H.R. 3783, the Countering Iran in the Western Hemisphere Act.

Last week’s events in the Middle East and Africa are a stark reminder of how fragile peace can be. Iran’s leaders have not been afraid to let the world know they will attack the United States and our allies, even going so far as to claim that they will wipe Israel off the face of the Earth.

Iran is emerging as a threat much closer to our shores in South America.

Earlier this year, Iran’s President, Mahmoud Ahmadinejad, embarked on a trip that Chairman ROS-LEHTINEN accurately characterized as a “tour of tyrants.” He traveled throughout South America, where he met with Venezuela’s President Chavez and attended the presidential inauguration of Daniel Ortega in Nicaragua before going on to Cuba and Ecuador.

Iran continues to deepen its relations with Latin America through its ties to the international Islamic Shia group, Hezbollah, a State Department-designated foreign terrorist organization. According to the Congressional Research Center, Hezbollah, along with Iran, has been linked to two bombings against Jewish targets in Argentina—the 1972 bombing of the Israeli Embassy in Buenos Aires that killed 30 people and the 1994 bombing of the Argentine-Israeli Mutual Association in Buenos Aires that killed 85 people.

While increasing tensions between the United States, Israel, and Iran, we cannot simply afford to ignore the threats that are looming in South America. The Countering Iran in the Western Hemisphere Act of 2012 will ensure that threat assessments are conducted, that a cooperative strategy is put in place between the United States and her allies in the region, and our borders with Canada and Mexico are more secure. These efforts will allow our country to better protect our citizens and our interests both on our own soil and abroad.

As we have seen, the threat is real and American lives are at stake. We cannot afford to ignore the potential threats to our national security that may stem from this area of the world.

Mr. ENGEL. At this time, I yield 1 minute to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. I condemn all the violence that has been talked about here, and I also had the opportunity years ago to visit the synagogue in Buenos Aires that was the subject of that attack, and I paid my respects.

I want to say that as I’ve heard this debate, there are two things that occur to me: number one, Congress has a right to ask for reports. It’s our constitutional obligation to find out what the administration is doing. I support Congress’ right to get information. But at the same time, when the debate takes us in a direction to where suddenly we’re at odds with Latin America, it is an argument for Congress to take a strong stand for diplomacy. I hope that as we get these reports, that we’re going to underscore the importance of diplomacy not only with respect to Latin America, but also with respect to Iran. The American people do not want another war, and we need diplomacy to take us in a direction that makes war not likely.

Ms. ROS-LEHTINEN. Mr. Speaker, at this time we have no further requests

for time, and I yield back the balance of my time.

Mr. ENGEL. I also yield back the balance of my time.

Mr. SMITH of New Jersey. Mr. Speaker, I rise to offer my strong support to H.R. 3783, Countering Iran in the Western Hemisphere Act, which provides for a comprehensive strategy to counter Iran's growing presence and hostile activity in the Western Hemisphere. I would also like to thank the gentleman from South Carolina, Mr. JEFF DUNCAN, for introducing this legislation highlighting the very real threat of Iran at America's front door.

If we have learned anything from the complete lack of progress in negotiations to keep Iran from making a nuclear weapon, it is that Iran is persistent in hostile action and insistent on establishing itself as a counterweight to U.S. power and ideals.

Iran has engaged the U.S. through its Iran Revolutionary Guard Corp (IGRC) in Iraq, resulting in the deaths of American men and service women. Iran is buttressing the morally bankrupt Assad regime in Syria as Syria massacres its own people. And Iran is attacking our friends and allies through its proxies, like Hezbollah, which boasts an arsenal of 60 to 70,000 rockets, many of which were supplied by Iran and are aimed at Israeli neighborhoods.

Iran has earned its title as a state sponsor of terrorism. No target is off limits, and simply being of Jewish descent is apparently provocation enough. In 1994, Iran orchestrated one of the worst terrorist attacks in the Western Hemisphere against the AMIA Jewish Community Center in Buenos Aires, murdering 85 people and injuring 300 more. The peace of 200,000 Jewish individuals, many of whom fled to Argentina during WWII, was shattered by this barbarous attack.

Media reports over the last few years have shown an alarming trend of increased Iranian IGRC Qods force presence and activity in Latin America. Iran's President Ahmadinejad, famous for his repeated denials of the Holocaust and dedication to wiping Israel off the map, has made visits to Latin America to cultivate alliances with Chavez, Ortega, Morales, Castro, and Correa.

These leaders have stated their commitment to Iran's nuclear activities and their faith that "Iran can give a crushing response to the threats and sanctions imposed by the West and imperialism." There is no question that Bolivia, Cuba, Ecuador, Nicaragua, and Venezuela are helping Iran evade the sanctions intended to prevent Iran from becoming a nuclear sponsor of state terrorism. The question is, what are we doing about it?

If Iran succeeds in creating a nuclear weapon, it is all too conceivable that these allies of Iran in the Western Hemisphere would be willing to provide a local launch pad, as Cuba did during the Cold War for Russian missiles aimed at the U.S.

Mr. Speaker, these threats are all too real and all too proximate. With H.R. 3783, the Administration will be required to create a coordinated, inter-agency plan to ensure that the United States is working effectively to counter Iran's hostile aspirations in the Western Hemisphere. I urge my colleagues to support this important and timely legislation.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and pass the bill, H.R. 3783, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The title was amended so as to read: "A bill to provide for a comprehensive strategy to counter Iran's growing hostile presence and activity in the Western Hemisphere, and for other purposes."

A motion to reconsider was laid on the table.

□ 1510

EXPRESSING SENSE OF HOUSE TOWARD ESTABLISHMENT OF A DEMOCRATIC AND PROSPEROUS REPUBLIC OF GEORGIA

Ms. ROS-LEHTINEN. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 526) expressing the sense of the House of Representatives with respect toward the establishment of a democratic and prosperous Republic of Georgia and the establishment of a peaceful and just resolution to the conflict with Georgia's internationally recognized borders, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 526

Whereas a democratic and stable Republic of Georgia is in the political, security, and economic interests of the United States;

Whereas the security of the Black Sea and South Caucasus region is important for Euro-Atlantic security, transportation, and energy diversification to and from Central Asia;

Whereas Georgia has been a reliable partner and ally in enhancing global peace and stability with its significant contribution to operations in Iraq and Afghanistan;

Whereas the United States-Georgia Charter on Strategic Partnership, signed in January 2009, outlines the importance of the bilateral relationship as well as the intent of both countries to expand democracy and economic programs, enhance defense and security cooperation, further trade and energy cooperation, and build people-to-people cultural exchanges;

Whereas in October 2010, at the meeting of the United States-Georgia Charter on Strategic Partnership, Secretary of State Hillary Rodham Clinton stated, "the United States will not waver in its support for Georgia's sovereignty and territorial integrity";

Whereas successive United States Administrations have supported Georgia's aspirations to join the North Atlantic Treaty Organization (NATO);

Whereas it was declared by the Heads of State and Government participating in the 2008 NATO Summit in Bucharest, and reaffirmed in 2009 at the Summit in Strasbourg and Kehl and in 2010 at the Summit in Lisbon, that Georgia is a NATO aspirant country, and will become a member of NATO;

Whereas the North Atlantic Council Foreign Ministers, meeting on December 7, 2011, applauded the significant operational support provided to NATO by aspirant partners Georgia, the former Yugoslav Republic of Macedonia, Montenegro and Bosnia and Herzegovina;

Whereas the August 2008, military conflict between Russia and Georgia resulted in civilian and military casualties, the violation of Georgia's sovereignty and territorial integrity, and increased the number of internally displaced persons there;

Whereas large numbers of the Georgian population remain forcefully displaced from the Abkhazia and South Ossetia regions of Georgia as a result of the August 2008 military conflict as well as the earlier conflicts in the 1990s;

Whereas since 1993, the territorial integrity of Georgia has been reaffirmed by the international community in 36 United Nations Security Council resolutions;

Whereas the August 12, 2008, ceasefire agreement negotiated by the European Union Presidency and agreed to by the Presidents of Georgia and the Russian Federation, provides that all Russian troops shall be withdrawn to pre-conflict positions;

Whereas the Russian Federation opposed consensus on the extension of the Organization for Security and Cooperation in Europe (OSCE) Mission to Georgia, vetoed the extension of the United Nations Observer Mission in Georgia (UNOMIG) and blocked the work of the European Union Monitoring Mission (EUMM) in the occupied Georgian regions of Abkhazia and South Ossetia;

Whereas the United States supports Georgia's independence, sovereignty, and territorial integrity within the internationally recognized borders of Georgia;

Whereas Secretary of State Hillary Rodham Clinton stated in Tbilisi on July 5, 2010, that, "We continue to call for Russia to abide by the August 2008 ceasefire commitment. . . including ending the occupation and withdrawing Russian troops from South Ossetia and Abkhazia to their pre-conflict positions";

Whereas the White House released a Fact Sheet on July 24, 2010, calling for "Russia to end its occupation of the Georgian territories of Abkhazia and South Ossetia. . ." and for "a return of international observers to the two occupied regions of Georgia";

Whereas Vice President Joseph Biden stated in Tbilisi in July 2009 that the United States "will not recognize Abkhazia and South Ossetia as independent states";

Whereas Human Rights Watch concluded in its 2011 World Report that "Russia continued to exercise effective control over South Ossetia and Abkhazia, preventing international observers' access and vetoing international missions working there";

Whereas Human Rights Watch concluded in its 2011 World Report that "Russia continued to occupy Georgia's breakaway regions of South Ossetia and Abkhazia and strengthened its military presence in the region by establishing a military base and placing an advanced surface-to-air missile system in Abkhazia";

Whereas the Senate of the 112th United States Congress adopted a resolution in July 2011 affirming the United States' support for the sovereignty, independence, and territorial integrity of the country of Georgia and calling upon Russia to remove its occupying forces from Abkhazia and South Ossetia;

Whereas the United States Helsinki Commission called Russia to cease its continuing, illegal occupation of the South

Ossetia and Abkhazia regions of Georgia and allow those who fled their homes during the 2008 war to go back without preconditions;

Whereas the Russian Federation therefore remains in violation of August 12, 2008, ceasefire agreement;

Whereas at the April 15, 2011, meeting in Berlin, Germany, between the Georgia foreign minister and foreign ministers of NATO, Secretary of State Clinton stated, "U.S. support for Georgia's sovereignty and territorial integrity remains steadfast We share Georgian concerns regarding recent Russian activities that can negatively affect regional stability.";

Whereas on November 23, 2010, Georgian President Mikheil Saakashvili committed before the European Parliament that "Georgia will never use force to restore its territorial integrity and sovereignty";

Whereas the Government of Georgia, beginning with the Rose Revolution of 2003, has taken significant steps toward promoting democratic and economic reforms;

Whereas in October 2012, Georgia will hold its seventh parliamentary elections since the country gained independence from the Soviet Union in 1991, and prospective presidential elections in 2013 to which the Government of Georgia has invited international election observers;

Whereas Georgia has initiated positive developments and commitments in the areas of constitutional reforms, strengthening the role of Parliament, and utilizing international election organizations and transparency;

Whereas the Head of the OSCE/ODIHR long-term Election Observation Mission determined that Georgia's May 2010 municipal elections "were marked by clear improvements and efforts by the authorities to address problems occurring during the process. It is now time to fix the remaining shortcomings and take effective steps to prevent electoral malpractices before the next elections at the national level.";

Whereas recognizing that members of NATO share a common adherence to democratic norms, Georgia can best prepare itself for membership by progressing on its democratic reform agenda and ensuring that upcoming parliamentary and presidential elections are free, fair, and competitive: Now, therefore, be it

Resolved, That the House of Representatives—

(1) supports strengthened United States engagements with the Republic of Georgia aimed at helping Georgia enhance its security and to restore its territorial integrity through exclusively peaceful means;

(2) supports the implementation of the United States-Georgia Charter on Strategic Partnership, with a mutual desire to strengthen the bilateral relationship across political, economic, trade, energy, cultural, scientific, people-to-people, defense, and security fields;

(3) supports Georgia's North Atlantic Treaty Organization (NATO) membership aspirations and to advance further implementation of decisions taken by the allies at the NATO Summits in Bucharest, Strasbourg and Kehl, and Lisbon with regard to Georgia's NATO membership;

(4) affirms that it is the policy of the United States to support the sovereignty, independence, and territorial integrity of Georgia and the inviolability of its borders, and to recognize Abkhazia and South Ossetia as regions of Georgia illegally occupied by the Russian Federation and calls on the Russian Federation to fulfill all terms and con-

ditions of the August 12, 2008, ceasefire agreement, to end the occupation of the Georgian territories of Abkhazia and South Ossetia, and to withdraw completely its troops from the internationally recognized border of Georgia;

(5) calls upon the Russian Federation, Venezuela, Nicaragua, Tuvalu, and Nauru to reverse the recognition of the occupied Georgian regions of Abkhazia and South Ossetia as independent and respect the independence, sovereignty, and territorial integrity of Georgia within its internationally recognized borders;

(6) supports the Government of Georgia's commitment to a policy of peaceful, constructive engagement and confidence building measures towards the occupied territories and encourages it to continue to uphold economic and human rights, ensure freedom of movement, facilitate people-to-people contacts, and to preserve cultural heritage, language, and ethnic identity aimed at reconciling divided communities of the Georgian regions of Abkhazia and South Ossetia;

(7) urges the Government of Russia and the authorities in control in the regions to allow for the full and dignified, secure, and voluntary return of internally displaced persons and international missions access to the regions of Abkhazia and South Ossetia;

(8) recognizes progress on government transparency and economic reforms and encourages Georgia to continue strengthening its democracy by implementing reforms that expand media transparency and freedoms, increase government transparency, accountability, and responsiveness, promote political competition and democratic electoral processes, strengthen the rule of law and judicial independence, and further implement judicial reforms; and

(9) affirms that a peaceful resolution to the conflict is a key priority for the United States in the Caucasus region, and that lasting regional stability can only be achieved through peaceful means and long-term diplomatic and political dialogue between all parties.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Florida (Ms. ROS-LEHTINEN) and the gentleman from New York (Mr. ENGEL) each will control 20 minutes.

The Chair recognizes the gentlewoman from Florida.

GENERAL LEAVE

Ms. ROS-LEHTINEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to insert extraneous material into the RECORD on this measure.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Florida?

There was no objection.

Ms. ROS-LEHTINEN. I yield myself such time as I may consume.

In the last decade, the Republic of Georgia has worked hard to implement a series of political, economic, and social reform aimed at establishing a democratic and prosperous society. These changes have often been difficult and even controversial, but the Georgian Government and its people must be commended for continuing to move forward. However, there is still much to be done.

Soon, in the next few months, there will be parliamentary and presidential elections. Much is riding on these elections being perceived to be free and fair and conducted in full compliance with international democratic standards. The U.S. strongly supports Georgia's membership in NATO, and the alliance has repeatedly stated that the Republic of Georgia will one day be welcomed as a full member.

Free and fair elections, Mr. Speaker, are fundamental to further progress toward Georgia's joining NATO. Nevertheless, Georgia is already contributing greatly to the alliance, particularly to the NATO mission in Afghanistan, where it is the second largest non-NATO contributor.

Georgia's deployed forces in Afghanistan number over 800 troops, and these do not have restrictions on their engagement in combat, which is not the case with so many other allies. Georgia has done this even as its own security situation remains precarious, given the ongoing presence by Russian troops in several regions in Georgia.

Until Russia fulfills the conditions in its 2008 cease-fire agreement, the instability and conflict it has deliberately created will, unfortunately, continue. Russia's aggression against Georgia poses a threat to the security of the entire region. This resolution, therefore, sends a strong message that Russian actions and continued military presence in these areas are unacceptable and must end immediately.

I therefore urge my colleagues to join me in support of this important resolution.

With that, Mr. Speaker, I reserve the balance of my time.

Mr. ENGEL. Mr. Speaker, I yield myself such time as I may consume.

I rise in strong support of H. Res. 526, and I would like to thank the sponsors of this legislation, the gentleman from Pennsylvania (Mr. SHUSTER) and my colleague from the Foreign Affairs Committee, Ms. SCHWARTZ, also from Pennsylvania, for their leadership on this issue.

This resolution expresses the sense of the House of Representatives with respect to the establishment of the democratic and prosperous Republic of Georgia within its internationally recognized borders, which includes Abkhazia and South Ossetia as regions of Georgia. It is time for Russia to remove its occupying forces from Abkhazia and South Ossetia and comply fully with the August 12, 2008, cease-fire agreement. It is also time for the Russian Federation, Venezuela, Nicaragua, Tuvalu, and Nauru to revoke their recognition of the Georgian regions as independent states and respect Georgia's sovereignty. The territorial integrity of Georgia has been reaffirmed by the international community multiple times in United Nations Security Council resolutions.

I commend Georgia for its commitment to a peaceful reunification of its territories and its engagement in constructive confidence-building measures towards the occupied territories aimed at reconnecting the divided communities.

Georgia has had success in laying the foundation for a liberal, democratic state, and I urge the Government of Georgia to consolidate its impressive accomplishments since the 2003 Rose Revolution. The reforms needed to strengthen Georgia's nascent democracy are well-known: an independent judiciary, respect for human rights and the rule of law, a vibrant civil society, independent media, accountable and transparent policymaking, and a balance of power between the executive and legislative branches. These reforms will be the strongest guarantor of Georgia's independence and prosperity.

Ahead of us, the October 1 parliamentary elections can serve as yet another important benchmark of the deepening democratic process in Georgia. These will be followed by presidential elections. A step backwards would not only be a blow to the development of Georgia's democracy but, ultimately, to its independence.

There have been some disturbing reports concerning efforts to prevent some political leaders from running in the parliamentary election and attempts to intimidate local opposition, including denying them access to media. These issues must be addressed in order to ensure that Georgia has truly free and fair elections.

With this resolution today, we affirm that the United States remains committed to the sanctity of Georgia's sovereignty and independence and to the inviolability of its federation and its internationally recognized borders. We also remind Georgia of the opportunity it has next month to solidify Georgia's democracy by ensuring free and fair elections.

Let me say, on a personal note, that I am very proud of the relationship between the United States and Georgia, and I would look forward to a day when Georgia is a member of the European Union and also a member of NATO. I think that the West must not overlook its commitments in Georgia simply because we may wish to have better relations with Russia.

We can never cast aside democratic principles because they happen to be inconvenient at the time. We should stand with the nation of Georgia and let the world know, including Russia, that we stand by their democracy and will not allow any slipping backwards and will not allow Russian hegemony in the area.

We stand by a free and independent Georgia, so I urge my colleagues to support this resolution.

I reserve the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield 3 minutes to the gentleman from

Pennsylvania (Mr. SHUSTER), who is the chairman of the Transportation and Infrastructure Subcommittee on Railroads, Pipelines and Hazardous Materials, a member of the Armed Services Committee, and, more importantly, the author of the measure before us.

Mr. SHUSTER. Mr. Speaker, I rise today in strong support of House Resolution 526, which expresses the sense of the House of Representatives toward the establishment of a democratic and prosperous Republic of Georgia and the establishment of a peaceful and just resolution to the conflict with Georgia's internationally recognized borders. I also want to stand with the ranking member for his support of Georgia. We need to stand by a democratic Georgia, a great ally of ours.

As the cochair of the Congressional Georgia Caucus, I was proud to sponsor this resolution along with my cochair and fellow Pennsylvanian, Congresswoman ALLYSON SCHWARTZ.

Our strategic partnership with Georgia is based on shared values and common interests. A democratic and stable Republic of Georgia is in the political security and economic interests of the United States.

Georgian troops have played an important role in a variety of challenging missions across the globe, including Kosovo, Iraq, and today in Afghanistan. In fact, they just brought home 900 Georgian troops and are going to re-up with 1,700 troops.

While that doesn't seem like a lot, 1,700, when we have over 80,000, but when you look at a small country like Georgia with 5 million people, sending 1,700 troops is the equivalent of the United States of America sending over 100,000 troops. They have proven to be a reliable ally.

The level of their professionalism, as well as their sacrifices in the mission in which they have been involved so far, clearly demonstrates that Georgia has much to bring to the table as a future member of NATO and as a reliable ally.

Internally, Georgia has worked to develop its democratic and market-based economic institutions for over a decade.

The August 2008 war with Russia nearly halted the economic development, depleted public resources, drove up unemployment, and left a severe humanitarian crisis in its wake. A peaceful resolution to the conflict is a key priority for the United States in the Caucasus region, which is home to another one of our strong allies, Azerbaijan. Lasting regional stability can only be achieved through peaceful means and long-term diplomatic and political dialogue between all the parties.

□ 1520

It is also timely that we consider this resolution today, as Georgia is sched-

uled to hold parliamentary elections on October 1. Georgia has put a robust system in place to support a free and fair electoral process. These elections will be an important test to Georgia's democracy and represent a chance for all Georgians to show the world how far they have come in this last decade.

I urge my colleagues to join me in supporting this important resolution today to express our support for one of our best and most important allies, the Republic of Georgia.

Mr. ENGEL. I yield myself such time as I may consume.

Let me say in conclusion I am glad that we have cooperation, as we generally do, in the Foreign Affairs Committee for working together on these issues. But I just want to say that I wish we had more cooperation in working together on some of the other issues of the day.

We are leaving town in 2 days without enacting into law middle class tax cuts, the farm bill, the Violence Against Women Act, a responsible deficit reduction. Those are the priorities that are urgent, and we should be working on them right now in a bipartisan way—the way we are working on these issues. The American people cannot afford a Congress that refuses to act on issues critical to middle class families, small businesses, farmers, and women. So I just want to urge the Republican leadership to let us stay in town and complete work and work together for the betterment of the American people, the way we are doing with these three resolutions.

With that, I yield back the balance of my time.

Ms. ROS-LEHTINEN. I have no further requests for time, and I yield back the balance of my time.

Mr. SMITH of New Jersey. Mr. Speaker, I am pleased to support H. Res. 526, which calls for the establishment of a democratic and prosperous Republic of Georgia and a peaceful and just resolution of Georgia's conflict with its breakaway regions, Abkhazia and South Ossetia.

Our country has always backed Georgia's territorial integrity. After Russia's 2008 invasion of Georgia, Moscow essentially truncated Georgia by recognizing the independence of Abkhazia and South Ossetia. Tellingly, no other OSCE state—not even former Soviet republics economically dependent on Russia—has followed Moscow's example, understanding well the danger of the precedent. Secretary Clinton has designated Russia's policy in Abkhazia and South Ossetia as "occupation." Indeed, Moscow has pursued the ongoing militarization of these regions, which are clearly Georgian territory.

In a remarkable admission, Russian President Vladimir Putin said on August 8 that Russia had a contingency plan as early as 2006–2007 for war with Georgia and that Moscow had even trained militiamen in South Ossetia. As Georgia's Foreign Ministry notes, Putin's acknowledgement contradicts "Russia's earlier assertions that its 2008 military attack was in

response to a surprise attack from Georgia and that its invasion was meant to prevent genocide and protect Russian citizens. It also underscores the premeditated nature of the invasion and highlights Moscow's utter disregard for international law."

The United States will continue to back Georgia's territorial integrity. I stand with Georgia's Government in calling on Russia to remove its occupying forces and pledge not to use force against Georgia. I also note with concern the troubling military exercises Russia has scheduled to coincide with Georgia's parliamentary elections in October in a blatant attempt at intimidation.

The upcoming election will be a critical moment in Georgia's democratic development. I hope the OSCE will be able to assess the election as free and fair. The United States stands ready to help Georgia progress towards democracy, as H. Res. 526 demonstrates.

Mr. BURTON of Indiana. Mr. Speaker, as Chairman of the Subcommittee on Europe and Eurasia I have had the privilege of visiting Georgia twice in the past two years. Last year I led a bipartisan delegation that met with President Saakashvili, his cabinet, Members of Parliament and representatives of various opposition parties. Two weeks ago I briefly passed through Georgia, where I met with President Saakashvili, while traveling between Azerbaijan and Armenia.

Georgia is a country in transition, the purpose of this resolution is not only to acknowledge this fact but to encourage this transition to continue. While serious challenges still remain, there is no doubt that Georgia is committed to developing a strong democratic government, a robust free market economy and joining key international institutions including NATO.

Democratic developments in Georgia range from high level reforms, such as changes to the constitution that strengthen the office of the Prime Minister as well as the Parliament, to lower level reforms, including the creation of "Public Service Halls" that provide essential government services, including passports and drivers licenses, through an efficient and transparent process. As we know, economic development follows political reform as investors seek stable places to grow their capital. Over the past ten years both the capital city, Tbilisi and the Black Sea port of Batumi have been transformed by investment into modern European cities. For Georgia's economy to continue to grow such investment must continue and reach outside the cities to embrace the country as a whole.

Georgia's commitment to NATO has been exemplary. While many alliance members and partners are winding down their commitments to ISAF in Afghanistan, Georgia is increasing its commitment to deploy the highest per capita troop level of any contributing nation. Georgian soldiers are deployed in the dangerous Helmand province where they serve side-by-side with U.S. soldiers and marines. Although participation in ISAF is not a prerequisite for NATO membership, alliance members should recognize that Georgia's commitment to Afghanistan as well as the country's commitment to democratic and defense reforms will make Georgia a model NATO member.

One major challenge that Georgia faces is Russia's continued occupation of two Georgian provinces; Abkhazia and South Ossetia, which is in violation of the August 2008 ceasefire agreement. As this resolution states, Russia has blocked the extension of OSCE and UN observation missions, and prohibits the EU mission from accessing the occupied territories. Last year I traveled to the boundary of Abkhazia from where one can plainly see that the Russian Army is constructing permanent bases including apartment buildings to house its soldiers. This Congress must condemn this continued illegal occupation.

As we know from our own history, building a successful democracy is a challenge. In less than two weeks, on October 1st, Georgians will go to the polls for parliamentary elections. It is not for those of us in Washington or any other capital to influence the outcome of these elections. The Georgian people must pick their own leaders. However we must urge, as this resolution does, that the Georgian government, the independent election commission, and all political parties ensure that the Georgian people have their say. The success of the elections as a whole, not any one candidate or party, will ensure that Georgia's democratic transition continues.

This resolution, H. Res. 526, is representative of a bipartisan effort to recognize Georgia and the progress it has made and symbolizes U.S. support for a young, but growing democracy. I want to thank Rep. SHUSTER for his efforts and for introducing this resolution. I also want to thank Ranking Member MEEKS, Chairman ROS-LEHTINEN, and Ranking Member BERMAN and their staff for their support of this Subcommittee's efforts to move this resolution.

Mr. MEEKS. Mr. Speaker, I rise to speak in favor of H. Res. 526.

The House consideration of H. Res. 526 this week coincides with the final weeks of preparation for the October 1st Parliamentary elections in Georgia. The international community is watching the election closely, and I would like to commend the Georgian government for facilitating both long and short term international election observers to ensure that both the pre-election environment and the election itself is conducted in accordance with international standards.

It is critical that all political parties in Georgia participate constructively in the election process, and that campaign and election laws are followed and applied fairly and transparently. I call on all political forces to accept the election results as legitimate, if deemed so by credible, international election observers.

I believe more must be done to ensure that smaller political parties have access to the main televised media platforms of both the ruling party and opposition. The 'must offer, must carry' provisions passed by the Georgian Parliament are a step in the right direction, and I urge the Parliament to consider making these provisions permanent.

I would like to commend the National Democratic Institute, the International Republican Institute and the OSCE for their work with both the Georgian government and opposition to ensure that peaceful, credible elections take place. It is crucial that the Georgian electorate and the international community has confidence in this process, in order for Georgia to

continue on its path towards democratic and economic reforms, and continued Euro-Atlantic integration.

Georgia remains a critical ally, and one of the strongest pro-western countries which has proven itself immensely capable in Afghanistan and other conflict zones, currently as the largest non-NATO troop contributing nation to ISAF.

NATO allies agreed at the recent summit in Chicago to enhance Georgia's connectivity with the Alliance. Georgia's ability to build on reforms made to date to foster greater political competition, labor rights and judicial independence will be an opportunity for Georgia to prove itself when measured by international standards. Georgia's NATO aspirations will be facilitated by the ability to meet those standards and conduct free, fair and inclusive elections in 2012 and 2013.

I commend the Georgian government's progress on transparency and the fight against corruption, as well as political, economic and judicial reforms, and encourage Georgia to continue this modernization process regardless of the election results.

I encourage my colleagues to support H. Res. 526 in order to strengthen U.S. engagement with the Republic of Georgia by helping Georgia to enhance its security and restore its territorial integrity through peaceful means, and supporting the Government of Georgia's commitment to a policy of peaceful and constructive engagement with the authorities in control of Abkhazia and South Ossetia.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and agree to the resolution, H. Res. 526, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

CONFIRMING FULL OWNERSHIP RIGHTS TO ARTIFACTS FROM ASTRONAUTS' SPACE MISSIONS

Mr. HALL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4158) to confirm full ownership rights for certain United States astronauts to artifacts from the astronauts' space missions.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4158

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DEFINITION OF ARTIFACT.

For purposes of this Act, the term "artifact" means, with respect to an astronaut described in section 2(a), any expendable item utilized in missions for the Mercury, Gemini, or Apollo programs through the completion of the Apollo-Soyuz Test Project not expressly required to be returned to the National Aeronautics and Space Administration at the completion of the mission and other expendable, disposable, or personal-use

items utilized by such astronaut during participation in any such program. The term includes personal logs, checklists, flight manuals, prototype and proof test articles used in training, and disposable flight hardware salvaged from jettisoned lunar modules. The term does not include lunar rocks and other lunar material.

SEC. 2. FULL OWNERSHIP OF ARTIFACTS.

(a) IN GENERAL.—A United States astronaut who participated in any of the Mercury, Gemini, or Apollo programs through the completion of the Apollo-Soyuz Test Project, who received an artifact during his participation in any such program, shall have full ownership of and clear title to such artifact.

(b) NO FEDERAL GOVERNMENT CLAIM.—The Federal Government shall have no claim or right to ownership, control, or use of any artifact in possession of an astronaut as described in subsection (a) or any such artifact that was subsequently transferred, sold, or assigned to a third party by an astronaut described in subsection (a).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. HALL) and the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. HALL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on H.R. 4158, the bill now under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. HALL. Mr. Speaker, I yield myself such time as I may consume.

I want to begin by thanking members of the Science, Space, and Technology Committee, Republicans and Democrats, for their bipartisan support of this legislation. I especially want to commend my good friends LAMAR SMITH and EDDIE BERNICE JOHNSON for their help and for their early support.

H.R. 4158 would confirm full ownership rights to our Nation's first generation of astronauts who flew during the Mercury, Gemini, and Apollo era and who received or were allowed to retain artifacts, mementos, and other personal equipment from their missions. H.R. 4158 covers all flights beginning in 1961 through the Apollo-Soyuz Test Project, which flew in July of 1975.

From the first days of our manned spaceflight program through the Apollo-Soyuz Test Project, at the conclusion of a mission NASA managers routinely allowed astronauts to keep mementos of their flights. In some instances, astronauts were also given certain pieces of expendable equipment. The range of items included space suit emblems, expendable space suits, checklists, flight manuals, and disposable flight hardware salvaged from the jettisoned lunar landers.

A majority of these items have been in the personal possession of the astro-

nauts for 40 years or more. Over the last decade, NASA has begun to challenge the astronauts' ownership of these mementos. This issue was first brought to my attention late last year. I was surprised to learn that NASA had, on an irregular basis, intervened several times to claim ownership.

Early this year, NASA Administrator Bolden met with a small group of astronauts to discuss the agency's artifacts policy. Following the meeting, through NASA's press office, Administrator Bolden issued a statement saying:

These are American heroes, fellow astronauts, and personal friends who have acted in good faith, and we have committed to work together to find the right policy.

He went on to say:

I believe there have been fundamental misunderstandings and unclear policies regarding items from the Mercury, Gemini, Apollo, and Skylab programs, and NASA appreciates the position of the astronauts, museums, learning institutions, and others who have these historic artifacts in personal and private collections.

This bill seeks to eliminate in any further ambiguity about Apollo-era artifacts that were received by the astronauts. It simply says that astronauts who flew through the end of the Apollo program will be granted full right of ownership of any artifacts received from their missions. If we don't pass this bill, the artifacts and the astronauts face huge financial risks arising from donations, gifts, and sales already completed.

These men are heroes. They're great heroes. Sadly, we had to say good-bye to one of these heroes just last week. They took extraordinary risks to establish American preeminence in space and, by doing so, helped our country become a world leader. I think it's a miscarriage of justice that today NASA should seek return of these very same mementos and keepsakes.

I reserve the balance of my time.

[From NASA News, Jan. 9, 2012]

NASA ADMINISTRATOR MEETS WITH APOLLO ASTRONAUTS; AGENCY WILL WORK COOPERATIVELY TO RESOLVE ARTIFACT OWNERSHIP ISSUES

(By David Weaver and Bob Jacobs)

WASHINGTON, DC.—The following is a statement from NASA Administrator Charles Bolden regarding the ownership of early space exploration mementos and artifacts:

"Earlier today, I had a good meeting with former Apollo astronauts Jim Lovell, Gene Cernan, Charlie Duke, Rusty Schweickart and other representatives of former astronauts and agency personnel, where we discussed how to resolve the misunderstandings and ownership questions regarding flight mementos and other artifacts.

"These are American heroes, fellow astronauts, and personal friends who have acted in good faith, and we have committed to work together to find the right policy and legal paths forward to address outstanding ownership questions.

"I believe there have been fundamental misunderstandings and unclear policies regarding items from the Mercury, Gemini,

Apollo and Skylab programs, and NASA appreciates the position of the astronauts, museums, learning institutions and others who have these historic artifacts in personal and private collections.

"We also appreciate their patience and will explore all policy, legislative and other legal means to resolve these questions expeditiously and clarify ownership of these mementos, and ensure that appropriate artifacts are preserved and available for display to the American people."

AUGUST 16, 2012.

Hon. RALPH M. HALL,
Chairman, Committee on Science, Space, and
Technology, House of Representatives,
Washington, DC.

DEAR CONGRESSMAN HALL: The recent discourse by NASA and the Congress regarding the disposition of artifacts carried on U.S. space flights in the possession of U.S. astronauts has come to my attention and resulted in a discussion between myself and Ms. Shana Dale of your office. She requested that I write a brief summary of the policy we utilized to deal with the issue of personal items to be carried by the flight crews that would later be disseminated or given as gifts to their family, friends and/or associates. This policy also dealt with personal articles and other equipment used by the astronauts during the flight.

It should be noted that this policy was in effect during all of the Mercury, Gemini, Apollo and Skylab programs. However, after the questionable behavior of the astronauts regarding other carried articles to be sold or distributed for financial gain on the flight of Apollo 15, the policy was revised and more stringently administered by the NASA management.

Donald K. Slayton, Assistant Director for Flight Crew Operations was the principal NASA manager for implementing this policy with the approval of the Director of the Manned Spacecraft Center (later the Johnson Space Center) and after Apollo 15 the concurrence of the NASA Administrator.

The enclosure summarizes the policy discussed above.

Respectfully,

CHRISTOPHER C. KRAFT, JR.,
Retired Director,
NASA Johnson Space Center.

AUGUST 16, 2012.

A summary of the NASA policy regarding the astronauts permission to carry personal mementos on the space vehicles they flew and the disposition of equipment on board these vehicles deemed by NASA to be expendable.

Starting with Project Mercury, NASA astronauts were granted permission to carry specific mementos on the spacecraft they flew. These items were required to be listed and approved by the Director of Flight Crew Operations. The items had to be within a given weight limit and submitted for proper wrapping and storage by the pad support technicians. The astronauts were allowed to disseminate these mementos as they so desired.

As the space program advanced from Mercury through Apollo the requirements for carrying mementos was altered to assure the weight and the safety met the specific requirements of each program. Further, the Apollo 1 accident demanded a more stringent review of the items and their containment because of the sensitivity of the materials involved relative to combustibility and outgassing.

When the flights increased in orbital time and certain personal items became expendable the astronauts were granted permission to retain certain personal items such as shaving equipment, underwear, thermal cooling under garments, notebooks and even heavily used and expendable space suits.

As the complexity of the spacecraft increased, certain items on board the vehicles had particular relevance and meaning to the astronauts and they requested and received permission to keep these pieces of equipment on a case by case basis. In many cases this required a review by agencies such as the Smithsonian Institution since they had the over all responsibility for the U.S. of retaining the equipment that had historical significance. Such items as hand controllers, hand held cameras and computers were in this category.

It should be noted that in all of the space flights made, items such as flags, plaques and so forth were carried for use by NASA and the U.S. government. These items received a wide distribution and in some cases were given to the astronauts who flew the flight by request for many purposes including gifts to NASA personnel.

Ms. EDDIE BERNICE JOHNSON of Texas. I yield myself such time as I may consume.

I rise in support of H.R. 4158, to confirm full ownership rights for certain United States astronauts to artifacts from the astronauts' space missions, and I thank the leadership of Mr. HALL and all of the cosponsors.

This is a necessary bill which will protect our iconic early astronauts from needless harassment. This bill will ensure that any U.S. astronaut who participated in the historic Mercury, Gemini, or the Apollo programs will be able to keep the space artifacts which are still in their possession from those missions.

At the time of these missions, it was accepted practice that astronauts could keep expendable equipment like checklists and hygiene kits as mementos of their missions. However, this was an informal policy, and those astronauts lacked paperwork establishing ownership over these items.

This bill will protect those astronauts from any claims made by the Federal Government regarding any of these artifacts. Further, the bill protects our national interest by ensuring that any lunar rocks or other lunar material remain property of the United States.

While I do support this bill and its passage today, I would be remiss if I didn't express my concern about a possible omission. This bill does not cover any of the shuttle-era astronauts. The first American woman in space and the first African American in space were both exclusively shuttle-era astronauts, and there were many other notable astronauts during this era.

□ 1530

I think these astronauts are no less national heroes than the Apollo-era astronauts and also no less deserving of that protection.

Now, I understand this is a more difficult issue since NASA has not been able to identify when its own internal policies changed regarding astronaut artifacts. But I do think we need to figure that out and then address those astronauts' situation as soon as possible.

I do want to thank Mr. HALL for his leadership and for working with all of us on this bill, and I reserve the balance of my time.

Mr. HALL. Mr. Speaker, I yield 2 minutes to the gentleman from Mississippi (Mr. PALAZZO), the chairman of the Space and Aeronautics Subcommittee.

Mr. PALAZZO. Mr. Speaker, I rise in strong support of H.R. 4158. This legislation will resolve a conflict that has emerged within NASA over the last decade regarding the ownership of artifacts from the Mercury, Gemini, and Apollo programs. Left unresolved, as Chairman HALL pointed out, astronauts, their families, and those to whom they transferred, donated, or sold artifacts may not have clear title to them. If NASA persists in its efforts to reacquire these items that were initially received by the astronauts 40 years or more ago, significant financial consequences could befall them.

In the 1960s, as NASA began the Mercury program, agency managers allowed astronauts to carry a small number of mementos in their spacecraft. As the spacecraft became larger and larger and mission duration increased, the agency's policy evolved to allow astronauts to retain expendable personal gear such as shaving equipment, undergarments, notebooks, and expendable space suits.

During the lunar landing phase of the Apollo program, the policy further changed to allow astronauts to retrieve from the lunar lander certain pieces of hardware that would have been destroyed had it remained in the lander.

With full knowledge and consent of program managers, the astronauts were allowed to fly personal mementos as well as retain certain pieces of equipment. It is incredible to me that NASA now wants to penalize those who acted in good faith by attempting to retrieve these items.

H.R. 4158 is a necessary bill to bring closure to the debate and uncertainty regarding ownership of a small class of space artifacts. I urge all Members to support this legislation.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. HALL. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I want to thank my good friend and Texas colleague, Science, Space and Technology Committee Chairman RALPH HALL, for taking the lead on this bill and bringing it to the floor today. My hope is that after the House passes this bill

the Senate will act quickly and send it to the President for his signature.

The problem this bill addresses is to confirm the ownership of mementoes the Apollo astronauts received from their journeys. I was first contacted one year ago about this problem by my constituent, Apollo 16 moonwalker Charlie Duke, who now lives in New Braunfels, Texas and also chairs the Astronaut Scholarship Foundation.

The Scholarship Foundation is one of the beneficiaries from the sale of such artifacts, and they have provided over \$3 million in scholarships to college students studying science and engineering so they too can aspire to be astronauts.

At the end of the Apollo program, these mementoes were deemed to be of little value, and NASA was simply going to throw many of these items in the trash heap of history—checklists with scribbled equations and calculations in the margins, a camera and other personal effects the Apollo astronauts were offered to keep for themselves.

However, in the intervening 40 years, these mementoes took on a greater historical context, just like mementoes from past wars or famous people take on greater significance. Unfortunately, over-zealous NASA and the Justice Department lawyers recently started filing lawsuits against Apollo astronauts—our American heroes—and started questioning their integrity.

This is wrong. And this bill clarifies the ownership of these artifacts in the possession of our astronauts.

Chairman HALL, thank you for doing the right thing—once again—for our astronauts.

Mr. COSTELLO. Mr. Speaker, I rise in support of H.R. 4158, to Confirm Full Ownership Rights for Certain United States Astronauts to Artifacts from the Astronauts' Space Missions Act.

H.R. 4158 preserves the rights of astronauts who served on the Mercury, Gemini, and Apollo missions in the 1960s and 1970s, through the time of the Apollo-Soyuz Test Flight, to retain full and complete ownership of certain artifacts such as personal logs and flight manuals that were used in training or during their flights.

For many years, it was an accepted practice for astronauts to keep mementos of their training and flight missions.

However, confusion surrounding NASA's informal policies on artifacts have led to attempts to repossess those artifacts years later.

This has resulted in questions concerning the status of items that astronauts have had in their possession for years, if not decades, or donated to museums, universities, scholarship funds, and so forth.

I support this bill, because it clarifies that the ownership of those artifacts rests with the astronauts who served during those missions, while preserving the current policy that ownership of moon rocks and lunar material will continue to rest with the Federal Government.

Mr. Speaker, a few weeks ago, we lost an American hero, Neil Armstrong. He and his fellow astronauts fulfilled the dreams of a grateful nation by pushing the boundaries of space.

One small way to show our gratitude is by passing this bill. I urge my colleagues to support it.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. HALL) that the House suspend the rules and pass the bill, H.R. 4158.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

VETERANS FIDUCIARY REFORM AND HONORING NOBLE SERVICE ACT

Mr. MILLER of Florida. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5948) to amend title 38, United States Code, to improve the supervision of fiduciaries of veterans under the laws administered by the Secretary of Veterans Affairs, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5948

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Veterans Fiduciary Reform and Honoring Noble Service Act”.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Improvement of fiduciaries for veterans.
- Sec. 3. Establishment of Place of Remembrance at Arlington National Cemetery.
- Sec. 4. Furnishing caskets and urns for deceased veterans with no known next of kin.
- Sec. 5. Improved communication between Department of Veterans Affairs and medical examiners and funeral directors.
- Sec. 6. Report on compliance of Department of Veterans Affairs with industry standards for caskets and urns.
- Sec. 7. Exclusion of persons convicted of committing certain sex offenses from interment or memorialization in national cemeteries, Arlington National Cemetery, and certain State veterans’ cemeteries and from receiving certain funeral honors.
- Sec. 8. Veterans freedom of conscience protection.
- Sec. 9. Provision of access to case-tracking information.
- Sec. 10. Notification by the Secretary of Veterans Affairs of individuals whose sensitive personal information is involved in a data breach.
- Sec. 11. Limitation on bonuses for Department of Veterans Affairs employees who violate Federal civil laws or regulations.

Sec. 12. Limitation on awards and bonuses to employees of the Department of Veterans Affairs.

SEC. 2. IMPROVEMENT OF FIDUCIARIES FOR VETERANS.

(a) APPOINTMENT AND SUPERVISION.—

(1) Section 5502 of title 38, United States Code, is amended to read as follows:

“§ 5502. Appointment of fiduciaries

“(a) APPOINTMENT.—(1) Where it appears to the Secretary that the interest of the beneficiary would be served thereby, payment of benefits under any law administered by the Secretary may be made directly to the beneficiary or to a relative or some other fiduciary for the use and benefit of the beneficiary, regardless of any legal disability on the part of the beneficiary.

“(2) When in the opinion of the Secretary, a temporary fiduciary is needed in order to protect the benefits provided to the beneficiary under any law administered by the Secretary while a determination of incompetency is being made or appealed or a fiduciary is appealing a determination of misuse, the Secretary may appoint one or more temporary fiduciaries for a period not to exceed 120 days. If a final decision has not been made within 120 days, the Secretary may not continue the appointment of the fiduciary without obtaining a court order for appointment of a guardian, conservator, or other fiduciary under the authority provided in section 5502(b) of this title.

“(b) APPEALS.—(1) If the Secretary determines a beneficiary to be mentally incompetent for purposes of appointing a fiduciary under this chapter, the Secretary shall provide such beneficiary with a written statement detailing the reasons for such determination.

“(2) A beneficiary whom the Secretary has determined to be mentally incompetent for purposes of appointing a fiduciary under this chapter may appeal such determination.

“(c) MODIFICATION.—(1) A beneficiary for whom the Secretary appoints a fiduciary under this chapter may, at any time, request the Secretary to—

“(A) remove the fiduciary so appointed; and

“(B) have a new fiduciary appointed.

“(2) The Secretary shall comply with a request under paragraph (1) unless the Secretary determines that the request is not made in good faith.

“(3) The Secretary shall ensure that any removal or new appointment of a fiduciary under paragraph (1) does not delay or interrupt the beneficiary’s receipt of benefits administered by the Secretary.

“(d) INDEPENDENCE.—A fiduciary appointed by the Secretary shall operate independently of the Department to determine the actions that are in the interest of the beneficiary.

“(e) PREDESIGNATION.—A veteran may pre-designate a fiduciary by—

“(1) submitting written notice to the Secretary of the predesignated fiduciary; or

“(2) submitting a form provided by the Secretary for such purpose.

“(f) APPOINTMENT OF NON-PREDESIGNATED FIDUCIARY.—If a beneficiary designates an individual to serve as a fiduciary under subsection (e) and the Secretary appoints an individual not so designated as the fiduciary for such beneficiary, the Secretary shall notify such beneficiary of—

“(1) the reason why such designated individual was not appointed; and

“(2) the ability of the beneficiary to modify the appointed fiduciary under subsection (c).

“(g) PRIORITY OF APPOINTMENT.—In appointing a fiduciary under this chapter, if a

beneficiary does not designate a fiduciary pursuant to subsection (e), to the extent possible the Secretary shall appoint a person who is—

“(1) a relative of the beneficiary;

“(2) appointed as guardian of the beneficiary by a court of competent jurisdiction; or

“(3) authorized to act on behalf of the beneficiary under a durable power of attorney.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 55 of title 38, United States Code, is amended by striking the item relating to section 5502 and inserting the following:

“5502. Appointment of fiduciaries.”.

(b) SUPERVISION.—

(1) IN GENERAL.—Chapter 55 of title 38, United States Code, is amended by inserting after section 5502, as amended by subsection (a)(1), the following new section:

“§ 5502A. Supervision of fiduciaries

“(a) COMMISSION.—(1)(A) In a case in which the Secretary determines that a commission is necessary in order to obtain the services of a fiduciary in the best interests of a beneficiary, the Secretary may authorize a fiduciary appointed by the Secretary to obtain from the monthly benefits provided to the beneficiary a reasonable commission for fiduciary services rendered, but the commission for any month may not exceed the lesser of the following amounts:

“(i) The amount that equals three percent of the monthly monetary benefits under laws administered by the Secretary paid on behalf of the beneficiary to the fiduciary.

“(ii) \$35.

“(B) A commission paid under this paragraph may not be derived from any award to a beneficiary regarding back pay or retroactive benefits payments.

“(C) A commission may not be authorized for a fiduciary who receives any other form of remuneration or payment in connection with rendering fiduciary services for benefits under this title on behalf of the beneficiary.

“(D) In accordance with section 6106 of this title, a commission may not be paid to a fiduciary if the Secretary determines that the fiduciary misused any benefit payments of a beneficiary.

“(E) If the Secretary determines that the fiduciary has misused any benefit or payments of a beneficiary, the Secretary may revoke the fiduciary status of the fiduciary.

“(2) Where, in the opinion of the Secretary, any fiduciary receiving funds on behalf of a Department beneficiary is acting in such a number of cases as to make it impracticable to conserve properly the estates or to supervise the persons of the beneficiaries, the Secretary may refuse to make future payments in such cases as the Secretary may deem proper.

“(b) COURT.—Whenever it appears that any fiduciary, in the opinion of the Secretary, is not properly executing or has not properly executed the duties of the trust of such fiduciary or has collected or paid, or is attempting to collect or pay, fees, commissions, or allowances that are inequitable or in excess of those allowed by law for the duties performed or expenses incurred, or has failed to make such payments as may be necessary for the benefit of the ward or the dependents of the ward, then the Secretary may appear, by the Secretary’s authorized attorney, in the court which has appointed such fiduciary, or in any court having original, concurrent, or appellate jurisdiction over said cause, and make proper presentation of such matters. The Secretary, in the Secretary’s discretion,

may suspend payments to any such fiduciary who shall neglect or refuse, after reasonable notice, to render an account to the Secretary from time to time showing the application of such payments for the benefit of such incompetent or minor beneficiary, or who shall neglect or refuse to administer the estate according to law. The Secretary may require the fiduciary, as part of such account, to disclose any additional financial information concerning the beneficiary (except for information that is not available to the fiduciary). The Secretary may appear or intervene by the Secretary's duly authorized attorney in any court as an interested party in any litigation instituted by the Secretary or otherwise, directly affecting money paid to such fiduciary under this section.

“(c) PAYMENT OF CERTAIN EXPENSES.—Authority is hereby granted for the payment of any court or other expenses incident to any investigation or court proceeding for the appointment of any fiduciary or other person for the purpose of payment of benefits payable under laws administered by the Secretary or the removal of such fiduciary and appointment of another, and of expenses in connection with the administration of such benefits by such fiduciaries, or in connection with any other court proceeding hereby authorized, when such payment is authorized by the Secretary.

“(d) TEMPORARY PAYMENT OF BENEFITS.—All or any part of any benefits the payment of which is suspended or withheld under this section may, in the discretion of the Secretary, be paid temporarily to the person having custody and control of the incompetent or minor beneficiary, to be used solely for the benefit of such beneficiary, or, in the case of an incompetent veteran, may be apportioned to the dependent or dependents, if any, of such veteran. Any part not so paid and any funds of a mentally incompetent or insane veteran not paid to the chief officer of the institution in which such veteran is a patient nor apportioned to the veteran's dependent or dependents may be ordered held in the Treasury to the credit of such beneficiary. All funds so held shall be disbursed under the order and in the discretion of the Secretary for the benefit of such beneficiary or the beneficiary's dependents. Any balance remaining in such fund to the credit of any beneficiary may be paid to the beneficiary if the beneficiary recovers and is found competent, or if a minor, attains majority, or otherwise to the beneficiary's fiduciary, or, in the event of the beneficiary's death, to the beneficiary's personal representative, except as otherwise provided by law; however, payment will not be made to the beneficiary's personal representative if, under the law of the beneficiary's last legal residence, the beneficiary's estate would escheat to the State. In the event of the death of a mentally incompetent or insane veteran, all gratuitous benefits under laws administered by the Secretary deposited before or after August 7, 1959, in the personal funds of patients trust fund on account of such veteran shall not be paid to the personal representative of such veteran, but shall be paid to the following persons living at the time of settlement, and in the order named: The surviving spouse, the children (without regard to age or marital status) in equal parts, and the dependent parents of such veteran, in equal parts. If any balance remains, such balance shall be deposited to the credit of the applicable current appropriation; except that there may be paid only so much of such balance as may be necessary to reimburse a person (other than a political subdivision of the

United States) who bore the expenses of last sickness or burial of the veteran for such expenses. No payment shall be made under the two preceding sentences of this subsection unless claim therefor is filed with the Secretary within five years after the death of the veteran, except that, if any person so entitled under said two sentences is under legal disability at the time of death of the veteran, such five-year period of limitation shall run from the termination or removal of the legal disability.

“(e) ESCHEATMENT.—Any funds in the hands of a fiduciary appointed by a State court or the Secretary derived from benefits payable under laws administered by the Secretary, which under the law of the State wherein the beneficiary had last legal residence would escheat to the State, shall escheat to the United States and shall be returned by such fiduciary, or by the personal representative of the deceased beneficiary, less legal expenses of any administration necessary to determine that an escheat is in order, to the Department, and shall be deposited to the credit of the applicable revolving fund, trust fund, or appropriation.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 55 of title 38, United States Code, is amended by inserting after the item relating to section 5502 the following new item:

“5502A. Supervision of fiduciaries.”.

(c) DEFINITION OF FIDUCIARY.—Section 5506 of title 38, United States Code is amended—

(1) by striking “For purposes” and inserting “(a) For purposes”; and

(2) by adding at the end the following new subsection:

“(b)(1) For purposes of subsection (a), the term ‘person’ includes any—

“(A) State or local government agency whose mission is to carry out income maintenance, social service, or health care-related activities;

“(B) any State or local government agency with fiduciary responsibilities; or

“(C) any nonprofit social service agency that the Secretary determines—

“(i) regularly provides services as a fiduciary concurrently to five or more individuals; and

“(ii) is not a creditor of any such individual.

“(2) The Secretary shall maintain a list of State or local agencies and nonprofit social service agencies under paragraph (1) that are qualified to act as a fiduciary under this chapter. In maintaining such list, the Secretary may consult the lists maintained under section 807(h) of the Social Security Act (42 U.S.C. 1007(h)).”.

(d) QUALIFICATIONS.—Section 5507 of title 38, United States Code, is amended to read as follows:

“§ 5507. Inquiry, investigations, and qualification of fiduciaries

“(a) INVESTIGATION.—Any certification of a person for payment of benefits of a beneficiary to that person as such beneficiary's fiduciary under section 5502 of this title shall be made on the basis of—

“(1) an inquiry or investigation by the Secretary of the fitness of that person to serve as fiduciary for that beneficiary to be conducted in advance of such certification and in accordance with subsection (b);

“(2) adequate evidence that certification of that person as fiduciary for that beneficiary is in the interest of such beneficiary (as determined by the Secretary under regulations);

“(3) adequate evidence that the person to serve as fiduciary protects the private infor-

mation of a beneficiary in accordance with subsection (d)(1); and

“(4) the furnishing of any bond that may be required by the Secretary, in accordance with subsection (f).

“(b) ELEMENTS OF INVESTIGATION.—(1) In conducting an inquiry or investigation of a proposed fiduciary under subsection (a)(1), the Secretary shall conduct—

“(A) a face-to-face interview with the proposed fiduciary by not later than 30 days after the date on which such inquiry or investigation begins; and

“(B) a background check of the proposed fiduciary to—

“(i) in accordance with paragraph (2), determine whether the proposed fiduciary has been convicted of a crime; and

“(ii) determine whether the proposed fiduciary will serve the best interest of the beneficiary, including by conducting a credit check of the proposed fiduciary and checking the records under paragraph (5).

“(2) The Secretary shall request information concerning whether that person has been convicted of any offense under Federal or State law. If that person has been convicted of such an offense, the Secretary may certify the person as a fiduciary only if the Secretary finds that the person is an appropriate person to act as fiduciary for the beneficiary concerned under the circumstances.

“(3) The Secretary shall conduct the background check described in paragraph (1)(B)—

“(A) each time a person is proposed to be a fiduciary, regardless of whether the person is serving or has served as a fiduciary; and

“(B) at no expense to the beneficiary.

“(4) Each proposed fiduciary shall disclose to the Secretary the number of beneficiaries that the fiduciary acts on behalf of.

“(5) The Secretary shall maintain records of any person who has—

“(A) previously served as a fiduciary; and

“(B) had such fiduciary status revoked by the Secretary.

“(6)(A) If a fiduciary appointed by the Secretary is convicted of a crime described in subparagraph (B), the Secretary shall notify the beneficiary of such conviction by not later than 14 days after the date on which the Secretary learns of such conviction.

“(B) A crime described in this subparagraph is a crime—

“(i) for which the fiduciary is convicted while serving as a fiduciary for any person;

“(ii) that is not included in a report submitted by the fiduciary under section 5509(a) of this title; and

“(iii) that the Secretary determines could affect the ability of the fiduciary to act on behalf of the beneficiary.

“(c) INVESTIGATION OF CERTAIN PERSONS.—

(1) In the case of a proposed fiduciary described in paragraph (2), the Secretary, in conducting an inquiry or investigation under subsection (a)(1), may carry out such inquiry or investigation on an expedited basis that may include giving priority to conducting such inquiry or investigation. Any such inquiry or investigation carried out on such an expedited basis shall be carried out under regulations prescribed for purposes of this section.

“(2) Paragraph (1) applies with respect to a proposed fiduciary who is—

“(A) the parent (natural, adopted, or step-parent) of a beneficiary who is a minor;

“(B) the spouse or parent of an incompetent beneficiary;

“(C) a person who has been appointed a fiduciary of the beneficiary by a court of competent jurisdiction;

“(D) being appointed to manage an estate where the annual amount of veterans benefits to be managed by the proposed fiduciary

does not exceed \$3,600, as adjusted pursuant to section 5312 of this title; or

“(E) a person who is authorized to act on behalf of the beneficiary under a durable power of attorney.

“(d) PROTECTION OF PRIVATE INFORMATION.—(1) A fiduciary shall take all reasonable precautions to—

“(A) protect the private information of a beneficiary, including personally identifiable information; and

“(B) securely conducts financial transactions.

“(2) A fiduciary shall notify the Secretary of any action of the fiduciary that compromises or potentially compromises the private information of a beneficiary.

“(e) POTENTIAL MISUSE OF FUNDS.—(1) If the Secretary has reason to believe that a fiduciary may be misusing all or part of the benefit of a beneficiary, the Secretary shall—

“(A) conduct a thorough investigation to determine the veracity of such belief; and

“(B) if such veracity is established, transmit to the officials described in paragraph (2) a report of such investigation.

“(2) The officials described in this paragraph are the following:

“(A) The Attorney General.

“(B) Each head of a Federal department or agency that pays to a fiduciary or other person benefits under any law administered by such department of agency for the use and benefit of a minor, incompetent, or other beneficiary.

“(f) BOND.—In requiring the furnishing of a bond under subsection (a)(4), the Secretary shall—

“(1) ensure that any such bond is not paid using any funds of the beneficiary; and

“(2) consider—

“(A) the care a proposed fiduciary has taken to protect the interests of the beneficiary; and

“(B) the capacity of the proposed fiduciary to meet the financial requirements of the bond without sustaining hardship.

“(g) LIST OF FIDUCIARIES.—Each regional office of the Veterans Benefits Administration shall maintain a list of the following:

“(1) The name and contact information of each fiduciary, including address, telephone number, and email address.

“(2) With respect to each fiduciary described in paragraph (1)—

“(A) the date of the most recent background check and credit check performed by the Secretary under this section;

“(B) the date that any bond was paid under this section;

“(C) the name, address, and telephone number of each beneficiary the fiduciary acts on behalf of; and

“(D) the amount that the fiduciary controls with respect to each beneficiary described in subparagraph (C).”.

(e) ANNUAL RECEIPT OF PAYMENTS.—

(1) IN GENERAL.—Section 5509 of title 38, United States Code, is amended—

(A) in subsection (a)—

(i) by striking “may require a fiduciary to file a” and inserting “, subject to regulations prescribed pursuant to subsection (f), shall require a fiduciary to file an annual”; and

(ii) by adding at the end the following new sentence: “The Secretary shall transmit such annual report or accounting to the beneficiary and any legal guardian of such beneficiary.”;

(B) by adding at the end the following new subsections:

“(c) MATTERS INCLUDED.—An annual report or accounting under subsection (a) shall include the following:

“(1) For each beneficiary that a fiduciary acts on behalf of—

“(A) the amount of the benefits of the beneficiary accrued during the year, the amount spent, and the amount remaining; and

“(B) if the fiduciary serves the beneficiary with respect to benefits not administered by the Secretary, an accounting of all sources of benefits or other income the fiduciary oversees for the beneficiary.

“(2) A list of events that occurred during the year covered by the report that could affect the ability of the fiduciary to act on behalf of the beneficiary, including—

“(A) the fiduciary being convicted of any crime;

“(B) the fiduciary declaring bankruptcy; and

“(C) any judgments entered against the fiduciary.

“(d) RANDOM AUDITS.—The Secretary shall annually conduct random audits of fiduciaries who receive a commission pursuant to subsection 5502A(a)(1) of this title.

“(e) STATUS OF FIDUCIARY.—If a fiduciary includes in the annual report events described in subsection (c)(2), the Secretary may take appropriate action to adjust the status of the fiduciary as the Secretary determines appropriate, including by revoking the fiduciary status of the fiduciary.

“(f) REGULATIONS.—(1) In prescribing regulations to carry out this section, the Secretary, in consultation with the Under Secretary for Benefits and the Under Secretary for Health, shall ensure that the care provided by a fiduciary described in paragraph (2) to a beneficiary is not diminished or otherwise worsened by the fiduciary complying with this section.

“(2) A fiduciary described in this paragraph is a fiduciary who, in addition to acting as a fiduciary for a beneficiary, provides care to the beneficiary pursuant to this title (including such care provided under section 1720G of this title).”; and

(C) by striking the section heading and inserting the following: “**Annual reports and accountings of fiduciaries**”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 55 of title 38, United States Code, is amended by striking the item relating to section 5509 and inserting the following new item:

“5509. Annual reports and accountings of fiduciaries.”.

(f) REPAYMENT OF MISUSED BENEFITS.—Section 6107(a)(2)(C) of title 38, United States Code, is amended by inserting before the period the following: “, including by the Secretary not acting in accordance with section 5507 of this title”.

(g) ANNUAL REPORTS.—Section 5510 of title 38, United States Code, is amended by striking “The Secretary shall include in the Annual Benefits Report of the Veterans Benefits Administration or the Secretary’s Annual Performance and Accountability Report” and inserting “Not later than July 1 of each year, the Secretary shall submit to the Committees on Veterans’ Affairs of the House of Representatives and the Senate a separate report containing”.

(h) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committee on Veterans’ Affairs of the Senate and the Committee on Veterans’ Affairs of the House of Representatives a comprehensive report on the implementation of the amendments made by this Act, including—

(1) detailed information on the establishment of new policies and procedures pursuant to such amendments and training provided on such policies and procedures; and

(2) a discussion of whether the Secretary should provide fiduciaries with standardized financial software to simplify reporting requirements.

SEC. 3. ESTABLISHMENT OF PLACE OF REMEMBRANCE AT ARLINGTON NATIONAL CEMETERY.

(a) ESTABLISHMENT AUTHORIZED.—

(1) IN GENERAL.—Chapter 446 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 4727. Place of Remembrance at Arlington National Cemetery

“(a) ESTABLISHMENT AUTHORIZED.—Under regulations prescribed by the Secretary of Defense, the Secretary of the Army may establish at an appropriate location in Arlington National Cemetery a Place of Remembrance for the interment of cremated specimens or other portion of the remains of a deceased member of the armed forces described in subsection (b) when one of the conditions specified in subsection (c) applies with respect to the remains of the member.

“(b) COVERED MEMBERS.—This section applies only with respect to members of the armed forces who die while on active duty—

“(1) in a war or contingency operation; or

“(2) in the line of duty, consistent with regulations prescribed by the Secretary of the Army with respect to burial at Arlington National Cemetery.

“(c) CONDITIONS ON INTERMENT OF REMAINS.—The conditions under which cremated specimens or other portion of the remains of a deceased member of the armed forces described in subsection (b) (including cremated specimens or other portion of remains believed by the Secretary concerned to be from the remains of the deceased member) are authorized to be interred in the Place of Remembrance are any of the following:

“(1) The remains are unidentified.

“(2) The person designated under section 1482(c) of this title to direct disposition of the remains of the member agrees to interment of the remains in the Place of Remembrance.

“(3) The person designated under section 1482(c) of this title to direct disposition of the remains of the member has indicated to the Secretary concerned that no further notification is required if a specimen or portion of the remains of the member is discovered.

“(4) When, especially in historical cases, the Secretary concerned determines that there is no one authorized to direct the disposition of the remains of the member and the Secretary concerned recommends interment of the remains in the Place of Remembrance.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

“4727. Place of Remembrance at Arlington National Cemetery.”.

(b) RETROACTIVE APPLICATION.—Section 4727 of title 10, United States Code, as added by subsection (a), applies with respect to any war or contingency operation in which members of the Armed Forces participated and covers members of the Armed Forces who died in the line of duty before the date of the enactment of this Act, consistent with regulations prescribed by the Secretary of the Army with respect to burial at Arlington National Cemetery.

SEC. 4. FURNISHING CASKETS AND URNS FOR DECEASED VETERANS WITH NO KNOWN NEXT OF KIN.

(a) IN GENERAL.—Section 2306 of title 38, United States Code, is amended—

(1) by redesignating subsections (f) and (g) as subsections (g) and (h), respectively;

(2) by inserting after subsection (e) the following new subsection (f):

“(f) The Secretary shall furnish a casket or urn, of such quality as the Secretary considers appropriate for a dignified burial, for burial in a national cemetery of a deceased veteran described in section 2414(b) of this title.”; and

(3) in subsection (h), as redesignated by paragraph (1), by adding at the end the following new paragraph:

“(4) A casket or urn may not be furnished under subsection (f) for burial of a person described in section 2411(b) of this title.”.

(b) **EFFECTIVE DATE.**—Subsections (f) and (h)(4) of section 2306 of title 38, United States Code, as added by subsection (a), shall take effect on the date of the enactment of this Act and shall apply with respect to deaths occurring on or after such date.

SEC. 5. IMPROVED COMMUNICATION BETWEEN DEPARTMENT OF VETERANS AFFAIRS AND MEDICAL EXAMINERS AND FUNERAL DIRECTORS.

(a) **IN GENERAL.**—Chapter 24 of title 38, United States Code, is amended by adding at the end the following new section:

“§ 2414. Communication between Department of Veterans Affairs and medical examiners and funeral directors

“(a) **REQUIRED INFORMATION.**—With respect to each deceased veteran described in subsection (b) who is transported to a national cemetery for burial, the Secretary shall ensure that the local medical examiner, funeral director, county service group, or other entity responsible for the body of the deceased veteran before such transportation submits to the Secretary the following information:

“(1) Whether the deceased veteran was cremated.

“(2) The steps taken to ensure that the deceased veteran has no next of kin.

“(b) **DECEASED VETERAN DESCRIBED.**—A deceased veteran described in this subsection is a deceased veteran whom the Secretary determines—

“(1) that there is no next of kin or other person claiming the body of the deceased veteran; and

“(2) does not have sufficient resources to cover burial and funeral expenses.

“(c) **DETERMINATION OF SUFFICIENT RESOURCES.**—If the Secretary is unable to make a reasonable determination of the amount of the resources of a deceased veteran under subsection (b)(2), the Secretary shall deem such resources to be an amount that is not sufficient to cover burial and funeral expenses.”.

(b) **CLERICAL AMENDMENT.**—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2413 the following new item:

“2414. Communication between Department of Veterans Affairs and medical examiners and funeral directors.”.

(c) **EFFECTIVE DATE.**—Section 2414 of title 38, United States Code, as added by subsection (a), shall take effect on the date of the enactment of this Act and shall apply with respect to deaths occurring on or after the date that is 180 days after the date of the enactment of this Act.

SEC. 6. REPORT ON COMPLIANCE OF DEPARTMENT OF VETERANS AFFAIRS WITH INDUSTRY STANDARDS FOR CASKETS AND URNS.

(a) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act,

the Secretary of Veterans Affairs shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the compliance of the Department of Veterans Affairs with industry standards for caskets and urns.

(b) **ELEMENTS.**—The report required by subsection (a) shall include the following:

(1) A description of industry standards for caskets and urns.

(2) An assessment of compliance with such standards at National Cemeteries administered by the Department with respect to caskets and urns used for the interment of those eligible for burial at such cemeteries.

SEC. 7. EXCLUSION OF PERSONS CONVICTED OF COMMITTING CERTAIN SEX OFFENSES FROM INTERMENT OR MEMORIALIZATION IN NATIONAL CEMETERIES, ARLINGTON NATIONAL CEMETERY, AND CERTAIN STATE VETERANS' CEMETERIES AND FROM RECEIVING CERTAIN FUNERAL HONORS.

(a) **PROHIBITION AGAINST.**—Section 2411(b) of title 38, United States Code, is amended by adding at the end the following new paragraph:

“(4) A person—

“(A) who has been convicted of a Federal or State crime causing the person to be a tier III sex offender for purposes of the Sex Offender Registration and Notification Act (42 U.S.C. 16901 et seq.);

“(B) who, for such crime, is sentenced to a minimum of life imprisonment; and

“(C) whose conviction is final (other than a person whose sentence was commuted by the President or Governor of a State, as the case may be).”.

(b) **CONFORMING AMENDMENTS.**—Section 2411(a)(2) of such title is amended—

(1) by striking “or (b)(2)” each place it appears and inserting “, (b)(2), or (b)(4)”; and

(2) by striking “capital” each place it appears.

(c) **EFFECTIVE DATE.**—The amendments made by this section shall apply with respect to interments and memorializations that occur on or after the date of the enactment of this Act.

SEC. 8. VETERANS FREEDOM OF CONSCIENCE PROTECTION.

Section 2404 of title 38, United States Code, is amended by adding at the end the following new subsection:

“(h)(1) With respect to the interment or funeral, memorial service, or ceremony of a deceased individual at a national cemetery, the Secretary shall ensure that—

“(A) the expressed wishes of the next of kin or other agent of the deceased individual are respected and given appropriate deference when evaluating whether the proposed interment or funeral, memorial service, or ceremony affects the safety and security of the national cemetery and visitors to the cemetery;

“(B) to the extent possible, all appropriate public areas of the cemetery, including committal shelters, chapels, and benches, may be used by the family of the deceased individual for contemplation, prayer, mourning, or reflection; and

“(C) during such interment or funeral, memorial service, or ceremony, the family of the deceased individual may display any religious or other symbols chosen by the family.

“(2) Subject to regulations prescribed by the Secretary under paragraph (5), including such regulations ensuring the security of a national cemetery, the Secretary shall provide to any military or volunteer veterans honor guard, including such guards belong-

ing to a veterans service organization or other non-governmental group that provides services to veterans, access to public areas of a national cemetery if such access is requested by the next of kin or other agent of a deceased individual whose interment or funeral, memorial service, or ceremony is being held in such cemetery.

“(3) With respect to the interment or funeral, memorial service, or ceremony of a deceased individual at a national cemetery, the Secretary shall notify the next of kin or other agent of the deceased individual of funeral honors available to the deceased veteran, including such honors provided by any military or volunteer veterans honor guard described in paragraph (2).

“(4) Any person aggrieved by a violation of this subsection or any regulation prescribed pursuant to this subsection may in a civil action in an appropriate Federal court obtain any appropriate relief against the Federal Government with respect to the violation. Standing to assert a claim or defense under this subsection shall be governed by the general rules of standing under Article III of the Constitution.

“(5) The Secretary shall prescribe regulations to carry out this subsection.”.

SEC. 9. PROVISION OF ACCESS TO CASE-TRACKING INFORMATION.

(a) **IN GENERAL.**—Chapter 59 of title 38, United States Code, is amended by adding at the end the following:

“§ 5906. Provision of access to case-tracking information

“(a) **IN GENERAL.**—(1) In accordance with subsection (b), the Secretary shall provide a covered employee with access to the case-tracking system to provide a veteran with information regarding the status of a claim submitted by such veteran, regardless of whether such employee is acting under a power of attorney executed by such veteran.

“(2) In providing a covered employee with access to the case-tracking system under paragraph (1), the Secretary shall ensure—

“(A) that such access—

“(i) is provided in a manner that does not allow such employee to modify the data contained in such system; and

“(ii) does not include access to medical records; and

“(B) that each time a covered employee accesses such system, the employee must certify that such access is for official purposes only.

“(b) **PRIVACY CERTIFICATION COURSE.**—The Secretary may not provide a covered employee with access to the case-tracking system under subsection (a)(1) unless the covered employee has successfully completed a certification course on privacy issues provided by the Secretary.

“(c) **TREATMENT OF DISCLOSURE.**—The access to information by a covered employee pursuant to subsection (a)(1) shall be deemed to be—

“(1) a covered disclosure under section 552a(b) of title 5; and

“(2) a permitted disclosure under regulations promulgated under section 264(c) of the Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. 1320d-2 note).

“(d) **DEFINITIONS.**—In this section:

“(1) The term ‘case-tracking system’ means the system of the Department of Veterans Affairs that provides information regarding the status of a claim submitted by a veteran.

“(2) The term ‘covered employee’ means—

“(A) an employee of a Member of Congress who assists the constituents of the Member with issues regarding departments or agencies of the Federal Government; or

“(B) an employee of a State or local governmental agency (including a veterans service officer) who, in the course of carrying out the responsibilities of such employment, assists veterans with claims for any benefit under the laws administered by the Secretary.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

“5906. Provision of access to case-tracking information.”.

SEC. 10. NOTIFICATION BY THE SECRETARY OF VETERANS AFFAIRS OF INDIVIDUALS WHOSE SENSITIVE PERSONAL INFORMATION IS INVOLVED IN A DATA BREACH.

(a) IN GENERAL.—Subchapter III of chapter 57 of title 38, United States Code is amended by inserting after section 5724 the following new section:

“§ 5724A. Data breach notification

“(a) NOTIFICATION REQUIREMENT.—Except as provided in subsection (d), in the event of a data breach with respect to sensitive personal information that is processed or maintained by the Secretary, by not later than 10 business days after the date on which the Secretary learns of the data breach, the Secretary shall notify the appropriate committees of Congress and each individual whose sensitive personal information is involved in the data breach is notified of the data breach. If the Secretary determines that providing such notification within 10 business days is not feasible due to circumstances necessary to accurately identify the individuals whose sensitive personal information is involved in the data breach or to prevent further breach or unauthorized disclosure and reasonably restore the integrity of the data system the Secretary shall provide such notification not later than 15 business days after the date on which the Secretary learns of the data breach.

“(b) CONTRACTS FOR DATA PROCESSING OR MAINTENANCE.—If the Secretary enters into a contract for the performance of any Department function that requires access to sensitive personal information, the Secretary shall require as a condition of the contract that the contractor agree to provide notification of data breaches in the same manner as required of the Secretary under subsection (a).

“(c) METHOD AND CONTENT OF NOTIFICATION.—(1) Notification provided to an individual under subsection (a) shall be provided clearly and conspicuously by one of the following methods:

“(A) Written notification.

“(B) Notification by email or other electronic means, if the Secretary’s primary method of communication with the individual is by email or such other electronic means.

“(2) Regardless of the method by which notification is provided to an individual under paragraph (1), such notification shall include—

“(A) a description of the sensitive personal information involved in the data breach;

“(B) a telephone number that the individual may use, at no cost to the individual, to contact an appropriate employee of the Department to inquire about the data breach or the individual’s sensitive personal information maintained by the Department;

“(C) notice that the individual is entitled to receive, at no cost to such individual, credit protection services under section 5724 of this title;

“(D) the toll-free contact telephone numbers and addresses for the major credit reporting agencies; and

“(E) a toll-free telephone number and website address whereby the individual may obtain information regarding identity theft.

“(d) NOTIFICATION OF GENERAL PUBLIC.—The Secretary, acting through the Office of Public Affairs of the Department, shall notify the general public concerning any data breach involving sensitive personal information by not later than 10 business days after the date on which the Secretary learns of the data breach, unless the Secretary determines that to do so is not feasible due to circumstances necessary to accurately identify the individuals whose sensitive personal information is involved in the data breach or to prevent further breach or unauthorized disclosure and reasonably restore the integrity of the data system, such notification shall be made as soon as possible.

“(e) APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term ‘appropriate committees of Congress’ means the Committee on Veterans Affairs of the House of Representatives and the Committee on Veterans’ Affairs of the Senate.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 5724 the following new item:

“5724A. Data breach notification.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to a data breach occurring on or after the date that is 90 days after the date of the enactment of this Act.

SEC. 11. LIMITATION ON BONUSES FOR DEPARTMENT OF VETERANS AFFAIRS EMPLOYEES WHO VIOLATE FEDERAL CIVIL LAWS OR REGULATIONS.

(a) IN GENERAL.—Chapter 7 of title 38, United States Code, is amended by adding at the end the following new section:

“§ 713. Limitation on bonuses

“(a) IN GENERAL.—(1) The Secretary shall ensure that no employee of the Department who, during any year, knowingly violates any law, regulation, or policy described in paragraph (2) receives a bonus for or during that year.

“(2) A law, regulation, or policy described in this paragraph is any of the following:

“(A) A Federal civil law or Federal regulation, including such civil laws or regulations covered under the Federal Acquisition Regulation and the Veterans Affairs Acquisition Regulation.

“(B) An internal policy of the Department.

“(b) CERTIFICATION.—The Secretary shall annually certify to Congress that each bonus awarded by the Secretary during the previous year was awarded in accordance with subsection (a)(1).

“(c) BONUS DEFINED.—For purposes of this section, the term ‘bonus’ includes—

“(1) a retention incentive;

“(2) a retention incentive payment;

“(3) a retention incentive award; and

“(4) any other incentive requiring approval from the Central Office Human Resource Service, the Chief Business Office Workforce Management, or the Corporate Senior Executive Management Office.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

“713. Limitation on bonuses.”.

SEC. 12. LIMITATION ON AWARDS AND BONUSES TO EMPLOYEES OF THE DEPARTMENT OF VETERANS AFFAIRS.

For each of fiscal years 2013 through 2017, the Secretary of Veterans Affairs may not

pay more than \$357,613,229 in awards or bonuses under chapter 45 or 53 of title 5, United States Code, or any other awards or bonuses authorized under such title.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. MILLER) and the gentleman from Maine (Mr. MICHAUD) each will control 20 minutes.

The Chair recognizes the gentleman from Florida.

Mr. MILLER of Florida. Mr. Speaker, I yield myself such time as I might consume.

H.R. 5948, as amended, makes great strides towards protecting some of our Nation’s most vulnerable veterans in improving the quality of other memorial benefits that our veterans have earned.

First and foremost, this bill will bring needed protections and reforms to our most vulnerable veterans. For far too long, bad actors in VA’s fiduciary program have taken advantage of veterans in every part of this great Nation. When pressed on this issue by the committee, VA claimed that the program was fine and did not need any statutory changes.

This bill will help weed out those bad actors and implement the necessary oversight actions VA has failed to take while simplifying the confusing and burdensome requirements of those beneficiaries performing their jobs well on behalf of those veterans.

The VA fiduciary program is intended to administer benefits for veterans deemed incompetent to handle their own finances by the Department of Veteran Affairs fiduciary program. Numerous deficiencies within the program have been highlighted by the Veterans’ Affairs Committee and brought to the VA’s attention; yet the Department is continually slow to act and fix these systemic problems.

Among those problems are fiduciaries that are embezzling veterans’ funds, refusing to pay a veteran’s utility bills, fiduciaries taking more than the amount authorized by law as commission for services rendered, convicted felons appointed as fiduciaries, and fiduciaries telling veterans to conserve money by not running their air conditioning during the summer months.

Mr. Speaker, despite these tragic stories, VA maintains that its fiduciary program is, in fact, sound, an argument difficult to justify when earlier this month a couple pleaded guilty to stealing over \$2 million from 49 veterans. I hate to tell you that this is not an isolated case. At the beginning of 2012, a U.S. district judge sentenced two VA-appointed fiduciaries to prison for stealing nearly \$900,000 from 10 different veterans. In both cases, the fiduciaries used the stolen funds to go gambling, among other things.

The Veterans Fiduciary Reform and Noble Service Act makes much-needed improvements to VA’s fiduciary program by allowing veterans to appeal

the appointment of a fiduciary, allowing a veteran to request that a new fiduciary be appointed when cause can be shown, and to designate a preferred fiduciary ahead of time, such as a family member.

The bill would also remove the profit motive for predatory fiduciaries by reducing the commission that's paid to them to a level in line with Social Security's program that's equivalent. Fiduciaries would have to undergo background checks, minimizing the chance for unqualified fiduciaries to enter the system. They'd also have to account in writing for their disbursement of a veteran's income on an annual basis, addressing another lapse in oversight the VA has failed to address.

Section 3 of the legislation designates a "Place of Remembrance" at Arlington National Cemetery to serve as a dignified final resting place for remains of veterans that may not otherwise have a final resting place. This section is in direct response to our learning last year that cremated remains were being taken from Dover Air Force Base to a landfill, a practice that took place over a 4-year period.

Sections 4, 5, and 6 aim to address an incident that happened at the Bushnell National Cemetery where a veteran with no known next of kin was buried in a cardboard box.

Section 4 requires the Secretary of Veterans Affairs to furnish an appropriate casket or urn for a deceased veteran with no known next of kin, where no other person claims the body, and the veteran lacks sufficient resources to cover burial and funeral expenses.

Section 5 improves the communication between the VA and funeral directors and the medical examiner's office by requiring the Secretary to ensure that any entity transporting the body of a deceased veteran to a national cemetery submits to VA whether the deceased veteran was cremated and whether or not steps were taken to ensure the deceased veteran has no next of kin.

Section 6 requires the Secretary to submit to both the House and Senate Committees on Veterans' Affairs a report within 180 days of enactment of this legislation detailing VA's compliance with industry standards for caskets and urns, including a description of the industry standards for caskets and urns and an assessment of compliance at the national cemeteries that are currently being administered by VA.

Section 7 of H.R. 5948, as amended, would bar convicted tier 3 sex offenders sentenced to a minimum of life in prison from burial in national veterans cemeteries and some State veterans cemeteries. Currently, those convicted of capital crimes are prohibited from such burial, and this will prohibit people convicted of an equally heinous crime from tarnishing the honor of veterans cemeteries.

Section 8 ensures that the explicit wishes of a veteran's family with regard to religious expressions are honored during interment or inurnment ceremonies at a VA national cemetery. Last year, officials at the Houston National Cemetery were accused of restricting religious speech at a ceremony.

□ 1540

While that specific incident was resolved in the courts, this section provides a legislative safeguard for all national cemeteries. Section 9 would allow County Veterans Service officers and some congressional employees access to read-only information regarding the status of a veteran's claim.

During a roundtable discussion between the committee and county veterans service officers, one of the main obstacles highlighted to answering veterans' questions was the lack of access to claims file information. Facilitating this additional level of assistance in the claims process is one simple step we can take to help veterans and potentially address the growing claims backlog.

Section 10, as amended, will improve protections to veterans whose sensitive information has been compromised by the VA. Now, veterans may not know right now that their personal information has been compromised for well over a month after it has occurred, but in this time of predatory identity theft, that's far too long and much damage could have taken place.

Section 11 of the bill adds a common-sense prohibition on the payment of bonuses to VA employees who violate Federal law, including Federal or VA acquisition regulations.

Section 12 rolls back the current average of nearly \$400 million the VA annually pays out in bonuses and other incentives, findings that both the committee and VA's own inspector general show numerous cases of unjustified awards—often to employees with poor performance records—and significant retention incentives going to long-term employees who had publicly stated they were already preparing to retire while others around the country are taking steps to better manage their own budgets. It's time the VA does the very same.

With all of this, I want to urge my colleagues to join me in supporting H.R. 5948, as amended.

I reserve the balance of my time.

Mr. MICHAUD. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of the bill, H.R. 5948, which is a omnibus of veterans' measures that run the gamut of issues, such as improving the policy on notification of data breaches of veterans' personal information, to reforming of the Department of Veterans Affairs' fiduciary program, to ensuring that veterans

with no known next of kin receive the dignified burial they deserve.

I thank all of the Members for their hard work on these measures, particularly Chairman MILLER and Ranking Mr. FILNER; Chairman RUNYAN of New Jersey and Mr. MCNERNEY of California, the chair and ranking member of the Disability Assistance and Memorial Affairs Subcommittee; Mr. JOHNSON of Ohio and Mr. DONNELLY of Indiana, chair and ranking member of the Oversight and Investigations Subcommittee. Their bipartisan work on the committee, along with the staff efforts, have helped ensure that the provisions of this bill are meaningful and sound for veterans on all fronts.

H.R. 5948 contains language from a bill introduced by Mr. DONNELLY which will significantly improve the VA's notification requirements following a data breach involving a veteran's sensitive personal information.

We must work harder to protect veterans' personal identifiable information, including their Social Security number. And rapid notification procedures when breaches occur will stem the tide of harm any veteran, their family, or a survivor has to incur.

In that same vein of protecting our veterans, this bill also contains a long-overdue overhaul of the VA fiduciary program. The additional provisions seek to ensure that our most vulnerable VA beneficiaries who cannot manage on their own are provided the utmost protections of their hard-earned benefits.

In my district, the number one concern among the constituents that are brought before my congressional offices deals with veterans issues. And I'm so pleased that H.R. 5948 includes a provision to grant county veterans service officers, other State and local employees, as well as staff of Members of Congress greater access to veterans' claims information and for tracking purposes.

I wholeheartedly support the mission of this measure and the work of our county veterans service officers and the tireless work of my staff, as I know other Members of Congress' staff, as it relates to veterans' issues.

Finally, this bill will establish a Place of Remembrance at Arlington National Cemetery for unidentified cremated remains of our servicemen and -women. This will ensure that not one of our veterans or servicemembers is left behind or forgotten.

Mr. Speaker, according to the Department of Defense, more than 48,000 servicemembers have been wounded in action while serving in the recent conflicts. Today, 18 veterans and servicemembers will take their lives by their own hands. These are sobering statistics. In caring for the injured men and women in uniform, we must continue to address their needs so they may live in dignity after their honorable military service.

I have only begun to name a few important provisions of this bill, and I want to thank the chairman for his work to bring this bill before the committee. I would urge my colleagues to support the bill, and I respectfully reserve the balance of my time.

Mr. MILLER of Florida. I want to thank Mr. MICHAUD for his fine work on this legislation and others that our committee has been involved in.

Mr. Speaker, one of the most important subcommittees within VA is Oversight and Investigations. That's why I asked the gentleman from Ohio (Mr. JOHNSON) to chair that subcommittee.

With that, I yield 2 minutes to the gentleman from Ohio on this bill.

Mr. JOHNSON of Ohio. Mr. Speaker, I am proud to sponsor the Veterans Fiduciary Reform and Noble Service Act. This important legislation will transform the VA's fiduciary program to better serve the needs of our most vulnerable veterans and their hardworking fiduciaries; but most importantly, it will protect veterans in the program from falling victim to deceitful and criminal fiduciaries.

Since our February hearing, hardly a week has gone by where the Oversight and Investigations Subcommittee has not been contacted about a fiduciary issue. Many of these issues have involved honest and hardworking fiduciaries who are caught in the rigid bureaucratic trap that is the VA's fiduciary program. This bill will go a long way toward making that unyielding bureaucracy more responsive to the needs of the veterans that it is supposed to serve.

We have heard many complaints about the requirement for fiduciaries to obtain a bond. While proper in some settings, it is inappropriate when it causes unnecessary hardship, such as a mother caring for her veteran son. This bill will require the VA to consider whether a bond is necessary and if it will adversely affect the fiduciary and the veterans he or she serves.

The Veterans Fiduciary Program and Noble Service Act will also direct VA's Under Secretaries for Health and Benefits to coordinate their efforts to ensure that fiduciaries caring for their loved ones are not overly burdened by redundant requirements.

Finally, Mr. Speaker, this bill aims to simplify annual reporting requirements. Currently, the VA does not have to review a fiduciary's annual accounting, and when it does, it places an onerous burden on those fiduciaries who are serving out of love, not for monetary gain. This bill will implement a straightforward annual accounting requirement and gives the VA the opportunity to audit fiduciaries whose accounting is suspect.

I'd like to thank my colleagues on the committee on both sides of the aisle for their work in this bipartisan effort.

Mr. MICHAUD. I reserve the balance of my time.

Mr. MILLER of Florida. Mr. Speaker, I yield 2 minutes to the gentleman from the great State of New Jersey (Mr. RUNYAN), also somebody who has been very involved in helping us put this piece of legislation together.

Mr. RUNYAN. I thank Chairman MILLER.

I rise today in support of H.R. 5948, the Veterans Fiduciary Reform and Honoring Noble Service Act of 2012.

In addition to several important provisions that address many needed improvements to VA's fiduciary program, as chairman of the Subcommittee on Disability Assistance and Memorial Affairs, I would like to draw attention to several other important provisions of this bill.

First, section 9 of the bill provides for improved access to case-tracking information for certain government employees, including county veterans service officers.

□ 1550

It is my hope that allowing these local service officers to assist with the veterans claims process that more claims will be completed in a more timely manner.

There are also several other provisions in this bill that further honor the final resting places of our Nation's fallen heroes by providing improvements to the VA's national cemetery program and burial process, as well as at Arlington National Cemetery.

I believe we have a solemn obligation to cherish the memory and the heroic actions of our fallen heroes by holding ourselves and our organizations to the highest standards, which this legislation aims to do.

Therefore, I urge all Members to support H.R. 5948.

Mr. MICHAUD. I reserve the balance of my time.

Mr. MILLER of Florida. Mr. Speaker, I now yield 1 minute to the gentleman from Ohio (Mr. STIVERS).

Mr. STIVERS. I'd like to thank the gentleman for yielding.

As a Member of Congress and a serviceman, I was as shocked as everyone else by the stories coming out late last year about Dover Air Force Base mortuary sending cremated unidentified remains to the Prince George's landfill. It's a terrible injustice to our servicemembers, and it can't be allowed to happen again.

While unidentified partial remains are now cremated and buried at sea, I believe we should not leave those heroes behind. My bill that became section 3 of H.R. 5948 creates a place of remembrance at Arlington National Cemetery for each conflict moving forward and ensures the remains of those who served and gave their lives have a final resting place that's deserving and worthy of their dedication and devotion.

I'd like to thank the chairman, and I'd like to thank the gentleman from Minnesota (Mr. WALZ), and the gentleman from New Jersey (Mr. RUNYAN) for their help and assistance on the bill.

I would ask my colleagues to support H.R. 5948 and help ensure that there's a place of remembrance for those who've given their final measure of devotion, especially if their remains are unidentified, and make sure we send their remains to a place worthy of their dedication and commitment and devotion.

Mr. MICHAUD. Mr. Speaker, it's my understanding Chairman MILLER has no further speakers.

Mr. MILLER of Florida. That's correct, no further speakers.

Mr. MICHAUD. I yield back the balance of my time.

GENERAL LEAVE

Mr. MILLER of Florida. Mr. Speaker, I ask unanimous consent that all Members would have 5 legislative days within which to revise and extend their remarks on H.R. 5948, as amended.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. MILLER of Florida. I thank you once again and encourage all Members to support this legislation.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. MILLER) that the House suspend the rules and pass the bill, H.R. 5948, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The title was amended so as to read: "A bill to amend title 38, United States Code, to improve the supervision of fiduciaries of veterans under the laws administered by the Secretary of Veterans Affairs, to establish a Place of Remembrance at Arlington National Cemetery, and for other purposes."

A motion to reconsider was laid on the table.

VA MAJOR CONSTRUCTION AUTHORIZATION AND EXPIRING AUTHORITIES EXTENSION ACT OF 2012

Mr. MILLER of Florida. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6375) to authorize certain Department of Veterans Affairs major medical facility projects and leases, to amend title 38, United States Code, to extend certain authorities of the Secretary of Veterans Affairs, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6375

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “VA Major Construction Authorization and Expiring Authorities Extension Act of 2012”.

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. References to title 38, United States Code.

Sec. 3. Scoring of budgetary effects.

**TITLE I—CONSTRUCTION
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Sec. 101. Authorization of fiscal year 2013 major medical facility projects.

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Sec. 202. Extension of authority for operation of the Department of Veterans Affairs regional office in Manila, the Republic of the Philippines.

Sec. 203. Extension of authority to provide treatment, rehabilitation, and certain other services for seriously mentally ill and homeless veterans.

Sec. 204. Extension of authority to provide expanded services to homeless veterans.

Sec. 205. Extension of authority to provide housing assistance for homeless veterans.

Sec. 206. Extension of authority for the Advisory Committee on Homeless Veterans.

Sec. 207. Extension of authority for the performance of medical disability examinations by contract physicians.

SEC. 2. REFERENCES TO TITLE 38, UNITED STATES CODE.

Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 38, United States Code.

SEC. 3. SCORING OF BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

**TITLE I—CONSTRUCTION
AUTHORIZATIONS**

**SEC. 101. AUTHORIZATION OF FISCAL YEAR 2013
MAJOR MEDICAL FACILITY
PROJECTS.**

The Secretary of Veterans Affairs may carry out the following major medical facility projects in fiscal year 2013 in the amount specified for each project:

(1) Construction of a mental health building at the Department of Veterans Affairs Medical Center, Seattle, Washington, in an amount not to exceed \$222,000,000.

(2) Construction of a spinal cord injury center at the Department of Veterans Affairs

Medical Center, Dallas, Texas, in an amount not to exceed \$155,200,000.

**SEC. 102. AUTHORIZATION OF MAJOR MEDICAL
FACILITY PROJECT IN MIAMI, FLORIDA.**

(a) **IN GENERAL.**—The Secretary of Veterans Affairs may carry out the major medical facility project described in subsection (b) in an amount not to exceed a total of \$41,000,000.

(b) **PROJECT DESCRIBED.**—The major medical facility project described in this subsection is the renovation of the surgical suite and operating rooms at the Department of Veterans Affairs Medical Center, Miami, Florida.

SEC. 103. AUTHORIZATION OF APPROPRIATIONS.

(a) **AUTHORIZATION OF APPROPRIATIONS FOR CONSTRUCTION.**—There is authorized to be appropriated to the Secretary of Veterans Affairs for fiscal year 2013 or the year in which funds are appropriated for the Construction, Major Projects, account \$377,200,000 for the projects authorized in section 101.

(b) **LIMITATION.**—In addition to any limitations under section 8104 of title 38, United States Code, or other provision of law that apply to the projects authorized in section 101 and 102, such projects may only be carried out using—

(1) funds appropriated for fiscal year 2013 pursuant to the authorization of appropriations in subsection (a) of this section;

(2) funds available for Construction, Major Projects, for a fiscal year before fiscal year 2013 that remain available for obligation;

(3) funds available for Construction, Major Projects, for a fiscal year after fiscal year 2013 that remain available for obligation;

(4) funds appropriated for Construction, Major Projects, for fiscal year 2013 for a category of activity not specific to a project;

(5) funds appropriated for Construction, Major Projects, for a fiscal year before 2013 for a category of activity not specific to a project; and

(6) funds appropriated for Construction, Major Projects, for a fiscal year after 2013 for a category of activity not specific to a project.

**TITLE II—EXTENSIONS OF CERTAIN
EXPIRING AUTHORITIES**

SEC. 201. EXTENSION OF AUTHORITY TO CALCULATE THE NET VALUE OF REAL PROPERTY SECURING A DEFAULTED LOAN FOR PURPOSES OF LIQUIDATION.

Section 3732(c)(11) is amended by striking “October 1, 2012” and inserting “October 1, 2013”.

SEC. 202. EXTENSION OF AUTHORITY FOR OPERATION OF THE DEPARTMENT OF VETERANS AFFAIRS REGIONAL OFFICE IN MANILA, THE REPUBLIC OF THE PHILIPPINES.

Section 315(b) is amended by striking “December 31, 2012” and inserting “December 31, 2013”. Such section 315 shall be carried out as amended by this section notwithstanding the date described in section 151 of the Continuing Appropriations Resolution, 2013.

SEC. 203. EXTENSION OF AUTHORITY TO PROVIDE TREATMENT, REHABILITATION, AND CERTAIN OTHER SERVICES FOR SERIOUSLY MENTALLY ILL AND HOMELESS VETERANS.

Section 2031(b) is amended by striking “December 31, 2012” and inserting “December 31, 2013”.

SEC. 204. EXTENSION OF AUTHORITY TO PROVIDE EXPANDED SERVICES TO HOMELESS VETERANS.

Section 2033(d) is amended by striking “December 31, 2012” and inserting “December 31, 2013”.

SEC. 205. EXTENSION OF AUTHORITY TO PROVIDE HOUSING ASSISTANCE FOR HOMELESS VETERANS.

Section 2041(c) is amended by striking “December 31, 2012” and inserting “December 31, 2013”.

SEC. 206. EXTENSION OF AUTHORITY FOR THE ADVISORY COMMITTEE ON HOMELESS VETERANS.

Section 2066(d) is amended by striking “December 31, 2012” and inserting “December 31, 2013”.

SEC. 207. EXTENSION OF AUTHORITY FOR THE PERFORMANCE OF MEDICAL DISABILITY EXAMINATIONS BY CONTRACT PHYSICIANS.

Section 704(c) of the Veterans Benefits Act of 2003 (38 U.S.C. 5101 note) is amended by striking “December 31, 2012” and inserting “December 31, 2013”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. MILLER) and the gentleman from Maine (Mr. MICHAUD) each will control 20 minutes.

The Chair recognizes the gentleman from Florida.

Mr. MILLER of Florida. Mr. Speaker, I yield myself such time as I might consume.

This bill, as amended, would authorize certain Department of Veterans Affairs major medical facility projects, and it would also extend certain expiring authorities.

It encompasses VA’s fiscal year for 2013, for major medical facility projects, and already tracks with the resources we have already provided to the Department for health care matters in the appropriations bill that was passed by the House with bipartisan support. It would aid in the delivery of health care to services and to servicemembers, veterans, and their families in communities all across this country.

It authorizes two major medical facility projects, the construction of a mental health building at the VA Medical Center in Seattle, Washington, in an amount not to exceed \$222 million, and the construction of a spinal cord injury center at the VA Medical Center in Dallas, Texas, in an amount not to exceed \$155.2 million.

Section 102 of the bill would authorize the renovation of the surgical suite and operating rooms at the Medical Center in Miami, in an amount not to exceed \$41 million. I would note that this project was originally undertaken by the Department in 2007 as two separate minor construction projects.

However, in 2008, the two separate projects were combined into a single initiative without the knowledge of VA’s central office, or the approval, in direct violation of established procedures. The VA officials first became aware of this issue in February of this year, and in April of this year they determined that the combined project constituted a major construction project that had moved forward without congressional authorization as required by law.

Work on the project is currently suspended, at a cost of approximately

\$6,000 a day. As soon as our committee became aware of the issue, we requested an in-depth briefing from VA officials to get to the bottom of the issue and to ensure that the leaders of the VA responsible for this egregious oversight were, in fact, held accountable.

It's really nothing short of unacceptable to this committee and, I would hope, to this Congress that this facility had been openly flouting VA policy and, more importantly, breaking Federal law for 4 years without consequence before somebody at VA took notice.

How many other VA projects have moved forward without regard for proper procedure, legal requirements, or congressional authorization; and how long has the central office not been paying attention?

The committee will continue to be vigorous in our oversight. But in the meantime, we cannot allow the American taxpayer or the veterans of south Florida to suffer because of a bureaucratic failing or lack of leadership.

The Department has proposed using approximately \$12.1 million in prior-year major construction advance planning funds to complete the remainder of the Miami project; and I've been assured repeatedly by VA officials that the use of this money will in no way negatively impact the planning or design of any other project.

I've also been assured by the Department that once congressional authorization is received, the project can be completed in 120 days. I'm hopeful that the Department is correct in its assessment of the work that remains and that this provision will allow for the completion of this project to better serve the veterans in the Miami area.

Section 103 of this bill would authorize the appropriation of \$377.2 million for VA major construction projects. Title II of this bill would extend expiring authorities for several programs within VA, including programs designed to help veterans keep their homes, gain greater access to compensation and pension examinations, better serve veterans living in the Philippines, and provide supportive services to those who are homeless.

This legislation represents a bipartisan effort; and I'd like to express my thanks to the ranking member, Mr. FILNER, and Mr. MICHAUD for his hard work and leadership in quickly advancing this important legislation to the floor.

And before I yield, I'd like to point out that the bill before us today does not include major medical facility lease authorizations, as it normally would, due to concerns raised late last week by the Congressional Budget Office about how to properly account for the total cost of VA's lease authorization.

Mr. Speaker, I want to assure our veterans and stakeholders that I am

committed to working closely with my colleagues in the Senate, the administration's Office of Management and Budget, and the Congressional Budget Office to find a way forward on those important authorizations in the very near future.

I urge all of my colleagues to join me in support of H.R. 6375, as amended.

I reserve the balance of my time.

Mr. MICHAUD. Mr. Speaker, I yield myself such time as I may consume.

I'd like to thank my colleagues for the hard work and effort on this very important bill as well.

Each year, as we assess the construction needs of the Department of Veterans Affairs, we do so with the safety and health of our veterans in mind, as well as fulfilling our statutory requirements to authorize major medical facility projects. This is a responsibility that we do not take lightly.

□ 1600

H.R. 6375, the VA Major Construction Authorization and Expiring Authorities Extension Act of 2012, would authorize approximately over \$377 million for major medical facility projects. Specifically included is the authorization for a mental health building at the VA Medical Center in Seattle, Washington, and for a spinal cord injury facility at the VA Medical Center in Dallas, Texas. Mr. Speaker, these authorizations provide the Department of Veterans Affairs the ability to provide state-of-the-art health care and services to our Nation's veterans wherever they choose to live.

I would like to take a few moments to comment on section 102, which provides the authority for the renovation of the surgical suite and the operating rooms at the VA Medical Center in Miami, Florida.

Earlier this year, it was brought to the committee's attention that VA was going to need additional authorization to finish the renovation of the operating suites in Miami. It is my understanding that, during the design phase of the original projects, an assessment was conducted, and the recommendation was to completely close down the surgical suite because of infection control and safety issues related to construction. Because of these, two smaller Miami projects were combined, and the cost exceeded the monetary threshold of \$10 million that governs the need to seek congressional authority. Working in a bipartisan manner, with the concerns for the safe continuation of surgery in the Miami VA Medical Center always first and foremost in our minds, we have included this project so that VA can move forward without delay.

In addition to major facility projects, H.R. 6375 provides for the extension of certain expiring authorities. I am pleased to strongly support the extensions of the programs that directly af-

fect some of our most vulnerable veterans—the serious mentally ill and homeless. Finally, Mr. Speaker, we have also included an extension of VA's contract authority with private providers of compensation and pension exams.

I support these provisions, but I also want to ensure that we remain vigilant in our oversight of this authority. As such, I am pleased to see 1-year extensions of these authorities, and I urge my colleagues to support H.R. 6375.

I reserve the balance of my time.

Mr. MILLER of Florida. Mr. Speaker, we have no more speakers on this particular piece of legislation.

Mr. MICHAUD. Mr. Speaker, in closing, I would encourage my colleagues on both sides of the aisle to support this particular piece of legislation, which is very important for our veterans.

I would be remiss, though, if I didn't say that, like my colleague from New York earlier, I am disappointed that we are leaving Washington when we have a lot of work to do, such as the middle class tax cuts, the farm bill, the Violence Against Women Act, and responsible deficit reduction, as well as my bill that addresses the issue of our military, members of which are supposed to be clothed from head to toe with American-made clothing. The fact that the administration is not complying with the Berry amendment is very disappointing. Hopefully, we will be able to address these issues before the end of the year so that we can take care of a lot of the concerns that my constituents have brought forth.

With that, I yield back the balance of my time.

GENERAL LEAVE

Mr. MILLER of Florida. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks on H.R. 6375, as amended.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. MILLER of Florida. Mr. Speaker, I appreciate my colleague for helping to point out the fact that the Senate, itself, has not acted on many of the pieces of legislation that, in fact, this House has passed and sent over to it. It is a shame that, for the last 3 years, they have not taken up such good legislation.

With that, I thank my colleagues once again for their support, and I yield back the balance of my time.

Ms. BROWN of Florida. Mr. Speaker, I rise today in support of this long overdue legislation. Among many worthy projects included in this legislation, this bill authorizes the uncompleted construction on the operating rooms at the Miami VA Medical Center.

Every month this construction is delayed, the VA has to pay an additional \$500,000 for a portable operating room. Since this was first

brought to our attention in May, that will be over \$2.5 million as of the end of this month. That is \$2,500,000 that could better be spent on the veterans of Florida for their care and comfort.

This project is over 95 percent completed. This bill needs to be passed now.

I want to thank the Chairman of the Veterans' Committee, Mr. MILLER for his help in getting the issue included in a vehicle that could pass both the House and the Senate. There is a dire need for this Medical Center to be whole, with veterans from all over the State of Florida traveling there for treatment.

The original plan for this project was to divide the operating room in half and renovate it in stages. When I visited the Medical Center in June, I heard directly from the administrators of the facility about the project. The planners on the ground realized soon after the construction began that patients could have been put at risk due to contamination of the operating room by the construction on the other side of the room.

Veterans health was being put at risk, and rather than let that happen, it was decided, by those who know veterans health the best, those at the health facilities, to combine the projects into one and rent the portable operating rooms.

It is time for Congress to pass this bill and finish the construction in Miami that our veterans deserve through their service protecting the freedoms this nation hold so dear.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. MILLER) that the House suspend the rules and pass the bill, H.R. 6375, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The title was amended so as to read: "A bill to authorize certain Department of Veterans Affairs major medical facility projects, to amend title 38, United States Code, to extend certain authorities of the Secretary of Veterans Affairs, and for other purposes."

A motion to reconsider was laid on the table.

CONFIRMING FULL OWNERSHIP RIGHTS TO ARTIFACTS FROM ASTRONAUTS' SPACE MISSIONS

Mr. HALL. Mr. Speaker, I ask unanimous consent that the ordering of the yeas and nays on the motion that the House suspend the rules and pass the bill (H.R. 4158) to confirm full ownership rights for certain United States astronauts to artifacts from the astronauts' space missions, be vacated, to the end that the Chair put the question de novo.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. HALL)

that the House suspend the rules and pass the bill, H.R. 4158.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

CUTTING FEDERAL UNNECESSARY AND EXPENSIVE LEASING ACT OF 2012

Mr. CHAFFETZ. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6324) to reduce the number of nonessential vehicles purchased and leased by the Federal Government, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6324

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Cutting Federal Unnecessary and Expensive Leasing Act of 2012" or the "Cutting FUEL Act".

SEC. 2. REDUCTION OF THE NUMBER OF NON-ESSENTIAL VEHICLES PURCHASED AND LEASED BY THE FEDERAL GOVERNMENT.

(a) REVIEW OF NONESSENTIAL VEHICLE PURCHASE.—The Director of the Office of Management and Budget, in consultation with the head of the relevant Executive agency, shall complete each of the following:

(1) Determine the total dollar amount obligated by each Executive agency to purchase civilian vehicles in fiscal year 2010.

(2) Determine the total dollar amount obligated by each Executive agency to lease civilian vehicles in fiscal year 2010.

(3) Determine the total number of civilian vehicles purchased by each Executive agency in fiscal year 2010.

(4) Determine the total number of civilian vehicles leased by each Executive agency in fiscal year 2010.

(5) Determine the total dollar amount that would be 20 percent less than the dollar amount determined under paragraphs (1) and (2) for each Executive agency.

(b) REDUCTION OF NONESSENTIAL VEHICLE PURCHASE.—For each of fiscal years 2013 through 2017, each Executive agency may not obligate more than the dollar amount identified pursuant to subsection (a)(5) to purchase and lease civilian vehicles.

(c) SHARING.—The Administrator of General Services shall ensure that an Executive agency may share excess or unused vehicles with another Executive agency that may need temporary or long-term use of additional vehicles through the Federal Fleet Management System.

(d) NATIONAL SECURITY EXCEPTION.—The limits on the purchase and procurement of vehicles provided in this section shall not apply to the purchase or procurement of any vehicle that has been determined by the President to be essential for reasons of national security.

(e) DEFINITIONS.—In this section:

(1) CIVILIAN VEHICLE.—The term "civilian vehicle" means a vehicle that is not used for purposes of military combat, the training or deployment of uniformed military personnel, or such other uses as determined by the Director of the Office of Management and

Budget, in consultation with the Administrator of General Services.

(2) EXECUTIVE AGENCY.—The term "Executive agency" has the meaning given that term under section 105 of title 5, United States Code.

The SPEAKER pro tempore (Mr. POE of Texas). Pursuant to the rule, the gentleman from Utah (Mr. CHAFFETZ) and the gentlewoman from New York (Mrs. MALONEY) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

Mr. CHAFFETZ. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. CHAFFETZ. Mr. Speaker, I yield myself such time as I may consume.

H.R. 6324, the Cutting Federal Unnecessary and Expensive Leasing Act, or Cutting FUEL Act, of 2012 is a bipartisan piece of legislation introduced by Mr. HANNA of New York and Mr. BARROW of Georgia.

With a \$16 trillion debt, Congress and the Federal Government need to spend taxpayer dollars more efficiently and help reduce costs. Federal agencies currently own or lease roughly 660,000 cars, vans, sport utility vehicles, trucks, buses, and ambulances; and I'm sure there are a host of other items as well. During fiscal year 2011, the Federal Government spent roughly \$4.4 billion to maintain and operate these vehicles, including \$1.3 billion in fuel costs alone. During the last 5 years, Federal agencies purchased an average of approximately 68,000 new vehicles annually at a cost of roughly \$1.5 billion per year.

The Bowles-Simpson National Commission on Fiscal Responsibility and Reform recommended reducing the number of nonessential vehicles owned or leased by Federal agencies, other than the Department of Defense or the postal service, by 20 percent. According to some estimates, this proposal could save up to \$500 million over the next 10 years.

The Cutting FUEL Act would reduce the government's spending on civilian vehicle purchases and leases by 20 percent and would maintain that reduced level of spending for 5 years. This reduction would not apply to military or postal vehicles, and there is an exception provided for national security vehicles as well.

Mr. Speaker, I think this is a good, commonsense piece of legislation, and we want to encourage Members to support this bill.

I reserve the balance of my time.

Mrs. MALONEY. Mr. Speaker, I yield myself such time as I may consume.

I rise in opposition to H.R. 6324, the Cutting FUEL Act. This bill is being rushed to the floor without any hearings or considerations by the Oversight and Government Reform Committee. The result is a poorly drafted bill that may have harmful, unintended consequences. This bill would require all Federal agencies to reduce their purchases and leases of vehicles by 20 percent, below 2010 expenditure levels. This reduction would not apply to military vehicles, and an exception is provided for vehicles necessary for national security purposes.

While my colleagues' goal is to cut government spending and force agencies to spend their money more efficiently, this bill is not the way to achieve those objectives. This bill does not take into account agencies that have already decreased their fleet sizes by improving fleet management procedures. According to a recent GAO report, agencies such as the Air Force have implemented various fleet downsizing policies and have made efforts to eliminate vehicles that are not mission critical. Instead of examining the needs of each individual agency, this bill simply makes a sweeping 20 percent cut applicable to all agencies regardless of whether they have already made significant improvements.

□ 1610

The GAO also noted that some agencies, like the Department of Veterans Affairs, have increased their fleet sizes due to expanded programs essential to assisting our disabled veterans. This bill would prevent agencies, such as the VA, from effectively serving our veterans when they return home from war.

Mr. Speaker, we come to the House floor only to bring up legislation that was recently introduced in August. There have been no hearings in committee, no amendments, no markups, no substantive debate, all of which could have made significant improvements to the bill.

The American people are asking their elected officials to be bipartisan and pass legislation to add more jobs to our economy. We should focus on extending the tax cuts for the middle class, or passing legislation to resolve the looming crisis in the postal service. But, no, the Republican majority and their leadership would rather focus on passing messaging bills before the election. They prefer to leave Washington and campaign, rather than take up the real issues that confront our country.

Mr. Speaker, I urge my colleagues to oppose this legislation, and I ask that we get back to doing the work of the people.

With that, I reserve the balance of my time.

Mr. CHAFFETZ. Mr. Speaker, I yield such time as he may consume to the chief sponsor of this legislation, the gentleman from New York (Mr. HANNA).

Mr. HANNA. Mr. Speaker, I rise in support of H.R. 6324, the Cutting Federal Unnecessary and Expensive Leasing Act. I sponsored this legislation with my friend and colleague from Georgia (Mr. BARROW).

Mr. Speaker, this is a simple bill which takes up a recommendation of the bipartisan Simpson-Bowles commission to help our Federal Government operate more efficiently. The Federal Government now owns and operates over 500,000 civilian vehicles, according to the Government Accountability Office. Simpson-Bowles found that the government's annual vehicle budget is over \$4 billion, and the Federal fleet has increased by 30,000 vehicles in recent years. These are staggering numbers at any time, but particularly when our national debt has surpassed \$16 trillion.

Rapid advances in technologies like video conferencing and telecommuting are making travel much less necessary, not more. The National Commission on Fiscal Responsibility and Reform recommended that the Federal Government's fleet be cut and trimmed by 20 percent. The Cutting FUEL Act does just that. It requires civilian Federal agencies over the next 5 years to spend 20 percent less than their fiscal year 2010 levels on vehicles purchased and leased. The bill exempts our Armed Forces, postal service, and other vehicles which have a national security purpose as determined by the Office of Management and Budget and General Services Administration.

The bill encourages agencies to share vehicles with another agency that may need temporary or long-term use of additional vehicles. For example, if the VA required additional vehicles to meet certain program needs, the administration could task other agencies to help and assist the VA. The benefits of this bill are clear. We will be saving hundreds of millions of dollars over 10 years that are better used for deficit reduction or core agency missions. We will be reducing congestion on our roads. And because these fleets burn more than 1 million gallons of fuel each day, we will be saving fuel costs and reducing emissions. The simple reality is that we have to cut spending, and the Federal Government needs to live within its means. Buying and leasing new cars that the government does not need and cannot afford is a waste of hard-earned taxpayer dollars.

I would also note that the Congress has capped its own spending on vehicle leases for the past 2 years, an amendment which I authored. This bill today is just another commonsense bipartisan solution to save where it makes obvious sense.

Mr. Speaker, I urge my colleagues to support this legislation.

Mrs. MALONEY. Mr. Speaker, I yield 3 minutes to JOHN BARROW from the great State of Georgia.

Mr. BARROW. I thank the gentle lady for the time.

Mr. Speaker, I'm pleased to reach across the aisle in support of the Cutting FUEL Act, a commonsense bill to cut wasteful government spending by reducing the number of nonessential vehicles purchased by the Federal Government.

Any family or business knows that you can't spend beyond your means. The government should work the same way. Buying brand new cars the Federal Government doesn't need is a waste of hard-earned taxpayer dollars, and this bill puts an end to that.

The government spends \$4 billion a year to maintain and operate over 650,000 vehicles. Since 2006, the Federal Government has added over 20,000 vehicles to this fleet, and the cost of operating these vehicles has gone up 5.4 percent.

I recently introduced H.R. 6144, which also cuts the Federal vehicle fleet by 20 percent. Like the Cutting FUEL Act, it makes an exception for vehicles that are essential to national security while reducing the size of the nonessential Federal Government fleet by 20 percent. This is just one of the many recommendations of the bipartisan Simpson-Bowles commission, and over the next 10 years it will save literally hundreds of millions of dollars of taxpayer money.

I'm pleased to join my colleague, Representative HANNA, in support of his version of this legislation, because acting in a bipartisan fashion isn't just the right way to do things around here, it's the only way to actually get things done around here. However much we tend to forget that in this body, it's the only way to deal with the other body, and it's the only way to truly represent the Nation as a whole.

The folks we represent deserve a government that is responsible with their hard-earned dollars. I thank Congressman HANNA for introducing the Cutting FUEL Act, and I urge my colleagues to support this commonsense bipartisan bill.

Mr. CHAFFETZ. Mr. Speaker, I have no additional speakers, but I will continue to reserve the balance of my time.

Mrs. MALONEY. I have no additional speakers and yield myself such time as I may consume.

I do want to stress that we should not be adjourning. We should continue to work and try to do things to preserve Medicare. This Congress has voted to end Medicare as we know it, to turn it into a voucher system.

And we need to extend the middle class tax breaks, and jobs—the President's jobs bill. Many of my colleagues on both sides of the aisle, Republican and Democratic, have come forward with jobs bills that we could consider on passing and working.

I must say they are very urgent priorities, and the American people are

calling my office, and I'm sure all of my colleagues, concerning the farm bill. We need to pass a farm bill.

The Violence Against Women Act, this used to be bipartisan legislation. It was introduced as bipartisan legislation. Yet, in this Congress, people have voted to repeal some of the protections, and we have not been able to have a consensus on what has historically been a consensus issue.

On the war on women, I am issuing a report today that shows that the Republican majority is not only out of step with the Main Street of America and the Democratic majority, but they are out of step with the historic Republican Party. The historic Republican Party—in fact, I'll give one example: title X. George H.W. Bush was the author of title X when it passed, and it was signed by a Republican President. This Congress voted to defund title X—family planning, birth control. This is unprecedented.

So there are many things that we need to address. I would say specifically the farm bill and the reauthorization of the Violence Against Women Act. This should be an area where we could all agree and come together. I urge my colleagues not only to vote against this particular bill, but also to speak to their leadership on the other side of the aisle that these pressing issues should be taken up and should be addressed.

Mr. Speaker, I have no additional speakers, and I yield back the balance of my time.

□ 1620

Mr. CHAFFETZ. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would hope we would be very bipartisan, at least here in the House of Representatives, in criticizing the United States Senate for not acting on what has passed in this House of Representatives.

It is crystal clear from the record that it has been more than 1,200 days since the United States Senate has addressed and passed a budget. We have passed more than 30 bills that are directly related to jobs and the economy out of the House of Representatives, sit directly in the United States Senate and continue to not be addressed.

I would hope that my colleague would join me in this bipartisan chorus to say this is ridiculous. We can't do the work of the people if the United States Senate doesn't actually do their job. I think I would agree in concept that, yes, there is work to do. Unfortunately, I don't see much of that happening over in the United States Senate.

This bill, H.R. 6324, happens to be a good, bipartisan piece of legislation that reduces spending, something called for in Simpson-Bowles. It is a responsible thing to do. It sets the goal in the framework the agencies would

need to comply with. It would save hundreds of millions of dollars, and yet we hear that, well, it's not a time to do this because we need to think about it more.

We're paying more than \$600 million a day in interest on our national debt. If you spent a million dollars a day every day, it would take you almost 3,000 years to get to 1 trillion. Since this President took office when we had \$10 trillion in debt, we're now at \$16 trillion in debt, and all they're concerned about is, well, you know, we've got to talk.

We don't have time. We've got to act now. We've got to pass bills like this. It's irresponsible not to. We need to continue to call upon the Senate to actually do their job and engage in the people's work. The country will be better off.

I encourage my colleagues to join in support of Representative HANNA's bill. It's a good, commonsense, bipartisan piece of legislation with broad support. It's H.R. 6324, and I urge my colleagues to vote "yea."

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. CHAFFETZ) that the House suspend the rules and pass the bill, H.R. 6324.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

BUFFETT RULE ACT OF 2012

Mr. CAMP. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6410) to amend the Internal Revenue Code of 1986 to provide for taxpayers making donations with their returns of income tax to the Federal Government to pay down the public debt.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6410

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Buffett Rule Act of 2012".

SEC. 2. DONATION TO PAY DOWN NATIONAL DEBT.

(a) IN GENERAL.—Subchapter A of chapter 61 of the Internal Revenue Code of 1986 is amended by adding at the end the following new part:

"PART IX—DONATIONS TO PAY DOWN NATIONAL DEBT

"Sec. 6097. Donation to pay down national debt.

"SEC. 6097. DONATION TO PAY DOWN NATIONAL DEBT.

"(a) GENERAL RULE.—Every taxpayer who makes a return of the tax imposed by subtitle A for any taxable year may donate an amount (not less than \$1), in addition to any

payment of tax for such taxable year, which shall be deposited in the general fund of the Treasury.

"(b) MANNER AND TIME OF DESIGNATION.—Any donation under subsection (a) for any taxable year—

"(1) shall be made at the time of filing the return of the tax imposed by subtitle A for such taxable year and in such manner as the Secretary may by regulation prescribe, except that—

"(A) the designation for such donation shall be either on the first page of the return or on the page bearing the taxpayer's signature, and

"(B) the designation shall be by a box added to the return, and the text beside the box shall provide:

"By checking here, I signify that in addition to my tax liability (if any), I would like to donate the included payment to be used exclusively for the purpose of paying down the national debt.", and

"(2) shall be accompanied by a payment of the amount so designated.

"(c) TREATMENT OF AMOUNTS DONATED.—For purposes of this title, the amount donated by any taxpayer under subsection (a) shall be treated as a contribution made by such taxpayer to the United States on the last date prescribed for filing the return of tax imposed by subtitle A (determined without regard to extensions) or, if later, the date the return is filed.

"(d) TRANSFERS TO ACCOUNT TO REDUCE PUBLIC DEBT.—The Secretary shall, from time to time, transfer to the special account established by section 3113(d) of title 31, United States Code, amounts equal to the amounts donated under this section."

(b) CLERICAL AMENDMENT.—The table of parts for subchapter A of such chapter is amended by adding at the end the following new item:

"PART IX. DONATIONS TO PAY DOWN NATIONAL DEBT."

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to returns for taxable years ending after December 31, 2011.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. CAMP) and the gentleman from Michigan (Mr. LEVIN) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

Mr. CAMP. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and to include extraneous material on the subject of the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CAMP. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 6410, a bill to provide a simple way for individuals to voluntarily donate funds to pay down the national debt. Under current law, you can contribute to debt reduction, but like all things with the IRS, it isn't easy. If you dig deep into the 189 pages of instructions that accompany the 1040, you'll find, on page 88, the following:

Do not add your gift to reduce debt held by the public to any tax you may owe.

To contribute to deficit reduction, one must send a separate check or money order to the Bureau of Public Debt, or they can go online at the Web site and use a credit card. Warren Buffett, who says he wants to pay more in taxes to pay down our debt, can't actually do so when filing his taxes.

H.R. 6410, however, gives Mr. Buffett and generous Americans like him a simple, easy way to help pay down our debt. This legislation adds to appropriate tax forms a box with the captions, and I am quoting:

By checking here, I signify that in addition to my tax liability (if any), I would like to donate the included payment to be used exclusively for the purpose of paying down the national debt.

The Joint Committee on Taxation estimates that H.R. 6410 reduces the public debt by \$135 million over 10 years. It makes it easy for those who want to donate money to the Treasury for debt reduction to voluntarily do so without raising taxes on entrepreneurs and job creators. If Warren Buffett wants to give, then H.R. 6410 allows him to give to his heart's content, and the payments will go directly to an account at the Treasury dedicated exclusively to debt reduction.

Mr. Speaker, it's not enough to speak in political platitudes about what we can do to reduce our debt. Now you can put your money where your mouth is. I urge my colleagues on both sides of the aisle to join me in passing this legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. LEVIN. Mr. Speaker, I yield myself such time as I may consume.

Well, there's nothing wrong with this bill except the label. If there were a fine, I would say, for House legislative mislabeling, House Republicans would have a very large fine to pay. This bill has nothing—zero—to do with the Buffett rule. It has everything to do with the absolute refusal of Americans to face the basic issue. The present tax laws give an inordinate tax break to the very wealthy. The Buffett rule is provided and proposed by President Obama and congressional Democrats.

In addition to reducing the deficit by \$46 billion, it would address a significant inequity in the Code that allows a quarter of taxpayers earning more than a million a year to pay a lower tax rate than millions of middle class families. One of those taxpayers is the Republican Presidential nominee, Governor Mitt Romney, who paid an effective tax rate lower than 15 percent in 2010 and refuses to let the American public see his tax returns for any earlier years.

Indeed, the so-called tax reform legislation from Republicans would do just the opposite: provide massive tax cuts for the very wealthy, doubling down on the Bush tax cuts that have

added billions to the deficit and contributed to growing income inequality.

What's more, their idea of tax reform is to heap new taxes on the backs of middle- and lower-income families to pay for all of this. A recent report found that the so-called tax reform outlined in the Ryan budget would give those making over a million dollars a year an additional average tax cut of \$331,000, while those making less than \$200,000 would see a tax increase of \$4,500.

Taxpayers can do exactly what is provided in this bill if they want to donate some of their taxes on the income they have to deficit reduction.

Republicans, who will recess in 2 days for 2 months with an incredible amount of unfinished business, not the least of which is the extension of the middle class tax cuts and the looming fiscal cliff, we need hard work, not chicanery.

I reserve the balance of my time.

Mr. CAMP. I yield such time as he may consume to the distinguished gentleman from Louisiana (Mr. SCALISE).

□ 1630

Mr. SCALISE. I thank the gentleman from Michigan for yielding and for bringing this legislation to the floor.

The Buffett Rule Act that we're debating now will set up a process where citizens all across the country, rich, poor, whatever their income level, if they feel that they haven't paid enough money into the Federal Treasury, then they can just check off a box and submit the amount of money that they want to pay in addition to what the normal tax liability is, and the assurance will be that that money will be used specifically to pay down the national debt, which, of course, just a few weeks ago, broke the \$16 trillion mark under President Obama.

I think if you look at the Buffett Rule Act that we bring forward and contrast that with President Obama's proposed Buffett rule that he's talked about, what the President's talked about is actually raising taxes on the very small business owners that we need in our country to help create jobs to help get our economy going back again. In fact, even President Obama himself acknowledged that if you raise taxes on anybody in a bad economy, it will make the economy even worse.

And make no mistake about it, we are living right now in a bad economy, in many cases because of the President's policies, because of the so many tax increases that this President has already imposed. Just in ObamaCare alone, President Obama has imposed more than 20 new taxes on middle class families. Many of them haven't kicked in and they don't kick in until after the election, conveniently, but those taxes are on the books, and it's going to make it even harder for American families who are struggling to get by in a tough economy.

And so what's the President's latest answer in his version of the Buffett rule? It's to raise another \$30-plus billion on the backs of our small business owners. By his own admission, that would make the economy even worse. And I think most people recognize the President would just use that money to go and spend even more money on a government that's already too big.

So the question is: Do we set up a process under President Obama's approach where he would raise taxes on small business earners, further hurting the economy, just so that he can have more money to spend in Washington, where there's already too much wasteful spending, or do we have a process like we establish here in this bill, the Buffett Rule Act, which says that if somebody truly does not feel they're paying enough in taxes, then they can simply check a box and there will be a format that they can lay out however much they want to spend more and that money will be used not to grow the size of the Federal Government but to reduce the national debt?

Again, it's a very clear contrast in approaches. If you look at the record that we've seen so far, the tax-and-spend approach under President Obama, it hasn't worked. We've had more than 8 percent unemployment literally since the President took office. And it's only gotten worse, to the point where millions of Americans have just given up looking for work. And the President's answer is to keep raising more taxes and spending more money and borrowing it from China because we don't have it.

We need a better approach. We need to address the mushrooming deficit that broke the \$16 trillion mark. And if people like Warren Buffett and others like him feel they're not sending enough to Washington, let them put their money where their mouth is. Give them that action by giving them this check box, but knowing that if they do send in more money, it's not going to be used to keep growing a bloated Federal Government and spending money we don't have. It's going to be used to finally start paying down this national debt that's out of control and that's a burden to the opportunities of today's workers and the unemployed who are looking for jobs, but also to future generations—to our children and grandchildren who the big spenders in Washington are borrowing that money from and sending the bill to our children. They've got to stop doing it.

We've got to stop the way things are going now and get the economy back on track. And you don't do it by raising taxes. Again, President Obama even acknowledged that, even though his proposal is to raise taxes on our small business owners. You do it instead this way, by saying if you really feel like you want to send in more money to Washington, use it to pay

down the national debt so we can finally get control over spending here.

AMERICANS FOR TAX REFORM,
Washington, DC, October 5, 2011.

Hon. STEVE SCALISE,
House of Representatives,
Washington, DC.

DEAR CONGRESSMAN SCALISE: On behalf of Americans for Tax Reform, I am pleased to support your new legislation, the "Buffett Rule Act of 2011." This bill would instruct the IRS to provide a prominent, convenient checkbox line on 1040 forms to allow those so inclined to pay extra income tax.

Famously, Warren Buffett complained that his average effective tax rate was too low compared to his secretary. This is probably not true given the fact that Mr. Buffett has failed to release his own tax return for verification, and considering the average effective tax rate of his secretary is quite low based on her purported income. Nonetheless, Mr. Buffett should be able to voluntarily pay extra income taxes if he feels the need to—without imposing broad, job-killing tax hikes on our nation's small employers.

These "tax me more" lines have been particularly effective in flushing out the serious from the posturing on the state level. States that have a "tax me more" line repeatedly report almost no additional voluntary contributions to state tax coffers. This is despite the fact that there is no shortage of people who have already earned (or inherited) their wealth who want to see taxes raised on those still pursuing the American dream. In short, the limousine liberal set doesn't put their money where their mouth is.

Taxpayers are calling Mr. Buffett's bluff with this legislation. It's his move.

Sincerely,

GROVER NORQUIST.

Mr. LEVIN. It is now my pleasure to yield 3 minutes to the ranking member on the Budget Committee, the gentleman from Maryland (Mr. VAN HOLLEN).

Mr. VAN HOLLEN. I thank my colleague, Mr. LEVIN.

I was just listening to the previous speaker. The issue is not whether we reduce our long-term deficits. We've got to do that. The question is: How? And every bipartisan group that has looked at this issue has said in order to do this in a smart and credible way, we have to make some additional tough cuts in reforms. But we also need to raise additional revenue. And if we don't raise any more revenue, it means that everybody else is going to get hit even harder. Seniors on Medicare will have to pay more through the voucher plan than our Republican colleagues have proposed. Kids' education grants and loans will be cut. Our investment in infrastructure will be cut.

So what we've said is, Let's take that balanced approach to reducing the deficit and that folks who have done very well should contribute a little bit more toward helping our Nation in that way. Our Republican colleagues have said, No, no, no, no, we're not going to ask people like Warren Buffett or Mitt Romney or very wealthy people to pay one more penny—not one—toward reducing our deficit.

And, Mr. Speaker, I've got to say it's astounding that our Republican colleagues would bring this bill to the floor of this House any day, but especially today. There is apparently no embarrassment factor about the fact that just yesterday this tape surfaced with Mitt Romney talking about the fact that 47 million Americans are not paying enough Federal taxes, that they're somehow not taking personal responsibility. You might as well name this piece of legislation: Give Mitt Romney Another Big Tax Break. Because as the gentleman from Michigan pointed out, the real Buffett rule says to people like Warren Buffett and people like Mitt Romney and to people who have done very well: We need you to contribute a little bit more toward deficit reduction, just like you were doing when President Clinton was President. Just go back to paying the same rate as when President Clinton was President.

And, by the way, President Obama has called upon this Congress to immediately extend tax relief to 98 percent of the American people and 97 percent of all businesses that do business pass-throughs. What our Republican colleagues want to do is to say to Bain Capital and some of the Fortune 100 companies: You don't have to pay any more to reduce our deficit. And they use the language of small business as a cover for that.

Now let's look at who was among those 47 percent of Americans that Governor Romney was talking about yesterday. Seniors who paid into Medicare, who paid into Social Security, who don't have any Federal income tax liability. They're being under-taxed, apparently, or they're not taking personal responsibility. How about our soldiers? We decided that soldiers should not be taxed on their combat pay.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. LEVIN. I yield the gentleman an additional 2 minutes.

Mr. VAN HOLLEN. I thank the gentleman.

Soldiers who are fighting in Afghanistan, we decided that they shouldn't have to pay taxes on their combat pay. Apparently, Mitt Romney wants them to have to pay taxes on that money where they're not taking personal responsibility. Millions of other Americans are working hard every day to make ends meet. They may be making \$25,000, have two kids. And you're right, we have standard deductions and we have personal exemptions so that people making \$25,000 a year don't get hit really hard with income tax. And yet those individuals are paying an effective tax rate more than Mitt Romney.

As the gentleman from Michigan pointed out, if you combine the different parts of the payroll tax, they're

at 15 percent. Mitt Romney is at 13 percent. And you know what the Buffett rule would do, the real one? The real one would say for people like Warren Buffet and Mitt Romney, they should at least pay 30 percent over \$2 million. There's a phase-in between \$1 million and \$2 million. That's what the real Buffett rule does.

And what adds insult to injury is that while Mitt Romney and Republicans are proposing a tax plan that would give a break for folks at the very top, the nonpartisan, independent Tax Policy Center says they want to pay for that by increasing taxes on middle-income Americans to the effect of about \$2,000 a year more for an average middle class family. Those are people on top of the 47 percent who are just paying payroll taxes.

So here we have a proposal by our Republican colleagues to provide big tax breaks to folks at the very top, and they want to come and make a mockery of the real Buffett rule. The real Buffett rule would actually generate \$47 billion. Is that going to solve our deficit problem? Of course not. Will it contribute to helping it? Yes.

The SPEAKER pro tempore. The time of the gentleman has again expired.

Mr. LEVIN. I yield the gentleman an additional 1 minute.

Mr. VAN HOLLEN. That would actually raise some money to help reduce the deficit and ask for some shared responsibility.

This bill is the "pretty please" bill. Pretty please, Warren Buffett, pretty please, Mitt Romney, won't you help contribute a little bit more toward reducing our deficit?

□ 1640

I can understand why people like Mitt Romney would love this bill because it asks nothing more of them at a time when we should be taking a balanced approach to reducing our deficit.

Just last week, we had a debate here about sequester. Everybody agreed, Republicans and Democrats, it would be really bad to have these across-the-board cuts take place. Buzz saw cuts. Our Republican colleagues and we both talked about the negative impact on defense, also on the FBI, on border security.

You know what? We had a proposal to pay for part of that to prevent the sequester with the Buffett rule and some other cuts. Our Republican colleagues talked about the terrible consequences of the cuts, but they just don't want to pay for them. They don't want to ask very wealthy Americans to contribute one more penny.

Mr. CAMP. Mr. Speaker, I advise my colleague that I am prepared to close.

Mr. LEVIN. I yield myself the remaining time.

You know, as I've heard this debate, I've been thinking. This is really mislabeled. Why don't we call it the Mitt

Romney Rule Act of 2012? He paid the return he indicated less than 15 percent. He earned many, many, many millions. He knew what the code now says. He could have sent some of the money that was not taxed to the government. He could even use a credit card. But he hasn't done that.

This is mislabeled. This has nothing to do with Mr. Buffett.

There's been some reference here to small business. The very nonpartisan entities indicate that 97 percent of people who are in small business and beyond have income actually around \$250,000 or less.

All this bill does is to indicate what's already in the code. So, there's nothing wrong with the bill. What is wrong is this frightful mislabeling to try to cover up a refusal of the Republican Party in this institution to face up to what is really necessary to be done.

I yield back the balance of my time.

Mr. CAMP. Mr. Speaker, I yield myself the balance of my time.

I can understand why my friends on the other side are talking about everything but the bill before us. And that's because this administration's record on the deficit is so dismal. We're going on our fourth year of trillion-dollar deficits. The deficit under their watch is now \$16 trillion.

You know, what we really need to do is grow this economy and create jobs, and we know that their tax increases that they love so much would cost us 700,000 jobs. Look at this: 43 months of unemployment of 8 percent. That's why they want to talk about everything but this.

They've said the question is how to reduce the deficit. The fact of the matter is this bill does reduce the deficit, according to the Joint Committee on Taxation, by \$135 million. Now, they might not think that's much, but to most Americans, every million dollars counts.

So, I think it's important that we move forward on this, that we grow our economy, that we grow our economy to create jobs. And we know that taxes on small businesses that they propose cost us jobs.

So let's pass this bill. It's a step forward. It allows those Americans—we all hear it as we go around the country—people say, "I'd like to give more. How do I do it?"

This makes it easier, it makes it straightforward, and actually is scored as reducing the deficit.

Let's vote to make a step for reducing the deficit. We have bigger issues we need to deal with. We're going to deal with those. That's why this committee, Ways and Means, has been focused on tax reform this year, more than 20 hearings. I hope we can move forward on fundamental tax reform. Let's vote for this bill. Let's give those Americans who want to be more generous, who want to check a box and

contribute more specifically to deficit reduction, a very transparent, straightforward, and easy way to do that.

With that, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. CAMP) that the House suspend the rules and pass the bill, H.R. 6410.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

ANDREW P. CARPENTER TAX ACT

Mr. SAM JOHNSON of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5044) to amend the Internal Revenue Code of 1986 to exclude from gross income any discharge of indebtedness income on education loans of deceased veterans, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5044

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Andrew P. Carpenter Tax Act".

SEC. 2. DISCHARGE OF INDEBTEDNESS INCOME ON EDUCATION LOANS OF DECEASED VETERANS.

(a) IN GENERAL.—Subsection (f) of section 108 of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

“(5) DECEASED VETERANS.—

“(A) IN GENERAL.—In the case of any student loan described in subparagraph (B) of an individual who is a veteran who served on active duty in the Armed Forces of the United States and who is deceased as a result of a service-connected disability, no amount which (but for this paragraph) would otherwise be includible in gross income by reason of the discharge (in whole or in part) of such loan shall be includible in gross income of any cosigner on such loan.

“(B) STUDENT LOAN DESCRIBED.—For purposes of subparagraph (A), a student loan described in this subparagraph is a loan that—

“(i) is made, insured, or guaranteed under title IV of the Higher Education Act of 1965, or

“(ii) is a private education loan (as defined in section 140(a)(7) of the Truth in Lending Act (15 U.S.C. 1650(a)(7))), made by an entity (other than an entity described in paragraph (2)) to an individual to assist the individual in attending an educational organization described in section 170(b)(1)(A)(ii).

“(C) SERVICE-CONNECTED DISABILITY.—For purposes of subparagraph (A), the term ‘service-connected disability’ has the meaning given such term by section 101(16) of title 38, United States Code.”

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to discharges of indebtedness occurring on or after October 7, 2001.

(c) WAIVER OF LIMITATION FOR CREDITS AND REFUNDS ATTRIBUTABLE TO THIS ACT.—If the credit or refund of any overpayment of tax

resulting from the application of the amendment made by subsection (a) to a period before the date of enactment of this Act is prevented as of such date by the operation of any law or rule of law (including res judicata), such credit or refund may nevertheless be allowed or made if the claim therefor is filed before the close of the 1-year period beginning on the date of the enactment of this Act.

SEC. 3. ACCOUNTS IN THE THRIFT SAVINGS FUND SUBJECT TO CERTAIN FEDERAL TAX LEVIES.

(a) IN GENERAL.—Section 8437(e)(3) of title 5, United States Code, is amended in the first sentence—

(1) by striking “(659)” and inserting “(659),”; and

(2) by striking the period at the end and inserting the following: “, and shall be subject to a Federal tax levy under section 6331 of the Internal Revenue Code of 1986.”

(b) DISPOSITION OF AMOUNTS.—Any potential revenue gain attributable to the enactment of this Act, as determined by the Director of the Congressional Budget Office—

(1) shall be deposited in the general fund of the Treasury of the United States; and

(2) shall be used solely for purposes of deficit reduction.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. SAM JOHNSON) and the gentleman from Michigan (Mr. LEVIN) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

Mr. SAM JOHNSON of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 5044, the Andrew Carpenter Tax Act, was introduced by the gentleman from Tennessee (Mr. DESJARLAIS) in honor of Lance Corporal Andrew Carpenter, who made the ultimate sacrifice in defense of this Nation's freedom while serving in Afghanistan, and I'm a proud cosponsor of the bill. Mr. Speaker, I would like to thank the gentleman from Tennessee for his leadership in addressing a tax problem facing families of deceased servicemembers who have had their student loans forgiven.

Right now our Tax Code considers forgiven student loans cosigned by the servicemember's family as taxable income. This is just wrong for our Nation's military families, and that's what the gentleman from Tennessee's bill is all about. It would change the Tax Code so that the IRS will no longer be able to hit families of deceased servicemen and -women with a tax bill on the forgiven debt.

You see, Mr. Speaker, the life of a military family is not easy, but it is admirable. We must never forget that when one member of the family serves, all of the family serves. In a small but important way, this bill is really about protecting our Armed Forces and their families, just as they protect our freedom every day. They need to know their country is behind them.

With that, Mr. Speaker, I reserve the balance of my time.

Mr. LEVIN. I yield myself such time as I may consume.

Mr. Speaker, this bill does address an issue that needs consideration. Lance Corporal Carpenter died serving his Nation. He possessed outstanding student loans. The lender waived repayment by his parents, who were obligated on the loans. Present policy would require his parents to pay taxes on the value of that repayment. The Congress must act to ensure that families of brave men and women do not face undue hardship in the face of tragedy.

Unfortunately, this bill has not been the subject of a single hearing or markup in the committee of jurisdiction, Ways and Means. As a result, this bill has no legislative history to which agencies or taxpayers can turn to answer any questions that should arise.

□ 1650

While technical changes were made in this bill from the bill's introduction to its consideration on the House floor today, the text still leaves many questions unanswered, including deficiencies with respect to definition of terms in the bill and as to scope.

The tax treatment of debt forgiveness is a broad and important issue. And while this bill will cover the tax treatment of one class of debt for one class of taxpayers, I think many in this body might believe that other classes of taxpayers should be able to receive such tax treatment. So, therefore, in the absence of regular order on this bill but recognizing the need to address the impact of our tax laws on those who have served our Nation and their families, I believe we should pass this legislation over to the Senate, with the expectation that it will address outstanding technical and coverage issues.

With that, I reserve the balance of my time and ask unanimous consent that the balance of my time on this bill now be handled by the gentleman from Washington (Mr. McDERMOTT), a member of our committee.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. SAM JOHNSON of Texas. I now yield such time as he may consume to the gentleman from Tennessee (Mr. DESJARLAIS), the sponsor of this legislation.

Mr. DESJARLAIS. Mr. Speaker, before I begin my remarks, I want to take a few moments to thank Majority Whip KEVIN MCCARTHY, Majority Leader ERIC CANTOR, and Ways and Means Chairman DAVID CAMP for their help in bringing this worthwhile piece of legislation to the House floor. In addition, I want to say a special thanks to Congressman SAM JOHNSON for his work and guidance through the process.

I also want to recognize and thank the family of Lance Corporal Andrew P. Carpenter for bringing this matter to my attention. I am truly humbled to have had the honor of introducing the Andrew P. Carpenter Tax Act.

We are all familiar with the verse in John that says: "Greater love hath no man than this, that a man lay down his life for his friends." On February 19, 2011, due to wounds suffered while on a combat mission in the Helmand province of Afghanistan, Lance Corporal Andrew Carpenter did indeed lay down his life for his friends and country.

A graduate of Columbia Central High School in 2002, Andrew enlisted in the United States Marine Corps in 2007 and was assigned to the 3rd Battalion, 8th Marine Regiment, 2nd Marine Division, 2nd Marine Expeditionary Force out of Camp Lejeune, North Carolina. He was serving his second tour in Afghanistan.

Leaving behind a wife, Crissie, and soon to be born son, Landon, Andrew gave his life in defense of our Nation and the cause of freedom. In a fitting tribute to his and his family's sacrifice, the city of Columbia, Tennessee, held a memorial service that sent a clear message that his valor would not be forgotten. Unfortunately, the aftermath of this outpouring of support was soon tarnished by the grim hand of the Internal Revenue Service. As hard as it is to believe, Mr. Speaker, the pain and anguish of his parents and wife were compounded by a tax bill from the Internal Revenue Service for over \$1,000 due to the fact that an educational loan from a private institution was forgiven. Imagine the dismay of having to bury a son, daughter, husband, or wife that had paid the ultimate sacrifice only to have the IRS say you haven't paid enough.

Three years prior, Andrew had taken out a private educational loan. After learning that Andrew had been killed in action, the company administering the loan agreed to completely forgive the debt. However, the IRS did not. Upon forgiveness of the debt, the family, who had cosigned the loan, received a 1099C form informing them that the debt discharged would be factored into their gross taxable income for that year. Not knowing what the tax bill was for, the family paid the tax and then contacted my office and brought this matter to my attention. As a newly elected Congressman, this was a rude introduction to just how broken our Federal system was.

Mr. Speaker, the legislation before us today attempts to shield American families from ever having the IRS add to their loss by callously presenting them with a tax bill. Simply, my bill amends the Internal Revenue Code to exempt private student loan forgiveness from being categorized as gross taxable income for families of veterans who have lost their lives while serving in active duty in the United States Armed Forces. It is important to note that this bill would not make it mandatory for private lenders to forgive educational loans. Private loan companies would still have the option of whether or not to forgive a loan.

Having lost their son in Afghanistan, the Carpenter family is comforted by the knowledge that Andrew died a hero. His memory lives on in his son, Landon. It is for them and all those who may have or may face similar hardships that I urge that the House suspend the rules and pass H.R. 5044.

Mr. McDERMOTT. Mr. Speaker, I yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE of Texas. I thank the subcommittee ranking member on the Ways and Means Committee for his leadership, and I thank my friend from Texas, Congressman JOHNSON, for managing, and the sponsor of this legislation as well.

Let me rise in support of what I think is a recognition, a recognition of the sacrifice that families make and those who remain behind after our soldiers fall in battle—a fall pursuant to a service-related injury—and to not have the added burden of having any forgiven debt be included as income to be assessed by the IRS.

I believe that this is a fair and important collaborative exercise, a reasonable response to taxation. I hope, as we come together around veterans and this removal of this burden, we can clearly see pathways to address the question of tax reform that responds to working Americans, that protects working Americans, for that is obviously what this family is. They sent a son off to war, or a daughter off to war—or a mother or father or uncle or aunt, cousins. America is about family. Therefore, now we have the legitimate response that they would not, through some procedural snafu, be burdened by having that forgiven debt be part of the remaining family's income, particularly those who may have cosigned. I know the fallen soldier would not want that to happen.

As I stand here, I cannot help mention as well of the resolution that saluted the fallen in Libya, H. Res. 786. I just wanted to acknowledge the passion that all Americans have for Ambassador John Christopher Stevens, Foreign Service information management officer Sean Smith, and security officers Tyrone S. Woods and Glen A. Doherty.

As a member of the Homeland Security Committee, I have often said that terrorism is franchised. It does not have to be an army of millions or thousands, it does not have to be a battalion, it doesn't have to be anything but one wanting to do evil. Therefore, it is important to say to the families of these men in particular, and others that fell, and others that were injured, and the men and women that serve as our face—civilian face, if you will—in embassies and consulate offices around the world, particularly those who have served in the horrific backdrop of 9/11 in a region that is now overwhelmed with conflict—to say to their families

that our priority will be to offer you sympathy and to mourn with you and to love you and to indicate that we will not allow divisiveness to fall on the issue of who did it.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. McDERMOTT. I yield the gentlelady an additional minute.

Ms. JACKSON LEE of Texas. What we will do is to raise the flag as Americans and evenhandedly and quickly investigate the source of this horrific incident to our family members. We will not let their memory be diminished by quarreling and squabbling about pointing the finger as much as it will be to investigate what actually happened.

I think it is time now, as we saw occurring just a few days ago with the welcoming home of their bodies, that America draws together to show that we are united around those who have fallen in battle and those who have served, to express our deepest respect, and of course our deepest honor for them.

□ 1700

I will go forth to work harder to ensure that we are protected with secure Council offices and embassies and enhanced security for those who are willing to put themselves on the front line. I think this is appropriate in conjunction with this present legislation, H.R. 5044, that helps our fallen veterans as well.

I thank my colleague for yielding the time.

Mr. SAM JOHNSON of Texas. I reserve the balance of my time.

Mr. McDERMOTT. I assume, Mr. Speaker, that the majority is prepared to close, and I yield myself such time as I may consume.

Mr. Speaker, I don't think there's anybody on this floor who has any objection to what we've tried to do here for the Carpenters.

I think that the question really is: Why do we not have regular order in the House of Representatives? This bill was so hastily drafted that it, the original version, did not even cover Carpenters, had to be amended so that it covered them. Now, that comes because you don't have hearings. That comes because you don't have witnesses come in and tell people how this works.

We witnessed a rather sad event in Libya just the other day. I was a Foreign Service officer, and I felt very strongly the feeling of sadness and grief when Foreign Service officers died.

Suppose one of them had an outstanding student loan signed for by their parents while they went to Georgetown school of whatever?

The fact is that this bill—is that line of duty? No. So now we're taking one little narrow class and we're drawing one narrow little bill, when, in fact,

there are a lot of people who, in the line of duty, get killed and debt forgiveness makes sense, as it does for the Carpenters and for the families who co-signed the loan.

When your son or daughter goes off to college and you sign a loan with them, you don't expect them to die. But you certainly aren't going to withhold your signature if that's the only way your son or daughter gets an opportunity to pay for college.

But this bill says that only one line of duty service-connected—and it doesn't define "service-connected"—and it's only if you're in the military. There are a lot of other people who serve in this country, in public service—police officers, firemen, Foreign Service officers.

There are a lot of people who ought to have been considered when this bill was brought before us. It was not brought before the committee, just popped out here on the floor as a unanimous consent bill.

Now, this Congress has been the most do-nothing Congress in the history of the country—less hearings, less bills—but we have had 302 votes in this Congress to reduce regulations on the environment. We found time for every fifth vote in the last 2 years to have been to reduce regulations protecting the environment. We couldn't have hearings on something like this because we were busy doing things like that. We spent 33 times trying to repeal the Affordable Care Act. We simply have not dealt with the problems that face this country.

There's another issue that ought to be before the committee. It's as important, perhaps, as this issue, perhaps affects more people. That's the debt forgiveness that comes by the money that banks reduce the principal on loans.

Now, if you have a loan for \$300,000 and you have to refinance it, and you go and it's assessed, your house is now only worth \$200,000, you're out of luck. Your house is under water. Now, the bank can reduce the principal down to \$200,000. They can grant you \$100,000 forgiveness. But you know what happens to you when that happens? That \$100,000 appears on your doorstep as income in the next taxing cycle.

That provision is in—we have an exemption for that presently, but it's expiring in January, and we simply have not even brought that issue up. There are thousands of people out there with foreclosures on their homes who are being socked or will be socked by debt forgiveness by banks. Those are the kinds of other issues that should have been dealt with.

Everyone's going to vote for this bill. I suspect that unless the Republicans want a vote on it for PR purposes, it'll go without a sound. None of us are going to ask for a vote, because it's obvious that this is one of those places where you want to make sure that a

family who gives their son or their daughter does not get socked with a debt on top of it.

I urge my colleagues to vote for this, but urge the leadership on the other side to think about having hearings and reestablishing the regular order in the House so that we can answer some of the questions that are about this bill and think about many of the other issues that we have not dealt with.

We're within 2 days of the end of this Congress, and we've got thousands of issues. Everybody knows that November and December are going to be terrible because we're going to be right back here trying then to deal, on the back of a galloping horse, with a huge number of issues that have not been dealt with by the shortest Congress, the least hearings, the least bills passed.

I yield back the balance of my time. Mr. SAM JOHNSON of Texas. Mr. Speaker, I appreciate our guys fighting for us.

GENERAL LEAVE

Mr. SAM JOHNSON of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on H.R. 5044, as amended, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SAM JOHNSON of Texas. I urge my colleagues to support this bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. SAM JOHNSON) that the House suspend the rules and pass the bill, H.R. 5044, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. DESJARLAIS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

FEMA REAUTHORIZATION ACT OF 2012

Mr. DENHAM. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2903) to reauthorize the programs and activities of the Federal Emergency Management Agency, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2903

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "FEMA Reauthorization Act of 2012".

(b) TABLE OF CONTENTS.—

Sec. 1. Short title and table of contents.

TITLE I—REAUTHORIZATION OF FEMA AND MODERNIZATION OF INTEGRATED PUBLIC ALERT AND WARNING SYSTEM

Sec. 101. Reauthorization of Federal Emergency Management Agency.

Sec. 102. Integrated Public Alert and Warning System Modernization.

TITLE II—STAFFORD ACT AND OTHER PROGRAMS

Sec. 201. Reauthorization of urban search and rescue response system.

Sec. 202. Reauthorization of emergency management assistance compact grants.

Sec. 203. Disposal of excess property to assist other disaster survivors.

Sec. 204. Storage, sale, transfer, and disposal of housing units.

Sec. 205. Other methods of disposal.

Sec. 206. Establishment of criteria relating to administration of hazard mitigation assistance by States.

Sec. 207. Review of regulations and policies.

Sec. 208. Appeals process.

Sec. 209. Implementation of cost estimating.

Sec. 210. Tribal requests for a major disaster or emergency declaration under the Stafford Act.

Sec. 211. Individual assistance factors.

Sec. 212. Public assistance pilot program.

Sec. 213. Public assistance debris removal procedures.

Sec. 214. Use of funds.

Sec. 215. Reduction of authorization for emergency management performance grants.

Sec. 216. Technical correction.

Sec. 217. National Dam Safety Program Act reauthorization.

TITLE I—REAUTHORIZATION OF FEMA AND MODERNIZATION OF INTEGRATED PUBLIC ALERT AND WARNING SYSTEM

SEC. 101. REAUTHORIZATION OF FEDERAL EMERGENCY MANAGEMENT AGENCY.

Section 699 of the Post-Katrina Emergency Management Reform Act of 2006 (6 U.S.C. 811) is amended to read as follows:

“SEC. 699. AUTHORIZATION OF APPROPRIATIONS.

“There are authorized to be appropriated to carry out this title and the amendments made by this title for the salaries and expenses of the Agency—

“(1) for fiscal year 2012, \$1,031,378,000, including amounts transferred from grant programs;

“(2) for fiscal year 2013, \$1,031,378,000, including amounts transferred from grant programs; and

“(3) for fiscal year 2014, \$1,031,378,000, including amounts transferred from grant programs.”.

SEC. 102. INTEGRATED PUBLIC ALERT AND WARNING SYSTEM MODERNIZATION.

(a) **SHORT TITLE.**—This section may be cited as the “Integrated Public Alert and Warning System Modernization Act of 2012”.

(b) **INTEGRATED PUBLIC ALERT AND WARNING SYSTEM MODERNIZATION.**—

(1) **IN GENERAL.**—To provide timely and effective disaster warnings under this section, the President, acting through the Administrator of the Federal Emergency Management Agency, shall—

(A) modernize the integrated public alert and warning system of the United States (in this section referred to as the “public alert and warning system”) to ensure that the President under all conditions is able to alert and warn governmental authorities and

the civilian population in areas endangered by disasters; and

(B) implement the public alert and warning system.

(2) **IMPLEMENTATION REQUIREMENTS.**—In carrying out paragraph (1), the Administrator shall, consistent with the recommendations in the final report of the Integrated Public Alert and Warning System Advisory Committee (established under subsection (c))—

(A) establish or adopt, as appropriate, common alerting and warning protocols, standards, terminology, and operating procedures for the public alert and warning system;

(B) include in the public alert and warning system the capability to adapt the distribution and content of communications on the basis of geographic location, risks, or personal user preferences, as appropriate;

(C) include in the public alert and warning system the capability to alert and warn, and provide the equivalent amount of information to individuals with disabilities and individuals with access and functional needs;

(D) ensure that training, tests, and exercises are conducted for the public alert and warning system and that the system is incorporated into other training and exercise programs of the Department of Homeland Security, as appropriate;

(E) establish and integrate into the National Incident Management System a comprehensive and periodic training program to instruct and educate Federal, State, Tribal, and local government officials in the use of the Common Alerting Protocol enabled Emergency Alert System;

(F) conduct, at least once every 3 years, periodic nationwide tests of the public alert and warning system; and

(G) ensure that the public alert and warning system is resilient, secure, and can withstand acts of terrorism and other external attacks.

(3) **SYSTEM REQUIREMENTS.**—The public alert and warning system shall—

(A) incorporate multiple communications technologies;

(B) be designed to adapt to, and incorporate, future technologies for communicating directly with the public;

(C) to the extent technically feasible, be designed to provide alerts to the largest portion of the affected population, including nonresident visitors and tourists and individuals with disabilities and access and functional needs, and improve the ability of remote areas to receive alerts;

(D) promote local and regional public and private partnerships to enhance community preparedness and response;

(E) provide redundant alert mechanisms if practicable so as to reach the greatest number of people regardless of whether they have access to, or utilize, any specific medium of communication or any particular device; and

(F) include a mechanism to ensure the protection of individual privacy.

(4) **IMPLEMENTATION PLAN.**—Not later than 180 days after the date of submission of the report of the Integrated Public Alert and Warning System Advisory Committee, the Administrator shall submit to the Committee on Transportation and Infrastructure and the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a detailed plan to implement the public alert and warning system. The plan shall include a timeline for implementation, a spending plan, and recommendations for any additional authority that may be necessary to fully implement this subsection.

(5) **MAXIMUM FUNDS.**—The Administrator may use not more than \$13,287,000 of the amount made available pursuant to section 699 of the Post-Katrina Emergency Management Reform Act of 2006 (6 U.S.C. 811) for each of fiscal years 2012, 2013, and 2014 to carry out the provisions of this section.

(c) **INTEGRATED PUBLIC ALERT AND WARNING SYSTEM ADVISORY COMMITTEE.**—

(1) **ESTABLISHMENT.**—Not later than 90 days after the date of enactment of this Act, the Administrator of the Federal Emergency Management Agency shall establish an advisory committee to be known as the Integrated Public Alert and Warning System Advisory Committee (in this subsection referred to as the “Advisory Committee”).

(2) **MEMBERSHIP.**—The Advisory Committee shall be composed of the following members (or their designees) to be appointed by the Administrator as soon as practicable after the date of enactment of this Act:

(A) The Chairman of the Federal Communications Commission.

(B) The Administrator of the National Oceanic and Atmospheric Administration of the Department of Commerce.

(C) The Assistant Secretary for Communications and Information of the Department of Commerce.

(D) Representatives of State and local governments, representatives of emergency management agencies, and representatives of emergency response providers, selected from among individuals nominated by national organizations representing governments and personnel.

(E) Representatives from federally recognized Indian tribes and national Indian organizations.

(F) Individuals who have the requisite technical knowledge and expertise to serve on the Advisory Committee, including representatives of—

(i) communications service providers;

(ii) vendors, developers, and manufacturers of systems, facilities, equipment, and capabilities for the provision of communications services;

(iii) third-party service bureaus;

(iv) the broadcasting industry;

(v) the national organization representing the licensees and permittees of noncommercial broadcast television stations;

(vi) the cellular industry;

(vii) the cable industry;

(viii) the satellite industry; and

(ix) national organizations representing individuals with disabilities and access and functional needs and national organizations representing the elderly.

(G) Qualified representatives of such other stakeholders and interested and affected parties as the Administrator considers appropriate.

(3) **CHAIRPERSON.**—The Administrator shall serve as the Chairperson of the Advisory Committee.

(4) **MEETINGS.**—

(A) **INITIAL MEETING.**—The initial meeting of the Advisory Committee shall take place not later than 120 days after the date of enactment of this Act.

(B) **OTHER MEETINGS.**—After the initial meeting, the Advisory Committee shall meet at the call of the Chairperson.

(C) **NOTICE; OPEN MEETINGS.**—Meetings held by the Advisory Committee shall be duly noticed at least 14 days in advance and shall be open to the public.

(5) **RULES.**—

(A) **QUORUM.**—One-third of the members of the Advisory Committee shall constitute a quorum for conducting business of the Advisory Committee.

(B) **SUBCOMMITTEES.**—To assist the Advisory Committee in carrying out its functions, the Chairperson may establish appropriate subcommittees composed of members of the Advisory Committee and other subject matter experts as the Chairperson considers necessary.

(C) **ADDITIONAL RULES.**—The Advisory Committee may adopt such other rules as are necessary to carry out its duties.

(6) **CONSULTATION WITH NONMEMBERS.**—The Advisory Committee and the program offices for the integrated public alert and warning system for the United States shall regularly meet with groups that are not represented on the Advisory Committee to consider new and developing technologies that may be beneficial to the public alert and warning system. Such groups may include—

(A) the Defense Advanced Research Projects Agency;

(B) entities engaged in federally funded research; and

(C) academic institutions engaged in relevant work and research.

(7) **RECOMMENDATIONS.**—The Advisory Committee shall develop recommendations for an integrated public alert and warning system, including—

(A) recommendations for common alerting and warning protocols, standards, terminology, and operating procedures for the public alert and warning system; and

(B) recommendations to provide for a public alert and warning system that—

(i) has the capability to adapt the distribution and content of communications on the basis of geographic location, risks, or personal user preferences, as appropriate;

(ii) has the capability to alert and warn individuals with disabilities and individuals with limited English proficiency;

(iii) incorporates multiple communications technologies;

(iv) is designed to adapt to, and incorporate, future technologies for communicating directly with the public;

(v) is designed to provide alerts to the largest portion of the affected population feasible, including nonresident visitors and tourists, and improve the ability of remote areas to receive alerts;

(vi) promotes local and regional public and private partnerships to enhance community preparedness and response; and

(vii) provides redundant alert mechanisms if practicable in order to reach the greatest number of people regardless of whether they have access to, or utilize, any specific medium of communication or any particular device.

(8) **INITIAL AND ANNUAL REPORT.**—Not later than 1 year after the date of enactment of this Act, the Advisory Committee shall submit to the Administrator, the Committee on Transportation and Infrastructure and the Committee on Homeland Security of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs of the Senate a report containing the recommendations of the Advisory Committee.

(9) **FEDERAL ADVISORY COMMITTEE ACT.**—Neither the Federal Advisory Committee Act (5 U.S.C. App.) nor any rule, order, or regulation promulgated under that Act shall apply to the Advisory Committee.

(10) **TERMINATION.**—The Advisory Committee shall terminate not later than 3 years after the date of enactment of this Act.

(d) **LIMITATION ON STATUTORY CONSTRUCTION.**—Nothing in this section shall be construed to affect the authority of the Department of Commerce or the Federal Communications Commission.

TITLE II—STAFFORD ACT AND OTHER PROGRAMS

SEC. 201. REAUTHORIZATION OF URBAN SEARCH AND RESCUE RESPONSE SYSTEM.

(a) **IN GENERAL.**—Title III of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5141 et seq.) is amended by adding at the end the following:

“SEC. 327. NATIONAL URBAN SEARCH AND RESCUE RESPONSE SYSTEM.

“(a) **DEFINITIONS.**—In this section, the following definitions apply:

“(1) **ADMINISTRATOR.**—The term ‘Administrator’ means the Administrator of the Federal Emergency Management Agency.

“(2) **AGENCY.**—The term ‘Agency’ means the Federal Emergency Management Agency.

“(3) **HAZARD.**—The term ‘hazard’ has the meaning given that term by section 602.

“(4) **NON-EMPLOYEE SYSTEM MEMBER.**—The term ‘non-employee System member’ means a System member not employed by a sponsoring agency or participating agency.

“(5) **PARTICIPATING AGENCY.**—The term ‘participating agency’ means a State or local government, nonprofit organization, or private organization that has executed an agreement with a sponsoring agency to participate in the System.

“(6) **SPONSORING AGENCY.**—The term ‘sponsoring agency’ means a State or local government that is the sponsor of a task force designated by the Administrator to participate in the System.

“(7) **SYSTEM.**—The term ‘System’ means the National Urban Search and Rescue Response System to be administered under this section.

“(8) **SYSTEM MEMBER.**—The term ‘System member’ means an individual who is not a full-time employee of the Federal Government and who serves on a task force or on a System management or other technical team.

“(9) **TASK FORCE.**—The term ‘task force’ means an urban search and rescue team designated by the Administrator to participate in the System.

“(b) **GENERAL AUTHORITY.**—Subject to the requirements of this section, the Administrator shall continue to administer the emergency response system known as the National Urban Search and Rescue Response System.

“(c) **FUNCTIONS.**—In administering the System, the Administrator shall provide for a national network of standardized search and rescue resources to assist States and local governments in responding to hazards.

“(d) **TASK FORCES.**—

“(1) **DESIGNATION.**—The Administrator shall designate task forces to participate in the System. The Administrator shall determine the criteria for such participation.

“(2) **SPONSORING AGENCIES.**—Each task force shall have a sponsoring agency. The Administrator shall enter into an agreement with the sponsoring agency with respect to the participation of each task force in the System.

“(3) **COMPOSITION.**—

“(A) **PARTICIPATING AGENCIES.**—A task force may include, at the discretion of the sponsoring agency, 1 or more participating agencies. The sponsoring agency shall enter into an agreement with each participating agency of the task force with respect to the participation of the participating agency on the task force.

“(B) **OTHER INDIVIDUALS.**—A task force may also include, at the discretion of the sponsoring agency, other individuals not otherwise associated with the sponsoring agency

or a participating agency of the task force. The sponsoring agency of a task force may enter into a separate agreement with each such individual with respect to the participation of the individual on the task force.

“(e) **MANAGEMENT AND TECHNICAL TEAMS.**—The Administrator shall maintain such management teams and other technical teams as the Administrator determines are necessary to administer the System.

“(f) **APPOINTMENT OF SYSTEM MEMBERS INTO FEDERAL SERVICE.**—

“(1) **IN GENERAL.**—The Administrator may appoint a System member into Federal service for a period of service to provide for the participation of the System member in exercises, preincident staging, major disaster and emergency response activities, and training events sponsored or sanctioned by the Administrator.

“(2) **NONAPPLICABILITY OF CERTAIN CIVIL SERVICE LAWS.**—The Administrator may make appointments under paragraph (1) without regard to the provisions of title 5, United States Code, governing appointments in the competitive service.

“(3) **RELATIONSHIP TO OTHER AUTHORITIES.**—The authority of the Administrator to make appointments under this subsection shall not affect any other authority of the Administrator under this Act.

“(4) **LIMITATION.**—A System member who is appointed into Federal service under paragraph (1) shall not be considered an employee of the United States for purposes other than those specifically set forth in this section.

“(g) **COMPENSATION.**—

“(1) **PAY OF SYSTEM MEMBERS.**—Subject to such terms and conditions as the Administrator may impose by regulation, the Administrator shall make payments to the sponsoring agency of a task force—

“(A) to reimburse each employer of a System member on the task force for compensation paid by the employer to the System member for any period during which the System member is appointed into Federal service under subsection (f)(1); and

“(B) to make payments directly to a non-employee System member on the task force for any period during which the non-employee System member is appointed into Federal service under subsection (f)(1).

“(2) **REIMBURSEMENT FOR EMPLOYEES FILLING POSITIONS OF SYSTEM MEMBERS.**—

“(A) **IN GENERAL.**—Subject to such terms and conditions as the Administrator may impose by regulation, the Administrator shall make payments to the sponsoring agency of a task force to reimburse each employer of a System member on the task force for compensation paid by the employer to an employee filling a position normally filled by the System member for any period during which the System member is appointed into Federal service under subsection (f)(1).

“(B) **LIMITATION.**—Costs incurred by an employer shall be eligible for reimbursement under subparagraph (A) only to the extent that the costs are in excess of the costs that would have been incurred by the employer had the System member not been appointed into Federal service under subsection (f)(1).

“(3) **METHOD OF PAYMENT.**—A System member shall not be entitled to pay directly from the Agency for a period during which the System member is appointed into Federal service under subsection (f)(1).

“(h) **PERSONAL INJURY, ILLNESS, DISABILITY, OR DEATH.**—

“(1) **IN GENERAL.**—A System member who is appointed into Federal service under subsection (f)(1) and who suffers personal injury, illness, disability, or death as a result of a

personal injury sustained while acting in the scope of such appointment shall, for the purposes of subchapter I of chapter 81 of title 5, United States Code, be treated as though the member were an employee (as defined by section 8101 of that title) who had sustained the injury in the performance of duty.

“(2) ELECTION OF BENEFITS.—

“(A) IN GENERAL.—If a System member (or, in the case of the death of the System member, the System member's dependent) is entitled—

“(i) under paragraph (1) to receive benefits under subchapter I of chapter 81 of title 5, United States Code, by reason of personal injury, illness, disability, or death, and

“(ii) to receive benefits from a State or local government by reason of the same personal injury, illness, disability, or death, the System member or dependent shall elect to receive either the benefits referred to in clause (i) or (ii).

“(B) DEADLINE.—A System member or dependent shall make an election of benefits under subparagraph (A) not later than 1 year after the date of the personal injury, illness, disability, or death that is the reason for the benefits or until such later date as the Secretary of Labor may allow for reasonable cause shown.

“(C) EFFECT OF ELECTION.—An election of benefits made under this paragraph is irrevocable unless otherwise provided by law.

“(3) REIMBURSEMENT FOR STATE OR LOCAL BENEFITS.—Subject to such terms and conditions as the Administrator may impose by regulation, in the event that a System member or dependent elects benefits from a State or local government under paragraph (2)(A), the Administrator shall reimburse the State or local government for the value of those benefits.

“(i) LIABILITY.—A System member appointed into Federal service under subsection (f)(1), while acting within the scope of the appointment, is deemed an employee of the Government under section 1346(b) of title 28, United States Code, and chapter 171 of that title, relating to tort claims procedure.

“(j) EMPLOYMENT AND REEMPLOYMENT RIGHTS.—With respect to a System member who is not a regular full-time employee of a sponsoring agency or participating agency, the following terms and conditions apply:

“(1) Service as a System member is deemed ‘service in the uniformed services’ for purposes of chapter 43 of title 38, United States Code, relating to employment and reemployment rights of individuals who have performed service in the uniformed services (regardless of whether the individual receives compensation for such participation). All rights and obligations of such persons and procedures for assistance, enforcement, and investigation shall be as provided for in such chapter.

“(2) Preclusion of giving notice of service by necessity of appointment under this section is deemed preclusion by ‘military necessity’ for purposes of section 4312(b) of title 38, United States Code, pertaining to giving notice of absence from a position of employment. A determination of such necessity shall be made by the Administrator and shall not be subject to judicial review.

“(k) LICENSES AND PERMITS.—If a System member holds a valid license, certificate, or other permit issued by any State or other governmental jurisdiction evidencing the member's qualifications in any professional, mechanical, or other skill or type of assistance required by the System, the System member is deemed to be performing a Fed-

eral activity when rendering aid involving such skill or assistance during a period of appointment into Federal service under subsection (f)(1).

“(1) ADVISORY COMMITTEE.—

“(1) IN GENERAL.—The Administrator shall establish and maintain an advisory committee to provide expert recommendations to the Administrator in order to assist the Administrator in administering the System.

“(2) COMPOSITION.—The advisory committee shall be composed of members from geographically diverse areas, and shall include—

“(A) the chief officer or senior executive from at least 3 sponsoring agencies;

“(B) the senior emergency manager from at least 2 States that include sponsoring agencies; and

“(C) at least 1 representative recommended by the leaders of the task forces.

“(3) INAPPLICABILITY OF TERMINATION REQUIREMENT.—Section 14(a)(2) of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the advisory committee under this subsection.

“(m) PREPAREDNESS COOPERATIVE AGREEMENTS.—

“(1) IN GENERAL.—Subject to the availability of appropriations for such purpose, the Administrator shall enter into an annual preparedness cooperative agreement with each sponsoring agency. Amounts made available to a sponsoring agency under such a preparedness cooperative agreement shall be for the following purposes:

“(A) Training and exercises, including training and exercises with other Federal, State, and local government response entities.

“(B) Acquisition and maintenance of equipment, including interoperable communications and personal protective equipment.

“(C) Medical monitoring required for responder safety and health in anticipation of and following a major disaster, emergency, or other hazard, as determined by the Administrator.

“(2) AVAILABILITY OF APPROPRIATIONS.—Notwithstanding section 1552(b) of title 31, United States Code, amounts made available for cooperative agreements under this subsection that are not expended shall be deposited in an Agency account and shall remain available for such agreements without fiscal year limitation.

“(n) RESPONSE COOPERATIVE AGREEMENTS.—The Administrator shall enter into a response cooperative agreement with each sponsoring agency, as appropriate, under which the Administrator agrees to reimburse the sponsoring agency for costs incurred by the sponsoring agency in responding to a major disaster or emergency.

“(o) OBLIGATIONS.—The Administrator may incur all necessary obligations consistent with this section in order to ensure the effectiveness of the System.

“(p) AUTHORIZATION OF APPROPRIATIONS.—

“(1) IN GENERAL.—There is authorized to be appropriated to carry out the System and the provisions of this section \$35,250,000 for each of fiscal years 2012, 2013, and 2014.

“(2) ADMINISTRATIVE EXPENSES.—The Administrator may use not to exceed 6 percent of the funds appropriated for a fiscal year pursuant to paragraph (1) for salaries, expenses, and other administrative costs incurred by the Administrator in carrying out this section.”

(b) CONFORMING AMENDMENTS.—

(1) APPLICABILITY OF TITLE 5, UNITED STATES CODE.—Section 8101(1) of title 5, United States Code, is amended—

(A) in subparagraph (D) by striking “and” at the end;

(B) by moving subparagraph (F) to appear after subparagraph (E);

(C) in subparagraph (F)—

(i) by striking “United States Code,”; and

(ii) by adding “and” at the end; and

(D) by inserting after subparagraph (F) the following:

“(G) an individual who is a System member of the National Urban Search and Rescue Response System during a period of appointment into Federal service pursuant to section 327 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act;”.

(2) INCLUSION AS PART OF UNIFORMED SERVICES FOR PURPOSES OF USERRA.—Section 4303 of title 38, United States Code, is amended—

(A) in paragraph (13) by inserting “, a period for which a System member of the National Urban Search and Rescue Response System is absent from a position of employment due to an appointment into Federal service under section 327 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act” before “, and a period”; and

(B) in paragraph (16) by inserting after “Public Health Service,” the following: “System members of the National Urban Search and Rescue Response System during a period of appointment into Federal service under section 327 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act.”.

SEC. 202. REAUTHORIZATION OF EMERGENCY MANAGEMENT ASSISTANCE COMPACT GRANTS.

(a) IN GENERAL.—Subtitle A of title VI of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5196 et seq.) is amended by adding at the end the following:

“SEC. 617. EMERGENCY MANAGEMENT ASSISTANCE COMPACT GRANTS.

“(a) IN GENERAL.—The Administrator of the Federal Emergency Management Agency may make grants to provide for implementation of the Emergency Management Assistance Compact consented to by Congress in the joint resolution entitled ‘Joint resolution granting the consent of Congress to the Emergency Management Assistance Compact’ (Public Law 104-321; 110 Stat. 3877).

“(b) ELIGIBLE GRANT RECIPIENTS.—States and the Administrator of the Emergency Management Assistance Compact shall be eligible to receive grants under subsection (a).

“(c) USE OF FUNDS.—A grant received under this section shall be used—

“(1) to carry out recommendations identified in the Emergency Management Assistance Compact after-action reports for the 2004 and 2005 hurricane seasons;

“(2) to administer compact operations on behalf of States, as such term is defined in the compact, that have enacted the compact;

“(3) to continue coordination with the Federal Emergency Management Agency and appropriate Federal agencies;

“(4) to continue coordination with States and local governments and their respective national organizations; and

“(5) to assist State and local governments, emergency response providers, and organizations representing such providers with credentialing the providers and the typing of emergency response resources.

“(d) COORDINATION.—The Administrator of the Federal Emergency Management Agency shall consult with the Administrator of the Emergency Management Assistance Compact to ensure effective coordination of efforts in responding to requests for assistance.

“(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$2,000,000 for each of the fiscal years 2012, 2013, and 2014. Such sums shall remain available until expended.”.

(b) REPEAL.—Section 661 of the Post-Katrina Emergency Management Reform Act of 2006 (6 U.S.C. 761) is repealed.

SEC. 203. DISPOSAL OF EXCESS PROPERTY TO ASSIST OTHER DISASTER SURVIVORS.

Title III of the Robert T. Stafford Disaster Relief and Emergency Assistance Act as amended by this Act is further amended by adding at the end the following:

“SEC. 328. DISPOSAL OF EXCESS MATERIALS, SUPPLIES, AND EQUIPMENT.

“(a) IN GENERAL.—Notwithstanding any other provision of law, if the President determines that materials, supplies, or equipment acquired by the President pursuant to title IV or V for response or recovery efforts in connection with a major disaster or emergency are in excess of the amount needed for those efforts, the President may transfer the excess materials, supplies, or equipment directly to a State, local government, or relief or disaster assistance organization for the purpose of—

“(1) assisting disaster survivors in other major disasters and emergencies; and

“(2) assisting survivors in incidents caused by a hazard that do not result in a declaration of a major disaster or emergency if the Governor of the affected State certifies that—

“(A) there is an urgent need for the materials, supplies, or equipment; and

“(B) the State is unable to provide the materials, supplies, or equipment in a timely manner.

“(b) HAZARD DEFINED.—In this section, the term ‘hazard’ has the meaning given that term by section 602.”.

SEC. 204. STORAGE, SALE, TRANSFER, AND DISPOSAL OF HOUSING UNITS.

(a) DEFINITIONS.—In this section, the following definitions apply:

(1) ADMINISTRATOR.—The term “Administrator” means the Administrator of FEMA.

(2) EMERGENCY; MAJOR DISASTER.—The terms “emergency” and “major disaster” have the meanings given such terms in section 102 of the Stafford Act (42 U.S.C. 5122).

(3) FEMA.—The term “FEMA” means the Federal Emergency Management Agency.

(4) HAZARD.—The term “hazard” has the meaning given such term in section 602 of the Stafford Act (42 U.S.C. 5195a).

(5) STAFFORD ACT.—The term “Stafford Act” means the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.).

(b) NEEDS ASSESSMENT; ESTABLISHMENT OF CRITERIA.—Not later than 90 days after the date of enactment of this Act, the Administrator shall complete an assessment to determine the number of temporary housing units that FEMA needs to maintain in stock to respond appropriately to emergencies or major disasters occurring after the date of enactment of this Act.

(c) PLAN.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator shall establish a plan and guidelines for—

(A) storing the number of temporary housing units that FEMA needs to maintain in stock, as determined by the Administrator under subsection (b); and

(B) selling, transferring, donating, or otherwise disposing of the temporary housing units in the inventory of FEMA that are in

excess of the number of temporary housing units that FEMA needs to maintain in stock, as determined by the Administrator under subsection (b).

(2) REPORT.—

(A) IN GENERAL.—Not later than 180 days after the date of enactment of this Act and annually thereafter, the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report on the actions that the Administrator has taken to establish and implement the plan and guidelines established under paragraph (1).

(B) REQUIRED INFORMATION.—In each report submitted under subparagraph (A), the Administrator shall document the number of temporary housing units remaining in the inventory of FEMA and the number of units sold, transferred, donated, and otherwise disposed of pursuant to this section.

(3) UPDATE.—The Administrator shall update the plan established under paragraph (1) as necessary to ensure that the Administrator maintains in the inventory of FEMA only those temporary housing units that are needed to respond appropriately to emergencies or major disasters.

(d) TRANSFER OF TEMPORARY HOUSING UNITS TO STATES.—

(1) IN GENERAL.—Notwithstanding section 408(d)(2) of the Stafford Act (42 U.S.C. 5174(d)(2)), and subject to the requirements of paragraph (2), the Administrator may transfer or donate to States, on a priority basis, pursuant to subsection (c)(1)(B), excess temporary housing units in the inventory of FEMA.

(2) STATE REQUESTS.—

(A) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, a State may submit to the Administrator a request to receive excess temporary housing units under paragraph (1).

(B) ELIGIBILITY.—A State shall be eligible to receive excess temporary housing units under paragraph (1) if the State agrees—

(i) to use the units to provide temporary housing to survivors of incidents that are caused by hazards and that the Governor of the State determines require State assistance;

(ii) to pay to store and maintain the units;

(iii) in the event of a major disaster or emergency declared for the State by the President under the Stafford Act, to make the units available to the President or to use the units to provide housing directly to survivors of the major disaster or emergency in the State;

(iv) to comply with the nondiscrimination provisions of section 308 of the Stafford Act (42 U.S.C. 5151); and

(v) to obtain and maintain hazard and flood insurance on the units.

(C) INCIDENTS.—The incidents referred to in subparagraph (B)(i) may include incidents that do not result in a declaration of a major disaster or emergency by the President under the Stafford Act.

(3) DISTRIBUTION.—

(A) ESTABLISHMENT OF PROCESS.—The Administrator shall establish a process—

(i) to review requests submitted by States under paragraph (2); and

(ii) to distribute excess temporary housing units that are in the inventory of FEMA.

(B) ALLOCATION.—If the number of temporary housing units requested by States under paragraph (2) exceeds the number of excess temporary housing units available, the Administrator shall allocate the avail-

able units among the States that have submitted a request.

(4) REMAINING TEMPORARY HOUSING UNITS.—Temporary housing units that are not transferred or donated under paragraph (1) shall be sold, transferred, donated, or otherwise disposed of subject to the requirements of section 408(d)(2) of the Stafford Act (42 U.S.C. 5174(d)(2)) and other applicable provisions of law.

(5) LIMITATION ON STATUTORY CONSTRUCTION.—Nothing in this section shall be construed to affect section 689k of the Post-Katrina Emergency Management Reform Act of 2006 (120 Stat. 1456). For purposes of that section, a transfer or donation to a State of a temporary housing unit under paragraph (1) shall be treated as a disposal to house individuals or households under section 408 of the Stafford Act (42 U.S.C. 5174).

SEC. 205. OTHER METHODS OF DISPOSAL.

Section 408(d)(2)(B) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5174(d)(2)(B)) is amended—

(1) in clause (i) by striking “or”;

(2) in clause (ii) by striking the period at the end and inserting “; or”; and

(3) by adding at the end the following:

“(iii) may be sold, transferred, or donated directly to a State or other governmental entity or to a voluntary organization for the sole purpose of providing temporary housing to disaster victims in disasters and incidents caused by a hazard (as such term is defined in section 602) that do not result in a declaration of a major disaster or emergency if, as a condition of the sale, transfer, or donation, the State, other governmental agency, or voluntary organization agrees—

“(I) to comply with the nondiscrimination provisions of section 308; and

“(II) to obtain and maintain hazard and flood insurance for the housing units.”.

SEC. 206. ESTABLISHMENT OF CRITERIA RELATING TO ADMINISTRATION OF HAZARD MITIGATION ASSISTANCE BY STATES.

Not later than 180 days after the date of enactment of this Act, the President shall establish the criteria required under section 404(c)(2) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c(c)(2)).

SEC. 207. REVIEW OF REGULATIONS AND POLICIES.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the President, acting through the Administrator of the Federal Emergency Management Agency, shall review regulations and policies relating to Federal disaster assistance to eliminate regulations the President determines are no longer relevant, to harmonize contradictory regulations, and to simplify and expedite disaster recovery and assistance.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the President shall transmit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report describing changes made to regulations as a result of the review required under subsection (a), together with any legislative recommendations relating thereto.

(c) STATE HAZARD MITIGATION PLANS.—The President, acting through the Administrator, shall revise regulations related to the submission of State Hazard Mitigation Plans to extend the hazard mitigation planning cycle to every 5 years, consistent with local planning cycles.

SEC. 208. APPEALS PROCESS.

Section 423(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5189a(b)) is amended to read as follows:

“(b) PERIOD FOR DECISION.—

“(1) IN GENERAL.—A decision regarding an appeal under subsection (a) shall be rendered within 60 days after the date on which the Federal official designated to administer such appeal receives notice of such appeal.

“(2) FAILURE TO SATISFY DEADLINE.—If the Federal official fails to satisfy the requirement under paragraph (1), the Federal official shall provide a written explanation of such failure to the applicant. The President, acting through the Administrator of the Federal Emergency Management Agency, shall transmit quarterly to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report on such failures.”.

SEC. 209. IMPLEMENTATION OF COST ESTIMATING.

Not later than 180 days after the date of enactment of this Act, the President, acting through the Administrator of the Federal Emergency Management Agency, shall issue and begin to implement the regulations required by section 406(e)(3)(C) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5172(e)(3)(C)) to provide for cost estimation procedures that expedite recovery and to reduce the costs and time for completion of recovery projects through the creation of financial and performance incentives.

SEC. 210. TRIBAL REQUESTS FOR A MAJOR DISASTER OR EMERGENCY DECLARATION UNDER THE STAFFORD ACT.

(a) MAJOR DISASTER REQUESTS.—Section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170) is amended—

(1) by striking “All requests for a declaration” and inserting “(a) IN GENERAL.—All requests for a declaration”; and

(2) by adding at the end the following:

“(b) INDIAN TRIBAL GOVERNMENT REQUESTS.—

“(1) IN GENERAL.—The Chief Executive of an affected Indian tribal government may submit a request for a declaration by the President that a major disaster exists consistent with the requirements of subsection (a).

“(2) REFERENCES.—In implementing assistance authorized by the President under this Act in response to a request of the Chief Executive of an affected Indian tribal government for a major disaster declaration, any reference in this title or section 319 to a State or the Governor of a State is deemed to refer to an affected Indian tribal government or the Chief Executive of an affected Indian tribal government, as appropriate.

“(3) SAVINGS PROVISION.—Nothing in this subsection shall prohibit an Indian tribal government from receiving assistance under this title through a declaration made by the President at the request of a State under subsection (a) if the President does not make a declaration under this subsection for the same incident.

“(c) COST SHARE ADJUSTMENTS FOR INDIAN TRIBAL GOVERNMENTS.—

“(1) IN GENERAL.—In providing assistance to an Indian tribal government under this title, the President may waive or adjust any payment of a non-Federal contribution with respect to the assistance if—

“(A) the President has the authority to waive or adjust the payment under another provision of this title; and

“(B) the President determines that the waiver or adjustment is necessary and appropriate.

“(2) CRITERIA FOR MAKING DETERMINATIONS.—The President shall establish criteria for making determinations under paragraph (1)(B).”.

(b) EMERGENCY REQUESTS.—Section 501 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5191) is amended by adding at the end the following:

“(c) INDIAN TRIBAL GOVERNMENT REQUESTS.—

“(1) IN GENERAL.—The Chief Executive of an affected Indian tribal government may submit a request for a declaration by the President that an emergency exists consistent with the requirements of subsection (a).

“(2) REFERENCES.—In implementing assistance authorized by the President under this title in response to a request of the Chief Executive of an affected Indian tribal government for an emergency declaration, any reference in this title or section 319 to a State or the Governor of a State shall be deemed to refer to an affected Indian tribal government or the Chief Executive of an affected Indian tribal government, as appropriate.

“(3) SAVINGS PROVISION.—Nothing in this subsection shall prohibit an Indian tribal government from receiving assistance under this title through a declaration made by the President at the request of a State under subsection (a) if the President does not make a declaration under this subsection for the same incident.”.

(c) DEFINITIONS.—Section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122) is amended—

(1) in paragraph (7)(B) by striking “; and” and inserting “, that is not an Indian tribal government as defined in paragraph (6); and”; and

(2) by redesignating paragraphs (6) through (10) as paragraphs (7) through (11), respectively;

(3) by inserting after paragraph (5) the following:

“(6) INDIAN TRIBAL GOVERNMENT.—The term ‘Indian tribal government’ means the governing body of any Indian or Alaska Native tribe, band, nation, pueblo, village, or community that the Secretary of the Interior acknowledges to exist as an Indian tribe under the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 479a et seq.)”; and

(4) by adding at the end the following:

“(12) CHIEF EXECUTIVE.—The term ‘Chief Executive’ means the person who is recognized by the Secretary of the Interior as the chief elected administrative officer of an Indian tribal government.”.

(d) REFERENCES.—Title I of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) is amended by adding after section 102 the following:

“SEC. 103. REFERENCES.

“Except as otherwise specifically provided, any reference in this Act to ‘State and local’, ‘State or local’, or ‘State, local’ with respect to governments or officials and any reference to a ‘local government’ in section 417 is deemed to refer also to Indian tribal governments and officials, as appropriate.”.

(e) REGULATIONS.—

(1) ISSUANCE.—The President shall issue regulations to carry out the amendments made by this section.

(2) FACTORS.—In issuing the regulations, the President shall consider the unique con-

ditions that affect the general welfare of Indian tribal governments.

SEC. 211. INDIVIDUAL ASSISTANCE FACTORS.

In order to provide more objective criteria for evaluating the need for assistance to individuals and to speed a declaration of a major disaster or emergency under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), not later than 1 year after the date of enactment of this Act, the Administrator of the Federal Emergency Management Agency, in cooperation with representatives of State, tribal, and local emergency management agencies, shall review, update, and revise through rulemaking the factors considered under section 206.48 of title 44, Code of Federal Regulations (including section 206.48(b)(2) of such title relating to trauma and the specific conditions or losses that contribute to trauma), to measure the severity, magnitude, and impact of a disaster.

SEC. 212. PUBLIC ASSISTANCE PILOT PROGRAM.

(a) PILOT PROGRAM.—

(1) IN GENERAL.—The President, acting through the Administrator of the Federal Emergency Management Agency, and in coordination with States, tribal and local governments, and owners or operators of private non-profit facilities, shall establish and conduct a pilot program to—

(A) reduce the costs to the Government of providing assistance to States, tribal and local governments, and owners or operators of private non-profit facilities under section 406 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5172) (referred to in this section as the “Act”);

(B) increase flexibility in the administration of section 406 of such Act; and

(C) expedite the provision of assistance to States, tribal, and local governments provided under section 406 of the Act.

(2) PARTICIPATION.—Only States, tribal and local governments, and owners or operators of private non-profit facilities that elect to participate in the pilot program may participate in the pilot program for their projects.

(3) ADMINISTRATION.—

(A) IN GENERAL.—For the purposes of the pilot program, the Administrator shall establish new procedures to administer assistance provided under section 406 of the Act.

(B) NEW PROCEDURES.—The new procedures established under subparagraph (A) shall include—

(i) making grants on the basis of estimates agreed to by the State, tribal, or local government, or owner or operator of a private non-profit facility and the Administrator to provide financial incentives and disincentives for the State, tribal, or local government, or owner or operator of a private non-profit facility for the timely and cost-effective completion of projects under section 406 of the Act;

(ii) notwithstanding sections 406(c)(1)(A) and 406(c)(2)(A) of the Act, providing an option for a State, tribal, or local government, or owner or operator of a private non-profit facility to elect to receive an in-lieu contribution, without reduction, on the basis of estimates of the cost of repair, restoration, reconstruction, or replacement of a public facility owned or controlled by the State, tribal, or local government and of management expenses;

(iii) consolidating, to the extent determined appropriate by the Administrator, the facilities of a State, tribal, or local government, or owner or operator of a private non-profit facility as a single project based upon the estimates established under the pilot procedures; and

(iv) notwithstanding any other provision of law, if the actual costs of a project completed under the pilot procedures are less than the estimated costs thereof, the Administrator may permit a grantee or sub grantee to use all or part of the excess funds for cost-effective activities that reduce the risk of future damage, hardship, or suffering from a major disaster.

(4) **WAIVER.**—The Administrator may waive such regulations or rules applicable to the provisions of assistance in section 406 of the Act as the Administrator determines are necessary to carry out the pilot program under this section.

(b) **REPORT.**—

(1) **IN GENERAL.**—Not later than October 31, 2015, the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report regarding the effectiveness of the pilot program under this section.

(2) **CONTENTS.**—The report submitted under paragraph (1) shall include—

(A) an assessment by the Administrator of any administrative or financial benefits of the pilot program;

(B) an assessment by the Administrator of the effect, including any savings in time and cost, of the pilot program;

(C) any other findings and conclusions of the Administrator with respect to the pilot program; and

(D) any recommendations of the Administrator for additional authority to continue or make permanent the pilot program.

(c) **DEADLINE FOR INITIATION OF IMPLEMENTATION.**—Not later than 90 days after the date of enactment of this Act, the Administrator shall begin implementation of the pilot program under this section.

(d) **PILOT PROGRAM DURATION.**—The Administrator may not approve a project under the pilot program under this section after December 31, 2014.

SEC. 213. PUBLIC ASSISTANCE DEBRIS REMOVAL PROCEDURES.

(a) **IN GENERAL.**—The President, acting through the Administrator of the Federal Emergency Management Agency, shall establish new procedures to administer assistance for debris and wreckage removal provided under sections 403(a)(3)(A), 407, and 502(a)(5) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170b(a)(3)(A), 5173, and 5192(a)(5)).

(b) **NEW PROCEDURES.**—The new procedures established under subsection (a) may include—

(1) making grants on the basis of fixed estimates to provide financial incentives and disincentives for the timely or cost effective completion of projects under sections 403(a)(3)(A), 407, and 502(a)(5) of such Act if the State, tribal, or local government, or owner or operator of the private non-profit facility agrees to be responsible to pay for any actual costs that exceed the estimate;

(2) using a sliding scale for the Federal share for removal of debris and wreckage based on the time it takes to complete debris and wreckage removal;

(3) allowing utilization of program income from recycled debris without offset to grant amount;

(4) reimbursing base and overtime wages for employees and extra hires of a State, tribal, or local government, or owner or operator of a private non-profit facility performing or administering debris and wreckage removal; and

(5) notwithstanding any other provision of law, if the actual costs of projects under sub-

section (b)(1) are less than the estimated costs thereof, the Administrator may permit a grantee or sub grantee to use all or part of the excess funds for any of the following purposes:

(A) Debris management planning.

(B) Acquisition of debris management equipment for current or future use.

(C) Other activities to improve future debris removal operations, as determined by the Administrator.

SEC. 214. USE OF FUNDS.

Unless otherwise specified in this Act, the Administrator of the Federal Emergency Management Agency shall use amounts authorized pursuant to section 699 of the Post-Katrina Emergency Management Reform Act of 2006 (6 U.S.C. 811) for reviews, reports, and studies included in this Act.

SEC. 215. REDUCTION OF AUTHORIZATION FOR EMERGENCY MANAGEMENT PERFORMANCE GRANTS.

Section 662(f)(5) of the Post-Katrina Emergency Management Reform Act of 2006 (6 U.S.C. 762) is amended by striking “\$950,000,000” and inserting “\$946,600,000”.

SEC. 216. TECHNICAL CORRECTION.

Section 202(c) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5132(c)) is amended by striking “section 611(c)” and inserting “section 611(d)”.

SEC. 217. NATIONAL DAM SAFETY PROGRAM ACT REAUTHORIZATION.

(a) **SHORT TITLE.**—This section may be cited as the “Dam Safety Act of 2012”.

(b) **PURPOSE.**—The purpose of this section is to reduce the risks to life and property from dam failure in the United States through the reauthorization of an effective national dam safety program that brings together the expertise and resources of Federal and non-Federal communities in achieving national dam safety hazard reduction.

(c) **AMENDMENTS TO THE NATIONAL DAM SAFETY PROGRAM ACT.**—

(1) **ADMINISTRATOR.**—

(A) **IN GENERAL.**—The National Dam Safety Program Act (33 U.S.C. 467 et seq.) is amended by striking “Director” each place it appears and inserting “Administrator”.

(B) **CONFORMING AMENDMENT.**—Section 2(3) of such Act (33 U.S.C. 467(3)) is amended in the paragraph heading by striking “DIRECTOR” and inserting “ADMINISTRATOR”.

(2) **INSPECTION OF DAMS.**—Section 3(b)(1) of such Act (33 U.S.C. 467a(b)(1)) is amended by striking “or maintenance” and inserting “maintenance, condition, or provision for emergency operations”.

(3) **NATIONAL DAM SAFETY PROGRAM.**—

(A) **OBJECTIVES.**—Section 8(c)(4) of such Act (33 U.S.C. 467f(c)(4)) is amended to read as follows:

“(4) develop and implement a comprehensive dam safety hazard education and public awareness program to assist the public in mitigating against, preparing for, responding to, and recovering from dam incidents;”

(B) **BOARD.**—Section 8(f)(4) of such Act (33 U.S.C. 467f(f)(4)) is amended by inserting “, representatives from nongovernmental organizations,” after “State agencies”.

(4) **AUTHORIZATION OF APPROPRIATIONS.**—

(A) **NATIONAL DAM SAFETY PROGRAM.**—

(i) **ANNUAL AMOUNTS.**—Section 13(a)(1) of such Act (33 U.S.C. 467j(a)(1)) is amended by striking “\$6,500,000 for fiscal year 2007, \$7,100,000 for fiscal year 2008, \$7,600,000 for fiscal year 2009, \$8,300,000 for fiscal year 2010, and \$9,200,000 for fiscal year 2011” and inserting “\$8,024,000 for each of fiscal years 2012 through 2015”.

(ii) **MAXIMUM AMOUNT OF ALLOCATION.**—

(I) **IN GENERAL.**—Section 13(a)(2)(B) of such Act (33 U.S.C. 467j(a)(2)(B)) is amended by striking “50 percent of the reasonable cost of implementing the State dam safety program” and inserting “the amount of funds committed by the State to implement dam safety program activities”.

(II) **APPLICABILITY.**—The amendment made by subclause (I) shall apply to fiscal year 2013 and each fiscal year thereafter.

(B) **NATIONAL DAM INVENTORY.**—Section 13(b) of such Act (33 U.S.C. 467j(b)) is amended by striking “\$650,000 for fiscal year 2007, \$700,000 for fiscal year 2008, \$750,000 for fiscal year 2009, \$800,000 for fiscal year 2010, and \$850,000 for fiscal year 2011” and inserting “\$383,000 for each of fiscal years 2012 through 2015”.

(C) **RESEARCH.**—Section 13(c) of such Act (33 U.S.C. 467j(c)) is amended by striking “\$1,600,000 for fiscal year 2007, \$1,700,000 for fiscal year 2008, \$1,800,000 for fiscal year 2009, \$1,900,000 for fiscal year 2010, and \$2,000,000 for fiscal year 2011” and inserting “\$1,000,000 for each of fiscal years 2012 through 2015”.

(D) **DAM SAFETY TRAINING.**—Section 13(d) of such Act (33 U.S.C. 467j(d)) is amended by striking “\$550,000 for fiscal year 2007, \$600,000 for fiscal year 2008, \$650,000 for fiscal year 2009, \$700,000 for fiscal year 2010, and \$750,000 for fiscal year 2011” and inserting “\$750,000 for each of fiscal years 2012 through 2015”.

(E) **STAFF.**—Section 13(e) of such Act (33 U.S.C. 467j(e)) is amended by striking “\$700,000 for fiscal year 2007, \$800,000 for fiscal year 2008, \$900,000 for fiscal year 2009, \$1,000,000 for fiscal year 2010, and \$1,100,000 for fiscal year 2011” and inserting “\$436,000 for each of fiscal years 2012 through 2015”.

The **SPEAKER** pro tempore. Pursuant to the rule, the gentleman from California (Mr. DENHAM) and the gentlewoman from the District of Columbia (Ms. NORTON) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. DENHAM. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 2903, as amended.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

□ 1710

Mr. DENHAM. Mr. Speaker, I yield myself such time as I may consume.

H.R. 2903, the FEMA Reauthorization Act, would reauthorize FEMA and make important reforms that will save money and speed up disaster recovery. It keeps FEMA funding at current levels and fully complies with House budget rules, and it includes bipartisan provisions passed by the House last Congress. This legislation is the product of key Members working together to produce real reforms.

First, let me thank Chairman JOHN MICA, the chairman of the Transportation and Infrastructure Committee, for his strong leadership and work on this legislation.

I also want to thank Ranking Member NORTON, of the subcommittee, for

her help in drafting legislation that protects our first responders, incorporates real reforms, and strengthens our emergency management capability.

The legislation also incorporates a top priority of the ranking member's of the full committee, Mr. RAHALL's, which enables Indian tribes to request disaster declarations—provisions I support. I thank him for his work on these important provisions.

I also want to thank Chairman KING of the Committee on Homeland Security and to thank Chairman BILIRAKIS of the Subcommittee on Emergency Preparedness, Response, and Communications for their leadership and working with us on the integrated public alert and warning system provisions of the bill. I look forward to working with the Committee on Homeland Security on other important issues.

Finally, I want to thank the gentlemen from New York and Missouri, Mr. HANNA and Mr. CARNAHAN, for their work and leadership on reauthorizing the National Dam Safety Program included in this bill.

I am also pleased that this legislation has wide support from key stakeholders representing first responders, State and local officials, tribal communities, and the private sector.

We have received letters endorsing provisions in this bill from the National Emergency Management Association, the International Association of Emergency Managers, the National Alliance of State Broadcasting Associations, the National Association of Broadcasters, the National Association of Counties, the Association of State Dam Safety Officials, the Disaster Recovery Contractors Association, the National Task Force Representative for the 28 sponsoring agencies of Urban Search and Rescue Task Forces, and tribal communities around the Nation.

The Transportation and Infrastructure Committee has a long tradition of approaching FEMA and emergency management issues in a bipartisan manner. Disasters don't follow political boundaries, and ensuring we are prepared is critical to our Nation. From major hurricanes to floods, earthquakes, tornadoes, wildfires, nuclear accidents, and terrorist attacks, the costs of disasters can be significant, not just in terms of economic costs, but in the devastation to lives, homes, and communities. A good response to a disaster is critical to saving lives and minimizing damage, but recovering from such devastation is the key to rebuilding local economies and in helping people put their lives back together.

After Hurricane Katrina, Congress authorized FEMA for the first time and fundamentally reformed the Nation's disaster response system. Congress rebuilt FEMA and strengthened disaster response capabilities. We created a Na-

tional Preparedness System so that States and the Federal Government will have the plans and resources in place before disaster strikes. But, as the reconstruction from Hurricane Katrina dragged on and on, it became apparent Congress needed to streamline the disaster recovery programs so communities can rebuild faster and for less money. The longer it takes to rebuild basic infrastructure after a disaster, the longer it takes for a local economy and tax base to recover and the more it costs Federal taxpayers.

The FEMA Reauthorization Act includes key reforms to save money by cutting through costly and bureaucratic red tape and speeding up reconstruction. For example, at one of our subcommittee hearings last year, the inspector general's office testified that, if FEMA just implemented the cost estimating provisions of the Disaster Mitigation Act, recovery could be sped up significantly and costs minimized.

H.R. 2903 sets deadlines for FEMA to finally implement these commonsense provisions, and it makes other changes that will save taxpayers money. This bill also would make other important reforms, including setting a clear framework for the development of the Integrated Public Alert and Warning System, the IPAWS system, to ensure money is not wasted.

At the committee's request, the GAO issued a report in 2009 detailing the key problems with FEMA's development of IPAWS. We also heard from many stakeholders, including the elderly, people with disabilities, as well as from industries like the commercial broadcasters and wireless industry, that FEMA was not giving them a seat at the table as FEMA modernized the system.

H.R. 2903 sets a clear framework and deadlines to ensure key stakeholders are a part of FEMA's modernization of the system. This will be critical in ensuring there are effective alerts and warnings to the public. In addition to these commonsense reforms, this reauthorizes FEMA's overall management budget, the Urban Search and Rescue System, and the Emergency Management Assistance Compact.

This legislation will save lives, save money, and help communities that have been devastated by disasters to recover and rebuild faster. I urge my colleagues to support H.R. 2903, as amended.

I reserve the balance of my time.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,
Washington, DC, September 17, 2012.

Hon. JOHN L. MICA,
Chairman, Committee on Transportation and Infrastructure, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN MICA: I am writing in regards to the jurisdictional interest of the Committee on Homeland Security over provisions in H.R. 2903, the FEMA Reauthorization Act of 2011, which was ordered to be re-

ported by voice vote as amended by the Committee on Transportation and Infrastructure on March 8, 2012 and sequentially referred to the Committee on Homeland Security on September 17, 2012.

I understand the importance of advancing this legislation to the House floor in an expeditious manner. Therefore, the Committee on Homeland Security will discharge H.R. 2903 from further consideration. This action is conditional on our mutual understanding and agreement that doing so will in no way diminish or alter the jurisdiction of the Committee on Homeland Security over the subject matter included in this or similar legislation. In addition, I would like to thank you for working with me on modifying H.R. 2903 to include provisions that were within Chairman Bilirakis' bill, H.R. 3563, the Integrated Public Alert and Warning System Modernization Act of 2011. I request that you urge the Speaker to appoint members of this Committee to any conference committee for consideration of any provisions that fall within the jurisdiction of the Committee on Homeland Security in the House-Senate conference on this or similar legislation.

I also request that this letter and your response be included during consideration of this measure on the House floor. Thank you for your consideration of this matter.

Sincerely,

PETER T. KING,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,
Washington, DC, September 18, 2012.

Hon. PETER T. KING
Chairman, Committee on Homeland Security,
Ford House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding the H.R. 2903, the FEMA Reauthorization Act of 2011. I appreciate your willingness to support expediting floor consideration of this legislation.

I understand and agree that your willingness to forgo further consideration of the bill is without prejudice to your Committee's jurisdictional interest in this or similar legislation. In the event a House-Senate conference is convened on H.R. 2903 or similar legislation, I would support your request to be represented on those provisions over which the Committee on Homeland Security has jurisdiction.

I appreciate your cooperation regarding this legislation and I will include our letters on H.R. 2903 in the Congressional Record during House floor consideration of the bill.

Sincerely,

JOHN L. MICA,
Chairman.

Ms. NORTON. Mr. Speaker, I yield myself such time as I may consume.

I want to thank the chairman for the bipartisan measures this bill contains, measures like the Integrated Public Alert and Warning System and a number of others.

I rise in support of H.R. 2903. This bipartisan measure reauthorizes the Federal Emergency Management Agency, FEMA; authorizes an Integrated Public Alert and Warning System; and includes many provisions that were incorporated into similar legislation in past Congresses. I am pleased to see them, once again, come to the floor. Perhaps we can get them through the

House and the Senate at some point in the near future, because these are not controversial matters.

Despite our broad support for this measure, we are disappointed in the authorized levels of funding for FEMA and the disaster assistance programs. Instead of evaluating the needs of the agency and its programs and then establishing the maximum amounts that would be appropriate, the Transportation and Infrastructure Committee, through this bill, is essentially deferring to the Appropriations Committee to tell the authorizers how to do their jobs by only authorizing amounts equal to the last appropriated amounts.

Let me be clear, however. If we authorized the maximum that could be needed, the budget deficit would not be increased. The amount authorized merely specifies need while only the actual amounts appropriated can affect the amounts spent. It is the authorizers who are to speak to need. It is for the Members who, in fact, decide how to divide the funds, the appropriators, once the need is assessed, to decide how much the country can afford to spend. They need our expert guidance. They don't have it in this bill.

I would also like to call attention to a few important changes included in this legislation:

For example, H.R. 2903 improves many of FEMA's programs and activities, including codifying the debris removal program. The current debris removal program is based on a pilot program from several years ago. We have heard firsthand from local governments and emergency management professionals about the need to make this successful program—a program that we have already piloted—permanent to help local communities expedite recovery from disasters.

In addition, this bill addresses a long expressed concern of mine about the need to expedite FEMA's appeals process. Without firm timelines, the current appeals process has led to long and unnecessary delays in disaster closeouts. This, in turn, has prevented disaster funds obligated for a specific disaster from being deobligated and returned to the Disaster Relief Fund. Last fall, as the Disaster Relief Fund was on the brink of running out of funds, FEMA was actually able to close out several disaster accounts and find the necessary funds to finance disaster relief until Congress replenished the fund.

□ 1720

Moreover, timely resolution of these appeals will allow these funds to be used for infrastructure repair, which will assist the economic recovery for communities hard hit by disasters.

More than 12 years ago, Congress enacted the Disaster Mitigation Act of 2000, directing FEMA to begin using cost estimating for repair and recon-

struction projects to expedite the recovery process and disaster closeout. Yet, today, FEMA still has not promulgated regulations to implement this provision. H.R. 2903 requires FEMA to promulgate these regulations and to implement cost estimating within 180 days of the passage of this act. We mean it this time.

This provision also will eliminate one of the most inefficient and ridiculous uses of Federal funds that I know of, one that has gotten on my last nerve, where FEMA pays not only for its own experts, but also for the States' experts, essentially encouraging the submission of competing estimates of cost repair, instead of each side deciding on a neutral party to, in fact, estimate those costs.

Finally, FEMA Administrator Fugate has requested that I note FEMA's support for section 210 of this bill, which would authorize Indian tribes to directly make a request to the President for a disaster or emergency declaration. This provision acknowledges tribal sovereignty, enhances FEMA's working relationship with the tribal governments, and improves emergency and disaster responsiveness throughout Indian country. Numerous Indian tribes have expressed support for this provision, as has the National Congress of American Indians.

I want especially to thank the ranking member, Mr. RAHALL, for his leadership on this and other issues in this bill.

Despite my concerns about the authorized amounts in this bill, H.R. 2903 is good public policy and is necessary to eliminate inefficient government actions and to expedite disaster recovery.

Mr. Speaker, I urge my colleagues to join in supporting this bill, and I reserve the balance of my time.

Mr. DENHAM. Mr. Speaker, I yield 3 minutes to the gentleman from Oregon, chairman of the Subcommittee on Communications and Technology, Mr. WALDEN, for a colloquy.

Mr. WALDEN. I thank the chairman, and I thank my good friend from California for his terrific work on this bipartisan piece of legislation which is very important to the citizens of this country.

I also want to thank you for this colloquy.

I plan to support your bill, obviously. I think it's a good bill. I just want to clarify because I'm concerned that the language in section 102 of the bill could be construed as authorizing the imposition of requirements on the communications sector. Can you assure me that this is not the effect of this language?

Mr. DENHAM. Will the gentleman yield?

Mr. WALDEN. I yield to the gentleman.

Mr. DENHAM. This bill in no way authorizes FEMA or anyone else to im-

pose any obligations on any participant in the communications industry. Only the FCC can require a participant in the communications industry to take any action with respect to emergency-related alerts. To make this clear, we agree to add language at a later stage indicating that nothing in this bill requires or allows FEMA or any other government entity to require any action on the part of the FCC, the Department of Commerce, the Office of Energy Communications, or any non-government entity; nor does it have any impact on any existing obligations of these entities.

Mr. WALDEN. I appreciate the gentleman's comments, and I welcome and thank you for them.

Ms. NORTON. Mr. Speaker, I yield 5 minutes to the gentlewoman from California (Ms. RICHARDSON).

Ms. RICHARDSON. Mr. Speaker, I want to commend my friend and colleague from California, Chairman DENHAM, as well as Ranking Member NORTON, for bringing this bill forward and for working with me to improve the bill.

I serve in a unique position by serving on both the Transportation and Infrastructure Committee, as well as Homeland Security. Although this may not be the perfect bill, as some have articulated for the record already, I would have preferred, for example, that the bill make more explicit FEMA's authority to respond to acts of terrorism, in addition to natural disasters. Yet I believe it is necessary that we pass this bill today to ensure that the men and women of FEMA have the resources necessary to respond to emergencies and disasters in the near future.

I rise in support of the bill, specifically to the language that I added to H.R. 2903 in committee, and I believe it's essential to the well-being of the American people. Specifically, my language, which was marked up in the Committee on Transportation and Infrastructure, and accepted with bipartisan approval, would provide a series of checks and balances that keep the American public safe.

First, my language simply would ensure that the Department of Homeland Security coordinates and provides guidance to the appropriate individuals, officials, and organizations for outreach to individuals with disabilities during unforeseen disasters. This simple, straightforward language will help to keep the disabled, who are the most vulnerable and often times experience the greatest challenges during a time of disaster, safe during those disasters, and also from terrorist attacks.

Individuals with disabilities should feel as safe and secure in their communities and their work environments as individuals without disabilities. Too often, however, the needs of people with disabilities are not considered in

emergency planning despite the fact that the need for such planning has received an increased focus due to the recent disasters—for example, Hurricane Katrina—both natural and man-made.

FEMA Administrator Craig Fugate has stated that:

At FEMA, we need to do a better job of meeting the needs of people with disabilities when disaster strikes. We have to start by supporting and encouraging our entire emergency management team, including our State and local partners, to integrate the needs of people with disabilities into all planning.

My language strengthens H.R. 2903 by ensuring guidance is given to the individuals with disabilities and facilitates cooperation among Federal, State, territorial, local, and tribal governments, private organizations, and individuals in the implementation of emergency preparedness plans related to individuals with disabilities.

Additionally, I included language that would make sure that the integrated public alert and warning system, IPAWS, is properly performing and that the system needs to be tested regularly. IPAWS is the generation platform for transmitting emergency alerts. I have the experience of representing in my district, the 37th Congressional District, the largest number of Samoans outside of Samoa. If we look at that particular incident, and had we had a better working system similar to what IPAWS will be able to do, I believe many lives would not have been lost.

Mr. Speaker, as you know, in November 2011, FEMA conducted a nationwide test of the emergency alert system for the first time in the system's 50-year existence. The system met with widespread problems. With the ever-changing threat to the environment and technological landscape, we cannot afford to wait 50 years to verify if IPAWS is fully performing. To do so is irresponsible. In the case of EAS tests, significant gaps in the system's ability to provide a nationwide alert were revealed for the first time.

My language seeks to make sure that IPAWS in the future is regularly tested and to encourage the administrator of FEMA to test the system at least once every 3 years.

Mr. Speaker, I believe that the language that I submitted was accepted in a bipartisan way, strengthens this bill, and I encourage my colleagues to support the bill as a whole.

Mr. DENHAM. Mr. Speaker, I yield 3 minutes to the gentleman from Florida (Mr. BILIRAKIS).

Mr. BILIRAKIS. Mr. Speaker, I rise today in support of H.R. 2903, the FEMA Reauthorization Act of 2012, and particularly section 102, which authorizes the integrated public alert and warning system.

Section 102 is very similar to H.R. 3563, legislation that I introduced last year to authorize IPAWS, as we call it,

which was reported by the Committee on Homeland Security in March. The bill authorizes FEMA's efforts to provide timely emergency alerts and warnings through a range of alerting mechanisms and forms of technology. Emergency management officials, including officials in my home State of Florida, have stressed the value and importance of IPAWS to me personally.

□ 1730

The National Emergency Management Association has publicly supported my IPAWS legislation, and I'm pleased to see they support this bill as well.

The Subcommittee on Emergency Preparedness, Response, and Communications, which I chair, has conducted robust oversight of the IPAWS program during the 112th Congress, having held multiple hearings and a briefing on the topic.

I want to thank Chairman DENHAM for working with me and my staff to incorporate some of the provisions of my bill that were a product of this oversight into the legislation we are considering today, including language related to individuals with disabilities, access and functional needs, language ensuring the protection of individual privacy, and language regarding the resilience of the system.

I'm disappointed, however, that language I suggested to include a specific reference of the system's applicability to acts of terrorism was not incorporated into the bill. However, I look forward to working with Chairman DENHAM and our Senate colleagues as this bill moves through the legislative process to clarify this issue.

I urge my colleagues to join me in supporting this bill.

Ms. NORTON. I appreciate that Chairman DENHAM has brought this FEMA reauthorization bill to the floor.

Mr. Speaker, this bill has now gone over a couple of Congresses. The Democrats didn't get it done, and the Republicans didn't get it done. It's really too important. I hope that in the 113th Congress, this bill can be brought forward early because a lot of very good work has been done on the bill.

Mr. Speaker, I regret that as we sit and think about the 112th Congress, it will be impossible to think of a single major bill passed during these 2 years. In order to pass bills, both Houses have to get together and compromise. That seems to have been impossible, at least for this House.

We are about to leave town in September with a couple of months still to go without the middle class tax cuts just when the recovery needs a boost; in the midst of a drought, without the farm bill; and without the Violence Against Women Act, which passed with an overwhelming bipartisan vote in the Senate. What will it take to get some-

thing done? I hope the 113th Congress proves more productive.

This has been called a do-nothing Congress. I would say this Congress has done real harm. To call it a do-nothing Congress is to give it more credit than it deserves.

This is a Congress, at least in the House, that will be remembered for having voted to end Medicare as we know it and increase the cost of healthcare for seniors by \$6,400. The 112th Congress will be remembered, all right, for tax breaks for the wealthy and for corporations that ship jobs overseas.

We, in the 112th Congress, have done something amazing when you consider that we have been in a recession unheard of since the Great Depression. We have left the economy entirely to the Federal Reserve Board, to monetary policy, by abandoning the job of Congress to enact fiscal policy. There has been none in the 112th Congress that has had any effect on the economy.

No wonder. We are here for only 8 days after the August recess. If our Republican majority could have phoned in the CR, I believe they would have done it, if you look at what is on our plate as we get ready to go home.

We are going home in September leaving, unthinkably, even the major business of sequestration, the ultimate bill that was passed to force us to get together and compromise. In leaving sequestration on the table, we are leaving a bill that could collapse the entire economy. It's a fitting end for a Congress that did nothing, but in fact, did harm.

I yield back the balance of my time.

Mr. DENHAM. Mr. Speaker, I yield myself such time as I may consume.

Let me first start by saying I am proud that we have got another bipartisan bill here that addresses many different areas from FEMA to IPAWS. Getting the tribal language in here, I think, is not only a good bipartisan effort, but one that the administration is supporting, as well working directly with Director Fugate. I was glad to see the administration put out an email on the tribal language just a little while ago.

Let me respond to the concern that this bill may not allow FEMA to respond to a terrorist attack. It's just not true.

First, the President used the Stafford Act and FEMA to declare a Federal disaster and to respond to every major terrorist attack in this country. There's no question FEMA, the Stafford Act, or this bill fully authorizes the President to direct any element of the Federal Government to respond to a terrorist attack.

Second, one of the most important reforms made by this bill is to remove the liability cloud hanging over our urban search and rescue teams when

they're called into Federal service to respond to a disaster.

On September 11, these teams responded to the World Trade Center and the Pentagon. They responded to Hurricane Katrina and even the earthquake in Haiti. Many of these brave first responders are licensed medical professionals or engineers who knowingly put themselves at risk when they are federalized and sent to other States.

The urban search and rescue teams have waited 10 years to remove this cloud over their heads. This bill finally fixes that problem. That's why this bill is supported by the urban search and rescue teams, the International Association of Fire Chiefs, the National Association of Counties, the National Emergency Management Association, and the International Association of Emergency Managers.

They also support this bill and support our first responders. Vote for this bill.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. DENHAM) that the House suspend the rules and pass the bill, H.R. 2903, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

PROHIBITING USE OF PRESIDENTIAL ELECTION CAMPAIGN FUNDS FOR PARTY CONVENTIONS

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5912) to amend the Internal Revenue Code of 1986 to prohibit the use of public funds for political party conventions, and to provide for the return of previously distributed funds for deficit reduction, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5912

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. PROHIBITING USE OF PRESIDENTIAL ELECTION CAMPAIGN FUNDS FOR PARTY CONVENTIONS.

(a) IN GENERAL.—Chapter 95 of the Internal Revenue Code of 1986 is amended by striking section 9008.

(b) CLERICAL AMENDMENT.—The table of sections of chapter 95 of such Code is amended by striking the item relating to section 9008.

SEC. 2. CONFORMING AMENDMENTS.

(a) AVAILABILITY OF PAYMENTS TO CANDIDATES.—The third sentence of section 9006(c) of the Internal Revenue Code of 1986 is amended by striking “, section 9008(b)(3),”.

(b) REPORTS BY FEDERAL ELECTION COMMISSION.—Section 9009(a) of such Code is amended—

(1) by adding “and” at the end of paragraph (2);

(2) by striking the semicolon at the end of paragraph (3) and inserting a period; and

(3) by striking paragraphs (4), (5), and (6).

(c) PENALTIES.—Section 9012 of such Code is amended—

(1) in subsection (a)(1), by striking the second sentence; and

(2) in subsection (c), by striking paragraph (2) and redesignating paragraph (3) as paragraph (2).

(d) AVAILABILITY OF PAYMENTS FROM PRESIDENTIAL PRIMARY MATCHING PAYMENT ACCOUNT.—The second sentence of section 9037(a) of such Code is amended by striking “and for payments under section 9008(b)(3)”.

SEC. 3. EFFECTIVE DATE.

The amendments made by this Act shall apply with respect to elections occurring after December 31, 2012.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. DANIEL E. LUNGREN) and the gentlewoman from Ohio (Ms. FUDGE) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 5912, which would terminate taxpayer financing of party conventions.

Mr. Speaker, I'm sorry to say that party conventions today are by and large week-long televised movie sets and almost entirely symbolic. Although conventions do provide important insight into party platforms and Presidential candidates, spending millions of taxpayer dollars to fund them, particularly in today's environment, is simply untenable.

American taxpayers should not be subsidizing political party conventions. With our historic levels of deficit spending and our national debt over \$16 trillion and climbing, this Congress and this President need to be thinking very differently about how we use taxpayer dollars.

□ 1740

Since 1976, approximately \$1.5 billion has been spent on publicly funding our Presidential primaries, our Presidential general elections, and our Presidential party conventions. Each party's national convention this year received almost \$18 million in taxpayer funding. While I believe we should be getting rid of public funding of Presidential campaigns as well, at a minimum we should pass this common-sense measure to stop financing our

parties with taxpayers' dollars. The American taxpayer has paid enough for this unwise experiment. It should be ended.

Mr. Speaker, this bill, introduced by my colleague from Oklahoma, I would hope would garner overwhelming bipartisan support. I thank him for introducing it and for his commitment to a responsible and efficient stewardship of taxpayer dollars. This should stop funding going to all party conventions. It is a bipartisan solution to a bipartisan problem.

I urge all my colleagues to support H.R. 5912, Mr. Speaker, and I reserve the balance of my time.

Ms. FUDGE. I yield myself such time as I may consume.

I rise today in opposition to H.R. 5912. H.R. 5912 terminates the public financing of nominating conventions. The Presidential Election Campaign Fund was created and designed to restore public confidence in the political process in a post-Watergate world. Since 1976, both parties have requested and received public funds to finance their nominating conventions, including as recently as this year. The aim of H.R. 5912 is to inject more private influence over elections, even though the current level is already appallingly high. This bill turns over another electoral function to private interests. It invites the very corruption the Presidential Election Campaign Fund was created to combat. This system needs to be reformed, not repealed, and we ought to be having a serious debate about the outsized role money plays in our politics.

Because the majority has failed to act, the ranking member of the House Administration Committee, Mr. BRADY of Pennsylvania, was forced to have his own forum on the poisoning effect of money in politics. We have not considered the DISCLOSE Act or any legislation of substance to deal with the secret money influencing our politics. The Voter Empowerment Act was introduced months ago. Yet absolutely nothing has been done to address the threat of millions of voters being disenfranchised this November. Most appalling, Mr. Speaker, is the fact that this Congress is making its own history as the least productive Congress in a generation.

This Congress has already considered the substance of the measure before us—at least twice—in November, 2011, and again this past January. To be blunt, Mr. Speaker, this is simply a waste of time. Unemployment insurance and Medicare physician payment rates need to be tackled. Middle class tax cuts are set to expire and we need to reauthorize the Violence Against Women Act. This bill does nothing to address deficit reduction, but here we are considering it while ignoring the looming sequester. We voted to repeal ObamaCare more than 30 times without

voting on a serious jobs bill once. This piece of legislation further intertwines our political process with the private interests while pleas from the middle class are blatantly ignored and the economic future of this country hangs in the balance.

For almost 2 years now, serious issues have been ignored in favor of politically convenient empty gestures. And this is more of the same. It is time to get serious and it is time to get to work. We can start by opposing this legislation and urging the majority to address the real issues facing this country.

I urge a "no" vote, and I reserve the balance of my time.

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I yield myself 15 seconds.

Mr. Speaker, it is a shame we've come to a point where it can be said on the floor of the House attempting to save the taxpayers of America \$36 million is a waste of time.

Mr. Speaker, I yield 3 minutes to the gentleman from Oklahoma (Mr. COLE), a distinguished member of the Committee on Appropriations and the Committee on the Budget. Mr. COLE is the sponsor of this bill.

Mr. COLE. I thank my friend for yielding.

H.R. 5912 is a bipartisan bill to end public financing for political conventions. And that's all it is.

I want to begin by thanking my friend, Mr. LOEBSACK from Iowa. We belong to different parties. I have no doubt we'll be voting for different Presidential candidates. But we both agree that it's wrong to use taxpayer dollars to finance partisan political events. And I appreciate his support in helping push this legislation.

Let me make it clear to everybody. I'm not opposed to political party conventions. I've gone to 10 of them. I actually had the privilege of helping stage one in 2000, when I was chief of staff of the Republican National Committee. And I can assure you that experience taught me that the parties are more than capable of putting on their conventions. They essentially do that now. The Federal component of the cost to the convention is about 23 percent of the total cost. So the idea that they can't find the resources to do this for themselves I think simply falls flat on its face.

This year, at a time when we're going to be running trillion-dollar deficits for the fourth year in a row, we wrote checks to the Democratic Party and to the Republican Party, as my friend Mr. LUNGREN mentioned, for almost \$18 million each. For what? Was it really necessary? Does anybody really believe that was the best use of public money? Is there no program that's more important? I can give you a list of better places for that money to go that we would probably agree on on both sides of the aisle.

It's remarkable to me that we've reached a point in this body that this becomes an issue of some degree of partisan contention. The United States Senate passed, essentially, this legislation by 95-5 in an amendment by my friend, Mr. COBURN, to a larger piece of legislation. So there's broad agreement in the Senate, which Democrats control, that this is a Federal expense that we no longer need to incur.

This bill is a small step, but it's a stall step in the right direction. It's a step to save taxpayer dollars for things that people need as opposed to things that politicians and political parties want. We ought to take this opportunity, work together, save the money, reduce the deficit by at least a modest amount, spend money in places where it's necessary, and pass this bill. It's a quite simple piece of legislation. Those folks that have a different point of view, bring your legislation to the floor, we'll deal with that. But there's no reason to pay for the Democratic and the Republican national conventions with taxpayer funds.

One last point, if I may, Mr. Speaker. We don't do this for anybody else. There are other political groups and parties in America that I'm sure would like to have their conventions paid for. We don't give them a single dime. So this actually perpetuates a bipartisan monopoly, if you will. There's no public purpose in spending this money.

So I urge the passage. I urge some bipartisan cooperation.

Ms. FUDGE. Just to be clear, let me first say it will not reduce the deficit. This is a voluntary checkoff. This does not come from taxpayers' dollars. It will not reduce the deficit. So let's be clear.

Secondly, when he talked about the Senate having passed this on a 95-5 vote, he doesn't say it was an amendment to the farm bill. It was not a standalone bill for this purpose.

With that, I reserve the balance of my time.

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I yield 2 minutes to the gentleman from Iowa (Mr. LOEBSACK), a distinguished member of the Committee on Education and Workforce and the Committee on Armed Services.

Mr. LOEBSACK. Mr. Speaker, I thank the gentleman from California for yielding, and I do rise in support of this bill.

As we struggle to recover from the worst recession since the Great Depression, Congress must be good stewards of taxpayer funding and ensure that as families cut back and save, the government cuts back and saves as well.

I have been pleased to work with Congressman COLE to promote this legislation. And as the only Democratic cosponsor, I do want to thank him for his work on this bill. I'm also pleased that Senator COBURN's identical

amendment passed with huge bipartisan support in the Senate. And I do expect similar support in the House, as I think we can all agree on this commonsense way to ensure the prudent use of taxpayer funds.

This bill will prohibit the use of public funding for political party conventions like the recent ones in Tampa and Charlotte. It will also put any leftover funding toward deficit reduction. And while I did not attend the convention this year so I could focus on the needs of Iowans, I know there is an important role some convention activities play for the political parties and for the country, and indeed for the political process in America. However, I do not believe that taxpayer dollars need to be used to fund them, especially when public funding, as was mentioned, only makes up 23 percent of the cost of the conventions, is far outweighed by private donations, and is used for purposes not necessarily critical to the continuance of our stable democracy.

□ 1750

While Iowa families are struggling each day just to pay the bills, Washington should as well be focused on ensuring proper use of taxpayer resources. While I certainly appreciate the concerns of those opposed to this bill, I nonetheless hope that the House agrees that parties at political conventions are not a proper purpose or use of funds, taxpayer dollars.

I do hope that my colleagues will support Congressman COLE's legislation to ensure taxpayer funds are not being used for either Republican or Democratic Parties, and that in the future, I would like to see us be much more thoughtful regarding where we apply public funds in the political process. I think there is an important role for that.

Ms. FUDGE. Mr. Speaker, I yield myself the balance of my time.

Let me be clear again: This is a voluntary checkoff. They check the box because they want the money to go to conventions and/or political activity. It is not something that we require them to do. It is voluntary. So if, in fact, we are going to stop and give the money back, the money should go back to the American people, not to reduce the deficit, because that is the purpose for which the money was sent to us in the first place.

With that, I urge a "no" vote and yield back the balance of my time.

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, it may be a voluntary checkoff, but the money is not voluntary. It is part of the income tax you are required to pay. While we all do support government, I would wonder, if you made the income tax entirely voluntary, whether we could get anything close to what we do now. It is, in fact,

the tax that you must pay. So that part is not voluntary.

Secondly, I'm surprised that one would not want to attribute this to reducing the deficit even though it's only \$36 million, as suggested by the other side. If we can't even do this here, what confidence can the American people have that we would deal with the tougher issues and larger amounts? If \$36 million is too difficult for us to use to somehow reduce the deficit, what hope is there that we can do anything seriously in this Congress or Congresses in the future?

I must respond to the repeated suggestion that we have done nothing in this Congress.

The Obama administration would be surprised, since they said that the FISA amendments, which we passed on this floor with 301 positive votes, were the number one priority for the administration in the area of intelligence. In the aftermath of what happened just a couple of weeks ago, one would think that we would understand the seriousness of intelligence. And that which is the greatest tool, according to the DNI currently and previous DNIs, that tool, which got strong bipartisan support, was indeed an important thing for us to do here.

We had three free trade agreements that we finally approved. They have been waiting around for a number of years. The consensus is they create jobs in this economy and give us a fair playing field in which our workers can compete.

We had a transportation bill that we passed. We dealt with the interest paid on student loans. And I would just say, for 2 years in a row, we have, in fact, spent less on discretionary spending than we did the preceding year. I think that's the first time we've done that in a generation.

There are other things that I could talk about. It is a shame that the other body has not acted on the nearly 30 bills we've sent over there that deal with jobs.

Oh, yes, we also had my bill, H.R. 4, which repealed that section of the President's health care bill that placed an inordinate paperwork burden on small business, and that was the number one priority of the small business community in the country.

I wish we would do more. I wish we would have the cooperation of the other body. It's very difficult to negotiate when the other party won't come to the table or even articulate what their position is; but, nonetheless, I would suggest that those things I have spoken about are not unimportant.

But, of course, that's a digression because that's not talking about the bill before us.

The bill before us is a simple bill. All it does is say that the party's over. The taxpayer will no longer pay with taxpayer dollars for the conventions of the

two national parties. Doesn't stop them from having their conventions, doesn't denigrate their conventions, doesn't take them off television; it just says the American taxpayer will not pay for it. We're going to save \$36 million. Fairly straight forward, fairly simple.

I would hope that we would have a strong bipartisan vote for this, because it is truly a bipartisan problem and timely, because many of our constituents, at least when I was home in the district, said, Why are you in the Congress voting to put taxpayer dollars for these conventions?

That was a tough question to answer. We can answer that question here in a very bipartisan way by passing this bill.

With that, I would ask my colleagues to support H.R. 5912, and I yield back the balance of my time.

Mr. PRICE of North Carolina. Mr. Speaker, I rise today in opposition to H.R. 5912. This bill is flawed in substance and comes to the floor without serious deliberation or debate.

I want to make clear, however, that my colleague from Oklahoma and I agree that paying for presidential nominating conventions is not a wise use of taxpayer dollars. In fact, the main provisions of Mr. COLE's bill are included nearly verbatim in my Presidential Funding Act H.R. 414. However, H.R. 5912 excludes a critical prohibition on the use of "soft money" to fund conventions, keeping the door open for unlimited soft money donations from corporations and high-dollar special interests. Allowing conventions to accept millions of dollars in these unregulated contributions could threaten the credibility of the nominating process and further erode the principle of one voice, one vote.

I also take issue with the closed process under which this bill has been brought to the floor. H.R. 5912 is being considered under suspension of the rules, without amendments, committee markup, or serious deliberation. The Committee on House Administration has not even held hearings on this bill. But that should come as no surprise—the Majority has not held a single hearing on the issue of campaign finance in the 112th Congress, a period that has seen the House pass bills dismantling many of the common-sense campaign reforms of the post-Watergate era. I have opposed repeated floor votes that would repeal the presidential public financing system as a whole. This bill is merely the latest cynical attempt to attack the system with no effort to replace it.

In the wake of the Supreme Court's thoroughly misguided Citizens United decision, we should be working to strengthen—not to weaken—the rules that ensure our elections are free and fair. That is why Mr. VAN HOLLEN, other colleagues, and I will introduce a bill later this week which will be an important first step toward the comprehensive reform that our democratic elections need.

Our bill, the Empowering Citizens Act, will incorporate and improve H.R. 414, reforming and strengthening the presidential public financing system. In addition, it will establish a voluntary small-donor public financing program for congressional campaigns. Finally, it will es-

tablish strong rules forbidding coordination among candidate-specific SuperPACs and political parties or campaigns, thereby lessening the outside influence of special interests and outside spending groups in our elections.

I believe that we are at a tipping point in the short history of campaign finance reform—we can either choose to stand by the common-sense reforms that have restored America's faith in elections after the Watergate scandal, or we can choose to cede control of political campaigns entirely to wealthy corporations and interest groups. The responsible choice is clear. I strongly urge my colleagues to oppose this measure.

Ms. MCCOLLUM. Mr. Speaker, I rise in opposition to H.R. 5912. This is a misguided bill that repeals public financing of our national political conventions and allows moneyed special-interests to complete their corporate buyout of America's electoral process.

Public financing of both Democratic and Republican conventions, created in 1976 following the Watergate scandal, was designed to establish a safeguard against corruption in the political system by reducing the emphasis on fundraising in presidential campaigns and diminishing the influence of wealthy special interests. In recent years, the need to modernize the system for today's campaign environment has become evident, but the system remains as critical as ever to the integrity of our democracy—especially in the wake of the Supreme Court's Citizens United vs. FEC ruling.

The disastrous Citizens United decision that unleashed nearly a billion dollars of corporate funding into the Presidential race has demonstrated how essential it is to restore and uphold the integrity of our elections. Passage of H.R. 5912 would only serve to further undermine this integrity by enabling secretive Super PACs and billionaires to take full control of our political conventions, a critical component of America's electoral process. Furthermore, public financing plays a vital role in helping state and local governments offset the costs associated with hosting national political conventions. These costs may include property taxes, parking accommodations, and local law enforcement funding. H.R. 5912 is unfair to the municipalities that have the honor of hosting these important national events.

The financing system for political conventions must be repaired, not repealed, to better serve the interests of the American people and protect against corruption.

I urge my colleagues to oppose this legislation.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. DANIEL E. LUNGREN) that the House suspend the rules and pass the bill, H.R. 5912, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Ms. FUDGE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

DISASTER LOAN FAIRNESS ACT OF 2012

Mr. BARLETTA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6296) to amend the Small Business Act to provide the interest rate for certain disaster related loans, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6296

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Disaster Loan Fairness Act of 2012”.

SEC. 2. INTEREST RATE FOR CERTAIN DISASTER RELATED LOANS.

Section 7(d) of the Small Business Act is amended by adding at the end the following: “(8)(A) Upon application, the Administration shall grant an interest rate determined under this paragraph with respect to any qualifying disaster loan.

“(B) For the purposes of this paragraph a qualifying disaster loan is the Administration’s share of a loan—

“(i) for which the interest rate would be set pursuant to paragraph (5) but for the operation of this paragraph;

“(ii) which is or was made with respect to activity in an area when the President has declared a major disaster in that area under section 401 of the Stafford Act; and

“(iii) which is or was made during the period beginning January 1, 2011, and ending on the date that is 4 years after the date of the enactment of the Disaster Loan Fairness Act of 2012.

“(C) The Administrator shall determine the interest rate for each calendar year to be the lesser of—

“(i) 4 percent; and

“(ii) a rate equivalent to ½ the rate prevailing in the private market for similar loans for those unable to attain credit elsewhere and ¾ of that prevailing rate for those able to attain credit elsewhere.

“(D) The Administrator shall refund excess interest payments to borrowers whose interest rate on already made loans is lowered by reason of the operation of the paragraph.

“(E) Not later than one year after the date of the enactment of the Disaster Loan Fairness Act of 2012, the Administrator shall report to Congress as part of the annual report under Section 10(a) on whether the interest rate provided by this paragraph has resulted in any or all of the following:

“(i) A greater number of applications for disaster related loans.

“(ii) A greater number of approvals of disaster related loans.

“(iii) A decreased default rate on disaster related loans.”.

SEC. 3. TERMINATION OF USE OF PUBLIC FUNDS FOR POLITICAL PARTY NOMINATING CONVENTIONS.

Section 9008 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

“(i) TERMINATION OF USE OF FUNDS FOR CONVENTIONS.—Notwithstanding any other provision of this section, in the case of any presidential election held after 2012—

“(1) the Secretary shall not make any payments under subsection (b)(3) to any national committee of a major party or minor party;

“(2) on November 1 of the year prior to the year in which the election is held, the Secretary shall determine—

“(A) in the case of the first such election, the amount which is equal to the aggregate amount of the payments which were made under subsection (b)(3) to the national committees of a major party or minor party for the presidential election held in 2012, adjusted in the manner described in subsection (b)(5), or

“(B) in the case of any subsequent election, the amount which is equal to the amount determined under subparagraph (A), adjusted in the manner described in subsection (b)(5); and

“(3) at the time the Secretary makes the determination under paragraph (2), an amount equal to the amount determined under paragraph (2) shall be permanently rescinded from the fund and returned to the general fund.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. BARLETTA) and the gentlewoman from New York (Ms. VELÁZQUEZ) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. BARLETTA. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. BARLETTA. Mr. Speaker, I yield myself such time as I may consume.

Just over a year ago, the people of the 11th Congressional District of Pennsylvania endured some of the worst flooding that we have ever experienced. In the aftermath of both a hurricane and a tropical storm, the Susquehanna River and streams flowing into it surged out of their banks, washing out homes and businesses and roads and bridges.

I spent days traveling across my district consoling my constituents. I was with them as they had to throw out photo albums, their children’s toys, their clothing, their furniture, their lives’ possessions. I stood on muddy porches and cried with my constituents.

Time after time they asked me how the Federal Government was going to help them recover. Time after time, business owners asked me if the Federal Government was able to provide low-interest loans so they could rebuild, reopen, and bring back their workers. Time after time, I would tell them the government of the United States was going to offer them loans at a 6 percent interest rate. That’s right, 6 percent.

□ 1800

A 6 percent loan isn’t going to help a business owner rebuild and reopen, and the hardworking people of northeastern Pennsylvania knew that. A 6 percent loan isn’t going to help a fam-

ily rebuild a flooded home. I was embarrassed to tell the mothers and fathers and grandmothers and grandfathers and business owners of my district that the Federal Government, through the Small Business Administration, was going to give them a 6 percent loan to help them get back on their feet.

I was even more embarrassed—and even shocked—when I started looking at our budget for foreign disaster relief. This government gave \$215 million of flood relief to Pakistan. And what rate do we charge foreign countries when we rebuild their infrastructure? Zero percent. We don’t charge foreign countries any interest. The taxpayer money they receive from the United States is a giveaway. But this government was going to charge American homeowners and American business owners 6 percent interest on loans they were going to use to rebuild.

Now, the United States of America is one of the most generous, compassionate countries when it comes to providing global aid. When disaster strikes anywhere in the world, the United States is the first country to help them rebuild. But when disaster strikes right here in our own country, we need to start rebuilding here first. Let’s help Americans first. We must restore American lives, save American businesses, and protect American jobs.

Now, I know hundreds of my colleagues have had similar conversations with their constituents after they experienced natural disasters in their districts. Since the start of the 112th Congress, communities in over 200 congressional districts in 46 States have been flooded by a tropical storm or a hurricane, burned by wildfire, crippled by a snowstorm, or destroyed by a tornado, resulting in a disaster declaration by the President. Constituents across the country have heard the same news—the Federal Government can provide help in the form of a high-interest loan.

Fortunately, this is something that we can fix. I introduced the Disaster Loan Fairness Act of 2012, which would dramatically change the way the SBA provides disaster recovery loans. This bill would lower the interest rate for borrowers with no credit available elsewhere to one-half of the prevailing rate, and it would cap the interest rate at 4 percent. For those who can get credit elsewhere, this bill would lower the interest rate to three-quarters of the prevailing rate, again, capping the maximum interest rate at 4 percent.

The Disaster Loan Fairness Act is retroactive to January 1, 2011. This means the SBA is required to refund excess interest payments for disaster loans made since this date. Homeowners and business owners who took out these loans will receive refunds for their excess interest payments.

To offset the direct spending, this bill terminates the use of public taxpayer funds for political party conventions in the elections occurring after 2012. Simply put, this bill prioritizes disaster victims over the subsidizing of political party conventions. We are literally putting the American people ahead of politics.

This bill will provide serious, substantial, necessary help to the hundreds of thousands of Americans who have endured horrible loss during natural disasters. It will provide relief to the millions of Americans who will suffer loss in future disasters.

I ask my colleagues to support the Disaster Loan Fairness Act of 2012, H.R. 6296, and provide relief for so many Americans that need that help.

I reserve the balance of my time.

Ms. VELAZQUEZ. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, natural disasters profoundly impacted our Nation this year. From wildfires out west to drought in the Plains to violent storms in the Northeast, millions of households were affected. These unanticipated events leave families and small businesses facing significant costs when rebuilding.

Typically, insurance covers monetary losses, but that is not always the case. To complement insurance coverage, Congress authorized the SBA to provide disaster loans to affected families and small businesses. Since its inception in 1953, the SBA has approved roughly 1.9 million disaster loans, amounting to approximately \$47 billion.

Over the years, the program has evolved to better assist victims. As chairwoman of the Small Business Committee, I worked to incorporate bipartisan reforms in the 2008 farm bill to help disaster victims get back on their feet. These included new disaster bridge loans, greater loan amounts, extending deferment periods, and enabling more private sector involvement.

The current program makes the government the lender of last resort by subsidizing reduced interest rates only for those who cannot get credit elsewhere. The goal is to assist as many victims as possible and ensure risk-sharing remains a public-private partnership. This bill, however, would eliminate the "credit elsewhere" test, offering taxpayer-subsidized, low-interest loans to all applicants. At a time when government resources are scarce, we should not be shifting more borrowers and additional risk into this initiative.

This is not my only concern. The bill also arbitrarily limits interest rates—with no empirical data to show why these levels are appropriate. Capping interest rates could greatly increase the taxpayers' burden in the future as costs rise and revenue remains flat. The SBA is also directed to issue re-

funds on previously approved loans. The bill is silent on how to carry that out, creating an administrative nightmare for the SBA.

Continuing to improve the program is important, but in doing so, we should not create unintended consequences. If the regular committee hearing and markup process had been followed, Members could have addressed this bill's shortcomings. Placing it on suspension has further limited Members' participation.

I would like to direct the attention of my colleagues on both sides of the aisle to the fact that this bill creates \$50 million in direct spending. To offset the cost, it will eliminate public funding of political conventions, undoing years of campaign finance reform in the process.

Today, Federal election rules seek to keep soft money and undue influence out of the Presidential race. Since the Supreme Court's Citizens United decision, it's become clear that powerful stakeholders will spend millions to help a candidate win. If public funding were terminated, special interests will once again compete to curry favor with Presidential candidates by bankrolling nominating conventions.

Mr. Speaker, it is certainly appropriate to provide relief to homeowners and businesses affected by a disaster; however, it is inconsistent with the intent of the program to ask taxpayers to subsidize loans for those who can get credit elsewhere. Is this the best use of government resources? I don't know. But I'm confident we could have investigated this and other concerns if the committee process were not bypassed in favor of today's suspension vote.

With that, I reserve the balance of my time.

Mr. BARLETTA. Mr. Speaker, I yield 3 minutes to the gentleman from Pennsylvania (Mr. MARINO).

Mr. MARINO. Mr. Speaker, I rise today in strong support of H.R. 6296, the Disaster Loan Fairness Act of 2012, introduced by my colleague from Pennsylvania, Representative BARLETTA.

Our districts cross each other in several counties, so we both have experienced the disaster that took place in the 10th and 11th District.

□ 1810

At the end of August 2011, Hurricane Irene caused severe flooding and widespread power outages in eastern Pennsylvania. With the ground saturated and waterways at a very high level, Tropical Storm Lee arrived about one week later, causing historic widespread flooding in most of central and eastern Pennsylvania. The 10th Congressional District that I represent was particularly hit hard.

Ten of the 14 counties in the district were impacted by the flood. The storm knew no boundaries. It hit homes and businesses, government offices and

schools, farms, cemeteries, and churches. I visited with families and individuals who had lost everything.

I traveled to many businesses, both large and small, that were affected, like the Knoebels Amusement Park in Northumberland County, where I watched workers and owner clean up four inches of mud that covered the ground across the entire park.

While the people of my district have made heroic efforts to rebuild, they have faced many obstacles. One of these is finding loan opportunities which they need to finance the rebuilding of their homes and businesses.

Unless you have lived through a disaster and visited with families that have been through the experience, it is hard to imagine the hopelessness and desperation that people experience when the rebuilding process begins.

H.R. 6296 will provide critical relief to disaster victims in my district and across the country by lowering the interest rate on SBA disaster loans. This legislation, which will, on average, lower rates on SBA disaster loans by 1½ to 2 percent, will give Americans impacted by disaster the ability to begin the process of rebuilding their lives and livelihoods.

I had the occasion to hear a little of the argument prior to this concerning the conventions getting money, and there was an issue raised about it's only \$36 million. Well, there's nobody in this room that doesn't think \$1 million is a lot of money, and I certainly think \$36 million is a whole heck of a lot of money.

Now, we can send money to conventions. That should be the responsibility of each party, regardless of what side of the aisle you're on.

But we also send taxpayer money to countries that hate us, so I think it's about time we start helping the American people with their own tax dollars.

I urge all of my colleagues to join with me and Representative BARLETTA in support of this important legislation.

I had one experience that just stuck in my mind. During the flood, I visited a family who wasn't in their house.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. BARLETTA. I yield the gentleman 1 additional minute.

Mr. MARINO. I want to share an experience I had touring the same areas that Lou did. And it was a family of six; they weren't able to be in their house. It was a blue collar family. It was half a double.

They wouldn't even be able to sit on their porch or stand in their front yard. That's how bad the flood was. Most of their furniture and belongings were out on the front yard, just totally lost.

They sat on the back of a pickup truck. A 6-year-old little girl, 6 or 8 years old, said to me, Are you here to help, because we don't have a bed to

sleep in and we don't have a room to sleep in. What are we going to do tonight?

That is what we're faced with. We're supposed to be helping our people in our district, and I urge my colleagues to support this legislation.

Ms. VELAZQUEZ. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. OWENS).

Mr. OWENS. Mr. Speaker, I was a co-sponsor of the original version of this bipartisan bill and rise to support the modified legislation we are considering today. I want to thank Mr. BARLETTA for his work on this important legislation in the aftermath of Hurricane Irene and Tropical Storm Lee.

These two disasters caused millions in damage in northern New York. One year later, small businesses and homeowners are still recovering.

As I walked around my district immediately after, I saw people shoveling out mud, throwing out heirlooms, and struggling to understand what had happened to them. Many of the businesses were ruined, along with homes.

But I also saw something else. I saw people helping people. What we're doing here today is having the government help people. We're following the example of our constituents.

Currently, the Small Business Administration offers disaster recovery loans to small businesses and homeowners for as low as 4 percent and up to 8 percent if credit is available elsewhere. To date, nearly 100 small businesses and homeowners in my congressional district have been approved for more than \$5.8 million in disaster loans. But I have heard from many constituents that the interest rates are simply too high to take advantage of these loans.

This bipartisan bill would lower the interest rate on disaster loans.

Mr. BARLETTA. Mr. Speaker, I have no more speakers and I am prepared to close.

I reserve the balance of my time.

Ms. VELAZQUEZ. I yield back the balance of my time.

Mr. BARLETTA. Mr. Speaker, I yield myself the balance of my time.

When disaster strikes around the world, America is always the first to help, and I'm proud of that. I'm proud of our country. I'm proud that when countries need help, we're there.

But when disasters strike right here at home, I do believe that we should help Americans first, and we don't know when or where the next disaster will occur. It could be tonight, could be tomorrow, could be next week. But let's make sure, before we leave here today, that we tell our neighbors and friends back home and around this great Nation that, in their greatest time of need, their country will be there for them.

With all the devastation and destruction that happened from last year's

flood, I saw the greatness of America. I saw neighbors helping neighbors. I saw strangers helping people. I saw students helping the elderly. I saw what makes this country great, and I saw the American people come together.

It's time that this Congress comes together. I urge my colleagues to support this bill.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. BARLETTA) that the House suspend the rules and pass the bill, H.R. 6296, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

BORDER SECURITY INFORMATION IMPROVEMENT ACT OF 2012

Mr. SMITH of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6368) to require the Department of Justice, in consultation with the Department of Homeland Security, to provide a report to Congress on the Departments' ability to track, investigate and quantify cross-border violence along the Southwest Border and provide recommendations to Congress on how to accurately track, investigate, and quantify cross-border violence, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6368

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Border Security Information Improvement Act of 2012".

SEC. 2. STUDY.

(a) REPORT ON CROSS-BORDER VIOLENCE ON THE SOUTHWEST BORDER.—Not later than 180 days after the date of the enactment of this Act, the Attorney General and the Secretary of Homeland Security shall jointly submit to the congressional committees set forth in subsection (b) a report on cross-border violence on the Southwest Border of the United States. Such study shall include—

(1) the definition of cross-border violence used by law enforcement components within the Departments of Justice and Homeland Security;

(2) the ability of the Departments of Justice and Homeland Security and their law enforcement components to track, investigate, quantify, and report on the level of cross-border violence occurring along the Southwest Border of the United States;

(3) the extent to which the Departments of Justice and Homeland Security define and track cross-border violence and steps being taken to address the effects of cross-border violence along the Southwest Border of the United States;

(4) the information and data on cross-border violence collected and made available through inter-agency taskforces on the Southwest Border of the United States, in-

cluding the Southwest Border High Intensity Drug Trafficking Area, Arizona's Alliance to Combat Transnational Threats, the El Paso Intelligence Center, the Border Enforcement and Security Task Force, and State and Local Fusion Centers; and

(5) the additional resources needed to track, investigate, quantify and report on the level of cross-border violence occurring along the United States-Mexico border.

(b) CONGRESSIONAL COMMITTEES.—The congressional committees set forth in this subsection are—

(1) the Committee on Homeland Security and Governmental Affairs of the Senate;

(2) the Committee on the Judiciary of the Senate;

(3) the Committee on Homeland Security of the House of Representatives; and

(4) the Committee on the Judiciary of the House of Representatives.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. SMITH) and the gentleman from Virginia (Mr. SCOTT) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. SMITH of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 6368, as amended, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SMITH of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I'd like to thank my colleague and good friend, Congressman FRANCISCO CANSECO, for his work on the issue of cross-border violence and its impact on the United States.

Mr. Speaker, In recent years, drug trafficking-related violence has increased in Mexico. According to Mexican officials, over 40,000 people have been killed as the result of drug-related violence since 2006.

As the gentleman from Texas has pointed out, we should be very concerned that there are insufficient methods to track this violence and that it spills over into the United States.

When evaluating increased violence in Mexico and its effect on the United States, a central concern is the potential for what has been termed "spillover violence"—an increase in drug trafficking-related violence in the United States.

The violence being committed by Mexican drug cartels within Mexico's own borders presents a national security challenge for Mexico. When that violence spills over into the United States, it presents a national security concern for America as well.

Cross-border violence is a challenge for both countries while criminals kill not only each other but government officials, law enforcement and military officers, innocent civilians and children.

Administration officials maintain that there has not yet been a significant spillover of violence from Mexico into the United States. But we should not wait for it to happen.

This bill requires the Department of Justice and the Department of Homeland Security to provide a joint report to Congress on the Departments' ability to track, investigate and measure cross-border violence along the Southwest border.

In addition, it directs the Departments of Justice and Homeland Security to make recommendations to Congress on how best to accurately track, investigate and measure cross-border violence.

Cross-border violence is a complex problem which cannot be resolved overnight. This legislation is an important first step in developing an overall strategy to combat spillover violence.

I again thank Mr. CANSECO for his work on this issue, and I urge my colleagues to support this bill.

I will now yield as much time as he might consume to the gentleman from Texas (Mr. CANSECO).

□ 1820

Mr. CANSECO. I want to thank my friend and colleague and fellow San Antonian—the chairman of the Judiciary Committee, Mr. SMITH—as well as his diligent and hardworking staff, for their help on this very important matter.

I come to the floor today, Madam Speaker, in support of my legislation, H.R. 6368, the Border Security Information Improvement Act.

As the Representative of a district with nearly 800 miles of U.S.-Mexico border, I know firsthand how important the security of our citizens along our shared border with Mexico is. As I visit with the people of the 23rd District of Texas, I hear time and time again from Americans living along the border that they do not feel safe or secure. They talk of living in fear. They tell me that Washington is not paying attention as drugs, weapons, and humans are smuggled through their communities. Washington is not listening as they ask for help as violence from Mexican drug cartels spills into their communities and cities and towns.

Many of the statistics and information used to make claims about the security of our southwest border are based on information from sources, such as the Uniform Crime Report, that are not intended to measure security along our border.

Administration officials have claimed that the border is safe and secure. Yet, while attending a Homeland Security Committee hearing last May, I learned that the Department of Homeland Security and the Department of Justice do not have a working, uniform definition of "spillover violence." Yet witnesses at the hearing—high-ranking officials from Justice and Homeland Security—stated that there is no cross-border violence.

This is completely unacceptable. If the Federal Government cannot even define what endangers border citizens, we cannot ensure their safety. H.R. 6368

is simple. It is straightforward. It is a bill that will address this very problem.

It directs the Department of Justice and the Department of Homeland Security to submit a report to Congress on their ability to define, to track, to investigate, and to quantify cross-border, or spillover, violence.

The Departments of Justice and Homeland Security will furthermore report what information and statistics are available and that are at their disposal in order to understand the amount of violence spilling into the United States. The ability to correctly monitor the level of spillover violence occurring across our Nation's borders will allow us to assess the success of our border security policies and to ensure that we have the correct policies in place in order to stop violence, stop drugs and contraband from spilling into the United States.

Lastly, the Departments will recommend to Congress what additional resources are necessary in order to track, quantify, and report on cross-border violence so that Congress can do its part and ensure that our Federal law enforcement agencies have the tools and the data that they need to do their jobs. Congress must be a willing and able partner in the fight against the ruthless Mexican cartels and the violence that they bring into our American communities.

Madam Speaker, the American people deserve to know the capability of their government to address cross-border violence. This bill does not seek to prove that one party is right or that one party is wrong. It simply seeks to find out the ability of the Departments of Justice and Homeland Security to define, to track, and to understand the amount of violence spilling into the United States from Mexico. In order to achieve a secure border, we must be able to correctly gauge the amount of violence that is spilling into the United States, and I believe that this bill is an important first step in that direction.

Mr. SCOTT of Virginia. Madam Speaker, I yield myself such time as I may consume.

H.R. 6368 requires the Department of Justice and the Department of Homeland Security, no later than 180 days after the enactment of this law, to jointly provide a report to Congress on those Departments' abilities to track, investigate, and quantify cross-border violence along our country's southwest border and to provide recommendations to Congress on how to accurately track, investigate, and quantify cross-border violence.

This seems like a good idea, and I note that the bill provides that we will receive budget recommendations along with the report, as some have suggested, so that we can reduce the size of government with unspecified cuts, but then we are often surprised to see

what those cuts are. Tracking, investigating, and responding appropriately to cross-border violence will require personnel and equipment, which obviously will require increases, not cuts, in the budget.

I want to thank the gentleman from Texas (Mr. CANSECO) for his work on the bill. I look forward to the report, and I recommend the bill's passage.

I yield back the balance of my time.

Mr. SMITH of Texas. Madam Speaker, I yield back the balance of my time.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,
Washington, DC, September 12, 2012.
Hon. LAMAR SMITH,
Chairman, Committee on the Judiciary, Washington, DC.

Dear CHAIRMAN SMITH: I am writing in regards to the jurisdictional interest of the Committee on Homeland Security over provisions in H.R. 6368, which requires the Department of Justice, in consultation with the Department of Homeland Security, to provide a report to Congress on the ability to track, investigate, and quantify cross-border violence along the Southwest Border and provide recommendations to Congress.

I understand the importance of advancing this legislation to the House floor in an expeditious manner. Therefore, the Committee on Homeland Security will discharge H.R. 6368 from further consideration. This action is conditional on our mutual understanding and agreement that doing so will in no way diminish or alter the jurisdiction of the Committee on Homeland Security over the subject matter included in this or similar legislation. I request that you urge the Speaker to appoint members of this Committee to any conference committee for consideration of any provisions that fall within the jurisdiction of the Committee on Homeland Security in the House-Senate conference on this or similar legislation.

I also request that this response and your letter be included in the Committee on the Judiciary report to H.R. 6368 and in the Congressional Record during consideration of this measure on the House floor. Thank you for your consideration of this matter.

Sincerely,

PETER T. KING,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, September 13, 2012.
Hon. PETER KING,
Chairman, Committee on Homeland Security, Washington, DC.

DEAR CHAIRMAN KING, Thank you for your letter dated September 12, 2012, regarding H.R. 6368, the "Border Security Information Improvement Act of 2012," which was referred to the Judiciary Committee on September 10.

I am most appreciative of your decision to forego consideration of H.R. 6368 so that it may move expeditiously to the House floor. I acknowledge that although you are waiving formal consideration of the bill, the Committee on Homeland Security is in no way waiving its jurisdiction over the subject matter contained in the bill. In addition, if a conference is necessary on this legislation, I will support any request that your committee be represented therein.

Finally, I shall be pleased to include your letter and this letter in the Congressional

Record during floor consideration of H.R. 6368.

Sincerely,

LAMAR SMITH,
Chairman.

The SPEAKER pro tempore (Mrs. SCHMIDT). The question is on the motion offered by the gentleman from Texas (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 6368, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The title was amended so as to read: "A bill to require the Department of Justice and the Department of Homeland Security to provide a joint report to Congress on the Departments' ability to track, investigate and quantify cross-border violence along the Southwest Border and provide recommendations to Congress on how to accurately track, investigate, and quantify cross-border violence."

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 5044, by the yeas and nays;

H.R. 5912, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. The remaining electronic vote will be conducted as a 5-minute vote.

ANDREW P. CARPENTER TAX ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 5044) to amend the Internal Revenue Code of 1986 to exclude from gross income any discharge of indebtedness income on education loans of deceased veterans, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. SAM JOHNSON) that the House suspend the rules and pass the bill, as amended.

The vote was taken by electronic device, and there were—yeas 400, nays 0, not voting 29, as follows:

[Roll No. 585]

YEAS—400

Ackerman	Baca	Bass (CA)
Adams	Bachmann	Bass (NH)
Aderholt	Bachus	Becerra
Alexander	Baldwin	Benishek
Altmire	Barber	Berg
Amash	Barletta	Berkley
Amodei	Barrow	Berman
Andrews	Bartlett	Biggert
Austria	Barton (TX)	Bilbray

Bilirakis	Fleischmann	Lofgren, Zoe
Bishop (GA)	Fleming	Long
Bishop (NY)	Flores	Lowey
Bishop (UT)	Fortenberry	Lucas
Black	Fox	Luetkemeyer
Blackburn	Frank (MA)	Lujan
Blumenauer	Franks (AZ)	Lummis
Bonamici	Frelinghuysen	Lungren, Daniel
Bonner	Fudge	E.
Bono Mack	Garamendi	Mack
Boren	Gardner	Manzullo
Boswell	Garrett	Marchant
Boustany	Gerlach	Marino
Brady (PA)	Gibbs	Markey
Braley (IA)	Gibson	Matheson
Brooks	Gingrey (GA)	Matsui
Broun (GA)	Gohmert	McCarthy (CA)
Brown (FL)	Gonzalez	McCarthy (NY)
Buchanan	Goodlatte	McCauley
Bucshon	Gosar	McClintock
Buerkle	Gowdy	McCollum
Burgess	Graves (GA)	McDermott
Burton (IN)	Graves (MO)	McGovern
Butterfield	Griffin (AR)	McHenry
Calvert	Griffith (VA)	McIntyre
Camp	Grijalva	McKeon
Canseco	Grimm	McKinley
Cantor	Guinta	McMorris
Capito	Guthrie	Rodgers
Capps	Gutierrez	McNerney
Capuano	Hahn	Meehan
Carnahan	Hall	Meeks
Carney	Hanabusa	Mica
Carson (IN)	Hanna	Michaud
Carter	Harper	Miller (FL)
Cassidy	Harris	Miller (MI)
Castor (FL)	Hartzler	Miller (NC)
Chabot	Hastings (FL)	Miller, Gary
Chaffetz	Hastings (WA)	Miller, George
Chandler	Hayworth	Moore
Chu	Heck	Moran
Cicilline	Heinrich	Mulvaney
Clarke (NY)	Hensarling	Murphy (CT)
Clay	Herrera Beutler	Murphy (PA)
Cleaver	Higgins	Myrick
Clyburn	Himes	Nadler
Coble	Hinche	Napolitano
Coffman (CO)	Hinojosa	Neal
Cohen	Hochul	Neugebauer
Cole	Holden	Noem
Conaway	Holt	Nugent
Connolly (VA)	Honda	Nunes
Conyers	Hoyer	Nunnelee
Cooper	Huelskamp	Olson
Costa	Huizenga (MI)	Oliver
Costello	Hultgren	Owens
Courtney	Hunter	Palazzo
Cravaack	Hurt	Pallone
Crawford	Israel	Pascrell
Crenshaw	Issa	Pastor (AZ)
Critz	Jackson Lee	Paul
Crowley	(TX)	Paulsen
Cuellar	Jenkins	Pearce
Culberson	Johnson (GA)	Pelosi
Cummings	Johnson (OH)	Pence
Davis (CA)	Johnson, E. B.	Perlmutter
Davis (IL)	Jones	Peters
DeFazio	Jordan	Peterson
DeGette	Kaptur	Petri
Denham	Keating	Pingree (ME)
Dent	Kelly	Pitts
DesJarlais	Kildee	Poe (TX)
Deutch	Kind	Polis
Diaz-Balart	King (IA)	Pompeo
Dicks	King (NY)	Posey
Dingell	Kingston	Price (GA)
Doggett	Kinzinger (IL)	Price (NC)
Dold	Kissell	Quayle
Donnelly (IN)	Kline	Quigley
Doyle	Kucinich	Rahall
Dreier	Lamborn	Rangel
Duffy	Lance	Reed
Duncan (SC)	Landry	Rehberg
Duncan (TN)	Langevin	Reichert
Edwards	Lankford	Renacci
Ellison	Larsen (WA)	Reyes
Ellmers	Larson (CT)	Ribble
Emerson	Latham	Richardson
Engel	LaTourette	Richmond
Eshoo	Latta	Rigell
Farenthold	Levin	Roby
Farr	Lewis (CA)	Roe (TN)
Fattah	Lewis (GA)	Rogers (AL)
Fincher	Lipinski	Rogers (KY)
Fitzpatrick	LoBiondo	Rogers (MI)
Flake	Loebach	Rohrabacher

Rokita	Sessions	Upton
Rooney	Sewell	Van Hollen
Ros-Lehtinen	Sherman	Velázquez
Roskam	Shimkus	Visclosky
Ross (FL)	Shuster	Walberg
Rothman (NJ)	Simpson	Walden
Royce	Sires	Walsh (IL)
Runyan	Slaughter	Walz (MN)
Ruppersberger	Smith (NE)	Wasserman
Rush	Smith (NJ)	Schultz
Ryan (OH)	Smith (TX)	Waters
Sánchez, Linda	Smith (WA)	Watt
T.	Southerland	Waxman
Sanchez, Loretta	Stark	Webster
Sarbanes	Stearns	Welch
Scalise	Stivers	West
Schakowsky	Stutzman	Westmoreland
Schiff	Sullivan	Whitfield
Schilling	Sutton	Wilson (FL)
Schmidt	Terry	Wilson (SC)
Schock	Thompson (MS)	Wittman
Schrader	Thompson (PA)	Wolf
Schwartz	Thornberry	Womack
Schweikert	Tiberi	Woodall
Scott (SC)	Tierney	Woolsey
Scott (VA)	Tipton	Yarmuth
Scott, Austin	Tonko	Yoder
Scott, David	Towns	Young (AK)
Sensenbrenner	Turner (NY)	Young (FL)
Serrano	Turner (OH)	Young (IN)

NOT VOTING—29

Akin	Green, Gene	Platts
Brady (TX)	Herger	Rivera
Campbell	Hirono	Ross (AR)
Clarke (MI)	Jackson (IL)	Roybal-Allard
DeLauro	Johnson (IL)	Ryan (WI)
Filner	Johnson, Sam	Shuler
Forbes	Labrador	Speier
Gallegly	Lee (CA)	Thompson (CA)
Granger	Lynch	Tsongas
Green, Al	Maloney	

□ 1849

Mrs. ELLMERS changed her vote from "nay" to "yea."

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. GENE GREEN of Texas. Madam Speaker, on rollcall No. 585, had I been present, I would have voted "yea."

Mr. FILNER. Madam Speaker, on rollcall 585, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "yea."

PROHIBITING USE OF PRESIDENTIAL ELECTION CAMPAIGN FUNDS FOR PARTY CONVENTIONS

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 5912) to amend the Internal Revenue Code of 1986 to prohibit the use of public funds for political party conventions, and to provide for the return of previously distributed funds for deficit reduction, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. DANIEL E. LUNGREN) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 310, nays 95, not voting 24, as follows:

[Roll No. 586]

YEAS—310

Adams	Duncan (TN)	Luetkemeyer
Aderholt	Ellmers	Lummis
Alexander	Emerson	Lungren, Daniel
Altmire	Farenthold	E.
Amash	Fincher	Mack
Amodel	Fitzpatrick	Maloney
Austria	Flake	Manzullo
Bachmann	Fleischmann	Marchant
Bachus	Fleming	Marino
Baldwin	Flores	Matheson
Barber	Fortenberry	McCarthy (CA)
Barletta	Fox	McCarthy (NY)
Barrow	Franks (AZ)	McCauley
Bartlett	Frelinghuysen	McClintock
Barton (TX)	Garamendi	McHenry
Bass (NH)	Gardner	McIntyre
Benish	Garrett	McKeon
Berg	Gerlach	McKinley
Berkley	Gibbs	McMorris
Berman	Gibson	McMorris
Biggart	Gingrey (GA)	McNerney
Bilbray	Gohmert	Meehan
Bilirakis	Goodlatte	Mica
Bishop (GA)	Gosar	Michaud
Bishop (NY)	Gowdy	Miller (FL)
Bishop (UT)	Graves (GA)	Miller (MI)
Black	Graves (MO)	Miller, Gary
Blackburn	Green, Gene	Miller, George
Blumenauer	Griffin (AR)	Moran
Bonamici	Griffith (VA)	Mulvaney
Bonner	Grimm	Murphy (CT)
Bono Mack	Guinta	Murphy (PA)
Boren	Guthrie	Myrick
Boswell	Hahn	Neugebauer
Boustany	Hall	Noem
Braley (IA)	Hanabusa	Nugent
Brooks	Hanna	Nunes
Broun (GA)	Harper	Nunnelee
Buchanan	Harris	Olson
Bucshon	Hartzler	Owens
Buerkle	Hastings (WA)	Palazzo
Burgess	Hayworth	Pastor (AZ)
Burton (IN)	Heck	Paul
Butterfield	Heinrich	Paulsen
Calvert	Hensarling	Pearce
Camp	Hesler	Pence
Canseco	Herrera Beutler	Perlmutter
Cantor	Higgins	Peterson
Capito	Himes	Petri
Capuano	Hochul	Pitts
Carnahan	Holden	Poe (TX)
Carney	Huelskamp	Pompeo
Carson (IN)	Huizenga (MI)	Posney
Carter	Hultgren	Price (GA)
Cassidy	Hunter	Quayle
Castor (FL)	Hurt	Quigley
Chabot	Israel	Rahall
Chaffetz	Issa	Reed
Chandler	Jenkins	Rehberg
Chu	Johnson (OH)	Reichert
Cicilline	Jones	Renacci
Coble	Jordan	Ribble
Coffman (CO)	Keating	Richardson
Cole	Kelly	Rigell
Conaway	Kind	Roby
Costa	King (IA)	Roe (TN)
Costello	King (NY)	Rogers (AL)
Cravaack	Kingston	Rogers (KY)
Crawford	Kinzing (IL)	Rogers (MI)
Crenshaw	Kissell	Rohrabacher
Critz	Kline	Rokita
Cuellar	Kucinich	Rooney
Culberson	Lamborn	Ros-Lehtinen
Cummings	Lance	Roskam
Davis (CA)	Landry	Ross (FL)
DeFazio	Langevin	Rothman (NJ)
Denham	Lankford	Royce
Dent	Latham	Runyan
DesJarlais	LaTourette	Ruppersberger
Diaz-Balart	Latta	Ryan (OH)
Dicks	Lipinski	Sánchez, Linda
Doggett	LoBiondo	T.
Dold	Loeb	Sánchez, Loretta
Donnelly (IN)	Loftgren, Zoe	Scallise
Dreier	Long	Schiff
Duffy	Lowey	Schilling
Duncan (SC)	Lucas	Schmidt

Schock
Schrader
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Sewell
Sherman
Shimkus
Shuster
Simpson
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Southernland
Stearns

Stivers
Stutzman
Sullivan
Sutton
Terry
Thompson (PA)
Thornberry
Tierney
Tipton
Tonko
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Walz (MN)
Waxman

Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Woolsey
Yoder
Young (AK)
Young (FL)
Young (IN)

NAYS—95

Ackerman
Andrews
Baca
Bass (CA)
Becerra
Brady (PA)
Brown (FL)
Capps
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Courtney
Crowley
Davis (IL)
DeGette
DeLauro
Deutch
Dingell
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Frank (MA)
Fudge

Gonzalez
Grijalva
Gutierrez
Hastings (FL)
Hinchey
Hinojosa
Holt
Honda
Hoyer
Jackson Lee
(TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Kildee
Larsen (WA)
Larson (CT)
Levin
Lewis (GA)
Lujan
Markey
Matsui
McCollum
McDermott
McGovern
Meeke
Miller (NC)
Moore
Nadler
Napolitano
Neal
Oliver
Pallone

Pascarell
Pelosi
Peters
Pingree (ME)
Polis
Price (NC)
Rangel
Reyes
Richmond
Roybal-Allard
Rush
Sarbanes
Schakowsky
Schwartz
Scott (VA)
Scott, David
Serrano
Sires
Smith (WA)
Stark
Thompson (CA)
Thompson (MS)
Townes
Van Hollen
Velázquez
Visclosky
Wasserman
Schultz
Waters
Watt
Yarmuth

NOT VOTING—24

Akin
Brady (TX)
Campbell
Filner
Forbes
Gallegly
Granger
Green, Al

Hirono
Jackson (IL)
Johnson (IL)
Johnson, Sam
Labrador
Lee (CA)
Lewis (CA)
Lynch

Platts
Rivera
Ross (AR)
Ryan (WI)
Shuler
Speier
Tiberi
Tsongas

□ 1856

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

The title was amended so as to read: "A bill to amend the Internal Revenue Code of 1986 to prohibit the use of public funds for political party conventions."

A motion to reconsider was laid on the table.

Stated against:

Mr. FILNER. Madam Speaker, on rollcall 586, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "nay."

□ 1900

PERMISSION FOR MEMBER TO BE CONSIDERED AS FIRST SPONSOR OF H.R. 5839

Mr. DIAZ-BALART. Mr. Speaker, I ask unanimous consent that I may hereafter be considered as the first sponsor of H.R. 5839, a bill originally introduced by Representative GEOFF DAVIS of Kentucky, for the purposes of adding cosponsors and requesting reprints pursuant to clause 7 of rule XII.

The SPEAKER pro tempore (Mr. PALAZZO). Is there objection to the request of the gentleman from Florida?

There was no objection.

PERMISSION FOR MEMBER TO BE ADDED AS COSPONSOR OF H.R. 2994

Ms. BONAMICI. Mr. Speaker, I ask unanimous consent to be added as a cosponsor to H.R. 2994, the Marine and Hydrokinetic Renewable Energy Promotion Act. The original sponsor is no longer in Congress.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oregon?

There was no objection.

VULNERABLE VETERANS HOUSING REFORM ACT OF 2012

Mrs. BIGGERT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6361) to exclude from consideration as income under the United States Housing Act of 1937 payments of pension made under section 1521 of title 38, United States Code, to veterans who are in need of regular aid and attendance, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6361

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Vulnerable Veterans Housing Reform Act of 2012".

SEC. 2. EXCLUSION FROM INCOME.

Paragraph (4) of section 3(b) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)(4)) is amended—

(1) by striking "and any amounts" and inserting "any amounts";

(2) by striking "or any deferred" and inserting "any deferred"; and

(3) by inserting after "prospective monthly amounts" the following: "and any expenses related to aid and attendance as detailed under section 1521 of title 38, United States Code".

SEC. 3. UTILITY ALLOWANCES AND DATA.

Section 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)) is amended—

(1) in paragraph (2), by adding at the end the following new subparagraph:

"(D) UTILITY ALLOWANCE.—

"(i) IN GENERAL.—In determining the monthly assistance payment for a family

under subparagraphs (A) and (B), the amount allowed for tenant-paid utilities shall not exceed the appropriate utility allowance for the family unit size as determined by the public housing agency regardless of the size of the dwelling unit leased by the family.

“(ii) EXCEPTION FOR CERTAIN FAMILIES.—Notwithstanding subparagraph (A), upon request by a family that includes a person with disabilities, an elderly family, or a family that includes any person who is less than 18 years of age, the public housing agency shall approve a utility allowance that is higher than the applicable amount on the utility allowance schedule, except that in the case of a family that includes a person with disabilities, the agency shall approve such higher amount only if a higher utility allowance is needed as a reasonable accommodation to make the program accessible to and usable by the family member with a disability.

“(iii) AUTHORITY TO INCREASE ALLOWANCE.—Notwithstanding subparagraph (A), in the case of any family not described in clause (ii), a public housing agency may, at the request of the family, approve a utility allowance that is higher than the applicable amount on the utility allowance schedule. In making such a determination, the agency shall consider (I) the amount of the increase in utility costs for the family, and (II) the difficulty for the family in relocating.”; and

(2) by adding at the end the following new paragraph:

“(21) UTILITY DATA.—

“(A) PUBLICATION.—The Secretary shall, to the extent that data can be collected cost effectively, regularly publish such data regarding utility consumption and costs in local areas as the Secretary determines will be useful for the establishment of allowances for tenant-paid utilities for families assisted under this subsection.

“(B) USE OF DATA.—The Secretary shall provide such data in a manner that—

“(i) avoids unnecessary administrative burdens for public housing agencies and owners; and

“(ii) protects families in various unit sizes and building types, and using various utilities, from high rent and utility cost burdens relative to income.”.

SEC. 4. PILOT PROGRAM FOR GRANTS FOR REHABILITATION AND MODIFICATION OF HOMES OF DISABLED AND LOW-INCOME VETERANS.

(a) GRANT.—

(1) IN GENERAL.—The Secretary shall establish a pilot program to award grants to qualified organizations to rehabilitate and modify the primary residence of eligible veterans.

(2) COORDINATION.—The Secretary shall work in conjunction with the Secretary of Veterans Affairs to establish and oversee the pilot program and to ensure that such program meets the needs of eligible veterans.

(3) MAXIMUM GRANT.—A grant award under the pilot program to any one qualified organization shall not exceed \$1,000,000 in any one fiscal year, and such an award shall remain available until expended by such organization.

(b) APPLICATION.—

(1) IN GENERAL.—Each qualified organization that desires a grant under the pilot program shall submit an application to the Secretary at such time, in such manner, and, in addition to the information required under paragraph (2), accompanied by such information as the Secretary may reasonably require.

(2) CONTENTS.—Each application submitted under paragraph (1) shall include—

(A) a plan of action detailing outreach initiatives;

(B) the approximate number of veterans the qualified organization intends to serve using grant funds;

(C) a description of the type of work that will be conducted, such as interior home modifications, energy efficiency improvements, and other similar categories of work; and

(D) a plan for working with the Department of Veterans Affairs and veterans service organizations to identify veterans and serve their needs.

(3) PREFERENCES.—In awarding grants under the pilot program, the Secretary shall give preference to a qualified organization—

(A) with experience in providing housing rehabilitation and modification services for disabled veterans; or

(B) that proposes to provide housing rehabilitation and modification services for eligible veterans who live in rural areas (the Secretary, through regulations, shall define the term “rural areas”).

(c) CRITERIA.—In order to receive a grant award under the pilot program, a qualified organization shall meet the following criteria:

(1) Demonstrate expertise in providing housing rehabilitation and modification services for disabled or low-income individuals for the purpose of making the homes of such individuals accessible, functional, and safe for such individuals.

(2) Have established outreach initiatives that—

(A) would engage eligible veterans and veterans service organizations in projects utilizing grant funds under the pilot program; and

(B) identify eligible veterans and their families and enlist veterans involved in skilled trades, such as carpentry, roofing, plumbing, or HVAC work.

(3) Have an established nationwide or State-wide network of affiliates that are—

(A) nonprofit organizations; and

(B) able to provide housing rehabilitation and modification services for eligible veterans.

(4) Have experience in successfully carrying out the accountability and reporting requirements involved in the proper administration of grant funds, including funds provided by private entities or Federal, State, or local government entities.

(d) USE OF FUNDS.—A grant award under the pilot program shall be used—

(1) to modify and rehabilitate the primary residence of an eligible veteran, and may include—

(A) installing wheelchair ramps, widening exterior and interior doors, reconfiguring and re-equipping bathrooms (which includes installing new fixtures and grab bars), removing doorway thresholds, installing special lighting, adding additional electrical outlets and electrical service, and installing appropriate floor coverings to—

(i) accommodate the functional limitations that result from having a disability; or

(ii) if such residence does not have modifications necessary to reduce the chances that an elderly, but not disabled person, will fall in their home, reduce the risks of such an elderly person from falling;

(B) rehabilitating such residence that is in a state of interior or exterior disrepair; and

(C) installing energy efficient features or equipment if—

(i) an eligible veteran's monthly utility costs for such residence is more than 5 percent of such veteran's monthly income; and

(ii) an energy audit of such residence indicates that the installation of energy efficient features or equipment will reduce such costs by 10 percent or more;

(2) in connection with modification and rehabilitation services provided under the pilot program, to provide technical, administrative, and training support to an affiliate of a qualified organization receiving a grant under such pilot program; and

(3) for other purposes as the Secretary may prescribe through regulations.

(e) OVERSIGHT.—The Secretary shall direct the oversight of the grant funds for the pilot program so that such funds are used efficiently until expended to fulfill the purpose of addressing the adaptive housing needs of eligible veterans.

(f) MATCHING FUNDS.—

(1) IN GENERAL.—A qualified organization receiving a grant under the pilot program shall contribute towards the housing modification and rehabilitation services provided to eligible veterans an amount equal to not less than 50 percent of the grant award received by such organization.

(2) IN-KIND CONTRIBUTIONS.—In order to meet the requirement under paragraph (1), such organization may arrange for in-kind contributions.

(g) LIMITATION COST TO THE VETERANS.—A qualified organization receiving a grant under the pilot program shall modify or rehabilitate the primary residence of an eligible veteran at no cost to such veteran (including application fees) or at a cost such that such veteran pays no more than 30 percent of his or her income in housing costs during any month.

(h) REPORTS.—

(1) ANNUAL REPORT.—The Secretary shall submit to Congress, on an annual basis, a report that provides, with respect to the year for which such report is written—

(A) the number of eligible veterans provided assistance under the pilot program;

(B) the socioeconomic characteristics of such veterans, including their gender, age, race, and ethnicity;

(C) the total number, types, and locations of entities contracted under such program to administer the grant funding;

(D) the amount of matching funds and in-kind contributions raised with each grant;

(E) a description of the housing rehabilitation and modification services provided, costs saved, and actions taken under such program;

(F) a description of the outreach initiatives implemented by the Secretary to educate the general public and eligible entities about such program;

(G) a description of the outreach initiatives instituted by grant recipients to engage eligible veterans and veteran service organizations in projects utilizing grant funds under such program;

(H) a description of the outreach initiatives instituted by grant recipients to identify eligible veterans and their families; and

(I) any other information that the Secretary considers relevant in assessing such program.

(2) FINAL REPORT.—Not later than 6 months after the completion of the pilot program, the Secretary shall submit to Congress a report that provides such information that the Secretary considers relevant in assessing the pilot program.

(i) DEFINITIONS.—In this section, the following definitions shall apply:

(1) DISABLED.—The term “disabled” means an individual with a disability, as defined by section 12102 of title 42, United States Code.

(2) **ELIGIBLE VETERAN.**—The term “eligible veteran” means a disabled or low-income veteran.

(3) **ENERGY EFFICIENT FEATURES OR EQUIPMENT.**—The term “energy efficient features or equipment” means features of, or equipment in, a primary residence that help reduce the amount of electricity used to heat, cool, or ventilate such residence, including insulation, weatherstripping, air sealing, heating system repairs, duct sealing, or other measures.

(4) **LOW-INCOME VETERAN.**—The term “low-income veteran” means a veteran whose income does not exceed 80 percent of the median income for an area, as determined by the Secretary.

(5) **NONPROFIT ORGANIZATION.**—The term “nonprofit organization” means an organization that is—

(A) described in section 501(c)(3) or 501(c)(19) of the Internal Revenue Code of 1986; and

(B) exempt from tax under section 501(a) of such Code.

(6) **PRIMARY RESIDENCE.**—

(A) **IN GENERAL.**—The term “primary residence” means a single family house, a duplex, or a unit within a multiple-dwelling structure that is an eligible veteran’s principal dwelling and is owned by such veteran or a family member of such veteran.

(B) **FAMILY MEMBER DEFINED.**—For purposes of this paragraph, the term “family member” includes—

(i) a spouse, child, grandchild, parent, or sibling;

(ii) a spouse of such a child, grandchild, parent, or sibling; or

(iii) any individual related by blood or affinity whose close association with a veteran is the equivalent of a family relationship.

(7) **QUALIFIED ORGANIZATION.**—The term “qualified organization” means a nonprofit organization that provides nationwide or State-wide programs that primarily serve veterans or low-income individuals.

(8) **SECRETARY.**—The term “Secretary” means the Secretary of Housing and Urban Development.

(9) **VETERAN.**—The term “veteran” has the same meaning as given such term in section 101 of title 38, United States Code.

(10) **VETERANS SERVICE ORGANIZATION.**—The term “veterans service organization” means any organization recognized by the Secretary of Veterans Affairs for the representation of veterans under section 5902 of title 38, United States Code.

(j) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated for carrying out this section \$4,000,000 for each of fiscal years 2013 through 2017.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Illinois (Mrs. BIGGERT) and the gentlewoman from New York (Mrs. MALONEY) each will control 20 minutes.

The Chair recognizes the gentlewoman from Illinois.

GENERAL LEAVE

Mrs. BIGGERT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and add extraneous material on this bill.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Illinois?

There was no objection.

Mrs. BIGGERT. I yield myself such time as I may consume.

Mr. Speaker, I rise today as a cosponsor of H.R. 6361, the Vulnerable Veterans Housing Reform Act of 2012. I strongly urge my colleagues to support its passage.

Put simply, this legislation will ensure that we don’t punish low-income disabled veterans who are seeking or receiving housing assistance simply because of their disability benefits.

Currently, if a veteran gets help with in-home care for their disability, that help is incorrectly calculated as income, which increases their housing costs.

For purposes of section 8 and public housing assistance, H.R. 6361 would exempt from a veteran’s income his or her service-related disability benefits as well as expenses for in-home aid and care. It also reforms how section 8 and other housing programs calculate utility subsidies, and it awards grants to rehabilitate and modify homes for our disabled and low-income veterans.

As part of our effort to eliminate homelessness among veterans and help low-income veterans, our Financial Services Committee has closely examined the housing barriers facing disabled and low-income veterans. As recently as last week, we heard from veterans like Cassondra Flanagan of Philadelphia, who asked us specifically to fix how government programs treat disability benefits in their financial assessments. H.R. 6361 would address her request by helping veterans overcome one of the key bureaucratic hassles that make it harder to find a secure and stable place to call home. That’s why our legislation has broad, bipartisan support.

On September 12, 2012, the Financial Services Committee passed H.R. 6361 by a unanimous vote. In February, the Insurance, Housing and Community Opportunity Subcommittee also gave its approval to similar legislation as part of the Affordable Housing and Self-Sufficiency Improvement Act of 2012, a broader proposal to reform HUD’s section 8 and public housing programs.

I’m also pleased that we were able to include in today’s bill the language authored by Mr. GREEN of Texas so that additional assistance can be provided to those veterans who need home renovations to accommodate their disability.

While we can never repay our veterans for the selfless sacrifices they’ve made to defend the liberties we enjoy, we can work to ensure that they have a place to call home. We also can work to ensure that our severely disabled veterans have adequate facilities and living conditions within the comfort of their homes.

Mr. Speaker, our veterans have paid a high price to protect the American Dream, and they should have the opportunity to experience the blessings that dream represents.

I commend my colleague from Nevada (Mr. HECK) for introducing this bill. He’s put a lot of work into this. I’d also like to recognize my colleague from Texas (Mr. GREEN) for his tremendous bipartisan work and his contribution to this bill. I also thank Chairman BACHUS for his hard work on this important measure.

Finally, I also would like to thank the American Legion, VetsFirst-United Spinal Association, Easter Seals, Paralyzed Veterans of America, Vietnam Veterans of America, and Veterans of Foreign Wars for their support of provisions in the bill.

With that, I urge my colleagues to support H.R. 6361, and I reserve the balance of my time.

Mrs. MALONEY. Mr. Speaker, I rise in support of H.R. 6361, the Vulnerable Veterans Housing Reform Act.

This bill is aimed at helping some of those who most deserve and need our help, our severely disabled wartime veterans who are living with service-connected disabilities. It is designed to help that relatively small population of veterans who are disabled, impoverished, and in need of constant care due to their service wounds.

They are wounded warriors who now need assistance performing the basic functions of daily life, like the simple things that most of us take for granted and perform without second thought: bathing, feeding themselves, getting dressed. They put their lives on the line for us, and it is now our turn to see to it that they are afforded every opportunity to live a life of independence and self-sufficiency.

□ 1910

To this end, H.R. 6361 would exempt any expenses related to veterans and benefits from consideration when they are being considered for housing assistance. The fact that the benefits are currently counted as income is an obstacle for many of our military men and women. Let’s take a hypothetical case and now look at how things stand now.

A single, severely disabled veteran with no dependents who has an adjusted gross annual income of less than \$12,256 can receive up to an additional \$8,191 in aid and attendance benefit each year to supplement the cost of their medical care. This fix will make it just a little bit easier for our veterans to qualify for the housing assistance they need and deserve. But this bill also makes changes to current utility allowances as part of section 8 public housing assistance. Under this bill, utility allowances would be calculated and capped based on family size rather than apartment size.

Our Financial Services Committee members have been hard at work adding hardship exemptions to protect people with disabilities, the elderly, and families with children by providing

them with increased utility allowances, as needed.

I commend my colleagues for their bipartisan cooperation in finding a middle ground and a solution. I also congratulate my good friend and colleague, Congressman AL GREEN, for his contribution to this bill. He works tirelessly on behalf of our Nation's military men and has fought especially hard to get his HAVEN bill to the floor, despite it being folded into this bill.

The HAVEN bill would establish a pilot program to provide grant funding to rehabilitate and modify the homes of low-income or disabled veterans so that wheelchair ramps, repairs, and energy-efficient features can be put in place. Helping repair the homes of our veterans before they become too sick is not just a smart policy; it is our duty. We need to do all we can to keep our veterans self-sufficient and independent, and help them transition back into civilian life as seamlessly as possible.

I will vote "yes" on this bill, and I reserve the balance of my time.

Mrs. BIGGERT. I yield to the gentleman from Nevada (Mr. HECK), the author of this bill, for such time as he may consume.

Mr. HECK. I thank the gentlelady for yielding.

Mr. Speaker, I rise today to encourage my colleagues to support H.R. 6361, the Vulnerable Veterans Housing Reform Act of 2012.

As stated, this bill would remove an unnecessary barrier that prevents our disabled wartime veterans from receiving the housing assistance they so critically need. It does this by preventing the Department of Housing and Urban Development from considering our veterans' aid and attendance benefits as income when calculating their eligibility for housing assistance.

The aid and attendance benefit is an enhanced pension program provided by the Department of Veterans Affairs to our Nation's wartime veterans who are severely disabled and have little or no income. According to the VA, veterans eligible for the aid and attendance benefit are defined as those requiring the aid of another person in order to perform his or her activities of daily living, such as bathing, feeding, dressing, using the restroom, adjusting prosthetic devices, or protecting themselves from the hazards of their daily environment.

In order to receive this benefit, our severely disabled veterans must first establish their eligibility for a low-income pension. Once eligibility is determined, those low-income disabled vets can receive an additional aid and attendance benefit annually to help defray the cost of their medical care. Now, this is an important point. The aid and attendance benefit is for medical care; it is not discretionary income.

As you can imagine, these veterans struggle daily to keep the lights on, put food on the table, and to keep a roof over their heads. Add to that the exorbitant cost of paying for live-in aid, and it becomes increasingly difficult for them to stay in their homes.

The Department of Housing and Urban Development operates a number of programs that can assist these veterans. However, the current statute requires that the aid and attendance benefit be counted as income when determining eligibility for housing assistance. Mr. Speaker, this makes no sense. The VA provides this benefit to ensure that our low-income disabled wartime veterans have the necessary resources to receive the medical care they need and have earned.

The cost of an assisted living facility can be \$39,600, and the median cost of a room in a nursing home is between \$73,000 and \$81,000 annually. By providing the aid and attendance benefit and keeping the veteran in their home, we are doing them a service and saving taxpayer money. Continuing to count the aid and attendance benefit as income does nothing more than reduce the housing assistance available to our low-income disabled vets.

Mr. Speaker, it's the stated goal of both this House and this administration to reduce homelessness in our veteran population. Passing this legislation will help ensure that we achieve this goal.

H.R. 6361 also includes an important provision authored by my distinguished colleague from the Ninth District of Texas, Congressman AL GREEN. His provision would create a pilot program to provide grants to qualified nonprofit organizations for the purpose of modifying and rehabilitating homes for our Nation's low-income disabled veterans.

H.R. 6361 was drafted in a bipartisan manner, and this is reflected in the overwhelming support it received when it was reported unanimously by the House Financial Services Committee on September 12, 2012.

Mr. Speaker, H.R. 6361 will go a long way in providing the services and assistance our low-income disabled vets have earned and deserve. I thank the subcommittee chair, the distinguished lady from Illinois, and all the members of the committee for their support of this legislation, and I urge my colleagues to support this critical bill.

Mrs. MALONEY. I would like to compliment the gentleman on his statement and point out that across the country one of the largest groups of people that are homeless are veterans, and this particular bill has the right incentives to direct the housing assistance to our veterans and help to keep them in their homes.

I have no other speakers at this time, so I yield back the balance of my time.

Mrs. BIGGERT. I have no further speakers, either, so I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Illinois (Mrs. BIGGERT) that the House suspend the rules and pass the bill, H.R. 6361, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

PROVIDING FLEXIBILITY FOR ASSISTANCE PROVIDED BY INTERNATIONAL FINANCIAL INSTITUTIONS FOR BURMA

Mr. ROYCE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6431) to provide flexibility with respect to U.S. support for assistance provided by international financial institutions for Burma, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6431

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. INTERNATIONAL FINANCIAL INSTITUTIONS.

Upon a determination by the President that it is in the national interest of the United States to support assistance for Burma, the Secretary of the Treasury may instruct the United States Executive Director at any international financial institution to vote in favor of the provision of assistance for Burma by the institution, notwithstanding any other provision of law. The President shall provide the appropriate congressional committees with a written notice of any such determination.

SEC. 2. CONSULTATION AND NOTIFICATION REQUIREMENT.

(a) Prior to making the determination contained in section 1, the Secretary of State and the Secretary of the Treasury each shall consult with the appropriate congressional committees on assistance to be provided to Burma by an international financial institution, and the national interests served by such assistance.

(b) The Secretary of the Treasury shall instruct the United States Executive Director at each international financial institution that the United States Executive Director may not vote in favor of any provision of assistance by the institution to Burma until at least 15 days has elapsed from the date on which the President has provided notice pursuant to section 1.

SEC. 3. DEFINITIONS.

In this Act:

(1) The term "appropriate congressional committees" means the Committees on Foreign Relations, Banking, Housing, and Urban Affairs, and Appropriations of the Senate, and the Committees on Financial Services, Foreign Affairs, and Appropriations of the House of Representatives.

(2) The term "assistance" means any loan or financial or technical assistance, or any other use of funds.

(3) The term “international financial institution” shall have the same meaning as contained in section 7029(d) of division I of Public Law 112-74.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ROYCE) and the gentlewoman from New York (Mrs. MALONEY) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. ROYCE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and insert extraneous material into the RECORD on this measure.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROYCE. Mr. Speaker, I yield myself such time as I may consume.

This afternoon, Congress was finally able to present Aung San Suu Kyi the Congressional Gold Medal. Congress' highest medal was awarded for her courageous and unwavering commitment to peace, to nonviolence, to human rights, and of course to democracy in Burma. I was an original cosponsor of Mr. CROWLEY's legislation that set the stage for today's ceremony.

□ 1920

Of course, that legislation passed years ago, back in 2008, when Aung San Suu Kyi's house was her prison. Many thought, of course, that this day today would never come. That she was able to visit Capitol Hill today to accept this award, meeting with Members of Congress, is a testament of the changes taking place in her important country. The opposition has won seats in Parliament. Media restrictions have been eased. Hundreds of prisoners, including many this week, have been released.

Congress can be proud of the role that it has played in getting Burma to this point. Sanctions were important, but sanctions can't keep up the momentum for democracy in Burma today. That was the message that Aung San Suu Kyi delivered in Washington. Instead, she emphasized the role that the U.S. can play in helping to build up the institutions that Burma badly needs.

This country, once Southeast Asia's richest country, is now its poorest. Its corrupt and brutal generals have destroyed the economic landscape of Burma. The Burmese people are destitute. Democracy will not thrive in this economic despair.

Isolated for decades, the institutions Burma needs to run an economy are either very weak or they do not exist. International financial institutions could help Burma establish the economic infrastructure needed to reconnect with the world. This assistance also can help the Burmese with their

basic needs. Without this in place, the potential for political backsliding is real.

However, several laws on our books direct the U.S. representative at each international financial institution to vote “no” when it comes to any proposal related to Burma. There is no waiver, which is very unusual when it comes to sanctions.

I'd note that a U.S. “no” vote is not a veto. It doesn't stop these institutions from being involved with Burma. It just stops us from being part of the process.

So we have to ask ourselves, when are the interests of the U.S. and the Burmese people best served? When the U.S. is playing a leading role, helping to shape these institutions' involvement with Burma, or are they best served when the U.S. representative is shut out of the room, left with only one option?

This legislation gives more options: yes, no, or abstain. When U.S. support is possible, that gives us leverage. We have great weight at these institutions, even while they are mainly funded by others.

Like other Members, I'm not happy with where Burma is today. I want all political prisoners released. There is too much ethnic violence.

This bill doesn't touch the import ban or asset freezes, of course, and those are targeted at the regime. The Treasury Department should use its authority to target any individual that is undermining progress in Burma.

This legislation is license to bolster reform, where appropriate and where possible, not a seal of approval. Given where Burma is today, it's appropriate that Congress respond in this way to ensure that the U.S. is in a position to continue to press for reforms.

Moving forward, Congress will need to ensure that these financial institutions are pushing stringent transparency and monitoring its impact on human rights. Those goals, which we all share, are best advanced by adopting this legislation.

Mr. Speaker, I reserve the balance of my time.

Mrs. MALONEY. Mr. Speaker, I rise in support of H.R. 6431 and yield myself such time as I may consume.

Currently, congressional mandates require that the U.S. representative must vote “no” on any proposed assistance going from an international financial institution to Burma. This bill before us today would change that. It would allow the Secretary of the Treasury to instruct our executive directors at the World Bank, the Asian Development Bank, and the IMF to support proposed assistance to Burma, if the President determines that it is in our national interest.

This flexibility will be needed in the coming months. There will likely be some important votes coming up at the

World Bank and the Asian Development Bank on development projects and arrears clearance packages for Burma. Binding the U.S. representative to always vote “no” on such measures would work directly against our hope of engaging Burma and supporting her democratic reforms, and that's why I strongly support this bill.

The economic and political reforms in Burma show great promise. That is why the United States lifted the sanctions on investment in Burma back in July. And the right thing to do now is to support development and economic aid to Burma through the international financial institutions.

Both multilateral development and humanitarian assistance are important now because Burma needs both long-term and short-term results. Her people need to see that a democracy has tangible positive impacts on their everyday lives.

It is not just in the best interests of the Burmese people that they continue to support the democratic and economic reforms in the country; it is in the interest of the United States as well. And I would say that it's in the world's best interest, too.

It was a great honor today to welcome Aung San Suu Kyi to the Capitol. She is a courageous woman of matchless strength and towering integrity.

I congratulate her on receiving the Congressional Gold Medal, the highest award that we can give anyone, which she so richly deserves. She honors us by her presence and her acceptance of this award.

Her unshakeable conviction that democratic values and fundamental human rights were not only possible but absolutely necessary for Burma provided her country with a model of courage and perseverance that helped to sustain it throughout the most difficult years.

We congratulate her. We thank her. And I want to let her know that she is a very special heroine to me, and that we remain strongly committed to the cause of reform in her country and to supporting not only her country, but her people.

Aung San Suu Kyi has said that aid and investment in Burma must be done in a way that is democracy friendly. She describes that as investments that prioritize transparency, accountability, workers' rights, and environmental sustainability. Aung San Suu Kyi has also said that the government needs to apply internationally recognized standards such as the IMF Code of Good Practices on Fiscal Transparency. I agree with her wholeheartedly on both of these issues.

As the international financial institutions move to reengage in Burma and we move through this piece of legislation in support of that engagement, I

urge the administration to use its leadership at the IFIs to ensure that assistance to Burma supports democratic reforms, ensures an open and transparent government, and establishes safeguards that support growth, alleviates poverty, and safeguards the rights of the people.

There is a tide in the affairs of nations that, taken at the flood, can lead to greatness. And this is such a moment of political and economic import for Burma.

I urge my colleagues to support this bill and to continue to support the efforts of the people of Burma towards the establishment of a truly just and democratic society.

I reserve the balance of my time.

Mr. ROYCE. We have no further speakers. I will close, if the gentlelady has no additional speakers.

Mrs. MALONEY. I have no additional speakers and yield back the balance of my time.

Mr. ROYCE. Very good. In that case, I thank the gentlelady.

Mr. Speaker, it is said that Burma is undergoing a triple transition, from a military government to a more open and democratic government. Also, it's moving from conflict to peace, and it's moving from a closed economy to a more open economy. All three of these transitions, of course, are equally daunting.

Aung San Suu Kyi's visit to the United States tells us just how far this country has come, but she also reminds us how far Burma has left to go.

So our responsibility is to keep pushing Burma in the right direction, pushing it in the right direction so that all political prisoners are freed and so that a fully democratic government respects the rights of all of its people, including its ethnic minorities.

□ 1930

This legislation is an appropriate response to ensure that Burma continues moving in the right direction.

I urge the passage of the bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and pass the bill, H.R. 6431.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

CLARIFYING PROVISIONS RELATING TO REGULATION OF MUNICIPAL ADVISORS

Mr. DOLD. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2827) to amend the Securities Exchange Act of 1934 to clarify provisions relating to the regulation of municipal

advisors, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2827

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SEC. 1. REGISTRATION OF MUNICIPAL SECURITIES DEALERS.

Section 15B(a)(1)(B) of the Securities Exchange Act of 1934 (15 U.S.C. 78o-4(a)(1)(B)) is amended by striking "or on behalf of".

SEC. 2. MUNICIPAL SECURITIES RULEMAKING BOARD; RULES AND REGULATIONS.

Section 15B(b)(2)(L) of the Securities Exchange Act of 1934 (15 U.S.C. 78o-4(b)(2)(L)) is amended—

(1) in clause (iii), by striking "and" at the end;

(2) in clause (iv), by striking the period and inserting "; and"; and

(3) by adding at the end the following:

"(v) not regulate as a municipal advisor the activities of a person referred to in subparagraph (C) of subsection (e)(4), to the extent that such activities are described under such subparagraph."

SEC. 3. DISCIPLINE OF MUNICIPAL SECURITIES DEALERS; CENSURE; SUSPENSION OR REVOCATION OF REGISTRATION.

(a) IN GENERAL.—Section 15B(c)(1) of the Securities Exchange Act of 1934 (15 U.S.C. 78o-4(c)(1)) is amended to read as follows:

"(1) No broker, dealer, or municipal securities dealer shall make use of the mails or any means or instrumentality of interstate commerce to effect any transaction in, or to induce or attempt to induce the purchase or sale of, any municipal security, and no broker, dealer, municipal securities dealer, or municipal advisor shall make use of the mails or any means or instrumentality of interstate commerce to provide advice to or on behalf of a municipal entity or obligated person with respect to municipal financial products, the issuance of municipal securities, or to undertake a solicitation of a municipal entity or obligated person, in contravention of any rule of the Board. A municipal advisor, when acting pursuant to an engagement described in subsection (e)(4)(A)(i), and any person associated with such municipal advisor, shall be deemed to have a fiduciary duty with respect to such engagement to any municipal entity for whom such municipal advisor acts as a municipal advisor, and no municipal advisor may engage in any act, practice, or course of business which is not consistent with such municipal advisor's fiduciary duty or that is in contravention of any rule of the Board. In issuing regulations to carry out the previous sentence and subsection (b)(2)(L)(i), the Board shall—

"(A) require that a municipal advisor act in accordance with its fiduciary duty to its municipal entity clients, but only in connection with those specific activities involving such municipal entity client described under subsection (e)(4)(A)(i) (and not excluded under subsection (e)(4)(C));

"(B) specify when such duties begin and terminate in relation to such activities; and

"(C) not prohibit principal transactions by municipal advisors or the receipt of compensation based on commissions or other standard compensation in relation to the purchase or sale of a security or other instrument (including deposit or foreign exchange), except that the Board—

"(i) may issue rules requiring a municipal advisor to only engage in such transactions

or receive such compensation in a manner that is consistent with the municipal advisor's fiduciary duty; and

"(ii) may prohibit a municipal advisor that has been engaged to provide advice with respect to an underwritten offering of securities from concurrently acting as an underwriter of such offering."

(b) TECHNICAL CORRECTION.—

(1) IN GENERAL.—Section 975(c)(5) of the Dodd-Frank Wall Street Reform and Consumer Protection Act is amended to read as follows:

"(5) in paragraph (4), by inserting 'or municipal advisor' after 'municipal securities dealer' each place that term appears;";

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect on the date of the enactment of the Dodd-Frank Wall Street Reform and Consumer Protection Act, as if included in such Act.

SEC. 4. DEFINITION OF INVESTMENT STRATEGIES.

Section 15B(e)(3) of the Securities Exchange Act of 1934 (15 U.S.C. 78o-4(e)(3)) is amended to read as follows:

"(3) the term 'investment strategies'—

"(A) means plans or programs for the investment of the direct proceeds of municipal securities (but not other public funds) that are not municipal derivatives or guaranteed investment contracts, and the recommendation of and brokerage of municipal escrow investments, where, with respect to the municipal advisor offering such plans, programs, or recommendations, such proceeds of municipal securities and municipal escrow investments—

"(i) are known or should be known to the municipal advisor to be comprised of funds or investments maintained in a segregated account that is exclusively for the purpose of maintaining such proceeds or escrow investment; or

"(ii) have been identified to the municipal advisor, in writing, as funds or investments that constitute the proceeds of municipal securities or municipal escrow investments; and

"(B) does not include—

"(i) merely acting as a broker or principal with respect to the purchase or sale of a security or other instrument (including deposit or foreign exchange);

"(ii) providing a list of, or price quotations for, investment options or securities or other instruments which may be available for purchase or investment or which satisfy investment criteria specified by a municipal entity;

"(iii) acting as a custodian;

"(iv) providing generalized information concerning investments which are not tailored to the specific investment objectives of the municipal entity; or

"(v) providing advice with respect to matters other than the investment of funds or financial products;";

SECTION 5. DEFINITION OF MUNICIPAL ADVISOR.

Section 15B(e)(4) of the Securities Exchange Act of 1934 (15 U.S.C. 78o-4(e)(4)) is amended to read as follows:

"(4) the term 'municipal advisor'—

"(A) means a person (who is not a municipal entity or obligated person, or an employee of a municipal entity or obligated person) that—

"(i) is engaged, for compensation, by a municipal entity or obligated person to provide advice to a municipal entity or obligated person with respect to municipal financial products or the issuance of municipal securities, including advice with respect to the structure, timing, terms, and other similar

matters concerning such financial products or issues; or

“(ii) undertakes a solicitation of a municipal entity;

“(B) includes financial advisors, guaranteed investment contract brokers, third-party marketers, placement agents, solicitors, finders, and swap advisors, if such persons are described in either of clauses (i) or (ii) of subparagraph (A) and are not excluded under subparagraph (C); and

“(C) does not include, solely as a result of their performing the following activities—

“(i) any broker, dealer, or municipal securities dealer registered with the Commission, to the extent that such broker, dealer, or municipal securities dealer is serving or is seeking to serve as an underwriter, placement agent, remarketing agent, dealer-manager, or in a similar capacity, or is providing advice related to or in connection with any such activities and not for separate compensation, or any person associated with such a broker, dealer, or municipal securities dealer;

“(ii) an investment adviser registered under the Investment Advisers Act of 1940 (15 U.S.C. 80b-1 et seq.) or with any State or territory of the United States that is providing investment advice (whether or not of a type that would subject a person to registration under such Act), or any person associated with such an investment adviser;

“(iii) any person registered under the Commodity Exchange Act (7 U.S.C. 1 et seq.) or this Act in relation to such person's activities with respect to swaps or security-based swaps that is providing advice related to swaps or security-based swaps, or providing advice that is related to or in connection with any such activities and not for separate compensation, or any person associated with such person;

“(iv) a financial institution engaging in any of the activities referred to in clause (i), (ii), or (iii) pursuant to an exemption from registration, acting as a dealer or principal with respect to deposits, foreign exchange, or identified banking products (as defined in paragraphs (1) through (5) of section 206(a) of the Gramm-Leach-Bliley Act (15 U.S.C. 78c(a))), providing other traditional banking or trust services otherwise subject to a fiduciary duty under State or Federal law, providing administrative or operational services or support, or providing advice that is related to or in connection with any such activities and not for separate compensation;

“(v) any person subject to regulation by a State insurance regulator providing insurance products or services or providing advice that is related to or in connection with any such activities and not for separate compensation;

“(vi) an accountant (or person associated with such accountant) providing customary and usual accounting services, including any attestation or audit service or issuing letters for underwriters for a municipal entity or providing advice that is related to or in connection with any such activities and not for separate compensation;

“(vii) any attorney offering legal advice or providing services that are of a traditional legal nature;

“(viii) an engineer providing engineering advice; or

“(ix) any elected or appointed member of a governing body of a municipal entity or obligated person, with respect to such member's role on the governing body;”.

SEC. 6. DEFINITION OF SOLICITATION OF A MUNICIPAL ENTITY OR OBLIGATED PERSON.

Section 15B(e)(9) of the Securities Exchange Act of 1934 (15 U.S.C. 78o-4(e)(9)) is amended by striking “or on behalf of a municipal entity; and” and inserting the following: “a municipal entity, but communications on behalf of a fund or other collective investment vehicle shall not be deemed to be on behalf of any investment adviser that advises or manages such fund or investment vehicle;”.

SEC. 7. DEFINITION OF MUNICIPAL DERIVATIVE.

Section 15B(e) of the Securities Exchange Act of 1934 (15 U.S.C. 78o-4(e)) is amended—

(1) in paragraph (10), by striking the period on the end and inserting a semicolon; and

(2) by adding at the end the following:

“(11) the term ‘municipal derivative’ means a swap or security-based swap in which a municipal entity is a counterparty; and”.

SEC. 8. DEFINITION OF ON BEHALF OF.

Section 15B(e) of the Securities Exchange Act of 1934 (15 U.S.C. 78o-4(e)), as amended by section 7, is further amended by adding at the end the following:

“(12) the term to provide advice ‘on behalf of a municipal entity or obligated person’ means to provide advice to a person that is known to be engaged by a municipal entity or obligated person to provide services to such municipal entity or obligated person in connection with the issuance of municipal securities.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. DOLD) and the gentlewoman from Wisconsin (Ms. MOORE) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. DOLD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to add extraneous material on this bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. DOLD. Mr. Speaker, I yield myself such time as I may consume.

I rise today in support of H.R. 2827, which would clarify the definition of a “municipal adviser” to reflect the intent of the United States Congress. This bill received unanimous support and passed out of the Financial Services Committee with a vote of 60-0. I would like to urge my colleagues to support this important bipartisan legislation.

Municipal advisers are consultants who advise local municipalities about bond issuances, bond-proceed investment, financial derivative uses, and other financial matters. Like traditional financial advisers, municipal advisers must comply with an existing legal and regulatory framework while owing their clients a fiduciary duty.

But before Dodd-Frank, certain municipal advisers were not subject to any regulations—State, Federal or otherwise. Obviously, this legal and un-

justified discrepancy between regulated and unregulated municipal advisers created a significant and, I would argue, unfair competitive advantage in favor of the unregulated municipal advisers.

Even more importantly, the regulatory gap gave a few bad actors the opportunity to take advantage of the State and local government officials who, like most people, aren't familiar with advanced and technical financial products. Dodd-Frank section 975 addressed this problem by requiring these unregulated advisers to register with the SEC and to follow rules written by the Municipal Securities Rulemaking Board.

The provisions generally have bipartisan political support as well as widespread industry support. However, most of us, both Republicans and Democrats, believe that the SEC's interpretation of the law has gone far beyond what Congress intended by, among other things, requiring volunteer members of local governing boards, engineers providing technical and comparative analysis, and bank tellers to register with the SEC as municipal advisers. In response to its proposal, the SEC received over 1,000 comment letters from across the industry that were overwhelmingly critical of the proposed rule.

This is why I introduced H.R. 2827. H.R. 2827 takes important steps to address these widely acknowledged concerns and specifies the scope and limits of Dodd-Frank's municipal adviser provisions.

After introducing our original version of H.R. 2827, we asked everyone on both sides of the aisle—and industry participants as well with a wide variety of perspectives—to give us their comments and suggestions for improving the legislation. My colleague and cosponsor from Wisconsin (Ms. MOORE) and I have spent countless hours working and listening to all concerned parties to ensure that we have fully considered all the viewpoints in order to come up with the best possible legislation that could also pass with broad bipartisan support. At this time, I certainly want to thank her for all of her efforts.

Mr. Speaker, there were two concerns about the original version of H.R. 2827 that were the most significant. The first was that the original version of the bill would strike the Federal fiduciary duty for municipal advisers, leaving in place just the State-based fiduciary duty standards. Second, even when explicitly engaged to provide municipal adviser services, the original bill would have excluded certain parties from regulation as municipal advisers.

During the subcommittee markup, Ms. MOORE and I articulated our plan for going forward with the legislation, and we invited more comments and

suggestions from industry and all concerned parties. We were very pleased with the genuine engagement of the parties from across the industry and with their willingness to generously share their time, experience, effort, and knowledge with us. All of these contributions ultimately produced a better and stronger amended bill. We believe that this new version of the bill addresses the points raised since the subcommittee markup while still maintaining our broad coalition of bipartisan supporters.

This new bill preserves the Federal fiduciary standard and removes the blanket status exemptions while still maintaining a bright-line municipal adviser definition. It protects issuers by establishing clear lines and rules for municipal advisory activity and provides clarity in the marketplace.

In addition to the amendment's substance, I am very proud of the process that we've been able to undertake to get us to this point. I would like to thank my colleague again, Ms. MOORE, and her staff for working with me and my staff, and I thank all of those who worked with us to get us to where we are in this process. They were so generous in sharing their time, and I am confident that what we have is a good bill with which we can move forward. Again, I urge my colleagues to support H.R. 2827.

With that, I reserve the balance of my time.

Ms. MOORE. Mr. Speaker, I yield myself such time as I may consume.

I think Mr. DOLD has dealt very well with very many of the specifics of H.R. 2827 relating to the regulations of municipal advisers. So, before I lose people, I want to briefly talk about the process that brought the bill to this point, and I want to thank a lot of people for their contributions to the final legislation.

As you've heard, the bill that passed the Financial Services Committee by 60-0 reflects the legislative process at its absolute best. It was a collaborative effort between Republicans and Democrats, issuers and market participants, and very, very diligent staffers on both sides of the aisle. If there is a single element that is most responsible for the bill's getting to this point, it is the integrity of the people involved. It speaks to their professionalism in that they stayed at the table and negotiated with the singular purpose of getting to the best result for the municipal market. There were times when the issues were tough and the disagreements real. There were times when it would have been very easy for people to just give up and walk away.

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But to the credit of all involved, everyone kept talking and kept searching for solutions.

Mr. DOLD deserves a tremendous amount of credit for his leadership of

this bill. He was consistently willing to engage tough issues in an open and thoughtful manner. I would also like to thank all of my colleagues on the committee, Republican and Democrat alike, for their invaluable input as we negotiated the bill. Finally, I think it is important that I mention the important contributions of Mr. FRANK and Ms. WATERS. At many critical points, both were instrumental in providing guidance.

H.R. 2827, which passed the House Financial Services Committee 60-0, almost didn't pass at all as there was so much confusion generated from the SEC promulgating a rule that initially was very confusing. It's only the second legislative effort related to Dodd-Frank to pass the committee unanimously.

Prior to the passage of Dodd-Frank, non-dealer advisers to municipal governments were unregulated. These unregulated parties were involved in a number of municipal market scandals that ultimately defrauded taxpayers. Section 975 brings municipal financial advisers, swap advisers, placement agents, and GIC brokers under Federal securities law. It is a goal that is not partisan.

Unfortunately, in 2010, the SEC released a proposed rulemaking related to section 975 that created massive confusion in the municipal market regarding how section 975 would be applied in the real world. H.R. 2827 seeks to clarify section 975 to provide certainty to the market so that the rules can be implemented and taxpayers can benefit from the protection it brings. This bill takes a fundamentally different approach from the SEC and the definition of municipal advisers. It makes "municipal adviser" an exclusionary definition, rather than trying to outline and define certain transactions which end up being very vague and overly broad.

Mr. Speaker, how much time is remaining?

The SPEAKER pro tempore. The gentlewoman from Wisconsin has 16 minutes remaining.

Ms. MOORE. It doesn't unnecessarily sweep in the universe of other professionals or impinge on the relationships of issuers and other market participants engaged in legitimate and necessary market activities like underwriting, providing accounting services, engineering advice, or offering traditional deposits and cash-management services to municipalities. It is a straightforward approach that effectuates the goals of 975 while meeting the real world needs of market participants.

I want to urge all my colleagues to support this important regulatory legislation. Again, I cannot thank the participants enough who participated in this bill.

With that, I reserve the balance of my time.

Mr. DOLD. Mr. Speaker, I just want to again thank the gentlelady for her help and support with regard to this process which, as she aptly points out, was at times a little strenuous; but I believe in the end we were able to come together in a bipartisan fashion to produce what I hope is quality legislation that will be better for municipal advisers all across the country.

I reserve the balance of my time.

Ms. MOORE. Mr. Speaker, I yield such time as she may consume to the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY. Mr. Speaker, I rise in support of H.R. 2827 and commend my good friends and colleagues, Ms. MOORE and Mr. DOLD and Ranking Member FRANK, and everyone else who worked very hard on this bill and for their willingness to work in a bipartisan way.

It is helpful to recall that the original Dodd-Frank regulations relating to municipal bond advisers only came about because of a number of manmade financial disasters involving municipalities and their advisers who were unregulated. It was just about a year ago that Jefferson County, Alabama, filed the biggest municipal bankruptcy in U.S. history. They joined the ranks of 11 other entities to file a chapter 9 bankruptcy that year, including Boise County, Idaho; Central Falls, Rhode Island; and Harrisonburg, Pennsylvania. They all had unique problems, but one of the things that they had in common was that they got some pretty costly advice, and it will haunt taxpayers for years.

This was an area that was completely unregulated before the financial crisis; and the Dodd-Frank reforms, including the municipal adviser registration requirement, were enacted to respond to those crises. The Dodd-Frank reforms require individuals who advise municipalities to register with the SEC and be subject to regulation by the Municipal Securities Rulemaking Board. This is a very good thing, but most of us agree that the SEC's proposed original rule went just a little bit too far and made the definition of a municipal adviser a little bit too broad. It was defined in a way that could have potentially captured those who were not actually providing investment advice.

For example, I know many institutions were concerned that under the SEC's proposed rule merely providing a bank account to a municipality could mean that an institution would have to register as an adviser and be subject to MSRB regulation all because they just provided basic banking services. As someone who was there during the consideration of Dodd-Frank, I can tell you that that was not what Congress intended; however, I was concerned that the original version of this bill went too far in the other direction, and that could have opened up such a gaping hole you could have driven a truck

full of other people's money through it. I was concerned that the draft bill eliminated the critical fiduciary duty standard that we included in Dodd-Frank. The fiduciary duty is a vital element that ensures that the advisers provide advice that is in the best interest of the municipality.

I think that with this revised bill we have struck a good balance. Fiduciary duty is back in, and unintended capture is out. The revised language clearly and reasonably defines the activities that municipal advisers engage in and describes the kinds of advice that they provide. This bill now gives clear legislative guidance to ensure that the goal of heightened supervision of municipal advisers is realized. It keeps taxpayers a little bit safer, credit markets more stable, and regulations a bit fair.

All in all, I would say that it is a job well done, done in a bipartisan spirit with a great deal of time and commitment. I commend the two major sponsors who are speaking with us today; and I thank my good friend, GWEN MOORE, for her work on this bill.

Ms. MOORE. I thank the gentlewoman from New York.

I just want to say again that I think we need to credit Mr. DOLD, who is a fairly new Member. We actually listened to Members who were senior Members and didn't base it on our partisan differences as so often occurs. We really respected people's experience, and listened to their advice very earnestly.

Again, I would urge my colleagues to support this legislation, and I yield back the balance of my time.

Mr. DOLD. Mr. Speaker, I don't have any other speakers, but I do want to wrap up with a couple of thank-yous.

I certainly want to thank Chairman BACHUS for allowing this markup to move forward, and I certainly appreciated his help and support. I want to again highlight how this was able to move forward in a bipartisan fashion, and I certainly want to thank my good friend, Ms. MOORE from Wisconsin, for all of her work and efforts to work with me on what I hope is going to be a bill that everyone here in this Chamber will support.

With that, Mr. Speaker, I ask every one of my colleagues on both sides of the aisle to support H.R. 2827, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. DOLD) that the House suspend the rules and pass the bill, H.R. 2827, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF HOUSE JOINT RESOLUTION 118, DISAPPROVING RULE RELATING TO WAIVER AND EXPENDITURE AUTHORITY WITH RESPECT TO THE TEMPORARY ASSISTANCE FOR NEEDY FAMILIES PROGRAM; PROVIDING FOR CONSIDERATION OF H.R. 3409, STOP THE WAR ON COAL ACT OF 2012; AND PROVIDING FOR PROCEEDINGS DURING THE PERIOD FROM SEPTEMBER 22, 2012, THROUGH NOVEMBER 12, 2012

Mr. BISHOP of Utah (during consideration of H.R. 2827), from the Committee on Rules, submitted a privileged report (Rept. No. 112-680) on the resolution (H. Res. 788) providing for consideration of the joint resolution (H.J. Res. 118) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Office of Family Assistance of the Administration for Children and Families of the Department of Health and Human Services relating to waiver and expenditure authority under section 1115 of the Social Security Act (42 U.S.C. 1315) with respect to the Temporary Assistance for Needy Families program; providing for consideration of the bill (H.R. 3409) to limit the authority of the Secretary of the Interior to issue regulations before December 31, 2013, under the Surface Mining Control and Reclamation Act of 1977; and providing for proceedings during the period from September 22, 2012, through November 12, 2012, which was referred to the House Calendar and ordered to be printed.

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MANHATTAN PROJECT NATIONAL HISTORICAL PARK ACT

Mr. HASTINGS of Washington. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5987) to establish the Manhattan Project National Historical Park in Oak Ridge, Tennessee, Los Alamos, New Mexico, and Hanford, Washington, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5987

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Manhattan Project National Historical Park Act".

SEC. 2. FINDINGS.

Congress finds that—

(1) the Manhattan Project was an unprecedented top-secret program implemented during World War II to produce an atomic bomb before Nazi Germany;

(2) a panel of experts convened by the President's Advisory Council on Historic Preservation in 2001—

(A) stated that "the development and use of the atomic bomb during World War II has

been called 'the single most significant event of the 20th century'"; and

(B) recommended that nationally significant sites associated with the Manhattan Project be formally established as a collective unit and be administered for preservation, commemoration, and public interpretation in cooperation with the National Park Service;

(3) the Manhattan Project National Historical Park Study Act (Public Law 108-340; 118 Stat. 1362) directed the Secretary of the Interior, in consultation with the Secretary of Energy, to conduct a special resource study of the historically significant sites associated with the Manhattan Project to assess the national significance, suitability, and feasibility of designating one or more sites as a unit of the National Park System;

(4) after significant public input, the National Park Service study found that "including Manhattan Project-related sites in the national park system will expand and enhance the protection and preservation of such resources and provide for comprehensive interpretation and public understanding of this nationally significant story in the 20th century American history";

(5) the Department of the Interior, with the concurrence of the Department of Energy, recommended the establishment of a Manhattan Project National Historical Park comprised of resources at—

(A) Oak Ridge, Tennessee;

(B) Los Alamos, New Mexico; and

(C) Hanford, in the Tri-Cities area, Washington; and

(6) designation of a Manhattan Project National Historical Park as a unit of the National Park System would improve the preservation of, interpretation of, and access to the nationally significant historic resources associated with the Manhattan Project for present and future generations to gain a better understanding of the Manhattan Project, including the significant, far-reaching, and complex legacy of the Manhattan Project.

SEC. 3. PURPOSES.

The purposes of this Act are—

(1) to preserve and protect for the benefit of present and future generations the nationally significant historic resources associated with the Manhattan Project;

(2) to improve public understanding of the Manhattan Project and the legacy of the Manhattan Project through interpretation of the historic resources associated with the Manhattan Project;

(3) to enhance public access to the Historical Park consistent with protection of public safety, national security, and other aspects of the mission of the Department of Energy; and

(4) to assist the Department of Energy, Historical Park communities, historical societies, and other interested organizations and individuals in efforts to preserve and protect the historically significant resources associated with the Manhattan Project.

SEC. 4. DEFINITIONS.

In this Act:

(1) HISTORICAL PARK.—The term "Historical Park" means the Manhattan Project National Historical Park established under section 5.

(2) MANHATTAN PROJECT.—The term "Manhattan Project" means the Federal program to develop an atomic bomb ending on December 31, 1946.

(3) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

SEC. 5. ESTABLISHMENT OF MANHATTAN PROJECT NATIONAL HISTORICAL PARK.

(a) ESTABLISHMENT.—

(1) **DATE.**—Not later than 1 year after the date of enactment of this Act, there shall be established as a unit of the National Park System the Manhattan Project National Historical Park.

(2) **AREAS INCLUDED.**—The Historical Park shall consist of facilities and areas listed under subsection (b) as determined by the Secretary, in consultation with the Secretary of Energy. The Secretary shall include the area referred to in subsection (b)(3)(A), the B Reactor National Historic Landmark, in the Historical Park.

(b) **ELIGIBLE AREAS.**—The Historical Park may only be comprised of one or more of the following areas, or portions of the areas, as generally depicted in the map titled “Manhattan Project National Historical Park Sites”, numbered 540/108,834-C, and dated September 2012:

(1) **OAK RIDGE, TENNESSEE.**—Facilities, land, or interests in land that are—

(A) at Buildings 9204-3 and 9731 at the Y-12 National Security Complex;

(B) at the X-10 Graphite Reactor at the Oak Ridge National Laboratory;

(C) at the K-25 Building site at the East Tennessee Technology Park; and

(D) at the former Guest House located at 210 East Madison Road.

(2) **LOS ALAMOS, NEW MEXICO.**—Facilities, land, or interests in land that are—

(A) in the Los Alamos Scientific Laboratory National Historic Landmark District, or any addition to the Landmark District proposed in the National Historic Landmark Nomination—Los Alamos Scientific Laboratory (LASL) NHL District (Working Draft of NHL Revision), Los Alamos National Laboratory document LA-UR 12-00387 (January 26, 2012);

(B) at the former East Cafeteria located at 1670 Nectar Street; and

(C) at the former dormitory located at 1725 17th Street.

(3) **HANFORD, WASHINGTON.**—Facilities, land, or interests in land that are—

(A) the B Reactor National Historic Landmark;

(B) the Hanford High School in the town of Hanford and Hanford Construction Camp Historic District;

(C) the White Bluffs Bank building in the White Bluffs Historic District;

(D) the warehouse at the Bruggemann's Agricultural Complex;

(E) the Hanford Irrigation District Pump House; and

(F) the T Plant (221-T Process Building).

(c) **WRITTEN CONSENT OF OWNER.**—No non-Federal property may be included in the Historical Park without the written consent of the owner.

SEC. 6. AGREEMENT.

(a) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, the Secretary and the Secretary of Energy (acting through the Oak Ridge, Los Alamos, and Richland site offices) shall enter into an agreement governing the respective roles of the Secretary and the Secretary of Energy in administering the facilities, land, or interests in land under the administrative jurisdiction of the Department of Energy that is to be included in the Historical Park under section 5(b), including provisions for enhanced public access, management, interpretation, and historic preservation.

(b) **RESPONSIBILITIES OF THE SECRETARY.**—Any agreement under subsection (a) shall provide that the Secretary shall—

(1) have decisionmaking authority for the content of historic interpretation of the Manhattan Project for purposes of administering the Historical Park; and

(2) ensure that the agreement provides an appropriate advisory role for the National Park Service in preserving the historic resources covered by the agreement.

(c) **RESPONSIBILITIES OF THE SECRETARY OF ENERGY.**—Any agreement under subsection (a) shall provide that the Secretary of Energy—

(1) shall ensure that the agreement appropriately protects public safety, national security, and other aspects of the ongoing mission of the Department of Energy at the Oak Ridge Reservation, Los Alamos National Laboratory, and Hanford Site;

(2) may consult with and provide historical information to the Secretary concerning the Manhattan Project;

(3) shall retain responsibility, in accordance with applicable law, for any environmental remediation that may be necessary in or around the facilities, land, or interests in land governed by the agreement; and

(4) shall retain authority and legal obligations for historic preservation and general maintenance, including to ensure safe access, in connection with the Department's Manhattan Project resources.

(d) **AMENDMENTS.**—The agreement under subsection (a) may be amended, including to add to the Historical Park facilities, land, or interests in land within the eligible areas described in section 5(b) that are under the jurisdiction of the Secretary of Energy.

SEC. 7. PUBLIC PARTICIPATION.

(a) **IN GENERAL.**—The Secretary shall consult with interested State, county, and local officials, organizations, and interested members of the public—

(1) before executing any agreement under section 6; and

(2) in the development of the general management plan under section 8(b).

(b) **NOTICE OF DETERMINATION.**—Not later than 30 days after the date on which an agreement under section 6 is entered into, the Secretary shall publish in the Federal Register notice of the establishment of the Historical Park, including an official boundary map.

(c) **AVAILABILITY OF MAP.**—The official boundary map published under subsection (b) shall be on file and available for public inspection in the appropriate offices of the National Park Service. The map shall be updated to reflect any additions to the Historical Park from eligible areas described in section 5(b).

(d) **ADDITIONS.**—Any land, interest in land, or facility within the eligible areas described in section 5(b) that is acquired by the Secretary or included in an amendment to the agreement under section 6(d) shall be added to the Historical Park.

SEC. 8. ADMINISTRATION.

(a) **IN GENERAL.**—The Secretary shall administer the Historical Park in accordance with—

(1) this Act; and

(2) the laws generally applicable to units of the National Park System, including—

(A) the National Park System Organic Act (16 U.S.C. 1 et seq.); and

(B) the Act of August 21, 1935 (16 U.S.C. 461 et seq.).

(b) **GENERAL MANAGEMENT PLAN.**—Not later than 3 years after the date on which funds are made available to carry out this section, the Secretary, with the concurrence of the Secretary of Energy, and in consultation and collaboration with the Oak Ridge, Los Alamos and Richland Department of Energy site offices, shall complete a general management plan for the Historical Park in accordance with section 12(b) of Public Law

91-383 (commonly known as the “National Park Service General Authorities Act”) (16 U.S.C. 1a-7(b)).

(c) **INTERPRETIVE TOURS.**—The Secretary may, subject to applicable law, provide interpretive tours of historically significant Manhattan Project sites and resources in the States of Tennessee, New Mexico, and Washington that are located outside the boundary of the Historical Park.

(d) **LAND ACQUISITION.**—

(1) **IN GENERAL.**—The Secretary may acquire land and interests in land within the eligible areas described in section 5(b) by—

(A) transfer of administrative jurisdiction from the Department of Energy by agreement between the Secretary and the Secretary of Energy;

(B) donation; or

(C) exchange.

(2) **NO USE OF CONDEMNATION.**—The Secretary may not acquire by condemnation any land or interest in land under this Act or for the purposes of this Act.

(e) **DONATIONS; COOPERATIVE AGREEMENTS.**—

(1) **FEDERAL FACILITIES.**—

(A) **IN GENERAL.**—The Secretary may enter into one or more agreements with the head of a Federal agency to provide public access to, and management, interpretation, and historic preservation of, historically significant Manhattan Project resources under the jurisdiction or control of the Federal agency.

(B) **DONATIONS; COOPERATIVE AGREEMENTS.**—The Secretary may accept donations from, and enter into cooperative agreements with, State governments, units of local government, tribal governments, organizations, or individuals to further the purpose of an interagency agreement entered into under subparagraph (A) or to provide visitor services and administrative facilities within reasonable proximity to the Historical Park.

(2) **TECHNICAL ASSISTANCE.**—The Secretary may provide technical assistance to State, local, or tribal governments, organizations, or individuals for the management, interpretation, and historic preservation of historically significant Manhattan Project resources not included within the Historical Park.

(3) **DONATIONS TO DEPARTMENT OF ENERGY.**—For the purposes of this Act, or for the purpose of preserving and providing access to historically significant Manhattan Project resources, the Secretary of Energy may accept, hold, administer, and use gifts, bequests, and devises (including labor and services).

SEC. 9. CLARIFICATION.

(a) **NO BUFFER ZONE CREATED.**—Nothing in this Act, the establishment of the Historical Park, or the management plan for the Historical Park shall be construed to create buffer zones outside of the Historical Park. That an activity can be seen and heard from within the Historical Park shall not preclude the conduct of that activity or use outside the Historical Park.

(b) **NO CAUSE OF ACTION.**—Nothing in this Act shall constitute a cause of action with respect to activities outside or adjacent to the established boundary of the Historical Park.

The **SPEAKER** pro tempore. Pursuant to the rule, the gentleman from Washington (Mr. HASTINGS) and the gentleman from Ohio (Mr. KUCINICH) each will control 20 minutes.

The Chair recognizes the gentleman from Washington.

GENERAL LEAVE

Mr. HASTINGS of Washington. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. HASTINGS of Washington. I yield myself such time as I may consume.

Mr. Speaker, H.R. 5987 is a bipartisan bill authored by me that will establish the Manhattan Project National Historical Park. Mr. Speaker, there is a like bill, a bipartisan bill, also pending in the Senate.

The park will encompass three locations that were integral to the tremendous engineering and human achievements of the Manhattan Project. The three locations are the Hanford site in my home State of Washington, Los Alamos in New Mexico, and Oak Ridge in Tennessee.

The vast majority of the facilities that are eligible to be included in this park are already owned by the Federal Government, and they are located on lands owned and controlled by the Department of Energy.

Our Nation already possesses these pieces of history, and the real purpose of this bill is to officially declare the importance of preserving the history, providing access to the public, and include the unique abilities of the Park Service to help tell this story.

Currently, some of these facilities slated for inclusion in this park are scheduled to be destroyed at considerable taxpayer expense. A great many local community leaders in all three States and interested citizens have worked to coordinate a commitment to preserving this piece of our history. Additionally, the government will save millions of dollars from foregone destruction, as opposed to the minimal cost of providing public access and park administration.

In recognition of the important contributions to the Manhattan Project by the men and women at sites across the country, the bill contains a provision allowing communities like Dayton, Ohio, for example, outside the historical park, to receive technical assistance and support from the Department of the Interior as they seek to preserve and manage their own Manhattan Project park resources.

This is a good piece of legislation, and it is part of our history, Mr. Speaker. I urge my colleagues to support this legislation.

I reserve the balance of my time.

Mr. KUCINICH. Mr. Speaker, I yield myself such time as I may consume.

To my friend, Mr. HASTINGS, the technology which created the bomb cannot be separated from the horror

which the bomb created. The celebration of the technology of the bomb bespeaks a moral blindness to its effects, which include not only the devastation of the people of Hiroshima and Nagasaki, but the \$10 trillion Cold War between the U.S. and Russia and the tens of thousands of nuclear weapons which today hang over the world like so many swords of Damocles.

At a time when we should be organizing the world towards abolishing nuclear weapons before they abolish us, we are instead indulging in admiration at our cleverness as a species. The bomb is about graveyards; it's not about national parks.

The philosopher, Alfred North Whitehead once wrote:

The major advances in civilization are processes that all but wreck the societies in which they occur.

I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I advise my friend from Ohio I have no more requests for time, and I am prepared to yield back if he is prepared to yield back.

Mr. KUCINICH. I shall continue then.

When you walk into the Bradbury Science Museum at the Los Alamos National Laboratory in New Mexico, you're greeted on your immediate left by replicas of Fat Man and Little Boy, the two bombs that dropped on Hiroshima and Nagasaki. The space surrounding them does not include a picture of the leveled Japanese cities, pictures of children with massive birth defects, or stories of families and hundreds of years of history obliterated in the blink of an eye. It does not include a discussion of the health effects of worldwide distribution of radiation from the bombs or from the larger proliferation of nuclear technology that emanated from Los Alamos.

I am speaking about the Bradbury Science Museum. The bombs reside in a section of the museum called Defense, which presents information on the nuclear arsenal, the nuclear stockpile, plutonium, and explosives. Other sections discuss how nuclear energy works and how the bomb was triggered, how the bomb was triggered.

A substantive discussion of the myriad negative impacts of the technology that came out of the Manhattan Project is relegated to obscurity. A public forum tucked away in a corner provides space for public input.

When the U.S. dropped atomic bombs on Hiroshima and Nagasaki in August of 1945, more than 200,000 people were killed instantly. In the years that followed, over 100,000 additional people died of radiation poisoning. The Japanese people today continue to experience the devastating and long-term effects of the bomb.

It is now widely acknowledged by many top U.S. Government officials at the time of the war that dropping the bomb on Japan was completely unne-

cessary. I want to get into that section at this moment so that those who say, well, we need to create a memorial to the bomb because it ended the war, well, that's not true. I'm going to give you some quotes, Mr. Speaker.

This is from Dwight David Eisenhower, who was general of the armies and also, later on, President of the United States. He said:

In July 1945, Secretary of War Stimson, visiting my headquarters in Germany, informed me that our government was preparing to drop an atomic bomb on Japan. I was one of those who felt that there were a number of cogent reasons to question the wisdom of such an act. The Secretary, upon giving me the news of the successful bomb test in New Mexico and of the plan for using it, asked for my reaction, apparently expecting a vigorous assent.

During his recitation of the relevant facts, I had been conscious of a feeling of depression, and so I voiced to him my grave misgivings, first on the basis of my belief that Japan was already defeated and that dropping the bomb was completely unnecessary, and secondly because I thought that our country should avoid shocking world opinion by the use of a weapon whose employment was, I thought, no longer mandatory as a measure to save American lives. It was my belief that Japan was, at that very moment, seeking some way to surrender with a minimum loss of "face." The Secretary was deeply perturbed by my attitude.

That's Dwight Eisenhower in a book called "Mandate for Change," page 360.

□ 2000

From General Douglas MacArthur.

Norman Cousins was a consultant to General MacArthur during the American occupation of Japan. Cousins writes of his conversations with MacArthur:

MacArthur's views about the decision to drop the atomic bomb on Hiroshima and Nagasaki were starkly different from what the general public supposed.

Cousins continues:

When I asked General MacArthur about the decision to drop the bomb, I was surprised to learn he had not even been consulted. What, I asked, would his advice have been? He replied that he saw no military justification for the dropping of the bomb. The war might have ended weeks earlier, he said, if the United States had agreed, as it later did anyway, to the retention of the institution of the Emperor.

That's from a book called "The Pathology of Power," Norman Cousins.

Leo Szilard was the first scientist to conceive of how an atomic bomb might be made. That was in 1933. He speaks of a meeting with J. Robert Oppenheimer, the head scientist of the Manhattan Project:

Szilard: I told Oppenheimer that I thought it would be a very serious mistake to use the bomb against the cities of Japan. Oppenheimer didn't share my views. Well, said Oppenheimer, don't you think that if we tell the Russians what we intend to do and then use the bomb in Japan, the Russians will understand it? They'll understand it only too well, Szilard replied.

Brigadier General Carter Clarke, who was the military intelligence officer in

charge of preparing intercepted Japanese cables:

We didn't need to do it, and we knew we didn't need to do it, and they knew that we didn't need to do it, we used them as an experiment for two atomic bombs.

This is quoted in Gar Alperovitz, "The Decision to Use the Atomic Bomb." Alperovitz, by the way, who did 30 years of research on the subject, said:

I think it can be proven that the bomb not only was unnecessary, but known in advance not to be necessary.

Another quote. Henry H. Arnold, Commanding General of the U.S. Army Air Forces:

The Japanese position was hopeless even before the first atomic bomb fell because the Japanese had lost control of their own air.

Fleet Admiral Chester W. Nimitz, Commander in Chief of the U.S. Pacific Fleet:

The Japanese had, in fact, already sued for peace. The atomic bomb played no decisive part from a purely military point of view in the defeat of Japan.

The use of atomic bombs at Hiroshima and Nagasaki was of no material assistance in our war against Japan. The Japanese were already defeated and ready to surrender.

This is Admiral William D. Leahy, chief of staff to President Truman:

Certainly, prior to 31 December 1945, and in all probability, prior to 1 November 1945, Japan would have surrendered even if atomic bombs had not been dropped.

That's from the U.S. Strategic Bombing Survey.

This is from Major General Curtis LeMay:

The war would have been over in 2 weeks without the Russians entering and without the atomic bomb. The atomic bomb had nothing to do with the end of the war at all.

Now it's just not disputable that this technology was not necessary. So let's go back to the creation of a national park and the naming of the park after the Manhattan Project.

May I ask how much time I have?

The SPEAKER pro tempore. The gentleman has 10 minutes remaining.

Mr. KUCINICH. Thank you.

We have to now ask ourselves, since it can be widely disputed—and by top military officials—that the dropping of the bomb was not necessary, then why are we honoring this technology with a national park? It's really a legitimate question.

When the U.S. dropped atomic bombs on Hiroshima and Nagasaki in August of 1945, again, 200,000 people were killed. And to have this discussion in the context of honoring a technology that created a bomb, I think, really raises questions about where we are with this country and where we are with the bomb. The splitting of the atom and the use of the split atom to create an atomic bomb actually bespeaks a split consciousness in this country. It was, in a sense, an intensification of dichotomized thinking, of

us versus them, whoever they are. We then decided that all of our problems in humanity could be solved by technology, that the bomb then was put in place of reason, that the bomb was put in place of diplomacy, that the bomb was put in place of talking with each other and settling our differences. No, the bomb then became the metaphor for how technology rules over humanity. We're captives of our own machines.

Now, Mr. Speaker, I remember as a young person going to elementary school and that children would have to do drills called duck-and-cover because we believed that the United States was going to be targeted by nuclear weapons launched by the Soviet Union. The fear drove an entire generation's dreams. The fear caused the United States to spend trillions of dollars on a Cold War that took away from the needs of the people. The fear resides in the world today when there are some who urge an attack on Iran. Why? Because they are said to be developing a nuclear weapon.

Where does this stop? We cannot honor this technology. We cannot celebrate ingenuity that was used to put all of humanity at risk. We have to begin to reassess who we are as human beings and ask ourselves whether or not we have essentially reached the limits of our ability to develop technology which we can control.

And it's not only about nuclear weapons. When you learn that the globe itself is experiencing tremendous upset because of the human activity, when you learn that science can now create genetically modified organisms that can change the nature of food. As a matter of fact, life itself can be changed through cloning. We act as these mini gods who can endlessly tinker with our planet and life itself and then name parks after it. No.

In the scheme of things, someone will say, DENNIS, this is just a park. What are you getting so excited about? This is about naming a new national park after the Manhattan Project. And we have to just stop and reflect on where this takes us. There should be a discussion about the full legacy of the Manhattan Project, including its devastating effects upon the Japanese people and upon the rest of the world.

If there was going to be a new park, it should serve as a solemn monument to Japanese American friendship that rose from the ashes and the worldwide work for nuclear disarmament that continues to this day, rather than a celebration of a technology that has brought such destruction to the world. Failure to recognize this dimension, even in its first iteration, really is a significant injustice.

I looked at the CRS report on this, and there's no mention of how this is going to be framed or phrased. The museum at Los Alamos is a celebration of

the triumph of technology over humanity. It's a powerful illustration that we're developing technology at a rate that far exceeds our ability to manage it. Now we are faced with the choice to memorialize this point of view into a national park.

I would ask how much time I have left.

The SPEAKER pro tempore. The gentleman has 4½ minutes.

Mr. KUCINICH. In the last 4½ minutes I want to read a poem by Henry Reed. He juxtaposes in this poem Japan before the dropping of the bomb and the technical aspects of the bomb itself.

□ 2010

It's called "The Naming of Parts":

Today we have the naming of parts. Yesterday, we had daily cleaning. And tomorrow morning, we shall have what to do after firing. But today, today we have the naming of parts. Japonica glistens like coral in all of the neighboring gardens, and today we have naming of parts.

This is the lower sling swivel. And this is the upper sling swivel, whose use you will see when you are given your slings. And this is the piling swivel, which in your case you have not got. The branches hold in the gardens their silent, eloquent gestures, which in our case we have not got.

This is the safety-catch, which is always released with an easy flick of the thumb. And please do not let me see anyone using his finger. You can do it quite easily if you have any strength in your thumb. The blossoms are fragile and motionless, never letting anyone see any of them using their finger.

And this, you can see, is the bolt. The purpose of this is to open the breech, as you see. We can slide it rapidly backwards and forwards: we call this easing the spring. And rapidly backwards and forwards. The early bees are assaulting and fumbling the flowers: They call it easing the spring.

They call it easing the spring: it is perfectly easy if you have any strength in your thumb: like the bolt, and the breech, and the cocking piece, and the point of balance, which in our case we have not got; and the almond blossom silent in all of the gardens and the bees going backwards and forwards, for today we have the naming of parts.

We're naming a park today. Yesterday we had the naming of parts, and not just Japan but our humanity was obliterated. Do we get a chance to reclaim it?

I reserve the balance of my time.

Mr. HASTINGS of Washington. I am prepared to close, Mr. Speaker, if the gentleman will yield back his time.

Mr. KUCINICH. I yield back the remainder of my time.

Mr. HASTINGS of Washington. I yield myself such time as I may consume.

Mr. Speaker, this bill is really not as complicated as my good friend from Ohio tries to make it appear to be.

Now, I recognize, and we've had conversations on this when the bill was introduced, and I respect his opinion, but I respectfully disagree with his opinion and his arguments. There is nothing

wrong with that. After all, we're Americans, and we can do that in America.

But I want to, and with the gentleman, what I heard him saying was dealing in what if and what would be an ideal world. Well, we'd all like to have an ideal world. But let's talk about reality at that time.

We were forced into the Second World War. Germany, of course, had started, some can say, started that war with their blitzkrieg on September 1, 1939, into Poland. You could say it may have started when Japan started expanding where they were going in the Pacific, and certainly when they attacked us on December 7, 1941.

Whether we liked it or not, we were in a war for survival. There is no question about that. That is simply the facts.

In the process of carrying out that war, and by the way, Mr. Speaker, let me say that war is absolutely unpredictable, but because if you're logically thinking about war, if it were predictable, it wouldn't have happened in the first place. But the very nature of war is unpredictable.

So we didn't know where we were, but we had heard that Nazi Germany was developing an atomic weapon. Now, they had been building a military machine long before because we were caught a bit off guard in the Second World War. We were not a warring Nation. So we had to use whatever technology we had in order to defend our freedoms. One way that was decided was to build an atomic weapon if we had to use that atomic weapon.

What this bill purports to do is nothing more than to talk about the ingenuity of the American people to develop this weapon when the nuclear industry was relatively in its infancy, and did it in such a short time frame. That is something that we ought to put into our history books because we do put past battles in our history books.

Just earlier this week was the 150th anniversary of Antietam, right up the road here in Sharpsburg, Maryland—the largest single-day casualty in American history at that time. Yet we memorialize the battlefield because it helped preserve our Union and get our Union back together.

So I think it's right that we look at these from that perspective.

Now, I can only imagine how difficult a decision it was for President Truman shortly after President Roosevelt had died to make this decision; but he made it because in his judgment, given the information he had, it would probably save more lives than it would cost by dropping a bomb. That was the judgment he made.

Let me speak just a little bit about, again, the ingenuity and the technology of what happened, and I can only speak about my area, Hanford, and about, specifically, about the B Reactor.

This is the first nuclear reactor that was built in this country; and from start to finish, it was built in less than a year. The technology at that point wasn't even proven. Yet when they started the B Reactor and went "hot," as they said, it obviously did what it was supposed to do. It was a tremendous scientific achievement.

To open this up to the public and open this up to school children to see what we can do and what we did in this country to protect the freedoms and liberty we have, I think is worth preserving.

Again, all this does is take those three main sites that largely are already owned by the government, transfer them to the National Park Service, and show them to the public so we can learn and remember what happened during that time.

Finally, Mr. Speaker, let me say that I've been down on this floor many times criticizing the Obama administration. But the Obama administration, through Secretary Salazar and the Department of the Interior, is in favor of legislation establishing precisely what this bill and the Senate bill hope to do.

So while I have differences with them, I certainly congratulate them for recognizing how important this legislation is.

With that, Mr. Speaker, I urge adoption of the legislation, and I yield back the balance of my time.

Ms. MCCOLLUM. Mr. Speaker, I rise to speak regarding H.R. 5987, which establishes the Manhattan Project National Historical Park in Oak Ridge, Tennessee; Los Alamos, New Mexico; and Hanford, Washington.

These American cities were the primary locations of the Manhattan Project—an unprecedented American research and development effort during World War II that harnessed the power of the atom to produce the world's first atomic weapons. The project produced the atomic bombs detonated over the Japanese cities of Hiroshima and Nagasaki that ultimately led to the surrender of Japan in August 1945.

The Manhattan Project is worthy of national recognition as a scientific achievement and a historical turning point in the greatest conflict of the 20th century. However, the highest degree of sensitivity is required in doing so. The same blasts that ended America's war and brought joy to our streets resulted in the death of over 300,000 Japanese civilians.

There are important questions about how the National Park Service will interpret this new monument. These questions should be answered before H.R. 5987 moves forward. While I do not oppose the establishment of a national historic park recognizing the Manhattan Project, I expect the necessary consultations with stakeholders to occur prior to passage of this legislation.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Washington (Mr. HASTINGS) that the House suspend the rules and pass the bill, H.R. 5987, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. KUCINICH. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

□ 2020

GLOBAL INVESTMENT IN AMERICAN JOBS ACT OF 2012

Mrs. BONO MACK. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5910) to direct the Secretary of Commerce, in coordination with the heads of other relevant Federal departments and agencies, to produce a report on enhancing the competitiveness of the United States in attracting foreign direct investment, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5910

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Global Investment in American Jobs Act of 2012".

SEC. 2. FINDINGS.

Congress finds the following:

(1) It remains an urgent national priority to improve economic growth and create new jobs.

(2) National security requires economic strength and global engagement.

(3) Businesses today have a wide array of choices when considering where to invest, expand, or establish new operations.

(4) Administrations of both parties have consistently reaffirmed the need to maintain an open investment climate as a key to domestic economic prosperity and security.

(5) The United States has historically been the largest worldwide recipient of global investment but has seen its share of inbound global investment decline relative to its gross domestic product in recent years.

(6) Governors and mayors throughout the United States face increasing competition from other countries as they work to recruit investment from global companies.

(7) Foreign direct investment can benefit the economy and workforce of every State and Commonwealth in the United States.

(8) According to the latest Federal statistics, the United States subsidiaries of companies headquartered abroad contribute to the United States economy in a variety of important ways, including by—

(A) providing jobs for nearly 5,300,000 Americans with average compensation that is approximately 33 percent higher than the national private-sector average, as these jobs are often in high-skilled, high-paying industries;

(B) strengthening the United States industrial base and employing nearly 15 percent of the United States manufacturing sector workforce;

(C) establishing operations in the United States from which to sell goods and services around the world, thereby producing nearly 18 percent of United States exports;

(D) promoting innovation with more than \$41,000,000,000 in annual United States research and development activities;

(E) paying nearly 17 percent of United States corporate income taxes; and

(F) purchasing more than \$1,800,000,000,000 in domestic goods and services annually from local suppliers and small businesses, amounting to 80 cents for every dollar spent on input purchases.

(9) These companies account for 5.8 percent of United States private sector Gross Domestic Product.

(10) The Secretary of Commerce and the Secretary of State have declared increasing inbound global investment to be among their top priorities.

(11) The President issued a statement in 2011 reaffirming the longstanding open investment policy of the United States and encouraged all countries to pursue such a policy.

(12) The President signed an Executive order in 2011 to establish the SelectUSA initiative, aimed at promoting greater levels of business investment in the United States.

(13) The President's Council on Jobs and Competitiveness in 2011 recommended the establishment of a National Investment Initiative to attract \$1,000,000,000,000 in new business investment from abroad.

(14) The United States and the European Union recently unveiled a set of principles aimed at promoting a more open climate for international investment and intended as a model for countries around the world.

(15) Maintaining the United States commitment to open investment policy encourages other countries to do the same and enables the United States to open new markets abroad for United States companies and their products.

SEC. 3. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the ability of the United States to attract inbound investment, particularly net new investment, is directly linked to the long-term economic prosperity, competitiveness, and security of the United States;

(2) in order to remain the most attractive location for global investment, Congress and Federal departments and agencies should be mindful of the potential impact upon the ability of the United States to attract foreign direct investment when evaluating proposed legislation or regulatory policy;

(3) it is a top national priority to enhance the competitiveness, prosperity, and security of the United States by—

(A) removing unnecessary barriers to inward global investment and the jobs that it creates throughout the United States; and

(B) promoting policies to ensure the United States remains the premier destination for global companies to invest, hire, innovate, and manufacture their products; and

(4) while foreign direct investment can enhance our economic strength, policies regarding foreign direct investment should reflect national security interests.

SEC. 4. AMENDMENT TO FOREIGN DIRECT INVESTMENT AND INTERNATIONAL FINANCIAL DATA IMPROVEMENTS ACT OF 1990.

Section 3 of the Foreign Direct Investment and International Financial Data Improvements Act of 1990 (22 U.S.C. 3142) is amended by adding at the end the following:

“(d) REVIEW OF UNITED STATES LAWS AND POLICIES ON FOREIGN DIRECT INVESTMENT IN THE UNITED STATES.—

“(1) REVIEW.—The Secretary of Commerce, in coordination with the Federal Interagency Investment Working Group and the heads of

other relevant Federal departments and agencies, shall conduct an interagency review of United States laws and policies on foreign direct investment in the United States and develop recommendations to make the United States more competitive in attracting and retaining strong investment flows from abroad.

“(2) ADDITIONAL MATTERS TO BE INCLUDED.—The review conducted pursuant to paragraph (1) shall include the following:

“(A) A review of the current economic impact of foreign direct investment in the United States and broader trends in global cross-border investment flows, including an assessment of the current United States competitive position as an investment location for companies headquartered abroad.

“(B) A review of United States laws and policies that uniquely apply to foreign direct investment in the United States, with particular focus on those laws and policies that may have the effect of diminishing or promoting the ability of the United States to attract and retain foreign direct investment.

“(C) A review of ongoing Federal Government efforts to improve the investment climate, reduce investment barriers, and facilitate greater levels of foreign direct investment in the United States.

“(D) Recommendations based on the review carried out pursuant to subparagraph (B), including a comparative analysis of efforts of other competing countries, to make the United States more competitive in attracting global investment.

“(E) The impact of foreign direct investment on innovation and national economic competitiveness.

“(F) A review of State and local government initiatives to attract foreign investment.

“(3) COMMENT PERIOD.—The review conducted under paragraph (1) shall include an open comment period to solicit public input on matters covered by the review.

“(4) INCLUSION IN REPORT.—The Secretary of Commerce shall include the results of the review conducted pursuant to paragraph (1) in the first report prepared under subsection (a) of this section on or after the date of the enactment of the Global Investment in American Jobs Act of 2012.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Mrs. BONO MACK) and the gentleman from Georgia (Mr. BARROW) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Mrs. BONO MACK. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous materials into the RECORD on H.R. 5910.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

Mrs. BONO MACK. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as chairman of the House Subcommittee on Commerce, Manufacturing and Trade, I rise today in strong support of H.R. 5910, the Global Investment in American Jobs Act of 2012. This legislation directs the Department of Commerce, in coordina-

tion with the heads of other relevant Federal departments, to produce an interagency report on enhancing the competitiveness of the United States in attracting foreign and direct investment.

This is a commonsense, bipartisan approach to creating new jobs in America, and I would like to thank my colleagues—Mr. DOLD, Mr. PETERS, Mr. ROSKAM and Mr. BARROW—for their hard work on this important legislation. I would also like to thank Energy and Commerce Committee Chairman UPTON, Ranking Member WAXMAN, and subcommittee Ranking Member BUTTERFIELD for all agreeing to bring H.R. 5910 to the floor. It has the strong support of leading business groups, including the U.S. Chamber of Commerce, the Organization for International Investment, the Association of Global Automakers, and the National Association of Manufacturers.

Today, with our economy stuck in a dangerous quagmire—and with unemployment still above 8 percent for a record 43 straight months—we need to take a long, hard look at U.S. laws and policies which serve as barriers to foreign direct investment in our Nation here at home. The goal of the Global Investment in American Jobs Act is to produce a much-needed “competitiveness assessment report” to Congress, along with a list of recommendations to make the U.S. more appealing to global companies seeking to expand beyond their borders.

This legislation comes at a very critical time. The value of cross-border investment has grown dramatically around the world, but America simply isn't cashing in like it once did. Just a decade ago, the U.S. attracted more than 41 percent of all global foreign investment. Today, that number has fallen to 18 percent—a steep, costly, and unacceptable decline.

In many ways, we're being out-recruited by other nations. In a recent global ranking of the world's most competitive economies, the U.S. slipped from fifth to seventh—marking the fourth straight year in which our Nation has shown a decline, despite having the world's largest economy. This constant chipping away at America's ability to compete for foreign investment is contributing to our unacceptably high unemployment rate and adding to our exploding national debt. This legislation is simply one way to fight back.

International investment has long served as an engine for U.S. economic prosperity, and it can play an important role in our economic recovery in the years ahead.

Today, the U.S. subsidiaries of international companies employ 5.3 million American workers, account for about 15 percent of the country's manufacturing workforce, produce more than 20 percent of all U.S. goods exported, and

fund more than \$40 billion of annual research and development activities. These companies also support a diverse supplier network throughout our country, purchasing roughly \$2 trillion in annual goods and services that help to sustain thousands of small and medium-sized American companies.

The Global Investment in American Jobs Act aims, for the very first time, to identify barriers to new investment and to produce a road map for attracting and retaining top-tier businesses from around the world. Strong investment promotion policy will not only spur international companies to create jobs here in the U.S., but it will also encourage other nations to open their markets to U.S. investment necessary to access foreign markets.

Simply put, this legislation sends an important message to the world: today, America is not only open for business, but it's also a great place to do business.

With that, Mr. Speaker, I reserve the balance of my time.

Mr. BARROW. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I too rise in support of H.R. 5910, the Global Investment in American Jobs Act of 2012.

Our success as a country depends more and more on being competitive in a global economy. The United States has historically been a very attractive investment for foreign businesses. In fact, foreign-owned businesses add over 5 million good-paying jobs to the U.S. labor force, produce nearly 18 percent of all U.S. exports, pay nearly 17 percent of all U.S. corporate income taxes, and purchase nearly \$2 trillion in goods and services from other domestic small businesses.

This bill simply requires the Department of Commerce to work with the heads of other relevant Federal departments to conduct a review of U.S. laws and policies that affect foreign investment in the U.S. and then make recommendations on how we can be more competitive in attracting foreign investment.

As our global competitors continue to develop, we have to evolve as well just to keep up. This bill will give us a fuller picture of our challenges and opportunities so we can develop a coordinated strategy for economic success. It's the key to our economic well-being in the decades to come.

I want to thank Congressman DOLD, Congressman ROSKAM, and Congressman PETERS for their collaborative and bipartisan work on this bill. Working together isn't just the right way to do things around here; it's the only way to actually get anything done around here. However much we may tend to forget that in this body, it's the only way to truly represent the Nation as a whole.

With that, Mr. Speaker, I reserve the balance of my time.

Mrs. BONO MACK. Mr. Speaker, I am pleased to yield 5 minutes to one of the very hardworking authors of this legislation, the gentleman from Illinois (Mr. DOLD).

Mr. DOLD. Mr. Speaker, I certainly want to thank my good friend from California for yielding the time and for her leadership on the subcommittee.

Mr. Speaker, global investment grows our economy right here at home. It means good-paying, solid American jobs. The United States is the premier location around the world for companies to invest and establish operations, but the reality is that other nations are getting better at challenging the United States for foreign direct investment opportunities. In fact, the United States share of global foreign investment has declined, as my friend from California pointed out, from over 41 percent in 1999 to what is under 18 percent—actually 17.6 percent in 2009.

While America still leads the way in attracting this inbound or inward investment, the data make it clear that we must do better in order to remain the premier location for global investment in the 21st century. That's why I am proud to introduce and champion H.R. 5910, the Global Investment in American Jobs Act. I urge my colleagues who are focused on improving our economy and creating American jobs to vote in support of this legislation so that it can get signed quickly by the President.

The Global Investment in American Jobs Act has earned broad bipartisan support both here in the House and in the United States Senate. And I want to thank Congressman ROSKAM, Congressman BARROW, Congressman PETERS, as well as Senators KERRY and CORKER, for helping lead the push for this legislation. I also want to thank the many cosponsors who recognize how important this legislation is to growing our economy and keeping jobs here at home.

This legislation provides a road map for enhancing the U.S. competitiveness and attracting foreign direct investment into the United States. It does this by expanding on an existing Commerce Department report and charges the Commerce Department to identify certain policies and regulations—whether those are in existence intentionally or, more importantly, indirectly or unintentionally—that might uniquely create a barrier for investment here in the United States. It also helps us gain a better understanding of which current policies promote this much-needed global investment into the United States and into our communities.

Mr. Speaker, in Illinois, insourcing currently accounts for a little over 273,000 direct jobs, including many great jobs in the 10th District of Illinois. But it's not just in Illinois. The benefits of this inbound investment is

seen in literally every State, helping us to sustain innovation, manufacturing, trade, supplier networks, and over 5 million direct jobs throughout our Nation.

□ 2030

But with other nations actively reforming their policies in an effort to make their countries increasingly more competitive for these global investments, it's critical that the United States do the same.

Promoting and encouraging global investment into our country, and the jobs that will come with it, is something that we all should promote. It is something that has been identified as key to economic growth in our country, certainly in the Chicago region, and it is something that I'm proud to lead the charge on in Congress.

I urge my colleagues to vote "yea" on the legislation, and I want to thank my colleague from Georgia for his help and leadership as well.

Mr. BARROW. Mr. Speaker, there being no further speakers on our side, I would inquire of the gentlelady from California if she has any further speakers on hers.

Mrs. BONO MACK. No, I do not have any further speakers. At this time, I'm prepared to close.

Mr. BARROW. With that, Mr. Speaker, it falls to me only to thank, once again, Congressman DOLD, Congressman ROSKAM, and Congressman PETERS for their work on this bill.

I yield back the balance of my time.

Mrs. BONO MACK. Mr. Speaker, I'm just going to say that there's absolutely no magic bullet for putting Americans back to work again, but what we can do and what we should do is eliminate the endless roadblocks to job creation which are acting like a tire boot on the U.S. economy. Today we're simply going nowhere fast.

This bill will help to get America moving again by removing many of those barriers and by developing a much-needed plan for attracting top-tier businesses from around the world. Today, with more than 23 million Americans who are unemployed or underemployed, it's time to cut that tire boot off of our economy and to develop a new roadmap for prosperity. The Global Investment in American Jobs Act of 2012 is one way for us to start on that journey.

Mr. Speaker, again, I applaud my colleagues for their hard work, and I thank them very much for what they've done.

I strongly urge all of my colleagues to adopt H.R. 5910. It is a bipartisan bill. It's supported by leading business groups. And when it comes to job creation, it's another piece to the puzzle that simply fits perfectly.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by

the gentlewoman from California (Mrs. BONO MACK) that the House suspend the rules and pass the bill, H.R. 5910, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

DRYWALL SAFETY ACT OF 2012

Mrs. BONO MACK. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4212) to designate drywall manufactured in China a banned hazardous product, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4212

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Drywall Safety Act of 2012”.

SEC. 2. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the Secretary of Commerce should insist that the Government of the People's Republic of China, which has ownership interests in the companies that manufactured and exported problematic drywall to the United States, facilitate a meeting between the companies and representatives of the United States Government on remedying homeowners that have problematic drywall in their homes; and

(2) the Secretary of Commerce should insist that the Government of the People's Republic of China direct the companies that manufactured and exported problematic drywall to submit to jurisdiction in United States Federal Courts and comply with any decisions issued by the Courts for homeowners with problematic drywall.

SEC. 3. DRYWALL LABELING REQUIREMENT.

(a) LABELING REQUIREMENT.—Except as provided in subsection (b), not later than one year after the date of enactment of this Act, the Consumer Product Safety Commission shall promulgate a final rule under section 14(c) of the Consumer Product Safety Act (15 U.S.C. 2063(c)) requiring that each sheet of drywall manufactured or imported for use in the United States be permanently marked with the name of the manufacturer and the month and year of manufacture.

(b) EXCEPTION.—

(1) VOLUNTARY STANDARD.—Subsection (a) shall not apply if the Consumer Product Safety Commission determines that—

(A) a voluntary standard pertaining to drywall manufactured or imported for use in the United States is adequate to permit the identification of the manufacturer of such drywall and the month and year of manufacture; and

(B) such voluntary standard is or will be in effect not later than 2 years after the date of enactment of this Act.

(2) FEDERAL REGISTER.—Any determination made under paragraph (1) shall be published in the Federal Register.

(c) TREATMENT OF VOLUNTARY STANDARD FOR PURPOSES OF ENFORCEMENT.—Except as provided in subsection (d), if the Commission determines that a voluntary standard meets

the conditions under subsection (b)(1), then the labeling requirement of that standard shall be enforceable as a Commission rule promulgated under section 14(c) of the Consumer Product Safety Act (15 U.S.C. 2063(c)) beginning on the date that is the later of—

(1) 180 days after publication of the determination under subsection (b); or

(2) the effective date contained in the voluntary standard.

(d) REVISION OF VOLUNTARY STANDARD.—If the labeling requirement of a voluntary standard that met the conditions of subsection (b)(1) is subsequently revised, the organization responsible for the standard shall notify the Commission no later than 60 days after final approval of the revision. The labeling requirement of the revised voluntary standard shall become enforceable as a Commission rule promulgated under section 14(c) of the Consumer Product Safety Act (15 U.S.C. 2063(c)), in lieu of the prior version, effective 180 days after the Commission is notified of the revision (or such later date the Commission may specify), unless within 90 days after receiving that notice the Commission determines that the labeling requirement of the revised voluntary standard does not meet the requirements of subsection (b)(1)(A), in which case the Commission shall continue to enforce the prior version.

SEC. 4. SULFUR CONTENT IN DRYWALL STANDARD.

(a) RULE ON SULFUR CONTENT IN DRYWALL REQUIRED.—Except as provided in subsection (c), not later than 1 year after the date of enactment of this Act, the Consumer Product Safety Commission shall promulgate a final rule pertaining to drywall manufactured or imported for use in the United States that limits sulfur content to a level not associated with elevated rates of corrosion in the home.

(b) RULE MAKING; CONSUMER PRODUCT SAFETY STANDARD.—A rule under subsection (a)—

(1) shall be promulgated in accordance with section 553 of title 5, United States Code; and

(2) shall be treated as a consumer product safety rule promulgated under section 9 of the Consumer Product Safety Act (15 U.S.C. 2058).

(c) EXCEPTION.—

(1) VOLUNTARY STANDARD.—Subsection (a) shall not apply if the Commission determines that—

(A) a voluntary standard pertaining to drywall manufactured or imported for use in the United States limits sulfur content to a level not associated with elevated rates of corrosion in the home; and

(B) such voluntary standard is or will be in effect not later than two years after the date of enactment of this Act.

(2) FEDERAL REGISTER.—Any determination made under paragraph (1) shall be published in the Federal Register.

(d) TREATMENT OF VOLUNTARY STANDARD FOR PURPOSES OF ENFORCEMENT.—If the Commission determines that a voluntary standard meets the conditions in subsection (c)(1), the sulfur content limit in such voluntary standard shall be treated as a consumer product safety rule promulgated under section 9 of the Consumer Product Safety Act (15 U.S.C. 2058) beginning on the date that is the later of—

(1) 180 days after publication of the Commission's determination under subsection (c); or

(2) the effective date contained in the voluntary standard.

(e) REVISION OF VOLUNTARY STANDARD.—If the sulfur content limit of a voluntary

standard that met the conditions of subsection (c)(1) is subsequently revised, the organization responsible for the standard shall notify the Commission no later than 60 days after final approval of the revision. The sulfur content limit of the revised voluntary standard shall become enforceable as a Commission rule promulgated under section 9 of the Consumer Product Safety Act (15 U.S.C. 2058), in lieu of the prior version, effective 180 days after the Commission is notified of the revision (or such later date as the Commission may specify), unless within 90 days after receiving that notice the Commission determines that the sulfur content limit of the revised voluntary standard does not meet the requirements of subsection (c)(1)(A), in which case the Commission shall continue to enforce the prior version.

(f) FUTURE RULEMAKING.—Notwithstanding any other provision of this Act, the Commission, at any time subsequent to publication of the consumer product safety rule required by subsection (a) or a determination under subsection (c), may initiate a rulemaking in accordance with section 553 of title 5, United States Code, to reduce the sulfur content limit or to include any provision relating to the composition or characteristics of drywall that the Commission determines is reasonably necessary to protect public health or safety. Any rule promulgated under this subsection shall be treated as a consumer product safety rule promulgated under section 9 of the Consumer Product Safety Act (15 U.S.C. 2058).

SEC. 5. REVISION OF REMEDIATION GUIDANCE FOR DRYWALL DISPOSAL REQUIRED.

Not later than 120 days after the date of enactment of this Act, the Consumer Product Safety Commission shall revise its “Remediation Guidance for Homes with Corrosion from Problem Drywall” to specify that problematic drywall removed from homes pursuant to the guidance should not be reused or used as a component in production of new drywall.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Mrs. BONO MACK) and the gentleman from Florida (Mr. DEUTCH) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Mrs. BONO MACK. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous materials in the RECORD on H.R. 4212.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

Mrs. BONO MACK. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as chairman of the House Subcommittee on Commerce, Manufacturing and Trade, which has jurisdiction over the Consumer Product Safety Commission, I rise today in strong support of H.R. 4212, an important bipartisan bill to help the Federal Government fight the problem of defective and potentially hazardous Chinese drywall.

I would like to thank my colleague, Mr. RIGELL of Virginia, for all of his

hard and thoughtful work on this important legislation.

Today, if something smells rotten in your home or in your business, Chinese drywall may be to blame. Scientific laboratory tests have identified emissions from some of this drywall to include sulfurous gases such as hydrogen sulfide, which leaves a stench much like rotten eggs.

It's time to address this widespread problem, which exploded across our landscape after Hurricane Katrina. By some estimates, enough suspect Chinese drywall has entered the U.S. since 2006 to build more than 60,000 American homes, many of which are located in the southeastern U.S.

But here's the problem. The emissions from contaminated drywall worsen as the temperature and the humidity rise, causing copper surfaces, including pipes, wiring, and air conditioning coils to become blackened and corroded. As a result, many people have complained about respiratory problems such as chronic coughing, asthma attacks, and difficulty in breathing, and that's in addition to headaches and sinus issues.

Most of the companies which made this bad drywall are owned, at least in part, by the Chinese Government, and they have steadfastly refused to appear in American courts or to cooperate with the Federal Government's ongoing safety investigation.

In some cases, U.S. builders, to their credit, have stepped up on their own to remediate the problem, but thousands of others have had to sue or simply eat the costs of replacing this drywall. H.R. 4212 is one way to help prevent this problem from happening again in the future.

But, at the same time, we're also trying to help people who've already been impacted. This bill directs the Secretary of Commerce to work with the Chinese Government in coming up with a fair solution to settle outstanding claims.

In addition, H.R. 4212 requires labeling of all drywall with the name of the manufacturer and the date of its manufacture. In the past, the lack of this critically important information has been a real problem because homeowners couldn't tell, in many cases, which company manufactured that bad drywall.

And finally, this legislation requires the Consumer Product Safety Commission to promulgate an important new standard to limit the sulfur content of drywall, unless industry comes up with an acceptable voluntary standard first.

Mr. Speaker, science has spoken. This isn't a case of we think we have a problem. Today, we know we have a problem. China chooses to ignore it, but America chooses to do something about it.

I strongly urge the adoption of this bill, and I reserve the balance of my time.

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC, October 5, 2011.

Hon. FRED UPTON,
Chairman, Committee on Energy and Commerce,
Washington, DC.

DEAR CHAIRMAN UPTON: Thank you for your consultation with the Foreign Affairs Committee on the amended text of H.R. 4212, the Drywall Safety Act of 2012, given the referral of that bill to our Committee.

I am writing to confirm the agreement of the Foreign Affairs Committee to be discharged from consideration of H.R. 4214 in order to expedite its consideration on the House floor. In agreeing to waive consideration of that bill, this Committee does not waive any jurisdiction that it has over provisions in that bill or any other matter. This also does not constitute a waiver of the participation of the Committee of Foreign Affairs in any conference on this bill. I ask that you include a copy of this letter and your response in the Congressional Record during floor consideration of the bill.

Thank you again for your consideration and collegiality in this matter.

Cordially,

ILEANA ROS-LEHTINEN,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, September 17, 2012.

Hon. ILEANA ROS-LEHTINEN,
Chairman, Committee on Foreign Affairs, Wash-
ington, DC.

DEAR CHAIRMAN ROS-LEHTINEN, Thank you for your letter regarding H.R. 4212, the "Contaminated Drywall Safety Act of 2012." As you noted, there are provisions of the bill that fall within the Rule X jurisdiction of the Committee on Foreign Affairs.

I appreciate your willingness to forgo action on H.R. 4212, and I agree that your decision should not prejudice the Committee on Foreign Affairs with respect to its jurisdictional prerogatives on this or similar legislation, including the appointment of conferees in the event of a conference on this bill.

I will include a copy of your letter and this response in the Congressional Record during consideration of H.R. 4212 on the House floor.

Thank you again for assistance on this matter.

Sincerely,

FRED UPTON,
Chairman.

Mr. DEUTCH. Mr. Speaker, I would be prepared to reserve my time if my friend, Mr. RIGELL, would like to speak first.

Mrs. BONO MACK. Mr. Speaker, I am pleased to yield 5 minutes to the gentleman from Virginia (Mr. RIGELL), my colleague and the author of this bill, a very hard worker.

Mr. RIGELL. I thank the gentlelady for yielding, and I thank my colleagues for being here tonight to support a really great and much-needed piece of legislation.

I do rise in strong support of the Drywall Safety Act of 2012. This truly is a bill about protecting the American family, both their physical health and their financial health.

Mr. Speaker, this is about doing what is right to address a terrible injustice that has fallen upon so many families, many of whom live in the Second Con-

gressional District of Virginia, and thousands across our country. These are families that are reeling financially, and also their health has been damaged because of drywall that was manufactured in a defective manner in China and then shipped to the United States and installed in homes across our great land.

They're our friends and neighbors, hardworking folks who saved, bought homes, and were living the American Dream, or really, so they thought. And their dream, Mr. Speaker, so often has turned into a true nightmare. Their children have developed just bloody noses and respiratory ailments.

Mr. Speaker, I've met with these families. It's really heartbreaking. They're having to pay for their current home, which is uninhabitable, and then go out and rent or maybe attempt to buy another home. It's a type of financial stress that so many of the families have been unable to adjust to. And many of them, so many of whom I've met with, have ended up having to file financial bankruptcy.

So I appreciate the leadership of the chairwoman this evening and my friend and colleague, Representative DEUTCH, a cochairman with me on the Contaminated Drywall Caucus. We've advanced, we believe, a sound piece of legislation, bipartisan, that really addresses this problem. It doesn't, and we don't pretend that it fixes everything, but it is a major and significant step forward.

These families, the only thing they have left is, I think, hope that we'll do the right thing here tonight. It's been over 4 years that these families have been hurting. You know, they looked first to the lender, to the importers of the drywall, to the insurers. They didn't find any real relief there.

□ 2040

Some of the banks, to their credit, have given some consideration, but it's not enough. We've got to act tonight in this House, and I trust that we will.

The bill takes China to task directly for failing to require their state-owned manufacturers to compensate the victims of their contaminated products. It expresses the undivided sense of Congress that the Government of China needs to make right and ensure that those who have lost so much are made whole.

As the chairwoman pointed out, clear labeling requirements are incorporated into the legislation; and by limiting the amount of elemental sulfur allowed in the drywall, it will ensure that drywall that is defective is not imported into this country. As a lighter, smarter regulation advocate, I am delighted that we have gone the route of voluntary standards. If we can go that direction, that's our preferred way above the regulatory approach. So we set up the industry, itself, to advance by setting industry standards that will

apply as well to foreign manufactured drywall products, and we will protect our homeowners that way.

In closing, I just want to express again my sincere appreciation to all of those who have made it possible for us to bring the bill to the floor, and I trust and hope that we will pass it by unanimous consent tonight.

I particularly want to thank my friend and colleague from Florida, Representative DEUTCH, for his leadership in serving as the cochairman of our caucus.

You've just been terrific, and your staff has been terrific.

I also want to thank the majority and minority members and the staffs on the Energy and Commerce Committee who worked so hard to navigate a lot of challenges to get this bill to the floor.

Mr. Speaker, this is commonsense legislation. It is much needed. I know these families and they are hurting. I trust and encourage my colleagues to do the right thing tonight—to advance this bill and to support it.

Mr. DEUTCH. Mr. Speaker, I yield myself such time as I may consume.

I rise in strong support of this amended form of H.R. 4212, the Contaminated Drywall Safety Act of 2012.

My friend Mr. RIGELL is correct: when we have an opportunity to do something for the families in America who are really suffering and when we can do it in a commonsense and bipartisan way, we have every responsibility to take that action. That's what this bill is about, and that's what this evening is about.

In the wake of the 2005 and 2006 hurricane seasons, a domestic shortage of drywall developed in our country, drywall for rebuilding homes and businesses. To make up for this shortage, builders began importing several million tons of drywall from China; but it was not until 2009 that reports started to surface that, unbeknownst to the builders or to the consumers, much of the drywall coming from China emitted high levels of corrosive sulfur.

Currently, thousands of homeowners in 42 States, as well as in the District of Columbia, Puerto Rico and American Samoa, have been enduring an emergency situation in which contaminated drywall from China has been causing ever worsening destruction and damage to their homes. It has also caused serious health problems for the families living in those homes. Like my friend from Virginia, in having the opportunity to visit with families and listen to them share their stories about the illnesses that come one after another after another to their children, ultimately forcing them to move from their homes, one can't be helped but be moved to action.

The problematic drywall corrodes copper piping and wiring in homes, which causes the failure of air-condi-

tioning systems, telecommunications wiring, wiring for lighting and other household appliances. Such corrosion poses both potential fire and safety hazards in homes, and it causes undue financial hardship for homeowners who are constantly forced to repair or replace essential appliances.

The damage to the housing structures and the detrimental health impact on family members caused by contaminated Chinese drywall renders many of these homes simply uninhabitable. Such a situation forces some families to find alternate housing while also having to maintain the mortgages on their homes that are uninhabitable. In these difficult economic times, tremendous strain is being placed on limited family finances to constantly replace or make repairs to essential home appliances or to pay for other housing options while maintaining that mortgage on an uninhabitable home with Chinese drywall. These families have been and are in desperate need of assistance.

This bill seeks to provide assistance to homeowners who have contaminated drywall in their homes and to prevent contaminated drywall from entering the country in the future.

Our bill will assist homeowners who are victims of this problematic Chinese drywall by urging the Secretary of Commerce to insist that the Chinese Government facilitate a meeting between the companies that manufacture the contaminated drywall and the representatives of the U.S. Government to help remedy homeowners who have the contaminated drywall in their homes. In addition, the bill urges the Secretary of Commerce to insist that the Chinese Government direct the companies that manufactured this contaminated drywall and exported it to this country to submit to the jurisdiction of the United States Federal courts and to comply with any decisions issued by those courts on behalf of the homeowners with this contaminated drywall.

The bill will ensure that similar problematic drywall is not imported into this country in the future. It would require that each sheet of drywall that is imported for use in the U.S. be labeled with the name of the manufacturer and the month and year of manufacture. In addition, the bill requires that the Consumer Product Safety Commission ensure that future drywall manufactured or imported for use in the U.S. contain sulfur limits that do not cause elevated rates of corrosion in the home. The bill also requires the CPSC to revise their remediation guidance for homes with contaminated drywall to include a provision that contaminated drywall removed from homes should not be used in the production of new drywall.

This bill is a product of bipartisan negotiations, and it demonstrates how

this House works best when both sides work together to get something done for the American people.

I really do want to express my sincere appreciation to my cochair of the Congressional Contaminated Drywall Caucus, Congressman RIGELL, for all of his hard work and leadership on this issue.

I also want to thank the Energy and Commerce Committee, particularly Chairman UPTON and Chairwoman BONO MACK, for their help as well as the help of Ranking Member WAXMAN and of the ranking member on the subcommittee, Congressman BUTTERFIELD.

I would also like to thank Congresswoman and Chair ILEANA ROS-LEHTINEN from the Foreign Affairs Committee for all of her hard work, together with that of Ranking Member BERMAN, in the commitment to finding a compromise to permit this bill to move forward.

Finally, I would like to recognize my friend Congressman MARIO DIAZ-BALART for his tireless work on this issue from the time the first reports of contaminated drywall surfaced and for providing much-needed assistance to those victims of contaminated Chinese drywall.

For all of these reasons and for all of the people who have been affected, I urge my colleagues this evening to support the passage of H.R. 4212.

I yield back the balance of my time.

Mrs. BONO MACK. As I have no further requests for time, in closing I just want to make one very important point here—and I think it's a great point to make right now—which is that Republicans and Democrats are united on this very important health and safety issue. "Made in China" is stamped on everything from kids' toys to consumer electronics, so let's just make sure it is stamped on our drywall, too. Let's also make sure that this is a safe product, that it's environmentally friendly, and that someone stands behind it.

I applaud Mr. RIGELL for his hard work, and I thank Mr. DEUTCH very much for bringing it to our attention and for working with our committee. I, too, thank the staffs of the subcommittee and the full committee for all of their hard work over these past many days.

With that, Mr. Speaker, I am going to ask that my colleagues support H.R. 4212, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. GOHMERT). The question is on the motion offered by the gentlewoman from California (Mrs. BONO MACK) that the House suspend the rules and pass the bill, H.R. 4212, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The title was amended so as to read: "A bill to prevent the introduction

into commerce of unsafe drywall, to ensure the manufacturer of drywall is readily identifiable, to ensure that problematic drywall removed from homes is not reused, and for other purposes.”.

A motion to reconsider was laid on the table.

□ 2050

FDA USER FEE CORRECTIONS ACT OF 2012

Mr. UPTON. Mr. Speaker, I ask unanimous consent that the Committee on Energy and Commerce be discharged from further consideration of the bill (H.R. 6433) to make corrections with respect to Food and Drug Administration user fees, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The text of the bill is as follows:

H.R. 6433

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “FDA User Fee Corrections Act of 2012”.

SEC. 2. CORRECTIONS TO FDA USER FEES.

(a) Section 502(aa) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 352(aa)) is amended by striking “744A(a)(4)” and inserting “744B(a)(4)”.

(b) Subchapter C of title VII of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379f et seq.) is amended—

(1) in section 738(i)(2)(A)(ii), by striking “shall only be available” and inserting “shall be available”;

(2) in sections 744B(a)(2)(E)(ii)(II), 744B(a)(3)(C)(ii)(III), 744B(a)(4)(D)(i)(II), and 744B(a)(4)(D)(ii)(II), by inserting “for such year” after “obligation of fees” each place it appears; and

(3) in section 744B(i)(2)(C)—

(A) by inserting a comma after “September 30, 2013”; and

(B) by striking the comma after “for fiscal year 2013”.

(c)(1) Notwithstanding section 744B(a)(2)(E)(ii) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j-42(a)(2)(E)(ii)), the fee authorized under section 744B(a)(2) of such Act for fiscal year 2013 shall be due 30 calendar days after publication of the notice provided for in section 744B(a)(2)(C)(i) of such Act.

(2) Notwithstanding section 744B(a)(3)(C)(ii) of such Act, the fee authorized under section 744B(a)(3) of such Act for fiscal year 2013 shall be due on the later of—

(A) the date of submission of the abbreviated new drug application or prior approval supplement for which such fee applies; or

(B) 30 calendar days after publication of the notice referred to in section 744B(a)(3)(B)(i) of such Act.

(3) Notwithstanding section 744B(a)(4)(D)(i) of such Act, the fee authorized under section 744B(a)(4) of such Act for fiscal year 2013 shall be due not later than 45 days after the publication of the notice under section 744B(a)(4)(C)(i) of such Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. UPTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous materials in the RECORD on this bill, H.R. 6433.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

NATIONAL PEDIATRIC RESEARCH NETWORK ACT OF 2012

Mr. UPTON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6163) to amend title IV of the Public Health Service Act to provide for a National Pediatric Research Network, including with respect to pediatric rare diseases or conditions, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6163

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “National Pediatric Research Network Act of 2012”.

SEC. 2. NATIONAL PEDIATRIC RESEARCH NETWORK.

Section 409D of the Public Health Service Act (42 U.S.C. 284h; relating to the Pediatric Research Initiative) is amended—

(1) by redesignating subsection (d) as subsection (f); and

(2) by inserting after subsection (c) the following:

“(d) NATIONAL PEDIATRIC RESEARCH NETWORK.—

“(1) NETWORK.—In carrying out the Initiative, the Director of NIH, acting through the Director of the Eunice Kennedy Shriver National Institute of Child Health and Human Development and in collaboration with other appropriate national research institutes and national centers that carry out activities involving pediatric research, may provide for the establishment of a National Pediatric Research Network consisting of the pediatric research consortia receiving awards under paragraph (2).

“(2) PEDIATRIC RESEARCH CONSORTIA.—

“(A) IN GENERAL.—The Director of the Institute may award funding, including through grants and contracts, to public or private nonprofit entities—

“(i) for planning, establishing, or strengthening pediatric research consortia; and

“(ii) for providing basic operating support for such consortia, including with respect to—

“(I) basic, clinical, behavioral, or translational research to meet unmet needs for pediatric research; and

“(II) training researchers in pediatric research techniques.

“(B) RESEARCH.—The Director of NIH shall ensure that—

“(i) each consortium receiving an award under subparagraph (A) conducts or supports at least one category of research described in

subparagraph (A)(ii)(I) and collectively such consortia conduct or support all such categories of research; and

“(ii) one or more such consortia provide training described in subparagraph (A)(ii)(II).

“(C) NUMBER OF CONSORTIA.—The Director of NIH may make awards under this paragraph for not more than 20 pediatric research consortia.

“(D) ORGANIZATION OF CONSORTIUM.—Each consortium receiving an award under subparagraph (A) shall—

“(i) be formed from a collaboration of cooperating institutions;

“(ii) be coordinated by a lead institution; and

“(iii) meet such requirements as may be prescribed by the Director of NIH.

“(E) SUPPLEMENT, NOT SUPPLANT.—Any support received by a consortium under subparagraph (A) shall be used to supplement, and not supplant, other public or private support for activities authorized to be supported under this paragraph.

“(F) DURATION OF SUPPORT.—Support of a consortium under subparagraph (A) may be for a period of not to exceed 5 years. Such period may be extended by the Director of NIH for additional periods of not more than 5 years.

“(3) COORDINATION OF CONSORTIA ACTIVITIES.—The Director of NIH shall—

“(A) as appropriate, provide for the coordination of activities (including the exchange of information and regular communication) among the consortia established pursuant to paragraph (2); and

“(B) require the periodic preparation and submission to the Director of reports on the activities of each such consortium.

“(e) RESEARCH ON PEDIATRIC RARE DISEASES OR CONDITIONS.—

“(1) IN GENERAL.—In making awards under subsection (d)(2) for pediatric research consortia, the Director of NIH shall ensure that an appropriate number of such awards are awarded to such consortia that agree to—

“(A) focus primarily on pediatric rare diseases or conditions (including any such diseases or conditions that are genetic disorders (such as spinal muscular atrophy and Duchenne muscular dystrophy) or are related to birth defects (such as Down syndrome and fragile X));

“(B) conduct or coordinate one or more multisite clinical trials of therapies for, or approaches to, the prevention, diagnosis, or treatment of one or more pediatric rare diseases or conditions; and

“(C) rapidly and efficiently disseminate scientific findings resulting from such trials.

“(2) DATA COORDINATING CENTER.—

“(A) ESTABLISHMENT.—In connection with support of consortia described in paragraph (1), the Director of NIH shall establish a data coordinating center for the following purposes:

“(i) To distribute the scientific findings referred to in paragraph (1)(C).

“(ii) To provide assistance in the design and conduct of collaborative research projects and the management, analysis, and storage of data associated with such projects.

“(iii) To organize and conduct multisite monitoring activities.

“(iv) To provide assistance to the Centers for Disease Control and Prevention in the establishment or expansion of patient registries and other surveillance systems.

“(B) REPORTING.—The Director of NIH shall—

“(i) require the data coordinating center established under subparagraph (A) to provide regular reports to the Director of NIH and the Commissioner of Food and Drugs on research conducted by consortia described in paragraph (1), including information on enrollment in clinical trials and the allocation of resources with respect to such research; and

“(ii) as appropriate, incorporate information reported under clause (i) into the Director’s biennial reports under section 403.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. UPTON) and the gentlewoman from California (Mrs. CAPPS) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. UPTON. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, this legislation brings us a step closer to providing more help to children with unmet health needs, especially those with rare pediatric and genetic diseases.

According to the National Institutes of Health, the NIH, there are 6,800 rare diseases, and most of these conditions have no treatment or cure, and they primarily affect children. I would guess that everyone in this Chamber is personally aware of the devastating impact of these diseases with some family that they know. I, myself, have spent some time with a family from my district whose children have spinal muscular atrophy, SMA. It is a very rare pediatric disease that is the leading genetic cause of death in infants and toddlers.

These are great kids. I’ve got a picture of one of them here. When they came to see me, they told me that their names were Cinderella and Sleeping Beauty. They really are. These are just really marvelous children. They’re great kids, and it’s a source of real sadness that their disease is the kind that is often incurable and often untreatable.

The barriers to research on rare and genetic diseases are those that are common to most research. It’s already difficult to initiate the experimental and lengthy research needed to find treatments and cures; however, when the population of patients is so small, maybe only a couple dozen in a State, these problems are even more difficult to solve.

This legislation is going to help us establish pediatric research networks and a consortia that are a proven way to overcome those gaps in research. Networks and consortia will be comprised of leading institutions that act as partners to consolidate and coordinate research efforts. It promotes efficiency and collaboration, especially when a disease affects just a small number of children.

Mr. Speaker, I would urge all my colleagues to support this bipartisan legislation. I look forward to a strong vote tonight and working with our col-

leagues in the Senate to make sure that this bill really does get to the President’s desk and makes a difference for families that are in search of something that will help them with their kids.

With that, I reserve the balance of my time.

Mrs. CAPPS. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, in the health care profession, we know that children aren’t just little adults. They have unique health experiences, treatment needs, and research challenges.

While public and private research has come a long way on pediatric diseases over the years, we also know that we are still far behind on important diagnostics, cures, and treatments for far too many ailing children. That’s why I am so pleased to have coauthored the National Pediatric Research Network Act with my colleague and friend, Representative CATHY McMORRIS RODGERS.

This bipartisan bill would improve research and clinical trials on pediatric diseases. It would train future pediatric researchers and disseminate research findings so quickly so that all children may benefit. It does not replace our current pediatric research investments. Instead, it builds upon the work already being done at the NIH and at research centers across the country by creating, as Chairman UPTON said, research consortia to form a nationwide network of pediatric researchers. This is important so that we can make sure that we’re always working with the most current science and that information is shared and also verified.

It will expand the geographic scope of research, giving sick kids easier access to research programs and clinical trials. Moreover, this bill will help a wider variety of institutions participating in this critical research while providing training grounds for our next generation of pediatric researchers.

Another key feature to this bill is that it will place an added emphasis on researching children’s rare diseases, such as the one already described, spinal muscular atrophy, and to develop new treatments to fight them.

The low prevalence of these diseases makes them particularly hard to research, yet these diseases have such a marked impact on the lives of far too many families and communities. The National Pediatric Research Network Act will be an important step forward to help these families and those who may develop these diseases long into the future.

I want to thank again the leadership of the Energy and Commerce Committee, Chairman UPTON, Ranking Member WAXMAN, Chairman PRITTS, and Ranking Member PALLONE, for their dedication to this bill; and to the staff, my staff, and especially Ruth Katz, a

committee staffer, working to improve the language and to bring this to the floor. I also include my colleague, Congresswoman DEGETTE, for her leadership on this issue over the years.

And just like Chairman UPTON, I would especially like to thank my constituents, dear friends, and a very remarkable family, Bill and Victoria Strong, who are the parents, for their tireless work on behalf of their own daughter, Gwendolyn, who has spinal muscular atrophy as well and just a few weeks ago celebrated an amazing achievement by entering public kindergarten at the age of 5. She’s the favorite of all her classmates, and the parents are beside themselves with joy that this remarkable milestone has been achieved. They work day in and day out to make their daughter’s world better, and in doing so they have created a very strong community within our larger community of people who care about Gwendolyn, but also care about other children with similar kinds of conditions and what we should be doing as a Nation to stand with them. They have shown how entire communities can come together to fight diseases like SMA.

I urge my colleagues to follow their example. We need to come together now to support this bill, and in doing so we support families like those in Michigan and in Santa Barbara, California, and other places, as well, to do all we can do to make this a law and give them hope and courage for the future.

Mr. Speaker, I reserve the balance of my time.

Mr. UPTON. Mr. Speaker, I yield myself 30 seconds.

I just want to again thank Mrs. CAPPS. As we met these families, we really did not know about these diseases until we saw their courage and what they do as they confront this every day. It’s marvelous for me, as I now have visited my family that has this disease 2 years in a row. It’s great to see them grow and remember where they were and to really think that there’s going to be hope with the legislation that we can see that is done.

With that, I yield 5 minutes to the gentlelady from Washington State, CATHY McMORRIS RODGERS, who has also been, as we look at a bipartisan leadership, a real trooper to move this legislation not only through our committee, but now on the House floor.

Mrs. McMORRIS RODGERS. Mr. Speaker, I thank the chairman. I thank my colleague and friend, Representative LOIS CAPPS, and rise today in strong support of this legislation, H.R. 6163, the National Pediatric Research Network Act, which is going to build on America’s commitment to pediatric medical research.

That commitment has already led to the prevention and treatment of terrible conditions such as polio, meningitis, childhood leukemia, congenital

heart disease. With budgets being squeezed like no time in recent memory, it has never been more important to support projects which leverage every single dollar.

Research networks have a proven track record in their ability to ensure collaboration and the sharing of resources which, in turn, have led to medical discoveries that have improved lives.

□ 2100

For example, the National Cancer Institute-funded Children's Oncology Group has advanced our understanding and treatment of childhood cancers, and this group has resulted in a cure for some types of childhood leukemia. The Pediatric Heart Network has improved the outcome for children born with congenital heart disease.

I am proud to have introduced this legislation with my colleague, Representative CAPPS. This legislation is going to authorize NIH to establish up to 20 pediatric research networks across this country, and each network will be selected by NIH through a competitive review process. These networks will allow multiple institutions to work together in a "hub and spoke" fashion to encourage collaboration.

Some of those networks will focus on rare diseases such as spinal muscular atrophy. Other networks will focus on the genetic diseases that have their onset in childhood, including Fragile X and Down Syndrome.

It's important to develop a framework for these rare and genetic diseases for a number of reasons. First of all, researchers in these areas are often working in isolation, and this legislation is going to help overcome that barrier. Secondly, there are not many children with these disorders in one place, so it makes it difficult to connect the researchers to those that want to participate in the studies.

Finally, the study of these rare and genetic diseases may lead to treatments that will help many people. For example, we've learned that there is a specific biological link between Down Syndrome and Alzheimer's disease. It's conceivable that the research that can result in the improvement in cognition in Down Syndrome could also prevent the loss of cognition that is seen in Alzheimer's.

These pediatric networks will improve health outcomes for children and adults by encouraging teamwork among the researchers, the patients, and NIH. This is important and positive legislation. I'm proud to support it, and I urge my colleagues to support it.

Mrs. CAPPS. In closing, Mr. Speaker, the National Pediatric Research Network Act is a very important bill, not just for current and future researchers, but for sick children and their families, today and in the future. It's a bipar-

tisan measure that will really leverage all the good work that is currently being done on pediatric diseases but that will also fill gaps that make it so hard for progress to be made.

I urge full support for this bill, and I yield back the balance of my time.

Mr. UPTON. Mr. Speaker, I yield 2 minutes to the chairman of the Health Subcommittee, the gentleman from Pennsylvania, JOE PITTS, in support of the legislation.

Mr. PITTS. Mr. Speaker, H.R. 6163, the National Pediatric Research Network Act, seeks to address important unmet needs in pediatric health.

Pediatric research is so important to the health of our children, and it is essential to finding answers for unmet health needs. According to the National Institutes for Health, there are between 6,000 and 7,000 diseases considered rare that affect 25 to 30 million people. Most of the approximately 7,000 rare diseases are pediatric diseases and often genetic. Unfortunately, the doctors do not have sufficient therapies to treat them.

This bill seeks to alleviate that problem by establishing pediatric research networks and consortia. They will help by coordinating research efforts among participating institutions, concentrating that effort on the most pressing needs and enlisting the help of well-trained researchers.

Through my association with Children's Hospital of Philadelphia, I'm aware that there are too many diseases that children and their families face that do not have easy answers, and few adequate treatments. This bill will strengthen basic and clinical research and bring us closer to finding new treatments and cures.

Mr. Speaker, this bill has strong bipartisan support. I urge my colleagues to support the bill.

Mr. UPTON. Mr. Speaker, in closing, I know the hour is late. I would just urge my colleagues to support this bipartisan legislation. I, too, commend every Member that's had a role here and truly appreciate the staff to get this bill prepared and ready for us to vote on tonight.

I yield back the balance of my time.

Mr. WAXMAN. Mr. Speaker, I am pleased to rise in support of H.R. 6163, the National Pediatric Research Network Act of 2012.

H.R. 6163 represents a bipartisan effort to allow the National Institutes of Health, NIH, to establish a national pediatric research network dedicated to finding treatments and cures for pediatric diseases and conditions—especially those that are rare. The network would be comprised of up to 20 research consortia or groups of collaborating research institutions such as universities and hospitals. These consortia would be investigator-initiated and would conduct basic, clinical, behavioral, and translational research on pediatric diseases and conditions. NIH funding would be used to create the infrastructure necessary to carry out this research.

Within the network, the NIH Director is instructed to ensure that an appropriate number of awards go to those consortia that focus primarily on pediatric rare diseases such as spinal muscular atrophy—or SMA—or pediatric birth defects such as Down syndrome. These kinds of diseases and conditions are rare and some of the children who suffer from them are very fragile, making it difficult for them to travel great distances to participate in clinical trials or other research. This is often the case when—not infrequently—only one institution is conducting such research. The availability of consortia—by definition, multiple cooperating institutions—should make clinical research opportunities far more accessible to these kids and their families. In turn, we would hope they would help speed up the time and effort in finding treatments and cures for these devastating diseases and conditions.

In addition to the research itself, the consortia are expected to serve as training grounds for future pediatric researchers. Traditionally, pediatric research has been underfunded. This has sometimes resulted in real challenges in recruiting the talent necessary to tackle diseases and conditions that affect kids—again, especially those that are rare. Thus, H.R. 6163 places a special emphasis on pediatric research techniques with the goal of helping to "prime the pump" for a greater number of leading edge pediatric researchers.

Taken together, the components of H.R. 6163 make for a package that would allow NIH to build on the strong body of pediatric research that it currently conducts and supports. I would encourage NIH to take full advantage of this opportunity.

As we move forward with this legislation—here, and hopefully, in the Senate—I want to commend all those members of the Energy and Commerce Committee who have come together to make it happen. I especially want to note the effort of Congresswoman CAPPS. She is the lead Democratic sponsor of the bill and has worked tirelessly to bring it before us today.

I urge my colleagues to vote "yes" on H.R. 6163.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. UPTON) that the House suspend the rules and pass the bill, H.R. 6163, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

TAKING ESSENTIAL STEPS FOR TESTING ACT OF 2012

Mr. PITTS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6118) to amend section 353 of the Public Health Service Act with respect to suspension, revocation, and limitation of laboratory certification.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6118

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Taking Essential Steps for Testing Act of 2012”.

SEC. 2. SUSPENSION, REVOCATION, AND LIMITATION OF LABORATORY CERTIFICATION.

Section 353 of the Public Health Service Act (42 U.S.C. 263a) is amended—

(1) in subsection (d)(1)(E), by inserting “, except that no proficiency testing sample shall be referred to another laboratory for analysis as prohibited under subsection (i)(4)” before the period at the end; and

(2) in subsection (i)—

(A) in paragraph (3), by inserting before the period at the end of the first sentence the following: “, except that if the revocation occurs pursuant to paragraph (4) the Secretary may substitute intermediate sanctions under subsection (h) instead of the 2-year prohibition against ownership or operation which would otherwise apply under this paragraph”; and

(B) in paragraph (4), by striking “shall” the first place it appears and inserting “may”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. PITTS) and the gentlewoman from California (Mrs. CAPPS) each will control 20 minutes.

The recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. PITTS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous materials into the RECORD on H.R. 6118.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. PITTS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today to support H.R. 6118, the Taking Essential Steps for Testing Act of 2012.

H.R. 6118 would give the Centers for Medicare and Medicaid Services much needed regulatory flexibility to enforce prohibitions against improper referrals of proficiency testing under the clinical laboratory improvement amendments.

In order to operate as a business, laboratories must adhere to CMS procedures for processing samples, must share testing results with CMS periodically and are prohibited from intentionally referring testing samples to any other lab.

Currently the Centers for Medicare and Medicaid Services is required under statute to revoke the CLIA certificate of any laboratory that intentionally refers its proficiency testing samples to another laboratory for testing for a period of 1 year.

In addition, the statute requires that a person who has owned or operated a laboratory which has had its CLIA certification revoked, including those owning multiple labs, may not own or operate a laboratory for a period of 2 years following such revocation.

However, there have been instances where a hospital or independent labora-

tory has accidentally referred a PT sample to another lab due to mistakes by employees or through automated systems. In such instances CMS is not allowed by law to consider the circumstances under which the test was accidentally referred or if the lab acted in good faith to report and address the incident.

H.R. 6118 would address these issues by amending section 353 of the Public Health Service Act to allow the Secretary discretion to determine whether the 1-year ban on laboratories should be applied and the flexibility to levy immediate sanctions instead of the 2-year prohibition against ownership or operation of the lab.

The legislation enjoys bipartisan support among this body as well as numerous organizations, including the American Clinical Laboratory Association, the American Hospital Association, the College of American Pathologists, and the Clinical Laboratory Management Association, among others.

I would like to thank Congressman GRIMM and Congressman ROSKAM for their work on this legislation, and I urge Members to support the bill.

I reserve the balance of my time.

□ 2110

Mrs. CAPPS. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, the Taking Essential Steps for Testing Act is a bipartisan, sensible bill which will provide the Centers for Medicare and Medicaid Services the flexibility it needs in imposing penalties on clinical laboratories that violate certain recertification procedures. While not commonly discussed, the Clinical Laboratory Improvement Amendments of 1988, or CLIA, is an important law that ensures all labs operating in the United States can be trusted. Under CLIA, all labs must be certified to prove they are qualified to perform clinical tests while meeting quality and safety standards. We can all agree this is a good thing.

Labs are periodically retested to keep their CLIA certification. To do this, labs are required to perform proficiency tests which measure the quality and competency of a lab's work. Unlike some tests that come to a lab that can be sent out to other labs, proficiency tests must be performed in-house. Currently, if a lab is found to have referred a proficiency test to another lab, the Secretary of HHS must revoke that lab's certificate for at least 1 year. This prevents it from participating in Medicare or Medicaid for that period. In addition, the operator of any lab that has had its certificate revoked is barred from owning or operating any certified labs for 2 years.

However, current law does not allow the Secretary any flexibility in imposing these penalties for labs that improperly refer proficiency tests—even

when it's an unintentional referral. This has led to labs that are being shut down across the country, potentially affecting patient care and access, even when their actions are not worthy of such a sanction. This is especially pronounced when the sanction occurs on just one lab that is part of a larger health care system, as the penalties apply to the entire system, even if all the other labs happen to be in compliance.

So this legislation would help address these problems by allowing CMS the flexibility to institute lesser sanctions to really address the problem instead of penalizing an entire system for unintentional proficiency test referrals. The bill does so without changing the accountability within the law or making our labs less reliable. And CMS still will be required and able to hold so-called “bad actors” accountable.

This bill is a very commonsense reform to CLIA, and I'm pleased to support it. I urge my colleagues to do so as well.

I reserve the balance of my time.

Mr. PITTS. Mr. Speaker, at this time I yield 4 minutes to the gentleman from New York (Mr. GRIMM).

Mr. GRIMM. Thank you for yielding me time.

Today, I rise in strong support of this legislation, H.R. 6118, the Taking Essential Steps for Testing Act. I would like to thank Chairman UPON for his leadership, Ranking Member WAXMAN, as well as the Health Subcommittee and their entire staff for their support and dedication to this important bill.

The TEST Act is a bipartisan and bicameral solution to an issue that threatens Americans' access to health care. Under the Clinical Laboratory Improvement Amendments, CLIA, any lab that conducts human specimen testing must have a CLIA certificate and comply with the law's proficient testing, or PT, requirements. CLIA requires labs to treat PT samples as it would a patient sample. However, the law explicitly prohibits a lab from referring a PT sample to another laboratory, although this may be normal for patient procedures. The purpose of this prohibition is to ensure labs submit their own results for PT samples. I believe that this does clearly promote continued patient safety, accurate results, and that a lab is not getting reimbursed for tests it does not or cannot perform.

The concern is that labs which have accidentally referred a PT sample to another lab and self-reported this mistake are being told by CMS that CLIA does not provide any flexibility and therefore their certificates must be revoked. As a result, labs that make a mistake and proactively try to correct it are treated identically to labs that knowingly and in bad faith violate the law.

Without a CLIA certificate, as we have heard, labs are unable to conduct

any human specimen testing. For hospitals, this could mean choosing between shutting down essentially all services such as the ER and the operating room or paying millions of dollars to bring in an outside lab for 2 years. Both of these options result in reduced access to health care and other related services for patients.

The TEST Act gives CMS discretion to not revoke a CLIA certificate for a PT referral if it is determined that the lab was acting in good faith. And for labs which are bad actors, the TEST Act does nothing to alter CMS's ability to punish those labs and revoke their certificate. H.R. 6118 also gives CMS the discretion to not apply the revocation to an entire hospital network or other owner-operators based on the facts of a particular case.

In determining whether or not to revoke a CLIA certificate, I urge CMS to consider factors such as the nature of the violation, the lab's history of compliance and past PT experience, whether or not the lab voluntarily reported the referral, any remedial actions taken by the lab, and any recommendations made by the State or applicable accrediting organization.

I would like to end by saying thank you to all of my colleagues that helped support this legislation and urge all my colleagues to vote in favor of H.R. 6118. It's commonsense legislation that ultimately puts patients first.

Mrs. CAPPS. May I ask the chairman if he has any other speakers?

Mr. PITTS. We have no further speakers.

Mrs. CAPPS. Mr. Speaker, in closing, the Taking Essential Steps for Testing Act is a straightforward bill with bipartisan support. It will give CMS tools to effectively deal with labs that unintentionally refer out their proficiency tests, maintain sanctions for labs that intentionally flaunt the law, and ensure that certified clinical labs are there for us when we need them.

I urge support for this bill, and I yield back the balance of my time.

Mr. PITTS. Mr. Speaker, I urge support for this commonsense, bipartisan bill, H.R. 6118, and I yield back the balance of my time.

Mr. WAXMAN. Mr. Speaker, I am pleased that we are taking up H.R. 6118, a bipartisan, non-controversial bill that will provide the Centers for Medicare & Medicaid Services (CMS) with additional flexibility in imposing and enforcing penalties on clinical laboratories under the Public Health Service Act.

The Committee on Energy and Commerce has a long history of being vigilant with respect to quality and safety standards for clinical laboratories. In fact, the Public Health Service Act standards for labs originated in this Committee when JOHN DINGELL, Ed Madigan, RON WYDEN and I sponsored the legislation in the 1980's.

All laboratories in the United States must be certified and meet certain quality and safety standards. To maintain certification, labora-

tories must periodically perform proficiency tests, which measure the quality of a lab's work. These proficiency tests must be performed in-house—as the test is intended to measure that specific lab's quality and competency.

If a lab is found to have intentionally referred a proficiency testing sample to another laboratory, the Secretary of HHS must revoke that lab's CLIA certificate for at least 1 year (thereby preventing it from billing Medicare or Medicaid for that period). In addition, the owner or operator of any lab that has had its CLIA certificate revoked is barred from owning or operating any CLIA-certified laboratory for 2 years.

Current law does not allow the Secretary any flexibility in imposing these penalties for labs that improperly refer proficiency tests—even for an unintentional referral.

Equally importantly, there have been a number of changes in the organization and delivery of health care since these penalties provisions were enacted. In particular—the growth of health systems that have many providers joining together to operate under the same umbrella. In the case of laboratories, one hospital system may own and operate a number of labs. If one lab is found to have a proficiency testing violation, all of the labs under the hospital's system would be barred from Medicare—even if those labs had no quality or proficiency testing issues.

This is not a sensible result. This legislation would address that problem.

First, H.R. 6118 ensures the statute is clear on the point that no proficiency testing sample may be referred to another laboratory even if such referral would be part of the testing lab's standard procedure for patient specimens (a point of existing law on which some providers have been confused).

Second, it grants the Secretary discretion in determining whether to revoke a lab's CLIA certificate for improper referrals of PT testing samples—to account for the case of unintentional error.

Finally, the bill would grant the Secretary discretion to apply alternate sanctions in lieu of the 2-year owner/operator ban if a CLIA certificate has been revoked due to an improper proficiency testing referral, correcting the problem of having to ban all labs in a health system, even if the others had no known problems.

The Taking Essential Steps for Testing Act would address that issue, striking a balance to ensure quality protections remain, yet giving the Secretary the flexibility to more appropriately tailor penalties for violations of the law. I'm pleased to support this bill today.

Mr. UPTON. Mr. Speaker, H.R. 6118, the Taking Essential Steps for Testing (TEST) Act of 2012, is an important measure that grants CMS the necessary flexibility to enforce its rules without unnecessarily punishing employers for unintentional acts.

Under current law, laboratories must adhere to CMS procedures for processing testing samples in order to do business under the Clinical Laboratory Improvement Amendments (CLIA) law. In addition, they are prohibited from intentionally referring testing samples to other labs.

Unfortunately, CMS is not allowed to look at the circumstances under which labs refer sam-

ples, and must levy the same penalties for those operating in good faith as those knowingly and willfully breaking the law. These penalties include the loss of a lab's certification for a year and a prohibition against the owner operating any lab for a period of two years.

In instances where a hospital or independent laboratory has accidentally referred a sample due to mistakes by employees or through automated systems, these penalties can be needlessly harsh and threaten the livelihood of American workers. H.R. 6118 would address these issues by allowing the Secretary discretion when determining penalties.

The legislation has received bipartisan support among this body as well as numerous organizations. I would like to commend Congressmen GRIMM and ROSKAM for their work and urge Members to support its passage.

Mr. ROSKAM. Mr. Speaker, I rise today to express my support for H.R. 6118, the "Taking Essential Steps for Testing Act of 2012" or TEST Act. This legislation will give the Centers for Medicare and Medicaid (CMS) greater leeway when dealing with hospitals and laboratories across the nation.

Last year I was contacted by a hospital in my Congressional District who informed me that they had unintentionally referred a proficiency test to an outside lab because the lab technician was following patient procedure. They informed me that because of this error they would be forced to potentially close the lab and essentially fire the lab director. Upon further investigation, I was troubled to learn that the same problem was occurring across the country because CMS lacked the authority to handle these cases in any other fashion.

This is why I was happy to work with my good friend from New York, Mr. GRIMM, and Mr. ROSS from Arkansas, as well as Senators BOOZMAN, KLOBUCHAR, and SHAHEEN, to come up with a simple, commonsense solution to the problem. While working with CMS and our friends across the aisle, we were able to demonstrate that this institution is still capable of recognizing problems and pursuing solutions for the people we represent back home.

It is my hope that the Senate will quickly take up this legislation and send it to the President for signature so we can help provide regulatory relief to our nation's hospitals and labs.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. PITTS) that the House suspend the rules and pass the bill, H.R. 6118.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

VETERAN EMERGENCY MEDICAL TECHNICIAN SUPPORT ACT OF 2012

Mr. PITTS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4124) to amend the Public Health Service Act to provide grants to States to streamline State requirements and procedures for veterans with military emergency medical training to become

civilian emergency medical technicians, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4124

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Veteran Emergency Medical Technician Support Act of 2012”.

SEC. 2. ASSISTING VETERANS WITH MILITARY EMERGENCY MEDICAL TRAINING TO MEET REQUIREMENTS FOR BECOMING CIVILIAN EMERGENCY MEDICAL TECHNICIANS.

(a) IN GENERAL.—Part B of title III of the Public Health Service Act (42 U.S.C. 243 et seq.) is amended by inserting after section 314 the following:

“SEC. 315. ASSISTING VETERANS WITH MILITARY EMERGENCY MEDICAL TRAINING TO MEET REQUIREMENTS FOR BECOMING CIVILIAN EMERGENCY MEDICAL TECHNICIANS.

“(a) PROGRAM.—The Secretary shall establish a program consisting of awarding demonstration grants to States to streamline State requirements and procedures in order to assist veterans who completed military emergency medical technician training while serving in the Armed Forces of the United States to meet certification, licensure, and other requirements applicable to becoming an emergency medical technician in the State.

“(b) USE OF FUNDS.—Amounts received as a demonstration grant under this section shall be used to prepare and implement a plan to streamline State requirements and procedures as described in subsection (a), including by—

“(1) determining the extent to which the requirements for the education, training, and skill level of emergency medical technicians in the State are equivalent to requirements for the education, training, and skill level of military emergency medical technicians; and

“(2) identifying methods, such as waivers, for military emergency medical technicians to forego or meet any such equivalent State requirements.

“(c) ELIGIBILITY.—To be eligible for a grant under this section, a State shall demonstrate that the State has a shortage of emergency medical technicians.

“(d) REPORT.—The Secretary shall submit to the Congress an annual report on the program under this section.

“(e) FUNDING.—Of the amount authorized by section 751(j)(1) to be appropriated to carry out section 751 for fiscal year 2013, there is authorized to be appropriated to carry out this section \$1,000,000 for the period of fiscal years 2013 through 2017.”

(b) CONFORMING AMENDMENT.—Section 751(j)(1) of the Public Health Service Act (42 U.S.C. 294a(j)(1)) is amended by striking “There is authorized to be appropriated” and inserting “Subject to section 315(e), there is authorized to be appropriated”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. PITTS) and the gentlewoman from California (Mrs. CAPPS) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. PITTS. Mr. Speaker, I ask unanimous consent that all Members may

have 5 legislative days in which to revise and extend their remarks and insert extraneous materials in the RECORD on H.R. 4124.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. PITTS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise this evening in support of H.R. 4124, the Veteran Emergency Medical Technician Support Act of 2012. This act would take us forward in two important ways: it would reduce the shortages of emergency medical technicians in the United States and at the same time help our veterans find employment.

Emergency response is a crucial component of our health care system and preparedness strategy. EMTs are often the first point of contact in a crisis situation, and their care can make the difference between life and death. Emergency response is even more crucial on the battlefield, where military medics respond to emergencies and provide care for the soldiers until a physician or other health professional can take over. These soldiers, trained as combat medics, become very experienced dealing with massive trauma injuries and other complex health problems.

□ 2120

It seems that utilizing those with military medic training in our EMT workforce here at home would be good for the returning soldiers, good for the health care system, and good for patients.

Areas throughout the United States are experiencing a shortage of EMTs, and military medics could potentially fill those workforce gaps. However, there are a number of issues keeping military medics from EMT employment. Most importantly are State licensing requirements, which can require duplicative training and education that is likely to be unnecessary for someone with significant experience.

It is our hope that this bill would allow States to study this issue and streamline their EMT requirements for those returning from the military that have the experience so desperately needed in many communities.

I would like to thank Mr. KINZINGER, a veteran who has served with many of these military medics, and Mrs. CAPPS for their work on this bill. I urge my colleagues to vote in support of this legislation.

I reserve the balance of my time.

Mrs. CAPPS. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, our military men and women are trained to perform at the highest levels in a host of jobs. The individuals who serve our Nation in uniform do so with distinction.

However, there is much more to be done to help our service men and women and their families when they return home to translate those skills and experiences into civilian service. That disconnect is what we are trying to address here today.

Our military men and women receive some of the best technical training in emergency medicine, and every day, on the battlefield, they prove their skills under the very toughest of conditions. However, when they return home, experienced military medics are often required to start over. They must begin at entry-level curricula to receive certification for civilian jobs.

Similarly, military medics with civilian credentials often must let their civilian certifications lapse while they're defending our country. Either way, this keeps our veterans out of the civilian workforce and withholds valuable medical personnel from our communities.

As a nurse, I know the importance of having qualified and capable first responders in each of our communities, and that is why we must do all we can to break down the artificial barriers that obstruct our military medics from civilian opportunities.

So I am pleased to have joined Congressman KINZINGER to introduce H.R. 4124, which is the Veteran Emergency Medical Technician Support Act. This bill is a straightforward, bipartisan approach to help States streamline their certification processes to take military medic training into account for civilian licensure.

It's a small but very important step towards breaking down the barriers that our servicemembers face when transitioning home.

While the bill directs States to undertake these demonstration projects, I believe public and private organizations within the States, like area health education centers, or AHECs, will be important partners in the successful implementation of this initiative. This will help engage and leverage expertise already in our States and communities so that we can do our best by our veterans.

I also want to take a moment to thank the leadership of the Energy and Commerce Committee, Chairman UPTON, Ranking Member WAXMAN, Chairman PITTS, and Ranking Member PALLONE for their dedication to this bill and to the staff for working in a bipartisan manner to bring this to the floor.

Finally, I want to take a second to recognize a former congresswoman, Jane Harman, who spearheaded this issue in the last Congress.

I urge my colleagues' support for this legislation, and I look forward to swift consideration of it in the Senate.

At this point, Mr. Speaker, I reserve the balance of my time.

Mr. PITTS. Mr. Speaker, I would like to yield at this time 5 minutes to the

gentleman from Illinois (Mr. KINZINGER).

Mr. KINZINGER of Illinois. Mr. Speaker, I want to first off thank the chairman for bringing this bill forward. I want to thank Chairman UPTON, the ranking member of both the full and subcommittee, and I especially want to thank Congresswoman CAPPS for helping me on this. This is an outstanding bill, and I thank you for your leadership.

Unemployment rates continue to be far too high among our men and women who are returning from Iraq and Afghanistan. Returning veterans deserve a smooth transition from the military into the civilian workforce. As a Nation, we must recognize the experience and education that our military-trained EMTs receive. It's inefficient to force these well-trained veterans to start over with basic training in the civilian workforce after aiding wounded military men and women who are severely injured in combat.

We must recognize military-trained EMT skills and education and streamline the process so these honorable men and women can return quickly to work here at home.

We also need to recognize that training and education of these EMTs and the education that they receive in the military is important, and we must streamline the civilian certification process so these honorable men and women can return to work even faster.

I'm a pilot in the military, and I still continue as an Air National Guard pilot. One of the things that really stood out to me was how I went through training with the military and came out and very quickly was able to receive all of the civilian equivalent certifications from what I got in the military.

Now, that really stands out to me as how we, both in the Federal Government and in the State, ought to consider doing business and recognize the skill that these military folks are trained with.

This bill is a commonsense way to help our veterans as they transition back to civilian life. By supporting States to make the process more efficient, veterans with military EMT training will more quickly become certified civilian EMTs. In doing so, they will not have to start over at square one in their training, and they can be ready to go.

I urge my colleagues to support this commonsense bill.

Mrs. CAPPS. In closing, Mr. Speaker, I also wish to thank my colleague, Mr. KINZINGER, for his leadership and his experience in the military, which led him to be very interested in this topic as well.

The Veteran Emergency Medical Technician Support Act is a small but very important step toward helping our military medics transition to civilian

EMT service, and it is a bipartisan measure. It fills a need both in the veterans' community and also in our health care communities.

I urge full support for this bill, and I yield back the balance of my time.

Mr. PITTS. Mr. Speaker, as a veteran I appreciate the efforts of Mr. KINZINGER and Mrs. CAPPS and others in this commonsense and very bipartisan bill to support our veterans and provide for this need in the emergency medical technician area.

I urge support for the bill, and I yield back the balance of my time.

Mr. WAXMAN. Mr. Speaker, each of us is deeply indebted to the members of our military for their patriotism and for all they do to protect our country and its national interests.

We know that our returning vets have unique skills and experiences that make them highly-qualified for jobs in the health care and other sectors. However, the unfortunate reality is that our veterans experience unemployment rates well above the national average.

Congresswoman CAPPS and Congressman KINZINGER have introduced common-sense legislation—H.R. 4124—to advance our shared goals of getting our veterans back to work and addressing areas of shortage in health professions. Congresswoman CAPPS has also authored legislation—H.R. 3884, the Emergency Medic Transition Act of 2012—that similarly seeks to help armed services personnel transition from military to civilian jobs in a timely fashion.

H.R. 4124 authorizes a demonstration grant program to states to support planning efforts to streamline their certification and licensure requirements for emergency medical technicians. As Congresswoman CAPPS has noted, I think there is a role for partnerships between public and private organizations within the States—such as area health education centers—in the implementation of this program.

I urge my colleagues to support H.R. 4124, and I commend Congresswoman CAPPS and Congressman KINZINGER for their work on this legislation.

Mr. UPTON. Mr. Speaker, H.R. 4124, the Veteran Emergency Medical Technician Support Act of 2012, provides two important benefits. It addresses the shortages of emergency medical technicians (EMT) and it helps get our veterans back to work.

Military medics receive some of the best medical and emergency training available while they serve our country.

Yet, not all military medical training satisfies civilian EMT licensing and certification requirements. As a result, our returning veterans are unnecessarily prevented from working as an EMT when they re-enter civilian life.

This bill will examine ways that states with a shortage of EMTs can streamline requirements so that military medics do not have to duplicate the education and training they received on the battlefield. Our vets will be put back to work, and critical workforce shortages in emergency care can be filled to meet public health needs.

I proudly support this bill and urge my colleagues to support it.

The SPEAKER pro tempore. The question is on the motion offered by

the gentleman from Pennsylvania (Mr. PITTS) that the House suspend the rules and pass the bill, H.R. 4124, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

RECALCITRANT CANCER RESEARCH ACT OF 2012

Mr. PITTS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 733) to amend the Public Health Service Act to provide for a Pancreatic Cancer Initiative, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 733

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Recalcitrant Cancer Research Act of 2012".

SEC. 2. SCIENTIFIC FRAMEWORK FOR RECALCITRANT CANCERS.

Subpart 1 of part C of title IV of the Public Health Service Act (42 U.S.C. 285 et seq.) is amended by adding at the end the following:

"SEC. 417G. SCIENTIFIC FRAMEWORK FOR RECALCITRANT CANCERS.

"(a) DEVELOPMENT OF SCIENTIFIC FRAMEWORK.—

"(1) IN GENERAL.—For each recalcitrant cancer identified under subsection (b), the Director of the Institute shall develop (in accordance with subsection (c)) a scientific framework for the conduct or support of research on such cancer.

"(2) CONTENTS.—The scientific framework with respect to a recalcitrant cancer shall include the following:

"(A) CURRENT STATUS.—

"(i) REVIEW OF LITERATURE.—A summary of findings from the current literature in the areas of—

"(I) the prevention, diagnosis, and treatment of such cancer;

"(II) the fundamental biologic processes that regulate such cancer (including similarities and differences of such processes from the biological processes that regulate other cancers); and

"(III) the epidemiology of such cancer.

"(ii) SCIENTIFIC ADVANCES.—The identification of relevant emerging scientific areas and promising scientific advances in basic, translational, and clinical science relating to the areas described in subclauses (I) and (II) of clause (i).

"(iii) RESEARCHERS.—A description of the availability of qualified individuals to conduct scientific research in the areas described in clause (i).

"(iv) COORDINATED RESEARCH INITIATIVES.—The identification of the types of initiatives and partnerships for the coordination of intramural and extramural research of the Institute in the areas described in clause (i) with research of the relevant national research institutes, Federal agencies, and non-Federal public and private entities in such areas.

"(v) RESEARCH RESOURCES.—The identification of public and private resources, such as

patient registries and tissue banks, that are available to facilitate research relating to each of the areas described in clause (i).

“(B) IDENTIFICATION OF RESEARCH QUESTIONS.—The identification of research questions relating to basic, translational, and clinical science in the areas described in subclauses (I) and (II) of subparagraph (A)(i) that have not been adequately addressed with respect to such recalcitrant cancer.

“(C) RECOMMENDATIONS.—Recommendations for appropriate actions that should be taken to advance research in the areas described in subparagraph (A)(i) and to address the research questions identified in subparagraph (B), as well as for appropriate benchmarks to measure progress on achieving such actions, including the following:

“(i) RESEARCHERS.—Ensuring adequate availability of qualified individuals described in subparagraph (A)(iii).

“(ii) COORDINATED RESEARCH INITIATIVES.—Promoting and developing initiatives and partnerships described in subparagraph (A)(iv).

“(iii) RESEARCH RESOURCES.—Developing additional public and private resources described in subparagraph (A)(v) and strengthening existing resources.

“(3) TIMING.—

“(A) INITIAL DEVELOPMENT AND SUBSEQUENT UPDATE.—For each recalcitrant cancer identified under subsection (b)(1), the Director of the Institute shall—

“(i) develop a scientific framework under this subsection not later than 18 months after the date of the enactment of this section; and

“(ii) review and update the scientific framework not later than 5 years after its initial development.

“(B) OTHER UPDATES.—The Director of the Institute may review and update each scientific framework developed under this subsection as necessary.

“(4) PUBLIC NOTICE.—With respect to each scientific framework developed under subsection (a), not later than 30 days after the date of completion of the framework, the Director of the Institute shall—

“(A) submit such framework to the Committee on Energy and Commerce and Committee on Appropriations of the House of Representatives, and the Committee on Health, Education, Labor, and Pensions and Committee on Appropriations of the Senate; and

“(B) make such framework publically available on the Internet website of the Department of Health and Human Services.

“(b) IDENTIFICATION OF RECALCITRANT CANCER.—

“(1) IN GENERAL.—Not later than 6 months after the date of the enactment of this section, the Director of the Institute shall identify two or more recalcitrant cancers that each—

“(A) have a 5-year relative survival rate of less than 20 percent; and

“(B) are estimated to cause the death of at least 30,000 individuals in the United States per year.

“(2) ADDITIONAL CANCERS.—The Director of the Institute may, at any time, identify other recalcitrant cancers for purposes of this section. In identifying a recalcitrant cancer pursuant to the previous sentence, the Director may consider additional metrics of progress (such as incidence and mortality rates) against such type of cancer.

“(c) WORKING GROUPS.—For each recalcitrant cancer identified under subsection (b), the Director of the Institute shall convene a working group comprised of rep-

resentatives of appropriate Federal agencies and other non-Federal entities to provide expertise on, and assist in developing, a scientific framework under subsection (a). The Director of the Institute (or the Director's designee) shall participate in the meetings of each such working group.

“(d) REPORTING.—

“(1) BIENNIAL REPORTS.—The Director of NIH shall ensure that each biennial report under section 403 includes information on actions undertaken to carry out each scientific framework developed under subsection (a) with respect to a recalcitrant cancer, including the following:

“(A) Information on research grants awarded by the National Institutes of Health for research relating to such cancer.

“(B) An assessment of the progress made in improving outcomes (including relative survival rates) for individuals diagnosed with such cancer.

“(C) An update on activities pertaining to such cancer under the authority of section 413(b)(7).

“(2) ADDITIONAL ONE-TIME REPORT FOR CERTAIN FRAMEWORKS.—For each recalcitrant cancer identified under subsection (b)(1), the Director of the Institute shall, not later than 6 years after the initial development of a scientific framework under subsection (a), submit a report to the Congress on the effectiveness of the framework (including the update required by subsection (a)(3)(A)(ii)) in improving the prevention, detection, diagnosis, and treatment of such cancer.

“(e) RECOMMENDATIONS FOR EXCEPTION FUNDING.—The Director of the Institute shall consider each relevant scientific framework developed under subsection (a) when making recommendations for exception funding for grant applications.

“(f) DEFINITION.—In this section, the term ‘recalcitrant cancer’ means a cancer for which the five-year relative survival rate is below 50 percent.”

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. PITTS) and the gentlewoman from California (Ms. ESHOO) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. PITTS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and insert extraneous materials in the RECORD on H.R. 733.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. PITTS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today to support H.R. 733, the Recalcitrant Cancer Research Act of 2012.

This act will bring new hope to patients with cancers.

It is never easy to lose someone to cancer, but it is especially difficult when you are not even given a fighting chance.

Cancers with low survival rates and poor outcomes have baffled researchers for more than 40 years. These are recalcitrant cancers.

While survival rates for many cancers have climbed from 50 percent to 67

percent, there are still cancers that have yet to reach the 50 percent benchmark.

While there are various types of cancers that fall under this definition, nearly half of the 577,190 cancer deaths expected in 2012 will be caused by eight deadly cancers, including pancreatic and ovarian cancer.

□ 2130

This bill will direct the National Cancer Institute to establish a scientific framework for the study of recalcitrant cancers. Working groups will be appointed to prepare the framework that will include a review of current research and identification of key research questions and a summary of promising discoveries. The NIH would then be required to issue a report to Congress with recommendations on the effectiveness of the scientific framework model so that we can ensure that progress is being made and determine whether this type of model should be expanded to other types of diseases and conditions.

I urge my colleagues to vote in support of the legislation, and I reserve the balance of my time.

Ms. ESHOO. Mr. Speaker, I rise in support of my legislation, H.R. 733, which was originally named the Pancreatic Cancer Research and Education Act, which has now been renamed to be the Recalcitrant Cancer Research Act of 2012.

I first introduced this bill in the 110th Congress in honor of a very dear friend, Ambassador Richard Sklar, who was a victim of this devastating disease.

Pancreatic cancer is a disease from which very few people survive. It's essentially a death sentence. It's because of the families, their friends, neighbors, doctors, and coworkers who have advocated for much better research and treatments that we've made it to the finish line legislatively and that we are here this evening.

Sadly, the outcomes for those with pancreatic cancer have remained relatively unchanged since the passage of the National Cancer Act nearly 40 years ago. Only 6 percent of people diagnosed with the disease live longer than 5 years. Let me say that again. Only 6 percent of people diagnosed with pancreatic cancer live longer than 5 years; 75 percent die within a year of diagnosis. Pancreatic cancer remains one of the most lethal types of cancers, even as survival rates for other cancers have increased.

The Pancreatic Cancer Research and Education Act, which I introduced with my wonderful colleague, a real gentleman of the House, Representative LEONARD LANCE, directs the National Cancer Institute, the NCI, to develop a long-term strategic plan for addressing the disease, bringing together the finest minds in our country with the best

expertise in this area. The plan will be used by the agency as a roadmap for navigating the best way forward in research for early detection, for new diagnostic tools, treatment therapies, and even cures.

While pancreatic cancer is one of the most devastating of all recalcitrant cancers, or those with a high mortality rate and few treatments, it's certainly not the only cancer that needs increased attention. That's why I've worked closely with my colleagues on both sides of the aisle to expand our legislation to include all recalcitrant cancers so that we can make progress in other areas, too.

I'm exceedingly proud to say that this bill enjoys the bipartisan cosponsorship of 293 Members of the United States House of Representatives. I want to thank Chairman UPTON, FRED UPTON, whom I cajoled, whom I pestered, whom I pleaded with, whom I constantly kept after. He reminded me that I needed patience. I kept reminding him that I've been at it for 6 years. But he listened, and I appreciate that and I salute him for it.

To the ranking member of the full committee, Mr. WAXMAN, to the staffs of the majority, both the Health Subcommittee, the full committee majority staff and the minority staff, I want to thank them as well, because without them we really cannot get our work done.

I also want to say how proud I am and grateful I am for the efforts of the pancreatic cancer advocates who had the courage to share their painful stories with their Representatives and educate them about the importance of this legislation. I would also like to make mention of Senator SHELDON WHITEHOUSE, who is the author in the other body and has been a marvelous advocate and carrier of this legislation. And last but not least, I'd like to pay tribute to Erin Katzelnick-Wise of my staff, who, for all of this time—over three Congresses—has worked diligently and vigorously and loyally on this bill.

I look forward to seeing H.R. 733 signed into law by the President so that we can begin the important work of finding a cure for pancreatic cancer, as well as the other cancers that take the lives of our fellow Americans every day. I think with the passage of this and the signature of it, the American people will say, at last, at last the Congress has acted on a bipartisan basis on something that is of utmost importance and urgency to the American people.

With that, Mr. Speaker, I reserve the balance of my time.

Mr. PITTS. Mr. Speaker, at this time I would like to yield 3 minutes to the chair of the full committee, the gentleman from Michigan (Mr. UPTON).

Mr. UPTON. Mr. Speaker, this legislation, H.R. 733, the Recalcitrant Can-

cer Research Act of 2012, will indeed take important steps to improve outcomes for cancer patients.

For the many Americans who have been diagnosed with a hard-to-treat cancer, hope is not easy to come by. These patients have heard all about the advances in cancer treatments and cures but are left to wonder why there isn't some help for them. Unfortunately, their cancers do not respond to traditional treatments and, as a result, have had very few improvements in prevention, diagnosis, and treatment in decades.

Take, for example, pancreatic cancer. According to the NIH, it is estimated that 44,000 men and women will be diagnosed with this cancer this year, of which 35,000 will die. The 5-year survival rate is less than 6 percent, compared to other cancers with survival rates of over 90 percent.

This bill will guide efforts at the National Cancer Institute in identifying the scientific framework that will outline those unanswered medical and scientific questions that will help to focus research efforts for those deadly cancers. Ensuring the availability of qualified researchers and important resources, such as patient registries, will also move the process forward.

Tonight we work to provide patients and their families a little more hope. This bipartisan legislation is an important step as we continue to see breakthrough advances in cancer research, particularly for those cancers whose survival rates remain low and treatment options are limited.

I want to thank Chairman WAXMAN and his staff, as well as Chairman HARKIN and Ranking Member ENZI of the Senate committee, which passed the Senate version of this bill today in committee, for enabling us to be on the verge of really getting this legislation into law, which is one of the reasons why we bypassed the full committee.

We were delighted to pass this legislation last week in subcommittee, and I singled out particularly my friends, ANNA ESHOO and LEONARD LANCE, for their stalwart work on moving this legislation. And I've got to tell you, the many times we met and chatted about this legislation, I was given an update on the number of bipartisan cosponsors from 233 to 240, and now 290—something that are there. It is, indeed, a bipartisan piece of legislation.

One of the reasons why we bypassed the full committee this week in markup—which began, actually, this afternoon and we'll finish tomorrow—is we wanted to get this bill to the floor right away so that we don't even have to wait for a lame duck session to get it signed into law. So I would hope that my Senate colleagues move this quickly.

But I just really want to thank my friends, ANNA ESHOO and LEONARD LANCE, for their great work. The staff

that put this together—I'll tell you, in sitting down with the NIH folks 2 weeks ago, we've really expanded. We've broadened this to include more than just pancreatic, how this started.

□ 2140

We have the stakeholders now on board that are excited about this legislation and what it will hold. The private sector out there—and, man, we've sure heard from them over the last year or so—but I know, too, that they are very happy with the passage of this tonight. It's a dream that's come true thanks to you.

Ms. ESHOO. Mr. Speaker, I would just like to add to the comments that I made earlier that this is really highly unusual that a bill would enjoy such high co-sponsorship.

So, to the advocates that may be tuned in tonight, I, again, want to pay homage to them for their advocacy, for their tenacity, for their turning their real pain and loss into something that is worthy of those that were lost. Almost 1,000 bills were referred to the Energy and Commerce Committee during this, the 112th Congress. There was no other bill that enjoyed the high number, 293 bipartisan cosponsors.

This Congress has been really torn a part by so much disagreement, a high amount of nonpartisanship, people all over the country really scratching their heads and saying, can anyone ever come together in Congress to get something done for the American people. And while I wish there were so much more, I think that this stands tall and is an eloquent statement about my colleagues that signed on to this as cosponsors.

And I thank, again, the leadership on both sides of the aisle, the staff that is so wonderfully responsible for the beautiful work that's done and, again, close my comments by paying tribute to the Republican leader on this legislation, Representative LEONARD LANCE, who is a genuine gentleman, an outstanding legislator, a good friend, and a man of real integrity.

I say bravo to all of the advocates. God bless you all.

I yield back the balance of my time, Mr. Speaker.

Mr. PITTS. Mr. Speaker, at this time I would like to yield 4 minutes to the gentleman from New Jersey, (Mr. LANCE), a member of the Health Subcommittee.

Mr. LANCE. Mr. Speaker, I rise tonight in strong support of this legislation that I have had the honor of cosponsoring with my friend and colleague, Congresswoman ANNA ESHOO of California. The legislation improves the prevention, the diagnosis, and the treatment of cancers with high mortality rates, including pancreatic cancer.

Since President Nixon declared the war on cancer 40 years ago, the overall

5-year survival rate for all cancers has climbed from approximately 50 percent to 67 percent. There are, however, cancers such as pancreatic cancer that still have high mortality rates and have not seen substantial progress in diagnoses or treatment of the disease. These so-called “recalcitrant cancers” are among the deadliest diseases and are the very types of cancers that this bill seeks to address.

This legislation will direct the National Cancer Institute to establish a scientific framework that will guide research efforts on recalcitrant cancers by identifying unanswered medical and scientific questions. This framework seeks to bring together the brightest minds from Federal health agencies, from academia, and from private research fields with the hope of yielding new treatments and cures for recalcitrant cancers.

I thank Chairman PITTS and Ranking Member PALLONE of the Health Subcommittee for their steadfast support of the bill; and I thank the chairman of the full committee, Mr. UPTON, and the ranking member, Mr. WAXMAN, for their essential help.

At a time when so many Americans are concerned about the lack of bipartisanship in Congress, this legislation is an example where members of the House Energy and Commerce Committee work together, as we so often do, on critical health care issues. This legislation will reach the President's desk. This is the way Congress should work.

I give special recognition to Congresswoman ESHOO for her tireless efforts, not only in support of this legislation, her legislation, but for her advocacy throughout her public life in support of cancer research and education.

I also thank Senator WHITEHOUSE for his work on this issue. And I thank Jeff Last, of my staff, for all that he has done on this important legislation.

Also, Mr. Speaker, I thank Lisa Swayze for her advocacy in support of the pancreatic cancer issue, advocacy in memory of her husband, the great actor and dancer, Patrick Swayze.

On a personal note, when my twin brother, Jim, and I were 12 years old, we lost our mother to cancer after a valiant 3-year battle. I dedicate whatever modest work I have done on this issue in her memory.

I urge my colleagues to support the Recalcitrant Cancer Research Act.

Mr. PITTS. Mr. Speaker, in conclusion, I want to commend the advocacy of Mr. LANCE and Ms. ESHOO, the leadership, Mr. UPTON, the ranking member of the full committee and the subcommittee, and thank the staffs of both the subcommittee and the full committee for their tireless work in putting together this bipartisan compromise, an excellent bill. And I urge support from the Members for H.R. 733,

the Recalcitrant Cancer Research Act of 2012.

I yield back the balance of my time.

Mr. WAXMAN. Mr. Speaker, this bill is an example of Congress functioning at its best. As introduced, Congresswoman ESHOO and Congressman LANCE's legislation addresses a policy goal that resonates with many of us—making progress in our fight against pancreatic cancer. In fact, nearly 300 Members of the House—Democrats and Republicans alike—are co-sponsors of this legislation.

Through the Committee process, Members and staff worked on a bipartisan basis to respond to input from the National Institutes of Health and National Cancer Institute (NCI), pancreatic cancer advocates, and cancer researchers. I believe the end result—the bill before us today—represents a fair and balanced approach.

H.R. 733 now focuses on a broader category of cancers, the so-called recalcitrant or deadliest cancers. The legislation directs the NCI to develop scientific frameworks to guide research efforts on recalcitrant cancers—defined as those cancers with 5-year relative survival rates below 50 percent. The bill requires the Director of the NCI to complete frameworks for at least 2 recalcitrant cancers that meet additional criteria set forth in the bill—having a 5-year survival rate of less than 20 percent and causing at least 30,000 estimated deaths—within 18 months of enactment. It is my expectation that NCI will begin first with pancreatic and lung cancer. But in doing so, I also expect NCI to consider applying the scientific framework model to other recalcitrant cancers.

Importantly, the bill ensures there will be an opportunity for outside experts to offer their perspective as the Director of NCI works to complete each scientific framework. H.R. 733 also calls on NCI to submit each completed framework to Congress and post it on the Department of Health and Human Services' website.

No doubt, many Members like myself have met with constituents and heard the heart-wrenching stories of those families who have been impacted by pancreatic cancer. The unfortunate reality is that we rarely hear from survivors of pancreatic cancer themselves since they are so few. In California alone, nearly 4,000 people will lose their lives to pancreatic cancer this year. An additional 12,000 Californians will die from lung cancer. Their families—and many others—have asked for our support in improving the diagnosis and treatment of pancreatic, lung, and other recalcitrant cancers.

There's no disputing that great progress has been made in our fight against cancer over the past 40 years. Consider for example the improvement we've seen in the overall five-year relative survival rate for all cancers, and the important discoveries that NCI has made through its Cancer Genome Atlas program in understanding what makes one cancer different from another. Nonetheless, there are certain cancers where we haven't seen as many gains. That's precisely why I support the approach taken in H.R. 733.

I'm very proud of the work of Chairman UPTON, Chairman PITTS, Ranking Member PALLONE, Congresswoman ESHOO, and Con-

gressman LANCE—as well as all of our staff—on this issue. I urge my colleagues to support passage of this bill.

Mr. FATTAH. Mr. Speaker, I proudly cast a “yea” vote in support of H.R. 733, the Pancreatic Cancer Research and Education Act, with the memory of Elmer Chenault in mind. This important legislation will address the high mortality rate associated with Pancreatic Cancer. Mr. Chenault, my father-in-law, was a senior management officer and federal compliance official of the Environmental Protection Agency, Army veteran of the Korean War and a devoted family man. Elmer spent his working career in the scientific and environmental fields and was one of the first officials of the EPA, joining it shortly after it was founded in 1970 under President Richard M. Nixon. He grew up in Wyoming, Ohio, a suburb of Cincinnati. Joining the EPA in the early '70s, Elmer became a tireless advocate for environmental justice for communities of color and the economically disadvantaged.

His passing was a trying time for my family, an experience too many know too well when confronting this terrible disease, and his loss continues to be felt by many in Philadelphia. I thank my colleague from California for her stalwart support for this legislation and look forward to a time when no family must face the scourge of Pancreatic Cancer.

Mr. REICHERT. Mr. Speaker, I rise today in strong support of H.R. 733, the Recalcitrant Cancer Research Act of 2012, and to thank the bill's sponsors, Representatives ESHOO and LANCE for all of their work on this legislation.

This bill is crucial to the search for a cure for pancreatic and other deadly cancers and it is important to everyone whose life has been touched by the deadly disease—those suffering now, survivors, and of course the loved ones that cancer leaves in its wake.

This bill is a great first step to addressing some significant scientific challenges.

A diagnosis of pancreatic cancer is all too often a death sentence. It is the only major cancer that carries with it a 5 year survival rate of just 6 percent—a statistic that has not improved in the last 40 years.

Sadly, cases are projected to rise if we do nothing. It's the fourth leading cause of cancer-related death and there are no proven early detection methods. In fact, a typical narrative is that a patient feels not quite right. She goes in for an unrelated problem or illness, often difficult to diagnose. It can be weeks or months before the cause—pancreatic cancer—is identified.

I am all too familiar with that story. It is my mother's.

My mother fought a brave, years-long battle with pancreatic cancer, ultimately succumbing to the disease last year. There is nothing that I wouldn't have done to help her, but there is nothing I could have done to save her. When she was diagnosed, as now, there were no proven early detection and treatment methods.

We simply must reverse these statistics. The Recalcitrant Cancer Research Act will help do just that—it calls on the National Cancer Institute to develop a scientific framework to deal with these types of cancers.

By defining a roadmap for success and creating a strategy for research in this area, we

can begin the process of reversing the abysmal statistics.

Cancer is not partisan, and neither is this bill—with over 290 bipartisan cosponsors, I am thrilled to see this bill move forward. It is time to address these issues and really make a difference in pancreatic cancer and other resistant cancers.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. PITTS) that the House suspend the rules and pass the bill, H.R. 733, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The title was amended so as to read: "A bill to provide for scientific frameworks with respect to recalcitrant cancers."

A motion to reconsider was laid on the table.

MOURNING THE LOSS OF SHERIFF LARRY DEVER

(Mr. FLAKE asked and was given permission to address the House for 1 minute.)

Mr. FLAKE. Mr. Speaker, Arizonans were greeted this morning with the unwelcome news that Cochise County Sheriff, Larry Dever, passed away last night in an automobile accident. The great State of Arizona is in a state of mourning.

Respected throughout the State as a leader and a lawman, Sheriff Dever was also recognized nationally as an authority on immigration and border issues. Every Senator, Congressman, Governor, and local official who wanted to know what was really happening in southern Arizona sought Sheriff Dever's counsel. No meetings or briefings, Powerpoint presentations, flip charts, or easels could compare to a couple of hours in the passenger seat of his pickup truck, driving bumpy roads, one-on-one with the sheriff.

To us, Sheriff Dever was the consummate lawman: tough, fair-minded, straight shooting, no nonsense. To his wife, Nancy, he was a devoted husband. To his six sons, he was a caring father. To his 11 grandchildren, he was a proud and doting grandfather.

To those of us who call Arizona home, we are grateful for the past 60 years that Sheriff Dever has called Arizona home as well.

□ 2150

STOP THE WAR ON COAL

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentlewoman from West Virginia (Mrs. CAPITO) is recognized until 10 p.m. as the designee of the majority leader.

Mrs. CAPITO. Thank you, Mr. Speak-

We have 10 minutes here, and I am very proud to be here tonight to talk about a bill that is on the floor on Friday, and that is the Stop the War on Coal Act of 2012. I hail from the great State of West Virginia, one of the largest coal-producing States in this Nation. Quite frankly, I am here for three reasons.

The first reason is that I am extremely concerned about the job loss and the economic devastation that this war on coal is having on our State of West Virginia. We had really sad news just yesterday. Alpha Coal announced that 1,200 coal mining jobs in the region were going to be cut. Now, that sounds like a lot of jobs, but then when you think about it, that's 1,200 families, and that's 1,200 men and women who will come home tonight and who came home last night. So we say we're going to have to do something.

And why is it? We don't have enough time to get into all of the details, but I do think it is part and parcel of the regulatory environment of this administration, that it's the philosophy of this administration that coal is not good for the country, and it's a lack of education, really, on the acknowledgment of the base load energy that coal brings to this Nation.

I am here to stand up for the families and businesses that are going to see a rise in their electric bills. I am also here for the reliability of the electric grid to make sure that we have affordable energy.

I would like to bring my friend from Pennsylvania in. We've been waiting a while. The Stop the War on Coal Act is coming up on Friday, which the President's energy plan is destroying, if you can even call it a plan. I mean, we're from an all-of-the-above plan. We've worked together on this, Mr. MURPHY and I. We've already lost over 2,000 jobs, and 55 units are going to retire across America, in large part, due to EPA rules and regulations. How many jobs is that? These Boiler MACT rules, these Utility MACT rules, coal ash rules are all job killers.

I would like to yield to the gentleman from Pennsylvania, since we're on limited time, and ask him to give his perspectives on what we know is a war on coal.

Mr. MURPHY of Pennsylvania. I thank the gentlelady from West Virginia. Thank you also for your tireless advocacy for coal as we are here fighting the war on coal.

It's interesting. I remember when I was attending college at Wheeling Jesuit University. Oftentimes, for charitable activities, we'd go into the mountains of Appalachia and help families where coal mines had shut down because they were played out, and we'd seen the incredible poverty there. We also know that, over the last century, miners toiled for years in those coal patch towns and tried to make things

safer, and they accomplished that. They worked for better wages, and they accomplished that. Now they're fighting for their very existence and their jobs and livelihoods.

To add to what you're saying about the jobs here, this is not just coal miners. It's the manufacturers who make the longwall equipment—the continuous miners, the rails, the wire, the ventilators, the elevators, the safety equipment. They are fighting for their jobs. It's the railroads, the trucks, the barges, the workers who make the rails, the hopper cars, the barges, the trucks who are there, fighting for their jobs.

Where will they go? Really, this is not just an attack on some of the power plants. We may lose 175 or so initially. The goal is to shut down 400 power plants altogether. What will happen then?

Now, this keeps the President's pledge that, if you want to use coal, it will bankrupt you, but it's also going to bankrupt these families when they can't pay their bills when their electric rates go up. They're already paying \$3,000 more per year for their gasoline for their cars. Interior Secretary Ken Salazar told the Democratic National Convention:

Under President Obama's leadership, the U.S. moved forward with an all-of-the-above energy strategy—oil, gas, nuclear, hydro, biofuels, wind, geothermal, solar. All of it, he said. What's missing is coal.

If we're not going to build a new power plant, that's also jobs not just for the miners. It means no jobs for the boilermakers, the electrical workers, the ironworkers, the steamfitters, the plumbers, the insulators, the carpenters, the laborers, the operating engineers, the cement masons, and the steelworkers. That means, down in southwestern Pennsylvania, in Greene County, where 43 percent of their income is coal, they won't have that income. Washington County will also suffer, and so many Americans will suffer.

We need to be investing in new technologies to clean up coal and to clean up these power plants and rebuild them, not to shut them down.

Mrs. CAPITO. I agree. I think carbon capture and sequestration holds great promise, but we've got to make sure that we've got the technology available so that we can elongate the life of coal.

Contained within the bill we're going to vote on on Friday is something that I've been concerned about now for years, which is of this administration's inability or reluctance or that it will not even consider the job and economic impact of the decisions they're making. We've passed bill after bill here, saying to the EPA and to the President, Mr. President, you've got to weave a balance between the economy and the environment. You've got to look at what the job and economic impact of these small towns and counties will be.

Let's talk about what's happening to the county school systems. When these four coal mines shut down in West Virginia, we have a severance tax. That severance tax goes to pay the counties, and a lot of that money goes to the education of those children. What's going to happen? Who is going to fill that gap? Who considered that when they made the decisions to make it impossible to get a permit? to make it impossible to mine the coal? to make it impossible to burn the coal?

I mean, we're cutting off our nose to spite our face. That's an old and tired term, but if we don't have a base load, cheap energy and an abundant energy source—and you and I are both from States that have a lot of natural gas. We're all for natural gas. We want the abundance of natural gas, and we realize the low price of natural gas is part of what's feeding into this. We need an all-of-the-above plan that must contain clean coal and efficient coal.

Mr. MURPHY of Pennsylvania. I'll add a story here.

I remember back in the 1970s, in Buffalo Creek, West Virginia, where a dam broke and wiped out the town. I remember going there to work with the Red Cross. In the late evening at Van High School, I was talking to a gentleman who had lost his home. He had said that, before the dam broke, the police had come down the street, and they'd said, Leave your homes. The dam has broken. He said he grabbed his kids, and they ran up the hill as fast as they could. As fast as he could run, the water was at his feet, and when he turned around, his home was gone; the town was gone; there was nothing left.

In the darkness of that classroom late at night, I could hear him beginning to cry, and I said, But you have your family.

He said, I know, and there is someone else in this town who has lost everything. He even lost his family.

I said, Well, prayers and good luck helped you.

He said, No. It was also the fact that we heard the same warnings. The difference was I listened, and he did not.

We are at that same point, too. We are hearing about the existence of towns all throughout Appalachia and all throughout this Nation. We need to be mining American coal and using our ingenuity to clean it up, not shut it down, to help all these towns, to help the schools, and to help those families.

Mrs. CAPITO. I want to thank you for joining me tonight at this late hour. I have just a few more minutes left, and I'd like to spend a little bit of time on what I think is a large overreach on the part of EPA into making law where Congress should be making the law.

We should be deciding how to legislate on the Clean Water Act. We should be deciding how to legislate on the Clean Air Act. We should be deciding

how to move forward on permitting in our Nation because we consider jobs and the economy across party lines, and those are important considerations for a lot of the bills we put forward.

But this administration has decided to do an end around. They're making regulation after regulation. And what has happened? The Federal courts have said on at least two or three different occasions—and maybe more—that this administration is in an area where they don't belong. It's a legislative area. It's not a regulatory area. It's an area that needs to be addressed through legislation by the Congress because that's the proper place for these decisions to be made.

So I hope that the President is listening, and I hope his administration is listening because, with thousands of jobs lost, higher electric bills, less reliable energy, fewer manufacturing jobs, this all feeds into an over 8 percent unemployment—folks who have quit looking and others who have given up.

If we don't have a full-out energy plan that includes everything and our most basic and our longest living energy resource—coal—and use the properties there and enhance them through research and development, we are going to find ourselves with over 8 percent unemployment, and we are going to find communities wiped out. States like mine—that are 95 percent reliant on coal production for our electricity—are going to be severely disadvantaged. I don't want to live in a country where the regulatory environment and the President are picking winners and losers across this country, and that's what has happened.

So I look forward to joining my colleague in voting for this bill on Friday. I thank you very much, and I thank the staff for staying so late, too.

Mr. Speaker, I yield back the balance of my time.

ADJOURNMENT

Mrs. CAPITO. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 p.m.), under its previous order, the House adjourned until tomorrow, Thursday, September 20, 2012, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

7847. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Beef Promotion and Research; Amendment to the Order [Doc. No.: AMS-LS-11-0086] received September 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7848. A letter from the Acting Administrator, Department of Agriculture, transmit-

ting the Department's final rule — Cranberries Grown in States of Massachusetts, Rhode Island, Connecticut, New Jersey, Wisconsin, Michigan, Minnesota, Oregon, Washington, and Long Island in the State of New York; Changing Reporting Requirements [Doc. No.: AMS-FV-12-0002; FV12-929-1 IR] received September 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7849. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Clothianidin; Pesticide Tolerances [EPA-HQ-OPP-2010-0217; FRL-9360-4] received August 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7850. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Fludioxonil; Pesticide Tolerances [EPA-HQ-OPP-2011-0395; FRL-9357-5] received August 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7851. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Flutriafol; Pesticide Tolerances for Emergency Exemptions [EPA-HQ-OPP-2012-0324; FRL-9349-6] received August 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7852. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — S-Metolachlor; Pesticide Tolerances [EPA-HQ-OPP-2011-0657; FRL-9356-9] received August 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7853. A letter from the Under Secretary, Department of Defense, transmitting a report of a violation of the Antideficiency Act, Army Case Number 11-05; to the Committee on Appropriations.

7854. A letter from the Under Secretary, Department of Defense, transmitting a report of a violation of the Antideficiency Act, Army Case Number 11-01; to the Committee on Appropriations.

7855. A letter from the Secretary, Department of Health and Human Services, transmitting a report of three violations of the Antideficiency Act by the Indian Health Services, pursuant to 31 U.S.C. 1517(b); to the Committee on Appropriations.

7856. A letter from the Assistant Secretary, Department of Defense, transmitting Biennial Core Report to Congress, pursuant to Public Law 112-81, section 2464(B)(e) (125 STAT. 1368); to the Committee on Armed Services.

7857. A letter from the Under Secretary, Department of Defense, transmitting a letter regarding the report on eliminating barriers to firms that are not traditional suppliers to the department; to the Committee on Armed Services.

7858. A letter from the Under Secretary, Department of Defense, transmitting the semi-annual status report of the U.S. Chemical Demilitarization Program (CDP) for September 2012; to the Committee on Armed Services.

7859. A letter from the Principal Deputy, Department of Defense, transmitting a letter on the approved retirement of Colonel Edward D. Banta, United States Marine Corps, and his advancement on the retired list in the grade of brigadier general; to the Committee on Armed Services.

7860. A letter from the Secretary, Securities and Exchange Commission, transmitting

the Commission's "Major" final rule — Conflict Minerals [34-67716; S7-40-10] (RIN: 3235-AK84) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

7861. A letter from the Administrator, Energy Information Administration, Department of Energy, transmitting the Administration's report entitled, "Annual Energy Outlook 2012", pursuant to 15 U.S.C. 790f(a)(1); to the Committee on Energy and Commerce.

7862. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — 2012 Technical Corrections, Clarifying and Other Amendments to the Greenhouse Gas Reporting Rule, and Confidentiality Determinations for Certain Data Elements of the Fluorinated Gas Source Category [EPA-HQ-OAR-2011-0147; FRL-9714-3] (RIN: 2060-AR53) received August 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7863. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Indiana; Volatile Organic Compounds; Architectural and Industrial Maintenance Coatings [EPA-R05-OAR-2010-1047; FRL-9720-2] received August 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7864. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Attainment Plan for the Philadelphia-Wilmington, Pennsylvania-New Jersey-Delaware 1997 Fine Particulate Matter Non-attainment Area [EPA-R03-OAR-2010-0391; FRL-9719-4] received August 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7865. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; Tennessee; Bristol; Determination of Attaining Data for the 2008 Lead Standards [EPA-R04-OAR-2012-0323; FRL-9720-8] received August 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7866. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, San Diego County, Antelope Valley and Monterey Bay Unified Air Pollution Agencies [EPA-R09-OAR-2012-0550; FRL-9718-1] received August 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7867. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, San Joaquin Valley Unified Air Pollution Control District [EPA-R09-OAR-2011-0546; FRL-9714-1] received August 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7868. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Arkan-

sas; Infrastructure Requirements for the 1997 Ozone NAAQS and the 1997 and 2006 PM_{2.5} NAAQS and Interstate Transport Requirements for the 1997 Ozone NAAQS and 2006 PM_{2.5} NAAQS [EPA-R06-OAR-2008-0633; FRL-9713-8] received September 10, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7869. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; Illinois; Ozone [EPA-R05-OAR-2009-0666; FRL-9712-8] received September 10, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7870. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans and Operating Permits Program; Commonwealth of Puerto Rico; Administrative Changes [EPA-R02-OAR-2012-0032; FRL-9714-5] received September 10, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7871. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Arkansas: Final Authorization of State Hazardous Waste Management Program Revision [EPA-R06-RCRA-2010-0307; FRL-9713-3] received September 10, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7872. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Final Confidentiality Determinations for Nine Subparts and Amendments to Subpart A and I under the Mandatory Reporting of Greenhouse Gases Rule [EPA-HQ-OAR-2011-0028; FRL-9706-6] (RIN: 2060-AQ70) received September 10, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7873. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Significant New Use Rules on Certain Chemical Substances [EPA-HQ-OPPT-2012-0450; FRL-9358-1] (RIN: 2070-AB27) received September 10, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7874. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Source Specific Federal Implementation Plan for Implementing Best Available Retrofit Technology for Four Corners Power Plant: Navajo Nation [EPA-R09-OAR-2010-0683; FRL-9715-9] received September 10, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7875. A letter from the Assistant Secretary, Department of Defense, transmitting report on proposed obligations for the Cooperative Threat Reduction; to the Committee on Foreign Affairs.

7876. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting report prepared by the Department of State concerning international agreements other than treaties entered into by the United States to be transmitted to the Congress within the sixty-day period specified in the Case-Zablocki Act; to the Committee on Foreign Affairs.

7877. A letter from the Assistant Secretary, Legislative Affairs, Department of State,

transmitting waiver of requirement to certify conditions under Section 203 of the Enhanced Partnership with Pakistan Act of 2009; to the Committee on Foreign Affairs.

7878. A letter from the Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), and pursuant to Executive Order 13313 of July 31, 2003, a six-month periodic report on the national emergency with respect to persons undermining democratic processes or institutions in Zimbabwe that was declared in Executive Order 13288 of March 6, 2003; to the Committee on Foreign Affairs.

7879. A letter from the Associate General Counsel for General Law, Department of Homeland Security, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

7880. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting annual category rating report from November 1, 2012 to October 31, 2011; to the Committee on Oversight and Government Reform.

7881. A letter from the Inspector General, Railroad Retirement Board, transmitting fiscal year 2014 Budget for the Office of the Inspector General; to the Committee on Oversight and Government Reform.

7882. A letter from the Chairman, Advisory Council on Historic Preservation, transmitting a piece of draft legislation entitled "National Historic Preservation Act Amendment of 2012"; to the Committee on Natural Resources.

7883. A letter from the Acting Assistant Attorney General, Department of Justice, transmitting the administration of the Foreign Agents Registration Act of 1938, as amended for the six month period ending December 31, 2011, pursuant to 22 U.S.C. 621; to the Committee on the Judiciary.

7884. A letter from the Director, Administrative Office of the United States Courts, transmitting the Office's report entitled, "Report of the Proceedings of the Judicial Conference of the United States" for the March 2012 session; to the Committee on the Judiciary.

7885. A letter from the President, American Academy and Institute of Arts and Letters, transmitting the annual report of the activities of the American Academy of Arts and Letters during the year ending December 31, 2011, pursuant to 36 U.S.C. 4204; to the Committee on the Judiciary.

7886. A letter from the Acting Assistant Attorney General, Department of Justice, transmitting the Section 508 Report to the President and Congress: Accessibility of Federal Electronic and Information Technology; to the Committee on the Judiciary.

7887. A letter from the Acting Assistant Attorney General, Department of Justice, transmitting a report entitled, "Debt Collection Recovery Activities of the Department of Justice for Debts Referred to the Department for Collection Annual Report for 2011"; to the Committee on the Judiciary.

7888. A letter from the Administrator, FEMA, Department of Homeland Security, transmitting notification that funding under Title V, subsection 503(b)(3) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended, has exceeded \$5 million for the cost of response and recovery efforts for FEMA-3345-EM in the State of West Virginia, pursuant to 42 U.S.C. 5193; to the Committee on Transportation and Infrastructure.

7889. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Detroit Symphony Orchestra at Ford House Fireworks, Lake St. Clair, Grosse Pointe Shores, MI [Docket No.: USCG-2012-0600] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7890. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Mentor Harbor Yachting Club Fireworks, Lake Erie, Mentor, OH [Docket No.: USCG-2012-0356] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7891. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Air Traffic Service (ATS) Routes in the Vicinity of Vero Beach, FL [Docket No.: FAA-2012-0621; Airspace Docket No. 12-ASO-24] (RIN: 2120-AA66) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7892. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Bar Harbor, ME [Docket No.: FAA-2011-1366; Airspace Docket No. 11-ANE-13] received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7893. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Quakertown, PA [Docket No.: FAA-2011-0386; Airspace Docket No. 12-AEA-6] received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7894. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Roundup, MT [Docket No.: FAA-2012-0274; Airspace Docket No. 12-ANM-4] received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7895. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Apopka, FL [Docket No.: FAA-2011-0249; Airspace Docket No. 12-ASO-16] received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7896. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class D and Class E Airspace; Fort Rucker, AL [Docket No.: FAA-2012-0635; Airspace Docket No. 12-ASO-30] received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7897. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Revocation of Class E Airspace; Lloydsville, PA, and Amendment of Class D and E Airspace; Latrobe, PA [Docket No.: FAA-2012-0301; Airspace Docket No. 12-AEA-3] received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7898. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Jet Routes and VOR Federal Airways; North-

eastern United States [Docket No.: FAA-2012-0622; Airspace Docket No. 12-ANE-11] (RIN: 2120-AA66) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7899. A letter from the Assistant Secretary of the Army, Civil Works, Department of Defense, transmitting reconstruction proposal for the Ohio River Shoreline, Paducah, Kentucky; (H. Doc. No. 112-142); to the Committee on Transportation and Infrastructure and ordered to be printed.

7900. A letter from the Assistant Secretary of the Army, Civil Works, Department of Defense, transmitting the final report for the San Clemente Shoreline Feasibility Study; (H. Doc. No. 112-143); to the Committee on Transportation and Infrastructure and ordered to be printed.

7901. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's report entitled, "Assets for Independence Program — Status at the Conclusion of the Eleventh Year"; to the Committee on Ways and Means.

7902. A letter from the Secretary, Department of Energy, transmitting the Department's report to Congress concerning the Mixed Oxide (MOX) Fuel Fabrication Facility being constructed at the Department's Savannah River Site near Aiken, South Carolina; jointly to the Committees on Armed Services and Energy and Commerce.

7903. A letter from the Chair, Federal Election Commission, transmitting the Commission's FY 2014 budget request, pursuant to 2 U.S.C. 437d(d)(1); jointly to the Committees on House Administration, Appropriations, and Oversight and Government Reform.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MILLER of Florida: Committee on Veterans' Affairs. H.R. 5948. A bill to amend title 38, United States Code, to improve the supervision of fiduciaries of veterans under the laws administered by the Secretary of Veterans Affairs, and for other purposes; with an amendment (Rept. 112-678). Referred to the Committee of the Whole House on the state of the Union.

Mr. UPTON: Committee on Energy and Commerce. H.R. 6194. A bill to ensure the viability and competitiveness of the United States agricultural sector (Rept. 112-679). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Rules. House Resolution 788. Resolution providing for consideration of the joint resolution (H.J. Res. 118) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Office of Family Assistance of the Administration for Children and Families of the Department of Health and Human Services relating to waiver and expenditure authority under section 1115 of the Social Security Act (42 U.S.C. 1315) with respect to the Temporary Assistance for Needy Families program; providing for consideration of the bill (H.R. 3409) to limit the authority of the Secretary of the Interior to issue regulations before December 31, 2013, under the Surface Mining Control and Reclamation Act of 1977; and providing for proceedings during the period from September 22, 2012, through November

12, 2012 (Rept. 112-680). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. MICA (for himself and Mr. DENHAM):

H.R. 6430. A bill to amend title 40, United States Code, to improve the functioning of the General Services Administration; to the Committee on Transportation and Infrastructure.

By Mr. ROYCE:

H.R. 6431. A bill to provide flexibility with respect to United States support for assistance provided by international financial institutions for Burma, and for other purposes; to the Committee on Financial Services; considered and passed.

By Mr. SMITH of Texas (for himself, Mr. CONYERS, Mr. GOODLATTE, and Mr. WATT):

H.R. 6432. A bill to implement the provisions of the Hague Agreement and the Patent Law Treaty; to the Committee on the Judiciary.

By Mr. UPTON (for himself and Mr. WAXMAN):

H.R. 6433. A bill to make corrections with respect to Food and Drug Administration user fees; to the Committee on Energy and Commerce; considered and passed.

By Ms. EDWARDS:

H.R. 6434. A bill to direct the Secretary of Education to award grants to States that enact State laws that will make school attendance compulsory through the age of 17; to the Committee on Education and the Workforce.

By Mr. STARK (for himself and Mr. RANGEL):

H.R. 6435. A bill to amend title XVIII of the Social Security Act to clarify the application of Medicare special enrollment periods and secondary payer rules to employer coverage of family members of employees; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMITH of New Jersey:

H.R. 6436. A bill to eliminate conditions in foreign prisons and other detention facilities that do not meet primary indicators of health, sanitation, and safety, and for other purposes; to the Committee on Foreign Affairs.

By Mr. POE of Texas (for himself and Mr. THOMPSON of California):

H.R. 6437. A bill to amend the Internal Revenue Code of 1986 to extend the publicly traded partnership ownership structure to energy power generation projects and transportation fuels, and for other purposes; to the Committee on Ways and Means.

By Mr. BASS of New Hampshire (for himself, Mr. DOLD, Mr. MATHESON, Mr. GERLACH, Mr. LANDRY, Mr. COBLE, Mr. RIBBLE, Mr. SCHILLING, Mr. PETRI, Mr. GIBBS, Mr. RENACCI, Mr. DUFFY, and Mr. CULBERSON):

H.R. 6438. A bill to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to subject the pay of the President, the Vice President, and Members of the House of Representatives and the Senate to

any sequestration order for fiscal year 2013; to the Committee on the Budget.

By Mrs. BLACK (for herself, Mr. MICHAUD, Mr. RIBBLE, Mr. BONNER, Mr. HERGER, Mr. THOMPSON of Pennsylvania, Mrs. BLACKBURN, Mr. DUNCAN of Tennessee, and Mr. KISSELL):

H.R. 6439. A bill to amend the Internal Revenue Code of 1986 to provide an exception to the imposition of the additional estate tax for severance of standing timber harvested consistent with a forest management plan; to the Committee on Ways and Means.

By Mr. COURTNEY:

H.R. 6440. A bill to designate the Quinebaug and Shetucket Rivers Valley National Heritage Corridor as "The Last Green Valley National Heritage Corridor"; to the Committee on Natural Resources.

By Mr. GRIMM (for himself and Mr. DINGELL):

H.R. 6441. A bill to reauthorize and amend the National Fish and Wildlife Foundation Establishment Act; to the Committee on Natural Resources.

By Mr. POMPEO:

H.R. 6442. A bill to amend title XX of the Social Security Act to repeal the program of block grants to States for social services, and for other purposes; to the Committee on Ways and Means.

By Ms. WASSERMAN SCHULTZ (for herself, Mr. DEUTCH, Ms. WILSON of Florida, Ms. BROWN of Florida, Mr. HASTINGS of Florida, Ms. CASTOR of Florida, Mr. RIVERA, Mr. DIAZ-BALART, Ms. ROS-LEHTINEN, Mr. BUCHANAN, and Mr. ROSS of Florida):

H.R. 6443. A bill to designate the facility of the Department of Veterans Affairs located at 9800 West Commercial Boulevard in Sunrise, Florida, as the "William 'Bill' Kling VA Clinic"; to the Committee on Veterans' Affairs.

By Mr. FINCHER:

H. Res. 789. A resolution reaffirming the importance of religion in the lives of United States citizens and their freedom to exercise those beliefs peacefully; to the Committee on the Judiciary.

By Mr. DANIEL E. LUNGREN of California (for himself and Mr. SHIMKUS):

H. Res. 790. A resolution expressing support for designation of August 23 as Black Ribbon Day to recognize the victims of Soviet Communist and Nazi regimes; to the Committee on Oversight and Government Reform.

By Mr. PEARCE (for himself, Mr. HEINRICH, and Mr. LUJÁN):

H. Res. 791. A resolution recognizing the extraordinary history and heritage of the State of New Mexico, and honoring and commending the State of New Mexico and its people on its centennial anniversary; to the Committee on Oversight and Government Reform.

By Mr. SCHRADER (for himself, Mr. VAN HOLLEN, Ms. BORDALLO, Mr. MARKEY, and Ms. BONAMICI):

H. Res. 792. A resolution honoring Rear Admiral Jonathan W. Bailey of the National Oceanic and Atmospheric Administration (NOAA) Commissioned Officer Corps for his lifetime of selfless commitment and exemplary service to the United States; to the Committee on Natural Resources.

MEMORIALS

Under clause 3 of rule XII:

280. The SPEAKER presented a memorial of the House of Representatives of the State of Illinois, relative to House Resolution No.

824 urging the President and Congress to begin an expedited withdrawal of forces from Afghanistan; to the Committee on Foreign Affairs.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. MICA:

H.R. 6430.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution, specifically Clause 1 (relating to providing for the general welfare of the United States) and Clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress) and clause 17 (relating to authority over the district as the seat of government), and Article IV, Section 3, Clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).

By Mr. ROYCE:

H.R. 6431.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, clause 3, which provides Congress the power to "regulate commerce with foreign Nations among the several States."

By Mr. SMITH of Texas:

H.R. 6432.

Congress has the power to enact this legislation pursuant to the following:

Clause 8 of section 8 of Article I of the Constitution.

By Mr. UPTON:

H.R. 6433.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution.

By Ms. EDWARDS:

H.R. 6434.

Congress has the power to enact this legislation pursuant to the following:

Article I., Section 1.

All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

By Mr. STARK:

H.R. 6435.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. SMITH of New Jersey:

H.R. 6436.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Sec. 8: To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes; To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. POE of Texas:

H.R. 6437.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1

By Mr. BASS of New Hampshire:

H.R. 6438.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of section 8 of Article I; section 6 of Article I; section 1 of Article II.

By Mrs. BLACK:

H.R. 6439.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have the Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. COURTNEY:

H.R. 6440.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, Clause 1 and Article IV, section 3, Clause 2 of the Constitution of the United States grants Congress the authority to enact this bill.

By Mr. GRIMM:

H.R. 6441.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2

By Mr. POMPEO:

H.R. 6442.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Paragraph 1: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Ms. WASSERMAN SCHULTZ:

H.R. 6443.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 14: To make Rules for the Government and Regulation of the land and naval Forces.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 104: Ms. BUERKLE.

H.R. 289: Mr. MCNERNEY.

H.R. 715: Mr. WALSH of Illinois.

H.R. 718: Mr. BURGESS and Mr. MCGOVERN.

H.R. 719: Mr. MARINO, Mr. OLVER, Mr. ROYCE, and Ms. ZOE LOFGREN of California.

H.R. 733: Mr. ROSKAM and Mr. DEFAZIO.

H.R. 835: Ms. BASS of California, Mr. GUINTA, and Mr. SMITH of Texas.

H.R. 860: Mr. GARAMENDI, Ms. DEGETTE, Mr. CALVERT, Mr. MACK, Ms. BONAMICI, and Ms. BASS of California.

H.R. 890: Mr. GRJALVA.

H.R. 942: Mr. GERLACH.

H.R. 965: Mr. WAXMAN.

H.R. 1005: Mr. CAPUANO.

H.R. 1054: Mr. KEATING and Ms. MCCOLLUM.

H.R. 1244: Mr. BISHOP of Utah.

H.R. 1259: Mr. KISSELL.

H.R. 1265: Mr. BISHOP of Utah and Mr. GRIF-FIN of Arkansas.

H.R. 1294: Mr. CONYERS.

H.R. 1370: Mr. RIGELL, Mr. ADERHOLT, and Mr. HULTGREN.

H.R. 1397: Mr. CLYBURN.

H.R. 1513: Mr. LOEBSACK.

H.R. 1543: Ms. MCCOLLUM.
H.R. 1648: Ms. SEWELL.
H.R. 1653: Mr. SHUSTER and Mr. KIND.
H.R. 1744: Mr. MCCAUL.
H.R. 1757: Mr. BARBER.
H.R. 1876: Mr. LYNCH and Mr. CUMMINGS.
H.R. 1897: Mrs. MCCARTHY of New York.
H.R. 1910: Mr. HINCHEY.
H.R. 1936: Mr. PERLMUTTER, Mr. LIPINSKI, Mr. BERG, and Mr. SCHILLING.
H.R. 1955: Mr. ANDREWS.
H.R. 2020: Mr. COURTNEY and Ms. MOORE.
H.R. 2030: Ms. CHU.
H.R. 2052: Mr. CONYERS, Mr. LARSEN of Washington, Mr. MICHAUD, and Mr. MARINO.
H.R. 2086: Mrs. MALONEY.
H.R. 2088: Mr. ANDREWS, Ms. PINGREE of Maine, Mr. FRANK of Massachusetts, Mr. HOYER, Mr. OLVER, Mr. KEATING, Mr. GUTIERREZ, Ms. CLARKE of New York, Mr. MARKEY, Ms. CHU, Mr. ENGEL, and Mr. CLYBURN.
H.R. 2194: Ms. SPEIER and Ms. MCCOLLUM.
H.R. 2198: Mr. THOMPSON of Pennsylvania and Mr. FLORES.
H.R. 2267: Mr. HALL, Mr. SHUSTER, and Mr. DEUTCH.
H.R. 2313: Mr. AMASH.
H.R. 2316: Mr. WATT.
H.R. 2353: Mr. FITZPATRICK.
H.R. 2372: Mr. LAMBORN.
H.R. 2382: Mr. LEVIN, Mr. PRICE of North Carolina, and Mr. AMASH.
H.R. 2479: Mr. REED and Mr. OLVER.
H.R. 2488: Mr. MICHAUD.
H.R. 2492: Ms. MCCOLLUM, Mr. HULTGREN, and Mr. SMITH of Texas.
H.R. 2505: Mr. MCKINLEY and Mr. DENT.
H.R. 2547: Mrs. CAPPS.
H.R. 2555: Mr. PRICE of North Carolina.
H.R. 2563: Mr. KEATING.
H.R. 2695: Mr. HIMES.
H.R. 2696: Mr. HIMES.
H.R. 2705: Mr. BISHOP of Georgia.
H.R. 2770: Mrs. NOEM.
H.R. 2776: Mr. YOUNG of Alaska.
H.R. 2827: Mr. PALAZZO.
H.R. 2833: Mr. SCOTT of South Carolina.
H.R. 2913: Mr. DUFFY.
H.R. 2969: Mr. CUMMINGS.
H.R. 2994: Ms. BONAMICI.
H.R. 3059: Mr. HULTGREN.
H.R. 3238: Ms. WOOLSEY and Mr. FILNER.
H.R. 3266: Mr. BLUMENAUER, Mr. FITZPATRICK, and Mr. GRIFFIN of Arkansas.
H.R. 3269: Ms. DEGETTE.
H.R. 3353: Mrs. CAPPS.
H.R. 3395: Mr. BONNER.
H.R. 3399: Mr. HULTGREN.
H.R. 3423: Mr. WEST, Mr. WELCH, and Ms. WILSON of Florida.
H.R. 3458: Mr. COSTELLO.
H.R. 3485: Mr. OLVER, Mr. KEATING, Ms. CLARKE of New York, Mr. MARKEY, Ms. CHU, and Mr. CLYBURN.
H.R. 3587: Mrs. DAVIS of California.
H.R. 3661: Mr. JOHNSON of Illinois, Ms. LINDA T. SANCHEZ of California, and Mrs. BIGBERT.
H.R. 3695: Ms. BROWN of Florida.
H.R. 3713: Mr. THOMPSON of California, Mr. CICILLINE, Mr. GERLACH, Mr. GRIFFIN of Arkansas, and Mr. FRANKS of Arizona.
H.R. 3728: Mr. NUNES and Mr. GOODLATTE.
H.R. 3783: Mr. SOUTHERLAND, Mr. BARTLETT, and Mr. LANCE.
H.R. 3798: Mr. CUMMINGS and Mr. CROWLEY.
H.R. 3974: Ms. EDWARDS.
H.R. 4196: Mr. GRAVES of Missouri.
H.R. 4212: Mr. BACHUS.

H.R. 4250: Mr. BROOKS, Ms. RICHARDSON, and Mr. HINOJOSA.
H.R. 4256: Mr. LANDRY and Mr. CHANDLER.
H.R. 4290: Ms. DELAURO.
H.R. 4318: Ms. LEE of California.
H.R. 4818: Mr. BUTTERFIELD.
H.R. 5542: Ms. LORETTA SANCHEZ of California.
H.R. 5708: Mr. BILIRAKIS and Ms. ROSELEHTINEN.
H.R. 5716: Mr. LOESACK.
H.R. 5746: Mrs. BLACK.
H.R. 5749: Ms. MCCOLLUM.
H.R. 5817: Mr. HUIZENGA of Michigan.
H.R. 5873: Mr. BUTTERFIELD.
H.R. 5876: Mr. ANDREWS.
H.R. 5903: Mr. MARKEY.
H.R. 5910: Mr. STUTZMAN and Mr. ROTHMAN of New Jersey.
H.R. 5914: Mr. HARRIS, Mr. TIBERI, and Mr. DEFazio.
H.R. 5943: Mr. LONG.
H.R. 5948: Mr. MICHAUD, Mr. POSEY, and Mr. ROONEY.
H.R. 5959: Mr. MCNERNEY, Mr. OLVER, and Mr. FARR.
H.R. 5962: Mr. KUCINICH.
H.R. 5965: Ms. CHU.
H.R. 5978: Mr. LEVIN and Mr. HOLT.
H.R. 6015: Mr. PETERS, Mr. BRALEY of Iowa, Mr. HASTINGS of Florida, Mr. THOMPSON of California, Ms. LEE of California, Mr. RANGEL, Mr. SMITH of Washington, Ms. BASS of California, Ms. BONAMICI, Mr. COURTNEY, and Mr. SHULER.
H.R. 6043: Mr. BILBRAY.
H.R. 6086: Mr. SIMPSON.
H.R. 6139: Mr. JONES.
H.R. 6150: Mr. MICHAUD, Mr. LEWIS of Georgia, and Ms. BORDALLO.
H.R. 6155: Ms. SPEIER, Mr. ROSS of Arkansas, Mr. LANGEVIN, Ms. WATERS, Mr. REED, Mr. ANDREWS, and Ms. MOORE.
H.R. 6157: Mr. CICILLINE, Mr. BOREN, Mr. BLUMENAUER, Mr. RIVERA, Mr. ROSS of Arkansas, Ms. WATERS, Mr. ANDREWS, Mr. CLAY, and Ms. MOORE.
H.R. 6159: Mr. HIGGINS and Mr. BARBER.
H.R. 6163: Ms. SCHWARTZ and Ms. MATSUI.
H.R. 6165: Mr. SENSENBRENNER.
H.R. 6174: Mr. BOREN.
H.R. 6260: Mr. GALLEGLY.
H.R. 6291: Mr. KILDEE and Ms. ZOE LOFGREN of California.
H.R. 6296: Mr. FITZPATRICK.
H.R. 6310: Mr. KILDEE, Mr. LANGEVIN, and Ms. DELAURO.
H.R. 6352: Mr. COBLE.
H.R. 6357: Ms. CHU.
H.R. 6362: Ms. BONAMICI.
H.R. 6364: Mr. THOMPSON of California and Mr. YODER.
H.R. 6375: Mr. MICHAUD.
H.R. 6385: Mr. KELLY and Ms. SCHAKOWSKY.
H.R. 6388: Mr. BARTLETT, Ms. HIRONO, Mr. CLAY, Mr. FARR, Mr. BILBRAY, Mr. GALLEGLY, Mr. RAHALL, and Ms. ROYBAL-ALLARD.
H.R. 6390: Ms. RICHARDSON and Ms. CHU.
H.R. 6392: Ms. SCHAKOWSKY and Mr. WELCH.
H.R. 6412: Ms. LINDA T. SANCHEZ of California, Mr. ISRAEL, Mr. REYES, Mr. LARSEN of Washington, Mr. MORAN, Mr. BLUMENAUER, Mr. CAPUANO, Ms. LEE of California, Ms. MCCOLLUM, Mrs. CAPPS, Mr. GRIJALVA, Mr. OLVER, Mr. STARK, Mrs. LOWEY, Ms. CHU, Mr. MCDERMOTT, Mr. POLIS, Mr. MCGOVERN, Mr. DOYLE, Mr. PIERLUISI, Ms. HAHN, Mr. FILNER, Mr. DOGGETT, Ms. CASTOR of Florida, Mr. FARR, Mrs. DAVIS of California, and Mr. HOLT.

H.R. 6419: Mr. FARR, Ms. NORTON, Mr. RUSH, Ms. DEGETTE, Mr. GRIJALVA, Mr. JOHNSON of Georgia, Ms. CHU, Mr. BISHOP of Georgia, and Mr. SMITH of Washington.
H.R. 6429: Mr. OLSON, Mr. SAM JOHNSON of Texas, Mrs. ELLMERS, Mr. LAMBORN, Mr. FLORES, Mr. COBLE, Mr. ROSS of Florida, Mr. PENCE, Mr. WESTMORELAND, Mr. HECK, Mr. DUFFY, Mr. GOWDY, Mr. BROOKS, Mr. BRADY of Texas, Mr. LONG, Mr. MCKEON, Mr. FARENTHOLD, Mr. KING of New York, Mr. SENSENBRENNER, and Mr. PAULSEN.
H.J. Res. 47: Mr. MURPHY of Connecticut.
H. Con. Res. 116: Mr. LIPINSKI, Mrs. BLACK, Mr. DONNELLY of Indiana, and Mr. BILBRAY.
H. Con. Res. 129: Mr. MEEKS, Mr. CONAWAY, Mr. MCGOVERN, Ms. RICHARDSON, Mr. LARSEN of Washington, Mr. BARLETTA, Mr. YOUNG of Florida, Mr. KING of New York, Ms. HOCHUL, and Mr. PALAZZO.
H. Res. 134: Mr. SMITH of New Jersey.
H. Res. 304: Mr. HONDA.
H. Res. 460: Mr. SMITH of Texas.
H. Res. 734: Mr. HOLT and Mr. MCGOVERN.
H. Res. 763: Mrs. BLACKBURN and Mr. CARTER.
H. Res. 774: Mr. BARROW, Mr. WHITFIELD, Mr. SMITH of Texas, Mr. MURPHY of Connecticut, Mr. TIERNEY, Mr. GRIFFITH of Virginia, Mr. CLAY, Ms. HAYWORTH, Mr. WELCH, Mr. RENACCI, Mr. CUELLAR, Mr. BARTLETT, Mr. CICILLINE, Mr. BRALEY of Iowa, Mrs. CAPPS, Mr. SCHILLING, Mr. BILBRAY, Mr. KILDEE, Mrs. DAVIS of California, Mr. NUNNELEE, and Mr. AMODEI.
H. Res. 776: Mr. COBLE, Mr. PIERLUISI, and Mr. KING of Iowa.
H. Res. 777: Mr. AUSTRIA and Ms. BORDALLO.
H. Res. 780: Mr. MICHAUD.
H. Res. 785: Mr. PRICE of North Carolina.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

The amendment to be offered by Representative MARKEY or a designee to H.R. 3409, the Coal Miner Employment and Domestic Energy Infrastructure Protection Act, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

59. The SPEAKER presented a petition of the California State Land Commission, California, relative to resolution supporting H.R. 3365 and S. 714; to the Committee on Natural Resources.

60. Also, a petition of the Odessa Chamber of Commerce, Texas, relative to resolution supporting the Securing the Talent America Requires for the 21st Century Act; to the Committee on the Judiciary.

SENATE—Wednesday, September 19, 2012

The Senate met at 10 a.m. and was called to order by the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Lord God, we praise You for surrounding us with the shield of Your salvation. When we cry to You for help, You are always near, ever ready to comfort and cheer. When we remember what You have already done to bless our Nation and our lives, we can only declare, "Great is Your faithfulness."

As our Senators strive today to do Your will, remind them that Your love has no limits, Your hope has no restrictions, and Your power has no end. Guide them as they seek to discern what is best for our Nation and to courageously vote their convictions.

We pray in Your wonderful Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable KIRSTEN E. GILLIBRAND led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUE).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, September 19, 2012.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York, to perform the duties of the Chair.

DANIEL K. INOUE,
President pro tempore.

Mrs. GILLIBRAND thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

FAMILY AND BUSINESS TAX CUT CERTAINTY ACT OF 2012—MOTION TO PROCEED

Mr. REID. I now move to proceed to Calendar No. 499, S. 3521, which is the tax extenders legislation reported out of the Finance Committee previously.

The ACTING PRESIDENT pro tempore. The clerk will report the motion to proceed.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 499, S. 3521, a bill to amend the Internal Revenue Code of 1986 to extend certain expiring provisions.

SCHEDULE

Mr. REID. Madam President, following my remarks and those of my distinguished friend, the Republican leader, the Senate will resume consideration of S. 3457, the Veterans Jobs Corps Act. The time until noon will be equally divided on that matter. At noon there will be a rollcall vote on the motion to waive the Budget Act with respect to the Veterans Jobs Corps bill. The Senate will then recess until 2:15 for our weekly caucus meetings.

At 2:15, there will be a cloture vote on the motion to proceed to the continuing resolution. There could be additional votes with respect to the Veterans Jobs Corps Act this afternoon or subsequent to a vote at noon.

The Republican leader and I have had a conversation this morning where we have discussed the rest of the week and next week, perhaps, and we are trying to move forward and get this done. We have certain things we have to get done, but there is nothing—nothing—more important than getting the funding for the country. I appreciate the House sending it to us in the fashion they did. So I think it behooves us to get this done as quickly as possible.

MEASURE PLACED ON THE CALENDAR—H.R. 5949

Mr. REID. Madam President, I am told H.R. 5949 is at the desk and due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will read the bill by title for the second time.

The legislative clerk read as follows:

A bill (H.R. 5949) to extend the FISA Amendments Act of 2008 for five years.

Mr. REID. I object to any further proceedings.

The ACTING PRESIDENT pro tempore. Objection is heard. The bill will be placed on the calendar.

THE OTHER 47 PERCENT

Mr. REID. Madam President, for months I believed Mitt Romney wanted to be President of all of the United States. This week we learned Mitt Romney only wants to be President of half the United States.

If Mitt Romney were President, he wouldn't waste time worrying about the 47 percent of Americans whom he believes are "victims"—whom Romney believes are unwilling to take "personal responsibility," and those are his words, not mine. He can only worry about how the other half lives, I guess. That is what Mitt Romney told donors at a closed-door fundraiser in Florida a month or so ago.

But it turns out it wasn't closed. Someone videotaped every word he said to his wealthy donors. This is, among other things, what he said:

There are 47 percent who . . . are dependent upon government, who believe that they are victims, who believe that government has a responsibility to care for them, who believe that they are entitled to health care, to food, to housing, to you name it.

Mitt Romney said his job as President would not be "to worry about those people." But half of Americans are "those people."

He went on to say: "I'll never convince them"—this is a direct quote—"they should take personal responsibility and care for their lives."

So who are those Americans Mitt Romney disdains as "victims" and "those people"? They are not avoiding their tax bills, using Cayman Islands tax shelters or Swiss bank accounts like Mitt Romney. Millions of the 47 percent are seniors on Social Security who don't have Bain Capital retirement funds or inherited stock to fall back on. Many of the 47 percent are students reaching to afford university tuition so they can become nurses or teachers or attend a community college to become an electrician or welder or a lab technician. Some of the 47 percent have disabilities whose challenges are already a full-time job, but still are actively seeking opportunities in their lives. Millions more of this 47 percent have been unemployed since the great recession—not because they are freeloaders or can't be bothered to get a job but because some private equity funds closed their factory and shipped their jobs off to China. Large numbers of the 47 percent are active-duty members of the military fighting for their country overseas. More of the 47 percent are veterans getting an education earned through dedicated service. Many of the 47 percent are mothers and fathers working minimum wage jobs but still struggling—and struggling every day. Others of the 47 percent are middle-class families raising children with a little help from the earned income tax credit and the child tax credit—a hand-up Republicans once bragged about helping to enact and, by

the way, signed into law by that “liberal” Ronald Reagan. The 47 percent are ordinary hard-working Americans who deserve respect, especially from the man who wants to be their President. And these Americans pay a slew of other taxes, including State income taxes, payroll taxes, property taxes, and sales taxes. But, in Mitt Romney’s view, they still don’t pay enough.

So let’s ask a question: Whose taxes would Mitt Romney raise? Would Mitt Romney raise taxes on retirees who have paid into Social Security all their lives and are counting on it to get them through their golden years? That is a question.

Another question: Would Mitt Romney raise taxes on mothers and fathers who work hard but still struggle to put food in their children’s mouths? Ronald Reagan thought there were certain people who maybe need a little help and so we shouldn’t do that. I agree with Ronald Reagan.

Would Romney raise taxes on middle-class families stretching to afford diapers and day care at the same time? Would Romney raise taxes on Americans with disabilities striving to live full and productive lives? Would Romney raise taxes on students stretching every dollar to afford tuition? Would Romney raise taxes on men and women serving overseas in the military who make untold sacrifices to preserve America’s freedom and democracy not because they are getting rich doing it but out of a deep sense of duty?

So whose taxes would Mitt Romney raise? We know he wouldn’t raise taxes on millionaires and billionaires or companies that ship jobs overseas. He has made that very clear. If a person is a math teacher or a maid or a single mother, it won’t be Mitt Romney’s job to worry about those people. If a person is a multimillionaire, Mitt Romney won’t rest until they get a quarter of a million dollar tax cut. That is what the Ryan budget does and Romney likes that.

For all we know, Mitt Romney could be one of those who has paid no Federal income tax. Thousands of families making more than \$1 million pay nothing in Federal income taxes each year. I will repeat that. Thousands of families making more than \$1 million a year pay nothing in Federal income taxes. Is Mitt Romney among those? We will never know since he refuses to release his tax returns for the years before he was running for President. But from that one return—the only one we have seen—we know Mitt Romney pays a lower tax rate than middle-class families, thanks to a number of things he has done, including Swiss bank accounts and Cayman Islands tax shelters. And we can only imagine what new secrets would be revealed if he showed the American people a dozen years of tax returns as his dad did.

Mitt Romney believes in two sets of rules—one for millionaires and another

for the middle class and the poor. If a person has money to hide in Bermuda and Switzerland, can that person not afford to pay a few pennies more to balance the budget or to reduce the deficit? Mitt Romney says no. But if a person is retired or poor, disabled, a student, or even a returning hero who fought for our country, Romney believes that person can afford to pay more taxes.

This rare look at the real Mitt Romney—this rare look we got from a man who was at a fundraiser for him—proves one thing: He is completely out of touch with average Americans. If he won’t stand up and fight for every American—every American—as President, then he does not deserve to serve any American as President.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

SUU KYI GOLD MEDAL CEREMONY

Mr. MCCONNELL. Madam President, later today Congress will award the Congressional Gold Medal to Daw Aung San Suu Kyi, a remarkably courageous woman whose cause I have taken a particular interest in over the years.

Suu Kyi’s story is so powerful it is almost hard to believe it is all true.

Her father Aung San, the architect of Burmese independence, was assassinated when she was a toddler. She lived in India for a time, worked at the U.N. here in the United States, and eventually married and settled into a happy and comfortable life with her professor husband and two boys in Oxford, England.

That quiet, suburban life changed forever one night in the spring of 1988. She got a phone call that her mother had fallen ill back in Burma. She left to take care of her the following day and arrived to find a revolution already underway.

As her father’s daughter, Suu Kyi was regarded as a natural fit to fill the role.

Years earlier, Suu Kyi had a premonition that her people might need her one day, so much so that when her husband proposed marriage, she agreed, but on the one condition that if her people ever needed her, she could go. He agreed without hesitation. More than two decades later, he made good on his pledge.

With Suu Kyi under house arrest in Burma, her husband fell ill with cancer back in England. She knew she would be allowed to leave, but she also knew she wouldn’t be allowed to return to Burma once she did. So with her husband’s support, Suu Kyi made the difficult decision to stay. For nearly two decades—two decades—she remained under house arrest in her mother’s old home on University Avenue on the shores of Inya Lake.

Over the years, I have followed Suu Kyi closely and I have done what I

could to advance her cause. Along with Senator FEINSTEIN, I have worked to get the Burmese Freedom and Democracy Act enacted every year since 2003 as a way of pressuring the regime to reform itself. My colleague Senator MCCAIN has been active on this issue and has had the opportunity to visit with her several times.

If not for the quiet determination and simple confidence of this remarkable woman, democratic reforms might have seemed a lost cause under the Burmese junta. But in November 2010, we were all encouraged when Suu Kyi was finally released from house arrest. And since then we have seen other hopeful signs.

I was allowed the privilege of actually traveling to Burma earlier this year to meet with Suu Kyi and discuss some of the reforms we have seen. On April 1, Suu Kyi won a seat in the Burmese Parliament. We cannot be sure that the progress we have seen in Burma will last, but we are cautiously optimistic.

It is a great privilege to be able to honor this woman who has done so much for the Burmese people and for the cause of democratic reform and human rights around the world. I am also honored that Suu Kyi has graciously agreed to speak about her incredible journey and the cause of democratic reform and human rights at the University of Louisville next Monday. I know the students and the larger community there are all looking forward to her visit.

But for now, this is a truly special day here at the Capitol. It has been a long time coming. We are honored to have this hero with us today and delighted to award her our Nation’s highest civilian honor.

Madam President, I yield the floor.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

VETERANS JOBS CORPS ACT OF 2012

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. 3457, which the clerk will report by title.

The legislative clerk read as follows:

A bill (S. 3457) to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes.

Pending:

Reid (for Murray) amendment No. 2789, in the nature of a substitute.

Reid amendment No. 2808 (to amendment No. 2789), to change the enactment date.

Reid amendment No. 2809 (to amendment No. 2808), of a perfecting nature.

Reid amendment No. 2810 (to the language proposed to be stricken by amendment No. 2789), to change the enactment date.

Reid amendment No. 2811 (to amendment No. 2810), of a perfecting nature.

Reid motion to commit the bill to the Committee on Veterans' Affairs, with instructions, Reid amendment No. 2812, to change the enactment date.

Reid amendment No. 2813 (to (the instructions) amendment No. 2812), of a perfecting nature.

Reid amendment No. 2814 (to amendment No. 2813), of a perfecting nature.

The ACTING PRESIDENT pro tempore. Under the previous order, the time until 12 noon will be equally divided and controlled between the two leaders or their designees.

The Senator from Illinois.

KNOWING WHO YOU REALLY ARE

MR. DURBIN. Madam President, Bill Daley is a businessman in Chicago and a friend of mine. A few years back he was the chairman of the Al Gore Presidential campaign. We all know how the campaign ended in the Florida recount. Bill was contacted several years later by those who wanted to run for President. They made their trip to Chicago and asked Bill if he could give them some insight into what it was all about, how you would win. Bill said to them, one and all, the same thing: I am not sure I have any special strategy to tell you, but there is one thing I have discovered over the years. By the end of the Presidential campaign, the American people will know who you really are.

I thought that was very simply and directly stated by Bill Daley and reflected the fact that although every candidate at every level tries to surround himself or herself with the wisest people in Christendom, to give them advice on polling and media and analyzing the electorate and the right words to be said, that more so in a Presidential campaign than almost any others, by the end of the campaign, the American people know who you really are.

The revelations into a person's values and character are not those well-scripted ads or even those flowery speeches. The revelations come by observing that person in good times and bad and perhaps hearing the unguarded comments which give you an insight into what they think when the camera is not on.

That is why this release of a video of Mitt Romney has had such an impact on America. What he said at a fundraiser in Boca Raton, FL, to some very wealthy supporters on May 17, 2012, bears repeating in specific detail. Here is what he said:

There are 47 percent of the people who will vote for the president no matter what. All right, there are 47 percent who are with him, who are dependent upon government, who believe that they are victims, who believe the government has a responsibility to care for them, who believe that they are entitled to health care, to food, to housing, to you-name-it. That that's an entitlement. And the government should give it to them. And they will vote for this president no matter what. . . . These are people who pay no income tax. . . . [M]y job—

This is Mitt Romney speaking—

is not to worry about those people. I'll never convince them they should take personal responsibility and care for their lives.

It was a moment of candor by Romney in a room full of friends about his view of America, and it has become the centerpiece of this week's debate in the Presidential campaign, not just because he was caught in an off moment or with an embarrassing statement, but the fact that since then he has not retracted, he has not backed off of those statements.

In his first press conference, when confronted, he said he was "inelegant" in the way he spoke. Well, assuming that he meant ineloquent and not lacking eloquence, I would say he has had enough time to develop an elegant reply, and we have not heard it.

I think there is more truth than not in what he says when it comes to his point of view of this country, and it is no surprise when you look back to those other unguarded moments and things he has said during the course of the campaign.

We remember the highlights. "Corporations are people, my friend," he said. "I like being able to fire people," he said. "I'm not concerned about the very poor," Romney said. "I'm also unemployed," Romney said. "Ann drives a couple of Cadillacs," Romney said. "Ten thousand bucks? \$10,000 bet?" he said. "I have some great friends that are NASCAR team owners," he said.

It was Bill Kristol who wrote recently—I believe it was yesterday—in the *Weekly Standard* a response in which he was critical of President Obama but also of Governor Romney. Here is what Bill Kristol, one of the prominent conservative spokesmen in America, in response to Romney's revelation at the Boca Raton fundraiser, wrote:

It's worth recalling that a good chunk of the 47 percent who don't pay income taxes are Romney supporters—especially of course seniors (who might well "believe they are entitled to health care," a position Romney agrees with), as well as many lower-income Americans (including men and women serving in the military) who think conservative policies are better for the country even if they're not getting a tax cut under the Romney plan. So Romney seems to have contempt not just for the Democrats who oppose him, but for tens of millions who intend to vote for him.

End of quote from Bill Kristol.

This was a revelation into his values and his view of America. But it also tells us that he does not understand this country and the people who live in it. Because when we take a close look at those in the 47 percent, here is who we find: the elderly, working families with children, and low-wage earners. That is the 47 percent.

The elderly. One in five of the elderly is in the 47 percent. These Americans do not owe any Federal income tax because of a longstanding policy choice

that Social Security benefits—modest Social Security benefits—should not be taxed. Does Romney oppose that? Does he want to tax Social Security benefits so these will be responsible nonvictims in his view of America?

Now let's turn to low-income working families with children. They make up approximately one out of six people in the 47 percent. They benefit from the earned income tax credit. It was an incentive for them to go to work. Realizing they do not make much money working, we are going to give them a break in the Tax Code to help them get by.

As the majority leader mentioned earlier, this notion came out under President Ronald Reagan. It was Ronald Reagan who said, when he signed this into law in 1986, this will remove "six million [poor] people from the income tax rolls," making it one of the most effective antipoverty programs in our history."

So these people are not paying taxes—so-called victims, so-called irresponsible, under Romney's analysis. Is he suggesting the earned income tax credit has to go?

When you take a look at these people who make up the 47 percent in America, you understand that many of them have paid their dues. Veterans on disability may not be paying income taxes. They are part of the 47 percent. People who are middle-income working families, whose kids borrow money for college are turning to the government for help when they want to put their kids through school to make sure they have a better life.

I close because I know I have my colleagues coming to the floor. There is one thing that leapt off the page when I read this quote from Boca Raton. It appears that Mitt Romney makes his value judgments on Americans based on their income tax returns.

Historically, American voters have made a judgment on Presidential candidates based on their income tax returns. The man who set the gold standard that was followed for decades in America in Presidential races was Mitt Romney's father George Romney, former Governor of Michigan. He disclosed 12 years of income tax returns, and he said: Do not just give me 1 year. That does not tell me anything. One year might look good. Give me 12 years, and I can then decide whether this person is paying taxes as they should and make a value judgment accordingly.

Well, the son did not learn from the father. Over the past 36 years, Willard Mitt Romney holds the distinction of all Presidential candidates of either political party of having made the least disclosure of income tax returns of any Presidential candidate—1 year. He promises another, but 1 year.

What did this 1 year reveal? It revealed he is the first Presidential candidate in the history of the United

States of America with a Swiss bank account. I have asked business leaders across America, Why would you have a Swiss bank account?

I asked Warren Buffett—he is one of the wealthiest men in our country—have you ever had a Swiss bank account. He said: No, there are perfectly good banks in the United States.

Then I asked business leaders—and seriously—Why would you have a Swiss bank account? Two reasons. You want to conceal what you have and the transactions that lead up to you acquiring it or, secondly, you believe the Swiss franc is a stronger currency than the U.S. dollar. I might add that Mitt Romney created a Swiss bank account under President George W. Bush's administration.

Secondly, the offshore tax shelters in the Cayman Islands and Bermuda—why do you have those? To avoid tax liability in the United States.

I do not know what is in Mitt Romney's income tax returns. There must be something in there he does not want America to see, because he is defying all the calls to go public with the income tax returns.

Are income tax returns important? In Boca Raton he judged 47 percent of the American people based on their income tax returns. We should judge Mitt Romney based on his income tax returns or his refusal to disclose them.

Madam President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Alabama.

Mr. SESSIONS. Madam President, I know my colleague, the Democratic assistant leader, is here, and I will make a budget point of order now because I understand he would be objecting.

Madam President, the pending amendment, No. 2789, offered by the Senator from Washington, would cause the underlying legislation to exceed the authorizing committee's section 302(a) allocation of new budget authority and outlays. Therefore, it violates the budget and I raise a point of order against this measure pursuant to section 302(f) of the Congressional Budget Act of 1974.

The ACTING PRESIDENT pro tempore. The Senator from Illinois.

Mr. DURBIN. Madam President, pursuant to section 904 of the Congressional Budget Act of 1974, I move to waive the applicable sections of that act for purposes of the pending amendment, and I ask for the yeas and nays.

The ACTING PRESIDENT pro tempore. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

Mr. SESSIONS. Madam President, I will say to my colleague, I appreciate his eloquence and his advocacy. He gave us a real partisan speech this morning. I will just ask a few things of one of our leaders in the Senate, Mr. DURBIN.

What about the responsibility of this body to pass a budget? We have not had one in over 1,200 days. What about the responsibility of this body to move appropriations bills? Not one single appropriations bill has been advanced. And while we are working on legislation that could help veterans find jobs—it will cost about \$200 million a year—why has this body not brought up the defense appropriations bill that funds the Defense Department at over \$500 billion? We have not even brought it up for a vote, even though the House has passed one.

Why have we not brought up the defense authorization bill that passed the Armed Services Committee unanimously? I am a member of it. It has been sitting here for months and not been brought up. Why? Because we would have a debate, actually have some votes around here?

So that is a problem I think we have in this Senate, and I believe it is a serious matter.

I was going to make some comments about the bill before us.

The ACTING PRESIDENT pro tempore. The Senator from Illinois.

Mr. DURBIN. I will be brief. I thank the Senator from Alabama, my friend, for yielding the floor. He asks an important question: Why has Congress not passed a budget resolution in a number of years? But he knows the answer. The answer is because we did better than that. We enacted a statute, a law. A resolution is a message from one house of Congress, back and forth, and kind of binds us internally. A law signed by the President has the force of law. It was called the Budget Control Act.

The interesting thing about the Budget Control Act is it was written by Democrats and Republicans. It charts the course of spending for 2 years, including the one we are appropriating into now. It was voted on in favor by Democratic and Republican leaders alike. It was a bipartisan effort signed by President Obama with the force of law. That has more power than any budget resolution.

So, clearly, saying that we did not pass a budget resolution on its face is true, but to say that we are not bound by rules when it is comes to spending is to ignore the obvious—a budget control act voted on by the leaders on both sides of the aisle.

The second question he asked is, are we ignoring that spending restriction when it comes to those veterans programs, and why should we?

Well, first, the bill that is before us, this Veterans Jobs Corps Act, is paid for. It does not add a penny to the deficit.

The second question is, Well, why do you need it anyway?

Have you noticed the veterans coming home? Have you noticed the high unemployment rate? Have you noticed

the problems they are facing when they bring home visible and invisible scars from this war? Is it greater than we thought we would face at this time? Yes. Do we have an obligation to spend this money regardless? Of course. Did we not promise these men and women: If you raise your hand and swear your allegiance to the United States and your willingness to risk your life, we will stand with you when you come home. We will help you find a job. We will give you the medical care you need.

We promised it. We are going to keep the promise.

Now comes the Budget Act, and now a technicality is being argued that maybe we cannot keep the promise. I am going to vote to waive the Budget Act because I stood on this floor with Democrats and Republicans alike, joined in the speeches, joined in the parades, joined in the flag waving saying how much we respect these veterans. But when it comes to spending the money we promised them we would spend so they could become a vital part of America's future, I am not going to step back and hide behind the Budget Act. I am going to stand and make sure that money is there, paid for, not adding to the deficit, so that they have the help they need for the lives we promised them.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Alabama.

Mr. SESSIONS. Madam President, I thank my eloquent colleague. But we do not have a budget. The law requires us to have a budget—passed decades ago. The Senate Democratic leadership, of which he is a part, said it was foolish to have a budget. They were not going to have one. We have not had one for 3 years. So it resulted last year in a debate over raising the debt ceiling because we had run up more debt than any time in the history of this Republic. And there was an agreement to limit spending. It is not a budget. It sets a limit on spending—only on discretionary spending, not on the 60 percent of the government otherwise on which we spend money. It is inadequate and insufficient, and before the ink is dry on it, we are back in here with a Democratic majority advocating legislation that violates that cap. There is no dispute about it. This is the eighth time we have raised budget points of order for violation of the agreement setting a cap on spending limits. So here we go again.

Public opinion of Congress is lower today than at almost any time in history. According to the most recent Gallup Poll, only 13 percent of the public approves of Congress's actions. Americans do not trust us. Why should Americans trust us when we keep using gimmicks and budget slights of hand to hide more spending and drive this country further into debt when we

make a promise by passing a law that limits spending and then promptly violate that law within months of passage? And, now, the Democrats will attempt again today to violate that law? Why should the American people respect an institution, such as this one, that cannot adhere to a sound financial course for America?

On August 28, our country's gross debt reached \$16 trillion—\$16 trillion—over 100 percent of the entire gross domestic product of this Nation. It is a danger zone, according to every expert who has testified.

According to the Office of Management and Budget's latest mid-session review of our fiscal condition, our Nation's debt will increase \$4.4 trillion over the next 4 years, rising to over \$20 trillion. And in that period of time, we will virtually have doubled the entire debt of the United States since the Democrats took the majority in the Senate and President Obama was elected—double the entire debt. And the course we remain on does not get better. These are their budget numbers. This is a course America is on, and we are not getting off of it. It is \$1 trillion a year in deficits. The U.S. debt per household is now \$137,000 per household—up \$80,000 since just 2002. While Americans have tightened their budgets to make ends meet, Congress has not passed a budget in 1,239 days.

Erskine Bowles, whom President Obama asked to chair the debt commission, noted recently—I saw him in a CNBC interview at a conference on July 12. He said:

If you take last year, 100 percent of our revenue came into the country . . . was spent on our—what's called mandatory spending and interest on the debt. Mandatory spending is principally the entitlement programs, Medicare, Medicaid, and Social Security.

That is what the tax revenue pays for. Everything above that is funded by borrowed money. That is what he said. Is he correct? Absolutely. We are now borrowing 40 cents of every dollar we spend. That is not sustainable. At that conference, Mr. Bowles repeated what he said before the Budget Committee, on which I am ranking member. Mr. Bowles said this Nation has never been on a more predictable financial crisis path. That is what he said. If we continue at this rate, we are going to have a financial crisis like 2007. Hopefully not if we can avoid it, but if we do not change what we are doing, we are going to have one. He is absolutely confident about it. He has repeated it. So has the Federal Reserve Chairman, Mr. Bernanke. He said: These numbers are not going to continue. If you do not change, we will have a crisis before we get there.

At the debt debate last summer—most Americans remember that; Congress should certainly remember it—we finally reached an agreement that is

now being violated. We passed the Budget Control Act last August at the last minute, if you remember, to set strict spending limits over the next 10 years. It created a super committee to solve all of our problems, we hoped, or if the committee failed, which it did, to enact \$1.2 trillion, at least, in cuts through sequestration. That would raise the debt ceiling \$2.1 trillion. We would have a net cut in spending of \$2.1 trillion. The debt ceiling money gets spent now. We have almost added another \$2.1 trillion to the debt since last August. We are getting close to the debt limit again. But the cuts were promised to be over 10 years. We will spend now, but we promise you we have got a plan. We have a law that will keep us on the right path over the next 10 years. So the questions are: Are we spending at that limit? Will we stay there?

Secondly, let me note parenthetically that the \$2.1 trillion is not enough in reduced spending projections. We are talking about reducing projected spending rates—the increase—not cutting spending \$2.1 trillion. We are talking about cutting the projected increase in spending. So at the current rate of spending—\$3.7, \$3.8 trillion this year—if you carry that out for 10 years, that would be \$38 trillion. Under the projections, we are to spend \$47 trillion over the next 10 years—almost \$10 trillion more. All the Budget Control act says is: We are going to spend \$45 trillion rather than \$47 trillion, that our spending would increase from \$37 trillion to \$45 trillion. Can the Republic sustain that? Is that going to throw us into the ocean? Will we collapse as a nation? Will children starve and people not get their Social Security? Of course not. We will still be spending more money. That is all the budget agreement called for, and we are already waffling on that commitment that occurred last summer.

So here we are. While our colleagues have offered well-meaning legislation and something that we should work on to try to deal with the unfortunate increase in unemployment for our veterans—and we can help them, I truly believe—they have refused to go by the promises made under the Budget Control Act last summer—flatly refused.

So I am worried about unemployment. I am worried about it especially among veterans. And there are things we can do. In an effort to find common ground, Senator BURR from North Carolina, representing Fort Bragg, where I spent a summer, offered an alternative bill, the Careers for Veterans Act, which would help our veterans find jobs while keeping the Federal budget under control and honoring the commitment we made last summer. It can be done. This is not hard to do if you want to do it.

Since the Senate majority will not even allow a vote on any bill that

abides by the budget—Senator REID is obstructing the right of Members to offer amendments to the bill—I have raised a budget point of order against Senator MURRAY's substitute amendment. Sustaining this point of order will allow us to keep the promises made in the Budget Control Act that Senator DURBIN talked about so proudly—just stay within those promises. It will allow us to continue to work on this bill in a way that helps our veterans without adding more to our children's debt. It does not kill the legislation; it simply tells the sponsors: We are not going to do this until you get it within the budget limits to which we agreed. And it can be done. Senator BURR's bill does it. It certainly can be done.

The Senate majority had the opportunity to write legislation complying with the spending limits set in the Budget Control Act. Instead, they bypassed the committee process. We have not had any committee hearings on this legislation. And they have offered a substitute amendment that violates the Congressional Budget Act by increasing mandatory spending \$700 million over the Veterans' Affairs Committee's 302(a) allocation.

Under the Budget Act, the committee is given a certain amount of money to spend for veterans, and this amendment would violate that agreement. Specifically, the Murray amendment violates Section 302(f) of the Congressional Budget Act by spending \$61 million above the committee's allocation for 2013 and \$480 million above the committee's allocation for 2013 through 2017. It would also spend \$666 million above the committee's allocation for 2013 through 2022.

Surely, out of a budget that spends \$47 trillion over 10 years, we can find \$700 million in savings to pay for this bill. That is all that needs to be done to ensure that the bill complies with the Budget Act. As a result of exceeding the Veterans' Affairs Committee's allocation, the Murray substitute amendment violates Section 302(f) of the Congressional Budget Act. That has been discussed with Chairman CONRAD, the Democratic chairman of the Budget Committee. He acknowledges that it does, and so does his staff. I am very confident that the Parliamentarian agrees and will rule that it violates the Budget Act.

Now the Senate majority plans to have a vote to waive—to waive the promise they made to the American people to control spending just over a year ago. So that is the issue before us today. Do we take the bill and fix it so it complies with the budget—which can easily be done because the substitute Senator BURR has drafted does it—or will we once again waive the promises we made last August and so proudly touted that we were going to cut \$2.1 trillion in spending.

In effect, there is a tax increase, argued with some validity, to pay for this bill. The bill uses a tax enforcement measure to stop abuses by people who don't fully pay their taxes. This will raise revenue, and, therefore, the bill is offset, and so we shouldn't worry about it. So here we have a new idea for helping veterans: We will raise taxes and revenue and we pay for it.

But this is what is called tax and spend. Tax and spend. We agreed to a limit on what we would spend. If we have discovered a method to collect more taxes or raise taxes to get more revenue, that money, under our budget agreement last summer, is to be used to pay down the debt, not to take more money to spend on a new program today because we have more revenue to spend. So that is a fundamental issue. Just because it is paid for does not mean we are not spending more than we agreed to spend. We very precisely are.

Not only does the Murray amendment violate the Budget Act by spending above agreed-to levels, but it also uses budget gimmicks—extraordinarily really—to make the bill appear to be offset. This budget sleight of hand is called a timing shift. What about this offset or pay-for idea? Let me discuss that a moment.

This is one of the issues that, if the American people fully understood it, would outrage them. As a matter of fact, it is probably part of why they are not happy with us now because they have seen so much of this. This is a recurring gimmick. If a CEO offered stock based on this kind of promise of financial solvency they would go to jail. It is as bogus as a three-dollar bill. This is what it is. It shifts the payment of corporate income taxes 2 to 3 months sooner so we can count it in this fiscal year. Specifically, this gimmick would collect additional revenue over the 2013 through 2017 budget window, which is the budget window they were trying to deal with since it violates the Budget Act over that 5 year period. So this was designed to cover up more spending.

But think about it. It is exactly the same amount of less revenue that will occur in the 2014 through 2018 budget window. If we ask someone to pay their taxes earlier, they do not owe it the next year when we would otherwise expect to receive it.

The height of this gimmick was demonstrated years ago when I first came to the Senate. I was shocked. This is what they did: They moved a Social Security check from this fiscal year to the next fiscal year. What was the result? It resulted in having a lot of money to spend this fiscal year; right? The CBO said we have more money because we didn't pay a Social Security payment. They moved—delayed—it by 1 day. That is what they wanted to do, to move it 1 day. But what happens to

the next fiscal year? Is this really a gain or a gimmick? It is a gimmick because the next fiscal year we would need to make an additional Social Security payment in that budget year.

It is just a way to spend more today and push off the cost until tomorrow. That is what they did then, and that is exactly what this is today. It is a smoke-and-mirror scheme used to avoid the rules in the Budget Act and the scorekeepers at the Congressional Budget Office. It being used to manipulate the scoring for short-term gain. It simply speeds up the payments in the first 5 years so it appears we have more money to spend. In reality, the gimmick merely creates a hole in the budget next year because the money that was expected to come in next year—now coming in this year—is not coming in next year.

So this point of order is not a technical issue, it is an issue of whether this body will uphold its commitment to the American people on how much money we are going to spend. Congress agreed to certain spending levels in the Budget Control Act. We voted on those spending levels, and we should stick with those spending levels today. There is no reason for us to violate that agreement. The point of order exists so that Congress cannot raise taxes and spend money over the agreed-to amount. The point of order requires 60 votes to waive, and it exists so the Senate does not succumb to political pressure to spend beyond our means. Really, it is meant to try to stop spending beyond our means.

The Senate majority was aware of the budget rules when they wrote this bill. They were aware of it. Instead of writing a bill that complied with the Budget Act, they decided to go above the agreed-upon spending levels. Senator BURR—a fine Senator—was also aware of the rules under the Budget Act and the spending levels set under the Budget Control Act. He drafted alternative legislation that complied with the budget rules and that would fund a veterans jobs program through discretionary spending.

Unfortunately, the Senate majority took most of Senator BURR's policy suggestions but did not keep the fiscal discipline found in his bill. They will not allow us to have a vote to aid veterans within the spending agreement.

Contrary to what my friends on the other side of the aisle claim, this point of order will not kill the bill. It only returns the bill to the legislative calendar. It will remain right there on the calendar, but it will allow the people who support it, if they want it passed—and they do—to propose changes so that the bill complies with the Budget Act.

We can still fix and pass this bill before we leave this week. It wouldn't take much time at all to fix this matter. A vote in support of the point of

order will protect the integrity of the budget process. Supporting this point of order will allow us to change the underlying bill so that it is fiscally sound and complies with the spending levels we have agreed to.

Unfortunately, while the Senate majority refuses to allow a vote on a reasonable veterans bill that complies with the Budget Act, they are neglecting the looming cuts that face our military men and women on January 2, 2013—the sequester. Given the events happening around the world today, we need to be very careful not to allow these kinds of cuts to take place in the first part of next year. There are various ways we could easily fix that, in my opinion, but we will not even confront the issue. The Senate majority has refused to address sequestration, which the Secretary of Defense—President Obama's Secretary of Defense—said would be catastrophic. Defense people have said it would hollow out the military. It is too rapid a bite, according to the experts in the Obama administration and others, but no effort has been brought forward to confront that problem—to bring it up on the Senate floor and have a full debate about it.

We can do a \$200 million a year bill that we spent a week or more on, but we have no time on the Senate floor dedicated to dealing with the sequester, which would take \$500 billion out of the defense budget. This bill on the floor today would spend nearly \$1 billion over 5 years above the budget.

What about the \$500 billion in cuts that are looming right now in January? We need to wrestle with that and decide how we are going to confront that. It is not going to be easy. Maybe defense can sustain some more cuts, but I don't think this much. They have already taken \$500 billion in cuts, and this would be an additional \$500 billion in cuts.

The Defense Department, under the plan today, which represents one-sixth of Federal Government spending, would get half the cuts, and the remaining five-sixths of the Federal Government would get the other half of the cuts. This is disproportionate. It should not have been part of the Budget Act. But they slipped it in the dead of night, and it came to the floor and people went along with it so we would not hit the debt ceiling. But it is not good, and we need to fix that, in my opinion.

House Republicans have confronted this matter. They realized this was a problem, and they proposed a budget and a plan to replace and undo the sequester and to do it in a way that made sense without violating spending levels we agreed to last August. How many proposals to fix this problem have we received from Senator DURBIN and Senator REID? Zero. Nothing. They are not doing anything but blocking any attempt to bring up legislation that would fix it.

That is why we don't have a Defense authorization bill, which came out of my committee unanimously, the Armed Services Committee. It has been sitting here and not being brought up. Why? Because if we do, we will have a discussion about the sequester and the Defense Department and the future of America, and they do not want that. The House passed the Defense authorization bill in May, and they passed the Defense appropriations bill in June. We have passed none of them, not even brought them to the floor.

They want to attack Republicans as not caring about our men and women who serve our country. Yet we are trying to fix the sequester, trying to bring up a Defense bill that will actually do some good and give a pay raise to our men and women in uniform—a small one, but a pay raise. So I am really disappointed we haven't brought up the Defense authorization bill, which came out of my committee.

A few days ago—last week—Senator MCCAIN spoke about this. He said: Shame, shame, shame. Imagine that for 51 years, every year, this Senate has passed the Defense authorization bill. This will be the first time in 51 years we haven't passed the Defense authorization bill, and we have so many important issues related to our Defense Department today. Nothing is more important than that. Yet we spent a whole week, or the last few days, discussing a bill that could have been agreed to just like that, with the suggestions of Senator BURR, because we can't wait to get out of this place. This could have already passed, and we could have been dealing with these important issues. I find it breathtaking, frankly.

Let me just point out the bill is not going to go through the House since it violates the Constitution. There are revenue proposals in this bill. It will not see the light of day in the House because the Constitution says revenue bills must be generated in the House. So we have wasted all this time producing a bill that cannot and will not be received by the House.

Article 1, Section 7 of the United States Constitution says:

All Bills for raising Revenue shall originate in the House of Representatives. . . .

This is a revenue bill.

So what has happened? Is it just an idea? Let's see, we don't want to talk about the Defense appropriations bill. We don't want to talk about the Defense authorization bill; it involves hundreds of billions of dollars. We don't want to talk about those, so let's bring up this veterans bill. We will bring it up even though it violates the Budget Act. And do you know what those stupid Republicans will do? They will object and say it violates the Budget Act. And do you know what we can say? We can say: You don't like veterans. You don't believe in honoring

those who served our country. Do you want to know the truth? That is what has happened right here today, and it is irresponsible.

So let's vote for Senator BURR's bill. Let's pass legislation that will help veterans right now, or we are going to send this bill back—I am confident—to see if they come up with some other plan that would be helpful to our veterans and their employment prospects without violating the Budget Act.

I want to mention one more thing because I think it is important. The two largest veterans groups, the VFW and the American Legion, have said these things. Steve Gonzalez, assistant director of the American Legion, said both bills, the Burr and Murray bills "have ideas on how to get veterans quality jobs," and added that BURR's version stands a better chance of passing.

What about the VFW? In the Washington Post today:

"VFW supports concepts behind the Veterans Job Corps bill, but we have some concerns about the budgetary implications," said Ryan Gallucci, deputy director of national legislative affairs for the VFW.

We don't have to do it the way this bill has come up. Senator BURR has offered a very fine proposal that the VFW and the American Legion seem to support. Let's do that. Let's do it that way and not violate our commitment to the American people to live within our means.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Colorado.

PRODUCTION TAX CREDIT

Mr. UDALL of Colorado. Madam President, I rise again this morning, as I have for a number of months, to talk about the most important issue facing the American people and this Congress, and that is jobs.

A good news story on the jobs front has been our wind energy industry. The wind energy industry has created thousands of good-paying jobs, and it could create thousands more. But the troubling news that goes along with the good news is that the potentially bright future of this industry is uncertain. Why? Because we in the Congress are holding the wind energy industry hostage because we have failed to extend the production tax credit.

As I have said every day I have been on the Senate floor since June to discuss this topic, every day that we fail to extend the PTC for wind energy more jobs are put at risk. We have seen this unfortunate reality unfold across the country as predicted, including in my home State of Colorado, where over 100 people have lost their jobs. I don't have to tell my colleagues that when people lose jobs, those job losses negatively affect families and the communities where they live.

Just yesterday—it breaks my heart—Siemens Energy announced they are going to lay off more than 600 people in

Iowa, Kansas, and Florida. Enough is enough. These layoffs that continue to be announced almost weekly should spur us to extend the wind production tax credit without any further delay.

Jobs are at stake. It is that simple. With many Americans already losing their jobs, more jobs are at risk—thousands, literally—if we don't act.

Here is my question: Why would we forfeit leadership in an industry that is poised to grow even further? There is no reason we should cede leadership of this important industry to China or anywhere else by letting the production tax credit expire. If we commit to extending the PTC, we will then lead the world in wind power, and here is a part of why I come to the floor every day and talk about particular States.

There are few places that is more apparent than in Wyoming. Wyoming has phenomenal wind reserves. If you have driven through Wyoming, you know what I am talking about. If you talk to anybody from Wyoming, they will always ironically say: One of the things we have in excess in Wyoming is wind.

The National Global Energy Lab based in Colorado estimates that Wyoming has enough wind power potential to meet 116 times the State's energy needs. To put it another way, that is 25 million homes that would be powered by harnessing wind.

Wyoming is well on its way to harnessing its wind potential. Why? Although it ranks 11th in the Nation for installed wind power—which is not a shabby number, frankly—there are plans to nearly quadruple the amount of wind power in the State of Wyoming. Not only would that create thousands of jobs—that goes without saying—it would produce enough electricity to power 1.5 million homes. The construction of those projects will create hundreds of nicely paying renewable energy jobs right in the State of Wyoming.

It is no wonder then that the massive wind potential in Wyoming has also attracted investment for manufacturers. To make that point, I want to share a development with you.

Last year a plan to build the first wind energy manufacturing facility in Wyoming was announced. It was a joint venture between the Spanish wind manufacturer Gestamp and an Ohio-based company called Worthington Industries. They formed a conglomerate called Gestamp Worthington Wind Steel. The companies announced they would build a facility in Cheyenne, WY, and there would be 150 good-paying jobs attached to that facility. They planned to invest \$40 million in the plant. But here is the twist: That project has now been put on hold. Those jobs and the millions in investment that were planned to be directed into Wyoming have been shelved.

This isn't an isolated incident. There are wind manufacturing facilities and

wind projects across the country where we are seeing exactly the same thing happening, and the reason is clear: uncertainty over the future of the production tax credit. So our inaction in the Congress is putting good-paying American jobs at risk and reducing opportunities for further investments in this growing industry. There is just no reason for it. The PTC has strong support from both sides of the aisle and from both Houses of the Congress. Of course, a broad array of groups in the private sector support the wind energy industry.

Yesterday, a group of businesses from across the country wrote to leaders in the House and the Senate urging us to bring up and pass an extension of the PTC as soon as possible. Businesses such as Starbucks and Levi's joined a diverse group of companies, including Colorado's own Aspen Skiing Company and New Belgium Brewery, in urging us in the Congress to work across the divide, work across the aisle, and extend the PTC. These companies understand how positive the production tax credit and our wind industry has been for jobs, national security, and our clean energy economy. They made that case yesterday in their letter.

I ask unanimous consent to have printed in the RECORD a copy of this letter.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

BUSINESS FOR INNOVATIVE
CLIMATE AND ENERGY POLICY,
Boston, MA, September 18, 2012.

Re: Production Tax Credit for Wind Energy.

Hon. JOHN BOEHNER,
Speaker of the House, U.S. House of Representatives, Washington, DC.

Hon. NANCY PELOSI,
House Minority Leader, U.S. House of Representatives, Washington, DC.

Hon. HARRY REID,
Senate Majority Leader, U.S. Senate, Washington, DC.

Hon. MITCH MCCONNELL,
Senate Minority Leader, U.S. Senate, Washington, DC.

DEAR SPEAKER BOEHNER, MAJORITY LEADER REID, MINORITY LEADER PELOSI, AND MINORITY LEADER MCCONNELL: As major U.S. employers and some of the largest non-utility purchasers of renewable energy, we urge you to extend the Production Tax Credit (PTC) for wind energy before the end of the 112th Congress. A failure to pass an extension will amount to levying a tax on companies committed to buying American energy and growing the U.S. economy. In today's economic climate, a tax hike on American businesses buying American renewable energy is unwarranted.

In the past decade American businesses have significantly ramped up their purchase of American wind energy. For consumers of wind electricity, the economic benefits of the PTC are tremendous. Electricity rates, which reflect marginal costs for power plant operations and fuel prices, consistently decrease when wind enters the market. Because wind prices can be locked in up front, businesses incorporating wind into their energy portfolios are better equipped to hedge

market volatility in traditional fuels markets caused by supply shocks. We are concerned that allowing the PTC to expire will immediately raise prices for the renewable electricity we buy today.

The PTC has enabled the industry to slash wind energy costs—90% since 1980—a big reason why companies like ours are buying increasing amounts of renewable energy. Wind now supplies over 3% of U.S. demand and accounts for 35% of new power capacity installed in the last four years. In the seven years that the PTC has been continuously in place, installed wind capacity has grown sevenfold to nearly 47 Gigawatts representing more than \$79 billion in private investment.

As Congress investigates ways to spur business growth, we urge you to ensure an extension of the PTC. Failure to extend the PTC for wind would tax our companies and thousands of others like us that purchase significant amounts of renewable energy and hurt our bottom lines at a time when the economy is struggling to recover. Extending the PTC lowers prices for all consumers, keeps America competitive in a global marketplace and creates homegrown American jobs.

Sincerely,

Akamai Technologies, Annie's, Inc.,
Aspen Skiing Company, Ben & Jerry's,
Clif Bar, Johnson & Johnson, Jones
Lang LaSalle, Levi Strauss & Co, New
Belgium Brewing, The North Face,
Piney Bowes, Portland Trail Blazers,
Seventh Generation, Sprint,
Starbucks, Stonyfield Farm,
Symantec, Timberland, Yahoo!

Mr. UDALL of Colorado. Madam President, as I conclude I want to remind us that in August, before we adjourned for our month's State work period, our Senate Finance Committee passed legislation that would include an extension of the production tax credit. I was encouraged to see that the committee bridged the partisan divide to advance what is really and truly a commonsense policy that will help our American economy and our middle class.

We should build on what the Finance Committee did and take up and pass this legislation as soon as possible. The longer we delay, the more jobs we put at risk and the more our economic recovery is at risk.

It is very simple: The production tax credit equals jobs. We should pass it as soon as possible. So, my colleagues, let's work together. Let's find a path forward, and let's pass this critical tax credit as soon as possible.

Madam President, I yield the floor, and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The ACTING PRESIDENT pro tempore. The Senator from Oklahoma.

Mr. COBURN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. COBURN. Madam President, I want to spend a few moments this morning talking about the budget

point of order. But a bigger topic is we are going to have a vote at noon, and the question, in my mind, is: Will we at some point in the future recognize the hole we are in?

When I talk to individual Members they all agree we are in a hole, we have a problem, and it is getting ready to bite this country in ways that are unimaginable in terms of its impact on the everyday citizens of this country. Yet in the Senate we have done nothing to address the bigger problems facing the country.

Now we have a bill that has a budget point of order that is lying against it, and the question is: Will we continue the behavior that put our country in the problems we are in today or will we take a new track?

The desire to help veterans is a noble desire, but there are a lot of points about this bill that the average American and the average veteran ought to be asking. There are also other questions, such as: What are the other things we are doing for jobs for veterans, and how well are they working.

We have six veterans job training programs. We already have a preference across the Federal Government for hiring veterans. We have SBA programs like crazy. We have contracting programs 8a and 8b. We have all these programs, but not one hearing has been held by the committee of jurisdiction oversight of the job training programs or the other programs we have to enhance the economic well-being of our veterans.

So what we have is a bill that is brought to the Senate floor that has good intentions behind it but shows the absolute laziness of Congress in terms of digging things out.

When the GAO issued its duplication report on the job training programs for veterans, four of them do exactly the same thing. None of them has a metric. So we don't know if they are working, and we haven't held a hearing to find out if they are working. But what are we doing? We are proposing another jobs program for veterans without having done the serious work of how we invest \$1 billion.

Now, the other point that we should know is, we are spending \$1 billion a year right now on veterans job training programs. This bill has \$1 billion over 5. The second point I would like to make—and I think it was made by the ranking member of the Budget Committee—is there is no honest accounting in this bill regardless of the budget point of order or the blue slip, the non-constitutionality of originating revenue bills in the Senate. There is absolutely no transparency nor correctness nor character nor integrity in the financing of this bill. When we find ourselves \$16 trillion in debt and we are going to pay for another bill over 5 years by 10 years of change, we never get out of the problem. We make the problem worse.

What are we doing and whom are we doing it for? Are we truly thinking about veterans when we do not solve the bigger problems? We have the manifest presence in this bill of the very problems we say we need to be addressing. Yet we are making them worse with this bill. We are making the financial problems worse with this bill.

I am befuddled and disappointed that we cannot, as a group of individuals who all love this country very much, come together on some certain baseline principles that we ought to be operating under in the Senate. The first of those ought to be we ought to do nothing now that makes the problem worse for our kids and grandkids. We are now over \$200,000 per family of debt in this country. We are over \$200,000—it is actually about \$225,000. Think about the median family income over the last 4 years that has gone down 9 percent in this country, and we are going to make sure it goes down even further if we continue to do what we are doing in this bill. We have gone from \$54,900 median family to \$50,200 in the last 4 years, median family income, and we have gas prices as high as they have ever been and we are going to perpetuate a system that says we are going to continue to make the problem worse, not better.

There is also another little gimmick in this bill that if we were to do it in private, we would go to jail for it; that is, we are going to charge corporations more income tax than what they actually owe to get past 1 year, and then after the year is over, we are going to flip it back so we can say we paid for something when we did not. That violates all aspects of integrity and honesty. Do you know what the answer I hear as to why we are doing it? "Oh, we have done that in the past." It was not right in the past, and it is certainly not right now to lie, to cheat, to be dishonest about the accounting principles surrounding this bill in terms of how we pay for it because, in essence, it violates pay-go—the very rule we said was going to help us get out of our problems that 67 times has been waived in the last 3 years. As a matter of fact, I don't know the last time a pay-go challenge was not waived.

The second principle we ought to be dealing with is we ought to follow the rules we set up for ourselves that are supposed to discipline us in terms of getting our country out of the problems which we are, regrettably, continually ignoring. If, in fact, we want to help veterans get jobs, there are a lot of ways for us to do it. One is make sure the job programs we have are working—and they are not. If they are not working, why are we continuing to spend \$1 billion a year on them? No. 2, create a level of confidence in this country, by our own behavior, that we are actually addressing the real problems in front of the country rather

than the political dynamics of an election that says we want to do something and everybody in this Chamber knows, even if we pass this bill, it is not going to accomplish anything because, in fact, it has a blue slip against it because of the Constitution.

On Monday mornings when I get up—I get up about 4:30 to catch a flight to come back here—I have noticed I have an attitude problem. I don't want to come anymore. The reason I don't want to come anymore is because we are not doing anything to address the real problems that are in front of our country. We are ignoring the real problems so we can create political contrasts for an election, all the while the country is sinking and sinking and sinking.

What it is is a lack of leadership. We can lead in the wrong direction, knowing what the problems are and making mistakes, and we can be forgiven for that. But when we know what the real problems are and we are ignoring them, that is an unforgivable failure of leadership. That is where we find ourselves.

I heard my colleague mention the Defense authorization bill. There is absolutely no excuse for us not to have passed a Defense authorization bill that gives the planning, the direction, and the commitment for this country's future in terms of our defenses—the No. 1 priority for us as a Congress, according to the Constitution. Yet we have not done that. We have made the immediate political situation trump everything. That is the opposite of leadership. It is actually cowardice, because when someone is a leader and they duck the real problems in front of them, they take everybody down with them—the well intentioned and the not well intentioned. That is where we are—as a country, as a Senate—by not addressing the real issues of this country.

I don't know what is going to happen on the votes on this bill, but I know what needs to happen in the Senate. There needs to be a renewed sense of awareness of the real problems facing this country and a redoubling of our commitment to shed partisan roles and get down to fixing the real problems in front of us. Parochialism has no place in that discussion. The political careers of Members have no place in that discussion. The real future of our country is at risk and we are, similar to the proverbial person with their head in the sand, ignoring that risk. The greatest country in the world is on the precipice of falling, predicted long ago by such people as John Adams and Thomas Jefferson—that the day would come that we, in fact, would put the political ahead of the best interests of our country. That is what we are seeing played out in Washington. That is exactly what we are seeing played out with this bill. The American people deserve much better.

I yield the floor.

Mr. SESSIONS. Madam President, before the Senator leaves, I would ask him a question. And the reason I am asking Senator COBURN about this is because there is no one of these 100 Senators here today who has spent more hours, effort and time in dealing with the duplicative programs of the Federal Government than Senator COBURN. He has brought up these issues time and again.

I just ask, according to the GAO, in 2009, Senator COBURN, I understand that 9 Federal agencies spent \$18 billion to administer 47 job training programs. The Senator has looked into that. I know I have heard him speak on that specifically. I was surprised the Senator brought out that there are already six programs for veterans now, and this would be a new one added to it.

What is the Senator's view of what a responsible Congress should do when we learn we are spending this much money on these programs with their own bureaucrats and so forth? Can we do better?

Mr. COBURN. Absolutely. Let me give people some hope. VIRGINIA FOXX, a Representative in the House, who is the chairman of the Subcommittee on Workforce and Labor, has passed a bill out of her committee that consolidates 33 of those job training programs into 1, puts metrics on every one of them so we will know if they are working and requires mandatory oversight of them. The reason she did not do all 47 is 14 of them are not in her jurisdiction.

But add to it another \$4 billion, and another 20-plus programs for the disabled, so we actually have almost 70 programs and \$23 billion a year we are spending on job training, of which nobody knows—as a matter of fact I know they are not working.

We actually released a report on job training in Oklahoma. We looked at every Federal job training and State job training program going on in Oklahoma. Do you know what works? Oklahoma programs. Do you know what does not work? Federal job training programs in Oklahoma.

We have 1 city in Oklahoma that is 16,000 people, 17 Federal job training centers, and an unemployment rate of 4.7 percent; 17 different Federal agencies in 1 city of 16,000 people with an unemployment rate of 4.7 percent. What we are doing is employing people in the job training industry—which may be good if they are having results. But we have results that are untenable.

Job training is just one area of our Federal Government. The GAO has released reports on duplication. Their final report will come in February of next year, where they will have looked at the entire Federal Government. What we know right now is if we did our work, the 100 Senators who care about our country did our work, over

the next 10 years we could save \$200 billion by eliminating duplication in Federal programs—\$200 billion. I said over 10 years; that is, \$200 billion per year. It is \$2 trillion over 10 years. We could save over \$200 billion per year.

We wouldn't be having sequestration if we did our job, if we did our oversight, if we consolidated programs, made them transparent and made them accountable and then put metrics on them to see if they were working and then did oversight to see that they are working. We would not be in sequestration. We would not have near the problems we have today. But the failure is us. The Congress has failed to do its job.

The consequences will not be borne by us. The consequences will be borne by the son of my health LA who was just born, by my new grandson who is now almost 7 weeks old. That is who is going to pay the consequences—the children of this country—when we fail to do our jobs.

I appreciate the Senator's leadership. I am going to support his point of order. It is the right thing to do. I did not even talk about the areas he talked about in terms of—we set up this budget agreement for 2 years. I will tell you what, the CR coming—this is the irony of all ironies. Had we not had that budget agreement and we did a CR, we would spend \$2.6 billion less next year if we had a clean CR than under the Budget Control Act we passed. By doing the Budget Control Act, we are actually going to spend more money than we did last year.

So everything is upside down in Washington because everything is political or parochial and nobody is thinking long term about the big problems facing our country.

I yield the floor.

Mr. SESSIONS. Madam President, I thank the Senator from Oklahoma. He served on the debt commission. He is steeped in the challenges facing our country and he is working hard to fix our problems.

I salute Senator BURR for coming forward with a proposal that helps veterans while abiding by the rules set forth in the Budget Act. Regretfully, I think we will end this matter today, the legislation that is coming forward, through the budget point of order.

I thank the Chair and yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Florida.

Mr. NELSON of Florida. Madam President, the Senator from Alabama knows the personal friendship we have and my high regard for him and the privilege I have had working with him over the years. It has been a working relationship.

Regardless of what one feels about a budget and a budget point of order, we are talking about a technicality to kill a bill to help unemployed veterans at a time they desperately need help be-

cause they are coming back from Iraq and Afghanistan and they can't find work. Until we come out of the recession—and the recovery is under way, but veterans have a higher percentage of unemployment and especially veterans under age 24 have an even higher percentage of unemployment. So what we have is a piece of legislation to give an employment cushion for veterans for at least a year, until they can find employment in the private sector.

This is employment to do things we need, since so many of our national resources, such as parks and emergency responders and firefighters and police, need help. Look at all of the deterioration in the national parks. This would be an opportunity to employ those veterans and to employ them up to a year. Everybody knows this makes common sense and it is the right thing to do.

What is happening is the folks on that side of the aisle, because we are in an election year and because this happened to be a proposal coming out of the White House and is brought to the floor by this Senator from Florida, are not going to support it, and they are going to kill it on a technicality by denying us 60 votes in order to waive the budgetary point of order. That is the bottom line. That is what is going on here, and it is sad. Yet that is what is happening.

Look at the votes in the last week. We passed the motion for cloture on the motion to proceed by 95 to 1. Doesn't that tell us something? Then we had the second procedural vote which was 84 to 8. All we need is 60 votes to get over this hurdle and to get to the bill and then probably pass it by unanimous consent because everybody agrees with the substance of the bill. It is clear that commonsense legislation that has bipartisan support is getting thwarted in this Chamber. We all know how important it is to help our veterans find work as they return home.

Does the Senator from Oklahoma want to ask a question? The Senator from Oklahoma knows my respect for him and my personal friendship for him. I admire the Senator for the courageous stance he takes. But I hope the Senator from Oklahoma understands—and I respectfully say that—for a need so great as unemployed veterans, this is not the time to draw a technical line on a budget. I would earnestly and respectfully request of my friend that this be one of the considerations he would make.

Does the Senator wish to engage in any conversation? If not, I will complete my remarks.

The ACTING PRESIDENT pro tempore. The Senator from Oklahoma.

Mr. COBURN. Madam President, I would ask to have a back-and-forth real debate on this, recognizing us both, with the Senator from Florida controlling the time, if he has no difficulty agreeing with that.

One of the reasons I came out is I don't agree with the substance of this bill and I don't want the Senator from Florida to make a statement on the floor that everybody agrees with it. We have six veterans job training programs that nobody is overseeing. Nobody knows if they work.

Mr. NELSON of Florida. OK. Then what I would suggest to my friend—and he knows he is my friend—if we have a difference of opinion, I respect that, and I would like him to share that. I wish to complete my very brief statement and then the Senator from Oklahoma may make whatever statement he wishes to make.

The unemployment rate among veterans returning from Iraq and Afghanistan is hovering around 11 percent, and for those unemployed veterans age 24 and less it is even higher. We have taken steps to combat this problem. This past summer we passed legislation that will help veterans get Federal occupational licenses when their military training matches civilian requirements. That made sense. That made common sense. As a matter of fact, we got that through the Senate unanimously and it was signed into law. The bill recognized that a veteran gets all of this specialized training and they ought to be able to utilize that training without having to go through all the retraining and the relicensing. We could do that—and what we passed is now law—we could do that in Federal employment where there is a similar kind of requirement.

What is in this bill is to do that for the State occupational requirements; to take a veteran who has a military discipline—a specialty—as that veteran is applying for a private sector job that happens to be covered by State law on the occupational requirements and requirements of licensing, that it is a consideration, instead of the veteran having to go through all of that again. That makes common sense.

That particular idea was offered by the Senator from Arkansas, Mr. PRYOR, and it is a part of the bill. Also, Senator MURRAY, who is here on the floor and who is the chairman of the committee, reached out and incorporated a number—and she can address that—of the different bipartisan ideas and not just my idea, which is the one I was talking about wherein veterans can have employment up to a year—but so many others that are incorporated into the bill that came out of committee.

So we already did something about matching civilian requirements, albeit what was signed into law was just with regard to Federal employment.

Also, last year we passed a bill that granted tax benefits to companies that hire wounded warriors. Of course, we know what inspiration all the rest of us take from the wounded warriors. The Senator from Oklahoma and I from time to time go to Bethesda to what

used to be called Bethesda Naval and now is the combined, all-military services Walter Reed. For every one of us who goes out there and suddenly sees these veterans coming in who are on these new kinds of computer-controlled prostheses where they can actually walk and run, even when their leg has been blown off above the knee, it pulls at our hearts and yet we are so glad that technology has moved forward. But those same ladies and gentlemen need jobs. Until the recovery is complete, they are having difficulty. That is why I filed this bill. The chairman of the committee and the ranking member have done their best to work across the aisle.

Veterans don't care to hear about why we can't help them. They don't care to hear about technicalities of a budget point of order. They want our country to support them in the way they have supported us, and that is an obligation. A lot of us in this Chamber have served in the military. I think it is engrained in every Senator here that we have an obligation to those who have served this country.

This effort here today that we are going to vote on in 20 minutes has broad support from veterans and police organizations. The Disabled American Veterans, the Military Officers Association of America, the National Association of Police Organizations, and the American Legion all support it. The Iraq and Afghanistan Veterans of America have called and pleaded for its immediate passage. They know why: Because of their veterans' need to know that Congress has their back.

So I would make a plea to the Senate. We just need a few votes from that side of the aisle to get to the threshold of 60 to waive the technicality of the budget point of order.

I look forward to the comments of my friend, the Senator from Oklahoma.

Madam President, since the time is controlled over here, I reserve the final 7 minutes for the chairman of the committee.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. NELSON of Florida. I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Oklahoma.

Mr. COBURN. Madam President, my colleague from Florida raises some good points about us wanting to help our veterans. I don't think there is anybody who does not recognize their significant sacrifice. As a matter of fact, it was not long ago that the 45th from Oklahoma lost 17 people in Afghanistan and hundreds were wounded.

The real question is: how do we help them the best? How do we really help veterans? We are going to have plenty of opportunities to say there is a reason to not do the right thing for the long-term best interests of our country.

We have never found ourselves in the predicament we find ourselves in today in terms of our financial exposure and the real risk to the veterans who have jobs today—which nobody is talking about but the real risk for them. Because when this thing goes down—and I am talking about the financial collapse of this country—when it happens, those who have jobs who are veterans today are going to lose them. So there could be no more noble cause than to make an exception for veterans, except that is not what the Senate does. We make an exception every time—every time.

Here is the question for my friend: Under what system of values, honor, and integrity did these veterans serve? The highest and noblest of honor and integrity, without a doubt.

They put their life on the line so I do not have to, so my adult, mature children in their thirties and forties do not have to. The difference is, what they put their life on the line for was to ensure that the freedom and liberty and vibrancy of this country goes forward. We are taking a little pocketknife to one of the legs of the three-legged stool with our actions and slowly nibbling the support of that leg. We are taking it away by our very actions.

Mr. NELSON of Florida. Madam President, I would like to respond to my friend.

Mr. COBURN. If I could finish. Since the other side has the last 7 minutes, I will be finished well before then.

We are going to say the financial condition of the country does not matter. We are going to say it does not matter the \$1 billion a year we are spending already on veterans job training programs. It does not matter. We are going to say here is a year's program for jobs for 20,000 veterans and that is going to trump everything else.

You would not have any objection from this Senator if you actually really paid for this, No. 1, if you did not violate pay-go and you truly did it in a way that oversights the present job training programs we have and you truly did it in a way that matches the integrity and honor of our veterans. But we did not do that. No. We played games. We played games with budget rules. We played games with pay-go. We did not do any oversight. We did not even have a hearing. There was no hearing on this bill.

You took Senator BURR's suggestions, which were common sense, and applied it broadly across the government. But we did not match the honor and integrity and valor and purpose. When I meet with veterans in townhall meetings, I ask them why they serve. Do you know what they tell me? Because this is the greatest country the world has ever known and they want to keep it that way.

What we are doing today does not keep it that way. It perpetuates the same problems that created the very dangerous situation this country is in.

So when we make a claim about that everybody agrees with this bill, I just wish to say I do not agree with the bill. There are a whole lot of ways to help veterans that are better than this, that give them a permanent job. We passed the post-9/11 GI bill; right? They can get paid a stipend while they go to college to learn a new skill, the same as a noncom officer. They get paid for the books and tuition and everything else so they can become whole as they learn a skill. We have the capability for studies while we are in the military. We have six separate job training programs that we are spending \$1 billion a year on.

The best way to help veterans is to fix this country's economic situation to create opportunity, and they will fly because they have already proven they have the initiative, the strength, the moral courage, the integrity, and the valor to accomplish anything they want to accomplish.

So I am in disagreement with my friend. I think we have a political device in front of us, and I am going to be very interested to see the character of the Senate on whether it succumbs to the parochial and political over the best long-term interests of the country. If it does, it just proves that the Senate needs to be changed to truly address the real problems in front of our country. That is what it is going to prove, regardless of the outcome: Do we have the character? Do we match the valor, honor, and integrity of the people who serve this Nation in the Armed Forces with our willingness to sacrifice our political careers to do what is in the best long-term interest of the country?

They set the example for us. The question is whether we will follow their example.

I yield to my friend from Florida.

The ACTING PRESIDENT pro tempore. The Senator from Florida.

Mr. NELSON of Florida. Madam President, before the chairman of the committee uses the time reserved for her, I wish to respond to my friend from Oklahoma—and he is my friend—by telling him why I think he is wrong on this issue and telling him by way of a compliment to him because the Senator from Oklahoma and I, the Senator from Florida, had worked together, he being much more prominent in the efforts, to bring the budget under control 1 year ago.

In having discussions across the aisle—often private discussions—what started as a rump group known as the Gang of 6 that grew and blossomed into what, in effect, became a group of 45—and I think that was the number of us who stood in the Senate Press Gallery in the summer 1 year ago; it was the summer of 2011—and we said we wanted a big \$4 trillion-plus budget deficit, and we pointed out ways we could get there.

Indeed, what this Senator has said—and I have heard other Republican Senators who feel and have said very close to identical things publicly; and I will name one and that is Senator LINDSEY GRAHAM and he stated it on “Meet the Press” a couple months ago—that the way we get there is producing revenue through reform of the Tax Code by going after all the tax preferences which have ballooned out of control since the last tax reform bill in 1986, that this Senator, then a young Congressman, voted for, to the point that tax expenditures, tax preferences are now \$14 trillion over 10 years. A lot of them have outlived their usefulness. For a lot of them, their special interests or sponsors would tell us: We would not want that if we could have a certainty of a lower rate.

Therefore, we have said many times on this floor and in public statements, we can take tax preferences, restrain them, and use that revenue to do two things: lower everybody’s tax rates, including corporate, streamline the Tax Code by getting all this underbrush of preferences out of the way, and then use the rest of the revenue to lower the deficit.

I suspect the Senator and I feel very similar about that issue. So when he talks about reforming the spending process, the fiscal process which includes the revenue process of this country, then I think we have grounds for significant agreement, and I would hope we are going to address that in the lameduck session that starts.

My plea is that we do not take it out, in this particular case, on something that can be done immediately for veterans in need returning home from Iraq and Afghanistan.

Mr. COBURN. Will the Senator yield for a question?

Mr. NELSON of Florida. Of course.

Mr. COBURN. Through the Chair, I would ask the Senator, how did he vote on the tax extender package coming out of the Senate Finance Committee? Because that is the real test of whether the Senator wants to reform the Tax Code. As I recall, the Senator voted for it and I voted against it. There is a very big difference.

The ACTING PRESIDENT pro tempore. The Senator’s time has expired.

Mrs. MURRAY. Madam President, I would remind all the Senators, we are here on the floor on a very important bill on the Veterans Jobs Corps, and I wish to thank my colleague from Florida, Senator BILL NELSON, for his tremendous leadership and passion on the issue of making sure our veterans get back to work, at a time when they have a 20-percent-plus unemployment rate, and for his work on this bill as we move to this point.

I have been listening to the debate on this bill, and what I have heard are some pretty weak arguments against the merits of this legislation. I have

heard we have not held hearings on the employment or on the provisions of this legislation.

The Senators who spoke may not have known—they are not on our committee—but, indeed, we have had hearings on employment both last year and this year and on this bill. Veterans groups and the VA at multiple hearings, in fact, have had multiple opportunities to give their views. The COPS and SAFER Grant Programs in this bill have been around for years, and we know they work.

On the point I heard reiterated here, that the bill was not paid for, violated pay-go, as all bills that come before the Senate, this bill is fully paid for. It does not violate pay-go rules.

We are going to have a vote shortly on a point of order on this bill. A vote to support the point of order, plain and simple, says we spend enough now on our veterans.

That is what it says: We spend enough on our veterans. A vote to support this point of order says that despite the fact that we have paid for this bill, despite the fact that one in four of our young veterans is out of work, despite the fact that veteran suicides are outpacing combat deaths, and despite the fact that more and more veterans are coming home today, we are not going to invest in those challenges. It says we have done enough.

This point of order puts a price on what we as a country are willing to provide our veterans and says we are not going to do a penny more. It is a point of order that not only will kill our ability, I will tell my colleagues, to pass this bill, but it will also affect every effort we make to improve the lives of our veterans going forward.

In fact, just last week we held a markup in the Veterans’ Affairs Committee. We passed a slew of bills in a bipartisan fashion. Those were very important bills to improve mental health access, to give students new tools so they can maximize their GI benefit, and, importantly, it would give veterans who have lost their ability to start a family access to fertility services. All those bills, under this, would be subject to a point of order, as would, of course, countless other bills introduced by Senators on both sides of the aisle. There is no end in sight, I would tell everyone, for how long this point of order could be raised.

We have to consider, as we vote, the lasting effect of this vote that we are about to take. We should all consider the fact that veterans are watching this vote very closely.

(Mr. FRANKEN assumed the Chair.)

Mr. President, this is a bill that has been endorsed by the American Legion and by the Iraq and Afghanistan Veterans of America. They know, as I do, neither party has a magic bullet for this problem of employment, and we should be taking good ideas from both

sides of the aisle, which is exactly what we have done with this bill that is before us. This bill includes 12 different provisions to help create veterans jobs. Eight of them are ideas that have come from Republicans. In fact, to make this bill even more inclusive and more bipartisan, we took Senator BURR’s entire alternative bill and added it to our bill.

At every turn we have sought compromise. But instead of meeting us halfway, we have been met with resistance. Instead of saying yes to nearly 1 million unemployed veterans, it seems that some on the other side of the aisle have spent the last week and a half seeking any way to say no.

It does not have to end this way for our unemployed veterans. We can join together and pass this bill.

Mr. President, as you have heard me say, our veterans don’t ask for a lot. My own father never talked about his service. The veterans whom I meet across the country do not want to be seen as dependent on government. But we owe them more than a pat on the back, sending them out to the world when they come home. We owe them more than bumper stickers and platitudes. We owe them more than procedural roadblocks, which is what we will vote on shortly, that will impede our ability to provide them not only help now but into the future.

We owe them action. We owe them real investments that will help them get back to work, and that is what this legislation does. It does so because putting our servicemembers back to work is a cost of war. Putting our veterans back to work is a cost of war, just like their health care and benefits. It is part of what we owe the less than 1 percent of men and women who sacrificed for the 99 percent who did not.

It is no secret that this is not the easiest time of year to get a bill passed.

It is too easy to point to the calendar here and level accusations about politics against one another. But in my two decades working on veterans issues here in the Senate, I have seen veterans issues rise above politics time and again, even when it seemed our backs were against the wall. I have seen Democrats and Republicans come together, and they have done so because there is one group of Americans who do not care about the calendar or how many days we are out from an election; that is, our unemployed veterans. What they care about is finding work in their communities, finding work that gives them the self-esteem they need today, and finding work that helps them provide for their loved ones. We can do that today.

I urge my colleagues to join with us in waiving this point of order, to join with us in telling our veterans we are not done investing in their care and benefits, not by a long shot. Join with

us in moving forward with a bill that is paid for, that will not add to our deficit, and that should not be killed by procedural games. Join with us in putting veterans above political obstructionism and back to work.

I yield the floor and yield back any time that remains.

The PRESIDING OFFICER. Under the previous order, the question is on agreeing to the motion.

The yeas and nays have previously been ordered.

The clerk will call the roll.

The bill clerk called the roll.

Mr. KYL. The following Senators are necessarily absent: the Senator from Oklahoma (Mr. INHOFE) and the Senator from Illinois (Mr. KIRK).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 58, nays 40, as follows:

[Rollcall Vote No. 193 Leg.]

YEAS—58

Akaka	Hagan	Nelson (NE)
Baucus	Harkin	Nelson (FL)
Begich	Heller	Pryor
Bennet	Inouye	Reed
Bingaman	Johnson (SD)	Reid
Blumenthal	Kerry	Rockefeller
Boxer	Klobuchar	Sanders
Brown (MA)	Kohl	Schumer
Brown (OH)	Landrieu	Shaheen
Cantwell	Lautenberg	Snowe
Cardin	Leahy	Stabenow
Carper	Levin	Tester
Casey	Lieberman	Udall (CO)
Collins	Manchin	Udall (NM)
Conrad	McCaskill	Warner
Coons	Menendez	Webb
Durbin	Merkley	Whitehouse
Feinstein	Mikulski	Wyden
Franken	Murkowski	
Gillibrand	Murray	

NAYS—40

Alexander	Enzi	Moran
Ayotte	Graham	Paul
Barrasso	Grassley	Portman
Blunt	Hatch	Risch
Boozman	Hoeben	Roberts
Burr	Hutchison	Rubio
Chambliss	Isakson	Sessions
Coats	Johanns	Shelby
Coburn	Johnson (WI)	Thune
Cochran	Kyl	Toomey
Corker	Lee	Vitter
Cornyn	Lugar	Wicker
Crapo	McCain	
DeMint	McConnell	

NOT VOTING—2

Inhofe Kirk

Mr. FRANKEN. On this vote, the yeas are 58 and the nays are 40. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is not agreed to. The point of order is sustained, and the amendment falls.

Under the previous order, the cloture motions with respect to amendment No. 2789 and S. 3457 are withdrawn and the bill will be returned to the calendar.

The majority leader.

Mr. REID. Mr. President, I now move to withdraw my motion to proceed to Calendar No. 499.

The PRESIDING OFFICER. The Senator has that right. The motion is withdrawn.

MAKING CONTINUING APPROPRIATIONS FOR FISCAL YEAR 2013

Mr. REID. Mr. President, I now move to proceed to Calendar No. 511, H.J. Res. 117, which is the continuing resolution.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows.

A resolution (H.J. Res. 117) making continuing appropriations for fiscal year 2013, and for other purposes.

CLOTURE MOTION

Mr. REID. Mr. President, I am momentarily going to send to the desk a cloture motion that I will ask be reported. But prior to that, I am filing cloture. What a shame. Why would we have to file cloture on the continuing resolution? It is absurd. But I will go through the process and do it. I think it is just such a shame.

I have a cloture motion at the desk, and I ask that it be reported.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to calendar No. 511, H.J. Res. 117, a joint resolution making continuing appropriations for fiscal year 2013, and for other purposes.

Harry Reid, Daniel K. Inouye, Patty Murray, Bernard Sanders, Jeanne Shaheen, Richard J. Durbin, Sheldon Whitehouse, Debbie Stabenow, Ron Wyden, Max Baucus, Mark Pryor, Christopher A. Coons, Jon Tester, Michael F. Bennet, Kay R. Hagan, Robert P. Casey, Jr., Richard Blumenthal, Barbara Boxer.

Mr. REID. Mr. President, I ask unanimous consent that the mandatory quorum required under rule XXII be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, per our previous consent agreement which is now before the Senate, we will have the cloture vote after the caucus lunches, at 2:15 p.m. today.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m. today.

Thereupon, the Senate, at 12:35 p.m., recessed until 2:15 p.m., and reassembled when called to order by the Presiding Officer (Mr. SANDERS).

MAKING CONTINUING APPROPRIATIONS FOR FISCAL YEAR 2013

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, pursuant to rule

XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to calendar No. 511, H.J. Res. 117, a joint resolution making continuing appropriations for fiscal year 2013, and for other purposes.

Harry Reid, Daniel K. Inouye, Patty Murray, Bernard Sanders, Jeanne Shaheen, Richard J. Durbin, Sheldon Whitehouse, Debbie Stabenow, Ron Wyden, Max Baucus, Mark Pryor, Christopher A. Coons, Jon Tester, Michael F. Bennet, Kay R. Hagan, Robert P. Casey, Jr., Richard Blumenthal, Barbara Boxer.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to H.J. Res. 117, a joint resolution making continuing appropriations for fiscal year 2013, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule. The clerk will call the roll.

The legislative clerk called the roll.

Mr. KYL. The following Senators are necessarily absent: the Senator from Oklahoma (Mr. INHOFE,) and the Senator from Illinois (Mr. KIRK).

Further, if present and voting, the Senator from Oklahoma (Mr. INHOFE) would have voted: "yea."

The yeas and nays resulted—yeas 76, nays 22, as follows:

[Rollcall Vote No. 194 Leg.]

YEAS—76

Akaka	Gillibrand	Mikulski
Alexander	Hagan	Murkowski
Ayotte	Harkin	Murray
Baucus	Hatch	Nelson (NE)
Begich	Heller	Nelson (FL)
Bennet	Hoeben	Portman
Bingaman	Hutchison	Pryor
Blumenthal	Inouye	Reed
Blunt	Isakson	Reid
Boxer	Johanns	Roberts
Brown (MA)	Johnson (SD)	Rockefeller
Brown (OH)	Johnson (WI)	Sanders
Burr	Kerry	Schumer
Cantwell	Klobuchar	Shaheen
Cardin	Kohl	Stabenow
Carper	Kyl	Tester
Casey	Landrieu	Thune
Chambliss	Lautenberg	Udall (CO)
Coats	Leahy	Udall (NM)
Cochran	Levin	Warner
Conrad	Lieberman	Webb
Coons	Lugar	Whitehouse
Cornyn	McCaskill	Wicker
Durbin	McConnell	Wyden
Feinstein	Menendez	
Franken	Merkley	

NAYS—22

Barrasso	Graham	Rubio
Boozman	Grassley	Sessions
Coburn	Lee	Shelby
Collins	Manchin	Snowe
Corker	McCain	Toomey
Crapo	Moran	Vitter
DeMint	Paul	
Enzi	Risch	

NOT VOTING—2

Inhofe

Kirk

The PRESIDING OFFICER. On this vote, the yeas are 76, the nays are 22. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

The Senator from Montana.

THE FARM BILL

Mr. BAUCUS. Mr. President, 3 months ago the United States Senate came together and passed a full 5-year farm bill. We did not kick the can down the road. We passed a bill, working together, that provides the certainty America's farmers and ranchers need to continue supporting rural jobs and putting food on our tables. So there is absolutely no excuse for Congress to adjourn without sending this bill to the President's desk to be signed into law. Still, because the House refuses to even bring this bill up for a vote, it looks as though that is exactly what is going to happen. It is shameful.

Passing the bill in the Senate was not easy; everyone had to make a compromise. But the farm bill touches on the lives of millions of Americans in every single State. It is too important not to act.

The Senate's farm bill is true reform. We cut the deficit by more than \$23 billion over 10 years. We streamlined programs to make them more efficient. We went back to the drawing board on commodity programs and created a true safety net—one that works for America's farmers as well as for the taxpayers—again, cutting the farm program by \$23 billion.

The House Agriculture Committee pushed out a bipartisan farm bill as well. I give the House Agriculture Committee a lot of credit. It is no secret that there are differences, but even to begin working out those differences the House needs to catch up, because despite having a bipartisan farm bill that passed the House Agriculture Committee, the House leadership is refusing to take it up.

This isn't my first farm bill. I can tell my colleagues from personal experience that this action in the House body is unprecedented. House leadership has never blocked a farm bill that has been reported out of the House Agriculture Committee.

On September 30, our farm safety net programs expire and the farm program expires—just 11 days from now. This is our last chance to give America's farmers and ranchers the certainty they deserve.

This is also an opportunity to provide much-needed disaster assistance. Not long after we passed the farm bill in the Senate, a drought began to stretch across the United States. It was on the news virtually every night and has been for months. Wheat and cornfields have been drying up. Without enough forage, ranchers had to face the decision to either sell their herds

or purchase extra feed, cutting into their very thin margins.

As of this week, more than 2,000 counties have been designated as drought disaster areas by USDA, and 36 of them are in Montana. That is well over half of our State in a disaster.

There is a consensus in Congress and across the countryside that something must be done, and the farm bill is that something. We had a bipartisan vote here in the Senate by a large margin and, as I mentioned, a bipartisan vote in the House Agriculture Committee.

We have so many reasons to be grateful for the hard work of America's farmers and ranchers. They help sustain healthy rural economies. And because of the strength of America's agriculture, they put food on tables around the world. In 2011, agricultural exports reached \$137 billion, with a record surplus of more than \$42 billion.

Agriculture supports 16 million jobs nationwide. In Montana, one in five jobs is tied to agriculture. The farm bill is our jobs bill.

Last week many Montana farmers and ranchers came to town to talk about the farm bill. They each told me and other Senators and House Members the same thing: We need a farm bill, and we need it now.

Three of those Montanans were Bing Von Bergen from Moccasin, Ryan McCormick from Kremlin, and Charlie Bumgarner from Great Falls. Bing, Ryan, and Charlie, similar to many Montana farmers, plan to go into the field next month to plant their winter wheat. They will be doing so with the current farm bill expired. They will be doing so with no certainty of what the farm programs will be—that certainty which community bankers happen to rely on to advance loans so farmers can plant.

They do not want to see the farm programs expire. They do not want short-term extensions. They need the certainty of a full 5-year farm bill.

I urge the House to listen to what farmers and ranchers across the country are saying: The time to pass the farm bill is now.

Holding up a farm bill with wide bipartisan support is playing politics with the livelihood of our hard-working rural constituents. Instead, let's do our job so farmers can do theirs. Let us answer their calls and pass a 5-year farm bill now.

TRIBUTE TO RUSS SULLIVAN

Mr. President, I would like to take a few moments to tell you about a dedicated public servant and his son—Russ Sullivan and Alhaji Amadu Hassann, or AJ, as he was known by his family and friends.

AJ died on July 28 of this year. But in his short life, he inspired people through his exuberance for life, his courage, and his determination. Born in Sierra Leone, west Africa, in 1992 during the midst of a brutal civil war,

violence served as the backdrop to AJ's early childhood in Freetown, Sierra Leone.

As a young boy, AJ, his mother, and two sisters were forced to flee their war-ravaged country to Guinea, where they found safety in a refugee camp. However, life in the refugee camp was difficult. There was no work for the adults, no formal schools for the children, and little hope for a better life. Unable to return to their homeland, their lives were put on hold for 8 years as refugees.

But AJ remained hopeful for a brighter future. That day came in 2002, when their father, who was living in the United States, was able to bring AJ and his sisters to America.

The children—15-year-old Ousmatta, 11-year-old AJ, and 9-year-old Laretta—moved in with their father in Virginia. However, their father had struggled in America. Similar to many who do not have steady work, he did not have health insurance. So when AJ's father got a tooth infection, he ignored it. Left untreated, the infection spread throughout his entire body and AJ's father died.

An aunt tried to raise the three children on her own but had difficulty making ends meet. The children were split up. A cousin took in Laretta, Ousmatta stayed with their aunt, and AJ was taken in by a man named Russ Sullivan.

Russ has long been serving as a foster parent in the community. He has mentored dozens of young men, becoming the legal guardian of some and helping hundreds see a different course for their life. Russ took in AJ. Then Russ took on additional responsibilities of becoming AJ's legal guardian.

So who is this man Russ Sullivan? Russ Sullivan is the staff director of the Senate Committee on Finance. He is known in the Senate—as Senator HARRY REID has said—as “a problem solver.” Russ has developed a reputation for leadership, dedication, and respect for his colleagues. His staff admires him, his colleagues trust him and admire him, and I am honored to call him a friend. Nobody who has met and worked with Russ Sullivan has a different point of view. I have never heard anyone utter a criticism of Russ Sullivan, and no one ever will; he is that kind of man.

Philosopher Thomas Carlyle once said: “The work an unknown good man has done is like a vein of water flowing hidden underground, secretly making the ground green.”

That is Russ. His name is not in lights. People do not know about him. He is working to solve problems and make the ground green.

Under Russ's nurturing care, AJ began to adjust to his new life in America. AJ had boundless energy and loved to play soccer. He was fun to be around, had a great sense of humor,

made friends easily, and loved to flirt with the girls.

AJ completed high school but had no intention of going to college. That was until Russ came into his life. In April 2011, AJ told a newspaper reporter that his life changed after meeting Russ. This is AJ:

I was just going to do what everybody else was doing—drop out and get a job. But after I met Russ, everything changed about my mentality toward life. He started pushing me and getting me to think harder. . . . He's a great man, and I thank God I met him. . . .

AJ first enrolled at Salem International University and after 1 year transferred to the University of West Virginia. He majored in sports management and loved being a "Mountaineer."

Then tragedy struck. In a senseless act of violence, AJ was assaulted in front of a local college hangout. He fell, hit his head hard—back, head snapped—and over the next few hours slipped into a coma.

On Capitol Hill we were in the middle of deficit reduction negotiations. When Russ received the news about AJ, he rushed from Washington to West Virginia, where he stayed at AJ's side.

Over the next month, Russ was traveling back and forth—back and forth—from West Virginia to Washington. This is during the supercommittee talks. Russ was juggling not only his career but also AJ's medical treatment. He was also forecasting what we could do. He was fostering several other boys—this is not the only boy Russ was a foster father for—and Russ kept working with the extended family and friends in the loop. He kept working with them and telling them and keeping them informed about AJ's condition.

I often hear the media reports about Capitol Hill being dysfunctional—the sides are polarized and compromise is a dirty word. But when Chris Campbell, the Republican Senate Finance staff director, heard the news about AJ's injury, he enlisted his staff and the Republicans stepped up to help. They took Wednesdays.

For the next couple months, Russ's boys—18 in total when they are all home from college; imagine, Russ Sullivan is the foster father for 18 different young men—knew that Wednesday night was pizza night, coming from the pockets of the Republican Finance Committee staff. "Wednesdays" was that night.

AJ was moved from the West Virginia hospital to Children's Hospital and Rehabilitation Center in Washington, DC, where he remained for the next several months until his death in July.

We mourn for the loss of this young man—who brought an incredible light to this world and light to Russ's world and to all who met him. He brought such a light in such a short period of time.

We are fortunate to have Russ working on Capitol Hill. Russ epitomizes public service. He is honest. He is direct, upbeat, positive, looking for solutions, cutting through all the redtape. He always seeks to understand the arguments and keeps searching for the common ground—constantly. Senator REID keeps asking me: Can Russ help here? What can Russ do about this, in trying to reach out to the other side to find an agreement. He has always been someone I respect and trust. He is also someone I have come to admire.

Months have passed since AJ's death, but his zest for life remains in the hearts of those closest to him. Russ continues mentoring and helping others, changing lives one after another.

Just last week, Russ witnessed a victory for another one of his boys. The boy had been wrongfully convicted of a crime and was facing deportation. But because of Russ's continued diligence and commitment, his innocence was proven and the conviction was overturned. That was just a few days ago.

Harvard Professor Rosabeth Moss Kanter once said: "A vision is not just a picture of what could be; it is an appeal to our better selves, a call to become something more."

Russ sees the vision of what could be and rolls up his sleeves to make it happen.

I know I speak for all of us on the Senate Finance Committee—and many of us in this body as a whole—when I say: Thank you, Russ. Thank you for making us want to find our better selves, thank you for working to make the future better, and thank you for all you do.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I am personally very grateful for the wonderful remarks of my colleague, the chairman of the Finance Committee, because I do not think any words could express how much Russ means to all of us. He is a wonderful man. He is a wonderful leader on the committee. He is honest. He is straightforward. He works with you. Frankly, we all think the world of him on our side as well. I just wish to compliment the distinguished chairman for his beautiful remarks about a tremendous person and the foster children he has worked with.

Russ is the epitome of greatness on the Senate Finance Committee and as a staff member of the Senate. So I wish to personally pay tribute to him and express my sorrow over the loss of his son AJ and express my love and affection for him. He is a good man, helping a good chairman. We work together very closely, and I have a lot of regard for what the chairman just said and a lot of regard for Russ and wish him the best.

I hope the Good Lord will comfort him and comfort his soul during this very trying time.

Mr. BAUCUS. I say to the Senator, thank you very much. I know Russ deeply appreciates that, and we all do. I thank the Senator.

UNANIMOUS CONSENT REQUEST—S.J. RES. 50

Mr. HATCH. Mr. President, on July 12, 2012, the Obama administration's Department of Health and Human Services issued an Information Memorandum informing States that for the first time in the 16-year history of the Temporary Assistance for Needy Families Program, HHS would permit them to waive welfare work requirements.

This action undermines a robust work-first approach that was one of the key features of the 1996 Welfare Reform Act.

If allowed to stand, this action could result in activities such as journaling, bed rest, and smoking cessation classes being counted as work for the purposes of meeting Federal welfare work performance standards.

This change in policy presents a serious substantive question. Should taxpayer dollars go to welfare recipients who are not working but are instead journaling or working to quit smoking?

But it presents serious institutional questions as well because the action by the Obama administration was, quite simply, a unilateral power grab that usurps the constitutional power of the legislative branch, and every Member of this body ought to be concerned about it. That is no small thing.

Our Constitution, for good reason, locates the lawmaking power in the Congress. That is because our Founding Fathers understood that in a republic of laws, the lawmakers must represent the people directly. The people must have a close hold on the representatives who create the laws under which we live.

If changes are going to be made to the welfare work requirements, it should be up to the Congress to make them. Faceless bureaucrats at HHS should not be the ones making changes to the welfare work requirements. Yet that is exactly what happened here.

Unelected bureaucrats at HHS are attempting to change the law—a law passed by the Senate and the whole Congress. If left unchecked, welfare policy is being substantially changed by the Obama administration in a way that never would have been acceptable to the people's elected representatives in Congress.

No administration should be permitted to disregard the laws Congress passed and simply make up their own rules.

For 16 years, no President, Health and Human Services Secretary or Governor—regardless of political party—believed welfare work requirements could be waived.

If the Obama administration believes welfare work requirements should be changed, they should submit a legislative proposal to Congress.

In the 3½ years before the July 12 information memorandum, the Obama administration never offered a legislative proposal to change the welfare work requirements.

The unprecedented nature of the Obama administration's power grab is supported by the nonpartisan Government Accountability Office.

On September 4, 2012, the GAO responded to an inquiry from Ways and Means chairman DAVE CAMP and me.

They determined that the July 12 information memorandum was a rule that should have been submitted to Congress. GAO further found that as a rule, the information memorandum was subject to the Congressional Review Act. The Congressional Review Act provides Congress with an opportunity to review and, where appropriate, disapprove rules issued by the executive branch.

When more and more of the rules that govern the American people are being made by anonymous and unelected bureaucrats with no responsibility to reflect the priorities of the American people, the Congressional Review Act is a critical device and one we should always uphold. It allows the people's representatives in Congress to stand up and reject a rule emanating from the Federal bureaucracy.

The Committee on Ways and Means favorably reported the resolution of disapproval last week. The full House of Representatives will consider the resolution of disapproval this week. I have introduced S.J. Res. 50, a resolution of disapproval here in the Senate. I am pleased that my legislation is cosponsored by 21 of my colleagues.

The Congressional Review Act also provides for fast-track consideration of a resolution of disapproval when a Senator has secured at least 30 Senators on a discharge petition. That means no filibuster. I am pleased to report that I have well over 30 signatures on the discharge petition. Unfortunately, this expedited process does not kick in until later this month.

The Senate will be voting on my resolution, there is no question about that. The only question is when. In my view, we should take up this matter now. It is a critical issue for the American people, and it is a critical issue for this institution. As the people's representatives, it is a dereliction of duty to stand by while unelected officials attempt to change the law unilaterally without the constitutionally-prescribed input of the people's representatives in Congress. For that reason, in a few moments I will propound a unanimous consent request for debate, followed by a vote on proceeding to the resolution of disapproval. It is a simple request. A vote on the resolution of disapproval is inevitable. The only question is whether the majority will allow a vote in a timely manner.

Therefore, I ask unanimous consent that the Committee on Finance be dis-

charged from further consideration of S.J. Res. 50, a joint resolution disapproving a rule submitted by HHS regarding welfare waivers; that there be 2 hours of debate on the motion to proceed equally divided and controlled between the two leaders or their designees; and that the Senate then proceed to a vote on the adoption of the motion to proceed.

The PRESIDING OFFICER (Ms. KLOBUCHAR). Is there objection?

The Senator from Maryland.

Mr. CARDIN. Madam President, I reserve the right to object. Under my reservation, let me first thank my colleague from Utah for bringing this matter before us. But, like him, I was in the Congress in the late nineties when we passed the TANF law. I remember being part of welfare reform. Prior to that time, we had what is known as AFDC, aid for dependent children, which was an entitlement program that offered the States the opportunity to move forward without risk because they were guaranteed a certain amount of money for every child who was eligible—for every family who was eligible for welfare funds. We changed that to provide for temporary assistance for needy families, TANF.

I remember very clearly working with the States and working with my distinguished colleague, and what we told the States was this: You are going to get a block grant. That means you are going to be bottom-line responsible for the program, that there will no longer be a guarantee on the number of families who are enrolled in welfare as to dollars you are going to receive.

We promised two things: We told the States we were going to give them the tools they needed to get the job done. We provided the funds so they could provide for job training so that the people on welfare would have adequate skills in order to get jobs. We promised them childcare so that children could be taken care of while they were in the workforce.

We provided the tools, but we also said we would provide the States the flexibility to get the job done. We provided accountability, and accountability was the participation rate, which could be satisfied in different ways, which said the States have the flexibility to get the job done—a model of federalism—but we would let the States experiment to figure out the best way to accomplish the end result: getting people off of cash assistance, getting them into the workplace.

Now, let me point out to my colleagues that the waiver authority has been in the law for a long time, section 1115. We have had our disagreements with all administrations on the use of the waiver authority. My colleague refers to the GAO's report which dealt with five waivers that were requested from 2000 to 2009. Those State waivers

sought relief from specific requirements. It did not bring forward an innovative new approach to try to use State experimentation to get the best results.

It is interesting that in 2008, under the Bush administration, Health and Human Services documented that the waiver authority indeed existed as it related to the participation rates and the way in which they could be satisfied.

Secretary Sebelius has made it clear that the waiver will only be used for a credible plan to increase employment by 20 percent. So she is looking at using the waivers to increase participation rates, to increase the number of people who are actually employed. If there is not progress within a year, the State runs the risk of losing the waiver. It is focused on improving employment outcomes for participants.

I must say that I am extremely disappointed about the partisan nature of this discussion. I say that because I think we have all seen the ads that have been put on the networks by Governor Romney that accuse the Obama administration of eliminating the work requirement on TANF, on welfare, when the fact is that the use of this waiver authority has been to strengthen the work participation rates—to strengthen the work participation rates. These ads have been condemned by major news sources on both the left and right. They understand this. So you would think that once Governor Romney understood that his ad was misleading and wrong, he would take it off the air, but instead he has actually increased the usage of this ad, which I find to be outrageous. Maybe it is consistent with Governor Romney's recent disclosure of his concern for half of America, saying it is not his problem.

My job—our job—is to consider the needs of all of our constituents. TANF is a program that I think represents a model in federalism. It allows us to learn from the States so we can take their best models and use them for national policies. That is the reason for federalism. That was the reason we went to TANF reform. What the waiver authority is being used for is to give us that experimentation.

We have heard from more and more States that Congress mandates too much. I hear from my Republican colleagues all the time that we have too many mandates. Well, some States have a better way of doing it. Rather than spend their money dealing with the mandates, they said: Look, we will accomplish the bottom line. We will get more people working. We will get better results. We will get people better trained. We will not only get people employed, but they will have the skills to go up the employment ladder, to really succeed and have good-paying jobs in their lifetime. Let's do what is right, and then you can learn from us,

rather than having to listen to the specific mandates some of my colleagues would like to see in stone here from Washington.

This was a commitment we made to the States in the nineties. The waiver authority is in existing law. The Secretary of Health and Human Services, Secretary Sebelius, is only using it for innovative approaches that increase the work responsibilities of the State, not diminish them. That has been well documented.

For all of those reasons, I do object. The PRESIDING OFFICER. Objection is heard.

The Senator from Utah.

Mr. HATCH. Madam President, I appreciate my colleague's remarks, much of which I agree with. That still does not negate the fact that the administration has acted unilaterally as the executive branch to usurp powers of the legislative branch. That is the issue. It is a very important issue. It is the responsibility of the Congress, not the President, to give the States flexibility with regard to the work requirement. The Constitution is pretty explicit on that.

GAO reported today that even though States had requested or inquired about waivers, no administration—not the Clinton administration, not the Bush administration, not the Obama administration—believed they had waiver authority; that is, until July 12 when HHS did this. I think they knew they were wrong.

The latest GAO report details how whenever States requested TANF waivers in the past, HHS responded that no such authority exists. Between 2000 and 2009, during the Clinton, Bush, and even Obama administrations, HHS has consistently told States they have no waiver authority. Specifically, GAO finds that at least five States asked HHS about TANF waivers during that period. In two of those cases, GAO said the HHS official response said they “did not have authority to provide waivers.” In the three other cases when States asked informally, GAO reports that HHS responded saying that “the requested waiver authority was not available.”

Separately, in 2005 and 2007 HHS published two “program instructions” about flexibilities in TANF, both indicating that no waiver authority existed. In these instructions, HHS stated, “We have no authority under current law to waive any of the TANF requirements” and “We have no authority to waive any of the provisions of the Act.” Only the Obama administration has claimed the “authority,” circumventing Congress.

Look, this is not just a political issue, as the distinguished Senator from Maryland, one of my dear friends here, said. We both graduated from the University of Pittsburgh School of Law. I have great admiration for him

and great feelings toward him. But only the Obama administration has claimed this “authority” circumventing Congress. The latest GAO report highlights that only the Obama administration has claimed the authority to waive welfare work requirements. Further, GAO notes that this action by current HHS officials is in response to the President's February 2011 memorandum, which, according to subsequent administration guidance, solicited “input on significant statutory barriers that could be addressed through waivers.”

Especially when viewed in the context of the President's “we can't wait” agenda, it is clear that this HHS proposal is part of an organized administration effort to circumvent Congress and its legislative authority. We have seen that time after time with an abusive use of Executive orders.

Look, TANF has worked amazingly well because of the work requirements in TANF. There is a good reason no other administration has tried to pull this type of a stunt.

Whether you agree with the administration or not, it seems to me we ought to first uphold the rights and powers of the legislative branch of government that cannot be circumvented just because a President wants to do something on his own. That is what is involved here. I think we ought to all stand, Democrats and Republicans, and say: Look, you are not going to be able to do this. If you want to do it, then you are going to have to do it through statutory changes or at least ask Congress for permission.

That is the purpose of asking for this vote which has been objected to. I guess we will do it during the lame-duck session. But the purpose is to stand up for the rights of the Congress of the United States and especially the rights of the Senate that are being ignored.

There is a lot more I can say about it. That basically covers it. I appreciate my colleague's feelings on this matter, but to put it in the category that this is Mitt Romney trying something—Mitt Romney has had basically nothing to do with it other than he agrees with what we have done. He said that after we did it. He did not come to me and ask me to do it.

The fact is we are standing for the legislative prerogatives that we really ought to stand for and that the GAO said should be stood for because they declared it a rule. The GAO is not in the pockets of Republicans or Democrats; it is there to try to determine these types of issues that are extremely important legal issues, extremely important legislative issues, extremely important separation-of-powers issues. So that is what we are doing here, and it really shouldn't even be a political issue. We ought to just vote and let it go at that. But it has

been objected to, and I am willing to wait until the appropriate time to have a vote.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Madam President, I very much appreciate my friend Senator HATCH, and we are good friends, and I very much appreciate the point he makes. I do need to correct at least two points.

One, I graduated from the University of Pittsburgh undergraduate, not law school. I am a graduate of the University of Maryland Law School, and I want to make sure my friends in Maryland know it was their law school.

Mr. HATCH. If the Senator will yield, I certainly retract my statement on that. But I feel bad the Senator didn't graduate from the University of Pittsburgh, as I did.

Mr. CARDIN. Well, I was afraid to apply. I wasn't sure I would get in.

The second point, on a more substantive matter on this debate, is that I wish to point out the requests that were made for waivers between 2000 and 2009 were from the final requirement. They didn't seek to bring forward a demonstration program or a different way to get to their results. The difference here is that States should have the flexibility to come in with innovative ways if they accomplish at least what we set out in law for them to accomplish. In fact, with these demonstration waivers, they will have to do better on the end result on people working. I just wanted to point that out because I thought there were differences from the prior requests that were made and Secretary Sebelius's response.

Mr. HATCH. Madam President, I would just add that if they want that type of authority, they should come to the Congress and ask for it because we put that authority subject to Congress's decisionmaking, and it shouldn't be done unilaterally by an out-of-control approach by the executive branch. That is what is involved, and it is important. Whether one is a Democrat or a Republican, we ought to have an understanding of the legislative and executive branches and our rights and prerogatives in Congress. There is nothing that says States can't add work requirements that are legitimate work requirements in the statute. They didn't need this type of unilateral decision by the HHS Department to do that. That is the point.

The PRESIDING OFFICER. The Senator from Vermont is recognized.

Mr. SANDERS. I thank the Chair.

(The remarks of Mr. SANDERS and Mr. FRANKEN pertaining to the introduction of S. 3562 are located in today's RECORD under “Statements on Introduced Bills and Joint Resolutions.”)

The PRESIDING OFFICER. The Senator from Minnesota is recognized.

Mr. FRANKEN. I thank the Chair.

(The remarks of Mr. FRANKEN pertaining to the introduction of S. 3557 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. FRANKEN. Madam President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HARKIN. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE RYAN BUDGET

Mr. HARKIN. Madam President, today as I have done for days since we have been in session since we returned from our August break, I have been talking about the impact of the Ryan budget, which is now the Romney-Ryan budget, on America and what it would mean for our future. I take the floor today as I have in the past to talk about one aspect of it. In the past I have talked about impact on health care, on education, on the social safety net. Today I wish to talk about what the Romney-Ryan budget does to our infrastructure, to job training, to avenues to the middle class for people.

The real question the American people face this coming election is: Are we going to restore and rebuild the middle class or are we going to continue to shift even more and more of our wealth to just a few at the top at the expense of the middle class?

My Republican friends have made clear where they stand on this. They have done so when nearly every Republican in Congress voted in favor of the Ryan budget plan which Governor Romney embraced as "marvelous." The very centerpiece of the Ryan budget is a dramatic shift of even more wealth to those at the top, huge tax cuts for the richest 2 percent. Those making more than \$1 million a year would get an extra \$394,000 a year in tax breaks under the Ryan budget. That is on top of the \$265,000 they already have. That brings it up to well over \$400,000, almost \$500,000 a year they would get.

We keep hearing a lot of talk about entitlements for the poor. Governor Romney, when he talks about entitlements, always focuses on the poor. How about this. If you make over \$1 million you are entitled to it. You will not hear him talk about that entitlement.

How do the Republicans in the Ryan budget pay for these huge tax cuts that total over \$4.5 trillion over 10 years? The Romney-Ryan budget would partially offset the tax cuts by making deep, Draconian tax cuts that undergird the middle class and that are essential to the quality of life in this country—everything from education, student grants, loans, to highways, bridges, other infrastructure projects.

Last, the Romney-Ryan budget off-sets big new tax cuts for those at the top by actually raising taxes on the middle class. Yes, you heard me, that is exactly right. The nonpartisan Tax Policy Center estimates that under the Ryan plan, middle-class families with children would see their taxes go up on average by more than \$2,000.

The bottom line is that the Ryan budget does not reduce the deficit. The savings they gain by slashing spending and raising taxes on the middle class basically go to offsetting the \$4.5 trillion in new tax cuts, which, I just pointed out, go to the wealthiest Americans.

I think this shows you right here what would happen to the deficit. We always hear the talk about balancing the budget. The truth is Representative RYAN and Mr. Romney are not interested in balancing the budget. Their plan would not balance the budget until 2040—28 years from now.

As I said earlier, Mr. RYAN is a true acolyte of former Vice President Cheney who, in an unguarded moment, said that deficits don't matter. That was Vice President Cheney. If you look at the debt piled up under the Bush years, you will see they didn't think deficits matter.

Look at this. Here is the debt held by the public under the Ryan budget from 2013 to just 2022, in the next 10 years. Look at the debt. The debt does not go down, it goes up. Where does this debt go? Tax cuts for the wealthiest Americans, that is where it goes.

Representative RYAN doubles down on the theory that if we give an even greater share of wealth to those at the top, it will magically trickle down, a theory that was tried under President George W. Bush. But in the years after those Bush tax cuts we know what happened to jobs in America—they plummeted in the years after George Bush and those tax cuts went into effect.

Today I want to focus specifically on the impact of the Romney-Ryan budget on our Nation's infrastructure and job training. Both, I believe, are crucial for the creation of middle-class jobs in a competitive global economy. Regrettably, the Ryan budget would be a devastating one-two punch to our Nation's economy and slash investment in infrastructure which would slash hundreds of thousands of well-paying jobs. It would radically reduce funding for job training, reducing opportunities for the unemployed to get retooled for jobs in sectors of the economy that are doing well, where they are needed.

The United States now competes in a global marketplace. To improve our competitiveness and to give our workers the education and skills they need to compete, both our public and private sectors must make a robust investment in infrastructure, education, and job training.

Overcrowded and crumbling roads, outdated waterways, other means of

transportation and transport have a profoundly damaging effect on our economy. This increases the time and expense of moving goods, it hurts our global competitiveness, as I said, especially at a time when our rivals in the global marketplace are investing heavily in both infrastructure and job training.

Even maintaining our current levels of infrastructure investment will have negative consequences for our economy. That is if we just maintain what we have.

The American Society of Civil Engineers predicts that, if current trends continue, by 2020 our continuing infrastructure will result in 900,000 fewer jobs and \$900 billion in lost economic growth.

This was the American Society of Civil Engineers in 2011. They said:

The deficiencies in America's roads, bridges and transit systems cost American households and businesses roughly \$130 billion, including approximately \$97 billion in vehicle operating costs.

You can read that to mean potholes and things that bang your car up.

—\$32 billion in delays and travel time,

If you have been stuck in a lot of traffic.

—\$1.2 billion in safety costs and \$590 million in environmental costs.

That is the Society of Civil Engineers. That is not part of the Democratic Party or any party. This is a nonpartisan economic look at what is happening in our infrastructure.

By slashing these investments to even lower levels, the Ryan budget will only make these problems worse, not better. In fact, the Ryan budget cuts transportation spending by one-third in the first year.

We are not talking about a little nip and a tuck on infrastructure. Here is the fiscal year 2012—enacted—transportation budget: \$89 billion. The Ryan-Romney budget for next year, \$57 billion. It is almost a one-third cut. Think what that would mean to the jobs in America. Think what it means to our crumbling infrastructure.

Then you have to compare how much we are investing in our infrastructure to what one of our biggest competitors, China, is doing. Here is China. As a percent of their gross domestic product, they are spending 9 percent of their GDP on infrastructure. Here is the United States. In 1960, when I was a college student working summer jobs, laying pavement and building bridges on the Interstate Highway System, we were spending 4 percent of our GDP on infrastructure. We are now down to 2.4 percent. And the Romney-Ryan budget would take that even lower.

So already our Federal investments in infrastructure are inadequate. For example, we have failed to bring the half-century-old Interstate Highway System into the 21st century. Again, the Romney-Ryan budget would make

that even worse. The Romney budget would make deep cuts to funding for the Corps of Engineers which is already grossly underfunded and struggling to maintain a deteriorating waterway system so crucial for the movement of bulk goods, and, I might add, also crucial for flood control.

The Ryan budget would also take a meat axe to Federal funding for job training and education, America's pathway to the middle class. It would jeopardize vital job services for millions of Americans. Thirty-one million Americans got Federal help with their job searches last year—help to write their resumes, prepare for interviews, information about the best jobs available in their local area, referrals to job openings. Several hundred thousand were also able to participate in job training under Federal programs. This gave these American workers the opportunity to compete for good jobs so they have a shot at the middle class. It created a steady supply of skilled workers for U.S. businesses, made their operations more productive, and it helped them to grow.

Think about it; several hundred thousand people out of work were able to participate in job training because of Federal programs. That is part of Mr. Romney's 47 percent that he says he doesn't care about, who are the takers in our society. No, no, Mr. Romney, they are not takers. These are people struggling to make a better life for themselves and their families. They want job training. They want better education. They want to upgrade their skills. They want to work. The Romney-Ryan budget would pull the rug out from underneath them and say: Tough luck, you are on your own. I don't think they should be on their own; they should be part of our American family.

Without sustained robust investments in quality infrastructure and well-trained workers, America will fall behind and job creation will suffer. This is a critical threat to the future of the middle class in our country.

In essence, the Ryan budget essentially rejects the very possibility that the Federal Government can act to spur economic growth, boost competitiveness, and create good middle-class jobs. But this flies in the face of overwhelming evidence to the contrary. At critical junctures going back to the beginning of our Republic, the Federal Government has stepped up to the plate, acting decisively to spur economic growth, foster innovation, and help create jobs. In 1791, Alexander Hamilton presented to Congress his landmark Report on Manufactures, a set of Federal policies designed to strengthen the new Republic's economy by creating a network of roads and canals.

The most visionary 19th century advocate of Federal investments to spur

economic growth was the first Republican President, Abraham Lincoln. In 1862 he signed the Pacific Railway Act to finance construction of the transcontinental railroad, one of the great technological feats, by the way, of the 19th century. But Lincoln did more; he created the Department of Agriculture to modernize agriculture and distribute free land to farmers. As a proud graduate of Iowa State University, I also note Lincoln dramatically expanded access to higher education across the United States by signing into law the Land Grant College system. Taken together, these initiatives had a transformative impact on the U.S. economy.

It is humorous to imagine how today's Republicans would have reacted to Lincoln's agenda. What if Abraham Lincoln were to present this today to the tea party? He would not get anywhere.

Later, in the 1950s, there was another Republican president, Dwight Eisenhower, who championed one of the greatest public works projects in our national history, construction of the national highway system. A 1996 study concluded that the Interstate Highway System is an engine that has driven 40 years of unprecedented prosperity in America.

In recent times, the Federal Government has funded and spearheaded scientific discovery and innovation. The Department of Defense invented the Internet. It was Federal research that led to the invention of the global positioning satellite system. Any discussion of the Federal Government's historic role in discovery and innovation and job creation must acknowledge the staggering achievements of the National Institutes of Health. More than 80 Nobel Prizes have been awarded for NIH-supported research. So it is absurd to claim that the Federal Government cannot serve a positive and even profound role in boosting the economy and spurring innovation. But the Romney-Ryan budget demands that we permanently hobble the Federal Government. That is the Romney-Ryan budget. This negative, defeatist viewpoint is dead wrong, and the disinvestment it advocates will only send our country into a death spiral of stagnation and decline.

Going back to the 1930s, the American people have supported and strengthened a kind of unique American social contract. The social contract says a cardinal rule of government is to provide a ladder of opportunity so that every American can realistically aspire to the American dream. The Ryan budget would rip up that social contract.

Don't take my word for it. Former Reagan economic adviser Bruce Bartlett on the Ryan budget said this:

Distributionally, the Ryan plan is a monstrosity. The rich would receive huge tax cuts while the social safety net would be shredded to pay for them.

The Ryan budget rips up the social safety net, disinvests in our infrastructure, cuts funding for job training, cuts money for education, cuts money for health care. As I said, it is a negative, defeatist viewpoint that will set our country into a death spiral of stagnation and decline.

The Romney-Ryan budget would replace the unique American social contract that we have with a survival-of-the-fittest, winner-take-all philosophy that tells struggling, aspiring Americans and their communities: Tough luck, you are on your own.

I agree with former President Bill Clinton. We have two philosophies: the Romney-Ryan budget—tough luck, you are on your own—or the other philosophy that we are all Americans and we are all in this together. We are all mutually supportive. We believe in a ladder, a ramp of opportunity, and, yes, we believe the Federal Government has a powerful role to play in making sure all Americans can aspire to the American dream. They can reach the middle class. They can achieve the highest of their potentialities and their abilities. That is the difference.

I think the American people need to know what is in the Ryan budget. One might say: Well, a budget is a budget.

A budget is a blueprint. Just as we build a building, we have to have a blueprint; a budget is a blueprint for the future of where we want to go. Communities have budgets, families have budgets, schools have budgets. We have a budget so we can plan. It represents where we want to be in the future. The Ryan budget is a blueprint for defeat and a death spiral into stagnation for America.

I believe the more the American people understand and know what is in that Ryan budget, the more they are going to turn it aside and say: No, we can do better than that in America. We need a budget that reflects our hopes and aspirations and our abilities as Americans to work together to achieve the American dream for all.

Mr. President, I yield the floor and note the absence of a quorum.

THE PRESIDING OFFICER (Mr. MERKLEY). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. THUNE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

THE PRESIDING OFFICER. Without objection, it is so ordered.

FISCAL CLIFF

Mr. THUNE. Mr. President, the Senate is sort of wrapping up its business, if you will, until after the election. It is ironic, in a way, that there are so many big issues in front of us as a nation—so many challenges—yet we are talking about things I am sure are important, but, once again, we are punting, kicking the can down the road on all the big crises in front of us as a nation.

I have to say that never before has a President and a Senate done so little when the Nation's challenges are so great. People have talked about the fiscal cliff repeatedly, and people have talked about the fiscal crisis in which we find ourselves in terms that I think ought to frighten all Americans. It certainly ought to frighten Members of Congress when we talk about the most predictable crisis in American history, probably in human history. It is not like it is any surprise what is going to happen. We are repeatedly reminded by all of the experts that if we don't deal with this issue of the fiscal cliff, it will have devastating, catastrophic impacts on our economy, on our national security, on our country, and on the American people. Yet we are not addressing it and doing what we should be doing to avert the disaster ahead of us, the fiscal cliff that faces us on January 1 of this next year.

It is not as though there isn't already a lot of evidence that we have big problems. We just crossed the \$16 trillion level in terms of our debt. We have added over \$1 trillion of debt every single year now for the past 4 years, since President Obama has taken office. That is \$50,000 for every man, woman, and child in America. Everybody in America—man, woman, or child—now has \$50,000 as their share of Federal debt. So it is a fiscal crisis unlike anything we have seen before, and it has, as I said, been predicted.

The Congressional Budget Office has said if we don't deal with the fiscal cliff, it will plunge the economy into recession. They have suggested that it will reduce by 2.9 percent the size of the economy. We actually will have a contraction of the economy in the first 6 months of next year.

They have also projected it will drive unemployment above 9 percent. Granted, we are over 8 percent today. We have been at 8 percent now for 43 consecutive months. That is the longest stretch in history. In fact, if we go back to the time the Bureau of Labor Statistics started keeping unemployment data and we add up the data for the 11 Presidents from Harry Truman through the end of the George W. Bush administration—about 60 years—there were 39 months where the unemployment rate exceeded 8 percent. That is 11 Presidents in about 60 years of history where we have had unemployment above 8 percent.

We have now had unemployment above 8 percent for 43 consecutive months. So 39 months in the first 60 years since they started keeping data, and 43 months now in a row under the current administration.

We have the Federal Reserve telling us if we don't deal with our fiscal crisis, the economy is going to soften next year.

We have ratings agencies such as Moody's suggesting that if we don't

have a plan in place not only to deal with the sequestration that is going to occur at the end of the year in a way that is paid for but also to deal with the longer, structural problem—the debt and deficits crisis we have in this country—we are facing a downgrade in our credit rating.

You had the World Economic Forum come out just recently with their assessment about the world's most competitive economies. Back in January of 2009 when President Obama took office, the World Economic Forum found that the United States had the No. 1 most competitive economy in the world. In terms of global competitiveness, the United States was ranked No. 1. Now we have dropped. We had dropped to fifth, and this year, just recently, as I mentioned, when they came out with their current rankings, the United States had dropped down to seventh. So in a short 4-year timespan, we have gone from first in terms of global competitiveness down to seventh. That does not speak well for the steps that are being taken here in this country to make America competitive in the global economy, to deal with the problems of spending and debt and the fiscal cliff that is ahead of us.

It is interesting to note that at the World Economic Forum—what did they point to in terms of their analysis? Why did they come to the conclusion that the United States had fallen from first in January of 2009 when the President took office to seventh here this year? Well, they pointed out spending, debt, taxes, regulations, redtape—all the things that come from Washington, DC; all the things that are controlled by policies here in Washington; the regulations that continue to spin out of various government agencies that drive up the cost of doing business in this country, that make us less competitive; the higher taxes that are being assessed on our economy in so many different ways; and, of course, all the taxes that are going to take hold, take effect as part of ObamaCare, the health care law that was passed a couple years ago, that begin to kick in. So you are going to have higher taxes. You have the redtape associated with doing business in this country and the bureaucracies, the mandates, the requirements that are imposed on our small businesses and our job creators. And then, of course, as I said, you have this massive amount of debt that hangs like a cloud over our economy. These are all factors that contribute to this assessment that has basically downgraded the United States from the No. 1 position in terms of global competitiveness to No. 7.

So the question before the house is, What can we do? What should we be doing to avert that crisis? Well, it strikes me, at least, that it starts with having a plan and working together, having the President step forward with

a plan that would make sure our economy does not go into a recession next year; that makes sure the defense cuts that would occur under the sequester—which are terribly disproportionate relative to the size of the defense budget as a percentage of our total budget—do not harm our national security interests; figure out ways to solve that problem; reduce spending in other areas to redistribute the cuts. Defense represents only 20 percent of the entire budget, but it gets 50 percent of the cuts under this across-the-board sequester that would take effect on January 1 of next year.

Our national security experts and our military leadership have said that if these cuts take effect, we will have the smallest Army since the beginning of World War II. You have to go back to 1940 to find a time when we would have had an Army that is that small. You have to go back to 1915, before World War I, to find a time when we would have had a Navy that is as small as it will be if these cuts take effect in the number of ships we have at our disposal. And we would have the smallest Air Force, literally, in the history of the Air Force.

That is what our military leadership is telling us will happen if these devastating cuts take effect. You have had the Secretary of Defense, Leon Panetta, the President's own Secretary, say that this would be catastrophic, that these cuts would be disastrous. You have the service chiefs saying the very same thing.

So we have all this right in front of us, staring us in the face, and instead of dealing with that crisis we are putting bills on the floor that really do not have near the consequence—as I said, I am sure important; I am not denigrating at all any of the legislation the Senate is considering, but it seems to be right now geared a lot more toward the election than it is about saving the country and doing the things that are necessary to avoid this cliff that is ahead of us and all the disastrous consequences that come with it.

Now, just again, a point of fact, and I mentioned this before. We have had now 43 months of 8 percent unemployment or above. We have 23 million Americans who are either unemployed or underemployed. We have seen that the data continues to suggest how sluggish our economy is, the impact it is having on the middle class in this country. In fact, middle-class Americans are continually hit by continued bad news.

You start with the fact that since President Obama took office, average incomes have gone down almost \$4,000. Added on top of that is the fact that fuel prices have literally doubled in that timeframe—now more than doubled. In fact, we hit, in the month of September—this month—the highest fuel prices ever for the month of September. That is a cost that is borne by

middle-class Americans. One of the biggest costs, biggest expenses in their lives is dealing with getting their kids to and from school, getting to work, taking care of the day-to-day activities for which they are responsible. The cost of fuel is a very important pocket-book issue for middle-class Americans. Then you have news the Kaiser Foundation came out with that says health care premiums have gone up by 29 percent. That is despite all the assertions when ObamaCare was being debated that it would drive health care costs down. In fact, the President, as he campaigned for office 4 years ago, talked about bringing the premium for an average family down by \$2,500. Well, the opposite has happened. According to the Kaiser Foundation, health insurance costs have gone up by 29 percent. Instead of coming down by \$2,500 for the average family, they have gone up by over \$3,000 for the average family. So whether it is health care costs, fuel costs, tuition costs, which, by the way, have gone up by 25 percent, or average incomes that have gone down, you see this worsening picture for average Americans. All of that will be dramatically complicated by what is going to happen on January 1 if we do not take action to avert that crisis.

What happens on January 1? As I mentioned, you have an across-the-board cut. It is across the board in the sense that everything gets hit, but not everything gets hit proportionately. Defense, as I said, gets 50 percent of the cuts although it represents only 20 percent of the budget. You are going to have all these cuts that take effect that hurt the national security budget and the jobs that go with that, but you also have taxes going up. Tax rates go up on January 1, which will absolutely devastate job creation in this country if they are allowed to take effect. In fact, the total amount of tax increases that will hit us on January 1, if Congress does not take action, over a 10-year period is about \$5 trillion—about \$5 trillion over a 10-year period in additional taxes.

Even if you say, as the President does, that you want taxes to go up just on people who make more than \$200,000 a year or couples who make more than \$250,000 a year, you are harming almost 1 million small businesses—the very people we are looking to to create the jobs to get the economy moving again—almost 1 million small businesses that file income tax returns. They are passthrough entities or flowthrough entities organized as subchapter S corporations or LLCs; therefore, they file their business income on their individual tax returns. And they would see their taxes go up—almost 1 million small businesses that represent 25 percent of the workforce, hire 25 percent of the workforce in this country. So that is a huge tax increase that is facing job creators in this country come January 1 of next year.

These are things on which the House, the Senate, and the President of the United States ought to be focused. Yet we are not getting that focus. In fact, it is hard to get even information from the President of the United States about how he would implement the sequestration proposal. We had passed legislation earlier this summer which he signed into law in August which required him to submit to the Congress a proposal for how he would implement sequestration. We finally, after a delay—he missed the deadline—received that last week, but, again, it lacks specificity, it lacks detail. Congress asked to have that on program, project specific areas, and we did not get that. So as a consequence, again, we are still operating without the information that is necessary to do something to replace that sequestration.

I have to say that the House of Representatives has attempted—they passed in their budget—in the subsequent reconciliation bill that went with it—a replacement for this sequestration so that we would not have this \$½ trillion cut in our national security budget and all the attendant problems and risks that come with that. Yet that was not picked up, that was not acted on here in the Senate.

So, unfortunately, we are where we are, which is we are going into the election season now. We have not dealt with the across-the-board cuts, the sequestration. We have not dealt with the issue of taxes going up on January 1 on the people who create jobs in this country. For that reason, we have all these analysts—independent analysts, government analysts—concluding the same thing; that is, we are headed for a train wreck. That is what we ought to be focused on right now.

Frankly, that is not going to happen unless we get some leadership from the President of the United States. We have to have the President engaged, involved in these discussions if we are going to try to solve this problem. I would hope the leadership here in the Senate would be a partner to that as well. I know there are Republicans here who have tried to get votes on ways to replace the sequestration or come up with a substitute for the defense cuts that it includes. We have tried and actually gotten some votes on actually extending the tax rates at the end of the year, but that was voted down here. But the Democratic leadership in the Senate has to be a party to discussions, as does the President of the United States, in order for us to do what is necessary to avert what we know is going to be a calamity come January 1 unless we change course.

As we begin to conclude this particular session of the Senate—I see that my colleague, the Senator from Wyoming, Mr. BARRASSO, who is a physician, a doctor, is here. I know he has

spoken at great length about the impact of many of the policies that are coming out of Washington on our small businesses, on our middle class, and I certainly would want to give him an opportunity to make some observations about that as well. But I want to conclude by saying I hope that before this catastrophe hits us, we have the foresight and the willingness and the courage to take on these big issues. You cannot solve big issues in this city without leadership. It is going to take leadership from the President of the United States. It is going to take leadership in the Senate. As I stand here today, we have not seen that. We have not passed a budget in 3 years. We have not dealt with any of the long-term problems that are posed and raised by the fiscal cliff that hits us on January 1 of next year. I hope that changes. I hope to see that leadership. And I hope we can get this country back on track.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. BARRASSO. Mr. President, I would like to associate myself with the remarks of the Senator from South Dakota, who speaks so eloquently on the major issues facing our Nation, the concerns of people all around the country: their quality of life, the cost of energy, the cost of their health care, the impact of government regulations and rules that make it harder and more expensive for small businesses to add workers to their rolls.

A SECOND OPINION

I come to the floor today as a physician, a doctor who has practiced medicine in Wyoming, taking care of families there for about a quarter of a century, to do as I have done week after week since the health care law was passed: to give a doctor's second opinion about the health care law because one of the reasons I got involved in politics was, as a doctor, I have concern for my patients, worried that they were not getting the care they need from the doctor they want at a lower cost, realizing the impacts of costs on the availability of care, the quality of care. So when the health care law was passed, I had great concerns because I felt it was going to end up being bad for patients, bad for the providers—the nurses and doctors who take care of those patients—and terrible for the American taxpayer.

It was interesting that during the discussion of the health care law, NANCY PELOSI, the then-Speaker of the House, said that in terms of the health care law, first you had to pass it before you got to find out what is in it. Well, the law has been passed, and as more and more people are finally finding out what is in it, the law continues to be very unpopular. But it is interesting that when a law is written behind closed doors, passed in the dark of night, when people on the side who

voted for it actually never read it, did not understand the implications, that here we are 2 years later with so many people still saying: What is in it?

One of the things I want to visit about today is an editorial in the New York Times from just a couple of weeks ago. It was while I was traveling around the State of Wyoming, visiting with people, visiting with former patients, that an editorial came out with the headline "A Glitch in Health Care Reform."

Well, for 2 years I have been coming back to the Senate floor, week after week after week, talking about things that were in this health care law—unintended consequences, things people did not realize were there, did not understand were there, were surprised to find out were there.

So the headline is "A Glitch in Health Care Reform." Right under that, the subheadline is "Millions of middle-class Americans could be left without affordable coverage." And then my favorite line, the first line, the first paragraph:

Confusing language in the health care reform law has raised the possibility that millions of Americans living on modest incomes may be unable to afford their employers' family policies and yet fail to qualify for government subsidies to buy their own insurance.

Confusing language. That is what happens when a law is written behind closed doors, not read by the people who voted for it, and the Speaker of the House of Representatives of the United States of America says: First, you have to pass it before you get to find out what is in it. And this is an editorial in the New York Times 2 years after the health care bill has been signed into law: Confusing language. "A glitch in health care reform. Millions of middle-class Americans could be left without coverage."

So it is not a surprise that I will continue to come to the floor with a doctor's second opinion because we will continue to find where confusing language leaves people confused.

Now, one of the areas that is so often discussed on the Senate floor is the Congressional Budget Office. Well, they came out today with a new report. It talks about the health care law. No surprise. They said they got it wrong a couple of years ago. They have relooked at the numbers. This is the Congressional Budget Office that is supposed to be an expert on making some assumptions and making some suggestions and some predictions. Today they came out with a report called "Payments of Penalties for Being Uninsured Under the Patient Protection and Affordable Care Act."

Now, let's go back. Payments of penalties for being uninsured. Well, this is a health care law that reaches into every home in America and says: You must buy a government-approved prod-

uct. You must have health insurance. Not enough money to pay for doctors to care for patients but plenty of money for IRS agents to investigate the American people.

What does it say when we go through the report? They said, well, they thought there would be about 4 million people who would have to pay penalties for being uninsured under the health care law. Well, they were only wrong, they say, by 50 percent. They were off by 50 percent; not 4 million but 6 million Americans will be penalized and have to pay taxes under the health care law which the Supreme Court found to be constitutional.

Well, it may not be unconstitutional, but it is still unworkable, very unaffordable, and very unpopular. So I come to the floor week after week as new reports continue to come out saying CBO was wrong. The New York Times, talking about "confusing language."

You know, I would say James Madison, the father of the Constitution, had it right when he said:

You should pass no laws so voluminous they cannot be read, so incoherent they cannot be understood.

But that is what Democrats in the House and the Senate did when they passed and when the President signed the health care law.

Now, another report has just come out within the last couple of days. I recall the President, when he was talking about the health care law, said computerizing medical records would cut waste and eliminate redtape. Now what does the report say? Well, it says the amount of paperwork, the amount of manhours put into just complying with the rules and the regulations they have come up with—they are predicting—and I will get into those who have done the predictions—that businesses and families will end up spending 80 million—80 million—hours a year on paperwork trying to comply with this health care law.

Former Internal Revenue Service Commissioner Fred Goldberg said the current form of the Obama health care law "will be a needless administrative and compliance quagmire for millions of Americans." The Ways and Means Committee in the House of Representatives under committee chairman DAVID CAMP found that more than half of those 80 million manhours will be consumed by small businesses. That is the group that can least afford to have to spend this kind of time, this kind of manpower. Talk about productive work and nonproductive work, this goes into the category of nonproductive work. So they are either going to hire more people to just do paperwork or take people from doing productive work and move them onto the nonproductive side.

They are talking about 40,000 full-time people working the number of hours they would work to get this 80

million manhours of work. It is wasteful. It creates no wealth overall to the economy. It is not a productive activity. So those are the things we see week after week.

Then, finally, last week there was a group of franchise owners who were traveling around visiting with Members on Capitol Hill about the impact of the health care law on them and on their small businesses. They want to hire people. They want to get people to work. We know under the President's economy, there are 23 million Americans who are either unemployed or underemployed, people looking for work, looking for better work, looking for more hours.

But let's look at the incentives as well as the consequences that are included in the health care law. Well, these small franchise owners will tell you that in order to try to comply with the law and not be driven out of business because of the expense of the penalties and the high level of insurance they would have to provide to their workers, they only have a couple of choices.

One of the choices—they do not like it, but one of the choices is to cut the number of hours an employee works because then they are a part-time employee. Then they do not have to receive the benefits of the mandate, of the health care law. That is not what they want to do. It is not what the employees want. They want to work more hours. But the consequences of what the Democrats in this institution have passed, the consequences are that people who want to work more are going to lose that opportunity.

The other thing they are looking at is saying, well, just drop paying for insurance at all and pay the fine. Pay the penalty because the consequences and the incentives are such that the fine is, from a business standpoint, the path to follow rather than to provide the high level of insurance the President mandates. It may be a lot more insurance than people want or need or that the businesses can afford.

So I will continue to come back to the floor to talk about the President's broken promises. He said: If you like what you have, you can keep it. We now know people who like their health insurance are not going to be able to keep it. He said the insurance rates would drop by about \$2,500 per family per year. We have seen the rates have gone up more than \$3,000 a year instead of dropping \$2,500 a year.

The promises are many. The realities are quite different than what the President has promised. That is why the American people continue to find the health care law unpopular. It is why our seniors who have seen 700 billion of their Medicare dollars taken away from them, not to save Medicare but to start a whole other government program for others, that is why they know

it is going to be harder to find a physician to take care of them, especially if their physician retires or if they move to a new location.

That is why I will continue to come back to the floor to continue to talk about trying to help people get the care they need from the doctor they choose at a lower cost. This health care law is bad for patients. It is bad for providers, nurses, and doctors who take care of those patients. It is terrible for the American taxpayers. That is why I believe we need to repeal and replace this broken health care law.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

THE RYAN BUDGET

Mrs. MURRAY. Mr. President, I come to the floor this afternoon to talk about the upside-down values and blatant dishonesty that Congressman PAUL RYAN and other Republicans have put down on paper and are trying to present to the American people as their responsible budget. The truth is it is anything but. The Ryan budget would be devastating for middle-class families. It would gut our investments in education and job training, research, and our Nation's future. It would do all of that while cutting taxes for the richest Americans and biggest corporations.

Now, if that is not bad enough, it gets even worse. The Ryan Republican budget would permanently cut tax rates for the wealthiest Americans to the lowest level in more than 80 years—more than 80 years. It would cut taxes for the rich below the scheduled top rate of 39.6 percent, below the Bush tax cut rate of 35 percent, all the way down to just 25 percent if you are a millionaire or billionaire. But even that is not all.

What PAUL RYAN and the Republicans do not want people to know is their budget does not even add up. It is fiscal fraud. It is a bait-and-switch. It is a desperate attempt to pull the wool over the eyes of the American people. RYAN and the Republicans claim they would pay for their massive tax cuts for the rich by “closing loopholes and ending deductions.” But they never say which loopholes they would close or which deductions they would eliminate.

In fact, they have been pressed over and over to lay out their plan by the media, by the public, by Democrats. And they refuse. It is just a big secret. This past weekend, both Governor Romney and Representative RYAN were asked again and again to offer even one deduction they would limit. Pick one. Any one. They were asked that so the American people could judge their plan. Both refused. It begs the simple question: What are they hiding?

Well, a former Reagan adviser, Bruce Bartlett, slammed RYAN's budget in the *Fiscal Times* writing: “He offers

only the sugar of rate reductions without telling us what the medicine of base broadening will be. . . .”

He says:

Any tax reform plan that simply asserts it will collect a certain percentage of GDP in revenue while specifying the rate structure but not defining the tax base is fundamentally dishonest, in my opinion.

Well, I agree. Why is this? Why are RYAN and the Republicans so specific about the taxes they are going to cut for the rich and so vague about how that is going to be paid for? Well, RYAN and the Republicans know when we do the math it becomes very clear that under their Republican budget the rich pay less and the middle class pay more and the national debt continues to grow. The math does not add up.

Here is why, here is what the Republicans do not want the American people to think about: The most expensive loopholes and deductions, the ones Republicans would need to eliminate to even start paying for these cuts for the rich, those are the ones that middle-class families depend on and the ones they benefit from the most, such as the personal and dependent exemptions, deductions for their home mortgages, charitable contributions, State and local taxes, child tax credit, college tuition credit.

If these deductions are eliminated while tax rates are slashed for the rich, it would mean a massive transfer of the tax burden onto the backs of our middle class. The richest Americans get a massive tax cut—an average of over \$250,000 a year for someone who makes \$1 million a year, according to an analysis by the Tax Policy Center—but the middle class, those families who depend on those critical deductions such as the home mortgage deduction, end up paying more. They would benefit far less from the marginal rate cut than the extra they would pay after losing those deductions.

If that sounds unbelievable, that is because it is. If that sounds like something no elected official would ever want to talk about doing, well, that is exactly right. So what RYAN and the Republicans do when they are asked is simply deny it. They simply say: Oh, that is not the case. They claim that loopholes and deductions will only be eliminated for the rich, and the middle class does not have to worry about anything.

Well, that sounds nice, but here is what they will not tell the American people: It does not add up. The Tax Policy Center took a look at a plan that made a similar claim. Even viewing it in the most generous way, they could not get it to work. They said:

Even when we assume that tax breaks—like the charitable deduction, mortgage interest deduction, and the exclusion for health insurance—are completely eliminated for higher-income households first, and only then reduced as necessary for other households to achieve overall revenue-neutrality—

the net effect of the plan would be a tax cut for high-income households coupled with a tax increase for middle-income households.

That last point is very important. According to independent analysts, if you cut rates for the rich as much as the Republicans want, and pay for it by closing loopholes and ending deductions, there is no way to avoid having the middle class pay more. That is a fiscal reality. It lays bare the fraud in the Ryan Republican budget.

Not only does the Ryan Republican budget decimate programs middle-class families depend on, not only does it end Medicare as we know it and push health care costs onto the backs of our seniors, not only does it cut investment in jobs, in education, in training, in research, in innovation, in roads and bridges, it does not even add up. It is a fiscal fraud. I am hoping, now that the American people have the opportunity to see this clearly, Republicans will stop playing games. Let us get serious about the fiscal future of our country and work with us on a balanced approach to cut spending responsibly, call on the wealthy to pay their fair share and actually reduce the deficit and the debt. As soon as they are ready to do that, as soon as they are ready to accept reality and end this fiscal fraud, I know Democrats are ready to make the kind of balanced and bipartisan deal the American people expect and deserve.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, we are trying to work through all the issues we have. There are a few of them—not too many but a few. But I want everyone to know we can finish all of our work tomorrow. We can finish it all tomorrow, but we are not going anywhere. We are staying here until Tuesday, probably 3 or 3:30, because we have Yom Kippur on Wednesday, and then we will be right back here on Thursday. We have to finish our work.

So that means if we can't work things out, we are going to be here Friday, Saturday, and Sunday. I know we talk about this once in a while, and usually we are able to work things out, and I am glad we are. But just in case we can't, no one should think they are going to be able to catch an airplane out of here on Friday.

UNANIMOUS CONSENT REQUEST—S. 3525

Mr. President, I will be very quick. I know the assistant leader for the minority is here and I don't want to take a lot of his time.

The Senator from Montana, Mr. TESTER, has assembled a broad package

of legislation. It is bipartisan in nature, and that is an understatement, to support the needs of sportsmen throughout the country. He has worked with these groups, and I have been in meetings with him where he has tried to get Democratic Senators to back off and let this package go forward, and there have been adjustments made because of problems Republicans had and Democrats had. So I appreciate very much his work.

What his bill does is to combine about 20 bills that are important to the sportsmen community around this country. These measures would promote hunting, fishing and recreational access and they would foster habitat conservation through voluntary programs. More than 50 national groups support this. These are sportsmen and conservation groups.

This is an example of leadership that is important in this body, to work on things that bring together a disparate group of bills, bipartisan in nature, and try to move forward. We ought to pass this package today.

I ask unanimous consent that the Senate proceed to Calendar No. 504, S. 3525, the Sportsmen's Act of 2012; that the bill be read a third time and passed; the motion to reconsider be laid upon the table, with no intervening action or debate; and any statements related to the bill be printed in the RECORD.

The PRESIDING OFFICER. Is there objection?

Mr. KYL. Mr. President, reserving the right to object, I had asked the distinguished majority leader if I requested an amendment to his request to add a piece of legislation that he and I both support whether he would have to object to that, and I am presuming his answer is he would have to object. As a result, rather than doing that and forcing him to object, I will simply pose my objection at this time.

The PRESIDING OFFICER. Objection is heard.

The Senator from Montana.

Mr. TESTER. Mr. President, I rise to discuss the Sportsmen's Act. The Sportsmen's Act is a good piece of legislation. It is a piece of legislation where, quite frankly, it would be one of the few times in this body Democrats and Republicans could come together and actually do something that is good for this country and not play politics with it.

The outdoor traditions in this country are deep and are an important part of our heritage. That is why 2 years ago, when I became chair of the Sportsmen's Caucus, I made it a goal to do something, something significant, that would help this country's hunters and anglers.

This week we have an opportunity to play politics as usual or to get something done. This Sportsmen's Act is the biggest package of sportsmen's

bills in a generation. It combines, as the majority leader said, nearly 20 different bills—all important to the sportsmen community.

These bills increase access for recreational hunting and fishing. They support land and species conservation. They protect our hunting and fishing rights. Most important, they take ideas from both sides of the political aisle. It is not about Democrats. This bill isn't about Republicans or Independents. This bill is about Americans and the great outdoors we all share as a nation.

This bipartisan bill is supported by 56 different conservation and wildlife groups, ranging from the Nature Conservancy and the National Wildlife Federation to the NRA. It earned their endorsement because it includes a wide range of responsible provisions that are important to sportsmen and women across America.

In my role as chairman of the Congressional Sportsmen's Caucus, sportsmen continually tell me about the importance of access to public lands. Right now there are 35 million acres of public land that sportsmen cannot access. That is why this bill requires 1.5 percent of the annual funding of the Land and Water Conservation Fund set-asides to increase public land access, ensuring sportsmen across the country access to some of the best places to hunt and fish in this country.

This bill also reauthorizes the North American Wetlands Conservation Act. This voluntary initiative provides matching grants to landowners who set aside critical habitat for migratory birds such as ducks. Over the last 20 years, volunteers across America have completed more than 2,000 conservation projects and protected more than 26 million acres of habitat under this successful initiative. The North American Wetlands Conservation Act is a smart investment in both our lands and our wildlife, and it needs to be reauthorized, as this bill does.

My widely supported bill authorizes the Secretary of the Interior to reevaluate the price of duck stamps to keep up with inflation. Revenue from these duck stamps has been used to purchase or lease more than 6 million acres of wetlands and preserve a viable waterfowl population. This bill also funds new shooting ranges while encouraging Federal land agencies to cooperate with State and local authorities to maintain existing ranges.

This is a responsible bill that takes into account the needs of the entire sportsmen community. Some folks around Washington are asking: Why is this important? But hunting and fishing is a way of life in places such as Montana. One in three Montanans hunt big game, and over 50 percent of Montanans fish. Outdoor recreation contributed \$646 billion in direct spending to the economy in this country just

last year. Hunting and fishing is not just recreation, it is a critical part of our economy.

In Montana, hunting and fishing brings \$1 billion a year to our economy, nearly as much as our State's cattle industry. It is big business. It drives and sustains jobs. With bow hunting season open and rifle hunting season opening in just a few days, this bill is as timely as ever.

The Sportsmen's Act of 2012 is balanced, it is bipartisan, and it is widely supported. It is also fiscally responsible. The bill has no cost.

I have been chairman of the Congressional Sportsmen's Caucus for 2 years. In that time I have had folks from all over the country telling me why they love to hunt and fish. They have also told me how outdoor activities support our economy and create new jobs while sustaining old ones. But they have also told me about how much their outdoor heritage means to their families and about how concerned they are about losing those traditions.

Frankly, they have told me about how frustrated they are with Washington and how too many good ideas—ideas from both parties—get left behind because of political gridlock right here. By approving this sportsmen's package, we will conserve some of our most productive habitat, pass on our hunting and fishing traditions to future generations, and entrust the lands and water we share to them.

Sportsmen from across the West have been waiting for a bill such as this for a generation—a bill with widespread support that preserves our outdoor economy and secures our outdoor heritage for our children and grandchildren. I know it is getting close to election season, but we have time left.

The time we are working on is the taxpayers' dime, and I think we ought to get something done. Let's take some good Democratic ideas and some good Republican ideas and pass them. Let's actually do something for the 90 million sportsmen and women who reside in this country and build our economy. Now is the time.

We have an opportunity to take a bill that does good things for this country across the board that, quite frankly, if a vote was held on this bill today, I am confident would pass with a large bipartisan majority. But as long as we are going to play political games and as long as we are going to hold up legislation, we will never get to the point where we can do what is right by the American people.

I urge we get to work and get it done. I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. WHITEHOUSE). The clerk will call the roll.

Ms. COLLINS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. COLLINS. Mr. President, earlier today I voted against invoking cloture on the motion to proceed to a 6-month spending bill, a stopgap measure, and I wish to explain to my colleagues and my constituents why I voted that way.

I am deeply disappointed that the Senate has been unable to complete the annual appropriations bills on time before the start of the new fiscal year. This is a failure that only reinforces the public's perception of gridlock in Washington. It is not as if the start of a fiscal year is a surprise to Members of this body. It happens every year on October 1. We know the spending authority is going to run out and we know one of the most important responsibilities of the Congress is to pass the appropriations bills.

While the House of Representatives has managed to pass 7 of the 12 annual spending bills, the Senate majority leader regrettably has not brought a single regular appropriations bill to the Senate floor for consideration.

It is important to note that the Senate Appropriations Committee did its job. Thanks to the leadership of Chairman INOUE and Vice Chairman COCHRAN, we have reported 11 of the 12 appropriations bills, in many cases with strong bipartisan support. For example, as the ranking member of the Appropriations Subcommittee on Transportation, Housing and Urban Development, and Related Agencies, I worked very closely with the subcommittee's chairman, Senator PATTY MURRAY, to craft a truly bipartisan bill for fiscal year 2013. The T-HUD bill strikes a balance between thoughtful investment and fiscal restraint. In fact, this bill honors an allocation that is nearly \$14.5 billion or 22 percent less than fiscal year 2010 levels. These deep cuts reflect an even deeper commitment to getting our fiscal house in order.

I am proud of the work Senator MURRAY and I did on this bill and the strong bipartisan vote of 28 to 1 this bill received from the Appropriations Committee this past April. Like our bill, the Agriculture appropriations bill, the Commerce, Justice, and Science bill, the Department of Defense bill, Energy and Water, Homeland Security, Legislative Branch, Military Construction and Veterans Affairs, and the State Department and Foreign Operations bills were all reported from the Appropriations Committee on a bipartisan basis.

In putting together all of these bills, the Appropriations Committee functioned the way committees are supposed to function. We worked together to develop thoughtful and fiscally responsible bills that could be brought to the full Senate for consideration, debate, amendment, and, most likely, passage. But, instead, not a single one of those bills—not even those bills for

which the counterpart had been passed by the full House—was brought to the Senate floor.

I am very disappointed that House and Senate leaders have announced that rather than consider and complete these appropriations bills, they would instead kick the can down the road by passing a 6-month stopgap funding bill. The House has done just that and will soon leave town.

With 2 weeks left in the fiscal year, it is still not too late. There is no reason why the individual spending bills could not be brought to the Senate floor, allowing Senators to offer amendments and letting the Senate work its will on this important constitutional responsibility. Given the state of our Nation's economy and the need to ensure that tax dollars are wisely and appropriately spent, it is simply unacceptable that we would agree to put our government on autopilot for the next 6 months rather than working together to establish priorities, make the tough choices to evaluate programs, and to restrain spending.

Long-term continuing resolutions such as the one we are about to consider represent an abdication of our responsibility and often end up with government departments and agencies, particularly the Department of Defense, incurring additional costs due to delays and uncertainty. Think how difficult it is for Federal managers to decide whether they can enter into long-term contracts to consider changes in programs, to manage the dollars they have, when they don't know what is going to happen 6 months from now. In some cases we do even shorter continuing resolutions that create chaos and additional costs throughout the Federal Government.

As our Nation struggles to recover and to regain its economic footing, we must provide more certainty by completing appropriations bills on time. I am extremely disappointed this did not occur for fiscal year 2013 and, therefore, I will continue to oppose the continuing resolution to protest what I believe is a failure of leadership.

Let me be clear: I do not support a government shutdown, but it is unacceptable that not a single one of the regular appropriations bills has been brought to the Senate floor for consideration. Indeed, it has been more than 3 years since the Senate has passed a budget. This is simply wrong. We must do our work. The American people deserve better.

CYBER SECURITY

Ms. LANDRIEU. Mr. President, I rise as chairman of the Homeland Security Appropriations Subcommittee to engage with the ranking member of the subcommittee to clarify some apparent confusion on the continuing resolution provision regarding cyber security.

The language in section 137 of this continuing resolution regarding cyber

security is explicit and clear. The phrase that is apparently in question refers solely to improvements in the Federal Network Security program.

Federal Network Security is a limited program that provides security systems on Federal government networks.

No funds or language expand any Department of Homeland Security authorities.

And, none of the funds or language in section 137 have anything to do with regulation of private sector infrastructure, and we have confirmed that in writing with the Department of Homeland Security.

Without this provision, the program will be suspended due to lack of available funding and the monitoring of Federal civilian networks will be delayed by as much as 6 months, leaving them vulnerable to infiltration and subsequent breach—and that is all we are trying to prevent with this provision.

Federal systems are increasingly targeted by individuals, sophisticated criminal organizations, and nation states that desire to do us harm. There were 106,000 cyber security incidents on Federal and other systems reported in 2011. We should not postpone critical investments to secure Federal systems.

I should also add that this provision is an abbreviated version of what is contained in both of the House-passed and Senate-reported Fiscal Year 2013 Department of Homeland Security Appropriations bills—something our Committees have been working on all year.

I will now yield to the subcommittee's distinguished ranking member, who I believe agrees with this clarification.

Mr. COATS. I concur with the clarification of my distinguished colleague from Louisiana on the continuing resolution funding and language regarding cyber security.

I strongly support the inclusion of this provision and see it as essential, but also limited in scope to only the securing of our vulnerable Federal civilian networks.

There is clearly disagreement about the best way to address cyber security more broadly, but that is a completely separate issue from the provision in this continuing resolution.

As a result, I want to make it very clear to my colleagues that this provision does not intrude upon the authorizers' jurisdiction, enable a new Executive order on cyber security, or fund new actions to regulate private sector infrastructure in any way.

Again, I thank the Chairman for yielding to me on this issue, and I yield the floor.

Ms. LANDRIEU. I thank the ranking member for his concurrence. I concur with his remarks.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. JOHANNIS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHANNIS. I ask unanimous consent to speak for 5 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNIZING NEBRASKA HEROES

Mr. JOHANNIS. Mr. President, I am here today to recognize two incredible heroes from Blue Hill, NE, for their courageous actions amidst a terrible tragedy.

On September 5, an accident between a schoolbus and a semitrailer claimed the lives of four members of this close-knit farming community in Webster County, NE. My thoughts and my prayers continue to be with the victims, their loved ones, and the entire Blue Hill community during this very tragic time.

But through the sorrow of this terrible tragedy, a story has emerged that truly epitomizes the word "hero." As one Nebraska newspaper said:

By the grace of God, not all of the kids riding the bus home from school [have been] buried. But their fates could have been much different, if not for two guardian angels.

There were five other students riding the bus on that day who, because of the selfless actions of two brave men, are still alive today. Ron Meyer and Phil Petr arrived on this horrific scene just moments after the crash. Immediately, the two bravely ran onto the burning bus, risking their own lives to save the lives of others. They swiftly and courageously pulled five children to safety. A nearby rancher who witnessed their actions said he is sure the five survivors would have encountered a much different fate had Ron and Phil not been there that day. They are guardian angels whose heroic actions will never be forgotten.

There were other heroes who arrived on the scene and acted quickly to provide care—first responders who also deserve to be commended. First responders risk their lives to save others each and every day, just as our gratitude to them should be expressed throughout the year. But special recognition is owed to average citizens who happen upon horrific scenes and take heroic action.

Although Ron and Phil would never ask for it, many in this community have called for their heroism to be recognized and to be honored, and I could not agree more. Their willingness to risk their own lives to save others serves as a source of inspiration for all of us.

I am honored to call them my fellow Nebraskans, and I want to personally

thank them. I thank them for their courage and their selflessness.

Acknowledging their heroism in no way lifts the grief and the sorrow that gripped the community and our State after this crash.

I pray that God brings peace and healing to all those who have been affected. But because of Ron and Phil, my prayer is also a prayer of gratitude.

I thank God for these heroes. I know that no recognition can adequately convey the gratitude felt by the families of the five children whom they saved from that burning bus.

Mr. President, I stand before you today on behalf of the Blue Hill community and all of my fellow Nebraskans to offer my deepest appreciation to Ron Meyer and Phil Petr.

May God bless them and God bless all those affected by this terrible crash.

I thank the Chair.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BENNET). Without objection, it is so ordered.

Mr. REID. Mr. President, we are trying to work through and finish all the issues we need to address before we can finish this work period. I wish to make it very clear to everyone, as I said a couple hours ago on the floor, that we can finish all our work tomorrow. But if we don't finish it tomorrow, we are going to continue to work on Friday, Saturday, Sunday, Monday, and Tuesday, until late in the afternoon.

We have to get done a few things that are important. I know there are a lot of things we aren't going to be able to do, but that has been the way it has been all Congress. I am prepared now to ask consent to move along on one very significant part of what we need to do. The consent I will read into the RECORD in just in a short time addresses voting on a continuing resolution we need to keep the government running. It addresses votes on very different concerns of others who have sought to hold up consideration on the continuing resolution. I believe, with this consent, we have gone that extra mile.

The junior Senator from Kentucky, Mr. PAUL, has been said to be holding up everything. We have two American Ambassadors, one to Iraq and one to Pakistan, and one would think we should be able to get this done. We have had something extremely important sponsored by, I think, 81 Senators, a containment resolution relating to Iran. So without belaboring the point, I have worked things out with Senator PAUL, and we are going to have a vote on something he has wanted a vote on for a long time. We can do that.

I explained to a few Republicans earlier today—in fact, some last night—that I was working with Senator PAUL and I think we have done that. He has been reasonable, and even though ideologically I sometimes disagree with him, I have always found him to be someone I can talk to. So I will be terribly disappointed if this person, whom it has been said by the Republicans appears to be holding up everything, now isn't holding up everything and that the Republicans, if there is an objection to this, are just hiding behind him because there is no reason we shouldn't be able to move forward with this legislation.

UNANIMOUS CONSENT REQUEST—S. 3576, S.J. RES. 41, AND H.J. RES. 117

Mr. President, I ask unanimous consent that notwithstanding cloture having been invoked, at a time to be determined by me, after consultation with Senator MCCONNELL, it be in order and the Senate proceed to the consideration of S. 3576, which is the legislation I have just referred to by Senator PAUL, the text of which is at the desk; that there be up to 60 minutes of debate, equally divided between Senators PAUL and KERRY or their designees; that upon the use or yielding back of that time, the Senate proceed to vote on passage of the bill; that the vote on passage be subject to a 60-vote affirmative threshold; that if the bill does not achieve 60 affirmative votes, it be considered as having been read twice, placed on the calendar; that following the vote on passage of that legislation, S. 3576, the Senate proceed to the consideration of Calendar No. 418, S.J. Res. 41; that there be up to 60 minutes of debate equally divided between Senators KERRY and PAUL or their designees; that upon the use or yielding back of that time, the Senate proceed to vote on passage of the joint resolution; that if the joint resolution is not passed, it be returned to the calendar; that following the vote on the joint resolution, the Senate resume consideration of H.J. Res. 117, the continuing resolution; that the motion to proceed be agreed to, there be up to 60 minutes of debate, equally divided between the two leaders or their designees prior to a vote on passage of the joint resolution; that the vote on passage be subject to a 60-vote affirmative threshold; that following the vote, the majority leader be recognized; and, finally, that no amendments, motions or points of order be in order during the consideration of these measures.

The PRESIDING OFFICER. Is there objection?

Mr. KYL. Mr. President, reserving the right to object, I appreciate the majority leader's attempt to put several of these items together. I would note that our side has only had a little over an hour to try to work this through our membership. I know there is one objection that I will need to

interpose, but I would encourage the majority leader to meet with Senator MCCONNELL when he is available so they can continue to work on this as a potential way to proceed. But at this time, on behalf of Senator JOHN MCCAIN, I will interpose an objection.

The PRESIDING OFFICER. Objection is heard.

Mr. REID. Mr. President, to everyone within the sound of my voice, I say again, we shouldn't be surprised. Even though there had been all this focus on Senator PAUL, that he was holding up everything, that is not the way it is. He is not holding up everything. It is the Republicans.

All this has been cleared on my side. It is unfortunate. We will continue to work to reach an agreement. We need to move this vote on the CR. Unless we have some agreement, it is going to occur at 8:45 tomorrow night, which is when the 30 hours expires. So I think we need to continue to see if we can work our way through the logjam the Republicans have put up here.

If nothing happens, we will be out of here in a little bit tonight and proceed to vote tomorrow night. But RAND PAUL is not holding up things, as has been rumored around here for weeks.

UNANIMOUS CONSENT REQUEST—H.R. 8 AND S. 3412

Mr. President, on July 25, the Senate conducted two important votes on dealing with the so-called fiscal cliff. That day the Senate voted on extension of the tax cuts enacted in 2001, 2003, and 2009. Democrats, and a majority of the Senate, voted to extend tax cuts for 98 percent of American families while at the same time reducing the deficit by \$1 trillion over 10 years. Republicans, on the other hand, insisted on a vote on their plan—a plan that provided tax breaks averaging \$160,000 for millionaires at the same time it increased taxes by \$1,000 for 25 million American middle-class families. On July 25, we held votes on those two plans. The Senate voted down the Republican plan on a bipartisan basis by a vote of 45 to 54. The Senate passed the Democrats' plan by a vote of 51 to 48.

Since then, the House of Representatives also voted on this matter and the House sent the Senate its revenue measure. Now that we have had the debate and the votes, it is time to go to conference with the House. The Senate has voted and so has the House. It is time for us to resolve our differences. We believe the tax extenders should not apply to people making more than \$250,000 a year. We should extend them for people making less than \$250,000 a year. So let's have a conference on this. This process would be important.

Unfortunately, I am sorry to say, my Republican friends often place roadblocks in the way of routine Senate business. This is simply routine. Just last week, Moody's said it would prob-

ably cut America's credit rating if congressional leaders couldn't reach an agreement to address the fiscal cliff and produce long-term deficit reduction. The bill the Senate passed in July is a big part of dealing with that fiscal cliff and the American people deserve their leaders to move to advance this legislation, and that is why I am going to ask the following consent, which is simply going to conference on a bill that has passed the House and a bill that has passed the Senate.

I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 502, H.R. 8; that all after the enacting clause be stricken and the text of S. 3412, a bill extending the tax cuts I have referred to in 2001, 2003, and 2009 for 98 percent of Americans and 97 percent of all small businesses, which passed the Senate on July 25, be inserted in lieu thereof; that the bill, as amended, be read a third time and passed; the Senate insist on its amendment, request a conference with the House on the disagreeing votes of the two Houses; and the chair be authorized to appoint conferees on the part of the Senate, consisting of the membership of the Finance Committee; with all of the above occurring with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. KYL. Mr. President, reserving the right to object, I ask unanimous consent the agreement be modified so that rather than amending H.R. 8, that bill—namely H.R. 8—would be considered read a third time and passed. This request would let that bill go directly to the President's desk.

The PRESIDING OFFICER. Is there objection to the modification?

Mr. REID. Mr. President, I hope the RECORD can pick up the smile on my face. Why in the world—when the Senate has already acted, with a majority of the Senate saying we do not believe there should be taxes extended to the rich; that we believe in protecting the middle class—would we agree to extending all these tax cuts? We can't do that. That was a bipartisan vote set out in the Senate. That was the Senate's position.

We are asking simply to go to conference on the Senate's position. The other side is insisting the minority position prevail. That is an unusual situation and that is not the way democracy in America works. So I would not accept his modification to my request.

The PRESIDING OFFICER. Is there objection to the Senator's original request?

The Senator from Arizona.

Mr. MCCAIN. Reserving the right to object, the unanimous consent request of the majority leader is that we have 60 minutes, equally divided, in a vote on the Rand amendment. Is that part of the unanimous consent?

Mr. REID. It would be 60 minutes on the amendment, equally divided be-

tween Senator KERRY and Senator PAUL. If the Senator wants more time, and we are not doing much now, we could have more time.

Mr. MCCAIN. I would hope the majority leader would have some understanding that we are talking about cutting off aid to several countries that are allies which could have an incredible effect on the entire Middle East. The majority leader wants to have 60 minutes, equally divided, on a measure that, if passed, would have the most Draconian effects on the entire Middle East, a part of the world that is in turmoil now. The majority leader wants to have 60 minutes, equally divided, and with no amendments, obviously, as it is the majority leader's practice not to allow any amendments. I may want to have a side-by-side. This is an issue of the utmost gravity and the utmost importance and the majority leader wants to have an hour, equally divided.

It is absolutely mind-boggling, and I think if we are going to cut off all aid to several of our allies, including the Camp David agreements which call for aid to Egypt, including an ally in the region called Libya where we just lost our brave Ambassador—and the majority leader wants to have 60 minutes equally divided and with no one allowed to have any amendments, second degree, side-by-side, and then says Republicans are at fault?

I say to the majority leader, I have watched this Senate deteriorate in a way that is almost spectacular. Here we are on the day before the majority leader wants us to go out of session, and we are supposed to just have a vote on an amendment that has the most profound effect on this Nation's security, with 60 minutes equally divided.

I don't have a smile on my face, I tell the majority leader. I have a look of incredulous dismay and disgust.

Mr. REID. Mr. President, it would seem to me that the Senator's concern should be directed toward Senator PAUL, not me. It sounds to me he may vote against the Paul amendment from what I have heard. If he is that concerned about it, I think we should get it up, and if we want more time, we could have more time on it. But at this stage, no amendments would be called for, and I think we should vote on the Paul amendment.

I think it is pretty clear as to what has gone on this past Congress. When the Republican leader says his No. 1 issue is to make sure Obama doesn't get reelected, I think that probably is what has held up this Congress from doing all kinds of things.

Now, let me rewind. Since I have been the majority leader—which has been 6 years—we have had to try to overcome 380 Republican filibusters. This is two now. During the same period of time—6 years—that Lyndon Johnson was President—and he was majority leader before he became President—he had to file cloture once.

My friend from Arizona and I have served together now 30 years in the Congress. His agitation should not be directed toward me. They are the ones holding up hundreds of bills in the Energy Committee and basically everything we have tried to do because their No. 1 goal, if they follow their leader—and they have done a pretty good job doing that—has been to make sure the country is in such a shape that maybe they may get lucky and have Governor Romney elected.

So if there is going to be objection by the assistant majority leader, I understand that. But don't be blaming RAND PAUL for everything being held up.

Here is what we have held up, and I will mention it just briefly. Wouldn't it be nice if America had an ambassador to Iraq? Wouldn't it be nice if America had an ambassador to Pakistan? Wouldn't it be nice if a piece of legislation that has 81 cosponsors dealing with the Iran containment resolution, that we could vote on that?

So as I have indicated—and this will be the third time today—we have work to do—not a lot but we have work to do. One is to pass the continuing resolution, and we will do that. We can either do it the hard way or the easy way. As you know from the vote on the motion to proceed to that, there is overwhelming support for that. That is as bipartisan as anything could be. The Speaker and I worked on this with our staffs, and we came up with something I think is pretty fair. So we are going to pass that. If the Republicans want to stall on that like they have on everything else, they can do that. But we are going to finish this.

The American people need that done, and we are going to get it done. It may take a vote on Saturday, it may take one on Sunday, but we are going to finish the CR. So everybody should understand we are not going anywhere. My No. 1 place to go is the Senate. That is my life, the Senate. So I am going to be here and make sure that we do as much of the people's business as we can, in spite of their No. 1 goal being to defeat Obama rather than trying to legislate for the American people.

As I understand it, the request that I made has been objected to, and the request of the Senator from Arizona has been objected to; is that right?

The PRESIDING OFFICER. The majority leader's original request, H.R. 8, has not been objected to.

Mr. KYL. And the leader is right with regard to intentions. His intention was to object to my request; mine is to object to his request. That is correct.

Mr. REID. So we have dual objections.

The PRESIDING OFFICER. Objection is heard.

The majority leader.

UNANIMOUS CONSENT REQUEST—
H.R. 9 AND S. 321

Mr. REID. Mr. President, last month the Senate Finance Committee re-

ported bipartisan legislation on what are called the tax extenders.

The Finance Committee tax extender legislation addresses a significant part of the so-called fiscal cliff. The Finance Committee bill would extend relief from the alternative minimum tax through 2013. It would extend tax incentives for renewable energy and energy conservation through 2013, and it would extend through 2013 the traditional extenders, among which are the R&D tax credit, the State and local sales tax deduction, and the tuition deduction.

The Finance Committee reported that bill with a strong bipartisan vote of 19 to 5. The bill cuts taxes by \$205 billion. It cuts taxes by \$143 billion in fiscal year 2013 alone. Passing this bill today would help remove some of the uncertainties surrounding tax policy. Passing this bill today would help our economy. Passing this bill is the least we should do now.

So I ask unanimous consent the Senate Finance Committee be discharged from further consideration of H.R. 9; that a Baucus amendment, which is at the desk, the text of which is identical to S. 3251, the Family and Business Tax Cut Certainty Act of 2012 as reported by the Finance Committee, be agreed to; that the bill, as amended, be read a third time and passed, the motions to reconsider be laid upon the table with no intervening action or debate, and any statements related to the bill be placed in the RECORD at the appropriate place as if read.

The PRESIDING OFFICER. Is there objection?

Mr. KYL. Mr. President, reserving the right to object, it is our view that the extension of many provisions of the Tax Code, which is the subject of the leader's request, makes some sense if we extend all of the provisions of the Tax Code we can.

With that in mind, I ask that the consent be modified so that the text of House-passed bill H.R. 8 be added to the substitute referred to by the leader; further, that the bill then be read a third time and passed as amended.

Mr. REID. Mr. President, we have already reached that position. That is not how things work in a democracy or, I doubt, anywhere else. So I object to my friend's suggested modification.

The PRESIDING OFFICER. Is there objection to the original request?

Mr. KYL. We would also then object to the original request.

The PRESIDING OFFICER. Objection is heard.

Mr. MCCAIN. Mr. President, would the majority leader yield?

Mr. REID. Sure.

Mr. MCCAIN. Mr. President, I am not against the Rand Paul amendment being voted on by the Senate. I do object to an hour equally divided. I object to the fact that we do not have either side-by-side or second-degree amend-

ments, which is the normal parliamentary procedure.

Since the majority leader had to inject the "No. 1 objective is defeat Barack Obama" routine again, I would like to point out this is the least productive Congress since 1947; that for the first time in 51 years we are not taking up the Defense authorization bill; for the first time in 51 years, when we are fighting a war in Afghanistan, that we can't find the time in the Senate to take up the bill that is so important to the security of this Nation.

So the majority leader shouldn't be proud of his record, as he mentioned, including the fact that this Congress is the least productive since 1947. But most of all, in 50 years—in 50 years—we have not taken up the Defense authorization bill that we have taken up for 50 years because other majority leaders who set the calendar have understood its importance to the men and women who are serving in the military and our national security.

I again urge that instead of this back-and-forth and mutual objections and nothing getting done around here—I know and the majority leader knows we could take up the Defense authorization bill and get it done in a matter of a few days, and we could have since June. But instead we do this back-and-forth, which makes us the least productive Congress since 1947, with an approval rating by the American people that deservedly is in the single digits.

So I repeat: I would be glad to enter into a unanimous consent agreement on the Rand amendment, although I would also tell the majority leader that we may now be establishing a precedent that one Senator can hold up the entire Senate until that Senator gets the vote he is demanding.

I could hold up the Senate and demand a vote on the National Defense Authorization Act, which was reported to this body in June. Senator KYL could hold this body hostage for a vote because of the various pieces of legislation they have. I am not doing that, but I am saying when we are looking at an issue as serious to this Nation's security as cutting off all aid in one fell swoop without even amending, or with an hour of discussion, I think it is almost incredible that we would consider such a parliamentary procedure when we are talking about what is at stake.

So I hope we can work out an agreement. I don't feel like staying here this weekend either, but I also have some concern about the safety and security of the men and women who are serving in our diplomatic corps overseas because if that amendment did pass, I guarantee you, you would see a reaction in these countries if we announce arbitrarily that we are cutting off all aid to them.

So I think we ought to understand the consequences of the Rand amendment, and it probably would take more than an hour equally divided.

I thank the majority leader for listening.

Mr. REID. Mr. President, to my friend—and he is my friend for whom I have admiration and respect—the senior Senator from Arizona makes my case. He is absolutely right. This is, I am sorry to say, the least productive Congress perhaps ever. Why? Because everything we have tried to do they have objected to. Everything.

Once in a while we are able to work together to get something done, but he has made my case for me, absolutely, because their No. 1 goal has been to defeat the President of the United States for reelection.

Now, we have had a lot of debates. Senator PAUL has been here many times talking about this issue. I have no lock on wisdom around here. There are a lot of people who have much more wisdom than I do. But I do have the obligation to try to move legislation along on things that we have to work on here. If people want more time on this, fine. I have worked with Senator PAUL. He has agreed to this. If there are some reasonable changes, I will agree to those. I am not locked in. But whoever wants to do this, I would suggest they go to Senator PAUL, not to me. I am happy to be a conduit to try to get something done that is reasonable and fair.

If an hour is too short, we haven't been doing much today, there is plenty of time to debate legislation. So I am happy to do that.

Mr. President, I understand the rules of the Senate fairly well. This is not the first time a Senator has held things up. I came here during the days of the Senator from Ohio, Howard Metzenbaum, and he was pretty good at slowing things down and holding things up. Jesse Helms was really good at it, and we have had a number of others.

So as I have said on the Senate floor, I think we should change some rules around here. I am not for getting rid of the filibuster. I don't want to get rid of the filibuster, but we need to change the filibuster rule. Why should we have, on every piece of legislation, a motion to proceed? It takes the Senate a week to get on a bill when a single Senator objects to it. That doesn't sound very good to me.

I hope with a new Congress we can change some of the rules around here. But I am happy to work with my friend from Arizona. I know he is someone who travels the world. He has been in the forefront of changes that have taken place in this world. I understand his concern about this legislation.

If he has something else he thinks might work better than this, talk to Senator PAUL. I am always reachable, any time of the night or day.

Mr. KYL. Mr. President, might I make a response to the leader?

Mr. MCCAIN. I believe it is not Senator PAUL who sets the parameters for

how many hours of debate and amendments and others; I believe it is the majority leader. Could I talk to the majority leader about how long the debate should be or whether we can have amendments? That is all I am saying.

Mr. REID. I will say this so it will save a lot of trouble for anybody. We are not going to have amendments to this. Amendment days are over. We have been blindsided many times on amendments.

I will be happy if my friend can come up with something that will allow maybe a side-by-side or something. I will be happy to do that. I am open to negotiations in any way that is reasonable. If someone does not want to contact RAND PAUL, I will—if somebody feels awkward doing that, I do not. I feel totally free to talk to any Senator about anything. That is why I reached out to RAND PAUL.

Mr. KYL. Mr. President, if I might continue, I think the point is this unanimous consent was made before everyone had been fully consulted. I appreciate the leader is trying to move things along, but it does illustrate the proposition that everyone needs to be consulted so the question of time and potential other considerations could be dealt with. I suspect, through the leader's good offices, that will be done this evening and tomorrow morning. Perhaps something can be worked out, as I said when I interposed my objection.

But one point I wanted to make is this. The objection I interposed on behalf of Senator MCCAIN tonight has nothing whatsoever to do with the Romney campaign against President Obama. We just heard my colleague, Senator MCCAIN, talking about the concerns he has cutting off aid cold turkey to some very important countries in the world in the middle of a crisis.

Who will be another speaker raising those same concerns tomorrow? Our Democratic colleague, Senator KERRY. This is a bipartisan question of whether this is the right policy for our country. I suspect the Obama administration and the President himself would generally be supportive of the position expressed by Senator MCCAIN and Senator KERRY.

I wish we could have a conversation around here, just once, without having it portrayed as some kind of partisan political exercise. This is not a partisan political exercise. It is a question of reasonable people having different views about what the best policy is, and the lives of Americans are on the line so it needs to be considered carefully, thoroughly, and with other options possibly being raised. That is what my colleague Senator MCCAIN is saying. That is why I interposed the objection on his behalf.

I do think, if the parties can get together tonight, tomorrow, potentially work out a way to approach the issue

so it can be debated for the appropriate length of time and any alternatives presented, then we could move on with things. But let's do it in the context of the issue before us, not suggesting it has something to do with the Presidential campaign because that would be incorrect.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, the reason I went into that is because my friend Senator MCCAIN talked about how little we have accomplished. I didn't bring that up. I indicated why we have accomplished so little.

I also say to my two Republican friends who are on the floor—there are three actually—this: The resolution, a piece of legislation that Senator PAUL is putting forward, I am not going to vote for it. Senator PAUL knows that. Democrats are not going to vote for this. The problem is the Republicans are split, not us. They are split. Their own caucus is split on what to do with the Paul amendment, not us.

I am happy to work with everybody. I have conferred. I say to the Republican assistant leader, I talked to my leadership team this morning. I talked to my caucus today about this. Republicans have a caucus the same time we do and they knew, and they knew before the caucus because everybody knew, what was going on with this. It was no secret. I talked to Republican Senators before their caucus. This is no surprise.

The hour time I put was arbitrary. I acknowledge that. If somebody wants more time to debate this issue, I am fine. I don't care.

I appreciate my friends' involvement, both of them.

The PRESIDING OFFICER. The Senator from Iowa.

DISCLOSURE OF TAX RETURNS

Mr. GRASSLEY. Mr. President, as a matter of senatorial courtesy, since I am referring to some things that the majority leader has said previously, not recently but previously, I have informed him of what I was going to say.

On August 2, the majority leader decided that the valuable time of this body would be best employed by speculating on the contents of the tax returns of Presidential candidate Governor Mitt Romney. These remarks also touched on the vetting process of the Senate Finance Committee. It is that aspect of this to which I want to refer.

As a senior member of the Finance Committee as well as former chairman and ranking member, I have come to familiarize my colleagues with the committee's vetting process.

On Thursday, August 2, the majority leader exclaimed:

As we know, he has refused to release his tax returns. If a person coming before this body wanted to be a Cabinet officer, he couldn't be if he had the same refusal Mitt Romney does about tax returns.

This statement demonstrates a misunderstanding of the confirmation process for Cabinet officials and the Finance Committee vetting process in particular. The fact is, most prospective Cabinet officers do not need to disclose their tax returns. Actually, no prospective Cabinet officer is required to make their returns public in ordinary circumstances. To my knowledge, the Finance Committee is the only committee that asks nominees to provide copies of tax returns. Specifically, the Finance Committee asks that nominees provide copies of their last three Federal tax returns. The committee may request further returns if it is warranted by the circumstances of that particular time.

The committee asks for this information for a few reasons. To begin with, many nominees referred to the Finance Committee, such as the Secretary of Treasury and the Commissioner of the IRS, will be able to exercise significant influence over tax policy and administration. Additionally, the examination of a nominee's tax return sheds light on the nominee's character. Over the last few years, several high flyers in the Obama administration have come up short when measured by their tax returns. Therefore, the vetting process utilized by the Finance Committee has received a lot of attention.

Only two Cabinet officers and one position with the status of Cabinet rank are referred to the Finance Committee. These are the Secretaries of Treasury and the Department of Health and Human Services, as well as the U.S. Trade Representative. As I said before, to my knowledge, the Finance Committee is the only committee of the Senate to request copies of actual tax returns. This means that not counting the Vice President, there are 19 members of the Cabinet who do not release their tax returns during the Senate confirmation process.

As I said, no Cabinet official is required to make his or her tax returns public. This goes to the details of the Finance Committee's vetting process. All nominees referred to the committee are required to submit copies of their last three filed tax returns. These copies, along with other financial data, are shared with a very limited number of staff, specifically designated by the chairman and ranking member of the Senate Finance Committee.

While being reviewed, the returns themselves are kept under a very tight control. Most staff for the committee and ranking member do not have access to the tax returns. Neither the chairman nor the ranking member may unilaterally release the tax returns or information obtained from those tax returns. This means that even when I was chairman of the committee, rules prohibited me from unilaterally releasing a nominee's tax return or even making public that nominee's specific tax information.

When an issue is identified pertaining to a nominee's tax information, the chairman and the ranking member jointly determine how to proceed. Information is only released under bipartisan agreement and after consultation with the nominee.

For example, Secretary Geithner was given the opportunity to withdraw his nomination before the world learned of his failure to pay all his taxes. He was also provided an opportunity to review the bipartisan memo the committee eventually released.

In sum then, no nominee vetted by the Finance Committee needs to make their tax returns public, and in the majority of the cases no information is released. Additionally, the purpose of the vetting is not to damage the credibility of the nominee. I bet those seeking Governor Romney's tax returns are operating under a completely different standard. I especially find it interesting that the majority leader compared Governor Romney to Cabinet officials when speculating as to the contents of Governor Romney's returns. There seems to be an implication that a discovery of unsatisfied tax obligations would be problematic to the leader. While the majority leader may want to speculate as to whether Governor Romney has paid his taxes, there are nominees and officials of the current administration we know did not completely satisfy their tax obligations.

I will start this trip down memory lane with our current Treasury Secretary. Due in large part to his failure to pay self-employment taxes, irregularities in Mr. Geithner's returns added up to his owing a total of \$48,268 in taxes and interest to the IRS. Those seeking a full accounting of the episode may read the bipartisan memorandum prepared by the Finance Committee, which is part of the record of his January 2009 nomination hearing. As I said, we don't need to speculate whether Secretary Geithner completely paid his taxes. We know as a fact he did not, to the tune of over \$48,000.

Secretary Kathleen Sebelius disclosed that in preparation of her confirmation she filed amended tax returns for 2005, 2006, and 2007. She voluntarily made this information public in the form of a letter to Chairman BAUCUS and me. This letter was printed in the record of her nomination hearing. The result of those amended returns was that she paid a total of \$7,040 in additional taxes and \$878 in interest to the Internal Revenue Service.

Finally, I wish to mention former Senator Tom Daschle, who was the administration's nominee to be Secretary of HHS for a brief period of time in 2009. Although Mr. Daschle withdrew his nomination before the committee held a hearing on his nomination, it was widely reported, including in the New York Times and the Los Angeles Times, that he failed to pay more than

\$128,000 in taxes in the 3 years prior to his nomination.

In mentioning Secretaries Geithner and Sebelius and Mr. Daschle, I am not suggesting anything beyond the reported facts of their circumstances or that their tax errors were intentional. I just want to remind the majority leader of these situations where it is not necessary to speculate on whether taxes were owed.

While I appreciate the leader's newfound attention to the Finance Committee's vetting process, I wish to assure everyone has clear understanding of how this vetting process in the Senate Finance Committee works. I will be happy to discuss the committee's procedure with any interested colleague. I am sure Ranking Member HATCH and his staff would also be happy to discuss the process with anyone who was interested.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BEGICH). Without objection, it is so ordered.

A HIGHER STANDARD

Mr. REID. Mr. President, first of all, I extend my appreciation to the senior Senator from Iowa, Mr. GRASSLEY. He indicated he was going to say a few things about me and he told me beforehand, and I appreciate that. That is the way the Senate should operate. So I appreciate very much my friend from Iowa doing that.

He came to the floor and, in effect, said that I said—I have said it on a number of occasions, but he picked one date—that Governor Romney could not be confirmed as a Cabinet officer because to be a Cabinet officer, you have to give at least 3 years of your tax returns. Sometimes they ask for more. So my friend Senator GRASSLEY came to the floor and suggested he could be confirmed. Well, not really. The Senator from Iowa conceded my point. Mitt Romney could not be confirmed for Treasury Secretary. He could not be confirmed as Secretary of Health and Human Services. He could not be confirmed as Trade Representative. He could not even be confirmed as Assistant Secretary of the Treasury for Public Affairs and a number of other positions.

But there is a larger point to be made here. And why they would bring this up again I do not know, but they did. But there is a larger point to be made here. When you are running for the highest office in the land—President of the United States—you are also held to a higher standard of conduct than someone who wants to be a Cabinet officer or sub-Cabinet officer who gives us their tax returns.

The least Mitt Romney owes the American people—the least he owes them—is some honesty and openness. That we do not have.

The Senator from Iowa is correct about one thing—and this is what he said: The contents of a candidate's taxes do speak volumes about his character. That is what Senator GRASSLEY said, and I agree with him.

Let's not forget, Mitt Romney could solve this problem tomorrow—tonight—by releasing his tax returns, which he refuses to do. Why?

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, the week of September 17th marks the third annual celebration of Congress Week, sponsored by the Association of Centers for the Study of Congress. The Association is an independent alliance of institutions that preserve the papers of Members of Congress and use those papers to promote the study of Congress.

Congress Week's theme this year is "Congress: Chosen by the People." Congress is the only branch of the Federal Government that is elected by the people. It is important, as Members of Congress, to manage and preserve our own papers for future historical research and study of our democracy.

Mr. President, I ask unanimous consent that a letter from the President of the Association of Centers for the Study of Congress and the Chair of the Congressional Papers Roundtable about Congress Week be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

SEPTEMBER 2012.

DEAR MEMBER OF CONGRESS: In honor of Congress Week (16-22 September 2012), the Congressional Papers Roundtable (CPR) and the Association of Centers for the Study of Congress (ACSC) encourage you to remember H. Con. Res. 307 (5 March 2008), "expressing the sense of Congress that Members' Congressional papers should be properly maintained and encouraging Members to take all necessary precautions to manage and preserve these papers."

Established in 1986, the Congressional Papers Roundtable is composed of members of the Society of American Archivists who work with or have an interest in the papers of members of Congress and the records of Congress. CPR provides a forum for discussing developments and developing guidelines in the preservation and management of congressional papers and records.

In 2003, ACSC was founded as an independent alliance of institutions and organizations that support a wide range of programs designed to inform and educate students, scholars, policy-makers, and members of the general public on the history of Con-

gress, legislative process, and current issues facing Congress. ACSC encourages the preservation of material that documents the work of Congress, including the papers of representatives and senators, and supports programs that make those materials available for educational and research use. The association also welcomes the participation of institutions and individuals committed to the goal of promoting a better understanding of Congress.

ACSC has sponsored an annual celebration of "Congress Week" since 2009. The central goal of this national initiative is to foster the study of the U.S. House and Senate, and to promote a wider appreciation for the vital role the legislative branch plays in our representative democracy. This year's theme, "Congress: Chosen by the People," is drawn directly from language in the Constitution and emphasizes that Congress is the only branch directly elected by the people. During Congress Week, ACSC members and participating organizations will feature a range of events including lectures and exhibits to highlight the role of legislative branch and the participatory role of citizens in registering to vote, staying informed on issues, and making one's opinions known to members of Congress.

Every day, the House and Senate make significant contributions to our nation's history. As a Member of Congress, the archival preservation of your papers is a long-lasting form of service to constituents in your state and throughout the nation. We urge you to embrace the tenets of H. Con. Res. 307:

(1) Members' Congressional papers (including papers of Delegates and Resident Commissioners to the Congress) should be properly maintained;

(2) each Member of Congress should take all necessary measures to manage and preserve the Member's own Congressional papers; and

(3) each Member of Congress should be encouraged to arrange for the deposit or donation of the Member's own noncurrent Congressional papers with a research institution that is properly equipped to care for them, and to make these papers available for educational purposes at a time the Member considers appropriate.

Documenting our democracy through the preservation of the record created by Congress is the work of many. In addition to the efforts of the National Archives, the endeavor involves the efforts of libraries, archival repositories, historical societies, and congressional and public policy centers in every state across the nation. We cannot succeed without you. Please take steps to preserve the historical legacy of your state and nation as represented in the records generated by your congressional office.

Sincerely,

LEIGH MCWHITE, CHAIR,
Congressional Papers Roundtable, Society Association of American Archivists and Political Papers Archivist, University of Mississippi.

SHERYL B. VOGT,
PRESIDENT,
Association of Centers for the Study of Congress and Director, Richard B. Russell Library for Political Research and Studies.

U.S. SENATE,

OFFICE OF THE SECRETARY,

Washington, DC, September 13, 2012.

Hon. HARRY REID,
Majority Leader, U.S. Senate,
Washington, DC.

DEAR SENATOR REID: The week of September 17, 2012 marks the third annual celebration of Congress Week, sponsored by the Association of Centers for the Study of Congress (ACSC). The ACSC was founded in 2003 as an independent alliance of institutions that preserve the papers of members of Congress and promote the study of Congress through the educational use of these collections.

This year's celebration builds on successful Congress Weeks in 2010 and 2011, observed by 35 member institutions around the country through lectures, film series, exhibits, and appearances by members of Congress. For Congress Week 2012, the ACSC and the Congressional Papers Roundtable would like to call attention to H. Con. Res. 307 (2008) by asking you to insert the attached letter into the Congressional Record.

As Chair of the Advisory Committee on the Records of Congress, I support this request because it encourages members of Congress to preserve their records and history.

Sincerely,

NANCY ERICKSON,
Secretary of the Senate.

TRIBUTE TO PHIL AND JENNIFER SATRE

Mr. REID. Mr. President, I rise to honor Phil and Jennifer Satre, who have spent more than 35 years as dedicated stewards of their community and champions for education. These college sweethearts are model parents, grandparents, philanthropists, and business and community leaders in northern Nevada. I am pleased that KNBP Public Broadcasting is recognizing the Satres with a special honor at the 15th Annual Aged to Perfection Tribute Dinner.

Phil Satre's work in Nevada began in 1975 with the local law firm Vargas & Barlett in Reno. Five years later, Phil started his career with Harrah's Entertainment, where he held various positions, including chairman and CEO, until his retirement in 2005. Phil was named Best Chief Executive in the Casino and Hotel Industries by the Wall Street Journal and was inducted into the Gaming Hall of Fame by the American Gaming Association, just two of his many outstanding honors and awards. Although Phil is retired, he remains active in the community, serving on boards such as the National World War II Museum and the National Center for Responsible Gaming, NCRG.

Jennifer Satre was the cofounder of the Satre Family Fund at the Community Foundation of Western Nevada. She has served the State on multiple boards, including the University of Nevada, Reno Foundation, where she was a board trustee from 2001 to 2006, board chair in 2006, and became a trustee emerita in 2007. Jennifer, a tireless advocate for education, taught at Peavine Elementary School in Reno for seven years, nourishing, developing,

and enhancing young minds to continue her legacy of great service to the community.

Due to their tremendous personal and professional success, together, Mr. and Mrs. Satre have generously supported the University of Nevada, Reno, and Stanford University, their alma mater. They continue their philanthropic legacy to the State of Nevada through the Satre Family Fund, the Phil and Jennifer Satre Harrah's Employee Scholarship Award, and other initiatives focused on community empowerment and the quality of education.

I am pleased to stand here today to recognize their remarkable contributions to the Nevada family. I am grateful to Phil and Jennifer for their exceptional service, community engagement, and love for the Silver State. You will forever be recognized as great champions for the State of Nevada.

TRIBUTE TO BILL CLINE

Mr. REID. Mr. President, I stand before you to recognize and honor Mr. Bill Cline for his dedication to the development and expansion of businesses in Nevada, across the United States, and throughout the world.

Bill's leadership was essential to the establishment and growth of two U.S. Commercial Service offices: the first, in Las Vegas in 2001, and the second in Reno in 2004. The offices have assisted and continue to assist small- and medium-sized business in northern and southern Nevada expand their international exports of products and services. Bill has led international initiatives to develop strong, sustainable growth and improve international trade advocacy with the United States. These initiatives have endorsed green building, renewable energy, energy efficiency, water conservation and recycling, all of which hold great potential for U.S. exporters.

Bill's dedication to his community is demonstrated by his 36-year commitment to public service, business development, and training. Though Bill retires on October 1, 2012, as director of the U.S. Commercial Service in Reno, I look forward to his continued contributions to the Silver State.

REMEMBERING OFFICER MARK A. TAULBEE

Mr. McCONNELL. Mr. President, I come to the floor to report to my colleagues some sad news. A brave Kentucky law-enforcement officer has fallen in the line of duty. Officer Mark A. Taulbee of the Hodgenville, KY, police department was killed on Sunday, September 16, when his police vehicle crashed during the pursuit of a suspect.

Officer Taulbee had been with the Hodgenville Police Department for 13 months. Prior to that, he had been a

deputy with the Butler County Sheriff's Department for 3 years. He is survived by his wife Elizabeth and two children, Audra and Austin.

Officer Taulbee upheld a great tradition of service and sacrifice that is observed by the many men and women in local, State, and national law enforcement across America. Our country owes them a debt of gratitude for putting their lives on the line to protect us and our communities.

Tragically, Officer Taulbee is the first and only Hodgenville police officer ever lost in the performance of his duty. Across America, 84 law enforcement officers have fallen in the line of duty in 2012. That includes two from the Commonwealth of Kentucky, out of a total of approximately 7,800 sworn law enforcement officers statewide.

I know my Senate colleagues will join me in sending my deepest sympathies to Officer Taulbee's family and his colleagues at the Hodgenville Police Department. We have the deepest admiration and respect for police officers in every community across America.

We recognize theirs is both an honorable job and a dangerous one. They bravely risk their lives for ours, and America appreciates everything they do. We cannot be grateful enough for them and their families.

Mr. President, a recent article appeared on the Web site of television news station WAVE-3 of Louisville paying tribute to Officer Taulbee and noting the loss felt by his fellow officers. I ask unanimous consent that said article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From WAVE3.com, Sept. 18, 2012]

HODGENVILLE POLICE CHIEF REMEMBERS FALLEN OFFICER

HODGENVILLE, KY (WAVE).—Services have been set for a Hodgenville police officer who died in the line of duty.

Officer Mark Taulbee, 44, had been a long-time law-enforcement officer in eastern Kentucky before moving to Hodgenville a little more than a year ago.

Despite being at the department a short time, the chief said Officer Taulbee had a lasting impact on the police force.

"Just like family. It's really hard," said Hodgenville Police Chief Steve Johnson. "We're very tight, and it's been a shock to all of us."

The police department of five now prepares to say goodbye to one of its own.

"I am thinking this is the only officer we've ever lost in the line of duty," Johnson said.

A makeshift memorial of crosses can be found where the crash happened.

Taulbee was chasing a suspect around 3:00 Saturday morning.

In the midst of the case, another call came into 911. "A lady said a police car had wrecked in front of her house and the officer was laying outside the vehicle," Johnson said.

Taulbee was rushed to a hospital. "His wife was working at Hardin Memorial Hospital

when he arrived. She's an X-ray technician," Johnson said.

It's believed that's the last time she saw him. He was then rushed to University of Louisville Hospital.

"My understanding was that he was on his way to surgery or to X-rays and his heart stopped. They did CPR but were unable to bring him back," Johnson said.

Johnson said his phone has been ringing non-stop with calls from across the country, offering support.

"Hopkinsville and Elizabethtown are going to send officers over to work the city so all my units can go to his funeral. I guess that's what's hitting us so hard. It's the suddenness of it. It's just hard," Johnson said.

Services for Officer Taulbee will be held at the Hodgenville Civic Center. Visitation is set for Thursday from 3 to 8 p.m. and Friday 9 a.m. to noon. The funeral will begin at noon on Friday.

The officer leaves behind a wife, a 20-year-old daughter and a 16-year-old son.

REMEMBERING GEORGE WASHINGTON "G.W." GRIFFIN

Mr. McCONNELL. Mr. President, I rise today to mourn the loss of a good man, an honored Kentuckian, and a dear friend. Mr. George Washington Griffin passed away on December 19, 2011, from complications of pneumonia at the age of 85. He is deeply missed by all those who knew and loved him.

George—known to his friends as G.W.—was a fixture of the Laurel County community and a leader in the region and the Commonwealth. A co-owner and former chairman emeritus of the Laurel Grocery Company, G.W. served on the National American Wholesale Grocers Board of Governors for two terms beginning in 1967. He was elected president of the Kentucky Wholesale Grocers Association in 1979, and the Kentucky Grocers Association/Kentucky Association of Convenience Stores honored Mr. Griffin as Kentucky Grocer of the Year in 1986.

When George retired from the grocery industry in 1997, he left the Laurel Grocery Company well positioned for success in the 21st century. Fellow members of the grocers industry across Kentucky honored G.W. as one of the original three inductees into the Kentucky Grocers Hall of Fame in 2005.

G.W. was born in East Bernstadt, KY, in 1926. He attended the Kentucky Military Institute, Wake Forest University, and the University of Kentucky. He served in the U.S. Navy during World War II and was decorated with the Victory Medal, the American Area Campaign Medal, the Asiatic-Pacific Area Campaign Medal, and the Philippine Liberations Ribbon.

G.W. was also very involved with the Cumberland Valley National Bank, Institutional Distributors, and played a role in the formation of Appalachian Computer Services in London. He also had a hand in Laurel Insurance Company and worked in the printing industry. In his spare time, G.W. loved UK athletics, rarely missing a home game.

G.W. was a close personal friend to me and a strong support of mine going back to 1984. I will always be thankful for his belief in me and his help over the decades. It was a pleasure to see him every time I made my way to London. I will miss our friendship.

Elaine and my prayers go to G.W.'s family, including his wife Elizabeth; his daughter and son-in-law, Elizabeth and Hal McCoy; his son and daughter-in-law, George William and Becky; his son and daughter-in-law, Winston and Shannon; his sister, Margaret Fouts; his five grandchildren; and many other friends and family members. G.W. was preceded in death by his parents, George W. Sr. and Willie Lee, and his brother William.

Mr. President, I ask my U.S. Senate colleagues to join me in mourning the loss of Mr. George Washington "G.W." Griffin and extending sympathies to the Griffin family. Kentucky is poorer for his loss.

An obituary detailing Mr. Griffin's incredible life appeared in the Laurel County-area publication the Sentinel Echo. I ask unanimous consent that said article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[The Sentinel Echo, Dec. 23, 2011]

GEORGE WASHINGTON 'G.W.' GRIFFIN—OWNER OF LAUREL GROCERY COMPANY

LAUREL COUNTY, KY.—George Washington "G.W." Griffin, 85, died December 19, 2011, from complications of pneumonia.

Born on February 28, 1926, in East Bernstadt, Griffin attended the Kentucky Military Institute, Wake Forest University and graduated from the University of Kentucky, where he was a member of the Kappa Alpha Fraternity. Having served in World War II, he was a proud veteran of the United States Navy.

He was a member of the First Baptist Church. He was a founding member and past president of the London Country Club and long-time member of Biltmore Forest Country Club. He served on the board of trustees of the University of Kentucky for 16 years, which is how he met his partner in crime and close friend, the late, great Dr. Otis Singletary. Griffin was past chairman of Laurel Grocery Company, Cumberland Valley National Bank, Institutional Distributors, London Rotary Forms, and the Food Marketing Education Council (the Red Coats). He was a board member of Cumberland College, National-American Wholesale Grocers Association, Kentucky Chamber of Commerce, Appalachian Computer Systems, and the Kentucky Grocers Association. He was an initial inductee into the Kentucky Grocers Hall of Fame. An avid golfer and thoroughbred horse owner/racing enthusiast, he traveled all over the world to pursue his passions, but his favorite place was always the great state of Kentucky. A diehard UK fan, Griffin never missed a home football game until he became too ill to attend.

He was preceded in death by his brother, William "Bill" Griffin.

He is survived by his wife of 53 years, Elizabeth Park "Sis" Griffin, and sister Margaret Fouts of Lacey, Wash.

The couple have three children, Elizabeth (Hal) McCoy of Hopkinsville, Ky.; George

William (Becky) Griffin of Lexington; and Winston (Shannon) Griffin of London; and five grandchildren, Winston Park Griffin, Charlotte Grace Griffin, Griffin Bell McCoy, Catherine Rose Griffin, and Bella James Griffin.

The Griffin family extends heartfelt gratitude to Don Dossett for his loving care and assistance with G.W. Griffin these last two years.

Funeral services will be held at 11 a.m. Wednesday at First Baptist Church, 804 W. 5th Street, London, with Dr. Terry Lester officiating.

Burial will be in A.R. Dyche Memorial Park.

Visitation will be held from 5 to 8 p.m. Tuesday at House-Rawlings Funeral Home, 510 E. 4th Street, London.

Memorial contributions can be made to George W. Griffin Charitable Scholarship Trust, PNC Institutional Investments, 1900 East 9th Street, Cleveland, Ohio 44114, Attn: Lauren Middleton.

CONSTITUTION DAY OBSERVANCE

Mr. McCONNELL. Mr. President, this Monday, September 17, our Nation celebrated one of our greatest founding documents the document that has guided the discourse of our great Nation for 225 years. Every September 17, we celebrate Constitution Day.

Americans of all walks of life are united by the ideals of equal justice, limited government, and the rule of law. It was the vision and determination of the Founders who wrote and signed the Constitution that makes our celebration today possible.

More than two centuries ago, the Founders met in Philadelphia to create a constitution that would preserve liberty and foster freedom. They established three separate branches of government and a system of checks and balances among them. Ours is still the oldest written Constitution in use in the world.

The most important purpose of Constitution Day is to teach these lessons to the younger generations. I am pleased to say that the Kentucky Department of Education has made resources available to secondary schools across the Commonwealth to help them recognize this special day.

The University of Kentucky marked Constitution Day by inviting speakers and holding historical forums. And at the University of Louisville, Constitution Day was celebrated with a constitution quiz bowl and constitution cupcakes.

So on this day, we recognize the students, teachers, and community leaders in Kentucky and across the Nation who promote and protect the ideals of our glorious Constitution.

We also say a special thanks for our men and women in uniform who defend it.

More than two centuries ago, the 39 signers of our Constitution gave us a more perfect union through a document that endures and guides us here today.

They understood, as we all must, that above all, government serves to secure the blessings of liberty for the people of our great Nation. It is an honor to stand on this floor and recognize how we have reaped the fruit of their efforts these many years later.

REMEMBERING GEORGE JOHN "G.J." SMITH

Mr. McCONNELL. Mr. President, I rise to pay tribute to a Kentuckian who was a coach, athletic director, and teacher to many and a confidant and good friend to even more. Kentucky mourns the passing of Mr. George John Smith of London, KY, who passed away on August 17 of this year at the age of 59.

Known as G.J. to his many players, friends, and fellow baseball fans, Mr. Smith was a Laurel County native born in 1953. He began his coaching career at Laurel County High School in 1977. When he stepped down from that position 26 years later, he was ranked among the winningest high school baseball coaches in Kentucky with over 600 victories.

G.J. was also the athletic director at South Laurel and the Laurel County Board of Education. He was inducted into the Laurel County Sports Hall of Fame and the Kentucky High School Baseball Coaches Association Hall of Fame. He was also a member of Mt. Zion Church of Christ.

In college, G.J. played basketball at the University of Kentucky under coach Adolph Rupp. He is survived by his wife Judy; two sons, Cameron and Trey; a sister and brother-in-law, Charlie Jean and Terry Mack; and many other beloved family members and friends.

I ask my U.S. Senate colleagues to join me in extending sympathies to the family of G.J. Smith as well as his many friends and players. As the home of Pee Wee Reese and the Louisville Slugger, the Commonwealth of Kentucky has certainly contributed more than its share to America's greatest pastime. I am pleased the legacy of G.J. Smith will be remembered as a part of the Bluegrass State's baseball history as well.

Mr. President, an article describing G.J. Smith's life of achievement recently appeared in the Whitley County-area publication the Times Tribune. I ask unanimous consent that said article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Times Tribune, Aug. 20, 2012]

G.J. SMITH: 1953-2012

FORMER WILDCAT, COACHING LEGEND
DEAD AT 59

(By Chris Parsons)

LONDON.—The Commonwealth of Kentucky lost one of its sports legends Friday when G.J. Smith, former Kentucky Wildcat and

long time Laurel County coach and athletics director, died of a heart attack at the age of 59.

Smith was considered an ambassador of sports in Laurel County on many occasions and his love of student athletes is something he'll always be remembered for. Though he held many titles in his career, the one title most common among those that knew Smith was that of a friend and teacher.

Former South Laurel basketball coach Steve Wright, who coached under Smith in baseball as an assistant and basketball when Smith was the AD, said Smith's experiences and heartfelt dedication is what sticks out to him more than anything.

"He's the most fierce competitor I have ever been around," Wright said. "When you were around him, he just taught you the value of winning and doing well."

"The thing I learned from him most was that the kids always came first," Wright added. "No matter what he did, he always wanted what was best for the students no matter what the situation was."

Wright said one of his fondest memories with Smith was after South Laurel won the state championship in 2005, when they shared a special moment after the game.

"He wasn't a real emotional guy, but after that game he came over and gave me a big hug," Wright said. "It was a moment as coach, it was a moment as an AD and it was a moment as a father and I'll always remember that."

"We were able to share a dream that we both had," he added. "It really was like a mountain top for both of us, and I look back on that because it was a moment that I think he really enjoyed and could say 'my school just won the state championship.'"

As a basketball player in his younger days, Smith became the only player to lead two different teams to the Sweet 16 in consecutive years after he first led Hazel Green in 1970, and Laurel County after consolidation in 1971, when he was also named a High School All-American and played for the Kentucky All-Stars.

Smith's coaching career spanned 26 years, with a career total of 662 wins, 15 district titles and six region championships as head coach. Smith's teams never had a losing season during Smith's tenure and won 30 games six times.

Current Corbin baseball coach Rob Ledington, who played for Smith in high school and got his first coaching job under him, said his relationship with Smith was often misconstrued, yet grew in Smith's later days.

"Our relationship was a lot stronger than a lot of people realized," said Ledington. "I got my start in baseball with him as a player and I got my first coaching job under him."

"A lot of the stuff that I do as a coach, as a teacher, and as a father, I learned from him," he added. "Outside of my immediate family, he was the most influential person in my life. We've had disagreements, but that's just part of being a family. It's a sad day for baseball and it's just as sad a day for me personally."

As a result of Smith's high-school basketball accolades, he was a member of Adolph Rupp's famed Super Kitten recruiting class. While he was at UK, Smith was a part of history twice as he played in the final games of John Wooden of UCLA (the 1975 NCAA Championship game) and Rupp. Smith said on several occasions that his favorite UK memory was when the Wildcats knocked off top-ranked Indiana, 92-90, to end the Hoosiers' 34-game winning streak in the Midwest Regional final game in Dayton, Ohio.

Arrangements will be handled by House-Rowlings Funeral Home in London.

The family will hold a visitation after 6 p.m. Monday night and the funeral will be Tuesday at 11 a.m.

TRIBUTE TO ERNESTINE CORNETT

Mr. MCCONNELL. Mr. President, I stand before you today to pay tribute to a woman who has spent a significant amount of her life working to inform and entertain local communities in eastern Kentucky through the television station WYMT. After 20-plus years and a plethora of job titles within the company, Ms. Ernestine Cornett retired from her position as general manager in May of 2012 with as much passion and joy in her heart as when she first began.

In the mid-1980s, Ernestine, her husband, and their daughter relocated from the city of Lexington to Perry County. It was here that the admirable works produced by Cornett began. Responding to an ad in the newspaper began the journey of this extensive television-business career. I have great respect for Ernestine as she started at the bottom, worked hard, and eventually progressed to the top of the hierarchical ladder.

Ambitiously, she pressed through to accomplish great things, not only for eastern Kentucky but also for the television company in which she was employed. Working for WYMT television station, Ernestine knew that her friends and family would be adequately updated with weather and news announcements, as well as sports and other forms of entertainment. The television station matured and displayed ample signs of success while Ernestine was aboard with the company.

Her motivation in life was to make sure that eastern Kentucky was knowledgeable and well-informed. Finally, after 27 years of working, Ernestine Cornett retired in order to enjoy time with family and the next phase of her life. Ernestine trusts that WYMT will continue to prosper and the team members will carry on with her same passion.

The Hazard Herald recently published an article about the accomplishments of Ms. Ernestine Cornett, and I would ask unanimous consent that said article be printed in the RECORD following my remarks.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Hazard Herald, May 30, 2012]

Ronald Reagan was president, very few people had ever heard of high-definition television, and a small CBS affiliate with the call letters WYMT was about to revolutionize the way eastern Kentuckians got their news each day.

It was 1985, just two years after Ernestine Cornett and husband Keith had returned to their native Perry County with their four-year-old daughter Ashley in tow. Keith had

just sold his accounting and income tax business in Lexington.

They were, as Ernestine put it, "starting over in familiar surroundings."

A graduate of Hazard High School, and then Morehead State University, Ernestine Cornett had been substituting in the city and county school districts when she ran across an ad in the Hazard Herald for a position at this new television station. She answered the ad, interviewed with a Lexington broadcaster by the name of Ralph Gabbard, and got the job in the avails coordinator position, a job which she described as consisting of inputting advertiser information and ensuring that the ad would have time on the air.

"Frankly, at the time, I had no idea what I was suited for in the television business," Cornett said. "Certainly I had no experience, but evidently Mr. Gabbard knew."

Mr. Gabbard must have known, because in a couple of years she took the position of sales assistant and then office manager. And then, in 1990, when station manager Wayne Martin was promoted to the WKYT station in Lexington, Cornett also received a promotion and began what would be a career heading WYMT that would last more than 20 years. That career will come to an end with Cornett's retirement later this month, but it was Martin whom she credited with her long tenure at WYMT, and with her landing the job in the first place.

"Certainly Wayne Martin was a big part of my success at WYMT, as he recommended me for his replacement, and although I was intimidated at the prospect, I knew it was a once-in-a-lifetime opportunity," Cornett said.

Martin returned to Hazard on Tuesday of this week, as he attended a special lunch to honor Cornett's career and noted that her leadership has been a cornerstone at WYMT now for 22 years.

"Her leadership has been one which I know I've tried to emulate because of her integrity, and sense of fair play, and her absolute passion for eastern Kentucky," Martin said.

WYMT was purchased by Gray Television in 1994, an Atlanta-based media company that owns several other stations, including WKYT in Lexington and WVLT in Knoxville. When Gray took over WYMT, Cornett's title changed to vice-president and general manager.

In the years that Cornett has headed WYMT, the station has shown growth and success, and has also maintained its relevancy as eastern Kentucky's only localized television broadcast. There are no other television stations that cater solely to the eastern Kentucky market. The station has been able to do that, Cornett explained, because the station serves the community, both as a local advertising source and a news outlet that offers hard news updates and features, as well as weather, sports, and entertainment options for the residents of eastern Kentucky. That was something that had never been done on television prior to WYMT's creation.

And as a native and resident of eastern Kentucky, as well as the leader of a media outlet, Cornett knows well the importance that a news organization can represent, and the service it can provide.

"As a local, I was a manager fully invested in the success of this station because I can remember what it was like before WYMT came along," she said. "I would not want to return to those times. Now, I will be fully invested in the station in new ways, as a viewer, as a consumer."

But there have been a lot of changes and challenges along the way that Cornett oversaw during her career. Gone are the analog broadcasts, and WYMT's newscasts are not solely offered on television anymore.

"Our news can be watched on the World Wide Web and on mobile devices," she noted. "And, although it took us years to get a satellite truck, there are now small portable devices that can transmit news packages through phone and data lines. Technology in this business is always moving forward. Our challenge is to keep up."

Cornett will spend her last day at the station in Hazard on Friday, and of course, after a long career there are going to be some things she will miss, from the people she meets every day in the station's hallways to the excitement of being inside the news machine as it does its work. But at the same time, she knows that WYMT won't miss a beat with the management team in place, and she's certainly happy about that.

"We have a great cohesive crew here and a great management team in Neil Middleton, Jim Boggs, Louise Sizemore, and Philip Hayes," she noted. "I am leaving the station in very capable hands, thus I have am leaving with a wonderful sense of pride and peace."

Cornett said she doesn't have any specific plans after her retirement is final, and after attending school or working for the majority of her life, she is ready for what she called "unstructured days."

"I have no immediate plans except to enjoy my family, get up every day and do what pleases me," she said, and from all accounts that is something she has certainly earned.

"She's a very compassionate person, and she realizes the needs, day to day, of the people that work here," noted Phil Hayes, chief engineer at WYMT. "She didn't micromanage anyone, but she was able to comprehend and anticipate what it took to make this station operate as efficiently as it has, and she's just a great person to work with."

"You couldn't have a better boss than Ernestine Cornett," added Neil Middleton, WYMT's news director. "I think the way we look at Ernestine is, she was our boss, but more importantly she is our friend, and she is family."

REMEMBERING MARTIN DOCK SCOTT, JR.

Mr. McCONNELL. Mr. President, I rise today to pay tribute to an honored Kentuckian and a man of great accomplishment who proudly served our country. Mr. Martin Dock Scott, Jr. of Bowling Green, KY, passed away Wednesday, September 5, 2012, due to cancer. He was 65 years old.

I have great appreciation for Mr. Scott, as he lived such a remarkable life. After graduation from Menifee County High School, Mr. Scott served in the United States Army from 1966 to 1970. He served with B Company, 1st Battalion, 52nd Infantry, 198th Light Infantry Brigade. Thus far is evidence enough that Mr. Scott lived a worthy life, yet he continued onward, and so the list of his service and accomplishment also continues.

While in the military, Mr. Scott served in Chu Lai, Vietnam, and operated out of LZ Stinson and other land-

ing zones. Needless to say, Mr. Scott put his life on the line for this country. In July 1970, Mr. Scott was honorably discharged.

Among his many military decorations, he earned two Bronze Stars. The first, with "V" Device, was awarded to Mr. Scott in February 1970 for expressing heroism under combined ground and mortar attack while his platoon was providing security for Dai Loc hamlet. The second medal was received in April 1970 for "meritorious achievement in connection with military operations against a hostile force."

Mr. Scott graduated from Eastern Kentucky University, married ViAnn Ford in November 1969, and started a family. I want to convey my deepest condolences to the many family members and friends who knew and were loved by Martin Dock Scott, Jr.

I would ask my U.S. Senate colleagues to join me in commemorating his commitment to service and in extending sympathies to the Scott family. The Commonwealth of Kentucky will be proud to remember the life and deeds of Mr. Martin Dock Scott, Jr.

Mr. President, an obituary for Mr. Scott as provided by the family recently appeared in local newspapers. I ask unanimous consent that said obituary be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD as follows:

BOWLING GREEN, KY.—Martin Dock Scott, Jr., 65, answered his Lord's call on Wednesday, September 5, 2012, surrounded by family at his residence following a brave battle with cancer.

Martin was born January 10, 1947, in Dayton, Ohio. He graduated from Menifee County (KY) High School in 1965 after which he served his country in the U.S. Army in Korea and in Viet Nam 1966 to 1970, receiving two Bronze Stars during action in Viet Nam. He served on the Bowling Green Police Department as patrolman and later as detective from November 11, 1970 until his retirement on April 30, 1989, when he then became a Commonwealth's Detective for the Warren County Commonwealth's Attorney's Office. Martin served 23 years under Commonwealth's Attorneys Morris Lowe, Steve Wilson, Michael Pearson, and Chris Cohron.

Martin was an active member of the Kentucky Fraternal Order of Police for 39 years, serving as President of Bowling Green Lodge #13 for 12 years and as President of the Kentucky State Lodge for 18 years. He was a 14-year member of American Legion Post #23, a life member of KY VFW 5712 and a Master Mason of Lodge #73 of the Grand Lodge of KY, F. & A.M., and a graduate of Eastern Kentucky University.

He lived a life of service, and most important to Martin was his service to his Lord and Savior Jesus Christ through membership, personal testimony and ministry at Plum Springs Baptist Church.

Martin is preceded in death by his parents, Martin D. and Alpha Vittoe Scott, and by his infant son, William John Scott. He will be greatly missed by his wife of 43 years, ViAnn, and their family: son Martin "Dock" Scott, III and daughter-in-law Stephanie of Bowling Green; daughter Alpha "Amber" Scott Ford and son-in-law Eric of Smiths

Grove; and daughter Autumn Annette Scott of Bowling Green; grandchildren Erica, Brooke, Melanie, Cody, Chase, Cole, Zach, Taylor, Lauren, and Reed; great-grandchildren Kaden, Callie, Ean, and Isaac; brothers George Scott of Bowling Green and sister-in-law MaryAnn and Tim Scott of Middletown, Ohio, and sister-in-law Susie; sister Kathy Harris and brother-in-law Arthur; sister Karen Tehrani all of Bowling Green and sister Sue Brashear and brother-in-law Stan of Trenton, Ohio; sister-in-law Janet Bradfield of Leonardville, Kansas, and Nicki Ford of Overland Park, Kansas; as well as beloved aunts and uncles as close to him as brothers and sister, many nieces and nephews, cousins and dear friends.

Visitation is Sunday, September 9, from 2:00 to 5:00 p.m. and 7:00 to 9:00 p.m. at J.C. Kirby & Son Lovers Lane Chapel and on Monday, September 10, from 9:00 a.m. to 1:00 p.m. at Living Hope Baptist Church. Funeral is 1:00 p.m. at the church with burial at Fairview Cemetery #2.

TRIBUTE TO MONTFORD POINT MARINES

Mr. DURBIN. On June 27, 2012, Congress presented the Congressional Gold Medal to the first African Americans to serve in the United States Marine Corps, the Montford Point Marines. More recently, the personal story of three of those marines from southern Illinois was brought to my attention.

Most people have heard of the Tuskegee Airmen and the Buffalo Soldiers, but until recently, the Montford Point Marines were largely unknown to the general public. During the 1940s, segregation and discrimination were pervasive in this country. Unfortunately, the Marine Corps was no exception.

To counteract the injustice, President Franklin D. Roosevelt issued an Executive order that prohibited racial discrimination in the national defense industry, including Federal agencies. This order forever changed the Marine Corps from an all-white fighting force to one comprised of those willing to serve.

Camp Montford Point, NC, is the site where the first African Americans who joined the Marine Corps were trained. Nearly 20,000 African Americans trained there, many of whom served honorably in World War II. The marines established Camp Montford Point adjacent to Camp Lejeune and those who trained there were known as the Montford Point Marines.

One man who answered the call to serve was Carbondale, IL, resident Archibald Mosley. In 1942, Mosley said that he was a "girl-crazy" typical teenager ready to graduate from high school in Jackson County, IL. An exceptional student, Mosley was asked by the principal, along with a handful of other students, to serve in the marines.

Mosley enlisted with two of his friends, Saul Griffin, Jr. and James France. Mosley, because his records indicated that he had some college, was chosen to lead the others. They were sent to train at Camp Montford Point.

The conditions for the recruits at Montford Point were miserable. The white men who trained at Camp Lejeune lived in barracks. The African-American men were housed in huts made of beaverboard—similar to thick cardboard. The huts had little, if any, heat in the winter and no relief from the sweltering temperatures in the summer. Nor did they have access to the same equipment. The African Americans didn't know how bad it was—they weren't allowed into the same areas at their White colleagues.

Amazingly, despite their willingness to die for their country, the Montford Point Marines still faced incredible injustices after the deplorable conditions during training. One situation that has continually bothered Mosley was when German prisoners of war were allowed to eat before the African-American Marines. He couldn't understand why the enemy would be able to eat before one of their marine brothers—it appeared that loyalty didn't extend beyond race.

After World War II, marines were sent home to be congratulated by the President. The Montford Point Marines weren't even recognized for their service.

Decades after the doors opened at Camp Montford Point, in November of last year, Congress finally voted to award these honorable men with the highest civilian award in the United States because of their honorable and noble service to America. They were called to serve and they responded—nearly 20,000 strong.

Despite the poor treatment, despite the poor jobs, despite the substandard conditions, the Montford Point Marines served their country. Before all else, they were Americans. Archibald Mosley and his friends lived and breathed the Marine Corps motto, *Semper Fidelis*, “Always Faithful.”

I am thankful that they did. I am also thankful that our Nation took the steps we did to ensure those brave Americans received the recognition they were denied for so many years.

Saul Griffin, Jr. and James France didn't live to see it, sadly, but Reverend Mosley and many of his fellow marines were able to make the trip to Washington this summer to receive the long delayed thanks from a grateful Nation.

ANNIVERSARY OF ENACTMENT OF THE LEAHY-SMITH AMERICA INVENTS ACT

Mr. LEAHY. Mr. President, Sunday marked the 1-year anniversary of the enactment of the Leahy-Smith America Invents Act. One year ago, I was pleased to stand on a stage at the Thomas Jefferson High School for Science and Technology in Virginia with House Judiciary Committee chairman LAMAR SMITH, Director of the U.S. Patent and Trademark Office David

Kappos, Acting Commerce Secretary Rebecca Blank, and others. Together, we watched President Obama sign into law the most important changes to our Nation's patent laws in 60 years.

Many of the provisions of the legislation took effect on the 1-year anniversary, while other important changes, such as the shift to first-inventor-to-file, will take effect in 6 months. I commend the Patent and Trademark Office, PTO, for the work they have done, in a transparent manner, to prepare for the new procedures that take effect this week.

At its best, our patent system encourages exploration and invention, creating wealth, and providing jobs. Abraham Lincoln famously said that “the patent system added the fuel of interest to the fire of genius.” But when patents are granted on unpatentable subject matter or on obvious creations already in use, they can be misused to stifle competition.

The new patent law will aid the PTO in separating the wheat from the chaff, weeding out low-quality patents that infect our system, and bolstering those patents that truly advance “the progress of science and useful arts.”

While the changes made by the patent bill were sweeping, I am under no illusion that they solved all the problems that confront our patent system. The assertion of patents is too often still used by patent trolls to extract payment even where there is not infringement of a valid patent because the cost of litigation makes settlement more expedient, and the “tech patent wars” among the large mobile phone companies show the perils to competition that can come when companies do not reach business-to-business resolutions of their patent disputes. But the improvements made by the Leahy-Smith America Invents Act will go a long way to making the system work better for inventors and implementers.

Enactment of the patent bill was more than a victory for American inventors, large and small; it was a demonstration that Congress can still work in a bipartisan, bicameral matter. I stood proudly on the stage 1 year ago with a Republican chairman of the House Judiciary Committee, watching the President sign a law on which Chairman SMITH and I had worked closely together for 6 years.

The legislative success of the patent bill shows what we can achieve when we put aside rhetoric and, instead, negotiate and collaborate in good faith. We held countless bipartisan, bicameral meetings, briefings, and discussions with all interested parties. We worked closely with Director Kappos, then-Secretary of Commerce Locke, and Members of Democratic and Republican leadership in both the Senate and the House of Representatives.

In short, the process that took the patent bill from the Congress to the

President for his signature was one of which we can all be proud. In an increasingly partisan Congress, I was pleased to have the opportunity to lead a legislative process that was, from start to finish, both bipartisan and bicameral.

GENERAL CRAIG MCKINLEY

Mr. LEAHY. Mr. President, next month, a distinguished member of our Armed Forces will retire. I want to recognize and congratulate GEN Craig McKinley, who has spent the last 38 years in service to our country, and who has led the National Guard through a unique period of challenge, change, and triumph.

General McKinley's service began during another period of dramatic change. He received his commission as a distinguished graduate of the ROTC program at Southern Methodist University and entered undergraduate pilot training at Moody Air Force Base in Georgia in 1974. With the conclusion of military engagement in Vietnam, the nation's military leaders faced a number of questions, including the future role of the National Guard. These same questions would later guide General McKinley's efforts to lead the National Guard toward its current role as an operational force.

General McKinley has had a distinguished career, including assignments as an instructor pilot, the commander of the 125th Fighter Wing, the commander of the 1st Air Force, and the commander of the Continental United States Region of the North American Aerospace Defense Command. He served in the U.S. European Command and as Director of the Air National Guard. These assignments culminated in General McKinley earning his fourth star as Chief of the National Guard Bureau. He did all of this while logging over 4,000 flying hours in a wide range of aircraft and earning the rating of command pilot.

While I could reflect on many notable moments in General McKinley's career, I will never forget one in particular. It was November 10, 2011, when Senator LEVIN and Senator MCCAIN convened an historic hearing of all six sitting Joint Chiefs of Staff, the Department of Defense General Counsel, and General McKinley, to examine a proposal I had introduced to add the Chief of the National Guard Bureau to the Joint Chiefs of Staff. Despite the arguments against this change by all six sitting Joint Chiefs, General McKinley's measured and reasonable responses won the day. Ultimately, 71 senators came to agree with General McKinley and joined as cosponsors of what is known commonly as the second National Guard Empowerment Act. This bill became law in December 2011, and General McKinley was a decisive factor in this victory for the National Guard.

Without his resolve to see the almost half a million men and women of the Guard represented at the top military panel in the national command structure, we would not have triumphed.

General McKinley has offered steady leadership to the Guard during a truly historic period. I am grateful to have had him as a partner. Without him, I doubt our nation would have the world-class operational reserve that we have today.

Congratulations, General McKinley. Best wishes to you, Cheryl, Patrick, and Christina as you retire to civilian life.

REQUEST FOR CONSULTATION

Mr. COBURN. Mr. President, I ask unanimous consent that my letter to Senator MCCONNELL dated September 19, 2012, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
COMMITTEE ON THE JUDICIARY,
Washington, DC, September 19, 2012.

Hon. MITCH MCCONNELL,
Senate Minority Leader,
Washington, DC.

DEAR SENATOR MCCONNELL: I am requesting I be consulted before the Senate enters into any unanimous consent agreements or time limitations regarding the Local Courthouse Safety Act of 2012, S. 2076.

While I support the motive behind this legislation and believe ensuring the safety of state and local courthouses is a noble goal, I believe the responsibility to address this issue lies with the state and local governments. I do not believe the federal government has the authority under the Constitution to provide training for local and state law enforcement or to provide security equipment to state and local courthouses at the federal government's expense. Further, I believe the training program this bill authorizes duplicates existing federal training programs.

First, S. 2076 authorizes the Director of the State Justice Institute (SJI) to carry out "a training and technical assistance program designed to teach employees of State, local, and tribal law enforcement agencies how to anticipate and respond to violent encounters during the course of their duties, including duties relating to security at State, county, and trial courthouses." The purpose of SJI is to further the development and adoption of improved judicial administration in state courts in the United States, which is not a federal responsibility under the Constitution. States are responsible for the administration of their courts. Adding an additional allowable purpose to SJI merely broadens the unconstitutional reach of this agency. Further, even though S. 2076 does not provide any additional funding for SJI the agency could use the authorization of additional responsibilities as a basis for requesting future appropriations from Congress.

Second, the SJI training program authorized in this bill potentially duplicates existing federal training programs available to state and local law enforcement. The following programs already exist:

1. U.S. Marshal Service's National Center for Judicial Security, Office of Protective Intelligence; Shares threat information with

state and local law enforcement agencies and provides training to state and local law enforcement officers who provide courthouse security. Also, provides guidance and support to district offices and Judicial Security Inspectors (JSIs) conducting high threat proceedings and protective responses.

2. U.S. Marshal Service's National Center for Judicial Security Fellowship Program; Provides a three-month training program for state, local, and international "court security managers."

3. FBI's Uniform Crime Reporting (UCR) division and Law Enforcement Officers Killed and Assaulted (LEOKA) programs; UCR and LEOKA collect data on law enforcement officers who have been killed or assaulted in the line of duty. The FBI then conducts LEOKA training programs for state and local law enforcement personnel based on this data.

4. FBI's Law Enforcement Training for Safety and Survival (LETSS) program; Trains FBI, police officers, and international law enforcement personnel in survival techniques.

5. FBI Field Police Training program; Includes firearm training for state and local partners.

6. FBI's Law Enforcement Executive Development Association program; Trains heads of state and local law enforcement agencies with between 50 and 500 personnel.

7. Advanced Law Enforcement Rapid Response Training (ALERRT) program; Trains officers in dealing with violent situations, including those they face outside of buildings and in urban settings. Includes core classes such as "Basic Active Shooter Level I and II," "Terrorism Response Tactics—Advanced Pistol," "Combat Rifle," "Combat Pistol," "Advanced Rifle Marksmanship," and "DOD Sniped Course."

8. Community Oriented Policing Services programs (COPS);

9. Department of Homeland Security's Federal Law Enforcement Training Center (FLETC) programs; and The Survival Shooting Training Program (SSTP) under FLETC is an eight and a half day training program that teaches law enforcement officers (LEOs) "how to employ several types of weapon systems found in most police arsenals (the service handgun, shotgun, submachine gun and rifle). The LEOs will develop marksmanship skills as well as all pertinent gun handling skills (drawing from the holster, reloads, immediate action, movement and more) at a rapid yet controlled pace. Ultimately, the SSTP prepares the LEOs to survive a deadly force confrontation through competent decision making and confident gun handling skills." The Reactive Shooting Instructor Training Program (RSITP) under FLETC trains law enforcement instructors in handling their firearms to survive high-stress situations.

10. Bureau of Alcohol, Tobacco, and Firearms' National Firearms Examiner Academy programs. The training program includes training that enables state and local law enforcement officers to identify armed gunmen and increase their "margin of safety."

Finally, this bill gives state and local courthouses priority in obtaining excess federal security equipment for free from the Government Services Administration after a short request period is given to federal agencies. The courthouse would only pay the costs of transporting the equipment. Equipment purchased by the federal government—and thereby the American taxpayer—should be utilized by the federal government if at all possible. If not, federal agencies may

have to purchase equipment they otherwise could have obtained for free but for the state and local governments taking it. Also, giving states and localities the ability to obtain this equipment for free may lead to situations where they acquire the equipment simply because it is free, not because they truly need it.

Article I, Section 8 of the Constitution enumerates the limited powers of Congress, and nowhere are we tasked with funding or becoming involved with state and local court security. I firmly believe this issue is the responsibility of the states and not the federal government. However, if Congress does act in this area, we should evaluate current programs, determine any needs that may exist, and prioritize those needs for funding by cutting from the federal budget programs fraught with waste, fraud, abuse, and duplication.

Congress must start making tough decisions rather than continuing to kick the can down the road, leaving our children and grandchildren to clean up the mess. It is irresponsible for Congress to jeopardize the future standard of living of our children by borrowing from future generations. The U.S. national debt is now over \$16 trillion. That means over \$50,000 in debt for each man, woman and child in the United States. A year ago, the national debt was \$14.3 trillion. Despite pledges to control spending, Washington adds billions to the national debt every single day. In just one year, our national debt has grown by \$1.7 trillion or 11.8%. We cannot continue to support federal funding for programs and initiatives that are not federal responsibilities as dictated by our Constitution. Otherwise, we will never get our fiscal house in order.

Sincerely,

TOM A. COBURN, M.D.,
U.S. Senator.

INTERNAL REVENUE SERVICE AND 501(c)(4) ORGANIZATIONS

Mr. LEVIN. Mr. President, our representative form of government is based on the premise that citizens who vote in our elections are informed about who is seeking to influence elections. Sadly, we continue to see that information obscured by organizations who are misusing our tax code for political gain.

As we have discussed on this floor many times, the Supreme Court opened our campaign finance system to a torrent of unlimited and secret special-interest money in Citizens United. But even the Supreme Court acknowledged in Citizens United that disclosure is important:

"[P]rompt disclosure of expenditures can provide shareholders and citizens with the information needed to hold corporations and elected officials accountable for their positions and supporters. Shareholders can determine whether their corporation's political speech advances the corporation's interest in making profits, and citizens can see whether elected officials are in the pocket of so-called moneyed interests." Citizens United v. FEC, 130 S. Ct. 876, 916 (2010).

Yet, according to the Center for Responsive Politics, as of September 13, spending on political advertising by groups that either do not disclose, or only partially disclose their donors,

has increased four-fold, from \$32 million in the 2008 election to more than \$135 million at the same point in the current election.

These groups are exploiting our tax code by organizing as tax-exempt “social welfare” groups and then spending tens of millions of undisclosed dollars on political campaigns.

The Internal Revenue Service (IRS)—the organization that grants these groups their tax-exempt status in the first place—should be protecting the voting public from these groups that pretend to be acting in the social welfare but are instead engaging in partisan politics.

The law in this area is clear. 26 U.S.C. §501(c)(4) states that “Civic leagues or organizations not organized for profit but operated exclusively for the promotion of social welfare, or local associations of employees, the membership of which is limited to the employees of a designated person or persons in a particular municipality, and the net earnings of which are devoted exclusively to charitable, educational, or recreational purposes” are exempt from taxation. The word “exclusively” is in the tax code for a reason. Congress didn’t say “partially,” or “primarily.” We said that these groups had to be operated “exclusively” for the promotion of social welfare. The IRS, in writing the implementing regulations to the statute, said that, “An organization is operated exclusively for the promotion of social welfare if it is primarily engaged in promoting in some way the common good and general welfare.” [emphasis added] By substituting the word “primarily” in the regulation with the word “exclusively” in the statute, the IRS essentially redefined what Congress required a social welfare organization to be.

Mr. President, I asked the IRS for an explanation as to why they have not responded to the increasing growth of groups that parade as social welfare groups but are obviously organized for politically partisan purposes. In my letters, I asked the IRS how they interpret the explicit language in the tax code which says that entities must operate “exclusively” for the promotion of social welfare, to allow any tax exempt partisan political activity by 501(c)(4) organizations. Their response? That the regulation has been in place for over 50 years. That is not an excuse if new abuses require a review of an IRS regulation.

I also asked the IRS if they are fulfilling their enforcement function by notifying these groups that are obviously engaged primarily in political activity that they are violation of the law. Again, the IRS response was inadequate. During the past 6 months, according to the IRS letter, no notices of proposed or final revocation have been issued to section 501(c)(4) organizations. None. So even under the “pri-

marily” test the IRS is not enforcing the law in the face of the avalanche of evidence that our laws are being flouted.

The law is clear. Even the watered-down IRS regulation is clear. It is time that the IRS enforces the law, or at least its own regulation.

I ask unanimous consent that the correspondence with the IRS be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE, COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS,

Washington, DC, July 27, 2012.

Hon. DOUGLAS H. SHULMAN,
Commissioner, Internal Revenue Service,
Washington, DC.

DEAR COMMISSIONER SHULMAN: I am writing to express my concern about how the IRS interprets the law regarding the extent to which 501(c)(4) “social welfare” organizations can engage in partisan political activity. The July 13, 2012 response by Lois G. Lerner, Director of Exempt Organizations, to my June 13, 2012 letter was unsatisfactory.

In the response, Ms. Lerner stated that “The IRS takes steps to continually inform organizations of their responsibilities as social welfare organization to help them avoid jeopardizing their tax-exempt status,” and “actively educates section 501(c)(4) organizations at multiple states in their development about their responsibilities under the tax law.” [Emphasis added.]

Her discussion does not describe an IRS initiative to “continually inform” or “actively educate.” Rather, it shows the IRS is passively making some information available once a 501(c)(4) entity is already in existence. Further, her discussion of the explanatory materials available to the public, and the materials themselves, are confusing. This leads to a predictable result: organizations are using Internal Revenue Code Section 501(c)(4) to gain tax exempt status while engaging in partisan political campaigns. There is an absurd tangle of vague and contradictory materials that the IRS provides. Making the problem worse is that the IRS knows there is a problem because of the public nature of the activity, but has failed to address it.

First, the law.

26 U.S.C. §501(c)(4) states that “Civic leagues or organizations not organized for profit but operated exclusively for the promotion of social welfare, or local associations of employees, the membership of which is limited to the employees of a designated person or persons in a particular municipality, and the net earnings of which are devoted exclusively to charitable, educational, or recreational purposes” are exempt from taxation. [Emphasis added.] Merriam-Webster defines “exclusively” as “single, sole; whole; undivided.” Therefore, it would appear that the law prevents entities that organize under Section 501(c)(4) from any activity that is not operated exclusively for the promotion of social welfare or an association of employees.

Consistent with the law is a 1997 letter from the IRS denying tax-exempt status to a group called the National Policy Forum. The letter indicates that the IRS based its denial on the fact that the organization was engaged in partisan political activity, stating that “partisan political activity does not promote social welfare as defined in section

501(c)(4),” and that the applicant “benefit[s] select individuals or groups, instead of the community as a whole.

One part of Internal Revenue Service Publication 557 in its guidance states, consistent with the law, that:

“If your organization is not organized for profit and will be operated *only* to promote social welfare to benefit the community, you should file Form 1024 to apply for recognition of exemption from federal income tax under section 501(c)(4).” [Emphasis added]

Another part of Internal Revenue Service Publication 557 starts off by agreeing with the law and states, “Promoting social welfare does not include direct or indirect participation or intervention in political campaigns on behalf of or in opposition to any candidate for public office.” The IRS is accurately and clearly stating, in some places at least, that “social welfare” advocacy does not include campaigning for or against a candidate or candidates.

So far, so good—until that same Publication 557 states: “However, if you submit proof that your organization is organized exclusively to promote social welfare, it can obtain an exemption [from taxes] even if it participates legally in some political activity on behalf of or in opposition to candidates for public office.”

That language seems inconsistent with the other referenced parts of Publication 557 (as well as being inconsistent with law and precedent), unless it means that the exemption isn’t available for the political activity portion funded by 501(c)(4) receipts.

Further, an IRS regulation that interprets Section 501(c)(4) states that, “An organization is operated exclusively for the promotion of social welfare if it is *primarily engaged* in promoting in some way the common good and general welfare of the people of the community.” [Emphasis added.]

So the IRS regulation says the law’s requirement of “exclusively” really means “primarily,” something very different from “exclusively.”

The IRS webpage cites an internal training article which states:

“‘[S]ocial welfare’ is inherently an abstruse concept that continues to defy precise definition. Careful *case-by-case analyses* and close judgments are still required.” [Emphasis added.]

Fair enough.

In its Compliance Guide for Tax-Exempt Organizations, the IRS gives direction regarding how to make a case-by-case evaluation whether a communication is political. That Guide says that the following factors indicate that an advocacy communication is political campaign activity:

The communication identifies a candidate for public office;

The timing of the communication coincides with an electoral campaign;

The communication targets voters in a particular election;

The communication identifies the candidate’s position on the public policy issue that is the subject of the communication;

The position of the candidate on the public policy issue has been raised as distinguishing the candidate from others in the campaign, either in the communication itself or in other public communications; and

The communication is not part of an ongoing series of substantially similar advocacy communications by the organization on the same issue.

The guide further lays out the factors that indicate when an advocacy communication is not political campaign activity:

The absence of anyone or more of the factors listed above;

The communication identifies specific legislation, or a specific event outside the control of the organization, that the organization hopes to influence;

The timing of the communication coincides with a specific event outside the control of the organization that the organization hopes to influence, such as a legislative vote or other major legislative action (for example, a hearing before a legislative committee on the issue that is the subject of the communication);

The communication identifies the candidate solely as a government official who is in a position to act on the public policy issue in connection with the specific event (such as a legislator who is eligible to vote on the legislation); and

The communication identifies the candidate solely in the list of key or principal sponsors of the legislation that is the subject of the communication.

It is clear from the application of those factors that what is going on in the U.S. with certain 501(c)(4) organizations in their television advertisements are political campaign activities.

Below are two transcripts of advertisements that were put on television by 501(c)(4) organizations. As you can see, the subject of Advertisement #1 is a Democratic Senator, and the subject of Advertisement #2 is a Republican Senator. This is not a partisan issue.

Television Advertisement #1:

"It's time to play: Who is the biggest supporter of the Obama agenda in Ohio. It's Sherrod Brown. Brown backed Obama's agenda a whopping 95 percent of the time. He voted for budget busting ObamaCare that adds \$700 billion to the deficit. For Obama's \$453 billion tax increase. And even supported cap-and-trade which could have cost Ohio over 100,000 jobs. Tell Sherrod Brown, for real job growth, stop spending and cut the debt. Support the new majority agenda at newmajorityagenda.org."

Television Advertisement #2:

"Before Wall Street gave him \$200,000 in campaign cash. . . . Before he voted to let bank CEOs take millions in taxpayer funded bonuses. . . . Dean Heller was a stockbroker. No wonder he voted against Wall Street reform; against holding the big banks accountable. Heller even voted to risk your Social Security here, in the stock market. Dean Heller: he votes like he still works for Wall Street, and that's bad for you."

Those ads, and so many like them, clearly fit the factors the IRS has laid out in its guide for what constitutes a political campaign activity. The advertisements make no pretense at nonpartisanship; they are blatantly and aggressively partisan communications.

Entities that file under Section 501(c)(4) of the Internal Revenue Code and take advantage of its tax exemption benefits should have to make a choice: either lose their exempt status (and pay taxes) or eliminate the partisan political activity.

The IRS needs to immediately review the activities of 501(c)(4) entities engaging in running partisan political ads or giving funds to Section 527 organizations that run such ads. The IRS needs to advise 501(c)(4) entities of the law in this area and the factors it will look at in reviewing 501(c)(4) status and tax exemption issues.

Please provide me with the following information no later than August 10, 2012:

1. How can the IRS interpret the explicit language in 26 U.S.C. 501(c)(4), which pro-

vides that 501(c)(4) entities must operate "exclusively" for the promotion of social welfare, to allow any tax exempt partisan political activity by 501(c)(4) organizations?

2. Since partisan political activity does not meet the IRS definition of "promoting social welfare," how can an organization that participates in any partisan political activity be "organized exclusively to promote social welfare?"

3. The Exempt Organizations 2011 Annual Report and 2012 Work Plan states: "As in any election year, EO will continue its work to enforce the rules relating to political campaigns and campaign expenditures. In FY 2012, EO will combine what it has learned from past projects on political activities with new information gleaned from the redesigned Form 990 to focus its examination resources on serious allegations of impermissible political intervention."

a. Typically, how long after a complaint to the IRS does a compliance review begin?

b. What approximate time does it take to review the complaint?

c. How many persons are involved in the enforcement of the 501(c)(4) rules?

4. The Exempt Organizations 2011 Annual Report and 2012 Work Plan states that 501(c)(4) organizations "can declare themselves tax-exempt without seeking a determination from the IRS. EO will review organizations to ensure that they have classified themselves correctly and that they are complying with applicable rules."

a. Why does the IRS allow 501(c)(4) organizations to self-declare?

b. When an organization "self declares" as a 501(c)(4) organization, how does the IRS get notice and how long does it take the IRS to conduct the review to ensure that that organization has classified itself correctly?

5. The IRS Compliance Guide for Tax-Exempt Organizations states:

"When a 501(c)(4), (5) or (6) organization's communication explicitly advocates the election or defeat of an individual to public office, the communication is considered political campaign activity. A tax-exempt organization that makes expenditures for political campaign activities shall be subject to tax in an amount equal to its net investment income for the year or the aggregate amount expended on political campaign activities during the year, whichever is less."

a. How does the IRS keep track of these explicit communications and ensure that the organization pays this tax?

b. What is the reason for the requirement that the tax will be based on "whichever is less" between its net investment income for the year or the aggregate amount expended on political campaign activities?

c. What tax would an organization have to pay if it spends all of its income on political advertising (therefore it has NO net investment income)?

6. Ms. Lerner's letter quotes the IRS webpage on Social Welfare Organizations:

"The promotion of social welfare does not include direct or indirect participation or intervention in political campaigns on behalf of or in opposition to any candidate for public office. However, a section 501(c)(4) social welfare organization may engage in some political activities, so long as that is not its primary activity. However, any expenditure it makes for political activities may be subject to tax under section 527(f)." [Emphasis added]

a. What is the statutory basis of the language that allows 501(c)(4) organizations to engage in some political activities?

b. How does the IRS keep track of these political activities and ensure that the organization pays the tax under section 527(f)?

7. In her July 13 letter, Ms. Lerner states that the IRS also addresses the issue of political activities in the Forms 990 and 990-EZ.

Are Forms 990 and 990-EZ made public? If so, where can they be accessed?

8. Internal Revenue Service Publication 557 states that, if a 501(c)(4) entity can "submit proof that [the] organization is organized exclusively to promote social welfare, it can obtain an exemption even if it participates legally in some political activity on behalf of or in opposition to candidates for public office."

Have the following 501(c)(4) organizations a) applied for; and if so, b) received the described exemption for political activity from the IRS?

- a. Crossroads Grassroots Policy Strategies
- b. Priorities U.S.A.
- c. Americans Elect
- d. American Action Network
- e. Americans for Prosperity
- f. American Future Fund
- g. Americans for Tax Reform
- h. 60 Plus Association
- i. Patriot Majority USA
- j. Club for Growth
- k. Citizens for a Working America Inc.
- l. Susan B. Anthony List

9. Have you reminded 501(c)(4)s which publicly seem to be operating in the partisan political arena as to the factors you will consider in determining whether they are engaging in partisan political activity? If not, why not?

I have enclosed a copy of Ms. Lerner's letter. If you have any questions, please contact me, or have your staff contact Kaye Meier of my staff at kaye.meier@levin.senate.gov or 202/224-9110. Again, it is urgent that I receive your answers by August 10, 2012.

Sincerely,

CARL LEVIN,
Chairman, Permanent Subcommittee
on Investigations.

DEPARTMENT OF THE TREASURY,
INTERNAL REVENUE SERVICE,
Washington, DC, August 24, 2012.

Hon. CARL LEVIN,
Chairman, Permanent Subcommittee on Investigations, U.S. Senate, Washington, DC.

DEAR SENATOR LEVIN: I am responding to your letter to Commissioner Shulman dated July 27, 2012, requesting additional information about section 501(c)(4) organizations. This response supplements the previous responses dated June 4, 2012 and July 13, 2012, and addresses the additional questions raised in your recent letter.

Question 1. How can the IRS interpret the explicit language in 26 U.S.C. §501(c)(4), which provides that 501(c)(4) entities must operate "exclusively" for the promotion of social welfare, to allow any tax exempt partisan political activity by 501(c)(4) organizations?

We note that the current regulation has been in place for over 50 years. Moreover, unlike Internal Revenue Code section 501(c)(3), which specifically provides that organizations may "not participate in, or intervene in . . . any political campaign on behalf of (or in opposition to) any candidate for public office," section 501(c)(4) does not contain a specific rule or limitation on political campaign intervention by social welfare organizations.

Question 2. Since partisan political activity does not meet the IRS definition of "promoting social welfare," how can an organization that participates in any partisan political activity be "organized exclusively to promote social welfare?"

As stated above, longstanding Treasury Regulations have interpreted “exclusively” as used in section 501(c)(4) to mean primarily. Treasury Regulation §1.501(c)(4)-1(a)(2)(i), promulgated in 1959, provides: “An organization is operated exclusively for the promotion of social welfare if it is primarily engaged in promoting the common good and general welfare of the people of the community.” Applying this Treasury Regulation, Revenue Ruling 81-95, 1981-1 C.B. 332, concluded that “an organization may carry on lawful political activities and remain exempt under section 501(c)(4) as long as it is primarily engaged in activities that promote social welfare.”

Question 3. The Exempt Organizations 2011 Annual Report and 2012 Work Plan states: “As in any election year, EO will continue its work to enforce the rules relating to political campaigns and campaign expenditures. In FY 2012, EO will combine what it has learned from past projects on political activities with new information gleaned from the redesigned Form 990 to focus its examination resources on serious allegations of impermissible political intervention.”

a. Typically, how long after a complaint to the IRS does a compliance review begin?

b. What approximate time does it take to review the complaint?

The IRS routinely receives examination referrals from a variety of sources including the public, media, Members of Congress or their staff, and has a longstanding process for handling referrals so that they receive an impartial, independent review from career employees. When the IRS receives a referral about a particular organization, it is promptly forwarded to the Classification unit of the Exempt Organizations (EO) Examination office in Dallas, Texas. Pursuant to IRM 4.75.5.4(1), within 30 days of receiving the referral, the Classification staff begins evaluating whether the referral has examination potential, should be considered in a future year, needs additional information to make a decision, or falls within the categories of matters that are referred for EO Referral Committee review. Although IRM 4.75.5.4(1) sets a goal of 90 days to complete reviews of referrals, the time it takes to fully review a particular referral varies, depending on such factors as the issues involved and the availability of relevant information (i.e. organization's Forms 990, external sources such as media reports, internet searches, etc.).

In those cases in which the IRS needs additional information about the subject of a referral that is not readily available, such as its Form 990 that has not been filed yet for the tax year at issue, Classification may suspend classifying the referral and places it in the follow-up category until the additional information is available. Once the additional information is received, reviewed, and supports the referral being classified as having examination potential, the referral is sent to unassigned inventory, until a revenue agent with the appropriate level of experience for the issues involved in the matter is available to conduct an examination.

Once in inventory, there are numerous factors that can affect how long it takes to complete the examination process. While it is difficult to predict how long any single examination will take, for cases closed in FY 2011, the average time it took to close a case was 210 days.

c. How many persons are involved in the enforcement of the 501(c)(4) rules?

The Exempt Organizations (EO) function is responsible for the enforcement of section

501(c)(4) statutory rules and regulations as well as those applicable to all other types of tax-exempt organizations.

For FY 2011, the total number of EO staff was 889. Other than the 14 employees in the Director's office, the three EO offices are staffed as follows:

Rulings and Agreements (R&A), which includes EO Determinations and EO Technical, ensures organizations meet legal requirements during the application or private letter ruling process, and through guidance. In FY 2011, R&A had 332 employees.

EO Examinations (Exam) is comprised of various units, including the Classification unit, the EO Compliance Unit, and the Review of Operations unit. Exam develops processes to identify areas of noncompliance, develops corrective strategies, and coordinates with other EO functions to ensure compliance, so that organizations maintain their exempt status. In FY 2011, Exam had 531 employees.

EO Customer Education and Outreach (CE&O) coordinates, assists and supports the development of educational materials and outreach efforts for organizations to understand their responsibilities under the tax law. In FY 2011, CE&O had a staff of 12 employees.

The employees in these functions are responsible for the regulation of all types of tax-exempt organizations, including section 501(c)(4) organizations.

Question 4. The Exempt Organizations 2011 Annual Report and 2012 Work Plan states that 501(c)(4) organizations “can declare themselves tax-exempt without seeking a determination from the IRS. EO will review organizations to ensure that they have classified themselves correctly and that they are complying with applicable rules.”

a. Why does the IRS allow 501(c)(4) organizations to self-declare?

The Internal Revenue Code expressly provides that certain tax-exempt organizations must give notice to the IRS, by filing an application for exemption, in order to claim tax-exempt status. The Internal Revenue Code does not require an organization to provide notice to the IRS to be treated as described in section 501(c)(4). By contrast, for example, Section 508 generally requires an organization to provide notice to the IRS before it will be treated as described in section 501(c)(3).

b. When an organization “self declares” as a 501(c)(4) organization, how does the IRS get notice and how long does it take the IRS to conduct the review to ensure that the organization has classified itself correctly?

As with other tax exempt organizations, organizations claiming to be tax-exempt under section 501(c)(4) generally are required to file a Form 990 on an annual basis.

The Exempt Organizations office of the IRS is responsible for the compliance of over one million organizations with diverse goals and purposes. In order to ensure the highest degree of compliance with tax law while working with limited resources, EO maintains a robust and multi-faceted post-filing compliance program that conducts reviews of exempt organizations in various ways, such as:

Review of Operations (ROO) reviews: Because a ROO review is not an audit, the ROO carries out its post-filing compliance work without contacting taxpayers. Instead, the ROO looks at an organization's Form 990, website, and other publicly available information to see what it is doing and whether it continues to be organized and operated for tax-exempt purposes. If it appears from a

ROO review that an organization may not be compliant, the organization is referred for examination.

Compliance checks: In a compliance check, IRS contacts taxpayers by letter when we discover an apparent error on a taxpayer's return or wish to obtain further information or clarification. A compliance check is an efficient and effective way to maintain a compliance presence without an examination. We also use compliance check questionnaires to study specific parts of the tax-exempt community or specific cross-sector practices.

Examinations: Examinations, also known as audits, are authorized under Section 7602 of the Code. For exempt organizations, an examination determines an organization's continued qualification for tax-exempt status. We conduct two different types of examinations: correspondence and field.

Because the IRS cannot review every existing organization in every tax year, we use the review techniques described above to maximize our coverage of the tax exempt sector in both our general program work and our project work. The project work, which results from our strategic planning process, is designed to focus on specific areas affecting the EO sector and to direct more effective use of our resources in the effort to strengthen compliance and improve tax administration. Described in the EO 2012 Work Plan, the sections 501(c)(4), (5) and (6) Self-Declarers is one such project. This project focuses on organizations that hold themselves out as being tax-exempt rather than seeking IRS recognition of their exempt status.

Question 5. The IRS Compliance Guide for Tax-Exempt Organizations states:

“When a 501(c)(4), (5) or (6) organization's communication explicitly advocates the election or defeat of an individual to public office, the communication is considered political campaign activity. A tax-exempt organization that makes expenditures for political campaign activities shall be subject to tax in an amount equal to its net investment income for the year or the aggregate amount expended on political campaign activities during the year, whichever is less.”

a. How does the IRS keep track of these explicit communications and ensure that the organization pays this tax?

Tax-exempt organizations filing Forms 990 or 990-EZ are required to report political activities. Organizations that engage in direct or indirect political campaign activities are also required to complete Schedule C of Form 990 or 990-EZ. Organizations subject to tax under section 527(f) are required to comply with the statutory reporting and payment rules. The IRS also receives referrals regarding such activities from a variety of sources that are handled through an impartial, independent review. See the response to question 3 for the description on the IRS referral process.

b. What is the reason for the requirement that the tax will be based on “whichever is less” between its net investment income for the year or the aggregate amount expended on political campaign activities?

The statute under section 527(f) explicitly states that a 501(c) organization is subject to its tax based on “an amount equal to the lesser of—(A) the net investment income of such organization for the taxable year, or (B) the aggregate amount expended during the taxable year for such an exempt function.”

c. What tax would an organization have to pay if it spends all its income on political advertising (therefore it has NO net investment income)?

Under the statute cited above, an organization that otherwise meets the requirements of section 501(c)(4) social welfare tax-exempt status, which spends all its income on political advertising and has no net investment income would not owe any tax under section 527(f). It may however, through such spending (and depending on the otherwise applicable facts of the case), no longer qualify as an organization that is tax-exempt under section 501(c)(4).

Question 6. Ms. Lerner's letter quotes the IRS webpage on Social Welfare Organizations:

"The promotion of social welfare does not include direct or indirect participation or intervention in political campaigns on behalf of or in opposition to any candidate for public office. However, a section 501(c)(4) social welfare organization may engage in some political activities, so long as that is not its primary activity. However, any expenditure it makes for political activities may be subject to tax under section 527(f). [Emphasis added.]

a. What is the statutory basis of the language that allows 501(c)(4) organizations to engage in some political activities?

Please see responses to questions 1 and 2, above.

b. How does the IRS keep track of these political activities and ensure that the organization pays the tax under section 527(f)?

Section 501(c)(4) organizations filing Forms 990 or 990-EZ are required to report political activities. Organizations that engage in direct or indirect political campaign activities are also required to complete Schedule C of Form 990 or 990-EZ. Organizations subject to tax under section 527(f) are required to comply with the statutory reporting and payment rules. The IRS also receives referrals regarding such activities from a variety of sources that are handled through an impartial, independent review. See the response to question 3 for the description on the IRS referral process.

Question 7. In her July 13 letter, Ms. Lerner states that the IRS also addresses the issue of political activities in the Forms 990 and 990-EZ.

Are Forms 990 and 990-EZ made public? If so, where can they be accessed?

Yes, Forms 990 and 990-EZ are made public. Tax-exempt organizations are required to make their returns widely available for public inspection. Organizations are required to allow the public to inspect the Forms 990, 990-EZ, 990-N, and 990-PF they have filed with the IRS for their three most recent tax years. Exempt organizations also are required to provide copies of these information returns when requested, or make them available on the Internet. The annual information returns also are available from the IRS, as well as from third-party sources that post them on their websites.

Question 8. Internal Revenue Services Publication 557 states that, if a 501(c)(4) entity can "submit proof that [the] organization is organized exclusively to promote social welfare, it can obtain an exemption even if it participates legally in some political activity on behalf of or in opposition to candidates for public office."

Have the following 501(c)(4) organizations a) applied for; and if so, b) received the described exemption for political activity from the IRS?

- a. Crossroads Grassroots Policy Strategies
- b. Priorities U.S.A.
- c. Americans Elect
- d. American Action Network
- e. Americans for Prosperity

- f. American Future Fund
- g. Americans for Tax Reform
- h. 60 Plus Association
- i. Patriot Majority USA
- j. Club for Growth
- k. Citizens for a Working America Inc.
- l. Susan B. Anthony List

Initially, to clarify, section 501(c)(4) organizations do not receive "exemption for political activity." Rather, organizations are recognized under section 501 (c)(4) as tax-exempt when they demonstrate that they plan to be primarily engaged in activities that promote social welfare. If they meet that standard, the fact that they engage in other activities that do not promote social welfare, such as political campaign intervention, will not preclude recognition of their tax-exempt status. Whether an organization meets the statutory and regulatory requirements of section 501 (c)(4) depends upon all of the facts and circumstances, and no one factor is determinative.

As discussed in our response to you dated June 4, 2012, section 6103 of the Internal Revenue Code prohibits the disclosure of information about specific taxpayers unless the disclosure is authorized by some provision in the Internal Revenue Code. The IRS cannot legally disclose whether the organizations on your list have applied for tax exemption (unless and until such application is approved). Section 6104(a) of the Code permits public disclosure of an application for recognition of tax exempt status only after the organization has been recognized as exempt.

Searching the names exactly as provided, our records show that the following organizations have been recognized by the IRS as tax exempt under section 501(c)(4).

Americans For Prosperity
American Future Fund
60 Plus Association
Patriot Majority USA
Citizens for a Working America Inc.

With respect to the other organizations for which you inquired, we will be able to determine if they have been recognized by the IRS as tax-exempt with additional information, such as an address or EIN, that specifically identifies the organization. Organizations often have similar names or maintain multiple chapters with variations of the same name. With respect to many of the other organizations you identified, numerous organizations in our records have very similar names. IRS staff can work with your staff in identifying the specific organizations for which you are interested. IRS staff is also available to assist your staff to navigate searchable databases on the IRS public website. As previously discussed, information on organizations with applications currently pending legally cannot be provided unless and until the application is approved. Please note that organizations that hold themselves out as tax-exempt without IRS recognition and organizations that have pending applications for recognition are required to file annual returns/notices.

Question 9. Have you reminded 501(c)(4)s which publicly seem to be operating in the partisan political arena as to the factors you will consider in determining whether they are engaging in partisan political activity? If not, why not?

As described in the July 13, 2012 response, the IRS takes several steps to continually educate organizations of the requirements under the tax law and inform them of their responsibilities to avoid jeopardizing their tax-exempt status. We believe these steps ensure the IRS administers the nation's tax laws in a fair and impartial manner.

I hope this information is helpful. If you have questions, please contact me or have your staff contact Catherine Barre at (202) 622-3720.

Sincerely,

STEVEN T. MILLER,
Deputy Commissioner for
Services and Enforcement.

U.S. SENATE, COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS,

Washington, DC, August 31, 2012.

Hon. DOUGLAS H. SHULMAN,
Commissioner, Internal Revenue Service,
Washington, DC.

DEAR COMMISSIONER SHULMAN: Thank you for the August 24, 2012 response by Steven T. Miller, Deputy Commissioner for Services and Enforcement, to my July 27, 2012 letter.

I find it unacceptable that the IRS appears to be passively standing by while organizations that hold themselves out to be "social welfare" organizations clearly ignore the tax code with no apparent consequences.

Frankly, the response that "long standing Treasury Regulations have interpreted 'exclusively'" as used in section 501(c)(4) to mean "primarily" and the argument that "section 501(c)(4) does not contain a specific rule or limitation on political campaign intervention by social welfare organizations" are not persuasive. The word "exclusively" as written in the statute is clear and speaks for itself. Its clarity is not diminished because the section does not mimic words in another section, which words are also clear.

As a follow-up to your letter, I would like to know the following:

1. If the IRS determines that an organization that has been given 501(c)(4) status has not engaged primarily in social welfare activities, but instead was primarily engaged in activity within the scope of section 527, what are the consequences for the organization? What are the consequences for such an organization having not filed timely Forms 8871 and 8872? Must they file such forms after the fact? What taxes would be due? Will contributions that already have been made to that organization be taxable to that organization?

2. How many 501(c)(4) organizations which appear to be primarily engaged in political activity have been notified by the IRS within the last 6 months that they may be in violation of the law?

It is urgent that I receive your answers promptly, and no later than September 10, please.

Sincerely,

CARL LEVIN,
Chairman, Permanent Subcommittee on
Investigations.

DEPARTMENT OF THE TREASURY,
INTERNAL REVENUE SERVICE,
Washington, DC, September 14, 2012.

Hon. CARL LEVIN,
Chairman, Permanent Subcommittee on
Investigations, U.S. Senate, Washington, DC.

DEAR SENATOR LEVIN: I am responding to your letter to Commissioner Shulman dated August 31, 2012, requesting additional information about section 501(c)(4) organizations. This response supplements the previous responses dated June 4, 2012, July 13, 2012 and August 24, 2012, and addresses the additional questions raised in your recent letter.

Question 1. If the IRS determines that an organization that has been given 501(c)(4) status has not engaged primarily in social welfare activities, but instead was primarily engaged in activity within the scope of section 527, what are the consequences for the

organization? What are the consequences for such an organization having not filed timely Forms 8871 and 8872? Must they file such forms after the fact? What taxes will be due? Will contributions that already have been made to that organization be taxable to that organization?

If an IRS audit or examination concludes that a section 501(c)(4) organization does not engage primarily in social welfare activities, the IRS may revoke the tax-exempt status of that organization. If the tax-exempt status is revoked, the organization is a taxable entity effective, in general, as of the first day of the tax year under examination. The organization is required to file Federal income tax returns, generally a Form 1120, U.S. Corporation Income Tax. The tax treatment of the organization's contributions and other income is determined under normal rules of Subtitle A.

Whether an organization no longer qualifies to be tax-exempt under section 501(c)(4) does not determine whether it is a political organization under section 527. Section 527(e)(1) defines a political organization as a party, committee, or other organization that is organized and operated primarily for the purpose of directly or indirectly accepting contributions or making expenditures for an exempt function (as defined in 527(e)(2)). If an organization meets this definition, then its tax status is determined under section 527.

Subject to certain exceptions, to be tax-exempt under section 527, a political organization is required to give notice electronically to the Service. The required notice form is Form 8871, Political Organization Notice of Section 527 Status. To be tax-exempt, the political organization must file Form 8871 within 24 hours after the date on which it was established. If the organization has a material change in any of the information reported on Form 8871, it must file an amended Form 8871 within 30 days of the material change to maintain its tax-exempt status. When the organization terminates its existence, it must file a final Form 8871 within 30 days of termination.

An organization that is required to file Form 8871, but fails to file on a timely basis, will not be treated as a tax-exempt political organization for any period before the date Form 8871 is filed. The taxable income of the organization for any period in which it failed to file Form 8871 (or, in the case of a material change, the period beginning with the date of the material change and ending on the date it satisfies the notice requirement) is subject to tax and must be reported on the annual income tax return Form 1120-POL. The tax is computed by multiplying the organization's taxable income by the highest federal corporate tax rate, currently 35 percent. For purposes of computing its taxable income for any period, the organization includes its exempt function income (including contributions received, membership dues, and political fundraising receipts), minus any deductions directly connected with the production of that income, but may not deduct its exempt function expenditures for the period.

Generally, tax-exempt political organizations that have, or expect to have, contributions or expenditures exceeding \$25,000 during a calendar year are required to file Form 8872, Political Organization Report of Contributions and Expenditures, beginning with the first month or quarter during the calendar year in which they accept contributions or make expenditures. A tax-exempt political organization subject to the periodic

reporting requirement may choose to file Form 8872 on a monthly basis or on a quarterly/semiannual basis, but it must file on the same basis for the entire calendar year. In addition, tax-exempt political organizations that make contributions or expenditures with respect to an election for federal office as defined in 527(j)(6) may be required to file pre-election reports for that election.

A tax-exempt political organization that does not timely file the required Form 8872, or that fails to include the information required on the Form 8872, must pay an amount calculated by multiplying the amount of contributions and expenditures that are not disclosed by the highest federal corporate tax rate, currently 35 percent.

Question 2. How many 501(c)(4) organizations which appear to be primarily engaged in political activity have been notified by the IRS within the last 6 months that they may be in violation of the law?

When the IRS examines a section 501(c)(4) organization, the objective of the audit is to determine whether that organization qualifies for tax-exempt-status as a social welfare organization. As discussed in our June 4, 2012 response to your March 30, 2012 letter, that determination looks to whether the organization is primarily engaged in activities that promote social welfare, not organized or operated for profit, and the net earnings of which do not inure to the benefit of any private shareholder or individual. The examination looks at the activities engaged in during the complete taxable year at issue. Although the promotion of social welfare does not include direct or indirect participation or intervention in political campaigns on behalf of or in opposition to any candidate for public office, a section 501(c)(4) social welfare organization can engage in political activities as long as it is primarily engaged in activities that promote social welfare.

If the IRS believes that an organization does not meet the requirements under section 501(c)(4), the IRS notifies the organization of its intention to revoke the organization's exempt status, explaining the law and reasons for the proposed revocation. The organization has 30 days from the date of that letter to protest or appeal the determination before a final revocation letter is issued to the organization.

During the past six months, no notices of proposed or final revocation were issued to section 501(c)(4) organizations. Note that the IRS currently has more than 70 ongoing examinations of section 501(c)(4) organizations (this includes examinations for a variety of issues, some of which include whether the organization is primarily engaged in activities that promote social welfare). It is also important to note that the Service also maintains a determination process to review the operations of an organization to determine whether it should be recognized as tax exempt. In this area, we also review compliance with the legal requirements, including whether an organization is primarily engaged in activities that promote social welfare. There are currently more than 1,600 organizations in the determination process seeking recognition as a section 501(c)(4) organization. The level of political activity is an issue in a number of these determination cases.

I hope this information is helpful. If you have questions, please contact me or have your staff contact Catherine Barre.

Sincerely,

STEVEN T. MILLER,
Deputy Commissioner for Services and
Enforcement.

TRIBUTE TO JUDGE BRUCE D. BLACK

Mr. BINGAMAN. Mr. President, I want to recognize the distinguished service of my friend Bruce Black, the Chief Judge for the U.S. District Court for the District of New Mexico.

Bruce has chosen to leave the Federal bench at the end of this month. His decision to retire is a loss for our State and for the Nation. But he has served our Nation with great distinction and ability.

Bruce was appointed to be a district court judge by President Clinton in 1995. During the 17 years of his service in that position he has exemplified the integrity and high standards of fairness and impartiality which we strive for in our Federal judiciary.

Throughout his years as a Federal judge he has never lost sight of the real-life effects of the court's decisions on the lives of those who come before the court.

Bruce and his wife Mary have exciting plans for the next chapter of their lives. They are close friends to my wife Anne, and me. We wish them the very best in future years.

TRIBUTE TO JONA OLSSON

Mr. BINGAMAN. Mr. President, today I wish to recognize Jona Olsson, fire chief of the Latir Volunteer Fire Department located near Questa, NM. Olsson was recently honored as the 2012 Volunteer Fire Chief of the Year by Fire Chief for her tireless work at the Latir Volunteer Fire Department and her efforts to increase diversity in the local fire service. She was honored on August 3, 2012, during the opening session of the International Association of Fire Chiefs' Fire-Rescue International Conference and Exhibition in Denver, CO.

After moving to New Mexico in 1999, Olsson was recruited to join the Latir Volunteer Fire Department. She quickly became integrated in the fire department, rising through the ranks, serving as a training officer, deputy chief, and eventually fire and EMS chief for the department in 2006. Olsson has facilitated training to individual departments and fire conferences across North America, as well as the United Kingdom.

During tough economic times, Olsson and other volunteers have continued to expand the fire department, increasing training hours and the number of qualified volunteers. All 18 of Latir's volunteer firefighters are structure trained, 13 are qualified with wildland Red Cards, and nine have EMS licenses. The Latir Volunteer Fire Department also has an active junior firefighter program. In addition, the fire department recently built a new addition to the fire station and purchased another fire engine.

I ask that my colleagues join me in honoring Jona Olsson and the excellent

work of the Latir Volunteer Fire Department. The dedication of Olsson and the community volunteers helps ensure the delivery of vital services to New Mexico residents.

HONORING OUR ARMED FORCES

Mr. LAUTENBERG. Mr. President, over 2 years have passed since I last included the names of our troops who have lost their lives serving in support of operations in Iraq and Afghanistan. I wish to honor their service and sacrifice by including their names in the CONGRESSIONAL RECORD.

Since I last included the names of our fallen troops on July 13, 2010, the Pentagon announced the deaths of 1,020 troops in Iraq and in Operation Enduring Freedom, which includes Afghanistan. They will not be forgotten, and today I ask unanimous consent that their names be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CW2 Jose L. Montenegro Jr., of Houston, TX; CW2 Thalia S. Ramirez, of San Antonio, TX; PFC Shane W. Cantu, of Corunna, MI; LCpl Alec R. Terwiske, of Dubois, IN; SSG Jeremie S. Border, of Mesquite, TX; SSG Jonathan P. Schmidt, of Petersburg, VA; SPC Kyle R. Rookey, of Oswego, NY; SSG Jessica M. Wing, of Alexandria, VA; SGT Christopher J. Birdwell, of Windsor, CO; SPC Mabry J. Anders, of Baker City, OR; PFC Patricia L. Horne, of Greenwood, MS; SGT Louis R. Torres, of Oberlin, OH; SGT David V. Williams, of Frederick, MD; SFC Coater B. Debose, of State Line, MS; SGT Richard A. Essex, of Kelseyville, CA; SGT Luis A. Oliver Galbreath, of San Juan, PR; SO2 David J. Warsen, of Kentwood, MI; SO1 Patrick D. Feeks, of Edgewater, MD; PO1 Sean P. Carson, of Des Moines, WA; CW2 Suresh N. A. Krause, of Cathedral City, CA.

CW3 Brian D. Hornsby, of Melbourne, FL; PO1 Darrel L. Enos, of Colorado Springs, CO; SSgt Gregory T. Copes, of Lynch Station, VA; SPC James A. Justice, of Grover, NC; PFC Michael R. Demarsico II, of North Adams, MA; SSG Eric S. Holman, of Evans City, PA; PFC Andrew J. Keller, of Tigard, OR; SSgt Scott E. Dickinson, of San Diego, CA; Cpl Richard A. Rivera Jr., of Ventura, CA; LCpl Gregory T. Buckley, of Oceanside, NY; SSgt Sky R. Mote, of El Dorado, CA; GySgt Ryan Jeschke, of Herndon, VA; Capt Matthew P. Manoukian, of Los Altos Hills, CA; MSgt Gregory R. Trent, of Norton, MA; MAJ Thomas E. Kennedy, of West Point, NY; CSM Kevin J. Griffin, of Laramie, WY; SPC Ethan J. Martin, of Lewiston, ID; Maj Walter D. Gray, of Conyers, GA; PO3 Clayton R. Beauchamp, of Weatherford, TX; Cpl Daniel L. Linnabary II, of Hubert, NC.

1SG Russell R. Bell, of Tyler, TX; SSG Matthew S. Sitton, of Largo, FL; 1LT Todd W. Lambka, of Fraser, MI; PFC Jesus J. Lopez, of San Bernardino, CA; SPC Kyle B. McClain, of Rochester Hills, MI; LCpl Curtis J. Duarte, of Covina, CA; GySgt Jonathan W. Gifford, of Palm Bay, FL; GySgt Daniel J. Price, of Holland, MI; 1LT Sean R. Jacobs, of Redding, CA; SGT John E. Hansen, of Austin, TX; SPC Benjamin C. Pleitez, of Turlock, CA; SFC Bobby L. Estle, of Lebanon, OH; PFC Jose Oscar Belmontes, of La Verne, CA; PFC Theodore M. Glende, of Rochester, NY; Sgt Justin M. Hansen, of Traverse City, MI;

SPC Justin L. Horsley, of Palm Bay, FL; PFC Brenden N. Salazar, of Chuluota, FL; PFC Adam C. Ross, of Lyman, SC; SGT Eric E. Williams, of Murrieta, CA; PFC Julian L. Colvin, of Birmingham, AL.

SSG Richard L. Berry, of Scottsdale, AZ; PO2 Michael J. Brodsky, of Tamarac, FL; SSG Brandon R. Pepper, of York, PA; SPC Darriion T. Hicks, of Raleigh, NC; PFC Jeffrey L. Rice, of Troy, OH; PO2 Joseph P. Fitzmorris, of Ruston, LA; CPO Sean P. Sullivan, of St. Louis, MO; SPC Krystal M. Fitts, of Houston, TX; Cpl Joshua R. Ashley, of Rancho Cucamonga, CA; SGT Daniel A. Rodriguez, of Baltimore, MD; SGT Jose J. Reyes, of San Lorenzo, PR; SPC Sergio E. Perez Jr., of Crown Point, IN; SPC Nicholas A. Taylor, of Berne, IN; SGT Erik N. May, of Independence, KS; SSG Carl E. Hammar, of Lake Havasu City, AZ; SGT Michael E. Ristau, of Rockford, IL; SPC Sterling W. Wyatt, of Columbia, MO; PFC Cameron J. Stambaugh, of Spring Grove, PA; PFC Alejandro J. Pardo, of Porterville, CA; PFC Trevor B. Adkins, of Spring Lake, NC.

SPC Clarence Williams III, of Brooksville, FL; SPC Erica P. Alecksen, of Eatonton, GA; SSG Ricardo Seija, of Tampa, FL; Cpl Juan P. Navarro, of Austin, TX; SPC Jonathan Batista, of Kinnelon, NJ; SSG Raul M. Guerra, of Union City, NJ; CPT Bruce A. MacFarlane, of Oviedo, FL; PFC Cody O. Moosman, of Preston, ID; SGT Michael J. Strachota, of White Hall, AR; SSG Robert A. Massarelli, of Hamilton, OH; SGT James L. Skalberg Jr., of Cullman, AL; 1LT Stephen C. Prasnicky, of Lexington, VA; SSG Matthew J. Leach, of Ferndale, MI; LCpl Niall W. Coti-Sears, of Arlington, VA; LCpl Hunter D. Hogan, of Norman, IN; PFC Steven P. Stevens II, of Tallahassee, FL; MAJ Paul C. Voelke, of Monroe, NY; LCpl Eugene C. Mills III, of Laurel, MD; SGT Jose Rodriguez, of Gustine, CA; 1LT Ryan D. Rawl, of Lexington, SC.

SFC Matthew B. Thomas, of Travelers Rest, SC; SPC John D. Meador II, of Columbia, SC; PFC Jarrod A. Lallier, of Spokane, WA; SPC Trevor A. Pinnick, of Lawrenceville, IL; SGT Joseph M. Lilly, of Flint, MI; SGT Nicholas C. Fredsti, of San Diego, CA; SFC Barrett W. McNabb, of Chino Valley, AZ; Cpl Taylor J. Braune, of Andover, MN; SPC Bryant J. Luxmore, of New Windsor, IL; PFC Nathan T. Davis, of Yucaipa, CA; MCPO Richard J. Kessler Jr., of Gulfport, FL; PFC Brandon D. Goodvine, of Luthersville, GA; Cpl Anthony R. Servin, of Moreno Valley, CA; CPT Scott P. Pace, of Brawley, CA; 1LT Mathew G. Fazzari, of Walla Walla, WA; PFC Vincent J. Ellis, of Tokyo, Japan; LCpl Jashua E. Witsman, of Covington, IN; SPC Gerardo Campos, of Miami, FL; SPC Kedith L. Jacobs, of Denver, CO; PFC Leroy Deronde III, of Jersey City, NJ.

SSG Alexander G. Povilaitis, of Dawsonville, GA; SSG Roberto Loeza, of El Paso, TX; PO2 Sean E. Brazas, of Greensboro, NC; CPL Nicholas H. Olivas, of Fairfield, OH; LCpl Steven G. Sutton, of Leesburg, GA; Sgt Julian C. Chase, of Edgewater, MD; CPT John R. Brainard, of Dover-Foxcroft, ME; CW5 John C. Pratt, of Springfield, VA; SPC Tofiga J. Tautolo, of Wilmington, CA; HN Eric D. Warren, of Shawnee, OK; Cpl Keaton G. Coffey, of Boring, OR; PFC Cale C. Miller, of Overland Park, KS; PO1 Ryan J. Wilson, of Shasta, CA; 2LT Travis A. Morgado, of San Jose, CA; SPC Arronn D. Fields, of Terre Haute, IN; SPC Samuel T. Watts, of Wheaton, IL; CPT Jesse A. Ozbatt, of Prince George, VA; 2LT Tobias C. Alexander, of Lawton, OK; SGT Michael J. Knapp, of Over-

land Park, KS; SGT Jabruan S. Knox, of Fort Wayne, IN.

SSG Israel P. Nuanes, of Las Cruces, NM; SGT Brian L. Walker, of Lucerne Valley, CA; PFC Richard L. McNulty III, of Rolla, MO; SPC Vilmar Galarza Hernandez, of Salinas, CA; SPC Alex Hernandez III, of Round Rock, TX; Sgt Wade D. Wilson, of Normangee, TX; 1LT Alejo R. Thompson, of Yuma, AZ; PO2 Jorge Luis Velasquez, of Houston, TX; SGT Jacob M. Schwallie, of Clarksville, TN; SPC Chase S. Marta, of Chico, CA; PFC Dustin D. Gross, of Jeffersonville, KY; 2LT David E. Rylander, of Stow, OH; SPC Junot M. L. Cochilus, of Charlotte, NC; SSG Thomas K. Fogarty, of Alameda, CA; Sgt John P. Huling, of West Chester, OH; MSG Gregory L. Childs, of Warren, AR; SSG Zachary H. Hargrove, of Wichita, KS; CPT Bruce K. Clark, of Spencerport, NY; SGT Nicholas M. Dickhut, of Rochester, MN; PFC Christian R. Sannicolas, of Anaheim, CA.

M Sgt Scott E. Pruitt, of Gautier, MS; SSG Andrew T. Brittonmihalo, of Simi Valley, CA; SSG Brandon F. Eggleston, of Candler, NC; SGT Dick A. Lee, of Orange Park, FL; LT Christopher E. Mosko, of Pittsford, NY; SPC Moises J. Gonzalez, of Huntington, CA; SPC Jason K. Edens, of Franklin, TN; SPC Manuel J. Vasquez, of West Sacramento, CA; SGT Dean R. Shaffer, of Pekin, IL; SGT Chris J. Workman, of Boise, ID; CW2 Don C. Viray, of Waipahu, HI; CW2 Nicholas S. Johnson, of San Diego, CA; PFC Michael J. Metcalf, of Boynton Beach, FL; 1LT Jonathan P. Walsh, of Cobb, GA; SSgt Joseph H. Fankhauser, of Mason, TX; CPT Michael C. Braden, of Lock Haven, PA; Cpl Aaron M. Faust, of Louisville, KY; SSG David P. Nowaczyk, of Dyer, IN; SGT Tanner S. Higgins, of Yantis, TX; LCpl Abraham Tarwoe, of Providence, RI.

SPC Philip C. S. Schiller, of The Colony, TX; LCpl Ramon T. Kaipat, of Tacoma, WA; EOCN Trevor J. Stanley, of Virginia Beach, VA; SSG Tyler J. Smith, of Licking, MO; SPC Antonio C. Burnside, of Great Falls, MT; SPC Jeffrey L. White, of Catawissa, MO; Cpl Alex Martinez, of Elgin, IL; SFC Shawn T. Hannon, of Grove City, OH; SFC Jeffrey J. Rieck, of Columbus, OH; CPT Nicholas J. Rozanski, of Dublin, OH; Cpl Christopher D. Bordon, of Ithaca, NY; SSG Christopher L. Brown, of Columbus, OH; Cpl Michael J. Palacio, of Lake Elsinore, CA; SPC James E. Dutton, of Checotah, OK; SPC David W. Taylor, of Dixon, KY; Cpl Roberto Cazarez, of Harbor City, CA; PFC Johnathon F. Davis, of Griffin, GA; Capt Francis D. Imlay, of Vacaville, CA; Sgt Joseph D'Augustine, of Waldwick, NJ; SGT William R. Wilson III, of Getzville, NY.

SGT Daniel J. Brown, of Jerome, ID; CPT Aaron D. Istre, of Vinton, LA; SPC Dennis P. Weichel Jr., of Providence, RI; SGT Jamie D. Jarboe, of Frankfort, IN; 2LT Clovis T. Ray, of San Antonio, TX; SPC Daquane D. Rivers, of Marianna, FL; SSG Jesse J. Grindley, of Hazel Green, WI; SPC Edward J. Acosta, of Hesperia, CA; SSG Jordan L. Bear, of Denver, CO; PFC Payton A. Jones, of Marble Falls, TX; Cpl Conner T. Lowry, of Chicago, IL; SSG Ahmed K. Altaie, of Ann Arbor, MI; MAJ Robert J. Marchanti II, of Baltimore, MD; Lt Col John D. Loftis, of Paducah, KY; SGT Joshua A. Born, of Niceville, FL; CPL Timothy J. Conrad Jr., of Roanoke, VA; SGT Allen R. McKenna Jr., of Noble, OK; Capt Ryan P. Hall, of Colorado Springs, CO; Capt Nicholas S. Whitlock, of Newnan, GA; 1st Lt Justin J. Wilkens, of Bend, OR.

SrA Julian S. Scholten, of Upper Marlboro, MD; PO1 Paris S. Pough, of Columbus, GA; SGT Jerry D. Reed II, of Russellville, AR;

PO3 Kyler L. Estrada, of Queen Creek, AZ; LCpl Osbrany Montes De Oca, of North Arlington, NJ; PFC Cesar Cortez, of Oceanside, CA; SFC Billy A. Sutton, of Tupelo, MS; BG Terence J. Hildner, of Fairfax, VA; LCpl Edward J. Dycus, of Greenville, MS; Sgt William C. Stacey, of Redding, CA; 1LT David A. Johnson, of Horicon, WI; Capt Joshua C. Pairsh, of Equality, IL; Cpl Christopher G. Singer, of Temecula, CA; Capt Daniel B. Bartle, of Ferndale, WA; Capt Nathan R. McHone, of Crystal Lake, IL; MSgt Travis W. Riddick, of Centerville, IA; Cpl Jesse W. Stites, of North Beach, MD; Cpl Kevin J. Reinhard, of Colonia, NJ; Cpl Joseph D. Logan, of Willis, TX; Cpl Phillip D. McGeath, of Glendale, AZ.

SPC Keith D. Benson, of Brockton, MA; Cpl Jon-Luke Bateman, of Tulsa, OK; LCpl Kenneth E. Cochran, of Wilder, ID; SFC Benjamin B. Wise, of Little Rock, AR; PFC Neil I. Turner, of Tacoma, WA; PFC Michael W. Pyron, of Hopewell, VA; PFC Dustin P. Napier, of London, KY; SSG Jonathan M. Metzger, of Indianapolis, IN; SPC Robert J. Tauteris Jr., of Hamlet, IN; SPC Christopher A. Patterson, of Aurora, IL; SPC Brian J. Leonhardt, of Merrillville, IN; SrA Bryan R. Bell, of Erie, PA; TSgt Matthew S. Schwartz, of Traverse City, MI; AIC Matthew R. Seidler, of Westminster, MD; PO1 Chad R. Regelin, of Cottonwood, CA; SPC Pernell J. Herrera, of Espanola, NM; PO1 Stacy O. Johnson, of Rolling Fork, MS; SGT Noah M. Korte, of Lake Elsinore, CA; SPC Kurt W. Kern, of McAllen, TX; PFC Justin M. Whitmire, of Easley, SC.

SSG Joseph J. Altmann, of Marshfield, WI; SPC Mikayla A. Bragg, of Longview, WA; Maj Samuel M. Griffith, of Virginia Beach, VA; Private Jalfred D. Vaquerano, of Apopka, FL; SGT Christopher L. Muniz, of New Cuyama, CA; SPC Ronald H. Wildrick Jr., of Blairstown, NJ; LCpl Christopher P. J. Levy, of Ramseur, NC; SFC Clark A. Corley Jr., of Oxnard, CA; SPC Ryan M. Lumley, of Lakeland, FL; SPC Thomas J. Mayberry, of Springville, CA; SGT Ryan D. Sharp, of Idaho Falls, ID; SSgt Vincent J. Bell, of Detroit, MI; SFC Dennis R. Murray, of Red Broiling Springs, TN; Cpl Adam J. Buys, of Salem, OR; Cpl Zachary C. Reiff, of Preston, IA; PFC Jackie L. Diener II, of Boyne City, MI; LCpl Joshua D. Corral, of Danville, CA; PFC Adam E. Dobereiner, of Moline, IL; SPC Sean M. Walsh, of San Jose, CA; SPC James R. Burnett Jr., of Wichita, KS.

PFC Matthew C. Colin, of Navarre, FL; SPC David E. Hickman, of Greensboro, NC; SPC Calvin M. Pereda, of Fayetteville, NC; SFC Johnathan B. McCain, of Apache Junction, AZ; PFC Theodore B. Rushing, of Longwood, FL; PFC Cody R. Norris, of Houston, TX; LCpl Nickolas A. Daniels, of Elmwood Park, IL; 1LT Dustin D. Vincent, of Mesquite, TX; SSG Ari R. Cullers, of New London, CT; SGT Christopher D. Gailey, of Ochelata, OK; SPC Sarina N. Butcher, of Checotah, OK; LTC David E. Cabrera, of Abilene, TX; SSG Christopher R. Newman, of Shelby, NC; SGT James M. Darrough, of Austin, TX; SGT Carlo F. Eugenio, of Rancho Cucamonga, CA; SSgt Stephen J. Dunning, of Milpitas, CA; SGT John A. Lyons, of Seaside Park, NJ; SFC David G. Robinson, of Winthrop Harbor, IL; SGT Edward S. Grace, of South Dartmouth, MA; CPT Shawn P. T. Charles, of Hickory, NC.

LCpl Jason N. Barfield, of Ashford, AL; PFC Steven F. Shapiro, of Hidden Valley Lake, CA; AIC Jerome D. Miller, of Washington, DC; LCpl Jordan S. Bastean, of Pekin, IL; SGT Paul A. Rivera, of Round Rock, TX; 1LT Ashley I. White, of Alliance,

OH; SFC Kristoffer B. Domeji, of San Diego, CA; PFC Christopher A. Horns, of Colorado Springs, CO; CPO Raymond J. Border, of West Lafayette, OH; SSG Jorge M. Oliveira, of Newark, NJ; SSG James R. Leep, of Richmond, VA; SPC Michael D. Elm, of Phoenix, AZ; SSG Houston M. Taylor, of Hurst, TX; SPC Jeremiah T. Sancho, of Palm Bay, FL; SSG Robert N. Cowdrey, of Atwater, OH; LCpl Scott D. Harper, of Winston, GA; SOC Michael R. Tatham, of University Place, WA; SSG Nathan L. Wyrick, of Enumclaw, WA; CW3 James B. Wilke, of Ione, CA; CPT Joshua S. Lawrence, of Nashville, TN.

CPT Drew E. Russell, of Scotts, MI; SPC Ricardo Cerros Jr., of Salinas, CA; LCpl Benjamin W. Schmidt, of San Antonio, TX; Private Danny Chen, of New York, NY; 1SG Billy J. Siercks, of Velda Village, MO; SO1 Caleb A. Nelson, of Omaha, NE; SPC James A. Butz, of Porter, IN; SPC Adrian G. Mills, of Newnan, GA; SSgt Nicholas A. Sprovtsoff, of Davison, MI; Sgt Christopher Diaz, of Albuquerque, NM; 1LT Ivan D. Lechowich, of Valrico, FL; SPC Steven E. Gutowski, of Plymouth, MA; PFC David A. Drake, of Lumberton, TX; 1LT Andres Zermeno, of San Antonio, TX; LCpl John R. Wimpey Cagle, of Tucker, GA; 1stLT Ryan K. Iannelli, of Clarksboro, NJ; SPC Garrett A. Fant, of American Canyon, CA; LCpl Franklin N. Watson, of Vonore, TN; SPC Francisco J. Brisenio-Alvarez Jr., of Oklahoma City, OK; SGT Tyler N. Holtz, of Dana Point, CA.

SGT Rafael E. Bigai Baez, of San Juan, PR; PFC Carlos A. Aparicio, of San Bernadino, CA; SGT Andy C. Morales, of Longwood, FL; LCpl Terry C. Wright, of Scio, OH; SPC Jakob J. Roelli, of Darlington, WI; SPC Robert E. Dyas, of Nampa, ID; SGT Timothy D. Sayne, of Reno, NV; SPC Ryan J. Cook, of Fort Walton Beach, FL; SSG Estevan Altamirano, of Edcouch, TX; SPC Chazray C. Clark, of Ecorse, MI; SGT Garrick L. Eppinger Jr., of Appleton, WI; SSG Michael W. Hosey, of Birmingham, AL; Cpl Michael J. Dutcher, of Asheville, NC; SGT Mycal L. Prince, of Minco, OK; SGT Chester G. Stoda, of Black River Falls, WI; SGT Rodolfo Rodriguez Jr., of Pharr, TX; SFC Daniel R. Adams, of Portland, OR; SSG Keith F. Rudd, of Winder, GA; SSG Daniel A. Quintana, of Huntington Park, CA.

PFC Brett E. Wood, of Spencer, IN; PO2 Brian K. Lundy, of Austin, TX; SGT Bret D. Isenhower, of Lamar, OK; SPC Christopher D. Horton, of Collinsville, OK; PFC Tony J. Potter Jr., of Okmulgee, OK; SPC Koran P. Contreras, of Lawndale, CA; PFC Douglas J. Jeffries Jr., of Springville, CA; CDR James K. Crawford, of East Concord, NY; SPC Kevin R. Shumaker, of Livermore, CA; James W. Coker, of Mount Pleasant, SC; SPC Christophe J. Marquis, of Tampa, FL; SPC Christopher J. Scott, of Tyrone, NY; SPC Dennis James Jr., of Deltona, FL; SGT Devin J. Daniels, of Kuna, ID; SGT Colby L. Richmond, of Providence, NC; PFC Alberto L. Obod, of Orlando, FL; SPC Douglas J. Green, of Sterling, VA; SPC Michael C. Roberts, of Watauga, TX; PFC Jesse W. Dietrich, of Venus, TX; PFC Brandon S. Mullins, of Owensboro, KY.

SGT Andrew R. Tobin, of Jacksonville, IL; 1LT Timothy J. Steele, of Duxbury, MA; PFC Douglas L. Cordo, of Kingston, NY; LCpl Travis M. Nelson, of Pace, FL; SPC Joshua M. Seals, of Porter, OK; SPC Dennis G. Jensen, of Vermillion, SD; 1LT Damon T. Leehan, of Edmond, OK; SGT Matthew A. Harmon, of Bagley, MN; CPL Joseph A. VanDreumel, of Grand Rapids, MI; MSG Charles L. Price III, of Milam, TX; 2LT Joe L. Cunningham, of Kingston, OK; SGT Ed-

ward J. Frank II, of Yonkers, NY; SGT Jameel T. Freeman, of Baltimore, MD; SPC Patrick L. Lay II, of Fletcher, NC; SPC Jordan M. Morris, of Stillwater, OK; PFC Rueben J. Lopez, of Williams, CA; HN Riley Gallinger-Long, of Cornelius, OR; Cpl Nicholas S. Ott, of Manchester, NJ; LCDR Jonas B. Kelsall, of Shreveport, LA; SOCM Louis J. Langlais, of Santa Barbara, CA.

SOCS Thomas A. Ratzlaff, of Green Forest, AR; EODCS Kraig M. Vickers, of Kokomo, HI; SOC Brian R. Bill, of Stamford, CT; SOC John W. Faas, of Minneapolis, MN; SOC Kevin A. Houston, of West Hyannisport, MA; SOC Matthew D. Mason, of Kansas City, MO; SOC Stephen M. Mills, of Fort Worth, TX; EODC Nicholas H. Null, of Washington, WV; SOC Robert J. Reeves, of Shreveport, LA; SOC Heath M. Robinson, of Detroit, MI; SO1 Darrik C. Benson, of Anglin, CA; SO1 Christopher G. Campbell, of Jacksonville, NC; PO1 Jared W. Day, of Taylorsville, UT; PO1 John Douangdara, of South Sioux City, NE; PO1 Michael J. Strange, of Philadelphia, PA; SO1 Jon T. Tumilson, of Rockford, IA; SO1 Aaron C. Vaughn, of Stuart, FL; SO1 Jason R. Workman, of Blanding, UT; SO1 Jesse D. Pittman, of Ukiah, CA; SO2 Nicholas P. Spehar, of Saint Paul, MN.

CW4 David R. Carter, of Centennial, CO; CW2 Bryan J. Nichols, of Hays, KS; SSG Patrick D. Hamburger, of Lincoln, NE; SGT Alexander J. Bennett, of Tacoma, WA; SPC Spencer C. Duncan, of Olathe, KS; TSgt John W. Brown, of Tallahassee, FL; SSgt Andrew W. Harvell, of Long Beach, CA; TSgt Daniel L. Zerbe, of York, PA; SGT Alessandro L. Plutino, of Pitman, NJ; Sgt Adan Gonzales Jr., of Bakersfield, CA; SGT Joshua J. Robinson, of Omaha, NE; Sgt Daniel J. Patron, of Canton, OH; SPC Mark J. Downer, of Warner Robins, GA; SPC Jinsu Lee, of Chatsworth, CA; Sgt Daniel D. Gurr, of Vernal, UT; SGT Anthony Del Mar Peterson, of Chelsea, OK; CPT Waid C. Ramsey, of Red Bay, AL; PFC Cody G. Baker, of Holton, KS; PFC Gil I. Morales Del Valle, of Jacksonville, FL; SPC Barun Rai, of Silver Spring, MD.

SSG Kirk A. Owen, of Sapulpa, OK; SSgt Patrick R. Dolphin, of Moscow, PA; Sgt Dennis E. Kancler, of Brecksville, OH; SGT Christopher M. Wrinkle, of Dallastown, PA; SSgt Leon H. Lucas Jr., of Wilson, NC; PFC Brice M. Scott, of Columbus, GA; SGT William B. Gross Paniagua, of Daly City, CA; 2LT Jered W. Ewy, of Edmond, OK; SPC Augustus J. Vicari, of Broken Arrow, OK; MSG Benjamin A. Stevenson, of Canyon Lake, TX; SGT Omar A. Jones, of Crook, CO; SSG James M. Christen, of Loomis, CA; SGT Jacob Molina, of Houston, TX; CPL Raphael R. Arruda, of Ogden, UT; SSG Kenneth R. Vangiesen, of Erie, PA; SGT Edward W. Koehler, of Lebanon, PA; SSG Brian K. Mowery, of Halifax, PA; LCpl Christopher L. Camero, of Kailua Kona, HI; SGT Mark A. Cofield, of Colorado Springs, CO; LCpl Jabari N. Thompson, of Brooklyn, NY.

MSG Kenneth B. Elwell, of Holland, PA; PFC Tyler M. Springmann, of Hartland, ME; SPC Daniel L. Elliot, of Youngsville, NC; CPL Frank R. Gross, of Oldsmar, FL; SSG Lex L. Lewis, of Rapid City, SD; SSG Wyatt A. Goldsmith, of Colville, WA; SGT Jeremy R. Summers, of Mount Olivet, KY; SN Aaron D. Ullom, of Midland, MI; LCpl Robert S. Greniger, of Greenfield, MN; LCpl Norberto Mendez Hernandez, of Logan, UT; SGT Christopher P. Soderlund, of Pineville, LA; SPC Rafael A. Nieves, of Albany, NY; SGT Steven L. Talamantez, of Laredo, TX; SFC Terryl L. Pasker, of Cedar Rapids, IA; SPC Nathan R. Beyers, of Littleton, CO; SPC Nicholas W. Newby, of Coeur d'Alene, ID; SSgt Thomas J.

Dodds Dudley, of Tega Cay, SC; SGT Nicanor Amper IV, of San Jose, CA; SSG Joshua A. Throckmorton, of Battle Creek, MI; SPC Jordan C. Schumann, of Port Saint Lucie, FL.

SPC Preston J. Suter, of Sandy, UT; SSG Michael J. Garcia, of Bossier City, LA; CPT Matthew G. Nielson, of Jefferson, IA; SPC James A. Waters, of Cloverdale, IN; CPT David E. Van Camp, of Wheeling, WV; SPC Robert G. Tenney Jr., of Warner Robins, GA; Sgt Chad D. Frokjer, of Maplewood, MN; Cpl Kyle R. Schneider, of Phoenix, NY; SPC Nicholas P. Bernier, of East Kingston, NH; LCpl Mark R. Goyet, of Sinton, TX; LCpl John F. Farias, of New Braunfels, TX; SSG Donald V. Stacy, of Avondale, AZ; Cpl Michael C. Nolen, of Spring Valley, WI; 1LT Dimitri A. Del Castillo, of Tampa, FL; SSG Nigel D. Kelly, of Menifee, CA; SPC Kevin J. Hilaman, of Albany, CA; SSG Russell J. Proctor, of Oroville, CA; PFC Dylan J. Johnson, of Tulsa, OK; SPC Matthew R. Gallagher, of North Falmouth, MA; TSgt Daniel L. Douville, of Harvey, LA.

Gy Sgt Ralph E. Pate, of Mullins, SC; Sgt Marlon E. Myrie, of Oakland Park, FL; SPC Nicholas C. D. Hensley, of Prattville, AL; Cpl Gurpreet Singh, of Antelope, CA; SPC Levi E. Nuncio, of Harrisonburg, VA; PFC Joshua L. Jetton, of Sebring, FL; LCpl Jared C. Verbeek, of Visalia, CA; SFC Alvin A. Boatwright, of Lodge, SC; SGT Edward F. Dixon III, of Whiteman Air Force Base, MO; SSG Alan L. Snyder, of Blackstone, MA; SPC Tyler R. Kreinz, of Beloit, WI; SGT James W. Harvey II, of Toms River, NJ; PFC Gustavo A. Rios-Ordenez, of Englewood, OH; PFC Josue Ibarra, of Midland, TX; PFC Brian J. Backus, of Saginaw Township, MI; SPC Scott D. Smith, of Indianapolis, IN; SPC Marcos A. Cintron, of Orlando, FL; Sgt Mark A. Bradley, of Cuba, NY; Private Ryan J. Larson, of Friendship, WI; PFC Eric D. Soufrine, of Woodbridge, CT.

SSG Jeremy A. Katzenberger, of Weatherly Lake, MO; SSG Nicholas P. Bellard, of El Paso, TX; SGT Glenn M. Sewell, of Live Oak, TX; LCpl Jason D. Hill, of Poway, CA; LCpl Sean M. N. O'Connor, of Douglas, WY; LCpl Joshua B. McDaniels, of Dublin, OH; CPT Michael W. Newton, of Newport News, VA; LCpl Nicholas S. O'Brien, of Stanley, NC; PFC Matthew J. England, of Gainesville, MO; Cpl Matthew T. Richard, of Acadia, LA; SPC Emilio J. Campo Jr., of Madelia, MN; SPC Michael B. Cook Jr., of Middletown, OH; SPC Christopher B. Fishbeck, of Victorville, CA; SPC Robert P. Hartwick, of Rockbridge, OH; PFC Michael C. Olivieri, of Chicago, IL; Cpl William J. Woitowicz, of Middlesex, MA; Sgt Joseph M. Garrison, of New Bethlehem, PA; CW3 Kenneth R. White, of Fort Collins, CO; CW2 Bradley J. Gaudet, of Gladewater, TX; SGT Christopher R. Bell, of Golden, MS.

SGT Joshua D. Powell, of Quitman, TX; SPC Devin A. Snyder, of Cohocton, NY; SPC Robert L. Voakes Jr., of L'Anse, MI; Cpl Paul W. Zanolwick II, of Miamisburg, OH; SGT Jeffrey C. S. Sherer, of Four Oaks, NC; SPC Richard C. Emmons III, of North Granby, CT; CPT Joseph W. Schultz, of Port Angeles, WA; SSG Martin R. Apolinar, of Glendale, AZ; SGT Aaron J. Blasjo, of Riverside, CA; PFC Anthony M. Nunn, of Burnet, TX; LCpl Peter J. Clore, of New Philadelphia, OH; SPC Adam S. Hamilton, of Kent, OH; PFC John C. Johnson, of Phoenix, AZ; 1LT John M. Runkle, of West Salem, OH; SSG Edward D. Mills Jr., of New Castle, PA; SSG Ergin V. Osman, of Jacksonville, NC; SGT Thomas A. Bohall, of Bel Aire, KS; SGT Louie A. Ramos Velazquez, of Camuy, PR;

SPC Adam J. Patton, of Port Orchard, WA; SSgt Joseph J. Hamski, of Ottumwa, IA.

TSgt Kristoffer M. Solesbee, of Citrus Heights, CA; CW2 Christopher R. Thibodeau, of Chesterland, OH; SSG Kristofferson B. Lorenzo, of Chula Vista, CA; PFC William S. Blevins, of Sardinia, OH; Private Andrew M. Krippner, of Garland, TX; Private Thomas C. Allers, of Plainwell, MI; SFC Clifford E. Beattie, of Medical Lake, WA; PFC Ramon Mora Jr., of Ontario, CA; CPL Brandon M. Kirton, of Centennial, CO; SSG David D. Self, of Pearl, MS; SPC Bradley L. Melton, of Rolla, MO; Private Lamarol J. Tucker, of Gainesville, FL; Private Cheizray Pressley, of North Charleston, SC; SGT Robert C. Schlote, of Norfolk, NE; SPC Brian D. Riley Jr., of Longwood, FL; Sgt Kevin B. Baldof, of Nashville, TN; LtCol Benjamin J. Palmer, of Modesto, CA; SGT Amaru Aguilar, of Miami, FL; 1LT Demetrius M. Frison, of Lancaster, PA.

SGT Ken K. Hermogino, of Edwards Air Force Base, CA; SPC Riley S. Spaulding, of Sheridan, TX; SGT Kevin W. White, of Westfield, NY; SGT Adam D. Craig, of Cherokee, IA; PFC Robert M. Friese, of Chesterfield, MI; SPC Preston J. Dennis, of Redding, CA; PFC Jonathan M. Villanueva, of Jacksonville, FL; SGT Matthew D. Hermanson, of Appleton, WI; LCpl Ronald D. Freeman, of Plant City, FL; Maj Phillip D. Ambard, of Edmonds, WA; Maj Jeffrey O. Ausborn, of Gadsden, AL; Maj David L. Brodeur, of Auburn, MA; MSgt Tara R. Brown, of Deltona, FL; Lt Col Frank D. Bryant Jr., of Knoxville, TN; Maj Raymond G. Estelle II, of New Haven, CT; Capt Nathan J. Nylander, of Hockley, TX; Maj Charles A. Ransom, of Midlothian, VA; SPC Andrew E. Lara, of Albany, OR; Cpl Adam D. Jones of Germantown, OH; LCpl Joe M. Jackson, of White Swan, WA.

CPT Joshua M. McClimans, of Akron, OH; Sgt David P. Day, of Gaylord, MI; SFC Bradley S. Hughes, of Newark, OH; MSG Benjamin F. Bitner, of Greencastle, PA; Sgt Sean T. Callahan, of Warrenton, VA; LCpl Dominic J. Ciaramitaro, of South Lyon, MI; CW2 Terry L. Varnadore, of Hendersonville, NC; SSG James A. Justice, of Grimes, IA; 1LT Omar J. Vazquez, of Hamilton, NJ; PFC Antonio G. Stiggins, of Rio Rancho, NM; SGT John P. Castro, of Andrews, TX; SGT Sonny J. Moses, of Koror, PW; PFC John F. Kihm, of Philadelphia, PA; PO3 Micah Aaron Hill, of Ralston, NE; CPT Charles E. Ridgley Jr., of Baltimore, MD; SFC Charles L. Adkins, of Sandusky, OH; SSG Cynthia R. Taylor, of Columbus, GA; SGT Linda L. Pierre, of Immokalee, FL; SPC Joseph B. Cemper, of Warrensburg, MO; SPC Paul J. Atim, of Green Bay, WI.

SPC Charles J. Wren, of Beeville, TX; PFC Joel A. Ramirez, of Waxahachie, TX; SPC Joseph A. Kennedy, of St. Paul, MN; SPC Donald L. Nichols, of Shell Rock, IA; Private Brandon T. Pickering, of Fort Thomas, KY; SGT Brent M. Maher, of Council Bluffs, IA; SGT Vorasack T. Xaysana, of Westminster, CO; SSG Jose M. Caraballo Pietri, of Yauco, PR; SGT Keith T. Buzinski, of Daytona Beach, FL; SSgt Jason A. Rogers, of Brandon, MS; SN Benjamin D. Rast, of Niles, MI; SSgt Jeremy D. Smith, of Arlington, TX; SPC Gary L. Nelson III, of Woodstock, GA; SSG Quadi S. Hudgins, of New Orleans, LA; SGT Christian A. S. Garcia, of Goodyear, AZ; SSG Scott H. Burgess, of Franklin, TX; SSG Michael S. Lammerts, of Tonawanda, NY; MAJ Wesley J. Hinkley, of Carlisle, PA; SGT Jorge A. Scatliffe, of St. Croix, VI; 1LT Robert F. Welch III, of Denton, TX; LCpl Harry Lew, of Santa Clara, CA.

SPC Dennis C. Poulin, of Cumberland, RI; Private Jeremy P. Faulkner, of Griffin, GA; SFC Ofren Arrechaga, of Hialeah, FL; SSG Frank E. Adamski III, of Moosup, CT; SPC Jameson L. Lindskog, of Pleasanton, CA; SSG Bryan A. Burgess, of Cleburne, TX; PFC Dustin J. Feldhaus, of Glendale, AZ; CPL Justin D. Ross, of Green Bay, WI; SSG Joshua S. Gire, of Chillicothe, OH; PFC Michael C. Mahr, of Homosassa, FL; PO1 Vincent A. Filpi III, of Fort Walton Beach, FL; CPL Brandon S. Hocking, of Seattle, WA; MSG Jamal H. Bowers, of Raleigh, NC; SSgt James M. Malachowski, of Westminster, MD; SSG Mecolus C. McDaniel, of Fort Hood, TX; CPL Donald R. Mickler Jr., of Bucyrus, OH; PFC Rudy A. Acosta, of Canyon Country, CA; LCpl Christopher S. Meis, of Bennett, CO; SrA Michael J. Hinkle II, of Corona, CA; SSG Travis M. Tompkins, of Lawton, OK.

PFC Arturo E. Rodriguez, of Bellflower, CA; Cpl Ian M. Muller, of Danville, VT; SFC Dae Han Park, of Watertown, CT; PFC Andrew M. Harper, of Madsville, WV; SSG Eric S. Trueblood, of Alameda, CA; CPL Loren M. Buffalo, of Mountain Pine, AR; SPC Andrew P. Wade, of Antioch, IL; SPC Kalin C. Johnson, of Lexington, SC; SSG Mark C. Wells, of San Jose, CA; Cpl Jordan R. Stanton, of Rancho Santa Margarita, CA; SPC Jason M. Weaver, of Anaheim, CA; SrA Nicholas J. Alden, of Williamston, SC; SSG Chauncy R. Mays, of Cookville, TX; SPC Christopher G. Stark, of Monett, MO; SPC Rudolph R. Hizon, of Los Angeles, CA; SPC David R. Fahey Jr., of Norwalk, CT; SGT Kristopher J. Gould, of Saginaw, MI; SPC Brian Tabada, of Las Vegas, NV; CPL Andrew C. Wilfahrt, of Rosemount, MN; SSG Jerome Firtamag, of Pohnpei, FM; Cpl Johnathan W. Taylor, of Homosassa, FL.

1LT Daren M. Hidalgo, of Waukesha, WI; SGT Robert C. Sisson Jr., of Aliquippa, PA; LCpl Andrew P. Carpenter, of Columbia, TN; SSG Bradley C. Hart, of Perrysburg, OH; A1C Christoffer P. Johnson, of Clarksville, TN; Sgt Matthew J. Deyoung, of Talent, OR; SPC Jonathan A. Pilgeram, of Great Falls, MT; A1C Corey C. Owens, of San Antonio, TX; SGT Lashawn D. Evans, of Columbia, SC; SPC Nathan B. Carse, of Harrod, OH; SGT Patrick R. Carroll, of Norwalk, OH; LCpl Aaron M. Swanson, of Jamestown, NY; Cpl Lucas T. Pyeatt, of West Chester, OH; SPC Ryan A. Gartner, of Dumont, NJ; SPC Omar Soltero, of San Antonio, TX; SPC Joshua R. Campbell, of Bennett, CO; SPC Shawn A. Muhr, of Coon Rapids, IA; SFC Anthony Venetz Jr., of Prince William, VA; TSgt Leslie D. Williams, of Juneau, AK; PFC Amy R. Sinkler, of Chadbourn, NC.

PO2 Dominique Cruz, of Panama City, FL; Sgt Jason G. Amores, of Lehigh Acres, FL; SPC Joshua T. Lancaster, of Millbrook, AL; MAJ Michael S. Evarts, of Concord, OH; Cpl Joseph C. Whitehead, of Axis, AL; SGT Michael P. Bartley, of Barnhill, IL; SPC Martin J. Lamar, of Sacramento, CA; SPC Jose A. Torre Jr., of Garden Grove, CA; PFC Zachary S. Salmon, of Harrison, OH; MAJ Evan J. Mooldyk, of Ranch Murieto, CA; SGT Zainah C. Creamer, of Texarkana, TX; SSG Omar Aceves, of El Paso, TX; CPL Jarrid L. King, of Erie, PA; SPC Benjamin G. Moore, of Robbinsville, NJ; PFC Robert J. Near, of Nampa, ID; SGT Ethan C. Hardin, of Fayetteville, AR; PFC Ira B. Laningham IV, of Zapata, TX; SFC Robert W. Pharris, of Seymour, MO; SPC Christian J. Romig, of Kenner, LA; LCpl Joseph R. Giese, of Winder, GA.

SGT Eric M. Nettleton, of Wichita, KS; SGT Jose M. Cintron Rosado, of Vega Alta, PR; SPC Jose A. Delgado Arroyo, of San

Juan, PR; Cpl Jacob A. Tate, of Columbus, OH; LCpl Maung P. Htaik, of Hagerstown, MD; SGT Michael J. Beckerman, of Genevieve, MO; Cpl Tevan L. Nguyen, of Hutto, TX; Sgt Garrett A. Misener, of Cordova, TN; LCpl Kenneth A. Corzine, of Bethalto, IL; LCpl William H. Crouse IV, of Woodruff, SC; PFC Conrado D. Javier, of Marina, CA; Cpl Eric M. Torbert Jr., of Lancaster, PA; Cpl Sean A. Osterman, of Princeton, MN; LCpl Jose L. Maldonado, of Mathis, TX; SPC Sean R. Cutsforth, of Radford, VA; LCpl Jose A. Hernandez, of West Palm Beach, FL; SSgt Justin E. Schmalstieg, of Pittsburgh, PA; CPL Sean M. Collins, of Ewa Beach, HI; CPL Willie A. McLawhorn Jr., of Conway, NC; CPL Patrick D. Deans, of Orlando, FL.

CPL Kenneth E. Necoehea Jr., of San Diego, CA; CPL Derek T. Simonetta, of Redwood City, CA; CPL Jorge E. Villacis, of Sunrise, FL; SSgt Stacy A. Green, of Alexander City, AL; SPC Ethan L. Goncalo, of Fall Rivers, MA; PFC David D. Finch, of Bath Springs, TN; SGT James A. Ayube II, of Salem, MA; SPC Kelly J. Mixon, of Yulee, FL; LCpl Michael E. Geary, of Derry, NH; Sgt Jason D. Peto, of Vancouver, WA; SSG Vincent W. Ashlock, of Seaside, CA; PFC Colton W. Rusk, of Orange Grove, TX; Cpl Derek A. Wyatt, of Akron, OH; Sgt Nicholas J. Aleman, of Brooklyn, NY; SSG Jason A. Reeves, of Odessa, TX; LCpl Lucas C. Scott, of Peebles, OH; SFC James E. Thode, of Kirtland, NM; Sgt Matthew T. Abbate, of Honolulu, HI; Cpl Chad S. Wade, Bentonville, AR; SFC Barry E. Jarvis, of Tell City, IN.

SSG Curtis A. Oakes, of Athens, OH; SPC Matthew W. Ramsey, of Quartz Hill, CA; PFC Jacob A. Gassen, of Beaver Dam, WI; PFC Austin G. Staggs, of Senoia, GA; PFC Buddy W. McLain, of Mexico, ME; Lt Col Gwendolyn A. Loch, of Fort Walton Beach, FL; 1LT Scott F. Milley, of Sudbury, MA; Private Devon J. Harris, of Mesquite, TX; 1stLT William J. Donnelly IV, of Picayune, MS; LCpl Arden Joseph A. Buenagua, of San Jose, CA; SSG Sean M. Flannery, of Wyomissing, PA; SPC William K. Middleton, of Norfolk, VA; SGT David S. Robinson, of Fort Smith, AR; SGT David J. Luff Jr., of Hamilton, OH; SSG Loleni W. Gandy, of Pago Pago, AS; Sgt Jason T. Smith of Colorado Springs, CO; SGT Justin E. Culbreth, of Colorado Springs, CO; PFC Kyle M. Holder, of Conroe, TX; SSG David P. Senft, of Grass Valley, CA.

SPC Shane H. Ahmed, of Chesterfield, MI; SPC Nathan E. Lillard, of Knoxville, TN; SPC Scott T. Nagorski, of Greenfield, WI; SPC Jesse A. Snow, of Fairborn, OH; PFC Christian M. Warriner, of Mills River, NC; SSgt Javier O. Ortiz Rivera, of Rochester, NY; SSG Kevin M. Pape, of Fort Wayne, IN; SSG Juan L. Rivadeneira, of Davie, FL; CPL Jacob R. Carver, of Freeman, MO; SPC Jacob C. Carroll, of Clemmons, NC; SPC David C. Lutes, of Frostburg, MD; SPC Shannon Chihuahua, of Thomasville, GA; SGT Edward H. Bolen, of Chittenango, NY; CPL Shawn D. Fannin, of Wheelersburg, OH; SrA Andrew S. Bubacz, of Dalzell, SC; LCpl Dakota R. Huse, of Greenwood, LA; LCpl James B. Stack, of Arlington Heights, IL; 2ndLt Robert M. Kelly, of Tallahassee, FL; SGT Jason J. McCluskey, of McAlester, OK; CPL Andrew L. Hutchins, of New Portland, ME.

SPC Anthony Vargas, of Reading, PA; SGT Aaron B. Cruttenberg, of Mesa, AZ; SPC Dale J. Kridlo, of Hughestown, PA; LCpl Randy R. Braggs, of Sierra Vista, AZ; SSgt Jordan B. Emrick, of Hoyleton, IL; PFC Shane M. Reifert, of Cottrellville, MI; LCpl Brandon W. Pearson, of Arvada, CO; LCpl Matthew J. Broehm, of Flagstaff, AZ; SGT Michael F. Paranzino, of Middletown, RI; SPC Blake D.

Whipple, of Williamsville, NY; CPL James C. Young, of Rochester, IL; SFC Todd M. Harris, of Tucson, AZ; 1stLT James R. Zimmerman, of Aroostook, ME; SPC Jonathan M. Curtis, of Belmont, MA; PFC Andrew N. Meari, of Plainfield, IL; CPL Brett W. Land, of Wasco, CA; SGT Diego A. Solorzano Valdovinos, of Huntington Park, CA; SPC Pedro A. Maldonado, of Houston, TX; SSG Adam L. Dickmyer, of Winston Salem, NC; LCpl Terry E. Honeycutt Jr., of Waldorf, MD.

SGT Michael D. Kirspel Jr., of Hopatcong, NJ; SFC Phillip C. Tanner, of Sheridan, WY; PFC David R. Jones, of Saint Johnsville, NY; SPC Thomas A. Moffitt, of Wichita, KS; SSG Aracely Gonzalez O'Malley, of Brawley, CA; SFC Charles M. Sadell, of Columbia, MO; SPC Steven L. Dupont, of Lafayette, LA; SPC Ronnie J. Pallares, of Rancho Cucamonga, CA; SSG Kenneth K. McAninch, of Logansport, IN; SPC Gerald R. Jenkins, of Circleville, OH; SSgt Joshua J. Cullins, of Simi Valley, CA; LCpl Francisco R. Jackson, of Elizabeth, NJ; Cpl Jorge Villarreal Jr., of San Antonio, TX; Sgt Ian M. Tawney, of Dallas, OR; PFC Dylan T. Reid, of Springfield, MO; LCpl James D. Boelk, of Oceanside, CA; LCpl Joseph C. Lopez, of Rosamond, CA; SSG Carlos A. Benitez, of Carrollton, TX; SPC Rafael Martinez Jr., of Spring Valley, CA; PFC Tramaine J. Billingsley, of Portsmouth, VA.

SGT Eric C. Newman, of Waynesboro, MS; LCpl Alec E. Catherwood, of Bryon, IL; LCpl Irvin M. Ceniceros, of Clarksville, AR; PFC Jordan M. Byrd, of Grantsville, UT; Cpl Justin J. Cain, of Manitowoc, WI; LCpl Phillip D. Vinnedge, of Saint Charles, MO; LCpl Joseph E. Rodewald, of Albany, OR; PFC Victor A. Dew, of Granite Bay, CA; LCpl Raymon L. A. Johnson, of Midland, GA; SPC Matthew C. Powell, of Slidell, LA; SSG David J. Weigle, of Philadelphia, PA; SPC David A. Hess, of Ruskin, FL; Sgt Frank R. Zaehringer III, of Reno, NV; LCpl John T. Sparks, of Chicago, IL; HM2 Edwin Gonzalez, of North Miami Beach, FL; Cpl Stephen C. Sockalosky, of Cordele, GA; LCpl Scott A. Lynch, of Greenwood Lake, NY; PFC Ryane G. Clark, of New London, MN; SGT Karl A. Campbell, of Chiefland, FL; PFC Cody A. Board, of McKinney, TX.

SrA Daniel J. Johnson, of Schiller Park, IL; SGT Brian J. Pedro, of Rosamond, CA; SPC Joseph T. Prentler, of Fenwick, MI; SFC Lance H. Vogeler, of Frederick, MD; SGT Anthony D. Matteoni, of Union City, MI; SSG Willie J. Harley Jr., of Aiken, SC; SPC Luther W. Rabon Jr., of Lexington, SC; SFC Calvin B. Harrison, of San Antonio, TX; SGT Justin A. Officer, of Wichita, KS; LCpl Timothy M. Jackson, of Corbin, KY; SrA Mark Forester, of Tuscaloosa, AL; LCpl Ralph J. Fabbri, of Gallitzin, PA; SGT Mark A. Simpson, of Peoria, IL; SPC Donald S. Morrison, of Cincinnati, OH; PFC William B. Dawson, of Tunica, MS; PFC Jaysine P. S. Petree, of Yigo, GU; SPC Marc C. Whisenant, of Holly Hill, FL; SPC John Carrillo Jr., of Stockton, CA; PFC Gebrah P. Noonan, of Watertown, CT; PFC Clinton E. Springer II, of Sanford, ME.

LCpl Anthony J. Rosa, of Swanton, VT; LTC Robert F. Baldwin, of Muscatine, IA; CWO Matthew G. Wagstaff, of Orem, UT; CWO Jonah D. McClellan, of St. Louis Park, MN; SSG Joshua D. Powell, of Pleasant Plains, IL; SGT Marvin R. Calhoun Jr., of Elkhart, IN; LT Brendan J. Looney, of Owings, MD; SCPO David B. McLendon, of Thomasville, GA; SO2 Adam O. Smith, of Hurland, MO; SO3 Denis C. Miranda, of Toms River, NJ; SrA Michael J. Buras, of Fitz-

gerald, GA; PFC Joshua S. Ose, of Hernando, MS; SPC Joshua A. Harton, of Bethlehem, PA; MAJ Paul D. Carron, of Union, MO; PFC Barbara Vieyra, of Mesa, AZ; SPC Timothy L. Johnson, of Randolph, NY; SFC Ronald A. Grider, of Brighton, IL; 1LT Eric Yates, of Rineyville, KY; SSG Jaime C. Newman, of Richmond, VA; 1stLT Scott J. Fleming, of Marietta, GA.

SPC Deangelo B. Snow, of Saginaw, MI; SrA Daniel R. Sanchez, of El Paso, TX; SGT Aaron K. Kramer, of Salt Lake City, UT; SGT John F. Burner III, of Baltimore, MD; SrA James A. Hansen, of Athens, MI; SGT Ryan J. Hopkins, of Livermore, CA; 1LT Todd W. Weaver, of Hampton, VA; Cpl John C. Bishop, of Columbus, IN; SGT Philip C. Jenkins, of Decatur, IN; PVT James F. McClamrock, of Huntersville, NC; Sgt Jesse M. Balthaser, of Columbus, OH; Cpl Philip G. E. Charte, of Goffstown, NH; LCpl Ross S. Carver, of Rocky Point, NC; CPT Jason T. McMahon, of Mulvane, KS; PFC Diego M. Montoya, of San Antonio, TX; SSG Vinson B. Adkinson III, of Harper, KS; SGT Raymond C. Alcaraz, of Redlands, CA; PFC Matthew E. George, of Gransboro, NC; PFC James A. Page, of Titusville, FL; LCpl Joshua T. Twigg, of Indiana, PA.

1LT Mark A. Noziska, of Papillon, NE; SSG Casey J. Grochowiak, of Lompoc, CA; LCpl Christopher B. Rodgers, of Griffin, GA; LCpl Cody A. Roberts, of Boise, ID; Sgt Joseph A. Bovia, of Kenner, LA; CPT Dale A. Goetz, of White, SD; SSG Jesse Infante, of Cypress, TX; SSG Kevin J. Kressler, of Canton, OH; SSG Matthew J. West, of Conover, WI; PFC Chad D. Clements, of Huntington, IN; SGT Patrick K. Durham, of Chattanooga, TN; SPC Andrew J. Castro, of Westlake Village, CA; Gy Sgt Floyd E. C. Holley, of Casselberry, FL; CPT Ellery R. Wallace, of Salt Lake City, UT; PFC Bryn T. Raver, of Harrison, AR; SPC Chad D. Coleman, of Moreland, GA; Private Adam J. Novak, of Prairie du Sac, WI; SPC James C. Robinson, of Lebanon, OH; SSG James R. Ide, of Festus, MO; MSgt Daniel L. Fedder, of Pine City, MN.

PO3 James M. Swink, of Yucca Valley, CA; SPC Justin B. Shoecraft, of Elkhart, IN; LCpl Robert J. Newton, of Creve Coeur, IL; Sgt Ronald A. Rodriguez, of Falls Church, VA; SGT Steven J. Deluzio, of South Glastonbury, CT; SPC Tristan H. Southworth, of West Danville, VT; SPC Pedro A. Millet Meletiche, of Elizabeth, NJ; Sgt Jason D. Calo, of Lexington, KY; SGT Brandon E. Maggart, of Kirksville, MO; PFC Alexis V. Maldonado, of Wichita Falls, TX; LCpl Nathaniel J. A. Schultz, of Safety Harbor, FL; SPC Christopher S. Wright, of Tollesboro, KY; LCpl Cody S. Childers, of Chesapeake, VA; Cpl Christopher J. Boyd, of Palatine, IL; SOC Collin Thomas, of Morehead, KY; SGT Martin A. Lugo, of Tucson, AZ; SFC Edgar N. Roberts, of Hinesville, GA; LCpl Kevin E. Oratowski, of Wheaton, IL; PFC Benjamin G. Chisholm, of Fort Worth, TX.

Private Charles M. High IV, of Albuquerque, NM; SSG Derek J. Farley, of Nassau, NY; SPC Jamal M. Rhett, of Palmyra, NJ; SSgt Michael A. Bock, of Leesburg, FL; Cpl Kristopher D. Greer, of Ashland City, TN; SGT Christopher N. Karch, of Indianapolis, IN; Sgt Jose L. Saenz III, of Pleasanton, TX; PFC John E. Andrade, of San Antonio, TX; PFC Paul O. Cuzzupe, of Plant City, FL; LCpl Kevin M. Cornelius, of Ashtabula, OH; PFC Vincent E. Gammone III, of Christiana, TN; SGT Andrew C. Nicol, of Kensington, NH; PFC Bradley D. Rappuhn, of Grand Ledge, MI; SPC Faith R. Hinkley, of Colorado Springs, CO; Cpl Max W. Donahue, of

Highlands Ranch, CO; MSG Jared N. Van Aalst, of Laconia, NH; SGT Kyle B. Stout, of Texarkana, TX; SPC Michael L. Stansbery, of Mount Juliet, TN; CPT Jason E. Holbrook, of Burnet, TX; SSG Kyle R. Warren, of Manchester, NH.

LCpl Shane R. Martin, of Spring, TX; PO3 Jarod Newlove, of Renton, WA; LCpl Abram L. Howard, of Williamsport, PA; PO2 Justin McNeley, of Wheatridge, CO; LCpl Frederik E. Vazquez, of Melrose Park, IL; SSG Conrad A. Mora, of San Diego, CA; SGT Daniel Lim, of Cypress, CA; SPC Joseph A. Bauer, of Cincinnati, OH; SPC Andrew L. Hand, of Enterprise, AL; LtCol Mario D. Carazo, of Springfield, OH; Maj James M. Weis, of Toms River, NJ; PFC James J. Quoin, of El Paso, TX; 1LT Michael L. Runyan, of Newark, OH; Cpl Joe L. Wrightsman, of Jonesboro, LA; Cpl Julio Vargas, of Sylmar, CA; SSG Brian F. Piercy, of Clovis, CA; Cpl Paul J. Miller, of Traverse City, MI; SGT Jesse R. Tilton, of Decatur, IL; SGT Anibal Santiago, of Belvidere, IL; 1LT Robert N. Bennedsen, of Vashon, WA; Gy Sgt Christopher L. Eastman, of Moose Pass, AK.

SGT Justin B. Allen, of Coal Grove, OH; SSgt Justus S. Bartelt, of Polo, IL; Cpl Dave M. Santos, of Rota, MP; SFC John H. Jarrell, of Brunson, SC; SSG Leston M. Winters, of Sour Lake, TX; SGT Matthew W. Weikert, of Jacksonville, IL; SPC Chase Stanley, of Napa, CA; SPC Jesse D. Reed, of Orefield, PA; SPC Matthew J. Johnson, of Maplewood, MN; SSG Zachary M. Fisher, of Ballwin, MO; 1LT Christopher S. Goeke, of Apple Valley, MN; SSG Christopher T. Stout, of Worthville, KY; SSG Sheldon L. Tate, of Hinesville, GA; PVT Brandon M. King, of Tallahassee, FL; SPC Christopher J. Moon, of Tucson, AZ; SSG Shaun M. Mittler, of Austin, TX; SPC Nathaniel D. Garvin, of Radcliff, KY; SPC Carlos J. Negron, of Fort Meyers, FL; LCpl Tyler A. Roads, of Burney, CA; LCpl Daniel G. Raney, of Pleasant View, TN; SSgt Christopher J. Antonik, of Crystal Lake, IL.

We cannot forget these men and women and their great sacrifice. These brave individuals left behind parents, spouses, children, siblings, and friends. We want them to know this country pledges to preserve the memory of our fallen soldiers who gave their lives for our country.

RECOGNIZING SOLON ELEMENTARY SCHOOL

Ms. COLLINS. Mr. President, I am delighted to commend the Solon Elementary School of Solon, ME, on being named a 2012 National Blue Ribbon School of Excellence. This prestigious recognition of high accomplishment was bestowed by Secretary of Education Arne Duncan.

Created in 1982, the Blue Ribbon Schools award is considered the highest honor an American school can obtain. Schools singled out for this national recognition reflect the goals of our Nation's education reforms for high standards and accountability. Specifically, the Blue Ribbon Schools Program is designed to honor public and private schools that are either academically superior in their States or that demonstrate dramatic gains in student achievement.

This award recognizes that Solon Elementary students achieve at the highest level academically. Solon Elementary School is a top-performing school on State-required assessments, and staff at the school use assessments throughout the academic year as a tool for improving and customizing instruction. The school works closely with families to forge a strong school community where students are connected and encouraged to pursue their interests.

I applaud not only the students, but also the administrators, teachers, staff, and parents of Solon Elementary School. Together, they are succeeding in their mission to generate momentum for learning. They are making a difference in the lives of their students, helping them reach their full potential as independent, responsible learners and engaged citizens.

I am pleased that the U.S. Department of Education has selected Solon Elementary School for this well-deserved honor, and I congratulate the entire community for this outstanding achievement.

RECOGNIZING HOPE ELEMENTARY SCHOOL

Ms. COLLINS. Mr. President, I am delighted to commend the Hope Elementary School of Hope, ME, on being named a 2012 National Blue Ribbon School of Excellence. This prestigious recognition of high accomplishment was bestowed by Secretary of Education Arne Duncan.

Created in 1982, the Blue Ribbon Schools award is considered the highest honor an American school can obtain. Schools singled out for this national recognition reflect the goals of our Nation's education reforms for high standards and accountability. Specifically, the Blue Ribbon Schools Program is designed to honor public and private schools that are either academically superior in their States or that demonstrate dramatic gains in student achievement.

This award recognizes that Hope Elementary students achieve at the highest level academically. Hope Elementary School is a top-performing school on State-required assessments, and staff at the school use assessments throughout the academic year as a tool for improving and customizing instruction. The school works closely with families to forge a strong school community where students are connected and encouraged to pursue their interests.

I applaud not only the students, but also the administrators, teachers, staff, and parents of Hope Elementary School. Together, they are succeeding in their mission to generate confidence and momentum for learning. They are making a difference in the lives of their students, helping them reach

their full potential as independent, responsible learners and as engaged citizens.

I am pleased that the U.S. Department of Education has selected Hope Elementary School for this well-deserved honor, and I congratulate the entire community for this outstanding achievement.

U.S. ARMY'S SUICIDE STAND DOWN DAY

Mrs. BOXER. Mr. President, I rise today during Suicide Prevention Month to recognize the Army's Suicide Stand Down Day, which will take place later this month on September 27, 2012.

The stand down is an opportunity for the Army to take a hard look at current efforts to address the issue of suicide among soldiers and focus on ways to improve these efforts. It will emphasize eliminating the stigma surrounding mental health injuries, which too often prevents our service men and women from getting the help they need.

This could not come at a more critical time. The incidence of suicide among our troops has skyrocketed to alarming levels due, in part, to over 10 years of repeated and protracted deployments to combat zones around the world. In fact, the Army experienced a record-high 38 Active-Duty suicides in July and is on track to surpass last year's total. This is absolutely tragic and requires urgent and sustained action.

The central theme of the stand down is "Shoulder to Shoulder: We Stand up for Life." This is such a critical message—our servicemembers should never have to suffer alone. Our military men and women make tremendous sacrifices each and every day in service to our Nation, and we have a sacred obligation to take care of them in return. This means ensuring they feel comfortable seeking the care that they need without fear or repercussion or being stigmatized. This also means improving access to mental health care and providing support for our military families.

While there is no single solution to preventing military suicide, efforts like the Army's Suicide Stand Down Day are important steps because they provide an opportunity to have a frank conversation across all levels of leadership about the profound stressors our troops are experiencing.

I strongly encourage all branches of our military to continue to review and improve their suicide prevention programs because it is clear that more must be done and that it must be done now.

Suicide reaches far beyond one individual—it devastates entire families and affects communities. Our military families are resilient and they display incredible courage in the face of so

many unique challenges, but no one person or family can be strong all the time.

That is why we must continue to do everything in our power to send the message to our servicemembers, veterans, and their families that it is OK to ask for help and that the care and support they need is waiting for them.

I urge our citizens, our government, and our Nation to continue to stand shoulder to shoulder with our Armed Forces and recommit ourselves to stemming the tide of military suicide once and for all because we can all agree that one suicide is one too many.

REPORT ON THE NATIONAL ELECTION IN TAIWAN

Ms. MURKOWSKI. Mr. President, in August I submitted a resolution expressing the sense of the Senate that the U.S. Government should continue to support democracy and human rights in Taiwan following the January 2012 Presidential and legislative elections. The International Election Observers Mission has prepared a Report on the National Election in Taiwan that includes some important details and findings. I ask unanimous consent that the summary of that report be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

REPORT ON THE NATIONAL ELECTION IN TAIWAN, JANUARY 14, 2012

To: International Committee for Fair Elections in Taiwan

From: The International Election Observers Mission (IEOM)

By: Woodrow W. Clark II MA, PhD, Lead Author and Senator Frank Murkowski, Chair and all IEOM Members.

OVERVIEW

Taiwan is an island nation of 23.2 million people (November 2011) in an area of 35,980 sq. km. The nation has 18.1 million eligible voters, all citizens who are 20 or more years of age. The winner of the January 14, 2012 Presidential Election, with 51.6 per cent of the vote, was Mr. Ma Ying-jeou, the incumbent and the nominee, Chinese Nationalist Party (Kuomintang or KMT). Ms. Tsai Ing-wen of the opposition Democratic Progressive Party (DPP) followed with 45.6 per cent and the nominee of the small People First Party (PFP), Mr. James Soong received about 2.8 per cent of the vote (Taiwan Election Results, January 2012).

At the same time, voters also elected the 113 members of the national parliament, the Legislative Yuan. The KMT won 64 seats, while the DPP won 40 seats and the PFP, the Taiwan Solidarity Union (TSU) and non-partisan independent candidates each won three seats. Compared with the 2008 legislative election, the KMT won 17 fewer seats, the DPP gained 13 additional seats, the PFP won two additional seats and the TSU, with its three seats, returned to the legislature after a four-year absence.

POLITICAL BACKGROUND

Taiwan experienced a long political struggle during the authoritarian era. Democracy in Taiwan only began after the death of

President Chiang Ching-kuo in January 1988 and the accession of Lee Teng-hui to the presidency. The political system is not divided between “left” and “right,” though the DPP does place somewhat more emphasis on “social justice.” Instead, “the primary political cleavage between the political parties has been and remains the issue of national identity, often referred to as the ‘unification-independence’ issue” (Taiwan Elections Handbook, 2012: p.13), or between the “pan-blue” alliance (Kuomintang and associated parties) and the “pan-green” alliance (DPP and aligned parties).

Mr. Ma’s percentage of the vote fell from the 58 per cent he gained four years earlier and, as indicated earlier, the new KMT majority in the legislature was much less than the huge victory, which it won in 2008 (Cole, March 9, 2012).

THE INTERNATIONAL ELECTION OBSERVER MISSION (IEOM)

Eighteen (18) observers from seven countries were invited by the International Committee for Fair Elections in Taiwan (ICFET) to form an International Election Observation Mission (IEOM) for the January 2012 Presidential and Legislative elections in Taiwan. See the list of members of the IEOM below in Table 1.

The group consisted of observers from Australia, Canada, Denmark, France, Japan, Sweden, the Netherlands, and the United States, ranging in experiences from academia, elected representatives, religious groups, businesses, and civil society. As observers, the IEOM members tried to be strictly neutral in all their activities, data gathering, and conclusions.

Most members of the IEOM were in Taiwan from January 10–15, 2012. Members visited locations in Taipei, Kaohsiung, Tainan, and Taichung. As a group, they met with campaign organizers, staff, and candidates from the three political parties running presidential tickets: the Democratic Progressive Party (DPP), the Chinese Nationalist Party (KMT), and the People First Party (PFP). Then, on the day before the election (January 13, 2012) and during Election Day (January 14, 2012), the IEOM split into smaller groups of 2–4 members who observed political rallies, street campaigns, and polling station as well as the Central Election Commission counting center on Election Day.

This report consists of direct IEOM observations by its members as well as other sources, including the Taiwan and international press as well as post-election news sources in Chinese and English. Other observer groups were also present in Taiwan.

One other neutral observation group, the Asian Network for Free Elections Foundation (ANFREL), headquartered in Bangkok, Thailand, deserves special mention. ANFREL produced an Observers Report (entitled “Credible Elections but a Tilted Playing Field”) after the Election that corresponds with many IEOM observations as well as our Press Release and this Report. The ANFREL Report (2012) will be cited herein.

FULL REPORT

The full report of the IEOM was published in Taiwan on June 11th 2012, and is available on the website of the International Committee for Fair Elections in Taiwan (ICFET) at: <http://www.taiwanelections.org/wp-content/uploads/2012/08/Taiwan-2012-Elections-IEOM-Final-Report.pdf>

KEY SECTIONS: NATION ELECTIONS AND SET OF CONDITIONS

The National Election: democracy and identity politics

Over the past twenty years, many surveys have been conducted on the identity of Taiwan’s citizens. Overall, the numbers who consider themselves solely Taiwanese have increased from 17.3 per cent in 1992 to 54.2 per cent in June 2011. At the same time, the numbers who consider themselves solely Chinese have declined from 25.5 per cent in 1992 to only 4.1 per cent in June 2011. This development has continued since Ma become president in 2008. Furthermore, a recent survey shows that 74 per cent prefer independence, if given a free choice, and more than 81.7 per cent refused to accept the “One country, Two systems” proposal from China (Danielsen, 2012, pp. 141–142).

Taiwan has much more income equality than most countries today, and according to some commentators is one of the most “equal societies” in East Asia. However, inequality has been rising in recent years, so that about 20 per cent of the Taiwan population earns over six times that of the bottom 20 per cent of the population. While the unemployment level remains low by international comparison, it too has been rising, affecting mainly lower and working-class people.

The national elections on January 14, 2012 were the fifth direct presidential and the seventh direct parliamentary election. Many have called Taiwan’s elections “a beacon of democratic practices in Asia” (Baum and van der Wees, 2012). Thus, many other nations in Asia and around the world were watching the Taiwan election process and its outcome very carefully. Taiwan has indeed become more “democratic” over the last twenty-four years, due to its allowing the existence and activities of opposition political parties and the rapid growth of human rights on the island. Nonetheless, these national elections were not perfect. This is why the IEOM, in its post-election Press Release, labeled them “mostly free but partly unfair” (Taiwan Elections, 2012).

Taiwan is surely not alone among countries across the globe in which movements dealing with social and environmental concerns have been followed up by developments focusing on the establishing and functioning of a genuinely democratic system. “People power movements” have also occurred in Eastern Europe and Latin America, and most recently in the Middle East and Northern Africa. . . .

Taiwan is also not alone among nations concerned with democracy today. Many western nations face similar problems. Thus, David Kilgour, a member of the IEOM, spoke about election issues in Ontario, Canada in 2005 to the House of Commons Study Group. He noted then that Canada had some similar issues with vote-getting (that is, the process whereby candidates seek votes by offering various forms of financial gains). . . .

Hence the concern for free and open democratic elections is not restricted to nations, which have recently become democratic (Economist, 2012, pp. 47–48). They are also prominent in western developed democratic nations in the West, like the USA, Canada, France, Italy, Spain, and the UK.

Conditions for Free Elections

In the following section, we follow the universal conditions for democratic elections, as set forth by Wolf (1984), which can be applied to evaluate the national elections in Taiwan in January 2012. These conditions are

based upon election observations in Nicaragua during which Wolf identified nine "Conditions" that can be applied anywhere in the world (*ibid.*, Preface). Wolf's nine Conditions are:

- 1) Honest watching of each polling station
- 2) Total secrecy in casting the vote
- 3) Voting: Dates, Residency, Inspection, and Counting
- 4) Absence of a climate of coercion and fear
- 5) Pre-election freedom of party organization and activity
- 6) Institutional freedom of intermediate organizations
- 7) Freedom of speech, campaigning, and assembly
- 8) Freedom of access to the media
- 9) Media financing of cable, TV, social and electronic, journals, newspapers, and others

The IEOM proposes two additional Conditions both for Taiwan and for other nations:

No. 10: Elections not determined or influenced by international pressure or informal relationships.

No. 11: All Candidates should have equal access to funding for elections.

Overall, the IEOM considers the 2012 Taiwan National Election to have been acceptable for Conditions 1, 2, 4, and 6. However, Conditions 3, 5, and 7 through 11 raise issues that should be addressed and corrected in future elections to improve the functioning of democracy in Taiwan.

CONCLUSIONS AND RECOMMENDATIONS

The IEOM would like to thank the organizers of the visit, the ICFET, for their invitation and organizing of the delegation. The IEOM wants to encourage the ICFET to continue in its efforts and to support election observation activities in the future to strengthen Taiwan's democracy, so that it can be shared with other countries in the region and around the world. As the IEOM conducted its observations, the members greatly appreciated the willingness of candidates, party representatives, and government representatives to meet with them. Every party organization and its representatives demonstrated hospitality, and suffered the IEOM's questions with grace and dignity.

Areas for Improvement

The IEOM and ANFREL (January 2012) delegations made comments on the successes of the Taiwan national election, which are summarized below. Both groups saw "areas of concern". These comments are made to provide constructive feedback on the process in the spirit of improving it, so as to provide a vibrant democratic system worthy of Taiwan's people. No matter what happens in the future, China will continue to have an impact and influence in Taiwan, just as its economic impact is being felt around the world. The peaceful interactions between nations will result in building relationships and producing changes for both nations. Ms. Tsai indicated the need for the DPP to work with China during the election campaign.

Several key institutions need to be strengthened. For example, civil service and non-elected offices all need to be further depoliticized. Improvements in the legitimacy of the elections and reduction of the politicization of the police and courts would increase trust in them by the people and reduce criticism of them during campaigns. Attention should be put to ensuring the neutrality and impartiality, both real and perceived, of all related government agencies.

The IEOM affirms that Taiwan is already a democratic nation. But as with other democracies, there are problems that need to be addressed. These range from public reporting

and control of election expenditures to the use of media and neutrality of the administration. The issues of the neutrality of the administrative and judicial systems are serious and need to be addressed through public oversight, evaluation and control. Will the newly re-elected government appoint and oversee "objective" and "transparent" government officials and judicial officers and move towards much-needed judicial, administrative as well as legislative reforms?

The world will continue to watch Taiwan as it "performs" and reveals in the next four years what those future steps will be. Taiwan is a sign of hope to many and has been a model of democratic transformation. It should continue to be the "showcase nation" for democracy. To do that requires ongoing review and oversight.

The IEOM has a number of specific recommendations:

A) Thoroughly and honestly resolve the longstanding problem of KMT party assets, including their source, use and investments that create a huge imbalance in financial resources available to each party. This imbalance distorts everything else in Taiwan's elections, including that which is otherwise fair. These hidden assets also provide huge hidden funds to use for election media and other public relations activities. President Ma has stated he wants to resolve the status of these funds, but has not done so as yet. In his new term, the proof will be in his actions.

B) Strengthen enforcement and public promotion of campaign spending laws, and close the many loopholes that candidates and parties can use.

C) Make consequences real for candidates who buy votes, such as disqualification from running in future elections. For example, in 2008 the PFP Plains Aboriginal candidate Lin Cheng-er was removed as a legislator after he was convicted of vote-buying, yet he ran again as a PFP candidate in 2012 and won. We believe he should have been disqualified from running.

D) Use party discipline to combat vote-buying. Parties can mobilize members to assist with the oversight of compliance with election laws and can establish committees to gather evidence concerning election improprieties. However, it is the individual candidates who will make the difference. In short, it is the candidates, not the parties, who buy votes.

E) Change the household registration system to allow people to vote where they actually work or study in Taiwan and thus end the need to travel long distances in Taiwan to vote. This is already practiced in many countries.

TABLE 1: MEMBERS OF THE INTERNATIONAL ELECTION OBSERVERS MISSION (IEOM)

United States—Frank Murkowski, Former Senator and Former Governor of Alaska (USA); USA, Chair of IEOM Mission; Woodrow Clark II, PhD. Contributor to Nobel Peace Prize-winning Intergovernmental Panel on Climate Change (2007), USA and Lead Author of Formal IEOM Report; Edward Friedman, Professor, Political Science, University of Wisconsin, Madison; John Tkacik, Senior Fellow and Director, Future Asia Project, International Assessment and Strategy Center.

Canada—Bill Blaikie, Former M.P., Deputy Speaker of Canadian House of Commons; Susan Henders, Director, York Centre for Asian Research at York University; David Kilgour, Former Secretary of State, Asia Pacific, and former Member of Parliament; Peter Noteboom, Deputy Secretary of Canadian Council of Churches, Commission on

Justice and Peace; Ted Sivers, Former Dean, Vancouver School of Theology; Michael Stainton, President, Taiwanese Human Rights Association of Canada; Research Associate at the York Centre for Asian Research at York University; Lois Wilson, Former Canadian Senator, leader on Committee on Human Rights in the Canadian Senate, President of World Council of Churches, first female Moderator of the United Church of Canada.

Europe (one member from France could not participate in the Report)—Michael Danielsen, Chairman, Taiwan Corner (Denmark); Bruno Kaufmann, President, Initiative and Referendum Institute Europe and Chairman of the Election Commission in Falun (Sweden); Gerrit van der Wees, Editor, Taiwan Communiqué (The Netherlands).

Japan—Katsuhiko Eguchi, Member, House of Councillors, Diet; Yoshinori Ohno, Member, House of Representatives, Diet; Yoshiko Sakurai, President, Japan Institute for National Fundamentals.

Australia—Bruce Jacobs, Professor of Asian Languages and Studies, Monash University.

BICENTENNIAL OF THE RHODE ISLAND MEDICAL SOCIETY

Mr. REED. Mr. President, on February 25, 1812, by an act of the Rhode Island General Assembly, the Rhode Island Medical Society was chartered. In short order, physicians in the State adopted bylaws and elected officers, becoming the eighth State medical society in the Nation. Over the past 200 years, the Rhode Island Medical Society has worked to fulfill its founding principle to consistently improve patient care. That principle is reflected in its many accomplishments in the field of public health.

By 1852, just 40 years later, Rhode Island became the fourth State to collect, analyze, and publish birth, marriage, and death statistics on an annual basis. Soon after, it began distributing clinical papers of peers regarding public health trends and treatments. These early actions reflect a keen understanding of disease prevention and health promotion, as well as the collaborative nature of medicine.

Since these early years, the Rhode Island Medical Society has advanced public health efforts that run the gamut from sanitation to vaccination. It was the second in the country to admit a female doctor. It also has played a role in the development of national health care policy, such as mental health parity, an effort to achieve fairness in the treatment of mental illness, which was fully realized in 2008 when the Mental Health Parity and Addiction Equity Act was signed into law.

For all these reasons, and many more, I am pleased to add my voice to those commemorating the Bicentennial of the Rhode Island Medical Society and congratulate its members, Rhode Island physicians, physician assistants, and future physicians for their important work to improve the health and lives of Rhode Islanders.

FREEDOM FOR BOB LEVINSON

Mr. NELSON of Florida. Mr. President, over the recess we marked a sad anniversary: 2,000 days since retired FBI agent Bob Levinson went missing in Iran. That is 2,000 days Christine Levinson has been without her husband and 2,000 days their children have missed his laugh. There has been an empty seat at the family table for far too long. Last year we received proof that Bob was alive, most likely somewhere in Southwest Asia. It is time for him to come home. Mr. President, our Government must continue doing all it can to win his safe return, and I join Bob's family in calling on those who are holding Bob to set him free.

OVARIAN CANCER AWARENESS MONTH

Mr. BROWN of Ohio. Mr. President, we recognize September as Ovarian Cancer Awareness Month.

This year, the American Cancer Society estimates that 22,000 women will develop ovarian cancer and more than 15,550 women will lose their battle with this deadly cancer.

In the last 40 years, the National Cancer Institute, NCI, academic medical centers, and researchers across the country have made remarkable strides in improving treatments and therapies for various cancers.

Today, there are 12 million Americans who are cancer survivors.

Despite this progress, effective treatments for some cancers—including ovarian cancer—remain elusive.

This month, we support these women, their families, and the tireless efforts of health care providers and researchers across the country.

That is why I joined more than a dozen Senate colleagues as an original cosponsor of the National Ovarian Cancer Awareness Month Resolution.

If detected earlier, an ovarian cancer patient has a 94 percent chance of surviving longer than 5 years.

However, only 20 percent of ovarian cancer is detected in its early stage, and when diagnosed in the advanced stage there is only a 30 percent chance of survival.

This makes ovarian cancer the deadliest of all gynecologic cancers.

The National Ovarian Cancer Awareness Resolution designates September as Ovarian Cancer Awareness Month and encourages the efforts of cancer advocates to increase public awareness.

It also supports the NCI and medical researchers, work to develop a reliable early detection test.

I have long been an advocate of cancer patients and research.

During the health reform debate, I successfully worked to pass the Clinical Trials Amendment.

Because of the amendment's inclusion in the Affordable Care Act, ACA, health insurance companies can no

longer use participation in a clinical trial as a reason to deny health insurance coverage for routine health care.

This provision of the ACA is especially important for diseases like ovarian cancer that desperately need advancements in effective therapies.

As we recognize the importance of advancing ovarian cancer research and commend the struggle ovarian cancer patients and survivors encounter, we must ensure that researchers get the necessary funding and patients receive access to comprehensive care and coverage.

I will continue to support the goals of Ovarian Cancer Awareness Month—not just in September—throughout the year.

THE LEGEND OF LATROBE

Mr. CASEY. Mr. President, in honor of Arnold Palmer, and the presentation of his Gold Medal to him on September 12, 2012, in the U.S. Capitol, for a lifetime of service to his Nation and contributions in the game of golf which has earned him the title of "The King", I ask that this poem penned in his honor on this occasion by Albert Caswell be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE LEGEND OF LATROBE
(By Albert Carey Caswell)

The . . .
The Legend of Latrobe . . .
Upon the fairways of our lives . . .
All on her greens what we have strived!
So recorded all on these the score cards of
our lives . . .
That which all in the end so improved our
lies . . .
Can only but so be found all in how we've so
led our lives . . .
Teeing off, crushing it all in these our life's
drives!
For when it is all so said and done,
as a Champion, will we so hold the cup of life
over our heads as won?
Who have we so touched and inspired,
finishing the rounds of our lives to reach
even higher!
Pin High, On The Green On One . . .
All in what is really so important to be won!
When, all in this the tournament we call life
which we've begun!
Out upon those fields of green which now so
runs!
Will we so settle for par,
or shoot way below in the tournaments of
lives my son?
Standing out as a Champion All In The
Game of Life,
all in what we have so said and done!
Will we so make the cut before our setting
suns!
Arnold Palmer's life,
is not no ordinary one!
As the pride of Pennsylvania,
who for so many generations has so led with
such greatness to come!
The Legend of Latrobe and some!
As a champion, "The King" on all fronts!
As Father, A Husband, A Grand Father, A
Son, A Giver Not a Taker,
A Patriot In The Coast Guard serving his
country,

beating that drum!

Giving our children something to shoot for
in their lives as won!

And standing out as one of golfing's greatest
of all shining sons!

A man who could raise his own Army this
one!

And declare war on all others who so dared
to challenge America's Son!

As Arnie's Army marched with him until
each tournament was done!

A Man For All Seasons,
for so many reasons this title he has now so
won!

Yes, Arnold This Golden One!

Who so led the pack,

all because what was so in his heart which
would not lack!

Chipping into our hearts and souls,

As we so watched this hero time and again
come roaring back . . .

All because of how he so touched each and
everyone!

For kindness would follow him everywhere
he'd go!

Because, somewhere in the ruffs of life he so
let his ego!

Marching For The Dimes,

for all of those children so all in time . . . all
to help them so!

For on these fields of green,

ninety-two championships he has seen!

But, his greatest victory of all was what in
his heart we saw!

As this Gold Medal upon you Arnold we now
so bestow . . .

All for your service to our Nation so,
and your excellence and sportsmanship in
the game of golf wherever you would
go!

As Arnold, you always stood Pin High!

On The Green In One!

For yes you, The Legend of Latrobe are but
America's Golden Son!

Fourrrrrrr . . .

As this Gold Medal upon you we now so be-
stow

Because, on the fairways of life you've al-
ways gone for gold!

The Legend of Latrobe!

ADDITIONAL STATEMENTS

TRIBUTE TO FRANK AND ANN
GILMORE

● Mr. BAUCUS. Mr. President, Henry Ford once said, "Anyone who stops learning is old, whether at twenty or eighty. Anyone who keeps learning stays young. The greatest thing in life is to keep your mind young."

On October 12, 2012, Montana Tech in Butte, MT, will honor two people who embody that very spirit: Frank and Ann Gilmore. As reflected in their stories, both Frank and Anne recognize the importance of education and giving back to society.

A Mississippi native, Dr. Frank Gilmore sought educational opportunities early and often. He was the first member of his family to earn a college degree. Frank's intellectual curiosity paved the way for an impressive academic career, one that includes studies at the Massachusetts Institute of Technology and Harvard University. Frank obtained a bachelor's degree in chemistry from Virginia Military Institute,

and then went on to earn his Ph.D. in organic chemistry with a minor in industrial relations at MIT. His career in higher education began in 1967 at the University of Mississippi. Dr. Gilmore then taught at the West Virginia University Institute of Technology, and finally joined Montana Tech in 1998 as chancellor.

Montana Tech has earned a reputation as one of the finest science, engineering, and technical colleges in the world, and much of its success can be attributed to the incredible leadership under Dr. Frank Gilmore. Under Dr. Gilmore's chancellorship, *The Princeton Review* selected Montana Tech as one of its "Best 368 Colleges" for 11 consecutive years. One of Dr. Gilmore's proudest accomplishments is improving Montana Tech's efforts to find students employment before they even graduate.

During Frank's time as chancellor, Montana Tech boasted placement rates for its graduates between 93 and 98 percent. And, lucky for us, 70 to 80 percent of Tech graduates chose to remain and work in Montana.

Frank's dedication to his students went far beyond the classroom. I proudly partnered with Montana Tech in 2007 and 2010 to organize the Montana Economic Development Summits. We could not have asked for a better host than Montana Tech. Frank proudly offered the campus to hold workshops and host some of the world's most influential business and economic leaders. The connections made at Montana Tech during those summits have yielded untold investment and job opportunities for Montanans.

Not only is Dr. Gilmore's career in education inspiring, he also served his country with distinction in the military. He first served as a Marine Corps reservist when he was a teenager, then as an Active-Duty soldier in the Army, and finally as a captain in the Army Reserve.

This past year, Frank was appointed as president of the Barry M. Goldwater Scholarship and Excellence in Education Foundation. The Goldwater Foundation was established to encourage college students to pursue science, math, and engineering. I proudly advocated for Dr. Gilmore's appointment, as I cannot think of anyone more qualified to lead these efforts.

Ann Louise Gauthier Gilmore was also the first in her family to earn a college degree. She received her bachelor's degree in dietetics from the University of Northern Colorado. Like Frank, she also honorably served in our Nation's military.

Ann joined the U.S. Army in 1961 and completed her dietetic internship at Walter Reed Army Medical Center in Washington, DC. She continued to serve our Nation in the Army Medical Corps until her honorable discharge in 1963 as a first lieutenant.

Not only has Ann demonstrated a life-long commitment to education and to our country, she has directed her talents toward serving her community. Ann worked with the Women, Infants and Children, WIC, Program in Mississippi, the PEO, Philanthropic Educational Organization, a sisterhood committed to empowering women through education, and served on the board of the Butte Symphony Orchestra.

Frank and Ann's stories give us hope that there are dedicated, hard-working folks in our schools, providing our children with the tools they need to succeed. In a world more competitive than ever before, it is essential that we provide all Montanans with a world-class education. Investing in Montana's young minds is the best way to keep us competitive with our global neighbors and to ensure a solid economic future.

Thanks to the community's overwhelming generosity and support, Montana Tech constructed a new university center to honor Frank and Ann Gilmore. The new Frank & Ann Gilmore University Relations Center serves both students and alumni. The center provides a much-needed venue for students to meet their future employers, as well as place for alumni to convene and reminisce about their time at Montana Tech.

As we all can see, both Frank and Anne possess an insatiable hunger for education which they have used to better their community. The University of Montana, the Butte and Anaconda communities, and especially the Montana Tech students, faculty, and staff, all know that with people like Frank and Ann, Montana will continue to become an even better place to live, work, and raise a family.●

NATIONAL PREPAREDNESS MONTH

● Mr. BEGICH. Mr. President, I wish to proclaim September 2012 as Alaska Preparedness Month. No one can predict when or where the next crisis will be, and as a state that is particularly vulnerable to natural disasters and human-caused emergencies, it is essential that Alaskans be prepared to respond to any crisis that may arise.

The American public remains largely uninformed on and unprepared for possible disasters and other life-threatening emergencies in their communities. Since government agencies and disaster organizations cannot bear sole responsibility for preparing and responding to disasters, it is important for all to plan ahead.

National Preparedness Month is a nationwide effort led by the American Red Cross to raise awareness about the importance of planning for all types of emergencies. Held each September, National Preparedness Month aims to encourage American households to learn more about preparedness and to create a family disaster plan.

It is my hope that by proclaiming September 2012 as Alaska Preparedness Month, Alaskans will be inspired to make sure they are well-equipped to deal with any and all possible crises in the future.●

REMEMBERING ALBERT ADAMS

● Mr. BEGICH. Mr. President, on August 13, 2012, Senator Al Adams passed away peacefully at home in Anchorage, AK, surrounded by family.

Albert P. Sikiagruk Adams was born June 18, 1942, in Kotzebue, AK. He attended Mt. Edgecumbe High School in Sitka. Following high school, he attended the University of Alaska Fairbanks and RCA Technical Institute.

Al Adams is survived by his wife, Diane; his children Al "Sonny" Adams, Guy Adams, Herb Adams, Michelle Mercurieff, Thomas Adams, and Luke Adams. He is survived by his sisters Adra Distefano, Sarah Scanlan, and Darlene "Red" Seeberger, their families, and his brothers-in-law John and Thomas Simonson, Mike Scanlan, and Don Distefano and sister-in-law Peggy Simonson. He also leaves his beloved grandchildren and extended family members.

Al lived a life of service and was known for a generosity of spirit and a drive to help others in both his public and private life.

To his family, he was a beloved husband, father, and grandfather for whom family was the highest priority. He often organized subsistence hunting and fishing trips for his children, where he passed down traditional Inupiat skills. He coordinated all the logistics for these memorable outings and even served as camp cook, making sure everyone was well fed. Whether dipnetting at the mouth of the Kenai River, caribou hunting outside of Kotzebue, or visiting the fish wheel at Chitina, he let his wife, children, and grandchildren know they were loved and they came first and foremost in his life.

He was also a romantic and loving husband, planning vacations for his wife, Diane, to celebrate and share the milestones they achieved together as a couple. Travel was one of his favorite pastimes and one he loved to share with her.

Although he led a very public life, he also was a man of many unsung good deeds on a personal level. Many people did not know he kept cash in his vehicle console to give those in need, or that he provided meals to those who were hungry. At Christmas, boxes of turkeys would arrive at Bean's Cafe and money for holiday goody bags would arrive at the Friends Church. The individual recipients never knew who had lent them a hand.

Even when Al was ill, he cared for others and tried to ease their worries with humor. He wanted others to be

comfortable and to enjoy life. He put people first and was always prepared to serve them. He believed in God, in a higher power, and was a teacher and mentor to many.

Publically, Al's service to his beloved State improved the lives of those he represented in rural Alaska. His long career in public service began in the late 1960s and included 8 years in the Alaska State House beginning in 1980, during which he represented District 37 which included the communities of the NANA/Maniilaq and Arctic Slope regions. From 1988–2000, he served in the Alaska State Senate, also representing the Bering Straits/Kawerak region.

Following his retirement from the Alaska State Legislature, Al served as president of Adams Management Services and worked for the Northwest Arctic Borough and North Slope Borough as an adviser sharing his understanding of State government and how it could help the people of rural Alaska.

In 2003, he began a new career as a lobbyist with a focus on representing rural and Alaska Native interests. He again provided a powerful voice in Juneau and Washington, DC, drawing on his years of State legislative experience. He brought the same passion to lobbying that he had as a legislator, always saying those he represented weren't his clients, they were his people. He tirelessly promoted the continued successes of Mt. Edgecumbe High School because of the valuable opportunities it provides to develop relationships among talented young Alaska Native people.

Al's hospitality to his peers, staff, clients and visitors at the State capitol is still remembered to this day. His door and telephone lines were always open to Alaskans, no matter where they lived. He worked hard to guarantee rural Alaska gained its fair share of State funding and he joined his colleagues on statewide efforts that benefitted all Alaskans.

An astute lawmaker, he was a master at understanding politics and State finances and chaired the powerful House Finance Committee during his 8-year term in the State House. He served 18 years on the Legislative Budget and Audit Committee and 12 years on the Operating Budget Conference Committee. He served on other key committees that helped protect subsistence and bring needed infrastructure and social services to rural Alaska.

He fought hard for the establishment and continued existence of the Power Coast Equalization (PCE) program; convincing the Alaska Legislature to establish an endowment to fund PCE in perpetuity.

Prior to his legislative service, he held other positions as president of Kikiktagruk Inupiat Corporation. He also served on numerous boards including the Alaska Airlines Advisory Board, Arctic Power, Mt. Edgecumbe and NANA Regional Corporation.

When I was elected mayor of Anchorage, AK, Al met with me and reminded me Anchorage is Alaska's largest Native community. When I was elected Senator, he continued to advise me on how together we could help all Alaskans.

The people of Alaska will miss Senator Al Adams. He was a friend, a mentor, a humanitarian and an example for many generations of leaders. I will miss Al for not only his guidance on doing what's right for all of the people of Alaska but for his wit and his friendship.●

PETALUMA ALL-STAR TEAM

● Mrs. BOXER. Mr. President, I am pleased to congratulate the 2012 Petaluma National Little League All-Star team for capturing third place at the 66th Little League World Series in Williamsport, PA. The determination, sportsmanship and love of the game that these young athletes exhibited captured the imagination and support of people in Petaluma and throughout California.

Since its establishment with three teams in 1939, Little League Baseball has grown to become the world's largest youth sports program, enabling millions of children from 80 countries in 6 continents to enjoy and compete in the American pastime. This year the Little League World Series featured eight regional representatives from the United States and eight international teams.

The Petaluma National All-Star team qualified for the Little League World Series by winning the District 35 Tournament in Petaluma, the Section I Tournament in Fairfield, the NorCal Division II Tournament in Fremont and the Western Regional Tournament in San Bernardino.

At the Little League World Series, the Petaluma All-Stars achieved several impressive and memorable feats. In the U.S. Championship game, the Petaluma All-Stars staged one of the biggest and most thrilling rallies in Little League World Series history when they plated 10 runs in the bottom of the sixth to force their game against the team from Goodlettsville, TN into extra innings. Although their valiant effort would ultimately fall short, the remarkable determination and competitiveness exhibited by these young athletes will forever be a part of the lore of the Little League World Series. The next day, the Petaluma team showed its resilience by defeating the team from Aguadulce, Panama to place third worldwide behind the eventual Little League World Series championship team from Tokyo, Japan and the U.S. Championship team from Goodlettsville, TN.

I ask my colleagues to join me and the Petaluma community in recognizing all the members of the Petaluma

National Little League All-Star team on this wonderful achievement: Kempton Brandis, Blake Buhner, Logan Douglas, Quinton Gago, Daniel Marzo, Dylan Moore, James O'Hanlon, Austin Parette, Porter Slate, Hance Smith, Bradley Smith, Cole Tomei, Andrew White and a team of dedicated coaches, parents and volunteers.●

DEATH OF SACAGAWEA

● Mr. JOHNSON of South Dakota. Mr. President, I wish to speak today to commemorate the life of Sacagawea and the impacts her life has had on the development of our great Nation. While there is some controversy regarding the death of Sacagawea, most research indicates that this year marks the 200th anniversary of her reported death in present day South Dakota.

Sacagawea is historically most famous for guiding Captains Meriwether Lewis and William Clark, along with her husband and infant son, on U.S. President Thomas Jefferson's Corps of Northwestern Discovery expedition to the Pacific Coast and back from 1804 to 1806.

Sacagawea, the daughter of a Shoshone chief, was born around 1788 in present-day Idaho. At a young age, she was captured by the enemies of the Shoshones, the Hidatsa, and sold to a French-Canadian trapper named Tousaint Charbonneau. Charbonneau married Sacagawea and the two lived among the Mandan and Hidatsa tribes of the upper Missouri river in present-day North Dakota. When Lewis and Clark came to the area on their journey in November of 1804, they commissioned Charbonneau and Sacagawea, who was with child, to serve as interpreters. With the help and knowledge of Sacagawea, the Lewis and Clark expedition reached the Pacific Ocean in November of 1805.

It was reported that Sacagawea died on December 20, 1812, at Fort Manuel Lisa, which overlooked the Missouri River near the present-day city of Kenel, in Corson County, SD. John Luttig, the trading post's clerk, wrote: "This evening the wife of Charbonneau, a Snake Woman, died of a putrid fever. Aged about 25 years. She left an infant girl."

Though Sacagawea had a short and difficult life, her legacy still lives on. The celebration of her life also gives us a great opportunity to recognize the rich culture and heritage of our Native American tribes. As we bear in mind her life, death, and impact, I encourage everyone to join in also commemorating the unique culture of the indigenous peoples of the United States.

Later this month, the Lewis and Clark Trail Heritage Foundation will be holding their regional meeting in Fort Pierre, SD. The South Dakota Chapter of the Lewis and Clark Trail Heritage Foundation, Encounters on

the Prairie, will be hosting this regional meeting which will be commemorating the 200th anniversary of Sacagawea's reported death. I am proud to speak about the rich piece of our Nation's history she was a part of. Her memory and the heritage in which she embodies, continues to inspire us in South Dakota and across the Nation.●

● Mr. THUNE. Mr. President, today I wish to recognize the 200th Anniversary of the reported death of Sacagawea within the borders of what is now South Dakota. At this time I would like to commemorate her for her contributions to the Lewis and Clark Expedition.

Sacagawea accompanied Meriwether Lewis and William Clark on the Northwestern Discovery Expedition to the Pacific Coast for the U.S. President Thomas Jefferson's Corps. In recognition of her service and bravery, the Central South Dakota Chapter of the Lewis and Clark Trail Heritage Foundation, known as Keepers of the Story, Stewards of the Trail, are hosting a regional meeting September 28, 29, and 30, 2012. The meeting will be open to the public in the cities of Fort Pierre, Pierre, Mobridge, and Kenel, SD. To help commemorate the bicentennial of the reported death of Sacagawea, the Lewis and Clark Trail Heritage Foundation will travel to Fort Manuel Lisa.

The story of Sacagawea, while short, is one of great success and worthy of remembrance. Her guidance and interpretation were vital to Lewis and Clark's journey. I hope my fellow colleagues will help me commemorate the 200th anniversary of the reported death of Sacagawea by recognizing her sacrifice and efforts.●

NATIONAL CITY, CALIFORNIA

● Mrs. BOXER. Mr. President, today I take this opportunity to recognize and celebrate the 125th anniversary of National City, located in San Diego County, CA.

National City was founded in 1868 and incorporated on September 17, 1887, making it the second oldest city in San Diego County. The land on which it stands had earlier been an Indian rancheria, home of Apusquele band of the Hamacha tribe. In 1769 it had become one of the ranches used by the Mission San Diego de Alcalá, and the padres called it La Purísima Concepción.

In the late 19th century, National City pioneered the shipping and transportation systems for San Diego, constructing the area's first wharf and introducing the first transcontinental railroad terminus; the National City Depot, built in 1882, is the last one standing out of the original five transcontinental terminus railroad stations and is designated as a California historical landmark. Another local cul-

tural treasure "Brick Row," built in 1887 is the only Philadelphia-style row housing in the southwestern United States and is listed in the National Register of Historic Places.

Today, National City's 3-mile-long port along San Diego Bay is part of Naval Base San Diego, the largest U.S. Navy base on the west coast. In addition to its leading role as a naval gateway, National City is considered a symbolic link between San Diego and Mexico.

On September 22, residents of National City will gather for a citywide 125th anniversary picnic at Kimball Park. I congratulate the people of National City on this special occasion and salute their rich history and wonderful community spirit.●

REMEMBERING JOE GARLAND

● Mr. KERRY. Mr. President, last summer Massachusetts lost a gentleman, the fishing industry lost an icon and I lost a friend. For years Joe Garland served as the unofficial historian of Gloucester, MA—its fishermen, its boats and its life. If you visit the Fisherman's Memorial on Gloucester's waterfront on a stormy winter day, the statue of the Heroic Mariner seems to be steering the whole town into the wind toward fair weather. And if you look closely at the statue, you can almost see Joe Garland in its carved granite face, full of grit and determination, guiding his beloved Gloucester through headwinds and troubled waters.

He's been gone for more than a year now, but his memory lives on through his loving wife Helen, his family, his friends and through the continuing legacy of the schooner Adventure.

In my Boston office, I have a copy of his book about the Adventure, which he helped to restore. When I received it many years ago, it arrived with an invitation from Joe to tour the schooner and, of course, I didn't waste any time accepting his invitation. He welcomed me aboard, and his tour made the Adventure's history come alive—from its construction in 1926 through its career as a "highliner," the biggest money-maker of them all, landing nearly \$4 million worth of cod and halibut during her career.

As Joe himself once wrote, "The Adventure is a survivor, not a vision. She is here, real and beautiful . . . I can stand on those decks with the whole-sail breeze, arms hooked into the rigging, and watch her go, watch the miles bubble out from under the stern as they have done now for more than fifty [now nearing 100] years. She is fantastic!"

As we celebrate the historic restoration of the Adventure, and celebrate Joe's incredible life, I know that he is smiling down on us today, on what would have been his 90th birthday. Mr.

President, the world weathers so many storms, but at the center of each we find people of character who revive our hope and give us strength. Joe Garland was such a man, and we are all blessed to have had his strength and his character as an example, and we are equally blessed that he left us with such a marvelous schooner, the Adventure, as an enduring reminder of his life.●

TRIBUTE TO DAVID WOOD

● Mrs. SHAHEEN. Mr. President, today I wish to recognize the career of David Wood, the founding Executive Director of Affordable Housing, Education and Development (AHEAD), Inc. in Littleton, New Hampshire. After over 20 years of hard work to make affordable housing and home ownership a reality for hundreds of NH families, David will step down from his position at the end of this year. I would like to take this opportunity to thank him for his remarkable commitment to helping those in need.

Since 1991, AHEAD has provided safe and affordable rental housing, family support, and financial education to thousands of people living in rural northern New Hampshire. Under David's direction, the organization now owns and operates 304 units of affordable multifamily rental housing in nine communities in our State. Furthermore, AHEAD has assisted more than 600 families buying their first homes and helped rescue another 250 households facing foreclosures.

AHEAD has received numerous awards over the last 20 years in recognition of the positive impact that David and his staff have brought to our North Country. These accolades include the USDA Rural Development New Hampshire Partner of the Year in 2002, the Federal Home Loan Bank-Boston Partner of the Year, and the Citizens Bank Champion in Action in 2005.

In addition to his full-time responsibilities at AHEAD, David has served on the Board of the New Hampshire Community Development Finance Authority for 20 years, spending four of them as its chair. He has been an active member of the National Neighbor Works Association and spent 6 years on the Advisory Council for the Federal Home Loan Bank of Boston. David has also been a crucial voice in Housing Action New Hampshire's advocacy efforts to promote affordable housing across our State.

These impressive accomplishments demonstrate David's dedication to improving the lives of families in Coos and northern Grafton Counties. I am sure that David will modestly attribute this success to his talented and dedicated team of staff and supporters, but it was his vision for community development that led to the founding of AHEAD. His belief in stable families as the foundation of a vibrant community

resulted in projects like the McKee Inn in Lancaster and Littleton Town & Country Family Housing. Because of his commitment to this cause, hundreds of families in New Hampshire now have access to safe, warm, and affordable homes.

Put simply, Mr. President, David has made New Hampshire a better place to live and raise a family. I know that the great energy and spirit with which he has led AHEAD for the past 20 years will endure at this enormously successful non-profit organization. I congratulate David on all his achievements and wish him the best in his retirement.●

RECOGNIZING BLUE CROSS BLUE SHIELD OF MASSACHUSETTS

● Mr. KERRY. Mr. President, today I would like to recognize the accomplishments of Blue Cross Blue Shield of Massachusetts (BCBSMA), a company that has provided affordable health insurance options for families in the Commonwealth for the past 75 years.

As our Nation's health care system has evolved, BCBSMA has remained a leader in the industry by focusing on the principles of service, leadership, and innovation. In fact, it was the first organization of its kind to offer statewide insurance coverage for hospitalization—providing all working families a financially realistic option so they could afford a hospital stay when it was needed. And decades later, BCBSMA was instrumental in helping to create several of the State's best-known health maintenance organizations (HMOs).

BCBSMA has been actively working to improve the health of their members through an innovative benefit design that focuses on prevention and customized wellness programs, encourages community-based care, and improves care coordination.

Additionally, they have been national leaders in payment reform by designing an innovative model that has demonstrated the ability to improve the quality of patient care while simultaneously slowing the growth of health care spending. In 2008, BCBSMA created a new payment system called the Alternative Quality Contract (AQC). This model rewards physicians and hospitals for the quality and outcomes of the care they provide to patients. Providers receive a global budget for their patients and are responsible for any excessive spending and are rewarded for quality. This combination of the global budget and pay-for-performance incentives establishes provider accountability for both the quality and cost of care.

BCBSMA isn't just committed to its members; they are leaders in the community with a distinct focus on corporate citizenship and civic engagement. They spend countless hours working within the community to

make a measurable and sustainable impact on issues such as child development, healthy environments, and family nutrition. During the last year, BCBSMA associates volunteered to perform more than 26,000 hours of community service throughout Massachusetts. In their tradition of supporting the work of not-for-profit organizations, BCBSMA is commemorating their 75th anniversary by providing grants to community stakeholders working to advance the health and nutrition of families facing economic hardship.

BCBSMA founded the Blue Cross Blue Shield of Massachusetts Foundation in 2001, one of the largest health-focused private philanthropies in New England, to expand access to health care. The Foundation played an important role in the passage of Massachusetts health reform in 2006 by providing reliable data and objective analysis to policy-makers and convening stakeholders for sessions of public debate. Massachusetts now has the best health care coverage rate in the Nation with 98.1 percent of residents having health insurance, including 99.8 percent of all children.

Not only did BCBSMA work to expand health care coverage in the Commonwealth, they were a leader in the national effort to expand health care coverage to all Americans. BCBSMA was the only health plan in the Nation to file an amicus, or "friend of the court", brief in support of the constitutionality of the Affordable Care Act when it was considered by the Supreme Court earlier this year. They believed the health reform law was critical to ensure that all Americans have the same health care benefits and protections that Massachusetts residents have known for years.

As we continue to implement the Affordable Care Act, I am confident that BCBSMA will be there every step of the way. They are rated among the nation's best health plans for member satisfaction and quality and their commitment to both exceptional and affordable health care is clearly evident to their nearly three million members in Massachusetts.

I congratulate Andrew Dreyfus, President and Chief Executive Officer, and all the employees at BCBSMA who work together to advance the availability of quality health care on this remarkable milestone. I look forward to the innovation and leadership you will deliver over the next 75 years for the Commonwealth of Massachusetts.●

RECOGNIZING THE LOWELL MILKEN CENTER

● Mr. ROBERTS. Mr. President, today I wish to commemorate the Lowell Milken Center's 2012 National Projects Kick-off. Located in Fort Scott, KS, the Lowell Milken Center discovers, develops, and communicates the stories

of unsung heroes who have made a profound and positive difference on the course of history. The Lowell Milken Center was opened in 2007 as an international nonprofit organization focused on creating a better future by developing projects that teach respect and understanding. This approach has been built upon student-driven, project-based learning so that Americans and people around the world may learn that each of us has the responsibility and the power to take actions to improve the lives of others.

During its 6 years of operation, the center has hosted over 15,000 visitors and reached over 550,000 students in 5,000 schools by telling inspiring stories of unsung heroes to influence change in behaviors and attitudes. In May, I had the pleasure of visiting the Lowell Milken Center. During my visit, I was able to meet the center's visionary and founder Norm Conard and its program director Megan Felt. Both are outstanding Kansans who have helped shape the way we approach history and learning. Ms. Felt has been honored nationally and internationally for her projects with students, and she is the founder of the internationally acclaimed work, "Life in a Jar: The Irena Sendler Project."

Irena Sendler was a devout Catholic who helped save the lives of 2,500 children during the Holocaust in Poland. She smuggled children out of a Warsaw ghetto and placed them with families not threatened by the Nazis. Toward the end of the war, she was arrested, severely beaten, and almost died for her actions to save these children.

In 1999, three high school students from Uniontown, KS, uncovered the remarkable story of Irena Sendler after Uniontown High School teacher Norm Conard tasked his students to compete in a National History Day contest. The students investigated an article published in 1994 mentioning Sendler and uncovered a heroic story that had gone virtually unreported. The students eventually met their hero and began exchanging letters.

This relationship inspired the students to write a play about Sendler's life and work. "Life in a Jar: The Irena Sendler Project" continues to be performed in Uniontown, KS, and has been preformed across the U.S. and in Europe. Fortunately, this project brought Sendler much overdue national attention in Poland, and in 2007 Sendler was nominated for a Nobel Peace Prize. In 2008, Irena Sendler passed away at age 98.

The Lowell Milken Center continues to pursue those often missed in history books and to promote cross-cultural understanding in the world. It is an honor to represent the Lowell Milken Center in the United States Senate, and I commend their efforts to promote the unsung heroes who changed the world through the 2012 National Projects Kick-off.●

TRIBUTE TO KRISTEN MCGONIGLE

• Mrs. SHAHEEN. Mr. President, today I wish to honor a remarkable citizen, Kristen McGonigle of Concord, NH. On June 9, 2012, Kristen saved the life of a fellow runner during a local road race.

Every June, Portsmouth, NH hosts a 10K road race in conjunction with Market Square Day, an annual celebration honoring the renovation of one of the historic city's vibrant downtown areas. Kristen was participating in the race when she noticed another runner, Steve Whitney, showing signs of a significant heart attack.

As a cardiac care nurse at Concord Hospital with more than 16 years of experience, Kristen immediately recognized Steve's symptoms and took swift action to save his life. Kristen possessed the skills necessary to keep Steve alive until paramedics arrived. In fact, Kristen continued to perform chest compressions even after the arrival of emergency medical technicians. Her quick action ensured that Steve safely reached the qualified health care providers at Portsmouth Regional Hospital.

According to the Centers for Disease Control and Prevention, heart disease is the leading cause of death in the United States. Sadly, nearly every American knows an individual impacted by heart disease, and all too many people suffer a catastrophic cardiac event similar to the one Steve Whitney experienced.

Nursing professionals dedicate their working lives to caring for those in need, providing the comforts and necessities required for their patients to regain strength and recover good health. The frequent acts of heroism performed by these men and women often go unnoticed, but it is impossible to overvalue the work they perform. The daily efforts of nurses for the betterment of others serve as an invaluable bridge to care between doctor and patient.

I applaud and thank Kristen for her devotion to those in need. She has spent her career helping others while also caring for her family, including her husband Kirk and her two children, Camden and Ally. Her exemplary behavior gives her family, her workplace, her community, and the State of New Hampshire great pride.

I wish to thank Kristen McGonigle for her service and her actions on June 9, 2012, and commend her kindness, compassion, and dedication to her field and her fellow citizens.●

RECOGNIZING YALE CORDAGE

• Ms. SNOWE. Mr. President, it is no secret that my home State of Maine boasts an expansive coastline, unmatched in beauty. With its numerous bays and inlets, this coastline provides endless opportunities for the many industries that have come to be known as quintessentially Maine, including com-

mercial fishing, shipbuilding, and pleasure boating. One excellent example is Yale Cordage of Saco, ME, a small business dedicated to manufacturing quality products used by industries throughout Maine and the world.

Founded in 1950 by O. Sherman Yale, Yale Cordage introduced synthetic fiber to the commercial fishing industry when it began manufacturing ropes. For 20 years its focus remained on commercial fishing; however, it expanded its product line to provide ropes for the pleasure marine marketplace when Yale's son Tom, an avid sailor, joined the company. From there, Yale Cordage began building its reputation as a leader in the pleasure marine industry by introducing technologically innovative products and, through Tom's leadership as President of the Cordage Institute, influencing industry standards. Moreover, in 1983 *Australia II* won the America's Cup for yacht sailing using all Yale Cordage rigging. But Yale Cordage's desire to seek new markets did not stop there.

Recognizing certain limitations of the pleasure marine market, Yale Cordage sought new ways to use its products in different industries. Now, Yale Cordage's products are not only found on boats but throughout the world and in a variety of capacities. For example, Central Maine Power uses Yale Cordage's products to string new power lines while Bath Iron Works uses them in the destroyer class of naval warships. You can find Yale Cordage products in the ocean for use with offshore oil rigs, beneath the Earth's surface in the Sudbury Neutrino Observatory, in the sky on the Hood Blimp, at the tops of trees with arborist climbers, and recently at Niagara Falls when Yale Cordage rope was used in the hoisting and securing process for the world's first tightrope walk directly over the falls. The National Data Buoy Center trusts Yale Cordage products to moor weather buoys critical in the tracking of storms, including the recent hurricanes in the Gulf of Mexico. Even our armed services have taken advantage of Yale Cordage's quality products: the U.S. Army uses Yale Cordage ropes to remove tanks from ditches in Afghanistan, and the Navy SEALs use it when rappelling from helicopters.

Through hard work, ingenuity, and determination, Yale Cordage has evolved from a commercial fishing rope supplier to a \$20 million company that manufactures rope for a wide range of industries. It now operates a state-of-the-art facility, and provides jobs for 75 people in my home State. Yale Cordage is a shining example of the entrepreneurial spirit of Maine. I am proud to commend everyone at Yale Cordage on their success and offer my best wishes for the future.●

TRIBUTE TO PETER J. FOS

• Mr. VITTER. Mr. President, today I wish to recognize Dr. Peter J. Fos. In January, Dr. Fos was named the sixth leader and first president of the University of New Orleans. A New Orleans native and graduate of UNO, Dr. Fos received his degree in biological sciences and a doctor of dental surgery from LSU Health Sciences Center. He also earned his masters of public health and doctor of philosophy in health care decision analysis from Tulane University.

Prior to being selected as president, Dr. Fos served as a professor and program director of health policy and systems management at LSU Health Sciences Center where he oversaw curriculum development and assessment and student and faculty professional development.

He also served as provost and executive vice president for 3 years at the University of Texas at Tyler and spent 4 years as dean of the College of Health at the University of Southern Mississippi. Dr. Fos has also held positions at the Mississippi State Department of Health, the University of Nevada, Las Vegas School of Dental Medicine, Tulane University School of Public Health and Tropical Medicine, and Tulane University Department of Health Systems Management.

In addition to increasing enrollment under new admissions standards, Dr. Fos also has both short and long-term goals which include improving communication both on and off campus and reconnecting UNO to the local business community.

At a time when Louisiana's higher education system is being asked to do more with less, it is important that those tasked with guiding our universities into the future do so in ways that will not compromise the educational value provided to Louisiana's students. With his long career educating our youth, I am pleased for Dr. Fos that he has been selected to lead UNO, and I congratulate him on this great honor.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT

Under the authority of the order of the Senate of January 5, 2011, the Secretary of the Senate, on September 14, 2012, during the adjournment of the Senate, received a message from the House of Representatives announcing that the House has passed the following bills, without amendment:

S. 3245. An act to extend by 3 years the authorization of the EB-5 Regional Center Program, the E-Verify Program, the Special Immigrant Nonminister Religious Worker Program, and the Conrad State 30 J-1 Visa Waiver Program.

S. 3552. An act to reauthorize the Federal Insecticide, Fungicide, and Rodenticide Act.

ENROLLED BILL SIGNED

Under the authority of the order of the Senate of January 5, 2011, the following enrolled bill, previously signed by the Speaker of the House, was signed on September 14, 2012, during the adjournment of the Senate, by the President pro tempore (Mr. INOUE).

H.R. 6336. An act to direct the Joint Committee on the Library to accept a statue depicting Frederick Douglass from the District of Columbia and to provide for the permanent display of the statue in Emancipation Hall of the United States Capitol.

MESSAGES FROM THE HOUSE

At 10:04 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills and joint resolution, in which it requests the concurrence of the Senate:

H.R. 1775. An act to amend title 18, United States Code, with respect to fraudulent representations about having received military decorations or medals.

H.R. 6365. An act to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to replace the sequester established by the Budget Control Act of 2011.

H.J. Res. 117. Joint resolution making continuing appropriations for fiscal year 2013, and for other purposes.

At 11:54 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 6213. An act to limit further taxpayer exposure from the loan guarantee program established under title XVII of the Energy Policy Act of 2005.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 6213. An act to limit further taxpayer exposure from the loan guarantee program established under title XVII of the Energy Policy Act of 2005; to the Committee on Energy and Natural Resources.

H.R. 6365. An act to amend the Balanced Budget and Emergency Deficit Control Act

of 1985 to replace the sequester established by the Budget Control Act of 2011; to the Committee on the Budget.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

H.R. 5949. An act to extend the FISA Amendments Act of 2008 for five years.

The following joint resolution was read the first and second times by unanimous consent, and placed on the calendar:

H.J. Res. 117. Joint resolution making continuing appropriations for fiscal year 2013, and for other purposes.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 3576. A bill to provide limitations on United States assistance, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-7519. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Marysville Days Fireworks, St. Clair River, Marysville, MI" ((RIN1625-AA00) (Docket No. USCG-2012-0388)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7520. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; International Special Operations Forces Week Capability Exercise, Seddon Channel, Tampa, FL" ((RIN1625-AA00) (Docket No. USCG-2012-0007)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7521. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Fireworks Display, Lake Superior; Duluth, MN" ((RIN1625-AA00) (Docket No. USCG-2012-0483)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7522. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Major Motion Picture Filming, Atlantic Intracoastal Waterway; Southport, NC" ((RIN1625-AA00) (Docket No. USCG-2012-0577)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7523. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Atlantic Intracoastal Waterway; Oak Island, NC" ((RIN1625-AA00) (Docket No. USCG-2012-0431)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7524. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Atlantic Intracoastal Waterway; Emerald Isle, NC" ((RIN1625-AA00) (Docket No. USCG-2012-0432)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7525. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; GR Symphony Fireworks Display, Kalamazoo Lake, Saugatuck, MI" ((RIN1625-AA00) (Docket No. USCG-2012-0570)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7526. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Fireworks Display, Potomac River, Charles County, Newburg, MD" ((RIN1625-AA00) (Docket No. USCG-2012-0563)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7527. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Fireworks Display, Lake Superior; Cornucopia, WI" ((RIN1625-AA00) (Docket No. USCG-2012-0473)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7528. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Temporary Change for Recurring Fifth Coast Guard District Fireworks Displays; Northwest Harbor (East Channel) and Tred Avon River, MD" ((RIN1625-AA00) (Docket No. USCG-2012-0251)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7529. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Oswego Independence Celebration Fireworks, Oswego Harbor, Oswego, NY" ((RIN1625-AA00) (Docket No. USCG-2012-0481)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7530. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled

"Safety Zone; Virginia Beach Oceanfront Air Show, Atlantic Ocean, Virginia Beach, VA" ((RIN1625-AA00) (Docket No. USCG-2012-0095)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7531. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zones; Annual Fireworks Events in the Captain of the Port Detroit Zone" ((RIN1625-AA00) (Docket No. USCG-2012-0313)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7532. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Atlantic Intracoastal Waterway; Wrightsville Beach, NC" ((RIN1625-AA00) (Docket No. USCG-2012-0368)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7533. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Sheffield Lake Fireworks, Lake Erie, Sheffield Lake, OH" ((RIN1625-AA00) (Docket No. USCG-2012-0501)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7534. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Detroit Symphony Orchestra at Ford House Fireworks, Lake St. Clair, Grosse Pointe Shores, MI" ((RIN1625-AA00) (Docket No. USCG-2012-0600)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7535. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Nautical City Festival Air Show, Rogers City, MI" ((RIN1625-AA00) (Docket No. USCG-2012-0389)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7536. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Bay Swim V, Presque Isle Bay, Erie, PA" ((RIN1625-AA00) (Docket No. USCG-2012-0163)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7537. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; NOAA Vessel Rueben Lasker Launch, Marinette, WI" ((RIN1625-AA00) (Docket No. USCG-2012-0492)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7538. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Sheboygan Harbor Fest, Sheboygan, WI" ((RIN1625-AA00) (Docket No. USCG-2012-0539)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7539. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Richmond-Essex County Fourth of July Fireworks, Rappahannock River, Tappahannock, VA" ((RIN1625-AA00) (Docket No. USCG-2012-0300)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7540. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Fifth Coast Guard District Fireworks Display Pasquotank River; Elizabeth City, NC" ((RIN1625-AA00) (Docket No. USCG-2012-0543)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7541. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Major Motion Picture Filming, Cape Fear River; Wilmington, NC" ((RIN1625-AA00) (Docket No. USCG-2012-0515)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7542. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Grand Hotel 125th Anniversary Fireworks Celebration, Mackinaw Island, MI" ((RIN1625-AA00) (Docket No. USCG-2012-0533)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7543. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Arctic Drilling and Support Vessels, Puget Sound, WA" ((RIN1625-AA00) (Docket No. USCG-2012-0508)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7544. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Fireworks Display, Potomac River, National Harbor Access Channel; Oxon Hill, MD" ((RIN1625-AA00) (Docket No. USCG-2012-0507)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7545. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursu-

ant to law, the report of a rule entitled "Safety Zone; Race on the Lake, Onondaga Lake, Syracuse, NY" ((RIN1625-AA00) (Docket No. USCG-2012-0347)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7546. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zones; Fireworks Displays in Captain of the Port Long Island Sound Zone" ((RIN1625-AA00) (Docket No. USCG-2012-0477)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7547. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Security Zones, Seattle's Seafair Fleet Week Moving Vessels, Puget Sound, WA" ((RIN1625-AA87) (Docket No. USCG-2011-1126)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7548. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Security Zones; 2012 Republican National Convention, Captain of the Port St. Petersburg Zone, Tampa, FL" ((RIN1625-AA87) (Docket No. USCG-2011-0922)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7549. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Security Zones; USS MISSISSIPPI Commissioning; Pascagoula Harbor and Pascagoula River; Pascagoula, MS" ((RIN1625-AA87) (Docket No. USCG-2012-0333)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7550. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Operation Regulation; Sturgeon Bay Ship Canal, Sturgeon Bay, WI" ((RIN1625-AA09) (Docket No. USCG-2011-1109)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7551. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Operation Regulation; Lafourche Bayou, LA" ((RIN1625-AA09) (Docket No. USCG-2011-0926)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7552. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Operation Regulation; Hood Canal, WA" ((RIN1625-AA09) (Docket No. USCG-2012-0074)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the

Committee on Commerce, Science, and Transportation.

EC-7553. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Eighth Coast Guard District Annual Marine Events and Safety Zones" ((RIN1625-AA00; 1625-AA08) (Docket No. USCG-2011-0286)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7554. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Moving Security Zone Around Escorted Vessels on the Lower Mississippi River Between Mile Marker 90.0 Above Head of Passes to Mile Marker 110.0 Above Head of Passes" ((RIN1625-AA00) (Docket No. USCG-2011-1063)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7555. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulations; OPSAIL 2012 Connecticut, Niantic Bay, Long Island Sound, Thames River and New London Harbor, New London, CT" ((RIN1625-AA08) (Docket No. USCG-2012-0066)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7556. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulations for Marine Events, Swim Event; Lake Gaston, Littleton, NC" ((RIN1625-AA08) (Docket No. USCG-2012-0197)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7557. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulation; Upper Mississippi River, Mile 842.0 to 840.0" ((RIN1625-AA00) (Docket No. USCG-2012-0312)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7558. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulations for Marine Events, Temporary Change of Dates for Recurring Marine Events in the Fifth Coast Guard District, Wrightsville Channel; Wrightsville Beach, NC" ((RIN1625-AA08) (Docket No. USCG-2012-0341)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7559. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulation; Battle on the Bay Powerboat Race Atlantic Ocean, Fire Island, NY" ((RIN1625-AA08) (Docket No. USCG-2012-0629)) received during adjournment of the Senate in the Office of the President of

the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7560. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulation; San Francisco Bay Navy Fleetweek Parade of Ships and Blue Angels Demonstration" ((RIN1625-AA00) (Docket No. USCG-2012-0459)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7561. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulation and Security Zone: War of 1812 Bicentennial Commemoration, Port of Boston, MA" ((RIN1625-AA08) (Docket No. USCG-2012-0100)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7562. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulations; Annual Bayview Mackinac Race" ((RIN1625-AA08) (Docket No. USCG-2012-0403)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7563. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulations; ODBA Draggin' on the Waccamaw, Atlantic Intracoastal Waterway, Bucksport, SC" ((RIN1625-AA08) (Docket No. USCG-2012-0201)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7564. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulations for Marine Events; Potomac River, National Harbor Access Channel, MD" ((RIN1625-AA08) (Docket No. USCG-2012-0276)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7565. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulations; Ocean State Tall Ships Festival 2012, Narragansett Bay, RI" ((RIN1625-AA08) (Docket No. USCG-2012-0073)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7566. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulation for Marine Events, Chesapeake Bay Workboat Race, Back River, Messick Point; Poquoson, VA" ((RIN1625-AA08) (Docket No. USCG-2012-0169)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7567. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulation; East Tawas Offshore Gran Prix, Tawas Bay; East Tawas, MI" ((RIN1625-AA08) (Docket No. USCG-2012-0556)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7568. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulation and Safety Zones; Marine Events in Captain of the Port Sector Long Island Sound Zone" ((RIN1625-AA00 and RIN1625-AA08) (Docket No. USCG-2012-0111)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7569. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revocation of Class E Airspace; Lloydsville, PA and Amendment of Class D and E Airspace; Latrobe, PA" ((RIN2120-AA66) (Docket No. FAA-2012-0301)) received in the Office of the President of the Senate on September 10, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7570. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Navigation and Navigable Waters; Technical, Organizational, and Conforming Amendments" ((RIN1625-AB86) (Docket No. USCG-2012-0306)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7571. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety and Security Zones; OPSAIL 2012 Connecticut, Thames River, New London, CT" ((RIN1625-AA00) (Docket No. USCG-2011-1029)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7572. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "OPSAIL 2012 Virginia, Port of Hampton Roads, VA" ((RIN1625-AA00, AA08, AA11) (Docket No. USCG-2012-0174)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7573. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Navigation and Navigable Waters; Technical, Organizational, and Conforming Amendments; Corrections" ((RIN1625-AB86) (Docket No. USCG-2012-0306)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7574. A communication from the Attorney-Advisor, U.S. Coast Guard, Department

of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Anchorage Regulations; Narragansett Bay and Rhode Island Sound, RI" ((RIN1625-AA01) (Docket No. USCG-2009-1131)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7575. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class C Airspace; Colorado Springs, CO" ((RIN2120-AA66) (Docket No. FAA-2012-0564)) received during adjournment of the Senate in the Office of the President of the Senate on August 29, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7576. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class D and E Airspace; Fort Rucker, AL" ((RIN2120-AA66) (Docket No. FAA-2012-0635)) received in the Office of the President of the Senate on September 10, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7577. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Bar Harbor, ME" ((RIN2120-AA66) (Docket No. FAA-2011-1366)) received in the Office of the President of the Senate on September 10, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7578. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Quakertown, PA" ((RIN2120-AA66) (Docket No. FAA-2011-0386)) received in the Office of the President of the Senate on September 10, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7579. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Apopka, FL" ((RIN2120-AA66) (Docket No. FAA-2011-0249)) received in the Office of the President of the Senate on September 10, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7580. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Air Traffic Service (ATS) Routes in the Vicinity of Vero Beach, FL" ((RIN2120-AA66) (Docket No. FAA-2012-0621)) received in the Office of the President of the Senate on September 10, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7581. A communication from the Principal Deputy Assistant Secretary for Fish and Wildlife and Parks, National Park Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Special Regulations; Areas of the National Park System, Mammoth Cave National Park, Bicycle Routes" ((RIN1024-AD80)) received in the Office of the President of the Senate on September 11, 2011; to the Committee on Commerce, Science, and Transportation.

EC-7582. A communication from the Attorney-Advisor, U.S. Coast Guard, Department

of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Barbara Harder Wedding Fireworks, Lake Erie, Lake View, NY" ((RIN1625-AA00) (Docket No. USCG-2012-0568)) received in the Office of the President of the Senate on September 11, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7583. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of VOR Federal Airways V-10, V-12, and V-508 in the Vicinity of Olathe, KS" ((RIN2120-AA66) (Docket No. FAA-2012-0055)) received during adjournment of the Senate in the Office of the President of the Senate on August 29, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7584. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Jet Routes and VOR Federal Airways; Northeastern United States" ((RIN2120-AA66) (Docket No. FAA-2012-0622)) received in the Office of the President of the Senate on September 10, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7585. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures; Miscellaneous Amendment; Amdt. No. 3491" ((RIN2120-AA65)) received during adjournment of the Senate in the Office of the President of the Senate on August 29, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7586. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures; Miscellaneous Amendment; Amdt. No. 3490" ((RIN2120-AA65)) received during adjournment of the Senate in the Office of the President of the Senate on August 29, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7587. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures; Miscellaneous Amendments (148); Amdt. No. 3488" ((RIN2120-AA65)) received during adjournment of the Senate in the Office of the President of the Senate on August 29, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7588. A communication from the President of the United States, transmitting, pursuant to law, a report relative to the protection of U.S. personnel abroad (DCN OSS2012-1440) received during adjournment of the Senate in the Office of the President of the Senate on September 17, 2012; to the Committee on Foreign Relations.

EC-7589. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Fort Morgan, CO" ((RIN2120-AA66) (Docket No. FAA-2012-0289)) received during adjournment of the Senate in the Office of the President of the Senate on August 29, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7590. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Arcadia, FL" ((RIN2120-AA66) (Docket No. FAA-2012-0365)) received during adjournment of the Senate in the Office of the President of the Senate on August 29, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7591. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Roundtop, MT" ((RIN2120-AA66) (Docket No. FAA-2012-0274)) received in the Office of the President of the Senate on September 10, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7592. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Class E Airspace; Plentywood, MT" ((RIN2120-AA66) (Docket No. FAA-2012-0310)) received during adjournment of the Senate in the Office of the President of the Senate on August 29, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7593. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Class E Airspace; Billings, MT" ((RIN2120-AA66) (Docket No. FAA-2012-0316)) received in the Office of the President of the Senate on September 10, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7594. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures; Miscellaneous Amendments (29); Amdt. No. 3489" ((RIN2120-AA65)) received in the Office of the President of the Senate on September 10, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7595. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-0185)) received during adjournment of the Senate in the Office of the President of the Senate on August 29, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7596. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Embraer S.A. Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-0423)) received during adjournment of the Senate in the Office of the President of the Senate on August 29, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7597. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-0291)) received during adjournment of the Senate in the Office of the President of the Senate on August 29, 2012; to the

Committee on Commerce, Science, and Transportation.

EC-7598. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-0490)) received during adjournment of the Senate in the Office of the President of the Senate on August 29, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7599. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-0802)) received during adjournment of the Senate in the Office of the President of the Senate on August 29, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7600. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Rolls-Royce plc Turboprop Engines" ((RIN2120-AA64) (Docket No. FAA-2010-0748)) received during adjournment of the Senate in the Office of the President of the Senate on August 29, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7601. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Uniqair Aircraft Corporation Airplanes" ((RIN2120-AA64) (Docket No. FAA-2011-0360)) received during adjournment of the Senate in the Office of the President of the Senate on August 29, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7602. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Pratt and Whitney Canada Turboprop Engines" ((RIN2120-AA64) (Docket No. FAA-2012-0416)) received during adjournment of the Senate in the Office of the President of the Senate on August 29, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7603. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Rolls-Royce Corporation Turboprop Engines" ((RIN2120-AA64) (Docket No. FAA-2011-0961)) received during adjournment of the Senate in the Office of the President of the Senate on August 29, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7604. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Eurocopter France Helicopters" ((RIN2120-AA64) (Docket No. FAA-2012-0766)) received during adjournment of the Senate in the Office of the President of the Senate on August 29, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7605. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmit-

ting, pursuant to law, the report of a rule entitled "Clopyralid; Pesticide Tolerances" (FRL No. 9361-5) received in the Office of the President of the Senate on September 13, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7606. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Bifenthrin; Pesticide Tolerances" (FRL No. 9361-6) received in the Office of the President of the Senate on September 13, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7607. A communication from the Under Secretary of Defense (Comptroller), transmitting, pursuant to law, a report relative to a violation of the Antideficiency Act that occurred at the Office of the Administrative Assistant to the Secretary of the Army, Resources and Programs Agency, Resource Services-Washington (RS-W), Operating Agency 22 (OA22) during fiscal years 2005, 2006, and 2007 and was assigned Army case number 11-01; to the Committee on Appropriations.

EC-7608. A communication from the Under Secretary of Defense (Comptroller), transmitting, pursuant to law, a report relative to a violation of the Antideficiency Act that occurred in the Operation and Maintenance, Army (OMA) appropriation, account 2172020, at the U.S. Army Installation Management Command (IMCOM) during fiscal year 2010 and was assigned Army case number 11-05; to the Committee on Appropriations.

EC-7609. A communication from the Under Secretary of Defense (Acquisition, Technology, and Logistics), transmitting, pursuant to law, a report entitled "Report to Congress on the Assessment of Industrial Base for Night Vision Image Intensification Sensors"; to the Committee on Armed Services.

EC-7610. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Addition of Certain Persons to the Entity List; Removal of Person from the Entity List Based on Removal Request; and Implementation of Entity List Annual Review Changes" (RIN0694-AF74) received during adjournment of the Senate in the Office of the President of the Senate on September 17, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC-7611. A communication from the Associate General Counsel for Legislation and Regulations, Office of Housing, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled "Federal Housing Administration (FHA): Section 232 Healthcare Facility Insurance Program-Strengthening Accountability and Regulatory Revisions Update" (RIN2502-AJ05) received during adjournment of the Senate in the Office of the President of the Senate on September 14, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC-7612. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to Iran as declared in Executive Order 12957; to the Committee on Banking, Housing, and Urban Affairs.

EC-7613. A communication from the President of the United States, transmitting, pursuant to law, a report entitled "OMB Report Pursuant to the Sequestration Transparency Act of 2012 (P.L. 112-155)"; to the Committee on the Budget.

EC-7614. A communication from the Secretary of Energy, transmitting, pursuant to law, a report of the authorization of a non-competitive extension of five years to the Department of Energy's (DOE) contract with Battelle Memorial Institute for the management and operation of the Pacific Northwest National Laboratory; to the Committee on Energy and Natural Resources.

EC-7615. A communication from the Director, Office of Surface Mining, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Texas Regulatory Program" (Docket No. TX-064-FOR) received in the Office of the President of the Senate on September 13, 2012; to the Committee on Energy and Natural Resources.

EC-7616. A communication from the Director, Office of Surface Mining, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Montana Regulatory Program" (Docket No. MT-034-FOR) received in the Office of the President of the Senate on September 13, 2012; to the Committee on Energy and Natural Resources.

EC-7617. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Initial Test Program of Condensate and Feedwater Systems for Light-Water Reactors" (Regulatory Guide 1.68.1) received during adjournment of the Senate in the Office of the President of the Senate on September 17, 2012; to the Committee on Environment and Public Works.

EC-7618. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Model Safety Evaluation for Plant-Specific Adoption of Technical Specifications Task Force Traveler TSTF-522, Revision 0, 'Revise Ventilation System Surveillance Requirements to Operate for 10 Hours per Month,' Using the Consolidated Line Item Improvement Process" (NUREG-1430, -1431, -1432, -1433, -1434) received during adjournment of the Senate in the Office of the President of the Senate on September 17, 2012; to the Committee on Environment and Public Works.

EC-7619. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "National Priorities List, Final Rule No. 55" (FRL No. 9722-6) received in the Office of the President of the Senate on September 13, 2012; to the Committee on Environment and Public Works.

EC-7620. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of State Implementation Plan Revisions; Infrastructure Requirements for the 1997 8-Hour Ozone National Ambient Air Quality Standards; North Dakota" (FRL No. 9715-1) received in the Office of the President of the Senate on September 13, 2012; to the Committee on Environment and Public Works.

EC-7621. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Florida; New Source Review—Prevention of Significant Deterioration; Fine Particulate Matter (PM_{2.5})" (FRL No. 9728-1) received in the Office of the President of the Senate on September 13, 2012; to the Committee on Environment and Public Works.

EC-7622. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Arkansas; Infrastructure Requirements for the 1997 Ozone NAAQS and the 1997 and 2006 PM_{2.5} NAAQS and Interstate Transport Requirements for the 1997 Ozone NAAQS and 2006 PM_{2.5} NAAQS" (FRL No. 9713-8) received during adjournment of the Senate in the Office of the President of the Senate on August 14, 2012; to the Committee on Environment and Public Works.

EC-7623. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Significant New Use Rules on Certain Chemical Substances" (FRL No. 9357-2) received during adjournment of Senate in the Office of the President of the Senate on September 18, 2012; to the Committee on Environment and Public Works.

EC-7624. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Revisions to the Nevada State Implementation Plan; Stationary Source Permits" (FRL No. 9728-6) received during adjournment of Senate in the Office of the President of the Senate on September 18, 2012; to the Committee on Environment and Public Works.

EC-7625. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Mississippi: New Source Review—Prevention of Significant Deterioration; Fine Particulate Matter (PM_{2.5})" (FRL No. 9728-2) received during adjournment of Senate in the Office of the President of the Senate on September 18, 2012; to the Committee on Environment and Public Works.

EC-7626. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Arizona; Nogales PM₁₀ Nonattainment Area Plan" (FRL No. 9730-8) received during adjournment of Senate in the Office of the President of the Senate on September 18, 2012; to the Committee on Environment and Public Works.

EC-7627. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; State of Missouri" (FRL No. 9731-3) received during adjournment of Senate in the Office of the President of the Senate on September 18, 2012; to the Committee on Environment and Public Works.

EC-7628. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; New Mexico; Albuquerque/Bernalillo County: Infrastructure and Interstate Transport Requirements for the 1997 and 2008 Ozone and the 1997 and 2006 PM_{2.5} NAAQS" (FRL No. 9728-7) received during adjournment of Senate in the Office of the President of the Senate on September 18,

2012; to the Committee on Environment and Public Works.

EC-7629. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Protection of Stratospheric Ozone; Listing of Substitutes for Ozone-Depleting Substances—Fire Suppression and Explosion Protection" (FRL No. 9729-5) received during adjournment of Senate in the Office of the President of the Senate on September 18, 2012; to the Committee on Environment and Public Works.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mrs. BOXER, from the Committee on Environment and Public Works, without amendment:

S. 2071. A bill to grant the Secretary of the Interior permanent authority to authorize States to issue electronic duck stamps, and for other purposes (Rept. No. 112-212).

S. 76. A bill to direct the Administrator of the Environmental Protection Agency to investigate and address cancer and disease clusters, including in infants and children (Rept. No. 112-213).

By Mrs. BOXER, from the Committee on Environment and Public Works, with amendments:

S. 357. A bill to authorize the Secretary of the Interior to identify and declare wildlife disease emergencies and to coordinate rapid response to those emergencies, and for other purposes (Rept. No. 112-214).

S. 1494. A bill to reauthorize and amend the National Fish and Wildlife Foundation Establishment Act (Rept. No. 112-215).

S. 2156. A bill to amend the Migratory Bird Hunting and Conservation Stamp Act to permit the Secretary of the Interior, in consultation with the Migratory Bird Conservation Commission, to set prices for Federal Migratory Bird Hunting and Conservation Stamps and make limited waivers of stamp requirements for certain users (Rept. No. 112-216).

By Mrs. BOXER, from the Committee on Environment and Public Works, without amendment:

S. 2282. A bill to extend the authorization of appropriations to carry out approved wetlands conservation projects under the North American Wetlands Conservation Act through fiscal year 2017 (Rept. No. 112-217).

By Mr. AKAKA, from the Committee on Indian Affairs, without amendment:

S. 134. A bill to authorize the Mescalero Apache Tribe to lease adjudicated water rights (Rept. No. 112-218).

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, with an amendment:

S. 3315. A bill to repeal or modify certain mandates of the Government Accountability Office (Rept. No. 112-213).

By Mr. KERRY, from the Committee on Foreign Relations, without amendment:

S. 3341. A bill to require a quadrennial diplomacy and development review, and for other purposes (Rept. No. 112-220).

By Mr. KERRY, from the Committee on Foreign Relations, with an amendment in the nature of a substitute and with an amended preamble:

S. Res. 466. A resolution calling for the release from prison of former Prime Minister of Ukraine Yulia Tymoshenko.

By Mr. KERRY, from the Committee on Foreign Relations, without amendment and with a preamble:

S. Res. 516. A resolution expressing the sense of the Senate on the restitution of or compensation for property seized during the Nazi and Communist eras.

By Mr. KERRY, from the Committee on Foreign Relations, with an amendment in the nature of a substitute and with an amended preamble:

S. Res. 543. A resolution to express the sense of the Senate on international parental child abduction.

By Mr. LEAHY, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 645. A bill to amend the National Child Protection Act of 1993 to establish a permanent background check system.

By Mr. HARKIN, from the Committee on Health, Education, Labor, and Pensions, with an amendment in the nature of a substitute:

S. 1440. A bill to reduce preterm labor and delivery and the risk of pregnancy-related deaths and complications due to pregnancy, and to reduce infant mortality caused by prematurity.

By Mr. HARKIN, from the Committee on Health, Education, Labor, and Pensions, without amendment:

S. 3391. A bill to amend section 353 of the Public Health Service Act with respect to suspension, revocation, and limitation of laboratory certification.

S. 3566. An original bill to provide for scientific frameworks with respect to recalcitrant cancers.

By Mr. BAUCUS, from the Committee on Finance, without amendment:

S. 3568. An original bill to create a Citrus Disease Research and Development Trust Fund to support research on diseases impacting the citrus industry, to renew and modify the temporary duty suspensions on certain cotton shirting fabrics, and to modify and extend the Wool Apparel Manufacturers Trust Fund, and for other purposes.

By Mr. KERRY, from the Committee on Foreign Relations, without amendment and with a preamble:

S. Con. Res. 50. A concurrent resolution expressing the sense of Congress regarding actions to preserve and advance the multi-stakeholder governance model under which the Internet has thrived.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. LEVIN for the Committee on Armed Services.

Air Force nomination of Maj. Gen. Christopher C. Bogdan, to be Lieutenant General.

Air Force nomination of Col. Jon A. Weeks, to be Brigadier General.

Air Force nomination of Brig. Gen. Andrew M. Mueller, to be Major General.

Air Force nomination of Brig. Gen. Donald P. Dunbar, to be Major General.

Air Force nomination of Col. Gerard F. Bolduc, Jr., to be Brigadier General.

Air Force nomination of Col. Matthew P. Jamison, to be Brigadier General.

Army nomination of Colonel David O. Smith, to be Brigadier General.

Army nomination of Michaelene A. Kloster, to be Brigadier General.

Army nomination of Col. Garrett S. Yee, to be Brigadier General.

Army nomination of Brig. Gen. Deborah A. Ashenhurst, to be Major General.

Army nominations beginning with Brig. Gen. Judd H. Lyons and ending with Brig.

Gen. Lee E. Tafanelli, which nominations were received by the Senate and appeared in the Congressional Record on August 2, 2012.

Army nominations beginning with Brig. Gen. Kendall W. Penn and ending with Col. Keith A. Klemmer, which nominations were received by the Senate and appeared in the Congressional Record on August 2, 2012.

Army nomination of Brig. Gen. Michael R. Smith, to be Major General.

Army nomination of Brig. Gen. David J. Conboy, to be Major General.

Army nomination of Maj. Gen. Frederick B. Hodges, to be Lieutenant General.

Army nomination of Maj. Gen. Mark S. Bowman, to be Lieutenant General.

Army nomination of Col. Ural D. Glanville, to be Brigadier General.

Navy nomination of Rear Adm. (lh) James D. Syring, to be Vice Admiral.

Mr. LEVIN. Mr. President, for the Committee on Armed Services I report favorably the following nomination lists which were printed in the Records on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

The PRESIDING OFFICER. Without objection, it is so ordered.

Air Force nominations beginning with Adam D. Aasen and ending with Mark C. Zwyghuizen, which nominations were received by the Senate and appeared in the Congressional Record on April 23, 2012.

Air Force nominations beginning with Lance A. Aluomopas and ending with Robert S. Zauner, which nominations were received by the Senate and appeared in the Congressional Record on June 25, 2012.

Air Force nominations beginning with James H. Abbott and ending with Mario F. Zuniga, which nominations were received by the Senate and appeared in the Congressional Record on June 25, 2012.

Air Force nomination of Michael F. Wendelken, to be Major.

Air Force nominations beginning with Michael M. Howard and ending with Patrick E. Knoester, which nominations were received by the Senate and appeared in the Congressional Record on August 2, 2012.

Air Force nominations beginning with Karyn J. Ayers and ending with John M. Tudela, which nominations were received by the Senate and appeared in the Congressional Record on August 2, 2012.

Air Force nominations beginning with Kimberly A. Dale and ending with Christopher B. Vogler, which nominations were received by the Senate and appeared in the Congressional Record on August 2, 2012.

Air Force nomination of Stephen P. Roberts, to be Colonel.

Air Force nominations beginning with Jeffrey R. Althoff and ending with Gregory T. McCain, which nominations were received by the Senate and appeared in the Congressional Record on September 10, 2012.

Army nomination of Gregory S. Ulma, to be Major.

Army nomination of Patrick P. Metke, to be Major.

Army nomination of Drew D. Dukett, to be Colonel.

Army nomination of David A. Cortese, to be Lieutenant Colonel.

Army nomination of Jeffrey T. Whorton, to be Major.

Army nomination of Charles J. Romero, to be Major.

Army nominations beginning with Tanasha N. Bennett and ending with Reies

M. Flores, which nominations were received by the Senate and appeared in the Congressional Record on August 2, 2012.

Army nominations beginning with Brad D. Bekkedahl and ending with William L. Zana, which nominations were received by the Senate and appeared in the Congressional Record on August 2, 2012.

Army nomination of George C. Sturges, to be Major.

Army nominations beginning with David W. Acker and ending with D003093, which nominations were received by the Senate and appeared in the Congressional Record on September 10, 2012. (minus 1 nominee: Burton C. Glover)

Army nomination of Joseph R. Newcomb, to be Major.

Army nomination of Morohunranti O. Oguntoye, to be Major.

Army nomination of August Seeber, to be Major.

Army nominations beginning with Eric J. Albertson and ending with D011234, which nominations were received by the Senate and appeared in the Congressional Record on September 10, 2012.

Army nominations beginning with Stuart N. Burruss and ending with Robert J. Quinker III, which nominations were received by the Senate and appeared in the Congressional Record on September 10, 2012.

Army nominations beginning with Andre B. Abadie and ending with G001060, which nominations were received by the Senate and appeared in the Congressional Record on September 10, 2012.

Army nominations beginning with John J. Acevedo and ending with D010397, which nominations were received by the Senate and appeared in the Congressional Record on September 10, 2012.

Army nominations beginning with Jeffrey S. Bell and ending with Mark R. Thornton, which nominations were received by the Senate and appeared in the Congressional Record on September 10, 2012.

Army nominations beginning with Steven E. Battle and ending with Luzmira A. Torres, which nominations were received by the Senate and appeared in the Congressional Record on September 10, 2012.

Army nominations beginning with Anthony H. Adrian and ending with John F. Woyte, which nominations were received by the Senate and appeared in the Congressional Record on September 10, 2012.

Army nominations beginning with Fredric N. Amidon and ending with Anne E. Young, which nominations were received by the Senate and appeared in the Congressional Record on September 10, 2012.

Army nominations beginning with Elizabeth A. Baker and ending with Ian J. Tolman, which nominations were received by the Senate and appeared in the Congressional Record on September 10, 2012.

Army nominations beginning with Patrick M. Arida and ending with Ali S. Zaza, which nominations were received by the Senate and appeared in the Congressional Record on September 10, 2012.

Navy nomination of Alan T. Wakefield, to be Lieutenant Commander.

Navy nomination of Tassos J. Sfondouris, to be Lieutenant Commander.

Navy nominations beginning with Glen Cabarcas and ending with Ricardo A. Ferra, which nominations were received by the Senate and appeared in the Congressional Record on August 2, 2012.

Navy nominations beginning with Chuck J. Browder and ending with Christopher K. Tuggle, which nominations were received by

the Senate and appeared in the Congressional Record on August 2, 2012.

Navy nominations beginning with Daniel Aranda and ending with Chad J. Stuewe, which nominations were received by the Senate and appeared in the Congressional Record on August 2, 2012.

Navy nominations beginning with Matthew R. Allen and ending with Brian T. Wierzbicki, which nominations were received by the Senate and appeared in the Congressional Record on August 2, 2012.

Navy nominations beginning with William E. Blanks and ending with Jeremy J. Wagner, which nominations were received by the Senate and appeared in the Congressional Record on August 2, 2012.

Navy nominations beginning with Bradley H. Abramowitz and ending with Eric A. Weiss, which nominations were received by the Senate and appeared in the Congressional Record on August 2, 2012.

Navy nominations beginning with Charity A. Breidenbach and ending with Phillip A. Zamarripa, which nominations were received by the Senate and appeared in the Congressional Record on August 2, 2012.

Navy nominations beginning with Henry L. Bush and ending with Stanley C. Ware, which nominations were received by the Senate and appeared in the Congressional Record on August 2, 2012.

Navy nominations beginning with Kyle R. Alcock and ending with Sheree T. Williams, which nominations were received by the Senate and appeared in the Congressional Record on August 2, 2012.

Navy nominations beginning with Jeremiah P. Anderson and ending with Aaron L. Woolsey, which nominations were received by the Senate and appeared in the Congressional Record on August 2, 2012.

Navy nominations beginning with Mark J. Aid, Jr. and ending with Brian L. Zimmerman, which nominations were received by the Senate and appeared in the Congressional Record on August 2, 2012.

Navy nominations beginning with Bryce D. Abbott and ending with Maxwell V. Zujewski, which nominations were received by the Senate and appeared in the Congressional Record on August 2, 2012.

Navy nominations beginning with Demetria L. Aaron and ending with Amy J. Zwettler, which nominations were received by the Senate and appeared in the Congressional Record on September 10, 2012.

Navy nominations beginning with Timothy M. French and ending with Bryan E. Wooldridge, which nominations were received by the Senate and appeared in the Congressional Record on September 10, 2012.

Navy nominations beginning with Cedric J. Abbron and ending with Chadwick Y. Yasuda, which nominations were received by the Senate and appeared in the Congressional Record on September 10, 2012.

Navy nominations beginning with Amy H. Adair and ending with Donavon A. Yapshing, which nominations were received by the Senate and appeared in the Congressional Record on September 10, 2012.

Navy nominations beginning with Vincent M. J. Ambrosino and ending with Mark Verhovshek, which nominations were received by the Senate and appeared in the Congressional Record on September 10, 2012.

Navy nominations beginning with Kory A. Anglesey and ending with Adam G. Zajac, which nominations were received by the Senate and appeared in the Congressional Record on September 10, 2012.

Navy nominations beginning with Evan D. Adams and ending with Harold B. Woodruff,

which nominations were received by the Senate and appeared in the Congressional Record on September 10, 2012.

Navy nominations beginning with Walter B. Blackwell and ending with James P. Zakar, which nominations were received by the Senate and appeared in the Congressional Record on September 10, 2012.

Navy nominations beginning with Elizabeth A. Aban and ending with Elizabeth M. Zuloaga, which nominations were received by the Senate and appeared in the Congressional Record on September 10, 2012.

Navy nominations beginning with Thomas M. Brown and ending with Ralph G. S. Young, which nominations were received by the Senate and appeared in the Congressional Record on September 10, 2012.

By Mr. KERRY for the Committee on Foreign Relations.

*Sharon English Woods Villarosa, of Texas, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Mauritius, and to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Seychelles.

Nominee: Sharon English Woods Villarosa.
Post: U.S. Ambassador to Mauritius.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: none.
2. Spouse: N/A.
3. Children and Spouses: N/A.
4. Parents: Jack Chase Woods: none; Elizabeth McKinney Woods: none.
5. Grandparents: All deceased.
6. Brothers and Spouses: John Carlton Woods: none; James Carter Woods: \$8.00, 2008, Campaign for Change.
7. Sisters and Spouses: N/A.

*Dawn M. Liberi, of Florida, a Career Member of the Senior Foreign Service, Class of Career Minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Burundi.

Nominee: Dawn M. Liberi.

Post: U.S. Ambassador to Burundi.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: 0.
2. Spouse: N/A.
3. Children and Spouses: N/A.
4. Parents: Theresa Liberi: 0.
5. Grandparents: N/A.
6. Brothers and Spouses: N/A.
7. Sisters and Spouses: Jami and James Collins: 0; April Liberi: 0.

*Stephen D. Mull, of Virginia, a Career Member of the Senior Foreign Service, Class of Career Minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Poland.

Nominee: Stephen D. Mull.

Post: Warsaw, Poland.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: None.
2. Spouse: None.
3. Children and Spouses: Ryan Mull: None.
4. Parents: Faith Spracklin: None; Franklin Spracklin (deceased): None; Donald Mull: None; Susan Mull: None.
5. Grandparents: Marian Meredith (deceased): None; Richard Meredith (deceased): None; Sarah Mull (deceased): None; George Mull (deceased): None.
6. Brothers and Spouses: Jeffery Mull: None; Elaine Mull: None.
7. Sisters and Spouses: Kathy Christel: None; Neil Christel: None; Sherri Heckman: None; Timothy Heckman (deceased): None.

*Walter North, of Washington, a Career Member of the Senior Foreign Service, Class of Career Minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Papua New Guinea, and to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary of the United States of America to the Solomon Islands and Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Vanuatu.

Nominee: Walter Elliott North.

Post: U.S. Ambassador to Papua New Guinea, the Solomon Islands, and the Republic of Vanuatu.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, donee:

1. Self: \$100 (est.), 2008, Democrats Abroad; \$200 (est), 2008 (est), Richard Kelley, State Legislative Campaign, Seattle, Washington.
2. Spouse: Judith Ryon: None.
3. Children and Spouses: Michael Ryon: None; Christine Ryon: None.
4. Parents: Melora North: None; Walter North (deceased).
5. Grandparents: Walter North (deceased). Cora North (Deceased). Melora Herold (deceased). Paul Herold (deceased).
6. Brothers and Spouses: None.
7. Sisters and Spouses: Melora North: None.

*Richard G. Olson, of New Mexico, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Islamic Republic of Pakistan.

Nominee: Richard G. Olson.

Post: Islamabad.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, donee:

1. Self: 0.00.
2. Spouse: 0.00.
3. Children and Spouse: Ana Olson (daughter): \$10.00, 2004, John Kerry; Isabella Olson (daughter): 0.00.

4. Parents: Richard Olson, deceased; Barbara Olson, deceased.

5. Grandparents: Gustave Olson, deceased; Ida Olson, deceased; Ralph Hawkins, deceased; Mabel Hawkins, deceased.

6. Brothers and Spouses: Philip Olson & Elisa Frost: \$50.00, 2008, Barack Obama.

7. Sisters and Spouses (n/a).

*Joseph E. Macmanus, of New York, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Representative of the United States of America to the Vienna Office of the United Nations, with the rank of Ambassador.

Nominee: Joseph Estey Macmanus.

Post: Chief of Mission UNVIE, Chief of Mission IAEA.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, donee:

1. Joseph Estey Macmanus: None.
2. Carol Krumbach Macmanus, spouse: None.
3. Christopher Joseph Macmanus, son: None.
4. Deceased Parents: Joseph E. Macmanus and Miriam Butterbaugh Macmanus.
5. Deceased Grandparents: Estey Butterbaugh, Minnie Rupert Butterbaugh, Jose Macmanus, Elsa Sibel Macmanus.
6. Brothers and Spouses: Thomas H. Macmanus, Stephen Macmanus, Christopher J. Macmanus: to the best of my knowledge: None.
7. Sisters and Spouses: Patricia Macmanus Grose, Mary Macmanus Ramsbottom: to the best of my knowledge: None.

*Joseph E. Macmanus, of New York, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Representative of the United States of America to the International Atomic Energy Agency, with the rank of Ambassador.

Nominee: Joseph Estey Macmanus.

Post: Chief of Mission UNVIE, Chief of Mission IAEA.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, donee:

1. Joseph Estey Macmanus: None.
2. Carol Krumbach Macmanus, spouse: None.
3. Christopher Joseph Macmanus, son: None.
4. Deceased Parents: Joseph E. Macmanus and Miriam Butterbaugh Macmanus.
5. Deceased Grandparents: Estey Butterbaugh, Minnie Rupert Butterbaugh, Jose Macmanus, Elsa Sibel Macmanus.
6. Brothers and Spouses: Thomas H. Macmanus, Stephen Macmanus, Christopher J. Macmanus: to the best of my knowledge: None.
7. Sisters and Spouses: Patricia Macmanus Grose, Mary Macmanus Ramsbottom: to the best of my knowledge: None.

*John Hardy Isakson, of Georgia, to be a Representative of the United States of America to the Sixty-seventh Session of the General Assembly of the United Nations.

*Patrick J. Leahy, of Vermont, to be a Representative of the United States of America to the Sixty-seventh Session of the General Assembly of the United Nations.

Mr. KERRY. Mr. President, for the Committee on Foreign Relations I report favorably the following nomination lists which were printed in the RECORDS on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

The PRESIDING OFFICER. Without objection, it is so ordered.

Department of State nominations beginning with William R. Brownfield and ending with Thomas Alfred Shannon, Jr., which nominations were received by the Senate and appeared in the Congressional Record on June 27, 2012.

Foreign Service nominations beginning with Joelle-Elizabeth Beatrice Bastien and ending with Kenneth R. Propp, which nominations were received by the Senate and appeared in the Congressional Record on July 12, 2012.

Mr. HARKIN. Mr. President, for the Committee on Health, Education, Labor, and Pensions I report favorably the following nomination lists which were printed in the RECORDS on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

The PRESIDING OFFICER. Without objection, it is so ordered.

Public Health Service nominations beginning with Melinda Astran and ending with Chelsea True, which nominations were received by the Senate and appeared in the Congressional Record on June 25, 2012.

Public Health Service nominations beginning with Donald S. Ahrens and ending with Diamond E. Zuchlinski, which nominations were received by the Senate and appeared in the Congressional Record on July 25, 2012.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. SCHUMER (for himself, Mr. COONS, and Mr. WHITEHOUSE):

S. 3553. A bill to amend the Immigration and Nationality Act to enhance national security, combat illegal immigration, and promote job creation, innovation, investment, and research in the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. TOOMEY:

S. 3554. A bill to require an independent study and report on simulated tactical flight training in a sustained gravity environment; to the Committee on Armed Services.

By Mr. BURR:

S. 3555. A bill to amend title 38, United States Code, to require Federal agencies to

hire veterans, to require States to recognize the military experience of veterans when issuing licenses and credentials to veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. WHITEHOUSE (for himself and Mr. BLUMENTHAL):

S. 3556. A bill to provide penalties for email marketing fraud; to the Committee on the Judiciary.

By Mr. FRANKEN (for himself, Mr. HARKIN, Mr. SANDERS, Mr. DURBIN, Mr. BEGICH, Mr. LEAHY, Mr. BLUMENTHAL, and Mr. WHITEHOUSE):

S. 3557. A bill to amend the Higher Education Act of 1965 to prohibit institutions of higher education that participate in programs under title IV of such Act from including predispute arbitration agreements in enrollment contracts; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MANCHIN (for himself and Mr. TOOMEY):

S. 3558. A bill to amend the Federal Water Pollution Control Act to preserve the authority of each State to make determinations relating to the State's water quality standards, and for other purposes; to the Committee on Environment and Public Works.

By Mr. PRYOR (for himself, Mr. TESTER, Mr. CONRAD, Ms. LANDRIEU, and Mr. INHOFE):

S. 3559. A bill to direct the Administrator of the Environmental Protection Agency to change the Spill Prevention, Control, and Countermeasure rule with respect to certain farms; to the Committee on Environment and Public Works.

By Mr. WHITEHOUSE (for himself, Mr. LUGAR, Ms. MIKULSKI, Mr. GRASSLEY, Mr. AKAKA, Ms. COLLINS, Mr. REED, Mr. PRYOR, Ms. STABENOW, Mr. BROWN of Massachusetts, Mr. LAUTENBERG, Mr. BLUNT, Mr. BROWN of Ohio, Mr. RUBIO, Mr. BLUMENTHAL, Mr. WICKER, Mr. TESTER, and Mr. WARNER):

S. 3560. A bill to provide for scientific frameworks with respect to recalcitrant cancers; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. HAGAN:

S. 3561. A bill to correct the boundaries of the John H. Chafee Coastal Barrier Resources System Unit L06, Topsail, North Carolina; to the Committee on Environment and Public Works.

By Mr. SANDERS (for himself, Mr. BLUMENTHAL, Mr. KERRY, Ms. MIKULSKI, Mr. BEGICH, Mr. AKAKA, Mr. DURBIN, Mrs. GILLIBRAND, Ms. KLOBUCHAR, Mr. LEAHY, Mr. WYDEN, Mr. FRANKEN, Mrs. BOXER, Mr. JOHNSON of South Dakota, Mr. MERKLEY, and Mr. MENENDEZ):

S. 3562. A bill to reauthorize and improve the Older Americans Act of 1965, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HOEVEN (for himself and Mr. CONRAD):

S. 3563. A bill to amend the Energy Policy Act of 2005 to modify the Pilot Project offices of the Federal Permit Streamlining Pilot Project; to the Committee on Energy and Natural Resources.

By Mr. LIEBERMAN (for himself and Ms. COLLINS):

S. 3564. A bill to extend the Public Interest Declassification Act of 2000 until 2018 and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. CASEY (for himself, Mrs. SHAHEEN, Mr. LAUTENBERG, Mr. HARKIN, and Ms. MIKULSKI):

S. 3565. A bill to eliminate discrimination and promote women's health and economic security by ensuring reasonable workplace accommodations for workers whose ability to perform the functions of a job are limited by pregnancy, childbirth, or a related medical condition; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HARKIN:

S. 3566. An original bill to provide for scientific frameworks with respect to recalcitrant cancers; from the Committee on Health, Education, Labor, and Pensions; placed on the calendar.

By Ms. COLLINS (for herself, Ms. MIKULSKI, Mrs. HUTCHISON, Mr. LIEBERMAN, Mrs. MURRAY, Mr. AKAKA, Mr. MERKLEY, Ms. KLOBUCHAR, Ms. STABENOW, Ms. MURKOWSKI, Ms. LANDRIEU, Mrs. SHAHEEN, and Mrs. BOXER):

S. 3567. A bill to establish the Commission to Study the Potential Creation of a National Women's History Museum, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BAUCUS:

S. 3568. An original bill to create a Citrus Disease Research and Development Trust Fund to support research on diseases impacting the citrus industry, to renew and modify the temporary duty suspensions on certain cotton shirting fabrics, and to modify and extend the Wool Apparel Manufacturers Trust Fund, and for other purposes; from the Committee on Finance; placed on the calendar.

By Ms. KLOBUCHAR (for herself and Mr. HOEVEN):

S. 3569. A bill to improve the enforcement of criminal and civil law with respect to cloud computing, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. RUBIO:

S. 3570. A bill to provide for the establishment of nationally uniform and environmentally sound standards governing discharges incidental to the normal operation of a vessel in the navigable waters of the United States; to the Committee on Commerce, Science, and Transportation.

By Mr. CRAPO (for himself, Mr. SHELBY, Mr. CORKER, and Mr. TOOMEY):

S. 3571. A bill to require the Bureau of Consumer Financial Protection to conduct a small business review panel on the qualified mortgage rule before the Bureau can go forward with a final rule; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. SNOWE:

S. 3572. A bill to amend the Internal Revenue Code of 1986, title 5, United States Code, the Small Business Act, and the Small Business Investment Act of 1958 to provide certainty for small business concerns, and for other purposes; to the Committee on Finance.

By Mr. HOEVEN (for himself and Ms. MURKOWSKI):

S. 3573. A bill to recognize the primacy of States, provide for the consideration of the economic impact of additional regulations, and provide for standards and requirements relating to certain guidelines and regulations relating to health and the environment; to the Committee on Environment and Public Works.

By Mr. BLUNT (for himself, Mr. BARASSO, Mr. BROWN of Massachusetts, Mr. COBURN, Mr. ENZI, Mr. COCHRAN, Mr. JOHANNES, Mr. BOOZMAN, and Mr. MORAN):

S. 3574. A bill to amend section 403 of the Federal Food, Drug, and Cosmetic Act to improve and clarify certain disclosure requirements for restaurants, similar retail food establishments, and vending machines; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BENNET:

S. 3575. A bill to amend the Older Americans Act of 1965 to provide equal treatment of LGBT older individuals; to the Committee on Health, Education, Labor, and Pensions.

By Mr. PAUL:

S. 3576. A bill to provide limitations on United States assistance, and for other purposes; read the first time.

By Mr. LEAHY (for himself and Mr. INHOFE):

S. 3577. A bill to eliminate conditions in foreign prisons and other detention facilities that do not meet primary indicators of health, sanitation, and safety, and for other purposes; to the Committee on Foreign Relations.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. BEGICH (for himself and Ms. SNOWE):

S. Res. 559. A resolution honoring Rear Admiral Jonathan W. Bailey for his lifetime of selfless commitment and exemplary service to the United States; to the Committee on Commerce, Science, and Transportation.

By Mr. CARDIN (for himself and Ms. MIKULSKI):

S. Res. 560. A resolution commemorating the 150th anniversary of the Maryland Campaign during the Civil War; to the Committee on Energy and Natural Resources.

By Mr. AKAKA (for himself, Mr. BARASSO, Mr. INOUE, Mr. CRAPO, Mr. JOHNSON of South Dakota, Ms. MURKOWSKI, Ms. CANTWELL, Mr. TESTER, Mr. FRANKEN, Mr. UDALL of New Mexico, and Mr. JOHANNES):

S. Res. 561. A resolution recognizing National Native American Heritage Month and celebrating the heritages and cultures of Native Americans and the contributions of Native Americans to the United States; to the Committee on Indian Affairs.

By Ms. STABENOW (for herself and Ms. SNOWE):

S. Res. 562. A resolution designating the week beginning on September 10, 2012 and ending on September 14, 2012 as "National Health Information Technology Week" to recognize the value of health information technology in improving health quality; considered and agreed to.

By Mr. ISAKSON (for himself and Mr. KERRY):

S. Res. 563. A resolution designating December 3, 2012, as "National Phenylketonuria Awareness Day"; considered and agreed to.

By Mrs. FEINSTEIN (for herself, Mr. GRASSLEY, Mr. SCHUMER, Mr. UDALL of New Mexico, Mr. BLUMENTHAL, Mr. PORTMAN, Mr. COONS, Mr. ROCKEFELLER, Mr. CORNYN, Mr. MANCHIN, Mr. WHITEHOUSE, Mr. DURBIN, and Mr. CASEY):

S. Res. 564. A resolution designating the month of October 2012 as "National Medicine Abuse Awareness Month"; considered and agreed to.

By Mr. CASEY (for himself, Mr. ROBERTS, Mr. SANDERS, Mr. BROWN of Ohio, and Mr. AKAKA):

S. Res. 565. A resolution expressing support for the designation of October 20, 2012, as the "National Day on Writing"; considered and agreed to.

By Mr. WHITEHOUSE (for himself, Mr. AKAKA, Mr. BLUMENTHAL, Mrs. BOXER, Mr. BROWN of Massachusetts, Mr. CARDIN, Ms. COLLINS, Mrs. FEINSTEIN, Mrs. GILLIBRAND, Mr. KERRY, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LIEBERMAN, Ms. MIKULSKI, Mrs. MURRAY, Mr. REED, Mr. SESSIONS, Mrs. SHAHEEN, Mr. WARNER, Mr. WEBB, Mr. WYDEN, and Mr. MENENDEZ):

S. Res. 566. A resolution designating September 29, 2012, as "National Estuaries Day"; considered and agreed to.

By Ms. CANTWELL (for herself and Mrs. MURRAY):

S. Res. 567. A resolution honoring the life and career of George Hickman; considered and agreed to.

By Mr. MENENDEZ (for himself, Mr. CORNYN, Mr. REID, Mr. BEGICH, Mrs. MURRAY, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mrs. HUTCHISON, Mr. HELLER, Mr. ENZI, Mr. CRAPO, Mr. NELSON of Florida, Mr. SCHUMER, Mr. BENNET, Ms. MURKOWSKI, Mr. BINGAMAN, Mrs. BOXER, Mr. DURBIN, Mr. RUBIO, Mr. COONS, Mr. LAUTENBERG, and Mrs. FEINSTEIN):

S. Res. 568. A resolution designating the week beginning September 16, 2012, as "National Hispanic-Serving Institutions Week"; considered and agreed to.

By Mr. GRASSLEY (for himself, Mr. LEVIN, Mr. LIEBERMAN, Mrs. MURRAY, Mr. ALEXANDER, Mr. ENZI, Mr. COCHRAN, Mr. BLUNT, Ms. LANDRIEU, and Ms. STABENOW):

S. Res. 569. A resolution designating the week beginning October 21, 2012, as "National Character Counts Week"; considered and agreed to.

By Mr. BLUNT (for himself and Mrs. MURRAY):

S. Res. 570. A resolution designating November 8, 2012, as "National Parents as Teachers Day"; considered and agreed to.

ADDITIONAL COSPONSORS

S. 65

At the request of Mr. AKAKA, his name was added as a cosponsor of S. 65, a bill to reauthorize the programs of the Department of Housing and Urban Development for housing assistance for Native Hawaiians.

S. 202

At the request of Mr. PAUL, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 202, a bill to require a full audit of the Board of Governors of the Federal Reserve System and the Federal Reserve banks by the Comptroller General of the United States before the end of 2012, and for other purposes.

At the request of Mr. BROWN of Massachusetts, his name was added as a cosponsor of S. 202, *supra*.

S. 227

At the request of Ms. COLLINS, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 227, a bill to amend title XVIII of the Social Security Act to ensure more

timely access to home health services for Medicare beneficiaries under the Medicare program.

S. 274

At the request of Mrs. HAGAN, the name of the Senator from Massachusetts (Mr. BROWN) was added as a cosponsor of S. 274, a bill to amend title XVIII of the Social Security Act to expand access to medication therapy management services under the Medicare prescription drug program.

S. 339

At the request of Mr. BAUCUS, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 339, a bill to amend the Internal Revenue Code of 1986 to make permanent the special rule for contributions of qualified conservation contributions.

S. 563

At the request of Mrs. BOXER, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 563, a bill to provide for equal access to COBRA continuation coverage.

S. 751

At the request of Mr. BROWN of Ohio, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 751, a bill to require the Secretary of Commerce to develop a comprehensive national manufacturing strategy, and for other purposes.

S. 810

At the request of Ms. CANTWELL, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 810, a bill to prohibit the conducting of invasive research on great apes, and for other purposes.

S. 811

At the request of Mr. MERKLEY, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 811, a bill to prohibit employment discrimination on the basis of sexual orientation or gender identity.

S. 821

At the request of Mr. LEAHY, the names of the Senator from Rhode Island (Mr. REED) and the Senator from Maine (Ms. COLLINS) were added as cosponsors of S. 821, a bill to amend the Immigration and Nationality Act to eliminate discrimination in the immigration laws by permitting permanent partners of United States citizens and lawful permanent residents to obtain lawful permanent resident status in the same manner as spouses of citizens and lawful permanent residents and to penalize immigration fraud in connection with permanent partnerships.

S. 891

At the request of Mr. GRASSLEY, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 891, a bill to amend title XVIII of the Social Security Act to provide for the recognition of attending physician

assistants as attending physicians to serve hospice patients.

S. 961

At the request of Mr. KERRY, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 961, a bill to create the income security conditions and family supports needed to ensure permanency for the Nation's unaccompanied youth, and for other purposes.

S. 996

At the request of Mr. ROCKEFELLER, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 996, a bill to amend the Internal Revenue Code of 1986 to extend the new markets tax credit through 2016, and for other purposes.

S. 1171

At the request of Mr. SCHUMER, the names of the Senator from Rhode Island (Mr. REED) and the Senator from Delaware (Mr. COONS) were added as cosponsors of S. 1171, a bill to amend the Internal Revenue Code of 1986 to extend the exclusion from gross income for employer-provided health coverage for employees' spouses and dependent children to coverage provided to other eligible dependent beneficiaries of employees.

S. 1309

At the request of Mr. SCHUMER, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1309, a bill to amend title XIX of the Social Security Act to cover physician services delivered by podiatric physicians to ensure access by Medicaid beneficiaries to appropriate quality foot and ankle care.

S. 1391

At the request of Mr. TESTER, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 1391, a bill to amend title 38, United States Code, to improve the disability compensation evaluation procedure of the Secretary of Veterans Affairs for veterans with post-traumatic stress disorder or mental health conditions related to military sexual trauma, and for other purposes.

S. 1450

At the request of Ms. SNOWE, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 1450, a bill to amend title 23, United States Code, to provide for the establishment of a commercial truck safety program, and for other purposes.

S. 1454

At the request of Mr. DURBIN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1454, a bill to amend title XVIII of the Social Security Act to provide for extended months of Medicare coverage of immunosuppressive drugs for kidney transplant patients and other renal dialysis provisions.

S. 1461

At the request of Mr. NELSON of Florida, the name of the Senator from Ne-

vada (Mr. HELLER) was added as a cosponsor of S. 1461, a bill to amend the Federal Food, Drug, and Cosmetic Act to clarify the Food and Drug Administration's jurisdiction over certain tobacco products, and to protect jobs and small businesses involved in the sale, manufacturing and distribution of traditional and premium cigars.

S. 1782

At the request of Mr. LAUTENBERG, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1782, a bill to provide for the reduction in unintended pregnancy and sexually transmitted infections, including HIV, and the promotion of healthy relationships, and for other purposes.

S. 1862

At the request of Mr. LAUTENBERG, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1862, a bill to amend the Public Health Service Act to improve the health of children and reduce the occurrence of sudden unexpected infant death and to enhance public health activities related to stillbirth.

S. 1872

At the request of Mr. CASEY, the names of the Senator from Delaware (Mr. COONS) and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of S. 1872, a bill to amend the Internal Revenue Code of 1986 to provide for the tax treatment of ABLE accounts established under State programs for the care of family members with disabilities, and for other purposes.

S. 1910

At the request of Mr. LIEBERMAN, the names of the Senator from Ohio (Mr. BROWN) and the Senator from Rhode Island (Mr. REED) were added as cosponsors of S. 1910, a bill to provide benefits to domestic partners of Federal employees.

S. 2032

At the request of Mr. DURBIN, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 2032, a bill to amend the Higher Education Act of 1965 regarding proprietary institutions of higher education in order to protect students and taxpayers.

S. 2047

At the request of Mr. SCHUMER, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 2047, a bill to authorize the Secretary of Education to make demonstration grants to eligible local educational agencies for the purpose of reducing the student-to-school nurse ratio in public elementary schools and secondary schools.

S. 2057

At the request of Mr. SCHUMER, the name of the Senator from Massachusetts (Mr. BROWN) was added as a cosponsor of S. 2057, a bill to amend title

XVIII of the Social Security Act to allow physician assistants, nurse practitioners, and clinical nurse specialists to supervise cardiac, intensive cardiac, and pulmonary rehabilitation programs.

S. 2088

At the request of Mr. ROCKEFELLER, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 2088, a bill to amend the Internal Revenue Code of 1986 to permanently double the amount of start-up expenses entrepreneurs can deduct from their taxes.

S. 2123

At the request of Mr. MENENDEZ, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 2123, a bill to amend title V of the Social Security Act to extend funding for family-to-family health information centers to help families of children with disabilities or special health care needs make informed choices about health care for their children.

S. 2189

At the request of Mr. HARKIN, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 2189, a bill to amend the Age Discrimination in Employment Act of 1967 and other laws to clarify appropriate standards for Federal antidiscrimination and antiretaliation claims, and for other purposes.

S. 2192

At the request of Mr. PRYOR, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 2192, a bill to amend the Public Health Service Act to provide for the participation of optometrists in the National Health Service Corps scholarship and loan repayment programs, and for other purposes.

S. 2250

At the request of Ms. STABENOW, the names of the Senator from Arkansas (Mr. PRYOR) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of S. 2250, a bill to prevent homeowners from being forced to pay taxes on forgiven mortgage loan debt.

S. 2347

At the request of Mr. CARDIN, the name of the Senator from Massachusetts (Mr. BROWN) was added as a cosponsor of S. 2347, a bill to amend title XVIII of the Social Security Act to ensure the continued access of Medicare beneficiaries to diagnostic imaging services.

S. 2472

At the request of Mr. CASEY, the name of the Senator from Massachusetts (Mr. BROWN) was added as a cosponsor of S. 2472, a bill to provide for the issuance and sale of a semipostal by the United States Postal Service for research and demonstration projects relating to autism spectrum disorders.

S. 2620

At the request of Mr. SCHUMER, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 2620, a bill to amend title XVIII of the Social Security Act to provide for an extension of the Medicare-dependent hospital (MDH) program and the increased payments under the Medicare low-volume hospital program.

S. 3227

At the request of Mr. NELSON of Florida, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 3227, a bill to enable concrete masonry products manufacturers and importers to establish, finance, and carry out a coordinated program of research, education, and promotion to improve, maintain, and develop markets for concrete masonry products.

S. 3239

At the request of Mrs. FEINSTEIN, the names of the Senator from Louisiana (Ms. LANDRIEU) and the Senator from Maryland (Mr. CARDIN) were added as cosponsors of S. 3239, a bill to provide for a uniform national standard for the housing and treatment of egg-laying hens, and for other purposes.

S. 3289

At the request of Mr. KERRY, the name of the Senator from Massachusetts (Mr. BROWN) was added as a cosponsor of S. 3289, a bill to expand the Medicaid home and community-based services waiver to include young individuals who are in need of services that would otherwise be required to be provided through a psychiatric residential treatment facility, and to change references in Federal law to mental retardation to references to an intellectual disability.

S. 3310

At the request of Mr. LUGAR, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 3310, a bill to direct the President, in consultation with the Department of State, United States Agency for International Development, Millennium Challenge Corporation, and the Department of Defense, to establish guidelines for United States foreign assistance programs, and for other purposes.

S. 3325

At the request of Mr. BEGICH, the name of the Senator from Massachusetts (Mr. BROWN) was added as a cosponsor of S. 3325, a bill to authorize the Secretary of Health and Human Services, acting through the Administrator of the Substance Abuse and Mental Health Services Administration, in coordination with the Secretary of Education, to carry out a 5-year demonstration program to fund mental health first aid training programs at 10 institutions of higher education to improve student mental health.

S. 3331

At the request of Mr. DURBIN, his name was added as a cosponsor of S. 3331, a bill to provide for universal intercountry adoption accreditation standards, and for other purposes.

S. 3347

At the request of Mr. BROWN of Ohio, the names of the Senator from Hawaii (Mr. AKAKA) and the Senator from Iowa (Mr. HARKIN) were added as cosponsors of S. 3347, a bill to require reports on countries with which the United States negotiates trade agreements, to establish terms for future trade agreements, and to enhance the promotion of exports of United States goods and services, and for other purposes.

S. 3391

At the request of Ms. KLOBUCHAR, the names of the Senator from North Carolina (Mr. BURR) and the Senator from Ohio (Mr. BROWN) were added as cosponsors of S. 3391, a bill to amend section 353 of the Public Health Service Act with respect to suspension, revocation, and limitation of laboratory certification.

S. 3394

At the request of Mr. JOHNSON of South Dakota, the names of the Senator from Massachusetts (Mr. KERRY), the Senator from Montana (Mr. BAUCUS), the Senator from Virginia (Mr. WARNER), the Senator from Wyoming (Mr. ENZI), the Senator from Nebraska (Mr. NELSON) and the Senator from Colorado (Mr. BENNET) were added as cosponsors of S. 3394, a bill to address fee disclosure requirements under the Electronic Fund Transfer Act, to amend the Federal Deposit Insurance Act with respect to information provided to the Bureau of Consumer Financial Protection, and for other purposes.

S. 3402

At the request of Mr. CASEY, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 3402, a bill to require the Secretary of Labor to maintain a publicly available list of all employers that relocate a call center overseas, to make such companies ineligible for Federal grants or guaranteed loans, and to require disclosure of the physical location of business agents engaging in customer service communications, and for other purposes.

S. 3407

At the request of Mr. WYDEN, the names of the Senator from Hawaii (Mr. INOUE) and the Senator from North Dakota (Mr. CONRAD) were added as cosponsors of S. 3407, a bill to amend the Public Health Service Act to increase the number of permanent faculty in palliative care at accredited allopathic and osteopathic medical schools, nursing schools, and other programs, to promote education in palliative care and hospice, and to support the development of faculty careers in academic palliative medicine.

S. 3430

At the request of Mrs. SHAHEEN, the name of the Senator from Massachusetts (Mr. BROWN) was added as a cosponsor of S. 3430, a bill to amend the Public Health Service Act to foster more effective implementation and coordination of clinical care for people with pre-diabetes and diabetes.

S. 3461

At the request of Mr. BROWN of Ohio, the names of the Senator from Missouri (Mr. BLUNT) and the Senator from Iowa (Mr. GRASSLEY) were added as cosponsors of S. 3461, a bill to amend title IV of the Public Health Service Act to provide for a National Pediatric Research Network, including with respect to pediatric rare diseases or conditions.

S. 3463

At the request of Mr. FRANKEN, the names of the Senator from New Jersey (Mr. LAUTENBERG), the Senator from Hawaii (Mr. INOUE) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 3463, a bill to amend title XVIII of the Social Security Act to reduce the incidence of diabetes among Medicare beneficiaries.

S. 3494

At the request of Mr. FRANKEN, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 3494, a bill to amend the Internal Revenue Code of 1986 to qualify formerly homeless individuals who are full-time students for purposes of low income housing tax credit.

S. 3500

At the request of Mr. CORNYN, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 3500, a bill to amend the Endangered Species Act of 1973 to establish a procedure for approval of certain settlements.

S. 3512

At the request of Mr. HOEVEN, the names of the Senator from Oklahoma (Mr. INHOFE) and the Senator from Kansas (Mr. ROBERTS) were added as cosponsors of S. 3512, a bill to amend subtitle D of the Solid Waste Disposal Act to facilitate recovery and beneficial use, and provide for the proper management and disposal, of materials generated by the combustion of coal and other fossil fuels.

S. 3522

At the request of Mr. MENENDEZ, the names of the Senator from Michigan (Mr. LEVIN) and the Senator from Hawaii (Mr. AKAKA) were added as cosponsors of S. 3522, a bill to provide for the expansion of affordable refinancing of mortgages held by the Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation.

S. 3523

At the request of Mr. SCHUMER, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 3523, a bill to amend title

17, United States Code, to extend protection to fashion design, and for other purposes.

S. 3525

At the request of Mr. TESTER, the names of the Senator from Arkansas (Mr. PRYOR), the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from Nebraska (Mr. NELSON) were added as cosponsors of S. 3525, a bill to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes.

S. 3527

At the request of Mr. SCHUMER, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 3527, a bill to provide for enhanced criminal penalties for individuals who file a SEVP certification petition under false pretenses, to prohibit certain schools from accessing SEVIS or participating in the SEVP and for other purposes.

S. 3536

At the request of Mr. BLUMENTHAL, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 3536, a bill to amend the Internal Revenue Code of 1986 to extend the work opportunity credit for hiring veterans, and for other purposes.

S. 3539

At the request of Mr. KERRY, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of S. 3539, a bill to encourage the adoption and use of certified electronic health record technology by safety net providers and clinics.

S. 3546

At the request of Mr. JOHNSON of South Dakota, the names of the Senator from Hawaii (Mr. INOUE) and the Senator from Washington (Ms. CANTWELL) were added as cosponsors of S. 3546, a bill to amend the Native American Programs Act of 1974 to reauthorize a provision to ensure the survival and continuing vitality of Native American languages.

S. 3547

At the request of Mr. KERRY, the name of the Senator from Massachusetts (Mr. BROWN) was added as a cosponsor of S. 3547, a bill to amend the Lacey Act Amendments of 1981 to clarify provisions enacted by the Captive Wildlife Safety Act, to further the conservation of certain wildlife species, and for other purposes.

S. 3551

At the request of Mr. DEMINT, the names of the Senator from Georgia (Mr. ISAKSON), the Senator from Utah (Mr. LEE), the Senator from Oklahoma (Mr. INHOFE), the Senator from Wyoming (Mr. BARRASSO) and the Senator from Idaho (Mr. RISCH) were added as cosponsors of S. 3551, a bill to require investigations into and a report on the September 11–13, 2012, attacks on the United States missions in Libya, Egypt, and Yemen, and for other purposes.

S.J. RES. 39

At the request of Mr. CARDIN, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S.J. Res. 39, a joint resolution removing the deadline for the ratification of the equal rights amendment.

S.J. RES. 50

At the request of Mr. HATCH, the name of the Senator from Utah (Mr. LEE) was added as a cosponsor of S.J. Res. 50, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Office of Family Assistance of the Administration for Children and Families of the Department of Health and Human Services relating to waiver and expenditure authority under section 1115 of the Social Security Act (42 U.S.C. 1315) with respect to the Temporary Assistance for Needy Families program.

S. CON. RES. 46

At the request of Mr. WEBB, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. Con. Res. 46, a concurrent resolution expressing the sense of Congress that an appropriate site at the former Navy Dive School at the Washington Navy Yard should be provided for the Man in the Sea Memorial Monument to honor the members of the Armed Forces who have served as divers and whose service in defense of the United States has been carried out beneath the waters of the world.

S. CON. RES. 50

At the request of Mr. RUBIO, the names of the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Massachusetts (Mr. BROWN), the Senator from Oklahoma (Mr. COBURN) and the Senator from Illinois (Mr. KIRK) were added as cosponsors of S. Con. Res. 50, a concurrent resolution expressing the sense of Congress regarding actions to preserve and advance the multistakeholder governance model under which the Internet has thrived.

S. RES. 176

At the request of Ms. MIKULSKI, the name of the Senator from Massachusetts (Mr. BROWN) was added as a cosponsor of S. Res. 176, a resolution expressing the sense of the Senate that the United States Postal Service should issue a semipostal stamp to support medical research relating to Alzheimer's disease.

S. RES. 181

At the request of Mr. GRAHAM, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. Res. 181, a resolution designating May 15, 2011, as "National MPS Awareness Day".

S. RES. 232

At the request of Mr. MENENDEZ, the names of the Senator from Iowa (Mr. HARKIN) and the Senator from Massachusetts (Mr. BROWN) were added as cosponsors of S. Res. 232, a resolution

recognizing the continued persecution of Falun Gong practitioners in China on the 12th anniversary of the campaign by the Chinese Communist Party to suppress the Falun Gong movement, recognizing the Tuidang movement whereby Chinese citizens renounce their ties to the Chinese Communist Party and its affiliates, and calling for an immediate end to the campaign to persecute Falun Gong practitioners.

S. RES. 434

At the request of Mr. WARNER, the names of the Senator from West Virginia (Mr. MANCHIN), the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from Hawaii (Mr. AKAKA) were added as cosponsors of S. Res. 434, a resolution supporting the goal of preventing and effectively treating Alzheimer's disease by the year 2025, as articulated in the draft National Plan to Address Alzheimer's Disease from the Department of Health and Human Services.

S. RES. 466

At the request of Mr. DURBIN, his name and the name of the Senator from Pennsylvania (Mr. CASEY) were added as cosponsors of S. Res. 466, a resolution calling for the release from prison of former Prime Minister of Ukraine Yulia Tymoshenko.

S. RES. 543

At the request of Mrs. BOXER, the names of the Senator from Illinois (Mr. DURBIN) and the Senator from Rhode Island (Mr. REED) were added as cosponsors of S. Res. 543, a resolution to express the sense of the Senate on international parental child abduction.

S. RES. 556

At the request of Mr. INHOFE, the name of the Senator from Utah (Mr. LEE) was added as a cosponsor of S. Res. 556, a resolution expressing the sense of the Senate that foreign assistance funding to the Governments of Libya and Egypt should be suspended until the President certifies to Congress that both governments are providing proper security at United States embassies and consulates pursuant to the Vienna Convention on Consular Relations.

S. RES. 558

At the request of Mr. HELLER, his name was added as a cosponsor of S. Res. 558, a resolution congratulating the athletes from the State of Nevada and throughout the United States who participated in the 2012 Olympic and Paralympic Games as members of the United States Olympic and Paralympic Teams.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. WHITEHOUSE (for himself and Mr. BLUMENTHAL):

S. 3556. A bill to provide penalties for email marketing fraud; to the Committee on the Judiciary.

Mr. WHITEHOUSE. Mr. President, I rise today to talk about an issue that is extremely important to people in Rhode Island and across the United States: protecting consumers and securing the integrity of Medicare by preventing waste and fraud. Individuals who commit Medicare fraud are not simply stealing from the government, they are stealing from the men and women who have paid into the system their whole lives, they are stealing from our Nation's seniors, and they are stealing from the taxpayers. We have an obligation to ensure that Medicare dollars are spent keeping seniors healthy, and not lining the pockets of predatory opportunists.

In March, I held a hearing in Rhode Island on efforts at the Federal, State, and local levels to identify and reduce fraud in Medicare and Medicaid. I heard testimony from a representative of the Centers for Medicare and Medicaid Services, as well as State and Federal law enforcement officials, including Rhode Island's Attorney General, Peter Kilmartin; and the U.S. Attorney for Rhode Island, Peter Neronha. They discussed a number of the efforts underway to identify potentially fraudulent claims, recover improper payments, and use state-of-the-art analytic software to identify and prevent improper payments.

I was pleased to hear about the steps being taken to modernize Medicare's anti-fraud efforts, but there is still much that can be done. In particular, I believe we must crack down on deceptive and fraudulent telemarketing and email schemes that force unwanted and unnecessary medical equipment onto unsuspecting seniors. I have heard from Rhode Islanders concerned about these "too-good-to-be-true" offers. During my March hearing, I heard testimony about Medicare beneficiaries receiving unsolicited phone calls from a company called Planned Eldercare, which promised to provide them with free medical products. If a senior agreed to the offer, Planned Eldercare would submit as many claims as it could to Medicare on that beneficiary's behalf, even if the products for which they were submitting claims were not medically necessary or even requested by the senior. This scheme defrauded Medicare out of more than \$2.2 million.

These schemes prey on older Americans and rob Medicare of millions of dollars that would otherwise be used to improve the health and well-being of seniors. We must do more to prevent fraud of this kind, which is why I am joining with my colleague, Senator Blumenthal, in introducing the Telemarketing Fraud Modernization Act. This bill would close loopholes in the existing telemarketing fraud statute and update the law to include Medicare, Medicaid, and health care fraud, as well as schemes to fraudulently induce investments—like Ponzi schemes.

It would also expand existing law to apply to schemes perpetrated via email, instant messages, and other forms of electronic communication. Updating the telemarketing fraud statute will give law enforcement agencies the tools they need to rein in scam artists, protect our Nation's seniors, and strengthen the integrity of the Medicare program.

I look forward to continuing to work with my colleagues on both sides of the aisle on this important issue.

By Mr. FRANKEN (for himself, Mr. HARKIN, Mr. SANDERS, Mr. DURBIN, Mr. BEGICH, Mr. LEAHY, Mr. BLUMENTHAL, and Mr. WHITEHOUSE):

S. 3557. A bill to amend the Higher Education Act of 1965 to prohibit institutions of higher education that participate in programs under title IV of such Act from including predispute arbitration agreements in enrollment contracts; to the Committee on Health, Education, Labor, and Pensions.

Mr. FRANKEN. Mr. President, I rise today to talk about a bill I have just introduced, the Arbitration Fairness for Students Act, and to talk about why it is so important to protect our Nation's students.

Access to higher education is becoming increasingly important in our Nation. In 2018, 70 percent of the jobs in our State, Minnesota, will require some postsecondary education. We must also make sure access to higher education remains and stays a positive experience and not a damaging one. Colleges and universities need to deliver on the promises they make to students. If they don't, students need to be able to hold them accountable.

That is why I have introduced this bill today along with Senator HARKIN and six cosponsors, including Senator SANDERS. It would prohibit any school participating in the title IV Federal student aid system from forcing its students to forego access to the courts when they have a valid dispute and instead forcing them into private arbitration proceedings. This bill is simply about accountability. It is about the basic American right to seek justice in our court system—a right that is, unfortunately, being denied now to thousands of students after the landmark Supreme Court decision in the AT&T Mobility v. Concepcion case.

A recent report from Public Citizen and the National Association of Consumer Advocates highlights how that decision is harming students. Before that decision, thousands of students who had attended a chain of culinary schools formed a class action lawsuit alleging that the school had exaggerated the salaries of its graduates, and they won. The students received payments of up to \$20,000 each, which they desperately needed since, according to the lawsuits, these students typically

had more than \$40,000 in student loan debt.

But that was before the Concepcion decision, which now allows corporations to block class action lawsuits through the use of mandatory arbitration clauses in their contracts. Now, a group of students who can prove they were lied to by their college can be barred from accessing our court system. I think that is wrong, and my bill would change that.

But don't just take it from me. Take it from judges who are ruling in the post-Concepcion world and who believe that students are being hurt. In one recent case students alleged that a school misrepresented basic facts, such as the cost of education and the school's accreditation status. The students even showed they had to sign the enrollment contract, which contained the mandatory arbitration clause, before they were allowed to speak to financial aid counselors.

The court ruled against the students, citing the Concepcion decision. According to the court:

The argument had considerable validity and the court would likely have found the Arbitration Agreements at issue here unconscionable . . . if it were issuing this decision pre-Concepcion.

The court also said that Concepcion "likely foreclosed the possibility of any recovery for many wronged individuals."

As I said, this bill is about accountability. It is also about college affordability. Our higher education system often requires students to take on tens of thousands of dollars in debt. In exchange for this debt, students believe they are receiving an education that will allow them to pay that money back, often because that is exactly what the school is telling them. But what if the school is lying? Students need to be able to hold those schools accountable for their actions. Otherwise, what is going to stop other schools from charging whatever they want and convincing their students they can afford it by lying? We can stop these anticonsumer, antistudent contracts, and my bill would do just that.

Congress has acted several times to protect individual industries from abuse of mandatory arbitration clauses. In 2001, Congress heard from William Shack, a long-time automobile dealer from Nevada. He told his story to Congress about how he and a partner had been working together to open a Saturn dealership, investing a lot of money, when Saturn suddenly pulled the deal.

As a result of the arbitration clause in their contract, Mr. Shack and his partner were required to arbitrate the dispute. In his testimony, he said Federal legislation was the only remedy available to protect auto dealers from the imposition of these unfair contract

provisions and to preserve State procedural and substantive protections. He explained:

We reject categorically the idea that we “voluntarily” agreed to submit to mandatory binding arbitration.

The most compelling portion of Mr. Shack’s testimony was this:

[T]he dispute drove home to us in a drastic fashion just how one-sided the mandatory binding arbitration process can be for dealers. We were surprised to learn that, despite the great system of justice that we have in this country, we could be deprived of the basic right to an impartial decision on the merits of our case. That is a grave injustice.

In response to stories like Mr. Shack’s, Senator ORRIN HATCH introduced the Motor Vehicle Franchise Contract Arbitration Fairness Act. The bill had 66 cosponsors—an equal number of Democrats and Republicans. Unsurprisingly, there was opposition to this legislation—the Chamber of Commerce testified against it. But Congress decided to prioritize the rights of auto dealers to seek justice in our courts, and in November of 2002, Congress passed this bill and made it law.

Today automobile dealers cannot be bound by mandatory arbitration provisions in their contracts with their manufacturers. This change didn’t result in a flood of litigation. It simply provided some equal footing for small auto dealerships to bargain with the large manufacturers. Once Congress determined that this particular industry was subject to the abuse, it took action to protect the vulnerable party.

Congress again acted in 2007 to protect members of our Armed Services. Congress heard from military leaders that predatory lending targeted at our Nation’s servicemembers was impairing our country’s military readiness. In response, Republican Senator Jim Talent from Missouri, along with his colleague Senator BILL NELSON of Florida, a Democrat, introduced an amendment to the 2006 national defense authorization bill. Their provision prohibited predatory lending practices, including a prohibition on enforcing mandatory arbitration clauses in financial agreements with servicemembers. This amendment passed the Senate unanimously, and it went into effect in 2007.

Despite strong opposition from the Wall Street lobby, Congress came together in a bipartisan manner to target abuses against our servicemembers.

In addition to auto dealers and servicemembers, Congress has also taken up the plight of poultry growers. In a 2007 hearing in the Senate Agriculture Committee, one witness shared this terrible story. Gertrude Overstreet was a 67-year-old contract poultry farmer. She operated two chicken houses, so her total monthly income, including food stamps, was less than \$1,000 a month for her and her husband. Mrs. Overstreet had a 10th grade education.

When the poultry producer for whom she worked violated the terms of their

agreement, that company required Mrs. Overstreet to bring her claim into arbitration, where she was required to pay \$27,000 in upfront costs before she could even get a hearing. Mrs. Overstreet didn’t know what arbitration was or that her legal remedies had been stripped from her. This is an elderly couple who could not afford the cost of their medication, much less \$20,000 in upfront arbitration fees.

This might be the most compelling example of disparate bargaining power, a giant poultry processor versus Mrs. Overstreet. But Senator GRASSLEY took up this cause and introduced the Fair Contracts for Growers Act. Thanks to his efforts, when the farm bill passed the following year, it included provisions that enabled poultry farmers to opt out of mandatory arbitration clauses imposed by the big processors.

Most recently, Congress took up an amendment that I introduced in the national defense authorization bill in the fall of 2009. Some of the most offensive uses of mandatory arbitration clauses that I have seen are by overseas military contractors against women who have been victimized on the job. Too many women working for military contractors have had to endure unimaginable workplace harassment and environments. Those women deserve their right to a day in court just like the auto dealers, the servicemembers, and the poultry farmers. Once again, the amendment passed with broad bipartisan support. Once again, Congress took steps to tackle the most egregious abuses of mandatory arbitration.

When confronted with a group that has been victimized by mandatory arbitration clauses, Congress has repeatedly taken steps to protect the little guy and their right to a day in court, and we have done so on a bipartisan basis. I believe Minnesota’s students—and students across the country—deserve the same protection we have afforded to auto dealers, to servicemembers, poultry farmers, and employees of military contractors. The Arbitration Fairness for Students Act would provide that protection, and I urge my colleagues to support it.

By Mr. SANDERS (for himself, Mr. BLUMENTHAL, Mr. KERRY, Ms. MIKULSKI, Mr. BEGICH, Mr. AKAKA, Mr. DURBIN, Mrs. GILLIBRAND, Ms. KLOBUCHAR, Mr. LEAHY, Mr. WYDEN, Mr. FRANKEN, Mrs. BOXER, Mr. JOHNSON of South Dakota, Mr. MERKLEY, and Mr. MENENDEZ):

S. 3562. A bill to reauthorize and improve the Older Americans Act of 1965, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. SANDERS. Mr. President, today I am very proud to introduce the Older

Americans Act reauthorization of 2012 bill along with 14 of my colleagues, including Senators BLUMENTHAL, KERRY, MIKULSKI, BEGICH, AKAKA, DURBIN, GILLIBRAND, KLOBUCHAR, LEAHY, WYDEN, FRANKEN, JOHNSON, and MERKLEY. This bill is the result of an impressive team effort. We have reached out to a number of members on the committee and others who have brought forth ideas of their own, and I am very proud as chairman of the Subcommittee on Primary Health and Aging to have introduced this bill. I wish to thank the director of the subcommittee, Ashley Carson Cottingham, for her work, as well as Sophie Kasimow and Erica Solway.

It is disappointing to me that this important piece of legislation has not been dealt with during this session, but on behalf of the millions of elderly people to whom it applies and for whom it will make life better, I am introducing it today because it will lay the groundwork for what we have to do next session.

Originally enacted in 1965, the Older Americans Act was the first edition by the Federal Government to help senior citizens remain independent in their homes and in their communities. The Older Americans Act has historically received bipartisan support.

This act provides Federal funding for some important programs with which many Americans are familiar. Among others is the Meals on Wheels Program. All over America we have seniors who are frail, who are unable to leave their homes, and every single day all over this country there are volunteers who are delivering hot, nutritious meals to seniors. I wish to thank all of those volunteers and to tell them we are going to do the best we can to increase funding to end some of those waiting lines that now exist throughout this country in terms of seniors being able to get the Meals on Wheels Program.

Another important nutrition program the Older Americans Act deals with is the Congregate Meal Program. Every day in Vermont and I know all over this country the elderly come to senior centers, where they socialize and have a good time and are able to break through their isolation and also receive nutritious meals. The meals they receive are significantly funded by the Congregate Meal Program. In my view, they are inadequately funded, and we want to increase funding for that program as well.

I would mention that in the State of Vermont alone—just one small State—almost 1 million Congregate and Meals on Wheels are served every single year. That is 1 million meals in a small State such as Vermont.

Mr. President, we are in the midst of a terrible recession. Unemployment is too high, wages are too low, and many people have lost their homes. But in the midst of this recession, we do not

talk enough about the plight of many elderly people. They are living their lives, often in great financial distress, under the radar screen. I think we are not paying enough attention to their problems.

Today, incredibly enough, one in five seniors over the age of 65 is living on an average income of \$7,500 per year, and the number of seniors going hungry is rising. Hunger among seniors in the United States today is a serious problem. In fact, there are over 5 million seniors who face the threat of hunger and others who are struggling every single day to make sure they have enough food in the refrigerator to take care of their most basic needs.

The very good news is that the Older Americans Act has developed programs to address these needs. Yet, because we have more seniors who are in need of these programs, it is absolutely imperative that we address the problems of hunger and make sure every senior in this country gets the nutrition he or she needs.

This bill we are submitting today with 14 cosponsors will request higher authorization for nutrition programs, for supportive services, and for jobs programs. One of the things the Older Americans Act does—and not a lot of people know this—is it provides employment opportunities for many seniors. This is important because not only does it allow hard-pressed seniors to earn additional revenue, but it also allows them to go out into the workforce and put meaning into their lives, which is extremely important. This legislation also provides for chronic disease self-management and the Long-Term Care Ombudsman Program. The bill also strengthens efforts to identify and prevent elder abuse—a serious problem in our country—support for family caregivers and care coordination activities, workforce for seniors, and increases protections for seniors living in nursing homes and receiving home care services.

Mr. President, we need to see the reauthorization of the Older Americans Act early in the next Congress. With 10,000 baby boomers turning 65 each day and middle-class families experiencing rising costs from education to health care as well as the need to provide care to their aging relatives, we are at a critical moment in terms of how we address the very serious problems facing senior citizens.

The interesting point about the Older Americans Act and about the Nutrition Program is that while, yes, it is an investment of Federal dollars, in the long run it actually saves us money. We had a very interesting hearing on this issue, and we heard from physicians who told us what common sense would suggest. If seniors do not get the nutrition they need, if they become malnourished, they are obviously more likely to become ill, end up in an emer-

gency room or in the hospital. In addition, when we have senior citizens who are not getting the care and attention they need at home, the nutrition they need, they are more likely to suffer serious falls, break hips, and end up in a hospital, at great expense.

So the bottom line here is not really rocket science. It is that if we make sure seniors throughout the country—those who are vulnerable, who are frail, who do not have a lot of money—get the nutrition and the attention they deserve while at home, they will be healthier and less likely to end up in emergency rooms and in hospitals at great expense to our health care system. So investing in the Older Americans Act is not only the right thing to do, it is not only the humane thing to do in terms of taking care of the most vulnerable and fragile people in our society, it also makes good financial sense for our country.

Mr. President, I thank very much the 14 cosponsors we have. We are going to aggressively do our best to make sure this legislation is passed either in the lameduck session or when we return next year.

With that, Mr. President, I yield the floor.

Mr. FRANKEN. Mr. President, I would like to associate myself with the remarks of the Senator from Vermont. I am one of the cosponsors of the reauthorization of the Older Americans Act, and before I talk about a bill I have just introduced, I would like to underscore the fact that the Older Americans Act was introduced in 1965, and it allows seniors to stay in their homes and also saves money. It costs \$6 a day to do Meals on Wheels per senior. This allows a senior to stay in their home and not go to a nursing home. We know what a nursing home costs every day. So this is an example of common sense. Seniors want to stay in their homes if they can.

I have been with the Presiding Officer, my colleague from the State of Minnesota, doing roundtables on the Older Americans Act. It is a great program that we need to reauthorize in order to do really a commonsense thing, which is allow seniors to stay where they want to stay—in their homes—and at the same time not have them spending the kind of money they would be spending in a nursing home or in that kind of facility. So I commend the Senator from Vermont.

By Ms. COLLINS (for herself, Ms. MIKULSKI, Mrs. HUTCHISON, Mr. LIEBERMAN, Mrs. MURRAY, Mr. AKAKA, Mr. MERKLEY, Ms. KLOBUCHAR, Ms. STABENOW, Ms. MURKOWSKI, Ms. LANDRIEU, Mrs. SHAHEEN, and Mrs. BOXER):

S. 3567. A bill to establish the Commission to Study the Potential Creation of a National Women's History Museum, and for other purposes; to the

Committee on Energy and Natural Resources.

Ms. COLLINS. Mr. President, I rise to introduce the National Women's History Museum Commission Act of 2012, a bill that would create a commission to evaluate and plan into the establishment of a museum that would be dedicated to women's history in our Nation's capital city. I appreciate the co-sponsorship of Senator MIKULSKI, Senator HUTCHISON, Senator LIEBERMAN, Senator MURRAY, Senator AKAKA, Senator MERKLEY, Senator KLOBUCHAR, Senator STABENOW, Senator MURKOWSKI, Senator LANDRIEU, Senator SHAHEEN, and Senator BOXER.

American women have made invaluable contributions to our country in such diverse fields as government, business, medicine, law, literature, sports, entertainment, the arts, and the military. The need for a museum recognizing the contributions of American women is long overdue.

In 1999, a Presidential commission on commemorating women in American history concluded that, "Efforts to implement an appropriate celebration of women's history in the next millennium should include the designation of a focal point for women's history in our Nation's capital."

Although Congress has made commendable provisions for the National Museum for African American History and Culture, the National Law Enforcement Museum, and the National Museum of the American Indian, there is still no institution in the capital region dedicated to women's role in our country's history.

This bill would be a good step toward rectifying this oversight. The bill would simply establish a commission, similar to what was done for the African American History and Culture Museum, to develop a feasible plan for establishing such a museum in here in Washington, D.C.

It is important to note that, unlike previous museum commissions, taxpayers will not shoulder the funding of this project. The proposed legislation calls for the commission to fund its own costs.

A museum dedicated to women's history would help ensure that future generations understand what we owe to the many generations of American women who have helped build, sustain, and advance our society. They deserve a museum to present the stories of pioneering women like abolitionist Harriet Tubman, founder of the Girl Scouts Juliette Gordon Low, Supreme Court Justice Sandra Day O'Connor, astronaut Sally Ride, and Senator Margaret Chase Smith.

Yes, of special pride to the State of Maine is a legendary predecessor in the Senate seat I now hold: Margaret Chase Smith, the first woman nominated for President of the United States by a major political party, and the first

woman elected to both houses of Congress. Senator Smith began representing Maine in the U.S. House of Representatives in 1940, won election to the Senate in 1948, and enjoyed bipartisan respect over her long career for her independence, integrity, wisdom, and courage. She remains my role model and, through the example of her public service, an exemplar of the virtues that would be honored in the National Women's History Museum.

Again, I urge my colleagues to support this legislation.

By Ms. SNOWE:

S. 3572. A bill to amend the Internal Revenue Code of 1986, title 5, United States Code, the Small Business Act, and the Small Business Investment Act of 1958 to provide certainty for small business concerns, and for other purposes; to the Committee on Finance.

Ms. SNOWE. Mr. President, I rise today to introduce legislation that will boost America's small businesses and help them escape unnecessary regulations that are stifling creativity, growth, and job creation. This legislation will encourage small businesses to invest and hire, giving the economy a much needed lift.

Two of the most vital issues looming over small business job creators are tax and regulatory uncertainty. This bill aims to, among other things, deliver targeted tax relief to small businesses with eight different tax provisions, and protect small businesses from burdensome regulations. The Restoring Tax and Regulatory Certainty to Small Businesses Act of 2012 will provide small business owners and entrepreneurs with the confidence they need to expand, thrive, and prosper in today's insecure economy.

My friend and colleague, Small Business Committee Chair LANDRIEU, recently proposed a small business relief act with some similar measures. However, Chair LANDRIEU's bill lacks many of the tax and regulatory reforms that small businesses are seeking. While her bill does contain some measures that I support, and which I have worked with her to include in a freestanding bipartisan small business jobs bill, it does not include any provisions to protect small businesses from arduous regulations. Additionally, it omits tax provisions that were included in our joint bill, S. 2050, that need to be addressed. By and large, this bill has some merits and I commend Chair LANDRIEU for pressing forward the national conversation on these critical issues, but the bill I am introducing today goes further by including both regulatory, and additional tax relief for small businesses.

The Restoring Tax and Regulatory Certainty to Small Businesses Act includes eight indispensable tax extenders that will provide targeted tax relief to small businesses and extend the es-

sential tax relief provisions that were included in the bipartisan Small Business Jobs Act of 2010, P.L. 111-240. We have endured more than 40 straight months of unemployment over 8 percent and have yet to see changes implemented to ease the burdens on job creators. With this bill, the Nation's small businesses, which create at least two-thirds of all new jobs, will finally enjoy tax relief in many different forms.

Small businesses should be rewarded for taking risks and increasing investments. Under this bill, the 100-percent capital gains exclusion will be extended, as will the availability of Section 179 expensing, which gives businesses the option of writing off the cost of qualifying capital expenses in the year of acquisition in lieu of recovering these costs over time through depreciation. Additionally, the carryback of general business credits to offset 5 years of taxes as a cash-flow tool for businesses that are currently not realizing profits will be extended, giving small businesses even more funds to put toward future endeavors.

Prior to the enactment of the Small Business Jobs Act, taxpayers could generally only claim allowable general business credits against their regular tax liability, and only to the extent that their regular tax liability exceeded their alternative minimum tax—AMT—liability. With this bill, qualified small businesses will now be able to reduce their AMT liability for general business credits by allowing credits to be applied against regular income tax and AMT liability.

Additionally, this bill will permit contractors that do not complete contracts within a single year to benefit from bonus depreciation. Another provision was designed to benefit businesses that were initially C corporations, but elected to be taxed as S corporations and had net built-in gains when they made the S corporation election. Under this bill, small businesses will also be able to deduct more for startup costs, and be able to deduct health insurance premiums against payroll taxes, both of which are significant matters to new and developing small business owners. Thanks to these new tax provisions, business owners will be empowered to increase participation in domestic and global markets.

Besides these critical tax provisions, the bill also provides real, meaningful regulatory relief for job creators. Since the enactment of the Small Business Regulatory Enforcement Fairness Act of 1996, P.L. 104-121, more than 50,000 new rules have gone into effect, each with an estimated impact of more than \$100 million annually. More than 3,000 new Federal rules are established each year. And alarmingly, small firms with fewer than 20 employees bear a disproportionate burden of complying with Federal regulations. These small firms pay an annual regulatory cost of

\$10,585 per employee, which is 36 percent higher than the regulatory costs facing larger firms. This bill will strengthen existing laws and enable the SBA Office of Advocacy to protect small businesses from these burdensome regulations.

The Restoring Tax and Regulatory Certainty to Small Businesses Act incorporates the latest version of the Freedom from Restrictive, Excessive, Executive Demands and Onerous Mandates, FREEDOM, Act—a necessary, targeted regulatory reform bill that will provide small businesses with much needed relief from onerous, one-size-fits-all Federal regulations. These provisions would: (a) require agencies to consider foreseeable indirect costs of rules; (b) increase the number of small business review panels charged with helping agencies better consider small businesses during the rulemaking process; (c) add teeth to the existing requirement that agencies regularly review the regulations on their books to determine if they are outdated or needlessly burdensome; and (d) allow small businesses to seek judicial review during the proposed rule stage, concerning whether an agency complied with its legal obligation to conduct an economic impact analysis with the rulemaking. Regrettably, current law does not allow small businesses to challenge this in court until after a burdensome rule is finalized, when it is already too late.

A recent survey of 500 small business owners along the east coast found that 71 percent of employers plan to maintain current employee levels and only 21 percent plan to hire one or two more workers in the near future. Business owners are reluctant to hire because of the sluggish pace at which the U.S. economy is recovering, the uncertain fiscal future, and the overly burdensome regulations currently in existence. The NFIB reported that small business optimism is also at its lowest level since October 2011. Now is the time to reverse these trends and give small businesses, our one bright spot of job creation, the certainty and motivation they need to grow and provide more jobs.

By Mr. LEAHY (for himself and Mr. INHOFE):

S. 3577. A bill to eliminate conditions in foreign prisons and other detention facilities that do not meet primary indicators of health, sanitation, and safety, and for other purposes; to the Committee on Foreign Relations.

Mr. LEAHY. Mr. President, I am very pleased to join today with the senior Senator from Oklahoma, Senator INHOFE, in introducing legislation that has already attracted broad support—from across the social and political spectrum.

This bill, titled the Foreign Prison Conditions Improvement Act of 2012,

seeks to address a much neglected, global human rights and humanitarian problem—the inhumane treatment of people in foreign prisons and other detention facilities.

On any given day, millions of people are languishing in foreign prisons, many in pretrial detention having never been brought before a judge or formally charged or proven guilty of anything, deprived of their freedom in abysmal conditions, often for years longer than they could have been sentenced to prison if convicted.

Others are imprisoned after being convicted of offenses, often after woefully unfair trials, including for nothing more than peacefully expressing political or religious beliefs or defending human rights. Regardless of their status they have one thing in common. They are deprived of the most basic rights and necessities—safe water, adequate food, essential medical care, personal safety, and dignity.

Anyone who has been inside one of these facilities, or seen photographs or press reports of what they are like, understands that this is about the mistreatment of human beings in ways that are reminiscent of the Dark Ages.

A few examples illustrate the point. In Haiti's National Penitentiary before the 2010 earthquake, more than 4,000 prisoners were confined in a space built for less than 900. Many did not have room to lie down and had to sleep standing up. Sanitation was practically non-existent. Deadly contagious diseases were rampant. The overwhelming majority of inmates had never been formally charged, never seen a lawyer or a judge. The earthquake damaged the prison and the prison guards fled, leaving the inmates to fend for themselves without food or water. They managed to get out, but the squalid facility filled up again.

I recall a newspaper article about how in Benin, in West Africa, the skin of prisoners was ragged from the extraction of fly larvae, an affliction that is symptomatic of the deplorable conditions. Many inmates suffer from tuberculosis, scabies, parasites, lung infections or other illnesses. The prison in Abomey, located in southern Benin, was built in 1904 to house a maximum of 150 prisoners. More than 1,000 have reportedly been confined there.

In February of this year, a fire at the Comayagua Prison in Honduras killed 360 inmates. In one overcrowded cell block only 4 of 105 prisoners survived. More than half of those who died were waiting to be charged or tried.

It is common in prisons from Latin America to the Middle East, Africa, and Asia for inmates to be severely malnourished and to go for months without being able to wash. Many prisoners depend for survival on food brought to them by relatives. In many countries individuals awaiting trial, young and old, are housed together with convicted, violent criminals.

Prisoners and other detainees in many countries are also routinely victimized by poorly trained, abusive guards who are virtually unsupervised and unaccountable to any higher authority. Sexual abuse of men, women and children is common.

A government commission in Cameroon reported that an average of five prisoners die per month in a prison there, simply from lack of proper medical care. Inmates in many countries suffer from HIV/AIDS and other illnesses in prisons with no medical records, where doctors do not enter. Prisoners intentionally cut or otherwise harm themselves in the hope of receiving medical attention for life-threatening illnesses. If and when they are released they infect the local population.

A New York Times article described how prisoners in Zambia were punished by being stripped naked and held in solitary confinement in small, windowless cells, sometimes for days on end, in ankle-to-calf-high water contaminated with their own excrement. It is like something out of *The Count of Monte Cristo*, only worse because it is happening in the 21st Century. But the article went on to describe how Zambia's Prison Service conducted its own internal audit, appointed a new medical director, and allowed human rights workers access to its facilities. The legislation Senator INHOFE and I are introducing seeks to provide incentives for those kinds of improvements. Our bill would do the following:

First, it calls attention to this long ignored problem. Most people know little if anything about what goes on inside foreign prisons, and many would prefer not to know.

Second, it sets forth primary indicators for the elimination of inhumane conditions in foreign prisons and other detention facilities, such as human waste facilities that are sanitary and accessible, and adequate ventilation, food and safe drinking water.

Third, it requires the Secretary of State to report annually on the conditions in prisons and other detention facilities in at least 30 countries receiving United States assistance or under sanction by the United States, selected by the Secretary's determination that such conditions raise the most serious human rights or humanitarian concerns.

Fourth, it encourages the Secretary and the Administrator of the U.S. Agency for International Development to furnish assistance for the purpose of eliminating inhumane conditions where such assistance would be appropriate and beneficial.

For countries that are not making significant efforts to eliminate such conditions, the Secretary is to enter into consultations with their government to achieve the purposes of the Act.

The legislation also provides for training of Foreign Service Officers, and directs the Secretary to designate, within the Department of State's Bureau for Democracy, Human Rights, and Labor, an official with responsibility for implementing the provisions of the Act.

Finally, it authorizes the expenditure of funds to implement the Act.

Once enacted, the Foreign Prison Conditions Improvement Act of 2012 will help foreign governments ensure that prisoners in their countries are treated as any people deprived of their freedom should be—as human beings, with dignity, in safety, and provided the basic necessities of life.

In countries around the world, the United States is helping to reform justice systems and strengthen the rule of law. No justice system can claim to deliver justice if prisoners and other detainees are treated like animals, or worse. By helping to change attitudes, and showing how with relatively little money prison conditions can be significantly improved, we can help advance the cause of justice more broadly.

Millions of people around the world look to the United States as a defender of justice. This legislation will further that goal and it reflects the best instincts of the American people. It has already been endorsed by a wide range of groups, including Amnesty International, USA; Baptist World Alliance, Division of Freedom and Justice; Ethics and Religious Liberty Commission of the Southern Baptist Convention; Human Rights First; Human Rights Watch; International CURE; International Justice Mission; International Prison Chaplains' Association; Jewish Council for Public Affairs; Just Detention International; Justice Fellowship/Prison Fellowship Ministries; National Association of Evangelicals; National Religious Campaign Against Torture; New Evangelical Partnership for the Common Good; Open Society Policy Center; Penal Reform International; Religious Action Center of Reform Judaism; United Methodist Church, General Board of Church and Society; and the United States Conference of Catholic Bishops. I want to thank these groups for their support and their efforts to focus attention on this urgent problem.

Identical legislation is being introduced today in the House by Representatives CHRIS SMITH and RUSS CARNAHAN, both of whom care deeply about this issue, so this is a bipartisan, bicameral effort.

Finally, I want to thank Senator INHOFE, who has visited many African countries and has witnessed the problems this legislation seeks to address, as well as his staff, who have been very helpful in this process. At a time when some people seem to get satisfaction from calling Washington broken, this

is another example of how two Senators and two Representatives, of different parties, whose political views often differ, can work together in furtherance of a just cause.

Mr. INHOFE. Mr. President, it is with great pleasure that I introduce the Foreign Prison Conditions Improvement Act along with my friend from Vermont, Senator PATRICK LEAHY.

This bill seeks to identify and eliminate unhealthy and unsafe prison conditions found in developing countries like Haiti and on the African continent where millions suffer in inhumane conditions.

Overcrowded, unsanitary detention and incarceration facilities endanger lives. This extremely high risk environment is a breeding ground for disease, particularly HIV/AIDs and tuberculosis, and creates grave risks to communities in which released prisoners live. Studies estimate that HIV infection rates in prisons in developing countries can be as much as 50 times higher than in the general population, and tuberculosis infection rates in prisons there are more than 20 times higher than in the general population.

Our bill encourages these developing nations to provide humane and sanitary prison conditions so that prisoners can be released in good health, and thus stem one of the causes of the spread of HIV and tuberculosis among the general public. Our bill also focuses on eliminating excessive pre-trial detention and dysfunctional justice systems which frequently result in prisoners and other detainees spending years in unhealthy prison conditions before their cases are even adjudicated. Tragically, inadequate, misplaced or lost records often result in the incarcerated being held indefinitely because their cases have never been heard. Unbelievably, such poor recordkeeping has kept many in prison long after their sentences have been served.

Specifically, our bill calls upon the Department of State to submit to Congress an annual report that describes inhuman prison conditions in at least 30 countries receiving U.S. foreign assistance. It gives the Secretary of State and Administrator of the U.S. Agency for International Development the discretion to restructure, reprogram or reduce U.S. foreign assistance to these countries based upon whether they are making "significant efforts" to eliminate inhuman conditions in their prisons and other detention facilities.

The goals of this bill are noble, but it will take close monitoring and hard work by our U.S. Foreign Service personnel on the ground overseas to fulfill this work. That is why our bill directs the Secretary of State to provide training to these embassy and consulate personnel so that they can effectively investigate and assess prison condi-

tions in foreign prisons as well as assist these foreign governments to adopt substantive prison reforms. The Secretary is also directed to designate and task a Deputy Assistant Secretary of State within the Bureau of Democracy, Human Rights and Labor with the responsibility for gathering the information for the annual report and make recommendations to the Secretary based off its conclusions.

I have visited Africa frequently, and I believe that given the chance, the majority of Africa's leaders will welcome the opportunity to interact with our embassy and consulate personnel and adopt the best practices for achieving the elimination of unhealthy and unsafe conditions in their prisons and other detention facilities.

The task at hand reminds me of the teaching of Jesus in Matthew 25:39:40 when he said, "when did we see you sick or in prison and visit you?" And the King will answer them, 'Truly, I say to you, as you did it to one of the least of these my brothers, you did it to me.'

We are all our brothers' keepers.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 559—HONORING REAR ADMIRAL JONATHAN W. BAILEY FOR HIS LIFETIME OF SELFLESS COMMITMENT AND EXEMPLARY SERVICE TO THE UNITED STATES

Mr. BEGICH (for himself and Ms. SNOWE) submitted the following resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. RES. 559

Whereas Rear Admiral Jonathan W. Bailey, the Director of the National Oceanic and Atmospheric Administration (referred to in this preamble as "NOAA") Commissioned Officer Corps (referred to in this preamble as the "NOAA Corps"), retires from the NOAA Corps on September 30, 2012, after 32 distinguished years of service;

Whereas Rear Admiral Bailey was appointed Director of the NOAA Corps by Secretary of Commerce Carlos M. Gutierrez on October 1, 2007, after nomination for the position by President George W. Bush and confirmation by the United States Senate;

Whereas Rear Admiral Bailey has commanded with distinction and provided exceptional leadership to the NOAA Corps since 2007, and has upheld the NOAA Corps values of honor, respect, and commitment;

Whereas Rear Admiral Bailey has had a balanced operational career, with 7 years of sea duty and almost 9 years of flight duty piloting aircraft for NOAA;

Whereas Rear Admiral Bailey played a critical role in developing innovative strategies to improve the NOAA Corps workforce;

Whereas Rear Admiral Bailey oversaw the aerial- and ground-based mapping operations by NOAA that aided search and recovery efforts at the World Trade Center and Pentagon after the September 11, 2001, terrorist attacks;

Whereas Rear Admiral Bailey has ensured that the NOAA Corps provides NOAA with a cadre of officers trained in engineering and science who operate ships, fly aircraft, manage research projects, conduct diving operations, and serve in staff positions throughout NOAA;

Whereas Rear Admiral Bailey, during his tenure as Director of the NOAA Corps, has also served as the Director of the NOAA Office of Marine and Aviation Operations, ensuring that one of the largest civilian research fleets of ships and aircraft in the United States was modernized and prepared to support the NOAA mission of science, service, and stewardship;

Whereas Rear Admiral Bailey was nominated by President Barack Obama to serve as a Commissioner on the Mississippi River Commission; and

Whereas, as NOAA bids fair winds and following seas to Rear Admiral Bailey, it is appropriate that he be remembered for his exceptional and tireless service to the United States and commended for his enviable list of career accomplishments: Now, therefore, be it

Resolved, That the Senate recognizes and honors Rear Admiral Jonathan W. Bailey of the National Oceanic and Atmospheric Administration Commissioned Officer Corps, on behalf of a grateful United States, for his lifetime of selfless commitment and exemplary service.

SENATE RESOLUTION 560—COMMEMORATING THE 150TH ANNIVERSARY OF THE MARYLAND CAMPAIGN DURING THE CIVIL WAR

Mr. CARDIN (for himself and Ms. MIKULSKI) submitted the following resolution; which was referred to the Committee on Energy and Natural Resources:

S. RES. 560

Whereas because of geographic position, Maryland and the citizens of Maryland played a key role in the military and political struggles of the Civil War;

Whereas during the conflict, controlling Maryland was key due to the proximity to Washington D.C., the fact that Maryland shared a border with Virginia and the States still remaining in the Union, and the position of Baltimore as a key railroad link to the West;

Whereas, on September 4, 1862, General Robert E. Lee led his Confederate Army of northern Virginia across the Potomac River near Leesburg, Virginia into Maryland, marking first invasion by General Lee of the North during the Civil War;

Whereas, on September 7, 1862, General George B. McClellan moved the Union Army of the Potomac forces out of Washington D.C. in pursuit;

Whereas, over the ensuing 2 weeks, pitched battles were fought in Harper's Ferry and Shepardstown in West Virginia and South Mountain and Antietam in Maryland, as the 2 forces confronted one another amidst the Appalachian Mountains;

Whereas on September 17, 1862, the climax of the Maryland Campaign took place on the banks of Antietam Creek, near the town of Sharpsburg, Maryland;

Whereas on September 17, 1862, fighting began before dawn when Union forces advanced on Confederate defensive positions behind Antietam Creek, launching 3 assaults

along the Cornfield, East Woods, West Woods, and Sunken Road for 8 hours;

Whereas the brutal fighting to cross Burnside Bridge and into Sharpsburg lasted until the afternoon and both armies suffered heavy casualties, ending the combat after a gruesome 12 hours;

Whereas both sides engaged in slow, savage fighting at close range, resulting in the single bloodiest day of war in American history, with nearly 23,000 total casualties, representing 25 percent of the Union force, and 31 percent of the Confederate force;

Whereas the tactical result of the battle was inconclusive, as each side maintained position until the bitter end;

Whereas on September 18, 1862, as the opposing armies gathered the wounded and buried the dead, General Lee withdrew the Confederate Army back across the Potomac River into Virginia, ending the invasion;

Whereas the Battle of Antietam pitted Marylanders on opposite sides of the fighting, emblematic of national division of the Civil War pitting “brother against brother”;

Whereas the people of the United States honor those Marylanders and others who valiantly fought in the Civil War, endured the hardships brought on by the conflict, and who made the ultimate sacrifice to form a more perfect Union; and

Whereas during the sesquicentennial of the Maryland Campaign, it is fitting that the National Park Service, the Maryland Heritage Areas Authority, and all others involved recognize the bravery and steadfast determination of the Marylanders and all people affected by the Civil War: Now, therefore, be it

Resolved, That the Senate—

(1) commemorates the 150th anniversary of the Maryland Campaign of the Civil War, culminating in the Battle of Antietam; and

(2) recognizes the dedication and commitment of the National Park Service, the Maryland Heritage Areas Authority, and all others involved, for preserving the heritage and promoting the rich history of the United States.

SENATE RESOLUTION 561—RECOGNIZING NATIONAL NATIVE AMERICAN HERITAGE MONTH AND CELEBRATING THE HERITAGES AND CULTURES OF NATIVE AMERICANS AND THE CONTRIBUTIONS OF NATIVE AMERICANS TO THE UNITED STATES

Mr. AKAKA (for himself, Mr. BARRASSO, Mr. INOUE, Mr. CRAPO, Mr. JOHNSON of South Dakota, Ms. MURKOWSKI, Ms. CANTWELL, Mr. TESTER, Mr. FRANKEN, Mr. UDALL of New Mexico, and Mr. JOHANNIS) submitted the following resolution; which was referred to the Committee on Indian Affairs.

S. RES. 561

Whereas from November 1, 2012, through November 30, 2012, the United States celebrates National Native American Heritage Month;

Whereas Native Americans are descendants of the original, indigenous inhabitants of what is now the United States;

Whereas the United States Bureau of the Census estimated in 2009 that there were almost 5,000,000 individuals in the United States of Native American descent;

Whereas Native Americans maintain vibrant cultures and traditions and hold a deeply rooted sense of community;

Whereas Native Americans have moving stories of tragedy, triumph, and perseverance that need to be shared with future generations;

Whereas Native Americans speak and preserve indigenous languages, which have contributed to the English language by being used as names of individuals and locations throughout the United States;

Whereas Congress has recently reaffirmed its support of tribal self-governance and its commitment to improving the lives of all Native Americans by enhancing health care services, increasing law enforcement resources, and approving settlements of litigation involving Indian tribes and the United States;

Whereas Congress is committed to improving the housing conditions and socioeconomic status of Native Americans;

Whereas the United States is committed to strengthening the government-to-government relationship that it has maintained with the various Indian tribes;

Whereas Congress has recognized the contributions of the Iroquois Confederacy, and its influence on the Founding Fathers in the drafting of the Constitution of the United States with the concepts of freedom of speech, the separation of governmental powers, and the system of checks and balances between the branches of government;

Whereas with the enactment of the Native American Heritage Day Act of 2009 (Public Law 111–33; 123 Stat. 1922), Congress—

(1) reaffirmed the government-to-government relationship between the United States and Native American governments; and

(2) recognized the important contributions of Native Americans to the culture of the United States;

Whereas Native Americans have made distinct and important contributions to the United States and the rest of the world in many fields, including the fields of agriculture, medicine, music, language, and art, and Native Americans have distinguished themselves as inventors, entrepreneurs, spiritual leaders, and scholars;

Whereas Native Americans have served with honor and distinction in the Armed Forces of the United States, and continue to serve in the Armed Forces in greater numbers per capita than any other group in the United States;

Whereas the United States has recognized the contribution of the Native American code talkers in World War I and World War II, who used indigenous languages as an unbreakable military code, saving countless Americans; and

Whereas the people of the United States have reason to honor the great achievements and contributions of Native Americans and their ancestors: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the month of November 2012 as National Native American Heritage Month;

(2) recognizes the Friday after Thanksgiving as “Native American Heritage Day” in accordance with the Native American Heritage Day Act of 2009 (Public Law 111–33; 123 Stat. 1922); and

(3) urges the people of the United States to observe National Native American Heritage Month and Native American Heritage Day with appropriate programs and activities.

Mr. AKAKA. Mr. President, as Chairman of the Committee on Indian Affairs, I am sponsoring a resolution, co-

sponsored by Senators BARRASSO, INOUE, CRAPO, JOHNSON of South Dakota, MURKOWSKI, CANTWELL, TESTER, FRANKEN, and UDALL of New Mexico, designating November as National Native American Heritage Month and November 23rd of this year as Native American Heritage Day.

This resolution recognizes the contributions of Native Americans and their cultures to our country, recognizes Congress’ commitment to improving the socioeconomic status of Native Americans, and reaffirms the unique, government-to-government relationship between Native governments and the United States. This resolution encourages the people of the United States to observe National Native American Heritage Month and Native American Heritage Day.

I call upon all of my colleagues to stand with me in support of this resolution.

SENATE RESOLUTION 562—DESIGNATING THE WEEK BEGINNING ON SEPTEMBER 10, 2012 AND ENDING ON SEPTEMBER 14, 2012 AS “NATIONAL HEALTH INFORMATION TECHNOLOGY WEEK” TO RECOGNIZE THE VALUE OF HEALTH INFORMATION TECHNOLOGY IN IMPROVING HEALTH QUALITY

Ms. STABENOW (for herself and Ms. SNOWE) submitted the following resolution; which was considered and agreed to:

S. RES. 562

Whereas healthcare information technology and management systems have been recognized as essential tools for improving patient care, ensuring patient safety, stopping duplicative tests and paperwork, and reducing healthcare costs;

Whereas the Center for Information Technology Leadership has estimated that the implementation of national standards for interoperability and the exchange of health information would save the United States approximately \$77,000,000,000 in expenses relating to healthcare each year;

Whereas Congress has made a commitment to leveraging the benefits of healthcare information technology and management systems, including supporting the adoption of electronic health records that will help to reduce costs and improve quality while ensuring the privacy of patients;

Whereas the ability to exchange health information confidently and securely between different providers, systems, and insurers is critical to transforming the healthcare delivery system of the United States to improve clinical outcomes for patients, control costs, and expand access to care through the use of technology;

Whereas Congress has made real-time health information exchange a priority and an essential component of the Medicare and Medicaid Electronic Health Records Incentive Programs;

Whereas Congress has emphasized improving the quality and safety of delivery of healthcare in the United States; and

Whereas, since 2006, organizations across the United States have united to support National Health Information Technology Week

to improve public awareness of the benefits of improved quality and cost efficiency of the healthcare system that the implementation of health information technology could achieve: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week beginning on September 10, 2012 and ending on September 14, 2012 as “National Health Information Technology Week”;

(2) recognizes the value of information technology and management systems in transforming healthcare for the people of the United States; and

(3) calls on all interested parties to promote the use of information technology and management systems to transform the healthcare system of the United States.

SENATE RESOLUTION 563—DESIGNATING DECEMBER 3, 2012, AS “NATIONAL PHENYLKETONURIA AWARENESS DAY”

Mr. ISAKSON (for himself and Mr. KERRY) submitted the following resolution; which was considered and agreed to:

S. RES. 563

Whereas phenylketonuria is a rare, inherited metabolic disorder that is characterized by the inability of the body to process the essential amino acid phenylalanine, and which causes mental retardation and other neurological problems, such as memory loss and mood disorders, when treatment is not started within the first few weeks of life;

Whereas newborn screening for phenylketonuria was initiated in the United States in 1963 and was mandated by the Newborn Screening Saves Life Act of 2008 (42 U.S.C. 201 note);

Whereas approximately 1 of every 15,000 infants in the United States is born with phenylketonuria;

Whereas the 2012 Phenylketonuria Scientific Review Conference affirmed the recommendation of lifelong dietary treatment for phenylketonuria made by the National Institutes of Health Consensus Development Conference Statement 2000;

Whereas adults with phenylketonuria who discontinue treatment are at risk for other serious medical issues such as depression, impulse control disorder, phobias, tremors, and pareses;

Whereas women with phenylketonuria must maintain strict metabolic control before and during pregnancy to prevent fetal damage;

Whereas children born from untreated mothers with phenylketonuria may have a condition known as maternal PKU syndrome, which can cause small brains, mental retardation, birth defects of the heart, and low birth weight;

Whereas phenylketonuria is treated with medical food;

Whereas, although there is no cure for phenylketonuria, a treatment involving medical food and restricting phenylalanine intake can prevent progressive, irreversible brain damage;

Whereas maintaining a strict medical diet for phenylketonuria can be difficult to achieve, and poor metabolic control can result in a significant decline in mental and behavioral performance;

Whereas access to health coverage for medical food varies across the United States, and the long-term costs associated with caring for untreated children and adults far exceed

the cost of providing medical food treatment;

Whereas scientists and researchers are hopeful that breakthroughs in phenylketonuria research will be forthcoming;

Whereas researchers across the United States are conducting important research projects involving phenylketonuria; and

Whereas the Senate is an institution that can raise awareness of phenylketonuria among the general public and the medical community: Now, therefore, be it

Resolved, That the Senate—

(1) designates December 3, 2012, as “National Phenylketonuria Awareness Day”;

(2) encourages all people in the United States to become more informed about phenylketonuria; and

(3) respectfully requests that the Secretary of the Senate transmit a copy of this resolution to the National PKU Alliance, a non-profit organization dedicated to improving the lives of individuals with phenylketonuria.

SENATE RESOLUTION 564—DESIGNATING THE MONTH OF OCTOBER 2012 AS “NATIONAL MEDICINE ABUSE AWARENESS MONTH”

Mrs. FEINSTEIN (for herself, Mr. GRASSLEY, Mr. SCHUMER, Mr. UDALL of New Mexico, Mr. BLUMENTHAL, Mr. PORTMAN, Mr. COONS, Mr. ROCKEFELLER, Mr. CORNYN, Mr. MANCHIN, Mr. WHITEHOUSE, Mr. DURBIN, and Mr. CASEY) submitted the following resolution; which was considered and agreed to:

S. RES. 564

Whereas over-the-counter and prescription medicines approved by the Food and Drug Administration have been determined to be safe and effective when used properly;

Whereas the misuse or abuse of these medicines can be extremely dangerous and produce serious side effects;

Whereas the Office of National Drug Control Policy reports that medicine abuse is the fastest-growing drug problem in the United States, and the Centers for Disease Control and Prevention has classified medicine abuse as an epidemic;

Whereas the 2011 Monitoring the Future survey, funded by the National Institutes of Health, and the 2011 National Survey on Drug Use and Health, sponsored by the Substance Abuse and Mental Health Services Administration, both illustrate that, after marijuana, over-the-counter and prescription medicines account for the most frequently abused drugs among 12th graders;

Whereas the access teenagers often have to prescription medicines in home medicine cabinets and the lack of understanding by teenagers of the potential harms of these powerful medicines make it more critical than ever to raise public awareness about the dangers of medicine abuse;

Whereas the Drug Enforcement Administration and many State and local law enforcement agencies have established drug disposal programs (commonly referred to as “take-back programs”) to facilitate the collection and destruction of unused, unwanted, or expired medications, thereby helping to take outdated or unused medications off household shelves and out of the reach of children and teenagers;

Whereas National Medicine Abuse Awareness Month promotes the message that over-

the-counter and prescription medicines are to be taken only as labeled or prescribed, and that using such medicines to get high or in large doses can cause serious or life-threatening consequences;

Whereas observance of National Medicine Abuse Awareness Month should be encouraged at the national, state, and local levels to increase awareness of the abuse of medicines;

Whereas a nationwide prevention and education campaign has been launched by the national organization that represents 5,000 anti-drug coalitions nationwide, along with the association representing makers of over-the-counter medicines, to provide local coalitions with tools, training, and outreach strategies to engage and educate parents, grandparents, teachers, law enforcement officials, retailers, doctors, and other healthcare professionals about the potential harms of cough medicine abuse; and

Whereas educating the public about the dangers of medicine abuse, encouraging parents to talk about medicine abuse with their teenagers, mobilizing parents to safeguard their home medicine cabinets, and promoting abuse prevention are critical components of what must be a multi-pronged effort to curb over-the-counter and prescription medicine abuse: Now, therefore, be it

Resolved, That the Senate—

(1) designates the month of October 2012 as “National Medicine Abuse Awareness Month”; and

(2) urges communities to carry out appropriate programs and activities to educate parents and youth of the potential dangers associated with medicine abuse.

SENATE RESOLUTION 565—EXPRESSING SUPPORT FOR THE DESIGNATION OF OCTOBER 20, 2012, AS THE “NATIONAL DAY ON WRITING”

Mr. CASEY (for himself, Mr. ROBERTS, Mr. SANDERS, Mr. BROWN of Ohio, and Mr. AKAKA) submitted the following resolution; which was considered and agreed to:

S. RES. 565

Whereas people in the 21st century are writing more than ever before for personal, professional, and civic purposes;

Whereas the social nature of writing invites people of every age, profession, and walk of life to create meaning through composing;

Whereas more and more people in every occupation deem writing as essential and influential in their work;

Whereas writers continue to learn how to write for different purposes, audiences, and occasions throughout their lifetimes;

Whereas developing digital technologies expand the possibilities for composing in multiple media at a faster pace than ever before;

Whereas young people are leading the way in developing new forms of composing by using different forms of digital media;

Whereas effective communication contributes to building a global economy and a global community;

Whereas the National Council of Teachers of English, in conjunction with its many national and local partners, honors and celebrates the importance of writing through the National Day on Writing;

Whereas the National Day on Writing celebrates the foundational place of writing in

the personal, professional, and civic lives of the people of the United States;

Whereas the National Day on Writing provides an opportunity for individuals across the United States to share and exhibit their written works through the National Gallery of Writing;

Whereas the National Day on Writing highlights the importance of writing instruction and practice at every educational level and in every subject area;

Whereas the National Day on Writing emphasizes the lifelong process of learning to write and compose for different audiences, purposes, and occasions;

Whereas the National Day on Writing honors the use of the full range of media for composing, from traditional tools like print, audio, and video, to Web 2.0 tools like blogs, wikis, and podcasts; and

Whereas the National Day on Writing encourages all people of the United States to write, as well as to enjoy and learn from the writing of others: Now, therefore, be it

Resolved, That the Senate—

(1) supports the designation of October 20, 2012, as the “National Day on Writing”;

(2) strongly affirms the purposes of the National Day on Writing;

(3) encourages participation in the National Gallery of Writing, which serves as an exemplary living archive of the centrality of writing in the lives of the people of the United States; and

(4) encourages educational institutions, businesses, community and civic associations, and other organizations to promote awareness of the National Day on Writing and celebrate the writing of the members those organizations through individual submissions to the National Gallery of Writing.

SENATE RESOLUTION 566—DESIGNATING SEPTEMBER 29, 2012, AS “NATIONAL ESTUARIES DAY”

Mr. WHITEHOUSE (for himself, Mr. AKAKA, Mr. BLUMENTHAL, Mrs. BOXER, Mr. BROWN of Massachusetts, Mr. CARDIN, Ms. COLLINS, Mrs. FEINSTEIN, Mrs. GILLIBRAND, Mr. KERRY, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LIEBERMAN, Ms. MIKULSKI, Mrs. MURRY, Mr. REED, Mr. SESSIONS, Mrs. SHAHEEN, Mr. WARNER, Mr. WEBB, Mr. WYDEN, and Mr. MENENDEZ) submitted the following resolution; which was considered and agreed to:

S. RES. 566

Whereas the estuary regions of the United States comprise a significant share of the national economy, with 53 percent of the population, 40 percent of the employment, and 49 percent of the economic output of the United States located in the estuary regions of the United States;

Whereas projections indicate that 75 percent of the total population of the United States will live and work in coastal counties by 2025;

Whereas coasts and estuaries contribute more than \$800,000,000,000 annually in trade and commerce to the United States economy;

Whereas more than 43 percent of all adults in the United States visit a sea coast or estuary at least once a year to participate in some form of recreation, generating \$8,000,000,000 to \$12,000,000,000 in revenue annually;

Whereas more than 28,000,000 jobs in the United States are supported by commercial

and recreational fishing, boating, tourism, and other coastal industries that rely on healthy estuaries;

Whereas estuaries provide vital habitat for countless species of fish and wildlife, including many that are listed as threatened or endangered;

Whereas estuaries provide critical ecosystem services that protect human health and public safety, including water filtration, flood control, shoreline stabilization and erosion prevention, and the protection of coastal communities during extreme weather events;

Whereas the United States has lost more than 110,000,000 acres, or 50 percent, of the wetland of the United States since the first European settlers arrived;

Whereas bays once filled with fish and oysters have become dead zones filled with excess nutrients, chemical wastes, harmful algae, and marine debris;

Whereas changes in sea level can impact estuarine water quality and estuarine habitat;

Whereas the Coastal Zone Management Act of 1972 (16 U.S.C. 1451 et seq.) declares that it is the national policy to preserve, protect, develop, and if possible, to restore or enhance, the resources of the coastal zone of the United States, including estuaries, for current and future generations;

Whereas 24 coastal and Great Lake States and territories of the United States contain a National Estuary Program or a National Estuarine Research Reserve System;

Whereas scientific study leads to better understanding of the benefits of estuaries to human and ecological communities;

Whereas the Federal Government, State, local, and tribal governments, national and community organizations, and individuals work together to effectively manage the estuaries of the United States;

Whereas estuary restoration efforts restore natural infrastructure in local communities in a cost effective manner, helping to create jobs and reestablish the natural functions of estuaries that yield countless benefits; and

Whereas September 29, 2012, has been designated as “National Estuaries Day” to increase awareness among all people of the United States, including Federal, State and local government officials, about the importance of healthy estuaries and the need to protect and restore estuaries: Now, therefore, be it

Resolved, That the Senate—

(1) designates September 29, 2012, as “National Estuaries Day”;

(2) supports the goals and ideals of National Estuaries Day;

(3) acknowledges the importance of estuaries to sustaining employment and the economic well-being and prosperity of the United States;

(4) recognizes that persistent threats undermine the health of the estuaries of the United States;

(5) applauds the work of national and community organizations and public partners that promote public awareness, understanding, protection, and restoration of estuaries;

(6) reaffirms the support of the Senate for estuaries, including the scientific study, preservation, protection, and restoration of estuaries; and

(7) expresses the intent of the Senate to continue working to understand, protect, and restore the estuaries of the United States.

SENATE RESOLUTION 567—HONORING THE LIFE AND CAREER OF GEORGE HICKMAN

Ms. CANTWELL (for herself and Mrs. MURRAY) submitted the following resolution; which was considered and agreed to:

S. RES. 567

Whereas George Hickman was renowned as a Tuskegee Airman, a treasured leader in the Seattle community, and the lucky charm of Seattle sports until his passing on August 19, 2012, at the age of 88;

Whereas George Hickman leaves behind a loving wife of 57 years, Doris, 4 children, Regina, Sherie, Vincent, and Shaunell, 3 grandchildren, and 1 great-grandchild;

Whereas George Hickman served as a Tuskegee Airman and was one of the first African-American fighter pilots trained for World War II;

Whereas George Hickman served in the United States Army Air Corps from 1943 to 1945;

Whereas the honorable service of George Hickman and the other Tuskegee Airmen directly led to the desegregation of the Armed Forces of the United States;

Whereas George Hickman received the Congressional Gold Medal in 2007 with his fellow Tuskegee Airmen;

Whereas George Hickman was a special guest along with nearly 200 other Tuskegee Airmen at the 2009 inauguration of President Barack Obama;

Whereas George Hickman worked as a B-52 engineer for Boeing from 1955 until his retirement in 1984;

Whereas George Hickman was a beloved usher at University of Washington athletic events for more than 40 years; and

Whereas George Hickman also was a fan favorite as an usher at Seattle Seahawks games for nearly a decade: Now, therefore, be it

Resolved, That the Senate—

(1) commends the long and loving life of George Hickman, his service to the United States as a Tuskegee Airman, and his role as an aviation pioneer;

(2) recognizes the service George Hickman performed for his country and his significance as a role model for African-American military pilots;

(3) recognizes the contributions of the greatest generation who fought for the freedoms of the people of the United States; and

(4) respectfully requests that the Secretary of the Senate transmit an enrolled copy of this resolution for appropriate display to Doris Hickman, the University of Washington Athletic Department, and the Seattle Seahawks organization.

SENATE RESOLUTION 568—DESIGNATING THE WEEK BEGINNING SEPTEMBER 16, 2012, AS “NATIONAL HISPANIC-SERVING INSTITUTIONS WEEK”

Mr. MENENDEZ (for himself, Mr. CORNYN, Mr. REID, Mr. BEGICH, Mrs. MURRAY, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mrs. HUTCHISON, Mr. HELLER, Mr. ENZI, Mr. CRAPO, Mr. NELSON of Florida, Mr. SCHUMER, Mr. BENNET, Ms. MURKOWSKI, Mr. BINGAMAN, Mrs. BOXER, Mr. DURBIN, Mr. RUBIO, Mr. COONS, Mr. LAUTENBERG,

and Mrs. FEINSTEIN) submitted the following resolution; which was considered and agreed to:

S. RES. 568

Whereas Hispanic-serving institutions play an important role in educating many underprivileged students and helping those students attain their full potential through higher education;

Whereas Hispanic-serving institutions are degree-granting institutions that have a full-time equivalent undergraduate enrollment of at least 25 percent Hispanic students;

Whereas there are more than 300 Hispanic-serving institutions in operation in the United States;

Whereas Hispanic-serving institutions serve more than half (54 percent) of all Hispanic students, enrolling more than 1,300,000 students in 2010;

Whereas Hispanic-serving institutions are actively involved in stabilizing and improving the communities in which the Hispanic-serving institutions are located;

Whereas celebrating the vast contributions of Hispanic-serving institutions to the United States strengthens the culture of the United States; and

Whereas the achievements and goals of Hispanic-serving institutions are deserving of national recognition: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the achievements and goals of Hispanic-serving institutions across the United States;

(2) designates the week beginning September 16, 2012, as “National Hispanic-Serving Institutions Week”; and

(3) calls on the people of the United States and interested groups to observe the week with appropriate ceremonies, activities, and programs to demonstrate support for Hispanic-serving institutions.

SENATE RESOLUTION 569—DESIGNATING THE WEEK BEGINNING OCTOBER 21, 2012, AS “NATIONAL CHARACTER COUNTS WEEK”

Mr. GRASSLEY (for himself, Mr. LEVIN, Mr. LIEBERMAN, Mrs. MURRAY, Mr. ALEXANDER, Mr. ENZI, Mr. COCHRAN, Mr. BLUNT, Ms. LANDRIEU, and Ms. STABENOW) submitted the following resolution; which was considered and agreed to:

S. RES. 569

Whereas the well-being of the United States requires that the young people of the United States become an involved, caring citizenry of good character;

Whereas the character education of children has become more urgent, as violence by and against youth increasingly threatens the physical and psychological well-being of the people of the United States;

Whereas, more than ever, children need strong and constructive guidance from their families and their communities, including schools, youth organizations, religious institutions, and civic groups;

Whereas the character of a nation is only as strong as the character of its individual citizens;

Whereas the public good is advanced when young people are taught the importance of good character and the positive effects that good character can have in personal relationships, in school, and in the workplace;

Whereas scholars and educators agree that people do not automatically develop good

character and that, therefore, conscientious efforts must be made by institutions and individuals that influence youth to help young people develop the essential traits and characteristics that comprise good character;

Whereas, although character development is, first and foremost, an obligation of families, the efforts of faith communities, schools, and youth, civic, and human service organizations also play an important role in fostering and promoting good character;

Whereas Congress encourages students, teachers, parents, youth, and community leaders to recognize the importance of character education in preparing young people to play a role in determining the future of the United States;

Whereas effective character education is based on core ethical values, which form the foundation of a democratic society;

Whereas examples of character are trustworthiness, respect, responsibility, fairness, caring, citizenship, and honesty;

Whereas elements of character transcend cultural, religious, and socioeconomic differences;

Whereas the character and conduct of our youth reflect the character and conduct of society, and, therefore, every adult has the responsibility to teach and model ethical values and every social institution has the responsibility to promote the development of good character;

Whereas Congress encourages individuals and organizations, especially those that have an interest in the education and training of the young people of the United States, to adopt the elements of character as intrinsic to the well-being of individuals, communities, and society;

Whereas many schools in the United States recognize the need, and have taken steps, to integrate the values of their communities into their teaching activities; and

Whereas the establishment of “National Character Counts Week”, during which individuals, families, schools, youth organizations, religious institutions, civic groups, and other organizations focus on character education, is of great benefit to the United States: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week beginning October 21, 2012, as “National Character Counts Week”; and

(2) calls upon the people of the United States and interested groups—

(A) to embrace the elements of character identified by local schools and communities, such as trustworthiness, respect, responsibility, fairness, caring, and citizenship; and

(B) to observe the week with appropriate ceremonies, programs, and activities.

SENATE RESOLUTION 570—DESIGNATING NOVEMBER 8, 2012, AS “NATIONAL PARENTS AS TEACHERS DAY”

Mr. BLUNT (for himself and Mrs. MURRAY) submitted the following resolution; which was considered and agreed to:

S. RES. 570

Whereas all 50 States and 7 other countries provide services through the Parents as Teachers evidence-based home visiting model for nearly 260,000 children annually, which offers a multifaceted approach to building strong families and promoting a positive parent-child interaction so children are healthy, safe, and ready to learn;

Whereas Parents as Teachers provides evidence-and research-based training that assists parent educators in developing proficiencies in—

- (1) family support and parenting education;
- (2) child and family development;
- (3) human diversity within family systems;
- (4) health, safety, and nutrition; and
- (5) relationships between families and communities;

Whereas the Parents as Teachers evidence-based home visiting model is an essential component to prepare children to be school ready and narrows the achievement gap between children in poverty and nonpoverty households; and

Whereas there are more than 3,000 organizations offering Parents as Teachers services across the United States and around the world, which give parents of young children the support and information necessary so all children will learn, grow, and develop to realize their full potential: Now, therefore, be it

Resolved, That the Senate—

(1) designates the November 8, 2012, as “National Parents as Teachers Day”; and

(2) recognizes the importance of parent education and the role the education plays in the development of a child; and

(3) commends Parents as Teachers for its work with families across the United States.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2840. Mr. DEMINT submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 117, making continuing appropriations for fiscal year 2013, and for other purposes; which was ordered to lie on the table.

SA 2841. Mr. PAUL submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 117, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2840. Mr. DEMINT submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 117, making continuing appropriations for fiscal year 2013, and for other purposes; which was ordered to lie on the table; as follows:

On page 22, line 13, insert “for civilian Federal computer networks” after “cybersecurity activities”.

SA 2841. Mr. PAUL submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 117, making continuing appropriations for fiscal year 2013, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. . LIMITATION ON FOREIGN ASSISTANCE.

(a) **PROHIBITION.**—No amounts may be obligated or expended to provide any direct United States assistance, loan guarantee, or debt relief to a Government described under subsection (b).

(b) **COVERED GOVERNMENTS.**—The Governments referred to in subsection (a) are as follows:

- (1) The Government of Libya.
- (2) The Government of Egypt.
- (3) The Government of Pakistan.

(4) The Government of a host country of a United States diplomatic facility on the list submitted to Congress pursuant to subsection (c).

(c) DETERMINATION BY SECRETARY.—The Secretary of State shall submit to Congress a list of all United States diplomatic facilities attacked, trespassed upon, breached, or attempted to be attacked, trespassed upon, or breached on or after September 1, 2012, not later than 5 days after the date of enactment of this Act and not later than 5 days after any subsequent attack, trespass, breach, or attempt.

(d) CERTIFICATION.—Beginning 90 days after the date of the enactment of this Act, the President may certify to Congress that—

(1) a Government described under subsection (b)—

(A) is cooperating or has cooperated fully with investigations into an attack, trespass, breach, or attempted attack, trespass, or breach;

(B) has arrested or facilitated the arrest of, and if requested has permitted extradition of, all identifiable persons in such country associated with organizing, planning, or participating in the attack, trespass, breach, or attempted attack, trespass, or breach;

(C) is facilitating or has facilitated any security improvements at United States diplomatic facilities, as requested by the United States Government; and

(D) is taking or has taken sufficient steps to strengthen and improve reliability of local security in order to prevent any future attack, trespass, or breach; and

(2) all identifiable persons associated with organizing, planning, or participating in the attack, trespass, breach, or attempted attack, trespass, or breach—

(A) have been identified by the Federal Bureau of Investigations, the Bureau of Diplomatic Security, or other United States law enforcement entity; and

(B) are in United States custody.

(e) REQUEST TO SUSPEND PROHIBITION ON FOREIGN ASSISTANCE.—

(1) IN GENERAL.—Except as provided under paragraph (2), upon submitting a certification under subsection (d) with respect to a Government described under subsection (b), the President may submit a request to Congress to suspend the prohibition on foreign assistance to the Government.

(2) PAKISTAN.—No request under paragraph (1) may be submitted with respect to the Government of Pakistan until—

(A) Dr. Shakil Afridi has been released alive from prison in Pakistan;

(B) any criminal charges brought against Dr. Afridi, including treason, have been dropped; and

(C) if necessary to ensure his freedom, Dr. Afridi has been allowed to leave Pakistan alive.

(f) EXPEDITED CONSIDERATION OF PRESIDENTIAL REQUEST.—

(1) IN GENERAL.—For purposes of this subsection, the term “joint resolution” means only a joint resolution introduced in the period beginning on the date on which a request under subsection (e) is received by Congress and ending 60 days thereafter (excluding days either House of Congress is adjourned for more than 3 days during a session of Congress), the matter after the resolving clause of which is as follows: “That Congress approves the request submitted by the President to suspend the prohibition on foreign assistance to the Government of _____ in effect since _____, and such prohibition shall have no force or effect.” (The blank spaces being appropriately filled in).

(2) REFERRAL.—A joint resolution described in paragraph (1) shall be referred to the committees in each House of Congress with jurisdiction.

(3) SUBMISSION DATE DEFINED.—For purposes of this section, the term “submission date” means the date on which a House of Congress receives the request submitted under subsection (e).

(4) DISCHARGE OF SENATE COMMITTEE.—In the Senate, if the committee to which is referred a joint resolution described in paragraph (1) has not reported such joint resolution (or an identical joint resolution) at the end of 20 calendar days after the submission date, such committee may be discharged from further consideration of such joint resolution upon a petition supported in writing by 30 Senators, and such joint resolution shall be placed on the calendar.

(5) SENATE CONSIDERATION OF RESOLUTION.—

(A) MOTIONS.—In the Senate, when the committee to which a joint resolution is referred has reported, or when a committee is discharged (under paragraph (4)) from further consideration of a joint resolution described in paragraph (1), it is at any time thereafter in order (even though a previous motion to the same effect has been disagreed to) for a motion to proceed to the consideration of the joint resolution, and all points of order against the joint resolution (and against consideration of the joint resolution) are waived. The motion is not subject to amendment, or to a motion to postpone, or to a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the joint resolution is agreed to, the joint resolution shall remain the unfinished business of the Senate until disposed of.

(B) DEBATE.—In the Senate, debate on the joint resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 10 hours, which shall be divided equally between those favoring and those opposing the joint resolution. A motion further to limit debate is in order and not debatable. An amendment to, or a motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the joint resolution is not in order.

(C) VOTE ON FINAL PASSAGE.—In the Senate, immediately following the conclusion of the debate on a joint resolution described in paragraph (1), and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the Senate, the vote on final passage of the joint resolution shall occur.

(D) APPEALS OF DECISIONS OF THE CHAIR.—Appeals from the decisions of the Chair relating to the application of the rules of the Senate to the procedure relating to a joint resolution described in paragraph (1) shall be decided without debate.

(6) INAPPLICABILITY OF CERTAIN PROVISIONS.—In the Senate, the procedures specified in paragraph (4) or (5) shall not apply to the consideration of a joint resolution respecting a request—

(A) after the expiration of the 60 session days beginning with the applicable submission date; or

(B) if the request submitted under subsection (e) was submitted during the period beginning on the date occurring—

(i) in the case of the Senate, 60 session days, or

(ii) in the case of the House of Representatives, 60 legislative days,

before the date the Congress adjourns a session of Congress through the date on which the same or succeeding Congress first convenes its next session, after the expiration of the 60 session days beginning on the 15th session day after the succeeding session of Congress first convenes.

(7) RECEIPT OF JOINT RESOLUTION FROM OTHER HOUSE.—If, before the passage by one House of a joint resolution of that House described in paragraph (1), that House receives from the other House a joint resolution described in paragraph (1), then the following procedures shall apply:

(A) The joint resolution of the other House shall not be referred to a committee.

(B) With respect to a joint resolution described in paragraph (1) of the House receiving the joint resolution—

(i) the procedure in that House shall be the same as if no joint resolution had been received from the other House; but

(ii) the vote on final passage shall be on the joint resolution of the other House.

(g) REPORT ON UNSECURED WEAPONS IN LIBYA.—Not later than 90 days after the date of the enactment of this Act, the President shall submit a report to Congress examining the extent to which advanced weaponry remaining unsecured after the fall of Moammar Qaddafi was used by the individuals responsible for the September 11, 2012, attack on the United States consulate in Benghazi, Libya.

(h) RULE OF CONSTRUCTION.—Nothing in this section may be construed as an authorization for the use of military force.

NOTICES OF HEARINGS

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. HARKIN. Mr President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in on Thursday, September 20, 2012, at 10 a.m. in room 430 of the Dirksen Senate Office Building to conduct a hearing entitled “Roundtable Discussion: Pension Modernization for a 21st Century Workforce.”

For further information regarding this meeting, please contact Michael Kreps of the committee staff on (202) 224-6572.

COMMITTEE ON INDIAN AFFAIRS

Mr. AKAKA. Mr. President, I would like to announce that the Committee on Indian Affairs will meet during the session of the Senate on September 20, 2012, in room SD-628 of the Dirksen Senate Office Building, at 2:15 p.m., to conduct a business meeting to consider the following:

S. 65, A bill to reauthorize the programs of the Department of Housing and Urban Development for housing assistance for Native Hawaiians; S. 2024, A bill to make technical amendment to the T’uf Shur Bien Preservation Trust Area Act, and for other purposes; S. 3546, Esther Martinez Language Preservation Act Reauthorization; S. 3548, To clarify certain provisions of the Native American Veterans’ Memorial Establishment Act of 1994; and H.R. 2467, To take certain Federal lands in Mono County, California, into trust for the benefit of the Bridgeport Indian Colony).

Those wishing additional information may contact the Indian Affairs Committee at (202) 224-2251.

COMMITTEE ON INDIAN AFFAIRS

Mr. AKAKA. Mr. President, I would like to announce that the Committee on Indian Affairs will meet during the session of the Senate on September 20, 2012, in room SD-628 of the Dirksen Senate Office Building, at 2:15 p.m., to conduct a hearing entitled "Advancing the Federal-Tribal Relationship through Self-Governance and Self-Determination."

Those wishing additional information may contact the Indian Affairs Committee at (202) 224-2251.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on September 19, 2012, at 9:30 a.m., in room 366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on September 19, 2012, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on September 19, 2012, at 2:30 p.m. in room 253 of the Russell Senate Office Building, to conduct a hearing entitled, "Five Years of the America COMPETES Act: Progress, Challenges, and Next Steps."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on September 19, 2012, at 2:15 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate on September 19, 2012, at 10 a.m. in room 430 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on September 19, 2012, at 10 a.m. to conduct a hearing entitled "Homeland Threats and Agency Responses."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on September 19, 2012, at 10 a.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Judicial Nominations."

The PRESIDING OFFICER. Without objection, it is so ordered.

SPECIAL COMMITTEE ON AGING

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Special Committee on Aging be authorized to meet during the session of the Senate on September 19, 2012, at 2:30 p.m. in room 562 of the Dirksen Senate Office Building to conduct a hearing entitled "Eliminating Waste and Fraud in Medicare: An Examination of Prior Authorization Requirements for Power Mobility Devices."

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON CONSTITUTION, CIVIL RIGHTS, AND HUMAN RIGHTS

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Committee on the Judiciary, Subcommittee on Constitution, Civil Rights, and Human Rights, be authorized to meet during the session of the Senate on September 19, 2012, at 2:30 p.m., in room SH-216 of the Hart Senate Office Building, to conduct a hearing entitled "Hate Crimes and the Threat of Domestic Extremism."

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON OVERSIGHT OF GOVERNMENT MANAGEMENT, THE FEDERAL WORKFORCE, AND THE DISTRICT OF COLUMBIA

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs', Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia, be authorized to meet during the session of the Senate on September 19, 2012, at 2:30 p.m., to conduct a hearing entitled "Investing in an Effective Federal Workforce."

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. CARDIN. Mr. President, I ask unanimous consent that Freny Dessai,

Sarah Butler, Talitha James, Amanda Sellers, Bryan Watt, Daniel Lind, and Daniel West, staff of the Finance Committee, be granted the privilege of the floor for the duration of the consideration of the continuing resolution.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HATCH. Mr. President, I ask unanimous consent that Paul Schirduan, with the Homeland Security Committee, be granted the privilege of the floor for the remainder of the Congress.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HARKIN. Mr. President, I ask unanimous consent that Mike Sobaski and Peter Visser of my staff be granted the privilege of the floor for the duration of today's proceedings.

The PRESIDING OFFICER. Without objection, it is so ordered.

MEASURES SUBMITTED TODAY

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the following resolutions, en bloc, which were submitted earlier today: S. Res. 562, S. Res. 563, S. Res. 564, S. Res. 565, S. Res. 566, S. Res. 567, S. Res. 568, S. Res. 569, and S. Res. 570.

There being no objection, the Senate proceeded to consider the resolutions en bloc.

Mr. REID. Mr. President, I ask unanimous consent that the resolutions be agreed to, the preambles be agreed to, the motions to reconsider be laid upon the table, en bloc, with no intervening action or debate, and any statements related to the resolutions be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolutions were agreed to.

The preambles were agreed to.

The resolutions, with their preambles, read as follows:

S. RES. 562

Whereas healthcare information technology and management systems have been recognized as essential tools for improving patient care, ensuring patient safety, stopping duplicative tests and paperwork, and reducing healthcare costs;

Whereas the Center for Information Technology Leadership has estimated that the implementation of national standards for interoperability and the exchange of health information would save the United States approximately \$77,000,000,000 in expenses relating to healthcare each year;

Whereas Congress has made a commitment to leveraging the benefits of healthcare information technology and management systems, including supporting the adoption of electronic health records that will help to reduce costs and improve quality while ensuring the privacy of patients;

Whereas the ability to exchange health information confidently and securely between different providers, systems, and insurers is critical to transforming the healthcare delivery system of the United States to improve clinical outcomes for patients, control

costs, and expand access to care through the use of technology;

Whereas Congress has made real-time health information exchange a priority and an essential component of the Medicare and Medicaid Electronic Health Records Incentive Programs;

Whereas Congress has emphasized improving the quality and safety of delivery of healthcare in the United States; and

Whereas, since 2006, organizations across the United States have united to support National Health Information Technology Week to improve public awareness of the benefits of improved quality and cost efficiency of the healthcare system that the implementation of health information technology could achieve: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week beginning on September 10, 2012 and ending on September 14, 2012 as “National Health Information Technology Week”;

(2) recognizes the value of information technology and management systems in transforming healthcare for the people of the United States; and

(3) calls on all interested parties to promote the use of information technology and management systems to transform the healthcare system of the United States.

S. RES. 563

Whereas phenylketonuria is a rare, inherited metabolic disorder that is characterized by the inability of the body to process the essential amino acid phenylalanine, and which causes mental retardation and other neurological problems, such as memory loss and mood disorders, when treatment is not started within the first few weeks of life;

Whereas newborn screening for phenylketonuria was initiated in the United States in 1963 and was mandated by the Newborn Screening Saves Life Act of 2008 (42 U.S.C. 201 note);

Whereas approximately 1 of every 15,000 infants in the United States is born with phenylketonuria;

Whereas the 2012 Phenylketonuria Scientific Review Conference affirmed the recommendation of lifelong dietary treatment for phenylketonuria made by the National Institutes of Health Consensus Development Conference Statement 2000;

Whereas adults with phenylketonuria who discontinue treatment are at risk for other serious medical issues such as depression, impulse control disorder, phobias, tremors, and pareses;

Whereas women with phenylketonuria must maintain strict metabolic control before and during pregnancy to prevent fetal damage;

Whereas children born from untreated mothers with phenylketonuria may have a condition known as maternal PKU syndrome, which can cause small brains, mental retardation, birth defects of the heart, and low birth weight;

Whereas phenylketonuria is treated with medical food;

Whereas, although there is no cure for phenylketonuria, a treatment involving medical food and restricting phenylalanine intake can prevent progressive, irreversible brain damage;

Whereas maintaining a strict medical diet for phenylketonuria can be difficult to achieve, and poor metabolic control can result in a significant decline in mental and behavioral performance;

Whereas access to health coverage for medical food varies across the United States, and

the long-term costs associated with caring for untreated children and adults far exceed the cost of providing medical food treatment;

Whereas scientists and researchers are hopeful that breakthroughs in phenylketonuria research will be forthcoming;

Whereas researchers across the United States are conducting important research projects involving phenylketonuria; and

Whereas the Senate is an institution that can raise awareness of phenylketonuria among the general public and the medical community: Now, therefore, be it

Resolved, That the Senate—

(1) designates December 3, 2012, as “National Phenylketonuria Awareness Day”;

(2) encourages all people in the United States to become more informed about phenylketonuria; and

(3) respectfully requests that the Secretary of the Senate transmit a copy of this resolution to the National PKU Alliance, a non-profit organization dedicated to improving the lives of individuals with phenylketonuria.

S. RES. 564

Whereas over-the-counter and prescription medicines approved by the Food and Drug Administration have been determined to be safe and effective when used properly;

Whereas the misuse or abuse of these medicines can be extremely dangerous and produce serious side effects;

Whereas the Office of National Drug Control Policy reports that medicine abuse is the fastest-growing drug problem in the United States, and the Centers for Disease Control and Prevention has classified medicine abuse as an epidemic;

Whereas the 2011 Monitoring the Future survey, funded by the National Institutes of Health, and the 2011 National Survey on Drug Use and Health, sponsored by the Substance Abuse and Mental Health Services Administration, both illustrate that, after marijuana, over-the-counter and prescription medicines account for the most frequently abused drugs among 12th graders;

Whereas the access teenagers often have to prescription medicines in home medicine cabinets and the lack of understanding by teenagers of the potential harms of these powerful medicines make it more critical than ever to raise public awareness about the dangers of medicine abuse;

Whereas the Drug Enforcement Administration and many State and local law enforcement agencies have established drug disposal programs (commonly referred to as “take-back programs”) to facilitate the collection and destruction of unused, unwanted, or expired medications, thereby helping to take outdated or unused medications off household shelves and out of the reach of children and teenagers;

Whereas National Medicine Abuse Awareness Month promotes the message that over-the-counter and prescription medicines are to be taken only as labeled or prescribed, and that using such medicines to get high or in large doses can cause serious or life-threatening consequences;

Whereas observance of National Medicine Abuse Awareness Month should be encouraged at the national, state, and local levels to increase awareness of the abuse of medicines;

Whereas a nationwide prevention and education campaign has been launched by the national organization that represents 5,000 anti-drug coalitions nationwide, along with the association representing makers of over-

the-counter medicines, to provide local coalitions with tools, training, and outreach strategies to engage and educate parents, grandparents, teachers, law enforcement officials, retailers, doctors, and other healthcare professionals about the potential harms of cough medicine abuse; and

Whereas educating the public about the dangers of medicine abuse, encouraging parents to talk about medicine abuse with their teenagers, mobilizing parents to safeguard their home medicine cabinets, and promoting abuse prevention are critical components of what must be a multi-pronged effort to curb over-the-counter and prescription medicine abuse: Now, therefore, be it

Resolved, That the Senate—

(1) designates the month of October 2012 as “National Medicine Abuse Awareness Month”; and

(2) urges communities to carry out appropriate programs and activities to educate parents and youth of the potential dangers associated with medicine abuse.

S. RES. 565

Whereas people in the 21st century are writing more than ever before for personal, professional, and civic purposes;

Whereas the social nature of writing invites people of every age, profession, and walk of life to create meaning through composing;

Whereas more and more people in every occupation deem writing as essential and influential in their work;

Whereas writers continue to learn how to write for different purposes, audiences, and occasions throughout their lifetimes;

Whereas developing digital technologies expand the possibilities for composing in multiple media at a faster pace than ever before;

Whereas young people are leading the way in developing new forms of composing by using different forms of digital media;

Whereas effective communication contributes to building a global economy and a global community;

Whereas the National Council of Teachers of English, in conjunction with its many national and local partners, honors and celebrates the importance of writing through the National Day on Writing;

Whereas the National Day on Writing celebrates the foundational place of writing in the personal, professional, and civic lives of the people of the United States;

Whereas the National Day on Writing provides an opportunity for individuals across the United States to share and exhibit their written works through the National Gallery of Writing;

Whereas the National Day on Writing highlights the importance of writing instruction and practice at every educational level and in every subject area;

Whereas the National Day on Writing emphasizes the lifelong process of learning to write and compose for different audiences, purposes, and occasions;

Whereas the National Day on Writing honors the use of the full range of media for composing, from traditional tools like print, audio, and video, to Web 2.0 tools like blogs, wikis, and podcasts; and

Whereas the National Day on Writing encourages all people of the United States to write, as well as to enjoy and learn from the writing of others: Now, therefore, be it

Resolved, That the Senate—

(1) supports the designation of October 20, 2012, as the “National Day on Writing”;

(2) strongly affirms the purposes of the National Day on Writing;

(3) encourages participation in the National Gallery of Writing, which serves as an exemplary living archive of the centrality of writing in the lives of the people of the United States; and

(4) encourages educational institutions, businesses, community and civic associations, and other organizations to promote awareness of the National Day on Writing and celebrate the writing of the members those organizations through individual submissions to the National Gallery of Writing.

S. RES. 566

Whereas the estuary regions of the United States comprise a significant share of the national economy, with 53 percent of the population, 40 percent of the employment, and 49 percent of the economic output of the United States located in the estuary regions of the United States;

Whereas projections indicate that 75 percent of the total population of the United States will live and work in coastal counties by 2025;

Whereas coasts and estuaries contribute more than \$800,000,000,000 annually in trade and commerce to the United States economy;

Whereas more than 43 percent of all adults in the United States visit a sea coast or estuary at least once a year to participate in some form of recreation, generating \$8,000,000,000 to \$12,000,000,000 in revenue annually;

Whereas more than 28,000,000 jobs in the United States are supported by commercial and recreational fishing, boating, tourism, and other coastal industries that rely on healthy estuaries;

Whereas estuaries provide vital habitat for countless species of fish and wildlife, including many that are listed as threatened or endangered;

Whereas estuaries provide critical ecosystem services that protect human health and public safety, including water filtration, flood control, shoreline stabilization and erosion prevention, and the protection of coastal communities during extreme weather events;

Whereas the United States has lost more than 110,000,000 acres, or 50 percent, of the wetland of the United States since the first European settlers arrived;

Whereas bays once filled with fish and oysters have become dead zones filled with excess nutrients, chemical wastes, harmful algae, and marine debris;

Whereas changes in sea level can impact estuarine water quality and estuarine habitat;

Whereas the Coastal Zone Management Act of 1972 (16 U.S.C. 1451 et seq.) declares that it is the national policy to preserve, protect, develop, and if possible, to restore or enhance, the resources of the coastal zone of the United States, including estuaries, for current and future generations;

Whereas 24 coastal and Great Lake States and territories of the United States contain a National Estuary Program or a National Estuarine Research Reserve System;

Whereas scientific study leads to better understanding of the benefits of estuaries to human and ecological communities;

Whereas the Federal Government, State, local, and tribal governments, national and community organizations, and individuals work together to effectively manage the estuaries of the United States;

Whereas estuary restoration efforts restore natural infrastructure in local communities in a cost effective manner, helping to create

jobs and reestablish the natural functions of estuaries that yield countless benefits; and

Whereas September 29, 2012, has been designated as "National Estuaries Day" to increase awareness among all people of the United States, including Federal, State and local government officials, about the importance of healthy estuaries and the need to protect and restore estuaries: Now, therefore, be it

Resolved, That the Senate—

(1) designates September 29, 2012, as "National Estuaries Day";

(2) supports the goals and ideals of National Estuaries Day;

(3) acknowledges the importance of estuaries to sustaining employment and the economic well-being and prosperity of the United States;

(4) recognizes that persistent threats undermine the health of the estuaries of the United States;

(5) applauds the work of national and community organizations and public partners that promote public awareness, understanding, protection, and restoration of estuaries;

(6) reaffirms the support of the Senate for estuaries, including the scientific study, preservation, protection, and restoration of estuaries; and

(7) expresses the intent of the Senate to continue working to understand, protect, and restore the estuaries of the United States.

S. RES. 567

Whereas George Hickman was renowned as a Tuskegee Airman, a treasured leader in the Seattle community, and the lucky charm of Seattle sports until his passing on August 19, 2012, at the age of 88;

Whereas George Hickman leaves behind a loving wife of 57 years, Doris, 4 children, Regina, Sherie, Vincent, and Shauneil, 3 grandchildren, and 1 great-grandchild;

Whereas George Hickman served as a Tuskegee Airman and was one of the first African-American fighter pilots trained for World War II;

Whereas George Hickman served in the United States Army Air Corps from 1943 to 1945;

Whereas the honorable service of George Hickman and the other Tuskegee Airmen directly led to the desegregation of the Armed Forces of the United States;

Whereas George Hickman received the Congressional Gold Medal in 2007 with his fellow Tuskegee Airmen;

Whereas George Hickman was a special guest along with nearly 200 other Tuskegee Airmen at the 2009 inauguration of President Barack Obama;

Whereas George Hickman worked as a B-52 engineer for Boeing from 1955 until his retirement in 1984;

Whereas George Hickman was a beloved usher at University of Washington athletic events for more than 40 years; and

Whereas George Hickman also was a fan favorite as an usher at Seattle Seahawks games for nearly a decade: Now, therefore, be it

Resolved, That the Senate—

(1) commends the long and loving life of George Hickman, his service to the United States as a Tuskegee Airman, and his role as an aviation pioneer;

(2) recognizes the service George Hickman performed for his country and his significance as a role model for African-American military pilots;

(3) recognizes the contributions of the greatest generation who fought for the freedoms of the people of the United States; and

(4) respectfully requests that the Secretary of the Senate transmit an enrolled copy of this resolution for appropriate display to Doris Hickman, the University of Washington Athletic Department, and the Seattle Seahawks organization.

S. RES. 568

Whereas Hispanic-serving institutions play an important role in educating many underprivileged students and helping those students attain their full potential through higher education;

Whereas Hispanic-serving institutions are degree-granting institutions that have a full-time equivalent undergraduate enrollment of at least 25 percent Hispanic students;

Whereas there are more than 300 Hispanic-serving institutions in operation in the United States;

Whereas Hispanic-serving institutions serve more than half (54 percent) of all Hispanic students, enrolling more than 1,300,000 students in 2010;

Whereas Hispanic-serving institutions are actively involved in stabilizing and improving the communities in which the Hispanic-serving institutions are located;

Whereas celebrating the vast contributions of Hispanic-serving institutions to the United States strengthens the culture of the United States; and

Whereas the achievements and goals of Hispanic-serving institutions are deserving of national recognition: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the achievements and goals of Hispanic-serving institutions across the United States;

(2) designates the week beginning September 16, 2012, as "National Hispanic-Serving Institutions Week"; and

(3) calls on the people of the United States and interested groups to observe the week with appropriate ceremonies, activities, and programs to demonstrate support for Hispanic-serving institutions.

S. RES. 569

Whereas the well-being of the United States requires that the young people of the United States become an involved, caring citizenry of good character;

Whereas the character education of children has become more urgent, as violence by and against youth increasingly threatens the physical and psychological well-being of the people of the United States;

Whereas, more than ever, children need strong and constructive guidance from their families and their communities, including schools, youth organizations, religious institutions, and civic groups;

Whereas the character of a nation is only as strong as the character of its individual citizens;

Whereas the public good is advanced when young people are taught the importance of good character and the positive effects that good character can have in personal relationships, in school, and in the workplace;

Whereas scholars and educators agree that people do not automatically develop good character and that, therefore, conscientious efforts must be made by institutions and individuals that influence youth to help young people develop the essential traits and characteristics that comprise good character;

Whereas, although character development is, first and foremost, an obligation of families, the efforts of faith communities,

schools, and youth, civic, and human service organizations also play an important role in fostering and promoting good character;

Whereas Congress encourages students, teachers, parents, youth, and community leaders to recognize the importance of character education in preparing young people to play a role in determining the future of the United States;

Whereas effective character education is based on core ethical values, which form the foundation of a democratic society;

Whereas examples of character are trustworthiness, respect, responsibility, fairness, caring, citizenship, and honesty;

Whereas elements of character transcend cultural, religious, and socioeconomic differences;

Whereas the character and conduct of our youth reflect the character and conduct of society, and, therefore, every adult has the responsibility to teach and model ethical values and every social institution has the responsibility to promote the development of good character;

Whereas Congress encourages individuals and organizations, especially those that have an interest in the education and training of the young people of the United States, to adopt the elements of character as intrinsic to the well-being of individuals, communities, and society;

Whereas many schools in the United States recognize the need, and have taken steps, to integrate the values of their communities into their teaching activities; and

Whereas the establishment of "National Character Counts Week", during which individuals, families, schools, youth organizations, religious institutions, civic groups, and other organizations focus on character education, is of great benefit to the United States: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week beginning October 21, 2012, as "National Character Counts Week"; and

(2) calls upon the people of the United States and interested groups—

(A) to embrace the elements of character identified by local schools and communities, such as trustworthiness, respect, responsibility, fairness, caring, and citizenship; and

(B) to observe the week with appropriate ceremonies, programs, and activities.

S. RES. 570

Whereas all 50 States and 7 other countries provide services through the Parents as Teachers evidence-based home visiting model for nearly 260,000 children annually, which offers a multifaceted approach to building strong families and promoting a positive parent-child interaction so children are healthy, safe, and ready to learn;

Whereas Parents as Teachers provides evidence- and research-based training that assists parent educators in developing proficiencies in—

- (1) family support and parenting education;
- (2) child and family development;
- (3) human diversity within family systems;
- (4) health, safety, and nutrition; and
- (5) relationships between families and communities;

Whereas the Parents as Teachers evidence-based home visiting model is an essential component to prepare children to be school ready and narrows the achievement gap between children in poverty and nonpoverty households; and

Whereas there are more than 3,000 organizations offering Parents as Teachers services across the United States and around the

world, which give parents of young children the support and information necessary so all children will learn, grow, and develop to realize their full potential: Now, therefore, be it

Resolved, That the Senate—

(1) designates the November 8, 2012, as "National Parents as Teachers Day";

(2) recognizes the importance of parent education and the role the education plays in the development of a child; and

(3) commends Parents as Teachers for its work with families across the United States.

HONORING THE CONTRIBUTIONS OF LODI GYALTSEN GYARI

Mr. REID. Mr. President, I ask unanimous consent that the Foreign Relations Committee be discharged from further consideration of S. Res. 557 and the Senate proceed to its consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 557) honoring the contributions of Lodi Gyaltzen Gyari as Special Envoy of His Holiness the Dalai Lama and in promoting the legitimate rights and aspirations of the Tibetan people.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table with no intervening action or debate, and that any statements relating to the measure be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 557) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 557

Whereas Lodi Gyaltzen Gyari, who was born in Nyarong, Kham in 1949, was recognized according to Tibetan Buddhist tradition as a reincarnate lama and began his monastic studies at 4 years of age in Lhumorhab Monastery, which was located in what is now Kardze Prefecture, Sichuan Province;

Whereas, in 1958, 9-year-old Lodi Gyari fled Nyarong with his family to avoid pursuit by the Chinese People's Liberation Army and was said to have led his group to safety in India through prayer and divinations;

Whereas Lodi Gyari, as a young man in India, began a career-long commitment to the Tibetan struggle against Chinese oppression in Tibet, becoming editor for the Tibetan Freedom Press, founder of the Tibetan Review, the first English language journal published by Tibetans in exile, and a founding member of the Tibetan Youth Congress;

Whereas Lodi Gyari served as a civil servant in the Central Tibetan Administration of His Holiness the Dalai Lama, as Chairman of the Tibetan Parliament in exile, and as a Deputy Cabinet Minister for the Departments of Religious Affairs and Health and

Cabinet Minister for the Department of Information and International Relations;

Whereas, in 1991, Lodi Gyari moved to the United States in the capacity of Special Envoy of His Holiness the Dalai Lama and was soon after selected to be President of the International Campaign for Tibet;

Whereas, for 3 decades, Lodi Gyari has met with leaders and diplomats of governments around the world and with Members of the United States Congress and parliaments of other nations—

(1) to explain the Tibetan position with regard to engagement with China;

(2) to urge supportive strategies and policies from governments;

(3) to explain the Dalai Lama's "Middle Way" philosophy of seeking genuine autonomy for Tibet within the People's Republic of China that contributes to harmony between the Tibetan and Chinese peoples; and

(4) to promote Tibetan statecraft as the Dalai Lama's senior ambassador-at-large;

Whereas, during his time as Special Envoy based in Washington, DC, Congress approved many policy and programmatic measures on Tibet, which served to institutionalize the Tibet issue within the Government of the United States, most notably the establishment of a Special Coordinator on Tibetan Issues within the Department of State and support for Tibetan refugees;

Whereas, in 1999, Lodi Gyari became a United States citizen;

Whereas in May 1998, His Holiness the Dalai Lama authorized Special Envoy Lodi Gyari to be the principal person to reestablish contact with the Chinese government on the Tibetan issue;

Whereas, between September 2002 and January 2010, Lodi Gyari led the Dalai Lama's negotiating team in 9 formal rounds of meetings with Chinese officials with tireless drive and immense skill, winning the respect of the international community;

Whereas Lodi Gyari presented the Chinese government with the Memorandum on Genuine Autonomy for the Tibetan People and its accompanying Note, thus detailing the Tibetan side's vision for a political solution for Tibet consistent within the framework of the Chinese constitutional and laws on autonomy;

Whereas Lodi Gyari, in service to the Dalai Lama, came to represent in national capitals around the world, the great hope and conviction that the rights of Tibetans could be protected and their repression could be ended.

Whereas, in the personally and professionally difficult task of representing Tibetan interests in dialogue with the People's Republic of China, Lodi Gyari demonstrated spirit, intelligence, and extraordinary tact, and brought civility, reason and a measure of mutual understanding to the Tibetan-Chinese relationship;

Whereas Lodi Gyari has credited the far-sighted wisdom of His Holiness the Dalai Lama in empowering the Tibetan people by his devolution of his political authority to an elected Tibetan leadership; and

Whereas, Lodi Gyari resigned his position, effective June 1, 2012, in the context of the deteriorating situation inside Tibet, including increasing incidents of Tibetan self-immolations, and expressing deep frustration over the lack of positive response from the Chinese side in their nearly 10-year dialogue, and in respect for the process of the devolution of political power to the elected Tibetan leaders.

Now, therefore, be it

Resolved, That the Senate—

(1) honors the service of Lodi Gyaltzen Gyari as Special Envoy of His Holiness the Dalai Lama;

(2) commends the achievements of Lodi Gyaltzen Gyari in building an international coalition of support for Tibet that recognizes—

(A) the imperative to preserve the distinct culture and religious traditions of Tibet; and

(B) that the Tibetan people are entitled under international law to their own identity and dignity and genuine autonomy within the People's Republic of China that fully preserves the rights and dignity of the Tibetan people;

(3) acknowledges the role of Lodi Gyaltzen Gyari, as a naturalized United States citizen, to promoting understanding in the United States of the Tibetan people, their culture and religion, and their struggle for genuine autonomy, human rights, dignity, and the preservation of unique linguistic, cultural, and religious traditions; and

(4) strongly supports a political solution for Tibet within the People's Republic of China that satisfies the legitimate grievances and aspirations of the Tibetan people.

MEASURE READ THE FIRST TIME—S. 3576

Mr. REID. Mr. President, I understand S. 3576, introduced earlier today by Senator PAUL, is at the desk. I believe it is due for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The legislative clerk read as follows:

A bill (S. 3576) to provide limitations on United States assistance, and for other purposes.

Mr. REID. Mr. President, I now ask for a second reading but object to my own request.

The PRESIDING OFFICER. Objection is heard. The bill will be read for the second time on the next legislative day.

ORDERS FOR THURSDAY, SEPTEMBER 20, 2012

Mr. REID. Mr. President, I ask unanimous consent that when the Senate

completes its business today, it adjourn until 9:30 a.m. on Thursday, September 20; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for their use later in the day; that the majority leader be recognized and the first 2 hours be equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half and the majority controlling the final half; that at 2:00 p.m., all postcloture time on the motion to proceed to H.J. Res. 117, the continuing resolution, be considered expired and the Senate proceed to vote on the motion to proceed to H.J. Res. 117; and that following that vote the majority leader be recognized.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. REID. Mr. President, we will begin consideration of the continuing resolution tomorrow. We hope to reach an agreement to move up several votes and avoid being in session this weekend in order to get our work completed.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 7:25 p.m., adjourned until Thursday, September 20, 2012, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

UNITED STATES INSTITUTE OF PEACE

JOSEPH ELDRIDGE, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE UNITED STATES INSTITUTE OF PEACE FOR A TERM OF FOUR YEARS, VICE ANNE CAHN, TERM EXPIRED.

GEORGE E. MOOSE, OF VIRGINIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE UNITED STATES INSTITUTE OF PEACE FOR A TERM OF FOUR YEARS. (RE-APPOINTMENT)

DEPARTMENT OF JUSTICE

SYLVIA M. BECKER, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE FOREIGN CLAIMS SETTLEMENT COMMISSION OF THE UNITED STATES FOR THE TERM EXPIRING SEPTEMBER 30, 2013, VICE RALPH E. MARTINEZ, TERM EXPIRED.

DEPARTMENT OF LABOR

KEITH KELLY, OF MONTANA, TO BE ASSISTANT SECRETARY OF LABOR FOR VETERANS' EMPLOYMENT AND TRAINING, VICE RAYMOND M. JEFFERSON.

DEPARTMENT OF THE TREASURY

BIBIANA BOERIO, OF PENNSYLVANIA, TO BE DIRECTOR OF THE MINT FOR A TERM OF FIVE YEARS, VICE EDMUND C. MOY, RESIGNED.

CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

BETH J. ROSENBERG, OF MASSACHUSETTS, TO BE A MEMBER OF THE CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD FOR A TERM OF FIVE YEARS, VICE WILLIAM B. WARK, TERM EXPIRED.

DEPARTMENT OF STATE

ROBERT F. GODEC, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF KENYA.

UNITED NATIONS

CHERYL SABAN, OF CALIFORNIA, TO BE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SIXTY-SEVENTH SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS.

THE JUDICIARY

CAITLIN JOAN HALLIGAN, OF NEW YORK, TO BE UNITED STATES CIRCUIT JUDGE FOR THE DISTRICT OF COLUMBIA CIRCUIT, VICE JOHN G. ROBERTS, JR., ELEVATED.

JENNIFER A. DORSEY, OF NEVADA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEVADA, VICE LARRY R. HICKS, RETIRING.

ANDREW PATRICK GORDON, OF NEVADA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEVADA, VICE KENT J. DAWSON, RETIRED.

MICHAEL J. MCSHANE, OF OREGON, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF OREGON, VICE MICHAEL R. HOGAN, RETIRED.

DEPARTMENT OF JUSTICE

DEREK ANTHONY WEST, OF CALIFORNIA, TO BE ASSOCIATE ATTORNEY GENERAL, VICE THOMAS JOHN FERRELLI, RESIGNED.

IN THE COAST GUARD

PURSUANT TO TITLE 14, U.S. CODE SECTION 211(A)(2), I NOMINATE THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES COAST GUARD TO THE GRADE INDICATED.

To be lieutenant commander

KENNETH T. BOYT

DEPARTMENT OF DEFENSE

FREDERICK VOLLRATH, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF DEFENSE. (NEW POSITION).

EXTENSIONS OF REMARKS

HONORING THE NATIONAL DAY OF THE REPUBLIC OF CHINA (TAI- WAN)

HON. DENNIS A. ROSS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. ROSS of Florida. Mr. Speaker, October 10th is the National Day of the Republic of China (Taiwan).

Despite its small geographical size, Taiwan is a vibrant democracy and a free market economy that respects human rights and the rule of law.

The United States and Taiwan have enjoyed a strong security and economic partnership for over half of a century. Our common interest in peace and security has guided U.S.-Taiwan relations and our commitment to Taiwan's security, as stated in the 1979 Taiwan Relations Act, has enabled Taiwan to build a strong democratic government that, today, serves as a beacon for others in the region and beyond.

Similarly, Taiwan's economic partnership with us has benefited both countries. As a result, Taiwan is our ninth largest trading partner, with the United States importing nearly \$36 billion worth of Made in Taiwan goods and exporting \$26 billion in goods and services to Taiwan.

In recent years, the communications between Washington and Taiwan President Ma Ying-jeou's administration has been smooth and effortless. However, there is still room for improvement. For instance, we still need to assist Taiwan's meaningful participation in world agencies, help Taiwan meet its military needs, negotiate a free trade agreement with Taiwan, and waive visa requirements for Taiwanese tourists coming to the U.S. With the support of the United States, I hope Taiwan's goals come true.

Congratulations to the people and leaders of Taiwan on their National Day.

IN HONOR OF THE 40TH ANNIVERSARY OF MONTEREY-SALINAS TRANSIT (MST)

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. FARR. Mr. Speaker, I have the distinct honor and privilege of representing California's 17th congressional district and, on behalf of all the residents of the Central Coast, I would like to commend to my colleagues' attention the 40th Anniversary of Monterey-Salinas Transit, (MST).

The Monterey Peninsula Public Transit System Joint Powers Agency was formed by the cities of Carmel, Del Rey Oaks, Monterey, Pa-

cific Grove, Seaside and the county of Monterey on October 1, 1972. As the predecessor of Monterey-Salinas Transit, it served the Monterey Peninsula area, and later expanded to provide service to the cities of Marina, Salinas, and Watsonville. With the formation of the Monterey-Salinas Transit District on July 1, 2010, MST today serves one-fifth of the coastline of California from San Jose in the north to Paso Robles in the south at 1,300 bus stops in 25 communities throughout Monterey, Santa Cruz, Santa Clara, and San Luis Obispo Counties.

Through the foresight of the MST board members and the ongoing support of the Federal government, transit service in the Monterey region is consistently at the forefront of technology and innovation, with ridership of four and a half million passengers each year, on traditional fixed-route buses as well as paratransit minibus service for disabled customers, the popular MST Trolley system for visitors, "MST OnCall" demand response services in south Monterey County, and the award-winning Carmel Valley Grapevine Express.

New for 2012 is the MST JAZZ Bus Rapid Transit system, funded in part by a \$2.78 million Federal Transit Administration Section 5309 Capital New Starts grant. MST JAZZ follows a 6.75 mile route on the Monterey Peninsula starting in Sand City, running along Fremont Boulevard in Seaside, through downtown Monterey and along the visitor-intensive Light-house Avenue corridor in New Monterey, ending at the world famous Monterey Bay Aquarium at the edge of the city of Pacific Grove. MST has partnered with the legendary Monterey Jazz Festival, currently celebrating its 55th year, to create a distinct brand and marketing identity for the new "JAZZ" line. The Festival has opened its archives for the project and has worked with MST to develop a year-round linear jazz museum featuring dramatic jazz-themed displays on the buses and at each of the 30 custom designed shelters along the route. Passenger amenities include benches, bike racks and real-time electronic bus arrival and departure signage linked via Global Positioning Systems to the location of each JAZZ vehicle along the route. While waiting for the JAZZ buses, passengers will be able to listen and view on their smart phones actual recordings from the Monterey Jazz Festival throughout its 55-year history and learn more about the artists who performed for Festival audiences over the decades.

Not only does MST play a significant role in the transportation system of the Monterey Bay region, but it helps meet the basic transportation needs of thousands of constituents. More than one out of every three MST passengers live in a household without an automobile. A majority of MST passengers are either low-income and/or elderly. To further enhance senior mobility, MST is utilizing Federal Transit Administration Section 5317 New Free-

doms funds to provide free travel training and volunteer assistance through the innovative "MST Navigators" program to Monterey County residents 65 years and older, as well as subsidized trips in local taxicabs at a cost of only \$3.00 for paratransit-eligible clients. Several Monterey Peninsula jurisdictions and the city of Salinas have also become funding partners with MST to extend this taxi discount voucher program to all seniors in their communities.

In addition, MST is at the forefront of forging partnerships with local stakeholders to expand public transit options throughout the community. MST's award-winning partnership with the United States Army's Defense Languages Institute at the Presidio of Monterey transports nearly 50,000 military and civilian personnel each month from all corners of the MST service area to work, relieving local traffic congestion and enabling the redevelopment of parking lots into language classrooms and training facilities vital to the global mission of our military. At Naval Postgraduate School, MST has again partnered with the military to provide two additional transit lines connecting student, faculty and staff housing areas with the college. And, MST's latest military partnership provides employees at Fort Hunter Liggett in rural southern Monterey County with two more transit lines connecting the base with communities in the Salinas Valley and San Luis Obispo County. MST's partnerships also extend to local colleges, with a University Pass program with California State University-Monterey Bay and a free fare zone at Hartnell Community College in Salinas. The Monterey Bay Aquarium is also a local funding partner for transit, helping to support the MST Trolley visitor-oriented service in downtown Monterey and Cannery Row and leading a new initiative designed to increase accessibility to the Aquarium for low income and minority residents of the Salinas Valley.

Mr. Speaker, I am pleased to commend Monterey-Salinas Transit for providing 40 years of exemplary public service to the Central Coast of California and ask my colleagues in the House of Representatives to wish them well on the next 40 years.

A TRIBUTE TO BRETT BUNNELL

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. LATHAM. Mr. Speaker, I rise today to recognize and congratulate Brett Bunnell of Norwalk, Iowa for being awarded the Girl Scout Gold Award.

The Gold Award is the highest award that a high school-aged Girl Scout can earn. This is a prestigious honor as fewer than 6 percent of eligible Girl Scouts attain the Gold Award in a given year.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

To earn a Gold Award, a Girl Scout must complete a minimum of 80 hours towards a community project that is both memorable and lasting. For her project, Brett worked to update rooms in her church by installing blinds and redecorating. The work ethic Brett has shown to earn her Gold Award speaks volumes about her commitment to serving a cause greater than herself and assisting her community.

Mr. Speaker, the example set by this young woman and her supportive family demonstrates the rewards of hard work, dedication and perseverance. I am honored to represent Brett and her family in the United States Congress. I know that all of my colleagues in the House will join me in congratulating her on obtaining the Gold Award, and I wish her continued success in her future education and career.

IN SUPPORT OF USPTO'S
NATIONAL TRADEMARK EXPO

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. MORAN. Mr. Speaker, I rise today to express my support of the United States Patent and Trademark Office's (USPTO) National Trademark Expo. In a time of ongoing challenges for the American and global economy, I want to join the USPTO in its efforts to recognize the vital role that trademarks play in the economy.

The USPTO disseminates trademark information at the Expo to educate the public about the important role that trademarks play in our society and the global marketplace. This year's two-day event will be held on Friday, October 19th, from 10:00 a.m. to 5:00 p.m., and Saturday, October 20th, from 10:00 a.m. to 4 p.m., at the USPTO headquarters in Alexandria, Virginia.

A broad cross-section of America's large corporations, small businesses, governmental agencies, and non-profit organizations will highlight a wealth of valuable information about trademarks: from the various types of trademarks available and their benefits. The Expo will also feature educational seminars, as well as children's workshops and activities. Exhibitors at the National Trademark Expo will include: 5-hour ENERGY; 1000 Cranes, LLC; ABA Section of Intellectual Property Law; AIPLA, Creativity in Bloom; American Girl; The American National Red Cross; Caterpillar Inc.; CMG; Cricket Wireless; Department of the Army; GEICO; Girl Scout Council of the Nation's Capital; The Hershey Company; HiT Entertainment; Hooray for Books!; Idaho Potato Commission; Indian Arts and Crafts Board; International Trademark Association (Unreal Campaign); Mattel; NASA Goddard Space Flight Center; NASCAR, Inc.; NBC Learn; NumbersAlive!; The Pepsom Group; Rita's Ice, Custard, Happiness; Rutgers, The State University of New Jersey; Travelers; Under Armour; United States Air Force; UPS; U.S. Department of Energy; U.S. Government IPR Agencies; Department of Commerce, National IPR Coordination Center, and Customs and Border Protection; Valvoline; Wormwatcher; and Zipcar.

On average, people are exposed to 1,500 trademarks each day. In a time of globalization, counterfeit goods pose an increasing threat to American businesses and jobs, and trademarks assist the public in discerning between authentic and counterfeit merchandise. Counterfeit goods cost the United States billions of dollars and countless jobs annually, as well as undermine consumer confidence in brand integrity when purchasers encounter knock-off goods of inferior quality.

I applaud the USPTO for its continued efforts to educate the public on the important role of trademarks and the benefits of federal registration through the National Trademark Expo. I urge my colleagues to join me in recognizing the USPTO, at this time when trademark protection and intellectual property rights play an increasingly important role in our global economy. And, I encourage the public and my fellow Members of Congress and staff to bring their family and friends to this free, family-friendly event.

HONORING ROY DRIVER

HON. MICHAEL H. MICHAUD

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. MICHAUD. Mr. Speaker, I rise today to recognize the achievements of Roy Driver who will be retiring after 32 years of outstanding work for the Vet Centers and the Department of Veterans Affairs.

Roy has dedicated more than 30 years to improving the lives of veterans and their families. Prior to his time with the Vet Centers, Roy served in the U.S. Coast Guard from 1960–1970 as a Sonar/Oceanographic Technician. He has attended the Greater Hartford Community College, Central Connecticut State College and Southern Connecticut State College. From 1974 to 1978 he served as a Veterans Affairs Coordinator for two colleges in Connecticut.

In 1980, he was the Team Leader of the Hartford Connecticut Vet Center, one of the first in the nation. During his time in Hartford, two additional Vet Centers were opened as satellites. Maine veterans were fortunate that in 1991, Roy moved to the Portland, Maine Vet Center, where he remained until 2004, when he became Team Leader of the Lewiston Vet Center.

It is always with some lingering sadness that I pass along my best wishes for the retirement of people like Roy. Throughout his career, he has been an important part of the lives of many combat veterans and their families, helping them to work through the issues that resulted from their service to our nation. You can never truly quantify the work of such an individual. On behalf of the people of Maine, I congratulate Roy and wish him the best of luck on his retirement and in his future endeavors.

Mr. Speaker, please join me in honoring Roy Driver for his unwavering dedication to our veterans and their families.

IN HONOR OF ARCHCARE AT TERENCE CARDINAL COOKE HEALTH CARE CENTER ON THE OCCASION OF THE 4TH ANNUAL "STEPPING UP IN FAITH FOR HIV AND AIDS" COMMUNITY EVENTS WEEK

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mrs. MALONEY. Mr. Speaker, I rise to pay special tribute to ArchCare at Terence Cardinal Cooke Health Care Center, a faith-based, multi-specialty nursing facility in East Harlem, which has been serving the community since 1978. During the 4th Annual "Stepping Up in Faith for HIV and AIDS" Community Events Week, the Health Care Center is sponsoring "A Sacred NYC HIV & AIDS Conversation" among faith-based organizations, community-based organizations, Faith in Action Advocates, and the NYC Department of Health and Mental Hygiene. The discussion will focus on the theme "Turning the Tide Together—as we move forward with HIV and AIDS Prevention and Care in our Faith and Secular Partnership."

In 1989, ArchCare at Terence Cardinal Cooke Health Care Center created the first long term care facility in New York State to provide comprehensive residential health care services to people living with AIDS and HIV. In their 156-bed unit, residents have access to a continuum of medical services, including dentists, dietitians, occupational and physical therapists, and social workers. At all stages of care, residents and their families are encouraged to participate in case conferences to discuss treatment plans. The Discrete Unit provides treatment with the hope that residents will be able to return to the community and live independently.

According to United Nations estimates, there are more than 33 million people living with HIV in the world. In 2011 alone, some 2.7 million people became newly infected with the virus, and an estimated 2 million people died from AIDS. In the United States, New York remains an epicenter of the disease, with the five boroughs alone accounting for 15.5% of the entire AIDS caseload in the United States, meaning that our city has more persons living with AIDS than the entire state of California.

ArchCare and the Terence Cardinal Cooke Health Care Center have long fought on the front lines of the fight against AIDS and HIV, taking action to ensure that their patients are provided with access to vital healthcare services, and afforded protection of their basic human rights without fear of reprisal or discrimination. Not only does ArchCare provide quality, comprehensive care, but it also offers an environment of peace, tranquility and community.

The Terence Cardinal Cooke Health Care Center is named in honor of New York's former Archbishop, and its mission is driven by Terence Cardinal Cooke's words: "The 'gift of life', God's special gift, is no less beautiful when it is accompanied by illness or weakness, hunger or poverty, mental or physical handicaps, loneliness or old age."

Mr. Speaker, I ask that my colleagues join me in paying tribute to ArchCare and Terence Cardinal Cooke Health Center's years of commitment to the fight against HIV and AIDS through exceptional care for all patients and vital education events. In so doing, we honor the dedication to compassionate service of the staff at Terence Cardinal Cooke, and hope that they serve as an inspiration to health care providers across the country.

A TRIBUTE TO JEANETTE
THORSBAKKEN

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. LATHAM. Mr. Speaker, I rise today to recognize and congratulate Jeanette Thorsbakken on the recent celebration of her 100th birthday. Jeanette celebrated a century of life yesterday, September 18th, 2012.

Our world has changed a great deal during the course of Jeanette's life. Since her birth, we have revolutionized air travel and walked on the moon. We have invented the television, cellular phones and the internet. We have fought in wars overseas, seen the rise and fall of Soviet communism and witnessed the birth of new democracies. Jeanette has lived through eighteen United States Presidents and twenty-two Governors of Iowa. In her lifetime, the population of the United States has more than tripled.

Today, Jeanette resides in Story City, Iowa where she likes to spend her time playing solitaire on the computer and assembling jigsaw puzzles. Jeanette also greatly enjoys visits with her family and sharing stories of the many changes she has witnessed in her life.

Mr. Speaker, it is an honor to represent Jeanette in the United States Congress and it is my pleasure to wish her a very happy 100th birthday. I invite my colleagues in the House to join me in congratulating Ms. Thorsbakken on reaching this incredible milestone, and wishing her even more health and happiness in the years to come.

CELEBRATING HISPANIC HERITAGE
MONTH AND THE FIRST ANNUAL
VIVA BREVARD FESTIVAL

HON. BILL POSEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. POSEY. Mr. Speaker, on September 15th families and businesses across the nation will begin observing National Hispanic Heritage Month in order to recognize the many outstanding contributions to our nation that are made by Americans of Hispanic descent. One celebration taking place in the City of Palm Bay, Florida, will be the First Annual Viva Brevard festival.

Al Día Today along with local businesses, non-profit organizations, and residents of Brevard County will gather together on Saturday October 13, 2012, near the Ted Whitlock

Community Center in Palm Bay Regional Park to commemorate Hispanic Heritage Month with a day full of great Latin American cuisine, culture and entertainment.

Throughout Hispanic Heritage Month we also honor Hispanic Americans for their strong tradition of service in our Armed Forces. These proud patriots have fought in every war since our founding, and many have earned the Medal of Honor for their courage.

Hispanic service men and women have shown their love for the United States by answering the call to serve, and we owe them and their families a tremendous debt of gratitude. Their patriotism and valor have added to the character and strength of our nation.

The first Hispanic American to serve in the U.S. Congress represented Florida. Joseph Marion Hernández was born in St. Augustine when Florida was a Spanish colony. In 1822 when Florida became a U.S. Territory, Hernández transferred his allegiance to the United States and was elected a Delegate to the U.S. House of Representatives serving in our nation's Seventeenth Congress. He also served as a brigadier general and was the presiding officer of Florida's Territorial House of Representatives.

There have been many Hispanic Americans with notable achievements in science and medicine. The first Hispanic American Astronaut, Franklin Chang-Díaz of Costa Rican descent, earned his doctorate in applied physics from MIT and flew an astounding seven Shuttle Missions. Astronaut Ellen Ochoa was the first Hispanic female in space, flying four Shuttle missions.

Hispanic Americans have been awarded the Nobel Prize for Physics and Medicine, the Medal of Honor; have won the Pulitzer, Oscar and Tony Awards, achieved sports fame, and have been inducted into the Rock and Roll Hall of Fame.

National Hispanic Heritage Month is an opportunity to celebrate the spirit and accomplishments of Hispanic Americans everywhere and events like the Viva Brevard festival provide an opportunity to share and experience the diversity of cultures from Latin American countries and bring us all closer together as a community.

RECOGNIZING SONIA GUTIERREZ

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Ms. NORTON. Mr. Speaker, I rise today to ask the House of Representatives to join me in recognizing the many accomplishments and contributions of Sonia Gutierrez, who for 40 years has served the residents of the District of Columbia with passion and dedication as one of this city's most productive and prominent education leaders and one of its most distinguished leaders. Mrs. Gutierrez, a talented institution builder, is best known as the founder and president of the Carlos Rosario International Public Charter School. She also established the Council of Latino Organizations here, and together with others, helped establish the Mayor's Office on Latino Affairs.

Sonia built Carlos Rosario from a small non-profit teaching English to Latinos, into today's groundbreaking, comprehensive learning center offering support services, from English as a second language to citizenship and career services, to 2,500 residents. Her efforts are now spreading to a new site to be dedicated as the Sonia Gutierrez Campus. For her visionary leadership Mrs. Gutierrez earned the Ana G. Mendez Excellence in Education award and induction into the Washington Women's Hall of Fame, among many other awards for giving thousands of students an opportunity to change their lives.

I now ask the House to recognize Sonia Gutierrez for 40 years of tireless and selfless passion as an educator, organizer and advocate.

A TRIBUTE TO LAURA TIBBS

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. LATHAM. Mr. Speaker, I rise today to recognize and congratulate Laura Tibbs of Alden, Iowa for being awarded the Girl Scout Gold Award.

The Gold Award is the highest award that a high school-aged Girl Scout can earn. This is a prestigious honor as fewer than 6 percent of eligible Girl Scouts attain the Gold Award in a given year.

To earn a Gold Award, a Girl Scout must complete a minimum of 80 hours towards a community project that is both memorable and lasting. For her project, Laura brought attention to the issue of school supplies that are wastefully discarded despite widespread need. The work ethic Laura has shown to earn her Gold Award speaks volumes about her commitment to serving a cause greater than herself and assisting her community.

Mr. Speaker, the example set by this young woman and her supportive family demonstrates the rewards of hard work, dedication and perseverance. I am honored to represent Laura and her family in the United States Congress. I know that all of my colleagues in the House will join me in congratulating her on obtaining the Gold Award, and I wish her continued success in her future education and career.

HONORING ST. JOSEPH'S COLLEGE
CENTENNIAL

HON. CHELLIE PINGREE

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Ms. PINGREE of Maine. Mr. Speaker, I would like to honor a college in my District that is celebrating 100 years of teaching students and instilling in them incredible ethics about service to others.

St. Joseph's College was founded in 1912 by the Portland Regional Community of the Sisters of Mercy of the Americas, with classes taking place in the Motherhouse in Portland, Maine.

Much has changed in the last hundred years. Today, over a thousand students attend the college. Many live at a beautiful campus overlooking Sebago Lake in Standish, Maine, while many others take classes online—something that would probably be difficult for the Sisters to imagine in 1912.

While the college has successfully seized opportunities to grow and adapt with changing times, its core values are completely intact. Service to others remains a defining characteristic of its culture. St. Joseph's students take part in an impressive number of service projects, including volunteering at health clinics in Guatemala, an active chapter of Habitat for Humanity, and Catherine's Cupboard, a local food pantry run by the college and the Town of Standish.

Another aspect of the school that is close to my heart is the college's commitment to serving healthy, local food to its students. Bon Appetit, the school's food service provider, has demonstrated that locally sourced products can work even for large institutions. Among their pursuits at St. Joseph's are featuring meals with ingredients only from the surrounding area and helping operate a small farm on the campus.

I extend to St. Joseph's College—along with its staff, students and alumni—the warmest congratulations on its first hundred years, and best wishes for a hundred more.

40TH ANNIVERSARY OF THE TRUST FOR PUBLIC LAND

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Ms. McCOLLUM. Mr. Speaker, I rise today to honor the Trust for Public Land on the occasion of its 40th anniversary.

In 1972 a group of conservation-minded business professionals took the message of the first Earth Day to heart and saw a unique opportunity to meet the challenge of increasing encroachment on green space and natural areas. Using business sector strategies, this group of finance experts, real estate professionals and attorneys formed a trust to pool their talents and knowledge to conserve and expand the natural environment for the health and enjoyment of the public. The Trust for Public Lands was born.

Initially the Trust for Public Land focused conservation efforts on urban and suburban areas. As success grew, the focus expanded to include working in rural areas. As a result of this hard work and innovation more than 4,250 park and conservation projects throughout the country have been completed, often by fostering public-private partnerships.

During the past four decades, the Trust for Public Lands has developed expertise beyond the development of land trusts, to advising and assisting communities in the passage of conservation focused ballot measures, using GIS technology to better map and identify conservation opportunities, and combating climate change. The Trust for Public Land has developed a legacy of providing legal and philanthropic resources for community-driven con-

servation initiatives in Minnesota and across the country.

The Trust for Public Land is an invaluable resource to Minnesota and communities in my congressional district through its unique approach to conservation. The work of the dedicated Trust for Public Land staff and volunteers has played a major role in protecting many of the spectacular parks, natural spaces, and protected watersheds which make our state great. I am proud to commend the Trust for Public Land on 40 years of accomplishments and wish them much success in the years to come.

Mr. Speaker, in honor of the 40th anniversary of the Trust for Public Land, I am pleased to submit this statement for the CONGRESSIONAL RECORD.

TRIBUTE HONORING CAMPUS FIRE SAFETY MONTH

HON. BILL PASCRELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. PASCRELL. Mr. Speaker, I rise today to honor the Trust for Public anniversary of Campus Fire Safety Month.

In September 2005, eleven sitting Governors issued the first proclamation recognizing the month of September as Campus Fire Safety Month. Ever since, public officials across the country have continued to champion the cause of campus fire safety.

Since 2005, over 200 proclamations in honor of Campus Fire Safety Month have been issued by Governors, Legislators, and public officials. I am proud to add my voice in recognition of September as Campus Fire Safety Month.

I first became involved in the issue of campus fire safety following a tragic fire at Seton Hall University in my district, in which three students were killed. Since that time, we have made many strides, including the passage of the Campus Fire Safety Right to Know Act, which will ensure that prospective students and their families are provided with the fire safety records, information and statistics of colleges and universities.

However, there is still much work that must be done. Since 2000, 155 students have tragically died in campus-related fires. While the annual number of fire-related deaths has significantly dropped since 2005, nine students still died in possibly preventable fire-related deaths in 2011.

That is why now, more than ever, we must do all that we can to promote fire safety instruction amongst our nation's college campuses.

It is my sincere hope, that college campuses in New Jersey and across the nation will participate in Campus Fire Safety Month activities throughout September. We must do all that we can to keep our nation's students safe and informed. This is also why I introduced the Campus Fire Safety Education Act, to provide universities with grants they can use to develop or implement campus fire safety education strategies. We must do everything in our power to ensure the safety and

security of our children when they leave for college.

The job of a United States Congressman involves much that is rewarding, yet nothing compares to recognizing and commemorating vital observances like Campus Fire Safety Month.

Mr. Speaker, I ask that you join our colleagues, students, firefighters and educators, in recognizing September as Campus Fire Safety Month.

A TRIBUTE TO KATIE LUZIER

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. LATHAM. Mr. Speaker, I rise today to recognize and congratulate Katie Luzier of Norwalk, Iowa for being awarded the Girl Scout Gold Award.

The Gold Award is the highest award that a high school-aged Girl Scout can earn. This is a prestigious honor as fewer than 6 percent of eligible Girl Scouts attain the Gold Award in a given year.

To earn a Gold Award, a Girl Scout must complete a minimum of 80 hours towards a community project that is both memorable and lasting. For her project, Katie raised funds to permanently clean up trash on a bicycle path in her community. The work ethic Katie has shown to earn her Gold Award speaks volumes about her selfless commitment to serving others and assisting her community.

Mr. Speaker, the example set by this young woman and her supportive family demonstrates the rewards of hard work, dedication and perseverance. I am honored to represent Katie and her family in the United States Congress. I know that all of my colleagues in the House will join me in congratulating her on obtaining the Gold Award, and I wish her continued success in her future education and career.

HISPANIC SERVING INSTITUTIONS WEEK

HON. EDWARD R. ROYCE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. ROYCE. Mr. Speaker, I rise to recognize and celebrate Hispanic Serving Institutions (HSI) Week. As Hispanic Heritage Month began September 15 and runs until October 15, 2012, I would like to acknowledge the numerous accomplishments the Hispanic community has achieved and continues to contribute to our nation. This week, September 16 to September 22, 2012, it is important to honor Hispanic Serving Institutions because they play an integral part in strengthening the Hispanic community through fulfilling students' higher educational needs.

In Orange County, California, I am proud to highlight California State University Fullerton (CSUF), my Alma Mater. In a county where 33.8% identify themselves as coming from

Hispanic or Latino decent, not only is CSUF the only Hispanic Serving Institution in Orange County, it is the first in California and fourth in the United States in awarding baccalaureate degrees to Hispanic students. Additionally, it also ranks 19th nationally in Graduate Student enrollment. Educational institutions, like CSUF, embody the opportunity that translates to future success.

As the Hispanic community continues to grow, HSIs shape and promote education by providing the necessary tools to achieve academic success in fields ranging from science to business. Ultimately, these institutions empower citizens who work to give back and improve our nation. Where the Hispanic community remains an influential and growing force, not only in California, but nationally, it is important to distinguish HSI's commitment to academics as vital to the United States' success and growth.

REPUBLIC OF CHINA'S NATIONAL
DAY ON OCTOBER 10

HON. JOHN SULLIVAN

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. SULLIVAN. Mr. Speaker, as millions of Chinese around the globe celebrate the Republic of China's National Day this October 10, we need to acknowledge the fact that it hasn't been easy for Taiwan to be a beacon of democracy and an island of prosperity in a world of tyrants and economic uncertainty. Taiwan's many achievements are attributable to the tireless efforts of their people and leaders throughout the decades.

I am proud to see that the United States has always been on the side of the Republic of China. During WW II, the United States and China were partners in war and we supported Taiwan against potential adversaries for decades until we enacted the Taiwan Relations Act in 1979. In recent decades, we witnessed Taiwan's evolution from authoritarian rule to full democracy. At the same time Taiwan has been a good political, economic and cultural ally of the United States. In recent years, Taiwan has been very strong in cooperating with us against global terrorism.

I am glad that we have re-established high level trust with President Ma Ying-jeou's administration. Taiwan has resumed important arms purchases from us and that Taiwan has lifted the ban on U.S. beef imports and is looking to restart talks on the Trade and Investment Framework Agreement with us. I am sure that the United States and Taiwan will be helping each other in many areas in the years to come.

Congratulations to the people and leaders of the Republic of China (Taiwan) on their National Day.

HONORING ALISON TUDOR

HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. DENHAM. Mr. Speaker, I rise today to honor the dedicated work of Alison Tudor who serves as the Program Director with Mountain Crisis Services in Mariposa. As the Program Director, Alison spearheads the mission of Mountain Crisis Services, which seeks to prevent domestic and sexual violence by advocating for positive changes in the community.

Alison was born and raised in Tallahassee, Florida. She graduated from the University of Florida in Gainesville with a Bachelor's Degree in Wildlife Ecology. Her love of the outdoors brought her to Yosemite National Park, where she moved to work with youth in environmental education for five years.

For the past year, Alison has served as the Program Director at Mountain Crisis Services in Mariposa. Prior to beginning this position, Alison managed prevention programs, including Project Respect and Promoting Gender Respect, which aim to prevent bullying and teen dating violence in Mariposa County.

Along with her important work at Mountain Crisis Services, Alison has also contributed greatly to the rape prevention work being conducted in coordination with the University of California, Merced. This hard work has not gone unrecognized. Alison was awarded the Prevention Educator of the Year Award in August, 2012 given through the California Partnership to End Domestic Violence.

In addition to her prevention work, Alison serves as Chair for the Central Valley's Public Policy and Research Committee, a group which tracks legislation that impacts domestic and sexual violence. Alison's passion for knowing the complex issues surrounding domestic violence is a role which she embraces. She continuously goes above and beyond to assist the people of Mariposa. Alison is also a trained Doula. When she discovered that her community had about fourteen pregnant teens, she organized a parenting and childbirth class to address the specific needs of this young population. Furthermore, she spent countless hours helping to develop the Ethos Youth Center, a program of Mountain Crisis Services, which provides a healthy and safe environment for youth to gather while connecting with positive adult role models.

Alison's ability to see the big picture makes her invaluable to her organization and to the prevention efforts against domestic violence and sexual assault.

Mr. Speaker, please join me in recognizing and thanking Ms. Alison Tudor for her hard work as the Program Director of Mountain Crisis Services and for her continued efforts to increase the safety and wellbeing of residents in our Mariposa community. I wish her continued success in her future endeavors, and again, thank her for her dedication to improving the lives of all people living in Mariposa.

A TRIBUTE TO EAGLE SCOUT
ADAM WALKER

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. LATHAM. Mr. Speaker, I rise today to recognize and congratulate Adam Walker of Hiawatha, Iowa for achieving the rank of Eagle Scout.

The Eagle Scout rank is the highest advancement rank in scouting. Only about 5 percent of Boy Scouts earn the Eagle Scout Award. The award is a performance-based achievement with high standards that have been well-maintained over the past century.

To earn the Eagle Scout rank, a Boy Scout is obligated to pass specific tests that are organized by requirements and merit badges, as well as completing an Eagle Project to benefit the community. The work ethic Adam has shown in his Eagle Project and every other project leading up to his Eagle Scout rank speaks volumes of his commitment to serving a cause greater than himself and assisting his community.

Mr. Speaker, the example set by this young man and his supportive family demonstrates the rewards of hard work, dedication and perseverance. I am honored to represent Adam and his family in the United States Congress. I know that all of my colleagues in the House will join me in congratulating him on obtaining the Eagle Scout ranking, and I wish him continued success in his future education and career.

TRIBUTE TO TEXAS PANHANDLE
HONOR FLIGHT

HON. MAC THORNBERRY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. THORNBERRY. Mr. Speaker, I rise to recognize the 94 veterans from Texas who will be visiting Washington, D.C., this week through the Texas Panhandle Honor Flight. On behalf of a grateful state and nation, we welcome these heroes to the nation's capital.

The veterans on this flight are: Charles Allen, U.S. Army Air Corps; Larry K. Baggett, U.S. Marine Corps; Wayne Baker, U.S. Army Air Corps; Jack Barnes, U.S. Navy; John Barnes, U.S. Navy; Donald E. Barton, U.S. Navy; Emmett L. Barton, U.S. Army; Clarence A. Betzen, U.S. Air Force; Kenneth S. Bjork, U.S. Navy; Albert Bland, U.S. Air Force; Clarence O. Bodling, U.S. Marine Corps; Van E. Bradford, U.S. Army; Roy M. Bradstreet, U.S. Army; Billy F. Brown, U.S. Army; Jerry Buttell, U.S. Air Force; Herbert R. Bytheway, U.S. Air Force; Lewis Cates, U.S. Army; Michael Cattaneo, U.S. Army; Paul E. Cattaneo, U.S. Army; Ernest Clark, U.S. Air Force; Lee J. Clark, U.S. Navy; Rodney E. Clark, U.S. Air Force; Ronald E. Clark, U.S. Army; Richard L. Collins, U.S. Navy; Michael Colon-Mateo, U.S. Army; Robert O. Counts, U.S. Army; Nicholas Devito, U.S. Army; William M. Edes, Texas Army National Guard; Warren Farris, U.S. Air

Force; Donald E. Fine, U.S. Air Force; Antonio C. Flores, U.S. Army; John M. Gilbreath, U.S. Army; Kenneth G. Hammit, U.S. Navy; Homer Hampton, U.S. Navy; William J. Harris, U.S. Navy; James M. Hash, U.S. Army; Kenneth Holcomb, U.S. Army; Arthur L. Hulsey, U.S. Navy; Walton R. Humphrey, U.S. Navy; Joe R. Irwen, U.S. Marine Corps; Blythe Johnson, U.S. Navy; Robert Johnson, U.S. Army; Carl R. Lee, U.S. Navy; Elmer H. Lehnick, U.S. Army; Delwood Locke, U.S. Navy; Cecil E. McCarrell, U.S. Navy; Bill McCarty, U.S. Army; James O. McCracken, U.S. Army; Larry M. McCracken, U.S. Navy; Arch R. Moseley, U.S. Army; Felix P. Mote, U.S. Army; Frank Muratori, U.S. Army; Stephen L. Myers, U.S. Air Force; Wayne Nevins, U.S. Army; Clarence H. Nichols, U.S. Army; Anthony L. Paschel, U.S. Army; Don L. Patterson, U.S. Navy; Travis W. Peninger, U.S. Air Force; Jeffrey W. Pickard, U.S. Navy; Ellis B. Posey, U.S. Army; Jerald B. Post, U.S. Navy; Ronnie D. Powell, U.S. Army; William N. Quattlebaum, U.S. Navy; Ernest H. Ramm, U.S. Army; Roger Redman, U.S. Army; Donald E. Ricks, U.S. Army; E.J. Riley, U.S. Coast Guard; Joe C. Rivera, U.S. Army; Joe M. Rivera, U.S. Air Force; William W. Rowell, U.S. Army Air Corps; Jacquelynn R. Salek, U.S. Navy; Richard G. Schacher, U.S. Air Force; Danny W. Schilling, U.S. Army; Calvin W. Skipper, U.S. Navy; Milton M. Skipper, U.S. Army; David S. Stear, U.S. Army; Charles R. Stokesberry, U.S. Army Air Corps; Larry D. Teague, U.S. Navy; Robert A. Thompson, Sr., U.S. Marine Corps; Clifford W. Thornton, U.S. Army; Bobby J. Thorpe, U.S. Navy; Brent V. Thorpe, U.S. Marine Corps; Fredric E. Tout, U.S. Air Force; Scott Tout, U.S. Army; William P. Vann, Texas Army National Guard; Eugene S. Waits, U.S. Navy; Jack D. Waller, U.S. Army; Butch G. Warren, U.S. Navy; Forrest W. Warren, U.S. Army; Robert C. Whitney, U.S. Navy; Roy L. Wilhite, U.S. Army; Reece Wilterding, U.S. Army; James Windor, U.S. Army; Otho Wiseman, U.S. Army.

Mr. Speaker, I am humbled by the opportunity to meet these men and women who exemplify the greatness of America. The services they rendered to our country can never be fully repaid, but I hope that when they visit Washington, D.C., it will reflect the gratitude and respect we have for them.

Colleagues, please join me in thanking these veterans and their families for their exemplary dedication and service to this great nation. I would also like to extend a special thank you to the local communities, all of the volunteers, and Mr. Jack Barnes for their extensive work in organizing this Honor Flight. This trip would not have been possible without all of the financial and emotional support of the people who have put in so much hard work and personal time to make sure this trip could be possible.

HONORING THE SERVICE OF PERRYENE LICKERT

HON. BRETT GUTHRIE

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. GUTHRIE. Mr. Speaker, I rise today to congratulate Perryene Lickert on retiring after 31 years dedicated to civil service at Ft. Knox.

Since 1981, Ms. Lickert has served our nation in a multitude of capacities. From working in the Commissary as a Sales Store Checker to working as a Military Personnel Clerk in several departments, Ms. Lickert has dedicated her career to a greater cause.

Next week, Ms. Lickert's civil service ends as a Human Resources Assistant in the Health Services Directorate with the U.S. Army's Recruiting Command.

Upon Ms. Lickert's retirement, I want to wish her well and thank her for her service to both the Ft. Knox community as well as our great nation. You have made Kentucky's Second Congressional District proud.

HONORING THE CENTENNIAL CELEBRATION OF THE FOUNDING OF NATALIA, TEXAS

HON. FRANCISCO "QUICO" CANSECO

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. CANSECO. Mr. Speaker, I am proud to rise today to recognize and honor the centennial celebration of the founding of Natalia, Texas.

Natalia, which is located approximately 30 miles southwest of downtown San Antonio, was founded in 1912 by the Medina Irrigation Company. The town was named after Natalie Pearson, daughter of Fred Stark Pearson, who oversaw the irrigation company and building of the Medina Dam. During the town's application process for a post office the following year, Natalie's name was misspelled and the town became known as Natalia.

After the deaths of Pearson and his wife, who were passengers on the ill-fated Lusitania which was sunk by German forces in 1915, the Medina Irrigation Company went bankrupt and was subsequently reorganized under the name of Medina Irrigated Farms in 1931. Despite the tough economic environment in the U.S. during that time, Charles F. C. Ladd was successful in selling bonds in the amount of \$2.5 million to pay for the Medina valley irrigation and to create a new loan fund for prospective land purchasers. As a result, the town prospered and increased its population from 150 in 1933 to 400 in 1939.

Today, Natalia is home to more than 1,400 people and is a vibrant community that is home to many families and businesses. Its centennial celebration will be marked with proud and exciting festivities that symbolize Natalia's wonderful history. I am proud to recognize this special event and have the opportunity to represent Natalia in the United States House of Representatives.

HONORING DAN ANDERSON

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize the outstanding achievement of Dan Anderson of Blue Springs, Missouri. Dan was the principal of the Blue Springs Freshman Center in Blue Springs, Missouri, and is the Missouri Association of Secondary School Principals' Principal of the Year. This prestigious award recognizes Dan's ability to excel and impact in the ever-demanding role of principal and lead educator in all aspects of education.

Mr. Speaker, Dan's impact in the areas of collaborative leadership, curriculum, instruction and assessment, and his personalization of the learning environment are stellar and recognized by his fellow educators, parents, and community. The selection was made from more than 600 high school principals throughout the Great State of Missouri. The Blue Springs Freshman Center is unique with 1,100 freshmen students within the Blue Springs School District. Dan was able to effectively position the talent of his team, motivate excellence in his school's curriculum, and clearly communicate purpose with the families and community in Blue Springs.

Mr. Speaker, I ask that you join me in applauding Dan Anderson's outstanding professionalism and commitment to educating the American youth. I join with Dan's colleagues, family, friends, and students in congratulating Dan on his outstanding achievement, and wish him good luck in his future endeavors.

H.R. 6429, THE STEM JOBS ACT OF 2012

HON. RON KIND

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. KIND. Mr. Speaker, my Republican colleagues this week are attempting to make a case for the importance of education, yet their budget this year slashed funding for education and for basic and applied research, creating barriers for traditional students, returning students and worker training. This is not the approach to ensure our students have the skills they need to match the jobs that are available. And this is not the approach to capitalize on the American ingenuity that will lead to economic growth.

We know that students trained in science, technology, engineering and math (STEM), are acquiring the skills to fill and succeed at the jobs of the future. In order to increase American competitiveness, create good paying jobs, and ensure our position on the global stage, we have to invest in education, worker training and research in STEM studies. For years in my position as Co-Chair of the Innovation, Competitiveness and Tax Reform Task Force of the New Democratic Coalition I have called for exactly that—a renewed focus on STEM skills in the workforce.

And not just in our own students, but we must also remove the barriers to success for international students training in STEM studies at U.S. institutions. Instead of sending these highly-skilled international students back to their native countries, where they contribute to the foreign economies we are competing against, let's provide them with visas and let the American economy take advantage of these skills.

There is a real opportunity for these highly trained international students to achieve the American dream and contribute talent, creativity and innovative skills that will help ensure our place in a competitive global economy. And there is an actual opportunity to get something signed into law but we know the real work will have to come next Congress, as there are few days left to get much done this fall.

America's future as a global competitor depends on our ability to come together as leaders and make the hard decisions and smart investments as well as enact the policies that put us on a long-term path to prosperity. We cannot let America's future get bogged down by politics. There is too much at stake.

TRIBUTE TO THREE OLYMPIC MEDALISTS: KESHIA BAKER, NATALIE COUGHLIN AND HEATHER PETRI

HON. JOHN GARAMENDI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. GARAMENDI. Mr. Speaker, I rise today to congratulate three local heroes from the 10th District of California, Keshia Baker, Natalie Coughlin and Heather Petri. At the 2012 London Olympic Games Keshia won the gold medal in the Women's 4x400m relay, Natalie won the Bronze in the Women's 4x100m free-style swimming relay and Heather won gold as part of the Women's Water Polo team. These three inspiring women having assured places on the storied list of Olympians from our district, and have become role models of our community.

Keshia was a first time Olympian in London but you wouldn't know by the way she carried herself. Keshia graduated from Fairfield High in 2006 whereupon she attended the University of Oregon. In between setting athletic records at Oregon, Keshia started her own non-profit supporting young disadvantaged student athletes as well as graduating with Honors in Psychology.

Natalie is an Olympic veteran and a national household name who has performed at an amazing level as a member of the US Women's swimming team since 2004. Winning her 12th medal at the London games, Natalie has tied two others as the most highly decorated female Olympians in American history. As a lifelong resident of Vallejo and a graduate of my alma mater CAL, Natalie is and will continue to be an inspiration within our community.

Heather, a four-time Olympic veteran, has competed at a winning level for the past 12 years. Due in no small part to her excellent

leadership and tenacity, the US Women's Water Polo Team earned gold in London. This was her fourth Olympic medal. Even at a young age Heather was an exceptional athlete; a founding member of her high school team, and a highly decorated college athlete from CAL, her success has been no surprise to our community.

Olympians are more than just exceptional athletes, they are exceptional Americans. Their ability to hurdle any obstacle, to apply hard work, dedication and perseverance to their goals embodies the best of the American spirit and the American people; they are role models to us all and ambassadors for America and we thank them.

HONORING THE 100TH ANNIVERSARY OF THE INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS LOCAL 332

HON. ZOE LOFGREN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Ms. ZOE LOFGREN of California. Mr. Speaker, I rise with my fellow Congress members ANNA ESHOO and MIKE HONDA to honor the 100th Anniversary of the International Brotherhood of Electrical Workers Local 332.

For over a century, the International Brotherhood of Electrical Workers Local 332 has worked to ensure the safety and well-being of its members.

Established on August 25, 1912, with only fourteen members, it has grown today to include 2,700 men and women striving for the highest level of excellence in their trade. Their concern for safety, and pursuit for high quality education, led to the creation of one of the top electrical training facilities in the United States.

In fact, these skilled workers have been instrumental in building Silicon Valley into the globally renowned location it is today. Members of the Local 332 have participated in nearly every major construction project in Santa Clara County in the last 100 years; from field-pumps and canneries of the early 20th century, to the high tech companies that drive Silicon Valley's economy today.

Just as these tradesmen helped build our homes, schools, hospitals, and civic facilities, they also have helped shape our community and grow our economy.

Indeed, Local 332's members contributions extend beyond the workplace to building a better community. Its members are active volunteers and generous supporters of numerous community and non-profit organizations.

Their civic work has improved the opportunities and lives of not only their own members, but also countless people in Santa Clara County.

Along with myself, Representatives ANNA ESHOO and MIKE HONDA also wish to congratulate the International Brotherhood of Electrical Workers on its 100 year anniversary, and commend them for their work on behalf of workers' rights, craftsmanship, and their commitment to community in Silicon Valley.

IN HONOR OF CLEVELAND CITY COUNCILWOMAN PHYLLIS CLEVELAND

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in honor of Cleveland City Councilwoman Phyllis Cleveland, who has been serving the Ward 5 community since being elected to the Cleveland City Council in 2005.

Councilwoman Cleveland has been a long-time resident of the community which she now represents, which includes the Central, North Broadway and Kinsman Union neighborhoods. The Councilwoman has spent her life in public and community service, working for the Cleveland Tenants Organization advocating for fair and affordable housing for Cuyahoga County residents. In 2009, Councilwoman Cleveland was chosen by Council President Martin J. Sweeney to serve as Majority Leader in the City Council.

Councilwoman Cleveland's goal for Ward 5 has always been to build a strong connection between residents and the community by keeping the neighborhood safe, clean, and affordable. To do this, she has supported programs to clear the city of vacant and abandoned housing, replacing it with new houses and businesses. She has continued the community and economic development started by Mayor Frank G. Jackson when he was the Ward 5 Councilman.

Mr. Speaker and Colleagues, please join me in honoring the accomplishments of Councilwoman Phyllis Cleveland.

IN RECOGNITION OF THE ASSOCIATION OF GREEK AMERICAN PROFESSIONAL WOMEN AND ITS WOMAN OF THE YEAR, LOULA LOI ALAFOYIANNIS

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mrs. MALONEY. Mr. Speaker, I rise to honor the Association of Greek American Professional Women. In March 2011, it honored my good friend, Loula Loi Alafoyiannis, as its Woman of the Year at an awards ceremony held on International Women's Day. In a fitting tribute, it is presenting a scholarship to an outstanding female student of Hellenic descent in Loula's name.

Founded in New York, the Association of Greek American Professional Women (AGAPW) is an independent non-profit organization that provides a forum for American women of Hellenic descent working in various professions and businesses. It is a clearing-house for information, resources, support and networking opportunities, and helps to expand career opportunities and advance Greek-American professional women by forging partnerships and establishing symbiotic relationships with other organizations within and outside the Greek-American community. In so

doing, AGAPW plays an important supportive role for Hellenic American women who seek to work and improve their quality of life in the U.S., Greece, Cyprus, and around the world.

Loula Loi Alafoyiannis is a remarkable leader whom I am proud to call my friend. She is the Founder, Global President, and Chief Executive Officer of the Euro-American Women's Council (EAWC), which since 1996 has helped forge ties between entrepreneurs in Europe and America and advance women's rights and opportunities in the worlds of business and education.

Loula Loi Alafoyiannis is widely admired in the world of business and government for her strategic acumen and wise counsel. She provided training to prospective start-up business proprietors in Azerbaijan and was honored with IBM's prestigious Crown Award for women entrepreneurs. She served as a trusted advisor to me and to many distinguished public servants, including former Congressman Joseph Kennedy of Massachusetts, former New York Governor Mario Cuomo, U.S. Senators Hillary Clinton and Paul Sarbanes, and others. In addition, she is a noted public speaker who has delivered lectures before the National Foundation for Women Legislators and other distinguished audiences in both the public and private sectors.

Prior to founding the Euro-American Women's Council, Loula served as Vice President of the United States Hellenic American National Council, which she co-founded with her husband, John. It helps to build bridges between Greek and American entrepreneurs and to advance women's opportunities in business and education.

Loula is also a dedicated philanthropist and humanitarian who has devoted herself to serving others through many worthwhile causes. She sits on the Human Rights Advisory Council of New York, volunteers with the Daughters of Roumeli and the Hermes Athletic Club in New York, and was named Woman of the Year by the Boys Club of Queens. For her tireless humanitarian efforts, she was honored by the Asociacion Mexicana de Mujeres Jefas de Empresa. In particular, Loula has devoted herself throughout her life to assisting those affected by cancer and other serious illnesses, especially low-income children from Greece.

Despite her busy career, Loula has remained focused on her beloved family. She is deeply devoted to her husband John, their daughter Rania, son Konstantine, daughter-in-law Nina, son John-Nicholas, Jr., daughter-in-law Nadia, and her "crown jewels", her grandchildren Aristotle, Konstantine John, and Isabella-Rania.

Mr. Speaker, I request that my esteemed colleagues join me in paying tribute to the Association of Greek American Professional Women and its 2011 Woman of the Year, Loula Loi Alafoyiannis.

HONOR FLIGHT COLORADO'S EIGHTH FLIGHT

HON. CORY GARDNER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. GARDNER. Mr. Speaker, I rise on the occasion of Honor Flight Northern Colorado's

eighth flight to Washington, D.C. bringing Veterans of WWII, Korea, and Vietnam to see their memorials. On behalf of a grateful delegation, state, and country, we welcome these heroes.

The 122 Veterans on this flight include 48 from the Korean conflict, and 8 Purple Heart recipients from the Vietnam War. The Honor Flight program, founded in 2005, was intended to first honor all WWII Veterans that could make the trips, but then to afford the same to those from the Korea and Vietnam eras. We are, this day, honoring those Veterans from Korea (the Forgotten War) and Vietnam, our longest conflict in modern times, as they get to see their memorials. These trips are provided to our Veterans at no cost to them or their families.

The fact that these soldiers, sailors, airmen, Marines, and Coast Guardsmen would uproot themselves from their homes and families and put themselves in harm's way for our country is very humbling. The sacrifices they—and the families they left behind—made are truly incredible. The debt of gratitude we owe them can never be repaid, for without their honor, courage, commitment, and above all—sacrifice we would not be able to enjoy the freedoms we have today.

Please join me in thanking Charles Agnew, Lewis Ashcraft, Robert Barnd, Eugene Bonkiewicz, Carson Bright, Frank Brown, Wayne Bullock, William Castor, Lowell Dart, Donald Draxler, Robert Duntsch, Jose Duran, Joseph Edwards, George Emerick, Jack Endacott, Marvin Fowler, Robert Gillham, Warren Garst, Joseph Graham, William Hampton, Walter Hayword, Roland Kaiser, Willis Kramer, Victor Lazar, David Leon, Verne Lewellen, Harry Livingston, Mary Livingston, Gilbert Lopez, Russell Mam, W. Dennis McHenry, Raymond Mega, Gerald Monroe, Donald Morrison, Bernard Nettesheim, Reynolds Olson, Homer Phillips Jr., Richard Porter, Marion Raines, James Rauenbuehler, Frederick Reck, Gilbert Rohde, Walter Sapp, Henry Schmitt Jr., John Shedd, Alan Schultes, Bill Shupe, Waldo Smith, Charles Smoot, Fredrick Stein, William Stromberg Sr., Gene Thorson, Clyde Treadway, Theodore Wahler, Arthur Wartburg, Crowell Werner, James White, Robert Williams, Evans Woodhouse, Darryl Anderson, Raymond Anderson, Donald Armagost, James Ball, Eugene Ball, Harry Ball, Leslie Brumley, Oris Charboneau, Dale Crist, Robert Cupp, Timothy Daley, Bobbie Desmond, Edward Eson, Clarence Ehrlich, Alvin Eurich, Francis Fleming Jr., James Flynn, Leslie Fraley Jr., George Frysinger III, Richard Gero, John Goad, Virgil Hanson, Roman Hermann, John Hess, Billy Hettinger, Donald Hoffner, Marguerite Ingram, Robert Kramer, Robert Kruger, Lindy Leifheit, Chester McCoy, Chester McGuire, William Miller, Raymond Nuss, James Ochsner, Louis Peterson, Marshall Petring, Arnold Piel, Wayne Pimple, Richard Reagan, Gerald Rice, Harry Rieger, Edward Roebuck, Gerald Ross, Alan Seaman, Dick Sears, Joseph Sellers, William Shirey, Norris Slechta, Robert Stanley, Elizabeth Strahan, Clarence Strahan Jr., William Striffler, Darrell Viegut, Sam Warner, Doyle Biggs, Paul Delgado, Edward Fast, Dennis Henneberg, Donald Hess, Daniel Menzies, Jack Roberts, Steven White, Irvin Tregoning, Jimmie

Tregoning and Merrill Tregoning for their dedication, commitment, and service to this great nation.

JOY PINNIGER'S RETIREMENT

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. DUNCAN of Tennessee. Mr. Speaker, I rise to take this opportunity to recognize Jennifer Joy Pinniger on the occasion of her retirement as President and CEO of the National Stone, Sand & Gravel Association (NSSGA). Ever since Joy joined the National Stone Association sixteen years ago, she has been an advocate of the 107,800 men and women in the aggregates industry workforce.

She has focused NSSGA's advocacy on those issues with the most potential impact on the industry, always aware that the most effective advocates are those members of NSSGA who work every day to produce the construction materials essential to the built environment.

She has dedicated herself to educating Members of Congress and the public alike about the importance of the aggregates—or the stone, sand and gravel industry—not only to the Country as a whole, but to our individual lives.

About 10 tons of aggregates per person are used annually in America—everything from glass to cleaning products to pharmaceuticals, toothpaste, and so much more. Every mile of interstate contains 38,000 tons of aggregates and about 400 tons of aggregates are used in construction of the average home.

Joy led NSSGA's advocacy for the successful passage of the last two surface transportation authorization bills—SAFETEA-LU and MAP-21.

She worked closely with coalition partners in the Transportation Construction Coalition and the Americans for Transportation Mobility. She realized early on that involvement of the public—those affected by the need to get to and from jobs on a daily basis, to take parents to the doctor, to attend children's soccer games; in reality all of us—was critical to success in moving surface transportation legislation forward. Joy worked tirelessly facilitating NSSGA member contacts with community leaders and lawmakers to build momentum for this often overlooked national priority.

Her leadership extended well beyond transportation to those regulatory issues affecting the aggregates industry. She championed the industry in meetings with administrative regulatory agencies, always intent on finding solutions that were right for both the aggregates industry and America. Most importantly, Joy always emphasized the industry's ethics and credibility through NSSGA member company commitments to safety and health resulting in 11 years of record-breaking achievements.

Joy's policy, management and motivational strength has helped NSSGA members reinforce message and guide relation bridges to fend off unjustified regulations like tightened standards for "farm dust," and legislation that does not accurately distinguish aggregates operations from others.

I salute Joy Pinniger on her tenure at the National Stone, Sand & Gravel Association which she led with distinction and integrity. I congratulate her on her retirement and wish her the very best in the years ahead.

IN HONOR OF OHIO SENATOR NINA
TURNER

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in honor of Senator Nina Turner of Ohio's 25th Senate District.

Senator Turner began her political career as a legislative aide in the Ohio Senate, followed by her tenure on the administration of former Cleveland Mayor Michael R. White. After working in the Mayor's office, she went on to advocate for city school children as Director of Government Affairs for the Cleveland Municipal School District. She was later elected as the first woman to represent Ward 1 in Cleveland's City Council.

While serving in Ohio's 25th Senate District, Senator Turner has served as Senate Minority Whip and Ranking Member of the State and Local Government and Veterans Affairs Committee. She is a board member of the Great Lakes Science Center, the United Way of Greater Cleveland, and the Cleveland Police Foundation. Senator Turner has also been recognized three years in row by Inside Business Magazine as one of the "Power 100: Northeast Ohio's Most Influential People."

A first generation college graduate, Senator Turner stresses the importance of hard work and education. She not only supports education through legislation, she also serves as a professor of history at Cuyahoga Community College and a mentor to students and young people throughout the Greater Cleveland area.

Mr. Speaker and colleagues, please join me in honoring the achievements of Ohio Senator Nina Turner.

RECOGNIZING MR. ROY T.
CAMPBELL, JR.

HON. DAVID P. ROE

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. ROE of Tennessee. Mr. Speaker, I submit these remarks today to recognize Mr. Roy T. Campbell, Jr. of Tennessee's First District, who has been named 2012 Citizen of the Year by Senior Citizen Home Assistance for his longstanding dedication and service to Cocke County. For those unfamiliar with Senior Citizen Home Assistance, this is an organization that provides services to seniors and enables them to live at home. Once a year they recognize an exemplary individual and honor their achievements. Through his work as a lawyer and volunteer, Roy has made many selfless contributions to his community.

A graduate of the University of Tennessee School of Law, Roy has endeavored to help

the citizens of Cocke County throughout his career. In addition to more than 61 years of practicing law, he has been involved in many civic, church, and community groups. He is a founding member of the Industrial Development Board of Cocke County, which has attracted businesses and jobs to the region. He has also been an enthusiastic supporter of higher education in East Tennessee with generous gifts to the University of Tennessee, UT School of Law, and East Tennessee State University.

Mr. Speaker, I commend Roy for his selfless contributions to Cocke County and wish him the best as he continues to exemplify the Volunteer spirit.

IN CELEBRATION OF THE 40TH AN-
NIVERSARY OF THE UNIFORMED
SERVICES UNIVERSITY OF THE
HEALTH SCIENCES

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. VAN HOLLEN. Mr. Speaker, I rise today to congratulate the Uniformed Services University of the Health Sciences (USU) on its 40th anniversary and recognize this extraordinary university whose graduates serve our nation by caring for those in harm's way. I am honored that USU is located in Maryland's Eighth Congressional District.

Graduates of USU, which is based in Bethesda, Maryland, provide front-line care for our troops in Afghanistan and around the globe, aboard ships and airplanes equipped as state-of-the-art hospitals/emergency rooms and in public health facilities throughout our nation. These outstanding women and men are educated at USU in medicine, graduate nursing, dentistry, clinical psychology and biomedical research.

Over the past ten years, USU alumni have been routinely deployed in combat zones. They have established forward hospitals and have advanced battlefield medicine in ways not even envisioned only one decade ago. They have saved lives and worked to help restore wounded heroes' health. They have advanced basic research to address traumatic brain injury, amputations, post-traumatic stress, and treatment for infectious diseases, and have worked under harsh and austere conditions to provide the highest quality health care possible.

USU was established by an Act of Congress in 1972. Since then, it has graduated nearly 5,000 physicians along with hundreds who have received degrees in biomedical sciences in the School of Medicine and graduate level nursing in the Graduate School of Nursing. Recently, USU expanded to include a Post-graduate Dental College.

Charles Rice, MD, President of USU, describes USU as follows:

The Uniformed Services University of the Health Sciences is a center of excellence for military and public health education and research. USU's programs are unique, as are our dedicated faculty, staff and students. The university benefits tremendously from its extraordinary alumni who return to

teach, conduct research and guide others in clinical care. These devoted professionals bring a wealth of experience gained in military treatment facilities throughout the U.S. and around the world, as well as in combat, on ships, in airborne intensive care units, amid natural disasters and among a multitude of cultures.

Since 1980, when USU's F. Edward Hébert School of Medicine graduated its first class, the school has produced talented and dedicated physicians and leaders who serve in the Army, Navy, Air Force and Public Health Service. They include the following distinguished alumni:

Lt. Gen. (Dr.) Thomas W. Travis, U.S. Air Force, class of 1986, who in July 2012, took over as the 21st Surgeon General of the United States Air Force.

Rear Admiral (Dr.) Michael Anderson, U.S. Navy, class of 1983, who is proudly serving as the Medical Officer of the Marine Corps, overseeing the health care of more than 200,000 active duty Marines and their families.

Rear Admiral (Dr.) Sarah Linde-Feucht, U.S. Public Health Service, class of 1992, a board-certified family physician who is also the Chief Public Health Officer for the Health Resources Services Administration, where she is a member of the executive leadership team and senior policy advisor to the HRSA Administrator.

Col. (Dr.) Paul Pasquina, U.S. Army, class of 1991, who heads the Orthopaedic and Rehabilitation Service at the Walter Reed National Military Medical Center, Bethesda, and is responsible for ensuring that the many U.S. service members returning from combat with often debilitating physical and mental injuries are receiving the best care possible. These include soldiers like Army Col. Gregory Gadson, who lost both legs in Iraq, but with Col. Pasquina as his doctor, became the first recipient of the prosthetic "power knees" and remains on active duty as the new commander of Fort Belvoir in Virginia.

USU has also awarded nearly 1,300 degrees in the biomedical sciences to individuals who advance the science that underlies our ability to treat and protect against infectious diseases and other maladies affecting humankind. Distinguished alumni include the following:

Dr. Katherine Bossart, a 2003 Ph.D. graduate in Emerging Infectious Diseases now at Boston University, developed the first treatment (antibody) and first vaccine against two deadly viruses, Nipah and Hendra, that could be used as potential bioterror agents. The antibody was successfully used, through compassionate use exception, to save the lives of three individuals with significant exposure to the Hendra virus.

Brigadier-General (Dr.) Jean-Robert Bernier, Canadian Defence Force, a 1997 graduate of USU's Master of Public Health degree program, was sworn in as the Surgeon General of Canada in July 2012.

The USU Graduate School of Nursing has conferred more than 600 master's degrees since its founding in 1993 and 15 doctorates since opening its Ph.D. program in 2003. These men and women serve in uniformed and federal services at home and abroad. They also work with the school's faculty to conduct research.

Air Force Capt. Jennifer Curtis, who graduated from USU's Family Nurse Practitioner

program, Graduate School of Nursing, in 2009, was awarded the Bronze Star and other decorations for her heroic lifesaving actions of six soldiers while under fire in Afghanistan during her very first deployment.

In addition to its world-class educational programs, USU is dedicated to innovative research in military medicine, nursing and oral health as well as public health. Its research programs, devoted to preventive medicine, infectious disease, prosthetics, traumatic brain injury and post-traumatic stress disorder, are relevant both locally and globally.

The civilian members of USU's Board of Regents are appointed by the Secretary of Defense. They are prominent leaders in health care, higher education and public policy from across the country. Current members include:

Otis Brawley, M.D., Chief Medical Officer and Executive Vice President, American Cancer Society

Sheila Burke, Senior Policy Analyst at Baker Donelson and former Under Secretary of the Smithsonian Institution

General (Ret.) Ronald Griffith, former Vice Chief of Staff of the Army

Michael Johns, M.D., Chancellor of Emory University

Haile Debas, M.D., Executive Director of Global Health Sciences at the University of California, San Francisco

Kenneth Moritsugu, M.D., Vice President, Global Strategic Affairs for LifeScan, Inc., former Deputy Surgeon General of the United States

Gail Wilensky, Ph.D., Senior Fellow at Project HOPE and former Administrator of the Health Care Financing Administration

Ronald Blanck, D.O., Chairman and Partner of Martin, Blanck & Associates, former Army Surgeon General, and former President of the University of North Texas Health Science Center in Fort Worth. Dr. Blanck serves as Chair of USU's Board of Regents.

Ex-officio members of the Board include:

Dr. Jonathan Woodson, Assistant Secretary of Defense for Health Affairs

Lt. General Patricia Horoho, Surgeon General of the U.S. Army

Vice Admiral Matthew Nathan, Surgeon General of the U.S. Navy

Lt. General Thomas Travis, Surgeon General of the U.S. Air Force

Vice Admiral Regina Benjamin, Surgeon General of the United States

Dr. Charles L. Rice, President of the Uniformed Services University

The Board members' experience, knowledge and ideas will enable USU to continue its fine tradition of making significant contributions to military medicine and public health, helping to create a stronger, more effective military and federal health system in service to our nation and the global community.

Our nation is fortunate that USU fulfills well its mission of educating future generations of military and public health physicians, nurses, dentists and biomedical scientists. Moreover, USU is a particularly compelling example of the importance of public investment in our nation's future. I look forward to working with my colleagues in Congress, the leadership of the Department of Defense and the USU to ensure that USU has the support it needs to continue to fulfill the vision of its founders.

Mr. Speaker, I urge my colleagues to join me in congratulating USU, its students, alumni, faculty and staff on forty years of extraordinary contributions to our nation.

INTRODUCTION OF THE MEDICARE SECONDARY PAYER AND LATE ENROLLMENT PENALTY FAMILY FAIRNESS ACT

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. STARK. Mr. Speaker, I rise to introduce the Medicare Secondary Payer and Late Enrollment Penalty Family Fairness Act. Today, the Social Security Act uses different definitions of familial relationships for purposes of Medicare secondary payer rules and late enrollment penalty protections. Beneficiaries over age 65 are subject to a more restrictive definition than younger beneficiaries who are eligible for Medicare due to disability. My legislation fixes that anomaly by creating a uniform definition so that Medicare beneficiaries of all ages are treated equally. I would like to thank my constituent Joseph Goleman for bringing this problem to my attention.

Medicare's secondary payer rules generally allow an individual to maintain employer-sponsored coverage after they've obtained Medicare eligibility and forgo joining Medicare Part B (and therefore having to pay the Part B monthly premium) as long as they maintain such coverage. In these instances, their employer-sponsored coverage remains their primary coverage, and Medicare Part A is their secondary coverage. Very importantly, the law also protects people in this situation who then transition to Medicare Part B when they lose that employer-sponsored coverage. The law shields these beneficiaries from the late enrollment penalty because they've maintained consistent coverage and therefore carry no adverse risk for Medicare. This is a key benefit as the late enrollment penalty is a substantial financial hit.

These rules exist because they are a win for beneficiaries with access to employer-sponsored coverage and a win for taxpayers. Beneficiaries gain because employer-sponsored coverage usually has lower cost sharing than Medicare and typically has lower deductibles as well. Plus, taxpayers win because Medicare isn't responsible for many new health costs for these individuals because they are being primarily covered by their employer's plan.

For people who become eligible for Medicare based on disability, the current law provides that these Medicare Secondary Payer and Late Enrollment Penalty rules apply to the beneficiary and his or her "family member." For people who become eligible for Medicare by reason of turning 65, these protections only apply to the beneficiary or their "spouse."

The practical impact of these different definitions of familial relationships is that a person eligible for Medicare based on disability is protected from late enrollment penalties when covered by a same sex spouse on his or her employer plan. However, a person eligible for Medicare because they've turned 65 is not.

I learned of this problem after I received a constituent inquiry in my Fremont, California office. Joseph Coleman is a 34-year-old person with a disability and is enrolled in Medicare on that basis. After becoming enrolled in Medicare, he learned that he could obtain spousal coverage and thereby avoid having to pay the Part B premium. He was also rightly informed that he'd be eligible to rejoin Medicare Part B—without paying a penalty—if that spousal coverage changed.

Imagine Joseph's surprise, anger, and fear when he went to exercise that right to rejoin Medicare Part B and he was told by a local Social Security office in our community, that that right didn't extend to him because he was in a same-sex marriage. Instead, he would be subject to a significant late enrollment penalty, which made Medicare Part B coverage entirely unaffordable for him.

Thankfully, Joseph reached out to me. My staff quickly discovered that he was, in fact, guaranteed the protection to rejoin Medicare without penalty. After several go 'rounds with the local Social Security office by my staff and Medicare's Region 9 staff, we were able to get Joseph the benefits to which he was due. However, it is clear to me that because there are two different standards in the law, mistakes are made and people are likely losing benefits to which they are entitled under current law. This certainly would have been the case with Joseph if I hadn't intervened.

Regardless of your position on same-sex marriage, revising the law to have a standard definition using "family member" for the Medicare secondary payer rules and the late enrollment penalty protection simply makes financial sense for Medicare. By converting to the term "family member," we steer clear of stepping into any debate over the Defense of Marriage Act. While I oppose that law and would strongly support its repeal, that's not the fight we're waging today.

The simple goal of this bill is to right a wrong, which was brought to my attention by a constituent. If left unchanged, not only does the law treat Medicare beneficiaries in identical situations differently, it obviously results in confusion for those who enforce the law. I am sure more people than Joseph Coleman have been wrongly denied benefits based on misinterpretation of the convoluted law—potentially accented by personal prejudices.

I urge my colleagues to join with me in support of this small bill that affects few people, but simply clarifies the law. It will mean the difference between people obtaining quality, affordable coverage through Medicare Parts A&B, or being left behind.

IN HONOR OF MR. DAN BRADY

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in honor of Dan Brady, a member of the Cuyahoga County Council serving the Third District.

Dan Brady is a native of Cleveland, Ohio and has been active in public service for many years. He earned a degree in political science

and history from Ohio University. He served on the Cleveland City Council from 1986 to 1996 before serving one term in the Ohio House of Representatives from 1996 to 1998. He left the Ohio House of Representatives to run for a seat in the Ohio Senate, in which he served until 2006. He was elected to the position of minority whip in the Ohio Senate in 2001. He now serves on the Cuyahoga County Council representing the Third District.

Dan Brady's accomplishments make him a remarkable figure in state and local government. As a member of the Cleveland City Council, Dan helped manage the expansion of Cleveland Public Power. In the Ohio House of Representatives, he supported the Beck Center for the Performing Arts and opposed legislation that would have reduced benefits to injured workers. In the Ohio Senate, he fought for legislation to reduce the risk of HIV among hospital workers working with needles.

Mr. Speaker and colleagues, please join me in honoring Dan Brady, a member of the Cuyahoga County Council who is dedicated to serving the citizens of Cuyahoga County and the State of Ohio.

HONORING CLAUDE L. AND
MICHELLE D. WINFIELD

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mrs. MALONEY. Mr. Speaker, I rise to pay tribute to Claude and Michelle "Shelley" Winfield. The Winfields have made unique personal contributions in their professional lives and through their volunteer efforts to benefit New Yorkers at-large.

Mr. and Ms. Winfield have spent the majority of their professional careers in education. Mr. Winfield was born in Virginia and moved to New York City as a young boy. He earned an undergraduate degree in electrical engineering from New York University, and began his career working for Western Electric. He later earned masters degrees in elementary education and education administration from City University of New York. Mr. Winfield found his true calling when he began teaching. He taught 2nd grade English and middle school science, and later became the principal of Walt Whitman Middle School in Brooklyn, which served 1,900 students. Mr. Winfield is a strong proponent of the progressive teaching methods that he feels benefited him as a young student.

Ms. Winfield grew up in Pennsylvania, and earned an undergraduate degree in home economics from Howard University before beginning her teaching career. She received masters degrees in education administration from Fordham University and in special education from Adelphi University. For 15 years, until her retirement in 2002, Ms. Winfield was the beloved Supervisor of Special Education at Robert Wagner Middle School in Manhattan where she inspired in her colleagues and students an appreciation for the intrinsic value of education.

The Winfields are deeply involved in the community, serving in leadership positions in a

variety of organizations. Mr. Winfield serves as Manhattan Community Board 6 Executive Committee Vice Chairman and Chairman of the Community Board's Housing, Homeless Services and Human Rights Committee. He also volunteers as a docent at the Museum for African Art.

Ms. Winfield is an active member of the Parent Advisory Board at the National Dance Institute. She has been an enthusiastic advocate for the program since her son participated in it as a student at P.S. 124M. She was appointed by Manhattan Borough President Scott Stringer to serve on the Community Advisory Board of Bellevue Hospital Center and assists with fundraising for The Duke Ellington Society, Inc. in Manhattan.

Ms. Winfield had an early introduction to the civil rights movement as a result of her family's activism and community service. Her father was a civil rights leader who served as President of the North Philadelphia Action Branch of the National Association for the Advancement of Colored People (NAACP). In accordance with the family tradition, Mr. and Ms. Winfield have worked with the NAACP Mid-Manhattan Branch, which honored them with the Distinguished Service Award in 1975.

The couple is also very involved in local political organizations, including the Samuel J. Tilden Democratic Club, for which Ms. Winfield serves on the donations committee. In April, they received the Samuel J. Tilden Democratic Club Humanitarian Award for their tireless advocacy and incredible contributions of their time and talents to strengthen the community.

Married in 1974, Mr. and Ms. Winfield are the proud parents of two children, Marie and Michael, and adore their son-in-law Konrad Pust. They are also loving grandparents to their granddaughter, Sophie.

Mr. Speaker, I ask that my colleagues join me in recognizing Claude and Shelley Winfield. This remarkable couple are shining examples of selfless devotion to community service.

CONGRATULATING DR. HILLARD
M. LAZARUS

HON. STEVEN C. LATOURETTE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. LATOURETTE. Mr. Speaker, I would like to offer my congratulations to Dr. Hillard M. Lazarus, in his continued pursuit of excellence in care delivery and commitment to medical innovation. During my eighteen year tenure in Congress, I have had the great honor of working with the University Hospitals Systems (UH) in Cleveland, OH, and experiencing firsthand the exceptional commitment to increasing the quality of care they provide to patients not just from Northeast Ohio, but from around the country. I have also had the opportunity to develop a personal relationship with many members of their dedicated team of care providers.

Dr. Hillard Lazarus is one of those extraordinary members of the UH team. Dr. Lazarus has over 30 years of distinguished experience in his field, and has served as the Director of

the Blood and Bone Marrow Transplant Program within the Division of Hematology/Oncology at Seidman Cancer Center for the past 25 years. In this time, Dr. Lazarus has gained a reputation as a leading expert in his field and is widely recognized for his contributions in the areas of mesenchymal stem cell transplants and autologous stem cell transplantation. As a pioneer in non-embryonic stem cells and regenerative medicine, Dr. Lazarus performed the first stem cell transplant in the state of Ohio in 1976 at UH Case Medical Center.

Dr. Lazarus has been identified as an Outstanding Physician in many national and local surveys, was inducted into the Cancer Care Hall of Fame and the American Cancer Society, and has received the American Cancer Society Lifetime Achievement Research Award. He has also authored and co-authored over 270 publications in peer-reviewed journals, 46 book chapters and 66 review articles. His record of ground-breaking treatments and breakthroughs has helped make Seidman Cancer Center a leader in the treatment of leukemia and other blood disorders.

Mr. Speaker, I thank you for the opportunity to share some of the highlights of the ongoing work of Dr. Lazarus with the House of Representatives. It is so important to recognize innovators like him, who pave the way for medical breakthroughs that increase the duration and quality of life for millions of Americans. I am proud to offer my congratulations and thanks to Dr. Lazarus for his outstanding achievements and contributions, as well as his service to Northeast Ohio and the United States of America.

IN HONOR OF CLEVELAND CITY
COUNCILMAN ZACK REED

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in honor of Councilman Zack Reed, who has been representing the residents of the Mt. Pleasant and Kinsman neighborhoods in Ward 2 on Cleveland's City Council since 2000.

Councilman Reed grew up in the Mt. Pleasant neighborhood of Cleveland. He began his career in public service working with local unions to help inner-city youth find jobs with the Civilian Conservation Corps and the Youth Apprenticeship Program.

Throughout his time in office, Councilman Reed has focused on the revitalization of the Mt. Pleasant neighborhood and the safety of its residents. He was an active advocate for the zero tolerance for crime policy, gun buybacks and an increase in support for Cleveland police officers. Reed has also worked closely with community leaders in his neighborhood to revitalize small businesses and create an environment that supports economic development.

Councilman Reed has been a strong advocate of workforce equality for the diverse population of Cleveland and has been an active member of the National Black Caucus of Local Officials. His work in the community has resulted in the rebuilding of a local elementary

school and senior center along with the clean-up and development of the community.

Mr. Speaker and Colleagues, please join me in honoring the achievements of Councilman Zach Reed.

HONORING THE 10TH ANNIVERSARY OF ONE WORLD NOW!

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. McDERMOTT. Mr. Speaker, I rise today to honor the ten-year anniversary of One World Now!, a pioneering, Seattle-based educational program that presents underserved youth with the opportunity to learn world languages and cultures through after-school classes and study abroad programs.

When it was founded, One World Now! was a pilot program run out of a single public school in Seattle with only 12 students enrolled. After ten years of hard-earned success and steadfast dedication to educating underprivileged youth, One World Now! has expanded to 8 Seattle high schools, 2 middle schools, and has also partnered with schools in Los Angeles, New York City, and Honolulu. Over 2000 youth have participated in programs orchestrated by One World Now!, and its consistent growth makes me optimistic that that number will continue to grow.

As we integrate into a more globalized world, it is imperative that youth from all backgrounds receive a worldly education that teaches the importance of tolerance and cultural understanding. Since 2002, One World Now! has endeavored to paint a brighter future for our leaders of the next generation by giving them a strong foundation in international relations.

The success of One World Now! in bringing youths of all cultures together under the common banner of education is admirable and has never been more necessary. As we celebrate the 10th anniversary of this commendable program, I would like to convey my unwavering support for One World Now! and its commitment to youth, culture, and education.

DR. CLEOTHUS MONTGOMERY

HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. GENE GREEN of Texas. Mr. Speaker, I rise today to honor my good friend, Dr. Cleothus Montgomery, D. Min., for his fifty years of service as the pastor of the Northside Missionary Baptist Church in Houston, Texas.

In September 1962, Dr. Montgomery founded the Northside Missionary Baptist Church and has been its leader ever since. In this time, he transformed the church from a gathering of a few people in his living room into a vehicle for community change, with more than 450 members. He is currently working on an ambitious plan to build senior housing and a nursing home, and to cultivate small busi-

nesses, in an effort to further the church's work toward improving the community.

Montgomery grew up one of nine siblings on a farm in Henderson, Texas. He met and married Emma Tinch and together they reared five children. He is a grandfather to nine grandchildren and great-grandfather to three great-grandchildren.

Dr. Montgomery has a Bachelor of Science Degree in Engineering Science and a Bachelor of Theology. He is a graduate of Houston Civilian Police Academy and has earned a Master of Ministry, a Doctorate of Ministry, and two Honorary Doctorates: Honorary Doctorate of Divinity and Honorary Doctorate of Sacred Theology.

In addition to leading Northside Missionary Baptist Church, Dr. Montgomery currently serves as the president of the CDC Association of Greater Houston. He has served as Vice President and Chairman of the Board at the College of Biblical Studies, Executive Director of Greater Northside Plaza, President of the Houston Christian Minister's Fellowship Northeast Houston, Chairman of the Board of the World Christian Training Center, and Vice President of the Ministerial Advisory Board to the Mayor of Houston.

The city of Houston is a better place because of Dr. Montgomery. On the 50th Anniversary of Northside Missionary Baptist Church which coincides with Dr. Montgomery's 80th birthday, I rise to thank and honor him for his tireless dedication to his parish and the greater community.

TRIBUTE TO THE UNITED STATES CAPITOL HISTORICAL SOCIETY

HON. NORMAN D. DICKS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. DICKS. Mr. Speaker, I rise today to pay tribute to the United States Capitol Historical Society, which is celebrating 50 years of history and service to the United States Capitol.

Congressman Fred Schwengel, Senator Hubert Humphrey, and a group of 15 other Members of Congress, historians, and civic and business leaders organized the United States Capitol Historical Society on July 17, 1962. Fifty years later, the USCHS continues to fulfill its mission by teaching the public about the founding, growth and significance of the Capitol of the United States as a tangible symbol of its representative form of government.

Convinced that an understanding of history was inextricably linked with responsible citizenship, the founders of the United States Capitol Historical Society adopted a mission statement committing the nonprofit, non-partisan, educational organization to the role of "history teacher to the nation."

More than 50 years after its founding, the Society continues to develop new and creative ways to bring the fascinating story of the Capitol to the public's attention. Among its tools are educational tours, scholarly symposia, observances of historic events, enhancement and preservation of the Capitol's collection of art and artifacts, sponsorship of research, the sale of publications and mementos of an his-

torical nature, and assistance to Congressional and other Capitol offices.

The partnership of the USCHS with the National Archives and Old Town Trolley in the We the People Constitution program is particularly innovative. The Society has committed to working toward seeing every eighth grade student in the Washington, DC public schools tour "monumental" Washington to learn about the U.S. Constitution. This educational tour's sole purpose is to help students understand their place in American history and their role in the process of government.

Mr. Speaker, I ask my colleagues to join me in honoring a great organization dedicated to preserving the history of the most recognizable symbol of representative government in the world, the United States Capitol.

IN HONOR OF CLEVELAND CITY COUNCILMAN KENNETH L. JOHNSON

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in honor of Councilman Kenneth L. Johnson, who has been serving Ward 4 on the Cleveland City Council since 1980.

Councilman Johnson has served Cleveland with a focus on enriching Cleveland youth through recreational and academic programs. He is responsible for starting free overnight summer and winter camping trips where youth from the city have the opportunity to experience different environments. Johnson has always been an outspoken believer in quality recreational activities for young people to help them learn important lifelong leadership and social skills.

Along with working for the Cleveland youth, Councilman Johnson has supported bringing new jobs to Cleveland through development and investment in the community. He has strived to give those seeking work new opportunities by starting computer training programs across the city. He also began a volunteer street cleaning, tree cutting, and overall beautification program for senior citizens and disabled residents in his ward.

Councilman Johnson has been the only Council Member in Cleveland history to have a building named after him while still holding office. The Kenneth L. Johnson Recreation Center was dedicated in October 2001 and has established an area for young people to gather and develop in a healthy environment.

Mr. Speaker and colleagues, please join me in honoring the hard work and dedication Councilman Kenneth L. Johnson has shown serving the Cleveland community.

ON THE RETIREMENT OF GARY
BOGUE**HON. GEORGE MILLER**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. GEORGE MILLER of California. Mr. Speaker, I rise with my colleagues Congressman JERRY MCNERNEY and Congressman JOHN GARAMENDI to take this opportunity to recognize and congratulate Contra Costa Times pet and wildlife columnist Gary Bogue as he retires after 42 years of public service.

Gary began his long career as a columnist in 1970 while still working at the Lindsey Wildlife Museum. During his thirteen year tenure as curator of the museum, he established one of the Nation's first wildlife rescue programs, tending to injured wildlife and raising a wide variety of orphaned animals. In 1982, Gary signed on as a full-time writer with the Contra Costa Times, using the skills and knowledge he gained as a curator to share his expertise on wildlife and domestic animals with the public in his own daily column.

As a prominent voice for preserving and protecting the environment in our region, Gary has left a lasting impact on our community. In 1990, when Oakland Athletics manager and animal-lover Tony La Russa realized that there was not a single "no-kill" shelter for animals in the area, he called on Gary for help. Together they cemented the idea that a non-profit shelter was urgently needed. A year later La Russa launched his Animal Rescue Foundation (ARF), which has helped countless homeless and unwanted pets to find permanent homes. Through his column, Gary has also spread awareness about the importance of preserving our natural land and has been a valued partner with such organizations as Save Mount Diablo and the Muir Heritage Land Trust in advocating the preservation of open space in the East Bay.

Over the years, Gary's work has been widely recognized throughout the Bay Area as his writing was picked up by the Oakland Tribune, San Mateo County Times, and the San Jose Mercury News. He has also written five books that have connected with environmentalists and wildlife advocates worldwide.

Mr. Speaker, I invite my colleagues to join me in commending Gary Bogue for his committed and diligent service to the community, our natural environment and the wildlife whose space we share on this planet. I am pleased to join his family, friends, and colleagues in congratulating Gary on an outstanding career and wish him the very best as he begins a well-deserved retirement.

TAIWAN NATIONAL DAY

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. BISHOP of Georgia. Mr. Speaker, I rise today to honor Taiwan on its 101st National Day, which will occur on October 10th, 2012. As a member of the Taiwan Caucus, I recog-

nize the importance of continuing to cultivate a strong relationship between the United States and Taiwan.

The United States and Taiwan share a strong commitment to freedom. As a beacon of democracy for Southeast Asia and the rest of the world, Taiwan and its 23 million people enjoy self-governance, free elections, and the protection of individual rights. The policies pursued by President Ma Ying-jeou have made Taiwan a strong ally to the United States in these turbulent times.

Taiwan also is a strong business partner for the United States. It is our tenth largest trading partner and the sixth largest market for United States agriculture exports. Georgia and Taiwan also have strong business ties. Taiwan is Georgia's thirteenth largest export market, grossing \$68 million in profit for Georgia last year alone. Taiwan imports chemicals, automobiles, and, of course, Coca-Colas. Taiwan is also a leading innovator and producer of information technology and knowledge-based industries.

The United States has supported Taiwan's transformation to a vibrant democracy. It should be congratulated for its 101 years of freedom and prosperity. It continues to be a model of democracy for Southeast Asia and countries all over the globe.

Mr. Speaker, I urge my colleagues to join me today in congratulating Taiwan on its 101st National Day. I am confident that the friendship and close relationship that has been cultivated by the United States and Taiwan will continue for many years to come.

A TRIBUTE TO C. KEVIN
GILLESPIE**HON. ROBERT A. BRADY**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. BRADY of Pennsylvania. Mr. Speaker, I rise today to honor C. Kevin Gillespie. Father Gillespie will be inaugurated as the 27th president of Saint Joseph's University on Friday, October 12, 2012.

A native of West Philadelphia, Father Gillespie attended St. Margaret's Grade School in Narberth, Monsignor Bonner High School in Drexel Hill, and then Saint Joseph's College in Philadelphia. After earning his bachelor's degree in psychology in 1972, Father Gillespie went on to earn master's degrees in psychology from Duquesne University and in divinity from the Jesuit School of Theology Berkeley. He holds a Ph.D. in pastoral psychology from Boston University.

Father Gillespie entered the Society of Jesus in 1975 and later served at Loyola College in Maryland where he became the first director of the master's program in Spiritual and Pastoral Care. There he also founded LOGOS, Loyola Overseas Gestures of Solidarity.

Most recently, Father Gillespie was the associate provost for University Centers of Excellence at Loyola University Chicago where he lead five academic centers and in 2011, simultaneously served as interim dean of the School of Social Work.

Father Gillespie credits his St. Joseph's education for preparing him to meet the critical issues he faces every day. He has served on the Board of Saint Joseph's since 2006.

Mr. Speaker, I encourage my colleagues to join me in honoring C. Kevin Gillespie for his years of service and congratulate him on his new journey as president of Saint Joseph's University.

IN HONOR OF OHIO SENATOR
MICHAEL J. SKINDELL**HON. DENNIS J. KUCINICH**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in honor of Senator Michael J. Skindell of Ohio's 23rd Senate District.

Senator Skindell graduated cum laude with a B.A. in business and political science from Walsh College before earning his law degree from Cleveland-Marshall College of Law. Upon graduation, he served under Attorney General Anthony J. Celebrezze as an Assistant Attorney General. After providing legal representation to the Director of Health, serving as a hearing officer for the Ohio department of Health, and beginning his own practice, Senator Skindell turned to public service, becoming a councilman for Lakewood from 1998 to 2002. He was then elected to the Ohio House of Representatives for Ohio's 13th House district where he served four terms until being elected to the Ohio Senate.

Throughout his career, the Senator has been known to advocate for protections for the consumer, more affordable prescription drug coverage, protecting the environment, providing opportunities for working class and poor families, universal health care and developing Ohio's renewable energy resources. Currently, he serves on the Lakewood Chamber of Commerce, Lakewood Democratic Club, and Cuyahoga Democratic Party.

Senator Skindell has been recognized as Environmental Legislator of the Year in 2004, Legislative Champion of Children by the American Academy of Pediatrics and Voices for Ohio Children, and the Legislator of the Year Award from the Ohio Academy of Trial Lawyers in 2007.

Mr. Speaker and colleagues, please join me in honoring the achievements of Senator Michael J. Skindell.

IN HONOR OF THE RETIREMENT
OF DR. MARCIA GOLDSTONE**HON. ANDRÉ CARSON**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. CARSON of Indiana. Mr. Speaker, today I rise to express my gratitude to Dr. Marcia Goldstone for her considerable achievements over the past 35-years with the Jewish Community Relations Council. Her vision, leadership and tireless devotion to promoting social justice and interfaith dialogue has strengthened and enriched the 7th District of Indiana in countless ways.

As the long-serving Executive Director of the JCRC, Dr. Goldstone created and led dozens of issue-based coalitions made up of exemplary business and religious leaders, educators, and philanthropists to foster a welcoming and secure environment for our growing Jewish community. I applaud the JCRC for its embrace of the ancient tradition of *tzedakah*, the Hebrew word for charity, by assisting Jewish families who have fallen on hard times, assisting Soviet Jewry to integrate into American society, and promoting a deeper understanding amongst peoples of faith throughout Central Indiana.

Dr. Goldstone's influence and passion for fighting injustice and promoting tolerance extends beyond Central Indiana. Her persistent efforts as part of a broad coalition of religious and secular organizations encouraged the Reagan Administration and Congressional leaders to call for the end of Apartheid in South Africa and release of Nelson Mandela. These efforts have earned her numerous awards and accolades, including the prestigious Sagamore of the Wabash.

Today, I ask my colleagues to join me in congratulating Dr. Marcia Goldstone for her outstanding service to the City of Indianapolis. Her retirement from the JCRC closes a chapter on an impressive career. She has been an extraordinary friend and adviser both to me and to my grandmother, the late Congresswoman Julia Carson. I wish her the very best and look forward to working with the JCRC of Indianapolis for many years to come.

CELEBRATING 100 YEARS OF COOPERATIVE EDUCATION AT THE ROCHESTER INSTITUTE OF TECHNOLOGY

HON. LOUISE McINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Ms. SLAUGHTER. Mr. Speaker, it is my esteemed honor to celebrate the Rochester Institute of Technology's 100th year of Cooperative Education. I am joined by the Honorable KATHY HOCHUL and the Honorable TOM REED as we congratulate the Rochester Institute of Technology (RIT). RIT is home to our nation's fourth oldest established Cooperative Education Program. Cooperative Education provides students with the opportunity to enrich their traditional higher education experience by alternating periods of full-time study with periods of full-time, for credit, paid employment appropriate to their educational and career goals. It is a true testament to the progressiveness of Rochester region to be home to this longstanding educational program.

Established in 1912, RIT's Cooperative Education has grown to be nationally recognized as one of the nation's top programs by U.S. News and World Report and the Office of Cooperative Education and Career Services. RIT offers one of the largest programs in the world with more than 3,800 students completing nearly 5,800 quarterly work assignments with more than 2,000 employer partners throughout the U.S. and in 40 other countries around the world each year.

In the Cooperative Education program, RIT encourages students to explore their interests through hands-on experience while they are still working towards their degree. By providing students with the opportunity to experience their field of interest outside the classroom, RIT's graduates are better equipped to enter full-time jobs and thrive.

Cooperative Education is a required component in several of RIT's colleges including the Kate Gleason College of Engineering, the Golisano College of Computing and Information Sciences, The Saunders College of Business, and the College of Applied Science and Technology.

Through Cooperative Education programs, our universities ensure that American students are trained in best practices and have in-depth knowledge of the cutting edge technologies of today's global world. RIT's program and others like it are crucial to ensuring that the next generation of American professionals can compete and win in a globalized world.

Through the support of RIT faculty and administration, countless students have expanded their knowledge and skills in the Cooperative Education program. They've been exposed to unique experiences and unparalleled knowledge that has prepared them for successful careers. For one hundred years, RIT has dedicated itself to providing these unique learning opportunities, and helped to prepare America's next generation for years of success to come.

Today I stand with Representatives HOCHUL and REED to congratulate the Rochester Institute of Technology on its 100th anniversary of enriching countless students through Cooperative Education. I ask my colleagues to join me in celebration of this momentous occasion.

HONORING THE FRANCO AMERICAN WAR VETERANS

HON. MICHAEL H. MICHAUD

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. MICHAUD. Mr. Speaker, I rise today to recognize the Franco American War Veterans (FAWV) on their 80th Anniversary, and Post 31 of Lewiston, Maine on their 25th Anniversary.

In early 1932, veterans of World War I began meeting in Massachusetts to establish a veteran's organization for veterans of French descent. They gathered signatures and were granted a charter by the Commonwealth of Massachusetts. In the succeeding years, posts were formed around Massachusetts, and quickly expanded to Rhode Island, Connecticut, New Hampshire, and Maine.

This year, Post 31 of Lewiston, Maine celebrates its 25th Anniversary. Post 31 is an integral part of the Lewiston/Auburn community. Members of the Post have served as national officers in FAWV, and as leaders in the community. Among their many accomplishments, members of Post 31, through their work on the L/A Veterans' Council, helped establish and maintain the Veterans' Park in Lewiston and helped convince the Department of Veterans' Affairs to locate its new community based out-

patient clinic in Lewiston. In addition, the Post 31 Color Guard participates in many ceremonies each year, and their presence helps enhance the ceremony.

Mr. Speaker, please join me in congratulating the Franco American War Veterans on their 80th Anniversary and Post 31 of Lewiston, Maine, on their 25th Anniversary.

IN RECOGNITION OF ECOWATCH

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in honor of EcoWatch, a non-profit organization that focuses exclusively on news from the grassroots environmental movement.

Founded in 2006 by Stefanie Penn Spear, EcoWatch is a Cleveland-based non-profit organization dedicated to uniting the voice of the grassroots environmental movement on their website, EcoWatch.org. The EcoWatch website is a dedicated and neutral platform for nearly 1,000 grassroots environmental organizations that helps transform the ability of individuals to learn about environmental issues and take action. This news service provides timely access to relevant information that motivates individuals to become engaged in their community, adopt sustainable practices and support strong environmental policy.

In addition to the website, EcoWatch's Next Generation program encourages students to be good stewards of the planet by providing free copies of the EcoWatch Journal to teachers of grades 6-12.

On Friday, September 14, 2012, EcoWatch will be celebrating its Fourth Annual Green Gala at Cleveland, Ohio's Rock n' Roll Hall of Fame and Museum. The event will feature the Blue Sky Riders, which is comprised of musicians Kenny Loggins, Georgia Middleman and Gary Burr.

Mr. Speaker and colleagues, please join me in recognizing EcoWatch, a group dedicated to uniting and giving a voice to grassroots environmentalists.

RECOGNIZING THE ACHIEVEMENTS OF REVEREND DOCTOR WALLACE S. HARTSFIELD, SR.

HON. EMANUEL CLEAVER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. CLEAVER. Mr. Speaker, I proudly rise today in recognition of the achievements of Reverend Doctor Wallace S. Hartsfield, Sr. a minister, dedicated community activist, veteran, civil servant, compassionate role model, and a member of the Fifth District of Missouri, which I am deeply honored to represent. Doctor Hartsfield was born in Atlanta, GA and at an early age the family moved to Jacksonville, FL, where he received his elementary and secondary education, graduating from Stanton High School.

After a three-year tour of duty in the United States Armed Services, he entered Clark College in Atlanta, GA and graduated with a

Bachelor of Arts Degree in Elementary Education with minors in Religion and Psychology. He was listed in Who's Who in American Colleges and Universities in his Junior and Senior Years. In September 1954 he entered Gammon Theological Seminary from which he graduated with Degrees of Bachelor and Masters of Divinity.

Dr. Hartsfield has held pastorates in Pickens, SC; Brunswick, GA; Bartow, FL; Kansas City, MO; and Wichita, KS. Upon the request of Metropolitan Missionary Baptist Church of Kansas City, MO, Dr. Hartsfield returned to assume the pastorate for the second time in 1972 and served until December of 2007 as Senior Pastor. He retired having served 41 years as Pastor of Metropolitan Missionary Baptist Church. Doctor Hartsfield now holds the title of Pastor Emeritus, and his son, Wallace II, was appointed Senior Pastor.

This week, Dr. Hartsfield is to be inducted into the Missouri Walk of Fame during a reception as part of the Congressional Black Caucus Foundation's Annual Legislative Conference, an event held to honor the achievements of African-Americans who have made significant contributions to Missouri and the nation. Because of his sage understanding of the ills and gifts of the people in the urban core, he is frequently called the "Godfather" of the African-American community.

He is the Vice President-at-Large of the National Baptist Convention of America, Inc., Past President of the General Baptist State Convention of MO/KS/NE; Past Chairman of the Congress of National Black Churches and current Board Member of the Congress of National Black Churches. He has served as a Commissioner of Highway and Transportation for the State of Missouri and to the Municipal Judicial Commission for Jackson County. He also serves as an Executive Board member of the Jazz District Redevelopment Corporation.

Dr. Hartsfield is highly sought after by national, state, and local public servants as an advisor because of the fellowship he has among black leaders and clergy. He also is in much demand as a guest speaker in many areas nationally. He has served as adjunct Professor and guest lecturer at numerous colleges and universities across the nation. Dr. Hartsfield has served and currently serves on several Boards of Directors for various colleges and organizations. He is the recipient of numerous honors and awards. In January 2008, I was proud to introduce a bill in Congress to rename the Parkway Post Office in my Kansas City district to the Wallace S. Hartsfield, Sr. Post Office.

He is married to the former Matilda Hopkins of Brunswick, GA. He and Mrs. Hartsfield are the parents of four children, Pamela Faith, Danise Hope, Ruby Love, and Wallace S. Hartsfield, II. They are the proud grandparents of seven and great-grand parents of five.

For those reasons and more, it is indeed an honor and privilege to welcome and congratulate Rev. Dr. Wallace Hartsfield, Sr. on his induction into the 2012 Missouri Walk of Fame.

Mr. Speaker, please join me in expressing our appreciation to Reverend Doctor Wallace Hartsfield, Sr. and his endless commitment to serving the residents of the State of Missouri and the Greater Kansas City Metropolitan Area. He is a true role model, not just to the

African-American community in Missouri, but to the entire community and the nation. May his success serve as a stepping stone for many other African-Americans eager to be just as successful in their endeavors. While it is but a small acknowledgement for all of the work he has done, it is a heartfelt gesture, taking strength from the many lives he has touched in our hometown.

HONORING HERBERT HOROWITZ

HON. VERN BUCHANAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. BUCHANAN. Mr. Speaker, I rise to honor, Mr. Herbert Horowitz of Sarasota, FL. Herb was born in Brooklyn, New York; his family moved to Fall River, Massachusetts. Herb entered the Army in 1941 and was honorably discharged in 1945. He is a World War II veteran who served in the European theater. After serving his country, Herb returned home and began a civilian life. Upon his discharge, he went into the manufacturing of Men's Clothing.

Married now for seventy years to his wife, Isabelle, they raised three children (David, Robert & Debra). They talk proudly of their grandchildren and great-grandchildren. Herb was active in various local religious and community organizations. Retiring to Sarasota with his wife Isabelle in 1984, Herb has been active in his synagogue, Temple Sinai, and is now a respected elder member.

Herb still works out at the Sarasota Family YMCA, Evalyn Sadlier Jones Branch. Executive Director, Ben Pinegar, has said "Herb continues to be an inspiration to our senior members with his cheerful and positive outlook. His conscientious workout routine and his helpful attitude to other members is to be admired. He is also considered to be a mentor to some of our younger Y members. Herb helps to make our Y a family."

Herb will be ninety-five years young on November 17, 2012. I congratulate him and wish him many more happy birthdays. With Veteran's Day approaching, I thank all of our veterans, of which Herb is an example. I thank our veterans for not only their service to our country, but also for what they have contributed to their communities.

TRIBUTE TO LIEUTENANT GENERAL PATRICK J. O'REILLY

HON. MO BROOKS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. BROOKS. Mr. Speaker, I would like to pay tribute to Lieutenant General Patrick J. O'Reilly, United States Army and Director of the Missile Defense Agency.

Lieutenant General O'Reilly will be retiring from the United States Army after 38 years of honorable and faithful service to the United States of America: four years as a cadet at West Point, and for 34 years as a Commis-

sioned Officer. His service to this great nation spans nearly four decades that witnessed dramatic changes to the strategic national security landscape, organizational structure of the United States Army, and military services.

From humble beginnings growing up in Richland, Texas, to working long hot summers as a teenager on his mother's family farm in Davey, Nebraska, General O'Reilly recognized and believed that service to country was not only an obligation, but a calling. He entered West Point in 1974, at a time when many Americans shunned military service and military values as the United States exited the Vietnam War.

He started his commissioned Army career as a Maintenance Officer; he later served as an Ordnance Officer and a Physics Instructor at West Point. He then transitioned to the Army Acquisition Corps where his contributions and leadership have strengthened the security of the United States, our friends, allies, and international partners. Like all distinguished military careers, General O'Reilly has served in many assignments, including joint assignments that culminated with his service as the Director of the Missile Defense Agency.

General O'Reilly helped make missile defense a reality. He served as the Project Manager for the Directed Energy Directorate and as Program Manager for the Theater High Altitude Area Defense Missile Project of the Strategic Defense Initiative Organization, which later became the Ballistic Missile Defense Organization. He also served as the Product Manager for the Patriot Advanced Capability 3 Program. His outstanding work as an acquisition specialist and his engineering expertise earned him a career assignment as the Executive Officer to the Military Deputy to the Assistant Secretary of the Army for Acquisition, Logistics and Technology.

The Army, the Joint Staff, and the nation recognized his talent and expertise and appointed him to be the Program Manager for the Theater High Altitude Area Defense system in 1999. The Army later assigned him to be the Program Executive Officer for the Combat Support/Combat Service Support Program to provide Up-Armored vehicles to combat troops in Iraq and Afghanistan.

He returned to the Missile Defense Agency in 2005 and served as the Program Manager for the Ground-based Midcourse Defense system (GMD). In this role, General O'Reilly oversaw the development and acquisition of one of the most important weapon systems in the history of the United States, one designed to defend the homeland against long-range ballistic missile attacks. General O'Reilly was instrumental in successfully advancing the program following a challenging period. During his tenure as Program Manager, the Missile Defense Agency conducted the first successful flight test of the operationally configured Ground-Based Interceptor, and executed the first successful intercept flight test of the GMD system.

General O'Reilly's work as the GMD Program manager directly contributed to the fielding of the nation's first limited defense capability, the operational Ground-based Midcourse Defense System that was part of the initial Ballistic Missile Defense System (BMDS). This was the first ever deployed system to protect

the United States homeland against a limited ICBM attack. His achievements and technical missile defense knowledge were well recognized by civilian and military leadership, and as a result, he was assigned in January 2007 to be the Missile Defense Agency's Deputy Director. Just a little over a year later, following his elevation to Deputy Director, the Department of Defense hand-picked General O'Reilly to be promoted to Lieutenant General. He was then nominated by the President of the United States and confirmed by the United States Senate to become the Director of the Missile Defense Agency.

As the Director of the Missile Defense Agency, General O'Reilly successfully applied his insightful and decisive leadership to a series of national and international challenges as the Agency developed, tested, fielded, and expanded the BMDS to protect the United States, its deployed forces, and allies and friends against the growing and diverse threat posed by ballistic missiles.

As Director, he completed the construction of an additional missile field in Alaska for the GMD infrastructure to ensure a more robust defense of the homeland. As part of this plan, he made a commitment to Congress and the American people to field and deploy 30 Ground Base Interceptors by the end of 2010, and he fulfilled this important milestone in September 2010. He also initiated a Ground Based Interceptor fleet refurbishment and reliability enhancement program that resulted in upgrades and improvements to 10 Ground Based missiles deployed at Fort Greely, Alaska. Moreover, under his direction, the Missile Defense Agency completed the upgrades and integration of the Thule Early Warning Radar in Greenland, and the Clear Early Warning Radar in Alaska.

In January 2009, strategic direction on how the nation would deploy missile defenses in Europe directed a renewed focus on the ballistic missile threat from the Middle East to our NATO European allies. General O'Reilly was called upon to work with the Office of the Secretary of Defense (OSD), and the Department of State to develop and implement a four phased plan for the deployment of the European Phased Adaptive Approach (EPAA).

His work resulted in a unique solution to phase and convert shipped-based SM-3 missiles for land-based use. In December 2011, General O'Reilly and the Missile Defense Agency achieved a historical milestone by issuing a technical declaration for EPAA Phase 1 in December 2011. As a result, the United States has now successfully deployed a command and control battle management system in Germany and a forward-based radar in Turkey, and has assigned an Aegis Ballistic Missile Defense (BMD) ship to patrol the Eastern Mediterranean Sea.

During his tenure, his organization further completed BMD installations on 11 Aegis warships, including the upgrade of three ships from 3.6 to 4.0.1, giving them a ballistic missile defense capability utilizing the most capable interceptors available. During this time the Aegis BMD program delivered 66 SM-3 IA interceptors and four SM-3 IBs for flight testing. At the tactical level, he oversaw the delivery of the United States Army's first two operational THAAD batteries, initiated production

of two additional THAAD batteries, and managed the delivery of 51 THAAD interceptors to meet the needs of our Combatant Commanders and the needs of our allies.

General O'Reilly's missile defense vision extended far beyond the current set of fielded and planned capabilities. During his tenure, the nation witnessed the Airborne Laser Test Bed (ALTB) demonstrate revolutionary technology by achieving two historic shoot-downs of two short-range ballistic missile targets using directed energy technology. He also advocated and began program implementation to provide Precision Tracking Space System satellites to one day provide persistent overhead coverage from space as well as birth to death tracking of enemy ballistic missiles.

Mr. Speaker, these are but a few of the many accomplishments in General O'Reilly's storied and distinguished career. As I reviewed his experiences and contributions, I am reminded that his career has made national security history, and that he has also provided a vision for future generations of military officers.

I also believe all distinguished careers are helped, aided, and encouraged by friends and family. As a nation we also owe a debt of gratitude to General O'Reilly's wife, Judith, and his two daughters, Siobhan and Brigid. General O'Reilly and family, thank you for your service to God and Country. General O'Reilly, you have held true to your West Point Class of 1978 motto—"Proud and Great '78."

IN REMEMBRANCE OF JAMES M. NAUGHTON

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. KUCINICH. Mr. Speaker, I rise today to honor the life of newsman James M. Naughton who died at the age of 73 from complications of prostate cancer. He is survived by his wife Diana, three daughters, one son, and four grandchildren.

Mr. Naughton was born in Painesville, Ohio and earned his college degree from the University of Notre Dame while working summers at the local newspaper, The Painesville Telegraph. Upon his graduation in 1960, he served as a lieutenant in the Marine Corps for two years. In 1962, Naughton found himself back in Ohio writing about politics and urban affairs for the Cleveland Plain Dealer—a job he held for seven years.

From 1969 to 1977, Mr. Naughton worked at the New York Times as a White House and national correspondent covering the Nixon, Ford and Carter eras. During his tenure on the Times, he covered such stories as when Senator Muskie emotionally responded to a New Hampshire newspaper's attack aimed at his wife, former Vice President Agnew's admission of tax evasion in order to avoid bribery charges, and the Congressional impeachment hearings that arose out of the Nixon Watergate scandal. He later served as executive editor of The Philadelphia Inquirer during the time they earned 18 Pulitzers in 17 years, and from 1996 to 2003, Naughton served as the

President of the Poynter Institute for Media Studies in St. Petersburg, FL where he eventually retired.

Jim Naughton was a "prank loving" reporter with a witty spirit. He was known for showing up to a presidential news conference wearing the head of a chicken costume, and often placed a wide variety of animals in his colleagues' offices; he always believed such a mischievous spirit provided for an atmosphere of creativity and cohesion.

Mr. Speaker and colleagues, please join me in honoring the life and achievements of James M. Naughton.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. COFFMAN of Colorado. Mr. Speaker, on January 20, 2009, the day President Obama took office; the national debt was \$10,626,877,048,913.08.

Today, it is \$16,020,975,194,914.83. We've added \$5,394,098,146,001.80 dollars to our debt in 3½ years. This is \$5.3 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

PERSONAL EXPLANATION

HON. PAUL C. BROWN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. BROWN of Georgia. Mr. Speaker, on rollcall No. 579 had I been present, I would have voted "no."

IN RECOGNITION OF THE RETIREMENT OF SERGEANT FIRST CLASS KITO KAJUAN WILKINS

HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. ROGERS of Alabama. Mr. Speaker, I ask for the House's attention today to recognize Sergeant First Class Kito Kajuan Wilkins, who will be retiring from the US Army's 3rd Infantry Division, 3rd Combat Aviation Brigade.

Originally from Anniston, Alabama, Wilkins entered the Army in 1992. Upon graduation from boot camp, he became a Bradley Vehicle Driver at Fort Benning, Georgia. Soon after, he became a Squad Leader and Platoon Sergeant in Illesheim, Germany. From 1999–2002, he was stationed in Fort Hood, where he served as a Technical Inspector. After serving as a recruiter in San Antonio, Wilkins was deployed to Iraq to support Operation Iraqi Freedom. After his deployment to Iraq, Wilkins served in Fort Eustis, Virginia as an Instructor. From 2008–2010, he was stationed

at Fort Wainwright, Alaska, as a Platoon Sergeant and Section Chief. Currently, his duty location is Hunter Army Airfield in Savannah, Georgia. While stationed there he has deployed to Pakistan, where he took part in the Pakistani Humanitarian Mission Flood Relief, and Afghanistan, where he served his final deployment.

Because of his dedication to our country, SFC Wilkins has received countless awards. These include: 7 Army Accommodation Medals, five Army Achievement Medals, six Army Good Conduct Medals, two National Defense Service Medals, one Global War on Terror Expeditionary Medal, one Global War on Terror Service Medal, one Silver Recruiter Badge and one Basic Marksmanship Qualification Badge.

In addition to his dutiful service to our country, SFC Wilkins is a tireless volunteer. He has logged over 1,500 volunteer community service hours teaching youth football, basketball and soccer. Because of his volunteer efforts, Wilkins has received two Humanitarian Service Medals, a Military Outstanding Volunteer Service Medal, an Army Service Ribbon and two Overseas Service Ribbons.

Mr. Speaker, I offer my sincerest gratitude to SFC Wilkins, a true American hero, for his service to our nation.

IN RECOGNITION OF THE 89TH ANNUAL FEAST OF ST. WENCESLAUS

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in recognition of the Czech Catholics of Greater Cleveland on the occasion of their 89th Annual Feast of St. Wenceslaus on September 29, 2012 at St. John Nepomucene Parish.

St. Wenceslaus is the patron saint of the Czech Republic. Every year, his feast day, September 28th, is celebrated by Czech communities around the world. St. Wenceslaus was the leader of Old Bohemia during the early part of the 10th Century. During his tenure as king, St. Wenceslaus took a vow of chastity and was devoted to his Christian faith. Killed by his brother, St. Wenceslaus was later canonized as a martyr of the Christian faith.

St. John Nepomucene is one of only two Czech congregations left in the Cleveland Catholic Diocese, along with Our Lady of Lourdes Parish.

The Czech Catholics of Greater Cleveland will gather together on September 29th for mass featuring the Most Reverend Bishop Roger W. Gries and will be followed by a celebration dinner and performance by the Hronek Czech Band.

Mr. Speaker and colleagues, please join me in recognition of the Czech Catholics of Greater Cleveland on the occasion of their 89th Annual Feast of St. Wenceslaus. I offer my best wishes to the Czech Catholics of Greater Cleveland and all those who attend this joyous celebration.

IN RECOGNITION OF THE 10TH ANNIVERSARY OF MILESTONES AUTISM ORGANIZATION

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in recognition of the 10th anniversary of Milestones Autism Organization, a non-profit organization dedicated to improving the quality of life for individuals on the autism spectrum and their families.

Founded in 2003 by parents to promote life-long strategies for success for individuals with autism, Milestones Autism Organization has assisted more than 4,000 individuals throughout the past decade. Milestones trains parents and professionals using research-based techniques in order to improve the level of educational and therapeutic programming available for individuals with autism. Milestones offers parent workshops and training, professional development programs, school team training, consultation services, hosts an annual Autism/Asperger's conference, and has launched a professional network, the Milestones Consortium for Autism Professionals.

As Milestones Autism Organization celebrates its 10th anniversary this year, a special tribute will be given to its founding board members, Chantal Akerib, Bart Bookatz, Carol Lader and Sally H. Wertheim.

Mr. Speaker and colleagues, please join me in recognizing a decade of training and support provided by the Milestones Autism Organization.

A TRIBUTE TO THE REVEREND DOCTOR DARAN HERNANDEZ MITCHELL

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. TOWNS. Mr. Speaker, I rise today to pay tribute and honor the Reverend Doctor Daran H. Mitchell, a man dedicated to serving God, his family, and the community. Dr. Mitchell is the pastor of the First African Methodist Episcopal Zion Church in the Bedford-Stuyvesant section of Brooklyn, which I represent.

Dr. Mitchell earned a Bachelor of Arts degree in Religion/Philosophy-Liberal Studies from Bethune-Cookman College, a Master of Divinity degree from Hood Theological Seminary, and the Doctor of Ministry from the Samuel DeWitt Proctor School of Theology, Virginia Union University.

Since his appointment to the First A.M.E. Zion Church pulpit in October 2004, Dr. Mitchell has established a ministry to men, a ministry to women, a liturgical dance ministry, a media ministry, completed over \$850,000 in capital improvements, restored the Historic Clock on its edifice, and is actively creating partnerships with churches and community leaders in the Borough of Brooklyn.

An active member of the community, Dr. Mitchell presently serves as chairman of the

Board of Conference Studies for the New York Annual Conference; member of the Board of Trustees of the New York Annual Conference; member, Board of Directors, Harriet Tubman Home; chairman of the Budget Committee, New York Annual Conference; chairman of the Finance Committee for the New York City District, and a member of the Brotherhood Pension Board for the A.M.E. Zion Church.

Dr. Mitchell is married to the Reverend Lorraine Lynn Kennedy-Mitchell and they are the proud parents of a 16 year-old son, Caylen.

A gifted preacher, teacher, motivational speaker, builder, and community activist, Dr. Mitchell has sought to raise the spiritual climate and social consciousness of not only the congregation, but the community in general by becoming active in every aspect of community life. The community of Greensboro, North Carolina is gaining an extraordinary figure that will be greatly missed in Brooklyn.

Mr. Speaker, I would like to recognize the Reverend Dr. Daran H. Mitchell for his tremendous contributions to his congregants and the community.

Mr. Speaker, I urge my colleagues to join me in paying tribute to the Reverend Dr. Daran H. Mitchell.

HONORING 53 YEARS OF EXEMPLARY SERVICE BY THE FEDERATION OF ASIA-PACIFIC WOMEN'S ASSOCIATION

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Ms. BORDALLO. Mr. Speaker, I rise today to honor the Federation of Asia-Pacific Women's Association (FAWA) for more than 50 years of exemplary service to our community. FAWA has strived to develop mutual cooperation and friendship through the advocacy of cultural ties among Asian and Pacific Islander women in our region since its origins with the General Federation of Women's Clubs and its founding in the Philippines in 1959.

FAWA seeks to improve the lives of members and their communities. Their motto, "Asian Women United for Service" describes their efforts to effect major changes in the status of women in Asia and to work towards a better life for the Asia-Pacific region. FAWA accomplishes this objective through promoting closer relations and joint efforts among Asians, particularly women, by fostering a mutual appreciation of cultural, moral and socioeconomic values.

As an honorary president of FAWA, I am proud and excited to host this year's convention on Guam. This year's theme, "Empowering Asia-Pacific Women Through Knowledge and Opportunities," is fitting, as this convention brings together women leaders from across the Asia-Pacific region to share experiences and promote the continued growth and preservation of women's roles in the Asia-Pacific region. The conference will address issues affecting women in the modern world, including women and sustainability, women's health issues, and women and education. These sessions offer valuable networking opportunities for participants, and I encourage all

attendees to take advantage of this unique group of leaders; to make valuable connections with other empowered women in our community.

I recognize the founders, Minerva G. Laudico and Geronima T. Pecson; this organization has carried on their vision and passion across generations and national boundaries. I am confident that their legacy of service will endure. I commend my fellow Honorary President Cecilia Y. Koo, Honorary Advisor Nancy C. Nee, FAWA President Kristal Koga, FAWA 1st Vice President Charlene Yang, FAWA 2nd Vice President Mei Woo, FAWA 3rd Vice President Jung Sook Kim, Convention Chair Sylvia Crafton, Convention Co-Chairs Nancy Tan and Denise Mendiola-Hertslet, and members of the FAWA Board of Executives and all the organizing members for their efforts in ensuring that this year's conference, like past events, will be a success. I congratulate the Federation of Asia-Pacific Women's Association for their dedication and contributions, and I look forward to the continued growth of this organization for many more years to come.

THE AFFIRMING RELIGIOUS HERITAGE AND FREEDOM IN THE UNITED STATES ACT

HON. STEPHEN LEE FINCHER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. FINCHER. Mr. Speaker, I rise today to introduce the Affirming Religious Heritage and Freedom in the United States Act. This legislation is a simple statement recognizing the importance of religion in the lives of our nation's citizens, the strong role of Judeo-Christian heritage in the development of our nation, and the freedom for all to exercise their religious beliefs in our nation.

Our nation's history is storied with references to religious beliefs and symbols that mark their importance in the development of our nation. Those religious beliefs often inspired our nation's founding fathers, as well as presidents and lawmakers throughout our history, to stand firm in their conviction that this should be a nation of freedom, including freedom of religion.

Recently, we've heard more and more negative news stories about religion in our nation. I ask, what is wrong with faith and exercising your religious beliefs? When did religion become such a bad thing that people want to delete it from our nation's history? I am discouraged when I see anti-religion groups forming throughout the nation, working hard to remove any mention or symbol of God or religion in our public spaces and resources. These groups claim their work is about the separation of church and state, but the government is not forcing anyone into religion or to pay tithes to any particular religious establishment. Religion, specifically the Judeo-Christian religion, is just simply part of our heritage, and the Constitution says this is a nation with freedom of religion, not freedom from religion.

I introduced this resolution because we are a nation of people with the right to freely exercise our religion and many in our nation are

religious. A 2007 PEW survey shows that 92 percent of Americans believe in God. I also introduced this resolution because I believe the religious beliefs of Americans inspire them to do good for others, not harm. For instance, in 2010, \$298.42 billion of charitable contributions were made in the United States and 32 percent, or \$95.88 billion, went to religious organizations according to the National Park Service. From September 2010 to September 2011, 64.3 million people in the United States volunteered and 33.2 percent did so for religious organizations, the highest percentage of all volunteer categories according to the Bureau of Labor Statistics.

The freedom to exercise religious beliefs is vital to our nation's citizens and an important part of our heritage. That's why I am honored to introduce the Affirming Religious Heritage and Freedom in the United States Act.

TRIBUTE TO DAVID A. LINN

HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. DENHAM. Mr. Speaker, I rise today to recognize and thank Mr. David A. Linn for the time and energy he has dedicated to the Military Academy Nomination process by serving the constituents of the 19th Congressional District as a member of our Academy Selection Board.

David A. Linn was born in Pittsburgh, Pennsylvania on August 8, 1948. In June of 1970, Mr. Linn was commissioned an Ensign in the United States Naval Reserve through Purdue Universities' NROTC Program. Mr. Linn served his country honorably in Vietnam aboard the USS *Virgo* ammunition ship. Later, while still on active duty, Mr. Linn was trained and certified as a tier missile systems officer by the Department of Defense. He then served aboard the USS *Dahlgren*, a guided missile frigate, and the USS *Dale* of the standing NATO forces in the Atlantic.

After leaving active duty in 1973, Mr. Linn continued to serve as part of the Naval Reserve. During his reserve years, he served on numerous ships, participated in exercises at the Naval War College in Newport Rhode Island, and served on the staff of Commander and Chief of the Pacific Fleet in Pearl Harbor, Hawaii. He retired with the rank of Commander.

As a civilian, Mr. Linn married Betty Linn, Publisher of the Sierra Star Newspaper. He received a Bachelor of Science Degree from Purdue University, a Master's Degree in Business Administration from California State University, Dominguez Hills, and a Juris Doctorate from Pepperdine University.

Mr. Linn has practiced law for the past thirty-seven years and is currently the senior partner at the law firm of Linn Law Offices in Oakhurst, California. He is licensed to practice in California and has also been admitted to the Bar by the United States Court of Appeals for the Federal Circuit, the United States Claims Court, and the United States Supreme Court.

A sense of volunteerism has driven much of Mr. Linn's life. He has served as President of

the Oakhurst Community Fund and Oakhurst Community Park Association since 1984. He is a former President of the Oakhurst Sierra Rotary Club, the Eastern Madera County Bar Association, and the Eastern Madera County Chamber of Commerce.

Mr. Linn has remained politically active throughout his career and in his private life. He has served on many councils, including Congressional Advisory Councils, the Congressional Business Council, and Congressional Service Academy Selection Boards for the past eighteen years. He was the Republican nominee for the 18th Congressional District in 1988; and in 1989, he was the Eastern Madera County Man of the Year. He has been a member of the California Republican State Central Committee for fourteen years and currently is a Madera County Civil Service Commissioner.

Mr. Speaker, please join me in honoring David A. Linn for his outstanding service to his country and community. His expertise as a Naval Officer, strong academic background, and life experiences have made his contributions on the Academy Selection Board for former Representative George Radanovich and myself invaluable. He is a true public servant, and I wish him continued success in his future endeavors.

HONORING COLBY COLLEGE ON ITS BICENTENNIAL

HON. MICHAEL H. MICHAUD

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. MICHAUD. Mr. Speaker, I rise today to congratulate Colby College as it prepares to celebrate its bicentennial in 2013.

Nearly 200 years ago, residents of Kennebec County raised over \$4,000 to secure land for a locally-based theological institution. The petition establishing what was then the Maine Literary and Theological Institution was formally adopted by the Massachusetts Legislature on February 27, 1813, making it the 33rd chartered college in the country. Today, Colby College enrolls over 1,800 students from 46 states and 76 countries. As one of the finest liberal arts colleges in the country, its graduates have gone on to become international business leaders, critically acclaimed writers, noted statesmen, and even members of my Congressional staff.

Throughout its history, Colby College has fostered a culture of social justice at its very core. In 1833, students launched the first college-based anti-slavery society. In 1871, Colby College became the first all-male college in New England to admit women, the first of whom was Mary Caffrey Low, valedictorian of the Class of 1875 and one of the five founding members of the Sigma Kappa sorority. In 1985, students successfully protested for College divestment in South Africa in protest of apartheid. More recently, Colby has made ever increasing strides to attract students with diverse cultural and economic backgrounds, to reduce the college's carbon footprint, and to develop new partnerships with the community.

The College will kick off its bicentennial celebration this October. Special lectures,

panel discussions, and festivities will be held throughout the year both on campus, as well as in downtown Waterville. I am pleased to have the opportunity to join the community's celebration of Colby, and I look forward to watching the College continue its growth during the years to come.

Mr. Speaker, please join me again in congratulating the students, alumni, faculty, staff, and friends of Colby College as they celebrate their bicentennial.

CELEBRATING THE 101ST ANNIVERSARY OF DOUBLE TEN DAY FOR THE PEOPLE OF TAIWAN

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Ms. BORDALLO. Mr. Speaker, I rise today to congratulate the people of Taiwan on the upcoming celebration of the 101st anniversary of "Double Ten Day." Double Ten Day traces its roots to the Wuchang Uprising that occurred on October 10, 1911. The Wuchang Uprising signaled the end of the Qing Dynasty and the start of a democratic movement that we continue to celebrate and recognize. Double Ten Day is a celebration of the birth of democracy and the Republic of China.

I want to especially recognize the people of Taiwan on this important occasion. The strength of the relationship between the people of Taiwan and the people of the United States is strong and this is evidenced by the expansion of the U.S. visa waiver program to include Taiwan. Inclusion of Taiwan in the U.S. visa waiver program is a significant development in the relationship between both countries. This announcement will help to expand business opportunities as well as deepen our mutual appreciation for each other's unique cultures. Exchange of our cultures is clearly evidenced on Guam, which is home to many people of Chinese ancestry. Guam continues to benefit from their cultural contributions to our community and the promotion of trade and economic opportunities. I congratulate the people of Taiwan on the 101st anniversary of Double Ten Day. We celebrate this historic occasion with them and we honor their friendship with the American people.

HONORING CHANDLER ELEMENTARY SCHOOL AS A 2012 BLUE RIBBON SCHOOL

HON. JEB HENSARLING

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. HENSARLING. Mr. Speaker, today I would like to honor Chandler Elementary School of the Brownsboro Independent School District from the Fifth Congressional District of Texas for excellence in education. Chandler Elementary School was named to the United States Department of Education's 2012 Blue Ribbon Schools Program, which: "recognizes public and private elementary, middle, and

high schools where students perform at very high levels or where significant improvements are being made in students' levels of academic achievement."

Chandler Elementary School's performance illustrates the commitment and dedication of the school board, administrators, teachers, and staff who provide students with a quality education. The school district, parents, students, and community should be applauded for this achievement.

Mr. Speaker, as the representative for the Fifth Congressional District of Texas, I would like to commend Chandler Elementary School for their continued educational achievements.

HONORING THE 90TH BIRTHDAY OF MARY LYDIA MATTA GARZA

HON. JEFF FLAKE

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. FLAKE. Mr. Speaker, I rise today to commemorate and celebrate the 90th birthday of Mrs. Mary Lydia Matta Garza, of Mesa, Arizona.

Known to her friends and family as Mary Lou, Mrs. Matta Garza is perhaps best known in the Mesa community as the proud owner and operator of the former Matta's Restaurant. Now a Mesa landmark, Matta's was opened in 1953 by Mrs. Matta Garza and her husband, Manuel. Mary Lou and Manuel opened Matta's with only \$1,000, and grossed a mere \$25 a day in those first few weeks and months of getting their small business off the ground.

Matta's opened as a small storefront, but its family-oriented traditions and atmosphere, and of course, its great dishes based on Matta family recipes passed down for generations, drew larger and larger crowds. The Matta's following grew so much that in 1969, Mary Lou and Maneul were able to expand Matta's home, adding enough seating for 350 people.

Mrs. Matta Garza and her family decided to close Matta's in 2008 after 55 years of serving quality Latin fare. But despite its closed doors, its traditions, and of course, its great food, now live on at Matta's Mexican Grill in East Mesa and Matta's Grill and Cantina in Northwest Mesa, which are owned and operated by Mrs. Matta Garza's grandchildren.

While Matta's was becoming a successful business and Mesa landmark, Mrs. Matta Garza—in between helping to run the restaurant and raise six children—made many important contributions to the Mesa community and the state of Arizona. She launched the Mesa-Phoenix and Flagstaff councils of the League of United Latin American Citizens, or LULAC, and served as LULAC's regional governor. She volunteered her time at the Southside Hospital of Mesa and Desert Samaritan Hospital and served as a board member and treasurer of the Mesa Chamber of Commerce. For her many efforts to give back, Mrs. Matta Garza was named Mesa Woman of the Year in 1973.

In her 90 years, Mary Lou Matta Garza raised her six children, saw the birth of 21 grand children, 23 great grandchildren, and even one great-great grandchild. She ran a

profitable business that became a pillar of Mesa. And she gave much of her time, effort, and love to her community. Mrs. Matta Garza is fond of saying that giving back in this way will "reward you tenfold." As a Mesa resident, I feel rewarded to have had her as an integral part of our community. Thank you, Mrs. Matta Garza, for all you have done and continue to do for our town and our home.

EXAMINING THE ROLE OF RWANDA IN THE DRC INSURGENCY

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. SMITH of New Jersey. Mr. Speaker, I held a hearing that examined U.S. policy toward Rwanda following the release on June 26th of a United Nations report confirming Rwanda's support of rebels who have ravaged the provinces of North and South Kivu in neighboring Democratic Republic of the Congo, or DRC. In the aftermath of the 1994 genocide until the issuance of this report, the international community declined to comment on Rwanda's interventions in the DRC. We need to better understand the devastation caused by these interventions and gauge how the United States can play a helpful role in bringing this crisis to an end.

Unfortunately, our previously scheduled Administration witnesses—Assistant Secretary of State for African Affairs Johnnie Carson and USAID Assistant Administrator for the Bureau of Africa Earl Gast—are unable to testify this morning due to events in the world involving heightened security for U.S. embassies and aid missions. This would have been an opportunity to present a full statement of the Administration position on what has happened in the DRC and what needs to be done to more effectively address the root causes of the ongoing conflict there. We expect that they will be available to speak publicly on these matters at a later date.

We had a distinguished private panel that was more than able to shed light on the crisis in the DRC, as well as Rwanda's involvement in the ongoing rebellion in eastern DRC. The crisis in the DRC is both tragic and complex, and the ethnic cleavages have developed over more than a century, although they have been heightened in recent decades. The first significant recorded influx into the DRC of Rwandan Tutsis and Hutus dates back to the 1880s.

Other ethnic groups in DRC (then known as Zaire) began to fear the influence of the Rwandans, especially in the East. The Hutu-Tutsi conflict in Rwanda led to the 1994 genocide there, but Hutu-Tutsi animosity also spilled over into the DRC. Hutu militiamen, who fled Rwanda after the genocide, have repeatedly attacked Rwanda, and fighting involving Tutsis and Hutus inside the DRC have terrorized the inhabitants of the eastern part of the country.

As one of our witnesses today, Congolese Bishop Ntamba Ntanda, told us, six million people have lost their lives in the DRC as a result of recurring conflict. Far from resolving ethnic disputes, the interventions by Rwanda

in the DRC have exacerbated tensions among the ethnic groups who live there.

In the wake of activity by Rwandan troops or militias that they create or support, Tutsi and Hutu people living in the DRC have become targets as a result. Rwanda has been engaged in armed intervention in the DRC for at least 17 years. If this is the most successful method to halt cross-border attacks into Rwanda by Hutu rebels operating from DRC territory, why is there continued devastation in the region? Why do Tutsis and Hutus living in the DRC seem more hated today than they have been previously?

During the summer of 2008, the National Congress for the Defense of the People (CNDP), a Congolese rebel group, reportedly was backed secretly by Rwanda. It was initially led by Tutsi General Laurent Nkunda, an indicted war criminal. A March 23, 2009, agreement between the DRC and Rwanda led to the arrest of Nkunda, but replaced him with Bosco Ntaganda, even then a suspected war criminal for whom the International Criminal Court (ICC) had issued an arrest warrant in 2006. When the CNDP judged that DRC President Joseph Kabila had broken the 2009 accord, Ntaganda led a mutiny that named itself M23 for date of the broken agreement and began a reign of terror in eastern DRC.

In June of this year, a United Nations Group of Experts report confirmed that Rwandan Defense Minister James Kabarebe and other top Rwandan military officers played a central role in organizing, funding and arming the mutineers in eastern DRC. The report also stated that Rwandan military officers engaged in efforts to convince Congolese businessmen, politicians and former rebels that had joined the Congolese army to join the M23 mutiny in order to wage "a new war to obtain a secession of both Kivus." The report further charged that Rwanda was protecting Ntaganda from arrest. Meanwhile, Nkunda remains in Rwanda—immune from prosecution for his crimes.

Aside from ethnic divisions and allegations of breach of faith in agreements, another source of conflict has been the abundant mineral wealth in DRC, including 70% of the world's coltan (used to make vital components of cell phones and other electronic equipment), 30% of the world's diamond reserves and vast deposits of cobalt, copper and bauxite. The UN report stated that rebels in the East export precious minerals for profit to fund their continuing mayhem and that Rwandan officials also were benefiting from DRC's mineral wealth.

We have held this hearing to begin the process of finding a way to address the factors that have caused Rwanda's armed intervention in hopes that the U.S. Government can offer a lasting solution to the long crisis in the DRC.

PAYING TRIBUTE TO LIEUTENANT COLONEL KELLY M. LAUREL FOR EXCEPTIONAL SERVICE TO THE UNITED STATES ARMY AND TO OUR NATION

HON. NORMAN D. DICKS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. DICKS. Mr. Speaker, I rise to pay tribute to Lieutenant Colonel Kelly M. Laurel for her exceptional dedication to duty and service to the United States Army and to the United States of America. Lieutenant Colonel Kelly Laurel will be transitioning from her present assignment as the Senior Army Budget Congressional Liaison for the Army (SAFM-BUL) to work on the Secretary of the Army's Strategic Initiatives Group.

A native of Laredo, Texas, Lieutenant Colonel Kelly Laurel enlisted in the Wyoming Air National Guard in 1989 and completed Air Force Basic Military Training and Medical Records Technician Training at Lackland Air Force Base, Texas. She later joined the Army Reserve Officer Training Corps program at Weber State University, where she completed a bachelor's degree in Microbiology and Chemistry in May 1993. Upon her graduation she was commissioned a Second Lieutenant in the Medical Service Corps in the Army Reserve. The following year she opted to enter the active duty Army.

Lieutenant Colonel Laurel's assignments have been diverse, including Medical Platoon Leader, 61st Area Support Medical Company; Adjutant, 1st Medical Group; Budget Officer, 13th Corps Support Command; and Company Executive Officer, 502d Medical Company (Dental Service), all at Fort Hood, Texas. In Korea, she served as a Company Commander, for Headquarters, 52d Medical Evacuation Battalion; and later Chief of the Management Division, 18th Medical Command. In Germany, she served as the Chief Financial Officer for the Heidelberg Medical Activity. She was then assigned to Office of the Surgeon General where she served as the Senior Budget Analyst, Chief of the Financial Health Policy Division and as a Congressional Affairs Coordinating Officer. In addition to her regular duties, she also served as the Deputy Consultant for Comptrollers for over three years, where she assisted in recruitment, career development and assignments for all MSC Comptrollers.

Lieutenant Colonel Laurel has worked diligently throughout her career to help the Army and take care of our nation's men and women in uniform. As a Senior Legislative Liaison she worked directly with the Senate and House Appropriations Committees to educate and inform Senators, Representatives, and staff about medical issues, soldier issues and various programs.

Mr. Speaker, it has been a pleasure to work with Lieutenant Colonel Kelly Laurel during her time as a legislative liaison. On behalf of a grateful nation, I join my colleagues today in recognizing and commending Lieutenant Colonel Kelly Laurel for a lifetime of service to her country. We wish Kelly, her husband Raymond, and her children Alex, Isabella, Zachary

and Daniel all the best as they continue their journey in the United States Army.

RECOGNIZING NORTHEAST TENNESSEE SECTION OF THE AMERICAN CHEMICAL SOCIETY ON NATIONAL CHEMISTRY WEEK

HON. DAVID P. ROE

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. ROE of Tennessee. Mr. Speaker, during the week of October 21–27, the American Chemical Society, ACS, will be celebrating the 25th anniversary of National Chemistry Week. National Chemistry Week is an annual community outreach program hosted by the ACS and its volunteers across the country to highlight the importance of chemistry in our lives. This year's theme is Nanotechnology: The Smallest Big Idea in Science.

I applaud the ACS for its efforts to showcase the importance of science to all Americans—especially our students. The study of chemistry and nanotechnology has made tremendous advances possible in areas ranging from energy and the environment to health. And with so many American servicemen and women still in the field, it is worth noting that nanotechnology has been used to create a special coating of Teflon to Kevlar, which offers added protection to those in uniform. And in chemistry—as with all of science—we are just scratching the surface of what is possible.

I commend the American Chemical Society—and its Northeast Tennessee Section—for hosting its annual celebration of National Chemistry Week.

100TH ANNIVERSARY OF THE NUT GOODIE BAR

HON. BETTY MCCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Ms. MCCOLLUM. Mr. Speaker, today I rise to honor the 100th Anniversary of the Nut Goodie Bar—one of my favorite candies that just so happens to be produced in Saint Paul, Minnesota in my congressional district. This delicious candy became an instant success when it was introduced by Pearson's Candy Company in 1912, and it continues to delight 100 years later.

Honoring the 100th Anniversary of a candy as iconic as Pearson's Nut Goodie Bar is no small task. The company is releasing a limited time only candy, the Sea Salt Caramel Nut Goodie. Inspired by the "Golden Ticket" contest from Rohald Dahl's, Charlie and the Chocolate Factory, the wrappers for the special edition Nut Goodie have a code that can be entered to see if you have won a "Too Goodie to Be True Factory Tour." The Minnesota State Fair even got involved in the celebration with a deep fried Nut Goodie Bar.

Pearson's Candy Company has been a Minnesota institution since 1909, when it was founded by J. Edward Pearson and his brothers John Albert and Oscar F. Pearson. The

company quickly became a leading producer of candy. In 1933 the Pearson brothers introduced the Salted Nut Roll, which continues to be a favorite to this day. The company moved to St. Paul in 1951 when they purchased the Trudeau Candy Company, which brought the famous Mint Pattie to its growing array of products. Recently, the Bun Bar was added to the tasty company offerings.

Mr. Speaker, please join me in paying tribute to the 100th Anniversary of the Nut Goodie Bar, and the proud employees who make them at Pearson's Candy Company in Saint Paul, Minnesota.

HONORING ANNALEE CARROLL
FROM APPLETON, MAINE

HON. CHELLIE PINGREE

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Ms. PINGREE of Maine. Mr. Speaker, I would like to recognize a young constituent of mine who has proven that vegetables aren't just healthy, but delicious.

In August, the White House invited children from across the country to a "Kids State Dinner" to highlight healthy recipes that they submitted. Twelve-year-old Annalee Carroll from Appleton, Maine, was selected to represent our state with her recipe for turkey dumplings.

Full of healthy ingredients, Annalee's turkey dumplings can be made in a flash—and look tasty enough to disappear from dinner plates just as quickly.

While parents have been the ones historically to tell their children to eat vegetables, we all have something to learn from Annalee and her peers. Go into a school cafeteria in Maine these days and you're likely to see kids happily gobbling up kale instead of French fries. In between classes, they're tending to the school garden. On the weekends, they're introducing their parents to the local farmers market.

What's behind the change? For years, children learned little—if anything—about what they ate and where it came from. Today, though, more schools are connecting students directly with their food sources. Children are literally getting their hands dirty while learning about the places and people producing their food. With that first-hand information, students more often opt for fresh, healthy foods, many of which can be grown locally or even in school gardens.

I am grateful that the White House, and in particular the First Lady, has done so much to raise awareness about eating healthy, and to celebrate kids who are leading this positive change. Congratulations to Annalee on her excellent recipe!

IN RECOGNITION OF THE TURTLE
BAY ASSOCIATION ON THE OCCA-
SION OF ITS FIFTY-FIFTH ANNI-
VERSARY

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mrs. MALONEY. Mr. Speaker, I rise to acknowledge the achievements of the Turtle Bay Association of New York, which celebrates its 55th anniversary this year. For over half a century, the dedicated members of the Turtle Bay Association, TBA, have served as passionate and conscientious stewards of one of Manhattan's most celebrated and historic neighborhoods.

The Turtle Bay Association has worked tirelessly to improve and preserve the quality of life in its community. In 1957, community members created the Turtle Bay Association to give residents a platform for voicing concerns about the ways in which robust development affected their neighborhood. TBA members, which number nearly 2,000, have conserved their area's low-rise architectural cohesiveness and aesthetic beauty by successfully fighting for rezoning efforts. They have also undertaken numerous neighborhood beautification initiatives, such as the Turtle Bay Association Tree Program and the Beautification of Second Avenue campaign resulting in tree and flower planting and graffiti elimination. They have spearheaded major renovations of public spaces at Peter Detmold Park, MacArthur Playground, and Dag Hammarskjöld Plaza. In the Plaza, they created the Katharine Hepburn Garden, a green and tranquil urban oasis named after one of America's most celebrated actresses.

Turtle Bay Association members have preserved Turtle Bay's quality of life by serving as community watchdogs through vigorous involvement in the New York Police Department's 17th Precinct Community Council and volunteer efforts such as repainting street furniture and supporting the National Night Out Against Crime every year. They have worked closely with local elected officials and municipal agencies to secure optimum government service, and kept Association members informed through the publication of regular newsletters, the TBA website, and bulletin board displayed on Second Avenue. The Turtle Bay Association is known for hosting annually recurring events such as a holiday season toy drive and a "Love Thy Neighborhood" Valentine's Day Party.

Currently, the Turtle Bay Association is keeping an eye on the impact of the many homeless shelters that are in and around the Turtle Bay area; and TBA continues to donate magazine subscriptions to the 30th Street Men's Shelter. The Association is also working to create bike lanes and improve security in the area to ensure the safety of pedestrians and cyclists in the neighborhood.

The Turtle Bay neighborhood dates back to 1639, when the Dutch rulers of Manhattan Island granted two English settlers a land grant. Turtle Bay's natural beauty was noted by famous Americans from Horace Greeley to Edgar Allan Poe. Its iconic past is outlined in

the 2008 book by former TBA board member, Pamela Hanlon, Manhattan's Turtle Bay: Story of a Midtown Neighborhood. Today, as the home to the United Nations, Turtle Bay is a fitting symbol of New York City's status as the capital of the world. Famous Turtle Bay residents, in addition to Katharine Hepburn, have included Walter Cronkite, Kurt Vonnegut, Dorothy Thompson, Tyrone Power, Maxwell Perkins, Mary Martin, Derek Jeter, and the brilliant Broadway composer Stephen Sondheim. Today, the Turtle Bay Association's legacy of effectiveness and voluntarism is proudly led by its Board of Directors: President William E. Curtis, Vice Presidents Millie Margiotta, Dolores Marsh, and Bruce Silberblatt, Secretary Pascale Longuet, and Treasurer Dick Irwin.

Mr. Speaker, I request that my distinguished colleagues join me in honoring the passionate and dedicated Turtle Bay Association members for their ongoing success in helping to make Turtle Bay a wonderful place to live, and in saluting them on the occasion of the Association's 55th anniversary.

HONORING COMMANDER ROBERT
HADLEY BROWN

HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. DENHAM. Mr. Speaker, I rise today to honor the service career of Commander Robert Hadley Brown. Commander Brown served his country in the United States Navy and will soon be celebrating his upcoming retirement as District Attorney for Mariposa County.

In December of 1960, Commander Brown entered the United States Navy through Officer Candidate's School and was commissioned into the U.S. Naval Reserve. Robert then married his college sweetheart, Jo Ann, in Memphis, Tennessee on June 4, 1961. As the couple continued their lives together they were blessed with two children, Robert Hadley Brown, Jr. and Elizabeth Ann Brown Rinella, along with four grandchildren—Benjamin, Hadley, Dylan, and Shauna.

In 1963, Commander Brown was commissioned into the United States Navy as a Lieutenant Junior grade. After being commissioned, Commander Brown served on three warships, as well as commanding a River Patrol Division in Vietnam, where his division earned a Presidential Unit Citation. Robert was also awarded a Bronze Star in recognition of his superior service. While on active duty, Commander Brown and his family lived in Hawaii, Germany, Rhode Island, and San Diego. After twenty years of active service in the United States Navy, Robert honorably retired as a Commander in 1980.

After ending his U.S. Naval career, Commander Brown continued his education at the University of Memphis. Robert then attended Boston University earning his Master's Degree in Education. He finished his collegiate career at Thomas Jefferson University in 1985, where he received his Juris Doctorate and graduated fourth in his class. Commander Brown's dedication to his studies was rewarded that same year, when he passed the state bar.

In his new career path as a lawyer, Commander Brown joined a law firm in San Diego. After two years, he knew he wanted to be a prosecutor and joined the San Diego City Attorney's Office. In 1989, Robert and Jo Ann bought a ranch in Mariposa County and moved from San Diego. Robert became a Deputy District Attorney in Merced County in June of 1989, and was later promoted to a Supervising Deputy District Attorney. Commander Brown retired from this position in November, 2002.

In that same year, he was elected as the Mariposa County District Attorney. He was then reelected in 2006 and 2010. During his ten years of service in this capacity, Commander Brown dedicated his time to protecting the citizens of Mariposa County.

On October 31, 2012, Commander Brown will retire as the Mariposa County District Attorney.

Mr. Speaker, please join me in honoring Commander Robert Hadley Brown for his outstanding achievements in his career. He is a true public servant. I congratulate him on his retirement, and wish him the best of success in his future endeavors.

RECOGNIZING THE ACHIEVEMENTS OF PASTOR CHARLES J. BRISCOE

HON. EMANUEL CLEAVER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. CLEAVER. Mr. Speaker, I proudly rise today in recognition of the achievements of Pastor Emeritus Charles J. Briscoe, a graduate of Western Bible College, a studious teacher of the Holy Bible, and a member of the Fifth District of Missouri, which I am deeply honored to represent. Pastor Briscoe is a native of Kansas City. He attended elementary school and graduated from the R.T. Coles Vocational High School with music as his major.

Pastor Briscoe was honored by the National Center for Fathering with the 2004 "City Father" award. Offered to recipients who demonstrate community and family leadership and influence, the award was a fitting testament to

the father of nine children and a man who has served Kansas City in various capacities for over 50 years.

Rev. Briscoe, a native Kansas Citian, has been involved with community services most of his life, including Goodwill Industries, the Neighborhood Alliance, and the Young Men's Christian Association (YMCA). From 1970 to 1974, he worked as President and then Chairman on the Kansas City, Missouri School Board. "This was shortly after Martin Luther King was assassinated" he says of the experience, "and so there was a lot of turmoil here in Kansas City." He remembers letting students vent their frustrations, rather than "giving it back to them. It helped diffuse some of the volatile situations."

Retired since February, 2003, Rev. Briscoe was senior pastor of the historic Paseo Baptist Church for 35 years. He has made mission trips with the church all over the world, including Africa, Israel, and Jamaica. While on a work and witness trip in South Africa, he, his wife Georgia Mae, and six other Paseo Baptist members helped start up their sister church in Johannesburg and conducted Vacation Bible School for the youths.

Pastor Briscoe, although retired, remains a much respected and admired religious leader. He continues his involvement with Paseo Baptist Church and serves on the Board of Directors of Salvation Army and as Secretary for the Carver Foreign Missions Board. He has served as a Co-Chair of the Billy Graham Evangelical Association's Heart of America Campaign.

Rev. Briscoe has been committed, throughout his ministry with building strong families with the church and the community. One of his greatest joys is building bridges of understanding between various peoples and helping families become wholesome influences to this community. He is considered Kansas City's supreme pastor and for that and numerous other roles of service, he is now inducted into the Missouri Walk of Fame.

Mr. Speaker, please join me in expressing our appreciation to Pastor Charles Briscoe and his endless commitment to serving the residents of the State of Missouri and the Greater Kansas City Metropolitan Area. He is a true role model, not just to the African-Amer-

ican community in Missouri, but to the entire community and the nation. May his success serve as a stepping stone for many other African-Americans eager to be just as successful in their endeavors. While it is but a small acknowledgement for all of the work he has done, this recognition is a heartfelt gesture, taking strength from the many lives he has touched in our hometown.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, September 20, 2012, may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

SEPTEMBER 25

2 p.m.

Homeland Security and Governmental Affairs

Federal Financial Management, Government Information, Federal Services, and International Security Subcommittee

To hold hearings to examine improving financial accountability at the Department of Defense.

SD-342

HOUSE OF REPRESENTATIVES—Thursday, September 20, 2012

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. FLAKE).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
September 20, 2012.

I hereby appoint the Honorable JEFF FLAKE to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 17, 2012, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 11:50 a.m.

REMEMBERING RICKY WRIGHT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. CONAWAY) for 5 minutes.

Mr. CONAWAY. Mr. Speaker, I rise today to recognize a good and decent man, a loyal servant of Texas and my friend, Ricky Wright. Ricky Wright passed away Wednesday, August 1, after a tremendous battle with cancer. Words cannot adequately express the sorrow and disbelief that Susan and I feel, along with every member of our team, at these difficult times.

I met Ricky when I first started running for Congress, and since that time, Ricky has been at my side as a mentor, confidant, and a close friend. While Ricky was employed as my district director, he served the people of District 11.

This service to his neighbors was a task he lived every day. Ricky routinely logged hundreds of miles a week, drove to every corner of District 11. Through his work, he touched the lives of thousands of Texans. There was no problem in our district that was too small for his attention or too big for his talents.

During these travels, Ricky never once met a stranger. With his easy

smile and open demeanor, Ricky would make everyone feel like they'd been his friend for a lifetime. But during all these travels and meetings, too many to count, he never forgot that his home was Comanche, Texas.

Comanche is ever much a part of Ricky as his fingers and his toes. It was the community he was raised in, the community that taught him the character and morals that would guide his life. Perhaps that is also where he inherited his stubborn streak. Ricky had a confidence in the possibilities that could be, in spite of the limited vision of those around him. You could see this in him every day as he quietly refused to yield to mediocrity or to compromise his principles.

It was his stubbornness that set Ricky apart from the crowd, and that's where I believe he was most comfortable, just a little further up the path, showing the rest of us the way. Today, Ricky is still just a little further up the path showing us the way as he showed us how he carried himself in the face of those deep difficulties toward the end of his life.

We'll remember Ricky as he would want to be remembered, a faithful friend, a tireless worker whose hopeful, idealistic, daring, and decent way of life inspired us all. To those of us who knew him and worked with him, he was like family, and his loss will be felt every time we gather together without him. He'll never be replaced or forgotten, and I ask you for your prayers for Ricky and his family and those of us who loved him.

I miss my friend.

STILL FIGHTING FOR THE RIGHT TO VOTE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, there have been two struggles to make American democracy work. First was who would be eligible to vote. Originally, only those who were white, male, property owners over 21, voted, perhaps a quarter of the population.

More than three-quarters of a century later, having fought the Civil War, African Americans were granted the franchise. It would be another two-thirds of a century before voting rights were extended to women.

Finally, in a battle that I was proud to be a part of as a college student, campaigning and testifying before Con-

gress, we adopted the 26th amendment, extending the voting rights to young people at age 18.

But there's always been another battle: Who amongst the theoretically eligible voters are actually able to cast their ballot and have it counted?

It's no secret the States in the Old South waged a brutal extra-legal war to prevent newly enfranchised African Americans from voting. The discrimination, intimidation and violence are well-chronicled; and it's why, almost a century after African Americans were given the legal right to vote, we still need the Voting Rights Act of 1965 to really give them the vote supposedly guaranteed under the Constitution.

Despite the Voting Rights Act, and two centuries of struggle, there's still a battle today. Part of the Republican game plan for 2012 is to make voting difficult or impossible for some of the same groups who have long suffered discrimination, who are now seriously disadvantaged by new voter suppression laws that have been passed by Republicans in States like Ohio, Pennsylvania, and Florida.

Because voter fraud is a Federal offense, with serious legal consequences, even jail time, improperly cast ballots are virtually nonexistent in the United States. There are far more votes that are lost due to malfunctioning voting machines, mistakes and sleight-of-hand by local elected officials who are either inept or cheating than are all the cases that have been documented nationwide.

Texas has another effort to pass aggressive voter ID legislation, but they can find only five documented incidents of voter fraud in 13 million ballots cast in the last two elections.

In Pennsylvania, there have been fewer cases than you can count on your fingers, yet up to a million people may be denied the right to vote because of these legal changes.

Millions of poor, elderly, minority and student voters don't have passports or driver's licenses; some don't even have birth certificates. They may face the modern version of a poll tax, and that's unconscionable.

The media and courts are pushing back on some of the more outrageous behaviors, like Ohio's Secretary of State, John Husted, who was called out and forced to back down after he tried to limit early voting in counties with Democrats in the majority, while expanding them in Republican counties.

Come election day, the problems will still persist. There is a solution: pry

partisan fingers off the controls of a varied election process. We shouldn't be treating the precious right to vote as a game where partisan advantage comes at the expense of our civil rights.

Oregon has been involved for 25 years with what is no longer an experiment but a display of a better way: vote by mail. Each registered voter in the Oregon is mailed a ballot to their residence 19 days before the election. They are given well over 400 hours to examine the ballot, make their decision on the issues and individuals, and return it by mail or in person.

Oregonians don't worry about people gaming voting machines, closing precincts early, having long lines for working people at the end of the day, or mysteriously running out of ballots at precincts that are likely to vote against you. In Oregon, there's no problem with illegal voting. Everybody has access to the ballot, and results are processed in a timely fashion.

It's shameful that, after more than two centuries of struggle for the right to vote, we're still playing games with people's opportunity to exercise that hard-won privilege upon which our democratic tradition rests.

I will be championing the Oregon solution of vote by mail to make the process simpler, more reliable, most important, fairer, while saving money in the process. I hope these blatant attempts at manipulation and discrimination backfire so that the next Congress and the administration are positioned to do something about it.

A country that prides itself as the oldest democracy deserves for the democratic process to work.

STILL NO FARM BILL

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from South Dakota (Mrs. NOEM) for 5 minutes.

Mrs. NOEM. Mr. Speaker, this is the second-to-the-last day that we'll be here and be in session before we head home to our districts, and we still do not have a farm bill that gives certainty to our producers and our ranchers across the country. In a little over a week, the 2008 farm bill is going to expire.

While many of these programs will continue into the future for months ahead, we have an opportunity to actually save money and give other producers certainty as they begin planning for the coming years.

Last week, I sat down and I visited with Mike and Lori. They're producers from near the town of Huron, South Dakota. They raise corn, soybeans, and beef cattle. And this year was particularly difficult for them in light of the drought situation that producers in South Dakota were facing.

□ 1010

Thankfully, they had programs such as crop insurance that helped them manage their risk in such a difficult year. They wrote me a letter on the importance of the farm bill, and I want to read a portion of that letter to you:

We are experiencing a severe drought in our area this year. We put up half the hay that we normally do. Dugouts are starting to dry up, and crop yields will be down significantly. Crop insurance will be extremely important to offset lost crop production and lost revenue due to poor crop conditions. Crop insurance is a vital part of providing stability to our income and allowing us to stay a viable family farm dedicated to growing a safe, affordable food supply for a growing world.

They went on in their letter to describe exactly what this means to their family at home:

We have a 6-year-old son and a 4-year-old daughter. We tell them daily how important our jobs are as farmers, how we are truly feeding the world. They are taking true pride and ownership of that, and passing a good farm bill only helps stabilize their dreams, their futures—and ours.

A 5-year farm bill gives us the stability to plan ahead for our operation long term. With the limited time Congress has to pass a farm bill before the current one expires, I would encourage lawmakers to look to rural America and realize how much work we can get done in a week. We know that, if the farm bill is made a priority, there is still enough time to get one passed. Thank you again for your work, and we urge Congress to pass a farm bill now.

This past week, I was traveling through the middle of our State, in an area that has been hit particularly hard by the drought. I stopped at a truck stop and visited with many producers who were there filling up with fuel and getting supplies to head back out to the field. You see, right now in South Dakota, producers are planting a winter wheat crop, and they're having to make the decision: Do they put that crop into dry ground, or do they wait and see if they get a farm bill and crop insurance into the future so that they have the certainty to make sure that their risk is managed?

Many of those producers were electing not to plant. They were waiting to see if they could get rain and get a program that would actually keep their families in business. Some were putting it in the ground, showing that they truly are brave producers who have little faith that the skies will open up and that next year will be different.

I tell you that they and Mike and Lori and other producers across the State of South Dakota and across this country who have been particularly hit in these tough times are looking to us here in Congress to provide them certainty during this drought. The farm bill is one of the reasons that our family farmers are able to stay in business during tough years. Many other programs in the farm bill give them the

stability and certainty, which, in turn, gives every American the certainty in having a reliable, affordable food supply.

I ran for Congress to bring more common sense to this place and to be an efficient and effective leader for South Dakota. We have an opportunity to get a farm bill done this year that provides a safety net and real reforms for our producers and cost savings for the taxpayers. While the clock hasn't run out yet, I think it is important that we get our work done on time, and I am disappointed that it hasn't been scheduled for a vote.

SEPT. 11, 2012.

Hon. KRISTI NOEM,
Cannon House Office Building,
Washington, DC.

DEAR REP. NOEM: Thank you for the opportunity to meet with you during our trip to Washington, D.C., to talk about passing the farm bill. My husband, Mike, and I are both third-generation farmers. We have a diversified crop and beef cattle operation 25 miles southwest of Huron, S.D., where we raise corn, soybeans and 250 head of cattle.

We are experiencing a severe drought in our area this year. We put up half the hay that we normally do, dugouts are starting to dry up and crop yields will be down significantly. Crop insurance will be extremely important to offset lost crop production and lost revenue due to poor crop conditions. Crop insurance is a vital part of providing stability to our income and allowing us to stay a viable family farm dedicated to growing a safe, affordable food supply for a growing world. We were fortunate to have utilized the EQIP Program to install two water sources in two pastures to provide drinking water for our cattle which has been vital during this drought. We were also able to participate in the Stewardship Program through NRCS. Those conservation practices helped retain subsoil moisture which has been critical in the drought conditions we've faced.

We have a 6-year-old son and 4-year-old daughter. We tell them daily how important our jobs are as farmers, how we are truly feeding the world. They are taking true pride and ownership of that and passing a good farm bill only helps stabilize their dreams and ours.

A five-year farm bill gives us the stability to plan ahead for our operation long term. With the limited time Congress has to pass a farm bill before the current one expires, I would encourage lawmakers to look to rural America and realize how much work we can get done in a week. We know that if the farm bill is made a priority, there is enough time to get this bill passed. Thank you again for your work and we urge Congress to pass a farm bill now.

Sincerely,

MIKE AND LORI PESKEY,
Iroquois, S.D.

CREATE A STEM VISA PROGRAM

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. GUTIERREZ) for 5 minutes.

Mr. GUTIERREZ. Mr. Speaker, today we will vote on a Republican proposal to provide green cards to certain immigrants and to cut the same number of green cards available to other legal immigrants.

How do we determine who gets more green cards and who gets fewer?

For my Republican friends, that's easy. They will provide more green cards to a very narrow number of immigrants they can tolerate—smart immigrants who have been educated in U.S. colleges and universities. They will make other legal immigrants—ones they can't tolerate—pay for that increase.

Meanwhile, Democrats have introduced bills that would also provide green cards to the immigrants who have been educated in U.S. colleges and universities. Our Democratic proposal, however, does not take green cards away from other deserving immigrants who want to come legally and contribute to this country.

On our side of the aisle, we respect all immigrants. Our bill recognizes the value of all of them to our economy and, indeed, to our future. We should not educate some of the world's most talented people in the STEM fields—that's science, technology, engineering, and math—and then send them away to work in foreign lands to compete against us.

Democrats strongly support providing these visas as a way of helping the U.S. economy and creating jobs, not just for the immigrants but for the U.S. workers they will employ and the economic activity they will generate. Democrats want progress. We want visas for STEM graduates. We will work in a bipartisan manner with Republicans to get it done. It's a smart policy, and it's a just policy. Let me be clear. There is no economic reason—no budget reason, no jobs reason—to punish other immigrants because we give out STEM visas. Absolutely none. Let me try to make it simple.

Let's pretend we're not talking about immigrants, because any time some of my Republican friends hear the word "immigrants," they immediately want to punish someone. So let's say, instead of immigrants, we're talking about a family of three children, of three honest and hardworking children. One child wants to go to college to become an industrial engineer, and another wants to go to college to become a math professor. The third—a diligent, industrious child—doesn't want to go to college. Let's say he wants to start a landscaping business. He wants to work with the land and get his hands dirty.

The Republican plan is simple—to help the kids going to college and to cut the other kid off. He's out. Tough luck. He's not smart enough for this family. The Democratic plan is just as simple. We need scientists, engineers and mathematicians, but we need other workers, too—construction workers, machinists, chefs, entrepreneurs. We need immigrants from all over the world—from every continent, including Africa. Everyone who works hard helps

our economy, so let's be helpful to everyone. That's the Democratic belief, but that's not the Republican plan today.

Maybe we shouldn't be surprised. After all, this proposal comes from a party whose Presidential nominee doesn't care about 47 percent of America. Call it the Mitt Romney deadbeat doctrine in which half of all Americans are freeloaders. Maybe that's all we need to know about this Republican plan. I suppose, in the Republican world, STEM visas are for the half of America that works, and the other visas are for the deadbeats that Mitt Romney doesn't care about—you know, the freeloaders like your parents on Social Security or your son or daughter with that student loan or the Pell Grant—or like my parents, who came from Puerto Rico with only an elementary school education, but who worked hard every day and put two kids through college and one of them in the Congress of the United States. Yes, those deadbeats. If my parents had needed visas to come to this country today under this new plan, they would never have gotten a chance.

We are changing the rules about who can—and more importantly—about who cannot come to America. So unless you view the world through Mitt Romney's "us versus them" vision of America, there is no reason to cut visas today. None. I want to stand up for the Zoe Lofgren provision of immigration—the Democratic vision of immigration. We're not divided into a country where people who gather at a fancy country club and write \$50,000 checks to political candidates are good and where the people who stand to run and serve them the food are bad. America is not half deadbeats. We are one America, and we have a chance to prove it today.

Democrats are offering a sensible plan that doesn't divide us. It values all work from all immigrants. It achieves our common goal of creating a STEM visa program, keeping more scientists and engineers right here in America, making us stronger. In Mitt Romney's world, if you help one person, you have to punish another. I think that's wrong. I urge my colleagues to pass a fair and sensible plan to create a STEM visa program, and let's do it without punishing a single person.

IN HONOR OF LIEUTENANT COLONEL CHRISTOPHER RAIBLE, A FALLEN SOLDIER

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. MURPHY) for 5 minutes.

Mr. MURPHY of Pennsylvania. This morning, I rise with a heavy heart, but on behalf of a grateful Nation, to honor a soldier born and raised in south-

western Pennsylvania, who gave his life on September 14 in service to our country.

This week, he returned to his home, the United States, where he will be laid to rest. Lieutenant Colonel Christopher Raible, commanding officer of Marine Attack Squadron 211, died in the assault on Camp Bastion, which is connected to the American-run base Camp Leatherneck, in Helmand Province, Afghanistan. It was a despicable attack by the Taliban that not only took the life of this dedicated, respected, and brave marine but that also resulted in the worst loss of U.S. military aircraft since the Vietnam war.

But this morning, I rise so my colleagues, my constituents at home in Westmoreland County, and the entire Nation will know more about this courageous marine known as "Otis," who commanded a Marine Harrier jet squadron.

After graduating at the top of his class from Norwin High School, where he was a starting defensive back for the Knights, Lieutenant Colonel Raible earned his degree in civil engineering from Pittsburgh's prestigious Carnegie Mellon University. Following his college graduation, Raible joined the United States Marine Corps, and by 1998 had become a naval aviator. A natural leader, Raible rose to the rank of lieutenant colonel last summer, having received numerous military honors along the way, including a Meritorious Service Medal, 10 Strike-Flight awards, and a Navy and Marine Corps Commendation Medal, to name just a few.

In support of Operation Enduring Freedom and Operation Iraqi Freedom, Raible deployed many times to serve our Nation. Colonel Raible commanded the only Marine Harrier squadron in Afghanistan in which he flew over 2,000 hours in Harrier aircraft.

□ 1020

A southwestern Pennsylvanian at heart, it should come as no surprise that Otis was known, while seated in the cockpit, to listen to the Steelers while flying in the skies over Iraq. But more than anything, Lieutenant Colonel Raible was a father, a husband, and a son; a proud dad of three children, ages 11, 9, and 2. Otis so loved and was loved by his family.

As his mother Belvina of North Huntingdon, Pennsylvania, said, her son died defending all that he held dear. "He was the best of the best," she said. Indeed, Mrs. Raible, he was.

Today, we as a Nation say "thank you" to Lieutenant Colonel Raible and to his entire family. We're so grateful for your service and for your sacrifice protecting our freedom. Through your service, you have made your family and your Nation better. Through your sacrifice, you have made America stronger. Through your courage, you have made America proud.

Many times, I'm sure you soared above the clouds where you could touch the face of God. Now you rest in his loving arms for eternity. Thank you, Colonel. Our Nation thanks you, as well.

THE PUERTO RICO POLITICAL STATUS PLEBISCITE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Puerto Rico (Mr. PIERLUISI) for 5 minutes.

Mr. PIERLUISI. On November 6, the U.S. territory of Puerto Rico will hold a plebiscite on the island's political future. Voters will be asked if they want to continue the current status or to seek a new status. Voters will also be asked to express their preference among the three alternatives to the current status recognized as legally and politically viable by the Federal Government and international law: independence, nationhood in free association with the United States, and statehood.

This plebiscite is different from previous plebiscites in Puerto Rico. It will be the first time that island residents have an opportunity to answer "yes" or "no" to the question of whether they support the status that Puerto Rico has had since 1898. This question has inherent value in a democracy where a government's legitimacy is based on the consent of the governed. And this plebiscite will only include those status options identified as valid by Congress and the White House. True self-determination is a choice among options that can be implemented, not an exercise in wishful thinking.

If a majority of voters express satisfaction with the current status, Puerto Rico's status would not change at this time. Likewise, if there is majority support to change the current status but not majority support for one of the three alternatives, Puerto Rico's current status would also continue. However, if the majority votes against the status quo and in favor of statehood, free association, or independence, Congress and the President should take action that honors that choice.

Top Democratic and Republican leaders have indicated they will take the results of this plebiscite seriously. That is as it should be. The United States is the greatest democracy in history and a champion of peaceful self-determination around the world. Consistent with this principle, I am confident that Federal officials will respect the choice made by their Federal citizens from Puerto Rico if they express a clear desire to change the island status.

Now I want to speak directly to the men and women I represent in Congress. This plebiscite will have a real impact on you, your family, and the future of the island we love. It is impor-

tant that you make your voice heard and your vote count.

It is well-known that I oppose the current status and advocate for statehood for Puerto Rico. Whether it is called "territory," "commonwealth," or "colony," the current status denies us the most fundamental rights in a democracy: the right to choose the leaders who make our national laws, and the right to equal treatment under those laws. In my view, the current status is an affront to our dignity.

In my office hangs a framed photo of servicemembers from the island who have lost their lives since 2001. They're the latest in a long line of Puerto Rican patriots who have fought and fallen for this Nation. This photo inspires me, but it also makes me sad. I cannot understand how we, such a proud people, can voluntarily submit to a status that makes us second-class citizens in the country that we have defended for generations.

I realize that after nearly 115 years, the prospect of change can be unsettling, but I also know that there is nothing more powerful than an idea whose time has come. We deserve better than what we have, and the time has come for us to seek a new status that will empower us to realize our full potential.

Among the alternatives to the current status, I believe statehood is the right choice. Independence and free association are worthy options, but both would place at risk our U.S. citizenship and Federal support under programs like Medicare, Medicaid, and Social Security for future generations of Puerto Ricans. Because I believe the overwhelming majority of Puerto Ricans are opposed to breaking or substantially weakening the strong political, social, and economic bonds that have formed between Puerto Rico and the United States, I think the only viable alternative to the status quo is statehood. At this critical moment in history, we should aspire to perfect our union, not to sever it.

The current status is about second-class citizenship, which we should rise up to reject. Independence and free association are about separation, which would diminish the opportunities available to our children and grandchildren. Statehood is about equal treatment. It would deliver to Puerto Rico what all free people deserve: full voting rights, full self-government, and full equality under the law.

This November, I hope that the U.S. citizens of Puerto Rico will send a clear message to Congress that they're ready to make a change.

IN HONOR OF OFFICER BRADLEY FOX

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. FITZPATRICK) for 5 minutes.

Mr. FITZPATRICK. Mr. Speaker, I rise this morning to honor the life and memory of Pennsylvania Police Officer Bradley Fox.

Brad Fox was a 5-year veteran of the Plymouth Township Police Department in Montgomery County, Pennsylvania.

Having grown up in my home of Bucks County, Officer Fox graduated from William Tennent High School and went on to serve his country for 10 years in the United States Marine Corps.

A well-decorated soldier, Officer Fox received, among other accolades, the Navy and Marine Corps Achievement Medal, the Combat Action Ribbon, and the National Defense Service Medal.

Upon returning from his military service, Officer Fox joined his local police force in Montgomery County, where he built a life for himself, his wife, Lynsay, their daughter, and a second child who is on the way.

On the night of Thursday, September 13, the family, friends, and fellow officers of Brad Fox received the phone call they hoped would never come. Officer Fox was responding to a report of a hit-and-run in his suburban Philadelphia township. As he was investigating the incident, both Officer Fox and his canine companion were ambushed by the suspect and attacked, which left Officer Fox fatally wounded.

Yesterday afternoon, I attended the burial services for Officer Fox at the Washington Crossing National Cemetery in Bucks County. The show of support from the local law enforcement community and the people of southeastern Pennsylvania as a whole was inspiring and it was heartfelt.

To see that in such a short lifetime this father, husband, brother, son, veteran, and police officer had touched so many lives was a testament to the kind of person that Brad Fox was. He dedicated his entire life to service to his community and to his country and should serve as an example to every one of us.

Every day in Montgomery County and in Bucks County and in communities across this great Nation, law enforcement officers, firefighters, and paramedics are working to preserve the public safety. These men and women wake up every morning and head to work not knowing what dangers they may encounter during their shift. The loss of Officer Brad Fox serves as a somber reminder of the risks our police officers face each and every day.

Here in our Nation's capital, just a few miles from where I stand at this very moment, is the National Law Enforcement Officers Memorial. Etched into this memorial are the names of countless men and women who gave their lives in service to their communities. Sadly, Officer Brad Fox will join that roll of honor.

Also carved on the memorial are quotes which capture the spirit of

those honored there, including one from former President George H.W. Bush, which reads:

Carved on these walls is the story of America, of a continuing quest to preserve both democracy and decency, and to protect a national treasure that we call the American Dream.

There can be no doubt that Officer Bradley Fox did his part in his quest to preserve the American Dream. Our country owes a debt of gratitude to Officer Fox and to his family for the sacrifice he made and they made to keep his community a safe place to work and to live and to raise a family.

□ 1030

A WORLD AT PEACE, FOR OUR GRANDCHILDREN AND THEIR GRANDCHILDREN

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. WOOLSEY) for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, in April of the year 2004, I rose in this Chamber to speak for 5 minutes about my conviction that the war in Iraq was a dangerous, immoral policy, and it was hurting America and our national security.

Since then, I've delivered a similar message nearly every day that it was possible when we were in session, and once the Iraq war finally drew to a close, I moved on to focus on the ongoing military occupation of Afghanistan, which soon will be in its 11th year, costing us more than 2,000 American lives and more than half a trillion dollars and counting.

Today is my 440th 5-minute Special Order calling for an end of these wars and the safe return of our troops to their families right here at home. I'm not proud of having reached that number. I would much prefer that the speeches were no longer necessary.

But since I'm retiring from the House at the end of this year, my 20th year in Congress, one of my biggest disappointments is that we haven't shown the leadership, the courage, and the resolve to finally secure peace.

We are still mired in this Afghanistan conflict, even though the evidence is overwhelming that it's doing more harm than good, even though it's emboldening terrorists and insurgents rather than defeating them, even though it's breeding resentment of America instead of winning hearts and minds. We are still mired in this conflict, even though a clear majority of the American people no longer want any part of it.

I will not return to the House in 2013, so this will be one of my final opportunities to press this point. But as long as our troops remain in harm's way, and as long as this dreadful policy continues, I will continue to speak out and speak up.

I know there are many proud and fearless opponents of this war on both sides of the aisle who will continue to lead this effort right here in Congress. Time and time again what I have advocated is not just an end to these wars, but the beginning of a new approach to combating terrorism and keeping America safe.

We need to lead with American cooperation and compassion around the world, not American weapons and brute force. We need SMART Security, a plan that puts the focus on development and diplomacy. We need a strategy that gives people hope and improves their lives instead of invading and occupying their lands.

This is not only the humane approach, Mr. Speaker, it's also the more pragmatic one, the one that will truly advance our national security goals, and it's a lot more cost-effective. Helping people costs pennies on the dollar compared to waging war. A lot of people have said to me over the years, WOOLSEY, your problem is that you think we can have a perfect world. Well, consider me guilty as charged.

I don't believe there is anything wrong with idealism and ambitious goals because I'm absolutely certain that if we don't strive for a perfect world, we won't ever come close to providing a safe, secure, and peaceful world for our grandchildren and their grandchildren, and that's our job here in Congress.

ENERGY CLOSURES AND LAYOFFS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. THOMPSON) for 5 minutes.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, this week another American energy-producing company announced plant closures and worker layoffs, citing the Obama administration's authoritarian regulatory regime in part as a rationale for its decision.

Yesterday Alpha Natural Resources announced closures of eight coal mines in three States, one of which is located in the Fifth Congressional District of Pennsylvania, which I'm proud to represent. Company officials, in announcing the closures, cited "a regulatory environment that's aggressively aimed at constraining the use of coal."

The decision will result in layoffs of 1,200 workers and an immediate 400 jobs lost in Virginia, West Virginia, and Pennsylvania.

The fact that the coal industry is facing tough times isn't news. They have other energy competitors, including natural gas, and challenges with coal transport costs, energy, and labor costs. The issue that's newsworthy is the additional burden being placed on American employers during such difficult and tough economic times.

The administration's announced intentions to eliminate coal, our most

abundant natural resource, from our fuel mix, with no clear plan to replace it with any effective alternative, has taken a significant toll on employers and individuals across my home State.

Here are several news headlines of closures and layoffs in my home district from the past several months:

September 18 headline: "Alpha Natural Resources closing eight coal mines." Twelve hundred companywide layoffs and an immediate 400 jobs cut in Virginia, West Virginia, and my home State of Pennsylvania.

August 30 headline: "Another round of Joy workers laid off." The Derrick:

In August, Joy Mining Manufacturing in Franklin, Venango County, Pennsylvania, posted another round of employee layoffs, and 43 employees were notified they had been furloughed from their jobs. The week before that, 19 others were laid off. Joy Mining is the largest private-sector employer in Venango County.

February 9 headline: "Local Officials Respond to Shawville Power Plant Closure":

GenOn Energy has about 80 employees at its plant in Shawville, Clearfield County, and contributes roughly \$225,000 annually in local taxes. GenOn offers jobs not only through its plant but through Amfire Coal and trucking firms, which means a loss of 100 to 200 workers in the next several years.

January 26 headline: "FirstEnergy Shutting Down 6 Sites in Ohio, Pennsylvania, and Maryland":

In January, FirstEnergy announced that the new environmental regulations led to a decision to shut down six older coal-fired power plants in Ohio, Pennsylvania, and Maryland, affecting more than 500 employees.

Coal operations are closing, forcing more workers into unemployment as countless indirect coal jobs have been put at risk because of the President's unwavering commitment to end coal. Our most abundant natural resource is a source of domestic energy.

In the aftermath of all these closures and job losses in my district, along with numerous across my State and the country, it is becoming increasingly clear that this administration expects the consumers of Pennsylvania to bear the costs of a poorly thought out, poorly defined, and poorly explained environmental agenda.

But it's not just a war on coal, it's a war on electricity and jobs. The shuttering of a record number of coal-fired power plants threatens thousands of the 555,270 direct and indirect coal-related jobs that help supply America with nearly half of its generated electricity and pay \$36 billion in wages.

The nonpartisan U.S. Energy Information Administration has all but confirmed the President's aggressive push against coal development with a report detailing a record number of coal-fired power plants to be closed this year, largely because of the burdensome regulations and other compliance costs.

That's why this week the U.S. House will pass H.R. 3049, to push back on the President's commitment to end coal as a source of domestic energy and protect the countless jobs that have been lost or put at risk as a result of his politics.

H.R. 3049 includes the following package of bills: The Coal Miner Employment and Domestic Energy Infrastructure Protection Act, which bars the Environmental Protection Agency from issuing any regulation before December 31, 2013, that would adversely affect coal mining employment.

The Coal Residuals Reuse and Management Act, which establishes State-level permitting programs for the storage of coal combustion residuals under the Solid Waste Disposal Act, which is now primarily used to regulate the management of municipal solid waste landfills and sewage landed fills.

□ 1040

The Energy Tax Prevention Act, which prevents the EPA from regulating greenhouse gases and any effort to address climate change.

The Clean Water Cooperative Federalism Act, which prohibits the EPA from issuing a new or revised water quality standard when a State standard has already been approved by the EPA.

The Transparency in Regulatory Analysis of Impacts on the Nation Act, or the TRAIN Act, which creates an interagency committee to examine the effects of current and proposed Federal regulations on U.S. energy and manufacturing industries, U.S. global competitiveness, U.S. and energy prices.

Again, it's not just a war on coal; it's a war on the use of carbon-based fuels—coal, oil, natural gas—which supply over 80 percent of our energy.

CONDEMNING VIOLENCE AGAINST SIKH COMMUNITY

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. CHU) for 5 minutes.

Ms. CHU. I rise today as a proud cosponsor of House Resolution 785, condemning the hate crimes, bullying, and brutal violence perpetrated against Sikh Americans and all acts of violence against Sikh Gurdwaras in the United States. In the face of unrelenting and unprovoked violence, it is clear that action must be taken.

The Sikh community has a long history of contributing to this Nation. Sikh farmers shaped California's agriculture industry, farming a third of the land and providing nature's bounty for others to enjoy. The very first Asian American to be elected to the U.S. Congress was a Sikh American, Dalip Singh Saund, elected in California in 1957. And Sikh temples all across the country have shown their beautiful spirit by giving free food, called langar,

to everybody in the neighborhood who is hungry. And yet time and time again we see the good deeds of Sikh Americans met with undue violence from others. And in the wake of 9/11, this behavior spiked sharply. Just days after the attacks took place—as the soot still lingered over Manhattan and smoke still smoldered from a field in Pennsylvania—Balbir Singh Sodhi became the first victim of misplaced retaliation. He was in the gas station he had worked his entire life to own when a gunman shot at him and took his life.

Through the years the violence has not abated. Last year, in northern California, Surinder Singh and Gurmej Atwal, two elderly Sikh Americans, were doing what they always did every afternoon, taking a walk in the neighborhood, when suddenly they were shot. They were murdered in cold blood, but not for money or jealousy or revenge. They were murdered because of their turbans. And then there were the overwhelmingly shocking events of August 5 of this year in Oak Creek, Wisconsin. The Sikh community was peacefully preparing meals for Sunday prayer inside their gurdwara. But that peace was shattered without warning at the hands of a gunman filled with hate and rage. He fired indiscriminately and without cause, and when the smoke cleared, six innocent people lay dead. Although it has been more than a decade since 9/11, hysteria and stereotyping are still far too common. We must combat the growing wave of violence and intolerance that threatens the safety and civil liberties of the Sikh American community.

Today, while the FBI tracks the overall number of hate crimes taking place, it doesn't even record attacks specifically on Sikhs, despite the fact that we've seen over and over again that Sikhs are singled out over and over again because of their appearance and faith. That's why this resolution not only denounces the violence befalling this community; we're calling on the Department of Justice to finally begin documenting and quantifying hate crimes committed against Sikh Americans. As many as three out of four Sikh boys endure torment and bullying from their peers. And so we're urging educators across the Nation to help end the epidemic of bullying against Sikh youths. We're urging law enforcement officers in every locality to do all they can to prevent violence against this and all communities.

America was founded on the principles of religious freedom, acceptance, and tolerance. Let's make sure that every American can live safely and in peace. Let's make sure that every American is protected.

TIME TO RETHINK OUR FOREIGN AID

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. POE) for 5 minutes.

Mr. POE of Texas. Over the last week, we have watched as anti-American groups throughout the world have killed Americans, attacked our embassies, had protests, burned the American flag, and destroyed our property in many parts of the world. These events and events that have preceded them bring up that question again that these countries that we give aid to seem to be countries where there is violence against America. So I want to spend a few minutes talking about the aid Americans, when they write that check to the government, our government, spend all over the world.

This is a map of countries in the world that the United States of America taxpayers give assistance to worldwide. You'll see there are three colors. The red are colors that the United States gives foreign aid to. And you can see that's most of the countries in the world—and it is most of the countries. There are 191 countries in the world. Sometimes there are 193, depending on whether those last two are really countries or not. And American taxpayers give money to 158 of them. So you see those that are in the red. The green represents countries that we give military aid to. And the few little blue countries—a couple in Europe, a couple in Africa—those are countries we don't give any money to. By far, the minority. So you see the massive world as we know it, American money goes to most of it.

Now you notice over here there's a red block in this part of the world. And I'm sure, Mr. Speaker, you would recognize this massive country here. That's Russia. Yes, American aid goes to Russia. And did you know even though China controls so much of our debt, American money, yes, goes to China as well.

So maybe we need to rethink how we do this. With all the problems we've got in the United States, the taxpayers are writing checks for countries throughout the world. And here's how we vote on foreign aid. And I suspect the Senate does it the same way. We put all the countries in a list and in a bill and the State Department usually submits an amount of money they would like us to give to this country. And then this House votes "up" or "down" on all 158 countries.

Now maybe we ought to do business a little better. Maybe we should vote country by country. Some say, Oh, it'll take too long. Hey, we're talking about American money here. It wouldn't take very long at all. I think that if we voted "up" or "down" country per country, most of these countries are not going to get any aid from the United States in a bipartisan way. Of

course, probably Israel would. And 80 percent of the money given to Israel is spent back in the United States. I think most Members support Israel. Maybe one or two other countries.

Let's vote "up" or "down" country by country. And some of these countries that we've had unrest in in the last couple of weeks—like Libya, like Egypt—maybe we need to reevaluate the money we send to them. At the very least, what we ought to do in countries like Libya and Egypt, and in some of these other countries that are destroying American property as we speak, who have looted, pillaged, and destroyed our embassies, like in Egypt, the money that we're going to give them in aid, take a portion of it out to help rebuild the embassies that are in that country and pay for the property damage, and probably even take money out we've given to Libya and pay reparations to the four Americans that were killed in Libya.

Let's use some common sense when we're spending money overseas. And maybe we shouldn't be trying to go all over the world and play nice with people. We've had a foreign aid problem since before I was born. We continue to give money to countries in the hope that they will like us. Well, how's that working for you? Not too good, is the way that I see it.

Mr. Speaker, we don't need to continue to support countries like Pakistan. I'm astonished we will still give money to Pakistan. They harbored Osama bin Laden. They put in prison the informant that told us where he was hiding. I believe some of the money we give Pakistan ends up in the hands of the Taliban and corrupt military government. But yet we keep paying them.

This summer the House did vote to cut \$625 million from Pakistan. But yet when the CR came through last week—the continuing resolution—that money is back in, going to Pakistan. Pakistan is just one of many examples, Mr. Speaker. We don't need to pay these countries to hate us. We don't need to pay them to betray us. They will do it for free.

And that's just the way it is.

□ 1050

VOTER DISENFRANCHISEMENT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Arizona (Mr. GRIJALVA) for 5 minutes.

Mr. GRIJALVA. Mr. Speaker, this week marks the United States Constitution's 225th anniversary.

Our Constitution is a product of realistic compromise and intelligent consensus—a trait, I might add, sorely missing in this Chamber.

It lays out the central principles for a democratic government and the rights that citizens can expect to enjoy

in that government. With the inclusion of six voting rights amendments, we have formed a more solid democracy.

The voting rights amendments fundamentally changed our system of government—outlawing poll taxes in Federal elections, giving ordinary Americans the right to elect their Senators, allowing the citizens of our Nation's Capital to vote for President, and guaranteeing that all Americans—regardless of race, religion, gender, or age—would enjoy these protections.

With these protections and these amendments, we affirmed the inherent values of our Constitution and our democracy.

The right to vote is still, to this day, the essential piece of our democracy.

Think about it. To deny an eligible voter the opportunity to vote is to undermine the very freedom that defines us as a Nation. The right to vote is essential to our democracy.

However, while the marches of student demonstrators and religious leaders once drove electoral reform in the United States, a new and dark movement is sweeping across the country. State lawmakers have been pushed by corporate interests and driven by a cynical point of view that says: We must deny other people the right to vote in order to continue to keep our power, and we must target those groups and individuals who may not agree with our point of view. With this cynical selective process, we keep power and we only concentrate on the people and extend the privileges to those that agree with our point of view.

New voter laws that are now being proposed and have passed in State legislatures make voter registration more difficult and cumbersome, cut the availability of early voting, and require voters to present current government-issued identifications as a prerequisite to casting a ballot. These efforts threaten the integrity of our democratic system and are very clearly targeted.

The new restrictions on voting would disproportionately burden African Americans, Latinos, Asian Americans, young voters, and Americans new to the political process.

Plain and simple, these restrictive voter laws threaten to disenfranchise young, poor, minority, and elderly voters who lack formal government-issued IDs despite the fact that it is more likely that an American will be struck and killed by lightning than he would impersonate another voter at the polls. We know exactly what these voter suppression laws mean.

In Texas, a Federal court recently found that the Texas voter ID law violated the Voting Rights Act because it made it harder for African Americans and Latinos to vote. The court stated that evidence conclusively shows that the cost of obtaining a qualified ID will

fall more heavily on the poor, and a disproportionate number of African Americans and Latinos in Texas live in poverty.

In Pennsylvania, a July 5 Philadelphia Inquirer article reported that 758,000 registered voters in Pennsylvania do not have an ID, a new State law requirement for voting. That figure represents 9.2 percent of the State's voters that could be stopped from voting.

A report by the Brennan Center for Justice found that allegations of widespread voter fraud often proved greatly exaggerated. Moreover, these claims of voter fraud are frequently used to justify policies that do not solve the alleged wrongs but could well disenfranchise legitimate voters.

In some States, veterans' ID cards won't be sufficient as a photo ID to vote.

In the last 12 months in my State of Arizona, there has been an accelerated effort to suppress the vote. These new efforts represent a coordinated effort clearly designed to suppress the vote of those people who need to make sure that their government is paying attention to their needs.

People of color, women, young people literally risked, and some lost, their lives to gain the right to vote in this Nation of ours. Throughout its history, our country has tried to remove obstacles to voter participation, making the right to vote accessible to all eligible citizens.

We cannot turn our back on that fundamental right. Our legacy as a Nation demands better of us.

SUICIDE PREVENTION MONTH

The SPEAKER pro tempore. The Chair recognizes the gentleman from Ohio (Mr. AUSTRIA) for 5 minutes.

Mr. AUSTRIA. Mr. Speaker, thank you for this opportunity to publicly recognize September as Suicide Prevention Month.

As a member of the Military Mental Health and Suicide Prevention Caucus, my goal is to increase awareness and aid in the prevention of suicide.

Although suicide affects thousands of Americans each year, I would like to take a moment to focus specifically on our veterans and the men and women who are currently serving in our United States military.

Suicides are increasing at an alarming rate this year for our soldiers, sailors, airmen, and marines. Recent data shows that suicides are occurring at a rate of approximately one per day for the military. This makes suicide the second-leading cause of death for our troops, surpassed only by combat.

The Army, in particular, has seen a 22 percent suicide increase when comparing the first 7 months in both 2011 and 2012.

But these are not just numbers and statistics. These are real soldiers and

real families impacted by this growing tragedy.

This increase became very personal for me again last weekend when I attended a memorial dedication for Lance Corporal Bobby Wiley. Lance Corporal Wiley was a Lima Company marine and the son of my classmate and friend. As a result of Bobby's death, a loving family and Nation grieve with loss.

On behalf of Bobby and his family, I stand before you today to briefly discuss this growing trend and associated symptoms, as well as highlight prevention efforts within my district and nationwide by both the Departments of Defense and Veterans Affairs.

More than 2 million troops have served in the wars in Iraq and Afghanistan, and that's a lot of people who have seen war up close and personal. It can affect some of them adversely when they come back home.

In fiscal year 2009 alone, 1,868 veterans of these wars made suicide attempts.

Faced with the stigma of post-traumatic stress disorder, unemployment rates tipping 12 percent for our veterans, and a loss of the military camaraderie, many veterans report feeling purposeless upon returning home.

We are aware of three conditions that contribute to many of the suicides of our veterans, and they are post-traumatic stress disorder, PTSD; traumatic brain injury, TBI; and depression. We know that veterans with these three medical conditions are at a higher risk of succumbing to suicide behavior.

As friends and family members of our veterans and those serving our country, there are some things that we can do: first, recognize the symptoms that could lead to serious problems; understand where and how to get assistance while still part of the military; and know the availability of treatment after service.

As members of the Veterans' Affairs Subcommittee, my colleagues and I on both sides of the aisle have had the opportunity to meet and discuss some of these very important issues, and I'm pleased with Secretary of the VA Shinseki's recent outreach efforts such as Stand By Them and Side By Side.

The purpose of the joint DOD and VA Stand By Them campaign and public service announcement, Side By Side, is to increase awareness with focus on support networks for military members.

Detection and treatment are key components required for resolution. Those closest to the military member can often see signals of distress before the member recognizes it himself or herself. The quicker the detection, the quicker the treatment.

Yesterday, I joined back in my home district Director Costie and Dr. Napp at the Dayton VA Medical Center to bring awareness to Suicide Prevention

Month. With a large geographic span of responsibility in my district, the Dayton VA Medical Center provides services to veterans from 16 counties.

□ 1100

During the joint press conference at the VA, we announced the ongoing efforts and helped in the promotion of the VA and DOD programs. I know communities across our Nation are doing similar awareness and education programs.

As our young men and women are fighting to protect our freedoms, while they're often faced with multiple and lengthy employments, exposed to stressful situations in combat—including death—we cannot look the other way and hope that these issues disappear. The reality is we are faced with a growing number of PTSD, TBI, depression, and suicide within our military and veterans. This is a real problem. And if we can alleviate one of the symptoms and causes of suicide, PTSD, we may see a change in the current trendline before the problem becomes completely systemic across our fighting force.

Let me just say, as members of the grateful communities to which our brave men and women return, we need to do whatever is possible to recognize these veterans at risk and help them get the assistance they need.

NEW MEXICO CENTENNIAL RESOLUTION

The SPEAKER pro tempore. The Chair recognizes the gentleman from New Mexico (Mr. LUJÁN) for 5 minutes.

Mr. LUJÁN. Mr. Speaker, I rise today to celebrate a proud milestone in the history of the great State of New Mexico. This year marks the centennial anniversary of the "Land of Enchantment."

Filmmakers have spent years documenting the history and beauty of New Mexico, sharing the importance of our acequias, stories of history and tradition in "Canes of Power," stories and tales told by Rudolfo Anaya, and art and landscapes captured by Georgia O'Keefe.

New Mexico has a long and rich heritage that is rooted in the shared history of a diverse population, a history that respects diversity and language, a land whose State constitution was drafted and adopted in both English and Spanish. And while Santa Fe, the City of Faith, holds the distinction as the oldest capital city in the country, celebrating 400 years last year, statehood came later in 1912, when a territory known for its beautiful scenery, natural wonders, and pristine landscapes was admitted into the Union as the 47th State.

New Mexico is blessed with rich cultural landmarks: Chaco Canyon, Bandelier, the Taos Gorge and Blue Lake,

and the Plaza in Santa Fe. Thousands of visitors each year travel to learn of the unique traditions and spirit that make New Mexico such a special place with blue skies, sunsets and sunrises and starry nights you won't find anywhere else in the world.

The Land of Enchantment is home to a diverse population that can trace its roots back to Spanish, Mexican, and Native American cultures, amongst others. As home to one of the richest indigenous tribal populations in the United States, New Mexico is proud of the influences and contributions of the 19 Pueblo Nations, two Apache Nations, and the Navajo Nation. These diverse cultures coming together to share a common bond of calling New Mexico home has served as a source of strength for our State, as the influence of art, agriculture, and architecture can be felt to this very day.

During the past 100 years, New Mexico has had a proud tradition of service to our country. In World War II, Navajo Code Talkers contributed to victory for the Allied Forces, while many native sons of New Mexico sacrificed in the Battle of Bataan. In the Korean Cold War, Hiroshi Miyamura of Gallup was awarded the Medal of Honor for his distinguished service. Most recently, Santa Fe native Sergeant Leroy Petry earned the Medal of Honor for his courageous actions in the face of great danger in Afghanistan. And in every war in between, New Mexicans have proudly defended our Nation and answered the call of duty when they were needed most.

New Mexico has also served our Nation as a center for scientific innovation and research. Los Alamos and Sandia National Laboratories have been home to a number of scientific endeavors that have been important priorities for our Nation.

Mr. Speaker, as New Mexico celebrates 100 years of statehood, we're reminded of how special this beautiful land we call home is. As a native New Mexican, it is with great pride in our past and hope for our future that I come to this floor to recognize the enduring contributions of New Mexicans during the course of our State's history.

A special love for our land and water helps shape our lives. A land of faith and family, culture and tradition—and, Mr. Speaker, the best chili found anywhere in the world—ours is a special story, an American story, one passed from one generation to the next, with our most precious lessons coming from our elders: our parents and our grandparents. In the words of my parents, Ben and Carmen, when they send me off on any journey when I depart from home: *Y que Dios les bendigan*—may God bless you.

SEQUESTRATION TRANSPARENCY
ACT

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Oregon (Ms. BONAMICI) for 5 minutes.

Ms. BONAMICI. Mr. Speaker, during the month of August, I had held several town hall meetings throughout my district in Oregon. In these meetings, I've done a summary of the work that we're doing here in Congress and then opened the floor for questions from and discussions with my constituents.

Without fail, in every town hall meeting at least one person would ask about the partisan rancor and the gridlock that's come to characterize Washington. They would ask me: Can you tell us something that's bipartisan that you've done, something where you've worked together, some achievement that everyone's agreed on.

Now, in responding to them, I've often discussed a piece of legislation that's very important to the debate on budget priorities and the so-called "fiscal cliff": that's the Sequestration Transparency Act. This bill passed the Budget Committee by voice vote and was later approved in the House, with only two in opposition. After the Senate passed it with unanimous consent, the President signed it into law. So this was truly a bipartisan effort, a statement by almost every one of us working together that we're concerned about the impact that sequestration might have on our constituents, and an effort to get more information about the true harm that that sequestration will cause.

Now, following the administration's recent report detailing those cuts that would come under sequestration, I am even more concerned than before, and my constituents are concerned. And I know constituents all across this country are concerned as well. Mr. Speaker, there is bipartisan concern about the impact that sequestration might have, and yet we haven't been able to come to a bipartisan consensus to avoid it.

We've identified a problem; now we must identify a solution. This should be a balanced solution, working together, and I look forward to working with all of my colleagues on both sides of the aisle to arrive at that solution. It's a solution for my district in Oregon, for all of the great State, and, importantly, for all of this great Nation.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 11 o'clock and 8 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

Rabbi Steven Weil, Orthodox Union, New York, New York, offered the following prayer:

Master of the Universe, today we stand before You in this hallowed Hall, grateful for the freedoms we have been granted here, grateful for the men and women in this room who You imbued with wisdom and blessed with the courage to make the difficult decisions that will impact the destiny of all humanity.

Allow the Members of Congress to be Your partners in making a more perfect world, and grant them the insight and the vision to always be mindful of the responsibilities they bear. We implore You to guide and strengthen them so that they can do what must be done to save the world from those who wish to perpetrate terrorism and evil.

Dear God, enable them to do what must be done to plant the seeds for a brighter and more prosperous economic future. Dear God, support them in providing our children with a strong education to meet the challenges of tomorrow. Thank You for giving us such wonderful shepherds and allowing us to be their cherished flock.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Texas (Mr. POE) come forward and lead the House in the Pledge of Allegiance.

Mr. POE of Texas led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

VOICE OF TEXAS: ELIZABETH
FROM HOUSTON, TEXAS

(Mr. POE of Texas asked and was given permission to address the House for 1 minute.)

Mr. POE of Texas. Mr. Speaker, Elizabeth from Houston wrote me this about her business:

My immigrant parents came to the United States legally. They had to learn English. My dad worked very hard. He opened several bars and restaurants, hired wait staff, cooks, bartenders, and cleaning people. There was never a dime of government assistance. Hard work, long hours, and sleepless nights were the norm for all of us. I learned their work ethic early, and I also have worked very hard for my family. No welfare, no government handouts.

This is my country, and I love this country as much as my parents did. But I do not respect the current President or his administration. They want to be in charge of all of us, from cradle to grave. That is not the American way. That is exactly what my parents and grandparents fled from. Please take us back to the right way.

Mr. Speaker, Elizabeth's family did it the right way—and without Big Government getting in the way. They built their American Dream all on their own.

And that's just the way it is.

ALL THE APPEARANCES OF A
SWINDLE

(Mr. KUCINICH asked and was given permission to address the House for 1 minute.)

Mr. KUCINICH. Did Peabody Energy Company deliberately unload a bad investment on public power organizations serving 217 cities and villages across the Midwest? Congress must find out because Peabody Energy lured public power organizations into contracts that forced municipal utilities to pay up to twice the market rate for electricity. At a time when private funding could not be had for new coal-fired utilities, Peabody Energy unloaded 95 percent of its investment onto public power customers in what became an almost triple cost overrun, with a coal mine that lasts 22 years, instead of 30 years as promised, and an ashfill that was supposed to last 23 years, and will last only 12 to 14 years.

The contract which municipalities are tied into forces them to pay for power 42 percent above the market rate, whether the plant is producing energy or not. Billions of dollars were issued for bond financing for the project, and utility customers are vulnerable to huge costs for debt retirement. Wall Street wouldn't invest in the project, so Peabody went to Main Street, and now millions of public power customers will pay sky-high electric rates in what has all the appearances of a swindle.

SEQUESTRATION TRANSPARENCY
REPORT SHOWS LACK OF LEADERSHIP

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, on Friday, the administration released a report on how the President plans to implement the \$600 billion defense sequester, threatening service-members, military families, and veterans. Politico explained it “shed little new light on the sword of Damocles.” This report, required by the passage of the Sequestration Transparency Act, arrived 1 week late, confirming that the President and the liberal-controlled Senate have refused to take sequestration as a top priority.

Today, the House Armed Services Committee held a hearing to receive testimony from key government officials who will implement sequestration. Based upon the minimal information provided, it’s clear the administration has not made appropriate plans for the drastic budget cuts, even though the White House is responsible for proposing the disastrous proposal. House Republicans have voted five times, led by Chairman BUCK McKEON, to replace sequestration with commonsense reforms to avoid the threat to national security or destroying jobs. I urge the President and the Senate to begin working with the House before it’s too late.

In conclusion, God bless our troops, and we will never forget September 11th in the global war on terrorism.

UNFINISHED BUSINESS IN THIS CONGRESS

(Mr. COURTNEY asked and was given permission to address the House for 1 minute.)

Mr. COURTNEY. Mr. Speaker, the great Hall of Fame Coach Vince Lombardi once said that “Winners never quit, and quitters never win.”

I was reminded of that quote when the House Republican leadership announced last Friday that they are canceling all session days for the month of October, despite the fact that we have an unfinished farm bill, postal reform bill, Violence Against Women Act, the Cybersecurity Act, we have a fiscal cliff looming for middle class families on January 1, and a sequestration on January 2.

It is true there are passionate differences between the two sides about how we resolve these problems, but you don’t resolve it by going home for 7 weeks. As Coach Lombardi said: “Winners never quit, and quitters never win.”

The American people deserve better than a 7-week recess with these challenges facing the American people. It’s time for this leadership of this House to cancel their order and get back to work and solve the problems of our Nation.

GOODLETTSVILLE LITTLE LEAGUE BASEBALL TEAM

(Mrs. BLACK asked and was given permission to address the House for 1

minute and to revise and extend her remarks.)

Mrs. BLACK. Mr. Speaker, from a small town in middle Tennessee, 13 young men recently became the 2012 Little League World Series U.S. Champions. These All-Stars from Goodlettsville, Tennessee, played with sportsmanship and talent beyond their years. In the U.S. championship game, Goodlettsville racked up 21 runs to become the first Tennessee team in history to clinch a U.S. title. This achievement is a testimony to their dedication and perseverance—qualities that will serve them well throughout their life.

They have made their hometown, their parents, their coaches, and their Congressman very proud. I am confident that this achievement is just the beginning of more great things to come from each of them.

Congratulations, boys.

CONSTITUTION WEEK/VOTER SUPPRESSION

(Ms. WOOLSEY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. WOOLSEY. Mr. Speaker, I would like to say that my team came in second to Tennessee. Tennessee was the only team that beat them—but beat them twice. They did a stand-up job. So did our kids in Petaluma.

Mr. Speaker, on Monday, I took part in a moving naturalization ceremony as 50 new people from 20 different countries took the oath that made them Americans—225 years to the day that the Founders signed the U.S. Constitution.

Mr. Speaker, there’s no constitutional right more precious than the right of self-governance. These new Americans were excited for the very opportunity to vote in this upcoming election. That’s why we should do everything possible to ensure that every eligible American can do just that. Unfortunately, several States are throwing up barriers to voter participation, restricting ballot access to silence peoples’ voices.

Mr. Speaker, guess who is disenfranchised by strict photo ID requirements and the like? It’s not Republicans. It’s communities of color and low-income families.

□ 1210

WSU SALUTES

(Mr. BISHOP of Utah asked and was given permission to address the House for 1 minute.)

Mr. BISHOP of Utah. Mr. Speaker, Weber State University is honoring people, and I wish to mention four individuals who are being honored by the university.

State Representative Gage Froerer and State Senator Scott Jenkins will be receiving the Shurtliff Award for contributions to education. Both of them have done much for their particular communities, as well as Weber State and their outreach campus in Davis County.

Receiving the prestigious President’s Award will be Nolan Karras, a cum laude graduate from Weber State who also served as speaker of the house in Utah and was instrumental in Weber State attaining the status of university level.

In addition to that, he has benefited the community as well as the education system in Utah ever since by being on the board of regents in Utah.

The second nominee will also be one who has been called one of the brightest minds in Utah politics, Spencer Stokes, a 1995 graduate from Weber State who has done much in his community as the commissioner as well as an advocate, and who’s also, I have to admit, gone over to the dark side and is a staffer for the Senate right now as the chief of staff for a Utah Senator, but we will forgive him for that.

These four individuals have done much for the community, done much for their common county, Weber County, and the State of Utah, and are really deserving, very deserving of these honors they are being given by Weber State University today, and I wish to honor them as well.

DO-NOTHING CONGRESS

(Ms. CHU asked and was given permission to address the House for 1 minute.)

Ms. CHU. Mr. Speaker, at the end of what Republicans consider to be a grueling work week consisting of 2½ whole days, Republicans are heading home once again to take the next 2 months off.

The Republican-led “Do-Nothing Congress” was in session for a grand total of 8 days this month, and it took 5 weeks off before that.

During their time here in Washington, Republicans made sure to vote to end Medicare as we know it, increase costs for seniors, and give tax breaks to millionaires and companies that ship jobs overseas.

But on addressing the ongoing jobs crisis in this country, they did nothing. On providing tax cuts for the middle class and small business, they did nothing. On working towards a bipartisan solution to the looming fiscal cliff, they left the American people hanging by continuing to do nothing.

The hardworking men and women who call this country home deserve so much better. They certainly deserve better than nothing.

STEM JOBS ACT OF 2012

(Mr. YODER asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. YODER. Mr. Speaker, I rise today in support of H.R. 6429, the STEM Jobs Act of 2012. This pro-growth, pro-jobs legislation will create a smarter and more focused immigration system for our country by prioritizing new immigrant visas for the best and brightest foreign students of American universities in the science, technology, engineering, and math fields.

These fields are the fastest-growing segments of our economy, and retention of these highly skilled American-trained innovators is critical to future economic growth in our country.

Rather than giving the boot to students who are American-educated at our best universities, like the University of Kansas, in these advanced fields of study, we should work together to ensure these bright minds can stay here and continue helping to boost our goal of competitiveness rather than returning to their home nation to work against us.

Mr. Speaker, by working together in bipartisan fashion to prioritize these students in our national immigration policy, we can boost job creation and improve our economy by allowing the U.S. to retain some of the best and brightest minds.

PORT INFRASTRUCTURE

(Mr. HIGGINS asked and was given permission to address the House for 1 minute.)

Mr. HIGGINS. Mr. Speaker, this week, The Washington Post reported that unless America doubles its spending on port infrastructure, we are on track for export losses of \$270 billion by 2020 because our ports do not have sufficient capacity. That translates into a \$697 billion drop in the American economy and a loss of 738,000 jobs.

But ports are not the only area where our anemic infrastructure investment has become a drag on the American economy. We will lose hundreds of billions of dollars of growth over the next 5 years because of our inability to move goods and people efficiently.

Congress just passed a bill to spend \$52 billion on roads and bridges in this country, all we can afford according to some Members of Congress. But somehow we found money to spend \$150 billion rebuilding the roads and bridges of Iraq and Afghanistan.

I have introduced a bill, a 5-year, \$1.2 trillion investment in roads and bridges, ports, and transit airports because it's time to do nation-building right here at home.

NEW MEXICO

(Mr. PEARCE asked and was given permission to address the House for 1 minute.)

Mr. PEARCE. Mr. Speaker, New Mexico is celebrating its centennial this year, 100 years as a State. It's not one of the oldest States, but it's one of the richest in diversity, history, and cooperation, home to 19 individual pueblos, two Apache Indian tribes, numerous Navajo chapters.

The Spanish came north out of Mexico in the 16th century looking for the seven cities of gold. We're still looking for those today. We did find black gold under the east side of the State and in the northwest corner.

New Mexico is home to an agriculture industry that is second to none. It shows the earliest existence of humans there. Clovis Man is named for a town in the east side of New Mexico where they were discovered.

Santa Fe is the oldest capital in America, formed in 1610.

But that's not where the richness of New Mexico is. It is in our traditions, traditions of hard work, traditions of faith, family, freedom, and service to others. Those are the values I learned when my parents came to New Mexico. They went broke in Texas, came to New Mexico, and built a family there. That's the richness of New Mexico.

Mr. Speaker, I commend New Mexico on its 100 years.

CAMP ASHRAF AND CAMP LIBERTY

(Mr. SIREs asked and was given permission to address the House for 1 minute.)

Mr. SIREs. Mr. Speaker, last month I joined 78 bipartisan Members of Congress in asking Secretary of State Clinton to ensure that Iraq meets its obligations and protects the 3,400 Iranian dissidents living in Camp Ashraf and Camp Liberty.

Residents of Camp Liberty are members of the MEK.

In recent days, another 680 Ashraf residents have been relocated to Camp Liberty under a resettlement plan backed by the United States. It is important that we support these residents as they seek to liquidate tens of millions of dollars of their assets left behind at Camp Ashraf.

A major problem of the relocation plan is that as long as the MEK remains on the U.S. list of foreign terrorist organizations, its members at Liberty will not be able to find countries which accept them.

The Department of State is currently under court order to make its decision on the MEK case by October 1, 2012. It is my hope that the Department of State removes the MEK from the foreign terrorist organization list immediately, as it is the legal, moral, and humane thing to do.

SWIPE FEES

(Mr. WELCH asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. WELCH. Mr. Speaker, 1 year ago, Congress took action finally to reform out-of-control debit card swipe fees charged to our small businesses and customers every time they swipe a debit card. For years, the card companies and big banks have essentially been ripping folks off, overcharging them on swipe fees. With no one watching just because they could, they were charging the highest fees in the world, running up billions of dollars in profits but all at the expense of small businesses and consumers. That's just too much. There is no justification for this.

A year ago, Congress finally took action on the debit cards. That's good for our economy and fair to our small merchants. But we need to do more.

Abuses continue in credit card swipe fees. The credit card companies and the big banks should step back and have a business model where they charge a fair price for an important service but not rip off their customers.

□ 1220

GUN CONTROL

(Mr. BISHOP of New York asked and was given permission to address the House for 1 minute.)

Mr. BISHOP of New York. Mr. Speaker, I rise to commemorate the tragic passing of Neil Godleski, nephew of my friend and constituent, Suzanne Murphy of Southampton, New York.

Neil was a rising senior at Catholic University. He was fatally shot on August 22, 2010, while riding his bicycle home from a restaurant where he worked as a waiter. He was 31 years old and had returned to college with plans to pursue a career in science. His assailant was a 16-year-old boy who shot him six times with a .38 caliber handgun and then robbed him.

Suzanne's family has been wrenched with grief over the sudden end of this young man's life. While no vigil or memorial could ever begin to take away the pain of this loss, Suzanne has found a way to channel her grief and focus her energy. She has become an advocate for gun control.

When roughly 100,000 Americans are killed or wounded each year, reasonable people can agree that we can achieve evenhanded policies that protect Americans from senseless gun violence that do not infringe on any American's right to possess a firearm.

Mr. Speaker, I applaud Suzanne's efforts to reach out and bring awareness to the problem of gun safety. We must not let her nephew become just another chilling statistic in the battle to make our community safer, leaving another family struggling to get past the pain and the loss.

DO-NOTHING HOUSE REPUBLICANS

(Mr. CARNAHAN asked and was given permission to address the House for 1 minute.)

Mr. CARNAHAN. Mr. Speaker, President Harry Truman of Missouri famously labeled the Republican Congress of 1948 the “Do-Nothing Congress.” But to call this Congress the do-nothing Congress would be an insult to the 1948 Congress that was 10 times more productive than this Congress.

With the House recessing on the 21st, this is the earliest Congress has left to campaign in an election year in 52 years. The GOP-led 112th Congress has achieved the lowest approval rating ever—nearly 9 out of 10 Americans say they disapprove of this Congress.

Maybe we should feel lucky that Congress hasn’t been here, because when they have been here, they voted to end Medicare as we know it and give tax breaks to millionaires over the middle class. They have left town without passing middle class tax cuts, the farm bill, the Violence Against Women Act, and responsible debt reduction. And they have voted for corporations that ship jobs overseas instead of passing the American Jobs Act.

Let’s stop calling this the do-nothing Congress. This is worse than the “Do-Nothing Congress.”

DYSFUNCTIONAL HOUSE OF REPRESENTATIVES

(Mr. MORAN asked and was given permission to address the House for 1 minute.)

Mr. MORAN. Mr. Speaker, I want to talk about the number 47, not as in the percentage of Americans, the soldiers and students and elderly and working poor, many of whom are paying more in total taxes than Mr. Romney is paying on his tens of millions of dollars in annual income but who, nevertheless, he seems to consider to be slackers. No, I’m talking about 47 as in the number of days left before the election, in the context of the fact that we have 1 more day that we will be in session. The most basic and fundamental responsibilities our constituents sent us to Washington to address are being left totally unresolved. Never have I seen a House of Representatives so unproductive and so dysfunctional, and I served during the so-called “Gingrich Revolution.”

The fact is that today the House Republican leadership and too many of its rank-and-file Members seem to think that economic stimulus, which is vitally needed in this economy, is a dirty word, and that the Federal Government is some kind of alien enterprise. Their approach is to do nothing, and that’s what we’ve done for the last 2 years—nothing.

RECOGNIZING LYNNE YOSHIKO NAKASONE

(Ms. HANABUSA asked and was given permission to address the House for 1 minute.)

Ms. HANABUSA. Mr. Speaker, I rise today to recognize Lynne Yoshiko Nakasone of Honolulu, Hawaii.

The National Endowment for the Arts has named Sensei Nakasone a 2012 National Heritage Fellow for her contributions to the folk and traditional arts. This prestigious lifetime achievement award honors Sensei Nakasone’s lifetime commitment to Okinawan classical dance—which is also referred to as Ryukyu dance—and embodies her accomplishments by identifying her as one of our country’s living treasures.

It was at the young age of 6 that Sensei Nakasone began to master this technique of dance. Sensei Nakasone is originally from Naha, Okinawa, but has resided in Hawaii since her marriage to her loving husband, Clarence, in 1955. In 1956, Sensei Nakasone founded the Hoge Ryu Hana Nizi no Kai Nakasone Dance Academy in Honolulu, and for over five decades has been teaching, performing, and choreographing creative dances. Her performing skills are legendary, but it is her aloha spirit that endures the test of time and her passion, knowledge, and kindness that have touched countless individuals over the years.

There is no doubt in my mind that Sensei Nakasone is deserving of this award, for she has dedicated her life towards preserving the Okinawan culture while positively impacting others and contributing to the diversity and uniqueness of our culture in the United States of America.

FISCAL CLIFF

(Mrs. DAVIS of California asked and was given permission to address the House for 1 minute.)

Mrs. DAVIS of California. Mr. Speaker, last week the San Diego Chamber of Commerce sent its largest ever delegation of community and business leaders to Washington. They came because they know Washington can help them spur the economy, innovate, and employ local workers if we can all get on the same page.

What grand request did they have for this Congress to help make progress happen? Well, just that we do our job: that we roll up our sleeves, work together across party lines, and find a sensible, not an arbitrary, balance of cuts and spending.

Yes, Mr. Speaker, this country is facing some hard choices, and, yes, there is division in this Chamber, but we do not need to add to the serious challenges facing American businesses and families by sitting on the sidelines watching a completely manmade disaster explode upon our economy.

Let’s work together to come to decisions now. The American economy

should not be facing a fiscal cliff; it should be receiving a fiscal roadmap. By actually doing our jobs, we can make the jobs of our hardworking constituents a little easier.

Our job is not done, Mr. Speaker. Cancel the congressional recess.

CELEBRATING NEW MEXICO’S CENTENNIAL

(Mr. HEINRICH asked and was given permission to address the House for 1 minute.)

Mr. HEINRICH. Mr. Speaker, I rise today to join my colleagues in celebrating New Mexico’s centennial. We are proud to introduce a resolution honoring the 100 years since New Mexico became a State on January 6, 1912.

Home to some of the earliest human settlements in North America, New Mexicans have spent this year celebrating our State’s remarkable history, our tremendous cultural diversity, and our meaningful contributions to the Nation and the world. From the fertile Rio Grande Valley, to the vast Chihuahuan Desert, to the peaks of the Sangre de Cristo Mountains, New Mexico’s natural beauty is unsurpassed. From Pope to Geronimo, from Conrad Hilton to Jeff Bezos, from Nancy Lopez to Brian Urlacher, from Georgia O’Keeffe to Rudolfo Anaya, from Dennis Chavez to Dolores Huerta, and from countless other New Mexicans, our impact on America’s past, present, and future cannot be overstated.

As we continue to celebrate our centennial year, I join with all New Mexicans in honoring our unique heritage and our bright future.

PERSONAL RESPONSIBILITY

(Mr. YARMUTH asked and was given permission to address the House for 1 minute.)

Mr. YARMUTH. Mr. Speaker, my colleagues from across the aisle like to talk a lot about personal responsibility, but their decision to adjourn Congress for nearly 2 months shows how little they actually understand the concept.

Congress is facing serious deadlines right now, and we should be dealing with the problems the American people sent us here to solve. Instead, Republican leadership has decided that we should go home without doing any of it and taking with us one of the worst report cards in American history.

For more than a year now, Republicans have ignored a plan to create 2.6 million new jobs and protect another 1.6 million existing jobs. They won’t even bring it to the floor for a vote. Right now we could bring to the floor and send to the President’s desk a bill that would protect tax cuts for 98 percent of the American people and 97 percent of small businesses, but instead we’re going home.

Republicans seem content to take our country off the fiscal cliff, which will hobble our economy, raise taxes on millions of working families, and once again shift the responsibility of our deficit to those who can least afford it.

Mr. Speaker, Republicans can't preach personal responsibility if they're not willing to accept it themselves.

□ 1230

HISPANIC HERITAGE MONTH

(Mr. COSTA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COSTA. Mr. Speaker, from September 15 to October 15, we honor the heritage and many contributions of the Latino community nationwide.

The story of Hispanic Americans is truly an American story. In America, if you work hard, play by the rules and dream big, there is no limit to what you can achieve. From the hard work of immigrants and their children, to the arts and education, to nearly 1 million Latino veterans who have proudly served in uniform, Hispanics have played a vital role in shaping our Nation.

While we have made great contributions, there is still more work to be done to address issues that affect the communities, such as health care disparities and improving high school graduation rates.

We all do not share the same roots, but we all share the same goals, in giving the next generation of Americans the opportunities to achieve the American Dream. That American Dream is part and parcel of what we celebrate and honor during the Hispanic Heritage Month.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 5864

Ms. SLAUGHTER. Mr. Speaker, I ask unanimous consent to remove Representative McNERNEY of California as a cosponsor of H.R. 5864, the Invasive Fish and Wildlife Prevention Act.

The SPEAKER pro tempore (Mr. WOMACK). Is there objection to the request of the gentlewoman from New York?

There was no objection.

PROVIDING FOR CONSIDERATION OF HOUSE JOINT RESOLUTION 118, DISAPPROVING RULE RELATING TO WAIVER AND EXPENDITURE AUTHORITY WITH RESPECT TO THE TEMPORARY ASSISTANCE FOR NEEDY FAMILIES PROGRAM; PROVIDING FOR CONSIDERATION OF H.R. 3409, STOP THE WAR ON COAL ACT OF 2012; AND PROVIDING FOR PROCEEDINGS DURING THE PERIOD FROM SEPTEMBER 22, 2012, THROUGH NOVEMBER 12, 2012

Mr. BISHOP of Utah. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 788 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 788

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the joint resolution (H.J. Res. 118) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Office of Family Assistance of the Administration for Children and Families of the Department of Health and Human Services relating to waiver and expenditure authority under section 1115 of the Social Security Act (42 U.S.C. 1315) with respect to the Temporary Assistance for Needy Families program. All points of order against consideration of the joint resolution are waived. The joint resolution shall be considered as read. All points of order against provisions in the joint resolution are waived. The previous question shall be considered as ordered on the joint resolution to final passage without intervening motion except: (1) one hour of debate equally divided among and controlled by the chair and ranking minority member of the Committee on Ways and Means and the chair and ranking minority member of the Committee on Education and the Workforce; and (2) one motion to recommit.

SEC. 2. At any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3409) to limit the authority of the Secretary of the Interior to issue regulations before December 31, 2013, under the Surface Mining Control and Reclamation Act of 1977. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and amendments specified in this resolution and shall not exceed one hour equally divided among and controlled by the chair and ranking minority member of the Committee on Natural Resources, the chair and ranking minority member of the Committee on Energy and Commerce, and the chair and ranking minority member of the Committee on Transportation and Infrastructure. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment in the nature of a substitute recommended by the Committee on Natural Resources now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 112-32. That amendment in the nature of a sub-

stitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 3. On any legislative day during the period from September 22, 2012, through November 12, 2012, —

(a) the Journal of the proceedings of the previous day shall be considered as approved;

(b) the Chair may at any time declare the House adjourned to meet at a date and time, within the limits of clause 4, section 5, article I of the Constitution, to be announced by the Chair in declaring the adjournment; and

(c) bills and resolutions introduced during the period addressed by this section shall be numbered, listed in the Congressional Record, and when printed shall bear the date of introduction, but may be referred by the Speaker at a later time.

SEC. 4. The Speaker may appoint Members to perform the duties of the Chair for the duration of the period addressed by section 3 of this resolution as though under clause 8(a) of rule I.

SEC. 5. Each day during the period addressed by section 3 of this resolution shall not constitute a calendar day for purposes of section 7 of the War Powers Resolution (50 U.S.C. 1546).

SEC. 6. Each day during the period addressed by section 3 of this resolution shall not constitute a legislative day for purposes of clause 7 of rule XIII.

SEC. 7. Each day during the period addressed by section 3 of this resolution shall not constitute a calendar or legislative day for purposes of clause 7(c)(1) of rule XXII.

POINT OF ORDER

Ms. MOORE. Mr. Speaker, I respectfully raise a point of order against H. Res. 788 because the resolution violates section 426(a) of the Congressional Budget Act.

The resolution contains a waiver of all points of order against consideration of the bill, which includes a waiver of section 425 of the Congressional Budget Act which causes a violation of section 426(a).

The SPEAKER pro tempore. The gentlewoman from Wisconsin makes a point of order that the resolution violates section 426(a) of the Congressional Budget Act of 1974.

The gentlewoman has met the threshold burden under the rule, and the gentlewoman from Wisconsin and a Member opposed each will control 10 minutes of debate on the question of consideration. Following debate, the Chair will put the question of consideration as the statutory means of disposing of the point of order.

The Chair recognizes the gentlewoman from Wisconsin.

Ms. MOORE. I thank you so much, Mr. Speaker.

I raise this point of order, not necessarily out of concern for unfunded mandates, although there are some in the underlying bills under consideration here today, H.J. Res. 118 and H.R. 3409. Rather, I am here today because this is the only opportunity to voice my adamant opposition to the TANF-related resolution of disapproval, H.J. Res. 118, given the strict closed terms of our debate today.

My goal here today, Mr. Speaker, is to be a voice of reason, and certainly a voice of truth in this debate, because we are all undoubtedly about to hear an astonishing array of half truths and, Mr. Speaker, even lies about the Temporary Assistance For Needy Families program or TANF—the lie, for example, that the TANF program was this raving success that took people out of poverty, gave them dignity and put them in good jobs. Well, what it really did was to really kick poor people off the rolls.

You know, under President Clinton, 1996, when we passed the original TANF bill, it was a time of prosperity; and those people, primarily women, who would normally get off the rolls within 2 years, found jobs which were readily available. But even more, primarily women, just simply languished in poverty as a permanent underclass.

□ 1240

Despite the creation of the so-called “safety net” under TANF, many, many women have languished in poverty and are still in poverty today. We’re not just talking about the poor. We’re talking about deep poverty.

Mr. Speaker, did you know that between 1996 and 2011 the numbers of U.S. households living on less than \$2 per person per day—the measure of extreme poverty as defined by the World Bank for developing nations—has more than doubled from 636,000 to 1.46—nearly 1.5—million people and that the number of children in extremely poor households has also doubled from 1.4 million up to 2.8 million children living in poverty—children, by the way, who cannot work? We are talking about the poorest of the poor. These numbers are startling given that we are talking about the United States of America, not some Third World country.

Now let’s get to the big lie that these resolutions relate to. The Republicans claim that the work requirements have

been gutted under the Health and Human Services’ guidance. These lies have already been debunked by the media, by Fact Check checkers, even by the original architects of TANF—for example, by Ron Haskins.

Apparently, our colleagues find it convenient to ignore the facts; but, of course, we have heard throughout this election cycle that the GOP is not going to be dictated by facts. Sadly, I’m not at all surprised that we are forced to engage in this TANF battle on the House floor. I knew that the GOP would challenge the administration’s proposal at the earliest opportunity; but, frankly, House Republicans’ timing on this could not be worse.

Do you think that the American people are demanding more attacks on the poor from your party this week or that doubling down on a strategy of vilifying the poor is a wise choice—trotting out the mythical, lazy welfare queen who doesn’t want to take responsibility for her own life, who is part of the 47 percent who would rather have a so-called “government handout” than a job?

I think that the insistence on considering this bill at this moment in history when we should be considering critical issues like the farm bill for our drought-ridden States or the Violence Against Women Act—or how about this one, Mr. Speaker, the American Jobs Act?—rather than political message bills is remarkably tone deaf. TANF was written at a time when our labor market and our economy were radically different than they are today.

I didn’t support TANF in 1996, but I certainly don’t support it now that I have seen what it has done. It has become a hollow shell of a safety net program. It is not going to be allowed to evolve with the times, and it is now nothing short of completely broken. TANF recipients have been poorly served by the program, which too often locks people into a cycle of poverty through rigid guidelines and red tape while allowing them no access to real opportunity. In its current form, the program makes it extremely hard to move from welfare to work, which is supposedly the goal of the program, an honorable goal of the program.

Mr. Speaker, check this out: States can meet their work requirements even if none—zero—of their recipients find a job. States are only measured by whether or not recipients participate in certain activities for a set number of hours, like if they just job search and never find a job.

Not only are we not moving people from welfare to work in this program, but we are not allowing people any opportunity to get the education and training they might need to compete in the labor market or to learn valuable skills. We are trapping them in so-called “job-search activities” that are

poorly designed and add up to nothing. TANF just does not provide real opportunities that could translate into better lives for beneficiaries. There are others who are unable to get help at all because the program is not designed to allow them in the door.

Shockingly, States are rewarded for simply lowering their caseloads rather than for moving people into jobs. There is, indeed, an incentive for States to create barriers that prevent the individuals and families with the highest need from even participating. We’ve heard the horror stories of people who have been kicked off TANF or who couldn’t get in in the first place and of the desperate things they’ve had to do to feed and shelter and clothe their children.

By now, those of us who have been paying even the bare minimum of attention realize that the Republicans have been playing politics with the Obama administration’s waiver program and have been playing fast and loose with reality. I would venture to guess that every Member in this Chamber knows the truth, that Republicans and Democratic Governors have been requesting increased flexibility in implementing the welfare reform for many years.

In fact, in 2005, no fewer than 29 Republican Governors asked for increased waiver authority, and given my limited time, I will only name a few of them. We have such socialist Governors like Mississippi Governor Haley Barbour, Texas Governor Rick Perry. How about Arkansas Governor Mike Huckabee and none other than—drum roll, please—Massachusetts Governor Mitt Romney?

Like these Governors, I wholeheartedly endorse the idea of allowing States the flexibility to craft welfare systems that meet the specific needs of their job markets and their participants. I know—and I know that many of you know, though you refuse to acknowledge it—that the waiver proposal from the Department of Health and Human Services would meaningfully strengthen our ability to move people from welfare to work.

May I inquire, Mr. Speaker, as to how much time I have remaining.

The SPEAKER pro tempore. The gentlewoman from Wisconsin has 40 seconds remaining.

Ms. MOORE. I was once one of those 47 percent—a welfare recipient. I have seen firsthand the successes and failures of this safety net in my community and across the Nation. I support the administration’s strategic efforts to guarantee that TANF is a more effective program. I encourage all of my colleagues to reject H.J. Res. 118, this resolution of disapproval, and to, instead, work together to build a strong workforce and economy.

Mr. Speaker, I yield back the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, I rise to claim the time in opposition to

the point of order and in favor of the consideration of the resolution.

The SPEAKER pro tempore. The gentleman is recognized for 10 minutes.

Mr. BISHOP of Utah. Mr. Speaker, the question before the House is: Should the House consider H. Res. 788? While the resolution waives all points of order against the consideration of H.J. Res. 118 and H.R. 3409, the committee is not aware of any points of order, and the waiver is basically prophylactic in nature.

We heard a lot of emotional and interesting points as to the basis of the bill that could be debated if, indeed, this rule were to be passed. I don't think it is actually the time right now in a point of order to go over the benefits of the bill or the detriments of whatever may happen if the bill, itself, is actually debated. There is time for that.

We do know that the number of individuals receiving welfare has dropped by 57 percent, that poverty amongst all single mothers has fallen by 30 percent, that the poverty amongst black children has dropped to its lowest level since 2001, and that employment and earnings amongst single mothers have increased significantly.

□ 1250

But that's all debate to the bill, which still has to go through the rule debate, and we're not talking about that. This is a procedural issue.

We could talk about the fact that in '93 the Ways and Means Committee did say that waivers granted after the date of enactment may not override provisions in the TANF law that concern further mandatory work retirements. But, once again, that would be the kinds of things that we should be talking about in the debate of the bill, which will come after the debate on the rule, which will come after our discussion of this procedural point of order.

So, actually, the merits of what the bill is is not the same thing as the purpose of the procedural point of order. The procedural point of order still has to be based on the idea of unfunded mandates within the rule.

The Congressional Budget Office believes that H.R. 3409 would impose an intergovernmental mandate as defined in the Unfunded Mandates Reform Act. However, based on the information for EPA and a small number of public entities would be required to comply with the bill's requirement, the CBO estimates that the cost of those entities to comply would fall below the Unfunded Mandates Reform Act's annual threshold for intergovernmental mandates. It's a threshold that is set and adjusted for inflation.

So the Congressional Budget Office states that H.J. Res. 118 also contains no intergovernmental or private sector mandates as defined by the Mandates Reform Act. That is the basis of the

point of order. The bottom line is there is no violation of both an unfunded mandate within the rule or in the bills themselves.

The rest of the discussion is actually to the merits of the legislation and is appropriate at the time as we are debating that legislation.

So, Mr. Speaker, although I really have this great desire to use the full 10 minutes of discussion here, the bottom line still—

Ms. MOORE. Will the gentleman yield whilst he has too much time?

Mr. BISHOP of Utah. No, thank you.

Ms. MOORE. Will the gentleman yield to a question?

Mr. BISHOP of Utah. I appreciate the honor. Will the gentlewoman from Wisconsin let me finish the statement?

Ms. MOORE. I am asking you if you would yield to a question, not for me to speak.

Mr. BISHOP of Utah. I appreciate the interruption, but let me finish here. And probably not. Let's get on with the issue at hand here.

The point of order basically, Mr. Speaker, is still specious. It is in order to allow the House to continue its scheduled business for the day because the issue of the point of order is the unfunded mandate, not the other merits towards the legislation.

So I do urge Members to vote "yes" on the question of consideration. We will have an additional hour to discuss anything you wish to on the rule debate, as well as a whole lot of time on the merits of the bill when we debate the bill itself.

With that, I yield back the balance of my time.

The SPEAKER pro tempore. All time for debate has expired.

The question is, Will the House now consider the resolution?

The question of consideration was decided in the affirmative.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. The gentleman from Utah is recognized for 1 hour.

Mr. BISHOP of Utah. Mr. Speaker, for the purposes of debate only, I yield the customary 30 minutes to the gentlelady from New York (Ms. SLAUGHTER), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. BISHOP of Utah. I ask unanimous consent that all Members have 5 legislative days during which they may revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. BISHOP of Utah. This resolution provides for a closed rule for the consideration of H.J. Res. 118, the congress-

sional disapproval waiver of work requirements, and provides 1 hour of general debate, with 30 minutes equally divided and controlled by the chair and the ranking minority member of the Committee on Ways and Means and 30 minutes equally divided and controlled by the chair and the ranking minority member of the Committee on Education and the Workforce.

This rule also provides for a structured debate for consideration of H.R. 3409, the Coal Miner Employment and Domestic Energy Infrastructure Protection Act, and provides for 1 hour of general debate, with 20 minutes equally divided and controlled by the chair and the ranking minority member of the Committee on Natural Resources, 20 minutes equally divided and controlled by the chair and the ranking minority member of the Committee on Energy and Commerce, and 20 minutes equally divided and controlled by the chair and the ranking minority member of the Committee on Transportation and Infrastructure.

Finally, this rule makes in order a number of important amendments on both sides of the aisle. If staff doesn't change my mind, I believe there are 13—7 Republican and 6 Democrat—amendments which is as close as you can get with an uneven number to a fair rule. So it is a fair rule.

Mr. Speaker, now speaking towards the merits of this particular resolution, I would like to make special mention of Congressman JOHNSON, who is the base sponsor of H.R. 3409, the Coal Miner Employment and Domestic Energy Infrastructure Protection Act. He definitely has been one of the leaders in this entire area of the issue of coal as it is used in energy. Not only is it important to his constituents, but this is an important issue for the entire country. And I want to recognize Mr. JOHNSON as having been tireless in committee, asking questions that go to the core of this particular issue, providing amendments, and then finally culminating with his bill which deals with how we actually can use coal to further our energy needs in this particular country. Representative JOHNSON is a freshman who has learned fast and is a true champion for inexpensive energy that will expand our economy and create jobs for American citizens.

With that, Mr. Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I thank the gentleman for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

This week marks the last time the Chamber will meet until the middle of November. As we depart, the majority walks away with the dubious distinction of having presided over a session of Congress that is widely called the least productive in history. This Congress has achieved that distinction because, although bipartisan consensus is

needed to pass any bill into law, the majority has spent the last 2 years pursuing an extreme and partisan agenda. In fact, they have repeatedly spurned potential bipartisanship in order to vote on ideological legislation that will never become law.

In week after week, the majority has refused to help our Nation's drought-stricken farmers. With the Senate-approved farm bill sitting on the table and a bipartisan outcry to pass a 5-year farm bill growing, the majority has decided to neglect our Nation's farmers and allow the farm bill to expire without even attempting to pass a bill at any time in the House.

An expiration of the farm bill means that dairy farmers in my part of the country, western New York, and throughout the United States will lose what little safety net they have. Yet, when faced with the choice of passing a compromised farm bill or pursuing an all-or-nothing partisan agenda or, as we're doing today, passing bills that have already passed the House just because they liked them so much they wanted to see them again, the majority chose the latter.

In western New York, farmers don't need the majority to play partisan games. They need a 5-year farm bill, and they need it now.

Unfortunately, the bills we consider today offer more of the same. Both the bills before us today are little more than extreme and partisan messaging documents designed to benefit politicians running for office, not the American citizen struggling to get by. Take, for example, H.R. 3409, the Coal Miner Employment and Domestic Energy Infrastructure Protection Act. That's a fine title there. Four out of the five titles in this bill, as I had said a minute ago, four out of the five bills in this measure have already been voted on by the House, but they were too partisan and extreme to pass the Senate. They will not yet again pass the Senate; therefore, it is simply a waste of time today.

It costs a lot of money to bring all the Members of Congress back to Washington from the four corners of the United States, and to come back to re-pass bills that have already passed that will never go beyond this House cannot be called anything else but a colossal, disastrous waste of time.

Among other things, the bill would roll back decades of environmental protections, endanger the public's health, and prevent our country from addressing the growing threat of climate change. The majority knows that such extreme proposals will not pass into law, but they are moving forward anyway in order to serve political campaigns. Similar sentiments appear to be driving the consideration of the second proposal, the TANF disapproval resolution.

□ 1300

This bill is based upon a premise that has been proven false by multiple fact-checking organizations, including The Washington Post Fact Checker. Indeed PolitiFact, a nonpartisan project of the Tampa Bay Times, has concluded that "by granting waivers to States, the Obama administration is seeking to make welfare-to-work efforts more successful, not end them."

Despite that, we're going to bring up the bill today to cure something that does not exist. It is astounding that at a time when we could be voting on a jobs bill, Republicans have instead chosen to block an Obama administration proposal that would help States put more people back to work and, indeed, has been requested by those States' Governors.

Perhaps most telling is the fact that even as we consider these bills, the majority also refuses to consider legislation to address serious national crises. Yesterday at a meeting of the Rules Committee, they blocked five amendments that would address those issues.

First they brought an amendment by Representative BOSWELL to vote on the bipartisan Senate farm bill. They had another chance yesterday to bring the farm bill up before we all go home. Then they brought an amendment by Representative MOORE to reauthorize the Violence Against Women Act, which expires in days and a bipartisan bill, if ever there was one, because I was one of the coauthors of the bill. That has been routinely authorized by both parties until this year.

Finally, they blocked amendments by my colleagues, Representatives LEVIN, CONNOLLY, and BLUMENAUER to pass tax cuts for the middle class, to extend a production tax credit for renewable energy producers, wind energy, and to consider legislation to address the financial crisis facing the postal service.

The majority was given a chance to bring all of its proposals to the floor, but they walked away and went forward with the messaging before us today. So we will pass today four bills that have been passed previously.

I asked my colleagues in the majority: Which is more important, to provide relief to the drought-stricken farmers or voting to deny climate change? Which is more important, passing a symbolic resolution based upon a false premise or providing tax cuts to the middle class? Which is more important, passing self-proclaimed messaging documents, or working together to provide for the millions of Americans in need? If you would ask a farmer in Monroe County, New York, if they would rather have Congress pass a dead-on-arrival messaging bill or act on a bipartisan farm bill, I know and you know what they would choose.

In closing, what we are considering today are choices made by the major-

ity, a choice to pursue an extreme and bipartisan agenda that they knew would never become law. In so doing, they have failed to provide results for the American people that lead to the least productive Congress in the history of our Nation.

I urge my colleagues to reconsider the choices that have been brought here today and the legislation that we are about to consider. In the process, I hope we can finally end the political games and return to the responsibility of governing.

I reserve the balance of my time.
Mr. BISHOP of Utah. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I hope you will forgive me if I try to limit myself to what is actually in the resolutions and the bills that we are presenting today as far as the Rules Committee is concerned.

There is, though, a common thread that runs through the two resolutions that happen to be here and deals with the definition of what is administrative and what is legislative. Even if the current administration seems to have a problem in making that definition of what is administrative, we in Congress need to clearly understand what is our legislative responsibility.

Our good friend, LOUIE GOHMERT of Texas, always says that he who learns the lessons of history will find some other way to screw it up. That's probably true. I don't want to sound like an old history teacher, but I am. I do want to say that there are some things that we in Congress should be doing to learn from our past history.

John Page, in 1771, a Congressman from Virginia, was on the House floor when it was determined while the House was debating whether they stuck around to actually determine where postal routes should be. People wanted to go, and, more importantly, the people trusted the President. The question was, Why don't we just let the President do it all?

It was John Page who stood up and said, and I move to adjourn and leave all objects of legislation to his, the President's, sole consideration and direction. He shamed Congress into doing their job of writing the legislation and not allowing the executive branch, the administration, simply to do everything by fiat. We sometimes have forgotten that.

In the TARP language, we put in language like, the Secretary of the Treasury will be able to purchase troubled assets on such terms and conditions as are determined by the Secretary; or authorize any purchase on which the Secretary determines, promotes financial market stability; or the Secretary is authorized to take such action as the Secretary deems necessary to carry out all authorities in this particular act.

That is legislative authority that we passed on to the executive branch.

That was a tragic mistake. We should not incorporate that tragic mistake, wider now, by simply allowing the executive branch to take on responsibilities and authorities of their own free will and volition.

We have this same situation once again in the history of this country. We had a President of the United States who wrote a book about Congress without ever visiting Congress itself, who said what the Founding Fathers realized, in which their effort to have vertical separation of power between State and national government—what we call federalism—and horizontal separation of powers between the three branches, which we call the separation of powers—and every public school student is taught that—they were put in there so that individual liberty, which I always consider to be individual choices and options in running their lives, would be protected against the concentration of power in one branch or another.

Now, this former President of the United States called this separation of powers political witchcraft. He said it was wrong to try and separate powers perplexingly subdivided and distributed to be hunted down in out-of-the-way corners. An earlier President than him thought, you know, the President of the United States is elected by everybody, Congress by a few people, the courts by none. Therefore, ignore the courts, which has some appeal, but at the same time the President should speak for the government.

This other President, coming back later, built upon that so he increased the role and power of the executive branch under the concept the President is the President of the whole people and, therefore, he has the ability to transcend separation of powers.

His effort to improve democracy was to eliminate democracy and instead ensure that the decisions were not made by the people or the voice or representatives of the people, but by experts, experts who were serving in the administrative branches. We, if you like that concept, call it the administrative state. If you don't, we call it "nanny government." Nonetheless, that was the concept.

One of the other Presidents that came shortly before him said there will be little permanent good that can be done by any party if we fail to regard the States as anything other than a convenient unit for local government. He said there is no harm by concentrating power in the hands of one individual. He also said that he would not be content with keeping his talents undamaged in a napkin. That's perhaps why the Speaker of the House at the time said he had no more use for the Constitution than a tomcat has for a marriage license.

The bottom line of what happened in the history is that all of a sudden we

found that the Founding Fathers who believed in people and believed in the legislative branch, listening to John Locke, who said you cannot transfer the power of the legislature to another branch, those type of people decided at that time that the people should not be running their own affairs, that government experts should be making that policy.

To be honest, when we're talking about the first resolution that deals with TANF, the welfare issue, I don't care if the waiver is the greatest thing since sliced bread, it is still extra-constitutional and it should not be used and Congress should not allow it to take away what is the role of Congress, and only Congress, to establish these issues and set these boundaries.

In the other bill that we're talking about, we're talking about prohibiting future actions by entities, in this case, specifically the EPA, which would destroy jobs, increase the cost of our utilities that would cause greater costs of lighting homes and heating homes, especially for those who have the least ability to do so.

Congressmen and Congresswomen must stand up and insist that Congress create these standards and create these options, not being made by executive fiat. That is the very purpose of why we are here.

The first President, to whom I referred, ended up with a legacy of many programs implemented which we still today find controversial. He was labeled by historians as an arrogant President at that time who refused to talk to Congress. Because of that, he lost some of his last, most precious programs in an effort to try and go around Congress rather than working with Congress.

□ 1310

Now, Mr. Speaker, that's why this resolution is before us and why these two separate bills are here. Both of them attempt to set the record straight and show that it is Congress' responsibility to set the rules and the guidelines. It is not an administrative prerogative. And we as Congress need to step forward and say we are the ones who do this. We should not allow it to be done by anyone else, regardless of why it's being done or the merits of why it's being done. It's our job.

We should learn from history. We should be more like John Page and try and make sure the Congress does these types of issues and makes these types of decisions and less like Presidents later on who thought the President speaks for everybody and the President has every right to transcend separation of powers and do it for himself. That's the basis of these two bills. That's the important issue. We should learn the lesson of history.

With that, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 5 minutes to the gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. I thank the gentleman.

Republicans are saying that there is a war on coal. They even named this bill the End the War on Coal Act. But the only battle coal is losing is in the free market to natural gas, to wind, to solar.

Just 4 years ago, coal generated 51 percent of our electricity. Now it is down to 35 percent of our electricity. Have the lights gone off? No. And that's because coal has been replaced in the free market by natural gas, which has risen from 21 percent to 30 percent of all electrical generation in our country. And by the way, the same thing is true for wind. Wind has gone from 1 percent of electrical generation to 4 percent of electrical generation.

That's your answer. That's what's happening. The marketplace has moved to natural gas—another fossil fuel, by the way—and wind. And why have they done so? Natural gas is cheaper than coal. It's more plentiful now because of fracking technologies. And the market has moved.

What is happening? What is happening is that natural gas prices have gone down 66 percent in the last 4 years. That is the shift from coal over to natural gas. That's the arithmetic. You're a consumer, you see a product, it does the same thing as the other product, and it's dropped 66 percent in price. The arithmetic says I go and get that product if it's going to ensure that my home is heated, that my air conditioning goes on. It's just arithmetic. Coal is losing to natural gas.

So when the Republicans say there is a war on coal, in a market sense, yes, there is a war. In the same sense that when we started carrying BlackBerries, it was a war on the black rotary-dial phone; in the same sense that when we started using Macs and PCs, it was a war on typewriters; in the same sense that the horseless carriage was a war on horses; in the same sense that refrigerators were a war on salted meats; in the same sense that the telegraph was a war on carrier pigeons.

These aren't wars. It's innovation. It's competition. It's natural gas versus coal. All we're saying as Democrats is let the free market work. You're here saying, No, protectionism. Protectionism against the natural gas industry winning this battle in the marketplace. By the way, natural gas is also winning the battle in the marketplace against home heating oil. Tens of thousands of people are shifting from home heating oil over to natural gas. Why? It's cheaper. The same thing is true in the production of petrochemicals and fertilizers. Industries are moving away from oil as the component part of moving over to natural

gas. Why is that? It is cheaper. It's across-the-board.

Do you understand this, Republicans? It's arithmetic. It's simple. It's easy to understand. It's not the policies of the Obama administration. If you want to blame someone, blame ADAM SMITH for the ruthless, Darwinian, paranoia-inducing market system that we've adopted where utilities and private citizens and the petrochemical industry move toward a product which is cheaper, more available here in the United States, a domestic industry that is here.

Instead, this is a Republican Congress which has 302 anti-environmental votes, which they've cast in just a year and 8 months. That's 302 anti-environmental votes. That's what they're all about. This whole thing is an excuse to lower the protection against pollution coming from coal that damages the health of children, the health of our environment all across our country, when they're just losing a battle to natural gas in the marketplace.

They get an F on Medicare this Congress, F on tax breaks, F on jobs, F on urgent priorities, F on women, and an F on environment. It's just an excuse because they don't like what is going on in the marketplace. And it's a shame because they tout themselves as that party. Simultaneously, you know what they do? They're killing the wind tax break—killing it because it's up to 4 percent of electricity and keeping the exact same amount in for ExxonMobil and the oil companies to produce oil. Now how can you call that a plan of all-of-the-above?

All of this tilts the playing field, tilts the competition in the marketplace. You can't give tax breaks to oil and take them away from wind and say you're all-of-the-above. You can't say you want to tilt the playing field toward coal as natural gas is winning in the marketplace and say you're in favor of all-of-the-above. You are not. You are not.

So, ladies and gentlemen, I ask for a "no" vote on this rule and a "no" vote on these bills as they come to the floor of the House. It is anti-market policy on steroids as they bring it out here on the House floor.

Mr. BISHOP of Utah. With gratitude for the last speech, which was such a stirring support of fracking, which has made gas so plentiful and useful in this country, I yield 2 minutes to the gentleman from Colorado (Mr. LAMBORN).

Mr. LAMBORN. I thank the gentleman from Utah.

The bill we are considering today is very simple: It's a bill that protects one of the Nation's most abundant and cheap energy sources—coal—and ensures that some of the highest-paid family wage jobs in the country are saved.

I want to focus on title I of H.R. 3409 that limits the authority of the Sec-

retary of the Interior to issue new burdensome regulations under SMCRA until the end of 2013. This title will put a short timeout on the recklessly rushed rulemaking by the administration that has resulted in millions of wasted dollars and confusion by all parties regarding the current management of coal by the Office of Surface Mining. This rulemaking has been an unmitigated disaster, with the administration attempting to compress what ordinarily would take 36 months into 15 months. When news got out about how many jobs would be lost under these proposed rules, the administration fired the independent contractor who provided the analysis.

The administration's own analysis is that 7,000 direct mining jobs would be lost and an additional 29,000 people would fall below the poverty level in the Appalachian basin alone. The proposed rules would have a negative economic impact in 22 States.

How in the world can a President who gives lip service to creating jobs allow his bureaucrats to kill jobs in coal States?

This bill will simply give OSM a timeout so they can hear and address the concerns raised by the cooperating agencies, coal mining States and tribes, and citizens. It will allow States time to read the hundreds of pages of materials in months rather than days. The current rulemaking by OSM is an out-of-control process with no regard for mine workers and their families who depend on these jobs.

I urge my colleagues to support the resolution and the Johnson bill.

Ms. SLAUGHTER. Mr. Speaker, I am glad to yield 2 minutes to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Speaker, I rise in opposition to this political resolution that aims to wrongly characterize the administration's position on Temporary Assistance to Needy Families. This is a waste of our time.

The purpose of the administration's waiver proposal is to allow States to test alternative and innovative strategies that are designed to improve employment outcomes for needy families. As the Department of Health and Human Services has said repeatedly, waivers will only be approved if a State can prove that there is an effective transition from welfare to work. In essence, that they are putting more people to work.

Is the majority now against putting people to work? Or are they against states' rights? If so, they may want to tell their Presidential candidate. In 2005, Mitt Romney and 28 other Republican Governors wrote a letter requesting more "flexibility to manage their TANF programs" and "increased waiver authority."

□ 1320

This is exactly what the administration's waiver proposal does. For 2 years

now, instead of working with us to create jobs, instead of passing middle class tax cuts, instead of passing the Violence Against Women Act, instead of passing responsible deficit reduction and to help us to try to get the economy moving again, the urgent priorities that we should be working on right now, this majority has continually put forward politically motivated resolutions.

You know, I would just say to you that the American people cannot afford a do-nothing Republican Congress that refuses to act on issues critical to the middle class, critical to small businesses, critical to farmers, critical to women. They need to expect better leadership from us.

I urge my colleagues to oppose this resolution. We need to get work done, not politically motivated resolutions.

Mr. BISHOP of Utah. I am pleased to yield 3 minutes to the chairman of the Science Committee, the gentleman from Texas (Mr. HALL).

Mr. HALL. Mr. Speaker, I rise in strong support of the rule and H.R. 3409, the Stop the War on Coal Act. This may sound a little strange to a guy from an oil and gas State, but we have an awful lot of coal.

This bill takes a number of simple, commonsense, and long overdue steps to rein in the Obama administration's out-of-control EPA, which is waging all-out war on American energy. Coal is at the heart of that war. Anyone who fails to believe such a war exists should speak to the people of Mount Pleasant, Texas, in my congressional district.

EPA's Cross-State Air Pollution Rule threatened 500 jobs at two coal-fired power plants in Mount Pleasant. Fortunately, the courts threw out this rule in August after finding that EPA went well beyond the law in its efforts to regulate coal out of existence.

We know EPA will go back to the drawing board. H.R. 3409 adds needed protections for any future proposal and, in doing so, protects jobs not only in my State, but in coal-producing States and coal-using States all around the country.

The bill also blocks future efforts to attack coal through other regulations, most notably the EPA's effort to enact economywide restrictions on greenhouse gas emissions. These rules are based on shaky science and would raise the cost of energy for all Americans. They should never see the light of day.

I want to mention my support for two amendments made in order under this rule. They will be offered by members of the Science, Space, and Technology Committee, which I chair. These amendments address serious problems with EPA science that the committee highlighted during the 112th Congress; specifically, Congressman DAN BENISHEK's amendment that requires that an analysis of the cost of

regulations explicitly evaluate the potential negative health effects of regulations. Energy and Environment Subcommittee Chairman ANDY HARRIS' amendment would require that the scientific data EPA uses to justify its regulations is peer reviewed and made publicly available.

These amendments reinforce and strengthen the transparency and openness provisions in H.R. 3409. I urge Members to support these amendments, the rule, and the underlying bill as well.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Speaker, as one who believes in the value of work, I voted for the 1996 law to transform welfare to workfare. Now as the ranking Democrat on the subcommittee overseeing this law, I want to strengthen reform and assure that every able-bodied American who can work is working, you know, people like Mitt Romney's father, who long ago was on a form of welfare himself before he became wealthy. Those are the kind of people that should be working.

Unfortunately, Republicans talk work for everyone else, but when it comes to doing the work here in Congress, well, they don't quite measure up to it.

It's just like the expired Federal education law. They have been in power here for over 20 months, and we wouldn't need any changes or waivers in the law if they'd done their job to renew workfare.

The real question here is not whether we emphasize work but how, how we achieve the most effective ways to get more people working.

This administration has simply responded to Republican Governors and some Democrats who are seeking more flexibility and less bureaucratic paperwork, who sought better ways to get more people working.

Even the Republican staff director who wrote the original 1996 reform law and who recently surveyed 42 State TANF directors says that these Republican attacks are "exaggerated."

So, why in the world would Republicans be here today, when there is so much other work that this Congress has failed to do, presenting what is really an antiwork resolution masquerading as prowork?

Well, I think it's because particularly during this week, such a very difficult and troubling week for Mitt Romney, they're a little desperate. They think they can hoodwink enough Americans to turn on their neighbors by falsely dividing us—dividing us between makers and takers, between manufacturers and moochers, between producers and parasites. That is not America.

Whenever they bump into an inconvenient fact like what actually is involved in this legislation, they just ig-

nore it. They have made this Congress largely a fact-free zone.

When confronted with reality, they hold up those signs that say "believe." They left a word off. It really should say "make believe," because that's what's at stake here, the fantasy that they bring us on all aspects of this measure. Fantasy is a mighty poor way to govern America.

Mr. BISHOP of Utah. Mr. Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I'm glad to yield 2 minutes to the gentleman from Florida (Mr. DEUTCH).

Mr. DEUTCH. Mr. Speaker, I rise in opposition to the rule and the underlying bill, the polluters' bill of rights.

I understand that my Republican friends are trying to improve the coal industry's outlook, and I imagine that most industries would benefit if Congress simply eliminated their obligation to help keep the public safe.

We hear a lot about the immorality of leaving our children with mountains of debt, and I completely agree with that. I support measures to responsibly reduce the debt. But bills like this one are piling another form of debt on our children. We are leaving them to deal with the consequences of letting coal companies pollute the air that our children breathe and the water that they drink.

Our failure to take comprehensive action on global climate change is already profoundly immoral. It is a disgrace that we refuse to sacrifice on behalf of our grandchildren. I fail to understand the perverse notion that my colleagues on the other side share that somehow global climate change is a laughable matter that we can sweep under the rug instead of an unprecedented threat to the health of our children and to the security of our Nation.

How many more millions of tons of greenhouse gases would my Republican colleagues like in our atmosphere before they're concerned? How much less polar ice? How many more cases of preventable cancer should American children develop?

I offered an amendment to slow down the bill's assault on America's environmental laws until scientists could verify that what this Congress seeks to accomplish would not increase cases of preventable cancer among our most vulnerable: children, seniors, and those with chronic conditions.

Regrettably, the House will not even have a chance to vote. It must be too inconvenient for my colleagues to have to tell their constituents that they value these coal companies above sick children.

Well, I've got news for my colleagues. Ignoring the consequences of our actions does not make them go away. These rules are in place because the American people demand safe air and water. They expect the electricity that powers their homes is not produced in

a way that makes tumors grow in their loved ones.

We should focus on building a Nation, a secure economic future in this Nation. That means investing in clean energy industries instead of catering to special interests.

□ 1330

Moving forward with clean energy is the least we can do. Passing this bill is the worst thing we can do. I urge my colleagues to reject the bill.

Mr. BISHOP of Utah. I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, we have no further requests for time, except one more. And we want to defeat the previous question.

I'm going to offer an amendment which proposes that Congress will not adjourn until the President passes the middle class tax cut into law. Additionally, I want to make in order the amendment that will extend the renewable energy tax credit. These tax credits are directly responsible for creating more American jobs. Allowing them to expire will mean fewer manufacturing jobs at home and more jobs sent overseas to China. We cannot afford to leave town without extending them.

To discuss our proposal, I am pleased to yield 2 minutes to the gentleman from Iowa (Mr. BOSWELL).

Mr. BOSWELL. Mr. Speaker, today is Thursday, September 20. And tomorrow, I understand, the House is set to adjourn until after the election. Tomorrow, the House is set to leave town without finishing the work that the American people sent us here to do.

Now, I have no objection to increasing domestic energy production, and I think an all-of-the-above approach is a rational approach to take. However, I rise against this rule. I rise in opposition to this rule because two amendments that I had offered to the bill were not made in order by the Rules Committee. The amendments I offered were on substantive policy that my constituents are calling for, and I am here to stand up for and represent my constituents in Iowa—and, I might add, across the Nation.

One amendment would extend the wind production tax credit. Wind energy plays a significant role in electricity generation in the State of Iowa and many other States—for us about 20 percent—and the manufacturing of wind turbine components in Iowa has brought high-tech manufacturing jobs to my district. The fact that the House is set to adjourn until after the election while this industry is being forced to lay off workers because of Congress' inaction is shameful. It's something we should not do. Yesterday, it was announced we would be laying off 400, and more to come.

Another amendment I offered would have allowed the House to finally vote on a farm bill. But once again the Republican leadership of the House

stopped the House from voting on a farm bill. Let me say that again: The House Republican leadership is preventing this House from working its will on a farm bill.

Mr. Speaker, apparently some House Republicans believe standing up for our farmers and ranchers across the country is not worthy of this House. This is a disgrace. Inaction on a farm bill is creating the market uncertainty that the House Republicans so often decry, and this uncertainty will only get more complicated as the House continues to kick the can down the road.

So, once again, I rise in opposition to this rule. And I call on my colleagues to defeat the previous question so that we can amend the rule and proceed to a debate that will result in the House actually doing the work our constituents sent us here to do.

Mr. BISHOP of Utah. Mr. Speaker, I have some empathy for the gentleman from Iowa, but I will have to say that one of the reasons that those amendments were not made in order was, quite frankly, because both of them were nongermane to the base bill, and that becomes a concept.

One of the reasons that Ms. SLAUGHTER speaks on wishing to stay here until we pass middle class tax cuts—and I think I can approve of that because, actually, when we considered H.R. 8, the Rules Committee took an extraordinary step of waiving the rules of the House—including CutGo and other budget-related points of order—so an amendment could be given by Mr. LEVIN, and he could have an opportunity to present that amendment. That amendment was debated, and it was rejected on a bipartisan vote of the House in August.

Unlike the amendment, then H.R. 8 passed the House with a bipartisan vote, which means the House has voted for a middle class tax cut. We have done our duty. It is one of the myriad of bills that is sitting over on the Senate side waiting for them to do something so that we can proceed to a conference committee.

So I actually approve of what the gentlelady from New York is saying because basically we've done it, and we did it on August 1.

With that, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I do have a late entry here. I would like to yield 3 minutes to the gentleman from New Jersey (Mr. ANDREWS).

Mr. ANDREWS. I thank my friend for yielding.

Mr. Speaker, 102 days from today, every American who pays income taxes will face a substantial tax increase; 102 days from now, the estate plans of small business people will be blown asunder because of the changes in the Tax Code that will automatically occur; 102 days from now, workers at defense plants, medical research insti-

tutions, and other very important functions in our country will lose their jobs because of an across-the-board spending cut called a sequester. The response of the majority to this looming problem is to leave town.

Now, I must confess that, given the majority's propensity to end the Medicare guarantee and provide tax cuts to millionaires, perhaps them leaving town does have a certain appeal. But under these circumstances—where there is a significant problem in our country, where farmers all across the country have no idea under what rules they will be running their farms and their businesses because a farm bill that received broad support from Democrats and Republicans on the Agriculture Committee has not made its way to the floor—in light of all this trouble, amidst all the stress of the American economy, the plan for the majority is to leave town tomorrow until after the election. This is irresponsible in two ways.

First, I think we have a duty to act before the election so the voters of this country can assess where we stand and whom they want to have represent them in the years ahead. And second, the problems of American families will not be put on hold during the 6 or 7 weeks that we're back in our districts politicking. Then we'll all come back after the election—many people will be in what's called a lame duck status where they're not coming back—and we will compress all of these decisions into 5 or 6 weeks. This is just not the proper way to legislate. It's not the proper way to govern our affairs.

So I would urge Members to oppose the previous question, which has the effect of putting on the floor legislation that would guarantee a tax cut, tax relief for middle class people, as well as the creation of jobs in our country because of clean energy. Now, you can agree or disagree with those propositions, but I don't think any of us disagrees with the proposition that in the face of these very real crises for the American people, we're just getting on the plane, getting on the bus, getting on the train and leaving town. It's the wrong thing to do.

We should oppose the previous question and vote "no."

Mr. BISHOP of Utah. I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, may I inquire through my colleague if he has any other requests for time?

Mr. BISHOP of Utah. I actually don't think I have any other speakers. I may be surprised in the next few minutes, as will be the case.

Ms. SLAUGHTER. It happens.

Mr. BISHOP of Utah. It happens, yes.

Ms. SLAUGHTER. Then I am prepared to close, and I yield myself such time as I may consume.

Mr. Speaker, I sincerely regret that today we will consider legislation that

has no chance of becoming law. Our constituents send us here with an expectation that we will work together and deliver results. That doesn't mean that they expect us to abandon all of our principles, but it does mean that while we engage in fierce debate, we do so in the spirit of collaboration and at the end of the day we come together to produce bipartisan legislation that will address the major issues that are facing our country.

For the last 2 years, the majority has actively avoided such bipartisan legislating, and as a result we face a mounting number of issues that demand our attention. Sadly, none of those pressing issues are addressed in today's bills.

So I urge my colleagues to oppose today's rule and the underlying legislation. It is time we put aside political games and address the pressing national issues facing this country.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment in the RECORD, along with extraneous material, immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Ms. SLAUGHTER. I urge my colleagues to vote "no" on the previous question, to defeat the previous question, and I urge a "no" vote on the rule.

I yield back the balance of my time.

□ 1340

Mr. BISHOP of Utah. Mr. Speaker, I yield myself such time as I may consume.

In our discussion of this particular rule today, we have, as oftentimes is the case, wandered far and wide.

I would point out to one of the speakers who was just up there saying that we should stay here doing the sequestration act, dealing with the sequestration issue, the House did. On May 10, we passed the Sequestration Replacement Act. Once again, it's sitting over in the Senate. To wait here until we do the middle class tax cuts, we did that in August. It's waiting over on the Senate to do something.

We have issues that are significant in the two that are before us. If we're talking about welfare in some particular way, whether the rule that was made coming out of the executive branch was appropriate or not, we could go back and say why it was done. It is true the President, in 1997 and once again in 1998, said he would not have supported the legislation that created the system that we have. It's also true that in The Washington Post editorial, they made comments that said the Obama administration is waiving the Federal requirement that ensures a portion of able-bodied TANF recipients must engage in work activities. If this

is not getting welfare reform, it's difficult to imagine what would be.

But even if the substance of that was inaccurate, the fact that it was done by regulation, by rulemaking coming from the administrative branch, puts us in suspect category. Rules should not be establishing what is our priority; it should be laws made on this body. If you want to change it, if you want to do waivers, it should be coming from this particular body.

The other half of it deals with coal. This is a Nation with the largest coal reserves in the world. We have 500 years of potential electricity at cheap rates coming from coal. A coal plant today is as much as 99 percent cleaner than one built 40 years ago, and yet rules and regulations that have been promulgated or are being threatened to promulgate are one of those that impede the ability of building new plants.

There is no valid reason why the American coal industry should be suffering at the hands of overzealous Washington regulators or why workers are being laid off in the Midwest, in Virginia, Pennsylvania, Ohio, West Virginia, and other places; although, today, it was again announced that there will be 1,200 coal mining jobs that will be eliminated across central Appalachia by a company, one company.

And once again, there is the kind of unfair regulations that are taking place. It is true that H.R. 3409 is cobbled together with other bills that have passed this body, but I would remind you that each of those four that have already passed this body were passed on a bipartisan vote, with anywhere between 16 and 37 Democrats, depending on the bill, joining with Republicans to pass those. And, when put together in a package with H.R. 3409, presents a good package to make sure that we are in favor of cheap energy, energy that will drive and build our economy and provide jobs for those who need those particular jobs.

I went historically in a while earlier because I wanted to say that we have faced these types of situations in the past, where the question was: Should the President make the rules or regulations or should Congress actually pass legislation?

The President to whom I referred ended his tenure in a somewhat bitter way, refusing to work with Congress, instead, trying to go around Congress, which produced, at that time, a historic deadlock between the Presidency and the Congress.

This is a Nation of laws. Laws are made here. It's not a Nation of rules. And if the rules and regulations are going to have the effect on the future and are going to have an effect on the American people, they should not be done by executive fiat. Whether you like them or not, they should not be done in that manner. It should be done here legislatively.

That's the purpose of both of these issues that are tied together in this rule; that's the thread that comes together—whether or not we actually believe Congress should be doing the job of creating the standards and the rules, or we're willing to simply abrogate our responsibility, our power, our options to some other body.

And I would hope that as Congress we would be very careful and considerate about what our responsibility is, and we would take very seriously any encroachment on the role of law that is given to us by the Constitution. It was the vision of the Founding Fathers that this should be the body that makes those decisions, not the executive branch.

This is a good bill, these are good bills, and this is a fair rule.

We haven't even talked about the amendments that were made in order, but they do cover, in fact, we did have one statement about the amendment that was not made in order, and I half wish—the Member is no longer here, but his issue of concern is covered in another amendment that is made in order and will be discussed on this floor.

So it is a fair rule. It will have a vigorous debate. And there are two good bills that would be brought before this body that I hope sincerely pass. I do urge their adoption, and I sincerely urge the adoption of this rule that will move us forward.

The material previously referred to by Ms. SLAUGHTER is as follows:

AN AMENDMENT TO H. RES. 788 OFFERED BY
MS. SLAUGHTER OF NEW YORK

At the end of the resolution, add the following new sections:

SEC. 8. Immediately upon adoption of this resolution, the House shall proceed to the consideration in the House of the resolution (H. Res. 746) prohibiting the consideration of a concurrent resolution providing for adjournment or adjournment sine die unless a law is enacted to provide for the extension of certain expired or expiring tax provisions that apply to middle-income taxpayers if called up by Representative Slaughter of New York or her designee. All points of order against the resolution and against its consideration are waived.

SEC. 9. Immediately after House Resolution 746 is no longer pending, Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 15) to amend the Internal Revenue Code of 1986 to provide tax relief to middle-class families. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be

considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 10. Clause 1(c) of rule XIX shall not apply to the consideration of the bill specified in section 9 of this resolution.

SEC. 11. Notwithstanding any other provision of this resolution, the amendment printed in section 12 shall be in order as though printed as the last amendment in the report of the Committee on Rules accompanying this resolution if offered by Representative Boswell of Iowa or a designee. That amendment shall be debatable for one hour equally divided and controlled by the proponent and an opponent.

SEC. 12 The Amendment referred to in section 11 is as follows:

At the end of the Rules Committee Print, add the following new title:

TITLE VI—EXTENSION OF RENEWABLE ENERGY CREDIT SEC. 601. EXTENSION OF RENEWABLE ENERGY CREDIT.

(a) WIND.—Paragraph (1) of section 45(d) of the Internal Revenue Code of 1986 is amended by striking “January 1, 2013” and inserting “January 1, 2017”. (b) BIOMASS, GEOTHERMAL, SMALL IRRIGATION, LANDFILL GAS, TRASH, AND HYDROPOWER.—Each of the following provisions of section 45(d) of such Code is amended by striking “January 1, 2014” and inserting “January 1, 2017”:

- (1) Clauses (i) and (ii) of paragraph (2)(A).
- (2) Clauses (i) (I) and (ii) of paragraph (3)(A).
- (3) Paragraph (4).
- (4) Paragraph (6).
- (5) Paragraph (7).
- (6) Subparagraphs (A) and (B) of paragraph (9).
- (7) Subparagraph (B) of paragraph (11).

(The information contained herein was provided by the Republican Minority on multiple occasions throughout the 110th and 111th Congresses.)

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308-311), describes the vote on the previous question on the rule as “a motion to direct or control the consideration of the subject before the House being made by the Member in charge.” To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that “the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition” in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition.

Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

Because the vote today may look bad for the Republican majority they will say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. BISHOP of Utah. Mr. Speaker, I yield back the balance of my time and move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. SLAUGHTER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adoption.

The vote was taken by electronic device, and there were—yeas 238, nays 179, not voting 12, as follows:

[Roll No. 587]

YEAS—238

Adams	Amash	Bachmann
Aderholt	Amodei	Bachus
Alexander	Austria	Barletta

Bartlett	Graves (MO)	Owens
Barton (TX)	Griffith (AR)	Palazzo
Bass (NH)	Griffith (VA)	Paul
Benishak	Grimm	Paulsen
Berg	Guinta	Pearce
Biggert	Guthrie	Pence
Bilbray	Hall	Petri
Bilirakis	Hanna	Pitts
Bishop (UT)	Harper	Platts
Black	Harris	Poe (TX)
Blackburn	Hartzler	Pompeo
Bonner	Hastings (WA)	Posey
Bono Mack	Hayworth	Price (GA)
Boren	Heck	Quayle
Boustany	Hensarling	Reed
Brady (TX)	Herger	Rehberg
Brooks	Herrera Beutler	Reichert
Broun (GA)	Huelskamp	Ribble
Buchanan	Huizenga (MI)	Rigell
Bucshon	Hultgren	Rivera
Buerkle	Hunter	Roby
Burgess	Hurt	Roe (TN)
Burton (IN)	Issa	Rogers (AL)
Calvert	Johnson (OH)	Rogers (KY)
Camp	Johnson, Sam	Rogers (MI)
Campbell	Jones	Rohrabacher
Canseco	Jordan	Rokita
Cantor	Kelly	Rooney
Capito	King (IA)	Ros-Lehtinen
Carney	King (NY)	Roskam
Carter	Kingston	Ross (FL)
Cassidy	Kinzinger (IL)	Royce
Chabot	Kline	Runyan
Chaffetz	Labrador	Scalise
Coble	Lamborn	Schilling
Coffman (CO)	Lance	Schmidt
Cole	Landry	Schock
Conaway	Lankford	Schweikert
Cravaack	Latham	Scott (SC)
Crawford	LaTourette	Scott, Austin
Crenshaw	Latta	Sensenbrenner
Culberson	Lewis (CA)	Sessions
Denham	LoBiondo	Shimkus
Dent	Long	Shuler
DesJarlais	Lucas	Shuster
Diaz-Balart	Luetkemeyer	Simpson
Dold	Lummis	Smith (NE)
Donnelly (IN)	Lungren, Daniel	Smith (NJ)
Dreier	E.	Smith (TX)
Duffy	Mack	Southerland
Duncan (SC)	Manzullo	Stearns
Duncan (TN)	Marchant	Stivers
Elmrs	Marino	Stutzman
Emerson	Matheson	Terry
Farenthold	McCarthy (CA)	Thompson (PA)
Fincher	McCauley	Thornberry
Fitzpatrick	McClintock	Tiberi
Flake	McHenry	Tipton
Fleischmann	McIntyre	Turner (NY)
Fleming	McKeon	Turner (OH)
Flores	McKinley	Upton
Forbes	McMorris	Walberg
Fortenberry	Rodgers	Walden
Fox	Meehan	Walsh (IL)
Franks (AZ)	Mica	Webster
Frelinghuysen	Miller (FL)	West
Gardner	Miller (MI)	Westmoreland
Gerlach	Miller, Gary	Whitfield
Gibbs	Mulvaney	Whitfield
Gibson	Murphy (PA)	Wilson (SC)
Gingrey (GA)	Myrick	Wittman
Gohmert	Neugebauer	Wolf
Goodlatte	Noem	Womack
Gosar	Nugent	Woodall
Gowdy	Nunes	Yoder
Graves (GA)	Nunnelee	Young (AK)
	Olson	Young (FL)
		Young (IN)

NAYS—179

Ackerman	Brady (PA)	Clyburn
Altmire	Braley (IA)	Cohen
Andrews	Brown (FL)	Connolly (VA)
Baca	Butterfield	Conyers
Baldwin	Capps	Cooper
Barber	Capuano	Costa
Barrow	Carnahan	Costello
Bass (CA)	Carson (IN)	Courtney
Becerra	Castor (FL)	Critz
Berkley	Chandler	Crowley
Berman	Chu	Cuellar
Bishop (GA)	Cicilline	Cummings
Bishop (NY)	Clarke (MI)	Davis (CA)
Blumenauer	Clarke (NY)	Davis (IL)
Bonamici	Clay	DeFazio
Boswell	Cleaver	DeGette

DeLauro	Langevin	Richardson
Deutch	Larsen (WA)	Richmond
Dicks	Larson (CT)	Rothman (NJ)
Dingell	Lee (CA)	Roybal-Allard
Doggett	Levin	Ruppersberger
Doyle	Lewis (GA)	Rush
Edwards	Lipinski	Ryan (OH)
Ellison	Loeb	Sanchez, Linda
Engel	Loftgren, Zoe	T.
Eshoo	Lowe	Sanchez, Loretta
Farr	Lujan	Sarbanes
Fattah	Lynch	Schakowsky
Frank (MA)	Maloney	Schiff
Fudge	Markey	Schrader
Garamendi	Matsui	Schwartz
Gonzalez	McCarthy (NY)	Scott (VA)
Green, Al	McCollum	Scott, David
Green, Gene	McDermott	Serrano
Grijalva	McGovern	Sewell
Gutierrez	McNerney	Sherman
Hahn	Meeks	Sires
Hanabusa	Michaud	Slaughter
Hastings (FL)	Miller (NC)	Smith (WA)
Heinrich	Miller, George	Stark
Higgins	Moore	Sutton
Himes	Moran	Thompson (CA)
Hinchey	Murphy (CT)	Thompson (MS)
Hinojosa	Nadler	Tierney
Hirono	Napolitano	Tonko
Hochul	Neal	Towns
Holden	Oliver	Tsongas
Holt	Pallone	Van Hollen
Honda	Pascarella	Velázquez
Hoyer	Pastor (AZ)	Visclosky
Israel	Pelosi	Walz (MN)
Jackson Lee	Perlmutter	Wasserman
(TX)	Peters	Schultz
Johnson (GA)	Peterson	Waters
Johnson, E. B.	Pingree (ME)	Watt
Kaptur	Polis	Waxman
Keating	Price (NC)	Welch
Kildee	Quigley	Wilson (FL)
Kind	Rahall	Woolsey
Kissell	Rangel	Yarmuth
Kucinich	Reyes	

NOT VOTING—12

□ 1406

Messrs. GEORGE MILLER of California, DAVIS of Illinois, and TONKO changed their vote from "yea" to "nay."

Messrs. GINGREY of Georgia and LABRADOR changed their vote from "nay" to "yea."

So the previous question was ordered. The result of the vote was announced as above recorded.

Stated against:

Mr. CARNEY. Mr. Speaker, during rollcall vote No. 587 on Previous Question H. Res. 788, I mistakenly recorded my vote as "yea" when I should have voted "nay."

Mr. FILNER. Mr. Speaker, on rollcall 587, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "nay."

The SPEAKER pro tempore (Mr. QUAYLE). The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. SLAUGHTER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 233, nays 182, not voting 14, as follows:

[Roll No. 588]

YEAS—233

Adams	Gohmert	Nunnelee
Aderholt	Goodlatte	Olson
Alexander	Gosar	Owens
Amash	Gowdy	Palazzo
Amodei	Graves (GA)	Paul
Austria	Graves (MO)	Paulsen
Bachmann	Griffin (AR)	Pearce
Bachus	Griffith (VA)	Pence
Barletta	Grimm	Petri
Bartlett	Guinta	Pitts
Barton (TX)	Guthrie	Platts
Bass (NH)	Hall	Poe (TX)
Benishek	Hanna	Pompeo
Berg	Harper	Price (GA)
Biggart	Harris	Quayle
Bilbray	Hartzler	Reed
Bilirakis	Hastings (WA)	Rehberg
Bishop (UT)	Hayworth	Reichert
Black	Heck	Ribble
Blackburn	Hensarling	Rigell
Bonner	Herger	Rivera
Bono Mack	Herrera Beutler	Roby
Boustany	Huelskamp	Roe (TN)
Brady (TX)	Huizenga (MI)	Rogers (AL)
Brooks	Hultgren	Rogers (KY)
Broun (GA)	Hunter	Rogers (MI)
Buchanan	Hurt	Rohrabacher
Bucshon	Issa	Rokita
Buerkle	Johnson (OH)	Rooney
Burgess	Johnson, Sam	Ros-Lehtinen
Burton (IN)	Jones	Roskam
Calvert	Jordan	Ross (FL)
Camp	Kelly	Royce
Campbell	King (IA)	Runyan
Canseco	King (NY)	Scalise
Cantor	Kingston	Schilling
Capito	Kinzing (IL)	Schmidt
Carter	Kline	Schock
Cassidy	Labrador	Schweikert
Chabot	Lamborn	Scott (SC)
Chaffetz	Lance	Scott, Austin
Chandler	Landry	Sensenbrenner
Coble	Lankford	Sessions
Coffman (CO)	Latham	Shimkus
Cole	LaTourette	Shuler
Conaway	Latta	Shuster
Cravaack	Lewis (CA)	Simpson
Crawford	LoBiondo	Smith (NE)
Crenshaw	Long	Smith (NJ)
Culberson	Lucas	Smith (TX)
Denham	Luetkemeyer	Southerland
Dent	Lummis	Stearns
DesJarlais	Lungren, Daniel	Stivers
Diaz-Balart	E.	Stutzman
Dold	Mack	Terry
Dreier	Manzullo	Thompson (PA)
Duffy	Marchant	Thornberry
Duncan (SC)	Marino	Tiberi
Duncan (TN)	McCarthy (CA)	Tipton
Ellmers	McCaul	Turner (NY)
Emerson	McClintock	Turner (OH)
Farenthold	McHenry	Upton
Fincher	McIntyre	Walberg
Fitzpatrick	McKeon	Walden
Flake	McKinley	Walsh (IL)
Fleischmann	McMorris	Webster
Fleming	Rodgers	West
Flores	Meehan	Westmoreland
Forbes	Mica	Whitfield
Fortenberry	Miller (FL)	Wilson (SC)
Foxx	Miller (MI)	Wolf
Franks (AZ)	Miller, Gary	Womack
Frelinghuysen	Mulvaney	Woodall
Gardner	Murphy (PA)	Yoder
Garrett	Myrick	Young (AK)
Gerlach	Neugebauer	Young (FL)
Gibbs	Noem	Young (IN)
Gibson	Nugent	
Gingrey (GA)	Nunes	

NAYS—182

Ackerman	Bishop (GA)	Capuano
Altmire	Bishop (NY)	Carnahan
Andrews	Blumenauer	Carney
Baca	Bonamici	Carson (IN)
Baldwin	Boren	Castor (FL)
Barber	Boswell	Chu
Barrow	Brady (PA)	Cicilline
Bass (CA)	Braley (IA)	Clarke (MI)
Becerra	Brown (FL)	Clarke (NY)
Berkley	Butterfield	Clay
Berman	Capps	Cleaver

Clyburn	Jackson Lee	Price (NC)
Cohen	(TX)	Quigley
Connolly (VA)	Johnson (GA)	Rahall
Conyers	Johnson, E. B.	Rangel
Cooper	Kaptur	Reyes
Costa	Keating	Richardson
Costello	Kildee	Richmond
Courtney	Kind	Rothman (NJ)
Critz	Kissell	Roybal-Allard
Crowley	Kucinich	Ruppersberger
Cuellar	Langevin	Rush
Cummings	Larsen (WA)	Ryan (OH)
Davis (CA)	Larson (CT)	Sánchez, Linda
Davis (IL)	Lee (CA)	T.
DeFazio	Levin	Sanchez, Loretta
DeGette	Lewis (GA)	Sarbanes
DeLauro	Lipinski	Schakowsky
Doyle	Loeb sack	Schiff
Dicks	Lofgren, Zoe	Schrader
Dingell	Lowe y	Schwartz
Doggett	Luján	Scott (VA)
Donnelly (IN)	Lynch	Scott, David
Doyle	Maloney	Serrano
Edwards	Markey	Sewell
Ellison	Matheson	Sherman
Engel	Matsui	Sires
Eshoo	McCarthy (NY)	Slaughter
Farr	McCollum	Smith (WA)
Fattah	McDermott	Stark
Frank (MA)	McGovern	Sutton
Fudge	McNerney	Thompson (CA)
Garamendi	Meeke s	Thompson (MS)
Gonzalez	Michaud	Tierney
Green, Al	Miller (NC)	Tonko
Green, Gene	Miller, George	Towns
Grijalva	Moore	Tsongas
Gutierrez	Moran	Van Hollen
Hahn	Murphy (CT)	Velázquez
Hanabusa	Nadler	Visclosky
Hastings (FL)	Napolitano	Walz (MN)
Higgins	Neal	Wasserman
Himes	Oliver	Schultz
Hinchey	Pallone	Waters
Hinojosa	Pascarell	Watt
Hirono	Pastor (AZ)	Waxman
Hochul	Pelosi	Welch
Holden	Perlmutter	Wilson (FL)
Holdt	Peters	Wittman
Honda	Peterson	Woolsey
Hoyer	Pingree (ME)	Yarmuth
Israel	Polis	

NOT VOTING—14

Akin	Jackson (IL)	Ross (AR)
Finler	Jenkins	Ryan (WI)
Gallegly	Johnson (IL)	Speier
Granger	Posey	Sullivan
Heinrich	Renacci	

□ 1420

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. FILNER. Mr. Speaker, on rollcall 588, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted “nay.”

PERSONAL EXPLANATION

Mr. JOHNSON of Illinois. Mr. Speaker, on Thursday, September 20, 2012 I had a delay on my American Airlines flight 1342 from Chicago to Washington, D.C. due to mechanical difficulties. I missed procedural votes on ordering the Previous Question and the Adoption of the rule for Welfare Work Requirements and Stop the War on Coal.

Had I been present, I would have voted “yea” on the above stated bills.

DISAPPROVING RULE RELATING TO WAIVER AND EXPENDITURE AUTHORITY WITH RESPECT TO THE TEMPORARY ASSISTANCE FOR NEEDY FAMILIES PROGRAM

Mr. CAMP. Mr. Speaker, pursuant to House Resolution 788, I call up the joint resolution (H.J. Res. 118) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Office of Family Assistance of the Administration for Children and Families of the Department of Health and Human Services relating to waiver and expenditure authority under section 1115 of the Social Security Act (42 U.S.C. 1315) with respect to the Temporary Assistance for Needy Families program, and ask for its immediate consideration.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. Pursuant to House Resolution 788, the joint resolution shall be considered as read.

The text of the joint resolution is as follows:

H.J. RES. 118

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress disapproves the rule submitted by the Office of Family Assistance of the Administration for Children and Families of the Department of Health and Human Services relating to waiver and expenditure authority under section 1115 of the Social Security Act (42 U.S.C. 1315) with respect to the Temporary Assistance for Needy Families program (issued July 12, 2012, as the Temporary Assistance for Needy Families Information Memorandum Transmittal No. TANF-ACF-IM-2012-03, and printed in the Congressional Record on September 10, 2012, on pages S6047–S6050, along with a letter of opinion from the Government Accountability Office dated September 4, 2012, that the Information Memorandum is a rule under the Congressional Review Act), and such rule shall have no force or effect.

The SPEAKER pro tempore (Mr. SIMPSON). Debate shall not exceed 1 hour, with 30 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means, and 30 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Education and the Workforce.

The gentleman from Michigan (Mr. CAMP), the gentleman from Michigan (Mr. LEVIN), the gentleman from Minnesota (Mr. KLINE), and the gentleman from California (Mr. GEORGE MILLER) each will control 15 minutes.

The Chair recognizes the gentleman from Michigan (Mr. CAMP).

GENERAL LEAVE

Mr. CAMP. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and to include extraneous material on H.J. Res. 118.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CAMP. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.J. Res. 118, a resolution to disapprove of the Department of Health and Human Services rule waiving the work requirements in the Temporary Assistance for Needy Families, or TANF, cash welfare program. The requirement that 50 percent of a State's welfare caseload work, or prepare for work, was a central part of the bipartisan 1996 welfare reforms signed into law by President Clinton. Those reforms were overwhelmingly successful in reducing welfare dependency and poverty while increasing work and earnings. Unfortunately, President Obama said that he would have opposed such reforms had he been in Congress at that time. And so on July 12 of this year the Obama administration issued an "information memorandum" to waive the welfare work requirements in a blatant end-run around the current Congress.

The administration's action is unlawful on two fronts. First, the welfare work requirements are contained in a section of the Social Security Act, section 407, that may not be waived according to that law. Second, the nonpartisan Government Accountability Office determined that the administration's "information memorandum" qualifies as a rule and therefore should have been officially submitted to the Congress for review before being issued. It was not.

Just yesterday, GAO released another report that found that HHS has never before issued any TANF waivers in the history of the program, including involving the TANF work requirements. More importantly, they found that when previous HHS Secretaries were asked about the possibility of waiving work requirements, HHS responded that "the Department does not have authority to waive any of these provisions." That was the conclusion of the Clinton administration, the Bush administration, and at least, to date, the Obama administration.

When it comes to welfare work requirements, I guess we can say President Obama was for them before he was against them. Unfortunately, for the President, the American people do not agree with his original and most recent position on this issue. A recent survey shows that 83 percent support a work requirement as a condition for receiving welfare. And for good reason. The work requirement and other 1996 reforms are responsible for increasing employment of single mothers by 15 percent from 1996 to 2000, and decreasing welfare caseloads by 57 percent over the last decade-and-a-half.

But inexplicably, these results don't sit well with the Obama administration. They refuse to acknowledge their mistake and rescind their memo-

randum. That's why we've brought this resolution to the floor today.

Mr. Speaker, I urge my colleagues on both sides of the aisle to preserve the successful welfare work requirements and join me in passing this resolution. I reserve the balance of my time.

Mr. LEVIN. I yield myself 3 minutes. This bill has one purpose: to provide a fig leaf of credibility for a political attack ad that has no credibility whatsoever. Every independent fact checker has said the attack ad on the President is false. Governor Romney's claim that President Obama is eliminating work requirements for welfare recipients has been called "a pants on fire" lie and given four Pinocchios for dishonesty.

□ 1430

The Republican staffer, Ron Haskins, who helped draft the 1996 welfare law says the charge is baseless. I quote:

The idea that the administration is going to overturn welfare reform is ridiculous.

Here are the facts. Any demonstration project allowed under the guidance announced by HHS would have to be designed to increase the employment of TANF recipients, would be subject to rigorous evaluation, and would be terminated if it failed to meet employment goals.

The whole administration effort is about promoting "more work, not less," as eloquently stated by President Clinton, who led efforts on welfare reform.

The administration heard from State officials that if they're allowed to focus more on outcomes and less on paperwork, they can put more people to work. So HHS said to the States, including Republican Governors who asked for this: Prove it.

We may hear the majority state that HHS does not have the authority to provide waivers, but that's not the conclusion reached by the nonpartisan CRS. In fact, CRS said the current HHS waiver initiative is "consistent with prior practice."

And now we've heard Republicans say that TANF waivers have never been provided before now, even when requested. But here's what the GAO said about past requests:

States were not asking for waivers to test new approaches through experimental, pilot, or demonstration projects, which would be necessary in order to get a waiver under section 1115.

In other words, in the past, States weren't asking for the waivers that HHS is allowed to provide under the law and is now offering.

At the end of the day this debate isn't about process or even policy. It's about politics, pure politics, indeed, impure politics.

This is the same Republican Party that passed their own much broader versions of welfare waivers in 2002, 2003, and 2005.

Let me read to you what the Congressional Research Service said about those bills:

The legislation would have had the effect of allowing TANF work participation standards to be waived.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. LEVIN. I yield myself an additional 30 seconds.

Guess who voted three times for the waiver of the work participation requirement in TANF? Not only the chairman of Ways and Means, but the chairman of the Budget Committee and Governor Romney's running mate, PAUL RYAN.

We should be debating today issues that matter in terms of action today, a credible jobs plan.

Instead, House Republicans, who are doing nothing on these issues, are doing something totally political, a disservice to this great institution.

I reserve the balance of my time.

Mr. CAMP. I yield myself 30 seconds only because the gentleman referred to me.

I will just say that the issue that he refers to was actually to extend the work requirements to other programs, which actually would have increased the work requirements.

Let me just say, I'm glad my friend brought up the fact checkers, because The Washington Post fact checker calls the Democrats' claims of increasing work "a stretch," stating that it is not clear that "the net result is that more people on welfare will end up working," and actually gave the "eloquent speech" by President Clinton my friend referenced two Pinocchios for saying that it would increase work by 20 percent.

At this time I would yield 2 minutes to the distinguished gentleman from Minnesota (Mr. PAULSEN), a Member of the Ways and Means Committee.

Mr. PAULSEN. Mr. Speaker, I rise today in support of H.J. Res. 118. This is a resolution that will protect welfare work requirements from executive overreach, ensuring that welfare recipients must continue to work in order to qualify for benefits.

As acting chairman of the Human Resources Subcommittee, I just want to talk real quickly about how this resolution accomplishes two very simple objectives.

First, the resolution simply affirms congressional authority over welfare programs by invalidating the overreaching HHS rule.

Back in July, HHS unilaterally granted itself the authority to rewrite the work requirements, claiming that they can approve or disapprove work rules at the State level. But that's just not how Congress intended this to work.

Both the nonpartisan Government Accountability Office and the Congressional Research Service agree that this HHS proposal is far more than guidance to States. It constitutes a new rule that must first be submitted to

Congress for review before it can take effect.

Secondly, Mr. Speaker, this resolution lets States know where Congress stands on the importance of strong work requirements.

The 1996 welfare reform law, which first created these strong work requirements, was a historic bipartisan achievement. The result was a program that heavily emphasizes engaging welfare recipients in work and pro-work activities. Before the HHS guidance, States knew what the rules were. However, in the wake of this new HHS rule, it's not clear what the rules are now.

HHS seems intent now to simply make up the rules as they go along. That's what an anonymous HHS official told *The Washington Post* recently, describing how this policy of waiving work requirements was evolving in an "iterative process."

The administration's defense that these changes will strengthen the work requirements is not reassuring because it just doesn't make sense. If States want to engage more welfare recipients in work for more hours and with tougher penalties for failing to work, there's nothing that stops them from doing so under current law. They don't need a waiver to apply to do any of that.

Simple logic simply says that the HHS guidance is about weakening, not strengthening, work requirements for welfare recipients.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. CAMP. I yield the gentleman an additional 30 seconds.

Mr. PAULSEN. Mr. Speaker, we cannot allow HHS to circumvent Congress and undermine welfare work requirements.

I urge my colleagues to support the resolution.

Mr. LEVIN. I now yield 1½ minutes to the distinguished gentleman from New York, CHARLES RANGEL.

Mr. RANGEL. Mr. Speaker, I thank you for allowing me this opportunity to participate in the Republican Presidential campaign, because that's exactly what this is.

I saw a commercial with a white guy with leather gloves on working and sweating, and, oh, God. It looked like America to me except they had something in there about President Obama wanting people who didn't want to work, that all they had to do was ask for a welfare check, and I think it had something like "I paid for this commercial," or something like, "I'm proud of it."

This is the first time I've seen a standing committee manipulate itself to give credibility to a guy who just really doesn't know what this business is all about.

I never thought I'd be in the well talking about States' rights, but I do recognize there are different employment needs of people in Alaska and

people in Hawaii, people in New York, people in Mississippi. They just don't all have the same job opportunity.

And the whole idea of asking for Governors, Republican and Democrat, to have the flexibility not to fill out forms, but to say, What's working? How are they putting people to work?

But I think the most important thing that we're forgetting is that not having a job and facing your family each and every day is more than not having a paycheck; it is not having self-esteem.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. LEVIN. I yield the gentleman an additional 10 seconds.

Mr. RANGEL. To believe that people who are used to working hard, having dignity, having pride in their kids, just because the candidate for President made another mistake, that we're going to have to now legislate something to show that we think he makes any sense on that issue, it is wrong, and it ain't going nowhere.

Mr. CAMP. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Georgia (Mr. GRAVES).

Mr. GRAVES of Georgia. Mr. Speaker, we're here today to head off at the pass President Obama's and the administration's attempt to gut the welfare reform work requirements. Americans don't want something for nothing. Americans want to work. Why? Because it's the American way.

But this issue is bigger than welfare. It's a skirmish in a war over America's future, the direction we're going in.

Now, under this President's watch just here in the last, what, 3½ years, the number of able-bodied adults receiving food stamps has doubled. The Federal debt is up by \$5 trillion, spending on welfare up 41 percent. More debt and greater dependency. It's the wrong vision for America.

□ 1440

Now, what's happened here in the last several years—I guess the last 3 years—is opportunity has diminished.

There's a clear choice right now, Mr. Speaker. It's a choice between two futures. We can continue down this path of debt and dependency, or we can choose a different path, and that's one of opportunity and prosperity. So I thank the gentleman for bringing this bill forward because the choice before America is very clear, and we choose opportunity and prosperity for every American.

Mr. LEVIN. I yield myself 15 seconds.

I hope everybody heard that last statement. It shows someone coming down and essentially endorsing, in a broad way, the 47 percent statement, the horribly misguided statement of the Governor of Massachusetts—former Governor.

I now yield 1½ minutes to the very distinguished gentleman from Massachusetts (Mr. NEAL).

Mr. NEAL. I thank the gentleman.

Mr. Speaker, this is a paid political broadcast brought to you by the majority side of the Ways and Means Committee.

I chaired the Democratic Party position in 1996 on welfare reform. I voted for it and supported the work requirement at the behest of President Clinton. The idea was to provide child care, transportation assistance, educational assistance and child support payments, and to balance that with a work requirement. But most importantly, at the request of names like Tommy Thompson and Bill Weld, John Engler and George Pataki, their request was that in the crucible of State opportunity, that they would position themselves with some flexibility to play out the work requirement. We never moved away from the 5-year requirement. Their suggestion was simply: let us determine how we get to the 5-year requirement through some experimentation.

So what we're doing here today is trying to offer a criticism of the President 6½ weeks before an election based upon misinformation that borders on being malevolent because of the content of what is being attempted here.

Welfare reform worked overwhelmingly, and it worked because it was a compromise in the end, but not to understate the role that Republican Governors played in bringing this issue to that experiment.

Mr. CAMP. Mr. Speaker, I yield 2 minutes to a distinguished member of the Ways and Means Committee, the gentleman from Illinois (Mr. ROSKAM).

Mr. ROSKAM. I thank the chairman.

I for the life of me don't understand why our friends on the other side of the aisle are defensive about this. This is nothing to defend. This is to say the White House made an error in engaging substantively in downgrading work requirements for welfare. And rather than being defensive about it, say, look, they messed up. Let's not defend them; let's make sure that they don't color outside the lines.

This is not some abstract thing, Mr. Speaker. There are very serious voices that have come out, and they've made this argument that the following things are work and should be included, Mr. Speaker, under the work definitions for welfare, things like: bed rest, personal care activities, massage, exercise, journaling, motivational reading, smoking cessation, weight-loss promotion, participation in parent/teacher meetings, and helping a friend or relative with household tasks or errands.

So there are some folks that are making the argument that if you go help your neighbor rake the lawn, then somehow that's work under the welfare-to-work requirement. This is not some abstract thing. This is not something that the GOP is looking for. This

is a sense of clarity that most Americans said, look, we recognize that if people need help, they should get help, but not to be manipulated through absurd definitions that are coming from who knows where—some States with a straight face that actually want to manipulate this to their benefit.

This is an area where everybody should come together. This should pass with a voice vote. This is an admonition to the White House to say: don't do this; do not weaken these work requirements. Instead, make sure that they're fast and solid and that they move people to work. But don't subsidize massage therapy and pump a lot of sunshine and tell hardworking Americans that that's work because it's not.

Let's do the right thing. Let's pass this quickly.

Mr. LEVIN. I yield myself 30 seconds.

Those statements, indeed, are an insult, an insult. That isn't what the administration has in mind. I read a letter from the Governor of Utah to the Secretary of HHS. In discussion with HHS officials, Utah suggested that:

We be evaluated on the basis of the State's success in placing our customers in employment, while also using a full participation model. This approach would require some flexibility at the State level and the granting of a waiver.

That's what this is about. Don't massage the truth.

I now yield 1½ minutes to the distinguished gentleman from California (Mr. THOMPSON).

Mr. THOMPSON of California. I thank the gentleman for yielding, and I rise in opposition to this political poppycock.

I've got a real personal interest in this issue in this legislation. When I was in the State senate, I wrote California's welfare reform legislation, and the work requirement was a major part of that. It was a bipartisan effort in California. It was signed by a Republican Governor, Pete Wilson; and today it's still being followed by Democratic Governor Jerry Brown.

Welfare reform has worked. Fifteen years later, the program caseload in California is roughly 60 percent of what it was in 1998—even in the face of this terrible recession that we're looking at today. Waivers were an important part of that, as they are in every State across the Nation. Those waivers allow flexibility to Governors to run Federal programs in the most effective and the most efficient way possible. One size does not fit all, and that's why we have these waivers. In this case, they work because they move more people from welfare to work, and that's what we want.

This bill should be roundly defeated.

Mr. CAMP. At this time, I yield 2 minutes to the distinguished gentleman from Georgia (Mr. GINGREY).

Mr. GINGREY of Georgia. I thank the gentleman for yielding, and I rise in strong support of H.J. Res. 118.

The Department of Health and Human Services, in July, essentially stripped many of the provisions of the 1996 Welfare Reform Act in regard to TANF, Temporary Assistance for Needy Families, and they should not do that. They absolutely should not do that.

This resolution, of course, calls for action under the Congressional Review Act—our authority, Mr. Speaker, as Members of Congress to say, no, you cannot do this, HHS, by any kind of executive order, and we are going to challenge it. Because people, sometimes, yes, they do need a little bit of a nudge to get off welfare and onto work; but in the final analysis, these individuals have the pride of having a job. There is nothing that compares to that. And as long as you have that opportunity, I think most individuals—and as I say, some may need a little bit of a nudge—but most people would gladly embrace that opportunity.

So that's what this is all about. We're just simply saying we want to make sure that the provisions—in a very bipartisan way—President Clinton, in agreeing with Congress to have that welfare reform, it was worked out very carefully. We as a Congress will not permit those provisions to be stripped out of welfare to work. So, please, my colleagues on both sides of the aisle, join me in supporting H.J. Res. 118.

Mr. Speaker, I rise today in support of H.J. Res. 118, a bill expressing Congress's disapproval of the administration's waiving of TANF work requirements.

This legislation would utilize the Congressional Review Act to restore the welfare to work requirements of the 1996 welfare reform law that the Department of Health and Human Services unilaterally stripped in July. When President Clinton signed welfare reform into law, he said, "First and foremost, it should be about moving people from welfare to work." Mr. Speaker, the administration has absolutely no justification to waive the reforms required by this bipartisan law.

Welfare to work requirements have proven to lower poverty levels, increase earnings, and reduce government dependence. This legislation will restore the reforms that are an integral part of helping people become independent and self-sufficient.

Mr. Speaker, I urge my colleagues to support H.J. Res. 118 because we cannot allow the Administration to roll back key features of the 1996 reforms.

□ 1450

Mr. LEVIN. I now yield 1½ minutes to the gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. Mr. Speaker, the resolution before us today is an exercise in hypocrisy.

Mr. Speaker, just a few days ago, before coming down to D.C., we had a commemoration for Monsignor Vincent Puma, who started rehab for drug addicts and for those folks addicted to al-

cohol. One of his famous statements—he only passed 6 months ago—was: Treat each person with dignity.

With all of this talk and all that you've done, you not only make a political farce out of this—because I've heard a lot of political partisanship, which is not allowed on this floor apparently, supposedly—but you know what you do? You make people, the great majority of people who legitimately—legitimately—are on welfare and have sought a job—and have sought a job—you make them feel less than human.

But Monsignor said treat everybody, every person with dignity, and that's what this is all about.

And for you to put this sham up here in front of us only adds to the disgrace. But only if States show they will use that flexibility to increase workforce. It says it right in the law, quote and unquote.

Never mind that this is a policy that you folks on the other side of the aisle—including Mitt Romney, when he was back in Massachusetts, and our colleague, Congressman RYAN—have asked for.

I will quote the letter written by the Republican Governors Association in 2005, 8 years, at least, after the welfare reform was signed. Here's Governor Romney.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. LEVIN. I yield the gentleman an additional 30 seconds.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind the Members to direct their remarks to the Chair.

Mr. PASCRELL. We're going to start with me?

The SPEAKER pro tempore. The Chair would remind Members to direct their remarks to the Chair.

Mr. PASCRELL. This is what Governor Romney signed in 2005, Mr. Speaker:

Increased waiver authority, allowable work activities, availability of partial work credit, and the ability to coordinate State programs are all important aspects of moving recipients from welfare to work.

I didn't say it; you didn't say it; he didn't say it. Governor Romney signed the letter.

The administration's policy has nothing to do with waiving the work requirement. If anything, you're increasing the work requirement, if you read the rules and not conjecture.

This resolution would block Governors across the country from putting more people back to work. How do you like those fish?

Mr. CAMP. I reserve the balance of my time.

Mr. LEVIN. It's now my pleasure to yield 2 minutes to the distinguished gentleman from New York (Mr. CROWLEY).

Mr. CROWLEY. I thank my friend and colleague, the ranking member, for yielding me this time.

With just days to go before the majority adjourns until after the election, there are numerous pressing bills we should be completing, but it seems that nothing will stop my colleagues on the other side of the aisle from the opportunity to spend time criticizing our President with a political stunt bill once again.

I would think that an effort to move at least 20 percent more—that's 20 percent more—people from welfare to work would be applauded by my colleagues on the other side of the aisle. That's right, an increase in employment among TANF recipients under the proposal by the President. But, instead, that bill we're considering today actually stops people from moving towards work.

Now, I know there has been a resistance to passing a jobs bill by this majority, but this is absolutely ridiculous. It's one thing not to have a jobs bill on the floor, but to have a bill on the floor that would actually say "don't incentivize more people to find work opportunity" just really is ridiculous.

The truth is my colleagues on the other side of the aisle seem much more interested in attacking the President than in truly working to improve programs and policies, as evidenced by the unfinished work that they are leaving behind.

I hope my colleagues will see through this charade on both sides of the aisle and will all vote "no" on this bill so we can get back to work on serious issues and not political gamesmanship.

Mr. CAMP. I continue to reserve the balance of my time.

Mr. LEVIN. Mr. Speaker, could you tell us the time that's left for us?

The SPEAKER pro tempore. The gentleman from Michigan (Mr. LEVIN) has 2½ minutes remaining. The gentleman from Michigan (Mr. CAMP) has 4 minutes remaining.

Mr. LEVIN. I reserve the balance of my time.

Mr. CAMP. I have no further speakers. I believe I have the right to close. I'm prepared to close when the gentleman is through with his speakers.

Mr. LEVIN. I yield myself the balance of my time.

You know, I think the public should ask why this resolution, why trying to provide some kind of a smokescreen for an ad that has been called a "pants on fire lie" and "four Pinocchio's dishonest," why do that? I think the reason is very clear. This is manipulating the truth to try, I think, to appeal to the worst instincts.

I worked with Ron Haskins on welfare reform, and he says this, I quote: "There is no plausible scenario on which it"—he means this ad—"really constitutes a serious attack on welfare reform."

He goes on to say, "the idea"—I repeat this—"that the administration is going to try to overturn welfare reform is ridiculous."

And then he says, "Republicans are the ones who talk about giving the States more flexibility. Now, all of a sudden, the States shouldn't get the flexibility because they are going to mess it up? It doesn't make sense."

But it's worse than nonsense. It's pernicious. The ad is pernicious, and it's beneath the dignity of this House for Republicans in the House who are doing nothing on major issues to do something to try to protect the former Governor of Massachusetts, their candidate for President.

This House deserves much better than becoming a political plaything, a political plaything. It won't happen. Despite this vote, it won't happen.

I yield back the balance of my time.

Mr. CAMP. Mr. Speaker, I yield myself the balance of the time.

When the bipartisan welfare reform bill was passed in 1996 and ultimately signed by President Clinton, the work requirement was a key part of that welfare bill. And the work requirement is this: that at least 50 percent of the caseload has to be engaged in work. And the principle was that, if you're able-bodied, you ought to be working if you're going to be receiving Federal benefits.

Now, the statute named 12 different things that qualify as work. Most of us think of work as going actually to employment, but there are 12 things. And a couple of them, let me just say, such as job search and job readiness actually, under current law, qualify for work. Vocational training and education qualifies for work as long as it doesn't exceed 1 year.

Also put into the statute was a clear statement that the work requirement could not be waived, because changing the paradigm on welfare was absolutely critical. And as I said in my opening statement, it has been important to reducing welfare caseloads, to bringing people to independence, to reducing child poverty. Those were all critical goals that have been met.

Let me read what Dr. Haskins, the Staff Director of the Ways and Means Committee—and I was on the Ways and Means Committee; I helped write the welfare bill; I was on the conference committee—said at that time, in terms of waivers. "Waivers"—and this is the committee report.

Waivers granted after the date of enactment may not override provisions of the TANF law that concern mandatory work requirements.

That's because this was such an important part of the change that we were trying to bring to welfare. And it's been very successful, some might say the most successful social change that has occurred.

□ 1500

So every administration since then, whether it was the Clinton administration or the Bush administration or

even at the beginning of the Obama administration, recognized that work requirements could not be waived. There is plain language in the statute in section 407 that says the work requirement cannot be waived.

Then here comes the Obama administration, through an information memorandum, that now both the GAO and the Congressional Research Service say is really a rule; and I would like to place in the RECORD the letter of September 4 and Reference the September 12 Congressional Research Service memorandum, both which say that the administration action was a rule.

The CRS memorandum is available online at http://waysandmeans.house.gov/uploadedfiles/evaluating_whether_the_tanf_information_memorandum_is_a_rule_under_the_cra_redacted_5.pdf.

Now comes the administration saying, Well, we don't have to go to Congress to change the law. Even though Congress voted on this in a bipartisan way and this was a critical piece of major legislation, we're just going to send in an information memorandum and have unelected bureaucrats change the law of the land.

People who sort of referee things around here, like the GAO and CRS, said, No. Hold it. Stop. This is not an information memorandum. This is a rule.

If an administration wants to promulgate a rule, there are certain criteria that they have to follow. The reason is that unelected people are making law. So, in order to do that, they have to inform the Congress, and they have to do certain things, none of which the administration did. Let me read a piece of this information memorandum:

Projects that test systematically extending the period in which vocational education training or job search-readiness programs count toward participation rates, either generally or for particular subgroups, such as an extended training period.

Under the law I just said, vocational training can only last a year. This information memorandum reads you can be in training for longer than a year. Number one, that is weakening the work requirement. Number two, they did not follow the law by notifying the Congress. They need to go back, and they need to issue a rule.

Frankly, if this is that important to them, come engage the Congress. There has been no consultation. There has not been one staff person from HHS who has come up and had an opportunity to brief any of us on this. I am willing to work with the administration. I'd like to hear their ideas. I'd like to have that opportunity to do so. I think it is regrettable that we've gotten to this point, but we've gotten to this point because there has been a mistake. They made a mistake, and they need to withdraw that.

I urge that we support the resolution. This is too important to have unelected bureaucrats make the law of the land.

I yield back the balance of my time.

GOVERNMENT
ACCOUNTABILITY OFFICE,
Washington, DC, September 4, 2012.

Hon. ORRIN HATCH,
Ranking Member, Committee on Finance, U.S.
Senate.

Hon. DAVE CAMP,
Chairman, Committee on Ways and Means,
House of Representatives.

By letter of July 31, 2012, you asked whether an Information Memorandum issued by the Department of Health and Human Services (HHS) on July 12, 2012 concerning the Temporary Assistance for Needy Families (TANF) program constitutes a rule for the purposes of the Congressional Review Act (CRA). The CRA is intended to keep Congress informed of the rulemaking activities of federal agencies and provides that before a rule can take effect, the agency must submit the rule to each House of Congress and the Comptroller General. For the reasons discussed below, we conclude that the July 12, 2012 Information Memorandum is a rule under the CRA. Therefore, it must be submitted to Congress and the Comptroller General before taking effect.

BACKGROUND

The Temporary Assistance for Needy Families block grant, administered by the U.S. Department of Health and Human Services, provides federal funding to states for both traditional welfare cash assistance as well as a variety of other benefits and services to meet the needs of low-income families and children. While states have some flexibility in implementing and administering their state TANF programs, there are numerous federal requirements and guidelines that states must meet. For example, under section 402 of the Social Security Act, in order to be eligible to receive TANF funds, a state must submit to HHS a written plan outlining, among other things, how it will implement various aspects of its TANF program. More specifically, under section 402(a)(1)(A)(iii) of the Social Security Act, the written plan must outline how the state will ensure that TANF recipients engage in work activities. Under section 407 of the Social Security Act, states must also ensure that a specified percentage of their TANF recipients engage in work activities as defined by federal law.

In its July 12 Information Memorandum, HHS notified states of HHS' willingness to exercise its waiver authority under section 1115 of the Social Security Act. Under section 1115, HHS has the authority to waive compliance with the requirements of section 402 in the case of experimental, pilot, or demonstration projects which the Secretary determines are likely to assist in promoting the objectives of TANF. In its Information Memorandum, HHS asserted that it has the authority to waive the requirement in section 402(a)(1)(A)(iii) and authorize states to "test approaches and methods other than those set forth in section 407," including definitions of work activities and the calculation of participation rates. HHS informed states that it would use this waiver authority to allow states to test various strategies, policies, and procedures designed to improve employment outcomes for needy families. The Information Memorandum sets forth requirements that must be met for a waiver request to be considered by HHS, in-

cluding an evaluation plan, a set of performance measures that states will track to monitor ongoing performance and outcomes, and a budget including the costs of program evaluation. In addition, the Information Memorandum provides that states must seek public input on the proposal prior to approval by HHS.

ANALYSIS

The definition of "rule" in the CRA incorporates by reference the definition of "rule" in the Administrative Procedure Act (APA), with some exceptions. Therefore, our analysis of whether the July 12 Information Memorandum is a rule under the CRA involves determining whether it is rule under the APA and whether it falls within any of the exceptions contained in the CRA. The APA defines a rule as follows:

"[T]he whole or a part of an agency statement of general or particular applicability and future effect designed to implement, interpret, or prescribe law or policy or describing the organization, procedure, or practice requirements of an agency and includes the approval or prescription for the future of rates, wages, corporate or financial structures or reorganizations thereof, prices, facilities, appliances, services or allowances therefor or of valuations, costs, or accounting, or practices bearing on any of the foregoing[.]"

This definition of a rule has been said to include "nearly every statement an agency may make."

The CRA identifies 3 exceptions from its definition of a rule: (1) any rule of particular applicability; (2) any rule relating to agency management or personnel; or (3) any rule of agency organization, procedure, or practice that does not substantially affect the rights or obligations of non-agency parties. 5 U.S.C. 804(3).

The definition of a rule under the CRA is very broad. See B-287557, May 14, 2001 (Congress intended that the CRA should be broadly interpreted both as to type and scope of rules covered). The CRA borrows the definition of a rule from 5 U.S.C. 551, as opposed to the more narrow definition of legislative rules requiring notice and comment contained in 5 U.S.C. 553. As a result, agency pronouncements may be rules within the definition of 5 U.S.C. 551, and the CRA, even if they are not subject to notice and comment rulemaking requirements under section 553. See B-316048, April 17, 2008 (the breadth of the term "rule" reaches agency pronouncements beyond those that require notice and comment rulemaking) and B-287557, cited above. In addition to the plain language of the CRA, the legislative history confirms that it is intended to include within its purview almost all rules that an agency issues and not only those rules that must be promulgated according to the notice and comment requirements in section 553 of the APA. In his floor statement during final consideration of the bill, Representative McIntosh, a principal sponsor of the legislation, emphasized this point:

"Although agency interpretive rules, general statements of policy, guideline documents, and agency policy and procedure manuals may not be subject to the notice and comment provisions of section 553(c) of title 5, United States Code, these types of documents are covered under the congressional review provisions of the new chapter 8 of title 5.

Under section 801(a), covered rules, with very few exceptions, may not go into effect until the relevant agency submits a copy of the rule and an accompanying report to both

Houses of Congress. Interpretive rules, general statements of policy, and analogous agency policy guidelines are covered without qualification because they meet the definition of a 'rule' borrowed from section 551 of title 5, and are not excluded from the definition of a rule."

On its face, the July 12 Information Memorandum falls within the definition of a rule under the APA definition incorporated into the CRA. First, consistent with our prior decisions, we look to the scope of the agency's action to determine whether it is a general statement of policy or an interpretation of law of general applicability. That determination does not require a finding that it has general applicability to the population as a whole; instead, all that is required is that it has general applicability within its intended range. See B-287557, cited above (a record of decision affecting the issues of water flow in two rivers was a general statement of policy with general applicability within its intended range). Applying these principles, we have held that a letter released by the Centers for Medicare and Medicaid Services to state health officials concerning the State Children's Health Insurance Program (SCHIP) was of general applicability because it extended to all states that sought to enroll children with family incomes exceeding 250 percent of the federal poverty level in their SCHIP programs, as well as all states that had already enrolled such children. Similarly, the July 12 Information Memorandum is of general, rather than particular, applicability because it extends to all states administering Temporary Assistance for Needy Families (TANF) programs that seek a waiver for a demonstration project.

Next we must determine whether the action is prospective in nature, that is, whether it is concerned with policy considerations for the future and not with the evaluation of past conduct. In B-316048, we held that the SCHIP letter was intended to clarify and explain the manner in which CMS applies statutory and regulatory requirements to states that wanted to extend coverage under the SCHIP programs. Similarly, the July 12 Information Memorandum is concerned with authorizing demonstration projects in the future, rather than the evaluation of past or present demonstration projects. Specifically, the Information Memorandum informs states that HHS will use its statutory authority to consider waiver requests, and sets out requirements that waiver requests must meet. Accordingly, it is designed to implement, interpret, or prescribe law or policy.

In addition, the Information Memorandum does not fall within any of the three exclusions for a rule under the CRA. As discussed above, the Information Memorandum applies to all states that administer TANF programs, and therefore is of general applicability, rather than particular applicability. The Information Memorandum applies to the states, and does not relate to agency management or personnel. Finally, the Information Memorandum sets out the criteria by which states may apply for waivers from certain requirements of the TANF program. These criteria affect the obligations of the states, which are non-agency parties.

GAO has consistently emphasized the broad scope of the definition of "rule" in the CRA in determining the applicability of the CRA to an agency document. Other documents deemed to be rules include letters, records of decision, booklets, interim guidance, and memoranda. See, for example, B-316048, April 17, 2008 (a letter released by the Centers for Medicare & Medicaid Services of

HHS concerning a State Children's Health Insurance Program measure, to ensure that coverage under a state plan does not substitute for coverage under group health plans, described by the agency as a general statement of policy, was a rule) and B-287557, May 14, 2001 (a "record of decision" issued by the Fish and Wildlife Service of the Department of the Interior in connection with a federal irrigation project was a rule).

Finally, the cases where we have found that an agency pronouncement was not a rule involved facts that are clearly distinguishable from the July 12 Information Memorandum.

We requested the views of the General Counsel of HHS on whether the July 12 Information Memorandum is a rule for purposes of the CRA by letter dated August 3, 2012. HHS responded on August 31, 2012, stating that the Information Memorandum was issued as a non-binding guidance document, and that HHS contends that guidance documents do not need to be submitted pursuant to the CRA. Furthermore, HHS notes that it informally notified Congress by providing notice to the Majority and Minority staff members of the House Ways and Means Committee and Senate Finance Committee on the day the Information Memorandum was issued.

We cannot agree with HHS's conclusion that guidance documents are not rules for the purposes of the CRA and HHS cites no support for this position. The definition of "rule" is expansive and specifically includes documents that implement or interpret law or policy. This is exactly what the HHS Information Memorandum does. It interprets section 402(a) and section 1115 to permit waivers for a demonstration program HHS is initiating. We have held that agency guidance, including guidance characterized as non-binding, constitutes a rule under the CRA. See B-281575, cited above. In addition, the legislative history of the CRA specifically includes guidance documents as an example of an agency pronouncement subject to the CRA. A joint statement for the record by Senators Nickles, Reid, and Stevens, submitted to the Congressional Record upon enactment of the CRA, details four categories of rules covered by the definition in section 551. These categories include formal rulemaking under sections 556 and 557, notice-and-comment rulemaking under section 553, statements of general policy and interpretations of general applicability under section 552, and "a body of materials that fall within the APA definition of a 'rule' . . . but that meet none of procedural specifications of the first three classes. These include guidance documents and the like." Finally, while HHS may have informally notified the cited Congressional committees of the issuance of the Information Memorandum, informal notification does not meet the reporting requirements of the CRA.

CONCLUSION

We find that the July 12 Information Memorandum issued by HHS is a statement of general applicability and future effect, designed to implement, interpret, or prescribe law or policy with regard to TANF. Furthermore, it does not come within any of the exceptions to the definition of rule contained in the CRA. Accordingly, the Information Memorandum is a rule under the Congressional Review Act.

We note that this opinion is limited to the issue of whether the Information Memorandum is a rule under the CRA. We are not expressing an opinion on the applicability of any other legal requirements, including, but

not limited to, notice and comment rulemaking requirements under the APA, or whether the Information Memorandum would be a valid exercise or interpretation of statutes or regulations.

Accordingly, given our conclusions above, and in accordance with the provisions of 5 U.S.C. §801(a)(1), the Information Memorandum is subject to the requirement that it be submitted to both Houses of Congress and the Comptroller General before it can take effect.

If you have any questions concerning this opinion, please contact Edda Emmanuelli Perez, Managing Associate General Counsel at (202) 512-2853.

LYNN H. GIBSON,
General Counsel.

Mr. KLINE. Mr. Speaker, I yield myself such time as I may consume.

I rise today in strong support of H.J. Res. 118, a resolution disapproving the Obama administration's attempt to roll back successful welfare reforms. The resolution we are considering today is quite simple. It preserves bipartisan policies that serve low-income families, and it reins in this latest example of executive overreach by this administration.

In 1996, a Republican Congress worked with a Democratic President to fix a broken welfare system. By promoting work as a central focus of helping individuals achieve self-sufficiency, this bipartisan achievement reduced poverty and strengthened the income security of millions of needy families. The success of the law is a testament to the power of work and personal responsibility as well as what we can achieve when both sides work together in good faith. Unfortunately, the bipartisan spirit of welfare reform has been tarnished by the Obama administration's decision to waive the historic work requirements, ending welfare reform as we know it.

While this action is troubling, it isn't surprising. The President has a track record of weakening work requirements in other Federal programs, including with unemployment benefits and food stamps. The results have been disappointing. A memo by the Congressional Research Service notes the number of able-bodied adults on food stamps doubled—that's right, doubled—after the President suspended the program's work requirement, and now we are supposed to believe a similar experiment will help families on welfare.

This is also not the first time the President has been guilty of executive overreach. The Obama administration has coerced States to adopt its education agenda through conditional waivers, ignoring congressional efforts to reauthorize the law. Now States and schools face more uncertainty than ever about the future of our Nation's education system, and they remain tied to a broken law. Additionally, the President has announced which immigration laws he will and will not enforce, and has installed unconstitutional, nonrecess recess appointments to the National Labor Relations Board.

Despite all of these heavy-handed attempts to advance the President's agenda, 23 million workers are still searching for a full-time job, and 46 million Americans are still living in poverty. Too many of our fellow citizens are unemployed and trapped in poverty, not because of failed welfare policies but because of President Obama's failed leadership. If the President had ideas for enhancing flexibility in welfare policies, he must submit those proposals to Congress and work with us to change the law. He has not done that. Instead, he has chosen to adopt a controversial waiver scheme that rewrites law through executive fiat.

The good news is we have an opportunity today to tell the President: Stop. Stop rewriting Federal law behind closed doors. Stop promoting schemes that undermine personal responsibility and that encourage government dependency. Stop advancing failed policies, and start working with Congress on positive solutions that will grow our economy and great jobs. The American people desperately need and expect as much from their elected leaders.

I urge my colleagues to support H.J. Res. 118 and to take a stand against the President's effort to roll back reforms that continue to lift families out of the poverty.

I reserve the balance of my time.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield myself 4 minutes.

The House meets today to spend time debating a resolution that is on a purely fabricated problem. Rather than focusing on the real problems facing American families, we are, instead, focusing on a resolution of disapproval—a resolution that does not create a single job.

In July, the administration announced a waiver process under the welfare law that would allow Governors to use innovative approaches to move more welfare recipients into employment. Immediately, Washington Republicans claimed the waiver would gut the welfare reform; but fact checker after fact checker has publicly discredited attempts to characterize the waiver as going soft on work requirements, and we are still waiting for the majority to show us exactly where the administration's waiver proposal eliminates the work requirement.

Even the Republican staff director of the Ways and Means Committee subcommittee at the time of the 1996 welfare reform law says that these claims are false. In fact, the administration has even clarified the rules, writing that no State will get a waiver unless it shows an increase in employment of 20 percent.

Actually, the Republican position here is fairly consistent. They haven't done anything here to create new jobs.

They're against welfare recipients getting jobs, and they're against Governors increasing employment opportunities by 20 percent. So I guess we now know, in these last waning days of session, that the Republican Party here is against all jobs. No matter who is standing in line for the jobs, they're against those jobs even though the Republican Governors have petitioned for the right to change the welfare law so they can put more people to work. The administration says you can do that if you put 20 percent more people to work. Imagine putting 20 percent more people to work on the welfare rolls of California or New Jersey or Texas, but the Republicans say no.

The Republican Governors and Democratic Governors asked for this authority in 2002, 2003, and 2005, and the House passed a much broader waiver authority in trying to give the Governors, if you will, State flexibility. That's what they were asking for, but now all of a sudden, in this political year, their candidate is running a little behind, so we see this as an effort to try to attack the President of the United States for doing exactly what the Republican Governors and what the Republicans in Congress have done and have voted on and passed.

As President Clinton says, it takes brass to denounce something that you, yourself, have already supported. The hypocrisy doesn't stop there, but you've got to have a lot of hypocrisy when you're defending a candidate who believes in everything and stands for nothing.

Just weeks before the administration announced its waiver process, the Republican Workforce Investment bill was reported out of my committee. The mantra of the Republicans all through that bill and all through the consideration over the last couple years has been "State flexibility." Well, they accomplished it in this bill. It provides so much State flexibility that the State with an approved unified workforce training plan can, at the State's discretion, eliminate all work requirements from TANF. It passed out of the Education and the Workforce Committee on a partisan vote, with all Republicans supporting that effort to let Governors eliminate all work requirements.

So this debate is a little bit behind the times and is probably not dealing with the serious problem, which is the reauthorization of the Republican Workforce Incentive Act. What a difference a few weeks and a convention make, and here we are using the valuable time of this House before we go to adjournment to carry out a political prank—a manufactured problem, a fabricated problem—based upon fabricated facts. Yet still we don't see ourselves dealing with the questions of middle class tax cuts, and we don't see ourselves dealing with jobs bills that we've

been asking for time and again while this Congress has been in session.

□ 1510

It's a sad way to end this session of the Congress of the United States without providing the access to those jobs that this Congress could have been providing throughout this entire year to strengthen the economy. Then again, as the Senate leader has said, they don't want to work with this President. They want him to fail. And for him to fail, that means the American people can't have jobs. That's the goal here.

With that, I reserve the balance of my time.

Mr. KLINE. Mr. Speaker, I'm pleased now to yield 2 minutes to a distinguished member of the committee, the gentlelady from North Carolina (Ms. FOXX).

Ms. FOXX. Mr. Speaker, I want to thank the chairman for yielding time.

Mr. Speaker, it is unfortunate that our colleagues across the aisle are attempting to paint Republicans as inconsistent on welfare work requirements to distract from their position in favor of undermining successful welfare reforms. They suggest that the Workforce Investment Improvement Act, WIIA, that I offered with my colleagues, Representatives BUCK McKEON and JOE HECK, would gut the 1996 TANF work requirements. That is so far from the truth.

WIIA would neither contradict nor supplant the 1996 work requirements. The WIIA legislation allows Governors to reduce the number of redundant taxpayer subsidized employment and job training programs and offer real assistance to the millions of Americans who are unemployed and suffering because of the policies of this administration. WIIA would reduce inefficiencies and have States administer these programs, not undermine welfare reform. Republicans have a clear record of strengthening the work requirements at the heart of the 1996 welfare reform bill, and we have a record of working with a Democrat President to accomplish that reform.

I urge my colleagues to stand with us and with the 83 percent of Americans who want to see welfare's work requirements upheld by voting in favor of this resolution.

Mr. GEORGE MILLER of California. I yield 3 minutes to the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. Mr. Speaker, I'm sure America has been watching the ads. The ads say that black is white, and they say it over and over and over again. And they hope the American people believe that black is white.

But it's not enough for them to say it on ads, now they bring it to this floor in the last 7 hours of the session of Congress before the election. Are we dealing with jobs? No. Are we dealing with violence against women? No. Are

we dealing with farmers who are in distress? No. Are we dealing with middle class tax cuts? No. Are we dealing with postal reform as the postal department goes broke? No. What are we doing? We are trying to reaffirm an ad that some people are spending tens of millions of dollars on to misrepresent the facts.

Mr. Speaker, black is not white. I can say it one time, a hundred times, a thousand times: black is black, and white is white. This action the administration has taken is to produce more jobs, more work to get more people back to work. How? To respond to Republican Governors and Democratic Governors who say, I have a better way of doing it. By the way, that's what you proposed when you were in charge and we had President Bush in office on at least the three occasions that the chairman has just mentioned.

White is not black, and black is not white.

Mr. Speaker, the bill before us today exemplifies the do-nothing Republican Congress. Once again, Republicans are choosing to focus on a political message over serious issues like jobs, middle class tax cuts, or the farm bill. Instead, we're here today discussing a Republican bill that misrepresents the facts in an attempt to simply score political points. How sad for the American people.

At issue is the Temporary Assistance for Needy Families program which was created in 1996 when Republicans and Democrats worked together to achieve welfare reform. So you understand on that side of the aisle, I was a Democrat who voted for welfare reform. I was a Democrat who said we ought to expect people to work if they can work. I'm also a Democrat that says we have to help people when through no fault of their own they can't work or have lost work.

The previous speaker talked about how we weren't concerned about jobs. In the Bush administration, 4.4 million jobs were lost in the last 12 months of the Bush administration. Over the last 30 months, we've created 4.6 million jobs. I ask you, who cares about jobs? Who creates jobs? There were, of course, 22 million jobs created in the Clinton administration. We heard a lot of talk about that at our convention. I didn't hear anything about the Bush administration at the Republican convention. George Bush was not there, he was not mentioned, and the record was certainly hidden. We care about jobs. We care about people getting to work. We also care about helping people. We can do both.

Defeat this bill.

Black is not white, and white is not black.

Mr. KLINE. Mr. Speaker, at this time, I'm pleased to yield 3 minutes to a member of the committee, the subcommittee chair, the gentleman from Michigan (Mr. WALBERG).

Mr. WALBERG. Thank you, Mr. Chairman.

There has been 8 percent unemployment for 43 straight months. I think the record speaks for itself.

I come from the great State of Michigan, where a Governor, like a number of others in this great country, now is trying to do everything possible to undermine the malaise that is going on with lack of employment in this country because of the wrong approach to helping people with the dignity of work.

In the eighties and nineties in Michigan, we struggled with high unemployment. We struggled with a welfare system that was putting people really in servitude, and in many cases against their own will and their own desires. They wanted to work.

I still have at my home office copies of leaflets that were handed to people coming from other States to Michigan because it said you can cross the line and immediately get welfare assistance with no work requirements and no residency requirements. We struggled with that.

Then in 1994, under a Republican administration and through the efforts of many of us, we put through what we called "workfare-edufare reform" and promoted the dignity of individuals with an opportunity to work. We saw amazing results begin to take place not overnight, but almost. We heard testimonies of people who were formerly on welfare assistance saying, I didn't really think it would work, but I can now say on my own I am paying for my own way and my kids. I have got an education. I have got work now that gives me dignity. And I'm moving forward.

We've continued on with that. And now here, when Governors have asked for some flexibility with TANF—not asking for the removal of work requirements—we're going to do that. Well, I said "no," and I'm glad our committee has said "no," and we've moved forward with this resolution that speaks to the dignity and the value of individuals, but also of the work experience, the educational experience, and training for that.

We don't want to move backwards. We don't want to put further roadblocks in the way of achieving all that America and its dream can be. We don't have to. We can support a resolution like this. We can spur our President, this administration, on to doing the right thing for the right people. That's the American people, people that will work with dignity and achieve things for the future.

This country is great. Let's work together. Let's pass this resolution, H.J. Res. 118.

Mr. GEORGE MILLER of California. I yield 2 minutes to the gentleman from New Jersey (Mr. ANDREWS).

□ 1520

Mr. ANDREWS. I thank my friend for yielding. Ladies and gentlemen of the

House, this resolution repeals a rule that doesn't exist and ignores some problems that really do exist.

The policy from the Department of Health and Human Services says this: if a Governor thinks he or she has a better way to move people from welfare to work as two Republican Governors have asked for since that time, they can get a waiver from some of the rules in the welfare law if, and only if, they move more people from welfare to work than they otherwise would have done. The bill that the majority did report out of committee abolishes the work requirement.

In fact, the only way to save the work requirement is to let this rule go into effect. That's the illusionary rule they are trying to repeal for the real problems that concern us, though.

If you're a small business person that would like to have a tax cut when you create jobs, the House is ignoring that problem because we're not voting on that bill today. If you're a teacher or a police officer who's been laid off in the last 2 years, the House is ignoring your problem because we're not voting on that bill today.

If you're an engineer or construction worker who would like to go to work building roads or bridges or trains, the House is ignoring your problem because we're not voting on that bill today.

This resolution repeals an imaginary rule at a time of real, acute, and serious problems for the American people. The majority does have a plan to deal with those problems. They're going home for 6½ weeks. The American people shouldn't have to wait for 6½ weeks to solve these problems.

We should vote down this bill, stay on the job and pass jobs legislation that really helps the American people and a farm bill that helps American farmers.

Mr. KLINE. Mr. Speaker, I yield 2 minutes to a member of the committee, the subcommittee chairman of the Health Subcommittee, the gentleman from east Tennessee, Dr. ROE.

Mr. ROE of Tennessee. I thank the chairman for yielding.

Mr. Speaker, I rise today in support of H.J. Res. 118. This resolution will express Congress's disapproval of the Obama administration's attempt at weakening bipartisan welfare reform and prevent the administration from implementing their plan to waive the work requirements of the current law.

Sixteen years ago, a Republican-led Congress worked with President Clinton to fix a broken welfare system, a bipartisan law that resulted in the Temporary Assistance for Needy Families block grant. Our ranking member said there is about a 20 percent requirement to increase work, and I think that's a great idea. But how do you define work?

Well, the GAO in 2005 issued a report that said some States counted work as

such activities as bed rest, personal care, massage, exercise, journaling, motivational reading, smoking cessation, weight-loss promotion, helping a friend with a household task or running errands.

That makes a mockery of work, and that doesn't pass the laugh test. Independents, Democrats, and Republicans in our area of the country know what work is, and that isn't it.

Since then, since the passage of the law, a number of individuals have dropped off the welfare, a 57 percent decrease. The poverty level among single women dropped by 30 percent while their income and earnings increased. More than 80 percent of the people in this country support work requirements in the welfare reform bill, and this legislation ensures that the hard work of the 104th Congress and President Clinton isn't weakened by the Obama administration.

Let me speak to my friend, Mr. ANDREWS, for just a moment. It's a great idea to hire teachers and firefighters. I've done that as a mayor of a city of 60,000 people. Democrats have it just backwards. What you do is you create a work environment with decreased regulations and decreased government interference where the private sector can go out and create the jobs that create the taxes that pay for all of these services that we want.

That's what we did. It works, and that's a very basic difference in philosophy.

Mr. GEORGE MILLER of California. I yield 2½ minutes to the gentlewoman from California (Ms. WOOLSEY).

Ms. WOOLSEY. Well, here we are, Mr. Speaker, 24 hours before the majority closes shop and sends us home for 7 weeks, and what are we debating?

Are we talking about creating jobs for families who are struggling to make ends meet and wondering what happened to the American Dream? No, of course not. Instead, we're taking up yet another divisive partisan measure that will do nothing to kick-start the economy or help people who have been kicked in the teeth by this recession.

The Obama administration's TANF waivers promote work. They allow States the flexibility. For example, they allow States to consider education as work, providing education and training, to move people off welfare so that they can find jobs that actually pay a living wage so they can support their families.

Mr. Speaker, I've been on public assistance. I know what it's like. It's a bad, bad feeling. It doesn't make you proud. I did it because I had to, certainly not because I wanted to.

I would wake up in the middle of the night frozen in fear of what would happen if one of my three children, they were 1, 3 and 5 years old, got ill. What if they broke an arm. They were rowdy little kids. What if they grew out of

their shoes before I planned to buy new shoes? It was a very scary time.

The day that I went off welfare was the day that I celebrated because I didn't need it. I could stand on my own two feet. But I guess we shouldn't be surprised by this debate. The majority party's current standard bearer has said he believes 47 percent of the American people are essentially—and that would have been me back there with my children—freeloaders and parasites who don't take responsibility for themselves. That's outrageous and it is class warfare.

Denigrating the poor and the middle class is a favorite strategy on the right. It should be creating jobs, but it doesn't seem to be the way they go.

I would like to suggest, Mr. Speaker, that we stop all this tomfoolery and we think about the people in this country. We know we have a job to do, and that job should be done before we leave here.

Mr. KLINE. Mr. Speaker, may I inquire as to how much time remains on each side.

The SPEAKER pro tempore. The gentleman from Minnesota has 5½ minutes remaining, and the gentleman from California has 3½ minutes remaining.

Mr. KLINE. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from South Carolina (Mr. GOWDY).

Mr. GOWDY. I thank the chairman. Mr. Speaker, some of our colleagues on the other side of the aisle wish to change the law, and that's fine. They just need to do it navigating this testy little thing we call the Constitution and respect the separation of powers between the various branches.

Mr. Speaker, I want to read the proposed rule to you in part: HHS has the authority to waive compliance with this work requirement and authorize the State to test approaches and methods other than those set forth in section 407, including definitions of work activities and engagement, specify limitations and verification procedures.

Then the next sentence, Mr. Speaker, is essentially this, and I'll paraphrase it; it's by the HHS Secretary: trust us, trust us that we're going to have the right motives when we weigh what Congress has expressly said to do.

To my lawyer friends on the other side, I would ask you this, why do we have something called substantive due process and procedural due process? I'll tell you why, Mr. Speaker. Because the way things are done matters. For my friends who prefer literature, the end does not justify the means.

We have separation of branches under our system of government. Among my many limitations, Mr. Speaker, is an inability to deign the motives of other people. Their motives may be laudatory. I don't know that. I know this. We have a process in this country which must be followed, and this Presi-

dent has repeatedly said if Congress won't do it, I will do it alone.

Mr. Speaker, the answer to that is, no, sir, you will not. In a democracy you will not do it alone, whether it's the NLRB or EPA or most recently HHS with the health care mandate or now with this.

□ 1530

There has been an erosion of Congress' authority and we have ceded it to the executive branch. And I will say this to my colleagues on the other side of the aisle. Mr. Speaker, the sun does not always shine on the same people all the time. There will come a time where there will be a Republican chief executive. So I would be careful about ceding this body's responsibility to the executive branch. And when that time comes, when there is a Republican President, I will stand up for the right of Congress to make the laws and not the executive branch, just as I am now.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this is all interesting, except the fact is there's nothing in what the Secretary of Health and Human Services has proposed that's inconsistent with the Republican position over the years, with the Bush administration position over the years, with the Clinton administration position over the years and the Obama administration position over the years, and that is that when they passed historic welfare reform there would be an authority in there so, as the Governors lived with this over time, they could make adjustments. And that's why we keep reciting to the various instances when Governors have asked for this—29 Governors of both parties, a couple of Republican Governors recently—asking for this authority, because they thought they had a better way to put it to work.

It's rather interesting today that one of the questions is whether or not we would extend the education time so people can get the proper credentials, the proper training for a job. Many people have been unemployed now for a couple of years from a job that may not be coming back and the skills they have need to either be updated or they have to learn new skills to get the job that's available in their locality or maybe a ways down the road.

It's also interesting that the Business Roundtable is in Washington this week talking about this exact problem: How do we develop those new skills because of the skills mismatch that exists in this country today for hundreds of thousands of jobs that are available, but apparently the skills are not there?

Now, I wonder if that skills training so that that person can get a job in a good industry and a good job, what if that takes 13 months as opposed to 12 months or what if it takes 8 months in-

stead of 6 months? Why don't we live with the Governors having the flexibility if they believe that's the economic plan for their arrangement?

We see consortiums now, because of the Higher Ed Act, coming together—community colleges, State universities, manufacturing consortiums, employer consortiums—developing the programs to develop the skills for the American workforce. And some of that is inconsistent with the requirements under this law, and that's why Governors who want to move to the future came and asked for that relief. And that waiver authority exists in the Social Security Act. That waiver authority is explicitly for this purpose.

But in the name of politics, we're going to deny those States that are struggling, those Governors that are struggling, with the ability to do this. And under the rules, as the memorandum has suggested, they would have to show a very substantial increase in moving people from welfare to work. Supposedly, that's the goal of everybody who's a Member of this body, but politics has overwhelmed that.

If you had these concerns, we could have fixed it and moved on with getting people off of welfare to work. But we will leave here with some kind of political statement, a hollow political victory that means nothing except that those people will still be waiting to get off of welfare and go to work. The Governors will still be waiting to implement the program to get them off of welfare and go to work. And the Congress will go home.

In the face of the desperate need of these people to acquire these skills to improve their talents, to provide for these families, to feed their kids, to educate them, to provide for health care, the Congress will go home. It won't give the Governors this authority because it'll look bad for their Presidential candidate. They won't give the Governors this authority because they can score a point here. Those Governors weren't trying to score a point. They were trying to score some jobs. They were trying to score some jobs for their citizens.

But political games are going to win out here because the clock is running out on this Congress. So we could have helped those Governors. You could have tweaked this so you could have said you change from what President Obama wanted, and we could have gone on and people could have had opportunity in America. You keep saying you're for it, you just don't get around to providing it.

I yield back the balance of my time.

Mr. KLINE. I yield myself the balance of my time.

The SPEAKER pro tempore. The gentleman is recognized for 3 minutes.

Mr. KLINE. I have got a number of issues to address here. We've heard so much in a relatively short period of time here.

We heard from some of our colleagues that we haven't brought a jobs bill. My colleagues on both sides of the aisle know very well that we have brought many jobs bills. In fact, over 30 of them have passed this House—most of them in a bipartisan way—and are sitting in the Senate. We just don't happen to believe that trillions more of borrowed money to jump-start the economy is a jobs bill. That's been proven to fail. This, in fact, is a jobs bill because we want people on welfare to get to work.

And so we've heard that, no, this information memorandum, which has been now correctly determined to be a rule—an information memorandum designed to bypass Congress—will in fact weaken the work requirements. And so how do we draw that conclusion? From a number of things.

One, we're very concerned about the definition of "work." We've heard the number, 20 percent increase. It actually means instead of 1.5 percent of people leaving with a "job" that we still haven't quite defined, apparently, we'd have 1.8 percent. Not an overwhelming number. And then we have the nonpartisan, ever-present Congressional Budget Office that has joined us with this opinion. Under the memorandum:

CBO expects the penalties for States that don't meet the work requirements specified in the Social Security Act would be reduced.

It sounds like waiving work requirements to me. And they go on:

Thus, CBO estimates that enacting Resolution 118 would reduce direct spending by \$59 million over the 2012–2022 period, as some States would pay increased penalties to the Federal Government for failing to meet the work requirements.

The work requirements in section 407, which the Congress explicitly said may not be waived.

And we heard from the other side that Republicans in the committee, including the chairman, voted for the Workforce Investment Improvement Act, which waives all work requirements. We disagree with that. We disagree with that. Even the CRS concedes that the purpose of the provision in that bill is to reduce administrative inefficiencies, not to gut welfare reform.

But we have some disagreement. It could be controversial. In an open system, an open process, we can address that question when it comes to the floor of the House; and if there is confusion, we can make it crystal clear that we do not want to waive work requirements that have been so important to the success of welfare reform. We're here today because the President decided he would exercise power he does not have in order to waive welfare work requirements Congress has said must not be waived.

I urge my colleagues to join me in support of this important piece of leg-

islation, and I yield back the balance of my time.

Mr. CONNOLLY of Virginia. Mr. Speaker, is it possible that I missed some fundamental shift in philosophy during the Republican Convention last month? I thought my Republican colleagues actually favored states' rights and empowering our governors. I thought my Republican colleagues wanted to eliminate "job killing" government regulations. I thought my Republican colleagues were focused on the economy and putting people back to work.

Well, the Obama Administration's proposal to grant waivers to states under the Temporary Assistance for Needy Families program would do those very things. It will reduce some of the more burdensome regulations associated with TANF, it will provide states with the flexibility they have been seeking to pursue more innovative strategies, and it will set a standard requiring participating states to move 20% more people from welfare to work.

That sounds like a jobs bill to me . . . and a bipartisan one no less. Republican governors from Utah and Nevada recently requested these waivers, and 29 Republican Governors, including Governor Romney, have sought this kind of flexibility in the past. If that weren't enough, some of my Republican colleagues even voted to grant similar waivers when they were proposed by fellow Republicans in 2002, 2003 and 2005.

So why then are my Republican colleagues not supporting this common-sense, bipartisan proposal? Because it undermines their election-year narrative for attacking the President—a narrative on this very issue that multiple fact checkers have labeled as bogus.

This resolution of disapproval is nothing more than an exercise in crass political cynicism. If my Republican colleagues were serious about helping the economy, we'd be celebrating this as a bipartisan accomplishment that will put more people back to work. Instead they will vote against their own principles just to deny this President any semblance of a victory . . . even if it means keeping people out of work. You know, I had a friend who once said, "If you're going to be a phony, at least be sincere about it." No wonder the American people view this Republican Congress with such disdain. I urge my colleague to reject this resolution.

Ms. RICHARDSON. Mr. Speaker, I rise today in strong opposition of H.J. Res. 118. This resolution expresses opposition to a condition that does not exist. Republicans, led by their presidential nominee, have been spreading the falsehood that the Obama administration has weakened the work requirement of the Welfare Reform Act of 1996, one of the landmark achievements of the Clinton administration. The claim is false, and has been conclusively refuted by the foremost authority on welfare reform, former President Bill Clinton himself.

Here is what really happened. When some Republican governors asked for waivers to try new ways to put people on welfare back to work, the Obama administration listened. The administration agreed to give waivers to those governors and others only if they had a credible plan to increase employment by 20 percent, and they could keep the waivers only if they did increase employment. As noted by

President Clinton, the waivers actually "ask for more work, not less."

The claim that the administration weakened welfare reform's work requirement is just not true. This is simply a political stunt for the fall campaign that wastes precious time that could be spent working together on solutions for the real problems confronting American families like creating jobs and strengthening the economy.

Mr. Speaker, it seems to me that H.J. Res. 118 is purely a messaging bill and not a bill for the American people. This is an effort to distract Americans from the Republicans' dismal job record. Republicans should be passing the administration jobs package, middle class tax cuts, and a comprehensive deficit deal to stop sequestration instead of engaging in this election-year maneuvering as they leave town. This bill is a waste of time and shouldn't have been introduced on the floor. I strongly oppose H.J. Res. 118 and urge my colleagues to do so as well.

Mr. DINGELL. Mr. Speaker, I rise today in strong opposition to the resolution of disapproval before us today. Yet again, the House is wasting valuable time considering a resolution that is not about good policy, or helping Americans get back to work, but about political games and rhetoric driven by half-truths.

In July of this year, the U.S. Department of Health and Human Services (HHS) issued a memo outlining a program for the consideration of state proposals for alternative job placement performance measures for Temporary Assistance for Needy Families (TANF) recipients. This was in direct response to the requests from at least 29 states who wanted more flexibility on how they measured work participation among recipients. Many of these states requested a waiver so they could focus on more outcome-based measures, rather than job placement rates. The memo released by HHS outlines the conditions that must be met by a state to receive a waiver: a clear and detailed explanation of how the alternative proposal would increase employment by 20 percent, as well as show that there are clear, measurable goals for work placement.

However, my Republican colleagues would have you believe that the administration is gutting the work requirements under TANF. Not so. It should be obvious to any honest man who is not blind that this proposal does not waive the work requirements. In fact, it is the administration's effort to test more effective strategies for moving families from welfare to work while giving the states the flexibility to test which strategies they think will work best for their residents. As President Clinton said, "The requirement was for more work, not less."

We hear on the floor of this body, day in and day out, about how onerous federal reporting requirements are to the states, and how federal reporting requirements do not account for the unique needs of each of our states. Yet here the administration is directly responding to this request for flexibility and my colleagues run to the floor waving around a dead-on-arrival resolution of disapproval. In my experience, when the administration has heard your complaints and takes the steps necessary to address these complaints you claim victory.

As our economy has struggled so have American families. Many of these families have ended up on TANF through no fault of their own. These families are not looking for a hand-out from the federal government; they want a hand-up. The proposal put forth by HHS will help the states provide these families with a hand-up, while still retaining the integrity of welfare-to-work requirements under TANF.

I urge my colleagues to reject this baseless and nakedly political resolution. Let's do the business of the American people in an honest, thoughtful, and proper way. I would remind my Republican colleagues that you are entitled to your own opinion, but you are not entitled to your own facts. The facts are that the administration's proposal would increase work requirements and increase the ability of Americans to get back to work. And here my Republican colleagues are irresponsibly attempting to block that action. Shame.

Mr. HERGER. Mr. Speaker, I rise in support of H.J. Res. 118 because I believe Congress must act to preserve a principle that has helped lift millions of American families out of poverty. The principle is simple: Able-bodied welfare recipients should engage in work. And we know for a fact, based on the success of welfare reform, that this principle works. More than sixteen years of strong work requirements have demonstrated that a job and a paycheck—not a government check—is the best escape from the clutches of poverty and the best hope of building a better life.

Unfortunately, the Obama Administration has announced its intention to allow states to opt out of these requirements. I believe Congress must emphatically reject this plan. We must refuse to go down a path that leads us back to a sad and painful time in our history where millions of American families were trapped in a cycle of poverty and dependency. This is the stark choice we have before us today.

The Administration's plan is egregious on process as well as substance. By blatantly going beyond their statutory authority, the Administration's action fits into a growing and disturbing pattern of this President disregarding the law and acting unilaterally to override laws duly enacted by Congress. We cannot stand by and allow the executive branch to trample on the Constitutional authority of this body, which has the sole power to legislate.

Given these concerns, I urge my colleagues to support this resolution of disapproval and reject the Administration's misguided attempt to undermine the hope of prosperity for millions of American families eager to support themselves economically. Mr. Speaker, let us reaffirm the principle that, far more effectively than any government program, work places the American people on the path to self-sufficiency and prosperity.

Mr. LEWIS of Georgia. Mr. Speaker, I would like to be crystal clear in my opposition to this terrible bill.

Instead of focusing on creating jobs or our nation's budget problems, this Congress is literally wasting time and resources. We are responding to an accusation that President Bush's advisor on welfare policy and a former Ways and Means Committee staffer said is just not true.

In 2005, 29 Republican governors including Mitt Romney requested increased waiver authority. The bipartisan National Governor's Association repeatedly asked for this same flexibility.

Let me be crystal clear—no one ever asked for or has been granted the ability to waive the TANF work requirement. There is a generation of Americans who watched their parents pull themselves up from poverty through education, work training, and child care support and become proud providers. They support the work requirements in TANF; in fact we all do. It works, and no one is trying to change that.

Not only is rhetoric around this bill pants-on-fire-false, but it is also another attempt to attack practically every possible bipartisan, pragmatic solution offered by this administration.

Mr. Speaker, I urge every American watching this debate to check the facts, and I urge every one of my colleagues to oppose this bill. Let's do the people's work and stop wasting time.

Mr. VAN HOLLEN. Mr. Speaker, I rise in strong opposition to H.J. Res. 118, the Election-Year Partisan Welfare Resolution. This political stunt—based entirely on untruths—is a futile attempt to distort the Administration's position in order to score political points.

As independent fact-checkers and experts have resoundingly stated, the Administration's proposal to help states move more people from welfare to work does nothing to undermine the 1996 Welfare Reform law. The HHS notice emphasizes that these waivers must improve the employment of welfare recipients. Governors must ensure that their proposals will move at least 20 percent more people from welfare to work. These are the facts.

This strategy, which provides States more flexibility to help get people back to work, is sound policy that cuts red tape and can increase the efficiency of the welfare system. For this reason, two Republican governors requested that HHS offer these waivers. Additionally, the GOP-led House found it unobjectionable enough to pass legislation allowing welfare waivers in 2002, 2003, and 2005.

House Republicans are today wasting precious legislative time that should be spent passing the President's jobs plan, extending middle-class tax cuts, and addressing the fiscal cliff to prevent the disastrous effects of sequestration. Instead, they decided to again put politics before the American people by accusing the Administration of doing something that it is simply not doing.

I urge my colleagues to vote no on this legislation.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 788, the previous question is ordered.

The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. Pursuant to clause 1(c) of rule XIX, further consideration of House Joint Resolution 118 will be postponed.

Pursuant to clause 1(c) of rule XIX, further consideration of the joint resolution (H.J. Res. 118) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Office of Family Assistance of the Administration for Children and Families of the Department of Health and Human Services relating to waiver and expenditure authority under section 1115 of the Social Security Act (42 U.S.C. 1315) with respect to the Temporary Assistance for Needy Families program, will now resume.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. The question is on the passage of the joint resolution.

The question was taken; and the Speaker pro tempore announced that the yeas appeared to have it.

Mr. GEORGE MILLER of California. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

□ 1540

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on the motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Any record vote on the postponed question will be taken later.

STEM JOBS ACT OF 2012

Mr. SMITH of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6429) to amend the Immigration and Nationality Act to promote innovation, investment, and research in the United States, to eliminate the diversity immigrant program, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6429

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "STEM Jobs Act of 2012".

SEC. 2. IMMIGRANT VISAS FOR CERTAIN ADVANCED STEM GRADUATES.

(a) WORLDWIDE LEVEL OF IMMIGRATION.—Section 201(d)(2) of the Immigration and Nationality Act (8 U.S.C. 1151(d)(2)) is amended by adding at the end the following:

"(D)(i) In addition to the increase provided under subparagraph (C), the number computed under this paragraph for fiscal year 2013 and subsequent fiscal years shall be further increased by the number specified in

clause (ii), to be used in accordance with paragraphs (6) and (7) of section 203(b), except that—

“(I) immigrant visa numbers made available under this subparagraph but not required for the classes specified in paragraphs (6) and (7) of section 203(b) shall not be counted for purposes of subsection (c)(3)(C); and

“(II) for purposes of paragraphs (1) through (5) of section 203(b), the increase under this subparagraph shall not be counted for purposes of computing any percentage of the worldwide level under this subsection.

“(ii) The number specified in this clause is 55,000, reduced for any fiscal year by the number by which the number of visas under section 201(e) would have been reduced in that year pursuant to section 203(d) of the Nicaraguan Adjustment and Central American Relief Act (8 U.S.C. 1151 note) if section 201(e) had not been repealed by section 3 of the STEM Jobs Act of 2012.

“(iii) Immigrant visa numbers made available under this subparagraph for fiscal year 2013, but not used for the classes specified in paragraphs (6) and (7) of section 203(b) in such year, may be made available in subsequent years as if they were included in the number specified in clause (ii), but only to the extent to which the cumulative number of petitions under section 204(a)(1)(F), and applications for a labor certification under section 212(a)(5)(A), filed in fiscal year 2013 with respect to aliens seeking a visa under paragraph (6) or (7) of section 203(b) was less than the number specified in clause (ii) for such year. Such immigrant visa numbers may only be made available in fiscal years after fiscal year 2013 in connection with a petition under section 204(a)(1)(F), or an application for a labor certification under section 212(a)(5)(A), that was filed in fiscal year 2013.

“(iv) Immigrant visa numbers made available under this subparagraph for fiscal year 2014, but not used for the classes specified in paragraphs (6) and (7) of section 203(b) during such year, may be made available in subsequent years as if they were included in the number specified in clause (ii), but only to the extent to which the cumulative number of petitions under section 204(a)(1)(F), and applications for a labor certification under section 212(a)(5)(A), filed in fiscal year 2014 with respect to aliens seeking a visa under paragraph (6) or (7) of section 203(b) was less than the number specified in clause (ii) for such year. Such immigrant visa numbers may only be made available in fiscal years after fiscal year 2014 in connection with a petition under section 204(a)(1)(F), or an application for a labor certification under section 212(a)(5)(A), that was filed in fiscal year 2014.”

(b) **NUMERICAL LIMITATION TO ANY SINGLE FOREIGN STATE.**—Section 202(a)(5)(A) of such Act (8 U.S.C. 1152(a)(5)(A)) is amended by striking “or (5)” and inserting “(5), (6), or (7)”.

(c) **PREFERENCE ALLOCATION FOR EMPLOYMENT-BASED IMMIGRANTS.**—Section 203(b) of such Act (8 U.S.C. 1153(b)) is amended—

(1) by redesignating paragraph (6) as paragraph (8); and

(2) by inserting after paragraph (5) the following:

“(6) **ALIENS HOLDING DOCTORATE DEGREES FROM U.S. DOCTORAL INSTITUTIONS OF HIGHER EDUCATION IN SCIENCE, TECHNOLOGY, ENGINEERING, OR MATHEMATICS.**—

“(A) **IN GENERAL.**—Visas shall be made available, in a number not to exceed the number specified in section 201(d)(2)(D)(ii), to qualified immigrants who—

“(i) hold a doctorate degree in a field of science, technology, engineering, or mathematics from a United States doctoral institution of higher education;

“(ii) agree to work for a total of not less than 5 years in the aggregate for the petitioning employer or in the United States in a field of science, technology, engineering, or mathematics upon being lawfully admitted for permanent residence; and

“(iii) have taken all doctoral courses in a field of science, technology, engineering, or mathematics, including all courses taken by correspondence (including courses offered by telecommunications) or by distance education, while physically present in the United States.

“(B) **DEFINITIONS.**—For purposes of this paragraph, paragraph (7), and sections 101(a)(15)(F)(i)(I) and 212(a)(5)(A)(iii)(III):

“(i) The term ‘distance education’ has the meaning given such term in section 103 of the Higher Education Act of 1965 (20 U.S.C. 1003).

“(ii) The term ‘field of science, technology, engineering, or mathematics’ means a field included in the Department of Education’s Classification of Instructional Programs taxonomy within the summary groups of computer and information sciences and support services, engineering, mathematics and statistics, and physical sciences.

“(iii) The term ‘United States doctoral institution of higher education’ means an institution that—

“(I) is described in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)) or is a proprietary institution of higher education (as defined in section 102(b) of such Act (20 U.S.C. 1002(b)));

“(II) was classified by the Carnegie Foundation for the Advancement of Teaching on January 1, 2012, as a doctorate-granting university with a very high or high level of research activity or classified by the National Science Foundation after the date of enactment of this paragraph, pursuant to an application by the institution, as having equivalent research activity to those institutions that had been classified by the Carnegie Foundation as being doctorate-granting universities with a very high or high level of research activity;

“(III) has been in existence for at least 10 years;

“(IV) does not provide any commission, bonus, or other incentive payment based directly or indirectly on success in securing enrollments or financial aid to any persons or entities engaged in any recruitment or admission activities for nonimmigrant students or in making decisions regarding the award of student financial assistance to nonimmigrant students; and

“(V) is accredited by an accrediting body that is itself accredited either by the Department of Education or by the Council for Higher Education Accreditation.

“(C) **LABOR CERTIFICATION REQUIRED.**—

“(i) **IN GENERAL.**—Subject to clause (ii), the Secretary of Homeland Security may not approve a petition filed for classification of an alien under subparagraph (A) unless the Secretary of Homeland Security is in receipt of a determination made by the Secretary of Labor pursuant to the provisions of section 212(a)(5)(A), except that the Secretary of Homeland Security may, when the Secretary deems it to be in the national interest, waive this requirement.

“(ii) **REQUIREMENT DEEMED SATISFIED.**—The requirement of clause (i) shall be deemed satisfied with respect to an employer and an alien in a case in which a certification made

under section 212(a)(5)(A)(i) has already been obtained with respect to the alien by that employer.

“(7) **ALIENS HOLDING MASTER’S DEGREES FROM U.S. DOCTORAL INSTITUTIONS OF HIGHER EDUCATION IN SCIENCE, TECHNOLOGY, ENGINEERING, OR MATHEMATICS.**—

“(A) **IN GENERAL.**—Any visas not required for the class specified in paragraph (6) shall be made available to the class of aliens who—

“(i) hold a master’s degree in a field of science, technology, engineering, or mathematics from a United States doctoral institution of higher education that was either part of a master’s program that required at least 2 years of enrollment or part of a 5-year combined baccalaureate-master’s degree program in such field;

“(ii) agree to work for a total of not less than 5 years in the aggregate for the petitioning employer or in the United States in a field of science, technology, engineering, or mathematics upon being lawfully admitted for permanent residence;

“(iii) have taken all master’s degree courses in a field of science, technology, engineering, or mathematics, including all courses taken by correspondence (including courses offered by telecommunications) or by distance education, while physically present in the United States; and

“(iv) hold a baccalaureate degree in a field of science, technology, engineering, or mathematics or in a field included in the Department of Education’s Classification of Instructional Programs taxonomy within the summary group of biological and biomedical sciences.

“(B) **LABOR CERTIFICATION REQUIRED.**—

“(i) **IN GENERAL.**—Subject to clause (ii), the Secretary of Homeland Security may not approve a petition filed for classification of an alien under subparagraph (A) unless the Secretary of Homeland Security is in receipt of a determination made by the Secretary of Labor pursuant to the provisions of section 212(a)(5)(A), except that the Secretary of Homeland Security may, when the Secretary deems it to be in the national interest, waive this requirement.

“(ii) **REQUIREMENT DEEMED SATISFIED.**—The requirement of clause (i) shall be deemed satisfied with respect to an employer and an alien in a case in which a certification made under section 212(a)(5)(A)(i) has already been obtained with respect to the alien by that employer.

“(C) **DEFINITIONS.**—The definitions in paragraph (6)(B) shall apply for purposes of this paragraph.”

(d) **PROCEDURE FOR GRANTING IMMIGRANT STATUS.**—Section 204(a)(1)(F) of such Act (8 U.S.C. 1154(a)(1)(F)) is amended—

(1) by striking “(F)” and inserting “(F)(i)”;

(2) by striking “or 203(b)(3)” and inserting

“203(b)(3), 203(b)(6), or 203(b)(7)”;

(3) by striking “Attorney General” and inserting “Secretary of Homeland Security”;

and

(4) by adding at the end the following:

“(ii) The following processing standards shall apply with respect to petitions under clause (i) relating to alien beneficiaries qualifying under paragraph (6) or (7) of section 203(b):

“(I) The Secretary of Homeland Security shall adjudicate such petitions not later than 60 days after the date on which the petition is filed. In the event that additional information or documentation is requested by the Secretary during such 60-day period, the Secretary shall adjudicate the petition not later than 30 days after the date on which

such information or documentation is received.

“(I) The petitioner shall be notified in writing within 30 days of the date of filing if the petition does not meet the standards for approval. If the petition does not meet such standards, the notice shall include the reasons therefore and the Secretary shall provide an opportunity for the prompt resubmission of a modified petition.”.

(e) **LABOR CERTIFICATION AND QUALIFICATION FOR CERTAIN IMMIGRANTS.**—Section 212(a)(5) of such Act (8 U.S.C. 1182(a)(5)) is amended—

(1) in subparagraph (A)—

(A) in clause (ii)—

(i) in subclause (I), by striking “, or” at the end and inserting a semicolon;

(ii) in subclause (II), by striking the period at the end and inserting “; or”; and

(iii) by adding at the end the following:

“(III) holds a doctorate degree in a field of science, technology, engineering, or mathematics from a United States doctoral institution of higher education (as defined in section 203(b)(6)(B)(iii)).”;

(B) by redesignating clauses (ii) through (iv) as clauses (iii) through (v), respectively;

(C) by inserting after clause (i) the following:

“(ii) **JOB ORDER.**—

“(I) **IN GENERAL.**—An employer who files an application under clause (i) shall submit a job order for the labor the alien seeks to perform to the State workforce agency in the State in which the alien seeks to perform the labor. The State workforce agency shall post the job order on its official agency website for a minimum of 30 days and not later than 3 days after receipt using the employment statistics system authorized under section 15 of the Wagner-Peyser Act (29 U.S.C. 49 et seq.).

“(II) **LINKS.**—The Secretary of Labor shall include links to the official websites of all State workforce agencies on a single webpage of the official website of the Department of Labor.”; and

(D) by adding at the end the following:

“(vi) **PROCESSING STANDARDS FOR ALIEN BENEFICIARIES QUALIFYING UNDER PARAGRAPHS (6) AND (7) OF SECTION 203(b).**—The following processing standards shall apply with respect to applications under clause (i) relating to alien beneficiaries qualifying under paragraph (6) or (7) of section 203(b):

“(I) The Secretary of Labor shall adjudicate such applications not later than 180 days after the date on which the application is filed. In the event that additional information or documentation is requested by the Secretary during such 180-day period, the Secretary shall adjudicate the application not later than 60 days after the date on which such information or documentation is received.

“(II) The applicant shall be notified in writing within 60 days of the date of filing if the application does not meet the standards for approval. If the application does not meet such standards, the notice shall include the reasons therefore and the Secretary shall provide an opportunity for the prompt resubmission of a modified application.”; and

(2) in subparagraph (D), by striking “(2) or (3)” and inserting “(2), (3), (6), or (7)”.

(f) **GAO STUDY.**—Not later than June 30, 2017, the Comptroller General of the United States shall provide to the Congress the results of a study on the use by the National Science Foundation of the classification authority provided under section 203(b)(6)(B)(iii)(II) of the Immigration and Nationality Act (8 U.S.C. 1153(b)(6)(B)(iii)(II)), as added by this section.

(g) **PUBLIC INFORMATION.**—The Secretary of Homeland Security shall make available to the public on the official website of the Department of Homeland Security, and shall update not less than monthly, the following information (which shall be organized according to month and fiscal year) with respect to aliens granted status under paragraph (6) or (7) of section 203(b) of the Immigration and Nationality Act (8 U.S.C. 1153(b)), as added by this section:

(1) The name, city, and State of each employer who petitioned pursuant to either of such paragraphs on behalf of one or more aliens who were granted status in the month and fiscal year to date.

(2) The number of aliens granted status under either of such paragraphs in the month and fiscal year to date based upon a petition filed by such employer.

(3) The occupations for which such alien or aliens were sought by such employer and the job titles listed by such employer on the petition.

(h) **EFFECTIVE DATE.**—The amendments made by this section shall take effect on October 1, 2012, and shall apply with respect to fiscal years beginning on or after such date.

SEC. 3. ELIMINATION OF DIVERSITY IMMIGRANT PROGRAM.

(a) **WORLDWIDE LEVEL OF DIVERSITY IMMIGRANTS.**—Section 201 of the Immigration and Nationality Act (8 U.S.C. 1151) is amended—

(1) in subsection (a)—

(A) by inserting “and” at the end of paragraph (1);

(B) by striking “; and” at the end of paragraph (2) and inserting a period; and

(C) by striking paragraph (3); and

(2) by striking subsection (e).

(b) **ALLOCATION OF DIVERSITY IMMIGRANT VISAS.**—Section 203 of such Act (8 U.S.C. 1153) is amended—

(1) by striking subsection (c);

(2) in subsection (d), by striking “(a), (b), or (c),” and inserting “(a) or (b),”; and

(3) in subsection (e), by striking paragraph (2) and redesignating paragraph (3) as paragraph (2);

(4) in subsection (f), by striking “(a), (b), or (c)” and inserting “(a) or (b);” and

(5) in subsection (g), by striking “(a), (b), and (c)” and inserting “(a) and (b).”

(c) **PROCEDURE FOR GRANTING IMMIGRANT STATUS.**—Section 204 of such Act (8 U.S.C. 1154) is amended—

(1) by striking subsection (a)(1)(I); and

(2) in subsection (e), by striking “(a), (b), or (c)” and inserting “(a) or (b).”

(d) **EFFECTIVE DATE.**—The amendments made by this section shall take effect on October 1, 2012, and shall apply with respect to fiscal years beginning on or after such date.

SEC. 4. PERMANENT PRIORITY DATES.

(a) **IN GENERAL.**—Section 203 of the Immigration and Nationality Act (8 U.S.C. 1153) is amended by adding at the end the following:

“(i) **PERMANENT PRIORITY DATES.**—

“(1) **IN GENERAL.**—Subject to subsection (h)(3) and paragraph (2), the priority date for any employment-based petition shall be the date of filing of the petition with the Secretary of Homeland Security (or the Secretary of State, if applicable), unless the filing of the petition was preceded by the filing of a labor certification with the Secretary of Labor, in which case that date shall constitute the priority date.

“(2) **SUBSEQUENT EMPLOYMENT-BASED PETITIONS.**—Subject to subsection (h)(3), an alien who is the beneficiary of any employment-based petition that was approvable when filed (including self-petitioners) shall retain the priority date assigned with respect to

that petition in the consideration of any subsequently filed employment-based petition (including self-petitions).”.

(b) **EFFECTIVE DATE.**—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act and shall apply to aliens who are a beneficiary of a classification petition pending on or after such date.

SEC. 5. STUDENT VISA REFORM.

(a) **IN GENERAL.**—Section 101(a)(15)(F) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(F)) is amended to read as follows:

“(F) an alien—

“(i) who—

“(I) is a bona fide student qualified to pursue a full course of study in a field of science, technology, engineering, or mathematics (as defined in section 203(b)(6)(B)(ii)) leading to a bachelors or graduate degree and who seeks to enter the United States for the purpose of pursuing such a course of study consistent with section 214(m) at an institution of higher education (as described in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a))) or a proprietary institution of higher education (as defined in section 102(b) of such Act (20 U.S.C. 1002(b))) in the United States, particularly designated by the alien and approved by the Secretary of Homeland Security, after consultation with the Secretary of Education, which institution shall have agreed to report to the Secretary of Homeland Security the termination of attendance of each nonimmigrant student, and if any such institution fails to make reports promptly the approval shall be withdrawn; or

“(II) is engaged in temporary employment for optional practical training related to such alien’s area of study following completion of the course of study described in subclause (I);

“(ii) who has a residence in a foreign country which the alien has no intention of abandoning, who is a bona fide student qualified to pursue a full course of study, and who seeks to enter the United States temporarily and solely for the purpose of pursuing such a course of study consistent with section 214(m) at an established college, university, seminary, conservatory, academic high school, elementary school, or other academic institution or in a language training program in the United States, particularly designated by the alien and approved by the Secretary of Homeland Security, after consultation with the Secretary of Education, which institution of learning or place of study shall have agreed to report to the Secretary of Homeland Security the termination of attendance of each nonimmigrant student, and if any such institution of learning or place of study fails to make reports promptly the approval shall be withdrawn;

“(iii) who is the spouse or minor child of an alien described in clause (i) or (ii) if accompanying or following to join such an alien; or

“(iv) who is a national of Canada or Mexico, who maintains actual residence and place of abode in the country of nationality, who is described in clause (i) or (ii) except that the alien’s qualifications for and actual course of study may be full or part-time, and who commutes to the United States institution or place of study from Canada or Mexico.”.

(b) **ADMISSION.**—Section 214(b) of the Immigration and Nationality Act (8 U.S.C. 1184(b)) is amended by inserting “(F)(i),” before “(L) or (V).”.

(c) **CONFORMING AMENDMENT.**—Section 214(m)(1) of the Immigration and Nationality

Act (8 U.S.C. 1184(m)(1)) is amended, in the matter preceding subparagraph (A), by striking “(i) or (iii)” and inserting “(i), (ii), or (iv)”.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act and shall apply to nonimmigrants who possess or are granted status under section 101(a)(15)(F) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(F)) on or after such date.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. SMITH) and the gentlewoman from California (Ms. ZOE LOFGREN) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. SMITH of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous materials on H.R. 6429 currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SMITH of Texas. Mr. Speaker, I yield myself such time as I may consume.

When it comes to STEM fields—science, technology, engineering, and math—American universities set the standard. Our STEM graduates create the innovations and new businesses that fuel our economic growth and create jobs.

Many of the world's top students come to the U.S. to obtain advanced STEM degrees. But what happens to these foreign students after they graduate? Under the current system, we educate scientists and engineers only to send them back home where they often work for our competitors.

We could boost economic growth and spur job creation by enabling American employers to hire some of the best and brightest graduates of U.S. universities. These students become entrepreneurs, patent holders, and job creators.

The STEM Jobs Act makes available 55,000 immigrant visas a year for foreign graduates of American universities with advanced degrees in STEM fields.

Three-quarters of likely voters strongly support such legislation, and a wide range of trade associations have endorsed this legislation as well. These include the Institute for Electrical and Electronics Engineers, the U.S. Chamber of Commerce, Compete America, the Information Technology Industry Council, and the Society for Human Resource Management.

To protect American workers, employers who hire STEM graduates must advertise the position; and if a qualified American worker is available, the STEM graduate will not be hired.

This bill makes our immigration system smarter by admitting those who

have the education and skills America needs. STEM visas are substituted for Diversity Visas which invite fraud and pose a security risk.

The STEM Jobs Act generates jobs, increases economic growth, and benefits American businesses. What more do we want?

Let's put the interest of our country first and support this legislation.

I reserve the balance of my time.

Ms. ZOE LOFGREN of California. Mr. Speaker, I yield myself such time as I may consume.

For more than a decade, I've been working to increase high-skilled visas for foreign students with advanced STEM degrees from America's greatest research universities. I'm fortunate enough to see firsthand the new technologies, the new companies, the new jobs they create every day in my district in the Silicon Valley. For that reason, it pains me greatly that I cannot support this bill.

First, although this bill ostensibly seeks to increase STEM visas, it appears to have another, in my opinion, more sinister purpose—to actually reduce legal immigration levels. The bill does it in two ways.

On its face, the bill eliminates as many visas as it creates by killing the Diversity Visa Program which benefits immigrants from countries that have low rates of immigration to the United States. But the bill also discreetly ensures that many of the new visas will go unused by preventing unused visas after 2014 from flowing to other immigrants stuck in decades-long backlogs. This is not the way our immigration system works.

I believe the only reason the bill is written in this fashion is to satisfy anti-immigrant organizations that have long lobbied for reduced levels of immigration.

My colleagues on the other side of the aisle are fond of saying that while they are opposed to illegal immigration, they are very much in favor of legal immigration. But this bill shows the opposite.

Supporters of legal immigration would not have killed one immigration program to benefit another, nor would they agree to a Grover Norquist-style no-new-immigration pledge that will continue to strangle our immigration system for years to come.

Agreeing to zero-sum rules now means never helping the almost 5 million legal immigrants currently stuck in backlogs.

The Republican bill also expressly allows for-profit and online schools to participate. While the bill contains language limiting immediate participation, it unquestionably opens the door to future participation.

I cannot support a bill that will allow such schools to essentially sell visas to rich, young foreigners.

The vast majority of Democrats in this Chamber strongly support STEM

visas. I've introduced a bill that creates STEM visas without eliminating other visas or including for-profit colleges. It has the support of the Black, Hispanic, and Asian Caucus chairs. Bring that to the floor, and you'll see strong support from Democrats. It should also get strong Republican support.

Republicans in the past, including very conservative Members, have supported STEM legislation that does not eliminate other types of visas. In the 110th Congress, I introduced a bill that did just that with very conservative Republicans such as Texas Members JOHN CARTER and PETE SESSIONS as co-sponsors. If they can support new STEM visas without offsets, so can Republicans today.

There is a unique opportunity here to craft a balanced, bipartisan bill that can pass the Senate; but our majority has instead chosen to jam through a partisan bill that has no chance of becoming law, solely, I think, to score political points.

It seems the only reason they have chosen to pursue this strategy right before an election is an attempt to appear more immigrant friendly than their record proves them to be and perhaps to curry favor with high-tech groups.

But this is an anti-immigration bill, and it only sets back the high-skilled visa cause.

I believe if we take a step back and work in good faith on a bipartisan basis, we can pass a STEM bill with overwhelming support. I am eager to work with my colleagues on the other side of the aisle to do just that. It's the right thing to do for the district I represent, and for our country. But this flawed bill is one I cannot support.

I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, before yielding to the gentleman from Texas (Mr. HALL), I'm going to yield myself 1 minute.

Mr. Speaker, the gentlewoman from California said at least two things that are completely inaccurate. Let me correct those statements.

First, she said this bill is going to reduce immigration and that that was somehow the intent behind the bill. The gentlewoman from California practiced immigration law, and she knows better than to say this. Under this bill, and she knows this to be the case, individuals in other employment categories who are waiting for other types of employment visas can switch over and apply for these STEM visas if they are master's or Ph.D. holders in the STEM fields. There's no limit on those. I expect every year that the number of visas that are not used directly will be used by these individuals in other employment-based categories.

I want to make the point, too, that America is the most generous country in the world. We admit almost 1 million people legally every year. That's

far more than any other nation, and it may well be as many as every other country combined.

The purpose of this bill is not to increase or decrease immigration, and I want to make that point, and also the fact that most Americans agree with this. Gallup recently reported that four out of five Americans do not want to increase the levels of immigration. Only 4 percent believe that the number of immigrants now entering the U.S. is too low. This bill reflects what the American people want.

Lastly, in regard to for-profit schools, the gentlewoman made light of that and seemed to think that this bill was going to be abused by those types of institutions.

First of all, any institution, even if they are profit-making—and why do so many Democrats oppose profits and free enterprise? I don't know—but any profit-making institution, if they otherwise qualify, which is to say if they grant doctorates or master's in STEM fields and if they are a research university as deemed by the Carnegie Institute of Higher Education, yes, they'll qualify. But I want to say to the gentlewoman from California, today, none of those for-profit institutions would qualify.

□ 1550

If they somehow meet the qualifications in the future, why wouldn't we want them to be eligible to have their graduates—master's and Ph.D. only—apply for these STEM visas?

I am happy now to yield 2 minutes to the chairman of the Science Committee, the gentleman from Texas (Mr. HALL).

Mr. HALL. Mr. Speaker, I commend my good friend from Texas, Chairman SMITH, for his leadership on the bill today.

As a member of the Science Committee since first elected in 1980, I've heard repeatedly of talented foreign students who receive advanced degrees from American universities who would like to stay in the United States and put those degrees to work and are simply not permitted to do so. So they return home to their home country and ended up competing with us.

Likewise, I hear from industry, particularly the technology industry, that they have ample jobs to fill, but there are not enough qualified Americans to fill those jobs. If this is true, we want those jobs filled by Americans and are working to improve STEM education in the country. But absent that talent now, and with many of these companies already seeking employees overseas, then it seems to me we should take advantage of the opportunity in front of us and help those foreign students who have received their education in the U.S. remain in the U.S.

I have expressed to the chairman that I remain hopeful that qualified

Americans should always fill available jobs first, and I understand provisions are in place to ensure this. I further appreciate his willingness to reach a consensus on broadening institution eligibility. We must remember that a large number of well-respected institutions across the country only grant degrees as high as a masters, and qualified graduates from those universities should also be eligible.

In closing, I support the bill before us today, with the assurance that the chairman will continue to work with the Science Committee and with me as we move forward.

Ms. ZOE LOFGREN of California. Mr. Speaker, I ask unanimous consent to allow the ranking member of the full committee to control the remainder of the time.

The SPEAKER pro tempore. Without objection, the gentleman from Michigan will control the time.

There was no objection.

Mr. CONYERS. Mr. Speaker, it is with great pleasure that I thank the gentlelady from California (Ms. LOFGREN) and yield her such time as she may consume.

Ms. ZOE LOFGREN of California. I will be brief. I do feel the need to address the issue that the chairman has raised; I think he misunderstands the issue.

We have, in U.S. universities, graduating in STEM fields 10,000 Ph.D. and 30,000 masters degrees a year. Assuming that all 40,000 want to stay in the United States—and that is not a valid assumption—we will not use up all of the 50,000 visas. It is true that the EB2s might apply, but many of them did not go to American universities. So the easiest way to make sure these visas are not eliminated is to do what happens in all the rest of the immigration EB categories, which is to allow those visas to flow.

Finally, I just have to say I have never once been asked by a high-tech company to have some online university be the awardee of the Ph.D. It's not a demand, it's not an interest that anybody in the technology field has ever expressed to me.

Mr. CONYERS. Mr. Speaker, I would now proudly yield 3 minutes to our distinguished whip, the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. I thank the gentleman for yielding.

Mr. Speaker, in order to compete in today's global economy, we need to attract the best and brightest math and science students from around the world. I think we all agree on that.

American technology and Internet companies—which are far and away the best in the world—are in dire need of more highly educated engineers and scientists. We're just not producing enough here. In the long term, we need to educate more Americans in STEM fields, but we also must increase the

number of STEM visas so that our businesses can hire the top international graduates of American universities.

This could be a broadly bipartisan bill. It could pass easily. But once again, unfortunately, we have chosen a good bill and inserted a partisan poison pill, making it impossible to pass the Senate or attract broad bipartisan support. How sad it is that that's been the history of this Congress. That poison pill is, of course, the elimination of the Diversity Visa Program, which ensures that individuals from a broad array of countries have the opportunity to seek a better life here in America. The Statue of Liberty, with her torch raised, is being brought down just a little bit.

We don't know where our next great innovators will come from, and we ought to not close the doors on those who have been waiting patiently to have their number called in some far off corner of the world. That lottery is not only their salvation, but also our benefit. It's part of what makes America great.

I call on the Republican leadership to withdraw this bill and instead take up the bill introduced by my friend, the gentlewoman from California, Representative LOFGREN, which accomplishes the objective I think we all want to accomplish. That version would create opportunities through a new STEM visa program without taking current opportunities away. I commend Ms. LOFGREN for her work on this issue and for helping to sustain that yearning for America that still moves the hearts of millions around the world.

In light of what I have just said, Mr. Speaker, I would ask the gentleman from Texas if he will yield for the purpose of allowing me to make a unanimous consent to amend his bill by striking all after the enacting clause and replacing the text with that of the gentlewoman from California's alternative, H.R. 6412, the Attracting the Best and Brightest Act of 2012. I tell my friend that will accomplish the objectives that you've talked about and I've talked about in getting high-tech people, the availability, for our companies here in America. They need them, we want them, we ought to get them; and we ought to do it in a bipartisan way.

This is an opportunity for bipartisanship that unfortunately has not come as often as we would like. I would ask my friend to allow me to make that unanimous consent, that we agree to that. And I guarantee the gentleman we will get very substantial numbers of votes on this side of the aisle for that proposition, and I hope on your side as well.

Would the gentleman yield for that unanimous consent? The gentleman has been instructed not to yield to me for that unanimous consent, I understand? I regret that your side of the

aisle wouldn't give me that opportunity for America—for America and our high-tech businesses.

Mr. SMITH of Texas. Mr. Speaker, on the way to yielding to the majority leader of the House, I'd like to respond very quickly to what the gentleman from Maryland just said.

I want to make, again, the points that the Diversity Visa invites fraud, and absolutely means that we would have a security risk if we were to continue it.

I want to quote the assistant Secretary of State. The assistant Secretary of State for Visa Services has testified that Diversity Visa fraud includes:

Multiple entries, fraudulent claims to education or work experience, pop-up spouses or family members, relatives added after the application is submitted, and false claims for employment or financial support in the United States.

The State Department's Inspector General has testified that the Diversity Visa program:

Contains significant risk to national security from hostile intelligence officers, criminals and terrorists attempting to use the program for entry into the United States as permanent residents.

We've already had one individual who was admitted on a Diversity Visa try to blow up the World Trade Center in 1993. He killed six people and injured hundreds of people. That's why this program is not good for this country.

I'm more than happy to yield 1 minute to the gentleman from Virginia (Mr. CANTOR), the majority leader for the House of Representatives.

Mr. CANTOR. I thank the gentleman from Texas for his leadership on this bill.

Mr. Speaker, since we were elected to the majority, the House Republicans have put forward solutions to spur job creation and economic growth by, frankly, focusing on and helping small businesses get off the ground to grow and hire. We've worked hard to drive small business job creation and innovation by enacting patent reform, the JOBS Act, and the removal of regulatory and tax burdens that are impeding small businesses' growth.

The STEM Jobs Act we are voting on today is part of our commitment to help small businesses, to help them create jobs by ensuring that top foreign students in American universities have the opportunity to launch or work for American businesses.

The bipartisan STEM Jobs Act takes 55,000 visas currently awarded based on a lottery and instead awards them to foreign graduates of U.S. universities with advanced degrees in science, technology, engineering, and mathematics. This legislation provides students with the opportunity to stay here in America where they can contribute to the American economy rather than leaving for other countries, taking their ven-

ture capital with them to compete against America and her businesses.

□ 1600

I want to thank the gentleman from Texas, Chairman SMITH, as well as Congressman HENRY CUELLAR for introducing this legislation. I'd also like to note that Congressman BOB GOODLATTE of Virginia and Congressman RAÚL LABRADOR from Idaho have also been instrumental in getting us here.

But there's a reason why we in America are the world's leading innovators and have within our borders the world's leading innovators and why they choose to launch their companies here. Our Nation offers immense opportunities to those who come to our shores.

My grandparents, just like so many others who immigrated to America, knew what foreign students know today: that America has always been a place which puts a premium on ensuring that, no matter who you are or where you're from, everyone here should have the opportunity to go and achieve and earn success.

According to the Partnership for a New American Economy, 40 percent of Fortune 500 companies were founded by immigrants or their children. So we must start to take advantage of our status as a destination for the world's best and brightest. We must continue to do that. We want job creation and innovators to stay here and help us compete.

Over the past two decades, the number of international graduate students enrolled in our Nation's top-notch universities has grown. But, as the Congressional Research Service shows, the percentage of these students who gain visas has largely remained the same since 1990. The STEM Jobs Act says to our foreign graduates, You choose America and America chooses you.

More talent in our workforce will mean more innovation, more start-ups, more entrepreneurship, more jobs and a better economy. It's time our visa system adopted this commonsense advancement. It's time for us to pass this bill, Mr. Speaker, and I hope there is a broad bipartisan base of support when the vote occurs.

Mr. CONYERS. Mr. Speaker, I am pleased to yield 1 minute to JUDY CHU, an active member of the Judiciary Committee who, additionally, heads the Asian Pacific Caucus.

Ms. CHU. I rise today in opposition to this bill which will further damage our already broken immigration system. I strongly support increasing visas for STEM foreign students so they can stay, work, and innovate here. But while this bill claims to do that, it actually reduces the number of overall visas available and lets unused STEM visas disappear by 2014.

The bill also gets rid of 50,000 legal immigrant visas each year under the Diversity Visa Program, which gives

every immigrant, no matter their background, a chance of immigrating to the United States and is so important to immigrants who don't fall into other categories.

Supporters of legal immigration should not have to kill other immigration programs to help our economy maintain its competitive edge. This is not a zero-sum game.

Anyone in support of fair legal immigration should oppose this bill. And I urge both sides to come together to work on a bipartisan STEM visa bill that will help keep our economy competitive without making our backlogged immigration system worse.

Mr. SMITH of Texas. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. ISSA), who is the chairman of the Government Oversight Committee.

Mr. ISSA. Mr. Speaker, for 12 years, my greatest ambition here in Congress has been my membership in Judiciary and my activities of trying to bring real immigration reform that's a plus to our country.

My district has two notable areas: one, the agricultural areas that so desperately need a guest worker program; the other, throughout San Diego and Orange County, the high-tech areas that in many ways rival the best in the world, that, in fact, run out of H-1Bs on the day that they're offered. So I support the STEM skills reform because it's necessary.

But let me just go through two or three things quickly that are so obvious here in this debate.

One is: People who are detractors from this say, We'd love to have it; we simply want an expansion in the total number of immigrants. Let's understand, America allows more people to immigrate to our shores than the entire rest of the world, combined, does to theirs. We're already the most generous, and there has to be a number and that number has been set.

Secondly, it doesn't take away from anyone who has a valid need or reason to come here. It's not going to limit reunification. It's not going to limit those who have been tortured or in some other way affected in their foreign country.

But I think the most telling one is the CBO, our independent, nonpartisan organization that, in fact, has said that making this change will save over \$1 billion in costs from the dependency that many diversity candidates prove to have, in spite of the regulations saying they shouldn't.

And lastly, and the most important one, as an employer of a high-tech company, a founder and employer for many years, America has to be like every high-tech company. You are always open to hire somebody who will make your company grow. America will grow in four jobs or more for each person who applies and receives one of

these visas. That is about getting the economy going again and jobs happening again.

Mr. CONYERS. Mr. Speaker, I yield myself as much time as I may consume.

I thank you, because there's only one problem separating the two views that have been presented by both sides of the aisle here this afternoon. But the proposal of those on the other side, of steamrolling through today, simply does not provide for new visas for STEM graduates. Instead, it completely eliminates diversity visas, a longstanding legal immigration program. And, as surely everyone understands on both sides of the aisle, we strongly oppose a zero-sum game that trades one legal immigration program for another. I heard someone suggest that.

The elimination of the Diversity Visa Program will drastically decrease immigration from African countries. It's as simple as that. In recent years, African immigrants have comprised approximately 40 to 50 percent of the Diversity Visa Program's annual beneficiaries. And so we just say simply: That is not fair. There's no point in us having to swallow this poison pill. And I can assure you that there's no intention that that be done.

Second, the Diversity Visa Program plays an important foreign policy role for the United States. As a former Ambassador testified the year before last at a Judiciary Committee hearing:

The program engenders hope abroad for those that are all too often without it—hope for a better life, hope for reunification with family in the United States, and hope for a chance to use their God-given skills and talent.

And so I ask my colleague to please consider how we can move the STEM issue forward without eliminating the Diversity Visa Program.

I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. GOODLATTE), a senior member of the Judiciary Committee and an original cosponsor of this legislation.

Mr. GOODLATTE. Mr. Speaker, I thank the gentleman from Texas, the chairman of the committee, for his fine work on this legislation, and I rise in support of it.

You know, this House has twice passed through the entire House legislation eliminating the visa lottery program—55,000 visas, not given based upon family reunification needs, not given based upon job shortages in the United States, but based upon pure luck. And it's unfair to people from more than a dozen countries around the world that stand in long lines, on waiting lists, and then watch somebody have their name drawn out of a computer at random, with no particular job skills, no ties in this country, and they

get to go right past them into a green card in the United States.

□ 1610

So, if you're from Mexico, you're not eligible for the visa lottery program. If you're from Canada, you're not eligible for the visa lottery program. If you're from China or India or the Philippines or from more than a dozen countries, you are not eligible for this program at all.

Let me just say that far more people with far greater contributions to make to our economy, to our system, will benefit from using those visas for STEM—for science, for technology, for engineering, and math. In fact, most African immigrants to the U.S. do not come through the diversity program, and many will benefit from a STEM visa program. There are more than 3,000 students from Nigeria alone who are studying in STEM fields in the United States. They will be able to stay in the U.S. because of the STEM Jobs Act.

This is a good proposal that is fair to people who want to come to this country to better their lives for themselves but to also help the United States in these difficult economic times find people who are needed here or who have legitimate family reunification needs, not simply based on pure luck. Our immigration system is in need of more reform than this, but this is great reform, and I urge my colleagues to pass this legislation.

Mr. CONYERS. Mr. Speaker, I am pleased now to yield 2 minutes to the former chairman of the Education and Labor Committee, the distinguished gentleman from California, GEORGE MILLER.

Mr. GEORGE MILLER of California. I thank the gentleman for yielding.

Mr. Speaker, I rise in opposition to this partisan bill. It's unfortunate. Maintaining this country's advantage in science and technology is an important issue, and it should not be a partisan issue. Democrats have long supported efforts to increase STEM careers in this country and to address the question of STEM visas.

We all recognize how important these careers are to the future economic strength of this country. We could be working together in a bipartisan way to address these issues in a fair and thoughtful manner, but this bill does not do that. Instead of working together, the majority has chosen a partisan route.

This route puts American workers' wages at risk at a time when they can ill afford it. It allows a dangerous race to the bottom that will drive wages down for American workers. It allows employers to pay visa holders less than the actual wages paid to similarly situated workers at those employers. A U.S. worker and a visa holder could be working right next to one another,

doing the same work, and the foreign worker is cheaper. We know what this will mean for U.S. workers' pay and job opportunities. Depressing families' wages is not what our country needs. That's why I joined with Congresswoman LOFGREN on legislation that would require a visa holder to be paid at least the actual wage being paid to a U.S. worker with similar experience.

I also have deep concerns that this partisan bill is also a payoff for predatory for-profit education institutions. The Republican bill includes language that specifically allows for-profit institutions to participate in this program. Why is that? Tech and other high-skilled employers have not been pushing to get more foreign graduates from for-profit schools. This provision would allow these institutions to find new, potentially lucrative revenue streams for their shareholders without regard to the actual needs of the American labor market.

Mr. Speaker, the American people have made it clear that they are fed up with the powerful special interests gaming the system to increase their bottom line. They are fed up with partisan exercises meant to gain political advantage during an election cycle. It is no surprise that for 2 years this Congress had an opportunity to have a full and open debate on this very important issue but that the Republicans have chosen partisanship, obstruction, and polarization over moving this country forward. That's why we see this bill at the last minute, and that's why we see this bill requiring a two-thirds vote.

Mr. SMITH of Texas. Under this bill, the employers have to pay the prevailing wage. I don't know from where the gentleman got his information.

Mr. Speaker, I yield 1 minute to the gentleman from Arkansas (Mr. GRIFFIN), a distinguished and active member of the Judiciary Committee.

Mr. GRIFFIN of Arkansas. I rise today in support of the STEM Jobs Act, and I thank Chairman SMITH for his leadership.

Mr. Speaker, I want to tell you about some job creators in my district who would benefit from this bill. Welspun Tubular, which made the pipes for the Keystone pipeline, needs advanced STEM graduates to train workers. Power Technology needs highly skilled workers to design, develop, and manufacture laser products. These companies have struggled to find the specific talent they need, and this bill would help them create jobs.

We are currently educating highly skilled Ph.D.'s and masters and are sending them back home to compete against us after they graduate. That's like Arkansas recruiting the best college football players from Texas, training them on our offense and sending them back to Texas to compete against us. That doesn't make any sense. Let's fix it. Let's pass this bill.

Mr. CONYERS. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. GUTIERREZ) as few have worked harder on this with ZOE LOFGREN.

Mr. GUTIERREZ. Thank you so much.

It might appear like we are having a debate about whether we should send STEM graduates—those with advanced degrees in science, technology, engineering, and math—to faraway lands to work for companies to compete against us, but this debate is not about that because, on the need for STEM visas, there is no debate. The real debate we are having today, in creating STEM visas, is whether to shut the door to opportunity to others who contribute to the United States of America.

I haven't seen one letter from Google, Yahoo!, Apple, Intel or the high-tech industry that says to eliminate 25,000 to 30,000 visas to those from Africa and give them to the high-tech industry. I haven't seen one letter that says that, and they know that. It's just something they want to do, and they want to poison this well with what I think is bad policy. Based on the immigrant stories we heard from almost every speaker at the Republican and Democratic conventions, I would guess all of us here would welcome to the U.S. any decent, hardworking person with enough heart and guts to pursue his biggest dreams, but that's not what this bill does. I wish it did.

Imagine if those millions who passed through Ellis Island had been given a test when they arrived. If they were gifted in science and math, they were in. If they were simply hardworking men or women in search of better lives, prepared to sweat and toil in the fields or in our factories, they wouldn't have been good enough under this bill. Think about it. Where would we all be if we had to pass that test—the Pelosis and the Palazzos, the Boehners and the Blumenauers, the Schakowskys and the Lipinksis, the Kennedys and the Kuciniches, the Romneys and—yes—the Rubios?

When my parents came from Puerto Rico, they didn't need a visa. They just had a sixth-grade education and a ninth-grade education. Under this bill, they would say, Not here and not in this America. You're not welcome. My mom worked in a factory, and my dad drove a cab, and they worked hard every day. They worked hard every day to make this. They sent their children to college, and one of them today serves in the Congress of the United States.

The SPEAKER pro tempore (Mr. LATOURETTE). The time of the gentleman has expired.

Mr. CONYERS. I yield the gentleman 30 more seconds.

Mr. GUTIERREZ. They lived the story of America. They came with nothing but hopes, and they played by the rules and achieved great things,

not necessarily for themselves but for their children and now their grandchildren.

Has America benefited? Could we attract the smartest and the brightest? Yes. But America is also a better Nation because we attract those with the most heart and soul to make something of themselves. Let's defeat that bill so we can continue that great American tradition.

Mr. SMITH of Texas. I yield myself 30 seconds.

Mr. Speaker, no one is hurt more by the diversity visa program than unemployed Hispanics and black Americans. The unemployment rate for Hispanics with only a high school education is almost 14 percent. The unemployment rate for African Americans with only a high school education is almost 19 percent. The diversity visa program forces these unemployed Americans to compete for very scarce American jobs with those other individuals who don't have more than a high school education. Why do we want to do this to our own people?

I yield 2 minutes to the gentleman from Idaho (Mr. LABRADOR), an original cosponsor of this legislation who is very active on this subject.

Mr. LABRADOR. I rise today in support of the STEM Jobs Act of 2012. This bill addresses one of the bipartisan issues we ought to be able to solve here in the House of Representatives.

Both President Obama and Governor Romney have spoken about the need to reform our immigration system in order to keep more of the best and the brightest minds in America. I am very pleased to have worked with Chairman SMITH on this bill, and I want to thank him for his leadership. I also want to thank Mr. GOODLATTE and the majority leader for their commitment to bringing this jobs bill to the floor.

The future of our economy is in the STEM fields. New printers from Hewlett-Packard, new semiconductors from Micron, and new phones from Apple all rely on retaining the world's best and brightest students and on harnessing their ingenuity to create jobs here in America. Even in an economic downturn, there aren't enough U.S.-born graduates to meet the needs of high-tech employers. Right now, foreign-born students are benefiting from our education system and are then going home to compete with us.

□ 1620

This legislation allows us to retain their skills and innovation. We know that every American with an advanced STEM degree creates two to three new American jobs. We are replacing a broken, inefficient visa program with one that works, rewards innovation, and makes jobs for our economy.

Mr. Speaker, I heard the other side talk about this bill all day today. This other side controlled the House, the

Senate, and the Presidency for 2 years and did nothing to improve the immigration system. They didn't pass immigration bills, yet the President campaigns on the issue of immigration reform. Once again, faced with actually passing a bill that improves the immigration system, they're making a stand against immigration reform and against economic growth.

Let me clarify one thing. I have a great deal of respect for Congresswoman LOFGREN. She and I have talked about this issue for the entire 1½ to 2 years that I've been here in Congress, and I recognize that she's been a leader on this issue over the years. I'm also an immigration attorney. I've been an immigration attorney for 15 years. I must clarify that unused diversity visas have never rolled over, and to oppose this bill on those grounds is just proof that this is more about politics than policy.

Mr. CONYERS. Mr. Speaker, I would like to gain the previous speaker's attention. The House, of which you are a Member, passed the DREAM Act 216-208, and we enjoyed the support of eight Republican Members.

Mr. Speaker, I now yield 1½ minutes to a senior member of the Judiciary Committee, SHEILA JACKSON LEE.

Ms. JACKSON LEE of Texas. Mr. Speaker, I'm most grateful. Thank you very much.

To the Speaker and to my colleague from Texas, this is the perfect infrastructure for collaboration and bipartisanship. We have worked together on this issue, and we have confronted the issue that I mentioned to Congresswoman LOFGREN on which we will continue to work, which is to ensure the outreach to Historically Black Colleges and Hispanic-serving colleges for the engineers and scientists who are prepared to work in America's technology industry, and I expect that that will happen. I am supportive of STEM visas to provide for the infrastructure of workers for the dynamic technology, Silicon Valley software, Austin, Texas, and beyond to be able to be vibrant and thriving.

But as I just left the President of Malawi, a woman who has inspired Malawians to look to the future, and as they look to the future, we have said that we want to ensure that America has a future with the continent. To remove the diversity visas that create diversity, to take away opportunities from a continent that, by and large, has been an ally and friend to the United States, whose African citizens have come to be reunited with families, who have generated outstanding businesses, from South Africans, to Kenyans, to Guineans, to those from Cote d'Ivoire and those from Nigeria—in my town, Nigerians have created the most successful brand of small businesses from being seamstresses to doctors and lawyers and others.

I cannot vote for a bill that will allow us to remove the component for diversity visas as an exchange or substitute for this kind of approach. We must have balanced and comprehensive immigration reform.

Mr. SMITH of Texas. Mr. Speaker, let's put our own unemployed Hispanics and black Americans first. They should come first.

Mr. Speaker, I yield 45 seconds to the gentleman from California (Mr. BILBRAY), who is the chairman of the Immigration Reform Caucus.

Mr. BILBRAY. Mr. Speaker, I rise today in strong support of this piece of legislation.

All over America, Americans are having to make priority decisions in their families. The fact is this Congress needs to make some priority decisions. It is not only the right, but the responsibility, of this Congress and this Nation to make sure that our immigration policy is good for America first and foremost.

This bill will replace a failed system that actually gambled with America's future by having a lottery. It replaces it with bringing good scientists in. Let me just give you the numbers from just recently.

This is going to create 55,000 jobs. Do we want to have 6,000 Iranians coming here or do you want 6,000 scientists and researchers coming in? Do we want to set aside an area where we have over 2,000 Moroccans being given a set-aside for their country rather than treating individuals that have proven that they have an asset that we need in this country?

The real issue here is, Mr. Speaker, whether we are willing to correct a mistake of the past to move forward with a fair system that judges individuals based on their merit, not based on the country that they're coming from.

Mr. CONYERS. Mr. Speaker, I yield the gentlelady, Ms. SHEILA JACKSON LEE, 25 seconds.

Ms. JACKSON LEE of Texas. If we pass the American Jobs Act, we will help Hispanic youngsters, Anglo youngsters, African American youngsters, and all Americans.

However, what an insult to America's values to suggest that those who come to this country to give by way of a legal process, diversity visas, are not contributing. I do not want to insult anyone who comes with the idea of helping America. That means wherever they've come from: Africa, Iran, elsewhere.

If they come for a good reason through the diversity visa to reunite with their family, that is the American way. Immigration by law, that is the American way.

Mr. CONYERS. Mr. Speaker, I'm pleased to yield 1½ minutes to the very patient Member from Texas (Mr. HINOJOSA).

Mr. HINOJOSA. Mr. Speaker, I rise to strongly oppose H.R. 6429, the Re-

publican STEM proposal before the House today under suspension of the rules.

As the ranking member of the Subcommittee on Higher Education and Workforce and vice chair of the Congressional Hispanic Caucus, I urge my colleagues on both sides of the aisle to join me and members of the Congressional Hispanic Caucus, the Congressional Black Caucus, and the Asian American Caucus in strongly opposing this Republican STEM proposal, misguided legislation that would curtail legal immigration to the United States.

As a proud cosponsor of this bill, I support this legislation because it would allow advanced STEM graduates to remain in the United States and contribute to our Nation's scientific discovery and technological innovation, increasing our Nation's global competitiveness. This bill reduces backlogs for STEM degree recipients by attracting and retaining critical talent and creating a new EB-6 green card category for persons with advanced degrees in STEM from research universities in the United States.

I must underscore that this bill does not eliminate or weaken our immigration programs to increase STEM visas. This bill targets only the best and the brightest foreign students. Unlike the Republican proposal, this legislation, H.R. 6412, does not allow foreign graduates of for-profit colleges to receive STEM visas, including degrees earned by mail or over the Internet.

In closing, I urge my colleagues to strengthen our Nation's global competitiveness.

Mr. Speaker, I rise to strongly oppose H.R. 6429, the Republican STEM proposal, before the House today under suspension of the rules.

As Ranking Member of the Subcommittee on Higher Education and Workforce Training and Vice Chair of the Congressional Hispanic Caucus (CHC), I urge my colleagues, on both sides of the aisle, to join me and members of the Congressional Hispanic Caucus, the Congressional Black Caucus, and the Congressional Asian Pacific American Caucus in strongly opposing the Republican STEM proposal, misguided legislation that would curtail legal immigration to the United States.

Instead, I encourage my colleagues in this chamber to support H.R. 6412, "The Attracting the Best and the Brightest Act of 2012" sponsored by Representative ZOE LOFGREN.

As a proud cosponsor of this bill, I support this legislation because it would allow advanced STEM graduates to remain in the United States and contribute to our Nation's scientific discovery and technological innovation, increasing our Nation's global competitiveness.

This bill reduces backlogs for STEM "degree recipients by attracting and retaining critical talent and creating a new "EB-6 green card category for persons with advanced degrees in science, technology, engineering, and mathematics (STEM) from research universities in the United States.

I must underscore that this bill does not eliminate or weaken other immigration programs to increase STEM visas. While H.R. 6412 provides the same number of STEM visas (50,000) as the Republican proposal, it does so without eliminating the long-standing Diversity Visa program, which ensures diversity among new immigrants and provides one of the few legal pathways to enter the United States.

This bill targets only the best and the brightest foreign students, and requires that these individuals have an advanced degree from an accredited public or nonprofit university classified by the National Science Foundation as a research institution or as otherwise excelling in STEM instruction.

Unlike the Republican proposal, this legislation H.R. 6412 does not allow foreign graduates of "for-profit colleges" to receive STEM visas, including degrees earned by mail or over the internet.

H.R. 6412 includes a provision which provides wage protections for U.S. workers and requires that the offered wage to the STEM graduate meets or exceeds the actual wage paid to U.S. workers with similar levels of experience.

The Republican proposal does not include this provision and does not adequately ensure that American workers are protected.

In closing, I urge my colleagues to strengthen our Nation's global competitiveness by opposing the misguided Republican STEM proposal and cosponsoring H.R. 6412, "The Attracting the Best and Brightest Act of 2012."

Mr. SMITH of Texas. Mr. Speaker, I yield 45 seconds to the gentleman from Arizona (Mr. FLAKE), who has long been active on the subject of immigration.

Mr. FLAKE. I thank the gentleman for yielding, Mr. Speaker.

I rise in strong support of the STEM Jobs Act.

For the past three Congresses, I've worked on this issue with the introduction of the STAPLE Act, which would do much the same as this bill does, as well as support for other pieces of legislation that do what this piece of legislation does, which is allow those who are trained in our universities here to contribute to the U.S. economy.

We all know that it's not government that creates jobs, that the job of government is to enable the private sector to create jobs. I can think of no better way than to allow the private sector access to the brainpower and knowledge of those who have been trained in our universities to stay here and help create jobs.

This is a good piece of legislation. It's one of the few pieces of immigration legislation that has bipartisan support. I urge its adoption.

Mr. CONYERS. Mr. Speaker, I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. ROYCE), who is also chairman of the Foreign Affairs Terrorism Subcommittee.

Mr. ROYCE. Mr. Speaker, I urge my colleagues to support the STEM Jobs

Act. It is time to alter the current immigration system. It is time to substantially increase the proportion of new entrants with high levels of education and skills.

Today, we are educating many of the best and brightest from around the world, and then, ironically, we're sending them back to work for our competitors. This makes no sense.

□ 1630

Skilled immigrants can contribute to a rising U.S. standard of living. They bring capital, they bring ideas, and they produce new companies. With this bill, we can help grow innovation, and we can create jobs in the U.S. We've got plenty of examples of IT firms in California that are founded by immigrants from China and India that were educated in our institutions.

Let's pass this bill and help our economy grow.

Mr. SMITH of Texas. Mr. Speaker, I yield 45 seconds to the gentleman from Pennsylvania (Mr. ALTMIRE), who is a member of the Education and the Workforce Committee.

Mr. ALTMIRE. Mr. Speaker, while I would have preferred the Lofgren approach, I rise in support of the STEM Jobs Act because it's critical to keeping America competitive in the global economy. The United States has the best institutions of higher education in the world, particularly when it comes to the STEM fields.

Yet U.S. businesses frequently express concerns over the availability of qualified workers to perform jobs that are available and need to be filled once we educate and train these students for jobs. We send them back to their home countries to compete against us. This simply makes no sense.

By passing this bill, we will help ensure that the best and brightest in the world aren't working for our competitors abroad, but that America keeps that talent here at home and they play on our team instead of competing against us.

Mr. SMITH of Texas. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. LUNGREN), who is chairman of the House Administration Committee and a senior member of the Judiciary Committee.

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, let's remember where we are. Up until 1965, we had a quota system that essentially gave advantages to certain countries to get their people in here versus others.

We removed that in 1965. We went to a worldwide quota system based on the fact that everyone around the world would have an equal chance to get to the United States based on their talents and their reason for coming here.

In about 1981, there was a cry that we weren't getting enough Irish coming in here. Tip O'Neill—I recall, I was here on the floor at this time—Tip O'Neill

and Teddy Kennedy worked together to create the Diversity program that allowed anybody to apply for it at 12:01 a.m. one morning.

What do you know, only the Irish knew about it. We got essentially Irish in. That worked for a while. Then we changed it so that they and others were no longer allowed, and we only allowed certain countries in. We're going back to a quota system by country. It doesn't make sense. It ought to be a worldwide quota system.

In addition, I would just say that most African American immigrants in the U.S. do not come through the Diversity program. We have many who are engaged in the STEM program study here. Just 3,000 from Nigeria alone would be able to participate.

Mr. CONYERS. Mr. Speaker, I yield the balance of my time to the distinguished gentlewoman from California, Ms. ZOE LOFGREN.

Ms. ZOE LOFGREN of California. Mr. Speaker, I think this is a disappointing day at a time when we look for leadership on the part of the majority to bring us together. Instead, we have a partisan bill before us.

We have 54 cosponsors on the bill that we've introduced. The remarkable thing is that we have support across the entire breadth of the Democratic Caucus for STEM visas. The things that have been said about the Diversity Visa today are simply wrong.

They remind me of the warnings we got a short while ago about the "terror babies" who would somehow emerge after 21 years. It's absurd.

We need to vote against this bill, but I think we can quickly reconvene and get to the bipartisan effort that this country deserves.

Mr. SMITH of Texas. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, the STEM Jobs Act spurs economic growth and spurs job creation by enabling American employers to hire some of the best and brightest foreign students who graduate from American universities. The American public, American employers, and the high-tech community all support this bipartisan piece of legislation.

I urge my colleagues to vote for jobs, vote for innovation, and vote for economic growth. Let's put the interests of America first.

I yield back the balance of my time.

Mr. MANZULLO. Mr. Speaker, as a proud original co-sponsor of the STEM Jobs Act, I urge my colleagues to support this carefully-crafted legislation. The American economy faces many challenges today, from burdensome regulations to uncertainty over taxes. One of our biggest challenges, especially in the manufacturing sector, is the skills gap—a lack of highly trained workers with the expertise to perform certain manufacturing jobs, or a shortage of scientists and engineers to develop new technologies. Manufacturing in America relies on innovation and skill, but too many factories slow down, too many opportu-

nities are missed, and too many jobs are lost because of this skills gap. And worse, America's universities train and educate some of the most promising scientists and engineers from around the world, but our immigration laws force us to send them away to compete against American companies.

It makes no sense to educate foreign students in the fields of science, technology, engineering, and mathematics, only to send them overseas once they complete their studies. Rather than force these innovators and experts to join companies overseas to be in direct competition with American high-technology manufacturing firms, we should keep innovation and entrepreneurship here at home. The STEM Jobs Act will allow these bright minds who study at top American universities and are already in this country legally under a student visa, the option to stay and work for American companies, build our economy, and help create American jobs.

Mr. Speaker, this bill will not increase the total number of green cards offered to immigrants, and it will not allow foreign workers to take jobs that Americans are available to do. Instead, the STEM Jobs Act makes our immigration laws smarter and guarantees that these green cards are available only to fill jobs that Americans can't fill. This bill will enhance America's competitiveness in the global marketplace and will lead to the economic growth and job creation that American workers need.

Mr. BACA. Mr. Speaker, I rise today to voice my strong opposition to H.R. 6429, the misnamed STEM Jobs Act.

Make no mistake about it, this bill is designed to reduce legal immigration to the United States.

H.R. 6429 doesn't just increase STEM visas, it also eliminates the Diversity Visa program—a legal immigration program that makes visas available to immigrants from countries that have low rates of immigration to the United States.

It is wrong to force Congress to eliminate one immigration program, in an effort to support another.

This misguided legislation also eliminates rollover provisions for unused visas.

Unfortunately, H.R. 6429 lets unused visas go to waste, and forces legal immigrants to continue to suffer in long backlogs.

In addition, I have serious concerns that this legislation automatically allows for-profit and on-line schools to participate in the new STEM green card program.

It's not too late for my Republican colleagues to change course, and sit down with Democrats to work on a bipartisan bill that strengthens the STEM visa program without limiting legal immigration.

I urge my colleagues to stand in solidarity and vote "no" on this attempt to reduce legal immigration.

Ms. HIRONO. Mr. Speaker, I rise in opposition to H.R. 6429, the misnamed STEM Jobs Act of 2012.

The ability of our nation to attract the world's best and brightest has contributed greatly to the creation of American jobs and the success of American businesses large and small. However, many foreign students who graduate from our best universities in the science, technology, engineering and mathematics (STEM) fields become victims of a broken visa system. The absence of specific

visas for graduates in these critical fields has resulted in long wait times and forces many to move back home, taking their valuable skills out of the American economy. Clearly, the time has come for change.

Unfortunately, H.R. 6429 isn't the change we need. It follows the pattern of the Republicans' approach of giving with one hand while taking with the other. This bill would create STEM visas at the expense of eliminating the Diversity Visa Program. Diversity visas provide a legal path for people from countries with low rates of immigration to the United States. Half the recipients are from Africa and almost a third are from Asia.

Democrats and Republicans agree that we should establish a STEM visa program, but unfortunately Republicans inserted a poison pill in this bill that guarantees it will not pass. It is also clear that the Senate will not take up the bill with this provision included.

We in Hawaii know that diversity is a strength. Hawaii has been enriched by the diverse immigrants who call it home, hailing from places like the Philippines, Japan, Samoa, Portugal, and around the Pacific Rim. While I believe we should be looking for ways to encourage the best and brightest to come to our shores and create American jobs, we don't need to do it at the expense of the Diversity Visa Program.

As an immigrant, I know the promise America offers and the hopes of those who come to our shores seeking a better life. That's why I support efforts to improve our immigration system and encourage those with needed skills to come and work for our businesses. Furthermore, a strong economic foundation depends on a world class American education system that prepares the young people of our country to compete in the STEM fields. I am convinced we can find a way to come together to create a fair STEM Visa Program and to strengthen our STEM education so more Americans can get these jobs.

H.R. 6429 is a flawed bill, and I urge my colleagues to oppose it.

Mr. VAN HOLLEN. Mr. Speaker, I rise in opposition to H.R. 6429, an unnecessarily partisan bill to increase the number of visas for foreign students graduating with advanced degrees in science, technology, engineering, and mathematics (STEM). While I strongly believe we should increase the number of visas for these students, I oppose this bill because it eliminates the Diversity Visa Program. There is broad bipartisan support to increase the number of STEM visas. It is unfortunate that the Republican Leadership brought this bill to the floor. President Obama highlighted his support for increasing the number of STEM visas in his 2012 State of the Union Address, when he stated that it made no sense to train foreign students with advanced STEM degrees and then "send them home to invent new products and create new jobs somewhere else." I wish the Republican Leadership would have brought to the floor a bill introduced by Rep. ZOE LOFGREN to increase the number of STEM visas without eliminating the Diversity Visas Program. I support that legislation.

Ms. ESHOO. Mr. Speaker, I rise in opposition to H.R. 6429, the STEM Jobs Act.

Our Nation should be first in the world in science, technology, engineering and math.

I'm pleased that we are in agreement on the urgency of this goal. However, this legislation has two big problems which are highly detrimental to our mutual goal.

The first problem is that this legislation takes unnecessary, unfair steps to reduce legal immigration, such as cutting the Diversity Program. The Diversity Program is one of the few existing pathways for African applicants to enter our Nation legally. Cutting this program will not enhance our Nation's STEM competitiveness.

The second problem is that this legislation allows American employers to pay inferior wages to foreign STEM graduates—forcing American workers to compete on an unlevel playing field.

We can do better than the STEM Jobs Act. Representative LOFGREN's legislation, the Attracting the Best and Brightest Act, ensures that students who earn advanced STEM degrees in America stay in America and contribute to our Nation's prosperity. It creates a new visa category for applicants with advanced STEM degrees, and importantly, takes steps to protect the wages of Americans—a consideration which absolutely must be taken into account.

The Attracting the Best and Brightest Act does not contain the harmful immigration provisions of the STEM Jobs Act. Rather, it represents a commonsense solution to a very real problem.

I am pleased that Republicans, Democrats, and the Administration all agree we should do more to ensure that our Nation benefits from the talents, skills, and ideas of our advanced STEM graduates. However, the STEM Jobs Act legislation takes the wrong approach, and I regrettably urge my colleagues to oppose it.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 6429.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. CONYERS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order: passage of House Joint Resolution 118; the motion to suspend the rules and pass H.R. 6429; and the motion to suspend the rules and pass H.R. 5987.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

DISAPPROVING RULE RELATING TO WAIVER AND EXPENDITURE AUTHORITY WITH RESPECT TO THE TEMPORARY ASSISTANCE FOR NEEDY FAMILIES PROGRAM

The SPEAKER pro tempore. The unfinished business is the vote on passage of the joint resolution (H.J. Res. 118) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Office of Family Assistance of the Administration for Children and Families of the Department of Health and Human Services relating to waiver and expenditure authority under section 1115 of the Social Security Act (42 U.S.C. 1315) with respect to the Temporary Assistance for Needy Families program, on which the yeas and nays were ordered.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. The question is on the passage of the joint resolution.

The vote was taken by electronic device, and there were—yeas 250, nays 164, not voting 15, as follows:

[Roll No. 589]

YEAS—250

Adams	Dent	Hultgren
Aderholt	DesJarlais	Hunter
Alexander	Diaz-Balart	Hurt
Amash	Dold	Issa
Amodel	Donnelly (IN)	Johnson (IL)
Austria	Dreier	Johnson (OH)
Bachmann	Duffy	Johnson, Sam
Bachus	Duncan (SC)	Jones
Barber	Duncan (TN)	Jordan
Barletta	Ellmers	Kelly
Barrow	Emerson	King (IA)
Bartlett	Farenthold	King (NY)
Barton (TX)	Fincher	Kingston
Bass (NH)	Fitzpatrick	Kinzing (IL)
Benishek	Flake	Kissell
Berg	Fleischmann	Kline
Biggart	Fleming	Labrador
Bilbray	Flores	Lamborn
Bilirakis	Forbes	Lance
Bishop (UT)	Fortenberry	Landry
Black	Fox	Lankford
Blackburn	Franks (AZ)	Latham
Bonner	Frelinghuysen	LaTourette
Bono Mack	Garamendi	Latta
Boren	Gardner	Lewis (CA)
Boswell	Garrett	Lipinski
Boustany	Gerlach	LoBiondo
Brady (TX)	Gibbs	Loeb sack
Brooks	Gibson	Long
Broun (GA)	Gingrey (GA)	Lucas
Buchanan	Gohmert	Luetkemeyer
Buchson	Goodlatte	Lummis
Buerkle	Gosar	Lun gren, Daniel
Burgess	Gowdy	E.
Burton (IN)	Graves (GA)	Lynch
Calvert	Graves (MO)	Manzullo
Camp	Griffin (AR)	Marchant
Campbell	Griffith (VA)	Marino
Canseco	Grimm	Matheson
Cantor	Guinta	McCarthy (CA)
Capito	Guthrie	McCaul
Carter	Hall	McClintock
Cassidy	Hanna	McHenry
Chabot	Harper	McIntyre
Chaffetz	Harris	McKeon
Chandler	Hartzler	McKinley
Coble	Hastings (WA)	McMorris
Coffman (CO)	Hayworth	Rodgers
Cole	Heck	McNerney
Conaway	Hensarling	Meehan
Cravaack	Herger	Mica
Crawford	Herrera Beutler	Michaud
Crenshaw	Hochul	Miller (FL)
Culberson	Huelskamp	Miller (MI)
Denham	Huizenga (MI)	Miller, Gary

Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paul
Paulsen
Pearce
Pence
Peterson
Petri
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell

NAYS—164

Ackerman
Altmire
Andrews
Baca
Baldwin
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah

NOT VOTING—15

Akin
Davis (IL)
Filner
Gallegly
Granger

Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)

Smith (TX)
Southernland
Stearns
Stivers
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

Pallone
Pascarell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schradler
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Slaughter
Smith (WA)
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

Ross (AR)
Schmidt
Mack
Sullivan
Towns

□ 1656

Messrs. COURTNEY and CRITZ changed their vote from “yea” to “nay.”

Mr. LYNCH changed his vote from “nay” to “yea.”

So the joint resolution was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. MACK. Mr. Speaker, on rollcall No. 589 I was unavoidably detained. Had I been present, I would have voted “yea.”

Mr. PLATTS. Mr. Speaker, on rollcall No. 589 I was inadvertently delayed in an official meeting and arrived on the House floor after the vote had been closed. Had I been present, I would have voted “yea.”

Stated against:

Mr. FILNER. Mr. Speaker, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted “nay.”

STEM JOBS ACT OF 2012

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 6429) to amend the Immigration and Nationality Act to promote innovation, investment, and research in the United States, to eliminate the diversity immigrant program, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. SMITH) that the House suspend the rules and pass the bill.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 257, nays 158, not voting 14, as follows:

[Roll No. 590]

YEAS—257

Adams
Aderholt
Alexander
Altmire
Amash
Amodei
Austria
Bachmann
Bachus
Barber
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishak
Berg
Berman
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (TX)

DeFazio
Dent
DesJarlais
Diaz-Balart
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)

Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Himes
Hochul
Huelskamp
Huizenga (MI)
Hunter
Hurt
Issa
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jordan
Kelly
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
Lipinski
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.

Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCauley
McClintock
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
McNerney
Meehan
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Moran
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Rahall
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)

NAYS—158

Ackerman
Andrews
Baca
Baldwin
Bass (CA)
Becerra
Berkley
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carson (IN)
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Connolly (VA)
Conyers
Costa
Costello
Courtney
Critz
Crowley
Cummings
Davis (CA)

DeGette
DeLauro
Denham
Deutch
Dicks
Dingell
Doggett
Dold
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Frank (MA)
Fudge
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanabusa
Hastings (FL)
Hastings (WA)
Heinrich
Higgins
Hinchey
Hinojosa
Hirono
Holden
Holt
Honda
Hoyer
Israel

Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ruppersberger
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Smith (NE)
Smith (NJ)
Smith (TX)
Southernland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Tonko
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

Jackson Lee
(TX)
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kildee
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Loebach
Lofgren, Zoe
Lowey
Lujan
Lynch
Maloney
Markley
Matsui
McCarthy (NY)
McCormack
McDermott
McGovern
Meeks
Miller (NC)
Miller, George
Moore
Nadler
Napolitano
Neal
Oliver
Owens

Pallone	Ryan (OH)	Sutton	Doggett	Lamborn	Price (NC)	Moore	Rohrabacher	Thompson (CA)
Pascarell	Sánchez, Linda	Thompson (CA)	Dold	Lance	Quigley	Mulvaney	Rokita	Thompson (MS)
Pastor (AZ)	T.	Thompson (MS)	Donnelly (IN)	Langevin	Rahall	Murphy (PA)	Rooney	Thompson (PA)
Pelosi	Sanchez, Loretta	Tierney	Dreier	Larsen (WA)	Rehberg	Napolitano	Ross (FL)	Tiberi
Perlmutter	Sarbanes	Tsongas	Duncan (TN)	Larson (CT)	Reichert	Neal	Royce	Tonko
Peters	Schakowsky	Van Hollen	Elmers	Latham	Reyes	Neugebauer	Rush	Tsongas
Pingree (ME)	Schiff	Velázquez	Engel	LaTourette	Rigell	Nugent	Ryan (OH)	Turner (NY)
Polis	Schrader	Visclosky	Eshoo	Levin	Rivera	Olson	Sanchez, Loretta	Upton
Price (NC)	Schwartz	Walz (MN)	Farr	Lewis (CA)	Roby	Oliver	Scalise	Velázquez
Quigley	Scott (VA)	Wasserman	Fattah	Lipinski	Roe (TN)	Palazzo	Schakowsky	Visclosky
Rangel	Scott, David	Schultz	Fincher	Loeb sack	Rogers (AL)	Paul	Schmidt	Walberg
Reyes	Serrano	Watt	Fitzpatrick	Lowe	Rogers (KY)	Pence	Schweikert	Walsh (IL)
Richardson	Sewell	Waxman	Fleischmann	Lucas	Ros-Lehtinen	Petri	Scott (SC)	Waters
Richmond	Sherman	Welch	Fleming	Luetkemeyer	Roskam	Pingree (ME)	Scott (VA)	Watt
Rogers (KY)	Sires	Wilson (FL)	Flores	Luján	Rothman (NJ)	Poe (TX)	Scott, Austin	Webster
Rothman (NJ)	Slaughter	Woolsey	Forbes	Lungren, Daniel	Roybal-Allard	Polis	Scott, David	West
Roybal-Allard	Smith (WA)	Yarmuth	Fortenberry	E.	Runyan	Pompeo	Sensenbrenner	Westmoreland
Rush	Stark		Frank (MA)	Lynch	Ruppersberger	Price (GA)	Sewell	Whitfield
			Frelinghuysen	Maloney	Sánchez, Linda	Quayle	Sherman	Wittman
			Fudge	Marino	T.	Rangel	Shuster	Woolsey
			Gardner	Markey	Sarbanes	Reed	Smith (NJ)	Yarmuth
			Garrett	Matheson	Schiff	Renacci	Southerland	Yoder
			Gingrey (GA)	McCarthy (NY)	Schilling	Ribble	Stark	Young (AK)
			Gonzalez	McCaul	Schock	Richardson	Stivers	Young (IN)
			Gosar	McClintock	Schrader	Richmond	Stutzman	
			Graves (MO)	McHenry	Schwartz	Rogers (MI)	Sullivan	
			Green, Gene	McIntyre	Sessions			
			Grijalva	McKeon	Shimkus			
			Grimm	McKinley	Shuler			
			Guinta	McMorris	Simpson			
			Guthrie	Rodgers	Sires			
			Hahn	McNerney	Slaughter			
			Hall	Mica	Smith (NE)			
			Harper	Michaud	Smith (TX)			
			Harris	Miller (MI)	Smith (WA)			
			Hastings (WA)	Miller (NC)	Stearns			
			Hayworth	Miller, Gary	Sutton			
			Heck	Miller, George	Terry			
			Heinrich	Moran	Thornberry			
			Higgins	Murphy (CT)	Tierney			
			Himes	Myrick	Tipton			
			Hinojosa	Nadler	Turner (OH)			
			Hochul	Noem	Van Hollen			
			Holden	Nunes	Walden			
			Holt	Nunnelee	Walz (MN)			
			Hoyer	Owens	Wasserman			
			Israel	Pallone	Schultz			
			Issa	Pascarell	Waxman			
			Johnson (IL)	Pastor (AZ)	Welch			
			Johnson, Sam	Paulsen	Wilson (FL)			
			Kaptur	Pearce	Wilson (SC)			
			Keating	Pelosi	Wolf			
			Kildee	Perlmutter	Womack			
			Kind	Peters	Woodall			
			King (IA)	Peterson	Young (FL)			
			Kinzinger (IL)	Pitts				
			Kissell	Platts				
			Kline	Posey				

NOT VOTING—14

Akin	Hultgren	Simpson
Davis (IL)	Jackson (IL)	Speier
Filner	Jenkins	Towns
Gallegly	Ross (AR)	Waters
Granger	Shuster	

□ 1703

So (two-thirds not being in the affirmative) the motion was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Mr. Speaker, on rollcall 590, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted “nay.”

MANHATTAN PROJECT NATIONAL HISTORICAL PARK ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 5987) to establish the Manhattan Project National Historical Park in Oak Ridge, Tennessee, Los Alamos, New Mexico, and Hanford, Washington, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Washington (Mr. HASTINGS) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 237, nays 180, not voting 12, as follows:

[Roll No. 591]

YEAS—237

Aderholt	Bono Mack	Clarke (MI)
Amodei	Boren	Coble
Andrews	Boswell	Cole
Baca	Brady (PA)	Conaway
Bachmann	Braley (IA)	Connolly (VA)
Bachus	Buchanan	Cooper
Baldwin	Buerkle	Costa
Barber	Burton (IN)	Costello
Barrow	Butterfield	Courtney
Barton (TX)	Calvert	Cravaack
Bass (NH)	Campbell	Crawford
Becerra	Canseco	Crenshaw
Berg	Cantor	Critz
Berkley	Capito	Crowley
Berman	Capps	Cuellar
Biggert	Capuano	Culberson
Bilirakis	Carnahan	DeLauro
Bishop (GA)	Carney	Denham
Bishop (UT)	Carson (IN)	DesJarlais
Black	Carter	Deutch
Blackburn	Castor (FL)	Diaz-Balart
Bonamici	Chandler	Dicks
Bonner	Cicilline	Dingell

Ackerman	DeFazio	Huelskamp
Adams	DeGette	Huizenga (MI)
Alexander	Dent	Hultgren
Altmire	Doyle	Hunter
Amash	Duffy	Hurt
Austria	Duncan (SC)	Jackson Lee
Barletta	Edwards	(TX)
Bartlett	Ellison	Johnson (OH)
Bass (CA)	Emerson	Johnson, E. B.
Benishak	Farenthold	Jordan
Bilbray	Flake	Kelly
Bishop (NY)	Foxx	King (NY)
Blumenauer	Franks (AZ)	Kingston
Boustany	Garamendi	Kucinich
Brady (TX)	Gerlach	Labrador
Brooks	Gibbs	Landry
Broun (GA)	Gibson	Lankford
Brown (FL)	Gohmert	Latta
Bucshon	Goodlatte	Lee (CA)
Burgess	Gowdy	Lewis (GA)
Camp	Graves (GA)	LoBiondo
Cassidy	Green, Al	Lofgren, Zoe
Chabot	Griffin (AR)	Long
Chaffetz	Griffith (VA)	Lummis
Chu	Gutierrez	Mack
Clarke (NY)	Hanabusa	Manzullo
Clay	Hanna	Marchant
Cleaver	Hartzler	Matsui
Clyburn	Hastings (FL)	McCarthy (CA)
Coffman (CO)	Hensarling	McCollum
Cohen	Herger	McDermott
Conyers	Herrera Beutler	McGovern
Cummings	Hinchee	Meehan
Davis (CA)	Hirono	Meeks
Davis (IL)	Honda	Miller (FL)

NAYS—180

NOT VOTING—12

Akin	Jackson (IL)	Ross (AR)
Filner	Jenkins	Ryan (WI)
Gallegly	Johnson (GA)	Speier
Granger	Jones	Towns

□ 1711

Messrs. OLSON, SCOTT of South Carolina, Ms. SEWELL and Mr. DUFFY changed their vote from “yea” to “nay.”

So (two-thirds not being in the affirmative) the motion was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Speaker, on rollcall 591, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted “yea.”

STOP THE WAR ON COAL ACT OF 2012

GENERAL LEAVE

Mr. HASTINGS of Washington. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill, H.R. 3409.

The SPEAKER pro tempore (Mr. WESTMORELAND). Is there objection to the request of the gentleman from Washington?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 788 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 3409.

The Chair appoints the gentleman from Ohio (Mr. LATOURETTE) to preside over the Committee of the Whole.

□ 1716

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 3409) to limit the authority of the Secretary of the Interior to issue regulations before December 31, 2013, under the Surface

Mining Control and Reclamation Act of 1977, with Mr. LATOURETTE in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

General debate shall be confined to the bill and amendments specified in House Resolution 788 and shall not exceed 1 hour equally divided among and controlled by the chair and ranking minority member of the Committee on Natural Resources, the chair and ranking minority of the Committee on Energy and Commerce, and the chair and ranking minority member of the Committee on Transportation and Infrastructure.

The gentleman from Washington (Mr. HASTINGS), the gentleman from Massachusetts (Mr. MARKEY), the gentleman from Michigan (Mr. UPTON), the gentleman from California (Mr. WAXMAN), the gentleman from Florida (Mr. MICA), and the gentleman from West Virginia (Mr. RAHALL) each will control 10 minutes.

The Chair recognizes the gentleman from Washington (Mr. HASTINGS).

Mr. HASTINGS of Washington. I yield myself as much time as I may consume.

Mr. Chairman, in his 2008 campaign, President Obama plainly declared the policies he supports would bankrupt American coal production. Since taking office, the Obama administration has waged a multi-front war on coal, on coal jobs, on the small businesses in the mining supply chain, and on the low cost energy that millions of Americans rely on.

Mr. Chairman, amazingly the Obama administration has repeatedly tried to deny that they've launched a war on coal, yet the facts are stubborn things. Just this week, Alpha Natural Resources announced the closure of 8 coal mines that will cost over 1,200 good-paying jobs. Aggressive regulations were specifically cited by the company for the closure of these mines.

New regulations opposed by the Obama EPA threaten to shut down the Navajo Generating Station, a coal-fired power plant in Arizona. This would cost hundreds of jobs and eliminate millions of dollars in revenue for Navajo tribal economic development, education, and basic services.

□ 1720

These lost jobs aren't random events. They are the direct result of the policies and actions of the Obama administration. These are the outcomes of their regulatory war on coal.

For more than a year and a half, the Natural Resources Committee has been aggressively investigating one of the Obama administration's most covert but outrageous fronts in this war—a decision by the Interior Department to rapidly rewrite a regulation governing coal mining near streams.

Within days of taking office, the Obama administration simply threw out the Stream Buffer Zone Rule that had undergone 5 years of environmental analysis and public review. They used a short-circuited process to hire a contractor to write this new regulation. When the news media revealed the official analysis of this rewrite and of the new Obama regulation showing that it would cost 7,000 jobs and cause economic harm in 22 States, the administration fired the contractor and continued to charged ahead.

To date, the committee's investigation has exposed gross mismanagement of the rulemaking process, potential political interference, and the widespread economic harm this regulation would cause. The Interior Department refuses to comply with congressional subpoenas to produce documents and information that would fully reveal how and why this regulation was being rewritten. An interim report by the committee was issued today that details the specific findings and information uncovered in this investigation. The report is available at the committee's Web site at naturalresources.house.gov.

Mr. Chairman, it's not a matter of if the new Obama regulation will be imposed, but when. Television cameras overheard President Obama whispering to the Russian Prime Minister that he will have more flexibility after the election. It doesn't take a canary in the coal mine—no pun intended—to figure out the Interior Department's new Stream Buffer Zone regulation on coal is being held back and concealed until after the November election, which is when this President would have more flexibility to unleash its job-destroying impacts.

That's why Congress must act now to stop this. This new regulation must be halted. Title I of today's bill, the Stop the War on Coal Act, is authored by our colleague from Ohio (Mr. JOHNSON), and it prohibits the Obama administration from issuing this new regulation. It allows time to responsibly undertake an open, transparent rulemaking that fairly accounts for job and economic impacts.

President Obama's war on coal is real. The lost jobs are already happening, and thousands more are at risk. Americans' energy costs are already too high, and the war on coal will drive them even higher. So I urge my colleagues on both sides of the aisle and from all regions in the country to support this bill and to stop these red tape attacks on American jobs and on American-made energy.

With that, I reserve the balance of my time.

Mr. MARKEY. Mr. Chairman, I yield myself such time as I may consume.

I rise in opposition to this bill. The Republicans are saying that there is a war on coal, but the only battle coal is

losing is in the free market—to natural gas, to wind and to solar. Just 4 years ago, coal generated 51 percent of the electricity in the United States. Now it is down to 35 percent. When you add up hydropower, the renewables, natural gas, and the other gases, you get 44 percent of our electricity sector.

Just like Governor Romney says he has given up on 47 percent of Americans, the House Republicans have given up on 44 percent of our electricity sector. Just like their politics grips tightly to the past, their energy policies hold fast to the energy technologies and the fuels of yesterday, like coal and oil.

The free market has been replacing coal with natural gas, which has grown from 21 percent of our electricity generation back in 2005 and 2006, and has now risen to 30 percent of all electrical generation in the United States. Natural gas. It's not a war, it's a revolution. What has happened is, simultaneously, coal has come down to 35 percent. Surprising, isn't it? The numbers look like they match up pretty perfectly, especially if you add up the rise from 1 percent to 4 percent of the electricity in the United States which has been generated by wind over the last 5 years. That's what's happening, ladies and gentlemen.

All the rest of this I don't understand, to be honest with you. It's almost like the Republicans are rejecting the free market as it is now operating as the country is moving to natural gas. I understand the coal State Members have to stand up and defend this change in the marketplace, but I don't understand why my other Republican friends would reject those free market principles.

Why is this switch from coal to natural gas happening? It's because natural gas is cheaper. Natural gas prices have decreased by 66 percent since 2008. It is cheaper to produce new electricity from natural gas than from coal. This isn't a conspiracy—it is a competition—but Republicans say that there is a war on coal. Well, in a market sense, that war is now being won. When I was a boy, I had to go down into the basement with my father to shovel the coal. That's how we kept our house warm. Then my mother said let's move to home heating oil, and so my father had the home heating oil come. That was a revolution. And now there is another revolution going on.

Up in the Northeast, for example, because of the low price of natural gas, 1.4 million Northeast households have switched from oil to natural gas over the last decade. And why is that? Again, it costs \$2,238 to heat your home through the winter with home heating oil, and it costs \$629 to heat your home with natural gas. That's why they're switching. The same thing is happening in the petrochemical industry. They're switching from oil over to natural gas.

In the fertilizer industry, they're switching from oil over to natural gas. The price is low. They are moving in that direction. That's the larger story that is occurring—the natural gas revolution in the United States of America.

So, ladies and gentlemen, I just urge all of you to understand that this is not the Obama administration in a war against coal. That is not what is going on. There is a paranoia-inducing, Darwinian marketplace revolution that is taking place—led by natural gas, followed by wind—that is changing the makeup of the electricity marketplace in our country. Only when you understand and admit this will we be able to have a real debate out here, because all the rest of this is really just meant to be political, in order to harm the President in the election of 2012, when the real harm to coal is being done in the marketplace.

I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I am very pleased to yield 2 minutes to the chairman of the House Appropriations Committee, the gentleman from Kentucky (Mr. ROGERS).

Mr. ROGERS of Kentucky. I thank the chairman for yielding.

During his 2008 election campaign, President Obama had the audacity to set an energy goal to bankrupt the coal industry. Unfortunately, this is one promise the President is keeping. Coal mines are closing, miners are being sent home—our strategic energy advantage thrown away for windmills and Solyndras.

Mr. Chairman, I know miners. Day in and day out, they make real personal sacrifices—often doing difficult and, at times, dangerous jobs—not only to look out for their families but to keep our homes lit, to support their local churches, to keep our local businesses flourishing, and to help the American economy. Coal is not America's energy problem; it is America's energy solution.

Sadly, for the last 3 years, this administration has brought forth an onslaught of job-killing regulations, overstepped authority—three times condemned by the Federal court, and deadlocked the mine permitting process—all with the thinly veiled purpose of driving coal from the energy marketplace.

In Kentucky, the results are in. In my region, more than 2,000 coal miners have lost their jobs this year, and dozens of local support businesses are downsizing as a result.

□ 1730

The story is the same in Virginia, West Virginia, and Pennsylvania, where last week, 1,200 more workers were given pink slips. It's time for this to stop, Mr. Chairman. This war on coal is real. It threatens the way of life of these small town communities with

rich legacies and real people, our countrymen.

Mr. Chairman, I'm proud to stand in support of coal miners and coal communities and support the Stop the War on Coal Act, H.R. 3409. It sends a clear message that the Obama policies are wrongheaded not only for coal, but for our country.

I urge passage to put coal miners back to work.

Mr. MARKEY. I yield the remainder of our time to the gentleman from New Jersey (Mr. HOLT).

Mr. HOLT. Mr. Chairman, I thank my colleague, the ranking member on the committee.

This Republican-led House has already cast 302—soon to be more—anti-environmental votes in this Congress. In our last week in session before the election in November, our eighth day in session since the beginning of August, the majority now wants to use this precious time when we should be dealing with the Nation's economic problems. Instead, we are planning to consider legislation on the floor that will add to this total of anti-environmental votes.

No, there is no war on coal, not by the Obama administration or anyone else. Mr. MARKEY has explained the market forces at work. But there clearly has been a concerted effort. One out of every five votes we've taken in this Congress has been to reduce protections on our air, on our water, on our open spaces, et cetera.

This bill includes a coal ash title that endangers the health and safety of thousands of communities, provisions that would increase the levels of toxic mercury, lead, and cancer-causing toxins in the air and water. There are provisions in this bill that gut the Clean Air Act.

Why the House would waste precious time debating these bills and voting on them once again is a mystery to me and I think must be a mystery to anyone who is observing the behavior of this House of Representatives. It only underscores the fact that the House Republican majority is more focused on passing message bills than addressing the real issues that face our Nation.

The remaining new title of this bill consists of a bill that was approved in the Resources Committee back in February. It purports to halt an ongoing effort by the Obama administration to rewrite a so-called "midnight regulation" that was adopted by the Bush administration on mountaintop removal mining. This Bush midnight mountaintop removal rule weakened a Reagan-era regulation by increasing the ability of the mining companies to dump mining waste in streams. Yes, believe it or not, they want to weaken those protections. It's another provision of this bill before us today.

The Obama administration has signaled that it intends to revise the Bush

administration regulation to better protect local communities, to better protect public health, to better protect the water. However, this effort is only at the very early stages, and the Obama administration has not even issued a proposed rule. This is unnecessary, going in the wrong direction, and weakening environmental protections for this country.

Those are reasons enough to oppose this bill.

Mr. HASTINGS of Washington. Mr. Chairman, how much time is remaining on both sides?

The CHAIR. The gentleman from Washington has 3½ minutes, and the gentleman from Massachusetts has 1½ minutes.

Mr. HASTINGS of Washington. I would be more than happy to yield 3 minutes to the author of the legislation that is encompassed in title I of this bill, the gentleman from Ohio (Mr. JOHNSON).

Mr. JOHNSON of Ohio. Mr. Chairman, I thank the chairman for yielding me the time.

My colleague just commented on the Bush administration's rewrite of the Stream Buffer Zone rule that took 5 years. He qualified that as a "midnight rewrite." My goodness, that was a really long night. It took 5 years to do it.

Today, I rise in strong support of legislation that I've sponsored to stop the administration's job-destroying war on coal. This legislation is in direct response to the President's ongoing rewrite of the Stream Buffer Zone rule, a rule that, according to the administration's own estimates, would cost at least 7,000 direct jobs and potentially tens of thousands of direct and indirect jobs.

Mere days after assuming office, President Obama set out to rewrite this rule that will cost tens of thousands of jobs, cut coal production by up to 50 percent in America, and cause electricity rates to skyrocket even higher than the President has already pushed them.

As we all know, the average utility bill for the middle class has risen over \$300 a year because of this President's radical environmental policies. The last thing the middle class needs is their utility bills to go even higher. However, if the story ended there, it would be bad enough, but it doesn't end there. It actually gets much worse.

The President's administration has deliberately tried to hide the truth about the cost of this rule to the American public. In fact, a Presidential appointee asked the contractors working on the rule to lie about the job loss numbers so the administration could convince the American public that this rule was good public policy. Thankfully, the contractors were men and women of character and would not lie for the administration. The President's administration then fired those contractors.

The Natural Resources Committee has subpoenaed the administration for documents and audio recordings relating to the rule. Not surprisingly, as we have seen many times before, the President has failed to live up to his campaign promise of leading the most open and transparent government ever, because he has not allowed the administration to turn over the documents that we've asked for because he knows they will hurt his reelection prospects.

This legislation is not about a sloppy and unethical rules process. This legislation is about saving tens of thousands of jobs for hardworking Americans, and it's about providing reliable and affordable energy resources for hardworking taxpayers and businesses all across America.

Throughout the country, hardworking coal miners and utility plant workers are losing their jobs because of this President's radical environmental policies. Just this week, hundreds of coal miners were told they would lose their jobs because of the President's anticoal stance. Just today, a utility company announced that they would close a coal-fired power plant and hundreds more workers would lose their jobs. These job losses are in addition to the thousands of Ohioans in eastern and southeastern Ohio that have lost their jobs because of the President's radical policies.

The CHAIR. The time of the gentleman has expired.

Mr. HASTINGS of Washington. I yield the gentleman an additional 15 seconds.

Mr. JOHNSON of Ohio. This legislation will bring a stop to the administration's war on coal by not only stopping the job-destroying rewrite of the Stream Buffer Zone rule, but it also contains four bipartisan bills that have already been passed through the House.

I urge all of my colleagues to support this job-saving legislation.

Mr. MARKEY. Mr. Chair, I yield the balance of my time to the gentleman from New Jersey (Mr. HOLT).

Mr. HOLT. I thank the gentleman from Massachusetts.

Mr. Chairman, this legislation is drafted so broadly that it's likely to cause real damage. It would prevent the Interior Department from issuing nearly any new regulation under the Surface Mining Control and Reclamation Act. The bill would prevent the Interior Department from undertaking any of a number of actions that it is considering to ensure that mining operations are safe for the workers and for the public and for our environment. I filed an amendment to narrow the scope of this title, but the majority would not make it in order.

Furthermore, H.R. 3409 would completely paralyze the Office of Surface Mining, which is responsible for protecting the citizens and workers, and we should not limit this agency when it comes to worker safety.

□ 1740

This bill would threaten public health by blocking the critical Clean Air Act regulations that limit dangerous air pollutants, as I said earlier, including mercury in the air that we breathe.

This is an irresponsible bill; it is unnecessary. We have important work to do to shore up this economy and to create jobs. Why in the world we are doing this is beyond anybody's reasonable explanation.

Mr. HASTINGS of Washington. I yield myself the balance of my time, and I will do my best to capsulize.

Mr. Chairman, it was the President, when he was a candidate, that said that his policies, if enacted, would cost coal jobs.

For nearly 4 years we have seen evidence of that, and the latest example of that was when Alpha Coal Company laid off 1,200 people, citing the regulations that the President said he would promulgate. This is a good bill. I urge its adoption.

I yield back the balance of my time.

Mr. WHITFIELD. Mr. Chairman, I yield myself such time as I may consume.

I am going to say that I'm a little bit shocked that people would be so critical of this bill and saying that this bill is not important.

All of us know that President Obama, when he was running for President, made the comment that if he was elected President, you could build a coal-power plant, but he would bankrupt the industry.

Our friends on the other side of the aisle say, well, coal is having problems today because natural gas prices are going down. Let's let the free market work, and coal is losing out because of these natural gas prices.

The truth of the matter is, if natural gas prices were higher than they had been in the history of America, under this administration, if they finalize the greenhouse gas regulation, you cannot build a new coal-powered plant in America. One of the things that this bill does is it simply says, no, you're not going to regulate the greenhouse gases with this regulation.

The second thing that it does is this administration has been more aggressive than any in recent history on regulating the coal industry. The second thing that we do is we simply require the Department of Commerce to lead an interagency committee that will complete analysis of key EPA rules and regulations and the impact that they have on jobs in America, on our ability to compete in the global marketplace, on the energy prices, on energy reliability, and on the benefits.

What is so radical about that? An interagency task force to simply examine the cost of this cumulation of the impact of the regulations on energy prices, impact on global competitive-

ness, impact on energy reliability. What is so radical about that?

Then, finally, the third thing that it does is we say we're going to establish minimum Federal requirements for the management of coal ash. Coal ash has been used in America for 50 years or more to build highways and to be used in concrete. All we're saying is we're going to set a minimum Federal standard, and we're going to let the States enforce it through enforceable permits. Then EPA can get into the action if they want to if the State fails to act.

I don't view this as anything radical. If you go to any coal mine today, and you tell people that work in those coal mines that this administration is not harming their ability to work, I think you would be facing a losing argument.

One of the things that upsets me most about all these regulations is that when Lisa Jackson comes to testify, she talks about all of the benefits from a health perspective. I would be the first to acknowledge our air today is cleaner than it has ever been and all of us can take pleasure in that and feel very proud about the effectiveness that the Clean Air Act has given us.

The important thing today is to recognize that there are diminishing returns in these additional regulations.

If you look at the cost to the coal miner and his family when they lose their health care, the EPA does not look at the impact that that will have, the costs that that will have to society; but they look at models, and they determine that maybe next year they're going to prevent 1 million people from having asthma, which is quite subjective.

This is a reasonable piece of legislation that simply tries to slow down EPA, particularly at a time when our economy is weak, when we're trying to create jobs, not lose jobs, and when we're trying to be and remain competitive in the global marketplace with countries like China that are stepping up the use of their coal when we're sitting here with a 225-year reserve of coal.

I reserve the balance of my time.

Mr. WAXMAN. Mr. Chairman, I yield myself such time as I may consume.

Over the past 2 years, this Republican House has amassed the most anti-environment record in the history of Congress.

During this period, the Republican House has voted more than 300 times on the floor to weaken long-standing public health and environmental protections, block important environmental standards, and even halt environmental research. It's an appalling record.

I remember a time when there was bipartisan support for protecting the environment. Some of our best allies were Republicans like former Science Committee Chairman Sherwood Boehlert. It would have been unthinkable

then to bring a bill that eviscerates the Clean Air Act and the Clean Water Act to the floor. But those days are apparently over.

Our last order of business before the election in 2012 is this bill, H.R. 3409. This is the single worst anti-environment bill to be considered during the most anti-environment House of Representatives in history. Under the guise of protecting coal mining jobs, House Republicans have resurrected their most extreme anti-environmental bills.

This new Frankenstein legislation is a sweeping attack on environmental protections, many of which had nothing to do with coal. It's an all-out assault on America's bedrock environmental protections.

Since 1970, when Richard Nixon was the President of the United States, the U.S. has had a national policy that air should be safe enough for people to breathe. The Republican bill that we're considering today would overturn this policy and cut the heart out of the Clean Air Act by allowing air quality standards to be set on the basis of polluter profits rather than health. This would reverse decades of progress in cleaning up our air. The gentleman that just last spoke on the floor said it was great, he likes the fact that we have cleaner air, but enough is enough.

□ 1750

The standards that we see being changed would no longer be based on health.

The bill also nullifies EPA's rules to require power plants to finally reduce their emissions of toxic mercury, which can cause brain damage and learning disabilities in infants and children. Blocking reductions in toxic air pollution means more heart attacks, more asthma attacks, more emergency room visits, and more premature deaths. Well, we've had enough of those kinds of clean air. Why have we've got to go backwards and allow toxic pollution to do harm to so many people?

But the bill doesn't stop there. It would overturn the Obama administration's historic vehicle fuel efficiency and carbon pollution standards. These standards are supported by the auto industry because they provide the industry with regulatory certainty and a single, national program. The standards will boost our energy independence by saving over 2 million barrels of oil a day. They will save consumers thousands of dollars at the pump over the life of a vehicle. The savings to American consumers will be equivalent to lowering gasoline prices by \$1 per gallon.

These standards that the Republican bill would overturn are a victory for the auto industry, consumers, and the environment. They have nothing to do with coal. But House Republicans are targeting them anyway.

The legislation would prohibit EPA from taking any action to reduce dangerous carbon pollution. It codifies climate science denial by overturning EPA's scientific finding that carbon pollution endangers health and welfare. The premise of title II of this bill is that climate change is a hoax. The bill even eliminates the existing requirement that oil refineries, chemical plants, and other large polluters disclose how much carbon pollution they are releasing.

The signs that climate change is already occurring are all around us. The recent wildfires, drought, and heat waves are exactly the types of extreme weather events that scientists have been predicting for years. The House Republican solution to the greatest environmental challenge of our time is to bury their heads in the sand and pretend it isn't happening. And they call this bill a moderate, not extreme, one.

This assault on the Nation's environmental laws will be the last order of business before the House adjourns for the election. It won't go anywhere in the Senate. It is a partisan, political bill that is distracting us from dealing with the real problems facing our Nation, like creating jobs and strengthening our economy.

We should stay here, Mr. Chairman, and do some real work for a change. This political bill is the wrong direction for America.

I urge my colleagues to oppose this legislation, and I reserve the balance of my time.

Mr. WHITFIELD. May I ask how much time we have remaining on our side?

The Acting CHAIR (Mr. WOODALL). The gentleman from Kentucky has 4½ minutes remaining.

Mr. WHITFIELD. Thank you.

At this time I yield 1 minute to the gentlelady from Tennessee (Mrs. BLACKBURN), who's a valuable member of the Energy and Commerce Committee.

Mrs. BLACKBURN. I thank the gentleman from Kentucky for his good work on this piece of legislation.

Mr. Chair, there is a war being waged on energy and on coal in this country. But it's not coming from another country; it is coming from our own government. And we see this taking place every day.

Here are a few facts. The United States produces 35 percent of the world's coal, which is more than any other country in the entire world. Most Americans think that we should be using our natural resources to improve the quality of life and to benefit our citizens. And indeed we should. We have more than 250 billion tons of recoverable coal here in this country.

Coal produced about 42 percent of all the electricity that was generated in the U.S. last year. Shutting down the coal industry might sound like a good

idea at the Sierra Club meeting, but it doesn't make any sense. This legislation is needed because it puts the brakes on the EPA. I encourage my colleagues to support the bill.

Mr. WAXMAN. I continue to reserve the balance of my time.

Mr. WHITFIELD. I yield 1 minute to the gentleman from West Virginia (Mr. MCKINLEY).

Mr. MCKINLEY. I rise today in an effort to stop this administration's war on coal. Those who believe that there is no war on coal are in dangerous denial. The actions of this administration against coal have caused massive uncertainty in the marketplace.

Obama's war on coal has come in waves. First, with the retroactive retracting of mine water permits, shutting down a coal mine. New source performance standards, shutting down all new coal mine construction. Utility MACT is shutting down all existing powerhouses. Boiler MACT; particulate matter; stream buffer rule; treating coal ash as a hazardous material; cross-state air pollution; slow-walking over 900 coal mining permits.

I'm here to support the coal ash provision with this. The majority in the House and the Senate have already four times passed this concept. They support this issue.

This is not a war on coal, though. It's a war on the communities that mine coal. When you shut down a coal mine, you shut down concrete block suppliers, timber cribbing, machinists who maintain the motors and equipment, and electrical workers.

Mr. WAXMAN. Mr. Chairman, may I inquire how much time remains on each side?

The Acting CHAIR. The gentleman from California has ¾ minutes remaining. The gentleman from Kentucky has 2½ minutes remaining.

Mr. WAXMAN. We have an additional speaker who is on his way, so I continue to reserve the balance of my time.

Mr. WHITFIELD. At this time I yield 1 minute to the gentleman from Oklahoma (Mr. SULLIVAN), who's the vice chairman of the Energy and Power Subcommittee.

Mr. SULLIVAN. Thank you, Chairman WHITFIELD.

Mr. Chair, I rise today in strong support of H.R. 3409, the Stop the War on Coal Act. This bill would help reverse the negative impact of President Obama's coal policies and protect American jobs from overregulation by the EPA.

The Obama administration is trying to regulate what they don't have the votes to legislate, and it's costing American jobs. Just this week, Alpha Natural Resources announced the elimination of 1,200 jobs due to the Obama administration's hostility towards the coal industry. The relief this bill provides cannot come soon enough.

One of the main provisions of the bill is the TRAIN Act. It's bipartisan legislation I authored and the House passed last year. The TRAIN Act forces EPA to conduct an in-depth cost benefit analysis of their most expensive power sector regulations so the American people can fully understand how the EPA's train wreck of regulations is impacting our economy.

At its heart, the TRAIN Act simply asks these questions:

What do these EPA regulations mean for the ability to compete in a global marketplace?

Will electricity prices climb, and by how much?

How would higher electricity prices and power plant closures affect jobs in the U.S. economy?

This is the right thing to do. I urge the passage of this measure.

Mr. WAXMAN. I continue to reserve the balance of my time.

Mr. WHITFIELD. At this time I yield 1 minute to the gentleman from Kansas (Mr. POMPEO), a member of the Energy and Commerce Committee.

Mr. POMPEO. Thank you, Mr. Chairman.

When you think of coal and jobs, you don't necessarily think of Kansas. But in Kansas we depend on affordable, abundant energy to build airplanes, to grow crops—all of the things that come with affordable energy. This legislation stopping the President's war on coal is important to jobs not only in coal country, but in Kansas and everywhere. We're trying for economic growth all across the country.

It's simply implausible to imagine how you can regulate an industry and try and shut down any new coal-fired power plants, and then try and take money and subsidize it and think you've got good energy policy all across America. It should come as no surprise that we have 23 million people out of work, economic growth under 2 percent, and these EPA regulations that continue, one on top of another, are a primary cause of that.

I urge my colleagues to support this legislation.

Mr. WHITFIELD. We have no further requests for time, and I reserve the balance of my time to close.

The Acting CHAIR. The gentleman from Kentucky has 45 seconds remaining.

Mr. WAXMAN. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from the State of New Jersey, an important member of our committee, the ranking member of the Health Subcommittee, FRANK PAL-
LONE.

□ 1800

Mr. PALLONE. Mr. Chairman, I rise today to speak in opposition to H.R. 3409, another in a string of bills put forth by the most anti-environment House in the history of Congress.

I would like to specifically reference title V of the legislation, which bars EPA from reviewing permits that allow mining companies to dump the material they blast off the top of mountains into streams and valleys.

Last year, EPA issued a decision to reject proposed disposal of mountaintop mining waste into West Virginia streams on the Spruce Mine No. 1 property.

Let me stress that this was an extremely rare action taken by EPA, and the first time it has used the Clean Water Act to overturn an approved mining permit.

This mine would have dumped 110 million cubic yards of coal mine waste into nearby streams, burying more than 6 miles of high-quality streams in Logan County and causing permanent damage to the ecosystem.

The surface mining in the steep slopes of Appalachia has disrupted the biological integrity of an area about the size of Delaware, buried approximately 2,000 miles of streams with mining waste, and contaminated downstream areas with toxic elements.

People have been drinking the by-products of coal waste from mountaintop removal for more than two decades. Rather than clean and clear water running out of their faucets, the people of Appalachia are left with orange or black liquid instead.

But this is not just about the environment. It's about public health. The health problems caused by exposure to these chemicals and heavy metals include cancer, organ failure, and learning disabilities. Not only that, but there are multiple cases of children suffering from asthma, headaches, nausea, and other symptoms likely due to toxic contamination from coal dust.

This is environmental injustice, Mr. Chairman. My colleagues on the other side of the aisle will claim EPA is killing jobs, and I disagree. What EPA is doing is protecting the people of Appalachia from exposure to toxic chemicals that are harming them.

We must put a stop to the dangerous practice of mountaintop removal mining, and I'm the lead sponsor of the Clean Water Protection Act, which would do just that.

I urge my colleagues to oppose this harmful legislation.

Mr. WAXMAN. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman and my colleagues, there is no war on coal. If coal is not able to compete with cheaper natural gas, that's not the government's fault. That's the market. That's the way it works. Do we blame the government for the failure of typewriter manufacturers to stay in business because they've been replaced by computers?

Coal is not going to go out of business.

The President said in his Statement of Administration Policy:

To be clear, the administration believes that coal is and will remain an important part of our energy mix for decades to come. For that reason, since 2009, the administration has committed nearly \$6 billion in advanced coal research, development and deployment and continues to work with industry on important efforts to demonstrate advanced coal technologies.

Let me just tell you what the American Heart Association, the American Lung Association, American Public Health Association, Asthma and Allergy Foundation of America, Health Care Without Harm, National Association of County and City Health Officials, Physicians for Social Responsibility, and Trust for America's Health say. They say:

With such dramatic consequences for public health and enormous costs from air-pollution-related illnesses, we urge you to stand up to the pressure of big polluters and reject H.R. 3409 for what it is, a war on lungs.

That has no place at the top of Congress's legislative agenda.

Coal has had a pretty good deal. They've never had to carry the full cost of burning coal because they have never had to pay for the external consequences to human health and the environment.

But their failure in the market is because of lower competition.

I yield back the balance of my time.

Mr. WHITFIELD. Mr. Chairman, I yield myself the balance of my time.

America would not be where it is today economically without the use of coal. I think all of us recognize that.

I would like to just read a couple of statements from recent court decisions about EPA.

The court called EPA's rationale magical thinking and its stunning power for an agency to arrogate to itself. It says, EPA acted arbitrarily and capriciously and in excess of its statutory authority.

The President says different things at different times. When he was a candidate last time, he said that he would bankrupt the coal industry. When he's a candidate today, he says he supports the coal industry. But his administration, through the EPA, shows clearly that they oppose coal.

The proposed greenhouse gas regulations, if finalized, would prohibit the building of a coal-powered plant in America.

I yield back the balance of my time.

Mr. GIBBS. Mr. Chairman, I yield myself such time as I may consume.

I rise in strong support of H.R. 3409, the Coal Miner Employment and Domestic Infrastructure Protection Act. Almost four decades ago, when Congress enacted the Clean Water Act, Congress established a system of cooperative federalism by making the Federal Environmental Protection Agency, the EPA, and the States partners in regulating the Nation's water quality and allocated the primary responsibilities for dealing with the day-to-day

water pollution control matters to the States.

For most of these almost-four decades, this system of cooperative federalism between the EPA and the States has worked quite well. However, in recent years, the EPA has begun to use questionable tactics to usurp the States' role under the Clean Water Act in setting water quality standards and to invalidate legally issued permits by the States.

The EPA has decided to get involved in the implementation of State standards, second-guessing States with respect to how standards are to be implemented and even second-guessing EPA's own prior determinations that a State standard meets the minimum requirements of the Clean Water Act.

The EPA also has inserted itself into the States' and the Army Corps of Engineers' permit issuance decision and is second-guessing States' and other agencies' permitting decisions.

EPA's actions increasingly are amounting to bullying the States and are unprecedented.

Title V of H.R. 3409 is the text of H.R. 2018, a bill that has already been approved by the House of Representatives overwhelmingly in a bipartisan vote. Title V of H.R. 3409 will clarify and restore the long-standing balance that has existed between the States and the EPA as co-regulators under the Clean Water Act and preserve the authority of the States to make determinations relating to their water quality standards and permitting.

The language in title V was carefully and narrowly crafted to preserve the authority of States to make decisions about their own water quality standards and permits without undue interference or second-guessing from the EPA bureaucrats in Washington with little or no knowledge of local water quality conditions.

Title V reins in EPA from unilaterally issuing a revised or new water quality standard for a pollutant whenever a State has adopted, and EPA already approved, a water quality standard for that pollutant.

Title V restricts the EPA from withdrawing its previous approval of a State's NPDES water quality permitting program, or from limiting Federal financial assistance for a State water quality permitting program on the basis that the EPA disagrees with that State.

Further, title V restricts the EPA from objecting to NPDES permits issued by a State. Moreover, title V clarifies that the EPA can veto an Army Corps of Engineers Clean Water Act section 404 permitting decision when the State concurs with the veto.

These limitations apply only in situations where the EPA is attempting to contradict and unilaterally force its own one-size-fits-all Federal policies on a State's water quality program.

By limiting such overreaching by the EPA, title V in no way affects EPA's proper role in reviewing States' permits and standards and coordinating pollution control efforts between the States.

□ 1810

The EPA just has to return to a more collaborative role it has long played as the overseer of the State's implementation of the Clean Water Act.

Detractors of this legislation claim that the bill only intends to disrupt the complementary roles of EPA and the States under the Clean Water Act, and eliminate EPA's ability to protect water quality and public health in downstream States from actions in upstream States.

In reality, these detractors want to centralize power in the Federal Government so it can dominate water quality regulation in the States. Implicit in their message is that they do not trust the States in protecting the quality of their waters and the health of their citizens.

Title V of H.R. 3409 returns the balance, certainty, and cooperation between States and the Federal Government in regard to the environment that our economy, job creators, and permit holders have been begging for.

I urge passage of H.R. 3409 and reserve the balance of my time.

Mr. RAHALL. Mr. Chairman, I yield myself such time as I may consume.

I rise in support of the Stop the War on Coal Act, or as I prefer to call it, the "Defense of Coal Miners Jobs Act."

It has already been made clear on this floor that America's coal industry is under siege. Coal companies themselves have been very upfront about the chief source of their troubles, their lost revenues, mine closures, and layoffs. According to coal company officials and their own corporate financial statements, the biggest factor negatively affecting coal of late has been economic—involving declining demand in metallurgical coal, softness in the thermal coal market, a slowdown in the worldwide economy, milder than expected weather, and the resulting growth in coal stockpiles—all, of course, amplified by the low cost of natural gas. But when these factors began to evolve, already darkly looming over coal were the ever-tightening constrictions of the Clean Water Act—that regulatory perpetual motion machine from which rule after rule has rolled out with no regard for the condition of the economy or the effect those regulations would have on the livelihoods of American families.

Meanwhile, long-running legal skirmishes—lawsuit on top of lawsuit—challenging coal mine permitting in my home State had, for decades, unfairly and inhumanely left coal miners and their families constantly looking over their shoulders, waiting to be told

that their mine was shutting down and their paychecks were stopping.

And then along came the current EPA leadership and what may be the most flagrantly offensive tactic aimed squarely at undoing coal. This agency has singled out what I believe it saw as a politically expendable region of the country and imposed a wholly new permitting regime.

This EPA has run roughshod over my State and others in central Appalachia to impose its own ideological agenda. It usurped the legal authorities of other Federal agencies. It brazenly misused and abused its regulatory powers to put a stranglehold on coal mine permitting in these States. This is not just my assessment; this is the assessment of the courts, which found:

The EPA has overstepped its statutory authority under the Clean Water Act and infringed on the authority afforded by law to the States.

I know quite possibly better than anyone else on this floor today how the regulatory arm of the government can wreak havoc on the people we represent. I know because the real front lines of this war are not here in Washington; they run through the hills and hollows of southern West Virginia, throughout our coal fields, through our very vein. The true soldiers in this war are our coal miners, who simply want to do their jobs. They want to earn an honest living and decent benefits for themselves and their families.

Now, I've been proud to stand in this body for over three decades, to stand in the trenches and fight with our coal miners, and I'm not about to break ranks with them one iota. In defense of our coal miners, along with Chairman MICA of our Transportation Committee and myself, we drafted H.R. 2018, the Clean Water Cooperative Federalism Act, which is a key part of this bill we consider today, as Chairman GIBBS knows well and has been helpful with as well.

I have, as well, supported the other measures that comprise this legislation when they passed the House as stand-alone bills, with the exception of the base bill to which they have been attached, as it has not been considered on the floor on its own.

I stand here now on this floor in support of this bill to once again defend our coal miners and their families in my State of West Virginia. Coal miners have risen up against their government before—just look at the history. They've marched on Washington before; we've heard their voices. If this EPA continues to turn a blind eye to the law to impose its anti-coal views, if it continues to unlawfully mess with our miners to cut off their paychecks and cut short their dreams, then I have a message for the EPA from the folks back home: You've not heard the last from us. You've not heard the last at all.

American workers want to work. Jobs are hard to come by these days. This government ought not to be a party to eliminating the ones that still exist. So in defense of our coal miners' jobs, I urge my colleagues to join me in supporting this bill, and I reserve the balance of my time.

Mr. GIBBS. Mr. Chairman, we have no more speakers. I reserve the balance of my time.

Mr. RAHALL. Mr. Chairman, let me just say that the bottom line is that the coal industry, as do all industries, needs regulatory stability. As the only sitting Member of this body who was a conferee on the bill which became SMCRA—the Surface Mining Control and Reclamation Act—I well recall that our goal back in 1977, when that legislation passed, was to create a dovetailing between coal production and environmental protection. My own State of West Virginia at that time was—and still is—a leader in surface mine reclamation.

Our industry was doing the job. Indeed, under SMCRA, we almost achieved that goal until recent years, when an activist EPA sought to usurp all authorities of other agencies—be it the Corps of Engineers or the Office of Surface Mining under the Department of the Interior. SMCRA should run the permitting process. Water quality permits should then follow, not vice versa.

So, again, I urge support of this bill. And I point to how we have been able to do it in West Virginia—effectively reclaim our land, provide jobs for our people, and have an environmentally sound environment in which our people are proud and in which jobs are provided—and good-paying jobs, I might add—for the people of West Virginia and all of our Appalachian States.

So I would urge my colleagues to support this bill, and I yield back the balance of my time.

Mr. GIBBS. Mr. Chairman, I will conclude and yield myself the balance of my time.

I want to thank my colleague from West Virginia, who is understanding of what's happening in the United States Environmental Protection Agency, the revocation of the permits.

As a freshman here in Congress, I've been here not quite 2 years, and I have witnessed one of the most egregious things I have ever seen—I call it un-American. I think maybe I will just talk for a couple of minutes here and give the example of what happened with that, which just blew me away when I learned what happened.

We had an operation in the State Mr. RAHALL represents that went through 10 years of an environmental impact study—did everything they did, went beyond what they needed to do. In 2007, they were granted their permits and they started the operation up, the mining operation. In 2010, when this administration came into power, they re-

voked their permits. And I was arguing then that they didn't have the authority under the Clean Water Act to revoke the permit 3 years later, especially when there was no due reason, no cause.

We held hearings on this in my committee. What we discovered is that the State of West Virginia EPA did not support those actions, and the Army Corps of Engineers stated that there were no problems at the operation, there were no permit violations. So this is the first time in American history, I believe, that a permit to be in business was revoked when there were no permit violations.

□ 1820

Now, this sets a very dangerous precedent because lots of entities, not just in the coal industry, but lots of entities have to have a permit from the government to be in business. And if the government can come in and take your permit for no true cause, real cause, not in violation of the permit, who's going to invest? How are we going to grow this economy?

This is all about jobs and growing the economy. And so this is why it's so important that title V of this bill needs to be passed.

I want to applaud Mr. RAHALL and his support of that because he understands what the workers in his State are going through, and as we saw this week, all the thousands of layoffs of coal miners because there is a war on coal, and it's a war on our economy and it lessens our opportunity and, in essence, our freedoms.

So I urge Members to support this bill, and I yield back the balance of my time.

Ms. SCHAKOWSKY. Mr. Chair, I rise in opposition to H.R. 3409, the "Stop the War on Coal Act." This legislation represents the wish list of our Nation's worst polluters. It would do nothing to make our country more energy independent, but it would strip Americans of basic clean air and clean water protections. Several provisions of the bill have previously been considered by the Energy and Commerce Committee, on which I serve, and they are no better than when they were first introduced. They would all have a devastating impact on human health and the environment.

H.R. 3409 would eliminate tailpipe standards to reduce carbon pollution from model year 2017–2025 vehicles, bar EPA from requiring power plants and refineries to reduce carbon pollution, and undo requirements for power plants and refineries to disclose their carbon pollution. Those provisions would make our air dirtier without promoting job growth or energy independence.

The bill would delay the enforcement of the Mercury and Air Toxics and Cross-State Air Pollution standards. The Mercury and Air Toxics Standard will prevent 4,500 cases of acute bronchitis, 12,000 emergency room visits, 120,000 cases of aggravated asthma and more than 6,800 premature deaths annually. The Cross-State Air Pollution Rule will prevent

19,000 cases of acute bronchitis, 15,000 nonfatal heart attacks, 400,000 cases of aggravated asthma, and 34,000 deaths per year. Every year these regulations are delayed, over 40,000 preventable deaths will occur.

In 2008, the Kingston coal ash disaster dumped over one billion gallons of coal ash into the Emory River, contaminating drinking water with arsenic, chromium, selenium, lead, and mercury. The EPA submitted two options for regulating of coal ash disposal to prevent a similar disaster in the future. H.R. 3409 would require a standard weaker than either recommendation made by the EPA. It would allow states to regulate coal ash landfills by the same standards we use for ordinary household garbage, subjecting millions of Americans to increased risk of cancer, neurological disorders, birth defects, reproductive failure, asthma, and other complications.

This legislation would allow states to veto EPA water quality decisions even when a water source is heavily polluted. It would also restrict EPA from requiring improvements to state water quality standards when they fail to protect public health. Waterways cross state boundaries, and the effects of one state's lax regulations can have terrible consequences not just to their populations, but also to states downstream.

We have a responsibility to our children and grandchildren to protect the air they breathe and the water they drink. Legislation like H.R. 3409 puts the priorities of a few selfish corporate polluters ahead of hundreds of millions of Americans. I strongly oppose this bill and urge my colleagues to join me in voting against final passage.

Mr. GEORGE MILLER of California. Mr. Chair, I rise today to oppose this bill because it's a mere political message—not a solution for the Nation's coal mining communities.

Simply put: Jobs are being lost in the coal fields because natural gas is cheaper.

Adopting this bill will do nothing to change those market forces.

Likewise, this bill has nothing to do with protecting coal miners or ensuring they return home safely after their shift.

It's been more than two years since 29 miners died in the Upper Big Branch mine. And for more than two years, families who lost a loved one in the mine have demanded congressional action.

They want to ensure that the system does not let unscrupulous mine owners cover up unsafe conditions.

All they want is to be sure that no other family will have to go through what they did.

Well, more than two years and four investigative reports later, this Congress still has not acted.

I've met plenty of miners in my day. They're smart enough to see through this stunt.

I urge my colleagues to vote "no" on this bill, and turn our attention to job creation and job safety.

Mr. QUIGLEY. Mr. Chair, it's like we're stuck in some sort of time warp—a Groundhog Day to end all Groundhog Days.

This House has voted 302 times to block action to address climate change, to halt efforts to reduce air and water pollution, to undermine protections for public lands and coastal areas, and to weaken the protection of the environment in other ways.

But, not everybody's got their head in the sand. Richard Muller, a physicist at the University of California, Berkeley, and a prominent climate change skeptic, recently announced a change in his stance on the issue.

"Call me a converted skeptic," he wrote this July. "Three years ago I identified problems in previous climate studies that, in my mind, threw doubt on the very existence of global warming. Last year, following an intensive research effort involving a dozen scientists, I concluded that global warming was real and that the prior estimates of the rate of warming were correct. I'm now going a step further: Humans are almost entirely the cause."

The debate is over. Climate change is real. But this bill ignores sound science, and would actually speed up climate change rather than slow it down. This bill, despite sound science, tells us that we should decrease ozone standards nationally, and increase the risk of skin cancer.

This bill, despite sound science, tells us that the new CAFE standards—supported by the Alliance of Automobile Manufacturers, the automobile industry, states and others—are not worth the 2.2 million barrels of oil per day that would be saved; or worth the \$1 per gallon consumer savings that would be achieved by 2025.

Denying climate science, eliminating the EPA's ability to reduce carbon pollution, killing the high-paying, long-term green industry jobs we're working so hard to create, endangering public health by allowing coal ash and mountaintop mining removal materials to pollute our valleys and streams—these are not new topics to this Congress.

These are all bills we've passed before, bills that have no hope in the Senate, no hope on the President's desk, and no hope to do any good for this country. What would be new is a solution-oriented policy discussion surrounding the extension of the Production Tax Credit, or PTC, which provides tax incentives for clean, renewable energy sources.

I oppose today's bill, as I've opposed these devastating measures in the past, and will continue to fight to bring the PTC successfully across the finish line.

If this so-called "war on coal" was really all about jobs, then we'd be leaving in place important rules like the Mercury Air Toxics Standard, which actually creates jobs, as do all of the rules that pertain to pollution controls—jobs in expert science industries.

But we've become so focused on repeal, repeal, repeal, that we fail to listen to utility and energy industry experts who tell us that their bottom line is being impacted by this fervor to eliminate rules and regulations for fair play.

We fail to listen to nearly 100 prominent economists—including Nobel Prize winners Joseph Stiglitz, Kenneth Arrow and Robert Solow—who tell us we've got the tools of job creation at hand.

"The Antiquities Act of 1906," these economic leaders wrote in a letter to the President last fall, "would establish new national parks and monuments that can be one of the quickest ways to spur local hiring and build productive communities."

When the Antiquities Act of 1906 was established, Teddy Roosevelt was fighting with Congress over the importance of preserving the Grand Canyon as a national park.

Way back when, the fight was whether to preserve the canyon or mine it for zinc, copper, asbestos and the like. Sounds a lot like today. A similar threat loomed over the Canyons this year, where international and domestic mining companies were clamoring for the rights to extract uranium from the nearby national forest.

That was, until the President and Secretary Salazar instated a plan to ban new uranium and other mining claims on 1 million acres of federal lands bordering the Grand Canyon for the next 20 years. It is my humble estimation that President Roosevelt would approve these efforts, and so do I.

"We regard attic temples and Roman triumphal arches and Gothic cathedrals as a priceless value," Roosevelt wrote. "But we are, as a whole, still in that low state of civilization where we do not understand that it is also vandalism wantonly—to destroy or to permit the destruction of what is beautiful in nature, whether it be a cliff or forest, or a species of mammal or bird."

Mountaintop mining, ocean acidification, epidemic rates of asthma—this destruction of nature is economic destruction at best, and vandalism at worst. Land, water, air—our economy, our lives—they're all at stake today.

I oppose this bill, I oppose this sentiment to cast aside rules and laws that preserve and protect, and I ask my colleagues to join me in the fight for green, clean energy.

Mr. DINGELL. Mr. Chair, the definition of insanity is doing the same thing over and over again and expecting a different result each time. We have voted over 30 times to repeal the health care law. We have already voted on a number of provisions in the bill before us. Each time the Republican majority has forced through legislation with little to no bipartisan support and each time the Senate has refused to consider any one of those bills.

Where are the jobs bills? Where are the new ideas from the Republican majority? How much time have we wasted this Congress on legislation that will never be considered by the Senate and would never be signed by the President?

A partisan agenda is not what this country needs; what we need are investments in innovative technologies and sources of energy so America does not fall further behind countries such as China, Korea, Germany, and others who are subsidizing innovative energy technology.

This bill and the bills we've already voted on this package are simply veto bait that does nothing to help working families, invest in innovative technology, or boost our manufacturing industry.

The majority of the bill before us today deals with the Clean Air Act. In passing the Clean Air Act Amendments of 1990, which a number of my Republican colleagues in this House cosponsored, the Energy and Commerce Committee held over 70 hearings during a 10 year period and 21 more during the 101st Congress. A total of seven House Committees participated in the Conference Committee. My point in saying all of this is that any changes to the Clean Air Act must include vigorous debate, not just with the people we agree with, but also those we disagree with. It must also include careful analysis of the Clean

Air Act and what problems it creates and what this Committee and Congress should do about these problems. To my colleagues I would say if there is a problem, we should use the limited time we have to address the question of what are the problems and what are the alternatives or solutions.

Just because members disagree with some of the actions taken by the EPA recently doesn't mean we need to defund and dismantle the EPA. As I have said a number of times, the Clean Air Act alone has reduced key pollutants by 60 percent since 1970 while at the same time the economy grew by over 200 percent. We can maintain a healthful environment while creating jobs and growing businesses without going back to the days of undrinkable water and unbreathable air.

We cannot simply be the House of "no." We can and we must do better for the sake of our country. I must ask my Republican colleagues, is your priority this Congress to build partisan talking points or build a stronger American economy that can compete in the global economy of the 21st century? I hope it is the latter because I know I was elected to do the work of the people and I hope my colleagues on the other side of the aisle will start doing the same.

Mrs. CAPITO. Mr. Chair, I rise today in support of H.R. 3409, the Stop the War on Coal Act of 2012. Across multiple federal government agencies, there is a regulatory assault underway against coal. The War on Coal has focused both on the production of coal and on the use of coal by electric utilities. The regulatory actions of the Environmental Protection Agency (EPA) and other federal government agencies are picking winners and losers in the energy industry by propping up companies like Solyndra while purposefully making it harder for coal producers to operate.

The Stop the War on Coal Act returns climate policy to Congress, where it belongs in the hands of elected representatives who are subject to the will of the people. Americans want environmental policies that are fairly balanced against economic considerations such as the need for jobs and low cost electricity. These balancing decisions are best made in Congress. Federal agencies need to understand that the absence of a congressional authorization is not a green light for the agency to pursue whatever policy it wishes.

I want to be clear that I support an all of the above energy policy.

I believe that coal, natural gas, oil, nuclear, wind, solar, biomass, and geothermal energy sources all have a role to play in our national energy portfolio. There is no question, however, that electricity from coal and natural gas is cheaper and more abundant than electricity generated from renewable sources. A 2010 Heritage Foundation study found that the average family of four would pay on average \$189 per month if it obtained 100 percent of its electricity from coal, but \$504 per month if the same family purchased 100 percent of its electricity from solar power.

That's a difference of \$315 per month. With 47 million Americans on Food Stamps and everything from the price of gas to the price of milk increasing, Americans are looking to save money in every way possible.

Coal fired electricity simply makes economic sense for families in my state and across the country.

Additionally, while 42 percent of U.S. electricity was generated from coal last year, and 25 percent came from natural gas—all renewable sources combined accounted for only 13 percent of the electric supply. It will be many years before renewable fuels are ready to shoulder the burden of providing the energy on which American's rely.

There are three reasons why I stand on the floor this evening to discuss the importance of coal. First, I am here to stand up for the jobs of tens of thousands of West Virginians and hundreds of thousands of others across the country who are employed mining coal, transporting coal, generating electricity from coal or work in jobs that support the coal industry. Second, I am here to stand up for the families and businesses that will see increases in their electric bills as the administration imposes extreme regulations on both the production and utilization of coal. Finally, I am here to stand up for the reliability of our electric grid, which could be at risk over the long term if too much of our ability to generate electricity from coal is lost.

My State and our neighbors in Appalachia have suffered significant job losses in the coal industry recently. Just yesterday, Alpha Natural Resources announced 1,200 layoffs companywide and hundreds of those job losses will occur in my state of West Virginia. Over 300 miners at Consol Energy lost their jobs when the Fola Mine in Clay County, in my congressional district was idled earlier this summer. Arch Coal laid off 750 miners earlier this summer across West Virginia, Virginia, and Kentucky. Patriot Coal laid off 250 miners last week and the company filed for bankruptcy this summer. A local television station in my district tallied nearly 2,000 job losses in the mining industry in early August, and more layoffs have been announced since then.

Besides layoffs by mining companies, job losses in related fields such as transportation usually accompany job losses in mines.

There is more than one reason why job losses are occurring in the coal industry, and I understand that not all of the job losses that have occurred are attributable to over regulation. Natural gas prices are at historic lows and the price for metallurgical coal is softening. Nonetheless, the excessive regulatory burden placed on the coal industry is certainly part of the reason that jobs are being lost.

I am pleased that the bill that the House will vote on this week includes the text of H.R. 1872, the Employment Protection Act, which I introduced in order to require the EPA to consider the impact that any new regulation, guidance, policy statement or permitting decision would have on jobs and the economy. All of us want clean air and clean water, but I believe that environmental regulations should be balanced with the need to maintain jobs and employment opportunities for workers in the mining industry.

Under the Employment Protection Act, EPA would be required to have a public hearing in any state where a decision it makes would have more than a de minimis negative impact on jobs or economic activity. Therefore, before EPA can take any action that costs a state

more than 100 jobs or costs more than \$1 million in economic activity, it would be required to host a public hearing in the impacted state and engage in a conversation with local residents about the costs and benefits of their regulatory action. Too often federal agencies that are separated from local communities lose sight of the fact that their decisions have real impacts on workers and their families. I drafted the Employment Protection Act with the idea of empowering local residents with respect to decisions that impact them. Certainly if the benefits of a regulatory decision outweigh the negative economic consequences of the decision, then EPA should be able to articulate that fact to the impacted members of the local community.

I am also proud of the other provisions that compromise H.R. 3409.

The Clean Water Cooperative Federalism Act is critical legislation that will restore the balance between state and federal regulators when it comes to the issuance of permits under the Clean Water Act. It was clear when Congress enacted that Clean Water Act that states would have the ability to define water quality standards for pollutants, subject to approval from the EPA.

Unfortunately, the federal regulators have attempted to supersede state regulators whenever possible.

H.R. 3409 clarifies that EPA cannot issue a revised water quality standard that supersedes the approved state standard without the state's consent. The legislation also prevents the EPA from revoking certification of a state's Section 402 permitting program based on a disagreement with the state regarding a water quality standard that a state has adopted and EPA has approved, or the implementation of any federal guidance that directs a re-interpretation of the state's approved water quality standards.

Perhaps most importantly, this bill prohibits the EPA from vetoing a Section 404 permit issued by the Army Corps of Engineers unless the state concurs with the veto.

This addresses the issue created by the EPA when it sought to veto a permit issued to the Spruce Mine in West Virginia. Despite the fact that EPA never stated that the holder of the permit violated any of the permit's terms, the agency sought to take back a permit that had already been issued. This action came after a lengthy review process that led to the issuance of the permit.

Operating a coal mine requires a significant capital investment—an investment that cannot be made if the Federal Government is able and willing to take back a permit that it has issued even when the permittee abides by the conditions of the permit and otherwise follows the law. A federal judge in Washington, DC has already held that EPA acted unlawfully in taking back the permit from the Spruce Mine, but that ruling is currently being appealed.

The Stop the War on Coal Act makes it absolutely clear that no 404 permit issued by the Corps of Engineers could be vetoed without consent of the affected state government.

Jobs are at risk in West Virginia and across Appalachia because of the slow progress in obtaining required permits under Sections 404 and 402 of the Clean Water Act. Much of the permitting backlog is the result of Enhanced

Coordination Procedures implemented by the EPA and the Corps of Engineers that gave EPA an increased role in the permitting process. In two court decisions, Federal courts found that these Enhanced Coordination Procedures violated the Clean Water Act. Specifically, the Court found that the EPA "has a very limited role in the issuance of CWA permits and has only the authority to develop the 404(b)(1) guidance with the Corps" while the Corps is responsible for determining compliance.

I strongly agree with the Court's interpretation of the existing provisions of the Clean Water Act. The Corps of Engineers is the permitting authority with respect to 404 permits. After a fair period for interagency comments, the Corps of Engineers should make a permitting decision—either denying the permit and allowing the entity seeking a permit to make modifications necessary to ensure proper environmental protection, or granting the permit and allowing mining to take place.

Under the Enhanced Coordination Procedures, EPA assumed a role that goes far beyond what was contemplated in the Clean Water Act and led to many permits being placed in a holding pattern. Now that the District Court has ruled that the Enhanced Coordination Procedures are unlawful, it is my hope that the Corps of Engineers and state governments will be able to return to the traditional method of considering Clean Water Act permit applications without undue interference from the EPA. The legislation we are considering this week will go a long way in ensuring the fairness of the permitting process.

STREAM BUFFER ZONE RULE

The current Stream Buffer Zone Rule was put into effect in 2008, after roughly five years of work. In 2009, however, OSM sought to vacate 2008 rule and asked a federal court to reinstate the 1980s regulation. The court denied this request, and OSM has worked to rewrite the 2008 rule which remains in place. Information provided by a contractor employed by OSM stated that 7,000 jobs would be lost in the mining industry if OSM's preferred alternative regulation were put into effect. To date, OSM has not issued a new stream buffer rule. Unemployment has remained over 8 percent for 43 straight months and we cannot afford to lose thousands of coal jobs.

I commend my colleague BILL JOHNSON from Ohio for drafting this section of the bill. The legislation would prohibit the Department of the Interior from issuing or approving any rule under SMCRA that would adversely impact employment in coal mines, cause a reduction in coal revenues received from production on federal lands, reduce the amount of coal available for domestic consumption or export, designate any area as unsuitable for surface mining or expose the federal government to liability for a regulatory taking of privately owned coal before the end of 2013.

There is no reason to rush into any modification of the Stream Buffer Rule at the expense of jobs in the coal industry.

CAP AND TAX

The Stop the War on Coal Act also addresses the threat of EPA regulations on carbon dioxide and other greenhouse gases from stationary sources. Congress has not enacted legislation that would create a cap and trade

system, a cap and tax system, or that would otherwise expressly permit the EPA to regulate carbon dioxide from stationary sources. Like Clean Water Act permitting, EPA's attempt to regulate carbon dioxide from stationary sources is another area where the agency has stepped beyond its boundaries and into the realm properly occupied by Congress.

I support efforts to develop Carbon Capture and Storage technologies and believe that they will allow coal to be cleaner in the future. Any effort to require CCS technology for new plants or existing plants, however, should come only when that technology is feasible economically and technologically—and only when Congress expressly authorizes such regulations. The Stop the War on Coal Act will make sure that elected representatives, rather than unelected bureaucrats, are in control of our climate policy.

EXPENSIVE REGULATIONS

The expense of EPA's regulations is dramatic. National Economic Research Associates examined the impact of four anti-coal regulations imposed by the EPA: the Cross State Air Pollution Rule, Utility MACT, Cooling Tower regulations, and regulation of coal combustion residuals. The study found that compliance with these regulations would cost \$127 billion by 2020, cause 183,000 net job losses each year, and lead to a cumulative loss of \$190 billion in our country's gross domestic product. The NERA study found that the average American family would lose \$270 per year in disposable income as a result of these four regulations.

Our legislation addresses these expensive and burdensome regulations. The bill negates EPA's efforts to regulate coal combustion residuals as either a solid waste or a hazardous waste. Instead, this bill would ensure that states have the primary responsibility for regulating coal combustion residuals and encourages recycling. The use of coal ash in concrete for example, makes the concrete stronger and requires less cement—thereby reducing the use of water and energy.

Under this bill, the Utility MACT rule must be reissued by EPA with an increased compliance period provided to utilities.

EPA has estimated that the cost of complying with the Utility MACT rule would exceed \$10 billion annually in 2016—more than the cost of all other Clean Air Act regulations on power plants combined. These costs will cause power plants to close, workers to lose their jobs, and families to pay higher utility bills.

The CSAPR rule, already found unlawful by a panel of the U.S. Court of Appeals for the DC Circuit, would be scrapped and replaced by the former Clean Air Interstate Rule, which better balanced environmental and economic considerations.

The coal utility sector was well on its way to reducing emissions and investing in clean coal technologies without the administration's costly regulations. Between 1970 and 2011, emissions of sulfur dioxide, nitrogen oxide, and particulate matter from coal fired power plants were reduced by almost 90 percent according to EPA and EIA figures, while the use of coal increased substantially over the same period. Over that same period, the industry invested

nearly \$100 billion in emission control technologies.

Rather than continuing this progress, the EPA's regulatory course has led numerous coal plants to close and will lead to still more coal plant retirements in years to come.

According to EIA figures, plant operators expect to retire almost 27 gigawatts of coal fired generation capacity between 2012 and 2016—approximately 8.5 percent of the total 2011 capacity. The 9 gigawatt retirement in 2012 will be the largest single year reduction in coal fired capacity in history—but EIA projects that figure will be exceeded by a 10 gigawatt retirement of coal capacity in 2015. EIA estimates that more than 55 coal generating units will be taken off line in 2012 alone.

Losing coal generation capacity is bad for the future reliability of our electrical grid as well as for the cost of electricity in the long term. Natural gas prices are low today. In the event natural gas prices were to increase—something that certainly has happened before—a lack of coal generation capacity would cause utility rates to skyrocket. My state has an abundance of natural gas as well as coal, and I want to see both of these fuels succeed and maintain their roles as the two largest generators of electricity in our country.

Regulating coal out of our nation's energy portfolio is not a responsible long term course. It has been said that the United States is the Saudi Arabia of coal. Our country has 260 billion short tons of recoverable coal—enough to meet existing production levels for 222 years.

Low cost energy aids in job growth not only in the energy sector, but in manufacturing, transportation, and across our economy. The best way to provide low cost energy for businesses and for individuals for years to come is to avoid over regulating any single energy source, and instead allow both coal and natural gas to be produced and utilized as the free market dictates.

Our current regulatory environment chooses winners and losers in the energy markets—and there is no question that this administration has chosen coal to be the biggest loser.

The Stop the War on Coal Act takes responsible steps that allow both for environmental protection and economic protection. I encourage my colleagues to support the legislation this week.

Mr. MORAN. Mr. Chair, I rise in opposition to the Coal Miner Employment and Domestic Energy Infrastructure Protection Act.

Here on the last days of the 112th Session of Congress, we are wasting time debating a bill, whose constituents parts have already been approved by this body.

We've already spent considerable House time debating all five titles of this bill.

And all five titles were rejected by the Senate and have received a veto threat from the President.

Over the past 19 months this body has cast more than 300 votes against the environment.

Just as repeating a falsehood doesn't make it true, passing a bill in the House twice in the same session won't make it a law.

When the history of this Congress is written, it will be known as the least productive Congress in a century, eclipsing even the infamous "Do Nothing" Congress that President Harry Truman confronted more than 50 years ago.

Rather than advance policies that would promote employment, help drought stricken farmers, even address the long-term solvency of Medicare, this House remains stuck on vilifying the Environmental Protection Agency and taking issue with its obligations under the law to protect the public's health.

This week's announcement by Alpha Natural Resources that it plans to lay-off miners and scale back coal production by 16 million tons annually may fuel the argument that EPA is somehow responsible, but even Kevin Crutchfield, the company's chief executive officer, acknowledged that the principle cause was "the result a difficult market in which power plants are switching to abundant, less expensive natural gas."

If natural gas is cheaper to burn than coal, then where is the legislation to ban its use?

How about a war on natural gas?

For decades the coal industry and utilities have been exempted from Clean Air Act regulations.

It took court orders for previous administrations' inactions and the current administration commitment to protecting the public's health that led to today's regulatory climate.

And, while hundreds of miners may lose their jobs because of cheaper natural gas and new Clean Air and Clean Water Act regulations, tens of thousands of Americans, this bill so callously disregards, will be saved from premature deaths, asthma attacks, emergency room visits and missed work and school days each year.

I will vote to protect the lives of thousands of Americans over the few hundred who might lose their jobs.

If the majority truly cares about the fate of these miners, then support a jobs bill that will allow them to rebuild America's infrastructure.

This bill is wrong.

It advances narrow, profit-based interests over the interests of everyday Americans.

It presumes that a cleaner, healthier air and water must be subservient to the interests of keeping this nation's dirtiest power plants and the most environmentally destructive mining techniques free from regulation.

My colleagues, it's a distorted set of priorities advanced by just a fraction of CEOs in the utility and mining industries who refuse to clean up their operations.

We can have cleaner air and more jobs.

And history provides us with proof it is possible.

It's already happened, and I credit George Herbert Walker Bush with having the courage and foresight to put his signature on the Clean Air Act of 1990.

He would be vilified by the current House majority if he signed that bill today.

It's a sad commentary to see so many in this chamber beholden to an industry that prefers to invest in the political process rather than in saving lives by reducing its life-damaging practices.

Few of my colleagues may realize that the coal consuming industries that have underwritten this assault on EPA had an opportunity to collaborate with the Obama administration on a regulatory framework.

They were invited early on during the first year of the Obama administration to sit down and craft a compliance option.

The administration had hoped to craft a deal similar to the historic deal it made with the nation's auto industry on fuel efficiency and tailpipe emissions.

A National Journal article by Coral Davenport in the September 22, 2011 issue referenced this meeting.

But unlike the auto industry, the coal consuming industries refused to negotiate.

Instead, and let me quote from the article, they:

"banded together with the Republican Party to strategize, and the 2010 midterm elections offered the perfect battleground. The companies invested heavily in campaigns to elect tea party candidates crusading against the role of Big Government. Industry groups (like the U.S. Chamber of Commerce), tea party groups with deep ties to polluters (like Americans for Prosperity), and so-called super PACs (like Karl Rove's American Crossroads) spent record amounts to help elect the new House Republican majority.

My colleagues, this bill presents a false choice, peddled by an industry that refuses to clean up its act.

This bill serves the interest of no one but a few CEOs who refuse to accept responsibility to the harm their operations have imposed on the rest of us.

It needs to be defeated.

I implore my colleagues to vote "no."

The Acting CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

In lieu of the amendment in the nature of a substitute recommended by the Committee on Natural Resources, printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 112-32. That amendment in the nature of a substitute shall be considered as read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 3409

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the "Stop the War on Coal Act of 2012".

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

Sec. 1. Short title; Table of contents.

TITLE I—LIMITATION ON AUTHORITY TO ISSUE REGULATIONS UNDER THE SURFACE MINING CONTROL AND RECLAMATION ACT OF 1977

Sec. 101. Limitation on authority to issue regulations under the Surface Mining Control and Reclamation Act of 1977.

TITLE II—NO GREENHOUSE GAS REGULATION UNDER THE CLEAN AIR ACT

Sec. 201. No regulation of emissions of greenhouse gases.

Sec. 202. Preserving one national standard for automobiles.

TITLE III—TRANSPARENCY IN REGULATORY ANALYSIS OF IMPACTS ON NATION

Sec. 301. Committee for the Cumulative Analysis of Regulations that Impact Energy and Manufacturing in the United States.

Sec. 302. Analyses.

Sec. 303. Reports; public comment.

Sec. 304. Additional provisions relating to certain rules.

Sec. 305. Consideration of feasibility and cost in establishing national ambient air quality standards.

TITLE IV—MANAGEMENT AND DISPOSAL OF COAL COMBUSTION RESIDUALS

Sec. 401. Management and disposal of coal combustion residuals.

Sec. 402. 2000 Regulatory determination.

Sec. 403. Technical assistance.

Sec. 404. Federal Power Act.

TITLE V—PRESERVING STATE AUTHORITY TO MAKE DETERMINATIONS RELATING TO WATER QUALITY STANDARDS

Sec. 501. State water quality standards.

Sec. 502. Permits for dredged or fill material.

Sec. 503. Deadlines for agency comments.

Sec. 504. Applicability of amendments.

Sec. 505. Reporting on harmful pollutants.

Sec. 506. Pipelines crossing streambeds.

Sec. 507. Impacts of EPA regulatory activity on employment and economic activity.

TITLE I—LIMITATION ON AUTHORITY TO ISSUE REGULATIONS UNDER THE SURFACE MINING CONTROL AND RECLAMATION ACT OF 1977

SEC. 101. LIMITATION ON AUTHORITY TO ISSUE REGULATIONS UNDER THE SURFACE MINING CONTROL AND RECLAMATION ACT OF 1977.

The Secretary of the Interior may not, before December 31, 2013, issue or approve any proposed or final regulation under the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1201 et seq.) that would—

(1) adversely impact employment in coal mines in the United States;

(2) cause a reduction in revenue received by the Federal Government or any State, tribal, or local government, by reducing through regulation the amount of coal in the United States that is available for mining;

(3) reduce the amount of coal available for domestic consumption or for export;

(4) designate any area as unsuitable for surface coal mining and reclamation operations; or

(5) expose the United States to liability for taking the value of privately owned coal through regulation.

TITLE II—NO GREENHOUSE GAS REGULATION UNDER THE CLEAN AIR ACT

SEC. 201. NO REGULATION OF EMISSIONS OF GREENHOUSE GASES.

Title III of the Clean Air Act (42 U.S.C. 7601 et seq.) is amended by adding at the end the following:

"SEC. 330. NO REGULATION OF EMISSIONS OF GREENHOUSE GASES.

"(a) **DEFINITION.**—In this section, the term 'greenhouse gas' means any of the following:

"(1) Water vapor.

"(2) Carbon dioxide.

"(3) Methane.

"(4) Nitrous oxide.

"(5) Sulfur hexafluoride.

"(6) Hydrofluorocarbons.

"(7) Perfluorocarbons.

"(8) Any other substance subject to, or proposed to be subject to, regulation, action, or consideration under this Act to address climate change.

"(b) **LIMITATION ON AGENCY ACTION.**—

"(1) **LIMITATION.**—

"(A) **IN GENERAL.**—The Administrator may not, under this Act, promulgate any regulation concerning, take action relating to, or take into consideration the emission of a greenhouse gas to address climate change.

"(B) **AIR POLLUTANT DEFINITION.**—The definition of the term 'air pollutant' in section 302(g) does not include a greenhouse gas. Notwithstanding the previous sentence, such definition may include a greenhouse gas for purposes of addressing concerns other than climate change.

"(2) **EXCEPTIONS.**—Paragraph (1) does not prohibit the following:

"(A) Notwithstanding paragraph (4)(B), implementation and enforcement of the rule entitled 'Light-Duty Vehicle Greenhouse Gas Emission Standards and Corporate Average Fuel Economy Standards' (as published at 75 Fed. Reg. 25324 (May 7, 2010) and without further revision) and implementation and enforcement of the rule entitled 'Greenhouse Gas Emissions Standards and Fuel Efficiency Standards for Medium- and Heavy-Duty Engines and Vehicles' (as published at 76 Fed. Reg. 57106 (September 15, 2011) and without further revision).

"(B) Implementation and enforcement of section 211(o).

"(C) Statutorily authorized Federal research, development, demonstration programs and voluntary programs addressing climate change.

"(D) Implementation and enforcement of title VI to the extent such implementation or enforcement only involves one or more class I substances or class II substances (as such terms are defined in section 601).

"(E) Implementation and enforcement of section 821 (42 U.S.C. 7651k note) of Public Law 101-549 (commonly referred to as the 'Clean Air Act Amendments of 1990').

"(3) **INAPPLICABILITY OF PROVISIONS.**—Nothing listed in paragraph (2) shall cause a greenhouse gas to be subject to part C of title I (relating to prevention of significant deterioration of air quality) or considered an air pollutant for purposes of title V (relating to permits).

"(4) **CERTAIN PRIOR AGENCY ACTIONS.**—The following rules and actions (including any supplement or revision to such rules and actions) are repealed and shall have no legal effect:

"(A) 'Mandatory Reporting of Greenhouse Gases', published at 74 Fed. Reg. 56260 (October 30, 2009).

"(B) 'Endangerment and Cause or Contribute Findings for Greenhouse Gases Under Section 202(a) of the Clean Air Act', published at 74 Fed. Reg. 66496 (December 15, 2009).

"(C) 'Reconsideration of Interpretation of Regulations That Determine Pollutants Covered by Clean Air Act Permitting Programs', published at 75 Fed. Reg. 17004 (April 2, 2010) and the memorandum from Stephen L. Johnson, Environmental Protection Agency (EPA) Administrator, to EPA Regional Administrators, concerning 'EPA's Interpretation of Regulations that Determine Pollutants Covered by Federal Prevention of Significant Deterioration (PSD) Permit Program' (December 18, 2008).

"(D) 'Prevention of Significant Deterioration and Title V Greenhouse Gas Tailoring Rule', published at 75 Fed. Reg. 31514 (June 3, 2010).

"(E) 'Action To Ensure Authority To Issue Permits Under the Prevention of Significant Deterioration Program to Sources of Greenhouse Gas Emissions: Finding of Substantial Inadequacy and SIP Call', published at 75 Fed. Reg. 77698 (December 13, 2010).

"(F) 'Action To Ensure Authority To Issue Permits Under the Prevention of Significant Deterioration Program to Sources of Greenhouse Gas Emissions: Finding of Failure To Submit State Implementation Plan Revisions Required for Greenhouse Gases', published at 75 Fed. Reg. 81874 (December 29, 2010).

“(G) ‘Action to Ensure Authority To Issue Permits Under the Prevention of Significant Deterioration Program to Sources of Greenhouse Gas Emissions: Federal Implementation Plan’, published at 75 Fed. Reg. 82246 (December 30, 2010).

“(H) ‘Action to Ensure Authority to Implement Title V Permitting Programs Under the Greenhouse Gas Tailoring Rule’, published at 75 Fed. Reg. 82254 (December 30, 2010).

“(I) ‘Determinations Concerning Need for Error Correction, Partial Approval and Partial Disapproval, and Federal Implementation Plan Regarding Texas Prevention of Significant Deterioration Program’, published at 75 Fed. Reg. 82430 (December 30, 2010).

“(J) ‘Limitation of Approval of Prevention of Significant Deterioration Provisions Concerning Greenhouse Gas Emitting-Sources in State Implementation Plans’, published at 75 Fed. Reg. 82536 (December 30, 2010).

“(K) ‘Determinations Concerning Need for Error Correction, Partial Approval and Partial Disapproval, and Federal Implementation Plan Regarding Texas Prevention of Significant Deterioration Program; Proposed Rule’, published at 75 Fed. Reg. 82365 (December 30, 2010).

“(L) Except for actions listed in paragraph (2), any other Federal action under this Act occurring before the date of enactment of this section that constitutes a stationary source permitting requirement or an emissions standard for a greenhouse gas to address climate change.

“(5) STATE ACTION.—

“(A) NO LIMITATION.—This section does not limit or otherwise affect the authority of a State to adopt, amend, enforce, or repeal State laws and regulations pertaining to the emission of a greenhouse gas.

“(B) EXCEPTION.—

“(i) RULE.—Notwithstanding subparagraph (A), any provision described in clause (ii)—

“(I) is not federally enforceable;

“(II) is not deemed to be a part of Federal law; and

“(III) is deemed to be stricken from the plan described in clause (ii)(I) or the program or permit described in clause (ii)(II), as applicable.

“(ii) PROVISION DEFINED.—For purposes of clause (i), the term ‘provision’ means any provision that—

“(I) is contained in a State implementation plan under section 110 and authorizes or requires a limitation on, or imposes a permit requirement for, the emission of a greenhouse gas to address climate change; or

“(II) is part of an operating permit program under title V, or a permit issued pursuant to title V, and authorizes or requires a limitation on the emission of a greenhouse gas to address climate change.

“(C) ACTION BY ADMINISTRATOR.—The Administrator may not approve or make federally enforceable any provision described in subparagraph (B)(ii).”

SEC. 202. PRESERVING ONE NATIONAL STANDARD FOR AUTOMOBILES.

Section 209(b) of the Clean Air Act (42 U.S.C. 7543) is amended by adding at the end the following:

“(4) With respect to standards for emissions of greenhouse gases (as defined in section 330) for model year 2017 or any subsequent model year new motor vehicles and new motor vehicle engines—

“(A) the Administrator may not waive application of subsection (a); and

“(B) no waiver granted prior to the date of enactment of this paragraph may be construed to waive the application of subsection (a).”

TITLE III—TRANSPARENCY IN REGULATORY ANALYSIS OF IMPACTS ON NATION

SEC. 301. COMMITTEE FOR THE CUMULATIVE ANALYSIS OF REGULATIONS THAT IMPACT ENERGY AND MANUFACTURING IN THE UNITED STATES.

(a) ESTABLISHMENT.—The President shall establish a committee to be known as the Committee for the Cumulative Analysis of Regulations that Impact Energy and Manufacturing in the United States (in this Act referred to as the “Committee”) to analyze and report on the cumulative and incremental impacts of certain rules and actions of the Environmental Protection Agency, in accordance with sections 302 and 303.

(b) MEMBERS.—The Committee shall be composed of the following officials (or their designees):

(1) The Secretary of Agriculture, acting through the Chief Economist.

(2) The Secretary of Commerce, acting through the Chief Economist and the Under Secretary for International Trade.

(3) The Secretary of Labor, acting through the Commissioner of the Bureau of Labor Statistics.

(4) The Secretary of Energy, acting through the Administrator of the Energy Information Administration.

(5) The Secretary of the Treasury, acting through the Deputy Assistant Secretary for Environment and Energy of the Department of the Treasury.

(6) The Administrator of the Environmental Protection Agency.

(7) The Chairman of the Council of Economic Advisors.

(8) The Chairman of the Federal Energy Regulatory Commission.

(9) The Administrator of the Office of Information and Regulatory Affairs.

(10) The Chief Counsel for Advocacy of the Small Business Administration.

(11) The Chairman of the United States International Trade Commission, acting through the Office of Economics.

(c) CHAIR.—The Secretary of Commerce shall serve as Chair of the Committee. In carrying out the functions of the Chair, the Secretary of Commerce shall consult with the members serving on the Committee pursuant to paragraphs (5) and (11) of subsection (b).

(d) CONSULTATION.—In conducting analyses under section 302 and preparing reports under section 303, the Committee shall consult with, and consider pertinent reports issued by, the Electric Reliability Organization certified under section 215(c) of the Federal Power Act (16 U.S.C. 824o(c)).

(e) TERMINATION.—The Committee shall terminate 60 days after submitting its final report pursuant to section 303(c).

SEC. 302. ANALYSES.

(a) SCOPE.—The Committee shall conduct analyses, for each of the calendar years 2016, 2020, and 2030, of the following:

(1) The cumulative impact of covered rules that are promulgated as final regulations on or before January 1, 2013, in combination with covered actions.

(2) The cumulative impact of all covered rules (including covered rules that have not been promulgated as final regulations on or before January 1, 2013), in combination with covered actions.

(3) The incremental impact of each covered rule not promulgated as a final regulation on or before January 1, 2013, relative to an analytic baseline representing the results of the analysis conducted under paragraph (1).

(b) CONTENTS.—The Committee shall include in each analysis conducted under this section the following:

(1) Estimates of the impacts of the covered rules and covered actions with regard to—

(A) the global economic competitiveness of the United States, particularly with respect to energy intensive and trade sensitive industries;

(B) other cumulative costs and cumulative benefits, including evaluation through a general equilibrium model approach;

(C) any resulting change in national, State, and regional electricity prices;

(D) any resulting change in national, State, and regional fuel prices;

(E) the impact on national, State, and regional employment during the 5-year period beginning on the date of enactment of this Act, and also in the long term, including secondary impacts associated with increased energy prices and facility closures; and

(F) the reliability and adequacy of bulk power supply in the United States.

(2) Discussion of key uncertainties and assumptions associated with each estimate.

(3) A sensitivity analysis.

(4) Discussion, and where feasible an assessment, of the cumulative impact of the covered rules and covered actions on—

(A) consumers;

(B) small businesses;

(C) regional economies;

(D) State, local, and tribal governments;

(E) low-income communities;

(F) public health;

(G) local and industry-specific labor markets; and

(H) agriculture,

as well as key uncertainties associated with each topic.

(c) METHODS.—In conducting analyses under this section, the Committee shall use the best available methods, consistent with guidance from the Office of Information and Regulatory Affairs and the Office of Management and Budget Circular A-4.

(d) DATA.—In conducting analyses under this section, the Committee—

(1) shall use the best data that are available to the public or supplied to the Committee by its members, including the most recent such data appropriate for this analysis representing air quality, facility emissions, and installed controls; and

(2) is not required to create data or to use data that are not readily accessible.

(e) COVERED RULES.—In this section, the term “covered rule” means the following:

(1) The following published rules (including any successor or substantially similar rule):

(A) The Clean Air Interstate Rule (as defined in section 304(a)(4)).

(B) “National Ambient Air Quality Standards for Ozone”, published at 73 Fed. Reg. 16436 (March 27, 2008).

(C) “National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters”, published at 76 Fed. Reg. 15608 (March 21, 2011).

(D) “National Emission Standards for Hazardous Air Pollutants for Area Sources: Industrial, Commercial, and Institutional Boilers”, published at 76 Fed. Reg. 15554 (March 21, 2011).

(E) “National Emission Standards for Hazardous Air Pollutants from Coal- and Oil-fired Electric Utility Steam Generating Units and Standards of Performance for Fossil-Fuel-Fired Electric Utility, Industrial-Commercial-Institutional, and Small Industrial-Commercial-Institutional Steam Generating Units”, published at 77 Fed. Reg. 9304 (February 16, 2012).

(F) “Hazardous and Solid Waste Management System; Identification and Listing of Special Wastes; Disposal of Coal Combustion Residuals From Electric Utilities”, published at 75 Fed. Reg. 35127 (June 21, 2010).

(G) “Primary National Ambient Air Quality Standard for Sulfur Dioxide”, published at 75 Fed. Reg. 35520 (June 22, 2010).

(H) “Primary National Ambient Air Quality Standards for Nitrogen Dioxide”, published at 75 Fed. Reg. 6474 (February 9, 2010).

(I) “National Emission Standards for Hazardous Air Pollutants from the Portland Cement Manufacturing Industry and Standards of Performance for Portland Cement Plants”, published at 75 Fed. Reg. 54970 (September 9, 2010).

(2) The following additional rules or guidelines promulgated on or after January 1, 2009:

(A) Any rule or guideline promulgated under section 111(b) or 111(d) of the Clean Air Act (42 U.S.C. 7411(b), 7411(d)) to address climate change.

(B) Any rule or guideline promulgated by the Administrator of the Environmental Protection Agency, a State, a local government, or a permitting agency under or as the result of section 169A or 169B of the Clean Air Act (42 U.S.C. 7491, 7492).

(C) Any rule establishing or modifying a national ambient air quality standard under section 109 of the Clean Air Act (42 U.S.C. 7409).

(D) Any rule addressing fuels under title II of the Clean Air Act (42 U.S.C. 7521 et seq.) as described in the Unified Agenda of Federal Regulatory and Deregulatory Actions under Regulatory Identification Number 2060–AQ86, or any substantially similar rule, including any rule under section 211(v) of the Clean Air Act (42 U.S.C. 7545(v)).

(f) COVERED ACTIONS.—In this section, the term “covered action” means any action on or after January 1, 2009, by the Administrator of the Environmental Protection Agency, a State, a local government, or a permitting agency as a result of the application of part C of title I (relating to prevention of significant deterioration of air quality) or title V (relating to permitting) of the Clean Air Act (42 U.S.C. 7401 et seq.), if such application occurs with respect to an air pollutant that is identified as a greenhouse gas in “Endangerment and Cause or Contribute Findings for Greenhouse Gases Under Section 202(a) of the Clean Air Act”, published at 74 Fed. Reg. 66496 (December 15, 2009).

SEC. 303. REPORTS; PUBLIC COMMENT.

(a) PRELIMINARY REPORT.—Not later than March 31, 2013, the Committee shall make public and submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Environment and Public Works of the Senate a preliminary report containing the results of the analyses conducted under section 302.

(b) PUBLIC COMMENT PERIOD.—The Committee shall accept public comments regarding the preliminary report submitted under subsection (a) for a period of 120 days after such submission.

(c) FINAL REPORT.—Not later than September 30, 2013, the Committee shall submit to Congress a final report containing the analyses conducted under section 302, including any revisions to such analyses made as a result of public comments, and a response to such comments.

SEC. 304. ADDITIONAL PROVISIONS RELATING TO CERTAIN RULES.

(a) CROSS-STATE AIR POLLUTION RULE/TRANSPORT RULE.—

(1) EARLIER RULES.—The rule entitled “Federal Implementation Plans: Interstate Transport of Fine Particulate Matter and Ozone and Correction of SIP Approvals”, published at 76 Fed. Reg. 48208 (August 8, 2011), and any successor or substantially similar rule, shall be of no force or effect, and shall be treated as though such rule had never taken effect.

(2) CONTINUED APPLICABILITY OF CLEAN AIR INTERSTATE RULE.—In place of any rule described in paragraph (1), the Administrator of the Environmental Protection Agency (in this

section referred to as the “Administrator”) shall continue to implement the Clean Air Interstate Rule.

(3) ADDITIONAL RULEMAKINGS.—

(A) ISSUANCE OF NEW RULES.—The Administrator—

(i) shall not issue any proposed or final rule under section 110(a)(2)(D)(i)(I) or section 126 of the Clean Air Act (42 U.S.C. 7410(a)(2)(D)(i)(I), 7426) relating to national ambient air quality standards for ozone or particulate matter (including any modification of the Clean Air Interstate Rule) before the date that is 3 years after the date on which the Committee submits the final report under section 303(c); and

(ii) in issuing any rule described in clause (i), shall base the rule on actual monitored (and not modeled) data and shall, notwithstanding section 110(a)(2)(D)(i)(I), allow the trading of emissions allowances among entities covered by the rule irrespective of the States in which such entities are located.

(B) IMPLEMENTATION SCHEDULE.—In promulgating any final rule described in subparagraph (A)(i), the Administrator shall establish a date for State implementation of the standards established by such final rule that is not earlier than 3 years after the date of publication of such final rule.

(4) DEFINITION OF CLEAN AIR INTERSTATE RULE.—For purposes of this section, the term “Clean Air Interstate Rule” means the Clean Air Interstate Rule and the rule establishing Federal Implementation Plans for the Clean Air Interstate Rule as promulgated and modified by the Administrator (70 Fed. Reg. 25162 (May 12, 2005), 71 Fed. Reg. 25288 (April 28, 2006), 72 Fed. Reg. 55657 (October 1, 2007), 72 Fed. Reg. 59190 (October 19, 2007), 72 Fed. Reg. 62338 (November 2, 2007), 74 Fed. Reg. 56721 (November 3, 2009)).

(b) STEAM GENERATING UNIT RULES.—

(1) EARLIER RULES.—The proposed rule entitled “National Emission Standards for Hazardous Air Pollutants From Coal- and Oil-Fired Electric Utility Steam Generating Units and Standards of Performance for Fossil-Fuel-Fired Electric Utility, Industrial-Commercial-Institutional, and Small Industrial-Commercial-Institutional Steam Generating Units” published at 76 Fed. Reg. 24976 (May 3, 2011), and any final rule that is based on such proposed rule and is issued prior to the date of the enactment of this Act, shall be of no force and effect, and shall be treated as though such proposed or final rule had never been issued. In conducting analyses under section 302(a), the Committee shall analyze the rule described in section 302(e)(1)(E) (including any successor or substantially similar rule) as if the preceding sentence did not apply to such rule.

(2) PROMULGATION OF FINAL RULES.—In place of the rules described in paragraph (1), the Administrator shall—

(A) issue regulations establishing national emission standards for coal- and oil-fired electric utility steam generating units under section 112 of the Clean Air Act (42 U.S.C. 7412) with respect to each hazardous air pollutant for which the Administrator finds such regulations are appropriate and necessary pursuant to subsection (n)(1)(A) of such section;

(B) issue regulations establishing standards of performance for fossil-fuel-fired electric utility, industrial-commercial-institutional, and small industrial-commercial-institutional steam generating units under section 111 of the Clean Air Act (42 U.S.C. 7411); and

(C) issue the final regulations required by subparagraphs (A) and (B)—

(i) after issuing proposed regulations under such subparagraphs;

(ii) after consideration of the final report submitted under section 303(c); and

(iii) not earlier than the date that is 12 months after the date on which the Committee submits

such report to the Congress, or such later date as may be determined by the Administrator.

(3) COMPLIANCE PROVISIONS.—

(A) ESTABLISHMENT OF COMPLIANCE DATES.—In promulgating the regulations under paragraph (2), the Administrator—

(i) shall establish a date for compliance with the standards and requirements under such regulations that is not earlier than 5 years after the effective date of the regulations; and

(ii) in establishing a date for such compliance, shall take into consideration—

(I) the costs of achieving emissions reductions;

(II) any non-air quality health and environmental impact and energy requirements of the standards and requirements;

(III) the feasibility of implementing the standards and requirements, including the time needed to—

(aa) obtain necessary permit approvals; and

(bb) procure, install, and test control equipment;

(IV) the availability of equipment, suppliers, and labor, given the requirements of the regulations and other proposed or finalized regulations; and

(V) potential net employment impacts.

(B) NEW SOURCES.—With respect to the regulations promulgated pursuant to paragraph (2)—

(i) the date on which the Administrator proposes a regulation pursuant to paragraph (2)(A) establishing an emission standard under section 112 of the Clean Air Act (42 U.S.C. 7412) shall be treated as the date on which the Administrator first proposes such a regulation for purposes of applying the definition of a new source under section 112(a)(4) of such Act (42 U.S.C. 7412(a)(4));

(ii) the date on which the Administrator proposes a regulation pursuant to paragraph (2)(B) establishing a standard of performance under section 111 of the Clean Air Act (42 U.S.C. 7411) shall be treated as the date on which the Administrator proposes such a regulation for purposes of applying the definition of a new source under section 111(a)(2) of such Act (42 U.S.C. 7411(a)(2));

(iii) for purposes of any emission standard or limitation applicable to electric utility steam generating units, the term “new source” means a stationary source for which a preconstruction permit or other preconstruction approval required under the Clean Air Act (42 U.S.C. 7401 et seq.) has been issued after the effective date of such emissions standard or limitation; and

(iv) for purposes of clause (iii), the date of issuance of a preconstruction permit or other preconstruction approval is deemed to be the date on which such permit or approval is issued to the applicant irrespective of any administrative or judicial review occurring after such date.

(C) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to restrict or otherwise affect the provisions of paragraphs (3)(B) and (4) of section 112(i) of the Clean Air Act (42 U.S.C. 7412(i)).

(4) OTHER PROVISIONS.—

(A) ESTABLISHMENT OF STANDARDS ACHIEVABLE IN PRACTICE.—The regulations promulgated pursuant to paragraph (2)(A) of this section shall apply section 112(d)(3) of the Clean Air Act (42 U.S.C. 7412(d)(3)) in accordance with the following:

(i) NEW SOURCES.—With respect to new sources:

(I) The Administrator shall identify the best controlled similar source for each source category or subcategory.

(II) The best controlled similar source for a category or subcategory shall be the single source that is determined by the Administrator to be the best controlled, in the aggregate, for all of the hazardous air pollutants for which the

Administrator intends to issue standards for such source category or subcategory, under actual operating conditions, taking into account the variability in actual source performance, source design, fuels, controls, ability to measure pollutant emissions, and operating conditions.

(ii) **EXISTING SOURCES.**—With respect to existing sources:

(I) The Administrator shall identify one group of sources that constitutes the best performing 12 percent of existing sources for each source category or subcategory.

(II) The group constituting the best performing 12 percent of existing sources for a category or subcategory shall be the single group that is determined by the Administrator to be the best performing, in the aggregate, for all of the hazardous air pollutants for which the Administrator intends to issue standards for such source category or subcategory, under actual operating conditions, taking into account the variability in actual source performance, source design, fuels, controls, ability to measure pollutant emissions, and operating conditions.

(B) **REGULATORY ALTERNATIVES.**—For the regulations promulgated pursuant to paragraph (2) of this section, from among the range of regulatory alternatives authorized under the Clean Air Act (42 U.S.C. 7401 et seq.), including work practice standards under section 112(h) of such Act (42 U.S.C. 7412(h)), the Administrator shall impose the least burdensome, consistent with the purposes of such Act and Executive Order No. 13563 published at 76 Fed. Reg. 3821 (January 21, 2011).

SEC. 305. CONSIDERATION OF FEASIBILITY AND COST IN ESTABLISHING NATIONAL AMBIENT AIR QUALITY STANDARDS.

In establishing any national primary or secondary ambient air quality standard under section 109 of the Clean Air Act (42 U.S.C. 7409), the Administrator of the Environmental Protection Agency shall take into consideration feasibility and cost.

TITLE IV—MANAGEMENT AND DISPOSAL OF COAL COMBUSTION RESIDUALS

SEC. 401. MANAGEMENT AND DISPOSAL OF COAL COMBUSTION RESIDUALS.

(a) **IN GENERAL.**—Subtitle D of the Solid Waste Disposal Act (42 U.S.C. 6941 et seq.) is amended by adding at the end the following:

“SEC. 4011. MANAGEMENT AND DISPOSAL OF COAL COMBUSTION RESIDUALS.

“(a) **STATE PERMIT PROGRAMS FOR COAL COMBUSTION RESIDUALS.**—Each State may adopt and implement a coal combustion residuals permit program.

“(b) **STATE ACTIONS.**—

“(1) **NOTIFICATION.**—Not later than 6 months after the date of enactment of this section (except as provided by the deadline identified under subsection (d)(3)(B)), the Governor of each State shall notify the Administrator, in writing, whether such State will adopt and implement a coal combustion residuals permit program.

“(2) **CERTIFICATION.**—

“(A) **IN GENERAL.**—Not later than 36 months after the date of enactment of this section (except as provided in subsections (f)(1)(A) and (f)(1)(C)), in the case of a State that has notified the Administrator that it will implement a coal combustion residuals permit program, the head of the lead State agency responsible for implementing the coal combustion residuals permit program shall submit to the Administrator a certification that such coal combustion residuals permit program meets the specifications described in subsection (c).

“(B) **CONTENTS.**—A certification submitted under this paragraph shall include—

“(i) a letter identifying the lead State agency responsible for implementing the coal combustion residuals permit program, signed by the head of such agency;

“(ii) identification of any other State agencies involved with the implementation of the coal combustion residuals permit program;

“(iii) a narrative description that provides an explanation of how the State will ensure that the coal combustion residuals permit program meets the requirements of this section, including a description of the State’s—

“(I) process to inspect or otherwise determine compliance with such permit program;

“(II) process to enforce the requirements of such permit program;

“(III) public participation process for the promulgation, amendment, or repeal of regulations for, and the issuance of permits under, such permit program; and

“(IV) statutes, regulations, or policies pertaining to public access to information, such as groundwater monitoring data;

“(iv) a legal certification that the State has, at the time of certification, fully effective statutes or regulations necessary to implement a coal combustion residuals permit program that meets the specifications described in subsection (c); and

“(v) copies of State statutes and regulations described in clause (iv).

“(C) **UPDATES.**—A State may update the certification as needed to reflect changes to the coal combustion residuals permit program.

“(3) **MAINTENANCE OF 4005(C) OR 3006 PROGRAM.**—In order to adopt or implement a coal combustion residuals permit program under this section (including pursuant to subsection (f)), the State agency responsible for implementing a coal combustion residuals permit program in a State shall maintain an approved program under section 4005(c) or an authorized program under section 3006.

“(c) **PERMIT PROGRAM SPECIFICATIONS.**—

“(1) **MINIMUM REQUIREMENTS.**—

“(A) **IN GENERAL.**—A coal combustion residuals permit program shall apply the revised criteria described in paragraph (2) to owners or operators of structures, including surface impoundments, that receive coal combustion residuals.

“(B) **STRUCTURAL INTEGRITY.**—

“(i) **ENGINEERING CERTIFICATION.**—A coal combustion residuals permit program shall require that an independent registered professional engineer certify that—

“(I) the design of structures is in accordance with recognized and generally accepted good engineering practices for containment of the maximum volume of coal combustion residuals and liquids appropriate for the structure; and

“(II) the construction and maintenance of the structure will ensure dam stability.

“(ii) **INSPECTION.**—A coal combustion residuals permit program shall require that structures that are surface impoundments be inspected not less than annually by an independent registered professional engineer to assure that the design, operation, and maintenance of the surface impoundment is in accordance with recognized and generally accepted good engineering practices for containment of the maximum volume of coal combustion residuals and liquids which can be impounded, so as to ensure dam stability.

“(iii) **DEFICIENCY.**—

“(I) **IN GENERAL.**—If the head of the agency responsible for implementing the coal combustion residuals permit program determines that a structure is deficient with respect to the requirements in clauses (i) and (ii), the head of the agency has the authority to require action to correct the deficiency according to a schedule determined by the agency.

“(II) **UNCORRECTED DEFICIENCIES.**—If a deficiency is not corrected according to the schedule, the head of the agency has the authority to require that the structure close in accordance with subsection (h).

“(C) **LOCATION.**—Each structure that first receives coal combustion residuals after the date of enactment of this section shall be constructed with a base located a minimum of 2 feet above the upper limit of the water table, unless it is demonstrated to the satisfaction of the agency responsible for implementing the coal combustion residuals permit program that—

“(i) the hydrogeologic characteristics of the structure and surrounding land would preclude such a requirement; and

“(ii) the function and integrity of the liner system will not be adversely impacted by contact with the water table.

“(D) **WIND DISPERSAL.**—

“(i) **IN GENERAL.**—The agency responsible for implementing the coal combustion residuals permit program shall require that owners or operators of structures address wind dispersal of dust by requiring cover, or by wetting coal combustion residuals with water to a moisture content that prevents wind dispersal, facilitates compaction, and does not result in free liquids.

“(ii) **ALTERNATIVE METHODS.**—Subject to the review and approval by the agency, owners or operators of structures may propose alternative methods to address wind dispersal of dust that will provide comparable or more effective control of dust.

“(E) **PERMITS.**—The agency responsible for implementing the coal combustion residuals permit program shall require that the owner or operator of each structure that receives coal combustion residuals after the date of enactment of this section apply for and obtain a permit incorporating the requirements of the coal combustion residuals permit program.

“(F) **STATE NOTIFICATION AND GROUNDWATER MONITORING.**—

“(i) **NOTIFICATION.**—Not later than the date on which a State submits a certification under subsection (b)(2), the State shall notify owners or operators of structures within the State of—

“(I) the obligation to apply for and obtain a permit under subparagraph (E); and

“(II) the groundwater monitoring requirements applicable to structures under paragraph (2)(A)(ii).

“(ii) **GROUNDWATER MONITORING.**—Not later than 1 year after the date on which a State submits a certification under subsection (b)(2), the State shall require the owner or operator of each structure to comply with the groundwater monitoring requirements under paragraph (2)(A)(ii).

“(G) **AGENCY REQUIREMENTS.**—Except for information described in section 1905 of title 18, United States Code, the agency responsible for implementing the coal combustion residuals permit program shall ensure that—

“(i) documents for permit determinations are made available for public review and comment under the public participation process described in subsection (b)(2)(B)(iii)(III);

“(ii) final determinations on permit applications are made known to the public; and

“(iii) groundwater monitoring data collected under paragraph (2) is publicly available.

“(H) **AGENCY AUTHORITY.**—

“(i) **IN GENERAL.**—The agency responsible for implementing the coal combustion residuals permit program has the authority to—

“(I) obtain information necessary to determine whether the owner or operator of a structure is in compliance with the coal combustion residuals permit program requirements of this section;

“(II) conduct or require monitoring and testing to ensure that structures are in compliance with the coal combustion residuals permit program requirements of this section; and

“(III) enter, at reasonable times, any site or premise subject to the coal combustion residuals permit program for the purpose of inspecting structures and reviewing records relevant to the operation and maintenance of structures.

“(ii) **MONITORING AND TESTING.**—If monitoring or testing is conducted under clause (i)(II) by or for the agency responsible for implementing the coal combustion residuals permit program, the agency shall, if requested, provide to the owner or operator—

“(I) a written description of the monitoring or testing completed;

“(II) at the time of sampling, a portion of each sample equal in volume or weight to the portion retained by or for the agency; and

“(III) a copy of the results of any analysis of samples collected by or for the agency.

“(I) **STATE AUTHORITY.**—A State implementing a coal combustion residuals permit program has the authority to—

“(i) inspect structures; and

“(ii) implement and enforce the coal combustion residuals permit program.

“(J) **REQUIREMENTS FOR SURFACE IMPOUNDMENTS THAT DO NOT MEET CERTAIN CRITERIA.**—

“(i) **IN GENERAL.**—In addition to the groundwater monitoring and corrective action requirements described in paragraph (2)(A)(ii), a coal combustion residuals permit program shall require a surface impoundment that receives coal combustion residuals after the date of enactment of this section to—

“(I) comply with the requirements in clause (ii)(I)(aa) and subclauses (II) through (IV) of clause (ii) if the surface impoundment—

“(aa) does not—

“(AA) have a liner system described in section 258.40(b) of title 40, Code of Federal Regulations; and

“(BB) meet the design criteria described in section 258.40(a)(1) of title 40, Code of Federal Regulations; and

“(bb) within 10 years after the date of enactment of this section, is required under section 258.56(a) of title 40, Code of Federal Regulations, to undergo an assessment of corrective measures for any constituent identified in paragraph (2)(A)(ii) for which assessment groundwater monitoring is required; and

“(II) comply with the requirements in clause (ii)(I)(bb) and subclauses (II) through (IV) of clause (ii) if the surface impoundment—

“(aa) does not—

“(AA) have a liner system described in section 258.40(b) of title 40, Code of Federal Regulations; and

“(BB) meet the design criteria described in section 258.40(a)(1) of title 40, Code of Federal Regulations; and

“(bb) as of the date of enactment of this section, is subject to a State corrective action requirement.

“(ii) **REQUIREMENTS.**—

“(I) **DEADLINES.**—

“(aa) **IN GENERAL.**—Except as provided in item (bb), subclause (IV), and clause (iii), the groundwater protection standard for structures identified in clause (i)(I) established by the agency responsible for implementing the coal combustion residuals permit program under section 258.55(h) or 258.55(i) of title 40, Code of Federal Regulations, for any constituent for which corrective measures are required shall be met—

“(AA) as soon as practicable at the relevant point of compliance, as described in section 258.40(d) of title 40, Code of Federal Regulations; and

“(BB) not later than 10 years after the date of enactment of this section.

“(bb) **IMPOUNDMENTS SUBJECT TO STATE CORRECTIVE ACTION REQUIREMENTS.**—Except as provided in subclause (IV), the groundwater protection standard for structures identified in clause (i)(II) established by the agency responsible for implementing the coal combustion residuals permit program under section 258.55(h) or 258.55(i) of title 40, Code of Federal Regulations, for any

constituent for which corrective measures are required shall be met—

“(AA) as soon as practicable at the relevant point of compliance, as described in section 258.40(d) of title 40, Code of Federal Regulations; and

“(BB) not later than 8 years after the date of enactment of this section.

“(II) **CLOSURE.**—If the deadlines under clause (I) are not satisfied, the structure shall cease receiving coal combustion residuals and initiate closure under subsection (h).

“(III) **INTERIM MEASURES.**—

“(aa) **IN GENERAL.**—Except as provided in item (bb), not later than 90 days after the date on which the assessment of corrective measures is initiated, the owner or operator shall implement interim measures, as necessary, under the factors in section 258.58(a)(3) of title 40, Code of Federal Regulations.

“(bb) **IMPOUNDMENTS SUBJECT TO STATE CORRECTIVE ACTION REQUIREMENTS.**—Item (aa) shall only apply to surface impoundments subject to a State corrective action requirement as of the date of enactment of this section if the owner or operator has not implemented interim measures, as necessary, under the factors in section 258.58(a)(3) of title 40, Code of Federal Regulations.

“(IV) **EXTENSION OF DEADLINE.**—

“(aa) **IN GENERAL.**—Except as provided in item (bb), the deadline for meeting a groundwater protection standard under subclause (I) may be extended by the agency responsible for implementing the coal combustion residuals permit program, after opportunity for public notice and comment under the public participation process described in subsection (b)(2)(B)(iii)(III), based on—

“(AA) the effectiveness of any interim measures implemented by the owner or operator of the facility under section 258.58(a)(3) of title 40, Code of Federal Regulations;

“(BB) the level of progress demonstrated in meeting the groundwater protection standard; and

“(CC) the potential for other adverse human health or environmental exposures attributable to the contamination from the surface impoundment undergoing corrective action; and

“(DD) the lack of available alternative management capacity for the coal combustion residuals and related materials managed in the impoundment at the facility at which the impoundment is located if the owner or operator has used best efforts, as necessary, to design, obtain any necessary permits, finance, construct, and render operational the alternative management capacity during the time period for meeting a groundwater protection standard in subclause (I).

“(bb) **EXCEPTION.**—The deadlines under subclause (I) shall not be extended if there has been contamination of public or private drinking water systems attributable to a surface impoundment undergoing corrective action, unless the contamination has been addressed by providing a permanent replacement water system.

“(iii) **SUBSEQUENT CLOSURE.**—

“(I) **IN GENERAL.**—In addition to the groundwater monitoring and corrective action requirements described in paragraph (2)(A)(ii), a coal combustion residuals permit program shall require a surface impoundment that receives coal combustion residuals after the date of enactment of this section to comply with the requirements in subclause (II) if the surface impoundment—

“(aa) does not—

“(AA) have a liner system described in section 258.40(b) of title 40, Code of Federal Regulations; and

“(BB) meet the design criteria described in section 258.40(a)(1) of title 40, Code of Federal Regulations;

“(bb) more than 10 years after the date of enactment of this section, is required under section

258.56(a) of title 40, Code of Federal Regulations, to undergo an assessment of corrective measures for any constituent identified in paragraph (2)(A)(ii) for which assessment groundwater monitoring is required; and

“(cc) is not subject to the requirements in clause (ii).

“(II) **REQUIREMENTS.**—

“(aa) **CLOSURE.**—The structures identified in subclause (I) shall cease receiving coal combustion residuals and initiate closure in accordance with subsection (h) after alternative management capacity for the coal combustion residuals and related materials managed in the impoundment at the facility is available.

“(bb) **BEST EFFORTS.**—The alternative management capacity shall be developed as soon as practicable with the owner or operator using best efforts to design, obtain necessary permits, finance, construct, and render operational the alternative management capacity.

“(cc) **ALTERNATIVE MANAGEMENT CAPACITY PLAN.**—The owner or operator shall, in collaboration with the agency responsible for implementing the coal combustion residuals permit program, prepare a written plan that describes the steps necessary to develop the alternative management capacity and includes a schedule for completion.

“(dd) **PUBLIC PARTICIPATION.**—The plan described in item (cc) shall be subject to public notice and comment under the public participation process described in subsection (b)(2)(B)(iii)(III).

“(2) **REVISED CRITERIA.**—The revised criteria described in this paragraph are—

“(A) the revised criteria for design, groundwater monitoring, corrective action, closure, and post-closure, for structures, including—

“(i) for new structures, and lateral expansions of existing structures, that first receive coal combustion residuals after the date of enactment of this section, the revised criteria regarding design requirements described in section 258.40 of title 40, Code of Federal Regulations, except that the leachate collection system requirements described in section 258.40(a)(2) of title 40, Code of Federal Regulations do not apply to structures that are surface impoundments;

“(ii) for all structures that receive coal combustion residuals after the date of enactment of this section, the revised criteria regarding groundwater monitoring and corrective action requirements described in subpart E of part 258 of title 40, Code of Federal Regulations, except that, for the purposes of this paragraph, the revised criteria shall also include—

“(I) for the purposes of detection monitoring, the constituents boron, chloride, conductivity, fluoride, mercury, pH, sulfate, sulfide, and total dissolved solids; and

“(II) for the purposes of assessment monitoring, establishing a groundwater protection standard, and assessment of corrective measures, the constituents aluminum, boron, chloride, fluoride, iron, manganese, molybdenum, pH, sulfate, and total dissolved solids;

“(iii) for all structures that receive coal combustion residuals after the date of enactment of this section, in a manner consistent with subsection (h), the revised criteria for closure described in subsections (a) through (c) and (h) through (j) of section 258.60 of title 40, Code of Federal Regulations; and

“(iv) for all structures that receive coal combustion residuals after the date of enactment of this section, the revised criteria for post-closure care described in section 258.61 of title 40, Code of Federal Regulations, except for the requirement described in subsection (a)(4) of that section;

“(B) the revised criteria for location restrictions described in—

“(i) for new structures, and lateral expansions of existing structures, that first receive coal

combustion residuals after the date of enactment of this section, sections 258.11 through 258.15 of title 40, Code of Federal Regulations; and

“(ii) for existing structures that receive coal combustion residuals after the date of enactment of this section, sections 258.11 and 258.15 of title 40, Code of Federal Regulations;

“(C) for all structures that receive coal combustion residuals after the date of enactment of this section, the revised criteria for air quality described in section 258.24 of title 40, Code of Federal Regulations;

“(D) for all structures that receive coal combustion residuals after the date of enactment of this section, the revised criteria for financial assurance described in subpart G of part 258 of title 40, Code of Federal Regulations;

“(E) for all structures that receive coal combustion residuals after the date of enactment of this section, the revised criteria for surface water described in section 258.27 of title 40, Code of Federal Regulations;

“(F) for all structures that receive coal combustion residuals after the date of enactment of this section, the revised criteria for record-keeping described in section 258.29 of title 40, Code of Federal Regulations;

“(G) for landfills and other land-based units, other than surface impoundments, that receive coal combustion residuals after the date of enactment of this section, the revised criteria for run-on and run-off control systems described in section 258.26 of title 40, Code of Federal Regulations; and

“(H) for surface impoundments that receive coal combustion residuals after the date of enactment of this section, the revised criteria for run-off control systems described in section 258.26(a)(2) of title 40, Code of Federal Regulations.

“(d) WRITTEN NOTICE AND OPPORTUNITY TO REMEDY.—

“(1) IN GENERAL.—The Administrator shall provide to a State written notice and an opportunity to remedy deficiencies in accordance with paragraph (2) if at any time the State—

“(A) does not satisfy the notification requirement under subsection (b)(1);

“(B) has not submitted a certification under subsection (b)(2);

“(C) does not satisfy the maintenance requirement under subsection (b)(3);

“(D) is not implementing a coal combustion residuals permit program that—

“(i) meets the specifications described in subsection (c); or

“(ii)(I) is consistent with the certification under subsection (b)(2)(B)(iii); and

“(II) maintains fully effective statutes or regulations necessary to implement a coal combustion residuals permit program; or

“(E) does not make available to the Administrator, within 90 days of a written request, specific information necessary for the Administrator to ascertain whether the State has complied with subparagraphs (A) through (D).

“(2) REQUEST.—If the request described in paragraph (1)(E) is made pursuant to a petition of the Administrator, the Administrator shall only make the request if the Administrator does not possess the information necessary to ascertain whether the State has complied with subparagraphs (A) through (D) of paragraph (1).

“(3) CONTENTS OF NOTICE; DEADLINE FOR RESPONSE.—A notice provided under this subsection shall—

“(A) include findings of the Administrator detailing any applicable deficiencies in—

“(i) compliance by the State with the notification requirement under subsection (b)(1);

“(ii) compliance by the State with the certification requirement under subsection (b)(2);

“(iii) compliance by the State with the maintenance requirement under subsection (b)(3);

“(iv) the State coal combustion residuals permit program in meeting the specifications described in subsection (c); and

“(v) compliance by the State with the request under paragraph (1)(E); and

“(B) identify, in collaboration with the State, a reasonable deadline, by which the State shall remedy the deficiencies detailed under subparagraph (A), which shall be—

“(i) in the case of a deficiency described in clauses (i) through (iv) of subparagraph (A), not earlier than 180 days after the date on which the State receives the notice; and

“(ii) in the case of a deficiency described in subparagraph (A)(v), not later than 90 days after the date on which the State receives the notice.

“(e) IMPLEMENTATION BY ADMINISTRATOR.—

“(1) IN GENERAL.—The Administrator shall implement a coal combustion residuals permit program for a State only if—

“(A) the Governor of the State notifies the Administrator under subsection (b)(1) that the State will not adopt and implement a permit program;

“(B) the State has received a notice under subsection (d) and the Administrator determines, after providing a 30-day period for notice and public comment, that the State has failed, by the deadline identified in the notice under subsection (d)(3)(B), to remedy the deficiencies detailed in the notice under subsection (d)(3)(A); or

“(C) the State informs the Administrator, in writing, that such State will no longer implement such a permit program.

“(2) REVIEW.—A State may obtain a review of a determination by the Administrator under this subsection as if the determination was a final regulation for purposes of section 7006.

“(3) OTHER STRUCTURES.—For structures located on property within the exterior boundaries of a State for which the State does not have authority or jurisdiction to regulate, the Administrator shall implement a coal combustion residuals permit program only for those structures.

“(4) REQUIREMENTS.—If the Administrator implements a coal combustion residuals permit program for a State under paragraph (1) or (3), the permit program shall consist of the specifications described in subsection (c).

“(5) ENFORCEMENT.—

“(A) IN GENERAL.—If the Administrator implements a coal combustion residuals permit program for a State under paragraph (1)—

“(i) the authorities referred to in section 4005(c)(2)(A) shall apply with respect to coal combustion residuals and structures for which the Administrator is implementing the coal combustion residuals permit program; and

“(ii) the Administrator may use those authorities to inspect, gather information, and enforce the requirements of this section in the State.

“(B) OTHER STRUCTURES.—If the Administrator implements a coal combustion residuals permit program for a State under paragraph (3)—

“(i) the authorities referred to in section 4005(c)(2)(A) shall apply with respect to coal combustion residuals and structures for which the Administrator is implementing the coal combustion residuals permit program; and

“(ii) the Administrator may use those authorities to inspect, gather information, and enforce the requirements of this section for the structures for which the Administrator is implementing the coal combustion residuals permit program.

“(f) STATE CONTROL AFTER IMPLEMENTATION BY ADMINISTRATOR.—

“(1) STATE CONTROL.—

“(A) NEW ADOPTION AND IMPLEMENTATION BY STATE.—For a State for which the Administrator is implementing a coal combustion residuals per-

mit program under subsection (e)(1)(A), the State may adopt and implement such a permit program by—

“(i) notifying the Administrator that the State will adopt and implement such a permit program;

“(ii) not later than 6 months after the date of such notification, submitting to the Administrator a certification under subsection (b)(2); and

“(iii) receiving from the Administrator—

“(I) a determination, after providing a 30-day period for notice and public comment that the State coal combustion residuals permit program meets the specifications described in subsection (c); and

“(II) a timeline for transition of control of the coal combustion residuals permit program.

“(B) REMEDYING DEFICIENT PERMIT PROGRAM.—For a State for which the Administrator is implementing a coal combustion residuals permit program under subsection (e)(1)(B), the State may adopt and implement such a permit program by—

“(i) remedying only the deficiencies detailed in the notice provided under subsection (d)(3)(A); and

“(ii) receiving from the Administrator—

“(I) a determination, after providing a 30-day period for notice and public comment, that the deficiencies detailed in such notice have been remedied; and

“(II) a timeline for transition of control of the coal combustion residuals permit program.

“(C) RESUMPTION OF IMPLEMENTATION BY STATE.—For a State for which the Administrator is implementing a coal combustion residuals permit program under subsection (e)(1)(C), the State may adopt and implement such a permit program by—

“(i) notifying the Administrator that the State will adopt and implement such a permit program;

“(ii) not later than 6 months after the date of such notification, submitting to the Administrator a certification under subsection (b)(2); and

“(iii) receiving from the Administrator—

“(I) a determination, after providing a 30-day period for notice and public comment, that the State coal combustion residuals permit program meets the specifications described in subsection (c); and

“(II) a timeline for transition of control of the coal combustion residuals permit program.

“(2) REVIEW OF DETERMINATION.—

“(A) DETERMINATION REQUIRED.—The Administrator shall make a determination under paragraph (1) not later than 90 days after the date on which the State submits a certification under paragraph (1)(A)(ii) or (1)(C)(ii), or notifies the Administrator that the deficiencies have been remedied pursuant to paragraph (1)(B)(i), as applicable.

“(B) REVIEW.—A State may obtain a review of a determination by the Administrator under paragraph (1) as if such determination was a final regulation for purposes of section 7006.

“(3) IMPLEMENTATION DURING TRANSITION.—

“(A) EFFECT ON ACTIONS AND ORDERS.—Actions taken or orders issued pursuant to a coal combustion residuals permit program shall remain in effect if—

“(i) a State takes control of its coal combustion residuals permit program from the Administrator under paragraph (1); or

“(ii) the Administrator takes control of a coal combustion residuals permit program from a State under subsection (e).

“(B) CHANGE IN REQUIREMENTS.—Subparagraph (A) shall apply to such actions and orders until such time as the Administrator or the head of the lead State agency responsible for implementing the coal combustion residuals permit program, as applicable—

“(i) implements changes to the requirements of the coal combustion residuals permit program with respect to the basis for the action or order; or

“(ii) certifies the completion of a corrective action that is the subject of the action or order.

“(4) **SINGLE PERMIT PROGRAM.**—If a State adopts and implements a coal combustion residuals permit program under this subsection, the Administrator shall cease to implement the permit program implemented under subsection (e)(1) for such State.

“(g) **EFFECT ON DETERMINATION UNDER 4005(C) OR 3006.**—The Administrator shall not consider the implementation of a coal combustion residuals permit program by the Administrator under subsection (e) in making a determination of approval for a permit program or other system of prior approval and conditions under section 4005(c) or of authorization for a program under section 3006.

“(h) **CLOSURE.**—

“(1) **IN GENERAL.**—If it is determined, pursuant to a coal combustion residuals permit program, that a structure should close, the time period and method for the closure of such structure shall be set forth in a closure plan that establishes a deadline for completion and that takes into account the nature and the site-specific characteristics of the structure to be closed.

“(2) **SURFACE IMPOUNDMENT.**—In the case of a surface impoundment, the closure plan under paragraph (1) shall require, at a minimum, the removal of liquid and the stabilization of remaining waste, as necessary to support the final cover.

“(i) **AUTHORITY.**—

“(1) **STATE AUTHORITY.**—Nothing in this section shall preclude or deny any right of any State to adopt or enforce any regulation or requirement respecting coal combustion residuals that is more stringent or broader in scope than a regulation or requirement under this section.

“(2) **AUTHORITY OF THE ADMINISTRATOR.**—

“(A) **IN GENERAL.**—Except as provided in subsections (d) and (e) and section 6005, the Administrator shall, with respect to the regulation of coal combustion residuals, defer to the States pursuant to this section.

“(B) **IMMINENT HAZARD.**—Nothing in this section shall be construed as affecting the authority of the Administrator under section 7003 with respect to coal combustion residuals.

“(C) **ENFORCEMENT ASSISTANCE ONLY UPON REQUEST.**—Upon request from the head of a lead State agency that is implementing a coal combustion residuals permit program, the Administrator may provide to such State agency only the enforcement assistance requested.

“(D) **CONCURRENT ENFORCEMENT.**—Except as provided in subparagraph (C), the Administrator shall not have concurrent enforcement authority when a State is implementing a coal combustion residuals permit program.

“(E) **OTHER AUTHORITY.**—The Administrator shall not have authority to finalize the proposed rule published at pages 35128 through 35264 of volume 75 of the Federal Register (June 21, 2010).

“(3) **CITIZEN SUITS.**—Nothing in this section shall be construed to affect the authority of a person to commence a civil action in accordance with section 7002.

“(f) **MINE RECLAMATION ACTIVITIES.**—A coal combustion residuals permit program implemented by the Administrator under subsection (e) shall not apply to the utilization, placement, and storage of coal combustion residuals at surface mining and reclamation operations.

“(k) **DEFINITIONS.**—In this section:

“(1) **COAL COMBUSTION RESIDUALS.**—The term ‘coal combustion residuals’ means—

“(A) the solid wastes listed in section 3001(b)(3)(A)(i), including recoverable materials from such wastes;

“(B) coal combustion wastes that are co-managed with wastes produced in conjunction with the combustion of coal, provided that such wastes are not segregated and disposed of separately from the coal combustion wastes and comprise a relatively small proportion of the total wastes being disposed in the structure;

“(C) fluidized bed combustion wastes;

“(D) wastes from the co-burning of coal with non-hazardous secondary materials, provided that coal makes up at least 50 percent of the total fuel burned; and

“(E) wastes from the co-burning of coal with materials described in subparagraph (A) that are recovered from monofills.

“(2) **COAL COMBUSTION RESIDUALS PERMIT PROGRAM.**—The term ‘coal combustion residuals permit program’ means all of the authorities, activities, and procedures that comprise the system of prior approval and conditions implemented by or for a State to regulate the management and disposal of coal combustion residuals.

“(3) **CODE OF FEDERAL REGULATIONS.**—The term ‘Code of Federal Regulations’ means the Code of Federal Regulations (as in effect on the date of enactment of this section) or any successor regulations.

“(4) **PERMIT; PRIOR APPROVAL AND CONDITIONS.**—The terms ‘permit’ and ‘prior approval and conditions’ mean any authorization, license, or equivalent control document that incorporates the requirements and revised criteria described in paragraphs (1) and (2) of subsection (c), respectively.

“(5) **REVISED CRITERIA.**—The term ‘revised criteria’ means the criteria promulgated for municipal solid waste landfill units under section 4004(a) and under section 1008(a)(3), as revised under section 4010(c).

“(6) **STRUCTURE.**—

“(A) **IN GENERAL.**—Except as provided in subparagraph (B), the term ‘structure’ means a landfill, surface impoundment, or other land-based unit which may receive coal combustion residuals.

“(B) **DE MINIMIS RECEIPT.**—The term ‘structure’ does not include any land-based unit that receives only de minimis quantities of coal combustion residuals if the presence of coal combustion residuals is incidental to the material managed in the unit.”

(b) **CONFORMING AMENDMENT.**—The table of contents contained in section 1001 of the Solid Waste Disposal Act is amended by inserting after the item relating to section 4010 the following:

“Sec. 4011. Management and disposal of coal combustion residuals.”

SEC. 402. 2000 REGULATORY DETERMINATION.

Nothing in this title, or the amendments made by this title, shall be construed to alter in any manner the Environmental Protection Agency’s regulatory determination entitled “Notice of Regulatory Determination on Wastes from the Combustion of Fossil Fuels”, published at 65 Fed. Reg. 32214 (May 22, 2000), that the fossil fuel combustion wastes addressed in that determination do not warrant regulation under subtitle C of the Solid Waste Disposal Act (42 U.S.C. 6921 et seq.).

SEC. 403. TECHNICAL ASSISTANCE.

Nothing in this title, or the amendments made by this title, shall be construed to affect the authority of a State to request, or the Administrator of the Environmental Protection Agency to provide, technical assistance under the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.).

SEC. 404. FEDERAL POWER ACT.

Nothing in this title, or the amendments made by this title, shall be construed to affect the obligations of the owner or operator of a structure (as defined in section 4011 of the Solid Waste Disposal Act, as added by this title) under sec-

tion 215(b)(1) of the Federal Power Act (16 U.S.C. 824o(b)(1)).

TITLE V—PRESERVING STATE AUTHORITY TO MAKE DETERMINATIONS RELATING TO WATER QUALITY STANDARDS

SEC. 501. STATE WATER QUALITY STANDARDS.

(a) **STATE WATER QUALITY STANDARDS.**—Section 303(c)(4) of the Federal Water Pollution Control Act (33 U.S.C. 1313(c)(4)) is amended—

(1) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively;

(2) by striking “(4)” and inserting “(4)(A)”;

(3) by striking “The Administrator shall promulgate” and inserting the following:

“(B) The Administrator shall promulgate”; and

(4) by adding at the end the following:

“(C) Notwithstanding subparagraph (A)(ii), the Administrator may not promulgate a revised or new standard for a pollutant in any case in which the State has submitted to the Administrator and the Administrator has approved a water quality standard for that pollutant, unless the State concurs with the Administrator’s determination that the revised or new standard is necessary to meet the requirements of this Act.”

(b) **FEDERAL LICENSES AND PERMITS.**—Section 401(a) of such Act (33 U.S.C. 1341(a)) is amended by adding at the end the following:

“(7) With respect to any discharge, if a State or interstate agency having jurisdiction over the navigable waters at the point where the discharge originates or will originate determines under paragraph (1) that the discharge will comply with the applicable provisions of sections 301, 302, 303, 306, and 307, the Administrator may not take any action to supersede the determination.”

(c) **STATE NPDES PERMIT PROGRAMS.**—Section 402(c) of such Act (42 U.S.C. 1342(c)) is amended by adding at the end the following:

“(5) **LIMITATION ON AUTHORITY OF ADMINISTRATOR TO WITHDRAW APPROVAL OF STATE PROGRAMS.**—The Administrator may not withdraw approval of a State program under paragraph (3) or (4), or limit Federal financial assistance for the State program, on the basis that the Administrator disagrees with the State regarding—

“(A) the implementation of any water quality standard that has been adopted by the State and approved by the Administrator under section 303(c); or

“(B) the implementation of any Federal guidance that directs the interpretation of the State’s water quality standards.”

(d) **LIMITATION ON AUTHORITY OF ADMINISTRATOR TO OBJECT TO INDIVIDUAL PERMITS.**—Section 402(d) of such Act (33 U.S.C. 1342(d)) is amended by adding at the end the following:

“(5) The Administrator may not object under paragraph (2) to the issuance of a permit by a State on the basis of—

“(A) the Administrator’s interpretation of a water quality standard that has been adopted by the State and approved by the Administrator under section 303(c); or

“(B) the implementation of any Federal guidance that directs the interpretation of the State’s water quality standards.”

SEC. 502. PERMITS FOR DREDGED OR FILL MATERIAL.

(a) **AUTHORITY OF EPA ADMINISTRATOR.**—Section 404(c) of the Federal Water Pollution Control Act (33 U.S.C. 1344(c)) is amended—

(1) by striking “(c)” and inserting “(c)(1)”;

and

(2) by adding at the end the following:

“(2) Paragraph (1) shall not apply to any permit if the State in which the discharge originates or will originate does not concur with the Administrator’s determination that the discharge will result in an unacceptable adverse effect as described in paragraph (1).”

(b) **STATE PERMIT PROGRAMS.**—The first sentence of section 404(g)(1) of such Act (33 U.S.C. 1344(g)(1)) is amended by striking “The Governor of any State desiring to administer its own individual and general permit program for the discharge” and inserting “The Governor of any State desiring to administer its own individual and general permit program for some or all of the discharges”.

SEC. 503. DEADLINES FOR AGENCY COMMENTS.

Section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344) is amended—

(1) in subsection (m) by striking “ninetieth day” and inserting “30th day (or the 60th day if additional time is requested)”; and

(2) in subsection (q)—

(A) by striking “(q)” and inserting “(q)(1)”; and

(B) by adding at the end the following:

“(2) The Administrator and the head of a department or agency referred to in paragraph (1) shall each submit any comments with respect to an application for a permit under subsection (a) or (e) not later than the 30th day (or the 60th day if additional time is requested) after the date of receipt of an application for a permit under that subsection.”.

SEC. 504. APPLICABILITY OF AMENDMENTS.

The amendments made by this title shall apply to actions taken on or after the date of enactment of this Act, including actions taken with respect to permit applications that are pending or revised or new standards that are being promulgated as of such date of enactment.

SEC. 505. REPORTING ON HARMFUL POLLUTANTS.

Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Administrator of the Environmental Protection Agency shall submit to Congress a report on any increase or reduction in waterborne pathogenic microorganisms (including protozoa, viruses, bacteria, and parasites), toxic chemicals, or toxic metals (such as lead and mercury) in waters regulated by a State under the provisions of this title, including the amendments made by this title.

SEC. 506. PIPELINES CROSSING STREAMBEDS.

None of the provisions of this title, including the amendments made by this title, shall be construed to limit the authority of the Administrator of the Environmental Protection Agency, as in effect on the day before the date of enactment of this Act, to regulate a pipeline that crosses a streambed.

SEC. 507. IMPACTS OF EPA REGULATORY ACTIVITY ON EMPLOYMENT AND ECONOMIC ACTIVITY.

(a) **ANALYSIS OF IMPACTS OF ACTIONS ON EMPLOYMENT AND ECONOMIC ACTIVITY.**—

(1) **ANALYSIS.**—Before taking a covered action, the Administrator shall analyze the impact, disaggregated by State, of the covered action on employment levels and economic activity, including estimated job losses and decreased economic activity.

(2) **ECONOMIC MODELS.**—

(A) **IN GENERAL.**—In carrying out paragraph (1), the Administrator shall utilize the best available economic models.

(B) **ANNUAL GAO REPORT.**—Not later than December 31st of each year, the Comptroller General of the United States shall submit to Congress a report on the economic models used by the Administrator to carry out this subsection.

(3) **AVAILABILITY OF INFORMATION.**—With respect to any covered action, the Administrator shall—

(A) post the analysis under paragraph (1) as a link on the main page of the public Internet Web site of the Environmental Protection Agency; and

(B) request that the Governor of any State experiencing more than a de minimis negative im-

pact post such analysis in the Capitol of such State.

(b) **PUBLIC HEARINGS.**—

(1) **IN GENERAL.**—If the Administrator concludes under subsection (a)(1) that a covered action will have more than a de minimis negative impact on employment levels or economic activity in a State, the Administrator shall hold a public hearing in each such State at least 30 days prior to the effective date of the covered action.

(2) **TIME, LOCATION, AND SELECTION.**—A public hearing required under paragraph (1) shall be held at a convenient time and location for impacted residents. In selecting a location for such a public hearing, the Administrator shall give priority to locations in the State that will experience the greatest number of job losses.

(c) **NOTIFICATION.**—If the Administrator concludes under subsection (a)(1) that a covered action will have more than a de minimis negative impact on employment levels or economic activity in any State, the Administrator shall give notice of such impact to the State’s Congressional delegation, Governor, and Legislature at least 45 days before the effective date of the covered action.

(d) **DEFINITIONS.**—In this section, the following definitions apply:

(1) **ADMINISTRATOR.**—The term “Administrator” means the Administrator of the Environmental Protection Agency.

(2) **COVERED ACTION.**—The term “covered action” means any of the following actions taken by the Administrator under the Federal Water Pollution Control Act (33 U.S.C. 1201 et seq.):

(A) Issuing a regulation, policy statement, guidance, response to a petition, or other requirement.

(B) Implementing a new or substantially altered program.

(3) **MORE THAN A DE MINIMIS NEGATIVE IMPACT.**—The term “more than a de minimis negative impact” means the following:

(A) With respect to employment levels, a loss of more than 100 jobs. Any offsetting job gains that result from the hypothetical creation of new jobs through new technologies or government employment may not be used in the job loss calculation.

(B) With respect to economic activity, a decrease in economic activity of more than \$1,000,000 over any calendar year. Any offsetting economic activity that results from the hypothetical creation of new economic activity through new technologies or government employment may not be used in the economic activity calculation.

The Acting CHAIR. No amendment to that amendment in the nature of a substitute shall be in order except those printed in House Report 112-680. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. MARKEY

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in House Report 112-680.

MR. MARKEY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 3, strike the period at line 12 and insert a semicolon, and after line 12 insert the following:

unless it is found by the Secretary of Interior, in consultation with Secretary of Health and Human Services, that such a rule would reduce the prevalence of pulmonary disease, lung cancer, or cardiovascular disease or reduce the prevalence of birth defects or reproductive problems in pregnant women or children.

The Acting CHAIR. Pursuant to House Resolution 788, the gentleman from Massachusetts (Mr. MARKEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Massachusetts.

MR. MARKEY. Mr. Chairman, I yield myself as much time as I may consume.

With just 1 more day left until Congress recesses until the election, the Republican majority has decided that, instead of dealing with real problems facing Americans by passing a jobs package dealing with the looming fiscal cliff or providing tax certainty to middle class families, we will instead debate a bill that deals with an imaginary war on coal, fabricated by Republicans in order to justify their real war on the environment, the most anti-environment Congress in history.

In reality, this bill just represents a war on us. It’s the Republicans in Congress making clear that their priority is not protecting the well-being of the American people. The Republican majority has already acted on four out of the five titles in this bill, and the Senate has rejected every single one of them. The President has vowed to veto every single one of them.

The only new title that is presented is one aimed at preventing the administration from moving forward with a rule that does not yet even exist, that would limit coal mining companies from dumping tons of their toxic mining waste directly into streams and rivers.

The ironic part is that, according to CBO, this bill won’t even prevent the administration from doing that. But it does prevent the administration from undertaking any action that would ensure that mountaintop mining operations are safe for workers and safe for the health of those who live and work nearby.

MR. CHAIRMAN. I would like to, at this point, reserve the balance of my time.

MR. HASTINGS of Washington. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

MR. HASTINGS of Washington. I yield 3 minutes to the gentleman from Ohio (Mr. JOHNSON), the author of title I of this legislation.

MR. JOHNSON of Ohio. Thank you, Mr. Chairman, for yielding.

You know, it absolutely amazes me that our colleagues on the opposite

side of the aisle can honestly, and with a straight face, stand up and say that this Republican-led House has not put forth jobs bills. There have been 40 jobs bills sent to the Senate from this House already. This is another jobs bill that is prepared to be sent to the Senate.

I want to also remind my colleague that the Stream Buffer Zone rule that we're talking about here today, it took 5 years to put that rule in place. The administration went after that rule with a vengeance, without even seeing what the rule would do in terms of providing the protections that they're so adamantly arguing about right now.

Instead, they used an environmental lawsuit to go after the coal industry and to undermine job creators all across America, and it's driving up America's energy prices. It's irresponsible. It's wrong. This amendment is only meant to distract the public from the job-killing policies of this administration.

The gentleman from Massachusetts knows all too well that SMCRA was not written nor intended to deal with health issues. The gentleman's amendment would change the stated goal and reason for SMCRA completely and would duplicate laws and mandates that are already in the Federal code.

The other side of the aisle also seems to think that they are the only Members of this body that are concerned about public health and the environment. Nothing could be further from the truth.

I grew up on a two-wheel wagon rut mule farm, and I know the importance of having a clean and vibrant environment. I also have kids and grandkids, and I want to ensure that our generation leaves them with an environment healthier than the one our generation inherited; however, this legislation today is about balancing job creation and economic prosperity with sensible environmental regulations. This amendment does neither of those things, and I urge all of my colleagues to defeat this amendment.

Mr. MARKEY. Mr. Chairman, I yield myself as much time as I may consume.

So the Republicans say that this legislation is all about creating jobs. They say that we will save money by passing this disastrous bill. But the numbers just don't add up.

According to the Environmental Protection Agency, mountaintop mining has already buried nearly 2,000 miles of streams with mining waste that leaches dangerous heavy metals into that water. One study puts the cost of reclaiming a stream impacted by this type of mining at as much as \$800 per linear foot.

If we do a little arithmetic, \$800 multiplied by 5,280 feet in 1 mile, multiplied by the 2,000 miles of streams already buried, that's \$8.5 billion. That's

what it would cost to clean that up. And that's just to clean up the streams that have already been decimated.

But that's not the only cost included in this provision. We also have the cost to health, the cost to children.

Studies have shown that communities located near mountaintop mining sites have as much as a 42 percent increase in infants born with birth defects. These communities also have a 16 percent higher risk of giving birth to a child with low birth weight, a factor that is closely associated with fetal death, inhibited cognitive development, and chronic diseases later in life.

And that's not all. Communities located near mountaintop mining sites also have significantly higher rates of lung disease, cardiovascular disease, pulmonary disease, and a higher likelihood that these diseases will kill them.

Mr. Chairman, I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I'd advise my friend from Massachusetts that we're prepared to close if he is prepared to close on his side.

Mr. MARKEY. Could I inquire from the Chair how much time is remaining on either side?

The Acting CHAIR. The gentleman from Massachusetts has 1½ minutes remaining. The gentleman from Washington State has 2½ minutes remaining.

Mr. MARKEY. I yield myself the remainder of my time.

While it is impossible to put a dollar figure completely on the suffering that those families will feel, one study has put the public health burden from premature deaths in the Appalachian communities at \$74 billion per year. Now, that's arithmetic that even Governor Romney would understand. In fact, when he was Governor of the great State of Massachusetts, he stood in front of a coal plant, and here's what he said. He said, "I will not create jobs or hold jobs that kill people, and that plant kills people."

□ 1830

My amendment is simple. It says, if the Secretary of the Interior is allowed to issue a rule that would protect pregnant women and children from adverse reproductive outcomes or birth defects or would reduce the prevalence of cardiovascular disease, pulmonary disease or lung cancer, that that rule can go into effect.

I urge all Members of this body to support this amendment, and I yield back the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I yield the balance of my time to the author of title I, the gentleman from Ohio (Mr. JOHNSON).

The Acting CHAIR. The gentleman is recognized for 2½ minutes.

Mr. JOHNSON of Ohio. I thank you, Mr. Chairman, for yielding me the balance of the time.

It is mindboggling to sit here and listen to this. I've got to remind us again that we are talking about an administration that before they even came into office said they were going to bankrupt the coal industry. That's one promise that they have kept. It's an administration whose Vice President said in 2007 that coal is more dangerous than high fructose corn syrup and terrorists. That's the kind of reasoning that we are getting out of this administration.

My colleague was quick to try and hold a math class here. Let's talk about a different set of numbers.

Let's talk about the 7,000 direct jobs that are going to be cut—that are going to be lost—if this rule goes forward. Let's talk about the thousands of indirect jobs that are going to be lost as a result of this rule going forward. Let's talk about the 50 percent reduction in coal production across America when America is still dependent upon coal for the very energy that it needs to fuel the manufacturing that America does. Let's talk about those numbers if we want to talk about what it's going to do to America if this rule goes forward.

Let's talk about the thousands of people who are going to be hurt when their families don't have jobs to go to. Let's talk about the checkbooks at the end of the month that don't balance because of increased, skyrocketing utility rates, and now Mom and Dad can't pay the bills, and they can't go buy a new pair of tennis shoes because they've got an electricity bill that's going off the charts.

When we talk about something that's going to hurt the middle class, this rule is what will hurt the middle class. It's irresponsible. This amendment does nothing to move America forward. I urge my colleagues to oppose this amendment.

Mr. HASTINGS of Washington. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Massachusetts (Mr. MARKEY).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. MARKEY. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Massachusetts will be postponed.

AMENDMENT NO. 2 OFFERED BY MR. BUCSHON

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in House Report 112-680.

Mr. BUCSHON. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title I (page 3, after line 12) add the following:

SEC. ____ . PUBLICATION OF SCIENTIFIC STUDIES FOR PROPOSED RULES.

(a) **REQUIREMENT.**—Title VI of the Surface Mining Control and Reclamation Act of 1977 (16 U.S.C. 1291 et seq.) is amended by adding at the end the following:

“PUBLICATION OF SCIENTIFIC STUDIES FOR PROPOSED RULES

“SEC. 722. (a) REQUIREMENT.—The Secretary, or any other Federal official proposing a rule under this Act, shall publish with each rule proposed under this Act each scientific study the Secretary or other official, respectively, relied on in developing the rule.

“(b) SCIENTIFIC STUDY DEFINED.—In this section the term ‘scientific study’ means a study that—

“(1) applies rigorous, systematic, and objective methodology to obtain reliable and valid knowledge relevant to the subject matter involved;

“(2) presents findings and makes claims that are appropriate to, and supported by, the methods that have been employed; and

“(3) includes, appropriate to the rule being proposed—

“(A) use of systematic, empirical methods that draw on observation or experiment;

“(B) use of data analyses that are adequate to support the general findings;

“(C) reliance on measurements or observational methods that provide reliable and generalizable findings;

“(D) strong claims of causal relationships, only with research designs that eliminate plausible competing explanations for observed results, such as, but not limited to, random-assignment experiments;

“(E) presentation of studies and methods in sufficient detail and clarity to allow for replication or, at a minimum, to offer the opportunity to build systematically on the findings of the research;

“(F) acceptance by a peer-reviewed journal or critique by a panel of independent experts through a comparably rigorous, objective, and scientific review; and

“(G) consistency of findings across multiple studies or sites to support the generality of results and conclusions.”.

(b) **CLERICAL AMENDMENT.**—The table of contents at the end of the first section of such Act is amended by adding at the end of the items relating to such title the following:

“Sec. 722. Publication of scientific studies for proposed rules.”.

The Acting CHAIR. Pursuant to House Resolution 788, the gentleman from Indiana (Mr. BUCSHON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Indiana.

Mr. BUCSHON. Mr. Chairman, coal provides affordable domestic energy that supports millions of direct and indirect jobs. In my State of Indiana, 90 to 95 percent of all electrical power comes from coal. This keeps the costs of energy down, and it attracts millions of jobs to my State through our manufacturing industry.

This amendment would require that the Secretary or any other Federal official proposing a rule under this act publish with each rule the scientific studies the Secretary or other official

relied on in developing the rule. This amendment is simple, and it will ensure that rules being issued are based on valid scientific studies that can be peer reviewed and replicated.

This amendment should be supported by everyone in this body who values sound science and who wants to ensure transparency with the rulemaking process. Federal agencies are promulgating more rules each year that control greater aspects of our personal and professional lives. Often these rules are pages long, instituted with little or no congressional input, and can have a devastating effect on job creation and our economy.

It is important for all Federal agencies to provide to the public the science and research behind proposed rules. It enables the scientific community and the general public to scrutinize how unelected Washington, D.C., bureaucrats are writing rules that increase costs for businesses and hurt our economy.

I have personally met with numerous government officials, such as those from the Mine Safety and Health Administration, and have discussed their rulemaking process. More than once, I have been told that proposed rules related to the coal industry are based on scientific studies and data—most recently, the underground coal mine dust regulation. I have asked to see these studies both in private meetings and in committee hearings, and I have never been provided with the scientific data that they say supports the new rule.

As a scientist and medical doctor, nobody understands the importance of good science more than I. Whether it is in medicine or whether it relates to public policy, good science makes for good policies. It's important for the Members of this body and the American people to be able to review the science and the studies that contribute to Federal rulemaking and to know that every rule and regulation is based upon sound science.

I urge my colleagues to support this amendment, requiring that we have a transparent rulemaking process that allows every concerned American to review the science behind a proposed rule.

Mr. HASTINGS of Washington. Will the gentleman yield?

Mr. BUCSHON. I yield to the gentleman.

Mr. HASTINGS of Washington. I appreciate the gentleman's amendment. I think it adds a great deal to this legislation. Too often, we overlook common sense, and that's precisely what the gentleman's amendment does, so I support his amendment.

Mr. BUCSHON. I reserve the balance of my time.

Mr. MARKEY. I rise to claim the time in opposition.

The Acting CHAIR. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. MARKEY. Mr. Chairman, I yield myself such time as I may consume.

I actually have no problem with the gentleman's amendment. If he wants to require the publication of scientific studies used to develop regulations, I am just fine with that. I'm sure he knows, of course, that this is already a Federal requirement, but I don't object to the redundancy of an amendment's passing that says they should do something that they do already.

But I do want to take a moment to talk about the Republican war on science, because this bill that we are debating today is their battle plan. The essence of today's bill is that science and facts do not matter and that, when science and facts become inconvenient, we can just repeal them.

Take the provision of this bill that legislatively overturns a scientific finding that greenhouse gas pollution is dangerous, which is a decision that was made based on 2 full years of work and on a 200-page synthesis of major scientific assessments, including assessments performed by the U.S. Global Change Research Program and the Intergovernmental Panel on Climate Change's Fourth Assessment Report. In fact, the U.S. Court of Appeals in Washington recently rejected challenges to EPA's scientific endangerment finding, saying that EPA used an “ocean of evidence” to support its decision that it was “unambiguously correct” in its determination and that “EPA is not required to reprove the existence of the atom every time it approaches a scientific question.”

Republicans decided that peer-reviewed science was inconvenient because that analysis was what started the pretend “war on coal.” So we have to vote again and again and again to eliminate all of that science.

This bill tells EPA to ignore the science that air pollution causes lung disease and that mercury damages children's developing brains. In fact, it tells EPA, Don't even look at the science; look at the costs. If controlling air pollution is expensive, then we shouldn't do it even if it would save lives. It says, no matter what EPA learns about the sludge that comes out of coal-fired power plants, no matter how high the concentrations of poisonous arsenic, mercury or chromium and that no matter what EPA learns about how these materials find their way into our drinking water, EPA is not allowed to scientifically determine that material to be hazardous.

This bill turns a blind eye to science. The only time Republicans value science is when science can be used as a weapon. When science can be used to delay regulations, when endless analysis can be used to create paralysis, the Republicans suddenly value science. The Republican majority doesn't like that every respected scientific entity over the last decade has

concluded that greenhouse gases cause climate change.

Their solution: repeal the science.

Republicans aren't happy that the Secretary of Health and Human Services has issued a report that finds that formaldehyde causes cancer. Sure, the World Health Organization already determined that 17 years ago.

□ 1840

Their solution: We should study it again. We should allow a National Academy of Sciences review so that we can prevent the administration from taking any action to protect the public against dangerous formaldehyde. In fact, there has already been a rider to the health appropriations bill that does just that, while also stripping funding for any subsequent reports on cancer. It is a strategy taken right out of the American Chemical Council's playbook. It is act one of Big Coal's comedy of errors.

We've seen it over and over again on the House floor: first deny the science; second, delay the regulations by legislating a new scientific study to review the first science the industry doesn't like; and third, deter efforts to protect the health and security of millions of Americans by requiring yet another third party to review the scientific study that was just legislated and postponing regulatory action until after that is complete.

This bill isn't about the war on coal. It's about the Republicans' war on science. That's why we're out here. It continues unabated today.

With that, I yield back the balance of my time.

Mr. BUCSHON. May I inquire as to how much time I have?

The Acting CHAIR. The gentleman from Indiana has 2 minutes remaining.

Mr. BUCSHON. Mr. Chairman, my amendment addresses timing. Timing is important when it comes to this issue because the public needs to know and this Congress needs to know what the science is before the rule is finalized, not after the rule has already been essentially finalized and the public comment period has passed.

I had direct experience with this recently with the coal dust regulation. After the rule was essentially finalized, I asked for the data myself and was denied the data claiming that there would be HIPAA violations if they released scientific data on black lung disease, for example, that this coal dust regulation was based on, which is not true. I'm a physician, and there are scientific studies released every day in journals across America that show X-rays and other things of patients without names on them, and they don't violate HIPAA regulations.

I think the timing of this is important because if the rule is finalized, even if you see the science, it makes it very difficult to overturn the rule and

the opportunity has passed for peer review and congressional review of the science behind a proposed rule.

With that, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Indiana (Mr. BUCSHON).

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MR. WAXMAN

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in House Report 112-680.

Mr. WAXMAN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 6, lines 18 to 21, strike subparagraph (B) (and redesignate the following subparagraphs accordingly).

The Acting CHAIR. Pursuant to House Resolution 788, the gentleman from California (Mr. WAXMAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. WAXMAN. Mr. Chairman, this bill is 80 pages of one reckless assault after another on public health and environmental protections. It is probably the single worst anti-environment bill in the most anti-environment House of Representatives in history.

The bill continues the Republican war on science and head-in-the-sand approach to climate change, which is the biggest environmental challenge of our time. This bill attempts to legislate away the scientific findings by the Environmental Protection Agency that emissions of carbon pollution endanger public health and welfare by contributing to climate change. I have news for my Republican colleagues: You can't change the laws of nature.

In June, the D.C. court of appeals upheld EPA's endangerment finding in a unanimous decision led by the Reagan-appointed Chief Judge Sentelle. The court stated that "EPA's interpretation of the governing Clean Air Act provisions is unambiguously correct." The court dismissed every challenge to the adequacy of the scientific record supporting the EPA's findings.

Now that the courts have decisively rejected the Republican arguments against the endangerment findings, House Republicans want to change the law. But denying scientific reality is not going to change climate change.

My amendment is very simple. It strikes the language in the bill that would repeal the endangerment finding. It does not fix the other egregious anti-environment provisions of the bill, but at least Congress would not be doubling down on science denial. When the Energy and Commerce Committee first produced the language in title II of the

bill last year, here's what one of the world's preeminent science journals, "Nature," wrote about the votes to deny the existence of climate change:

It's hard to escape the conclusion that the U.S. Congress has entered the intellectual wilderness, a sad state of affairs in a country that has led the world in many scientific arenas for so long. Misinformation was presented as fact, truth was twisted, and nobody showed any inclination to listen to scientists, let alone learn from them. It has been an embarrassing display, not just for the Republican Party but also for Congress.

What this amendment would do is to accept the scientific consensus, support our amendment, and restore the findings as they should be in this bill. It does not change the bill, except for the findings that, I think, are embarrassing to this institution and don't deserve to be in this legislation.

With that, I reserve the balance of my time.

Mr. WHITFIELD. Mr. Chairman, I rise to claim time in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from Kentucky is recognized for 5 minutes.

Mr. WHITFIELD. I would say to the gentleman that we can accept all of the scientific evidence.

When the Administrator of the EPA, Lisa Jackson, came to the committee, she was asked the question: What will happen if other countries don't do the same thing that we're doing? In other words, what's going to happen if other countries don't regulate greenhouse gases? She said the benefits for Americans will be very small, if anything, if that happens. EPA even conceded in its own analysis of its automobile regulations that it estimates it will reduce the Earth's future temperature by one one-hundredth of a degree in 90 years.

So let's just do a balancing act here. We have a regulation proposed which, when finalized, would prohibit the building of any coal-powered plant in America, and the administrator of EPA says that the regulation would be ineffective unless other countries joined in.

With that, I respectfully request the defeat of the gentleman's amendment, and I reserve the balance of my time.

Mr. WAXMAN. Mr. Chairman and my colleagues, I ask for support of this amendment. Let's not have the House of Representatives take a position on a bill upholding findings that are inaccurate, go against the scientific consensus, and put our head in the sand about the whole problem of climate change.

I know that many of the people that don't want to deal with climate change are going to be coming to us, asking us to bail out their farmers for the crop losses. We're going to have people coming in and asking those of us from other parts of the country to help pay for the other climate disasters. We're Americans, and we try to take care of each other, but we also owe it to this

country to try to prevent the damage that we're seeing and will only increase in the years ahead if we do nothing about climate change, and certainly if we deny the very reality of the carbon emissions that are causing greenhouse gases, global warming, and climate change.

With that, I yield back the balance of my time.

Mr. WHITFIELD. I've already stated my reasons to oppose the amendment, and I would urge everyone to vote in opposition to the gentleman's amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. WAXMAN).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. WAXMAN. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT NO. 4 OFFERED BY MR. KELLY

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in House Report 112-680.

Mr. KELLY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

In section 202 of the Rules Committee Print, strike "Section 209(b) of the Clean Air Act" and insert the following:

(a) FINDING.—Congress finds that the emissions of greenhouse gases from a motor vehicle tailpipe are related to fuel economy.

(b) REPORT REQUIRED.—Not later than 60 days after the date of enactment of this Act, the Secretary of Transportation shall submit a report to the Congress that, notwithstanding section 201, assumes the implementation and enforcement of the final rule entitled "2017 and Later Model Year Light-Duty Vehicle Greenhouse Gas Emissions and Corporate Average Fuel Economy Standards" (issued on August 28, 2012) and estimates—

(1) the total number of jobs that will be lost due to decreased demand by year caused by the rule;

(2) the number of additional fatalities and injuries that will be caused by the rule; and

(3) the additional cost to the economy of the redundant regulation of fuel economy and greenhouse gas emissions by the Environmental Protection Agency and State agencies for model years 2011 through 2025.

(c) CONSULTATION.—Other than to gather basic factual information, the Secretary of Transportation shall not consult with the Administrator of the Environmental Protection Agency or any official from the California Air Resources Board in fulfilling the requirement described in subsection (b).

(d) AMENDMENT TO THE CLEAN AIR ACT.—Section 209(b) of the Clean Air Act

The Acting CHAIR. Pursuant to House Resolution 788, the gentleman from Pennsylvania (Mr. KELLY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. KELLY. Mr. Chairman, I yield 2 minutes to my friend from Texas (Mr. CARTER).

□ 1850

Mr. CARTER. I thank the gentleman for yielding.

This amendment would require the Secretary of Transportation to submit a report to Congress estimating: one, the number of jobs lost from the rule; two, the fatalities and injuries caused by the rule; three the cost to the economy caused by the rule. And it prohibits the Department of Transportation from consulting with the Environmental Protection Agency or the California Air Resources Board to complete the project.

What we really have here is a situation of executive overreach. We have seen a lot from the Obama administration along those lines. He told us when Congress doesn't act, he will.

Well, the EPA has never been involved in fuel standards for the industry. This has been the job that the Congress authorized the Department of Transportation to do through the CAFE standards, Corporate Average Fuel Economy standards, not the EPA. California has State standards that they have established, but that doesn't make them the sole authority on the right standards.

What this rule will do is raise the average cost of a car by \$3,000. It will cost 160,000 jobs by the Department of Transportation's own flawed analysis. It will cost industry and consumers \$210 billion, the most expensive rule ever for the automobile industry.

This rule will price 7 million Americans out of the new car market. It will end the cars that are priced under \$15,000. It will reduce vehicle safety mainly by reducing the weight and producing lighter vehicles, which are more susceptible to fatal collisions.

Finally, and most importantly to the State of Texas, this will reduce access to pickup trucks and other work vehicles, which are abundant in our State. This is overreach by the government.

Mr. MARKEY. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. MARKEY. Mr. Chairman, I yield myself such time as I may consume.

There is a tremendous revolution going on in the United States right now that the Kelly amendment would cut right to the heart of.

Between 2017 and 2025, as fuel economy standards in America would rise to 54.5 miles per gallon just because of those additional 8 years of higher fuel economy standards, we would back 2 million additional barrels of oil per day out of the United States. How much is that?

Well, let me just give you an idea. There is conversation about whether or not there might be a war with Iran. Well, the United States imports 1.8 million barrels of oil per day out of the Persian Gulf, 1.8 million barrels a day.

This amendment would kill the efforts, which the auto industry has accepted, to back out 2 million barrels of oil per day by increasing the fuel economy standards between 2017 and 2025. This is one of the most anti-national security amendments that we could ever have out here on the House floor. Combined with the dramatic increase in CO₂ that would go into the atmosphere—an additional 6 billion metric tons of CO₂ would go up into the atmosphere if this amendment passed. Now, how much CO₂ is that? That's as much CO₂ as the entire United States emitted in the year 2010 in our country.

If you look at these two issues in combination, you look at the fact that the auto workers endorsed the increase in fuel economy standards, the auto industry endorses the increase in fuel economy standards, it's not unlike this myth that's been created that it's anything other than the marketplace that is the problem that the coal industry is principally having with natural gas coming as a substitute across the country, and the petrochemical industry, and the utility industry, and consumers choosing it for home heating rather than oil.

Well, the same thing is happening here. Where's the problem? Who wants this change? The auto industry doesn't want it. The auto workers don't want it. Clearly it's a huge national security issue. And the auto industry enjoyed last year and is repeating this year record sales as their fuel economy standards go up.

So I would just say that if you care about national security, you really don't want to change the law tonight that backs out 2 million barrels of oil per day, that the industry that is living under the regulation supports. That makes no sense at all as we're getting briefed in secret this afternoon about al Qaeda all across the Middle East, all across North Africa. Why would we do this?

I reserve the balance of my time.

Mr. KELLY. Mr. Chairman, I yield myself such time as I may consume.

This is a subject I know a little bit about because my family actually has been in the business since 1953.

I find it unique that really just inside the Beltway we're able to pick and chose winners and losers, and we're able to tell people, you know what, you're not able to drive what you want to drive, and you're not able to use the source of energy that you want to use. You know why? Because we know better.

I tell you what: the track record here doesn't show me that you really know better—a \$16 trillion business in the

red, and it continues? I would look at the President. I think he has got a war on wheels.

The big thing about America is you were always able to pick the car you wanted to use. You could drive it anywhere you wanted. You could do anything you want. In this country you can leave here and drive to California if you want. You don't have to worry about it.

This amendment only asks us to do something that's common sense. I know that's hard to understand here. I have been here for 20 months, I'm still trying to figure it out, and I've pretty much got it down now.

When you take things away from people and replace them with something that they don't want, let me tell you what happens. When you raise the price of a car, what it does is take off the ability for somebody at the entry level to buy a car.

Now, the unintended consequences in this town are absolutely astounding. We talk about the loss of jobs. We talk about the loss of jobs, not just the people who build the cars but how about the people who make the tires. How about all the different elements that go into a car, all the different things that go into a car? We have a direct effect on these people being successful.

You have to get these cars lighter. When you make them lighter, what do you do? There's a safety impact there. The losses that we continue to put on our job creators is staggering here. I think the reason why is because most of the people here have never been a job creator. They have been debt creators.

They love coming up with legislation that the average American couldn't begin to figure out. They scratch their head and they raise their shoulders and say, how is this happening? I say it's happening by irresponsible legislation, or if we can't legislate it, let's just regulate it.

We understand what CAFE is all about. I was there when it first started. I understand, it was about dependence on foreign oil. The administration says, you know what, though? If you do this 54.5 miles per gallon, you know what? You'll save \$8,000 in fuel. Now what they don't tell you is you have to drive 224,000 miles to reach that, but that's just a little detail. Why would we even worry about the details when we know so well what we're doing here? My goodness, it's evident.

Now there is a war on wheels. There's a war on fossil fuels, there's a war on just about everything here that would help a job creator create a job. Then we tell these people, look, we want you in here with both feet, we want you in the game. And all I say to these folks is, you know what? You need to get some skin in the game too. I want to see your noses bloodied a little bit when you come out with these ridiculous regulations.

I tell you what, as a job creator I'm being tired of being water-boarded by our own government. I'm tired of being told that you're going to have to meet these standards. How did you come up with those standards? Well, we have got some fuzzy science that we will bring in.

The Acting CHAIR. The time of the gentleman has expired.

Mr. KELLY. Now I will just close with this. We can continue this silliness, or we can get America back to work. My suggestion is get Americans back to work.

Mr. MARKEY. May I inquire of the Chair how much time I have remaining?

The Acting CHAIR. The gentleman from Massachusetts has 2 minutes remaining.

Mr. MARKEY. Let me just say this again, don't quote me. I'm going to give you Dan Akerson, the CEO of General Motors. This is what he said about the standards that this amendment would repeal here tonight: Not only would it end our ability to back out 2 million barrels of oil a day that we would import from the Persian Gulf, but the CEO of General Motors says that these standards were a "win for American manufacturers."

□ 1900

Hear what I'm saying? The CEO of General Motors said these regulations are a win for the manufacturers of automobiles in the United States. It's not my quote. That's the CEO of General Motors. What's good for General Motors is good for America. I don't know if you've ever heard that. But let me tell you, he's not alone. It's also Ford, Chrysler, BMW, Honda, Hyundai, Jaguar, Land Rover, Kia, Mazda, Mitsubishi, Nissan, Toyota, Volvo, as well as the United Auto Workers, the State of California consumer groups, and environmental organizations. Everyone agrees on this.

So where is the opposition coming from? Who doesn't like this? Why are we having a debate here? There's no point in trying to repeal something that enhances dramatically our national security, saves consumers—because it will be 54.5 miles a gallon by the time it ends. That means since the car goes twice as far on a gallon, instead of \$4 a gallon, it's only \$2 a gallon. That's a big savings for everyone every time they fill up their tank. We know that the technology is there because that's every ad that we see on television every night now. It's for the new hybrid. It's for the new technology that they're all touting.

So it's all there. The industry supports these regulations that they're seeking to repeal. So it's just ideological. They don't like the government. The Republican paradox is they don't like the government, but they have to come to Washington in order to make

sure it doesn't work. Here, the private sector says it's working.

I yield back the balance of my time. The Acting CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. KELLY).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. MARKEY. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Pennsylvania will be postponed.

AMENDMENT NO. 5 OFFERED BY MR. MARKEY

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in House Report 112-680.

Mr. MARKEY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title II of the Rules Committee Print, add the following new section: **SEC. 203. REDUCING DEMAND FOR OIL.**

Notwithstanding any limitation on agency action contained in the amendment made by section 201 of this Act, the Administrator of the Environmental Protection Agency may use any authority under the Clean Air Act, as in effect prior to the date of enactment of this Act, to promulgate any regulation concerning, take any action relating to, or take into consideration the emission of a greenhouse gas to address climate change, if the Administrator determines that such promulgation, action or consideration will increase North American energy independence by reducing demand for oil.

The Acting CHAIR. Pursuant to House Resolution 788, the gentleman from Massachusetts (Mr. MARKEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Massachusetts.

Mr. MARKEY. My amendment is very simple: If you want to keep America on its current path towards North American energy independence by 2020, then let us ensure that EPA uses the authority to reduce demand for oil that this bill rescinds.

In 1985, after the first-ever fuel economy standards mandated by Congress were implemented, we imported only a quarter of our oil. But after the Republicans and the auto industry spent decades blocking further standards from being set, that number skyrocketed to a staggering 57 percent of our oil being imported on the day in 2009 when George Bush walked out of the White House. We were importing 57 percent of our oil. And remember, we put 70 percent of all the oil we consume in our country into gasoline tanks.

Well, 57 percent is a lot to be dependent upon foreign oil, especially at this perilous time in our Nation's history—paid for with money that supports

Iran's nuclear program, roadside bombs in Iraq, rockets for Hezbollah and Hamas, and hate-filled Wahhabi teachings in Saudi Arabia.

We broke that destructive cycle when the Democrats passed, and to his credit, President Bush signed, the 2007 energy bill that included the energy bill that I coauthored to require new fuel economy standards to be set. President Obama accelerated the implementation and used the Clean Air Act to require additional reductions in demand for oil, and we are now back down to importing only 45 percent of our oil.

Got that arithmetic? Fifty-seven percent imported oil on the day George Bush walked out of the White House in January 2009 and 45 percent dependence today. Good job, President Obama. Let's stay on that path.

That was not accomplished by launching a war on the auto industry, because 13 major auto companies support these standards. The unions support the standards, environmental organizations.

By repealing these standards, Republicans have launched a war against every single resident of this country whose hard-earned paycheck gets poured into their gas tanks and have to pay for the defense budget to have all of that protection over in the Middle East to ensure that that oil from that dangerous part of the world comes into our country.

And let's be very clear: If the Obama administration is allowed to continue with all of its energy policies, we will be 95 to 99 percent North American energy independent by the year 2020. That is something we should not get off the path for.

I reserve the balance of my time.

Mr. WHITFIELD. I rise to claim time in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from Kentucky is recognized for 5 minutes.

Mr. WHITFIELD. I stand in opposition to the gentleman's amendment very simply because we know that the Clean Air Act—under the greenhouse gas regulations as proposed by EPA, it will be impossible to build a new coal-powered plant in America. Because of that, we're going to lose a lot of jobs in this country.

At this time, I yield the balance of my time to the gentleman from Pennsylvania (Mr. KELLY).

Mr. KELLY. I thank the gentleman.

It's intriguing. And again, I've actually not just talked the talk; I've walked the walk. I'm always fascinated by these facts and figures that we throw around, and we talk about all the things that we're doing and we talk about General Motors.

The General Motors that I understand, the General Motors that my father started with in 1936 as a parts picker, was not the same General Mo-

tors that told me in 2009 I could no longer be a dealer, because it wasn't the same General Motors. You see, General Motors kind of went by the wayside and a new General Motors came into view.

And as we talk about all these folks that fell in line with what the administration wanted, of course they did. Who do they owe the money to? Who got bailed out in this great auto bailout? Who are the people whose jobs were saved? Who were the people whose pensions were made full and who was left hanging?

So we can talk about all these wonderful things that happened, and these are flights of fancy. This gets to be a little bit silly to me when the company that agreed to these new standards was beholden to the people who put them forward. It wasn't good enough that we already had standards on the books. No, no, no, no, 32½ miles a gallon aren't enough. We've got to get to 54½ miles a gallon. Why is that? Because that's what we want. We've got to get California involved. We've got to get the EPA involved. We've got to get everybody else involved.

I go back to day one when it was a CAFE standard and the idea was to get away from dependence on foreign oil. We can talk about this and we can pretend that these things didn't happen. We can pretend that General Motors went bankrupt—and the idea of taking money from the government was to keep General Motors from going bankrupt. Amazingly, they went bankrupt. And isn't it something that a company the size of General Motors could emerge from bankruptcy in 11 days? My gosh, that's fantastic. Not only did they emerge, but you know what they were able to keep? They were able to keep carry-forward tax losses. That usually doesn't happen in normal bankruptcy. But we can game that a little bit.

So when we talk to these other manufacturers and we say we'll give a carrot here, but we also got a little stick that goes with it, yeah, they went along with it. But look who went along with it. The board of directors was not elected by shareholders. It was appointed by the administration.

Now these flights of fancy are a little bit funny inside here, but for a guy that actually walked that walk and had a dealership taken away from him—not because I couldn't run it but because the administration decided under the new General Motors that I wasn't going to be a dealer anymore—that's hard to take. My dad started in 1953, worked very hard to get there. We actually did build it. I mean, we physically built it ourselves. And now to be told, Well, we've made a decision; you're not going to.

Now, this energy stuff gets a little bit weird to me. And I know the President likes to take credit for all the

things that the Bush administration did. The fact of the matter is permitting has been stopped. And what I would encourage all Members to do is go out in the field, talk to the people in the coal business, talk to people in the oil business, talk to people that are having a tough time staying open because they can't get a permit. Now you can get a permit, but you just have to wait in line a long time to get it.

These things, again, this is common sense. And if we can't come together in this House and do what's right for the people of the United States, then there's something dramatically wrong. We've got tremendous natural resources. You just have to take advantage of it.

Mr. MARKEY. I yield myself the balance of my time.

The Acting CHAIR. The gentleman is recognized for 2½ minutes.

Mr. MARKEY. Again, let me make this very clear. The increase in the fuel economy standards that we're debating here were the fuel economy standards that George W. Bush signed into law in December of 2007.

□ 1910

That was George W. Bush. The increase in the fuel economy standards that we're talking about here tonight are all supported by General Motors and Ford, all the major 13 auto manufacturers in the United States. The standards that we're talking about that the Republicans want to repeal are supported by the United Auto Workers and by all of the major environmental groups.

Where is the fight? It's George Bush and General Motors and the environmental groups. You are all saying that you want Washington to work. You're all saying you want partisanship to be put aside. How can you look past something here that is the perfect example of how the whole system should work?

You know, Bill Clinton said it right at the Democratic convention. It's all about the arithmetic. The D in the automobile is to drive forward; the R is for the reverse. The R's are the Republicans; the D's want to continue to move forward. They're trying to put this country in reverse here tonight, reverse a consensus that was established when George Bush was President that we had to do something about imported oil, and this is the act that we all agreed that we had to take.

So what does this legislation portend for our country? Well, jobs saved: 1 million plus; gas pump savings: double the gas mileage means the consumers' costs are cut in half no matter where they drive in these new, more efficient vehicles; and energy independence. When it's all said and done, it's 3.1 million barrels of oil per day, and we can tell the Middle East we don't need their oil any more than we need their sand.

I'm missing something in this debate. I still haven't heard why you would want to repeal something that helps our country on so many fronts and at the same time reduces, by 6 billion metric tons, the amount of CO₂ that goes into the atmosphere that is dangerously warming our planet while America is going to sell 14 million new vehicles this year, the most since 2007, since the recession started, under this new law.

I urge adoption of the Markey amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Massachusetts (Mr. MARKEY).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

The Acting CHAIR. The amendment is agreed to.

Mr. BENISHEK. Mr. Chairman, I demand a recorded vote.

Mr. MARKEY. If I may inquire, I do not think that that objection was, in fact, made in a timely fashion, Mr. Chairman.

The Acting CHAIR. The gentleman from Michigan was on his feet seeking recognition in a timely manner.

A recorded vote is requested.

Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Massachusetts will be postponed.

AMENDMENT NO. 6 OFFERED BY MR. BENISHEK

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in House Report 112-680.

Mr. BENISHEK. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 15, line 16, insert “, including health effects associated with regulatory costs” before the semicolon.

The Acting CHAIR. Pursuant to House Resolution 788, the gentleman from Michigan (Mr. BENISHEK) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. BENISHEK. Mr. Chairman, I yield myself such time as I may consume.

My amendment is very simple. It's a single line that adds, at line 15, “including the health effects associated with the regulatory costs.”

It's a simple principle. Regulations cost money to implement. No one will dispute that. In fact, when the EPA or any other Federal agency wants to issue a new regulation, it's legally obligated to let Americans know both the costs and the benefits of these proposed rules. However, due to a narrow interpretation of this obligation, the EPA often avoids measuring all aspects of

the full costs of its proposed regulations, including the impact of jobs lost and the adverse health effects of those lost jobs.

Why is this important? I'm a doctor, and there's near universal agreement among doctors, scientists, and statisticians that joblessness and higher energy prices result in negative health outcomes—including suicide, respiratory illness, and a much higher likelihood of early deaths.

Despite this, the EPA never admitted that there was a simple negative health effect resulting from its heavy-handed air quality regulations.

Dr. Harvey Brenner of the University of North Texas has found that a substantial reduction in coal-powered electricity could cause between 170,000 and 300,000 premature deaths.

A 2011 study by the Stony Brook University found that the risk of premature death was 63 percent higher for people who experienced an extended period of unemployment.

According to a 2012 report by the American Legislative Exchange Council, Michigan will rank as the fifth worst hit State impacted by the EPA's most recent onslaught. Total job losses in the State could reach almost 15,000.

To make matters worse, while employment is decreasing, the electricity rates would be increasing, potentially by as much as 30 percent. Not only would EPA regulations be responsible for Michigan residents losing their jobs and paying more for electricity, it's estimated the State could lose \$1.9 billion in manufacturing output by 2015, as well as suffer a loss of \$1.7 billion in the State and local government revenue.

Let's talk a little bit more about the families in Michigan.

We know that the 54 percent of Michigan families that earn \$50,000 or less a year currently spend 23 percent of their after-tax income on energy and that Michigan families earning \$10,000 a year or less devote 85 percent of their income to energy.

As for jobs, a recent study on the economic impact of lakes-seaway shipping found that waterborne commerce sustains almost 27,000 jobs in Michigan. In 2008, over 16 million tons of coal were delivered to Michigan ports, most via the Soo Locks in my district.

Although the amount of mercury emitted from U.S. power plants has been cut in half since 2005, the Obama administration continues to insist on implementing harsh new regulations that will not only increase energy prices, but they will have marginal benefits. For example, the EPA already admits that virtually all, more than 99 percent of the claimed benefits of the Utility MACT rule will come from reductions in particulate matter that is already regulated under separate regulations.

Families in my district simply can't afford these burdensome regulations,

and they deserve an administration that will be truthful about the real economic and health impact of any regulations they propose.

I urge Members to support my amendment which, again, is simple. The underlying bill creates an interagency committee to assess the cumulative impacts of current and pending environmental regulations. My amendment would simply require this committee to evaluate the health effects associated with the regulatory costs.

Like everyone, I want clean air and water. I grew up on the Great Lakes. I believe those of us who call northern Michigan “home” are blessed to live near three of the five Great Lakes. Anyone who visits our area is able to enjoy the clear blue waters of our vast lakes that stretch from horizon to horizon. I would never vote for a bill that would endanger such a national treasure.

My friends across the aisle will make all kinds of claims, but the truth is this: This bill does not affect the authority under the Clean Air Act to regulate mercury and other hazardous air pollutants but, rather, will help ensure that those regulations are cost effective and use improved processes.

Right now, my constituents need jobs, not more regulations. Our Federal agencies need to consider the full costs, both health and economic, of proposed regulations.

Mr. Chairman, I thank you for my time, and I urge my colleagues to vote for my amendment and the underlying bill.

I reserve the balance of my time, if there's any left.

The Acting CHAIR. The time of the gentleman has expired.

Mr. MARKEY. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. MARKEY. I thank the Chair.

I yield myself such time as I may consume just to say that this amendment just makes a terrible bill even worse. The bill requires a new interagency committee to conduct an impossible study of EPA rules that haven't even been proposed using data that doesn't even exist. This amendment requires additional nonexistent information to be included in the study.

My colleague's amendment would require an interagency committee to examine what he calls the health effects of regulatory costs. This is ironic since the Republicans have shown little interest in discussing the health effects of the legislative monstrosity which we are debating today.

I urge my colleagues to oppose this amendment and to oppose the bill, and I yield back the balance of my time.

□ 1920

The Acting CHAIR. The question is on the amendment offered by the gentleman from Michigan (Mr. BENISHEK). The amendment was agreed to.

AMENDMENT NO. 7 OFFERED BY MR. HARRIS

The Acting CHAIR. It is now in order to consider amendment No. 7 printed in House Report 112-680.

Mr. HARRIS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 21, line 18, strike "and".

Page 22, line 2, strike the period and insert a semicolon.

Page 22, after line 2, insert the following:

(iii) shall not issue any proposed or final rule under section 109 of the Clean Air Act (42 U.S.C. 7409) that relies upon scientific or technical data that have not been made available to the public; and

(iv) shall not issue any proposed or final rule under section 109 of the Clean Air Act (42 U.S.C. 7409), unless the accompanying regulatory impact analysis, as required under Executive Order 12866, is peer reviewed in a manner consistent with the Office of Management and Budget's "Final Information Quality Bulletin for Peer Review" and the third edition of the Environmental Protection Agency's "Peer Review Handbook".

The Acting CHAIR. Pursuant to House Resolution 788, the gentleman from Maryland (Mr. HARRIS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Maryland.

Mr. HARRIS. Mr. Chairman, the sad fact is that the Environmental Protection Agency bases its regulations on data and modeling that is often withheld from the public. My amendment simply requires that the Environmental Protection Agency make available to the public the data that regulations are based on and to follow its own guidelines and submit regulatory impact analyses to peer review. It's my hope that transparency, sound science and peer review are principles that everyone can support.

For example, it is frequently claimed that the Clean Water Act generates benefits that outweigh costs by a 30-1 ratio, but almost 90 percent of these claimed benefits are based on two studies whose underlying data has never been made public. I can verify this firsthand because for the last year I've asked the administration at committee hearings and on the record for this information and have been repeatedly rebuffed. This is not an acceptable way to run a regulatory agency that impacts our country's health, economy, unemployment—as we heard from the gentleman from Michigan—and ability to compete internationally.

Both President Obama's senior science adviser and the head of EPA's independent science advisory board agreed with me at recent hearings that

the scientific data used by the government to justify its regulatory actions should be made publicly available. EPA also states in its own Peer Review Handbook that "one important way to ensure decisions are based on defensible science is to have an open and transparent peer review process." Unfortunately, when EPA conducts a cost-benefit analysis for these major Clean Air Act rules, they are not subjected to peer review.

Mr. Chairman, we live in a world where people increasingly expect direct access to information. Government regulations should be able to withstand public scrutiny. If the benefits outweigh the costs, then prove it; and if you believe that a government regulation is justified, then you should have nothing to hide.

I respectfully request support for my amendment, and I reserve the balance of my time.

Mr. MARKEY. Mr. Chairman, I rise in opposition to this amendment.

The Acting CHAIR. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. MARKEY. I yield myself such time as I may consume.

This amendment would prevent EPA from using important high-quality scientific research when setting standards to protect public health and save lives. This amendment establishes an entirely new requirement when EPA sets national ambient air quality standards—the scientific health-based standards that essentially tell us how much pollution is safe to breathe. Under this amendment, EPA cannot use any study in setting these air quality standards unless the study's underlying data has been made public.

Why is this a problem? Because data sets underlying peer-reviewed scientific studies are the private property of the scientists that gathered them. In many cases, those data sets may include confidential business information, or personal information such as an individual's health records. And the public availability of underlying data is not relevant to the quality of a study. Publication of data sets is not required by peer review journals and such publication is not a common practice in the scientific community.

EPA cannot require scientists to give up their private property when they publish their peer-reviewed studies, so in many cases this amendment would block EPA from using relevant, high-quality studies. This policy has long been on the industry's wish list, and we just have to make sure that we don't make it possible for them to put it on the books as a law. This is not because of the data quality concerns or transparency concerns, but because all of these studies conclusively show that air pollution kills people, which is the very subject they do not want to be able to debate.

This is a very dangerous amendment, and I urge my colleagues to vote "no." I yield back the balance of my time.

Mr. HARRIS. Mr. Chairman, what's there to hide? As I said, if a regulation is justified, why should the government hide data from the public in their justification of a regulation?

Mr. Chairman, I've done scientific studies. I've been the peer reviewer on scientific studies. If I have a question about data, I ask for it and I get it and I review it myself. This is the same access the public should have.

Nobody wants dirty air, nobody wants dirty water; but if we're going to pass job-killing regulations, we better be sure that that is sound science it's based on. That's what this amendment does, and I urge support.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Maryland (Mr. HARRIS).

The amendment was agreed to.

Mr. HARRIS. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. POMPEO) having assumed the chair, Mr. WOODALL, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 3409) to limit the authority of the Secretary of the Interior to issue regulations before December 31, 2013, under the Surface Mining Control and Reclamation Act of 1977, had come to no resolution thereon.

FEDERAL RESERVE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from Georgia (Mr. WOODALL) is recognized for 60 minutes as the designee of the majority leader.

Mr. WOODALL. Mr. Speaker, I appreciate you coming in tonight and allowing me to have the time.

I'm going to get a little outside of my comfort zone tonight, Mr. Speaker. You talk about the 20 months you and I have been on the job here in this body. We've talked a lot about tax policy. And I feel like we're going to have a conversation. I think, as we stand in this Chamber a year from today, we will have signed fundamental tax reform into law. I'm excited about seeing this body do that.

I think about health care reform. As we stand here today, I feel like this time next year, we will have much more freedom in our health care system. I feel like we'll have skin in the game in our health care system. That's a conversation that America has had and will continue to have.

But a conversation America has not been having, Mr. Speaker, is one about the Federal Reserve and what the Federal Reserve is doing to help with jobs

and the economy. We talk about that here on the floor of the House on a regular basis: What are we doing to help jobs and the economy?

As you know, Mr. Speaker, we have about 30 bills sitting over in the Senate that we've passed here in the House that would stimulate the economy, that would help American workers get back to work, but the Senate has failed to act. And in the absence of action by the Senate and in the absence of being able to move legislation to the President's desk, the economy continues to flounder.

□ 1930

The President has orchestrated about \$800 billion worth of stimulus programs, but that has not gotten the economy back on track. Not only did we not get unemployment down, it continued to rise under that stimulus program. And so what we have, and so if you folks in America talk about it, we have an independent Federal Reserve that engages in monetary policy, and these days, in economic stimulation.

I want to point, Mr. Speaker, to an article by—well, I'll call him Dr. Phil Gramm. I mean, in fact, he's Senator Phil Gramm, from the great State of Texas, but he was born in the great State of Georgia and got his Ph.D. from the University of Georgia, his Ph.D. in economics. And he had an article in *The Wall Street Journal* just this past week, and I want to tell you what it said.

Phil Gramm writes this, Senator Gramm writes this, Dr. Gramm writes this:

Since mid-September of 2008, the Federal Reserve balance sheet has grown to \$2.8 trillion, from \$924 billion, as it purchased massive amounts of U.S. Treasury's and mortgage-backed securities. To finance these purchases, the Fed increased currency and bank reserves, base money. That kind of monetary expansion would normally be a harbinger of inflation. However, the bank's holding the excess reserves, rather than lending them out, and with velocity, the rate with which money turns over, generating national income at a 50-year low and falling, the inflation rate has stayed close to the Fed's 2 percent target.

Now, Mr. Speaker, I work hard. I study hard. I get through paragraph one of Dr. Gramm's editorial, I'm already getting confused because we don't spend enough time talking about velocity of the money supply. We don't spend enough time talking about what the Federal Reserve's doing in terms of purchasing the bonds. And we don't spend enough time talking about monetary expansion.

But let me get into some terms that we do talk about more, Mr. Speaker. The second paragraph of the editorial. While the Fed considered its previous rounds of easing, QE1, QE2 and Operation Twist, the argument was consistently made that the cost of such actions was low because inflation was nowhere on the horizon.

That same argument is now being made as the central bank contemplates QE3 during the Federal open market committee meetings on Wednesday and Thursday. Inflation is not, however, the only cost of these unconventional monetary interventions. As investors try to predict the timing and effect of Fed policy on financial markets and on the economy, monetary policy adds to the climate of economic uncertainty and status already caused by current fiscal policy. There will be even greater costs when the economy begins to grow, and the Fed, to prevent inflation, has to reverse course and sell bonds and securities to the public.

Now, I'm not going to say that's still perfectly clear, Mr. Speaker. But I am going to say, we're starting to talk about QE1, QE2, now QE3 because that open market committee met and decided to proceed with QE3, and Operation Twist. Now what are these terms, and why don't we talk about them more often?

Let me just go briefly, Mr. Speaker, to the Federal Reserve Act. Just to be clear, section 2(a), monetary policy objectives, this is what, we, the Congress, Mr. Speaker, have charged the Federal Reserve with. And I'll quote from the statute:

The Board of Governors of the Federal Reserve System and the Federal Open Market Committee, shall maintain long-run growth of the monetary and credit aggregates commensurate with the economy's long-run potential to increase production, so as to promote effectively the goals of maximum employment, stable prices, and moderate long-term interest rates.

Now, when folks want to know what it is the Federal Reserve does, this is the congressional mandate: increase production so as to promote efficiently—effectively, pardon me—the goals of maximum employment, stable prices, and moderate long-term interest rates.

Now, Mr. Speaker, I'm not a Ph.D. economist, but I've taken a few economics classes over the years. And what I would tell you is I have always imagined that full employment and stable prices and moderate long-term interest rates are often in conflict with one another.

You know, when you want to stimulate the economy, you try to lower interest rates so folks borrow more money, so folks create more jobs. You want to put more money in the hands of our small business owners, our job creators, want to create jobs with other people's money when interest rates are low so that we can bring unemployment low.

When interest rates go higher, folks borrow less money. When they borrow less money, perhaps unemployment goes up.

These are conflicting goals, but we've tasked the Federal Reserve with both of those. And I want you to see, Mr. Speaker, what that brings us to today.

I've got a chart here, and you're not going to be able to see it from where you stand, but it's the last 5 years of the Federal Reserve balance sheet. And I'd be interested to take a poll here, Mr. Speaker, folks back in their office watching on TV: how many folks have taken a look at the Federal Reserve's balance sheet? I don't mean take a look in the last 10 days, I mean who's taken a look in the last quarter?

Maybe in calendar year 2012, Mr. Speaker. How many folks have taken a look at the balance sheet in 2012? Maybe not even 2012. What about this session of Congress? What about this new decade? How many folks have taken a look at the Federal Reserve balance sheet? Because what you see at the Federal Reserve balance sheet, Mr. Speaker, is a dramatic change.

You're not going to be able to see these numbers here, but they run from zero on the balance sheet up to \$1 trillion, up to \$2 trillion, up to \$3 trillion. You know, we throw trillions around in this town, Mr. Speaker, like they're nothing. A trillion's a big number. It's a million millions.

And historically, if you go back, and you see it here on the chart, 2007, 2008, going back into 2006, in general, the Federal Reserve, in order to keep liquidity in the economic system, in order to make sure that our financial system doesn't have fits and starts, kind of lubricates that system, makes sure everything's moving at the proper pace, keeps just under about \$1 trillion on its balance sheet, the debt that it buys, money that it's lending.

It will buy Treasuries to keep that market fluid. It has a window that it will lend to banks to keep that market fluid.

And what we see here, represented by this beige line here, is that going back into 2007 and 2008, most of that balance sheet was comprised of this traditional activity, with a little bit of lending to financial institutions.

Now, you remember, Mr. Speaker, when folks got so scared back in 2008 and we started to talk about TARP and the bank bailouts, we were going into the fall of that year and wondering if fiscal calamity was on the horizon. And this Congress passed, before you and I got here, measures to expand our aid to financial institutions, to increase that lubrication to make sure that dollars continued to flow.

And so you see it represented here on this gray line, Mr. Speaker, as the Federal Reserve's balance sheet expanded with loans to banking institutions.

Now, I don't mean expanded a little. Traditionally we're here, just about \$800 billion. Within the period of one quarter, we more than doubled that to \$2.2 trillion, almost tripled it.

Now, hear that again. This is an institution that exists to keep markets fluid, to prevent hiccups in our financial process, to make sure, again, full

employment, long-term interest rates are stable, price stability. Tripled its balance sheet almost overnight in the name of protecting us from an economic collapse.

And the balance sheet has not just stayed there since the fall of 2008, it's grown even larger. But the components have begun to change, and that's why it's important to begin this conversation, Mr. Speaker. Again, I'm not a Ph.D. economist. I don't claim to have all the answers. But what I do claim to know is, we're not spending enough time, as a Nation, talking about the role of the Federal Reserve.

You know, the Federal Reserve's an independent agency. It's supposed to make decisions on its own. Whenever someone complains to me, Mr. Speaker, about what's going on with the Federal Reserve, I say, I understand that you have some concerns with the Federal Reserve, but the only thing worse than an independent Fed Chairman making these decisions would be a Republican Party chairman and a Democratic Party chairman making these decisions. I mean, we've made it outside of Congress to keep partisanship out of it, to try to do the best economic thing instead of the best political thing.

But this is what's happened on our watch. The Fed has tripled the size of its balance sheet. First it was loans to bank, represented here by gray. Then it turned to liquidity in other credit markets, demonstrated by this blue, and then it turned to mortgage-backed securities and long-term American debt.

Now what does that mean?

□ 1940

That means that the Fed decided that no one wanted to buy mortgage-backed securities in this country and that, in the collapse of Fannie Mae and Freddie Mac, uncertainty took over in the marketplace, and it began to slow and, in fact, began to bind up as those mortgage-backed securities either began to fail or ceased to move, and so they began to buy them in record numbers represented here. It started out as just a little. Now it's over \$1 trillion in mortgage-backed securities going through 2010. Couple that then with long-term bond purchases—American debt.

Here we have an American banking institution, the Federal Reserve, buying American debt. Now, don't think too hard about that. Don't think too hard about what it means when the folks who control your money supply begin to buy your debt so that you begin to pay your interest to the Federal Reserve, which then returns all of its profits back to the government. You begin to see you're taking it out of your left pocket and you're putting it into your right pocket—taxing the one hand and paying the other hand. It gets circular in a hurry, and it puts us, as a Nation, on the hook for these actions.

Again, in 5 years—2007 to 2012—and really, the fall of 2008 to 2012—4 years, 48 months—we tripled the size of the Federal Reserve's balance sheet and changed its composition from what has historically been traditional security holdings and loans to banking institutions to making those the two smallest parts of the chart and making long-term debt and mortgage-backed securities the largest part of the chart. That's what we've heard from the Federal Open Market Committee, Mr. Speaker, is that we're going to continue that program to the tune of about \$40 billion a month.

These aren't actions that have no consequences. I'm looking here at yesterday's Wall Street Journal, and the headline is this: "Governments Brace for Currency Onslaught Ahead of QE3." Again, "QE" stands for "quantitative easing." It's talking about pumping more liquidity into the marketplace—trying to keep the lubrication going in the American economy—and it's the expansion of the balance sheet. We have some charts that show what happened after QE1 and what happened after QE2 and Operation Twist. This was in yesterday's Wall Street Journal. It was not an editorial, but it was from their reporting pages.

The Wall Street Journal says this:

In the previous round of Fed quantitative easing, which was dubbed QE2, the dollar weakened significantly. In the 13 months from June 2010—when expectations of more Fed stimulus first began to rise—until the \$600 billion bond-buying program wound up the following summer, the Wall Street Journal Dollar Index—a measure of the dollar's value against a basket of major currencies—lost 18 percent of its value.

I just want you to think about that for a moment. We're here arguing about what's going to happen with the fiscal cliff, and, of course, the House has acted to prevent taxes from rising on all American families come January. The Senate has not yet acted. We're trying to push that bill through the Senate, and we're trying to get the President on board. We're trying to prevent tax increases—a major part of what we do in this body and a major focus of the American taxpayer.

All you have to do is to go back to December 2010, which was when Speaker NANCY PELOSI was running this U.S. House, when Majority Leader HARRY REID was running the United States Senate, when President Obama was sitting in the White House, and when a big election had just been held in November of 2010. That election brought 99 new freshmen to this body. It turned over a tremendous number of Members, which was the largest number we'd seen in decades, and America said, I don't have any more money to give Washington. I'm voting "no" on new taxes.

So what happened?

In the lame duck session—November and December of 2010—Speaker NANCY

PELOSI, Majority Leader HARRY REID, and President Barack Obama came together and extended the Bush tax rates for an additional 2 years. They refused to raise taxes on the American people because the American people had just had a giant referendum in the November election, and Washington responded. Folks who hated the Bush tax rates—who demonized the Bush tax rates, from whom I've never heard a nice thing said about the Bush tax rates—came together to extend those tax rates for 2 additional years. Why? Because the American people demanded it.

In reading from yesterday's Wall Street Journal—call it causative, call it correlated, call it coincidental—in 13 months of QE2, \$600 billion of bond-buying, the value of the American dollar against world currencies fell by 18 percent, which is, in effect, an 18 percent instant tax on every single dollar in every single American pocket in this country.

If you're not thinking through that, I mean, here is the story. You're going to Walmart to buy those Chinese tennis shoes for your kids. Now, when the American dollar—the value of what a dollar buys on the world marketplace—falls 18 percent, that means the cost of those Chinese sneakers rises by that same amount because the dollar is worth less and foreign currencies are worth more. It helps U.S. exports, because what we've produced here becomes worth less and it makes it easier for foreign companies and corporations and nations to buy it, but it makes all of our savings, all of the dollars in our pockets, worth less, too. This is 18 percent, Mr. Speaker, in 13 months.

You and I were not in Congress at that time, but I wonder: How many letters do you think folks got, Mr. Speaker? How many phone calls do you think came in to say, "I'm watching the activities of the Federal Reserve. I've been studying their balance sheet. I'm deeply engaged in the actions of the \$600 billion bond-buying program and QE2, and I see that the value of the dollar against a market basket of world currencies is falling by 18 percent, and I want Congress to fix it"?

Now, Mr. Speaker, you and I were not here, but if this House of Representatives had raised taxes by 18 percent on every American family, there would have been a riot. Phones would have lit up. Mailboxes would have been jammed packed. Email accounts would have been pumped full as American consumers would have said this is not the right direction for America. But who is talking about it when the Federal Reserve creates exactly that same impact through monetary policy? Again, I'm not saying it's right or wrong. We have to make these decisions as a Nation. What I'm saying is there hasn't been enough debate on that topic.

Let me go on. Again, this is from yesterday's Wall Street Journal:

The dollar followed a similar but slower path leading to the QE3 announcement last week. The Wall Street Journal Dollar Index hit a 22-month high in July.

That means that our dollar was valued high against a market basket of world currencies, which meant spending a dollar bought more goods than it historically buys. It's a 22-month high. It bought more goods in July than it bought in any other month over 22 months.

The Wall Street Journal goes on:

It then started to slide gradually before dropping sharply once Fed Chairman Ben Bernanke signaled the Central Bank's plan at his speech in Jackson Hole, Wyoming, on August 31. The index is now 6 percent off its July high.

From July to September, every dollar in every American pocket and in every community across this land is worth 6 percent less than it was just 3 months ago.

How many letters have you gotten, Mr. Speaker? How many letters have you received from your constituents to say that every single dollar they're earning in their paychecks, that every single penny in their children's piggybanks, that every single bank account, that every single stock purchase—that every single dollar of wealth we have in this country—now buys 6 percent less?

Again, Ben Bernanke is a bright guy. Alan Greenspan before him was a bright guy. We have this independent Federal Reserve so that we can have really smart people who are studied, schooled—decade upon decade—in the economics of our land and of our world make these decisions. But they impact us, and we're not having that national discussion about what that impact is. This is 6 percent in just the past 3 months.

□ 1950

We talk a lot about Social Security and Medicare, and certainly there's an impact on our seniors, Mr. Speaker, with both of those major programs that we've all paid into out of our paychecks all of our lives. But what about folks on a fixed income? Because, again, part of this Federal Reserve policy, there is the expansion of the balance sheet side, and there's also the controlling of the interest rate side. Of course, we've pushed interest rates low.

What I have here, Mr. Speaker, is a chart of interest rates in this country that is kind of a 10-year bond yield. It is a number that is looked at around the globe. This chart goes from January of 2009 up to September 2012. What you see in green is the beginning of quantitative easing, QE1 in green. You see the end of QE1 in red. As we begin to put more and more and more money into the marketplace, lubricate that marketplace more and more and more, the cost of borrowing money went higher and higher and higher until QE1 ends and interest rates collapse. Then

we announce QE2. Here in green you see where QE2 begins. You see in red where QE2 ends. As soon as QE2 ends, interest rates collapse. Operation Twist begins.

Here we are with average 10-year yields, Mr. Speaker, going back over the last 3 years. This is what we're usually paying for money. This is what we're paying for money right now. These are the lowest interest rates we've seen—well, not just in a generation, Mr. Speaker—in decades. Let me go on.

This is that dollar index that I talked about, that market basket of world currencies. How much is a dollar worth? Again, let's look. QE1 begins, the value of a dollar spikes briefly. Throughout QE1, the value of a dollar collapses and rises towards the end of QE1. As soon as QE1 ends, the value of a dollar spikes again—QE2. Again QE2 begins. By the time QE2 ends, we see the dollar valued substantially less.

What's the discussion around the family dinner table, Mr. Speaker? You can't find a household in this Nation that hasn't had a discussion about their tax bill. I daresay you wouldn't find many households in this Nation that haven't had a discussion about the regulatory burden that is being placed on them by the Federal Government today, the challenges of going out and creating a business or building a new job because of the regulatory burden.

But how many folks are sitting around the dinner table talking about this small group of men and women, the Federal Open Market Committee, the chairman of the Federal Reserve, and what they're doing that both obligates Americans and impacts our fiscal and economic future, and what they're doing to try to create those jobs and keep interest rates low for America today?

This is the chart that concerns me the most, Mr. Speaker, because we're borrowing at record low interest rates. The Federal Reserve is doing a lot of buying of American debt too. Again, I talked about the left hand and the right hand, and we're paying ourselves because we're borrowing from ourselves and lending to ourselves. These are all just clicks of the mouse these days. It's not dollars that are changing hands. We're just clicking the mouse.

What happens borrowing a trillion dollars a year, Mr. Speaker? You and I are working hard to curtail that. Of course, discretionary spending in the 20 months you and I have been here, we reduced 2010. When we went into 2011, we came lower than 2011. When we went into 2012, we now sent a continuing resolution to the Senate that brings us even lower in 2013. We're in 2012. We're absolutely saving those dollars one dollar at a time, but we're still borrowing a trillion tax dollars a year. Who's buying that debt, Mr. Speaker?

In the early 1970s, it would have been us. That's been the history of this

country. We, the American people, buy our debt. Thrift was valued, and we take our hard-earned dollars, we take those dollars we've accumulated as families through our thrift, and we buy American bonds with them. We reinvest in America. And when America pays interest on those bonds, that interest comes back to us as American families.

But over the past four decades, that's begun to change dramatically. The mix of who's buying those bonds has moved from American families and American institutional investors and is drifting aggressively towards foreign purchasers.

That's just the way it is. We don't have any thrift in this country anymore. No one is saving money in this country anymore. American has debt it has to sell. It can't sell it to American families because American families don't have jobs and don't have money, so they've got to sell it to foreigners: China, Germany, Japan. That's the way the economy is today, Mr. Speaker.

I've represented those lines here. This is a percent of GDP. That's what this chart is. This is a baseline here, zero percent of GDP. It goes back to the year 2000. We're just looking at the last decade. It comes out to 2012. The question is: Year over year, who's buying Treasury securities? Is it the private sector, individuals, and institutional investors? That's the green line. Is it foreign investors? That's the blue line. Or is it the Federal Reserve?

Again, I don't know who is following those things day to day, Mr. Speaker. It's not coming up at town hall meetings. It's not coming up around family dinner tables. But the Federal Reserve, if you follow this black line here, the net change in what they were buying in terms of Federal Treasuries, it's pretty close to zero here. This black line representing the Federal Reserve is zero in 2001, 2002, and 2003. The foreign nations begin to buy more here, American consumers begin to buy a little more here, they sold more here, the foreigners bought more there. But here's that black line, the baseline, the Federal Reserve going right on out.

Look at what happens in 2009, 2010, and 2011. That black line spikes. As we go into 2011, I want you to see, Mr. Speaker, that black line crosses the green and the red line. Why are these lines getting so tall? Because America is selling so much debt. You've got to remember that. When President Bush was in the White House when debts were considered then massive at that time, we were under \$400 billion a year. We were trying to sell \$400 billion a year in government-backed securities on the world market.

Beginning late in 2008 and going into 2009 and into 2010 and into 2011, we began to sell over a trillion dollars a year. The number of debt instruments that we had to sell in the world marketplace tripled, if not quadrupled. So

you see that spike, and everyone has to buy more of our debt. Individuals are buying more in the green line, foreign nations and foreign investors are buying more with the blue line, and the Federal Reserve begins to buy more, as you see, in the black line.

Starting in late 2010 and going into 2011, you see the black line come out on top, that the net change in the ownership of Treasuries has shifted away from all private and governmental investors combined around the globe, and now the biggest shift in each month is our Federal Reserve buying our own debt, us taking the money out of one pocket, putting it in the other, taking the debt instrument out of your pocket, putting it back in the other.

What's the impact of that, Mr. Speaker, on the long-term American economy when we can't find enough dollars on the planet, we can't find enough buyers on the planet to invest in American debt? So we the American Federal Reserve have to buy that American debt—again, just a click of the mouse—because no one else is.

What if the Federal Reserve closed the doors tomorrow, Mr. Speaker? Could we even sell it? I understand the Federal Reserve competing in that marketplace. It helps to keep interest rates low, right? When demand is high for debt, interest rates are lower. The Federal Reserve would have stopped that demand. What's the real cost of borrowing in this country? We don't know.

We have four times higher debt today than we did in the late 1990s, by 1997. Four times more debt today than we did in 1997, and yet we pay less in interest on the national debt as a percent of GDP today than we did then. Why? Because of record low interest rates. Why do we have record low interest rates? Because we are exerting every fiber of energy that the Federal Reserve can muster to keep those interest rates low. I'll show you a chart of those interest rates later. But they are the largest purchaser of our debt.

There is some good news in that, and I want to shift just a moment from the Federal Reserve to the Treasury Department. Again, the Federal Reserve, Mr. Speaker, is an independent doing its own thing. The Treasury Department is completely funded by this Congress, completely involved in oversight under this Congress and direction by the administration.

We are experiencing record low interest rates today.

□ 2000

There is so much uncertainty in our future and, again, I'm trying to highlight how some of that has been created by the Federal Reserve just so that America begins to have that conversation. The good news is the folks over at Treasury, the public folks over at Treasury, the Bureau of Public Debt

and Treasury have begun to extend the maturity, average maturity rate, of our debt.

Now, what does that mean? Well, you remember reading about all the folks in the mortgage market who got caught by those teaser rate loans. The rates were low on year one, but they went up in year two and folks couldn't afford the payments on year two and the interest rate jumped—teaser rates.

Well, right now we're financing America's debt at teaser rates. We're borrowing at the lowest rates in history. When we go out and we start selling debt instruments, we're not selling everything as a 30-year bond, where nobody is going to come looking for the principal for another 30 years. We sell that in 28-day instruments, 1 month, 3 months, 6 months. Short-term instruments finance the plurality of our debt.

Now, what does that mean? That means we have tremendous interest rate risk. Whatever the debts are in our families at home, Mr. Speaker, if we have those amortized over a long period of time, then we know exactly what our payments are going to be. If we're involved in short-term teaser rates, then we could have the rug pulled out from under us tomorrow.

To the Treasury's credit, go back to 1980 here, average maturity of debt, when interest rates have gotten lower, Treasury has begun to lock American debt in for longer and longer maturities. Back in October of 2008, when we were just dumping debt on the marketplace as fast as we could because we were spending at the highest deficit levels in American history—again, four times the previous levels, as George Bush was leaving office—we had to sell it to anybody who was willing to buy it.

The maturity rate, just the average maturity rate just collapsed, collapsed. We've been battling back from that time, 48 months in October of 2008. Again, that's average, 2008. What were we talking about then, Mr. Speaker? About \$13.5 trillion in public debt that, on average, was due in 4 years or less.

There is a thing about that, because there's no surplus here. We're still borrowing more, but every 4 years the entire amount of debt comes due, that's the average. The entire debt turns over every 4 years. We're not only borrowing a trillion more each year; we've got to pay back the \$13 trillion we already borrowed that we're then refinancing by selling additional debt.

To the Treasury's credit, we're extending that timeline one month at a time, one day at a time. Here in May of 2012, we've already pushed out the average maturity date 32 percent. It's up to 64 months there over the summer to try to lock in these low interest rates to give America some interest rate protection, to reduce our interest rate exposure.

You can't throw money around the way this Nation is throwing money

around and think inflation isn't going to get you. It's not a question for economists, Is inflation coming? The question is when is it coming and how bad is it going to be. It's coming.

The laws of economics are sound. It's coming. When is it coming? How bad's it going to be? Our Federal Reserve tries to manage that for us with our Treasury Department locking in those longer-term rates now.

Let me just say that we've begun that discussion in Congress. I think we need to begin that discussion, Mr. Speaker, in living rooms around the country. It's not just a congressional discussion, of course. It's a discussion that the American people need to have.

Who are we as a Nation? What are we mortgaging away in our tomorrow to try to help our today? Is what we're doing making today easier? Perhaps it is. But giving the risk of what it does to tomorrow, is it worth that risk? We're not having that conversation. We're leaving those decisions to the independent Federal Reserve. We're leaving those decisions to the Federal Market Committee.

That was a different choice that we made when the balance sheet of the Federal Reserve was \$800 billion, still a big number, but \$800 billion. Now it's four times larger. We're working on that here in Congress, Mr. Speaker. It began with the Federal Reserve Transparency Act; and that's a bill, a bipartisan bill, 274 cosponsors in the House. When we finally brought it to the House floor, it passed 327-98.

That's big. You talk about all the things we don't agree on here in Congress, you talk about party-line votes that divide us right down the middle—3-1 Congress voted to pass the Federal Reserve Transparency Act.

Now, does that say the Federal Reserve is doing a bad job? No, that's not what this bill says. What this bill says is the Federal Reserve is doing a lot. It's doing a lot that we never anticipated when we created the Federal Reserve.

There comes a time the American people need to be involved in that process and we, as their Representatives, need to be involved in that process. This is Dr. RON PAUL from Texas who has been pushing this idea for years and years and years. In this Congress, as he prepares to retire at the end of this year, the House finally had a vote and passed it by a large margin.

There is another bill in the House that has 48 cosponsors right now. It has not moved out of committee, and it's called the Sound Dollar Act. It's H.R. 4180. Again, it's looking at some of these questions going back to be that Wall Street Journal article I showed in the beginning, 6 percent devaluation of our currency in the last 3 months. As the Federal Reserve began to act on QE2, an 18 percent devaluation in our currency.

Golly, you work hard all your life, you think, God the stock market is too risky for me. I have seen it collapse, more than once: tech bubble collapse; builders, real estate collapse; September 11, 2001 collapse. Too risky, I just can't do it. I'm going to take my dollar, and I'm going to put it in a federally insured banking institution so that I know when I go to take that dollar out, it's going to be there.

Well, that's true. But is it still going to be worth a dollar when you take it out? The answer turns out to be no.

If this government wants your money, we can come and we can tax you, Mr. Speaker. We can take 20 percent of everything you own, brand-new tax, 20 percent of all the wealth anyone has in America. Yes, \$10, we're going to take \$2 of it.

That's not going to pass this body, and it shouldn't. It's crazy. Through monetary policy, we can achieve that very same effect and nary a voter said a word.

I'm not telling you it's bad for America. I'm not telling you the folks of the Federal Reserve are out to get America. I'm not saying that at all. These are conscientious men and women who love this country and who are trying to make sure, in line with their Federal mandates, that they are keeping an eye on inflation, that they are keeping an eye on interest rates, that they are keeping an eye on full employment. These are contradictory goals, and they have got to keep them all in the same basket and try to succeed on all fronts.

But the beneficiary, if they succeed, is the American taxpayer. The one who bears the burden if they fail is the American taxpayer. The one that's not involved in the discussion right now about whether it's the right thing to do or the wrong thing to do is the American taxpayer.

I believe this November, Mr. Speaker, we are going to have the largest voter turnout in American history, and I'm thrilled about it because I still believe in America. I still believe in Americans.

When more Americans turn out to have their voice heard, we're going to end up with the right answer. I don't have any idea what the American people are going to decide because at the polls they're still trying to make up their mind in some cases.

But when more of us are involved, we're going to end up with a better decision for America at the end of the day. We need to get those voices involved in Federal Reserve policy.

This chart, Mr. Speaker, is one of my favorites. It goes back to 1962. We go deep, deep, deep into history. I say deep, deep, deep because I'm in my forties; this is before I was born. So I call that deep, deep, deep into history. If you were born before 1962, it might not seem like that far to you, but it's 50

years, Mr. Speaker, of American interest rate policy.

We see here the end of the Carter years and the beginning of the Reagan years before the Reagan tax cuts had a chance to take effect and get the economy back on track. We're talking about sky-high interest rates, but over 50 years of American history, 50 years of American history through Vietnam, through the oil embargoes, through Carter, Reagan, Bush, and Clinton. You look way out to the end of this chart, Mr. Speaker, 2012. You see a collapse in the average 10-year interest rate to the lowest levels that most of us have ever seen in our lifetimes.

□ 2010

These are the interest rates that America ordinarily pays. But we're manipulating the system to pay the lowest interest rates in history. At the same time, we're borrowing the most money in history. The laws of economics tell you that's not what goes on with supply and demand. If there's more demand for debt and less supply and folks to buy, interest rates are supposed to go up. We have more demand than ever before. We have less supply of buyers than ever before in the world marketplace. And yet interest rates are at their lowest level in history.

There's going to come a time, Mr. Speaker, that we're going to have to pay the piper. This is normalcy. This is historical normalcy. What we're experiencing today is temporary, and, by definition, has to be. The same thing is true on 30-year interest rates. In fact, it's even more dramatic. This goes back to 1977, Mr. Speaker, out to 30-year interest rates today. The 30-year U.S. Government interest rate down around 3 percent, Mr. Speaker. Who is it, Mr. Speaker, who wants to trade away \$1 today with the agreement that they'll get \$1.03 back next year. And that same deal over the next 30 years. Who thinks that dollar is only going to devalue 3 cents a year going out over time?

As I close, I want to make it clear there's a lot of shin-kicking that goes on in this town. I'm not trying to kick the shins of the Federal Reserve. I've got a lot of constituents who think I should. I've got a couple of constituents who think I shouldn't. But what I don't have enough of are voices across the Nation demanding that we take a look at it.

I recommend this article to you. September 11, 2012, again, written by Senator Phil Gramm. That's Phil Gramm of the Gramm-Rudman-Hollings Act. Do you remember that? That was our last serious effort at deficit reduction. This is a gentleman who has been concerned about free markets and American job creation and American debt for a generation. He served here in the House, served in the United States Senate. He crafted, again, some of the big-

gest budget bills, most progressive, most opportune when it came to seizing the moments to try to change the fiscal direction of the country for the better. He's writing on September 11 about our fiscal future and what's happening at the Federal Reserve.

I'll close with the same way that he closed. He said:

Some day, hopefully next year, the American economy will come back to life. Banks will begin to lend, the money supply will expand, and the velocity of money will rise. Unless the Fed responds by reducing its balance sheet, inflationary pressure will build rapidly. At that point, the cost of our current monetary policy will be all too clear.

Like Mr. Obama's stimulus policy, Mr. Bernanke's monetary policy expansion will ultimately have to be paid for. The Fed softened the recession by its decisive actions during the panic of 2008. But the marginal benefits of its subsequent policy have almost certainly been small. We may find the policies that had little positive impact on the recovery today will have high costs, indeed, when they must be reversed in a full-blown expansion.

There's not a man or woman in this country, Mr. Speaker, who's registered to vote who's not thinking about their tax bill, who's not thinking about the economy, who's not thinking about job creation, and who's not going to go to the polls and vote accordingly. Mr. Speaker, I encourage you to encourage your constituents, as I'm going to encourage mine, don't just think about tax policy. Think about monetary policy. What we're doing here in Washington to cut budgets, that's what we'll call fiscal policy. What the Federal Reserve is doing with its balance sheet and with interest rate, that's going to be monetary policy. And it makes a difference. The decisions we make today have to be paid for tomorrow. Perhaps it's the right thing to do today, but if it happens in secret, if it happens unbeknownst to the American taxpayer, the American job creator, the American jobholder, who will ultimately have to foot that bill, then it's not the right course of action for America.

Let's have this debate. Let's talk about it in the light of day. And let's make that decision, Mr. Speaker. Balance those costs and those benefits and do what we know will be best for the American family for another generation to come.

With that, Mr. Speaker, I yield back the balance of my time.

NANNY-STATE GOVERNMENT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the Chair recognizes the gentleman from Iowa (Mr. KING) for 30 minutes.

Mr. KING of Iowa. Mr. Speaker, it is my honor and privilege to address you here on the floor of the United States House of Representatives and take up some of the issues that I think are so

important to the dialogue before us here and the American people to consider as they listen to our discussion.

A number of things weigh on me as I come to the floor tonight. And one of them is something that I think is emerging in the consciousness of the American people, Mr. Speaker, in a way that really wasn't there before this administration took office, and that is the massive growth of the nanny state here in the United States of America.

We've watched as regulation after regulation have crept in on our regular lives, and some of the things that I've spoken about with you in the past fall down along those lines. For example, the curlicue light bulb. The idea that the Federal Government could ban our 100-watt light bulbs and prohibit us from buying our patriotic Edison light bulbs and require us instead to substitute for those curlicue mercury-laden light bulbs.

Now I'll point out, Mr. Speaker, that I have a good number of those—I'll call them modern—light bulbs in my house. I put them where they make sense. And where they don't make sense, I put in the patriotic Edison bulbs. If I need quick light to walk into a room for just a minute, I want to have an Edison bulb there, not a curlicue, so it lights up right away. I can shut it off right away. It's not on much. It doesn't cost much electricity. If I'm going to have a bulb that's going to be on for quite a long time, then I want to have the energy-efficient bulb. That's a simple decision that a consumer can make—and especially a well-informed consumer. But when you end up with a one-size-fits-all that comes from the Federal Government, you end up with a lot of bad decisions so that it all fits into one formula. That's the light bulb.

Another one is shower heads. Several months ago, the Federal Government fined three companies for selling shower heads that let too much water out. Think of that. Too much water. One size fits all. The water supply in let's say Buffalo, up by Niagara, is different than the water in someplace like Tucson; different than someplace like New Orleans or Florida or Iowa. And so we have one-size-fits-all on shower heads. And here's the brilliant presumption on the part of the nanny state Federal Government: the conclusion that in all cases water is going to be more valuable than time. So people can stand under that shower head and wait for their feet to get wet because over the broad calculation of 300 million people you will save some gallons of water that are more valuable to the mind of the nanny state—certainly, more valuable in the mind of the nanny state—than the time that it takes for someone to stand there and wait to get wet.

Here's another one. The 55 mile-an-hour speed limit that was imposed a long time ago in this country under the

belief that if we all drove 55 miles an hour we would save gas and that would help our energy independence and keep us less dependent upon foreign oil. So the Federal Government dialed the speed limit down to the "double nickle," as we called it, and everybody in the country drove 55 for a long time, even on the interstates, with the misguided idea that gas was always worth more than time.

So one day, Mr. Speaker, I was driving down the road in Iowa at 55 miles an hour and I came through this intersection on a county road and I could look in my mirror and see a mile in my mirror, not a car in sight. A lot of cornfields. Looked right, looked left. I could see a mile in either direction. I could see a mile ahead of me. I could cover 4 miles of road by looking out three windows and into a mirror.

And there I am driving down the road looking at cornfields, which I love to look at, at 55 miles an hour. I thought, Why am I doing this? Well, it must be the nanny state that has imposed this on me. And I picked up my phone and called—now there's a law against that in the nanny state—but I called my secretary in one of our offices and said, I want to know how many passenger miles are traveled on the rural roads in Iowa each year. Can you get me that number? She came back to me a little later and said, I can't give you the passenger miles but I can give you the vehicle miles on rural roads.

So I did one of those little calculations on my calculator that works out like this: if we all drove 65 miles an hour instead of 55 miles an hour, that's 10 miles an hour faster. You calculate how much sooner you arrive at your destination by driving 10 miles an hour faster.

□ 2020

Then you calculate that each one of us on the day we were born was granted the actuarial number—at that time I figured it at 76 years—when you figure those hours that you have in your lifetime at 76 years and then you figure out how many hours you spend unnecessarily looking out the windshield at 55 miles an hour, and you calculate the lifespan, and you divide it into the time saved and the miles that are traveled on rural roads in Iowa each year. And it came down to this: that if we drive 65 instead of 55, we will have saved 79.64 lifetimes of living, in other words, getting to our destination, doing something productive. That has value too.

That calculation wasn't made by the nanny state. The nanny state only calculated gas is always worth more than time.

Not so in Germany where people get out on the Autobahn and drive as fast in some locations as they have the nerve to drive under the idea that you get them out on the highway, you get

them off the highway, you get them out of the way where they're not going to be congesting traffic, and you get people engaged in doing their regular living in life.

That's the speed limit, the shower nozzles, the curlicue light bulbs, all examples of the nanny state.

But, Mr. Speaker, the examples of the nanny state have surpassed the imagination of almost every one of us that has common sense.

When I look at what has come out of the U.S. Department of Agriculture, for example, the rule that cooperated with the Department of Labor, worked in conjunction with the Department of Labor, and I asked this question under oath of one of the Under Secretaries of the Department of Labor before the Small Business Committee, did the U.S. Department of Agriculture work in cooperation with the Department of Labor to produce these rules that would regulate farm youth labor? The answer was, yes, they worked in cooperation with the Department of Agriculture.

Ag is supposed to know about what goes on in farm families. So Ag worked with Labor and produced rules that said to parents you can no longer control your own children or manage your own children or entrust them to go to work for the neighbors even if those neighbors are aunts or uncles or grandparents of these children.

So they wrote the rule that would prohibit farm youth, other than those that are working right there on a family farm for their parents, outside of that zone, farm youth were prohibited under the rule from being more than 6 feet off the ground so they could go out and climb a tree, but they couldn't go out there and get up on a scaffold and paint the undersides of the machine shed, for example.

They were prohibited from being engaged in any kind of herding of livestock in a confinement. So they couldn't walk into a hog building, for example, and have any engagement there. They couldn't herd livestock even outdoors from horseback or from any motorized vehicle.

So you'd say to kids, you can't ride horses out here if it has anything to do with what's work. You might be able to do it recreationally, but not with work.

I remember a rule coming at me from a convenience store several years ago, and all they wanted to do was just sell sandwiches and pizza and gas and do those things that come out of a regular convenience store.

The Department of Labor went into the community and interviewed the high school students that were working there, learning a good work ethic, by the way, how to count change, how to hold up their end of the workload.

They interviewed them and they asked them questions. For example, Have you ever worked after 7 o'clock

on a school night? One or two of them said, yes, once or twice, and there were two violations of working after 7 o'clock on a school night.

Then it was, Have you ever operated the pizza dough maker? Well, no. None of them had operated the pizza dough maker, but once or twice, one or two of them said, yes, I washed the pizza dough maker, but I didn't operate it.

These kinds of silly things came out of the Department of Labor, and they levied a significant fine against this good family convenience store operation because they alleged that these youth had violated the rule on working past 7 o'clock on a school night and that they had not operated the pizza dough maker, but they had washed it. That little egg beater inside there that turns, they had washed that. That was too much of a risk for a 15-year-old to have their hands on something like that, surely.

So they concluded that the rule reads: operate or otherwise use. So washing the pizza dough maker turned into "otherwise use," and levy a fine against this family operation.

Why would anybody stay in business if they had the nanny state gestapo hunting down their employees, interviewing them in their home, these kids that don't have any idea why the Federal Government's sticking their nose into something like this, a completely safe and harmless operation regulated by the Department of Labor when we've got all kinds of laws that can't be enforced and aren't enforced. We've got people doing that.

Or here's another thing that is idiocy on the part of our child labor laws and that is that a 17-year-old young man cannot get on the lawnmower and cut the grass around the gas station if he's working for somebody else. Violates the rule. But he can get in a car that runs 120 miles an hour and turn the radio up and put his girlfriend over there next to him and drive down the road with one hand, talking and laughing. I didn't say he was driving 120, I might point out, for those people who are willfully ignorant, Mr. Speaker, a car that has the capability of going that fast. We'd hand that vehicle over to somebody that's that age, but they can't run the lawnmower. This is going on just constantly.

But the USDA farm labor piece of this thing has gone way too far. And I know they just withdrew the rule, not because they changed their mind, but because there's a political liability involved. I want to keep turning up that political liability so they don't get any more crazy ideas out of that place.

But to pass a rule that farm youth can't be over 6 feet off the ground, that they can't herd livestock in confinement, that they can't herd livestock from horseback or from the seat of any motorized four-wheeler quad, that we would call it, that's all banned specifi-

cally by this rule. Right down to the point where HSUS must have been in the room writing these rules, because they also wrote rules that the youth cannot be around anything to do with livestock that inflicts pain upon the livestock.

Now, there are a number of things that happen that are painful to a newborn baby, I might add, Mr. Speaker, as well as to animals, that's for their best interest and best good, most of it.

But if a 15-year-old girl can go get her ears pierced without having any permission from her parents and presumably that inflicts pain upon those earlobes, I'm told it does, but that same girl who can opt into her own earpiercing cannot watch while a calf is being ear-tagged because the nanny state has decided that somehow that would damage her psyche to be around that operation.

This is nanny state run amok. It's a reach of the Federal Government into all of these aspects of our lives that's just so completely intolerable for a free people, and we need to push back, Mr. Speaker; and so we are pushing back on some of this.

But the one that stands out, I think, the most, it emanates from the First Lady, Michelle Obama. In the lame duck session in 2010, the discredited Congress here and, I'll say, down the hallway in the Senate, passed a bill out of there. It's called the Healthy, Hunger-Free Kids Act, Mr. Speaker.

The Healthy, Hunger-Free Kids Act was written and passed to satisfy the wishes of the First Lady who had the Let's Move Initiative to get our youth in shape. Now, that on its face is okay, and it's probably pretty good that we inspire our youth to get some exercise. After all, that is a big part of the problem with overweight youth.

It's been well publicized that 30 percent of our youth are overweight. Now, I haven't gone back to question that number. It seems to be a number that's accepted. But if it could be a higher number, I think we'd probably hear that out of the White House.

Thirty percent of our youth are overweight, and there's your consensus number, true or not.

Clear back when Bob Gates was the Secretary of Defense under Barack Obama, Mr. Speaker, he made the statement that since 30 percent of our youth are overweight, it is a national security issue because we can't recruit enough troops to go through basic training and be able to keep them trained up into shape, to keep our Nation ready for whatever might threaten us because youth obesity was prohibiting our national security.

Now, that causes me to pause, Mr. Speaker, when the Secretary of Defense has all of these things to worry about, and you've got everything from missile defense to our ground troops and multiple places in the world where

we have a presence and where we need a presence and threats all over the globe and the Secretary of Defense is making a political statement that 30 percent of our youth are overweight and national security is at stake, so therefore we need to do something to cut down on the weight of these kids.

So, I think how is it that we can't recruit enough people in our military, even if there are 30 percent that are overweight and the other 70 percent don't fill the ranks enough voluntarily. Wouldn't you go ahead and take somebody that's 5 or 10 or 15 or 20 or 50 pounds overweight, put them into basic training and just say you didn't make weight so you're still in basic training and we'll keep you in basic training until you do make weight?

□ 2030

That is not that complicated. How can a nation conclude that it's a national security issue, that we can't solve that problem.

You take an 18-year-old young man or woman, and if they're 30 percent overweight—and maybe that's 30 pounds overweight—it doesn't damage their skeletal system or their muscular system or their nervous system; it's just a matter of carrying too much weight around, and you shrink that down and they're good to go. If that wasn't the case, there wouldn't be so many healthy people around here that formerly were obese. They turn themselves around, they get a good diet and exercise plan, they get slim—and a lot of them stay slim for life—and they live healthy and happy thereafter. And I'm glad to see that. That's what we should do. But we can't be a nation that throws up our hands and says America is in danger because we haven't addressed childhood obesity. That is over-hype.

I sat down with some food retailers shortly after Mrs. Obama brought her initiative to get people to lose weight in this country, and they said to me: We're going to take 1.5 trillion calories off the diets of our young people, and in doing so our goal is that they will lose weight and get back in shape. And so how are you going to do that? And their answer was: Well, there is this Power Bar that kids like, and it's 150 calories. We're going to reduce the calories in it down to 90. And then in the single-serving Dorito bags, we're going to take a couple of chips out of there, and then that way we're going to fool these kids into eating fewer calories because they must have a habit that they're going to only eat one Power Bar and they're only going to eat one single-serving bag of Doritos.

Mr. Speaker, it's pretty simple: These kids aren't overweight because there were too many calories in the Power Bar or one or two too many chips in the single-serving Dorito bag; they're overweight because they have a

voracious appetite, and they don't exercise enough. You cannot fool them by giving them a 90-calorie Power Bar; they will eat two of them and consume not 150 calories but 180 calories. And you can't fool them by taking a couple of chips out of the Dorito bag. They'll just open another bag of Doritos. That's the reality of real life. And somehow we get this myopic vision out of the nanny state that there's a way to trick people into getting slimmer.

This gets so bad, Mr. Speaker, that in marking up the previous farm bill in 2007, usually they like to bring somebody in to call for more food stamps that's maybe suffering from malnutrition, or at least they've been hungry part of lives. They couldn't, apparently, find any witnesses like that any longer because the food stamps have been pushed out so hard in this country that they seem to be ubiquitously available. And so they brought in Janet Murguia, the president of La Raza—that's the organization "The Race." This was in March of 2007. She testified that one of the growing problems of obesity is that even though most people know where their next meal is coming from, they don't know where all their meals are coming from. Therefore, they tend to overeat, and when they overeat they become obese. So if we would just give them an unlimited amount of food stamps, then they wouldn't be so concerned about this food insecurity. They would eat less, lose weight, and all would be well with the world.

That is a bizarre thought, Mr. Speaker. I can't embrace that way of thinking. I didn't even know how to argue against it. It caught me so far off balance that people are overweight because they don't have enough food stamps, so we'll give them more food stamps and they will lose weight. I deal with this kind of irrational irrationality here in this Congress constantly. It's no wonder that people call for a voice of common sense in this place.

So, Mr. Speaker, that's the food stamp argument, the nanny state argument. But it takes me to the school lunch program. The school lunch program is out of control. It is this Healthy, Hunger-Free Kids Act, which is the First Lady's bill, that regulates the diet of every kid going to school in America. I went into lunch at Remsen-Union here this week to sit down with them. First I gave them a program on the Constitution—they were great, and I look forward to going back there, I hope. Good, good, young people.

When I finished up, I said, Now it's lunchtime. I'm going to go eat your lunch. And they said, oh, you're not going to really, are you? Sure, I did. I sat down. And not picking on their program, it's rationed by the United States Department of Agriculture. They did not have the authority granted to them specifically in the Healthy,

Hunger-Free Kids Act to ration calories to our kids, but that's exactly what they've done, Mr. Speaker. They've reached into and grabbed an authority that didn't exist and decided to opt into rationing calories to our kids in all of these schools.

So for the first time in the history of this country—we've had nutrition standards, nutrition minimums; you don't give them less nutrition, you don't give them fewer calories than this standard—and that standard has been published, and it's well known among our school lunch program. But Michelle Obama's Healthy, Hunger-Free Kids Act, as interpreted by Secretary of Agriculture Tom Vilsack, sets caps on calories that kids can get to eat.

So, for example, a high school football player, a senior high school, for example, 250-pound lineman—growing, robust, active, working out every day—is rationed to 600 calories for breakfast, 850 calories for lunch. That's 1,450 calories. Now, if you give them another dose of, say, 800 calories for supper, you'll fall far short of the calories he needs to maintain his exercise level and his weight.

For me, I need 2,841 calories a day to maintain my weight. That's the formula, and that's also something in practice that I've measured and charted on a spread sheet; 2,841. If you put me on that diet, the ration that the Department of Agriculture is giving these kids, every 8 days, if I'm constricted to that diet—and that's granting 850 calories for a third meal of the day—I would lose a pound every 8 days. I'm past my growth spurt. They exercise a lot more than I do—or at least they should. That's how misguided this is.

Same number of calories for a kindergartner as for a fifth-grader. I believe the minimum number is 550 calories. And so a 30-pound kindergartner—which would be a small one—versus a 120-pound fifth grader—which would be a large one—get the same amount of calories. Generally, a fifth-grader is twice as large as a kindergartner. They get the same amount of calories, and it's capped.

Another thing that is so bad about this, Mr. Speaker, is that the youth that come in that have the money can go ahead and buy extra food a la carte. So they'll go back, if they've got the money, and buy an extra hot dog and go back and fill themselves up. But these kids that are on free and reduced lunches don't have that money in their pocket, and they're sitting there watching their better-off friends go back for a whole second helping, or the second helpings that they like. It is stigmatizing these kids that are on free and reduced lunch. It should not be. It sets up the wrong scenario in our schools.

This Healthy, Hunger-Free Kids Act says this: The USDA has the right "to

set nutritional standards for all foods regularly sold in schools during the school day, including vending machines, the a la carte lunch lines, and school stores."

That's what the bill says. The Department of Agriculture and Secretary Vilsack have decided they're going to cap the calories. It doesn't give the specific authority; they just decided they're going to cap the calories so that—now, here's the formula: 30 percent of kids are overweight by their estimate, so 100 percent of them go on a diet. That's the mentality of the nanny state, Mr. Speaker.

And where does this food come from? Agriculture, of course. We have been working to push a farm bill through this Congress for a long time. About a year ago last May, I and my staff and a number of others began putting together a bill. As we went out into the Ag community and asked them for their input on what they'd like to see and what changes in the bill, one thing that came back that stood out above all others is we need a good risk management program. That means crop insurance is the centerpiece of it. I set about to hold that together, and we did the research and laid the foundation. And so far we've held that crop insurance, I think, together pretty well, Mr. Speaker. But that's the crop insurance piece.

Many other pieces—the nutrition side of this. We've gone from 19 million people on food stamps to up now to 47 million people on food stamps. That, Mr. Speaker, is a number that creates expanded dependency in the country. The intention of the President and his party. An expanded dependency class votes more for them.

□ 2040

An independency class votes more for us guys. So they have pushed food stamps out into people. They've spent millions of dollars advertising food stamps so more people sign up on the SNAP program; and in doing so, they expand the dependency people, those that rely on government. That's been part of the mistake. We set about reforming that.

We have a tattoo parlor with a neon light that says we take EBT cards. So, food stamp money goes for tattoos.

We also have a fellow that bailed himself out of jail with his EBT card. They're being sold for cash and discounted.

That's some of the things that are going on. We need to tighten that up, and the House Ag Committee tightened it up. We tightened it up to reduce those dollars going in so that the people that should not be receiving the food stamps are less likely to get them, and that saved about \$16 billion out of the duration of this program, Mr. Speaker. That's one of the reforms in the farm bill.

Holding the risk management program together for agriculture and reducing the waste and the fraud and the corruption in food stamps was an important thing. That's what the House Ag Committee bill is about, Mr. Speaker, and I want to see it come to the floor, the committee product come to the floor. I'd like to see it come to the floor just under a closed rule. Let's vote it up or down and let's see where it goes. If it fails, it fails. Then we can go back to the drawing board. If we fail to try, that will be labeled a failure.

I came to this city this week to make that point over and over again, Mr. Speaker. We need to move a farm bill out of this House of Representatives. And I recognize that procedurally, at this point, as I stand here tonight, that is an impossibility under the rules of this House. So the best that we can hope for is to bring a farm bill to the floor as soon as we come back after the election.

I've asked the Speaker to do this. I've asked the majority to do this. I'm working closely in direct cooperation with the chairman of the Ag Committee, FRANK LUCAS of Oklahoma, who has done a stellar job on bringing a good bill out of committee and preparing it for floor action. He was an utter maestro in putting that bill together, and the work that was done by the chairman and many others, including Ranking Member PETERSON, Democrats and Republicans, resulted in a bill coming out of the Ag Committee that only had 11 "no" votes, and it was a bipartisan support for the bill. The opposition was also bipartisan, but it was only 11. So whatever the bar was, however high it was, we've cleared the bar.

We need to bring a bill to the floor. We need to provide that kind of stability and predictability to the ag community so that they can plan next year's crops and plan their lives.

What comes out of this House and out of this Congress and is signed by the President affects land prices, equipment purchases, land sales, farm rentals, the whole configuration, a lot of it is looking down on this farm bill.

So let's get it done. I'm looking for that full 100 percent commitment to bring the bill up to the floor when we come back. We've gotten a strong statement out of the Speaker that that's what will happen. I'm looking for reinforcement on that statement before we gavel out tomorrow, Mr. Speaker.

But it's essentially important to us that we know which direction we're going on agriculture. It isn't so critical, the policy standpoint, between now and December 31, but knowing, for planning purposes, is valuable. And if we get to, say, December 31 without a farm bill, then we do have a problem on our hands.

In the meantime, it's my strongest urging that we hear that kind of com-

mitment from the Speaker and the other leadership, that we'll take this bill up and take it to the floor. It's a strong message now. I'd like to see it become a full commitment before we leave this House tomorrow afternoon to go back for our elections.

So, Mr. Speaker, I have vented myself to some degree. I think I've helped inform this body about the nanny state that threatens to subsume this God-given American liberty and issued my urging that we move a farm bill and that we get a commitment to do so when we come back in November.

I appreciate your attention and the work that we've done here together as Democrats and Republicans and how we've reflected the voice of the American people. After the election, I hope we get the kind of help in the Senate that we received in the House in 2010.

With that, Mr. Speaker, I yield back the balance of my time.

HOUSE BILLS APPROVED BY THE PRESIDENT

The President notified the Clerk of the House that on the following dates, he had approved and signed bills of the following titles:

June 29, 2012:

H.R. 6064. An Act to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs.

July 6, 2012:

H.R. 4348. An Act to authorize funds for Federal highways, highway safety programs, and transit programs, and for other purposes.

July 9, 2012:

H.R. 33. An Act to amend the Securities Act of 1933 to specify when certain securities issues in connection with church plans are treated as exempted securities for purposes of that Act.

H.R. 2297. An Act to promote the development of the Southwest waterfront in the District of Columbia, and for other purposes.

July 18, 2012:

H.R. 3902. An Act to amend the District of Columbia Home Rule Act to revise the timing of special elections for local office in the District of Columbia.

July 23, 2012:

H.R. 4155. An Act to direct the head of each Federal department and agency to treat relevant military training as sufficient to satisfy training or certification requirements for Federal licenses.

July 26, 2012:

H.R. 3001. An Act to award a Congressional Gold Medal to Raoul Wallenberg, in recognition of his achievements and heroic actions during the Holocaust.

July 30, 2012:

H.R. 205. An Act to amend the Act titled "An Act to authorize the leasing of restricted Indian lands for public, religious, educational, recreational, residential, business, and other purposes requiring the grant of long-term leases", approved August 9, 1955, to provide for Indian tribes to enter into certain leases without prior express approval from the Secretary of the Interior, and for other purposes.

August 3, 2012:

H.R. 2527. An Act to require the Secretary of the Treasury to mint coins in recognition

and celebration of the National Baseball Hall of Fame.

August 6, 2012:

H.R. 1627. An Act to amend title 38, United States Code, to furnish hospital care and medical services to veterans who were stationed at Camp Lejeune, North Carolina, while the water was contaminated at Camp Lejeune, to improve the provision of housing assistance to veterans and their families, and for other purposes.

August 7, 2012:

H.R. 5872. An Act to require the President to provide a report detailing the sequester required by the Budget Control Act of 2011 on January 2, 2013.

August 10, 2012:

H.R. 1369. An Act to designate the facility of the United States Postal Service located at 1021 Pennsylvania Avenue in Hartshorne, Oklahoma, as the "Warren Lindley Post Office".

H.R. 1560. An Act to amend the Ysleta del Sur Pueblo and Alabama and Coushatta Indian Tribes of Texas Restoration Act to allow the Ysleta del Sur Pueblo Tribe to determine blood quantum requirement for membership in that tribe.

H.R. 1905. An Act to strengthen Iran sanctions laws for the purpose of compelling Iran to abandon its pursuit of nuclear weapons and other threatening activities, and for other purposes.

H.R. 3276. An Act to designate the facility of the United States Postal Service located at 2810 East Hillsborough Avenue in Tampa, Florida, as the "Reverend Abe Brown Post Office Building".

H.R. 3412. An Act to designate the facility of the United States Postal Service located at 1421 Veterans Memorial Drive in Abbeville, Louisiana, as the "Sergeant Richard Franklin Abshire Post Office Building".

H.R. 3501. An Act to designate the facility of the United States Postal Service located at 125 Kerr Avenue in Rome City, Indiana, as the "SPC Nicholas Scott Hart Post Office".

H.R. 3772. An Act to designate the facility of the United States Postal Service located at 150 South Union Street in Canton, Mississippi, as the "First Sergeant Landres Cheeks Post Office Building".

H.R. 5986. An Act to amend the African Growth and Opportunity Act to extend the third-country fabric program and to add South Sudan to the list of countries eligible for designation under that Act, to make technical corrections to the Harmonized Tariff Schedule of the United States relating to the textile and apparel rules of origin for the Dominican Republic-Central America-United States Free Trade Agreement, to approve the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, and for other purposes.

August 16, 2012:

H.R. 1402. An Act to authorize the Architect of the Capitol to establish battery recharging stations for privately owned vehicle; in parking areas under the jurisdiction of the House of Representatives at no net cost to the Federal Government.

H.R. 3670. An Act to require the Transportation Security Administration to comply with the Uniformed Services Employment and Reemployment Rights Act.

H.R. 4240. An Act to reauthorize the North Korean Human Rights Act of 2004, and for other purposes.

September 20, 2012:

H.R. 6336. An Act to direct the Joint Committee on the Library to accept a statue depicting Frederick Douglass from the District of Columbia and to provide for the permanent display of the statue in Emancipation Hall of the United States Capitol.

SENATE BILLS APPROVED BY THE PRESIDENT

The President notified the Clerk of the House that on the following date, he had approved and signed bills of the Senate of the following titles:

June 27, 2012:

S. 404. An Act to modify a land grant patent issued by the Secretary of the Interior.

S. 684. An Act to provide for the conveyance of certain parcels of land to the town of Alta, Utah.

S. 997. An Act to authorize the Secretary of the Interior to extend a water contract between the United States and the East Bench Irrigation District.

July 9, 2012:

S. 3187. An Act to amend the Federal Food, Drug, and Cosmetic Act to revise and extend the user-fee programs for prescription drugs and medical devices, to establish user-fee programs for generic drugs and biosimilars, and for other purposes.

July 18, 2012:

S. 2061. An Act to provide for an exchange of land between the Department of Homeland Security and the South Carolina State Ports Authority.

July 26, 2012:

S. 2009. An Act to improve the administration of programs in the insular areas, and for other purposes.

July 27, 2012:

S. 2165. An Act to enhance strategic cooperation between the United States and Israel, and for other purposes.

August 3, 2012:

S. 1335. An Act to amend title 49, United States Code, to provide rights for pilots, and for other purposes.

August 10, 2012:

S. 270. An Act to direct the Secretary of the Interior to convey certain Federal land to Deschutes County, Oregon.

S. 271. An Act to require the Secretary of Agriculture to enter into a property conveyance with the city of Wallowa, Oregon, and for other purposes.

S. 679. An Act to reduce the number of executive positions subject to Senate confirmation.

S. 739. An Act to authorize the Architect of the Capitol to establish battery recharging stations for privately owned vehicles in parking areas under the jurisdiction of the Senate at no net cost to the Federal Government.

S. 1959. An Act to require a report on the designation of the Haqqani Network as a foreign terrorist organization and for other purposes.

S. 3363. An Act to provide for the use of National Infantry Museum and Soldier Center Commemorative Coin surcharges, and for other purposes.

August 16, 2012:

S. 3510. An Act to prevent harm to the national security or endangering the military officers and civilian employees to whom Internet publication of certain information applies, and for other purposes.

SENATE ENROLLED BILLS SIGNED

The Speaker announced his signature to enrolled bills of the Senate of the following titles.

S. 3245. An act to extend by 3 years the authorization of the EB-5 Regional Center Program, the E-Verify Program, the Special Immigrant Nonminister Religious Worker Program, and the Conrad State 30 J-1 Visa Waiver Program.

S. 3552. An act to reauthorize the Federal Insecticide, Fungicide, and Rodenticide Act.

ADJOURNMENT

Mr. KING of Iowa. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 44 minutes p.m.), the House adjourned until tomorrow, Friday, September 21, 2012, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

7904. A letter from the Secretary, Commodity Futures Trading Commission, transmitting the Commission's final rule — End-User Exception to the Clearing Requirement for Swaps (RIN: 3038-AD10) received August 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7905. A letter from the Secretary, Commodity Futures Trading Commission, transmitting the Commission's final rule — Swap Transaction Compliance and Implementation Schedule: Clearing Requirement Under Section 2(h) of the CEA (RIN: 3038-AD60) received August 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7906. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Olives Grown in California; Increased Assessment Rate [Doc. No.: AMS-FV-11-0093; FV12-932-1 FR] received September 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7907. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Milk in the Mid-east Marketing Area; Order Amending the Order [Doc. No.: AO-11-0333; AMS-DA-11-0067; DA-11-04] received September 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7908. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Specialty Crops; Import Regulations; New Pistachio Import Requirements [Doc. No.: AMS-FV-09-0064; FV09-999-1 FR] received September 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7909. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Cotton Board Rules and Regulations: Adjusting Supplemental Assessment on Imports [Doc. #: AMS-CN-11-0091] received September 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7910. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — National Organic Program (NOP); Sunset Review (2012); Correction [Doc. No.: AMS-NOP-09-0074; NOP-09-01FR] (RIN: 0581-AC96) received September 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7911. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — National Organic Program; Amendments to the National List of Allowed and Prohibited Substances (Crops, Livestock and Processing) [Document Number: AMS-NOP-11-0058; NOP-11-

09FR] (RIN: 0581-AD15) received September 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7912. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Tomatoes Grown in Florida; Increased Assessment Rate [Doc. No.: AMS-FV-11-0080; FV11-966-1 FR] received September 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7913. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Livestock Mandatory Reporting Program; Establishment of the Reporting Regulation for Wholesale Pork [Doc. No.: AMS-LS-11-0049] (RIN: 0581-AD07) received September 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7914. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Dinotefuran; Pesticide Tolerances [EPA-HQ-OPP-2011-0433; FRL-9359-6] received September 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7915. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Polyoxin D zinc salt; Amendment to an Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2011-1028; FRL-9360-6] (RIN: 2070) received September 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7916. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Cyprodinil; Pesticide Tolerances [EPA-HQ-OPP-2011-0394; FRL-9359-7] received September 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7917. A letter from the Acting Director, Office of Management and Budget, transmitting the OMB's Sequestration Update Report to the President and Congress for Fiscal Year 2013; to the Committee on Appropriations.

7918. A letter from the Under Secretary, Department of Defense, transmitting Report on the Assessment of Industrial Base for Night Vision Image Intensification Sensors, pursuant to Public Law 112-81, section 854(b) (125 STAT. 1521); to the Committee on Armed Services.

7919. A letter from the Assistant Director for Legislative Affairs, Consumer Financial Protection Bureau, transmitting a report pursuant to Section 1014 of the Dodd-Frank Wall Street Reform and Consumer Protection Act; to the Committee on Financial Services.

7920. A letter from the Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergency Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), section 505(c) of the International Security and Development Cooperation Act of 1985, 22 U.S.C. 2349aa-9(c), and pursuant to Executive Order 13313 of July 31, 2003, a six-month periodic report on the national emergency with respect to Iran that was declared in Executive Order 12957 of March 15, 1995; to the Committee on Financial Services.

7921. A letter from the Director, Office of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting the Corporation's final rule — Risk-Based Capital Guidelines: Market Risk (RIN: 3064-AD70) received

September 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

7922. A letter from the Acting Assistant General Counsel for Regulatory Affairs, Consumer Product Safety Commission, transmitting the Commission's final rule — Audit Requirements for Third Party Conformity Assessment Bodies [CPSC Docket No.: CPSC-2009-0061] received September 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7923. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — D&C Red No. 6 and D&C Red No. 7; Change in Specification; Confirmation of Effective Date [Docket No.: FDA-2011-C-0050] received September 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7924. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's final rule — World Trade Center Health Program; Addition of Certain Types of Cancer to the List of WTC-Related Health Conditions [Docket No.: CDC-2012-0007; NIOSH-257] (RIN: 0920-AA49) received September 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7925. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's final rule — Health Information Technology: Standards, Implementation Specifications, and Certification Criteria for Electronic Health Record Technology, 2014 Edition; Revisions to the Permanent Certification Program for Health Information Technology (RIN: 0991-AB82) received August 27, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7926. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; New Hampshire; Hot Mix Asphalt Plants [EPA-R01-OAR-2012-0620; A-1-FRL-9719-1] received August 17, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7927. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; New Hampshire; Regional Haze [EPA-R01-OAR-2008-0599; A-1-FRL-9716-7] received August 17, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7928. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Tennessee; Knoxville; Fine Particulate Matter 2002 Base Year Emissions Inventory [EPA-R04-OAR-2010-0153(a); FRL-9717-5] received August 17, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7929. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Connecticut, Massachusetts, and Rhode Island; Reasonable Further Progress Plans and 2002 Base Year Emission Inventories [EPA-R01-OAR-2008-0117; EPA-R01-OAR-2008-0107; EPA-R01-OAR-2008-0445; FRL-9672-5] received August 17, 2012, pursuant to 5 U.S.C.

801(a)(1)(A); to the Committee on Energy and Commerce.

7930. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Nevada; Regional Haze State and Federal Implementation Plans; BART Determination for Reid Gardner Generating Station [EPA-R09-OAR-2011-0130; FRL 9700-4] received August 17, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7931. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; State of Oregon; Regional Haze State Implementation Plan [EPA-R10-OAR-2012-0344; FRL-9718-9] received August 17, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7932. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, San Joaquin Valley Unified Air Pollution Control District [EPA-R09-OAR-2011-0571; FRL-9691-1] received August 17, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7933. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Michigan; PSD and NSR Regulations [EPA-R05-OAR-2011-0826; FRL-9725-6] received September 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7934. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's "Major" final rule — 2017 and Later Model Year Light-Duty Vehicle Greenhouse Gas Emissions and Corporate Average Fuel Economy Standards [EPA-HQ-OAR-2010-0799; FRL-9706-5; NHTSA-2010-0131] (RIN: 2060-AQ54; RIN 2127-AK79) received September 6, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7935. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; West Virginia; Amendments to West Virginia's Ambient Air Quality Standards [EPA-R03-OAR-2011-0958; FRL-9725-4] received September 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7936. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; California; Determinations of Attainment for the 1997 8-Hour Ozone Standard [EPA-R09-OAR-2011-0492; FRL-9726-6] received September 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7937. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; State of Missouri; Maximum Allowable Emission of Particulate Matter from Fuel Burning Equipment Used for Indirect Heating [EPA-R07-OAR-2012-0466;

FRL-9726-2] received September 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7938. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Virginia; Revisions to the State Implementation Plan Approved by EPA Through Letter Notice Actions [EPA-R03-OAR-2012-0280; FRL-9724-8] received September 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7939. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — National Emission Standards for Hazardous Air Pollutants from the Pulp and Paper Industry [EPA-HQ-OAR-2007-0544; FRL-9684-7] (RIN: 2060-AQ41) received September 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7940. A letter from the Associate Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting the Commission's final rule — In the Matter of: Special Access for Price Cap Local Exchange Carriers; AT&T Corporation Petition for Rulemaking to Reform Regulation of Incumbent Local Exchange Carrier Rates for Interstate Special Access Services [WC Docket No.: 05-25] (RM-10593) received September 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7941. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Interim Staff Guidance; Japan Lessons Learned Project Directorate (JLD) Compliance with Order EA-2012-051, Reliable Spent Fuel Pool Instrumentation JLD-ISG-12-03 received September 5, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7942. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 12-53, pursuant to the reporting requirements of Section 3(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

7943. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-119, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

7944. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-100, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

7945. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-114, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

7946. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-105, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

7947. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-079, pursuant to the reporting requirements of Section 36(d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

7948. A letter from the Assistant Secretary, Legislative Affairs, Department of State,

transmitting Transmittal No. DDTC 12-090, pursuant to the reporting requirements of Section 36(d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

7949. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-129, pursuant to the reporting requirements of Section 36(d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

7950. A letter from the Director, International Broadcasting Bureau, Broadcasting Board of Governors, transmitting Fiscal Year 2012 Federal Activities Inventory Reform Act submission; to the Committee on Oversight and Government Reform.

7951. A letter from the Associate General Counsel, Department of Agriculture, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

7952. A letter from the Deputy Chief, National Forest System, Department of Agriculture, transmitting the Department's report on the detailed boundary of the Wild and Scenic Rivers Au Sable, Bear Creek, Manistee, and Pine in Michigan, pursuant to 16 U.S.C. 1274; to the Committee on Natural Resources.

7953. A letter from the Deputy Chief, National Forest System, Department of Agriculture, transmitting the Department's report on the exterior boundary of White Solomon Wild and Scenic River, pursuant to 16 U.S.C. 1274; to the Committee on Natural Resources.

7954. A letter from the Deputy Chief, National Forest System, Department of Agriculture, transmitting the Department's report on the exterior boundary of the McKenzie Wild and Scenic River, pursuant to 16 U.S.C. 1274; to the Committee on Natural Resources.

7955. A letter from the Principal Deputy Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting the Department's final rule — 2012-2013 Refuge-Specific Hunting and Sport Fishing Regulations [Docket No.: FWS-R9-NWRS-2012-0022] (RIN: 1018-AY37) received September 5, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7956. A letter from the Federal Register Liaison Officer, Department of Commerce, transmitting the Department's final rule — CPI Adjustment of Patent Fees for Fiscal Year 2013 [PTO-C-2011-0007] (RIN: 0651-AC55) received September 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

7957. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — L & S Industrial & Marine, Inc. v. United States received September 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7958. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Guidance on Pension Funding Stabilization under the Moving Ahead for Progress in the 21st Century Act (MAP-21) [Notice 2012-61] received September 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7959. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Update of Weighted Average Interest Rates, Yield Curves, and Segment Rates [Notice 2012-56] received September 13, 2012, pur-

suant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7960. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Per Capita Payments from Proceeds of Settlements of Indian Tribal Trust Cases [Notice 2012-60] received September 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7961. A letter from the Chairman, Railroad Retirement Board, transmitting the Annual Report of the Railroad Retirement Board for Fiscal Year ending September 30, 2011; jointly to the Committees on Transportation and Infrastructure and Ways and Means.

7962. A letter from the Chairman, Railroad Retirement Board, transmitting the Board's budget request for fiscal year 2014, in accordance with Section 7(f) of the Railroad Retirement Act; jointly to the Committees on Appropriations, Transportation and Infrastructure, and Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MICA: Committee on Transportation and Infrastructure. H.R. 4965. A bill to preserve existing rights and responsibilities with respect to waters of the United States, and for other purposes; with an amendment (Rept. 112-681). Referred to the Committee of the Whole House on the state of the Union.

Mr. MICA: Committee on Transportation and Infrastructure. H.R. 5961. A bill to provide reasonable limits, control, and oversight over the Environmental Protection Agency's use of aerial surveillance of America's farmers; with an amendment (Rept. 112-682). Referred to the Committee of the Whole House on the state of the Union.

Mr. MICA: Committee on Transportation and Infrastructure. H.R. 4278. A bill to amend the Federal Water Pollution Control Act with respect to permit requirements for dredged or fill material (Rept. 112-683). Referred to the Committee of the Whole House on the state of the Union.

Mr. MICA: Committee on Transportation and Infrastructure. H.R. 2541. A bill to amend the Federal Water Pollution Act to exempt the conduct of silvicultural activities from national pollutant discharge elimination system permitting requirements; with an amendment (Rept. 112-684). Referred to the Committee of the Whole House on the state of the Union.

Mr. KING of New York: Committee on Homeland Security. H.R. 3563. A bill to amend the Homeland Security Act of 2002 to direct the Secretary of Homeland Security to modernize and implement the national integrated public alert and warning system to disseminate homeland security information and other information, and for other purposes; with an amendment (Rept. 112-685, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committee on Transportation and Infrastructure discharged from further consideration. H.R. 3563 referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following

titles were introduced and severally referred, as follows:

By Mr. OLSON (for himself, Mrs. BLACKBURN, Mr. GENE GREEN of Texas, and Mr. MATHESON):

H.R. 6444. A bill to amend the Clean Air Act to require the Administrator of the Environmental Protection Agency to establish a system for the certification of the validity of credits to be used for compliance with the renewable fuel program, and for other purposes; to the Committee on Energy and Commerce.

By Mr. THOMPSON of Pennsylvania (for himself, Mr. LOEBSACK, Mr. MARINO, Mr. WEST, and Mr. JONES):

H.R. 6445. A bill to amend title II of the Social Security Act to provide that the waiting period for disability insurance benefits shall not be applicable in the case of a recovering service member; to the Committee on Ways and Means.

By Mr. ROSKAM (for himself and Mr. LANCE):

H.R. 6446. A bill to create incentive for innovative diagnostics by improving the process for determining Medicare payment rates for new tests; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HONDA (for himself and Mr. HINOJOSA):

H.R. 6447. A bill to improve quality and accountability for educator preparation programs; to the Committee on Education and the Workforce.

By Mr. PRICE of North Carolina (for himself, Mr. VAN HOLLEN, Mr. JONES, Mr. LARSON of Connecticut, Mr. BRADY of Pennsylvania, Ms. ESHOO, and Mr. SARBANES):

H.R. 6448. A bill to amend the Internal Revenue Code of 1986 to reform the system of public financing for Presidential elections, to establish a system of public financing for Congressional elections, to promote the disclosure of disbursements made in coordination with campaigns for election for Federal office, and for other purposes; to the Committee on House Administration, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POE of Texas (for himself, Mr. BARTLETT, Mr. BURTON of Indiana, Mr. WALSH of Illinois, Mr. ROSS of Florida, Mr. POSEY, Mr. DUNCAN of South Carolina, and Mr. PEARCE):

H.R. 6449. A bill to establish an air travelers' bill of rights, to implement those rights, and for other purposes; to the Committee on Homeland Security.

By Mr. COSTELLO (for himself and Mr. SHIMKUS):

H.R. 6450. A bill to facilitate and expedite the review of proposed improvements to Federal flood control projects to be constructed by local sponsors, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. LANDRY:

H.R. 6451. A bill to direct the Secretary of Transportation to ensure that on-duty time does not include waiting time at a natural gas or oil well site for certain commercial motor vehicle operators, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. LANDRY:

H.R. 6452. A bill to provide limitations on United States assistance, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. AMODEI:

H.R. 6453. A bill to facilitate planning, permitting, administration, implementation, and monitoring of pinyon-juniper dominated landscape restoration projects within Lincoln County, Nevada, and for other purposes; to the Committee on Natural Resources.

By Mrs. BIGGERT:

H.R. 6454. A bill to amend the Department of Energy High-End Computing Revitalization Act of 2004 to improve the high-end computing research and development program of the Department of Energy, and for other purposes; to the Committee on Science, Space, and Technology.

By Ms. BROWN of Florida:

H.R. 6455. A bill to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committees on Science, Space, and Technology, the Judiciary, Ways and Means, Foreign Affairs, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BUCSHON (for himself, Mr. QUIGLEY, Mr. CARNEY, Mr. BOSWELL, Mr. HULTGREEN, Mr. GUINTA, Mr. CARSON of Indiana, Mr. BURTON of Indiana, Mr. BONNER, Mr. PENCE, Mr. FARENTHOLD, Mr. SCHILLING, Mr. RENACCI, Mr. CRAWFORD, Mrs. SCHMIDT, Ms. HERRERA BEUTLER, Mr. LANKFORD, Mr. LOBIONDO, Mr. SOUTHERLAND, Mr. YOUNG of Indiana, and Mr. GIBBS):

H.R. 6456. A bill to amend title 49, United States Code, to permit a State to issue a commercial driver's license to a member of the Armed Forces whose duty station is located in the State; to the Committee on Transportation and Infrastructure.

By Mr. CARSON of Indiana (for himself, Ms. NORTON, Mr. GRIJALVA, and Mr. RANGEL):

H.R. 6457. A bill to provide grants to enhance the most effective freezing methods to improve access to affordable and locally produced specialty crops; to the Committee on Agriculture.

By Mr. CARSON of Indiana:

H.R. 6458. A bill to require institutions of higher education to provide students with information from the Occupational Employment Statistics program and the Occupational Outlook Handbook of the Bureau of Labor Statistics, and for other purposes; to the Committee on Education and the Workforce.

By Mr. CASSIDY (for himself, Mr. BOUTSTANY, Mr. HARPER, Mr. PALAZZO, Mr. ALEXANDER, Mr. LANDRY, Mr. RICHMOND, Mr. NUNNELEE, and Mr. SCALISE):

H.R. 6459. A bill to provide tax relief with respect to the Hurricane Isaac disaster area; to the Committee on Ways and Means, and in addition to the Committee on Appropriations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ELLISON (for himself and Mr. PETERS):

H.R. 6460. A bill to modify provisions of law relating to refugee resettlement, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Foreign Affairs, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. FUDGE:

H.R. 6461. A bill to prevent childhood obesity; to the Committee on Energy and Commerce.

By Mr. GARDNER (for himself, Mr. MATHESON, and Mr. TIPTON):

H.R. 6462. A bill to amend the Internal Revenue Code of 1986 to facilitate water leasing and water transfers to promote conservation and efficiency; to the Committee on Ways and Means.

By Mr. GINGREY of Georgia:

H.R. 6463. A bill to amend title 31, United States Code, to require the President to submit with the budget an estimate of the deficit using generally accepted accounting principles; to the Committee on the Budget.

By Mr. HECK:

H.R. 6464. A bill to direct the Secretary of Veterans Affairs to accept certain documents as proof of service in determining the eligibility of an individual to receive amounts from the Filipino Veterans Equity Compensation Fund, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. HUNTER (for himself, Mr. JONES, Mr. CAMPBELL, Mr. WESTMORELAND, and Mrs. MYRICK):

H.R. 6465. A bill to restrict COPS funding for States that grant driver's licenses to certain illegal immigrants; to the Committee on the Judiciary.

By Mr. KISSELL:

H.R. 6466. A bill to amend title XVIII of the Social Security Act to exempt certain hospice programs from the limitation applicable to payments for hospice care under the Medicare program, and for other purposes; to the Committee on Ways and Means.

By Mr. LANGEVIN (for himself, Mr. MILLER of North Carolina, Mr. CICILLINE, Ms. BONAMICI, and Mr. SIRES):

H.R. 6467. A bill to require a portion of closing costs to be paid by the enterprises with respect to certain refinanced mortgage loans, and for other purposes; to the Committee on Financial Services.

By Mr. MARKEY (for himself, Mr. BLUMENAUER, and Mr. PASCRELL):

H.R. 6468. A bill to amend the Internal Revenue Code of 1986 to clarify that tar sands are crude oil for purposes of the Federal excise tax on petroleum; to the Committee on Ways and Means.

By Mr. MCKEON:

H.R. 6469. A bill to direct the Secretary of the Interior, acting through the Bureau of Land Management, to conduct a study of the legal and administrative steps necessary to carry out the goals of H.R. 4332, the Soledad Canyon High Desert, California Public Lands Conservation and Management Act of 2009 of the 111th Congress; to the Committee on Natural Resources.

By Mr. MULVANEY (for himself, Mr. SCHRADER, Mrs. SCHMIDT, Mr. DUNCAN of Tennessee, Mr. DUNCAN of South Carolina, Mr. SOUTHERLAND, Mr. GUTHRIE, and Ms. CHU):

H.R. 6470. A bill to define urban rodent control for purposes of clarifying the control of nuisance mammals and birds carried out by the Wildlife services program of the Animal and Plant Health Inspection Service and by

the private sector, and for other purposes; to the Committee on Agriculture.

By Mr. MURPHY of Connecticut:

H.R. 6471. A bill to amend title 10, United States Code, to provide for the employment of an additional instructor for units of the Junior Reserve Officers' Training Corps in which a large percentage of the student population is enrolled; to the Committee on Armed Services.

By Mr. NEAL (for himself, Mr. MCDERMOTT, Mr. LEWIS of Georgia, Mr. BLUMENAUER, Mr. KIND, and Mr. ELLISON):

H.R. 6472. A bill to amend the Internal Revenue Code of 1986 to expand the availability of the saver's credit, to make the credit refundable, and to make Federal matching contributions into the retirement savings of the taxpayer; to the Committee on Ways and Means.

By Mr. POSEY:

H.R. 6473. A bill to designate the facility of the United States Postal Service located at 500 North Brevard Avenue in Cocoa Beach, Florida, as the "Richard K. Salick Post Office"; to the Committee on Oversight and Government Reform.

By Mr. ROSS of Florida:

H.R. 6474. A bill to adopt the seven immediate reforms recommended by the National Commission on Fiscal Responsibility and Reform to reduce spending and make the Federal government more efficient; to the Committee on Ways and Means, and in addition to the Committees on Oversight and Government Reform, House Administration, Rules, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RUPPERSBERGER (for himself and Mr. YOUNG of Alaska):

H.R. 6475. A bill to authorize the Secretary of Commerce, through the National Oceanic and Atmospheric Administration, to establish a constituent-driven program that collects priority coastal geospatial data and supports an information platform capable of efficiently integrating coastal data with decision support tools, training, and best practices to inform and improve local, State, regional, and Federal capacities to manage the coastal region; to the Committee on Natural Resources.

By Ms. LINDA T. SÁNCHEZ of California:

H.R. 6476. A bill to amend title XVIII of the Social Security Act to provide for coverage of certified adult day services under the Medicare program; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SIRES:

H.R. 6477. A bill to strengthen America's financial infrastructure, by requiring pre-funding for catastrophe losses using private insurance premium dollars to protect taxpayers from massive bailouts, and to provide dedicated funding from insurance premiums to improve catastrophe preparedness, loss prevention and mitigation, and to improve the availability and affordability of homeowners insurance coverage for catastrophic events, and for other purposes; to the Committee on Financial Services, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each

case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. YOUNG of Alaska:

H.R. 6478. A bill to amend the Denali Commission Act of 1998 to reauthorize and modify the membership of the Denali Commission, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. BACHUS (for himself and Ms. SEWELL):

H. Con. Res. 138. Concurrent resolution recognizing Birmingham, Alabama, as the home to the first and longest running celebration of Veterans Day; to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GRAVES of Missouri (for himself, Mr. SCHILLING, Mr. SCHRADER, Mr. CRITZ, Mr. TIPTON, and Mr. MULVANEY):

H. Res. 793. A resolution expressing support for the designation of a "Small Business Saturday" and supporting efforts to increase awareness of the value of locally owned small businesses; to the Committee on Small Business.

By Mr. ANDREWS:

H. Res. 794. A resolution requiring the House of Representatives to take any legislative action necessary to verify the ratification of the Equal Rights Amendment as part of the Constitution when the legislatures of an additional three States ratify the Equal Rights Amendment; to the Committee on the Judiciary.

By Mr. HUNTER (for himself and Mr. RUPPERSBERGER):

H. Res. 795. A resolution supporting the goals and ideals of Red Ribbon Week; to the Committee on Energy and Commerce.

By Mrs. MCCARTHY of New York:

H. Res. 796. A resolution supporting efforts to raise awareness of, improve education on, and encourage research on inflammatory breast cancer; to the Committee on Energy and Commerce.

By Mr. MICHAUD (for himself and Mr. HARPER):

H. Res. 797. A resolution celebrating the 50th anniversary of the enactment of Public Law 87-788, commonly known as the McIntire-Stennis Cooperative Forestry Act; to the Committee on Agriculture.

By Mr. PETERSON:

H. Res. 798. A resolution expressing support for the designation of the third week in October as National School Bus Safety Week and for the designation of Wednesday of that week as National School Bus Drivers Appreciation Day; to the Committee on Education and the Workforce.

By Mr. TURNER of Ohio (for himself, Mr. CHABOT, Mrs. SCHMIDT, Mr. JORDAN, Mr. LATTA, Mr. JOHNSON of Ohio, Mr. AUSTRIA, Mr. TIBERI, Mr. LATOURETTE, Mr. STIVERS, Mr. RENACCI, and Mr. GIBBS):

H. Res. 799. A resolution expressing the sense of the House of Representatives that it is not a violation of the Equal Protection Clause of the Fourteenth Amendment for a State to extend particular consideration to members of the uniformed services and overseas citizens to ensure that such individuals are able to exercise their rights to vote in elections for public office; to the Committee on House Administration, and in addition to the Committee on the Judiciary, for a period

to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WEST (for himself and Mr. SHIMKUS):

H. Res. 800. A resolution expressing support for designation of November 2012 as Stomach Cancer Awareness Month; to the Committee on Energy and Commerce.

By Mr. YOUNG of Alaska (for himself and Mr. DINGELL):

H. Res. 801. A resolution recognizing America's hunters, anglers, trappers, recreational boaters, recreational shooters, industry, State fish and wildlife agencies, and the United States Fish and Wildlife Service for their leading role in restoring healthy populations of fish, wildlife, and other natural resources; to the Committee on Natural Resources.

MEMORIALS

Under clause 3 of Rule XII, memorials were presented and referred as follows:

281. The SPEAKER presented a memorial of the House of Representatives of the Commonwealth of Massachusetts, relative to Resolution urging the President and the Congress to support the Self-Determination and Democratic Independence of Nagorno-Karabakh; to the Committee on Foreign Affairs.

282. Also, a memorial of the House of Representatives of the State of California, relative to Assembly Joint Resolution No. 22 respectfully disagreeing with the majority opinion and decision of the United States Supreme Court in *Citizens United v. Federal Election Commission*; to the Committee on the Judiciary.

283. Also, a memorial of the House of Representatives of the State of California, relative to Assembly Joint Resolution No. 22 respectfully disagreeing with the majority opinion and decision of the United States Supreme Court in *Citizens United v. Federal Election Commission*; to the Committee on the Judiciary.

284. Also, a memorial of the General Assembly of the State of California, relative to Assembly Joint Resolution No. 24 urging the members of California's Congressional Delegation to sign on as cosponsors of the proposed Student-to-School Nurse Ratio Improvement Act of 2012; jointly to the Committees on Education and the Workforce and Energy and Commerce.

285. Also, a memorial of the House of Representatives of the State of California, relative to Assembly Joint Resolution No. 6 requesting that the Congress and the President enact the Filipino Veterans Fairness Act of 2011; to the Committee on Veterans' Affairs.

286. Also, a memorial of the House of Representatives of the State of California, relative to Assembly Joint Resolution No. 6 requesting that the Congress and the President enact the Filipino Veterans Fairness Act of 2011; to the Committee on Veterans' Affairs.

287. Also, a memorial of the House of Representatives of the State of California, relative to Assembly Joint Resolution No. 24 urging the members of California's Congressional Delegation to sign on as cosponsors of the proposed Student-to-School Nurse Ratio Improvement Act of 2012; jointly to the Committees on Education and the Workforce and Energy and Commerce.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Ms. KAPTUR introduced a bill (H.R. 6479) for the relief of Humaira Khalid Lateef, Muhammad Nadeem Aslam, Maheen Nadeem, and Daniyal Muhammad Nadeem; which was referred to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. OLSON:

H.R. 6444.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3—The Congress shall have Power To . . . regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes (Commerce Clause)

By Mr. THOMPSON of Pennsylvania:

H.R. 6445.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 14 of the United States Constitution which gives Congress the power "to make Rules for the Government and Regulation of the land and naval Forces."

By Mr. ROSKAM:

H.R. 6446.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 states The Congress shall have Power To provide . . . for the . . . general Welfare of the United States.

By Mr. HONDA:

H.R. 6447.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States.

By Mr. PRICE of North Carolina:

H.R. 6448.

Congress has the power to enact this legislation pursuant to the following:

Congressional power to provide for public financing of presidential campaigns arises under the General Welfare Clause, Art. I, Sec. 8, of the Constitution. In *Buckley v. Valeo*, 424 U.S. 1, 91 (1976), the Supreme Court upheld the congressional power to enact public financing of presidential elections under this Clause. The Supreme Court stated with regard to the provisions in the Federal Election Campaign Act Amendments of 1974 establishing a presidential public financing system, "In this case, Congress was legislating for the 'general welfare'—to reduce the deleterious influence of large contributions on our political process, to facilitate communication by candidates with the electorate, and to free candidates from the rigors of fundraising."

By Mr. POE of Texas:

H.R. 6449.

Congress has the power to enact this legislation pursuant to the following:

Amendment 4, clause 1, of the United States Constitution states that "the right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be

violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.”

By Mr. COSTELLO:

H.R. 6450.

Congress has the power to enact this legislation pursuant to the following:

Article one

By Mr. LANDRY:

H.R. 6451.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution. The Congress shall have Power to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. LANDRY:

H.R. 6452.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 1 of the United States Constitution. The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of our United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. AMODEI:

H.R. 6453.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, Section 8 of the United States Constitution, specifically clause 1 (relating to providing for the general welfare of the United States) and clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and Article IV, Section 3, Clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States)

By Mrs. BIGGERT:

H.R. 6454.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Ms. BROWN of Florida:

H.R. 6455.

Congress has the power to enact this legislation pursuant to the following:

Article 1, section 8 of the United States Constitution, this bill is authorized by Congress' power to provide for the common Defense and general Welfare of the United States.

By Mr. BUCSHON:

H.R. 6456.

Congress has the power to enact this legislation pursuant to the following:

Clause 3, of Section 8, of Article I.

By Mr. CARSON of Indiana:

H.R. 6457.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 1 of the United States Constitution grants Congress the implied power to provide grants to enhance the most effective freezing methods to improve access to affordable and locally produced specialty crops.

By Mr. CARSON of Indiana:

H.R. 6458.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of section 8 of Article 1 of the Constitution.

By Mr. CASSIDY:

H.R. 6459.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8 of the United States Constitution.

By Mr. ELLISON:

H.R. 6460.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 4

By Ms. FUDGE:

H.R. 6461.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. GARDNER:

H.R. 6462.

Congress has the power to enact this legislation pursuant to the following:

Clause 1, Section 8 of Article I of the United States Constitution which reads:

“The Congress shall have Power to lay and collect Taxes, Duties, Imposts, and Excises, to pay the Debts, and provide for the common Defense and General Welfare of the United States; but all Duties and Imposts and Excises shall be uniform throughout the United States.”

By Mr. GINGREY of Georgia:

H.R. 6463.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 9, Clause 7, specifically, “. . . a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.”

By Mr. HECK:

H.R. 6464.

Congress has the power to enact this legislation pursuant to the following:

The power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution, to make all laws which shall be necessary and proper for carrying into execution the foregoing Powers, and all other powers vested by the Constitution in the Government of the United States, or in any Department or officer thereof.

By Mr. HUNTER:

H.R. 6465.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 4—“to establish laws of naturalization. . .”

By Mr. KISSELL:

H.R. 6466.

Congress has the power to enact this legislation pursuant to the following:

Commerce Clause: Article 1, Section 8, Clause 3

By Mr. LANGEVIN:

H.R. 6467.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

Article I, Section 8, Clause 18

By Mr. MARKEY:

H.R. 6468.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of Article I of the United States Constitution. “The Congress shall have

Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.”

By Mr. MCKEON:

H.R. 6469.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2: The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

By Mr. MULVANEY:

H.R. 6470.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 14. “To make Rules for the Government and Regulation of the land and naval Forces.”

Article I, Section 8, Clause 18. “To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.”

This bill provides rules for the Government, specifically, for the Wildlife Services program of the Animal and Plant Health Inspection Service. This law is necessary and proper for carrying out the power to make rules for the proper operation of a division of the government of the United States.

By Mr. MURPHY of Connecticut:

H.R. 6471.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. NEAL:

H.R. 6472.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I and the 16th Amendment to the U.S. Constitution.

By Mr. POSEY:

H.R. 6473.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 7 (power to establish Post Offices) and Article 1, Section 8, Clause 18 (the Necessary and Proper Clause).

By Mr. ROSS of Florida:

H.R. 6474.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8: “The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States.”

By Mr. RUPPERSBERGER:

H.R. 6475.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 Commerce Clause

By Ms. LINDA T. SÁNCHEZ of California:

H.R. 6476.

Congress has the power to enact this legislation pursuant to the following:

Article One of the United States Constitution, section 8, clause 18:

The Congress shall have Power—To make all Laws which shall be necessary and proper for carrying into Execution the foregoing

Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof

or
Article One of the United States Constitution, Section 8, Clause 3:

The Congress shall have Power—To regulate Commerce with foreign Nations, and among the several States, and with the Indian tribes;

By Mr. SIREs:

H.R. 6477.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8.

By Mr. YOUNG of Alaska:

H.R. 6478.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 of the United States Constitution.

Ms. KAPTUR:

H.R. 6479.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 4

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 192: Mr. SMITH of Washington, Mr. BACA, Mr. RUSH, Ms. BROWN of Florida, Mr. VAN HOLLEN, Ms. WILSON of Florida, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. FUDGE, Mr. PRICE of North Carolina, Mr. ISRAEL, and Ms. BONAMICI.

H.R. 262: Mr. GOODLATTE.

H.R. 273: Mr. MCGOVERN, Mr. JOHNSON of Illinois, Ms. BONAMICI, Mr. PLATTS, Mr. GRIFFIN of Arkansas, and Mr. WOMACK.

H.R. 303: Mrs. NOEM.

H.R. 333: Mrs. NOEM.

H.R. 376: Mr. FITZPATRICK.

H.R. 640: Mr. MICHAUD.

H.R. 719: Mr. WALSH of Illinois.

H.R. 835: Mr. RICHMOND, Mr. BILBRAY, and Mr. COOPER.

H.R. 890: Ms. MCCOLLUM.

H.R. 1041: Mr. LONG.

H.R. 1066: Ms. BASS of California.

H.R. 1106: Mr. LANGEVIN, Mr. MCINTYRE, and Ms. DELAULO.

H.R. 1112: Mr. HULTGREN.

H.R. 1186: Mr. YODER.

H.R. 1206: Mr. ADERHOLT.

H.R. 1338: Mr. SCHIFF.

H.R. 1344: Mr. PERLMUTTER.

H.R. 1370: Mr. HALL, Mr. TURNER of New York, Mr. FARENTHOLD, Mr. JOHNSON of Illinois, Mr. PALAZZO, Mr. MANZULLO, Mr. AMODEI, Mr. JORDAN, Mrs. ADAMS, and Mr. NEUGEBAUER.

H.R. 1375: Ms. BROWN of Florida.

H.R. 1385: Mr. KIND.

H.R. 1397: Mr. RUSH and Ms. HAYWORTH.

H.R. 1418: Mr. THOMPSON of California.

H.R. 1426: Ms. MCCOLLUM.

H.R. 1449: Mr. ISSA.

H.R. 1639: Mr. DONNELLY of Indiana.

H.R. 1653: Mrs. BLACKBURN.

H.R. 1672: Mr. HASTINGS of Florida and Mr. COFFMAN of Colorado.

H.R. 1777: Mr. HENSARLING.

H.R. 2032: Mrs. LOWEY.

H.R. 2040: Mr. GRIFFITH of Virginia and Mr. DESJARLAIS.

H.R. 2086: Ms. BONAMICI.

H.R. 2108: Mr. HULTGREN.

H.R. 2134: Mr. COURTNEY.

H.R. 2135: Ms. BROWN of Florida.

H.R. 2316: Mr. COHEN.

H.R. 2367: Mr. REED.

H.R. 2402: Mrs. LUMMIS, Mr. POE of Texas, Mr. BRADY of Texas, Mr. GOODLATTE, Mrs. MCMORRIS RODGERS, and Mr. OLSON.

H.R. 2492: Mr. HECK, Mr. LOEBSACK, Mr. BILBRAY, and Mr. GARY G. MILLER of California.

H.R. 2600: Ms. LINDA T. SÁNCHEZ of California, Mr. ROGERS of Kentucky, Mr. BOREN, Mr. DAVID SCOTT of Georgia, and Ms. LORETTA SANCHEZ of California.

H.R. 2697: Mrs. BIGGETT.

H.R. 2704: Mrs. CHRISTENSEN, Mr. CLARKE of Michigan, and Mr. RANGEL.

H.R. 2721: Mr. HIGGINS.

H.R. 2831: Ms. ROS-LEHTINEN.

H.R. 3068: Mr. HERGER.

H.R. 3102: Mr. DEFazio.

H.R. 3238: Mr. KIND.

H.R. 3423: Mr. LONG, Mr. RUPPERSBERGER, Mr. LATTI, Mr. SOUTHERLAND, Mr. WEBSTER, Mr. BUCHANAN, Mr. MCDERMOTT, Mr. CLAY, Mr. STUTZMAN, and Mr. GIBBS.

H.R. 3497: Mr. BUCHSON, Ms. MCCOLLUM, Mr. RUNYAN, and Mr. DOLD.

H.R. 3526: Mr. MCINTYRE and Ms. DEGETTE.

H.R. 3586: Mr. HULTGREN.

H.R. 3619: Mr. CICCILLINE.

H.R. 3625: Mr. MCGOVERN, Mr. CARSON of Indiana, and Mr. MARKEY.

H.R. 3627: Ms. BALDWIN.

H.R. 3656: Mr. HALL.

H.R. 3661: Mr. BENISHEK.

H.R. 3705: Mr. HOLT and Mr. SESSIONS.

H.R. 3712: Mr. BISHOP of New York.

H.R. 3831: Mr. KISSELL.

H.R. 4007: Mr. KING of New York.

H.R. 4165: Mr. BARROW.

H.R. 4170: Mr. LANGEVIN.

H.R. 4173: Mr. WELCH and Mr. RANGEL.

H.R. 4209: Mrs. CAPITO, Mr. DAVIS of Illinois, Mr. TOWNS, and Mr. MARKEY.

H.R. 4228: Mr. DUNCAN of South Carolina.

H.R. 4250: Mr. BARTLETT and Mr. CARNEY.

H.R. 4373: Mr. BISHOP of Utah, Mr. GRAVES of Missouri, and Mr. BLUMENAUER.

H.R. 4605: Mr. YOUNG of Alaska.

H.R. 5647: Ms. SCHWARTZ.

H.R. 5796: Mr. SHIMKUS.

H.R. 5845: Mr. KING of New York.

H.R. 5888: Mr. CASSIDY.

H.R. 5914: Mr. BURTON of Indiana and Mr. AMODEI.

H.R. 5937: Mr. ANDREWS, Mrs. MCMORRIS RODGERS, Mrs. MCCARTHY of New York, and Mr. RUNYAN.

H.R. 5943: Mr. DANIEL E. LUNGREN of California, Mr. KINZINGER of Illinois, Mr. DESJARLAIS, and Mr. AMODEI.

H.R. 5959: Mr. POLIS.

H.R. 5969: Mr. WITTMAN.

H.R. 5970: Mr. WITTMAN.

H.R. 5977: Mr. SHERMAN.

H.R. 5998: Mr. WITTMAN.

H.R. 6038: Mr. STARK, Mr. ROTHMAN of New Jersey, Ms. LEE of California, Ms. HAYWORTH, Mrs. BIGGETT, and Mr. THOMPSON of California.

H.R. 6087: Mr. MORAN.

H.R. 6092: Mr. HEINRICH.

H.R. 6097: Mr. NEUGEBAUER.

H.R. 6101: Mr. MICHAUD and Ms. MCCOLLUM.

H.R. 6107: Ms. CLARKE of New York and Mr. FORTENBERRY.

H.R. 6110: Mr. CRITZ and Mr. DEFazio.

H.R. 6149: Mr. GEORGE MILLER of California.

H.R. 6150: Mr. VAN HOLLEN.

H.R. 6151: Mr. COLE.

H.R. 6155: Mr. FILNER.

H.R. 6187: Mr. HASTINGS of Florida.

H.R. 6247: Mr. MCCLINTOCK and Mrs. NOEM.

H.R. 6273: Ms. BORDALLO.

H.R. 6275: Mr. POLIS.

H.R. 6310: Mr. HINCHEY, Ms. SUTTON, and Mr. LARSON of Connecticut.

H.R. 6335: Ms. WOOLSEY and Mr. PAUL.

H.R. 6342: Mr. GRIFFITH of Virginia.

H.R. 6345: Mr. LONG.

H.R. 6364: Mr. HUIZENGA of Michigan.

H.R. 6397: Mr. HENSARLING, Mrs. MYRICK, Mr. CANSECO, Mr. CALVERT, Mr. HUELSKAMP, Mr. CHABOT, Mr. ROSS of Florida, Mr. WALSH of Illinois, Mr. BURTON of Indiana, and Mr. BARTLETT.

H.R. 6409: Mr. GRIJALVA.

H.R. 6411: Mr. MCDERMOTT, Mr. GRIJALVA, and Mr. KUCINICH.

H.R. 6412: Ms. HANABUSA, Mr. DEUTCH, Ms. BORDALLO, Mr. NADLER, Ms. SLAUGHTER, Mr. PRICE of North Carolina, Mr. HIMES, Ms. BERKLEY, Mr. QUIGLEY, Ms. DEGETTE, Ms. NORTON, Mr. WAXMAN, Ms. BONAMICI, Mr. LEWIS of Georgia, Mr. THOMPSON of California, Mr. CONNOLLY of Virginia, Ms. TSONGAS, and Mr. LANGEVIN.

H.R. 6416: Mrs. NOEM, Mr. RUNYAN, Mr. DENHAM, and Mr. CANSECO.

H.R. 6418: Mr. GRAVES of Missouri, Mr. ROSS of Florida, Mr. WALSH of Illinois, Mr. BURTON of Indiana, Mr. FRANKS of Arizona, Mr. ROE of Tennessee, Mr. GOHMERT, and Mr. WALBERG.

H.R. 6428: Mr. BISHOP of New York, Mr. SHERMAN, and Mr. CICCILLINE.

H.R. 6429: Mr. BROUN of Georgia and Mr. BILIRAKIS.

H.R. 6438: Mr. WALSH of Illinois, Mrs. BIGGETT, Mr. GUINTA, Mr. RUNYAN, Mr. JOHNSON of Ohio, Mr. LOBIONDO, Mr. TERRY, Mrs. MYRICK, Mr. BILBRAY, Mr. WITTMAN, Mr. RIGELL, and Mr. LOEBSACK.

H.R. 6439: Mr. REICHERT.

H.J. Res. 110: Mr. POSEY and Mrs. NOEM.

H.J. Res. 115: Mr. COOPER.

H. Con. Res. 129: Mrs. CAPPS and Mr. FINCHER.

H. Res. 295: Mr. BILBRAY.

H. Res. 298: Mr. THOMPSON of California.

H. Res. 387: Mr. WALSH of Illinois.

H. Res. 682: Mr. CONNOLLY of Virginia, Mr. LYNCH, Mrs. MALONEY, and Mr. QUIGLEY.

H. Res. 716: Mr. MICHAUD.

H. Res. 732: Mr. GRIFFIN of Arkansas, Mr. CARTER, and Mr. LANKFORD.

H. Res. 745: Mr. FALEOMAVAEGA, Mr. SULIVAN, Mr. ROYCE, Mr. MEEKS, Mr. GALLEGLY, Mr. ALEXANDER, Mrs. BLACKBURN, Mr. PALAZZO, Mr. CONAWAY, Mr. CUELLAR, Mr. LATTI, Mr. NUNNELEE, Mr. STEARNS, Mr. TERRY, Mr. TOWNS, Mr. MCCAUL, and Mrs. BONO MACK.

H. Res. 759: Mrs. CAPPS.

H. Res. 763: Mr. PITTS, Mrs. HARTZLER, and Mr. LANKFORD.

DELETION OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 5864: Mr. MCNERNEY.

PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

61. The SPEAKER presented a petition of Association of Pacific Island Legislatures, Guam, relative to Resolution No. 31-GA-10 supporting the Guam-NMI Visa-Waiver program to include Russia and China; to the Committee on the Judiciary.

62. Also, a petition of California State Lands Commission, California, relative to Resolution supporting H.R. 5831; to the Committee on Transportation and Infrastructure.

SENATE—Thursday, September 20, 2012

The Senate met at 9:30 a.m. and was called to order by the Honorable TOM UDALL, a Senator from the State of New Mexico.

PRAYER

The PRESIDING OFFICER. Today's opening prayer will be offered by the Reverend Dr. Douglas Gerdts, Senior Pastor of First and Central Presbyterian Church in Wilmington, DE.

The guest Chaplain offered the following prayer:

Would you pray with me, please.

Holy God, little can be said that doesn't add to the cacophony of prayer that arises from humanity. Surely from this august Chamber the volume and intensity is at times deafening. Yet these, O God, are the servants of the people and of You. So like Solomon we pray, "Here's what we want: Give us a God-listening heart so we can lead Your people well, discerning the difference between good and evil. For who on their own is capable of leading Your good people?"

Who indeed, O God.

Our prayer this morning is quiet and simple: Instill wisdom and compassion, the quest for peace and the drive for justice, the humility to recognize our ignorance and the grace to welcome another's point of view, and the awe of the responsibility conveyed upon us and the gratitude to relish our part in shaping the future. Most of all, let us never think that we travel this road alone, for who on their own is capable of leading Your good people?

Amen.

PLEDGE OF ALLEGIANCE

The Honorable TOM UDALL led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUE).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, September 20, 2012.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TOM UDALL, a Senator from the State of New Mexico, to perform the duties of the Chair.

DANIEL K. INOUE,
President pro tempore.

Mr. UDALL of New Mexico thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

Mr. REID. Mr. President, I yield to my friend from Delaware and ask that I be recognized when he finishes his remarks.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The Senator from Delaware is recognized.

WELCOMING THE GUEST CHAPLAIN

Mr. COONS. Mr. President, I rise today to express my gratitude to Leader REID and to Chaplain Black, to all of us in the Chamber, and my gratitude to the Reverend Dr. Douglas Gerdts. It is my honor and privilege to welcome him to our Chamber this morning as one of Delaware's strongest and finest faith leaders.

Reverend Gerdts leads the congregation at First and Central Presbyterian Church in Wilmington. Each time I join with him on Sunday mornings, I am uplifted by the stirring music, I am challenged by his passionate sermons, and I leave engaged for the week, rooted in my faith and moved forward by his words and by his leadership.

But Reverend Gerdts' leadership extends far beyond the walls of his church. It touches those most in need in our community. The church literally opens its doors every Saturday, welcoming in homeless Delawareans as well as welcoming in schoolchildren who need smaller class sizes and better instruction to succeed.

I have had the pleasure of knowing Reverend Gerdts for more than a dozen years. In my own service in county government I knew him as chair of the Diversity Commission, and he helped lead the charge for equality and civil unions in Delaware last year. He has made a real and lasting contribution to our community. He and his wonderful wife Walle are part of what makes Delaware a great place.

As he shared with us in his prayer, he is exactly the sort of person who, through a listening heart, has become a powerful and effective servant leader of faith in my home community.

My thanks to the Chaplain for allowing guest Chaplains, and my thanks to

Rev. Doug Gerdts for his friendship, his faith, and his leadership.

I yield the floor.

The ACTING PRESIDENT pro tempore. The majority leader.

Mr. REID. Mr. President, the Senator from Delaware has been such a great addition to the Senate. He is well respected on both sides of the aisle, and he is a man of spiritual quality. Among his other attributes, he has a divinity degree from Yale University. Without elaborating, I am just so pleased he is my friend and a Member of the Senate.

SCHEDULE

Mr. REID. Mr. President, the Senate is now considering the motion to proceed to H.J. Res. 117, which is the continuing resolution, postclosure. The next 2 hours will be equally divided between the two leaders or their designees with the Republicans controlling the first half and the Democrats the second half.

At 2 p.m., all postclosure time will be yielded back and there will be a roll-call vote on the motion to proceed to the continuing resolution.

I am hoping we can reach an agreement on our unfinished business and avoid a weekend session and a session in the early part of next week.

MEASURE PLACED ON THE CALENDAR—S. 3576

Mr. REID. Mr. President, S. 3576 is at the desk and due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will read the bill by title for a second time.

The assistant legislative clerk read as follows:

A bill (S. 3576) to provide limitations on United States assistance, and for other purposes.

Mr. REID. I would object to any further proceedings with respect to this bill at this time.

The ACTING PRESIDENT pro tempore. Objection having been heard, the bill will be placed on the calendar.

HISPANIC HERITAGE MONTH

Mr. REID. Mr. President, this month I join more than 52 million Latinos in Nevada and across the country to celebrate Hispanic Heritage Month.

Each year Hispanic Heritage Month is an opportunity to honor the contributions of a population that is so important to our national identity—a community that has contributed to our country's progress for centuries.

We see those contributions in every facet of our society: on the battlefield and in the boardroom, in the courtroom and the classroom, at the art gallery and in the recording studio, and on the playing field. In Nevada Hispanic influence is evident in the name of our State—Nevada, snowcapped Las Vegas, and the meadows.

Today, more than one-quarter of Nevada's population is Hispanic. Nationwide, Latinos are expected to make up 60 percent of the population growth in the coming decades. To ensure our country thrives, we need to make sure its Hispanic population thrives as well.

That is why President Obama and Democrats in Congress have fought for the policies that are making the Hispanic community stronger and more prosperous. Despite opposition, we have made progress on economic and educational issues that are important to Latinos and to all Americans. The Recovery Act, which included tax cuts for working families and improvements in unemployment insurance, kept more than 2 million Hispanics out of poverty.

Unlike Governor Romney, we know Americans who access the employment benefits they have earned while working are not "victims" who are unwilling to take "personal responsibility" for their lives. "Victims" is Mitt Romney's word; "personal responsibility" are his words.

Democrats secured tax credits for more than 8 million Hispanic children and their families. Mitt Romney, on the other hand, believes tax credits for working parents struggling to make ends meet are a hand out, not a hand up.

Democrats fought to give small business loans to almost 9,000 Hispanic-owned businesses. Under a Romney administration, loans for small businesses would be a thing of the past—one more remnant of the dependency culture he loathes.

Mitt Romney was caught on tape telling wealthy donors he would be winning this election if he was Latino. That is what he said. But we know Mitt Romney's problem isn't that he is not Hispanic; his problem is that he opposes the commonsense policies that are good for Hispanic families.

Republicans have been paying lip service to concerned Hispanic families in the months leading up to election day. Democrats are helping Hispanic families tackle the challenges they face every day.

To us, Hispanic Heritage Month isn't just about recognizing the incredible contributions Hispanic Americans make to our Nation; it is also about building a brighter future for Hispanic Americans in our Nation.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

NEED FOR NEW LEADERSHIP

Mr. MCCONNELL. Mr. President, we all understand there is an election going on around here in a few months, but I would like to remind my colleagues on the other side that we also have a job to do right now. We have multiple crisis-level issues to deal with. Yet our Democratic friends don't seem to want to do a thing. Never before—never before—has a President and a Senate done so little to confront challenges so great.

We have a \$16 trillion debt. Democrats haven't bothered to pass a budget in 3 years. Every single American will get hit with a massive tax hike in just 3 months if we don't act to prevent it.

Democrats are saying we shouldn't do anything about it; just go off the cliff. Go off the cliff, and let's see what happens. The defense budget is about to suffer automatic cuts that the President's own Defense Secretary—the Defense Secretary in this administration—has described as devastating. But Democrats can't be bothered to figure out a way to avoid them.

The Middle East is in turmoil. We remain at war in Afghanistan and with al-Qaida, and Senate Democrats have not even bothered to pass the Defense authorization bill.

Gas prices have more than doubled over the past 4 years—doubled in just 4 years. Democrats responded by conspiring with the President to make sure a domestic pipeline didn't get built. They just let the debt grow, let taxes go up, let the defense cuts stand, and let gas prices get higher and higher. They don't pass a budget, don't pass any spending bills, don't do anything that involves making tough choices; just sit around and kill time in the hopes that the voters will focus on the other guys instead.

Look, our constituents didn't send us here to watch the clock or to offer running commentary on the Senate floor. They sent us here to make a difference. We have jobs to do. It is about time we did them. In these very challenging times, Americans deserve leadership. Never before—never before—has a President and a Senate majority party done so little when our challenges were so great. There is no excuse for it.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the

next 2 hours shall be equally divided and controlled between the two leaders or their designees with the Republicans controlling the first half of the time.

The minority leader.

Mr. MCCONNELL. Mr. President, we have a number of colleagues who will be speaking this morning during our 1-hour morning business time. Given the number of speakers, I ask the Chair to help remind colleagues when they have consumed roughly 1 minute, and I thank the Chair for doing so.

The ACTING PRESIDENT pro tempore. The Chair will do so.

The Senator from Tennessee.

SENATE LEADERSHIP

Mr. ALEXANDER. Mr. President, some say the reason for a do-nothing Senate—or the cure for it—is that we need to change the rules. I say we need a change in behavior, and I wish to offer a single example.

We have a big spending and borrowing problem: 42 cents out of every dollar we are borrowing. We are headed off a fiscal cliff. The minority leader has described that.

The Australian Foreign Minister has said the United States of America is one budget deal away from restoring its global preeminence, so one would think we would have a budget. Then one would think we would deal with the appropriations bills which are the basic work of the Senate.

I and others on both sides of the aisle came to the floor earlier this year to compliment the majority and minority leaders for their decision to bring all 12 appropriations bills to the floor. The committee did its work; 11 of the 12 have been reported to the floor. The House did its work; 11 of the 12 were reported to the floor, and 6 were passed. But the majority leader said we are not going to consider any appropriations bills—no appropriations bills.

Being elected to the Senate and not being allowed to vote on appropriations bills is like being invited to join the Grand Ole Opry and not being allowed to sing. We need a Republican majority. If we have one we can have a budget, and if we have one we will bring appropriations bills to the floor. We will debate them, we will amend them, we will vote on them, and we will do our jobs.

Thank you, Mr. President.

The ACTING PRESIDENT pro tempore. The Senator from South Dakota.

Mr. THUNE. Mr. President, there is no question that the premier issue for most Americans is jobs and the economy. It is the issue that is on the minds of all Americans. They are pocketbook issues that impact middle-class Americans all across the country.

For the past 3½ years, the President and the Democrats here in the Senate have failed to provide the leadership America needs to make a stronger middle class. Middle-class Americans continue to face a bleak economic picture

on this President's watch. We have seen gas prices more than double—the highest level in September that we have ever seen for the month of September. Middle-class income is down by nearly \$4,000 since the President took office. Just last week, a Kaiser Family Foundation study came out indicating worker health insurance costs have increased by 29 percent since the President took office. The President promised to lower health care costs by \$2,500 per family. Instead, average family premiums have increased by over \$3,000 since he took office.

Republicans have solutions to grow the economy and to help the middle class, strengthen the middle class. We support commonsense solutions such as increasing domestic energy, reforming our Tax Code, and stopping the job-killing regulations that are killing our small businesses. We hope to have the opportunity to work on those solutions for America's future.

The ACTING PRESIDENT pro tempore. The Senator from Wyoming.

Mr. ENZI. Mr. President, the President, the administration, and the Senate majority have failed to govern during a crucial time for our Nation. There is a willingness to kick our problems down the road, with the hopes that the next election will suddenly inspire action. Rome burned while Nero fiddled. We have had enough fiddling.

The President's answer to jobs and the economy was to have his failed budget. Three times it was voted on without a single vote in favor—not even a single Democrat in favor.

Over 23 million Americans are unemployed or underemployed. Government regulations and redtape stunt business growth. That is not leadership, that is being asleep at the wheel. Their answer to jobs is a bill with a good title and a poison pill that comes right to the floor, and it is set up so the poison pill cannot be amended out, and then they wonder why the bill does not pass. That is politics. That is not legislating.

What is their plan for America? We have yet to see one. The lack of a budget shows they do not have a plan, and inaction remains the status quo. Republicans are prepared to lead today and in the future.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Maine.

Ms. COLLINS. Mr. President, when I talk to employers in my State about what Washington could do to get people back to work, they inevitably point to the flood of excessive regulation as a major barrier. Many of us have offered proposals to reform the regulatory process. Even the President's own Jobs Council has put forth ideas such as strengthening cost-benefit analysis. This just makes common sense. But, regrettably, the Senate has failed to act. Meanwhile, the burden of Federal regulation grows ever larger. Right

now, Federal agencies are at work on 2,700 new rules. These rules will go on top of a pile of regulations measuring millions of pages. If we want to put people back to work, we have to cut the redtape that is strangling our job creators.

The ACTING PRESIDENT pro tempore. The Senator from Arkansas.

Mr. BOOZMAN. Mr. President, if you look at any objective measure, whether it is unemployment numbers, gas prices, middle-class income, college tuition, manufacturing production, home values, and the list goes on and on, we are clearly not headed in the right direction. So what is the cause of this? The primary cause is lack of leadership coming from the administration and from the leadership in the Senate. The administration's policies have led to the worst recovery since World War II.

Over 23 million people are unemployed or underemployed. One of the main reasons they cannot find work is the economic uncertainty Washington has created, stopping the hiring process. Our businesses are frozen. As a former small business owner, I understand firsthand how economic uncertainty hampers business growth. If you do not know what your taxes are going to be, if you do not know what your energy costs are going to be, if you do not know what your health costs are going to be, the last thing in the world you are going to do is hire a bunch of people.

Thank you, Mr. President.

The ACTING PRESIDENT pro tempore. The Senator from Missouri.

Mr. BLUNT. Mr. President, the No. 1 job of this Congress domestically should have been more private sector jobs. The President's long-held view of redistribution as a goal for the government is not going to accomplish that. What is going to accomplish that is more opportunity, more independence, as my friend from Arkansas just said, more certainty, more American energy.

These problems are big, but they are not necessarily that complicated. We just have to have the willpower to deal with them. This Congress has not done that. This Senate, more importantly, has not done that. The House has passed bills. The House has passed a budget. The House has passed appropriations bills. The House has passed bills to get regulation under control. The Senate has not.

I hope when we get back here—we should stay and do those things, but when we get back, we need to be focused on the No. 1 job for the country today, which is more American jobs.

The ACTING PRESIDENT pro tempore. The Senator from South Carolina.

Mr. DEMINT. Mr. President, President Obama, when you took office almost 4 years ago, you promised to cre-

ate jobs and reduce our deficit. Yet 4 years later we have fewer Americans working than in the last 30 years and we have historic debt and deficits. Now you say raising taxes will solve our problems. But those who create jobs disagree.

Yesterday a businessman from South Carolina came to Washington to present a very simple proposition. He had built his business from his garage to 150 workers, putting every dime he could back into his business. His plan was to add 25 workers next year if we keep taxes the same but to do nothing if we follow your plan to raise taxes.

Mr. President, if you really want to create jobs, help our economy, and reduce our deficit, stop threatening to raise taxes.

The ACTING PRESIDENT pro tempore. The Senator from Ohio.

Mr. PORTMAN. Mr. President, we have just heard from a number of my colleagues about issues with our jobs and the economy. We have heard about the \$16 trillion deficit. Unemployment has been over 8 percent for over 43 months. These are unprecedented problems. We have again learned a lesson we have learned time and time again in America: You cannot tax and regulate your way to prosperity.

Republicans in the Senate have provided an alternative. As this chart shows, this is the Republican Senate jobs plan. All 47 Republican Senators have supported it. We have introduced legislation that incorporates these ideas, and yet we have not gotten a hearing on the Senate floor.

It is pretty simple. We believe we ought to live within our means. Fiscal discipline is part of getting the economy back on track. Reforming the Tax Code to spur economic growth—we know we can create millions of new jobs in this country by getting the Tax Code straightened out. The economic situation will not be improved in this country until we deal with regulatory relief. My colleagues have talked about that. Our ideas include having a more competitive force, changing the worker retraining program in this country, improving education to have a competitive workforce, increasing exports to create more jobs but also to level the playing field, powering America's economy by using the energy in the ground in America, and, finally, commonsense approaches to health care to get the costs down. These are the solutions that Republicans have offered that have not gotten a fair hearing on this floor for us to begin to turn this economy around and get America back on track.

The ACTING PRESIDENT pro tempore. The Senator from Utah.

Mr. HATCH. Mr. President, today I join my colleagues in expressing my disappointment in President Obama, in his failure to provide real leadership when our Nation needed it the most.

While his failures can be observed across the board, when it comes to taxes and the impending fiscal cliff, the President has put our entire economy in jeopardy in order to serve his own political interests.

At the end of this year, the bipartisan tax relief signed into law not only by President Bush but by President Obama as well is set to expire. Virtually every taxpayer in America will see their taxes go up if Congress and the President do not act to steer us away from this fiscal cliff. Objective analysts, including the CBO, have stated that if we were to let the tax relief expire under current economic conditions, it would likely lead to another recession. Yet, rather than working with the Republicans to extend the tax relief and to aid our recovery, the President has once again sought to divide the American people by using the top marginal tax rate as political football.

In 2010 the President acknowledged that raising taxes in the midst of a weak economic recovery was bad policy. That is why at that time he signed into law the full extension of the 2001 and 2003 tax relief. Aside from the fact that the economy is in worse shape now than it was then, the only thing that has changed between 2010 and 2012 is that the President is now facing the voters, and that means appealing to his base, which is committed to raising taxes. The President has put class warfare and his own political future ahead of the immediate and long-term interests of our economy. This is the high-water mark of failed leadership for this administration. Our country is at a moment of deep economic uncertainty, and America's citizens and taxpayers deserve more than the President's decision to prioritize electoral politics over sound fiscal policy.

The ACTING PRESIDENT pro tempore. The Senator from Alabama.

Mr. SESSIONS. Mr. President, as the Chairs of the debt commission—Simpson and Bowles—told the Budget Committee, this Nation has never faced a more predictable financial crisis. I would say this Nation has never faced a more difficult financial challenge. We have deep, systemic demographic problems. They need to be addressed. Yet today marks the 1,240th day since the Democratic leadership in the Senate adopted a budget. For 3 years, in a time of financial crisis, the Senate's Democratic majority has failed to comply with the U.S. Code that requires us to bring up a budget and bring it to the floor of the U.S. Senate.

Politico observed on May 15:

Democratic leaders have defiantly refused to lay out their own vision for how to deal with federal debt and spending.

I believe that is a colossal failure of leadership, a failure of fundamental responsibility, and puts them in a position, in my opinion, of being unable to

ask to be returned to leadership in this Senate.

The ACTING PRESIDENT pro tempore. The Senator from Texas.

Mr. CORNYN. Mr. President, as the distinguished ranking member of the Budget Committee pointed out, it has been more than 3 years since the democratically controlled Senate has passed a budget. That should be a national scandal. During the same time, we have considered the President's proposed budgets, which have been voted down unanimously—that is, Republicans and Democrats both realize that the President's proposed budgets are unserious attempts to solve some of our most serious challenges. The President could not get a single vote from his own political party for his own plan because it does not include serious efforts to preserve and protect Social Security and Medicare and put us on a sound fiscal path without job-killing tax increases.

When Republicans regain the majority in the Senate, we will pass a budget, we will reduce the deficit, we will tackle our long-term debt, and we will help grow the American economy by getting our boot off the neck of the small businesses and the job creators in our country.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee.

Mr. CORKER. Mr. President, this year we will spend over \$3.5 trillion, 60 percent of which is taxpayer money, 40 percent is borrowed. Over the next 10 years we will spend \$45 trillion. We have not had a budget in this body for 1,240 days. Not only is this dysfunctional—and America looks at us as a dysfunctional body—it is an embarrassment. The fact is that we are one fiscal reform package away from being able to focus on being a great nation again. Yet many around the world look at us as a nation in decline, which affects everything from people hiring and producing jobs in this country to the activities we see overseas as they relate to our foreign relations.

What we need in this Nation is new leadership in November that has the courage and the will to address the most major issue this Nation faces, which is fiscal reform. With that, we will put this malaise in the rearview mirror and again be able to focus on being a great nation.

The ACTING PRESIDENT pro tempore. The Senator from Georgia.

Mr. ISAKSON. Mr. President, for 3 consecutive fiscal years, the leadership in the Senate majority party has consciously decided not to bring a budget to the floor of the Senate. Do you know what the result has been? We have spent \$10.6 trillion and increased our debt over \$4 trillion, while the American people have cut their debt, cut their spending, and gotten their house in order during our worst recession since the Great Depression.

It is time that the leadership of the Senate took a lesson from the American people. Let's get back to the business of America. Let's get a budget to the floor. Let's balance our budget.

The ACTING PRESIDENT pro tempore. The Senator from Nebraska.

Mr. JOHANNES. Mr. President, think about it—\$5 trillion of new debt under this President. So when he submits a budget plan, what happens to it? On the floor of this Senate, the President's budget plan did not get a single vote. No Republican, no Democrat, no Independent supported the President. What happened on the House side? The same identical thing—no Republican, no Democrat, no Independent supported the President's plan. Many are working on this. Simpson-Bowles is a good example. Many of my colleagues have been working to find a way forward on our budget issues. And what happens on the floor of the Senate? No budget. Four years, no budget.

When Republicans come to the majority, we will pass a budget, we will work to balance our budget. That is where we are headed.

The ACTING PRESIDENT pro tempore. The Senator from Wisconsin.

Mr. JOHNSON of Wisconsin. Mr. President, in 1987, our total Federal debt stood at \$2.3 trillion. It took us 200 years as a Nation to incur \$2.3 trillion in debt. Last year, with the debt ceiling debate, we increased our debt limit by a little more than \$2 trillion. We will blow through that limit in less than 2 years. The President of the United States has put forward four budgets. He has yet to submit any proposals to save either Social Security or Medicare. We are facing the most predictable financial crisis in our Nation and our President refuses to lead, this Senate refuses to lead. America hungers for leadership.

The ACTING PRESIDENT pro tempore. The Senator from Utah.

Mr. LEE. Mr. President, it is bad enough that this Senate's Leadership, led by the Democrats, has not passed a budget in 3½ years. What is even worse than that is the fact they have not offered a budget in this Congress. They have not voted for or supported a single budget in this Congress. We have had, of course, one budget voted on in the Senate during this Congress, written by a Democrat. That was the President's plan, which received zero votes from his own party, zero votes from the Republican Party last year and this year.

If we are able to come to the table, if we are to come to a compromise, we have to have offers on both sides. We have to have a plan on both sides. So all the calls for civility, all the calls for a compromise fall on deaf ears unless or until we have two willing parties at the table with proposals they are willing to offer.

The ACTING PRESIDENT pro tempore. The Senator from Arizona.

Mr. KYL. Mr. President, the American people are asking two big questions: Why has the Senate not acted to stop the \$1½ trillion tax hike that will occur on January 12 unless we act; and, second, why has the Senate not voted to replace the across-the-board defense cuts that will devastate our national security? The unfortunate answer is because Senate Democrats and the Obama administration are too afraid to tackle, let alone vote on, the tough issues in an election year.

For Americans outside the Beltway, the consequences are very serious. The Congressional Budget Office tells us that failure to avoid this fiscal cliff will shrink the economy next year and push unemployment above 9 percent. That means 2 million jobs will be lost and we will be back in recession.

The House has acted. Election year or not, there is no excuse for the Senate to not follow the House's action, its lead, to avoid the job-killing consequence of this fiscal cliff.

The ACTING PRESIDENT pro tempore. The Senator from Maine.

Ms. SNOWE. Mr. President, it is astounding to me that after putting the Nation through the self-inflicted travesty of last year's debt ceiling debacle that we are facing another manufactured crisis this year. With a fiscal cliff that never would have existed if the Senate had remained in session, had fewer recesses, and maximized every legislative day, based on the job we were elected to do, as I have argued virtually throughout this entire Congress.

According to a recent study, illustrated by this chart, deferring last year's debt ceiling to the eleventh hour in August produced the highest level of policy uncertainty of any event that occurred over the last 20 years. That includes 9/11, the financial crisis, the fall of Lehman, and the Iraq war.

We have now heard from CBO as well as Fed Chairman Bernanke. Both have indicated we could trigger another recession next year if we fail to address the fiscal cliff. Yet here we are in the Senate in September scheduled to adjourn sometime this week for nearly 2 months after just returning from a 5-week break. When I was running for reelection in 2000 when the Republicans were in the majority, we had our last vote on November 1 and did not adjourn until November 3, a few days before the election.

I call on the majority leader to have us remain in session to lay the groundwork for a bipartisan solutions on these monumental issues. I have urged this in a letter I sent last April, because it is absolutely pivotal for this country. If we had not had the policy uncertainty of 2006 through 2011, we would have 2½ million more jobs in America today.

The Senate has wasted years, 2 precious years in the life of America with

intransigence and inaction. America deserves better.

The ACTING PRESIDENT pro tempore. The Senator from Oklahoma.

Mr. COBURN. Mr. President, the problems in front of our country are not unsolvable. As a matter of fact, every one of them is solvable. Our country has a history of doing hard things. What we lack is leadership to call us to do those hard things. We find ourselves at a point in time when the greatest threat to our Nation is our debt and our economy. We are risking our future, not only our future economically, but our future of liberty. What we have had, I would remind my colleagues, is a history in the Senate of doing hard things. Under the leadership of Senator REID, the Senate has not attempted to do hard things. What it has attempted to do is abandon the tasks that should be in front of us.

America deserves better. It deserves better leadership. It deserves leadership based on bringing this country together rather than dividing this country. Not having a fiscal plan to solve the greatest issues in front of our country is an absolute failure of leadership. Where is the Senate majority leader's, where is the President's plan to solve our problems?

The ACTING PRESIDENT pro tempore. The Senator from Pennsylvania.

Mr. TOOMEY. Mr. President, the fact is our economy could be booming right now, should be booming right now. The history of this country is that after a serious recession, the economy comes roaring back. That is exactly what should be happening right now. In fact, our economy should be creating more jobs than there are people to fill them. But that is not what is happening because of the failed leadership of the Democratic majority in control of this body and the President of the United States.

Our economy cannot come back the way it should as long as the threat of a complete fiscal disaster looms over it. As long as everybody who might even be contemplating launching a new business or expanding an existing business knows this government is running trillion dollar deficits as far as the eye can see with no willingness to address this, then people will not make that investment. They will not expand their business. They will not hire that next worker.

It is long past time that the Democratic leadership in this body accepts its responsibility to address this problem, pass a budget, get our fiscal house in order so this economy can grow again and Americans can get back to work.

The ACTING PRESIDENT pro tempore. The Senator from North Carolina.

Mr. BURR. Mr. President, 2 years ago we extended the 2010 tax rates. Over a year ago, we passed the Budget Control Act, which will trigger sequestration

unless we pass a budget reduction plan. The point is we have known about the fiscal cliff for a long time, and there has been no shortage of warnings about the dire economic consequences of doing nothing. But that is, in fact, what this body has done, nothing. So let me say this. There is a reason President Obama and my colleagues on the other side of the aisle are targeting the Romney plan and the Ryan plan and the Republican plan. It is because they do not have a plan. They do not even have an excuse for what this body has not done.

The ACTING PRESIDENT pro tempore. The Senator from Kansas.

Mr. MORAN. Mr. President, we talk about plans and budgets. The reality is these bigger concepts that we discuss in our Nation's capital have real consequences on the everyday lives of Americans. I spoke a few weeks ago to a Rotary club in Junction City, KS, and the local CPA was in the audience. We got to questions and answers, and he said: Senator, I have a question for you. This is a softball. What is the estate tax rate going to be next year?

It is embarrassing not to be able to answer the simple questions about what is going to happen in people's lives. People are having to make decisions. That certified public accountant, that lawyer, that financial planner needs to be able to explain to that farmer in Kansas, to that rancher, to that small business owner what the Tax Code is going to look like.

We are facing a point in time in which we have no opportunities to tell someone what the Tax Code is going to be in 3 months. That is embarrassing. When people ask me what is necessary to get Washington, DC, to work together for us to solve the country's problems and move forward, the answer is we desperately need leadership, someone who shows us the way, encourages us to come together. It has been lacking. It is embarrassing to me for the nearly 2 years I have been a Member of the Senate not to see that leadership exhibited in the United States of America.

The ACTING PRESIDENT pro tempore. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, this week my home State of Mississippi received the sobering news that its economy had slipped back into recession. Frankly, I'm concerned that my State might be a harbinger for the rest of the country.

Despite national efforts to create new jobs and opportunities, our economy is not getting significantly better. It is a problem in most States. Unemployment has remained over 8 percent for more than 3 years despite spending nearly a trillion dollars with the President's 2009 stimulus package.

Investments and small business growth have languished with a weak economy and with tax policies and Federal regulations that seem to have

made matters worse. The course we are on is simply not good enough. We urge the Senate to make a strong stand. Let's get together. Let's push a simple, easy-to-follow game plan for economic recovery.

The ACTING PRESIDENT pro tempore. The Senator from Arizona.

Mr. MCCAIN. Mr. President, last night I came to the floor to object to a 1-hour debate on a measure that would have had Draconian effects on our relations with countries in the Middle East. I am not opposed to that measure or debating it. But I said I would think it would be important to have an amendment. The majority leader of the Senate said: The day of amendments here is over. The majority leader of the Senate said: The day of amendments in this body is over.

Is there a more telling description of how this body has deteriorated and degenerated over the years?

I see my friend from Maine here. It is a far cry from the day we first came, when other majority leaders would allow debate, amendments, and carry out the functions the people ask us to, and that is with vigorous debate and discussion. The day of amendments in this body is over.

So as we debated a bill for veterans jobs programs, of which six are already existing, the majority leader, for the first time in 50 years—for the first time in 50 years in this body—we are not taking up the Defense authorization bill. We are in a war. We continue to have attacks on American citizens. America's national security is at risk. And we cannot even do enough for the men and women who are serving to pass legislation that is so vital to their future and their ability to defend this Nation? Shameful.

The ACTING PRESIDENT pro tempore. The Senator from New Hampshire.

Ms. AYOTTE. Mr. President, our troops are fighting and being attacked in Afghanistan. Iran marches toward the capability of having a nuclear weapon. Terrorists have been murdering our diplomats. Innocent civilians are being murdered in Syria by a despotic regime. The world is a dangerous place.

President Obama, stop leading from behind. President Obama, lead this effort. Right now our military faces devastating cuts about which your own Secretary of Defense has said we would be shooting ourselves in the head, that we would be undermining our national security for generations. We have heard what is happening in the world. Lead. Be the Commander in Chief. Your leadership has been absent. You have been AWOL on this critical issue and our troops and our Nation deserve better.

The ACTING PRESIDENT pro tempore. The Senator from South Carolina.

Mr. GRAHAM. Mr. President, lucky you to be presiding today.

We live in interesting times. You can receive a Nobel Peace Prize for not being somebody else. Now, 4 years later almost after the Nobel Peace Prize has been awarded, where do we stand as a Nation? In case you have not heard, bin Laden is dead. That is good. That is a great accomplishment. The President should take pride in that. We should all celebrate the death of that evil man. But that is not foreign policy. Is anybody deterred from attacking America's interest in the Middle East because bin Laden is dead? Is anybody saying: I better not go over the wall of that Embassy in Egypt because we killed bin Laden? There is no coherent foreign policy at a time when we need one.

Four years later, after a charm offensive and an apology tour that has not worked, our enemies are on steroids and our friends are unsure about who we are. I will make a prediction: If this continues, the world is going to devolve into chaos, because at a time when we need to be certain, we are unsure. The Iranians are not taking anything we say seriously and the Russians and the Chinese have corrupted the U.N. So much for restarting.

The ACTING PRESIDENT pro tempore. The Senator from Georgia.

Mr. CHAMBLISS. Mr. President, I rise to state the Senate's lack of leadership in addressing sequestration will have long-term effects on our Nation's robust intelligence community which had to be rebuilt after 9/11. These budget cuts will make it very difficult for the intelligence community to keep Americans safe in future years.

America hungers for leadership and, unfortunately, the Senate lacks leadership from the majority on these issues that affect the safety of all Americans.

The ACTING PRESIDENT pro tempore. The Senator from Kansas.

Mr. ROBERTS. Mr. President, I rise to urge the Senate to fully investigate the circumstances regarding the attack upon our U.S. consulate in Benghazi and the torture and killing of our Ambassador, the deaths of three American patriots and the following attacks and deaths involving marines in Afghanistan.

Americans are watching a conflagration of an estimated one-half million jihadists in over 30 countries, burning portraits of our President, American flags, and threatening attacks upon our consulates and embassies while shouting "Death to America." No, Mr. President and my colleagues, the war against terrorism is not over. We find out now, 10 days later, that al-Qaida was involved in the planned attack in Benghazi, and dangerous protests continue in Pakistan and throughout the Muslim world.

This morning, the Commandant of our Marine Corps informed the Capitol

Hill marines there are 153 marine units at the ready to protect U.S. consulates and embassies at the direction of the State Department. They should be deployed, and he believes the current danger may well last decades.

The sobering truth hurts. Was there actionable intelligence prior to this attack? If there was not, why not, especially given recent intelligence reports, press reports and testimony by Matthew Olsen, National Counterterrorism Center Director.

We are on a merry-go-round of excuses with this administration. There is no strong horse or weak horse. It is a merry-go-round that has to stop.

The ACTING PRESIDENT pro tempore. The Senator from Idaho.

Mr. RISCH. Mr. President, today we have heard a lot about the financial condition of this country, and certainly that is foremost on the minds of everyone. It is in the forefront. But in addition, there are national security issues in the world, and, unfortunately, they have been pushed to the back page because of the condition of this country. But I wish to talk for a minute about the national security of the United States. It is something we need to focus on no matter what is happening domestically.

I wish to focus on one small part of our national security. Certainly, we have issues going on in 30 different countries, and a number of those have our embassies under siege. We have had an ambassador killed in recent weeks. This is a foreign policy that is in shambles. In the Middle East, it is a foreign policy of apology, it is a foreign policy of appeasement, it is a foreign policy of dithering and looking the other way. This cannot go on.

Iran continues down a course which is going to force a confrontation with Israel. Israel is the most reliable ally America has—certainly in the region and perhaps in the world. We need a President who will stand and be clear and be firm about what is going to happen if Iran keeps going down the road it is going. That is not happening. It needs to happen.

We need to change foreign policy from a policy of apology to a policy of leadership.

The ACTING PRESIDENT pro tempore. The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, the events of this past week are a very clear and direct reminder to us of the need to choose to end our Nation's dependence on imported oil. I will remind my colleagues this is our choice. It is within our power to free ourselves from reliance on OPEC oil.

In these past few months, I have had an opportunity to visit our oil resources in the Gulf of Mexico, in North Dakota with Bakken shale, up in Alaska with the offshore as well as ANWR, and National Petroleum Reserve out in the Marcellus shale. We have learned

one thing for sure: There is no scarcity of resources in this country. Technological breakthroughs allow us to access these resources in a safe and reliable manner.

This administration may talk a good game on oil production, but words and actions are entirely different. Our problems result from a federal government that has actions and inactions that indefinitely delay, if not prohibit, in many cases, access to our energy resources.

We are not running out of energy. What we are running out of are excuses for continued reliance on OPEC.

The ACTING PRESIDENT pro tempore. The Senator from Wyoming.

Mr. BARRASSO. Mr. President, just yesterday, the White House went out and applauded the fact that Saudi Arabia is producing more oil. The President goes to Brazil and tells the President of Brazil we want to be their No. 1 customer. This is at the same time this White House is blocking American energy projects and American energy jobs.

Held hostage by environmental extremists, this President continues to block and cause people to lose jobs in the United States. Earlier this week, the No. 3 coal producer in the country announced the layoff of 1,200 workers. So not only are Americans who are working in American energy losing their jobs, the President's policies continue to block new jobs from being created. The President continues to stand in blockade of the Keystone XL Pipeline, which would bring back thousands of good-paying, family-wage jobs. Yet the President says no.

HARRY REID, the majority leader, stands at that desk and he blocks over a dozen bills passed by the House of Representatives that are good American energy jobs that will put people back to work.

Republicans stand ready to produce more American energy, which will put people back to work, will stimulate our economy, and will help lower energy costs for American families. The American people deserve better than they are getting from the Democratic majority in the Senate and from the Democratic President of the United States.

The ACTING PRESIDENT pro tempore. The Senator from Louisiana.

Mr. VITTER. Mr. President, the price of gasoline at the pump is double what it was 4 years ago. The majority in this Senate has done nothing to address that problem, and this administration has done nothing to address that problem. In fact, we are moving in the wrong direction.

The President's 5-year lease plan for offshore leases is half what the previous plan was. Production in the gulf is down following his imposed moratorium and it is beginning to go down further. It has gone from 1.55 million

barrels a day in 2010 to 1.32 in 2011, and it is still headed down to 1.23 in this year. Two years before the moratorium, the Energy Information Administration, where all these numbers come from, said it would be 1.76 million barrels a day this year.

We are the most energy rich country in the world, but this Senate majority, this administration will not allow us to access our own resources for our own good.

The ACTING PRESIDENT pro tempore. The Senator from North Dakota.

Mr. HOEVEN. Mr. President, look at what is going on in the Middle East. We have more than 20 countries demonstrating with anti-American protests. Look at countries such as Egypt, Libya, Syria, and Yemen. Look at what is going on in Iraq. Yet at the same time we continue to import our energy from the Middle East. So look at what is going on in the Middle East at the same time we are dependent on them for our energy, when we can produce that energy right here at home and work with our closest friend and ally in the world—Canada—and when we can create American jobs.

This is an opportunity. We can produce more energy in this country. We can create jobs. We can get this economy going, and we don't have to be dependent on the Middle East. It just takes the will to move forward with the energy plan we have proposed, but we need an administration that will work with us to advance that energy plan.

Gas prices, which affect every working person, every consumer, every family, every business in this country, for the month of September are the highest they have ever been for any month of September. What does that do to American pocketbooks?

This is an opportunity. This is an opportunity we need to reach out and grab with both hands. The only question I can ask is: Why aren't we? Why isn't this Senate acting on that right now and why isn't this administration working with us? Why do veterans have to come back from the Middle East and go to Canada to get a job to work on something such as the Keystone Pipeline? Because the administration is blocking it in this country. The question I have is: Why?

We need to get going on this right now. The American people deserve that.

The ACTING PRESIDENT pro tempore. The Senator from Indiana.

Mr. COATS. Mr. President, Americans have endured 4 years of the worst recession in the last 70 years in this country. We have 23 million Americans either unemployed or underemployed, and millions more have simply given up finding a job. What is the President's response in the face of all this? Reject every plan presented by Republicans and, instead, spend \$5 trillion of

borrowed money leading—so-called leading—our country into decline and ultimately into bankruptcy.

What is the Democratically led Senate's response? Avoid all efforts to formulate a plan to address this problem and to vote and debate on that plan on one of the most critical—if not the most critical—issues facing this country in its history. The American public is desperate for new leadership, both from the White House and from the Senate—leadership that is absolutely necessary if we are to restore our Nation to growth and prosperity and get our people back to work.

The ACTING PRESIDENT pro tempore. The Senator from Mississippi.

Mr. WICKER. Mr. President, yesterday the New York Times said this: "The 112th Congress is set to enter the Congressional record books as the least productive body in a generation."

This is true, and the responsibility falls squarely at the feet of the Democratic Senate leadership. The Senate has taken just 193 recorded votes this year. The Senate has been more than 3 years since passing a budget. The majority leader has shut off the right to amend a record number of times. The majority leader has filled the amendment tree a record 66 times—more than his 6 predecessors in the Senate who did it a total of 40 times. The majority leader has shut off the right to debate. He calls up a bill, he files cloture on it, and then he has the audacity to call that a filibuster.

In short, the Democrats have failed to pass a budget, have failed to do a single appropriations bill, and have failed to consider a Defense authorization bill when we have troops in harm's way. America needs new leadership.

The ACTING PRESIDENT pro tempore. The Republican leader.

Mr. MCCONNELL. Mr. President, a number of our colleagues have already spoken about the huge problems we face and the President's complete failure to lead. We have a \$16 trillion debt, millions out of work, the biggest tax hike in history looming, and our military faces crippling across-the-board cuts.

The Nation and the world need strong American leadership and robust political institutions to meet these challenges. But the President, with a lot of help from the Democratically controlled Senate, has deliberately chosen inaction. Why?

Over the past 2 years, the Democratic Senate has seen itself as an extension of the President's reelection campaign rather than a forum for solving the Nation's problems. Everything it has and hasn't done is meant to help the President, not the American people. So our problems have only gotten worse. And the Senate has of course completely broken down as an institution, as described by the Senator from Mississippi.

Democrats haven't passed a budget in more than 3 years despite the fact that, as Senator SESSIONS pointed out, the law literally requires it. It doesn't say, Don't pass a budget if it is hard; don't pass a budget if you have to negotiate with the House; don't pass a budget if you have to vote. It says, Pass a budget.

We haven't passed a single appropriations bill, I say to my friend, the senior Senator from Mississippi. Apparently all these people on the Appropriations Committee are completely irrelevant. Senator ALEXANDER pointed out they did their work but are never going to bring up a single bill.

By the way, it is not just the Appropriations Committee. All Senators are on committees. Does any Senator remember the last time they actually marked up a bill? Most committees are not marking up bills and not offering amendments. So I guess the new rule is: No amendments in committee and no amendments on the floor.

There are a lot of Senators around here of both parties wondering what their job is. I was elected by the people of my State. What is this job I have? I am on committees that don't do anything. Nobody votes on amendments. All the legislation we have, if we have any, is written in the majority leader's office.

Senator ISAKSON or Senator ENZI pointed out that all we do is vote on bills that have fancy titles and a poison pill and, of course, only one vote. Because you know, if you get on the bill, there won't be any amendments. So a lot of Members wonder why they are here. They fought hard for these jobs, defeated intelligent, well-funded opponents, got here ready to go to work, and nothing happens. And it is not just 1 week or a month or 6 months, but 2 years.

As Senator MCCAIN pointed out, no Defense authorization bill. We had managed to get around to doing that, no matter what our differences were, for half a century. This Democratically controlled Senate gives do-nothing Congresses a bad name. It is a complete disgrace. Never before has a Senate and a President done less to address such great challenges that we have.

I know I can speak for every single member of the Republican Conference in the Senate. Regardless of our philosophical differences with our friends on the other side, we take our jobs seriously. We think the people who sent us here expected us to function, and we intend to do so.

So if the American people decide they want to make a change, the commitment I make to them is the Republican Conference is going to pass a budget. It may be hard; we may have to twist a few arms; there may be some people who don't want to do it. We may have to do it on a partisan basis if our friends on the other side don't want to

join with us. But the law doesn't say, Don't do it if it is hard. It says, Do it.

The Appropriations Committee deals with the discretionary budget of the U.S. Government. It ought to be allowed to do its job. Not everybody is going to vote for every bill, but we are going to function.

We owe it to the American people to do, at the very least, the basic work of government. Of course, we have problems beyond the basic work of government. Certainly we were going to have differences after the 2010 election—which could best be described as a national restraining order.

The American people took a look at what this government did under this President's leadership over the first 2 years, and they said, We have had enough of that. They flipped the House of Representatives and made us a more robust minority in the Senate. They understood we weren't going to do any more of what we did the first 2 years. They were not interested in any more of that. But that is not an excuse for not doing anything. They said, We don't want to do any more of all this new stuff that was done in 2009 and 2010, the massive spending and debt and the takeover of health care and the nationalization of the student loan bills.

But they didn't send us here to do nothing. They assumed we would at least do the things we ought to be able to agree on—the basic work of government. It is embarrassing.

For the sake of this institution and for the sake of our country, we need to straighten out this place. We need an attitude change. This is not about the rules. The rules have remained largely the same over the years. This is about us. And this problem can be fixed. All we have to do is decide to operate differently. No matter who is up or who is down, there are basic things this institution owes the American people; that is, to get the basic work of government done.

So the pledge we make to the American people, if they decide they want to try new leadership in the Senate, is we will do these things even if they are hard.

Beyond the basics, let me say to our friends on the other side, we have big problems we are never going to be able to solve without some bipartisan commitment to do it. We are drowning in a sea of debt. We know we cannot save this country unless we make the entitlement programs fit the demographics of our country.

We have a lot of other problems. We have taxes, we have sequester. But the way I tend to think of that is those are the chairs on the Titanic. You can rearrange the chairs—figure out the tax problems, figure out the sequester problems—but the ship is still going down unless we make our entitlement programs meet and fit the demographics of our country. We probably

won't be able to do that one party only. It is time for some statesmen to show up.

We have had an election every 2 years since 1788, right on schedule. At any point in American history, people could have said, Oh, we can't do that; there is an election coming up. There is always an election coming up in America. That is what we do. The fact that we have an election coming up is not an excuse for not tackling the tough problems.

So no matter what the American people decide this November, no matter what they decide, the problems are there. And our commitment to the American people is, if we are in the majority, we will do the basic work of government; and our hand will be out to our colleagues on the other side and whoever the President of the United States is.

It is time to tackle the biggest problems in the country, the most predictable crisis in American history.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The majority leader.

Mr. REID. Mr. President, has the Republicans' time expired?

The ACTING PRESIDENT pro tempore. The Republicans have 3 minutes remaining.

Mr. MCCONNELL. I will yield back the remainder of our time.

The ACTING PRESIDENT pro tempore. The majority leader.

SELF-CREATED RESULTS

Mr. REID. Mr. President, I haven't been able to watch all the speeches by my friends on the other side of the aisle, but I have watched enough to understand what is going on. This has been a remarkable show of hubris or arrogance from the Republican side of the aisle.

One after another, the Republicans have stood to complain about how the Senate hasn't gotten a lot done. The Presiding Officer has been one of the leaders in having a more effective Senate, because my friend, the Presiding Officer, has watched what the Republicans have done. We are going to do something about it. The Presiding Officer knows that, I know that.

What they have done is the very definition ofchutzpah. The nerve. What nerve. They are complaining about a result that they themselves created. They have created the fact that we haven't gotten anything done. They are good at it. A bill that would allow veterans to get jobs, they stopped it on a technicality. They have conducted filibuster after filibuster, blocking one bill after another, and then they complain the Senate can't pass anything when they are the ones holding things up. The record is pretty detailed and deep, and I am not going to cover it all today because, really, it is significant.

I said here yesterday, I have been the leader for 6 years. I may be off 1 or 2, but I have had to file motions to overcome 382 filibusters in 6 years. I know the Senate has changed a little bit since Lyndon Johnson was the majority leader, but during the 6 years he was the majority leader, he had to file cloture once. To think that they are here complaining we are not getting anything done when they are the ones who caused it? And we start from this point.

I have to say, I appreciate the Republican leader being so candid and honest with the American people when he stood at the beginning of this Congress and said his No. 1 goal was to stop President Obama from being reelected. That is what he said. And they have legislated accordingly, stopping us from doing the most important things for this country. Measures to create jobs, they have stopped. Measures to stop jobs from being lost, they have stopped. They have done it so many times.

How about this: We have lost approximately 1 million teachers, firefighters, and police officers because of Republicans stopping us from getting things done, really hurting State and local government. So we over here thought it would be a good idea that we stop these significant layoffs of teachers, firefighters, and police officers. We want to make sure it is paid for and we agree it should be paid for. So we said, Okay, no more layoffs of teachers, firefighters, and police officers, and we are going to pay for it. How are we going to pay for it? Anyone making more than \$1 million a year would have to pay a surtax of three-tenths of 1 percent. Every Republican voted against that.

The Veterans Jobs bill I just talked about. The cyber security bill. The Pentagon has said the most important issue facing this country is cyber security. The National Security Agency: The most issue facing this country? Cyber security. We know, they know, the Republicans know, because they were down at the same demonstration I had of our intelligence agency showing what would happen if a cyber security attack took place in the Northeast just dealing with the power grid. We know it can happen.

I have heard Senator FEINSTEIN, the chairman of our Intelligence Committee, say several times it is not a question of if, it is a question of when. The Republicans blocked a cyber security bill, stopped it.

They have conducted filibuster after filibuster, blocking one bill after another. They blocked a bill to stop outsourcing jobs—more than once.

On all these TV ads that you see, we thought it would be kind of a good idea that the American people knew who was paying for these ads. But, no, twice they said let's keep them secret—

Crossroads USA or whatever name they have there, all these names that sound so good. But I think we would be better served if people knew the ads were being paid by the Koch brothers or Sheldon Adelson from Las Vegas or Simmons from Texas who is boasting about giving \$34 million to defeat President Obama. And that is what the Republican leader wants.

On the passage of several small business jobs bills, one July 12, just a month or two ago; the motion to proceed to paycheck fairness, violence against women—they stopped us from going to conference on that. On April 16 they blocked a motion to proceed to a bill to reduce the deficit by imposing a minimum tax rate on high-income taxpayers, the Buffett rule, Warren Buffett. He wants to make sure he pays a tax rate comparable to his secretary's. That is what we wanted. They defeated that.

They blocked many bills dealing with unnecessary tax subsidies for these large oil companies. They have held up hundreds of measures out of the Energy Committee—hundreds. It used to be we would pass those just matter-of-factly.

Senator STABENOW had an amendment to decrease taxes on American businesses. She wanted to do that by extending expiring energy tax credits for energy that has created hundreds of jobs in America.

They blocked the nomination for weeks and weeks of Richard Cordray to be the Director of the Bureau of Consumer Financial Protection. They blocked judge after judge. They blocked a motion to proceed to a bill to put workers back on the job while rebuilding and modernizing American infrastructure. It creates jobs.

They blocked motions to proceed to a bill to keep teachers and first responders—in addition to the one I just talked about—and other ones. They blocked a bill to reauthorize the Economic Development Administration. This has been something we have done for 25, 30 years. They blocked it.

We wanted to reduce the deficit by doing something about these outlandish subsidies we give Big Oil—blocked it. We were trying to do a bill to create jobs. We spent weeks because they wanted to dictate what women could do dealing with contraception.

Then they have this little—this little deal with the House Republicans. If we work and are able once in a while to get something done over here, such as a postal bill to save our postal system, then the Republicans block it in the House. The farm bill—reduces the debt by \$23 billion—they have this deal with the House and now they blocked that. China currency? The same thing; they blocked it over in the House.

The record is very clear. The party of trying to defeat President Obama has done everything they can to make the

economy look as bad as it can because they think if the economy is really bad, it is going to help them defeat President Obama.

The middle class—we know how they feel about the middle class. That was exemplified by statements that came out in the last few days by the Presidential nominee.

This morning, as I said, I wasn't able to listen to everything, but I listened to enough. One party stands for obstruction and the rich. The big lie—listen to this: How many times did we have the Republicans come to this floor and say: They have not passed a budget?

I have served in this Congress for 30 years, and I have admired two people very much for their knowledge of certain things. One person I have admired dealing with the finances of this country more than anyone else is someone with whom I came to the Senate 26 years ago, KENT CONRAD. KENT CONRAD has come here and time and time again said: Yes, we did not pass a budget resolution because we did not need to. We passed a law. That is why the CR is going forward. We passed a law that set numbers for us.

It is a big lie for them to come here and say we have not passed a budget. It is a lie. It is untruthful.

My friend with whom we have served in Congress, we came the same day, the senior Senator from Arizona, I have said before, and I will say it again: I admire him. I admire his service to our country. But for him to come and say that the Senate is not working well because of the Democrats, that is one of the big lies.

We have tried to legislate. They are holding up virtually everything we try to do, including the Defense authorization bill. I have been waiting for months for them to come to me with an agreement. This is part of the big game they are playing to try to make us look bad when they are the cause of it. They are the reason we have not done this legislation. We can't. We have spent weeks on matters that we would have done before in a matter of an hour or 20 minutes.

Republicans are complaining about a result that they themselves caused. The Defense authorization bill—we are going to come back after the election, and we will get that done with their help.

Here is the issue with Republicans, here is why suddenly they are all upset. They have been upset for some time, but really this week has been something that would upset nearly everyone because—we thought the Olympics were over, but yesterday we saw it in full go.

We had Republicans running to break marathon records, sprint records to get away from their Presidential nominee because it makes it a little hard for them to have somebody running for

President representing their party who says: I only have to worry about half the people in this country.

We are going to continue to work to the best we can to move forward with the legislation we believe is important. We are going to come back after the election, during the lameduck. Hopefully, they will decide at that time maybe they have something better to do than try to make the President of the United States look bad.

We are a very fortunate country. We have a two-party system that is the envy of the rest of the world. These parliamentary governments, they work for months and weeks and sometimes longer than that to try to form a government. We don't have to do that. We are a government of laws, and we have a system that works pretty well.

But we know, based on some academic work that has been done—it is not just me talking. We have two of the foremost experts who have watched this country for more than 40 years—Thomas Mann from the Brookings Institute and Norm Ornstein from the conservative Enterprise Institute—who have said the problem with the government today is the Republicans. They said they have been here for 40 years and have never seen anything like it. I haven't seen anything like it, and I have been here 30 years.

We used to work together. When I came to the Senate we had Republican Senators and Democratic Senators. We joined hands and we got things done. But now, because they are being led by someone who believes the most important thing to do is to defeat Obama, we are getting nothing done and they are following him like lemmings off the cliff.

The ACTING PRESIDENT pro tempore, The Senator from Illinois.

Mr. DURBIN. Mr. President, one of the greatest orators in the history of English-speaking people was Winston Churchill. I can't tell you how many times I have read and reread his speeches and heard his great efforts to summon the courage of the British people during World War II.

In one respect the speech earlier this morning by Senator McCONNELL was Churchillian, in the tradition of Winston Churchill, because they once said to Winston Churchill: What do you think history will have to say about you? He said:

I'm not worried about what history has to say about me because I'm going to write the history.

This morning Senator McCONNELL decided to write the history of the Senate session. Unfortunately, his version was a little bit different than the memory of most of us in terms of what has actually happened.

This we do remember: In the beginning of the Obama Presidency, a short time after the President had been sworn in and asked to try to take this

failing economy and put it back on its feet, when we were losing 750,000 jobs a month, when businesses were failing, when American families were losing one-third of the value of their savings, when the stock market was plummeting, when we ran the risk of a global fiscal crisis, when we were sending \$800 billion to the biggest banks in America to save them from their own greed and stupidity—at that time the Republican leader, Senator McCONNELL, said: "My highest priority is to make sure that Barack Obama is a one-term President." His highest priority.

That is a fact. That is on the record. That is on tape if you want to see it. And he lived up to that in terms of his own ambition as the Republican leader.

When the President came up with a stimulus bill to turn this economy around, we had three Republicans who would join us, three of them. What happened to those three Republicans?

One of them, Senator Specter of Pennsylvania, was then threatened with defeat in the Republican primary for joining in a bipartisan effort to save the economy. He switched parties, came over to the Democratic side, and said: It isn't the Republican Party I remember. Another, Senator SNOWE of Maine, announced her retirement a few months back and said: I can't take the partisanship and division. The third, Senator COLLINS, still survives. Those three were the only three who would stand up with the President to try to get this economy back on track.

When it came to health care reform, after months of effort by Senator BAUCUS to bring in Republicans to craft the bill, Senator GRASSLEY, who was leading the effort on the Republican side, went back to Iowa in August, had a town meeting and said: I am finished. No more bipartisan negotiation on health care reform. And they would not give us a single vote, not one vote to pass health care reform.

The same thing was true when it came to Wall Street reform to put in oversight to avoid another fiscal crisis generated by the perfidy of greed on Wall Street.

Time and time again the Republicans refused to stand with us. To my left is Senator CONRAD of North Dakota. He has been our chairman of the Budget Committee. He put in a sincere, bipartisan, good-faith effort to deal with the deficit—with Senator Judd Gregg, a Republican of New Hampshire, a man who commanded respect on his side of the aisle, as Senator CONRAD does as well. They came up with a notion. Here is what it was.

We would create a commission that would investigate the deficit crisis, and if 14 of the 18 members of the commission voted to go forward it would come immediately to the floor for a vote.

We had a lot of Senators who were cosponsoring that. Democrats and Republicans finally said that will break

the logjam. Then we called it on the floor. I ask Senator CONRAD, does my memory serve me correctly that the Republican leader, Senator McCONNELL, who was a cosponsor of this deficit commission, along with six other Republican Senators, changed their votes on the floor and defeated the very bill they had cosponsored to deal with our Nation's deficit?

The Senator didn't hear that this morning, did he? All the speeches from the other side about dealing with the deficit. Perhaps Senator McCONNELL and those six other Senators, those remaining, would like to explain why they reversed course and said no; they didn't want to be part of the effort. But it happened. It happened for certain.

As Senator REID came to the Senate floor and explained, they have broken all records in the Senate for filibusters. Boy, I tell you what: If you have a cable TV at home and you have C-SPAN on it and you turn on the Senate, I know a lot of people across America are calling into the cable channel providers and asking for a refund. Why in the world do we have this channel where nothing happens except an occasional mention of a Senator's name during a quorum call? Does anyone know why? There were 382 filibusters on the Republican side; 382 delays in the Senate. What sort of issues are they filibustering? I just saw one this week. It was a veterans jobs bill. A veterans jobs bill was the subject of a 2-week filibuster. It was a bill which should have passed by voice vote. If every Senator who went back home for a Fourth of July parade, grabbed the flag and walked down the middle of the street and said how much they loved the veterans would have voted for it, we would have passed it. Instead, they filibustered it. It was one of 382 filibusters.

I am glad Senator CONRAD is here to explain this whole budget resolution issue. He can do it better than anyone. I will tell the Senator I took a look this morning at the 30 Senators on the Republican side who got up to speak and about 10 of them talked about the fact that there was no budget, that we didn't have a budget this year, and we don't have a budget next year. I then looked at the votes on the Budget Control Act. Those same 10 Senators voted for the Budget Control Act, a law which controls the budget for 2 years.

I am calling for an official investigation by the attending physician to see if there is something in the coffee urn in the Republican cloakroom causing amnesia so that these Senators would come to the floor and forget they voted for the Budget Control Act and make speeches like they didn't or never heard of it.

Let me say something about entitlements. Senator McCONNELL spoke to the issue of entitlements. He is right; it is an important part of what we need

to do to right this ship to deal with our deficit. It would have been part of the conversation for the Conrad-Gregg commission, which seven Republican Senators torpedoed, including the Republican majority leader. We can go through the bills, as the majority leader has, and talk about the efforts we have made.

We have passed bills on a bipartisan basis. We passed a postal reform bill to ensure that the best postal service in the world survives. We passed it with a bipartisan vote—dead in the House.

We passed a transportation bill. Senator BOXER and INHOFE put it together. It was a strong bipartisan vote to build the infrastructure of America. It passed in the Senate. It died in the House.

We passed a farm bill with Senator STABENOW of Michigan and Senator ROBERTS of Kansas. It was a bipartisan farm bill that gave us a good architecture for the future of farm programs and reduced the deficit by \$23 billion. We passed it on a bipartisan basis in the Senate. It died in the House of Representatives. The tea party faction in the House will not allow it to go forward.

Senator REID also made the point earlier. What was the first Republican amendment on the Transportation bill? Think about this for a second. It was the first Republican amendment on the Transportation bill. They wouldn't let us move forward to that bill unless we considered an amendment which would reduce the opportunity for women across America to have access to family planning. That was on the Transportation bill. Now they are arguing that we are finding ways to slow down the Senate? The Blunt amendment was defeated, but it is an indication of the political gamesmanship that has gone on at the expense of the important bills such as the Transportation bill.

The last point I wish to make is this: We know that if we are going to thrive in this country, the middle-class working families in this country need a chance.

The Senators on this side of the aisle, as well as President Obama, want to give working and middle-income families a tax break. We passed a bill so they will have a tax reduction to help them as they struggle from paycheck to paycheck. We sent it over to the House of Representatives, where it is never going to be taken up for a vote. That is the sad reality.

So as the Republicans came to the floor this morning and gave us this grand vision of when they were in control, they tried to rewrite history. Maybe Churchill is capable of doing that, but I would say the Republican Senators failed to meet that challenge this morning.

I yield the floor.

The PRESIDING OFFICER (Mr. BROWN of Ohio). The Senator from North Dakota.

Mr. CONRAD. First, I thank my colleagues, Senator REID, our leader, and Senator DURBIN for their kind words. I very much appreciate those kind words. I also must say I am a little taken aback by what I heard earlier on the floor from some of my Republican colleagues because it truly does represent an attempt to rewrite history, the history I have lived in my 26 years in the Senate.

I announced a little more than a year and a half ago that I would not seek reelection, so I don't have a political ox to gore. But I am here to report what I have seen after 26 years of service. Let me start by saying our Republican colleagues at the leadership level decided early on that their strategy to be successful was to stop things from passing in the Senate. It is very clear that has been their strategy. That is why we have seen more than 380 filibusters in this body, which is completely unprecedented in the history of the Senate.

The Republican leader made it very clear years ago that his highest priority was to defeat for reelection President Obama. He did not say his top priority was to solve the problems of the country. He did not say his top priority was to get our economy back on track. He did not say his top priority was to address the deficits and debt of the Nation. He did not say his top priority was to improve the security position of the United States. He said his top priority was to defeat President Obama. Shame on him. That should never be the top priority of a leader in this body, Republican or Democratic. The top priority ought to be to help solve the problems the country confronts.

I am a little cranky because many of my colleagues know my wife and I have a little dog named Dakota that is suffering from cancer. Last night we were up from 12:30 until 5:30 as he was bleeding internally. So I must say I am a little cranky after having been up most of the night, and I got a lot crankier when I heard colleagues say things they know are not true.

When they say there is no budget for the United States, they know that is not true. How do I know it is not true, and that there is a budget? Because I remember what we voted on, and it is in writing. It is a law. It is called the Budget Control Act. The Budget Control Act passed last year and contained the budget for 2012 and 2013. Some say that is not a budget. Let's look to the language of the law itself and see what it says.

Here is what it says: For the purpose of enforcing the Congressional Budget Act of 1974, including section 300 of that Act, and enforcing budgetary points of order in prior concurrent resolutions on the budget, the allocations, aggregates, and spending levels set shall apply in the Senate in the same manner as for a concurrent resolution on the budget.

What they are trying to do is mislead the American people by saying we have not passed a budget resolution. What they failed to tell people is that instead of a budget resolution, we passed a budget law. What is the difference? A resolution is purely a congressional document. It never goes to the President for his signature. So instead of a resolution, we passed a budget law called the Budget Control Act. It set out spending limits not just for 2012 and 2013, it actually set out on the discretionary side of the budget limits for 10 years.

In fact, the Budget Control Act, in many ways, is more extensive than any budget resolution could provide. It has the force of law, unlike the budget resolution that is not signed by the President. It set discretionary caps on spending for 10 years instead of the 1 year normally set in a budget resolution. It provided enforcement mechanisms, including a 2-year provision allowing budget points of order to be enforced. It created a reconciliation-like supercommittee process to address entitlement and tax reforms. It said if the special committee could not agree on reforming the entitlement programs and the tax system of the United States, there would be an additional \$1.2 trillion in spending cuts.

Let's add it up. The Budget Control Act first cut \$900 billion from the discretionary accounts over 10 years. Then it said if the supercommittee didn't reform the tax system and entitlement system of the country, there would be another \$1.2 trillion cut from the discretionary accounts over the next 10 years. That is a total of \$2.1 trillion in spending cuts over the next 10 years. That is the biggest package of spending cuts in the history of the United States. That is a fact.

The Budget Control Act set the spending limits for 2012 and 2013 and further set limits for 8 years beyond that. So when they say there is no budget resolution, what they fail to tell people is there is a budget law.

It is interesting if we compare and contrast what their side presented as their priorities in a budget because Mr. RYAN, their candidate for Vice President, came before the House of Representatives and laid out his budget blueprint. What does that do? First of all, it extends all the Bush-era tax cuts.

Think about this. Here we have a circumstance in which the revenue of our country is at or near a 60-year low. The first thing the Ryan budget does is extend all the Bush-era tax cuts, even those for the very highest income. Then it says that is not enough for the wealthiest among us. So the Ryan budget, after extending all the Bush era-tax cuts, goes and provides another \$1 trillion of tax cuts for the wealthiest among us.

I have nothing against wealthy people. I hope all Americans have the opportunity to become wealthy; that would be my fondest hope. That was why I was drawn to public service. What could I do that would strengthen the economy of the United States? It has always been my top priority. It is what I truly believe is essential to our democracy. But in a circumstance in which we are borrowing 40 cents of every \$1 we spend, and then to say the answer is more and more tax cuts for the very wealthiest among us and try to pay for it by shredding the social safety net that is critically important to those who are the least fortunate among us, frankly, I think that fails the moral test. I think that fails any moral test of government.

The Ryan budget, which our colleagues have endorsed, would give, on average, those earning over \$1 million a year an additional tax reduction of \$265,000 a year.

I know if I were listening to this I would say, How can it be that someone earning over \$1 million can get a \$265,000 tax cut, because that is about all they would pay in taxes. Remember, we are talking about the average for those earning over \$1 million a year, so we are talking about not just people who earn \$1 million a year but people who earn hundreds of millions of dollars a year. And the average tax cut provided in the Ryan budget for those folks is another \$265,000 a year.

What does RYAN do in order to offset that massive additional tax cut for the very wealthiest among us? Well, here is an interesting quote from a former top economic adviser to Ronald Reagan, a man named Bruce Bartlett, who was a top economic adviser to Ronald Reagan. Here is what he said about the Ryan budget that our colleagues here have endorsed:

Distributionally, the Ryan plan is a monstrosity. The rich would receive huge tax cuts while the social safety net would be shredded to pay for them. Even as an opening bid to begin budget negotiations with the Democrats, the Ryan plan cannot be taken seriously. It is less of a wish list than a fairy tale utterly disconnected from the real world, backed up by make-believe numbers and unreasonable assumptions. Ryan's plan isn't even an act of courage; it's just pandering to the Tea Party. A real act of courage would have been for him to admit, as all serious budget analysts know, that revenues will have to rise well above 19 percent of GDP to stabilize the debt.

Those are not my words. Those are the words of a top economic adviser to President Ronald Reagan.

The Ryan plan is a monstrosity.

If anybody seriously studies the Ryan budget they would have to conclude that Mr. Bartlett is correct, because Mr. RYAN cuts taxes in a very dramatic way for the richest among us. Let me be clear. The first thing he does is extend all the Bush-era tax cuts. Then, on top of that, he cuts the top

rate from 35 percent to 25 percent. That provides over \$1 trillion of additional tax cuts for the wealthiest among us. And they refuse to do anything to close the tax loopholes that are allowing certain wealthy people to avoid paying taxes in this country entirely.

I have shown on the floor of the Senate many times a picture of a five-story building in the Cayman Islands called the Ugland House. The Ugland House claims to be the home of 18,000 companies. A little five-story building in the Cayman Islands claims to be the home of 18,000 companies. I say that is the most efficient building in the world. Can you imagine 18,000 companies operating out of a little five-story building down in the Cayman Islands?

All those companies claim they are doing business out of that little building for a reason. They claim they are doing business out of that little building in the Cayman Islands because they don't want to pay taxes in the United States. So here is what they do, and it is very clever. Through paper manipulations, they show the profits of certain subsidiaries of their companies in the Cayman Islands rather than in the places where they actually earned the profits. Why would they do that? Because the Cayman Islands doesn't have a corporate income tax. So by showing their profits in the Cayman Islands, even though in truth they were never earned in the Cayman Islands—through accounting gimmicks they show their profits in the Cayman Islands and they aren't taxed. They avoid paying here what they legitimately owe here. What does that mean? That means all the rest of us get stuck paying for ourselves and them.

I said earlier the Ryan budget fails the moral test, and it is not just my judgment that it fails the moral test. How can one justify cutting taxes dramatically for the wealthiest among us and then turn around and shred Medicare, which is what the Ryan budget did? The Ryan budget he initially proposed changed Medicare's finances over time so that instead of Medicare paying 75 percent of health care costs for seniors who are eligible, the Ryan budget, over time, would switch that so Medicare would pay 32 percent. To be clear, under the Ryan plan, we would wind up with a situation in which the majority of one's health care costs, if one is eligible for Medicare, would be paid by that person, not by Medicare. That is to make up for the massive tax cuts he gives the wealthiest among us.

Here is what the Catholic bishops said. The Catholic bishops say the Ryan budget fails the moral test. I agree with the Catholic bishops. This is what they said in the Washington Post in 2012:

A week after House Budget Committee Chairman Paul Ryan said that his Catholic faith inspired the Republicans' cost-cutting budget plan, the Nation's Catholic bishops

reiterated their demand that the Federal budget protect the poor and said the GOP measure fails to meet these moral criteria.

In any moral test that I know of in any religion, we don't take from those who have the least to give it to those who have the most. I don't know of any religion that practices that as an article of faith—that we take from those who have the least to give to those who have the most.

Anybody who knows me knows I am pretty conservative. I come from a business family. I have a master's in business administration. Throughout my career, I have been someone who has been judged as fiscally conservative, someone who believes deeply in balancing budgets. I was the grandfather of the Bowles-Simpson Commission; served on it proudly. I was one of the 11 votes for its product—5 Democrats, 5 Republicans, 1 independent.

By the way, when our colleagues said this morning we haven't worked in a bipartisan way—well, I have spent 5 years working in a bipartisan way trying to get our debts and deficit under control. Senator Gregg, the ranking Republican on the Budget Committee, and I proposed the Bowles-Simpson Commission. We served on it. We voted for it. I subsequently served in the group of six, three Democrats, three Republicans, who were given the assignment by our colleagues to come up with a plan to reduce the deficit. We worked for a year and a half to try to find a bipartisan solution. We have had the Biden group. We have had the supercommittee, all bipartisan efforts that have gone on for years to try to produce an agreement. So my friends saying there hasn't been an effort, that is not true.

What is true is when our friends on the other side were in charge, they brought this economy to the brink of financial collapse. That is the truth. Anybody who doubts it can simply go back to the end of the Bush administration and see where the country was. The stock market was collapsing. The housing market was collapsing. The financial system was collapsing. That is what President Obama inherited. He did not create those crises; he inherited them. At the time President Obama came into office, the economy was shrinking at a rate of almost 9 percent a year. We were losing 800,000 jobs a month. Now the economy is growing at a rate of about 2 percent a year, and we are gaining about 200,000 jobs a month. That is a dramatic turnaround.

So when they ask the question: Are we better off now than 4 years ago? Undeniably, we are better off. Undeniably, we are better off. We have gone from an economy shrinking at a rate of more than 8 percent to one growing at a rate of 2 percent. We have moved from a time when we were losing 800,000 jobs a month to a time when we are gaining about 200,000 jobs a month. We have

gone from a circumstance in which the stock market was plunging to a circumstance in which the stock market has about doubled during the time of President Barack Obama. President Obama inherited two wars, a war on terror, a financial system that was collapsing, a financial system that had seen, under the previous President, the debt double; foreign holdings of U.S. debt were tripling; and this President has ended the slide and has us going back in the right direction, and with precious little help from the other side.

I ask the American people before they cast their votes to think back to the final days of the Bush administration. I will never forget as long as I live being called to an emergency meeting in this building with the Secretary of the Treasury of the Bush administration, the Chairman of the Federal Reserve, the leaders, Republicans and Democrats, in the House and the Senate, and being told by the Secretary of the Treasury and the Bush administration and the Chairman of the Federal Reserve that if they did not act, they expected a financial collapse within days—a financial collapse within days. Those were in the final months of the Bush administration. That is what President Barack Obama inherited.

The hard fact is that when our colleagues were in charge of everything—they had the House, the Senate, and they controlled the White House—they brought this country to the brink of financial collapse. That is a fact. Thank goodness this President, acting with this Congress, was able to draw us back from the brink, but we have a long way to go. We have a long way to go. It is going to take everybody working together to pull us out of the ditch completely.

I have been part of major efforts for the last 5 years—bipartisan efforts—including Bowles-Simpson, the group of six; right now the group of six has been expanded to the group of eight. We have been working nonstop, hundreds of hours of discussions, on a bipartisan plan—four Democrats, four Republicans—to be enacted when we return, to get America back on track. That is what is required here.

What we saw this morning from our colleagues on the other side is not the answer; it is the problem. The same old tired political gamesmanship is not going to cut it. What we desperately need is Republicans and Democrats working together to solve America's problems. That is what we owe the American people. I very much hope when we return after this election that colleagues on both sides will be prepared to act in that spirit.

I thank the Chair and I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I am very proud to follow Chairman CON-

RAD on the floor at this time. There is no person in the U.S. Senate who has worked harder on a budget compromise than Senator CONRAD has. There is no person who has put out the hand of bipartisan friendship and cooperation more than Senator CONRAD has. There is no person who has experienced more frustration of having that hand rejected and slapped away than Senator CONRAD has, and there is no person who has contained that frustration and continued to work forward and seek resolution in a dignified way than Senator CONRAD has.

The Senate Republicans who took to the floor this morning to criticize Democrats for failing to pass a budget and deal with the impending sequester and tax cuts expiration failed to note that Senate Democrats have, in fact, passed a budget law and a bill that extends the tax cuts for 98 percent of Americans and 97 percent of small businesses. It is to protect the 2 percent and the 3 percent at the top of the income level that Republicans have refused to allow that bill protecting 98 percent of Americans and 97 percent of small businesses from tax increases from going forward.

Senate Democrats also support a balanced approach to replacing the sequester and reducing the deficit. What they didn't talk much about but which is very important in this discussion is the Republican Ryan plan for the budget.

This past May, 41 of our Senate Republican colleagues voted in favor of a radical transformation of the America we know. And the Republican-controlled House passed this budget—a budget that would devastate the middle class. The plan would end Medicare as we know it for future retirees. It would reopen the Medicare prescription drug doughnut hole that we closed for current retirees. It would slash investments that America's children depend on, from Head Start to Federal college aid; and it would give the average million-dollar earner a new additional tax cut of, on average, \$285,000 each in that million-dollar-plus earner cohort.

The blockade here that is preventing moving beyond the sequester is by Republicans, particularly in the House, refusing to proceed in any reasonable way and, instead, demanding these damaging radical cuts for the middle class.

Let's look a little bit behind the curtain of campaign rhetoric and examine the harm—the personal real-life, real-person harm—that the Ryan budget would inflict on millions of middle-class families and retirees.

In what is one of the extraordinary examples of “say one thing, but do another” rhetoric, Mr. RYAN, in his recent nomination acceptance speech, said that “the greatest of all responsibilities, is that of the strong to protect the weak. The truest measure of

any society is how it treats those who cannot defend or care for themselves.”

His budget, of course, visibly does exactly the opposite. It slashes taxes for the most well off, while decimating the programs on which struggling families and retirees rely.

Do not take my word for it. Following the House passage of this Ryan budget, the Conference of Catholic Bishops said:

Congress faces a difficult task to balance needs and resources and allocate burdens and sacrifices.

Just solutions, however—

The bishops said—

must require shared sacrifice by all, including raising adequate revenues, eliminating unnecessary military and other spending, and fairly addressing the long-term costs of health insurance and retirement programs. The House-passed budget resolution fails to meet these moral criteria.

That is what the Conference of Catholic Bishops said. I will state again: “The House-passed budget resolution fails to meet these moral criteria.”

That is not me speaking. That is the Conference of America's Catholic Bishops.

So let's start our look behind the curtain, the curtain of the budget that fails this moral test—that Governor Romney said was “marvelous,” to use his word—let's start with the budget's tax theories.

The Ryan budget would lower the top tax rates for both corporations and the highest earning individuals from 35 percent to 25 percent.

According to a Joint Economic Committee analysis, this would result in an average tax cut of \$285,000 for Americans earning \$1 million a year and more. At the same time, middle-income taxpayers making between \$50,000 and \$100,000 would see their taxes go up—go up—by \$1,300 because middle-class deductions are stripped away to pay for the high-end cuts.

RYAN would also shift, at the corporate level, to a so-called territorial tax system, which would mean that companies that ship jobs and operations overseas would no longer have to pay any U.S. taxes on their overseas profits.

Democrats have tried repeatedly to offer tax incentives to companies that bring jobs home to the United States. And nobody in this body has worked harder on bringing jobs home to the United States than the Presiding Officer, the Senator from Ohio, Mr. BROWN.

Well, the Ryan plan would do exactly the opposite. It would tell big corporations that if they move their business operations overseas, they will never pay taxes on those again. The Ryan plan is really a jobs bill for China, for India, for Korea, not for America. It is an offshoring rewards act.

In addition to those upside down tax changes that harm the middle class

and raise their taxes to cut taxes for the highest earners in this country, in addition to its inducements to offshore more jobs instead of bringing them home, the Ryan budget would slash \$2.9 trillion from our health care programs. Beginning for workers who retire in 2023, Mr. RYAN would convert Medicare to a voucher system, which, according to the nonpartisan Congressional Budget Office, would ultimately add an estimated \$6,000 in annual out-of-pocket costs that our retirees, our seniors would have to fork over.

It is hard to imagine how future seniors living on a fixed Social Security income will be able to maintain health care coverage with these substantial increases in out-of-pocket costs that Mr. RYAN's budget envisions.

If the Republicans are saying they will not make the deal that spares us the sequester unless that deal puts an end to Medicare as we know it, holding Medicare hostage, well, it then takes some "brass"—to use President Clinton's phrase—to say: We are for the sequester.

The Ryan budget does not stop there. It would repeal the Affordable Care Act and take away access to affordable health insurance for millions of Americans of all ages. And, of course, repealing the Affordable Care Act hits seniors again by reopening that dreaded Medicare prescription drug doughnut hole that we worked so hard to close and that is closed over time in the Affordable Care Act.

In 2011 alone, the Affordable Care Act helped nearly 15,000 people in my home State of Rhode Island save an average of \$554 by beginning to close the doughnut hole—millions of dollars out of the pockets of Rhode Island seniors.

That made a big difference for people such as Olive, who wrote to me from Woonsocket. Her husband fell into the doughnut hole last July. Thanks to the new law, Olive and her husband received a discount on their prescription drugs. They saved \$2,400. If the Ryan budget passed, they would be stuck paying that full cost again: \$2,400 right out of the pockets of Olive and her husband and into the pockets of the drug companies. Gee, who would be for that around here?

In fact, under the Ryan budget, the average senior would be stuck with \$4,200 in additional out-of-pocket prescription costs—a huge transfer of wealth from America's seniors to the big drug companies.

Repealing the Affordable Care Act would not just harm seniors, it would also mean that insurance plans would no longer have to cover young adults up to age 26 on their parents' plans. This moves over 3 million young Americans—just getting out of college, still looking for that first job that has health insurance coverage—back on to the rolls of the uninsured.

The radical Ryan budget would also hurt young people by slashing Pell

grants, making college less affordable. Students and graduates are already struggling to pay a record trillion dollars that Americans now owe in outstanding student loans, and the Ryan plan would force students to take on even greater debt burdens.

On top of these specific cuts, the Ryan budget takes an additional \$1 trillion in unspecified discretionary spending cuts. Domestic discretionary funding is the money that is used to keep the government operating each year—FBI agents investigating cases, Border Patrol agents working our borders, doctors and nurses treating veterans at the VA, employees mailing out Social Security checks, and many other important programs and functions.

It is already at its lowest level as a share of GDP since the 1950s. It is hard to imagine any Federal investment—whether it is education or housing or highways or law enforcement, you name it—not being jeopardized by such Draconian cuts.

That is why President Reagan's—President Reagan's—former economic adviser said about this Ryan budget plan:

The Ryan plan is a monstrosity.

Ronald Reagan's economic adviser said: "The Ryan plan is a monstrosity."

The rich would receive huge tax cuts while the social safety net would be shredded to pay for it. . . . It is less of a wish list than a fairy tale utterly disconnected from the real world, backed up by make-believe numbers and unreasonable assumptions.

If that is what Ronald Reagan's economic adviser thought about it, think what regular people might think about it.

Ryan's plan isn't even an act of courage; it's just pandering to the Tea Party.

But that is what is being held hostage on this sequester.

I hope when the election season is over, no matter who wins, that Republicans will work with us—without insisting on a monstrosity, without insisting on the end of Medicare—on a balanced and reasonable plan to reduce the deficit. With a record national debt, now is no time for more tax giveaways to billionaires, as Mr. RYAN proposes, but, rather, it is the time to ensure an America where everyone gets a fair shot, everyone pitches in their fair share, and we go forward as a country together, as we always have in our best days.

I thank the Chair and I yield the floor.

THE PRESIDING OFFICER. The senior Senator from Washington is recognized.

Mrs. MURRAY. Mr. President, I caught some of the dog-and-pony show that Republicans put on this morning on the floor of the Senate, and I thought it was pretty indicative of their approach to this entire Con-

gress—all politics, no participation. Someone must have reminded them this morning that they are 47 days away from an election and that for the last 624 days of this Congress, they have done nothing but say no.

But I am here to say that an hour of speeches on the Senate floor cannot erase an entire Congress of obstruction. In fact, the Republicans' show this morning reminded me of a move I have seen many times before as a former preschool teacher and as a mom who has watched a lot of kids go through school. It reminded me how on the very last day of school before summer there was always one student who had not done their homework all year long, and on that last day they showed up on their best behavior, homework in hand, hoping to leave a good impression. They thought maybe this last-ditch effort could help them avoid a bad grade.

Unfortunately, it does not work that way.

So let me assure Republicans of one thing: Their record of obstruction and their refusal to compromise will not go away at the eleventh hour. One-minute speeches on the day before they go to face voters cannot paper over 100 filibusters. It will not change the fact that almost 2 years ago the Senate minority leader revealed that his No. 1 priority was—not working to get Americans back to work, it was not bringing our economy back from the brink, it was not ensuring that America remained a leader at home and abroad, no—to defeat President Obama, it was playing politics, just as we saw this morning.

There has been, seemingly, no group of Americans—well, with the exception of millionaires and billionaires—who have been spared in the Republicans' efforts to achieve their goals—not our teachers, not our college students, not our farmers, not construction workers, not first responders, not even our Nation's veterans have been spared their efforts to destroy the work of this Congress.

There was no better example of that than yesterday here on the floor of the U.S. Senate. The Veterans Jobs Corps bill that we brought to the floor included 12 provisions to help veterans find jobs.

Eight of them. Let me repeat that. Eight of those provisions were Republican ideas. This bill was fully paid for. It was based on existing grant programs that are putting Americans to work. It would have allowed the veterans to serve their communities. It would have given unemployed veterans the self-esteem that a job provides. It would have allowed them to support their families and help ease that transition back home.

That bill came at a time when one in four young veterans today is out of

work. It came at a time when our military and veteran suicide rates are outpacing combat deaths and when more and more, as we all know, veterans are coming home today. The American Legion supported it. The Iraq and Afghanistan Veterans of America supported it. The problem was, it seemed, President Obama supported it. So we know from everything we have seen and attempted on the Senate floor, no matter how good or bad of an idea, no matter which struggling American would benefit, it seems that if the President supports it, you can pretty much guarantee Senate Republicans will not.

That is the legacy the Senate Republicans are going to take home to voters, the legacy that when middle-class American families needed their help the most, they refused to compromise to get things done; that when Americans were hurting, they put politics before people; that they set a goal of not participating, and they followed through on that at every single turn. No amount of snappy speeches is going to change that. No last-minute appeals for leniency will change that record.

In fact, it is ironic that this morning all of the Republican Senators showed up on the floor because for the last 2 years, when the American people have needed them the most, they have been absent.

THE PRESIDING OFFICER. The Senator from Florida.

THE MIDDLE EAST

Mr. RUBIO. Mr. President, I come to the floor of the Senate to talk briefly about an amendment on which we may or may not get a vote. It is an amendment by my colleague, Senator PAUL. It really is directly related to the issues that have happened around the world in the last week and a half. We certainly watched in horror as our Ambassador, a fantastic and honorable American, along with three of his colleagues in the American consulate in Benghazi, was murdered last week. So I wanted to talk briefly about that because it really is an important moment in our foreign policy in the region.

Let me begin by expressing our deep condolences for that loss. All the members of the families of those folks who have died over there, our hearts are with them, our prayers are with them. We thank them for their brave service to our country and to the cause of freedom.

We have the right to be angry. The American people are angry and rightfully so. For years we have been investing our taxpayer dollars in aid to that region, and yet we turn on the television and we see these protests against us. On one hand, every single year we send billions of dollars and hundreds of millions of dollars to help people in the region. We help them to stand and fight for themselves, to get

rid of dictators. Then we turn on the television and we see people attacking our embassies or burning images of our President and burning our flag and chanting anti-American slogans. So the American people are both confused and angry. How can this be happening? But I think it is important for us that while we have the right to be angry, we should still remain smart in our foreign policy.

What I would like to talk about today is what it means to have a smart foreign policy, a pro-American foreign policy in that region of the world given these factors we are facing.

The amendment on which Senator PAUL is asking for a vote would condition foreign aid to three particular countries. Let me begin my conversation by saying that this is a complicated issue, and not all these countries are the same. Let me contrast two of them, for example.

Let's talk about Egypt for a moment. Now, of course, the Egyptian people got rid of a dictator. They had an election. It was a very close election that was won by the current President, Mursi, who comes from the Muslim Brotherhood. But Egypt has a well-organized security apparatus, a well-organized and well-funded security apparatus. Egypt has the capability to conduct counterterrorism in Egypt. Egypt has the capability, they have the people and the resources to protect our Embassy in Egypt. They have no excuse for not doing that, if they fail to do that, because they are able to do it.

What was really troubling to me about Egypt, however, was that President Mursi, rather than immediately condemning the attack against the United States and the murder of our Ambassador, his first reaction was to condemn a YouTube video. That is what we are talking about here—a YouTube video. Anybody can make a YouTube video.

Now, there is a belief, by the way, in the Muslim world that because in their countries, if you produce a YouTube video or any movie, for that matter, your government had to approve it—they think, well then in America, your government must have approved it as well. But that is not true, and their leaders know better. The leaders of these countries know better. Some of these leaders in the Egyptian Government were educated in this country. They know full well that anyone can make a YouTube video. But instead of standing and explaining that to their people, they go along with this stuff. They say one thing in Arabic to their people and another thing to the rest of the world in English.

There is a long pattern of double-playing behavior that we should not stand for and should not tolerate. It is, in my mind, unacceptable that a full 2 days went by before the Egyptian Government clearly condemned the attack

on Benghazi and clearly condemned these actions against America.

Contrast that with Libya for a moment. Libya had an election as well where two-thirds of the Libyan people rejected the Islamists and they elected pro-Western, pro-modern, pro-progress leaders to their government. But, unlike Egypt, Libya does not have the ability to protect our consulate as well. They did not inherit from Qadhafi a well-organized security apparatus. In fact, it was one of the reasons why I argued for a more forceful American engagement in Libya. I did not want the conflict to last that long. That protracted and long conflict in Libya—what it did is it created more time and more space for these independent militias—these are literally independent gangs who got their hands on weapons and fought in this revolution against Qadhafi, but now the central government cannot get these groups to give up their arms because to do so would be to give up their power. That is why having this go on for as long as it did is a terrible idea. The fact is, though, the Libyans do not even have control over large portions of the country. There are entire areas of Libya that the government does not control.

There is an increasing body of evidence that shows that what happened in Benghazi was not an anti-American protest, it was not as a result of a YouTube video; it was an orchestrated anti-American terrorist attack by terrorists—not by Libya, not by Libyans, by terrorists.

In addition to evidence that this was a terrorist attack, not a Libyan anti-American uprising, look at the reaction in Libya since the attack. I wish the media in the United States would give more coverage to the Libyans in the streets protesting the terrorists, holding up signs apologizing.

Our Ambassador in Benghazi was loved by the Libyan people, especially the people of Benghazi, who credited him for saving their lives when Muammar Qadhafi's troops were on the outskirts of the city about to massacre them. I wish more attention were paid to that. I wish more attention were paid to the ceremonies that are happening today in Tripoli honoring—our Under Secretary William Burns is there honoring the service of Ambassador Stevens. The demonstrations in Benghazi are going to occur tomorrow honoring him as well.

I am not saying everyone in Libya is pro-American. I am saying we have a government in Libya that is trying to do the right thing. There is open source reporting in the press today. Fifty American FBI agents are there now investigating this. Those are the actions of a cooperative government. They are trying to help us, but they just do not have the resources to do it well. Cutting off aid to them does not make sense to me.

On the one hand, we are demanding that they protect our embassies. They are saying: We want to, but we do not have the resources to do it. On the other hand, we are threatening to take away their resources.

So not all these countries are the same.

There are a lot of misconceptions floating around out there. I have heard some people say: You know what, maybe we were better off with dictators in the Middle East because they could maintain order. Let me tell you, that is a false choice. Here is why. These dictators were no friends of America.

Let me give you an example of Egypt, where people now say: Well, this stuff did not happen when Mubarak was there. No, it happened but in a different way. Let me tell you about the deal Mubarak and other dictatorial leaders in the region cut with extremists. Here is the deal they cut with extremists: As long as you do not do anything against us, you can do anything you want anywhere in the world. Conduct all the terrorism you want. Attack Americans. Blow up a train in Spain. Do whatever you want, just do not do it here. Do it in your country. If you do it in our country, we will cut your head off. If you do it somewhere else, that is not our business.

That is the deal these dictators cut with extremists.

It was not a coincidence that there were Egyptians involved in the 9/11 plot. These were not Egyptians who came from poor families; they came from prominent and distinguished families in Egypt, which leads me to the second point. These dictators allow anti-Americanism, because—imagine if you lived in a dictatorial country—you are not allowed to protest the government. You are not allowed to protest your leaders. There are only two things you are allowed to protest—America and Israel. So that is what everybody does. It is almost a relief valve for frustration. Then they have a state-controlled media that feeds into anti-Americanism. Do you know that there were media outlets in Egypt under Mubarak and even now that tell the people in Egypt that in America denying the Holocaust is a crime? Denying the Holocaust is dumb, it is outrageous, but it is not a crime in America. Yet they spread these lies, these anti-American lies through the region. Of course there are people in the region who hate us because our so-called dictatorial friends and allies have allowed anti-Americanism to grow and be fostered because it has helped them hold on to the power.

So these dictators are not good for the region, not good for America. And the choice should not be between dictators and democracy. The second fallacy is, well, we will just have an election and everything will be better.

That is not true either. Democracies can elect people who do not like us too. So this is not an easy issue to confront, but disengaging from the region is not the solution.

Now, I do not have a magic solution. I have only been here in the Senate for about a year and a half, so these are issues I am engaging in for the first time over the last year, but here are my opinions given what I have learned in the first 2 years I have been here, some points I would like to make.

The first is that we should expect more. We should expect more from leaders in the region. We should expect Mursi and the Muslim Brotherhood and others to stand up to people and say: Look, we understand you are upset about this video, but you do not have the right to burn down an embassy. By the way, in America the government does not control these videos. Anyone can make a YouTube video. They are a free society.

No. 2, we should expect them to say the same things in Arabic as they are saying in English. Do not express condolences and outrage in English on the attack against America but in Arabic completely ignore it and only talk about the YouTube video.

We should expect more from them. They want a true partnership. They want American and Western aid. They want tourists to return. They want economic interchange between our two countries. We should expect more from them.

Here is the second point. This stuff is not happening because of a video, because people are upset. You know what, let me explain something to you. For radical Islam, our entire culture is offensive. They are not just offended about a YouTube video. They are offended that women serve in the Senate. They are offended that women drive. They are offended that little girls get to go to school. In some of these countries, converting to Christianity is punishable by death. So our whole culture is offensive to them, not just a YouTube video.

Here is the third point we have to accept. This is a critical moment not just for America, this is a critical moment for the Muslim world, where they have to decide what kind of future they want for themselves. Is this the future they want, a future isolated from the world, a future isolated from the promises of the 21st century, or do they want a different future? I know there are millions of people in the Muslim world who do not want this future, but they are afraid to speak up. They are intimidated from speaking up because of these radical forces that need to be defeated.

This brings me to my last point. We need to be very clear. We will support those who want a better future, like we should have supported the Green Revolution in Iran when brave young Ira-

nians took to the streets to protest a fraudulent election, and instead of taking their side, the President disengaged and said nothing. We will support those who want a new future and a better future for their region. We are not asking them to abandon their religion or their beliefs, but they have to respect ours. We are not asking them to walk away from the Koran, but they have to respect our beliefs and tolerate our beliefs as well. We will support those who are willing to do that. We want to work with them. It benefits no one to have violence and destruction in the region. But we also have to accept the hard cold fact that there are people, there are radical Islamists in that part of the world with whom you can never and will never be able to reason. They are never going to change their minds. They are never going to come around. They are never going to one day all of a sudden change their behavior because we engaged them more, because we give more speeches at their universities. They are radical Islamists, violent people. It is a very clear choice: Either they win or we win. And the sooner we accept that, the better off we are going to be.

So we have to accept that on the one hand there are millions of people in that region who want a new and better future. We will side with them. We will support their aspirations. We will work with their hopes for civilian leadership and peace and economic prosperity. But for those who are radical Islamists, whose view is they want to conquer and bring under their control everyone who is not who they are, we have to defeat them. I wish it weren't the case, but it is. And the sooner we accept that, the clearer our policies are going to be.

So this is not just a critical moment for America in our foreign policy; this is a critical moment for them as well, for they are going to have to decide. If Egypt truly wants a better future for their people, one where their economy is growing and prosperous and young people can fulfill their aspirations, they are going to have to unequivocally reject this type of stuff or they will be trapped in the 18th century forever.

In Libya, they are trying to cooperate with us. They are allowing us to move forward. We should work with them and strengthen them, not abandon them.

And I didn't mention Pakistan, but that is important too. Let me just say that I think it is outrageous that doctor is being held there. I believe every charge against him is trumped up, and I think we should demand—I think it is right to condition some, if not all, of our foreign aid and cooperation with Pakistan on his status and on his release. So I hope Senator PAUL and those who support his amendment will consider, at a minimum, restructuring that amendment to recognize there is a

difference between Libya and Egypt and that we should take different approaches in that regard; that we have a right to be outraged; that we have a right to be angry, but we should never abandon being smart.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

Mrs. HAGAN. Mr. President, I ask unanimous consent to speak for up to 15 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

HONORING OUR ARMED FORCES

CORPORAL DARRION TERRELL HICKS, PETTY OFFICER SECOND CLASS SEAN E. BRAZAS, LANCE CORPORAL CHRISTOPHER PHOENIX JACOB LEVY

Mrs. HAGAN. Mr. President, 11 years have now passed since the attacks of September 11, that horrific day that forever changed the world. Although we have killed Osama bin Laden, the fight against the al-Qaida militants is not over. Al-Qaida remains a threat to America, and the brave men and women of our Armed Forces are still fighting every day to protect our way of life.

Mr. President, I want us to honor and think about these men and women. There are over 77,000 U.S. servicemembers deployed in Afghanistan right now who remain in harm's way. These men and women willingly joined the military during a time of war. They want nothing more than to serve our country. They fight for our way of life so we don't have to and so that our children and grandchildren will not have to.

I am going to highlight three servicemen from North Carolina who have made the ultimate sacrifice. I have personally spoken with their families, and I want to share their great love of country with you because it is so important that all Americans understand our military and their families who sacrifice so much for all of us.

From my home State of North Carolina alone there are more than 6,000 of our finest sons and daughters, brothers and sisters, moms and dads deployed in Afghanistan. They are the men and women of the II Marine Expeditionary Force, 2nd Marine Division, 2nd Marine Aircraft Wing, and 2nd Marine Logistics Group from Camp Lejeune and Cherry Point. They are the men and women of the 82nd Airborne Division from Fort Bragg. They are the men and women from the National Guard and Reserve Units from North Carolina. And they are the thousands of other soldiers, sailors, airmen, and marines deployed to foreign lands to stand watch over the world and keep us safe.

Sometimes I feel as if the war is hardly an issue in the news, in daily life, anywhere, except for those who are personally affected by it. Our focus is too often drawn to the news of the elections, of the economy, of politics,

of celebrities, of scandals, of the rich and famous, and of the simply bizarre. We do not hear enough about the brave souls who have lost their lives while trying to make the world safer for the rest of us, who willingly joined the military during a time of war, who want to serve our country.

We all need to pay respect, to honor, and to remember the very men and women whose commitment, dedication, and courage are what make our country safe and to respect and remember the families they left behind.

As we scale down our presence in Afghanistan and bring our service men and women home, we must remember every day this war is still going on, and it is occurring at a tremendous cost—a cost that is disproportionately paid by the brave men and women who are fighting for the rights and privileges we enjoy.

These men and women traded their youth, and they have spent years away from family and friends. They voluntarily put their lives on the line for their friends, for their loved ones, their country, and for people they have never met—for me and for you. These men and women are the almost 50,000 wounded in action since the start of this war. They are the 336 U.S. servicemembers who have died just this past year. They are the 54 coalition forces who died in the month of August alone. They are strangers to most of us, but they are the most important person in the world to someone. They are selfless defenders of our freedom, many of whom have made the ultimate sacrifice, and many of whom are from my home State of North Carolina.

They are people such as CPL Darrion Terrell Hicks, U.S. Army, from Raleigh, NC, who died July 19, 2012, just 2 months ago. Darrion was a 2009 graduate of Broughton High School, where he was a standout student who was loved and respected by all.

Darrion always wanted to be a soldier. It was a goal he set early on and something that everyone remembers about him. It was a goal he pursued with diligence and honor. He was a model Junior ROTC student who was voted Mr. Junior ROTC by his peers. Darrion is remembered as the kind of young man a teacher wishes all of their students were like. He was a boy you wanted your children to be friends with. He became the kind of man we should all be so thankful to have in this world.

When I was speaking with his mom Tracy, she shared with me that he was the kind of boy who never gave her a problem, ever.

Corporal Hicks achieved his goal of becoming a soldier when he enlisted in the Army after graduating from high school. He loved the Army, and it seemed he had found his place in life. He loved his family, and he kept in close contact with his mother. When-

ever he spoke with his mom, she would always tell him: "Always pray. Be safe. I love you." To which he would respond: "I am going to be fine. I love you, too."

This year, Darrion was serving with the 54th Engineer Battalion, 18th Engineer Brigade as a sapper. Sappers are responsible for clearing the way for others, making the way safe for those who follow. This is what Corporal Hicks was doing when he was killed by an enemy IED. He was only 21 years old.

As one of his teachers at Broughton said:

When we talk about Darrion, we are not talking about a teacher making an impact on a student. We're talking about a student who made an impact on the teacher.

Corporal Hicks made an impact on everyone he touched, and I think we all have something to learn from him and the life he chose to lead.

There are people such as PO2 Sean E. Brazas, U.S. Navy, from Greensboro, NC, where I have lived for the last 30 years. Sean died on May 30, 2012. Sean was your all-American boy next door. He grew up playing soccer in the same traveling soccer league in which my son played, and Sean was on the swim team.

Sean graduated from Western Guilford High School, and he could have done anything, but he wanted to do something important with his life. Sean Brazas joined the Navy after graduation and became a dog handler. He was stationed at Naval Base Kitsap in Washington State, where he met the love of his life, Allie, who was also in the Navy. When Sean met Allie, being the southern gentleman he was, he held the door open for her at the post office when they first met. Putting others first was just how he lived his life.

Sean Brazas loved being a dog handler and loved being in the Navy. His wife is now a 23-year-old widow with a young daughter Addison, whom Sean nicknamed Short-stack. They were the center of his world. His life as a sailor, devoted husband, and loving dad was rich and full and tragically short.

Petty Officer Brazas had only been in Afghanistan a short time when he died on May 30 while helping a fellow servicemember get into a helicopter when their unit was ambushed. That seems to define Sean—a man who selflessly did what he could to help others.

Sean Brazas served his country proudly because he appreciated the rights and privileges that Americans are fortunate to enjoy. He wanted to make sure his daughter never had to worry about anyone telling her what books she could read or where she could go to school or what she could become. He wanted his mom, dad, wife, and daughter to be safe.

He died a hero and now rests at Arlington with his grandfather and friends who have left the world far too

soon. He died a man his dad Ed looked up to. Ed told me he hopes to be half the man his son was.

There are people such as LCpl Christopher Phoenix Jacob Levy, U.S. Marine Corps, from Ramseur, NC, who died September 10, 2011.

On 9/11, Jacob had just turned 11 years old. He had gotten a bloody nose at school, and his mom Amanda was called to bring him a change of clothes. She shared with me she was driving to his school when she heard on the radio of the first plane hitting the World Trade Center. When Amanda explained what had happened to Jacob that night, she said Jacob then said he would be in the military. He was only 11 years old at the time.

Jacob joined the Junior ROTC at Eastern Randolph High School where he was a standout runner and wrestler. He was also a proud active member of the Lumbee Tribe. That is why he has the name Phoenix, from his Indian heritage. It stands for immortality and renewal.

In 2009, Jacob fulfilled the goal he set in 2001. He enlisted in the Marine Corps and graduated from boot camp. He planned on being a marine for 20 years, retiring, and then returning to his hometown to give back to the JROTC in his community. It is clear from an early age Jacob was driven to be a part of something more than himself, to do his part for the greater good. That was just how he lived his life.

Lance Corporal Levy deployed to Afghanistan with the 3rd Battalion, 8th Marines and returned home from his first tour on Mother's Day of 2011. However, Jacob told his mom his job was not yet done; that he needed to return to his brothers in arms in Afghanistan. He then volunteered to deploy again in the fall of 2011, this time with the 1st Battalion, 6th Marines out of Camp Lejeune. It was during this deployment he was mortally wounded by a single enemy shot. He was only 21 years old.

A couple of weeks before he died, Jacob spoke with his mother for the last time. He told her not to worry about him. He asked for underwear and beef jerky. He asked her to tell everyone he loved them. Jacob left his mom, dad, stepdad and two brothers.

Jacob's Indian name Phoenix, for immortality and renewal, has proven a worthy namesake for him. Although his life was tragically short, he lives on in the lives he touched. He inspired a scholarship at his high school that will go to help others, and he was an organ donor. He helped save seven other people he had never met. He gave the loved ones of those seven strangers more time with their parent, spouse, child, or sibling.

His death resulted in an outpouring of love and support for the Levy family from the Marines of both the 3rd, 8th, and 1-6. As Jacob's mother told me: "I may have lost one son, but I gained 30

others." To this day, those young men who served with Lance Corporal Levy continue to remember and look after her.

These are the people who are paying both your share and my share of the cost of freedom. These servicemembers gave their lives for us and for our country. We must not forget them: Darrion Hicks, Sean Brazas, and Jacob Levy. We must not forget their families.

We must not forget the men and women still deployed in harm's way. They come from our small towns, our big cities, and our rural areas. They are our neighbors, they are our fellow Americans, they are our heroes, and they are my fellow North Carolinians. To these men and women, to their families, we owe an eternal debt of gratitude. May God bless them, and may God bless America.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. WHITEHOUSE). The Senator from West Virginia.

Mr. MANCHIN. Mr. President, something unusual is happening in Congress. Democrats and Republicans are agreeing on something; we appear headed toward same goal.

The problem is, what we are agreeing on is more business as usual in Washington. They want to pass yet another continuing resolution instead of a real budget solution. I can almost hear the people back home and all over this country saying, There they go again.

I can argue this both ways. A continuing resolution will let the government limp along again for another 6 months. That way, we can go home now and come back after election to fix the budget.

I haven't had anybody in West Virginia tell me that we should hurry home to campaign. I have had plenty of them tell me that we need to stay here and do the job they hired us to do. And that means fixing the budget, because our debt is piling up every day and it is choking our economy.

These continuing resolutions are supposed to be temporary, but it looks to me as though they have become a permanent way of doing business here in Congress. And let me tell you, it is a bad way of doing business. It ignores the dire circumstances of a record \$16 trillion of national debt that will increase close to \$1 trillion a year if we don't balance our annual budget, and do it soon. It makes me think of the goofy kid on the cover of Mad Magazine, Alfred E. Neuman, "What? Me worry?"

I came to the Senate not quite 2 years ago, and in the time I have been here there have been 12 of these continuing resolutions. There were three in December of 2010. In 2011 there were two in March, two in April, two in September, one in November, and three in December. Now we are being asked to pass another CR to keep things going a

little bit longer, for 6 more months, so we can all go home—that is the problem—so we can all go home and worry about our elections, and we are going to worry about this country's growing debt later. We have got to get home first.

Well, a baker's dozen is one too many for me. Enough is enough. I can't vote for this measure to simply kick the can any farther down the road. It can't go on. The people of West Virginia didn't send me here or send the Presiding Officer from the great State of North Carolina to do that. They sent us here to help fix our budget problems with bipartisan commonsense solutions.

That is the way we did it in West Virginia when I was Governor. We didn't pull these kinds of stunts on West Virginians. We stayed on the job until the work was done. We wouldn't leave. We stayed and worked. If it was all through the night, we would stay. If it was an extra day or an extra week, we would stay and get our work done. We came together to make decisions on what was best for our State, not best for us individually. It is time we do the same here in Washington.

We have to stop putting off what we need to do to get our fiscal house in order. It is time to cancel the flights home, it is time to roll up our sleeves and get down to the people's business, because we have reached a dangerous point in our history—a point in which our debt is threatening not just our economic standing in the world but also our national security.

I know everybody expects that we will come back after elections in a lameduck session, and we are going to rush to fix all of our fiscal problems at the last minute. But if Congress's past performance is any indication of what to expect after the election, I wouldn't expect too much. That is a shame. A lameduck session of Congress is cutting it pretty close, because we have gotten ourselves into a real bind.

The so-called fiscal cliff is real. We are looking at over \$5 trillion of economic swing by the end of this year, December 31, coming up to January 1. One part of that is sequestration. I think we all remember the sequestration. That was a penalty we put on ourselves if the supercommittee did not do their job. Well, the supercommittee wasn't that super. It didn't work out the way we all thought it would. It means that what we have to do is take painful cuts. Because we said if we make the penalty strong enough and great enough, we will definitely come to the table and fix the financial problems. But we didn't do it. That was a year ago. We could have been working and fixing all that between, but here we come down to last minute and we are asking for 6 more months.

These are the kinds of meat axe spending cuts—and I will talk about that. I never did put budgets together

that were across-the-board cuts. If you had to cut, you looked at it. Government can do two things with your money: It can spend your money or it can invest your money. We have done a poor job of investing. We have done a great job of spending the money. That has got to reverse and change. We can't just say, Well, across-the-board cuts. We have to look and find out and put forth priorities based on our values. And you shouldn't cut where investments should be made, but overall there will be a reduction. That can happen.

Some of our congressional leaders who put together the sequestering in order to force us are now acting as though we really didn't mean it. It really wasn't sincere about we should do this. We knew we couldn't do it, but it sounded good back then because we really thought we would do so. Can you think what would happen to the confidence of the people in this country if we don't do what we said we were going to do? It is not a smart way to run this country.

Then they talk about cutting the defense budget. Oh, that can't be done. That can't be done. We want to make sure we have the strongest and toughest. And every one of us here supports our military to the hilt. Every man and woman in uniform should have the best equipment, the best training, and the best support this country can give them. But when you look at the ballooning costs of what has happened to our Department of Defense, most of the money spent on contracting, most of the increases on contracting—people doing the same job making three and four and five times more than a man or woman in uniform? That is not right. And they are telling me, We can't cut it? Oh, no. If we do that, you are not strong for America.

Well, I have said this: The automatic cuts go into effect January 2, as we know. Our national security budget is still over \$600 million in 2013. That is more than we had in 2006, at the height of the Iraq war. In fact, even after the automatic cuts, the United States will still account for 40 percent of all military spending in the world. Forty percent of all the military spending is by our country. I promise you, we are going to make sure that America keeps the strongest defense in the world.

I have been in this body for 2 years. One of the most sobering moments I have ever had, I am sitting on the Armed Services Committee learning, as the Presiding Officer and everyone else, about the dangers we face around the world and the threats to the United States of America. The question was asked to then-Chairman ADM Mike Mullen, What is the greatest threat America faces? I am thinking I am going to hear about all the different North Africa problems we have, Iraq, Afghanistan, Iran, and on and on. He

didn't hesitate, he didn't waiver. He said, "The debt of this Nation is the greatest threat we face as America." He wasn't worried about our military might. He wasn't worried about a terrorist attack. He was worried about us coming apart from within.

That was perhaps my most sobering moment since coming to the Senate. And when you have the highest ranking officer of the world's most powerful military that history has ever recorded, I think you should take that seriously. I did. That alone should give everyone in Congress a sense of urgency and doing something about our out-of-whack spending. And it truly is out of whack.

If anybody is betting that we can fix our finances in a lameduck session of Congress, I will remind them that some people made the same bet on the supercommittee last year. That didn't work out too well.

In fact, we are about to leave town with a lot of unfinished work. We are not just unsure about our finances, and it is not just about finances. The 112th Congress—and I am ashamed to say this—is one of the least productive Congresses in the history of this country in terms of passing new laws. The Congress we are in right now, the 112th, passed only 173 public laws as of last month. As you recall, in our history books, President Harry Truman—who dubbed the 80th Congress as the do-nothing Congress—passed 906 bills. I don't even know if he would have a definition of what we have done.

So a do-nothing Congress is something I am not proud of. It is clear to me that betting on Congress getting religion after the election is also a risky gamble—a gamble with America's future, a gamble with the next generation. We tried that with the supercommittee, but it failed. That is the reason we are here today facing the fiscal cliff. The sunset of the Bush tax cuts, the tax extenders, the end of emergency unemployment benefits, sequestration, those are all meat axe cuts, and we know that.

The Congressional Budget Office says the fiscal cliff could cut the GDP by 4 percentage points next year and send the economy back right into a recession. Look at the time we have wasted. The supercommittee fell apart almost 1 year ago, and yet here we are. Instead of voting on a real and permanent solution to our financial problems, we are getting ready to vote on yet another temporary measure that will allow us to leave before we have addressed a single one of these most critical issues.

What has happened since the supercommittee shut down with no agreement? One thing that has happened is our long-term national debt has topped \$16 trillion a couple weeks ago. That is a figure that is almost impossible to wrap your mind around. But I think you can wrap your mind around this:

Each one of us who lives in this great country is now in debt \$50,700, every man, woman, and child.

Sixteen trillion dollars is roughly the same as our country's entire economic output for the first time in 40 years. The last time our debt was 100 percent of GDP was right after World War II. We were fighting to save our Nation, to save a society, to save a way of life. This has been self-inflicted, and we can't keep going on this way.

We have reached what the National Commission on Fiscal Responsibility and Reform called the moment of truth. The report it prepared for the President almost 2 years ago—in fact, that was the title of its report, *The Moment of Truth*. And while the commission faced the moment of truth with a comprehensive bipartisan plan for reducing our debt, Congress has yet to do so. Now is the time. We know how to fix things. Congress has done it before.

In the early 1990s, our economy was faltering because deficits and debt were freezing capital. But Congress sent a signal to the market that it was capable of being fiscally responsible. And it was. The result was the longest economic expansion in history: the creation of over 22 million jobs and unprecedented wealth in America, with every income bracket rising—every income bracket, not just the chosen few.

The budget framework put together by Congress and the White House led to the first balanced budget in generations and put our country on track to be debt free this year, in 2012. If we had stayed the course, we would be debt free as a United States of America right now. Let me repeat that. This year we would have been debt free.

But we got totally off track with tax cuts, two wars, and expansion of the prescription drug benefits for Medicare recipients—none of which was paid for. All great ideas, but none was paid for. And the 10-year \$5.6 trillion surplus forecast in 2001 has become a debt of more than \$16 trillion. That is a \$22 trillion swing in less than a decade. It is unbelievable. It is mind boggling.

But we can get back on track if we follow a simple formula, roughly the same one the Bowles-Simpson debt commission recommended. We have to curtail spending, we have to have a fair revenue stream, and we have got to look at cutting the fat; and, to do that, an overhaul of our tax system so it is not only more equitable for everyone but also encourages the kind of entrepreneurship that makes our country the bedrock of the global economy.

In America, we need a tax system where everybody pays their fair share, and where American businesses are free to do what they do best: outproduce, and outinnovate competitors all around the world. To keep a bright future, we have to reform our entitlement programs so we can preserve the

benefits. There is serious trouble ahead if we don't act.

Think about this. In 2016, Social Security disability is basically insolvent; 2024, Medicare insolvent; 2033, Social Security will only be able to deliver 75 cents on the dollar, a 25-percent discount.

The American people are hungry for plain talk on our debt. That is why a few weeks ago in Charleston, WV, we hosted Senator Alan Simpson and White House Chief of Staff under Bill Clinton Erskine Bowles. They packed the house, and they spoke the truth. What they were saying is, give the American people the facts, show them the options the way we did at our fiscal summit, and they will do their part to get our country back on the right track. They always have. That is what makes this country so great.

So don't sell the United States of America short. Don't sell the American people short because this is an election year. They can tell when you are dealing straight with them or when you are playing politics. Right now, there is no more time to play politics.

In fact, I got a letter yesterday from James of Clarksburg, WV, talking about the summit. Here is what he said.

It is time for responsible Members of the Senate like you to take to the floor and tell your fellow Senators, "It is past time for us to take responsible action to address the fiscal crisis which is our responsibility to the people who sent us here—because it is just that. There is no excuse for delaying action until after the election."

No excuse to delay it just because of an election.

James got it exactly right; there is no time to waste. I am not naive. I understand some of the choices we face are going to be hard for some of us to make. I know Republicans don't want to talk about new revenue, and I know Democrats don't want to talk about entitlement reform. But we need to start thinking more about the next generation than of ourselves, or the next generation than the next news cycle or the next flight out of Washington.

Millions of Americans are struggling in this tough economy, working overtime to pay their bills, find a job, and find a way forward for their families. They are looking to us for the leadership they need. They are looking to us for solutions. They are looking to us to come together and do what is best for the country in a balanced and practical way. They are simply looking to us to do our job, and I intend to do that to the best of my ability.

Winston Churchill once said: You can always count on Americans to do the right thing—after they have tried everything else.

I think we have tried everything else, including kicking the can down the road 12 times before. Now it is time for us to do the right thing. This tem-

porary step is the wrong thing at the wrong time. We have work left to do, and we need to stay and do it. The people of America expect us to do better, to stand up for them, to put politics aside. The people of West Virginia can be assured that I will always stand, and I will continue to try to do the best that I possibly can for them and for the people of this great country.

I yield the floor.

The PRESIDING OFFICER (Mrs. HAGAN). The Senator from Rhode Island.

HONORING RUSSELL TRAIN

Mr. WHITEHOUSE. Madam President, this week the conservation community mourns the passing of a great American leader, a passionate individual, and an inspiration and friend to many, Russell Errol Train.

President Nixon first named Russell Train as Under Secretary of the Department of the Interior and then as the first Chairman of the new White House Council on Environmental Quality from 1970 to 1973. Russ Train then became the Administrator of the EPA, serving there from 1973 to 1977. He was at the forefront of the legislation that became the bedrock of our country's environmental policy: the Clean Air Act, the Safe Drinking Water Act, the Endangered Species Act, the Toxic Substances Control Act—laws that keep the American public safe and that protect our American natural resources.

His desire to protect wildlife and habitat predated these years of public service. He founded the Wildlife Conservation Foundation in 1959 and then the African Wildlife Foundation. When the World Wildlife Fund was established in the United States, he became its first President.

This week the World Wildlife Fund U.S. CEO Carter Roberts described Russell Train as "a true national treasure and an inspiration to all of us who embrace conservation as their life's work."

Mr. Roberts went on to say:

Undoubtedly, Russ would prefer that we not spend a lot of time mourning his passing. He would want us to redouble our efforts to save the animals and places we care about, to solve the problems of climate change and resource scarcity, and to build leadership capacity in those countries where it is needed most.

So it is with his legacy in mind that I come to the Senate floor today, as I try to do every week, to discuss climate change, the science behind it, and the reality of the changes we are already seeing. This week I will focus on how the carbon pollution that is causing these climate changes is also affecting our oceans and causing an equally threatening problem—ocean acidification.

Sea water absorbs carbon dioxide; and when it does, chemical reactions

occur that change the concentration of carbonate and hydrogen ions in a process that lowers the pH of sea water, commonly referred to as ocean acidification.

Since the Industrial Revolution, we have burned carbon-rich fuels in measurable and ever-increasing amounts, now up to 7 to 8 gigatons each year. We have raised the average parts per million of CO₂ in our atmosphere from 280 parts to 390. By the way, the range for carbon dioxide in our atmosphere for the last, say, 8,000 centuries has been 170–300 parts per million. So we are well outside of that range. Indeed, in the Arctic, measurements have already reached 400 parts per million.

The oceans of the Earth have absorbed more than 550 billion tons of carbon dioxide from the atmosphere. That is approximately 30 percent of all of our carbon dioxide emissions. The good news is that absorbing all this carbon has significantly reduced the greenhouse gas levels in our atmosphere. The bad news is that because of all this carbon absorption, the ocean pH has changed globally, representing a nearly 30-percent increase in the acidity of the ocean. By the end of the century, ocean pH is predicted to change further, leading to a 160-percent increase in acidity.

This is where we are so far. This is what is projected. This rate of change in ocean acidity is already thought to be faster than anytime in the past 50 million years. A paper published in Science this year concluded that the current rate of CO₂ emissions could drive chemical changes in the ocean unparalleled in at least the last 300 million years.

The authors of that Science study in March warned that we may be "entering an unknown territory of marine ecosystem change." As the pH of sea water drops, so does the saturation of calcium carbonate, a compound critical to marine life for the construction of their shells and skeletons. Some organisms absorb calcium and carbonate directly right out of the water, others out of the food they ingest, but changes in the concentrations of these chemicals mean the building blocks become less available to make the shells of species such as oysters, crabs, lobsters, corals and the plankton that comprise the very base of the food web.

As oceans get more acidic, it gets harder and harder for these important species to thrive, and it puts at risk the economies that depend on these species.

The PRESIDING OFFICER. The majority leader.

Mr. REID. I appreciate very much my friend from Rhode Island yielding, and I appreciate his focusing attention on something we do not focus on nearly enough—and that is a gross understatement—and that is our oceans. I admire the work he has done in so many different areas. We thought we had a path

forward to do some good for oceans. It did not work out the way Senator WHITEHOUSE and I wanted. We will come back again because we have to do something about oceans. We study everything else but not our oceans, and most everything else depends on what happens in the ocean.

Mr. WHITEHOUSE. I thank the leader.

UNANIMOUS CONSENT REQUEST— EXECUTIVE CALENDAR

Mr. REID. Madam President, we currently have 17 district judges on the calendar, 14 reported by voice vote. For the people within the sound of my voice, what that means is they are not controversial. Twelve will fill judicial emergencies. These are places around the country where we have judges who are tremendously overworked on these important cases.

We have heard this kind of joke: What are you trying to do, make a Federal case out of it? What that means is the Federal system is so good that people look at it as being the best there is as far as judicial activity.

I am disappointed to say my Republican friends on the other side have informed me they will not agree on votes on any of these nominees. Republicans can offer no reason for blocking these bipartisan consensus district court nominees. I understand why they didn't want us to do circuit courts—I understand that. I may disagree, but I understand that because Democrats have set boundaries in the past, as when we would no longer accept circuit court judges. But this is district court judges.

Historically, the Senate has considered district court nominees as late as October in Presidential election years. In the past five Presidential election years, Democrats have never blocked a district court nominee from receiving a vote on the Senate floor, never. But our Republican colleagues are setting new standards for obstruction, not only in all the legislation but in judges.

For the 28 district court nominees we have considered this year, I filed cloture 19 times. In other words, we have had to break a Republican filibuster on 67 percent of the district judges we have considered and confirmed. President Obama's district court nominees have been forced to wait 300 percent more than President Bush's nominees; three times more. Only two people whom the President nominated this year have been confirmed. The kind of qualified consensus nominees who in years past would have been confirmed in a matter of minutes are now taking weeks and months, languishing with no action. These votes should be routine.

There should not be a fight that delays action on important job measures. In September 2008, right before the last Presidential election, Demo-

crats confirmed 10 of President Bush's district court nominees in 1 day. More than half of the Nation's population, 160 million Americans, live in the part of the country where there has been a judicial emergency declared. That means more than half the people in this country seek justice from courts and judges that are strained to the breaking point under a backlog so intense an emergency has been declared.

The chairman of the Judiciary Committee, of course, knows I am here. He wants to be on the Senate floor, but the time did not work. He has done a remarkably good job getting the judges out. With 1 out of every 10 Federal judgeships standing vacant, Americans can no longer wait on fair and speedy trials, and that is what they have to do. They cannot rely on them.

Republicans should work with Democrats to confirm consensus district court nominees now. Refusing to do so is irresponsible. The Senate could act today and put highly qualified judges on the Federal bench, judges supported by both Democrats and Republicans.

I hope we can get something done before we leave. I don't want to file cloture on these nominees before the end of the year. It is not the way we should be working around here. We should be working together.

I have a consent request. I ask unanimous consent that the Senate proceed to executive session to consider the following nominations: Calendar Nos. 674, 675, 676, 760, 761, 762, 818, 828, 829, 830, 832, 833, 834, 835, 875, 876, and 877; that the nominations be confirmed; the motions to reconsider be considered made and laid upon the table, with no intervening action or debate and that no further motions be in order to any further nominations; that any statements relating to the nominations be printed in the RECORD.

Further, Madam President, before you rule, we have the gamut. We have California, Utah, Connecticut, Maryland, Florida, Oklahoma, Michigan, New York, and Pennsylvania. That is a classic, these two Pennsylvania judges.

During the August recess the Republican Senator from Pennsylvania said that I am the reason the two judges from Pennsylvania have not been confirmed.

Try that one on for logic. He actually said publicly that I was the reason that Matthew Brann and Edward Mannion are not being confirmed, that it is my fault.

Madam President, I will finish this consent request: that the nominations be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Is there objection?

Mr. McCONNELL. Reserving the right to object.

The PRESIDING OFFICER. The Republican leader.

Mr. McCONNELL. Madam President, it is quite curious that my friend the majority leader is complaining about the one area I can think of over the last year and a half where the Senate has met historic norms. In other words, we have handled judicial confirmations in this Congress here in the Senate in a way that meets and in some ways exceeds historic norms. At the same time, of course, we have not done all the other things we have normally done in the past.

So far during this Presidential election year, we have confirmed 5 circuit court nominees and 29 district court nominees. That is a good record for Presidential election years. Let me look at a few. In 1996 we confirmed 18 district court nominees. This year we have confirmed 29. In 2000 we confirmed 31, in 2004 we confirmed 30, and in 2008, the last year of President Bush's tenure, only 24 district court nominees were confirmed. In fact, in 2008 Senate Democrats treated President Bush's nominees so badly that they were forced to confirm—as the majority leader bragged about—10 nominees in September of that year just to try to catch up to historical norms. So rather than bragging about doing 10 on 1 day, the reason they did 10 on 1 day is because they were so pathetically below historic norms they had to do 10 on 1 day so as to not be embarrassed by the process. If they had not done that, the Senate would have confirmed only 14 district court nominees in 2008, which is fewer than half the 29 we have already confirmed this year.

President Obama is also faring much better overall than President Bush did in his second term, which is the last time the Senate considered and confirmed two Supreme Court nominees. The reason I bring that up is because Supreme Court nominees take a lot of time and effort. President Obama, of course, did have two Supreme Court nominees confirmed during his first term.

So far the Senate has confirmed 158 of President Obama's judicial nominees. Compare that to President Bush's second term when the Senate confirmed only 122 of his judicial nominees. President Obama has had 158 confirmed; while President Bush had only 122 confirmed. So the Senate has confirmed one-third more judicial nominees than it did the last time it had to process two Supreme Court nominees.

Not only is President Obama being treated fairly in absolute terms, but the Senate is also treating him fairly relative to the number of nominees he has submitted. So far during President Obama's term, the Senate has confirmed 158 of his 205 nominees. That is a confirmation rate of 77 percent. By contrast, President Bush got only 74 percent of his nominees during his first term.

The contrast is even more revealing when we compare President Obama to

President Bush's second term. During that term, President Bush got only 61 percent of his nominees confirmed. Again, President Obama got 77 percent of his nominees confirmed versus President Bush's 61 percent.

Now we are trying to get consent agreements to process the next two district court nominations that are in the queue, and we are hoping that will come about. That is the procedure we have been following. I am hopeful we can achieve that. If we do, we will have confirmed 31 district court nominees this year, which will equal the record for the most district court confirmations in a Presidential election year in recent memory. So whether it is looked at in terms of absolute confirmations or relative confirmations, this President is being treated very fairly.

I am happy to work with the majority leader, but we cannot allow the majority to jam us here at the end of this session; therefore, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. REID. Madam President, I am not going to prolong this much, but I would say this: No matter how we try to juggle the numbers, we still have 12 emergencies. I hope my friends on the other side would at least look at some of those emergencies and see if we could get some help for those beleaguered judges out there and the court personnel. It wasn't until May 7 of this year that we were able to vote on our first nominee for this year. They were all from last year that we did before that. I hope everyone understands we have 12 judicial emergencies. If some of these nominations were confirmed, it would take that away and make life for the court system much more fair.

Mr. MCCONNELL. Madam President, there is no way to spin the math. President Obama has been treated quite fairly every way we look at it. He has certainly met the historical norms with the treatment of Presidents in Presidential years. I rest my case.

I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Madam President, I ask unanimous consent that I be given 3 minutes, the Senator from Indiana be given 3 minutes, and the Senator from Rhode Island then be able to continue his remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCHUMER. Madam President, I wanted to follow up on the Democratic and Republican leaders' conversation. This is not the first time we have seen obstruction for obstruction's sake over noncontroversial, consensus nominees to the Federal bench. It has been going on for 4 years.

In 2008 we cleared all 10 of President Bush's district court nominees pending on the floor by unanimous consent. Now, of course, we are being blocked.

Well, I don't think Oliver Wendell Holmes could get unanimous consent from our Republican colleagues to be a district court judge today.

In the Western District of New York, nominee Frank Geraci has total bipartisan support. His slot has been vacant for years. We need him to fill that judicial emergency post. His nomination has been pending on the floor for more than 2 months. Why can't we confirm him today? He passed the Judiciary Committee unanimously with strong bipartisan support.

In the Southern District, another nominee, Lorna Schofield, has also been awaiting confirmation for 2 months. She also has complete and total bipartisan support. What is more, she would be the first Filipana confirmed to the Federal bench. The Southern District is one of the busiest benches in the country, and the judges hear among the most important cases, such as complex civil litigation, insider trading, terrorism. You name it, they do it. Why can't we confirm her today?

We hear one excuse after another for filibustering judges—recess appointments, funding for some area unrelated to judges, the so-called Thurmond rule, which has never applied to district court nominees.

I support the majority leader's motion for unanimous consent for these pending district court nominees, and I hope our colleagues will think about it. Before we leave this week, I hope we can come together and do what we have been doing together for decades—confirm uncontroversial judges.

I yield the floor and yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from Indiana.

CYBER SECURITY

Mr. COATS. Madam President, yesterday Senator LANDRIEU, chairman of the Appropriations Homeland Security Subcommittee, and I entered a colloquy into the RECORD, and I would like to explain very briefly what it was we were attempting to do.

This is essentially to clarify a provision regarding cyber security that is incorporated in the continuing resolution, which we will be taking up here shortly. I understand there has been confusion over section 137 as to whether the language that is now incorporated in the CR expands DHS authority or allows implementation of a potential Executive order pertaining to cyber security. The answer to that question is no, absolutely not. The provision is limited to funding improvements in the Federal Network Security Program, which provides security systems that monitor cyber attacks on Federal Government computer networks. It helps enhance the protection for those existing networks that are in place.

It is important that both the House and Senate homeland security appropriations bills included this additional funding, and it is considered so critical, it was added to the continuing resolution so that this implementation can continue without interruption. It does so because these networks are constantly under attack by individuals and groups and others who could cause real problems and real harm to our country.

So let me be very clear on the language that has been agreed on in a bipartisan basis and what the colloquy said. This provision does not intrude upon the authorizers' jurisdiction. This provision does not have anything to do with the regulation of private sector infrastructure. DHS has confirmed that in writing. And this provision does not enable a new Executive order in any way. I would be the first to object to this language if that were the case, and I believe we have now remedied any confusion that might exist over that particular language.

I am hopeful that even though we were not able to ultimately pass and incorporate workable cyber protection language, that we can continue to work together.

I wish to thank the chair of the Appropriations Homeland Security Subcommittee, Senator LANDRIEU, for joining me and clarifying this important provision included in the continuing resolution.

With that, I wish to thank my colleague from Rhode Island for allowing me the time, and unfortunately his good presentation was interrupted. I thank my colleague for the time to clarify that.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Madam President, I am very happy to allow my colleague from Indiana the time, and I appreciate his good work on cyber security and hope that he and I and others can work toward a legislative solution on that.

CLIMATE CHANGE

Mr. WHITEHOUSE. My topic had been the acidification of our oceans as a result of carbon pollution now up 30 percent in acidity and projected to increase 160 percent in acidity at unprecedented rates in millions of years. It has been 50 to 300 million years since we have seen this kind of dramatic change in ocean acidity. For species that use calcium carbonate to create their shells and skeletons, such as oysters, crabs, lobsters, and the little plankton that so many other species depend on as the base of the food chain, it becomes harder for these species to thrive.

These unprecedented changes I am talking about in ocean acidity are not

happening alone, they are happening on top of dramatically changing ocean temperature that is also driven by carbon pollution.

Just this week on the surface of the Earth, we experienced one of the hottest summers on record. The National Oceanic and Atmospheric Administration released this statement about the northeast shelf large marine ecosystem, which extends from the Gulf of Maine down to Cape Hatteras. Here is what they said:

During the first 6 months of 2012, sea surface temperatures . . . were the highest ever recorded. Above average temperatures were found in all parts of the ecosystem, from the ocean bottom to the sea surface and across the region . . . The annual 2012 spring plankton bloom was intense, started earlier and lasted longer than average. This has implications for marine life from the smallest creatures to the largest marine mammals, like whales. Atlantic cod continued to shift northeastward from its historic distribution center.

I don't need to tell anybody in the Northeast how important the stability of the cod fishery is right now. That historic fishery is facing significant reductions in catch limits because the population is not rebounding as expected from the reduced catches that fishermen are already contributing to try to solve this problem. Something is causing that failure to rebound, and the unprecedented environmental changes occurring in the ecosystem can't be overlooked as the culprit behind this unexplained phenomenon of failure to rebound.

NOAA cited a 2009 study published in Marine Ecology Progress Series that analyzed survey data in the region from 1987 to 2007. It found that about half of 36 fish stocks evaluated have been shifting northward for the past four decades, with some disappearing from U.S. waters as they move farther offshore.

In Narragansett Bay, in my home State of Rhode Island, average water temperatures have increased by 4 degrees. This amounts to an ecosystem shift. In fact, the bay, once dominated by bottom-dwelling fish, such as winter flounder, is now more populated by open-water species, such as squid and butterfish.

Let's look at winter flounder a little bit more closely. In the 1960s, the biomass of winter flounder in Narragansett Bay was as high as 4,500 metric tons. By 2011, it was down to just about 900. This is the total estimated biomass on the blue line. The red line is the landmass. That is what the fishermen were able to catch and bring in. As my colleagues can see, it went from 1,000 metric tons up to 2,000 metric tons and then, over time, it sagged and returned to 2,000 metric tons, and now it is left to virtually zero. This was a very productive fishery for Rhode Island fishermen and it is now virtually gone.

Past overfishing had a role to play, but so too has the dramatic tempera-

ture change and the stock's ability to recover is made all the more difficult by ongoing temperature change as well as acidification.

The changes facing our oceans do not stop at higher temperatures and greater acidity. I wish they did. But as average global temperatures rise, water expands. Water expands as it gets warmer, and new fresh water pours out of the snowpack and ice sheets of Antarctica and Greenland. Long-term data from tide gauges in our traditional sailing port of Newport, RI, show an increase in average sea level of nearly 10 inches since 1930. At these tide gauges, measurements show that the rate of sea-level rise has increased in the past two decades compared to the rate over the last century. The increase is not just happening, it is speeding up. This is consistent with reports that since 1990, sea level has been rising faster than the rate predicted by scientific models used to generate the IPCC estimates.

Global predictions for sea-level rise range from 20 to 39 inches by the year 2100, with recent studies showing that the numbers could be even higher than that due to greater than expected melting of glaciers and ice sheets.

Our Rhode Island Coastal Resources Management Council has used these predictions to estimate that by 2100, the sea level in Rhode Island could rise approximately 2 to 5 feet. For our coastal ocean State, that is a dramatic threat.

Sea-level rise and the increase in storm surges that will accompany it threaten at-risk coastal areas, whose roads, powerplants, wastewater treatment plants, and public facilities may need to be reinforced or relocated.

The natural environment there—estuaries, marshes, and barrier islands—has a role. They act as natural filtration systems and they act as buffers against storms, and they are being inundated by rising seas. In Rhode Island, local erosion rates doubled from 1990 on to 2006. Some of the freshwater wetlands near our coast are already transforming themselves into salt marsh as a result of this inundation.

Our Coastal Resources Management Council has documented places such as a beach in South Kingstown, where 160 feet of shoreline has been lost to erosion since 1951 at a rate of 3 feet per year.

In the small but vibrant coastal community of Matunuck, beaches have eroded 20 feet over the past 12 years. The town faces difficult decisions as the only road connecting the community and its restaurants and businesses is protected by less than a dozen feet of sand. The road provides access for emergency vehicles and it lies on top of the water main. These are not easy concerns for communities with limited resources and lives and livelihoods at risk.

Geo-engineering solutions have been theorized to keep the temperature of the planet in check as a result of global climate change by blocking in various ways the heat of the Sun. These notions may seem somewhat farfetched, but even given that, they will not stop the chemical process of acidification of our oceans. Only curbing global carbon dioxide emissions can do that.

Sadly, our government in Washington these days responds more to dollars than to truth, and the dirty energy dollars are on the march this campaign season. Over the weekend, the New York Times analyzed 138 energy-related campaign ads aired on television. It estimated that over \$153 million has been spent this year to promote coal, argue for more oil and gas drilling, and to attack clean energy. With nearly 7 weeks to go before this Presidential election, 2012 ads promoting fossil fuels are nearly 150 percent higher than 4 years ago, and that is with 7 weeks to go, the peak buying season.

Other disturbing details emerged from the New York Times article. Governor Romney, his PAC, and the RNC have received at least \$13 million in campaign contributions from fossil fuel industry executives or related groups. Governor Romney has accepted \$3 million in contributions from Oxbow, a coal company controlled by William Koch, a brother of David Koch.

Nature could not be giving us clearer warnings. Whatever higher power gave us our advanced human capacity for perception, calculation, analysis, deduction, and foresight has laid out before us more than enough information to make the right decisions. These God-given human capacities provide us everything we need to act responsibly if only we will.

But the polluting special interests appear to rule here. The party of Theodore Roosevelt, the great conservationist; the party of President Nixon, who founded the EPA; the party of John Chafee of Rhode Island, who was instrumental in the passage of the Clean Water Act and the Clean Air Act; and the party of Russell Train who, as I mentioned earlier, died this week at the age of 92 after a distinguished career in environmental protection in the Republican Party—that party has now become the servant and handmaiden—perhaps “paid consort” would be a better way to say it given the money involved—of polluting special interests.

All of this money can alter how Congress behaves, and all of this money can influence the laws we pass, but the laws of nature are not subject to repeal no matter how much special interest money flows into campaign coffers. The laws of chemistry don't care about the filibuster. The laws of physics don't care how Senators vote. Nature will work its will and one day there will be an accounting.

Madam President, I yield the floor, and I note the absence of a quorum.

The PRESIDING OFFICER (Mrs. McCASKILL). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LAUTENBERG. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE 47 PERCENT

Mr. LAUTENBERG. Madam President, this week the leader of the Republican Party—their candidate for President—was seen in a video speaking at a fundraising meeting with wealthy campaign donors in Florida. In the privacy of the event, Mitt Romney spilled to the donors there what he really thinks about nearly half of the American people. That is almost 150 million people. He disparagingly said 47 percent of Americans support President Obama simply because they do not owe Federal income taxes or they are getting benefits from a government program.

Just to make sure there is no misquote here, this is Mitt Romney's statement. He said:

There are 47 percent who are with him—

“Him” being President Obama

who are dependent on government, who believe that they are victims. . . . my job—

Mitt Romney says—

is not to worry about those people. I'll never convince them that they should take personal responsibility and care for their lives.

This is coming from the leader of the Republican Party, a man who is running to represent every American—all 310 million—from the Nation's highest office. These comments are disturbing coming from anybody, but coming from him they are a disgrace. In plain English, he says that if you do not pay Federal income tax or you receive a government benefit, then you do not take responsibility personally for your life.

So who are these 47 percent for whom Mitt Romney and his Republican friends feel such contempt? They are parents who work hard every day to give their families a better future. They are seniors who helped build this country and now depend on Social Security to keep food on the table. They are veterans who risked their lives in Iraq or Afghanistan. As it says on this chart, “Who Mitt Romney Says Doesn't ‘Take Personal Responsibility And Care For Their Lives.’” Working families with children, senior citizens, veterans. Mitt Romney seems to think they are a bunch of lazies just taking money from the wealthy. So today I want to take a closer look at some of these Americans who Mitt Romney says do not take personal responsibility and care for their lives.

Let's first look at working families. He says:

I'll never convince them that they should take personal responsibility and care for their lives.

What kind of contemptuous statement is that? We are talking about nearly 150 million people.

Millions of parents across the country work long hours, struggling to put food on the table and clothes on their children's back. A family of four making as much as \$46,000 a year often will not owe any Federal income taxes. So these families would be part of the 47 percent of Americans whom Mitt Romney accuses of being lazy and irresponsible. These families deserve our support, not our scorn. They did not ask anybody for a handout, and they certainly do not deserve Romney's condemnation.

Let's now look at another group of Americans who by Mitt Romney's definition are victims who do not take responsibility for their lives: senior citizens.

More than half of those who do not pay Federal income or payroll taxes are senior citizens on fixed incomes. He says, “I will never convince them that they should take personal responsibility and care for their lives.” People showing some age, they ought to take personal responsibility for their lives. Romney seems to think that because these seniors depend on Social Security they are not willing to take personal responsibility for their lives. Mitt Romney has no business lecturing these people, these Americans about personal responsibility.

These seniors worked, paid taxes their whole lives, fought to defend our Nation's freedom, and built the greatest middle class the world has ever known. It is Mitt Romney who needs a lesson from them about personal responsibility.

Let's look at another group of Americans that Romney has dismissed, troops and veterans. When we send our troops into harm's way, their combat pay is not taxed. When veterans come back injured, physically and emotionally, we don't ask them to pay taxes on their disability benefits. Should they pay taxes on these benefits in order to be honorable in Mitt Romney's eyes?

I believe they have already given their country more than their share. If you look at this picture, it tells you so much. In that hug a returning veteran gets, glad to see his family, they are glad to see him standing straight, able to communicate. Romney says, “I can never convince them that they should take personal responsibility and care for their lives.” Imagine that, for him to make statements such as that to include veterans. We give our veterans government benefits that they earn through their service. They get education benefits tax free under a new GI bill. Many receive health care from the

VA and some get housing assistance. Never convince them that they should take personal responsibility and care for their lives?

What would Mitt Romney say to veterans who do not owe Federal income taxes or receive a government benefit? We have seen the tape. He says: They are victims who could never be convinced to take personal responsibility for their lives. Mitt Romney must have known many who served in Vietnam during his period of maturity. Did he think of them who served in Vietnam as not doing their share, not taking personal responsibility?

I am a veteran. I take offense at that. These men and women risked everything fighting for our freedoms and our rights, and we ought to do everything we can to support them. These heroes know a great deal more than Mitt Romney about personal responsibility and sacrifice. Mitt Romney was simply saying what many in today's Republican Party truly believe. He has pulled back the curtain on their agenda. He has revealed the stark choice facing the American people. America deserves better than a Presidential candidate who dismisses the contribution that half—47 percent, to be more precise—of our fellow Americans make—they get derision and disrespect. That is hardly appropriate for a Presidential candidate to be saying.

He, after all, seeks the job that puts him in charge of the whole 310 million people in America. And yet he has the audacity to say these people are not worthy of honor, worthy of thanks, worthy of their contribution to this country? All this time it was thought that Mitt Romney just did not get it. But it turns out worse than that. He just does not care. He knows what he is saying, and he says it deliberately. He just does not care.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

THE FARM BILL

Mr. BENNET. Madam President, I wanted to come to the floor today to speak on a different subject, which is to demonstrate my support for the Sportsmen's package compiled by Senator TESTER from Montana. I know the bill was discussed on the floor last night and the request to pass this package of bipartisan bills was objected to, which is horribly unfortunate. I hope we are going to have the opportunity to vote on the measure before we leave town.

Sportsmen and women are an essential part of the fabric of our country, the fabric of my home State of Colorado. This community supports millions of jobs and contributes billions of dollars annually to our economy, and they are often the drivers of our most important conservation initiatives across our rich landscape.

While serving on the Senate Agriculture Committee, I have enjoyed working with sportsmen to craft a revamped conservation title in the farm bill. Some people forget that the farm bill conservation title is the largest single legislative vehicle for the programs and resources that help us conserve private land all across this country, all across the western United States. It enhances vital wildlife habitat across the country. Sportsmen have always played a vital role in crafting that bipartisan title. That was exactly the way they participated this time as well.

While it is not the reason I am here today—I want to talk about Senator TESTER's bill—I do want to take the chance to say once again that in my view the House of Representatives ought to pass the 5-year farm bill. We passed a bipartisan bill out of this Senate with well over 70 votes, Democrats and Republicans. On the committee we worked together for over 2 years to create the only bipartisan deficit reduction that has happened in this Congress in either the House or the Senate. We got rid of direct payments for producers, which was an important reform. We strengthened the conservation title, as I was saying earlier. There is absolutely no reason the House should not pass this bill.

Over the break, I traveled 2,500 miles around the State of Colorado, rural communities all over my State, and no one wanted to know what was going on in the Presidential election. No one wanted to talk about anything except why can't the farm bill get passed? There has never been a time in modern history that a committee in the House, in this case the House Agriculture Committee, passed out a bill in a bipartisan way and it cannot even get to the floor for a vote. That has never happened before. Something is wrong over there.

I can tell you that my farmers and ranchers in Colorado who are going through the worst drought in a generation want people to knock the politics off and pass this bill. Bipartisan, it is real deficit reduction, and it is a good bill. We are doing an incredible disservice, as I said to our farmers and ranchers, and also our sportsmen by failing to act on this bipartisan legislation.

There was a time in my life when I had the chance to live in Montana for a brief time, Senator TESTER's home State, and I thought of myself as a sportsman then. I used to fish a lot, chopped a lot of wood out there. These days I spend a lot more time on airplanes and chasing my three daughters to soccer games, but some day I will get back there. That brings me to the importance of the package, this package for our Nation's sportswomen and men. The provisions in Senator TESTER's bill represent some of the

best bipartisan ideas out there to promote hunting, fishing, and recreational access, bills from both sides of the aisle that have been hanging around here for a long time and now need to get passed. The measure would require that 1.5 percent of annual Land and Water Conservation Funds go to provide public access to lands for hunting and for fishing. I am a huge supporter of the Land and Water Conservation Fund. This provision builds on the fine legacy of that program.

The bill also contains a provision that is homegrown from our sportsmen in Colorado. Section 103 provides certainty and parity for America's bow hunters, that they can cross National Park Service land with their bows to legally hunt nearby lands outside the park boundaries. This access is provided to hunters with firearms but not to hunters with bows.

I started working on this issue over 2 years ago when a Colorado bow hunter encountered a problem. After 14 years of trying, this particular hunter had finally drawn a license to hunt elk in the premium game unit in northwest Colorado. He scouted the unit, found the area he wanted to hunt and he was all set to go until Federal officials told him he could not cross a narrow strip, a very narrow strip, of Park Service land to hunt the BLM land next to it. This is despite the fact that hunters with loaded firearms can cross Park Service land legally and without applying for a permit.

The problem with this particular hunter is what brought this issue to my office. But the broader point of the provision is to provide access for our sportsmen and women. We know that we lose thousands of acres of land every day to development, some of it important wildlife habitat. We need to provide all Americans reasonable access to the land that we have set aside for preservation and wildlife habitat, bow hunters included.

That is why I was pleased to increase funding for the Voluntary Public Access Program when we marked up the farm bill. That is why I am proud to have worked with Senator TESTER to include this provision in his package that I hope we will be voting on soon.

The bow hunting provision was carefully tailored to ensure that hunting of wildlife within Park Service boundaries remains illegal. Yet the measure still provides reasonable access, which is so important to the sportsmen in Colorado and across the country.

I have received a letter of support for the Bennet-Tester bow hunting from Colorado stakeholder groups across the spectrum, including the Colorado Wildlife Federation, the Rocky Mountain Bighorn Sheep Society, Pheasants Forever, and the Bull Moose Sportsmen's Alliance, and the list goes on. I ask unanimous consent to have this letter printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DECEMBER 7, 2011.

Hon. MICHAEL BENNET,
Senator of Colorado, Russell Senate Office Building, Washington, DC.

DEAR SENATOR BENNET: The Credit Card Accountability Responsibility and Disclosure Act of 2009, PL 111-24, permitted concealed carry in the National Parks System and National Wildlife Refuge System (NWRS). NPS regulations to implement the concealed carry provisions of PL 111-24 became effective on February 10, 2010 and included all firearms legal in the jurisdiction in which the park was located. Park Service regulations continue to exclude bow and arrows in the National Parks. In some locations this effectively limits bowhunter access to hunt other adjacent BLM, USFS or private lands that are otherwise open to hunting and can now be legally accessed through NPS or NWRS lands by firearms hunters.

36 CFR 2.4 d 4 allows the possibly of permitting for such access through NPS lands where it is otherwise impossible or impractical to make other access except through NPS lands. In 2009 one such request for permitting for Dinosaur National Monument was denied by the Park Superintendent, effectively denying practical bowhunter access to some BLM and state school lands. Firearms hunters may now access these lands across NPS lands without any requirement for permitting.

Similar access issues occur in several of Colorado's game management units bounding on Dinosaur National Monument. These situations likely occur at many National Parks and National Monuments both in Colorado and other states. Attempts to rectify this situation through an administrative rule making process in the Department of the Interior have been denied.

The undersigned sportsmen, representing several major sportsmen's groups and retailers in Colorado request that, barring any change in the DOI stance, legislative action be taken to give bowhunters with archery equipment equal rights in crossing NPS and NWRS as that enjoyed by those carrying firearms.

Sincerely,

Tim Mauck & Gaspar Perricone, Co-founders, Bull Moose Sportsmen's Alliance; Ivan James, Vice-Chairman for Legislation, Colorado Bowhunters Association; Robert Ong, President, Rocky Mountain Bighorn Sheep Society; John Smeltzer, President, Colorado Wildlife Federation; Dean Derby, President, Colorado Traditional Archery Society; Bob Hewson, Executive Director, Colorado Youth Outdoors; Robert Hix, Colorado Regional Director, Pheasants Forever, Inc.; Joel Webster, Director—Center for Western Lands, Theodore Roosevelt Conservation Partnership; John & Kathy Tidwell, Owners, Bear Creek Archery Inc; Michael Lewellen, President, Colorado National Wild Turkey Federation; John Gale & David Lien, Co-Chairs, Colorado Back Country Hunters and Anglers.

Mr. BENNET. The overall sportsmen's package from Senator TESTER is also widely supported, ranging from the Theodore Roosevelt Conservation Partnership to the Boone and Crockett Club to the National Rifle Association. The Tester bill represent a

bipartisan package of commonsense bills that will benefit our Nation's sports men and women. I want to thank Senator TESTER for his leadership on behalf of the West and urge a "yes" vote.

I will simply close by saying it is my fervent hope that once this election is over, some 45 days from now, we will come back to this Chamber, Republicans and Democrats together, and work to avoid surfing over this fiscal cliff that will be so damaging to this economy.

People at home know something that people here have not yet figured out, which is even if you believe you are always right on your side or had a monopoly of wisdom on your side—which I do not, but some people seem to—even if you believed it, we cannot accomplish this meaningful deficit reduction without doing it in a bipartisan way. It is impossible to do it without doing it in a bipartisan way.

People at home actually want to see it bipartisan, frankly, because they do not believe in either party's go-it-alone strategy when it comes to the debt and deficit. So my hope is this election will clear the air, we will get back to work, and that before January we will have something convincing to say to the American public on this subject.

The PRESIDING OFFICER. The Senator from Colorado.

EMERGENCY WATERSHED PROTECTION PROGRAM

Mr. BENNET. Madam President, I see no colleagues have come to the floor, so I want to speak on one additional topic. I will be brief, because I understand we likely won't have an opportunity to address this issue before we leave town.

My colleague Senator MARK UDALL and I have been working to provide resources for the USDA's Emergency Watershed Protection Program, also known as EWP. The reason we have been doing this is that EWP resources help communities recover from wildfires, specifically watersheds that, after being burned, are unstable and risk harm to critical drinking water infrastructure and sometimes jeopardize human lives.

As many in this Chamber know, we had a number of devastating wildfires in Colorado this summer. In the communities of Fort Collins and Colorado Springs in particular, they are having trouble protecting their vital drinking water infrastructure as their watersheds recover. Despite a letter Senator UDALL and I authored to the appropriators, the House version of the continuing resolution did not contain this critical funding. That means the Senate won't be able to vote to help these communities recover. And while we are disappointed, we are going to continue to fight for these resources.

With that, Madam President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BENNET. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

FARM BILL

Mr. BENNET. Madam President, I see we have been joined by the Chair of the Agriculture Committee, Senator STABENOW. She has just arrived, but I wanted to report to her that before she arrived I was talking about the need to pass a farm bill and the fact that, over the break, I had traveled 2,500 miles around the State of Colorado—in rural parts of our State on the west slope and on the eastern plains—and nobody wanted to talk about anything except why we can't get a farm bill passed. It makes no sense to them. They know it was completely bipartisan here in the Senate, and they know it is the only bipartisan piece of legislation with deficit reduction any committee of either Chamber has been able to accomplish.

In the case of Colorado farmers and ranchers, we are going through the worst drought we have had in a generation, and they want to know why Washington, DC, has a completely different set of priorities than they have.

There is still time for the House to pass this bill. This is the first time in modern history a House Ag Committee has passed out a bill—in this case a bipartisan bill, though not as good, I don't think, as ours, but a step forward—that hasn't come to the floor for a vote. They cannot even get a vote.

So while the Senator is here, I wanted to thank her, and I would also say to the ranking member of the committee if he were here, for their extraordinary bipartisan effort over the last 2 years that resulted in a very fine bill. I also think their work sets a model for the way we should be approaching our work in this Chamber.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Madam President, first, I did come to the floor to talk about the urgency of the farm bill, but I also want to thank my friend and colleague from Colorado, who chairs our conservation subcommittee, for the tremendous piece of work on the conservation title in the farm bill. I thank him for all of that effort and also say to him I understand what is happening in Colorado. As he and I know, we passed disaster assistance—a permanent livestock disaster assistance program—in our farm bill, along with help

for food growers in Michigan and other places.

We are totally committed in the short run to helping those who have the riskiest business in the world, which is farming and ranching in this country, but we also know what they want is the economic certainty of a 5-year farm bill. So I thank my friend for all of his efforts and in coming to the floor.

I want to say, for the record, there are 10 days until September 30—10 days until the farm bill expires and 16 million people in this country who rely on agriculture for their jobs or their livelihood are put in limbo. That is the reality of where we are.

We worked so hard, on a bipartisan basis in the Senate, to pass a farm bill, and we did that as quickly as we could so the House would have time to act and we could actually get things done in the summer before we got involved in what would be happening in the fall, with all of the critically important end-of-the-year issues that have to be addressed. So we passed a bill in June, as we all know, on a bipartisan basis. It took a lot of work.

I continually thank everyone who was willing to hang in there with us to get this done—my ranking member, Senator ROBERTS, and our two leaders for giving us the time to do this. We worked hard and we got it done and we sent it to the House. Then the House committee went to work and they passed out a bipartisan bill. Never before, that I can remember—and I have been around here a while; this is my fourth farm bill—have we seen a situation where a bipartisan bill came out of committee and yet the House wouldn't take it up. They wouldn't take it up in July, the beginning of August, and wouldn't agree to allow us to negotiate differences over the August break to come up with a way to get this done by the end of this month.

So here we are. The House is leaving today. The Senate is leaving either today or tomorrow or the next day, and there are 10 days left on the clock to provide economic certainty for 16 million men and women whose livelihoods come from agriculture. Many of these men and women watched as their crops withered under the hot summer Sun this year, as days and weeks went by without a drop of rain in the worst drought in 50 years. Yet House Republicans are planning to leave without finishing their work on our farm bill. That is absolutely stunning to me.

The work we did in the Senate passed on a strong bipartisan vote. As I said before, the committee in the House put forward their bill on a strong bipartisan vote. If nothing happens, in 10 days we begin to see a transition over the next few months to what is called permanent law, which goes back to the 1940s.

We had over 90 different groups that came in last week. We had hundreds of

farmers from around the country—farmers who got off their tractors, took their time at their own expense to fly in and say: Hey, wait a minute, When there is a job to do, you have to get it done. When the crops are ready to harvest, you don't wait a month. You have to do what you have to do when it needs to be done.

That is exactly where we are right now. They just need to do it. I am confident the chairman and the ranking member, working in a bipartisan way, could do this in 1 day. I really believe they could do this in 1 day. It is not as if there is a lot of other substantive work going on in the House. So 1 day. If they decided today: Okay, we are going to get this done before we leave, they would create a situation so our farmers, who are planning for next year, who have to go in and sit down with their banker, will know how to plan and what tools they have available. These are people who have been hit hard, have been devastated by disasters.

In every single one of the counties in Michigan, 83 out of 83 counties, there has been a disaster declaration. They are looking at us and saying: Thank you for what the Senate did, but why won't the House act? And, frankly, I don't know why the House won't act. But they should, because they are leaving an awful lot of people hanging.

We know the consequences of not acting are that we begin to unravel a set of policies that need to be in place for production agriculture, for conservation, for local food systems, for energy, and for nutrition. We know also if we step up and do what we worked so hard to do in the Senate we will get the added plus of \$23 billion in deficit reduction. The only thing that has passed the Senate that has bipartisan deficit reduction is our farm bill.

We know we need to make reforms. That is why we eliminated four different subsidies, moved to a risk-based, market-based system, based on crop insurance providing tools for farmers to make sure they can make their own planning decisions, not plant for government programs, but make their own planning decisions and then have tools to support them and to manage the risks that come. We certainly know now, because we have seen this year, what kind of devastating risks may come for our farmers and ranchers across the country.

I have gone through so many times what is in our farm bill that I will not do that now, except to say we have more reform—in fact, the Wall Street Journal said there is more reform in this farm bill than any in decades. We are proud of that. We have more in deficit reduction than in anything else we have passed. We have policies for the future. We have listened to farmers who said crop insurance is the most important thing for them in being able

to manage their risk. We have focused on local food systems, providing schools with the ability to purchase locally and support their local farmers. There are energy opportunities for the future and bio-based manufacturing, where we truly can make things and grow things and grow the economy and grow the middle class of this country. There is rural development, where millions of Americans live—for small towns, such as Clare, where I grew up—with the ability to fund infrastructure—water, sewer, Internet—and have a business loan financed, and all those things that go into rural development. We provide for telemedicine to create a quality of life and health for seniors and families.

All those things are involved in what we call the farm bill. All of those things were passed in the Senate. We did what I believe the American public wants us to do, and I certainly know people in Michigan want us to do—to make tough decisions, to evaluate what works and what doesn't work and to cut out the duplication. We eliminated over 100 different programs and authorizations and we streamlined. That is what folks want us to do, and we did it. Now it is time for the House to do their job.

The reality is, even though there are 10 days until the end of the month, the Speaker said they are going home with no action. So the real number is zero. We are out of time for farmers and ranchers and their families, and, frankly, for all of us. If we are fortunate enough to have lunch or breakfast today, we ought to care about the farm bill and the people who provide us with the safest, most affordable, and abundant food in the world. That is what we do in this bill. We are proud of it. And the House of Representatives should be ashamed of themselves for leaving town without supporting rural America.

Madam President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. LEVIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MAKING CONTINUING APPROPRIATIONS FOR FISCAL YEAR 2013—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, all postcloture time has expired. The question occurs on agreeing to the motion to proceed to H.J. Res. 117.

Mr. LEVIN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. KYL. The following Senators are necessarily absent: the Senator from Oklahoma (Mr. INHOFE) and the Senator from Illinois (Mr. KIRK).

The PRESIDING OFFICER (Mr. CARDIN). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 67, nays 31, as follows:

[Rollcall Vote No. 195 Leg.]

YEAS—67

Akaka	Hagan	Murkowski
Alexander	Harkin	Murray
Baucus	Heller	Nelson (NE)
Begich	Hoeven	Nelson (FL)
Bennet	Hutchison	Portman
Bingaman	Inouye	Pryor
Blumenthal	Johanns	Reed
Blunt	Johnson (SD)	Reid
Boxer	Kerry	Rockefeller
Brown (MA)	Klobuchar	Sanders
Brown (OH)	Kohl	Schumer
Cantwell	Kyl	Shaheen
Cardin	Landrieu	Stabenow
Carper	Lautenberg	Tester
Casey	Leahy	Udall (CO)
Coats	Levin	Udall (NM)
Cochran	Lieberman	Warner
Conrad	Lugar	Webb
Coons	McCaskill	Whitehouse
Durbin	McConnell	Wicker
Feinstein	Menendez	Wyden
Franken	Merkley	
Gillibrand	Mikulski	

NAYS—31

Ayotte	Enzi	Risch
Barrasso	Graham	Roberts
Boozman	Grassley	Rubio
Burr	Hatch	Sessions
Chambliss	Isakson	Shelby
Coburn	Johnson (WI)	Snowe
Collins	Lee	Thune
Corker	Manchin	Toomey
Cornyn	McCain	Vitter
Crapo	Moran	
DeMint	Paul	

NOT VOTING—2

Inhofe	Kirk
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The motion was agreed to.

The PRESIDING OFFICER (Mr. CARDIN). The majority leader.

Mr. REID. Mr. President, for the last several days I have been telling everyone that we needed to do a couple of things before we leave. We have to do the CR, and we have to do the sportsmen's package.

Mr. President, just a second on the sportsmen's package. If we flip through the dictionary and find the word "bipartisan," part of that definition would be TESTER's sportsmen's package because it is a Republican and Democratic bill. It involves hunters, fishermen, and other sportsmen, including offroad vehicles. It is a very good piece of legislation for a group of people who are totally unrecognized most of the time. We are going to do those two things before we leave.

In order to bring us to that result, I will fill the tree and file cloture on the CR. Unless we get consent, the cloture vote on the CR will occur sometime after midnight on Saturday, at 1 a.m. or thereabouts. Once we invoke cloture on the CR, the 30 hours postcloture will run until 7:30 a.m. on Sunday, give or

take an hour. We would vote at that time to pass the CR. Immediately thereafter we will vote to invoke cloture on the motion to proceed to the sportsmen's package.

So here is where that leaves us: We file cloture on the CR and the motion to proceed to the sportsmen's package. That sets up two votes for very early Sunday morning in addition to tomorrow night, Saturday morning at 1 a.m. or thereabouts. We can do those votes now and finish everything today or we can wait. The choice is clear. We end up in the same place Sunday morning or we can get there today.

I have had some Senators come to me and say, well, we are not going to vote on the sportsmen's package. Well, yes, they are. We have that set up. There is a clear path. The problem with the rest of the stuff is not our problem; it is the Republicans' problem.

I worked something out in good faith with RAND PAUL. He in good faith worked something out with me. I am not here to be a cheerleader for RAND PAUL; I am here to tell everyone what happened. Now, if the Republicans don't want to vote on that, I think it would be too bad because RAND PAUL, after all of this time—whether anyone agrees with what he wants to do or not—he and I in good faith worked something out.

We had a number of Senators come here, including the senior Senator from Arizona to name one, who said we need more time on that. I have no problem with that. Yesterday when he said he wanted more time, I said just take the hour because Senator PAUL has been here talking about this for weeks and weeks. We have heard a lot from him, and he said: I have talked a lot on this—and I am paraphrasing—and 15 minutes would be enough for me. I thought I was being generous by setting up an hour rather than 15 minutes. If the senior Senator from Arizona wants more time, I don't care. I really don't care.

Also, I had some conversations with LINDSEY GRAHAM. He and Senator LIEBERMAN have been pushing very hard on a containment resolution that deals with Iran. It is another bipartisan piece of legislation. Eighty Senators are cosponsors of it. The other 20, I bet, like it also. If not, the majority of the 20 do. It is something we overwhelmingly need to do. I think it would be good in that we are trying to work things out in Iraq, which is not stable at this time—at least not the way we want it to be. It would be nice if America had an ambassador to go to Iraq. That has been held up.

With all the problems we see with Pakistan, I think it would be a good idea if we had an American ambassador to Pakistan. That has been held up for a long time.

Again, to his credit, Senator PAUL said have a vote on the containment

resolution and have a vote on the two ambassadors. He is not standing in the way of that.

Momentarily, I am going to file cloture and procedurally block any other amendments on the continuing resolution. We will vote on that whenever the Republicans want, but no later than Saturday morning at a time we will decide. When I say "we decide," it is a statutory clock, and that is when it runs out. Following that, we will have a vote on final passage of the CR and a motion to proceed to TESTER's sportsmen's package. That is what we have to complete. For people to try to get out their stuff is just unfair.

I have seen newspaper accounts of Republican Senators who love the TESTER legislation. I didn't ask them; I read it in the paper. They think it is good because it is good. It is bipartisan. It does something we have been trying to do for a long time; that is, a lot of these little bills have been held up—hundreds of them. TESTER and the people who support this legislation have joined together 20 of these little bills into this one piece of legislation. It really is the right thing to do. I hope we can get this done.

Remember the choice—I repeat for the third time—is very clear. We can quickly complete everything tonight or we can come back here Saturday morning in the middle of the night sometime and early Sunday morning. We will be at the same place. Those votes are going to take place. It is up to the Republicans and what they want to do with Senator PAUL and the unanimous consent request they objected to yesterday.

MAKING CONTINUING APPROPRIATIONS FOR FISCAL YEAR 2013

Mr. REID. Mr. President, I have an amendment at the desk as it relates to H.J. Res. 117.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant bill clerk read as follows:

A resolution (H.J. Res. 117) making continuing appropriations for fiscal year 2013, and for other purposes.

AMENDMENT NO. 2844

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 2844.

The amendment is as follows:

At the end, add the following new section: SEC. ____.

This joint resolution shall become effective 5 days after enactment.

Mr. REID. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 2845 TO AMENDMENT NO. 2844

Mr. REID. Mr. President, I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 2845 to amendment No. 2844.

The amendment is as follows:

In the amendment, strike "5 days" and insert "4 days".

CLOTURE MOTION

Mr. REID. Mr. President, I have a cloture motion which I ask the clerk to report with the permission of the Chair.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close the debate on H.J. Res. 117, a joint resolution making continuing appropriations for fiscal year 2013, and for other purposes.

Harry Reid, Daniel K. Inouye, Patty Murray, Bernard Sanders, Jeanne Shaheen, Richard J. Durbin, Sheldon Whitehouse, Debbie Stabenow, Max Baucus, Mark L. Pryor, Christopher A. Coons, Jon Tester, Michael F. Bennet, Kay R. Hagan, Robert P. Casey, Jr., Richard Blumenthal, Ron Wyden, Barbara Boxer.

MOTION TO COMMIT WITH AMENDMENT NO. 2846

Mr. REID. Mr. President, I have a motion to commit the joint resolution with instructions, which is at the desk.

The PRESIDING OFFICER. The clerk will report the motion.

The bill clerk read as follows:

The Senator from Nevada [Mr. REID] moves to commit the joint resolution, H.J. Res. 117, to the Committee on Appropriations with instructions to report back forthwith with the instructions, amendment numbered 2846.

The amendment is as follows:

At the end, add the following new section: SEC. ____.

This joint resolution shall become effective 3 days after enactment.

Mr. REID. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 2847

Mr. REID. Mr. President, I have an amendment to the instructions.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 2847 to the Instructions on the Motion to Commit.

The amendment is as follows:

In the amendment, strike "3 days" and insert "2 days".

Mr. REID. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 2848 TO AMENDMENT NO. 2847

Mr. REID. Mr. President, I now have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 2848 to amendment No. 2847.

The amendment is as follows:

In the amendment, strike "2 days" and insert "1 day".

SPORTSMEN'S ACT OF 2012— MOTION TO PROCEED

Mr. REID. Mr. President, I move to proceed to Calendar No. 504, S. 3525.

The PRESIDING OFFICER. The clerk will report the bill by title.

The bill clerk read as follows:

The Senator from Nevada [Mr. REID] moves to proceed to the consideration of Calendar No. 504, S. 3525, a bill to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes.

CLOTURE MOTION

Mr. REID. I have a cloture motion at the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to calendar No. 504, S. 3525, a bill to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes.

Harry Reid, Jon Tester, Joe Manchin III, Jeanne Shaheen, Sheldon Whitehouse, Debbie Stabenow, Ron Wyden, Max Baucus, Daniel K. Inouye, Kent Conrad, Mark Pryor, Christopher A. Coons, Michael F. Bennet, Kay R. Hagan, Robert P. Casey, Jr., Richard Blumenthal, Ben Nelson.

Mr. REID. I ask unanimous consent that the mandatory quorum required under rule XXII be waived with respect to both cloture motions.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, the President pro tempore of the Senate is on the floor and seeks recognition.

The PRESIDING OFFICER. The President pro tempore.

H.J. RES. 117

Mr. INOUE. Mr. President, today, as we near the end of the current fiscal year, the Senate is considering H.J. Res. 117, a continuing resolution to en-

sure that the Federal Government will remain functioning through March of next year in the absence of regular appropriations. Last Thursday, the House passed this measure by a vote of 329 to 91.

This bill provides total discretionary spending of \$1.047 trillion. This is the funding level the Senate Appropriations Committee recommended on an overwhelming bipartisan vote of 27 to 2 and the level agreed to last year in the Budget Control Act, but this bill is \$19 billion more than what was approved by the House in the Paul Ryan budget. I am encouraged the House has finally repudiated its own budget. I am only sorry it has taken them this long to come to their senses. One of the primary reasons Congress now faces this CR is that the House broke this agreement on spending.

I want my colleagues to know I support this measure even though it is far from perfect. In fact, I would say it is not a good bill, but passing it is much better than allowing the government to shut down over a lack of funding.

Continuing resolutions are not new. As some of my colleagues are aware, I have served in this Senate for 49 years and 9 months. During my tenure, this Congress has completed its work and enacted all of its spending bills without needing a continuing resolution on only three occasions. In 49 years, three times. This is not a record we should be proud of, but it demonstrates how difficult it is to agree on funding for each of the thousands of Federal programs that the Appropriations Committee reviews annually. However, never before in history has the Congress passed a stopgap resolution in September to fund the entire government for half the coming fiscal year. It is unfortunate that it has come to this.

Seven months ago, as we began this legislative session, the mood was quite different. There was broad support for acting on appropriations bills. Several Members on both sides of the aisle came to the floor to speak about restoring regular order and passing all 12 appropriations bills. Both the Republican and Democratic leaders spoke in favor of considering all of these bills. The Appropriations Committee was urged to conduct a budget review as quickly as possible and report bills to the Senate for consideration, and our subcommittees embraced this challenge. We shortened our hearing schedule, conducted thousands of meetings with executive branch officials and the public, and began to mark up bills shortly after receiving our allocation from the Budget Committee.

In most years the Senate Appropriations Committee begins its markups in June. This year the committee reported its first two bills in April and had nine bills ready for floor consideration by the end of June.

By July the committee had reported out 11 bills, 9 of which were rec-

ommended with strong bipartisan votes, and by that I mean 30 to 0 or 29 to 1. Despite the work of the committee, none of those bills have been considered by the Senate. The decision by the House to break faith with the Senate and the administration on funding levels and the inclusion of outrageous legislative policy riders in their bills drained the enthusiasm for acting on those measures. But the real culprit thwarting the efforts of the committee was a handful of my colleagues who insisted on delaying the business of the Senate.

We have heard our distinguished majority leader cite the statistics. In 382 instances in the past 6 years he has been forced to file cloture to break filibusters. It is becoming very clear filibusters are crippling the Senate. This year, this Senate has been in session for 105 days. By my count, on 31 of those days the Senate has done nothing but consider motions to proceed, as we are doing with this motion, or to invoke cloture. That means nearly 30 percent of the Senate's time this year has been completely wasted.

Moreover, the Senate has only voted on amendments and legislation on 21 of those days that we were in session. On 21 out of 105 days, we actually legislated and worked. The rest of the time was spent on a backlog of nominations or breaking filibusters.

I have never experienced anything like this in my many years in the Senate. It is true that for some time the use of filibusters has been increasing, but this year it has truly exploded. I do not oppose filibusters. I believe the filibuster is one of the most critical tools Senators have to protect the rights of our constituents. This is especially true for small States, such as Hawaii, which are at a disadvantage in the House of Representatives compared to States with very large delegations. In fact, the first speech I delivered in the Senate was in defense of the filibuster. I supported the filibuster. Times were different then.

For example, I waited until April of that year before speaking on the Senate floor, and I spoke on the filibuster. When I delivered my maiden speech, legendary Senators such as Everett Dirksen, Richard Russell, Mike Mansfield, and John Stennis were all in attendance. Truly, times have changed, but the most striking difference between then and now is that a filibuster was used very rarely in those early days and only for matters of extreme importance to Members and their States.

I did not agree with those who used the filibuster in the 1960s to try to stop civil rights legislation. I disagreed with those who used the filibuster against health care reform in 2010. But in both cases I defended the right to do so.

This year the Senate has been held up, delayed, and rendered ineffective

for at least 30 percent of its time by the abuse of the filibuster. These filibusters were not to highlight important policy differences, nor were they to protect a Senator's constituents. Instead, in virtually every case it was simply to thwart the ability of the Senate to function.

So today is a sad day. The Senate is forced to take up a 6-month continuing resolution instead of acting upon regular appropriations bills. The bipartisan zeal for regular order last spring has been crushed by dilatory tactics of a few Members who have wasted the Senate's time. At some point, this body needs to alter either its behavior or its rules.

In addition to discretionary funding, this resolution also provides \$99 billion for overseas contingencies as requested and necessary for the coming year. Further, it continues funding at current levels to pay for disasters under FEMA and to fight fraud, waste, and abuse in the Social Security Program. Each of these is consistent with the authorities included in the Budget Control Act.

In addition, the bill before the Senate provides only the bare minimum that is necessary to maintain the functions of our Federal Government. The administration sought approximately 78 proposals to ensure that critical programs and authorities could be continued for the next 6 months. This bill includes only about half of them because the House was unwilling to allow more.

Provisions deemed essential by the Secretary of Defense to preserve authorities for ongoing programs in support of our efforts in Afghanistan and in Iraq are not in this measure. Special provisions to allow the Department of Defense to award contracts for critical programs were denied. Additional funding to activate new Federal prisons that currently sit empty was not included.

This bill denies necessary authorities for dozens of programs. In some cases, the administration will find cumbersome work-arounds. For others it will have to slow down work on ongoing programs, and this increases costs and brings about inefficiency. Many programs will simply have to cease activity and await additional action on appropriations bills.

We urged the House to include many of the provisions requested by the administration, but they refused. The bill would have been far better had more of these requirements been met. Yet I would point out that the House has not played favorites. No department was granted the authorities it required. The Defense Department has not been singled out for special help by House Republicans. If anything, it has been treated more harshly than many other agencies.

So I support this bill because opposing it is not a responsible alternative.

No one should be interested in delaying or defeating this bill. We simply cannot afford to shut down government operations.

I urge my colleagues to join me in voting for this bill which will preserve our government. It is lean and it is stripped down, but it contains the funding and minimal authorities essential to ensure that the services provided for all Americans can be continued over the coming months.

I yield the floor.

The PRESIDING OFFICER (Mrs. SHAHEEN). The Senator from Mississippi.

Mr. COCHRAN. Madam President, this continuing resolution results from an agreement reached between the President and the congressional leadership for a 6-month, clean CR that adheres to the fiscal year 2013 spending levels set out in the Budget Control Act.

The continuing resolution does not make reductions in programs for which the President requested less money in fiscal year 2013, nor does it make cuts that have been proposed by the Congress. Neither does the resolution increase funding for programs Congress or the administration deemed to be high priorities, with a few exceptions. The continuing resolution does not contain any new oversight provisions to guide agencies, nor does it include any new riders to limit the activities of the executive branch. In short, it puts the portion of government that we call discretionary on automatic pilot. Enactment of this resolution will, for the time being, avoid a disruptive government-shutdown fight.

The resolution represents a lost opportunity. We have lost the opportunity to provide agencies with at least some certainty about funding for this fiscal year. We have lost the opportunity to make informed judgments about which programs are effective and deserving of additional resources and which programs should be reformed or terminated. Contracts will not be let in a timely and efficient manner, and acquisition and construction costs will rise with delay. The morale of the Federal workforce will suffer. Perhaps most importantly, we have lost a chance to supplant the looming sequester.

Elections have consequences, as they most certainly should, but elections should not have the consequence of rendering Congress unwilling or incapable of performing its most fundamental duties in the times leading up to those elections. In my view, the thoughtful and dutiful appropriation of funds for our national defense and other government operations is such a fundamental duty.

I deeply regret that the majority leader chose not to call up a single appropriations bill. Chairman INOUE has shown impressive leadership of our

committee in reporting 11 of the 12 bills out of our committee. Most were reported on a broad bipartisan basis. The chairmen and ranking members of the subcommittees have put a lot of time and thought into the bills. The staffs have worked very hard producing this legislation. The other body has also produced a bill. It has passed seven of the appropriations bills in the other body and I suspect would have passed the others had there been any sign of movement in the Senate.

We can only speculate as to why none of the bills have been considered here in the Senate. Other issues were deemed more pressing or expedient for one reason or another. Perhaps votes on amendments to spending bills were deemed to be politically perilous, whatever the reasons.

At a time when addressing our Nation's fiscal situation is so central to our duty as Senators, it seems more imperative than ever that Members of this body have an opportunity to offer amendments to shape the spending bills. Our problems are sufficiently large that it will require all of our good ideas to make the day-to-day operations of government as efficient and effective as possible. This might mean we have to take votes on difficult amendments. But would that really be so traumatic?

As a result of our inaction, we are compelled to pass this continuing resolution to fund the government. I would have preferred a shorter term CR in order to motivate action on the appropriations bills, but 6 months is what has been agreed to.

Proponents of this 6-month CR argue that the prospect of a government shutdown should be taken off the table so that we can focus on the complex issues facing us in the coming months. But do those issues look any more simple now that we are about to pass this CR?

All manner of taxes are scheduled to go up on January 1. Medicare reimbursement rates will be cut dramatically. The debt ceiling looms. And due to the inability of the supercommittee to propose a debt reduction package, we are facing a budget sequester that very few people seem to think is a good idea.

Perhaps passage of this CR will help us address these pressing matters. I hope that it will. But I am not so sure it changes things that much.

Regardless of who wins what in the upcoming election, we have a great deal of unfinished business to resolve in the coming months.

None of my colleagues likely relish the prospect of voting in March—up or down—on either a trillion-dollar omnibus bill or a trillion-dollar full-year CR. Yet that is where we are headed if we continue to do nothing.

Appropriations bills are not simply opportunities to spend more money.

They provide regular opportunities for effective oversight of Federal agencies. And when we take the time to bring them to the Senate floor, they provide regular opportunities for the elected representatives of all the people to shape, as well as fund the operations of the Federal Government. I hope the Senate will not continue to deny the people that opportunity.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. INOUE. Madam President, I believe the record should show how much we appreciate the work of the distinguished Senator from Mississippi, the vice chairman of the committee, THAD COCHRAN. We have demonstrated to our colleagues that bipartisanship works in this Senate. All they have to do is watch us operate.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wisconsin.

REMEMBERING JENNIFER GREEN

Mr. KOHL. Madam President, I rise today with great sadness to inform the Senate that Jennifer Green, a valued member of my staff and a cherished member of the Senate family, passed away last weekend after a brief illness. It is a comfort to all who knew Jennifer that she spent her last hours in a room filled with the family she cherished so deeply, but no room on Earth would have been large enough to hold all those who mourn her, who have been touched and made better by Jennifer's beautiful smile, big heart, and easy friendship. She is sorely missed in my office, throughout the Senate, and even across the country.

Jennifer worked in my office for the past 14 years, but she served the Senate for nearly a quarter-century, starting with the Sergeant at Arms when she was just 20 years old. Jennifer was often the first face visitors to my office would see. She did more than just arrange Capitol tours or point them to the nearest DC attraction; she worked out a botched hotel reservation, found a glass of water to soothe an overheated toddler, listened to worries about a failing farm, a sick grandparent, or a threatened job.

Many of my constituents arrive in the office a little overwhelmed by Washington, perhaps a little angry at Congress, but after meeting Jennifer, they left knowing they had a friend here. Jennifer put a human, caring face on the Senate—a service to this institution that affected the way hundreds, and probably thousands, of Wisconsinites viewed their government.

Of course, no one, not visitor or staff, could leave the office without an update on Jennifer's family, especially her beloved mother Beatrice Spicer, her father Floyd Spicer, her brothers and sisters, and her son Lorenzo Green. She was so proud of this fine young man, as we all are. Through Jennifer, we got to watch a mischievous little

boy grow to a talented and strong man serving our country as a member of the U.S. Coast Guard. She made sure everyone got a good look at the handsome—and big—framed picture she kept in her cubicle of Lorenzo in uniform.

Jennifer made us all feel as if we were part of her wonderful family. She was always the first to ask to see the picture of a new baby, quick to drive a colleague to the doctor or listen to a staffer who lost a parent, ready to swap a recipe or dissect the Redskins' latest performance. And that was not just my experience and that of my staff—Jennifer knew just about everyone who works on the Hill. We have had a steady stream of visitors stopping by the office to share memories and express their condolences. Thank you all for the comfort that has brought our staff.

Jennifer's funeral will be held in her hometown of Princeton, WV, this Saturday. I urge anyone who wants to attend or to leave a message for the family through the funeral home to contact my office for details. We will also be organizing a memorial service for Jennifer here in the Senate in the coming weeks, and we will make sure all offices get plenty of notice so that her many friends can be there.

Everywhere you look in the Capitol, there are plaques, pictures, and statues commemorating the men and women who built this great institution, but these, like all things physical, often-times fade or are forgotten. Jennifer touched the heart of the Senate, the people who work here, and the people who visit. Hers is a legacy and a contribution that time cannot erase.

For everyone in my office and for the entire Senate, I offer my deepest condolences to Jennifer's dear family. I hope you can find comfort in knowing of all the good she did and the joy she brought in her time here. We will all miss her profoundly and hold her in our hearts forever.

Madam President, I ask unanimous consent to have printed in the RECORD a copy of Jennifer's obituary.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

JENNIFER DENISE SPICER GREEN

Jennifer Denise Spicer Green, 46 of Lusby, MD, departed this life Saturday, September 15, 2012, at Georgetown University Hospital in Washington, DC. She was born February 23, 1966 in Princeton to the union of James F. Spicer and Beatrice Spicer and was the youngest of five children. Jennifer first accepted the Lord at Mt. Calvary Missionary Baptist Church in Princeton and after moving to Maryland she became a member of the Maple Springs Baptist Church in Suitland, MD. She was a graduate of Princeton High School and was a former employee at the Dairy Queen in Princeton. Her first government position was doorkeeper of the Senate Chamber, and she then worked as an elevator operator in the United States Capitol in

Washington, DC. Jennifer continued her service as mail carrier under the Senate Sergeant at Arms Office for the Senate Post Office. She then became a data entry operator to U.S. Senator Paul Simon of Illinois and later accepted a position as front office receptionist with the Special Committee of Aging. During the changing of legislature, Jennifer moved to Charlotte, NC, where she worked with the American Heart Association and Gerrard Tire and Automotive. Upon moving back to Maryland, Jennifer accepted the position as receptionist with the Senate Finance Committee and then spent the last sixteen years with the office of Senator Herb Kohl of Wisconsin in the positions of Mailroom Manager, Photographer, and Intern Supervisor. During this time she also worked part time for Senator Evan Bayh of Indiana, Senator Kay Bailey Hutchinson of Texas, Senator Byron Dorgan of North Dakota, and Senator Bob Casey of Pennsylvania. She was preceded in death by her maternal and paternal grandparents. Survivors include her loving son, Lorenzo J. Green of the U.S. Coast Guard stationed in Alaska; parents, Beatrice E. Burton Spicer of Princeton and James "Floyd" Spicer of Atlanta, GA; step children, LaQuosha Jackson, Willard Green, Jr., Byron Green, Latonya Green, and Trea Green; three godchildren, Brittany Coleman, Mykisha Avery, and Amanda Spicer; two brothers, Joey A. Spicer and James "Toby" Spicer both of Princeton; two sisters, Cindy E. Townes of New Carlton, MD and Donna M. Spicer of Mooresville, NC; special cousin that was like a brother to Jennifer, John "Dexter" Coles of Capitol Heights, MD; faithful friend, Derrick Williams; and a host of aunts, uncles, nephews, nieces, cousins and additional friends. Funeral services will be conducted at 11:00 AM, Saturday, September 22, 2012 at the George W. Seaver Chapel of Seaver Funeral Home in Princeton with Bishop Romey Coles, Rev. Charles Stores, Rev. Jesse Woods and Rev. Terrance Porter officiating. Burial will follow at Restlawn Memorial Gardens, Littleburg Road in Bluefield. Family and friends may call at the funeral home from 6:00 PM until 8:00 PM, Friday, September 21, 2012 and 10:00 AM until the service hour on Saturday. On line condolences may be sent by visiting www.seaverfuneralservice.com. Seaver Funeral Home in Princeton is serving the Green family.

Mr. KOHL. I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

TRIBUTE TO RYAN MCCOY

Mr. LEE. Madam President, I rise today to recognize and honor my friend Ryan McCoy, a departing member of my staff. Ryan McCoy is, in fact, much more than just a member of my staff; he has been the energy behind many of my legislative goals, and he is also a close friend. While no tribute of words could ever match the debt of gratitude he truly deserves, I would like to pay tribute in the official records of Congress to someone who fought to make a difference both for the State of Utah and for our country.

C.S. Lewis said:

Friendship is born at that moment when one person says to another: "What! You too? I thought I was the only one."

My friendship with Ryan McCoy, my former legislative director, was born in that very way described by C.S. Lewis.

We met back in 2009 when I was speaking to a group of Utahans about a topic near and dear to my heart: article I, section 8 of the Constitution. I spoke of my passion for the Constitution and for the principles of limited government embodied therein, and my message apparently struck something of a chord with Ryan, who had recently taken a greater interest in finding ways to restore those same principles. We spent several hours after the speech talking about what the Constitution meant to both of us. I had not always thought about running for office, but when Ryan suddenly prepared a PowerPoint presentation for me about the problems we face as a country and about the ways in which he and I, working together, could make a difference, I started thinking much more seriously about it.

When Ryan and I discussed later his leadership role in my office, his wife Kara jokingly told him that he had no idea what he was doing. But the truth is that we needed to know only one thing, just one thing: that we could make a difference. In the end, I believe that was our greatest asset. Ryan and I shared a vision for change in Washington. We knew it would not come easily, but it had to come from people who wanted to make a difference. It had to come from people who had lived in difficult economic circumstances and felt the need for change as it tugged at their own pocketbooks and at their own individual freedoms being eroded by an ever-expanding government.

At a meeting a few months after we met, Ryan spoke of the common goals we shared. He said that our movement would be based on a clear, unequivocal message that it was time to change course for our country. Ryan and I shared this vision, and Ryan knew others would catch on to it. In the nearly 2 years he served as my legislative director, he worked hard, he worked tirelessly, he worked constantly to keep us focused on these legislative goals and to keep us true to our principles.

It is safe to say that I would not be here today without the hard work and dedication of Ryan McCoy. Once here, I would never have been able to do many of the things I have done without Ryan McCoy's expert assistance. Ryan will be remembered in my office as a respected leader and as a man who truly loves his country.

Too often in the hustle and bustle of Washington, we tend to take our staff members for granted. It is when they leave that we truly see the impact they have had and the wide breadth of influence they had while they were here.

As much as we will miss Ryan, we will also miss his wife Kara and her shared enthusiasm every bit as much. I thank Kara. She and Ryan have become an important part of my life, an important part of my family, an important part of my office family.

In addition to thanking Kara, I also want to thank Ryan and Kara's children, Connor, Tate, Gage, and McCall, for loaning their dad to me for these few years. Kara once told me that during a particularly busy time in the Senate, one of their children—I do not remember which one—actually came to her and asked her where their dad had gone and whether or when he might be returning. I appreciate their sacrifice, and I hope they will grow up knowing their father is a true hero of mine—and always will be—one who works tirelessly for his country and for their future. I wish them the best back in Utah, and on behalf of myself, Sharon, and my entire staff, I extend my love and sincere appreciation to each of them.

Thank you, Madam President.

The PRESIDING OFFICER. The Senator from Minnesota.

TAX AND ECONOMIC POLICY

Mr. FRANKEN. Madam President, two enormous challenges will await us when we return from recess. Our economy is still not yet fully recovered from a devastating recession, and the prospects for our middle class and for those aspiring to be in the middle class or to get back into the middle class remain uncertain. Meanwhile, our budget remains sorely out of balance, and our long-term debt crisis is putting our Nation's fiscal future at risk. These two challenges are, of course, linked. We cannot hope to solve our long-term debt problem unless we get our economy growing again, and we cannot hope to rebuild our prosperity unless we resolve our budget problems.

So we will have big decisions to make when we come back, but in the meantime the American people will be wrestling with the same issues: What should we do to grow our economy and reduce our debt? What are the right investments to make?

How should we pay for them? What sacrifices must be made in the name of fiscal responsibility? Who is going to make them? That is the debate our Nation will have over the next 6 weeks. Those are the questions we must be prepared to answer when we return. So before I go home to Minnesota to share my thoughts with my constituents, I wanted to take a few moments to share them with my colleagues.

My view of what we should do in response to these challenges is based upon what we have done in response to similar challenges in the past. We are not the first Congress or the first generation to struggle with these issues. At the end of 2011, our national debt had reached 100 percent of our gross domestic product. That is frightening. But after World War II, our debt was 121 percent of GDP.

To be fair, we had something to show for it. We had won World War II and the world was a very different place in 1945 than it is today. But the point is

that we were tested. How did we respond? Well, we invested in the things we believed would grow the economy. We invested in education, things such as the GI bill, which helped my mother-in-law, widowed at age 29, go to college.

We invested in Pell grants which helped my wife Franni and her three sisters go to college. We invested in infrastructure. We built 40,000 miles of highways in the 1950s. We invested in innovation and we won the space race which, in turn, led to the creation of whole new industries such as personal computers and telecommunications.

Those investments paid off and our economy experienced three decades of incredible growth, growth that flowed to the top, to the middle, and to the bottom. Between 1947 and 1977, wages for the top fifth, the top fifth of workers, grew by 99 percent, and wages for those in the bottom fifth rose by 116 percent. I know that is hard to believe. The wages of the bottom fifth grew more than those of the top fifth. But that happened.

Even though we remained a Nation in which many kids like my wife Franni grew up in poverty, we had enough to invest in a strong safety net that helped those kids like Franni and her sisters and her brother work their way into the middle class. We bounced back from World War II to build an economy with a middle class that was strong, secure, and accessible to almost everyone.

Thanks in large part to the growth generated by that thriving middle class, we were able to lower our national debt to about 31 percent by 1981; so 121 percent at the end of World War II, to 1981, about 31 percent. Since then our economy has had some good times and some bad times. We have raised taxes and we have lowered taxes. We have had surpluses and we have had deficits.

As this chart shows, our debt relative to GDP has gone up and down. We have seen the results of a variety of approaches to the issues we face today. In the 1980 election, Ronald Reagan was elected on a platform that appealed to concerns that the government taxed too much and spent too much. His approach was later called "starving the beast." Here is how he explained it. This is a quote. This is President Reagan.

There are always those who told us that taxes could not be cut until spending was reduced. Well, you know, we can lecture our children about extravagance until we run out of voice and breath or we can cure their extravagance by simply reducing their allowance.

Cutting taxes, cutting revenue to the government. When Reagan took office, he fulfilled his campaign promise and signed into law a huge tax cut, and on cue we began to amass enormous deficits almost immediately. In fact, President Reagan's Budget Director at the

time, David Stockman, has explained that 1981 was when the era of large permanent deficits began.

The deficits were so bad in his first year, in 1981, that President Reagan had to increase taxes in 1982, and again in 1983. In fact, he ended up raising taxes 11 times; not because Ronald Reagan was a Socialist—at least I really do not think so—but, rather, because he could not ignore the arithmetic.

Still that first tax cut was so big that over the course of his Presidency, our national debt nearly tripled. It did not grow rapidly during the administration of George H. W. Bush. Then he handed it off to President Clinton. And what he handed off was at that point the largest deficit in the history of our country.

In President Clinton's 1993 deficit reduction package, he added two new tax rates, marginal tax rates, at the top end: 36 percent for income above \$180,000, 39.6 percent for incomes above \$250,000. The Republicans objected rather vehemently, arguing that asking the top 2 percent pay a little more would send the economy into a recession, which, of course, would be detrimental to the goal of reducing the deficit.

The bill passed without a single Republican vote in either House. But the Republicans' dire predictions turned out to be wrong, extremely wrong. Between 1993 and 2001, this country experienced an unprecedented expansion of our economy. We created 22.7 million net new jobs. We decreased the number of Americans in poverty to record lows. We increased the median household income and we created more millionaires than we ever had before.

Not only did President Clinton's deficit reduction plan reduce the deficit, it eliminated the deficit. President Clinton was able to hand off to President George W. Bush a record surplus. In fact, in January of 2001, we were on track to completely pay off our national debt by the year 2011. However, as we know, President Bush chose a different course. Whether you agree with the two wars we entered into during his administration, the new entitlement program that we created, or the two tax cuts we passed, the fact of the matter is we did not pay for any of those things. They all went on our national credit card.

While the two tax cuts tilted toward those at the top—they did help some at the top do extremely well during the Bush administration—it is hard to say the things we put on that credit card created the kind of durable broad-based prosperity we saw in the 1990s or that we built in the 30 years after World War II, for that matter. It would be hard to say, because when President Obama took office from President Bush, the economy was hemorrhaging jobs at the rate of over 800,000 a month.

And when the bill came for the Bush policies, we were staring at a projected \$1.1 trillion deficit for 2009. That was the projected deficit that President Bush left for President Obama.

So far I have talked about President Reagan and his approach of cutting revenue in order to force the government to cut spending. We saw what happened. We could not or did not cut enough spending to keep our budget in balance. We had huge deficits even when Reagan tried to backtrack and raise more revenue. I have talked about President Clinton and his approach of raising taxes on the top 2 percent in order to bring the budget into balance. We saw what happened. The economy grew and we generated a record surplus. I have talked about President Bush and his approach of cutting taxes and incurring large expenses without worrying about the ramifications on the deficit. We saw what happened. Deficits ballooned and when the economy crashed, it crashed hard.

So what about President Obama? What has his approach been? Well, if you ask some people, including unfortunately many in this Chamber, they tell you that President Obama's approach was to go on a massive spending spree. Well, it is not true. Over his 4 budget years, Federal spending is on track to rise from \$3.52 trillion to \$3.58 trillion, an annual increase of 0.84 percent.

You can hash these figures out, but here is a chart that comes from Market Watch, a publication of Dow Jones which also owns the Wall Street Journal, that shows Obama's increase in spending from 2010 to 2013. These are Reagan's. These are numbers from the nonpartisan Congressional Budget Office, from the Office of Management and Budget. You can see the growth of Federal spending. This is lower than it was under any of the Presidents I talked about.

Indeed, the article that ran with this chart concludes that the growth of Federal spending under President Obama is the lowest it has been since the Eisenhower administration during the wind-down from the Korean war. But remember that besides a \$1.1 trillion deficit, President Obama inherited an economy that in the month he took office lost over 800,000 jobs. That was January. The next month, February, 2009, he lost about 700,000 jobs. But that is also the month in which we passed the Recovery Act. By the way, when the Recovery Act was passed in February of 2009, the unemployment rate was already above 8 percent.

The Recovery Act, also known as the stimulus, is what people usually point to when pressed to explain why they think President Obama has increased spending. But the truth is that more than one-third of the Recovery Act was tax cuts. The stimulus cut taxes for 95

percent of American families. Another one-third was fiscal aid to the States, which were feeling the same budget crunch as the Federal Government but, in most cases, didn't have the option of running a deficit in tough years. Without the Recovery Act, imagine how many more teachers and firefighters and police officers would have had to have been laid off, and imagine what that would have meant to our economy, never mind what it would have meant to our communities. But the one-third that gets the most attention was the one-third that went toward creating jobs.

Did it work? There are a few ways to answer that question, but the answer is the same every time: Yes. First, we can look at our chart and see that once the Recovery Act began to be implemented we started losing less jobs and then we started creating jobs. We have had 30 straight months of private job creation—of growth.

Secondly, we can ask economists. The most reputable economists, including—

Mr. REID. Would my friend yield?

Mr. FRANKEN. Certainly.

Mr. REID. Madam President, we are going to have no more votes today—no more votes today. It is obvious to me what is going on. I have been to a few of these rodeos. It is obvious a big stall is taking place, so one of the Senators who doesn't want to be in the debate tonight will not be in the debate. He can't use the Senate as an excuse.

There will be no more votes today.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. FRANKEN. I thank the Chair. That is too bad.

I was going over what happened, reviewing what happened once the stimulus package had been passed in February, when unemployment was over 8 percent. And we can see as it started taking effect we lost less and less jobs and have since had 30 straight months of private sector job growth. I said we could ask economists. Most reputable economists, including those of the nonpartisan Congressional Budget Office, agree the Recovery Act created or saved anywhere from 2.5 million to 3.5 million jobs.

In the words of Mark Zandi, the economic adviser to Senator JOHN MCCAIN in his 2008 Presidential campaign, the Federal policy response to the financial crisis, including the stimulus, "probably averted what could have been called the Great Depression 2.0."

But we don't have to take the word of Mark Zandi. We don't have to take the word of all the other reputable economists. We don't even have to take the word of the Congressional Budget Office, although the CBO sort of exists for those of us in Congress. We can ask Jamie, Cecil, and Sheila.

This is Jamie, working on the Duluth Lift Bridge a couple years back. This is

a picture of Cecil, who is working on a highway extension project. Let's give Cecil his due. He is working on a highway extension project in Brooklyn Park in the suburban Twin Cities. Then we have Sheila. This is Sheila in front of her Bobcat working the night shift on an I-94 improvement project.

These are people who were put back to work by the stimulus. Despite claims by some that the only jobs created by the stimulus went to government bureaucrats, we will notice Jamie, Cecil, and Sheila are not, in fact, government bureaucrats. Thankfully, we do not let government bureaucrats operate heavy machinery.

What can we say about the approach of President Obama so far?

He slowed the growth of Federal spending to its lowest level since Eisenhower. He has cut taxes—not just in the stimulus package but many times during his first term—to the tune of more than \$850 billion. When the economy was at its low point, he made investments and put people back to work in the short-term and prevented things from getting even worse.

There was another road we could have taken. That approach would have involved not just cutting spending but gutting the government, and it definitely wouldn't have involved making investments to put people back to work.

We will never know whether that approach—known as austerity—would have gotten us results such as the ones reflected on the previous chart, but we do know what happened in countries where they tried this alternate approach. This is a chart of European countries that went the austerity route. This is GDP from 2008 to 2012. This would be where President Obama became President and this is Europe and we all were seeing a global meltdown. These are countries that did austerity in Europe, and this is the United States. The evidence tells us our way worked. President Obama's way worked and theirs did not.

Of course, while we are better off than we were 4 years ago and better off than we would be if we had tried austerity instead of the approach taken by President Obama, which, if we look at the growth in spending, was pretty close to austerity, we are obviously still not where we want to be, either in terms of our economy or in terms of our deficit.

What is the right way going forward? First, let us talk about deficit reduction. It is clear to me that any solution that does not include both increased revenue and decreased spending simply isn't going to work. The hole is too big for us to tax our way out or to cut our way out. We have to do both. The hole is, in fact, so big we can't even get out of it just by taxing and cutting. We have to grow our way out too.

That is why I think we need to invest in education, and infrastructure, and

innovation. That means early childhood education, which has a return of investment in every study—quality early childhood education—of \$16 for every \$1 spent, and in workforce training, in roads and bridges and rural broadband, in clean energy and health care technology.

I don't think only government can create jobs. I know that. But I know that only government can make those critical investments that will help the private sector create jobs, and I know it works when we do. It worked after World War II, it worked under President Clinton, and it worked in the Recovery Act. Those investments, however, cost money, and we will not be able to afford them unless we reduce our deficits.

I think people who talk about cutting spending should say what spending they want to cut. I want to cut spending, so let me tell you what spending I want to cut.

I want to cut the billions in subsidies we give to oil companies that simply don't need them. I want to let Medicare negotiate for pharmaceuticals under Part D, just as the VA does, because prohibiting Medicare from doing so amounts to a subsidy for pharmaceutical companies, one that, again, they do not need. I want to make cuts in our military budget, because as the comprehensive defense review found—begun under Secretary Gates and completed under Secretary Panetta—we can make hundreds of billions of dollars in cuts to the defense budget without compromising our fundamental security and military interests.

Of course, we can't only cut the things we think are easy calls to cut. We are going to have to cut some things we don't want to cut. Speaking personally, I have already had to vote for some of those hard cuts, and it was not fun. But there simply aren't enough cuts to make. It is clear to me, if we are going to protect our most vulnerable Americans—our children, the sick, the disabled, our seniors—and make the investments that will grow our middle class and our economy, we are going to have to raise revenue.

Just like President Reagan—but unlike some of today's Republicans—I know we don't raise revenue by cutting taxes. That is why I support restoring the Bush tax cuts for the first \$250,000 of income but after that allowing the top marginal rate to go back to where it was under President Clinton. I know that, as they did in 1993, people will argue that doing so will hurt the economy. But I am equally confident that, as they were in 1993, they will be wrong.

I know we all come to the debate about our Nation's challenges with different philosophies and different convictions and I respect that many of my colleagues feel they would be betraying their own political core by asking the

wealthy to pay a little more or investing taxpayer dollars in job creation. I didn't feel great about all the cuts I had to vote for over the last couple years either. But I don't think we are going to get anywhere if we are so invested in following our own ideologies that we refuse to acknowledge the lessons of where we have been or the truth about where we are and where we are headed.

We are not going to get anywhere if we can't agree that, yes, the government does have a role to play in helping the private sector create jobs; and, no, we will not cut the deficit by cutting taxes; and, yes, we are going to have to both raise revenue and reduce spending if we want to get a balanced budget; and, no, asking the wealthy to pay a little more will not drive us back into a recession.

We have debated these issues a lot this year and we haven't resolved the argument. Now we are going home, and it is the American people's time. It is the American people who get to have their say. I hope that over the next 6 weeks we lead them in a debate worthy of the challenges we face—a debate rooted in the facts and mindful of our history.

I hope when we come back we are ready to have that kind of worthy debate ourselves and then make the tough calls, as our constituents will in November.

I wish my colleagues well over the recess, and I look forward to getting back to our important work when we return.

I yield the floor.

The PRESIDING OFFICER. The Republican leader.

UNANIMOUS CONSENT REQUEST S. 3576

Mr. McCONNELL. Madam President, I see my friend, the majority leader, on the floor.

I am surprised they announced no more votes a little while ago. We are prepared to finish business today. In fact, I intend to offer shortly the unanimous consent agreement that the majority leader himself was shopping last night. Our side of the aisle is prepared to finish up the business for this particular preelection session.

I ask unanimous consent that at 5 p.m. today, the Senate proceed to the consideration of S. 3576, Senator PAUL's bill regarding foreign aid; that there be up to 2 hours of debate, equally divided between Senators PAUL and KERRY or their designees; that upon the use or yielding back of that time, the Senate proceed to vote on passage of the bill; that the vote on passage be subject to a 60-vote affirmative threshold; that if the bill does not achieve 60 affirmative votes, it be considered as having been read twice, placed on the calendar; that following the vote on passage of that legislation, S. 3576, the Senate proceed to consideration of Calendar No. 418, S.J. Res. 41; that there

be up to 60 minutes of debate, equally divided between Senators GRAHAM and Senator PAUL or their designees; that upon the use or yielding back of that time, the Senate proceed to vote on passage of the joint resolution; that if the joint resolution is not passed, it be returned to the calendar; that following the vote on the joint resolution, the Senate resume consideration of H.J. Res. 117, the continuing resolution; that the motion to proceed be agreed to, there be up to 30 minutes of debate, equally divided between the two leaders or their designees, with Senator COBURN controlling 15 minutes of the Republican time, prior to a vote on passage of the joint resolution; that the vote on passage be subject to a 60-vote affirmative threshold; that following the vote, the majority leader be recognized; and, finally, that no amendments, motions or points of order be in order during the consideration of these measures.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Madam President, reserving the right to object, we have had the stall for several days now. I wanted to make sure that one of the Senators who wanted to go to a debate would be able to do that tonight. So he can go now, because as I announced half an hour ago there is plenty of time to do the debate.

As I have indicated before, we are anxious to finish the business we have to do this work period. I am happy to vote on the Paul amendment. I have said that. I am the one who arranged it so it is possible to vote on it. I have no regret as to having done that. I am happy to vote on the continuing resolution, something that has 80 or more sponsors.

I am happy to have all these votes. In fact, we can do the debate tonight on the containment resolution and the Paul amendment. But understand this: We are not separating the vote on the CR and a piece of legislation that groups around this country have been trying to get done for years. It has been held up here. As I have said before, everything shouldn't be a fight here.

The Senator from Montana, Mr. TESTER, has assembled a broad package of bipartisan legislation that has wide-ranging support from Republicans. They are noted publicly in publications here saying they support it. They will vote for it. It has the support of sportsmen throughout this country. Getting to vote on this bill should not have to be a big fight. This is the sort of thing we ought to be able to simply vote on, and we are going to do that. But we are not going to separate the two. We are going to have a vote on the CR; immediately thereafter, we will have a vote on the motion to proceed to the sportsmen's bill.

We can get the debate out of the way tonight. We can vote tomorrow. If not,

we are going to vote tomorrow after midnight. That will take care of one vote, and the next will be sometime Sunday morning.

We are not having these votes today, so everyone should understand. We are not going to do that for the reasons I have already indicated. So if we want to do this, we can do it early in the morning—that is fine with me—or we can wait until tomorrow night after midnight and then come in Sunday morning.

So I object.

The PRESIDING OFFICER. Objection is heard.

Mr. MCCONNELL. Madam President, just so everybody in the Senate will understand, both Democrats and Republicans, I just offered the consent the majority leader himself was trying to get last night.

Senate Republicans are prepared to finish the continuing resolution today, prepared to vote on the Rand Paul proposal today, and prepared to vote on the Lindsey Graham proposal today. That was acceptable to the majority leader; it is not acceptable to him today. Obviously, something changed over on that side of the aisle.

So I just want everybody to understand that I and all the members of my conference are prepared to finish the business of the Senate that was before the Senate at the suggestion of the majority leader as recently as last night.

Mr. REID. While we are educating Senators, I would like to add a little to that.

We are willing to vote on all these things, but we will do it tomorrow, not today. We want the debate to go forward. We are in very important Senate races across the country.

So we will vote early in the morning, get all the debate out of the way or we will do it tomorrow night after midnight because we are not going to separate the sportsmen's bill from the rest of the stuff for obvious reasons.

Mr. MCCONNELL. I would only add that is a new development here that the majority leader is saying.

I yield the floor.

Mr. REID. Madam President, there has been no new development. Everyone—Republican staff, Democratic staff, all my caucus—has known for a long time that we are going to have a vote on this sportsmen's package. This is no new development.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The majority leader.

Mr. REID. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF PROCEDURE

Mr. REID. Madam President, we have a very important matter at 4 today. The Secretary of State is coming to ad-

dress all of us as to what is going on in the Middle East and around the world. There will be intelligence officers here and a lot of other people. So I ask unanimous consent that the Senate recess from 4 to 5 today to accommodate this very important Senators-only briefing.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Madam President, it is my understanding we have a couple Senators who would like to speak before that.

Mr. CORNYN. Reserving the right to object.

Mr. REID. I have no problem with the Senator from Texas speaking. I ask unanimous consent that Senator CORNYN be recognized for up to 15 minutes; and when he completes that, the Senate go into recess for 1 hour.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Texas.

Mr. CORNYN. I thank the majority leader for his courtesy.

LABOR FORCE PARTICIPATION RATE

Earlier this month, we received another big job report and along with it a serious disappointment.

The numbers speak for themselves. In August, a remarkable 368,000 Americans left the workforce. They gave up, bringing the labor force participation rate, as it is known, to its lowest level in more than three decades.

Fewer people are looking for work in America than at any time in the last 30 years. That is a national tragedy. The unemployment rate stayed above 8 percent only because they quit counting the people who have given up. But it had been above 8 percent for the 43rd straight month. If, in fact, the same number of people who were looking for work in January of 2009 are still looking for work today, the unemployment rate would be over 11 percent. That was the date President Obama took office, January 20, 2009. So if the same number were looking today as were looking for work then, it would be over 11 percent, to show you how those numbers don't reveal the true pain and the sacrifice of American citizens who are looking for work.

I don't know of anyone who could look at the August job report or the June or July job numbers and feel good about the economy. I also don't know how they could now support a tax increase when the economy is growing at a much slower pace, contrary to their position—including the President's position—in December 2010, when the economy was growing at roughly 3 percent of GDP.

Beyond our borders, the Europeans are mired in a debt crisis, the Chinese economy has slowed down dramatically, and the United States continues to face major economic headwinds. We can't afford any self-inflicted wounds.

All I am suggesting is that we maintain the current Federal tax rates until

we can work together in a bipartisan way and adopt real tax reform. Yet the President occasionally calls that position extreme—ironically, the same position he, himself, held in December of 2010, as I said just a moment ago.

It seems the President does not always understand or appreciate the strong connection between taxes and economic incentives on small businesses and other people we are depending upon to create businesses or to grow existing businesses and create jobs and to put Americans back to work.

We need look no further than the 2010 health care law, the law that went to the U.S. Supreme Court. Two aspects of it were found unconstitutional but not the tax on middle-class Americans.

In addition to that middle-class tax increase, the law contains a new excise tax on medical device manufacturers that will discourage companies from building factories and creating jobs in the United States. That is not just my conclusion.

For example, Cook Medical, which has roughly 4,000 employees around Bloomington, IN, recently announced it is canceling five new manufacturing plants it had scheduled to open over the next half decade. A senior official estimated the new medical device tax will cost his firm between \$20 million and \$30 million extra each year. That is why they are shuttering those additional five plants and killing those potential new jobs.

Another medical device company in another part of the country—New York—Welch Allyn, recently announced it will be slashing 10 percent of its global workforce in response to this new tax.

All of this is, sadly, predictable and it is common sense. Unfortunately, common sense doesn't seem, to most Americans, to prevail or to be all that common in Washington, DC, these days. But if we raise the taxes on these medical devices, it is only logical, it is only reasonable, it is only common sense to expect that these companies will produce fewer jobs and, in the process, less innovation.

The irony of this discussion over taxes is we now have a growing bipartisan consensus in Congress and in Washington, DC, about the need for commonsense tax reform that would broaden the base, lower the rates, and help grow the economy by creating the proper incentives.

That was the recommendation of the President's own bipartisan fiscal commission, the Simpson-Bowles Commission in December 2010—the President's own bipartisan fiscal commission—where Republicans and Democrats agreed this is a good place to start in reforming our broken Tax Code, paying down the debt, and getting our country and our economy growing again. It was also the recommendation of the

Domenici-Rivlin panel, another bipartisan panel. Both recommended a more logical, more equitable, more growth-oriented Tax Code.

Why, we may ask, is tax reform so urgent? Earlier this month the World Economic Forum released its new "Global Competitiveness Report." America is not alone in trying to create jobs and grow our economy. We are competing with other economies and other countries around the world. As recently as 2008, the United States was ranked the most competitive country on the planet.

In the latest index, we fell to seventh. We are heading in the wrong direction when it comes to competing in a global economy for the jobs so that Americans can work and provide for their families and put food on their tables and gain the dignity that goes along with working and providing for your family.

Harvard Business School also surveyed 10,000 of its alumni to find out their views of America's competitiveness. At Harvard Business School, one of the premier business schools in the country, alarmingly 71 percent of those who responded said America would become less competitive during the next few years. In other words, they were not optimistic about the direction of the country when it came to competitiveness and job creation. One of the biggest reasons for their pessimism is the bewildering complexity of our Tax Code. A large majority said the tax complexity is either "much worse" or "somewhat worse" in the United States than it was in other developed countries. That is why Americans now spend hundreds of billions of dollars on tax compliance, because of a broken, unnecessarily complex and impenetrable Tax Code—unless you have the money to hire armies of lawyers and accountants to help you figure it out.

One more point about our Tax Code. Over time, our Tax Code has become larded with special provisions and tax expenditures that represent what has come to be known as crony capitalism. In other words, the Federal Government just doesn't spend money, the Federal Government has a Tax Code that benefits certain industries and sectors of the economy. Some of them we would largely agree on—such as the mortgage interest deduction or the interest you pay on your home mortgage. There is broad support for that, although everyone realizes we need to get all of these on the table. That is what Simpson-Bowles recommended. Let's get \$1 trillion or more of these special tax expenditures on the table and look at the ones that still make sense and the ones we should do away with. As long as the Tax Code is as complicated as ours is, it is a drag on the economy. It promotes a culture of corruption, where people come to Congress and they lobby for special tax

provisions that are not available to the broad population that benefit them. It seeks favoritism and rent-seeking, with companies and industries that try to gain competitive advantages through tax subsidies.

If we want businesses to spend more time in productive activity and less time begging the government for tax breaks, we need to fix the broken Tax Code with a flatter, fairer, more transparent system which encourages working and saving and investing—not lobbying here in Washington, DC, for special breaks. If we want our tax laws to be respected and understood, they need to be clearer, simpler, and more equitable.

Given how much President Obama talks about fairness of the Tax Code, you would think he would be all over this. You might expect he would be an eager champion for tax reform. Instead, the President wants to use the Tax Code as an ATM machine to subsidize particular industries and interest groups while punishing others. We need to get them all on the table, bring them all out into the light of day and address all of these special tax provisions so we can simplify and make more fair our tax system, unleashing the growth potential of the entrepreneurial American economy to create jobs and prosperity that is sadly lacking now in the current environment.

Unfortunately, President Obama, rather than attack this issue of crony capitalism, has promoted it. During the long government-run Chrysler bankruptcy process, the company-secured bondholders received less for their loans—29 cents per dollar—than the United Auto Workers pension funds. They got 40 cents on the dollar. The UAW pension funds, mind you, were unsecured creditors, entitled to less priority than the bondholders, who were entitled to the highest priority, but because of the way this was manipulated, the bondholders got 29 cents on the dollar, the union got 40 cents on the dollar.

During the automobile bailouts President Obama let politics trump the rule of law. What do I mean by that? I believe that rather than let the rule of law apply, he injected politics and favoritism in the process. In his energy policy, which I alluded to a moment ago, he put politics before his fiduciary responsibility to the American taxpayer. We agree that the Federal Government has a role in funding, through the research and development tax credit and other ways, basic scientific research to promote innovation. But the President and Congress should not be using your tax dollars to make risky, politically motivated investments that benefit specific companies or industries at your expense.

Solyndra offers the most conspicuous example. This now bankrupt solar energy firm received a \$535 million loan

guarantee from the Federal Government. According to the Washington Post, the Obama administration “remained steadfast in its support for Solyndra,” even after being “warned that financial disaster might lie ahead.” Then, as Solyndra went bankrupt, the administration violated the law by making taxpayers subordinate to private lenders.

In other words, even though the taxpayers gave a \$535 million loan guarantee to this company that went bankrupt, the ones who ended up taking it in the neck were the taxpayers rather than the private lenders who should have been subordinated to the taxpayers when it comes to getting paid. If President Obama is as concerned as he claims about dicey investments with taxpayer money, he should repudiate these kinds of boondoggles and let the market work to allocate capital. Washington should not be picking economic winners and losers.

Speaking of winners and losers, the Department of Health and Human Services granted a series of 1- and 3-year waivers from the annual limit requirements contained in the President's 2010 health care law. These waivers fostered the impression that certain companies, unions, and institutions would be exempted and given preferential treatment.

The health-care law thus highlighted an inconvenient truth about big government: Any dramatic increase in federal regulations and bureaucratic authority will lead to a dramatic increase in rent-seeking and crony capitalism.

Finally, a word about the 2010 Dodd-Frank law. Democrats argue that Dodd-Frank ended “too big to fail.” In fact, it codified too big to fail, because certain companies will now formally be identified as “systemically important.”

Are we really supposed to believe that “systemically important” companies will be allowed to collapse? The more likely scenario is that these firms will be viewed as too big to fail—both by investors and by federal officials—the way Fannie Mae and Freddie Mac were.

As University of Pennsylvania law professor David Skeel has written:

The companies that are cordoned off as systemically important distort the credit markets, as a result of the Fannie Mae effect. Because these institutions can raise capital more cheaply than financial institutions that do not enjoy implicit government protection, they have a competitive advantage over smaller institutions. This may dampen innovation in the financial system and lead to inefficient allocation of credit to nonfinancial businesses.

In short, regardless of what Democrats may think, Dodd-Frank has actually strengthened the nexus between Washington and Wall Street.

The rise of crony capitalism under President Obama has led many people to question America's commitment to

free markets and the rule of law. Likewise, the President's failure to revive our economy has led to widespread pessimism about America's future. I firmly believe we can turn things around and restore our global reputation, and I firmly reject the notion that our decline is inevitable. There is no reason we can't rejuvenate the Great American Jobs Machine and return to prosperity. But it won't happen until we get much better leadership from the White House.

I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 5 p.m. today.

Thereupon, the Senate, at 4:08 p.m., recessed until 5:08 p.m. and reassembled when called to order by the Presiding Officer (Mr. FRANKEN).

The PRESIDING OFFICER. The Senator from Illinois.

SPORTSMEN'S ACT OF 2012 MOTION TO PROCEED—Continued

JOINT REFERRAL

Mr. DURBIN. Mr. President, I ask unanimous consent that, as if in executive session, the nomination of Keith Kelly, of Montana, to be Assistant Secretary of Labor for Veterans' Employment and Training, sent to the Senate by the President, be referred jointly to the HELP and Veterans' Affairs Committees.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

STATE OF THE ECONOMY

Mr. DURBIN. Mr. President, 4 years ago our economy was in a free fall. AIG had been bailed out, and Lehman Brothers plunged into bankruptcy. The depth of the recession we fell into is difficult to understate.

With the economy contracting at nearly 9 percent in the last few months of 2008 and nearly 700,000 jobs lost every month, it is not an exaggeration to call the crisis we faced the worst since the Great Depression. Demand dried up as our financial system collapsed, families struggled to pay the bills, and millions lost their homes to foreclosure. Our unemployment rate peaked at 10 percent nationally and 11.4 percent in Illinois.

It has been a hard road back to stable economic ground, but things have

turned around. Private sector businesses are hiring again and have been for 30 straight months. Between July 2011 and July 2012, the economy added an average of 153,000 jobs every month—about 1.8 million jobs. Compare that to the average monthly losses of 544,000 between July 2008 and July 2009.

There is a lot of work still to be done. We all would like to see more jobs created, but it is clear our economy is better off and we are better off than we were 4 years ago.

I saw many examples of our economic progress as I have traveled my State. The Nucor steel plant in Bourbonnais, IL, makes rebar and angle iron that is used in construction across the country. What makes Nucor unique is that during the recession when many other companies were shedding employees, Nucor made a commitment to keep all of their full-time employees. It wasn't easy. When demand slowed, the company's idle workers developed new products for customers or they were actually, in many cases, sent out to work in the community on service projects as they waited for their company to get back into business.

During this time the Bourbonnais facility applied for and received the Department of Labor's Voluntary Protection Program star certification, recognizing their extraordinary efforts to improve workplace safety. Nucor made a commitment not just to the bottom line but to its workers and to the communities where they lived. It has paid off. Demand has returned, and the company is now firing on all cylinders, employing roughly 300 workers.

I have visited a lot of different production facilities. There was nothing more jaw-dropping than to stand in that steel mill and watch these three poles go into a caldron of scrap metal, burst and explode into flames, and then watch steel come trickling out of the bottom into these forms to make rebar and angle iron.

Earlier this summer I also met with the CEO of Woodward, an aerospace and energy firm, about its possible expansion of a facility in Loves Park, IL. Woodward was considering two locations for expanding its airline turbine product line. In the end, thank goodness for us, Woodward picked Illinois. The company is investing more than \$200 million in the facility, and it is estimated that it will add 600 new jobs over the next 5 years.

There is more to the story. While growing demand led to the expansion decision, it was the infrastructure and skilled workers that sealed the deal for Loves Park. Loves Park and the Rockford area has been the home of aerospace companies for decades. Yet they made a concerted effort to grow and expand the training opportunities to meet modern workforce needs. Through a public-private partnership, the community has created an atmosphere that

attracts new business investments and new jobs.

Illinois is about the last place—and southern Illinois certainly the last place—one would expect to find a world-leading firm in oilspill cleanups, but if one goes to Fairfield and Carmi, IL, that is what one will find. The Elastec/American Marine Company specializes in equipment to clean up environmental accidents, specifically oilspills. In two former Wal-Mart buildings in those towns, 140 employees have developed new technologies that have expanded our ability to clean up oilspills around the world. Just last year, the company won a \$1 million X PRIZE for recovering more than 2,500 gallons per minute—triple the industry's previous best recovery rate in controlled conditions. This is in southern Illinois. Testing oilspill cleanup in southern Illinois is hard to imagine. Elastec's equipment was used for cleanups during both Exxon Valdez and the more recent gulf spill.

This is American ingenuity at its best, but the business is driven by regulations governing the discharge of oil. Without these “job-killing” regulations, the company, its jobs, and the technology it uses to clean up oilspills probably wouldn't exist.

I also visited Akorn—not the ACORN that has been debated at length on the floor of the Senate. Akorn, spelled with a “k,” is a pharmaceutical company in Decatur, IL, which manufactures products such as drugstore eye drops and liquid injectables used in surgery. Akorn employs 500 people in Illinois at facilities in Decatur, Lake Forest, Skokie, and Gurnee.

Since 2009 the company has been one of Chicago's and Illinois' fastest growing public companies. In 2011, Akorn launched a multimillion-dollar expansion at its two Decatur facilities. They have doubled production and added 100 jobs. They are looking to hire another 20 to 25 people with backgrounds in finance, production, chemistry, microbiology, engineering, and business. These are highly technical, good-paying jobs right in central Illinois.

One of my last stops in August was at the Chrysler plant in Belvidere. What a great story. Only 3 years ago there was a serious concern that this plant was going away. At the time Chrysler was facing bankruptcy and the plant was building a now defunct model, the Dodge Caliber, and different models of the Jeep. Plant production had slowed to a single shift, and employment had dropped to as low as 200 people.

The Federal Government offered a bridge loan and helped to facilitate a merger with Fiat. With government assistance, Chrysler has emerged from bankruptcy and is profitable. In October 2010, Chrysler announced a nearly \$700 million investment at the Belvidere plant to retool for the production of a new Dodge Dart. The plant

reached full production in July of this year, now employing 4,698 workers. If the auto industry had been allowed to collapse, between 1.1 million and 3.3 million jobs would have been lost between 2009 and 2011.

These are stories of businesses in my home State. I asked my staff to find businesses that survived the recession or are expanding and hiring people. I want to hear their stories and listen to the stories of all kinds of different businesses, large and small, expanding today—businesses that weathered the recession and are now successful. Business is picking up. These businesses are hiring people back, in some cases expanding.

Their stories aren't unique. Across America, 30 consecutive months of private sector job growth tells us we are moving in the right direction. In that time 4.6 million private sector jobs have been created. In Illinois alone 140,400 private sector jobs have been added since January 2010. Manufacturing employment has rapidly grown, adding 44,600 or 37 percent of 140,400 jobs.

During the last quarter of 2008, the economy was shrinking at a rate of nearly 9 percent. It was in free fall. During the most recent quarter the economy is growing on the positive side—1.7 percent. In March of 2009 the Dow Jones Industrial Average had fallen to 6,547. Since then it has nearly doubled to almost 13,000 today.

New home sales were up 3.6 percent in July. That is 25 percent over last year. U.S. goods and services exports increased .9 percent from May 2012 to June 2012 and have increased by 5.9 percent from the same time period last year.

The American people see these facts and figures. They also feel the improvement in their communities, with new businesses opening, and on their blocks, with the housing market recovering as well. We are much better off than we were 4 years ago. Now is not the time to go back to policies that brought us into this recession but to move forward, creating even more jobs and expanding more businesses.

UNANIMOUS CONSENT REQUEST—EXECUTIVE CALENDAR

Mr. DURBIN. Mr. President, the United States has led the world in creating the legal framework, building the infrastructure, and designing facilities that ensure inclusion and opportunity for people living with disabilities.

Just recently we celebrated the 22nd anniversary of the ADA—Americans with Disabilities Act—by reporting a treaty out of the Foreign Relations Committee on a strong bipartisan basis. Members of this body now have an opportunity to affirm our Nation's leadership on disability issues by ratifying this treaty. I hope we will do so with strong bipartisan support that has always characterized the Senate's work on disability issues.

Everyone knows the story of when Bob Dole, a disabled veteran from World War II, and TOM HARKIN, his Democratic colleague from Iowa, with a disabled member of his family, came together to create the Americans with Disabilities Act. It was an extraordinary bipartisan effort. It did our Nation proud. It gave to disabled people a chance to be in the mainstream and part of America.

One of the people it helped, in addition to 54 million Americans living with a disability, was a fellow named Bob Greenberg. Bob Greenberg was the legendary sportscaster who rose to prominence at Chicago's WBEZ radio station.

At the apex of his career, Bob offered color commentary for Chicago's major sporting events. He interviewed the very best athletes. He analyzed the players. He rifled off stats and box scores that put the game in context.

For his loyal and large Chicago radio audience, Bob Greenberg described sporting events they couldn't see. Bob's story is unique because he couldn't see the games either. Bob Greenberg was blind, but he never let it stop him from achieving his dreams. There is no doubt that laws such as the ADA helped make Bob's road to achieving his dream a little bit smoother. We lost Bob to cancer last summer, but we will never lose the power of his life and his life's story.

Most of us don't give a second thought to crossing the street, reading the newspaper, or describing things we have seen. But for Bob and millions like him, our Nation's commitment to equal access for those living with disabilities has literally expanded their world.

Now we have an opportunity to once again demonstrate our commitment and advance disability rights around the world by ratifying the Convention on the Rights of Persons with Disabilities. The support for this treaty is broad and bipartisan.

I wish to thank my friend, Senator JOHN MCCAIN of Arizona. He is leading this effort with me to pass this Convention on Disabilities. He is a great ally. Without him we wouldn't have reached this point. I wish to also thank Senators JOHN BARRASSO, TOM HARKIN, TOM UDALL, JERRY MORAN, and CHRIS COONS for their bipartisan support and dedication to ratification.

This treaty is supported by 165 disabilities organizations, including the most prominent, the U.S. International Council on Disabilities, and many others. In addition, 21 veterans groups came and testified. They were the earliest witnesses, and for obvious reasons. Disabled veterans know the limits on life and how important it is to have countries such as the United States and countries around the world opening doors, literally, for them to the future.

The Wounded Warrior Project supports it, as does the American Legion, the Disabled American Veterans, and Veterans of Foreign Wars, and they are all calling on us to ratify this treaty.

President George H.W. Bush signed the ADA into law.

Former Senator Bob Dole, as I mentioned, a lifelong advocate for disability rights, strongly supports this treaty. The Convention on the Rights of Persons with Disabilities is a human rights treaty that seeks to ensure that people living with disabilities have the same opportunities as others.

Thanks to the ADA and similar laws, the United States has been so successful at providing opportunities, increasing accessibility, and protecting the rights of the disabled, our Nation today is in full compliance with every term of the treaty I am bringing to the floor.

Before transmitting this treaty, the Obama administration conducted an exhaustive comparison of the treaty's requirements to current U.S. law. Their conclusion was that the United States does not need to pass any new laws or regulations in order to meet the terms of the treaty.

The fact that we already meet or exceed the treaty's requirements is a testament to our Nation's bipartisan commitment to equality and opportunity for those living with disabilities. So why would we ratify a treaty if it is not going to change life in the United States or put any new requirements on the United States?

Well, there are more than 5.5 million veterans living with disabilities—American veterans. They and thousands of other Americans live with disabilities, but they travel, study, work and serve overseas, often with their families. Ratifying this treaty will help to ensure that they enjoy the same accessibility and opportunity they do right here at home.

Ratifying this treaty will give the United States a well-deserved seat at the international table so that the United States can provide its guidance and expertise and experience to other countries working to adopt laws, upgrade infrastructure, and modernize facilities to meet the high standards we already set and met.

American businesses have invested time and resources to comply with the ADA, the Americans with Disabilities Act. Businesses in some countries are not required to comply with similar standards. Compliance with the treaty levels the playing field by requiring foreign businesses to meet accessibility standards similar to those already met by American businesses. We also lead the world in developing accessible products and technology. As other countries comply with this treaty on disability, American businesses will be able to export their expertise and products to the new markets serving more than 1 billion people living with disabilities around the world.

Ratifying this treaty is not only important to the 54 million Americans living with disabilities, it is important to the 10 percent of the world's population living with disabilities. The 650 million people living with disabilities around the world are looking to the United States to join them and show leadership, as we have here at home, on an international basis.

Not only do these people around the world courageously live with disabilities, they live with many challenges and hurdles in other countries that might be removed if other countries follow our lead. Let me tell you just a few things when it comes to disabilities around the world. Ninety percent of children with disabilities in developing countries do not attend school—90 percent. Less than 25 percent—45 of the 193—of countries in the United Nations have passed laws that prohibit discrimination on the basis of a person's disability. Studies indicate that women and girls in developing countries are more likely than men to have a disability. Women and girls with disabilities in developing countries are more likely to be raped, forcibly sterilized, or physically abused.

This treaty will help provide the framework so countries around the world can help their own citizens living with disabilities improve, live productive, healthy lives. Just as we did by enacting the ADA 22 years ago, ratifying this treaty will send the world a message that people with disabilities deserve a level playing field.

While this treaty will ensure inclusion and access, it is also important to note what it will not do. The treaty will not require the United States to appropriate any new funds or resources to comply with its terms—not a penny. The treaty will not change any U.S. law or compromise our sovereignty. The treaty will not lead to new lawsuits because its terms do not create any new rights and it cannot be enforced in any U.S. court. For families who choose to educate their children at home in the United States, the treaty will not change any current rights or obligations. I was pleased that the Foreign Relations Committee adopted an amendment I worked on with Senator DEMINT to clarify that particular issue. Let me add too that leading pro-life groups, such as the National Right to Life Committee, confirm that the treaty does not promote, expand access, or create any right to an abortion. Senator MCCAIN, in his testimony before the committee, made that eminently clear. He is pro-life. This treaty has no impact on that issue.

Thanks to decades of bipartisan cooperation, our country embodies the worldwide gold standard for those living with disabilities. When the Senate ratifies the Convention on the Rights of Persons with Disabilities, we can be proud that our coworkers, friends, fam-

ily members, and courageous veterans will soon enjoy the same access and opportunity when they travel abroad that they have come to expect here at home.

Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider Executive Calendar No. 6, Treaty Document 112-7; that the treaty be considered as having advanced through the various parliamentary stages up to and including the presentation of the resolution of ratification; that any committee declarations be agreed to as applicable; that any statements be printed in the RECORD as if read; further, that when the vote on the resolution of ratification is taken, the motion to reconsider be considered made and laid upon the table; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Is there objection?

The Senator from Utah.

Mr. LEE. Mr. President, reserving the right to object, I would like to take just a few moments to explain why I plan to object.

I have right here a letter that is signed by 36 Members of this body who express the viewpoint that because of the prerogative we have as U.S. Senators to ratify treaties—see, two-thirds of us have to provide our advice and consent to ratify a treaty before it can take effect. This is important, in part because article VI, section 2 tells us that once ratified, the treaty becomes the supreme law of the land.

We have 36 Senators on this letter—a letter addressed to Leader MCCONNELL and Leader REID—explaining that for various reasons we do not think any treaty should come up for ratification during the lameduck period of the 112th Congress, and we explain that no treaty should be brought up during this time period and conclude that we will oppose efforts to consider any treaty during this time period.

The primary reason cited in the letter is the fact that it is very important to make sure we have a full understanding of what these treaties mean. It is also important that before we undertake any significant changes to the law—law becoming supreme law of the land—we need to understand the implications of these treaties fully.

If it is true, as 36 Members of this body concur in this letter, that it is too fast to move something like this or another treaty through during the lameduck session of the 112th Congress, it follows a fortiori that it is also too fast to do it now. With regard to this particular treaty, we have had exactly one—and only one—hearing on this, on July 26 of this year.

I appreciate and respect the words of my friend, my distinguished colleague, the senior Senator from Illinois, and I

am pleased with the fact that he is comfortable with the language of the treaty. I and some of my colleagues are not yet comfortable with it, and I and some of my colleagues are not yet convinced as to the full ramifications of the language of this proposed treaty. I, therefore, object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Illinois.

Mr. DURBIN. Mr. President, I would like to respond to my colleague, Senator LEE. Repeatedly he said we should not consider this in the lameduck session. We are not in a lameduck session. This is the regular session of the Senate. We do precious little in this regular session, and now the Senator is saying we should not do it in the lameduck session. We are not in a lameduck session.

And I might say that this treaty has been out there for review for months. It had a full review before the Senate Foreign Relations Committee. Senator KERRY called it. The Senator was there and other Members were there and had a chance to go through it page by page and offer amendments, which many Senators did. So to argue that this is somehow being sprung on the Members of the Senate without time to review it is to ignore the obvious.

We are not in a lameduck session. This was produced for review and amendment in a full hearing before the Senate Foreign Relations Committee, and a vote was taken.

It is disappointing. We had hoped to do this and do it now because many of the supporters of this treaty are facing their own physical challenges. One of them is our former colleague, Senator Bob Dole. Twenty-two years ago, he led the fight for the Americans with Disabilities Act. When Senator JOHN MCCAIN took this up, he said: I am going to call Bob Dole first. And he did.

In his honor, I hope the Senator from Utah will reconsider his position. And now, before the lameduck session, perhaps we can have some communication, and perhaps there is a way we can ratify this treaty in the Senate. We do precious little in the Senate. To do this, at least to honor Senator Dole, is not too much to ask, not to mention the positive impact it will have on so many disabled people around the world. I know Senator LEE is a conservative, but I also know he has a heart and I know he cares, as I do, about these people—children in other countries who have no chance in life because of a disability, women discriminated against because of disabilities. These are things on which we should speak out.

We are proud to be Americans, but we are doubly proud of the values we stand and fight for. This is one we should fight for.

I see Senator HARKIN on the floor. I am going to yield. He has been, literally, the leader on our side of the

aisle on disability issues time and time again, and I thank him for his help on this matter.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Mr. President, I truly am sorry to see this happen on the Senate floor, I say to my good friend from Utah.

This has been a long time coming. The Convention on the Rights of Persons with Disabilities started here, started in America. It started with the passage of the Americans with Disabilities Act of 1990. Ninety-one Senators voted yea on that—strongly supported by conservatives, liberals, moderates, understanding that we had to take that next step in having a broad civil rights law that covered people with disabilities in our society. After that was passed and during the 1990s, it became clear that it kind of ignited a conscience around the world that we needed to do something globally about people with disabilities. So really the United States sort of became the leader in promoting this Convention on the Rights of Persons with Disabilities at the United Nations. In fact, I have a quote I would share with my friend. When President Bush signed the bill on July 26, 1990—and we were all gathered at the White House—here is what he said:

This historic act is the world's first comprehensive declaration of equality for people with disabilities—the first. Its passage has made the United States the international leader on this human rights issue.

So starting after that, our diplomats and others started working on this issue, and so this convention was developed through the United Nations. I do not know all the wherewithal of how that was done, but it was done and we had great input.

So now the convention has come out. It was sent to us a couple of years ago. Under our laws, the President, whoever it might be, has to send that out to all of the departments and agencies to see whether there are any conflicts of laws or did we have to change any of our laws to comport with this convention. Well, that bureaucracy takes a while. That took a couple of years to wind through. I do not know when the President got it back, but he sent it down to us this spring, and the finding was that the administration made it clear that through all of this, the ratification of this convention will not require any change in U.S. law and will have no fiscal impact. So it does not require any change in our laws. That makes sense because we are the leader in the world on disability law. We are the leader.

Senator MCCAIN and I were the two leadoff witnesses when the Foreign Relations Committee had their hearing.

But we were not the only ones. Boyden Gray, who was so very helpful in 1990 in getting the initial ADA passed through the Congress, was

there. He testified. Senator Dole sent a letter. He could not show up in person. Former Attorney General Thornburgh testified. Steve Bartlett, who was a Congressman from Dallas, later left the House, became mayor of Dallas, and now I think he is the executive director of the Business Council here, testified and has been instrumental in not only helping us pass the ADA but passing the ADA Act amendments of 2008 which the second President Bush signed into law.

I say this to my friend from Utah. This is not something that sort of popped up overnight. This has been a long time coming. A lot of effort has been put into it. As I said, all the departments have said there is no conflict with our laws. We do not have to change anything.

I also say to my friend that we do want to be that city on the hill, that shining city on the hill. This is one area in which the United States has no equal. We have taken the lead in the world on this issue. Countries come to us to see how they can do something, what they can do for people with disabilities. One hundred sixteen nations have already signed it, and the European Union. If we do not sign it, then when other countries have to change their laws to comport with this convention, I think we should be at the table. We should be there with them, sharing with them what we have done in America to make accommodations better, to make education accessible to people with disabilities, employment, all of those things. If we do not sign it, we are not going to be a part of that. Yet the rest of the countries are looking to us for leadership. So we should be at the table.

One other thing I would say to my friend from Utah is, we are a very mobile people. We travel around the world a lot. More and more people with disabilities are traveling, veterans with disabilities, nonveterans. And yet how many times have I heard from people who have traveled overseas say: Gosh, I wanted to go here, I wanted to go there, but because I have a disability I could not get around? It would be nice if other countries did this.

Well, other countries have now signed on to it. I was hoping we could vote and we could be a part of it and we could be a part of helping other countries to change their systems and to be more accommodating for people with disabilities. Quite frankly, I must say to my friend from Utah, I am perplexed, I really am, as to why this is an issue. I do not know why there is an objection. Maybe there is something I do not understand. I thought I did. But maybe there is something I do not know that the Senator can enlighten me on as to why we should not bring this up. I suppose if someone wants to vote against it, they can. It takes a two-thirds vote of the Senate to pass this.

I am perplexed as to why we cannot do this. It seems to be so bipartisan. It seems to me to be so much above the political fray. I do not know the politics in this whatsoever. So I had assumed we would bring this up and pass it. I was not aware this was going to happen this way. I was in my office when I was alerted to this. So I say, I do not know why we cannot bring this up and have a small debate on it and vote on it.

I have more to say, but I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Mr. President, with great respect to my distinguished colleagues who are supporting this treaty and supporting a move to move it to the floor for a full vote right now, I understand and appreciate that they may not share some of the concerns expressed in this letter, concerns surrounding the fact that treaties, once ratified, become the law of the land, the supreme law of the land, concerns surrounding the fact that many Americans may have concerns about this, concerns that may be expressed during the upcoming election season.

To the extent this becomes a matter of debate, it may have an impact on the election. I think this might have been part of what motivated 36 Senators to sign this letter saying that neither this treaty nor any other treaty ought to be voted upon during the lameduck session.

With regard to the comment made by my friend from Illinois, the senior Senator from Illinois moments earlier, I, of course, understand we are not now in a lameduck session. That is my entire point. If it is true that the lameduck session is too soon to consider treaties, it follows a fortiori, it is a much stronger point to make the point now that it is too soon to consider this now.

With regard to the Law of the Sea Treaty, we have held a number of hearings—I cannot remember exactly how many—in the Foreign Relations Committee. I want to say at least three, four, maybe five, this year. We have had exactly one hearing on this one. I understand that some of my colleagues might be satisfied with the assurances provided by some lawyers within the State Department to the effect that this is entirely compatible with U.S. law to the effect that it would not impose any additional, new, different obligations on U.S. law. I am not satisfied that that is the case. I therefore object.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Mr. President, I do not know what it would take to satisfy my friend from Utah. It goes out to all of the departments. They have to analyze this. They took over a year, almost 2 years, to do this, to find out if there were any conflicts with laws. So if you

go through all of that, and all the departments report back and they cannot find any conflicts of laws or any laws we have that need to be changed, I do not know what would satisfy the Senator from Utah. What could that possibly be? He is almost raising an impossible barrier, unless the Senator can inform us as to what it would be that would satisfy him.

I do not know what else you could do other than what has been done on this bill. Again, I can understand people saying they had a hearing on it. I think it was well attended. But as I said, this is not something that sprung up overnight. This has been in the works for a number of years. To think that here we are the world's leader on this issue. I did not understand all the Senator said. He said something about it could have an effect on the election or something like that. I have no idea what he is talking about. If there is truly a nonpartisan, bipartisan issue, it is this. We have always made it thus.

When we passed the Americans with Disabilities Act, it was truly bipartisan. When the Supreme Court made their decisions in the Sutton case, the Sutton trilogy in the Toyota case in the late 1990s, early 2000, that kind of threw a monkey wrench into the works on employment in terms of disability, it caused a lot of consternation in the disability community and in the business community. We had to right that. We had to kind of tell the Supreme Court what we meant.

Well, that was in 2001. It took us 7 years of working with Republicans and Democrats and the administration, everybody. But in 2008 we passed a bill in the Senate unanimously, passed it in the House unanimously. President George Bush, the second Bush, signed it into law. I was down there for it. The first President Bush who signed the initial Americans with Disabilities Act was there. We were there with Republicans and Democrats. It was not seen as any kind of an issue.

If I am not mistaken, 2008 was an election year. And yet President Bush did not say, we cannot sign this because there is an election. This has nothing do with politics. So I find it almost bizarre that the Senate cannot act on something so close to us as a people, something we have taken such a lead on, something which means so much in terms of our leadership globally, that we cannot act on this.

Again, so many people have taken the lead. Senator DURBIN and Chairman KERRY of Foreign Relations, Senator MCCAIN, Senator BARRASSO, Senator MORAN, Senator LUGAR, Senator UDALL, Senator COONS, many bipartisans have been working on this.

I admit, obviously I have a deep interest in this since I was the Senate author of the Americans with Disabilities Act. It has been a key part of my Senate career for 25 years now—25

years. One of the great joys was passing the Americans with Disabilities Act with such bipartisan support. Thanks to the ADA, our country is a better place for everyone, not just for people with disabilities but for their families, for everyone. I cited earlier what President Bush said when he signed it. He said:

This historic act is the world's first comprehensive declaration of equality for people with disabilities—the first. Its passage has made the United States the international leader on this human rights issue.

That is President Bush, 1990. The first. We were the first. We are the international leader on this issue. And now, 116 other nations, the European Union, can sign onto this but we cannot? This is truly bizarre.

Thanks to the ADA and other U.S. laws passed under the umbrella of the ADA, America has shown the rest of the world how to honor the basic rights of children and adults with disabilities, how to integrate them into society, how to remove barriers to full participation and activities that we now take for granted. We can take pride in the fact that our support for disability rights has inspired a global movement that led the United Nations to adopt the CRPD, the Convention on the Rights of People with Disabilities. We led that. Our legal framework influenced the substance of the convention and is informing its implementation in the 116 countries that have signed and ratified it along with the European Union.

As I said, I am grateful for the leadership on both sides of the aisle; some Senators who were here before but not now, Senator DOLE; some who were here who were active in supporting the Americans with Disabilities Act, Senator MCCAIN; new Senators, Senator BARRASSO, Senator MORAN, and others. President George Herbert Walker Bush, the first President Bush, has been an active supporter of the CRPD. His White House counsel Boyden Gray, his Attorney General Dick Thornburg, have all been enthusiastic supporters of the Senate ratifying the CRPD. By ratifying this convention, the United States will be reaffirming our commitment to our citizens with disabilities.

As I said earlier, Americans with disabilities, including disabled veterans, should be able to live, travel, study, work abroad with the same freedoms and access that they enjoy here in the United States.

As the state parties, these different countries, come together to grapple with the best ways to make progress and remove barriers, we, America, should be at the table with them, helping them learn from our experience. As I said, the administration has submitted what they call reservations, understandings, and declarations that make clear that U.S. ratification of the CRPD will not require any change in U.S. law and will have no fiscal impact.

I do not know what else you can do to satisfy someone. I would say, if people feel that we do not want to take that leadership, then they can vote against it. But at least we ought to bring it up for a debate, discussion, and vote on the Senate floor. I would say that although U.S. ratification will have no impact on our laws, it will not have a fiscal impact, my hope is that U.S. ratification will have a moral impact—a moral impact.

My hope is we would send a signal to the rest of the world that it is not okay to leave a baby with Down's syndrome by the side of the road to die. It is not okay to warehouse adults with intellectual disabilities in institutions, chained to the bars of a cell where their only crime is that they have a disability. It is not okay to refuse to educate children because they are blind or deaf or they use a wheelchair. It is not okay to prevent disabled people from voting or getting married or owning property or having children. It is not okay to rebuild the infrastructures in places such as Iraq, Afghanistan, Haiti, and other war-torn or disaster-stricken areas without improving the accessibility of the infrastructure at the same time.

Former President Reagan frequently talked about America as a city on a hill, a shining example for the world of a nation that ensures opportunity and freedom for all its people. Thanks to our country's success in implementing the ADA, advancing that law's great goals of full inclusion and full participation for all our citizens, America indeed has become a shining city on a hill for people with disabilities around the globe. By ratifying the CRPD, we can affirm our leadership in this field. We can give renewed impetus to those striving to emulate us. We can give them that renewed emphasis by our example and by sitting down with them, if we are signatory to this treaty.

Again, I guess I have to recognize there are some Senators who were not part of the bipartisan vote to support it in the Foreign Relations Committee. I guess there are some who are not ready to support the unanimous consent request before us. My hope, since we are obviously coming to a close, is that we will use the time between now and when we come back in our lame-duck session after the election to address any issues that have been raised about the CRPD. If Senators have issues and want them raised, let us get them out and then let us move forward, when we come back after the election, with a strong bipartisan vote for us to ratify the CRPD.

When we voted on the ADA—the Americans with Disabilities Act—in 1990, we had 91 Senators. OK, there were nine who didn't vote for it. I understand that. But 91 Senators voted in support of that historic law.

My hope is, when this comes up for a vote after the election, we can achieve

the same kind of strong bipartisan statement of support for the human rights of 1 billion people with disabilities around the world. We must reaffirm our leadership on this issue and let the rest of the world know we are not stepping back on this. We are going to maintain our support for the dignity and the rights of people with disabilities not only in America but anywhere in the world.

I am very sorry we couldn't have brought this up. I haven't done any head counts for any votes, but I think I know most of the Senators are people of good will, and I believe when they look at this and think about it, it is going to get an overwhelming vote of support. So I am sorry we couldn't bring it up, but I look forward to passing this when we come back after the election.

With that, I yield the floor.

Mr. KERRY. Mr. President, I want to thank Senator DURBIN for his determined support of the Convention on the Rights of Persons with Disabilities and for his request for the Senate to approve the treaty today. I appreciate the thought that he has put into the consideration of this treaty and the work he has done in advancing the rights of persons with disabilities.

It has been 22 years since the landmark Americans with Disabilities Act knocked down barriers to employment and government services here at home. Now it is time to do the same for Americans with disabilities when they travel overseas.

This is not an issue that pits Republicans against Democrats. The Foreign Relations Committee approved this treaty in a strong bipartisan vote on July 26, the 22nd anniversary of the ADA. I am deeply grateful to former Majority Leader Dole and President George Herbert Walker Bush, who have joined a bipartisan group of Senators, including Senators LUGAR, BARRASSO, MORAN, COONS, DURBIN, HARKIN, and UDALL in advocating for such an important cause. Senator Kennedy would be proud if he could see us coming together today in support of the Convention as we did 2 decades ago in support of the ADA.

Members from both sides of the aisle worked hard to achieve this moment. The questions have been answered. The only question that remains is whether we will be remembered for approving the Disabilities Convention and extending essential protections for the millions of Americans with disabilities, or for finding excuses to delay and defer our core responsibility as Senators.

I have heard from countless advocates on this issue—from the Perkins School for the Blind in my home State to disabled Americans and veterans groups across the country, all of whom tell me that this Convention will make a difference in their daily lives.

And, believe me, it will. This Convention will extend essential protections

to disabled persons everywhere, including our disabled servicemen and women and veterans when they travel, live, study or work overseas. It will enshrine the principles of the ADA on the international level and provide us with a critical tool as we advocate for the adoption of its standards globally.

We already live up to the principles of this treaty here in America. Our strong laws—including the ADA—are more than sufficient to allow us to comply with this treaty from day one. Nothing is going to change here at home. But our delay in joining this treaty has an impact abroad.

For decades the world has looked to America as a leader on disabilities rights. It is hard to believe but some are now questioning our resolve—because of the failure to ratify this treaty. That is not acceptable and that is not what America is about.

It isn't a question of time. It is a question of priorities—a question of willpower, not capacity. This treaty reflects our highest ideals as a nation, and now is the time to act.

The PRESIDING OFFICER (Mrs. SHAHEEN). The Senator from Alabama.

THE BUDGET

Mr. SESSIONS. Madam President, Senator REID was, I think, stung this morning when remarks were made about the failure of the Senate to pass a budget or to move a single appropriations bill. For the first time in over 100 years, I understand, not a single appropriations bill was brought to the floor. This was a decision made by the Democratic leadership, to not bring up even a single bill, so that we end up with a big omnibus CR. The leadership also didn't bring up the Defense authorization bill for the first time in 51 years.

Senator MCCAIN explained that yesterday and the day before and he expressed his frustration about it. I was disappointed this morning to hear comments from our budget chairman, KENT CONRAD, about this frustration and, I believe, truth-telling from Republicans. Senator REID said: "It's a big lie for the Republicans to come here and say we haven't passed a budget."

Let's look at the facts. The law requires the Senate majority to produce a budget, a financial plan, every single year. It is in the code of the United States—a plan that covers taxes, entitlement spending, and debt. It is fundamental to the future of our country, and that is why it is required by law, because people saw the need for it. That plan must be produced and voted on in committee and brought to the Senate floor.

The Republican House put together such a plan. They moved it and passed it, but Senate Democrats have no plan. They have proposed nothing, offered nothing, put nothing on paper.

Senator REID, our Nation is facing a debt crisis. Surely you agree. What is your plan? Where is your budget? What

is your proposal to rescue the finances of this Nation? I haven't seen it, but I am just the ranking Republican on the Budget Committee. The American people haven't seen it. It doesn't exist. The House has a plan. Where is your proposal? Have you forgotten that you canceled our Budget Committee markup on this spring and refused to bring up a budget to the floor last year? What do you plan to do on taxes, on entitlements, on welfare, on spending, on debt? How does your majority plan to balance the budget of this Nation? Do you have a plan? Surely you know the spending caps in the Budget Control Act are not a financial plan for America.

As the magazine *Politico* put it: "Democratic leaders have defiantly refused to lay out their own vision for how to deal with Federal debt and spending."

Let me say that again. Is there any problem greater for America today than debt and spending? This is what *Politico* reported not too long ago. "Democratic leaders have defiantly refused to lay out their own version of how to deal with Federal debt and spending."

That is exactly right. It is indisputable. We have had the worst performance of a Senate on financial matters in the history of the country, in my opinion. I can't imagine any Congress being less fulfilling of its duty.

Speaking on FOX News earlier this year, Chairman CONRAD said:

What we need, I believe, is at least a 10-year plan. That's why I am going to mark up a budget resolution the first week we are back in session.

That was in April. That markup never happened.

This is what The Washington Free Beacon reported:

Conrad stunned observers Tuesday when he announced that he would not follow through on his expressed intention to offer, mark up and pass a Democratic budget resolution. Many suspect that Conrad's plan was derailed at the last minute by Senator Majority Leader Harry Reid and other Senate Democrats who did not wish to cast politically difficult votes.

I haven't heard that disputed. There is no dispute that Senator REID decided, along with the Democratic conference, frankly, we are not going to bring up a budget. We would have to vote. We would have to lay out our plan and then people can look at it and say what is wrong with it. We would rather just spend our time attacking their plan. We don't want to show our cards, provide any leadership.

That is what happened. Here is what the New York Times reported regarding Senator CONRAD's canceling of the markup:

Mr. Conrad's announcement surprised Republicans and Democrats who were expecting him to produce a Democratic budget that, if passed by the committee, would have been the first detailed deficit reduction plan in three years.

That is the way the New York Times reported it, and I say they are accurate. That is the way I saw it.

Senator JOE LIEBERMAN caucuses with the Democrats and he said he was "disappointed by the party's refusal to confront the issue," and said further, "I don't think the Democrats will offer their own budget, and I'm disappointed in that."

Senator MARK PRYOR admitted: "We've had three years with President Obama where we're not able to get a budget resolution passed."

But it gets worse. Not only have Democratic colleagues failed to do their duty, they have savagely attacked the House for producing a budget and laying out a plan. Here is what Senator CONRAD said today. Senator CONRAD is a good friend, but give me a break, Senator CONRAD. He said the House plan "fails any moral test of government." He said the House plan failed the "moral test," and he repeated that several times.

These comments are outrageous. They are inaccurate, but they are also hypocritical. I ask: What is the morality of the majority party in this Senate that has violated the law purposely and deliberately in order to avoid presenting a plan to save this Nation from financial disaster? They have deliberately refused to go forward. What about the families who will be impacted by a debt crisis? What about our military? What about our future as a nation? Where is our duty during this defining hour of our Republic—America's hour of need? Is there no response and no leadership?

Every Senate Democrat in every State, I think, will have to explain why they have not stood up to Senator REID and his proposal. Presumably, they are all in it together. None have actually come to the floor and opposed him and said they would vote to bring up a budget.

I know the Senator was stung a bit this morning, but it is not a lie to say we didn't have a budget this year, and I know it was painful to listen to the litany of failures of this Congress. First, no budget in over 3 years—1,240 days; no appropriations bills this year—not one. We failed to bring up the Defense authorization bill for the first time in 50 years. We have failed to confront the sequester and debate how to fix it. We know we are going to have to do that. Yet we are going to let it wait until the end of the year, causing great turmoil at the Department of Defense. We have not dealt with the fiscal cliff.

All of those are fundamental things this Senate should have done and we haven't done any of them. We don't even bring up the bills. We should have had a great historic debate for the last 2 years over the future financial status of America because it is clearly the greatest threat facing our Nation. Yet

we haven't had it. We have had little groups meet in secret—gangs and groups and secret committees and special committees.

But this is what I would say about this budget. If I were prosecuting a case—as I used to when I was a Federal prosecutor—I would say the defendant has confessed. This is what Senator REID said back in May of 2011: "There is no need to have a Democratic budget, in my opinion."

It is not a question of his opinion. It is the law of the United States. Nobody asked his opinion. He has a duty to follow the law, I would think.

How about this. He goes on to state: "It would be foolish for us to do a budget."

Senator REID, I think, has moved into this modern world—postmodern world—where words mean about anything we want them to mean. We can just say it is a lie that we don't have a budget; that we produced a budget and refer to the Budget Control Act, which was simply a part of the compromise to raise the debt ceiling and set some spending limits on spending in the discretionary accounts only—not all the accounts of the United States. That is not a budget, and the Parliamentarian has already ruled that is not a budget.

There is no question we don't have a budget, and we haven't had leadership. It has been very disappointing. And I was disappointed to have my good friend Senator CONRAD attack the House for having the gumption to lay out a plan that would change the debt course of America and put us on a path to prosperity. I am sorry Senator REID has overreacted and declared that it is not true what we, the Republicans, have asserted, that we don't have a budget, because we don't have a budget. It is true.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

COAL ASH RECYCLING AND OVERSIGHT ACT OF 2012

Mr. HOEVEN. Madam President, I rise to speak on energy legislation which is important to this country and legislation I truly believe we can and, in fact, need to pass this year.

The U.S. House of Representatives is working on key energy legislation. I think it is very likely they will pass it this evening. That legislation includes a bill that is very similar to energy legislation I have put forward in the Senate. The legislation I am talking about is the Coal Ash Recycling and Oversight Act of 2012.

Simply put, this legislation sets commonsense standards for managing and recycling coal ash with a States-led, States-first approach.

We have strong bipartisan support for the bill. As I said, we need to take up the bill this year and pass it. Simply put, we have the support on a bipartisan basis to support it. We have

more than a dozen Democratic sponsors and more than a dozen Republican sponsors.

So why is it important? In simple terms, this is exactly the kind of energy legislation that can help take our Nation to energy security or energy independence. What I mean by that is with the right energy plan, we can move this country to the point where we produce more energy than we consume. Working with our closest friend and ally, Canada, we can produce more energy than we consume—meaning we truly are energy independent or energy secure so that we are not importing energy from the Middle East.

And it is not just about energy, it is about jobs—good-paying jobs at a time when we have more than 8 percent unemployment. It is about economic growth—economic growth that we need to get on top of the debt and the deficit. We need to find savings, but we also have to get this economy growing to get on top of this deficit and our \$16 trillion Federal debt.

It also is about national security. Look at what is going on across the Middle East. Yet we still import energy from the Middle East. Americans do not want to be dependent on importing energy from the Middle East. The reality is, with the right energy plan, we can produce that energy at home and be energy secure, create good jobs, and get our economy growing at the same time. This is just one step, but it is one more important step on that journey.

Let me give an example of what we are doing in my home State of North Dakota and doing in States across the country. In North Dakota, just north of the capital Bismarck, there is a large electric power complex, the Coal Creek Power Station, that is operated by Great River Energy, a company that operates from North Dakota to Minnesota. It is a large complex. It generates 1,100 megawatts of electricity, two 550-megawatt powerplants. It employs the latest, greatest technology. It has emissions controls that are state of the art.

This plant captures waste steam, steam that was formerly exhausted into the air, and uses it to power an ethanol plant. So they are making renewable transportation fuel with waste steam, very low cost, very efficient. It reuses the coal ash or the coal residuals that are produced. It recycles those for building materials.

Along with a company called Headwaters, a natural resource company out of Utah, Great River Energy takes this coal ash and makes FlexCrete out of it, which is concrete they use on highways, roads, bridges, anywhere you would use concrete. But they also make other building products as well, such as shingles, that one would use to put on the roof. So this is truly a concept where we are recycling the coal ash and the coal residuals.

Formerly, coal ash was put in landfills, and the company would pay about \$4 million a year to landfill hundreds of thousands of tons of coal ash. Now they sell it, and it is made into these building materials. They generate something like \$12 million a year selling this coal ash for building material. If we do the math, that is about a \$16 million swing from across the \$4 million a year to a revenue stream of \$12 million a year.

What does that mean? That means families, small businesses, consumers throughout North Dakota, Minnesota, and beyond now pay \$16 million less for their electricity than they did before because of this creative use. This truly is American ingenuity and American innovation at work.

In fact, I have a couple examples of buildings that are made from building material produced with coal ash. The first one is the National Energy Center of Excellence at Bismarck State College, where we train people in the energy field. So people are learning how to have a great career in all different types of energy at a facility that is made with the coal ash that I am talking about. It overlooks the Missouri River. It is an absolutely beautiful facility.

Let me give another example. This is a building under construction right now. This is the North Dakota Heritage Center on the capitol grounds of our State capital in Bismarck. It is our heritage center, so it is a museum of our State history. Right now, we are doing a \$50 million expansion to this facility that is being constructed with coal ash. It is a beautiful building being constructed right now.

By using coal ash nationwide, we reduce energy consumption by 162 trillion Btus a year. That is an energy amount that is equal to 1.7 million homes. So we save an amount of energy equal to powering 1.7 million homes.

Water use. We save by recycling coal ash; we save 32 billion gallons of water annually. That is equal to one-third of the amount of water used in the State of California.

So talk about saving energy and saving water use. This is truly a concept on which those who favor renewable energy, as well as those who favor traditional sources of energy, ought to be able to get together. This is recycling, saving huge amounts of energy, saving huge amounts of water.

So why do I tell this story? The reason I tell this story is this: Right now, coal ash is regulated under subtitle D of the Resource Conservation and Recovery Act. That is nonhazardous waste, but EPA is looking at changing that to regulating it under subtitle C, which is the hazardous waste section. They are looking at doing that in spite of the Department of Energy, the Federal Highway Administration, State Regulatory Authorities, and even EPA

itself acknowledging that it is not a toxic waste.

The EPA proposed that change in regulation in June 2010. Clearly, that would undermine the industry, drive up costs, and eliminate jobs when our economy can least afford them. Just to put that in perspective, the industry estimates that it would cost \$50 billion annually and eliminate 300,000 American jobs. Let me go through that.

Meeting the regulatory disposal requirements under the EPA's subtitle C proposal would cost between \$250 and \$450 a ton as opposed to about \$100 a ton under the current system. That translates into a \$47-billion-a-year burden on electricity generators who use coal. And, most importantly, of course, who pays that bill? Their customers, families, and small businesses across the country. Overall, that could mean the loss of 300,000 American jobs.

That is why I brought this legislation forward with Senator CONRAD, my colleague in North Dakota, and also Senator BAUCUS of Montana and others. We have more than 12 Republican sponsors on the bill and 12 Democratic sponsors on the bill. So it is very much a bipartisan bill.

Furthermore, this bill not only preserves coal ash recycling, as I have described, by preventing these byproducts from being treated as hazardous—and this is important: This bill establishes comprehensive Federal standards for coal ash disposal. Under this legislation, States can set up their own permitting programs for the management and the disposal of coal ash. These programs would be required to be based on existing EPA regulations to protect human health and the environment. If a State does not implement an acceptable permit program, then EPA regulates the program for that State. As a result, States and industry will know where they stand under this bill, and the benchmark for what constitutes a successful State program will be set in statute.

EPA can say, yes, the State does meet the standards or, no, the State does not meet the standards. But the EPA cannot move the goalpost. This is a States-first approach that provides regulatory certainty.

What is certain is that under this bill, coal ash disposal sites will be required to meet established standards. Again, this is important. We are requiring that they meet established standards. These standards include groundwater detection and monitoring, liners, corrective action when environmental damage occurs, structural stability criteria, and the financial assurance and recordkeeping needed to protect the public. So we set stringent standards.

This legislation is needed to protect jobs and to help reduce the cost of homes, roads, and electric bills. I thank the Republicans and the Democrats who have stepped forward on this

bill, particularly Senator CONRAD, my colleague in North Dakota, Senator BAUCUS, and others. We have the bipartisan support to move this bill forward. We need to be able to bring it to the floor and do it this year. It is about energy for this country that we need, and it is about jobs for American workers.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

FOREIGN AID

Mr. COATS. Madam President, I rise today to address the legislation that has been offered as an amendment that would cut off all foreign aid to Egypt, Pakistan, and Libya.

As I watched our flag being shredded by a gloating mob at the walls of the American Embassy in Cairo, I shared with fellow Hoosiers and Americans a sense of sadness and deep anger. That mob, and the one that led to the death of four American diplomats in Libya, including our Ambassador, or those who stormed our Embassy throughout the Muslim world, showed us again how much contempt and disrespect those people have for the United States and for Americans.

Many in those countries clearly still hate us. As displayed on our televisions this past week, the Arab spring is evolving into a very bleak winter. Events this past year, and especially this past week in the Middle East and North Africa, continue to present us with enormous challenges. We have mishandled them badly. No one should be deluded enough to see it in any other way.

The best judge of a policy is the results. By that measure our report card is found among the ashes of the consulate in Benghazi.

The questions the administration and this body must answer soon is how best to react to this failure and what steps offer the greatest chances of making things right—or, at the very least, making things somewhat better. The search for answers must involve a complete reevaluation of the full range of American policy tools, including military actions, diplomatic dialogue, economic measures, multilateral efforts, and, simply, better leadership—not leadership that leads from behind.

Now, it is understandable to ask: Why on Earth should we send one more dime to these people who hate us so much? We will soon be voting on an amendment that codifies the instinct to cut off all assistance programs to, yes, problematic countries including Libya, Egypt, and Pakistan. Based on recent events, I agree we need to reassess the foreign aid we do send to these countries. However, I also believe we need to avoid a shortsighted reaction and consider a broader review of the purposes and the costs of foreign aid. I wish to address those two issues.

First of all, the costs. Foreign aid, as many do not know, is just a fraction of

our Federal budget so we need to understand how much foreign aid costs taxpayers. Our foreign aid programs are less than 1 percent of the Federal budget and, put even more vividly, according to the OECD, just 0.12 percent of our gross national income is devoted to foreign aid.

Not only is that figure about a tenth of the number of Sweden or Norway, but it is only a third of the figure for France and half as much as the United Kingdom. We even devote a smaller share of our national wealth for foreign assistance than, of all countries, Greece.

I have been on this floor several times calling for Washington to get control of excessive spending and I take a back seat to no one in that effort. I have repeatedly said that in order to address our \$16 trillion national debt everything must be on the table, including foreign aid. But we must assess and reassess all foreign aid to determine if it is still effective and even necessary. We should cut where it makes sense to cut. But when there is a discussion about eliminating all aid to Pakistan, Libya, and Egypt, let's be honest with the American people about the true cost of all that. Together, this aid only constitutes a fraction of a single percent of our Federal budget, and cutting it would be nothing but a gesture toward the real austerity required to deal with our \$16 trillion deficit.

But that is not the primary reason and that is not the real question before us. The real question before us is, aside from the cost argument, which is minuscule, the national security reasons for why we should pause and consider our next step very carefully ought to drive us to think this through.

We must keep a clear eye and recognize that sending American taxpayer dollars overseas is, first and foremost, a matter of strategic purposes and national security.

I want to repeat that. We must remember that the money we send overseas is, first and foremost, a matter of strategic purpose and national security. Without that component, then we do have to reassess the value and what we receive in return for foreign aid.

We can be sure that foreign assistance plays a role in the struggle for the hearts and minds of the world's poor. Today it is also central to the contest for political power.

Other rivalries are apparent as well. China plays in the contest for political influence and access to natural resources by engaging in foreign assistance as defined by their own standards. Chinese assistance activities in Africa, Latin America, and Southeast Asia grew from \$1.5 billion in 2003 to \$27.5 billion in 2006, a nearly twentyfold increase in 3 years, and it continues to grow and their influence continues to grow in those countries around the world as China expands its reach and exerts its influence.

None of this means that we in the Senate should support wasteful foreign aid programs with little regard to solid purpose, good design, proper accountability, and visible standards of positive result.

I want to see our foreign aid program reassessed. I believe we need to reevaluate the way we make our foreign aid determinations. But rather than cutting off all foreign aid in an instinctual way after these horrific scenes we have seen on television, it is important to step back and assess how we go about reassessing our distribution of foreign aid, what our strategic purposes are, and the other criteria that ought to be applied before we make a knee-jerk or too quick decision.

To achieve our support I think these programs need to achieve three guidelines. First, which programs most clearly achieve our national security interests? If they do, it is money well spent. Second, which best reflect American values and encourage foreign countries to support and adopt those values? We need to support our friends first. And, third, which programs are most effective at the least cost? We need clear, unambiguous standards of what effective means.

The consequence of no aid, though, is far greater now to the immediate question before us, which is the question of how we serve national security interests while at the same time ignoring the fact that the recipient may not be our best friend and may not support our broader purpose. In those cases—and Libya, Pakistan, and Egypt recently are among them—our broader strategic interest linked to our national security must have priority.

Let's look at Pakistan. In the case of Pakistan, I and some of my colleagues are profoundly skeptical. In the State and Foreign Operations appropriations bill markup this year, I joined with my colleague Senator GRAHAM to cut a portion of our assistance to Pakistan because of the outrageous conviction and imprisonment of Dr. Shakil Afridi, the doctor who helped us locate Osama bin Laden. The cut was a gesture of our dissatisfaction with the regime's behavior and a signal more cuts could come should that behavior not improve.

Yesterday I met with the Pakistan Foreign Minister and Ambassador to America from Pakistan. Earlier, Senator GRAHAM and I had a lengthy discussion with the Ambassador. We conveyed our dissatisfaction with this decision and a number of other things that we have differences about with that country. At the time, Senator GRAHAM said at the hearing that it may become necessary to cut aid off altogether but that time has not yet come. In my view, that time is not yet here, because what is at stake in Pakistan is so vast as to defy a brief description.

A radicalized and hostile Muslim country with a potent, fully developed nuclear arsenal is the most dreadful global nightmare. We must continue to employ every single tool available to us to make sure that does not come to pass, despite how skeptical and pessimistic we might be about the future of that country.

I am not arguing that our assistance packages to Pakistan have been well used, or even resulted in the support we seek or that the regime there has even shown much gratitude or respect in return. I am simply noting in this case the stakes are huge; the assistance programs do give us some leverage; and anger and despair are not a proper basis for us to make policy judgments, particularly when it comes to the security of the American people and our national interests.

Let's look at Egypt. Similarly, we cannot abandon Egypt despite how we have come to judge the results of their elections. Those elections have shown us that once again a democratic vote does not ensure democracy or stability. Elections are a necessary condition for modern enlightened government, but much more is required. We must be there to help the political and security environment evolve in the right direction. Cutting off aid to the Egyptian military, arguably an essential element in Egypt's future political evolution, is bound to make it far harder to achieve our strategic objectives in the entire region. I believe even the Israeli Government would oppose an end to U.S. assistance because such a step could further radicalize the new government, the military, and even the population itself. Aid is one of the few tools we have that requires Egypt to maintain observance of the Egypt-Israel peace treaty.

Let's look at Libya. The issue of aid to Libya is even clearer. It is no coincidence that the attack on our diplomat occurred on September 11. This attack was almost certainly generated by radical elements connected to al-Qaida or similar terrorist organizations active in this country. We have seen ample confirmation that neither the Libyan Government nor the vast majority of the Libyan people supported that violence in any way. What we have seen is Libya is in a fragile state of transition that simply must be supported and encouraged by us and our allies. We have seen a Libya that wants to support us, wants to go forward with democracy, but has yet to gain control of certain parts of its country and certain elements, infiltrated by terrorists and al-Qaida, certain elements that need to be addressed in terms of Libya's future and in terms of our own national interests.

If we cut off aid to Libya, we risk losing the gains of that revolution to the radical elements that are active there and everywhere else in the region. It is

impossible to see how ending our assistance programs would be a responsible move for our country and for our allies.

Most of us in this body have just come from a lengthy discussion with our Director of National Intelligence, with Secretary Clinton, our Secretary of State, with top representatives from our military, from the FBI, and from the administration, discussing this very question, gathering all the information we possibly can, making sure we have the facts before we make a quick judgment about the role of Libya and the role of terrorists, and what we have seen to date is the response by the Libyan Government, even the firing of one of their top officials who made an inappropriate remark relative to this attack.

In conclusion, I encourage my colleagues to pause and look at the larger picture when it comes to foreign aid. Cutting off aid and disengaging from these countries is exactly what the perpetrators of these attacks and protesters are trying to achieve. I do not know if supporting the government in this volatile region and this revolutionary movement will bring the results we so urgently need, but if we are to review the tools available to us, and I am convinced we must, we should not begin by throwing out the tools we have. We need to sharpen those tools, better define their use, but not discard them prematurely.

I yield the floor.

MORTGAGE FORECLOSURE PRACTICES

Mr. BLUMENTHAL. Madam President, I rise to protest an action by the Federal Housing Finance Agency, Fannie Mae and Freddie Mac, that punished my State of Connecticut and four other States for effectively protecting our citizens against unfair and abusive mortgage foreclosure practices.

I want to say right at the outset I am determined to fight this action along with my colleagues during the comment period that we have, to contest this very unwise, misguided, unacceptable decision. These agencies have just posted for 60-day comment a decision to increase Fannie Mae and Freddie Mac's guarantee fee for Connecticut and four other States—New Jersey, New York, Illinois, and Florida.

Why? Because of the protections we have in place now against those abusive banking tactics that have so pervaded the mortgage foreclosure process and increased the length of time that it sometimes takes for foreclosure. And we have a mediation process that keeps people in their homes and enables settlements that actually save money. That is Connecticut's crime. That is the reason Connecticut and four other States and our homeowners will pay more in those guarantee fees.

Those fees, by the way, are imposed by Fannie Mae and Freddie Mac in exchange for assuming the risk that a

loan will default. These entities guarantee investors in mortgages and mortgage-backed securities, making it less expensive and easier for home purchasers to obtain financing.

The cost of the guaranteed fund is generally passed along to the borrower so homeowners will pay these increased fees. They will bear this burden, and it will be a burden not only on those homeowners, but eventually on the housing market, which is in all too slow and fragile a recovery. Also, our economy depends so vitally on the housing market.

I am proud of Connecticut. I am proud of every State like Connecticut that protects its homeowners from robo-signing or fraudulent affidavits. We believe in justice and due process. We believe in giving homeowners an opportunity to mediate with the banks because so often the banks fail to come to the table. In effect, they give homeowners the runaround. They often fail to even give them a person with whom to negotiate in good faith, and mediation forces them to come to the table.

In 80 percent of the cases where there is mediation, homeowners stay in their homes. That saves money for other homeowners in the neighborhood because their property values are maintained. It saves money for the homeowner who doesn't have to find a place to live and maybe even buy another house, and it saves money for Fannie Mae and Freddie Mac. In fact, every time they avoid foreclosure, they save on average at least \$11,000. That is the kind of savings they ought to relish, not reject. The foreclosure process around the country has rightly raised fears of abuses that Connecticut has sought to prevent. This kind of protection ought to be rewarded, not rejected.

The additional time it has taken for foreclosure because of these protections is a cost well worth the larger savings that are eventually realized. That is the reason I have determined that I will fight this new proposed guarantee fee, which increases significantly and substantially by 30 basis points for every homeowner who takes advantage of a Freddie Mac or Fannie Mae loan. From the moment families take out a loan, they are faced with fees and charges that we ought to seek to minimize so we can expand and enlarge and continue the recovery in our housing market while preventing unnecessary and illegal foreclosures. I am determined to fight this fee.

I will enlist help from other colleagues who have already indicated their opposition, and I believe that together we will succeed in persuading Fannie Mae and Freddie Mac that this increase in fee is misguided, unwise, and unacceptable.

I also want to speak separately and distinctly about the DREAM Act.

DREAM ACT

Last week I came to the floor to talk about the importance of the DREAM Act and to share the story of a Connecticut DREAMer. I am here again with the story of a different DREAMer. This is another young person from Connecticut. Again, I urge my colleagues to take action on this critically important bill. Young people who are known as DREAMers are undocumented immigrants who were brought to this country at an early age. Some were infants. Through no fault of their own, the consequence is they are here without proper documentation. America is their home. They often know no other language. All of their life they have been here. They have no memories of the country of their origin, where they were born. Our unfair and impractical immigration system fails to give them a path to citizenship and to stay in this country, the country they know and love.

The DREAM Act would give these young immigrants a chance to earn their citizenship through education or military service. By earning their citizenship they can begin to give back to this country. In fact, they are individuals who will continue to contribute to this country and give back to it.

Again, I wish to recognize the distinguished leadership of my colleague Senator DURBIN, who has been fighting tirelessly for the passage of the DREAM Act for over 10 years. At the State level I have fought for similar measures that would give rights, particularly in the area of education and tuition aid, to these DREAMers. We have succeeded in Connecticut in giving them the benefit of in-state tuition.

The immigrants who would benefit from the DREAM Act have already been helped by an order from the President that defers their deportation for 2 years. Although it defers their deportation, it does not permanently grant them any rights. In fact, if there is a change in administration, that order could be easily reversed. So the benefit is temporary and the need is for a more certain, stable, and secure solution so they can come out of the shadows, avoid being marginalized by our outdated immigration laws, gain the kind of scholarship aid they need, seek to serve our country on a more permanent basis, and benefit, but also discharge the obligations of citizenship in this country.

I want to talk today about Yusmerith Caguao. Yusmerith Caguao is a college student who grew up in Norwalk, CT. She was born in Venezuela. She came to this country when she was 11 years old. She was told by her mom that the reason for coming here was to learn English, and the idea of learning a new language in a new country was immensely exciting to her. Her family settled in Norwalk, and

she began middle school a week or two after arriving in America. She remembers those early days of her life, but she also remembers the excitement and struggle. Arriving without any knowledge of English, she mastered this language. Her grades improved over time and she kept in mind why her parents had brought her to America. She was dedicated to that day when she would be successful, when she would have visions realized and dreams achieved that she could not accomplish in Venezuela.

She graduated from middle school with excellent grades. She was proud of what she had accomplished and learned, and soon after completing middle school, to her dismay, she became aware of her legal status in this country. Learning that she was undocumented affected her performance and her state of mind. By the time Yusmerith Caguao was in high school, she stopped trying to get perfect grades because she feared that colleges would not accept her anyway.

At this point Yusmerith says she became depressed and felt hopeless. She graduated high school. She had almost given up the idea of attending college, but she didn't lose hope. After she graduated from high school, she decided to continue her education in Norwalk Community College, a wonderful institution. I attended their graduation this year. It is a place that does wonders and provides immense opportunities for people regardless of their race or background or documentation and citizenship. It did wonders for Yusmerith.

She worked at a lot of different jobs to pay for her education, from waitressing in restaurants to working at a pet store and babysitting. She continues to work to pay for her education.

Now having graduated from Norwalk Community College, Yusmerith went on to attend Western Connecticut State University. This picture is of her graduation, but we are hopeful she will have another graduation. She is currently pursuing a double major in accounting and finance at Western State University and expects to graduate in 2014. She hopes to be an accountant. She hopes to have a career where she can put her skills to work. She hopes to give back to this country. That hope deserves recognition and realization, and that is why I stand here asking this body to give Yusmerith and thousands of other young people in Connecticut, the DREAMers, that opportunity to have a secure and permanent status, a path to citizenship that they will earn through education or military service.

I am hopeful my colleagues, even in a time of tremendous partisanship, will see the importance of what Yusmerith and the DREAMers can do not only for themselves but what they can give to

our Nation and us. With her skills, talent, and dedication, this Nation will be even greater. We are the greatest Nation in the history of the world, but even greater with the contributions of young people such as Yusmerith.

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. CASEY. I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOMINATIONS

Mr. CASEY. Madam President, I rise tonight to speak about one subject, but a very important subject for our country and for our system of justice, and that is the confirmation of Federal district court judges. I will focus tonight on one Federal district in Pennsylvania, the Middle District. By way of background, I will review where we are in the Senate.

Earlier today Majority Leader REID was required to ask for unanimous consent in order to proceed on Senate confirmation votes for 17 district court nominees. Of course, this is from district courts across the country. As the majority leader and many of our Senate colleagues have noted, the district court nominees on the Senate Calendar are nearly all noncontroversial and have received significant bipartisan support. The judges I will speak about tonight fit that description.

Historically the Senate has deferred to the nomination of the President and the support of home State Senators. Unfortunately, that doesn't seem to be the case today in too many instances. Of course, not in every instance but too many instances. There is an old expression in the law that many of us have heard, and it is very simple, but I think it has substantial consequences for real people. The expression is: Justice delayed is justice denied.

When we have a situation where we have two judges in the Middle District of Pennsylvania—I should say for the record and for the description of the geography in our State we have three Federal judicial districts: the Eastern District, the Middle District, and the Western District. When we have two district court nominees in Pennsylvania, or in any of the other States that have judges who are still pending, we can imagine the number of cases. It is not just hundreds but thousands of cases. In this case 17 judges could be handling these cases right now across our country. That old expression, justice delayed is justice denied, has real significance for real people out there, people who come before the district court as litigants. Whether they are individuals, corporations, or whatever the party, they come for basic justice and that gets very difficult when there is a backlog and there are not enough judges.

It is especially egregious and outrageous that they are held up here

when in many cases they get out of the Judiciary Committee after a long process of getting to the Judiciary Committee. Sometimes there are many months of vetting and investigation work. Often the names are available for voting here in the Senate after not just getting through the Judiciary Committee, but part and parcel of that means in almost every instance the two Senators from that State have agreed they should come up for a vote. Yet when it lands here on the Senate floor after committee consideration, judicial nominees are held up.

The ability of the Federal courts to provide justice for the American people has indeed been threatened by the vacancy crisis and the overburdened Federal district courts. Families, communities, and small businesses are not able to get a fair hearing or have their claims resolved in a timely fashion. These Federal court vacancies need to be filled to mature a functioning democracy and a functioning judicial system.

The Pennsylvania nominees to the Senate Calendar are two individuals, Malachy Mannion and Matthew Brann. Both are to be confirmed as U.S. district judges for the Middle District of Pennsylvania.

I won't go through their backgrounds and qualifications today. We have done that already. They don't need me to do that. They are through the Judiciary Committee. These men are both very well qualified to be U.S. district judges.

Both of these judges would fill judicial emergency vacancies in Pennsylvania's Middle District. Just to give my colleagues a sense of what we are talking about, the Middle District of Pennsylvania has six posts, six judicial slots, and these are two vacancies for those six. The Middle District is the largest Federal district in Pennsylvania geographically, and there are four courthouses, one of which is several hours' drive from the others. Because of the vacancies, the judges with senior status still continue to hear cases. Three of these judges are at least 86 years old. Let me say that again. Three of these senior judges who have to do extra work because of the vacancies are at least 86 years old.

Mal Mannion and Matthew Brann were both reported by voice vote out of the Judiciary Committee earlier this year, and both nominees were supported by Senator TOOMEY as well as me. Both of us came together through the process of introducing both of these nominees to the Judiciary Committee. They are, as I said before, through that process.

I strongly urge that we move forward and allow a vote on all of these highly qualified, noncontroversial U.S. district court nominees, two in particular in Pennsylvania.

I should mention that there was an article written—I won't summarize it

here—in the Atlantic magazine just last week by Andrew Cohen that highlighted some of the impacts this crisis has on real people when they appear before district courts such as the Middle District of Pennsylvania.

I yield the floor.

NOMINATIONS

Mr. LEAHY. Mr. President, today the majority leader was required to take the extraordinary step of asking for unanimous consent to secure Senate confirmation votes for 17 district court nominations. Before the American people elected Barack Obama as our President, district court nominees were generally confirmed within a couple of weeks of being reported by the Judiciary Committee. This was true of those nominated by Republican Presidents and Democratic Presidents. Deference was traditionally afforded to home State Senators and district court nominees supported by home State Senators were almost always confirmed unanimously.

However, Senate Republicans have raised the level of partisanship so that these Federal trial court nominees have now become wrapped around the axle of partisanship. Despite a vacancy crisis that threatens the ability of Federal courts to provide justice for the American people, Senate Republicans now refuse to allow a vote on any of the 17 pending district court nominees, including 12 that have been declared judicial emergency vacancies. Senate Republicans' across-the-board obstruction of President Obama's judicial nominees that began with their filibuster of his very first nominee continues. For the first time I can recall, even district court nominees with support from Republican home State Senators face months of delay if not outright opposition from the Senate Republican leadership and Senate Republicans.

The long delays and backlog we are seeing on the Federal trial courts and Senate Republicans' refusal to vote on so many consensus judicial nominees before we recess for the upcoming Presidential election are entirely without precedent. The Thurmond rule has never been applied to stop votes on consensus district court nominees. In September 2008 we reported and confirmed 10 of President Bush's district court nominees and left none on the Senate calendar as we headed into that Presidential election. In contrast, this year we are still waiting on votes for district court nominees reported by the Judiciary Committee in April, June, July, and August. All but 1 of these 17 district court nominees was reported with significant bipartisan support, all but 3 nearly unanimously.

The partisan refusal to allow votes on consensus nominees has become standard operating procedure for Senate Republicans. In each of the last 2

years, Senate Republicans refused to follow the Senate's traditional practice of clearing the calendar of noncontroversial nominees. As a result, there were 19 judicial nominees pending without a final confirmation vote at the end of 2010 and another 19 left without a vote at the end of 2011. Due to this latest refusal to consent to vote, Senate Republicans are ensuring that the Senate will recess for the election without voting on 21 judicial nominees ready for final Senate action. The result is that for the first time in decades Federal courts are likely to have more vacancies at the end of these 4 years than at the beginning of the President's term. Federal judicial vacancies have been at historically high levels for years, remaining near or above 80 for nearly the entire first term of the President. Judicial vacancies today are more than 2½ times as high as they were at this point in President Bush's first term, with nearly 1 out of every 11 Federal judgeships currently vacant.

I urge Senator TOOMEY, Senator KIRK, Senator RUBIO, Senator COBURN, Senator INHOFE, Senator HATCH, Senator LEE, Senator COLLINS, and Senator SNOWE, all of whom have judicial nominees on the calendar ready for a final Senate vote, to reason with their leadership about this obstruction. I ask other Republican Senators who know better to weigh in with their leadership. This is wrong for the country, damaging to the Federal courts, and harmful for the American people looking to our courts for justice.

I ask unanimous consent to have printed in the RECORD at the conclusion of my statement a column by Russell Wheeler entitled "The Case for Confirming District Court Judges" that appeared in Politico on Wednesday and notes the unprecedented and destructive nature of this obstruction.

The PRESIDING OFFICER. Without objection, so ordered.

Mr. LEAHY. I have served in the Senate for 37 years, and I have never seen so many judicial nominees, reported with bipartisan support, be denied a simple up-or-down vote for 4 months, 5 months, 6 months, even 11 months. And if there was any doubt that Senate Republicans insist on being the party of no, their current decision to deny votes on these highly qualified, noncontroversial district court nominees—while we are in the middle of a judicial vacancy crisis—shows what they stand for. They care more about opposing this President than helping the American people.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From Politico, Sept. 18, 2012]

THE CASE FOR CONFIRMING DISTRICT COURT JUDGES

(By Russell Wheeler)

The accepted wisdom on Congress is that the presidential campaign is likely to crowd

out most real work until after Nov. 6, when all its focus abruptly changes to the fiscal cliff.

There is, though, one important non-controversial matter that the Senate should take up now—as have previous Senates at this time: confirming district judges.

A government that can't do its mundane business is surely unlikely to be able to deal with more controversial problems. History shows that the Senate should be able to confirm a respectable number of long-standing district court nominations before Election Day—certainly before adjournment. If it cannot, this may signal that the past four years of delayed and confrontational nominations have not been an aberration but represent the new normal of district court confirmations.

Sixty-one of the nation's 673 lifetime appointment district court judgeships are vacant. President Barack Obama has submitted nominees to fill 24 of the vacancies. Seventeen of the 24 have cleared the Senate Judiciary Committee and are awaiting final action by the full Senate.

As of Sept. 10, the Senate had confirmed 126 of Obama's district nominees—81 percent. In comparison, President George W. Bush had a 97 percent district confirmation success rate in his first four years, and President Bill Clinton an 87 percent rate.

If the Senate confirms 10 of the 17 Obama nominees, this would lift his four-year success rate to equal Clinton's. Confirming all 17 would lift it to 91 percent.

Rates aside, however, even if all 17 were confirmed, Obama would have made roughly 20 fewer district appointments than Clinton or Bush. Obama has submitted fewer nominees.

Extended vacancies often mean long delays, especially in civil cases. They often mean full caseloads for judges in their 70s and beyond—despite statutory promises that, at that age, judges who have put in substantial service are entitled to scale back.

Filling judicial vacancies is part of the business of government, and like much of that business, it is more mundane than dramatic. Federal district caseloads consist largely of commercial disputes and federal crimes like immigration law violations—issues important to litigants and collectively important to all of us. They are part of how our society resolves disputes and help set the framework for commercial and social intercourse.

But you might say, judges can't get confirmed this close to a presidential election because opposition senators are hoping their guy will soon be in the White House and make his own nominations to those vacancies.

That may be true now for court of appeals nominees—you have to go back to the first Bush administration to find a circuit confirmation after July of a presidential election year—but not for district courts. There's plenty of precedent for late-election year confirmations.

In 1980, 1984 and 1992—when Presidents Jimmy Carter, Ronald Reagan and George H.W. Bush were up for reelection—the Senate each time confirmed roughly 10 district court nominees between the political conventions and election day. That number dropped to zero in 1996 under Clinton but shot up to six in 2004 under Bush.

In years when the incumbent president wasn't on the ballot, the Senate also confirmed district judges, including 10 in September 2008—even as Obama's victory seemed increasingly likely.

There's plenty of recent precedent for confirming at least the 17 pending Obama nominees. But the past four years of district confirmations haven't followed precedent.

Not only is the confirmation rate lower, at least for now, but time from nomination to confirmation has spiked. Eight percent of Clinton's district confirmations in the first four years took more than 180 days, as did 27 percent of Bush's. But it's now up to 67 percent for Obama.

The increase in time has been matched by an increase in contentiousness. All of Clinton's district appointees were confirmed by voice vote—even those who merited more attention, like the subsequently impeached and convicted Thomas Porteous of New Orleans. All but four of Bush's appointees were approved by either voice or unanimous vote. Of the four, one got 20 “no” votes and one got 46.

Most of Obama's appointees have also been confirmed with no, or token, opposition—even those who waited a long time. But 11 received more than 20 “no” votes. It's hard to believe, however, that the quality of Obama appointees plunged so decisively compared with those of his immediate predecessors.

So district confirmations—especially in double digits—in the next several months may be iffy, and those who do get confirmed will have waited considerably longer than late-year confirmations in previous administrations.

We've come to accept, or at least recognize, as the new normal that only six or seven out of every 10 circuit nominees will get Senate approval. Are the district courts next?

The PRESIDING OFFICER (Mr. SANDERS). The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

VAWA

Mrs. SHAHEEN. Mr. President, I rise today to again raise my concerns about and the desire to see action in the House to pass the Senate bill reauthorizing the Violence Against Women Act. We need to continue this critical funding for survivors of domestic violence.

In the discussions on the Senate floor, we have heard about the protections offered in the Senate bill that have not been included in the bill the House has pending. They are protections that would help women on college campuses, women on tribal lands, gay and lesbian victims, and immigrants. However, it is really important for us to remember not just those provisions but all of the other ways the Violence Against Women Act has benefited not just the victims of domestic violence but really all of us because domestic violence isn't just a women's issue. It affects all of us. It affects our entire economy. It affects our families. The Centers for Disease Control estimates that the direct health care costs associated with domestic violence are about \$4.1 billion every single year. We know this is a conservative estimate because so many of the victims never come forward.

The protections offered by the Violence Against Women Act have proven to be absolutely essential in preventing abuse. Last week was the 18th anniversary of the original passage of VAWA, so this is a good time to reflect on the progress we have made.

Over the past 18 years, the reporting of incidents of domestic violence has increased by 51 percent. At the same time, according to the FBI, the number of women who have been killed by an intimate partner has decreased by 34 percent. So clearly it is having some effect. Researchers at the North Carolina School of Public Health estimate that VAWA saved \$12.6 billion in its first 7 years alone. So even if one doesn't support the legislation because it does good work for families, this is a bill that is also a good investment.

This is about telling the victims of violence that we stand with them because having safe, healthy citizens benefits all of us. We all do better when fewer women are going to the emergency room, are missing work or giving up their children in order to protect those children from violence at home. We are all in this together.

I have had a chance as we have had this debate in the Senate to visit a number of crisis centers in New Hampshire—centers that benefit directly from the funding in the Violence Against Women Act. Recently I visited the city of Keene's Monadnock Center for Violence Prevention and had a chance to speak with one of the case-workers there and with two of the survivors. Those two women told me what it was like as they were trying to figure out how to leave their abusers. I asked them: What would have happened if this center wasn't here? Both of them said they had nowhere else to go. One of the women said: My husband would have killed me. That was how desperate she was.

While I was there, I also had a chance to meet some of the children who were staying at the center. I wish to take a minute to talk about how important this is for them, the children who were witnesses of domestic violence or who, as the result of that violence, are victims themselves.

Centers all over New Hampshire and the United States have advocacy programs that are funded by VAWA that offer support groups for children. Children are particularly vulnerable and ill-equipped to deal with the trauma of domestic violence. This is trauma that affects them for their entire lives.

A study by the World Health Organization found that children raised in households where domestic violence occurred are more likely to have behavioral problems, to drop out of school early, to experience juvenile delinquency. It is not surprising.

A child who witnesses domestic violence between parents is more likely to view violence as an acceptable method

of conflict resolution. Boys who witness domestic violence are more likely to become abusers, and girls who witness domestic violence are more likely to become victims of domestic violence as adults. One advocate at the Bridges Crisis Center in Nashua, NH, works to prevent this cycle by providing safety planning for children. She teaches them they can live a life that is free of violence. This free preventive care for children is made possible by a grant from VAWA. Our children deserve this. This is why we need to reauthorize the Violence Against Women Act. This is about women who are in danger, about children and families who are at risk.

One of the stories I found particularly touching when I was at Bridges was about a young boy named Brian. The caseworker told me that Brian was really nervous about going back to school. He was supposed to bring with him a story about something fun he had done over the summer, but he had been in the shelter at Bridges with his mother and it really hadn't been a very fun summer. So the child advocate organized a barbeque in the park across the street, and everybody from the center came and joined in that barbeque and gave him a happy memory that he could take with him to the first day of school. This is the kind of healing we need more of. We can help this continue by reauthorizing the Violence Against Women Act.

I hope that as Senators go home for the next 6 weeks, as we go back to our States and travel around and hear from people in our States the issues they are concerned about, we won't forget about the task we have at hand when we come back. We need to reauthorize the Violence Against Women Act. We need to get the House to join with us in passing the Senate bill so we can include those expanded protections that are needed so much by women and families across this country. I know the Presiding Officer joins with me in recognizing that we still have time to get this done this year.

Thank you, Mr. President. I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER (Mrs. SHAHEEN). The Senator from Vermont.

Mr. SANDERS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

SOCIAL SECURITY

Mr. SANDERS. Madam President, I wish to spend a few minutes talking about an issue that I believe has not gotten the attention it deserves, especially in the midst of the contentious Presidential campaign we are witnessing, and that is the need to discuss a program which is probably the most

successful social program in the modern history of the United States, a program that provides dignity and security to well over 50 million Americans, and that is Social Security.

Just this afternoon, 29 Senators sent a letter to all of our colleagues that says:

We will oppose including Social Security cuts for future or current beneficiaries in any deficit reduction package.

Let's be very clear. Our country does have a serious deficit problem. Our deficit this year is about \$1 trillion, and our national debt is \$16 trillion. That is a serious problem. However, let's be equally clear in understanding that Social Security has not contributed one nickel to the Federal deficit. So despite what we are going to hear tonight on cable television or some of the speeches my colleagues will give, let me reiterate: Social Security has not contributed one nickel to our Federal deficit.

In fact, the Social Security trust fund today, according to the Social Security Administration, has a \$2.7 trillion surplus—let me repeat that: a \$2.7 trillion surplus—and can pay out 100 percent of all benefits owed to every eligible American for the next 21 years.

Although many Americans now take Social Security for granted, we should never underestimate the incredibly positive impact Social Security has had on our Nation. In fact, one could well argue that Social Security has been the Nation's most successful social program—certainly in the modern history of this country.

In the 77 years since Social Security was signed into law, it has been enormously successful in reducing poverty for senior citizens. Before the advent of Social Security, back in the 1920s, early 1930s, about half of the senior citizens in this country lived in poverty, some in dismal poverty. Today, while the number is too high, the number of seniors living in poverty is less than 10 percent. We have gone from 50 percent to less than 10 percent. That, to my mind, is a real success story and something of which this Nation should be incredibly proud.

Today Social Security not only provides retirement benefits for 34 million Americans but also enables millions of people with disabilities and widows, widowers, and children to live in dignity and security. I hear in Vermont very often—and I expect the Presiding Officer hears in New Hampshire—about young people who have been able to go to college, live with some sense of security, despite the death of a parent, precisely because of Social Security.

Yet, despite all of these success stories, today Social Security is on the chopping block. Millions of Americans, when asked in polls, make it very clear—including people all across the political spectrum—saying: No, we should not cut Social Security. Mil-

lions of people understand that Social Security—and this is simply an extraordinary record—has been there in good times and in bad times. And in 77 years, not one American, no matter what the state of the economy, has not received all of the benefits to which he or she is entitled. It is an insurance program that has worked, and worked extraordinarily well.

What we are looking at right now are attacks on Social Security coming from Mitt Romney, from PAUL RYAN, and from virtually every Republican in Congress, who are calling for major cuts in Social Security. Many of them, including Romney and RYAN, also want to begin the process of privatizing Social Security and turning it over to Wall Street, putting the retirement dreams of millions of Americans at risk. They are also pushing to increase the retirement age to 68 or 69, forcing older Americans who have worked their entire lives—sometimes in physically demanding jobs in construction; maybe they worked in restaurants being waitresses their whole lives and now some folks want these people to still be working at the age of 68 or 69.

While virtually every Republican in Congress is pushing to cut Social Security benefits, there are also some Democrats who are considering cutting Social Security as part of some deficit reduction grand bargain. I strongly disagree with that approach, and I hope President Obama will make it clear, as he did 4 years ago, that he also disagrees with that approach.

Let me quote what President Obama said 4 years ago when he was Senator Obama running for the White House. This is what he said:

John McCain's campaign has suggested that the best answer for the growing pressures on Social Security might be to cut cost of living adjustments or raise the retirement age. Let me be clear: I will not do either.

End of quote of Senator Barack Obama on September 6, 2008. What then-Senator Obama said in 2008 was exactly right, and I hope that now, in 2012, we will hear the President reiterate that position.

One of the most talked about ideas, when we hear discussions about cutting Social Security—and nobody outside of the beltway has a clue about what this means. I can tell you, I have been to many meetings in Vermont, and I have asked Vermonters: Do you know what the chained CPI is? And nobody has a clue. But one of the most talked about ways to cut Social Security is moving toward a so-called chained CPI, which changes how cost-of-living adjustments for Social Security benefits and veterans benefits are calculated.

So what it does right now: There is a formula by which the government determines what kind of COLA—cost-of-living adjustment—seniors and veterans will get. It is a complicated formula. But what these guys want to do

is cut back, readjust that formula so that the benefits will be less.

People who support this concept of a chained CPI, such as Alan Simpson, Erskine Bowles, and Wall Street billionaire Pete Peterson—and Peterson is one of the guys, a billionaire on Wall Street, putting in huge amounts of money in order to cut Social Security and other important programs—they believe Social Security COLAs and COLAs for veterans benefits are too generous, and they want to cut those COLA benefits.

Well, I will tell you something. When I talk to seniors in the State of Vermont and I say there are people in Washington who think their COLA benefits are too generous, usually they laugh. The reason they laugh is that for 2 out of the last 3 years, they have not received any COLA whatsoever—nothing—while at the same time their prescription drug costs and their health care costs have been soaring. And they look at me and say: What? Are these people crazy? If we have not gotten a COLA in 2 out of the last 3 years, while our expenses have risen, how do they think that COLA formula is now too generous?

Let's also be very clear that when we talk about this chained CPI, this means not only cuts for seniors, it means cuts for veterans, and that is an issue we have not talked about very much.

So let me talk about what the chained CPI means. It means—and they want to implement this, by the way, very shortly. Romney and RYAN are talking about changing Medicare, as we know, over a 10-year period, and I think that is a disastrous idea. But what these guys now are talking about are immediate cuts in the COLA, starting as soon as they can pass that legislation.

What it would mean is that for a senior citizen who is 65 years of age today, by the time that senior reaches 75, there would be a \$560-a-year cut compared to what they otherwise would have gotten. Some folks here on Capitol Hill may not think \$560 is a lot, but if you are struggling on \$14,000 or \$15,000 a year, that is quite a hit. And once that 65-year-old, in 20 years, reaches 85, that cut will be approximately \$1,000 a year.

Now, I have a problem; in a nation that has the most unequal distribution of wealth and income, where the rich are getting richer and their effective tax rate is the lowest in decades, some folks around here, pushed by Wall Street billionaires, by the way, say: Hey, we have a great idea on how we could deal with deficit reduction: Let's tell a senior living on \$15,000 a year, Social Security, that we are going to cut them by \$1,000 in 20 years. I think really that is morally grotesque, and it is also bad economics.

But this chained CPI would not only impact seniors, it would also impact 3

million veterans. Three million veterans would be impacted by this chained CPI. For example, a veteran who put his life on the line to defend this country and who was severely wounded in action and who has a 100-percent service-connected disability is currently eligible to receive about \$32,000 a year from the VA. Under the chained CPI, this disabled veteran, who started receiving VA disability benefits at age 30, would see his benefits cut by more than \$1,300 a year at age 45, \$1,800 a year at age 55, and \$2,260 a year at age 65.

In other words, moving toward a chained CPI would be a disgraceful effort to balance the budget on some of the most vulnerable people in this country, including people who have suffered severe wounds and disabilities in defending this country. Those are not the people upon whom you balance the budget.

Madam President, I will conclude by reminding the American people that when Bill Clinton left office in January 2001, this country had a \$236 billion surplus, and the projections were that that surplus was going to grow every single year. But some of the same people in Congress right now, including Congressman PAUL RYAN, who is running for Vice President, who are so concerned about the deficit, who want to cut Social Security, end Medicare as we know it, make devastating cuts in Medicaid and education—these very same people voted to go to war in Iraq and Afghanistan and not pay one nickel for those wars but put them on the credit card and increase the deficit. These same people who now want to go after wounded veterans gave huge tax breaks to the wealthiest people in this country, adding to the deficit. They passed a Medicare Part D prescription drug program and forgot to pay for that as well. So, to my mind, I have a real problem with folks who went to war without paying for it, gave tax breaks to billionaires without paying for it, passed a Medicare Part D prescription drug program without paying for it, and now they say we have to cut Social Security, Medicare, Medicaid, education, and the needs of working families and low-income people. I think that is absolute hypocrisy.

So our charge is that instead of listening to the Wall Street billionaires who want to move to deficit reduction on the backs of the elderly, the children, the sick, the poor, wounded veterans, there are better ways to do deficit reduction. I hope that as a Congress we will come together and say that when the wealthiest people are doing phenomenally well, yes, they are going to have to pay more in taxes. When a quarter of the corporations in this country pay nothing in taxes, yes, they are going to have to pay their fair share of taxes. When we are losing \$100 billion a year because of tax havens in

the Cayman Islands and elsewhere, we are going to have to deal with that issue before we cut programs on which elderly people and veterans and children depend.

So we have a lot of work in front of us, but the bottom line is that I will do everything I can to make sure we do not balance the budget on the backs of the elderly, the children, the sick, and the poor. That is immoral, and it is also bad economic policy.

Madam President, I ask unanimous consent to have printed in the RECORD the letter signed by 29 Members of the Senate opposing cuts in Social Security.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
Washington, DC.

DEAR COLLEAGUE: We are writing to inform you that we will oppose including Social Security cuts for future or current beneficiaries in any deficit reduction package.

Under long-standing Federal law, Social Security is not part of the Federal budget and cannot contribute to the federal deficit. This reflects Social Security's structure as an independent, self-financed insurance program, in which worker contributions, not general taxes, finance benefits. In our view, it is essential that Social Security's status as a separate entity be fully maintained.

Contrary to some claims, Social Security is not the cause of our nation's deficit problem. Not only does the program operate independently, but it is prohibited from borrowing. Social Security must pay all benefits from its own trust fund. If there are insufficient funds to pay out full benefits, benefits are automatically reduced to the level supported by the program's own revenues. Social Security cannot drive up the deficit by tapping general revenues to pay benefits.

Even though Social Security operates in a fiscally responsible manner, some still advocate deep benefit cuts and seem convinced that Social Security hands out lavish welfare checks. But Social Security is not welfare. Seniors earned their benefits by working hard and paying into the system. Meanwhile, the average monthly Social Security benefit is only about \$1,200, quite low by international standards.

For all these reasons, we believe it would be a serious mistake to cut Social Security benefits for current or future beneficiaries as part of a deficit reduction package. To be sure, Social Security has its own long-term challenges that will need to be addressed in the decades ahead. But the budget and Social Security are separate, and should be considered separately.

Thank you for your consideration of our views.

Sincerely,

Bernard Sanders; Harry Reid; Charles E. Schumer; Sheldon Whitehouse; Sherrod Brown; Patrick Leahy; Debbie Stabenow; Al Franken; Jeff Merkley; Barbara Mikulski; Jack Reed; Mark Begich; Ron Wyden; Ben Cardin; Richard Blumenthal; Tom Harkin; Frank R. Lautenberg; Patty Murray; Barbara Boxer; Daniel K. Akaka; John D. Rockefeller IV; Tom Udall; Carl Levin; Joe Manchin III; Maria Cantwell; Tim Johnson; Daniel K. Inouye; Robert Menendez; Kirsten Gillibrand.

Mr. UDALL of Colorado. Mr. President, I rise to speak on the amendment

I have filed to the House continuing resolution, House Joint Resolution 117, which we are currently considering.

I understand that House and Senate leadership came to an agreement that seeks to keep the government running for the next 6 months and I want to applaud their willingness to work in a bipartisan fashion to reach an agreement that avoids a government shutdown. Still, after the House passed this funding bill, I was greatly concerned that emergency funding for Colorado and other states impacted by natural disasters this year was left out.

In my state, these funds are essential to protecting and restoring critical watersheds that were damaged by the most devastating wildfires in Colorado's history—which if left unaddressed present serious flooding, landslide and other risks that threaten the lives of residents in our state.

My amendment would provide the U.S. Department of Agriculture \$27.9 million in emergency funding to mitigate watershed damage through the Emergency Watershed Protection Program, or EWP, in areas that have been presidentially declared disaster areas as authorized under the Stafford Act.

As of September 18, 2012, the USDA estimated \$126.7 million in funding needs for EWP projects in 15 States. Of that total, \$27.9 million is needed to mitigate the aftermath of presidentially declared disaster areas in Louisiana, Florida, Oklahoma and Colorado, as authorized under the Stafford Act. Currently, Stafford Act funds for EWP have been depleted and as I have noted the House Continuing Resolution provided no emergency funds for EWP. Mr. President, the need for this amendment to provide emergency funding is critical and let me tell you why.

The two most devastating Colorado fires this season, High Park and Waldo Canyon, burned more than 100,000 acres and led to the catastrophic loss of property and regrettably loss of life. Now as Coloradans pick up the pieces, the burned and barren areas present an additional threat.

Without site rehabilitation and restoration, the watersheds that provide municipal and agricultural water supplies are at risk from landslides, flooding and erosion, which could result in serious infrastructure damage, water supply disruptions and even loss of life.

Coloradans unfortunately have already experienced some of these effects. For example, in the Poudre River, which drains part of the area burned by the High Park fire, the ash and runoff from the fire caused the water flowing into drinking water filtration plants to turn black. This forced the downstream city of Fort Collins to shut off their water intakes for over 100 days and further downstream the city of Greeley was forced to shut off their water intakes for 36 days and use only a small fraction of

their normal intake for an additional 38 days.

How much more of an emergency need do we have to show when our most basic resource—drinking water—is threatened?

I will give you one more example. After the devastating Waldo Canyon Fire that burned several homes in Colorado Springs and surrounding areas, the flood potential in the burned areas is now 20 times higher than before the fire. So now folks in the burned area and others downstream could see a 100-year flood from the same amount of rainfall that would have caused a 5-year rainfall before the wildfires occurred. Already property owners in the Colorado Springs vicinity have received at least four flash-flood warnings since the fire. The need for stabilizing this ground and restoring the burned areas on both federal and private land is critical to public safety, public health and the prevention of another disaster.

This is why I have filed an amendment to provide additional emergency funds to the Emergency Watershed Protection Program. This program provides funding and technical support to restore and stabilize soil in critical watersheds in the aftermath of severe wild fires and other natural disasters, such as floods and hurricanes—which are also important to many members from our coastal states.

I understand that there will not be an opportunity to amend the pending bill as a result of an agreement made with the House to avoid a government shutdown, so I will not attempt to call up my amendment. But, I want to ensure that my colleagues here understand the gravity of the situation faced by those who supply safe drinking water to the people of Colorado, by those who store water in our reservoirs to irrigate, and by those who fear a rainfall could devastate their livelihoods again after already experiencing significant loss from wildfire.

The PRESIDING OFFICER. The majority leader.

ORDER OF BUSINESS

Mr. REID. Madam President, discussions continue about processing the business we need to address before we leave. As I have said repeatedly, we need to do just a couple things before we break for the elections. We need to pass the CR. We need to vote on proceeding to the sportsmen's package.

To help move the CR, we have been told that the Republicans now have decided they are willing to vote sometime on the Paul bill on foreign aid and also the Iran containment resolution. As I said yesterday, we are willing to do that.

In the worst case, under the rules, the cloture vote on the CR would occur tomorrow night—at 1 a.m. on Saturday. Once we invoke cloture on the continuing resolution, the 30 hours

postcloture would run out at about 7:30 or 8 o'clock in the morning Sunday, and we would vote then to pass the CR, which would be immediately followed by a vote on the sportsmen's package.

I am happy to continue these discussions. We are working to see if we can schedule these votes to occur at a time that is more convenient to Senators. I hope we can have more to report on that tomorrow. It appears at this stage there is no agreement on having any votes tomorrow, so we may have to finish our work tomorrow, beginning tomorrow night, very late.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MERKLEY. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. MERKLEY. Madam President, I ask unanimous consent the Senate proceed to a period of morning business with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNIZING THE END OF NUCLEAR TESTING

Mr. REID. Mr. President, it has been 20 years since our Nation's final nuclear weapons test. "Divider" was the name appropriately given to the final test on September 23, 1992; 8 days later, President George Bush, Sr., declared a moratorium on testing that is still in place today. That last test, along with nearly 1,000 others, was carried out at the Nevada National Security Site, formerly known as the Nevada Test Site.

This site has a storied history; it was used intensively during the Cold War to test nuclear weapons in our fight against tyranny and is remembered by all Americans for the iconic images the atomic bomb continues to invoke. Testing weapons and building our nuclear arsenal was necessary, but there was a price to pay—and it was the health of our hard-working and patriotic Cold War veterans and the many people who lived downwind of the test site.

Since January 11, 1951, hundreds of thousands of men and women—including miners, millers, and haulers—played a critical role in building the nuclear deterrent that kept our Nation secure during the Cold War and still contributes to our national security today. These American heroes were on the front line of our national security. They served valiantly to help our Nation defend itself, but their personal sacrifice was immense. While serving

their country honorably during one of the most dangerous conflicts in our Nation's history, many of Nevada's Cold War veterans sacrificed their health and well-being for their country.

After personally meeting with and listening to many unfortunate stories from brave Nevadans about illnesses they had gotten from their nuclear weapons work, I was pleased to help pass the bipartisan Energy Employees Occupational Illness Compensation Program Act in 2000, as well as an expansion of the law in 2004. This important program provides vital monetary compensation and medical coverage to Nevada's test site workers suffering from radiation-induced cancers, beryllium disease, silicosis, and other illnesses caused by toxic chemicals.

In 2005, I began to hear from workers and survivors saying that they were being put through a seemingly endless stream of bureaucratic redtape only to be denied compensation in the end. I was enraged that workers who had developed cancer while protecting our Nation were being denied compensation simply because their employer failed to keep accurate records of each worker's radiation exposure.

While we succeeded in securing automatic compensation for workers during the atmospheric testing years, those who served their Nation during the underground testing years were let down by their country. I fought on their behalf and finally secured automatic compensation for thousands of workers during the underground testing years. I am proud that this important program resulted in the payment of almost \$500 million to 4,599 sick test site workers and their survivors. Nevada's Cold War heroes have made immeasurable contributions to our Nation's security, and the sacrifices they have made—to their health and their lives—make it impossible for us to ever adequately thank them.

Today, the Nevada National Security Site has taken on new roles to address 21st-century threats. This includes detecting dangerous weapons, treaty verification, fighting terrorism and nuclear smuggling, and training first responders. The site can even play a role in clean energy demonstration and development to meet our Nation's energy needs using a resource southern Nevada has an abundance of—sunshine. I am also proud of the growing non-proliferation mission at the Nevada National Security Site. These critical activities are playing a vital role in the Nation's arms control efforts while putting Nevadans to work making our Nation more secure.

There are many more opportunities to utilize the Nevada National Security Site's ultrasecure location to bolster out Nation's security. It is an installation whose relevance is timeless because we will always need a place to test new technologies, house sensitive

materials and equipment, train our security forces, and know for sure that unwanted eyes are not watching.

Finally, I am proud that while we work to grow and modernize the mission of the Nevada National Security Site, the site's storied past and the people behind it will never be forgotten. The National Atomic Testing Museum in Las Vegas is an affiliate of the Smithsonian Institution and recently was named by Congress as a "National" museum. This important institution collects and publicly displays artifacts and documentation that tell the stories of how the Nevada Test Site helped protect our country during the Cold War.

I am proud to stand here today to recognize this historic day in Nevada and America's history, marking 20 years since we have ended nuclear testing.

TRIBUTE TO DENNIS MEYERS

Mr. MCCONNELL. Mr. President, I rise today to pay tribute to a man that will leave a legacy of firm economic performance, solid physician recruitment, and a commitment to nurture community partnerships in the hospitals of his area. Mr. Dennis Meyers of Clay County, KY, was named to the Clay County Days Wall of Fame in August 2012 for the amazing work he has accomplished in his community and the community's hospital, Manchester Memorial Hospital.

Dennis Meyers's spectacular working experience began as a pastor in 1969 in Nebraska and Illinois. In 1986, he decided on a change of career. He accepted a job as a registered nurse at Hanford Hospital. After 4 successful years, Dennis transferred to San Joaquin Community Hospital to fill the position of vice president. Dennis never stopped dreaming and believing. He continued his career to become chief operating officer and vice president of Manchester Memorial Hospital.

Dennis initiated numerous community-outreach programs, each serving as evidence to show the worth of this man and the dedication he displayed towards his community. Dennis introduced Mission in Motion, public health screenings, Live It Up!, and mission-outreach programs to enrich the Clay County community.

Dennis married Susan Meyers, who also works for the hospital. They have three children, who, like their father, hold nursing degrees. Dennis urges that success come to everyone in life. He strategizes on helping the community that is served by the hospital through Community Outreach and church programs.

At this time, I would like to ask my colleagues in the U.S. Senate to join me in honoring Mr. Dennis Meyers as he has been named to the Clay County Days Wall of Fame. His ambition and

hard work ethic has improved and will continue to improve the Commonwealth of Kentucky.

A news story highlighting the accomplishments of Dennis Meyer was recently published in the Manchester Enterprise. I ask unanimous consent that said story be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Manchester Enterprise, Aug. 30, 2012]

DENNIS MEYERS LED MANCHESTER MEMORIAL TO GROWTH

Clay County Days Hall of Fame inductee Dennis Meyers retired from the lead role at Manchester Memorial Hospital recently after 12 years in the position.

Meyers began as a pastor in 1969 in Nebraska and Illinois. In 1980, his career took a dramatic shift when he began working as a recreational therapist at the Battle Creek Sanitarium. In 1986, he transitioned to Hanford Hospital, where he worked as a registered nurse.

Four years later, Meyers accepted a position as vice president of nursing at San Joaquin Community Hospital.

From there, he became chief operating officer and vice president of nursing at Manchester Memorial, and then president and chief executive officer.

Several community outreach initiatives began under Meyers's direction, including Mission in Motion, public health screenings, Live It Up!, and mission-outreach programs that enrich the community.

Meyers holds a bachelor of arts in religion, a bachelor of science in nursing, and a master's of divinity from Andrews University.

He is married to Susan Meyers, who works for the hospital, and all three of his children hold nursing degrees.

Meyers plans to continue helping the community outreach and church programs.

TRIBUTE TO TESS LIPPS

Mr. MCCONNELL. Mr. President, I rise today to pay tribute to an honored Kentuckian who has worked to better the Commonwealth. Mr. Tess Lipps of Clay County, KY, was named to the Clay County Days Wall of Fame in August 2012 for the extraordinary work he has accomplished in his community during his lifetime.

Tess Lipps was born July 8, 1947, in a section of Clay County known as Martin's Creek. Growing up with eight brothers and sisters, Tess and siblings learned what some would call the essentials in life: integrity to others and faith in God. Upon graduating from Clay County High School in 1964, Tess applied these essentials to his life.

In 1971, Tess married Barbara Hicks. From this critical point in life, Tess and Barb spent the next greater portion of their lives living to serve God and their community. They became youth leaders at the Manchester Pentecostal Church and taught a teenage boys' Sunday school class. In 1972, the couple opened the first Christian bookstore in the area in which they lived, the Gospel Variety Shoppe.

Tess continued to accomplish and succeed in a plethora of activities. He became an agent with the Commonwealth Insurance Company in 1984. Progressing through the ranks, he was promoted to sales manager and also branch manager. He retired from this position in 2003, but his work to the community did not cease.

In addition to serving as a board member of Agape and emcee of the Halleluiah Day Festivals, Tess answered his calling in life and became pastor of the Manchester Gospel Mission Church in 2006. Tess also formed the Clay County Cancer Coalition and the UPWARD Soccer Program in Clay County, despite some doubts from others. He was told that the community and church were too small to support such large programs. But Tess's faith allowed him to dream the impossible, and then accomplish that dream.

This year, 250 kids played soccer on a brandnew field in the community. Tess and Barb have been blessed beyond measure. The wish of Tess for the community is that all people can work together making greater opportunities for future generations. Mr. Tess Lipps has served his community well.

At this time, I would like to ask my colleagues in the Senate to join me in honoring Mr. Tess Lipps, an individual whose hard work and dedication to the community, combined with faith and persistence, has forever changed the Commonwealth of Kentucky.

A news story highlighting the achievements of Tess Lipps was recently published in the Manchester Enterprise. I ask unanimous consent that said story be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Manchester Enterprise, Aug. 30, 2012]

**LIPPS KNOWN FOR COMMITMENT TO COMMUNITY
CLAY COUNTY DAYS HALL OF FAME SPONSORED
BY THE MANCHESTER ENTERPRISE**

Tess Lipps, recognized this year as a Clay County Days Hall of Fame inductee, is known as a community volunteer who helped form the Clay County Cancer Coalition and UPWARD Soccer.

Lipps was born July 8, 1947, in the Martin's Creek Section of Clay County, along with eight brothers and sisters. His parents, Henry and Georgia Lipps, instilled honesty, faith, and a hard working ethic.

He attended a two-room school at Martin's Creek for seven years, and was part of the first graduating class of the new Goose Rock Elementary in 1960. He graduated from Clay County High School in 1964.

He and his wife, the former Barbara Hicks, were youth leaders at the Manchester Pentecostal Church for over 13 years, and taught a teenage boys' Sunday school class for the next 12 years.

In 1972, they opened the first Christian book store in the area, and operated it until they sold it in 1983.

He became an agent with Commonwealth Insurance in 1984, and served in that capacity until he was promoted to sales manager

in 1997. He was promoted to branch manager in 2001, and was there until his retirement in 2003.

A dream of his was realized in January 2006 when he became pastor of the Manchester Gospel Mission Church.

In May of that year, he was part of a group of concerned citizens that formed the Clay County Cancer Coalition. He was president of the coalition for five years, stepping down in June of this year.

In 2009, he and the congregation of the church, with the leadership of Joe and Tracy Farmer, started the UPWARD Soccer Program. This year, 250 youth are playing on a new field, with a vision for greater things in the future.

Lipps and his wife have a son, a daughter, and two goddaughters, along with grandchildren.

50TH ANNIVERSARY OF THE USTR

Mr. BAUCUS. Mr. President, William Shakespeare once said, "Nimble thought can jump both sea and land."

Today I wish to pay tribute to a U.S. Government agency whose thinking is nimble and its actions as well. The Office of the U.S. Trade Representative is celebrating its 50th anniversary this year.

For 50 years, USTR's small but elite staff has been crossing the globe, over sea and land, to break down barriers to American exports, and they have helped develop a world linked by trade, a world governed by rules, to ensure a level playing field for our exporters and their workers.

USTR has been remarkably effective at that task. Since the creation of the Special Trade Representative in 1962, annual U.S. trade has grown from \$52.1 billion to \$4.8 trillion, contributing to economic growth of nearly 350 percent. USTR led the way through 20 FTA negotiations, multiple GATT and WTO Rounds, and countless bilateral trade negotiations in its quest to create opportunities abroad for U.S. businesses, workers, farmers and ranchers, in order to reach the 95 percent of global consumers who live outside the United States.

USTR spearheaded the effort to create the fundamental rules and structures that underpin the global trading system. It successfully concluded the Uruguay Round negotiations that created the World Trade Organization. The WTO contributed to an explosion of trade and extended the rules-based trading system to nearly every trading nation of the world.

Throughout it all, the dedicated officials at USTR have maintained their commitment to expanding economic growth through trade, for the benefit of all Americans. Through Democratic and Republican administrations, USTR officials have put the interests of all Americans first. And they have accomplished so much with so little. Never larger than its current strength of about 250 professionals, USTR has turned its small size into a virtue.

USTR acts and reacts quickly, cutting through bureaucratic obstacles in the government to develop and execute market-opening strategies to break down barriers facing American exporters abroad.

As part of the Executive Office of the President, USTR is perfectly positioned to leverage the resources of the entire U.S. government and to integrate the full range of stakeholder interests on trade issues. And it is perfectly positioned, and has served well, as an effective and indispensable interlocutor with the U.S. Congress. USTR understands and respects Congress's constitutionally established role in the regulation of international trade. Through its close consultations with Capitol Hill, USTR presents to the world a trade policy that enjoys broad support.

USTR would not be as effective and it could not perform its role if housed elsewhere in the government or were it to become much larger and more bureaucratic. As others have observed over the years, if USTR did not exist in its current form, it would have to be reinvented.

USTR is now hard at work on a number of initiatives that continue its legacy of expanding trade for the benefit of all Americans, such as the Trans-Pacific Partnership, the Asia-Pacific Economic Cooperation forum, and World Trade Organization agreements on topics from services liberalization to customs reform. And USTR remains hard at work enforcing our existing trade agreements at the WTO and elsewhere, to ensure the United States receives the full benefit of those agreements.

So I would like to extend my congratulations to Ambassador Kirk, his predecessors, and the entire USTR team past and present for reaching the 50-year milestone. I look forward to another half century of stellar accomplishments, and I can assure you that I will do everything I can to help make that possible.

**SECOND BIG SKY HONOR FLIGHT
VISIT TO D.C.**

Mr. BAUCUS. Mr. President, I rise to recognize a very important event that will be occurring this Sunday and Monday. Eighty-nine World War II veterans from Montana will take part in the Big Sky Honor Flight and come to Washington, DC, to visit their monument—the WWII Memorial.

Their trip is hosted by the Big Sky Honor Flight Program. The mission is to recognize American veterans for their sacrifices and achievements by flying them to Washington, DC, to see their memorials at no cost.

These veterans come from all parts of our great State. This is a special weekend for this group of heroes. It is also a time to give thanks for the courage and sacrifice of all our veterans and

servicemembers. It is a time to reflect on the sacrifices made by those who fought on the front in Europe, on the battlefields of Korea, in the jungles of Vietnam, the deserts of Iraq, and those who are currently fighting in the mountains of Afghanistan. We must not forget their sacrifices.

I am so pleased I will be able to meet with these courageous Montanans. I ask the Senate to join me in welcoming these heroes to our Nation's Capital this weekend, and I ask unanimous consent that their names be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Lee Alderdice; Milton Lyman Amsden; Harry A. Arvidson; Peter N. Bertram; Leonard E. Bestrom; Warren Charles Bodecker; Ralph Floyd Brewington; James C. Brook; William B. Brown; Jackson L. Burger; Filmore B. Canon; John M. Clark; Harold Lee Conrad; Hollis E. Coon; Gool Counts; Carley Rhein Cromwell; Leo Eckhardt; James E. Elander; James Ellison; Charles T. Eskro.

Frank D. Evans; Alvin Oscar Fisher; Samuel W. Frank; Durl J. Gibbs; Raymond P. Gregori; Robert Glover Hall; Charles E. Halstead; Thomas A. Hanel; Russell LeRoy Hartse; James Hasterlik; Milam V. Hearron; McDonald W. Held; Lewis W. Holzheimer; Bernard E. Ilertson; Earl T. Jackson; Elwin M. Johnson; George L. Kimmet; Vincent Leo Koefeld; Vernon Lee Koelzer; Frank J. Konicly.

Andre Rioul Kukay; Willard E. LaCounte; Albert R. Lasater; Harold J. Lasater; Gorvan J. LeDuc; Oscar L. Lee; Norman D. Leonard; Joseph Biggs Little; Max E. Long; Robert W. Lubbers; Leonard John Mager; James J. Marshall; William R. Matthew; Paul Messer; Elizabeth S. Meyer; Geraldine E. Mihalic; Gerald K. Nelson; John H. O'Bannon; Clarence A. Olson; Eddie C. Olson.

Ray A. Olson; Thomas F. Patterson; Roy Louis Peters; John W. Porter; Carl Redding; Michael G. Rhodes; Robert V. Ryan; Charles F. Sandford; Dave Schledewitz; Laurence N. Shipp; William James Sivelle; Anthony W. Skorupa; Charles E. Smith; Donald E. Smith; Kenneth C. Smith; Robert M. Standefer; John R. Stevenson; Frank Phillip Thatcher; Clifford V. Thomsen; Robert E. Torgrimson; Ronald W. Torstenson; James Arthur Vick; Albert Wade; James Forest Walker; Bernard Edgar Wanderaas; Joseph A. Weber; Allen L. Whittington; Bryce Wood Williams; Andrew R. Winter.

MODIFICATIONS TO S. 1956

Mr. CARDIN. Mr. President, would the Senator from South Dakota enter into a colloquy to discuss concerns I have with his bill S. 1956 and a suggested amendment I have filed for consideration, which is currently running through the hotline process?

First of all I want to thank my colleagues for their willingness to work with me to address some of the concerns I have with this bill as it was reported out of the Commerce Committee.

While I have some ongoing reservations about the precedent and potential

impacts this bill could have on our relations with our closest European allies, I am willing to allow legislation to move forward if I may get consent to have my amendment agreed to.

I would like to discuss my amendment and the process which the legislation prescribes the Secretary of Transportation to follow in determining whether to prohibit U.S. airlines from participating in the European Union's carbon emissions trading scheme.

The second paragraph of subsection (a), section 3 of the legislation contains a provision that is designed to "hold harmless" U.S. airlines from the fees, taxes or fines that they incur from the EU under the emissions trading scheme.

While the Secretary of Transportation has discretion as to how he will act to "hold harmless" our air carriers, it is understood that these actions could possibly require some form of payment by the Federal Government.

One of my greatest concerns with the bill, which I believe the sponsors of the bill share with me, and I appreciate their interest in working with me to address this issue, is that any payments that may result from this provision not come at the expense of the American taxpayer.

I would like to ask the Senator this question: is it correct that it is not his intent that any costs or remunerations triggered by this legislation come at the expense of U.S. taxpayer dollars?

Mr. THUNE. That is correct, it has always been my intent, and it is shared by the Congressional Budget Office, and the Secretary of Transportation, who will have the primary responsibility of implementing this legislation.

According to the CBO, "enacting S. 1956 would have no significant impact on the federal budget."

I ask unanimous consent at this time to have their entire report printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

AUGUST 1, 2012.

Hon. JOHN D. ROCKEFELLER IV,
*Chairman, Committee on Commerce, Science,
and Transportation, U.S. Senate, Wash-
ington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for S. 1956, the European Union Emissions Trading Scheme Prohibition Act of 2011.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Megan Carroll.

Sincerely,

DOUGLAS W. ELMENDORF.

Enclosure.

S. 1956—*European Union Emissions Trading Scheme Prohibition Act of 2011*

The European Union (EU) has established the European Union Emissions Trading Scheme (ETS), a regulatory framework related to greenhouse gas emissions. Currently, the ETS covers emissions from air carriers that operate flights within, to, and

from EU member states. Negotiations between the U.S. government and the EU about the applicability of the ETS to U.S. air carriers are ongoing, and the potential outcome of those negotiations is unclear.

S. 1956 would direct the Secretary of Transportation to prohibit U.S. air carriers from participating in the ETS if the Secretary believes such a prohibition to be in the public interest. The bill would direct federal agencies to continue negotiations in pursuit of a worldwide approach to addressing aviation-related emissions and would authorize the Secretary to use existing authorities to ensure that U.S. air carriers are held harmless for any costs they incur if they participate in the ETS.

CBO estimates that enacting S. 1956 would have no significant impact on the federal budget. We expect that the bill would not alter the scope of diplomatic efforts currently underway or federal agencies' costs to participate in those efforts, which are subject to appropriation. The bill would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

S. 1956 contains no intergovernmental mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would not affect the budgets of state, local, or tribal governments.

S. 1956 would impose a private-sector mandate, as defined in UMRA, if U.S. air carriers would be prohibited from participating in the ETS. The cost of the mandate would depend on how the prohibition is administered by the Department of Transportation. Because information about how the prohibition would be implemented is not available, CBO has no basis for estimating the cost, if any, to U.S. air carriers. Consequently, CBO cannot determine whether the cost of the mandate would exceed the annual threshold established in UMRA for private-sector mandates (\$146 million in 2012, adjusted annually for inflation).

On September 23, 2011, CBO transmitted a cost estimate for H.R. 2594, the European Union Emissions Trading Scheme Prohibition Act of 2011, as ordered reported by the House Committee on Transportation and Infrastructure on September 23, 2011. The two bills are similar, and the CBO cost estimates are the same.

The CBO staff contacts for this estimate are Megan Carroll (for federal costs) and Amy Petz (for the impact on the private sector). The estimate was approved by Theresa Gullo, Deputy Assistant Director for Budget Analysis.

Mr. THUNE. Additionally, at a recent Commerce Committee hearing on my bill, Secretary LaHood was asked if any possible action of implementation could "include the U.S. government paying EU authorities directly or compensating the operators for any fines incurred for non-compliance with EU ETS."

He responded, "We have absolutely no intention of asking the U.S. taxpayer to pay any ETS fines incurred for non-compliance with EU ETS, directly or indirectly."

I appreciate Senator CARDIN and LAUTENBERG for coming forward and working with me to clarify this point, and I thank them both for releasing their hold.

I am happy that we have been able to come to a bipartisan agreement on my bill and look forward to final passage

today in the Senate and hopefully soon by the House of Representatives so we can send a clear message to the EU that ETS is arbitrary, unfair, and a clear violation of international law.

Mr. CARDIN. I appreciate the Senator clarifying his intent, and I am glad he shares my concern.

I believe my amendment helps make the intent of the legislation clear.

My amendment adds a third paragraph to subsection (a) of section 3 of the bill.

The amendment will explicitly exclude any appropriated funds or user fee receipts to be expended on actions taken under the hold harmless clause.

This amendment will ensure that any taxpayer dollars, either through appropriations or through user fee receipts, are expressly prohibited from supporting actions resulting from the held harmless clause of the bill.

Would my colleague agree that my amendment assures that no U.S. taxpayer dollars will be expended on any held harmless actions that may result from this bill?

Mr. THUNE. Yes.

Mr. CARDIN. I thank the Senator for his cooperation with me on this important fiscal matter.

I want to make it clear to my colleagues, as this bill progresses forward or is reconciled with a less thoughtful House proposal, I do want my colleagues to understand that should the Senate have to reconsider a different proposal in a conference report that I intend to reserve my right to object.

I also want my colleagues to understand that I feel that the United States and countries around the globe must take actions to address the threat carbon emissions pose to the global environment.

I think there are some legitimate concerns with the way the EU has proposed to take unilateral actions to reduce carbon emissions from the aviation sector.

I don't fault the EU for their leadership in the face of what has thus far been nearly 15 years of failed multinational negotiations on how we as cooperating nations should be reducing or mitigating aviation carbon emissions.

I would like for the United States to take greater action to address this problem, and in many respects I think it is unfortunate that the United States has not demonstrated the same kind of leadership that the nations of Europe have taken on this issue.

HUMANITARIAN CATASTROPHE IN SUDAN

Mr. BOOZMAN. Mr. President, I rise today to highlight the following letter written by over 60 genocide scholars, including Dr. Samuel Totten of the University of Arkansas. Their letter urges the Obama administration to do

more to end the humanitarian catastrophe occurring in South Kordofan and Blue Nile States of Sudan.

Last summer I joined a group of bipartisan Senators in making a similar request of the administration. Unfortunately, humanitarian aid to South Kordofan and Blue Nile continues to be severely limited and the violence has not ceased.

I applaud the authors of this letter for their continued advocacy to ensure that another genocide does not occur in Sudan, and I ask unanimous consent that it be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

AUGUST 31, 2012.

To: President Barack Obama; Secretary of State Hillary Clinton; Ambassador to the United Nations Susan Rice; Special Assistant to the President Samantha Power.

From: The Undersigned Genocide Scholars
Subject: Humanitarian Catastrophe in South Kordofan and Blue Nile States of Sudan

DEAR PRESIDENT OBAMA, SECRETARY OF STATE CLINTON, AMBASSADOR RICE AND SPECIAL ASSISTANT POWER: On June 6, 2011, the Sudanese regime, led by indicted war criminal Omar al-Bashir, unleashed a wave of targeted ethnic killings against the people of the Nuba Mountains in South Kordofan state, Sudan. Since then this state-sponsored violence has spread to engulf much of South Kordofan and Blue Nile states.

The continuing multiple atrocities amount to at least crimes against humanity. This, in and of itself, is alarming. According to the tenets of the Responsibility to Protect now is the time to protect the targeted population.

Satellite imagery has revealed mass graves, razed communities, and the indiscriminate low altitude aerial bombardment of civilian areas in South Kordofan state. Reliable eyewitnesses continue to report systematic government shelling and bombing of refugee evacuation routes, helicopter gunships hunting civilians as they flee their homes and farmland to hide in caves, and a deliberate and widespread blockage of humanitarian aid into South Kordofan and Blue Nile states. Anecdotal evidence of perpetrators screaming racist slurs as civilians are killed and raped are familiar to anyone who knows what has been happening in Darfur since 2003.

Sufficient evidence exists for us to believe the Sudanese regime is attempting to annihilate those whom the government suspects of supporting the Sudan People's Liberation Movement-North's (SPLM-N) aims. Hence many local people are automatically targeted regardless of their true political affiliations.

Hundreds of thousands of Sudanese remain trapped in South Kordofan, the victims of forced starvation, unable to farm their land. This critical situation largely mirrors what the same regime perpetrated in the 1990s, a case of genocide by attrition.

Meanwhile in Blue Nile state, a scorched earth campaign by government forces has forced the SPLM-N to retreat, leaving tens of thousands with no protection from the perpetrators.

As genocide scholars we have a solemn responsibility to educate the public about the horrors of the past in the hope of creating a future free of such crimes. We are the keep-

ers of the chapters of human history that are difficult to confront, casting a dark shadow on all of humanity. We study the past to find ways to prevent such egregious actions in the future. We exist to remind the world of humanity's capacity to commit genocide anywhere and against any group of people.

It is because of that responsibility that we write to you. We call on you to fulfill your responsibilities as global leaders when it comes to confronting mankind's most terrifying of crimes.

Although we welcome your efforts to aid the refugees who have found their way to camps in South Sudan, we must point out that as world leaders you have the moral authority granted by the UN's unanimous 2005 declaration of the Responsibility to Protect to demand delivery of aid to those inside Sudan. As guarantors of the Comprehensive Peace Agreement signed that same year, moreover, you have not fulfilled your legal and moral obligation to sanction violators of that agreement.

The Sudanese regime continues to slaughter its own civilians, while denying them access to aid and in defiance of various international treaties and conventions it has signed, not to mention the Sudanese constitution.

The Tripartite Agreement signed on 4 August 2012 in Addis Ababa, called upon the Government of Sudan to allow humanitarian access to all areas of the Nuba Mountains and the Blue Nile state dependent on certain conditions. Yet the Bashir regime's track record leads us to fear it will interfere with aid delivery to those in most need. Seasonal inaccessibility also requires extraordinary and timely arrangements, such as airdrops. Hence we beseech you to take the following steps immediately to ensure aid is delivered to South Kordofan and Blue Nile.

Establish a land and air humanitarian corridor through which aid can be delivered without interference or hindrance from Sudanese security, military or other forces or proxies.

Secure arrangements with the SPLM-N for the airlifting of these supplies directly into territory in their control.

Inform relevant Sudanese officials that, due to the urgency of the catastrophe created by their actions, the United States will deliver relief directly into the war-affected areas underneath SPLM-N control.

Invite relevant Sudanese officials to observe the cargo to be delivered so they can verify the contents.

Use the most effective means possible, including airlifts, to get supplies into affected areas in SPLM-N control.

Keep armed escort planes on standby for the protection of aid delivery planes if necessary.

It is therefore unwise to respond to the Khartoum regime's various crimes with appeasement. By allowing the NCP to behave with impunity, the U.S. and the rest of the international community signals a weakness that only emboldens those who would flout its own international agreements.

Furthermore, it is unwise to assume, as the international community does, that Khartoum intends the best for its citizens. Therefore we call on your administration to end Khartoum's effective blockade of aid to South Kordofan and Blue Nile. The regime will continue to kill their own people if once again the United States declines to use the economic and diplomatic leverage at its disposal to enforce the delivery of aid into South Kordofan and Blue Nile states under internationally acceptable terms.

We strongly urge you to act now to stave off the starvation of an entire people. Nothing would speak louder to the United States' concern for the protection of international human rights than an immediate operation to deliver aid to the Nuba Mountains people while they are still alive and able to be helped.

If your administration chooses to stand with the victims of Sudan's continuing campaign of ethnic cleansing, then history will accord you respect and honor. If you do not stand with the victims, history will be much harsher.

We very much look forward to hearing from each of you in regard to our letter and the suggestions therein.

In solidarity with the victims, and with respect,

Dr. Samuel Totten; Professor Emeritus, and author of *Genocide by Attrition: Nuba Mountains, Sudan (2012)*; University of Arkansas, Fayetteville; samstertotten@gmail.com.

Dr. John Hubbel Weiss; Associate Professor, History; Cornell University.

Mr. David Kilgour, J.D.; Former Canadian Secretary of State for Africa; Ottawa, Canada.

Dr. Israel W. Charney (dual citizenship, U.S. & Israel); Director, Genocide Prevention Network and Past President of the International Association of Genocide Studies, and Chief Editor, *Encyclopedia of Genocide*; Jerusalem, Israel.

Dr. Helen Fein; Chair of the Board, Institute for the Study of Genocide, and author of *Human Rights and Wrongs: Slavery, Terror and Genocide*; New York, NY.

Dr. Roger Smith; Professor Emeritus and Past President of the International Association of Genocide Studies, and editor of *Genocide: Essays Toward Understanding, Early Warning Prevention*; College of William and Mary, Williamsburg, VA.

Dr. John Hagan; MacArthur Professor, and Co-Director, Center on Law & Globalizations, American Bar Foundation Co-author of *Darfur and the Crime of Genocide* (Cambridge University Press, 2008); Northwestern University, Chicago, IL.

Craig Etcheson; Author of *After the Killing Fields: Lessons from the Cambodian Genocide*; Canton, IL.

Dr. Ben Kiernan; Whitney Griswold Professor of History and Director of Genocide Studies Program (Yale University); Author of *Blood and Soil: A World History of Genocide and Extermination from Sparta to Darfur* Yale University; New Haven, CT.

Dr. Herb Hirsch; Professor, Department of Political Science and Co-Editor of *Genocide Studies and Prevention: An International Journal* and author of *Anti-Genocide: Building An American Movement to Prevent Genocide* (Praeger, 2002); Virginia Commonwealth University, Richmond, VA.

Dr. Hannibal Travis; Associate Professor of Law and author of *Genocide in the Middle East: The Ottoman Empire, Iraq and Sudan (2010)*; Florida International University College of Law.

Professor Linda Melvern; Department of International Politics, and author of *A People Betrayed: The Role of the West in Rwanda's Genocide*; University of Aberystwyth, Wales.

Dr. Henry Theriault; Professor and Chair, Department of Philosophy, and

Co-Editor of *Genocide Studies and Prevention: An International Journal*; Worcester State University, MA.

Dr. Eric Weitz; Dean of Humanities and the Arts, and author of *A Century of Genocide: Utopias of Race and Nation* City College, City University of New York; New York, NY.

Dr. Gregory Stanton; President, Genocide Watch, Research Professor in Genocide Studies and Prevention, School for Conflict Analysis and Resolution; George Mason University, Fairfax, VA.

Dr. Rouben Adalian; Director, Armenian National Institute; Washington, D.C.

Dr. Susanne Jonas; Professor (retired), Latin American & Latino Studies, and author of *The Battle for Guatemala: Rebels, Death Squads and U.S. Power*, University of California, Santa Cruz.

Dr. Robert Skloot; Professor Emeritus; University of Wisconsin-Madison.

Nicolas A. Robins; Co-editor, *Genocide Studies and Prevention: An International Journal*, and author of *Genocide by the Oppressed: Subaltern Genocide in Theory and Practice*; Raleigh, North Carolina.

Dr. John D. Ciorciari; Assistant Professor of Public Policy; Gerald R. Ford School of Public Policy; University of Michigan, Ann Arbor.

Dr. George Kent; Professor, Department of Political Science; University of Hawaii, Honolulu.

Dr. Elisa Von Joeden-Forgey; Visiting Scholar, Department of History; University of Pennsylvania; Philadelphia, PA.

Dr. Peter Balakian; Donald M. and Constance H. Rebar Professor in Humanities, and author of *The Burning Tigris: The Armenian Genocide and America's Response*; Colgate University, Hamilton, NY.

Dr. Ernesto Verdeja; Assistant Professor of Political Science and Peace Studies; University of Notre Dame;

Mr. Stephen D. Smith; Executive Director, USC Shoah Foundation, and Adjunct Professor of Religion; University of Southern California; Los Angeles, California.

Dr. Paul Slovic; Professor, Department of Psychology; University of Oregon, Eugene.

Dr. Jason Ross Arnold; Assistant Professor of Political Science; L. Douglas Wilder School of Government and Public Affairs; Virginia Commonwealth University, Richmond, VA.

Dr. Jason K. Levy; Associate Professor; Homeland Security and Emergency Preparedness and Director; National Homeland Security Project; Virginia Commonwealth University, Richmond, VA.

Dr. Amanda Grzyb (Dual Citizen, U.S. and Canada); Assistant Professor, Information and Media Studies; and editor of *The World and Darfur: International Response to Crimes Against Humanity in Western Sudan*; University of Western Ontario (Canada).

Dr. Alan L. Berger; Reddock Family Eminent Scholar in Holocaust Studies, and Director, Center for the Study of Values and Violence After Auschwitz; Florida Atlantic University, Boca Raton.

Dr. Douglas H. Johnson; International Expert, Abyei Boundaries Commission, 2005; Author of *The Root Causes of Su-*

dan's Civil Wars; Haverford, PA and Oxford, UK.

Dr. Gagik Aroutunian; Associate Professor, Department of Art, Media & Design; DePaul University, Chicago, IL.

Dr. Gerry Caplan; Independent Scholar and Author of *Rwanda: The Preventable Genocide*; Richmond Hill, Ontario, Canada.

Dr. Dominik J. Schaller; Lecturer, History Department, and author of *The Origins of Genocide: Raphael Lemkin as a Historian of Mass Violence*; Ruprecht-Karls-University, Heidelberg, Germany.

Dr. Philip J. Spencer; Director of the Helen Bamber Centre for the Study of Rights, Conflict and Mass Violence; Kingston University; Surrey, England.

Dr. Maureen S. Hiebert; Assistant Professor, Department of Political Science, University of Calgary, Alberta, Canada; University of Calgary (Canada).

Dr. Eric Reeves; Professor, and author of *A Long Day's Dying: Critical moments in the Darfur Genocide*; Smith College, Northampton, MA.

Dr. Robert Hitchcock; Professor, Department of Geography, and co-editor of *Genocide of Indigenous Peoples*; Michigan State University, Lansing.

Dr. James Waller; Cohen Professor of Holocaust and Genocide Studies, author of *Becoming Evil: How Ordinary People Commit Genocide and Mass Killing*; Keene State College, Keene, New Hampshire.

Dr. Rubina Perroomian; Research Associate; University of California, Los Angeles.

Dr. Colin Tatz; Visiting Fellow, Political and International Relations, and author of *With Intent to Destroy: Reflecting on Genocide*; Australian National University, Canberra.

Dr. Kjell Anderson; Project Manager; The Hague Institute for Global Justice; The Hague, The Netherlands.

Dr. Adam Jones; Associate Professor, Department of Political Science, and author of *Genocide: A Comprehensive Introduction*; University of British Columbia.

Dr. Elihu D. Richter, MD MPH; Jerusalem Center for Genocide Prevention and Hebrew-University-Hadassah School of Public Health and Community Medicine; Jerusalem, Israel.

Matthias Bjornlund; Historian/Lecturer; Danish Institute for the Study Abroad, Copenhagen, Denmark.

José Carlos Moreira da Silva Filho; Professor, Criminal Law Post Graduate Department; Pontificia Universidade Católica do Rio Grande do Sul, Port Alegre RS—Brazil.

Tamar Pileggi; Co-Founder, The Jerusalem Center for Genocide Prevention Jerusalem, Israel.

Dr. Uriel Levy; Director, Combat Genocide Association; Jerusalem, Israel.

Dr. Penny Green; International State Crime Initiative; Kings College, London.

Dr. Tony Ward; Professor of Law; University of Hull, UK.

Ms. Amy Fagin; International Association of Genocide Scholars; New Salem, MA.

Dr. Ann Weiss; Director, Eyes from the Ashes Educational Foundation, and author of *The Last Album: Eyes from the Ashes of Auschwitz-Birkenau*; Bryn Mawr, PA.

Dr. Rick Halperin; Director, Embrey Human Rights Program; Southern Methodist University, Dallas, TX.

Mr. Geoff Hill; Bureau Chief, The Washington Times; Johannesburg, South Africa; South Africa.

WIND PRODUCTION TAX CREDIT

Mr. ALEXANDER. I ask unanimous consent that the following article from the Wall Street Journal on September 18, 2012, on the cost to taxpayers for the wind production tax credit be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

PUFF, THE MAGIC DRAG ON THE ECONOMY
TIME TO LET THE PERNICIOUS PRODUCTION TAX
CREDIT FOR WIND POWER BLOW AWAY

(By Lamar Alexander and Mike Pompeo)

As Congress works to reduce spending and avert a debt crisis, lawmakers will have to decide which government projects are truly national priorities, and which are wasteful. A prime example of the latter is the production tax credit for wind power. It is set to expire on Dec. 31—but may be extended yet again, for the seventh time.

This special provision in the tax code was first enacted in 1992 as a temporary subsidy to enable a struggling industry to become competitive. Today the provision provides a credit against taxes of \$22 per megawatt hour of wind energy generated.

From 2009 to 2013, federal revenues lost to wind-power developers are estimated to be \$14 billion—\$6 billion from the production tax credit, plus \$8 billion courtesy of an alternative-energy subsidy in the stimulus package—according to the Joint Committee on Taxation and the Treasury Department. If Congress were to extend the production tax credit, it would mean an additional \$12 billion cost to taxpayers over the next 10 years.

There are many reasons to let this giveaway expire, including wind energy's inherent unreliability and its inability to stand on its own two feet after 20 years. But one of the most compelling reasons is provided in a study released Sept. 14 by the NorthBridge Group, an energy consultancy. The study discusses a government-created economic distortion called "negative pricing."

This is how it works. Coal- and nuclear-fired plants provide a reliable supply of electricity when the demand is high, as on a hot summer day. They generate at lower levels when the demand is low, such as at night.

But wind producers collect a tax credit for every kilowatt hour they generate, whether utilities need the electricity or not. If the wind is blowing, they keep cranking the windmills.

Why? The NorthBridge Group's report ("Negative Electricity Prices and the Production Tax Credit") finds that government largess is so great that wind producers can actually pay the electrical grid to take their power when demand is low and still turn a profit by collecting the credit—and they are increasingly doing so. The wind pretax subsidy is actually higher than the average price for electricity in many of the wholesale markets tracked by the Energy Information Administration.

This practice drives the price of electricity down in the short run. Wind-energy supporters say that's a good thing. But it is hazardous to the economy's health in the long run.

Temporarily lower energy prices driven by wind-power's negative pricing will cripple clean-coal and nuclear-power companies. But running coal and nuclear out of business is not good for the U.S. economy. There is no way a country like this one—which uses 20% to 25% of all the electricity in the world—can operate with generators that turn only when the wind blows.

The Obama administration and other advocates of wind power argue that the subsidy provided by the tax credit allows the wind industry to sustain American jobs. But they are jobs that exist only because of the subsidy. Keeping a weak technology alive that can't make it on its own won't create nearly as many jobs as the private sector could create if it had the kind of low-cost, reliable, clean electricity that wind power simply can't generate.

While the cost of renewable energy has declined over the years, it is still far more expensive than conventional sources. And even the administration's secretary of energy, Steven Chu, calls wind "a mature technology," which should mean it is sufficiently advanced to compete in a free market without government subsidies. If wind power cannot compete on its own after 20 years without costly special privileges, it never will.

Mr. Alexander is a Republican senator from Tennessee. Mr. Pompeo is a Republican congressman from Kansas.

RECOGNIZING THE CHILDREN'S LEUKEMIA FOUNDATION

Mr. LEVIN. Mr. President, I am proud to recognize all those affiliated with the Children's Leukemia Foundation of Michigan as they celebrate 60 years of dedicated service and invaluable support for Michigan families. Their efforts have made a tremendous difference in the lives of individuals diagnosed with leukemia or a related disorder. This is important work, and we are all grateful for their efforts. An exciting evening has been planned to commemorate this milestone in Birmingham, Michigan this Saturday.

The Children's Leukemia Foundation of Michigan has been at the forefront of the battle against various blood disorders for six decades, helping countless families across Michigan deal with these devastating illnesses and to navigate the many important decisions they face as a consequence. Since its inception in the late 1940s and its incorporation in 1952, this organization has sought to equip patients and their loved ones with the resources, information, and guidance they need to make informed decisions.

Each individual who is diagnosed with a disorder must make a number of important decisions about their care and circumstances. This is where the CLF steps in. The mission of the CLF is "to provide and promote compassionate, personalized support to people in Michigan affected by Leukemia and other related disorders." This is accomplished through a comprehensive array of services for patients and their loved ones, ranging from support groups, to an online resource room, to

a resource kit for families and caregivers that contains useful and timely information about the disorder and the road ahead.

The financial and emotional support the CLF provides is crucial. Whether it is listening to patients and caregivers, helping to defray the cost of a prescription, referring an individual to the appropriate agency or service provider, or paying lodging for a family member, the CLF stands ready and willing to assist families in their time of need. Understanding that illness affects the entire family, the CLF offers services such as a day of respite for family members, peer support from others who share a common experience, a holiday toy program for children, and a ticket program that gives families a precious few hours of fun and joy. The deep concern and care this organization shows certainly helps to lessen the stress on families.

Organizations like the CLF help to provide a measure of comfort and assistance to patients and their loved ones. I know my colleagues will join me in thanking all those affiliated with the Children's Leukemia Foundation of Michigan for their hard work and tireless commitment on behalf of families across Michigan. The positive impact they continue to have on the lives of Michiganders living with leukemia and related disorders, is tremendous, and I extend my deepest appreciation for their many years of service.

TRIBUTE TO ROSS OGDEN

Mr. BLUMENTHAL. Mr. President, today I wish to honor a dedicated, inspiring—and one of our Nation's longest serving—emergency responders. Ross Ogden has quite literally given to the American Red Cross for his entire adult life.

Beginning his service in 1960 as one of the youngest members of the Greenwich chapter of the American Red Cross, Mr. Ogden served since his high school days with his local chapter, now known as Metro New York North. Throughout his academic tenure at Swarthmore College and then the University of Virginia, Mr. Ogden has helped and rescued fellow Americans confronting crisis, loss, and pain. He has administered aid during our most devastating national disasters, traveling around the country to join his family of Red Cross volunteers, ready to help at a moment's notice. In the wake of Los Angeles' deadly earthquake in 1994, on 9/11, and during Hurricane Katrina, Mr. Ogden risked danger to help others without hesitation. He is now, most deservedly, the national chair for disaster services.

While giving on a national scale, Mr. Ogden maintains his regional allegiance to the Connecticut area, currently a member of the board of directors for the Red Cross' blood services in

the metro north region. He is passionate about maintaining a plentiful blood supply for Americans in critical need, working as a blood volunteer for Greenwich's emergency blood coverage team.

Over the past years, Mr. Ogden has been formally recognized through two significant lifetime achievement awards, including the Clara Barton Award and the Harriman Award for Distinguished Volunteer Service, which is the most highly regarded, national recognition given by the Red Cross. Appropriately, Mr. Ogden received this high honor on the anniversary of his 50 years of service to the Red Cross. A mentor to young volunteers and passionate about inspiring citizens and communities to volunteer for the first time, he is unwaveringly committed to the future of the American Red Cross.

Mr. Ogden is a role model for all who give back. I welcome my colleagues in the Senate to join me in commending Mr. Ross Ogden for his tremendous personal service.

125TH ANNIVERSARY OF UNITED WAY

Mr. BLUMENTHAL. Mr. President, today I wish to recognize United Way of Connecticut as they celebrate their 125th anniversary and over a century of mobilizing local communities to achieve positive change.

Founded in 1887 by community leaders in Denver, CO, United Way Worldwide is now the world's largest privately supported nonprofit organization. This invaluable national network—rooted in our country's history but ever-attuned to the present—brings together a diverse collection of community stakeholders for a common purpose. Schools, government agencies, businesses, labor groups, the faith community, and many others have combined to promote academic achievement, financial stability, and healthy living. Connecticut is lucky to have 15 local United Way chapters serving communities all across the State. Remarkably, United Way of Connecticut has enhanced the quality of life for countless citizens. Almost everyone benefits from programs supported by United Way. Almost every community has critical organizations whose good work is supported by United Way.

Connecticut's United Way pioneered use of an informational database for citizens. While many States and major cities have developed an information hotline in the last few years, United Way of Connecticut had already created its "2-1-1" system in 1976. Connecticut's system quickly gained national recognition for its efficiency and effectiveness, and by the middle of the 1980s, it had become a model emulated by the rest of the country. In 2012 alone, this hotline was used over 550,000 times by constituents of all ages to

find assistance on topics ranging from health and early childcare to crisis intervention and disaster response. This information is offered in a streamlined and user-friendly manner, and in this way, United Way and United Way of Connecticut help constituents help themselves. These excellent communication methods and this attention to accessibility at State and local levels have enabled the incredible influence of United Way throughout the Nation and world.

Sensitive to the rise of unemployment, United Way of Connecticut has also developed crucial resources that help constituents get back to work. After losing a job, many are unaware of the Federal, State, and local resources at their disposal. Thankfully, local United Way chapters can offer support, such as assistance with unemployment compensation, job training services, foreclosure prevention aid, and utility assistance programs. Every day, these United Way chapters are helping Connecticut citizens get back on their feet.

Additionally, despite challenging economic times and thanks to a robust partnership with local labor organizations, United Way has made significant contributions to alleviating hunger. Annually, on the second Saturday in May, the National Association of Letter Carriers and United Way of Connecticut team up with the Connecticut Food Bank for the Stamp Out Hunger Food Drive. In 2012, this invaluable initiative, which has become the world's largest 1-day food drive, collected over 70 million pounds of nonperishable food items.

When a citizen is struggling to comprehend a complex health insurance program, searching for answers about their child's development, or simply looking for a helping hand, they know that they can count on their local United Way. The Connecticut chapters have done extraordinary work in educating citizens, making accessible important community resources, and serving as a constant source of hope. I applaud the wonderful work of United Way in local communities over the last 125 years and look forward to supporting and celebrating their accomplishments in the years ahead.

2011 and 2012 CONNECTICUT TEACHERS OF THE YEAR

Mr. BLUMENTHAL. Mr. President, today I proudly celebrate two of Connecticut's most outstanding teachers, who have been recognized as Connecticut Teachers of the Year. Kristen Record, physics teacher at Frank Scott Bunnell High School in Stratford, was awarded in 2011, and David Bosso, social studies teacher at Berlin High School, was honored in 2012.

Since 1952, the Connecticut Teacher of the Year program has highlighted educators who make significant im-

pacts in Connecticut classrooms and schools. Sponsored yearly by the Connecticut State Department of Education, one teacher in each local district is nominated. These district educators of the year have the opportunity to exchange advice and strategies and partake in advisory committees, workshops, conferences, and forums, serving as changemakers for public education on a national level. A teacher from each State is selected yearly from this pool and considered for the title of National Teacher of the Year.

I applaud Ms. Record and Mr. Bosso for earning this very well deserved distinction. This yearly award highlights the vital importance of teachers in our States who can show our future leaders how to embrace accountability, self-assessment, and motivation for years to come. They demonstrate that the quest to learn does not end at school, inspire exceptional teaching, and encourage all members of a community to become involved as teachers, mentors, and coaches.

Kristen Record has been central to the Bunnell High School community for 12 years as a physics teacher, mentor to colleagues, and adviser on education policy. Community participation and lifelong learning are key principles of her successful teaching methodology. In addition to her daily responsibilities, Ms. Record is able to take a larger view of her classroom, developing updated curriculum and achievement assessments while ensuring that every student is learning effectively. She has worked with her school district and throughout the State to improve the physics curriculum, institute electronic grading methods, create digital databases, and develop more effective ways of evaluating teachers and forming professional standards. Additionally, she has volunteered as senior class adviser, supported fellow teachers as a TEAM mentor, and volunteered on the Stratford Education Association's executive board. Ms. Record is regarded as a leader throughout the State in roles to include science education consultant for the Connecticut Clean Energy Fund and the Connecticut Science Center and high school director for the Connecticut Science Teachers' Association, demonstrating that opportunities to bring about positive change as a teacher are vast and exciting. Last year, she was appointed by the Connecticut Commissioner of Education to the Legislative Task Force for Secondary School Reform. And, recognized nationally in 2009 with the Presidential Award for Excellence in Mathematics and Science Teaching, she serves as a model of engaged teaching around the country. Growing up in a family of teachers, Ms. Record has continued her legacy, sharing this wisdom and experience with our future leaders.

David Bosso earned degrees from Eastern Connecticut State University

and the University of Hartford, and has given back to the State as a social studies teacher at Berlin High School since 1998. Beloved by students, he has inspired proficiency in communication skills, analysis, and reading comprehension by comparing current events with historical patterns. Mr. Bosso has also advised student government and coached basketball. He is a national leader for social studies, serving on the board of directors of the Connecticut Council for the Social Studies, as cochair of the Northeast Regional Conference on the Social Studies in 2012, and a participant of this year's National Council for the Social Studies' annual national conference. He has been published in Connecticut History and is currently working towards a doctorate in education.

When named 2011 Connecticut Teacher of the Year, Ms. Record eloquently described her role and the important job of educators around the world, recognizing that "tonight, we celebrate the fact that, as a teacher, you never truly know where your influence will end." Mr. Bosso similarly proclaimed the significant, multifaceted role of teachers, while speaking at the Connecticut Education Association's Representative Assembly this year, urging fellow teachers to "never, never, again use the phrase, 'I am just a teacher.'" I invite my colleagues to join me in acknowledging Ms. Record and Mr. Bosso, and ask for their continued support of our concerned, courageous teachers.

CONGRATULATING DOUGLAS HUTTON

Mr. BLUMENTHAL. Mr. President, today I wish to honor Douglas Hutton, recipient of the 2011 Milken Educator Award. He is the first teacher from Glastonbury High School to have ever received this prestigious award and the only educator from Connecticut to be awarded last year by the Milken Family Foundation.

Since 1985, the Milken Family Foundation—under the leadership of education visionary Lowell Milken and his family—has given thousands of Milken Educator Awards to top innovators of elementary and secondary education across the country. Whether teachers, principals, or specialists, these honorees are an exclusive group of experts who contribute every day to the critical debate on how we can make our Nation's schools better spaces for learning, growth, and the sparking of lifelong interests. One of the Milken Family Foundation's initiatives—through the Lowell Milken Center—is distinguishing "unsung heroes that have changed the course of history." And so with the Milken Educator Award, we acknowledge our Nation's dedicated educators who are not usually spotlighted but conscientiously work to help turn ideas, thoughts, and

questions into interests, passions, and projects.

Mr. Hutton has taught physics for 19 years, serving 17 of them at Glastonbury High School in Glastonbury, CT. He illuminates abstract concepts that are difficult to grasp, sharing his love of Stephen Hawkins, science, and math with his students. Through practical demonstrations, group projects, and experiments, he shows that problem-solving is challenging but rewarding. Mr. Hutton has said that teaching "all comes down to seeing [the students'] eyes light up when they understand a new idea."

Mr. Hutton did not apply for this award but was selected by a panel of education experts who, each year, seek out unsung teachers who demonstrate potential for and proven success in the classroom, engage in national discourse on academia, and convey an "engaging and inspiring presence that motivates and impacts students, colleagues, and the community."

The Milken Family Foundation makes education a shared national agenda, connecting educators with other sectors of our society. The foundation's multifaceted and interdisciplinary approach brings business, government, and philanthropic leaders together in the quest for innovative, realistic, and well-tested teaching methodology. Through programs administered by the Milken Family Foundation's National Institute for Excellence in Teaching, NIET, such as the System for Teacher and Student Advancement and the NIET Best Practices Center, the Milken Educator Award regards our Nation's best early to mid-level teachers as policy figures who can contribute their practical knowledge on a national stage.

The Milken Family Foundation and especially Douglas Hutton, now a member of the Milken community, deserve thanks for restoring faith in our educational system. I invite my Senate colleagues to join me in congratulating Mr. Hutton, who has contributed to the lives of our young people in lasting, significant ways.

REMEMBERING ZEV WOLFSON

Mr. BLUMENTHAL. Mr. President, I rise in a tribute to Zev Wolfson, an extraordinary philanthropist and humanitarian whose great deeds are unknown to most people because he never sought to make them known. Throughout his remarkable career, Mr. Wolfson offered millions of people—of all ages all around the world—the opportunity to experience Jewish education and give back to their families, religion, and communities with dignity and pride. He dedicated his life to supporting and advocating for Jewish outreach projects, tirelessly devoted to the power and importance of faith for future generations.

Throughout his life, Mr. Wolfson constantly aided communities wherever Jewish education was endangered. He began as an advocate for the Jewish nation. Walking the halls of Congress, he vigorously and expertly supported programs and institutions in Israel, such as schools and other educational centers—many helping Jewish refugees and their children who had escaped from Arab countries. Committed to providing assistance on a global scale, he focused on a particular project and, once it was sustainable and self-sufficient, moved to the next one.

Mr. Wolfson donated millions of dollars to underprivileged areas of the United States and underserved areas of the world. He drew from the personal pain of exile to Siberia in wartime—where he carried his father's body to a place where he could have a proper Jewish funeral in the freezing tundra—and then served as a father figure to millions. He helped young people, students, and families to stay connected with the Jewish nation, in lands stretching from the former Soviet Union and Israel to France and the United States.

As deliberately and tirelessly as he advanced his good deeds, he consistently avoided public recognition for them. He gave without any expectation of praise or acclaim, and his anonymity was purposeful and persistent. His diverse and numerous initiatives—birthright programs in colleges around the country, vocational and religious education activities around the globe, and many other programs—made Mr. Wolfson one of his generation's most influential leaders, but he remained virtually unknown. Now, I invite my colleagues to join me in according Mr. Wolfson this measure of recognition for the millions of people whose lives he touched and enhanced.

100TH ANNIVERSARY OF CATHOLIC CHARITIES

Mr. PORTMAN. Mr. President, I rise today to recognize the 100th anniversary of Cleveland Catholic Charities and its mission to serve people in need throughout the Catholic Diocese of Cleveland.

Catholic Charities was established in Cleveland in 1912 under the direction of Bishop John Farrelly during a time when there were few organized charities in the United States. It was founded in response to challenging economic conditions that existed for the poor and orphaned of the day. Throughout the organization's 100-year history, its work, programs and family centers have touched the lives of many people throughout northeast Ohio.

Over the years, Catholic Charities' leaders, employees, supporters and volunteers have cared for their neighbors and provided guidance to address the social needs of our community. Their

charitable mission is inspirational and their generous work has had great impact, helping millions of people. Their efforts provide meals, shelter, emergency assistance, counseling services, training and employment for many throughout the 8 northeast Ohio counties in the diocese.

On this occasion I would like to congratulate Bishop Richard Lennon, Cleveland Catholic Charities, and the Catholic community and thank them for their leadership, kindness, commitment and collective effort to serve the community and improve the lives of those in need. It is a privilege to recognize this centennial anniversary, and wish Cleveland Catholic Charities all the best for the future.

TRIBUTE TO TERRANCE C.Z. EGGER

Mr. PORTMAN. Mr. President, today I wish to recognize Terrance C.Z. Egger for his many contributions to the news industry over the past 30 years. Mr. Egger will be retiring early next year from The Plain Dealer in Cleveland, OH, where he has served as publisher, president, and chief executive officer since 2006. I would like to recognize his accomplishments, his contributions to journalism, and his commitment to the Greater Cleveland community.

Terry enjoyed an early start in the news business, when as a young man, he started his first newspaper job as a 6-year-old paperboy. Egger is a native of Rock Island, IL, and became the first in his family to attend college. He received a bachelor's degree from Augustana College in Sioux Falls, SD, and a master's degree from San Diego State University.

Terry began his 30-year career at a small biweekly newspaper in Southern California. Before joining the Plain Dealer in 2006, he worked for Copley Los Angeles Newspaper, Tucson Newspapers in Arizona, and as publisher and president of the St. Louis Post-Dispatch.

He is known not only for his professional leadership, but also for his civic engagement. He has faced the challenges of the news industry and provided steady and confident direction during a crucial time. He has a reputation for being deeply committed to the mission of a daily newspaper and the important role it plays in the community and in the democratic process. As an executive and manager, he is known for connecting with employees on a personal level and taking great interest in their professional success and family lives.

Beyond his work in news, Terry brought with him to Cleveland a long-standing commitment to civic involvement. He quickly integrated himself into the Greater Cleveland community, serving as an active member of several area boards including: the Greater

Cleveland Partnership, the Cleveland Clinic Foundation, the Musical Arts Association, and the Cleveland Museum of Art. He is a member of the United Way of Greater Cleveland Board and served as the organization's board chairman from 2010 to 2012.

Terry and his wife of more than 24 years, Renuka, have three children and live in Bay Village, OH. I would like to congratulate Terry on his many contributions to the news industry and to the Plain Dealer and wish him and his family all the best for the future.

RECOGNIZING TAIWAN'S NATIONAL DAY

Mr. JOHNSON of South Dakota. Mr. President, I rise today to recognize Taiwan as their National Day of Celebration, October 10, 2012, approaches. This day commemorates the end of imperial rule in China.

Since that day more than 100 years ago, Taiwan has successfully transitioned to a democracy. Taiwan has peacefully transferred power between political parties and earlier this year held another free and fair Presidential election. As we know from our own American history and have seen in countries around the world this past year, achieving a democracy is no easy feat, and I commend all those who have helped Taiwan reach this point.

The United States and Taiwan continue to enjoy a close friendship, and I hope my colleagues will join me in congratulating the people of Taiwan on the 101st anniversary of their National Day.

I also would like to take this opportunity to congratulate Ambassador Jason Yuan, Representative of the ROC, Taiwan, to the United States, on his new post as Secretary-General of the National Security Council of Taiwan. I cherish the friendship with Ambassador Yuan and wish Ambassador and Madame Yuan the very best of luck in the future.

TRIBUTE TO 2012 OLYMPIC GOLD MEDALIST KAYLA HARRISON

Mr. BROWN of Massachusetts. Mr. President, I rise today in tribute to a young woman from Marblehead, MA, who made us so proud during the 30th Olympiad. Like all our Olympians and Paralympians, judoka Kayla Harrison practiced for years, put in thousands of hours in training, sacrificed mightily and defeated countless competitors just to make Team USA.

At 6 years of age, Kayla's mother, herself a black belt, introduced Kayla to judo. Kayla excelled at the sport and by the time she was in her teens, was a two-time national champion. Yet, while this talented and dedicated athlete, still just a girl, was taking the judo world by storm, she was doing so while suffering in silence from the pain of sexual abuse.

If Kayla had never fought again or if she simply faded away, people would have understood. But with Wakefield coach Jimmy Pedro at her side, Kayla used martial arts to transcend the trauma, anger, and pain. Judo wasn't a way out, it was a way through. She went on to fight harder, and better, than ever. Watching Kayla compete, you get the sense that she is fighting at a whole different level. Kayla doesn't just defeat her opponents; she leaves them wondering why on Earth they ever fought her in the first place. Kayla would go on to win countless American and international competitions, all of which led to the 2012 London Olympic games.

In London, Kayla and countless others inspired our Nation. For the millions who themselves have suffered abuse, Kayla's gold medal was far more than a point of national pride, it was the most powerful reminder that there is hope. She reminded us that we can rise above any obstacle and that we don't have to be ruled, defined, or limited by the evil done to us. In the pursuit of a gold medal, Kayla taught us that we can be free.

Days before her first Olympic match, Kayla recorded a video in which she described each step she would take, from waking and eating breakfast on the morning of her first Olympic match, to her victory over her final competitor, and even predicting her tears of joy upon hearing our national anthem at her gold medal ceremony. Her commitment to her vision and her determination to see it through are a lesson in true perseverance.

We cannot understate the odds that Kayla faced in her chosen sport; no American man or woman had ever won an Olympic gold medal in Judo. Yet there is the enduring image of Kayla in London, overcome with emotion, standing at the highest point on the podium, hearing the notes of the "Star Spangled Banner." Kayla Harrison's immense courage, raw talent, and pursuit of an audacious dream inspire us all.

In closing I congratulate all our Olympians and Paralympians. In a time of uncertainty where there is so much focus on what separates and divides us, for a few weeks in late summer Kayla Harrison and her fellow athletes helped us come together as a nation and showed the world the best of America.

TRIBUTE TO 2012 UNITED STATES OLYMPIAN ALY RAISMAN

Mr. BROWN of Massachusetts. Mr. President, heading into the summer games, much of the focus was on the superstar athletes considered our best hope to bring home the gold. Certainly this was the case with Michael Phelps, LeBron James, and Sanya Richards-Ross, who seemed destined to secure

gold medals for their teams. Yet, as is often the case, the Olympics produced upsets and triumphs and story lines that no one could predict. This is such a story.

Alexandra Raisman from Needham, MA, was the obvious choice for captain of the U.S. women's gymnastics team in the 30th Olympiad. She was coached by the best, the award-winning Mihai Brestyan, who, along with his wife Silvia, owns Brestyan's American Gymnastics Club in Burlington, MA, one of our country's top training facilities for gymnasts at all levels. Mihai also coached 2008 Olympic silver medalist and Winchester, MA native Alicia Sacramone.

Aly was calm under pressure, a solid performer, and could be counted on to consistently do exceptionally well. There seemed to be a peace about the American gymnastics captain; watching her was a remarkable lesson in focus. "Reliable Raisman," as she was called, would be USA Gymnastics' foundation and, with the help of her teammates, would compete for individual gold medals and an elusive team gold against the world's best.

The day before the all-around team competition, Aly's teammate, the No. 1 gymnast on Earth in the individual all-around, fell. A team gold now hanging in the balance, her teammates covered their mouths and fought back tears as their coaches nervously paced. In a hushed arena, the cameras and the eyes of tens of millions of TV viewers turned to Reliable Raisman, who would now have to turn in the performance of a lifetime to secure gold for the American women.

Aly had in several previous competitions selected a modern rendition of "Hava Nagila," the popular Jewish folk song of celebration, as the music for her anything-but-routine floor exercises. Meaning "let's rejoice" in Hebrew, the song seemed a natural choice for this young woman, whose Jewish heritage is a central part of her life and family. After steady performances in the vault, beam, and uneven bars, the opening notes of "Hava Nagila" rang through the arena for her floor exercise. Before her routine, a TV commentator remarked that for Aly to secure the gold would require an "unreal" performance and a tumbling run that many thought "was not possible." Raisman exceeded expectations as she executed her tumbles and stuck her landing with a brilliant smile. This near-perfect floor routine solidified the first gymnastics all-around gold for American women since 1996.

A gold medal was also on the line as Aly again drew the world's attention to a 12-by-12 meter mat in London for the games' final gymnastic event. Raisman's floor routine came on the heels of a bronze medal in the individual balance beam competition providing her with a boost of confidence. A

slow motion replay of her final tumbling run showed her tears of joy beginning before she stuck her final landing as she knew she would be the first American woman to win gold in the floor exercise.

In closing, Aly Raisman did more than win our Nation's first ever Olympic gold medal in the women's floor exercise, did more than deliver the first women's gymnastics team gold for American women in 16 years; Raisman is an inspiration for the youth of Massachusetts that with hard work and dedication to your craft, anything can be achieved.

Mr. President, I congratulate Aly on her historic gold medal and wish her all the best in the years ahead. And to all our Olympians and Paralympians, thank you for so ably representing our Nation in the 30th Olympiad.

RECOGNIZING ALASKA'S OLYMPIANS

Mr. BEGICH. Mr. President, I wish to recognize three outstanding Alaskans who won in the 2012 U.S. Olympics and Paralympics: Ms. Janay DeLouch who calls Eielson Air Force Base home, Ms. Shirley Reilly who hails from Barrow, and Mr. Seth McBride from Juneau. I am proud of their accomplishments and honored to recognize these three talented young adults.

First, I would like to recognize Ms. DeLouch who competed in the women's long jump and placed bronze in the 2012 Olympic Games. Her other career highlights include placing third place in the 2012 U.S. Olympic Trials and placing silver in the 2012 World Indoor Championships. She is also a two-time National indoor champion for 2011 and 2012 and has placed second in the 2011 USA Outdoor Championships.

Ms. Reilly competed in various events in track and field of the 2012 U.S. Paralympics. She placed gold in the women's marathon, silver in the women's 5000 m and bronze in women's 1500 m. An extraordinary and talented individual, Ms. Reilly's other career accomplishments include placing first in the 2012 Boston Marathon, LA Marathon and Bolder Boulder (10K). She is a previous 2011 IPC World Championships Competitor and she finished second in the 2011 Chicago Marathon. Ms. Reilly has been a Paralympics Games Competitor since 2004.

Mr. McBride placed bronze in the mixed wheelchair rugby event in the 2012 U.S. Paralympics. His previous Paralympics experience includes placing gold in the 2008 Paralympics Games. Mr. McBride has competed in a variety of different sporting events and has placed gold at the 2005 World Wheelchair Games, the 2006 North American Cup, the 2006 Canada Cup, the 2006 World Championships, the 2008 Canada Cup and the 2010 World Championships.

Once again, it is my privilege to recognize these individuals for their hard work, dedication and their medals. They make Alaska proud.

TRIBUTE TO 2012 OLYMPIC BRONZE MEDALIST PAIGE MCPHERSON

Mr. THUNE. Mr. President, today I wish to recognize Paige McPherson of Sturgis, SD, who earned a bronze medal in Taekwondo at the 2012 Olympic Games in London, England, this summer. Despite facing the popular British world champion in the first round of competition in London, Paige fought her way to the bronze medal in the women's 67-kilogram division. Paige possesses an outstanding record of success in Taekwondo, beginning at a young age and, most recently, as a silver medalist at the 2011 Pan American Games. She was also a successful member of the U.S. National Team in 2009, 2010, and 2011.

Growing up in Sturgis, Paige pursued excellence in many areas. Paige is a passionate dancer and an active member of her church, pursuits which, along with her family and friends, helped her accomplish the amazing feat of earning an Olympic medal. She graduated from Black Hills Classical Christian Academy in 2009, at which point she was already nationally recognized in Taekwondo, and went on to attend Miami-Dade College in Miami, FL. Some of her most notable awards include 2007 Outstanding Female Athlete at the Senior National Championships, 2008 Chris Canning Award of Excellence Winner, and 2009 Outstanding Female Athlete at the USAT National Championships.

Paige should be extremely proud of her remarkable accomplishments. I am more than happy to extend my congratulations on her Olympic medal and to offer congratulations on behalf of the State of South Dakota. We are extremely proud and wish her continued success in the years to come.

NATIONAL DAY FOR THE REPUBLIC OF CHINA ON TAIWAN

Mr. MENENDEZ. Mr. President, I rise today to honor the people and leaders of Taiwan on their National Day on October 10. This is a day for celebration, a special day that recognizes the founding of the country 101 years ago.

I would like to highlight the economic success of Taiwan over the last century—a success that has rightly been called a "miracle" and resulted in a strong and dynamic economy. The United States and Taiwan have a long history of mutual trade and friendship that has promoted economic prosperity on both sides of the Pacific. I am particularly pleased that the U.S.-Taiwan bilateral relationship has become even stronger in recent years.

I also would like to take this opportunity to congratulate Ambassador Jason Yuan, Representative of the ROC (Taiwan) to the United States, on his new post as Secretary-General of the National Security Council of Taiwan. I cherish the friendship with Ambassador Yuan and wish Ambassador and Madame Yuan the very best of luck in the future.

I urge my colleagues to join me in congratulating the people of Taiwan on their success and thanking them for their continued efforts to work with the United States to foster a strong economic growth and cooperation. On this day of National Celebration, the people of both the United States and Taiwan have much to celebrate.

HISPANIC HERITAGE MONTH AND HISPANIC-SERVING INSTITUTIONS WEEK

Mr. MENENDEZ. Mr. President, this week I submitted two resolutions: The first recognizes September 15 through October 15 as Hispanic Heritage Month; the second designates the week of September 16 as "National Hispanic-Serving Institutions Week" and honors the critical work of Hispanic-serving Institutions across the United States.

These resolutions celebrate the immense contributions of Hispanic Americans to our great Nation and pay tribute to over 300 nonprofit Hispanic-serving Institutions for their important role in educating and empowering Hispanic youth.

Latinos have a long and decorated history in the United States, full of extraordinary contributions to America's past, present, and future. Latinos have proudly served, helped build, and defended our country and have done so for hundreds of years, honorably serving in every action since before the founding of the Nation.

Hispanics fought alongside patriots in the American Revolution and rallied in the Civil War, serving bravely in both the Union and Confederate armies. Latinos rode in Teddy Roosevelt's Rough Riders during the Spanish-American War, received Congressional Medals of Honor in both world wars, and made the ultimate sacrifice for our country in Korea and Vietnam. As of July 2012, over 143,000 Hispanic Americans were actively serving with distinction in the U.S. Armed Forces, including 19,752 Hispanics serving in Afghanistan.

Just as Hispanics have defended our Nation, we have also helped shape and build it. That is why I also want to honor the exemplary institutions that are making vital investments in the next generation of Latino leaders.

Hispanic-serving Institutions are colleges or universities where total Hispanic enrollment constitutes a minimum of 25 percent of the student body, and they serve over half of all Hispanic

students in the United States. As a product of a Hispanic-serving Institution in my home State of New Jersey, my experience is a living testimony of the important role that HSIs play in providing opportunities to Hispanic students in States such as Arizona, California, Colorado, Connecticut, Florida, Illinois, Kansas, Massachusetts, New Jersey, New Mexico, New York, Pennsylvania, Texas, Washington, and the Commonwealth of Puerto Rico.

With these resolutions, we celebrate the contributions of all Latinos and the institutions that serve the Hispanic community in the United States. This month, let us celebrate not only Hispanic Heritage, but Hispanic-serving Institutions as well.

I am pleased with the overwhelming support these important resolutions have from my colleagues, both Democrats and Republicans, particularly Leader REID and Senator CORNYN. This outpouring of bipartisan support is a strong indication of how far our community has come and how important our contributions are to this country. I look forward to celebrating the heritage and culture of Latinos and our valuable contributions to this Nation.

TRIBUTE TO CORTNEY JORDAN

Mr. HELLER. Mr. President, today I wish to recognize Nevada's own Cortney Jordan for her outstanding performance in the 2012 London Paralympic Games.

Cortney participated in six events: the 50 freestyle, 100 freestyle, 400 freestyle, 100 backstroke, 100 breaststroke, and 200 individual medley. She brought home four medals for Team USA; three silver (50m freestyle, 100m freestyle, 400m freestyle) and one bronze (100m backstroke).

Cortney had her first taste of Paralympic medal glory at the 2008 Paralympic Games in Beijing, where she was awarded four medals; one gold—50m free, two silver—400m freestyle, 100m freestyle, and one bronze—200m IM.

This 21-year-old Paralympic medalist is not only a remarkable athlete, but a talented student and an aspiring elementary school teacher. Recognized for her commitment to school and community involvement, Cortney is a Nevada Interscholastic Activities Association Top Ten Scholar Athlete and an Academic All-American. Serving as a role model for all Nevadans, I wish Cortney continued success on her future endeavors.

On behalf of the residents of the Silver State, I am proud to recognize Cortney's accomplishments. Today, I ask my colleagues to join me in congratulating a talented Nevadan as we show our pride and support for the entire U.S. Paralympics Team.

ADDITIONAL STATEMENTS

60TH ANNIVERSARY OF THE LINKS, INCORPORATED

• Mr. BENNET. Mr. President, I rise today, September 20, to celebrate the 60th anniversary of the Denver, CO chapter of The Links, Incorporated, and to honor dedicated women actively working to build a stronger community in the greater Denver area. As the father of three daughters, these women exemplify role models and are leaders in our community in the areas of business, civic duties, mentorship, activism, and volunteer work.

Founded in 1946, The Links is one of the oldest and largest volunteer service organizations committed to enriching, sustaining, and ensuring the culture and economic survival of people of African descent. Their membership consists of over 12,000 professional women of color in 276 chapters located in 42 States, the District of Columbia, and the Commonwealth of the Bahamas.

The Links focus on our five major facets: national trends and services, the arts, services to youth, international trends and services, and health and human services. The combined 276 chapters contribute more than 500,000 documented hours of community service.

For over 50 years, the Denver chapter has sponsored numerous projects including support to Stovall Care Center nursing home; Cleo Parker Robinson Dance; the George Washington Carver Day Care Center; the East High School Community Forum; and the Marcus Garvey Center at the University of Northern Colorado. Internationally, this chapter has also helped to increase access to basic necessities such as water by building water wells in African countries.

This chapter has honored and awarded scholarships to high school and college students. Our current mayor, the Honorable Michael B. Hancock, received one of these scholarships to help him attend Hastings College in Nebraska.

Since 2009, the Denver chapter has made a tradition of targeting programs that aim to close the achievement gap of middle school students at Hallett Fundamental Elementary School in Denver. In response to the academic needs of youth at Hallett, they have tutored, mentored, donated computers, and coordinated cultural, career, health, and violence prevention programs.

As the former superintendent of Denver Public Schools and a person devoted to enhancing volunteerism and commitment to community service among Americans of all ages, I am proud to honor the Denver chapter of The Links, Incorporated.

Mr. President, our Nation is profoundly affected by the service of volunteers. Generations of individuals

from different backgrounds have served each other and have focused on making our communities a better place for all. Please join me in celebrating the 60th anniversary of Denver's chapter of The Links, Incorporated, and their commitment to purposeful service and transformational programs to enrich the quality of life for local, national, and global communities everywhere.●

REMEMBERING KENYON MARC YOUNGSTROM

● Mrs. BOXER. Mr. President, I ask my colleagues to join me in honoring the life of Kenyon Marc Youngstrom, a dedicated husband, proud father, loving son, devoted friend, and respected law enforcement official. Officer Youngstrom lost his life serving the California Highway Patrol on September 5, 2012. He was 37 years old.

Kenyon Youngstrom was born in Pasadena, CA and raised in Riverside. He served as a U.S. Army Reservist from 1994 to 2000, attaining the rank of Specialist. He graduated from the California Highway Patrol Academy in February 2006 and served at both CHP Headquarters and CHP's Contra Costa Area Office.

Officer Youngstrom served his community with a heroism that extended beyond his own life. As the *Vallejo Times Herald* wrote, Officer Youngstrom "wanted his organs donated so that if something did ever happen to him in the line of duty, others might live even if he would not."

Officer Kenyon Youngstrom, like all those who serve in law enforcement across California, put his life on the line to protect his community. He is survived by his loving wife Karen and four children: Alexander, Madison, Andrew, and Kennedy. My heart goes out to his family and loved ones, and my thoughts and prayers are with them. We are forever indebted to him for his courage, service, and sacrifice.●

TRIBUTE TO ALVIN ROHRS

● Mr. BLUNT. Mr. President, I am on the Senate floor today to honor Alvin Rohrs for his 30 years of leadership and dedication to SIFE, Students in Free Enterprise. SIFE brings together today's business leaders and thinkers with enterprising college students on every continent who develop small businesses to solve local problems and create wealth and hope where there was little of either. SIFE is a hands-on business leadership opportunity, and Rohrs directs this unique business gospel toward those who want to live a financially, personally, and environmentally sustainable life.

While Rohrs has carried the title of president and CEO of SIFE, he has also been known as the enabler, chief cheerleader, and director of SIFE over these many years. Alvin Rohrs is an educa-

tor, motivator, guidance counselor, spiritual leader and the wizard behind the curtain at SIFE, working with other captains of business and industry to bring new opportunities to campuses around the globe. The list of American and international corporate titans that have brought their energy, insight and resources to SIFE is extraordinary. Even the United States State Department recognizes the value of SIFE in developing "more effective, socially responsible business leaders."

SIFE has been a key sponsor of sustainable business practices on every continent for three decades. SIFE educates students about the virtues of the risk-reward system known as free enterprise. SIFE applies free enterprise principles to lift people out of poverty and give them new opportunities for personal enrichment and service to their neighborhoods and communities. Among many examples, SIFE teams have shown poor single mothers how to start their own small businesses that boost their incomes and provide for their families. Farmers and small business people are given instruction about turning their ideas into companies that solve problems and provide jobs in disadvantaged neighborhoods. It is the free market system at its best. It is SIFE. It is Alvin Rohrs.

Rohrs heads a staff of more than 60 professionals at the headquarters in my hometown of Springfield, MO. Dozens of staffers help with SIFE's efforts to spread the positive word about business development and how it can influence initiatives through which scores of students develop projects to lift others out of despair. More than 1,600 teams on college campuses—more than 57,000 students—are active in 39 counties, including China and Russia, demonstrating the power of local business to solve local problems and create wealth. SIFE is a powerful force for enlightenment and good works.

Rohrs has led SIFE's development into a megaphone for the positive power of business in the world community. This year he reaches a milestone—30 years at the helm. He has earned many awards and accolades for his works in the charity community and in the business world. He has an unwavering belief in the work of SIFE and the message it carries into energizing entrepreneurs and creating new wealth.

I congratulate Alvin Rohrs and SIFE on their growth, accomplishments and good work providing the world community with personal understanding of free enterprise and the rewards it offers to people in all walks of life and all economic ranks. My hope is that SIFE and Alvin Rohrs continue this critical work for many years to come.●

REMEMBERING JOHN FRANCIS DIGNAM

● Mr. BROWN of Massachusetts. Mr. President, I rise today to pay tribute to an extraordinary Bay State resident and patriot, John Francis Dignam, who passed away on March 18, 2012, at the age of 78.

John Francis Dignam's life story is truly an American story. Born in Lawrence, MA, John attended St. Mary's Grammar School and graduated from Central Catholic High School at the age of 16, in 1950. He attended Tilton Prep School and Holy Cross, before enlisting in the Army in 1953, where he received numerous commendations. Upon his discharge from the Army, John attended Northeastern University in Boston, and earned a degree in physics and Applied Science in 1962. He returned to Northeastern many years later, and earned a degree from the executive MBA program.

John is best known for his work as a civil servant at the Watertown Arsenal from 1966-1996, where he served with and led a core team of national experts focused on the development of advanced materials and structures to meet the highly challenging requirements of United States ground and space-based defense systems. At the time of his retirement, he served as the Chief of the Ballistic Missile Defense Materials Program Office; Physical Science Administrator in the Materials Directorate; and Director of the Hardened Materials Program.

Following the closure of Watertown Arsenal in 1996, John retired from government service and founded a small company named Mentis Sciences. At Mentis Sciences, John and his team have conducted cutting-edge materials research, engineering and manufacturing support for the Department of Defense on many high priority tactical and strategic missile defense programs.

John Francis Dignam loved our great country, and his record of academic and professional achievement is both substantial and impressive. But it tells only part of the story. Alongside of his beloved wife of 49 years, Rita, he was a life-long resident of Massachusetts who was active in his community and his church. Throughout his decades of service to the country, John never lost sight of his Massachusetts roots, and he always made time to support his community and his church. He led others through his example. And today he lays at rest along the hillside at the Immaculate Conception Cemetery in Lawrence.

I am proud to rise today to honor his service to the Nation, and to recognize his profound contributions to Massachusetts, the greater Lawrence community, and his family.●

TRIBUTE TO MOIRA MCCARTHY STANFORD

• Mr. BROWN of Massachusetts. Mr. President, today I wish to recognize Ms. Moira McCarthy Stanford, who has contributed enormously and tirelessly to the cause of fighting diabetes.

Moira's support for diabetes research stems from her personal journey learning about diabetes. Her daughter, Lauren, was diagnosed with type 1 diabetes shortly after her sixth birthday. Type 1 diabetes is a chronic disorder that occurs when the pancreas does not produce enough insulin to properly control the body's sugar levels. We can all agree that navigating through diabetes management for both parents and children is extremely difficult, and with no cure for this disease, Moira's advocacy for research is essential.

Now, you may be familiar with the ongoing clinical trials for an artificial pancreas, which will dramatically improve the quality of life for individuals living with diabetes. This device has the potential to improve diabetes control by automatically providing the amount of insulin an individual needs to maintain healthy glucose levels. I am encouraged by these developments, which Moira has strongly supported. Her daughter Lauren will participate in these trials, and I am impressed that she is following in her mother's footsteps to help others living with diabetes.

I would also like to mention that Moira will be riding in this year's Juvenile Diabetes Research Foundation's Ride to Cure Diabetes. She will be bicycling 105 miles through Death Valley to raise money for the foundation. An avid cyclist myself, I understand the dedication required to train for this type event. I am also impressed that she is the second highest fundraiser in the Nation for this race. Moira has worked tirelessly for the Juvenile Diabetes Research Foundation, JDRF. She has served as president of the JDRF and was named JDRF International Volunteer of the Year in 2007.

I would like to thank Moira McCarthy Stanford for her tremendous work on behalf of the diabetes community and the JDRF. I know that her family, her daughter, Lauren, and the people of Massachusetts are extremely proud of her advocacy and service.●

TRIBUTE TO ROBERT F. GILLIGAN

• Mr. CARPER. Mr. President, along with my colleague Senator COONS, I wish to recognize a valued leader and respected public servant as he embarks upon his retirement following a long and distinguished career: the Honorable Robert F. Gilligan, Speaker of the House of Representatives of Delaware.

As the longest serving House member in Delaware's history, Bob Gilligan has devoted his career to bettering the State of Delaware. A native of Wil-

mington, Bob went to Pennsylvania to earn his bachelor's degree from St. Joseph's University and a master's degree from Villanova University. But, fortunately for the people of Delaware and specifically those in Sherwood Park in northern Delaware, Bob soon returned to the First State to begin a remarkable career in public service.

Bob was first elected to the Delaware House of Representatives in 1972, and he has served there with distinction for the past 40 years. As representative of the 19th District, he has served as House Majority Leader from 1983-1984, House Minority Whip from 1985-1995, and House Minority Leader from 1995-2008. In 2008, Bob was elected by his peers to be the 145th general assembly Speaker of the House.

During my time as Governor of Delaware, I had the great fortune of working with Bob on a host of important issues, including education reform, welfare reform, and fiscal policy that led to Delaware's credit rating being raised to AAA for the first time in State history—a rating that the State still enjoys today. I have had the privilege of watching Bob grow as a leader in the State House and, ultimately, as speaker over the course of his 40-year tenure. During that time, what I came to admire most about Bob was his ability to bring people together to work collaboratively. His peers on both sides of the aisle have noted Bob's ability to form partnerships and ensure the house proceeds in a civil and orderly manner. This is a truly laudable feat made even more impressive by the fact that over the past 40 years, Bob has worked with 8 different Governors, 67 different State senators, 176 different State representatives, worked on 12 different committees, and had the opportunity to vote on over 15,000 House Bills.

Bob leaves behind a legacy of creating a more open, responsible, and accountable government. When he first took office as speaker in 2008, Bob's goal was clear: He wanted to change business as usual in Dover. Almost immediately, sessions began on time, committee meetings were scheduled at least 48 hours in advance, and agendas were made public at least 24 hours prior to meeting. But the reforms didn't stop there. Under Bob's new leadership, the first bill of the new general assembly was his bill, House Bill 1, which made the Freedom of Information Act, FOIA, applicable to the general assembly, effectively opening the legislature to FOIA requests. And, fittingly, as Bob closed the chapter on his career in the House, he introduced one of his final bills, House Bill 300, which requires stricter disclosure laws with regard to campaign finance, helping to ensure that elections in Delaware races are conducted in a fair and transparent manner.

Upon his retirement, Bob described the essence of his leadership and reiter-

ated his faith in Delaware's approach to good governance: "I hope this place never becomes like Washington, DC. It's our state. You've got to do what's right for the state. Good government and making good decisions is good politics, and if you don't get elected because of a tough decision, you still sleep well. All the decisions I've made, I never lost any sleep."

A man of extraordinary service, Bob is known as a hard-working and active legislator. In addition to his responsibilities as Speaker of the House, he served on the House Administration, Ethics, House Rules, and Veteran Affairs Committees. Prior to his role as speaker, Bob served as a member of the Joint Finance Committee and was chairman of the Bond Bill Committee, the Health and Human Development Committee, and the Energy and Natural Resources Committee. Bob's leadership and commitment to serving others extends well beyond the State house. He is a life member of the Mill Creek Fire Company; a board member of the Blood Bank of Delmarva; a co-founder of the Mid-County and Absalom Jones Senior Centers; and, a parishioner of St. John the Beloved in Wilmington, DE. In addition to his title of "speaker," Bob is also known by the title of "professor" to many students through his role as an educator at Delaware Technical and Community College in Stanton.

Given Bob's incredible career of public service—both as an elected official and as a private citizen—I was of two minds when I heard of his plans to retire. On the one hand, Delaware will sorely miss its devoted public servant and leader. On the other hand, however, he will take some very well-deserved time to enjoy life with his wife Jeanne, their two daughters, son-in-law, and three grandchildren, Cole, Delaney, and Asher. We are in Jeanne's debt for sharing her husband of many years with the people of the First State.

I am truly honored to have worked with Bob Gilligan for many years and call him my friend. It is truly a privilege to pay tribute to a man who has done so much for the great State of Delaware for all of these years.●

• Mr. COONS. Mr. President, I am honored to join my senior Senator, TOM CARPER, as we rise today to honor the legacy of one of Delaware's longest serving elected officials—Speaker of the House Bob Gilligan.

Speaker Gilligan has served in the Delaware House of Representatives for 4 decades, elected to 20 consecutive terms by his constituents. Bob was first elected in 1972 at age 29—a remarkably young age to be so focused and service-minded.

A lot has changed in this country since 1972, but not Bob's commitment to Delaware, to education, to equal rights and to making our State a better place to live.

After 40 years of service, Speaker Gilligan is retiring at the end of this legislative session to spend more time with his family, including his wife Jeanne, his daughters Katie and Shannon, and his son-in-law Gavin, as well as his grandchildren, Delaney, Cole, and Asher.

Earlier this year, a number of us gathered at the Mill Creek Fire Hall, where Bob is a lifetime honorary member, and celebrated 70/40—his 70th birthday and his 40th year of public service. All it took was a look at the crowd that gathered to see the real and positive impact Speaker Gilligan has had on our community. He always kept his constituents from his district first and foremost on his mind, even as he worked on issues of broader impact to our State and even our Nation.

It was through Speaker Gilligan's leadership that real transparency and openness was brought to Delaware State government. He led the way for House Bill 1—legislation in 2009 that made our State's open-government laws apply to the General Assembly. That may sound like simple fairness and good governance, but it wasn't an easy road to get there. It took all of Bob's legislative acumen to get it done, and now all Delawareans benefit from a more accountable and open government.

Our State has benefitted from Bob's passion and commitment in other ways, too. His legacy is felt in education programs and schools across our State, as well as at the Mid-County Senior Center, which he helped found to support local seniors and provide the recreational, educational, and nutritional services necessary for a dignified retirement.

In these times of deep division and heated political rhetoric, Bob is a breath of fresh air. He listens to diverse perspectives and values principled compromise. As someone who has been around long enough to serve as both Speaker of the House and Minority Leader for Delaware, he has worked hard to find ways to bring people together.

Our State and our Nation could use more Bob Gilligans, and I join Delawareans of all political parties in thanking him for his decades of service and wishing him well in his retirement.●

RECOGNIZING THE DEVEREUX FOUNDATION

● Mr. CASEY. Mr. President, today I have the honor of highlighting the Devereux Foundation, a nonprofit behavioral health organization that supports many underserved and vulnerable communities. The Devereux Foundation is based in Villanova, PA, but provides critical services throughout the entire country. They are about to celebrate their 100th anniversary.

The Devereux Foundation began as the Devereux School, which was established in 1912 by Helena Devereux. Helena Devereux was a Philadelphia schoolteacher known for her success at working with special needs children. Devereux attempted an integrated, residential therapy approach, where lessons were integrated into daily routines. This was a radical approach for its time, but it was one based on Helena Devereux's firsthand experiences as a teacher. The results were a resounding success: by 1920, 22 children out of her 30 students had improved significantly.

By 1938, the State of Pennsylvania granted the Devereux Schools a nonprofit charter, and the Devereux Foundation was established. The foundation expanded to the west coast in the 1940s, and in the 1950s, it began research and clinical training efforts. Today, the Devereux Foundation operates a national network of clinical, therapeutic, educational and employment programs that serve children, adolescents, and adults. Their services include, but are not limited to, residential and day treatment programs, foster care homes, special education day schools, family counseling, and prevocational training. In this role, the Devereux Foundation has played a critical part in uplifting the needy and assisting the vulnerable, in Pennsylvania and across the Nation.

I am grateful for all of the work that Devereux and its employees have done over the last century, and I am proud that Devereux, a national leader in the field of behavioral health care, calls Pennsylvania home. I have heard stories of the many individuals with special needs whom Devereux supports and nurtures. Many are children, and I have seen how these families struggle to find the appropriate care and educational services for them. There is a line in Scripture that says, "Every child has a light." Devereux plays an especially important role in nurturing children who need a little more help to reach their full potential, a little extra to let their light shine out. I congratulate them on a century of hard work and wish them many more years of success.

As we move forward with the fight to ensure that quality and affordable health care is accessible to all Americans, I call on us to recognize and emulate the efforts of the Devereux Foundation and the role they have played in bringing about positive change throughout the country.●

REMEMBERING HENRY MOORE

● Mr. CASEY. Mr. President, today I rise to honor and remember Henry L. Moore for his exceptional service to his community, Commonwealth, and country.

Born April 8, 1921 in Ocilla, GA, the son of Andrew and Eliza Moore, Henry

entered the armed services on September 22, 1942. Though originally from the Peach State, Henry spent his adult life living in Pennsylvania.

Henry was a man of service, a man of science, and a man of faith. Today I wish to honor him as such.

As a man of service, Henry distinguished himself as one of the Tuskegee Airmen who so faithfully served our country during one of its darkest hours. Drafted in 1942, Henry graduated from the only class of African-American airplane mechanics at Lincoln Airbase in Nebraska in June 1943. After graduation he was assigned to the ground crew of the Fifteenth Air Force 332nd Fighter group. By 1944 Henry had become a crew chief working on B-25 bombers in the Mediterranean theater.

The Tuskegee Airmen hold a special place in American history, and Henry never forgot his part in it. Throughout the rest of his life, he remained active in the Tuskegee Airmen Inc., a nonprofit organization dedicated to honoring the accomplishments of African Americans in the U.S. Army Air Corps during WWII and introducing young people across the Nation to the world of aviation and science through local and national programs. At the time of his passing, Henry was serving his second term as the national parliamentarian of that organization.

As a man of science, Henry graduated from West Virginia State College with a bachelor of science in physics and electrical engineering and later with a master of science from Temple University. Following graduation, Henry began a career physics and electronic engineering until retiring from government service after 26 years.

Henry loved science, and, following his retirement, he continued to pass this passion on by teaching science and math, first at Roosevelt Middle School and then later at Abraham Lincoln High School in the Philadelphia school district.

As a man of faith, Henry was very active in his church. Always involved, Henry served on a number of boards and was president of both the deacons and trustees. His love of music intertwined with his church life as he sang in the choir and on special occasions played his trumpet.

As Henry's family and friends mourn his loss, I pray that they will be comforted by the knowledge that this great Nation will never forget the service and sacrifice of Henry L. Moore. May he rest in peace.●

HONORING COLONEL EUGENE SMITH

● Mr. COONS. Mr. President, I wish to commemorate the extraordinary life of Col. Eugene Smith of Wilmington, DE.

Gene was the eldest child of Pat and Mary Smith, and his family's story is the American story. He was born in

Ireland but moved to Wilmington at age 13, where he grew up playing sports and joined the Delaware National Guard while he was still attending Salesianum High School. After spending some time at seminary and working at DuPont—a great Delaware tradition—Gene went on Active Duty when the National Guard was federalized in the early 1940s. Colonel Smith served with honor in World War II and rose quickly to become a highly regarded military investigator with the Office of Strategic Services, leading the now-famous investigation into the post-war theft of over \$1 million in jewels.

On Thanksgiving Day 1952, the Smiths heard the knock at the door that every military family fears. Two Air Force officers brought news that a plane en route from Washington State to Alaska had crashed, and all 51 onboard were missing, including Gene.

The wreckage of the aircraft was spotted east of Anchorage, but by the time recovery teams entered the area, it had vanished, likely buried by an avalanche. The crash was simply stamped “unresolved.”

But America doesn't give up on our military heroes. We don't abandon our service men and women, no matter how long it takes. That is why I was so glad to read in the News Journal that on June 10 of this year, the Smith family finally got the closure they have been seeking. An Alaska Army National Guard team in a helicopter spotted debris on a glacier, and a specialized team was called in to officially identify it as the lost aircraft from more than 60 years ago. The remains of the souls lost that day were exhumed, identified, and buried at Arlington National Cemetery—the resting place for American heroes.

The only surviving brother of Colonel Smith, Mike Smith of Wilmington, has carried on his family's legacy of service with honor and dignity, and we are proud to count him among our neighbors. I join all Delawareans in saluting the service and sacrifice of Col. Eugene Smith of Wilmington.●

TRIBUTE TO ADMIRAL KIRKLAND DONALD

● Mr. CRAPO. Mr. President, my colleague Senator JIM RISCH joins me today in paying tribute to ADM Kirkland Donald, U.S. Navy, as he prepares to complete a naval career that began with his graduation from the Naval Academy in 1975 and concludes with his past 8 years of service as Director of the Office of Naval Reactors.

As Director of the Naval Nuclear Propulsion Program, Admiral Donald has had stewardship of every aspect of the nuclear navy, from fleet operations and training to reactor design and ultimate disposition of spent nuclear fuel. The dedication required of this mission is extraordinary, and our Nation has

benefited from Admiral Donald's steadfast leadership.

Over the course of his career, Admiral Donald excelled as an undersea commander. He served as the commanding officer of the nuclear-powered attack submarine USS *Key West*, commander of the elite Submarine Development Squadron Twelve and Commander Submarine Force, U.S. Atlantic Fleet, and Allied Submarine Command, Atlantic. Other highlights include tours at the Bureau of Naval Personnel, the Joint Staff, and as commander of all U.S. submarine forces.

While at Naval Reactors, he has ensured the safe operations of the nuclear navy. Nuclear-powered warships have safely steamed over 150 million miles and operated for more than 6,400 reactor years without an accident. The most recent 20 million miles and 800 reactor-years have been achieved under Admiral Donald's leadership.

Among his many achievements, one of the most impressive is the consistent and quiet success of the Naval Reactors Facility, NRF, in Idaho Falls. The highly complex and scientific work done at NRF requires not only a highly skilled, diligent workforce but the trust and confidence of the people of Idaho. As a result of Admiral Donald's work, that confidence has flourished.

Admiral Donald has been instrumental to the future of the Navy, having overseen the highly successful construction of many Virginia-Class attack submarines, the final design and construction of the next-generation USS *Gerald R. Ford* aircraft carrier, and the initial design of the Ohio-class replacement ballistic missile submarine. All three platforms incorporate impressive new technologies into the nuclear propulsion plants that have proven to be safe and reliable for nearly 70 years. These ships will allow the Navy to continue to protect America and our interests around the globe and would not be possible without the steadfast leadership of Admiral Donald.

Admiral Donald's selfless commitment to serving our Nation has left us safer and better prepared to respond to threats around the world. He leaves a legacy of service, dedication to the Navy, and commitment to the environment. With our deepest gratitude, we wish him the very best in retirement after an impressive and impactful career.●

CANONIZATION OF BL. KATERI TEKAKWITHA AND BL. MARIANNE COPE

● Mrs. GILLIBRAND. Mr. President, today I wish to honor the contribution of two great heroes, Kateri Tekakwitha and Marianne Cope. These two individuals from upstate New York worked tirelessly during their lifetimes to bring faith and health to every soul they touched. Bl. Kateri Tekakwitha

and Bl. Marianne Cope have served as an inspiration for generations of the faithful both in America and abroad, and are now being recognized with the highest honor of sainthood.

Bl. Kateri Tekakwitha was born in 1656 to a Mohawk father and Algonquin mother along the Mohawk River in upstate New York. After surviving a devastating smallpox epidemic, Kateri was introduced to Christianity by Catholic missionaries. Despite severe disapproval by her tribe, Kateri was baptized into the church as Catherine and lived the rest of her life caring for the sick and elderly in the Mohawk River region. She is informally known as Lily of the Mohawks and will become the patron saint of ecology, the environment, and Native Americans. Although she died young, Kateri's reputation as the first Native American saint will live forever. Her commitment to the Christian faith has served as an inspiration not only to Native American Catholics, but to all American Catholics.

The other beatified person, Bl. Marianne Cope, was a member of the Sisters of St. Francis in Syracuse after growing up in Utica, NY. As the eldest daughter of German immigrants, she worked in a factory to support her family and delayed answering her religious calling until her siblings were self-sufficient. Once she was able to commit to the church, Marianne dedicated her work to establishing a series of hospitals, both public and Catholic, in Syracuse and central New York. These hospitals were some of the first to treat patients regardless of race, religion, or nationality. Marianne was also one of the first hospital administrators to advocate for patients' rights and to accept medical students for clinical instruction. In 1883, she moved to Hawaii to care for those with leprosy, a task that was declined by many other religious groups. Throughout her time in Hawaii she remained a dedicated caretaker and symbol of hope to patients who had been exiled because of their illness.

These two extraordinary women will be declared saints on October 21 in Vatican City by Pope Benedict XVI in St. Peter's Square, marking the end of a long process of examination undergone by all candidates for sainthood. The ceremony will venerate Kateri and Marianne in the eyes of Catholics all over the world.

I would like the U.S. Senate to honor Bl. Kateri Tekakwitha and Bl. Marianne Cope and recognize their unparalleled commitment to faith and their unending sacrifices for the people most in need across New York and our Nation.●

TRIBUTE TO SSG CHARLES ALLEN

● Mr. INHOFE. Mr. President, On January 22, 2011 SSG Charles Allen of

Oklahoma lost his two legs and almost lost his life in an IED blast in Afghanistan in Arghandel Valley. But his will to live and the help of his wife and family have given this American Hero all the motivation he needed to win his battle for recovery. SSG Allen makes us all proud to be Americans. The following poem entitled PRAETORIANS was penned by Albert Caswell in his honor and his recovery. I ask unanimous consent that said poem be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

PRAETORIANS

Watch over me! Stand Guard!
Stand Ready, Stand Long, Stand Hard!
For you are The Spear of Freedom, that's
who you are! Throughout . . .
Throughout history . . .
There has, and will always be! Those who go
off to war!
Men of might, who so fight to be free! Who
our freedoms do so secure!
Like the Roman's, The Praetorian's! To
watch over us continually!
All the more!
Who will stand?
And who will fight?
And who will do what is right? What is right!
And who will lay down their own fine lives?
Who will give up their strong arms and legs,
so very bright? And make the angels
cry!
All in what their fine hearts have made, all
their most magnificent lives!
Who will so march off to war?
And so leave all that they so love and adore!
To watch over us throughout the night!
Bathed all in freedom's light!
All in that darkness of most evil war, as on-
ward they so fight! The Praetorian's,
are of the ones who so insure!
Standing guard, the ones who so fight on-
ward so ever more! Airborne, all for our
victory to insure!
Who but live to fight with their Band of
Brothers, but just one day more!
Magnificent Men,
who all for our nation their fine hearts are
Airborne! Who upon them all, the title
of hero is now so worn! Who go but
where angels so fear to tread!
Even thought their fine blood runs red!
As up to new heights their fine hearts have
soared!
For these are the men who are the Airborne,
all in times of war! To Fight the Fight,
as in their arms their brothers hearts beat
no more! As it was on one such faithful
tour . . .
Charles, as when your fine heart went even
higher, went Airborne! While, lying
there so very close to death . . . with
but not much left . . . When, some-
thing so deep down inside your fine
heart, would crest . . . With your two
legs gone and not much left . . .
As to new heights you so pledged . . .
For you had a family back home,
and you held on as you would not so leave
them so all alone.
When, Oklahoman said his recovery would be
Sooner not later! As you were gone . . .
AIRBORNE!
On the road to recover,
beyond all of that pain and heartache mov-
ing on! As we looked back and you were
gone!
As now You So Teach Us!

As now You So Reach Us!
As a Star was born!
And a great American family. . . .
Out of such tragedy somehow has somehow
moved on! With your lovely wife by
your side . . .
And your beautiful children in your arms as
you've cried! For you had something to
live for!
Touching all our hearts so deep inside!
As the word Hero Charles, in front of your
name comes before! And one day up in
Heaven Charles you will be Airborne!
As a PRAETORIAN with wings, to watch
over us once more!●

TRIBUTE TO SAM HAMRA

● Mrs. MCCASKILL. Mr. President, I rise today to honor and congratulate my friend, Mr. Sam Hamra.

Born in Steele, Missouri, Sam received both business and law degrees from the University of Missouri and served as an officer in the U.S. Army Field Artillery and Second Armored Cavalry Regiment. He began practicing law in Springfield, MO, and later became the city attorney for Nixa and St. Robert and the governmental relations attorney for Branson.

As Sam's practice became more successful, he never forgot his modest roots, or those less fortunate. In 1976, Sam was elected president of the newly formed Legal Aid Association of Green County, MO, known today as the Legal Services of Southern Missouri, LSSM. The Legal Aid Association was created to help low income citizens whose legal needs would otherwise be unmet. Under Sam's leadership, LSSM has helped thousands of Missourians in 43 counties.

On October 11, Legal Services of Southern Missouri will dedicate their new building, the "Sam F. Hamra Center for Justice." It is my hope that this building will help LSSM provide services to Missourians for many years to come.

In addition to his contributions to the legal community, Sam is very active in many local organizations. He served on the board of the Missouri Sports Hall of Fame, the Springfield area Sports Hall of Fame, and the Springfield/Branson Transportation Study Committee. As the chairman of the Springfield Chamber of Commerce Building Fund, he raised over \$300,000 for the construction of a new Chamber building.

Sam's dedicated service is an inspiration to all Missourians. His achievements and commitment to helping those in need deserves the highest commemoration and I am proud to honor him today.

Mr. President, I ask that the Senate join me in honoring and congratulating Mr. Sam Hamra.●

HONORING TECHNICAL SERGEANT BRIAN BELL

● Mrs. SHAHEEN. Mr. President, it is with a heavy heart that I rise today to

pay tribute to the life of Technical SGT Brian A. Bell, who died at the age of 54 at his home in Brookfield, NH on August 5. Brian served his country bravely for 29 years in both the 157th Air Refueling Wing of the New Hampshire Air National Guard, and in the United States Navy, deploying to Kuwait in 2005 and 2011.

Besides his love of country, Brian was best known for his deep devotion to his family and friends. He appreciated the small things in life such as going to concerts with his wife, heading out on fishing or hiking trips and going kayaking. He took so much joy in being a grandfather to his two grandchildren, James and Jocelyne.

Brian dedicated more than half of his life to defending our Nation, a devotion matched by his loyalty to his community. People who knew Brian say he was always willing to lend a helping hand when it was needed. His friends and loved ones knew him as a man driven by a fierce determination to defend the freedom we hold dear as Americans. Our country is better off today because of his efforts.

Today and every day, Americans like Brian heed the call to defend this great nation. They offer their service so we may live freely and securely. I hope that, even at this challenging time, Brian's family can find comfort in knowing that we share a deep appreciation for his life in the service of others.

Brian is survived by his loving wife Christine, daughter Natasha Nemetz, mother Helen Sue Bickford, brother James D. Bell, III, sister Rosanne Combs, and his beloved grandchildren. He will be loved and missed by all.

I ask my colleagues and all Americans to please join me in honoring the life and service of Technical SGT Brian A. Bell.●

HONORING STAFF SERGEANT BRANDON CULLEN-TOWLE

● Mrs. SHAHEEN. Mr. President, it is my sad duty to rise in tribute today to the brave service of Staff Sergeant Brandon Cullen-Towle. Staff Sergeant Cullen-Towle, who was known as "CT" to his friends, died on August 25 in a motorcycle accident. He was as dedicated to his country as he was to his family and friends.

Brandon was born on April 29, 1987 in Dover, NH. He graduated from Dover High School where he was a three-sport athlete, playing football, basketball and baseball. Brandon briefly attended the University of New Hampshire before realizing his true calling to serve our nation in the United States Air Force.

Brandon successfully completed his basic training at Lackland Air Force Base in Texas and was assigned as a Tactical Air Control Party Member in the 14th Air Support Operations Squadron in Pope Field, NC. In this role,

Brandon was responsible for calling in air strikes to support ground forces. He performed exceptionally well during his three tours of duty in Afghanistan; he took his responsibility seriously and it showed. In fact, Brandon's skill earned him a spot with the Special Operations Forces Tactical Air Control Party in the 21st Special Tactics Squadron.

Brandon received many awards for his service, including the Order of the Purple Heart, three Army Commendation Medals, the Air Force Commendation Medal and an Army Achievement Medal. Most impressively of all, President Obama and Chief of Staff of the Air Force General Norton Schwartz personally recognized Brandon for his courageous service during a mortar attack in Afghanistan. After being injured himself in the fight, Brandon saved an interpreter's life and called in an airstrike that successfully secured the base and neutralized the threat. He demonstrated great courage and tremendous poise under incredible pressure.

Brandon is remembered by family and friends as a giving person with an infectious laugh and a contagious smile. Always willing to lend a hand to those in need, Brandon consistently put others before himself. He valued his relationships and had an impact on everyone with whom he came in contact; people simply gravitated toward him.

Our Nation can never adequately thank this young New Hampshire son for his willingness to serve his country and to protect our freedom, and also never fully thank his family enough for their sacrifice. I hope that Brandon's family knows that all Americans share a deep appreciation and abiding respect for his brave service.

Brandon is survived by his mother Laura Towle and her husband Dennis; his father Brad Cullen; his stepfather, Mike Towle; two sisters, Stephanie and Kaylee Towle; brother Kameron Towle; his significant other Marlena Cullen-Towle; grandparents Norma and James Hughes, Fern Cullen, Rick and Kay Towle; and many aunts, uncles, cousins and friends. This young hero will be missed by all.

I ask my colleagues and all Americans to please join me in honoring Staff Sergeant Brandon Cullen-Towle.●

HONORING SPECIALIST JARED DAVISON

● Mrs. SHAHEEN. Mr. President, I rise today to honor the life and service of U.S. Army SPC Jared Davison. Specialist Davison, who died unexpectedly on September 4, was a dedicated servicemember, son, brother, and friend.

Jared was born on February 20, 1988 in Boston, MA. He graduated from Milford High School in 2006 and went on to attend Norwich Academy in Vermont

and then the prestigious U.S. Military Academy at West Point, NY. Jared served as a watercraft engineer with the 558th Transportation Company, Special Troops Battalion, 7th Sustainment Brigade at Fort Eustis in Virginia. Before his death, Jared was working toward a promotion to sergeant.

Jared first realized his passion to serve in the military on a family trip to Sequoia National Park in California. He was inspired by CPT Charles Young, one of the park's first superintendents who was also one of the first black graduates of West Point. Following that trip, Jared was determined to join the military. He read every military book he could get his hands on and even designed his own exercise regimen to prepare for the physical challenge of service.

Jared's enthusiasm to serve his country was matched only by his enthusiasm to live life to its fullest. Jared was a youth leader in his church and worked as a counselor at a summer camp in Maine. He was a strong role model for the children he mentored, and those who knew him remember his infectious smile and the kindness and respect he showed to everyone he met.

Although Jared was naturally an exceptional student and athlete, he understood the value of hard work. His combination of natural talent and diligence earned him many commendations and decorations, including the Army Achievement Medal, the National Defense Service Medal, the Global War on Terrorism Service Medal, and the Army Service Ribbon.

Our Nation can never adequately thank this young son of New Hampshire for his willingness to heed the call to defend the American people and our way of life. I hope that, even in these dark days, Jared's family can find comfort knowing that his was a life well lived. He is gone, but his service to this country will not be forgotten.

Jared is survived by his mother and father, Paula and James Davison, and his brother, Jeremy Davison. He will be missed.

I ask my colleagues and all Americans to join me in honoring the life and service of this brave American servicemember, U.S. Army SPC Jared Davison.●

REMEMBERING ROBERT H. HARRIS

● Mr. SHELBY. Mr. President, today I wish to pay tribute to Robert H. Harris, who passed away in his home on Thursday, August 2, 2012, at the age of 82. Bob was a highly respected attorney for whom I had the deepest respect. I am grateful that I was able to call Bob a friend and mourn his passing.

Born on June 9, 1930, in Columbus, GA, Bob spent the majority of his childhood in Goodwater, AL. He grad-

uated from Auburn University in 1951 and from the University of Alabama Law School where he was an outstanding student. Bob was first in his class and was a member of the Law Review, Farrah Order of Jurisprudence, and the Order of the Coif.

Bob went on to graduate from the University of Virginia Judge Advocate General School in 1955. He began practicing law when he was discharged as a captain after serving for 3 years in the U.S. Army from 1954 to 1957. He made significant contributions to the Decatur, AL, legal community and was admired for his diligence in his profession.

I had the great privilege of serving with him in the Alabama Senate. Not only was he a well-respected and talented attorney, but he was an excellent legislator as well. Bob served two terms in the State senate and was named Outstanding Freshman Senator, Hardest Working Senator, and Most Outstanding Senator. He was appointed as the chairman of the committee that revised the Code of Alabama in 1975 for the first time since 1940.

Beyond his contributions to the legal community, he was an active member of the First United Methodist Church where he taught the men's Bible class. He was also extremely dedicated to academia and served as a member of the Auburn University Board of Trustees for a decade. Additionally, he served as the Founding Director of the First American Bank.

Bob was an inspiration to me, a caring father and husband, and a valuable asset to his community, his church, and to Auburn University. My thoughts and prayers are with his family and friends, especially his wife Betty Sue Harris and his children, Laurie, Amanda, Bobbie, Robert, and Parks, as they mourn the loss of this admirable man.

I am honored to have called Bob a friend and colleague for more than 40 years. His contributions to the Decatur legal community, his church, and the State of Alabama will forever be remembered.●

TRIBUTE TO BILL SHUEY

● Mr. WHITEHOUSE. Mr. President, today I wish to recognize Bill Shuey, Director of the International Institute of Rhode Island. Bill is retiring after nearly three decades of service to the Rhode Island community.

I have witnessed Bill Shuey's effective and innovative leadership since my days as a member of the International Institute's Board of Directors in the 1980s. The Institute's mission is to provide the educational, legal, and social tools immigrants and refugees need to gain self-sufficiency and contribute to their communities—the very building blocks of the American dream. Since taking the helm of the Institute in 1984, Bill has overseen the growth of

the Institute's budget and highly skilled staff, as well as its relocation to a new home on Elmwood Avenue in Providence. Bill and his staff have served immigrants and refugees who have come to Rhode Island and southeastern New England from the Dominican Republic, Colombia, Guatemala, Eritrea, Ethiopia, Liberia, Cambodia, Burma, Laos, Bhutan, Iraq, Lebanon, Armenia, and many other countries.

Bill's father was a school principal who started an American school in Addis Ababa in 1966. In 2000, Bill made him proud when the International Institute founded a K-5 multilingual charter school in Pawtucket. About 300 students now attend the school, which immerses students in Spanish, Portuguese, and English.

Thanks to Bill's vision, the International Institute has plans to expand its services further through a merger with Dorcas Place, an adult education organization that focuses on literacy and language skills as well as job training and preparation.

I should mention that Bill's dedication to making a difference in the lives of others carries over into his private life. In addition to being a proud father, step-father, and grandfather, Bill is the foster parent of the son of Cambodian immigrants, who is now a student in law school.

Through building effective partnerships between non-profits, government, and the private sector, Bill has helped knit the fabric of our community in Rhode Island to connect thousands of individuals with the skills they need to become productive members of Rhode Island's workforce and society. Rhode Island has a long tradition of being enriched, culturally and economically, by immigrants who came to our shores with the American dream in their hearts. Bill has helped so many of them get a welcome start. I wish him heartfelt congratulations and gratitude for his years of service to the people of Rhode Island.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Thomas, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 9:48 a.m., a message from the House of Representatives, delivered by

Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 733. An act to provide for scientific frameworks with respect to recalcitrant cancers.

H.R. 1461. An act to authorize the Mesquero Apache Tribe to lease adjudicated water rights.

H.R. 3319. An act to allow the Pascua Yaqui Tribe to determine the requirements for membership in that tribe.

H.R. 3783. An act to provide for a comprehensive strategy to counter Iran's growing hostile presence and activity in the Western Hemisphere, and for other purposes.

H.R. 4158. An act to confirm full ownership rights for certain United States astronauts to artifacts from the astronauts' space missions.

H.R. 6060. An act to amend Public Law 106-392 to maintain annual base funding for the Upper Colorado and San Juan fish recovery programs through fiscal year 2019.

H.R. 6118. An act to amend section 353 of the Public Health Service Act with respect to suspensions, revocation, and limitation of laboratory certification.

H.R. 6433. An act to make corrections with respect to Food and Drug Administration user fees.

At 1:03 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 2827. An act to amend the Securities Exchange Act of 1934 to clarify provisions relating to the regulation of municipal advisors, and for other purposes.

H.R. 2903. An act to reauthorize the programs and activities of the Federal Emergency Management Agency.

H.R. 4124. An act to amend the Public Health Service Act to provide grants to States to streamline State requirements and procedures for veterans with military emergency medical training to become civilian emergency medical technicians.

H.R. 4212. An act to prevent the introduction into commerce of unsafe drywall, to ensure the manufacturer of drywall is readily identifiable, to ensure that problematic drywall removed from homes is not reused, and for other purposes.

H.R. 5044. An act to amend the Internal Revenue Code of 1986 to exclude from gross income any discharge of indebtedness income on education loans of deceased veterans.

H.R. 5910. An act to direct the Secretary of Commerce, in coordination with the heads of other relevant Federal departments and agencies, to produce a report on enhancing the competitiveness of the United States in attracting foreign direct investment, and for other purposes.

H.R. 5912. An act to amend the Internal Revenue Code of 1986 to prohibit the use of public funds for political party conventions.

H.R. 5948. An act to amend title 38, United States Code, to improve the supervision of fiduciaries of veterans under the laws administered by the Secretary of Veterans Affairs, to establish a Place of Remembrance at Arlington National Cemetery, and for other purposes.

H.R. 6163. An act to amend title IV of the Public Health Service Act to provide for a National Pediatric Research Network, in-

cluding with respect to pediatric rare diseases or conditions.

H.R. 6296. An act to amend the Small Business Act to provide the interest rate for certain disaster related loans, and for other purposes.

H.R. 6324. An act to reduce the number of nonessential vehicles purchased and leased by the Federal Government, and for other purposes.

H.R. 6361. An act to exclude from consideration as income under the United States Housing Act of 1937 payments of pension made under section 1521 of title 38, United States Code, to veterans who are in need of regular aid and attendance, and for other purposes.

H.R. 6368. An act to require the Department of Justice and the Department of Homeland Security to provide a joint report to Congress on the Departments' ability to track, investigate and quantify cross-border violence along the Southwest Border and provide recommendations to Congress on how to accurately track, investigate, and quantify cross-border violence.

H.R. 6375. An act to authorize certain Department of Veterans Affairs major medical facility projects, to amend title 38, United States Code, to extend certain authorities of the Secretary of Veterans Affairs, and for other purposes.

H.R. 6410. An act to amend the Internal Revenue Code of 1986 to provide for taxpayers making donations with their returns of income tax to the Federal Government to pay down the public debt.

H.R. 6431. An act to provide flexibility with respect to United States support for assistance provided by international financial institutions for Burma, and for other purposes.

ENROLLED BILLS SIGNED

At 2:31 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

S. 3245. An act to extend by 3 years the authorization of the EB-5 Regional Center Program, the E-Verify Program, the Special Immigrant Nonminister Religious Worker Program, and the Conrad State 30 J-1 Visa Waiver Program.

S. 3552. An act to reauthorize the Federal Insecticide, Fungicide, and Rodenticide Act.

The enrolled bills were subsequently signed by the President pro tempore (Mr. INOUE).

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 2827. An act to amend the Securities Exchange Act of 1934 to clarify provisions relating to the regulation of municipal advisors, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 2903. An act to reauthorize the programs and activities of the Federal Emergency Management Agency; to the Committee on Homeland Security and Governmental Affairs.

H.R. 3319. An act to allow the Pascua Yaqui Tribe to determine the requirements for membership in that tribe; to the Committee on Indian Affairs.

H.R. 4124. An act to amend the Public Health Service Act to provide grants to

States to streamline State requirements and procedures for veterans with military emergency medical training to become civilian emergency medical technicians; to the Committee on Health, Education, Labor, and Pensions.

H.R. 4212. An act to prevent the introduction into commerce of unsafe drywall, to ensure the manufacturer of drywall is readily identifiable, to ensure that problematic drywall removed from homes is not reused, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 5044. An act to amend the Internal Revenue Code of 1986 to exclude from gross income any discharge of indebtedness income on education loans of deceased veterans; to the Committee on Finance.

H.R. 5948. An act to amend title 38, United States Code, to improve the supervision of fiduciaries of veterans under the laws administered by the Secretary of Veterans Affairs, to establish a Place of Remembrance at Arlington National Cemetery, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 6060. An act to amend Public Law 106-392 to maintain annual base funding for the Upper Colorado and San Juan fish recovery programs through fiscal year 2019; to the Committee on Energy and Natural Resources.

H.R. 6163. An act to amend title IV of the Public Health Service Act to provide for a National Pediatric Research Network, including with respect to pediatric rare diseases or conditions; to the Committee on Health, Education, Labor, and Pensions.

H.R. 6324. An act to reduce the number of nonessential vehicles purchased and leased by the Federal Government, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 6361. An act to exclude from consideration as income under the United States Housing Act of 1937 payments of pension made under section 1521 of title 38, United States Code, to veterans who are in need of regular aid and attendance, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 6368. An act to require the Department of Justice and the Department of Homeland Security to provide a report to Congress on the Departments' ability to track, investigate and quantify cross-border violence along the Southwest Border and provide recommendations to Congress on how to accurately track, investigate, and quantify cross-border violence; to the Committee on the Judiciary.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 3576. A bill to provide limitations on United States assistance, and for other purposes.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 3607. A bill to approve the Keystone XL Pipeline.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with

accompanying papers, reports, and documents, and were referred as indicated:

EC-7630. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Fast Track Settlement for TE/GE Taxpayers" (Announcement 2012-34) received in the Office of the President of the Senate on September 12, 2012; to the Committee on Finance.

EC-7631. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "L and S Industrial and Marine, Inc. United States" (AOD-2012-02) received in the Office of the President of the Senate on September 13, 2012; to the Committee on Finance.

EC-7632. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Integrated Hedging Transactions of Qualifying Debt" (RIN1545-BK98) received in the Office of the President of the Senate on September 13, 2012; to the Committee on Finance.

EC-7633. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Per Capita Payments from Proceeds of Settlements of Indian Tribal Trust Cases" (Announcement 2012-60) received in the Office of the President of the Senate on September 13, 2012; to the Committee on Finance.

EC-7634. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Guidance on Pension Funding Stabilization under the Moving Ahead for Progress in the 21st Century Act (MAP-21)" (Notice 2012-61) received in the Office of the President of the Senate on September 13, 2012; to the Committee on Finance.

EC-7635. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Update for Weighted Average Interest Rates, Yield Curves, and Segment Rates" (Notice 2012-56) received in the Office of the President of the Senate on September 13, 2012; to the Committee on Finance.

EC-7636. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Property Traded on an Established Market" (RIN1545-BJ71) received in the Office of the President of the Senate on September 13, 2012; to the Committee on Finance.

EC-7637. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Wage Recharacterization" (Rev. Rul. 2012-25) received in the Office of the President of the Senate on September 13, 2012; to the Committee on Finance.

EC-7638. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Revenue Procedure: Examination of Returns and Claims for

Refund, Credit, or Abatement; Determination of Tax Liability" (Rev. Proc. 2012-40) received in the Office of the President of the Senate on September 13, 2012; to the Committee on Finance.

EC-7639. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Revenue Procedure Modifying Rev. Proc. 2011-14 and Rev. Proc. 97-27" (Rev. Proc. 2012-39) received in the Office of the President of the Senate on September 13, 2012; to the Committee on Finance.

EC-7640. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to groups designated by the Secretary of State as Foreign Terrorist Organizations (DCN OSS 2012-1446); to the Committee on Foreign Relations.

EC-7641. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 12-121, of the proposed sale or export of defense articles and/or defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Foreign Relations.

EC-7642. A communication from the Secretary of the Treasury, transmitting, pursuant to Executive Order 13313 of July 31, 2003, a semiannual report detailing telecommunications-related payments made to Cuba pursuant to Department of the Treasury licenses; to the Committee on Foreign Relations.

EC-7643. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report entitled "U.S. Department of State, Annual Category Rating Report"; to the Committee on Foreign Relations.

EC-7644. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to section 36(d) of the Arms Export Control Act (Transmittal No. DDTC 12-079); to the Committee on Foreign Relations.

EC-7645. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to section 36(c) of the Arms Export Control Act (Transmittal No. DDTC 12-105); to the Committee on Foreign Relations.

EC-7646. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to section 36(c) of the Arms Export Control Act (Transmittal No. DDTC 12-114); to the Committee on Foreign Relations.

EC-7647. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to section 36(c) of the Arms Export Control Act (Transmittal No. DDTC 12-119); to the Committee on Foreign Relations.

EC-7648. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to section 36(d) of the Arms Export Control Act (Transmittal No. DDTC 12-129); to the Committee on Foreign Relations.

EC-7649. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of

proposed issuance of an export license pursuant to section 36(c) of the Arms Export Control Act (Transmittal No. DDTC 12-100); to the Committee on Foreign Relations.

EC-7650. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "D and C Red No. 6 and D and C Red No. 7; Change in Specification; Confirmation of Effective Date" (Docket No. FDA-2011-C-0050) received during adjournment of the Senate in the Office of the President of the Senate on September 17, 2012; to the Committee on Health, Education, Labor, and Pensions.

EC-7651. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Amendment to the Interim Final Rule for the Pre-Existing Condition Insurance Plan Program" (RIN0938-AQ70) received during adjournment of the Senate in the Office of the President of the Senate on August 29, 2012; to the Committee on Health, Education, Labor, and Pensions.

EC-7652. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled "Report to Congress on the Assets for Independence Program—Status at the Conclusion of the Eleventh Year"; to the Committee on Health, Education, Labor, and Pensions.

EC-7653. A communication from the Railroad Retirement Board, transmitting, pursuant to law, the Railroad Retirement Board's appropriations request for fiscal year 2014; to the Committee on Health, Education, Labor, and Pensions.

EC-7654. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to section 36(d) of the Arms Export Control Act (Transmittal No. DDTC 12-090); to the Committee on Foreign Relations.

EC-7655. A communication from the Presiding Governor, Broadcasting Board of Governors, transmitting, pursuant to law, the Board's fiscal year 2012 Federal Activities Inventory Reform (FAIR) Act submission of its commercial and inherently governmental activities; to the Committee on Homeland Security and Governmental Affairs.

EC-7656. A communication from the Senior Procurement Executive/Deputy Chief Acquisition Officer, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Small Entity Compliance Guide" (FAC 2005-61) received in the Office of the President of the Senate on September 13, 2012; to the Committee on Homeland Security and Governmental Affairs.

EC-7657. A communication from the Senior Procurement Executive/Deputy Chief Acquisition Officer, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Technical Amendments" (FAC 2005-61) received in the Office of the President of the Senate on September 13, 2012; to the Committee on Homeland Security and Governmental Affairs.

EC-7658. A communication from the Senior Procurement Executive/Deputy Chief Acquisition Officer, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule en-

titled "Federal Acquisition Regulation; Bid Protest and Appeal" (RIN9000-AM31) received in the Office of the President of the Senate on September 13, 2012; to the Committee on Homeland Security and Governmental Affairs.

EC-7659. A communication from the Senior Procurement Executive/Deputy Chief Acquisition Officer, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; NAICS and Size Standards" (RIN9000-AM32) received in the Office of the President of the Senate on September 13, 2012; to the Committee on Homeland Security and Governmental Affairs.

EC-7660. A communication from the Senior Procurement Executive/Deputy Chief Acquisition Officer, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Delete Outdated FAR Reference to the DoD Industrial Preparedness Program" (RIN9000-AM35) received in the Office of the President of the Senate on September 13, 2012; to the Committee on Homeland Security and Governmental Affairs.

EC-7661. A communication from the Senior Procurement Executive/Deputy Chief Acquisition Officer, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; United States-Korea Free Trade Agreement" ((RIN9000-AM18) (FAC 2005-61)) received in the Office of the President of the Senate on September 13, 2012; to the Committee on Homeland Security and Governmental Affairs.

EC-7662. A communication from the Acting Assistant Attorney General, transmitting, pursuant to law, a report entitled "Section 508 Report to the President and Congress: Accessibility of Federal Electronic and Information Technology"; to the Committee on the Judiciary.

EC-7663. A communication from the Director, Administrative Office of the United States Courts, transmitting, pursuant to law, a report entitled "Report of the Proceedings of the Judicial Conference of the United States"; to the Committee on the Judiciary.

EC-7664. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Eurocopter Deutschland GmbH Helicopters" ((RIN2120-AA64) (Docket No. FAA-2012-0356)) received during adjournment of the Senate in the Office of the President of the Senate on August 29, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7665. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-0035)) received in the Office of the President of the Senate on September 10, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7666. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Honeywell International, Inc. Global Navigation Satellite Sensor Units" ((RIN2120-AA64) (Docket No. FAA-2012-0758)) received in the

Office of the President of the Senate on September 10, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7667. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Various Aircraft Equipped with Rotax Aircraft Engines 912 A Series Engine" ((RIN2120-AA64) (Docket No. FAA-2012-0765)) received in the Office of the President of the Senate on September 10, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7668. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Gulfstream Aerospace LP (Type Certificate Previously Held by Israel Aircraft Industries, Ltd.) Airplanes" ((RIN2120-AA64) (Docket No. FAA-2010-1164)) received in the Office of the President of the Senate on September 10, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7669. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Gulfstream Aerospace LP (Type Certificate Previously Held by Israel Aircraft Industries, Ltd.) Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-0675)) received in the Office of the President of the Senate on September 10, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7670. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-0329)) received in the Office of the President of the Senate on September 10, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7671. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Embraer S.A. Airplanes" ((RIN2120-AA64) (Docket No. FAA-2011-1251)) received in the Office of the President of the Senate on September 10, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7672. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc. Airplanes" ((RIN2120-AA64) (Docket No. FAA-2011-1089)) received in the Office of the President of the Senate on September 11, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7673. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-0292)) received in the Office of the President of the Senate on September 11, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7674. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives;

Honeywell International, Inc. Turbofan Engines" (RIN2120-AA64) (Docket No. FAA-2012-0195) received in the Office of the President of the Senate on September 11, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7675. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Eurocopter Deutschland GmbH Helicopters" (RIN2120-AA64) (Docket No. FAA-2012-0566) received in the Office of the President of the Senate on September 11, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7676. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" (RIN2120-AA64) (Docket No. FAA-2011-1165) received in the Office of the President of the Senate on September 11, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7677. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Airplanes" (RIN2120-AA64) (Docket No. FAA-2011-1066) received in the Office of the President of the Senate on September 11, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7678. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" (RIN2120-AA64) (Docket No. FAA-2010-1115) received in the Office of the President of the Senate on September 11, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7679. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; WACO Classic Aircraft Corporation Airplanes" (RIN2120-AA64) (Docket No. FAA-2012-0578) received in the Office of the President of the Senate on September 11, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7680. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures; Miscellaneous Amendments (25); Amdt. No. 3471" (RIN2120-AA65) received in the Office of the President of the Senate on September 13, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7681. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Voluntary Licensing of Amateur Rocket Operations" (RIN2120-AJ84) (Docket No. FAA-2012-0318) received during adjournment of the Senate in the Office of the President of the Senate on August 29, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7682. A communication from the Chief Counsel, Saint Lawrence Seaway Development Corporation, Department of Transportation, transmitting, pursuant to law, the re-

port of a rule entitled "Seaway Regulations and Rules: Periodic Update, Various Categories" (RIN2135-AA30) received during adjournment of the Senate in the Office of the President of the Senate on August 23, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7683. A communication from the Federal Liaison Officer, Patent and Trademark Office, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Changes to Implement Miscellaneous Post Patent Provisions of the Leahy-Smith America Invents Act" (RIN0651-AC66) received during adjournment in the Office of the President of the Senate on August 8, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7684. A communication from the Chairman of the Office of Proceedings and the Office of Economics, Surface Transportation Board, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Regulations Governing Fees for Services Performed in Connection with Licensing and Related Services—2012 Update" (Docket No. 542) received during adjournment of the Senate in the Office of the President of the Senate on August 8, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7685. A communication from the Chief Scientist, National Aeronautics and Space Administration, transmitting, pursuant to law, the report of a rule entitled "Research Misconduct" (RIN2700-AC84) received during adjournment of the Senate in the Office of the President of the Senate on August 21, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7686. A communication from the Director, Office of Whistleblower Protection Program, Occupational Safety and Health Administration, transmitting, pursuant to law, the report of a rule entitled "Procedures for the Handling of Retaliation Complaints Under the Employee Protection Provision of the Surface Transportation Assistance Act of 1982 (STAA), as Amended" (RIN2128-AC36) received during adjournment of the Senate in the Office of the President of the Senate on August 7, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7687. A communication from the Acting Assistant General Counsel for Regulatory Affairs, Consumer Product Safety Commission, transmitting, pursuant to law, the report of a rule entitled "Audit Requirements for Third Party Conformity Assessment Bodies" (RIN3041-AC76) received during adjournment of the Senate in the Office of the President of the Senate on September 14, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7688. A communication from the Acting Assistant General Counsel for Regulatory Affairs, Consumer Product Safety Commission, transmitting, pursuant to law, the report of a rule entitled "Revisions to Safety Standards for Durable Infant or Toddler Products: Infant Bath Seats and Full-Size Cribs" (16 CFR Parts 1215 and 1219) received during adjournment of the Senate in the Office of the President of the Senate on September 14, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7689. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Westfield, New York)" (MB Docket No. 12-51) received during adjournment of the Senate in the Of-

fice of the President of the Senate on August 16, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7690. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Television Broadcasting Services; Greenville, North Carolina" (MB Docket No. 12-130; DA 12-1208; RM-11662; DA 12-1208) received during adjournment of the Senate in the Office of the President of the Senate on August 8, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7691. A communication from the Deputy Chief, Consumer and Governmental Affairs Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Interpretation of Economically Burdensome Standard; Amendment of Section 79.1 (f) of the Commission's Rules; Video Programming Accessibility, Report and Order, CG Docket No. 11-175" (FCC 12-83) received during adjournment of the Senate in the Office of the President of the Senate on August 3, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7692. A communication from the Chief of the Policy and Rules Division, Office of Engineering and Technology, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Sections 15.35 and 15.253 of the Commission's Rules Regarding Operation of Radar Systems in the 76-77 GHz Band; ET Docket No. 11-90, RM-11555; and Amendment of Section 15.253 of the Commission's Rules to Permit Fixed Use of Radar in the 76-77 GHz Band" (FCC 12-72, ET Docket No. 10-28) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7693. A communication from the Deputy Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Connect America Fund; A National Broadband Plan for Our Future; Establishing Just and Reasonable Rates for Local Exchange Carriers; High-Cost Universal Service Support; Developing a Unified Inter-carrier Compensation Regime; Federal-State Joint Board on Universal Service; Lifeline and Link-Up; Universal Service Reform—Mobility Fund" (WC Docket Nos. 10-90, 07-135, 05-337, 03-109) received in the Office of the President of the Senate on September 10, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7694. A communication from the Chief of the Broadband Division, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Facilitating the Use of Microwave for Wireless Backhaul and Other Uses and Providing Additional Flexibility to Broadcast Auxiliary Service and Operational Fixed Microwave Licenses" (WT Docket No. 10-153) (FCC 12-87) received during adjournment of the Senate in the Office of the President of the Senate on August 23, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7695. A communication from the Deputy Division Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Connect America Fund; A National Broadband Plan for Our Future; Establishing Just and Reasonable Rates for Local Exchange Carriers; High-Cost Universal Service Support; Developing a Unified

Intermarried Compensation Regime; Federal-State Joint Board on Universal Service; Lifeline and Link-Up; Universal Service Reform—Mobility Fund" (RIN3060-AF85) (DA 12-870)) received during adjournment of the Senate in the Office of the President of the Senate on August 22, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7696. A communication from the Assistant Chief, International Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Foreign Ownership Policies, First Report and Order on Forbearance" (FCC 12-93) received during adjournment of the Senate in the Office of the President of the Senate on August 22, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7697. A communication from the Associate Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Special Access for Price Cap Local Exchange Carriers; AT and T Corporation Petition for Rulemaking to Reform Regulation of Incumbent Local Exchange Carrier Rates for Interstate Special Access Services" (RIN3060-AJ80) (FCC 12-92)) received in the Office of the President of the Senate on September 10, 2012; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HARKIN, from the Committee on Health, Education, Labor, and Pensions, without amendment:

S. 3578. An original bill to amend the Elementary and Secondary Education Act of 1965 (Rept. No. 112-221).

By Mr. BAUCUS, from the Committee on Finance:

Report to accompany S. 1641, a bill to implement the United States-Colombia Trade Promotion Agreement (Rept. No. 112-222).

Report to accompany S. 1642, a bill to implement the United States-Korea Free Trade Agreement (Rept. No. 112-223).

Report to accompany S. 1643, a bill to implement the United States-Panama Trade Promotion Agreement (Rept. No. 112-224).

Report to accompany S. 3326, a bill to amend the African Growth and Opportunity Act to extend the third-country fabric program and to add South Sudan to the list of countries eligible for designation under that Act, to make technical corrections to the Harmonized Tariff Schedule of the United States relating to the textile and apparel rules of origin for the Dominican Republic-Central America-United States Free Trade Agreement, to approve the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, and for other purposes (Rept. No. 112-225).

Report to accompany S. 3406, An original bill to authorize the extension of non-discriminatory treatment (normal trade relations treatment) to products of the Russian Federation and Moldova, to require reports on the compliance of the Russian Federation with its obligations as a member of the World Trade Organization, and to impose sanctions on persons responsible for gross violations of human rights, and for other purposes (Rept. No. 112-226).

Report to accompany S. 3568, An original bill to create a Citrus Disease Research and Development Trust Fund to support research on diseases impacting the citrus industry, to

renew and modify the temporary duty suspensions on certain cotton shirting fabrics, and to modify and extend the Wool Apparel Manufacturers Trust Fund, and for other purposes (Rept. No. 112-227).

By Mr. AKAKA, from the Committee on Indian Affairs:

Report to accompany S. 2389, a bill to deem the submission of certain claims to an Indian Health Service contracting officer as timely (Rept. No. 112-228).

By Mr. LEAHY, from the Committee on the Judiciary:

Report to accompany S. 3276, An original bill to extend certain amendments made by the FISA Amendments Act of 2008, and for other purposes (Rept. No. 112-229).

By Mr. LEAHY, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 3486. A bill to implement the provisions of the Hague Agreement and the Patent Law Treaty.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. AKAKA for the Committee on Indian Affairs.

*Kevin K. Washburn, of New Mexico, to be an Assistant Secretary of the Interior.

By Mr. LEAHY for the Committee on the Judiciary.

William Joseph Baer, of Maryland, to be an Assistant Attorney General.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. HARKIN:

S. 3578. An original bill to amend the Elementary and Secondary Education Act of 1965; from the Committee on Health, Education, Labor, and Pensions; placed on the calendar.

By Mr. VITTER:

S. 3579. A bill to amend the Immigration and Nationality Act to make voting in a Federal election by an unlawfully present alien an aggravated felony and for other purposes; to the Committee on the Judiciary.

By Mr. BROWN of Ohio (for himself and Mr. PORTMAN):

S. 3580. A bill to require the Corps of Engineers to preserve the historical integrity of Zoar, Ohio, while carrying out any study relating to or construction of flood damage reduction measures, including levees, in Zoar, Ohio; to the Committee on Environment and Public Works.

By Mr. CONRAD (for himself, Mr. ENZI, and Mr. ROCKEFELLER):

S. 3581. A bill to amend the Internal Revenue Code of 1986 to modify the credit for carbon dioxide sequestration; to the Committee on Finance.

By Mr. REED:

S. 3582. A bill to improve quality and accountability for educator preparation programs; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. HAGAN (for herself, Mr. KERRY, and Mrs. GILLIBRAND):

S. 3583. A bill to authorize the Secretary of Housing and Urban Development to establish and carry out a community revitalization program to provide Federal grants to communities for the rehabilitation of critically needed parks, recreational areas, and facilities, the development of improved recreational programs, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. PRYOR (for himself and Mr. MORAN):

S. 3584. A bill to reauthorize the National Integrated Drought Information System, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. TESTER:

S. 3585. A bill to provide authorities for the appropriate conversion of temporary seasonal wildland firefighters and other temporary seasonal employees in Federal land management agencies who perform regularly recurring seasonal work to permanent seasonal positions; to the Committee on Homeland Security and Governmental Affairs.

By Mr. FRANKEN (for himself and Mr. LEAHY):

S. 3586. A bill to provide reimbursement under the Medicaid program to individuals and entities that provide voluntary non-emergency medical transportation to Medicaid beneficiaries for expenses related to no-load travel; to the Committee on Finance.

By Mrs. BOXER (for herself and Mrs. FEINSTEIN):

S. 3587. A bill to include the Point Arena-Stornetta Public Lands in the California Coastal National Monument as a part of the National Landscape Conservation System, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. LEVIN (for himself, Mr. KIRK, Ms. STABENOW, Mr. DURBIN, Mr. CASEY, Mr. SCHUMER, Mr. BROWN of Ohio, and Mrs. GILLIBRAND):

S. 3588. A bill to amend the Federal Water Pollution Control Act to protect and restore the Great Lakes; to the Committee on Environment and Public Works.

By Mr. REED:

S. 3589. A bill to require the Comptroller of the Currency to establish a pilot program to facilitate communication between borrowers and servicers; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BEGICH (for himself and Ms. MURKOWSKI):

S. 3590. A bill to amend the Denali Commission Act of 1998 to reauthorize and modify the membership of the Denali Commission, and for other purposes; to the Committee on Environment and Public Works.

By Ms. SNOWE (for herself, Mr. BINGAMAN, Mrs. FEINSTEIN, and Mr. CARDIN):

S. 3591. A bill to amend the Internal Revenue Code of 1986 to improve and extend the deduction for new and existing energy-efficient commercial buildings, and for other purposes; to the Committee on Finance.

By Mr. BENNET:

S. 3592. A bill to amend the Older Americans Act of 1965 to encourage the use of locally grown food in meal programs; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BENNET:

S. 3593. A bill to amend the Older Americans Act of 1965 to strengthen programming,

services, and outreach for diverse elders, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HARKIN (for himself, Mr. GRASSLEY, Mr. ROCKEFELLER, and Ms. KLOBUCHAR):

S. 3594. A bill to amend the Internal Revenue Code of 1986 to increase the alternative tax liability limitation for small property and casualty insurance companies; to the Committee on Finance.

By Mr. MENENDEZ (for himself and Ms. SNOWE):

S. 3595. A bill to amend the Internal Revenue Code of 1986 to provide an exception from the passive loss rules for investments in high technology research small business pass-thru entities; to the Committee on Finance.

By Mr. TESTER (for himself and Mr. BEGICH):

S. 3596. A bill to make the National Parks and Federal Recreational Lands Pass available at a discount to veterans; to the Committee on Energy and Natural Resources.

By Mr. THUNE (for himself and Mr. WYDEN):

S. 3597. A bill to amend the Tariff Act of 1930 to increase and adjust for inflation the maximum value of articles that may be imported duty-free by one person on one day, and for other purposes; to the Committee on Finance.

By Mr. BLUMENTHAL:

S. 3598. A bill to protect elder adults from exploitation and financial crime, to prevent elder adult abuse and financial exploitation, and to promote safety for elder adults; to the Committee on the Judiciary.

By Mr. PORTMAN (for himself and Mr. BENNET):

S. 3599. A bill to streamline and address overlap in the Federal workforce investment system, steer Federal training dollars toward skills needed by industry, establish incentives for accountability through a Pay for Performance pilot program, and provide new access to the National Directory of New Hires, to measure performance and better connect the unemployed to jobs, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WARNER (for himself and Mr. PORTMAN):

S. 3600. A bill to expand the Federal Funding Accountability and Transparency Act of 2006 to increase accountability and transparency in Federal spending, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. VITTER:

S. 3601. A bill to provide tax relief with respect to the Hurricane Isaac disaster area; to the Committee on Finance.

By Mr. INHOFE:

S. 3602. A bill to repeal the nutrition entitlement programs and establish a food stamp block grant program; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. NELSON of Florida:

S. 3603. A bill to designate the Department of Veterans Affairs clinic in Sunrise, Florida, as the "William 'Bill' Kling Department of Veterans Affairs Clinic"; to the Committee on Veterans' Affairs.

By Mr. KOHL (for himself, Mr. GRASSLEY, and Mr. BLUMENTHAL):

S. 3604. A bill to amend title XVIII of the Social Security Act to provide for the implementation of prescriber education programs and to establish requirements relating to the administration of antipsychotics to residents of skilled nursing facilities and nursing facilities under the Medicare and Medicaid

programs, and for other purposes; to the Committee on Finance.

By Mrs. HAGAN (for herself, Mr. CRAPO, Mrs. MCCASKILL, Mr. RISCH, Mr. CARPER, Mr. VITTER, Mr. COONS, Ms. LANDRIEU, Mr. PRYOR, and Mr. CONRAD):

S. 3605. A bill to clarify Congressional intent regarding the regulation of the use of pesticides in or near navigable waters, and for other purposes; to the Committee on Environment and Public Works.

By Mrs. GILLIBRAND:

S. 3606. A bill to establish an improved regulatory process for injurious wildlife to prevent the introduction and establishment in the United States of nonnative wildlife and wild animal pathogens and parasites that are likely to cause harm; to the Committee on Environment and Public Works.

By Mr. HOEVEN (for himself, Mr. LUGAR, Mr. VITTER, and Ms. MURKOWSKI):

S. 3607. A bill to approve the Keystone XL Pipeline; read the first time.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. BEGICH (for himself and Ms. MURKOWSKI):

S. Res. 571. A resolution congratulating the Nunaka Valley Little League Junior girls softball team on winning the 2012 Little League Junior Softball World Series; to the Committee on the Judiciary.

By Mr. CARDIN (for himself, Mr. SANDERS, Mrs. BOXER, Mr. MERKLEY, and Mr. TESTER):

S. Res. 572. A resolution designating September 2012 as the "National Month of Voter Registration"; to the Committee on the Judiciary.

By Mr. MENENDEZ (for himself and Mr. TOOMEY):

S. Res. 573. A resolution designating the third week of January 2013, as "Teen Cancer Awareness Week"; to the Committee on the Judiciary.

By Mrs. GILLIBRAND (for herself, Ms. AYOTTE, Mrs. HUTCHISON, Mrs. SHAHEEN, Mr. KIRK, Mr. MENENDEZ, Mr. CORNYN, Mr. WYDEN, Mr. MORAN, Mr. CARDIN, Mr. HOEVEN, Mr. BROWN of Ohio, Mrs. BOXER, Mr. LIEBERMAN, Mr. LAUTENBERG, Mr. BENNET, Mr. BLUMENTHAL, Mr. SCHUMER, Mr. BEGICH, and Mr. JOHANNES):

S. Res. 574. A resolution calling on the United Nations to take concerted actions against leaders in Iran for their statements calling for the destruction of another United Nations Member State, Israel; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 166

At the request of Mr. LUGAR, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 166, a bill to amend the Internal Revenue Code of 1986 to permanently extend and expand the charitable deduction for contributions of food inventory.

S. 306

At the request of Mr. WEBB, the name of the Senator from Rhode Island (Mr.

REED) was added as a cosponsor of S. 306, a bill to establish the National Criminal Justice Commission.

S. 722

At the request of Mr. WYDEN, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 722, a bill to strengthen and protect Medicare hospice programs.

S. 738

At the request of Ms. STABENOW, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 738, a bill to amend title XVIII of the Social Security Act to provide for Medicare coverage of comprehensive Alzheimer's disease and related dementia diagnosis and services in order to improve care and outcomes for Americans living with Alzheimer's disease and related dementias by improving detection, diagnosis, and care planning.

S. 810

At the request of Ms. CANTWELL, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 810, a bill to prohibit the conducting of invasive research on great apes, and for other purposes.

S. 847

At the request of Mr. LAUTENBERG, the name of the Senator from Maryland (Ms. MKULSKI) was added as a cosponsor of S. 847, a bill to amend the Toxic Substances Control Act to ensure that risks from chemicals are adequately understood and managed, and for other purposes.

S. 998

At the request of Mr. AKAKA, the names of the Senator from Michigan (Ms. STABENOW) and the Senator from North Carolina (Mr. BURR) were added as cosponsors of S. 998, a bill to amend title IV of the Employee Retirement Income Security Act of 1974 to require the Pension Benefit Guaranty Corporation, in the case of airline pilots who are required by regulation to retire at age 60, to compute the actuarial value of monthly benefits in the form of a life annuity commencing at age 60.

S. 1301

At the request of Mr. LEAHY, the names of the Senator from North Dakota (Mr. CONRAD) and the Senator from Illinois (Mr. KIRK) were added as cosponsors of S. 1301, a bill to authorize appropriations for fiscal years 2012 through 2015 for the Trafficking Victims Protection Act of 2000, to enhance measures to combat trafficking in persons, and for other purposes.

S. 1381

At the request of Mr. BLUMENTHAL, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 1381, a bill to provide for the expansion of Federal efforts concerning the prevention, education, treatment, and research activities related to Lyme and other tick-borne disease, including the establishment of a Tick-Borne Diseases Advisory Committee.

S. 1423

At the request of Mr. TOOMEY, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 1423, a bill to clarify the orphan drug exception to the annual fee on branded prescription pharmaceutical manufacturers and importers.

S. 1683

At the request of Mrs. HAGAN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 1683, a bill to provide the Department of Homeland Security, U.S. Customs and Border Protection, and the Department of the Treasury with authority to more aggressively enforce trade laws relating to textile and apparel articles, and for other purposes.

S. 1718

At the request of Mr. WYDEN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1718, a bill to amend title XVIII of the Social Security Act with respect to the application of Medicare secondary payer rules for certain claims.

S. 1796

At the request of Mr. PRYOR, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 1796, a bill to make permanent the Internal Revenue Service Free File program.

S. 1840

At the request of Mr. BROWN of Ohio, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 1840, a bill to amend the Public Health Service Act to expand and intensify programs of the National Institutes of Health with respect to translational research and related activities concerning Down syndrome, and for other purposes.

S. 1872

At the request of Mr. CASEY, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 1872, a bill to amend the Internal Revenue Code of 1986 to provide for the tax treatment of ABLE accounts established under State programs for the care of family members with disabilities, and for other purposes.

S. 1884

At the request of Mr. DURBIN, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1884, a bill to provide States with incentives to require elementary schools and secondary schools to maintain, and permit school personnel to administer, epinephrine at schools.

S. 2189

At the request of Mr. HARKIN, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 2189, a bill to amend the Age Discrimination in Employment Act of 1967 and other laws to clarify appropriate stand-

ards for Federal antidiscrimination and antiretaliation claims, and for other purposes.

S. 2283

At the request of Mr. TESTER, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 2283, a bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to include procedures for requests from Indian tribes for a major disaster or emergency declaration, and for other purposes.

S. 2347

At the request of Mr. CARDIN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 2347, a bill to amend title XVIII of the Social Security Act to ensure the continued access of Medicare beneficiaries to diagnostic imaging services.

S. 2374

At the request of Mr. BINGAMAN, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of S. 2374, a bill to amend the Helium Act to ensure the expedient and responsible draw-down of the Federal Helium Reserve in a manner that protects the interests of private industry, the scientific, medical, and industrial communities, commercial users, and Federal agencies, and for other purposes.

S. 3079

At the request of Mr. JOHANNIS, his name was added as a cosponsor of S. 3079, a bill to make participation in the American Community Survey voluntary, except with respect to certain basic questions, and for other purposes.

S. 3237

At the request of Mr. WHITEHOUSE, the name of the Senator from Massachusetts (Mr. BROWN) was added as a cosponsor of S. 3237, a bill to provide for the establishment of a Commission to Accelerate the End of Breast Cancer.

S. 3250

At the request of Mr. CORNYN, the names of the Senator from California (Mrs. FEINSTEIN), the Senator from New York (Mr. SCHUMER), the Senator from Delaware (Mr. COONS), the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Texas (Mrs. HUTCHISON) and the Senator from North Carolina (Mr. BURR) were added as cosponsors of S. 3250, a bill to amend the DNA Analysis Backlog Elimination Act of 2000 to provide for Debbie Smith grants for auditing sexual assault evidence backlogs and to establish a Sexual Assault Forensic Evidence Registry, and for other purposes.

S. 3257

At the request of Mr. COBURN, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 3257, a bill to amend the Internal Revenue Code of 1986 to prohibit the use of public funds for political party

conventions, and to provide for the return of previously distributed funds for deficit reduction.

S. 3289

At the request of Mr. KERRY, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 3289, a bill to expand the Medicaid home and community-based services waiver to include young individuals who are in need of services that would otherwise be required to be provided through a psychiatric residential treatment facility, and to change references in Federal law to mental retardation to references to an intellectual disability.

S. 3338

At the request of Mr. ENZI, the names of the Senator from Wyoming (Mr. BARRASSO), the Senator from North Dakota (Mr. CONRAD) and the Senator from Massachusetts (Mr. BROWN) were added as cosponsors of S. 3338, a bill to amend the Public Health Service Act and title XVIII of the Social Security Act to make the provision of technical services for medical imaging examinations and radiation therapy treatments safer, more accurate, and less costly.

S. 3341

At the request of Mr. KERRY, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 3341, a bill to require a quadrennial diplomacy and development review, and for other purposes.

S. 3394

At the request of Mr. JOHNSON of South Dakota, the names of the Senator from Colorado (Mr. UDALL) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 3394, a bill to address fee disclosure requirements under the Electronic Fund Transfer Act, to amend the Federal Deposit Insurance Act with respect to information provided to the Bureau of Consumer Financial Protection, and for other purposes.

At the request of Mr. AKAKA, his name was added as a cosponsor of S. 3394, *supra*.

S. 3430

At the request of Mrs. SHAHEEN, the names of the Senator from Massachusetts (Mr. KERRY) and the Senator from California (Mrs. BOXER) were added as cosponsors of S. 3430, a bill to amend the Public Health Service Act to foster more effective implementation and coordination of clinical care for people with pre-diabetes and diabetes.

S. 3444

At the request of Mr. BROWN of Ohio, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 3444, a bill to require that textile and apparel articles acquired for use by executive agencies be manufactured from articles, materials, or supplies entirely grown, produced, or manufactured in the United States.

S. 3463

At the request of Mr. FRANKEN, the names of the Senator from Montana

(Mr. TESTER), the Senator from California (Mrs. BOXER) and the Senator from Massachusetts (Mr. BROWN) were added as cosponsors of S. 3463, a bill to amend title XVIII of the Social Security Act to reduce the incidence of diabetes among Medicare beneficiaries.

S. 3477

At the request of Mrs. BOXER, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 3477, a bill to ensure that the United States promotes women's meaningful inclusion and participation in mediation and negotiation processes undertaken in order to prevent, mitigate, or resolve violent conflict and implements the United States National Action Plan on Women, Peace, and Security.

S. 3494

At the request of Mr. FRANKEN, the names of the Senator from Michigan (Mr. LEVIN) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. 3494, a bill to amend the Internal Revenue Code of 1986 to qualify formerly homeless individuals who are full-time students for purposes of low income housing tax credit.

S. 3522

At the request of Mr. MENENDEZ, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 3522, a bill to provide for the expansion of affordable refinancing of mortgages held by the Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation.

S. 3525

At the request of Mr. TESTER, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 3525, a bill to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes.

S. 3546

At the request of Mr. JOHNSON of South Dakota, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of S. 3546, a bill to amend the Native American Programs Act of 1974 to reauthorize a provision to ensure the survival and continuing vitality of Native American languages.

S. 3551

At the request of Mr. DEMINT, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 3551, a bill to require investigations into and a report on the September 11–13, 2012, attacks on the United States missions in Libya, Egypt, and Yemen, and for other purposes.

S. 3560

At the request of Mr. WHITEHOUSE, the names of the Senator from California (Mrs. FEINSTEIN), the Senator from Nebraska (Mr. NELSON), the Senator from Connecticut (Mr. LIEBERMAN) and the Senator from Illinois (Mr.

KIRK) were added as cosponsors of S. 3560, a bill to provide for scientific frameworks with respect to recalcitrant cancers.

S. 3565

At the request of Mr. CASEY, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 3565, a bill to eliminate discrimination and promote women's health and economic security by ensuring reasonable workplace accommodations for workers whose ability to perform the functions of a job are limited by pregnancy, childbirth, or a related medical condition.

S. 3567

At the request of Ms. COLLINS, the names of the Senator from New Hampshire (Ms. AYOTTE) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of S. 3567, a bill to establish the Commission to Study the Potential Creation of a National Women's History Museum, and for other purposes.

S.J. RES. 41

At the request of Mrs. BOXER, her name was added as a cosponsor of S.J. Res. 41, a joint resolution expressing the sense of Congress regarding the nuclear program of the Government of the Islamic Republic of Iran.

S. CON. RES. 50

At the request of Mr. RUBIO, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. Con. Res. 50, a concurrent resolution expressing the sense of Congress regarding actions to preserve and advance the multistakeholder governance model under which the Internet has thrived.

S. RES. 453

At the request of Mr. HARKIN, the names of the Senator from Washington (Mrs. MURRAY), the Senator from Vermont (Mr. SANDERS) and the Senator from Maryland (Ms. MIKULSKI) were added as cosponsors of S. Res. 453, a resolution expressing the sense of the Senate that supporting seniors and individuals with disabilities is an important responsibility of the United States, and that a comprehensive approach to expanding and supporting a strong home care workforce and making long-term services and supports affordable and accessible in communities is necessary to uphold the right of seniors and individuals with disabilities in the United States to a dignified quality of life.

S. RES. 543

At the request of Mrs. BOXER, the names of the Senator from Pennsylvania (Mr. TOOMEY) and the Senator from South Dakota (Mr. JOHNSON) were added as cosponsors of S. Res. 543, a resolution to express the sense of the Senate on international parental child abduction.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. REED:

S. 3582. A bill to improve quality and accountability for educator preparation programs; to the Committee on Health, Education, Labor, and Pensions.

Mr. REED. Mr. President, we know that public education lays the foundation for economic growth and the ongoing vitality of our democracy.

We also know that there is more work to be done to improve our schools. To achieve this goal, we need to focus on the professionals who have the greatest impact on student learning at school—teachers and principals.

Last year, I introduced the Effective Teaching and Leading Act to support teachers, librarians, and principals currently on the job through a comprehensive system of induction, professional development, and evaluation.

Today, I am pleased to be introducing the Educator Preparation Reform Act with Representative HONDA to improve how we prepare teachers, principals, and other educators so that they can be effective right from the start.

Our legislation builds on the success of the Teacher Quality Partnership Program, which I helped author. We have added a specific focus on principals with the addition of a residency program for new principals.

Improving instruction is a team effort, with principals at the helm. This bill better connects teacher preparation with principal preparation. The Educator Preparation Reform Act will also allow partnerships to develop preparation programs for other areas of instructional need, such as for school librarians, counselors, or other academic support professionals.

The bill revamps the accountability and reporting requirements for teacher preparation programs to provide greater transparency on key quality measures such as admissions standards, requirements for clinical practice, placement of graduates, retention in the field of teaching, and teacher performance, including student learning outcomes.

All programs, whether traditional or alternative routes to certification, will report on the same measures.

Under this legislation, states will be required to identify at-risk and low performing programs and provide them with technical assistance and a timeline for improvement. Programs that are at-risk or low performing will be restricted in their ability to offer TEACH grants. States would be encouraged to close programs that do not improve.

The Educator Preparation Reform Act refocuses the state set-aside for higher education in Title II of the Elementary and Secondary Education Act

on activities to support the development and implementation of performance assessments to measure new teachers' readiness for the classroom and for technical assistance for struggling teacher preparation programs.

We have been fortunate to work with many stakeholders in developing the key provisions of this legislation. Organizations that have endorsed the Educator Preparation Reform Act include: the Alliance for Excellent Education, American Association of Colleges for Teacher Education, American Association of State Colleges and Universities, American Council on Education, American Psychological Association, Association of American Universities, Association of Jesuit Colleges and Universities, Association of Public and Land-grant Universities, Council for Christian Colleges and Universities, First Focus Campaign for Children, Higher Education Consortium for Special Education, Hispanic Association of Colleges and Universities, National Association of Elementary School Principals, National Association of Independent Colleges and Universities, National Association of Secondary School Principals, National Association of State Directors of Special Education, National Council of Teachers of Mathematics, National Science Teachers Association, National School Boards Association Opportunity to Learn Action Fund, Public Education Network, Rural School and Community Trust, Silicon Valley Education Foundation, Teacher Education Division of the Council for Exceptional Children, American Association of Colleges of Teacher Education, The Higher Education Task Force, National Association of Elementary School Principals, and National Association of Secondary School Principals.

I look forward to working with these organizations, my colleagues, and others as I seek to include this legislation during the effort next Congress to reauthorize both the Elementary and Secondary Education Act and the Higher Education Act. I encourage my colleagues to join me in supporting this legislation.

By Mrs. HAGAN (for herself, Mr. KERRY, and Mrs. GILLIBRAND):

S. 3583. A bill to authorize the Secretary of Housing and Urban Development to establish and carry out a community revitalization program to provide Federal grants to communities for the rehabilitation of critically needed parks, recreational areas, and facilities, the development of improved recreational programs, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mrs. HAGAN. Mr. President, I rise today to highlight the impact that local parks, greenways, and recreational opportunities have in neighborhoods and communities across the country.

Many Americans are dealing with the effects of a stagnant economy, the rising cost of health care, and threats to the overall quality of life in their communities. Research shows that investment in parks and recreation creates jobs, attracts business, increases property values, positively impacts public health, promotes conservation in a non-regulatory fashion, and contributes to a higher quality of life for hard-working Americans and their families. Additionally, recreation for disabled veterans has proven to be a powerful tool in the rehabilitation process, providing a number of significant therapeutic benefits for those who have served our country. Yet, many of our most populated areas are suffering from limited green space, deteriorating community facilities, and a lack of access to safe, quality recreation opportunities.

I have seen first-hand the tremendous impact that parks, greenways, and recreation opportunities have had in my hometown of Greensboro, a three time winner of the National Recreation and Park Association's Gold Medal Award. North Carolina's beautiful capital city, Raleigh, which is often referred to as "a city within a park", has been recognized over the last several years by publications such as Forbes, Business Week, and the Wall Street Journal as the best city for business, best city for jobs, and the nation's best place to live. All of these accolades are due in large part to the high quality of the parks and recreational facilities present throughout the community and were often noted when describing the criteria for making these "best of" selections.

For all of these reasons, today I am introducing the Community Parks Revitalization Act with Senator KERRY and Senator GILLIBRAND. The bill will authorize the U.S. Department of Housing and Urban Development to provide grants and technical assistance to rehabilitate community parks and recreational infrastructure. This legislation would also help communities provide improved opportunities for returning veterans, military families, and at-risk youth. Specifically, the Community Parks for Revitalization Act would provide matching grants to support localities by creating jobs and leveraging private investment by supporting capital projects that rehabilitate, and construct new, parks and recreation areas and facilities.

The act will combat childhood obesity by connecting youth with the outdoors and improving overall public health by increasing access to recreational areas and facilities; by providing innovative, cost-effective, and non-regulatory solutions to environmental challenges; and by addressing the recreation needs of disabled veterans, military families, as well as disadvantaged youth.

I ask all of my colleagues to please join me in supporting this timely legislation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 3583

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Community Parks Revitalization Act".

SEC. 2. FINDINGS.

Congress finds the following:

(1) According to the 2010 United States Census, over 80 percent of the population of the United States lives in urban areas.

(2) Urban parks are a critical part of our Nation's urban infrastructure, playing a vital role in revitalizing neighborhoods, stimulating our Nation's economy, combating national issues such as obesity and juvenile delinquency, and protecting our environment.

(3) Urban parks are a catalyst for active outdoor recreation, an industry which in 2010 supported 6,100,000 American jobs, generated \$646,000,000,000 in retail sales and services across the United States, generated \$39,900,000,000 in Federal tax revenues, and \$39,900,000,000 in State and local tax revenues.

(4) Studies also show that approximately 20 jobs are created for every \$1,000,000 invested in parks and conservation projects.

(5) Studies have found that parkland saves cities millions of dollars in storm water management and air pollution expenses by capturing precipitation, reducing runoff, and absorbing air pollutants.

(6) Between 2001 and 2012, as funding for local parks and recreation significantly declined, the number of adults classified as overweight or obese steadily increased from 61 percent to 67 percent. Similarly, during this same period, the number of children and adolescents classified as overweight or obese nearly tripled, going from 12 percent in 2001 to 33 percent in 2011.

(7) Physical inactivity contributes to obesity and takes a toll on our Nation's economy, as the annual costs of medical spending and lost productivity from individuals in the United States being obese and overweight are estimated to be \$147,000,000,000. Access to urban parks is critical to combating this issue. A study by the Centers for Disease Control found that the creation of, or enhanced access to, places for physical activity, such as parks, led to a 25.6 percent increase in the percentage of people exercising on 3 or more days a week which improves the physical and mental health of our citizens.

(8) Access to urban parks is critical to combating obesity and its residual impact on health care expenses. A study by the Centers for Disease Control and Prevention found that the creation of, or enhanced access to, places for physical activity, such as parks, led to a 25.6 percent increase in the percentage of people exercising on 3 or more days a week, which improves the physical and mental health of our citizens.

(9) According to the Centers for Disease control and Prevention, over the 25 years preceding the date of enactment of this Act, rates of obesity have more than tripled among adolescents ages 12 to 19 and doubled

among adults ages 20 to 74 and children ages 6 to 11.

(10) Physical inactivity contributes to obesity. A study by the CDC found that the creation of, or enhanced access to, places for physical activity led to a 25.6 percent increase in the percentage of people exercising on 3 or more days a week. Physical activity can improve physical and mental health. The annual costs of medical spending and lost productivity from individuals in the United States being obese and overweight are estimated to be \$147,000,000,000.

(11) Urban parks also decrease juvenile delinquency by providing quality after school programs. According to the Juvenile Justice Bulletin, without structured, supervised activities in the after school hours, youth are at greater risk of being victims of crime or participating in anti-social behaviors, especially during the hours of 2:00 pm to 6:00 pm.

(12) The National Youth Violence Prevention Resource Center reported that students who spend no time in extracurricular activities, such as those offered in after-school programs through parks and recreation agencies, are 49 percent more likely to have used drugs and 37 percent more likely to become teen parents than are those students who spend 1 to 4 hours per week in extracurricular activities.

(13) According to the Juvenile Justice Bulletin, without structured, supervised activities in the after-school hours, youth are at greater risk of being victims of crime or participating in anti-social behaviors. Juveniles are at the highest risk of being a victim of crime between 2:00 p.m. and 6:00 p.m., and the peak hour for juvenile crime is between 3:00 p.m. and 4:00 p.m., the first hour after most students are dismissed from school.

SEC. 3. PURPOSES.

The purposes of this Act are—

(1) to authorize the Secretary to establish and carry out a community revitalization program to provide Federal grants to communities for the rehabilitation of critically needed parks, recreational areas, and facilities, the development of improved recreational programs, and for other purposes;

(2) to improve urban areas through economic development;

(3) to prevent and improve chronic disease outcomes, including cardiovascular disease, diabetes, depression, and obesity;

(4) to improve recreational areas and facilities and expand recreation services in urban areas with a high incidence of crime and to help expand recreation opportunities for at-risk youth;

(5) to promote collaboration between local agencies involved in parks and recreation, law enforcement, youth social services, and juvenile justice system;

(6) to ensure accessibility to therapeutic recreation services and to provide recreation opportunities for injured or disabled members of the Armed Forces; and

(7) to encourage the rehabilitation of existing and construction of new urban recreational areas and facilities with environmentally beneficial components, when possible, such as sustainable landscape features and upcycled and recycled materials, and to prioritize the selection of projects that provide environmental benefits to urban areas, including by updating lighting, planting trees, increasing the urban forestry canopy, improving stormwater management, increasing green infrastructure, employing water conservation measures, and adding green spaces to urban areas.

SEC. 4. DEFINITIONS.

In this Act, the following definitions shall apply:

(1) The term “recreational areas and facilities” means indoor or outdoor parks, buildings, sites, or other facilities that are dedicated to recreation purposes and administered by public or private nonprofit agencies to serve the recreation needs of community residents, with emphasis on public facilities readily accessible to residential neighborhoods, including multiple-use community centers that have recreation as a primary purpose, but excluding major sports arenas, exhibition areas, and conference halls used primarily for commercial sports, spectator, or display activities.

(2) The term “rehabilitation and construction grants” means matching capital grants to local governments for the purpose of rebuilding, remodeling, expanding, or developing existing or building new recreational areas and facilities, including improvements in park landscapes, infrastructure, buildings, and support facilities, and the provision of lighting, emergency phones, or other capital improvements to improve the security of urban parks, but excluding routine maintenance and upkeep activities.

(3) The term “innovation and recreation program” grants means matching grants to local governments to cover costs of personnel, facilities, equipment, supplies, or services designed to demonstrate innovative and cost effective ways to augment park and recreation opportunities, or support new or existing programs, which increase access to recreation opportunities for returning veterans and active duty military and their families or provide constructive alternatives for youth at risk for engaging in criminal behavior.

(4) The term “recovery action program grants” means matching grants to local governments for development of local park and recreation recovery action programs, including for resource and needs assessment, coordination, citizen involvement and planning, and program development activities to encourage public definition of goals and develop priorities and strategies for overall recreation system recovery.

(5) The term “maintenance” means all commonly accepted practices necessary to keep recreational areas and facilities operating in a state of good repair and to protect such areas and facilities from deterioration resulting from normal wear and tear.

(6) The term “local government” means any city, county, town, township, parish, village, or any local or regional special district such as a park district, conservation district, or park authority.

(7) The term “private nonprofit agency” means a community-based, non-profit organization, corporation, or association organized for purposes of providing recreation, conservation, and educational services directly to urban residents on either a neighborhood or community-wide basis through voluntary donations, voluntary labor, or public or private grants.

(8) The term “Secretary” means the Secretary of Housing and Urban Development.

(9) The term “State” means any State of the United States (or any instrumentality of a State approved by the Governor), the District of Columbia, and the Commonwealth of Puerto Rico.

(10) The term “insular areas” means Guam, the Virgin Islands, American Samoa, and the Northern Mariana Islands.

SEC. 5. FEDERAL ASSISTANCE GRANTS.

(a) REGULATIONS.—Not later than 180 days after the date of enactment of this Act, the

Secretary shall promulgate regulations establishing a community revitalization program to provide Federal rehabilitation and construction grants, innovation and recreation programming grants, and recovery action program grants in accordance with this Act.

(b) REQUIREMENTS.—The regulations required under subsection (a) shall include—

(1) eligibility requirements for the grant program established pursuant to such subsection;

(2) the timing and form of applications required to be submitted to the Secretary by local governments seeking such grants;

(3) required elements of any grant application required to be submitted to the Secretary by local governments seeking such grants;

(4) criteria for priority selection and approval by the Secretary in choosing which local governments receive grant funds;

(5) guidelines for seeking modification of a project to be funded or which is funded by the grant program established pursuant to such subsection; and

(6) penalties placed on local governments that received amounts under the grant program established pursuant to such subsection for failing to comply with the reporting and recordkeeping requirements set forth in section 13, up to and including rescission of grant amounts for repetitive violations.

SEC. 6. ELIGIBILITY REQUIREMENTS AND PRIORITY CRITERIA.

(a) ELIGIBILITY REQUIREMENTS.—

(1) IN GENERAL.—In developing the regulations required under section 5(a), the Secretary shall set forth eligibility requirements for receiving grants under the community revitalization program established pursuant to this Act.

(2) CONSIDERATIONS.—The eligibility requirements required to be established under paragraph (1) shall be based on—

(A) evidence of a commitment to ongoing planning, rehabilitation, service, operation, and maintenance programs for park and recreations systems, as described in section 8;

(B) population density (the number of persons per square mile of land area);

(C) total population under 18 years of age or over 59 years of age;

(D) the number of unemployed people as a percentage of the civilian labor force;

(E) the percent of households without automobiles available;

(F) the percent of persons with income below 125 percent of the poverty level;

(G) the percent of single-headed households with children present; and

(H) any additional criteria the Secretary determines appropriate.

(b) PARTIAL ELIGIBILITY WAIVER.—

(1) GENERALLY.—Subject to paragraph (2), the Secretary is authorized to designate local governments in standard metropolitan statistical areas, as defined by the most current census, that do not meet all of the eligibility requirements required under subsection (a) as eligible to receive grants under this Act.

(2) LIMITATION OF FUNDS.—Grants to local governments described in paragraph (1) shall not exceed, in the aggregate, 15 percent of the funds appropriated pursuant to this Act for rehabilitation and construction, innovation and recreation program, and recovery action program grants.

(c) ELIGIBILITY CERTIFICATION.—As part of any application process set forth pursuant to the regulations prescribed under section 5, a responsible official for a local government that has applied for a grant under this Act

shall certify that the local government meets all of the eligibility requirements established under this Act with respect to receipt of grant amounts under the community revitalization program established pursuant to this Act. If a local government applies for a partial eligibility waiver under subsection (b), such certification shall specify which of the eligibility requirements are met by the local government.

(d) **PRIORITY CRITERIA.**—

(1) **GENERAL PRIORITY CRITERIA.**—The Secretary shall establish priority criteria for the selection and approval of projects to be funded by grant amounts made available pursuant to this Act. The priority criteria established under this subsection shall be based on factors such as—

(A) a higher population density of the project neighborhood;

(B) demonstrated deficiencies in the condition of existing recreational areas and facilities in the project neighborhood;

(C) demonstrated deficiencies in access to neighborhood recreation opportunities, particularly for minority and low- and moderate-income residents, veterans or active duty military families, and residents with physical or mental disabilities;

(D) the number of unemployed people as a percentage of the civilian labor force of the project neighborhood;

(E) public participation in determining rehabilitation or development needs;

(F) the extent to which a project or program supports or complements target activities undertaken as part of a local government's overall community development and urban revitalization program;

(G) the extent to which such a project would—

(i) provide employment opportunities for minorities, youth, and low- and moderate-income residents in the project neighborhood; and

(ii) provide for participation of neighborhood, nonprofit, or tenant organizations in the proposed rehabilitation and construction activity or in subsequent maintenance, staffing, or supervision of recreational areas and facilities;

(H) the amount of State, local, and private support for the project as evidenced by commitments of non-Federal resources to project construction or operation; and

(I) any additional criteria the Secretary determines appropriate.

(2) **PRIORITY CRITERIA FOR REHABILITATION AND CONSTRUCTION GRANTS.**—In addition to the general priority criteria established under paragraph (1), the Secretary shall establish priority criteria for the selection and approval of projects to be funded by a rehabilitation and construction grant made pursuant to this Act, including whether the project—

(A) builds recreational areas and facilities in areas that are located within half a mile of public housing or a school and do not currently have indoor or outdoor facilities;

(B) creates, maintains, or revitalizes playgrounds or active play areas for children;

(C) connects children to the outdoors for physical activity and access to nature;

(D) promotes physical activity for individuals and the community at large;

(E) works collaboratively with local governments, colleges, and universities, and other institutions to track the longitudinal rates of chronic diseases in the community such as cardiovascular disease, diabetes, depression, and obesity;

(F) uses environmentally beneficial components such as sustainable landscape features and upcycled and recycled materials;

(G) provides environmental benefits to urban areas, including by—

(i) updating lighting;

(ii) planting trees;

(iii) increasing the urban forestry canopy;

(iv) improving stormwater management;

(v) increasing green infrastructure;

(vi) employing water conservation measures; or

(vii) adding green spaces;

(H) connects to public transportation;

(I) uses LEED Green Building Standards or contains energy efficiency components such as energy efficient lighting and HVAC systems, and uses SITES sustainable landscape standards, or other sustainable components and practices;

(J) contains safe trails or routes, such as trails, bikeways, and sidewalks that connect to neighborhoods and enhance access to parks and recreational areas and facilities;

(K) enhances or expands youth development in neighborhoods and communities by engaging youth in environmental stewardship, conservation, and service projects;

(L) updates existing equipment or facilities to be in compliance with the most recent accessibility guidelines published by the United States Access Board, specifically by removing architectural barriers so that sites comply or exceed the requirements of the final guidelines for the accessibility of recreational areas and facilities; or

(M) constructs new facilities or sites to comply with or exceed the minimum requirements of the final guidelines for the accessibility of recreational sites and facilities published by the United States Access Board.

(3) **PRIORITY CRITERIA FOR INNOVATION AND RECREATION PROGRAM GRANTS.**—In addition to the general priority criteria established under paragraph (1), the Secretary shall establish priority criteria for the selection and approval of programs to be funded by an innovation and recreation program grant made pursuant to this Act, including whether the project or program—

(A) promotes the unique integration of recreation with other community services, such as transportation, public housing and public safety, either to expand or update current services, or to link programs within the social service structure of a neighborhood or between neighborhoods;

(B) utilizes new management and cost-saving or service-efficient approaches for improving the delivery of recreation services;

(C) serves communities with a high population of active military families or veterans;

(D) ensures accessibility to therapeutic recreation services and provides recreation opportunities for injured or disabled members of the Armed Forces;

(E) employs veterans, youth, or uses youth volunteers;

(F) targets youth are at the greatest risk of becoming involved in violence and crime;

(G) demonstrates past success in providing constructive alternatives to youth at risk for engaging in criminal behavior;

(H) demonstrates collaboration between local park and recreation, juvenile justice, law enforcement, and youth social service agencies and nongovernmental entities, including private, nonprofit agencies; and

(I) shows the greatest potential of being continued with non-Federal funds or may serve as models for other communities.

SEC. 7. REHABILITATION AND INNOVATION AND RECREATION PROGRAM GRANTS.

(a) **AUTHORIZATION.**—Upon approval of an application by the chief executive of an eligible local government, the Secretary may

provide 70 percent matching rehabilitation and construction grants and innovation and recreation program grants directly to such eligible local government.

(b) **TRANSFER.**—At the discretion of a local government receiving a rehabilitation and construction grant or innovation and recreation program grant pursuant to subsection (a), and if consistent with an approved application, such a grant may be transferred in whole or in part to private nonprofit agencies, provided that assisted recreational areas and facilities owned or managed by such private nonprofit agencies offer recreation opportunities to the general population within the jurisdictional boundaries of the local government.

(c) **PAYMENTS.**—Grant payments may be made only for rehabilitation and construction or innovation and recreation projects and programs approved by the Secretary. In the case of rehabilitation and construction and innovation projects, such payments may be made periodically in keeping with the rate of progress toward the satisfactory completion of a project, except that the Secretary may, when appropriate, make advance payments on approved rehabilitation and construction and innovation projects in an amount not to exceed 20 percent of the total project cost.

(d) **MODIFICATION OF PROJECT.**—The Secretary may authorize modification of an approved rehabilitation and construction or innovation project only when a grantee has adequately demonstrated that such modification is necessary because of circumstances not foreseeable at the time such project was proposed.

(e) **SPECIAL CONSIDERATIONS FOR INNOVATION AND RECREATION PROGRAM.**—Innovation grants shall correspond to the goals, priorities, and implementation strategies expressed in local park and recreation recovery action programs, with particular regard to the special considerations listed in section 8(b) of this Act.

SEC. 8. LOCAL COMMITMENTS TO SYSTEM RECOVERY AND MAINTENANCE.

(a) **RECOVERY ACTION PROGRAMS.**—

(1) **IN GENERAL.**—As a requirement for project approval, a local government applying for a grant under this Act shall submit to the Secretary evidence of its commitment to ongoing planning, rehabilitation, service, operation, and maintenance programs for its park and recreation systems. Such commitment shall be expressed in a local park and recreation recovery action program that maximizes coordination of all community resources, including other federally supported urban development and recreation programs.

(2) **INTERIM PRELIMINARY ACTION PROGRAMS.**—During an initial interim period to be established by regulation, the recovery action program requirement under paragraph (1) may be satisfied by submission of preliminary action programs of a local government that define objectives, priorities, and implementation strategies for overall system recovery and maintenance and commit such local government to a scheduled program development process.

(3) **5-YEAR ACTION PROGRAM.**—Following the interim period under paragraph (2), each local government applicant shall submit to the Secretary, as a condition of eligibility, a 5-year park and recreation recovery action program that demonstrates—

(A) identification of recovery objectives, priorities, and implementation strategies;

(B) adequate planning for rehabilitation of specific recreational areas and facilities, including projections of the cost of proposed projects;

(C) capacity and commitment to assure that facilities provided or improved under this Act shall thereafter continue to be adequately maintained, protected, staffed, and supervised;

(D) intention to maintain total local public outlays for park and recreation purposes at levels at least equal to those in the year preceding that in which grant assistance is sought, except in any case where a reduction in park and recreation outlays is proportionate to a reduction in overall spending by the applicant; and

(E) the relationship of the park and recreation recovery action program to overall community development and urban revitalization efforts.

(4) **CONTINUING PLANNING PROCESS.**—Where appropriate, the Secretary may encourage local governments to meet recovery action program requirements through a continuing planning process which includes periodic improvements and updates in recovery action program submissions to eliminate identified gaps in program information and policy development.

(b) **RECOVERY ACTION PROGRAM SPECIAL CONSIDERATIONS.**—Recovery action programs shall address, at a minimum, the following special considerations:

(1) Rehabilitation of existing recreational areas and facilities, including—

(A) general systemwide renovation;

(B) special rehabilitation requirements for recreational areas and facilities in areas of high population concentration and economic distress; and

(C) restoration of outstanding or unique structures, landscaping, or similar features in parks of historical or architectural significance.

(2) Local commitments to innovative and cost-effective programs and projects at the neighborhood level to augment recovery of park and recreation systems, including—

(A) recycling of abandoned schools and other public buildings for recreation purposes;

(B) multiple use of operating educational and other public buildings;

(C) purchase of recreation services on a contractual basis;

(D) use of mobile facilities and recreational, cultural, and educational programs or other innovative approaches to improving access for neighborhood residents;

(E) integration of the recovery action program with federally assisted projects to maximize recreation opportunities through conversion of abandoned railroad and highway rights-of-way, waterfront, and other redevelopment efforts and such other federally assisted projects, as appropriate;

(F) conversion to recreational use of street space, derelict land, and other public lands not now designated for neighborhood recreational use; and

(G) use of various forms of compensated and uncompensated land regulation, tax inducements, or other means to encourage the private sector to provide neighborhood park and recreation facilities and programs.

(c) **PUBLICATION OF REQUIREMENTS.**—The Secretary shall establish and publish in the Federal Register requirements for preparation, submission, and updating of local park and recreation recovery action programs.

(d) **INNOVATION AND RECREATION PROGRAM GRANT.**—

(1) **ELIGIBILITY.**—In order to be eligible to receive an at-risk youth recreation grant, a local government shall—

(A) include in its 5-year park and recreation recovery action program the goal of—

(i) utilizing new ideas, concepts, and approaches aimed at improving facility design, operations, or programming in the delivery of recreation services;

(ii) increased access of therapeutic or other recreation services to veterans and military families; or

(iii) reducing crime and juvenile delinquency; and

(B) provide a description of implementation strategies to achieve such goals.

(2) **COORDINATION.**—The description of implementation strategies under paragraph (1) shall also address how the local government is coordinating its recreation programs with other community development or service agencies.

(e) **RECOVERY ACTION PROGRAM GRANTS.**—The Secretary is authorized to provide up to 50 percent matching grants to eligible local government applicants for recovery action program development and planning to meet the objectives of this section.

SEC. 9. STATE ACTION INCENTIVE; FEDERAL GRANTS, INCREASE.

The Secretary is authorized to increase Federal rehabilitation and construction grants and innovation and recreation program grants authorized under section 7, by providing an additional match equal to the total match provided by a State of up to 15 percent of the total project or program costs. In no event may the Federal matching amount exceed 85 percent of total project or program cost. The Secretary shall further encourage the States to assist in assuring that local recovery plans and programs are adequately implemented by cooperating with the Department of Housing and Urban Development in monitoring local park and recreation recovery action programs and in assuring consistency of such plans and programs, where appropriate, with State recreation policies as set forth in statewide comprehensive outdoor recreation plans.

SEC. 10. MATCHING REQUIREMENTS; NON-FEDERAL SHARE OF PROJECT OR PROGRAM COSTS.

(a) **NON-FEDERAL SOURCES.**—The non-Federal share of project or program costs assisted under this Act may be derived from—

(1) general or special purpose State or local revenues;

(2) State categorical grants;

(3) special appropriations by State legislatures;

(4) donations of land, buildings, or building materials;

(5) in-kind construction, technical, and planning services; or

(6) any combination of paragraphs (1) through (5).

(b) **PROHIBITED SOURCES.**—No moneys from any Federal grant program other than general revenue sharing and the community development and energy efficiency and conservation block grant programs shall be used to match Federal grants under this program.

(c) **PRIVATE CONTRIBUTIONS.**—The Secretary shall encourage States and private interests to contribute, to the maximum extent possible, to the non-Federal share of project or program costs.

SEC. 11. CONVERSION OF RECREATION PROPERTY.

No property improved or developed with assistance under this Act shall, without the approval of the Secretary, be converted for uses other than for public recreation. The Secretary shall approve such conversion only if the Secretary determines it to be consistent with the current local park and recreation recovery action program and only upon such conditions as the Secretary deter-

mines necessary to assure the provision of adequate recreation properties and opportunities of reasonably equivalent location and usefulness.

SEC. 12. COORDINATION OF PROGRAM.

The Secretary shall—

(1) coordinate the urban revitalization and livable communities program with other Federal departments and agencies and with State agencies that administer programs and policies affecting urban areas such as the White House Office of Urban Policy and departments that administer programs and policies affecting climate change, green jobs, housing, urban development, natural resources management, employment, transportation, community services, and voluntary action;

(2) encourage maximum coordination of the program between appropriate State agencies and local government applicants; and

(3) require that local government applicants include provisions for participation of community and neighborhood residents, including youth, and for public-private coordination in recovery action program planning and project selection.

SEC. 13. REPORT; RECORDKEEPING; AUDIT AND EXAMINATION.

(a) **REPORT.**—Each recipient of assistance under this Act shall submit to the Secretary, for each fiscal year such assistance is received, an annual report detailing the projects and programs undertaken with such assistance, the number of jobs created by such assistance, and any other information the Secretary determines appropriate based on the priority criteria established by the Secretary under sections 5 and 6.

(b) **RECORDKEEPING.**—Each recipient of assistance under this Act shall keep such records as the Secretary shall prescribe, including records that fully disclose the amount and disposition of project or program undertakings in connection with which assistance under this Act is given or used, and the amount and nature of that portion of the cost of the project or program undertaking supplied by other sources, and such other records as will facilitate an effective audit.

(c) **AUDIT AND EXAMINATION.**—The Secretary and the Comptroller General of the United States, or their duly authorized representatives, shall have access, for the purpose of audit and examination, to any books, documents, papers, and records of a recipient of assistance under this Act that are pertinent to such assistance.

SEC. 14. AUTHORIZATION OF APPROPRIATIONS.

(a) **IN GENERAL.**—There are authorized to be appropriated such sums as necessary to carry out this Act for each of fiscal years 2013 through 2022.

(b) **RECOVERY ACTION PROGRAM GRANTS.**—Not more than 3 percent of the funds appropriated pursuant to subsection (a) in any fiscal year may be used for grants for the development of local park and recreation recovery action programs pursuant to section 8 of this Act.

(c) **INNOVATION AND RECREATION PROGRAM GRANTS.**—Not more than 10 percent of the funds appropriated pursuant to subsection (a) in any fiscal year may be used for innovation grants pursuant to section 7 of this Act.

(d) **DISCRETIONARY FUND.**—Notwithstanding any other provision of this Act or any other law or regulation, not more than 2 percent of the funds appropriated pursuant to subsection (a) in any fiscal year may be used to provide rehabilitation and construction grants, innovation and recreation program grants, and recovery action program

grants to be used in the insular areas. Such sums will not be subject to the matching provisions of this Act, and may only be subject to such conditions, reports, plans, and agreements, if any, as determined by the Secretary.

SEC. 15. LIMITATION OF USE OF FUNDS.

Not more than 10 percent of funds appropriated pursuant to section 14 for rehabilitation and construction grants in any fiscal year may be used for the acquisition of lands or interests in land.

SEC. 16. REPORTS TO CONGRESS.

(a) **INTERIM REPORT.**—Not later than 5 years after the date of enactment of this Act, the Secretary shall submit to Congress an interim report containing such findings and recommendations as the Secretary determines appropriate with respect to the community revitalization program established pursuant to this Act.

(b) **FINAL REPORT.**—Not later than 10 years after the date of enactment of this Act, the Secretary shall submit to Congress a report describing the overall impact of the community revitalization program established pursuant to this Act.

By Mrs. BOXER (for herself and Mrs. FEINSTEIN):

S. 3587. A bill to include the Point Arena-Stornetta Public Lands in the California Coastal National Monument as a part of the National Landscape Conservation System, and for other purposes; to the Committee on Energy and Natural Resources.

Mrs. BOXER. Mr. President, I am pleased to introduce the California Coastal National Monument Expansion Act. Congressman MIKE THOMPSON recently introduced companion legislation to this bill in the House of Representatives, and I thank him for all of the work he has done on advancing this initiative. I would also like to thank Senator DIANNE FEINSTEIN for joining me as an original co-sponsor of this legislation.

The California Coastal National Monument, created by President Clinton in 2000, stretches over 1,100 miles off California's coast and protects more than 20,000 small islands, rocks, exposed reefs, and islands between Mexico and Oregon. My bill would incorporate 1,225 acres of the Stornetta Public Lands and other public lands near the city of Point Arena in Mendocino County into the existing National Monument, creating the Monument's first onshore additions. By expanding the National Monument to include the "Point Arena-Stornetta Public Lands," my bill not only preserves the area for future generations, but also helps create a more cohesive bridge between the offshore resources and onshore public lands. Visitors will have contiguous public access to the current National Monument, the proposed expansion area, the adjacent Manchester Beach State Park, and the historic Point Arena Lighthouse.

It is crucial that steps be taken to ensure the permanent preservation of this naturally diverse segment of the California Coast, which encompasses

over two miles of coastline with natural bridges, tide pools, waterfalls, sinkholes and blowholes, and portions of the Garcia River and surrounding estuary. The area is not only recognized for its breathtaking coastal formations, but also for outstanding natural resources that include extensive wetlands, rumped sand dunes, and rolling meadows. Adding these lands to the National Monument will provide additional resources for more effective management and conservation program opportunities.

The "Point Arena-Stornetta Public Lands" is also home to a diverse ecosystem. The Garcia River is crucial habitat for Coho and Chinook salmon habitat, as well as a prime birding location for multiple bird species including the Laysan Albatross, Peregrine Falcon, Great Blue Heron, and many others. These lands are also the targets of restoration efforts that would help protect local endangered wildlife such as the Point Arena Mountain Beaver, Behren's Silverspot Butterfly, and other species of concern, like the Black Oyster Catcher.

In Mendocino County, tourism is responsible for supporting almost 5,000 jobs, with visitors bringing in \$19 million annually in state and local taxes. Visitors come from all over the world to experience the beauty and natural wonders of California's northern coast, and local businesses and nearby towns will benefit from the increased profile of a National Monument designation. A National Monument designation will bring increased awareness to the recreational opportunities available in the area, including hiking, fishing, bird watching, nature photography and wildlife watching. This designation could also attract increased resources to support the needs of the area.

It is no wonder that the "Point Arena-Stornetta Public Lands" are often referred to as the most significant parts of the Mendocino coastline. These magnificent lands have tremendous natural and recreational value, and it is imperative for them to be included as part of the California Coastal National Monument. I look forward to working with my colleagues to pass this important legislation. The "Point Arena-Stornetta Public Lands" deserves National Monument recognition, and I urge my colleagues to join me in supporting this effort.

By Mr. REED:

S. 3589. A bill to require the Comptroller of the Currency to establish a pilot program to facilitate communication between borrowers and servicers; to the Committee on Banking, Housing, and Urban Affairs.

Mr. REED. Mr. President, today I am introducing the Mortgage Modification Outreach Act.

Despite some promising indicators in the housing market, many homeowners

continue to face the threat of foreclosure. In my home state of Rhode Island, 22.6 percent of mortgages are underwater and 7.65 percent of homeowners are either in the foreclosure process or at least 90 days delinquent on their payment, a level which is higher than the national average.

I have heard from many of my constituents about the difficulties they experience when applying for loan modifications, and so the bill I am introducing focuses on providing homeowners with a face and a place where they can get more help.

First, the bill establishes a pilot program that would allow homeowners to receive information on how to reach their single point of contact by simply visiting a consumer banking branch affiliated with their mortgage servicer. Second, at the same affiliated bank branch, the homeowner can receive the address of a nearby location at which the homeowner can, at no cost in some cases, copy, fax, scan, or send all the paperwork that is required during the loan modification process. Simply put, my bill would enable a borrower to walk into the local bank branch affiliated with their mortgage servicer and get some face to face help.

This pilot program is designed to bridge the gap that has arisen as struggling homeowners have sought—unsuccessfully in too many instances—to get easy answers to basic questions from their mortgage servicer as they navigate the loan modification process. Homeowners looking for assistance should neither have to jump through countless hoops nor be given the run-around. They should be treated like customers.

There is no single solution that will help us gain traction in the housing market. However, along with my other efforts, such as S. 489, the Preserving Homes and Communities Act, S. 2162, the Project Rebuild Act, and my efforts to convert vacant foreclosed homes into rental properties, this legislation represents another commonsense approach to helping homeowners stay in their homes, reducing foreclosures, and healing the housing market.

This bill is supported by the National Consumer Law Center and the National Association of Realtors. I look forward to working with my colleagues to pass this legislation.

By Mr. INHOFE:

S. 3602. A bill to repeal the nutrition entitlement programs and establish a food stamp block grant program; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. INHOFE. Mr. President, I rise to introduce a new bill, the Food Stamp Restoration Act. This is a bill that will completely revamp the Food Stamp program, which is something that is desperately needed. Since the beginning of the Obama administration, the

number of Americans on Food Stamps has increased by 46 percent. Over 46 million Americans currently claim Food Stamp benefits, and this costs taxpayers over \$80 billion per year. In 2008, just four years ago, the program cost \$40 billion per year—it has more than doubled in cost under President Obama's leadership.

How on earth did we get here?

Many changes to the program that have ballooned its cost have been made in recent years. President Obama, in his stimulus package, pushed reforms that both made it easier to qualify for the program and increased the value of the program's benefits. When the stimulus bill passed, the Congressional Budget Office estimated that the changes made to the Food Stamp program would increase the cost of it by to nearly \$60 billion over 10 years.

Worse yet, the President has pursued economic, tax, and regulatory policies that are anti-business. These policies have made the business environment uncertain, which makes it nearly impossible for firms to invest in and expand their businesses. Businesses are doing well to simply hold on to what they already have. This has kept both unemployment and food stamp enrollment higher than it should be.

Since the stimulus package, there have been a few efforts to tinker with the structure and value of the Food Stamp program, but none of them have amounted to much. The Senate-passed Farm Bill reduced the cost of the program by a paltry \$4 billion over 10 years, which is less than 1 percent of its total 10-year cost. That was one of the main reasons I voted against the Farm Bill.

But we have moved well beyond tinkering around the edges. If we do not do anything to dramatically reform the food stamp program, it will cost Federal taxpayers nearly \$800 billion over the next decade. This program needs to change.

That is why I am introducing the Food Stamp Restoration Act.

Today, the Food Stamp program is a mandatory program, meaning that Congress does not have to appropriate money every year for the Food Stamp program to be funded. Rather, it is funded automatically. This dramatically reduces Congressional accountability over the program, leaving few opportunities to make adjustments and improvements to the program. This needs to change.

My bill tackles this problem head on. The Food Stamp Restoration Act converts the program from a mandatory program into a discretionary one. If my bill is enacted, Congress will have to decide each year how much money to spend on the Food Stamp program.

My bill also removes the power of designing and running the program from the Federal Government and gives it to the states. The new Food Stamp pro-

gram will be a block grant, which means that States will be given nearly limitless flexibility to design and implement their food stamp programs in the way that best serves their people.

This makes sense to me. I have never thought that bureaucrats in Washington understood Oklahomans. But the people in Oklahoma City do. If my bill is enacted, each State will receive an allotment from the Food Stamp appropriation that will be proportional to the number of individuals living in the State with an income at or below the Federal poverty level. Benefits will be given to the people who need them most.

States will only have to meet a few requirements to qualify for the block grant. First, their program will not be allowed to authorize benefit spending on things like alcohol and tobacco. The program should only allow benefit spending on real food. Second, all beneficiaries must submit themselves to drug testing. Finally, States must implement work requirements for the beneficiaries. This follows the general welfare reform efforts that I have been championing since first coming to the Senate.

To give States flexibility during times of economic weakness, they will be able to keep their allotment of funds for up to 5 years. This will allow States to provide benefits to more people during times of higher unemployment. After 5 years, if States have unused funds, the money will return to the Treasury for deficit reduction or debt repayment.

All told, my bill will save over \$300 billion for Federal taxpayers, and it make significant improvements to the current program by giving States complete control over the design and implementation of the programs within their States.

The Obama administration has dramatically increased the cost of this welfare program, making millions more Americans reliant on federal assistance than necessary. The cost has doubled in just four short years. I urge the Senate to consider my bill soon so that we can save taxpayers \$300 billion over 10 years while reducing the dependency of the population on government programs.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 3602

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Food Stamp Restoration Act of 2012".

SEC. 2. FOOD STAMP BLOCK GRANT PROGRAM.

(a) IN GENERAL.—For each of fiscal years 2014 through 2021, the Secretary of Agri-

culture (referred to in this Act as the "Secretary") shall establish a food stamp block grant program under which the Secretary shall make annual grants to each participating State that establishes a food stamp program in the State and submits to the Secretary annual reports under subsection (d).

(b) REQUIREMENTS.—As a requirement of receiving grants under this section, the Governor of each participating State shall certify that the State food stamp program includes—

(1) work requirements;

(2) mandatory drug testing;

(3) verification of citizenship or proof of lawful permanent residency of the United States; and

(4) limitations on the eligible uses of benefits that are at least as restrictive as the limitations in place for the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.) as of May 31, 2012.

(c) AMOUNT OF GRANT.—For each fiscal year, the Secretary shall make a grant to each participating State in an amount equal to the product of—

(1) the amount made available under section 3 for the applicable fiscal year; and

(2) the proportion that—

(A) the number of legal residents in the State whose income does not exceed 100 percent of the poverty line (as defined in section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2)), including any revision required by such section)) applicable to a family of the size involved; bears to

(B) the number of such individuals in all participating States for the applicable fiscal year, based on data for the most recent fiscal year for which data is available.

(d) ANNUAL REPORT REQUIREMENTS.—

(1) IN GENERAL.—Not later than January 1 of each year, each State that receives a grant under this section shall submit to the Secretary a report that shall include, for the year covered by the report—

(A) a description of the structure and design of the food stamp program of the State, including the manner in which residents of the State qualify for the program;

(B) the cost the State incurs to administer the program;

(C) whether the State has established a rainy day fund for the food stamp program of the State; and

(D) general statistics about participation in the food stamp program.

(2) AUDIT.—Each year, the Comptroller General of the United States shall—

(A) conduct an audit on the effectiveness of the nutritional assistance block grant program and the manner in which each participating State is implementing the program; and

(B) not later than June 30, submit to the appropriate committees of Congress a report describing—

(i) the results of the audit; and

(ii) the manner in which the State will carry out the food stamp program in the State, including eligibility and fraud prevention requirements.

(e) USE OF FUNDS.—

(1) IN GENERAL.—A State that receives a grant under this section may use the grant in any manner determined to be appropriate by the State to provide food stamps to the legal residents of the State.

(2) AVAILABILITY OF FUNDS.—Grant funds made available to a State under this section shall—

(A) remain available to the State for a period of 5 years; and

(B) after that period, shall—

(i) revert to the Federal Government to be deposited in the Treasury and used for Federal budget deficit reduction; or

(ii) if there is no Federal budget deficit, be used to reduce the Federal debt in such manner as the Secretary of the Treasury considers appropriate.

SEC. 3. FUNDING.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this Act—

(1) for fiscal year 2014, \$40,000,000,000;

(2) for fiscal year 2015, \$40,700,000,000;

(3) for fiscal year 2016, \$41,600,000,000;

(4) for fiscal year 2017, \$42,400,000,000;

(5) for fiscal year 2018, \$43,200,000,000;

(6) for fiscal year 2019, \$44,100,000,000;

(7) for fiscal year 2020, \$45,000,000,000; and

(8) for fiscal year 2021, \$45,900,000,000.

(b) DISCRETIONARY SPENDING LIMIT ADJUSTMENT.—Section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(c)) is amended—

(1) in paragraph (3), by striking the figure and inserting “\$1,106,000,000,000”;

(2) in paragraph (4), by striking the figure and inserting “\$1,126,700,000,000”;

(3) in paragraph (5), by striking the figure and inserting “\$1,148,600,000,000”;

(4) in paragraph (6), by striking the figure and inserting “\$1,173,400,000,000”;

(5) in paragraph (7), by striking the figure and inserting “\$1,199,200,000,000”;

(6) in paragraph (8), by striking the figure and inserting “\$1,226,100,000,000”;

(7) in paragraph (9), by striking the figure and inserting “\$1,253,000,000,000”; and

(8) in paragraph (10), by striking the figure and inserting “\$1,279,900,000,000”.

(c) DISCRETIONARY CAP ADJUSTMENT FOR NEW PROGRAM SPENDING.—Section 251A(2) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901a(2)) is amended—

(1) in subparagraph (B)(ii), by striking the figure and inserting “\$550,000,000,000”;

(2) in subparagraph (C)(ii), by striking the figure and inserting “\$560,700,000,000”;

(3) in subparagraph (D)(ii), by striking the figure and inserting “\$571,600,000,000”;

(4) in subparagraph (E)(ii), by striking the figure and inserting “\$583,400,000,000”;

(5) in subparagraph (F)(ii), by striking the figure and inserting “\$596,200,000,000”;

(6) in subparagraph (G)(ii), by striking the figure and inserting “\$610,100,000,000”;

(7) in subparagraph (H)(ii), by striking the figure and inserting “\$623,000,000,000”; and

(8) in subparagraph (I)(ii), by striking the figure and inserting “\$635,900,000,000”.

SEC. 4. REPEALS.

(a) IN GENERAL.—Effective September 30, 2013, the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.) is repealed.

(b) REPEAL OF MANDATORY FUNDING.—

(1) IN GENERAL.—Notwithstanding any other provision of law, effective September 30, 2013, the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.) (as in effect prior to that date) shall cease to be a program funded through direct spending (as defined in section 250(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900(c)) prior to the amendment made by paragraph (2)).

(2) DIRECT SPENDING.—Effective September 30, 2013, section 250(c)(8) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900(c)(8)) is amended—

(A) in subparagraph (A), by adding “and” at the end;

(B) in subparagraph (B), by striking “; and” at the end and inserting a period; and

(C) by striking subparagraph (C).

(3) ENTITLEMENT AUTHORITY.—Effective September 30, 2013, section 3(9) of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 622(9)) is amended—

(A) by striking “means—” and all that follows through “the authority to make” and inserting “means the authority to make”;

(B) by striking “; and” and inserting a period; and

(C) by striking subparagraph (B).

(4) OTHER DIRECT SPENDING.—Effective September 30, 2013, section 1026(5) of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 691e(5)) is amended—

(A) in subparagraph (A), by adding “and” at the end;

(B) in subparagraph (B), by striking “; and” at the end and inserting a period; and

(C) by striking subparagraph (C).

(c) RELATIONSHIP TO OTHER LAW.—Any reference in this Act, an amendment made by this Act, or any other Act to the supplemental nutrition assistance program shall be considered to be a reference to the food stamp block grant program under this Act.

SEC. 5. BASELINE.

Notwithstanding section 257 of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 907), the baseline shall assume that, on and after September 30, 2013, no benefits shall be provided under the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.) (as in effect prior to that date).

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 571—CONGRATULATING THE NUNAKA VALLEY LITTLE LEAGUE JUNIOR GIRLS SOFTBALL TEAM ON WINNING THE 2012 LITTLE LEAGUE JUNIOR SOFTBALL WORLD SERIES

Mr. BEGICH (for himself and Ms. MURKOWSKI) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 571

Whereas the Nunaka Valley Little League Junior girls softball team is comprised of young women who play softball in Anchorage, Alaska;

Whereas the Nunaka Valley Little League Junior softball team compiled an extraordinary record of 7 wins and 1 loss on their way to winning the State tournament;

Whereas the Nunaka Valley Little League Junior softball team went undefeated in 4 games in winning the West Regional Tournament in Tucson, Arizona;

Whereas in August, 2012, the Nunaka Valley Little League Junior softball team represented the West Region at the Little League Junior Softball World Series in Kirkland, Washington;

Whereas Nunaka Valley Little League Junior softball team manager Richard Hill led the Nunaka Valley Little League Junior softball team to the Little League Junior Softball World Series for a third time in 4 years;

Whereas on August 18, 2012, the Nunaka Valley Little League Junior softball team defeated Victoria, British Columbia to win the 2012 Little League Junior Softball World Series;

Whereas the Nunaka Valley Little League Junior softball team won 5 games and lost

just 1 en route to becoming 2012 Little League Junior Softball World Series champions;

Whereas over 2,000 teams and 30,000 players compete in Little League Junior girls softball;

Whereas the Nunaka Valley Little League Junior girls softball team is the Little League Junior Softball World Series champions;

Whereas the teamwork and commitment of the entire Nunaka Valley Little League Junior girls softball team and the encouragement of their families has again led them to success;

Whereas Little League softball and baseball has provided a positive athletic experience and fostered teamwork and sportsmanship for millions of children in the United States and around the world; and

Whereas, Alaskans everywhere are proud of the Nunaka Valley Little League Junior girls athletes: Jacynne Augafa, Lellani Blair, Morgan Hill, Ashton Jessee, Alexis Joubert, Felila Manu, Taria Page, Hannah Peterson, Teighlor Rardon, Sierra Rosenzweig, Lauren Syrup, and Nanea Tali on their accomplishments in 2012: Now, therefore, be it

Resolved, That the Senate—

(1) congratulate all of the Nunaka Valley Little League Junior girls softball team, parents, and coaching staff on a championship season; and

(2) respectfully requests the Secretary of the Senate to transmit an enrolled copy of this resolution to—

(A) the Nunaka Valley Little League president, Greg Davis; and

(B) the Nunaka Valley Junior Girls manager, Richard Hill; and

(C) coaches Rick Peterson and Sean Syrup.

SENATE RESOLUTION 572—DESIGNATING SEPTEMBER 2012 AS THE “NATIONAL MONTH OF VOTER REGISTRATION”

Mr. CARDIN (for himself, Mr. SANDERS, Mrs. BOXER, Mr. MERKLEY, and Mr. TESTER) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 572

Whereas the United States has overcome the stains of historic State-sponsored voting discrimination, including State laws that imposed voting qualifications such as property ownership, religious qualifications, grandfather clauses, poll taxes, and literacy tests and were designed to exclude racial minorities, poorer voters, and certain religious groups from voting;

Whereas courts have struck down these State laws because the laws conflict with the Constitution of the United States;

Whereas Congress has continuously moved to expand the franchise of voting;

Whereas the 13th, 14th, 15th, 19th, 23rd, 24th, and 26th amendments to the Constitution of the United States are intended to protect minorities, poorer voters, women, the elderly, and youth from voting discrimination;

Whereas, in 1965, Congress enacted the Voting Rights Act of 1965 (42 U.S.C. 1973 et seq.) to remedy past discrimination in voting and protect vulnerable citizens from practices that infringe on the right to vote or elect a candidate of their choice;

Whereas, in 1993, Congress enacted the National Voter Registration Act of 1993 (42 U.S.C. 1973gg et seq.) to establish protections

around the voting process, increase the number of citizens who register to vote, and encourage governments to protect the integrity of the electoral process;

Whereas, in 2002, in response to the controversy surrounding the 2000 presidential election, Congress enacted the Help America Vote Act of 2002 (42 U.S.C. 15301 et seq.), which provided new standards for voting systems, created the independent Election Assistance Commission to assist with the administration of Federal elections, and established minimum standards for States and local governments that administer Federal elections;

Whereas Congress has reauthorized the Voting Rights Act of 1965 5 times, most recently in 2006, recognizing the need for continued enforcement against State practices in voting that discriminate against or disenfranchise vulnerable citizens;

Whereas, since 2010, some States have enacted voting laws that are reminiscent of historic State-sponsored voting discrimination;

Whereas some States have already disenfranchised some young people, elderly people, and former Members of Congress through strict new voting laws;

Whereas some States continue to disenfranchise United States citizens with past criminal convictions who live and work in our communities;

Whereas Members of Congress and notable civil rights organizations have studied recently-enacted State voting laws and calculated that the laws will have a grave impact on millions of minority, elderly, young, and poor individuals who are eligible to vote and will seek to register to vote and vote on election day;

Whereas, since March 12, 2012, 2 State courts in Wisconsin have held that the Wisconsin voter identification law enacted in 2011 violates the Wisconsin constitution, with one court writing that “a government that undermines the very foundation of its existence—the people’s inherent, pre-constitutional right to vote—imperils its legitimacy as a government by the people, for the people, and especially of the people”;

Whereas Federal courts in both Florida and Washington, DC, recently struck down new Florida state laws that restrict new voter registration and early voting hours, with one court writing that the new restrictions on voter registration drives “impose burdensome record-keeping and reporting requirements that serve little if any purpose, thus rendering them unconstitutional even to the extent they do not violate the [National Voter Registration Act of 1993]”, and another court holding, “[W]e conclude that we cannot . . . preclude Florida’s early voting changes because the State has failed to satisfy its burden of proving that those changes will not have a retrogressive effect on minority voters. Specifically, the State has not proven that the changes will be nonretrogressive if the covered counties offer only the minimum number of early voting hours that they are required to offer under the new statute, which would constitute only half the hours required under the prior law.”;

Whereas a Federal court in Washington, DC, recently struck down a Texas voter identification law, writing that the law “imposes strict, unforgiving burdens on the poor” and that “a disproportionately high percentage of African Americans and Hispanics in Texas live in poverty”;

Whereas a Federal court in Ohio recently struck down a State law that mandated that even in cases where poll workers steer voters

to the wrong polling place, provisional votes cast in the wrong precinct must be discarded;

Whereas State representatives and political leaders in States such as New Hampshire, Pennsylvania, and Florida have made public admissions about how certain laws in their States were designed to put a dent in the democratic process;

Whereas, without a response from Congress, millions of voters in the United States may be subjected to State actions that will harm the franchise;

Whereas the month of September 2012 would be an appropriate month to commemorate a national focus on the importance of every citizen being registered and empowered to vote;

Whereas, during September 2012, each voting-eligible citizen should register to vote, verify that the name, address, and other personal information on record for the citizen at the State or local board of elections is correct, confirm that the citizen has everything in hand that will be required to vote on election day, and confirm the correct polling place for election day; and

Whereas States should abolish all restrictive voter identification laws that disenfranchise vulnerable voting-eligible citizens, comply with the National Voter Registration Act of 1993, protect the voting rights of public assistance and disability clients during an economic downturn, and stop misguided, discriminatory, and inaccurate purging programs that have the risk of purging eligible voters: Now, therefore be it

Resolved, That the Senate—

(1) designates September 2012 as the “National Month of Voter Registration” to encourage each voting-eligible citizen to register to vote, verify that the name, address, and other personal information on record for the citizen at the State or local board of elections is correct, confirm that the citizen has everything in hand that will be required to vote on election day, and confirm the correct polling place for election day;

(2) calls on State and local election officials to conduct public outreach and take affirmative steps to encourage voter registration;

(3) encourages States to be fully compliant with the National Voter Registration Act of 1993 and other Federal voting rights laws as election day approaches; and

(4) requests that the President issue a proclamation for the National Month of Voter Registration calling upon the people of the United States to observe the month with appropriate programs, ceremonies, and activities.

SENATE RESOLUTION 573—DESIGNATING THE THIRD WEEK OF JANUARY 2013, AS “TEEN CANCER AWARENESS WEEK”

Mr. MENENDEZ (for himself and Mr. TOOMEY) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 573

Whereas cancer among adolescents is rare, but is still the leading cause of death from disease for teenagers between the ages of 15 and 19;

Whereas teenage cancer patients receive treatment at various types of medical establishments, including pediatric hospitals, pediatric oncology centers, and adult cancer facilities;

Whereas teenage cancer patients may feel out of place in any of these settings if their clinical and psychosocial needs are not met;

Whereas 40 percent of cancer patients aged 14 and younger are enrolled in clinical trials, compared with only 9 percent of cancer patients between the ages of 15 and 24;

Whereas teenagers with cancer have unique concerns about their education, social lives, body image, and infertility, among other concerns, and their needs may be misunderstood or unacknowledged;

Whereas many adolescent cancer survivors have difficulty readjusting to school and social settings, experience anxiety, and in some cases face increased learning difficulties; and

Whereas it is important to understand the biological and clinical needs of teenagers with cancer, seek the prevention of cancer in teenagers, and increase awareness in the general public of the unique challenges facing teenagers with cancer: Now, therefore, be it

Resolved, That the Senate designates the third week of January 2013 as “Teen Cancer Awareness Week” to promote awareness of teenage cancer and the unique medical and social needs of teenagers with cancer.

SENATE RESOLUTION 574—CALLING ON THE UNITED NATIONS TO TAKE CONCERTED ACTIONS AGAINST LEADERS IN IRAN FOR THEIR STATEMENTS CALLING FOR THE DESTRUCTION OF ANOTHER UNITED NATIONS MEMBER STATE, ISRAEL

Mrs. GILLIBRAND (for herself, Ms. AYOTTE, Mrs. HUTCHISON, Mrs. SHAHEEN, Mr. KIRK, Mr. MENENDEZ, Mr. CORNYN, Mr. WYDEN, Mr. MORAN, Mr. CARDIN, Mr. HOEVEN, Mr. BROWN of Ohio, Mrs. BOXER, Mr. LIEBERMAN, Mr. LAUTENBERG, Mr. BENNET, Mr. BLUMENTHAL, Mr. SCHUMER, Mr. BEGICH, and Mr. JOHANNIS) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 574

Whereas, on August 2, 2012, President of Iran Mahmoud Ahmadinejad stated that “anyone who loves freedom and justice must strive for the annihilation of the Zionist regime in order to pave the way for world justice and freedom”;

Whereas, on August 17, 2012, President Ahmadinejad gave a televised statement that “the Zionist regime and the Zionists are a cancerous tumor,” and that “the nations of the region will soon finish off the usurper Zionists in the Palestinian land,” contending that “with the grace of God and help of the nations, in the new Middle East there will be no trace of the Americans and Zionists”;

Whereas, on February 3, 2012, Supreme Leader Ayatollah Khamenei told an audience that “the Zionist regime is a real cancerous tumor that should be cut and will be cut, God Willing”;

Whereas, on August 17, 2012, leader Ayatollah Ahmad Khatami, addressing worshippers at Tehran University, stated that “Zionists understand only the language of force” and claimed that “the Zionist regime will meet destruction through unity in the Islamic world”;

Whereas, in 2009 and 2011 speeches before the United Nations General Assembly, President Ahmadinejad insulted Israel, called into question its very existence, and denied the fact that there was a Holocaust;

Whereas other leaders in Iran have made similar statements, and the Government of Iran has displayed inflammatory symbols that express similar intent;

Whereas the Government of Iran funds, trains, and supports terrorist groups, including Hamas, Hezbollah, and Islamic Jihad Movement in Palestine among many others, all of which have murdered United States citizens, Israelis, and non-Israeli Jews and are determined to destroy Israel, and continues to support the Government of Syria in its continued oppression, violence, and abuse of its people;

Whereas, on August 30, 2012, the International Atomic Energy Agency (IAEA) reported that the Government of Iran has doubled its capacity to enrich uranium to 20 percent purity at Iran's Fordow Fuel Enrichment Plant since May 2012;

Whereas the longstanding policy of the Iranian regime is aimed at destroying the democratic State of Israel, a vital ally and longstanding friend of the United States, which is confirmed by statements such as those made by President Ahmadinejad and Supreme Leader Khamenei demonstrating the threat of a nuclear-armed Iran;

Whereas, 67 years ago, the United Nations was founded in the wake of the Holocaust, the Nazi genocide carried out during World War II that resulted in the slaughter of 6,000,000 Jews in Europe, in order to "save succeeding generations from the scourge of war" and uphold and protect the "dignity and worth of the human person";

Whereas Article 2, Section 4, of the United Nations Charter, to which Iran has agreed as a Member State of the United Nations, requires all Member States to "refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state";

Whereas the Convention on the Prevention and Punishment of the Crime of Genocide, done at Paris December 9, 1948 (commonly referred to as the "Genocide Convention"), defines genocide as, among other things, the act of killing members of a national, ethnic, racial, or religious group with the intent to destroy, in whole or in part, the targeted group;

Whereas Article 3 of the Genocide Convention prohibits conspiracy to commit genocide, as well as "direct and public incitement to commit genocide";

Whereas Article 4 of the Genocide Convention provides that individuals committing any of the listed genocidal crimes shall be punished "whether they are constitutionally responsible rulers, public officials or private individuals";

Whereas 142 Member States of the United Nations, including Iran, have ratified or acceded to the Genocide Convention and thereby pledged to prosecute those individuals who violate its criteria for incitement to commit genocide, as well as those individuals who commit genocide directly;

Whereas, on August 18, 2012, United Nations Secretary-General Ban Ki-moon condemned the Government of Iran's "offensive and inflammatory statements" and his office reiterated that, "in accordance with the United Nations Charter, all members must refrain from the threat or use of force against the territorial integrity or political independence of any state"; and

Whereas, on November 9, 2006, an international coalition of 29 nongovernmental or-

ganizations urged the Government of Iran to renounce President Ahmadinejad's call for Israel to be wiped off the map:

Now, therefore, be it

Resolved, That the Senate—

(1) condemns, in the strongest possible terms, Supreme Leader Ayatollah Khamenei and President of Iran Mahmoud Ahmadinejad's offensive remarks, contemptible statements, and reprehensible policies aimed at the destruction of the State of Israel, and urges all United Nations Member States to do the same;

(2) calls on the United Nations Security Council to take more concerted actions against Iran for blatantly violating the United Nations Charter, including by requesting that the prosecutor of the International Criminal Court investigate leaders in Iran for violating the Convention on the Prevention and Punishment of the Crime of Genocide, done at Paris December 9, 1948 (commonly referred to as the "Genocide Convention"), and Article 2, Section 4, of the United Nations Charter;

(3) further calls on all Member States of the United Nations to fully implement existing United Nations Security Council resolutions sanctioning Iran and to take additional stronger unilateral diplomatic and economic measures to prevent the Government of Iran from obtaining nuclear weapons, which would be both a dangerous violation of the Treaty on the Non-Proliferation of Nuclear Weapons, done at Washington, London, and Moscow July 1, 1968, and entered into force March 5, 1970, and a potential means to the end of carrying out President Ahmadinejad's threats against Israel;

(4) further calls on the United Nations Security Council and all Member States of the United Nations to consider targeted sanctions, travel bans, and other measures linked to the cessation of the Government of Iran's incitement to hatred and genocide;

(5) calls for the United Nations Secretary General's Advisory Committee on the Prevention of Genocide to implement its mandate to act as a mechanism of early warning, and to make recommendations to the United Nations Security Council to monitor and report on threats of genocide made by leaders in Iran;

(6) further calls on parties to the Genocide Convention to file a complaint against leaders in Iran before the International Court of Justice for the failure by the Government of Iran to abide by its obligations under Articles 1, 4, and 5 of the Genocide Convention; and

(7) reaffirms the unwavering strategic partnership and close friendship between the United States and Israel and reasserts the steadfast commitment of the people and the Government of the United States to defend the right of Israel to exist as a free and democratic state.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2842. Mr. ENZI (for himself and Mr. BARRASSO) submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 117, making continuing appropriations for fiscal year 2013, and for other purposes; which was ordered to lie on the table.

SA 2843. Mr. UDALL of Colorado (for himself, Mr. BENNET, and Ms. LANDRIEU) submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 117, supra; which was ordered to lie on the table.

SA 2844. Mr. REID proposed an amendment to the joint resolution H.J. Res. 117, supra.

SA 2845. Mr. REID proposed an amendment to amendment SA 2844 proposed by Mr. REID to the joint resolution H.J. Res. 117, supra.

SA 2846. Mr. REID proposed an amendment to the joint resolution H.J. Res. 117, supra.

SA 2847. Mr. REID proposed an amendment to amendment SA 2846 proposed by Mr. REID to the joint resolution H.J. Res. 117, supra.

SA 2848. Mr. REID proposed an amendment to amendment SA 2847 proposed by Mr. REID to the amendment SA 2846 proposed by Mr. REID to the joint resolution H.J. Res. 117, supra.

TEXT OF AMENDMENTS

SA 2842. Mr. ENZI (for himself and Mr. BARRASSO) submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 117, making continuing appropriations for fiscal year 2013, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 142 and insert the following:
SEC. 142. (a) Section 411(h) of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1240a(h)) is amended by striking paragraph (5).

(b) Subsection (a) takes effect on July 6, 2012.

SA 2843. Mr. UDALL of Colorado (for himself, Mr. BENNET, and Ms. LANDRIEU) submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 117, making continuing appropriations for fiscal year 2013, and for other purposes; which was ordered to lie on the table; as follows:

On page 29, between lines 17 and 18, insert the following:

SEC. 156. (a) The Secretary of Agriculture may provide disaster relief assistance in accordance with this section to repair damage caused by natural disaster occurring in calendar year 2012 to watersheds located in any area for which the President declared a major disaster in accordance with section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170).

(b) The assistance authorized by this section—

(1) includes both financial and technical assistance; and

(2) shall be provided through the emergency watershed protection program established under section 403 of the Agricultural Credit Act of 1978 (16 U.S.C. 2203).

(c) There is appropriated to the Secretary of Agriculture, out of funds of the Treasury not otherwise appropriated, \$27,900,000, to remain available until expended, to provide assistance under this section.

SA 2844. Mr. REID proposed an amendment to the joint resolution H.J. Res. 117, making continuing appropriations for fiscal year 2013, and for other purposes; as follows:

At the end, add the following new section:
SEC. ____.

This joint resolution shall become effective 5 days after enactment.

SA 2845. Mr. REID proposed an amendment to amendment SA 2844 proposed by Mr. REID to the joint resolution H.J. Res. 117, making continuing

appropriations for fiscal year 2013, and for other purposes; as follows:

In the amendment, strike "5 days" and insert "4 days".

SA 2846. Mr. REID proposed an amendment to the joint resolution H.J. Res. 117, making continuing appropriations for fiscal year 2013, and for other purposes; as follows:

At the end, add the following new section:
SEC. ____.

This joint resolution shall become effective 3 days after enactment.

SA 2847. Mr. REID proposed an amendment to amendment SA 2846 proposed by Mr. REID to the joint resolution H.J. Res. 117, making continuing appropriations for fiscal year 2013, and for other purposes; as follows:

In the amendment, strike "3 days" and insert "2 days".

SA 2848. Mr. REID proposed an amendment to amendment SA 2847 proposed by Mr. REID to the amendment SA 2846 proposed by Mr. REID to the joint resolution H.J. Res. 117, making continuing appropriations for fiscal year 2013, and for other purposes; as follows:

In the amendment, strike "2 days" and insert "1 day".

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on September 20, 2012, at 10 a.m. in room 253 of the Russell Senate Office Building, to conduct a hearing entitled, "Taking Consumers for a Ride: Business Practices in the Household Goods Moving Industry."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on September 20, at 10 a.m. in Dirksen 406 to conduct a hearing entitled, "Water Resources Development Act: Growing the Economy and Protecting Public Safety."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet, with U.S. House Committee on Ways and Means, during the session of the Senate on September 20, 2012, at 10 a.m., in HVC-210 of the Capitol Visitor Center, to conduct a hearing entitled

"Tax Reform and the Tax Treatment of Capital Gains."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet, during the session of the Senate, to conduct a hearing entitled "Roundtable Discussion: Pension Modernization for a 21st Century Workforce" on September 20, 2012, at 10 a.m. in room 430 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON INDIAN AFFAIRS

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet during the session of the Senate on September 20, 2012, in room SD-628 of the Dirksen Senate Office Building, at 2:15 p.m., to conduct a hearing entitled "Advancing the Federal-Tribal Relationship through Self-Governance and Self-Determination."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on September 20, 2012, at 10 a.m., in SD-226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

The PRESIDING OFFICER. Without objection, it is so ordered.

PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on September 20, 2012, at 2 p.m., to conduct a hearing entitled "Offshore Profit Shifting and the U.S. Tax Code."

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on September 20, 2012, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON EAST ASIAN AND PACIFIC AFFAIRS

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on September 20, 2012, at 2 p.m., to hold a East Asian and Pacific Affairs subcommittee hearing entitled, "Mari-

time Territorial Disputes and Sovereignty Issues in Asia."

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON SECURITIES, INSURANCE, AND INVESTMENT

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs Subcommittee on Securities, Insurance, and Investment be authorized to meet during the session of the Senate on September 20, 2012, at 10 a.m., to conduct a hearing entitled "Computerized Trading: What Should the Rules of the Road Be?"

The PRESIDING OFFICER. Without objection, it is so ordered.

MEASURE READ THE FIRST TIME—S. 3607

Mr. MERKLEY. I understand there is a bill at the desk. I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The bill clerk read as follows:

A bill (S. 3607) to approve the Keystone XL Pipeline.

Mr. MERKLEY. I now ask for its second reading, and in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection having been heard, the bill will be read for a second time on the next legislative day.

APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the majority leader, pursuant to Public Law 107-12, reappoints the following individual as a member of the Public Safety Officer Medal of Valor Review Board:

Trevor Whipple of Vermont.

ORDERS FOR FRIDAY, SEPTEMBER 21, 2012

Mr. MERKLEY. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 12 p.m. on Friday, September 21, 2012; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for their use later in the day; that the majority leader be recognized and that the first hour be equally divided and controlled between the two leaders or their designees with the majority controlling the first half and Republicans controlling the final half.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. MERKLEY. Unless we reach an agreement, the next rollcall vote will

be after midnight tomorrow evening, but we hope we can work something out in order to complete our work.

ask unanimous consent it adjourn under the previous order.

There being no objection, the Senate, at 8:21 p.m., adjourned until Friday, September 21, 2012, at 12 noon.

ADJOURNMENT UNTIL 12 NOON
TOMORROW

Mr. MERKLEY. If there is no further business to come before the Senate, I

Executive nominations received by the Senate:

NOMINATIONS

THE JUDICIARY

KETANJI BROWN JACKSON, OF MARYLAND, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF COLUMBIA, VICE HENRY HAROLD KENNEDY, RETIRED.

NELSON STEPHEN ROMAN, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF NEW YORK, VICE RICHARD M. BERMAN, RETIRED.

ROBERT D. OKUN, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF FIFTEEN YEARS, VICE LINDA KAY DAVIS, RETIRED.

EXTENSIONS OF REMARKS

CONGRATULATIONS TO MR. SCOTT NEIN

HON. JOHN A. BOEHNER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 20, 2012

Mr. BOEHNER. Mr. Speaker, I rise to recognize and congratulate my longtime constituent and friend, Scott Nein, upon the recognition by his colleagues as the Industry Person of the Year.

This award is given to an individual who has made significant contributions to the improvement of the insurance industry and the independent agency system. Scott is being honored because of his advocacy for independent insurance agents as well as his hard work and selfless effort that contributed to making the merger between the Independent Insurance Agents and the Professional Insurance Agents a reality in Ohio.

Scott Nein is a great leader. First, in the Ohio House and then in the Ohio Senate, he was able to make an impact for our State, and represented his constituents well during his time of service. This man is equally as impressive when it comes to his management and impact within the insurance industry. Throughout his career, he has worked well with diverse groups of people including: clients, consumers, constituents, insurance agents, and elected officials. Scott made "reaching across the aisle" an art form for the betterment of our citizens.

I am very proud to call Scott Nein my close friend and for that I express my most sincere congratulations. His drive is unparalleled, and his devotion to serving others is inspiring. I am certain his shining example has encouraged others to follow.

CONGRATULATIONS TO KAYLA HARRISON

HON. JOHN A. BOEHNER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 20, 2012

Mr. BOEHNER. Mr. Speaker, I rise today to congratulate and recognize a native of my district, Ms. Kayla Harrison, on winning the gold medal at the 2012 Olympic Games in London.

Kayla made Olympic history by becoming the first American to win a gold medal in judo. Her years of dedication and hard work have clearly paid off. She has been committed to achieving excellence which can be seen by her many accomplishments. Kayla won the Junior World Championships in 2008, was runner-up at the 2009 Junior World Championships, and in 2010 won the Senior World Championships. These results require a consistent effort day in and out.

On behalf of the United States Congress, I proudly salute Ms. Kayla Harrison, on her Olympic victory. She worked incredibly hard to win an Olympic gold medal and will forever be remembered as the first American to win gold in judo.

IN HONOR OF MR. BERNIE REIN

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 20, 2012

Mr. COURTNEY. Mr. Speaker, I rise today to honor a great citizen of Connecticut, Bernard "Bernie" Rein of Manchester, Connecticut who passed away last week at the age of 90. Bernie, along with his brother Bob and sister-in-law Betty, started Rein's New York Style Deli in Vernon, Connecticut in 1972. The Reins came from a New Jersey deli family, and started Rein's in Connecticut when they realized how much they missed good New York City deli food. He was raised in Union, New Jersey and was an all-state orchestra drummer during high school. Following graduation, Bernie served as Corporal in the Army Air Corps during World War II.

Over the past 40 years, Rein's Deli has served thousands of Connecticut residents and passing travelers from its location on the Hartford Turnpike. Known for its 'sour pickles' and its fresh deli sandwiches, Rein's has a devoted following in the Vernon community by serving "food that feeds the soul and warms the heart." The reputation of the deli has grown steadily over the years and became a magnet for the travelers en route between New York City to Boston (and vice versa). On any given day, the parking lot in north central Connecticut is packed with cars bearing license plates from New Jersey, New York, and Massachusetts. The workforce has steadily grown and has a solid staff of loyal, long time cooks, waiters and waitresses that now constitute the second largest private work force in town.

Even during this period of impressive growth, the top notch kosher quality of the food has sustained and the atmosphere is still friendly and caring. A big reason for the latter, is that over the years Bernie has been a constant presence, visiting with patrons, telling stories and jokes and always sharing his abiding love for jazz. I personally enjoyed many such exchanges as a regular lunchtime diner and like everyone else, always got a kick out of his quirky good humor.

Bernie Rein's legacy is not just that of a devoted husband and restaurateur, but also of an engaged and involved citizen in his local community. Rein's has always been a sponsor of youth sports, food drives, local advertising—any cause that helped people in need and investing in Vernon's future.

Bernie will be dearly missed by his wife, Rae Ruby-Rein, his son and his grandchildren, and all those in Connecticut who frequented Rein's Deli. I ask my colleagues to join me in mourning the loss and celebrating the life of Bernie Rein.

IN RECOGNITION OF THE ED KEATING CENTER

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 20, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in recognition of the Ed Keating Center, a Northeast Ohio organization dedicated to helping those who are recovering from alcohol and drug addiction.

The Ed Keating Center was founded in 1998 by Jack Mulhall, Phyllis Eisele-Curran and Dennis Eckersley. The Ed Keating Center is named for Edward J. Keating, a legendary sports agent, who conquered his own alcoholism, and is remembered for providing a chance at sober living to the most destitute of those addicted to alcohol and drugs.

The Ed Keating Center is a non-profit organization and sober living facility for those addicted to drugs and alcohol that serves adults regardless of their financial well-being. It offers a six month in-house rehab program, a three-quarter house program and a work release program for its patients. At any given time, the Ed Keating Center is home to about 150 men and women.

The Center's driving principles are that a chance for sober living should be available to any man or women with a sincere determination to overcome their alcoholism or addiction, without regard for their ability to pay. The Center also survives solely on the donations and support of individuals and organizations who believe in communities helping themselves.

Mr. Speaker and colleagues, please join me in the important work performed by the Ed Keating Center.

HONORING BERNHEIM ARBORETUM AND RESEARCH FOREST FOR BEING NAMED ONE OF "AMERICA'S PRETTIEST PARKS"

HON. BRETT GUTHRIE

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 20, 2012

Mr. GUTHRIE. Mr. Speaker, I rise today to congratulate Bernheim Arboretum and Research Forest on being named one of "America's Prettiest Parks" by Yahoo! Travel.

I am fortunate to know firsthand how beautiful this forest is and I am proud that it is located in the Commonwealth of Kentucky.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Bernheim's mission and vision statements, "connecting people with nature," and "Bernheim will be a nationally treasured leader in ecological stewardship that inspires the exploration of deep connections with nature," are profound and true.

Tom Block, a Bernheim Trustee and the great-grandson of founder Isaac Wolf Bernheim welcomed the distinction, calling it "another branch on Bernheim's growing tree of awards and honors."

Clermont, Kentucky and the surrounding community are fortunate to have this forest in their backyard. For those of you who have yet to visit Bernheim, I encourage you to do so. You will be overwhelmed by its beauty and peace.

RECOGNIZING AND CELEBRATING
THE ACHIEVEMENTS OF MR.
ALEX M. PETROVIC

HON. EMANUEL CLEAVER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 20, 2012

Mr. CLEAVER. Mr. Speaker, I proudly rise today to acknowledge the achievements of former Eastern Jackson County Judge, Missouri State Representative, United States Marine Corps Veteran and Sugar Creek resident, Alex M. Petrovic.

Alex M. Petrovic was born in Kansas City, Missouri, on September 23, 1922, the son of Mildred and Michael Petrovic, and has dedicated his life to serving his country, state, and community. He attended school at Henry Clay School in Kansas City, Missouri, Independence Junior High and William Chrisman High School in the city of Independence, Missouri, and Rockhurst College in Kansas City, Missouri.

The proud father of six, grandfather of twelve, and great-grandfather of two, Mr. Petrovic was married to the late Frances Diesko Petrovic for fifty-seven years before she passed away in 2001. He served as a Corporal in the United States Marine Corps from the year 1942 to 1945, working as a landfall technician, making maps for the 2nd Marine Air Wing, and receiving an honorable discharge following his service in the Pacific theatre, in Guadalcanal and Auckland, New Zealand, and Russell Island.

In addition to his military service, he also worked as a railroad clerk for the Union Pacific Railroad, machine operator, foreman, and sales manager for the Injection Molding Company, as a salesman for Busboom Brothers, as a laborer and engineer at the Standard Oil Plant, and a divisional manager at Waddell & Reed.

Alex M. Petrovic served as a Missouri State Legislator from the year 1962 until the year 1966, as a Democrat, representing the area bounded by the Missouri River up until 23rd Street, Blue Ridge, Kansas City, and 71 Highway. During his terms, he promoted the Little Blue Valley Flood Control program, fought to keep open the Central Missouri State University in the face of closure, and helped develop the Truman Sports Complex. Mr. Petrovic played an active and accomplished role in

local Missouri politics, serving in the Independence Sertoma Club, to which he was elected President in the year 1964.

As a State Representative, Mr. Petrovic discovered piles of state records abandoned in the basement of the State Building, and in response, sponsored and passed legislation to create a system for managing Missouri's records, establishing the Missouri State Archives. After his terms in the Missouri Legislature, he was elected to serve as Eastern District Judge for Jackson County, the same seat which President Harry S Truman occupied before his presidency, from the year 1966 up until the year 1970. As the "Old Judge," he oversaw seven bond issues in building the world's largest sports complex in the history of sports at the time, for the Kansas City Chiefs and the Royals.

On September 21, 2005, Secretary of State Robin Carnahan, the Archives, and fellow members of the Missouri Legislature created the Alex M. Petrovic Reading Room to maintain the historic records of our Great State of Missouri throughout the years. Today, the Missouri State Archives stores document collections dating from 1770 and is visited by 4,500 hundred people every year.

Mr. Petrovic will celebrate his ninetieth birthday on September 23, 2012, and has given a lifetime of service to his community, and should hereby be honored as such. Mr. Speaker, I ask that you and our colleagues in the House join me in honoring Mr. Petrovic for his lifetime of service and accomplishment.

DR. SAM MONROE

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 20, 2012

Mr. POE of Texas. Mr. Speaker, since its founding in 1909, Lamar State College—Port Arthur has undergone many changes, growing from a petrochemical industry training ground to a flourishing two-year college, offering degrees in numerous highly valued skills. But for 38 years, there has been one constant on campus and that's the leadership of President Dr. Sam Monroe, now recognized as the longest-serving president of a Texas higher education institution.

While Dr. Monroe was not born in Port Arthur, he got there as fast as he could. He moved from College Station at an early age and has remained in the Southeast Texas area ever since, keeping him tuned in to the needs of the surrounding community. Dr. Monroe's career began at the former Port Arthur College, serving as Executive Vice President before being elected President in 1974. Wasting no time making significant changes, he proposed a merger with Lamar University in nearby Beaumont a year later, forming Lamar University—Port Arthur.

Dr. Monroe has overseen a great expansion during his tenure. In 1999, they were granted admission into the Texas State University System then renamed Lamar State College—Port Arthur. A \$5.9 million Performing Arts Center opened in 2004, and a 7,500 square foot Student Success Center was completed in 2011.

Dr. Monroe was instrumental in founding and operating the Museum of the Gulf Coast, located in downtown Port Arthur, which tells the history of this special region. 2004 saw the Lamar State College—Port Arthur Seahawks begin play in Men's Basketball and Girl's Softball, helping to create an expanded athletic program and a full college experience.

Many honors and distinctions have been given to Dr. Monroe. The Port Arthur News named him its Citizen of the Year in 2004. He was the first male recipient of the Quota International of Southeast Texas Man of the Year Award in 2005, the first time in almost 60 years that the award was open to both males and females. Earlier this month, he was recognized by Governor Rick Perry as the education president with the longest service in Texas. And, his dedication to the community has expanded outside of campus as Dr. Monroe has volunteered his time on such varied organizations as the Port Arthur Public Library and the Port Arthur Housing Authority.

Thanks to Dr. Sam Monroe, Lamar State College—Port Arthur has transitioned from a small technical school to a sprawling, 40-acre campus home to over 3,000 students. I am proud to recognize his accomplishments. He has touched countless lives, and Southeast Texas is a better place for it.

And that's just the way it is.

HONORING VICTIMS OF BACTERIAL
MENINGITIS

HON. KEVIN BRADY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 20, 2012

Mr. BRADY of Texas. Mr. Speaker, I rise today to remember Ryan Milley, a young man from Conroe, Texas who was born on September 20, 1979. In 1998, 18-year old Ryan lost his life to meningococcal meningitis.

As a result of Ryan's death his family founded Meningitis Angels, a national nonprofit organization that educates the public, health professionals, child care facilities, schools and universities on not only meningitis but other vaccine preventable diseases through personal stories, educational brochures, posters and videos.

Meningitis Angels is dedicated to the support of victims of bacterial meningitis and their families. While helping families cope with the loss or care of a family member they also offer some hands on support for those children affected with bacterial meningitis.

Sadly, Meningitis Angels continues to grow. Meningitis Angels currently represents over 600 families across the U.S. and abroad.

Mr. Speaker, I cannot do justice to these families without speaking about this terrible and preventable disease.

Bacterial meningitis is an infection of the meninges, the thin lining that surrounds the brain and spinal cord.

It is a deadly, debilitating disease that especially affects infants, children, teenagers, young adults, and those with compromised immune systems.

People who have bacterial meningitis may have longterm complications and disabilities

like permanent brain damage and long-term physical problems such as heart, kidney, or intestinal problems or could require amputations of the arms, legs and facial features. Infants and teens are highest risk for this disease.

The most effective way to protect your child against bacterial meningitis is to complete the recommended vaccine schedule. In many states, these vaccines are required for children in school and daycare.

The families of Meningitis Angels can tell you that these requirements are not frivolous or busy work.

So on their behalf, I ask that American families get vaccinated to prevent more tragedies.

I have offered H. Res. 403 to honor Ryan Wayne Milley, his remarkable mom Frankie, and all Meningitis Angels across the United States. Today is an appropriate day to remember Ryan and to support efforts to end the disease that took his life.

IN RECOGNITION OF NATIONAL
HISPANIC-SERVING INSTITU-
TIONS WEEK

HON. LAURA RICHARDSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 20, 2012

Ms. RICHARDSON. Mr. Speaker, I rise today to recognize National Hispanic-Serving Institutions Week during the week of September 16 through September 22, 2012. These institutions of higher learning play a unique role in bringing together families and communities to develop our nation's most valuable resource: our children. During this week, I rise to thank the Hispanic-serving institutions that are equipping our children with the skills necessary for a lifetime of success.

I would like to recognize four such institutions in the 37th Congressional District of California: California State University-Dominguez Hills, California State University-Long Beach, El Camino College-Compton Center, and Long Beach City College. These schools are preparing students to enter the workforce in science, education, and healthcare, among many other fields and career paths that will contribute to our economic success today and in the future.

The majority of residents in my district are Hispanic, and Hispanics represent our country's largest minority group. Hispanics have already made invaluable contributions to America and I have no doubt Hispanics will continue to do so. The future prosperity of America hinges on tapping into the enormous potential of minority groups. Investing in technical education for minorities is not just a moral obligation but an American necessity.

Mr. Speaker, I urge my colleagues to join me in recognizing the tremendous work of Hispanic-serving institutions, within my district as well as across the nation. I thank the countless staff members and educators who are strengthening our education system and creating new opportunities for a new generation of Hispanic leaders.

RECOGNIZING ED BERGH ON THE
OCCASION OF HIS RETIREMENT

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 20, 2012

Mr. SMITH of Washington. Mr. Speaker, I rise to honor Ed Bergh on his retirement from Yelm High School after 38 years of teaching. The Washington State Legislature has also named Mr. Bergh the Washington Civic Educator of the Year.

Mr. Bergh studied political science at Western Washington University and soon after graduation, he became a Social Studies teacher. Today, Mr. Bergh teaches World Problems, History, and American Government.

In addition to his passion for educating young people, Mr. Bergh loves learning more about the subjects he teaches. He looks for ways to increase his knowledge and apply that learning to the classroom. Mr. Bergh does not simply lecture his students, he engages them in discussion and helps them think critically before reaching conclusions.

In addition to teaching, Mr. Bergh enjoys learning and writing about his hometown, Yelm, Washington. He created the Yelm History Project, a virtual database for the history of Yelm, the Web site of which he and his students regularly update.

Mr. Speaker, it is with great honor that I recognize the career of Ed Bergh. His dedication to teaching is an inspiration and has undoubtedly helped countless students who have gone on to accomplish great things.

ANGELS IN ADOPTION

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 20, 2012

Mr. POE of Texas. Mr. Speaker, Monica and Ivory Garrett from Beaumont, Texas are truly Angels—Angels in Adoption. Forty-three foster children have been blessed with the Garretts' love and care over the years; Forty-three lives have been changed because of the Garretts.

Mrs. Garrett began her involvement in the foster care system in 1997 as lead staff at a Buckner International group home for foster children. Through her work, she realized that this was God's calling for her, and a few years later, the Garretts were licensed as foster parents and began welcoming children into their own home. After caring for 25 children, the Garretts' felt that God was calling them to something even bigger.

The Garretts then opened a group home for children with therapeutic needs in 2009. They consider all of these children their own, providing a loving home and ensuring that they get the most out of life. Their children are all encouraged to explore their talents, participating in choir, sports, and various other activities. The Garretts are unsung heroes, a family with bountiful love, and truly Angels in Adoption.

I was honored to recently award the Garretts with their Angels in Adoption award. They

are an incredible family that has dedicated their lives to help and change children's lives. And that's just the way it is.

A TRIBUTE TO COMMAND
SERGEANT MAJOR OTIS CUFFEE

HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 20, 2012

Mr. BRADY of Pennsylvania. Mr. Speaker, I rise today to honor Command Sergeant Major Otis N. Cuffee. For 37 years, Sergeant Major Cuffee has served in the United States Armed Services and will soon celebrate his retirement after decades of service to our Nation.

Sergeant Major Cuffee dedicated 37 years in continuous active duty service to our country. During his tenure in the U.S. Armed Services he served in various leadership positions, from Squad Leader to Sergeant Major. As Sergeant Major, Cuffee extended his expertise to teaching the Basic Airborne Training Course and the NCO Academy Advanced Course. Most recently, he has had the position of a senior enlisted leader at the Defense Logistics Agency.

Sergeant Major Cuffee has received numerous personal awards including the Legion of Merit, Bronze Star and Global War on Terrorism Expeditionary and Service. His relentless dedication was honored with the Meritorious Service Award, Army Commendation Award, Army Achievement, Humanitarian Service Award and Korean Defense Service Medal. Additionally, Sergeant Cuffee has received numerous unit and condition awards.

Sergeant Cuffee's long and impressive career showcases his commitment not only to his local community but our Nation. Mr. Speaker, I ask that you and my other distinguished colleagues join me in thanking Command Sergeant Cuffee for his dedication and congratulate him on the occasion of his retirement.

PERSONAL EXPLANATION

HON. TIMOTHY V. JOHNSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 20, 2012

Mr. JOHNSON of Illinois. Mr. Speaker, on Wednesday, September 19, 2012 I had to meet with constituents in the Champaign-Urbana area concerning financial matters of local Government and I missed suspension votes on H.R. 5044, the Andrew P. Carpenter Tax Act, which amends the Internal Revenue Code to exclude from gross income any amount attributable to the discharge of student loan indebtedness of a veteran who died as a result of a service-connected disability. Also I missed votes on H.R. 5912, which would Amend the Internal Revenue Code to prohibit public funds for political party conventions.

Had I been present, I would have voted "aye" on the above stated bills.

“TAIWAN’S NATIONAL DAY”

HON. LORETTA SANCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 20, 2012

Ms. LORETTA SANCHEZ of California. Mr. Speaker, in celebration of Taiwan’s National Day on October 10th, fondly referred to as Double Ten Day. Since its formation, Taiwan has rapidly industrialized and now boasts the 19th largest economy in the world.

Taiwan remains important to the United States in its advocacy of fair democratic values across the world and its success in sustaining a dynamic multi-party system revealing its commitment to protecting political rights and freedoms. In troubled times such as these, it is also gratifying to know that there are countries that continue to put forth efforts that provide constructive solutions for highly divisive issues.

Instead of exacerbating tensions with China, Taiwan has pursued positive relations with China by promoting economic trade. Taiwan has continued to maintain its own independent and democratic form of government, vibrant culture, and booming commerce.

Once again, I would like to share in Taiwan’s celebration on their National Day.

ROY BENAVIDEZ

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 20, 2012

Mr. POE of Texas. Mr. Speaker, America is about people. Who we are and what we are is because of the people who have come to America. We have always been and will always be a nation of immigrants. They are individuals who have lived and died and influenced the rest of us because of their tenacious spirit and determination.

Roy Benavidez was one of those Americans. He was born in South Texas in a small town called Cuero, August 5, 1935. He was the son of a sharecropper. He was an orphan and he had mixed blood of Yaqui Indian and Hispanic. He lost his family at a young age and dropped out of school in the 7th grade. He didn’t see the need for an education at that time. He was a migrant farm worker. He worked all over Texas and as far as Colorado in the sugar beet fields and the cotton fields.

In 1955 he decided to join the United States Army, and he joined in Houston, Texas. He was in love with his hometown sweetheart, Lala Coy. While he was away in Germany on active duty, he asked a local priest, his grandfather and his uncle if they would go to Lala’s father and ask permission for Roy to marry her and he agreed. While he was in the Army, however, he was in a lot of trouble, even though he was a member of the Military Police.

So he finally joined the Special Forces training at Fort Bragg where he reached the rank of staff sergeant and went to Vietnam as a Green Beret. But on May 2, 1962, his life changed forever. It is a story that is almost unbelievable.

On the morning of May 2, 1968, a 12-man Special Forces team was inserted in Cambodia to observe a large-scale North Vietnamese troop movement, and they were discovered by the enemy. Most of the team members were close friends of Roy Benavidez, who was the forward operating officer in Loc Ninh, Vietnam. Three helicopters were sent to rescue this 12-man team, but they were unable to land because of the heavy enemy concentration. When a second attempt was made to reach the stranded team, Benavidez jumped onboard one of the helicopters, armed only with a Bowie knife. As the helicopters reached the landing zone, Benavidez realized the team members were likely too severely wounded to move to the helicopters. So he ran by himself through heavy small arms fire to the wounded soldiers. He was wounded in the leg, the face, and the head in the process. He reorganized the team and signaled the helicopters to land. But despite his injuries, Benavidez was able to carry off half of the wounded men to the helicopters.

He then collected the classified documents held by the now dead team leader. As he completed this task, he was wounded by an exploding grenade in the back and shot in the stomach. At that moment, the waiting helicopter’s pilot was also mortally wounded, and that helicopter crashed. He ran to collect the stunned crash survivors and form a perimeter. He directed air support, ordered another extraction attempt and was wounded again when shot in the thigh. At this point he was losing so much blood from his face wounds that his vision became blocked.

Finally, another helicopter landed and as Benavidez carried a wounded friend to it, he was clubbed in the head with a rifle butt by an enemy soldier. That soldier bayoneted Benavidez twice.

Mr. Speaker, Benavidez was wounded in that one battle 37 times; Seven gunshot wounds, he had mortar shrapnel in his back, and two bayonet wounds. He was taken for dead and left for dead and zipped up in a body bag, but right before they zipped the bag up, he spit in the doctor’s face, letting the doctor know he was yet alive.

He later recovered. He received the Distinguished Service Cross and then many years later Ronald Reagan presented him with the Congressional Medal of Honor. President Reagan stated that if this were a movie, no one would believe it because of the heroic deed of Roy Benavidez.

Mr. Speaker, after he retired from the military, Roy Benavidez went around America talking about the importance of an education, since he only went to the seventh grade. He talked to young gang members, he talked to youth, telling them to stay in school and get an education. He was a remarkable individual.

A Navy ship has been named after him, several elementary schools in Texas have been named after Roy Benavidez, and even a toy company has issued a Roy Benavidez GI Joe action figure.

As we prepare to celebrate and honor Hispanic Heritage Month, one of those great Hispanic Americans was Roy Benavidez, a Texas hero, an American hero, a war hero that loved America and, as he said, got to live the American Dream the way that he wanted.

And that’s just the way it is.

RECOGNIZING THE ALDEN FARMERS MARKET

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 20, 2012

Mr. HIGGINS. Mr. Speaker, I rise today in honor of the Alden Farmers Market, a staple in Western New York since 2003 that brings community together over fresh, locally grown produce every Saturday morning in the summer.

Open from late May until early October, the farmers market sponsored by the Alden Chamber of commerce, located in Alden Village Plaza allows friends, family and neighbors to enjoy a plentiful variety of fresh vegetables, fruits, flowers, plants, chickens, beef, baked goods, honey, maple syrup, candy, spices, soaps and jellies while learning techniques of how they were made straight from the merchants and producers themselves.

This rare level of personal service and knowledge, combined with the variety of fresh local products is unique to Western New York and surrounding farms and has become a practice that all western New Yorkers take pride in.

Mr. Speaker, on Saturday October 6 the Alden Farmers Market will mark the end of its 10th season. Small closing ceremonies will include musical artist Sara Elizabeth Genco, a costume and pet parade, and a second raffle drawing. Mr. Speaker, I ask that you join me and all Western New Yorkers in thanking the Alden Chamber of commerce and all local merchants and farmers who participated in this great Saturday morning tradition.

CONGRATULATING ROCIO DE MATEO SMITH

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 20, 2012

Mr. GEORGE MILLER of California. Mr. Speaker, I rise with my colleagues Congresswoman BARBARA LEE and Congressman JOHN GARAMENDI; to recognize and congratulate Rocio de Mateo Smith upon her retirement as Executive Director from the Developmental Disabilities Area Board 5.

Born and raised in Mexico City, Rocio de Mateo Smith attended Universidad Nacional Autonoma de Mexico, where she received a B.A. in Mathematics. In the United States, she received a B.A. in Psychology from California State University, Hayward and an M.S.W. from the University of California, Berkeley.

For the past 30 years, Rocio de Mateo Smith has worked in the field of developmental disabilities with a special emphasis in services to immigrant communities. In her role as Executive Director of Area Board 5 on Developmental Disabilities, Rocio advocated for the service rights of people with developmental disabilities of all ages, both at the individual and systemic levels. Prior to this position, she was the Developmental Disabilities

Coordinator for Alameda County Health Care Services Agency and, before that, was the Executive Director of Agency for Infant Development, a Fremont-based program for infants with disabilities and their families.

Rocio is a true champion when it comes to advocating for people with developmental disabilities and her knowledge with regard to resources in the community is unmatched. She has served and impacted countless individuals and families in the Bay Area, representing them and guiding them toward appropriate services. For all her efforts, Rocio is not only highly regarded, but has been recognized and honored extensively as an outstanding woman and as a true advocate for persons with disabilities.

Mr. Speaker, I invite my colleagues to join me in commending Rocio de Mateo Smith for her committed and diligent service to the community. I am pleased to join her family, friends, and colleagues in congratulating Rocio on an outstanding career and wish her the very best as she begins a well-deserved retirement.

HONORING THE VETERANS AND
GOLD STAR FAMILIES OF THE
SEPTEMBER 20, 2012 QUAD CITIES
HONOR FLIGHT

HON. DAVID LOEBSACK

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 20, 2012

Mr. LOEBSACK. Mr. Speaker, today I have the great honor of welcoming to our nation's capital ninety-two Iowa veterans of the Greatest Generation and forty-three Gold Star family members who will be escorting them on their visit. This is truly a special Honor Flight because it is bringing together World War II and Korean War veterans with families who have made the ultimate sacrifice in Iraq and Afghanistan.

The 43 Gold Star family members travelling to our capital today represent 24 fallen servicemembers. I can think of no greater honor than to join them and our World War II and Korean War veterans at the National World War II Memorial during their visit and to personally thank Iowa's, and our nation's, heroes—our veterans and the families who have sacrificed so greatly on behalf of our country.

When our country was threatened, our World War II and Korean War Veterans rose to defend not just our nation but the freedoms, democracy, and values that we hold dear. The Greatest Generation did not seek to be tested both abroad by a war that fundamentally challenged our way of life and at home by the Great Depression and the rebuilding of our economy that followed. But, when called upon to do so, they defended and then rebuilt our nation.

This generation of Iraq and Afghanistan Veterans is no less humbling in their service and sacrifice. They have fought overseas for over a decade so that we may live in peace here at home. While our country may never be able to repay the debt we owe our Gold Star families, we must uphold the promise that we will never forget the ultimate sacrifice made by their loved ones.

I am tremendously proud and humbled to welcome the Quad Cities Honor Flight, our World War II and Korean War veterans, and our Gold Star families to our nation's capital today. On behalf of every Iowan I represent, I thank them for their service and sacrifice.

HONORING TREVOR GREENE

HON. DOC HASTINGS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 20, 2012

Mr. HASTINGS of Washington. Mr. Speaker, I rise today to congratulate the 2013 National Principal of the Year, Principal Trevor Greene, from Toppenish High School in my Congressional District. Principal Greene is an outstanding school administrator and I am grateful for his leadership and dedication to the students and faculty at Toppenish High School.

Four years ago, Principal Greene returned to the Yakima Indian Reservation, where he grew up, to serve as principal at Toppenish High. Once an underperforming school, Toppenish High has become a top performing institution whose successful model is followed by other schools in the region, thanks to the hard work of the staff under his leadership.

Principal Greene energized Toppenish students and helped them gain the confidence needed to work harder and dream bigger. By implementing a rigorous science, technology, engineering and mathematics, STEM, education program and expanding academic opportunities to his students, test scores have improved by 67 percent and graduation rates are over 90 percent.

At a time when the United States is falling behind in science and math, the Toppenish High STEM program continues to increase in popularity among students, with enrollment jumping by more than 100 students in just one school year. Students are receiving a high quality education and graduating with the resources and tools they need to succeed in college and beyond.

Each year, MetLife Resources along with the National Association of Secondary School Principals Association, NASSP, selects one highly deserving principal from a pool of more than 100 middle and high school principals nationwide. These individuals, who have been nominated by their state, are highly successful at providing top-quality learning opportunities for students and have demonstrated commendable contributions to the profession.

I am pleased that as a result of Principal Greene's selection as National Principal of the Year, Toppenish High School will receive a \$5,000 school improvement grant from the MetLife Resources/NASSP National Principal of the Year program.

We need more people like Principal Greene working to make a difference in our schools. I applaud his dedication to the students and faculty at Toppenish High School.

RECOGNIZING THE REPUBLIC OF
CHINA ON ITS 101ST ANNIVERSARY

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 20, 2012

Mr. HIGGINS. Mr. Speaker, I rise today in honor of Double Ten Day, the National day of the Republic of China. On October 10th, Taiwan will celebrate the 101st anniversary of China's military Wuchang Uprising, the start of the Xinhai Revolution, which led to the collapse of the Qing Dynasty, the end of 2,000 years of imperial rule in China and ushered in the Republican Era.

By the end of the 1683 century, Ching rulers governed all of China. After the first three emperors, the Ching Court began to decline, becoming weak and corrupt. In response, a group of national capitalists began inciting uprisings. One of the leaders of this nationalistic group, Sun Yat-sen, spent much of his youth in the United States and wanted a Western-style government for his country with a parliament and separation of powers. After the success of the uprisings, Sun Yat-sen became the first president of the Republic of China, a post from where he promoted the idea of a democratic society. Dr. Sun is now remembered as the father of modern China.

When the Republic of China lost control over the mainland in 1942, the government retreated to Taiwan where its constitution remains in command today. Taiwan is an exemplary standard of civil, liberal government in East Asia, and the Republic of China has stood shoulder to shoulder with the United States to defend and promote the very values and ideals that inspired Dr. Sun and founded the Republic all those years ago.

Mr. Speaker, I thus urge my colleagues to acknowledge the Founding Father Sun Yat-Sen and his vision to a democratic China, and join me in congratulating the Republic of China in Taiwan on its 101st anniversary.

PERSONAL EXPLANATION

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 20, 2012

Ms. LEE of California. Mr. Speaker, I was not present for rollcall votes 585–586. Had I been able to vote, I would have voted “yes” on 585 and “no” on 586.

IN HONOR OF KEVIN QUIGLEY

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 20, 2012

Mr. FARR. Mr. Speaker, I rise today to honor the work of Kevin Quigley, outgoing President of the National Peace Corps Association. After nine years at the NPCA, Kevin is moving on to serve as Peace Corps Country Director in Thailand, the country where he served as a Volunteer from 1976–1979.

Kevin's dedication to the Peace Corps community is evident in the legacy he leaves behind at the NPCA. Under his leadership, the association launched new programs designed to connect Returned Peace Corps Volunteers to schools and community groups in the United States that are interested in learning more about Peace Corps, established a mentoring program to assist volunteers returning from overseas service, and provided alumni with continued service learning travel opportunities to Peace Corps countries. Kevin also guided the NPCA into the digital age with the Africa Rural Connect Program, which provides an online platform allowing global collaboration to advance small-scale agricultural development initiatives in rural Africa, and NPCA Twitter Chat, a weekly online gathering of the Peace Corps community to discuss how to address key issues of the day.

Kevin brought a unique skill set to the NPCA, drawing from his experience as Senator John Heinz's Legislative Director, staff member at the Office of Management and Budget, and Vice Chairman of USAID's Advisory Committee on Voluntary Foreign Assistance. He also served as Acting CEO of the Vietnam Veterans of America Foundation, Executive Director of the Global Alliance for Workers and Communities, and Vice President of Policy and Business at the Asia Society.

And uniting many of Kevin's diverse abilities is his commitment to volunteerism. In addition to his Peace Corps service, Kevin played a founding role in the formation of the Building Bridges Coalition, a consortium of more than 200 leading organizations working collaboratively to promote the field of international volunteering.

Mr. Speaker, while I will miss collaborating with Kevin at the NPCA, I wish him the very best in his ongoing service to our country. Peace Corps Thailand is lucky to have him.

IN HONOR OF THE NATIONAL DAY
OF THE REPUBLIC OF CHINA
(TAIWAN)

HON. DONNA M. CHRISTENSEN

OF THE VIRGIN ISLANDS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 20, 2012

Mrs. CHRISTENSEN. Mr. Speaker, on Taiwan's National Day (October 10, 2012), I am pleased to take this opportunity to wish the leaders and people of Taiwan many happy returns. I look forward to continued bi-lateral relations between Taiwan and the United States of America.

Also, I would like to bid a personal farewell to Taiwan Ambassador, Mr. Jason Yuan. He has been reassigned as Taiwan's Secretary-General of the National Security Council. During his last four years in Washington, DC, Ambassador Yuan has been instrumental in fostering the strong relationship between the Taiwanese people and the Government of the United States. I wish Ambassador Yuan and his family best wishes and a smooth transition in his new position, and I thank him for his service.

IN RECOGNITION OF THE DEDICATION OF THE ALBANIAN CULTURAL GARDEN

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 20, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in recognition of the dedication of the Albanian Cultural Garden, taking place on September 22, 2012.

The 254 acre piece of land that constitutes Rockefeller Park was donated to the City of Cleveland by John D. Rockefeller in 1896. The Cleveland Croatian Cultural Garden is a two acre piece of land within Rockefeller Park. The Cleveland Cultural Gardens were founded in 1926 to create a memorial area for the diverse ethnic groups that shape the region, and to serve as a space for reflection on peace, cooperation and understanding. The Cultural Gardens are currently a collection of more than 30 gardens which include African-American, American Indian, British, Chinese, Czech, Estonian, and Slovenian gardens, among others.

The planning and construction of the Albanian Cultural Garden started in 2007. Legislation sponsoring its dedication was spearheaded by Cleveland City Councilwoman Dona Brady. Members of the Albanian American Association of Cleveland, Ohio, Albanian Cultural Garden Committee, Jim McKnight and Kreshnik Xhiku were instrumental in creating the Albanian Cultural Garden.

The dedication of the Albanian Cultural Garden will occur on September 22, 2012. In addition to inaugurating the Albanian Cultural Garden, it will also commemorate the 100th year of Albanian Independence and dedicate the Mother Teresa memorial statue. Special guests of the dedication will include Albanian President, Bujar Nishani; Albanian Ambassador, Gilbert Galanxhi; Mayor Baftjar Zeqaj; and Mary, Mariano and Christian Gannon.

Mr. Speaker and colleagues, please join me in recognition of the dedication of the Albanian Cultural Garden.

RECOGNIZING THE ACHIEVEMENTS
OF LINCOLN HIGH SCHOOL

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 20, 2012

Mr. SMITH of Washington. Mr. Speaker, I rise to honor Lincoln High School, in Tacoma, WA, for its many achievements over the almost one hundred years it has been open, and to congratulate all who work and study at Lincoln as they prepare to celebrate the school's 100th anniversary.

Lincoln High School accepted its first students in 1914. Since then, the teachers at Lincoln have educated thousands who would go on to graduate, and the school has supported many of its students by raising scholarship funds for future graduates. In the coming year, Lincoln High School hopes to raise \$100,000 in scholarship money to celebrate their cen-

tennial anniversary. This year's fundraising will build upon the successes during the school's 75th anniversary, when \$75,000 was raised to support 12 graduating students. Lincoln High School's organizing committee has hosted various fundraisers to connect students and communities through education.

Mr. Speaker, it is with great pleasure that I honor Lincoln High School. Schools like Lincoln High School keeps students motivated and active by ensuring that all are given the opportunity to have a bright future.

PERSONAL EXPLANATION

HON. KEVIN BRADY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 20, 2012

Mr. BRADY of Texas. Mr. Speaker, on roll-call No. 586, I was unavoidably detained and could not be present for last night's rollcall vote on H.R. 5912, a bill that would amend the Internal Revenue Code of 1986 to prohibit the use of public funds for political party conventions and provide for the return of any previously-distributed funds for deficit reduction. I am a strong supporter of this legislation. Had I been present, I would have voted "yes."

IN HONOR OF THE NATIONAL
MARINE SANCTUARIES ACT

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 20, 2012

Mr. FARR. Mr. Speaker, I rise today to reflect on one of the most important pieces of federal legislation impacting our coastal, great lakes and ocean resources stretching from Fagatele Bay in American Samoa to the Monitor National Marine Sanctuary along the East Coast. The National Marine Sanctuaries Act, which was signed on October 23, 1972, recognized the value of these national treasures; designating marine protected areas for current and future generations.

40 years later, communities across the country have seen real dividends from these federal investments and are expressing their interests in protecting their own waters. Reactivation of NOAA's Site Evaluation List, a scientifically rigorous and publicly reviewed list of sites, is being considered as part of the Strategic Action Plan to implement our National Policy for the Stewardship of the Ocean, Our Coasts, and the Great Lakes. It would bring a renewed commitment to conserve, protect, and enhance the biodiversity, ecological integrity and cultural legacy of our nation's system of marine protected areas.

In my experience, the most remarkable thing about the National Marine Sanctuary Program is the transformation which occurs when communities recognize they have the opportunity to become stewards of their local marine environment. I cannot emphasize enough that ours and future generations will increasingly depend on a healthy ocean—for ecological, economic, educational, scientific,

social, cultural and recreational benefits, as well as for the food we eat. For me, the best example is the Monterey Bay National Marine Sanctuary, which this year celebrates its 20th Anniversary.

The Monterey Bay National Marine Sanctuary emerged from a collaboration of local officials, civic minded citizens, environmentalists and many others who were concerned about the possibility of oil drilling on the Central Coast. Their hard work resulted in the establishment of the largest marine sanctuary in the Continental U.S. It goes down more than 2 miles and is almost as deep as the Rockies are tall. Its undersea mountain—"Davidson Seamount"—is higher than any coastal mountain, 7,480 feet tall, and it supports one of the most bio-diverse ecosystems in the world.

I am fortunate to represent a congressional district that has one of the greatest synergies of ocean science and research in the world. And it is through increased understanding of our marine sanctuaries that we become better stewards of our blue planet. The National Marine Sanctuary Program is charting the course forward through research and education and it is only fitting that, on this anniversary of the National Marine Sanctuaries Act, we in Congress commend the National Marine Sanctuaries Act and all of our nation's sanctuaries for their significant work in advancing understanding and protection of the world's oceans.

HONORING NASA LANGLEY'S 95TH ANNIVERSARY

HON. ROBERT J. WITTMAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 20, 2012

Mr. WITTMAN. Mr. Speaker, I rise today to recognize the 95th Anniversary of NASA Langley Research Center in Hampton, Virginia. In 1917, this nation's first civilian aeronautical research laboratory was established in Hampton, Virginia, by the National Advisory Committee for Aeronautics as the Langley Memorial Aeronautical Laboratory. Today, NASA Langley is known around the world for its cutting edge research, leading numerous aviation breakthroughs, making contributions to flight technologies across all speed regimes, and improving the safety of our national air space. I would also like to recognize the approximately 1,900 civil servants and 1,800 contractors who contribute to the important mission carried out at NASA Langley today and to thank the many individuals who have played a part in the Center's 95-year history in establishing the Center's strong legacy of excellence in aeronautics.

NASA Langley contributes to NASA's vision to "reach for new heights and reveal the unknown so that what we do and learn will benefit all humankind" by developing robust aerospace systems that can perform in our own atmosphere, on the Moon, on Mars or anywhere that NASA explores with aircraft, spacecraft and satellites. These NASA technologies can be found on virtually every civilian or military aircraft flying today. NASA Langley has also conducted ground-breaking climate and atmospheric research, which has improved the

understanding of our planet, its atmosphere, and the impact on human health. NASA Langley is a vital member of the Hampton Roads community, the Commonwealth of Virginia, and the Nation and I am certain that the Center and its employees will continue to achieve unparalleled technology advances that will inspire generations of future explorers.

I urge my colleagues to join me in commending NASA Langley for continuing to drive game-changing technology innovations that support our Nation's economic vitality and leadership in aerospace.

HONORING THE 225TH ANNIVERSARY OF THE U.S. CONSTITUTION

HON. DAVID SCOTT

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 20, 2012

Mr. DAVID SCOTT of Georgia. Mr. Speaker, today I rise in honor of the 225th anniversary of the United States Constitution and to celebrate its many contributions to American society. On September 17, 1788, members of the Constitutional Convention signed what would become the most important and fundamental document in the United States of America.

Our founding fathers came together in true American spirit to lay out our rights and freedoms, rights that were later extended to include all Americans regardless of race or gender. The unmatched longevity of the Constitution still maintains those values today. This unique document represents our founding fathers' innovative strides towards democracy and has fervently outlived all of its predecessors. Our constitutional framers and those who have improved the Constitution through Amendments have ensured the preservation and enhancement of liberty, justice and equality. The Constitution has endured the test of time and now celebrates a remarkable 225 years as the foundation of American government. The Constitution represents the ability of our country to come together for the greater good. The inalienable rights laid out in this historical document have shaped our amazing nation and served as inspiration for the development of future democracies.

On August 2, 1956, President Eisenhower enacted a law that acknowledged the Constitution's importance as the center of the America we now know and love and instituted an annual National Constitution Week to both celebrate the Constitution and promote its study. It is during this week that we acknowledge not only our framers with patriotic dignity, but also honor those who have ensured that this document continues to preserve equality throughout our nation. This dignified piece of American history deserves proper recognition, and I invite my colleagues to join me in renewing our vows to preserve, protect and defend this venerable document.

IN RECOGNITION OF DENZELL PERRY

HON. LAURA RICHARDSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 20, 2012

Ms. RICHARDSON. Mr. Speaker, I rise today to honor an extraordinary young man, Denzell Perry. Today, Mr. Perry is being honored as the Pacific Region Youth of the Year by the Boys and Girls Club of America. Mr. Perry is from Watts, California, which is in my district. He embodies the core values held by the Boys and Girls Club. He leads by example and has already made a significant difference at his local center.

Mr. Perry started going to the center at the age of six, and the relationships he built then have turned into lifelong friends and mentors. Now, he provides the same guidance and support that he received as a child.

At his club, Mr. Perry was president of the teen service group and served as a junior staff member. Also, when Mr. Perry's club wanted to help more teens receive assistance through its college access program, he designed a new Web site that really spoke to his peers.

In high school, Mr. Perry was class president, a member of the Black Student Union, and a student member of the board of education. Now he attends University of California Irvine, majoring in criminal justice. I am confident that, with his strong work ethic and sense of social justice, he will transform his community and the lives of future generations.

Mr. Speaker, he is the type of young man we should all look to for inspiration. He is a true leader in his community and has a bright future ahead of him. I am honored to have such an impressive young man in my district. I urge my colleagues to continue to support the Boys and Girls Clubs of America which has a tradition of producing great Americans such as Denzel Washington, Magic Johnson, General Wesley Clark, and now continues with Denzell Perry.

A TRIBUTE TO WALTER HIGGINS

HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 20, 2012

Mr. BRADY of Pennsylvania. Mr. Speaker, I rise today to honor Mr. Walter Higgins for his invaluable contribution to the infrastructure of Philadelphia. Since 1986, Walt has transformed several of Philadelphia's vital roadways, enhancing the city's travel efficiency.

After graduating Monsignor Bonner High School in 1975, Walt studied Labor-Management Relations and Construction Management at Delaware Community College, Kutztown University, and The George Meany Center for Labor Relations at the National Labor College. Walt was the Traffic Control Coordinator and Foreman for projects such as the Vine Street Expressway Reconstruction, and the I-95 Center City Access Job. Walt also coordinated logistics with the City of Philadelphia, the Workforce and Penn Dot for several fast track

projects. Philadelphians who regularly utilize the Walt Whitman Bridge, the Benjamin Franklin Bridge and the Patco High Speed Line understand the importance of Walt's work on these projects.

Walt has been a member of the Laborers' Local 57 for more than thirty years and presently serves as the local's Business Manager and the Vice President of the Laborers District Council of Philadelphia. He is a trustee on the Laborers District Council Pension and Health and Welfare Benefit Funds and sits on the Board of Directors of the Allied Trades Assistance Program. Aside from managing business, serving councils, and improving Philadelphia's infrastructure, Walt enjoys spending time with his wife Adele, son Tom and his wife Kelly, and his three grandsons.

Mr. Speaker, I encourage my colleagues to join me in honoring Mr. Walter Higgins and thanking him for his service to the city of Philadelphia.

NEIL GODLESKI AND SUZANNE
MURPHY

HON. TIMOTHY H. BISHOP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 20, 2012

Mr. BISHOP of New York. Mr. Speaker, I rise to commemorate the tragic passing of Neil

Godleski, nephew of my friend and constituent Suzanne Murphy of Southampton, New York. Neil, a rising senior at Catholic University, was fatally shot on August 22, 2010 while riding his bicycle home from a restaurant where he worked as a waiter. He was 31 years old and had returned to college with plans to pursue a career in science. His assailant was a 16-year-old boy who shot him six times with a .38 caliber handgun and then robbed him.

Suzanne's family has been wrenched with grief over the sudden end of this young man's life. More than 200 people attended his funeral in his hometown of Norwalk, Connecticut, and many others gathered at a candlelight vigil for him in his Washington, DC neighborhood of Petworth.

While no vigil or memorial could ever begin to take away the pain of this loss, Suzanne has found a way to channel her grief and focus her energy. She has become an advocate for gun control, becoming part of a movement declaring the need to seek a new path emphasizing gun safety at a time when one in three Americans knows someone who has been shot. In an average year, around 100,000 Americans are killed or wounded with guns.

Columbine, Virginia Tech, Trayvon Martin, and the recent episode in Aurora, Colorado are senseless tragedies still fresh in our minds that point to the need for responsible policies that protect all Americans from gun violence but also preserve the right afforded citizens by the Second Amendment. Reasonable people

can agree that we can achieve even-handed protections that do not infringe on any American's right to possess a firearm.

Efforts to curb the influx of dangerous weapons into our communities, restrictions on assault-type weapons and high-capacity ammunition magazines, and policies on handguns are the types of actions Congress can take to protect our communities from gun violence. We must also equip local law enforcement officers with the tools needed to keep guns out of the hands of criminals and others who wish to do our sons and daughters harm.

Unfortunately, Suzanne Murphy and her family have experienced first-hand the tragic pain and loss that comes to a family in a shooting death. At Catholic University, Neil was a teaching assistant to his biology professor. The professor told Suzanne that one of Neil's jobs was to keep an eye out for other students having trouble mastering the material. Neil especially liked tutoring and helping his fellow classmates. After his death, Catholic University awarded Neil his diploma with his class of 2011. His parents, Dan and Heidi Godleski, gratefully accepted it on his behalf.

Mr. Speaker, I applaud Suzanne's efforts to reach out and bring awareness to the problem of gun safety. We must not let her nephew become just another chilling statistic in the battle to make our communities safer—leaving another family struggling to get past the pain and loss.